



## PLANNING AND ZONING CASE CHECKLIST

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

P&Z CASE # Z2022-011 P&Z DATE 03/15/22 CC DATE 03/21/22 APPROVED/DENIED  
ARCHITECTURAL REVIEW BOARD DATE \_\_\_\_\_ HPAB DATE \_\_\_\_\_ PARK BOARD DATE \_\_\_\_\_

### ZONING APPLICATION

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

### SITE PLAN APPLICATION

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

### PLATTING APPLICATION

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

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

NOTES: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ZONING MAP UPDATED \_\_\_\_\_





# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22022-011

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

### SITE PLAN APPLICATION FEES:

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

### ZONING APPLICATION FEES:

- ☒ ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- ☐ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1 & 2</sup>
- ☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

### OTHER APPLICATION FEES:

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

#### NOTES:

<sup>1</sup>: 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.

<sup>2</sup>: 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 A0122 M.B. JONES, TRACT 9

SUBDIVISION

LOT

BLOCK

GENERAL LOCATION NWC OF FM 1141 & N. JOHN KING BLVD

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING Agricultural

CURRENT USE

VACANT

PROPOSED ZONING Commercial

PROPOSED USE

VACANT

ACREAGE 5.702

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 CITY OF ROCKWALL

☒ APPLICANT RYAN MILLER

CONTACT PERSON RYAN MILLER

CONTACT PERSON

"

ADDRESS 385 S. GOLIAD

ADDRESS 385 S. GOLIAD

CITY, STATE & ZIP ROCKWALL, TX 75087

CITY, STATE & ZIP ROCKWALL, TX 75087

PHONE 972-771-7700

PHONE 972-772-6441

E-MAIL rmiller@rockwall.com

E-MAIL rmiller@rockwall.com

## NOTARY VERIFICATION [REQUIRED]

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

\*FEE IS WAIVED\*

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ \_\_\_\_\_ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

OWNER'S SIGNATURE

*[Signature]*

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES



SURVEY: M. JONES SURVEY, ABSTRACT NO. 122

LOCATION: CITY OF ROCKWALL, TX

**LEGAL DESCRIPTION**

**PROPERTY SURVEY  
CITY OF ROCKWALL, TEXAS**

BEING A PORTION OF  
C.C. FILE NO. 2007-00389123  
D.R.R.C.T.

NOTE: THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS STATE PLANE NAD83 NORTH CENTRAL ZONE (4202)

**LEGAL DESCRIPTION**

Being a 5.812 acre tract of land in the M. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, being a portion of a called 10.942 acre tract, described in deed to the City of Rockwall, recorded in County Clerk Number 2007-00389123, Deed Records of Rockwall County, Texas, being that portion of said deed lying west of John King Boulevard, a variable width public right of way, more particularly described as follows;

Commencing at a found iron pipe being the southwest corner of said City of Rockwall tract, being the northwest corner of a called 1.837 acre tract, deeded to Betty Bogard, recorded in County Clerk Number 2008-00396742, Deed Records of Rockwall County, Texas, being on the east right of way line of FM 1141, a 80 foot wide public right of way;

THENCE North 01°04'21" West along said right of way line for a distance of 819.58 feet to a found iron rod, being the beginning of a tangent curve to the right;

THENCE northeasterly along said curve to the right with a radius of 278.39 feet, a central angle of 74°11'35", a chord bearing of North 36°01'27" East, a chord distance of 335.83 feet for an arc length of 360.49 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 31°09'51" East for a distance of 39.22 feet to a Set No. 4 rebar with cap "BW2", being on the west right of way line of John King Boulevard, a variable width public right of way;

THENCE South 00°50'54" East along said right of way line for a distance of 117.04 feet to a Set No. 4 rebar with cap "BW2", being on the beginning of a curve to the left;

THENCE southeasterly along said curve to the left, with a radius of 2,060.00 feet, a central angle of 4°29'16", a chord bearing of South 03°05'37" East, a chord distance of 161.31 feet, for an arc length of 161.35 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 05°20'14" East along said right of way line for a distance of 732.10 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 84°39'46" West along said right of way line for a distance of 20.00 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 05°20'14" East along said right of way line for a distance of 46.17 feet to a Set "X" Cut, being the southeast corner of said City of Rockwall tract, being the northeast corner of Lot 1, Block B of the Final Plat of Ladera Rockwall, recorded in County Clerk File No. 2019-0000016594, Plat Records of Rockwall County, Texas;

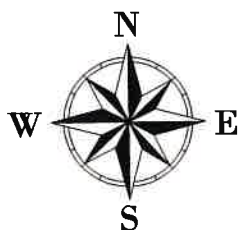
THENCE South 89°26'01" West along said common line for a distance of 265.40 feet to the Point of Beginning;

Said tract contains 5.812 acres more or less.

Subject to all easements of record.

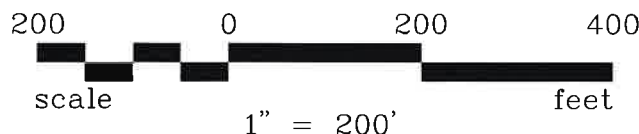
Bearings are based on the Texas Coordinate system, N.A.D. 83 (1993 ADJ.), North Central Zone, 4202 .

Situated in the City of Rockwall, Rockwall County, Texas.



**BW2 ENGINEERS, INC.**

1919 S. Shiloh Road  
Suite 500, L.B. 27  
Garland, Texas 75042  
(972) 864-8200 (T) (972) 864-8220 (F)  
Firm Registration No. F-5290



BW2 JOB NO: 19-1954 DRAWN BY: CEC

DATE: DECEMBER, 2019 CHECKED BY: CEC

18-1954/DRAWINGS/1954 SURVEY.DWG

PAGE 1 OF 2



SURVEY: M. JONES SURVEY, ABSTRACT NO. 122

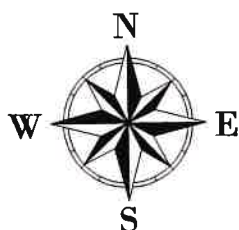
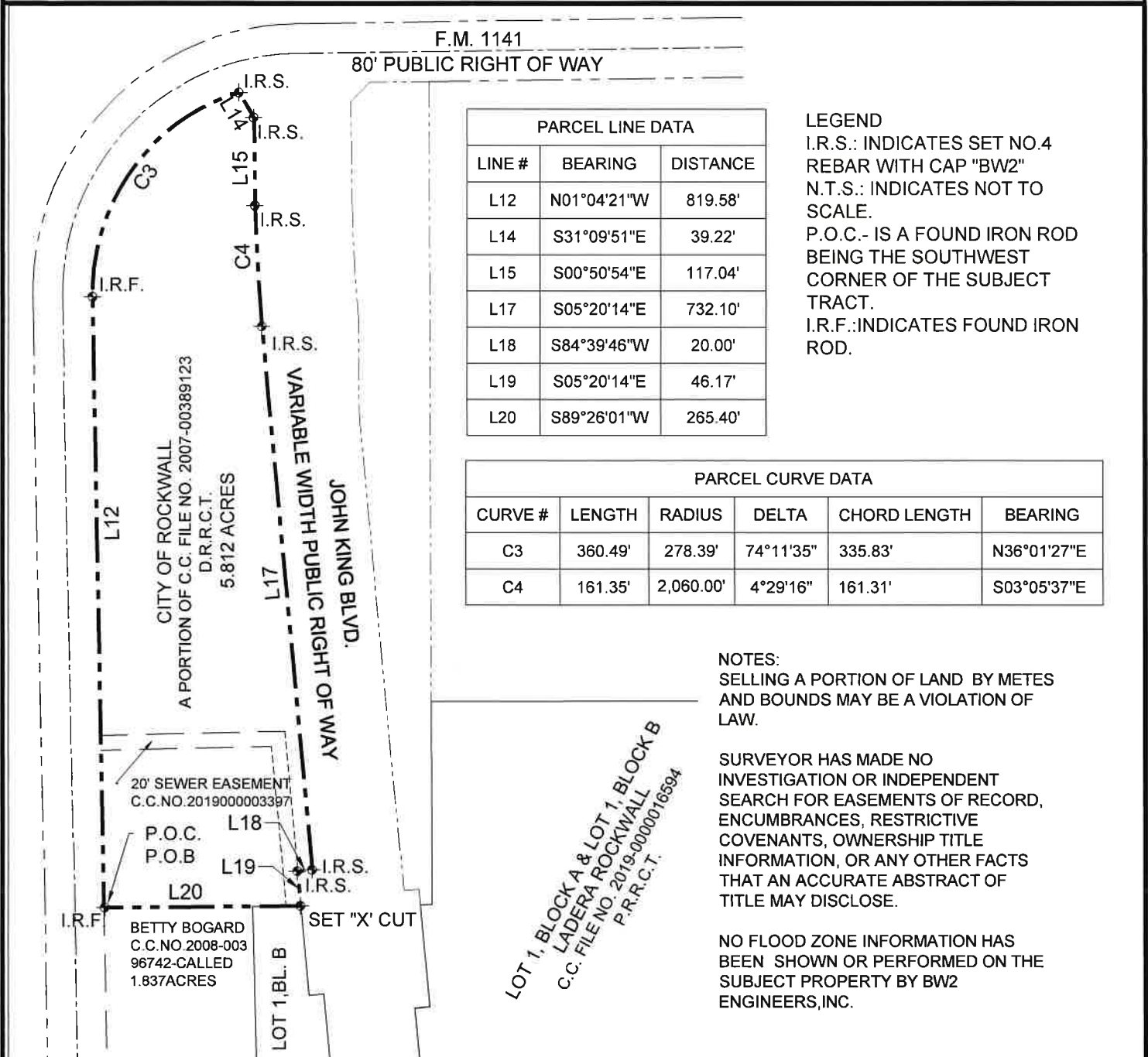
LOCATION: CITY OF ROCKWALL, TX

**PARCEL PLAT- EXHIBIT "A"**

**PROPERTY SURVEY  
CITY OF ROCKWALL, TEXAS**

BEING A PORTION OF  
C.C. FILE NO. 2007-00389123  
D.R.R.C.T.

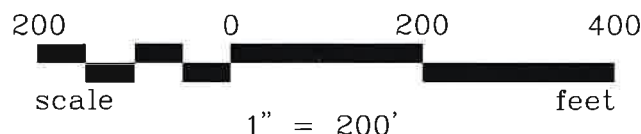
NOTE: THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS STATE PLANE NAD83 NORTH CENTRAL ZONE (4202)



**BW2**

**BW2 ENGINEERS, INC.**

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Suite 500, L.B. 27  
Garland, Texas 75042  
(972) 864-8200 (T) (972) 864-8220 (F)  
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BW2 JOB NO: 19-1954

DRAWN BY: CEC

DATE: DECEMBER, 2019

CHECKED BY: CEC

18-1954/DRAWINGS/1954 SURVEY.DWG

PAGE 2 OF 2





# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22022-011

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CITY ENGINEER: \_\_\_\_\_

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SUBDIVISION

LOT

BLOCK

GENERAL LOCATION NWC OF FM 1141 & N. JOHN KING BLVD

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING Agricultural

CURRENT USE

VACANT

PROPOSED ZONING Commercial

PROPOSED USE

VACANT

ACREAGE 5.702

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

CITY OF ROCKWALL

☒ APPLICANT

RYAN MILLER

CONTACT PERSON

RYAN MILLER

CONTACT PERSON

"

ADDRESS

385 S. GOLIAD

ADDRESS

385 S. GOLIAD

CITY, STATE & ZIP

Rockwall, TX 75087

CITY, STATE & ZIP

Rockwall, TX 75087

PHONE

972-771-7700

PHONE

972-772-6441

E-MAIL

rmiller@rockwall.com

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rmiller@rockwall.com

## NOTARY VERIFICATION [REQUIRED]

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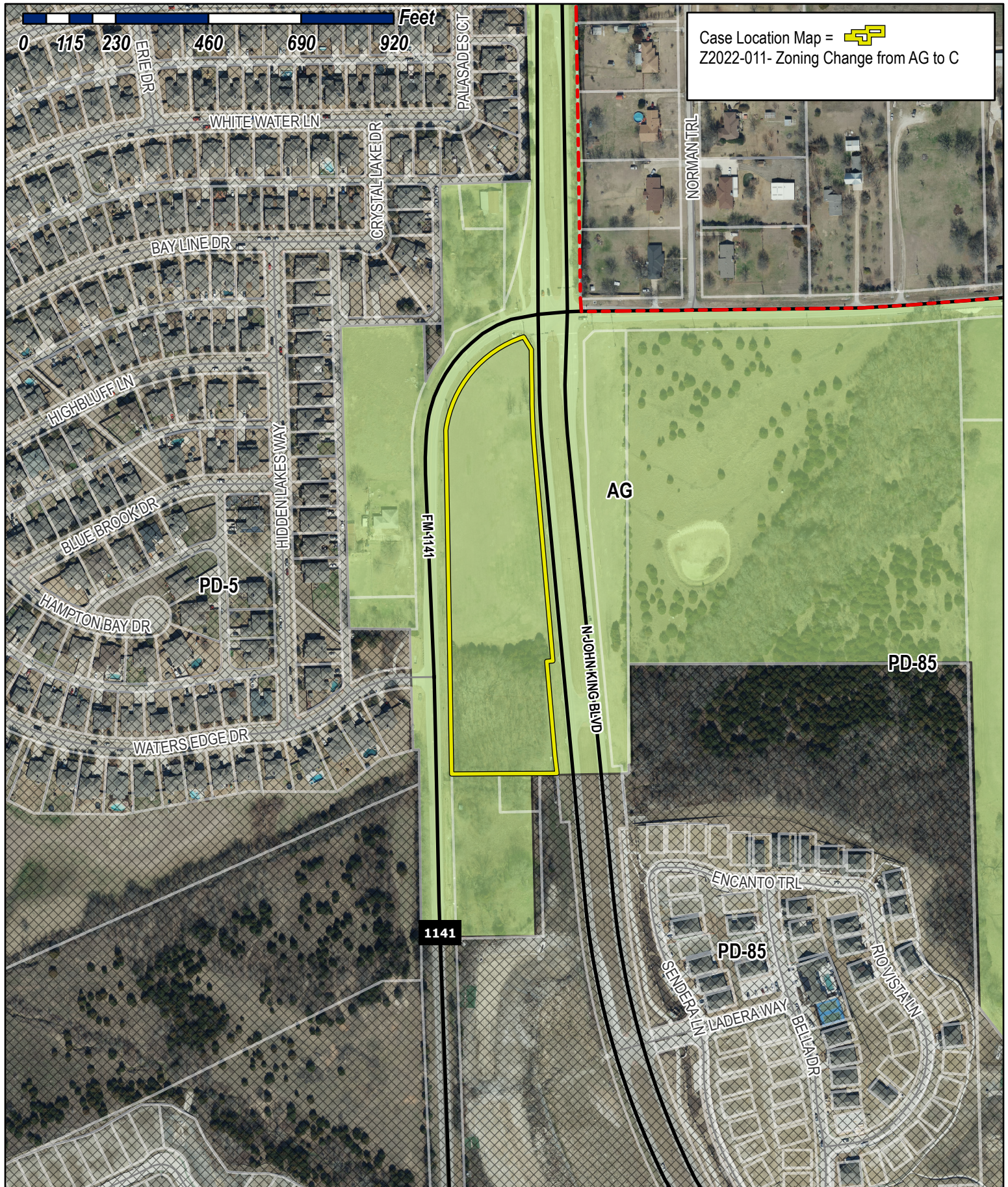
OWNER'S SIGNATURE


*[Signature]*

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES





Case Location Map =   
Z2022-011- Zoning Change from AG to C



## City of Rockwall

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



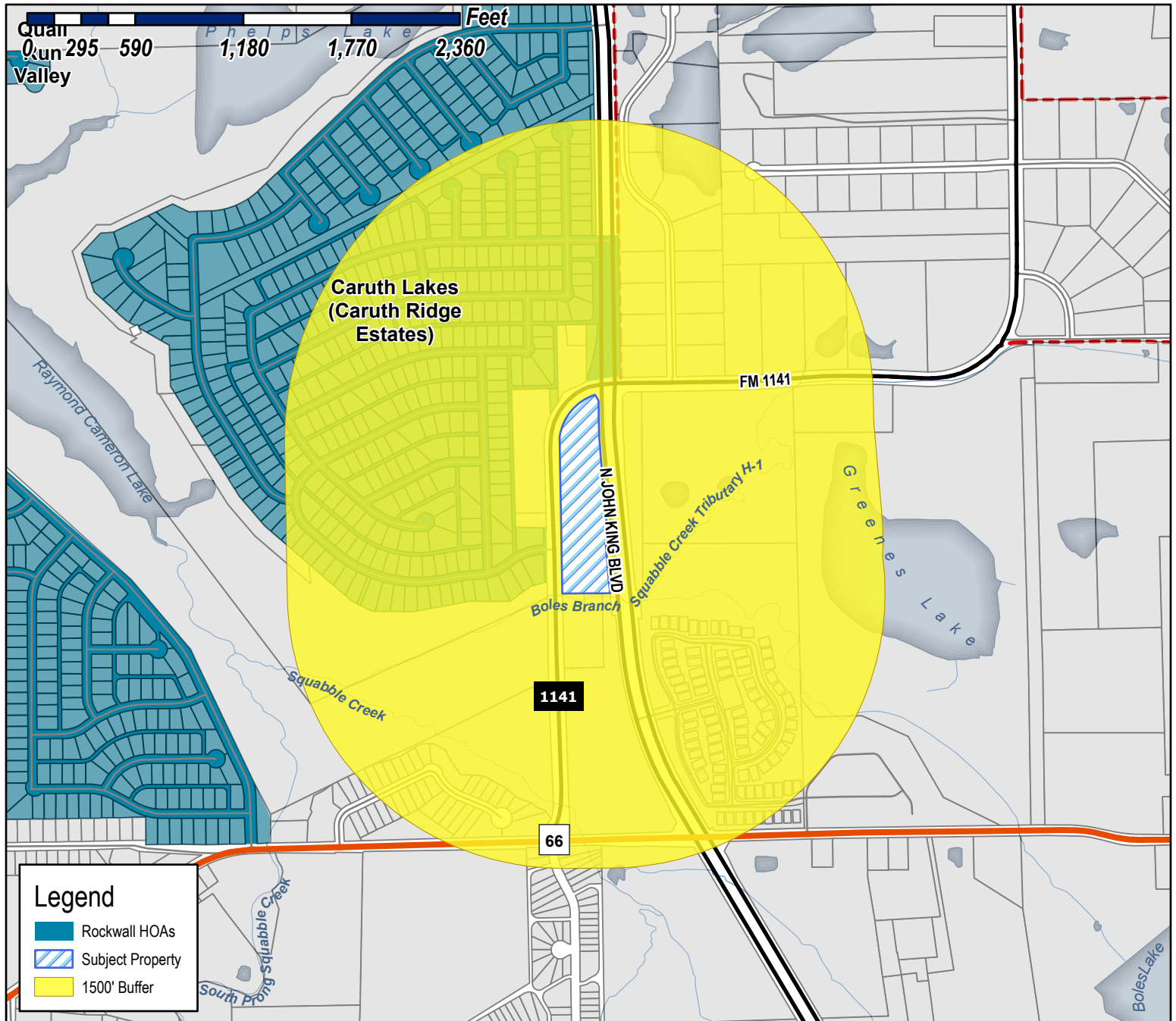




# City of Rockwall

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

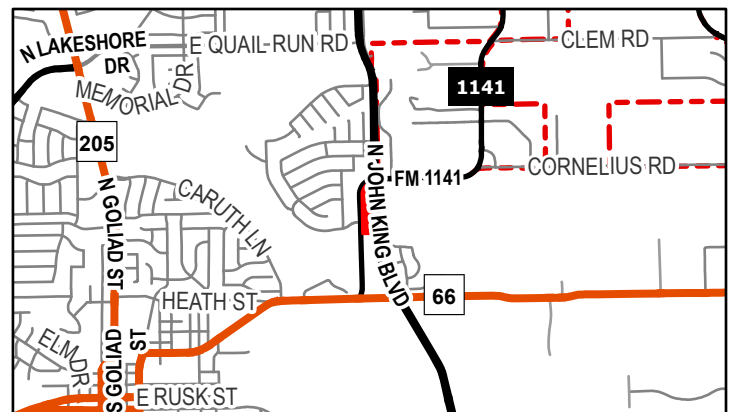
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**Case Number:** Z2022-011  
**Case Name:** Zoning Change from AG to C  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** NWC of FM 1141  
& N. John King Blvd.

**Date Saved:** 2/22/2022

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

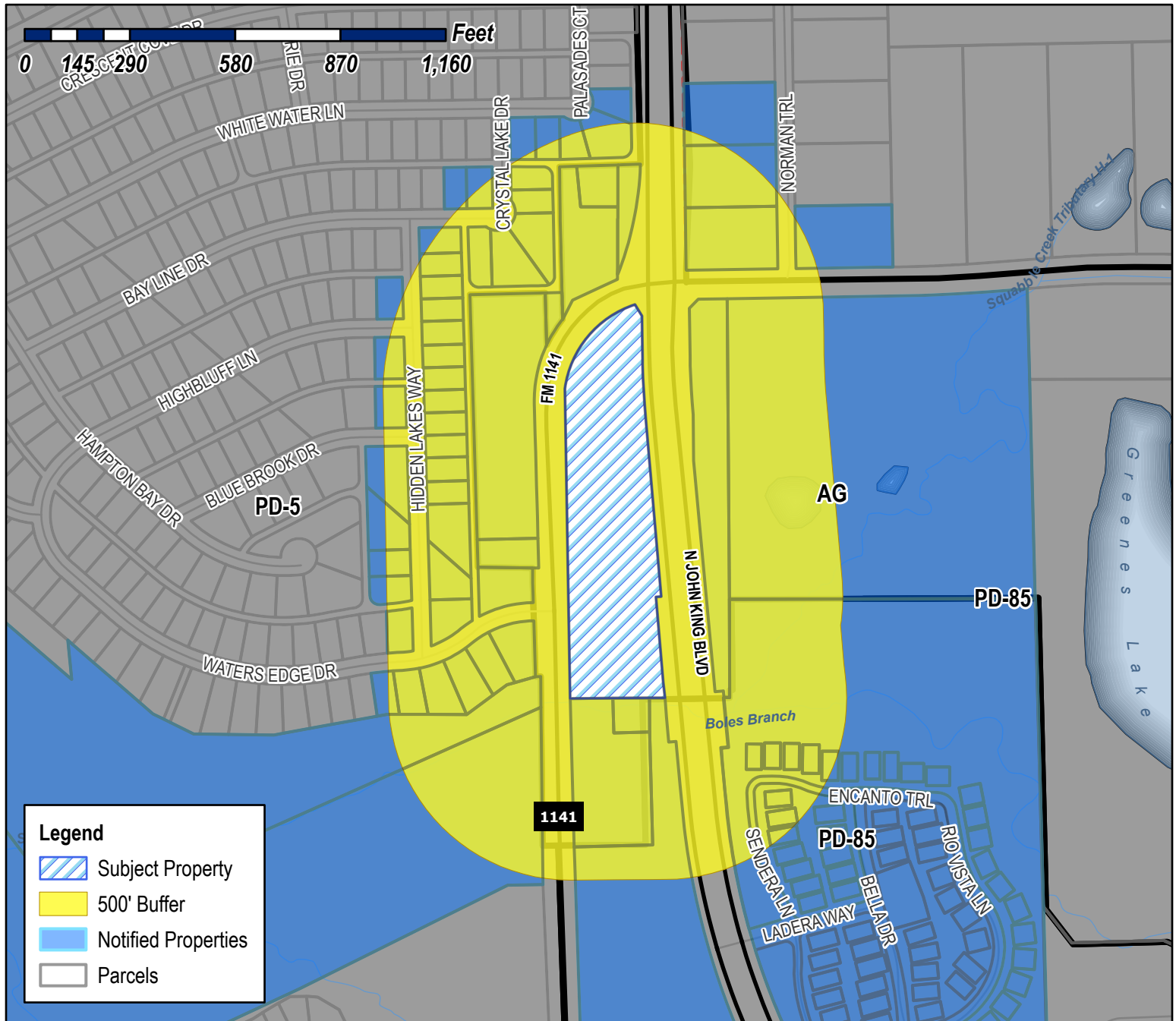




# City of Rockwall

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

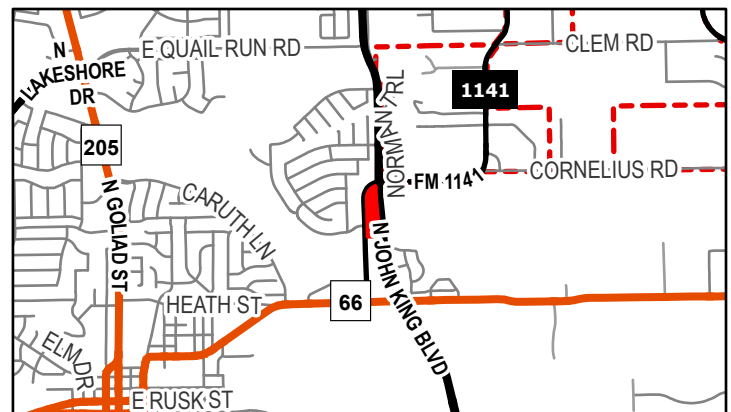
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**Case Number:** Z2022-011  
**Case Name:** Zoning Change from AG to C  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** SWC of FM 1141  
& N. John King Blvd

**Date Saved:** 2/22/2022

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





TANNER BACIL H AND NELDA R  
1004 NORTH HARRISON  
WEST, TX 76691

ACKENBACK SPENCER AND HEATHER LYNN  
SCHAMBER  
1013 FM 1564 W  
GREENVILLE, TX 75402

KEHM NATALIE & DONAVON  
1050 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

ACKENBACK SPENCER AND HEATHER LYNN  
SCHAMBER  
1055 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

TAYLOR STEVEN MURRY & ANITA  
1060 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

JOHNSON JAMIE L AND RICHARD K  
1061 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

HANKINS MARQUIS L & JACQUELINE K  
1069 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

LEAHY ANDERSON C AND KAITLIN A  
1070 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

FAIRES DEWAIN AND MONICA  
1080 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

VANDIVER JAY L & PAULA J  
1085 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

BRUNER KURT & OLIVIA  
1086 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

SHIPP DARLA JUNE & STANLEY JOE  
1092 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

SEE BETTY  
110 WESTMINISTER  
ROCKWALL, TX 75032

GILPIN THOMAS K & ANGELA J  
1100 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

AMERICAN RESIDENTIAL LEASING COMPANY LLC  
1106 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

CONFIDENTIAL  
1112 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

ROWE LORI A  
1118 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

BRUNER KURT & OLIVIA  
11206 SANTA CRUZ DR  
AUSTIN, TX 78759

LARSEN RALPH K  
1124 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

WHISENHUNT KENNETH AND JUDY  
1130 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

JONES RACHEL AND DOUGLAS  
1136 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

ROJAS CARLOS  
1142 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

MARTINEZ AUGUSTINE  
1150 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

BAUGH MELVA Y  
1168 CRYSTAL LAKE DR  
ROCKWALL, TX 75087

LAHAIR JOHN & NEALY  
1174 CRYSTAL LAKE DR  
ROCKWALL, TX 75087

DEWBRE JUSTIN JOEL AND CHERYL CHRISTINE  
1261 HIGHBLUFF LN  
ROCKWALL, TX 75087

KIERNAN KEVIN & KIMBERLY  
1262 BLUE BROOK DRIVE  
ROCKWALL, TX 75087

HARVEY DERICK AND  
RICK HARVEY AND VICKI HARVEY AND APRIL  
MARIE HARVEY  
1266 HIGHBLUFF LN  
ROCKWALL, TX 75087

HUNTER JAMES DARL & SUSAN BAILEY  
1271 WATERS EDGE DRIVE  
ROCKWALL, TX 75087

JACKSON BEAU MICHAEL AND AMANDA  
1277 WATERS EDGE  
ROCKWALL, TX 75087

BUCHHOLZ RON AND PENNY FAMILY  
REVOCABLE TRUST  
1278 WATERS EDGE DR  
ROCKWALL, TX 75087

WILSON TERRY  
1302 PALASADES COURT  
ROCKWALL, TX 75087

LAMPTEY REBECCA A AND NII LANTE  
1382 BAY LINE DRIVE  
ROCKWALL, TX 75087

RYDER HEATH JAMES AND MELANIE ANN  
1383 WATER EDGE DRIVE  
ROCKWALL, TX 75087

WOODUL NETA J  
1389 WATERS EDGE DR  
ROCKWALL, TX 75087

2017 R GAUNA & M CRUZ REVOCABLE TRUST  
1390 BAY LINE DRIVE  
ROCKWALL, TX 75087

GARD JOSHUA AND SAMANTHA  
1395 BAY LINE DR  
ROCKWALL, TX 75087

ELLIOTT CHRISTOPHER ANDREW & HEATHER R  
1395 WATERS EDGE DRIVE  
ROCKWALL, TX 75087

JEAN ANN LOTT REVOCABLE LIVING TRUST  
1401 BAY LINE DRIVE  
ROCKWALL, TX 75087

CARUTH RIDGE ESTATES HOMEOWNERS  
ASSOCIATION INC  
C/O VISION COMMUNITIES MANAGEMENT INC  
1402 WATERS EDGE DR  
ROCKWALL, TX 75087

FAKE MARK C & KATHRYN K  
1403 WHITE WATER LN  
ROCKWALL, TX 75087

GROGAN DANIEL R  
1405 WATERS EDGE DRIVE  
ROCKWALL, TX 75087

MULLOWNEY PATRICK  
1409 WHITE WATER LN  
ROCKWALL, TX 75087

DENNY READE EDWARD  
1415 WHITE WATER LN  
ROCKWALL, TX 75087

GAUVIN COLLEEN  
1421 WHITE WATER LANE  
ROCKWALL, TX 75087

TANNER WILMA GRACE  
1451 FM 1141  
ROCKWALL, TX 75087

TANNER BACIL H AND NELDA R  
1451 FM 1141  
ROCKWALL, TX 75087

MCGILL MICHAEL KIMBERLY  
27 NORMAN TRL  
ROCKWALL, TX 75087

RICHARDS J MARK  
VIVIAN V  
28 NORMAN TRL  
ROCKWALL, TX 75087

WINKLEY KYLE A AND ANNA K  
29 NORMAN TR  
ROCKWALL, TX 75087

CTDIGLAND LLC  
361 W BYRON NELSON BLVD SUITE 104  
ROANOKE, TX 76262

RW LADERA LLC  
361 W BYRON NELSON BLVD SUITE 104  
ROANOKE, TX 76262

INTEGRITY RETIREMENT GROUP LLC  
361 W BYRON NELSON BLVD SUITE 104  
ROANOKE, TX

HONZELL DAVID AND PATRICIA  
414 E. COACHLIGHT TRAIL  
ROCKWALL, TX 75087

JONES RACHEL AND DOUGLAS  
417 PARK PLACE BLVD  
ROCKWALL, TX 75087

BUCHHOLZ RON AND PENNY FAMILY  
REVOCABLE TRUST  
5035 PINE DR  
BOYNTON BEACH, FL 33437

CARUTH RIDGE ESTATES HOMEOWNERS  
ASSOCIATION INC  
C/O VISION COMMUNITIES MANAGEMENT INC  
5757 ALPHA RD STE 680  
DALLAS, TX 75240

SEE BETTY  
880 FM 1141  
ROCKWALL, TX 75087

LILYHORN PAULA AND GREG  
918 SENDERA LN  
ROCKWALL, TX

RW LADERA LLC  
926 SENDERA  
ROCKWALL, TX 75087



FOERSTER ELWYNNE ANN  
323 ELM DR  
927 FM1141  
ROCKWALL, TX 75087

AMERICAN RESIDENTIAL LEASING COMPANY LLC  
ATTN: PROPERTY TAX DEPARTMENT 23975  
PARK SORRENTO, SUITE 300  
CALABASAS, CA 91302

SURVEY: M. JONES SURVEY, ABSTRACT NO. 122

LOCATION: CITY OF ROCKWALL, TX

**LEGAL DESCRIPTION**

**PROPERTY SURVEY  
CITY OF ROCKWALL, TEXAS**

BEING A PORTION OF  
C.C. FILE NO. 2007-00389123  
D.R.R.C.T.

NOTE: THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS STATE PLANE NAD83 NORTH CENTRAL ZONE (4202)

**LEGAL DESCRIPTION**

Being a 5.812 acre tract of land in the M. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, being a portion of a called 10.942 acre tract, described in deed to the City of Rockwall, recorded in County Clerk Number 2007-00389123, Deed Records of Rockwall County, Texas, being that portion of said deed lying west of John King Boulevard, a variable width public right of way, more particularly described as follows;

Commencing at a found iron pipe being the southwest corner of said City of Rockwall tract, being the northwest corner of a called 1.837 acre tract, deeded to Betty Bogard, recorded in County Clerk Number 2008-00396742, Deed Records of Rockwall County, Texas, being on the east right of way line of FM 1141, a 80 foot wide public right of way;

THENCE North 01°04'21" West along said right of way line for a distance of 819.58 feet to a found iron rod, being the beginning of a tangent curve to the right;

THENCE northeasterly along said curve to the right with a radius of 278.39 feet, a central angle of 74°11'35", a chord bearing of North 36°01'27" East, a chord distance of 335.83 feet for an arc length of 360.49 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 31°09'51" East for a distance of 39.22 feet to a Set No. 4 rebar with cap "BW2", being on the west right of way line of John King Boulevard, a variable width public right of way;

THENCE South 00°50'54" East along said right of way line for a distance of 117.04 feet to a Set No. 4 rebar with cap "BW2", being on the beginning of a curve to the left;

THENCE southeasterly along said curve to the left, with a radius of 2,060.00 feet, a central angle of 4°29'16", a chord bearing of South 03°05'37" East, a chord distance of 161.31 feet, for an arc length of 161.35 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 05°20'14" East along said right of way line for a distance of 732.10 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 84°39'46" West along said right of way line for a distance of 20.00 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 05°20'14" East along said right of way line for a distance of 46.17 feet to a Set "X" Cut, being the southeast corner of said City of Rockwall tract, being the northeast corner of Lot 1, Block B of the Final Plat of Ladera Rockwall, recorded in County Clerk File No. 2019-0000016594, Plat Records of Rockwall County, Texas;

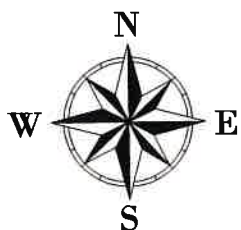
THENCE South 89°26'01" West along said common line for a distance of 265.40 feet to the Point of Beginning;

Said tract contains 5.812 acres more or less.

Subject to all easements of record.

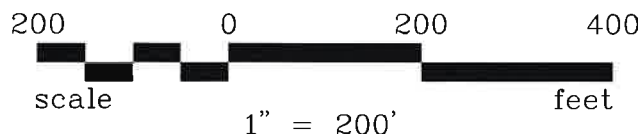
Bearings are based on the Texas Coordinate system, N.A.D. 83 (1993 ADJ.), North Central Zone, 4202 .

Situated in the City of Rockwall, Rockwall County, Texas.



**BW2 ENGINEERS, INC.**

1919 S. Shiloh Road  
Suite 500, L.B. 27  
Garland, Texas 75042  
(972) 864-8200 (T) (972) 864-8220 (F)  
Firm Registration No. F-5290



BW2 JOB NO: 19-1954 DRAWN BY: CEC

DATE: DECEMBER, 2019 CHECKED BY: CEC

18-1954/DRAWINGS/1954 SURVEY.DWG

PAGE 1 OF 2



SURVEY: M. JONES SURVEY, ABSTRACT NO. 122

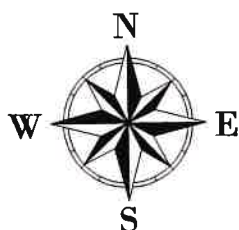
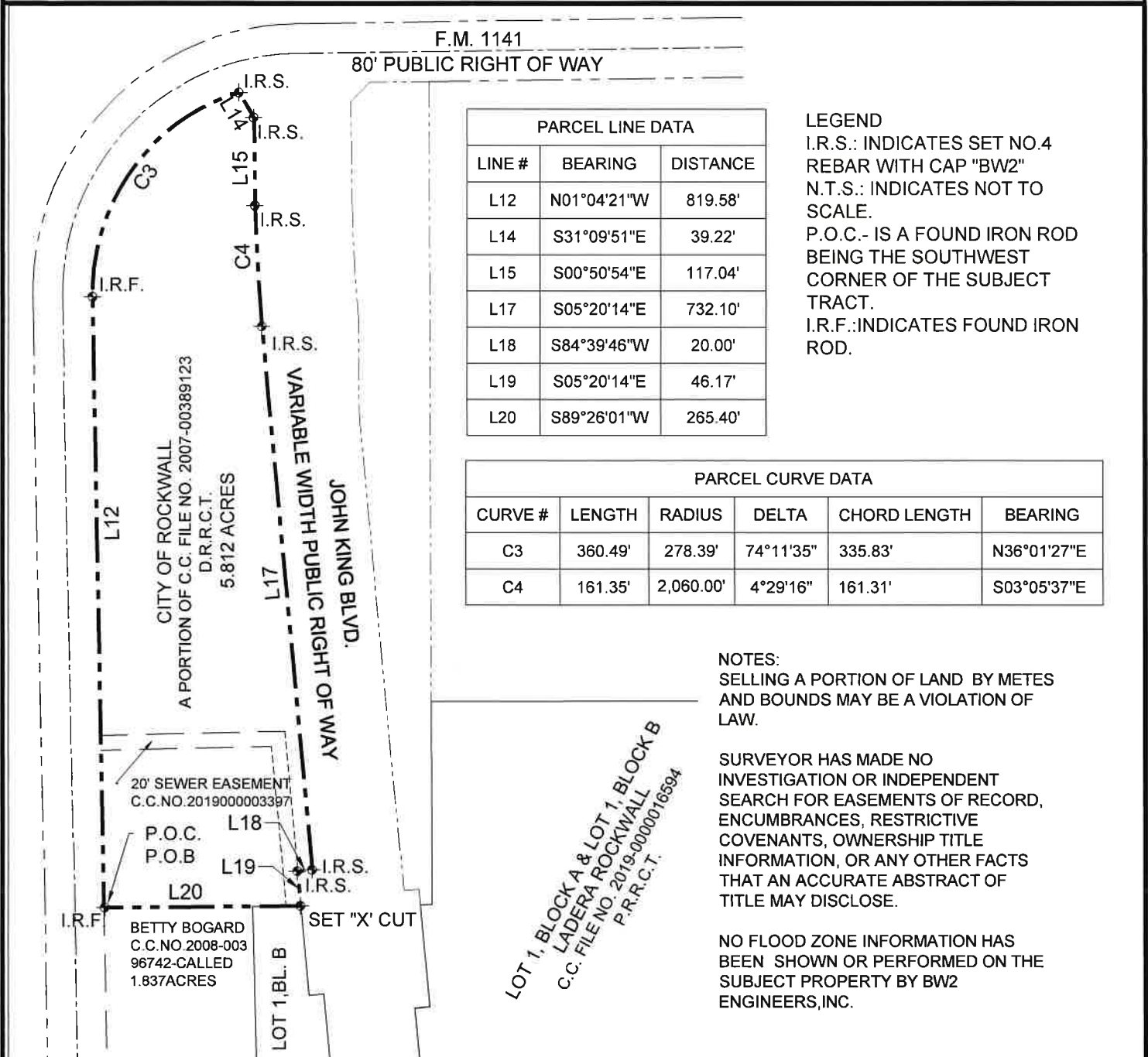
LOCATION: CITY OF ROCKWALL, TX

**PARCEL PLAT- EXHIBIT "A"**

**PROPERTY SURVEY  
CITY OF ROCKWALL, TEXAS**

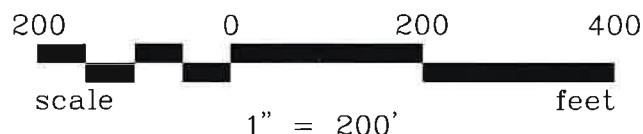
BEING A PORTION OF  
C.C. FILE NO. 2007-00389123  
D.R.R.C.T.

NOTE: THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS STATE PLANE NAD83 NORTH CENTRAL ZONE (4202)



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BW2 JOB NO: 19-1954

DRAWN BY: CEC

DATE: DECEMBER, 2019

CHECKED BY: CEC

18-1954/DRAWINGS/1954 SURVEY.DWG

PAGE 2 OF 2

# PROJECT COMMENTS



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

DATE: 2/25/2022

PROJECT NUMBER: Z2022-011  
PROJECT NAME: Zoning Change from AG to C  
SITE ADDRESS/LOCATIONS:

CASE MANAGER: Ryan Miller  
CASE MANAGER PHONE: 972-772-6441  
CASE MANAGER EMAIL: rmiller@rockwall.com

CASE CAPTION: Hold a public hearing to discuss and consider a City initiated request for the approval of a Zoning Change from an Agricultural (AG) District to a Commercial (C) District for a 5.812-acre tract of land identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the southwest corner of the intersection of FM-1141 and N. John King Boulevard, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
	Ryan Miller	02/24/2022	Approved w/ Comments

02/24/2022: Z2022-011; Zoning Change (AG to C)

Please address the following comments (M= Mandatory Comments; I = Informational Comments)

I.1 This request is for the approval of a Zoning Change from an Agricultural (AG) District to a Commercial (C) District for a 5.812-acre tract of land identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, and located at the southwest corner of the intersection of FM-1141 and N. John King Boulevard.

I.2 For questions or comments concerning this case please contact Ryan Miller in the Planning Department at (972) 772-6441 or email [rmiller@rockwall.com](mailto:rmiller@rockwall.com).

M.3 For reference, include the case number (Z2022-011) in the lower right-hand corner of all pages on future submittals.

I.4 This zoning request is being initiated by the City in accordance with a 380 Economic Development Agreement to facilitate the swap of City land for a portion of the Runway Protection Zone (RPZ) of the Ralph Hall Municipal Airport. This request is being made in conformance with the OURHometown Vision 2040 Comprehensive Plan.

M.5 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.6 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.7 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	Approved w/ Comments

02/24/2022: - 4% Engineering Inspection Fees

- Impact Fees
- Engineering plan review fees
- TXDOT permits required
- Extend an 8" water from north side of FM 1141 (at a 12" water line) along FM 1141, under FM 1141 and tie to 12" water line at Waters Edge Dr.
- Detention is required. Not in flood plain and no vertical walls allowed
- All site plans and engineering design must meet City's engineering standards.



- Add note that the property owner will be responsible for maintaining, repair, and replacement of the detention/drainage systems
- Minimum utility easement width is 20'
- Label distances between driveways (measured from edge to edge)
- Flood study will be required if "touching" the flood plain along with review fees
- Nothing allowed in flood plain
- 10' easements required FM 1141 and John King
- Must meet all City standards of design and construction.
- Engineering plan review fees apply.
- TIA will be required
- ROW dedication maybe needed for FM 1141

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Ryan Miller	02/24/2022	N/A
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
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	Ryan Miller	02/24/2022	N/A
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Ryan Miller	02/24/2022	N/A
No Comments			

SURVEY: M. JONES SURVEY, ABSTRACT NO. 122

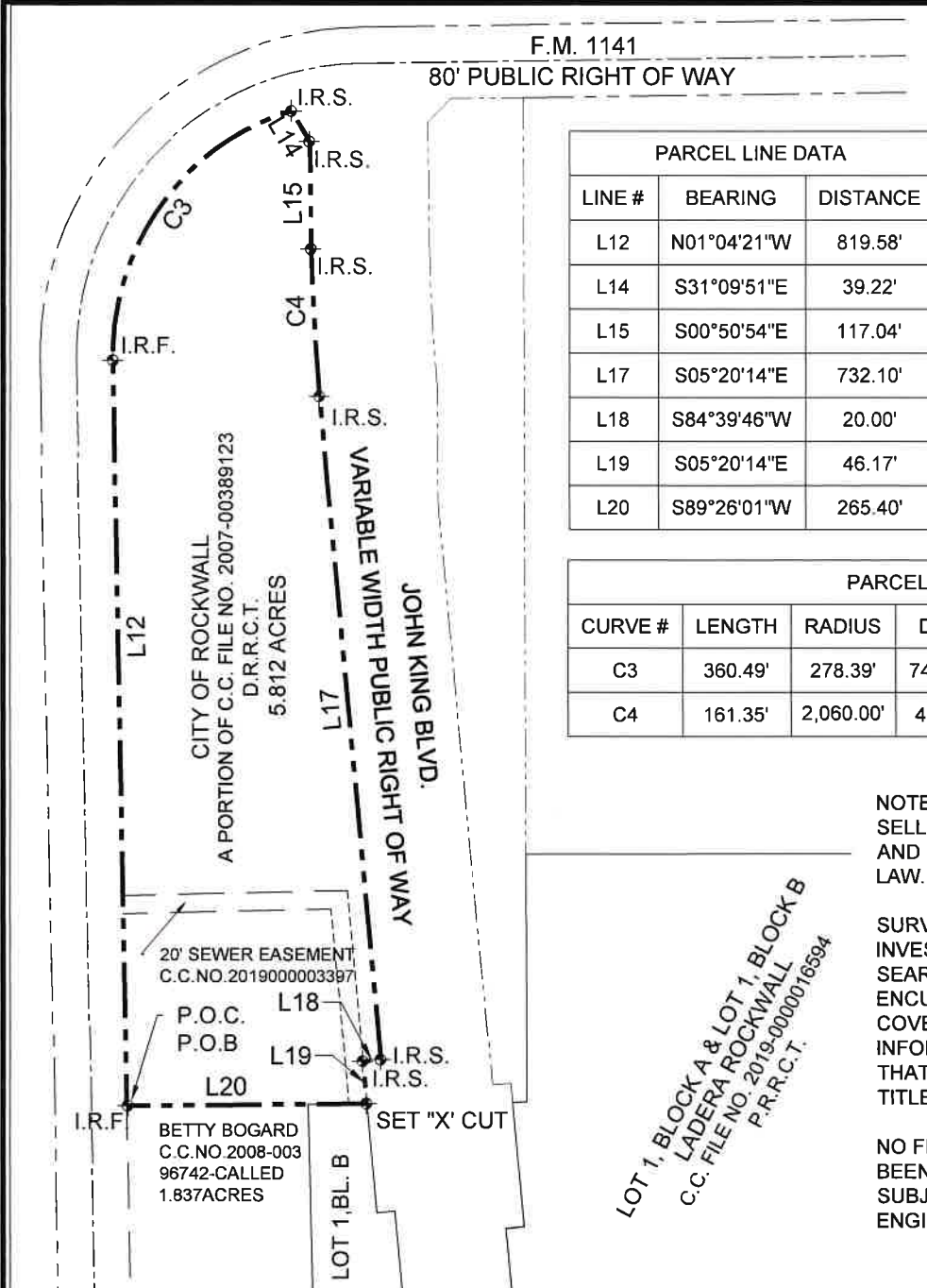
LOCATION: CITY OF ROCKWALL, TX

**PARCEL PLAT- EXHIBIT "A"**

**PROPERTY SURVEY  
CITY OF ROCKWALL, TEXAS**

BEING A PORTION OF  
C.C. FILE NO. 2007-00389123  
D.R.R.C.T.

NOTE: THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS STATE PLANE NAD83 NORTH CENTRAL ZONE (4202)



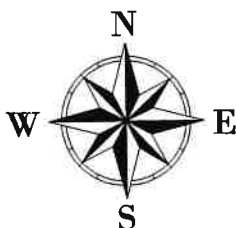
LE  
I.R.  
RE  
N.T  
SC  
P.C  
BE  
CO  
TR  
I.R.  
RO

- 4% Engineering Inspection Fees
- Impact Fees
- Engineering plan review fees
- TXDOT permits required
- Extend an 8" water from north side of FM 1141 (at a 12" water line) along FM 1141, under FM 1141 and tie to 12" water line at Waters Edge Dr.
- Detention is required. Not in flood plain and no vertical walls allowed
- All site plans and engineering design must meet City's engineering standards.
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- 10' easements required FM 1141 and John King
- Must meet all City standards of design and construction.
- Engineering plan review fees apply.
- TIA will be required
- ROW dedication maybe needed for FM 1141

NOTES:  
SELLING A PO  
AND BOUNDS  
LAW.

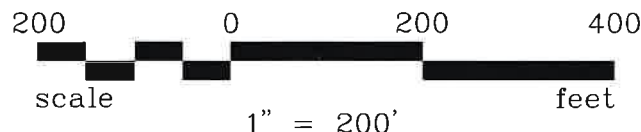
SURVEYOR HAS  
INVESTIGATION  
SEARCH FOR EASEMENTS OF RECORD,  
ENCUMBRANCES, RESTRICTIVE  
COVENANTS, OWNERSHIP TITLE  
INFORMATION, OR ANY OTHER FACTS  
THAT AN ACCURATE ABSTRACT OF  
TITLE MAY DISCLOSE.

NO FLOOD ZONE INFORMATION HAS  
BEEN SHOWN OR PERFORMED ON THE  
SUBJECT PROPERTY BY BW2  
ENGINEERS, INC.



**BW2 ENGINEERS, INC.**

1919 S. Shiloh Road  
Suite 500, L.B. 27  
Garland, Texas 75042  
(972) 864-8200 (T) (972) 864-8220 (F)  
Firm Registration No. F-5290



BW2 JOB NO: 19-1954

DRAWN BY: CEC

DATE: DECEMBER, 2019

CHECKED BY: CEC

18-1954/DRAWINGS/1954 SURVEY.DWG

PAGE 2 OF 2





# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22022-011

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

**SITE PLAN APPLICATION FEES:**

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

**ZONING APPLICATION FEES:**

- ☒ ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- ☐ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1 & 2</sup>
- ☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

**OTHER APPLICATION FEES:**

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

**NOTES:**

<sup>1</sup>: 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.

<sup>2</sup>: 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 A0122 M.B. JONES, TRACT 9

SUBDIVISION \_\_\_\_\_ LOT / BLOCK /

GENERAL LOCATION NWC OF FM 1141 & N. JOHN KING BLVD

**ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]**

CURRENT ZONING Agricultural CURRENT USE VACANT

PROPOSED ZONING Commercial PROPOSED USE VACANT

ACREAGE 5.702 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 CITY OF ROCKWALL ☒ APPLICANT RYAN MILLER

CONTACT PERSON RYAN MILLER CONTACT PERSON "

ADDRESS 385 S. GOLIAD ADDRESS 385 S. GOLIAD

CITY, STATE & ZIP Rockwall, TX 75087 CITY, STATE & ZIP Rockwall, TX 75087

PHONE 972-771-7700 PHONE 972-772-6441

E-MAIL rmiller@rockwall.com E-MAIL rmiller@rockwall.com

**NOTARY VERIFICATION [REQUIRED]**

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

**\*FEE IS WAIVED\***

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ \_\_\_\_\_ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

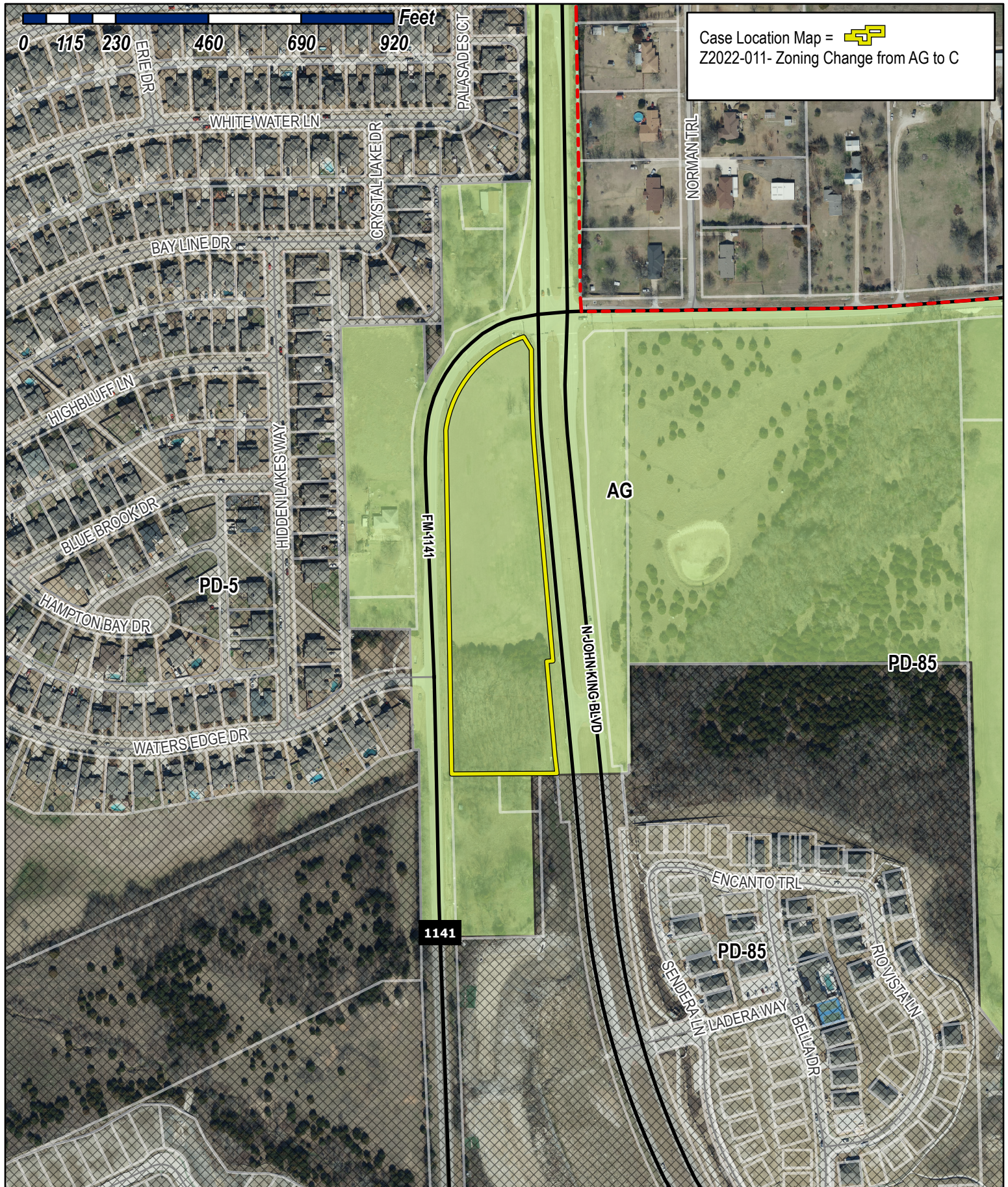
OWNER'S SIGNATURE


*[Signature]*

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES \_\_\_\_\_





Case Location Map =   
Z2022-011- Zoning Change from AG to C



# City of Rockwall

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



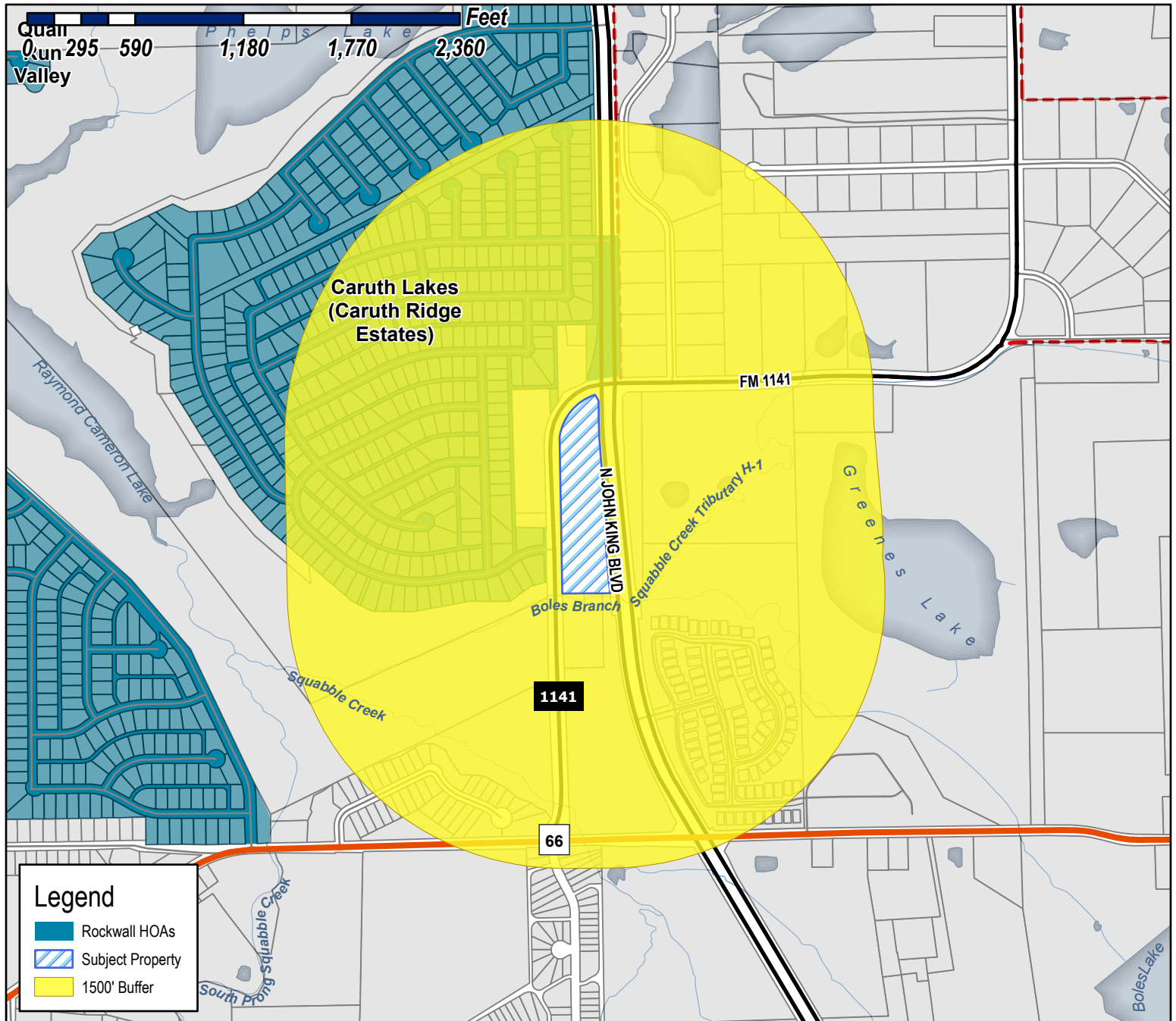




# City of Rockwall

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

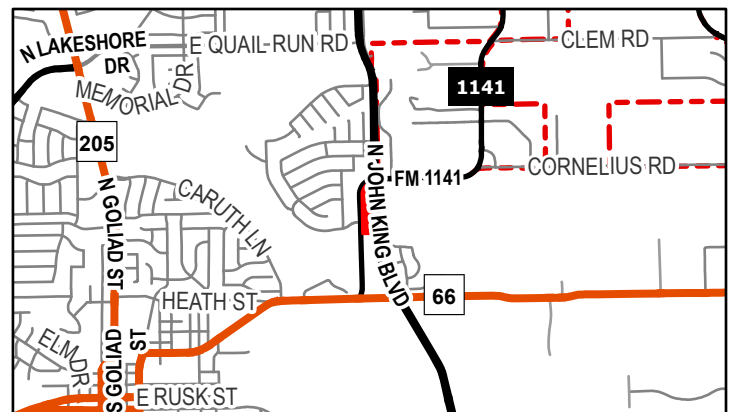
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**Case Number:** Z2022-011  
**Case Name:** Zoning Change from AG to C  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** NWC of FM 1141  
& N. John King Blvd.

**Date Saved:** 2/22/2022

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



## Miller, Ryan

---

**From:** Gamez, Angelica  
**Sent:** Wednesday, February 23, 2022 2:26 PM  
**Cc:** Miller, Ryan; Lee, Henry; Ross, Bethany  
**Subject:** Neighborhood Notification Program [Z2022-011]  
**Attachments:** Public Notice (02.23.2022).pdf; HOA Map (02.22.2022).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](mailto: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>.

### **Z2022-011: Zoning Change from AG to C**

Hold a public hearing to discuss and consider a City initiated request for the approval of a *Zoning Change* from an Agricultural (AG) District to a Commercial (C) District for a 5.812-acre tract of land identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the southwest corner of the intersection of FM-1141 and N. John King Boulevard, 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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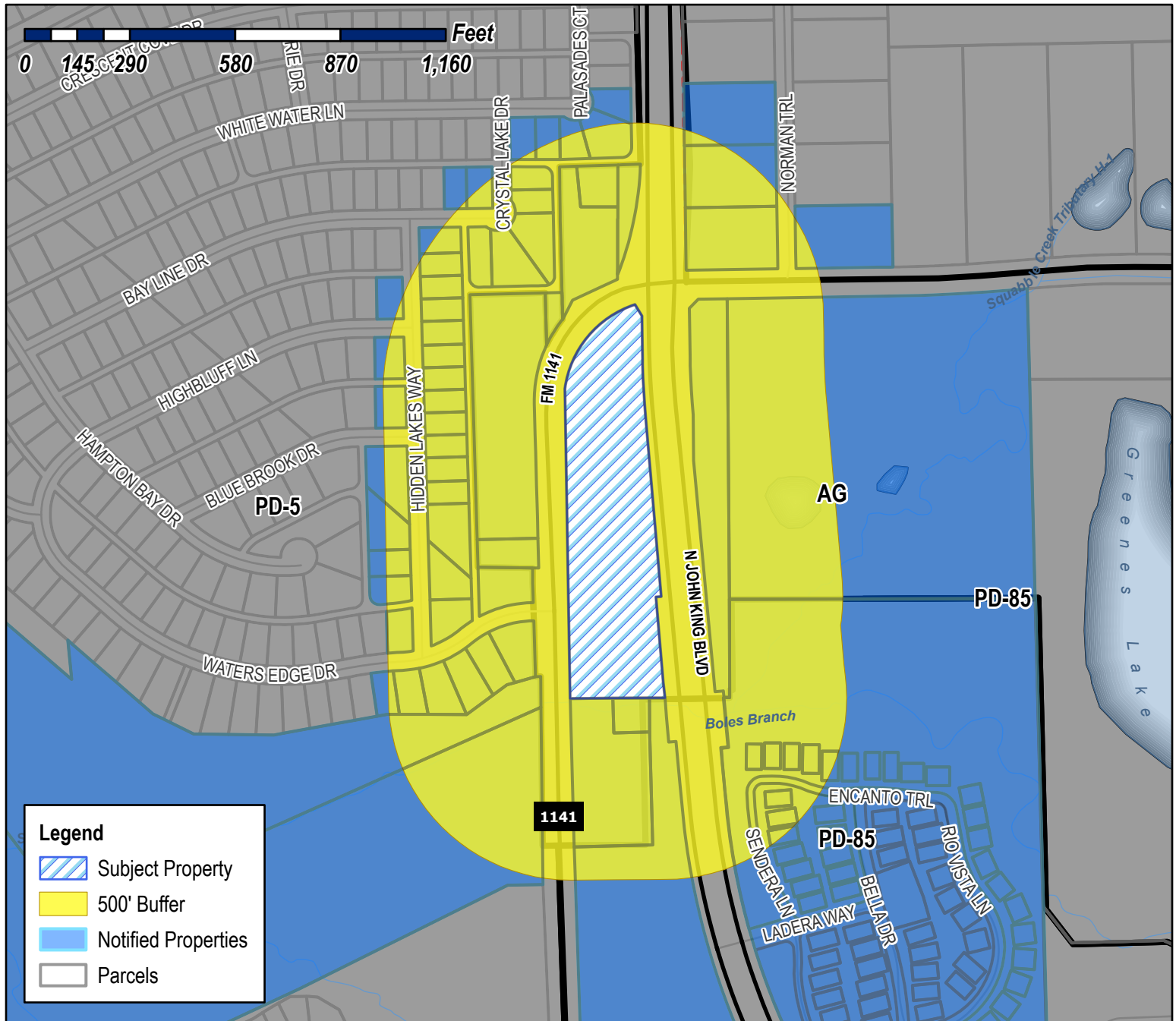




# City of Rockwall

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

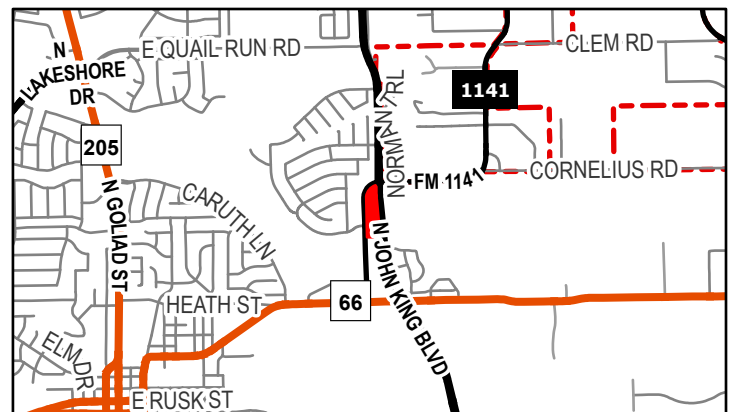
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**Case Number:** Z2022-011  
**Case Name:** Zoning Change from AG to C  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** SWC of FM 1141  
& N. John King Blvd

**Date Saved:** 2/22/2022

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



TANNER BACIL H AND NELDA R  
1004 NORTH HARRISON  
WEST, TX 76691

ACKENBACK SPENCER AND HEATHER LYNN  
SCHAMBER  
1013 FM 1564 W  
GREENVILLE, TX 75402

KEHM NATALIE & DONAVON  
1050 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

ACKENBACK SPENCER AND HEATHER LYNN  
SCHAMBER  
1055 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

TAYLOR STEVEN MURRY & ANITA  
1060 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

JOHNSON JAMIE L AND RICHARD K  
1061 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

HANKINS MARQUIS L & JACQUELINE K  
1069 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

LEAHY ANDERSON C AND KAITLIN A  
1070 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

FAIRES DEWAIN AND MONICA  
1080 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

VANDIVER JAY L & PAULA J  
1085 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

BRUNER KURT & OLIVIA  
1086 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

SHIPP DARLA JUNE & STANLEY JOE  
1092 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

SEE BETTY  
110 WESTMINISTER  
ROCKWALL, TX 75032

GILPIN THOMAS K & ANGELA J  
1100 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

AMERICAN RESIDENTIAL LEASING COMPANY LLC  
1106 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

CONFIDENTIAL  
1112 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

ROWE LORI A  
1118 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

BRUNER KURT & OLIVIA  
11206 SANTA CRUZ DR  
AUSTIN, TX 78759

LARSEN RALPH K  
1124 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

WHISENHUNT KENNETH AND JUDY  
1130 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

JONES RACHEL AND DOUGLAS  
1136 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

ROJAS CARLOS  
1142 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

MARTINEZ AUGUSTINE  
1150 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

BAUGH MELVA Y  
1168 CRYSTAL LAKE DR  
ROCKWALL, TX 75087

LAHAIR JOHN & NEALY  
1174 CRYSTAL LAKE DR  
ROCKWALL, TX 75087

DEWBRE JUSTIN JOEL AND CHERYL CHRISTINE  
1261 HIGHBLUFF LN  
ROCKWALL, TX 75087

KIERNAN KEVIN & KIMBERLY  
1262 BLUE BROOK DRIVE  
ROCKWALL, TX 75087

HARVEY DERICK AND  
RICK HARVEY AND VICKI HARVEY AND APRIL  
MARIE HARVEY  
1266 HIGHBLUFF LN  
ROCKWALL, TX 75087

HUNTER JAMES DARL & SUSAN BAILEY  
1271 WATERS EDGE DRIVE  
ROCKWALL, TX 75087

JACKSON BEAU MICHAEL AND AMANDA  
1277 WATERS EDGE  
ROCKWALL, TX 75087



BUCHHOLZ RON AND PENNY FAMILY  
REVOCABLE TRUST  
1278 WATERS EDGE DR  
ROCKWALL, TX 75087

WILSON TERRY  
1302 PALASADES COURT  
ROCKWALL, TX 75087

LAMPTEY REBECCA A AND NII LANTE  
1382 BAY LINE DRIVE  
ROCKWALL, TX 75087

RYDER HEATH JAMES AND MELANIE ANN  
1383 WATER EDGE DRIVE  
ROCKWALL, TX 75087

WOODUL NETA J  
1389 WATERS EDGE DR  
ROCKWALL, TX 75087

2017 R GAUNA & M CRUZ REVOCABLE TRUST  
1390 BAY LINE DRIVE  
ROCKWALL, TX 75087

GARD JOSHUA AND SAMANTHA  
1395 BAY LINE DR  
ROCKWALL, TX 75087

ELLIOTT CHRISTOPHER ANDREW & HEATHER R  
1395 WATERS EDGE DRIVE  
ROCKWALL, TX 75087

JEAN ANN LOTT REVOCABLE LIVING TRUST  
1401 BAY LINE DRIVE  
ROCKWALL, TX 75087

CARUTH RIDGE ESTATES HOMEOWNERS  
ASSOCIATION INC  
C/O VISION COMMUNITIES MANAGEMENT INC  
1402 WATERS EDGE DR  
ROCKWALL, TX 75087

FAKE MARK C & KATHRYN K  
1403 WHITE WATER LN  
ROCKWALL, TX 75087

GROGAN DANIEL R  
1405 WATERS EDGE DRIVE  
ROCKWALL, TX 75087

MULLOWNEY PATRICK  
1409 WHITE WATER LN  
ROCKWALL, TX 75087

DENNY READE EDWARD  
1415 WHITE WATER LN  
ROCKWALL, TX 75087

GAUVIN COLLEEN  
1421 WHITE WATER LANE  
ROCKWALL, TX 75087

TANNER WILMA GRACE  
1451 FM 1141  
ROCKWALL, TX 75087

TANNER BACIL H AND NELDA R  
1451 FM 1141  
ROCKWALL, TX 75087

MCGILL MICHAEL KIMBERLY  
27 NORMAN TRL  
ROCKWALL, TX 75087

RICHARDS J MARK  
VIVIAN V  
28 NORMAN TRL  
ROCKWALL, TX 75087

WINKLEY KYLE A AND ANNA K  
29 NORMAN TR  
ROCKWALL, TX 75087

CTDIGLAND LLC  
361 W BYRON NELSON BLVD SUITE 104  
ROANOKE, TX 76262

RW LADERA LLC  
361 W BYRON NELSON BLVD SUITE 104  
ROANOKE, TX 76262

INTEGRITY RETIREMENT GROUP LLC  
361 W BYRON NELSON BLVD SUITE 104  
ROANOKE, TX

HONZELL DAVID AND PATRICIA  
414 E. COACHLIGHT TRAIL  
ROCKWALL, TX 75087

JONES RACHEL AND DOUGLAS  
417 PARK PLACE BLVD  
ROCKWALL, TX 75087

BUCHHOLZ RON AND PENNY FAMILY  
REVOCABLE TRUST  
5035 PINE DR  
BOYNTON BEACH, FL 33437

CARUTH RIDGE ESTATES HOMEOWNERS  
ASSOCIATION INC  
C/O VISION COMMUNITIES MANAGEMENT INC  
5757 ALPHA RD STE 680  
DALLAS, TX 75240

SEE BETTY  
880 FM 1141  
ROCKWALL, TX 75087

LILYHORN PAULA AND GREG  
918 SENDERA LN  
ROCKWALL, TX

RW LADERA LLC  
926 SENDERA  
ROCKWALL, TX 75087

FOERSTER ELWYNNE ANN  
323 ELM DR  
927 FM1141  
ROCKWALL, TX 75087

AMERICAN RESIDENTIAL LEASING COMPANY LLC  
ATTN: PROPERTY TAX DEPARTMENT 23975  
PARK SORRENTO, SUITE 300  
CALABASAS, CA 91302

# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto: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. Z2022-011: Zoning Change from AG to C**

*Hold a public hearing to discuss and consider a City initiated request for the approval of a Zoning Change from an Agricultural (AG) District to a Commercial (C) District for a 5.812-acre tract of land identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the southwest corner of the intersection of FM-1141 and N. John King Boulevard, 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:

**Ryan Miller**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto: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



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. Z2022-011: Zoning Change from AG to C**

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



SURVEY: M. JONES SURVEY, ABSTRACT NO. 122

LOCATION: CITY OF ROCKWALL, TX

**LEGAL DESCRIPTION**

**PROPERTY SURVEY  
CITY OF ROCKWALL, TEXAS**

BEING A PORTION OF  
C.C. FILE NO. 2007-00389123  
D.R.R.C.T.

NOTE: THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS STATE PLANE NAD83 NORTH CENTRAL ZONE (4202)

**LEGAL DESCRIPTION**

Being a 5.812 acre tract of land in the M. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, being a portion of a called 10.942 acre tract, described in deed to the City of Rockwall, recorded in County Clerk Number 2007-00389123, Deed Records of Rockwall County, Texas, being that portion of said deed lying west of John King Boulevard, a variable width public right of way, more particularly described as follows;

Commencing at a found iron pipe being the southwest corner of said City of Rockwall tract, being the northwest corner of a called 1.837 acre tract, deeded to Betty Bogard, recorded in County Clerk Number 2008-00396742, Deed Records of Rockwall County, Texas, being on the east right of way line of FM 1141, a 80 foot wide public right of way;

THENCE North 01°04'21" West along said right of way line for a distance of 819.58 feet to a found iron rod, being the beginning of a tangent curve to the right;

THENCE northeasterly along said curve to the right with a radius of 278.39 feet, a central angle of 74°11'35", a chord bearing of North 36°01'27" East, a chord distance of 335.83 feet for an arc length of 360.49 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 31°09'51" East for a distance of 39.22 feet to a Set No. 4 rebar with cap "BW2", being on the west right of way line of John King Boulevard, a variable width public right of way;

THENCE South 00°50'54" East along said right of way line for a distance of 117.04 feet to a Set No. 4 rebar with cap "BW2", being on the beginning of a curve to the left;

THENCE southeasterly along said curve to the left, with a radius of 2,060.00 feet, a central angle of 4°29'16", a chord bearing of South 03°05'37" East, a chord distance of 161.31 feet, for an arc length of 161.35 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 05°20'14" East along said right of way line for a distance of 732.10 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 84°39'46" West along said right of way line for a distance of 20.00 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 05°20'14" East along said right of way line for a distance of 46.17 feet to a Set "X" Cut, being the southeast corner of said City of Rockwall tract, being the northeast corner of Lot 1, Block B of the Final Plat of Ladera Rockwall, recorded in County Clerk File No. 2019-0000016594, Plat Records of Rockwall County, Texas;

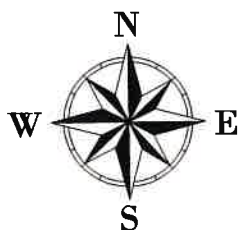
THENCE South 89°26'01" West along said common line for a distance of 265.40 feet to the Point of Beginning;

Said tract contains 5.812 acres more or less.

Subject to all easements of record.

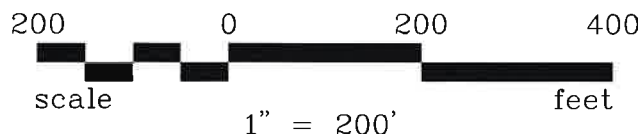
Bearings are based on the Texas Coordinate system, N.A.D. 83 (1993 ADJ.), North Central Zone, 4202 .

Situated in the City of Rockwall, Rockwall County, Texas.



**BW2 ENGINEERS, INC.**

1919 S. Shiloh Road  
Suite 500, L.B. 27  
Garland, Texas 75042  
(972) 864-8200 (T) (972) 864-8220 (F)  
Firm Registration No. F-5290



BW2 JOB NO: 19-1954 DRAWN BY: CEC

DATE: DECEMBER, 2019 CHECKED BY: CEC

18-1954/DRAWINGS/1954 SURVEY.DWG

PAGE 1 OF 2

SURVEY: M. JONES SURVEY, ABSTRACT NO. 122

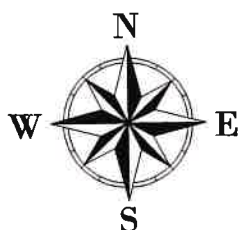
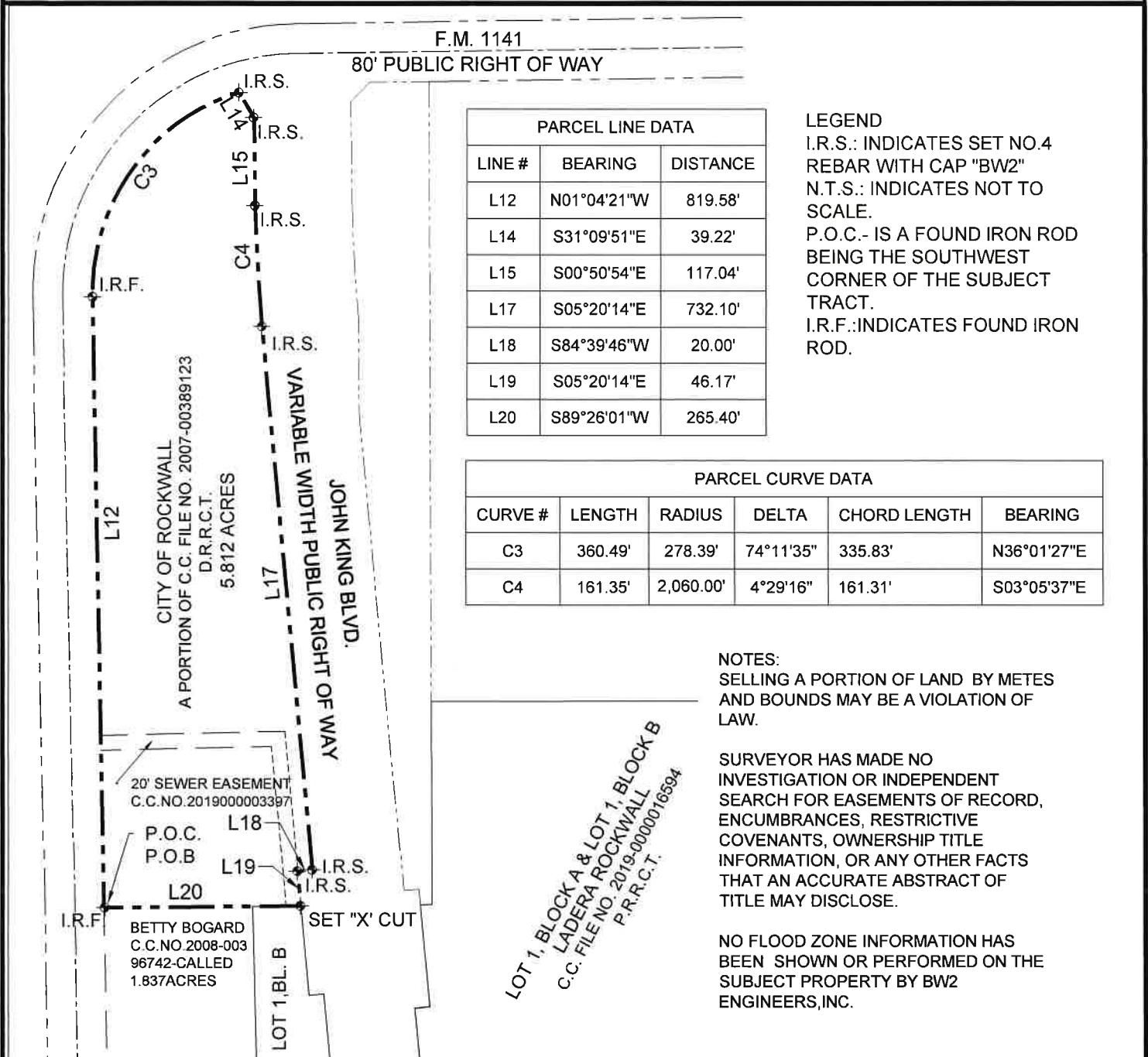
LOCATION: CITY OF ROCKWALL, TX

**PARCEL PLAT- EXHIBIT "A"**

**PROPERTY SURVEY  
CITY OF ROCKWALL, TEXAS**

BEING A PORTION OF  
C.C. FILE NO. 2007-00389123  
D.R.R.C.T.

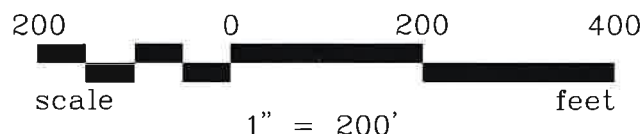
NOTE: THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS STATE PLANE NAD83 NORTH CENTRAL ZONE (4202)



**BW2**

**BW2 ENGINEERS, INC.**

1919 S. Shiloh Road  
Suite 500, L.B. 27  
Garland, Texas 75042  
(972) 864-8200 (T) (972) 864-8220 (F)  
Firm Registration No. F-5290



BW2 JOB NO: 19-1954

DRAWN BY: CEC

DATE: DECEMBER, 2019

CHECKED BY: CEC

18-1954/DRAWINGS/1954 SURVEY.DWG

PAGE 2 OF 2

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A COMMERCIAL (C) DISTRICT FOR A 5.812-ACRE TRACT OF LAND IDENTIFIED AS TRACT 9 OF THE M. B. JONES SURVEY, ABSTRACT NO. 122, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* AND FURTHER DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has initiated a *Zoning Change* from an Agricultural (AG) District to a Commercial (C) District for a 5.812-acre tract of land owned by the City of Rockwall and identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the southwest corner of the intersection of FM-1141 and John King Boulevard, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

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

**SECTION 2.** That the *Subject Property* shall be used only in the manner and for the purposes provided for a Commercial (C) District as stipulated in Section 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*; Section 04.01, *General Commercial District Standards*; and Section 04.05, *Commercial (C) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;



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

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

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

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

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

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

\_\_\_\_\_  
Kevin Fowler, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Teague, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: March 21, 2022

2<sup>nd</sup> Reading: April 4, 2022

**Exhibit 'B'**  
**Zoning Exhibit**

**BEING** a 5.812-acre tract of land in the M. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, being a portion of a called 10.942-acre tract, described in deed to the City of Rockwall, recorded in County Clerk Number 2007-00389123, Deed Records of Rockwall County, Texas, being that portion of said deed lying west of John King Boulevard, a variable width public right of way, more particularly described as follows;

**COMMENCING** at a found iron pipe being the southwest corner of said City of Rockwall tract, being the northwest corner of a called 1.837-acre tract, deeded to Betty Bogard, recorded in County Clerk Number 2008-00396742, Deed Records of Rockwall County, Texas, being on the east right of way line of FM 1141, an 80-foot-wide public right of way;

**THENCE** North 01°04'21" West along said right of way line for a distance of 819.58 feet to a found iron rod, being the beginning of a tangent curve to the right;

**THENCE** northeasterly along said curve to the right with a radius of 278.39 feet, a central angle of 74°11'35", a chord bearing of North 36°01'27" East, a chord distance of 335.83 feet for an arc length of 360.49 feet to a Set No. 4 rebar with cap "BW2";

**THENCE** South 31°09'51" East for a distance of 39.22 feet to a Set No. 4 rebar with cap "BW2", being on the west right of way line of John King Boulevard, a variable width public right of way;

**THENCE** South 00°50'54" East along said right of way line for a distance of 117.04 feet to a Set No. 4 rebar with cap "BW2", being on the beginning of a curve to the left;

**THENCE** southeasterly along said curve to the left, with a radius of 2,060.00 feet, a central angle of 4°29'16", a chord bearing of South 03°05'37" East, a chord distance of 161.31 feet, for an arc length of 161.35 feet to a Set No. 4 rebar with cap "BW2";

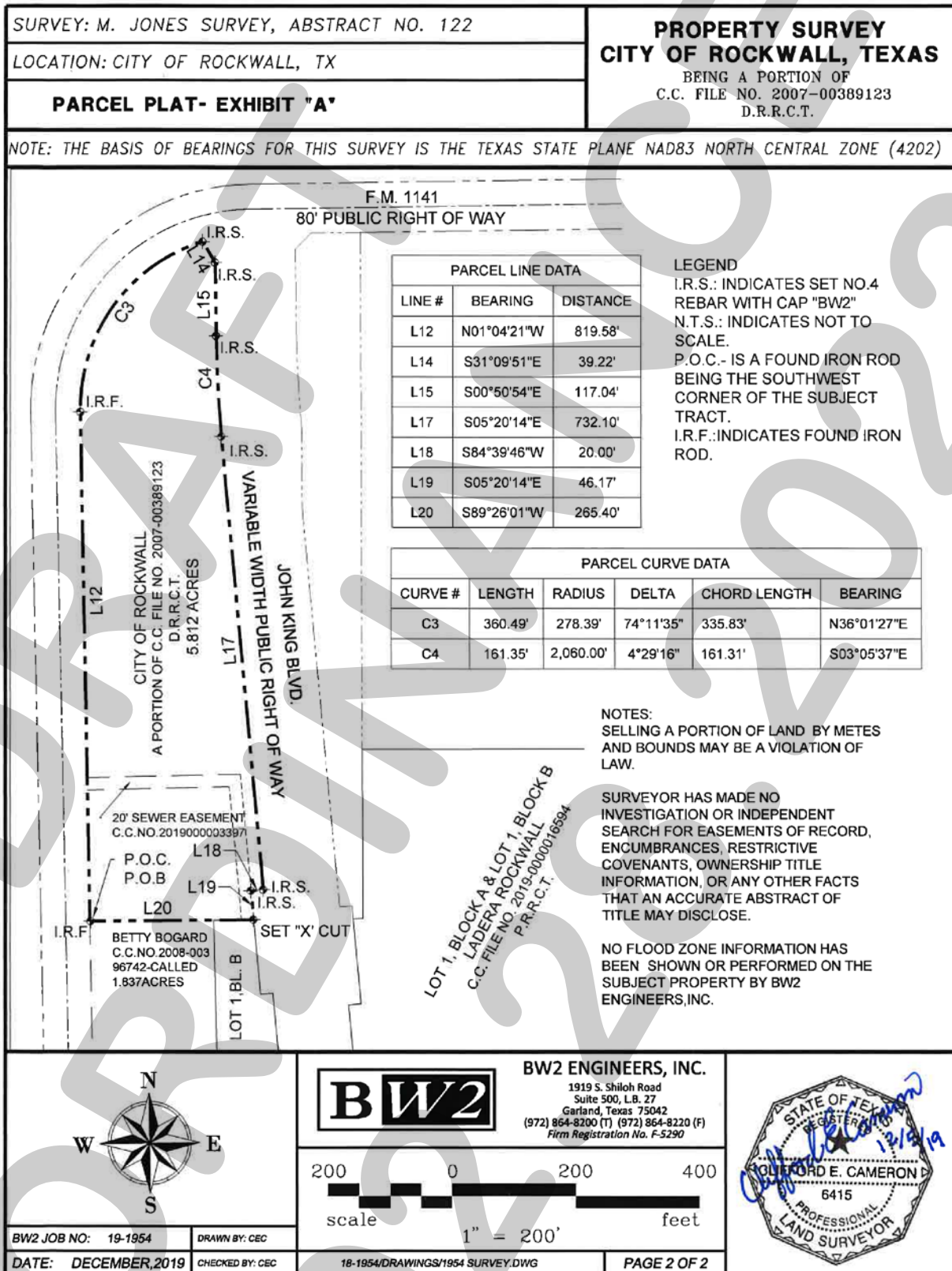
**THENCE** South 05°20'14" East along said right of way line for a distance of 732.10 feet to a Set No. 4 rebar with cap "BW2"; **THENCE** South 84°39'46" West along said right of way line for a distance of 20.00 feet to a Set No. 4 rebar with cap "BW2"; **THENCE** South 05°20'14" East along said right of way line for a distance of 46.17 feet to a Set "X" Cut, being the southeast corner of said City of Rockwall tract, being the northeast corner of Lot 1, Block B of the Final Plat of Ladera Rockwall, recorded in County Clerk File No. 2019-0000016594, Plat Records of Rockwall County, Texas;

**THENCE** South 89°26'01" West along said common line for a distance of 265.40 feet to the **POINT OF BEGINNING**;

Said tract contains 5.812 acres more or less.



**Exhibit 'B'**  
**Zoning Exhibit**





## 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](mailto:PLANNING@ROCKWALL.COM)

---

TO: Planning and Zoning Commission

DATE: March 15, 2022

APPLICANT: Ryan Miller, AICP; *City of Rockwall*

CASE NUMBER: Z2021-011; *Zoning Change Agricultural (AG) District to General Retail (GR) District*

---

#### SUMMARY

Hold a public hearing to discuss and consider a City initiated request for the approval of a Zoning Change from an Agricultural (AG) District to a General Retail (GR) District for a 5.812-acre tract of land identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the southwest corner of the intersection of FM-1141 and N. John King Boulevard, and take any action necessary.

#### BACKGROUND

The majority of the subject property was annexed on May 19, 1986 by *Ordinance No. 86-37 [Case No. A1986-005]*. The remainder of the subject property was annexed on March 16, 1998 by *Ordinance No. 98-10 [Case No. A1998-001]*. At the time of annexation both portions of the subject property were zoned Agricultural (AG) District. In 2007-2008, the City of Rockwall acquired the subject property -- *which was a portion of a larger 6.702-acre tract of land (i.e. Tract 9 of the M. B. Jones Survey, Abstract No. 122)* -- for the future right-of-way of John King Boulevard. When John King Boulevard was constructed, the subject property was established in its current configuration. The subject property has remained vacant since its annexation.

On August 19, 2021, Maxwell Fisher of Masterplan submitted a development application on behalf of Saro Partners, LLC requesting to rezone a 5.07-acre tract of land (*i.e. Tract 2-06 of the D. Harr Survey, Abstract No. 102 [known as the Developers Property]*) from an Agricultural (AG) District to a Light Industrial (LI) District. Provided with the application was a concept plan showing a proposed ~17,000 SF facility for a *Social Service Provider/Day Care (i.e. Boys and Girls Club of America)*. After reviewing the application and concept plan, staff was made aware that the parking areas and a portion of the proposed facility would be situated within the Runway Protection Zone (RPZ) and *Clear Zone Easement [Instrument No. 19690000870386]* of the Ralph Hall Municipal Airport. In response to these findings, staff contacted the applicant to discuss possible options to protect the airport's RPZ while still finding a way to facilitate the proposed development. The option that appeared to be the most beneficial to all parties involved, was an option that involved trading the 5.07-acre tract of land (*i.e. the Developers Property*) for a 4.18-acre portion of the subject property (*i.e. a portion of Tract 9 of the M. B. Jones Survey, Abstract No. 122*). At the February 7, 2022 City Council meeting, the City Council approved a motion directing the City Manager to enter into a 380 Economic Development Agreement with the owner of the *Developer's Property* for the property swap and the development of a Boys and Girls Club of America on the subject. This agreement was signed and executed by the City and Saro Partners, LLC on March 8, 2022.

Under the terms of this agreement, the City of Rockwall is responsible for rezoning the *City's Property* from an Agricultural (AG) District to a Commercial (C) District and replatting the subject property into two (2) lots (*i.e. a 4.18-acre parcel of land that will be subject to the terms of the agreement and a 1.632-acre parcel of land that will be retained by the City of Rockwall*). Once the property is zoned and platted, the 4.18-acre parcel of land can be exchanged for the *Developer's Property* and then deeded to the Boys and Girls Club of America. After the property swap, the Boys and Girls Club of America will have 36-months from the date of the exchange of the property to begin developing the property with a new facility or the properties will revert back to their previous ownership.

In preparing for this case, staff received a number of phone calls and emails from residents of the adjacent neighborhood (*i.e. the Caruth Lakes Subdivision*) expressing a concern with the requested Commercial (C) District zoning. Based on this staff



engaged the applicant to see if they were open to a changing the request from a Commercial (C) District to a General Retail (GR) District, and on March 11, 2022 the applicant sent an email accepting the change. Staff should point out that this change does not affect the ability of the Boys and Girls Club of America to meet the 380 Economic Development Agreement or what is being proposed to be developed on the subject property; however, staff is in agreement with the residents that a General Retail (GR) District zoning designation is more consistent with the residential adjacencies.

## **PURPOSE**

In accordance with the requirements of the executed 380 Economic Development Agreement and the changes agreed to by the City and Shawn Valk of Saro Partners, LLC, the City of Rockwall has submitted an application requesting to change the zoning of the subject property from an Agricultural (AG) District to a General Retail (GR) District.

## **ADJACENT LAND USES AND ACCESS**

The subject property is located at the southwest corner of the intersection of FM-1141 and John King Boulevard. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is FM-1141, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 0.5457-acre tract of land (*i.e. Tract 29-1 of the S. S. McCurry Survey, Abstract No. 146*) zoned Agricultural (AG) District. Situated on this tract of land is a 2,176 SF single-family home constructed in 1971. North of this property is Phase 6 of the Caruth Lakes Subdivision, which was established on August 9, 2005 and consists of 158 single-family residential lots. This subdivision is zoned Planned Development District 5 (PD-5) for Single-Family 7 (SF-7) District land uses.

South: Directly south of the subject property is: [1] a 1.837-acre vacant tract of land (*i.e. Tract 6 of the M. B. Jones Survey, Abstract No. 122*) zoned Agricultural (AG) District, and [2] a 9.894-acre vacant parcel of land (*i.e. Lot 1, Block B, Ladera Rockwall Addition*). Beyond this is SH-66, which is identified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

East: Directly east of the subject property is John King Boulevard, which 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 is: [1] excess right-of-way for John King Boulevard (*i.e. being a portion of Tract 9 of the M. B. Jones Survey, Abstract No. 122*), [2] a 15.93-acre vacant tract of land (*i.e. Tract 5-1 of M. B. Jones Survey, Abstract No. 122*) zoned Agricultural (AG) District, and [3] a 9.789-acre parcel of land (*i.e. Lot 1, Block A, Ladera Rockwall Addition*) zoned Planned Development District 85 (PD-85) for Single-Family 7 (SF-7) District land uses. Situated on the 9.789-acre parcel of land is Phase 1 of the Ladera Subdivision, which was established on September 20, 2019 and consists of 87 single-family residential homes.

West: Directly west of the subject property is FM-1141, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 3.20-acre tract of land (*i.e. Tract 1 of the M. B. Jones Survey, Abstract No. 122*) zoned Agricultural (AG) District. Situated on this tract of land is a 1,380 SF single-family home constructed in 1976. West of this property is Phase 6 of the Caruth Lakes Subdivision, which was established on August 9, 2005 and consists of 158 single-family residential lots. This subdivision is zoned Planned Development District 5 (PD-5) for Single-Family 7 (SF-7) District land uses.

## **CONFORMANCE TO THE CITY'S CODES**

According to Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he General Retail (GR) District is a zoning district intended to provided limited retail and service uses ... [*that*] include most types of retail and office activity, and are typically located on/at the intersections of major thoroughfares." This section goes on to state that "(s)ince the General Retail (GR) District will be located close to residential areas, the development standards are stringent and require high standards of development ..." These standards are defined in Subsection 07.03, *Non-Residential District Development Standards*, of the Unified Development Code (UDC) and are summarized as follows:

TABLE 1: GENERAL RETAIL (GR) DISTRICT STANDARDS

Minimum Lot Area	6,000 SF
Minimum Lot Width	60'
Minimum Lot Depth	100'
Minimum Front Yard Setback <sup>(1) &amp; (2)</sup>	15'
Minimum Side Yard Setback <sup>(3)</sup>	10'
Minimum Rear Yard Setback <sup>(3)</sup>	10'
Minimum Between Buildings <sup>(3)</sup>	10'
Maximum Building Height <sup>(4)</sup>	36'
Maximum Building Size <sup>(5)</sup>	25,000 SF
Maximum Lot Coverage	40%
Minimum Landscaping	20%

General Notes:

- <sup>1</sup>: From future right-of-way as shown on the adopted Master Thoroughfare Plan or as actually exists, whichever is greater.
- <sup>2</sup>: Parking should not be located between the front façade and the property line.
- <sup>3</sup>: The setback can be reduced to zero (0) feet with a fire rated wall.
- <sup>4</sup>: Building height may be increased up to 60-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.
- <sup>5</sup>: A maximum building size of 25,000 SF in area, unless otherwise approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

If this zoning change is approved and when the subject property is developed, the development will be required to conform to all the requirements of the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, and any other applicable local, state or federal requirements.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the *Land Use Plan* contained in the OURHometown Vision 2040 Comprehensive Plan, the subject property is situated within Northwest Residential District and is designated for Commercial/Retail land uses. In addition, the *District Map* shows that the subject property is an ideal place for a *Trail Plan Rest Stop/Trailblazer Pylon* for John King Boulevard in accordance with the John King Boulevard Corridor Plan (see *Subsection 02.02 of Appendix 'B', Corridor Plans, of the OURHometown Vision 2040 Comprehensive Plan*). The *Land Use Designations* section of the plan states that, "(t)he Commercial/Retail land use category is characterized by single to multi-tenant commercial retail centers along major arterials at key intersection ..."; however, listed as an acceptable land use in the *Secondary Land Uses* section of this designation is the *Institutional/Civic Land Uses*, which is what the proposed Boys and Girls Club of America would be categorized as. Additionally, the General Retail (GR) District is one (1) of the permitted zoning designations for the Commercial/Retail designation. Based on this the proposed zoning change meets the intent of the Comprehensive Plan. With regard to the *Trial Plan Rest Stop/Trailblazer Pylon* designated to be situated on the subject property, this element of the plan is probably better situated at the corner of the FM-1141 and John King Boulevard. This would be on the 1.632-acre portion of the subject property that will be retained by the City of Rockwall.

For the Planning and Zoning Commission and City Council's review, staff has included excerpts from the Comprehensive Plan showing the *Land Use Plan* and *District Strategies* for the Northwest Residential District, and the land use designation definition for the Commercial/Retail land use designation.

INFRASTRUCTURE

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

- (1) Roadways. At the time of development, the developer shall verify the right-of-way width of FM-1141 to ensure there is 120-feet of right-of-way, and dedicate any of the subject property that is within 30-feet of the centerline of the roadway and put anything up to 60-feet from the centerline in a reserve. A Traffic Impact Analysis (TIA) will be required by the Texas Department of Transportation (TXDOT) at the time the civil engineering is submitted.



- (2) Water. An eight (8) inch water line will need to be extended from the 12-inch water line at the northwest corner of FM-1141 and John King Boulevard, through the subject property to the west side of FM-1141, and tie into the 12-inch water line stubbed out north of Waters Edge Drive.
- (3) Wastewater. A minimum of an eight (8) inch wastewater line will need to extend from the manhole at the southeast corner of the subject property to the northern most property line of the subject property.
- (4) Drainage. If a proposed development is *touching* the floodplain, the developer shall be required to perform a flood study to delineate the fully developed 100-year localized floodplain for all ponds, creeks or streams, and draws on the subject property. This has already been submitted by the applicant. In addition, detention will be required and sized per *Manning's C-Value* for the zoning designation.

## **STAFF ANALYSIS**

The proposed zoning change is in conformance with the intent of the General Retail (GR) District as defined by the Unified Development Code (UDC) and the policies and guidelines of the OURHometown Vision 2040 Comprehensive Plan; however, zoning is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

## **NOTIFICATIONS**

On February 25, 2022, staff mailed 62 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Caruth Lakes (*Caruth Ridge Estates*) Homeowner's Association (HOA), which was the only Homeowner's Association (HOA) or Neighborhood Organization within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received the following:

- (1) Two (2) property owner notifications from property owners within the 500-foot notification buffer opposed to the applicant's request.
- (2) Two (2) emails from two (2) property owners outside of the 500-foot notification buffer opposed to the applicant's request.
- (3) Two (2) responses from the online *Zoning & Specific Use Permit Input Form* from two (2) property owners outside of the 500-foot notification buffer opposed to the applicant's request.
- (4) Three (3) emails from three (3) property owners outside of the 500-foot notification buffer stating an opposition to Commercial (C) District zoning. These emails indicate that General Retail (GR) District zoning is more appropriate for this request.

## **CONDITIONS OF APPROVAL**

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request to rezone the subject property from an Agricultural (AG) District to a General Retail (GR) District, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the draft ordinance; and,
- (2) 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. 22022-011

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

### SITE PLAN APPLICATION FEES:

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

### ZONING APPLICATION FEES:

- ☒ ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- ☐ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1 & 2</sup>
- ☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

### OTHER APPLICATION FEES:

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

#### NOTES:

<sup>1</sup>: 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.

<sup>2</sup>: 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 A0122 M.B. JONES, TRACT 9

SUBDIVISION

LOT

BLOCK

GENERAL LOCATION NWC OF FM 1141 & N. JOHN KING BLVD

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING Agricultural

CURRENT USE

VACANT

PROPOSED ZONING Commercial

PROPOSED USE

VACANT

ACREAGE 5.702

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

CITY OF ROCKWALL

☒ APPLICANT

RYAN MILLER

CONTACT PERSON

RYAN MILLER

CONTACT PERSON

"

ADDRESS

385 S. GOLIAD

ADDRESS

385 S. GOLIAD

CITY, STATE & ZIP

Rockwall, TX 75087

CITY, STATE & ZIP

Rockwall, TX 75087

PHONE

972-771-7700

PHONE

972-772-6441

E-MAIL

rmiller@rockwall.com

E-MAIL

rmiller@rockwall.com

## NOTARY VERIFICATION [REQUIRED]

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

\*FEE IS WAIVED\*

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ \_\_\_\_\_ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

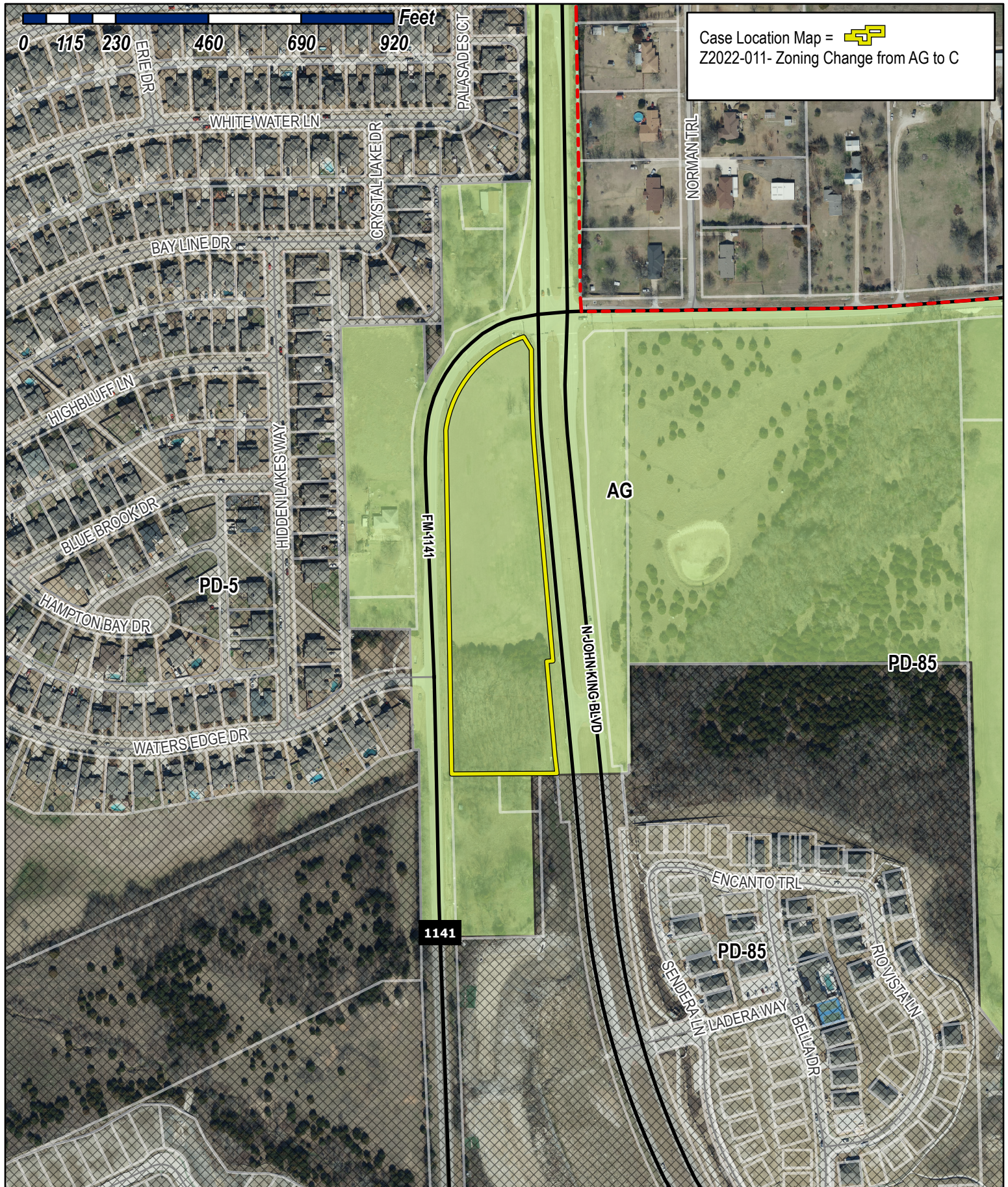
OWNER'S SIGNATURE


*[Signature]*

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES





Case Location Map =   
Z2022-011- Zoning Change from AG to C



# City of Rockwall

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



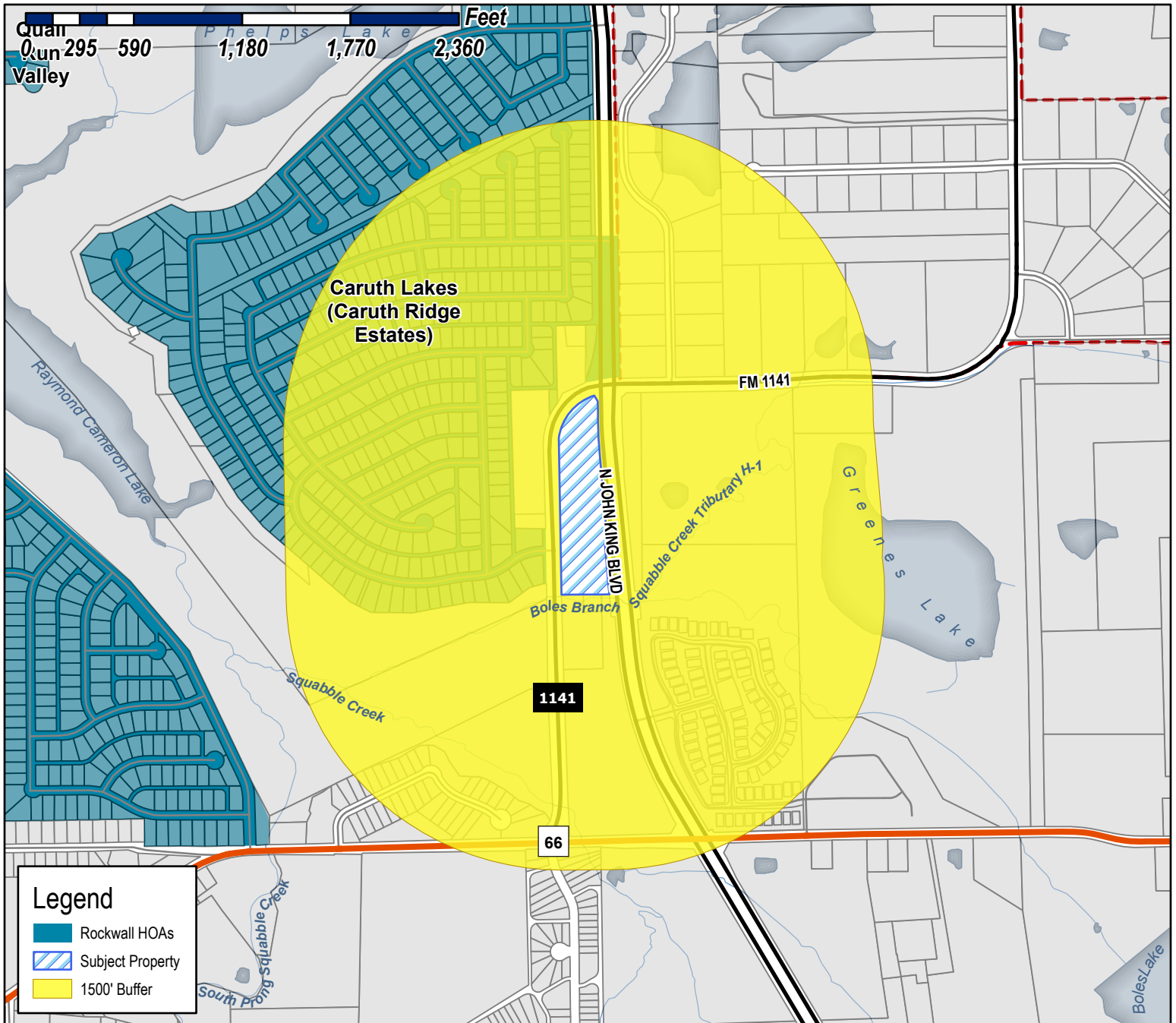




# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
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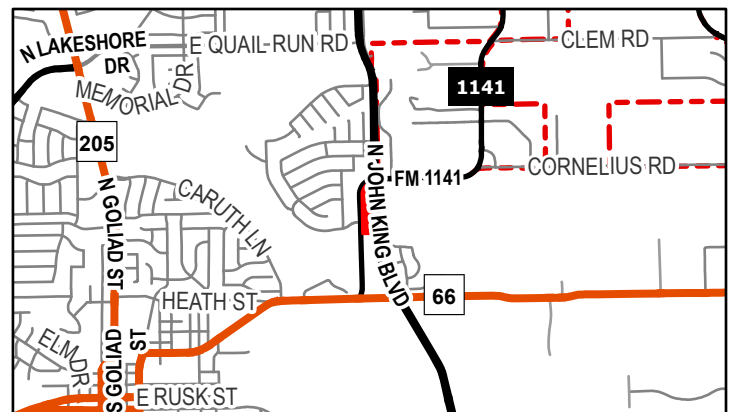
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**Case Number:** Z2022-011  
**Case Name:** Zoning Change from AG to C  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** NWC of FM 1141  
& N. John King Blvd.

**Date Saved:** 2/22/2022

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



## Miller, Ryan

---

**From:** Gamez, Angelica  
**Sent:** Wednesday, February 23, 2022 2:26 PM  
**Cc:** Miller, Ryan; Lee, Henry; Ross, Bethany  
**Subject:** Neighborhood Notification Program [Z2022-011]  
**Attachments:** Public Notice (02.23.2022).pdf; HOA Map (02.22.2022).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](mailto: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>.

### **Z2022-011: Zoning Change from AG to C**

Hold a public hearing to discuss and consider a City initiated request for the approval of a *Zoning Change* from an Agricultural (AG) District to a Commercial (C) District for a 5.812-acre tract of land identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the southwest corner of the intersection of FM-1141 and N. John King Boulevard, 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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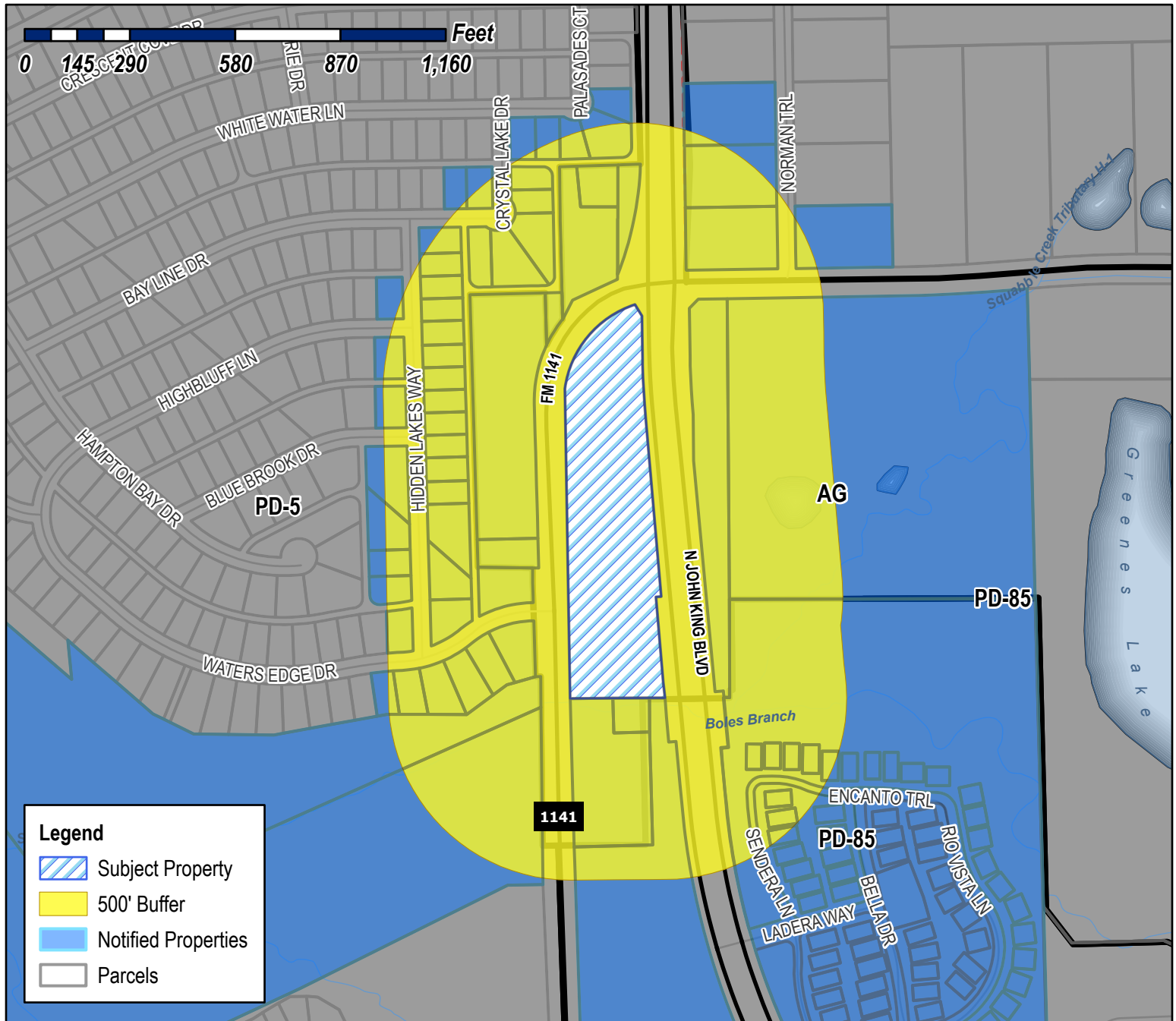
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# City of Rockwall

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

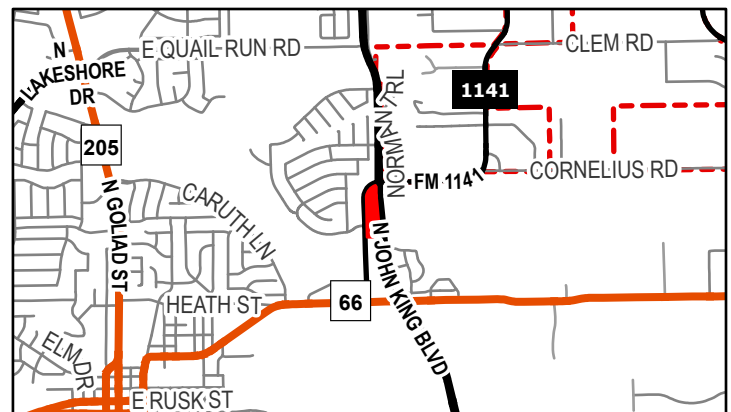
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**Case Number:** Z2022-011  
**Case Name:** Zoning Change from AG to C  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** SWC of FM 1141  
& N. John King Blvd

**Date Saved:** 2/22/2022

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





TANNER BACIL H AND NELDA R  
1004 NORTH HARRISON  
WEST, TX 76691

ACKENBACK SPENCER AND HEATHER LYNN  
SCHAMBER  
1013 FM 1564 W  
GREENVILLE, TX 75402

KEHM NATALIE & DONAVON  
1050 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

ACKENBACK SPENCER AND HEATHER LYNN  
SCHAMBER  
1055 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

TAYLOR STEVEN MURRY & ANITA  
1060 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

JOHNSON JAMIE L AND RICHARD K  
1061 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

HANKINS MARQUIS L & JACQUELINE K  
1069 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

LEAHY ANDERSON C AND KAITLIN A  
1070 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

FAIRES DEWAIN AND MONICA  
1080 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

VANDIVER JAY L & PAULA J  
1085 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

BRUNER KURT & OLIVIA  
1086 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

SHIPP DARLA JUNE & STANLEY JOE  
1092 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

SEE BETTY  
110 WESTMINISTER  
ROCKWALL, TX 75032

GILPIN THOMAS K & ANGELA J  
1100 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

AMERICAN RESIDENTIAL LEASING COMPANY LLC  
1106 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

CONFIDENTIAL  
1112 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

ROWE LORI A  
1118 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

BRUNER KURT & OLIVIA  
11206 SANTA CRUZ DR  
AUSTIN, TX 78759

LARSEN RALPH K  
1124 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

WHISENHUNT KENNETH AND JUDY  
1130 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

JONES RACHEL AND DOUGLAS  
1136 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

ROJAS CARLOS  
1142 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

MARTINEZ AUGUSTINE  
1150 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

BAUGH MELVA Y  
1168 CRYSTAL LAKE DR  
ROCKWALL, TX 75087

LAHAIR JOHN & NEALY  
1174 CRYSTAL LAKE DR  
ROCKWALL, TX 75087

DEWBRE JUSTIN JOEL AND CHERYL CHRISTINE  
1261 HIGHBLUFF LN  
ROCKWALL, TX 75087

KIERNAN KEVIN & KIMBERLY  
1262 BLUE BROOK DRIVE  
ROCKWALL, TX 75087

HARVEY DERICK AND  
RICK HARVEY AND VICKI HARVEY AND APRIL  
MARIE HARVEY  
1266 HIGHBLUFF LN  
ROCKWALL, TX 75087

HUNTER JAMES DARL & SUSAN BAILEY  
1271 WATERS EDGE DRIVE  
ROCKWALL, TX 75087

JACKSON BEAU MICHAEL AND AMANDA  
1277 WATERS EDGE  
ROCKWALL, TX 75087

BUCHHOLZ RON AND PENNY FAMILY  
REVOCABLE TRUST  
1278 WATERS EDGE DR  
ROCKWALL, TX 75087

WILSON TERRY  
1302 PALASADES COURT  
ROCKWALL, TX 75087

LAMPTEY REBECCA A AND NII LANTE  
1382 BAY LINE DRIVE  
ROCKWALL, TX 75087

RYDER HEATH JAMES AND MELANIE ANN  
1383 WATER EDGE DRIVE  
ROCKWALL, TX 75087

WOODUL NETA J  
1389 WATERS EDGE DR  
ROCKWALL, TX 75087

2017 R GAUNA & M CRUZ REVOCABLE TRUST  
1390 BAY LINE DRIVE  
ROCKWALL, TX 75087

GARD JOSHUA AND SAMANTHA  
1395 BAY LINE DR  
ROCKWALL, TX 75087

ELLIOTT CHRISTOPHER ANDREW & HEATHER R  
1395 WATERS EDGE DRIVE  
ROCKWALL, TX 75087

JEAN ANN LOTT REVOCABLE LIVING TRUST  
1401 BAY LINE DRIVE  
ROCKWALL, TX 75087

CARUTH RIDGE ESTATES HOMEOWNERS  
ASSOCIATION INC  
C/O VISION COMMUNITIES MANAGEMENT INC  
1402 WATERS EDGE DR  
ROCKWALL, TX 75087

FAKE MARK C & KATHRYN K  
1403 WHITE WATER LN  
ROCKWALL, TX 75087

GROGAN DANIEL R  
1405 WATERS EDGE DRIVE  
ROCKWALL, TX 75087

MULLOWNEY PATRICK  
1409 WHITE WATER LN  
ROCKWALL, TX 75087

DENNY READE EDWARD  
1415 WHITE WATER LN  
ROCKWALL, TX 75087

GAUVIN COLLEEN  
1421 WHITE WATER LANE  
ROCKWALL, TX 75087

TANNER WILMA GRACE  
1451 FM 1141  
ROCKWALL, TX 75087

TANNER BACIL H AND NELDA R  
1451 FM 1141  
ROCKWALL, TX 75087

MCGILL MICHAEL KIMBERLY  
27 NORMAN TRL  
ROCKWALL, TX 75087

RICHARDS J MARK  
VIVIAN V  
28 NORMAN TRL  
ROCKWALL, TX 75087

WINKLEY KYLE A AND ANNA K  
29 NORMAN TR  
ROCKWALL, TX 75087

CTDIGLAND LLC  
361 W BYRON NELSON BLVD SUITE 104  
ROANOKE, TX 76262

RW LADERA LLC  
361 W BYRON NELSON BLVD SUITE 104  
ROANOKE, TX 76262

INTEGRITY RETIREMENT GROUP LLC  
361 W BYRON NELSON BLVD SUITE 104  
ROANOKE, TX

HONZELL DAVID AND PATRICIA  
414 E. COACHLIGHT TRAIL  
ROCKWALL, TX 75087

JONES RACHEL AND DOUGLAS  
417 PARK PLACE BLVD  
ROCKWALL, TX 75087

BUCHHOLZ RON AND PENNY FAMILY  
REVOCABLE TRUST  
5035 PINE DR  
BOYNTON BEACH, FL 33437

CARUTH RIDGE ESTATES HOMEOWNERS  
ASSOCIATION INC  
C/O VISION COMMUNITIES MANAGEMENT INC  
5757 ALPHA RD STE 680  
DALLAS, TX 75240

SEE BETTY  
880 FM 1141  
ROCKWALL, TX 75087

LILYHORN PAULA AND GREG  
918 SENDERA LN  
ROCKWALL, TX

RW LADERA LLC  
926 SENDERA  
ROCKWALL, TX 75087

FOERSTER ELWYNNE ANN  
323 ELM DR  
927 FM1141  
ROCKWALL, TX 75087

AMERICAN RESIDENTIAL LEASING COMPANY LLC  
ATTN: PROPERTY TAX DEPARTMENT 23975  
PARK SORRENTO, SUITE 300  
CALABASAS, CA 91302



# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto: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. Z2022-011: Zoning Change from AG to C**

*Hold a public hearing to discuss and consider a City initiated request for the approval of a Zoning Change from an Agricultural (AG) District to a Commercial (C) District for a 5.812-acre tract of land identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the southwest corner of the intersection of FM-1141 and N. John King Boulevard, 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:

**Ryan Miller**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto: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



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. Z2022-011: Zoning Change from AG to C**

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

**From:** Amanda Bethune <mandachelle\_99@yahoo.com>  
**Sent:** Friday, March 4, 2022 1:25 PM  
**To:** Planning  
**Subject:** Zoning Change Opposition - Case No. Z2022-011: Zoning Change from AG to C

Name: Amanda and Beau Jackson  
Address: 1277 Waters Edge Drive Rockwall 75087

My husband and I are in opposition for the zoning change (Case No. Z2022-011). We live very close to the intersection of Waters Edge and 1141. We have young children (along with several of our neighbors) that are always playing outside. We would not like to have the extra traffic and people that close to where our children play. The new commercial buildings would be within eyes view of our home and would be an eyesore. Having commercial buildings this close to a home can also negatively effect the resale value of a home.

Please take our input into consideration.

Thanks

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**From:** jimsmithtexas@aol.com  
**Sent:** Monday, March 7, 2022 12:38 PM  
**To:** Fowler, Kevin; Daniels, Bennie; Hohenshelt, John; Jorif, Clarence; Johannesen, Trace; Macalik, Dana; Campbell, Anna; Miller, Ryan; Planning  
**Subject:** Z2022-011  
**Importance:** High

As citizens of the City of Rockwall, we are requesting that the Rockwall Planning and Zoning Department and the City Council deny the request in Z2022-011 to change the zoning for this parcel of land from *Agriculture (AG)* to *Commercial (C)* because the zoning of *Commercial* allows for the building of businesses that are not deemed appropriate for this location.

We believe that a zoning of *General Retail (GR)* is significantly more appropriate for this location. Please deny the request for the designation of *Commercial* zoning and advise the applicant to apply for the more appropriate zoning designation of *General Retail*.

Thank you,

Jim & Shirley Smith  
609 Amherst Drive  
Rockwall, TX 75087r

---

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# Zoning & Specific Use Permit Input Form

## Case Number \*

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-011

Please place a check mark on the appropriate line below: \*

☐

I am in favor of the request.



I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

To close to homes and children

## Respondent Information

Please provide your information.

First Name \*

Josh

Last Name \*

Gard

Address \*

1395 Bay Line Dr

City \*

Rockwall

State \*

TX

Zip Code \*

75087

Email Address \*

jgard2522@yahoo.com

Phone Number

Please check all that apply: \*

- ☒ I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- ☐ I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- ☐ I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- ☐ I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- ☐ Other: \_\_\_\_\_

How did you hear about this Zoning or Specific Use Permit (SUP) request? \*

- ☒ I received a property owner notification in the mail.
- ☐ I read about the request on the City's website.
- ☐ I saw a zoning sign on the property.
- ☐ I read about the request in the Rockwall Herald Banner.
- ☐ My neighbors told me about the request.
- ☐ Other: \_\_\_\_\_

This content is neither created nor endorsed by Google.

Google Forms



## Zoning & Specific Use Permit Input Form

### Case Number \*

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-011

Please place a check mark on the appropriate line below: \*

☐

I am in favor of the request.



I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

We do not want a business built behind our home.

### Respondent Information

Please provide your information.

### First Name \*

Kenneth & Judy

Last Name \*

Whisenhunt

Address \*

1130 Hidden Lakes Way

City \*

Rockwall

State \*

TX

Zip Code \*

75087

Email Address \*

jwhiz46@hotmail.com

Phone Number

214-738-1392

Please check all that apply: \*

- ☒ I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- ☐ I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- ☐ I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- ☐ I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- ☐ Other: \_\_\_\_\_

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- ☐ I read about the request on the City's website.
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- ☐ My neighbors told me about the request.
- ☐ Other: \_\_\_\_\_

This content is neither created nor endorsed by Google.

Google Forms



Case No. Z2022-011: Zoning Change from AG to C

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 did our due diligence when we built our home 10 years ago to ensure property around us was not zoned commercial. We would not have built and put \$100k in home improvements had we known this land could be zoned commercial. We're extremely concerned about the noise, light pollution that will effect our neighborhoods quality of life & property values

Name:

Danavon & Natalie Kehn

Address:

1050 Hidden Lakes Way, Rockwall, TX 75087

214-507-1554

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



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

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**Ryan Miller**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto: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. Z2022-011: Zoning Change from AG to C

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.

*Already feel as though we're living on the square of downtown Rockwall. We are surrounded by too many houses & too much traffic as is. Thank you!*

Name: *John Lahair Neely Lahair*  
Address: *1174 Crystal Lake Dr - Rockwall*

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

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



Case No. Z2022-011: Zoning Change from AG to C

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 don't want commercial  
property in my residential property zone.  
~~Too much~~ <sup>more</sup> traffic & it will lower my  
property value in years to come.

Name:

Neta Woodul

Address:

1389 Waters Edge Dr Rockwall, TX 75087

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

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



## Miller, Ryan

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**From:** donnadorman@swbell.net  
**Sent:** Monday, March 7, 2022 9:12 AM  
**To:** Daniels, Bennie; Fowler, Kevin; Hohenshelt, John; Jorif, Clarence; Johannesen, Trace; Macalik, Dana; Campbell, Anna; Miller, Ryan  
**Subject:** Zoning Case Z2022-011

Dear Honorable Council Members,

Regarding the swap of land near Airport Road and a lot located on the SW corner of FM-1141 and N. John King Boulevard. The city's public relations campaign describes a Chapter 380 Economic Agreement between the City of Rockwall and developer (Saro Partners, LLC,). It indicates it will enhance the safety of people and property on the ground by moving a proposed Boys and Girls Club out of a Runway Protection Zone near the Ralph Hall Municipal Airport to the SW Corner of FM1141 and John King Blvd.

This all sounds well and good since it is reasonable to assume we all support safety, economic development, and non-profits like the Boys and Girls Club who do good for the community.

However, the proposed Boys and Girls club will go directly on SH205 Bypass, otherwise known as John King Blvd. The City of Rockwall is working with TxDOT to move all 18-wheeler traffic to John King from Goliad. The already heavy 18-wheeler traffic will increase substantially. Unfortunately, the City of Rockwall allowed a toddler's playground directly on John King a while back which caused an uproar. It is concerning that child safety seems to take a back seat to economic development.

Additionally, the City of Rockwall has requested a zoning change for the lot from AG to commercial C District presumably to allow the Boys and Girls Club to build there. The issue is "C" commercial zoning is general in nature and permits such development as mini warehouses, bail bond services, pawn shops, rental storage, gas stations with more than 2 dispensers, nightclubs, used car lots, and heavy machine tool rental. The more appropriate zoning change would be to "GR" General Retail commercial. Since General Retail (GR) zoning is usually located close to residential areas, the development standards are stringent and require high standards of development. The "C" commercial zoning does not have the same stringent requirements. The GR zoning is all that is needed for a Boys and Girls Club. Daycare with Seven [7] or More Children/Office) and social service providers are permitted with that zoning and it is consistent with the Rockwall Comprehensive Plan.

There is no 100% guarantee the Boys and Girls Club will be built on the lot. If the "C" zoning is approved it will stay associated with the lot. This request to change the zoning is not following the normal application process. Rockwall citizens are not being provided with a site plan, preliminary plat plan, landscape plan, square footage, height, conceptual drawings of the building, traffic flow, or if the lot will be subdivided.

**Nothing.** We are not being provided the customary information that normally informs a zoning decision. This is akin to asking the residents to write a blank check on any future development there that could include mini warehouses, bail bond services, pawn shops, rental storage, gas stations with more than 2 dispensers, nightclubs, used car lots, and heavy machine tool rental.

I support the Economic Agreement and the swap of land for the Boys and Girls Club but pawn shops, storage buildings, bail bonds services, nightclubs, machine tool rentals, used car lots etc. near a residential area, in this case Caruth Lakes, Gideon Grove, FM 1141 neighborhoods, and Ladera is unacceptable. Please change the proposed zoning to GR General Retail Commercial on case number Z2022-011.

During the site planning process, extra diligence must be focused on child safety so that a dangerous environment is not created like the existing toddler playground on John King. Use every available stringent zoning guidelines to ensure the safety of the children. We all support safety of people and property on the ground. I urge the City of Rockwall to take a harder look at the economic agreement and proposed zoning to ensure children and their parents are in a protection zone from 18-wheelers and residents' home values and property are in a protection zone with the appropriate GR General Retail zoning.

Thank you.

Donna Dorman

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## Miller, Ryan

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**From:** Nell Welborn <nellwelborn@yahoo.com>  
**Sent:** Thursday, March 10, 2022 5:45 PM  
**To:** Miller, Ryan  
**Cc:** Donna Dorman  
**Subject:** Z2202-11

I agree with my neighbors who support the zoning change to GR instead of Commercial. Please add our comments to the case that goes forward to the City Council.

Respectfully,

Nell Welborn

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## Miller, Ryan

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**From:** Kendahl Matthews <k.matthews@duvalgc.com>  
**Sent:** Thursday, March 10, 2022 12:40 PM  
**To:** Miller, Ryan  
**Subject:** Proposed Zoning Change on 1141 and John King for Boys and Girls Club Opposition

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Mr. Miller,

I have a strong objection to any type of commercial zoning change of this parcel. This is a residential area and a business of any kind would increase traffic, create more noise than we already have from John King and 66 and disturb our somewhat peaceful neighborhood even more.

I also strongly feel like turning this into a commercial parcel will not guarantee what type of business will be built there and will lower our property values.

I also feel this will create a safety issue for our children and for the probability of more car accidents in the area.

Most all commercial parcels have bright lighting as well and that would be a real annoyance to the homes directly off 1141.

Privacy is also a concern as well as losing beautification of many trees.

This parcel is surrounded by 3 Subdivisions on both sides along with the addition of more schools to come. Plain and simple this a residential area and the only type of zoning that I would agree with would be more homes since there is such a shortage in Rockwall.

I live in Carruth Lakes very close to this parcel of land and I vehemently object to a zoning change from AG to Commercial.

Sincerely,

Kendahl Matthews  
1217 Bay Line Drive  
Rockwall, 75087  
469-964-5321



**Kendahl Matthews, Project Manager**

Duval General Contractors, LLC  
500 North Central Expy., Ste. 500  
Plano, Texas 75074  
C: **469-964-5321**

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

SURVEY: M. JONES SURVEY, ABSTRACT NO. 122

LOCATION: CITY OF ROCKWALL, TX

**LEGAL DESCRIPTION**

**PROPERTY SURVEY  
CITY OF ROCKWALL, TEXAS**

BEING A PORTION OF  
C.C. FILE NO. 2007-00389123  
D.R.R.C.T.

NOTE: THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS STATE PLANE NAD83 NORTH CENTRAL ZONE (4202)

**LEGAL DESCRIPTION**

Being a 5.812 acre tract of land in the M. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, being a portion of a called 10.942 acre tract, described in deed to the City of Rockwall, recorded in County Clerk Number 2007-00389123, Deed Records of Rockwall County, Texas, being that portion of said deed lying west of John King Boulevard, a variable width public right of way, more particularly described as follows;

Commencing at a found iron pipe being the southwest corner of said City of Rockwall tract, being the northwest corner of a called 1.837 acre tract, deeded to Betty Bogard, recorded in County Clerk Number 2008-00396742, Deed Records of Rockwall County, Texas, being on the east right of way line of FM 1141, a 80 foot wide public right of way;

THENCE North 01°04'21" West along said right of way line for a distance of 819.58 feet to a found iron rod, being the beginning of a tangent curve to the right;

THENCE northeasterly along said curve to the right with a radius of 278.39 feet, a central angle of 74°11'35", a chord bearing of North 36°01'27" East, a chord distance of 335.83 feet for an arc length of 360.49 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 31°09'51" East for a distance of 39.22 feet to a Set No. 4 rebar with cap "BW2", being on the west right of way line of John King Boulevard, a variable width public right of way;

THENCE South 00°50'54" East along said right of way line for a distance of 117.04 feet to a Set No. 4 rebar with cap "BW2", being on the beginning of a curve to the left;

THENCE southeasterly along said curve to the left, with a radius of 2,060.00 feet, a central angle of 4°29'16", a chord bearing of South 03°05'37" East, a chord distance of 161.31 feet, for an arc length of 161.35 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 05°20'14" East along said right of way line for a distance of 732.10 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 84°39'46" West along said right of way line for a distance of 20.00 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 05°20'14" East along said right of way line for a distance of 46.17 feet to a Set "X" Cut, being the southeast corner of said City of Rockwall tract, being the northeast corner of Lot 1, Block B of the Final Plat of Ladera Rockwall, recorded in County Clerk File No. 2019-0000016594, Plat Records of Rockwall County, Texas;

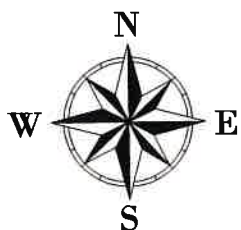
THENCE South 89°26'01" West along said common line for a distance of 265.40 feet to the Point of Beginning;

Said tract contains 5.812 acres more or less.

Subject to all easements of record.

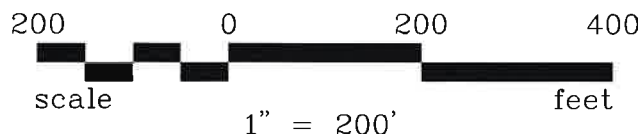
Bearings are based on the Texas Coordinate system, N.A.D. 83 (1993 ADJ.), North Central Zone, 4202 .

Situated in the City of Rockwall, Rockwall County, Texas.



**BW2 ENGINEERS, INC.**

1919 S. Shiloh Road  
Suite 500, L.B. 27  
Garland, Texas 75042  
(972) 864-8200 (T) (972) 864-8220 (F)  
Firm Registration No. F-5290



BW2 JOB NO: 19-1954 DRAWN BY: CEC

DATE: DECEMBER, 2019 CHECKED BY: CEC

18-1954/DRAWINGS/1954 SURVEY.DWG

PAGE 1 OF 2

SURVEY: M. JONES SURVEY, ABSTRACT NO. 122

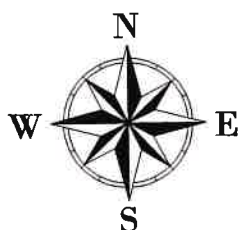
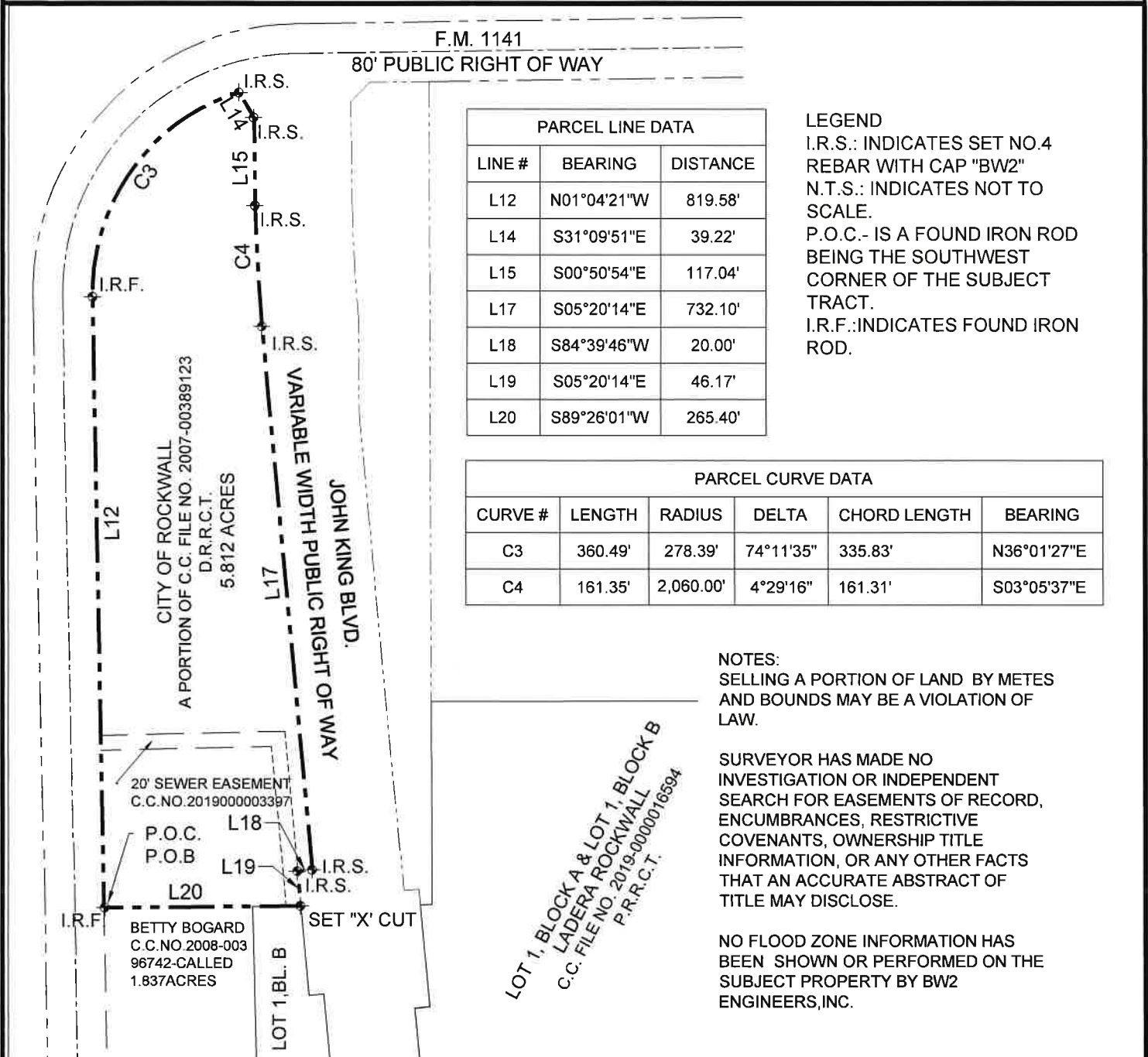
LOCATION: CITY OF ROCKWALL, TX

**PARCEL PLAT- EXHIBIT "A"**

**PROPERTY SURVEY  
CITY OF ROCKWALL, TEXAS**

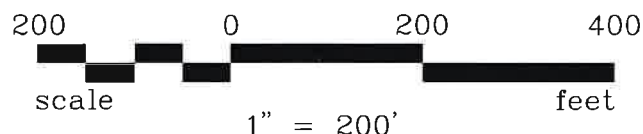
BEING A PORTION OF  
C.C. FILE NO. 2007-00389123  
D.R.R.C.T.

NOTE: THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS STATE PLANE NAD83 NORTH CENTRAL ZONE (4202)



**BW2 ENGINEERS, INC.**

1919 S. Shiloh Road  
Suite 500, L.B. 27  
Garland, Texas 75042  
(972) 864-8200 (T) (972) 864-8220 (F)  
Firm Registration No. F-5290



BW2 JOB NO: 19-1954

DRAWN BY: CEC

DATE: DECEMBER, 2019

CHECKED BY: CEC

18-1954/DRAWINGS/1954 SURVEY.DWG

PAGE 2 OF 2



## CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT

This **CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT** (hereinafter referred to as the *Agreement*) is entered into by and between the **CITY OF ROCKWALL, TEXAS**, a Texas home-rule municipality (hereinafter referred to as the *City*) and **SARO PARTNERS, LLC** [a Texas limited liability company], (hereinafter referred to as the *Developer*). The *City* and *Developer* are collectively referred to in this *Agreement* as the *Parties*.

**WHEREAS**, the *City* owns approximately 4.18-acre tract of land (i.e. *Tract 9 of the M. B. Jones Survey, Abstract No. 122*) -- depicted in Exhibit 'A' attached hereto and incorporated herein for all purposes (the *City's Property*), which is part of a larger portion of a 5.702-acre tract of land in the City of Rockwall located at the southwest corner of John King Boulevard and FM-1141; and

**WHEREAS**, the *Developer* owns approximately 5.07-acre tract of land (i.e. *Tract 2-06 of the D. Harr Survey, Abstract No. 102*) -- depicted in Exhibit 'B' attached hereto and incorporated herein for all purposes (the *Developer's Property*), which is in the City of Rockwall at the southeast corner of Airport Road and John King Boulevard; and

**WHEREAS**, the *Developer's Property* is located in the Airport Runway Protection Zone of the Ralph Hall Municipal Airport, which limits the type of development that can be developed on the *Developer's Property*, including the development of an assembly type land use (i.e. *the Boys and Girls Club*); and

**WHEREAS**, the *Developer* has offered to exchange the *Developer's Property* for the *City's Property* in order to allow for the development of a Boys and Girls Club facility (the *Project*) based on the agreed to terms of an executed **CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT** between the *City* and the *Developer*; and

**WHEREAS**, the *City* has determined that the development of the *Project* will be a benefit to the *City* and will promote economic development in the area; and

**WHEREAS**, in accordance with Section 52-a, *Programs and Loans or Grants of Public Money for Economic Development*, of Article 3, *Legislative Department*, of the Texas Constitution and Section 380.001 of the Texas Local Government Code, the *City* has established a program to provide for the administration of programs to promote state or local economic development and to stimulate business and commercial activity in the *City*; and

**WHEREAS**, to ensure that the benefits the *City* provides under this *Agreement* are utilized in a manner consistent with Section 52-a, *Programs and Loans or Grants of Public Money for Economic Development*, of Article 3, *Legislative Department*, of the Texas Constitution and Chapter 380, *Miscellaneous Provisions Relating to Municipal Planning and Development*, of the Texas Local Government Code, the *Developer* has agreed, to receive such benefits, to cooperate with the *City* in the design and construction of certain public improvements; and

**WHEREAS**, the *City* acknowledges that the provisions of this *Agreement* substantially advance a legitimate interest of the *City* by providing public infrastructure, expanding the tax base of the *City* and promoting economic development.

**NOW, THEREFORE**, for and in consideration of the above recitals and the terms and conditions set forth below, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the *City* and the *Developer* hereby agree as follows:

(1) PROJECT.

(A) Jurisdiction. The design, specifications and ordinances for the *Project* applicable in the City of Rockwall shall apply to the *Project*, except where the City of Rockwall City Council concurs in writing the application of differing requirements and specifications.

(B) Property for the Project. The *City Property* for the *Project* consists of a 4.18-acre tract of land (i.e. *Tract 9 of the M. B. Jones Survey, Abstract No. 122*) -- depicted in Exhibit A attached hereto and incorporated herein for all purposes,

which is part of a larger portion of a 5.702-acre tract of land in the City of Rockwall located at the southwest corner of John King Boulevard and FM-1141.

(C) Conditions Precedent. This *Agreement* and the *Developer's* obligation to execute the *Project* are subject to the following conditions:

- (I) The *City* will initiate zoning procedures to rezone the *City's Property* from an Agricultural (AG) District to a Commercial (C) District. This zoning change would be in accordance with the *City's Future Land Use Map* contained in the *OURHometown Vision 2040 Comprehensive Plan*, and would allow the requested land uses (*i.e. a Daycare with Seven [7] or More Children/Office*) needed for the *Project*.
- (II) Upon the zoning being approved on the *City's Property*, the *City* and *Developer* will legally document the exchange of the *City's Property* for the *Developer's Property*. This exchange of property will secure a portion of the Airport Runway Protection Zone of the Ralph Hall Municipal Airport.
- (III) Once the *Developer* is in possession and has acquired ownership of the *City's Property*, the Boys and Girls Club will have 36-months from the date of the exchange of property to begin developing the *City's Property* with the *Project*. Once the *Project* has commenced, *Developer* shall have 24-months to complete the *Project*.

(D) Return of City Property. Should the *Project* fail to commence within 36-months from the date the exchange of the property or if the *Parties* do not extend the term to commence the *Project*, the *Developer* will reconvey the *City's Property* back to the City of Rockwall at no cost to the *City* and the *City* will reconvey the *Developer's Property* back to the *City* at no cost to the *Developer*. If the *City* returns the *Property* to *Developer*, *Developer* must comply with the regulations of the Airport Runway Protection Zone on any future development of the returned *Developer's Property*.

(E) Plans and Approvals. The *Developer* shall be responsible for pursuing and obtaining the necessary plats, site plan approvals and all other approvals and permits required from the *City* which are necessary for construction of the improvements for the development for the *Project* as well as all occupancy and use permits required to allow the development and occupancy of the *Project*.

(F) Construction. If sufficient funds are raised to proceed with the *Project*, the *Developer* shall require its construction contractor(s) to construct the *Project* in a good and workmanlike manner and in substantial accordance with the approved plans and specifications and shall diligently pursue the construction of the *Project* until it is completed. The *City* shall have the right to inspect the *Project* to confirm compliance with the approved plans and specifications and applicable *City* codes.

(2) DEFAULT.

(A) Notice and Opportunity to Cure. Notwithstanding anything herein to the contrary, no party shall be deemed to be in default hereunder until the passage of 30-days after receipt by such party of notice of default from the other party. Upon the passage of 30-days without cure of the default, such party shall be deemed to have defaulted for purposes of this *Agreement*, unless such party has commenced to cure such default and is prosecuting the same with reasonable diligence. Notwithstanding the foregoing, commencement of cure, with reasonable diligence, shall only prevent a party from being in default for 60-days after notice was received and a cure had not been achieved unless the non-defaulting party agrees to allow the defaulting party additional time to cure the default.

(B) Remedies. In the event of a default not cured within the time period set forth herein, the non-defaulting party may, as its sole and exclusive remedy, terminate this *Agreement* or seek injunctive relief of other equitable relief, including, without limitation, specific performance, to enforce the terms of this *Agreement*. Notwithstanding the foregoing, if injunctive or other equitable relief is barred by governmental immunity, then the *Developer* may pursue all other legal and equitable remedies that are not barred by governmental immunity; however, in no event shall a non-defaulting party be entitled to an award of damages or any other monetary relief. The foregoing remedies shall not be applicable to the facts set forth in Section (1)(D) above and the remedy set forth in such Section shall be the exclusive remedy of the *City* and the *Developer* for the facts set forth in that Section.

- (C) Attorney's Fees. In the event that the *Developer* and the *City* fail to resolve a dispute and become involved in litigation with regard to breach of or dispute arising out of this *Agreement*, the prevailing *Party* shall be entitled to be paid its reasonable attorneys' fees and court costs.

(3) DISPUTE RESOLUTION.

- (A) If a dispute arises out of or relates to this *Agreement* or the breach thereof, the *Parties* shall first in good faith seek to resolve the dispute through negotiation between the upper management of each respective *Party*. If such dispute cannot be settled through negotiation, the *Parties* agree to try in good faith to settle the dispute by mediation under the *Commercial Mediation Rules of the American Arbitration Association*, Dallas, Texas, before resorting to litigation, or some other dispute resolution procedure; provided that a *Party* may not invoke mediation unless it has provided the other *Party* with written notice of the dispute and has attempted in good faith to resolve such dispute through negotiation. Notwithstanding the foregoing, any *Party* may seek immediate equitable relief, without attempting to settle a dispute through mediation, in any case where such *Party* is entitled to equitable relief by law, the terms of the *Agreement*, or otherwise. All costs of negotiation, mediation, and arbitration collectively known as Alternate Dispute Resolution (ADR) shall be assessed equally between the *City* and *Developer* with each party bearing their own costs for attorneys' fees, experts, and other costs of ADR and any ensuing litigation.

(4) GENERAL PROVISIONS.

- (A) INDEMNIFICATION. THE *DEVELOPER* AGREES TO DEFEND, INDEMNIFY AND HOLD THE *CITY* AND ITS ELECTED OFFICIALS, OFFICERS, AGENTS AND EMPLOYEES (COLLECTIVELY THE *CITY*) HARMLESS FROM AND AGAINST ANY AND ALL REASONABLE LIABILITIES, DAMAGES, CLAIMS, DEMANDS, LAWSUITS, JUDGMENTS, ATTORNEY FEES, COSTS, EXPENSES AND ANY CAUSE OF ACTION OF ANY KIND AND NATURE, INCLUDING BUT NOT LIMITED TO, PERSONAL OR BODILY INJURY, DEATH AND PROPERTY DAMAGE, MADE UPON THE *CITY* DIRECTLY OR INDIRECTLY ARISING OUT OF, RESULTING FROM OR RELATED TO *DEVELOPER'S* ACTIVITIES UNDER THIS *AGREEMENT*, INCLUDING ANY ACTS OR OMISSIONS OF *DEVELOPER'S* AGENT, OFFICER, DIRECTOR, REPRESENTATIVE, EMPLOYEE, CONSULTANT OR CONTRACTOR OF THE *DEVELOPER*, AND THEIR RESPECTIVE OFFICERS, AGENTS EMPLOYEES, DIRECTORS AND REPRESENTATIVES WHILE IN THE EXERCISE OF PERFORMANCE OF THE RIGHTS OR DUTIES UNDER THIS *AGREEMENT*. THE INDEMNITY PROVIDED FOR IN THIS PARAGRAPH SHALL NOT APPLY TO ANY LIABILITY RESULTING FROM THE NEGLIGENCE OF THE *CITY*, ITS OFFICERS OR EMPLOYEES, IN INSTANCES WHERE SUCH NEGLIGENCE IS THE SOLE CAUSE OF PERSONAL INJURY, DEATH, OR PROPERTY DAMAGE.
- (B) THE PROVISIONS OF THE ABOVE SECTIONS ARE SOLELY FOR THE BENEFIT OF THE *PARTIES* HERETO AND NOT INTENDED TO CREATE OR GRANT ANY RIGHTS, CONTRACTUAL OR OTHERWISE, TO ANY OTHER PERSON OR ENTITY. IT BEING THE INTENTION OF THE *PARTIES* THAT THE *DEVELOPER* SHALL BE RESPONSIBLE FOR THE REPAYMENT OF ANY AMOUNTS PAID TO THE *DEVELOPER* HEREIN THAT INCLUDES CITY SALES TAX RECEIPTS THAT THE STATE OF TEXAS HAS DETERMINED WAS ERRONEOUSLY PAID, DISTRIBUTED OR ALLOCATED TO THE *CITY*.
- (C) Mutual Assistance. The *City* and the *Developer* will do all things and execute all documents reasonably necessary or appropriate to carry out the terms and provisions of this *Agreement* and to aid and assist each other in carrying out such terms and provisions.
- (D) Inconsistencies. Where any inconsistency exists between this *Agreement* and other provisions of subsequent collateral contractual agreements that are made a part hereof by reference or otherwise, the provisions of this *Agreement* shall control.
- (E) Rule of Construction. The *Parties* hereto acknowledge that each party and its legal counsel have reviewed and revised this *Agreement*, and the *Parties* hereby agree that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this *Agreement* or any amendments hereto.



(F) Independent Contractors and Immunity.

- (I) It is expressly understood and agreed by all *Parties* hereto that in performing their services hereunder, the *Developer* at no time will be acting as an agent of the *City* and that all consultants or contractors engaged by the *Developer* respectively will be independent contractors of the *Developer*; and nothing contained in this *Agreement* is intended by the *Parties* to create a partnership or joint venture between the *Parties* and any implication to the contrary is hereby expressly disavowed. The *Parties* hereto understand and agree that the *City* will not be liable for any claims that may be asserted by any third party occurring in connection with services performed by the *Developer* respectively under this *Agreement*, unless any such claims are due to the fault of the *City*.
  - (II) By entering into this *Agreement*, the *Parties* do not waive, and shall not be deemed to have waived, any rights, immunities, or defenses either may have, including the defense of parties, and nothing contained herein shall ever be construed as a waiver of sovereign or official immunity by the *City* with such rights being expressly reserved to the fullest extent authorized by law and to the same extent which existed prior to the execution hereof.
  - (III) No employee of the *City*, or any councilmember or agent of the *City*, shall be personally responsible for any liability arising under or growing out of this *Agreement*.
- (G) Invalidity. If any provision of this *Agreement* is held to be invalid, illegal or unenforceable by a court or other tribunal of competent jurisdiction, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired. The *Parties* shall use their best efforts to replace the respective provision or provisions of this *Agreement* with legal terms and conditions approximating the original intent of the *Parties*.
- (H) Written Notice. All notices from one party to the other must be in writing and are effective upon receipt when mailed to or hand delivered as follows:

CITY: City of Rockwall  
Attention: Mary Smith, *City Manager*  
385 S Goliad Street  
Rockwall, Texas 75087

---

CITY CC: Davidson Troilo Ream & Garza  
Attention: Frank Garza, *City Attorney*  
601 NW Loop 410 Suite 100  
San Antonio, Texas 78216

---

DEVELOPER: Saro Partners, LLC  
Attention: Shawn Valk  
1450 T. L. Townsend Drive, Suite 100  
Rockwall, Texas 75087

---

DEVELOPER CC: Holmes Firm PC  
Attention: Ronald L. Holmes  
14241 Dallas Parkway, Suite 800  
Dallas, Texas 75254

NOTE: Either party may change its business address by providing at least 30 calendar days written notice to the other party of such change.

- (I) Entire Agreement. It is understood that this *Agreement* and the *Exhibits* contain the entire agreement between the *Parties* and supersedes any and all prior agreements, arrangements, statements, promises, inducements, or understandings, whether oral or written, between the *Parties* relating to the subject matter. This *Agreement* cannot be

changed or terminated orally. No verbal agreement or conversation with any officer, agent or employee of the City, either before or after the execution of this *Agreement*, shall affect or modify any of the terms or obligations hereunder.

- (J) Amendment. No amendment to this *Agreement* shall be effective and binding unless and until it is reduced to writing, approved by the City Council, and signed by duly authorized representatives of both *Parties*.
- (K) Choice of Law and Forum Selection. This *Agreement* shall be governed, enforced and construed in accordance with laws of the State of Texas. Any and all contested matters arising out of this *Agreement* in any way shall be brought in the courts of Rockwall County, Texas, United States of America.
- (L) Authority. The *Developer* hereby certifies, represents, and warrants that the execution of this *Agreement* is duly authorized and adopted in conformity with its governing documents. The *City* hereby certifies, represents, and warrants that the execution of this *Agreement* is duly authorized and adopted in conformity with the *City* charter and ordinances. The *City's* execution of this *Agreement* is authorized by Chapter 380, *Miscellaneous Provisions Relating to Municipal Planning and Development*, of the Texas Local Government Code and constitutes a valid and binding obligation of the *City*. The *City* acknowledges that the *Developer* is acting in reliance upon the *City's* performance of its obligations under this *Agreement* in making the decision to commit substantial resources and money to the construction of the *Project*.
- (M) Assignment. The *Developer's* rights and obligations under this *Agreement* may be assigned by the *Developer* provided such assignment receives prior written approval of the City Council of the City of Rockwall, not to be unreasonably withheld, conditioned, delayed, or denied. Notwithstanding the foregoing, the *Developer* may, without the *City's* approval, assign any credits accruing to the *Developer* under this *Agreement*.
- (N) Waiver. Failure of either party, at any time, to enforce a provision of this *Agreement* shall in no way constitute a waiver of that provision nor in any way affect the validity of this *Agreement*, any part hereof, or the right of the *City* or the *Developer* thereafter to enforce each and every provision hereof. No term of this *Agreement* shall be deemed waived unless the waiver is in writing and signed by the party claimed to have waived such term. Furthermore, any consent to or waiver of a breach will not constitute consent to, waiver of, or excuse of any other different or subsequent breach.
- (O) Force Majeure. If performance of this *Agreement* or any obligation under this *Agreement* is prevented, restricted, or interfered with by causes beyond either party's reasonable control (*Force Majeure*), then the obligations of the party invoking this provision will be suspended to the extent necessary by such event. Events constituting *Force Majeure* include without limitation: acts of God, fire, explosion, vandalism, storm, casualty, illness, injury, general unavailability of materials or similar occurrence, orders or acts of military or civil authority, national emergencies, insurrections, riots, wars, strikes, lock-outs, or work stoppages. The excused party shall use reasonable efforts under the circumstances to avoid or remove such causes of non-performance and shall proceed to perform with reasonable dispatch whenever such causes are removed or ceased. An act or omission shall be deemed within the reasonable control of a party if committed, omitted, or caused by such party, or its employees, officers, agents or affiliates.
- (P) Agreement Acknowledged. The *Parties* acknowledge that they have read, understand and intend to be bound by the terms and conditions of this *Agreement*.
- (Q) Multiple Originals. This *Agreement* may be executed in multiple originals.
- (R) Construction. This *Agreement* shall be construed without the aid of any canon or rule of law requiring interpretation against the party drafting or causing the drafting of this *Agreement* or the portions of this *Agreement* in question.
- (S) Incorporation of Recitals. Any recitals in this *Agreement* are represented by the *Parties* to be accurate and constitute a part of the *Agreement*.
- (T) Effective Date. The effective date of this *Agreement* is the last signature date below (the *Effective Date*).

[SIGNATURE PAGES TO FOLLOW]

**EXECUTED** as of the dates indicated below in multiple originals:

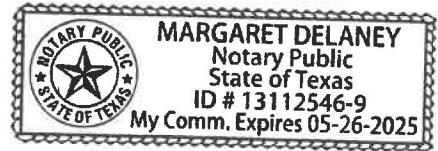
CITY:

CITY OF ROCKWALL, TEXAS,  
a Texas home-rule municipality

By: Mary Smith  
Name: Mary Smith  
Title: City Manager  
Date: 3/8/2022

ATTEST:

By: Kristy Cole  
Name: Kristy Cole  
Title: City Secretary  
Date: 03/08/2022



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

This instrument was acknowledged before me on the 8<sup>th</sup> day of March, 2022, by Mary Smith, the City Manager of the City of Rockwall, a Texas municipal Corporation on behalf of such municipality.

**GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 8<sup>th</sup> DAY OF March, 2022.**

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS: Margaret Delaney

MY COMMISSION EXPIRES: 05-26-2025

DEVELOPER:

SARO PARTNERS, LLC,  
a Texas limited liability company  
By: Shawn Valk  
Name: Shawn Valk, Manager  
Date: 2-2-2022

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

BEFORE ME, above signed authority, on this day personally appeared, *Shawn Valk*, the owner of the *Developer's Property*, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the foregoing *Agreement* for the purposes and consideration therein expressed, in the capacity stated.

**GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 2 DAY OF March, 2022.**

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS: Annalyse Olson

MY COMMISSION EXPIRES: May 7, 2023

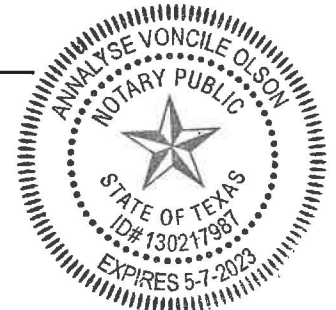
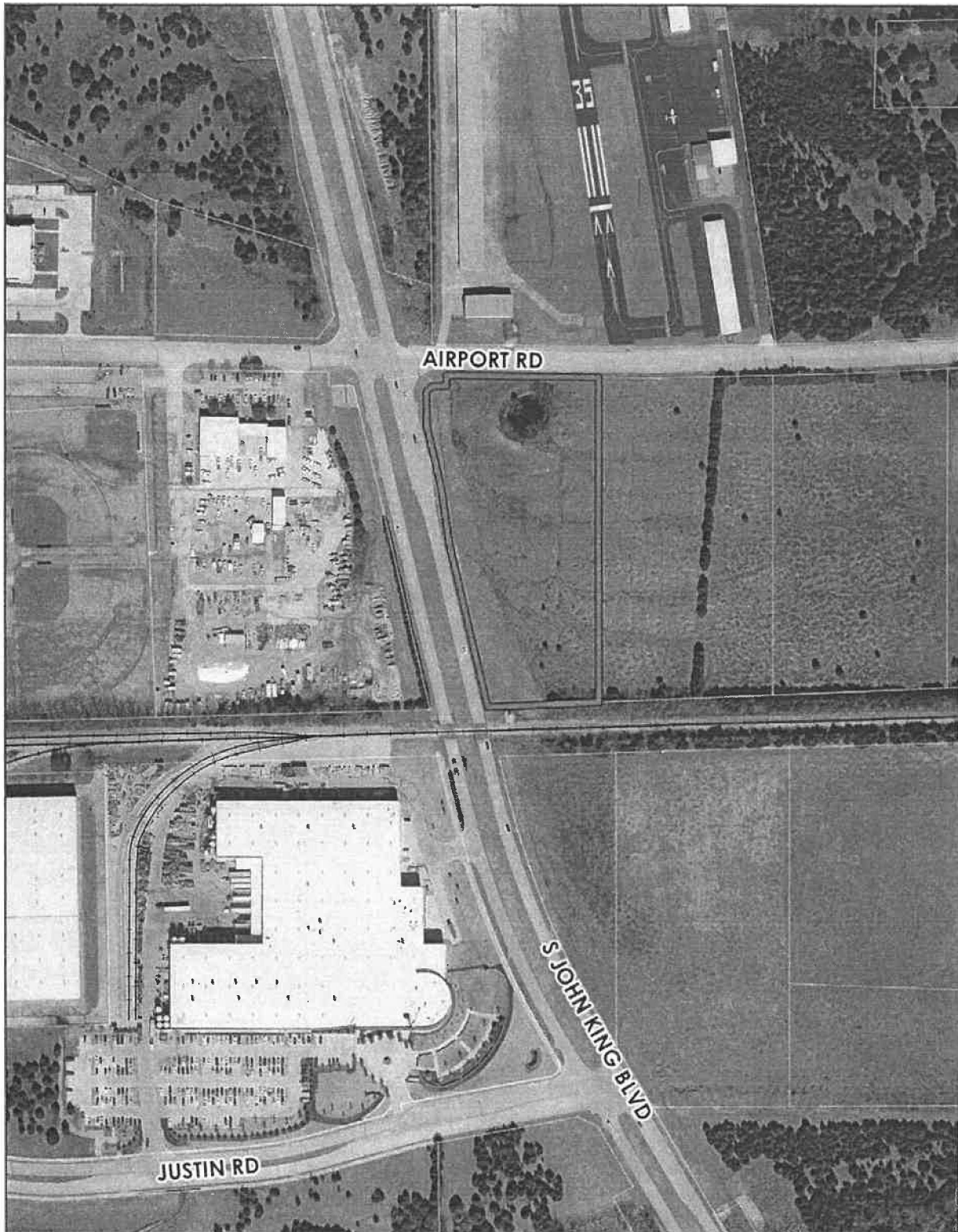




EXHIBIT 'A':  
MAP OF THE CITY'S PROPERTY



EXHIBIT 'B':  
MAP OF THE DEVELOPER'S PROPERTY



Filed and Recorded  
Official Public Records  
Jennifer Fogg, County Clerk  
Rockwall County, Texas  
03/08/2022 11:59:38 AM  
\$58.00  
20220000005160



*Jennifer Fogg*





### ● COMMERCIAL/RETAIL (CR)

The *Commercial/Retail* land use category is characterized by single to multi-tenant commercial retail centers along major arterials at key intersections. These areas are typically considered to be convenience shopping centers and service adjacent residential subdivisions. Zoning in conformance with the Commercial/Retail land uses category can be incorporated into a Planned Development (PD) District as part of a larger mix-use master planned community, and may vary in size depending on the adjacent service area. In certain cases where commercial land uses are eminent, it may be appropriate to incorporate zoning in conformance to the Commercial land use category on all four (4) corners of an intersection; however, this is not necessary in all cases. These areas should be designed with the pedestrian in mind, and provide connections between the commercial land use and the adjacent residential subdivision.

#### DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Commercial Retail Buildings, Restaurants/Brew Pubs, Multi-Tenant Commercial Centers, Neighborhood Centers and Convenience Centers
- 2 Secondary Land Uses: Office/Financial Institutions, Parks, Open Space, and Institutional/Civic Land Uses
- 3 Zoning Districts: Neighborhood Services (NS) District, General Retail (GR) District, Commercial (C) District and certain mixed-use Planned Development (PD) Districts

#### EXISTING LAND USE EXAMPLES

- 1 Shops at Stone Creek
- 2 Corner of the Intersection of N. Lakeshore Drive and N. Goliad Street [SH-205]
- 3 Walmart Neighborhood Market Shopping Center



### ● COMMERCIAL/INDUSTRIAL (CI)

The *Commercial/Industrial* land use category typically is characterized by smaller business and industrial land uses that are focused around assembly, manufacturing and fabrication. This designation may also accommodate land uses that require outside storage. These areas are also appropriate for small business and business incubator arrangements. Land uses under this designation should be heavily screened by landscaping and should be separated from other land uses using large buffers and roadways. These areas are not appropriate adjacent to residential land use designations and should be separated from these areas using transitional land uses.

#### DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Small Scale Manufacturing, Assembly, and Fabrication Businesses, Business Incubators, Contractors Shops, and Heavy Equipment/Truck Rental Businesses
- 2 Secondary Land Uses: Warehouse and Outside Storage
- 3 Zoning Districts: Heavy Commercial (HC) District and Heavy Industrial (HI) District

#### EXISTING LAND USE EXAMPLES

- 1 Areas Adjacent to National Drive
- 2 Areas Adjacent to Sids Road

### ● BUSINESS CENTERS (BC)

The Business Center land use designation is intended to provide areas with a variety of employment options. While focusing on employment land uses, these areas may also incorporate limited supporting land uses (e.g. restaurants and commercial-retail) that complement the primary land uses. These areas should be designed with public amenities and greenspaces, increased landscaping, and unique design features that will help create a sense of place.

#### DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Professional Offices, Corporate Offices, General Offices, Institutional Land Uses, Research and Design/Development Businesses, and Technology/Data Centers.
- 2 Secondary Land Uses: Supporting Restaurants and Commercial-Retail Land Uses, Hotels, Parks, Open Space and Civic Uses
- 3 Zoning Districts: Commercial (C) District, Light Industrial (LI) District, and Planned Development (PD) Districts

#### EXISTING LAND USE EXAMPLES

- 1 Trend Tower

# 13 NORTHWEST RESIDENTIAL DISTRICT

## DISTRICT DESCRIPTION

The Northwest Residential District is characterized by the two (2) large master planned communities that make up the majority of the acreage in this district. These developments are the Caruth Lakes and Stone Creek Subdivisions. The remainder of this district is expected to develop with similar medium density residential housing product.

## DISTRICT STRATEGIES

The Northwest Residential District is expected to continue to provide master planned suburban neighborhoods in the future and has no areas that are thought to be transitioning. Based on these assumptions the strategies for this district are as follows:

- 1 Suburban Residential.** Many of the remaining tracts of land in this area have been entitled with planned development districts that are targeted at bringing similar Suburban Residential products as those that currently exist in the Caruth Lakes and Stone Creek Subdivisions. Any new residential development in these areas should be highly amenitized and include a mixture of lots similar to the lot mixture in the Stone Creek Subdivision.
- 2 Neighborhood/Convenience Centers.** The commercial in this district is intended to support the existing residential subdivisions and should be compatible in scale with the adjacent residential structures. These areas should provide pedestrian access between the Neighborhood/Convenience Centers and the Suburban Residential developments.
- 3 John King Boulevard Trail Plan.** A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in Appendix 'B' of this Comprehensive Plan.

## POINTS OF REFERENCE

- A. J. W. Williams Middle School
- B. The Park at Stone Creek
- C. Stone Creek Subdivision
- D. Fire Station #3
- E. The Parks at Squabble Creek
- F. Caruth Lakes Subdivision

## LAND USE PALETTES

- Current Land Use
- Future Land Use
- John King Boulevard Trail Plan Rest Stop/Trailblazer Pylon



2 Kroger Shopping Center



1 Current Suburban Residential

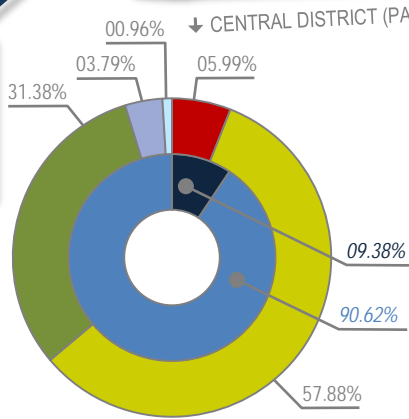


2 Future Neighborhood/Convenience Center

BUILD OUT  
2,347  
7,018

% OF ROCKWALL  
8.91%  
1.38%  
8.95%

CURRENT  
1,782  
25  
5,328



TXDOT 4D	COMMERCIAL	9.38%
MINOR COLLECTOR	RESIDENTIAL	90.62%
M4U	MIXED USE	0.00%
M4D		
COMMERCIAL/RETAIL (CR)	60.20-ACRES	
MEDIUM DENSITY RESIDENTIAL (MDR)	581.3-ACRES	
PARKS AND OPEN SPACE (OS)	315.22-ACRES	
PUBLIC (P)	38.11-ACRES	
QUASI-PUBLIC (QP)	9.66-ACRES	

## Miller, Ryan

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**From:** Shawn Valk <shawnvalk@gmail.com>  
**Sent:** Friday, March 11, 2022 1:10 PM  
**To:** Miller, Ryan  
**Cc:** Annalyse Valk  
**Subject:** Re: 380 Agreement and Zoning

Thanks Ryan. I'm in Florida for spring break. General Retail works for us. I will get the 380 signed and delivered to guy Monday.

Have a great weekend.

Thanks  
Shawn

Shawn Valk  
Shawnvalk@gmail.com

1450 TL Townsend, STE 100  
Rockwall, TX 75032

469-222-1597. Cell  
469-718-0451. Fax

On Mar 7, 2022, at 11:48 AM, Miller, Ryan <rmiller@rockwall.com> wrote:

Shawn ... Thank you again for taking the time to speak with me today and being open to making this change. Per our conversation, I conferred with the City Attorney and he feels that a simple email stating that you are fine with a change in the zoning designation to a General Retail (GR) District from a Commercial (C) District will suffice in lieu of amending the 380 Agreement. As stated this will not affect the ability of the Boys and Girls Club from developing the property and meeting the terms of the agreement, but should alleviate the concerns of the adjacent neighborhood. If you have any questions or need any additional clarifications, please let me know. Thanks.



**Ryan C. Miller, AICP**

DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL

972.772.6441 OFFICE

RMILLER@ROCKWALL.COM

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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helpful links | [City of Rockwall Website](#) | [Planning & Zoning Division Website](#) | [Municipal Code Website](#)  
[GIS Division Website](#) | [City of Rockwall Interactive Maps](#) | [UNIFIED DEVELOPMENT CODE](#)

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NOTES



- 1) *APPOINTED AND ELECTED OFFICIALS*: BY *REPLYING ALL* TO THIS EMAIL YOU MAY BE IN VIOLATION OF THE TEXAS OPEN MEETINGS ACT. PLEASE REPLY ONLY TO THE SENDER.
- 2) PLEASE NOTE THAT ANY CORRESPONDENCE SENT TO CITY STAFF MAY BECOME PUBLIC RECORD

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<b>LEGEND:</b> <div> <div>Land Use <i>NOT</i> Permitted</div> <div>P Land Use Permitted <i>By-Right</i></div> <div>P Land Use Permitted with Conditions</div> <div>S Land Use Permitted Specific Use Permit (SUP)</div> <div>X Land Use Prohibited by Overlay District</div> <div>A Land Use Permitted as an Accessory Use</div> </div>		<h1>PERMITTED LAND USES IN AN GENERAL RETAIL (GR) DISTRICT</h1>	
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference <a href="#">Article 13, Definitions</a> ]	CONDITIONAL USE REFERENCE Reference <a href="#">Article 04, Permissible Uses</a>	GENERAL RETAIL (GR) DISTRICT
<b>AGRICULTURAL AND ANIMAL RELATED LAND USES</b>	2.02(A)	2.03(A)	
Agricultural Uses on Unplatted Land	<a href="#">(1)</a>		P
Animal Boarding/Kennel without Outside Pens	<a href="#">(2)</a>	<a href="#">(2)</a>	S
Animal Clinic for Small Animals without Outdoor Pens	<a href="#">(3)</a>	<a href="#">(3)</a>	P
Animal Hospital or Clinic	<a href="#">(4)</a>		S
Community Garden	<a href="#">(11)</a>	<a href="#">(7)</a>	S
Urban Farm	<a href="#">(12)</a>	<a href="#">(8)</a>	S
<b>RESIDENTIAL AND LODGING LAND USES</b>	2.02(B)	2.03(B)	
Caretakers Quarters/Domestic or Security Unit	<a href="#">(3)</a>		P
Convent, Monastery, or Temple	<a href="#">(4)</a>		P
Commercial Parking Garage	<a href="#">(6)</a>		A
Limited-Service Hotel	<a href="#">(10)</a>		S
Full-Service Hotel	<a href="#">(11)</a>	<a href="#">(8)</a>	S
Residence Hotel	<a href="#">(12)</a>		S
Motel	<a href="#">(13)</a>		S
<b>INSTITUTIONAL AND COMMUNITY SERVICE LAND USES</b>	2.02(C)	2.03(C)	
Assisted Living Facility	<a href="#">(1)</a>	<a href="#">(1)</a>	S
Blood Plasma Donor Center	<a href="#">(2)</a>		P
Cemetery/Mausoleum	<a href="#">(3)</a>		P
Church/House of Worship	<a href="#">(4)</a>	<a href="#">(2)</a>	S
Convalescent Care Facility/Nursing Home	<a href="#">(6)</a>		P
Congregate Care Facility/Elderly Housing	<a href="#">(7)</a>	<a href="#">(3)</a>	S
Daycare with Seven (7) or More Children	<a href="#">(9)</a>	<a href="#">(4)</a>	P
Emergency Ground Ambulance Services	<a href="#">(10)</a>		P
Group or Community Home	<a href="#">(11)</a>	<a href="#">(5)</a>	P
Government Facility	<a href="#">(12)</a>		P
Hospice	<a href="#">(14)</a>		P
Hospital	<a href="#">(15)</a>		P
Public Library, Art Gallery or Museum	<a href="#">(16)</a>		P
Mortuary or Funeral Chapel	<a href="#">(17)</a>		P
Local Post Office	<a href="#">(18)</a>		P
Public or Private Primary School	<a href="#">(21)</a>	<a href="#">(7)</a>	P
Public or Private Secondary School	<a href="#">(22)</a>	<a href="#">(8)</a>	P
Temporary Education Building for a Public or Private School	<a href="#">(23)</a>	<a href="#">(9)</a>	S
Social Service Provider (Except Rescue Mission or Homeless Shelter)	<a href="#">(25)</a>		S
<b>OFFICE AND PROFESSIONAL LAND USES</b>	2.02(D)	2.03(D)	
Financial Institution with Drive-Through	<a href="#">(1)</a>	<a href="#">(1)</a>	P
Financial Institution without Drive-Through	<a href="#">(1)</a>		P
Office Building less than 5,000 SF	<a href="#">(2)</a>		P
Office Building 5,000 SF or Greater	<a href="#">(2)</a>		P

<b>LEGEND:</b> <div> <div></div> Land Use <i>NOT</i> Permitted  <div>P</div> Land Use Permitted <i>By-Right</i>  <div>P</div> Land Use Permitted with Conditions  <div>S</div> Land Use Permitted Specific Use Permit (SUP)  <div>X</div> Land Use Prohibited by Overlay District  <div>A</div> Land Use Permitted as an Accessory Use </div>		<h1>PERMITTED LAND USES IN AN GENERAL RETAIL (GR) DISTRICT</h1>	
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference <a href="#">Article 13, Definitions</a> ]	CONDITIONAL USE REFERENCE Reference <a href="#">Article 04, Permissible Uses</a>	GENERAL RETAIL (GR) DISTRICT
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)	
Temporary Carnival, Circus, or Amusement Ride	<a href="#">(1)</a>	<a href="#">(1)</a>	P
Indoor Commercial Amusement/Recreation	<a href="#">(2)</a>	<a href="#">(2)</a>	S
Outdoor Commercial Amusement/Recreation	<a href="#">(3)</a>	<a href="#">(3)</a>	S
Public or Private Community or Recreation Club as an Accessory Use	<a href="#">(4)</a>		P
Private Country Club	<a href="#">(5)</a>		S
Golf Driving Range	<a href="#">(6)</a>		S
Temporary Fundraising Events by Non-Profit	<a href="#">(7)</a>	<a href="#">(4)</a>	P
Indoor Gun Club with Skeet or Target Range	<a href="#">(8)</a>	<a href="#">(5)</a>	S
Health Club or Gym	<a href="#">(9)</a>		P
Private Club, Lodge or Fraternal Organization	<a href="#">(10)</a>	<a href="#">(6)</a>	S
Public Park or Playground	<a href="#">(12)</a>		P
Tennis Courts ( <i>i.e. Not Accessory to a Public or Private Country Club</i> )	<a href="#">(14)</a>		S
Theater	<a href="#">(15)</a>		S
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)	
Antique/Collectible Store	<a href="#">(1)</a>		P
Astrologer, Hypnotist, or Psychic	<a href="#">(2)</a>		P
Banquet Facility/Event Hall	<a href="#">(3)</a>		P
Portable Beverage Service Facility	<a href="#">(4)</a>	<a href="#">(1)</a>	S
Brew Pub	<a href="#">(5)</a>		P
Business School	<a href="#">(6)</a>		P
Catering Service	<a href="#">(7)</a>		P
Temporary Christmas Tree Sales Lot and/or Similar Uses	<a href="#">(8)</a>	<a href="#">(2)</a>	P
Copy Center	<a href="#">(9)</a>		P
Craft/Micro Brewery, Distillery and/or Winery	<a href="#">(10)</a>	<a href="#">(3)</a>	S
Incidental Display	<a href="#">(11)</a>	<a href="#">(4)</a>	P
Food Trucks/Trailers	<a href="#">(12)</a>	<a href="#">(5)</a>	P
Garden Supply/Plant Nursery	<a href="#">(13)</a>		P
General Personal Service	<a href="#">(14)</a>	<a href="#">(6)</a>	P
General Retail Store	<a href="#">(15)</a>		P
Hair Salon and/or Manicurist	<a href="#">(16)</a>		P
Laundromat with Dropoff/Pickup Services	<a href="#">(17)</a>		P
Self Service Laundromat	<a href="#">(18)</a>		P
Massage Therapist	<a href="#">(19)</a>		P
Private Museum or Art Gallery	<a href="#">(20)</a>		P
Night Club, Discotheque, or Dance Hall	<a href="#">(21)</a>		S
Permanent Cosmetics	<a href="#">(23)</a>	<a href="#">(7)</a>	A
Pet Shop	<a href="#">(24)</a>		P
Temporary Real Estate Sales Office	<a href="#">(25)</a>		P
Rental Store without Outside Storage and/or Display	<a href="#">(26)</a>	<a href="#">(8)</a>	S

<b>LEGEND:</b> <div> <div></div> Land Use <i>NOT</i> Permitted  <div>P</div> Land Use Permitted <i>By-Right</i>  <div>P</div> Land Use Permitted with Conditions  <div>S</div> Land Use Permitted Specific Use Permit (SUP)  <div>X</div> Land Use Prohibited by Overlay District  <div>A</div> Land Use Permitted as an Accessory Use </div>		<h1>PERMITTED LAND USES IN AN GENERAL RETAIL (GR) DISTRICT</h1>	
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference <a href="#">Article 13, Definitions</a> ]	CONDITIONAL USE REFERENCE Reference <a href="#">Article 04, Permissible Uses</a>	GENERAL RETAIL (GR) DISTRICT
Restaurant with less than 2,000 SF with Drive-Through or Drive-In	<a href="#">(27)</a>	<a href="#">(9)</a>	S
Restaurant with less than 2,000 SF without Drive-Through or Drive-In	<a href="#">(28)</a>		P
Restaurant with 2,000 SF or more with Drive-Through or Drive-In	<a href="#">(27)</a>	<a href="#">(10)</a>	S
Restaurant with 2,000 SF or more without Drive-Through or Drive-In	<a href="#">(28)</a>		P
Retail Store with Gasoline Sales that has Two (2) or less Dispensers ( <i>i.e. a Maximum of Four [4] Vehicles</i> )	<a href="#">(29)</a>		P
Retail Store with Gasoline Sales that has more than Two (2) Dispensers	<a href="#">(29)</a>		S
Secondhand Dealer	<a href="#">(30)</a>		P
Art, Photography, or Music Studio	<a href="#">(31)</a>		P
Tailor, Clothing, and/or Apparel Shop	<a href="#">(32)</a>		P
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)	
Electrical, Watch, Clock, Jewelry and/or Similar Repair	<a href="#">(6)</a>		P
Locksmith	<a href="#">(11)</a>		P
Shoe and Boot Repair and Sales	<a href="#">(16)</a>		P
Trade School	<a href="#">(17)</a>		S
Temporary On-Site Construction Office	<a href="#">(18)</a>	<a href="#">(6)</a>	P
AUTO AND MARINE RELATED LAND USES	2.02(H)	2.03(H)	
Minor Auto repair garage	<a href="#">(2)</a>	<a href="#">(2)</a>	S
Full Service Car Wash and Auto Detail	<a href="#">(5)</a>	<a href="#">(4)</a>	S
Self Service Car Wash	<a href="#">(5)</a>	<a href="#">(4)</a>	S
Non-Commercial Parking Lot	<a href="#">(9)</a>		P
Service Station	<a href="#">(11)</a>	<a href="#">(8)</a>	P
INDUSTRIAL AND MANUFACTURING LAND USES	2.02(I)	2.03(I)	
Temporary Asphalt or Concrete Batch Plant	<a href="#">(2)</a>	<a href="#">(2)</a>	P
Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)	<a href="#">(12)</a>	<a href="#">(5)</a>	S
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)	
Antenna; as an Accessory	<a href="#">(2)</a>	<a href="#">(1)</a>	P
Commercial Antenna	<a href="#">(3)</a>	<a href="#">(2)</a>	S
Antenna; for an Amateur Radio	<a href="#">(4)</a>	<a href="#">(3)</a>	A
Antenna Dish	<a href="#">(5)</a>	<a href="#">(4)</a>	A
Commercial Freestanding Antenna	<a href="#">(6)</a>	<a href="#">(5)</a>	S
Mounted Commercial Antenna	<a href="#">(7)</a>	<a href="#">(6)</a>	S
Helipad	<a href="#">(9)</a>		S
Utilities ( <i>Non-Municipally Owned or Controlled</i> ), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	<a href="#">(10)</a>		S
Municipally Owned or Controlled Facilities, Utilities and Uses	<a href="#">(11)</a>		P
Private Streets	<a href="#">(12)</a>		S
Radio Broadcasting	<a href="#">(13)</a>		P
Railroad Yard or Shop	<a href="#">(14)</a>		S
Recording Studio	<a href="#">(15)</a>		S
Satellite Dish	<a href="#">(16)</a>		A

<b><u>LEGEND:</u></b>		<b>PERMITTED LAND USES IN AN GENERAL RETAIL (GR) DISTRICT</b>		
	Land Use <i>NOT</i> Permitted			
P	Land Use Permitted <i>By-Right</i>			
P	Land Use Permitted with Conditions			
S	Land Use Permitted Specific Use Permit (SUP)			
X	Land Use Prohibited by Overlay District			
A	Land Use Permitted as an Accessory Use			
LAND USE SCHEDULE		LAND USE DEFINITION REFERENCE [Reference <a href="#">Article 13,</a> <a href="#">Definitions</a> ]	CONDITIONAL USE REFERENCE Reference <a href="#">Article 04,</a> <a href="#">Permissible Uses</a> ]	GENERAL RETAIL (GR) DISTRICT
Solar Energy Collector Panels and Systems		<a href="#">(17)</a>	<a href="#">(7)</a>	A
Transit Passenger Facility		<a href="#">(18)</a>		S
TV Broadcasting and Other Communication Service		<a href="#">(20)</a>		S
Utilities Holding a Franchise from the City of Rockwall		<a href="#">(21)</a>		S
Utility Installation Other than Listed		<a href="#">(22)</a>		S
Utility/Transmission Lines		<a href="#">(23)</a>		S
Wireless Communication Tower		<a href="#">(24)</a>		S



CITY OF ROCKWALL

ORDINANCE NO. 22-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A GENERAL RETAIL (GR) DISTRICT FOR A 5.812-ACRE TRACT OF LAND IDENTIFIED AS TRACT 9 OF THE M. B. JONES SURVEY, ABSTRACT NO. 122, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* AND FURTHER DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has initiated a *Zoning Change* from an Agricultural (AG) District to a General Retail (GR) District for a 5.812-acre tract of land owned by the City of Rockwall and identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the southwest corner of the intersection of FM-1141 and John King Boulevard, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

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

**SECTION 2.** That the *Subject Property* shall be used only in the manner and for the purposes provided for a Commercial (C) District as stipulated in Section 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*; Section 04.01, *General Commercial District Standards*; and Section 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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

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

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

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

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

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

\_\_\_\_\_  
Kevin Fowler, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Teague, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: March 21, 2022

2<sup>nd</sup> Reading: April 4, 2022

**Exhibit 'B'**  
**Zoning Exhibit**

**BEING** a 5.812-acre tract of land in the M. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, being a portion of a called 10.942-acre tract, described in deed to the City of Rockwall, recorded in County Clerk Number 2007-00389123, Deed Records of Rockwall County, Texas, being that portion of said deed lying west of John King Boulevard, a variable width public right of way, more particularly described as follows;

**COMMENCING** at a found iron pipe being the southwest corner of said City of Rockwall tract, being the northwest corner of a called 1.837-acre tract, deeded to Betty Bogard, recorded in County Clerk Number 2008-00396742, Deed Records of Rockwall County, Texas, being on the east right of way line of FM 1141, an 80-foot-wide public right of way;

**THENCE** North 01°04'21" West along said right of way line for a distance of 819.58 feet to a found iron rod, being the beginning of a tangent curve to the right;

**THENCE** northeasterly along said curve to the right with a radius of 278.39 feet, a central angle of 74°11'35", a chord bearing of North 36°01'27" East, a chord distance of 335.83 feet for an arc length of 360.49 feet to a Set No. 4 rebar with cap "BW2";

**THENCE** South 31°09'51" East for a distance of 39.22 feet to a Set No. 4 rebar with cap "BW2", being on the west right of way line of John King Boulevard, a variable width public right of way;

**THENCE** South 00°50'54" East along said right of way line for a distance of 117.04 feet to a Set No. 4 rebar with cap "BW2", being on the beginning of a curve to the left;

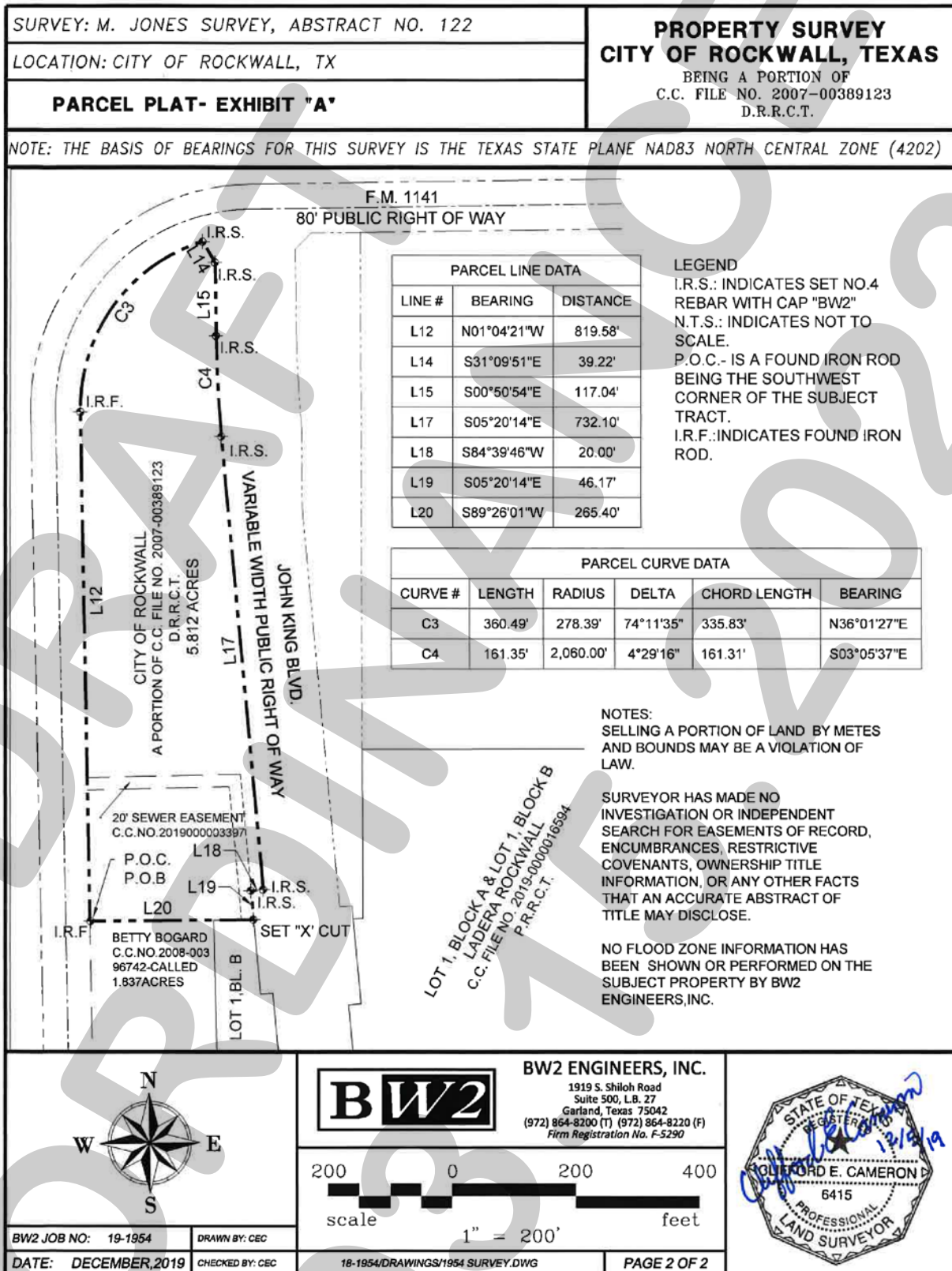
**THENCE** southeasterly along said curve to the left, with a radius of 2,060.00 feet, a central angle of 4°29'16", a chord bearing of South 03°05'37" East, a chord distance of 161.31 feet, for an arc length of 161.35 feet to a Set No. 4 rebar with cap "BW2";

**THENCE** South 05°20'14" East along said right of way line for a distance of 732.10 feet to a Set No. 4 rebar with cap "BW2"; **THENCE** South 84°39'46" West along said right of way line for a distance of 20.00 feet to a Set No. 4 rebar with cap "BW2"; **THENCE** South 05°20'14" East along said right of way line for a distance of 46.17 feet to a Set "X" Cut, being the southeast corner of said City of Rockwall tract, being the northeast corner of Lot 1, Block B of the Final Plat of Ladera Rockwall, recorded in County Clerk File No. 2019-0000016594, Plat Records of Rockwall County, Texas;

**THENCE** South 89°26'01" West along said common line for a distance of 265.40 feet to the **POINT OF BEGINNING**;

Said tract contains 5.812 acres more or less.

**Exhibit 'B'**  
**Zoning Exhibit**







# 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](mailto:PLANNING@ROCKWALL.COM)

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**TO:** Mayor and City Council

**DATE:** March 21, 2022

**APPLICANT:** Ryan Miller, AICP; *City of Rockwall*

**CASE NUMBER:** Z2021-011; *Zoning Change Agricultural (AG) District to General Retail (GR) District*

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### SUMMARY

Hold a public hearing to discuss and consider a City initiated request for the approval of a Zoning Change from an Agricultural (AG) District to a General Retail (GR) District for a 5.812-acre tract of land identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the southwest corner of the intersection of FM-1141 and N. John King Boulevard, and take any action necessary.

### BACKGROUND

The majority of the subject property was annexed on May 19, 1986 by *Ordinance No. 86-37 [Case No. A1986-005]*. The remainder of the subject property was annexed on March 16, 1998 by *Ordinance No. 98-10 [Case No. A1998-001]*. At the time of annexation both portions of the subject property were zoned Agricultural (AG) District. In 2007-2008, the City of Rockwall acquired the subject property -- *which was a portion of a larger 6.702-acre tract of land (i.e. Tract 9 of the M. B. Jones Survey, Abstract No. 122)* -- for the future right-of-way of John King Boulevard. When John King Boulevard was constructed, the subject property was established in its current configuration. The subject property has remained vacant since its annexation.

On August 19, 2021, Maxwell Fisher of Masterplan submitted a development application on behalf of Saro Partners, LLC requesting to rezone a 5.07-acre tract of land (*i.e. Tract 2-06 of the D. Harr Survey, Abstract No. 102 [known as the Developers Property]*) from an Agricultural (AG) District to a Light Industrial (LI) District. Provided with the application was a concept plan showing a proposed ~17,000 SF facility for a *Social Service Provider/Day Care (i.e. Boys and Girls Club of America)*. After reviewing the application and concept plan, staff was made aware that the parking areas and a portion of the proposed facility would be situated within the Runway Protection Zone (RPZ) and *Clear Zone Easement [Instrument No. 19690000870386]* of the Ralph Hall Municipal Airport. In response to these findings, staff contacted the applicant to discuss possible options to protect the airport's RPZ while still finding a way to facilitate the proposed development. The option that appeared to be the most beneficial to all parties involved, was an option that involved trading the 5.07-acre tract of land (*i.e. the Developers Property*) for a 4.18-acre portion of the subject property (*i.e. a portion of Tract 9 of the M. B. Jones Survey, Abstract No. 122*). At the February 7, 2022 City Council meeting, the City Council approved a motion directing the City Manager to enter into a 380 Economic Development Agreement with the owner of the *Developer's Property* for the property swap and the development of a Boys and Girls Club of America on the subject. This agreement was signed and executed by the City and Saro Partners, LLC on March 8, 2022.

Under the terms of this agreement, the City of Rockwall is responsible for rezoning the *City's Property* from an Agricultural (AG) District to a Commercial (C) District and replatting the subject property into two (2) lots (*i.e. a 4.18-acre parcel of land that will be subject to the terms of the agreement and a 1.632-acre parcel of land that will be retained by the City of Rockwall*). Once the property is zoned and platted, the 4.18-acre parcel of land can be exchanged for the *Developer's Property* and then deeded to the Boys and Girls Club of America. After the property swap, the Boys and Girls Club of America will have 36-months from the date of the exchange of the property to begin developing the property with a new facility or the properties will revert back to their previous ownership.

In preparing for this case, staff received a number of phone calls and emails from residents of the adjacent neighborhood (*i.e. the Caruth Lakes Subdivision*) expressing a concern with the requested Commercial (C) District zoning. Based on this staff engaged the applicant to see if they were open to a changing the request from a Commercial (C) District to a General Retail (GR) District, and on March 11, 2022 the applicant sent an email accepting the change. Staff should point out that this change does not affect the ability of the Boys and Girls Club of America to meet the 380 Economic Development Agreement or what is being proposed to be developed on the subject property; however, staff is in agreement with the residents that a General Retail (GR) District zoning designation is more consistent with the residential adjacencies.

## **PURPOSE**

In accordance with the requirements of the executed 380 Economic Development Agreement and the changes agreed to by the City and Shawn Valk of Saro Partners, LLC, the City of Rockwall has submitted an application requesting to change the zoning of the subject property from an Agricultural (AG) District to a General Retail (GR) District.

## **ADJACENT LAND USES AND ACCESS**

The subject property is located at the southwest corner of the intersection of FM-1141 and John King Boulevard. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is FM-1141, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 0.5457-acre tract of land (*i.e. Tract 29-1 of the S. S. McCurry Survey, Abstract No. 146*) zoned Agricultural (AG) District. Situated on this tract of land is a 2,176 SF single-family home constructed in 1971. North of this property is Phase 6 of the Caruth Lakes Subdivision, which was established on August 9, 2005 and consists of 158 single-family residential lots. This subdivision is zoned Planned Development District 5 (PD-5) for Single-Family 7 (SF-7) District land uses.

South: Directly south of the subject property is: [1] a 1.837-acre vacant tract of land (*i.e. Tract 6 of the M. B. Jones Survey, Abstract No. 122*) zoned Agricultural (AG) District, and [2] a 9.894-acre vacant parcel of land (*i.e. Lot 1, Block B, Ladera Rockwall Addition*). Beyond this is SH-66, which is identified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

East: Directly east of the subject property is John King Boulevard, which 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 is: [1] excess right-of-way for John King Boulevard (*i.e. being a portion of Tract 9 of the M. B. Jones Survey, Abstract No. 122*), [2] a 15.93-acre vacant tract of land (*i.e. Tract 5-1 of M. B. Jones Survey, Abstract No. 122*) zoned Agricultural (AG) District, and [3] a 9.789-acre parcel of land (*i.e. Lot 1, Block A, Ladera Rockwall Addition*) zoned Planned Development District 85 (PD-85) for Single-Family 7 (SF-7) District land uses. Situated on the 9.789-acre parcel of land is Phase 1 of the Ladera Subdivision, which was established on September 20, 2019 and consists of 87 single-family residential homes.

West: Directly west of the subject property is FM-1141, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 3.20-acre tract of land (*i.e. Tract 1 of the M. B. Jones Survey, Abstract No. 122*) zoned Agricultural (AG) District. Situated on this tract of land is a 1,380 SF single-family home constructed in 1976. West of this property is Phase 6 of the Caruth Lakes Subdivision, which was established on August 9, 2005 and consists of 158 single-family residential lots. This subdivision is zoned Planned Development District 5 (PD-5) for Single-Family 7 (SF-7) District land uses.

## **CONFORMANCE TO THE CITY'S CODES**

According to Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he General Retail (GR) District is a zoning district intended to provided limited retail and service uses ... [*that*] include most types of retail and office activity, and are typically located on/at the intersections of major thoroughfares." This section goes on to state that "(s)ince the General Retail (GR) District will be located close to residential

areas, the development standards are stringent and require high standards of development ...” These standards are defined in Subsection 07.03, *Non-Residential District Development Standards*, of the Unified Development Code (UDC) and are summarized as follows:

TABLE 1: GENERAL RETAIL (GR) DISTRICT STANDARDS

Minimum Lot Area	6,000 SF
Minimum Lot Width	60'
Minimum Lot Depth	100'
Minimum Front Yard Setback <sup>(1) &amp; (2)</sup>	15'
Minimum Side Yard Setback <sup>(3)</sup>	10'
Minimum Rear Yard Setback <sup>(3)</sup>	10'
Minimum Between Buildings <sup>(3)</sup>	10'
Maximum Building Height <sup>(4)</sup>	36'
Maximum Building Size <sup>(5)</sup>	25,000 SF
Maximum Lot Coverage	40%
Minimum Landscaping	20%

General Notes:

- <sup>1</sup>: From future right-of-way as shown on the adopted Master Thoroughfare Plan or as actually exists, whichever is greater.
- <sup>2</sup>: Parking should not be located between the front façade and the property line.
- <sup>3</sup>: The setback can be reduced to zero (0) feet with a fire rated wall.
- <sup>4</sup>: Building height may be increased up to 60-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.
- <sup>5</sup>: A maximum building size of 25,000 SF in area, unless otherwise approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

If this zoning change is approved and when the subject property is developed, the development will be required to conform to all the requirements of the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, and any other applicable local, state or federal requirements.

### CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the *Land Use Plan* contained in the OURHometown Vision 2040 Comprehensive Plan, the subject property is situated within Northwest Residential District and is designated for Commercial/Retail land uses. In addition, the *District Map* shows that the subject property is an ideal place for a *Trail Plan Rest Stop/Trailblazer Pylon* for John King Boulevard in accordance with the John King Boulevard Corridor Plan (see Subsection 02.02 of Appendix ‘B’, *Corridor Plans*, of the OURHometown Vision 2040 Comprehensive Plan). The *Land Use Designations* section of the plan states that, “(t)he Commercial/Retail land use category is characterized by single to multi-tenant commercial retail centers along major arterials at key intersection ...”; however, listed as an acceptable land use in the *Secondary Land Uses* section of this designation is the *Institutional/Civic Land Uses*, which is what the proposed Boys and Girls Club of America would be categorized as. Additionally, the General Retail (GR) District is one (1) of the permitted zoning designations for the Commercial/Retail designation. Based on this the proposed zoning change meets the intent of the Comprehensive Plan. With regard to the *Trail Plan Rest Stop/Trailblazer Pylon* designated to be situated on the subject property, this element of the plan is probably better situated at the corner of the FM-1141 and John King Boulevard. This would be on the 1.632-acre portion of the subject property that will be retained by the City of Rockwall.

For the Planning and Zoning Commission and City Council’s review, staff has included excerpts from the Comprehensive Plan showing the *Land Use Plan* and *District Strategies* for the Northwest Residential District, and the land use designation definition for the Commercial/Retail land use designation.

### INFRASTRUCTURE

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

- (1) Roadways. At the time of development, the developer shall verify the right-of-way width of FM-1141 to ensure there is 120-feet of right-of-way, and dedicate any of the subject property that is within 30-feet of the centerline of the roadway and put anything up to 60-feet from the centerline in a reserve. A Traffic Impact Analysis (TIA) will be required by the Texas Department of Transportation (TXDOT) at the time the civil engineering is submitted.
- (2) Water. An eight (8) inch water line will need to be extended from the 12-inch water line at the northwest corner of FM-1141 and John King Boulevard, through the subject property to the west side of FM-1141, and tie into the 12-inch water line stubbed out north of Waters Edge Drive.
- (3) Wastewater. A minimum of an eight (8) inch wastewater line will need to extend from the manhole at the southeast corner of the subject property to the northern most property line of the subject property.
- (4) Drainage. If a proposed development is *touching* the floodplain, the developer shall be required to perform a flood study to delineate the fully developed 100-year localized floodplain for all ponds, creeks or streams, and draws on the subject property. This has already been submitted by the applicant. In addition, detention will be required and sized per *Manning's C-Value* for the zoning designation.

### **STAFF ANALYSIS**

The proposed zoning change is in conformance with the intent of the General Retail (GR) District as defined by the Unified Development Code (UDC) and the policies and guidelines of the OURHometown Vision 2040 Comprehensive Plan; however, zoning is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

### **NOTIFICATIONS**

On February 25, 2022, staff mailed 62 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Caruth Lakes (*Caruth Ridge Estates*) Homeowner's Association (HOA), which was the only Homeowner's Association (HOA) or Neighborhood Organization within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received the following:

- (1) Four (4) property owner notifications from four (4) property owners within the 500-foot notification buffer opposed to the applicant's request.
- (2) One (1) email from one (1) property owner inside the 500-foot notification buffer opposed to the applicant's request.
- (3) Two (2) responses from the online *Zoning & Specific Use Permit Input Form* from two (2) property owners inside of the 500-foot notification buffer opposed to the applicant's request.
- (4) One (1) email from one (1) property owner outside the 500-foot notification buffer opposed to the applicant's request.
- (5) Three (3) emails from three (3) property owners outside of the 500-foot notification buffer stating an opposition to Commercial (C) District zoning. These emails indicate that General Retail (GR) District zoning is more appropriate for this request.

### **CONDITIONS OF APPROVAL**

If the City Council chooses to approve the applicant's request to rezone the subject property from an Agricultural (AG) District to a General Retail (GR) District, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the draft ordinance; and,
- (2) 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 21, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the applicant's request for a Zoning Change by a vote of 4-0, with Commissioners Chodun, Thomas, and Conway absent.



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22022-011

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

### SITE PLAN APPLICATION FEES:

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

### ZONING APPLICATION FEES:

- ☒ ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- ☐ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1 & 2</sup>
- ☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

### OTHER APPLICATION FEES:

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

#### NOTES:

<sup>1</sup>: 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.

<sup>2</sup>: 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 A0122 M.B. JONES, TRACT 9

SUBDIVISION

LOT

BLOCK

GENERAL LOCATION NWC OF FM 1141 & N. JOHN KING BLVD

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING Agricultural

CURRENT USE

VACANT

PROPOSED ZONING Commercial

PROPOSED USE

VACANT

ACREAGE 5.702

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

CITY OF ROCKWALL

☒ APPLICANT

RYAN MILLER

CONTACT PERSON

RYAN MILLER

CONTACT PERSON

"

ADDRESS

385 S. GOLIAD

ADDRESS

385 S. GOLIAD

CITY, STATE & ZIP

Rockwall, TX 75087

CITY, STATE & ZIP

Rockwall, TX 75087

PHONE

972-771-7700

PHONE

972-772-6441

E-MAIL

rmiller@rockwall.com

E-MAIL

rmiller@rockwall.com

## NOTARY VERIFICATION [REQUIRED]

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

**\*FEE IS WAIVED\***

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ \_\_\_\_\_ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

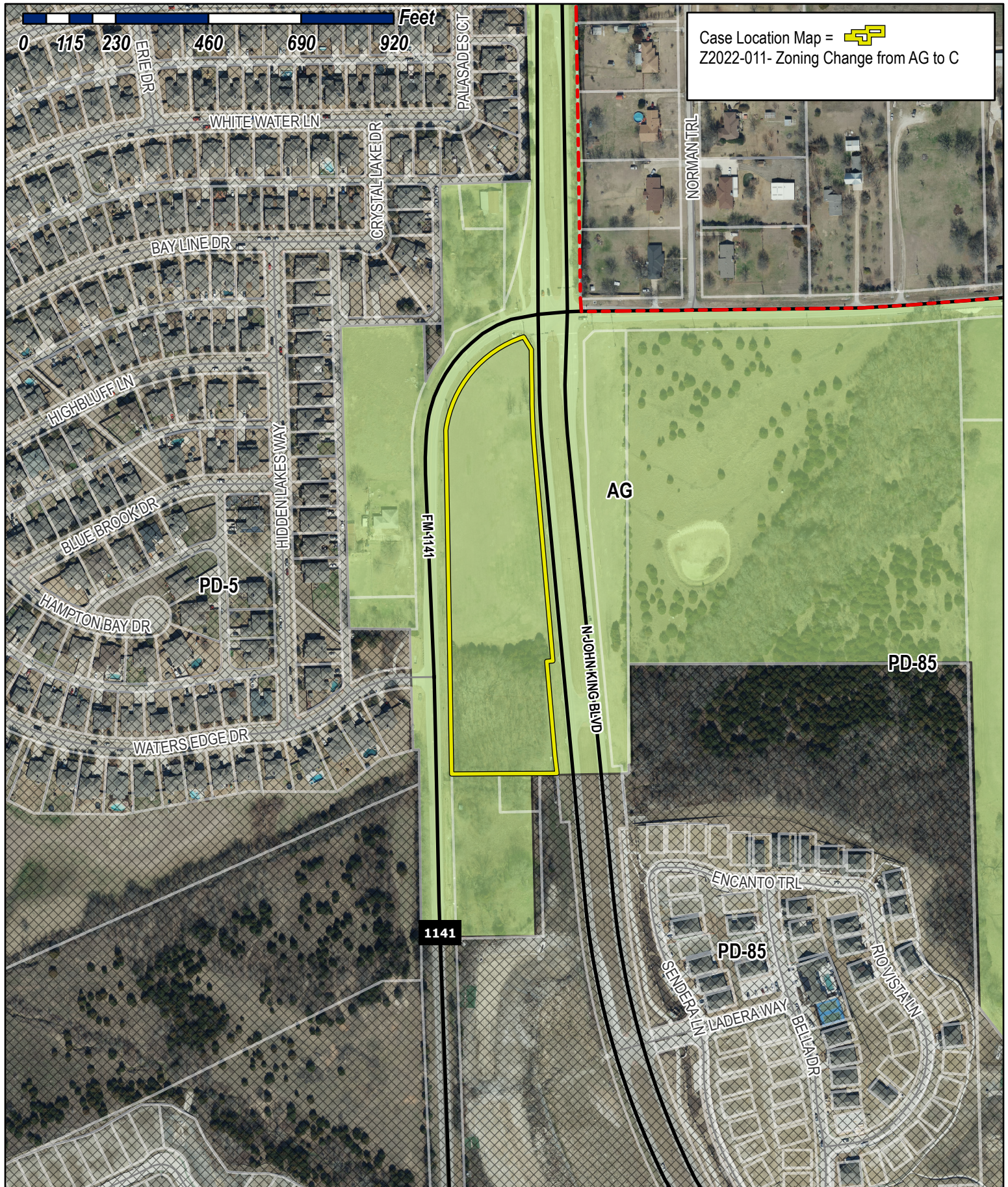
OWNER'S SIGNATURE

*[Signature]*

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES





# City of Rockwall

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



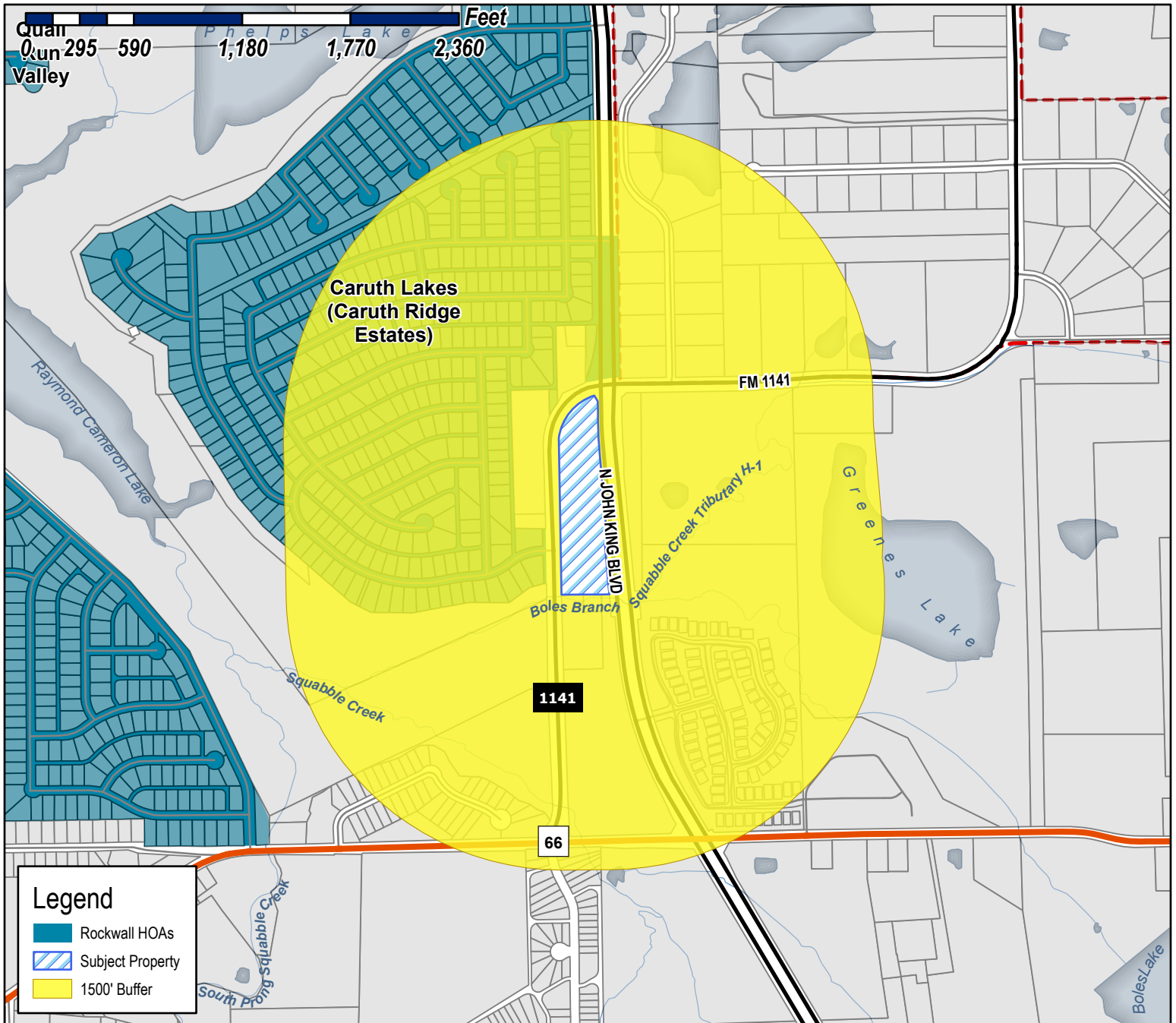




# City of Rockwall

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

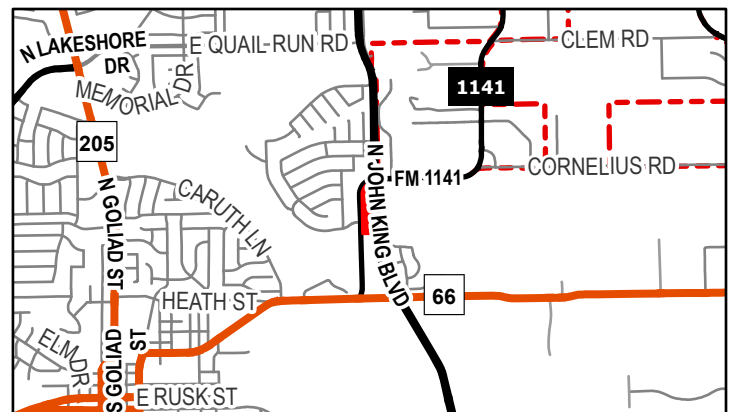
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**Case Number:** Z2022-011  
**Case Name:** Zoning Change from AG to C  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** NWC of FM 1141  
& N. John King Blvd.

**Date Saved:** 2/22/2022

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





## Miller, Ryan

---

**From:** Gamez, Angelica  
**Sent:** Wednesday, February 23, 2022 2:26 PM  
**Cc:** Miller, Ryan; Lee, Henry; Ross, Bethany  
**Subject:** Neighborhood Notification Program [Z2022-011]  
**Attachments:** Public Notice (02.23.2022).pdf; HOA Map (02.22.2022).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](mailto: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>.

### **Z2022-011: Zoning Change from AG to C**

Hold a public hearing to discuss and consider a City initiated request for the approval of a Zoning Change from an Agricultural (AG) District to a Commercial (C) District for a 5.812-acre tract of land identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the southwest corner of the intersection of FM-1141 and N. John King Boulevard, 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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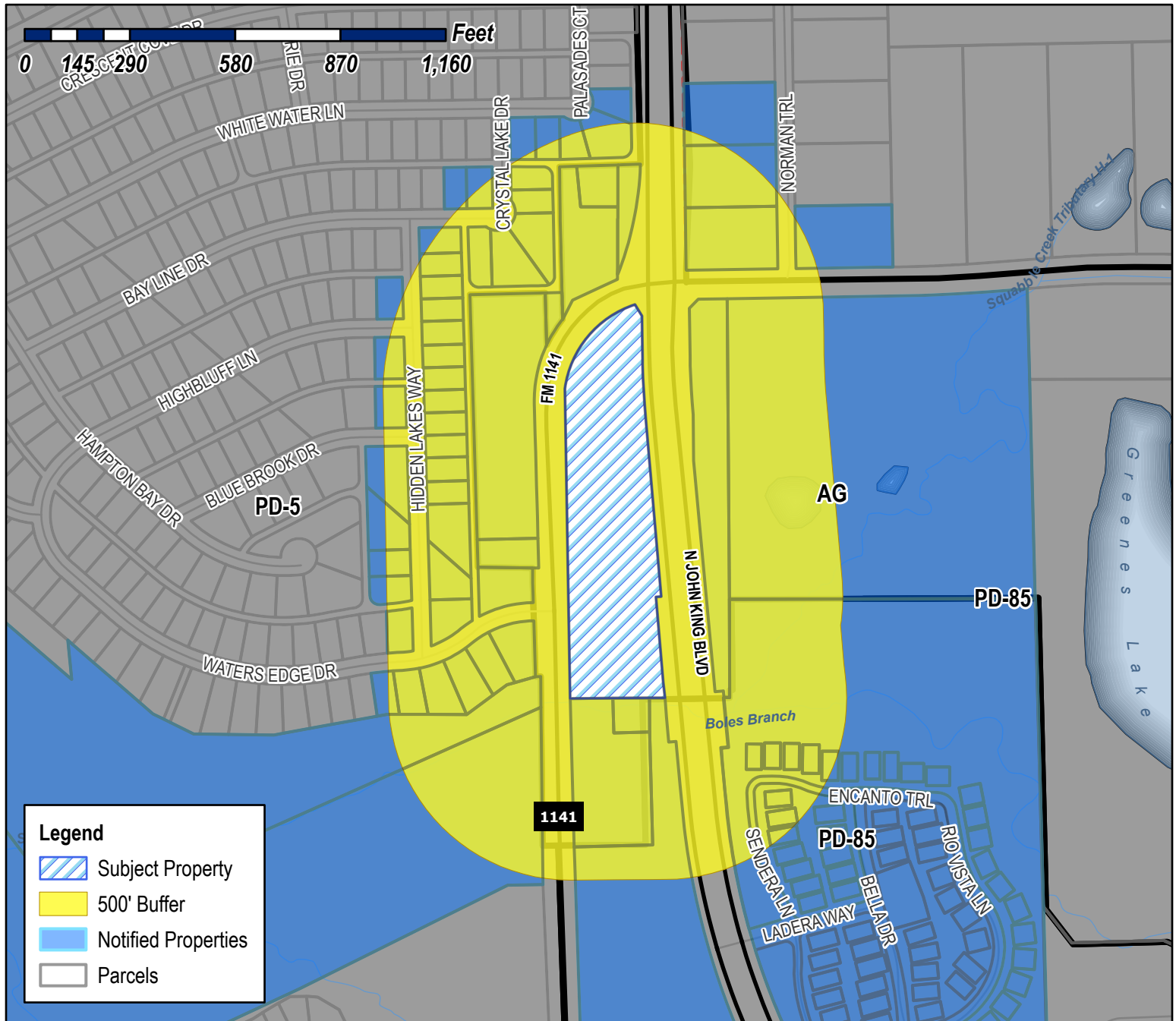
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# City of Rockwall

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

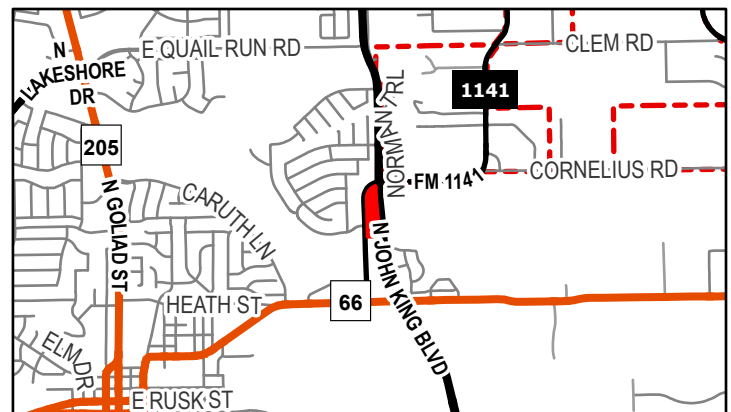
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**Case Number:** Z2022-011  
**Case Name:** Zoning Change from AG to C  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** SWC of FM 1141  
& N. John King Blvd

**Date Saved:** 2/22/2022

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



TANNER BACIL H AND NELDA R  
1004 NORTH HARRISON  
WEST, TX 76691

ACKENBACK SPENCER AND HEATHER LYNN  
SCHAMBER  
1013 FM 1564 W  
GREENVILLE, TX 75402

KEHM NATALIE & DONAVON  
1050 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

ACKENBACK SPENCER AND HEATHER LYNN  
SCHAMBER  
1055 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

TAYLOR STEVEN MURRY & ANITA  
1060 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

JOHNSON JAMIE L AND RICHARD K  
1061 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

HANKINS MARQUIS L & JACQUELINE K  
1069 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

LEAHY ANDERSON C AND KAITLIN A  
1070 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

FAIRES DEWAIN AND MONICA  
1080 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

VANDIVER JAY L & PAULA J  
1085 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

BRUNER KURT & OLIVIA  
1086 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

SHIPP DARLA JUNE & STANLEY JOE  
1092 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

SEE BETTY  
110 WESTMINISTER  
ROCKWALL, TX 75032

GILPIN THOMAS K & ANGELA J  
1100 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

AMERICAN RESIDENTIAL LEASING COMPANY LLC  
1106 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

CONFIDENTIAL  
1112 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

ROWE LORI A  
1118 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

BRUNER KURT & OLIVIA  
11206 SANTA CRUZ DR  
AUSTIN, TX 78759

LARSEN RALPH K  
1124 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

WHISENHUNT KENNETH AND JUDY  
1130 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

JONES RACHEL AND DOUGLAS  
1136 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

ROJAS CARLOS  
1142 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

MARTINEZ AUGUSTINE  
1150 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

BAUGH MELVA Y  
1168 CRYSTAL LAKE DR  
ROCKWALL, TX 75087

LAHAIR JOHN & NEALY  
1174 CRYSTAL LAKE DR  
ROCKWALL, TX 75087

DEWBRE JUSTIN JOEL AND CHERYL CHRISTINE  
1261 HIGHBLUFF LN  
ROCKWALL, TX 75087

KIERNAN KEVIN & KIMBERLY  
1262 BLUE BROOK DRIVE  
ROCKWALL, TX 75087

HARVEY DERICK AND  
RICK HARVEY AND VICKI HARVEY AND APRIL  
MARIE HARVEY  
1266 HIGHBLUFF LN  
ROCKWALL, TX 75087

HUNTER JAMES DARL & SUSAN BAILEY  
1271 WATERS EDGE DRIVE  
ROCKWALL, TX 75087

JACKSON BEAU MICHAEL AND AMANDA  
1277 WATERS EDGE  
ROCKWALL, TX 75087



BUCHHOLZ RON AND PENNY FAMILY  
REVOCABLE TRUST  
1278 WATERS EDGE DR  
ROCKWALL, TX 75087

WILSON TERRY  
1302 PALASADES COURT  
ROCKWALL, TX 75087

LAMPTEY REBECCA A AND NII LANTE  
1382 BAY LINE DRIVE  
ROCKWALL, TX 75087

RYDER HEATH JAMES AND MELANIE ANN  
1383 WATER EDGE DRIVE  
ROCKWALL, TX 75087

WOODUL NETA J  
1389 WATERS EDGE DR  
ROCKWALL, TX 75087

2017 R GAUNA & M CRUZ REVOCABLE TRUST  
1390 BAY LINE DRIVE  
ROCKWALL, TX 75087

GARD JOSHUA AND SAMANTHA  
1395 BAY LINE DR  
ROCKWALL, TX 75087

ELLIOTT CHRISTOPHER ANDREW & HEATHER R  
1395 WATERS EDGE DRIVE  
ROCKWALL, TX 75087

JEAN ANN LOTT REVOCABLE LIVING TRUST  
1401 BAY LINE DRIVE  
ROCKWALL, TX 75087

CARUTH RIDGE ESTATES HOMEOWNERS  
ASSOCIATION INC  
C/O VISION COMMUNITIES MANAGEMENT INC  
1402 WATERS EDGE DR  
ROCKWALL, TX 75087

FAKE MARK C & KATHRYN K  
1403 WHITE WATER LN  
ROCKWALL, TX 75087

GROGAN DANIEL R  
1405 WATERS EDGE DRIVE  
ROCKWALL, TX 75087

MULLOWNEY PATRICK  
1409 WHITE WATER LN  
ROCKWALL, TX 75087

DENNY READE EDWARD  
1415 WHITE WATER LN  
ROCKWALL, TX 75087

GAUVIN COLLEEN  
1421 WHITE WATER LANE  
ROCKWALL, TX 75087

TANNER WILMA GRACE  
1451 FM 1141  
ROCKWALL, TX 75087

TANNER BACIL H AND NELDA R  
1451 FM 1141  
ROCKWALL, TX 75087

MCGILL MICHAEL KIMBERLY  
27 NORMAN TRL  
ROCKWALL, TX 75087

RICHARDS J MARK  
VIVIAN V  
28 NORMAN TRL  
ROCKWALL, TX 75087

WINKLEY KYLE A AND ANNA K  
29 NORMAN TR  
ROCKWALL, TX 75087

CTDIGLAND LLC  
361 W BYRON NELSON BLVD SUITE 104  
ROANOKE, TX 76262

RW LADERA LLC  
361 W BYRON NELSON BLVD SUITE 104  
ROANOKE, TX 76262

INTEGRITY RETIREMENT GROUP LLC  
361 W BYRON NELSON BLVD SUITE 104  
ROANOKE, TX

HONZELL DAVID AND PATRICIA  
414 E. COACHLIGHT TRAIL  
ROCKWALL, TX 75087

JONES RACHEL AND DOUGLAS  
417 PARK PLACE BLVD  
ROCKWALL, TX 75087

BUCHHOLZ RON AND PENNY FAMILY  
REVOCABLE TRUST  
5035 PINE DR  
BOYNTON BEACH, FL 33437

CARUTH RIDGE ESTATES HOMEOWNERS  
ASSOCIATION INC  
C/O VISION COMMUNITIES MANAGEMENT INC  
5757 ALPHA RD STE 680  
DALLAS, TX 75240

SEE BETTY  
880 FM 1141  
ROCKWALL, TX 75087

LILYHORN PAULA AND GREG  
918 SENDERA LN  
ROCKWALL, TX

RW LADERA LLC  
926 SENDERA  
ROCKWALL, TX 75087

FOERSTER ELWYNNE ANN  
323 ELM DR  
927 FM1141  
ROCKWALL, TX 75087

AMERICAN RESIDENTIAL LEASING COMPANY LLC  
ATTN: PROPERTY TAX DEPARTMENT 23975  
PARK SORRENTO, SUITE 300  
CALABASAS, CA 91302

# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto: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. Z2022-011: Zoning Change from AG to C**

*Hold a public hearing to discuss and consider a City initiated request for the approval of a Zoning Change from an Agricultural (AG) District to a Commercial (C) District for a 5.812-acre tract of land identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the southwest corner of the intersection of FM-1141 and N. John King Boulevard, 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:

**Ryan Miller**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto: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



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. Z2022-011: Zoning Change from AG to C**

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

**From:** Amanda Bethune <mandachelle\_99@yahoo.com>  
**Sent:** Friday, March 4, 2022 1:25 PM  
**To:** Planning  
**Subject:** Zoning Change Opposition - Case No. Z2022-011: Zoning Change from AG to C

Name: Amanda and Beau Jackson  
Address: 1277 Waters Edge Drive Rockwall 75087

My husband and I are in opposition for the zoning change (Case No. Z2022-011). We live very close to the intersection of Waters Edge and 1141. We have young children (along with several of our neighbors) that are always playing outside. We would not like to have the extra traffic and people that close to where our children play. The new commercial buildings would be within eyes view of our home and would be an eyesore. Having commercial buildings this close to a home can also negatively effect the resale value of a home.

Please take our input into consideration.

Thanks

---

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**From:** jimsmithtexas@aol.com  
**Sent:** Monday, March 7, 2022 12:38 PM  
**To:** Fowler, Kevin; Daniels, Bennie; Hohenshelt, John; Jorif, Clarence; Johannesen, Trace; Macalik, Dana; Campbell, Anna; Miller, Ryan; Planning  
**Subject:** Z2022-011  
**Importance:** High

As citizens of the City of Rockwall, we are requesting that the Rockwall Planning and Zoning Department and the City Council deny the request in Z2022-011 to change the zoning for this parcel of land from *Agriculture (AG)* to *Commercial (C)* because the zoning of *Commercial* allows for the building of businesses that are not deemed appropriate for this location.

We believe that a zoning of *General Retail (GR)* is significantly more appropriate for this location. Please deny the request for the designation of *Commercial* zoning and advise the applicant to apply for the more appropriate zoning designation of *General Retail*.

Thank you,

Jim & Shirley Smith  
609 Amherst Drive  
Rockwall, TX 75087r

---

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# Zoning & Specific Use Permit Input Form

## Case Number \*

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-011

Please place a check mark on the appropriate line below: \*

☐

I am in favor of the request.

☒

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

To close to homes and children

## Respondent Information

Please provide your information.

First Name \*

Josh

Last Name \*

Gard

Address \*

1395 Bay Line Dr

City \*

Rockwall

State \*

TX

Zip Code \*

75087

Email Address \*

jgard2522@yahoo.com

Phone Number

Please check all that apply: \*

- ☒ I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- ☐ I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- ☐ I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- ☐ I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- ☐ Other: \_\_\_\_\_

How did you hear about this Zoning or Specific Use Permit (SUP) request? \*

- ☒ I received a property owner notification in the mail.
- ☐ I read about the request on the City's website.
- ☐ I saw a zoning sign on the property.
- ☐ I read about the request in the Rockwall Herald Banner.
- ☐ My neighbors told me about the request.
- ☐ Other: \_\_\_\_\_

This content is neither created nor endorsed by Google.

Google Forms



## Zoning & Specific Use Permit Input Form

### Case Number \*

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-011

Please place a check mark on the appropriate line below: \*

☐

I am in favor of the request.



I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

We do not want a business built behind our home.

### Respondent Information

Please provide your information.

### First Name \*

Kenneth & Judy

Last Name \*

Whisenhunt

Address \*

1130 Hidden Lakes Way

City \*

Rockwall

State \*

TX

Zip Code \*

75087

Email Address \*

jwhiz46@hotmail.com

Phone Number

214-738-1392

Please check all that apply: \*

- ☒ I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- ☐ I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- ☐ I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- ☐ I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- ☐ Other: \_\_\_\_\_

How did you hear about this Zoning or Specific Use Permit (SUP) request? \*

- ☒ I received a property owner notification in the mail.
- ☐ I read about the request on the City's website.
- ☐ I saw a zoning sign on the property.
- ☐ I read about the request in the Rockwall Herald Banner.
- ☐ My neighbors told me about the request.
- ☐ Other: \_\_\_\_\_

This content is neither created nor endorsed by Google.

Google Forms

Case No. Z2022-011: Zoning Change from AG to C

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 did our due diligence when we built our home 10 years ago to ensure property around us was not zoned commercial. We would not have built and put \$100k in home improvements had we known this land could be zoned commercial. We're extremely concerned about the noise, light pollution that will effect our neighborhoods quality of life & property values

Name:

Danavon & Natalie Kehn

Address:

1050 Hidden Lakes Way, Rockwall, TX 75087

214-507-1554

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



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto: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. Z2022-011: Zoning Change from AG to C

Hold a public hearing to discuss and consider a City initiated request for the approval of a Zoning Change from an Agricultural (AG) District to a Commercial (C) District for a 5.812-acre tract of land identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the southwest corner of the intersection of FM-1141 and N. John King Boulevard, 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:

**Ryan Miller**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto: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. Z2022-011: Zoning Change from AG to C

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.

*Already feel as though we're living on the square of downtown Rockwall. We are surrounded by too many houses & too much traffic as is. Thank you!*

Name: *John Lahair Neely Lahair*  
Address: *1174 Crystal Lake Dr - Rockwall*

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

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

## Miller, Ryan

---

**From:** donnadorman@swbell.net  
**Sent:** Monday, March 7, 2022 9:12 AM  
**To:** Daniels, Bennie; Fowler, Kevin; Hohenshelt, John; Jorif, Clarence; Johannesen, Trace; Macalik, Dana; Campbell, Anna; Miller, Ryan  
**Subject:** Zoning Case Z2022-011

Dear Honorable Council Members,

Regarding the swap of land near Airport Road and a lot located on the SW corner of FM-1141 and N. John King Boulevard. The city's public relations campaign describes a Chapter 380 Economic Agreement between the City of Rockwall and developer (Saro Partners, LLC,). It indicates it will enhance the safety of people and property on the ground by moving a proposed Boys and Girls Club out of a Runway Protection Zone near the Ralph Hall Municipal Airport to the SW Corner of FM1141 and John King Blvd.

This all sounds well and good since it is reasonable to assume we all support safety, economic development, and non-profits like the Boys and Girls Club who do good for the community.

However, the proposed Boys and Girls club will go directly on SH205 Bypass, otherwise known as John King Blvd. The City of Rockwall is working with TxDOT to move all 18-wheeler traffic to John King from Goliad. The already heavy 18-wheeler traffic will increase substantially. Unfortunately, the City of Rockwall allowed a toddler's playground directly on John King a while back which caused an uproar. It is concerning that child safety seems to take a back seat to economic development.

Additionally, the City of Rockwall has requested a zoning change for the lot from AG to commercial C District presumably to allow the Boys and Girls Club to build there. The issue is "C" commercial zoning is general in nature and permits such development as mini warehouses, bail bond services, pawn shops, rental storage, gas stations with more than 2 dispensers, nightclubs, used car lots, and heavy machine tool rental. The more appropriate zoning change would be to "GR" General Retail commercial. Since General Retail (GR) zoning is usually located close to residential areas, the development standards are stringent and require high standards of development. The "C" commercial zoning does not have the same stringent requirements. The GR zoning is all that is needed for a Boys and Girls Club. Daycare with Seven [7] or More Children/Office) and social service providers are permitted with that zoning and it is consistent with the Rockwall Comprehensive Plan.

There is no 100% guarantee the Boys and Girls Club will be built on the lot. If the "C" zoning is approved it will stay associated with the lot. This request to change the zoning is not following the normal application process. Rockwall citizens are not being provided with a site plan, preliminary plat plan, landscape plan, square footage, height, conceptual drawings of the building, traffic flow, or if the lot will be subdivided.

**Nothing.** We are not being provided the customary information that normally informs a zoning decision. This is akin to asking the residents to write a blank check on any future development there that could include mini warehouses, bail bond services, pawn shops, rental storage, gas stations with more than 2 dispensers, nightclubs, used car lots, and heavy machine tool rental.

I support the Economic Agreement and the swap of land for the Boys and Girls Club but pawn shops, storage buildings, bail bonds services, nightclubs, machine tool rentals, used car lots etc. near a residential area, in this case Caruth Lakes, Gideon Grove, FM 1141 neighborhoods, and Ladera is unacceptable. Please change the proposed zoning to GR General Retail Commercial on case number Z2022-011.

During the site planning process, extra diligence must be focused on child safety so that a dangerous environment is not created like the existing toddler playground on John King. Use every available stringent zoning guidelines to ensure the safety of the children. We all support safety of people and property on the ground. I urge the City of Rockwall to take a harder look at the economic agreement and proposed zoning to ensure children and their parents are in a protection zone from 18-wheelers and residents' home values and property are in a protection zone with the appropriate GR General Retail zoning.

Thank you.

Donna Dorman

---

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## Miller, Ryan

---

**From:** Nell Welborn <nellwelborn@yahoo.com>  
**Sent:** Thursday, March 10, 2022 5:45 PM  
**To:** Miller, Ryan  
**Cc:** Donna Dorman  
**Subject:** Z2202-11

I agree with my neighbors who support the zoning change to GR instead of Commercial. Please add our comments to the case that goes forward to the City Council.

Respectfully,

Nell Welborn

---

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## Miller, Ryan

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**From:** Kendahl Matthews <k.matthews@duvalgc.com>  
**Sent:** Thursday, March 10, 2022 12:40 PM  
**To:** Miller, Ryan  
**Subject:** Proposed Zoning Change on 1141 and John King for Boys and Girls Club Opposition

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Mr. Miller,

I have a strong objection to any type of commercial zoning change of this parcel. This is a residential area and a business of any kind would increase traffic, create more noise than we already have from John King and 66 and disturb our somewhat peaceful neighborhood even more.

I also strongly feel like turning this into a commercial parcel will not guarantee what type of business will be built there and will lower our property values.

I also feel this will create a safety issue for our children and for the probability of more car accidents in the area.

Most all commercial parcels have bright lighting as well and that would be a real annoyance to the homes directly off 1141.

Privacy is also a concern as well as losing beautification of many trees.

This parcel is surrounded by 3 Subdivisions on both sides along with the addition of more schools to come. Plain and simple this a residential area and the only type of zoning that I would agree with would be more homes since there is such a shortage in Rockwall.

I live in Carruth Lakes very close to this parcel of land and I vehemently object to a zoning change from AG to Commercial.

Sincerely,

Kendahl Matthews  
1217 Bay Line Drive  
Rockwall, 75087  
469-964-5321



**Kendahl Matthews, Project Manager**

Duval General Contractors, LLC  
500 North Central Expy., Ste. 500  
Plano, Texas 75074  
C: **469-964-5321**

---

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Pg. 1 of 3

# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto: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. Z2022-011: Zoning Change from AG to C

Hold a public hearing to discuss and consider a City initiated request for the approval of a Zoning Change from an Agricultural (AG) District to a Commercial (C) District for a 5.812-acre tract of land identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the southwest corner of the intersection of FM-1141 and N. John King Boulevard, and take any action necessary.

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

**Ryan Miller**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto: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

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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. Z2022-011: Zoning Change from AG to C

Please place a check mark on the appropriate line below:

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

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

See attached

Name:

Colleen Galvin

Address:

1421 White Water Lane, 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

March 12, 2022.

**I am opposed to Case No. Z2022-011, Zoning Change from AG to C.**

There is already too much commercial traffic on John King Blvd which is hazardous to ALL residential communities and occupants who reside here. This change to commercial property will add to the now overwhelming number of vehicles and encourage more traffic noise as well as diesel and gas fumes pollution. Bulldozing of the land and trees to produce cement structures and parking lots is environmentally unfriendly; trees provide homes for birds, insects and animals as well as shade, oxygen and tree roots provide anti-erosion. This solid soil reacts better to environmental circumstances such as heavy down pour causing flooding and winds eliminating the need for man-made, run off holding tanks which seems to be becoming the normal when new builds evolve. Property values drop in this area.

This proposal change not only affects the immediate adjoining homes but every single resident and ALL homes & occupants with access from John King Blvd. John King Blvd is a main, direct route to schools utilized by school buses to transport our children to and from bordering schools, it is used by parents to transport children to and from school, sporting events, and recreational events. Any hope of walking safely on the sidewalks on John King Blvd. is now deterred by the speeding, commercial vehicles. It is just a matter of time before our avid group of cyclists end up injured or worse, killed. They take their life in their hands daily & weekly, even on Sundays.

There are much better uses for this land other than your proposed Commercial!! What next? Storage units, pawn shops, bail bonds services, nightclubs, machine tool rentals, used car lots, etc.

**Definitely. NO to be rezoned as C.**

Thank you,

Colleen Gauvin

1421 White Water Lane

Rockwall TX 75087

512 466 0447.

Case No. Z2022-011: Zoning Change from AG to C

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 don't want commercial  
property in my residential property zone.  
~~Too much~~ more traffic & it will lower my  
property value in years to come.

Name:

Neta Woodul

Address:

1389 Waters Edge Dr Rockwall, TX 75087

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

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



SURVEY: M. JONES SURVEY, ABSTRACT NO. 122

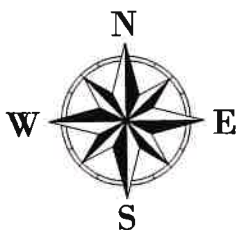
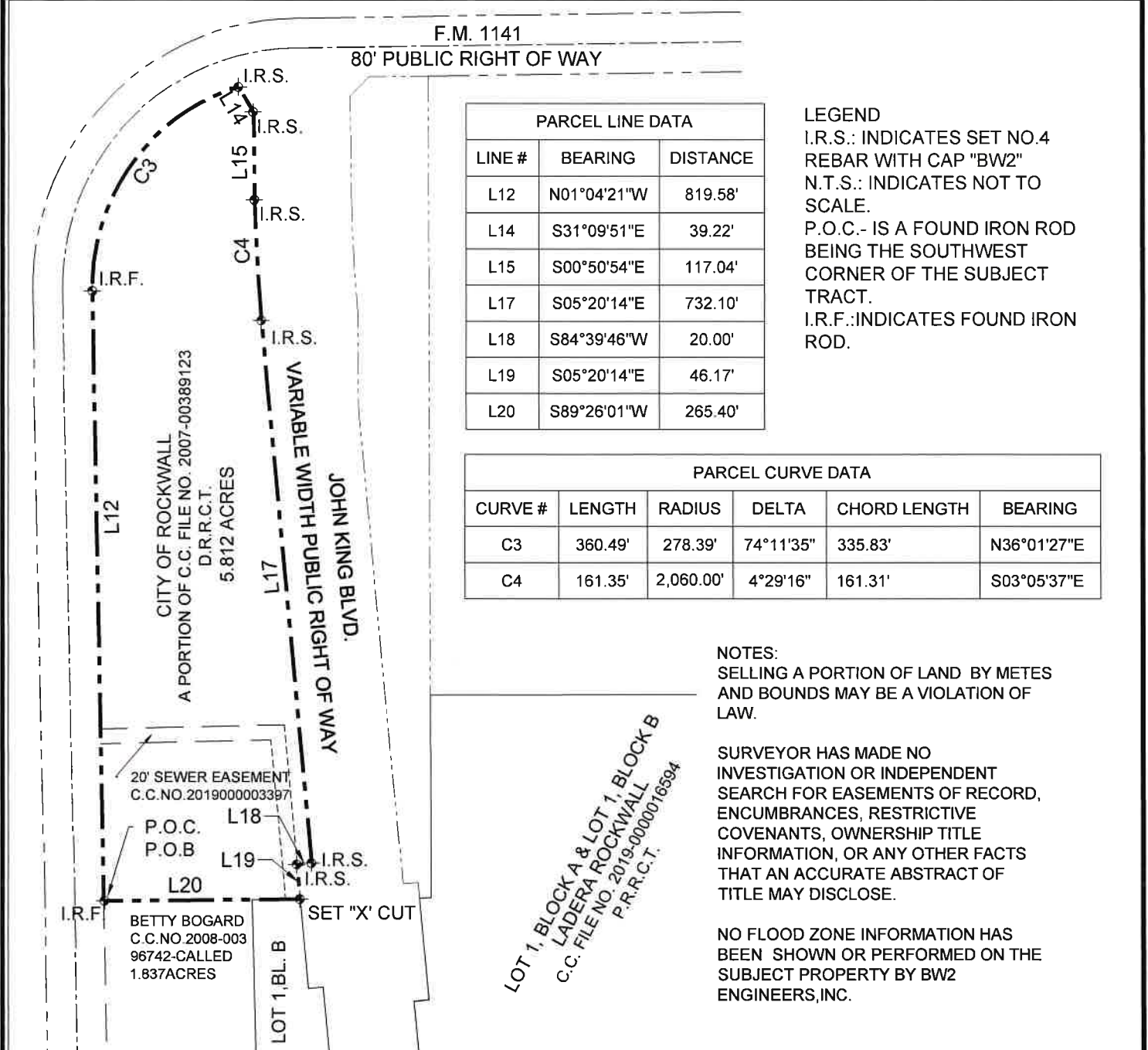
LOCATION: CITY OF ROCKWALL, TX

PARCEL PLAT- EXHIBIT "A"

PROPERTY SURVEY  
CITY OF ROCKWALL, TEXAS

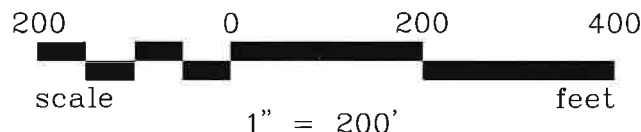
BEING A PORTION OF  
C.C. FILE NO. 2007-00389123  
D.R.R.C.T.

NOTE: THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS STATE PLANE NAD83 NORTH CENTRAL ZONE (4202)



BW2 ENGINEERS, INC.

1919 S. Shiloh Road  
Suite 500, L.B. 27  
Garland, Texas 75042  
(972) 864-8200 (T) (972) 864-8220 (F)  
Firm Registration No. F-5290



BW2 JOB NO: 19-1954

DRAWN BY: CEC

DATE: DECEMBER, 2019

CHECKED BY: CEC

18-1954/DRAWINGS/1954 SURVEY.DWG

PAGE 2 OF 2

SURVEY: M. JONES SURVEY, ABSTRACT NO. 122

LOCATION: CITY OF ROCKWALL, TX

**LEGAL DESCRIPTION**

**PROPERTY SURVEY  
CITY OF ROCKWALL, TEXAS**

BEING A PORTION OF  
C.C. FILE NO. 2007-00389123  
D.R.R.C.T.

NOTE: THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS STATE PLANE NAD83 NORTH CENTRAL ZONE (4202)

**LEGAL DESCRIPTION**

Being a 5.812 acre tract of land in the M. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, being a portion of a called 10.942 acre tract, described in deed to the City of Rockwall, recorded in County Clerk Number 2007-00389123, Deed Records of Rockwall County, Texas, being that portion of said deed lying west of John King Boulevard, a variable width public right of way, more particularly described as follows;

Commencing at a found iron pipe being the southwest corner of said City of Rockwall tract, being the northwest corner of a called 1.837 acre tract, deeded to Betty Bogard, recorded in County Clerk Number 2008-00396742, Deed Records of Rockwall County, Texas, being on the east right of way line of FM 1141, a 80 foot wide public right of way;

THENCE North 01°04'21" West along said right of way line for a distance of 819.58 feet to a found iron rod, being the beginning of a tangent curve to the right;

THENCE northeasterly along said curve to the right with a radius of 278.39 feet, a central angle of 74°11'35", a chord bearing of North 36°01'27" East, a chord distance of 335.83 feet for an arc length of 360.49 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 31°09'51" East for a distance of 39.22 feet to a Set No. 4 rebar with cap "BW2", being on the west right of way line of John King Boulevard, a variable width public right of way;

THENCE South 00°50'54" East along said right of way line for a distance of 117.04 feet to a Set No. 4 rebar with cap "BW2", being on the beginning of a curve to the left;

THENCE southeasterly along said curve to the left, with a radius of 2,060.00 feet, a central angle of 4°29'16", a chord bearing of South 03°05'37" East, a chord distance of 161.31 feet, for an arc length of 161.35 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 05°20'14" East along said right of way line for a distance of 732.10 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 84°39'46" West along said right of way line for a distance of 20.00 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 05°20'14" East along said right of way line for a distance of 46.17 feet to a Set "X" Cut, being the southeast corner of said City of Rockwall tract, being the northeast corner of Lot 1, Block B of the Final Plat of Ladera Rockwall, recorded in County Clerk File No. 2019-0000016594, Plat Records of Rockwall County, Texas;

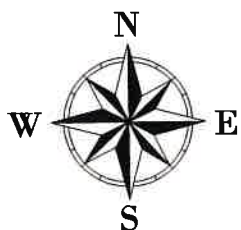
THENCE South 89°26'01" West along said common line for a distance of 265.40 feet to the Point of Beginning;

Said tract contains 5.812 acres more or less.

Subject to all easements of record.

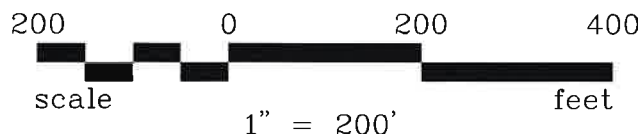
Bearings are based on the Texas Coordinate system, N.A.D. 83 (1993 ADJ.), North Central Zone, 4202 .

Situated in the City of Rockwall, Rockwall County, Texas.



**BW2 ENGINEERS, INC.**

1919 S. Shiloh Road  
Suite 500, L.B. 27  
Garland, Texas 75042  
(972) 864-8200 (T) (972) 864-8220 (F)  
Firm Registration No. F-5290



BW2 JOB NO: 19-1954 DRAWN BY: CEC

DATE: DECEMBER, 2019 CHECKED BY: CEC

18-1954/DRAWINGS/1954 SURVEY.DWG

PAGE 1 OF 2

## CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT

This **CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT** (hereinafter referred to as the *Agreement*) is entered into by and between the **CITY OF ROCKWALL, TEXAS**, a Texas home-rule municipality (hereinafter referred to as the *City*) and **SARO PARTNERS, LLC** [a Texas limited liability company], (hereinafter referred to as the *Developer*). The *City* and *Developer* are collectively referred to in this *Agreement* as the *Parties*.

**WHEREAS**, the *City* owns approximately 4.18-acre tract of land (i.e. *Tract 9 of the M. B. Jones Survey, Abstract No. 122*) -- depicted in Exhibit 'A' attached hereto and incorporated herein for all purposes (the *City's Property*), which is part of a larger portion of a 5.702-acre tract of land in the City of Rockwall located at the southwest corner of John King Boulevard and FM-1141; and

**WHEREAS**, the *Developer* owns approximately 5.07-acre tract of land (i.e. *Tract 2-06 of the D. Harr Survey, Abstract No. 102*) -- depicted in Exhibit 'B' attached hereto and incorporated herein for all purposes (the *Developer's Property*), which is in the City of Rockwall at the southeast corner of Airport Road and John King Boulevard; and

**WHEREAS**, the *Developer's Property* is located in the Airport Runway Protection Zone of the Ralph Hall Municipal Airport, which limits the type of development that can be developed on the *Developer's Property*, including the development of an assembly type land use (i.e. *the Boys and Girls Club*); and

**WHEREAS**, the *Developer* has offered to exchange the *Developer's Property* for the *City's Property* in order to allow for the development of a Boys and Girls Club facility (the *Project*) based on the agreed to terms of an executed **CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT** between the *City* and the *Developer*; and

**WHEREAS**, the *City* has determined that the development of the *Project* will be a benefit to the *City* and will promote economic development in the area; and

**WHEREAS**, in accordance with Section 52-a, *Programs and Loans or Grants of Public Money for Economic Development*, of Article 3, *Legislative Department*, of the Texas Constitution and Section 380.001 of the Texas Local Government Code, the *City* has established a program to provide for the administration of programs to promote state or local economic development and to stimulate business and commercial activity in the *City*; and

**WHEREAS**, to ensure that the benefits the *City* provides under this *Agreement* are utilized in a manner consistent with Section 52-a, *Programs and Loans or Grants of Public Money for Economic Development*, of Article 3, *Legislative Department*, of the Texas Constitution and Chapter 380, *Miscellaneous Provisions Relating to Municipal Planning and Development*, of the Texas Local Government Code, the *Developer* has agreed, to receive such benefits, to cooperate with the *City* in the design and construction of certain public improvements; and

**WHEREAS**, the *City* acknowledges that the provisions of this *Agreement* substantially advance a legitimate interest of the *City* by providing public infrastructure, expanding the tax base of the *City* and promoting economic development.

**NOW, THEREFORE**, for and in consideration of the above recitals and the terms and conditions set forth below, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the *City* and the *Developer* hereby agree as follows:

(1) PROJECT.

(A) Jurisdiction. The design, specifications and ordinances for the *Project* applicable in the City of Rockwall shall apply to the *Project*, except where the City of Rockwall City Council concurs in writing the application of differing requirements and specifications.

(B) Property for the Project. The *City Property* for the *Project* consists of a 4.18-acre tract of land (i.e. *Tract 9 of the M. B. Jones Survey, Abstract No. 122*) -- depicted in Exhibit A attached hereto and incorporated herein for all purposes,

which is part of a larger portion of a 5.702-acre tract of land in the City of Rockwall located at the southwest corner of John King Boulevard and FM-1141.

(C) Conditions Precedent. This *Agreement* and the *Developer's* obligation to execute the *Project* are subject to the following conditions:

- (I) The *City* will initiate zoning procedures to rezone the *City's Property* from an Agricultural (AG) District to a Commercial (C) District. This zoning change would be in accordance with the *City's Future Land Use Map* contained in the *OURHometown Vision 2040 Comprehensive Plan*, and would allow the requested land uses (*i.e. a Daycare with Seven [7] or More Children/Office*) needed for the *Project*.
- (II) Upon the zoning being approved on the *City's Property*, the *City* and *Developer* will legally document the exchange of the *City's Property* for the *Developer's Property*. This exchange of property will secure a portion of the Airport Runway Protection Zone of the Ralph Hall Municipal Airport.
- (III) Once the *Developer* is in possession and has acquired ownership of the *City's Property*, the Boys and Girls Club will have 36-months from the date of the exchange of property to begin developing the *City's Property* with the *Project*. Once the *Project* has commenced, *Developer* shall have 24-months to complete the *Project*.

(D) Return of City Property. Should the *Project* fail to commence within 36-months from the date the exchange of the property or if the *Parties* do not extend the term to commence the *Project*, the *Developer* will reconvey the *City's Property* back to the City of Rockwall at no cost to the *City* and the *City* will reconvey the *Developer's Property* back to the *City* at no cost to the *Developer*. If the *City* returns the *Property* to *Developer*, *Developer* must comply with the regulations of the Airport Runway Protection Zone on any future development of the returned *Developer's Property*.

(E) Plans and Approvals. The *Developer* shall be responsible for pursuing and obtaining the necessary plats, site plan approvals and all other approvals and permits required from the *City* which are necessary for construction of the improvements for the development for the *Project* as well as all occupancy and use permits required to allow the development and occupancy of the *Project*.

(F) Construction. If sufficient funds are raised to proceed with the *Project*, the *Developer* shall require its construction contractor(s) to construct the *Project* in a good and workmanlike manner and in substantial accordance with the approved plans and specifications and shall diligently pursue the construction of the *Project* until it is completed. The *City* shall have the right to inspect the *Project* to confirm compliance with the approved plans and specifications and applicable *City* codes.

(2) DEFAULT.

(A) Notice and Opportunity to Cure. Notwithstanding anything herein to the contrary, no party shall be deemed to be in default hereunder until the passage of 30-days after receipt by such party of notice of default from the other party. Upon the passage of 30-days without cure of the default, such party shall be deemed to have defaulted for purposes of this *Agreement*, unless such party has commenced to cure such default and is prosecuting the same with reasonable diligence. Notwithstanding the foregoing, commencement of cure, with reasonable diligence, shall only prevent a party from being in default for 60-days after notice was received and a cure had not been achieved unless the non-defaulting party agrees to allow the defaulting party additional time to cure the default.

(B) Remedies. In the event of a default not cured within the time period set forth herein, the non-defaulting party may, as its sole and exclusive remedy, terminate this *Agreement* or seek injunctive relief of other equitable relief, including, without limitation, specific performance, to enforce the terms of this *Agreement*. Notwithstanding the foregoing, if injunctive or other equitable relief is barred by governmental immunity, then the *Developer* may pursue all other legal and equitable remedies that are not barred by governmental immunity; however, in no event shall a non-defaulting party be entitled to an award of damages or any other monetary relief. The foregoing remedies shall not be applicable to the facts set forth in Section (1)(D) above and the remedy set forth in such Section shall be the exclusive remedy of the *City* and the *Developer* for the facts set forth in that Section.



- (C) Attorney's Fees. In the event that the *Developer* and the *City* fail to resolve a dispute and become involved in litigation with regard to breach of or dispute arising out of this *Agreement*, the prevailing *Party* shall be entitled to be paid its reasonable attorneys' fees and court costs.

(3) DISPUTE RESOLUTION.

- (A) If a dispute arises out of or relates to this *Agreement* or the breach thereof, the *Parties* shall first in good faith seek to resolve the dispute through negotiation between the upper management of each respective *Party*. If such dispute cannot be settled through negotiation, the *Parties* agree to try in good faith to settle the dispute by mediation under the *Commercial Mediation Rules of the American Arbitration Association*, Dallas, Texas, before resorting to litigation, or some other dispute resolution procedure; provided that a *Party* may not invoke mediation unless it has provided the other *Party* with written notice of the dispute and has attempted in good faith to resolve such dispute through negotiation. Notwithstanding the foregoing, any *Party* may seek immediate equitable relief, without attempting to settle a dispute through mediation, in any case where such *Party* is entitled to equitable relief by law, the terms of the *Agreement*, or otherwise. All costs of negotiation, mediation, and arbitration collectively known as Alternate Dispute Resolution (ADR) shall be assessed equally between the *City* and *Developer* with each party bearing their own costs for attorneys' fees, experts, and other costs of ADR and any ensuing litigation.

(4) GENERAL PROVISIONS.

- (A) INDEMNIFICATION. THE *DEVELOPER* AGREES TO DEFEND, INDEMNIFY AND HOLD THE *CITY* AND ITS ELECTED OFFICIALS, OFFICERS, AGENTS AND EMPLOYEES (COLLECTIVELY THE *CITY*) HARMLESS FROM AND AGAINST ANY AND ALL REASONABLE LIABILITIES, DAMAGES, CLAIMS, DEMANDS, LAWSUITS, JUDGMENTS, ATTORNEY FEES, COSTS, EXPENSES AND ANY CAUSE OF ACTION OF ANY KIND AND NATURE, INCLUDING BUT NOT LIMITED TO, PERSONAL OR BODILY INJURY, DEATH AND PROPERTY DAMAGE, MADE UPON THE *CITY* DIRECTLY OR INDIRECTLY ARISING OUT OF, RESULTING FROM OR RELATED TO *DEVELOPER'S* ACTIVITIES UNDER THIS *AGREEMENT*, INCLUDING ANY ACTS OR OMISSIONS OF *DEVELOPER'S* AGENT, OFFICER, DIRECTOR, REPRESENTATIVE, EMPLOYEE, CONSULTANT OR CONTRACTOR OF THE *DEVELOPER*, AND THEIR RESPECTIVE OFFICERS, AGENTS EMPLOYEES, DIRECTORS AND REPRESENTATIVES WHILE IN THE EXERCISE OF PERFORMANCE OF THE RIGHTS OR DUTIES UNDER THIS *AGREEMENT*. THE INDEMNITY PROVIDED FOR IN THIS PARAGRAPH SHALL NOT APPLY TO ANY LIABILITY RESULTING FROM THE NEGLIGENCE OF THE *CITY*, ITS OFFICERS OR EMPLOYEES, IN INSTANCES WHERE SUCH NEGLIGENCE IS THE SOLE CAUSE OF PERSONAL INJURY, DEATH, OR PROPERTY DAMAGE.
- (B) THE PROVISIONS OF THE ABOVE SECTIONS ARE SOLELY FOR THE BENEFIT OF THE *PARTIES* HERETO AND NOT INTENDED TO CREATE OR GRANT ANY RIGHTS, CONTRACTUAL OR OTHERWISE, TO ANY OTHER PERSON OR ENTITY. IT BEING THE INTENTION OF THE *PARTIES* THAT THE *DEVELOPER* SHALL BE RESPONSIBLE FOR THE REPAYMENT OF ANY AMOUNTS PAID TO THE *DEVELOPER* HEREIN THAT INCLUDES CITY SALES TAX RECEIPTS THAT THE STATE OF TEXAS HAS DETERMINED WAS ERRONEOUSLY PAID, DISTRIBUTED OR ALLOCATED TO THE *CITY*.
- (C) Mutual Assistance. The *City* and the *Developer* will do all things and execute all documents reasonably necessary or appropriate to carry out the terms and provisions of this *Agreement* and to aid and assist each other in carrying out such terms and provisions.
- (D) Inconsistencies. Where any inconsistency exists between this *Agreement* and other provisions of subsequent collateral contractual agreements that are made a part hereof by reference or otherwise, the provisions of this *Agreement* shall control.
- (E) Rule of Construction. The *Parties* hereto acknowledge that each party and its legal counsel have reviewed and revised this *Agreement*, and the *Parties* hereby agree that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this *Agreement* or any amendments hereto.

(F) Independent Contractors and Immunity.

- (I) It is expressly understood and agreed by all *Parties* hereto that in performing their services hereunder, the *Developer* at no time will be acting as an agent of the *City* and that all consultants or contractors engaged by the *Developer* respectively will be independent contractors of the *Developer*; and nothing contained in this *Agreement* is intended by the *Parties* to create a partnership or joint venture between the *Parties* and any implication to the contrary is hereby expressly disavowed. The *Parties* hereto understand and agree that the *City* will not be liable for any claims that may be asserted by any third party occurring in connection with services performed by the *Developer* respectively under this *Agreement*, unless any such claims are due to the fault of the *City*.
  - (II) By entering into this *Agreement*, the *Parties* do not waive, and shall not be deemed to have waived, any rights, immunities, or defenses either may have, including the defense of parties, and nothing contained herein shall ever be construed as a waiver of sovereign or official immunity by the *City* with such rights being expressly reserved to the fullest extent authorized by law and to the same extent which existed prior to the execution hereof.
  - (III) No employee of the *City*, or any councilmember or agent of the *City*, shall be personally responsible for any liability arising under or growing out of this *Agreement*.
- (G) Invalidity. If any provision of this *Agreement* is held to be invalid, illegal or unenforceable by a court or other tribunal of competent jurisdiction, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired. The *Parties* shall use their best efforts to replace the respective provision or provisions of this *Agreement* with legal terms and conditions approximating the original intent of the *Parties*.
- (H) Written Notice. All notices from one party to the other must be in writing and are effective upon receipt when mailed to or hand delivered as follows:

CITY: City of Rockwall  
Attention: Mary Smith, *City Manager*  
385 S Goliad Street  
Rockwall, Texas 75087

---

CITY CC: Davidson Troilo Ream & Garza  
Attention: Frank Garza, *City Attorney*  
601 NW Loop 410 Suite 100  
San Antonio, Texas 78216

---

DEVELOPER: Saro Partners, LLC  
Attention: Shawn Valk  
1450 T. L. Townsend Drive, Suite 100  
Rockwall, Texas 75087

---

DEVELOPER CC: Holmes Firm PC  
Attention: Ronald L. Holmes  
14241 Dallas Parkway, Suite 800  
Dallas, Texas 75254

NOTE: Either party may change its business address by providing at least 30 calendar days written notice to the other party of such change.

- (I) Entire Agreement. It is understood that this *Agreement* and the *Exhibits* contain the entire agreement between the *Parties* and supersedes any and all prior agreements, arrangements, statements, promises, inducements, or understandings, whether oral or written, between the *Parties* relating to the subject matter. This *Agreement* cannot be

changed or terminated orally. No verbal agreement or conversation with any officer, agent or employee of the City, either before or after the execution of this *Agreement*, shall affect or modify any of the terms or obligations hereunder.

- (J) Amendment. No amendment to this *Agreement* shall be effective and binding unless and until it is reduced to writing, approved by the City Council, and signed by duly authorized representatives of both *Parties*.
- (K) Choice of Law and Forum Selection. This *Agreement* shall be governed, enforced and construed in accordance with laws of the State of Texas. Any and all contested matters arising out of this *Agreement* in any way shall be brought in the courts of Rockwall County, Texas, United States of America.
- (L) Authority. The *Developer* hereby certifies, represents, and warrants that the execution of this *Agreement* is duly authorized and adopted in conformity with its governing documents. The *City* hereby certifies, represents, and warrants that the execution of this *Agreement* is duly authorized and adopted in conformity with the *City* charter and ordinances. The *City's* execution of this *Agreement* is authorized by Chapter 380, *Miscellaneous Provisions Relating to Municipal Planning and Development*, of the Texas Local Government Code and constitutes a valid and binding obligation of the *City*. The *City* acknowledges that the *Developer* is acting in reliance upon the *City's* performance of its obligations under this *Agreement* in making the decision to commit substantial resources and money to the construction of the *Project*.
- (M) Assignment. The *Developer's* rights and obligations under this *Agreement* may be assigned by the *Developer* provided such assignment receives prior written approval of the City Council of the City of Rockwall, not to be unreasonably withheld, conditioned, delayed, or denied. Notwithstanding the foregoing, the *Developer* may, without the *City's* approval, assign any credits accruing to the *Developer* under this *Agreement*.
- (N) Waiver. Failure of either party, at any time, to enforce a provision of this *Agreement* shall in no way constitute a waiver of that provision nor in any way affect the validity of this *Agreement*, any part hereof, or the right of the *City* or the *Developer* thereafter to enforce each and every provision hereof. No term of this *Agreement* shall be deemed waived unless the waiver is in writing and signed by the party claimed to have waived such term. Furthermore, any consent to or waiver of a breach will not constitute consent to, waiver of, or excuse of any other different or subsequent breach.
- (O) Force Majeure. If performance of this *Agreement* or any obligation under this *Agreement* is prevented, restricted, or interfered with by causes beyond either party's reasonable control (*Force Majeure*), then the obligations of the party invoking this provision will be suspended to the extent necessary by such event. Events constituting *Force Majeure* include without limitation: acts of God, fire, explosion, vandalism, storm, casualty, illness, injury, general unavailability of materials or similar occurrence, orders or acts of military or civil authority, national emergencies, insurrections, riots, wars, strikes, lock-outs, or work stoppages. The excused party shall use reasonable efforts under the circumstances to avoid or remove such causes of non-performance and shall proceed to perform with reasonable dispatch whenever such causes are removed or ceased. An act or omission shall be deemed within the reasonable control of a party if committed, omitted, or caused by such party, or its employees, officers, agents or affiliates.
- (P) Agreement Acknowledged. The *Parties* acknowledge that they have read, understand and intend to be bound by the terms and conditions of this *Agreement*.
- (Q) Multiple Originals. This *Agreement* may be executed in multiple originals.
- (R) Construction. This *Agreement* shall be construed without the aid of any canon or rule of law requiring interpretation against the party drafting or causing the drafting of this *Agreement* or the portions of this *Agreement* in question.
- (S) Incorporation of Recitals. Any recitals in this *Agreement* are represented by the *Parties* to be accurate and constitute a part of the *Agreement*.
- (T) Effective Date. The effective date of this *Agreement* is the last signature date below (the *Effective Date*).

[SIGNATURE PAGES TO FOLLOW]

**EXECUTED** as of the dates indicated below in multiple originals:

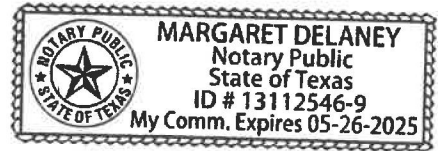
CITY:

CITY OF ROCKWALL, TEXAS,  
a Texas home-rule municipality

By: Mary Smith  
Name: Mary Smith  
Title: City Manager  
Date: 3/8/2022

ATTEST:

By: Kristy Cole  
Name: Kristy Cole  
Title: City Secretary  
Date: 03/08/2022



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

This instrument was acknowledged before me on the 8<sup>th</sup> day of March, 2022, by Mary Smith, the City Manager of the City of Rockwall, a Texas municipal Corporation on behalf of such municipality.

**GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 8<sup>th</sup> DAY OF March, 2022.**

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS: Margaret Delaney

MY COMMISSION EXPIRES: 05-26-2025

DEVELOPER:

SARO PARTNERS, LLC,  
a Texas limited liability company  
By: Shawn Valk  
Name: Shawn Valk, Manager  
Date: 2-2-2022

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

BEFORE ME, above signed authority, on this day personally appeared, *Shawn Valk*, the owner of the *Developer's Property*, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the foregoing *Agreement* for the purposes and consideration therein expressed, in the capacity stated.

**GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 2 DAY OF March, 2022.**

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS: Annalyse Olson

MY COMMISSION EXPIRES: May 7, 2023

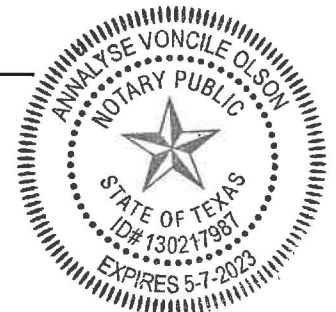
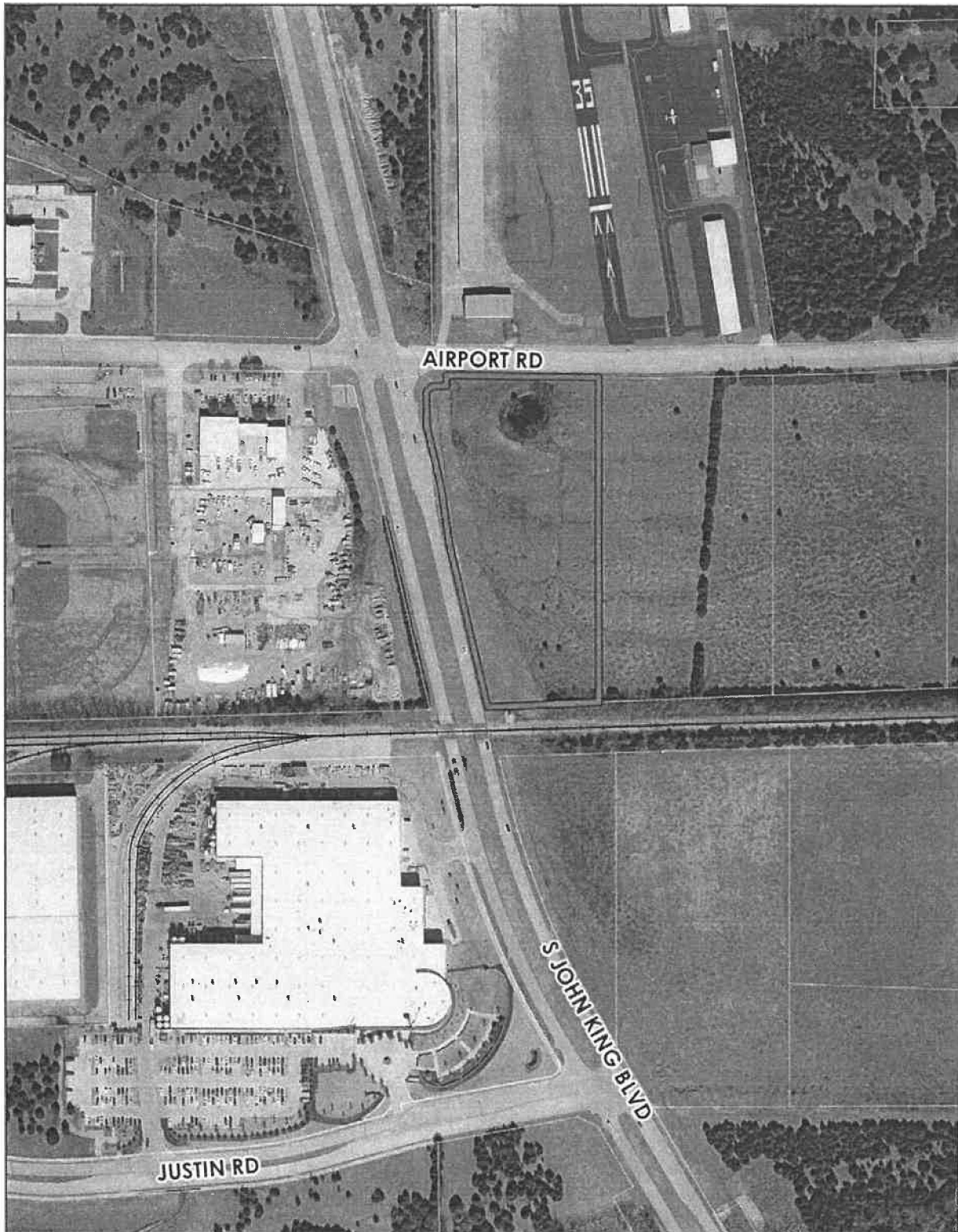




EXHIBIT 'A':  
MAP OF THE CITY'S PROPERTY



EXHIBIT 'B':  
MAP OF THE DEVELOPER'S PROPERTY



Filed and Recorded  
Official Public Records  
Jennifer Fogg, County Clerk  
Rockwall County, Texas  
03/08/2022 11:59:38 AM  
\$58.00  
20220000005160



*Jennifer Fogg*



### ● COMMERCIAL/RETAIL (CR)

The *Commercial/Retail* land use category is characterized by single to multi-tenant commercial retail centers along major arterials at key intersections. These areas are typically considered to be convenience shopping centers and service adjacent residential subdivisions. Zoning in conformance with the Commercial/Retail land uses category can be incorporated into a Planned Development (PD) District as part of a larger mix-use master planned community, and may vary in size depending on the adjacent service area. In certain cases where commercial land uses are eminent, it may be appropriate to incorporate zoning in conformance to the Commercial land use category on all four (4) corners of an intersection; however, this is not necessary in all cases. These areas should be designed with the pedestrian in mind, and provide connections between the commercial land use and the adjacent residential subdivision.

#### DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Commercial Retail Buildings, Restaurants/Brew Pubs, Multi-Tenant Commercial Centers, Neighborhood Centers and Convenience Centers
- 2 Secondary Land Uses: Office/Financial Institutions, Parks, Open Space, and Institutional/Civic Land Uses
- 3 Zoning Districts: Neighborhood Services (NS) District, General Retail (GR) District, Commercial (C) District and certain mixed-use Planned Development (PD) Districts

#### EXISTING LAND USE EXAMPLES

- 1 Shops at Stone Creek
- 2 Corner of the Intersection of N. Lakeshore Drive and N. Goliad Street [SH-205]
- 3 Walmart Neighborhood Market Shopping Center



### ● COMMERCIAL/INDUSTRIAL (CI)

The *Commercial/Industrial* land use category typically is characterized by smaller business and industrial land uses that are focused around assembly, manufacturing and fabrication. This designation may also accommodate land uses that require outside storage. These areas are also appropriate for small business and business incubator arrangements. Land uses under this designation should be heavily screened by landscaping and should be separated from other land uses using large buffers and roadways. These areas are not appropriate adjacent to residential land use designations and should be separated from these areas using transitional land uses.

#### DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Small Scale Manufacturing, Assembly, and Fabrication Businesses, Business Incubators, Contractors Shops, and Heavy Equipment/Truck Rental Businesses
- 2 Secondary Land Uses: Warehouse and Outside Storage
- 3 Zoning Districts: Heavy Commercial (HC) District and Heavy Industrial (HI) District

#### EXISTING LAND USE EXAMPLES

- 1 Areas Adjacent to National Drive
- 2 Areas Adjacent to Sids Road

### ● BUSINESS CENTERS (BC)

The Business Center land use designation is intended to provide areas with a variety of employment options. While focusing on employment land uses, these areas may also incorporate limited supporting land uses (e.g. restaurants and commercial-retail) that complement the primary land uses. These areas should be designed with public amenities and greenspaces, increased landscaping, and unique design features that will help create a sense of place.

#### DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Professional Offices, Corporate Offices, General Offices, Institutional Land Uses, Research and Design/Development Businesses, and Technology/Data Centers.
- 2 Secondary Land Uses: Supporting Restaurants and Commercial-Retail Land Uses, Hotels, Parks, Open Space and Civic Uses
- 3 Zoning Districts: Commercial (C) District, Light Industrial (LI) District, and Planned Development (PD) Districts

#### EXISTING LAND USE EXAMPLES

- 1 Trend Tower



# 13 NORTHWEST RESIDENTIAL DISTRICT

## DISTRICT DESCRIPTION

The *Northwest Residential District* is characterized by the two (2) large master planned communities that make up the majority of the acreage in this district. These developments are the Caruth Lakes and Stone Creek Subdivisions. The remainder of this district is expected to develop with similar medium density residential housing product.

## DISTRICT STRATEGIES

The *Northwest Residential District* is expected to continue to provide master planned suburban neighborhoods in the future and has no areas that are thought to be transitioning. Based on these assumptions the strategies for this district are as follows:

- 1 Suburban Residential.** Many of the remaining tracts of land in this area have been entitled with planned development districts that are targeted at bringing similar *Suburban Residential* products as those that currently exist in the Caruth Lakes and Stone Creek Subdivisions. Any new residential development in these areas should be highly amenitized and include a mixture of lots similar to the lot mixture in the Stone Creek Subdivision.
- 2 Neighborhood/Convenience Centers.** The commercial in this district is intended to support the existing residential subdivisions and should be compatible in scale with the adjacent residential structures. These areas should provide pedestrian access between the *Neighborhood/Convenience Centers* and the *Suburban Residential* developments.
- 3 John King Boulevard Trail Plan.** A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in Appendix 'B' of this Comprehensive Plan.

## POINTS OF REFERENCE

- A. J. W. Williams Middle School
- B. The Park at Stone Creek
- C. Stone Creek Subdivision
- D. Fire Station #3
- E. The Parks at Squabble Creek
- F. Caruth Lakes Subdivision

## LAND USE PALETTES

- Current Land Use
- Future Land Use
- ★ John King Boulevard Trail Plan Rest Stop/Trailblazer Pylon



2 Kroger Shopping Center



1 Current Suburban Residential

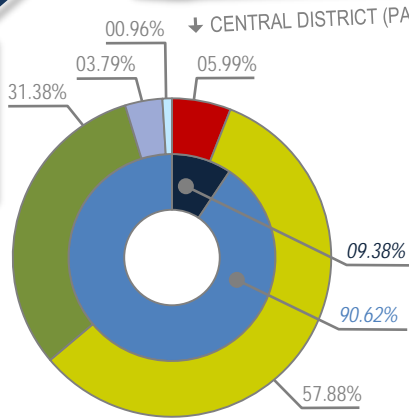


2 Future Neighborhood/Convenience Center

BUILD OUT  
2,347  
7,018

% OF ROCKWALL  
8.91%  
1.38%  
8.95%

CURRENT  
1,782  
25  
5,328



TXDOT 4D	COMMERCIAL	9.38%
MINOR COLLECTOR	RESIDENTIAL	90.62%
M4U	MIXED USE	0.00%
M4D		
COMMERCIAL/RETAIL (CR)	60.20-ACRES	
MEDIUM DENSITY RESIDENTIAL (MDR)	581.3-ACRES	
PARKS AND OPEN SPACE (OS)	315.22-ACRES	
PUBLIC (P)	38.11-ACRES	
QUASI-PUBLIC (QP)	9.66-ACRES	

## Miller, Ryan

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**From:** Shawn Valk <shawnvalk@gmail.com>  
**Sent:** Friday, March 11, 2022 1:10 PM  
**To:** Miller, Ryan  
**Cc:** Annalyse Valk  
**Subject:** Re: 380 Agreement and Zoning

Thanks Ryan. I'm in Florida for spring break. General Retail works for us. I will get the 380 signed and delivered to guy Monday.

Have a great weekend.

Thanks  
Shawn

Shawn Valk  
Shawnvalk@gmail.com

1450 TL Townsend, STE 100  
Rockwall, TX 75032

469-222-1597. Cell  
469-718-0451. Fax

On Mar 7, 2022, at 11:48 AM, Miller, Ryan <rmiller@rockwall.com> wrote:

Shawn ... Thank you again for taking the time to speak with me today and being open to making this change. Per our conversation, I conferred with the City Attorney and he feels that a simple email stating that you are fine with a change in the zoning designation to a General Retail (GR) District from a Commercial (C) District will suffice in lieu of amending the 380 Agreement. As stated this will not affect the ability of the Boys and Girls Club from developing the property and meeting the terms of the agreement, but should alleviate the concerns of the adjacent neighborhood. If you have any questions or need any additional clarifications, please let me know. Thanks.



**Ryan C. Miller, AICP**

DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL

972.772.6441 OFFICE

RMILLER@ROCKWALL.COM

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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helpful links | [City of Rockwall Website](#) | [Planning & Zoning Division Website](#) | [Municipal Code Website](#)  
[GIS Division Website](#) | [City of Rockwall Interactive Maps](#) | [UNIFIED DEVELOPMENT CODE](#)

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NOTES

- 1) *APPOINTED AND ELECTED OFFICIALS*: BY *REPLYING ALL* TO THIS EMAIL YOU MAY BE IN VIOLATION OF THE TEXAS OPEN MEETINGS ACT. PLEASE REPLY ONLY TO THE SENDER.
- 2) PLEASE NOTE THAT ANY CORRESPONDENCE SENT TO CITY STAFF MAY BECOME PUBLIC RECORD

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

<b>LEGEND:</b> <div> <div></div> Land Use <i>NOT</i> Permitted  <div>P</div> Land Use Permitted <i>By-Right</i>  <div>P</div> Land Use Permitted with Conditions  <div>S</div> Land Use Permitted Specific Use Permit (SUP)  <div>X</div> Land Use Prohibited by Overlay District  <div>A</div> Land Use Permitted as an Accessory Use </div>		<h1>PERMITTED LAND USES IN AN GENERAL RETAIL (GR) DISTRICT</h1>	
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference <a href="#">Article 13, Definitions</a> ]	CONDITIONAL USE REFERENCE Reference <a href="#">Article 04, Permissible Uses</a>	GENERAL RETAIL (GR) DISTRICT
<b>AGRICULTURAL AND ANIMAL RELATED LAND USES</b>	2.02(A)	2.03(A)	
Agricultural Uses on Unplatted Land	<a href="#">(1)</a>		P
Animal Boarding/Kennel without Outside Pens	<a href="#">(2)</a>	<a href="#">(2)</a>	S
Animal Clinic for Small Animals without Outdoor Pens	<a href="#">(3)</a>	<a href="#">(3)</a>	P
Animal Hospital or Clinic	<a href="#">(4)</a>		S
Community Garden	<a href="#">(11)</a>	<a href="#">(7)</a>	S
Urban Farm	<a href="#">(12)</a>	<a href="#">(8)</a>	S
<b>RESIDENTIAL AND LODGING LAND USES</b>	2.02(B)	2.03(B)	
Caretakers Quarters/Domestic or Security Unit	<a href="#">(3)</a>		P
Convent, Monastery, or Temple	<a href="#">(4)</a>		P
Commercial Parking Garage	<a href="#">(6)</a>		A
Limited-Service Hotel	<a href="#">(10)</a>		S
Full-Service Hotel	<a href="#">(11)</a>	<a href="#">(8)</a>	S
Residence Hotel	<a href="#">(12)</a>		S
Motel	<a href="#">(13)</a>		S
<b>INSTITUTIONAL AND COMMUNITY SERVICE LAND USES</b>	2.02(C)	2.03(C)	
Assisted Living Facility	<a href="#">(1)</a>	<a href="#">(1)</a>	S
Blood Plasma Donor Center	<a href="#">(2)</a>		P
Cemetery/Mausoleum	<a href="#">(3)</a>		P
Church/House of Worship	<a href="#">(4)</a>	<a href="#">(2)</a>	S
Convalescent Care Facility/Nursing Home	<a href="#">(6)</a>		P
Congregate Care Facility/Elderly Housing	<a href="#">(7)</a>	<a href="#">(3)</a>	S
Daycare with Seven (7) or More Children	<a href="#">(9)</a>	<a href="#">(4)</a>	P
Emergency Ground Ambulance Services	<a href="#">(10)</a>		P
Group or Community Home	<a href="#">(11)</a>	<a href="#">(5)</a>	P
Government Facility	<a href="#">(12)</a>		P
Hospice	<a href="#">(14)</a>		P
Hospital	<a href="#">(15)</a>		P
Public Library, Art Gallery or Museum	<a href="#">(16)</a>		P
Mortuary or Funeral Chapel	<a href="#">(17)</a>		P
Local Post Office	<a href="#">(18)</a>		P
Public or Private Primary School	<a href="#">(21)</a>	<a href="#">(7)</a>	P
Public or Private Secondary School	<a href="#">(22)</a>	<a href="#">(8)</a>	P
Temporary Education Building for a Public or Private School	<a href="#">(23)</a>	<a href="#">(9)</a>	S
Social Service Provider (Except Rescue Mission or Homeless Shelter)	<a href="#">(25)</a>		S
<b>OFFICE AND PROFESSIONAL LAND USES</b>	2.02(D)	2.03(D)	
Financial Institution with Drive-Through	<a href="#">(1)</a>	<a href="#">(1)</a>	P
Financial Institution without Drive-Through	<a href="#">(1)</a>		P
Office Building less than 5,000 SF	<a href="#">(2)</a>		P
Office Building 5,000 SF or Greater	<a href="#">(2)</a>		P



<b>LEGEND:</b> <div> <div>Land Use <i>NOT</i> Permitted</div> <div>P Land Use Permitted <i>By-Right</i></div> <div>P Land Use Permitted with Conditions</div> <div>S Land Use Permitted Specific Use Permit (SUP)</div> <div>X Land Use Prohibited by Overlay District</div> <div>A Land Use Permitted as an Accessory Use</div> </div>		<h1>PERMITTED LAND USES IN AN GENERAL RETAIL (GR) DISTRICT</h1>	
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference <a href="#">Article 13, Definitions</a> ]	CONDITIONAL USE REFERENCE Reference <a href="#">Article 04, Permissible Uses</a>	GENERAL RETAIL (GR) DISTRICT
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)	
Temporary Carnival, Circus, or Amusement Ride	<a href="#">(1)</a>	<a href="#">(1)</a>	P
Indoor Commercial Amusement/Recreation	<a href="#">(2)</a>	<a href="#">(2)</a>	S
Outdoor Commercial Amusement/Recreation	<a href="#">(3)</a>	<a href="#">(3)</a>	S
Public or Private Community or Recreation Club as an Accessory Use	<a href="#">(4)</a>		P
Private Country Club	<a href="#">(5)</a>		S
Golf Driving Range	<a href="#">(6)</a>		S
Temporary Fundraising Events by Non-Profit	<a href="#">(7)</a>	<a href="#">(4)</a>	P
Indoor Gun Club with Skeet or Target Range	<a href="#">(8)</a>	<a href="#">(5)</a>	S
Health Club or Gym	<a href="#">(9)</a>		P
Private Club, Lodge or Fraternal Organization	<a href="#">(10)</a>	<a href="#">(6)</a>	S
Public Park or Playground	<a href="#">(12)</a>		P
Tennis Courts ( <i>i.e. Not Accessory to a Public or Private Country Club</i> )	<a href="#">(14)</a>		S
Theater	<a href="#">(15)</a>		S
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)	
Antique/Collectible Store	<a href="#">(1)</a>		P
Astrologer, Hypnotist, or Psychic	<a href="#">(2)</a>		P
Banquet Facility/Event Hall	<a href="#">(3)</a>		P
Portable Beverage Service Facility	<a href="#">(4)</a>	<a href="#">(1)</a>	S
Brew Pub	<a href="#">(5)</a>		P
Business School	<a href="#">(6)</a>		P
Catering Service	<a href="#">(7)</a>		P
Temporary Christmas Tree Sales Lot and/or Similar Uses	<a href="#">(8)</a>	<a href="#">(2)</a>	P
Copy Center	<a href="#">(9)</a>		P
Craft/Micro Brewery, Distillery and/or Winery	<a href="#">(10)</a>	<a href="#">(3)</a>	S
Incidental Display	<a href="#">(11)</a>	<a href="#">(4)</a>	P
Food Trucks/Trailers	<a href="#">(12)</a>	<a href="#">(5)</a>	P
Garden Supply/Plant Nursery	<a href="#">(13)</a>		P
General Personal Service	<a href="#">(14)</a>	<a href="#">(6)</a>	P
General Retail Store	<a href="#">(15)</a>		P
Hair Salon and/or Manicurist	<a href="#">(16)</a>		P
Laundromat with Dropoff/Pickup Services	<a href="#">(17)</a>		P
Self Service Laundromat	<a href="#">(18)</a>		P
Massage Therapist	<a href="#">(19)</a>		P
Private Museum or Art Gallery	<a href="#">(20)</a>		P
Night Club, Discotheque, or Dance Hall	<a href="#">(21)</a>		S
Permanent Cosmetics	<a href="#">(23)</a>	<a href="#">(7)</a>	A
Pet Shop	<a href="#">(24)</a>		P
Temporary Real Estate Sales Office	<a href="#">(25)</a>		P
Rental Store without Outside Storage and/or Display	<a href="#">(26)</a>	<a href="#">(8)</a>	S

LEGEND:		PERMITTED LAND USES IN AN GENERAL RETAIL (GR) DISTRICT		
	Land Use <u>NOT</u> Permitted			
P	Land Use Permitted <i>By-Right</i>			
P	Land Use Permitted with Conditions			
S	Land Use Permitted Specific Use Permit (SUP)			
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Restaurant with less than 2,000 SF with Drive-Through or Drive-In		<a href="#">(27)</a>	<a href="#">(9)</a>	S
Restaurant with less than 2,000 SF without Drive-Through or Drive-In		<a href="#">(28)</a>		P
Restaurant with 2,000 SF or more with Drive-Through or Drive-In		<a href="#">(27)</a>	<a href="#">(10)</a>	S
Restaurant with 2,000 SF or more without Drive-Through or Drive-In		<a href="#">(28)</a>		P
Retail Store with Gasoline Sales that has Two (2) or less Dispensers ( <i>i.e. a Maximum of Four [4] Vehicles</i> )		<a href="#">(29)</a>		P
Retail Store with Gasoline Sales that has more than Two (2) Dispensers		<a href="#">(29)</a>		S
Secondhand Dealer		<a href="#">(30)</a>		P
Art, Photography, or Music Studio		<a href="#">(31)</a>		P
Tailor, Clothing, and/or Apparel Shop		<a href="#">(32)</a>		P
COMMERCIAL AND BUSINESS SERVICES LAND USES		2.02(G)	2.03(G)	
Electrical, Watch, Clock, Jewelry and/or Similar Repair		<a href="#">(6)</a>		P
Locksmith		<a href="#">(11)</a>		P
Shoe and Boot Repair and Sales		<a href="#">(16)</a>		P
Trade School		<a href="#">(17)</a>		S
Temporary On-Site Construction Office		<a href="#">(18)</a>	<a href="#">(6)</a>	P
AUTO AND MARINE RELATED LAND USES		2.02(H)	2.03(H)	
Minor Auto repair garage		<a href="#">(2)</a>	<a href="#">(2)</a>	S
Full Service Car Wash and Auto Detail		<a href="#">(5)</a>	<a href="#">(4)</a>	S
Self Service Car Wash		<a href="#">(5)</a>	<a href="#">(4)</a>	S
Non-Commercial Parking Lot		<a href="#">(9)</a>		P
Service Station		<a href="#">(11)</a>	<a href="#">(8)</a>	P
INDUSTRIAL AND MANUFACTURING LAND USES		2.02(I)	2.03(I)	
Temporary Asphalt or Concrete Batch Plant		<a href="#">(2)</a>	<a href="#">(2)</a>	P
Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)		<a href="#">(12)</a>	<a href="#">(5)</a>	S
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES		2.02(K)	2.03(K)	
Antenna; as an Accessory		<a href="#">(2)</a>	<a href="#">(1)</a>	P
Commercial Antenna		<a href="#">(3)</a>	<a href="#">(2)</a>	S
Antenna; for an Amateur Radio		<a href="#">(4)</a>	<a href="#">(3)</a>	A
Antenna Dish		<a href="#">(5)</a>	<a href="#">(4)</a>	A
Commercial Freestanding Antenna		<a href="#">(6)</a>	<a href="#">(5)</a>	S
Mounted Commercial Antenna		<a href="#">(7)</a>	<a href="#">(6)</a>	S
Helipad		<a href="#">(9)</a>		S
Utilities ( <i>Non-Municipally Owned or Controlled</i> ), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment		<a href="#">(10)</a>		S
Municipally Owned or Controlled Facilities, Utilities and Uses		<a href="#">(11)</a>		P
Private Streets		<a href="#">(12)</a>		S
Radio Broadcasting		<a href="#">(13)</a>		P
Railroad Yard or Shop		<a href="#">(14)</a>		S
Recording Studio		<a href="#">(15)</a>		S
Satellite Dish		<a href="#">(16)</a>		A

<b><u>LEGEND:</u></b> <div> <div></div> Land Use <i>NOT</i> Permitted  <div>P</div> Land Use Permitted <i>By-Right</i>  <div>P</div> Land Use Permitted with Conditions  <div>S</div> Land Use Permitted Specific Use Permit (SUP)  <div>X</div> Land Use Prohibited by Overlay District  <div>A</div> Land Use Permitted as an Accessory Use </div>		<h1>PERMITTED LAND USES IN AN GENERAL RETAIL (GR) DISTRICT</h1>		
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Solar Energy Collector Panels and Systems		<a href="#">(17)</a>	<a href="#">(7)</a>	A
Transit Passenger Facility		<a href="#">(18)</a>		S
TV Broadcasting and Other Communication Service		<a href="#">(20)</a>		S
Utilities Holding a Franchise from the City of Rockwall		<a href="#">(21)</a>		S
Utility Installation Other than Listed		<a href="#">(22)</a>		S
Utility/Transmission Lines		<a href="#">(23)</a>		S
Wireless Communication Tower		<a href="#">(24)</a>		S

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A GENERAL RETAIL (GR) DISTRICT FOR A 5.812-ACRE TRACT OF LAND IDENTIFIED AS TRACT 9 OF THE M. B. JONES SURVEY, ABSTRACT NO. 122, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* AND FURTHER DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has initiated a *Zoning Change* from an Agricultural (AG) District to a General Retail (GR) District for a 5.812-acre tract of land owned by the City of Rockwall and identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the southwest corner of the intersection of FM-1141 and John King Boulevard, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

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

**SECTION 2.** That the *Subject Property* shall be used only in the manner and for the purposes provided for a Commercial (C) District as stipulated in Section 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*; Section 04.01, *General Commercial District Standards*; and Section 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;



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

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

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

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

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

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

\_\_\_\_\_  
Kevin Fowler, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Teague, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: March 21, 2022

2<sup>nd</sup> Reading: April 4, 2022

**Exhibit 'B'**  
**Zoning Exhibit**

**BEING** a 5.812-acre tract of land in the M. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, being a portion of a called 10.942-acre tract, described in deed to the City of Rockwall, recorded in County Clerk Number 2007-00389123, Deed Records of Rockwall County, Texas, being that portion of said deed lying west of John King Boulevard, a variable width public right of way, more particularly described as follows;

**COMMENCING** at a found iron pipe being the southwest corner of said City of Rockwall tract, being the northwest corner of a called 1.837-acre tract, deeded to Betty Bogard, recorded in County Clerk Number 2008-00396742, Deed Records of Rockwall County, Texas, being on the east right of way line of FM 1141, an 80-foot-wide public right of way;

**THENCE** North 01°04'21" West along said right of way line for a distance of 819.58 feet to a found iron rod, being the beginning of a tangent curve to the right;

**THENCE** northeasterly along said curve to the right with a radius of 278.39 feet, a central angle of 74°11'35", a chord bearing of North 36°01'27" East, a chord distance of 335.83 feet for an arc length of 360.49 feet to a Set No. 4 rebar with cap "BW2";

**THENCE** South 31°09'51" East for a distance of 39.22 feet to a Set No. 4 rebar with cap "BW2", being on the west right of way line of John King Boulevard, a variable width public right of way;

**THENCE** South 00°50'54" East along said right of way line for a distance of 117.04 feet to a Set No. 4 rebar with cap "BW2", being on the beginning of a curve to the left;

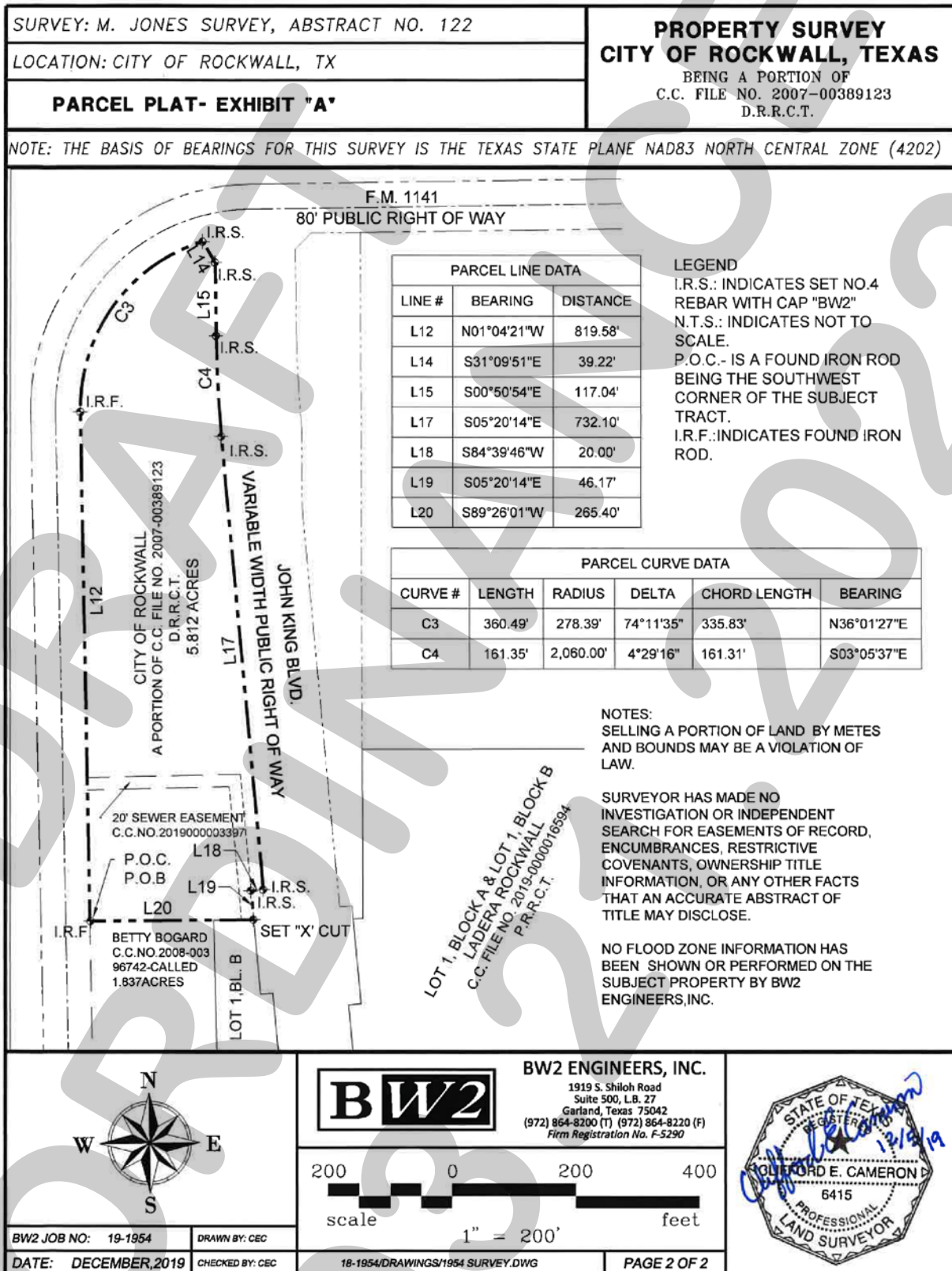
**THENCE** southeasterly along said curve to the left, with a radius of 2,060.00 feet, a central angle of 4°29'16", a chord bearing of South 03°05'37" East, a chord distance of 161.31 feet, for an arc length of 161.35 feet to a Set No. 4 rebar with cap "BW2";

**THENCE** South 05°20'14" East along said right of way line for a distance of 732.10 feet to a Set No. 4 rebar with cap "BW2"; **THENCE** South 84°39'46" West along said right of way line for a distance of 20.00 feet to a Set No. 4 rebar with cap "BW2"; **THENCE** South 05°20'14" East along said right of way line for a distance of 46.17 feet to a Set "X" Cut, being the southeast corner of said City of Rockwall tract, being the northeast corner of Lot 1, Block B of the Final Plat of Ladera Rockwall, recorded in County Clerk File No. 2019-0000016594, Plat Records of Rockwall County, Texas;

**THENCE** South 89°26'01" West along said common line for a distance of 265.40 feet to the **POINT OF BEGINNING**;

Said tract contains 5.812 acres more or less.

**Exhibit 'B'**  
**Zoning Exhibit**





April 25, 2022

TO: Mary Smith, *City Manager*  
City of Rockwall  
385 S. Goliad Street  
Rockwall, TX 75087

FROM: Ryan Miller, AICP  
City of Rockwall Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, TX 75087

SUBJECT: Z2022-011; *Zoning Change (AG to C)*

Ms. Smith:

This letter serves to notify you that the above referenced zoning case that you submitted for consideration by the City of Rockwall was approved by the City Council on April 4, 2022. The following is a record of all recommendations, voting records and conditions of approval:

*Staff Recommendations*

- (1) The applicant shall be responsible for maintaining compliance with the draft ordinance; and,
- (2) 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 21, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the applicant's request for a Zoning Change by a vote of 4-0, with Commissioners Chodun, Thomas, and Conway absent.

*City Council*

On March 21, 2022, the City Council approved a motion to approve the zoning change with the conditions of approval by a vote of 6-0, with Council Member Campbell absent.

On April 4, 2022, the City Council approved a motion to approve the zoning change with the conditions of approval by a vote of 7-0.

Included with this letter is a copy of *Ordinance No. 22-20*, which is the regulating ordinance adopted with the City Council's approval of this case. Should you have any questions or concerns regarding your zoning case, please feel free to contact me at (972) 771-7745.

Sincerely,

Ryan Miller, AICP  
Director of Planning and Zoning



CITY OF ROCKWALL

ORDINANCE NO. 22-20

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A GENERAL RETAIL (GR) DISTRICT FOR A 5.812-ACRE TRACT OF LAND IDENTIFIED AS TRACT 9 OF THE M. B. JONES SURVEY, ABSTRACT NO. 122, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* AND FURTHER DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

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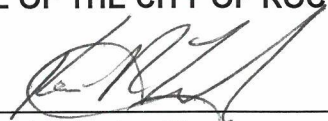
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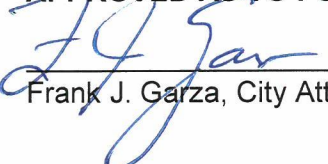
**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 4<sup>TH</sup> DAY OF APRIL, 2022.**

  
\_\_\_\_\_  
Kevin Fowler, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Kristy Teague, City Secretary

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Frank J. Garza, City Attorney



1<sup>st</sup> Reading: March 21, 2022

2<sup>nd</sup> Reading: April 4, 2022

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