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P2014-042 - Consider a request by John Spiars of Spiars Engineering, Inc. on behalf of Bill Lavin of Security Holdings, LLC for the approval of a replat creating Lot 1, Block A, Nissan of Rockwall Addition, being one (1) non-residential lot currently identified Lot 1, Block A, Lafon Subdivision, and a portion of Tract 2 & Tract 12 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) and Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action necessary.

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AGENDA
ROCKWALL CITY COUNCIL
Monday, January 05, 2015
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

p8 **1. HOLD WORK SESSION WITH DICK SKORBURG REGARDING A PROPOSED RESIDENTIAL DEVELOPMENT PROJECT, GENERALLY LOCATED AT THE NORTHWEST CORNER OF FM-552 AND JOHN KING BOULEVARD AND POTENTIAL RESIDENTIAL PROJECT(S) IN THE STONE CREEK SUBDIVISION, AND TAKE ANY ACTION NECESSARY.**

III. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding possible claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)

2. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)

3. Discussion regarding possible claim or settlement agreement related to enforcing the city's sign ordinance regarding a billboard pursuant to Section 551.071 (Consultation with Attorney).

4. Discussion regarding appointment of city council subcommittees, board liaisons and designation of mayor pro tem pursuant to Section, § 551.074 (Personnel Matters).

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, January 05, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR JIM PRUITT

VIII. PROCLAMATIONS / AWARDS

p10 **1.** Recognition of Fire Chief Mark Poindexter for thirty-five years of service

IX. OPEN FORUM

X. CONSENT AGENDA

p12 **1.** Consider approval of the minutes from the December 15, 2014 regular city council meeting, and take any action necessary.

p21 **2.** Consider authorizing the Rockwall Fire Chief to execute an interlocal agreement for purchase of radio equipment for the following cities/fire departments: Rockwall Fire, Heath DPS, Fate DPS, Royse City Fire and McLendon Chisolm Volunteer Fire Department, and take any action necessary.

p32 **3.** **Z2014-035** – Consider a request by Chris & Jill Blasé for the approval of an ordinance for a zoning change from Planned Development District 3 (PD-3) to a Single Family 10 (SF-10) District for a one (1) acre portion of land located within Tract 11-3 being a 13.3-acre tract of land situated within the A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 3 (PD-3) for Commercial (C) District land uses, situated east of the intersection of East Fork Road and North Lakeshore Drive, and take any action necessary. **(2nd reading)**

p36 **4.** **P2014-041** - Consider a request by Dave Hanby of TKC CLXXXVI, LLC on behalf of the owner Rick Sharp for the approval of a replat creating Lots 4, 5 & 6, Block A, Sharp Addition being three (3) non-residential lots currently identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, being a 6.22-acre parcel of land zoned Planned Development District 46 (PD-46) for Commercial (C) District land uses, situated within the SH-276 Overlay (SH-276 OV) District, generally located east of the intersection of Corporate Crossing [FM-549] and SH-276, and take any action necessary.

p42 **5.** **P2014-042** - Consider a request by John Spiars of Spiars Engineering, Inc. on behalf of Bill Lavin of Security Holdings, LLC for the approval of a replat creating Lot 1, Block A, Nissan of Rockwall Addition, being one (1)

non-residential lot currently identified Lot 1, Block A, Lafon Subdivision, and a portion of Tract 2 & Tract 12 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) and Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action necessary.

p48 **6.** Consider approval of a resolution approving submission of a co-op grant application to the Texas Parks and Wildlife Department (100% reimbursement grant), and take any action necessary.

p51 **7.** Consider approval of the Facilities Agreement for the Breezy Hill Estates, Phase Four water line installation and allow the City Manager to execute the agreement with BH Phase IV SF, Ltd. and take any action necessary.

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

XII. ACTION ITEMS

p57 **1.** Discuss and consider appointments to city advisory boards including the Art Review Team (ART) Commission, Architectural Review Board, and nomination for the Rockwall County Open Space Master Plan Steering Committee, and take any action necessary.

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

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XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding possible claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)

2. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)

3. Discussion regarding possible claim or settlement agreement related to enforcing the city's sign ordinance regarding a billboard pursuant to Section 551.071 (Consultation with Attorney).

4. Discussion regarding appointment of city council subcommittees, board liaisons and designation of mayor pro tem pursuant to Section, § 551.074 (Personnel Matters).

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVI. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 2nd day of January, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **December 31, 2014**

SUBJECT: **Council Work Session**

Dick Skorburg, the developer of the Stone Creek and Breezy Hill subdivisions, has requested a work session with the City Council to receive feedback on a potential development plan. He currently has the northwest corner of FM 552 and John King Blvd. under contract and has requested feedback on a development plan for the parcel. The parcel is currently owned by Larry Hance and Mr. Hance has been invited to attend the work session as well.

The parcel is bisected by a creek that runs north to south and there are difficulties providing sewer service to the property. City Engineer Tim Tumulty will be able to provide additional information regarding the issues with providing the sewer service if requested.

Mr. Skorburg is working to provide us with a proposed lot layout and other related information. If we receive this information prior to the meeting, we will forward it to you as soon as possible. Please let me know if you have any questions.

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Rockwall, Texas

Proclamation

Whereas, Mark Poindexter started his career with the City of Rockwall in May of 1979 as a volunteer firefighter and has since served as Second Assistant Chief, First Assistant Chief, Deputy Fire Marshal, Fire Marshal, Fire Code Inspector, Arson Investigator and the city's first full time fire chief starting in October of 2000; and

Whereas, when Chief Poindexter began work for the city in 1979, the fire department was an all volunteer department with one fire station and 4 pieces of apparatus compared to today's 4 fire stations, 20 full-time fire positions, 12 pieces of fire apparatus, one fire boat and other fire support vehicles.

Whereas, during these 35 years, Chief Poindexter has received volunteer Public Safety Officer of the Year three times; the TX Crime Prevention Association's Presidents Award for Outstanding Service; the Dallas Area Crisis Response Team's Outstanding Team Service Award, has acquired 11 certifications through the TX Commission On Fire Protection as well as countless other certifications through the TX Commission on Law Enforcement Standards and other professional, fire-related organizations most recently became a certified Fire Executive through the TX Fire Chiefs Academy; and

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby declare Monday, January 5, 2015 as

CHIEF MARK A. POINDEXTER
HAPPY 35TH ANNIVERSARY DAY

in the City of Rockwall and encourage all citizens to recognize and applaud Chief Poindexter for his dedicated service and contributions to the City of Rockwall throughout these last thirty-five years.

In Witness Whereof, I hereunto set my hand and official seal this 5th day of January, 2015.

_____

Jim Pruitt, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, December 15, 2014
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Sweet called the meeting to order at 4:02 p.m. Present were Mayor David Sweet, Mayor Pro Tem Jim Pruitt and City Council Members David White, Mike Townsend, Scott Milder, Bennie Daniels and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Manager Brad Griggs, and City Attorney Frank Garza.

II. WORK SESSION

1. Hold work session to discuss and consider the city's participation in the Rockwall County Open Space Alliance and possible nominations to the steering committee, and take any action necessary.

City Manager Rick Crowley began discussion of this item, indicating that he has been attending meetings of the Open Space Alliance for a number of months now. He explained that the alliance is seeking three (3) nominations from the City of Rockwall of individuals who might serve on its steering committee. Mr. Crowley explained that it is his understanding that the steering committee will work to develop a countywide plan for parks. Councilmember Townsend asked if there are criteria for those who may be nominated to serve on the steering committee. Mr. Crowley indicated that he knows of no specific criteria. Councilmember White questioned what the goal is related to City of Rockwall parks in particular, and he generally expressed non-support for the efforts of this alliance.

Mayor Sweet mentioned that the city manager has been an active participant at these monthly meetings. He asked if any staff members should be considered for possible nomination to this steering committee. Mr. Crowley indicated that the alliance would like the council to consider appointing citizens to the steering committee at this time; however, staff will be involved from a liaison standpoint.

Councilmember Townsend asked if the alliance is asking for funding from the city related to development of the plan it will be creating in collaboration with a consultant. Mr. Crowley indicated that, no, they have not asked for any sort of funding, and he believes any funds would come from the County itself.

Mayor Sweet asked if the council has any nomination recommendations at this time. Ms. Ashberry, City Secretary and staff liaison to the city's Youth Advisory Council (YAC), stated that Nell Welborn, who is part of the Open Space Alliance, has requested that the city consider nominating one of its YAC members to possibly serve on the steering committee too. General discussion took place related to a possible Park Board member being submitted for nomination to this committee. Or, perhaps the council could consider someone who previously submitted an application for the Park Board or for the recent city council member vacancy.

Mr. Crowley explained that the goal is to have the City of Rockwall submit three (3) recommendations with the idea that the first person nominated would serve on the steering committee, and the remaining two people nominated will play supporting roles during the study period and development of the plan. The County Commissioner's court will likely sign off on the final appointment of individuals to the steering committee.

It was decided that the city council will place this item on the next public council meeting agenda for further consideration and possible action, as the city council had no nominations to make at this time.

At 4:17 p.m., Mayor Sweet read the below listed discussion item into the public record before recessing the public meeting into Executive Session.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 4:27 p.m.

V. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Sweet reconvened the public meeting at 6:00 p.m.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Jim Pruitt indicated that there is no action to be taken as a result of Executive Session.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DENNIS LEWIS

Councilmember Lewis delivered the invocation and led the Pledge of Allegiance.

Mayor Sweet then reordered the meeting agenda to address the Consent Agenda first.

VIII. PROCLAMATIONS / AWARDS

1. Rockwall County Helping Hands Appreciation Day

Mayor Sweet called forth representatives of Rockwall County Helping Hands. Following brief introductions, Mayor Sweet read and presented the organization with an honorary proclamation to recognize the organization's positive contributions to the community.

2. Tammy Sharp Recognition Day

Mayor Sweet called his sister, Tammy Sharp, forward to be recognized. Following brief comments about his sister and her efforts related to downtown, Mayor Sweet read and presented Tammy with a proclamation to recognize her for efforts related to the first annual "Hometown Christmas Celebration," which was held on Saturday, October 6, 2014 in and around the downtown area.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the December 1, 2014 regular city council meeting, and take any action necessary.

2. **Z2014-033** - Consider approval of an **ordinance** for a request by Amy and Mark Stehr for the approval of an amendment to Specific Use Permit (SUP) No. S-81 [Ordinance No. 11-05] to allow vehicles to be stored outside overnight in conjunction with an existing automotive repair garage on a 0.702-acre parcel of land identified as Lot 2, Rockwall Market Center South Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, the subject property is addressed as 129 E. Ralph Hall Parkway, and take any action necessary. **(2nd Reading)**

3. Consider authorizing the city manager to execute a contract with Transamerica Life Insurance Company to secure reinsurance/stop loss coverage for the City's health insurance plans, applying to claims exceeding $100,000, and take any action necessary.

4. Consider authorizing the city manager to execute an interlocal agreement with Rockwall County related to municipal judge services for "No Refusal Weekends" during the upcoming year, and take any action necessary.

5. Consider approval of the First Amendment to the Blackland Water Supply Corporation Wholesale Water Contract and take any action necessary.

Councilmember Lewis made a motion to approve the entire Consent Agenda (#1, 2, 3, 4, and 5). Councilmember Milder seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-53
SPECIFIC USE PERMIT NO. S-128

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO AMEND A SPECIFIC USE PERMIT (SUP) NO. S-81 [ORDINANCE NO. 11-05] TO ALLOW VEHICLES TO BE STORED OUTSIDE OVERNIGHT IN CONJUNCTION WITH AN EXISTING AUTOMOTIVE REPAIR GARAGE WITHIN A COMMERCIAL (C) DISTRICT ON A 0.702-ACRE TRACT OF LAND IDENTIFIED AS LOT 2, ROCKWALL MARKET CENTER SOUTH ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND

DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of council (7 ayes to 0 nays).

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Chairman of the Planning & Zoning Commission, Craig Renfro, came forth and briefed the council on planning-related items on tonight's agenda. The council took no action related to this agenda item.

XI. PUBLIC HEARING ITEMS

1. **Z2014-035** – Hold a public hearing to discuss and consider a request by Chris & Jill Blasé for the approval of an **ordinance** for a zoning change from Planned Development District 3 (PD-3) to a Single Family 10 (SF-10) District for a one (1) acre portion of land located within Tract 11-3 being a 13.3-acre tract of land situated within the A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 3 (PD-3) for Commercial (C) District land uses, situated east of the intersection of East Fork Road and North Lakeshore Drive, and take any action necessary. **(1st reading)**

Planning Director Robert LaCroix provided brief background information related to this agenda item. He explained that the applicant would like to construct a small "mother-in-law" home on this tract of land. This use is allowed as an accessory use on large lots, and the applicant meets all of the requirements. The property will need to be re-platted before a construction permit will be issued. The accessory home will carry the same address, and it will not be allowed to be separated from the home – it will always be part of the home from here on out and will not be able to be subdivided off.

He explained that notices were sent to property and homeowners located within 500 feet, and nearby homeowners' associations (HOAs) were notified as well. Three notices were received back in favor, and no notices have been received back in opposition.

Mayor Sweet opened the public hearing and invited the applicant forth. The applicant not wishing to come forth, and there being no one else in the audience wishing to speak, Mayor Sweet then closed the public hearing.

Councilmember White made a motion to approve Z2014-035. Mayor Pro Tem Pruitt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE

NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM PLANNED DEVELOPMENT DISTRICT NO. 3 (PD-3) TO A SINGLE FAMILY RESIDENTIAL (SF-10) DISTRICT FOR A 10,000 SQUARE FOOT PORTION OF LAND LOCATED WITHIN TRACT 11-3 BEING A 13.3-ACRE TRACT OF LAND SITUATED WITHIN THE A. HANNA SURVEY, ABSTRACT NO. 98, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of council (7 ayes to 0 nays).

2. **MIS2014-017** - Hold a public hearing to discuss and consider a request by Michael Clark for the approval of a special request to construct a four-plex residential dwelling unit on a 0.23-acre parcel of land currently identified as the eastern ½ of Lot 3, Block K, Sanger Brothers Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 808 Sam Houston Street, and take any action necessary.

Planning Director, Robert LaCroix, provided background information related to this agenda item. He indicated that the Southside is located in a "neighborhood preservation district," and the city council may consider requests of this nature on an individual basis. Previously, the city council opted to send this item to the Planning & Zoning Commission for a public hearing to be held and for the Commission to make a recommendation concerning this case. This did go before the P&Z Commission, notices were sent out to properties within five hundred (500') of the subject property, and the Commission did recommend denial of this request.

Mayor Sweet opened the public hearing and called the applicant forth. The applicant not being present in the audience, Mayor Sweet asked City Attorney, Frank Garza, if it is okay to proceed with the public hearing even though the applicant is not present. Mr. Garza confirmed that it is permissible to proceed with the public hearing even though the applicant is not present.

Mayor Sweet then opened the public hearing and asked if anyone in the audience would like to come forth and speak at this time.

Pastor Joe Robbins
St. Paul AME Church
805 Peters Colony
Rockwall, TX 75087

Mr. Robbins came forth and generally expressed concerns about the council approving this request. He explained that he and others have done a lot of development in the Southside in an effort to enhance the area, and Habitat for Humanity recently built some

brick homes. He encouraged city staff (Code Enforcement) to do their jobs in the Southside area in order to ensure people keep their properties maintained and clean.

There being no one else wishing to come forth and speak during this time, Mayor Sweet closed the public hearing.

Mayor Pro Tem Pruitt made a motion to deny MIS2014-017. Councilmember Lewis seconded the motion, which passed by a vote of 6 in favor with 1 against (White).

Mayor Sweet announced that the council would next addressed the "Proclamations & Awards" section of the meeting agenda. Mayor Pro Tem Pruitt then interjected, indicating he would like to recognize Mayor Sweet for his service on the city council. (The agenda was reordered to address XIII. 1. next).

XII. ACTION ITEMS

1. Discuss and consider a Park Board recommendation related to the purchase, installation and associated costs of a barrier free playground to be located at Yellowjacket Park, and take any action necessary.

Assistant City Manager Brad Griggs provided brief background information related to this agenda item. He indicated that a public hearing was recently held by the city's Park Board, and a lot of good, relevant input was gleaned from members of the public at that meeting.

Councilmember Townsend made a motion to approve the Park Board's recommendations associated with creating the barrier free playground. Councilmember Milder seconded the motion.

Brief discussion took place, including Councilmember White commenting that he would like staff to advertise this park excessively in order to attract people from, not only within the city, but from other parts of the Metroplex as well.

Mayor Pro Tem Pruitt asked Mr. Griggs to brief the public on where the money for this park is coming from. Mr. Griggs explained the funding mechanisms. He indicated that, at this time, no other park-related projects besides this one are slated to take place.

Councilmember Lewis thanked the Colbert Family for brining this need to the attention of the city council. He also thanked members of the public for their input.

Mayor Pro Tem Sweet thanked Mr. Griggs and his staff for researching this need and associated options for the park itself and for funding options to move this item forward and bring it to fruition.

After brief comments, the motion passed unanimously of council (7 ayes to 0 nays).

2. Discuss and consider appointments to city advisory boards including the Main Street Advisory Board, Architectural Review Board, and the Art Review Team (ART) Commission, and take any action necessary.

Mayor Sweet made a motion to appoint Jeniffer Norman to serve on the Main Street Advisory Board. Mayor Pro Tem Pruitt seconded the motion, which passed unanimously of council present (7 ayes to 0 nays).

Councilmember Milder indicated that he does not have a nomination for the Architectural Review Board at this time, but he did encourage any local architects to submit an application for the one, open position on this board.

3. Discuss and consider acceptance of Mayor David Sweet's resignation from the Rockwall City Council and take any action necessary.

Mayor David Sweet indicated that he would like to offer his resignation from the City Council, and he asked that the Council consider accepting this resignation in light of his upcoming role as County Judge. Councilmember White made a motion to accept Mayor Sweet's resignation. Mayor Pro Tem Pruitt seconded the motion. Councilmember White offered brief comments to Mayor Sweet, generally thanking him for his service on the city council. Councilmember Townsend offered brief comments, thanking Mayor Sweet for his friendship, opinions, and service and wishing him well. Councilmember Milder thanked Mayor Sweet for coaching him since he was elected to council. He expressed that Mayor Sweet has done an outstanding job as Mayor, and he thanked him for his service. Councilmember Daniels thanked Mayor Sweet for his friendship. He thanked Mayor Sweet for being a gracious listener and for the cautious decision-making he has exhibited while serving the city on the council. Councilmember Lewis thanked Mayor Sweet for his service on the council, indicating that Mayor Sweet had an entire new city council with which to contend not long after becoming mayor. He expressed that he appreciates Mayor Sweet as a friend and as the city's mayor.

Following these comments, Mayor Pro Tem Pruitt called for the vote, which passed by a vote of 6 ayes with 1 abstention (Sweet).

XIII. RECOGNITION OF OUTGOING MAYOR AND SWEARING IN OF NEWLY APPOINTED MAYOR AND CITY COUNCIL MEMBER, PLACE 2

1. Recognition of outgoing mayor, David Sweet

Mayor Pro Tem Jim Pruitt offered kind words of acknowledgement to Sweet, and then a proclamation was read to recognize some of his contributions. The proclamation and a gift were presented to Sweet.

2. Swearing in of new mayor, Jim Pruitt, and newly appointed Place 2 city council member, John Hohenshelt

Mayor Pro Tem Pruitt assumed the lead on facilitating the remainder of the meeting at this time.

Mayor Pro Tem Pruitt called the 5th Court of Appeals Judge Stoddart forward to administer the Oath of Office to incoming, newly appointed city council member, John Hohenshelt. Justice Stoddard then administered the Oath to Mr. Hohenshelt, declaring him the new City Council Member for Place 2 on the Rockwall City Council.

Judge Stoddart then administered the Oath of Office to Pruitt, swearing him in as the city's new mayor.

The city council did not reconvene in Executive Session following the end of the public meeting agenda.

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The city council did not reconvene in Executive Session following the end of the public meeting agenda.

XVI. ADJOURNMENT

The meeting was adjourned at 7:08 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 5th day of January, 2015.

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL, TEXAS
FIRE DEPARTMENT
MEMORANDUM

DATE: **December 30, 2014**

TO: **Mayor & City Council**

Cc: **Rick Crowley, City Manager**
Brad Griggs, Assistant City Manager

FROM: **Mark Poindexter, Fire Chief**

SUBJECT: **Regional Radio Grant Agreement**

The Rockwall Fire Department applied for a 2014 FEMA Assistance to Firefighter Grant. The grant was for a Regional 700/800 MHz P25 Phase II Duel Band VHF radio system. This system is the same system that Rockwall County is currently seeking RFP on. Rockwall Fire Department has applied for seven hundred forty-nine thousand ($749,000.00) in grant funds and is requesting Rockwall County to cover the grant match funds in the amount of nine hundred twenty-one thousand ($921,000.00). The total radio system had a total cost of one million six hundred seventy thousand dollars ($1,670,000.00). This cost is for all mobile radios, portable radios and grant fees. These radios will be furnished to Rockwall, Heath, Fate, Royse City and McLendon Chisolm Fire Departments and their personnel.

Attached you will find an Interlocal Agreement between the municipalities and Rockwall County. This agreement has been reviewed and approved in form by Mr. Frank Garza and Mr. John Thatcher. I am requesting permission from City Council authorizing me to enter into this agreement between the municipality's Fire Chiefs and Rockwall County Commissioners Court.

STATE OF TEXAS §

COUNTY OF ROCKWALL §

INTERLOCAL AGREEMENT
FOR PURCHASE OF RADIO EQUIPMENT FOR CITIES OF ROCKWALL FIRE, HEATH DPS, FATE DPS, ROYSE CITY FIRE AND MCLENDON CHISOLM VOLUNTEER FIRE DEPARTMENT

This Interlocal Agreement ("Agreement") is made and entered into by and between the City of Rockwall Fire, City of Heath DPS, City of Fate DPS, City of Royse City Fire and McLendon Chisolm Volunteer Fire Department, hereafter be referred to herein as a ("Party" or collectively as the "Parties"). The Agreement shall as of the date of execution, supersede, repeal and replace any prior Agreement between the Parties regarding the same subject matter whether same shall be written, oral or implied.

This Agreement is between all Parties for the purpose of applying and receiving a 2014 AFG Regional Grant to purchase 700 / 800 MHz / VHF Duel Band Mobile and Portable P25 radios. The purpose of this Agreement is to set forth terms by which fire services and other emergency services will be provided to the incorporated portions of the Cities that are party to this Agreement and to unincorporated portions of Rockwall County. The AFG grant project shall expand communications for all the parties involved, insure interoperability and accountability between all agencies within the County and improve communications with all agencies within the surrounding Counties to assist the parties in providing Automatic Aid or Mutual Aid. Under the requested FY 2014 AFG grant, the parties must provide fire and emergency services consistent with the detailed description in the grant application.

WHEREAS, the "Parties" are each units of local government within the meaning of the Inter-local Cooperation Act of Chapter 791 of the Texas Government Code, and each Party represents and warrants that in the performance of its respective obligations as set forth in this Agreement, it is carrying out a duly authorized governmental function which it is authorized to perform individually under the applicable statutes of the State of Texas; and

WHEREAS, Rockwall County will owns, operates, and maintains a 700 MHz P25 Phase II radio system infer structure for the benefit of emergency services in Rockwall County, Texas; and

WHEREAS, Rockwall County Sheriff's Office and City of Rockwall Police Department will operate, and maintain a 700 MHz P25 Phase II radio system dispatch center for the benefit of emergency services in Rockwall County, Texas; and

WHEREAS, the "Parties" will be users of the 700 MHz P25 Phase II radio system which will be operated and maintained by Rockwall County; and

WHEREAS, the “Parties”, by and through the Rockwall Fire Department, applied for an "Assistance to Firefighters Grant No. “EMW-2014-FR-00503" from the Federal Emergency Management Agency (FEMA); and

WHEREAS, the Grant will provide funding to be used according to terms and rules of the Grant to upgrade and enhance the regional emergency services radio system used by the Fire Departments of each Party and other emergency responders within the Rockwall County region; and

WHEREAS, the “Parties” acknowledge that it would benefit emergency responder agencies and the citizens of Rockwall County and the Cities within, to fulfill the terms of the Grant and upgrade the radio communications system used by the Parties; and

WHEREAS, the governing body of Rockwall County will set aside funding for the initial Grant Match Requirement (as defined herein), subject to rights of termination as further defined in this Agreement; and

WHEREAS, subject to the terms and conditions as set forth herein (including, but not limited to Section 5.2), the County of Rockwall agrees to grant an exclusive License to the “Parties” for the use and possession of the new 700 MHz P25 Phase II radio system platform infrastructure; and

NOW, THEREFORE, in consideration of the above recitals, the mutual promises that follow and other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, the Parties do hereby agree as follows:

1. **INCORPORATION OF RECITALS:** The above recitals, having been found by the Parties to be true and correct in all respects are incorporated into this Agreement by reference.

2. **DEFINITIONS:**

2.1 "Act" shall mean the Texas lnterlocal Cooperation Act, section 791.001 et seq., Texas Government Code.

2.2 "Cities" means the City of Rockwall, Heath, Fate, and Royse City Texas.

2.3 “Volunteer Department” means McLendon Chisolm Volunteer Fire Department.

2.4 “County of Rockwall” means Rockwall County Government.

2.5 "Equipment" means mobile and portable 700 MHz P25 Phase II radio equipment purchased pursuant to this Agreement.

2.6 "Grant" refers to the Assistance to Firefighters Grant No. EMW-2014-FR- 00503, if awarded by the Federal Emergency Management Agency (FEMA) to the City of Rockwall Fire Department in an amount equal to seven hundred forty-nine thousand Dollars and No/100 ($ 749,000.00).

2.7 "Parties" means the City of Rockwall Fire, City of Heath DPS, City of Fate DPS, City of Royse City Fire and McLendon Chisolm Volunteer Fire Department.

3. **FINANCIAL OBLIGATIONS AND RESPONSIBILITES OF THE PARTIES:**

3.1 Initial Financial Contribution: Rockwall County agrees to provide and contribute Nine Hundred twenty-one thousand Dollars ($ 921,000.00) (the "Grant Match Requirement") in funding for the radio equipment exclusively in accordance with the purposes of the Grant and no other use. Rockwall County will not be obligated to match any funds if the Assistance to Firefighters Grant is not awarded to the Cities by FEMA.

3.2 Accounting: City of Rockwall shall maintain an accounting of all uses of Grant funds subject of this Agreement, and shall provide written or electronic reports of such contributions and expenditures as required by the Grant Requirements.

4. **PURCHASE OF EQUIPMENT**

4.1 Purchase of Equipment: After receipt of the Grant Funds and Grant Matching Funds Rockwall County shall within thirty (90) days purchase the following equipment through an approved vendor which was selected and approved by County Commissioners Court through a accepted sealed proposals under Texas bidding laws for:

a) 700 MHz P25 Phase II Mobile Radios, all associated equipment and features.
b) 700 MHz P25 Phase II Portable Radios, all associated equipment and features.

4.2 Deliver of Equipment: All equipment will be delivered to City of Rockwall Fire Department and distributed to the other “Parties” for grant tracking purposes.

4.3 Estimated Pricing and Budget. The following information is provided for reference only. All Parties acknowledge prices and pricing may vary. The estimated price of the 700MHz P25 Phase II mobile units, portable units and associated feature equipment is One Million Six Hundred Thirty Thousand Dollars $ $1,630.000.00. Additional costs include

Forty Thousand Dollars$ 40,000.00 for a consultant to assist in the grant writing and procurement of the new radio equipment. The total cost for radio system Equipment and related services is estimated at One Million Six Hundred Seventy Thousand $ 1,670,000.00.

4.4 Assignment of Warranties. To the extent possible, all vendor warranties shall name Rockwall County as the beneficiary but extend to the "Parties" which received the user radio equipment. If the warranties may not be assigned to Rockwall County for abuse, damage or whatever reasons, the "parties" agrees to replace the radio equipment with their own funds during the grant period.

5. **LICENSE AND USE:**

5.1 Rockwall County to Grant License: Pursuant to terms of the Grant and Title 44 Code of Federal Regulations Part 13, Section 13.32, the Parties agree that license to the equipment must be in the name of Rockwall County; therefore, subject to Section 5.2, below, Rockwall County grants an exclusive, non- transferable License to the "Parties" to possess and use the Equipment subject to the terms and conditions of this Agreement. The term of the License shall be concurrent with this Agreement. Rockwall County shall not acquire any ownership or title to the Equipment. Ownership and Title to the Equipment shall remain with the "Parties".

5.2 "Parties" Use: The "Parties" anticipate that the equipment shall be used by the Fire Departments to establish a P25 Phase II network for the Regional County Public Service Radio Communication System. In consideration for its assistance in obtaining the Grant, and notwithstanding anything herein to the contrary, the "Parties" shall have the right to use the P25 Phase II Radio Network System for the period of 10 years or the life of the system. User fees or other compensation, but only for the limited purpose of communication network system shall be negotiated between each "Party" and Rockwall County. The "Parties" acknowledges it will be subject to other fees and charges for Dispatch Services.

6. **INSTALLATION, MAINTENANCE, AND INSURANCE:**

6.1 The initial installation of mobile equipment will be performed by the vendor. Removal and re-instillation of mobile equipment into newer vehicles during the 10 years or grant period will be the responsibility of the "Parties" which the radio is issued to.

6.2 The “Parties” shall take reasonable care to protect and maintain the radio equipment in good operating condition. All repairs not covered by warranty will be the responsibility of each "Party”.

6.3 Insurance, Maintenance and Repair: The “Parties” shall maintain adequate insurance coverage to insure against loss, theft, damage, and disaster to the user equipment. In the event of loss, theft, damage or disaster to the user equipment, “Parties” shall notify the City of Rockwall of such event as soon as possible for Grant Tracking purposes. The “Parties” shall be fully and solely responsible to repair and or replace the user equipment within a reasonable time, and shall indemnify and hold the City of Rockwall, Rockwall County, its successors, assigns, officers, directors, employees, agents and representatives, harmless from and against any and all claims and damages that may be made against the City of Rockwall or Rockwall County (including but not limited to, court costs, attorney's fees) resulting from the failure to comply with this Sections 6.1 and 6.2.

7. ADMINISTRATION OF GRANT:

7.1 Administration of Grant. City of Rockwall shall be responsible for administration of the Grant. All reporting, audit information financial reporting, and any other Grant requirements which must be provided to FEMA or any other governmental entities shall be the responsibility of City of Rockwall. City of Rockwall agrees to abide by all requirements of the Grant. “Parties” agree to assist the City of Rockwall as needed in order to comply with the terms of the Grant.

8. TERM AND TERMINATION:

8.1 Term: This Agreement and License shall commence on the Effective Date of receiving the grant and shall continue for a period of ten (10) years after receiving the user equipment or life of the radio system/equipment, unless terminated earlier as provided in this Agreement or by law. This Agreement shall not take effect if the Assistance to Firefighters Grant is not awarded to the Cities by FEMA.

8.2 Withdrawal and Termination before Purchase of Equipment: Any Party may choose to withdraw and terminate this Agreement without cause prior to receipt of the Grant funds. In such event, The City of Rockwall will return the unused funds to Assistant of Firefighter Grant / FEMA.

8.3 Termination without Cause: This Agreement may be terminated by Agreement of all the “Party” if done so in writing and approved by the governing Board of both the party and the City of Rockwall. Any “Party” may terminate this Agreement by giving the City of Rockwall

One Hundred and Eighty Days (180) notice. In the event of Termination under this paragraph, the City of Rockwall shall have the right to recover the radio equipment which was purchased with grant funds.

9. **Dispute Resolution Process:**

9.1 Dispute Resolution Process: Before commencing formal legal proceedings concerning any dispute arising under or relating to this Agreement, or any breach thereof, the "Parties" individually and collectively agree to observe the following procedures ("Dispute Resolution Process").

9.2 Notice: The aggrieved "Party" shall notify the other Parties of the dispute, by way of a writing which contains sufficient detail to clearly identify the problems giving rise to the dispute, and the responding "Parties" shall have a reasonable opportunity to respond.

9.3 First Resolution Meeting: After consulting with and obtaining input from the appropriate individuals so as to facilitate a complete discussion and proposed solution of the problem, the "Parties" shall schedule a meeting and designate representatives to attend such meeting to attempt to affect an agreed resolution of the issue.

9.4 Successful Resolution: If the "Parties" reach an accord at any stage of the meeting, they shall reduce their agreement to writing. Such writing shall be presented for approval by the "Party's" respective governing boards. If approval of the writing is obtained, such writing shall constitute an amendment to this Agreement with respect to the subject matter of the notice of the dispute. The terms and conditions of such amendment shall not supersede the terms and conditions of this Agreement with respect to any matter other than the subject matter submitted to the Dispute Resolution Process.

9.5 Unsuccessful Resolution: If the "Parties" are unable to reach a resolution of the dispute within a reasonable time, any "Party" may pursue such legal and equitable remedies as are available to it under Texas law.

10. **Miscellaneous:**

10.1 Responsibility of all Parties": The roles and responsibilities of each party are understood as follows:

a) Maintain Automat Aid or Mutual Aid with all parties involved in this Agreement.
b) Maintain and keep in good working condition the 700 / 800 MHz / VHF Duel Band radios issued to each parties involved in this Agreement.

c) It will be the responsibility of City of Rockwall Fire Department to issue the grant funded radios to the agencies of this Agreement, track the equipment throughout the grant period, be responsible for all grant reporting / audits in conjunction with 2014 AFG grant.

10.2 Interpretation of Agreement: Although drawn by one "Party", this Agreement shall, in the event of any dispute over its meaning or application, be interpreted fairly and reasonable, and neither more strongly for or against any other "Party".

10.3 Governing Law: This Agreement shall be governed by the laws of Texas, without regard to the principles of conflict of laws.

10.4 Venue: Any litigation in any way relating to this Agreement shall be brought in Rockwall County, Texas.

10.5 Severability: In the event that one or more of the provisions contained in the agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability of the agreement shall be construed as if such invalid, illegal or unenforceable provision has never been contained herein, but shall not affect the remaining provision of this agreement, which shall remain in force and effect.

10.6 Notices: Except as otherwise provided in this Agreement, all notices required or permitted herein shall be in writing and shall be deemed to be delivered when deposited in the United States mail, postage prepaid, registered or certified mail, return receipt requested, to the party's office or usual mailing Except as otherwise provided in this Agreement, all notices required or permitted herein shall be in writing and shall be deemed to be delivered when deposited in the United States mail, postage prepaid, registered or certified mail, return receipt requested, to the party's office or usual mailing address. For purposes of notice, the addresses of the "Parties" shall, until changed as herein provided, be as follows:

a) Rockwall Fire Chief Mark Poindexter 385 South Goliad Street Rockwall Texas 75087 (972)-771-7770 ext. 1
b) Royse City Fire Chief Rickey Bell 234 E Main Street Royse City, TX 75189 (972) 635-2091
c) Heath Fire Chief Terry Garrett 200 Laurence Drive Heath Texas 75032 (972) 961-4900
d) Fate Fire Chief Brian Griffeth 105 East Fate Main Place Fate, Texas 75132 (972) 772-7994 ext. 116
e) McLendon Chisholm Fire Chief J. T. Williams, 1250 South State Highway 205 Rockwall, Texas 75032 (972) 998-5676.

10.7 Amendment: This Agreement may be amended at any time by a written amendment signed and dated amongst the "Parties".

10.8 Effective Date: This Agreement shall be effective by and between City of Rockwall and the "Parties" upon the date of last signature by the designated representatives of such "Parties".

[Signatures on following page]

APPROVED BY:

_____	Chief	Rockwall Fire	12/05/2014
Mark Poindexter, Signature	Title	Organization	Date
_____	Chief	Royse City Fire	12/05/2014
Rickey Bell, Signature	Title	Organization	Date
_____	Chief	Heath Fire/ DPS	12/05/2014
Terry Garrett, Signature	Title	Organization	Date
_____	Chief	Fate Fire / DPS	12/05/2014
Brian Griffeth, Signature	Title	Organization	Date
_____	Chief	McLendon Chisholm	12/05/2014
J. T. Williams, Signature	Title	Organization	Date

ACKNOWLEDGED BY:

_____	_____
Jerry Hogan, County Judge Rockwall County	Date

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2nd READING
1st reading was 12/15
passed unanimously

CITY OF ROCKWALL

ORDINANCE NO. 15-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM PLANNED DEVELOPMENT DISTRICT NO. 3 (PD-3) TO A SINGLE FAMILY RESIDENTIAL (SF-10) DISTRICT FOR A 10,000 SQUARE FOOT PORTION OF LAND LOCATED WITHIN TRACT 11-3 BEING A 13.3-ACRE TRACT OF LAND SITUATED WITHIN THE A. HANNA SURVEY, ABSTRACT NO. 98, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Chris and Jill Blasé (property owners), for an amendment to the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall to adopt a change in zoning from Planned Development District No. 3 (PD-3) to a Single Family Residential (SF-10) District for a 10,000 square foot portion of land located within Tract 11-3 being a 13.3-acre Tract of land situated within the A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, and more specifically described in Exhibit 'A' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code should be amended as follows:

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

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning from Planned Development District No. 3 (PD-3) to a Single Family Residential (SF-10) District for the *Subject Property*; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for in *Section 3.4, "Single Family Residential (SF-10) District", Article V, "District Development Standards", of the Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

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

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

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

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

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 5th DAY OF January, 2015.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: 12-15-14
2nd Reading: 01-05-14

Exhibit "A"

All that certain lot, tract or parcel of land situated in the A. HANNA SURVEY, ABSTRACT NO. 98, City of Rockwall, Rockwall County, Texas, and being a part of a tract of land as described in a Warranty deed from Hillwood Shores, LP to BREC Enterprises, LLC, dated May 11, 2011 and being recorded in Volume 6449, Page 208 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner in the east boundary line of said tract and in the west boundary line of Lot 1, Block 1, BLASE ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet G, Slide 245, Plat Records, Rockwall County, Texas, said point being N. 00 deg. 14 min. 53 sec. W., a distance of 61.00 feet from the southwest corner of Lot 1, Block 1;

THENCE S. 89 deg. 45 min. 07 sec. W. a distance of 100.00 feet to a ½" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

THENCE N. 00 deg. 14 min. 53 sec. W. a distance of 100.00 feet to a ½" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

THENCE N. 89 deg. 45 min. 07 sec. E. a distance of 100.00 feet to a ½" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner in the west line of Lot 1, Block 1;

THENCE S. 00 deg. 14 min. 53 sec. E. along the west line of Lot 1, Block 1, a distance of 100.00 feet to the POINT OF BEGINNING and containing 10,000 square feet or 0.23 acres of land.

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 1/5/2015

APPLICANT: TKC CLXXXVI, LLC

AGENDA ITEM: **P2014-041;** Sharp Addition

SUMMARY:

Discuss and consider a request by Dave Hanby of TKC CLXXXVI, LLC on behalf of the owner Rick Sharp for the approval of a replat creating Lots 4, 5 & 6, Block A, Sharp Addition being three (3) non-residential lots currently identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, being a 6.22-acre parcel of land zoned Planned Development District 46 (PD-46) for Commercial (C) District land uses, situated within the SH-276 Overlay (SH-276 OV) District, generally located east of the intersection of Corporate Crossing [FM-549] and SH-276, and take any action necessary.

COMMENTS:

- The objective of this request is to replat a 6.222-acre parcel of land for the purpose of creating three lots (Lots 4, 5, & 6) for the sale of private property and development.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions below.

- With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the request for final plat, staff would recommend the following conditions of approval:

1) All the technical comments from the Engineering and Fire Departments shall be addressed prior to the filing of this plat, including the following Planning Comments;
   a). Where 24' Firelane is indicated on all lots, re-label as "24' Firelane & Public Access Easement."
   b). Change Case No. to P2014-041 on both pages (located above title block).
   c). Page 2, change all signature blocks to include the year "2015."
   d). Notary for surveyor not necessary when plat is stamped by surveyor.
   e). Title block is OK as submitted (Lots 4, 5, & 6 being a replat of Lot 2...etc.).
   f). Adherence to Engineering and Fire Department standards.

2) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On December 30, 2014, the Planning & Zoning Commission recommended approval of the replat per staff's recommendations by a vote of 5-0, with Commissioners Conley and Jusko absent.

City of Rockwall

Project Plan Review History

Project Number	P2014-041	**Owner**	SHARP, RICK	**Applied**	12/19/2014 DG
Project Name	Sharp Addition	**Applicant**	TKC CLXXXVI, LLC	**Approved**	
Type	PLAT			**Closed**	
Subtype	REPLAT			**Expired**	
Status	P&Z HEARING			**Status**	12/23/2014 DG

Site Address	**City, State Zip**	**Zoning**
2582 HWY276	ROCKWALL, TX	

Subdivision	**Tract**	**Block**	**Lot No**	**Parcel No**	**General Plan**
SHARP ADDITION	0002	A	0002	4929-000A-0002-00-0R	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	12/19/2014	12/26/2014				
ENGINEERING	Amy Williams	12/19/2014	12/26/2014	12/22/2014	3	APPROVED	
FIRE	Ariana Hargrove	12/19/2014	12/26/2014				
GIS	Lance Singleton	12/19/2014	12/26/2014				
PLANNING	David Gonzales	12/19/2014	12/26/2014	12/22/2014	3	APPROVED W/ CONDITIONS	See comments

Discuss and consider a request by Dave Hanby of TKC CLXXXVI, LLC on behalf of the owner Rick Sharp for the approval of a replat creating Lots 4, 5 & 6, Block A, Sharp Addition being three (3) non-residential lots currently identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, being a 6.22-acre parcel of land zoned Planned Development District 46 (PD-46) for Commercial (C) District land uses, situated within the SH-276 Overlay (SH-276 OV) District, generally located east of the intersection of Corporate Crossing [FM-549] and SH-276, and take any action necessary.

Planning Staff Comments:

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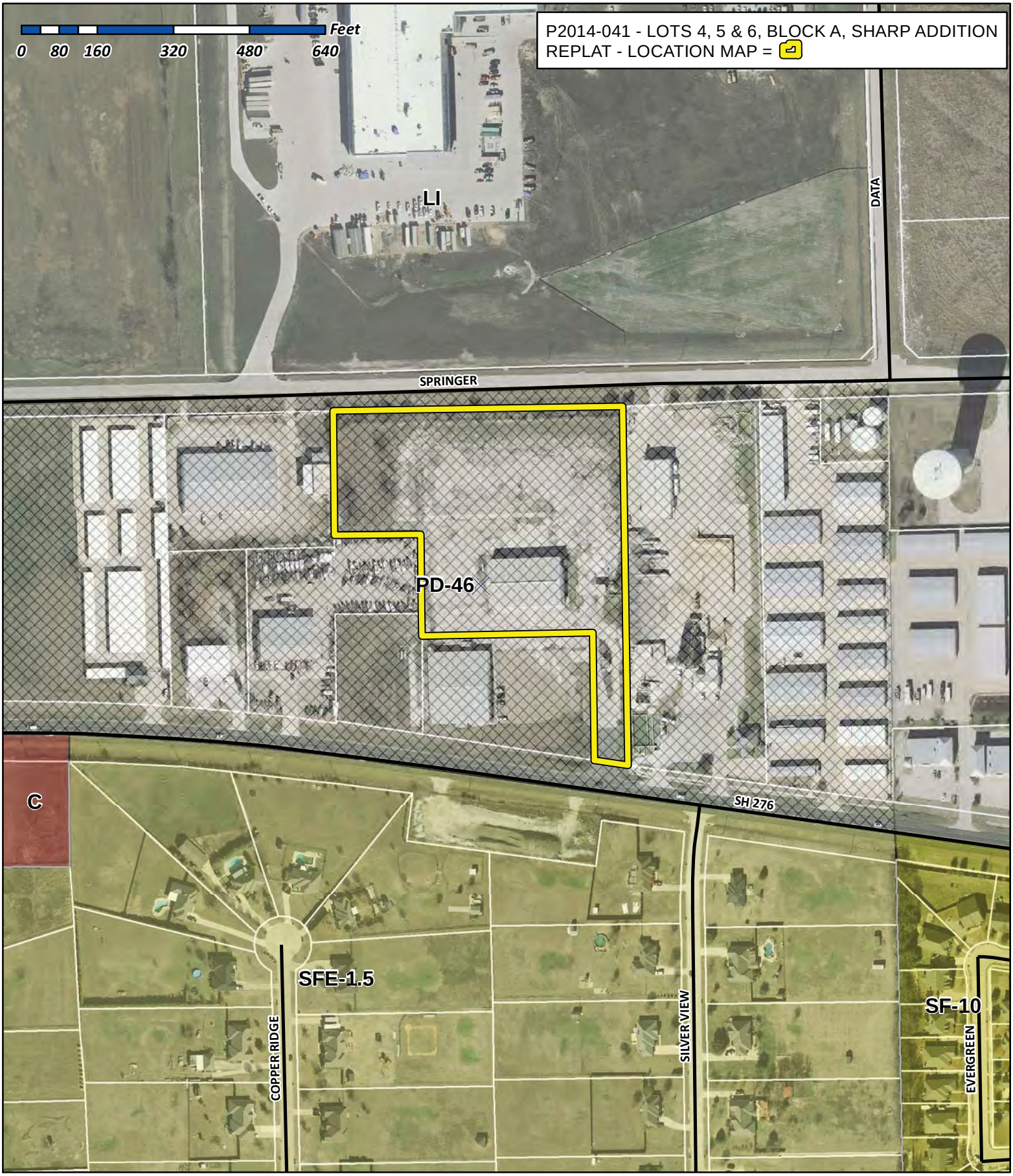
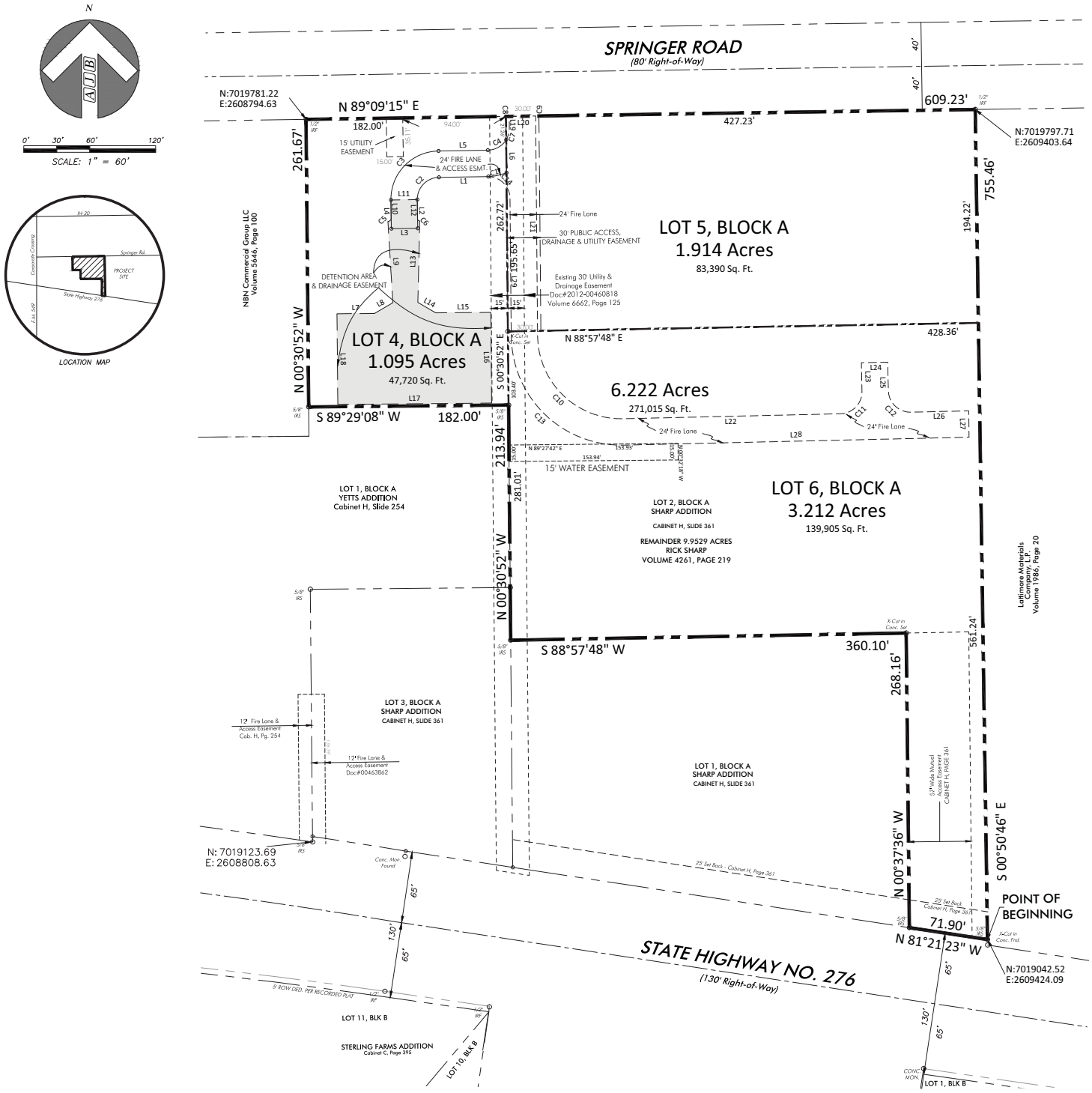


City of Rockwall

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

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



CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	44.00'	22°17'19"	17.12'	S 78°00'36" W	17.01'
C2	20.00'	90°00'00"	31.42'	S 44°09'15" W	28.28'
C3	44.00'	90°00'00"	69.12'	N 44°09'15" E	62.23'
C4	20.00'	57°27'54"	20.06'	N 60°25'18" E	19.23'
C5	5.00'	90°00'00"	4.71'	N 44°09'15" E	4.24'
C6	2.00'	89°58'10"	3.14'	S 45°50'29" E	2.83'
C7	20.00'	31°47'18"	11.10'	N 15°22'47" E	10.95'
C8	20.00'	4°58'41"	1.74'	N 03°00'13" W	1.74'
C9	20.00'	3°25'00"	1.19'	S 01°11'57" W	1.19'
C10	76.00'	90°59'48"	120.70'	S 45°48'53" E	108.41'
C11	20.00'	90°00'00"	31.42'	N 43°41'33" E	28.28'
C12	20.00'	90°00'00"	31.42'	S 46°18'27" E	28.28'
C13	100.00'	90°47'34"	158.46'	N 45°54'40" W	142.40'
C14	20.00'	90°19'53"	31.53'	N 45°40'49" W	28.37'

LINE	BEARING	DISTANCE
L1	S 89°09'15" W	44.90'
L2	S 00°50'45" E	26.12'
L3	S 89°09'15" W	24.00'
L4	N 00°50'45" W	26.12'
L5	N 89°09'15" E	44.90'
L6	S 05°30'52" E	29.96'
L7	N 89°29'08" E	34.04'
L8	N 59°49'54" E	19.43'
L9	N 03°30'09" W	74.08'
L10	N 00°50'45" W	16.50'
L11	N 89°09'15" E	24.00'
L12	S 00°50'45" E	17.50'
L13	S 01°19'26" W	74.05'
L14	S 59°46'14" E	18.87'
L15	N 89°35'08" E	50.08'
L16	S 00°30'52" E	82.50'
L17	S 89°29'08" W	140.00'
L18	N 00°30'52" W	82.50'
L19	N 00°50'45" W	8.88'
L20	N 89°09'15" E	24.11'
L21	S 00°30'52" E	198.72'
L22	N 89°41'33" E	198.09'
L23	N 01°18'27" W	26.00'
L24	N 88°41'33" E	24.00'
L25	S 01°18'27" E	26.00'
L26	N 88°41'33" E	52.70'
L27	S 00°50'45" E	24.00'
L28	S 88°41'33" W	314.59'
L29	N 00°30'52" W	125.48'

Site subject to restrictive covenants recorded in Volume 217, Page 96 of the Real Property Records of Rockwall County, Texas.

Site subject to terms, provisions of Facility Agreement recorded in Volume 6479, Page 168

Site subject to Easement recorded in Volume 6662, Page 125.

Notes:
Basis of Bearings: Bearings are based on the Deed Recorded in Volume 217, Page 92, Deed Records, Rockwall County, Texas.

FLOOD STATEMENT: According to Community Panel No. 48397C0045L, dated September 26, 2008 of the Federal Emergency Management Agency, National Flood Insurance Program map this property is within Flood Zone "X", which is not a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the Surveyor.

LEGEND

IRF	Iron Rod Found
IRS	Iron Rod Set
Conc. Mon.	Concrete Monument
OPRRCT	Official Public Records of Rockwall County, Texas
DRRCT	Deed Records of Rockwall County, Texas

THE PURPOSE OF THIS PLAT IS TO CREATE 3 INDIVIDUAL LOTS AND ADD AN ACCESS EASEMENT.

CASE NO. P2017-023

REPLAT
SHARP ADDITION
LOTS 4, 5 & 6, BLOCK A
6.222 ACRES

BEING A REPLAT OF LOT 2, BLOCK A OF
SHARP ADDITION RECORDED IN CABINET H, SLIDE 361
SITUATED IN THE J. A. RAMSEY SURVEY ABSTRACT NO. 186
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Owner: RICK SHARP richard.sharp@sharpinsulation.com
201 LAURENCE DR. PMB 523
HEATH, TX 75032 972-772-7411

Scale:	1" = 60'
Date:	August 14, 2014
Technician:	B J Elam
Drawn By:	B J Elam
Checked By:	A.J. Bedford
P.C.:	D. Cryer
File:	SHARP ADDITION-Replat
Job. No.	533-001-C
	TBPLS Reg. #10118200

301 N. Alamo Road * Rockwall, Texas 75087
(972) 722-0225 / www.ajbedfordgroup.com / ajb@ajbedfordgroup.com

Sheet: 1 Of: 2

AJ BEDFORD GROUP, INC.
Registered Professional Land Surveyors

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OWNERS DEDICATION

STATE OF TEXAS §
COUNTY OF ROCKWALL §

WHEREAS RICK SHARP is the owner of a 6.222 acre tract of land situated in the J.A. Ramsey Survey, Abstract Number 186 in the City of Rockwall, Rockwall County, Texas, being all of Lot 2, Block A of Sharp Addition an addition to the City of Rockwall according to the plat recorded in Cabinet H, Slide 361, Plat Records Rockwall County, Texas (PRRCT) and being a portion of a 9.9529 acre tract of land described by deed to Rick Sharp & John W. Sharp recorded in Volume 4261, Page 219 of the Real Property Records of Rockwall County, Texas (RPRRCT) and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod set in the north line of State Highway No. 276 (130 feet wide right of way) and being the northeast corner of a 5 feet wide right of way dedication recorded in Cabinet H, Page 361 (PRRCT);

THENCE along the north line of said State Highway 276 and said 5 feet wide right of way dedication, NORTH 81°21'23" WEST a distance of 71.90 feet to a 5/8 inch iron rod set for corner and being the southeast corner of Lot 1, Block A of said Sharp Addition;

THENCE along the east line of said Lot 1, NORTH 00°37'36" WEST a distance of 268.16 feet to a x-cut in concrete set for corner;

THENCE along the north line of said Lot 1, SOUTH 88°57'48" WEST a distance of 360.10 feet to a 5/8 inch iron rod set in the east line of Lot 3, Block A of said Sharp Addition;

THENCE along the east line of said Lot 3, NORTH 00°30'52" WEST a distance of 213.94 feet to a x-cut in concrete set for the northeast corner of Lot 1, Block A of Yetts Addition an addition to the City of Rockwall according to the plat recorded in Cabinet H, Page 254 (PRRCT);

THENCE along the north line of said Lot 1, Block A of Yetts Addition, SOUTH 89°29'08" WEST a distance of 182.00 feet to a 5/8 inch iron rod set for corner in the east line of a tract of land described in a deed to Starfire Properties, LP recorded in Volume 2195, Page 187 (RPRRCT);

THENCE along the east line of said Starfire Properties, LP tract, NORTH 00°30'52" WEST a distance of 261.67 feet to a 5/8 inch iron rod set in the south line of Springer Road (80 feet wide right of way);

THENCE along the south line of said Springer Road, NORTH 89°09'15" EAST a distance of 609.23 feet to a 5/8 inch iron rod set for corner and being the northwest corner of a tract of land described in a deed to Lattimore Materials Company, LP recorded in Volume 1986, Page 20 (RPRRCT);

THENCE along the west line of said Lattimore materials Company, LP tract, SOUTH 00°50'46" EAST a distance of 755.46 feet to the POINT OF BEGINNING;

CONTAINING 6.222 acres or 271,015 square feet of land more or less.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Austin J. Bedford, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

_____
Austin J. Bedford
Registered Professional Land Surveyor No. 4132

STATE OF TEXAS §
COUNTY OF ROCKWALL §

Before me, the undersigned authority, on this day personally appeared Austin J. Bedford, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this ____ day of _____, 2014.

_____
Notary Public in and for the State of Texas

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS §
COUNTY OF ROCKWALL §

I the undersigned owner of the land shown on this plat, and designated herein as the SHARP ADDITION, LOTS 4, 5 & 6 BLOCK A to the City of Rockwall, Rockwall County, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown for the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the SHARP ADDITION, LOTS 4, 5 & 6, BLOCK A have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house, dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I , my successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exactions made herein.

RICK SHARP - OWNER

_____

STATE OF TEXAS §
COUNTY OF ROCKWALL §

Before me, the undersigned authority, on this day personally appeared RICK SHARP, known to me to be the person(s) whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this_____ day of _____, 2014.

_____
Notary Public in and for the State of Texas

_____
Signature of Party With Mortgage or Lien Interest

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2014.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 2014.

_____ _____
Mayor, City of Rockwall City Secretary

_____
City Engineer

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

THE PURPOSE OF THIS PLAT IS TO CREATE 3 INDIVIDUAL LOTS AND ADD AN ACCESS EASEMENT.

CASE NO. P2017-023

REPLAT
SHARP ADDITION
LOTS 4, 5 & 6, BLOCK A
6.222 ACRES

BEING A REPLAT OF LOT 2, BLOCK A OF
SHARP ADDITION RECORDED IN CABINET H, SLIDE 361
SITUATED IN THE J. A. RAMSEY SURVEY ABSTRACT NO. 186
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Owner: RICK SHARP richard.sharp@sharpinsulation.com
201 LAURENCE DR. PMB 523
HEATH, TX 75032 972-772-7411

Scale:	1" = 60'
Date:	August 14, 2014
Technician:	B J Elam
Drawn By:	B J Elam

Checked By:	A.J. Bedford
P.C.:	D. Cryer
File:	SHARP ADDITION-Replat
Job. No.	533-001-C
	TBPLS Reg. #10118200

301 N. Alamo Road * Rockwall, Texas 75087
(972) 722-0225 / www.ajbedfordgroup.com / ajb@ajbedfordgroup.com

Sheet: 2 Of: 2

AJ BEDFORD GROUP, INC.
Registered Professional Land Surveyors

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 1/5/2015

APPLICANT: Spiars Engineering, Inc.

AGENDA ITEM: **P2014-042;** Nissan of Rockwall

SUMMARY:

Discuss and consider a request by John Spiars of Spiars Engineering, Inc. on behalf of Bill Lavin of Security Holdings, LLC for the approval of a replat creating Lot 1, Block A, Nissan of Rockwall Addition, being one (1) non-residential lot currently identified Lot 1, Block A, Lafon Subdivision, and a portion of Tract 2 & Tract 12 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) and Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action necessary.

COMMENTS:

- The objective of the request is to dedicate firelane, access easements, drainage and utility easements for three lots containing 14.751-acres for the purpose of developing a proposed 80,233 sq. ft. new automobile dealership. A site plan was approved earlier this year for the development.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions below.

- With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the request for final plat, staff would recommend the following conditions of approval:

1) All the technical comments from the Planning, Engineering, and Fire Departments shall be addressed prior to the filing of this plat;

2) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government

PLANNING & ZONING COMMISSION:

On December 30, 2014, the Planning & Zoning Commission recommended approval of the replat per staff's recommendations by a vote of 5-0, with Commissioners Conley and Jusko absent.

City of Rockwall

Project Plan Review History

Project Number	P2014-042	**Owner**	LAFON, CECILIA M TRUSTEE	**Applied**	12/19/2014 DG
Project Name	Nissan of Rockwall	**Applicant**	Spiars Engineering, Inc.	**Approved**	
Type	PLAT			**Closed**	
Subtype	REPLAT			**Expired**	
Status	P&Z HEARING			**Status**	12/22/2014 DG

Site Address	**City, State Zip**	**Zoning**
1730 I30	, TX	

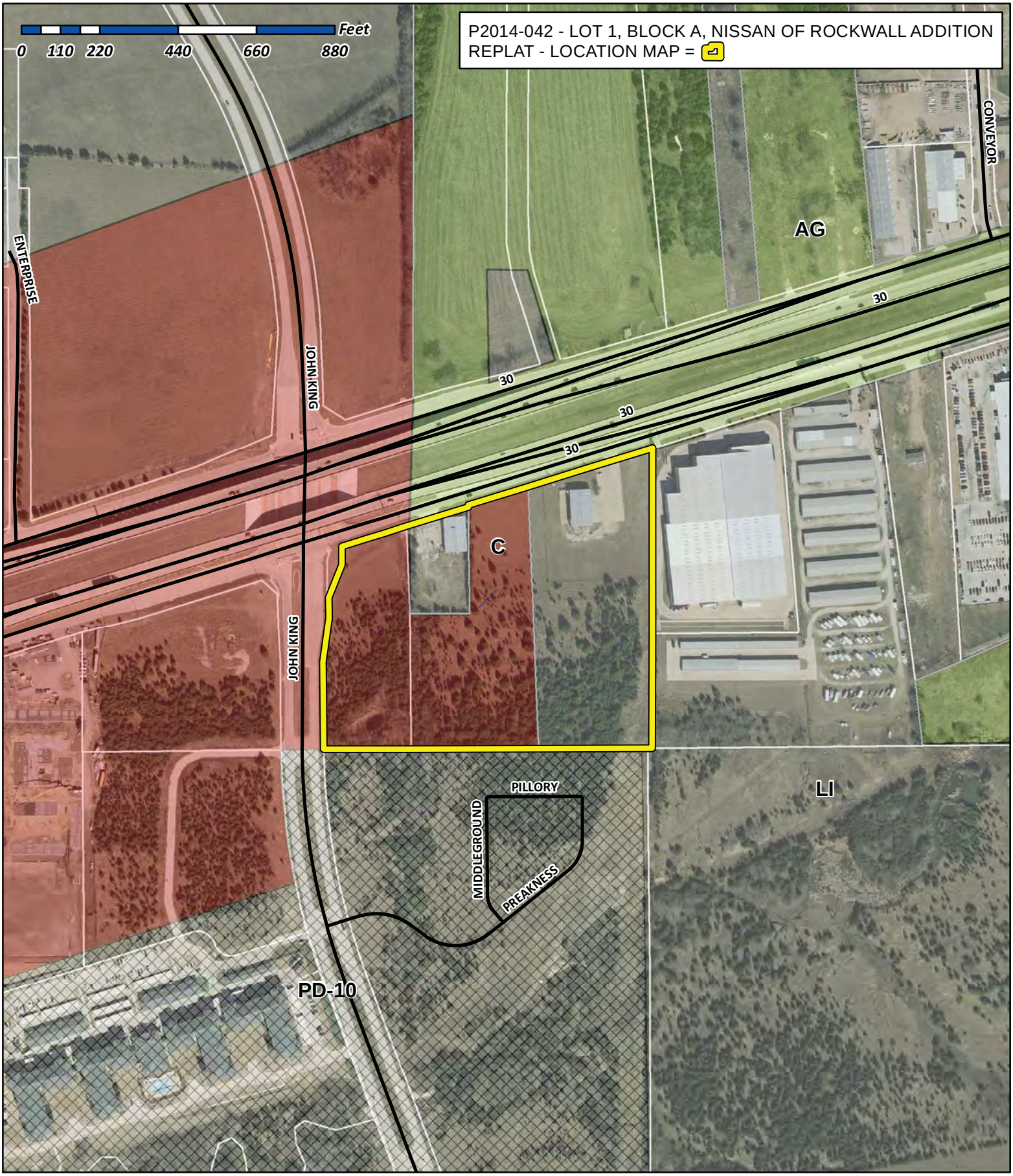
Subdivision	**Tract**	**Block**	**Lot No**	**Parcel No**	**General Plan**
LAFON	0001	A	0001	4125-000A-0001-00-0R	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	12/19/2014	12/26/2014	12/22/2014	3	APPROVED	
ENGINEERING	Amy Williams	12/19/2014	12/26/2014	12/22/2014	3	COMMENTS	See Comment
(12/22/2014 11:11 AM AW) Add report number for Waters of the US							
FIRE	Ariana Hargrove	12/19/2014	12/26/2014	12/22/2014	3	APPROVED	
GIS	Lance Singleton	12/19/2014	12/26/2014				
PLANNING	David Gonzales	12/19/2014	12/26/2014	12/22/2014	3	APPROVED W/ CONDITIONS	See comments

Discuss and consider a request by John Spiars of Spiars Engineering, Inc. on behalf of Bill Lavin of Security Holdings, LLC for the approval of a replat creating Lot 1, Block A, Nissan of Rockwall Addition, being one (1) non-residential lot currently identified Lot 1, Block A, Lafon Subdivision, and a portion of Tract 2 & Tract 12 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) and Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action necessary.

Planning Staff Comments:

1. Adherence to all Engineering and Fire Department standards.
2. Indicate and label as such "52' Firelane, Public Access, Drainage & Utility Easement" at primary entrance.
3. Re-label all "access easements" as "Public Access" (e.g. 24' Firelane, Public Access & Utility Easement); including legend (FPAUE).
4. Provide label for '24' FPAUE' where C14, L13, C15 are located.
5. Hatch area, label and abandon both '15' Access Easements' (Vol. 224, Pg 752 & 759).
6. Correct plat and title block to indicate 'Lot 1, Block A,' remove 'R' designation.
7. Provide Vol. & Pg. for 12.5' Oncor Easement along east property line.
8. Provide report number for Intergrated Environmental Solutions Report No.



City of Rockwall

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

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

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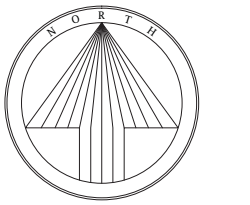


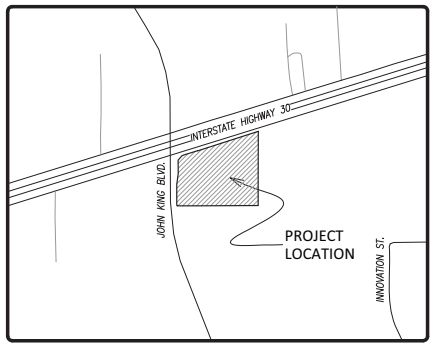
80 0 40 80 160

1 inch = 80 ft.

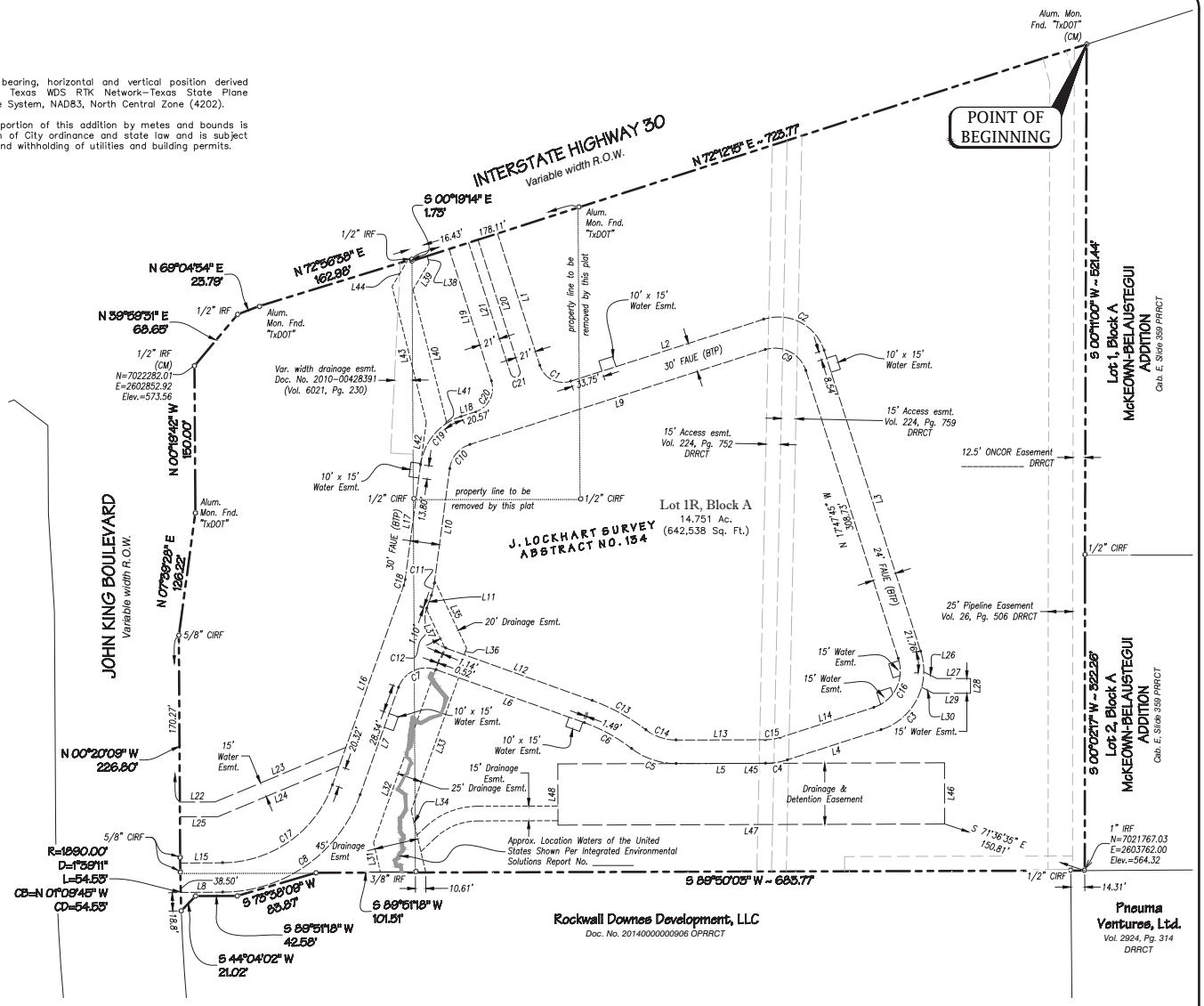
LEGEND (Not all items may be applicable)	
o	1/2" IRON ROD WITH PLASTIC CAP STAMPED "SPIARSENG" SET, UNLESS OTHERWISE NOTED
IRF	IRON ROD FOUND
CIRF	CAPPED IRON ROD FOUND
CM	CONTROL MONUMENT
FAUE	FIRELANE, ACCESS, & UTILITY EASEMENT
(BTP)	BY THIS PLAT
R.O.W.	RIGHT-OF-WAY
BL	BUILDING LINE
DRRCT	DEED RECORDS, ROCKWALL COUNTY, TEXAS

NOTES:

1. Basis of bearing, horizontal and vertical position derived from the Texas WDS RTK Network–Texas State Plane Coordinate System, NAD83, North Central Zone (4202).
2. Selling a portion of this addition by metes and bounds is a violation of City ordinance and state law and is subject to fines and withholding of utilities and building permits.



LOCATION MAP
1" = 1000'



Line Table		
Line #	Bearing	Distance
L1	S 17°47'45" E	141.50'
L2	N 72°12'15" E	207.14'
L3	S 17°47'45" E	322.73'
L4	S 72°12'15" W	100.46'
L5	S 89°50'03" W	91.34'
L6	N 70°20'17" W	160.84'
L7	S 19°39'43" W	116.35'
L8	S 89°39'51" W	42.84'
L9	S 72°12'15" W	316.92'
L10	S 07°39'28" W	118.27'
L11	S 19°39'43" W	13.87'
L12	S 70°20'17" E	158.84'
L13	N 89°50'03" E	91.34'
L14	N 72°12'15" E	100.47'
L15	N 89°39'51" E	43.19'
L16	N 19°39'43" E	216.23'
L17	N 07°39'28" E	118.27'
L18	N 72°12'15" E	15.78'
L19	N 17°47'45" W	141.50'
L20	S 17°47'45" E	140.50'
L21	N 17°47'45" W	140.50'
L22	N 89°50'54" E	35.99'
L23	N 67°20'54" E	144.77'
L24	S 67°20'54" W	134.10'
L25	S 89°50'54" W	38.93'
L26	S 62°47'45" E	14.91'
L27	S 89°57'28" E	34.41'
L28	S 00°02'32" W	15.00'
L29	N 89°57'28" W	38.04'
L30	N 62°47'45" W	13.32'

Line Table		
Line #	Bearing	Distance
L31	N 13°12'24" W	31.20'
L32	N 19°39'43" E	188.05'
L33	S 19°39'43" W	143.82'
L34	S 13°12'24" E	65.22'
L35	S 25°20'17" E	76.19'
L36	S 19°39'43" W	7.23'
L37	N 25°20'17" W	43.62'
L38	S 14°12'06" E	6.97'
L39	S 30°47'54" W	31.90'
L40	S 14°12'06" E	138.24'
L41	S 07°39'28" W	3.04'
L42	N 07°39'28" E	42.70'
L43	N 14°12'06" W	142.67'
L44	N 30°47'54" E	30.84'
L45	N 89°50'03" E	395.00'
L46	S 00°09'57" E	62.50'
L47	S 89°50'03" W	395.00'
L48	N 00°09'57" W	62.50'

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Dist.
C1	39.27'	25.00'	90°00'00"	S 62°47'43" E	35.35'
C2	76.97'	49.00'	90°00'00"	S 62°47'45" E	69.30'
C3	99.97'	63.04'	90°51'28"	S 26°45'37" W	89.82'
C4	22.77'	74.00'	17°37'49"	S 81°01'09" W	22.68'
C5	48.85'	74.00'	37°49'14"	N 71°15'19" W	47.96'
C6	55.27'	176.00'	17°59'34"	N 61°20'30" W	55.04'
C7	47.12'	30.00'	90°00'00"	S 64°39'43" W	42.43'

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Dist.
C8	183.27'	150.00'	70°00'08"	S 54°39'47" W	172.08'
C9	51.84'	33.00'	89°59'59"	N 62°47'45" W	46.67'
C10	33.80'	30.00'	64°32'47"	S 39°55'51" W	32.04'
C11	12.57'	60.00'	12°00'15"	S 13°39'35" W	12.55'
C12	50.27'	32.00'	90°00'00"	S 25°20'17" E	45.25'
C13	62.81'	200.00'	17°59'34"	S 61°20'30" E	62.55'
C14	33.00'	50.00'	37°49'14"	S 71°15'20" E	32.41'

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Dist.
C15	15.39'	50.00'	17°37'49"	N 81°01'10" E	15.32'
C16	62.26'	39.02'	91°25'30"	N 26°28'44" E	55.87'
C17	146.61'	120.00'	70°00'08"	N 54°39'47" E	137.66'
C18	6.29'	30.00'	12°00'15"	N 13°39'35" E	6.27'
C19	67.59'	60.00'	64°32'47"	N 39°55'51" E	64.07'
C20	39.27'	25.00'	90°00'00"	N 27°12'15" E	35.36'
C21	15.71'	5.00'	180°00'00"	S 72°12'15" W	10.00'

OWNER / APPLICANT
Security Holdings, Inc.
2601 Network Blvd., Ste. 202
Frisco, TX 75034
Telephone (469) 535-2200
Contact: Bill Lavin

ENGINEER / SURVEYOR
Spiars Engineering, Inc.
765 Custer Road, Suite 100
Plano, TX 75075
Telephone: (972) 422-0077
TBPE No. F-2121
Contact: John Spiars

REPLAT

NISSAN OF ROCKWALL ADDITION

LOT 1R, BLOCK A (14.751 ACRES)
BEING A REPLAT OF PART OF LOT 1, BLOCK A
LAFON SUBDIVISION & 2 UNPLATTED TRACTS
IN THE J. LOCKHART SURVEY, ABSTRACT NO. 134
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Scale: 1" = 80' December, 2014 SEI Job No. 14-077

Plotted by: DBond10 Plot Date: 12/18/2014 3:24 PM
Drawing: G:\2014 JOBS\14-077 Nissan of Rockwall\14-077 Final Plat.dwg Saved By: DBond10 Save Time: 12/18/2014 3:05:54 PM

STATE OF TEXAS §
COUNTY OF ROCKWALL §

OWNER'S CERTIFICATE

WHEREAS Security Holdings, Inc., is the owner of a tract of land situated in the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, the subject tract being a portion of Lot 1, Block A, Lafon Subdivision according to the deed recorded in Cabinet B, Slide 42 of the Plat Records, Rockwall County, Texas (PRRCT), as conveyed to Security Holdings, Inc., recorded in Document No. 20140000007755 of the Official Public Records, Rockwall County, Texas (OPRRCT), and being all of a tract conveyed to Security Holdings, Inc., recorded in Document No. 20140000009352 OPRRCT, and being all of a tract conveyed to Security Holdings, Inc., recorded in Document No. 20140000009351 OPRRCT, and being all of a tract conveyed to Security Holdings, Inc., recorded in Document No. 20140000015198 OPRRCT, the subject tract being more particularly described as follows:

BEGINNING at an aluminum TxDOT right–of–way monument found on the south line of Interstate Highway 30, a variable width public right–of–way, for the northwest corner of Lot 1, Block A, McKeown–Belastegui Addition, an addition recorded in Cabinet E, Slide 359 PRRCT;

THENCE S 00°11'00" W, 521.44 feet along the common line thereof to a 1/2" iron rod with plastic cap found for the southwest corner thereof and for the northwest corner of Lot 2, Block A, McKeown–Belastegui Addition;

THENCE S 00°02'17" W, 322.26 feet along the common line thereof to a 1" iron rod found for the southwest corner thereof and being on the north line of a tract conveyed to Pneuma Ventures, Ltd., recorded in Volume 2924, Page 314 DRRCT;

THENCE S 89°50'03" W, along the common line thereof, passing at 14.31 feet a 1/2" iron rod with plastic cap found for the northeast corner of a tract conveyed to Rockwall Downes Development, LLC, recorded in Document No. 20140000000906 OPRRCT, and continuing along the common line thereof a total distance of 683.77 feet to a 3/8" iron rod found;

THENCE S 89°51'18" W, 101.51 feet continuing along the common line thereof to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

THENCE S 73°38'09" W, 83.87 feet continuing along the common line thereof to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

THENCE S 89°51'18" W, 42.58 feet continuing along the common line thereof to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

THENCE S 44°04'02" W, 21.02 continuing along the common line thereof to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set on the east line of John King Boulevard;

THENCE along the east line of John King Boulevard, the following:

Around a non–tangent curve to the right having a central angle of 01°29'09", a radius of 1890.00 feet, a chord of N 01°09'45" W – 54.53 feet, passing at an arc length of 38.50 feet a 5/8" iron rod with plastic cap found for corner, continuing a total arc length of 54.53 feet to a 5/8" iron rod with plastic cap found;

N 00°20'09" W, 226.80 feet to a 5/8" iron rod with plastic cap found;

N 07°39'28" E, 126.22 feet to an aluminum TxDOT right–of–way monument found;

And N 00°19'42" W, 150.00 feet to a 1/2" iron rod found for the south end of a corner clip being the intersection of John King Boulevard and Interstate Highway 30;

THENCE N 39°59'31" E, 68.65 feet along said corner clip to a 1/2" iron rod found;

THENCE along the south line of Interstate Highway 30, the following:

N 69°04'54" E, 23.79 feet to an aluminum TxDOT right–of–way monument found;

N 72°56'38" E, 162.98 feet to a 1/2" iron rod found;

S 00°19'14" E, 1.73 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

And N 72°12'15" E, passing at 178.11 feet an aluminum TxDOT right–of–way monument found, continuing a total distance of 723.77 feet to the POINT OF BEGINNING with the subject tract containing 642,538 square feet or 14.751 acres of land.

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2014.

_____
Notary Public, State of Texas

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

We the undersigned owner(s) of the land shown on this plat, and designated herein as the **NISSAN OF ROCKWALL ADDITION** to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicated to the use of the public forever all streets, alleys, parks, water course, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the **NISSAN OF ROCKWALL ADDITION** have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, form and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of , at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements. Maintenance, repairs, and responsibility of the detention system shall be the property owner's.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in the addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulation of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail to refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We, our successors and adding hereby waive any claim, damage, or cause of action that We may have as a result of the dedication of exaction's made herein.

Security Holdings, Inc.

_____
Security Holdings, Inc.

SURVEYOR'S CERTIFICATE

That I, Darren K. Brown, of Spiars Engineering, Inc., do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Rockwall Texas.

Dated this the _____ day of _____, 2014.

_____
DARREN K. BROWN, R.P.L.S. NO. 5252

STATE OF TEXAS – REGISTERED – DARREN K. BROWN – 5252 – PROFESSIONAL – LAND SURVEYOR

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Darren K. Brown, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2014.

_____
Notary Public, State of Texas

CERTIFICATE OF APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and forgoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2014.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from the said date of final approval.

WITNESS OUR HANDS this the _____ day of _____, 2014.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

OWNER / APPLICANT
Security Holdings, Inc.
2601 Network Blvd., Ste. 202
Frisco, TX 75034
Telephone (469) 535-2200
Contact: Bill Lavin

ENGINEER / SURVEYOR
Spiars Engineering, Inc.
765 Custer Road, Suite 100
Plano, TX 75075
Telephone: (972) 422-0077
TBPE No. F-2121
Contact: John Spiars

REPLAT

NISSAN OF ROCKWALL ADDITION

LOT 1R, BLOCK A (14.751 ACRES)
BEING A REPLAT OF PART OF LOT 1, BLOCK A
LAFON SUBDIVISION & 2 UNPLATTED TRACTS
IN THE J. LOCKHART SURVEY, ABSTRACT NO. 134
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

December, 2014 SEI Job No. 14-077

Drawing: G:\2014 JOBS\14-077 Nissan of Rockwall\14-077 Final Plat.dwg Saved By: DBond10 Save Time: 12/18/2014 3:05:54 PM Plotted by: DBond10 Plot Date: 12/18/2014 3:22 PM

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **December 31, 2014**

SUBJECT: **COMMUNITY OUTDOOR OUTREACH PROGRAM GRANT APPLICATION**

In 2015, a certain amount of funding was restored to the Texas Parks and Wildlife Department (TPWD) as a component of the Texas Recreation and Parks Account grant program. One of the grant programs available is the Community Outdoor Outreach Program (COOP). This is a 100% reimbursement grant and is intended to promote outdoor activities, skills, education and experiences. The maximum grant award per applicant is $40,000.

The FY 2015 budget approved a request to apply for the COOP grant not to exceed $40,000. Contingent upon award, the grant funding would go toward the purchase of equipment to create and offer outdoor education programs such as kayaking, fishing, outdoor digital photography, archery, camping, outdoor cooking, orienteering and a trailer to transport gear and supplies.

New fee based programs will be offered as well grow existing programs such as TPWD's Outdoor Family Campout through existing staff and paid instructors in accordance with our adopted revenue and pricing policy. Some activities may also be offered at no charge during other special events such as Founders Day Festival and Family Fun Fridays.

Staff requests that Council consider approving a resolution as required by the grant guidelines to authorize the City Manager to apply for the COOP grant through the Texas Parks and Wildlife Department.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 15-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS DESIGNATING AND AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR A GRANT UNDER THE COMMUNITY OUTDOOR OUTREACH PROGRAM; AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION; AUTHORIZING THE CITY MANAGER TO EXECUTE SAID GRANT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Texas Parks and Wildlife Department has made available and offered state financial aid monies for the purpose of funding R.O.C.K. (Rockwall Outdoor Classroom for Kids); and

WHEREAS, the Rockwall City Council supports submission of a grant application to the Texas Recreation and Parks Account Program (TRPA); and

WHEREAS, the City Council of the City of Rockwall, Texas acknowledges and accepts the state financial aid grant in the amount of $38,000 (contingent upon receiving the grant); and

WHEREAS, the City Council of the City of Rockwall, Texas acknowledges the program implementation date cannot begin until funding is approved on or around July 15, 2015 and must be completed in approximately one year.

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

Section 1. That the City Council of the City of Rockwall, Texas does hereby formally authorize the mayor to sign and execute this resolution as a formal act and deed on behalf of the City of Rockwall, Texas.

Section 2. That the City Council of Rockwall, Texas authorizes the City Manager to execute the above referenced grant as a formal act and deed on behalf of the City of Rockwall, Texas,

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 5th DAY OF JANUARY, 2015.

APPROVED:

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Timothy M. Tumulty, Director of Public Works/City Engineer

DATE: December 23, 2014

SUBJECT: Facility Agreement - Breezy Hill Estates Development

The Breezy Hill Estates, Phase Four project is located on John King Boulevard north of FM 552. As a requirement of the development, the Developer must install a 12 inch diameter water line along the east right-of-way of John King Boulevard. The City's Master Water Plan requires a 16 inch diameter water line to be installed along John King Boulevard to meet future demands. Whenever the City requires a water line greater than 12 inches in diameter to be installed with a development, the City will pay the difference in cost of the two water lines.

Attached is the Facilities Agreement between the City of Rockwall and the Developer, BH Phase IV SF, Ltd. providing reimbursement for the oversizing of the water line along this development. The developer estimates the difference of cost will be $62,967.00. Funding is currently available to pay for the City's share of this construction.

Consider approval of the Facilities Agreement for the Breezy Hill Estates, Phase Four water line installation and allow the City Manager to execute the agreement with BH Phase IV SF, Ltd.

TMT;tt

Attachment

Cc:
Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
File

STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

FACILITIES AGREEMENT
Breezy Hill Estates

This Agreement is entered into on the _____ day of _____, 2014, by and between the City of Rockwall, Texas ("City") and BH Phase IV SF, Ltd. ("Developer").

WITNESSETH:

Section 1. That in consideration of the Breezy Hill Phase IV Development, located on John King Boulevard, the parties agree as follows:

Developer agrees to the following:

a. To install the 16" diameter water line along John King Boulevard per the City Master Plan and the City approved plans stamped September 22, 2014.

City agrees to the following:

a. Reimburse the Developer, the difference between the material cost for a 12" and 16" diameter water line, when the water line is fully installed, tested and accepted. The Participation Breakdown Worksheet (Exhibit A) is attached and made part of this Agreement.

b. Reimburse the Developer, the difference between the installation and material cost for a 12" diameter valve and 16" diameter butterfly valve when the valve is fully installed, tested and accepted. The Participation Breakdown Worksheet (Exhibit A) is attached and made part of this Agreement.

Section 2. Nothing contained herein shall be considered as a waiver of the provisions of the City's Comprehensive Zoning Ordinance and subdivision regulations as the case may be.

Section 3. Severability Clause. If any section or provision of this Agreement or the application of that section or provision to any person, firm, corporation, situation or circumstance is for reason judged invalid, the adjudication shall not affect any other section or provision of this Agreement or the application of any other section or provision to any other person, firm, corporation, situation, or circumstance, and the City

Council declares that it would have adopted the valid portions and applications of the Agreement without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 4. Venue for this Agreement shall be in Rockwall County, Texas.

Section 5. Notice of this Agreement shall be in writing and addressed to the following:

City of Rockwall
385 S. Goliad St.
Rockwall, Texas 75087
Attn: City Manager

BH Phase IV SF, Ltd.
8214 Westchester, Suite 710
Dallas, TX 75225

SIGNED ON THE DATE FIRST ABOVE WRITTEN.

CITY OF ROCKWALL

By: _____
Richard Crowley, City Manager

BH Phase IV SF, Ltd., a Texas Limited Partnership
By: BH Phase IV SF GP Corporation, a Texas Corporation, its General Partner

By: _____
Richard M. Skorburg, President

ACKNOWLEDGEMENTS

STATE OF TEXAS)
COUNTY OF DALAS)
CITY OF DALLAS)

BEFORE ME, the undersigned authority, on this day personally appeared, Richard M. Skorburg, President of BH Phase IV SF GP Corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ day of _____, 2014.

_____
Notary Public in and for the State of Texas

My Commission Expires:

_____
(Seal)

STATE OF TEXAS)
COUNTY OF ROCKWALL)
CITY OF ROCKWALL)

BEFORE ME, the undersigned authority, on this day Personally appeared, Richard Crowley, City of Rockwall, City Manager, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ day of _____, 2014.

_____
Notary Public in and for the State of Texas

My Commission Expires:

_____
(Seal)

PCI Construction, Inc.

P.O. Box 2967
McKinney, Texas 75070
Phone: 972-562-2762
Fax: 972-562-2954

Date
11/14/2014

Customer	Project
Skorburg Company **8241 Westchester Drive, Suite 710** **Dallas, Texas 75225**	**Breezy Hill Phase 4** **Rockwall, Texas**

Water Line cost difference 16" Vs 12" On John King Blvd.

Quantity	Unit	Item	Unit Price	Item	Unit Price	Unit Price Difference	Cost Sharing Amount
1874	l.f.	16" Water Pipe	$ 52.10	12" Water Pipe	$ 30.10	$ 22.00	$ 41,228.00
4	ea.	16" Butterfly Valve & Box	$ 3,181.00	12" Gate Valve & Box	$ 2,157.00	$ 1,024.00	$ 4,096.00
1	ea.	16"x12" tee	$ 2,425.00	12" Tee	$ 1,054.00	$ 1,371.00	$ 1,371.00
4	ea.	16"x6" tee	$ 2,177.00	12" x 6" tee	$ 833.00	$ 1,344.00	$ 5,376.00
6	ea.	16" vert bend	$ 2,304.00	12" bend	$ 673.00	$ 1,631.00	$ 9,786.00
1	ea.	16" plug	$ 1,331.00	12" plug	$ 221.00	$ 1,110.00	$ 1,110.00
						Total Cost Sharing	**$ 62,967.00**

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

DATE: **December 31, 2014**

SUBJECT: **Art Review Team (ART) Commission appointments (5 members needed)**

The council recently adopted an ordinance making changes to the previously established composition of the city's Art Review Team (ART Commission). The updated provisions regarding its composition are as follows:

(a) (1) The art review team (ART) commission shall consist of five members, who shall all be "interested citizens" appointed by the city council. All team members should possess knowledge of or have an interest in contemporary, visual art, artistic principles and art media.

a. *The art review team (ART) commission shall consist of* ***five regular members appointed by a majority of the city council****. A staff liaison will be appointed by the city manager.*
b. *In the case of a vacancy of the commission, the city council, by a majority vote, may appoint a replacement member to the commission. Any person appointed shall serve until the expiration of the term of office of the vacated position.*
c. *Each member of the commission shall be a resident citizen and qualified voter of the city.*
d. *Upon the initial appointment of the commission by the city council, members shall draw lots for three two-year terms and two one-year terms of service. Thereafter, the term of office of members of the commission shall be for two years. Members may be removed, as determined by the city council.*
e. *Members shall serve without compensation.*

The council member assigned to oversee review of applicants and make recommendations to the full council concerning appointments to this commission is Councilmember Milder.

Boards & Commissions Appointments

(Updated for 01/05/15 City Council Meeting)

THESE (ADVISORY) BOARD APPTS. MAY *NOT* BE DISCUSSED IN EX. SESSION

ARCHITECTURAL REVIEW BOARD (ARB) - Milder

(1) Need to replace

- *Mike Mershawn (attendance - has missed several mtgs.)*
  (new board member would serve partial term until Aug. 2015)

ART REVIEW TEAM (ART) COMMISSION – Milder

Need five (5) new appointments (see memo)

THESE (REGULATORY) BOARD APPTS. MAY BE DISCUSSED IN EX. SESSION

BOARD OF ADJUSTMENTS (BOA) - Full Council

Need four (4) "alternate members" appointed (by city ordinance)

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City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

November 2014

Permits

Total Permits Issued: 276

Building Permits: 35 Contractor Permits: 241

Total Permit Values: $ 9,992,992.48

Building Permits: $8,724,867.39 Contractor Permits: $1,268,125.09

Total Fees Collected: $ 212,222.54

Building Permits: $199,689.80 Contractor Permits: $12,532.74

Board of Adjustment

Board of Adjustment Cases 0

City of Rockwall

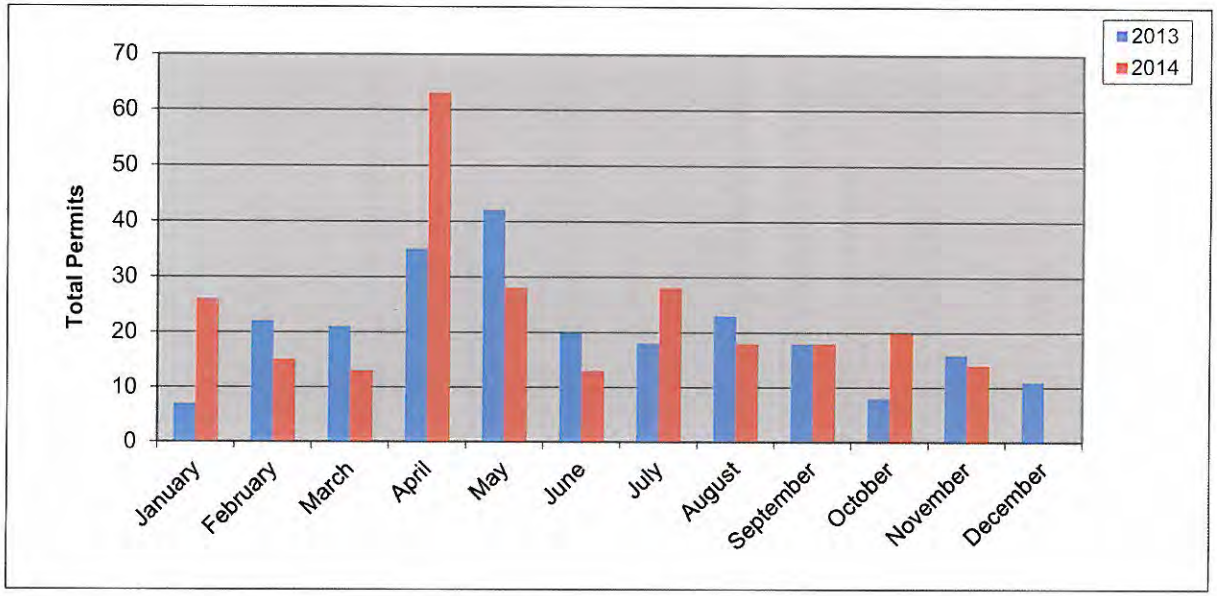
PERMITS ISSUED - Summary by Type and Subtype

For the Period 11/1/2014 thru 11/30/2014

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	11	$0.00	$556.00
	2	$0.00	$101.50
30 DAY BANNER	9	$0.00	$454.50
CLEAN SHOW	2	$0.00	$151.50
	2	$0.00	$151.50
CO	11	$0.00	$754.50
BUSINESS	10	$0.00	$754.50
CO HISTORIC	1	$0.00	$0.00
COMM	20	$5,187,961.39	$126,713.47
ACC BLDG	1	$25,000.00	$402.75
CONST TRAILER	1	$60,000.00	$102.70
ELECTRICAL	1	$950.00	$50.25
FENCE	1	$3,000.00	$35.00
INTERIOR COMP	1	$187,480.00	$1,498.05
IRRIGATION	1	$0.00	$35.00
MECHANICAL	4	$46,920.00	$886.80
NEW	2	$4,300,000.00	$119,643.92
PLUMBING	2	$6,500.00	$173.00
REMODEL	3	$437,511.39	$3,778.75
REPAIR	1	$8,500.00	$35.00
ROOF	2	$112,100.00	$72.25
SIGNAGE	3	$0.00	$450.00
WALL	3	$0.00	$450.00
SINGLE FAMILY	224	$4,805,031.09	$83,415.57
ACC BLDG	1	$1,850.00	$77.70
ADDITION	1	$6,400.00	$150.75
CARPORT	1	$7,000.00	$150.75
CONCRETE	1	$600.00	$38.00
DECK	1	$8,000.00	$164.75
ELECTRICAL	4	$11,800.00	$344.81
FENCE	53	$139,329.25	$1,863.20
IRRIGATION	22	$47,850.00	$773.70
MECHANICAL	12	$66,911.00	$1,564.39
MISCELLANEOUS	1	$20,000.00	$35.00
NEW	14	$3,581,756.00	$71,957.72
PATIO COVER	3	$50,440.00	$816.20
PLUMBING	21	$27,930.00	$1,249.99
REMODEL	4	$45,930.00	$874.26
REPAIR	1	$5,000.00	$36.50
RETAINING WALL	2	$7,000.00	$70.00
ROOF	77	$642,254.61	$2,724.85
SWIM POOL	3	$125,000.00	$453.00
WINDOWS	2	$9,980.23	$70.00
SPECIAL EVENT	5	$0.00	$181.50
	5	$0.00	$181.50
Totals:	276	$9,992,992.48	$212,222.54

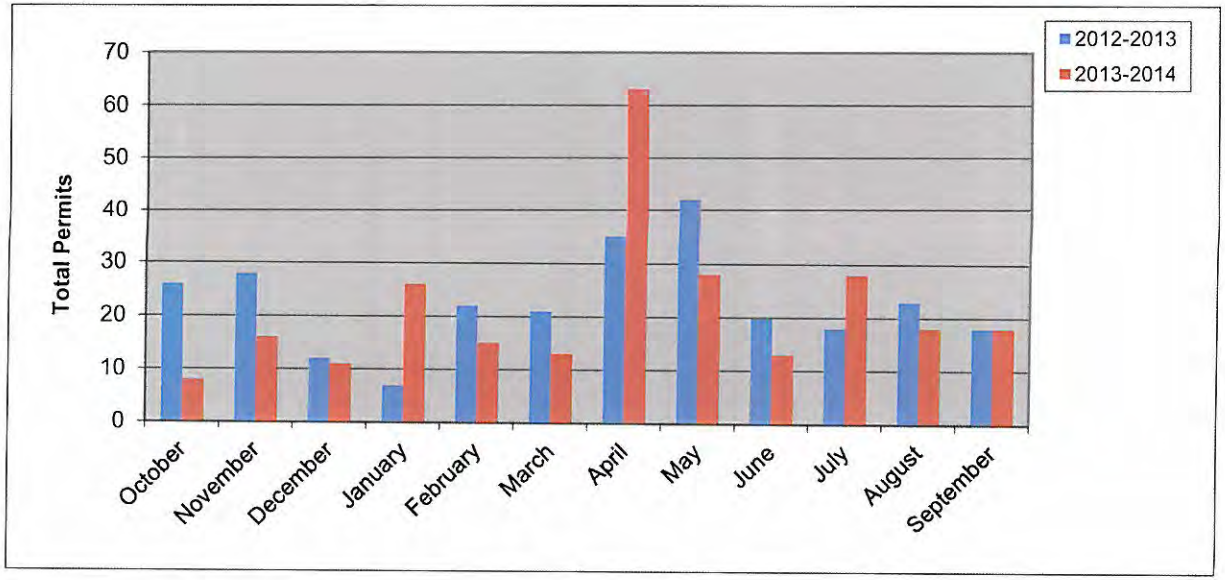
New Residential Permits Calendar Year

	Year	
	2013	2014
January	7	26
February	22	15
March	21	13
April	35	63
May	42	28
June	20	13
July	18	28
August	23	18
September	18	18
October	8	20
November	16	14
December	11	
Totals	**241**	**256**



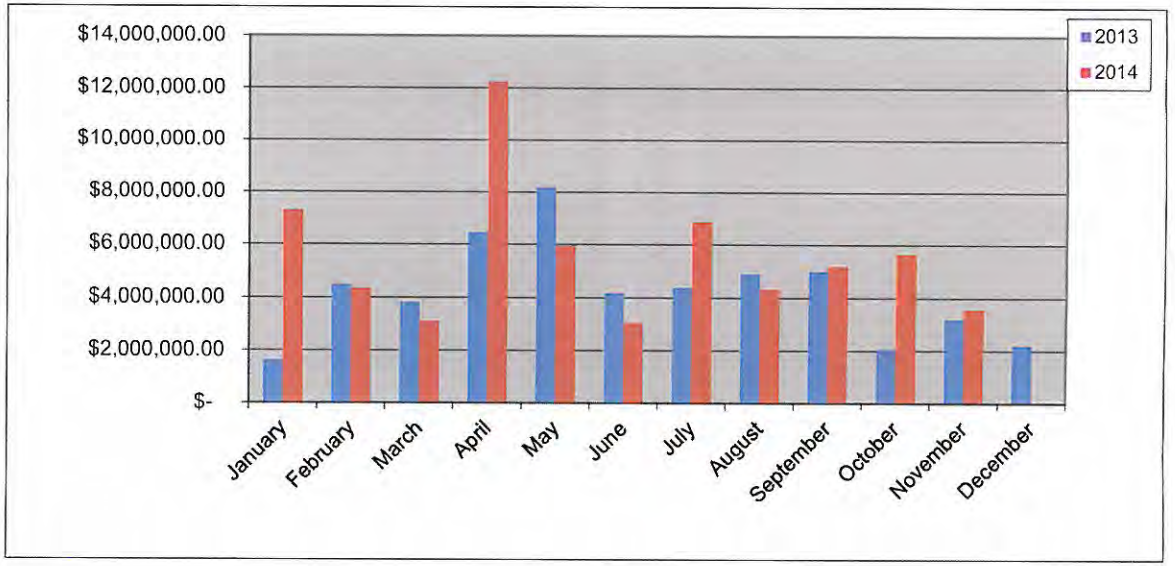
New Residential Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	26	8
November	28	16
December	12	11
January	7	26
February	22	15
March	21	13
April	35	63
May	42	28
June	20	13
July	18	28
August	23	18
September	18	18
Totals	**272**	**257**



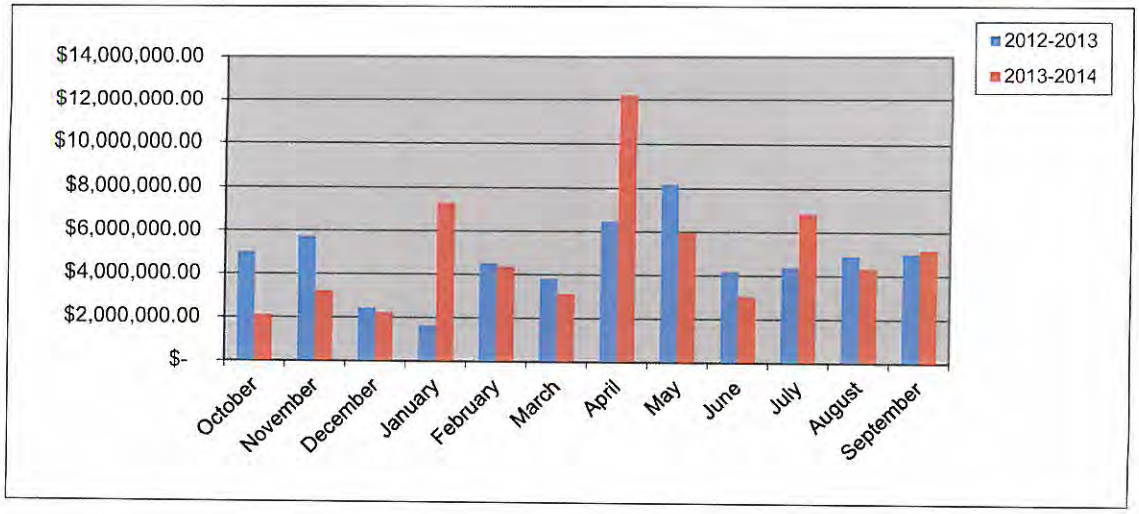
New Residential Value Calendar Year

Year	2013	2014
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	$ 4,353,427.00
March	$ 3,823,384.00	$ 3,094,927.74
April	$ 6,469,868.00	$ 12,228,936.33
May	$ 8,193,211.00	$ 5,960,240.00
June	$ 4,185,842.00	$ 3,048,536.00
July	$ 4,382,866.00	$ 6,883,062.87
August	$ 4,906,203.00	$ 4,330,100.19
September	$ 5,018,954.00	$ 5,184,201.79
October	$ 2,078,584.00	$ 5,661,792.00
November	$ 3,202,067.00	$ 3,581,756.00
December	$ 2,215,924.00	
Totals	**$50,608,931.00**	**$ 61,614,979.92**



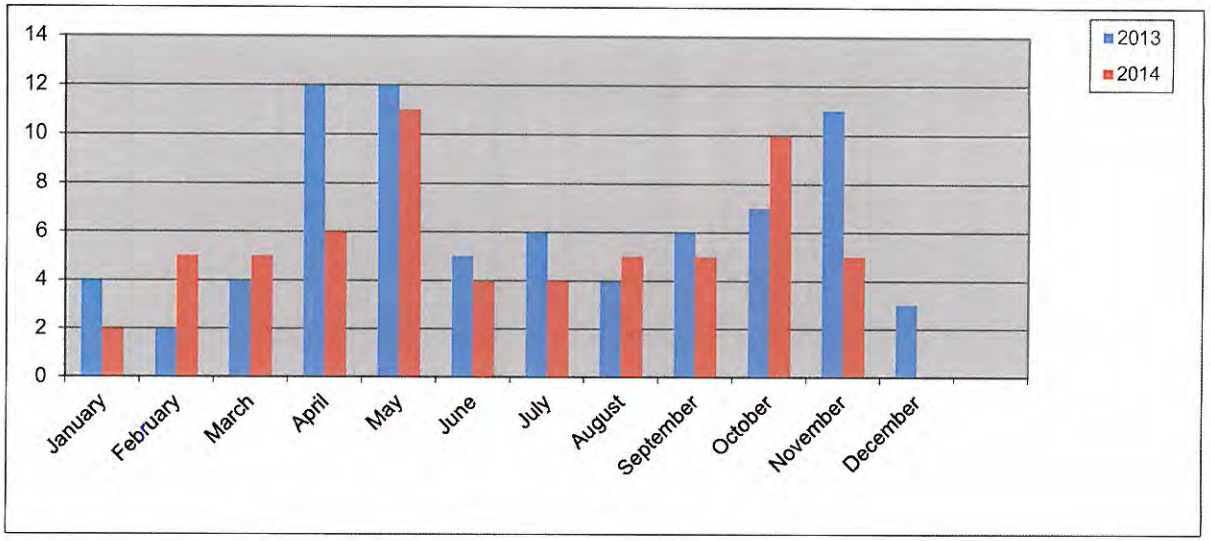
New Residential Value Fiscal Year

Year	2012-2013	2013-2014
October	$ 4,993,587.00	$ 2,078,584.00
November	$ 5,718,696.00	$ 3,202,067.00
December	$ 2,441,748.00	$ 2,215,924.00
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	$ 4,353,427.00
March	$ 3,823,384.00	$ 3,094,927.74
April	$ 6,469,868.00	$ 12,228,936.33
May	$ 8,193,211.00	$ 5,960,240.00
June	$ 4,185,842.00	$ 3,048,536.00
July	$ 4,382,866.00	$ 6,883,062.87
August	$ 4,906,203.00	$ 4,330,100.19
September	$ 5,018,954.00	$ 5,184,201.79
Totals	**$56,266,387.00**	**$ 59,868,006.92**



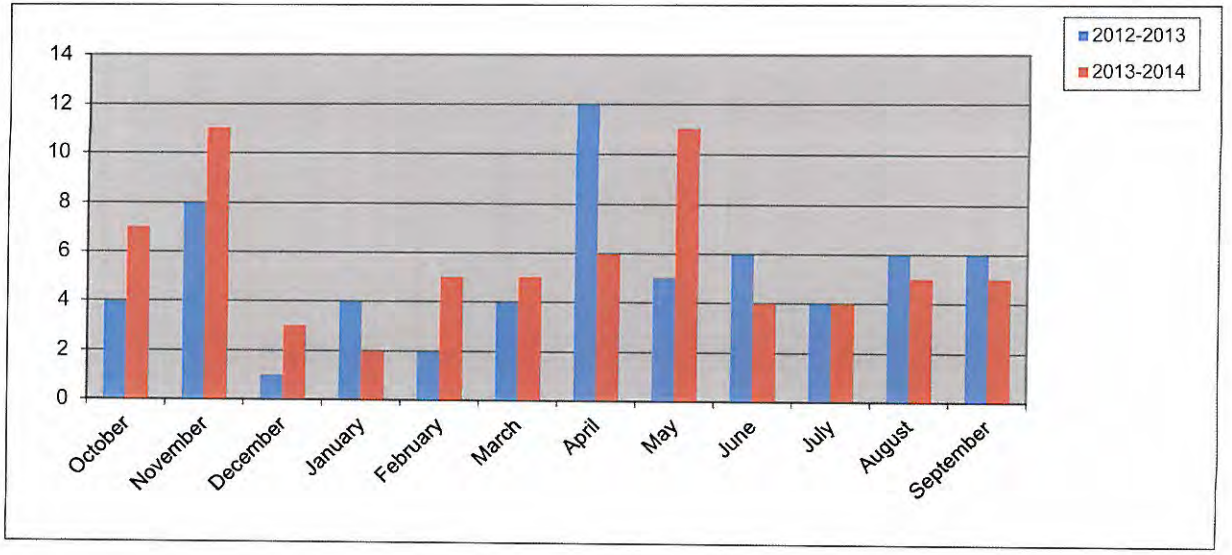
Residential Remodel Permits Calendar Year

	Year	
	2013	2014
January	4	2
February	2	5
March	4	5
April	12	6
May	12	11
June	5	4
July	6	4
August	4	5
September	6	5
October	7	10
November	11	5
December	3	
Totals	**76**	62



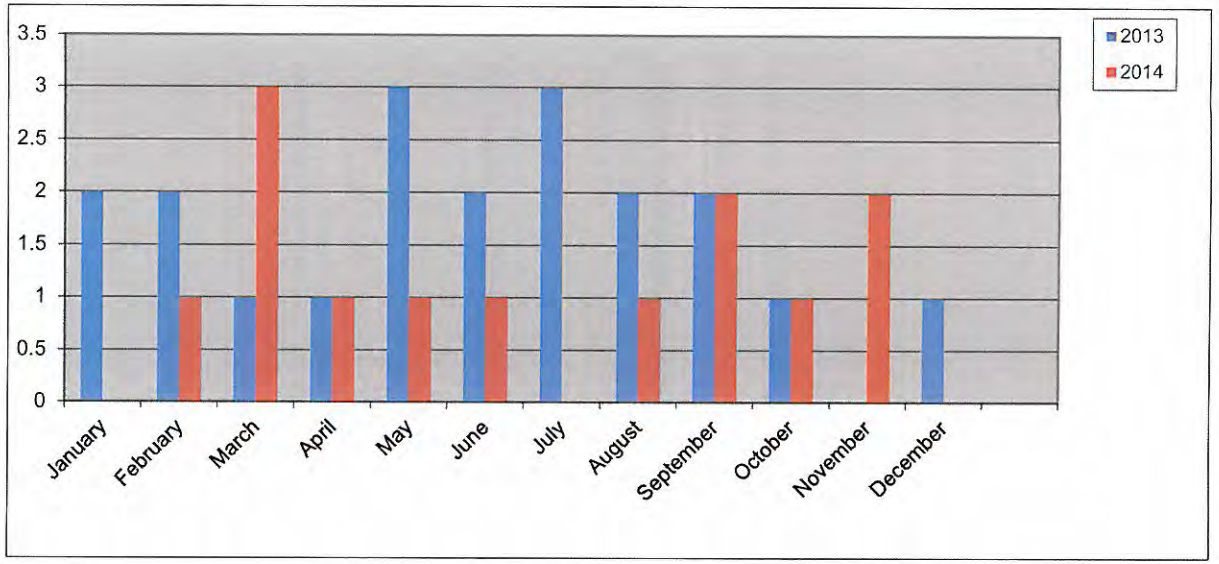
Residential Remodel Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	4	7
November	8	11
December	1	3
January	4	2
February	2	5
March	4	5
April	12	6
May	5	11
June	6	4
July	4	4
August	6	5
September	6	5
Totals	**62**	**68**



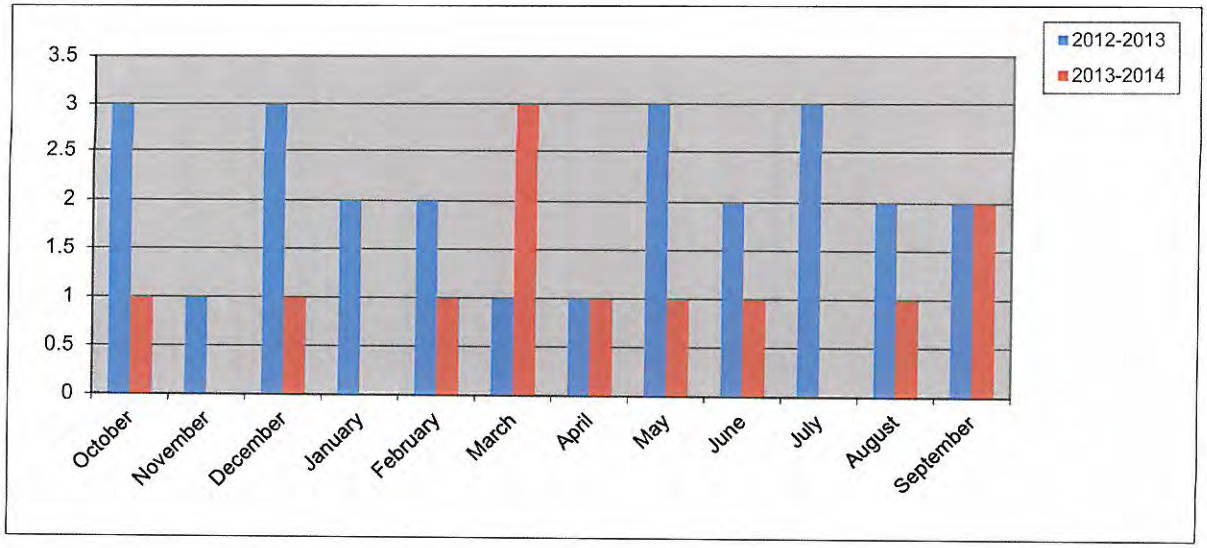
New Commercial Permits Calendar Year

	Year	
	2013	2014
January	2	0
February	2	1
March	1	3
April	1	1
May	3	1
June	2	1
July	3	0
August	2	1
September	2	2
October	1	1
November	0	2
December	1	
Totals	**20**	**13**



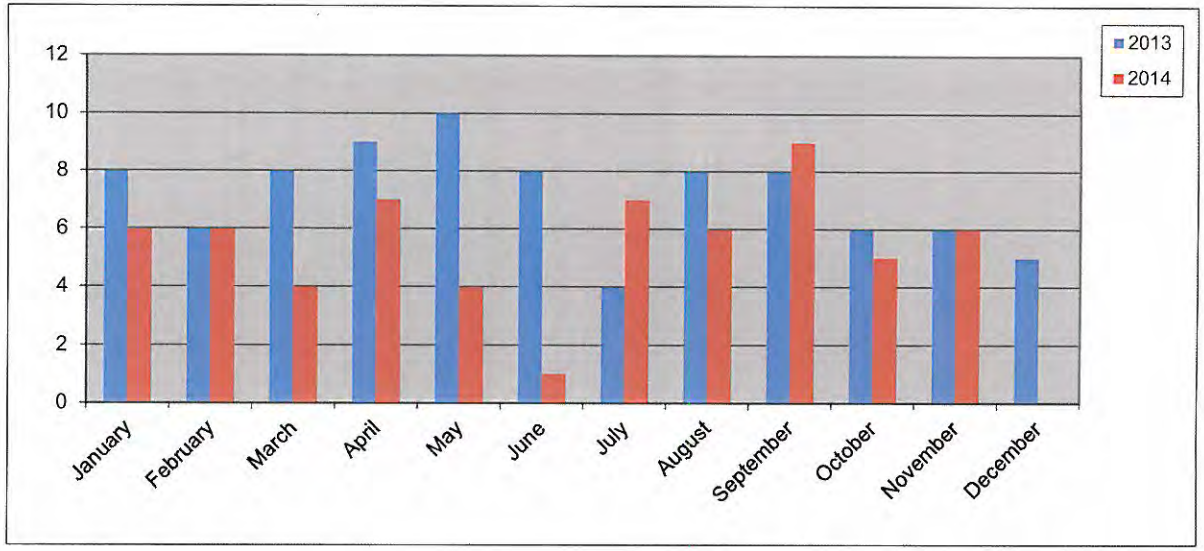
New Commercial Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	3	1
November	1	0
December	3	1
January	2	0
February	2	1
March	1	3
April	1	1
May	3	1
June	2	1
July	3	0
August	2	1
September	2	2
Totals	**25**	**12**



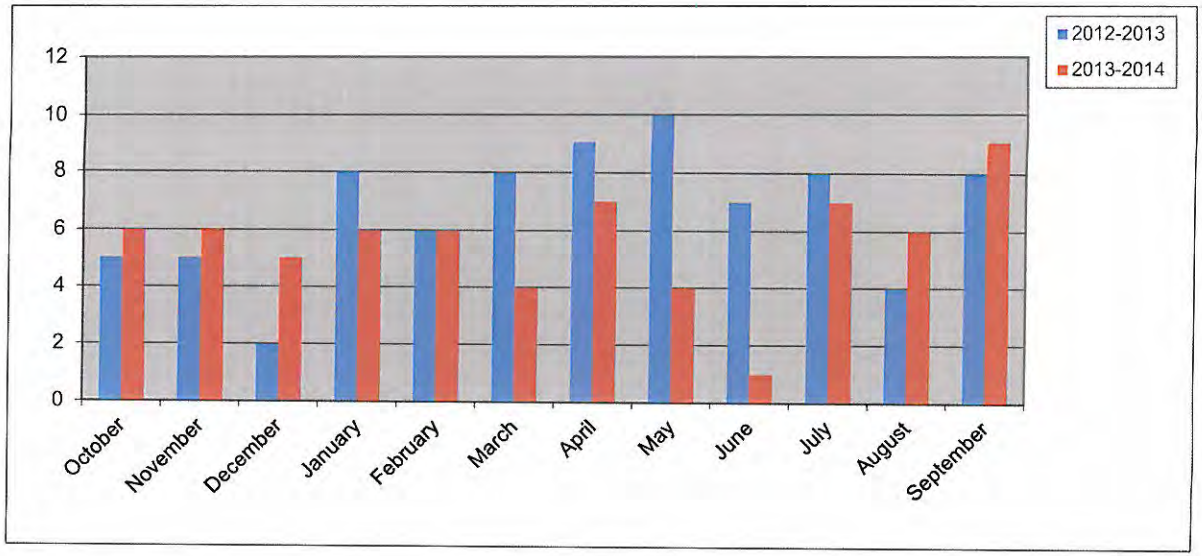
Commercial Remodel Permits Calendar Year

	Year	
	2013	2014
January	8	6
February	6	6
March	8	4
April	9	7
May	10	4
June	8	1
July	4	7
August	8	6
September	8	9
October	6	5
November	6	6
December	5	
Totals	**86**	**61**



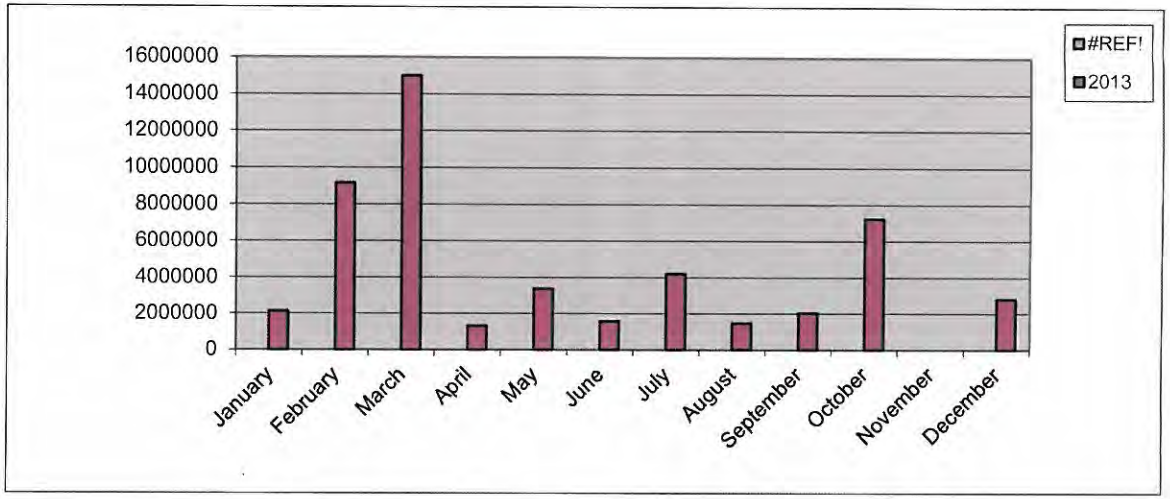
Commercial Remodel Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	5	6
November	5	6
December	2	5
January	8	6
February	6	6
March	8	4
April	9	7
May	10	4
June	7	1
July	8	7
August	4	6
September	8	9
Totals	**80**	**67**



New Commercial Value Calendar Year

Year	2013	2014
January	$ 2,125,000.00	$ -
February	$ 9,150,000.00	$ 850,000.00
March	$ 15,000,000.00	$ 1,185,000.00
April	$ 1,300,000.00	$ 1,000,000.00
May	$ 3,372,000.00	$ 5,000.00
June	$ 1,575,000.00	$ -
July	$ 4,200,000.00	
August	$ 1,454,000.00	$ 150,000.00
September	$ 2,040,000.00	$ 430,795.00
October	$ 7,225,000.00	$ 49,000.00
November	$ -	$ 4,300,000.00
December	$ 2,800,000.00	
Totals	**$ 50,241,000.00**	**$ 7,969,795.00**



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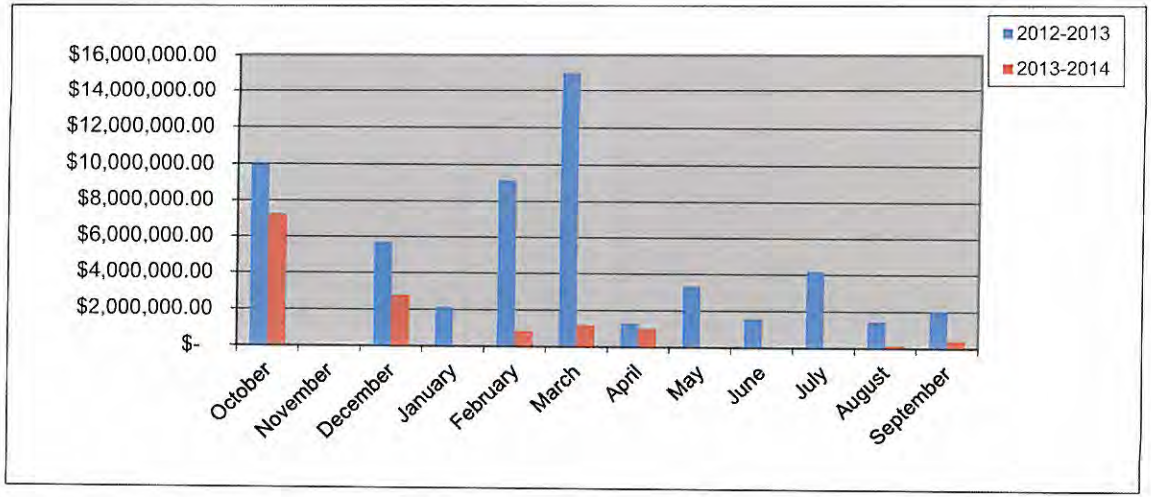
New Commercial Value Fiscal Year

Year	2012-2013	2013-2014
October	$ 10,000,000.00	$ 7,225,000.00
November	$ 5,000.00	$ -
December	$ 5,700,000.00	$ 2,800,000.00
January	$ 2,125,000.00	$ -
February	$ 9,150,000.00	$ 850,000.00
March	$ 15,000,000.00	$ 1,185,000.00
April	$ 1,300,000.00	$ 1,000,000.00
May	$ 3,372,000.00	$ 5,000.00
June	$ 1,575,000.00	$ -
July	$ 4,200,000.00	
August	$ 1,454,000.00	$ 150,000.00
September	$ 2,040,000.00	$ 430,795.00
Totals	**$ 55,921,000.00**	**$ 13,645,795.00**



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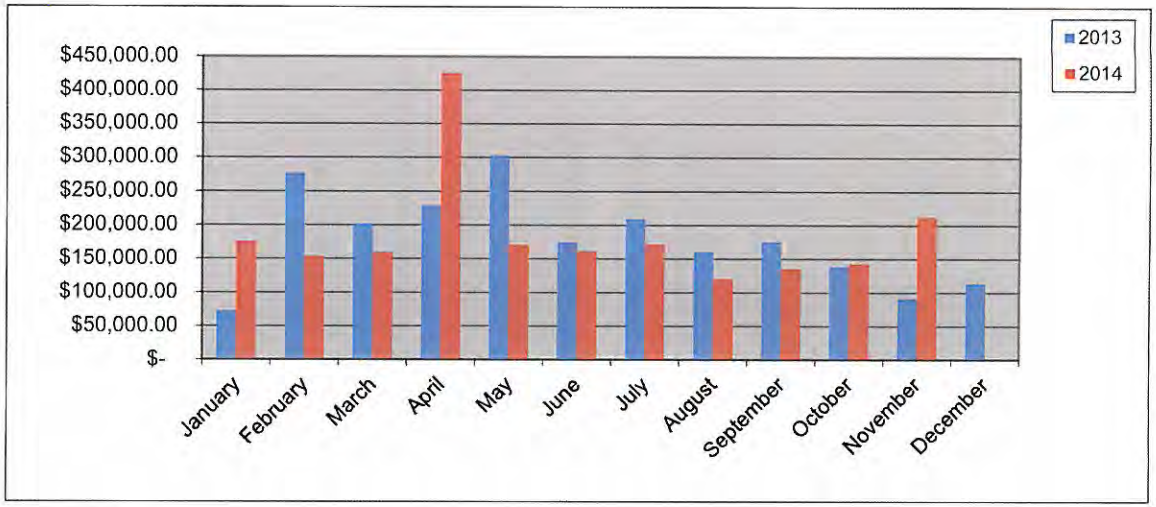
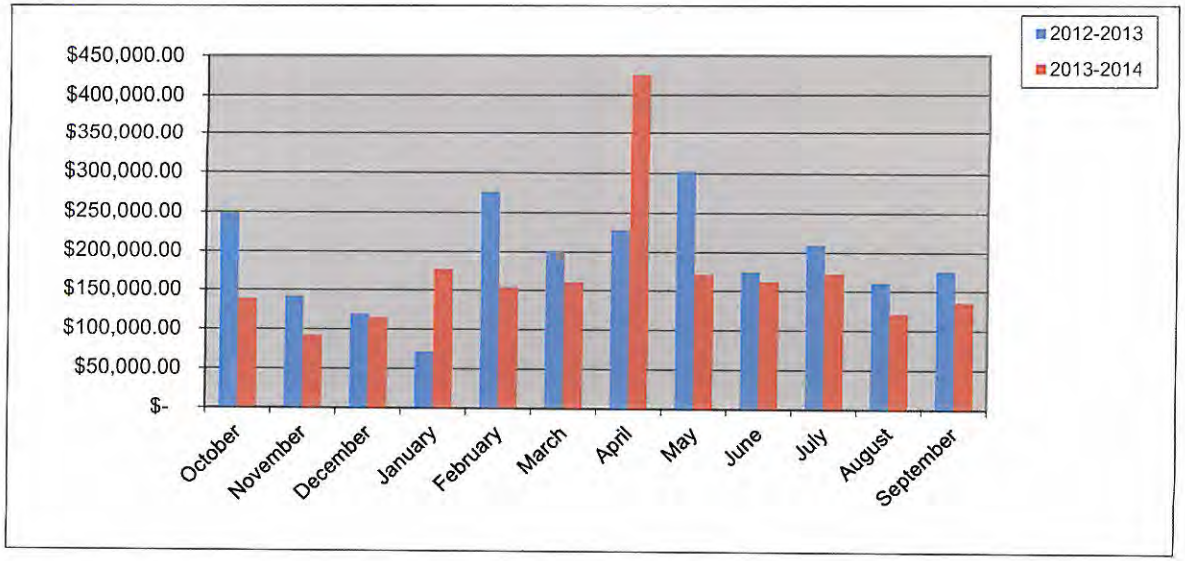
Total Fees Collected Calendar Year

Year	2013	2014
January	$ 72,345.98	$ 176,162.63
February	$ 276,902.10	$ 153,458.98
March	$ 201,529.43	$ 160,530.91
April	$ 228,621.67	$ 425,003.86
May	$ 302,928.73	$ 170,849.07
June	$ 174,872.41	$ 161,690.82
July	$ 209,566.63	$ 172,232.70
August	$ 161,080.17	$ 120,790.39
September	$ 175,835.03	$ 135,478.13
October	$ 138,771.53	$ 143,153.00
November	$ 91,778.83	$ 212,222.54
December	$ 114,645.28	
Totals	**$ 2,148,877.79**	**$ 2,031,573.03**



Total Fees Collected Fiscal Year

Year	2012-2013	2013-2014
October	$ 248,932.46	$ 138,771.53
November	$ 142,356.98	$ 91,778.83
December	$ 119,604.19	$ 114,645.28
January	$ 72,345.98	$ 176,162.63
February	$ 276,902.10	$ 153,458.98
March	$ 201,529.43	$ 160,530.91
April	$ 228,621.67	$ 425,003.86
May	$ 302,928.73	$ 170,849.07
June	$ 174,872.41	$ 161,829.08
July	$ 209,566.63	$ 172,232.70
August	$ 161,080.17	$ 120,790.39
September	$ 175,835.03	$ 135,478.13
Totals	**$ 2,314,575.78**	**$ 2,021,531.39**



City of Rockwall

PERMITS ISSUED

For the Period 11/1/2014 thru 11/30/2014

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0123 9/18/2014 11/4/2014	CO BUSINESS ACTIVE	3045 N. Goliad St. 103 4938-0001-0001-00-0R SHOPS AT RIDGE CREEK Donut Station #2	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	PCB, PROPERTIES LLC		DALLAS	TX	75206	
APPLICANT	Seung Won Lee	929 W Yellow Jacket Ln #603	Rockwall	TX	75087	
BUSINESS	Donut Station #2					
BUS OWNER	Seung Won Lee	3045 N. Goliad #103	Rockwall	TX	75087	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0133 10/2/2014 11/7/2014	CO BUSINESS ACTIVE	720 IH 30 4858-000A-013R-B1-0R GRANDY'S ADDITION Norment & Landers L.P.	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	HP, ROCKWALL III 30 LTD		DALLAS	TX	75230	
APPLICANT	Jon Landers	790 N. Collegiate	Paris	TX	75460	(903) 784-3323
INSP RPT EMAIL	Jon Landers	790 N. Collegiate	Paris	TX	75460	(903) 784-3323
BUS OWNER	Jon Landers	720 IH 30	Rockwall	TX	75087	(903) 784-3323
BUSINESS	Norment & Landers, L.P.	720 I-30	ROCKWALL	TX	75087	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0137 10/8/2014 11/14/2014	CO BUSINESS ACTIVE	3920 IH 30 0120-0000-0023-01-0R Gearheads	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	MITCHELL, ADAM		ROYSE CITY	TX	75189	
APPLICANT	Kevin D Carr	2621 Massey Ln.	Rockwall	TX	75032	(727) 227-7077
BUS OWNER	Kevin D Carr	3920 IH3 30	Rockwall	TX	75087	(727) 227-7077
BUSINESS	Gearheads					

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0141 10/21/2014 11/14/2014	CO BUSINESS ACTIVE	5733 FM 3097 4374-000A-0006-00-0R MAVERICK RANCH Ridge Pointe Horizon lp - SHELL CO	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
BUS OWNER	Ridge Pointe Horizon, LP	2255 Ridge Rd #208	ROCKWALL	TX	75087	
OWNER	Ridge Pointe Horizon, LP	2255 Ridge Rd #208	ROCKWALL	TX	75087	

City of Rockwall
PERMITS ISSUED
For the Period 11/1/2014 thru 11/30/2014

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number			Valuation	Total Fees / Total SQFT	Fees Paid
BUS OWNER	G P Mobile, LLC	3318 Forest Lane	Dallas	TX	75234		(972) 620-2287
BUSINESS	T-Mobile						
CO2014-0152	CO	3035 Ridge Rd. 103			0.00	$ 75.00	$ 75.00
11/13/2014	BUSINESS	0207-0000-0004-09-0R					
11/26/2014	Active	Upscale Nails & Spa				0	
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
MECH CONTR	L & D Htg. & Coolong	2326 Cromwell Dr.	Arlington	TX	76096		(817) 467-8514
APPLICANT	Quoc-Tri Van Cao	149 Haven Ridge Dr	Rockwall	TX	75032		(972) 722-2672
OWNER	TEMUNOVIC, PARTNERSHIP I		HEATH	TX	75032		
INSPECTOR1	Rusty McDowell						
INSPECTOR2	John Shannon						
INSPECTOR3	Larry Daniel						
CONTRACTOR	THOMAS CONSTRUCTION	2835 SAN DIEGO	Dallas	TX	75228		(972) 335-4105
PLB CONTR	Villarreal Plumbing	606 Woodhaven	Duncanville	TX	75116		(214) 850-7686
ELEC CONTR	Lee Electrical		Haltom City	TX	76137		
BUS OWNER	Quoc-Tri Van Cao	3035 Ridge Rd #103	Rockwall	TX	75032		(972) 722-2672
CO2014-0154	CO	513 IH 30			0.00	$ 75.00	$ 75.00
11/21/2014	BUSINESS	3245-0000-0003-00-0R					
11/26/2014	ACTIVE	CARLISLE PLAZA ADDN					
		Painting with a twist				0	
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	BENT, TREE REALTY CO		ADDISON	TX	75001		
APPLICANT	Christine Pilling	3500 Nandina Dr.	Wylie	TX	75098		(469) 314-8110
BUS OWNER	Christine Pilling	513 IH 30	Rockwall	TX	75087		(469) 314-8110
BUSINESS	Painting with a Twist						
CO2014-0155	CO	101 S Clark St			0.00	$ 0.00	$ 0.00
11/24/2014	CO HISTORIC	4841-0000-0001-00-0R					
11/24/2014	ACTIVE	B F BOYDSTON					
		Howard Dobb Elementary				0	
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	ROCKWALL, I S D					0	
BUS OWNER	Rockwall ISD	1050 Williams St.	Rockwall	TX	75087		(972) 771-5232
BUSINESS	Howard Dobb Elementary						

11 **Permits Issued from: 11/1/2014** **Thru: 11/30/2014**

Total Valuation: $ 0.00
Total Fees: $ 754.50
Total Fees Paid: $ 754.50

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CALLS BY TYPE
NOVEMBER 2014

CITY Situation Type	November #
113 Cooking fire, confined to container	1
116 Fuel burner/boiler malfunction, fire confined	1
143 Grass fire	1
150 OTHER Outside rubbish fire	1
311 Medical assist, assist EMS crew	1
322 Motor vehicle accident with injuries	1
340 Search for lost person, other	1
350 Extrication, rescue, other	1
411 Gasoline or other flammable liquid spill	2
412 Gas leak (natural gas or LPG)	4
413 Oil or other combustible liquid spill	1
440 Electrical wiring/equipment problem, other	1
444 Power line down	2
463 Vehicle accident, general cleanup	1
510 Person in distress, other	1
531 Smoke or odor removal	1
550 Public service assistance, other	3
551 Assist police or other governmental agency	2
553 Public service	1
556 Public service - Non paged	18
611 Dispatched & canceled en route	1
622 No incident found on arrival at dispatch address	2
651 Smoke scare, odor of smoke	3
733 Smoke detector activation due to malfunction	1
735 Alarm system sounded due to malfunction	3
736 CO detector activation due to malfunction	0
740 Unintentional transmission of alarm, other	1
742 Extinguishing system activation	1
743 Smoke detector activation, no fire - unintentional	4
744 Detector activation, no fire - unintentional	2
745 Alarm system activation, no fire - unintentional	7
Unknown	1
Totals:	71

COUNTY AND MUTUAL AID Situation Type	November #
142 Brush or brush-and-grass mixture fire	1
651 Smoke scare, odor of smoke	1
735 Alarm system sounded due to malfunction	1
Totals:	3

CITY RESPONSE
NOVEMBER 2014

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes	18 of 19 95.00% Criteria not met	0- 1 1/2 MINUTES	3 of 3 100% Criteria met
CRITERIA MET %		CRITERIA MET %	
CRITERIA -ACHIEVE RESPONSE TIME		CRITERIA -ACHIEVE RESPONSE TIME	
90% OF TIME IN BOXES WITH		60% OF TIME IN BOXES WITH	
STATIONS		STATIONS	
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES	18 of 19 95.00% Criteria not met	0-6 MINUTES	3 of 3 100% Criteria met
CRITERIA MET %		CRITERIA MET %	
CRITERIA -ACHIEVE RESPONSE TIME		CRITERIA -ACHIEVE RESPONSE TIME	
90% OF TIME IN BOXES WITH		60% OF TIME IN BOXES WITH	
STATIONS		STATIONS	
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES	18 of 19 95.00% Criteria not met	0-7 1/2 MINUTES	3 of 3 100% Criteria Met
CRITERIA MET%		CRITERIA MET%	
CRITERIA -ACHIEVE RESPONSE TIME		CRITERIA -ACHIEVE RESPONSE TIME	
90% OF TIME IN BOXES WITH		60% OF TIME IN BOXES WITH	
STATIONS		STATIONS	

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COUNTY AND MUTUAL AID
RESPONSE
NOVEMBER 2014

COUNTY/MUTUAL	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	2 of 4 50% Criteria not met
CRITERIA -ACHIEVE RESPONSE TIME	
60% OF TIME IN BOXES WITH	
STATIONS	
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	4 of 4 100% Criteria met
CRITERIA -ACHIEVE RESPONSE TIME	
60% OF TIME IN BOXES WITH	
STATIONS	
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	
CRITERIA MET%	4 of 4 100% Criteria met
CRITERIA -ACHIEVE RESPONSE TIME	
60% OF TIME IN BOXES WITH	
STATIONS	

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ENROUTE OVERAGES
CITY / NOVEMBER 2014

VENUE	ALARM DATE	ALARM TIME	ENROUTE TIME	ALARM TO ENROUTE	INCIDENT NUMBER	Fire Incident Station	Lights and Sirens	reason for overages
Rockwall	11/14/2014	17:12:41	17:14:24	0:01:43	2014-00000917	Rockwall 3	Code 3	CAD times don't match radio times

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ARRIVAL OVERAGES
CITY / NOVEMBER 2014

VENUE	ALARM DATE	ENROUTE TIME	ARRIVAL TIME	ENROUTE TO ARRIVAL	INCIDENT NUMBER	Fire Incident Station	Lights and Sirens	APPARATUS	REASON FOR OVERAGES
Rockwall	11/15/2014	07:25:44	07:32:50	0:07:06	2014-00000920	Rockwall 2	Code 3	LAD1	CAD times don't match radio times

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RESPONSE OVERAGES
CITY / NOVEMBER 2014

VENUE	ALARM DATE	ALARM TIME	ARRIVAL TIME	RESPONSE TIME	INCIDENT NUMBER	Fire Incident Station	Lights and Sirens	REASON FOR OVERAGES
Rockwall	11/15/2014	07:24:52	07:32:50	0:07:58	2014-00000920	Rockwall 2	Code 3	CAD Times don't match radio times

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COUNTY OVERAGES
ENROUTE
NOVEMBER 2014

ENROUTE OVERAGES

VENUE	ALARM DATE	ALARM TIME	ENROUTE TIME	ALARM TO ENROUTE	ARRIVAL TIME	ENROUTE TO ARRIVAL	RESPONSE TIME	INCIDENT NUMBER	Fire Incident Station	Lights and Sirens	APPARATUS	REASON FOR OVERAGES
Rockwall County	11/20/2014	05:47:13	05:49:11	0:01:58	05:57:22	0:08:11	0:10:09	2014-00000940	Rockwall 1	Code 3	LAD1	CAD times do not match radio times
Rockwall County	11/23/2014	17:05:12	17:14:35	0:09:23	17:14:35	0:00:00	0:09:23	2014-00000946	Rockwall 4	Code 3	BT4	CAD times do not match radio times

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Total Dollar Losses

November 2014

City of Rockwall
The Next Horizon

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$1,000.00	$27,580.00	$10,000.00	$286,140.00	$498,344.90
Total Content Loss:	$0.00	$16,548.00	$3,000.00	$108,394.00	$225,438.94
Total Property Pre-Incident Value:	$300,000.00	$78,800.00	$441,930.00	$694,930.00	$3,183,807.00
Total Contents Pre-Incident Value	$150,000.00	$47,280.00	$262,114.00	$385,224.00	$13,513,180.20
Total Losses:	$1,000.00	$44,128.00	$13,000.00	$394,534.00	$1,000.00
Total Value:	$450,000.00	$126,080.00	$704,044.00	$1,080,154.00	$16,696,987.20

Inspection Totals Per Inspector

November 2014

Fire Inspection FDID	Inspector	Inspection Type	Fire Inspection Inspection Number	Fire Inspection Status
TX504	744 - Patrick	Annual	2492	Pending
TX504	744 - Patrick	Annual	2488	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0145	Pending
TX504	744 - Patrick	Certificate of Occupancy	CO2014-0149	Pending
TX504	744 - Patrick	Construction Final	2491	Pending
TX504	744 - Patrick	Construction Final	2491	Pending
TX504	744 - Patrick	Construction Final	2460	Pending
TX504	744 - Patrick	Construction Final	2498	Finaled
TX504	744 - Patrick	Construction Final	2460	Pending
TX504	744 - Patrick	Courtesy	2495	Finaled
TX504	744 - Patrick	Courtesy	2496	Finaled
TX504	744 - Patrick	Courtesy	2484	Finaled
TX504	744 - Patrick	Courtesy	2485	Finaled
TX504	744 - Patrick	Courtesy	2482	Finaled
TX504	744 - Patrick	Courtesy	2483	Finaled
TX504	744 - Patrick	Fire Alarm System	2514	Pending
TX504	744 - Patrick	Tanks-AST	2459	Finaled
Total Per Inspector: 17				
TX504	836 - Ayres	Annual	2486	Pending
TX504	836 - Ayres	Annual	2457	Finaled
TX504	836 - Ayres	Certificate of Occupancy	co2014-0148	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0146	Finaled
TX504	836 - Ayres	Certificate of Occupancy	co2014-0148	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0133	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0123	Finaled
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0134	Pending
TX504	836 - Ayres	Certificate of Occupancy	CO2014-0135	Pending
TX504	836 - Ayres	Construction Final	2481	Pending
TX504	836 - Ayres	Construction Final	2473	Finaled
TX504	836 - Ayres	Construction Final	2481	Pending
TX504	836 - Ayres	Construction Final	2481	Finaled
TX504	836 - Ayres	Construction Final	2487	Finaled
TX504	836 - Ayres	Fire Alarm System	2479	Pending
TX504	836 - Ayres	Fire Alarm System	2461	Pending
TX504	836 - Ayres	Fire Spinkler System	2515	Pending
TX504	836 - Ayres	Fire Spinkler System	2463	Pending
TX504	836 - Ayres	Fire Spinkler System	2463	Pending
TX504	836 - Ayres	Fire Spinkler System	2489	Finaled
TX504	836 - Ayres	Fire Walls/Barriers	2500	Pending
TX504	836 - Ayres	Flow Test	2490	Finaled
TX504	836 - Ayres	Follow Up	2455	Finaled
TX504	836 - Ayres	Follow Up	2421	Finaled
TX504	836 - Ayres	Follow Up	2427	Finaled
TX504	836 - Ayres	Remote FDC	2462	Finaled
Total Per Inspector: 26				
TX504	843 - Clark	Annual	2444	Pending

TX504	843 - Clark	Annual	2492	Pending
TX504	843 - Clark	Annual	2476	Finaled
TX504	843 - Clark	Annual	2444	Finaled
TX504	843 - Clark	Annual	2476	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0150	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0147	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0151	Pending
TX504	843 - Clark	Certificate of Occupancy	CO2014-0151	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0154	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0152	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0137	Finaled
TX504	843 - Clark	Certificate of Occupancy	CO2014-0141	Finaled
TX504	843 - Clark	Construction Final	2475	Finaled
TX504	843 - Clark	Construction Final	2480	Pending
TX504	843 - Clark	Construction Final	2405	Pending
TX504	843 - Clark	Construction Final	2405	Finaled
TX504	843 - Clark	Construction Final	2475	Pending
TX504	843 - Clark	Construction Final	2467	Pending
TX504	843 - Clark	Construction Final	2355	Pending
TX504	843 - Clark	Construction Final	2458	Finaled
TX504	843 - Clark	Construction Final	2473	Finaled
TX504	843 - Clark	Construction Final	2355	Finaled
TX504	843 - Clark	Construction Final	2480	Finaled
TX504	843 - Clark	Courtesy	2494	Finaled
TX504	843 - Clark	Courtesy	2493	Finaled
TX504	843 - Clark	Courtesy	2497	Finaled
TX504	843 - Clark	Fire Spinkler System	2404	Finaled
TX504	843 - Clark	Fire Spinkler System	2443	Finaled
TX504	843 - Clark	Fire Spinkler System	2404	Pending
TX504	843 - Clark	Follow Up	2501	Finaled
TX504	843 - Clark	Knox Box	2499	Finaled

Total Per Inspector: 32

Department Total: 75

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Fire Alarms

NOVEMBER 2014

Date	Address	Common Name	Dispostion Code	CFS Number	Incident Number	Incident ORI	Call Type
11/01/2014 02:48:25	101 E RUSK ST	Rockwall County Old Courthouse	FA	29	2014-00000871	TX504	FD - Fire Alarm Commercial
11/03/2014 13:55:25	206 STORRS ST	Nursing Home, Rockwall, Rockwall Nursing Care, Rockwall Nursing Center	FA	462	2014-00000877	TX504	FD - Fire Alarm Commercial
11/03/2014 19:40:46	2689 MARKET CENTER DR	Petco	FA	527	2014-00000879	TX504	FD - Fire Alarm Commercial
11/08/2014 13:25:48	203 JACOB CROSSING		FA	1346	2014-00000895	TX504	FD - Fire Alarm Residential
11/10/2014 18:23:22	2922 S GOLIAD ST	Expo Barn, RISE, Rockwall Indoor Sports Expo, Sports Expo	FA	1811	2014-00000901	TX504	FD - Fire Alarm Commercial
11/12/2014 15:03:50	941 STEGER TOWNE DR	Childrens Park Daycare	FA	2138	2014-00000905	TX504	FD - Fire Alarm Commercial
11/13/2014 08:50:19	100 LAKE MEADOWS DR	Housing Authority, Reese Manor, Rockwall Housing Authority, Senior Citizen Nutrition	FA	2235	2014-00000909	TX504	FD - Fire Alarm Commercial
11/18/2014 22:23:59	1750 E I30	Premier Park Place	FA	3259	2014-00000934	TX504	FD - Fire Alarm Commercial
11/19/2014 18:24:18	2549 BARKSDALE DR		FA	3434	2014-00000939	TX504	FD - Fire Alarm Residential
11/22/2014 22:22:45	108 E WASHINGTON ST	Center, The, The Center	FA	4018	2014-00000944	TX504	FD - Fire Alarm Commercial
11/23/2014 11:37:07	532 LAKESIDE DR		FA	4096	2014-00000945	TX504	FD - Fire Alarm Residential
11/24/2014 09:27:16	605 DEVERSON DR		FA	4266	2014-00000947	TX504	FD - Fire Alarm Residential
11/24/2014 11:55:36	1067 E I30		FA	4298	2014-00000949	TX504	FD - Fire Alarm Commercial
11/28/2014 07:34:49	1527 MURPHY DR		FA	4969	2014-00000960	TX504	FD - Fire Alarm Residential
11/28/2014 19:09:40	1470 S JOHN KING BLVD	Mansion Active Adult (Senior)	FA	5070	2014-00000961	TX504	FD - Fire Alarm Residential

: 15

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City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 11/1/2014 thru 11/30/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2014-132	09/18/14	83	2701 Sunset Ridge 410	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	11/03/14	11/13/14	11/03/14
	COMM		Dr. Olmstead - Interior finishout							
BLD2014-144	10/10/14	61	2701 Sunset Ridge 702 & 703	HARBOR, HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	11/03/14	11/13/14	11/03/14
	COMM		7th FLOOR TREND TOWER MEETING ROOM							
BLD2014-160	11/03/14	37	2504 RIDGE RD	BROOKS, RICHARD L MD	Ariana Hargrove	FIRE 972-772-6431		11/03/14	11/13/14	
	COMM		HVAC REPLACEMENT							
BLD2014-161	11/04/14	36	1815 AIRPORT RD	CITY, OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	11/04/14	11/14/14	11/05/14
	COMM		Regional Firearms - Metal Accessory Bldg.							
BLD2014-162	11/04/14	36	1200 YELLOW JACKET LN BLDG C	FIRST, UNITED METHODIST CHURCH	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	11/04/14	11/14/14	11/07/14
	CHURCH		First United Methodist Church - New Sanctuary							
CO2014-0146	11/04/14	36	886 W Rusk St	SMYRNA, LAND CO LTD	Ariana Hargrove	FIRE CO	APPROVED	11/04/14	11/07/14	11/04/14
	CO		Sushi Box							
CO2014-0147	11/04/14	36	2015 Kristy Ln	DAVIS, FORREST B	Ariana Hargrove	FIRE CO	APPROVED	11/04/14	11/07/14	11/04/14
	CO		Hemisphere Brewing Company, LLC							
BLD2014-162	11/05/14	35	750 Justin Rd	Al Jowers	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	11/05/14	11/15/14	11/10/14
	COMM		Jowers Add Elevator to building - Owner Al Jowers							
BLD2014-163	11/05/14	35	386 TL Townsend	CITY, OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431	APPROVED	11/05/14	11/15/14	11/06/14
	COMM		adding ground equip. cabnet & antennas to existing pole							
CO2014-0148	11/06/14	34	811 YELLOW JACKET 102	LANDLOW, LLC	Ariana Hargrove	FIRE CO	APPROVED	11/06/14	11/09/14	11/06/14
	CO		Get Healthy							
ELE2014-007	11/06/14	34	765 IH 30	HD, DEVELOPMENT PROPERTIES LP	Ariana Hargrove	FIRE 972-772-6431		11/06/14	11/16/14	
	COMM		Dedicated curcuits via 3kva transformer from parking lot lit							
BLD2014-165	11/07/14	33	901 Williams St	ROCKWALL, ASSEMBLY OF GOD	Bryan Patrick	FIRE 972-772-6431	COMMENTS NEEDED	11/10/14	11/20/14	11/10/14
	CHURCH		Rockwall Assembly of God - Alteration							
BLD2014-167	11/10/14	30	1531 CALLING CIR	D R HORTON HOMES	Ariana Hargrove	FIRE 972-772-6431		11/10/14	11/20/14	
	SINGLE FAMILY		6' WOOD FENCE ON STEEL POSTS							
BLD2014-168	11/10/14	30	3003 HORIZON RD	OUR, SAVIOR EVANG LUTHERAN	Ariana Hargrove	FIRE 972-772-6431		11/10/14	11/20/14	
	COMM		OUR SAVIOR LUTHERAN CHURCH RE-ROOF							
BLD2014-168	11/10/14	30	2701 SUNSET RIDGE DR 409	HARBOR HEIGHTS INVESTORS LP	Bryan Patrick	FIRE 972-772-6431	CORRECTION NEEDED	11/10/14	11/20/14	11/13/14
	COMM		Keller Williams - interior							
CO2014-0149	11/10/14	30	1105 SH 276	Don Hallret	Ariana Hargrove	FIRE CO	APPROVED	11/10/14	11/13/14	11/10/14
	CO		Soulman's BBQ - office building							
PLB2014-037	11/10/14	30	3920 IH 30	MITCHELL, ADAM	Ariana Hargrove	FIRE 972-772-6431		11/10/14	11/20/14	
	COMM		GearHeads - install D/C Valve							

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City of Rockwall

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Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
PLB2014-037	11/10/14	30	901 WILLIAMS	ROCKWALL, ASSEMBLY OF GOD	Ariana Hargrove	FIRE 972-772-6431		11/10/14	11/20/14	
	COMM		THE LAKES CHURCH - REPLACING GAS LINE FROM METER TO MAIN							
BLD2014-163	11/05/14	35	3140 Horizon Rd. 100	ROCKWALL, REGIONAL HOSPITAL LLP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	11/11/14	11/11/14	11/11/14
	COMM		Spine Team - Interior completion							
BLD2014-168	11/10/14	30	2701 SUNSET RIDGE DR 601 & 607	HARBOR HEIGHTS INVESTORS LP	Bryan Patrick	FIRE 972-772-6431	COMMENTS NEEDED	11/11/14		11/13/14
	COMM		Sterling One - interior							
BLD2014-169	11/10/14	30	2701 SUNSET RIDGE DR 404 & 415	HARBOR HEIGHTS INVESTORS LP	Bryan Patrick	FIRE 972-772-6431	COMMENTS NEEDED	11/11/14		11/13/14
	COMM		Rockwall Dermatology - interior							
BLD2014-169	11/11/14	29	3142 Horizon Rd. 210	ROCKWALL, REGIONAL HOSPITAL LLP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	11/11/14	11/21/14	11/17/14
	COMM		Presb Hospital - Wound Unit on 2nd floor & oxygen tank outsi							
BLD2014-169	11/11/14	29	301 W WASHINGTON	KAUFMANN, DOUG A & RUTH A	Ariana Hargrove	FIRE 972-772-6431	APPROVED	11/11/14	11/21/14	11/12/14
	COMM		Doug Kaufman - remodel							
BLD2014-170	11/11/14	29	908 N GOLIAD ST	HEAVENLY, HANDS BIRTHING CENTER PLLC	Ariana Hargrove	FIRE 972-772-6431		11/11/14	11/21/14	
	COMM		RE-ROOFING (SHINGLES ONLY)							
BLD2014-138	09/30/14	71	1037 IH 30	EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	11/12/14	11/22/14	11/12/14
	COMM		Plaza at Rockwall -NEW BLDG							
CO2014-0150	11/12/14	28	906 N GOLIAD ST	MANUEL LOZANO	Ariana Hargrove	FIRE CO	APPROVED	11/12/14	11/15/14	11/13/14
	CO		TBC CONSTRUCTION GROUP LLC							
CO2014-0151	11/12/14	28	2014 Goliad St. S 100	ROCKWALL, CENTRAL SHOP/CNTR JV	Ariana Hargrove	FIRE CO	APPROVED	11/12/14	11/15/14	11/13/14
	CO		T-Mobile							
MEC2014-01	11/12/14	28	2689 MARKET CENTER DR.	CRP/ARROW, ROCKWALL LLC	Ariana Hargrove	FIRE 972-772-6431		11/12/14	11/22/14	
	COMM		REPLACE ONE 5 GON RTU							
CO2014-0152	11/13/14	27	3035 Ridge Rd. 103	TEMUNOVIC, PARTNERSHIP LTD	Ariana Hargrove	FIRE CO	APPROVED	11/13/14	11/16/14	11/13/14
	CO		Upscale Nails & Spa							
BLD2014-168	11/10/14	30	990 IH 30	ROCKWALL, LAND COMPANY LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	11/14/14		11/14/14
	COMM		Rockwall Ford - Replace Light pole fixtures with new LED fix							
BLD2014-176	11/14/14	26	2055 SUMMER LEE DR	BELLA HARBOR HOTEL VENTURE LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	11/14/14	11/24/14	11/21/14
	COMM		THE HILTON - INSTALL PATIO COVER WITH RETRACTABLE ROOF SYSTE							
BLD2014-177	11/17/14	23	301 W WASHINGTON ST.	KAUFMANN, DOUG A & RUTH A	Ariana Hargrove	FIRE 972-772-6431		11/17/14	11/27/14	
	COMM		6' PICKET PRIVACY FENCE							
DEM2014-00	11/17/14	23	2109 Summer Lee 103-109	MARIAH, BAY DEVELOPMENT INC	Ariana Hargrove	FIRE 972-772-6431		11/17/14	11/27/14	
	COMM		Harbor Interior Demo - making 5 suites into one large suite							
BLD2014-178	11/18/14	22	906 N FANNIN ST	GALASSI, TORI DAHLQUIST AND GARY KEITH	Ariana Hargrove	FIRE 972-772-6431		11/18/14	11/28/14	
	SINGLE FAMILY		RE-ROOFING (SHINGLES ONLY)							
MEC2014-01	11/18/14	22	832 STEGER TOWNE DR	STEGER, DUNHILL LLC	Ariana Hargrove	FIRE 972-772-6431		11/18/14	11/28/14	
	COMM		Replacing one roof top unit							

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Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
PLB2014-038	11/18/14	22	650 IH 30	PAUL'S, KWIK KAR INC	Ariana Hargrove	FIRE 972-772-6431		11/18/14	11/28/14	
	COMM		Installing double Check Valve							
CO2014-0153	11/19/14	21	2475 Ridge Rd.	LITTLEPAGE, ENTERPRISES LLC	Ariana Hargrove	FIRE CO	APPROVED	11/19/14	11/22/14	11/19/14
	CO		Culver's of Rockwall							
BLD2014-160	10/31/14	40	1700 Justin Rd	ROCKWALL, ECONOMIC DEVELOPMENT	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	11/20/14	11/30/14	11/20/14
	COMM		The Channell Project							
BLD2014-153	10/23/14	48	2975 Discovery Blvd	ROCKWALL, ECONOMIC DEVELOPMENT	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	11/21/14	12/01/14	11/21/14
	COMM		Col-Met - NEW BLDG							
BLD2014-162	11/04/14	36	1200 YELLOW JACKET LN BLDG C	FIRST, UNITED METHODIST CHURCH	Ariana Hargrove	FIRE 972-772-6431	APPROVED	11/21/14	12/01/14	11/21/14
	CHURCH		First United Methodist Church - New Sanctuary							
BLD2014-162	11/05/14	35	750 Justin Rd	Al Jowers	Ariana Hargrove	FIRE 972-772-6431	APPROVED	11/21/14	12/01/14	11/21/14
	COMM		Jowers Add Elevator to building - Owner Al Jowers							
BLD2014-180	11/21/14	19	1106 Ridge Rd A	BENBROOKE, RIDGE PARTNERS LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	11/21/14	12/01/14	11/21/14
	COMM		Remodel lease space							
CO2014-0154	11/21/14	19	513 IH 30	BENT, TREE REALTY CO	Ariana Hargrove	FIRE CO	APPROVED	11/21/14	11/24/14	11/21/14
	CO		Painting with a twist							
CO2014-0155	11/24/14	16	101 S Clark St	ROCKWALL, I S D	Ariana Hargrove	FIRE CO		11/24/14	11/27/14	
	CO		Howard Dobb Elementary							
BLD2014-183	11/26/14	14	2305 SH 276	Connally Squared LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	11/26/14	12/06/14	12/02/14
	COMM		Dance Studio							
CO2014-0156	11/26/14	14	1975 Alpha 204	ELLIS, RICHARD M	Ariana Hargrove	FIRE CO	APPROVED	11/26/14	11/29/14	12/02/14
	CO		HTPN Family Medical Center At Rockwall							

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 11/1/2014 thru 11/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2006-003	02/06/2006		ENGINEERING	3,229	Amy Williams	COMMENTS
					Assistant City Engineer	11/19/2014
E2006-003	02/06/2006		ENGINEERING	3,229	Tim Tumulty	COMMENTS
					City Engineer	11/19/2014
E2006-003	02/06/2006		ENGINEERING	3,229	Kathleen Moreno	APPROVED
					Engineering: Engineer	11/21/2014
E2006-003	02/06/2006		ENGINEERING	3,229	Bruce Hanby	COMMENTS
					Engineering: Technician	11/17/2014
E2006-003	02/06/2006		ENGINEERING	3,229	Billy Chaffin	COMMENTS
					Street Department	11/20/2014
E2013-013	03/29/2013		ENGINEERING E I-30 DR	621	Amy Williams	COMMENTS
					Assistant City Engineer	11/12/2014
E2013-013	03/29/2013		ENGINEERING E I-30 DR	621	Tim Tumulty	COMMENTS
					City Engineer	11/18/2014
E2013-013	03/29/2013		ENGINEERING E I-30 DR	621	Kathleen Moreno	COMMENTS
					Engineering: Engineer	11/18/2014
E2013-017	04/25/2013		ENGINEERING	594	Amy Williams	COMMENTS
					Assistant City Engineer	11/24/2014
E2013-017	04/25/2013		ENGINEERING	594	Robert LaCroix	COMMENTS
					PLANNING	11/24/2014
E2013-017	04/25/2013		ENGINEERING	594	Billy Chaffin	APPROVED
					Street Department	11/25/2014
E2013-017	04/25/2013		ENGINEERING	594	Bruce Hanby	APPROVED
					Engineering: Technician	11/19/2014
E2013-017	04/25/2013		ENGINEERING	594	Tim Tumulty	
					City Engineer	
E2013-017	04/25/2013		ENGINEERING	594	Kathleen Moreno	APPROVED
					Engineering: Engineer	11/24/2014

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For the Period 11/1/2014 thru 11/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2014-029	11/05/2014		ENGINEERING BREEZY HILLS RD	35	Ariana Hargrove ENG - FIRE	APPROVED 11/10/2014
E2014-029	11/05/2014		ENGINEERING BREEZY HILLS RD	35	Amy Williams ASSISTANT CITY ENC	COMMENTS 11/11/2014
E2014-029	11/05/2014		ENGINEERING BREEZY HILLS RD	35	Curtis McAden WATER DEPARTMEN	APPROVED 11/6/2014
E2014-029	11/05/2014		ENGINEERING BREEZY HILLS RD	35	Steve Clawson SEWER DEPARTMEN	COMMENTS 11/6/2014
E2014-029	11/05/2014		ENGINEERING BREEZY HILLS RD	35	Billy Chaffin STREET DEPARTMEN	APPROVED 11/11/2014
E2014-029	11/05/2014		ENGINEERING BREEZY HILLS RD	35	Bruce Hanby ENG-TECH	COMMENTS 11/7/2014
E2014-029	11/05/2014		ENGINEERING BREEZY HILLS RD	35	Tim Tumulty CITY ENGINEER	APPROVED 11/14/2014
E2014-029	11/05/2014		ENGINEERING BREEZY HILLS RD	35	Steve Clawson Sewer Department	APPROVED 12/3/2014
E2014-029	11/05/2014		ENGINEERING BREEZY HILLS RD	35	Bruce Hanby Engineering: Technician	COMMENTS 12/2/2014
E2014-029	11/05/2014		ENGINEERING BREEZY HILLS RD	35	Amy Williams Assistant City Engineer	COMMENTS 12/3/2014
E2014-029	11/05/2014		ENGINEERING BREEZY HILLS RD	35	Kathleen Moreno ENG-ENGINEER	COMMENTS 11/12/2014
E2014-030	11/10/2014		ENGINEERING 1801 S GOLIAD ST	30	Kathleen Moreno ENG-ENGINEER	COMMENTS 11/12/2014
E2014-030	11/10/2014		ENGINEERING 1801 S GOLIAD ST	30	Curtis McAden WATER DEPARTMEN	
E2014-030	11/10/2014		ENGINEERING 1801 S GOLIAD ST	30	Steve Clawson SEWER DEPARTMEN	APPROVED 11/12/2014
E2014-030	11/10/2014		ENGINEERING 1801 S GOLIAD ST	30	Bruce Hanby ENG-TECH	COMMENTS 11/10/2014

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For the Period 11/1/2014 thru 11/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2014-030	11/10/2014		ENGINEERING 1801 S GOLIAD ST	30	Brian Patrick ENG - FIRE	APPROVED 11/10/2014
E2014-030	11/10/2014		ENGINEERING 1801 S GOLIAD ST	30	Amy Williams ASSISTANT CITY ENC	COMMENTS 11/10/2014
E2014-030	11/10/2014		ENGINEERING 1801 S GOLIAD ST	30	Tim Tumulty CITY ENGINEER	COMMENTS 11/14/2014
E2014-030	11/10/2014		ENGINEERING 1801 S GOLIAD ST	30	Billy Chaffin STREET DEPARTMEN	APPROVED 11/11/2014
E2014-031	11/14/2014		ENGINEERING 2582 HWY276	26	Bruce Hanby ENG-TECH	COMMENTS 11/18/2014
E2014-031	11/14/2014		ENGINEERING 2582 HWY276	26	Curtis McAden WATER DEPARTMEN	APPROVED 11/17/2014
E2014-031	11/14/2014		ENGINEERING 2582 HWY276	26	Tim Tumulty CITY ENGINEER	APPROVED 11/18/2014
E2014-031	11/14/2014		ENGINEERING 2582 HWY276	26	Amy Williams ASSISTANT CITY ENC	COMMENTS 11/19/2014
E2014-031	11/14/2014		ENGINEERING 2582 HWY276	26	Kathleen Moreno ENG-ENGINEER	COMMENTS 11/18/2014
E2014-031	11/14/2014		ENGINEERING 2582 HWY276	26	Billy Chaffin STREET DEPARTMEN	APPROVED W/ 11/20/2014
E2014-031	11/14/2014		ENGINEERING 2582 HWY276	26	Steve Clawson SEWER DEPARTMEN	APPROVED 11/21/2014
E2014-031	11/14/2014		ENGINEERING 2582 HWY276	26	Ariana Hargrove ENG - FIRE	COMMENTS 11/17/2014
E2014-032	11/21/2014		ENGINEERING 1700 E I30	19	Curtis McAden WATER DEPARTMEN	APPROVED 12/1/2014
E2014-032	11/21/2014		ENGINEERING 1700 E I30	19	Billy Chaffin STREET DEPARTMEN	APPROVED 11/25/2014
E2014-032	11/21/2014		ENGINEERING 1700 E I30	19	David Gonzales PLANNING	APPROVED 12/3/2014

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 11/1/2014 thru 11/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
E2014-032	11/21/2014		ENGINEERING 1700 E I30	19	Steve Clawson SEWER DEPARTMEN	APPROVED 12/3/2014
E2014-032	11/21/2014		ENGINEERING 1700 E I30	19	Tim Tumulty CITY ENGINEER	COMMENTS 12/3/2014
E2014-032	11/21/2014		ENGINEERING 1700 E I30	19	Amy Williams ASSISTANT CITY ENC	COMMENTS 11/24/2014
E2014-032	11/21/2014		ENGINEERING 1700 E I30	19	Ariana Hargrove ENG - FIRE	COMMENTS 12/3/2014
E2014-032	11/21/2014		ENGINEERING 1700 E I30	19	Kathleen Moreno ENG-ENGINEER	APPROVED 12/1/2014
E2014-032	11/21/2014		ENGINEERING 1700 E I30	19	Bruce Hanby ENG-TECH	COMMENTS 11/25/2014
P2014-032	10/17/2014		PLAT RIDGE RD	54	Ariana Hargrove FIRE	APPROVED 11/5/2014
P2014-036	11/05/2014		PLAT 2975 DISCOVERY BLVD	35	Lance Singleton GIS	
P2014-036	11/05/2014		PLAT 2975 DISCOVERY BLVD	35	John Shannon BUILDING	APPROVED 11/5/2014
P2014-036	11/05/2014		PLAT 2975 DISCOVERY BLVD	35	David Gonzales PLANNING	COMMENTS 11/5/2014
P2014-036	11/05/2014		PLAT 2975 DISCOVERY BLVD	35	Amy Williams ENGINEERING	APPROVED 11/5/2014
P2014-036	11/05/2014		PLAT 2975 DISCOVERY BLVD	35	Ariana Hargrove FIRE	APPROVED 11/5/2014
P2014-037	11/05/2014		PLAT 1200 YELLOW JACKET LN	35	John Shannon BUILDING	APPROVED 11/5/2014
P2014-037	11/05/2014		PLAT 1200 YELLOW JACKET LN	35	Ryan Miller PLANNING	APPROVED W/ 11/6/2014
P2014-037	11/05/2014		PLAT 1200 YELLOW JACKET LN	35	Amy Williams ENGINEERING	APPROVED 11/5/2014

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 11/1/2014 thru 11/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
P2014-037	11/05/2014		PLAT 1200 YELLOW JACKET LN	35	Ariana Hargrove FIRE	APPROVED 11/5/2014
P2014-037	11/05/2014		PLAT 1200 YELLOW JACKET LN	35	Lance Singleton GIS	APPROVED W/
P2014-038	11/05/2014		PLAT 1700 JUSTIN ROAD	35	Amy Williams ENGINEERING	APPROVED 11/6/2014
P2014-038	11/05/2014		PLAT 1700 JUSTIN ROAD	35	Ariana Hargrove FIRE	APPROVED 11/5/2014
P2014-038	11/05/2014		PLAT 1700 JUSTIN ROAD	35	Amy Williams ENGINEERING	COMMENTS 11/5/2014
P2014-038	11/05/2014		PLAT 1700 JUSTIN ROAD	35	Ryan Miller PLANNING	COMMENTS 11/6/2014
P2014-038	11/05/2014		PLAT 1700 JUSTIN ROAD	35	John Shannon BUILDING	APPROVED 11/5/2014
P2014-038	11/05/2014		PLAT 1700 JUSTIN ROAD	35	Lance Singleton GIS	APPROVED 11/5/2014
P2014-039	11/17/2014		PLAT I30 SOUTH SERVICE RD	23	Amy Williams ENGINEERING	COMMENTS 11/18/2014
P2014-039	11/17/2014		PLAT I30 SOUTH SERVICE RD	23	Brian Patrick FIRE	APPROVED 11/18/2014
P2014-039	11/17/2014		PLAT I30 SOUTH SERVICE RD	23	JoDee Sanford PLANNING	COMMENTS 11/18/2014
P2014-039	11/17/2014		PLAT I30 SOUTH SERVICE RD	23	John Shannon BUILDING	APPROVED 11/24/2014
P2014-039	11/17/2014		PLAT I30 SOUTH SERVICE RD	23	Lance Singleton GIS	COMMENTS 12/3/2014
P2014-040	11/17/2014		PLAT	23	Brian Patrick FIRE	APPROVED 11/18/2014
P2014-040	11/17/2014		PLAT	23	Amy Williams ENGINEERING	COMMENTS 11/18/2014

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 11/1/2014 thru 11/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	Plan Review Detail: Contact / Review Type	Status / Completed
P2014-040	11/17/2014		PLAT	23	Lance Singleton GIS	
P2014-040	11/17/2014		PLAT	23	David Gonzales PLANNING	COMMENTS 11/19/2014
P2014-040	11/17/2014		PLAT	23	John Shannon BUILDING	APPROVED 11/24/2014
SP2013-022	08/16/2013		SITE PLAN 1280 E RAPLPH HALL PKWY	481	Ariana Hargrove FIRE	APPROVED 11/5/2014
SP2013-022	08/16/2013		SITE PLAN 1280 E RAPLPH HALL PKWY	481	Amy Williams ENGINEERING	APPROVED 11/5/2014
SP2014-028	10/14/2014		SITE PLAN 2582 HWY276	57	David Gonzales Planning Department	APPROVED W/ 11/4/2014
SP2014-029	10/17/2014		SITE PLAN 1700 E I30	54	Ariana Hargrove FIRE	APPROVED W/
SP2014-029	10/17/2014		SITE PLAN 1700 E I30	54	Amy Williams ENGINEERING	APPROVED W/ 11/5/2014
SP2014-029	10/17/2014		SITE PLAN 1700 E I30	54	John Shannon BUILDING	APPROVED 11/5/2014
SP2014-030	11/13/2014		SITE PLAN 3150 HORIZON RD	27	JoDee Sanford PLANNING	APPROVED 11/14/2014
SP2014-030	11/13/2014		SITE PLAN 3150 HORIZON RD	27	Lance Singleton GIS	APPROVED 11/14/2014
SP2014-030	11/13/2014		SITE PLAN 3150 HORIZON RD	27	Ariana Hargrove FIRE	APPROVED 11/14/2014
SP2014-030	11/13/2014		SITE PLAN 3150 HORIZON RD	27	Amy Williams ENGINEERING	APPROVED 11/13/2014
SP2014-030	11/13/2014		SITE PLAN 3150 HORIZON RD	27	John Shannon BUILDING	APPROVED 11/14/2014
SP2014-031	11/18/2014		SITE PLAN	22	Lance Singleton GIS	APPROVED 11/19/2014

CRW SYSTEMS

City of Rockwall
Project Routing Report By DATE_SENT
For the Period 11/1/2014 thru 11/30/2014

Project#	Applied	Owner Name / Description	Project Type / Address	Aging	---------- Plan Review Detail ---------- Contact / Review Type	Status / Completed
SP2014-031	11/18/2014		SITE PLAN	22	Ariana Hargrove	APPROVED
					FIRE	11/20/2014
SP2014-031	11/18/2014		SITE PLAN	22	Ryan Miller	APPROVED W/
					PLANNING	11/18/2014
SP2014-031	11/18/2014		SITE PLAN	22	Amy Williams	COMMENTS
					ENGINEERING	11/18/2014
SP2014-031	11/18/2014		SITE PLAN	22	John Ankrum	COMMENTS
					BUILDING	11/20/2014
Z2014-034	11/17/2014		ZONING	23	John Shannon	APPROVED
			1530 S I30		BUILDING	11/24/2014
Z2014-034	11/17/2014		ZONING	23	Brian Patrick	APPROVED
			1530 S I30		FIRE	11/18/2014
Z2014-034	11/17/2014		ZONING	23	Amy Williams	COMMENTS
			1530 S I30		ENGINEERING	11/18/2014
Z2014-034	11/17/2014		ZONING	23	JoDee Sanford	COMMENTS
			1530 S I30		PLANNING	11/21/2014
Z2014-035	11/17/2014		ZONING	23	Ariana Hargrove	APPROVED
			EAST FORK		FIRE	11/21/2014
Z2014-035	11/17/2014		ZONING	23	Amy Williams	APPROVED
			EAST FORK		ENGINEERING	11/21/2014
Z2014-035	11/17/2014		ZONING	23	David Gonzales	APPROVED W/
			EAST FORK		PLANNING	11/20/2014

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Rockwall Police Department

Harbor District Calls For Service

November 2014

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2014-00039030	11/30/2014	13:59:22	Cinemark	Accident - Minor	No Report
2014-00037387	11/16/2014	05:21:31	Cinemark	Alarm-BUSN	False Alarm
2014-00039049	11/30/2014	17:27:19	Cinemark	BMV	Report
2014-00036552	11/08/2014	20:22:22	Cinemark	Intoxicated	No Report
2014-00037228	11/14/2014	23:26:12	Cinemark	Investigation	No Report
2014-00037965	11/21/2014	17:29:36	Cinemark	Investigation	No Report
2014-00038536	11/26/2014	20:32:06	Cinemark	Theft	Report
2014-00038964	11/30/2014	00:41:48	Hilton	Disturbance	No Report
2014-00037216	11/14/2014	22:23:38	Hilton	Intoxicated	No Report
2014-00038728	11/28/2014	15:33:09	The Harbor	BMV	Report
2014-00038721	11/28/2014	14:32:28	The Harbor	BMV	Report
2014-00037187	11/14/2014	19:55:05	The Harbor	Criminal Mischief	No Report
2014-00038784	11/28/2014	22:22:51	The Harbor	Investigation	No Report
2014-00037108	11/13/2014	21:48:29	The Harbor	Motor Vehicle Theft	Report
2014-00037159	11/14/2014	13:09:48	The Harbor	Theft	Report
			Common Name		
			Cinemark	7	
			The Harbor	6	
			Hilton	2	
			Total	**15**	

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
NOVEMBER 2014

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	6	6	0	100%
ADMINISTRATIVE SERVICES	6	6	0	100%
AIRPORT	0	0	0	0%
ANIMAL SERVICES	8	8	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	1	1	0	100%
ENGINEERING	6	5	1	83%
FINANCE	3	3	0	100%
FIRE DEPARTMENT	22	22	0	100%
INTERNAL OPERATIONS	123	123	0	100%
MUNICIPAL COURT	7	7	0	100%
PARKS & RECREATION	16	16	0	100%
PLANNING & ZONING	0	0	0	0%
POLICE DEPARTMENT	25	25	0	100%
PUBLIC WORKS	2	2	0	100%
UTILITY BILLING	0	0	0	0%
TOTAL	225	224	1	99%

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
RADIO SYSTEM
REQUESTS FOR SERVICE
NOVEMBER 2014

DEPARTMENT	# OF REQUESTS	# OF REQUESTS RESPONDED TO W / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ANIMAL SERVICES	0	0	0	100%
CODE ENFORCEMENT	0	0	0	100%
FIRE DEPARTMENT	6	6	0	100%
EMS	0	0	0	100%
INTERNAL OPERATIONS	0	0	0	100%
PARKS & RECREATION	0	0	0	100%
POLICE DEPARTMENT	7	7	0	100%
PUBLIC WORKS	0	0	0	100%
UTILITY BILLING	0	0	0	100%
HEATH DEPT. PUBLIC SAFETY	2	2	0	100%
HOSPITAL CONTROL STATIONS	0	0	0	100%
SYSTEM ISSUES	0	0	0	100%
TOTAL	15	15	0	100%

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Airport Operations Report

For Month of November 2014

FUEL SALES

	GALLONS SOLD	GROSS SALES
Jet - A Sales	124.00	$576.60
Av-Gas Sales	2,071.40	$10,875.03
TOTAL FUEL SALES	2,195.40	$11,451.63

HANGAR RENTAL REVENUE

Open T Hangar Rental Revenue	$1,920.00
Terminal Office Rental Revenue	$250.00
Enclosed Hangar Rental Revenue	$120.00
North Maintenance Hangar Rental Revenue	$500.00
TOTAL HANGAR RENTALS	$2,790.00

HANGAR OCCUPANCY RATES

	TOTAL HANGARS	QTY RENTABLE	QUANTITY LEASED	OCCUPANCY RATE
Open T Hangars	45	40	32	80.00%
Terminal Office Rentals	1	1	1	100%
Closed Hangar Rentals	1	1	1	100%
Open Hangar Cap Rentals	2	1	1	100%
TOTAL HANGAR OCCUPANCY	49	43	35	81%

Of the forty five hangars only forty can actually be rented. Most of these forty should be considered substandard and not easily marketed due to pad slope and width, electrical, and drainage issues.

CITY FEES DUE	FEE RATE	FRANCHISE FEE DUE	FUEL FLOWAGE FEES DUE	TOTAL FEES DUE
Fuel Sales (Gallons Sold)	$0.10	$0.00	$219.54	$219.54
City Owned Hangar Rentals	5.00%	$139.50		$0.00
TOTAL FEES DUE		$139.50	$219.54	$359.04

I certify the information and amounts submitted on this form are true and correct.

Todd Parks
Managing Director - Texas Air Center, LLC

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Rockwall Police Department

Monthly Activity Report
November-2014

ACTIVITY	CURRENT MONTH NOVEMBER	PREVIOUS MONTH OCTOBER	YTD 2014	YTD 2013	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	1	0	1	1	**0.00%**
Sexual Assault	0	2	6		
Robbery	1	0	5	6	**-16.67%**
Aggravated Assault	1	0	23	10	**130.00%**
Burglary	7	7	80	90	**-11.11%**
Larceny	55	57	585	582	**0.52%**
Motor Vehicle Theft	7	9	50	59	**-15.25%**
TOTAL PART I	**72**	**75**	**750**	**755**	**-0.66%**
TOTAL PART II	**118**	**137**	**1504**	**1353**	**11.16%**
TOTAL OFFENSES	**190**	**212**	**2254**	**2108**	**6.93%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	11	14	183	151	**21.19%**
D.W.I.	13	11	193	188	**2.66%**
TEEN CURFEW	0	2	13	8	**62.50%**
ARRESTS					
FELONY	14	11	195	170	**14.71%**
MISDEMEANOR	66	73	843	801	**5.24%**
WARRANT ARREST	31	22	349	293	**19.11%**
JUVENILE	8	5	70	59	**18.64%**
TOTAL ARRESTS	**119**	**111**	**1457**	**1323**	**10.13%**
DISPATCH					
CALLS FOR SERVICE	1326	1493	16065	15027	**6.91%**
ACCIDENTS					
INJURY	19	11	128	129	**-0.78%**
(INJURIES)	25	21	179	163	**9.82%**
NON-INJURY	49	54	497	442	**12.44%**
FATALITY	0	0	1	2	**-50.00%**
(FATALITIES)	0	0	1	2	**-50.00%**
TOTAL	**68**	**65**	**626**	**573**	**9.25%**
FALSE ALARMS					
RESIDENT ALARMS	57	64	647	734	**-11.85%**
BUSINESS ALARMS	117	116	1409	1212	**16.25%**
TOTAL FALSE ALARMS	**174**	**180**	**2056**	**1946**	**5.65%**
Estimated Lost Hours	**114.84**	**118.8**	**1356.96**	**1284.36**	**5.65%**
Estimated Cost	**$2,731.80**	**$2,826.00**	**$32,279.20**	**$30,552.20**	**5.65%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**5**
Arrests	**3**
Arrest Warrants	**1**
Search Warrants	**0**
Seized	
Methamphetamine	24 grams
Cocaine	4.3 grams
Weapons	1

Rockwall Police Department
Dispatch and Response Times
November 2014

Police Department

	Average Response Time	
Priority 1		Number of Calls **93**
Call to Dispatch	0:00:32	
Call to Arrival	0:04:13	
% over 7 minutes	14%	
Priority 2	**Average Response Time**	Number of Calls **242**
Call to Dispatch	0:00:31	
Call to Arrival	0:06:08	
% over 7 minutes	31%	
Priority 3	**Average Response Time**	Number of Calls **15**
Call to Dispatch	0:00:43	
Call to Arrival	0:07:33	
% over 7 minutes	38%	
***Priority 4**		Number of Calls **974**
****Priority 5**		Number of Calls **2**

*Priority 4 call averages are not given because they are calls that do not require an immediate response by police.
**Priority 5 calls are incidents that officers initiate themselves therefore response times are not calculated.

Average dispatch response time goals are as follows:
Priority 1: 30 Seconds
Priority 2: 45 Seconds
Priority 3: 1 Minute

Fire Department

	Average Response Time	
Call to Dispatch	0:00:16	Number of Calls **89**
Call to Arrival	0:05:37	

Overages

Incident No.	Date	Time Rec'd	Call Type	Time Disp	Resp Time	Reason
2014-944	11/22/2014	22:23:22	Fire Alarm Commercial	22:24:35	0:01:13	Wrong call type entered | Wrong units sent
2014-946	11/23/2014	17:04:07	Grass Fire	17:05:12	0:01:05	County address | No run card
2014-957	11/26/2014	11:23:20	Wire Down	11:24:25	0:01:05	Non-paged call
2014-912	11/13/2014	20:00:19	C/O Alarm	20:02:10	0:01:51	Non-paged call

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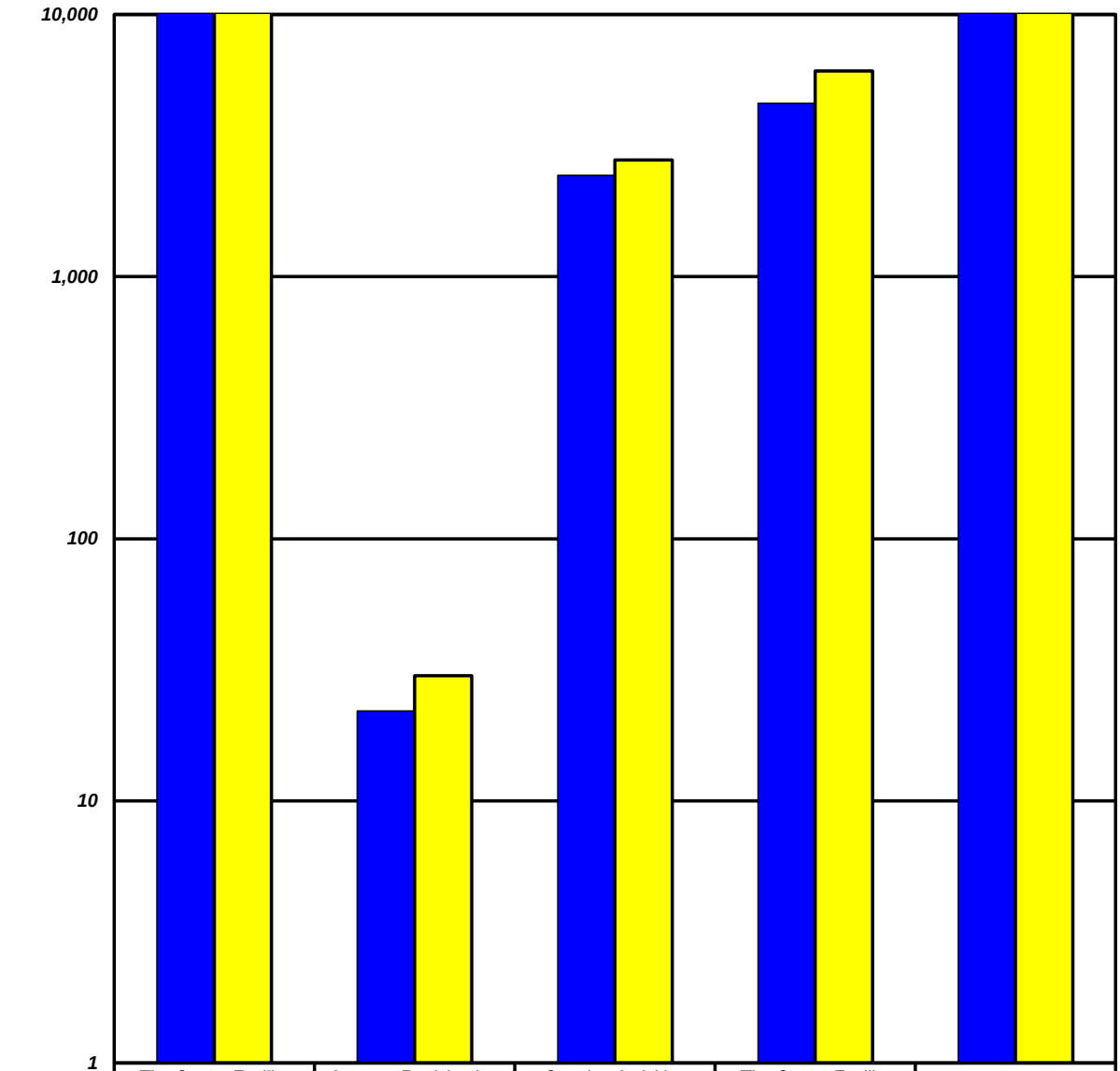
City of Rockwall
Parks and Recreation Department
FY15 November Report



	The Center Facility Usage	Average Participation per Hour	Ongoing Activities Attendance	The Center Facility Rental Revenue	Program Revenue
FY15 YTD	11,330	22	2,434	$4,588	$10,467
FY14 YTD	15,305	30	2,786	$6,087	$13,445

The Center Facility Usage - Total number of visitors and participants that come thru The Center - includes Ongoing Activities.
Average Participation per Hour - The Center Facility Usage divided by the number of hours the facility is open.
Ongoing Activities Attendance - Non fee based activities conducted on a routine basis (Bingo, Exercise with Anita, etc).

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Rockwall Animal Adoption Center Monthly Report
CCHS at Rockwall
November 2014

DISPOSITION REPORT

	November
Intakes	107
1045	2
Adopted	99
Returned to Owner	24
Rescued	15
Euthanized	3
Live Outcome %	**95%**
Number of Animals in Foster	1

FINANCIAL REPORT

Income	**November**
City of Rockwall	$0
Adoption Fee Income	$8,450
Impound Fee Income	$530
Owner Surrender	$930
General Donations	$3,352
Merchandise Sales	$0
Medical	$85
Quarantine Fee	$0
Total Income	**$13,347**

Expenses	**November**
Administrative Expenses (Payroll, etc)	$54,315
Shelter Expenses (Microchips, Drugs, etc)	$5,965
Veterinary Expenses	$2,871
Professional Services	$4,804
Training	$0
Total Expenses	**$67,955**
Balance	**-$54,608**

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Agenda 4

Consider approval of the minutes from the January 5, 2015 regular city council meeting, and take any action necessary.

- 01-05-15 CC Mtg Mins 8
- Blank Page 16

Consider of approval of contract with CrimeReports.com for the purchase of crime analysis software for the Police Department in the amount of $40,355.30 to be funded by seized funds, and take any action necessary.

- Memo - PD Software 17
- Blank Page 19

Consider approval of retaining the law firm of Lloyd Gosselink as required by City Charter Section 4.04 to assist the City with ongoing Oncor matters, and take any action necessary.

- Lloyd Gosselink Agenda Packet 1_15_15 20
- Blank Page 31

Consider approval of a resolution expressing support for the 84th Texas Legislature to increase funding for the Texas Recreation & Parks Account and the Large County and Municipality Recreation and Parks Account, which administer local park grant programs and funding, and take any action necessary.

- Memo - parks funding (TX legislature) 32
- Resolution_Tx Parks 33
- blank page 35

Consider approval of a resolution updating and supporting the city's clean fleet vehicle policy, and take any action necessary.

- Clean Fleet Documentation 36
- New Resolution 53
- Blank Page 56

P2014-043 - Consider a request by Bryan Powell, PE of Westwood Professional Services on behalf of David Booth of D. R. Horton Texas, LTD for the approval of a final plat for Castle Ridge, Phase 3 containing 62 single family lots on a 19.521-acre tract of land currently identified as Tract 37 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Single Family Residential (SF-10) District, general located east of SH-205, and take any action necessary.

- Staff Report 57
- blank page 63

Appointment with representatives of the city council appointed Charter Review Commission to hear report regarding recommended changes to the City Charter, including a possible Charter Amendment Election, and take any action necessary.

- Memo_Charter Review 64
- recommendations 65
- existing city charter 73

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Z2014-036 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Rick Dirkse on behalf of D. W. Bobst of J-BR2, LLC for the approval of a zoning change from a Single Family 10 (SF-10) District to a Planned Development District allowing for office, medical office and single-family land uses on two (2) parcels of land, being 1.666-acres, identified as Lots 1 & 2, Block B, Eagle Point Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1312 & 1316 Ridge Road [FM-740], and take any action necessary. (1st Reading)

Staff Report 104

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Z2014-037 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Bill Bricker of Bricker Enterprise Company (DBA Brick House Cars) on behalf of Rockwall Commercial Property Management for the approval of a Specific Use Permit to allow for an Indoor Motor Vehicle Dealership/Showroom on a one (1) acre portion of a larger 50.826-acre tract of land, identified as Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1200 E. Washington Street, and take any action necessary. (1st Reading)

Staff Report 148

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Z2014-038 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Ben McMillian of Hazel & Olive on behalf of the owner of the property for the approval of a Specific Use Permit to allow for a General Retail Store in conjunction with an office and photography studio within Planned Development District 50 (PD-50) for two (2) parcels of land, being 0.43-acres of land, identified as Lots 19A & 19B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, addressed as 503 N. Goliad Street [SH-205], and take any action necessary. (1st Reading)

Staff Report 165

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Z2014-039 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Zack Amick of Gordon Rockwall Investments, LLC for the approval of a zoning change from an Agricultural (AG) District to a Light Industrial (LI) District for a 21.684-acre tract of land identified as Tract 4 of the N. M. Ballard Survey, Abstract No. 24, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located in between Commerce Street and T. L. Townsend Drive, and take any action necessary. (1st Reading)

Staff Report 187

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Z2014-040 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of a Specific Use Permit (SUP) for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary. (1st Reading)

Staff Report . . . 207

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MIS2014-018 - Discuss and consider a request by Michael Swiercinsky of Sky Investment Property, Inc. for the approval of an alternative method for purchasing trees associated with an approved tree mitigation plan for two (2) tracts of land, being 7.969-acres, identified as Tracts 4 & 19, E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the northwest corner of the intersection of Ridge Road [FM-740] and W. Yellow Jacket Lane, and take any action necessary.

Staff Report . . . 225

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Discuss and consider appointments to city advisory boards including the Art Review Team (ART) Commission and Architectural Review Board (ARB), and take any action necessary.

Memo_ART Commission . . . 241

Board and Comm Appts Needed . . . 242

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Discuss and consider authorizing the City Manager to proceed with development, scheduling, and recruiting for expanding participation by citizen volunteers, and take any action necessary.

Citizen Volunteer Opportunities with cover memo . . . 244

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AGENDA
ROCKWALL CITY COUNCIL
Tuesday, January 20, 2015
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the city's concession agreement with Suntex Marina / Suntex RHCL Marina, LLC pursuant to Section § 551.071 (Consultation with Attorney)
2. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)
4. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations)

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Tuesday, January 20, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM LEWIS

VII. CONSENT AGENDA

p.8 **1.** Consider approval of the minutes from the January 5, 2015 regular city council meeting, and take any action necessary.

p.17 **2.** Consider of approval of contract with CrimeReports.com for the purchase of crime analysis software for the Police Department in the amount of $40,355.30 to be funded by seized funds, and take any action necessary.

p.20 **3.** Consider approval of retaining the law firm of Lloyd Gosselink as required by City Charter Section 4.04 to assist the City with ongoing Oncor matters, and take any action necessary.

p.32 **4.** Consider approval of a resolution expressing support for the 84th Texas Legislature to increase funding for the Texas Recreation & Parks Account and the Large County and Municipality Recreation and Parks Account, which administer local park grant programs and funding, and take any action necessary.

p.36 **5.** Consider approval of a resolution updating and supporting the city's clean fleet vehicle policy, and take any action necessary.

p.57 **6.** **P2014-043** - Consider a request by Bryan Powell, PE of Westwood Professional Services on behalf of David Booth of D. R. Horton Texas, LTD for the approval of a final plat for Castle Ridge, Phase 3 containing 62 single family lots on a 19.521-acre tract of land currently identified as Tract 37 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Single Family Residential (SF-10) District, general located east of SH-205, and take any action necessary.

VIII. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

p.64 **2.** Appointment with representatives of the city council appointed Charter Review Commission to hear report regarding recommended changes to the City Charter, including a possible Charter Amendment Election, and take any action necessary.

IX. PUBLIC HEARING ITEMS

p.104 **1.** **Z2014-036** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Rick Dirkse on behalf of D. W. Bobst of J-BR2, LLC for the approval of a zoning change from a Single Family 10 (SF-10) District to a Planned Development District allowing for office, medical office and single-family land uses on two (2) parcels of land, being 1.666-acres, identified as Lots 1 & 2, Block B, Eagle Point Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1312 & 1316 Ridge Road [FM-740], and take any action necessary. **(1st Reading)**

p.148 **2.** **Z2014-037** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Bill Bricker of Bricker Enterprise Company (DBA Brick House Cars) on behalf of Rockwall Commercial Property Management for the approval of a Specific Use Permit to allow for an Indoor Motor Vehicle Dealership/Showroom on a one (1) acre portion of a larger 50.826-acre tract of land, identified as Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1200 E. Washington Street, and take any action necessary. **(1st Reading)**

p.165 **3.** **Z2014-038** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Ben McMillian of Hazel & Olive on behalf of the owner of the property for the approval of a Specific Use Permit to allow for a General Retail Store in conjunction with an office and photography studio within Planned Development District 50 (PD-50) for two (2) parcels of land, being 0.43-acres of land, identified as Lots 19A & 19B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, addressed as 503 N. Goliad Street [SH-205], and take any action necessary. **(1st Reading)**

p.187 **4.** **Z2014-039 -** Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Zack Amick of Gordon Rockwall Investments, LLC for the approval of a zoning change from an Agricultural (AG) District to a Light Industrial (LI) District for a 21.684-acre tract of land identified as Tract 4 of the N. M. Ballard Survey, Abstract No. 24, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located in between Commerce Street and T. L. Townsend Drive, and take any action necessary. **(1st Reading)**

p.207 **5.** **Z2014-040** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of a Specific Use Permit (SUP) for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary. **(1st Reading)**

X. ACTION ITEMS

p.225 **1.** **MIS2014-018** - Discuss and consider a request by Michael Swiercinsky of Sky Investment Property, Inc. for the approval of an alternative method for purchasing trees associated with an approved tree mitigation plan for two (2) tracts of land, being 7.969-acres, identified as Tracts 4 & 19, E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the northwest corner of the intersection of Ridge Road [FM-740] and W. Yellow Jacket Lane, and take any action necessary.

p.241 **2.** Discuss and consider appointments to city advisory boards including the Art Review Team (ART) Commission and Architectural Review Board (ARB), and take any action necessary.

p.244 **3.** Discuss and consider authorizing the City Manager to proceed with development, scheduling, and recruiting for expanding participation by citizen volunteers, and take any action necessary.

XI. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the city's concession agreement with Suntex Marina / Suntex RHCL Marina, LLC pursuant to Section § 551.071 (Consultation with Attorney)
2. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)
4. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations)

XII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XIII. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 16th day of January, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary Date Removed

Jacky Casey, Assistant Secretary

MINUTES
ROCKWALL CITY COUNCIL
Monday, January 05, 2015
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt and City Council Members David White, John Hohenshelt, Scott Milder, Bennie Daniels and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs, and City Attorney Frank Garza. Councilmember Townsend was absent from the meeting.

Mayor Pruitt indicated that Mr. Skorburg is running late for the 4:00 p.m. work session. Therefore, the city council will recess into Executive Session first to allow time for him to arrive. Mayor Pruitt then read the below listed Executive Session discussion items (III. 1-4) into the public record before recessing the public meeting into Executive Session.

II. WORK SESSION

1. HOLD WORK SESSION WITH DICK SKORBURG REGARDING A PROPOSED RESIDENTIAL DEVELOPMENT PROJECT, GENERALLY LOCATED AT THE NORTHWEST CORNER OF FM-552 AND JOHN KING BOULEVARD AND POTENTIAL RESIDENTIAL PROJECT(S) IN THE STONE CREEK SUBDIVISION, AND TAKE ANY ACTION NECESSARY.

Members of the city council came back into the council chambers, and Mayor Pruitt reconvened the public meeting at 4:38 p.m. He called forth Mr. Skorburg to address the council concerning this work session item. Mr. Skorburg came forth and gave a presentation concerning the idea of 'single family attached homes' (also known as 'townhomes') on single family lots. He would like the council to consider allowing this type of housing product mixed in with single family homes on these types of lots. Councilmember Milder asked if Mr. Skorburg would consider 'zero lot line' single family homes in lieu of townhomes. Mr. Skorburg indicated that he would like to combine townhomes with zero lot line, single family homes. He indicated that he is willing to take city council members on a tour to show them townhome products that have been constructed in other cities, such as Allen and McKinney.

Mr. Skorburg also presented an idea he would like the council to consider related to doing a townhome development in Stone Creek in the area located on the west side of the fire station adjacent to the existing CVS Pharmacy store (the area is currently zoned general retail GR)).

The council took no action concerning this work session item and went back into Executive Session upon its conclusion (at 5:23 p.m.).

III. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding possible claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)
3. Discussion regarding possible claim or settlement agreement related to enforcing the city's sign ordinance regarding a billboard pursuant to Section 551.071 (Consultation with Attorney).
4. Discussion regarding appointment of city council subcommittees, board liaisons and designation of mayor pro tem pursuant to Section, § 551.074 (Personnel Matters).

IV. ADJOURN EXECUTIVE SESSION

Executive Session was recessed at 4:38 p.m. and then resumed again at 5:23 p.m. following the Work Session item. It was adjourned thereafter at 5:56 p.m.

V. RECONVENE PUBLIC MEETING

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all council members, except Townsend, being present.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Councilmember Milder made a motion to name Dennis Lewis as Mayor Pro Tem. Councilmember Daniels seconded the motion, which passed unanimously of those present (Townsend absent).

Councilmember Daniels made a motion to appoint Kathleen Morrow and David Sweet to serve on the city's ART Review Team (ART) Commission. Mayor Pruitt seconded the motion, which passed by a vote of 6 ayes with 1 absent (Townsend).

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR JIM PRUITT

Mayor Pruitt delivered the invocation and led the Pledge of Allegiance.

VIII. PROCLAMATIONS / AWARDS

1. Recognition of Fire Chief Mark Poindexter for thirty-five years of service

Mayor Pruitt called Chief Poindexter forward. He then read and presented an honorary proclamation to him for 35 years of service. Chief Poindexter thanked his staff for all they do, and thanked Mayor Pruitt for this honor.

IX. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth and speak at this time. There being no one in the audience indicating such, Mayor Pruitt stated he will leave this agenda item open, as he would like to come back to it shortly.

Following Action Item #1, Mayor Pruitt readdressed the Open Forum portion of the meeting agenda, sharing the statement below, which he read into the public record as follows:

> ***I want to thank our outgoing Mayor and County Judge David Sweet for the excitement and leadership he has shown for our city over the past four years. I also want to thank my fellow councilmen who have worked tirelessly in making Rockwall not just a city but a community. I look forward to serving you as Mayor of this dynamic growing community, and want to share some of my visions for the upcoming year.***
>
> ***Fiscal Responsibility***
>
> ***We must concentrate on fiscal responsibility that focuses on the growth in expenditures. Increases in expenditures in the city should be no greater than the rate of inflation plus the increase in population. I am proud that I was part of a council that decreased the tax rate paid by our citizens this past year. I hope to continue this conservative trend.***
>
> ***Residential Development***
>
> ***We should encourage developers to increase the quality and size of homes on the remaining developable residential land in our city. Increases in size and quality of homes will add increased taxable valuation.***
>
> ***Business Development***
>
> ***This city is committed to attracting quality commercial and retail projects. Our Economic Development Corporation must continue to attract great companies like the ones that now call Rockwall home.***
>
> ***The downtown revitalization project should be completed in late summer and will make downtown Rockwall more visitor and pedestrian friendly. We will have entertainment activities on the new plaza and courthouse stages that will continue to support Rockwall being called "The Live Music Capital of North Texas".***
>
> ***The Harbor District is a jewel that needs to be redefined to encourage its use by residents of our city as well as the many visitors that it attracts annually. The city put money into the Harbor because the council at the time believed in the project – we still believe in that original vision. However, unfortunately, in recent years, communication has broken down between the city and the group that currently owns the harbor retail center and manages or mismanages the assets. While we have on many***

occasions requested meetings with that group, we have instead been met with lawsuits instead of cooperation. Therefore, I am ready to move forward with developing additional property that the City still owns in the district and try to move beyond the barriers of the past. The Harbor is a jewel that needs to be enjoyed by our residents. Additional parking is a key to that enjoyment and the new parking garage that recently opened will provide some relief from the congested events in the past. I would encourage our residents to rediscover the Harbor and see what a truly spectacular complex it is.

Roadways/Transportation

The council remains committed to improving roadways and transportation. We will continue to partner with Rockwall County to provide relief in this area. But we also need to be vigilant about making repairs to existing streets that have deteriorating concrete and asphalt surfaces which are constantly requiring temporary repairs. I will be asking the city staff to do a comprehensive survey to determine the roads that need these major improvements.

Parks

We must do a better job of informing our citizens of what park facilities, bike and hike trials we already have. We must continue to invest in our existing ball fields, senior and kids programs, and camps.

We have already approved the construction of one of the first all accessible parks in North Texas. Yellowjacket Park will be a place in which children of all abilities can play together without the barriers that exist in many parks. Hopefully this new park can be used as an educational tool to promote better communications between all our residents. In the future, I would additionally like to see the City design a lakeside park which will enhance our lakeside community image.

Volunteerism

I encourage each citizen to get involved in our city in one of our many volunteer opportunities. We must do a better job of publicizing the different volunteer positions available, however. We have a lot of positions that are open. For example, we have a top notch, well trained and well-staffed volunteer fire department, but we can always use additional interested people.

If you want to get involved in this city, we will do our very best to find you a spot that gels with your experience level, interests, or available time commitment. It doesn't matter if you have ever been involved before. If you want a voice in this city, come talk to us at city hall or go onto our website www.rockwall.com.

Schools

We must maintain a partnership with our schools and continue to put School Resource Officers on the premises of our schools to encourage a safe friendly learning environment. We also need to be vigilant to make sure that these resources are effectively used. SRO's need to spend more time talking to kids about safety, drugs and other crime related prevention programs. The schools have some great outreach programs for parents – but sometimes they aren't effectively publicized. We can use city resources to help publicize these great programs which include prevention against drug use, teen suicide, the dangers of the internet, etc.

Customer Service

Our city employees are our best asset. We are in a customer service business – whether you are the water meter reader or a patrol officer. We expect every employee to treat citizens with respect and to do their job as professionally as possible.

As your mayor, I plan to be very accessible to all Rockwall citizens. Open office hours for any citizen wishing discuss any topic with me will be every Monday from noon until 4:00 p.m. If you need to meet another day or another time, just call and we will work out the details. Again, I am so honored to be your mayor, and I look forward to working with each of you to make this the best city in the State of Texas.

Following his comments, Mayor Pruitt called for agenda section XIII (City Manager's Report) to be addressed.

X. CONSENT AGENDA

1. Consider approval of the minutes from the December 15, 2014 regular city council meeting, and take any action necessary.

2. Consider authorizing the Rockwall Fire Chief to execute an interlocal agreement for purchase of radio equipment for the following cities/fire departments: Rockwall Fire, Heath DPS, Fate DPS, Royse City Fire and McLendon Chisolm Volunteer Fire Department, and take any action necessary.

3. **Z2014-035** – Consider a request by Chris & Jill Blasé for the approval of an ordinance for a zoning change from Planned Development District 3 (PD-3) to a Single Family 10 (SF-10) District for a one (1) acre portion of land located within Tract 11-3 being a 13.3-acre tract of land situated within the A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 3 (PD-3) for Commercial (C) District land uses, situated east of the intersection of East Fork Road and North Lakeshore Drive, and take any action necessary. **(2nd reading)**

4. **P2014-041** - Consider a request by Dave Hanby of TKC CLXXXVI, LLC on behalf of the owner Rick Sharp for the approval of a replat creating Lots 4, 5 & 6, Block A, Sharp Addition being three (3) non-residential lots currently identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, being a 6.22-acre parcel of land zoned Planned Development District 46 (PD-46) for Commercial (C) District land uses, situated within the SH-276 Overlay (SH-276 OV) District, generally located east of the intersection of Corporate Crossing [FM-549] and SH-276, and take any action necessary.

5. **P2014-042** - Consider a request by John Spiars of Spiars Engineering, Inc. on behalf of Bill Lavin of Security Holdings, LLC for the approval of a replat creating Lot 1, Block A, Nissan of Rockwall Addition, being one (1) non-residential lot currently identified Lot 1, Block A, Lafon Subdivision, and a portion of Tract 2 & Tract 12 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) and Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action necessary.

6. Consider approval of a resolution approving submission of a co-op grant application to the Texas Parks and Wildlife Department (100% reimbursement grant), and take any action necessary.

7. Consider approval of the Facilities Agreement for the Breezy Hill Estates, Phase Four water line installation and allow the City Manager to execute the agreement with BH Phase IV SF, Ltd. and take any action necessary.

Councilmember White made a motion to approve the Consent Agenda (#1, 2, 3, 4, 5, 6, and 7). Councilmember Lewis seconded the motion.

The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM PLANNED DEVELOPMENT DISTRICT NO. 3 (PD-3) TO A SINGLE FAMILY RESIDENTIAL (SF-10) DISTRICT FOR A 10,000 SQUARE FOOT PORTION OF LAND LOCATED WITHIN TRACT 11-3 BEING A 13.3-ACRE TRACT OF LAND SITUATED WITHIN THE A. HANNA SURVEY, ABSTRACT NO. 98, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes with 1 absent (Townsend).

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Chairman of the Planning and Zoning Commission, Craig Renfro, came forth and provided brief comments to the city council concerning planning-related items on tonight's meeting agenda. The council took no action related to this item.

XII. ACTION ITEMS

1. Discuss and consider appointments to city advisory boards including the Art Review Team (ART) Commission, Architectural Review Board, and nomination for the Rockwall County Open Space Master Plan Steering Committee, and take any action necessary.

Regarding the Rockwall County Open Space Master Plan Steering Committee, Mr. Crowley indicated that the council is being asked to nominate individuals to be submitted to the county for possible appointment to this steering committee. The County Commissioner's Court will be the body to ultimately make final appointments. Following this explanation, Councilmember White made a motion to nominate Ken Dickson to serve on the Steering Committee and to submit Tom Hughes and Ben Weible for nomination to assist with the committee's work to update the countywide Open Space Master Plan. Councilmember Daniels seconded the motion, which passed by a vote of 6 ayes with 1 absent (Townsend).

Councilmember Milder indicated that he recently received a list of certified architects living in Rockwall from the Texas Board of Architectural Examiners. He explained that he hopes some of them may apply for the Architectural Review Board after receiving a letter from the city encouraging them to do so. At this time, however, he does not have any appointment(s) to recommend.

Mayor Pruitt then revisited the Open Forum portion of the meeting agenda at this time.

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections Monthly Report - November 2014
Fire Dept. Monthly Reports - November 2014
Harbor PD Monthly Report - November 2014
Internal Operations Department Monthly Report - November 2014
Police Department Monthly Report - November 2014
Recreation Monthly Report - November 2014
Rockwall Animal Adoption Center - November 2014

2. City Manager's Report

City Manager Rick Crowley explained that the city has been dealing with power outages for a number of years now. He indicated that staff will be looking into the possibility of obtaining outside assistance to help evaluate the reliability of the electric system and

compare this information against the standards that Oncor is prescribed by the Public Utilities Commission. This may or may not require a contract to come back before the council for approval, but he did want to make the council aware that this process will be underway shortly.

Council and staff wished Assistant City Manager, Mary Smith, a happy birthday.

Mayor Pruitt adjourned the public meeting at 6:23 p.m.

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding possible claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)
3. Discussion regarding possible claim or settlement agreement related to enforcing the city's sign ordinance regarding a billboard pursuant to Section 551.071 (Consultation with Attorney).
4. Discussion regarding appointment of city council subcommittees, board liaisons and designation of mayor pro tem pursuant to Section, § 551.074 (Personnel Matters).

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The council did not reconvene into Executive Session following the end of the public meeting agenda. See item VI. for actions taken as a result of the first Executive Session.

XVI. ADJOURNMENT

Mayor Pruitt adjourned the public meeting at 6:23 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 20th day of January, 2015.

ATTEST: _____ **Jim Pruitt, Mayor**

_____
Kristy Ashberry, City Secretary

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16

City of Rockwall
The New Horizon

MEMORANDUM

To: **Rick Crowley, City Manager**

From **Mark Moeller, Chief of Police**

Date: **January 6, 2015**

Subject: **Command Central**

Recently the Police Department installed a new software called Command Central. This unique software combines three programs into one which allows us to continue to provide the public with crime information through CrimeReports, and also now adds two programs enhancing our intelligence gathering capabilities. The programs are described below:

CrimeReports.com – This allows citizens to physically check areas to see the types of offenses occurring in a certain location or neighborhood. This sanitized information, appears as a spot map, but does not include names, exact addresses, or incident numbers.

CommandCentral Analytics – This SaaS based real time data visualization and analytics platform is directly integrated to our RMS and CAD systems and will assist in analyzing crime patterns in a more timely manner. Resources then can be directed immediately to those crime areas.

Social Media Analytics – This benefits Criminal Investigations by using the following tools to search through social media

1) Up to 20 Social Media data feeds
2) Geo Fence Post - Ability to put Geo Fence post on Geographic Google map to bring back pictures and text in any given area without being connected to each user.
3) Key Word Search - Search for words such as Bomb, 420, Marijuana, kill, etc.; allowing review of potentially hazardous posts from the 20 Social Media feeds.
4) Global Search – View any one person to determine where they have posted anywhere in the world; again providing a larger picture of potential hazards.
5) Device posting – Identifying the type of device the user is posting from; i.e. iphone, android, or mac – there is a significant distinction between mobile & static identification.
6) Handle searching – Ability to enter, for example a Twitter handle to pull all information from a single user over period of time.
7) Historical search – This pull data based on date or a date range.
8) Address location – Will go directly to an address on Google map.

For several years we have offered CrimeReports to our citizens at a cost of $2,700.00 for an annual subscription. Public Engines, the creator of CrimeReports, initially offered us the three part Command Central software for $53,995.00 for five years. Through negotiations that price was reduced to $40,355.30 including maintenance, for the five year time frame, a 26% saving from the initial offer.

There was a very short time frame to receive the product at that price, so an agreement was made with a service time from December 15, 2014, through December 14, 2019. This expenditure will not impact the budget or General Reserves, because it will be paid out of seized funds.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **January 15, 2015**

SUBJECT: **Lloyd Gosselink Engagement Letter / Proposal**

Please find the attached engagement letter/proposal from Lloyd Gosselink. This specialized legal firm has expertise in the areas of utility regulation (including evaluation of electric service reliability) and transmission systems (including transmission lines). As provided by the City Charter, it is necessary that the Council authorize retaining the firm to assist in matters for which outside assistance may be needed. By authorizing the execution of this document, the Council would not be authorizing any particular action in any matter. Its execution, however, would establish the relationship with the firm such that, the City can, if so desired, request that the firm submit a specific proposal for any assistance that the City may in the future request.

The firm is well-experienced in all utility matters and is known to both the Staff and the City Attorney.

If you have any questions, please do not hesitate to contact me or City Attorney Frank Garza.

Lloyd Gosselink
ATTORNEYS AT LAW

816 Congress Avenue, Suite 1900
Austin, Texas 78701
Telephone: (512) 322-5800
Facsimile: (512) 472-0532
www.lglawfirm.com

Mr. Brocato's Direct Line: (512) 322-5857
Email: tbrocato@lglawfirm.com

January 6, 2015

Mr. RickCrowley
City Manager
City of Rockwall
385 South Goliad
Rockwall, TX 75087

Re: City of Rockwall/Oncor Electricity Outage Investigation;
Billing File Number: 3670-00

Dear Rick:

We want to express our appreciation for the opportunity you have given our firm to work with you. As part of our routine in opening new files, and in part to comply with the provisions of Texas Local Government Code Chapter 176, we provide clients with an engagement letter. The purpose of this letter is to set forth our understanding of the legal services to be performed by us for this engagement and the basis upon which we will be paid for those services. This letter confirms that Lloyd Gosselink Rochelle & Townsend, P.C. ("Lloyd Gosselink") will represent the City of Rockwall with respect to the matter regarding the Oncor electricity outage investigation (the "Matter"). Our acceptance of this representation (the "Representation") becomes effective upon our receipt of an executed copy of this agreement.

Terms of Engagement

This letter sets out the terms of our engagement in the Representation. Certain of those terms are included in the body of this letter, and additional terms are contained in the attached document, entitled *Additional Terms of Engagement*, dated August 27, 2013. That document is expressly incorporated into this letter, and it should be read carefully. The execution and return of the enclosed copy of this letter constitutes an agreement to all the terms set forth in this letter and in the attached *Additional Terms of Engagement.*

It is understood and agreed that our engagement is limited to the Representation, and our acceptance of this engagement does not imply any undertaking to provide legal services other than those set forth in this letter.

Personnel Who Will Be Working on the Matter

I will be the attorney in charge of the Representation, and I will be working on the Matter. You may call, write, or e-mail me whenever you have any questions about the

Representation. Other firm personnel, including firm lawyers and paralegals, will participate in the Representation if, in our judgment, their participation is necessary or appropriate.

Legal Fees and Other Charges

Our fees in the Matter will be based on the time spent by firm personnel, primarily firm lawyers or paralegals, who participate in the Representation. We will charge for all time spent by such personnel in the Representation in increments of tenths of an hour. We charge for time spent in activities including but not limited to the following: telephone and office conferences with clients, representatives of clients, opposing counsel, and others; conferences among our attorneys and paralegals; factual investigation, if needed; legal research; file management; responding to requests from you that we provide information to you or your auditors; drafting letters and other documents; and travel, if needed.

Legal fees and costs are difficult to estimate. Accordingly, we have made no commitment concerning the fees and charges that will be necessary to resolve or complete the Representation, although we will make every effort to manage fees and costs by working efficiently and cost-effectively.

My time is billed at the rate of $315 per hour. Other lawyers, paralegals and other personnel may be assigned as necessary to achieve proper staffing. We utilize briefing clerks, paralegals, file clerks and other support personnel to perform those tasks not requiring the time of any attorney. Their time is billed at an amount determined by the experience of the individual. The foregoing rates may be adjusted annually and, if so, will be noted on your bill. We will submit all out-of-pocket expenses incurred for reimbursement. Usually we ask the client to pay directly all filing fees, charges for consultants, etc. due to the size of such fees and to avoid the client incurring our overhead charge. We endeavor to have a statement of services rendered and expenses incurred by the 15th of the following month. Full payment is due on receipt of the statement.

Conflicts of Interest

Before accepting the Representation, we have undertaken reasonable and customary efforts to determine whether there are any potential conflicts of interest that would bar our firm from representing you in the Matter. Additionally, in order that we comply with the requirements of Chapter 176 of the Texas Local Government Code, we have performed an internal conflicts of interest inquiry. Based on the information available to us, we are not aware of any potential disqualification. We reviewed that issue in accordance with the rules of professional responsibility adopted in Texas.

Conclusion

This letter and the attached *Additional Terms of Engagement* constitute the entire terms of the engagement of Lloyd Gosselink Rochelle & Townsend, P.C. in the Representation. These written terms of engagement are not subject to any oral agreements or understandings, and they can be modified only by further written agreement signed both by you and Lloyd Gosselink Rochelle & Townsend, P.C. Unless expressly stated in these terms of engagement, no obligation or undertaking shall be implied on the part of either you or Lloyd Gosselink Rochelle & Townsend, P.C.

Please carefully review this document, which includes this letter and the attached *Additional Terms of Engagement*. If there are any questions about these terms of engagement, or if these terms are inaccurate in any way, please let me know immediately. If acceptable, we would appreciate you signing and returning the enclosed duplicate original of this document.

Sincerely,

Thomas L. Brocato

TLB/jbp
3670/00/4638784
Enclosure

_____ _____

Signature Printed Name

_____

Date

Additional Terms of Engagement

This supplement to our engagement letter sets out additional terms of our agreement to provide the representation described in our engagement. Because these additional terms of engagement are a part of our agreement to provide legal services, you should review them carefully and should promptly communicate to us any questions concerning this document. We suggest that you retain this statement of additional terms along with our engagement letter and any related documents.

The Scope of the Representation

As lawyers, we undertake to provide representation and advice on the legal matters for which we are engaged. It is important for our clients to have a clear understanding of the legal services that we have agreed to provide. Thus, if there are any questions about the scope of the Representation that we are to provide in the Matter, please raise those questions promptly, so that we may resolve them at the outset of the Representation.

Any expressions on our part concerning the outcome of the Representation, or any other legal matters, are based on our professional judgment and are not guarantees. Such expressions, even when described as opinions, are necessarily limited by our knowledge of the facts and are based on our views of the state of the law at the time they are expressed.

Upon accepting this engagement on your behalf, Lloyd Gosselink Rochelle & Townsend, P.C. agrees to do the following: (1) provide legal counsel in accordance with these terms of engagement and the related engagement letter, and in reliance upon information and guidance provided by you; and (2) keep you reasonably informed about the status and progress of the Representation.

To enable us to provide effective representation, you agree to do the following: (1) disclose to us, fully and accurately and on a timely basis, all facts and documents that are or might be material or that we may request, (2) keep us apprised on a timely basis of all developments relating to the Representation that are or might be material, (3) attend meetings, conferences, and other proceedings when it is reasonable to do so, and (4) otherwise cooperate fully with us.

Our firm has been engaged to provide legal services in connection with the Representation in the Matter, as specifically defined in our engagement letter. After completion of the Representation in the Matter, changes may occur in the applicable laws or regulations that could affect your future rights and liabilities in regard to the Matter. Unless we are actually engaged after the completion of the Representation to provide additional advice on such issues, the firm has no continuing obligation to give advice with respect to any future legal developments that may pertain to the Matter.

It is our policy and your agreement that the person or entity that we represent is the one identified in our engagement letter, and that our attorney-client relationship does not include any related persons, employees of the client, or related entities.

Who Will Provide the Legal Services

As our engagement letter confirms, Lloyd Gosselink Rochelle & Townsend, P.C. will represent you in the Matter. Lloyd Gosselink Rochelle & Townsend, P.C. is a Texas professional corporation.

Although our firm will be providing legal services, each client of the firm customarily has a relationship principally with one attorney, or perhaps a few attorneys. At the same time, however, the work required in the Representation, or parts of it, may be performed by other firm personnel, including lawyers and paralegals. Such delegation may be for the purpose of involving other firm personnel with experience in a given area or for the purpose of providing services on an efficient and timely basis.

Communication and Confidentiality

In keeping with technological advancements and the corresponding demands of clients, it is the practice of the firm to use electronic (email) correspondence from time to time to communicate and to transmit documents. As such, the possibility exists that electronic transmissions could be intercepted or otherwise received by third parties and lose their privileged nature if the method of communication is ruled to lack sufficient confidentiality. As with any correspondence regarding legal representation, regardless of the manner of transmission, we urge you to use caution in its dissemination in order to protect its confidentiality. By signing below, you agree that we may use email in the scope of the Representation.

We recognize our obligation to preserve the confidentiality of attorney-client communications as well as the client confidences, as required by the governing rules of professional responsibility. If the Matter involves transactions, litigation or administrative proceedings or like proceedings in which our firm appears as counsel of record for you in publicly available records, we reserve the right to inform others of the fact of our representation of you in the Matter and (if likewise reflected or record in publicly available records) the results obtained unless you specifically direct otherwise.

Periodically, the firm is asked to provide a Representative Client List to prospective clients and in various legal directories (e.g., Martindale-Hubbell and the Texas Legal Directory). Unless you advise us to the contrary, we may disclose to third parties the fact that our firm represents you. Lloyd Gosselink is not requesting authorization to disclose any privileged information obtained during its representation.

Disclaimer

Lloyd Gosselink Rochelle & Townsend, P.C. has made no promises or guarantees to you about the outcome of the Representation of the Matter, and nothing in our engagement letter or these terms of engagement shall be construed as such a promise or guarantee.

Termination

At any time, you may, with or without cause, terminate the Representation by notifying us in writing of your intention to do so. Any such termination of services will not affect the obligation to pay for legal services rendered and expenses and charges incurred before termination, as well as additional services and charges incurred in connection with an orderly transition of the Matter.

We are subject to the codes or rules of professional responsibility for the jurisdictions in which we practice. There are several types of conduct or circumstances that could result in our withdrawing from representing a client, including, for example, the following: non-payment of fees or charges; misrepresentation or failure to disclose material facts; fraudulent or criminal conduct; action contrary to our advice; and conflict of interest with another client. We try to identify in advance and discuss with our clients any situation that may lead to our withdrawal.

A failure by you to meet any obligations under these terms of engagement shall entitle Lloyd Gosselink Rochelle & Townsend, P.C. to terminate the Representation. In that event, you will take all steps necessary to release Lloyd Gosselink Rochelle & Townsend, P.C. of any further obligations in the Representation or the Matter, including without limitation the execution of any documents necessary to effectuate our withdrawal from the Representation or the Matter. The right of Lloyd Gosselink Rochelle & Townsend, P.C. to withdraw in such circumstances is in addition to any rights created by statute or recognized by the governing rules of professional conduct.

Our engagement letter specifically explains our fees for services in the Matter. We will bill on a regular basis, normally each month, for fees and expenses and charges. It is agreed that you will make full payment within thirty (30) days of receiving our statement. We may give notice if an account becomes delinquent, and it is further agreed that any delinquent account must be paid upon the giving of such notice. If the delinquency continues and

you do not arrange satisfactory payment terms, we may withdraw from the Representation. However, any termination by either party may be subject to, or controlled by, orders of a court.

Document Retention

Upon completion of our work on this matter, it is our firm's policy that your original documents (e.g., permits, licenses, deeds, wills, etc.) and other client property be returned within a reasonable period of time. As to any documents so returned, we may elect to keep a copy of the documents in our stored files. Our own files, including lawyer work product pertaining to the matter, will be retained by the firm. These firm files include firm administrative records, time and expense reports, billing and accounting records, and internal work product. Internal work product includes drafts, notes, internal communications (in both paper and electronic mediums), and legal and factual research prepared for the internal use of our firm's lawyers. All documents retained by the firm will be transferred to the person responsible for administering our records retention program. For various reasons, including the minimization of unnecessary storage expenses, we reserve the right to destroy or otherwise dispose of any such documents or other materials retained by us after the completion of our work without additional notice.

Charges for Expenses and Services

Our invoices will include amounts for legal services rendered and for other expenses and services. Examples of other expenses and services include charges for photocopying, travel and conference expenses, messenger deliveries, computerized research, and other electronic transmissions or filings. In addition, we reserve the right to send to you for direct payment any invoices delivered to us by others, including experts and any vendors.

Rates for our legal services, expenses and charges are subject to change from time to time and will be noted on your bill. In some situations, we can arrange for such services and expenses to be provided by third parties billed through our billings or by direct billing to the client.

Standards of Professionalism and Attorney Complaint Information

Pursuant to rules promulgated by the Texas Supreme Court and the State Bar of Texas, we are to advise our clients to the contents of the Texas Lawyer's Creed, a copy of which is attached. In addition, we are to advise clients that the State Bar of Texas investigates and prosecutes complaints of professional misconduct against attorneys licensed in Texas. A brochure entitled *Attorney Complaint Information* is available in our office in Austin and is likewise available upon request. A client that has any questions about the State Bar's disciplinary process should call the Office of the General Counsel of the State Bar of Texas at 1-800-932-1900 toll free.

THE TEXAS LAWYER'S CREED

A Mandate for Professionalism

Promulgated by The Supreme Court of Texas and the Court of Criminal Appeals November 7, 1989

I am a lawyer; I am entrusted by the People of Texas to preserve and improve our legal system. I am licensed by the Supreme Court of Texas. I must therefore abide by the Texas Disciplinary Rules of Professional Conduct, but I know that Professionalism requires more than merely avoiding the violation of laws and rules. I am committed to this Creed for no other reason than it is right.

I. OUR LEGAL SYSTEM

A lawyer owes to the administration of justice personal dignity, integrity, and independence. A lawyer should always adhere to the highest principles of professionalism.

1. I am passionately proud of my profession. Therefore, "My word is my bond."
2. I am responsible to assure that all persons have access to competent representation regardless of wealth or position in life.
3. I commit myself to an adequate and effective pro bono program.
4. I am obligated to educate my clients, the public, and other lawyers regarding the spirit and letter of this Creed.
5. I will always be conscious of my duty to the judicial system.

II. LAWYER TO CLIENT

A lawyer owes to a client allegiance, learning, skill, and industry. A lawyer shall employ all appropriate means to protect and advance the client's legitimate rights, claims, and objectives. A lawyer shall not be deterred by any real or imagined fear of judicial disfavor or public unpopularity, nor be influenced by mere self-interest.

1. I will advise my client of the contents of this Creed when undertaking representation.
2. I will endeavor to achieve my client's lawful objectives in legal transactions and in litigation as quickly and economically as possible.
3. I will be loyal and committed to my client's lawful objectives, but I will not permit that loyalty and commitment to interfere with my duty to provide objective and independent advice.
4. I will advise my client that civility and courtesy are expected and are not a sign of weakness.
5. I will advise my client of proper and expected behavior.
6. I will treat adverse parties and witnesses with fairness and due consideration. A client has no right to demand that I abuse anyone or indulge in any offensive conduct.
7. I will advise my client that we will not pursue conduct which is intended primarily to harass or drain the financial resources of the opposing party.
8. I will advise my client that we will not pursue tactics which are intended primarily for delay.
9. I will advise my client that we will not pursue any course of action which is without merit.
10. I will advise my client that I reserve the right to determine whether to grant accommodations to opposing counsel in all matters that do not adversely affect my client's lawful objectives. A client has no right to instruct me to refuse reasonable requests made by other counsel.
11. I will advise my client regarding the availability of mediation, arbitration, and other alternative methods of resolving and settling disputes.

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III. LAWYER TO LAWYER

A lawyer owes to opposing counsel, in the conduct of legal transactions and the pursuit of litigation, courtesy, candor, cooperation, and scrupulous observance of all agreements and mutual understandings. Ill feelings between clients shall not influence a lawyer's conduct, attitude, or demeanor toward opposing counsel. A lawyer shall not engage in unprofessional conduct in retaliation against other unprofessional conduct.

1. I will be courteous, civil, and prompt in oral and written communications.
2. I will not quarrel over matters of form or style, but I will concentrate on matters of substance.
3. I will identify for other counsel or parties all changes I have made in documents submitted for review.
4. I will attempt to prepare documents which correctly reflect the agreement of the parties. I will not include provisions which have not been agreed upon or omit provisions which are necessary to reflect the agreement of the parties.
5. I will notify opposing counsel, and, if appropriate, the Court or other persons, as soon as practicable, when hearings, depositions, meetings, conferences or closings are cancelled.
6. I will agree to reasonable requests for extensions of time and for waiver of procedural formalities, provided legitimate objectives of my client will not be adversely affected.
7. I will not serve motions or pleadings in any manner that unfairly limits another party's opportunity to respond.
8. I will attempt to resolve by agreement my objections to matters contained in pleadings and discovery requests and responses.
9. I can disagree without being disagreeable. I recognize that effective representation does not require antagonistic or obnoxious behavior. I will neither encourage nor knowingly permit my client or anyone under my control to do anything which would be unethical or improper if done by me.
10. I will not, without good cause, attribute bad motives or unethical conduct to opposing counsel nor bring the profession into disrepute by unfounded accusations of impropriety. I will avoid disparaging personal remarks or acrimony towards opposing counsel, parties and witnesses. I will not be influenced by any ill feeling between clients. I will abstain from any allusion to personal peculiarities or idiosyncrasies of opposing counsel.
11. I will not take advantage, by causing any default or dismissal to be rendered, when I know the identity of an opposing counsel, without first inquiring about that counsel's intention to proceed.
12. I will promptly submit orders to the Court. I will deliver copies to opposing counsel before or contemporaneously with submission to the court. I will promptly approve the form of orders which accurately reflect the substance of the rulings of the Court.
13. I will not attempt to gain an unfair advantage by sending the Court or its staff correspondence or copies of correspondence.
14. I will not arbitrarily schedule a deposition, Court appearance, or hearing until a good faith effort has been made to schedule it by agreement.
15. I will readily stipulate to undisputed facts in order to avoid needless costs or inconvenience for any party.

16. I will refrain from excessive and abusive discovery.

17. I will comply with all reasonable discovery requests. I will not resist discovery requests which are not objectionable. I will not make objections nor give instructions to a witness for the purpose of delaying or obstructing the discovery process. I will encourage witnesses to respond to all deposition questions which are reasonably understandable. I will neither encourage nor permit my witness to quibble about words where their meaning is reasonably clear.

18. I will not seek Court intervention to obtain discovery which is clearly improper and not discoverable.

19. I will not seek sanctions or disqualification unless it is necessary for protection of my client's lawful objectives or is fully justified by the circumstances.

IV. LAWYER AND JUDGE

Lawyers and judges owe each other respect, diligence, candor, punctuality, and protection against unjust and improper criticism and attack. Lawyers and judges are equally responsible to protect the dignity and independence of the Court and the profession.

1. I will always recognize that the position of judge is the symbol of both the judicial system and administration of justice. I will refrain from conduct that degrades this symbol.

2. I will conduct myself in court in a professional manner and demonstrate my respect for the Court and the law.

3. I will treat counsel, opposing parties, witnesses, the Court, and members of the Court staff with courtesy and civility and will not manifest by words or conduct bias or prejudice based on race, color, national origin, religion, disability, age, sex, or sexual orientation.

4. I will be punctual.

5. I will not engage in any conduct which offends the dignity and decorum of proceedings.

6. I will not knowingly misrepresent, mischaracterize, misquote or miscite facts or authorities to gain an advantage.

7. I will respect the rulings of the Court.

8. I will give the issues in controversy deliberate, impartial and studied analysis and consideration.

9. I will be considerate of the time constraints and pressures imposed upon the Court, Court staff and counsel in efforts to administer justice and resolve disputes.

Order of the Supreme Court of Texas and the Court of Criminal Appeals

The conduct of a lawyer should be characterized at all times by honesty, candor, and fairness. In fulfilling his or her primary duty to a client, a lawyer must be ever mindful of the profession's broader duty to the legal system.

The Supreme Court of Texas and the Court of Criminal Appeals are committed to eliminating a practice in our State by a minority of lawyers of abusive tactics which have surfaced in many parts of our country. We believe such tactics are a disservice to our citizens, harmful to clients, and demeaning to our profession.

The abusive tactics range from lack of civility to outright hostility and obstructionism. Such behavior does not serve justice but tends to delay and often deny justice. The lawyers who use abusive tactics, instead of being part of the solution, have become part of the problem.

The desire for respect and confidence by lawyers from the public should provide the members of our profession with the necessary incentive to attain the highest degree of ethical and professional conduct.

These rules are primarily aspirational. Compliance with the rules depends primarily upon understanding and voluntary compliance, secondarily upon reenforcement by peer pressure and public opinion, and finally when necessary by enforcement by the courts through their inherent powers and rules already in existence.

These standards are not a set of rules that lawyers can use and abuse to incite ancillary litigation or arguments over whether or not they have been observed.

We must always be mindful that the practice of law is a profession. As members of a learned art we pursue a common calling in the spirit of public service. We have a proud tradition. Throughout the history of our nation, the members of our citizenry have looked to the ranks of our profession for leadership and guidance. Let us now as a profession each rededicate ourselves to practice law so we can restore public confidence in our profession, faithfully serve our clients, and fulfill our responsibility to the legal system.

The Supreme Court of Texas and the Court of Criminal Appeals hereby promulgate and adopt **"The Texas Lawyer's Creed -- A Mandate for Professionalism"** described above.

In Chambers, this 7th day of November, 1989.

The Supreme Court of Texas

Thomas R. Phillips, Chief Justice
Franklin S. Spears, Justice
C. L. Ray, Justice
Raul A. Gonzalez, Justice
Oscar H. Mauzy, Justice
Eugene A. Cook, Justice
Jack Hightower, Justice
Nathan L. Hecht, Justice
Lloyd A. Doggett, Justice

The Court of Criminal Appeals

Michael J. McCormick, Presiding Judge
W. C. Davis, Judge
Sam Houston Clinton, Judge
Marvin O. Teague, Judge
Chuck Miller, Judge
Charles F. (Chuck) Campbell, Judge
Bill White, Judge
M. P. Duncan, III, Judge
David A. Berchelmann, Jr., Judge

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **January 16, 2015**

SUBJECT: **Resolution Supporting the Texas Local Park Grant program**

The Texas Recreation and Parks Account is a fund administered by the Texas Parks and Wildlife Department to fund local park grants. The source of these funds is the sales tax collected from the sale of sporting goods within the state. These funds are used to assist local agencies with the cost of acquiring and the construction of local parks.

Though the source of the funding for the program is determined by state law, the amount of the funding is subject to the appropriation procedures. In the 82nd Session of the Legislature, funding to the local park grant program was cut by 96%. The only funds appropriated to the program were administrative costs to administer the current projects and the federal pass thru program funds.

In the 83rd Session of Legislature, the funding for the local parks grant program was restored to $15.5 million, roughly half of the historical full funding of $31 million. The attached resolution requests that the members of the 84rd Session increase funding in the account from $15.5 million to be fully funded at approximately $31 million.

Since 2001, the City of Rockwall has received over $500,030 from the local grant program and House District 89 has received almost $7 million since 1982. Rockwall has greatly benefitted from this grant program with significant funding for Myers Park Phases II and III, the SH 66 Public Boat Ramp and 2003 recipient for the Community Outdoor Outreach Program (COOP) grant to fund the R.O.C.K Camp. The City of Rockwall is also in the process of applying for the 2015 COOP grant, as well as awaiting status of award for the Local Park Grant for the Stone Creek Neighborhood Park in the amount of $400,000.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 15-02

A RESOLUTION OF THE CITY OF ROCKWALL CITY COUNCIL REQUESTING THE MEMBERS OF THE 84th LEGISLATIVE SESSION OF THE STATE OF TEXAS TO SUPPORT LEGISLATION THAT INCREASES FUNDING FOR THE TEXAS RECREATION & PARKS ACCOUNT AND LARGE COUNTY AND MUNICIPALITY RECREATION AND PARKS ACCOUNT LOCAL PARK GRANT PROGRAMS, AND THE TEXAS STATE PARK SYSTEM

WHEREAS, the Texas Parks & Wildlife Department ("TPWD") administers the Texas Recreation & Parks Account Local Park Grant Program ("TRPA") and the Large County and Municipality Recreation and Parks Account (Urban Account) and manages 94 State parks and historical sites in Texas; and

WHEREAS, TPWD has separate accounts in their general revenue fund referred to as the TRPA and Urban Account for the purpose of providing matching grants to political subdivisions for parks and recreation projects, and for outreach grants to introduce new populations to outdoor experiences; and

WHEREAS, the matching grants provided by the TPWD are utilized for the planning, acquisition, and development of local park, recreation and open space areas to be owned and maintained by political subdivisions; and

WHEREAS, funds granted to political subdivisions under the TRPA and Urban Account guidelines have funded 1629 projects of the 3,470 submitted over 30 years delivering over $800 million to the local Texas economy; and

WHEREAS, political subdivisions throughout the State of Texas depend on grants from TPWD through the TRPA to stimulate the acquisition and development of parks and recreational areas for the benefit and enjoyment of their citizenry; and

WHEREAS, the TRPA, Urban Account, and State parks are funded from sales tax on sporting goods and that the development of new parks stimulates the purchase of sporting goods; and

WHEREAS, the TRPA, Urban Account, and State parks are partially funded from federal dollars used for parks, recreation, open space, trails, and tourism from the United States Department of the Interior Land and Water Conservation Fund (LWCF), the Sport Fish Restoration Boat Access program and the United States Department of Transportation Recreation Trails; and

WHEREAS, the maintenance and improvements of State park and historic sites and the addition of new parks is a priority to Texans due to the State's expanding population and extensive tourism industry; and

WHEREAS, the development of parks encourages and promotes public health, economic development, job creation, education; corporate relocations, an improved quality of life, and juvenile crime prevention; and

WHEREAS, funds are needed for major repairs at Local and State parks and for the acquisition and development of parks and facilities; and

WHEREAS, it is the desire of this City Council that a copy of this resolution with appropriate names affixed be presented to the Governor of Texas and the leadership of the 84th Texas Legislature.

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

1. That members of the 84th Legislature of Texas seek passage of legislation maximizing the use of revenues from the sporting goods sales tax and federal funds to increase funding for parks and recreation programs for both Local and State parks and that all TRPA and Urban Account funded park projects be subject to the established TPWD competitive scoring system.

2. That members of the 84th Legislature of Texas to fully restore funding to the TRPA and Urban accounts in the amount of at least $31 million per year.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS THE 20TH day of January, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **January 12, 2015**

SUBJECT: **Clean Fleet Policy Resolution**

The Regional Transportation Council (RTC) of the North Central Texas Council of Governments (NCTCOG) has requested that each city within the region that has adopted a Clean Fleet Policy in 2005 to update their policy with a revised policy so that it remains relevant and effective. The revised policy and resolution are attached for the City Council's consideration. The resolution is based on an Environmental Protection Agency (EPA) recommendation. The goal of the policy is to reduce emissions and improve air quality.

If a local government does not approve the attached resolution as requested by the RTC, the municipality will not be eligible for future "clean fleet" funding from the NCTCOG. The resolution and policy also "may be considered when determining other funding actions". Although we have not received any funding for "clean fleet" programs in the past, the statement that "other funding actions" may consider whether a municipality has approved a resolution supporting the revised clean fleet policy put the City in a situation where we could lose out on regional transportation dollars if we do not approve the resolution.

A similar policy was put into place in 2007 and remains in effect today. The revised policy will not cause any major changes and we can support the policy as it is written.

The Clean Fleet policy is not without controversy. The Texas Commission on Environmental Quality (TCEQ) published an article in October of 2014 questioning the logic behind the EPA's recommendation. The TCEQ is stating that the EPA's recommendation to "further lowering of the ozone standard will fail to provide any measurable increase in human health protection".

A copy of the resolution, the revised policy, the cover letter from the RTC and the TCEQ article are attached for the City Council's consideration.

40 YEARS!

RTC
Regional Transportation Council

received
12/22/14

The Transportation Policy Body for the North Central Texas Council of Governments
(Metropolitan Planning Organization for the Dallas-Fort Worth Region)

TO: Honorable County Judges, Commissioners,
Mayors, Administrators and City Managers
Independent School District Superintendents
and Board Presidents
Special Districts and Fleet Representatives

DATE: December 19, 2014

FROM: Mike Cantrell, Chair
Regional Transportation Council
Commissioner, Dallas County

SUBJECT: Clean Fleet Policy Adoption Requested

The Regional Transportation Council (RTC) thanks you for adopting the Clean Fleet Vehicle Policy, which was originally recommended in 2005. This policy remains an important regional air quality strategy as the region continues to face air quality challenges. For the past year, North Central Texas Council of Governments (NCTCOG) staff and local fleet representatives have been working to revise the policy to ensure that it remains relevant and effective. On December 11, 2014, the RTC approved a resolution supporting a revised Clean Fleet Policy.

RTC urges all organizations with fleet operations in the Dallas-Fort Worth ozone nonattainment area to adopt the new Clean Fleet Policy, which replaces the previous version. Major policy changes include expansion of applicability to private fleets and non-road equipment, inclusion of multi-pollutant benefits and petroleum reduction goals, and removal of outdated emissions references. In addition, the policy shifted to a goal-oriented structure, including sections for reducing emissions; reducing fuel consumption; fostering partnerships with NCTCOG and the Dallas-Fort Worth Clean Cities Coalition (DFWCC); and ensuring that drivers, operators, and fleet personnel are familiar with air quality and petroleum reduction goals.

Adoption of the new policy entitles each entity to compete for vehicle funding made available through the RTC. This provision may be considered during other funding actions. Adopting entities may also receive recognition through the DFWCC program. A copy of the RTC resolution and new policy template are enclosed for your review and may also be found online at www.nctcog.org/fleetpolicy. Supporting items are also available online, including a Clean Fleet Policy Guidance document, which outlines practical examples for implementing policy elements.

The recent Environmental Protection Agency proposal to further lower the federal ozone standard underscores that regional efforts to reduce ozone-forming emissions will remain critically important. RTC looks forward to your continued partnership through this initiative. If you have any questions or concerns, please contact Lori Clark, Principal Transportation Planner, at 817-695-9232 or lclark@nctcog.org. Thank you again for your participation in this effort and for your work to improve air quality.

Mike Cantrell

AH:mg
Enclosures

cc: Lori Clark, Principal Planner, NCTCOG

P. O. Box 5888 • Arlington, Texas 76005-5888 • (817) 695-9240 • FAX (817) 640-3028
http://www.nctcog.org/trans

RESOLUTION SUPPORTING THE CLEAN FLEET POLICY
R14-10

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is designated as the Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth (DFW) Metropolitan Area by the Governor of Texas in accordance with federal law; and,

WHEREAS, the Regional Transportation Council (RTC), comprised primarily of local elected officials, is the regional transportation policy body associated with the NCTCOG, and has been and continues to be the regional forum for cooperative decisions on transportation; and,

WHEREAS, the Environmental Protection Agency (EPA) has designated the ten-county area of Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise Counties as moderate nonattainment under the 2008 8-hour National Ambient Air Quality Standard for the pollutant ozone, effective July 20, 2012; and EPA has proposed a more stringent revised ozone standard within a range of 65 to 70 parts per billion, which may require substantial additional emissions reductions; and,

WHEREAS, the RTC is responsible for air quality conformity; and the Clean Air Act Amendments of 1990 require that in air quality nonattainment areas transportation plans and improvement programs conform to the applicable air quality implementation plan; and,

WHEREAS, emissions inventories from the Texas Commission on Environmental Quality indicate that in 2012, approximately 76 percent of nitrogen oxides (NO_x) emissions and 25 percent of volatile organic compounds (VOC) emissions in the DFW ozone nonattainment area are attributable to mobile sources; and,

WHEREAS, the RTC approved the creation of a Clean Fleet Vehicle Policy on March 11, 2004 and adopted a resolution supporting a Clean Fleet Vehicle Policy on October 13, 2005; and,

WHEREAS, changes in vehicle technologies and continuing air quality concerns necessitate revisions to the existing Clean Fleet Vehicle Policy.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1. The RTC endorses the Clean Fleet Policy included in Attachment 1 and recommends that organizations with fleet operations in the nonattainment area adopt a policy consistent with this document.

Section 2. The RTC reserves all future vehicle funding for organizations with fleet operations that adopt and comply with a policy consistent with the Clean Fleet Policy as shown in Attachment 1. This includes transit funds of all types, Congestion Mitigation and Air Quality Improvement Program funds, Surface Transportation Program-Metropolitan Mobility funds, other federal, State and local funds distributed at the discretion of the Regional Transportation Council, and support for third party funding opportunities.

Section 3. The RTC may consider Clean Fleet Policy adoption and compliance when considering other RTC funding actions.

Section 4. This resolution will be transmitted to all impacted local governments and communicated to private sector organizations in the nonattainment area as appropriate.

Section 5. This resolution shall be in effect immediately upon its adoption.

Mike Cantrell, Chair
Regional Transportation Council
Commissioner, Dallas County

I hereby certify that this resolution was adopted by the Regional Transportation Council of the North Central Texas Council of Governments for the Dallas-Fort Worth Metropolitan Area on December 11, 2014.

Ron Jensen, Secretary
Regional Transportation Council
Mayor, City of Grand Prairie

CLEAN FLEET POLICY

WHEREAS, the North Central Texas Council of Governments (NCTCOG) has been designated as the Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth (DFW) Metropolitan Area by the Governor of Texas and in accordance with federal law; and,

WHEREAS, the Regional Transportation Council (RTC), comprised primarily of local elected officials, is the regional transportation policy body associated with NCTCOG and has been and continues to be the regional forum for cooperative decisions on transportation; and,

WHEREAS, NCTCOG has been designated as a Clean Cities Coalition for the DFW region by the US Department of Energy in accordance with federal law and the NCTCOG Executive Board authorized NCTCOG to serve as the host organization for the DFW Clean Cities (DFWCC) Coalition and its efforts; and,

WHEREAS, the U.S. Environmental Protection Agency (EPA) has designated the DFW area as a nonattainment area for the pollutant ozone, and air quality impacts the public health of the entire region; and,

WHEREAS, emissions inventories from the Texas Commission on Environmental Quality (TCEQ) indicate that in 2012, approximately 76 percent of the nitrogen oxides (NO_X) emissions and 25 percent of the volatile organic compounds (VOC) emissions in the DFW ozone nonattainment area are attributable to mobile sources; and,

WHEREAS, the RTC is responsible for transportation conformity; and the Clean Air Act Amendments of 1990 require that transportation plans and improvement programs in air quality nonattainment areas conform to the adopted State Implementation Plan (SIP); and,

WHEREAS, the RTC has adopted a resolution supporting the adoption and implementation of a Clean Fleet Policy by organizations with fleet operations in the DFW area; and reserves all future vehicle funding for entities that adopt and comply with a policy consistent with the provisions outlined below,

WHEREAS, the City of Rockwall will set goals and provide workable, cost-effective solutions to improve air quality and reduce petroleum consumption in the DFW area, and implement those measures as practicable.

NOW, THEREFORE, BE IT HEREBY RESOLVED:

Section 1. **The City of Rockwall will reduce emissions from fleet activities by performing the following actions as practicable:**

1.1 Implement an idle-reduction policy/standard operating procedure (SOP) that applies to all of the entity's vehicles and equipment, except where exempted as determined by <adopting entity>; communicate idle-reduction expectations to staff, vendors and visitors; and utilize idle-reduction technology.

1.2 Maximize use of vehicles and equipment with the lowest emissions wherever possible.

Source: NCTCOG

1.3 Ensure all conversions are EPA and/or California Air Resources Board (CARB) certified; ensure that aftermarket technologies are EPA and/or CARB verified, or are listed as an emerging technology by the EPA or a state environmental agency; and both conversions and aftermarket technologies are compatible with Texas Low Emission Diesel Program (TxLED) requirements.

1.4 Establish a plan to modify non-essential fleet activities on high ozone days to reduce air quality impacts.

1.5 Implement vehicle and equipment disposal strategies which minimize negative impacts on air quality.

1.6 Implement vehicle and equipment emissions inspection practices which meet or surpass the standards required by statute, including prompt resolution of any illuminated malfunction indicator lamp (MIL).

Section 2. **The City of Rockwall will reduce overall fuel consumption, particularly the use of conventional petroleum fuels, by performing the following actions as practicable:**

2.1 Pursue low-emission vehicles and equipment for acquisition, with an emphasis on alternative fuel, advanced technology, and/or Smartway[SM] certified vehicles and equipment.

2.2 Improve overall fleet fuel efficiency.

2.3 Establish practices to reduce vehicle miles traveled, passenger miles traveled, engine hours, and/or ton miles traveled, as appropriate.

Section 3. **The City of Rockwall will partner with the NCTCOG and DFWCC by performing the following actions as practicable:**

3.1 Maintain membership and active participation in DFWCC and submit timely Clean Fleet Policy reporting.

3.2 Evaluate and consider participation in programs to test/commercialize/demonstrate new technologies to improve efficiency, reduce emissions, and/or increase fuel efficiency.

3.3 Pursue activities which support peer fleets' efforts to implement fuel- or emissions-reducing activities by sharing and maximizing resources.

3.4 Encourage fleet activities which minimize water, solid waste, or other environmental impacts of fleet activities, as appropriate.

Section 4. **The City of Rockwall will ensure drivers/operators and fleet personnel are familiar with air quality and petroleum reduction goals by performing the following actions as practicable:**

4.1 Provide in-house training and/or attending training administered by NCTCOG for fleet personnel and other staff involved in fleet decisions to

Source: NCTCOG

review policy elements and provide recommendations for achieving objectives.

4.2 Consider other mechanisms to increase understanding and awareness among fleet personnel and others.

The City of Rockwall acknowledges that adoption of the Clean Fleet Policy, adoption of an idle reduction policy/SOP as outlined in section 1.1, submittal of both policies, and submittal of Clean Fleet Policy reporting is required to be eligible for future clean fleet funding from the RTC, and may be considered when determining other funding actions. The extent of Clean Fleet Policy implementation, as documented through reporting, will also be a factor in receiving DFWCC fleet recognition.

This policy shall be in effect immediately upon its adoption and replaces the prior Clean Fleet Vehicle Policy adopted in 2005.

I hereby certify that this policy was adopted by the City of Rockwall on January 20, 2015.

_____
Signature

_____
Printed Name

_____
Title

_____
Adopting Entity

Source: NCTCOG

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 28, 2014

Greetings:

Please allow us to pass this newsletter article along to you. It explains why, in the TCEQ's informed opinion, the EPA's proposed lower ozone standards will not accomplish its stated goal of protecting human health. And why does this matter to the citizens you work for?

If you are an official of a city or county in or near an ozone nonattainment area, a lower ozone standard could have a direct, negative effect on the economy of your area by making it more difficult for some new businesses to open, or existing businesses to expand.

Even if your city or county is not near a nonattainment area, a much lower ozone standard will increase the price of energy, and perhaps the reliability of the electrical grid. And everything we consume has an energy component as part of its price.

We appreciate your attention, and please feel free to share this with the citizens of your community. And if you have any questions, please feel free to call me directly.

Sincerely,

Michael Honeycutt
Director, TCEQ Toxicology Division
512-239-1793

EPA predicts that lowering ozone levels in Houston will result in increased premature deaths

Natural OUTLOOK
PD-020/14-07 OCTOBER 2014

WILL EPA's PROPOSED NEW OZONE STANDARDS PROVIDE MEASURABLE HEALTH BENEFITS?

Note: article updated 10/9/2014.

By Dr. Michael Honeycutt
Director, TCEQ Toxicology Division

The EPA is considering lowering the existing national eight-hour ozone standard from its current level of 75 parts per billion (ppb) to a much lower range, between 70 and 60 ppb. However, after an in-depth review of the EPA's analysis, as well as a thorough study of the relevant scientific literature, the TCEQ has concluded that there will be little to no public health benefit from lowering the current standard.

Surprisingly, the EPA's own modeling in 12 cities across the country indicates the net result will be *increased* mortality in some areas, including Houston and Los Angeles. The EPA did not perform the analysis for other cities in Texas.

There is no doubt that, at some higher level, ground-level ozone is harmful to human health. The question is, has the EPA adequately demonstrated that lowering the ozone standard to 70–60 ppb would actually have health benefits? We think that the EPA's process of setting ozone standards has not scientifically proven this, and that further lowering of the ozone standard will fail to provide any measurable increase in human health protection.

The EPA's own modeling in its Health Risk and Exposure Assessment (HREA)

Getting to Know Dr. Michael Honeycutt, Director, Toxicology Division



Dr. Michael E. Honeycutt is a dedicated, distinguished scientist who has served the people of Texas through his work for the Toxicology Division of the TCEQ since 1996. He has served as director of the division since 2009.

He is a dedicated family man. He and wife Lucinda have been married for 27 years and have two sons: Ethan, a sophomore at UT Dallas, and Adam, a senior at Pflugerville High School. They have lived in Pflugerville for 18 years, where he is active in his church and in the Boy Scouts. His hobby is woodworking, although he admits it's hard to find time to pursue it as much as he would like.

Dr. Honeycutt joined the TCEQ after working for the U.S. Army Corps of Engineers in Mississippi. He has a bachelor's degree and Ph.D. in toxicology from the University of Louisiana at Monroe.

Dr. Honeycutt is a full member of the Society of Toxicology, a worldwide professional and scholarly organization of scientists from academic institutions, government, and industry representing the great variety of scientists who practice toxicology in the U.S. and abroad.

Continued on page 2

Number of Premature Deaths in Houston Predicted by EPA

	Net Impact on Mortality
Meeting current standard (75 ppb) from present day ozone levels	47 more deaths
Going from present levels to 70 ppb	48 more deaths
Going from present levels to 65 ppb	44 more deaths
Going from present levels to 60 ppb	35 more deaths

This table, which was made using EPA's own modeling, indicates that reducing ozone in the Houston area will actually result in *increased* premature deaths. Whether this predicted result is factual, or if it just highlights flaws in the EPA's interpretation of the data, it casts doubt on the science being used to justify EPA's proposed lower ozone standards.

Based on 2009 data—*EPA, Final Health Risk and Exposure Assessment*, Appendix 7, p. 7B-2

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indicates that lowering ozone concentrations would actually result in more deaths in some cities (Appendix 7, page 7B-2 of the HREA). Either this indicates that lowering the ozone standard defeats its stated purpose of protecting human health, or it indicates that something is wrong with the EPA's interpretation of the data. Either way, it's not a good argument for lowering the ozone standard.

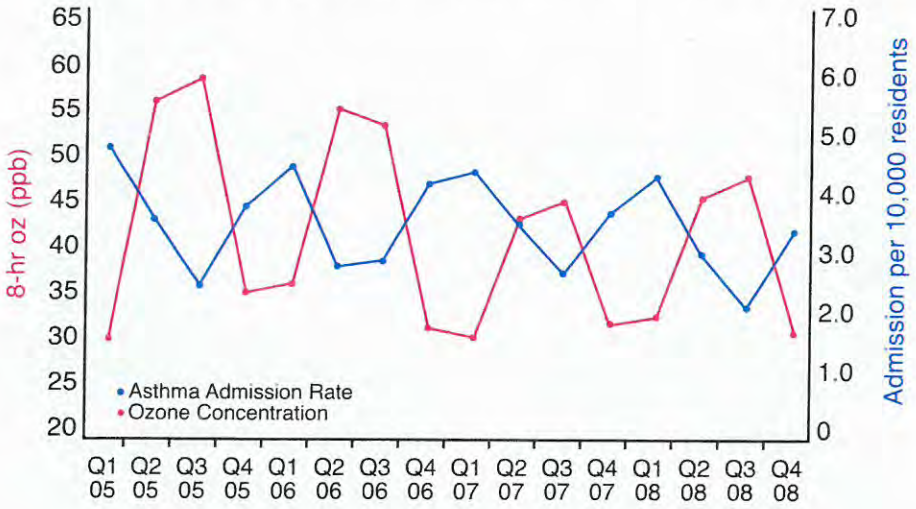
Further, the EPA is not very forthcoming about the increased deaths. It's not mentioned in the executive summary of their policy analysis, but it's found on page 115 of Chapter 3, more than one third of the way through the 597-page document.

The EPA's proposed lower ozone standard derives much of its claimed benefits from associating ozone with worsening asthma. The problem with this association is that asthma diagnoses are increasing in the U.S., yet nationwide, air quality is improving. If asthma were actually tied to ozone, you would expect to see the instances of asthma decreasing, not increasing. In fact, data from Texas hospitals show that asthma admissions are actually highest in the winter, when ozone levels are the lowest.

The evaluation of the proposed ozone standard was performed by the TCEQ

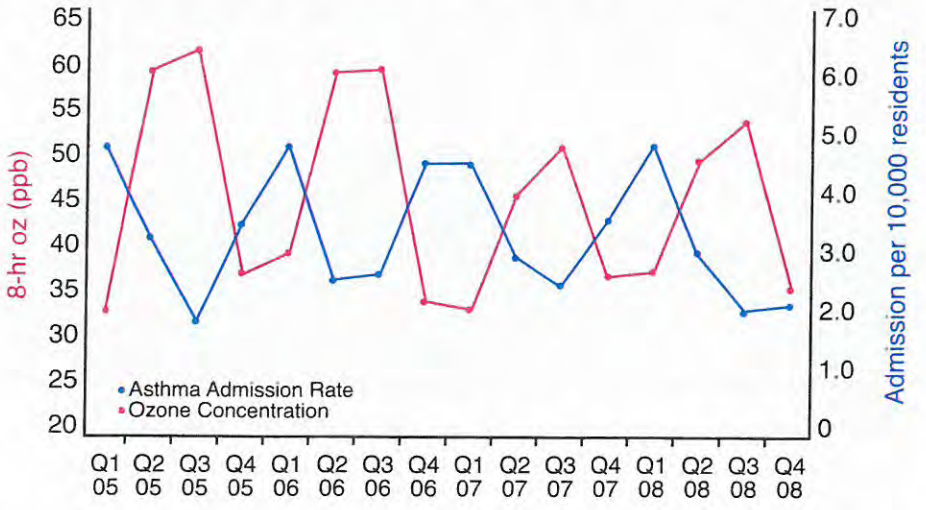
Dallas County

Quarterly Average Peak 8-hr Ozone vs
Quarterly Hospital Age–Adjusted Admission Rate, Dallas County



Denton County

Quarterly Average Peak 8-hr Ozone vs
Quarterly Hospital Age–Adjusted Admission Rate, Denton County



Data collected from Texas hospitals indicates that admissions for asthma are actually highest in the winter, when ozone concentrations are normally lowest. This casts further doubt on the EPA's assertion that ozone is an important driver of asthma symptoms.

Getting to Know Dr. Michael Honeycutt, Director, Toxicology Division (continued)

He has co-authored scientific articles on a wide variety of toxicological subjects in a number of scientific journals, and is cited three times in the Encyclopedia of Toxicology. Dr. Honeycutt has given invited testimony before the U.S. House of Representatives four times, and has appeared before the Texas Legislature numerous times.

He frequently participates on committees, boards, workshops and panels, and has presented at dozens of symposia and conferences across the United States.

"I consider myself extremely lucky to be leading our team of 15 toxicologists," he said. "No state has a more dedicated, distinguished team of scientists committed to serving its citizens. The excellence of their work in setting safe exposure levels for a wide variety of chemicals and compounds is recognized when these levels are adopted by many other states and countries."

"I love my job," he said. "As a scientist, I love following the facts to a conclusion, even if it is contrary to accepted wisdom."

Dr. Honeycutt says his data aren't always welcome. "I was cussed out by the mayor of a West Texas town when I told him to shut down the town's water supply because of contamination. And I pushed the agency to do a large-scale monitoring survey in the Barnett Shale when I saw a couple of benzene readings that were concerning to me."

"I always tell people, 'Show me where I'm wrong,' and I'm willing to accept it if they do. That's the definition of science. I also love the fact that I'm expected to interpret data objectively. I don't have to hype data in hopes of getting a grant or donations to fund my position," said Dr. Honeycutt.

Toxicology Division, which consists of 10 Ph.D. and five master's level scientists. Our scientists specialize in toxicology and risk assessment related to air contaminants, and set guidelines and toxicity factors that are adopted by many different states and countries.

The sciences (toxicology, molecular biology, biochemistry, cell biology, chemistry, just to name a few) used to set the EPA's standards are complex and technical. Toxicology Division members Stephanie Shirley (Ph.D., UT MD Anderson Cancer Center, molecular carcinogenesis), Sabine Lange (Ph.D. UT MD Anderson Cancer Center, biochemistry and molecular carcinogenesis), Neeraja Erraguntla (Ph.D., LSU, physiology, pharmacology and toxicology), and I immersed ourselves in ozone toxicology and epidemiology. We presented a paper titled "A Toxicological Review of the Ozone NAAQS" at various professional meetings, and are helping prepare ground-breaking analyses of the ozone data for publication in peer-reviewed journals.

Below are a few facts and simplified explanations of the TCEQ's conclusion that a lower ozone standard is not justified.

You can find links to other references and ozone information at <www.tceq.texas.gov/goto/ozone-science>.

Sensitivity of Asthmatics to Ozone:

- Exposure of human volunteers to ozone showed similar lung effects in asthmatics and in non-asthmatic subjects. Additionally, children are no more sensitive to ozone than are young adults.

Mortality Caused by Long-term Exposure to Ozone:

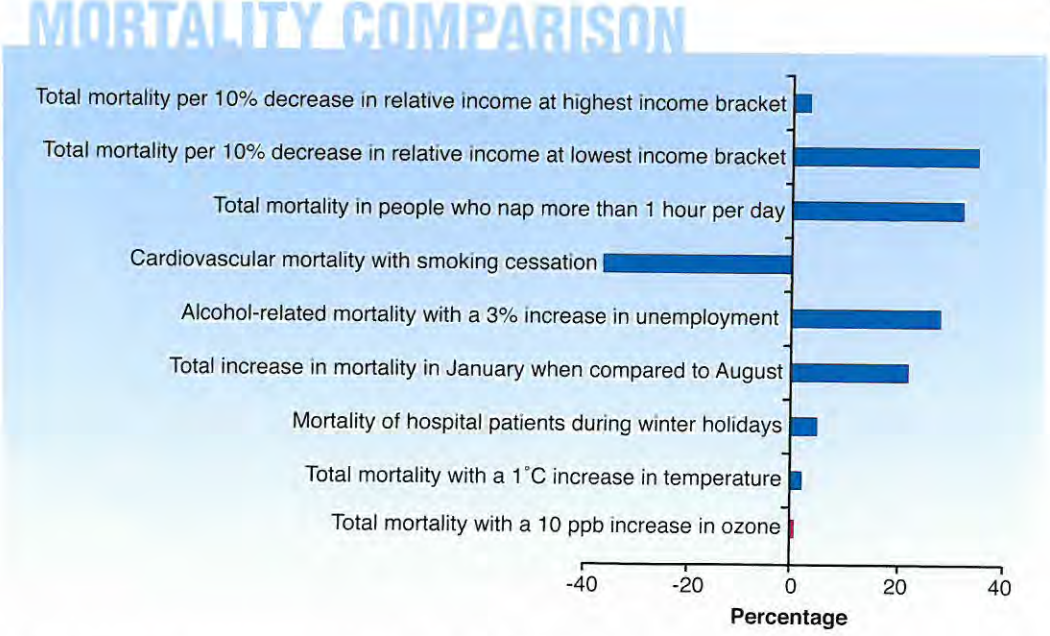
- Only 1 out of 12 studies considered by the EPA showed an association between long-term exposure to ozone and early death (after considering other pollutants). This single study is used by the EPA as evidence that long-term exposure to ozone causes mortality. Interestingly, this study did not show higher mortality in Southern California, where some of the highest ozone levels in the country are measured.

Ambient Ozone Concentrations Don't Represent Real-world Exposure:

- Ozone is an outdoor air pollutant, because systems such as air conditioning remove it from indoor air. Since most people spend more than 90 percent of their time indoors, we (and the people in the epidemiology studies used to justify lowering the standard) are rarely exposed to significant levels of ozone.
- Even people who work outdoors are exposed to, at most, 60 percent of the ozone concentration that is measured at an ambient monitor. Additionally, there are ozone standards particularly for workers to ensure that they are protected.
- For ozone to cause a slight change in lung function in clinical studies, people need to be exposed to outdoor levels of ozone for hours while vigorously exercising (example: 6 hours of bicycling). These changes in lung function are often so small that they are within a person's *normal* daily variation.
- Epidemiology studies show an association between a person's likelihood of dying, and the outdoor concentrations of ozone in the days before (or the day of) a person's death. However, we spend most of our time indoors (particularly people who are near death), so the people in the studies were exposed to levels of ozone that are far below those that cause any clinical effect.

Problems with Implementing a New Ozone Standard:

- Some places in the U.S. have background levels of ozone that account for up to 80 percent of total ozone. Background ozone occurs naturally, or is transported from other countries. The EPA does not take this into account when making the rule.
- Ozone is not produced directly, but instead forms when other chemicals (particularly nitrogen oxides) react with sunlight. However, ozone chemistry is complicated, and the same nitrogen oxides that produce ozone can also react with existing ozone to remove it from the air. So places that have high nitrogen oxide production (such as areas



Many factors influence mortality, and the effect of an increase in ozone by 10 ppb is tiny in comparison to these other influences.

near roads), often have lower ozone levels.

- Because ozone chemistry is complex, lowering ozone-producing chemicals in the cities would decrease ozone in the suburbs, but could increase ozone in the inner-cities (because there will be a decrease in the nitrogen oxides that can remove ozone). This means that, according to EPA predictions, those living in the inner cities could bear more health burdens, while people on the outskirts enjoy the predicted benefits.

Proponents of lower ozone standards sometimes advance the argument that even if the lower standards are not scientifically justified, what is it going to hurt to have cleaner air? The answer is, why regulate something that is not really going to have a benefit? That effort should be put into regulating something that will have a benefit—perhaps air toxics—perhaps figuring out what is causing increased reported rates of asthma—perhaps looking at indoor air quality, which probably has a bigger impact on health than outdoor air quality, because data shows Americans likely spend at least 90 percent of their time indoors.

There are costs to regulation. Increased regulatory costs make nearly all goods and services more expensive, particularly energy. There is a real, human cost resulting from higher energy bills, especially in Texas. For poor Texans (and many poor Texans are elderly Texans), being able to keep their home cool on hot and humid summer days has a real health benefit.

If an area violates an ozone standard, it is in nonattainment, and new regulations are imposed, with the goal of bringing those areas into attainment. Those regulations and the expenses they impose make it more difficult and more expensive for many existing businesses and industries to operate, and those costs are eventually passed on to the consumer.

Being in nonattainment also means that new businesses that produce qualifying emissions may have to purchase emissions offsets to open their doors, or consider opening their business in another area that is in attainment.

If the EPA decides the new ozone standards should be at the lower end of the range, close to 60 ppb, it is likely that areas like El Paso; San Antonio; Victoria; the Tyler region in East Texas; the I-H 35 corridor between San Antonio and Dallas-Fort Worth, including Austin and Waco; Beaumont and Port Arthur; parts of the Panhandle and Rio Grande Valley; and Big Bend National Park would be in nonattainment.

For the DFW and Houston-Galveston-Brazoria areas, which are already in nonattainment, and already heavily regulated, reaching attainment would become even more difficult and further impact economic growth. All residents of these areas would be affected.

A study commissioned by the National Association of Manufacturers found that, in a scenario where new ozone standards constrained natural gas production, electricity prices could increase by 15 percent for residential customers and 23 percent for industrial customers. The study found that the new ozone standards could reduce U.S. GDP by $270 billion per year and result in 2.9 million fewer job equivalents per year on average through 2040.

The Clean Air Act, which sets air quality standards for six pollutants including ozone, is the only federal environmental law that expressly forbids the EPA from considering the feasibility and costs of attaining a standard. In my mind, that should set the bar higher for the science. This is particularly the case with ozone, because the economic costs would be enormous, and the standard will be almost unachievable even if the public is able to bear those costs. There should be no doubt that lowering the standard will result in health benefits, but that is not the case for this consideration of the ozone standard. How can the EPA in good conscience make a policy decision this expensive when the data are so contradictory that their own modeling predicts more deaths in some areas from lowering the standard?

I'm often asked, wouldn't it be easier to just accept what the EPA does? Isn't it a lot of trouble to try to affect the direction of the EPA's 16,000 employees and $8 billion budget? Yes, of course that would be easier, but it wouldn't be the right thing to do.

Environmental regulations should be based on sound science. If they are not, then it opens the door for regulations that are based on politics, or on other reasons that do not benefit the public. The TCEQ has been provided with the expertise and funding to do research and science to assure that regulations are effective and beneficial to the environment and to public health. That is what the legislature and the people of Texas task us to do, and we take that task very seriously.

Information Online

EPA's Health Risk and Exposure Assessment
www.epa.gov/ttn/naaqs/standards/ozone/s_o3_2008_rea.html

EPA's Policy Assessment
www.epa.gov/ttn/naaqs/standards/ozone/s_o3_2008_pa.html

Asthma Information
www.cdc.gov/asthma/pdfs/asthma_facts_program_grantees.pdf

Ozone Levels/Trends
www.epa.gov/airtrends/ozone.html

A Toxicological Review of the Ozone NAAQS
www.tceq.com/assets/public/implementation/tox/ozone/superconference.pdf

Links to Additional Ozone Information
www.tceq.texas.gov/assets/public/implementation/tox/ozone/ozone_science.pdf

NAM Economic Report
www.nam.org/Special/Media-Campaign/EPA-Overregulation/Ozone-Regulations.aspx

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Joey Boyd, Assistant to the City Manager

DATE: November 12, 2007

SUBJECT: Clean Fleet Vehicle Resolution

Action Requested: Consider adoption of the Regional Transportation Council's Clean Fleet Vehicle Policy for use by agencies in the North Central Texas Council of Governments.

Background: The Regional Transportation Council (RTC), comprised primarily of local elected officials, is the regional transportation policy body associated with the NCTCOG, and has been and continues to be a forum for cooperative efforts on transportation.

In October 2005, the Regional Transportation Council approved a resolution adopting a Clean Fleet Vehicle Policy for public sector entities as one strategy to reduce ozone-forming emissions from mobile sources. All agencies in the region are encouraged to adopt the policy recommendations with regard to acquisition, operations, and maintenance and integrate the requirements as appropriate into their specific circumstances. Sixty-Five area agencies have adopted the policy. A map showing the current adoption status for all counties, transit agencies, school districts, and cities in the nonattainment area is included.

RTC reserves future transportation funding for entities that adopt and comply with the policy, and in addition, may consider compliance with the policy in reviewing other funding requests. This could affect the City's ability to use State and Federal funds for transportation efforts in the future. The Clean Fleet Vehicle Policy provides guidance on minimizing emissions through vehicle acquisition, maintenance, and operations. A Compliance Verification component is also provided to area agencies by NCTCOG to help ensure proper implementation.

A review of the City's current fleet indicates that the City would be able to comply with all the aspects of this policy with the exception of a few fire engines due to age of the vehicle, for which a waiver is available. A resolution adopting the Clean Fleet Vehicle Policy is attached for Council consideration.

CITY OF ROCKWALL

RESOLUTION NO. 07-23

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ESTABLISHING FLEET VEHICLE PROCUREMENT, MAINTENANCE AND OPERATION POLICIES CONSISTENT WITH REGIONAL EMISSION REDUCTION EFFORTS; REQUIRING THAT COMPLIANCE BE CERTIFIED THROUGH NCTCOG; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Regional Transportation Council, comprised primarily of local elected officials, is the regional transportation policy body associated with the North Central Texas Council of Governments, and has been and continues to be a forum for cooperative decisions on transportation; and

WHEREAS, the Regional Transportation Council supports the adoption and implementation by the City of Rockwall of a Clean Fleet Vehicle Policy, which was resolved on October 13, 2005; and

WHEREAS, the Dallas-Fort Worth area is a federally designated nonattainment area for the pollutant ozone and air quality impacts the public health of the entire region; and

WHEREAS, the Regional Transportation Council is responsible for air quality conformity; and the Clean Air Act Amendments of 1990 require that in air quality nonattainment areas transportation plans and improvement programs conform to the applicable air quality implementation plan; and

WHEREAS, the City of Rockwall wants to set achievable goals and provide workable, cost effective solutions to improve the Dallas-Fort Worth Metropolitan Area air, and implement those measures as soon as practicable to improve air quality; and

WHEREAS, approximately fifty percent of the nitrogen oxide (NOx) emissions in the Dallas-Fort Worth nonattainment area come from on-road vehicles;

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

Section 1. Acquisition

1.1 Vehicle acquisitions for fleet expansion or replacement of model year 2004 or newer, shall be newest model year or engine standard only.

1.2 Vehicle acquisitions to replace model year 2003 or older vehicles must show at least a 25% reduction in Nitrogen Oxides (NOx) emissions rate compared to the vehicle being replaced. (Waivers are possible when new technologies or achievements of the required emission reduction are not possible.)

1.3 Aftermarket technologies and conversions are acceptable for fleet expansion and fleet replacements.

1.4 Aftermarket technologies and conversions must be Environment Protection Agency (EPA) and/or CARB verified or certified or technology equivalent or better, as determined by the North Central Texas Council of Governments (NCTCOG) staff.

1.5 Conversions must comply with the provisions of EPA Memorandum 1A and Addendum Revision (June 25, 1974 and June 1, 1998).

Section 2. Operations

2.1 Vehicle idling is allowed only for safety, emergency response, vehicle maintenance, equipment activity, warm-up/operations in cold temperature, and manufacturer recommended minimum idle/warm-up times.

2.2 Vehicles with the lowest NOx emissions that are capable of performing the required operational demands shall drive the most miles.

2.3 Fleet manager shall abide by latest refueling time/season guidance published by NCTCOG Air Quality Planning.

2.4 Non-emergency vehicles shall drive no more than the posted speed limit and avoid rapid acceleration.

2.5 All drivers shall be trained on air quality appropriate operational requirements.

Section 3. Maintenance

3.1 Perform annual emission and safety inspections for all vehicles, even for vehicles with no state mandated inspection requirement.

3.2 All vehicles with over 100,000 miles must have emission inspections every 25,000 miles thereafter.

3.3 Perform manufacturer's recommended maintenance.

3.4 Mandatory participation in any diesel or other Texas Commission on Environmental Quality or NCTCOG inspection/maintenance program, including applicable test or pilot programs.

Section 4. Compliance Verification

4.1 Public sector entity shall provide NCTCOG with an annual electronic update of fleet size and activity in a format established by NCTCOG.

4.2 The City of Rockwall acknowledges that entities not adopting and complying with the Clean Fleet Vehicle Policy and/or reporting

requirements will not be eligible for future clean vehicle funding and RTC may assess the City of Rockwall compliance when considering other RTC funding actions.

Section5. That this resolution shall take effect immediately from and after its passage and approval, and it is so resolved.

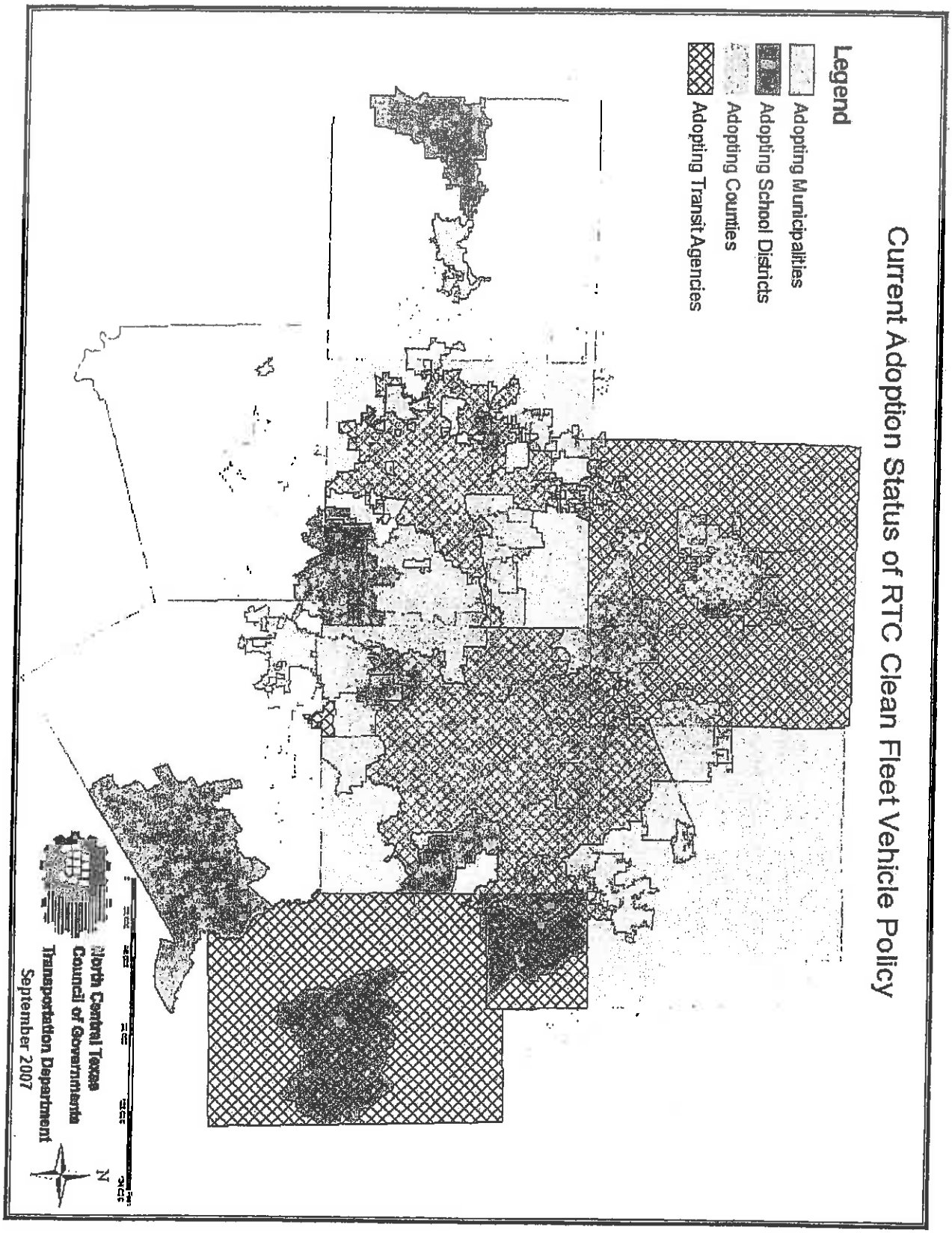
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 19th day of November, 2007.

William R. Cecil, Mayor

ATTEST:

Dorothy Brooks, TRMC, CMC, City Secretary

CITY OF ROCKWALL TEXAS
SEAL


Current Adoption Status of RTC Clean Fleet Vehicle Policy
Legend
Adopting Municipalities
Adopting School Districts
Adopting Counties
Adopting Transit Agencies
North Central Texas Council of Governments
Transportation Department
September 2007
N

130

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 15-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ESTABLISHING UPDATED FLEET VEHICLE MAINTENANCE AND OPERATION POLICIES AND ASSOCIATED REPORTING REQUIREMENTS CONSISTENT WITH REGIONAL EMISSION REDUCTION EFFORTS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the North Central Texas Council of Governments (NCTCOG) has been designated as the Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth (DFW) Metropolitan Area by the Governor of Texas and in accordance with federal law; and,

WHEREAS, the Regional Transportation Council (RTC), comprised primarily of local elected officials, is the regional transportation policy body associated with NCTCOG and has been and continues to be the regional forum for cooperative decisions on transportation; and,

WHEREAS, NCTCOG has been designated as a Clean Cities Coalition for the DFW region by the US Department of Energy in accordance with federal law and the NCTCOG Executive Board authorized NCTCOG to serve as the host organization for the DFW Clean Cities (DFWCC) Coalition and its efforts; and,

WHEREAS, the U.S. Environmental Protection Agency (EPA) has designated the DFW area as a nonattainment area for the pollutant ozone, and air quality impacts the public health of the entire region; and,

WHEREAS, emissions inventories from the Texas Commission on Environmental Quality (TCEQ) indicate that in 2012, approximately 76 percent of the nitrogen oxides (NO_X) emissions and 25 percent of the volatile organic compounds (VOC) emissions in the DFW ozone nonattainment area are attributable to mobile sources; and,

WHEREAS, the RTC is responsible for transportation conformity; and the Clean Air Act Amendments of 1990 require that transportation plans and improvement programs in air quality nonattainment areas conform to the adopted State Implementation Plan (SIP); and,

WHEREAS, the RTC has adopted a resolution supporting the adoption and implementation of a Clean Fleet Policy by organizations with fleet operations in the DFW area; and reserves all future vehicle funding for entities that adopt and comply with a policy consistent with the provisions outlined below,

WHEREAS, the City of Rockwall will set goals and provide workable, cost-effective solutions to improve air quality and reduce petroleum consumption in the DFW area, and implement those measures as practicable.

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

Section 1. **The City of Rockwall will reduce emissions from fleet activities by performing the following actions as practicable:**

1.1 Implement an idle-reduction policy/standard operating procedure (SOP) that applies to all of the entity's vehicles and equipment, except where exempted as determined by <adopting entity>; communicate idle-reduction expectations to staff, vendors and visitors; and utilize idle-reduction technology.

1.2 Maximize use of vehicles and equipment with the lowest emissions wherever possible.

1.3 Ensure all conversions are EPA and/or California Air Resources Board (CARB) certified; ensure that aftermarket technologies are EPA and/or CARB verified, or are listed as an emerging technology by the EPA or a state environmental agency; and both conversions and aftermarket technologies are compatible with Texas Low Emission Diesel Program (TxLED) requirements.

1.4 Establish a plan to modify non-essential fleet activities on high ozone days to reduce air quality impacts.

1.5 Implement vehicle and equipment disposal strategies which minimize negative impacts on air quality.

1.6 Implement vehicle and equipment emissions inspection practices which meet or surpass the standards required by statute, including prompt resolution of any illuminated malfunction indicator lamp (MIL).

Section 2. **The City of Rockwall will reduce overall fuel consumption, particularly the use of conventional petroleum fuels, by performing the following actions as practicable:**

2.1 Pursue low-emission vehicles and equipment for acquisition, with an emphasis on alternative fuel, advanced technology, and/or Smartway^{SM} certified vehicles and equipment.

2.2 Improve overall fleet fuel efficiency.

2.3 Establish practices to reduce vehicle miles traveled, passenger miles traveled, engine hours, and/or ton miles traveled, as appropriate.

Section 3. **The City of Rockwall will partner with the NCTCOG and DFWCC by performing the following actions as practicable:**

3.1 Maintain membership and active participation in DFWCC and submit timely Clean Fleet Policy reporting.

3.2 Evaluate and consider participation in programs to test/commercialize/demonstrate new technologies to improve efficiency, reduce emissions, and/or increase fuel efficiency.

3.3 Pursue activities which support peer fleets' efforts to implement fuel- or emissions-reducing activities by sharing and maximizing resources.

3.4 Encourage fleet activities which minimize water, solid waste, or other environmental impacts of fleet activities, as appropriate.

Section 4. **The City of Rockwall will ensure drivers/operators and fleet personnel are familiar with air quality and petroleum reduction goals by performing the following actions as practicable:**

4.1 Provide in-house training and/or attending training administered by NCTCOG for fleet personnel and other staff involved in fleet decisions to review policy elements and provide recommendations for achieving objectives.

4.2 Consider other mechanisms to increase understanding and awareness among fleet personnel and others.

Section 5. The City of Rockwall acknowledges that adoption of the Clean Fleet Policy, adoption of an idle reduction policy/SOP as outlined in section 1.1, submittal of both policies, and submittal of Clean Fleet Policy reporting is required to be eligible for future clean fleet funding from the RTC, and may be considered when determining other funding actions. The extent of Clean Fleet Policy implementation, as documented through reporting, will also be a factor in receiving DFWCC fleet recognition.

Section 6. This policy replaces the prior Clean Fleet Vehicle Policy of the City of Rockwall (Resolution 07-23).

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 20th DAY OF JANUARY, 2015.

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 01/20/2015

APPLICANT: Bryan Powell, P.E.

AGENDA ITEM: **P2014-043**; Castle Ridge Estates - Phase 3

Discuss and consider a request by Bryan Powell, PE of Westwood Professional Services on behalf of David Booth of D. R. Horton Texas, LTD for the approval of a final plat for Castle Ridge, Phase 3 containing 62 single family lots on a 19.521-acre tract of land currently identified as Tract 37 of the J. Stricklans Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Single Family Residential (SF-10) District, general located east of SH-205, and take any action necessary.

BACKGROUND INFORMATION:

The final plat for Castle Ridge Estates - Phase 3 indicates 62 single family residential lots to be developed on 19.521-acres. The subject tract is zoned Single Family Residential (SF-10) District, requiring a minimum lot size of 10,000 sq. ft., a minimum lot frontage of 80-ft, a minimum lot depth of 100-ft, and a minimum dwelling unit size of 1500 sq. ft.

Phase 3 represents the final phase for the Castle Ridge Estates Subdivision. Based on the general lot configuration, the final plat conforms to the approved preliminary plat and meets the minimum requirements for the SF-10 district that governs the development. The site can be accessed from Windham Dr. off SH 205 and existing streets from the Harlan Park and Heritage Heights subdivisions to the south of the development.

The Parks Board met on January 6, 2015 and recommended approval of the final plat. Castle Ridge Estates Phase 3 is included with Park District #1and has satisfied the pro-rata equipment fees for the subdivision. However, the cash in lieu of land fees in the amount of $493 per lot must be collected at the time of final plat approval.

LANDSCAPE / TREESCAPE PLAN:

In order to develop the lots, a *Tree Preservation Plan* representing an updated version of the tree plan that was approved with the Preliminary Plat in 2005, was submitted by the applicant and approved by the Planning and Zoning Commission in May of this year meeting the requirement for a tree plan prior to the approval of a final plat for phase 3.

As you may recall, a total mitigation balance due of 751 caliper inches will be satisfied by planting four (4) – three (3) caliper inch trees per lot (62 lots) for a total of 248 trees. This represents a total of 744 caliper inches credited towards the mitigation balance.

The remaining balance of seven (7) caliper inches will either be donated to the Parks Department or the City's Tree Fund for future plantings.

RECOMMENDATIONS:

Staff recommends approval of the request with the following conditions:

1. Adherence to all Engineering and Fire Department standards.
2. A minimum of a ten (10) foot access right-of-way extending from Whitman Drive to the Takeline shall be required to be depicted between Lots 31 & 32, Block K. Additionally, the developer shall be responsible for the construction of a five (5) foot sidewalk that will be placed in the required access right-of-way. The HOA shall be responsible for the maintenance of the access right-of-way and sidewalk.
3. Adherence to Parks Board and Parks Department requirements. Payment of the cash in lieu of park land dedication is due at final plat approval.

Planning and Zoning Recommendation:

On January 13, 2015, the Planning and Zoning Commission recommended approval of the final plat with staff conditions by a vote of 5 to 0 (Logan & Fishman – absent).

City of Rockwall

Project Plan Review History

Project Number	P2014-043	**Owner**	SHOREVIEW, PROPERTIES LTD	**Applied**	12/19/2014 DG
Project Name	Castle Ridge Estates Ph 3	**Applicant**	Westwood Professional Services	**Approved**	
Type	PLAT			**Closed**	
Subtype	FINAL			**Expired**	
Status	STAFF REVIEW			**Status**	12/19/2014 DG

Site Address	**City, State Zip**	**Zoning**
WINDHAM DR	,	

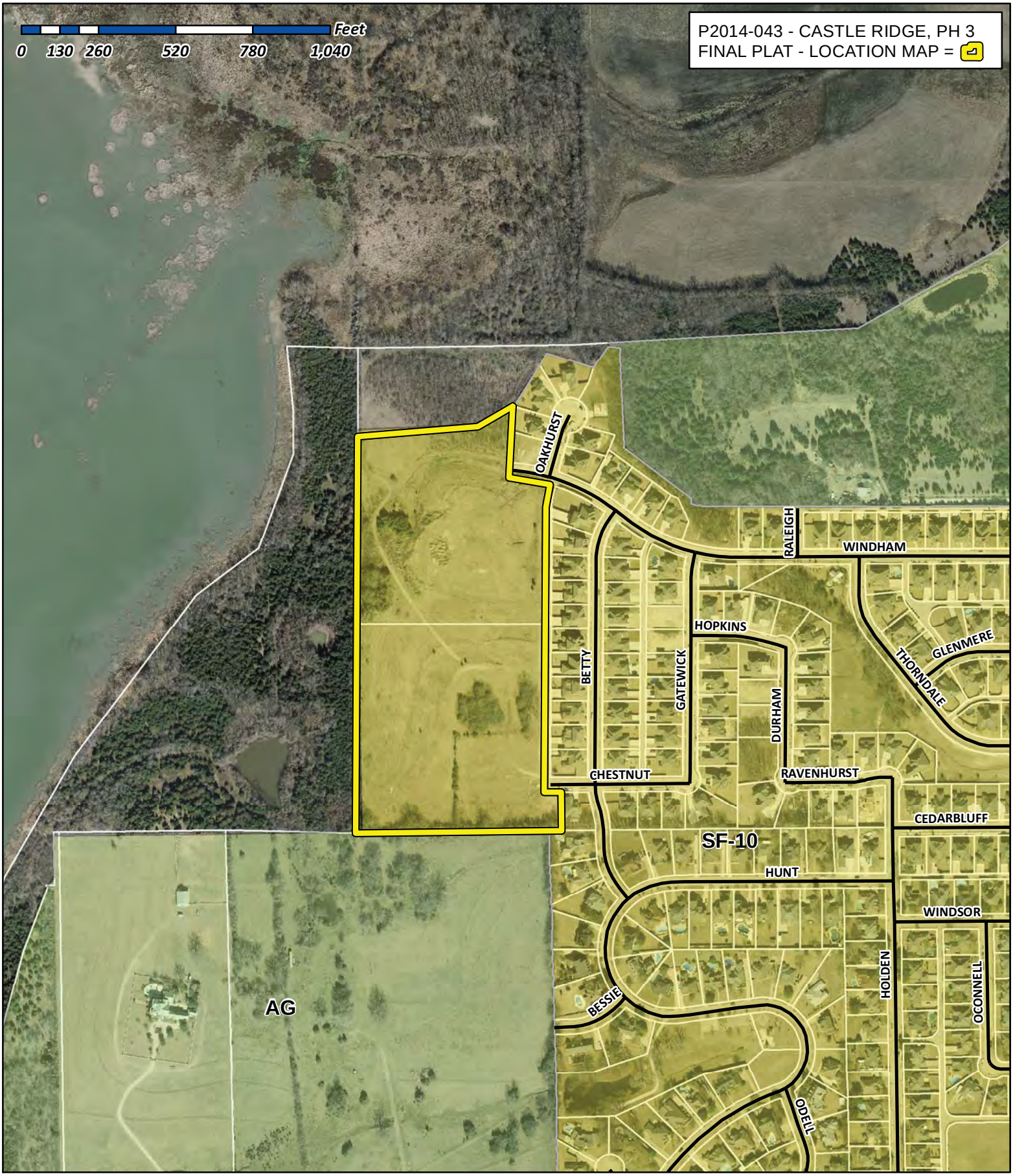
Subdivision	**Tract**	**Block**	**Lot No**	**Parcel No**	**General Plan**
CASTLE RIDGE PH2	0037		0037	0187-0000-0037-00-0R	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	12/19/2014	12/26/2014	12/22/2014	3	APPROVED	
ENGINEERING	Amy Williams	12/19/2014	12/26/2014	12/22/2014	3	COMMENTS	See Comment
(12/22/2014 11:10 AM AW) Check drainage easement at the back of lots 17 and 18, block K...check with engineering							
FIRE	Ariana Hargrove	12/19/2014	12/26/2014	12/22/2014	3	APPROVED	
GIS	Lance Singleton	12/19/2014	12/26/2014				
PLANNING	David Gonzales	12/19/2014	12/26/2014	12/22/2014	3	COMMENTS	See comments

Discuss and consider a request by Bryan Powell, PE of Westwood Professional Services on behalf of David Booth of D. R. Horton Texas, LTD for the approval of a final plat for Castle Ridge, Phase 3 containing 62 single family lots on a 19.521-acre tract of land currently identified as Tract 37 of the J. Stricklans Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, general located east of SH-205, and take any action necessary.

Planning staff comments:

1. Adherence to all Engineering and Fire Deparment standards.
2. SF-10 standards require a minimum lot frontage on public streets to be 80 feet: Lot 32, Block K does not meet this standard; therefore, requires an adjustment to the lots frontage in order to conform.
3. Adherence to Parks Board and Parks Department requirements. Payment of any pro-rata equipment fees and/or cash in lieu of park land dedication is due at final plat approval.



City of Rockwall

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

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

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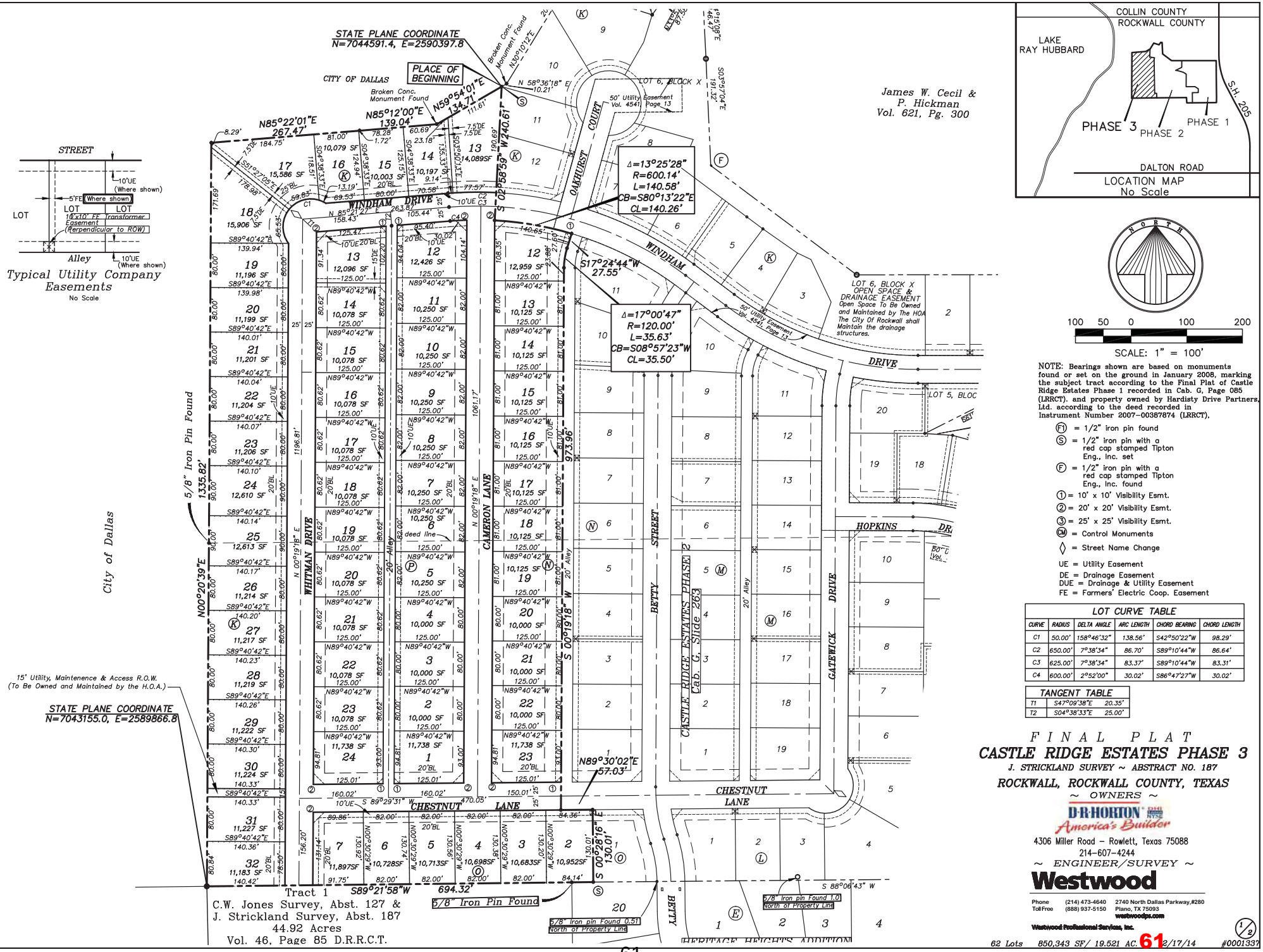

NOTE: Bearings shown are based on monuments found or set on the ground in January 2008, marking the subject tract according to the Final Plat of Castle Ridge Estates Phase 1 recorded in Cab. G, Page 085 (LRRCT). and property owned by Hardisty Drive Partners, Ltd. according to the deed recorded in Instrument Number 2007-00387874 (LRRCT).

- (F1) = 1/2" iron pin found
- (S) = 1/2" iron pin with a red cap stamped Tipton Eng., Inc. set
- (F) = 1/2" iron pin with a red cap stamped Tipton Eng., Inc. found
- (1) = 10' x 10' Visibility Esmt.
- (2) = 20' x 20' Visibility Esmt.
- (3) = 25' x 25' Visibility Esmt.
- (CM) = Control Monuments
- ◊ = Street Name Change

UE = Utility Easement
DE = Drainage Easement
DUE = Drainage & Utility Easement
FE = Farmers' Electric Coop. Easement

LOT CURVE TABLE

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	50.00'	158°46'32"	138.56'	S42°50'22"W	98.29'
C2	650.00'	7°38'34"	86.70'	S89°10'44"W	86.64'
C3	625.00'	7°38'34"	83.37'	S89°10'44"W	83.31'
C4	600.00'	2°52'00"	30.02'	S86°47'27"W	30.02'

TANGENT TABLE

T1	S47°09'38"E	20.35'
T2	S04°38'33"E	25.00'

FINAL PLAT
CASTLE RIDGE ESTATES PHASE 3

J. STRICKLAND SURVEY ~ ABSTRACT NO. 187

ROCKWALL, ROCKWALL COUNTY, TEXAS

~ OWNERS ~

D·R·HORTON America's Builder
4306 Miller Road – Rowlett, Texas 75088
214-607-4244

~ ENGINEER/SURVEY ~

Westwood

Phone (214) 473-4640 2740 North Dallas Parkway,#280
Toll Free (888) 937-5150 Plano, TX 75093
westwoodps.com

Westwood Professional Services, Inc.

62 Lots 850,343 SF/ 19.521 AC. 12/17/14 #0001337

1/2

STATE OF TEXAS)(
COUNTY OF ROCKWALL)(

OWNERS CERTIFICATE

WHEREAS, D.R. HORTON– TEXAS Ltd. a Texas limited partnership is the owner of a tract of land situated in the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas according to the Special Warranty Deed recorded in Instrument Number 2014–00006940 of the Land Records of Rockwall County, Texas (LRRCT), the subject tract being more particularly described as follows;

BEGINNING at a 1/2 inch Iron rod with yellow plastic cap found for the northwest corner of Lot 11, Block K of Castle Ridge Estates Phase 2, an addition to the City of Rockwall, Rockwall County, Texas as recorded in Cabinet G, Slide 263, Real Property Records, Rockwall County, Texas, same being the northeast corner of the herein described tract and being on the south line of a 2.00 acre tract of land conveyed to the City of Dallas by deed recorded in Volume 76, Page 530, Real Property Records, Rockwall County, Texas;

THENCE along the east line of the herein described tract and the common west line of said Castle Ridge Estates Phase 2 boundary line, the following courses and distances:

South 02 Degrees 58 Minutes 59 Seconds West, a distance of 240.61 feet to a 5/8 inch iron rod with yellow plastic cap stamped "ADAMS 5610" found for corner on the south right–of–way line of Windham Drive (a 50 foot Right–of–Way) of said Castle Ridge Estates Phase 2 addition plat and being the beginning of a non–tangent curve to the right, having a Central Angle of 13 Degrees 25 Minutes 28 Seconds, a Radius of 600.00 feet and a long Chord that bears South 80 Degrees 13 Minutes 22 seconds East, a distance of 140.26 feet;

Along said non–tangent curve to the right, an arc length of 140.58 feet to a 5/8 inch iron rod with yellow plastic cap stamped "ADAMS 5610" found for corner;

South 17 Degrees 24 Minutes 44 Seconds West, a distance of 27.55 feet to a 5/8 inch iron rod with yellow plastic cap stamped "ADAMS 5610" found for corner and the beginning of a tangent curve to the left, having a Central Angle of 17 Degrees 00 Minutes 47 Seconds, a radius of 120.00 feet and a long Chord that bears South 08 Degrees 57 Minutes 23 Seconds West, a distance of 35.50 feet;

Along said tangent curve to the left, and arc length of 35.63 feet to a 5/8 inch iron rod with yellow plastic cap stamped "ADAMS 5610" found for corner;

South 00 Degrees 19 Minutes 18 Seconds West, a distance of 973.96 feet to a 5/8 inch iron rod with yellow plastic cap stamped "ADAMS 5610" found for corner on the south right–of–way line of Chestnut Lane (a 50 foot right–of–way) of said Castle Ridge Estates Phase 2;

North 89 Degrees 30 Minutes 02 Seconds East, along the south right–of–way line of said Chestnut Lane, a distance of 57.03 feet to a 1/2 inch iron rod with yellow cap stamped "TIPTON" found for corner;

South 00 Degrees 28 Minutes 16 Seconds East, a distance of 130.01 feet to a 1/2 inch iron rod with yellow cap stamped "TIPTON" found for the southeast corner of the herein described tract and the common southwest corner of said Castle Ridge Estates Phase 2 addition, same being on the north line of Heritage Heights Addition, an addition to the City of Rockwall, according to the plat recorded in Cabinet A, Slide 227, Plat Records, Rockwall County, Texas;

THENCE South 89 Degrees 21 Minutes 58 Seconds West, passing at a distance of 38.65 feet a 5/8 inch iron pin found for the northwest corner of Lot 20, Block D of said Heritage Heights Addition, in all a distance of 694.32 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "WESTWOOD" set for the southwest corner of the herein described tract from which a fence post bears North 83 Degrees 08 Minutes 11 Seconds West, a distance of 1.30 feet and being on the east line of a tract of land conveyed to the City of Dallas;

THENCE North 00 Degrees 20 Minutes 39 Seconds East, along the west line of said remainder tract, passing at a distance of 616.70 feet a 5/8 inch iron pin found, in all a distance of 1335.82 feet to a concrete monument found for the northwest corner of said remainder tract and the common southwest corner of aforementioned 2.00 acre tract of land conveyed to the City of Dallas;

THENCE along the north line of said remainder tract and the common south line of said 2.00 acre tract, the following courses and distances:

North 85 Degrees 22 Minutes 01 Seconds East, a distance of 267.47 feet to a broken concrete monument found for corner;

North 85 Degrees 12 Minutes 00 Seconds East, a distance of 139.04 feet to a broken concrete monument found for corner;

THENCE North 59 Degrees 54 Minutes 01 Seconds East, a distance of 134.71 feet to the **POINT OF BEGINNING** and containing 19.521 acres of land more or less.

Note: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83–54.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owner of the land shown on this plat, and designated herein as the CASTLE RIDGE ESTATES PHASE 3 subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown for the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the CASTLE RIDGE ESTATES PHASE 3 subdivision have been notified.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress and egress to, from, and upon the said easement strips for purposes of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work down; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the City Council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; we our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

D.R. HORTON – TEXAS, LTD.,
a Texas limited partnership

By: D.R. HORTON, INC.
a Delaware corporation,
its authorized agent

By: _____
David L. Booth Asst. Vice President

THE STATE OF TEXAS)(
COUNTY OF DALLAS)(

BEFORE ME, the undersigned, a notary public in and for the State of Texas, on this day personally appeared David L. Booth, known to be to be the person whose name is subscribed for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND SEAL OF OFFICE, this _____ day of _____, 2015.

_____
Notary Public, State of Texas

Commission Expires: _____

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS;

THAT I, Harry L. Dickens do hereby certify that I prepared this plat from an actual and an accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Rockwall, Texas.

Released for review only. 5–6–2014
In accordance with Texas Board of Professional Land Surveying Rule 663.18(c),
29 T.A.C. 663.18(c) this is a preliminary document, and shall not be signed or sealed.
"Preliminary, this document shall not be recorded for any purpose."

_____
Harry L. Dickens
Registered Professional
Land Surveyor No. 5939

THE STATE OF TEXAS)(
COUNTY OF DALLAS)(

BEFORE ME, the undersigned, a notary public in and for the State of Texas, on this day personally appeared Harry L. Dickens, known to me to be the person whose name is subscribed for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND SEAL OF OFFICE, this _____ day of. _____, 2015.

_____
Notary Public, State of Texas

Commission Expires: _____

RECOMMENDED FOR FINAL APPROVAL
APPROVED

_____ _____
Chairman, Planning & Zoning Commission Date

I hereby certify that the above and foregoing plat of Castle Ridge Estates Phase 3, an addition to the City of Rockwall, Texas was approved by the City Council of the City of Rockwall on the _____day of _____2015.

This approval shall be invalid unless the approved plat for such Addition is recorded in the office of the County Clerk of Rockwall County, Texas, within one hundred and eighty (180) days from said date of final approval.

Said Addition shall be subject to all the requirements of the Platting Ordinances of the City of Rockwall.

WITNESS MY HAND this_____day of _____, 2015.

_____ _____
Mayor, City of Rockwall City Secretary, City of Rockwall

_____
City Engineer

F I N A L P L A T
CASTLE RIDGE ESTATES PHASE 3
J. STRICKLAND SURVEY ~ ABSTRACT NO. 187
ROCKWALL, ROCKWALL COUNTY, TEXAS
~ OWNERS ~

D·R·HORTON America's Builder
4306 Miller Road – Rowlett, Texas 75088
214–607–4244

~ ENGINEER/SURVEY ~
Westwood
Phone (214) 473-4640 2740 North Dallas Parkway,#280
Toll Free (888) 937-5150 Plano, TX 75093
westwoodps.com
Westwood Professional Services, Inc.

62 Lots 850,343 SF/ 19.521 AC. 12/17/14 #0001337

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

DATE: **January 14, 2015**

SUBJECT: **Charter Review Commission's report to City Council**

As the council is aware, a Charter Review Commission consisting of the following individuals has been meeting over the last several weeks to review the existing city charter:

Mr. Bill Lofland (Chair)
Mrs. Nell Welborn (Vice Chair)
Mr. G. David Smith
Mr. Freddie Jackson
Mr. Adan Tovar
Mr. Bill Houser
Mr. Daniel Nichols
Mr. Larry Parks
Mr. Bill Cecil
Mr. Charles Johnson.

Mr. Lofland and Mrs. Welborn will be present at Tuesday's council meeting to deliver a report concerning recommendations of the Commission related to a possible Charter Amendment Election to be held May 9. Below is a timeline relevant to calling a Charter Election in conjunction with the city's General Election should the city council chose to move forward with doing so.

Timeline Call Election	
February 3rd – February 27th	Proposed period for publication of recommendations of Charter Review Commission in newspaper (as prescribed by Charter)
February 16th	Last possible regularly scheduled City Council meeting for ordering Charter Amendment (and city council member) election
February 27th	Statutory last day for ordering election

Included in your meeting packet are the Commission's final recommendations as well as a copy of the existing city charter for reference.

RECOMMENDATONS REGARDING
CITY CHARTER
01/07/17

INTRODUCTION
The Charter Review Commission appointed by the Council consists of the following individuals: Chair Bill Lofland, Vice Chair Nell Welborn, and Commissioners Daniel Nichols, Charles Johnson, Adan Tovar, Freddie Jackson, Bill Cecil, Bill Houser, G. David Smith, and Larry Parks.

The Charter Review commission has unanimously agreed to the proposed Technical revisions and Substantive Revisions to be placed on the upcoming May General Election ballot.

TECHNICAL REVISIONS (These revisions can be voted in one proposition because they eliminate provisions which have become inoperative because they have been superseded by state law; replace obsolete references; update terminology to current legal usage, and to eliminate obsolete transitional provisions.)

1. **Sec. 1.04 (3) Recommended by 2008 Charter Review Committee:** The applicable law is no longer the Chapter referred to in this provision.

   Current Charter Language: The City Council will establish a written policy governing extension of City services to all areas. Disannexation procedures are provided in Section 42 of the Local Government code as presently written or hereafter amended. (Amended 1993)

   Proposed Charter Language: The City Council will establish a written policy governing extension of City services to all areas. Disannexation procedures ~~are provided in Section 42 of the Local Government code as presently written or hereafter amended. (Amended 1993)~~ *shall comply with the applicable provisions of the Texas Local Government Code.*

2. **Sec. 3.04 (2) –** This provision outlines how and when the Mayor Pro Tem is elected by the Council. However, the provision does not address what happens if there is a vacancy in Mayor Pro Tem. The change will outline how to fill such a vacancy.

   Current Charter Language: The Mayor Pro-Tem will be a Council member elected by the City Council at the first regular meeting after each election of Council members and/or Mayor. The Mayor Pro-Tem will act as Mayor during the disability or absence of the Mayor, and in this capacity will have the rights conferred upon the Mayor.

Proposed Charter Language: The Mayor Pro-Tem will be a Council member elected by the City Council at the first regular meeting after each election of Council members and/or Mayor. Should a vacancy occur, the unexpired term will be filled at the next regular council meeting after the occurrence of the vacancy. The Mayor Pro-Tem will act as Mayor during the disability or absence of the Mayor, and in this capacity will have the rights conferred upon the Mayor

3. **Sec. 3.05 (4) -** The filling of vacancy of the Mayor or the Council in this section, is inconsistent with Section 3.05 (5) which requires the person to fill the position until the next regular city election as opposed to the "unexpired term." This change will eliminate the inconsistency. Also, the language would prohibit an appointed member of the council to vote on the appointment of another appointment to the Council.

Current Charter Language: In the event of a vacancy in the office of the Mayor, the Mayor Pro-Tem must become the Mayor, thereby vacating his Council position. Within thirty days, vacancies in the Council, other than the Mayor, will be filled by a majority vote of the remaining elected members, for the unexpired term only, and provided the successor will possess all qualifications for the position.

Proposed Charter Language: In the event of a vacancy in the office of the Mayor, the Mayor Pro-Tem must become the Mayor, thereby vacating his Council position. Within thirty days, vacancies in the Council, other than the Mayor, will be filled by a majority vote of the remaining ~~elected~~ members, ~~for the unexpired term only~~ *until the next regular City election*, and provided the successor will possess all qualifications for the position.

4. **Sec. 3.08 (1) -** City Charter is council-manager form of government and therefore City Manager should have authority to call for Special council meetings.

Current Charter Language: The City Council will hold at least one regular meeting each month and as many additional meetings as it deems necessary to transact the business of the City. The City Council will fix by ordinance the date and time of the regular meeting(s). Special meetings of the City Council will be held at the call of the Mayor or a majority of the Council members upon provision of public notice in accordance with state law.

Proposed Charter Language: The City Council will hold at least one regular meeting each month and as many additional meetings as it deems necessary to transact the business of the City. The City Council will fix by ordinance the date and time of the regular meeting(s). Special meetings of the City Council will be held at the call of the Mayor*, City Manager* or a

majority of the Council members upon provision of public notice in accordance with state law.

5. **Sec 3.11 (3)** Charter requires an Ordinance to be read at two Council meetings. State law, Section 1201.028 Government Code states that an ordinance calling for an election to issue bonds or a public security authorization shall take effect upon one reading of the ordinance
Current Charter Language: A proposed ordinance, except as related to an emergency, budget, tax, public utility rate setting, or State or Federal requirement, must be read at two City Council meetings with at least one week between readings.

Proposed Charter Language: A proposed ordinance, except as related to an emergency, budget, tax, public utility rate setting, *calling for an election to issue bonds, a public security authorization* or State or Federal requirement, must be read at two City Council meetings with at least one week between readings.

6. **Sec. 4.02** – Charter fails to identify who is responsible under the Charter to oversee municipal elections. Historically, City Secretary has performed these duties for the City of Rockwall.

Proposed Charter Language to add to Section 4.02 (2):
(h) Schedule and oversee all City elections in accordance with the Texas Election Code and any other applicable law.

7. **Sec. 4.04 (6)** - Charter provision states that only elected council members may vote to remove the City Attorney. All council members, whether elected or appointed should have the authority to remove the City Attorney.

Current Charter Language: The City Attorney may be removed by a majority vote of the elected City Council.

Proposed Charter Language: The City Attorney may be removed by a majority vote of the ~~elected~~ City Council.

8. **Sec. 5.02 (f)** of the City Charter shall be DELETED in order to comply with newly adopted state law. Therefore, the following language will be deleted.

~~"*No employee of the City will continue in such position after filing for an elective office provided for in this Charter*."~~

9. Sec. 7.15 (1) – State law requires bidding of contracts in excess of $50,000.

Current Charter Language: The City Council may by ordinance, give the City Manager general authority to contract for expenditure without further approval of the Council for all budgeted items not exceeding limits set by the Council. All contracts for expenditures involving more than the set limits must be expressly approved in advance by the Council. All contracts or purchases involving more than the limits set by the Council must be let to the lowest bidder whose submittal is among those responsive to the needs of the City after there has been opportunity for competitive bidding as provided by law or ordinance. The City Council, or City Manager in such cases as he/she is authorized to contract for the City, will have the right to reject any and all bids.

Proposed Charter Language: "The City Council may by ordinance, give the City Manager general authority to *procure and* contract for expenditure without further approval of the Council for all budgeted items not exceeding limits set by the Council *and the procurement conducted in accordance with state law*." All contracts for expenditures involving more than the set limits must be expressly approved in advance by the Council. All contracts or purchases involving more than the limits set by the Council must be let to the lowest bidder whose submittal is among those responsive to the needs of the City after there has been opportunity for competitive bidding as provided by law or ordinance. The City Council, or City Manager ~~in such cases as he/she is authorized to contract for the City,~~ will have the right to reject any and all bids.

10. **Sec. 7.16 (3) –** Multi-year contracts for goods and services that carry from one fiscal year to another currently require a new ordinance, which require two readings.

Current Charter Language: This prohibition will not be construed to prevent the making or authorizing of payments, or making of contracts for capital improvements to be financed wholly or partly by the issuance of bonds, time warrants, certificates of indebtedness, or certificates of obligation, or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year, providing that such action is made or approved by ordinance.

Proposed Charter Language: This prohibition will not be construed to prevent the making or authorizing of payments, or making of contracts for capital improvements to be financed wholly or partly by the issuance of bonds, time warrants, certificates of indebtedness, or certificates of obligation, or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year, providing that such action is made or approved by ~~ordinance~~ *City Council.*

11. **Sec. 7.18** – Remove the requirement of publishing the summary of the audit in a newspaper. Rationale: Costly and burdensome. Option is once Council approves the Audit; place a copy of the Audit on City's website.

Current Charter Language: At the close of each fiscal year, and at such other times as may be deemed necessary, the City Council must call for an independent audit to be made of all accounts of the City by a certified public accountant. No more than five consecutive annual audits must be completed by the same firm. The certified public accountant selected must have no personal interest, directly or indirectly in the financial affairs of the City or any of its officers. The report of audit, with the Auditor's recommendations will be made to the City Council. Upon completion of the audit, the summary must be published immediately in the newspaper of record of the City and copies of the audit placed on file in the City Secretary's office as a public record.

Proposed Charter Language: At the close of each fiscal year, and at such other times as may be deemed necessary, the City Council must call for an independent audit to be made of all accounts of the City by a certified public accountant. No more than ~~five~~ *four* consecutive annual audits must be completed by the same firm. The certified public accountant selected must have no personal interest, directly or indirectly in the financial affairs of the City or any of its officers. The report of audit, with the Auditor's recommendations will be made to the City Council. Upon completion of the audit, the ~~summary must be published~~ *complete audit and summary must* be immediately *posted on the City's website* ~~in the newspaper of record of the City~~ and copies of the audit placed on file in the City Secretary's office as a public record.

12. **Sec. 11.13 (g)** – include "independent contractors" as those who are not employees of the City with council members. Exclude volunteer fire department because under IRS regulations, if volunteer fire fighters receive any compensation, even a small stipend, they are considered employees.

Current Charter Language: "Employee" will refer to any person who is employed and paid a salary by the City including those individuals on a part-time basis, but does not include City Council members or members of the volunteer fire department.

Proposed Charter Language: "Employee" will refer to any person who is employed and paid a salary by the City including those individuals on a part-time basis, but does not include City Council members, *uncompensated volunteers or independent contractors* ~~or members of the volunteer fire department~~.

13. **Sec. 11.16 –** Recommend the deletion of this section in its entirety since the original Charter has been adopted and this transitional language has become obsolete.

SUBSTANTIVE REVISIONS (These revisions are substantive changes and the law requires that they each be voted on by separate proposition.)

1. **Sec 4.03 (3) –** This provision requires the Mayor to act as Municipal Judge when the Municipal Judge is not available. This provision is very rare in modern city charters and raises a potential conflict.

   Current Charter Language: In the event of failure of the City Judge to perform his duties, the Mayor must act in his place and stead (and in the event of a vacancy, until a City Judge is appointed by the Council to fill the vacancy). If the Mayor acts as a City Judge, he/she must be compensated at the same salary, if any, as the City Judge for whom he/she is acting.

   Proposed Charter Language: ~~In the event of failure of the City Judge to perform his duties, the Mayor must act in his place and stead (and in the event of a vacancy, until a City Judge is appointed by the Council to fill the vacancy). If the Mayor acts as a City Judge, he/she must be compensated at the same salary, if any, as the City Judge for whom he/she is acting~~ *The City Council may also appoint Associate City Judge(s) that meet the same qualifications as the City Judge of the Municipal Court who will work in the absence of the City Judge. Associate City Judge(s) will be appointed to a term of two years and may be appointed to additional consecutive terms upon completion of their term of office. The appointment of Associate City Judge(s) may be terminated\ by the City Council. The Associate City Judge(s) will receive compensation as may be determined by the City Council*.

   Sec. 3.06 POWERS OF THE CITY COUNCIL (b)

   Current Charter Language: Appoint and remove the Municipal Judge.

   Proposed Charter Language: Appoint and remove the Municipal Judge *and Associate City Judge(s).*

2. **Sec. 5.04 (3) Recommended by 2008 Charter Review Committee:** Current Charter has no language as to when newly elected Council members will be sworn in to take office.

Proposed Charter Language: (3) Each newly elected person to the City Council shall be inducted into office at the first City Council meeting following the official canvassing of the election. At such meeting, the oath shall be administered in accordance with state law.

3. **Sec. 6.07 (1) Recommended by 2008 Charter Review Committee:** A review of the amount of time needed by the City Secretary to verify signatures was insufficient.

   Current Charter Language: Within ten days after the petition is presented, the City Secretary must complete a certificate of sufficiency or insufficiency. Sufficiency must be determined by compliance with this Article.

   Proposed Charter Language: Within ~~ten~~ *twenty-one* days after the petition is presented, the City Secretary must complete a certificate of sufficiency or insufficiency. Sufficiency must be determined by compliance with this Article

4. **Sec. 7.02 Recommended by 2008 Charter Review Committee:** Changing the date from the first to the fifteenth day of the eleventh month of the fiscal year allows the City Manager to submit the proposed budget to Council by the 15th of August. This timeframe is more realistic in terms of obtaining necessary data from the appraisal district regarding the tax roll and its impact on the budget

   Current Charter Language: On or before the first day of the eleventh month of the fiscal year, the City Manager must submit to the Council a budget for the ensuing fiscal year and an accompanying message.

   Proposed Charter Language: On or before the ~~first~~ *fifteenth* day of the eleventh month of the fiscal year, the City Manager must submit to the Council a budget for the ensuing fiscal year and an accompanying message.

5. **Sec. 7.06 Recommended by 2008 Charter Review Committee:** Changing the provision that Council adopts a budget for the upcoming year ten days prior to the beginning of the new fiscal year to instead allow for the adoption of said budget by the last day of the current fiscal year allows the Council the fullest length of time possible to adopt the new budget.

   Current Charter Language: After public hearing, the Council must analyse the budget, making any additions or deletions which they feel appropriate, and must, at least ten days prior to the beginning of the next fiscal year, adopt the budget by a favorable majority vote of the full membership of the Council. Should the City Council take no final action on or prior to such day, the current budget must be in force on a month to month basis until a new budget is adopted.

Proposed Charter Language: After public hearing, the Council must analyze the budget, making any additions or deletions which they feel appropriate, and must ~~, at least ten days prior to the beginning of the next fiscal year,~~ adopt the budget *prior to the beginning of the next fiscal year* by a favorable majority vote of the full membership of the Council. Should the City Council take no final action on or prior to such day, the current budget must be in force on a month to month basis until a new budget is adopted.

6. **Sec. 8.01 (5)** – Clarify that action by Council is required to remove a member of a board, commission or committee if they fail attend three consecutive regular meetings.

Current Charter Language: Any member of a board, commission or committee who is absent from three consecutive regular meetings without explanation acceptable to a majority of the other members must forfeit his position on the board, commission or committee.

Proposed Charter Language: Any member of a*ny City* board, commission or committee who is absent from three consecutive regular meetings without explanation acceptable to the City Council ~~a majority of the other members~~, *shall* ~~must~~ forfeit his position on the board, commission or committee *and be removed by the City Council.*

7. **Develop new Sec. 11.16** - **Recommended by 2008 Charter Review Committee:** Provides a procedure for operation of the city government in case of a disaster.

Proposed Charter Language: Sec. 11.16 Disaster Clause

In case of disaster when a legal quorum of the elected City Council cannot otherwise be assembled due to multiple deaths or injuries, the surviving persons of the City Council, or highest surviving City elected official, if no elected official remains, within twenty-four (24) hours of such disaster, the City Manager shall appoint a Council to act during the emergency and call a City election as provided in the Texas Election Code, for election of a required quorum, if for good reasons it is known a quorum of the present City Council will never again meet. If City Manager is not available due to death or injury, the County Judge of Rockwall County shall appoint a Council to act during the emergency and call a City election as provided in the Texas Election Code, for election of a required quorum,

PART I - HOME RULE CHARTER

HOME RULE CHARTER
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

FOOTNOTE(S):

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Editor's note— Printed herein is the Charter of the City of Rockwall, Texas, adopted by referendum on January 19, 1985. The Charter as printed here is updated through and contains amendments adopted by referendum on May 7, 1988, May 1, 1993, May 4, 1996 and May 7, 2005. Subsequent amendments to the Charter are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the Charter as updated through May 7, 2005. Obvious misspellings have been corrected without notation. For stylistic purposes, a uniform system of headings, catchlines and citations to state statutes has been used. Additions made for clarity are indicated by brackets.

State Law reference— Adoption and amendments to a home-rule charter, V.T.C.A., Local Government Code § 29.001 et seq.

PREAMBLE

Recognizing that effective government is a government of law, we the people of Rockwall, Texas, establish this Charter as the basic law of our City. This Charter will provide a home rule government which will recognize and protect individual freedom, encourage interest and participation by the citizens, and serve in behalf of the general welfare.

ARTICLE I. - FORM OF GOVERNMENT AND BOUNDARIES

Sec. 1.01. - Incorporation.

The inhabitants of the City of Rockwall, within the corporate limits as now established or as hereafter established in the manner provided by law, will continue to be a municipal body politic and corporate in perpetuity under the name of the "City of Rockwall."

Sec. 1.02. - Form of government.

The municipal government provided by this Charter will be of the Council-City Manager form. The Council, consisting of the Mayor and Council members elected by and responsible to the people, will appoint a City Manager, who will be directly responsible to the Council for the execution of the laws and the administration of the government of the City.

Sec. 1.03. - Boundaries of city.

The boundaries of the City of Rockwall will be the same as have heretofore been established as reflected on the official map at the time of adoption of this Charter and as amended from time to time by annexation and disannexation.

Sec. 1.04. - Annexation or disannexation.

(1)

The boundaries of the City of Rockwall may be enlarged and extended by the annexation of additional territory or decreased by disannexation in any manner and by any procedure now or hereafter provided by law.

(2) Upon completion of the annexation procedure, the annexed territory will become a part of the City, and said land and its residents will be entitled to all the rights and privileges provided by the City for its citizens and will be bound by the acts, ordinances, resolutions and regulations of the City.

(3) The City Council will establish a written policy governing extension of City services to all areas. Disannexation procedures are provided in Section 42 () of the Local Government code as presently written or hereafter amended. (Amended 1993)

ARTICLE II. - POWERS OF THE CITY

Sec. 2.01. - General powers of city.

The City will be an incorporated Home Rule City, with full power and rights of self government as provided by the Constitution and laws of the State of Texas. These powers and rights will include, but not be restricted to, the powers expressly conferred and permitted by the Texas Local Government Code, as presently written or hereafter amended. The City will have the powers described below:

(a) To enact, establish and enforce codes, licenses and ordinances for the maintenance of good government and the interest and well-being of its inhabitants.

(b) To cooperate with the government of the State of Texas, or any agency or political subdivision thereof, the government of the United States or its agencies, for any lawful purpose for the advancement of the interests, safety, convenience and welfare of its inhabitants.

(c) To exercise the right of eminent domain, the right to extraterritorial jurisdiction and to have exclusive dominion over all public property in any manner permitted by the Constitution and laws of the State of Texas.

(d) To contract and be contracted with; to sue; to buy, sell, lease, mortgage, hold, manage, and control such property as its interests require.

(e) To establish, maintain, improve, alter, abandon, or vacate public streets, rights-of-way, sidewalks, alleys, squares, parks and other public ways, and to police the use thereof.

(f) To acquire public utility systems that provide retail water or wastewater service, making reasonable assurance for compensation in accordance with applicable state law.

Sec. 2.02. - Public improvements.

The City will have the power to construct and maintain, within or without its corporate limits, streets, alleys, sidewalks, and easements, flood control facilities and sanitary, water and storm drainage facilities in, over, under or upon all public property easements granted for that purpose and to levy assessments for the costs of such improvements. The City will have the power to collect attorney's fees for the collection of paving assessment in foreclosure cases as allowed under State law. It will have the power to cause liens to be established for the purpose of securing the payment of such levies and will have the power to compel the use of such improvements by the inhabitants of the City.

Sec. 2.03. - Miscellaneous powers.

The City will have the power to establish and maintain ordinances and regulations governing the use of lands within the City and to enforce by all lawful means these ordinances and regulations, within and without its corporate limits. The City will have the power to authorize, regulate and inspect all construction and existing structures within or without its limits, consistent with State statutes, and to establish and enforce ordinances and regulations concerning their use, construction and reconstruction. The City will have the power to license and regulate persons, corporations and associations engaged in any business, occupation, profession or trade when authorized by State law. The City will have all powers granted by any section of this Charter.

ARTICLE III. - THE CITY COUNCIL

Sec. 3.01. - [Composition; terms.]

The Council will be composed of a Mayor and six Council members, elected at large, each of whom, unless sooner removed under the provisions of this Charter, will serve for a term of two years as prescribed by the Texas Election Code, and until his successor has been elected and duly qualified. All members of the City Council, other than the Mayor, will be elected under the place system. Those members of the Council whose terms expire in even numbered years will be in Place Two, Four and Six. Those members of the Council whose terms expire in odd numbered years will be Place One, Three and Five. The office of Mayor will be elected in an odd numbered year. All members of the City Council, including the Mayor, holding office at the time of passage of this Charter will continue to hold their respective place and office until their respective term of office for which they were elected expires.

(a) No person will serve more than three consecutive elected terms as either a Council member or as Mayor. In addition, no person will serve for more than four consecutive elected terms as Council member and Mayor (combined). A member who has served the maximum number of consecutive terms may serve additional terms subject to the same limitations after a break in service of one year or more.

(b) An appointed Council member must be subject to the provisions of Section 3.05 ()(4) of the Charter regarding the length of service for such appointed member. (Amended 1996)

Sec. 3.02. - Qualifications of members.

In addition to any other qualifications prescribed by law, the Mayor and each Council member must meet the qualifications set forth in Article V of this Charter while in office.

Sec. 3.03. - Compensation.

Compensation of members of the City Council will be determined by the Council by ordinance, but no increase in such compensation will take effect until commencement of the terms of Mayor and/or Council members elected at the next regular election. Members of the City Council will also be entitled to reimbursement for actual expenses incurred in the performance of official duties with the approval of the City Council at a public meeting.

Sec. 3.04. - Mayor and Mayor Pro Tem.

(1) The Mayor will be the official head of the City government. He/She will be the chairman and will preside at all meetings of the City Council. The Mayor will have the right to vote on all items voted on by the Council, but will have no power to veto. He/She will, when authorized by the City Council,

sign all official documents, such as ordinances, resolutions, conveyances, grant agreements, official plats, contracts and bonds. He/She will perform such other duties consistent with this Charter as may be imposed upon him/her by the City Council.

(2) The Mayor Pro Tem will be a Council member elected by the City Council at the first regular meeting after each election of Council members and/or Mayor. The Mayor Pro Tem will act as Mayor during the disability or absence of the Mayor, and in this capacity will have the rights conferred upon the Mayor. (Amended, 1988)

Sec. 3.05. - Vacancies, forfeiture and filling vacancies.

(1) The office of a Council member or the Mayor will become vacant upon his death, resignation, forfeiture of, or removal from office by any manner authorized by law.

(2) If any member of the City Council is absent from three consecutive regular meetings, without explanation acceptable to a majority of the remaining Council members, his office will be declared vacant at the next regular meeting of the Council. (Amended, 1988)

(3) Any member of the Council who ceases to possess the required qualifications for office or who is convicted of a felony or of a misdemeanor involving moral turpitude or is convicted of violating Section 171 of the Local Government Code concerning conflict of interest will forfeit his office. Every forfeiture must be declared and enforced by a majority of the Council.

(4) In the event of a vacancy in the office of the Mayor, the Mayor Pro Tem must become the Mayor, thereby vacating his Council position. Within thirty days, vacancies in the Council, other than the Mayor, will be filled by a majority vote of the remaining elected members, for the unexpired term only, and provided the successor will possess all qualifications for the position.

(5) Any appointed Council members will serve until the next regular City election. (Revised, 1996)

Sec. 3.06. - Powers of City Council.

All powers of the City of Rockwall and the determination of all matters of policy will be vested in the City Council. Except where in conflict with and otherwise expressly provided by this Charter the City Council will have all powers authorized to be exercised by the City Council by the Local Government Code and acts amendatory thereof and supplementary thereto, now or hereafter enacted. Without limitation of the foregoing and among the other powers that may be exercised by the Council, the following are hereby enumerated for greater certainty:

(a) Appoint and remove the City Manager.

(b) Appoint and remove the Municipal Judge. (Amended, 1988)

(c) Appoint and remove the City Attorney.

(d) Establish and dissolve administrative departments.

(e) Adopt the budget of the City.

(f) Collectively inquire into the conduct of any office, department or agency of the City and make investigations as to municipal affairs.

(g)

Provide for a planning commission, a zoning commission and a board of adjustment and other boards as deemed necessary, and appoint the members of all such commissions and boards, and as well the members of the hospital board, if established. The planning and zoning commissions may be combined. Such boards and commissions will have all powers and duties now or hereafter conferred and created by this Charter, by City ordinance or by law.

(h) Adopt and modify the official map of the City.

(i) Adopt, modify and carry out plans in cooperation with the Planning Commission for the replanning, improvement and redevelopment of specific areas of the City.

(j) Adopt, modify and carry out plans in cooperation with the Planning Commission for the replanning, reconstruction or redevelopment of any area or district which may have been destroyed in whole or part by disaster.

(k) Regulate, license and fix the charges of [or] fares made by any person owning, operating or controlling any vehicle of any character used for the carrying of passengers for hire on the public streets and alleys of the City.

(l) Provide for the establishment and designation of fire limits and prescribe the kind and characters of buildings or structures or improvements to be erected therein; provide for the erection of fireproof buildings within certain limits; and provide for the condemnation of dangerous structures or buildings or dilapidated buildings or buildings calculated to increase the fire hazard, and the manner of their removal or destruction.

(m)Fix and regulate rates and charges of all utilities and public services as defined in Article X [of this Charter].

(n) Individually initiate and place items on the agenda for consideration. (Amended, 1988)

Sec. 3.07. - Prohibitions.

(1) Except where authorized by law or by this Charter, no Mayor or Council member will hold any other City office or City employment during his term as Mayor or Council member. No former Mayor or Council member will hold any compensated appointive office or City employment within one year after the expiration of his term as Mayor or Council member.

(2) Members of the City Council must not in any way dictate the appointment or removal of any City administrative officers or employees whom the City Manager or any of his subordinates are empowered to appoint. The City Council at a meeting called for that purpose may express its views and fully and freely discuss with the City Manager anything pertaining to appointment and removal of such officers and employees.

(3) Except for the purpose of inquiries and investigations as provided by this Charter, members of the City Council will deal with City officers and employees who are subject to the direction and supervision of the City Manager solely through the City Manager. Members of the City Council will not give orders to any such officer or employee either publicly or privately except as otherwise provided in this Charter.

Sec. 3.08. - Meetings of City Council.

(1)

The City Council will hold at least one regular meeting each month and as many additional meetings as it deems necessary to transact the business of the City. The City Council will fix by ordinance the date and time of the regular meeting(s). Special meetings of the City Council will be held at the call of the Mayor or a majority of the Council members upon provision of public notice in accordance with state law.

(2) Except as provided by State law, all meetings will be open to the public and will be held and notice given in accordance with state law.

Sec. 3.09. - Quorum.

Four members of the City Council will constitute a quorum for the purpose of transaction of business. No action of the City Council, except as specifically provided in this Charter, will be valid or binding unless adopted by the affirmative vote of a majority of Council members present.

Sec. 3.10. - Rules of procedure.

The City Council will determine its own rules of order and business. The City Council will provide that the citizens of the City will have a reasonable opportunity to clearly hear and be heard at public hearings with regard to specific matters under consideration. The City Council will provide for minutes to be taken and recorded for all meetings as required by law. Such minutes will be a public record and will be kept and maintained by the City Secretary.

Sec. 3.11. - Passage of ordinances in general.

(1) The City Council must legislate by ordinance only, and the enacting clause of every ordinance will be "Be it ordained by the City Council of the City of Rockwall, Texas ..." Each proposed ordinance will be introduced in the written or printed form required for adoption. No ordinance will contain more than one subject which must be clearly expressed in its title. General appropriation ordinances may contain various subjects and accounts for which monies are to be appropriated. After adoption an ordinance must not be amended or repealed except by the adoption of another ordinance amending or repealing the original ordinance. Except where an ordinance is repealed in its entirety, [an] amendatory or repealing ordinance must set out in full the ordinance sections or subsections to be amended or repealed and will indicate matter to be omitted by enclosing it in brackets and will indicate new matter by enclosing it in quotation marks.

(2) Any member of the City Council may offer any ordinance in writing that has been placed on the agenda at a regular City Council meeting. Copies of proposed ordinances, in the form required for adoption, will be furnished to members of the City Council before the first reading. Copies of the proposed ordinance, in the form required for adoption, will be available at the City offices and will be furnished to citizens upon request to the City Secretary before the first reading and, if amended, must be available and furnished in amended form for as long as the proposed ordinance is before the City Council.

(3) A proposed ordinance, except as related to an emergency, budget, tax, public utility rate setting, or State or Federal requirement, must be read at two City Council meetings with at least one week between readings.

(4) A proposed ordinance may be amended at either reading, but any ordinance amended in substance be considered as a first reading, except that an ordinance authorizing the issuance of bonds or other obligations may be amended on second and final reading to provide for the terms

of sale of such bonds or obligations without such ordinance being placed again as a first reading at a subsequent meeting. Terms of sale will refer to interest rates, identity of purchaser, and applicability of bond insurance. At any reading of a proposed ordinance, the adoption of which was not preceded by a public hearing held by the City Council, interested persons will have a reasonable opportunity to be heard.

(5) Every ordinance will become effective upon adoption or at any later time(s) specified in the ordinance, except that every ordinance imposing any penalty, fine or forfeiture will become effective only after having been published once in its entirety or summary form, after adoption, in a newspaper designated as the newspaper of record of the City.

(6) The reading aloud of a title and caption of the ordinance will suffice as a reading provided printed copies of the ordinance in the form required for adoption are in front of all members of the City Council and a reasonable number of additional copies are available to citizens present at the meeting. If a majority of the members present request that the ordinance be read in its entirety, it must be read.

Sec. 3.12. - Emergency ordinances.

(1) The City Council may adopt emergency ordinances only to meet public emergencies affecting life, health, property or the public peace. In particular, such ordinances will not levy taxes, grant or renew or extend a franchise, or regulate the rate charged by any public utility for its services. Neither will they authorize the borrowing of money except as provided in Article VII of this Charter.

(2) An emergency ordinance will be introduced in the form and manner generally prescribed for ordinances, except that they will be plainly designated in the title as an emergency ordinance and will contain after the enacting clause a declaration stating that an emergency exists and describing the emergency in clear and specific terms.

(3) An emergency ordinance may be introduced at any Council meeting and can be adopted with or without amendment or rejected at the meeting at which it is introduced. The affirmative vote of at least four members of the City Council will be required for adoption.

(4) Emergency ordinances will become effective upon adoption and will be published as soon thereafter as practicable. Every emergency ordinance so adopted, except one authorizing the borrowing of money as described herein, will automatically stand repealed as of the sixty-first day following the day on which it became effective. The ordinance may be re-enacted if the emergency still exists.

Sec. 3.13. - Authentication, recording, codification, printing and distribution.

(1) All ordinances and resolutions adopted by the City Council must be authenticated by seal and signature of the City Secretary and numbered consecutively as adopted. They must be properly indexed and placed in a book kept open for public inspection.

(2) The City Council must maintain the codification of ordinances of the City. This codification must be known and cited as "The Rockwall City Code" and must be in full force and effect without the necessity of such Code or any part thereof being published in any newspaper. The caption, descriptive clause and other formal parts of the ordinances of the City may be omitted without affecting the validity of such ordinances when codified. Every general ordinance enacted subsequent to such codification must be enacted as an amendment to the Code. For the purpose of

this Section, general ordinances will be deemed to be those ordinances of a permanent or continuing nature which affect the residents of the City at large. Copies of the Code will be furnished to City officers, placed in City offices and made available for purchase by the public at a reasonable price fixed by the City Council.

(3) The City Council will cause all ordinances and amendments to this Charter to be printed promptly following their adoption. A copy of each ordinance and amendment will be placed in appropriate City offices for public reference. Printed ordinances and Charter amendments will be sold to the public at a reasonable price to be fixed by the City Council.

Sec. 3.14. - Investigations by City Council.

The City Council will have the power to inquire into the official conduct of any department, agency, office, officer or employee of the City. For that purpose, the Council will have the power to administer oaths, subpoena witnesses and compel the production of books, papers or other evidence material to the inquiry. The City Council will provide by ordinance penalties for contempt for failing or refusing to obey any such subpoena or to produce any such books, papers, or other evidence, and will have the power to punish any such contempt in the manner provided by the ordinance.

Sec. 3.15. - Bond.

The City Council must require bonds of all municipal officers and employees who receive or pay out any monies of the City. The amount of the bonds must be determined by the City Council and the cost must be borne by the City.

ARTICLE IV. - CITY ADMINISTRATION

Sec. 4.01. - City Manager.

(1) The City Council will appoint a City Manager who will serve as chief administrative officer of the City. He/She will be responsible to the City Council for administration of all the affairs of the City, with only those exceptions that are named in this Charter. The City Manager will be appointed solely upon his executive and administrative qualifications. He/She need not be a resident of the City when appointed, but will reside within the City for the tenure of his appointment.

(2) The City Council will fix the compensation of the City Manager, and his compensation may be amended from time to time in accordance with his experience, qualifications and performance.

(3) The City Manager will be appointed for an indefinite term, and may be removed by resolution at the discretion of the Council by a majority vote of its members. Upon passage of that resolution stating the intention to remove the City Manager and the reasons therefor, a copy of which will be immediately furnished to him/her, the Council may suspend him/her from duty. The action of the City Council in removing the City Manager will be final. In case of the absence, disability or suspension of the City Manager, the Council may designate a qualified administrative officer of the City to perform the duties of the office except where the absence or disability is of a temporary nature.

(4) The City Manager will have the power to:

(a) Appoint, suspend and remove all City employees and appointive administrative officers provided for in this Charter, except as otherwise provided by law, this Charter, or personnel rules adopted pursuant to this Charter.

(b) Direct and supervise the administration of all departments, offices and agencies of the City, except as otherwise provided by law or this Charter.

(c) See that all State laws and City ordinances are effectively enforced.

(d) Attend all City Council meetings, with the right to take part in discussion, but he/she will not vote.

(e) Prepare and accept items for inclusion in the official agenda of all City Council meetings and meetings of boards and commissions, including items initiated by members of the City Council. (Amended, 1988)

(f) Prepare and recommend to the City Council the annual budget and capital program, and administer the budget as adopted by the City Council.

(g) Keep the City Council fully advised at least quarterly as to the financial condition and future needs of the City, and make such recommendations concerning the affairs of the City as he/she or the City Council deems desirable or necessary.

(h) Make reports as he/she or the City Council may require concerning the operations of the City departments, offices, or agencies subject to his direction or supervision.

(i) Perform such other duties as are specified in this Charter or may be required by the City Council, and are consistent with this Charter or State or Federal law.

(j) To [sic] sign and execute for and on behalf of the city all contracts and agreements approved by the City Council. When the City Manager is not available the acting city manager or Mayor may sign and execute such contracts and agreements which have been approved by the City Council.

Sec. 4.02. - City Secretary.

(1) The City Manager will appoint or remove a City Secretary.

(2) The City Secretary will:

(a) Give notice of all official public meetings of the City Council in a manner consistent with this Charter and State laws.

(b) Attend all public meetings and hearings of the City Council.

(c) Keep the minutes of the proceedings of all public official meetings and hearings of the City Council in a manner prescribed by the City Manager consistent with applicable law.

(d) Act as custodian of all official records of the City Council.

(e) Hold and maintain the seal of the City of Rockwall, and affix this seal to all appropriate documents.

(f) Authenticate by signature and seal, and record all ordinances, resolutions and proclamations of the City.

(g) Perform such other duties as may be required by the City Manager.

Sec. 4.03. - Municipal Court.

(1) The City Council must establish and cause to be maintained a Municipal Court. The Court will have

all the powers and duties as are now, or may be prescribed by the laws of the State of Texas.

(2) The City Council will appoint a City Judge of the Municipal Court who will be a competent, duly qualified attorney licensed and practicing for at least two years in the State of Texas. In the event a duly qualified attorney is not available, the City Council will then select a qualified person to be the Municipal Judge. The City Judge of the Municipal Court will be appointed to a term of two years and may be appointed to additional consecutive terms upon completion of his term of office. The appointment of the City Judge may be terminated by the City Council. The City Judge will receive compensation as may be determined by the City Council.

(3) In the event of failure of the City Judge to perform his duties, the Mayor must act in his place and stead (and in the event of a vacancy, until a City Judge is appointed by the Council to fill the vacancy). If the Mayor acts as a City Judge, he/she must be compensated at the same salary, if any, as the City Judge for whom he/she is acting.

(4) All costs, fines and penalties imposed by the Municipal Court must be paid into the City Treasury for the use and benefit of the City, as may be consistent with present and future State laws. (Amended, 1988)

(5) The City Council may by ordinance establish a Municipal court of Record.

Sec. 4.04. - City Attorney.

(1) The City Council, after consultation with the City Manager, must appoint a competent, duly qualified, licensed and practicing attorney in the State of Texas who will serve as the City Attorney.

(2) The City Attorney will:

(a) Serve as the legal advisor to the City Council and City Manager.

(b) Represent the City in litigation and legal proceedings as directed by the City Council and City Manager.

(c) Review and provide opinions as requested by the City Council or City Manager on contracts, legal instruments, ordinances of the City and other items of City business.

(3) The City Council will have the right to retain special counsel at any time that it may deem necessary and appropriate.

(4) The City Attorney and special counsel will receive compensation as may be determined by the City Council.

(5) The City Attorney, with approval of the City Council, may select additional attorneys to act for him/her and the City in its representation and/or litigation.

(6) The City Attorney may be removed by a majority vote of the elected City Council.

Sec. 4.05. - Administrative departments, offices and agencies.

(1) The City Council may, after hearing recommendations of the City Manager, establish, abolish, redesignate or combine departments, offices or agencies in addition to those provided for by this Charter, and may prescribe the functions and duties of such departments, offices and agencies.

(2)

Except as provided elsewhere in this Charter, all departments, offices and agencies of the City will be under the direction and supervision of the City Manager, and will be administered by officers appointed by and subject to the direction and supervision of the City Manager. The City Manager may, with the consent of the City Council, serve as the head of one or more City departments, offices or agencies or appoint one person as the head of two or more of them.

(3) The City Manager will appoint a City Tax Collector, whose duties and functions will be those usual to the office and consistent with existing or future laws of the State of Texas as they may apply to City or County Tax Collectors. Nothing in this paragraph [subsection] will be construed in such a way as to prohibit the City from contracting for tax collection services, as specified in Section 7.20 () of this Charter.

Sec. 4.06. - Personnel system.

(1) Personnel rules must be prepared by the City Manager and presented to the City Council, which may adopt them by ordinance, with or without amendment. The adopted rules must establish the City as an Equal Opportunity Employer and will govern the equitable administration of the personnel system of the City.

(2) The adopted rules will provide for the following requirements:

(a) A pay and benefit plan for all City employment positions.

(b) A plan for working hours, attendance policy and regulation, and provisions for sick and vacation leave.

(c) Procedures for the hearing and adjudication of grievances.

(d) Additional practices and procedures necessary to the beneficial and equitable administration of the City's personnel system.

(e) A plan for at least an annual oral and written evaluation based on a job description for all City employees by their immediate supervisor, including evaluation of the City Manager by the City Council.

ARTICLE V. - NOMINATIONS AND ELECTIONS

Sec. 5.01. - City elections.

(1) City elections will be conducted in accordance with the Texas Election Code.

(2) The regular City election will be held annually during the second calendar quarter of the year on the uniform election date established by the Texas Election Code. The City Council will be responsible for specification of places for holding such elections. (Amended, 1988)

(3) The City Council may, by resolution, order a special election for purposes consistent with this Charter and laws of the State of Texas. The City Council will fix the time and places for such a special election, and provide all means for holding same.

(4) Municipal elections will be conducted by election officials appointed by the City Council. Sample ballots identical in format to those used in the specific election will be posted in the voting place(s) for the purpose of voter orientation.

(5) All municipal elections will be publicized in accordance with the Texas Election Code.

Sec. 5.02. - Filing for office[; qualifications of candidates.]

(1) Candidates for City offices must file for office in accordance with the Texas Election Code.

(2) Candidates for elective City office must meet the following qualifications:

(a) Must be at least twenty-one years of age at the time of the election for which they are filing.

(b) Must be a qualified voter.

(c) Must have resided within the corporate limits of the City, or recently annexed territory, for at least twelve months prior to the filing deadline.

(d) Must not, after notice of any delinquency, be in arrears in payment of taxes or other liabilities due the City.

(e) No candidate may file in a single election for more than one office or position as provided by this Charter.

(f) No employee of the City will continue in such position after filing for an elective office provided for in this Charter.

Sec. 5.03. - Official ballots.

(1) The name of each candidate seeking elective office, except those who have withdrawn, died, or become ineligible, will be printed on the official ballot in the form designated by the candidate or party in accordance with the Texas Election Code. If two or more candidates have the same surname, or surnames so similar as to be likely to cause confusion, their residence addresses will be printed with their names on the ballot.

(2) The order of the names of the candidates on the ballot will be determined by lot in a public drawing to be held under the supervision of the City Secretary in accordance with the Texas Election Code.

(3) Procedures for early voting will be consistent with the Texas Election Code.

(4) An ordinance, bond issue, or Charter amendment to be voted on by the voters of the City will be presented for voting by ballot title. The ballot title of a measure may be different from its legal title and will be a clear, concise statement, approved by the City Council, describing the substance of the measure without argument or prejudice.

(5) Procedures for write-in votes will be consistent with the Texas Election Code.

Sec. 5.04. - Official results.

(1) The candidate for elective office receiving a plurality of the votes cast will be declared the winner. In case of a tie amongst the candidates receiving the most votes, a runoff election will be held with only the names of those tied candidates on the ballot. The runoff election will be held within thirty days and in accordance with the laws of the State of Texas.

(2) The returns of every municipal election will be handled in accordance with the Texas Election Code. These returns will be delivered from the election judges to the City Secretary and the Mayor at City Hall as soon as possible after the closing of the polls. Election returns, general and special, will be presented to the Council at their next meeting following the election, at which time the Council will canvass and declare the results of the election, which will be recorded in the minutes of the meeting.

ARTICLE VI. - INITIATIVE, REFERENDUM AND RECALL

Sec. 6.01. - General authority.

(1) *Initiative.* The qualified voters of the City will have power to propose ordinances to the City Council and, if the Council fails to adopt an ordinance so proposed without any change in substance, the voters will adopt or reject it at a City election. Such power will not extend to the budget or capital program or any ordinance not subject to initiative as provided by State law, relating to appropriation of money, levy of taxes or salaries of City officers or employees.

(2) *Referendum.* The qualified voters of the City will have power to require reconsideration by the Council of any adopted ordinance and, if the Council fails to repeal an ordinance so reconsidered, the voters will approve or reject it at a City election. Such power will not extend to the budget or capital program or any emergency ordinance or ordinance not subject to referendum as provided by State law, relating to appropriation of money or levy of taxes.

(3) *Recall.* The qualified voters of the City will have power to remove any official serving in an elective office.

Sec. 6.02. - Petitioners committee.

(1) Any ten qualified voters may commence proceedings contemplated by this article by filing with the City Secretary an affidavit stating that they will constitute the petitioners committee. They will be responsible for preparing, printing and circulating the petition. They will file it in proper form and specify the address to which all notices to the committee are to be sent. The affidavit will set out in full the proposed initiative ordinance or cite the ordinance sought to be reconsidered, or, in the case of recall, state the identity of the official whose recall is being sought.

(2) In the case of recall, the City Secretary will immediately notify in writing the officer(s) to be removed that the affidavit has been filed.

Sec. 6.03. - Petition circulation.

(1) All petition blanks used for circulation by the members of the petitioners committee or their designees will be numbered, dated and bear the signature of the City Secretary.

(2) No petition may be circulated and no signatures obtained until after the affidavit is filed.

Sec. 6.04. - Form of petition.

(1) All pages of a petition must be uniform in size and style and must be assembled as one instrument for filing. Each signer of a petition must be a registered voter of the City of Rockwall and must personally sign his own name thereto in ink or indelible pencil, and must write after his name his place or residence within the boundaries of the City, giving name of street and number, or place of residence, and must also write thereon the date, including the month, day and the year his signature was affixed. Petitions must contain or have attached thereto throughout their circulation the full text of the ordinance proposed or sought to be reconsidered, or in the case of a recall petition, the identity of the official whose recall is being sought.

(2) Each page of a petition must have attached to it when filed an affidavit executed by the circulator thereof stating that he/she personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in his presence, that he/she believes them to be genuine signatures

of the persons whose names they purport to be, and that each signer had an opportunity before signing to read the full text of the ordinance proposed, or sought to be reconsidered, or the identity of the official whose recall is being sought.

(3) Locations for twenty signatures must be provided on each blank petition.

Sec. 6.05. - Presentation of petitions.

(1) A petition to the City Council for initiative or referendum, containing the signatures of qualified voters equal in number to fifteen percent of those who voted in the last general municipal election, or two hundred, whichever is greater, must be filed with the City Secretary not later than thirty days following the filing of the affidavit by the petitioners committee. Once the petition is filed, no signature may be withdrawn.

(2) A petition to the City Council for recall, containing the signatures of qualified voters equal in number to thirty-five percent of those who voted in the last general municipal election, or four hundred, whichever is greater, must be filed with the City Secretary no later than thirty days following the filing of the affidavit by the petitioners committee. Once the petition is filed, no signature may be withdrawn.

Sec. 6.06. - Suspension of effect of ordinance for referendum petitions.

When a referendum petition is filed with the City Secretary, the ordinance sought to be reconsidered will be suspended from taking effect unless such suspension will create an immediate breach of public health and safety. Such suspension will terminate when:

(a) There is a final determination of insufficiency of the petition;

(b) The City Council repeals the ordinance; or

(c) Upon the certification of election results by the election officials.

Sec. 6.07. - Certification of petitions and presentation to City Council.

(1) Within ten days after the petition is presented, the City Secretary must complete a certificate of sufficiency or insufficiency. Sufficiency must be determined by compliance with this Article.

(2) If the petition is certified sufficient, the City Secretary must present the certificate to the City Council at the next regular City Council meeting. The City Council will verify determination of the sufficiency of the petition.

(3) If a petition has been certified insufficient, the City Secretary will send the committee a Certificate of Insufficiency by registered mail which will include the particulars in which the petition is defective. The committee may, within five working days after receiving the copy of such certificate, file a request that it be reviewed by the City Council. The City Council will review the certificate at its next regular meeting following such a request and approve or disapprove it. Such determination will then be final. If no City Council review is requested within five working days, the City Secretary's certification is final.

Sec. 6.08. - Action on initiative and referendum petitions.

(1) When an initiative or referendum petition has been finally determined sufficient, the City Council must promptly consider the proposed initiative ordinance in the manner prescribed for enacting ordinances or reconsider the referred ordinance by voting its repeal. If the City Council fails to

adopt a proposed initiative ordinance without any change in substance within sixty days, or fails to repeal a referred ordinance within thirty days after the date the petition was finally determined sufficient, it will submit the proposed or referred ordinance to the voters of the City not less than forty-five days following the failure of the City Council to act as specified herein. The special election must be held on one of the uniform election dates specified in the Texas Election Code. Any election order so issued will comply fully with the Texas Election Code.

(2) The called election may coincide with a regular City election should such City election fall within the specified period. No ordinance substantially the same as an initiated ordinance which has been defeated or one substantially the same as a referred ordinance which has been approved at any election may be initiated by the voters within two years from the date of such election. Copies of the proposed or referred ordinance will be made available at the polls and will be published at least once in the newspaper of record of the City not more than fifteen days immediately prior to the date of the election.

Sec. 6.09. - Calling of recall election.

If the officer whose removal is sought does not resign, then the City Council will order an election and set the date for holding such recall election. The date selected for the recall election must be not less than forty-five days after the date the petition was presented to the City Council. If, after the recall election date is established, the officer vacates his position, the election must be canceled. The special election must be held on one of the uniform election dates specified in the Texas Election Code. Any election order so issued must comply fully with the Texas Election Code.

Sec. 6.10. - Withdrawal of petitions.

An initiative, referendum or recall petition may be withdrawn at any time prior to determination of sufficiency by filing with the City Secretary a request for withdrawal signed by at least seven members of the petitioners committee. Upon the filing of such request the petition will have no further force or effect and all proceedings thereon will be terminated.

Sec. 6.11. - Form of ballots.

(1) *Initiative.*

Ordinances must be submitted by ballot title, which must be prepared in all cases by the City Attorney. The ballot title may be different from the legal title of any such initiated or referred ordinance and it must be a clear, concise statement, without argument or prejudice, descriptive of the substance of such ordinance. Immediately below the ballot title must be printed the following two statements, one above the over [sic] other, in the order indicated:

"For adoption of the ordinance" and

"Against adoption of the ordinance"

Immediately below or to the left of each statement must appear a square in which the voter may cast his vote by making a mark.

(2) *Repeal.*

Ordinances being considered for repeal must be submitted by ballot title, which must be prepared in all cases by the City Attorney. The ballot title may be different from the legal title of any such ordinance and it must be a clear, concise statement, without argument or prejudice, descriptive of the substance of such ordinance. Immediately below the ballot title must be printed the following two statements, one above the other, in the order indicated:

"For repeal of the ordinance" and

"Against repeal of the ordinance"

Immediately below or to the left of each statement must appear a square in which the voter may cast his vote by making a mark.

(3) *Recall.*

Ballots used at recall elections must, with respect to each person whose removal is sought, submit the question:

"Will (name of person) be removed from the office (name of office) by recall?"

Immediately below each such question there will be printed the two following statements, one above the other, in the order indicated:

"For the removal of ... by recall."

"Against the removal of ... by recall."

Immediately below or to the left of each statement will appear a square in which the voter may cast his vote by making a mark.

Sec. 6.12. - Results of election.

(1) If a majority of qualified electors voting on a proposed initiative ordinance vote in its favor, it will be considered adopted upon certification of the election results and will be treated in all respects in the same manner as ordinances of the same kind adopted by the City Council. If conflicting ordinances are approved at the same election, the one receiving the greater number of affirmative votes will prevail.

(2) An ordinance adopted by initiative may be repealed or amended at any time after the expiration of two years by a majority vote or after one year by unanimous vote of all Council members.

(3) If a majority of the qualified electors voting on a referred ordinance vote against the ordinance, it will be considered repealed upon certification of the election results. If a majority of the qualified electors voting on a referred ordinance vote for the ordinance, the ordinance will be considered in effect.

(4) An ordinance repealed by referendum may be reenacted at any time after the expiration of two years by a majority vote or after one year by unanimous vote of all Council members.

(5) If a majority of the votes cast on the question of recall at a recall election will be against the removal of the elected official named on the ballot, he/she will continue in office for the remainder of his unexpired term, subject to recall as before within the limitations of Sec. [Section] 6.14 below. If a majority of the votes cast on the question of recall at a recall election will be for the removal of the

elected official named on the ballot, he/she will, regardless of any technical defects in the recall petition, be deemed removed from office and the vacancy will be filled in accordance with the provisions of this Charter for the filling of vacancies.

Sec. 6.13. - Limitations and restrictions.

(1) No recall petition must be filed against any officer of the City within six months after his election nor within six months of such a petition being filed and found insufficient, nor within one year after an election for such officer's recall. No such limitations will apply to appointed Council members.

(2) In no instance will an officer removed from office by recall election serve in an elective office of the City within a period of five years following the date of the election at which he/she was removed from office.

(3) Unless withdrawn, no petition will again be filed on a proposed or referred ordinance of substantially the same content within a period of two years of the failure of the petition at a City election.

Sec. 6.14. - Failure of City Council to call election.

In case all of the requirements of this Charter have been met and the City Council will fail or refuse to receive an initiative, referendum or recall petition, or order such initiative, referendum or recall election, or discharge other duties imposed upon said City Council by the provisions of this Charter with reference to initiative, referendum or recall, then the District Judge may discharge any such duties herein provided to be discharged by the City Secretary or by the City Council. In addition, any qualified voter in the City may seek judicial relief to have any of the provisions of this Charter pertaining to initiative, referendum or recall carried out by the proper official.

ARTICLE VII. - FINANCIAL PROCEDURES

Sec. 7.01. - Fiscal year.

The fiscal year of the City must begin on the first day of October and end on the last day of September of the next succeeding year. Such fiscal year must also constitute the budget and accounting year.

Sec. 7.02. - Submission of budget and budget message.

On or before the first day of the eleventh month of the fiscal year, the City Manager must submit to the Council a budget for the ensuing fiscal year and an accompanying message.

Sec. 7.03. - Budget message.

The City Manager's message will explain the budget both in fiscal terms and in terms of the work programs. It will outline the proposed financial policies of the City for the ensuing fiscal year, describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures, and revenues together with the reasons for such changes, summarize the City's debt position and include such other material as the City Manager deems desirable.

Sec. 7.04. - Budget a public record.

The budget and all supporting schedules must be filed with the City Secretary when submitted to the Council and must be opened to public inspection by anyone interested.

Sec. 7.05. - Public hearing on budget.

At the Council meeting when the budget is submitted, the Council must name the date and place of a public hearing and must have published in the newspaper of record of the City the time and place, which will be not less than ten days nor more than thirty days after the date of notice. At this hearing, interested citizens may express their opinions concerning items of expenditures, giving their reasons for wishing to increase or decrease any items of expense.

Sec. 7.06. - Proceeding on adoption of budget.

After public hearing, the Council must analyze the budget, making any additions or deletions which they feel appropriate, and must, at least ten days prior to the beginning of the next fiscal year, adopt the budget by a favorable majority vote of the full membership of the Council. Should the City Council take no final action on or prior to such day, the current budget must be in force on a month-to-month basis until a new budget is adopted.

Sec. 7.07. - Budget, appropriation and amount to be raised by taxation.

On final adoption, the budget will be in effect for the budget year. Final adoption of the budget by the Council will constitute the official appropriations as proposed by expenditures for the current year and will constitute the basis of official levy of the property tax as the amount of tax to be assessed and collected for the corresponding tax year. Estimated expenditures will in no case exceed proposed revenue plus cash on hand. Unused appropriations may be transferred to any item required for the same general purpose.

Sec. 7.08. - Contingent appropriation.

Provision may be made in the annual budget and in the appropriation ordinance for a contingent appropriation in an amount not more than seven percent of the total general fund expenditures, to be used in case of unforeseen items of expenditures. This contingent appropriation will apply to current operating expenses and will not include any reserve funds of the City. Such contingent appropriation will be under the control of the City Manager and distributed by him/her only after prior approval by the City Council. The proceeds of the contingent appropriation will be disbursed only by transfer to other departmental appropriation, the spending of which will be charged to the departments or activities for which the appropriations are made. (Amended, 1988)

Sec. 7.09. - Amending budget.

Under conditions which may arise and which could not reasonably have been foreseen in the normal process of planning the budget, the Council may, by a majority vote of the full membership, amend or change the budget to provide for any additional expense in which the general welfare of the citizenry is involved. These amendments must be by ordinance, and must be an attachment to the original budget.

Sec. 7.10. - Certification; copies made available.

A copy of the budget, as finally adopted, must be filed with the City Secretary and such other places required by the State law or as the City Council will designate. The final budget will be printed or otherwise reproduced and sufficient copies will be made available for the use of all offices, agencies, and for the use of interested persons and civic organizations.

Sec. 7.11. - Capital program.

The City Manager will prepare and update a five-year capital program in accordance with the procedures approved by the City Council.

The above information may be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

Sec. 7.12. - Defect shall not invalidate tax levy.

Errors or defects in the form or preparation of the budget or the failure to perform any procedural requirements will not nullify the tax levy or the tax rate.

Sec. 7.13. - Lapse of appropriations.

Every appropriation, except an appropriation for a capital expenditure, will lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure other than in the operating budget of the City will continue in force until the purpose for which it was made has been accomplished or abandoned. The purpose of any such appropriation will be deemed abandoned if three years pass without any disbursement from or encumbrance of the appropriation. However, any appropriations, including capital expenditures, provided for in the annual operating budget will lapse at the end of the fiscal year. Any funds not expended, disbursed, or encumbered prior to their lapse as described herein will be returned to the appropriate accounting fund of the City.

Sec. 7.14. - Borrowing.

(1) [*Authority.*] The City will have the right and power, except as prohibited by law or this Charter, to borrow money by whatever method it may deem to be in the public interest.

(2) *Tax obligation bonds—General.*

(a) The City will have the power to borrow money on the credit of the City and to issue general obligation bonds for permanent public improvements or any other public purpose not prohibited by law and this Charter, to issue refunding bonds to refund outstanding bonds previously issued, and to issue other obligations permitted by law. All such bonds or other obligations, e.g., Certificates of Obligation and Contractual Obligation, will be issued in conformity with the laws of the State of Texas, will be issued for stated, specific projects or purposes. Any funds remaining after completion of said projects will be used to service or retire the debt created by the issuance of said bonds or obligations.

(b) Any tax obligation bonds, other than refunding bonds, issued under the provisions of this section will not be issued without an election. The City Council will prescribe the procedure for calling and holding such elections, will define the voting precincts and will provide for the return and canvass of the ballots cast at such elections.

(c) If at such elections a majority of the vote will be in favor of creating such a debt of the City, it will be lawful for the City Council to issue bonds as proposed in the ordinance submitting same. However, if a majority of the vote polled will be against the creation of such debt, the City Council will be without authority to issue the bonds. In all cases when the City Council must order an election for the issuance of bonds of the City, it must at the same time submit the question of whether or not a tax must be levied upon the property of the City for the purpose of paying the interest on the bonds and to create a sinking fund for their redemption. (Amended, 1988)

(d)

State law permits the issuance of Certificates of Obligation at the discretion of the City Council. However, it is the expressed will of the citizens of Rockwall that such obligations be issued only after being authorized by a vote of the citizens at an election called for the purpose of considering the issuance of such obligations. An exception to this guideline is to be permitted only in the event of an urgent public necessity. In order to issue Certificates of Obligation in the event of an urgent public necessity, when a vote of the citizenry is not held, the affirmative vote of six members of the Council must be required to authorize such issuance.

(3) *Revenue bonds.*

(a) The City will have the power to borrow money for the purpose of constructing, purchasing, improving, extending or repairing of public utilities, recreational facilities or any other self-liquidating municipal function not prohibited by the Constitution and the laws of the State of Texas. With an affirmative vote of at least six of the members of the City Council, it will have the power to issue revenue bonds and to evidence the obligation created thereby. Revenue bonds for any purpose other than water and sanitary sewer system improvement, expansion, or reconstruction must be authorized by a majority of citizens voting in an election called for the purpose of considering the issuance of such obligations. Upon approval of such revenue bonds by the voters, an affirmative vote of a majority of the full membership of the City Council will be required to issue said revenue bonds. Such bonds will be a charge upon and payable from the properties, or interest therein pledged, or the income therein gained from, or both. The holders of the revenue bonds will never have the right to demand payment thereof out of monies raised or to be raised by taxation. All such bonds will be issued in conformity with the laws of the State of Texas and will be used only for the purpose for which they were issued.

(4) *Emergency funding.*

(a) In any budget year, the City Council may, by unanimous resolution of the elected Council, authorize the borrowing of money. Notes may be issued which are repayable not later than the end of the current fiscal year.

Sec. 7.15. - Purchasing.

(1) The City Council may, by ordinance, give the City Manager general authority to contract for expenditure without further approval of the Council for all budgeted items not exceeding limits set by the Council.

All contracts for expenditures involving more than the set limits must be expressly approved in advance by the Council. All contracts or purchases involving more than the limits set by the Council must be let to the lowest bidder whose submittal is among those responsive to the needs of the City after there has been opportunity for competitive bidding as provided by law or ordinance. The City Council, or City Manager in such cases as he/she is authorized to contract for the City, will have the right to reject any and all bids.

(2) Emergency contracts as authorized by law and this Charter may be negotiated by the City Council or City Manager if given authority by the Council, without competitive bidding. Such emergency will be declared by the City Manager and approved by the City Council, or may be declared by the City Council.

Sec. 7.16. - Administration of budget.

(1) No payment will be made or obligation incurred against any allotment or appropriation except in accordance with appropriations duly made unless the City Manager or his designee first certifies that there is a sufficient unencumbered balance in such allotment or appropriation and that sufficient funds therefrom are or will be available to cover the claim or meet the obligation when it becomes due and payable.

(2) Any authorization of payment or incurring of obligation in violation of the provisions of this Charter will be void and any payment so made illegal. Such action will be cause for removal of any officer who knowingly authorized or made such payment or incurred such payment or obligation, and he/she will also be liable to the City for any amount so paid.

(3) This prohibition will not be construed to prevent the making or authorizing of payments, or making of contracts for capital improvements to be financed wholly or partly by the issuance of bonds, time warrants, certificates of indebtedness, or certificates of obligation, or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year, providing that such action is made or approved by ordinance.

(4) The City Manager will submit to the Council each month or as directed by the City Council a report covering the revenues and expenditures of the City in such form as requested by the City Council.

Sec. 7.17. - Depository.

All monies received by any person, department or agency of the City for or in connection with the affairs of the City will be deposited promptly in the City depository or depositories. The City depositories will be designated by the City Council in accordance with such regulations and subject to the requirements as to security for deposits and interest thereon as may be established by ordinance and law. Procedures for withdrawal of money or the disbursement of funds from the City depositories will be prescribed by ordinance.

Sec. 7.18. - Independent audit.

At the close of each fiscal year, and at such other times as may be deemed necessary, the City Council must call for an independent audit to be made of all accounts of the City by a certified public accountant. No more than [five] consecutive annual audits must be completed by the same firm. The certified public accountant selected must have no personal interest, directly or indirectly in the financial affairs of the City or any of its officers. The report of audit, with the Auditor's recommendations, will be made to the City Council. Upon completion of the audit, the summary must be published immediately in the newspaper of record of the City and copies of the audit placed on file in the City Secretary's office as a public record. (Amended, 1993) (Amended, 1996)

Sec. 7.19. - Power to tax.

(1) The City will have the power to levy, assess and collect taxes of every character and type for any municipal purpose not prohibited by the Constitution and laws of the State of Texas as now written or hereafter amended.

(2) The City will have the power to grant tax exemptions in accordance with the laws of the State of Texas.

Sec. 7.20. - Office of Tax Collector.

There will be established an office of taxation to collect taxes, the head of which will be the City Tax Collector. The City Council may contract for such services.

Sec. 7.21. - Taxes; when due and payable.

(1) All taxes due in the City of Rockwall must be payable at the office of the City Tax Collector, or at such location or locations as may be designated by the City Council, and may be paid at any time after the tax rolls for the year have been completed and approved. Taxes for each year must be paid before February 1 of the next succeeding year, and all such taxes not paid prior to that date must be deemed delinquent, and must be subject to penalty and interest as the City Council will provide by ordinance. The City Council may provide discounts for the payment of taxes prior to January 1 in amounts not to exceed those established by the laws of the State of Texas.

(2) Failure to levy and assess taxes through omission in preparing the appraisal rolls will not relieve the person, firm or corporation so omitted from obligation to pay such current or past due taxes as shown to be payable by recheck of the rolls and receipts for the years in question, omitting penalty and interest.

Sec. 7.22. - Tax liens, liabilities and suits.

(1) All taxable property located in the City on January 1 of each year will stand charged from that date with a special lien in favor of the City for the taxes due. All persons purchasing any such property or after January 1 in any year will take the property subject to the liens provided above. In addition to the liens herein provided, on January 1 of any year, the owner of property subject to taxation by the City will be personally liable for the taxes due for that year.

(2) The City will have the power to sue for and recover personal judgment for taxes without foreclosure, or to foreclose its lien or liens, or to recover both personal judgment and foreclosure. In any such suit where it appears that the description of any property in the City appraisal rolls is insufficient to identify such property, the City will have the right to plead a good description of the property to be assessed, to prove the same, and to have its judgment foreclosing the tax lien or for personal judgment against the owners for such taxes.

ARTICLE VIII. - BOARDS, COMMISSIONS AND COMMITTEES

Sec. 8.01. - Authority, composition and procedures.

(1) The City Council will create, establish or appoint, as may be required by the laws of the State of Texas or this Charter, or deemed desirable by the City Council, such boards, commissions and committees as it deems necessary to carry out the functions and obligations of the City. The City Council will, by ordinance or resolution, prescribe the purpose, composition, function, duties, accountability and tenure of each board, commission and committee where such are not prescribed by law or this Charter. Each board, commission, or committee will elect from among its members a chairman and vice-chairman to serve for a term not to exceed one year.

(2) Individuals who are qualified voters in the City may be appointed to serve on one or more boards, commissions or committees. The City Council may, by ordinance or resolution, consolidate the functions of the various boards, commissions or committees provided for in this Charter. Except as otherwise provided in this Charter, members of any such board, commission or committee will serve without compensation but may be reimbursed for actual expenses as approved by the City Council.

(3)

All boards, commissions or committees of the City must keep and maintain minutes of any proceedings held and must submit a written report of such proceedings to the City Council at intervals prescribed by the City Council.

(4) No elected official of the City nor any person who holds a compensated appointive position with the City will be appointed to any board, commission or committee other than in a nonvoting advisory capacity, except as authorized by state law.

(5) Any member of a board, commission or committee who is absent from three consecutive regular meetings without explanation acceptable to a majority of the other members must forfeit his position on the board, commission or committee.

ARTICLE IX. - PLANNING AND ZONING COMMISSION AND BOARD OF ADJUSTMENT

Sec. 9.01. - Organization.

(1) There is hereby established a Planning and Zoning Commission which must consist of seven members who will be appointed by the City Council to staggered terms in accordance with the existing Zoning Ordinance. The Commission members must be qualified City voters. No member will serve on the Commission for more than two "full" consecutive terms. A member who has served for two consecutive terms may be reappointed after a lapse in service of 12 months or more. Any vacancy occurring during the unexpired term of a member will be filled by appointment by the City Council for the remainder of the unexpired term. A majority of the members will constitute a quorum. In August of each year, the Commission will elect from its members a Chairman and Vice Chairman to serve for one year beginning in that month. Members of the Commission may be removed with the consent of a majority of the Council after public hearing and for cause set forth in writing.

(2) The Commission must meet at least once a month. The Commission must keep minutes of its proceedings which must be of public record. Minutes will be recorded by a member of the City Staff. The Commission will serve without compensation.

Sec. 9.02. - Duties and powers.

(1) The Commission will be responsible to and act as an advisory board to the City Council. The Commission must:

(a) Review all current and proposed ordinances and amendments pertaining to planning and zoning and make recommendations to the City Council for action to be taken.

(b) Make, amend, extend and add to a Master Plan for the physical development of the City.

(c) Keep public records of its resolutions, findings and determinations. (Amended, 1988)

(d) The Chairman of the Planning and Zoning Commission must make a formal monthly report in person to the City Council.

(2) The Commission will have full power to:

(a) Exercise the authority of the Zoning Commission as provided by State law, this Charter and City ordinances.

(b) Prepare, adopt and administer rules and recommendations pertaining to subdivisions and to

platting in territories within the city limits and its extraterritorial jurisdiction.

(c) Make reports and recommendations relating to the Master Plan and development of the City.

(d) Within its budget appropriation, and consistent with state purchasing law contract for professional and consultant services to aid in carrying out its duties.

Sec. 9.03. - Master Plan.

The existing Master Plan for the physical development of the City contains recommendations for the growth, development and beautification of the City and its extraterritorial jurisdiction. Recommended changes to the Master Plan must be submitted to the City Manager after the Planning and Zoning Commission holds at least one public hearing on the proposed change.

Sec. 9.04. - Procedure for amending Master Plan.

(1) City Manager will submit the proposed changes to the Council, together with any recommendations. The Council, after a public hearing, will adopt or reject such proposed revision or any part thereof as submitted within sixty days following its submission by the City Manager. If the proposed revisions or part thereof should be rejected by the Council, the Planning and Zoning Commission may make modifications and again forward it to the City Manager for submission to the Council.

(2) All rules and regulations adopted by the Planning and Zoning Commission regarding implementation of the Master Plan, will be forwarded to the City Manager who will submit them to the Council with his recommendations. The Council may adopt or reject any such rules or regulations. If any rules or regulations should be rejected, the Planning and Zoning Commission may modify them and submit such modified rules and regulations to the City Manager for submission with his recommendations to the Council. (Amended, 1996)

Sec. 9.05. - Legal effect of Master Plan.

Following the adoption by the Council of the Master Plan, it will serve as a guide to all future Council action concerning land use and development regulations and expenditures for capital improvements. Any proposal which deviates from the Master Plan will not be authorized until and unless the location and extent thereof will have been submitted to and approved by the Planning and Zoning Commission. In case of disapproval, the Commission will communicate its reasons to the Council, which will have the power to overrule such disapproval and upon such overruling, the Council or the appropriate office, department or agency will have authority to proceed. A two-thirds vote of the City Council will be required to overrule the recommendations of the Commission, except as otherwise provided by State law. The failure of the Commission to act within thirty days after the date of official submission to the Commission will be deemed approval, unless a longer period be granted by the Council or submitting official.

Sec. 9.06. - Board of adjustment.

The Council must, by ordinance, establish a Board of Adjustment and must provide standards and procedures for such board to hear and determine appeals from administrative decisions, petitions for variances in the case of peculiar and unusual circumstances which would prevent the reasonable use of land, and such other matters as may be required by the Council or by law. Board members must be qualified voters of the City. (Amended, 1988) (Amended, 1996)

ARTICLE X. - UTILITY AND PUBLIC SERVICE FRANCHISES AND LICENSES

Sec. 10.01. - Authority.

The City will have the power to buy, own, sell, construct, lease, maintain, operate and regulate public services and utilities and to manufacture, distribute and sell the output of such services and utility operations. The City will not supply any utilities service outside the city limits, except by a written contract. The City will have such regulatory and other power as may now or hereafter be granted under the Constitution and laws of the State of Texas.

Sec. 10.02. - Ordinance granting franchise.

(1) Any ordinance granting, renewing, extending or amending a public service or utility franchise must be read at two separate meetings of the City Council and will not take effect until thirty days after the final reading. Within fifteen days following the first reading of the ordinance, a summary of the ordinance will be published once in a newspaper designated as the newspaper of record of the City. The expense of such publication will be borne by the prospective franchisee.

(2) No franchise will be granted for a term of more than twenty years from the date of the grant, renewal or extension of any franchise.

(3) No franchise may be exclusive.

Sec. 10.03. - Transfer of franchise.

No public service or utility franchise is transferable, except with the approval of the City Council. However, the franchisee may pledge franchise assets as security for a valid debt or mortgage.

Sec. 10.04. - Franchise value not to be allowed.

Franchises granted by the City are of no value in fixing rates and charges for public services or utilities within the City and in determining just compensation to be paid by the City for property which the City may acquire by condemnation or otherwise.

Sec. 10.05. - Right of regulation.

In granting, amending, renewing and extending public service and utility franchises, the City reserves unto itself all the usual and customary rights, including, but not limited to, the following rights:

(a) To repeal the franchise by ordinance for failure to begin construction or operation within the time prescribed, or for failure to comply with terms of the franchise.

(b) To require all extensions of service within the City limits to become part of the aggregate property of the service and operate subject to all obligations and reserved rights contained in this Charter. Any such extension is considered part of the original grant and terminable at the same time and under the same conditions as the original grant.

(c) To require expansion and extension of facilities and services and to require maintenance of existing facilities to provide adequate service at the highest level of efficiency.

(d) To require reasonable standards of service and quality of product and prevent rate discrimination.

(e) To impose reasonable regulations and restrictions to insure [ensure] the safety and welfare of the public.

(f) To examine and audit accounts and records and to require annual reports on local operations of the public service or utility.

(g) To require the franchisee to restore, at [the] franchisee's expense, all public or private property to a condition as good as or better than before disturbed by the franchisee for construction, repair or removal.

(h) To require the franchisee to furnish to the City, within a reasonable time, at the franchisee's expense, a general map outlining current location, character, size, length, depth, height and terminal of all facilities over and under property within the City and its extraterritorial jurisdiction.

(i) To require compensation, rent or franchise fees to be paid to the City as may be permitted by the laws of the State of Texas.

Sec. 10.06. - Regulation of rates.

(1) The City Council has the power to fix and regulate the rates and charges of all utilities and public services, consistent with State and federal statutes and regulations.

(2) Upon receiving written request from a utility or public service requesting a change in rates, or upon a recommendation from the City that rates for services provided by or owned by the City be changed, the City Council will call a public hearing for consideration of the change.

(3) The City, public service or utility must show the necessity for the change by any evidence required by the City Council, including, but not limited to, the following:

(a) Cost of its investment for service to the City.

(b) Amount and character of expenses and revenues connected with rendering the service.

(c) Copies of any reports or returns filed with any State or Federal regulatory agency within the last three years.

(d) Demonstration that the return on investment, if any, is within State and Federal limitations.

(4) If not satisfied with the sufficiency of evidence, the City Council may hire rate consultants, auditors and attorneys to investigate and, if necessary, litigate requests for rate changes, the expense of which will be reimbursed to the City by the franchisee.

Sec. 10.07. - Licenses.

The City will have the power to license, levy and collect fees in order to license any lawful business, occupation or calling subject to control pursuant to the police powers of the State of Texas and for any other purpose not contrary to the Constitution and laws of the State of Texas.

ARTICLE XI. - GENERAL AND TRANSITIONAL PROVISIONS

Sec. 11.01. - Public records.

All records of the City must be open to inspection except for those that are closed to the public by law. The records may be examined and copied in the City offices during normal office hours at a nominal charge established by the City Manager.

State law reference— Public records act, V.T.C.A., Government Code § 552.001 et seq.

Sec. 11.02. - Newspaper of record.

The City Council must designate annually a newspaper of general circulation in the City to serve as newspaper of record. All ordinances, notices and other matters required by this Charter, City ordinance, or the Constitution and laws of the State of Texas must be published in the newspaper of record.

Sec. 11.03. - Nepotism.

No person related within the second degree by affinity or within the third degree by consanguinity to the Mayor or any City Council member or the City Manager will be employed or appointed to any positions of the City. This will not apply to any person continuously employed prior to the election or appointment of the person related in the above degree.

Sec. 11.04. - Oaths.

All elected and appointed officers of the City must take and sign the oath of office based on those prescribed for state elective and appointive offices, respectively, in the Constitution of the State of Texas.

Sec. 11.05. - Prohibitions and penalties.

(1) Equality of rights under the law must not be denied or abridged with respect to appointment to or removal from any position because of race, gender, age, national origin, political or religious opinions or affiliations.

(2) No person who seeks appointment or promotion with respect to any City position will, directly or indirectly, give, render or pay any money, service or other valuable thing to any person for, or in connection with, his test, appointment or promotion.

(3) No person will willfully make any false statement, certificate, mark, rating or report in regard to any test, certification or appointment or attempt to commit any fraud preventing the impartial execution of the personnel provisions, rules and regulations of this Charter.

(4) No person who holds any compensated nonelective City position will make, solicit or receive any contribution for any candidate for public office in the City, or take part in the management, affairs or political campaign of such candidate. He/She may exercise his rights as a citizen to express his opinion and cast his vote.

(5) Any person who willfully engages in any of the above prohibited activities will be ineligible for appointment or election to a position in the City for a period of five years from that time. If he/she is an officer or employee of the City at the time of the violation, he/she must immediately forfeit his office or position.

(6) No person will be qualified to hold a municipal office or serve the City in any other capacity for which compensation is paid who is delinquent in the payment of taxes or other liabilities due the City.

Sec. 11.06. - Assignment, execution and garnishment.

(1) Property, real and personal, belonging to the City will not be liable to be sold or appropriated under any writ or execution of cost bill. Funds belonging to the City in the hands of any person, firm or corporation, will not be liable to garnishment, attachment or sequestration; nor will the City be liable to garnishment, attachment or sequestration; nor will the City be liable to garnishment of

account of any debt it may owe or funds or property it may have on hand owing to any person. Neither the City nor any of its officers or agents will be required to answer any such writ of garnishment on any account whatever.

(2) The City will not be obligated to recognize any assignment of wages or funds by its employees, agents or contractors.

Sec. 11.07. - Security and bond.

It will not be necessary in action, suit or proceeding in which the City is a party for any bond, undertaking or security to be demanded or executed by or on behalf of the City. All such actions must be conducted in the same manner as if such bond, and undertaking or security has been given as required by law.

Sec. 11.08. - Notice of claim.

The City will not be held liable on account of any claim for the death of any person or injuries to any person or damage to any property unless the person making such complaint or claiming such damages will, within sixty days after the time at which it is claimed such damages were inflicted upon such person or property, file with the City a written statement under oath, stating the nature and character of such damages or injuries, the extent of the same, the place where same happened, the circumstances under which same happened and the conditions causing same, with a detailed statement of each item of damages and the amount thereof, giving a list of any witnesses known by affiant to have seen the accident.

State law reference— Tort claims, V.T.C.A., Civil Practice and Remedies Code § 101.001 et seq.

Sec. 11.09. - Power to settle claims.

The City Council will have the power to compromise and settle any and all claims and lawsuits of every kind and character, in favor of, or against, the City, including suits by the City to recover delinquent taxes.

Sec. 11.10. - Service to process against City.

All legal process against the City will be served upon both the Mayor and the City Manager.

Sec. 11.11. - Judicial notice.

This Charter will be deemed a public act, may be read in evidence without pleading of proof, and judicial notice will be taken thereof in all courts and places.

Sec. 11.12. - Separability.

If any section or part of this Charter is held invalid by a court of competent jurisdiction, such holding will not invalidate or impair the validity, force or effect of any other section or part of this Charter.

Sec. 11.13. - Wording interpretation.

(1) The gender of wording throughout this Charter must always be interpreted to mean either sex. All singular words will include the plural and all plural words will include the singular. All references to State law or laws of the State of Texas, however expressed in this Charter, will mean "as presently enacted or hereafter amended."

(2) The term "Council" will include the Mayor and all other Council members.

(3) Definitions. When used in this Charter, the terms below will have the meanings stated in this

section.

(a) "City" will refer to the municipal corporation more specifically titled "The City of Rockwall."

(b) "Elected officer" will refer to any member of the City Council regardless of whether the individual became a member by election or appointment.

(c) "Appointed officer" will refer to any individual appointed by the City Council.

(d) "Administrative officer" will refer to any employee of the City appointed by the City Manager.

(e) "Office" will refer to any position in the City filled by appointment by the City Council or City Manager.

(f) "Officers" will refer to any member of the City Council, or any individual appointed by the City Council other than members of ad hoc committees with a limited term.

(g) "Employee" will refer to any person who is employed and paid a salary by the City including those individuals on a part-time basis, but does not include City Council members or members of the volunteer fire department.

(h) "Public Utility" will refer to any privately owned business that provides a service to the public under the terms of a franchise granted by the City Council. The term will include but not necessarily be limited to electric service, gas service, telephone service, and cable television service.

Sec. 11.14. - Amendment of Charter.

Amendments to this Charter may be framed and submitted to the qualified voters of the City in the manner provided by the constitution and the laws of the State of Texas as presently enacted or hereafter amended.

Sec. 11.15. - Charter Review Commission.

(1) The City Council must appoint a Charter Review Commission of ten citizens of the City which will:

(a) Inquire into the operation of the City government under the Charter and determine whether any provisions require revision. To this end, public hearings may be held. The Commission may compel the attendance of any officer or employee of the City and require submission of any City records it deems necessary to conduct the hearings.

(b) Propose any recommendations it deems desirable to insure [ensure] compliance with the Charter of the City government.

(c) Report its findings and present its recommendations to the City Council.

(2) The City Council will receive and have published in the newspaper of record of the City a comprehensive summary of the report presented by the Commission; will consider any recommendations made, may order any amendments suggested to be submitted to the voters of the City in the manner provided by State law as now written or hereafter amended.

(3) The term of office of the Commission must be for not more than six months, at the end of which time a report will be presented to the City Council and all records of proceedings of the commission will be filed with the City Secretary and become a public record.

Sec. 11.16. - Schedule of transition.

(1) This Charter will take effect immediately following adoption by the voters.

(2) Upon adoption of this Charter, the present members of the City Council filling elective offices will continue to fill those offices for the terms for which they were elected. Thereafter, the City Council will be elected as provided in this Charter. Persons who, on the date this Charter is adopted, are filling appointive positions with the City which are retained under this Charter, may continue to fill these positions for the term for which they were appointed, unless removed by the City Council or by other means provided in this Charter.

(3) All City ordinances, bonds, resolutions, rules and regulations in force on the effective date of this Charter will remain in force until altered, amended or repealed by the Council, and all rights of the City under existing franchises and contracts are preserved in full force and effect.

Sec. 11.17. - Officers and employees.

Except as specifically provided, nothing in this Charter will affect or impair the rights or privileges of persons who are City officers or employees at the time of its adoption.

Sec. 11.18. - Pending matters.

All rights, claims, actions, orders, contracts and legal or administrative proceedings will continue except as modified pursuant to the provisions of this Charter and in each case will be maintained, carried on or dealt with by the City department, office or agency appropriate under this Charter.

Sec. 11.19. - Submission of Charter to electors.

The Charter Commission in preparing this Charter finds and declares that it is impractical to segregate each subject so that the voter may vote "Yes" or "No" on each subject. The Charter is so constructed that in order to enable it to work and function, it is necessary that it should be adopted in its entirety. For these reasons the Charter Commission directs that this Charter be voted upon as a whole.

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 01/20/2015

APPLICANT: Rick Dirkse, *Dirkse and Associates, LTD*

AGENDA ITEM: **Z2014-036**; *SF-10 to PD (1312 & 1316 Ridge Road)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Rick Dirkse on behalf of D. W. Bobst of J-BR2, LLC for the approval of a zoning change from a Single Family 10 (SF-10) District to a Planned Development District allowing for office, medical office and single-family land uses on two (2) parcels of land, being 1.666-acres, identified as Lots 1 & 2, Block B, Eagle Point Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1312 & 1316 Ridge Road [*FM-740*], and take any action necessary.

REQUEST:

On December 18, 2014, the applicant, Rick Dirkse, submitted an application on behalf of the owner, Dan Bobst of JBR2, LLC, for the approval of a zoning change for two (2) parcels of land zoned Single Family 10 (SF-10) District and addressed as 1312 & 1316 Ridge Road [*FM-740*]. Specifically, the requested zoning change proposed a Planned Development (PD) District that would limit the land uses on the subject property to general/professional office (*e.g. attorney, accountant, real estate, investment broker, and etcetera*), small medical office (*e.g. dentist, specialty clinic, and etcetera*) and/or single-family residential uses; and, to provide for more restrictive density and dimensional requirements, which are intended to regulate any development on the subject properties into conforming to the architecture utilized by the adjacent single-family residential homes. The underlying zoning district of the proposed Planned Development (PD) District is a Residential-Office (RO) District, which according to the Article V, *District Development Standards*, of the Unified Development Code is intended, "to allow for low intensity office development providing professional, medical and other office services to residents in adjacent neighborhoods … [*and*] serve as an area of transition between residential and high-intensity nonresidential uses or busy arterial thoroughfares".

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are several single-family homes situated adjacent to Ridge Road, zoned Single Family 10 (SF-10) District, and located within the Scenic Overlay (SOV) District. Beyond these properties are several single-family homes/office buildings zoned Planned Development District 53 (PD-53) for Residential-Office (RO) District land uses. These properties are also adjacent to Ridge Road and situated within the Scenic Overlay (SOV) District.

South: Directly south of the subject property are several single-family homes situated adjacent to Ridge Road, zoned Single Family 10 (SF-10) District, and located within the Scenic Overlay (SOV) District. Beyond these properties are nine (9) single-family residential properties that are a part of the Lake Ray Hubbard Estates subdivision. These properties are zoned Single Family 10 (SF-10) District, and are situated within the Scenic Overlay (SOV) District.

East: Directly east of the subject property is Ridge Road, which is classified as a *M4D* (*minor arterial, four [4] lane, divided roadway*) by the City's *Master Thoroughfare Plan*. Beyond this arterial is the Rockwall Commons mixed-use development, which is composed of office, retail and residential land uses. This property is zoned Planned Development District 1 (PD-1), which allows for a mix of land uses.

West: Directly west of the subject property are ten (10) single-family residential properties that make up the Eagle Point Estates subdivision and are zoned Single Family 10 (SF-10) District. Beyond these properties is the Lake Ray Hubbard Estates subdivision, which contains 63 single-family lots on 24.022-acres of land. These properties are zoned Single Family 10 (SF-10) District.

DEVELOPMENT STANDARDS

With the zoning application, the applicant has submitted a *PD Concept Plan* that indicates intent to build two (2) independent office buildings (*i.e. 5,000 SF and 6,000 SF*) constructed on individual lots. The parking for these buildings will be accessible utilizing the two (2) existing drive approaches adjacent to Ridge Road. All parking will be located in the front of the properties in between the front façade of the proposed buildings and Ridge Road. The rear of the properties should generally conform to the adjacent single-family development, and give the appearance of a single-family residence. The applicant has stated that the intent of the project is to blend the buildings with the adjacent single-family neighborhood and only provide the appearance of an office building on Ridge Road. Staff has included additional standards in the Planned Development District Ordinance that ensures that any structure constructed on the subject property shall be built to a residential scale. These restrictions include limiting the building's square footage (*i.e. maximum of 5,000 SF and 6,000 SF*), restricting the roof design to be a pitched roof system that is comparable to the adjacent single-family residential homes, and requiring a wood screening fence that matches the City's current residential fence standards. In addition, the height of the buildings have been restricted to 36-feet, which is the same height restriction required by the Single Family 10 (SF-10) District (*i.e. the current zoning designation*). Any requirements not specifically stated within the Planned Development District shall conform to Residential-Office (RO) District standards as stipulated by Section 4.2, *Residential-Office (RO) District*, of Article V, *District Development Standards*, of the Unified Development Code. A summary of the density and dimensional requirements for the subject property is as follows:

Table 1: Density and Dimensional Requirements

Minimum Lot Width	60'
Minimum Lot Depth	100'
Minimum Lot Area	6,000 SF
Minimum Front Yard Setback	25'
Minimum Side Yard Setback [1]	10'
Minimum Rear Yard Setback	30'
Minimum Masonry Requirements [2]	90%
Maximum Height	36'
Minimum Building Coverage/Floor Area Ratio	40%/0.33
Minimum Parking Requirement	General Office: 1/300 SF Medical Office: 1/200 SF
Maximum Lot Coverage	45%
Minimum Landscaping	25%
Minimum Distance Between Buildings	10'

General Notes:

[1]: *Except if the adjacent property is predominantly residentially zoned or residentially used, in which case the setback shall be 20-feet.*

[2]: *All masonry materials shall conform to Section 4.1. A, Construction Materials, of Article V, District Development Standards, of the Unified Development Code.*

STAFF ANALYSIS:

As stated above the intent of the Residential-Office (RO) zoning district is to provide a buffer or transition from residential neighborhoods to higher intensity non-residential land uses and/or busy arterials and thoroughfares. This district has proven to be particularly successful in areas where residential properties are adjacent to state roadways that accommodate a moderate to high traffic volume (*i.e. PD-50 adjacent to SH-205 & PD-63 adjacent FM-740*). In reviewing this case it should be noted that Ridge Road [*FM-740*] is classified as a M4D (*Minor Arterial, Four [4] Lane, Divided Roadway*) and accommodates a moderate level of traffic. According to the Texas Department of Transportation's (TX DOT's) *2012 District Traffic Maps*, Ridge Road currently accommodates between 17,800 and 25,000 trips per day between the SH-205/FM-740 split and IH-30. For reference, the average residential street generally accommodates less than 1,000 trips per day. The reason that the Residential-Office (RO) District has been successful in areas adjacent to busier thoroughfares is its unique ability to maintain a residential aesthetic while buffering more intense land uses/thoroughfares with low intensity non-residential land uses (*i.e. professional and medical offices*). These uses generally do not conflict with the adjacent residential land uses, specifically with regards to the hours of operations, noise, lighting, traffic and other environmental conditions commonly associated with non-residential developments. With this being said, zoning is a discretionary action for the Planning & Zoning Commission and City Council.

CONFORMANCE WITH THE FUTURE LAND USE MAP:

The Future Land Use Map, adopted with the Comprehensive Plan, designates the subject property for *Medium Density Residential* land uses. While the proposed land use does continue to allow single-family residential land uses it would also allow office land uses. Should the City Council approve the applicant's request, the Future Land Use Map will be amended to reflect the proposed change in land use from a *Medium Density Residential* designation to a ***Special District*** designation.

NOTIFICATION:

On December 30, 2015, staff mailed 61 notices to property owners and residents within 500-feet of the subject property. Staff also emailed notice of the request to the Waterstone Estates Homeowner's Association (HOA), which is the only HOA located within 1,500 feet of the subject property. Additionally, staff posted a sign along Ridge Road as required by the Unified Development Code (UDC). At the time this case memo was drafted staff had received seven (7) property owner notification and one (1) email in opposition to the request, and five (5) letters of support from adjacent property owners.

RECOMMENDATIONS:

If the Planning and Zoning Commission recommends approval of the applicant's request for a *PD Development Plan* then staff would propose the following conditions of approval:

1) The applicant shall be responsible for maintaining compliance with the conditions contained within the *PD Development Plan* ordinance and summarized as follows:

   A) *Allowed Uses*. The following are the only permitted land uses that are permitted to be established on the *Subject Property*:

      i. *Single Family 10 (SF-10) District Land Uses.* Uses permitted *by right* or by *Specific Use Permit (SUP)* in the Single Family 10 (SF-10) District as stipulated by Section 1.1, *Use of Land and Buildings,* of Article IV, *"Permissible Land Uses",* of the Unified Development Code *[Ordinance No. 04-38].*

      ii. *General Office Land Uses*

iii. *Medical Office Land Uses*

B) *Maximum Building Square Footage*. The *Subject Property* may contain one (1) building 5,000 SF or less and one (1) building 6,000 SF or less as depicted in the *Zoning Exhibit.*

C) *Area Requirements and Development Standards.* Any development or redevelopment of the subject property shall conform to the Residential-Office (RO) District development standards stipulated by Section 4.2, *Residential-Office (RO) District*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*]; however, any building being constructed on the *Subject Property* shall not exceed 36-feet in total height.

D) *Roof Design Standards.* All buildings proposed for the subject property shall be constructed with a pitched roof system that is comparable to adjacent residential development.

E) *Screening Fence Standards*. Screening fences used to screen the *Subject Property* from adjacent residential properties may be constructed utilizing a typical *board-on-board* residential wood fence standard, which conforms to the requirements stipulated within the *Municipal Code of Ordinances*.

F) *Additional Restrictions.* No fences, which is not explicitly permitted within this ordinance or any other type of barricade, shall be permitted on any property depicted in the *Zoning Exhibit*.

2) By approving this zoning change, the City Council will effectively be approving changes to the Comprehensive Land Use Plan. Specifically, this will change the designation of the subject property from a *Medium Density Single-Family Residential* designation to a *Special District* designation.

3) Any construction resulting from the approval of this *zoning amendment* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On January 13, 2015, the Planning and Zoning Commission made a motion to recommend denial of the applicant's request. The motion failed by a vote of 3-3, with Commissioner Fishman absent. Following the motion for denial, the Planning and Zoning Commission made a motion to recommend approval of the applicant's request. The motion failed by a vote of 3-3. Since the Planning and Zoning Commission was unable to approve a motion, no recommendation can be forwarded to the City Council.



City of Rockwall

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

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

City of Rockwall

Planning & Zoning Department
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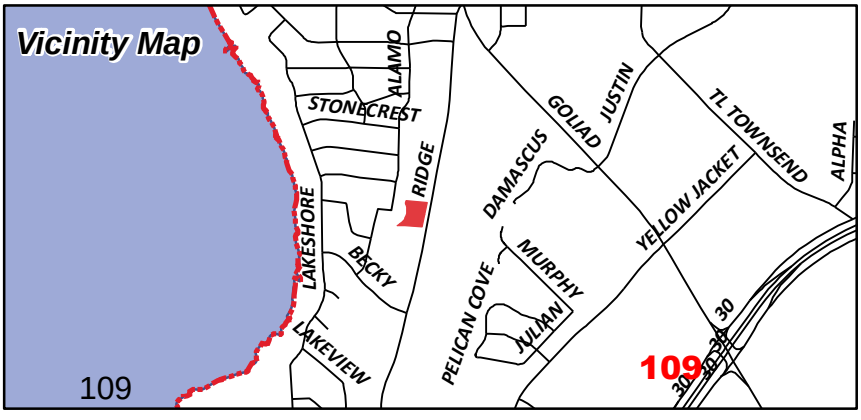
Case Number: Z2014-036
Case Name: SF-10 to PD
Case Type: Zoning
Zoning: SF-10
Case Address: 1310 & 1316 Ridge Rd

Date Created: ***12/19/2014***

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



Current Occupant
1306 RIDGE RD
ROCKWALL, TX 75087

PEOPLES BILLY W
PO BOX 35
ROCKWALL, TX 75087

KLUTTS B A
1605 SUNSET HILL DR
ROCKWALL, TX 75087

Current Occupant
1406 RIDGE RD
ROCKWALL, TX 75087

SMITH JOHN H
5630 MERRIMAC AVE
DALLAS, TX 75206

Current Occupant
1308 RIDGE RD
ROCKWALL, TX 75087

MASON RONALD E & GLORIA M
1402 RIDGE RD
ROCKWALL, TX 75087

ROGERS FAMILY LIVING TRUST
MICHAEL WAYNE ROGERS AND RELLA
VILLASANA ROGERS, TRUSTEES
1404 RIDGE RD
ROCKWALL, TX 75087

JACOBS DAVID R & BEVERLY
1304 RIDGE RD
ROCKWALL, TX 75087

JBR2 LLC
1400 RIDGE RD
ROCKWALL, TX 75087

Current Occupant
1518 S ALAMO RD
ROCKWALL, TX 75087

Current Occupant
1516 S ALAMO RD
ROCKWALL, TX 75087

Current Occupant
1514 S ALAMO RD
ROCKWALL, TX 75087

Current Occupant
1512 S ALAMO RD
ROCKWALL, TX 75087

Current Occupant
1510 S ALAMO RD
ROCKWALL, TX 75087

Current Occupant
1505 S ALAMO RD
ROCKWALL, TX 75087

HOLLAND RODNEY B
536 LOMA VISTA
HEATH, TX 75032

Current Occupant
1507 S ALAMO RD
ROCKWALL, TX 75087

Current Occupant
1509 S ALAMO RD
ROCKWALL, TX 75087

REID STEPHEN M II AND JAN K
PO BOX 8791
GREENVILLE, TX 75404

Current Occupant
1511 S ALAMO RD
ROCKWALL, TX 75087

Current Occupant
1515 S ALAMO RD
ROCKWALL, TX 75087

SLAUGHTER RICHARD E
1665 PLUMMER DR
ROCKWALL, TX 75087

Current Occupant
1312 RIDGE RD
ROCKWALL, TX 75087

Current Occupant
1316 RIDGE RD
ROCKWALL, TX 75087

CAMERON LAND HOLDINGS LLC
2081 WHITNEY BAY DR
ROCKWALL, TX 75087

Current Occupant
1305 RIDGE RD
ROCKWALL, TX 75087

CHILDS WILLIAM C & SHERYL L
1611 S ALAMO RD
ROCKWALL, TX 75087

Current Occupant
1609 S ALAMO RD
ROCKWALL, TX 75087

GASCOIGNE ANGUS A & ELIZABETH
1910 CLUB LAKE CIR
ROCKWALL, TX 75087

LEE FAMILY TRUST
JAMES HENRY III & BARBARA LEE CO TRUSTEES
1607 ALAMO ROAD
ROCKWALL, TX 75087

Current Occupant
1605 ALAMO RD
ROCKWALL, TX 75087

BURNS LORRAINE MARIETTI
403 W WASHINGTON ST
ROCKWALL, TX 75087

LYLE WILLIAM M JR & ERICA
1603 S ALAMO RD
ROCKWALL, TX 75087

WEDDLE TRUST
JOHN C WEDDLE AND PAULETTE S WEDDLE
TRUSTEES
1601 S ALAMO RD
ROCKWALL, TX 75087

VANCE JASON L & DASHA
202 TANYA DR
ROCKWALL, TX 75087

RICHARDSON RANDAL & BARBARA
204 TANYA DR
ROCKWALL, TX 75087

EVANS ELTON E & PATSY R
OF THE EVANS FAMILY TR
206 TANYA DR
ROCKWALL, TX 75087

PERRY RICHARD L
208 TANYA DR
ROCKWALL, TX 75087

FLOYD DOROTHY RHEA
210 TANYA DR
ROCKWALL, TX 75087

WALTERS FRANK HOUSTON
1608 S ALAMO RD
ROCKWALL, TX 75087

PECK EVA MAE
1606 S ALAMO RD
ROCKWALL, TX 75087

HAIRE HELENA GAIL
1425 SAW RD
CHINA GROVE, NC 28023

Current Occupant
203 TANYA DR
ROCKWALL, TX 75087

DE LA ROSA ANTHONY & LYNDA
203 DARTBROOK
ROCKWALL, TX 75087

HOTT SARI D
201 DARTBROOK
ROCKWALL, TX 75087

HAIGNEY PETER F
206 MEADOWDALE DR
ROCKWALL, TX 75087

PRINCE LINDA KAY
204 MEADOWDALE DR
ROCKWALL, TX 75087

HIRIGOYEN IGNACIO A & LISA RAE
202 MEADOWDALE DRIVE
ROCKWALL, TX 75087

KEEGAN ED A & MARTHA SUE
207 MEADOWDALE DR
ROCKWALL, TX 75087

DICKSON JUDITH TAYLOR & KENNETH D
205 MEADOWDALE DR
ROCKWALL, TX 75087

HERRIN MARVIN ET UX
203 MEADOWDALE DR
ROCKWALL, TX 75087

MOORE TIMOTHY H & TRACEY PARK
201 MEADOWDALE DR
ROCKWALL, TX 75087

PINNELL CHARLES C & GENEVA
1425 S ALAMO RD
ROCKWALL, TX 75087

SHOCKLEY U B & JANE TRUST
U B & JANE SHOCKLEY TRUSTEES
1423 S ALAMO RD
ROCKWALL, TX 75087

BAUGH GINGER KAY
1421 S ALAMO RD
ROCKWALL, TX 75087

BROOKS RICHARD L
1419 S ALAMO RD
ROCKWALL, TX 75087

GRINNAN JEFF ETUX
1417 S ALAMO RD
ROCKWALL, TX 75087

T ROCKWALL OFFICE TX LLC
16600 DALLAS PARKWAY 0
DALLAS, TX 75248

RPSC ROCKWALL PROPERTIES LLC
3201 E PRESIDENT GEORGE BUSH HIGHWAY 0
RICHARDSON, TX 75082

111

Current Occupant
1309 RIDGE RD
ROCKWALL, TX 75087

112

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

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

To Whom It May Concern:

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

Case No. Z2014-036: PD Development - RO District

Hold a public hearing to discuss and consider a request by Rick Dirkse on behalf of D. W. Bobst of J-BR2, LLC for the approval of a zoning change from a Single Family 10 (SF-10) District to a Planned Development District allowing for office, medical office and single-family land uses on two (2) parcels of land, being 1.666-acres, identified as Lots 1 & 2, Block B, Eagle Point Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1312 & 1316 Ridge Road [FM-740], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 1/13/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Tuesday, 1/20/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by **1/20/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-036: PD Development - RO District

Please place a check mark on the appropriate line below:

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

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

To close to Houses

Name: Tim Moore
Address: 201 Meadowdale Dr

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

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

PLEASE RETURN THE BELOW FORM

Case No. Z2014-036: PD Development - RO District

Please place a check mark on the appropriate line below:

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

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

This is A Quite Single FAMILY Neighborhood. IF Comercial B&d G Are Alowed it will disrupt our lives & affect our Property VAlue. This has Been Raised before & Denied. Now That homes are going up it would bee even worse FOR Them, THANK YOU For your Consideration

Name: PATSY R EVANS ELTON EVANS (Deceased)

Address: 206 TANYA Dr. ROCKWALL, TX

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

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Case No. Z2014-036: PD Development - RO District

Please place a check mark on the appropriate line below:

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

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

Mr Bobst continues his efforts to change the zoning of this property from single-family lot. This property is surrounded by single-family dwellings. We are adamantly opposed to the change AGAIN and the neighborhood likely continues in its opposition.

Name: Frank & LaDonna Walters

Address: 1607 South Alamo Rd, Rockwall

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

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

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

Please help us preserve the residential quality of our neighborhood. Vote NO

115

Miller, Ryan

From: LaCroix, Robert
Sent: Tuesday, December 30, 2014 2:28 PM
To: Miller, Ryan
Subject: FW: Z2014-036

You might put in the file.

From: Jim Greenwalt [mailto:]
Sent: Tuesday, December 30, 2014 10:15 AM
To: LaCroix, Robert
Subject: Z2014-036

Good morning Robert, Ryan, Mayor & Council Members:

I am against the rezoning of the tracts of land addressed as 1312 & 1316 Ridge Road (FM 740) from a single-family use to a planned development that includes medical and office uses. This represents an intrusion upon our residential neighborhood and reflects "spot zoning" at its worst.

Bill Lofland's home has always been the buffer between the commercial uses on Ridge Road and the residences to the south, and Bill has always been fine with this. The east side of Ridge Road provides for ample developable land for medical, office, and commercial uses. This proposed use would decrease property values in our neighborhood and hinder the sale of homes overshadowed by a non-residential structure.

During my eight years serving on the Planning and Zoning Commission, I cannot recall such a blatant attempt to infringe upon a residential community in Rockwall. I am retired from the Office of Economic Development of the City of Dallas; and in my time there, I rarely saw a request such as this that was not motivated by a political force with obvious financial considerations. Speculating in real estate has always been a risky venture...hoping to upgrade zoning, entitlements, and/or density to make property more valuable. In this case, the property owner has overreached common sense and consideration for the surrounding residential community and should be faced with the reality of having to live with the existing zoning on the property that was purchased.

Hopefully the Commission and Council will deny this rezoning request again with prejudice.

Please be so kind as to provide my comments to the P&Z Commissioners, Mayor, and Council Members and to confirm receipt of this email.

Sincerely,

Jim Greenwalt
209 Tanya Drive

OUTSIDE OF NOTIFICATION AREA

PLEASE RETURN THE BELOW FORM

Case No. Z2014-036: PD Development - RO District

Please place a check mark on the appropriate line below:

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

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

- Would like it to remain residential to maintain character/ambience of the neighborhood.
- increase in traffic (safety issue for neighborhood children)
- decrease in property value

Name: CHARLES & CATHY PINNELL

Address: 1425 SOUTH ALAMO ROAD ROCKWALL 75087

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

C Pinnell C Pinnell January 9, 2015

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

To Whom It May Concern:

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Case No. Z2014-036: PD Development - RO District

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

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

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

Your comments must be received by **1/20/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

- - - - PLEASE RETURN THE BELOW FORM - - -

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

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

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Robert LaCroix, AICP
Director of Planning & Zoning

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Case No. Z2014-036: PD Development - RO District

Please place a check mark on the appropriate line below:

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

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

TRAFFIC AT SUMMIT RIDGE, RIDGE RD. AND BECKY LN. WE ALREADY FOUGHT WITH BOB BOBST AND HE WAS DEFEATED. OUR NEIGHBORHOOD AND US DO NOT WANT THIS. WE HAD OUR FIRST BREAK-IN (CARS) IN 38 YEARS A FEW DAY AGO! (BECAUSE ALAMO IS NOW A THRU STREET)

Name: DR. JOHN + PAULETTE WEDDLE

Address: 1601 S. ALAMO RD.

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

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

1/8/2015

Billy Peoples
1308 Ridge Road
Rockwall Tx. 75087

I Agree with the zoning change on the property located Next door to my house.

I have reviewed the zoning request and I believe it to be the best use for this property.

Thank You
Billy Peoples

BILLY PEOPLES REAL ESTATE
302 S. Goliad
P.O. Box 35
Rockwall, TX 75087

BILLY PEOPLES
BROKER

RESIDENTIAL • FARMS • INVESTMENTS • COMMERCIAL

972-771-3962 FAX
972-742-7087 CELL
OFFICE 972-771-8481
HOME 972-771-5120

120

Rick Dirske
Dirkse & Associates
3077 N. Goliad Street
Rockwall, Tx. 75087

Re: Zoning Application for 1312 Ridge Road, Rockwall, Tx. 75087

To whom it may concern:

I am writing a letter of support for the current zoning change of the above mentioned property.

I have purchased and now own the home site at 1505 S. Alamo Drive, directly behind this above mentioned property to the west. I am and was fully aware at the time that I purchased the property that at some point in time the zoning on 1312 Ridge Rd would more than likely change to some type of commercial zoning.

I do not feel that the type of zoning being requested will detract value from the homes and lots in the Eagle Point subdivision.

Regards,



Rod Holland
214-641-6434

121

Rick Dirske
Dirske and Associates
3077 N Goliad
Rockwall, Texas 75087

Rockwall Planning and Zoning
City of Rockwall
Rockwall, Texas

RE: Rick Dirske's Zoning Application for 1312 Ridge Road

Dear Members of the Planning and Zoning Commission,

I do not believe that the zoning request for 1312 Ridge Road will adversely affect the value of my home at 1515 S Alamo. The conceptual request I received from Mr. Dirske and the City to change the zoning to a Planned Development Residential Office is a favorable transition.

I have known Mr. Dirske for over 30 years and we were members together in Rotary. I believe he is a man of character and honesty.

Respectfully,

Richard E. Slaughter, Jr.
1515 S Alamo
Rockwall, Texas 75087

January 12, 2015

Rick Dirske
Dirske and Associates
3077 N Goliad Street
Rockwall, TX 75087

RE: Zoning Application for 1312 Ridge Road, Rockwall, TX

To Whom it May Concern:

I am the owner of the residential lot located at 1515 South Alamo Drive, located directly behind the above referenced property. I was aware of the proposed zoning change when I purchased the residential lot and have no objection to the proposed change.

Respectfully,

Steve Reid
214-202-6566

Rick Dirkse

Dirkse and Associates

3077 N. Goliad Street

Rockwall, Tx. 75087

RE: Zoning Application for 1312 Ridge Road, Rockwall Tx 75032

To Whom it may concern:

I am writing in support for the current zoning change of the above mentioned property. All of the 5 adjacent property owners are in favor of Mr. Dirkse's new office.

When the property was developed each property owner was required during closing to sign as part of their Covenants and Restrictions that they were made aware and in fact, in favor of an office project being on Ridge Road just to the east of their property. This Exhibit A is attached.

Residential homes on Ridge only a few lots away have been rezoned in similar fashion and their property values have **tripled in value.**

Therefore, there should be no reason for P&Z or City of Rockwall to not fully support Mr. Dirkse's application for office zoning.

Best Regards,

D.W. Bobst
469-402-1522

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

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

To Whom It May Concern:

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

Case No. Z2014-036: PD Development - RO District

Hold a public hearing to discuss and consider a request by Rick Dirkse on behalf of D. W. Bobst of J-BR2, LLC for the approval of a zoning change from a Single Family 10 (SF-10) District to a Planned Development District allowing for office, medical office and single-family land uses on two (2) parcels of land, being 1.666-acres, identified as Lots 1 & 2, Block B, Eagle Point Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1312 & 1316 Ridge Road [FM-740], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 1/13/2015 at 6:00 p.m.**, and the City Council will hold a public hearing on **Tuesday, 1/20/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by **1/20/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-036: PD Development - RO District

Please place a check mark on the appropriate line below:

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

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

Name: D W Bobst

Address: 1460 Ridge Rd

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

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

City of Rockwall

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

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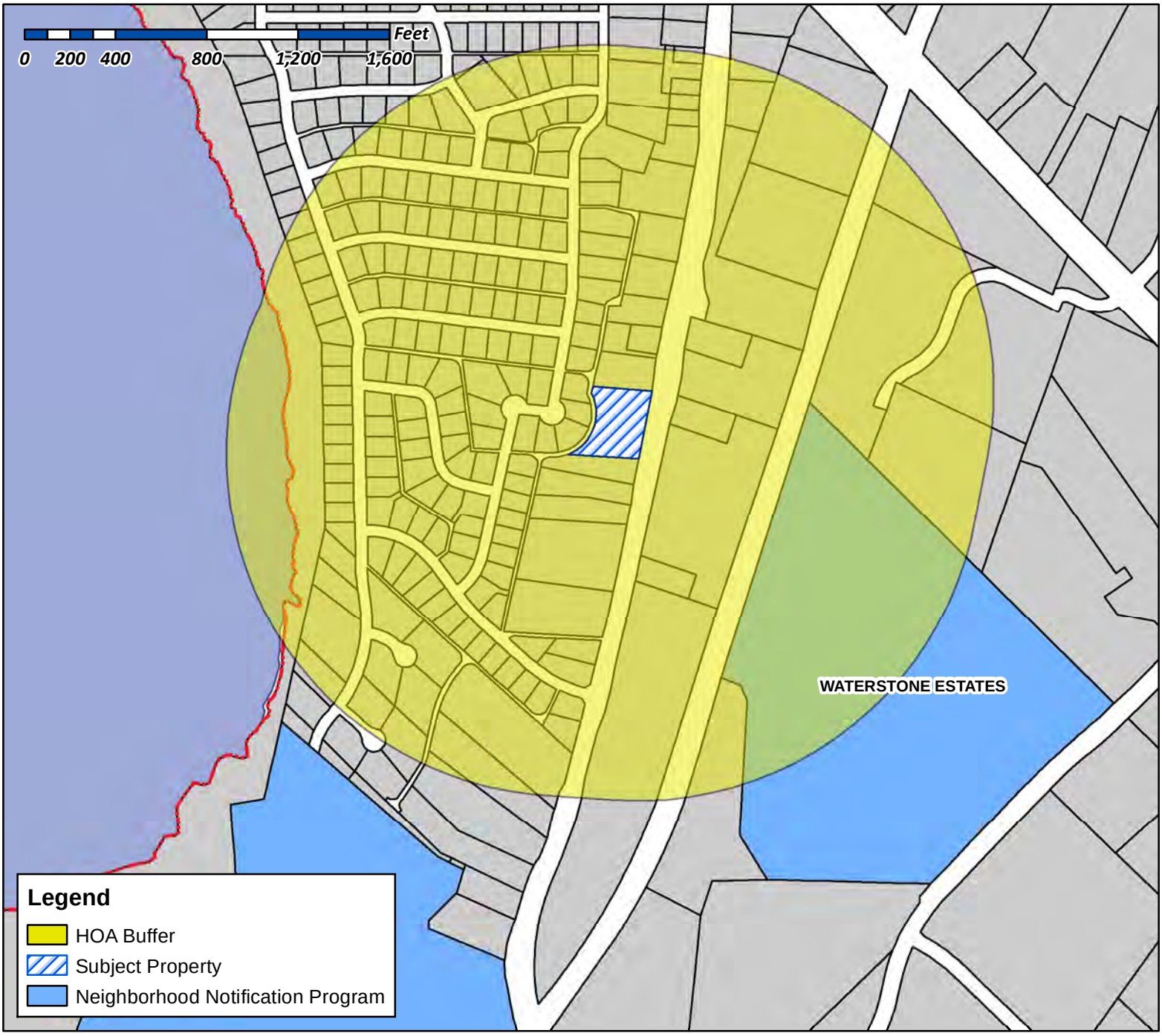
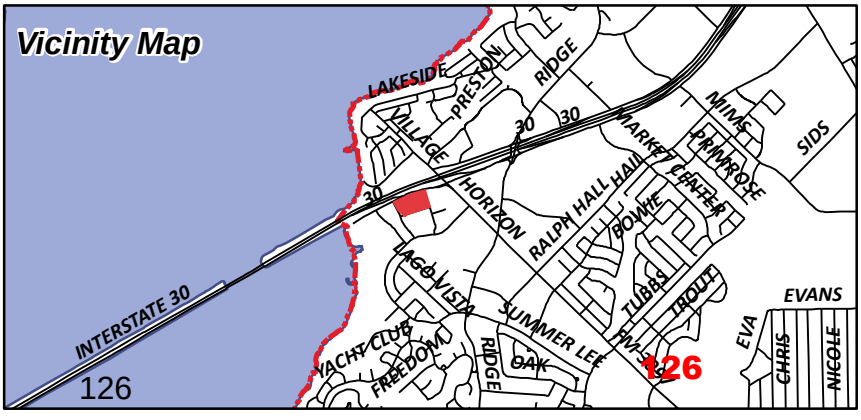
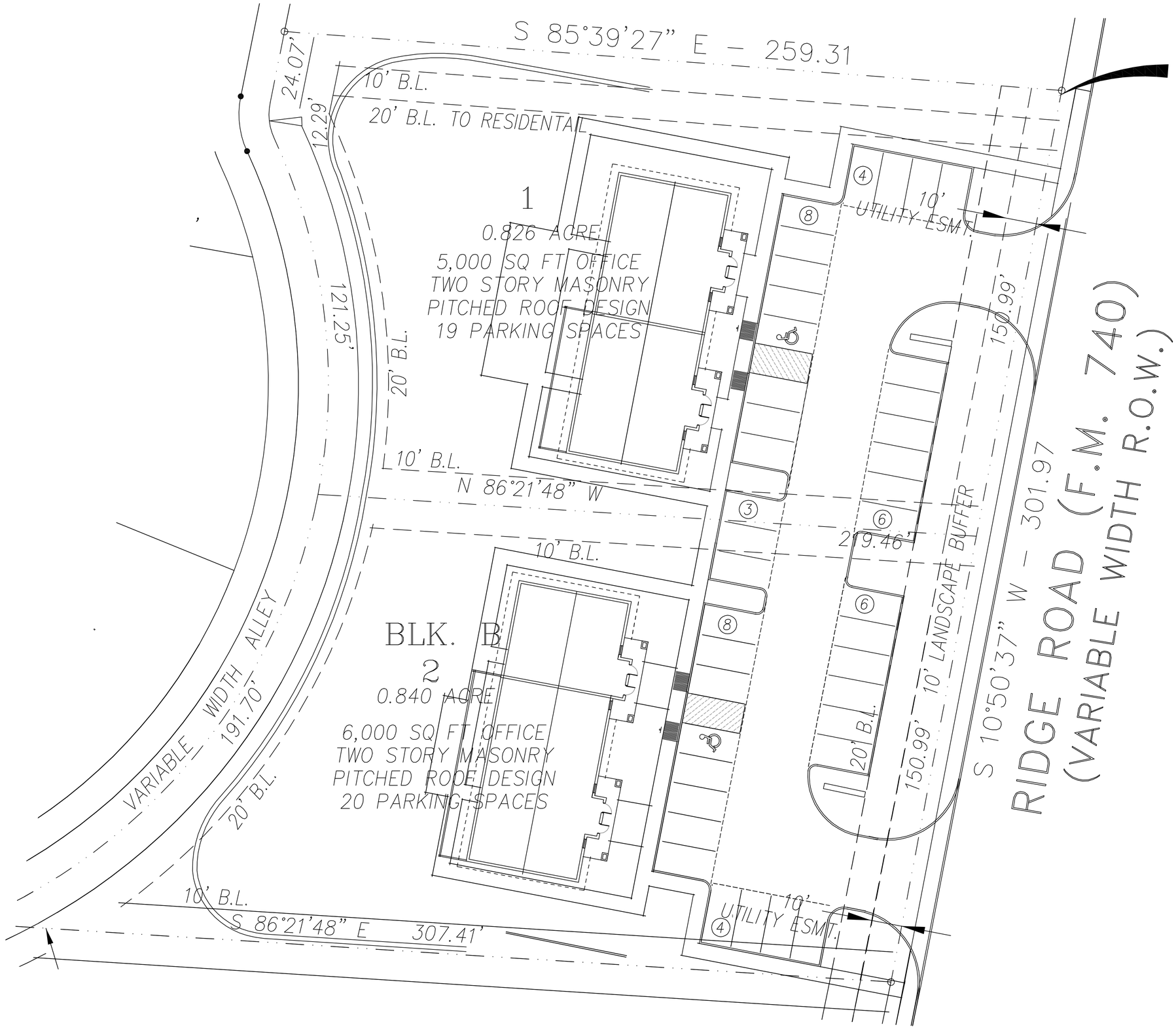
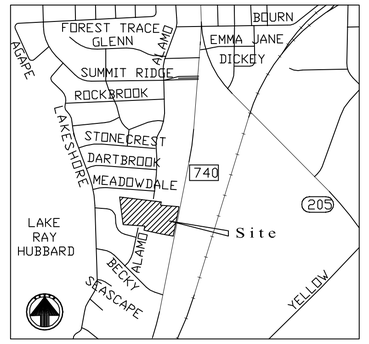


Case Number: Z2014-036
Case Name: SF-10 to PD
Case Type: Zoning
Zoning: SF-10
Case Address: 1310 & 1316 Ridge Road

Date Created: *12/19/2014*
For Questions on this Case Call (972) 771-7745







VICINITY MAP

NTS

N

0 30 60

SCALE IN FEET

SITE DEVELOPMENT CONCEPT I

Concept Site Plan-Block B, Lot 1 & 2
EAGLE POINT ESTATES

~13 Lots~

BEING A 7.054 AC. TRACT OF LAND SITUATED IN THE D. ATKINS SURVEY, ABST. NO. 1 IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Land Planner / Landscape Architect:
T. H . Pritchett Associates
1218 Camino Lago
Irving, Texas 75039
(214) 697-2580

Owner:
DAN BOBST
1400 Ridge Rd.
Rockwall, Texas 75087
(469) 402-0390

Surveyor:
MADDOX SURVEYING
P.O. Box 2109
Forney, Texas 75126
(972) 564-4416

Engineer:
F.C. CUNY CORP.
#2 Horizon Ct.
Heath, Texas 75032
(469) 402-7700

DECEMBER 12, 2014

1"=60'

PD Development Standards.

1. *Purpose.* It is the intent of this zoning ordinance to allow for low intensity office development that provides office space for professional and medical office services while creating an area of transition between the residential land uses to the east and Ridge Road, a busy arterial thoroughfare to the west.

2. *Allowed Uses*. The following are the only permitted land uses that are permitted to be established on the *Subject Property*:

    a. *Single Family 10 (SF-10) District Land Uses.* Uses permitted *by right* or by *Specific Use Permit (SUP)* in the Single Family 10 (SF-10) District as stipulated by Section 1.1, *Use of Land and Buildings,* of Article IV, *"Permissible Land Uses",* of the Unified Development Code *[Ordinance No. 04-38].*

    b. *General Office Land Uses*

    c. *Medical Office Land Uses*

3. *Maximum Building Square Footage*. The *Subject Property* may contain one (1) building 5,000 SF or less and one (1) building 6,000 SF or less as depicted in *Exhibit 'B'* of this ordinance.

4. *Area Requirements and Development Standards.* Any development or redevelopment of the subject property shall conform to the Residential-Office (RO) District development standards stipulated by Section 4.2, *Residential-Office (RO) District*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*]; however, any building being constructed on the *Subject Property* shall not exceed 36-feet in total height.

5. *Roof Design Standards.* All buildings proposed for the subject property shall be constructed with a pitched roof system that is comparable to adjacent residential development.

6. *Screening Fence Standards*. Screening fences used to screen the *Subject Property* from adjacent residential properties may be constructed utilizing a typical *board-on-board* residential wood fence standard, which conforms to the requirements stipulated within the *Municipal Code of Ordinances*.

7. *Additional Restrictions.* No fence, which is not explicitly permitted within this ordinance or any other type of barricade, shall be permitted on any property depicted in the *Zoning Exhibit* in *Exhibit 'B'*.

DRAFT ORDINANCE 01.20.15



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130


APPLICANT'S CURRENT OFFICE/RESIDENCE



132

EXAMPLES OF SIMILAR DEVELOPMENTS IN ROCKWALL



133



REAR OF PREVIOUS BUILDING

134

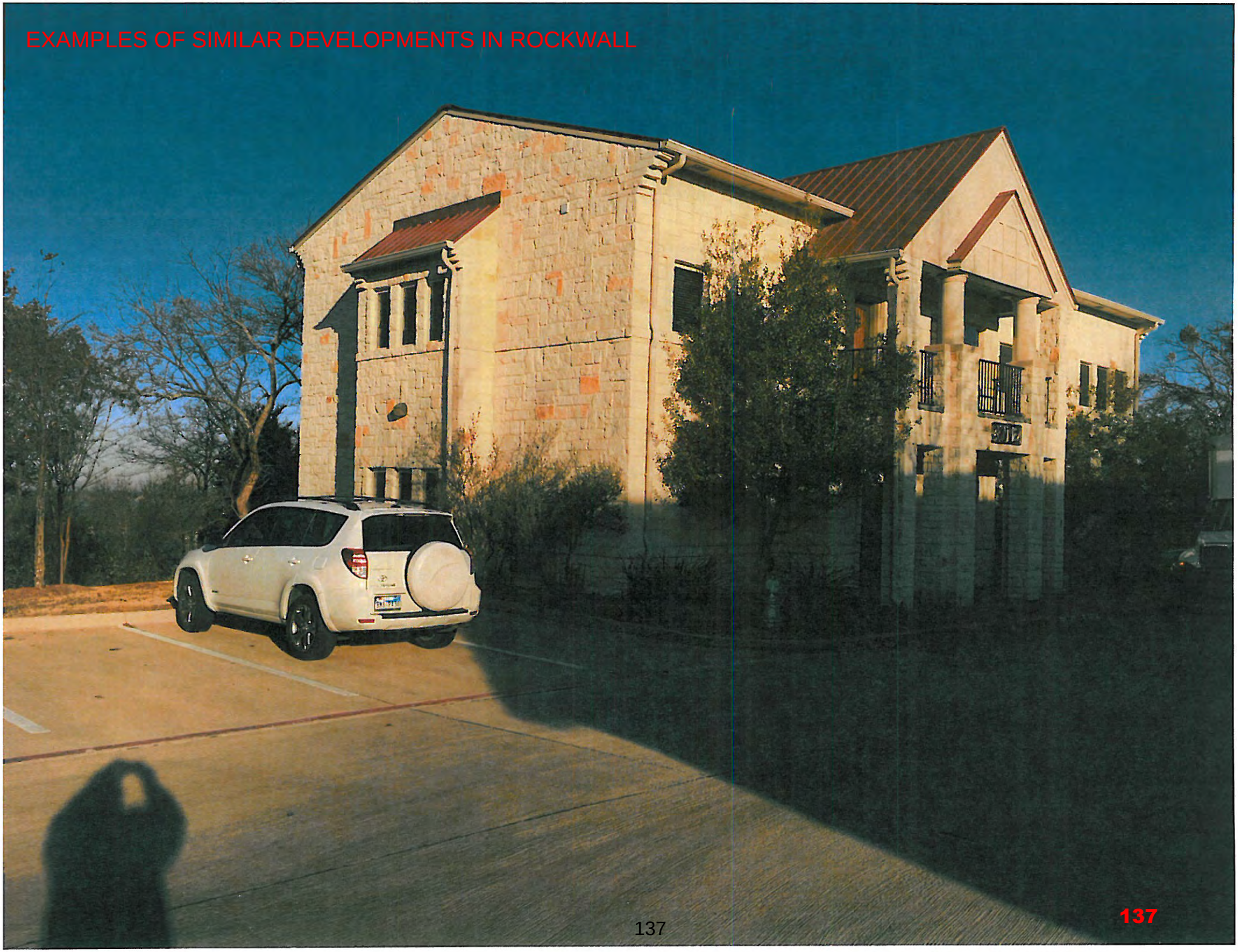
EXAMPLES OF SIMILAR DEVELOPMENTS IN ROCKWALL



135


REAR OF PREVIOUS BUILDING

EXAMPLES OF SIMILAR DEVELOPMENTS IN ROCKWALL



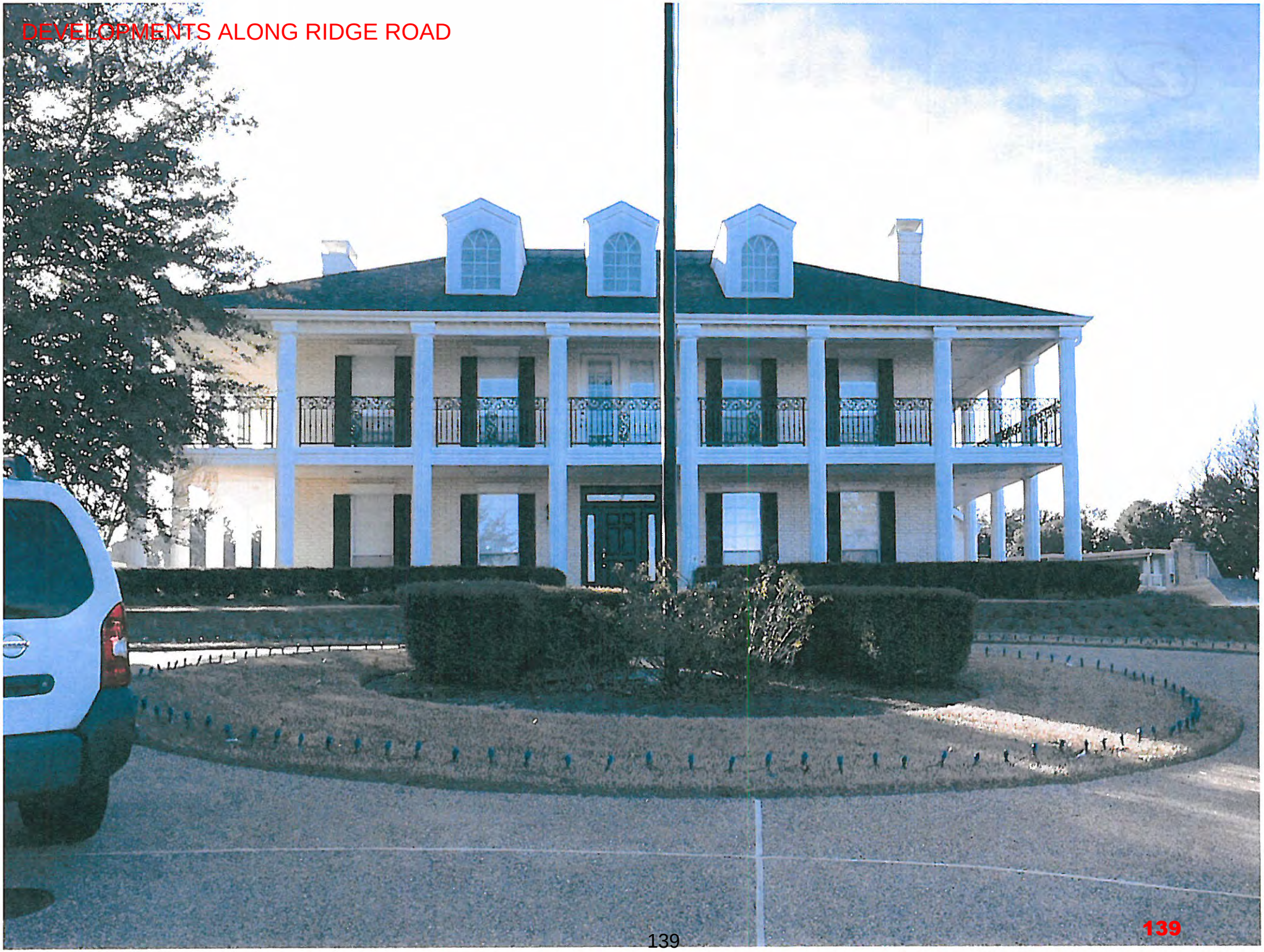
137



REAR OF PREVIOUS BUILDING

138

DEVELOPMENTS ALONG RIDGE ROAD



139

DEVELOPMENTS ALONG RIDGE ROAD



140



CITY OF ROCKWALL

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM A SINGLE FAMILY 10 (SF-10) DISTRICT TO A PLANNED DEVELOPMENT DISTRICT FOR RESIDENTIAL-OFFICE (RO) DISTRICT DEVELOPMENT STANDARDS WITH LIMITED LAND USES ON TWO (2) PARCELS OF LAND, BEING 1.666-ACRES, IDENTIFIED AS LOTS 1 & 2, BLOCK B, EAGLE POINT ESTATES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Rick Dirkse on behalf of the owner, D. W. Bobst of J-BR2, LLC, for the approval of an amendment to the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall to adopt a change in zoning from a Single Family 10 (SF-10) District to a Planned Development District for Residential-Office (RO) District development standards with limited land uses on two (2) parcels of land, being 1.666-acres, identified as Lots 1 & 2, Block B, Eagle Point Estates Addition, City of Rockwall, Rockwall County, Texas, addressed as 1312 & 1316 Ridge Road [*FM-740*], and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 2. That the *Subject Property* shall strictly adhere to the *Zoning Exhibit*, described in *Exhibit 'B'* of this ordinance, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 3. That the development or redevelopment of the *Subject Property* shall generally be in accordance with the *PD Development Standards*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be

DRAFT ORDINANCE 04.20.15

a condition of approval of the amended zoning classification for the *Subject Property*;

Section 4. The *Official Zoning Map* of the City of Rockwall, Texas shall be amended to reflect the change in zoning for the *Subject Property* as described in this ordinance;

Section 5. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 7. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 8. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 20TH DAY OF FEBRUARY, 2015.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *January 20, 2015*

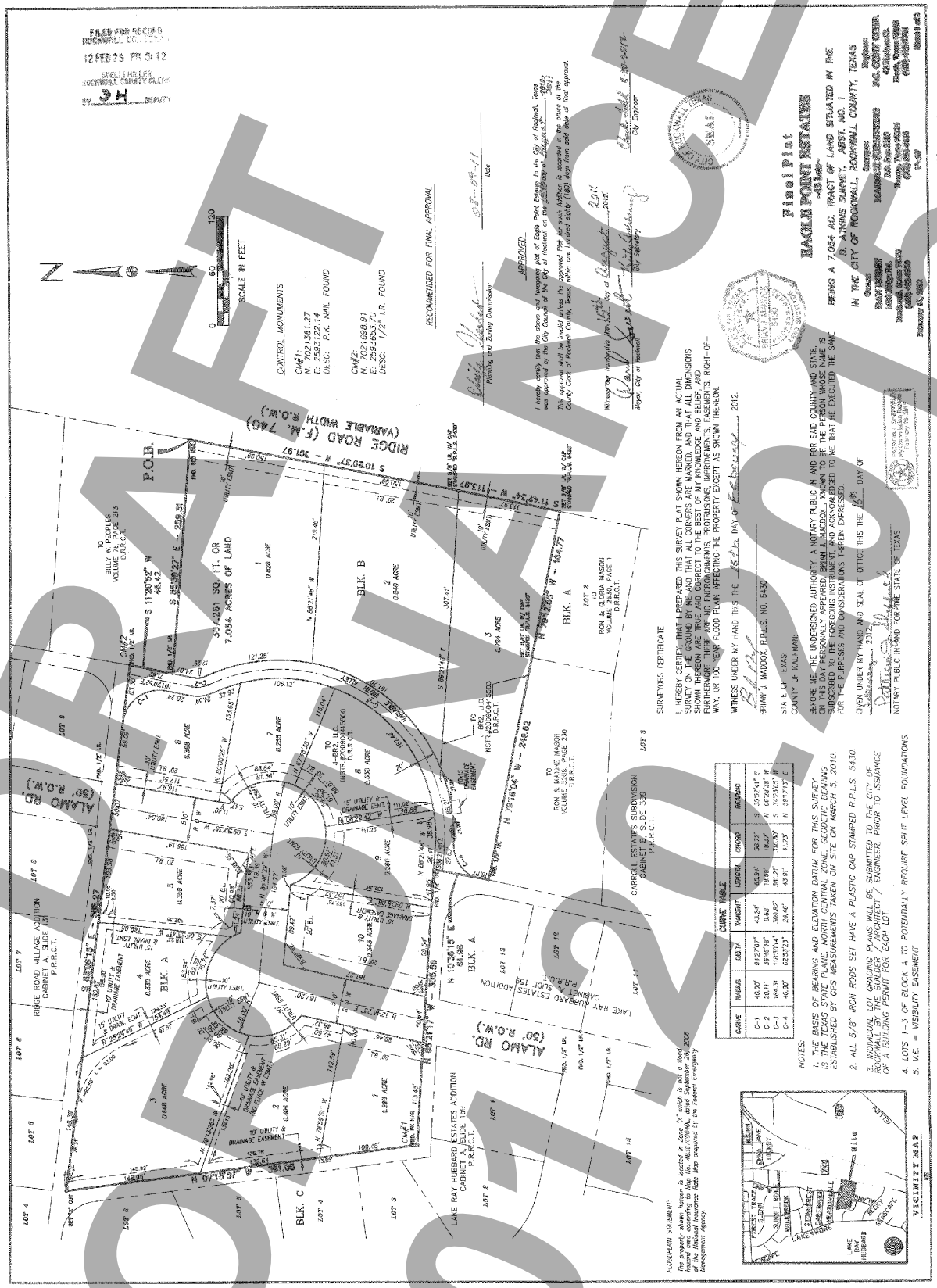
2nd Reading: *February 2, 2015*

DRAFT ORDINANCE 01.20.15

Exhibit 'A':

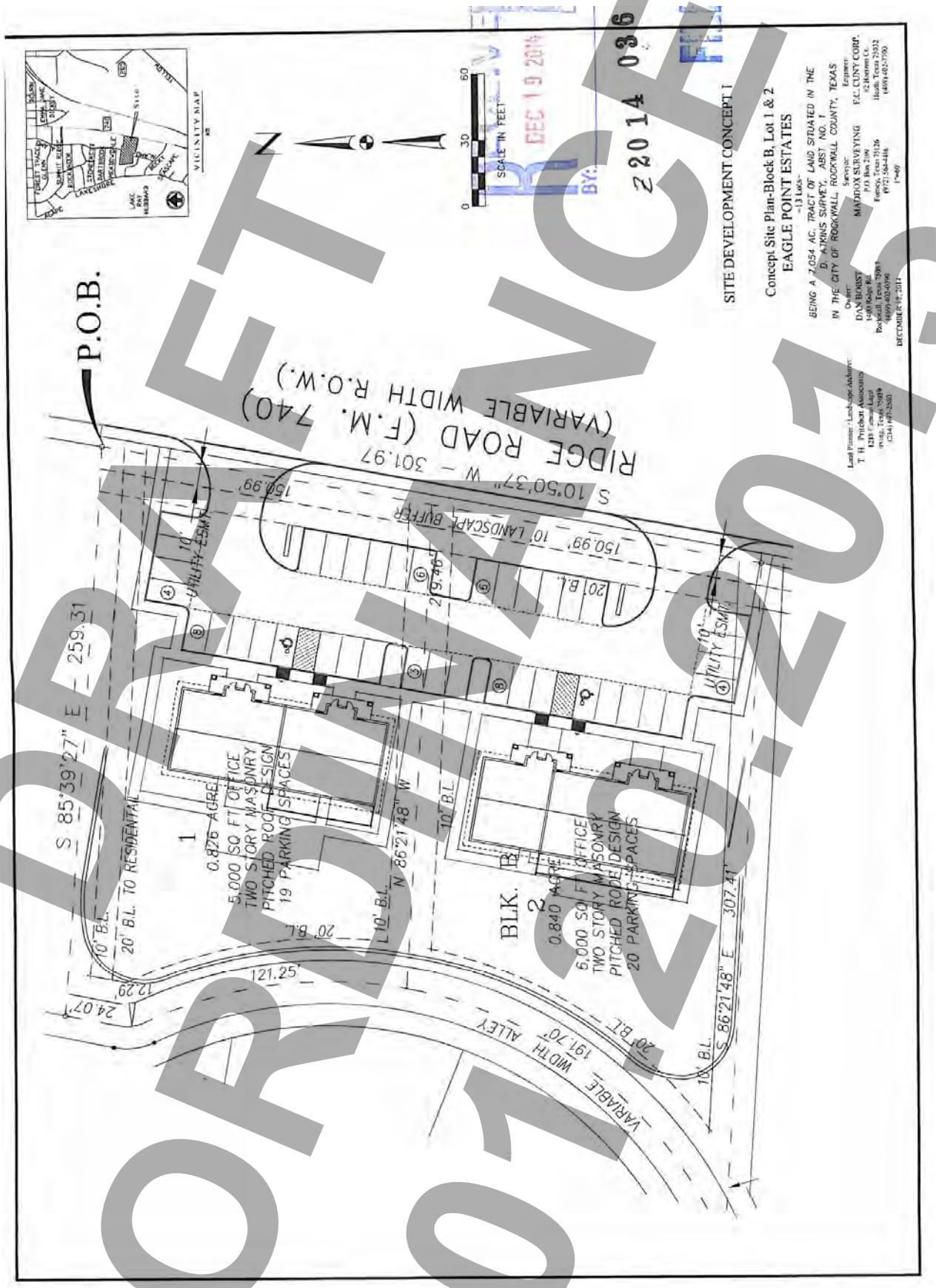
Subdivision Plat

Lot 1 & 2 Block B, Eagle Point Addition



DRAFT
OR
01.20.15

Exhibit 'B':
Zoning Exhibit



DRAFT
ORDINANCE
01.20.15

PD Development Standards.

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7. *Additional Restrictions.* No fence, which is not explicitly permitted within this ordinance or any other type of barricade, shall be permitted on any property depicted in the *Zoning Exhibit* in *Exhibit 'B'*.

DRAFT ORDINANCE 01.20.15

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 1/20/2015

APPLICANT: Bricker Enterprise Company

AGENDA ITEM: **Z2014-037;** Indoor Auto Center

SUMMARY:

Hold a public hearing to discuss and consider a request by Bill Bricker of Bricker Enterprise Company (DBA Brick House Cars) on behalf of Rockwall Commercial Property Management for the approval of a Specific Use Permit to allow for an Indoor Motor Vehicle Dealership/Showroom on a one (1) acre portion of a larger 50.826-acre tract of land, identified as Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1200 E. Washington Street, and take any action necessary.

BACKGROUND INFORMATION:

The applicant has requested approval of a Specific Use Permit to allow for an Indoor Motor Vehicle Dealership/Showroom. On November 11, 2014, the City Council approved an ordinance that included adding this land use and associated special conditions to the permissible use chart within the UDC as a permitted use within the HC or HI zoning districts and requiring approval of an SUP within the GR or LI zoning districts. The subject property is zoned LI; therefore, it requires the approval of an SUP for this particular use.

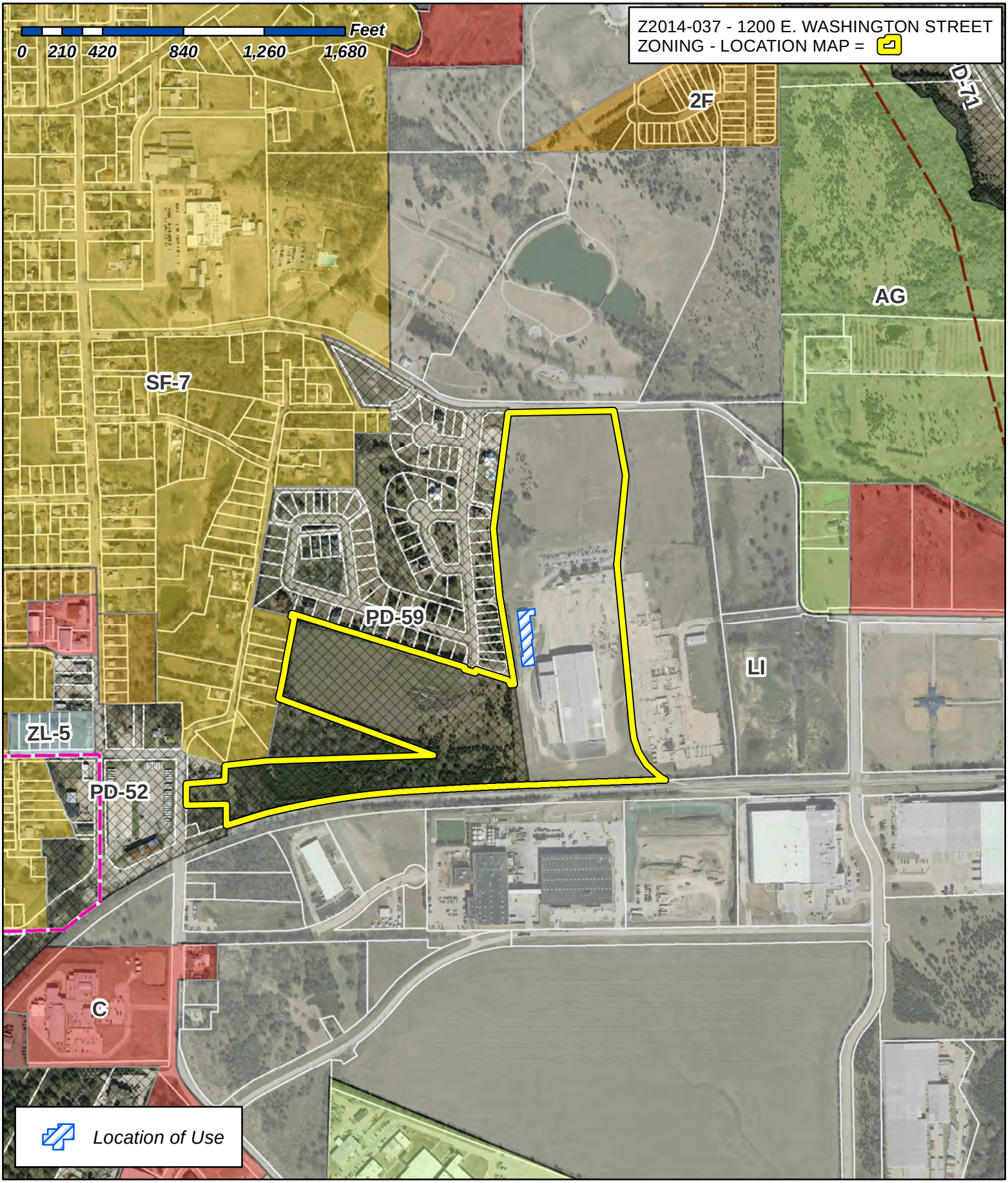
The applicant's internet based business will utilize a portion of an existing 12,500 square foot building to house the indoor used car business operations. All business operations will take place inside the building and will be by appointment only. The applicant's request conforms to all special conditions required for this use as stipulated by the UDC.

NOTIFICATION:

A notice was published in the Rockwall County Herald-Banner on December 26, 2014. Staff mailed one hundred thirty-five (135) notices to property owners and non-owner occupants within 500 feet of the subject property. Additionally, staff posted signage along the street frontage adjacent to the subject property as required by the UDC. At the time this case memo was drafted, staff had received five (5) responses from four (4) property owners indicating support for the request.

PLANNING & ZONING COMMISSION:

On January 13, 2015, the Planning & Zoning Commission recommended approval of the SUP request by a vote of 6-0 (Commissioner Fishman absent).



City of Rockwall

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

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149

1:7,708

City of Rockwall

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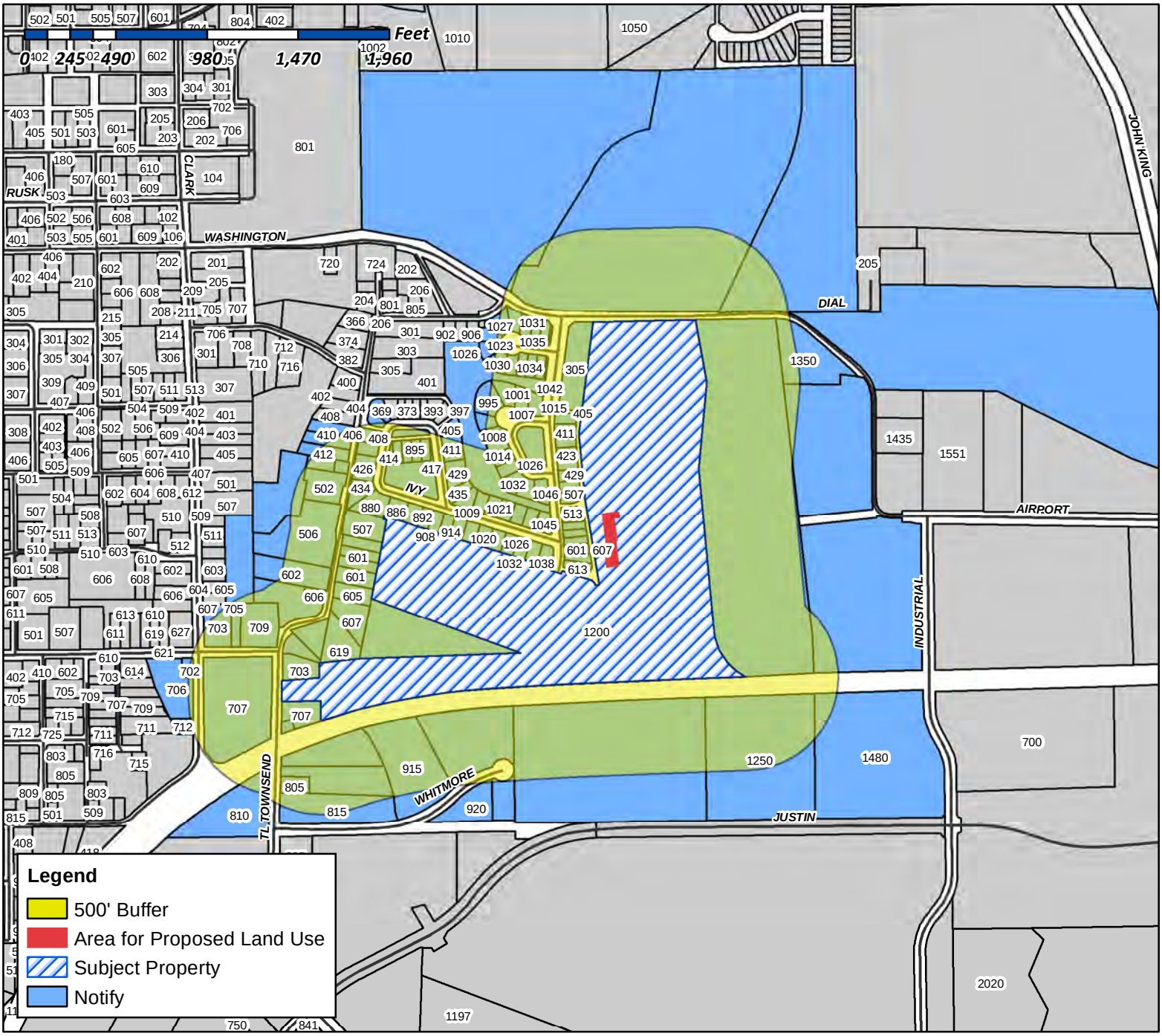
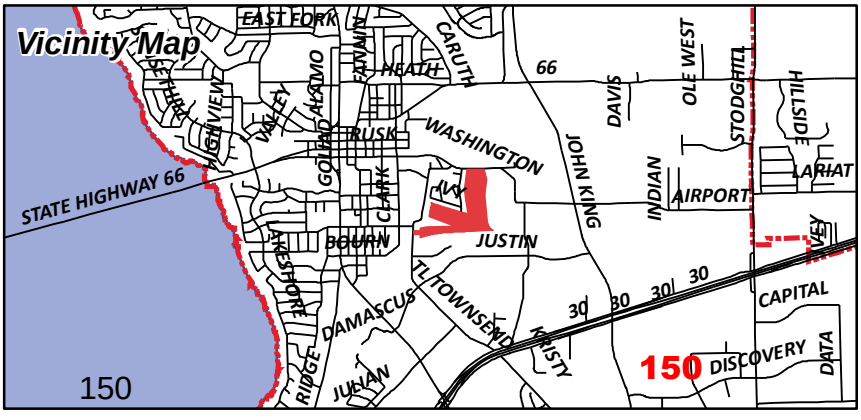


Case Number: Z2014-037
Case Name: 1200 E. Washington St
Case Type: Specific Use Permit
Zoning: LI
Case Address: 1200 E. Washington St

Date Created: *12/19/2014*

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



CROSS_REF	Name	Legal Description	Address 1	Address 2	Address 3	City	State	Zip
0020-0000-0003-00-0R	FUNK JOSEPH	A0020 N BUTLER, TRACT 3, ACRES 31.393		6623 ROYAL CREST DR		DALLAS	TX	75230
0020-0000-0007-00-0R	ROCKWALL 12.833 LP	A0020 N BUTLER, TRACT 7, ACRES 12..671		1202 KIRKCALDY CT		SOUTHLAKE	TX	76092
0029-0000-0013-00-0R	Current Occupant	A0029 R BALLARD, TRACT 13, ACRES 0.5		507 RENFRO ST		ROCKWALL	TX	75087
0029-0000-0013-00-0R	HITT FLOYD ESTATE	A0029 R BALLARD, TRACT 13, ACRES 0.5	DOROTHY SUE HITT MATTHIES AND	LYNDEL RAY TIPTON JR INDEPENDENT CO EXECUTORS	7836 YAMINI DR	DALLAS	TX	75230
0029-0000-0014-00-0R	COX GERALD GLEN & ROSALBA	A0029, R BALLARD, TRACT 14, 1.83 ACRES		3150 HAYS LN		ROCKWALL	TX	75087
0029-0000-0018-00-0R	HARRIS RICHARD D & JUDY A	A0029 R BALLARD, TRACT 18, ACRES 0.109, 68X70, 500 RENFRO		210 GLENN AVE		ROCKWALL	TX	75087
0029-0000-0018-00-0R	Current Occupant	A0029 R BALLARD, TRACT 18, ACRES 0.109, 68X70, 500 RENFRO		500 RENFRO ST		ROCKWALL	TX	75087
0029-0000-0018-01-0R	OLIVARES JAIME	A0029 R BALLARD, TRACT 18-1, ACRES 0.236		1209 QUAIL DR		GARLAND	TX	75040
0029-0000-0024-00-0R	GARRETT A A	A0029, R BALLARD, TRACT 24, 1.747 ACRES	C/O GERRY B GARRETT	1000 E YELLOW JACKET LN		ROCKWALL	TX	75087
0029-0000-0030-00-0R	HOGUE MARVIN E & JOYCE M	A0029 R BALLARD, TRACT 30, ACRES 1.17, 602 RENFRO	LIFE ESTATE	602 RENFRO ST		ROCKWALL	TX	75087
0029-0000-0031-00-0R	Current Occupant	A0029 R BALLARD, TRACT 31, ACRES 47.44, (PT OF 50.826 AC TR)		1200 E WASHINGTON		ROCKWALL	TX	75087
0029-0000-0031-00-0R	COLUMBIA EXTRUSION CORP	A0029 R BALLARD, TRACT 31, ACRES 47.44, (PT OF 50.826 AC TR)	ATTN: BILL BRICKER	305 PARK PLACE BLVD		ROCKWALL	TX	75087
0029-0000-0035-00-0R	Current Occupant	A0029 R BALLARD, TRACT 35, ACRES 0.681, (PT OF 50.826 AC TR)		707 TOWNSEND		ROCKWALL	TX	75087
0029-0000-0052-00-0R	ABBOTT TODD & WHITNEY	A0029 R BALLARD, TRACT 52, ACRES 0.33		619 RENFRO ST		ROCKWALL	TX	75087
0029-0000-0055-00-0R	CALDWELL KEVIN L & LINDA D	A0029 R BALLARD, TRACT 55, ACRES 0.452		605 RENFRO ST		ROCKWALL	TX	75087
0029-0000-0065-00-0R	HAMM MARY ALICE	A0029 R BALLARD, TRACT 65, ACRES 2.6, 506 RENFRO		506 RENFRO ST		ROCKWALL	TX	75087
0029-0000-0068-00-0R	ROCKWALL COMMUNITY PLAYHOUSE	A0029 R BALLARD, TRACT 68, ACRES 7.497		609 E RUSK ST		ROCKWALL	TX	75087
3123-000A-0001-00-0R	SAMPLES CLARENCE E & ELVA NELL	BLUE SKY SUBD, BLOCK A, LOT 1, ACRES 0.786, ALSO A0029 R BALLARD, TR 23		502 RENFRO ST		ROCKWALL	TX	75087
3140-0067-0000-00-0R	DARLING MARJORIE A	B F BOYDSTON, BLOCK PT OF 67, ACRES 1.09		709 E BOYDSTUN AVE		ROCKWALL	TX	75087
3140-0068-0000-B0-0R	HOGUE ALLEN	B F BOYDSTON, BLOCK 68 & PT 67, LOT B, ACRES .167		513 RIDGEVIEW DR		ROCKWALL	TX	75087
3140-0068-0000-B0-0R	Current Occupant	B F BOYDSTON, BLOCK 68 & PT 67, LOT B, ACRES .167		705 E BOYDSTUN AVE		ROCKWALL	TX	75087
3140-0069-0000-00-0R	Current Occupant	B F BOYDSTON, BLOCK 69,65,66, ACRES 3.810		707 S CLARK		ROCKWALL	TX	75087
3140-0069-0000-00-0R	ROCKWALL INDEPENDENT SCHOOL	B F BOYDSTON, BLOCK 69,65,66, ACRES 3.810	DISTRICT PUBLIC FACILITY CORP	801 E WASHINGTON ST		ROCKWALL	TX	75087
3140-0108-0000-00-0R	HARRIS J E	B F BOYDSTON, BLOCK 108, ACRES 1.5	C/O JO KAY HARRIS GLASS	301 MEADOWDALE DR		ROCKWALL	TX	75087
3140-0110-0000-00-0R	Current Occupant	B F BOYDSTON, BLOCK 110, ACRES .1377		702 S CLARK ST		ROCKWALL	TX	75087
3140-0110-000A-00-0R	Current Occupant	B F BOYDSTON, BLOCK 110, LOT A & C, ACRES 1.127		706 S CLARK ST		ROCKWALL	TX	75087
3140-0110-000A-01-0R	Current Occupant	B F BOYDSTON, BLOCK 110, LOT PT OF LOTS A & C, ACRES 0.33		712 CLARK ST		ROCKWALL	TX	75087
3254-0001-0001-00-0R	Current Occupant	CEDAR GROVE CHRISTIAN CHURCH, BLOCK 1, LOT 1, ACRES 3.175		810 HIGH SCHOOL		ROCKWALL	TX	75087
3403-000A-0001-00-0R	TOWNSEND PROFESSIONAL CENTRE LLC	CORRIGAN LAW OFFICE ADDITION, BLOCK A, LOT 1, ACRES 0.31		703 MCKINNEY AVE	SUITE 400	DALLAS	TX	75202
3403-000A-0001-00-0R	Current Occupant	CORRIGAN LAW OFFICE ADDITION, BLOCK A, LOT 1, ACRES 0.31		805 TOWNSEND		ROCKWALL	TX	75087
3835-000A-0005-00-0R	Current Occupant	RICHARD HARRIS #2, BLOCK A, LOT 5		408 RENFRO ST		ROCKWALL	TX	75087
3835-000A-0006-00-0R	Current Occupant	RICHARD HARRIS #2, BLOCK A, LOT 6		410 RENFRO ST		ROCKWALL	TX	75087
3835-000A-0007-00-0R	Current Occupant	RICHARD HARRIS #2, BLOCK A, LOT 7		412 RENFRO ST		ROCKWALL	TX	75087
3841-000A-0001-00-0R	Current Occupant	RICHARD HARRIS SUBD #6, BLOCK A, LOT 1		703 TOWNSEND DR		ROCKWALL	TX	75087
3995-0001-0001-00-0R	Current Occupant	ALLEN HOGUE SUBD, BLOCK 1, LOT 1		703 E BOYSTUN AVE		ROCKWALL	TX	75087
4134-000A-0001-00-0R	WARDELL JOHN P & JULIE C	LAS PRIMERAS, BLOCK A, LOT 1		880 IVY LN		ROCKWALL	TX	75087
4134-000A-0003-00-0R	Current Occupant	LAS PRIMERAS, BLOCK A, LOT 3		601 RENFRO ST		ROCKWALL	TX	75087
4470-000A-0005-00-0R	Current Occupant	MUNICIPAL IND PARK, BLOCK A, LOT 5, ACRES 3.35, (REPLAT 2005)		915 WHITMORE		ROCKWALL	TX	75087
4470-000A-0008-00-0R	VARNER ROBERT R JR &	MUNICIPAL IND PARK, BLOCK A, LOT 8, ACRES 2.29, (REPLAT 2008)	GLEN COX	815 TL TOWNSEND		ROCKWALL	TX	75087
4470-000B-0001-00-0R	CHARTER COMMUNICATIONS VI LLC	MUNICIPAL IND PARK, BLOCK B, LOT 1, ACRES 0.931	ACCOUNTS PAYABLE	15100 TRINITY BLVD	STE 500	FORT WORTH	TX	76155
4470-000B-0001-00-0R	Current Occupant	MUNICIPAL IND PARK, BLOCK B, LOT 1, ACRES 0.931		920 WHITEMORE		ROCKWALL	TX	75087
4621-000A-0001-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK A, LOT 1, (REPLAT 2007)		1046 ST THOMAS CT		ROCKWALL	TX	75087
4621-000A-0002-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK A, LOT 2, (REPLAT 2007)		1042 ST THOMAS CT		ROCKWALL	TX	75087
4621-000A-0003-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK A, LOT 3, (REPLAT 2007)		1038 ST THOMAS CT		ROCKWALL	TX	75087
4621-000A-0004-00-0R	MISHLER MICHAEL & RHONDA	PARK PLACE WEST PH II ADDITION, BLOCK A, LOT 4, (REPLAT 2007)		1034 SAINT THOMAS CT		ROCKWALL	TX	75087
4621-000A-0005-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK A, LOT 5, (REPLAT 2007)		1030 ST THOMAS CT		ROCKWALL	TX	75087
4621-000A-0006-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK A, LOT 6, (REPLAT 2007)		1026 ST THOMAS CT		ROCKWALL	TX	75087
4621-000A-0007-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK A, LOT 7, (REPLAT 2007)		1023 ST THOMAS CT		ROCKWALL	TX	75087
4621-000A-0008-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK A, LOT 8, (REPLAT 2007)		1027 ST THOMAS CT		ROCKWALL	TX	75087
4621-000A-0009-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK A, LOT 9, (REPLAT 2007)		1031 ST THOMAS CT		ROCKWALL	TX	75087
4621-000A-0010-00-0R	JOHNSON RICHARD ERIC AND DIANNA MUNRO	PARK PLACE WEST PH II ADDITION, BLOCK A, LOT 10, (REPLAT 2007)		1035 SAINT THOMAS CT		ROCKWALL	TX	75087
4621-000A-0011-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK A, LOT 11, (REPLAT 2007)		1039 ST THOMAS CT		ROCKWALL	TX	75087
4621-000A-0012-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK A, LOT 12, (REPLAT 2007)		1043 ST THOMAS CT		ROCKWALL	TX	75087
4621-000B-0001-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK B, LOT 1, (REPLAT 2007)		1046 ST CHARLES CT		ROCKWALL	TX	75087
4621-000B-0002-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK B, LOT 2, (REPLAT 2007)		1040 ST CHARLES CT		ROCKWALL	TX	75087
4621-000B-0003-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK B, LOT 3, (REPLAT 2007)		1032 ST CHARLES CT		ROCKWALL	TX	75087
4621-000B-0004-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK B, LOT 4, (REPLAT 2007)		1026 ST CHARLES CT		ROCKWALL	TX	75087
4621-000B-0004-00-0R	FUHLER JOSEF JOHAN AND MARGARET ANN	PARK PLACE WEST PH II ADDITION, BLOCK B, LOT 4, (REPLAT 2007)		1026 SAINT CHARLES CT		ROCKWALL	TX	75087
4621-000B-0005-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK B, LOT 5, (REPLAT 2007)		1020 ST CHARLES CT		ROCKWALL	TX	75087
4621-000B-0006-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK B, LOT 6, (REPLAT 2007)		1014 ST CHARLES CT		ROCKWALL	TX	75087
4621-000B-0007-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK B, LOT 7, (REPLAT 2007)		1008 ST CHARLES CT		ROCKWALL	TX	75087
4621-000B-0008-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK B, LOT 8, (REPLAT 2007)		1002 ST CHARLES CT		ROCKWALL	TX	75087
4621-000B-0009-00-0R	MARTIN CHARLES TED & RHONDA K	PARK PLACE WEST PH II ADDITION, BLOCK B, LOT 9, (REPLAT 2007)		995 ST CHARLES		ROCKWALL	TX	75087
4621-000B-0010-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK B, LOT 10, (REPLAT 2007)		1001 ST CHARLES CT		ROCKWALL	TX	75087
4621-000B-0011-00-0R	TROSPER MARK AND GLORIA	PARK PLACE WEST PH II ADDITION, BLOCK B, LOT 11, (REPLAT 2007)		1007 ST. CHARLES CT		ROCKWALL	TX	75087
4621-000B-0012-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK B, LOT 12, (REPLAT 2007)		1015 ST CHARLES CT		ROCKWALL	TX	75087
4621-000C-0001-00-0R	SMITH CHELSEA M	PARK PLACE WEST PH II ADDITION, BLOCK C, LOT 1, (REPLAT 2007)		405 PARK PLACE BLVD		ROCKWALL	TX	75087
4621-000C-0002-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK C, LOT 2, (REPLAT 2007)		411 PARK PLACE BLVD		ROCKWALL	TX	75087
4621-000C-0003-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK C, LOT 3, (REPLAT 2007)		417 PARK PLACE BLVD		ROCKWALL	TX	75087
4621-000C-0004-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK C, LOT 4, (REPLAT 2007)		423 PARK PLACE BLVD		ROCKWALL	TX	75087
4621-000C-0005-00-0R	MORGAN WILBUR J AND NANCY F	PARK PLACE WEST PH II ADDITION, BLOCK C, LOT 5, (REPLAT 2007)		429 PARK PLACE		ROCKWALL	TX	75087
4621-000C-0006-00-0R	LOVOI JOSEPH J SR AND VELMA J	PARK PLACE WEST PH II ADDITION, BLOCK C, LOT 6, (REPLAT 2007)		404 LOGAN RANCH		GEORGETOWN	TX	78628
4621-000C-0006-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK C, LOT 6, (REPLAT 2007)		501 PARK PLACE BLVD		ROCKWALL	TX	75087
4621-000C-0007-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK C, LOT 7, (REPLAT 2007)		507 PARK PLACE BLVD		ROCKWALL	TX	75087
4621-000C-0007-00-0R	MISHLER BUILDERS INC	PARK PLACE WEST PH II ADDITION, BLOCK C, LOT 7, (REPLAT 2007)		PO BOX 38		ROCKWALL	TX	75087
4621-000C-0008-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK C, LOT 8, (REPLAT 2007)		513 PARK PLACE BLVD		ROCKWALL	TX	75087

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4621-000C-0009-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK C, LOT 9, (REPLAT 2007)		523 PARK PLACE BLVD		ROCKWALL	TX	75087
4621-000C-0010-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK C, LOT 10, (REPLAT 2007)		529 PARK PLACE BLVD		ROCKWALL	TX	75087
4621-000C-0011-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK C, LOT 11, (REPLAT 2007)		535 PARK PLACE BLVD		ROCKWALL	TX	75087
4621-000C-0012-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK C, LOT 12, (REPLAT 2007)		541 PARK PLACE BLVD		ROCKWALL	TX	75087
4621-000C-0013-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK C, LOT 13, (REPLAT 2007)		547 PARK PLACE BLVD		ROCKWALL	TX	75087
4621-000C-0014-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK C, LOT 14, (REPLAT 2007)		601 PARK PLACE BLVD		ROCKWALL	TX	75087
4621-000C-0015-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK C, LOT 15, (REPLAT 2007)		607 PARK PLACE BLVD		ROCKWALL	TX	75087
4621-000C-0016-00-0R	HERRIN AMY AND BRYAN	PARK PLACE WEST PH II ADDITION, BLOCK C, LOT 16, (REPLAT 2007)		613 PARK PLACE BLVD		ROCKWALL	TX	75087
4621-000D-0001-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 1, (REPLAT 2007)		1050 IVY LN		ROCKWALL	TX	75087
4621-000D-0002-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 2, (REPLAT 2007)		1044 IVY LN		ROCKWALL	TX	75087
4621-000D-0003-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 3, (REPLAT 2007)		1038 IVY LN		ROCKWALL	TX	75087
4621-000D-0004-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 4, (REPLAT 2007)		1032 IVY LN		ROCKWALL	TX	75087
4621-000D-0005-00-0R	FECHT JARED W & JULIE	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 5, (REPLAT 2007)		1026 IVY LN		ROCKWALL	TX	75087
4621-000D-0006-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 6, (REPLAT 2007)		1020 IVY LN		ROCKWALL	TX	75087
4621-000D-0007-00-0R	MOORE BECKY INEZ AND	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 7, (REPLAT 2007)	CYNTHIA ANN HUDDLESTON	1014 IVY LN		ROCKWALL	TX	75087
4621-000D-0008-00-0R	RIPP KEEGAN & NICOLA	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 8, (REPLAT 2007)		1008 IVY LANE		ROCKWALL	TX	75087
4621-000D-0009-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 9, (REPLAT 2007)		1002 IVY LN		ROCKWALL	TX	75087
4621-000D-0010-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 10, (REPLAT 2007)		914 IVY LN		ROCKWALL	TX	75087
4621-000D-0011-00-0R	BUCHANAN BARRY D & MELISSA M	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 11, (REPLAT 2007)		908 IVY LN		ROCKWALL	TX	75087
4621-000D-0016-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 16, (REPLAT 2007)		434 JORDAN FARM CIR		ROCKWALL	TX	75087
4621-000D-0017-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 17, (REPLAT 2007)		426 JORDAN FARM CIR		ROCKWALL	TX	75087
4621-000D-0018-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 18, (REPLAT 2007)		420 JORDAN FARM CIR		ROCKWALL	TX	75087
4621-000D-0019-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 19, (REPLAT 2007)		414 JORDAN FARM CIR		ROCKWALL	TX	75087
4621-000D-0020-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 20, (REPLAT 2007)		408 JORDAN FARM CIR		ROCKWALL	TX	75087
4621-000D-0021-00-0R	SEYMORE BRITTANY N & TIMOTHY J	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 21, (REPLAT 2007)		205 RUSH CREEK		HEATH	TX	75032
4621-000D-0021-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 21, (REPLAT 2007)		891 IVY LN		ROCKWALL	TX	75087
4621-000D-0022-00-0R	RAGSDALE ELIZABETH J LIFE ESTATE	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 22, (REPLAT 2007)	LISA JANE BAKER & DONALD KIRK RAGSDALE	895 IVY LN		ROCKWALL	TX	75087
4621-000D-0023-00-0R	PIERSON ROBERT J JR AND CLAIRE T	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 23, (REPLAT 2007)		901 IVY LN		ROCKWALL	TX	75087
4621-000D-0024-00-0R	RHODES BRENDA	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 24, (REPLAT 2007)		905 IVEY LN		ROCKWALL	TX	75087
4621-000D-0025-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 25, (REPLAT 2007)		365 JORDAN FARM CIR		ROCKWALL	TX	75087
4621-000D-0026-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 26, (REPLAT 2007)		369 JORDAN FARM CIR		ROCKWALL	TX	75087
4621-000D-0034-00-0R	FREDERICK MARSHA	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 34, (REPLAT 2007)		4034 KYNDRA CIR		RICHARDSON	TX	75082
4621-000D-0034-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 34, (REPLAT 2007)		405 JORDAN FARM CIR		ROCKWALL	TX	75087
4621-000D-0035-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 35, (REPLAT 2007)		411 JORDAN FARM CIR		ROCKWALL	TX	75087
4621-000D-0036-00-0R	MASON MARSHA	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 36, (REPLAT 2007)		3065 N GOLIAD ST		ROCKWALL	TX	75087
4621-000D-0036-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 36, (REPLAT 2007)		417 JORDAN FARM CIR		ROCKWALL	TX	75087
4621-000D-0037-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 37, (REPLAT 2007)		423 JORDAN FARM CIR		ROCKWALL	TX	75087
4621-000D-0037-00-0R	RADNEY STEPHEN P AND MARTHA M	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 37, (REPLAT 2007)		970 W YELLOWJACKET LN	APT 611	ROCKWALL	TX	75087
4621-000D-0038-00-0R	RADNEY JAIRL W AND BARBARA P	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 38, (REPLAT 2007)		429 JORDAN FARM CR		ROCKWALL	TX	75087
4621-000D-0039-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 39, (REPLAT 2007)		435 JORDAN FARM CIR		ROCKWALL	TX	75087
4621-000D-0040-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 40, (REPLAT 2007)		1009 IVY LN		ROCKWALL	TX	75087
4621-000D-0041-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 41, (REPLAT 2007)		1015 IVY LN		ROCKWALL	TX	75087
4621-000D-0042-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 42, (REPLAT 2007)		1021 IVY LN		ROCKWALL	TX	75087
4621-000D-0043-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 43, (REPLAT 2007)		1027 IVY LN		ROCKWALL	TX	75087
4621-000D-0044-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 44, (REPLAT 2007)		1033 IVY LN		ROCKWALL	TX	75087
4621-000D-0045-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 45, (REPLAT 2007)		1039 IVY LN		ROCKWALL	TX	75087
4621-000D-0046-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 46, (REPLAT 2007)		1045 IVY LN		ROCKWALL	TX	75087
4621-000D-0047-00-0R	HARRILL EVELYN	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 47, (REPLAT 2007), (REPLAT 2008)		2191 PORTOFINO		ROCKWALL	TX	75032
4621-000D-0047-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 47, (REPLAT 2007), (REPLAT 2008)		892 IVY LN		ROCKWALL	TX	75087
4621-000D-0048-00-0R	Current Occupant	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 48, (REPLAT 2007), (REPLAT 2008)		886 IVY LN		ROCKWALL	TX	75087
4621-000D-0048-00-0R	ALLISON DEANNA JO	PARK PLACE WEST PH II ADDITION, BLOCK D, LOT 48, (REPLAT 2007), (REPLAT 2008)		PO BOX 1624		ROCKWALL	TX	75087
4737-0001-0001-00-0R	Current Occupant	RENFRO CREEKSIDE ESTATES, BLOCK 1, LOT 1, ACRES 0.1607		606 RENFRO ST		ROCKWALL	TX	75087
4741-0000-0001-00-0R	HARRINGTON DEBORAH	RENFRO PLACE SOUTH, LOT 1, ACRES 0.637		607 RENFRO ST		ROCKWALL	TX	75087
4770-0000-110B-00-0R	KAUFMANN DOUG	RIDGELL, LOT 110-B	DBA KAUFMANN PROPERTIES LLC	627 SORITA CIRCLE		HEATH	TX	75032
5024-000A-0001-00-0R	Current Occupant	SOROPTIMIST ROCKWALL CHILDRENS HOME, BLOCK A, LOT 1, ACRES 2.093		1350 E WASHINGTON		ROCKWALL	TX	75087
5024-000A-0001-00-0R	SOROPTIMIST INT'L OF ROCKWALL	SOROPTIMIST ROCKWALL CHILDRENS HOME, BLOCK A, LOT 1, ACRES 2.093		PO BOX 372		ROCKWALL	TX	75087
5045-000A-0002-00-0R	FLEXLAND LP	SPR PACKAGING ADDITION, BLOCK A, LOT 2, ACRES 10.1893, (REPLAT 2012)		1480 JUSTIN RD		ROCKWALL	TX	75087
5253-000A-0001-00-0R	WHITMORE MANUFACTURING CO THE	WHITMORE MANUFACTURING ADDITION, BLOCK A, LOT 1, ACRES 3.448		930 WHITMORE DR		ROCKWALL	TX	75087
5253-000A-0003-00-0R	Current Occupant	WHITMORE MANUFACTURING ADDITION, BLOCK A, LOT 3, ACRES 8.971		1250 JUSTIN RD		ROCKWALL	TX	75087

152

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

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

To Whom It May Concern:

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

Case No. Z2014-037: Indoor Auto Center

Hold a public hearing to discuss and consider a request by Bill Bricker of Bricker Enterprise Company (DBA Brick House Cars) on behalf of Rockwall Commercial Property Management for the approval of a Specific Use Permit to allow for an Indoor Motor Vehicle Dealership/Showroom on a one (1) acre portion of a larger 50.826-acre tract of land, identified as Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1200 E. Washington Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 1/13/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Tuesday, 1/20/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

JoDee Sanford
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **1/20/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-037: Indoor Auto Center

Please place a check mark on the appropriate line below:

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

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

No problem with request.

Name: Mike Mishler for Mishler Builders, Inc.

Address: PO Box 38 Rockwall, TX 75087 417 Park Ave Blvd

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

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

NOTICE OF PUBLIC HEARING
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PHONE: (972) 771-7745
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PLEASE RETURN THE BELOW FORM

Case No. Z2014-037: Indoor Auto Center

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below. (Restrictions Must Be Clarified)

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

1) No Additional Buildings
2) No roadside advertising or display of vehicles
3) No excessive noise / normal noise of car detailing etc.
4) Encourage test drives to the east on John King away from residences

Name: John and Julie Wordell

Address: 880 Ivy Rockwall, Tx 75087

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

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PLEASE RETURN THE BELOW FORM

Case No. Z2014-037: Indoor Auto Center

Please place a check mark on the appropriate line below:

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

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

Name: VELMA J. LOVOI

Address: 501 PARK PLACE BLVD ROCKWALL, TX 75087

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

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PLEASE RETURN THE BELOW FORM

Case No. Z2014-037: Indoor Auto Center

Please place a check mark on the appropriate line below:

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

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

Name: JOSEPH J. LOVOI SR

Address: 501 PARK PLACE BLVD ROCKWALL, TX 75087

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

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

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

PLEASE RETURN THE BELOW FORM

Case No. Z2014-037: Indoor Auto Center

Please place a check mark on the appropriate line below:

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

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

Name: Mike Porter Rockwall 12-833

Address: 1202 Kirkcaldy Ct., Southlake, TX 76092

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

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City of Rockwall

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

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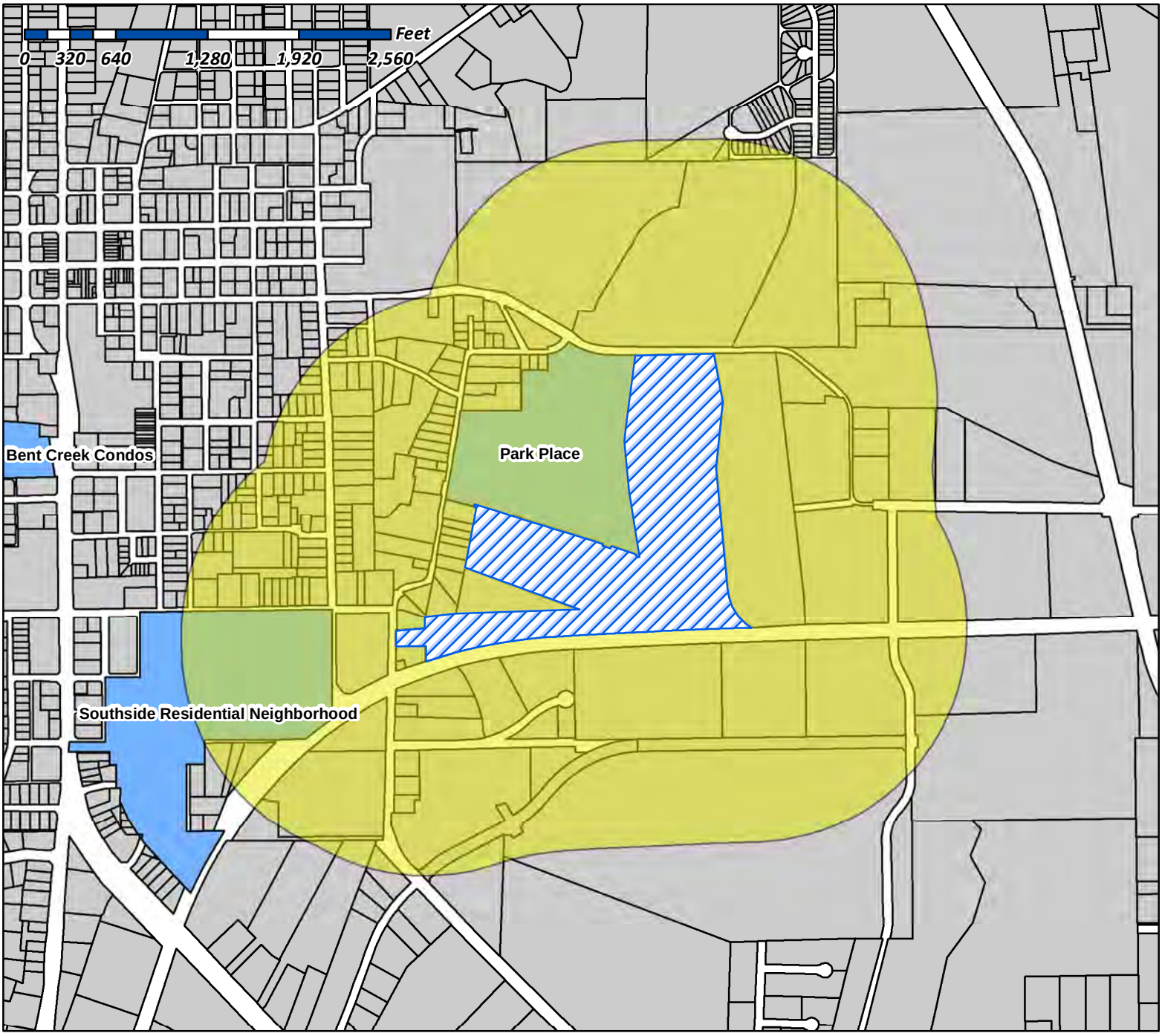
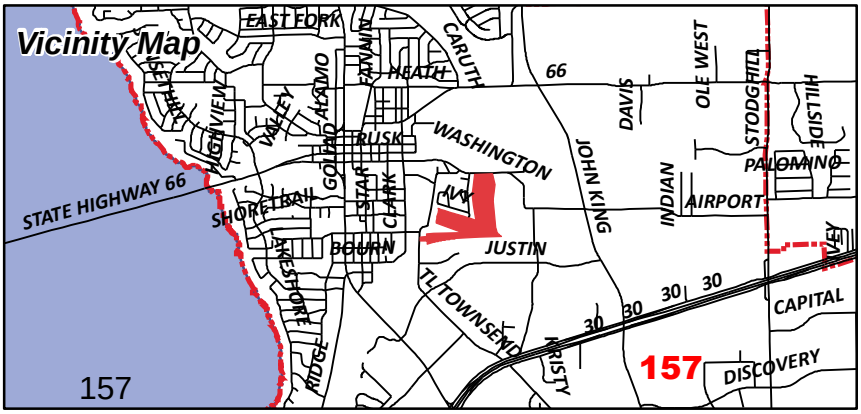


Case Number: Z2014-038
Case Name: 1200 E. Washington St
Case Type: Specific Use Permit
Zoning: LI
Case Address: 1200 E. Washington St

Date Created: *12/19/2014*

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



December 8, 2014

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

Dear Sirs;

I am requesting an SUP be granted for the purpose of establishing an indoor display only, used car business or businesses within a building on the property at 1200 E Washington St., Rockwall, TX 75087.

The business is for the purpose of buying and selling used cars on a wholesale/retail basis. No outdoor storage is necessary to operate and there will not be any outdoor storage. This type of business is by appointment only and thus no drive by or impulse shopping will occur. The business activity will be housed in a building that is 1,000 feet from the road and thus there will be no impact to the streetscape on Washington.

The building is noted on the attached map from Rockwall.com and the building shown is in the northwest corner of the property and is about 12,500 square feet. Not all of this space will be utilized initially but may be in the future depending on business growth.

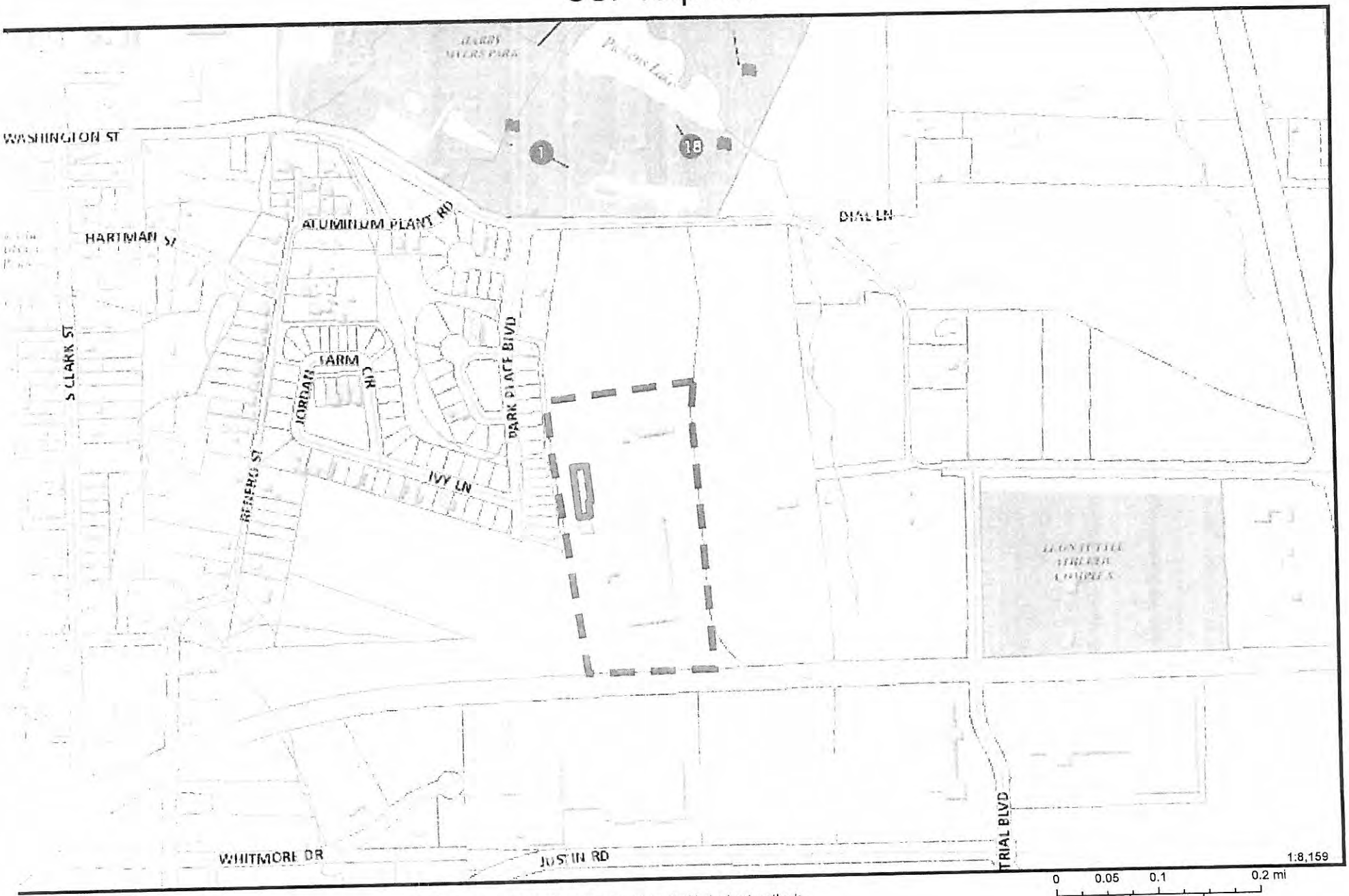
Please contact me for any questions or clarifications.

Sincerely,

CW Bricker

CW Bricker

SUP request



159

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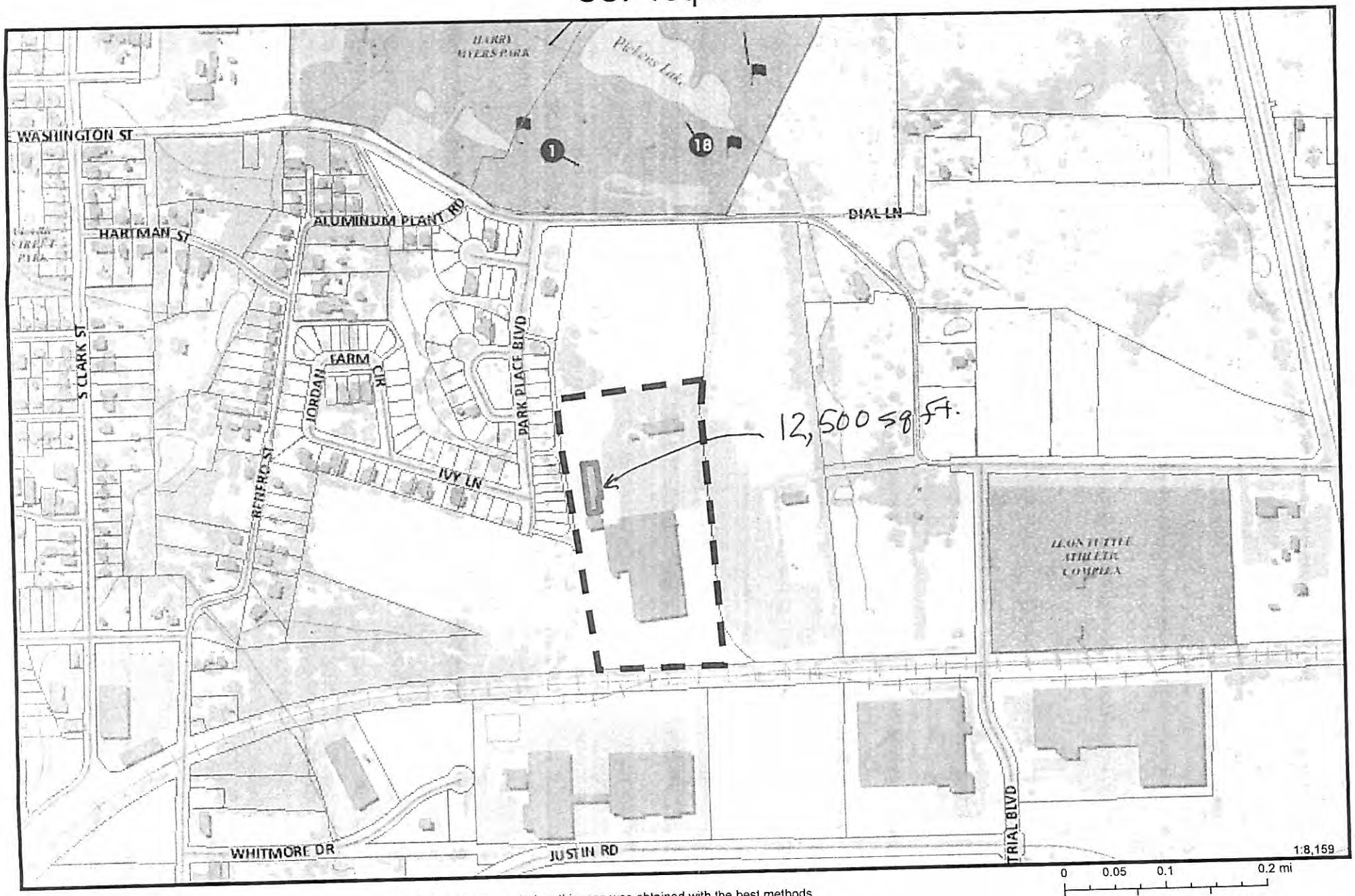
The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.

December 3, 2014

SUP request



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December 3, 2014

CITY OF ROCKWALL

ORDINANCE NO. 14-___

SPECIFIC USE PERMIT NO. S-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) WITHIN A LIGHT INDUSTRIAL (LI) DISTRICT ALLOWING FOR AN INDOOR MOTOR VEHICLE DEALERSHIP/SHOWROOM LOCATED IN A 12,500 SQUARE FOOT BUILDING INDICATED IN "EXHIBIT A" OF THIS ORDINANCE AND ADDRESSED AS 1200 E. WASHINGTON STREET, WHICH IS LOCATED ON A PORTION OF A LARGER 50.826-ACRE TRACT OF LAND DESCRIBED AS TRACT 31 OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Bill Bricker of Bricker Enterprise Company (dba Brick House Cars) on behalf of Rockwall Commercial Property Management for a Specific Use Permit within a Light Industrial (LI) District allowing for an Indoor Motor Vehicle Dealership/Showroom located in a 12,500 square foot building indicated in "Exhibit A" of this ordinance and addressed as 1200 E. Washington Street, which is located on a portion of a larger 50.826-acre tract of land described as Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit allowing for an Indoor Motor Vehicle Dealership/Showroom within a Light Industrial (LI) District, located in a 12,500 square foot building indicated in "Exhibit A" of this ordinance and addressed as 1200 E. Washington Street, which is located on a portion of a larger 50.826-acre tract of land described as Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in **Section 2.1.8, Auto and Marine-Related Use Conditions, of Article IV, Permissible Uses and Section 5.3, *"LI" Light Industrial (LI) District*, of Article V, *District Development Standards*, of the City of Rockwall Unified Development Code (Ordinance No. 04-38)** as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

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

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

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

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

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE ____ DAY OF _____, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

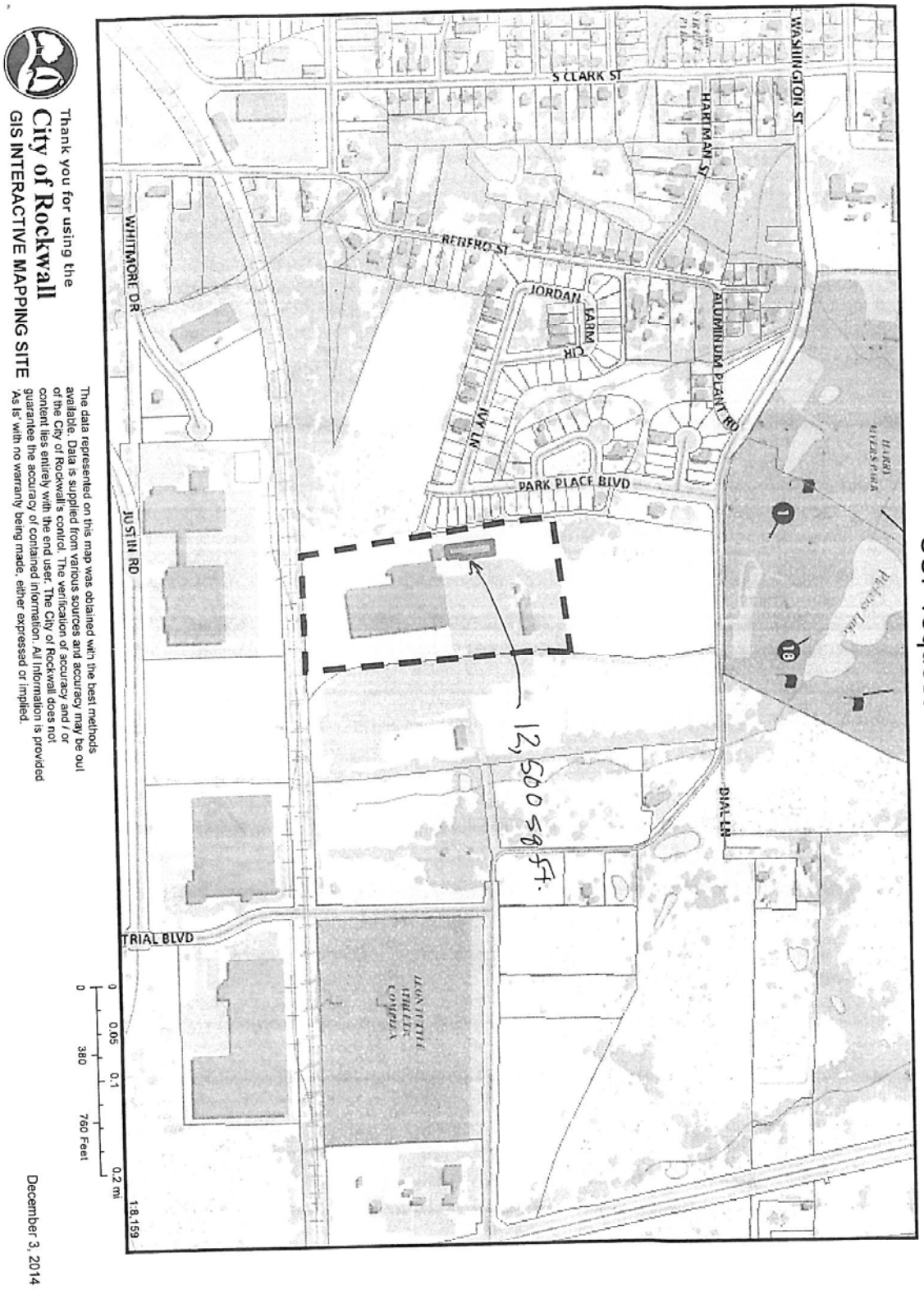
_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: _____

2nd Reading: _____


SUP request
S CLARK ST
WASHINGTON ST
HARTMAN ST
REHERD ST
WHITMORE DR
JORDAN FARM CIR
ALUMINUM PLANT RD
PARK PLACE BLVD
JUSTIN RD
TRIAL BLVD
DIAL LN
12,600 sq ft.
City of Rockwall
GIS INTERACTIVE MAPPING SITE
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December 3, 2014
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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 01/20/2015

APPLICANT: Ben McMillian

AGENDA ITEM: **Z2014-038;** 503 N. Goliad SUP

SUMMARY:

Hold a public hearing to discuss and consider a request by Ben McMillian of Hazel & Olive on behalf of the owner of the property for the approval of a Specific Use Permit to allow for a *General Retail Store* in conjunction with an office and photography studio within Planned Development District 50 (PD-50) for two (2) parcels of land, being 0.43-acres of land, identified as Lots 19A & 19B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, addressed as 503 N. Goliad Street [*SH-205*], and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Ben McMillian of Hazel and Olive, is requesting a Specific Use Permit (SUP) to allow for a *General Retail Store* in conjunction with an office and photography studio on two (2) parcels of land that are currently vacant. The properties are within Planned Development District (PD-50) No. 50 and the North Goliad Corridor Overly (NGC OV) District, has an underlying zoning of Residential Office (RO) District, and is generally located at 503 N. Goliad Street. Based on the conceptual floor plan submitted, the office space and storage area will be comprised of ~2,730 sq. ft. in area while the photography studio and *general retail* will occupy 1,200 sq. ft. The office and photography studio uses are established by right; however, the *general retail* component will require an SUP.

Should the SUP be approved, the applicant intends to build a facility with a ~3,540 sq. ft. building footprint, which will meet the architectural and building design standards for new construction established in the NGC OV. This district establishes design standards to guide the new construction of buildings, streetscapes, and architectural styles to be consistent with the existing historical residential homes and businesses located along the corridor. Building elevations will be submitted as part of the site planning process and will be reviewed by the Historic Preservation Advisory Board (HPAB) to assure consistency with the architectural styles and the standards of the district. The HPAB will forward its recommendation to the Planning and Zoning Commission.

Based on the conceptual site plan submitted, the applicant is proposing the installation of thirteen (13) parking spaces for the development. The required parking for both the retail store and photography studio is one (1) space for each 250 sq. ft., while the office is calculated at one (1) space per 500 sq. ft. for a total of eleven (11) parking spaces, which meets the requirements for the site. Also, the conceptual site plan indicates the parking spaces to be located behind the front façade of the building; meeting the requirements for PD-50 and the RO district where parking is not to be located in the front yard.

NOTIFICATION:

On December 30, 2014, staff mailed one hundred-ten (110) notices to property owners within 500 feet of the subject property; however, since there are no HOA/Neighborhood Organizations within 1500 feet participating in the notification program, there was no additional notice forwarded by e-mail. Additionally, staff posted a sign on the property as required by the Unified Development Code (UDC). At the time this report was drafted, staff has received two (2) notice "for" and one (1) notice "opposed to" the zoning change requested.

RECOMMENDATIONS:

Should the Specific Use Permit be approved, staff would offer the following conditions:

1) Adherence to Engineering and Fire Department standards.

2) That the proposed conceptual site plan shall be attached to the SUP Ordinance for the purpose of establishing a property boundary for the purpose of developing a *General Retail Store*.

3) That the *General Retail Use* will be generally limited to 1,200 sq. ft. as depicted on the floor plan.

4) That submittal and approval of a site plan and replat will be required prior to issuance of building permit.

5) That all signage requires a separate permit and must conform to the standards established for the North Goliad Overlay District.

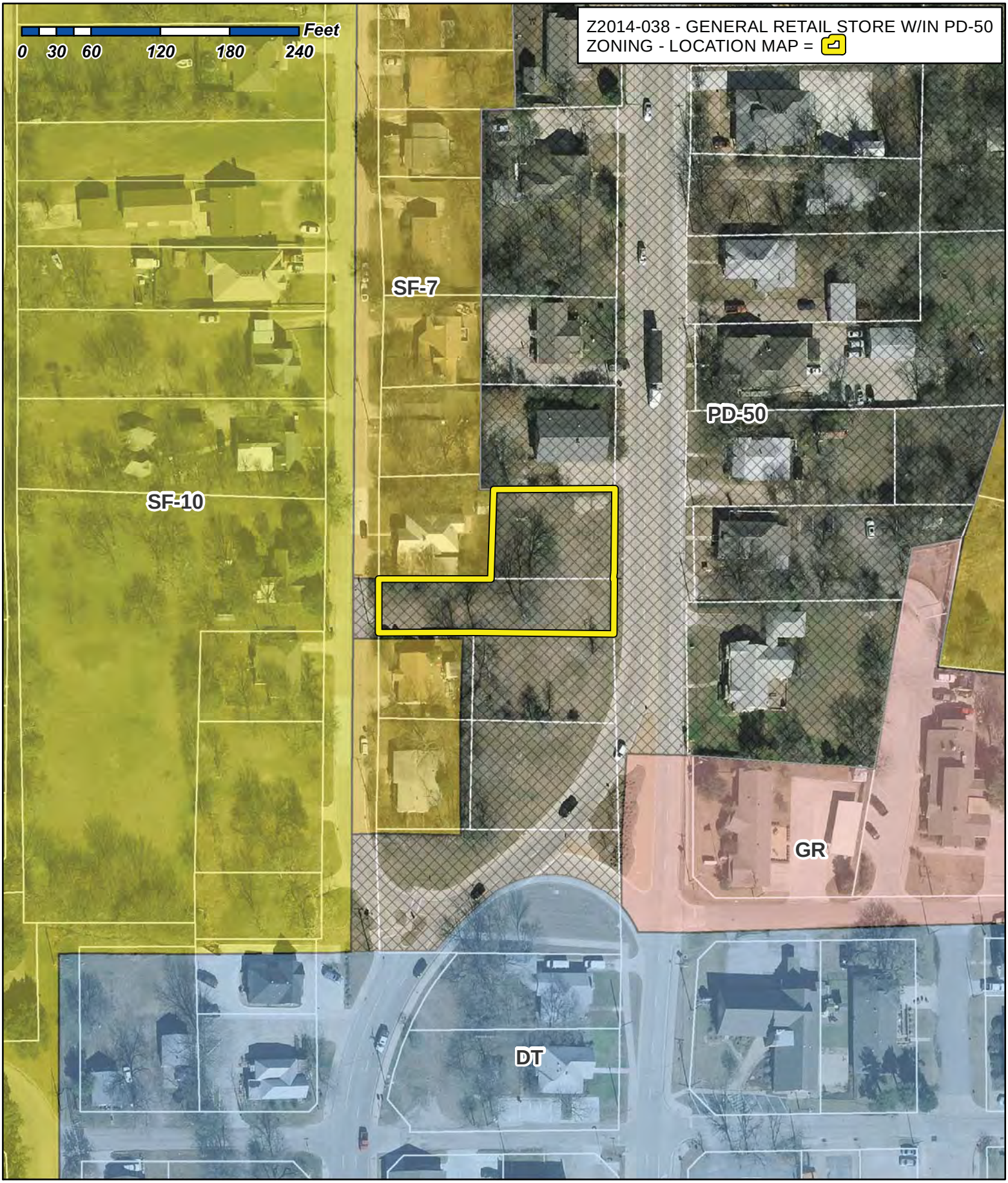
6) That joint or shared access shall be provided to the property directly north of the subject property.

7) That no parking shall be allowed in the SH205 right-of-way or in front of the building.

8) The City Council reserves the right to review the Specific Use Permit one year after approval.

Planning and Zoning Commission Recommendation:

On January 13, 2015, the Planning and Zoning Commission recommended approval of the SUP with staff conditions by a vote of 6 to 0 (Fishman – absent).



City of Rockwall

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

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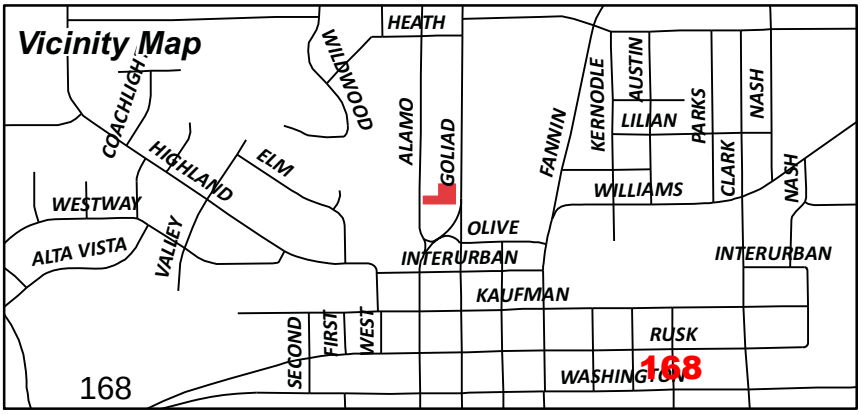
Case Number: Z2014-038
Case Name: 503 N. Goliad Street
Case Type: Specific Use Permit
Zoning: PD-50
Case Address: 503 N. Goliad Street

Date Created: *12/19/2014*
For Questions on this Case Call (972) 771-7745



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

Current Occupant
506 N GOLIAD
ROCKWALL, TX 75087

FLEMING HALLIE B
507 N GOLIAD
ROCKWALL, TX 75087

PEOPLES DOSVILLE
208 W HEATH ST
ROCKWALL, TX 75087

Current Occupant
703 N ALAMO RD
ROCKWALL, TX 75087

RNDI COMPANIES INC
2255 RIDGE ROAD SUITE 216
ROCKWALL, TX 75087

Current Occupant
605 N ALAMO
ROCKWALL, TX 75087

HUTTON SCOTT W & JOANN Y HAMILTON
603 N ALAMO RD
ROCKWALL, TX 75087

Current Occupant
601 N ALAMO
ROCKWALL, TX 75087

TUCKER PAMELA
505 N ALAMO RD
ROCKWALL, TX 75087

Current Occupant
503 N ALAMO
ROCKWALL, TX 75087

KILLION OLIN R
8709 DALROCK RD
ROWLETT, TX 75089

Current Occupant
401 N ALAMO
ROCKWALL, TX 75087

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

CASTILLO PEDRO
3161 S FM 551
ROYSE CITY, TX 75189

Current Occupant
604 N ALAMO
ROCKWALL, TX 75087

COLEBAUGH JACOB AND MELISSA METZNER
708 N ALAMO
ROCKWALL, TX 75087

IRBY DENNIS
703 N GOLIAD ST
ROCKWALL, TX 75087

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

Current Occupant
706 N ALAMO
ROCKWALL, TX 75087

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

Current Occupant
405 N ALAMO
ROCKWALL, TX 75087

BILLINGSLEY LAURA RENEE
0
101 AVERY LN
ROYSE CITY, TX 75189

Current Occupant
501 N ALAMO
ROCKWALL, TX 75087

CAWTHON RICK
2000 E INTERSTATE 30
ROCKWALL, TX 75087

Current Occupant
406 N ALAMO
ROCKWALL, TX 75087

Current Occupant
405 N GOLIAD
ROCKWALL, TX 75087

Current Occupant
503 N GOLIAD
ROCKWALL, TX 75087

SARRATT LARRY
1508 BAY VALLEY CIR
HEATH, TX 75032

Current Occupant
504 N ALAMO
ROCKWALL, TX 75087

169

DATAR CORPORATION
1508 BAY VALLEY CIRCLE
HEATH, TX 75032

Current Occupant
501.5 N GOLIAD ST
ROCKWALL, TX 75087

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

Current Occupant
501 N GOLIAD
ROCKWALL, TX 75087

STAINED GLASS CREATIONS INC
1391 ANNA CADE RD
ROCKWALL, TX 75087

Current Occupant
505 N GOLIAD
ROCKWALL, TX 75087

Current Occupant
506 N ALAMO
ROCKWALL, TX 75087

LAYTON ERIC A
PO BOX 998
ROCKWALL, TX 75087

SWIERCINSKY JOSHUA L
710 N ALAMO
ROCKWALL, TX 75087

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

Current Occupant
705 N ALAMO RD
ROCKWALL, TX 75087

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

CRISWELL BARBARA
1890 AVONLEA DR
ROCKWALL, TX 75087

Current Occupant
602 N GOLIAD
ROCKWALL, TX 75087

CRISWELL BARBARA
1890 AVONLEA DR
ROCKWALL, TX 75087

Current Occupant
604 N GOLIAD
ROCKWALL, TX 75087

SMITH G DAVID
702 N GOLIAD ST
ROCKWALL, TX 75087

STAMERJOHN ALEXANDER JAMES & KIMBERLY J
704 N GOLIAD
ROCKWALL, TX 75087

Current Occupant
105 OLIVE ST
ROCKWALL, TX 75087

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

BLACK SHIRLEY M
502 N GOLIAD ST
ROCKWALL, TX 75087

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

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

JONES CYNTHIA WALLACE & KENNETH LYNN
401 N FANNIN STREET
ROCKWALL, TX 75087

Current Occupant
201 OLIVE ST
ROCKWALL, TX 75087

REDDEN POLLY & ROSS
509 E HEATH ST
ROCKWALL, TX 75087

Current Occupant
404 N GOLIAD
ROCKWALL, TX 75087

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

ROCKWALL RUSTIC RANCH LLC
1506 SIGNAL RIDGE PL
ROCKWALL, TX 75032

Current Occupant
406 N GOLIAD
ROCKWALL, TX 75087

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CRAWFORD STEVE
1709 GASLIGHT CT
SEABROOK, TX 77586

Current Occupant
504 N GOLIAD
ROCKWALL, TX 75087

Current Occupant
604 GOLIAD
ROCKWALL, TX 75087

Current Occupant
802 N GOLIAD
ROCKWALL, TX 75087

CONSELMAN EQUITIES LLC
PO BOX 2284
ROCKWALL, TX 75087

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

Current Occupant
603 N GOLIAD
ROCKWALL, TX 75087

WHITEHEAD EMILY SUE
304 HIGHLAND DR
ROCKWALL, TX 75087

WARREN PEGGY E
302 HIGHLAND DR
ROCKWALL, TX 75087

HOWINGTON RACHEL ANN
101 AVERY LN
ROYSE CITY, TX 75189

Current Occupant
302 ELM DR
ROCKWALL, TX 75087

GLASS KATHLEEN J
304 ELM DR
ROCKWALL, TX 75087

BELL MARY NELL
306 ELM DR
ROCKWALL, TX 75087

SCHWEIKERT FERN ELLEN
308 ELM DR
ROCKWALL, TX 75087

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

Current Occupant
312 ELM DR
ROCKWALL, TX 75087

SMITH MARY SUE
502 W RUSK ST
ROCKWALL, TX 75087

KING BOBBY R ETUX
305 WILDWOOD LN
ROCKWALL, TX 75087

ANGLE GLENDA ANNE
303 WILDWOOD LN
ROCKWALL, TX 75087

BULLOCK HAROLD G AND HEATHER E
301 WILDWOOD LN
ROCKWALL, TX 75087

WAGNER GERALD P
112 LOS PECES
GUN BARRELL, TX 75156

Current Occupant
705 N GOLIAD ST
ROCKWALL, TX 75087

Current Occupant
202 INTERURBAN ST
ROCKWALL, TX 75087

ALSOBROOK DAVID
505 CARRIAGE TRL
ROCKWALL, TX 75087

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

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

Current Occupant
303 N GOLIAD
ROCKWALL, TX 75087

ROCKWALL RENTAL PROPERTIES LP
PO BOX B
TERRELL, TX 75160

Current Occupant
301 N GOLIAD
ROCKWALL, TX 75087

ROCKWALL RENTAL PROPERTIES LP
PO BOX 818
TERRELL, TX 75160

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Current Occupant
301 N SAN JACINTO
ROCKWALL, TX 75087

JOY LUTHERAN CHURCH
302 N GOLIAD ST
ROCKWALL, TX 75087

FERGUSSON PROPERTIES LLC
307 N FANNIN ST
ROCKWALL, TX 75087

Current Occupant
304 N SAN JACINTO
ROCKWALL, TX 75087

CULLINS KENNETH L & HEATHER D
845 RAVENHURST DR
ROCKWALL, TX 75087

BRUCE DANA G & JEANNE L
302 N SAN JACINTO ST
ROCKWALL, TX 75087

ARISTA KAUFMAN LLC
1010 W RALPH HALL PARKWAY SUITE 100
ROCKWALL, TX 75032

Current Occupant
107 E KAUFMAN
ROCKWALL, TX 75087

HANCE ROY & RANDA & LARRY
1244 E QUAIL RUN RD
ROCKWALL, TX 75087

Current Occupant
109 E KAUFMAN
ROCKWALL, TX 75087

CAIN REVOCABLE FAMILY TRUST AND
DEWAYNE CAIN TRUSTEE
PO BOX 1119
ROCKWALL, TX 75087

Current Occupant
102 W KAUFMAN
ROCKWALL, TX 75087

RHODES TOM B
ATTN JEFF TARLTON
400 GALLERIA PARKWAY SE SUITE 1500
ATLANTA, GA 30339

Current Occupant
108 INTERURBAN
ROCKWALL, TX 75087

RAYWAY PROPERTIES LLC
3 GRANITE RIDGE
ROCKWALL, TX 75032

BOWEN PERRY
1006 TIMBERLINE DRIVE
HEATH, TX 75032

Current Occupant
203 N ALAMO
ROCKWALL, TX 75087

Current Occupant
204 N WEST ST
ROCKWALL, TX 75087

HOLLIMAN ANDREA J
332 SHEPARDS HILL
ROCKWALL, TX 75087

Current Occupant
801 N GOLIAD ST
ROCKWALL, TX 75087

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

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

To Whom It May Concern:

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

Case No. Z2014-038: Retail, Photography & Office

Hold a public hearing to discuss and consider a request by Ben McMillian of Hazel & Olive on behalf of the owner of the property for the approval of a Specific Use Permit to allow for a General Retail Store in conjunction with an office and photography studio within Planned Development District 50 (PD-50) for two (2) parcels of land, being 0.43-acres of land, identified as Lots 19A & 19B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, addressed as 503 N. Goliad Street [SH-205], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 1/13/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Tuesday, 1/20/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **1/20/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-038: Retail, Photography & Office

Please place a check mark on the appropriate line below:

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

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

IT IS A GOOD USE FOR THE LOCATION

Name: DAVID SMITH

Address: 702 N. GOLIAD

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

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

Gonzales, David

From: Sanford, JoDee on behalf of Planning
Sent: Tuesday, January 06, 2015 11:12 AM
To: Gonzales, David
Subject: FW: Case# Z2014-038

JoDee Sanford

Planning Technician | City of Rockwall

P: 972.771.7745 | F: 972.771.7748

jsanford@rockwall.com | http://www.rockwall.com

From: Jay Odom [redacted]]
Sent: Tuesday, January 06, 2015 11:07 AM
To: Planning
Subject: Case# Z2014-038

Hello,

I received a letter regarding the proposed zoning for the above referenced case and I am writing to show my support, as this type of business would be appropriate for this location.

Thank you,
Alison Odom
405 N Fannin St
Rockwall, TX 75087

PLEASE RETURN THE BELOW FORM

Case No. Z2014-038: Retail, Photography & Office

Please place a check mark on the appropriate line below:

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

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

I choose to live in a residential neighborhood NOT a commercial. To much traffic on a small residential road.

Name: Glenda Angle

Address: 303 Wildwood Ln.

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

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

Notice of Public Hearing

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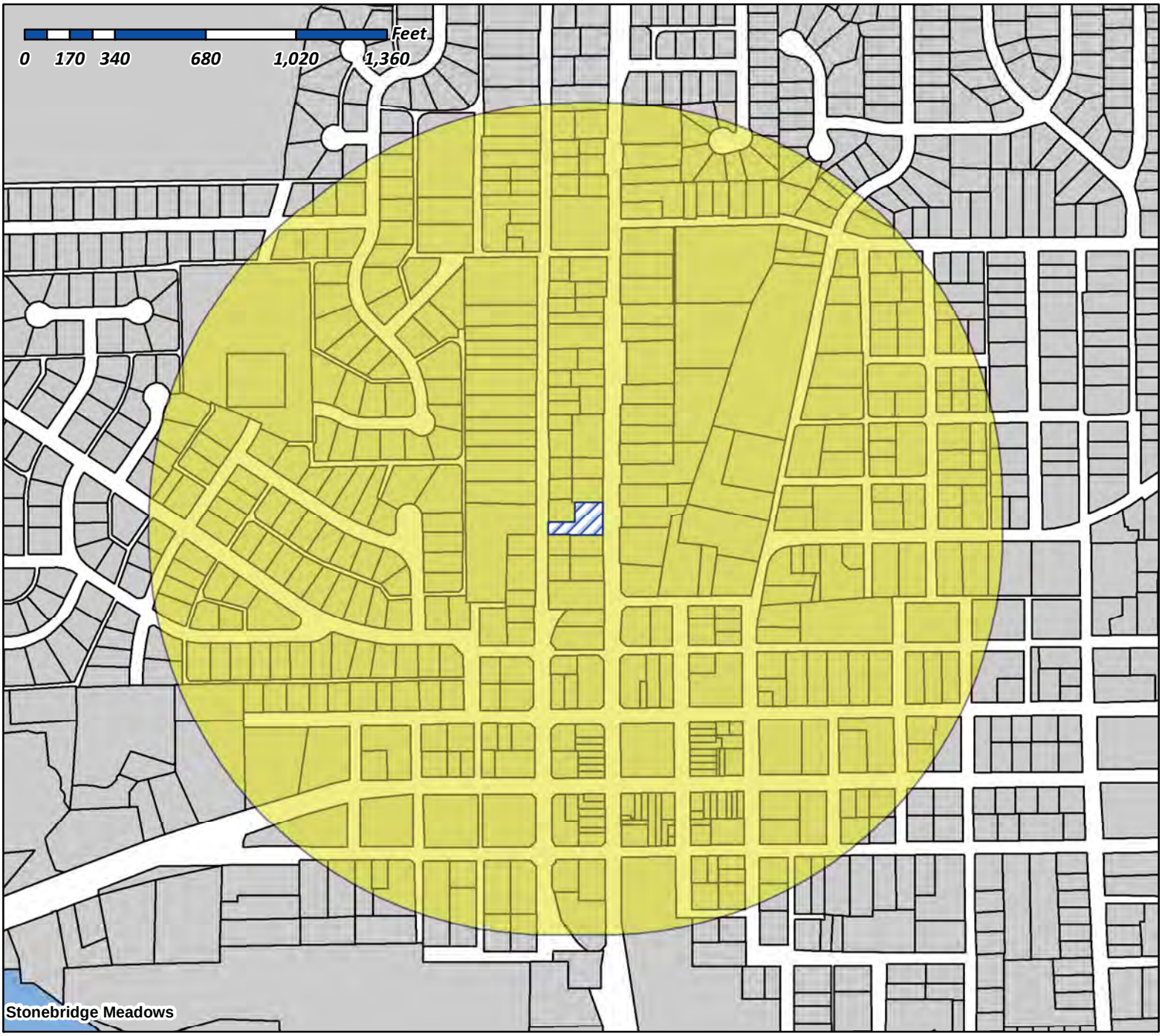
City of Rockwall

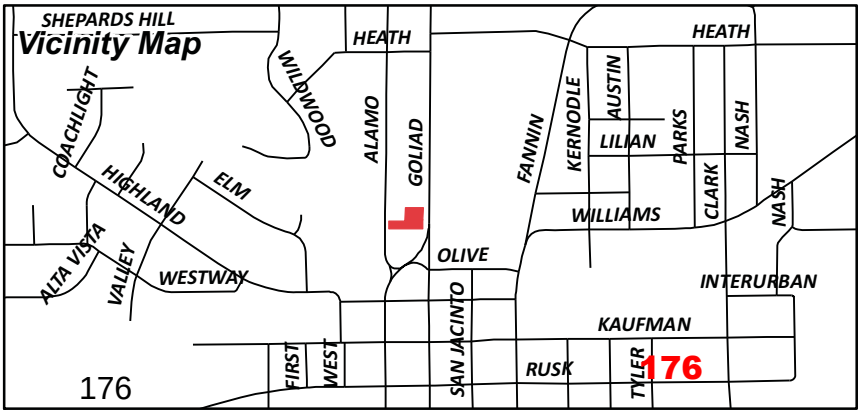
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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



Case Number: Z2014-038
Case Name: 503 N. Golaid Street
Case Type: Specific Use Permit
Zoning: PD-50
Case Address: 503 N. Goliad Street

Date Created: *12/19/2014*
For Questions on this Case Call (972) 771-7745



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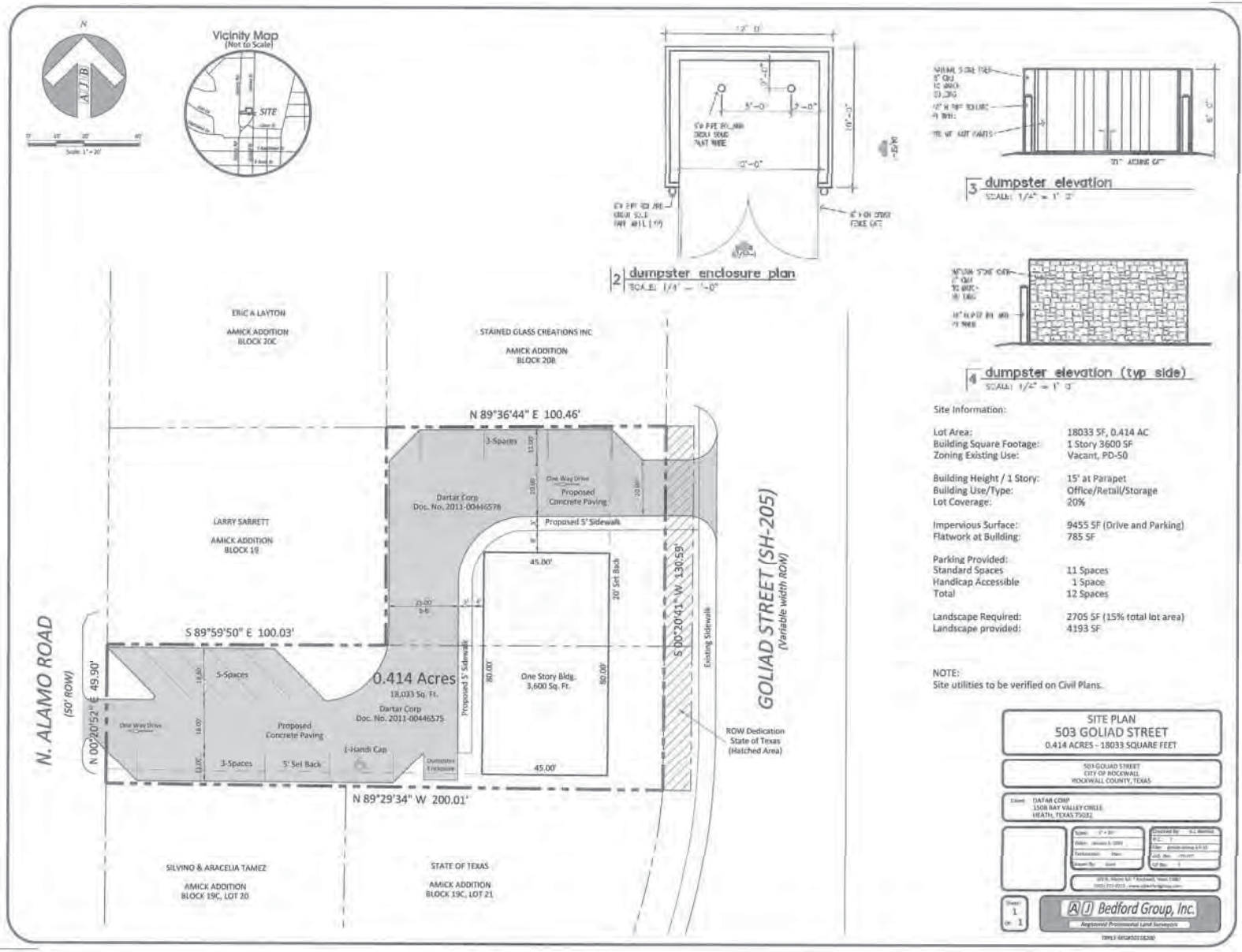
Vicinity Map
(Not to Scale)
SITE
2 dumpster enclosure plan
3 dumpster elevation
4 dumpster elevation (typ side)
ERIC A LAYTON
AMICK ADDITION
BLOCK 20C
STAINED GLASS CREATIONS INC
AMICK ADDITION
BLOCK 20B
LARRY SABRETT
AMICK ADDITION
BLOCK 19
SILVINO & ARACELIA TAMEZ
AMICK ADDITION
BLOCK 19C, LOT 20
STATE OF TEXAS
AMICK ADDITION
BLOCK 19C, LOT 21
N. ALAMO ROAD
(50' ROW)
GOLIAD STREET (SH-205)
(Variable width ROW)
N 89°36'44" E 100.46'
S 89°59'50" E 100.03'
N 89°29'34" W 200.01'
S 00°20'41" W 130.59'
N 00°20'52" E 49.90'
0.414 Acres
18,033 Sq. Ft.
Dartar Corp
Doc. No. 2011-00446575
One Story Bldg.
3,600 Sq. Ft.
Proposed
Concrete Paving
Proposed 5' Sidewalk
Existing Sidewalk
5-Spaces
3-Spaces
1-Handi Cap
5' Set Back
20' Set Back
45.00'
80.00'
ROW Dedication
State of Texas
(Hatched Area)
Site Information:
Lot Area: 18033 SF, 0.414 AC
Building Square Footage: 1 Story 3600 SF
Zoning Existing Use: Vacant, PD-50
Building Height / 1 Story: 15' at Parapet
Building Use/Type: Office/Retail/Storage
Lot Coverage: 20%
Impervious Surface: 9455 SF (Drive and Parking)
Flatwork at Building: 785 SF
Parking Provided:
Standard Spaces 11 Spaces
Handicap Accessible 1 Space
Total 12 Spaces
Landscape Required: 2705 SF (15% total lot area)
Landscape provided: 4193 SF
NOTE:
Site utilities to be verified on Civil Plans.
SITE PLAN
503 GOLIAD STREET
0.414 ACRES - 18033 SQUARE FEET
503 GOLIAD STREET
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
DATAR CORP
1508 BAY VALLEY CIRCLE
HEATH, TEXAS 75032
AJ Bedford Group, Inc.
Registered Professional Land Surveyors

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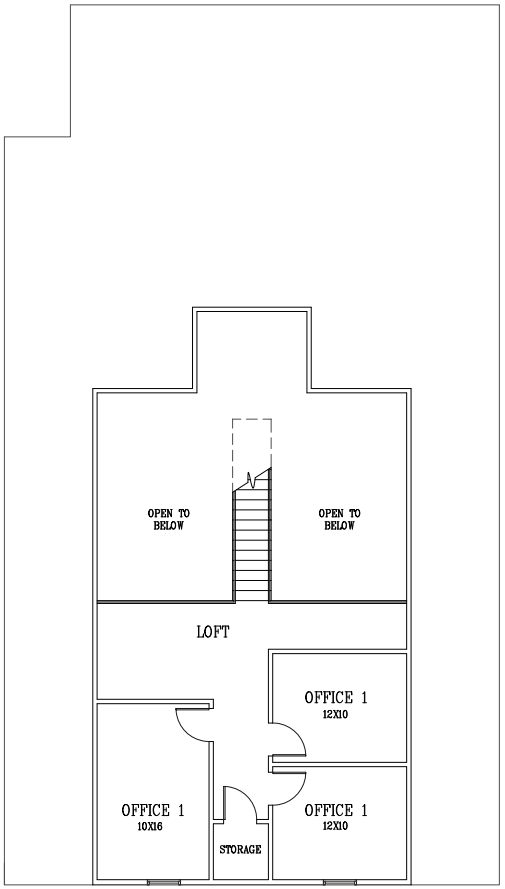
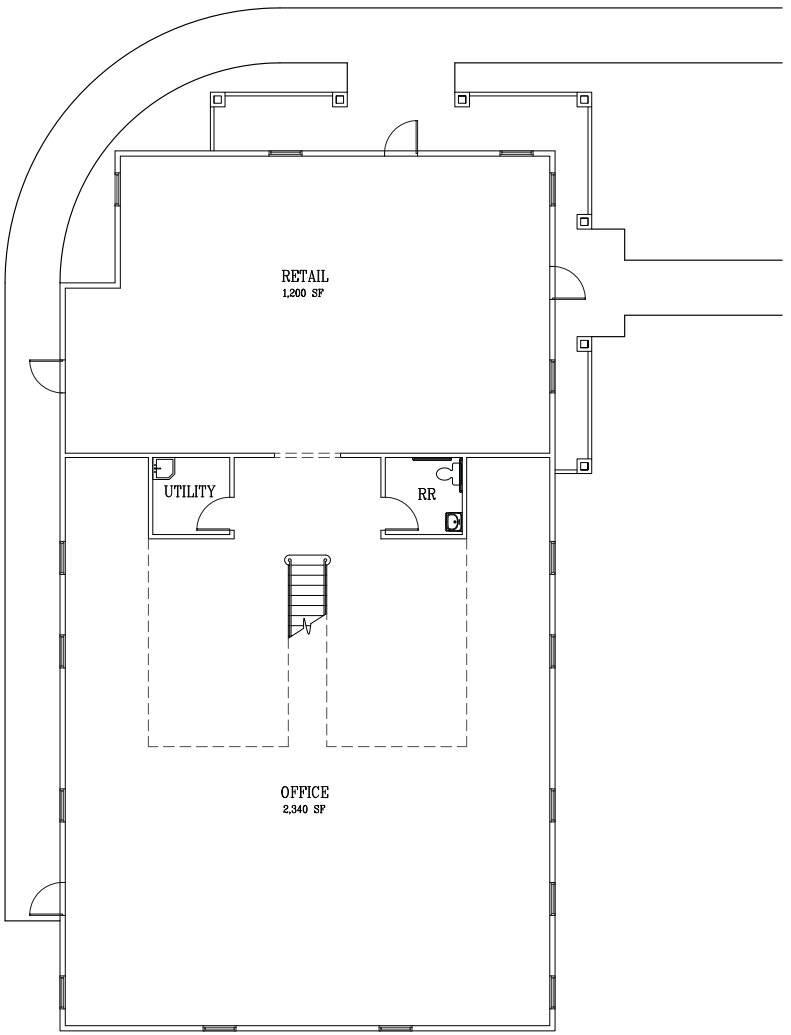
CONTRACTOR TO VERIFY PLANS AND TO VISIT SITE AND NOTIFY MERSHAWN ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION.



SECOND FLOOR PLAN



FIRST FLOOR PLAN

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RESIDENTIAL RESTAURANTS
INSTITUTIONAL
MEDICAL COMMERCIAL
CHURCHES
MERSHAWN ARCHITECTS
2313 RIDGE ROAD #103
ROCKWALL, TEXAS 75087
PHONE: 972-722-9302
FAX: 972-249-2381

No.	Date	Revision	By

HAZEL AND OLIVE
503 GOLLIAD ROCKWALL, TEXAS

FLOOR PLANS

Scale:	3/16" = 1'-0"
Date:	MM/DD/YY
Project No.:	150102
Designed:	GW
Drawn:	GW
Checked:	WM

SHEET A2 OF

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CITY OF ROCKWALL

ORDINANCE NO. 15-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A A GENERAL RETAIL STORE IN CONJUNCTION WITH AN OFFICE AND PHOTOGRAPHY STUDIO IN A RESIDENTIAL-OFFICE (RO) DISTRICT, ON TWO (2) PARCELS OF LAND, BEING 0.43-ACRES AND IDENTIFIED AS LOTS 19A & 19B OF THE AMICK ADDITION, AND GENERALLY LOCATED AT 503 NORTH GOLIAD STREET, ZONED PLANNED DEVELOPMENT DISTRICT NO. 50 (PD-50); AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Specific Use Permit (SUP) to allow for a *General Retail Store* in conjunction with an office and photography studio in a Residential-Office District and zoned Planned Development District No. 50 (PD-50) for residential-office land uses, has been requested by Ben McMillian of Hazel and Olive, on two (2) parcels of land, being 0.43-acres and identified as Lots 19A & 19B of the Amick Addition, and generally located at 503 North Goliad Street, and more specifically described in Exhibit 'A' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) to allow for a *General Retail Store* in conjunction with an office and photography studio and zoned Planned Development District No. 50 (PD-50) for the *Subject Property*;

SECTION 2. That the Specific Use Permit shall be subject to the conditions set forth in ***Planned Development District No. 50*** **(PD-50) & Section 4.2,** ***Residential Office (RO) District*****, of Article V,** ***District Development Standards*****, of the City of Rockwall Unified Development Code**

DRAFT ORDINANCE 04.13.2015

(Ordinance No. 04-38) as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following additions:

2.1 Operational Conditions

The following conditions pertain to the operation of the General Retail Store on the subject property at 503 North Goliad Street and conformance to these stipulations is required for continued operations:

1) That the proposed conceptual site plan shall be attached to the SUP Ordinance for the purpose of establishing a property boundary for the establishment of a *General Retail Store* as attached hereto as Exhibit 'A'; and

2) That the *General Retail Use* will be generally limited to 1,200 sq. ft. as depicted on the floor plan attached hereto as Exhibit 'B'; and,

3) That submittal and approval of a site plan and replat will be required prior to issuance of building permit; and,

4) That all signage requires a separate permit and must conform to the standards established for the North Goliad Overlay District; and,

5) That joint or shared access shall be provided to the property directly north of the subject property; and,

6) That no parking shall be allowed in the SH205 right-of-way or in front of the building; and,

7) The City Council reserves the right to review the Specific Use Permit one year after approval.

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

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

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

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

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

DRAFT ORDINANCE 03.2015

publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE ____ DAY OF _____, 2015.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

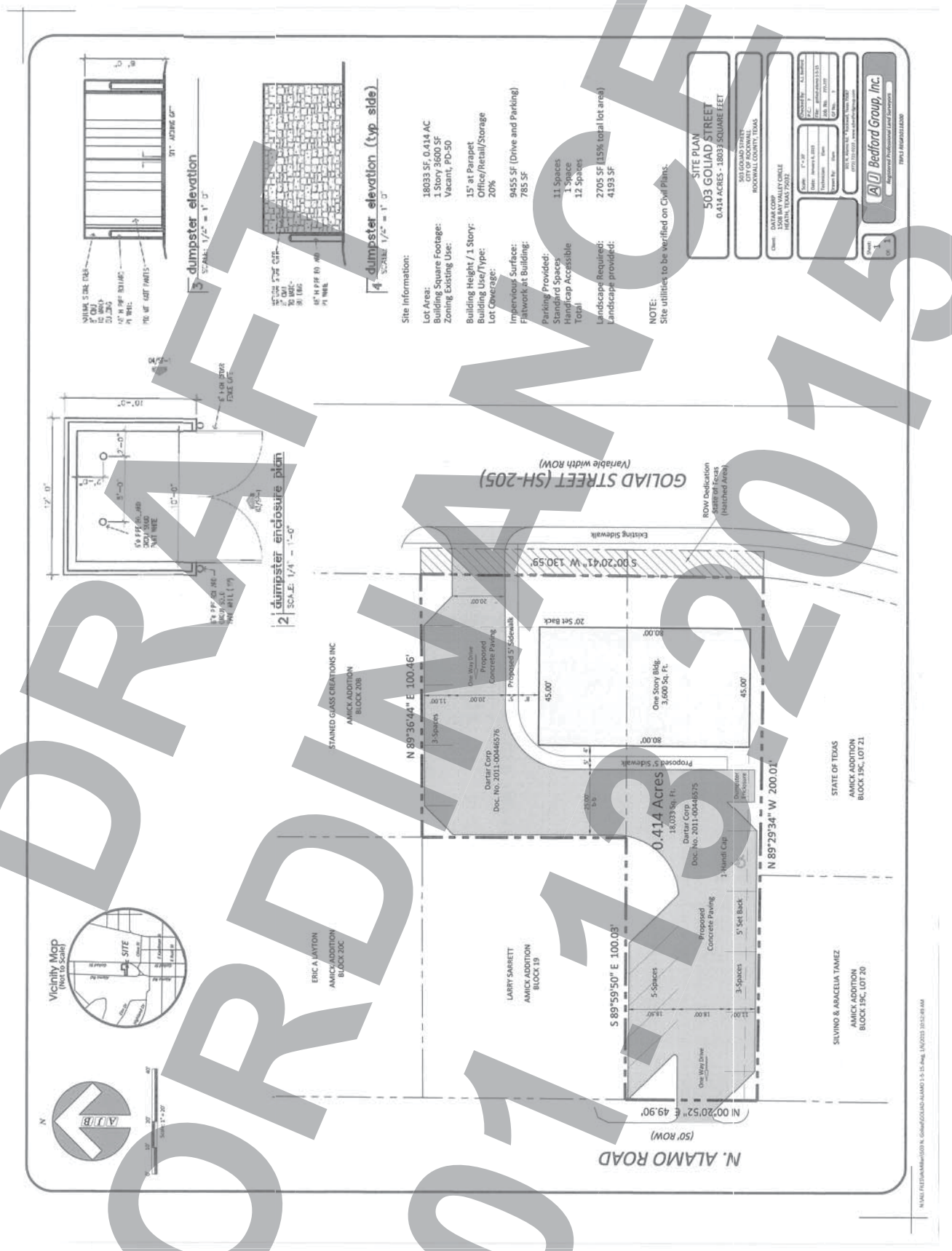
APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading:

2nd Reading:

DRAFT ORDINANCE 01.13.2015



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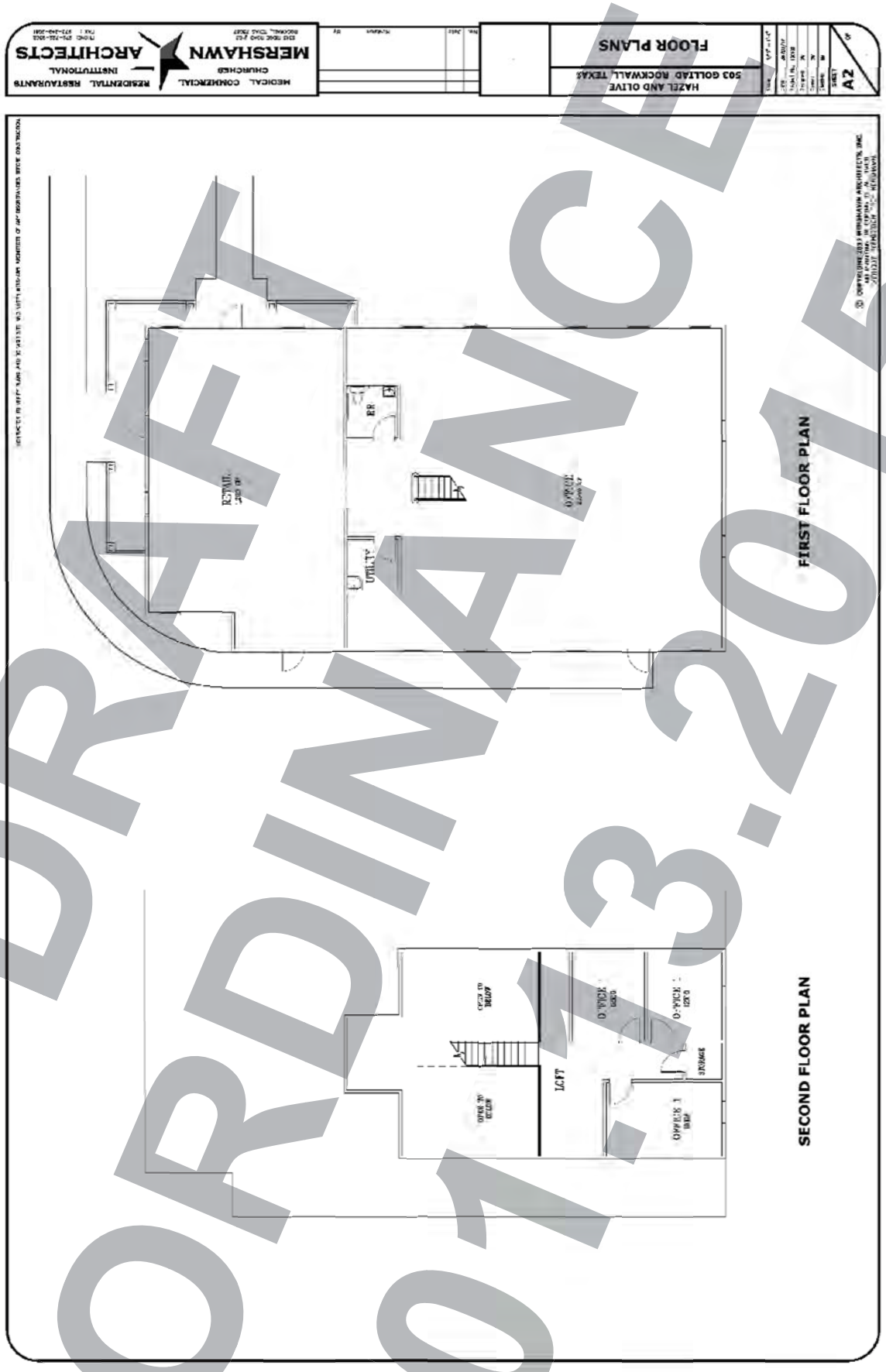
ORDINANCE
01-13-2015



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ORDINANCE
01.13.2015

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 1/20/2015

APPLICANT: Zack Amick

AGENDA ITEM: **Z2014-039;** Change from AG to LI

SUMMARY:

Hold a public hearing to discuss and consider a request by Zack Amick of Gordon Rockwall Investments, LLC for the approval of a zoning change from an Agricultural (AG) District to a Light Industrial (LI) District for a 21.684-acre tract of land identified as Tract 4 of the N. M. Ballard Survey, Abstract No. 24, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located in between Commerce Street and T. L. Townsend Drive, and take any action necessary.

BACKGROUND INFORMATION:

The applicant has requested to rezone approximately 21.68-acres on the south side of IH-30 between Commerce Street and T.L. Townsend Drive from Agricultural (AG) District to Light Industrial (LI) District. The owner intends to develop a small portion of the property to the north as additional display for the existing Hyundai car dealership. The remainder of the property will be subdivided into pad sites that will be added in the future. Commerce Street will also be extended to connect with T.L. Townsend Drive. The Future Land Use map indicates this area as a potential "Special District"; however, rezoning the property to LI is considered to be conforming with respect to the Future Land Use plan as the zoning change will create consistency with the surrounding properties.

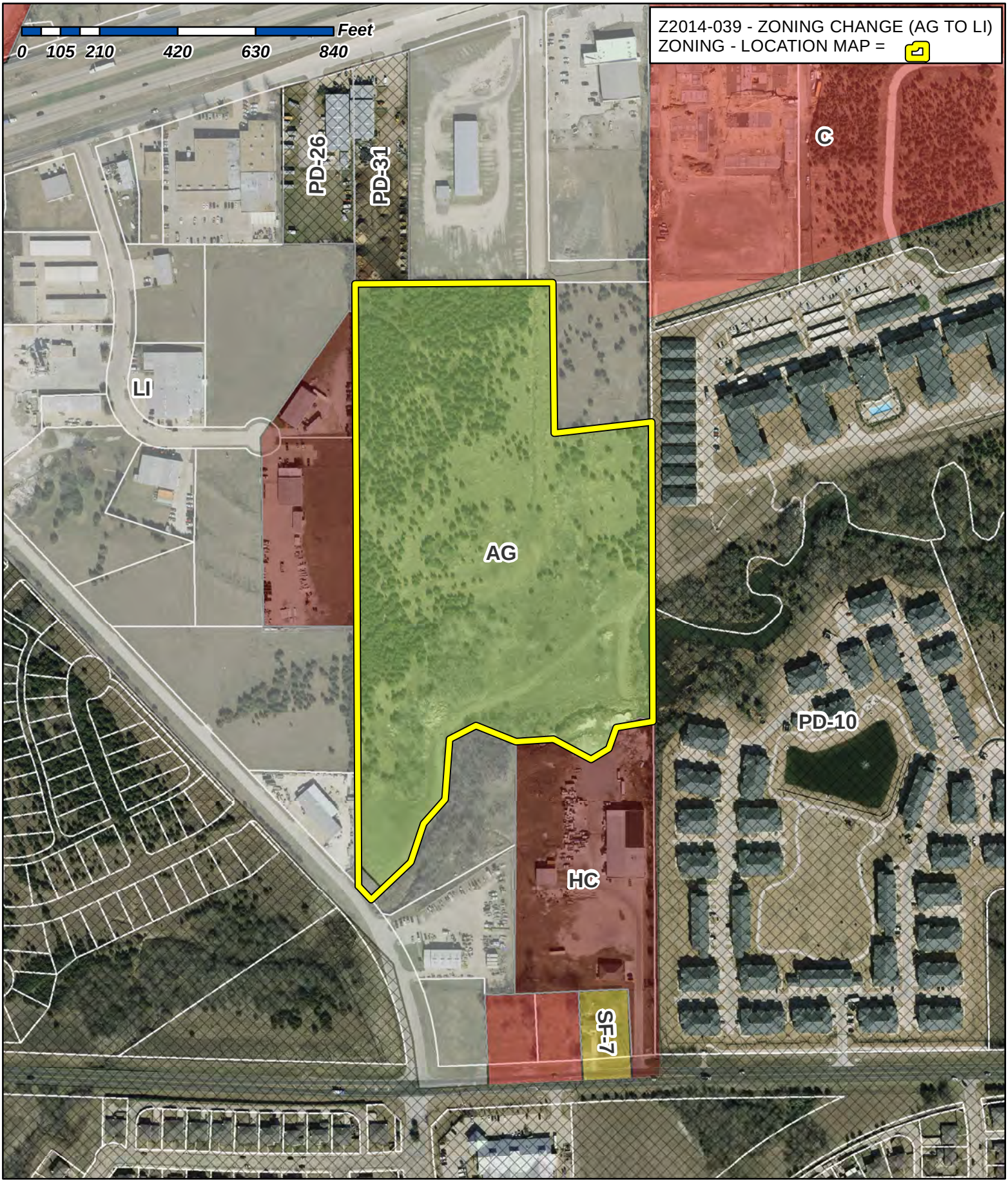
The majority of properties to the north are zoned Light Industrial. The properties to the south and west are zoned Heavy Commercial and Light Industrial. The property to the east is zoned PD-10 with an underlying zoning of Multi-Family which is the existing site of the Mansions Apartments and Orion (age-restricted).

NOTIFICATION:

A notice was published in the Rockwall County Herald-Banner on December 26, 2014. Staff mailed forty-eight (48) notices to property owners and non-owner occupants within 500 feet of the subject property. Additionally, staff posted signage along the street frontage adjacent to the subject property as required by the UDC. At the time this case memo was drafted, staff had received two (2) responses in support of the request.

PLANNING & ZONING COMMISSION:

On January 13, 2015, the Planning & Zoning Commission recommended approval of the zoning change by a vote of 6-0 (Commissioner Fishman absent).



City of Rockwall

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

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City of Rockwall

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(P): (972) 771-7745
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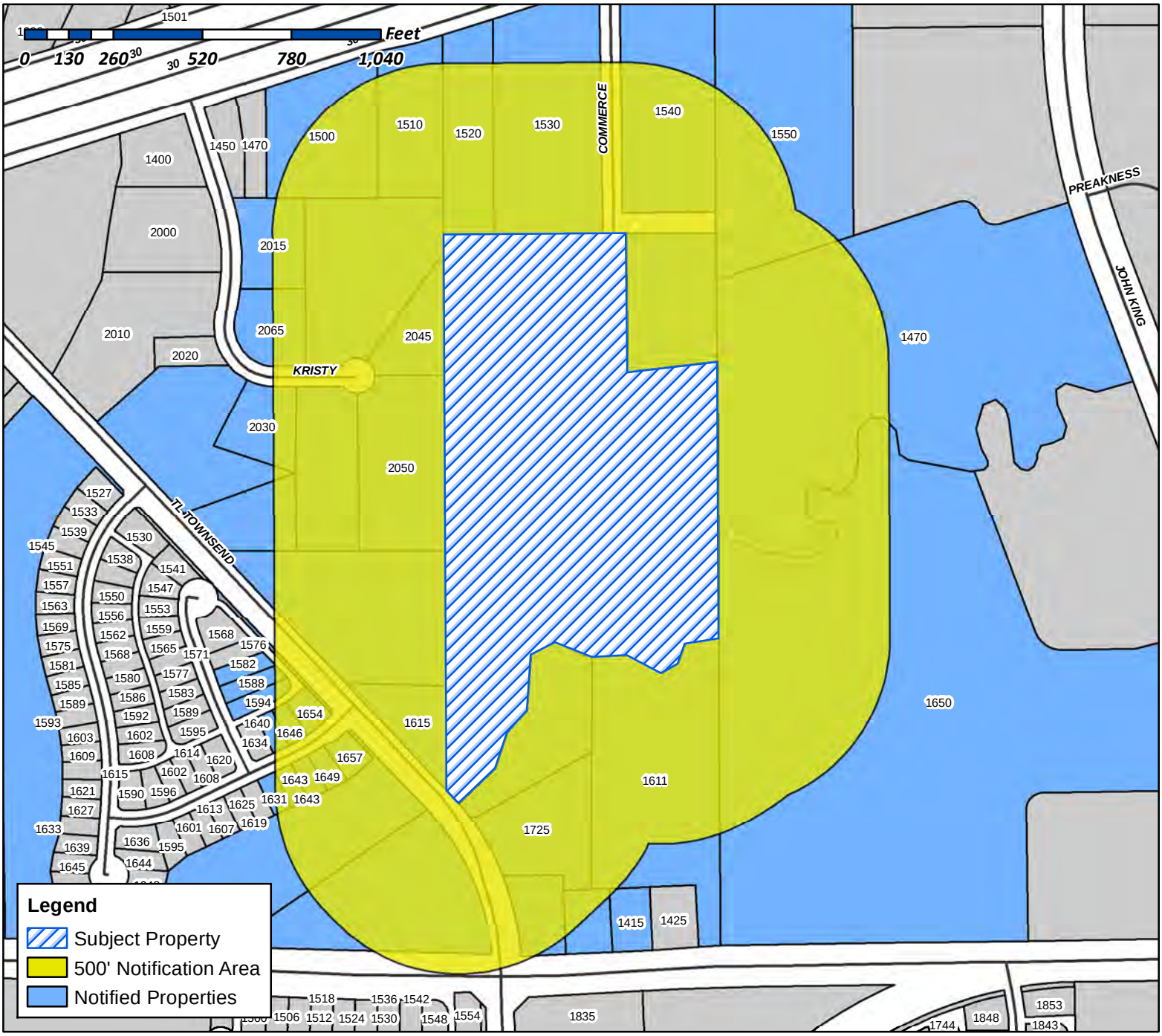
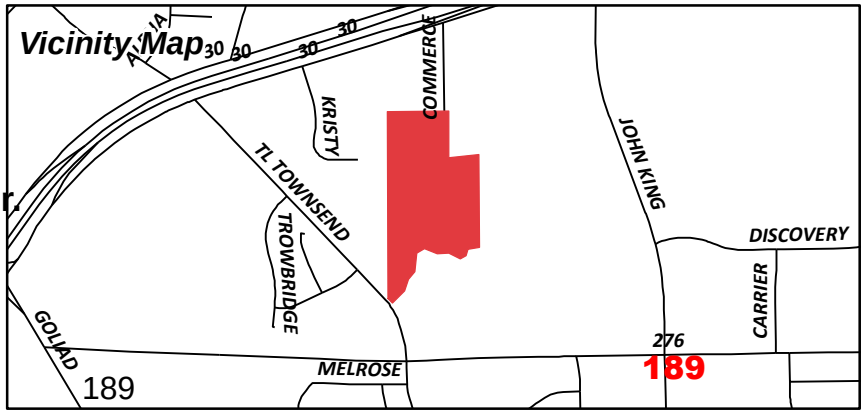


Case Number: Z2014-039
Case Name: Zoning Change (AG to LI)
Case Type: Zoning
Zoning: Agricultural
Case Address: Commerce & Townsend Dr.



Date Created: 12/23/2014

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

Reference No.	Name	Legal Description	Address 1	Address 2	Address 3	City	State	Zip
0024-0000-0001-00-0R	HOYOS JOEL	A0024 N M BALLARD, TRACT 1, ACRES 0.500, FM276		11214 GARLAND RD		DALLAS	TX	75218
0024-0000-0001-00-0R	Current Occupant	A0024 N M BALLARD, TRACT 1, ACRES 0.500, FM276		1415 HWY276		ROCKWALL	TX	75032
0024-0000-0004-00-0R	COLLIN G PROPERTIES LTD	A0024 N M BALLARD, TRACT 4, ACRES 0.534		PO BOX 847		ROCKWALL	TX	75087
0024-0000-0004-02-0R	Current Occupant	A0024 N M BALLARD, TRACT 4-02, ACRES 4.922, FRONT I30		1530 S I30		ROCKWALL	TX	75087
0024-0000-0004-02-0R	GORDON ROCKWALL INVESTMENTS LLC	A0024 N M BALLARD, TRACT 4-02, ACRES 4.922, FRONT I30		1551 E I 30		ROCKWALL	TX	75087
0024-0000-0004-03-0R	SADEGHIAN KHOSROW	A0024 N M BALLARD, TRACT 4-03, ACRES 1.588		PO BOX 50593		DENTON	TX	76206
0024-0000-0004-04-0R	Current Occupant	A0024 N M BALLARD, TRACT 4-4, ACRES 2.160, FRONTS I30		1520 E I30		ROCKWALL	TX	75087
0024-0000-0004-04-0R	ROCKWALL CREDIT SERVICES LC	A0024 N M BALLARD, TRACT 4-4, ACRES 2.160, FRONTS I30		PO BOX 1870		ROCKWALL	TX	75087
0024-0000-0004-06-0R	KIM YONG JU	A0024 N M BALLARD, TRACT 4-6, ACRES 0.896, FM276 & HIGH SCHOOL DR		104 S CARROLL AVE		DALLAS	TX	75226
0024-0000-0004-08-0R	327 HOLDINGS LTD	A0024 N M BALLARD, TRACT 4-8, ACRES 1.827		1500 COUNTY ROAD 303		TERRELL	TX	75160
0024-0000-0004-08-0R	Current Occupant	A0024 N M BALLARD, TRACT 4-8, ACRES 1.827		1725 T L TOWNSEND		ROCKWALL	TX	75032
0065-0000-0002-00-0R	ROCKWALL SH205 VENTURE LLC	A0065, J CADLE, TRACT PT 2, ACRES 5.549		312 FOXWOOD LANE		WYLIE	TX	75098
0065-0000-0002-04-0R	CTMGT ROCKWALL 38 LLC	A0065, J CADLE, TRACT 2-4, ACRES 10.062		1221 N INTERSTATE 35E	SUITE 200	CARROLLTON	TX	75006
3130-0000-0001-00-0R	WAY BILL & JERRY	BODIN INDUSTRIAL TRACT, LOT TR 1 PART, ACRES 1.227	FAMILY TRUST	8441 S FM 549		ROCKWALL	TX	75032
3130-0000-0001-A0-0R	MULTI-METAL & MFG CO, INC	BODIN INDUSTRIAL TRACT, LOT TR 1-A, ACRES 2.77, (REPLAT 00)		1500 E INTERSTATE 30		ROCKWALL	TX	75087
3130-0000-0001-A1-0R	Current Occupant	BODIN INDUSTRIAL TRACT, LOT 1-A1, ACRES 2.974		2050 KRISTY LN		ROCKWALL	TX	75032
3130-0000-0001-A1-0R	HAWN HOLDINGS LC	BODIN INDUSTRIAL TRACT, LOT 1-A1, ACRES 2.974		PO BOX 1870		ROCKWALL	TX	75087
3130-0000-0001-B0-0R	HAWN HOLDINGS LC	BODIN INDUSTRIAL TRACT, LOT TR 1-B, ACRES 2.186		PO BOX 1688		ROCKWALL	TX	75087
3130-0000-0001-C0-0R	Current Occupant	BODIN INDUSTRIAL TRACT, LOT 1-C0, ACRES 1		2045 KRISTY LN		ROCKWALL	TX	75032
3130-0000-0001-C0-0R	IRT CONSTRUCTION, INC	BODIN INDUSTRIAL TRACT, LOT 1-C0, ACRES 1		3010 E INTERSTATE 30		FATE	TX	75087
3130-0000-0001-E0-0R	MOORE MICHAEL E & MARIJANE	BODIN INDUSTRIAL TRACT, LOT 1-E0, ACRES 1, 2025 KRISTY LN		2065 KRISTY LN		ROCKWALL	TX	75032
3130-0000-0001-F0-0R	Current Occupant	BODIN INDUSTRIAL TRACT, LOT 1-F0, ACRES 1.215, 2015 KRISTY LN		2015 KRISTY LN		ROCKWALL	TX	75032
3130-0000-0001-F0-0R	DAVIS FORREST B	BODIN INDUSTRIAL TRACT, LOT 1-F0, ACRES 1.215, 2015 KRISTY LN		PO BOX 826		FATE	TX	75132
3130-0000-0001-G0-0R	Current Occupant	BODIN INDUSTRIAL TRACT, LOT 1-G0, ACRES 1		2030 KRISTY LN		ROCKWALL	TX	75032
3130-0000-0001-G0-0R	OWENS REAL ESTATE INVESTMENTS LLC	BODIN INDUSTRIAL TRACT, LOT 1-G0, ACRES 1		7156 HUNT LN		ROCKWALL	TX	75087
3130-0000-0001-J0-0R	BODIN CONCRETE LP	BODIN INDUSTRIAL TRACT, LOT 1-J, ACRES 3		PO BOX 109		ROWLETT	TX	75030
3130-0000-0001-K0-0R	VALK TRUST THE	BODIN INDUSTRIAL TRACT, LOT 1-K, ACRES 1.000, 555 HIGH SCHOOL DR	JAMES VALK SR AND CAROLYN C TRUSTEES	1158 CHISHOLM RIDGE DR		ROCKWALL	TX	75032
3130-0000-0001-K0-0R	Current Occupant	BODIN INDUSTRIAL TRACT, LOT 1-K, ACRES 1.000, 555 HIGH SCHOOL DR		1615 T L TOWNSEND DR		ROCKWALL	TX	75032
3130-0000-0001-M0-0R	MOORE MICHAEL E & MARIJANE	BODIN INDUSTRIAL TRACT, LOT 1-M, ACRES 3.543		348 HARVEST HILL DR		ROCKWALL	TX	75032
3998-0001-0001-00-0R	Current Occupant	HONDA OF ROCKWALL, BLOCK 1, LOT 1, ACRES 8.6860		1550 E I30		ROCKWALL	TX	75087
3998-0001-0001-00-0R	REALTY HOLDINGS OF ROCKWALL LLC	HONDA OF ROCKWALL, BLOCK 1, LOT 1, ACRES 8.6860		1925 CEDAR SPRINGS ROAD	SUITE 204	DALLAS	TX	75201
4007-000A-0001-00-0R	Current Occupant	HOUSER ADDN, BLOCK A, LOT 1, ACRES 6.19		1611 HWY276		ROCKWALL	TX	75032
4132-000A-0001-00-0R	Current Occupant	LANE BUSINESS PARK, BLOCK A, LOT 1, 1.9689 AC		1510 E I30		ROCKWALL	TX	75087
4372-000A-0001-00-0R	Current Occupant	MANSIONS FAMILY ADDITION, BLOCK A, LOT 1, ACRES 32.6546		1650 S JOHN KING		ROCKWALL	TX	75032
4372-000A-0001-00-0R	BRE MF ROCKWALL LLC	MANSIONS FAMILY ADDITION, BLOCK A, LOT 1, ACRES 32.6546	C/O THE BLACKSTONE GROUP	345 PARK AVE		NEW YORK	NY	10154
4373-000A-0001-00-0R	Current Occupant	MANSIONS SENIOR ADDITION, BLOCK A, LOT 1, ACRES 18.1650		1470 S JOHN KING BLVD		ROCKWALL	TX	75032
4868-0001-0001-00-0R	Current Occupant	ROCKWALL RECREATIONAL ADDITION, BLOCK 1, LOT 2, ACRES 4.39		1540 I30		ROCKWALL	TX	75087
4868-0001-0001-00-0R	AUTOMOTIVE REAL ESTATE HOLDINGS LLC	ROCKWALL RECREATIONAL ADDITION, BLOCK 1, LOT 2, ACRES 4.39		3709 BRYN MAWR		DALLAS	TX	75225
5173-000A-0001-00-0R	Current Occupant	TOWNSEND VILLAGE, BLOCK A, LOT 1		1657 MANNHEIM DR		ROCKWALL	TX	75032
5173-000A-0002-00-0R	Current Occupant	TOWNSEND VILLAGE, BLOCK A, LOT 2		1649 MANNHEIM DR		ROCKWALL	TX	75032
5173-000A-0003-00-0R	Current Occupant	TOWNSEND VILLAGE, BLOCK A, LOT 3		1643 MANNHEIM DR		ROCKWALL	TX	75032
5173-000A-0005-00-0R	Current Occupant	TOWNSEND VILLAGE, BLOCK A, LOT 5		1631 MANNHEIM DR		ROCKWALL	TX	75032
5173-000B-0032-00-0R	Current Occupant	TOWNSEND VILLAGE, BLOCK B, LOT 32		1582 CROMWELL CT		ROCKWALL	TX	75032
5173-000B-0033-00-0R	Current Occupant	TOWNSEND VILLAGE, BLOCK B, LOT 33		1588 CROMWELL CT		ROCKWALL	TX	75032
5173-000B-0034-00-0R	Current Occupant	TOWNSEND VILLAGE, BLOCK B, LOT 34		1594 CROMWELL CT		ROCKWALL	TX	75032
5173-000B-0036-00-0R	Current Occupant	TOWNSEND VILLAGE, BLOCK B, LOT 36		1640 MANNHEIM DR		ROCKWALL	TX	75032
5173-000B-0037-00-0R	Current Occupant	TOWNSEND VILLAGE, BLOCK B, LOT 37		1646 MANNHEIM DR		ROCKWALL	TX	75032
5173-000B-0038-00-0R	Current Occupant	TOWNSEND VILLAGE, BLOCK B, LOT 38		1654 MANNHEIM DR		ROCKWALL	TX	75032

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

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

To Whom It May Concern:

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

Case No. Z2014-039: Change from AG to LI

Hold a public hearing to discuss and consider a request by Zack Amick of Gordon Rockwall Investments, LLC for the approval of a zoning change from an Agricultural (AG) District to a Light Industrial (LI) District for a 21.684-acre tract of land identified as Tract 4 of the N. M. Ballard Survey, Abstract No. 24, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located in between Commerce Street and T. L. Townsend Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 1/13/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Tuesday, 1/20/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

JoDee Sanford
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **1/20/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2014-039: Change from AG to LI

Please place a check mark on the appropriate line below:

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

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

Name: Michael Moore

Address: 2065 K REILY LANE

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

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

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

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

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Robert LaCroix, AICP
Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. Z2014-039: Change from AG to LI

Please place a check mark on the appropriate line below:

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

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

Name: [signature] Trustee Bill + Jerry Way Family Trust

Address: 8441 S. FM 549 Heath. TX, 75032

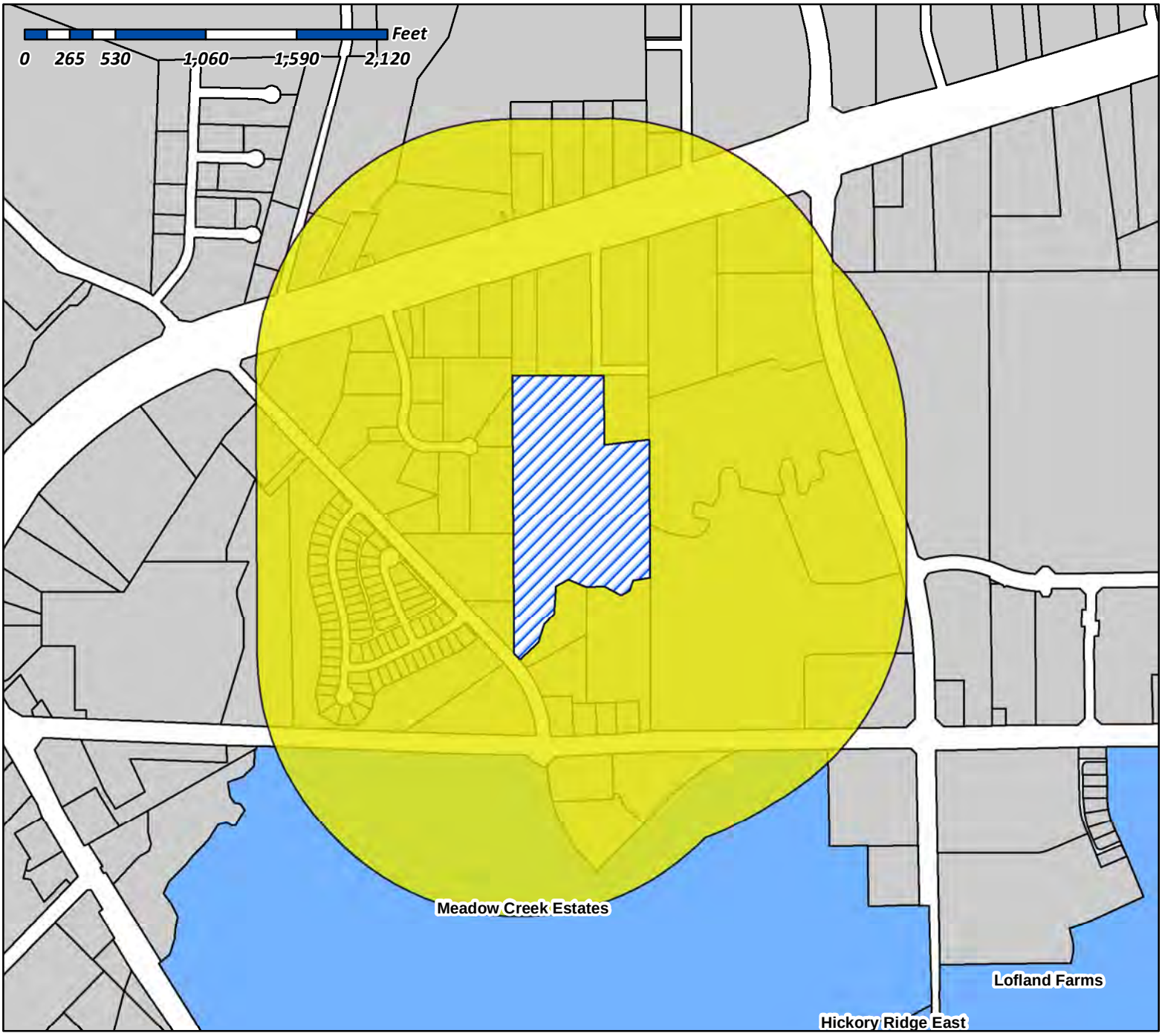
Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written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

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

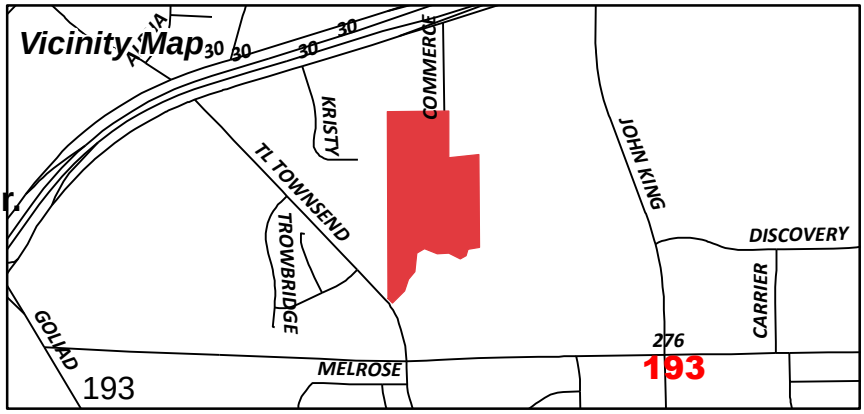
City of Rockwall

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

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



Case Number: Z2014-039
Case Name: Zoning Change (AG to LI)
Case Type: Zoning
Zoning: Agricultural
Case Address: Commerce & Townsend Dr.



Date Created: 12/23/2014

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

December 19, 2014

Robert LaCroix, AICP
Director of Planning
Planning and Zoning
City of Rockwall
385 South Goliad Street
Rockwall, TX 75087

Subject: Re-zoning 21.684 Acres located between Commerce St. and Townsend (High School Drive)

Dear Mr. LaCroix,

The purpose of this letter is to request a change from the existing AG zoning to LI. We respectfully request this change to facilitate an update to our current SUP on our adjoining property.

Sincerely,

Zack Amick
Gordon Rockwall Investments, LLC
1551 E. IH 30, Suite 100
Rockwall, TX 75087
214-507-9831

"Exhibit A"

TRACT 1
DESCRIPTION OF THE NET OF THE PROPERTY SURVEYED

BEING a 21.684-acre portion of a called 22.303-acre tract of land described in the deed from Thomas E. Haack to Thomas Real Estate, L.P. dated November 12, 1998, and recorded in Volume 1507, at Page 203 of the Deed Records of Rockwall County, Texas (DRRCT) and being situated in the N.M. Ballard Survey, Abstract No. 24, City of Rockwall, Rockwall County, Texas, and also being part of a called 25.281-acre tract of land described in the deed from Haldeman, Inc. to Buddy R. Haldeman dated the 20th day of March, 1984, and recorded in Volume 193, at Page 406 DRRCT and being more particularly described as follows:

BEGINNING at a 1/2-inch steel rod found at the intersection of the northeasterly right-of-way line of High School Drive (a variable width right-of-way commonly known as T.L. Townsend Drive) with the easterly line of Bodin Industrial Tract according to the plat thereof recorded in Cabinet A, on Slide 347 of the DRRCT said 1/2-steel rod also marking the most southerly or southeasterly corner of a 1-acre lot, tract or parcel described in the deed from James Valk et ux to James Valk, Sr. et al dated the 23rd day of March, 2010, and recorded in Volume 6070, at Page 268 DRRCT, and having coordinates of:
X. 2,600,974.41 U. S. Survey Feet
Y. 7,019,534.15 U. S. Survey Feet;

THENCE:

- N 00°21'13"W with the westerly line of the 22.303-acre tract and with easterly line of the last mentioned Bodin Industrial Tract at a distance of 304.86 feet pass 1/2-inch steel rod found
- And continuing on the same course and with the common line between the 22.303-acre tract and Bodin Industrial Tract at an additional distance of 376.39 feet pass one foot west of a 1/2-inch steel rod found
- And continuing on the same course and with the common line between the 22.303-acre tract and Bodin Industrial Tract at an additional distance of 863.78 feet pass a 3/8-inch steel rod found marking the northeasterly corner of a 1-acre tract or parcel of land described in the deed from John W. McDaniel et ux to IRT Construction, Inc., dated December 31, 1997, and recorded in Volume 1314, at Page 250 of the DRRCT
- And continuing on the same course and with the common line between the 22.303-acre tract and Bodin Industrial Tract at an additional distance of 71.85 feet for a total distance of 1,616.88 feet (called: 1,625.74 feet) to a 1/2-inch steel rod found for the southwest corner of a 2.16-acre tract of land described in the deed from Cibola Properties, Ltd, to Rockwall Credit Services, L.C. dated September 30, 2005, and recorded in Volume 4314, at Page 34 DRRCT;

THENCE N 89°22'30"E with the northerly line of the 22.303-acre tract and the southerly line of the last mentioned 2.16-acre Rockwall Credit Services tract at a distance of 153.71 feet pass a 3/8-inch steel rod marking the southeast corner of said 2.16-acre tract the same being the southwest corner of a 4.922-acre tract described in the deed from Marty K. Salley et vir to Gordon Rockwall Investments, LLC dated 2nd day of October, 2012, and recorded in Volume 6959, at Page 100 DRRCT and continuing on the same course with the northerly line of the 22.303-acre tract and the southerly line of the last mentioned 4.922-acre tract an additional distance of 317.00 feet for a total distance of 470.71 feet to a 3/8-inch steel rod found marking the southeast corner of said 4.922-acre tract;

THENCE N 68°46'16"E with the northerly line of the 22.303-acre tract for a distance of 63.21 feet to a 1/2-inch steel rod found in the westerly boundary line of Rockwall Recreation Addition according to the plat thereof recorded in Cabinet F, on Slide 379 DRRCT;

THENCE S 00°35'03"E with the westerly boundary line of said Rockwall Recreation Addition for a distance of 433.41 feet to a 5/8-inch steel rod found for the southwest corner of said addition;

195

THENCE N 89°28'30"E with a northerly line of the 22.303-acre tract and departing the Rockwall Recreation Addition for a distance of 261.25 feet to a 5/8-inch steel rod for its most easterly northeast corner from which a ½-inch steel rod marking the southeast corner of said Rockwall Recreation Addition bears N 01°02'39"W a distance of 24.60 feet;

THENCE S 00°31'33"E with the easterly line of said 22.303-acre tract at a distance of 389.26 feet pass 7.5 feet west of a Flood Plain Monument called on Sheet 2 of 6 of the plat of the Mansions Senior Addition according to the plat thereof recorded in Cabinet G, on Slide 389-394 DRRCT and continue on the same course and with the easterly line of said 22.303-acre tract for an additional distance of 378.14 feet for a total distance of 767.40 feet to a point on the platted northerly line of Lot 1, Block 1 Houser Addition according to the plat thereof recorded in Cabinet B, at Slide 174 of the Map Records of Rockwall County, Texas, and being N 73°16'24"W a distance of 8.07 feet from the northeast corner of said Lot 1;

THENCE generally along the high bank of Buffalo Creek the following six (6) courses and distances:

- N 41°18'30"W a distance of 74.72 feet to a 5/8-inch steel rod set with an orange plastic cap stamped "R-DELTA ENGINEERS"
- S 86°07'24"W a distance of 102.81 feet to a 5/8-inch steel rod set with an orange plastic cap stamped "R-DELTA ENGINEERS"
- S 69°01'44"W a distance of 61.40 feet to a 5/8-inch steel rod set with an orange plastic cap stamped "R-DELTA ENGINEERS"
- S 62°32'37"W a distance of 38.24 feet to a 5/8-inch steel rod set with an orange plastic cap stamped "R-DELTA ENGINEERS"
- S 41°12'23"W a distance of 70.66 feet to a 5/8-inch steel rod set with an orange plastic cap stamped "R-DELTA ENGINEERS"
- S 80°55'55"W a distance of 79.86 feet to the northwest corner of said Lot 1, Block 1 Houser Addition, from which a 1/2-inch steel rod found bears S 00°13'03"E a distance of 40.51 feet and a 5/8-inch steel rod set in the thread of Buffalo Creek with an orange plastic cap stamped "R-DELTA ENGINEERS" bears N 20°W a distance of 0.45 feet;

THENCE with the thread of said Buffalo Creek the following eight (8) courses and distances:

- S 74°05'53"W a distance of 31.97 feet;
- N 34°02'33"W a distance of 39.97 feet;
- S 73°38'14"W a distance of 97.75 feet;
- S 02°51'37"W a distance of 93.25 feet;
- S 16°31'48"E a distance of 69.66 feet;
- S 24°26'02"W a distance of 76.47 feet;
- S 38°41'24"W a distance of 251.24 feet;
- S 57°43'03"W a distance of 62.30 feet to a point on the northeasterly right-of-way line of High School Drive;

THENCE N 35°21'16"W with the northeasterly right-of-way line of High School Drive a distance of 87.69 feet to the PLACE OF BEGINNING and containing 944,552 square feet or 21.684 acres of land.

JOHN KING BLVD
PD-10
HC
AG
HC
PD-31
PD-26
30
67
COMMERCE ST
KRISTY LN
S. TOWNSEND DR
CROMWELL CT
TROWBRIDGE CIR

197

Permitted Land Uses in a Light Industrial (LI) District

Date: March 17, 2014

P: Permitted by Right; S: Permitted by Specific Use Permit; A: Permitted Accessory to the Primary Use; Blank: Not Permitted; [1]: Additional Requirements

Rural & Animal-Related	
Agricultural Uses on Un-Platted Land	P
Animal Boarding/Kennel *without* Outside Pens	P
Animal Clinic for small animals, no outdoor pens [1]	P
Animal Hospital, Clinic	P
Animal Shelter	P

Residential & Lodging	
Accessory Building [1]	P
Caretakers Quarters/Domestic or Security Unit	P
Garage	A

Institutional & Community Service	
Blood Plasma Donor Center	P
Cemetery/ Mausoleum	P
Church/House of Worship [1]	P
College, University, or Seminary	P
Convalescent Care Facility/Nursing Home [1]	S
Crematorium	S
Day Care (7 or More Children) [1]	S
Emergency Ambulance Services, Ground	P
Government Facility	P
Hospice	S
Hospital	P
Library, Art Gallery or Museum (Public)	P
Mortuary or Funeral Chapel	P
Post Office, Local Service	P
Post Office, Regional	P
Prison/Custodial Institution	P
Public or Private School, Primary [1]	P
Public or Private School, Secondary [1]	P
Rescue Mission or Shelter for the Homeless	P
Social Service Provider, except Rescue Mission or Homeless Shelter	P

Office & Professional	
Financial Institution with Drive-Through [1]	P
Financial Institution without Drive-Through	P
Office, General	P
Office Building, less than 5,000 Sq. Ft.	P
Office Building, 5,000 Sq. Ft. or more	P

Recreation, Entertainment & Amusement	
Billiard Parlor or Pool Hall [1]	P
Carnival, Circus, or Amusement Ride, Temporary [1]	P
Commercial Amusement/ Recreation (Inside) [1]	P
Commercial Amusement/ Recreation (Outside)	S
Community or Recreation Club, Public or Private (Accessory)	P
Country Club, Private	P
Golf Driving Range	P
Fund Raising Events by Non-Profit, Indoor or Outdoor, Temporary [1]	P
Gun Club, Skeet or Target Range (Indoor)	P
Health Club	P

Permitted Land Uses in a Light Industrial (LI) District

Date: March 17, 2014

P: Permitted by Right; S: Permitted by Specific Use Permit; A: Permitted Accessory to the Primary Use; Blank: Not Permitted; [1]: Additional Requirements

Private Club, Lodge or Fraternal Organization	P
Private Sports Arena, Stadium or Track	P
Public Park or Playground	P
Tennis Courts (Not accessory to a public or private club)	P
Theater	P

Retail & Personal Services	
Beverage Service Facility, Portable [1]	S
Business School	P
Catering Service	P
Christmas Tree Sales Lot & Similar Uses, Temporary [1]	P
Copy Center	P
Garden Supply/Plant Nursery	P
General Personal Service	S
General Retail Store	S
Hair Salon, Manicurist	S
Laundry, Drop-off/Pickup	P
Laundry, Self Service	P
Museum or Art Gallery (Private)	P
Night Club, Discoteque, or Dance Hall	S
Pawn Shop	P
Private Club [1]	P
Real Estate Sales Office, On-site, Temporary [1]	P
Rental Store, w/o Outside Storage and Display	P
Restaurant, Less than 2000 Sq. Ft., w/ Drive-Thru or Drive-in [1]	S
Restaurant, Less than 2000 Sq. Ft., w/o Drive-Thru or Drive-in	P
Restaurant, 2000 Sq. Ft. or more, w/ Drive-Thru or Drive-in [1]	P
Restaurant, 2000 Sq. Ft. or more, w/o Drive-Thru or Drive-in	P
Restaurant with accessory Private Club or Brew Pub [1]	P
Retail store with gasoline product sales limited to 2 dispensers and 4 vehicles	P
Retail store with more than 2 dispensers	P
Secondhand Dealer	P
Studio - Art, Photography or Music	P
Taxidermist Shop	P

Commercial & Business Services	
Bail Bond Service	P
Building & Landscape Material *with* Outside Storage	P
Building & Landscape Material *with Limited* Outside Storage [1]	P
Building Maintenance, Service & Sales *with* Outside Storage [1]	P
Building Maintenance, Service & Sales *without* Outside Storage	P
Cemetery or Mortuary	S
Cleaners, Commercial	P
Commercial, Other than Listed	P
Custom & Craft Work	P
Electrical, Watch, Clock, Jewelry & Similar Repair	P
Feed Store, Ranch Supply	S
Food Processing	P
Furniture or Cabinet Repair	P
Furniture Upholstery, Refinishing or Resale	P
Gunsmith Repair and Sales	P
Heavy Machinery & Equipment (Rental, Sales & Service)	P

Permitted Land Uses in a Light Industrial (LI) District

Date: March 17, 2014

P: Permitted by Right; S: Permitted by Specific Use Permit; A: Permitted Accessory to the Primary Use; Blank: Not Permitted; [1]: Additional Requirements

Locksmith	P
Machine Shop	P
Medical or Scientific Research Lab	P
Research & Technology / Light Assembly	P
Trade School	P
Temporary On-site Construction Office [1]	P

Auto & Marine-Related	
Auto Repair Garage, Major [1]	P
Auto Repair Garage, Minor [1]	P
Automobile Rental	P
Boat & Trailer Dealership (New and Used) [1]	P
Car Wash/Auto Detail [1]	P
Car Wash, Self Service	P
Motor Vehicle Dealership, New (Cars and Light Trucks) [1]	P
Motor Vehicle Dealership, Used (Cars and Light Trucks) [1]	P
Parking, Commercial	P
Parking Lot, non-commercial	P
Recreational Vehicle (RV) Sales and Service	P
Service Station [1]	P
Towing & Impound Yard	S
Towing Service, No Storage	P
Truck Rental	P
Truck Stop with Fuel and Accessory Services [1]	S

Industrial & Manufacturing	
Asphalt or Concrete Batch Plant [1]	S
Asphalt or Concrete Batch Plant, Temporary [1]	P
Bottle Works, Milk or Soft Drinks	P
Brewery, Distillery or Winery (Excluding Brew Pub)	P
Carpet and Rug Cleaning	P
Environmentally Hazardous Materials [1]	S
Food Processing (No Slaughtering)	P
Light Assembly & Fabrication	P
Manufacturing, Heavy	S
Manufacturing, Light	P
Metal Plating, Electro Plating	S
Mining and Extraction (Sand, Gravel Oil & other) [1]	S
Printing & Publishing	P
Salvage or Reclamation of Products (Indoors)	P
Salvage or Reclamation of Products (Outdoors)	S
Sheet Metal Shop	P
Tool, Dye, Gauge and Machine Shop	P
Welding Repair	P

Wholesale, Distribution & Storage	
Cold Storage Plant	P
Heavy Construction Trade Yard	P
Mini-warehouse [1]	P
Outside Storage [1]	P
Recycling Collection Center	P
Warehouse/ Distribution Center	P

Permitted Land Uses in a Light Industrial (LI) District

Date: March 17, 2014

P: Permitted by Right; S: Permitted by Specific Use Permit; A: Permitted Accessory to the Primary Use; Blank: Not Permitted; [1]: Additional Requirements

Wholesale Showroom Facility	P

Utilities, Communications & Transportation	
Airport, Heliport or Landing Field	S
Antenna, Accessory [1]	P
Antenna, Commercial [1]	S
Antenna, Dish [1]	P
Antenna, Commercial, Free-Standing [1]	P
Antenna, Commercial, Mounted [1]	P
Bus Charter Service & Service Facility	P
Helipad	S
Utilities (Non-Municipally owned or Controlled), including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	S
Municipally Owned or Controlled Facilities, Utilities and Uses	P
Private Streets	S
Radio Broadcasting	P
Railroad Yard or Shop	S
Recording Studio	P
Satellite Dish [1]	P
Transit Passenger Facility	S
Trucking Company	P
TV Broadcasting & Other Communication Service	P
Utilities Holding a Franchise from City of Rockwall	P
Utility Installation, Other than Listed	S
Utility/ Transmission Lines	S
Wireless Communication Tower	S

CITY OF ROCKWALL

ORDINANCE NO. 14-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A LIGHT INDUSTRIAL (LI) DISTRICT FOR A 21.684-ACRE TRACT OF LAND IDENTIFIED AS TRACT 4 OF THE N.M. BALLARD SURVEY, ABSTRACT NO. 24, CITY AND COUNTY OF ROCKWALL, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Zack Amick of Gordon Rockwall Investments, LLC, for an amendment to the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall to adopt a change in zoning from an Agricultural (Ag) District to a Light Industrial (LI) District for a 21.684-acre tract of land identified as Tract 4 of the N.M. Ballard Survey, Abstract No. 24, City and County of Rockwall, Texas, and more specifically described in Exhibit "A" of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code should be amended as follows:

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

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning from an Agricultural (Ag) District to a Light Industrial (LI) District for the *Subject Property*; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a Light Industrial (LI) District as stipulated by *Section 1.1, "Use of land and buildings", Article IV, "Permissible Uses",* and in *Section 5.3, "Light Industrial (LI) District", Article V, "District Development Standards", of the Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

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

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

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

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

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE ____ DAY OF _____, 2015.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading:
2nd Reading

Exhibit 'A':
Legal Description

"Exhibit A"

TRACT 1
DESCRIPTION OF THE NET OF THE PROPERTY SURVEYED

BEING a 21.684-acre portion of a called 22.303-acre tract of land described in the deed from Thomas E. Haack to Thomas Real Estate, L.P. dated November 12, 1998, and recorded in Volume 1507, at Page 203 of the Deed Records of Rockwall County, Texas (DRRCT) and being situated in the N.M. Ballard Survey, Abstract No. 24, City of Rockwall, Rockwall County, Texas, and also being part of a called 25.281-acre tract of land described in the deed from Haldeman, Inc. to Buddy R. Haldeman dated the 20th day of March, 1984, and recorded in Volume 193, at Page 406 DRRCT and being more particularly described as follows:

BEGINNING at a 1/2-inch steel rod found at the intersection of the northeasterly right-of-way line of High School Drive (a variable width right-of-way commonly known as T.L. Townsend Drive) with the easterly line of Bodin Industrial Tract according to the plat thereof recorded in Cabinet A, on Slide 347 of the DRRCT said 1/2-steel rod also marking the most southerly or southeasterly corner of a 1-acre lot, tract or parcel described in the deed from James Valk et ux to James Valk, Sr. et al dated the 23rd day of March, 2010, and recorded in Volume 6070, at Page 268 DRRCT, and having coordinates of:
X. 2,600,974.41 U. S. Survey Feet
Y. 7,019,534.15 U. S. Survey Feet;

THENCE:

- N 00°21'13"W with the westerly line of the 22.303-acre tract and with easterly line of the last mentioned Bodin Industrial Tract at a distance of 304.86 feet pass 1/2-inch steel rod found
- And continuing on the same course and with the common line between the 22.303-acre tract and Bodin Industrial Tract at an additional distance of 376.39 feet pass one foot west of a 1/2-inch steel rod found
- And continuing on the same course and with the common line between the 22.303-acre tract and Bodin Industrial Tract at an additional distance of 863.78 feet pass a 3/8-inch steel rod found marking the northeasterly corner of a 1-acre tract or parcel of land described in the deed from John W. McDaniel et ux to IRT Construction, Inc., dated December 31, 1997, and recorded in Volume 1314, at Page 250 of the DRRCT
- And continuing on the same course and with the common line between the 22.303-acre tract and Bodin Industrial Tract at an additional distance of 71.85 feet for a total distance of 1,616.88 feet (called: 1,625.74 feet) to a 1/2-inch steel rod found for the southwest corner of a 2.16-acre tract of land described in the deed from Cibola Properties, Ltd, to Rockwall Credit Services, L.C. dated September 30, 2005, and recorded in Volume 4314, at Page 34 DRRCT;

THENCE N 89°22'30"E with the northerly line of the 22.303-acre tract and the southerly line of the last mentioned 2.16-acre Rockwall Credit Services tract at a distance of 153.71 feet pass a 3/8-inch steel rod marking the southeast corner of said 2.16-acre tract the same being the southwest corner of a 4.922-acre tract described in the deed from Marty K. Salley et vir to Gordon Rockwall Investments, LLC dated 2nd day of October, 2012, and recorded in Volume 6959, at Page 100 DRRCT and continuing on the same course with the northerly line of the 22.303-acre tract and the southerly line of the last mentioned 4.922-acre tract an additional distance of 317.00 feet for a total distance of 470.71 feet to a 3/8-inch steel rod found marking the southeast corner of said 4.922-acre tract;

THENCE N 68°46'16"E with the northerly line of the 22.303-acre tract for a distance of 63.21 feet to a 1/2-inch steel rod found in the westerly boundary line of Rockwall Recreation Addition according to the plat thereof recorded in Cabinet F, on Slide 379 DRRCT;

THENCE S 00°35'03"E with the westerly boundary line of said Rockwall Recreation Addition for a distance of 433.41 feet to a 5/8-inch steel rod found for the southwest corner of said addition;

THENCE N 89°28'30"E with a northerly line of the 22.303-acre tract and departing the Rockwall Recreation Addition for a distance of 261.25 feet to a 5/8-inch steel rod for its most easterly northeast corner from which a ½-inch steel rod marking the southeast corner of said Rockwall Recreation Addition bears N 01°02'39"W a distance of 24.60 feet;

THENCE S 00°31'33"E with the easterly line of said 22.303-acre tract at a distance of 389.26 feet pass 7.5 feet west of a Flood Plain Monument called on Sheet 2 of 6 of the plat of the Mansions Senior Addition according to the plat thereof recorded in Cabinet G, on Slide 389-394 DRRCT and continue on the same course and with the easterly line of said 22.303-acre tract for an additional distance of 378.14 feet for a total distance of 767.40 feet to a point on the platted northerly line of Lot 1, Block 1 Houser Addition according to the plat thereof recorded in Cabinet B, at Slide 174 of the Map Records of Rockwall County, Texas, and being N 73°16'24"W a distance of 8.07 feet from the northeast corner of said Lot 1;

THENCE generally along the high bank of Buffalo Creek the following six (6) courses and distances:

- N 41°18'30"W a distance of 74.72 feet to a 5/8-inch steel rod set with an orange plastic cap stamped "R-DELTA ENGINEERS"
- S 86°07'24"W a distance of 102.81 feet to a 5/8-inch steel rod set with an orange plastic cap stamped "R-DELTA ENGINEERS"
- S 69°01'44"W a distance of 61.40 feet to a 5/8-inch steel rod set with an orange plastic cap stamped "R-DELTA ENGINEERS"
- S 62°32'37"W a distance of 38.24 feet to a 5/8-inch steel rod set with an orange plastic cap stamped "R-DELTA ENGINEERS"
- S 41°12'23"W a distance of 70.66 feet to a 5/8-inch steel rod set with an orange plastic cap stamped "R-DELTA ENGINEERS"
- S 80°55'55"W a distance of 79.86 feet to the northwest corner of said Lot 1, Block 1 Houser Addition, from which a 1/2-inch steel rod found bears S 00°13'03"E a distance of 40.51 feet and a 5/8-inch steel rod set in the thread of Buffalo Creek with an orange plastic cap stamped "R-DELTA ENGINEERS" bears N 20°W a distance of 0.45 feet;

THENCE with the thread of said Buffalo Creek the following eight (8) courses and distances:

- S 74°05'53"W a distance of 31.97 feet;
- N 34°02'33"W a distance of 39.97 feet;
- S 73°38'14"W a distance of 97.75 feet;
- S 02°51'37"W a distance of 93.25 feet;
- S 16°31'48"E a distance of 69.66 feet;
- S 24°26'02"W a distance of 76.47 feet;
- S 38°41'24"W a distance of 251.24 feet;
- S 57°43'03"W a distance of 62.30 feet to a point on the northeasterly right-of-way line of High School Drive;

THENCE N 35°21'16"W with the northeasterly right-of-way line of High School Drive a distance of 87.69 feet to the PLACE OF BEGINNING and containing 944,552 square feet or 21.684 acres of land.

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 01/20/2015

APPLICANT: Cameron Slown; *FC Cuny Corporation*

AGENDA ITEM: **Z2014-040**; *Spring Hill Suites Hotel (Marriott) SUP*

SUMMARY:

Hold a public hearing to discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of a Specific Use Permit (SUP) for a hotel on a 2.968-acre parcel of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a restaurant (*The Oar House Restaurant*), which is situated on a 0.65-acre parcel of land zoned Planned Development District 32 (PD-32) for residential/office uses. North of this use is the IH-30 Frontage Road followed by the main lanes of IH-30.

South: Directly south of the subject property is an office building (*Land Headquarters Company, Inc.*), which is situated on a 0.57-acre parcel of land zoned Planned Development District 32 (PD-32). Beyond this use is a surface parking lot that is currently being used by the existing Harbor development.

East: Directly east of the subject property is a 6.34-acre parcel of land zoned Planned Development District 32 (PD-32). A *PD Development Plan* [*Ordinance No. 13-16*] proposing the construction of residential condominiums and retail/restaurant pad sites was approved on June 17, 2013.

West: Directly west of the subject property is the proposed roundabout at the junction of Shoreline Trial and Harbor Heights Drive. Beyond this is land designated for retail/restaurant pad sites per *Ordinance No. 13-16*.

PURPOSE AND CHARACTERISTICS OF THE REQUEST:

The applicant is requesting a Specific Use Permit (SUP) for the purpose of establishing a *Hotel* and *Conference Center* on the subject property. The subject property is a 2.968-acre parcel of land situated within the *Freeway Frontage Subdistrict* of Planned Development District 32 (PD-32) [*Ordinance No. 10-21*]. According to the *Subdistrict Land Use Chart* located in *Exhibit 'D'* of *Ordinance No. 10-21* the *Hotel, Full Service* land use requires a SUP in all subdistricts. As part of this request, staff has included a requirement in the SUP ordinance that a minimum of a 3,000 SF *Conference Center* shall be included with the development of the hotel. A *Conference Center* in this case is understood to be an area that is exclusively used to host conferences, exhibitions, large meetings, seminars, training session, and other similar events. In addition, the SUP ordinance also includes a stipulation that the hotel not be utilized as an *Extended Stay,*

Transient or *Residence Hotel*. An *Extended Stay, Transient* or *Residence Hotel* in this case is understood to be any hotel facility in which the majority of the rooms contain facilities (*i.e. storage, refrigeration, food preparation area, and etcetera*) that accommodate long-term inhabitance and which are advertised, designed and utilized for weekly or monthly occupancy.

With the submittal of the SUP application, the applicant has also submitted an application for site plan (*Case No. SP2014-034*); however, the site plan has been tabled until corrections are submitted by the applicant. The conceptual site plan and building elevations that will be included in the SUP ordinance are conceptual in nature and should not affect changes that are required through the site planning process. The approval of this case does not have an impact on the outcome of the site plan; however, the site plan case does contain a condition of approval that requires a SUP to be approved prior to acceptance of the site plan.

NOTIFICATION:

On December 30, 2015, staff mailed 18 notices to property owners and residents within 500-feet of the subject property. Staff also emailed notice of the request to the Lakeside Village and Lago Vista Homeowner's Associations (HOAs), which are the only HOAs located within 1,500 feet of the subject property. Additionally, staff posted a sign at the northwest corner of the intersection of the IH-30 Frontage Road and Lakefront Trail as required by the Unified Development Code (UDC). At the time this case memo was drafted no responses were received by staff.

RECOMMENDATIONS:

If the Planning and Zoning Commission chooses to approve the applicant's request for a Specific Use Permit (SUP) for a *Hotel, Full Service* land use on the subject property then staff would recommend the following conditions of approval:

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

    a) The development of this property shall generally conform to the *Site Plan* depicted in the zoning ordinance;
    b) The development of this property shall generally conform to the *Building Elevations* depicted in the zoning ordinance;
    c) The development of a hotel on the subject property shall incorporate a minimum of 3,000 SF of floor area that will be utilized for the operation of a Conference Center (*i.e. an area that is exclusively used to host conferences, exhibitions, large meetings, seminars, training sessions, etcetera*); and,
    d) The *Subject Property* is prohibited from being utilized as an *Extended Stay, Transient* or *Residence Hotel*.

2) The applicant shall comply with all Planning, Engineering and Fire comments prior to the approval of the SUP;

3) Prior to the issuance of a Certificate of Occupancy the applicant shall be required to submit a replat that indicates the location of all easements on the subject property; and,

4) Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On January 13, 2015, the Planning and Zoning Commission voted to recommend approval of the applicant's request per staff's recommendations by a vote of 6-0, with Commissioner Fishman absent.

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City of Rockwall

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

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

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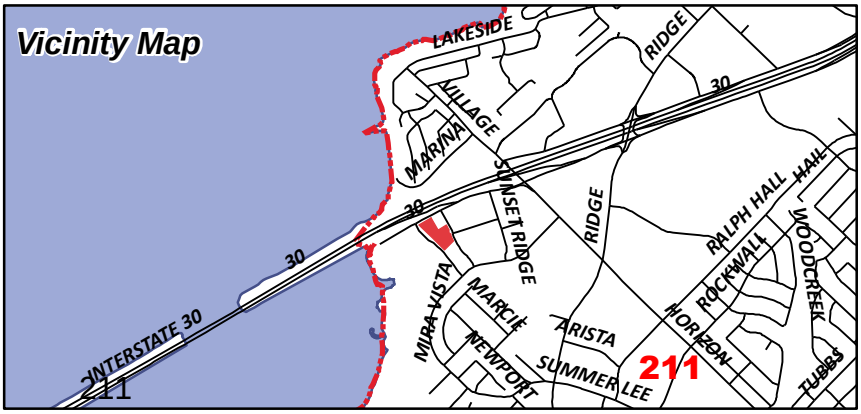
Case Number: Z2014-040
Case Name: Spring Hill Suites Hotel
Case Type: Specific Use Permit
Zoning: PD-32
Case Address: NEC of Lakefront Trail and IH-30 Frontage Road

Date Created: *12/19/2014*
For Questions on this Case Call (972) 771-7745



Current Occupant
295 I30
ROCKWALL, TX 75087

ROCKWALL RENTAL PROPERTIES LP
PO BOX 818
TERRELL, TX 75160

Current Occupant
311 E I30
ROCKWALL, TX 75087

EASTER TERESE M
3502 LAKESIDE DR
ROCKWALL, TX 75087

LAKESIDE VILLAGE HOMEOWNERS
4100 VILLAGE DR
ROCKWALL, TX 75087

TF HARBOR, LLC
C/O CREDIT UNION LIQUIDITY SERVICES LLC
777 E CAMPBELL RD STE 650
RICHARDSON, TX 75081

JBR2 LLC
1400 RIDGE RD
ROCKWALL, TX 75087

Current Occupant
205 I30
ROCKWALL, TX 75087

ARKOMA REALTY LTD
A TEXAS LTD PARTNERSHIP
203 E INTERSTATE 30
ROCKWALL, TX 75087

Current Occupant
201 E I30
ROCKWALL, TX 75087

DRZW HOLDINGS LTD
4515 DORSET RD
DALLAS, TX 75229

Current Occupant
309 E I30
ROCKWALL, TX 75087

Current Occupant
303 E I30
ROCKWALL, TX 75087

CLEMENTS BOB L
PO BOX 1850
MCKINNEY, TX 75070

LAKE FRONT TRAIL LP
166 YORKSHIRE DR
HEATH, TX 75032

Current Occupant
2850 SHORELINE TRL
ROCKWALL, TX 75032

FAULKNER INVESTMENT CO. LTD
3401 MAIN ST
ROWLETT, TX 75088

THE GAB FAMILY TRUST
C/O ELIZABETH BURKS
603 WOODED TRAIL
ROCKWALL, TX 75087

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City of Rockwall

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

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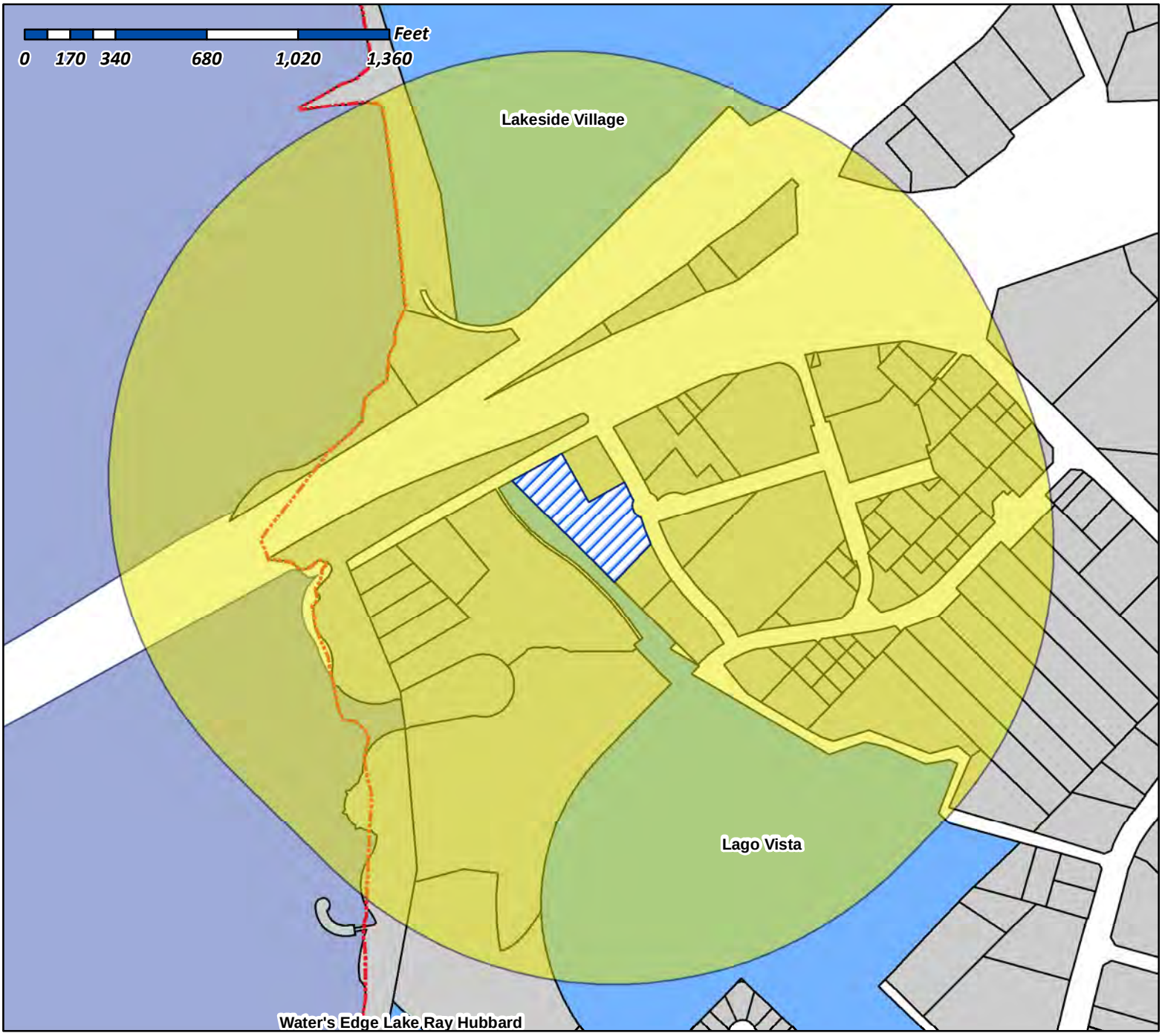
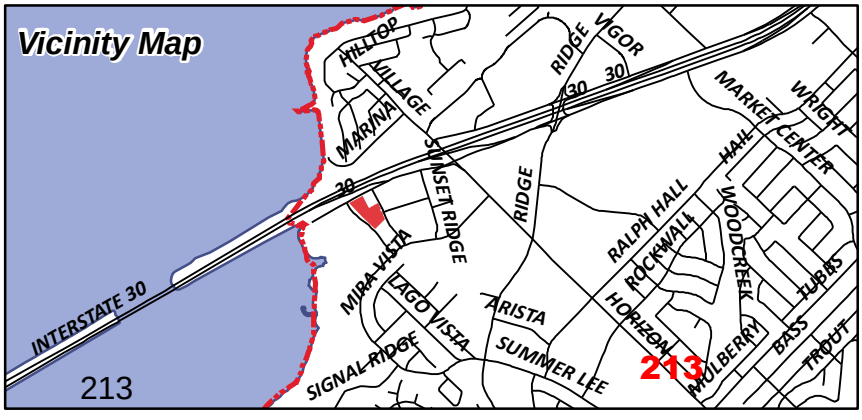


Case Number: Z2014-040
Case Name: Spring Hill Suites Hotel
Case Type: Specific Use Permit
Zoning: PD-32
Case Address: NEC of Lakefront Trail and IH-30 Frontage Road

Date Created: *12/22/2014*
For Questions on this Case Call (972) 771-7745





1 FRONT ELEVATION
SCALE: 3/32" = 1'-0"



2 REAR ELEVATION
SCALE: 3/32" = 1'-0"

jrk DESIGN
Design, Inc.
112 NW 24th
Suite116
Fort Worth, TX. 76164
phone. 972.489.9132

TEMAK DEVELOPMENT

SPRINGHILL SUITES Marriott

Revisions

Springhill Suites

Lakefront Trail
Rockwell, TX 77070

City Review

December 16, 2014

TX-14054

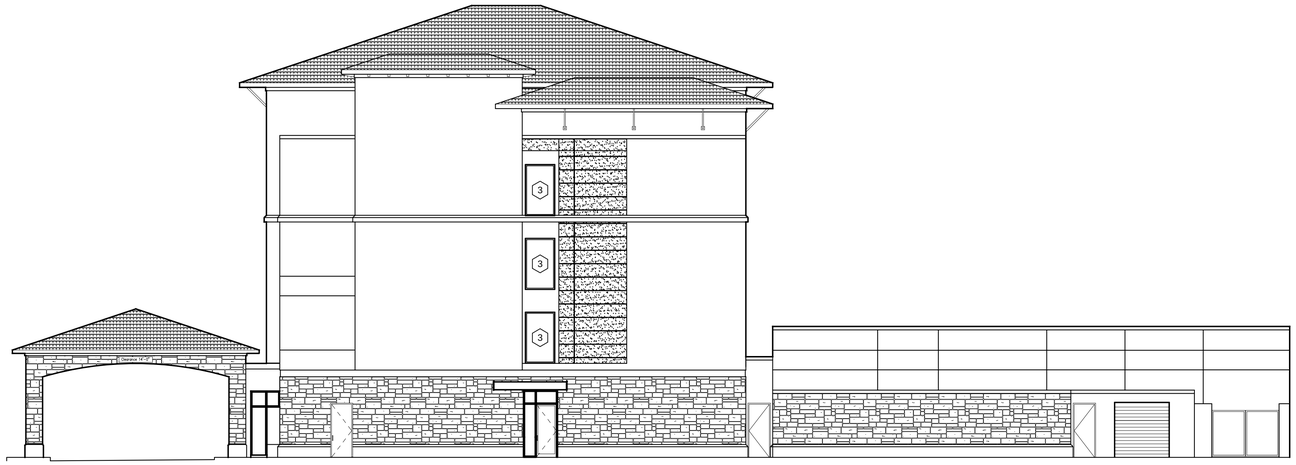
sheet description

Front & Rear Elevations

sheet number

A2.00

214



1 RIGHT ELEVATION
SCALE: 3/32" = 1'-0"



2 LEFT ELEVATION
SCALE: 3/32" = 1'-0"

jrk DESIGN
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TEMAK DEVELOPMENT

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Revisions

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December 16, 2014

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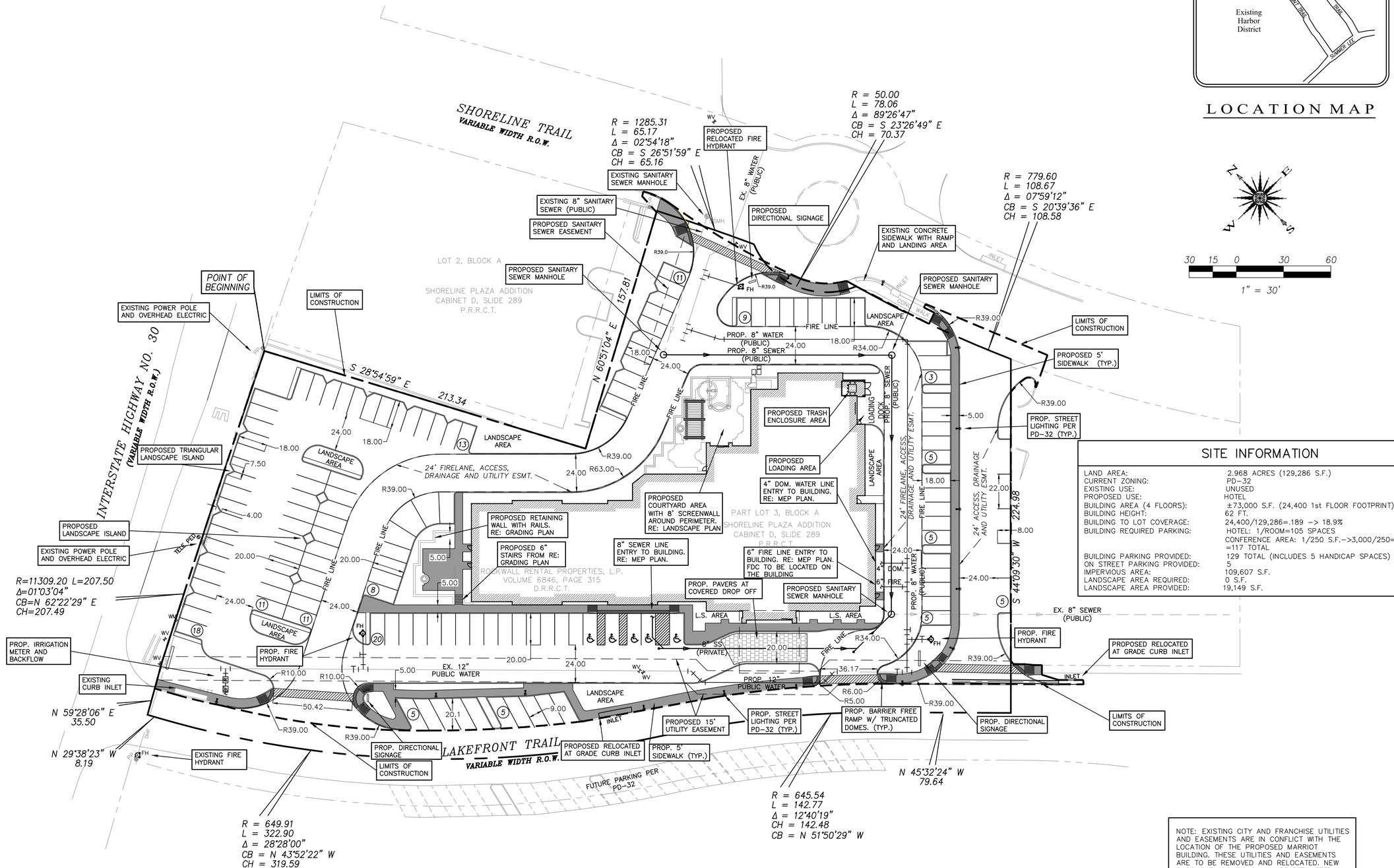
sheet description

Left & Right Elevations

sheet number

A2.00

215





LOCATION MAP

SITE INFORMATION

LAND AREA:	2.968 ACRES (129,286 S.F.)
CURRENT ZONING:	PD-32
EXISTING USE:	UNUSED
PROPOSED USE:	HOTEL
BUILDING AREA (4 FLOORS):	±73,000 S.F. (24,400 1st FLOOR FOOTPRINT)
BUILDING HEIGHT:	62 FT.
BUILDING TO LOT COVERAGE:	24,400/129,286=.189 –> 18.9%
BUILDING REQUIRED PARKING:	HOTEL: 1/ROOM=105 SPACES CONFERENCE AREA: 1/250 S.F.–>3,000/250=12 SPACES =117 TOTAL
BUILDING PARKING PROVIDED:	129 TOTAL (INCLUDES 5 HANDICAP SPACES)
ON STREET PARKING PROVIDED:	5
IMPERVIOUS AREA:	109,607 S.F.
LANDSCAPE AREA REQUIRED:	0 S.F.
LANDSCAPE AREA PROVIDED:	19,149 S.F.

NOTE: EXISTING CITY AND FRANCHISE UTILITIES AND EASEMENTS ARE IN CONFLICT WITH THE LOCATION OF THE PROPOSED MARRIOT BUILDING. THESE UTILITIES AND EASEMENTS ARE TO BE REMOVED AND RELOCATED. NEW EASEMENT LOCATIONS WILL BE REPLATTED.

Revision	Date	Description

Owner:
TEKMAK Development Company
10000 N. Central Expressway, Suite 400
Dallas, TX 75231
Phone: (214) 890-9225

SPRINGHILL SUITES Marriott

~ Civil Engineer ~
F.C. CUNY CORPORATION
#2 Horizon Court • Heath, Texas 75032 • (469) 402-7700
Texas Registered Engineering Firm F-7449

12/19/2014

STATE OF TEXAS
CAMERON A. SLOWN
106317
LICENSED PROFESSIONAL ENGINEER

Drawn By:	Checked By:
F.C. CUNY	F.C. CUNY
Date: 12/14	Project No.: –

Sheet Title: Site Plan

Scale:	Sheet No.:
1"=30'	4 of 8

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NOT FOR CONSTRUCTION

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CITY OF ROCKWALL

ORDINANCE NO. 15-XX

SPECIFIC USE PERMIT NO. S-1XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A HOTEL WITHIN PLANNED DEVELOPMENT DISTRICT 32 (PD-32), FOR A 2.968-ACRE LOT, CONTAINING TWO (2) PARCELS OF LAND IDENTIFIED AS LOT 3A, BLOCK A, SHORELINE PLAZA ADDITION (1.824-ACRES) AND LOT 1-1, BLOCK A, HENRY AFRICA ADDITION (1.143-ACRES), CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of a Specific Use Permit (SUP) to allow a *Hotel* on a 2.968-acre lot containing two (2) parcels of land identified as Lot 3A, Block A, Shoreline Plaza Addition (1.824-acres) and Lot 1-1, Block A, Henry Africa Addition (1.143-acres), City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, and more specifically described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for a *Hotel* within the *Freeway Frontage Subdistrict* as stipulated by *Exhibit 'D': Subdistrict Land Use Chart* of Planned Development District 32 (PD-32) [*Ordinance No. 10-21*] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance, Planned Development District 32 (PD-32) [*Ordinance No. 10-21 & 14-44*] and as stipulated by Section 4.1, *General Commercial District Standards*, of Article IV, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

DRAFT ORDINANCE 01.20.15

2.1 Operational Conditions

The following conditions pertain to the operation of a *Hotel* on the *Subject Property*, and conformance to these operational conditions are required for continued operations:

1) The development of this property shall generally conform to the *Site Plan* depicted in *Exhibit 'B'* of this ordinance;

2) The development of this property shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance;

3) The development of a hotel on the subject property shall incorporate a minimum of 3,000 SF of floor area that will be utilized for the operation of a *Conference Center* (*i.e. an area that is exclusively used to host conferences, exhibitions, large meetings, seminars, training sessions, etcetera*); and,

4) The *Subject Property* is prohibited from being utilized as an *Extended Stay, Transient* or *Residence Hotel*.

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

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

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

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

SECTION 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 18TH DAY OF AUGUST, 2014.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Ashberry, *City Secretary*

DRAFT ORDINANCE 01.20.15

APPROVED AS TO FORM:

_____

Frank J. Garza, *City Attorney*

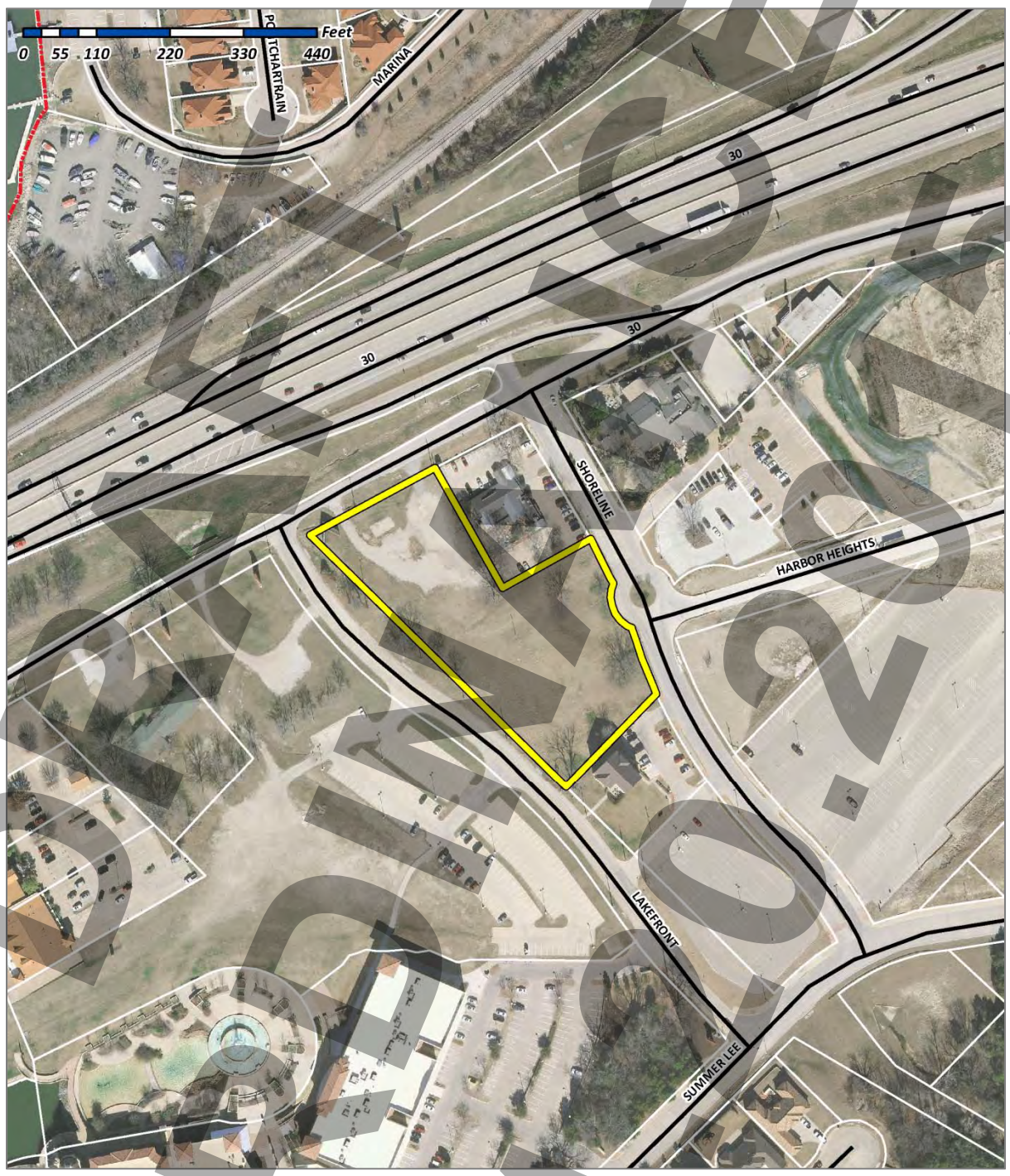
1st Reading: *January 20, 2015*

2nd Reading: *February 2, 2015*

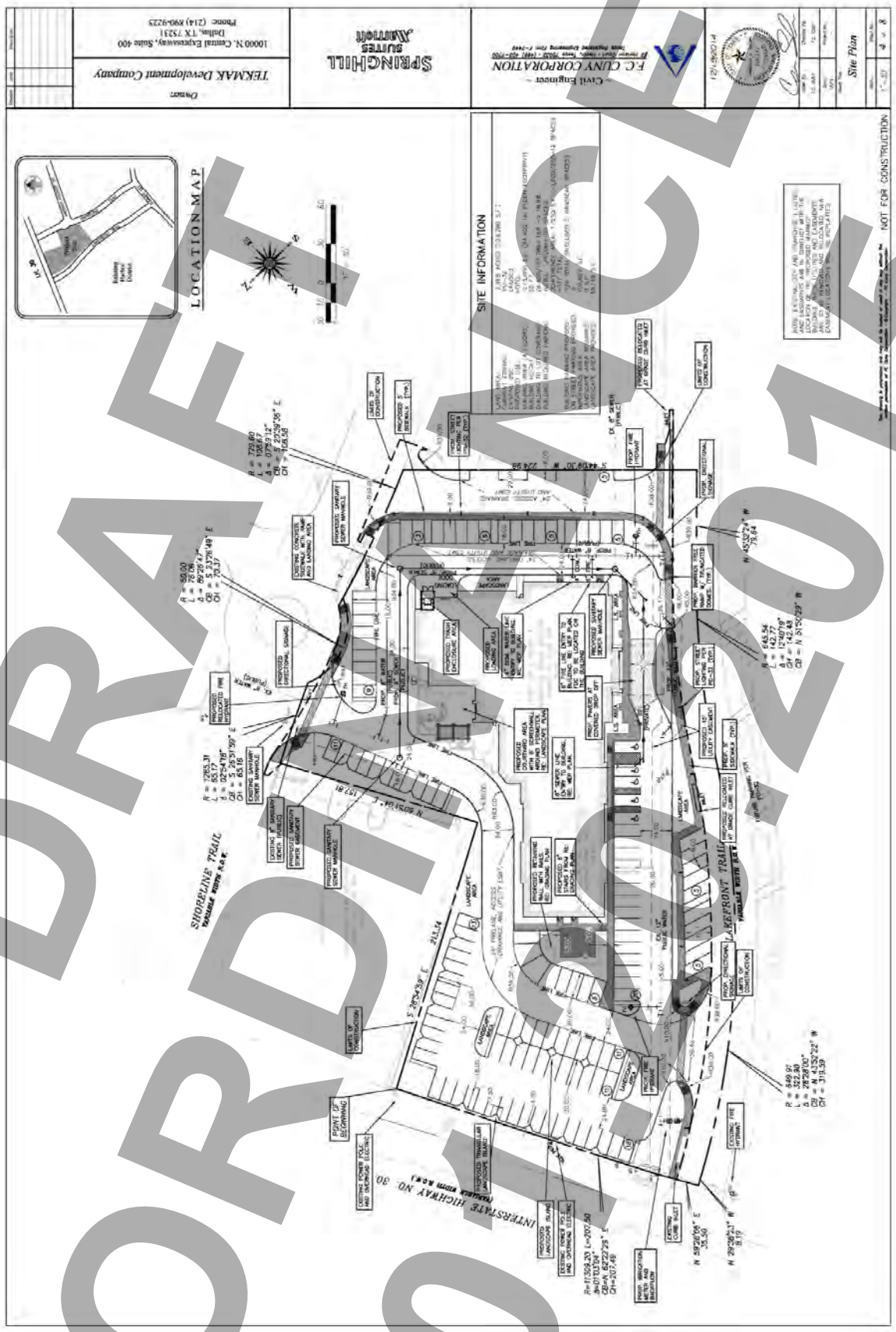
DRAFT ORDINANCE 01.20.2015

Exhibit 'A': Location Map & Legal Description

Subject Property: Lot 3A, Block A, Shoreline Plaza Addition & Lot 1-1, Block A, Henry Africa Subdivision



PRIOR TO 01.20.15



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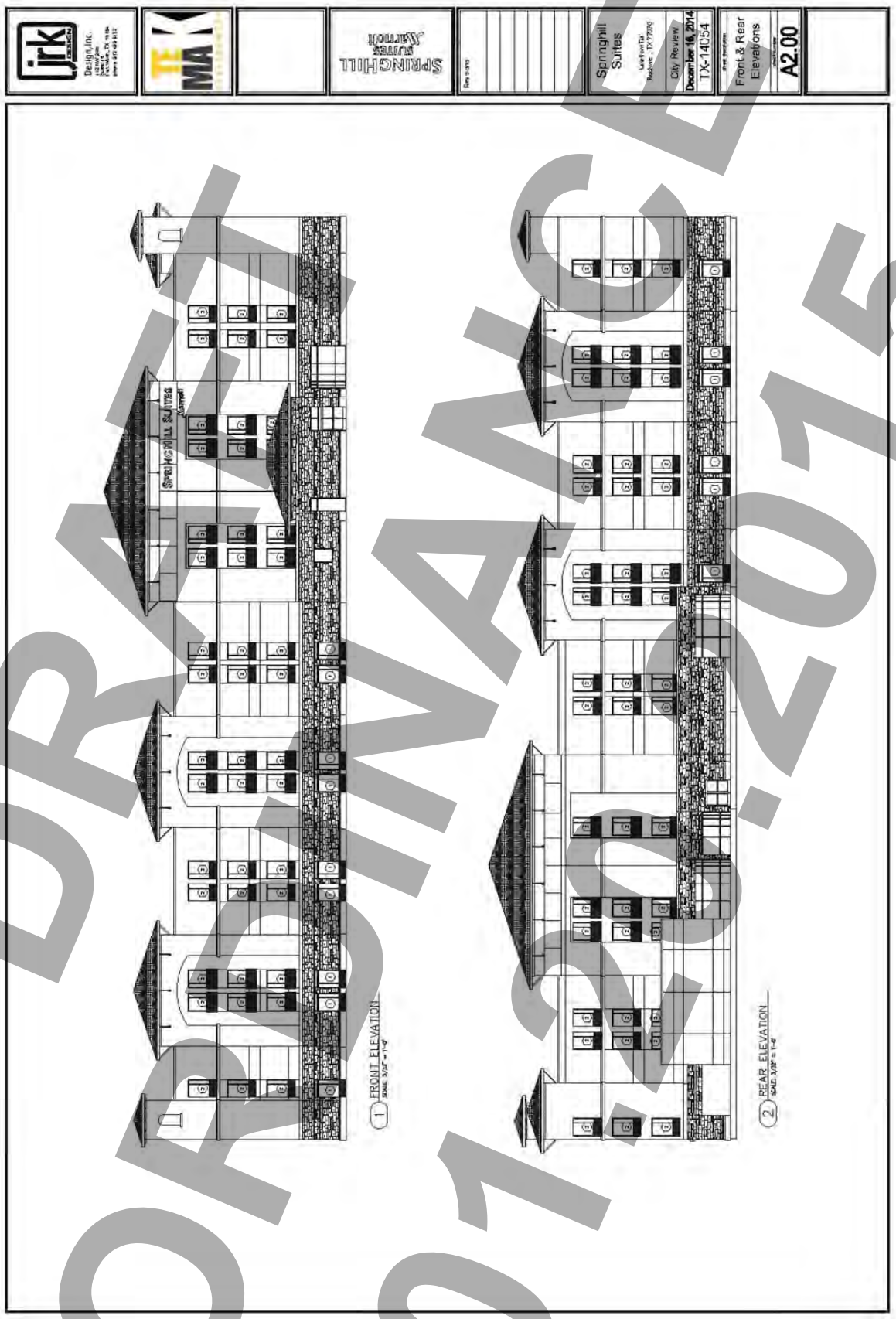
ORDINANCE
01.12.2015



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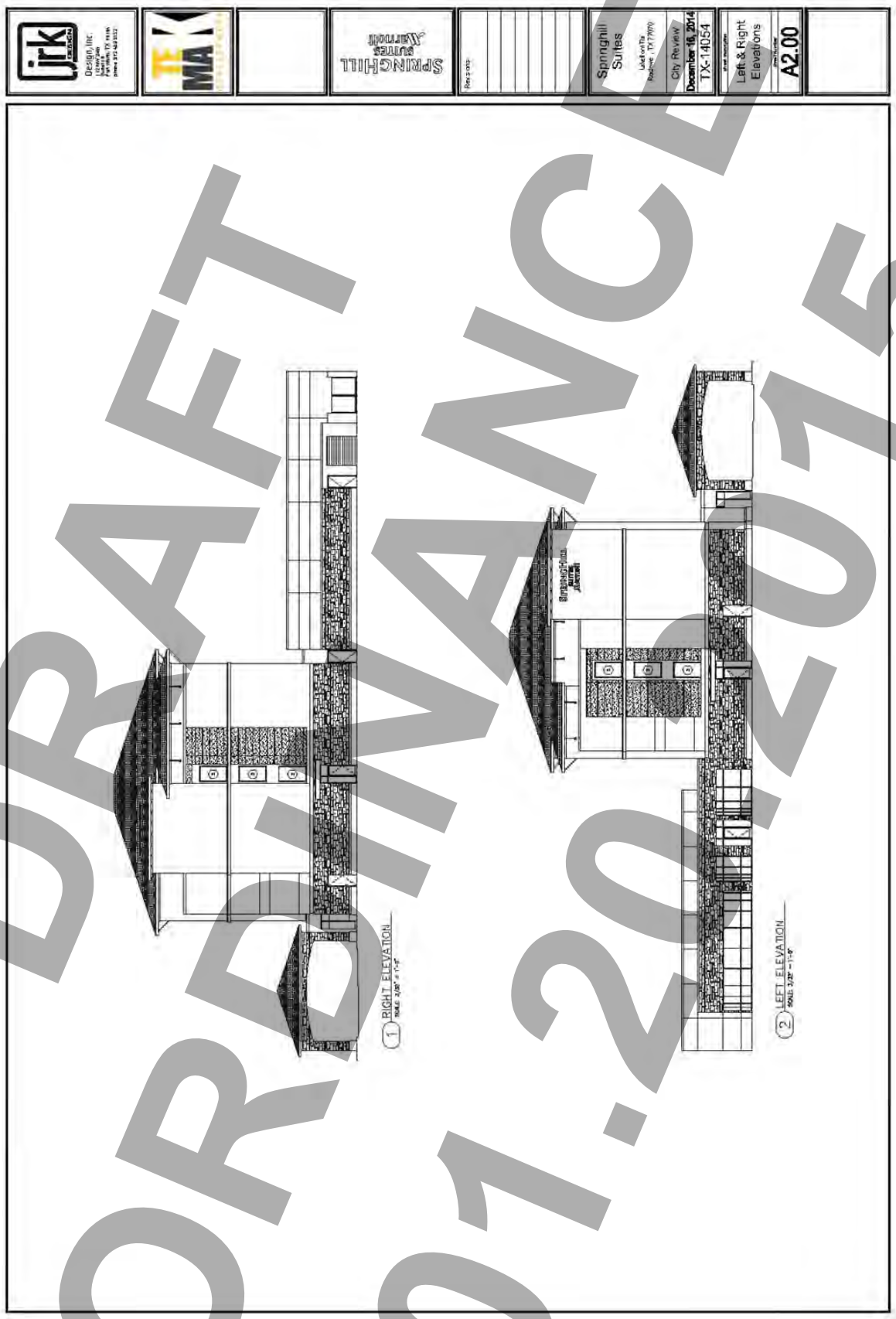

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

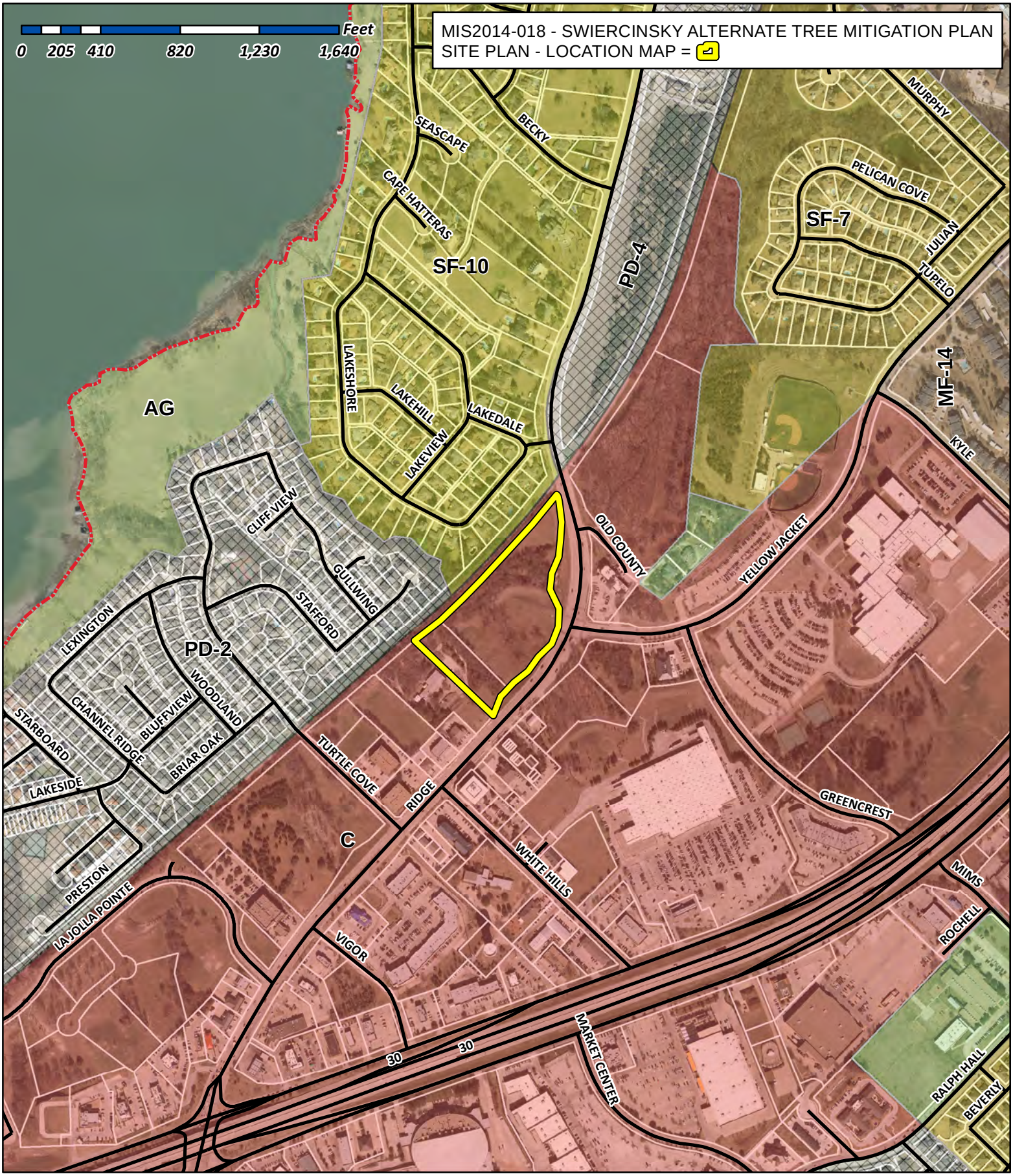
CC: Robert LaCroix, *Director of Planning and Zoning*

FROM: Ryan Miller, *Planning Manager*

DATE: January 20, 2015

SUBJECT: MIS2014-018; *Treescape Plan (Mike Swiercinsky)*

The applicant, Mike Swiercinsky of Sky Interests Corporation, has submit a *Treescape Plan* indicating the majority of the existing trees situated on subject property (*i.e. Tracts 4 & 19, E. P. G. Chisum Survey, Abstract No. 64*) will be removed as part of a future development plan [*i.e. Exhibit 'B'*]. On January 13, 2015, the Planning and Zoning Commission approved the *Treescape Plan* in accordance with Section 4, *Plan Review and Approval*, of Article IX, *Tree Preservation*, of the Unified Development Code (UDC) by a vote of 6-0 with Commissioner Fishman absent. The approved plan requires a total mitigation of 1,532-inches *OR* 1,374-inches and $19,700.00 (*i.e. remaining purchasable tree credit [157.60] at $125.00 per inch*) to satisfy the requirements of the tree preservation ordinance (*a complete breakdown of the tree mitigation being requested has been provided in Exhibit 'D'*). In order to meet the mitigation the applicant is requesting to pay a lump sum of $111,262.00 (*i.e. $105,800 for Mitigation and $5,462.00 for Delivery)* to the *Tree Fund*. This lump sum represents the applicant's costs to purchase the required trees and pay to have them delivered to the City (*see the invoice in Exhibit 'E'*). Staff has verified the estimate listed on the invoice for the trees and delivery costs. If the applicant's request is approved the lump sum payment would need to be satisfied prior to filing a final plat for the subject property; however, if the request is denied the applicant would be required to provide the Parks Department with the required mitigation (*i.e. 460, 3" caliper trees OR 407, 3" caliper trees and $19,700.00*). The approval of the applicant's request is a discretionary decision for the City Council.



City of Rockwall

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

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

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skyinterests

January 5, 2014

Ryan C. Miller, AICP
City of Rockwall
385 S Goliad Street
Rockwall, TX 75087

RE: Approximately 8.6 Acres of land located on the West side of Ridge Road @ Yellow Jacket Lane.

Ryan,

Please allow this letter to serve as my formal request for approval concerning a tree mitigation plan for the referenced property.

The trees I propose to remove are necessary in order to efficiently and properly develop the site. The architect and engineers spent much time in attempting to save as many trees as possible yet still leave the property a viable and attractive project to future businesses interested in locating or relocating within Rockwall.

What I have effectively proposed is to conform to today's present mitigation requirements presently in place. That is, per the City's requirements, the trees that will be removed will presently require that I deliver to the City of Rockwall 460 X 3" caliper trees. I believe this may be a logistics problem for the City of Rockwall and it would be easier for me to pay to the City what would otherwise be my cost to provide these trees rather than deliver same. This amount, including delivery, is $111,262.

I appreciate your time and patience throughout this process. As always, please contact me should you have further questions or should you need additional information.

Respectfully submitted,

Michael Swiercinsky

106 E. Rusk. Suite 200 Rockwall, TX 75087
Phone: 972.771.7577 Fax: 972.924.0107 Mail@SkyInterests.com

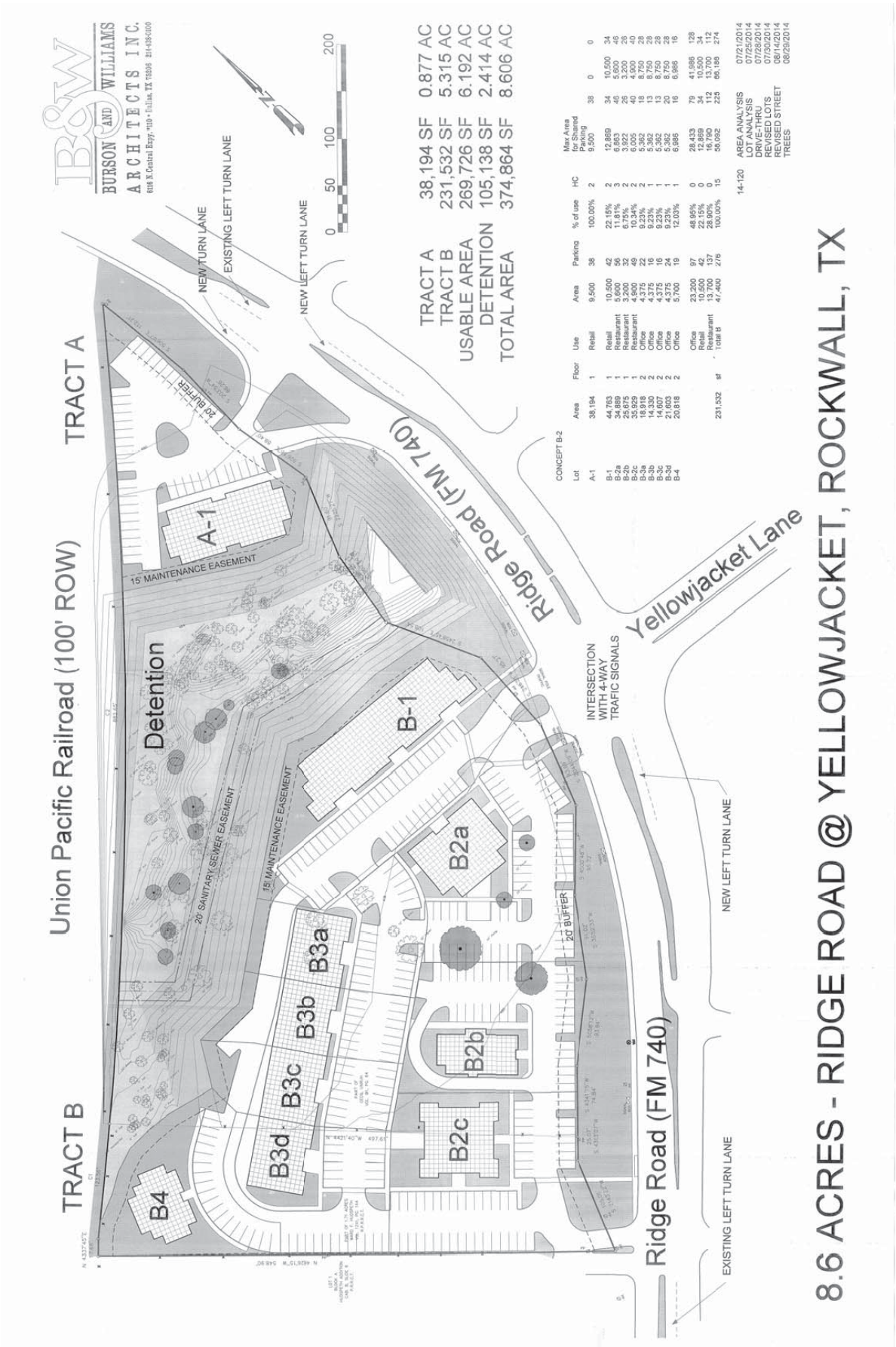
8.6 ACRES - RIDGE ROAD @ YELLOWJACKET, ROCKWALL, TX
Union Pacific Railroad (100' ROW)
TRACT A
TRACT B
Ridge Road (FM 740)
Yellowjacket Lane
Detention
A-1
B-1
B2a
B2b
B2c
B3a
B3b
B3c
B3d
B4
15' MAINTENANCE EASEMENT
20' SANITARY SEWER EASEMENT
20' BUFFER
NEW TURN LANE
EXISTING LEFT TURN LANE
NEW LEFT TURN LANE
INTERSECTION WITH 4-WAY TRAFIC SIGNALS
EXISTING LEFT TURN LANE
NEW LEFT TURN LANE
BURSON AND WILLIAMS ARCHITECTS INC.
TRACT A 38,194 SF 0.877 AC
TRACT B 231,532 SF 5.315 AC
USABLE AREA 269,726 SF 6.192 AC
DETENTION 105,138 SF 2.414 AC
TOTAL AREA 374,864 SF 8.606 AC
CONCEPT B-2
AREA ANALYSIS
14-120
07/21/2014
07/25/2014
07/29/2014
07/30/2014
08/14/2014
08/29/2014

Exhibit 'C': Treescape Plan

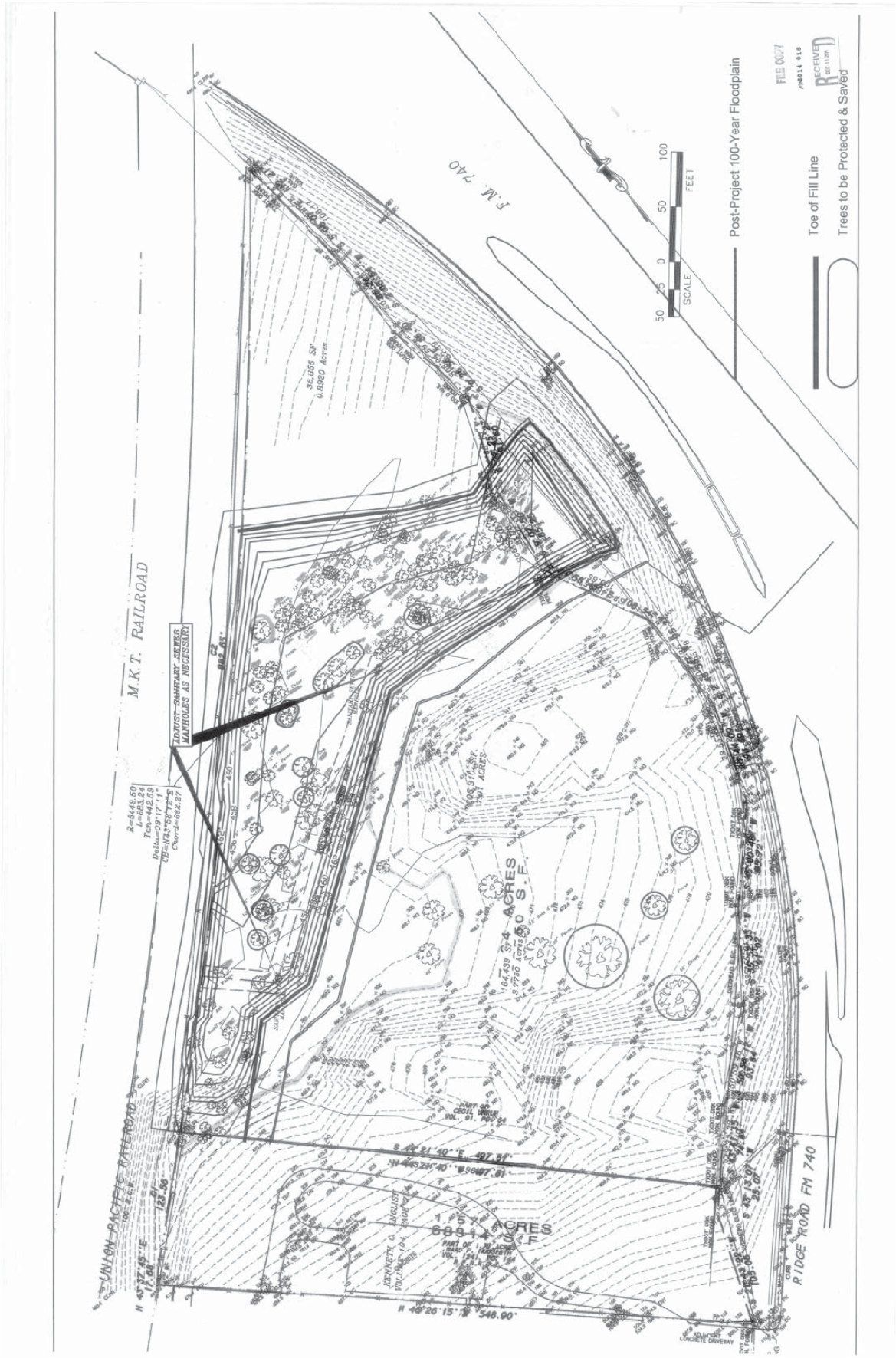

Exhibit 'D': Treescape Plan Detail

#	ELEV	DESC	Type	Inches	Class	Remove/Protect	Mitigation	Tree Credits
41	480.20	36" Pecan	Pecan	36	Feature Tree	Remove	72.00	
44	477.08	25" Pecan	Pecan	25	Protected	Remove	25.00	
74	476.57	32" Pecan	Pecan	32	Feature Tree	Remove	64.00	
77	474.44	44" Pecan	Pecan	44	Feature Tree	Remove	88.00	
112	466.74	40"Pecan	Pecan	40	Feature Tree	Remove	80.00	
120	474.73	30" Pecan	Pecan	30	Feature Tree	Remove	60.00	
123	470.59	12" Boisdarc	Boisdarc	12	None	Remove	-	
125	468.68	51" Pecan	Pecan	51	Feature Tree	Remove	102.00	
127	466.43	38" Pecan	Pecan	38	Feature Tree	Remove	76.00	
163	469.23	12" Pecan	Pecan	12	Protected	Remove	12.00	
164	466.20	9" Ash	Ash	9	Protected	Remove	9.00	
165	465.97	7" Ash	Ash	7	Protected	Remove	7.00	
166	466.72	7" Ash	Ash	7	Protected	Remove	7.00	
167	467.87	8" Ash	Ash	8	Protected	Remove	8.00	
168	468.79	7" Mulberry	Mulberry	7	Protected	Remove	7.00	
169	469.23	8" Ash	Ash	8	Protected	Remove	8.00	
170	466.86	8" Ash	Ash	8	Protected	Remove	8.00	
171	467.50	3-8" Hackberry	Hackberry	8	None	Remove	-	
172	465.88	7" Ash	Ash	7	Protected	Remove	7.00	
173	563.73	24" Pecan	Pecan	24	Protected	Protect	-	
174	466.94	3-9" Elm	Elm	9	Protected	Remove	9.00	
175	463.35	12" Mulberry	Mulberry	12	Protected	Protect	-	
176	464.19	7" Ash	Ash	7	Protected	Remove	7.00	
192	464.18	10" Boisdarc	Boisdarc	10	None	Remove	-	
200	462.19	10" Ash	Ash	10	Protected	Protect	-	
233	463.07	12" Cottonwood	Cottonwood	12	None	Protect	-	
248	456.80	7" Walnut	Walnut	7	Protected	Protect	-	
254	464.57	39" Pecan	Pecan	39	Feature Tree	Remove	78.00	
256	457.10	13" Ash	Ash	13	Protected	Protect	-	
278	461.02	17" Ash	Ash	17	Protected	Protect	-	
279	457.41	10" Pecan	Pecan	10	Protected	Protect	-	
280	461.35	18" Boisdarc	Boisdarc	18	None	Protect	-	
283	453.22	40" Cottonwood	Cottonwood	40	None	Protect	-	40.00
285	455.78	25" Ash	Ash	25	Protected	Protect	-	25.00
286	457.33	19" Ash	Ash	19	Protected	Protect	-	
288	461.82	20" Pecan	Pecan	20	Protected	Protect	-	

296	464.36	18" Boise	Boisdarc	18	None	Protect	-	
302	465.32	36" Pecan	Pecan	36	Feature Tree	Remove	72.00	
303	464.90	10" Ash	Ash	10	Protected	Remove	10.00	
304	464.31	8" Ash	Ash	8	Protected	Protect	-	
310	460.69	17" Ash	Ash	17	Protected	Protect	-	
311	460.98	20" Ash	Ash	20	Protected	Protect	-	
315	465.52	33" Pecan	Pecan	33	Feature Tree	Remove	66.00	
318	457.04	18" Ash	Ash	18	Protected	Remove	-	
319	451.61	18" Ash	Ash	18	Protected	Protect	-	
326	454.16	9" Oak	Oak	9	Protected	Protect	-	
330	459.02	14" Pecan	Pecan	14	Protected	Protect	-	
331	461.51	32" Ash	Ash	32	Feature Tree	Protect	-	32.00
332	454.62	26" Oak	Oak	26	Protected	Protect	-	26.00
338	464.96	15" Walnut	Walnut	15	Protected	Remove	15.00	
339	463.21	12" Twin Pecan	Pecan	12	Protected	Protect	-	
340	463.52	19" Pecan	Pecan	19	Protected	Protect	-	
341	464.00	9" Boisdarc	Boisdarc	9	None	Protect	-	
342	465.67	24" Pecan	Pecan	24	Protected	Protect	-	
343	464.09	13" Cedar	Cedar	13	Protected HC	Remove	6.50	
344	463.90	13" Pecan	Pecan	13	Protected	Protect	-	
345	466.96	16" Pecan	Pecan	16	Protected	Protect	-	
347	467.02	12" - 10" Pecan	Pecan	12	Protected	Remove	12.00	
350	454.05	18" Ash	Ash	18	Protected	Protect	-	
353	452.44	8" Ash	Ash	8	Protected	Protect	-	
359	467.56	16" Cottonwood	Cottonwood	16	None	Remove	-	
360	467.55	17" Cottonwood	Cottonwood	17	None	Remove	-	
361	467.64	9" Aspen	Aspen	9	Protected	Remove	9.00	
414	467.43	15" Cotton	Cottonwood	15	None	Remove	-	
484	468.11	13" Pecan	Pecan	13	Protected	Remove	13.00	
485	466.81	10" Ash	Ash	10	Protected	Remove	10.00	
486	467.22	23" Pecan	Pecan	23	Protected	Protect	-	
487	467.09	14" Pecan	Pecan	14	Protected	Protect	-	
488	467.27	9" Cedar	Cedar	9	None	Protect	-	
489	466.66	9" Cedar	Cedar	9	None	Protect	-	
490	468.01	8" Cedar	Cedar	8	None	Protect	-	
547	467.60	7" Boisdarc	Boisdarc	7	None	Protect	-	
548	467.50	8" Boisdarc	Boisdarc	8	None	Protect	-	

549	467.58	7" Cedar	Cedar	7	None	Protect	-	
550	466.73	12" Boisdarc	Boisdarc	12	None	Protect	-	
551	466.95	31" Pecan	Pecan	31	Feature Tree	Protect	-	31.00
552	466.98	14" Cottonwood	Cottonwood	14	None	Remove	-	
555	467.21	24" Pecan	Pecan	24	Protected	Protect	-	
556	467.27	24" Pecan	Pecan	24	Protected	Remove	24.00	
635	467.25	24" Pecan	Pecan	24	Protected	Protect	-	
636	466.85	8" Cedar	Cedar	8	None	Protect	-	
637	466.79	8" Cedar	Cedar	8	None	Protect	-	
639	466.26	15" Pecan	Pecan	15	Protected	Protect	-	
642	466.02	7" Cedar	Cedar	7	None	Protect	-	
648	459.65	8" Pecan	Pecan	8	Protected	Protect	-	
650	456.05	7" Ash	Ash	7	Protected	Remove	-	
652	456.17	7" Cedar	Cedar	7	None	Protect	-	
653	456.16	8" Ash	Ash	8	Protected	Protect	-	
658	461.96	19" Ash	Ash	19	Protected	Protect	-	
661	466.82	8" Ash	Ash	8	Protected	Remove	8.00	
662	464.67	9" Ash	Ash	9	Protected	Protect	-	
663	467.26	8" Cedar	Cedar	8	None	Protect	-	
664	467.25	10" Cedar	Cedar	10	None	Protect	-	
667	465.19	7" Ash	Ash	7	Protected	Remove	7.00	
669	467.53	12" Boisdarc	Boisdarc	12	None	Protect	-	
670	461.14	10" Tree	TREE	10	Protected	Protect	-	
672	467.02	12" Ash	Ash	12	Protected	Protect	-	-
673	460.01	12" Hackberry	Hackberry	12	Protected HC	Protect	-	-
674	460.04	8" Hackberry	Hackberry	8	None	Protect	-	-
675	460.06	13" Hackberry	Hackberry	13	Protected HC	Protect	-	-
677	461.50	8" Tree	TREE	8	Protected	Protect	-	-
678	467.75	11" Cedar	Cedar	11	Protected HC	Protect	-	-
694	466.62	8" Ash	Ash	8	Protected	Protect	-	-
695	467.62	10" Cedar	Cedar	10	None	Remove	-	

696	467.78	13" Cedar	Cedar	13	Protected HC	Remove	6.50	
697	468.10	10" Cedar	Cedar	10	None	Remove	-	
698	467.55	9" Hackberry	Hackberry	9	None	Protect	-	-
699	467.55	2-6" Boisdarc	Boisdarc	6	None	Protect	-	-
701	467.74	20" Boisdarc	Boisdarc	20	None	Remove	-	
703	467.71	8" Cedar	Cedar	8	None	Protect	-	-
720	466.66	8" Cedar	Cedar	8	None	Protect	-	-
721	473.91	8" Cedar	Cedar	8	None	Remove	-	
725	464.50	18" Ash	Ash	18	Protected	Remove	18.00	
727	457.77	18" Cottonwood	Cottonwood	18	None	Protect	-	-
728	459.39	9" Ash	Ash	9	Protected	Protect	-	-
731	456.89	7" Ash	Ash	7	Protected	Protect	-	-
735	457.51	16" Ash	Ash	16	Protected	Protect	-	-
738	457.30	10" Pecan	Pecan	10	Protected	Protect	-	-
742	456.98	24" Cottonwood	Cottonwood	24	None	Protect	-	-
743	456.83	32" Cottonwood	Cottonwood	32	None	Protect	-	32.00
744	457.05	14" Ash	Ash	14	Protected	Protect	-	-
745	457.09	12" Boisdarc	Boisdarc	12	None	Protect	-	-
746	463.84	12" Boisdarc	Boisdarc	12	None	Protect	-	-
747	460.61	22" Ash	Ash	22	Protected	Protect	-	-
748	455.93	8" Cedar	Cedar	8	None	Protect	-	-
749	459.16	18" Oak	Oak	18	Protected	Protect	-	-

750	460.97	12" Ash	Ash	12	Protected	Protect	-	-
751	464.28	12" Cedar	Cedar	12	Protected HC	Protect	-	-
752	463.00	12" Cedar	Cedar	12	Protected HC	Protect	-	-
753	464.20	10" Ash	Ash	10	Protected	Protect	-	-
754	464.77	9" Oak	Oak	9	Protected	Protect	-	-
759	455.38	9" Ash	Ash	9	Protected	Protect	-	-
760	455.27	21" Ash	Ash	21	Protected	Remove	-	-
761	456.51	22" Ash	Ash	22	Protected	Remove	-	-
1000			American Elm	20	Protected	Remove	20.00	
1001			Pecan	12	Protected	Remove	12.00	
1002			Cedar Elm	10	Protected	Remove	10.00	
1003			Cedar Elm	6	Protected	Remove	6.00	
1004			Cedar	14	Protected HC	Remove	7.00	
1005			Cedar	12	Protected HC	Remove	6.00	
1006			Cedar	10	None	Remove	-	
1007			Cedar	14	Protected HC	Remove	7.00	
1008			Cedar	14	Protected HC	Remove	7.00	
1009			Cedar	10	None	Remove	-	
1010			Cedar	16	Protected HC	Remove	8.00	
1011			American Elm	22	Protected	Remove	22.00	
1012			American Elm	36	Feature Tree	Remove	72.00	
1013			Hackberry	14	Protected HC	Remove	7.00	
1014			Hackberry	20	Protected HC	Remove	10.00	
1015			Hackberry	14	Protected HC	Remove	7.00	
1016			Hackberry	10	None	Remove	-	
1017			Hackberry	10	None	Remove	-	
1018			Cedar Elm	8	Protected	Remove	8.00	
1019			Cedar Elm	10	Protected	Remove	10.00	
1020			Hackberry	24	Protected HC	Remove	12.00	
1021			Cedar Elm	8	Protected	Remove	8.00	
1022			Cedar Elm	14	Protected	Remove	14.00	

1023			Hackberry	12	Protected HC	Remove	6.00	
1024			Hackberry	12	Protected HC	Remove	6.00	
1025			Cedar Elm	12	Protected	Remove	12.00	
1026			Hackberry	22	Protected HC	Remove	11.00	
1027			American Elm	6	Protected	Remove	6.00	
1028			American Elm	12	Protected	Remove	12.00	
1029			American Elm	14	Protected	Remove	14.00	
1030			American Elm	14	Protected	Remove	14.00	
1031			Cedar Elm	6	Protected	Remove	6.00	
1032			Cedar Elm	6	Protected	Remove	6.00	
1033			Cedar Elm	10	Protected	Remove	10.00	
1034			Hackberry	14	Protected HC	Remove	7.00	
1035			Ash	12	Protected	Remove	12.00	
1036			American Elm	10	Protected	Remove	10.00	
1037			Ash	10	Protected	Remove	10.00	
1038			Ash	6	Protected	Remove	6.00	
1039			Ash	8	Protected	Remove	8.00	
1040			Ash	10	Protected	Remove	10.00	
1041			Ash	8	Protected	Remove	8.00	
1042			Pecan	24	Protected	Remove	24.00	
1043			Ash	18	Protected	Remove	18.00	
1044			Ash	12	Protected	Remove	12.00	
1045			Cedar Elm	8	Protected	Remove	8.00	
1046			Hackberry	18	Protected HC	Remove	9.00	
1047			Hackberry	12	Protected HC	Remove	6.00	
1048			Ash	12	Protected	Remove	12.00	
1049			Ash	10	Protected	Remove	10.00	
1050			American Elm	8	Protected	Remove	8.00	
1051			American Elm	6	Protected	Remove	6.00	
1052			Cedar Elm	6	Protected	Remove	6.00	
1053			Hackberry	10	None	Remove	-	
1054			Hackberry	12	Protected HC	Remove	6.00	
1055			Cedar Elm	6	Protected	Remove	6.00	
1056			Bois D Arc	26	None	Remove	-	
1057			Hackberry	12	Protected HC	Remove	6.00	
1058			Ash	12	Protected	Remove	12.00	
1059			Hackberry	26	Protected HC	Remove	13.00	

1060			Hackberry	10	None	Remove	-	
1061			Ash	6	Protected	Remove	6.00	
1062			Ash	12	Protected	Remove	12.00	
1063			American Elm	4	Protected	Remove	4.00	
1064			Hickory	6	Protected	Remove	6.00	
1065			Hackberry	12	Protected HC	Remove	6.00	
1066			Hackberry	12	Protected HC	Remove	6.00	
1067			Hackberry	14	Protected HC	Remove	7.00	
1068			Hackberry	10	None	Remove	-	
1069			Hackberry	10	None	Remove	-	
1070			Bois D Arc	60	None	Remove	-	
1071			Mulberry	6	Protected	Remove	6.00	
1073			Ash	12	Protected	Remove	12.00	
1074			Ash	10	Protected	Remove	10.00	
1075			Hackberry	12	Protected HC	Remove	6.00	
1076			Hackberry	12	Protected HC	Remove	6.00	
1077			Hackberry	12	Protected HC	Remove	6.00	
1078			Hackberry	14	Protected HC	Remove	7.00	
1079			Hackberry	12	Protected HC	Remove	6.00	
1080			Hackberry	10	None	Remove	-	
1081			Ash	6	Protected	Remove	6.00	
1172			Prickly Ash	6	Protected	Remove	6.00	

Initial Mitigation	1,718.00	186.00	*Tree Credit Achieved*
LESS: Tree Credit	1,532.00	*343.60*	*Maximum Tree Credit Available (@ 20%)*
		157.60	*Remaining Credit Available*

Total Inches in Mitigation Required	1,532.00
Mitigation Required w/ Maximum Purchase Credit	1,374.40

Exhibit 'D': Treescape Plan Detail

LESS: Required Scenic Overlay (SOV) District Landscaping

# of Street Trees Required	38	
Total Inches (@ 4" Caliper Trees)	152.00	
With Purchased Tree Credits		
# of 3" Caliper Trees Owed	407	
OR # of 4" Caliper Trees Owed	306	
Dollar Amount Owed (@ $125.00/Inch)	$ 19,700.00	*(i.e. 157.60 * $125.00)*
Without Purchased Tree Credits		
# of 3" Caliper Trees Owed	460	
OR # of 4" Caliper Trees Owed	345	



WHOLESALE TO THE TRADE ONLY

Catalog Pricing

9780 CR 4530, La Rue, TX 75770
Paul Gandy (Sales) **903-245-0438**
Office **1-800-517-9999**
Fax: **1-903-675-8888**

paul@athenstreefarm.com
office@athenstreefarm.com
www.athenstreefarm.com

15 Gallon	**Price**	**Description, all black containers**
Wax Leaf Ligustrum	$55.00	4' tall, matching, limited numbers
30 Gallon	**Price**	**Description, all black container**
Bald Cypress	$90.00	2 - 2 1/4" caliper, 8' plus tall, straight trunks, nice matching heads, new crop
Bradford Pear	$90.00	2" caliper, 8' plus, straight trunks, matching heads, limited numbers
Burr Oak	$90.00	2 - 2 1/4" plus caliper, 8 - 10' tall, straight trunks, beautiful new crop
Cedar Elm	$90.00	1 3/4 - 2" caliper, 8 - 10' tall, straight trunks, matching heads, new crop
Chinquapin Oak	$90.00	2" caliper, 8 - 10' tall, straight trunks, matching heads, new crop
Desert Willow	$90.00	6 - 7' tall, new crop, beautiful, matching
Dura Heat Riverbirch	$90.00	7' tall, 3-4 canes, matching, new crop
Eastern Red Cedar	$90.00	5 1/2 - 6' tall, FTG, matching, no holes
Italian Cypress	$90.00	6 - 7' tall, nice, matching, new crop
Lace Bark Elm	$90.00	1 3/4 - 2" caliper, 8 - 10' tall, straight trunks, matching heads, new crop
Live Oak	$90.00	2" plus caliper, 8 - 10' tall, straight trunks, matching heads, new crop
Loblolly Pine	$90.00	2" plus caliper, 7 - 8' tall, nice, new crop
Mexican White Oak	$90.00	2 - 2 1/4" caliper, 8 - 9', straight trunks, matching heads, limited numbers
Muskogee Crape Myrtle - Mulit Trunk	$90.00	7' tall, 3-4 canes, matching, new crop
Muskogee Crape Myrtle (Tree Form)	$90.00	1 3/4 - 2" caliper, 7' plus tall, new crop
Natchez Crape Myrtle (Tree Form)	$90.00	1 3/4 - 2" caliper, 7' plus tall, new crop
Nellie R Stevens Holly	$90.00	5 1/2 - 6' tall, no holes, new crops with a new flush
Red Tip Photinia	$90.00	6' plus tall, FTG, extremely nice, no holes, new crop
Slash Pine	$90.00	2 1/2" caliper, 8 - 9' tall, nice, new crop
Travelor Redbud	$90.00	6' tall, full, beautiful new crop
Vitex	$90.00	5 1/2 - 6' tall, beautiful, matching, new crop with a new flush
Wax Leaf Ligustrum	$90.00	5' tall, beautiful new crop
45 Gallon	**Price**	**Description, all black containers**
Autumn Blaze Maple	$160.00	2 1/4" caliper, 10 - 12' tall, straight trunks, big matching heads, new crop
Burr Oak	$160.00	2 1/2 - 3" caliper, 11-12' tall, matching, new crop
Chinquapin Oak	$160.00	2 1/2 - 3" caliper, 10-12' tall, matching, new crop
Desert Willow	$185.00	7 1/2 - 8' tall, matching, full, new crop
Eastern Red Cedar	$185.00	9 - 10' tall, nice, matching, new crop
Mexican White Oak	$160.00	2 1/2-3" caliper, 10-12' tall, matching, new crop
Nellie R Stevens Holly	$185.00	5 1/2 - 6' tall, FTG, matching, no holes, new crop
River Birch, Dura Heat	$160.00	12 - 14' tall, matching new crop, beautiful
Shantung Maple	$160.00	2 1/2 - 3" caliper, straight, matching, new crop
Texas Redbud	$185.00	2 1/2 - 3" caliper, stragith trunks, beautiful matching heads, new crop
Wax Myrtle	$185.00	7' plus tall, limbed up, new crop
65 Gallon	**Price**	**Description, all Black containers**
Bald Cypress	$230.00	3" caliper, 12' plus tall, matching, new crop, limited numbers
Chinquapin Oak	$230.00	3" caliper, 13' plus tall, beautiful, matching new crop, limited numbers
Loblolly Pine	$230.00	3" plus caliper, 8' plus tall, matching, new crop
Slash Pine	$230.00	3" plus caliper, 9' plus tall, matching, new crop

$1,000 minimum order

PRICING VALID September 1st - September 30th , 2014

#	Y	X	ELEV	DESC	Type	Inches	Class	Remove/Protect	Mitigation	Tree Credits
1075					Hackberry	12	Protected HC	Remove	6.00	
1076					Hackberry	12	Protected HC	Remove	6.00	
1077					Hackberry	12	Protected HC	Remove	6.00	
1078					Hackberry	14	Protected HC	Remove	7.00	
1079					Hackberry	12	Protected HC	Remove	6.00	
1080					Hackberry	10	None	Remove	-	
1081					Ash	6	Protected	Remove	6.00	
1172					Prickly Ash	6	Protected	Remove	6.00	

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OR # of 4" Caliper Trees Owed	306
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Without Purchased Tree Credits

# of 3" Caliper Trees Owed	460
OR # of 4" Caliper Trees Owed	345

460 x 230 = $105,800

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

DATE: **January 13, 2015**

SUBJECT: **Art Commission appointments (3 additional members needed)**

At the January 5 meeting, the City Council appointed Kathleen Morrow and David Sweet to serve on the city's ART Commission. Three vacancies remain to be filled (a total of 5 are needed).

As a reminder, the provisions regarding the ART Commission's composition are as follows:

(a) (1) The art review team (ART) commission shall consist of five members, who shall all be "interested citizens" appointed by the city council. All team members should possess knowledge of or have an interest in contemporary, visual art, artistic principles and art media.

- *a. The art review team (ART) commission shall consist of five regular members appointed by a majority of the city council. A staff liaison will be appointed by the city manager.*
- *b. In the case of a vacancy of the commission, the city council, by a majority vote, may appoint a replacement member to the commission. Any person appointed shall serve until the expiration of the term of office of the vacated position.*
- *c. Each member of the commission shall be a resident citizen and qualified voter of the city.*
- *d. Upon the initial appointment of the commission by the city council, members shall draw lots for three two-year terms and two one-year terms of service. Thereafter, the term of office of members of the commission shall be for two years. Members may be removed, as determined by the city council.*
- *e. Members shall serve without compensation.*

The council member assigned to oversee review of applications and make recommendations to the full council concerning appointments to this commission is now Councilmember Townsend.

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Boards & Commissions Appointments

(Updated for 01/20/15 City Council Meeting)

THESE (ADVISORY) BOARD APPTS. MAY *NOT* BE DISCUSSED IN EX. SESSION

ARCHITECTURAL REVIEW BOARD (ARB) - Milder

(1) Need to replace

- *Mike Mershawn (attendance - has missed several mtgs.)*
  (new board member would serve partial term until Aug. 2015)

ART REVIEW TEAM (ART) COMMISSION – Townsend

Need three (3) new, additional appointments (see memo)

THESE (REGULATORY) BOARD APPTS. MAY BE DISCUSSED IN EX. SESSION

BOARD OF ADJUSTMENTS (BOA) - Full Council

Need four (4) "alternate members" appointed (by city ordinance)

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **January 15, 2015**

SUBJECT: **Citizen Volunteer Opportunities**

Please find the attached memorandum which specifically outlines an expanded citizen volunteer program.

If the Council is interested in the Staff continuing work on implementation of such a program, the Council may consider the following actions at the meeting on Tuesday evening:

- Directing Staff to make any desired changes to the nature of the program
- Approving the concept of the expanded citizen volunteer program
- Instructing the Staff to develop an implementation plan (to include a proposed schedule), a proposed process for recruiting and appointing volunteers, and recruitment goals

If the Council is interested in the program, these items can be completed and returned to the Council at its next meeting.

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **January 15, 2015**

SUBJECT: **New Volunteer Opportunities**

For some time I have mentioned the possibility of a new volunteer opportunity program which would offer more residents an opportunity to share their expertise to help the City accomplish certain tasks. These would involve a focused commitment of several months rather than existing opportunities which typically involve two-year commitments to serve on boards and commissions or commitments for longer periods of time such as those commitments made by volunteer fire fighters, Citizens on Patrol, and CERT volunteers, and others. I am currently planning to bring this forward to the Council for consideration at the second meeting in January.

If this is a program that the Council finds acceptable, the Staff can begin development of a recruitment program following that finding. This work would also provide an opportunity for evaluation of our overall recruitment efforts and allow for the setting of volunteer recruitment goals for the coming year.

The information below is being provided to give the Council an opportunity to review it in advance of its placement on that agenda. If there is interest in these programs, the Staff will develop an implementation schedule and a plan for communicating with those in the City that might have an interest in participating. The implementation plan would include a timeline and take into account the need to include any of the applicable existing boards and commissions that may be involved in matters related to the subject of each project.

New Volunteer Opportunities

Engineering Design Standards

The *City of Rockwall Engineering Standards for Design* is a published document used to provide direction to engineering design professionals by conveying to them the minimum standards that are to govern design of new subdivisions and infrastructure in the City of Rockwall. The document provides local requirements and extensively references the regional design standards document that has been produced by the North Central Texas Council of Governments. The local document has been developed over the years by the Engineering Department and provides various technical requirements including methods of calculation used in design and standard details for various kinds of infrastructure construction and subdivision development. Through the development and adoption of the *City of Rockwall Engineering Standards of Design* the City seeks to clearly convey the standard requirements of

the City while leaving the appropriate level of discretion to the City Engineer to evaluate engineering plans in terms of the specific circumstances of a particular construction project. Local, State, and Federal law, generally accepted engineering design practices, and local quality control measures all influence the content and the requirements established by the document.

Current Circumstance:

The City's first comprehensive *City of Rockwall Engineering Standards of Design* was adopted around 1985 which accomplished several significant changes - probably most notably the adoption of the 100-year storm water drainage standard as opposed to use prior to that time of 10-year and later 25-year design criteria. Since that time, various changes to the document have occurred with some changes having been made over the years by formal adoption of a new manual and some having been made administratively by previous City Engineers.

City Engineer Tim Tumulty has expressed his thought that City Council, City Management, and the design professionals need to have full confidence that the City's design standards reflect the current best practices for design and that these standards reflect the quality that Rockwall seeks to achieve for both infrastructure and development projects. While it is not necessary that these groups all extensively study and understand engineering design, a high level of confidence that the standards reflect the City's desired quality outcome, compliance with applicable laws and regulations, and generally accepted engineering design practice is needed. At the same time this should be accomplished without unnecessary regulation. Further, the standards should allow the City Engineer a level of discretion to ensure that the standards are administered in a practical, fair, and equitable way.

Proposal:

That a volunteer opportunity project be implemented by the City Engineer to accomplish a technical review of the City of Rockwall Engineering Standards of Design seeking volunteer evaluation assistance from residents who have significant expertise in the area of civil engineering, infrastructure, construction or development.

It is anticipated that this would involve a commitment from these volunteers to meet monthly for a period of about 90 days to accomplish review of the document and its requirements. Upon completion of this review, the Engineering Department would submit the proposed revised *City of Rockwall Engineering Standards of Design* to the Council for re-adoption along with a summary of input provided during the process.

<u>Landscape Ordinance Revisions</u>

The City of Rockwall adopted the first Landscape Ordinance in the late 1980's. This was part of a very deliberate "quality of life" effort at that time to ensure that new non-residential development in the City include landscape that reflected the same type of visual attractiveness and community pride that, as a general rule, residential properties in the City exhibit. The Ordinance allowed for individual selection of landscape materials, but it did prohibit use of certain types of landscape materials that were not thought to be good selections for the local climate and soil conditions, were thought to have less desirable appearance, or were lacking in terms of providing long term landscape contributions. A list of suggested, "well-suited" landscape materials was also provided. This ordinance further required the non-residential property owner to maintain the required landscape installations over time. (Mitigation for tress potentially lost as a result of development was covered by a separate Ordinance and was adopted later.) The Landscape Ordinance established by the ordinance were initially adopted and subsequently amended at a time when there appeared to be no current issue of water availability for use in landscape establishment and maintenance.

Current Circumstance:

It is clear that current circumstances indicate significant limitations as to the availability of treated water for landscape irrigation use. It remains to be seen if longer-term demand for water for landscape irrigation will be influenced by the changes in demand that have occurred in the current drought period. This does not necessarily indicate that the goals applicable at the time of adoption of the Landscape Ordinance should be abandoned, but it does warrant a comprehensive re-evaluation to ensure that, at least, the idea of wise water use is incorporated in the City's landscape requirements in view of the current environment.

Regional recognition of these circumstances are evident in the current efforts of the North Texas Municipal Water District's "offer" to assist their member cities and customers to develop a regional approach to this form of water conservation. Further, NTMWD and the North Central Texas Council of Governments (NCTCOG) have begun to consider the possibility of a more inclusive effort involving the NCTCOG 16-County North Texas region. While there appears to be a significant sense of urgency among those involved in this effort, as the number of participants and the geographic area of the effort is expanded, it will also take more time to complete the work. For these reasons, and to be prepared to participate more fully in a regional effort that may result, the City of Rockwall should begin an immediate reevaluation of its local Landscape Ordinance and associated regulatory requirements. In the interest of both water conservation and to limit the possibility of wasted spending on landscaping for which water for irrigation may be limited, the City has been receptive to requests which have recognized the current circumstances and has generally exhibited appropriate levels of flexibility in these matters. A comprehensive study of the City's Landscape Ordinance would formalize our related approach to the current and future challenges of water supply as relates to landscape requirements. It may also be prudent to consider whether there should be a defined link between the City's Landscape Ordinance and the City's Water Conservation and Drought Management Plans.

Proposal:

That a volunteer opportunity project (involving local landscape professionals, local business representatives, those involved in development, and others with general interest in the subject) be implemented by the City Manager to accomplish a comprehensive review of the City's Landscape Ordinance which recognizes current and future availability of water supply for landscape irrigation uses.

It is anticipated that this would involve the participation of Rockwall residents and businesses that have both a stake in the outcome of the effort and expertise and interest in the subject. It is anticipated that this would involve a 90-day (meeting once or twice a month) volunteer commitment to complete the project.

<u>Retail Recruitment</u>

Rockwall currently has a varied and successful retail community. With the exception of COSTCO, these retailers have located in Rockwall without incentives and, frankly, with minimal recruitment efforts by the City in attracting them to locate in Rockwall. COSTCO's incentive included payments by the REDC for infrastructure. The improvements to downtown's public infrastructure (and the work that preceded it) might be considered as an incentive, although no incentives were paid to businesses located there.

There is sometimes a public misconception that the City has much more control and influence over which new businesses are or should be added to the current mix of existing business and retailers.

Some cities have exerted more influence over business and retail location through the use of various kinds of retail incentive payments. This is the case in a number of area cities.

As a general rule, new locations occur without incentive in markets where the new locations meet whatever criteria have been established by businesses seeking to expand to new locations or into new markets. Any change in the policies for retail incentives would be a Council decision. Current and historic practice has been that the City entertains requests for consideration that are made from individual retail prospects on a case-by-case basis. From a Staff perspective, efforts have been made to ensure that information about Rockwall is readily available for businesses as they consider their location decisions.

Current Circumstance:

There have been indications that Trader Joe's may allow their location decisions to be influenced by local support. In fact, there is currently local activity in the social media that seeks to provide an indication to Trader Joe's that there is significant local interest here to support the store if located in Rockwall.

Proposal

That an effort to recruit (without a change in the City's retail incentive practices) the company including volunteer work be initiated IF Trader Joe's is a business that the Council believes to be one that should be encouraged to locate in Rockwall.

This would involve a core group of volunteers with marketing skills, organizational skills, and general interest in the subject working with the Staff for about a 60-day period seeking to generate interest from the company to locate in Rockwall.

Neighborhood Communication

Over the course of the last several years, we have made significant efforts to improve communication with businesses to ensure that the City is providing quality services that contribute to their success. While we have also made every effort to be communicative with and be responsive to our residential customers, a more comprehensive, formalized neighborhood communication program could be implemented.

Current Situation

Many of the neighborhoods in the City have formal or informal Home Owners Associations. Other well-defined neighborhoods do not have these associations but are readily identified as distinct neighborhoods within the City. Communication at the "neighborhood level" would offer an opportunity to communicate with and to hear from residents as to the quality of services provided by the City. This would help identify areas for service improvement and ensure the City's focus on the things that matter most to our citizens.

Proposal

To enhance citizen communication (using the neighborhood organizations currently in place and identified participants from neighborhoods without existing formal or informal neighborhood organizations) through holding meetings (to include Council and Staff) with neighborhood representatives two times each year may be considered.

Each of these meetings would, if Council interest exists in implementing such a program, be designed in two parts – an opportunity for the City to provide information and an opportunity for the city to receive information. This would provide an opportunity to discuss, for example, issues related to specific services (police, fire, parks, water, garbage, code enforcement, animal control, planning and zoning, and others). Where there are identified areas of service concern or frustration from our citizens/customers, work to resolve these can begin. Nothing about the implementation of this program, however, should ever be construed to replace, diminish or interfere with the importance of our communication with individual residents and the City's efforts to address individual matters of concern that citizens may have.

Volunteer Recruitment

The City relies heavily on volunteers to fill important roles as members of Boards and Commissions, as firefighters, as members of Citizens on Patrol, as members of the CERT Team, as Parks and Recreation volunteers, and many others. If the City Council is interested in pursuing these programs, additional volunteers would be needed for short-term volunteer opportunities. This would test the theory that there may be numerous Rockwall residents (with varied but significant expertise) who would be interested in volunteering for shorter-term commitments to lend their assistance to the City (in addition to those who are interested in two-year board and commission appointments). This will also give the Staff an opportunity to re-evaluate the City's various volunteer recruitment efforts for changes that will result in more successful recruitment of volunteers.

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Agenda 5

Hold joint work session with the city's Park Board regarding Park Board direction and priorities, and take any action necessary.

Memo to City Council re Parks Board Work Session 10

Constable Randy Earl Parks: Life-Saving Recognition Day

Proclamation - Constable Parks 11

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Rockwall Community Playhouse 20th Anniversary Recognition

RCP Recognition 13

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800th Anniversary of the Magna Carta

Proclamation_Magna Carta 15

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Consider approval of the minutes from the January 20, 2015 regular city council meeting, and take any action necessary.

01-20-15 Minutes 17

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Consider authorizing the City Manager to enter into a contract extension with Clean Harbors Inc. to manage Household

hhw memo 35

Consider approval of the First Amendment to the RCH Water Supply Corporation Wholesale Water Contract and take any action necessary.

rch memo 36

Consider approval of a resolution calling a General Election to be held on May 9, 2015 in the City of Rockwall for the purpose of electing a mayor and city council members for Places 1, 3 and 5, each for two-year terms, and a Special Election to be held in conjunction with the General Election for the purpose of filling a one-year unexpired term associated with City Council Place 2, and take any action necessary.

Memo_General Election 37

Resolution (Election Order) 38

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P2015-001 - Consider a request by Harold Fetty of H. D. Fetty Land Surveyor, LLC on behalf of the owner J-BR2, LLC for the approval of a final plat for Lots 1, 2 & 3, Block A, Buffalo Crossing Addition being three (3) non-residential lots currently identified as Tract 17-12 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, being a 7.32-acre tract of land zoned Commercial (C) District, generally located at the southeast corner of the intersection of S. Goliad Street [SH-205] and FM-549, and take any action necessary.

Staff Memo 43

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Z2014-037 - Consider approval of an ordinance for a request by Bill Bricker of Bricker Enterprise Company (DBA Brick House Cars) on behalf of Rockwall Commercial Property Management for the approval of a Specific Use Permit to allow for an Indoor Motor Vehicle Dealership/Showroom on a one (1) acre portion of a larger 50.826-acre tract of land, identified as Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1200 E. Washington Street, and take any action necessary. (2nd Reading)

Ord_2nd Reading (Bricker SUP) 50

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Z2014-038 - Consider approval of an ordinance for a request by Ben McMillian of Hazel & Olive on behalf of the owner of the property for the approval of a Specific Use Permit to allow for a General Retail Store in conjunction with an office and photography studio within Planned Development District 50 (PD -50) for two (2) parcels of land, being 0.43-acres of land, identified as Lots 19A & 19B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, addressed as 503 N. Goliad Street [SH-205], and take any action necessary. (2nd Reading)

Ord_2nd reading (Hazel and Olive) 54

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Z2014-039 - Consider approval of an ordinance for a request by Zack Amick of Gordon Rockwall Investments, LLC for the approval of a zoning change from an Agricultural (AG) District to a Light Industrial (LI) District for a 21.684-acre tract of land identified as Tract 4 of the N. M. Ballard Survey, Abstract No. 24, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located in between Commerce Street and T. L. Townsend Drive, and take any action necessary. (2nd Reading)

Ord_2nd reading (Amick) 60

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Appointment with representative of Hill Wilkinson to hear update regarding downtown construction phasing and progress, and take any action necessary.

City Mgr Memo_Downtown 65

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Hold a public hearing to receive input related to proposed amendments to the City Charter, and take any action necessary.

Memo_Charter Public Hearing 67

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MIS2015-001 - Discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of D. R. Horton for the approval of an alternative tree mitigation plan for Phase IV of the Lakeview Summit Subdivision being a 38.056-acre subdivision situated within the J. H. B. Survey, Abstract No. 124 and Nathan Butler Survey, Abstract No. 21, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 29 (PD-29) for residential land uses, located along the northern side of N. Lakeshore Drive east of the intersection of N. Lakeshore Drive and N. Goliad Street [SH-205], and take any action necessary.

Staff Memo 69

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Z2014-040 - Discuss and consider approval of an ordinance for a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of a Specific Use Permit (SUP) for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary. (1st Reading)

Staff Report 76

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Discuss and consider Resolution commending the Regional Transportation Council's (RTC) and Texas Department of Transportation (TxDOT) responsiveness to the City's concerns regarding the Blacklands Corridor toll road, and take any action necessary.

RTC and TxDOT - Agenda Packet 99

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Discuss and consider authorizing the city manager to execute the Contract for Election Services between the City of Rockwall, Rockwall County Elections Administrator and the Rockwall Independent School District (RISD), and take any action necessary.

Memo_Elections Contract 103

Joint Elections Contract 104

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Discuss and consider approval of a resolution calling a Special Election to be held on May 9, 2015 in conjunction with the General Election for the purpose of submitting proposed amendments to the City Charter to the voters, and take any action necessary.

Memo_Charter Election 119

Resolution 120

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Discuss and consider a recommendation from the City Council's Hotel Tax Subcommittee regarding funding request for the Rockwall Rubber Duck Regatta and a new Memorial Day event and take any action necessary.

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Discuss and consider appointments to city advisory boards, specifically the Art Review Team (ART) Commission, and take any action necessary.
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AGENDA
ROCKWALL CITY COUNCIL
Monday, February 02, 2015
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

p10 **1. HOLD JOINT WORK SESSION WITH THE CITY'S PARK BOARD REGARDING PARK BOARD DIRECTION AND PRIORITIES, AND TAKE ANY ACTION NECESSARY.**

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)

2. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)

3. Discussion regarding possible claim or settlement agreement related to enforcing the city's sign ordinance regarding a billboard pursuant to Section 551.071 (Consultation with Attorney).

4. Discussion regarding pending litigation: Tracie Peters individually and as next friend (Parent) for Noah Peters V. City of Rockwall and Lara Pitek pursuant to Section 551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, February 02, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER WHITE

VIII. PROCLAMATIONS / AWARDS

p11 **1.** Constable Randy Earl Parks: Life-Saving Recognition Day
2. Rockwall Community Playhouse 20th Anniversary Recognition p13
p15 **3.** 800th Anniversary of the Magna Carta

IX. OPEN FORUM

X. CONSENT AGENDA

p17 **1.** Consider approval of the minutes from the January 20, 2015 regular city council meeting, and take any action necessary.

p35 **2.** Consider authorizing the City Manager to enter into a contract extension with Clean Harbors Inc. to manage Household Hazardous Waste Collection Day April 18, 2015 and take any action necessary.

p36 **3.** Consider approval of the First Amendment to the RCH Water Supply Corporation Wholesale Water Contract and take any action necessary.

p37 **4.** Consider approval of a resolution calling a General Election to be held on May 9, 2015 in the City of Rockwall for the purpose of electing a mayor and city council members for Places 1, 3 and 5, each for two-year terms, and a Special Election to be held in conjunction with the General Election for the purpose of filling a one-year unexpired term associated with City Council Place 2, and take any action necessary.

p43 **5.** P2015-001 - Consider a request by Harold Fetty of H. D. Fetty Land Surveyor, LLC on behalf of the owner J-BR2, LLC for the approval of a final plat for Lots 1, 2 & 3, Block A, Buffalo Crossing Addition being three (3) non-residential lots currently identified as Tract 17-12 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, being a 7.32-acre tract of land zoned Commercial (C) District, generally located at the southeast corner of the intersection of S. Goliad Street [SH-205] and FM-549, and take any action necessary.

p50 **6.** **Z2014-037** - Consider approval of an **ordinance** for a request by Bill Bricker of Bricker Enterprise Company (DBA Brick House Cars) on behalf of Rockwall Commercial Property Management for the approval of a Specific Use Permit to allow for an Indoor Motor Vehicle Dealership/Showroom on a one (1) acre portion of a larger 50.826-acre

tract of land, identified as Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1200 E. Washington Street, and take any action necessary. **(2nd Reading)**

p54 **7.** **Z2014-038** - Consider approval of an **ordinance** for a request by Ben McMillian of Hazel & Olive on behalf of the owner of the property for the approval of a Specific Use Permit to allow for a General Retail Store in conjunction with an office and photography studio within Planned Development District 50 (PD-50) for two (2) parcels of land, being 0.43-acres of land, identified as Lots 19A & 19B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, addressed as 503 N. Goliad Street [SH-205], and take any action necessary. **(2nd Reading)**

p60 **8.** **Z2014-039** - Consider approval of an **ordinance** for a request by Zack Amick of Gordon Rockwall Investments, LLC for the approval of a zoning change from an Agricultural (AG) District to a Light Industrial (LI) District for a 21.684-acre tract of land identified as Tract 4 of the N. M. Ballard Survey, Abstract No. 24, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located in between Commerce Street and T. L. Townsend Drive, and take any action necessary. **(2nd Reading)**

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

p65 **2.** Appointment with representative of Hill Wilkinson to hear update regarding downtown construction phasing and progress, and take any action necessary.

XII. PUBLIC HEARING ITEMS

p67 **1.** Hold a public hearing to receive input related to proposed amendments to the City Charter, and take any action necessary.

XIII. ACTION ITEMS

p69 **1.** **MIS2015-001** - Discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of D. R. Horton for the approval of an alternative tree mitigation plan for Phase IV of the Lakeview Summit Subdivision being a 38.056-acre subdivision situated within the J. H. B. Survey, Abstract No. 124 and Nathan Butler Survey, Abstract No. 21, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 29 (PD-29) for residential land uses, located along the northern side of N. Lakeshore Drive east of the intersection of N. Lakeshore Drive and N. Goliad Street [SH-205], and take any action necessary.

p76 **2.** **Z2014-040** - Discuss and consider approval of an ordinance for a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of a Specific Use Permit (SUP) for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary. **(1st Reading)**

p99 **3.** Discuss and consider Resolution commending the Regional Transportation Council's (RTC) and Texas Department of Transportation (TxDOT) responsiveness to the City's concerns regarding the Blacklands Corridor toll road, and take any action necessary.

p103 **4.** Discuss and consider authorizing the city manager to execute the Contract for Election Services between the City of Rockwall, Rockwall County Elections Administrator and the Rockwall Independent School District (RISD), and take any action necessary.

p119 **5.** Discuss and consider approval of a resolution calling a Special Election to be held on May 9, 2015 in conjunction with the General Election for the purpose of submitting proposed amendments to the City Charter to the voters, and take any action necessary.

p130 **6.** Discuss and consider a recommendation from the City Council's Hotel Tax Subcommittee regarding funding request for the Rockwall Rubber Duck Regatta and a new Memorial Day event and take any action necessary.

p144 **7.** Discuss and consider appointments to city advisory boards, specifically the Art Review Team (ART) Commission, and take any action necessary.

XIV. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

p146 Building Inspections Monthly Report - December 2014
Fire Department Monthly Report - December 2014 p160
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Harbor PD Monthly Report - December 2014 p204
p206 Internal Operations Department Monthly Report - December 2014
Meals on Wheels Senior Services Quarterly Report p210
p212 Police Department Monthly Report - December 2014
Recreation Monthly Report - December 2014 p215
p217 Rockwall Animal Adoption Center Report - December 2014

2. City Manager's Report

XV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)
3. Discussion regarding possible claim or settlement agreement related to enforcing the city's sign ordinance regarding a billboard pursuant to Section 551.071 (Consultation with Attorney).
4. Discussion regarding pending litigation: Tracie Peters individually and as next friend (Parent) for Noah Peters V. City of Rockwall and Lara Pitek pursuant to Section 551.071 (Consultation with Attorney)

XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVII. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 30th day of January, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **January 30, 2015**

SUBJECT: **Parks and Recreation Board Workshop**

As indicated in an e-mail which I hope that your received earlier in the week, the Parks and Recreation Board has requested an opportunity to meet with the Council to discuss the direction that the Board's work should take and to make sure that the Board is pursuing parks and recreation opportunities in accordance with the desires of the Council. That discussion is expected to take about thirty minutes and has been scheduled for Monday evening beginning at 4:00 pm in the Council Chamber.

Rockwall, Texas

Proclamation

Whereas, every day, public safety officials work tirelessly to protect our citizens, enforce our laws, and keep our community safe; and

Whereas, despite having full knowledge of the dangers they may face and sacrifices they may be called upon to make, they still faithfully report for duty; and

Whereas, the quality and sanctity of human life are cherished values and worthy of safeguarding, and the Rockwall City Council is proud to honor Constable Randy Parks for his recent, heroic actions which led to saving the life of a diabetic veteran; and

Whereas, through his quick thinking and actions, Constable Parks demonstrated his character and compassion, showing valor and courage while performing this lifesaving deed.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim Monday, February 2, 2015 as

CONSTABLE RANDY EARL PARKS

LIFE-SAVING RECOGNITION DAY

in the City of Rockwall and encourage all citizens to applaud Constable Parks for his heroic actions and thank him for his continued service to our citizens.

In Witness Whereof, I hereunto set my hand and official seal this 2nd day of February, 2015.

_____

Jim Pruitt, Mayor

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Rockwall, Texas

Proclamation

Whereas, in 1995, a small group of locals responded to an article posted in the local newspaper by Janet Resetar inviting anyone interested in starting a community theater to meet at the Rockwall County Library; and

Whereas, out of that initial meeting was birthed a wonderful organization, the Rockwall Community Playhouse, which has been providing Rockwall area residents and visitors with quality, live performances ever since; and

Whereas, the Rockwall Community Playhouse currently offers programs for adults, young adults, children and adults with special needs as well as events and project that give back to local charities and special causes; and

Whereas, hundreds of volunteers ensure the Playhouse continually offers fun, rewarding experiences, committing countless hours of their personal time to provide entertaining live theater and excellent programs over the years; and

Whereas, 2015 marks the 20th anniversary of the Rockwall Community Playhouse;

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim Monday, February 2, 2015 as

ROCKWALL COMMUNITY PLAYHOUSE, HAPPY 20TH ANNIVERSARY DAY

in the City of Rockwall and encourage all citizens to recognize and applaud this organization, including its leadership and volunteers, for its numerous contributions to our community throughout these last twenty years.

In Witness Whereof, I hereunto set my hand and official seal this 2nd day of February, 2015.

_____

Jim Pruitt, Mayor

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Rockwall, Texas

Proclamation

Whereas, Magna Carta is the charter of liberties that England's King John granted in 1215 to halt his baron's rebellion and restore their allegiance to his throne; and

Whereas, this historical document exercised strong influence both on the U.S. Constitution and on those of various states; and

Whereas, the document was the people's reassertion of rights against an oppressive ruler, a legacy that captured American distrust of concentrated political power; and

Whereas, both the Texas Constitution and the U.S. Bill of Rights incorporated several guarantees that were understood at the time of their ratification to descend from rights protected by Magna Carta; and

Whereas, among rights protected by Magna Carta are freedom from unlawful searches and seizures, a right to a speedy trial, a right to a trial by jury, and protection from loss of life, liberty, or property without due process of law; and

Whereas, many U.S. constitutional principles have their roots in an eighteenth-century understanding of Magna Carta, including things such as the theory of representative government, the idea of a supreme law, and judicial review.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby acknowledge the year **2015** as being the

800TH ANNIVERSARY OF MAGNA CARTA

in the City of Rockwall and encourage all citizens to recognize and reflect on the large influence this important document has had on our nation and our citizens.

In Witness Whereof, I hereunto set my hand and official seal this 2nd day of February, 2015.

_____

Jim Pruitt, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Tuesday, January 20, 2015
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dennis Lewis and Council Members David White, Mike Townsend, and John Hohenshelt. Council Members Scott Milder and Bennie Daniels were absent from the meeting. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and the city's legal counsel, Patrick Lindner.

Mayor Pruitt then read the below listed discussion items into the public record before recessing the meeting into Executive Session.

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the city's concession agreement with Suntex Marina / Suntex RHCL Marina, LLC pursuant to Section § 551.071 (Consultation with Attorney)
2. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)
4. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations)

III. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:20 p.m.

MINUTES
ROCKWALL CITY COUNCIL
Tuesday, January 20, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all council members except Daniels and Townsend being present.

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Lewis indicated that no action was needed as a result of Executive Session.

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM LEWIS

Mayor Pro Tem Lewis delivered the invocation and led the Pledge of Allegiance.

VII. CONSENT AGENDA

1. Consider approval of the minutes from the January 5, 2015 regular city council meeting, and take any action necessary.
2. Consider of approval of contract with CrimeReports.com for the purchase of crime analysis software for the Police Department in the amount of $40,355.30 to be funded by seized funds, and take any action necessary.
3. Consider approval of retaining the law firm of Lloyd Gosselink as required by City Charter Section 4.04 to assist the City with ongoing Oncor matters, and take any action necessary.
4. Consider approval of a resolution expressing support for the 84th Texas Legislature to increase funding for the Texas Recreation & Parks Account and the Large County and Municipality Recreation and Parks Account, which administer local park grant programs and funding, and take any action necessary.
5. Consider approval of a resolution updating and supporting the city's clean fleet vehicle policy, and take any action necessary.
6. **P2014-043** - Consider a request by Bryan Powell, PE of Westwood Professional Services on behalf of David Booth of D. R. Horton Texas, LTD for the approval of a final plat for Castle Ridge, Phase 3 containing 62 single family lots on a 19.521-acre tract of land currently identified as Tract 37 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Single Family Residential (SF-10) District, general located east of SH-205, and take any action necessary.

Councilmember White made a motion to approve the entire Consent Agenda (#1, 2, 3, 4, 5, and 6). Mayor Pro Tem Lewis seconded the motion, which passed unanimously of those present (Milder and Daniels absent).

VIII. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Chair of the Planning and Zoning Commission, Craig Renfro, came forth and briefed the council on recommendations of the Commission relative to planning-related items on tonight's city council meeting agenda. After brief discussion, the council took no action related to this agenda item.

2. Appointment with representatives of the city council appointed Charter Review Commission to hear report regarding recommended changes to the City Charter, including a possible Charter Amendment Election, and take any action necessary.

Mr. Lofland, Chair of the Charter Review Commission appointed by the city council, came forth and provided a brief report to the council regarding proposed charter amendment language for several sections of the city's existing charter. Mr. Lofland indicated that the Commission recently held a public hearing to glean public input concerning the proposed changes. One member of the public, Mr. Sol Villasana, did come forth and speak in favor of single member districts for the city during that public hearing. Mr. Lofland explained that, although this topic is not a formal recommendation of the Charter Review Commission at this time, the Commission is urging the city council to begin studying this topic, as it will be something our city will face at some point in the future as it grows.

After brief commentary, Mayor Pruitt made a motion to call a public hearing to allow for citizen input to be provided to the city council regarding the recommended Charter amendments and to place an item on the next city council meeting agenda to call a Charter Amendment election. The motion passed unanimously of those present (Daniels and Milder absent).

IX. PUBLIC HEARING ITEMS

1. **Z2014-036** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Rick Dirkse on behalf of D. W. Bobst of J-BR2, LLC for the approval of a zoning change from a Single Family 10 (SF-10) District to a Planned Development District allowing for office, medical office and single-family land uses on two (2) parcels of land, being 1.666-acres, identified as Lots 1 & 2, Block B, Eagle Point Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1312 & 1316 Ridge Road [FM-740], and take any action necessary. **(1st Reading)**

Planning Director Robert LaCroix provided background information concerning this agenda item. Notices were mailed out to sixty-one property owners in this area, and signs were posted on the subject property. The homeowner's association for Waterstone Estate was also sent notice. Of those notices sent, six notices came back in opposition, and five notices came back in favor. In addition, three individuals sent in emails or notices in opposition of the request; however, they were located outside of the prescribed notification area. The Planning & Zoning Commission recommended denial, which failed by a 3 to 3 vote. They next recommended approval of the request, but that motion also failed.

Councilmember Lewis asked how long the property has been zoned single family. Mr. LaCroix indicated that it has probably had a SF zoning designation for over thirty years.

Mayor Pruitt opened the public hearing and called forth the applicant.

Mr. Dirkse, the applicant, came forth to address the council. He explained that he and his wife have been residents and business owners in Rockwall for thirty-one years. He generally explained that he is requesting the following: a Planned Development with Residential Office Zoning with limited uses (single-family, professional offices or small medical offices); maximum sq. ft of 5,000 and 6,000; architectural style to blend with adjacent neighbors; shared parking with existing curb cuts; serve as transition between residential and high-intensity, non-residential uses; and the back of the property to generally conform to adjacent single-family residential.

After Mr. Dirkse's introductory comments, Mayor Pruitt called for members in the audience who would like to come forth and speak during the public hearing.

Ron Gilleland
310 Meadowdale
Rockwall, TX 75087

Mr. Gilleland came forth and spoke in opposition of this request. He indicated that he has lived here for more than thirty years, and he believes that someone could very possibly purchase the property and build a large, single-family residential home on it.

John White
1929 S. Lakeshore Drive
Rockwall, TX 75087

Mr. White came forth and indicated that he is generally opposed to this request. He stated that eleven residents of the neighborhood spoke against the request, and only one resident spoke in favor of it. Mr. White indicated that the local government has a covenant with existing residential property owners and therefore has an associated obligation to help protect the resident's property rights.

Madison Lyle
1603 S. Alamo
Rockwall, TX 75087

Mr. Lyle spoke in opposition of this request. He is fearful that these lots may turn into Commercial zoning, and a parking lot may end up in the rear of these lots, which would basically be in and overlooking his back yard.

Andrea Burke
1724 Ridge Road
Rockwall, TX 75087

Mrs. Burke came forth and indicated that she has concerns about some of the signage in front of the residential office zoned properties currently located on Ridge Road. She expressed that she believes the Planning & Zoning Commission is intentionally working against residents. She desires to leave the zoning as "residential" in hopes that an actual residential home will end up being built on these lots. She would like to protect the integrity of her street.

Ron Mason
1402 Ridge Road
Rockwall, TX 75087

Mr. Mason came forth and indicated that his home was built on Ridge Road in 1954. He read a brief email from Council Member Bennie Daniels, in which Daniels indicated that he is in opposition of the proposal and will be disappointed if the request is approved by the city council. Mr. Mason went on to indicate that lots on Ridge Road have been purchased, and new homes have been built within the last ten years on this road. He strongly spoke in opposition of this rezoning request.

Mr. Clark Staggs
1601 Seascape Court
Rockwall, TX

Mr. Staggs indicated that he is a real estate broker, and he has done some research on the values of some of the properties located along Ridge Road and in this area. Generally speaking, values of the homes in this neighborhood have been depreciating. He does not believe an individual will spend this much money on a residential lot and then build a large, residential home on the property. He does believe these lots will eventually end up transitioning to commercial lots.

Erica Lyle
1603 S. Alamo Road
Rockwall, TX 75087

Mrs. Lyle generally spoke in opposition of this request, expressing concern that its approval will adversely affect her residential property value. She suggested that Mr. Dirkse consider constructing this type of building on his own property that he already currently owns elsewhere in town. She is strongly opposed to this request.

Tom Hawkins
201 Dartbrook Street
Rockwall, TX 75087

Mr. Hawkins indicated that he and his wife moved to Rockwall about seven years ago. He questioned if Mr. Dirkse is acting an agent on behalf of Mr. Bobst. Mr. Hawkins indicated that Mr. Bobst previously came forth to propose use for these lots, and his proposal was turned down and opposed by the residents at the time. He expressed that he is against this rezoning.

Larry Wilcoxson
301 Stonecrest
Rockwall, TX 75087

Mr. Wilcoxson indicated that he is in opposition of this request and has various concerns, including things like undesirable lighting, medical waste potentially being left out in the trash, parking limitations, animals getting into the trash / dumpsters. He encouraged the council to stop the spread of commercial businesses on this stretch of Ridge Road. He is opposed to this request.

Mr. Mike Rogers
1404 Ridge Road
Rockwall, TX 75087

Mr. Rogers indicated the moved to Rockwall with his parents in 1951. He indicated he and his wife have lived in their home since 1983. He believes Ridge Road is a great place to live, raise a family, and have pets. He believes it is a valuable neighborhood. He has concerns about allowing an office building to be built in this residential area. He generally spoke in opposition of this request and urged the council to vote 'no' on the rezoning request.

Mrs. Rella Rogers
1404 Ridge Road
Rockwall, TX 75087

Mrs. Rogers spoke in opposition of this item, indicating, in part, that it would be 'spot zoning' and would add to the devaluation of her home if this request is approved. She indicated that her home is in direct proximity to her home, and the lots in question overlook her private back yard and pool area. She believes that her home will be significantly devalued if this rezoning is granted. She suggested that there are other, appropriate locations in Rockwall for Mr. Dirske's commercial business. She respectfully asked the council to vote 'no' to this request.

Mr. Bill Lofland
1200 Ridge Road
Rockwall, TX 75087

Mr. Lofland indicated he has lived on Ridge Road for at least thirty-five years. He also owns the properties from 1026 Ridge Road to 1202 Ridge Road. When the city agreed to allow some of the smaller homes on Ridge Road to turn into offices, this was stopped at 1024 Ridge Road. He indicated he believes that approval of this rezoning would represent 'spot zoning.' He has nothing personal against Mr. Dirkse; however, he did speak in opposition of this request and urged the council to vote 'no.'

Mr. Rod Holland
536 Loma Vista
Heath, TX

Mr. Holland indicated that he owns property at 1510 South Alamo. He has been a resident of Rockwall since 1972, has been in real estate in this area since the early 1990s and is also a real estate broker. Mr. Holland indicated that he purchased a lot located behind these lots, not knowing what would end up going there, because he is not concerned about what may end up being built on these lots. He is a real estate broker, and he does not represent Dan Bobst. He does not have concerns about it possibly turning into Commercial. He is in favor of this request.

Mr. Timothy Greenawalt
335 Dalton Road
Rockwall, TX 75087

Mr. Greenawalt came forth to speak in favor of this request. He is a neighbor of Mr. Dirkse and has been for about eighteen years. He indicated that Mr. Dirske's business does not bring a lot of traffic, and there are no concerns of "trash," as he keeps his property very

well maintained. He indicated that Mr. Dirkse is a very good neighbor, and he urged the city council to vote in favor of this request.

Mr. Jeff Wong
1410 Ridge Road
Rockwall, TX 75087

Mr. Wong indicated that he and his wife used to live in Rockwall, but then they moved to a condo in Dallas, and thereafter moved back to Rockwall. Mr. Wong indicated that he and his wife purchased this home at 1410 Ridge Road, and they love living there. They love the view and the neighborhood, in general, but they would not like living immediately adjacent to the lots down the road that contain office-type businesses. He spoke in opposition of this rezoning request.

At 7:48 p.m., Mayor Pruitt recessed the meeting and called for a short break.

At 7:59 p.m., Mayor Pruitt called the meeting back to order.

Nathan Najmabadi
1412 Ridge Road
Rockwall, TX 75087

Mr. Najmabadi expressed that he and his wife have lived at this address for about a year-and-a-half. Noise, traffic and lights have not been problems. He believes the homes in this area are nice homes and have nice views. He and his wife both recently got out of the service, and they plan to have a family and stay for the long term. He loves his neighbors, and he is very against this rezoning request.

Joy Bounds Greenwalt
209 Tanya Drive
Rockwall, TX 75087

Mrs. Greenwalt indicated that she is a very longtime resident of Rockwall and has lived in this home for thirty-one years. She expressed that young couples and children are moving into her neighborhood, which is vibrant and growing and is in fact not declining as Mr. Bobst suggested back in 2012. She spoke against this zoning change request, and urged the city council to vote 'no' with prejudice. She wants the neighborhoods and homes to be kept separate from commercial development and indicated that combining them is inappropriate.

Marsha Mason
Ms. Mason explained that she currently lives at 1130 Sierra Pass in a rental home, but she owns a lot in Park Place and will be living there in the future. Mrs. Mason generally spoke in favor of this request. She indicated that she lived next to Mr. and Mrs. Dirkse for about twenty years, and it never posed any sort of problem (not traffic, not trash, not security, not lighting). She generally indicated that she believes the lots along Ridge Road and Goliad will eventually turn into Commercial. She spoke in favor of Mr. Dirkse's and supports his business and rezoning request. Trash, security and additional traffic were never of concern when living next to Mr. Dirkse's business, which looks like a home, for twenty years.

Ms. Mason indicated that she has a letter from 3055 North Goliad, Mr. Joel Steed, and is prepared to read it to the city council on his behalf. The mayor and council members indicated they did receive Mr. Steed's emailed letter.

Mr. David Mitchell
206 Dartbrook
Rockwall, TX 75087

Mr. Mitchell spoke in opposition of this request. He suggested that Mr. Dirkse should find an alternate location for his business, perhaps on his existing property or perhaps on the East side of Ridge Road. He strongly urged the council to reject this request.

Ken Dickson
205 Meadowdale
Rockwall, TX

Mr. Dickson came forth and spoke in opposition of this request. He spoke highly of his neighbors and his neighborhood. He expressed that his neighborhood is unique and has individual homes with varying architecture (no track homes). He indicated that the previous owner of this property, Mr. Mitchell, who passed away, was a good neighbor. After his passing, Dickson explained, Mr. Bobst purchased the property. He strongly urged the council to reject this request with prejudice.

Freddie Jackson
1812 Bristol Lane
Rockwall, TX

Mr. Jackson indicated that his wife is from Rockwall, and he loves this city. He expressed that nobody wants the Residential Office (RO) zonings that keep popping up in residential neighborhoods. He urged the council to vote against this request.

Jim Greenwalt
209 Tanya Drive
Rockwall, TX

Mr. Greenwalt indicated that he is a retired residential, commercial and shopping center developer, and he used to work for Dallas' Economic Development Department. He served on Rockwall's Planning & Zoning Commission for about eight years, some of which was as the "chair." He expressed that there is adequate office and retail space on the East side of Ridge Road and there will be for years to come. He believes approval of this request would be "spot zoning." Just because these lots may eventually and inevitably turn into Commercial does not mean that he desires for them to do so now. He expressed various concerns about this request, including 'spot zoning,' and urged the city council to not approve the request for a zoning change and deny it with prejudice.

Gregg Napier
1505 S. Lakeshore
Rockwall, TX

Mr. Napier indicated that he and his wife moved to this home about three years ago from Rowlett, and they put a lot of money into their home to improve it. He stated he often sees

cars driving slowly, and he believes they are people who are looking for homes in this neighborhood. He spoke in opposition of this request.

Jennifer Ziesk
7120 Hunt Lane
Rockwall, TX 75087

Mrs. Ziesk read a letter on behalf of:
Mary Stacey
912 N. Goliad
Rockwall, TX 75087

Mrs. Ziesk read a letter from Mrs. Stacey, who now lives in a neighborhood by what is now the birthing center. The letter read generally seemed in favor of this rezoning request. She expressed in her letter that it has been her experience that businesses moving in near her residential home has had very little effect on her home and her quality of life. She expressed that her residential home has increased steadily in value over the last ten years. Afterwards, speaking on her own behalf, Mrs. Ziesk generally expressed support for this request. She expressed she has officed in the same building as Mr. Dirkse for the last five years, and she believes he is a good neighbor and will continue to be, whether he is a residential or a business neighbor.

Shannon Greenberg
404 Driftwood
Rockwall, TX 75087

Mrs. Greenberg spoke in favor of this request. She stated she recently began working for Dirkse and Associates. She believes the staff at Dirkse and Associates supports each other and works as a family. Ms. Greenberg explained she believes Mr. Dirkse is very conscientious about trash and ensuring thing are cleaned up.

Kathy Oehler
207 Tanya Drive
Rockwall, TX

Mrs. Oehler came forth and expressed opposition to this request. She indicated that her neighborhood is not declining. She has observed many contractors working on upgrading homes in this neighborhood. She believes Mr. Bobst's inability to sell the property to an individual for a residential home to be built on it is essentially due to it being priced too high. She indicated that she had a conversation with Mr. Dirkse in which he expressed that he wants to build his office on this lot because he is "greedy and wants the view." She believes rezoning would diminish property values and would in fact contribute to the decline of the neighborhood.

Alexia Fields
1603 Seascape Court (next to Clark Staggs)
Rockwall, TX

Mrs. Fields indicated she is a dentist in the area and has lived here over twenty years. She spoke in opposition of this request, indicating that she and her neighbors feel they are being bullied every few years. She urged the council to not approve this request.

Tammy Tinkle
1270 Antioch Drive
Rockwall, TX 75087

Mrs. Tinkle indicated that if she were to choose a residential lot, she would not choose this one. She would instead choose one close to a school where they can walk and ride their bikes to school. She has lived here in Rockwall for over seven years. She generally expressed that there would be no significant, negative impacts related to traffic or trash. The employees who work for Dirkse and Associates are conservative accountants. She generally spoke in favor of this request and believes approving it would be a good decision.

Renee Sneed
310 Orbit Drive
Lavon, TX 75166

Mrs. Sneed indicated that she grew up in Rockwall, and she is the daughter of Mr. Dirkse. She and her husband hope to live in Rockwall again someday. She works for Mr. Dirkse and believes the best use of these lots is for them to be rezoned with very specific, restrictive zoning. She and her father have been discussing the possibility of her taking over his business in a number of years down the road. She generally spoke in favor of this request.

G. David Smith
601 Stonebridge Drive
Rockwall, TX

Mr. Smith indicated that he is a close friend of Mr. Dirkse. He lives about a mile from this property. He believes Mr. Dirkse would be a tremendous asset to this area long Ridge Road. He stated that he and his wife purchased the property at 702 North Goliad Street some years ago (2002) and worked with the city to have the zoning changed from residential to residential office. He believes these lots are not well suited for residential lots, especially since they are located along a major, four-lane thoroughfare. He generally spoke in favor of this request for a zoning change.

Mrs. Terri Nevitt
201 Becky Lane
Rockwall, TX

Mrs. Nevitt indicated that she feels she is being bullied. She is currently in the process of trying to decide if she wants to refinance, rent out, or sell her home. She is not in favor of this request because it is "spot zoning." She expressed concerns about some of the representatives currently serving on the Planning & Zoning Commission. She spoke in opposition of this request, and she urged the council to deny this request.

Greg Oehler
207 Tanya
Rockwall, TX

Mr. Oehler expressed that his neighborhood is very desirable and it is the envy of other neighborhoods. He believes that in twenty years, this property will be diminished aesthetically and that it will not be well maintained if it is built as commercial. He believes homeowners in this neighborhood have invested a lot of time and money into their homes,

including improving and maintaining them. He indicated that commercial properties do not increase in value over time, and they are not as well maintained. He generally spoke strongly in opposition of this request and urged the council to vote "no" with prejudice.

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

Councilmember White made a motion to deny Z2014-036.

Mr. Dirkse asked Mayor Pruitt if he would have an opportunity to speak at this point (following the public comments). City Attorney Patrick Lindner indicated that it is ok to allow the applicant to speak again at this time. Mayor Pruitt then re-opened the public hearing to allow the applicant five minutes to wrap up and provide closing comments.

Mr. Rick Dirkse then came forth and provided some closing comments. He generally and strongly urged the council to approve this request. He expressed that he would like the privilege of stewarding this property well by agreeing to place an office at this location that looks like a home.

Mayor Pruitt closed the public hearing and opened the floor up for Council discussion.

Councilmember White indicated that he is not in favor of zoning at all; however, he respects the process, and the residents in this neighborhood have indicated they do not want it.

Councilmember White then made a motion to deny Z2014-036. Mayor Pruitt seconded the motion.

Mayor Pro Tem Lewis indicated that he knows Mr. Dirkse, and they go to church together. If this matter was about Mr. Dirkse's character, he would vote to approve this request right now. He believes that Mr. Lofland's comments are 'spot on,' in that the commercial properties need to stop at his property. He expressed that his decision is solely based on what he believes is right, and it is not based on how he feels or what he thinks about Dan Bobst. He pointed out that by law the council has to consider zoning requests, and property owners have a right to request that zoning changes be considered. He indicated that he will be voting against this request.

Mayor Pruitt indicated that he lives not far from this property, and he and his wife own two homes in this general area/neighborhood. He expressed the belief that residents in this and other neighborhoods in Rockwall should get to control decisions related to what happens to their neighborhood. He believes it is important for the city council to make a statement that this is the way these properties are going to be – either we are going to allow Commerical zoning on these lots, or we are not going to allow it, and the lots will remain residential. Mayor Pruitt thanked the public for coming out to speak tonight. He then called for the vote.

The motion to deny the request passed unanimously of council present (5 ayes with 2 absent (Milder and Daniels).

At 9:21 p.m., Mayor Pruitt recessed the public meeting and called for a short break.

Mayor Pruitt reconvened the meeting at 9:33 p.m.

2. **Z2014-037** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Bill Bricker of Bricker Enterprise Company (DBA Brick House Cars) on behalf of Rockwall Commercial Property Management for the approval of a Specific Use Permit to allow for an Indoor Motor Vehicle Dealership/Showroom on a one (1) acre portion of a larger 50.826-acre tract of land, identified as Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1200 E. Washington Street, and take any action necessary. **(1st Reading)**

Planning Director Robert LaCroix provided brief background information concerning this agenda item. He stated that 135 notices were sent out to adjacent property owners located within 500 feet, and five were received back in favor.

Mr. Bill Bricker
505 Westway Drive
Rockwall, TX

Mayor Pruitt asked if anyone else would like to come forth and speak. There being no one indicating such, he then closed the public hearing

Councilmember White made a motion to approve Z2014-037. Councilmember Townsend seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-____
SPECIFIC USE PERMIT NO. S-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) WITHIN A LIGHT INDUSTRIAL (LI) DISTRICT ALLOWING FOR AN INDOOR MOTOR VEHICLE DEALERSHIP/SHOWROOM LOCATED IN A 12,500 SQUARE FOOT BUILDING INDICATED IN "EXHIBIT A" OF THIS ORDINANCE AND ADDRESSED AS 1200 E. WASHINGTON STREET, WHICH IS LOCATED ON A PORTION OF A LARGER 50.826-ACRE TRACT OF LAND DESCRIBED AS TRACT 31 OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a unanimous vote.

3. **Z2014-038** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Ben McMillian of Hazel & Olive on behalf of the owner of the property for the approval of a Specific Use Permit to allow for a General Retail Store in conjunction with an office and photography studio within Planned Development District 50 (PD-50) for two (2) parcels of land, being 0.43-acres of land, identified as Lots 19A & 19B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, addressed

as 503 N. Goliad Street [SH-205], and take any action necessary. **(1st Reading)**

Mr. LaCroix provided brief background information for this agenda item. He indicated that 110 notices were mailed out to adjacent property owners located within 500 feet. Three notices were received back in favor, and two were received back in opposition of this request. The P&Z Commission did recommend approval of this item by a vote of 6 to 0.

Mayor Pruitt opened the public hearing and called the applicant forth.

Ben McMillian
176 Hampton Drive
Fate, TX

Mr. McMillian indicated that he and his wife own this business currently, and it has been very successful for the last year or so that they have been in operation. They would like to move and expand the business because they currently only have about 700 square feet of retail space at the current location.

Mayor Pruitt asked if anyone would like to come forth and speak. There being no indication of such, Mayor Pruitt then closed the public hearing.

Councilmember Townsend made a motion to approve this item. Councilmember White seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-XX
SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A A GENERAL RETAIL STORE IN CONJUNCTION WITH AN OFFICE AND PHOTOGRAPHY STUDIO IN A RESIDENTIAL-OFFICE (RO) DISTRICT, ON TWO (2) PARCELS OF LAND, BEING 0.43-ACRES AND IDENTIFIED AS LOTS 19A & 19B OF THE AMICK ADDITION, AND GENERALLY LOCATED AT 503 NORTH GOLIAD STREET, ZONED PLANNED DEVELOPMENT DISTRICT NO. 50 (PD-50); AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of those present (5 ayes with 2 absent (Daniels and Milder)).

4. **Z2014-039 -** Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Zack Amick of Gordon Rockwall Investments, LLC for the approval of a zoning change from an Agricultural (AG) District to a Light Industrial (LI) District for a 21.684-acre tract of land identified as Tract 4 of the N. M. Ballard Survey, Abstract No. 24, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located in between

Commerce Street and T. L. Townsend Drive, and take any action necessary. **(1st Reading)**

Mr. LaCroix provided brief background information related to this agenda item. He stated that the surrounding zoning is mainly commercial and light industrial with the exception of multi-family housing located to the east. Forty-eight notices were sent out to adjacent property owners within five hundred feet, and two notices have been returned back in favor. The P&Z Commission has recommended approval of this request by a vote of 6 to 0.

Mayor Pruitt opened the Public Hearing and called the applicant forth.

Michael Amick
1957 Stevens Road
Rockwall, TX

Mr. Amick explained that this zoning change is being requested to allow the property to have some improvements made on it so something can be done with it (other than AG).

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

Councilmember White made a motion to approve this item (Z2014-039). Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A LIGHT INDUSTRIAL (LI) DISTRICT FOR A 21.684-ACRE TRACT OF LAND IDENTIFIED AS TRACT 4 OF THE N.M. BALLARD SURVEY, ABSTRACT NO. 24, CITY AND COUNTY OF ROCKWALL, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of council present (5 ayes with 2 absent (Daniels and Milder)).

5. **Z2014-040** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of a Specific Use Permit (SUP) for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary. **(1st Reading)**

Mr. LaCroix provided brief background information related to this agenda item, indicating that this request is related to building a hotel. It is recommended that the hotel be accompanied with some restrictions such that it cannot be utilized as an "extended stay," "residence," or "transient-oriented" type hotel. Eighteen notices were sent out to adjacent property owners located within 500 feet, but no replies have been received back by staff at this time. The P&Z Commission did recommend approval of this item by a vote of 5 to 1.

Mayor Pruitt opened the public hearing and called the applicant forth to speak.

Tom Kirkland
613 Willow Springs
Heath, TX

Mr. Kirkland indicated that he and his wife started their hotel business by constructing a first one in College Station, TX. He generally indicated that he has been in consultation with Marriott regarding the possibility of constructing this hotel in Rockwall as a "Springhill" property.

Mayor Pruitt asked if anyone would like to come forth and speak during the public hearing.

Craig Renfro
1556 Parkside Circle
Rockwall, TX 75032

Mr. Renfro indicated that he lives in Lago Vista and was in the notification area for the public notice that was sent out. He generally spoke in favor of this request.

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

Councilmember Townsend how big of an event a 3,000 square foot conference center will accommodate. Mr. Kirkland indicated that about 150-200 people can be seated in a classroom style. For a dinner type setting with round tables, about 100 can be accommodated. He explained that there is a "pre-function" area that is about 1,000 additional square feet (for example, if you want to set up a buffet out in this area). Councilmember Townsend indicated that he would like to see a hotel that can compete with the existing Hilton Hotel as far as event space is concerned. He would like to see a larger conference center space that would be better able to compete with the existing Hilton.

Lengthy discussion took place related to Hilton, Hampton, and high end versus lower end hotel properties.

Mayor Pruitt expressed concerns that, with this hotel and what it offers related to meeting space, it will never be able to compete with the existing Hilton. He asked if the size of the building could be changed to size it up. He generally indicated that several on the council have previously expressed an interest in attracting another full-service type of hotel. Mr. Kirkland indicated that the market is moving away from full-service hotels. In his opinion, Mr. Kirkland expressed, it would be difficult for Rockwall to attract an additional full-service hotel.

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

Councilmember Lewis made a motion to table this item until the next city council meeting. Mayor Pruitt seconded the motion, which passed by a vote of 5 in favor with 2 absent (Milder and Daniels).

X. ACTION ITEMS

1. **MIS2014-018** - Discuss and consider a request by Michael Swiercinsky of Sky Investment Property, Inc. for the approval of an alternative method for purchasing trees associated with an approved tree mitigation plan for two (2) tracts of land, being 7.969-acres, identified as Tracts 4 & 19, E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the northwest corner of the intersection of Ridge Road [FM-740] and W. Yellow Jacket Lane, and take any action necessary.

Planning Director Robert LaCroix provided background information related to this agenda item, explaining that Mr. Swiercinsky has a large number of trees that he must mitigate for concerning these tracts of land. Under the city's tree mitigation ordinance, the applicant may either donate trees or make a monetary payment to the city in order to mitigate for the trees. Mr. LaCroix explained that the applicant would like to make a lump sum payment of $111,262.00, which represents the applicant's costs to purchase the required trees and pay to have them delivered to the City. Staff has verified the estimate listed on the invoice for the trees and delivery costs. If the applicant's request is approved the lump sum payment would need to be satisfied prior to filing a final plat for the subject property; however, if the request is denied the applicant would be required to provide the Parks Department with the required mitigation.

Michael Swiercinsky
307 Russwood
Rockwall, TX

Mr. Swiercinsky expressed that he would be complying with the city's tree mitigation policy. It will just be monetarily rather than buying and delivering trees to the city.

Councilmember White made a motion to approve MIS2014-018. Councilmember Townsend seconded the motion, which passed by a vote of 5 in favor with 2 absent (Daniels and Milder).

2. Discuss and consider appointments to city advisory boards including the Art Review Team (ART) Commission and Architectural Review Board (ARB), and take any action necessary.

Councilmember White made a motion to appoint Enid Reyes to the Architectural Review Board (ARB) (to fill a partial term vacancy left by former member Mike Mershawn to expire in August of 2015). Councilmember Lewis seconded the motion, which passed by a vote of 5 ayes with 2 absent (Milder and Daniels).

3. Discuss and consider authorizing the City Manager to proceed with development, scheduling, and recruiting for expanding participation by citizen volunteers, and take any action necessary.

City Manager Rick Crowley provided brief comments related to this agenda item. Councilmember Townsend made a motion to authorize the city manager to proceed with this recruiting project as described. Councilmember Lewis seconded the motion, which passed by a vote of 5 ayes with 2 absent (Milder and Daniels).

The council did not reconvene into Executive Session following the close of the public meeting agenda.

XI. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the city's concession agreement with Suntex Marina / Suntex RHCL Marina, LLC pursuant to Section § 551.071 (Consultation with Attorney)
2. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)
4. Discussion regarding proposed lease/sale of city land for possible private project pursuant to Sections 551.072 (Real Property) and Section 551.087 (Economic Development negotiations)

XII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The council did not reconvene into Executive Session following the close of the public meeting agenda.

XIII. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 11:08 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 2nd day of February, 2015.

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **January 30, 2015**

SUBJECT: **2015 Household Hazardous Waste Program**

The fiscal year 2015 budget includes funding for the 14th annual household hazardous waste collection event. Staff has selected April 18, 2015 as the date for this collection. The previous programs have been tremendous successes for citizens and the City. The City also gets credit on our Storm Water Control Program for sponsoring the program. The City of Heath as well as Rockwall County joined in participation and sponsorship of the event for 2014 and we expect their participation is likely again this year. We processed items from 900 vehicles last year.

After taking proposals, the City Council awarded a contract for the categorization, packaging, manifesting, transporting and disposal of household hazardous waste. The contract is with Clean Harbors, Inc. and is annually renewing until either of the parties chooses to terminate. The collection site crew will come out of the Dallas field office and will include many of the same people who have been here for our previous events. Their longevity with this event allows us to continue to offer good service as the day has become routine for city staff and public.

Last year's program cost to the City was approximately $96,875. The cost included set up, labor at the collection site and primarily disposal of all collected materials. Over 68,800 lbs of paint and chemicals were collected during the six-hour event. Funding for this event is included in the monthly garbage rate at $.64 per household. Each of the other participating entities was charged a $115 per car fee to offset their portion of the expense.

In addition to the Clean Harbors contract, the City used a local tire service to dispose of the more than 500 old tires collected last year. We also collected old computer and television equipment and took in more than 27,700lbs of it at last year's event. The equipment was disposed of with the assistance of a grant program from Apple, Inc. In addition, we offered secure paper shredding which resulted in 17,982lbs of paper being shredded that day.

The 2015 event budget is $100,000. The full cost is not known until the close of the event since it is principally dependent on volumes. Staff requests Council authorize the City Manager to execute the necessary documents to proceed with the 2015 household hazardous waste event on April 18, 2015.

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **January 30, 2015**

SUBJECT: **Wholesale Supply Contract Amendment – RCH WSC**

The City supplies wholesale treated water to RCH Water Supply Corporation (RCH) under an agreement which expired December 31, 2014. The current agreement anticipated NTMWD being able to provide direct service to RCH during the term of the agreement. At this time the District is not ready, and is not able to provide a date in the future when they will be ready, indicating it may be 5 or more years in the future. The City Attorney brought the ending contract to the attention of RCH and they have asked for an extension of the contract. The resulting proposed amendment is ready for Council consideration. This would be a five-year extension with an additional five-year option. During this timeframe, RCH's Board will continue to prepare to switch over to the NTMWD when the opportunity becomes available.

The amendment provides the following:

- Five-year extension with an additional five-year extension option
- Reset the number of RCH water connections and growth allowance per year. Any and all costs associated with Rockwall costs to accommodate their growth are borne by RCH in the original agreement.
- In anticipation of TCEQ standards currently being developed, requires RCH, as their system grows, to meet adopted city standards for fire hydrants, fire flow, and pressures.

RCH's Board has acted on the proposed amendment. Staff requests Council consider authorizing the City Manager to execute the wholesale water supply agreement with RCH Water Supply Corporation.

City of Rockwall
The New Horizon

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Kristy Ashberry, City Secretary

DATE: January 30, 2015

SUBJECT: May 9, 2015 General Election

Included for consideration in the February 2nd council meeting packet is a resolution calling the Saturday, May 9, 2015 General Election to elect a Mayor and City Council Places 1, 3, and 5. Also on the ballot will be Place 2 to fill a one-year, unexpired term.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 15-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, CALLING A GENERAL AND A SPECIAL ELECTION TO BE HELD JOINTLY WITH THE ROCKWALL INDEPENDENT SCHOOL DISTRICT AND ADESIGNATING ROCKWALL COUNTY ELECTIONS ADMINISTRATOR, AS THE ELECTION ADMINISTRATOR TO CONDUCT SAID GENERAL AND SPECIAL ELECTION ON SATURDAY, MAY 9, 2015 FOR THE PURPOSE OF ELECTING A MAYOR AND THREE (3) COUNCIL MEMBERS, ONE (1) FOR PLACE 1, ONE (1) FOR PLACE 3, AND ONE (1) FOR PLACE 5, EACH FOR TWO (2) YEAR TERMS AND CALLING A SPECIAL ELECTION FOR THE PURPOSE OF FILLING A ONE YEAR UNEXPIRED TERM FOR PLACE 2; DESIGNATING THE ENTIRE CITY AS ONE ELECTION PRECINCT; DESIGNATING THE POLLING PLACE; DESIGNATING FILING DEADLINES: ORDERING NOTICES OF ELECTION TO BE POSTED AND PUBLISHED AS PRESCRIBED BY LAW IN CONNECTION WITH SAID ELECTION; PROVIDNG A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 41.001 of the Texas Election Code, as amended (the "Code") specifies that the second Saturday in May shall be a "uniform election date" and that a general election of a city may be held on such day; and

WHEREAS, the City Council of the City of Rockwall, Texas (hereinafter referred to as the "City"), in accordance with its City Charter, Section 5.01, has determined that the City shall conduct general municipal elections on the second Saturday in May 2015; and

WHEREAS, Section 271.002(a) of the Texas Election Code authorizes two or more political subdivisions to enter into an agreement to hold elections jointly in the election precincts that can be served by common polling places; and

WHEREAS, the City of Rockwall and Rockwall County desire that a joint election be held in order to provide a convenient, simple, and cost-saving election to the voters in their respective jurisdictions; and

WHEREAS, the City of Rockwall and Rockwall County will enter into an agreement setting out their respective duties and responsibilities for the May 9, 2015 election; and

WHEREAS, by this Resolution, it is the intention of the City Council to: (i) call for said election to be held on said date, (ii) designate the entire City as one election precinct, (iii) designate Utley Middle School as the polling place for the election and (iv) establish and set forth procedures for conducting said election.

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

Section 1. Incorporation of Premises. That all of the above premises are found to be true and correct and are incorporated into the body of this Resolution as if copied in their entirety.

Section 2. Election Date, Purpose of Election, Officers and Terms of Office. That a general election is hereby ordered to be held jointly with the Rockwall Independent School District in and throughout the City on Saturday, May 9, 2015, for the purpose of electing a Mayor and three (3) Council Members, one (1) for Place 1, one (1) for Place 3, and one (1) for Place 5, each for two (2) year terms. And that a special election is also hereby ordered to be held in conjunction with the general election to fill a one-year term vacancy for Place 2.

Section 3. Eligibility for Candidacy. That in accordance with Section 22.032 of the Texas Local Government Code and Section 5.02 of the City Charter of the City of Rockwall, no person shall be eligible for the office of Council Member, unless he/she is a registered voter who shall have resided within the corporate limits of the City, or recently annexed territory, for at least twelve (12) months prior to the filing deadline, shall be twenty-one years old and not be in arrears in payment of taxes or other liabilities due the City. In accordance with Section 5.04 of the City Charter, a plurality vote is required to be elected and declared the winner.

Section 4. Application for a Place on the Ballot. That in accordance with Section 143.007 of the Code, any eligible and qualified person may have his/her name printed upon the official ballot as a candidate for the offices herein before set forth by filing his/her sworn application with the City Secretary not earlier than 8:00 a.m., January 28, 2015 and not later than 5:00 p.m., February 27, 2015. Each such application shall be on a form as prescribed by Section 141.031 of the Code. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary as provided by Section 52.094 of the Code. Notice of the time and place for such drawing shall be given in accordance with the Code.

Section 5. Election Precinct, Polling Place, and Election Hours. That the entire City of Rockwall, Texas shall constitute one (1) election precinct for the election, and the polling place is hereby designated to be located at Utley Middle School, 1201 T.L. Townsend, Rockwall, Texas 75087. In accordance with and pursuant to the requirements of the Code, said polling place shall be open from 7:00 a.m. until 7:00 p.m. on the date of the election.

Section 6. Early Voting and Ballots by Mail. That early voting by personal appearance shall be conducted at the Rockwall County Library, 1215 E. Yellowjacket Lane, Rockwall, Texas 75087 on the following dates at the specified times with the exception of Saturday, Sunday and State holidays:

Monday, April 27 through Saturday, May 2, 2015 - 8:00 a.m. until 5:00 p.m.
Monday, May 4 and Tuesday, May 5, 2015 - 7:00 a.m. until 7:00 p.m.

Applications for ballot by mail shall be requested from and mailed to the Rockwall County Election Administrator, Attn: Christopher Lynch, 915 Whitmore Drive, #D, Rockwall, TX 75087. Applications for ballots by mail must be received no later than the close of business on Thursday, April 30, 2015.

Section 7. Method of Voting. That Direct Record Electronic (DRE) voting machines and Optical Scan ballots shall be used for early voting by personal appearance and for Election Day voting. Optical scan ballots shall be used for early voting by mail. The City Secretary, acting as chief elections officer, shall ensure at least one (1) E. S. & S. Ivotronic "ADA" approved voting

machine is provided at the polling place as required by Section 61.012, of the Texas Election Code.

Section 8. Governing Law and Qualified Voters. That the election shall be held in accordance with the constitution of the State of Texas and the Code, and all resident, qualified electors of the city, shall be eligible to vote at the election.

Section 9. Publication and Posting of the Notice. That notice of the election in English and Spanish shall be given by posting a notice of election on the City Hall bulletin board used for posting notices of the meetings of the City Council not less than twenty-one (21) days prior to the date upon which the election is to be held, and by publication of said notice at least once in a newspaper of general circulation within the city, the date of said publication to be not less than ten (10) days and not more than thirty (30) days prior to the date set for the election.

Section 10. Administration of Election and Appointment of Judges and Clerks. That the Rockwall County Elections Administrator shall serve as the Administrator of the election. The County Elections Administrator shall appoint a sufficient number of judges and clerks in accordance with Chapter 32 Texas Elections Code to assist in the proper conduct of the election.

Section 11. Delivery of Returns: Preservation of Election Records. That in accordance with the Code and the City's contract with the Rockwall County Elections Administrator, immediately after the closing of the poll on the day of the election, the election officers shall make and deliver the returns of the election in triplicate as follows: one copy shall be retained by the Presiding Election Judge and by the Presiding Election Judge of the Early Ballot Board, one copy shall be delivered to the Mayor of the City, and one copy of the returns, together with the ballot boxes and all election supplies, shall be delivered to the Rockwall County Elections Administrator. All election records and supplies shall be preserved in accordance with the Code.

Section 12. Representatives. That the following slate of officials and other designated persons are hereby authorized to be present to observe the election counting process:

a. The Mayor and members of the City Council of the City of Rockwall;
b. Candidates for Mayor and City Council of the City of Rockwall;
c. The Rockwall City Secretary or her designated representative.

Section 13. Canvassing of Returns. That the City Council of the City shall convene between May 12, 2015 to May 20, 2015 to canvass the returns of the election in accordance with the Texas Election Code.

Section 14. Necessary Action. That the Mayor and the City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the election, whether or not expressly authorized herein.

Section 15. Severability. That should any part, section, subsection, paragraph, sentence, clause or phrase contained in this resolution be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this resolution, but in all respects said remaining portion shall be and remain in full force and effect.

Section 16. Effective Date. That this resolution shall be in force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 2nd day of February, 2015.

ATTEST: **Jim Pruitt, Mayor**

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 02/02/2014

APPLICANT: Harold Fetty of H. D. Fetty Land Surveyor

AGENDA ITEM: **P2015-001**; Buffalo Crossing Addition – Final Plat

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SUMMARY:

Discuss and consider a request by Harold Fetty of H. D. Fetty Land Surveyor, LLC on behalf of the owner J-BR2, LLC for the approval of a final plat for Lots 1, 2 & 3, Block A, Buffalo Crossing Addition being three (3) non-residential lots currently identified as Tract 17-12 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, being a 7.32-acre tract of land zoned Commercial (C) District, generally located at the southwest corner of the intersection of S. Goliad Street [*SH-205*] and FM-549, and take any action necessary.

COMMENTS:

- ✓ The objective of this request is to subdivide a 7.32-acre tract of land into three (3) non-residential lots [*Lot 1, Block A: 2.49-acres; Lot 2, Block A: 2.24-acres; Lot 3, Block A: 2.59-acres*] and to provide right-of-way dedication for FM-549 and SH-205 as per staff comments. The subject property is zoned Commercial (C) District and is located at the southwest corner of S. Goliad Street and FM-549. It should be noted that at the time of development for Lot 1, access for Lot 2 will need to be tied down (e.g. mutual access easement, separate driveway permit from TXDOT, etc.).

- ✓ The Surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for final plats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

RECOMMENDATIONS:

Staff recommends approval of the final plat for the Buffalo Crossing Addition and for the dedication of right-of-way along FM-549 and SH 205 in conformance with the following conditions of approval:

1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat as indicated on the Project Plan Review;

2) Any construction resulting from the approval of this *final plat* shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Recommendation:

On January 27, 2015, the Planning and Zoning Commission recommended approval of the final plat with staff conditions by a vote of 6 to 0 [Logan – absent].

City of Rockwall

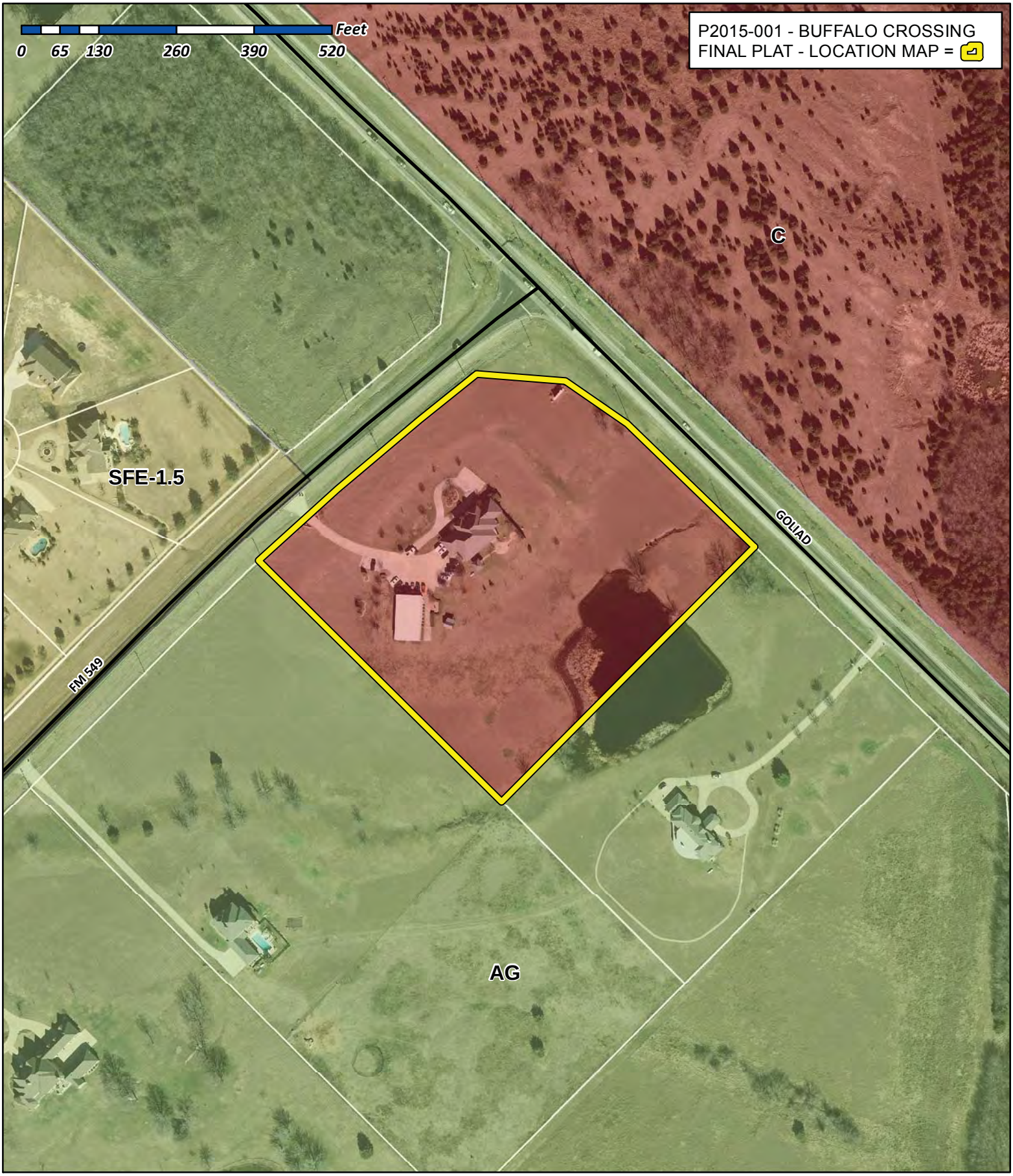
Project Plan Review History

Project Number	P2015-001	**Owner**	J, BR2 LLC	**Applied**	1/20/2015	JDS
Project Name	Buffalo Crossing	**Applicant**	Harold Fetty	**Approved**		
Type	PLAT			**Closed**		
Subtype	FINAL			**Expired**		
Status	STAFF REVIEW			**Status**	1/20/2015	JDS

Site Address	**City, State Zip**	**Zoning**
5133 S FM549	ROCKWALL, TX	

Subdivision	**Tract**	**Block**	**Lot No**	**Parcel No**	**General Plan**
	0017		0017	0080-0000-0017-12-0R	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	1/20/2015	1/27/2015	1/21/2015	1	APPROVED	
ENGINEERING	Amy Williams	1/20/2015	1/27/2015	1/21/2015	1	COMMENTS	See Comment
(1/21/2015 2:27 PM AW) Dedication of 15' right-of-way along FM 549 Dedication of approx. 5' of right-of-way along SH 205 (Should be total of 130'...need to half the difference between existing (approx. 120') and proposed).							
FIRE	Ariana Hargrove	1/20/2015	1/27/2015	1/21/2015	1	APPROVED	
GIS	Lance Singleton	1/20/2015	1/27/2015				
PLANNING		1/20/2015	1/27/2015	1/22/2015	2	COMMENTS	See comments
1. Adherence to Engineering and Fire Department comments and standards. 2. Dedication of the appropriate rights-of-way as per Engineering comments. 3. Remove improvements from plat (i.e building footprints, concrete driveway, etc.) and do not label as "Residential Office." 4. Tie two corners to city monumentation (indicate northing and easting). 5. Access from Lot 1 to Lot 2 required at the time of development or transfer of ownership of Lot 1, Or Lot 2 to obtain a separate permit for a driveway/access from TXDOT.							



City of Rockwall

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

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

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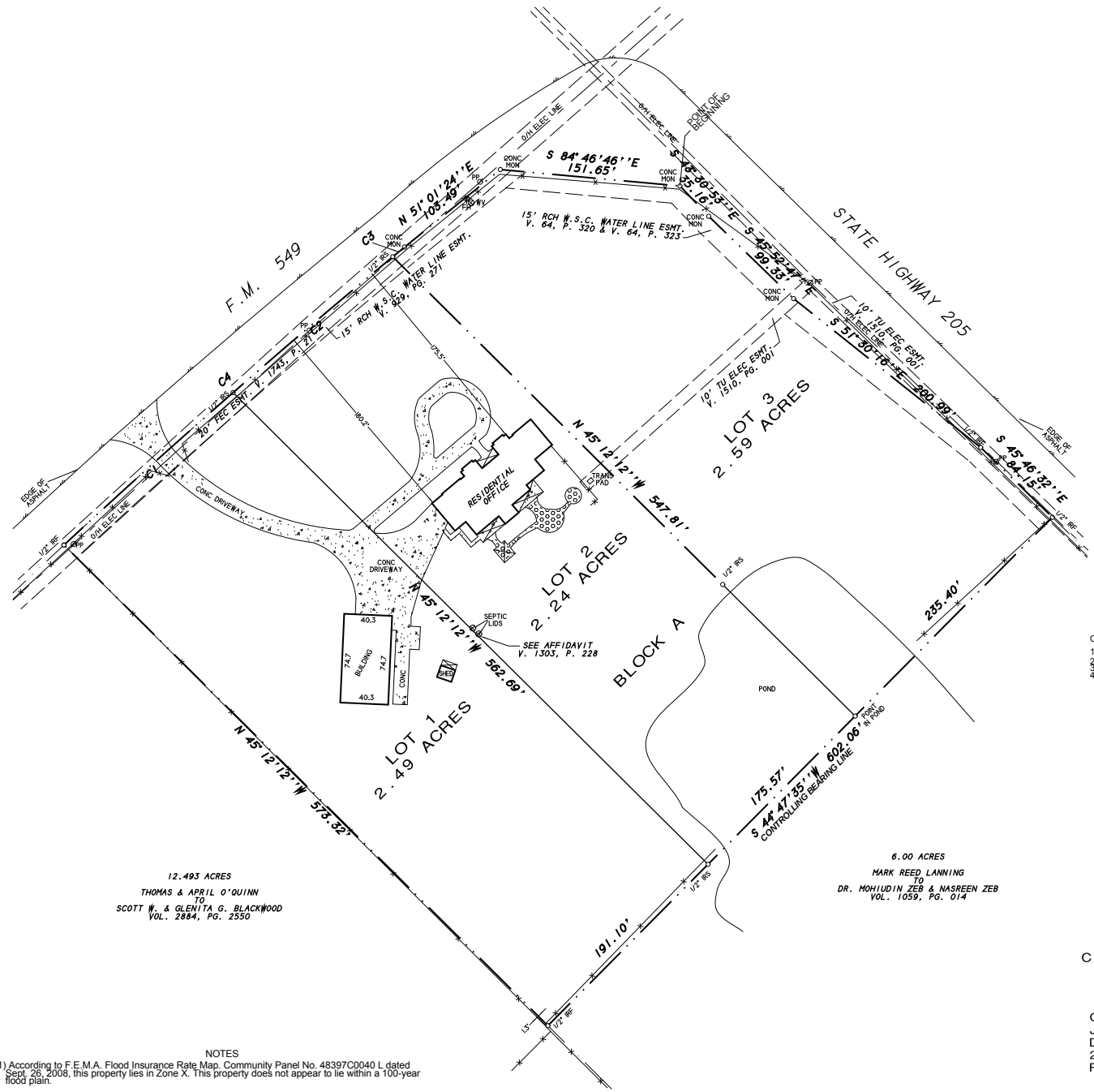

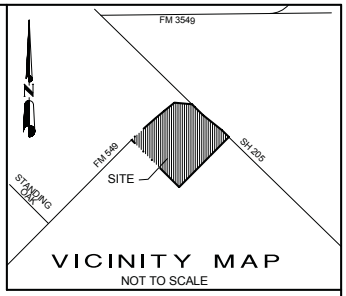

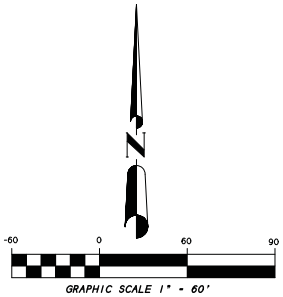

CURVE TABLE

Curve	Delta Angle	Radius	Arc	Tangent	Chord	Chord Bearing
1	1°43'49"	6337.94	191.40	95.71	191.39	N 47°58'34"E
2	1°35'34"	6337.94	176.20	88.11	176.19	N 49°38'16"E
3	0°07'01"	6337.94	12.93	6.46	12.93	N 50°29'33"E
4	3°26'24"	6337.94	380.53	190.32	380.47	N 48°49'52"E

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0040 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

FINAL PLAT

BUFFALO CROSSING

7.32 ACRES OR 319,021 S.F.
(3 LOTS)
W.W. FORD SURVEY, A-80
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

SYMBOL LEGEND

OWNER:
J-BR2, LLC
DAN BOBST
2701 SUNSET RIDGE, SUITE 610
ROCKWALL, TEXAS 75032

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE JANUARY 16, 2015
SCALE 1" = 60' FILE # 20071290-RP
CLIENT J-BR2, LLC

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STATE OF TEXAS
COUNTY OF ROCKWALL

OWNER'S CERTIFICATE
(Public Dedication)

WHEREAS, J-BR2, LLC BEING the Owners of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the W.W. FORD SURVEY, ABSTRACT NO. 80, Rockwall County, Texas, and being all of a 7.32 acres tract of land as described in a Warranty deed from Kenneth M. Urban and Patricia Urban to J-BR2, LLC, dated November 28, 2007 and being recorded in Volume 5288, Page 148 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a concrete highway monument found for corner at the intersection of the Southeast right-of-way line of F.M. Highway 549 and the Southwest right-of-way line of State Highway 205;

THENCE along the Southwest right-of-way line of State Highway 205 as follows:

S. 43 deg. 30 min. 53 sec. E. a distance of 35.16 feet to a concrete highway monument found for corner;

S. 45 deg. 52 min. 47 sec. E. a distance of 99.33 feet to a concrete highway monument found for corner;

S. 51 deg. 30 min. 16 sec. E. a distance of 200.99 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner;

S. 45 deg. 46 min. 32 sec. E. a distance of 84.15 feet to a 1/2" iron rod found for corner at the East corner of said 7.32 acres tract;

THENCE S. 44 deg. 47 min. 35 sec. W. (Controlling bearing line) a distance of 602.06 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner;

THENCE N. 45 deg. 12 min. 12 sec. W. a distance of 573.32 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner in the Southeast right-of-way line of F.M. Highway 549;

THENCE in a Northeasterly direction along a curve to the right having a central angle of 03 deg. 26 min. 24 sec., a radius of 6337.94 feet, a tangent of 190.32 feet, a chord of N. 48 deg. 49 min. 52 sec. E., 380.47 feet along said right-of-way line, an arc distance of 380.53 feet to a concrete highway monument found for corner;

THENCE N. 51 deg. 01 min. 24 sec. E. along said right-of-way line, a distance of 103.49 feet to a concrete highway monument found for corner;

THENCE S. 84 deg. 46 min. 46 sec. E. along said right-of-way line, a distance of 151.65 feet to the POINT OF BEGINNING and containing 7.32 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owner of the land shown on this plat, and designated herein as BUFFALO CROSSING, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of th eir respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maint aining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer an d/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as p rogress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exaction's made herein.

_____
DAN BOBST
for J-BR2, LLC

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared DAN BOBST known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

STATE OF TEXAS · REGISTERED · HAROLD D. FETTY III · 5034 · PROFESSIONAL · LAND SURVEYOR

_____
Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of BUFFALO CROSSING, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ___ day of _____, _____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____, _____.

_____ _____
Mayor, City of Rockwall City Secretary City of Rockwall

_____ _____
City Engineer Date

FINAL PLAT

BUFFALO CROSSING

7.32 ACRES OR 319,021 S.F.
(3 LOTS)
W.W. FORD SURVEY, A-80
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER:
J-BR2, LLC
DAN BOBST
2701 SUNSET RIDGE, SUITE 610
ROCKWALL, TEXAS 75032

SYMBOL LEGEND

SURVEY DATE JANUARY 16, 2015
SCALE 1" = 60' FILE # 2007I290-RP
CLIENT J-BR2, LLC

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

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CITY OF ROCKWALL

ORDINANCE NO. 15-02

SPECIFIC USE PERMIT NO. S-129

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) WITHIN A LIGHT INDUSTRIAL (LI) DISTRICT ALLOWING FOR AN INDOOR MOTOR VEHICLE DEALERSHIP/SHOWROOM LOCATED IN A 12,500 SQUARE FOOT BUILDING INDICATED IN "EXHIBIT A" OF THIS ORDINANCE AND ADDRESSED AS 1200 E. WASHINGTON STREET, WHICH IS LOCATED ON A PORTION OF A LARGER 50.826-ACRE TRACT OF LAND DESCRIBED AS TRACT 31 OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Bill Bricker of Bricker Enterprise Company (dba Brick House Cars) on behalf of Rockwall Commercial Property Management for a Specific Use Permit within a Light Industrial (LI) District allowing for an Indoor Motor Vehicle Dealership/Showroom located in a 12,500 square foot building indicated in "Exhibit A" of this ordinance and addressed as 1200 E. Washington Street, which is located on a portion of a larger 50.826-acre tract of land described as Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit allowing for an Indoor Motor Vehicle Dealership/Showroom within a Light Industrial (LI) District, located in a 12,500 square foot building indicated in "Exhibit A" of this ordinance and addressed as 1200 E. Washington Street, which is located on a portion of a larger 50.826-acre tract of land described as Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in **Section 2.1.8, Auto and Marine-Related Use Conditions, of Article IV, Permissible Uses and Section 5.3, *"LI" Light Industrial (LI) District*, of Article V, *District Development Standards*, of the City of Rockwall Unified Development Code (Ordinance No. 04-38)** as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

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

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

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

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

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE ____ DAY OF _____, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

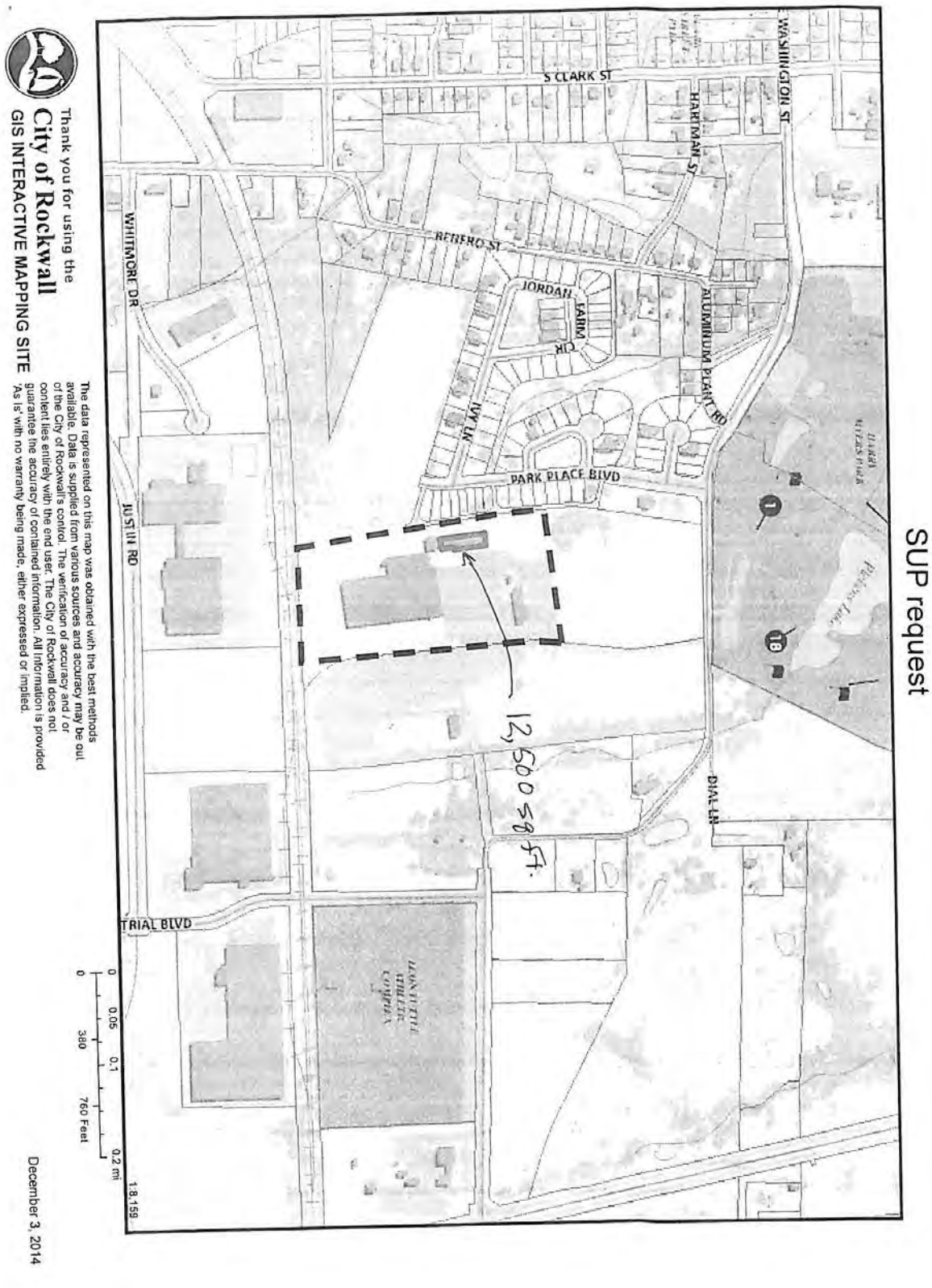
_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 01-20-15

2nd Reading: 02-02-15


SUP request
S CLARK ST
WASHINGTON ST
HARTMAN ST
REHERO ST
JORDAN FARM CIR
ALUMINUM PLANT RD
WHITMORE DR
IVY LN
PARK PLACE BLVD
JUSTIN RD
TRIAL BLVD
DIAL LN
12,600 sq ft.
City of Rockwall
GIS INTERACTIVE MAPPING SITE
Thank you for using the
The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided 'As is' with no warranty being made, either expressed or implied.
December 3, 2014
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CITY OF ROCKWALL

ORDINANCE NO. 15-03

SPECIFIC USE PERMIT NO. S-130

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A A GENERAL RETAIL STORE IN CONJUNCTION WITH AN OFFICE AND PHOTOGRAPHY STUDIO IN A RESIDENTIAL-OFFICE (RO) DISTRICT, ON TWO (2) PARCELS OF LAND, BEING 0.43-ACRES AND IDENTIFIED AS LOTS 19A & 19B OF THE AMICK ADDITION, AND GENERALLY LOCATED AT 503 NORTH GOLIAD STREET, ZONED PLANNED DEVELOPMENT DISTRICT NO. 50 (PD-50); AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Specific Use Permit (SUP) to allow for a *General Retail Store* in conjunction with an office and photography studio in a Residential-Office District and zoned Planned Development District No. 50 (PD-50) for residential-office land uses, has been requested by Ben McMillian of Hazel and Olive, on two (2) parcels of land, being 0.43-acres and identified as Lots 19A & 19B of the Amick Addition, and generally located at 503 North Goliad Street, and more specifically described in Exhibit 'A' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) to allow for a *General Retail Store* in conjunction with an office and photography studio and zoned Planned Development District No. 50 (PD-50) for the *Subject Property*;

SECTION 2. That the Specific Use Permit shall be subject to the conditions set forth in ***Planned Development District No. 50*** **(PD-50) & Section 4.2,** ***Residential Office (RO) District*****, of Article V,** ***District Development Standards*****, of the City of Rockwall Unified Development Code**

(Ordinance No. 04-38) as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following additions:

2.1 Operational Conditions

The following conditions pertain to the operation of the General Retail Store on the subject property at 503 North Goliad Street and conformance to these stipulations is required for continued operations:

1) That the proposed conceptual site plan shall be attached to the SUP Ordinance for the purpose of establishing a property boundary for the establishment of a *General Retail Store* as attached hereto as Exhibit 'A'; and

2) That the *General Retail Use* will be generally limited to 1,200 sq. ft. as depicted on the floor plan attached hereto as Exhibit 'B'; and,

3) That submittal and approval of a site plan and replat will be required prior to issuance of building permit; and,

4) That all signage requires a separate permit and must conform to the standards established for the North Goliad Overlay District; and,

5) That joint or shared access shall be provided to the property directly north of the subject property; and,

6) That no parking shall be allowed in the SH205 right-of-way or in front of the building; and,

7) The City Council reserves the right to review the Specific Use Permit one year after approval.

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

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

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

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

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

publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 2nd DAY OF January, 2015.

Jim Pruitt, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: 01-20-15

2nd Reading: 02-02-15

Exhibit A: Conceptual Site Plan

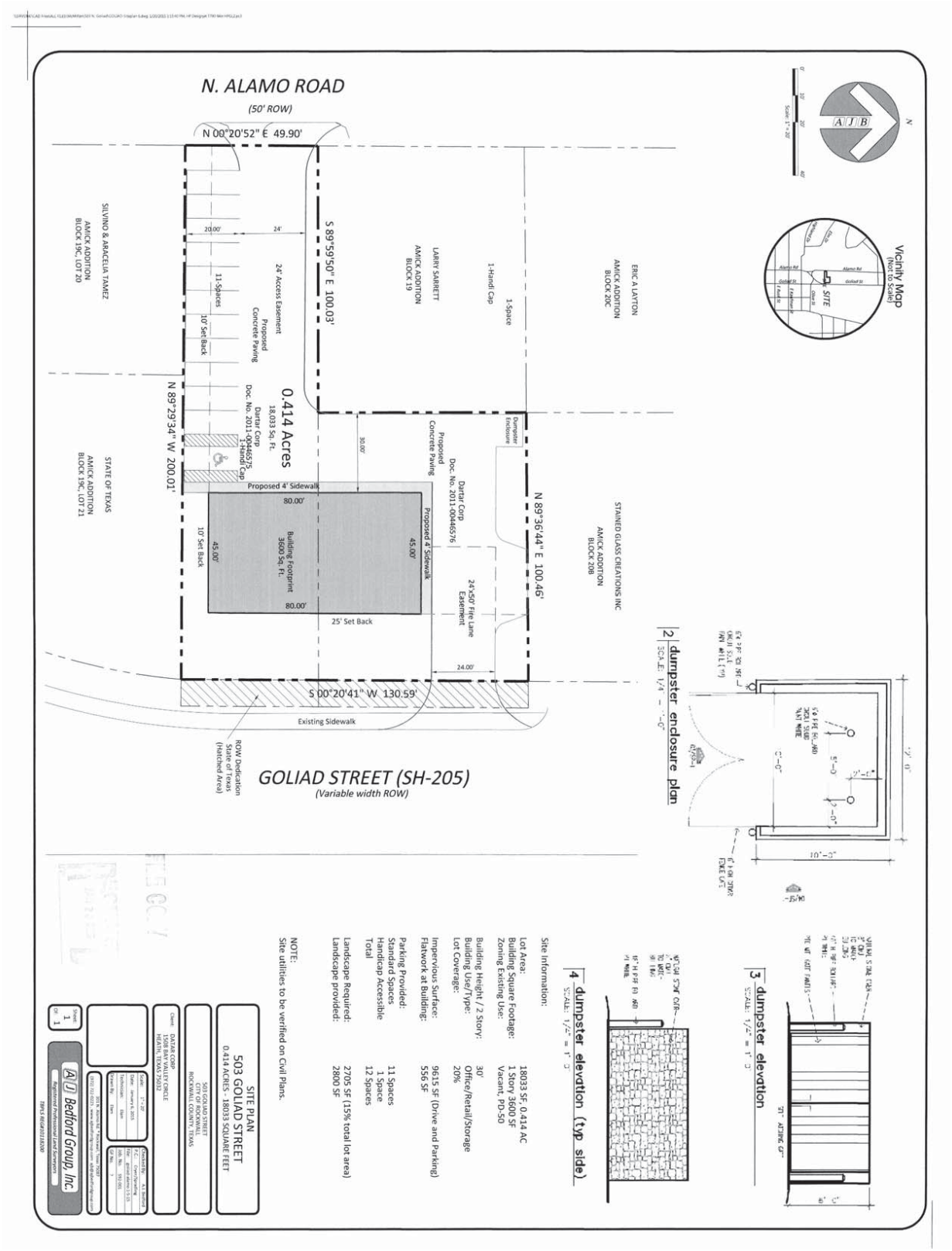
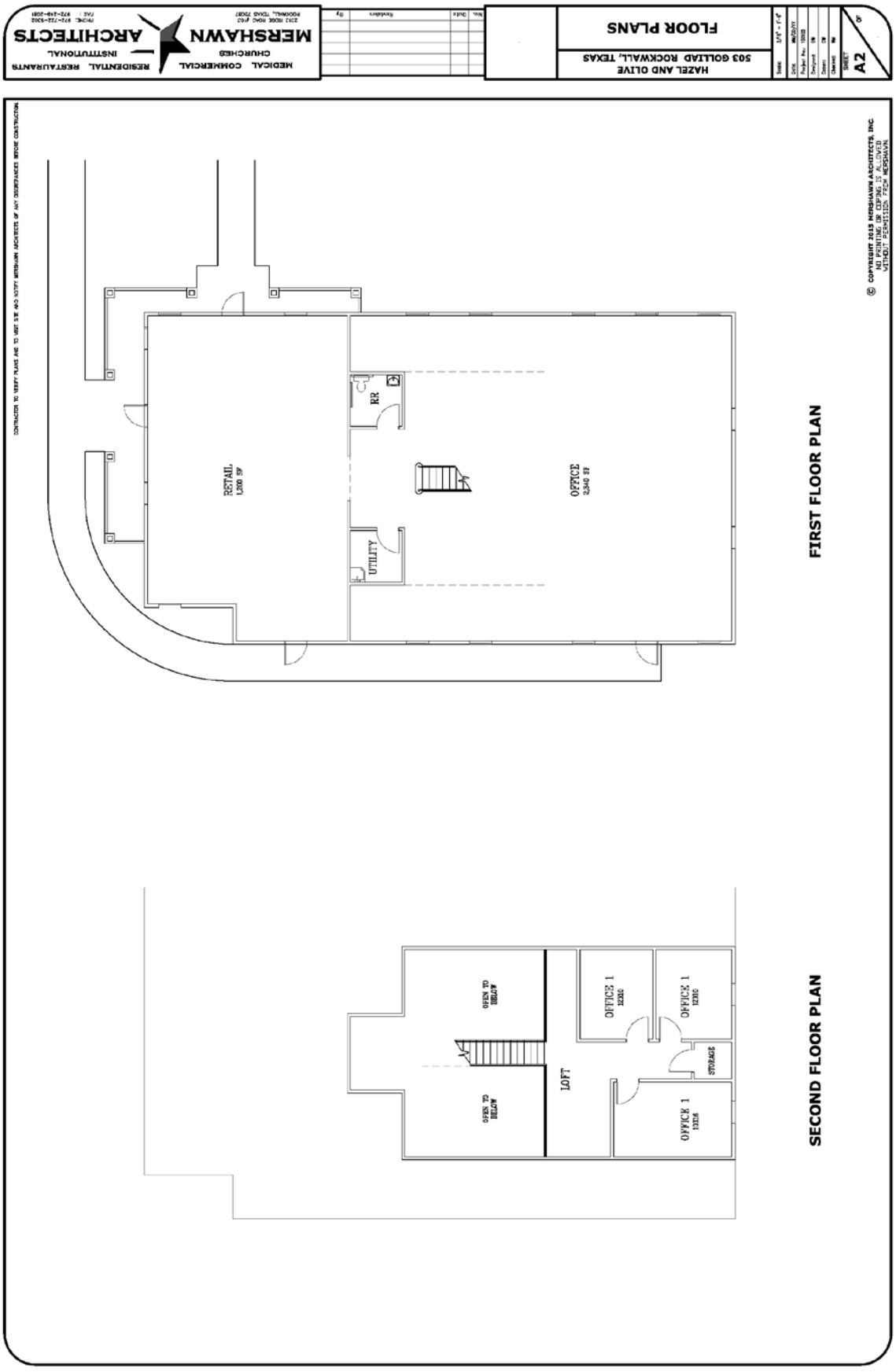


Exhibit B: Floor Plan



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CITY OF ROCKWALL

ORDINANCE NO. 15-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A LIGHT INDUSTRIAL (LI) DISTRICT FOR A 21.684-ACRE TRACT OF LAND IDENTIFIED AS TRACT 4 OF THE N.M. BALLARD SURVEY, ABSTRACT NO. 24, CITY AND COUNTY OF ROCKWALL, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Zack Amick of Gordon Rockwall Investments, LLC, for an amendment to the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall to adopt a change in zoning from an Agricultural (Ag) District to a Light Industrial (LI) District for a 21.684-acre tract of land identified as Tract 4 of the N.M. Ballard Survey, Abstract No. 24, City and County of Rockwall, Texas, and more specifically described in Exhibit "A" of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code should be amended as follows:

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

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning from an Agricultural (Ag) District to a Light Industrial (LI) District for the *Subject Property*; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a Light Industrial (LI) District as stipulated by *Section 1.1, "Use of land and buildings", Article IV, "Permissible Uses",* and in *Section 5.3, "Light Industrial (LI) District", Article V, "District Development Standards", of the Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

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

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

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

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

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 2nd DAY OF January, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 01-20-15
2nd Reading: 02-02-15

Exhibit 'A':
Legal Description

"Exhibit A"

TRACT 1
DESCRIPTION OF THE NET OF THE PROPERTY SURVEYED

BEING a 21.684-acre portion of a called 22.303-acre tract of land described in the deed from Thomas E. Haack to Thomas Real Estate, L.P. dated November 12, 1998, and recorded in Volume 1507, at Page 203 of the Deed Records of Rockwall County, Texas (DRRCT) and being situated in the N.M. Ballard Survey, Abstract No. 24, City of Rockwall, Rockwall County, Texas, and also being part of a called 25.281-acre tract of land described in the deed from Haldeman, Inc. to Buddy R. Haldeman dated the 20th day of March, 1984, and recorded in Volume 193, at Page 406 DRRCT and being more particularly described as follows:

BEGINNING at a 1/2-inch steel rod found at the intersection of the northeasterly right-of-way line of High School Drive (a variable width right-of-way commonly known as T.L. Townsend Drive) with the easterly line of Bodin Industrial Tract according to the plat thereof recorded in Cabinet A, on Slide 347 of the DRRCT said 1/2-steel rod also marking the most southerly or southeasterly corner of a 1-acre lot, tract or parcel described in the deed from James Valk et ux to James Valk, Sr. et al dated the 23rd day of March, 2010, and recorded in Volume 6070, at Page 268 DRRCT, and having coordinates of:
X. 2,600,974.41 U. S. Survey Feet
Y. 7,019,534.15 U. S. Survey Feet;

THENCE:

- N 00°21'13"W with the westerly line of the 22.303-acre tract and with easterly line of the last mentioned Bodin Industrial Tract at a distance of 304.86 feet pass 1/2-inch steel rod found
- And continuing on the same course and with the common line between the 22.303-acre tract and Bodin Industrial Tract at an additional distance of 376.39 feet pass one foot west of a 1/2-inch steel rod found
- And continuing on the same course and with the common line between the 22.303-acre tract and Bodin Industrial Tract at an additional distance of 863.78 feet pass a 3/8-inch steel rod found marking the northeasterly corner of a 1-acre tract or parcel of land described in the deed from John W. McDaniel et ux to IRT Construction, Inc., dated December 31, 1997, and recorded in Volume 1314, at Page 250 of the DRRCT
- And continuing on the same course and with the common line between the 22.303-acre tract and Bodin Industrial Tract at an additional distance of 71.85 feet for a total distance of 1,616.88 feet (called: 1,625.74 feet) to a 1/2-inch steel rod found for the southwest corner of a 2.16-acre tract of land described in the deed from Cibola Properties, Ltd, to Rockwall Credit Services, L.C. dated September 30, 2005, and recorded in Volume 4314, at Page 34 DRRCT;

THENCE N 89°22'30"E with the northerly line of the 22.303-acre tract and the southerly line of the last mentioned 2.16-acre Rockwall Credit Services tract at a distance of 153.71 feet pass a 3/8-inch steel rod marking the southeast corner of said 2.16-acre tract the same being the southwest corner of a 4.922-acre tract described in the deed from Marty K. Salley et vir to Gordon Rockwall Investments, LLC dated 2nd day of October, 2012, and recorded in Volume 6959, at Page 100 DRRCT and continuing on the same course with the northerly line of the 22.303-acre tract and the southerly line of the last mentioned 4.922-acre tract an additional distance of 317.00 feet for a total distance of 470.71 feet to a 3/8-inch steel rod found marking the southeast corner of said 4.922-acre tract;

THENCE N 68°46'16"E with the northerly line of the 22.303-acre tract for a distance of 63.21 feet to a 1/2-inch steel rod found in the westerly boundary line of Rockwall Recreation Addition according to the plat thereof recorded in Cabinet F, on Slide 379 DRRCT;

THENCE S 00°35'03"E with the westerly boundary line of said Rockwall Recreation Addition for a distance of 433.41 feet to a 5/8-inch steel rod found for the southwest corner of said addition;

THENCE N 89°28'30"E with a northerly line of the 22.303-acre tract and departing the Rockwall Recreation Addition for a distance of 261.25 feet to a 5/8-inch steel rod for its most easterly northeast corner from which a ½-inch steel rod marking the southeast corner of said Rockwall Recreation Addition bears N 01°02'39"W a distance of 24.60 feet;

THENCE S 00°31'33"E with the easterly line of said 22.303-acre tract at a distance of 389.26 feet pass 7.5 feet west of a Flood Plain Monument called on Sheet 2 of 6 of the plat of the Mansions Senior Addition according to the plat thereof recorded in Cabinet G, on Slide 389-394 DRRCT and continue on the same course and with the easterly line of said 22.303-acre tract for an additional distance of 378.14 feet for a total distance of 767.40 feet to a point on the platted northerly line of Lot 1, Block 1 Houser Addition according to the plat thereof recorded in Cabinet B, at Slide 174 of the Map Records of Rockwall County, Texas, and being N 73°16'24"W a distance of 8.07 feet from the northeast corner of said Lot 1;

THENCE generally along the high bank of Buffalo Creek the following six (6) courses and distances:

- N 41°18'30"W a distance of 74.72 feet to a 5/8-inch steel rod set with an orange plastic cap stamped "R-DELTA ENGINEERS"
- S 86°07'24"W a distance of 102.81 feet to a 5/8-inch steel rod set with an orange plastic cap stamped "R-DELTA ENGINEERS"
- S 69°01'44"W a distance of 61.40 feet to a 5/8-inch steel rod set with an orange plastic cap stamped "R-DELTA ENGINEERS"
- S 62°32'37"W a distance of 38.24 feet to a 5/8-inch steel rod set with an orange plastic cap stamped "R-DELTA ENGINEERS"
- S 41°12'23"W a distance of 70.66 feet to a 5/8-inch steel rod set with an orange plastic cap stamped "R-DELTA ENGINEERS"
- S 80°55'55"W a distance of 79.86 feet to the northwest corner of said Lot 1, Block 1 Houser Addition, from which a 1/2-inch steel rod found bears S 00°13'03"E a distance of 40.51 feet and a 5/8-inch steel rod set in the thread of Buffalo Creek with an orange plastic cap stamped "R-DELTA ENGINEERS" bears N 20°W a distance of 0.45 feet;

THENCE with the thread of said Buffalo Creek the following eight (8) courses and distances:

- S 74°05'53"W a distance of 31.97 feet;
- N 34°02'33"W a distance of 39.97 feet;
- S 73°38'14"W a distance of 97.75 feet;
- S 02°51'37"W a distance of 93.25 feet;
- S 16°31'48"E a distance of 69.66 feet;
- S 24°26'02"W a distance of 76.47 feet;
- S 38°41'24"W a distance of 251.24 feet;
- S 57°43'03"W a distance of 62.30 feet to a point on the northeasterly right-of-way line of High School Drive;

THENCE N 35°21'16"W with the northeasterly right-of-way line of High School Drive a distance of 87.69 feet to the PLACE OF BEGINNING and containing 944,552 square feet or 21.684 acres of land.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **January 27, 2015**

SUBJECT: **Downtown Improvement Project**

The contractor is starting on the final portion of the Downtown Improvement Project. Staff has requested the contractor, Hill and Wilkinson, Inc. to present the construction schedule as it impacts various areas of downtown. The contractor will present this information to City Council during the Work Session.

TMT:em

Cc:
Amy Williams, Assistant City Engineer
File

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

DATE: **January 28, 2015**

SUBJECT: **Public Hearing on Proposed Charter Review Amendments**

As you are aware, the council heard a report from the Chairman of the Charter Review Commission, Mr. Bill Lofland, at the January 20th city council meeting. Following his report, the council moved to call a public hearing for the February 2 city council meeting to receive public input on the proposed charter amendments prior to calling a Special Election for voters to consider the proposed charter amendment ballot propositions.

Notice of the Feb. 2 public hearing has been sent to the Herald Banner, the city's newspaper of record, for publication this Friday, Jan. 30. It has also been advertised to residents via E-news, the city's website and social media.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Robert LaCroix, *Director of Planning and Zoning*

FROM: Ryan Miller, *Planning Manager*

DATE: February 2, 2015

SUBJECT: MIS2015-001; *Alternative Tree Mitigation Plan (Dub Douphrate)*

The applicant, Dub Douphrate of Douphrate & Associates, Inc., has submitted an *Alternative Tree Mitigation Plan* on behalf of D. R. Horton, Inc. for Phase IV of the Lakeview Summit Subdivision. Phase IV of the Lakeview Summit Subdivision was platted in 2006 under *Case No. P2006-014*, and as a condition of approval for this case the developer was required to satisfy 6,467.50-inches of tree mitigation. The applicant was able to reduce this number to 1,902-inches by planting trees on lots/common space, dedicating additional parkland and allowing the Parks Department to transplant trees that would have otherwise been removed (*see the applicant's letter for a complete breakdown of the reductions to the required mitigation*). According to the Unified Development Code (UDC) tree mitigation maybe satisfied through preservation of existing trees, planting the required number of trees within the development or providing the required number of trees to the Parks Department. Alternatively, an applicant can choose to pay into the *Tree Fund* $125.00/inch for up to a maximum credit of 20% of the required inches. In this case the applicant is eligible to pay for up to 1,293.50-inches of tree (*i.e. $161,687.50*). In order to fulfill the total mitigation balance (*i.e. the 608.50-inches and the 1,293.50-inches OR a total of 1,902-inches*) the applicant is requesting to pay a lump sum of $122,874.12 (*i.e. the total 1,902-inches [142, 4" Trees @ $71.64/inch and 445, 3" Trees @ $61.56]*) to the *Tree Fund* (*see Exhibit 'B'*). If the applicant's request is approved the lump sum payment would need to be satisfied prior to filing a replat and/or filing for building permits for the subject property (*whichever comes first*); however, if the request is denied the applicant would be required to provide the Parks Department with the required mitigation (*i.e. 608.50-inches of trees and $161,687.50 OR 1,902-inches of trees*). The approval of the applicant's request is a discretionary decision for the City Council.

DOUPHRATE & ASSOCIATES, INC.
ENGINEERING • SURVEYING

2235 Ridge Rd., Suite 200
Rockwall, TX 75087
Tel: 972.771.9004
Fax: 972.771.9005
Registration # F-886

January 19, 2015

Mr. Ryan Miller
Planning & Zoning Department
City of Rockwall
Rockwall, Texas 75087

Re: Lakeview Summit Phase IV Tree Mitigation

Dear Mr. Miller:

On behalf of D R Horton, Inc., the Owner and Developer of Lakeview Summit Phase IV, we are requesting a tree mitigation plan which remains in conformance with the original tree mitigation proposal dated back to July, 2013. The previous correspondence with staff is attached for your use.

D R Horton proposes the following to be considered with the same criteria itemized below:

Required Mitigation: 6467 inches

Reduction for Park Land Dedication: 2160 inches

Trees planted in common areas: 620 inches

Trees planted on lots: 1485 inches

Trees transplanted by Parks Dept: 300 inches

Remaining Balance: 1902 inches

Mitigation Cost per caliper inch: $125 / inch

Based upon the remaining balance of 1902 inches, D. R. Horton proposes to pay the City of Rockwall a total lump sum amount of $237,750.00 for the tree mitigation of Lakeview Summit IV.

Should you have any questions regarding this matter please let me know.

Sincerely,

W.L. Douphrate II, P.E.
President / Owner

www.douphrate.com

GARDEN DESIGN

January 28, 2015

Lakeview Summit Phase IV
Rockwall Tx
D R Horton Americas Builder
Attn: Damon Ainsworth

Re: Supply Trees for Mitigation

We propose to furnish & supply 1902 caliper inches in a combination of 3"caliper & 4"caliper trees of the following varieties: Live Oak; Bur Oak; & Bald Cypress. The following are the rates per caliper inch of each variety & size.

142ea - 4" Caliper Trees – Total of 568 Caliper Inches - Cost per Inch

Live Oak, Bur Oak, Bald Cypress - $71.64/cal in

Total for 4" Trees = $40,691.52

445ea - 3" Caliper Trees – Total of 1,335 Caliper Inches - Cost per Inch

Live Oak, Bur Oak, Bald Cypress - $61.56/cal in

Total for 3" Trees = $82,182.60

This is for supply & delivery only and does not include any cost to plant / install.

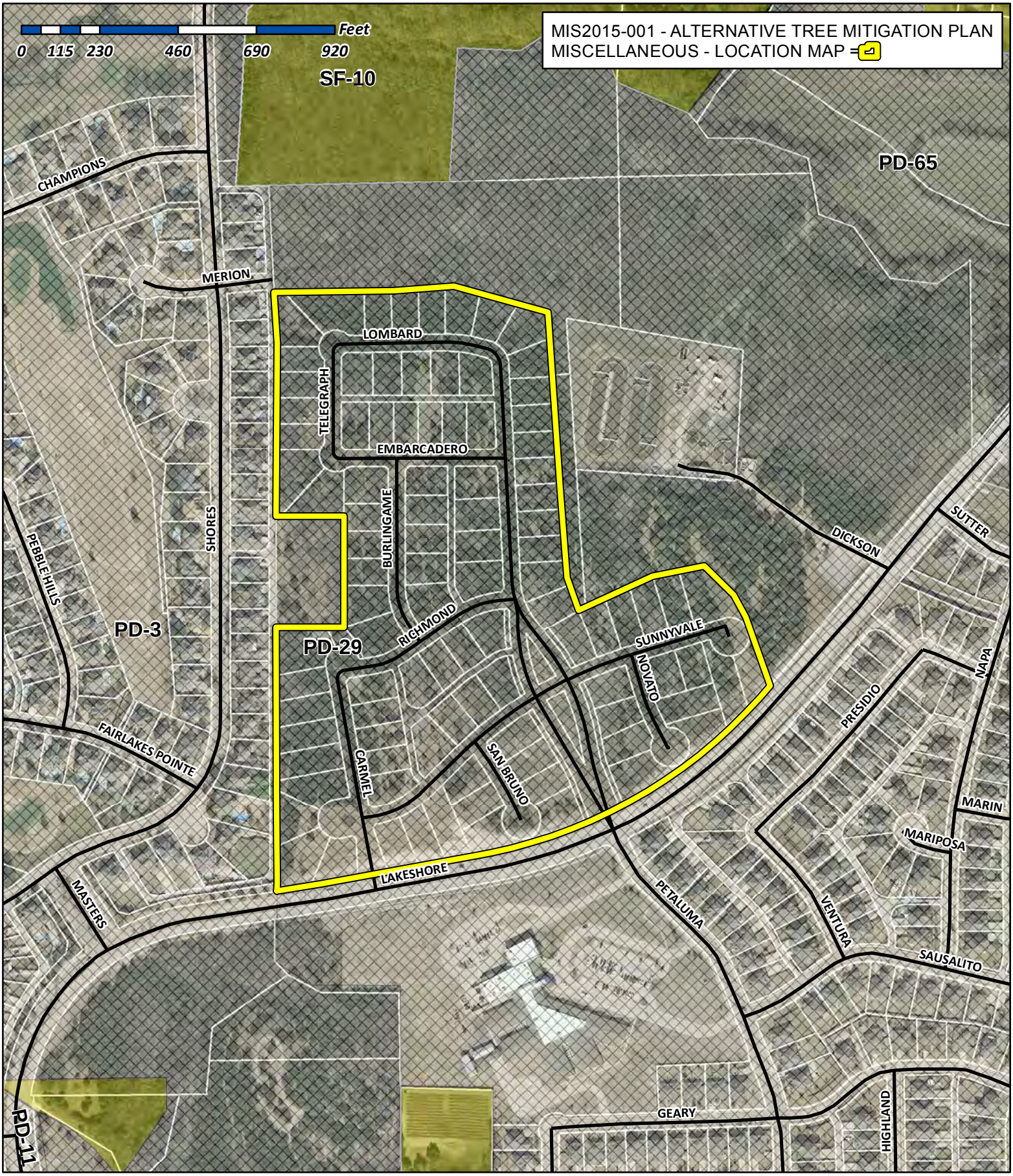
Respectfully submitted,

Mark Andos
Business Development

DALLAS - Headquarters
1925 Valley View Lane
Farmers Branch, TX 75234
Office: 214.350.2525
Residential Fax: 214.366.7994
Commercial Fax: 214.350.4203

HOUSTON
P.O. Box 40190
Houston, TX 77240
Office: 713.545.5499
Fax: 866.920.6948

SAN ANTONIO
11703 Huebner Road
Suite 106 PMB 468
San Antonio, TX 78230
Office: 210.547.0367
Fax: 210.547.0367



City of Rockwall

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

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CITY OF ROCKWALL
PLANNING AND ZONING COMMISSION MEMO

AGENDA DATE: 5/9/2006

APPLICANT: Amy Miller

AGENDA ITEM: **P2006-014**; Lakeview Summit Phase 4

4-3 (1 issue = Signage on cemetery)

Discuss and consider a request by Amy Miller of Douphrate & Associates, Inc., for approval of a final plat of Lakeview Summit Phase IV Addition, being a 38.056-acre tract zoned (PD-29) Planned Development No. 29 district and situated along the north side of North Lakeshore Drive, and take any action necessary.

BACKGROUND INFORMATION:

The final plat for Lakeview Summit Phase IV shows 97 single family residential lots, one lot (Lot 9A, Block A) intended to provide access to the historic Butler Cemetery, one lot (Lot 22-A, Block A) for a drainage and utility easement, and several landscape buffer tracts that will be maintained by the HOA. Three parking spaces are shown on Lot 9A that are designated for visitors to the cemetery. A variance to the alley requirement was approved by City Council with the preliminary plat for all lots except those in Blocks C, D and E. The lots in Block A that abut the existing alley in The Shores will not access from that alley due to grading issues and the applicant's intention to save trees in this area. The applicant has provided a pedestrian access ROW into the parkland between Lots 37 and 38, Block A. The final plat appears to conform to the approved preliminary plat and meets the minimum requirements of the SF-10 Single Family Residential district that governs this area of PD-29.

The applicant has submitted a draft HOA amendment regarding maintenance of the proposed landscape buffers, medians on Petaluma and the drainage and utility easement (Lot 22-A, Block A). An amendment has already been filed of record regarding the HOA's maintenance of the cemetery parking area (Lot 9A, Block A).

The landscape and screening plan has been amended since the worksession to show wrought iron fencing along N. Lakeshore Dr and Petaluma. The buffer strips along these roads and other common areas are landscaped ~~in accordance~~ with a variety of material. As seen with the preliminary plat, the treescape plan provided by the applicant indicates a significant amount of protected trees on the property (approximately 7,510-inches). A strip of trees along the existing alley along Lots 1-22, Block A will be saved (totaling 361.5-inches). Still, the mitigation requirement for the removed trees is approximately 6,467.5-inches. City Council approved a 2,160-inch credit in light of the developer's dedication of 5 additional acres of heavily vegetated parkland with Phase 3. The plan notes that 620-inches of trees will be planted in the common areas and 1485-inches will

be planted on the lots (five 4.5" trees on corner lots, three 4.5" trees on interior lots). The remaining balance is 2202" of trees, which will be further reduced by credits received from the developer's three transplant weekends and any trees the City Park's department transplanted. Any final, outstanding balance can be paid into the City's tree fund ($125 per inch) or the developer may arrange to setup a "bank" at a local nursery.

RECOMMENDATIONS:

Staff Recommends approval of the request with the following conditions:

1. Final approval by engineering and fire departments.
    a. Minimum 24-ft street width required on both sides of "split" Petaluma Drive.
    b. Show right-of-way for Sunnyvale Drive as it intersects Petaluma Drive.
2. Indicate on plat that Lot 22-A, Block A to be maintained by HOA.
3. Update adjacent tract recording information per park dedication with Phase 3 plat.
4. Developer to construct a wrought iron fence with stone columns on all sides of Butler Cemetery.
5. Wrought iron fence to be constructed along entire length of N. Lakeshore and landscape buffer strips on Petaluma Dr (wood fence incorrectly called out behind Lot 9, Block B)
6. ***Adherence to Parks Board recommendations:***
    a. ***The developer to construct an 8' wide concrete trail on the north side of N. Lakeshore Drive***
    b. ***The developer shall pay pro-rata equipment fees in the amount of $226 per lot for a total of $22,148.***
    c. ***The open area on Petaluma Drive to be maintained by the HOA to a Level A.***
    d. ***The drainage and Utility Easement located at Lombard Drive and Telegraph Drive be maintained by the HOA to a Level C.***

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Robert LaCroix, *Director of Planning and Zoning*

FROM: Ryan Miller, *Planning Manager*

DATE: February 2, 2015

SUBJECT: Z2014-040; *Spring Hills Suites Hotel [Marriott] SUP*

On January 20, 2015, the City Council approved a motion to table *Case No. Z2014-040* to the February 2, 2015 meeting. The motion was approved by a vote of 5-0, with Council Members Daniels and Milder absent. At this meeting there was discussion pertaining to the Architectural Review Board's (ARB's) recommendations for the building elevations. At that time, the ARB had made recommendations relating to the building elevations; however, the applicant had not been able to complete all the revisions prior to the meeting. Since this last meeting, the ARB has had a chance to reconvene and review the proposed changes to the elevations, and have approved the revised building elevations. Staff has included the revised perspectives of the building in your packet for your review.



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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 01/20/2015

APPLICANT: Cameron Slown; *FC Cuny Corporation*

AGENDA ITEM: **Z2014-040**; *Spring Hill Suites Hotel (Marriott) SUP*

SUMMARY:

Hold a public hearing to discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of a Specific Use Permit (SUP) for a hotel on a 2.968-acre parcel of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a restaurant (*The Oar House Restaurant*), which is situated on a 0.65-acre parcel of land zoned Planned Development District 32 (PD-32) for residential/office uses. North of this use is the IH-30 Frontage Road followed by the main lanes of IH-30.

South: Directly south of the subject property is an office building (*Land Headquarters Company, Inc.*), which is situated on a 0.57-acre parcel of land zoned Planned Development District 32 (PD-32). Beyond this use is a surface parking lot that is currently being used by the existing Harbor development.

East: Directly east of the subject property is a 6.34-acre parcel of land zoned Planned Development District 32 (PD-32). A *PD Development Plan* [*Ordinance No. 13-16*] proposing the construction of residential condominiums and retail/restaurant pad sites was approved on June 17, 2013.

West: Directly west of the subject property is the proposed roundabout at the junction of Shoreline Trial and Harbor Heights Drive. Beyond this is land designated for retail/restaurant pad sites per *Ordinance No. 13-16*.

PURPOSE AND CHARACTERISTICS OF THE REQUEST:

The applicant is requesting a Specific Use Permit (SUP) for the purpose of establishing a *Hotel* and *Conference Center* on the subject property. The subject property is a 2.968-acre parcel of land situated within the *Freeway Frontage Subdistrict* of Planned Development District 32 (PD-32) [*Ordinance No. 10-21*]. According to the *Subdistrict Land Use Chart* located in *Exhibit 'D'* of *Ordinance No. 10-21* the *Hotel, Full Service* land use requires a SUP in all subdistricts. As part of this request, staff has included a requirement in the SUP ordinance that a minimum of a 3,000 SF *Conference Center* shall be included with the development of the hotel. A *Conference Center* in this case is understood to be an area that is exclusively used to host conferences, exhibitions, large meetings, seminars, training session, and other similar events. In addition, the SUP ordinance also includes a stipulation that the hotel not be utilized as an *Extended Stay,*

Transient or *Residence Hotel*. An *Extended Stay, Transient* or *Residence Hotel* in this case is understood to be any hotel facility in which the majority of the rooms contain facilities (*i.e. storage, refrigeration, food preparation area, and etcetera*) that accommodate long-term inhabitance and which are advertised, designed and utilized for weekly or monthly occupancy.

With the submittal of the SUP application, the applicant has also submitted an application for site plan (*Case No. SP2014-034*); however, the site plan has been tabled until corrections are submitted by the applicant. The conceptual site plan and building elevations that will be included in the SUP ordinance are conceptual in nature and should not affect changes that are required through the site planning process. The approval of this case does not have an impact on the outcome of the site plan; however, the site plan case does contain a condition of approval that requires a SUP to be approved prior to acceptance of the site plan.

NOTIFICATION:

On December 30, 2015, staff mailed 18 notices to property owners and residents within 500-feet of the subject property. Staff also emailed notice of the request to the Lakeside Village and Lago Vista Homeowner's Associations (HOAs), which are the only HOAs located within 1,500 feet of the subject property. Additionally, staff posted a sign at the northwest corner of the intersection of the IH-30 Frontage Road and Lakefront Trail as required by the Unified Development Code (UDC). At the time this case memo was drafted no responses were received by staff.

RECOMMENDATIONS:

If the Planning and Zoning Commission chooses to approve the applicant's request for a Specific Use Permit (SUP) for a *Hotel, Full Service* land use on the subject property then staff would recommend the following conditions of approval:

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

    a) The development of this property shall generally conform to the *Site Plan* depicted in the zoning ordinance;
    b) The development of this property shall generally conform to the *Building Elevations* depicted in the zoning ordinance;
    c) The development of a hotel on the subject property shall incorporate a minimum of 3,000 SF of floor area that will be utilized for the operation of a Conference Center (*i.e. an area that is exclusively used to host conferences, exhibitions, large meetings, seminars, training sessions, etcetera*); and,
    d) The *Subject Property* is prohibited from being utilized as an *Extended Stay, Transient* or *Residence Hotel*.

2) The applicant shall comply with all Planning, Engineering and Fire comments prior to the approval of the SUP;

3) Prior to the issuance of a Certificate of Occupancy the applicant shall be required to submit a replat that indicates the location of all easements on the subject property; and,

4) Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On January 13, 2015, the Planning and Zoning Commission voted to recommend approval of the applicant's request per staff's recommendations by a vote of 6-0, with Commissioner Fishman absent.



City of Rockwall

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

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City of Rockwall

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

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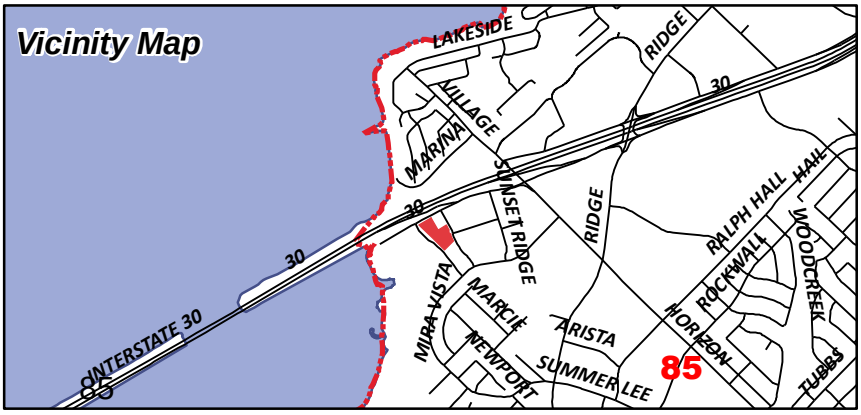
Case Number: Z2014-040
Case Name: Spring Hill Suites Hotel
Case Type: Specific Use Permit
Zoning: PD-32
Case Address: NEC of Lakefront Trail and IH-30 Frontage Road

Date Created: *12/19/2014*

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



Current Occupant
295 I30
ROCKWALL, TX 75087

ROCKWALL RENTAL PROPERTIES LP
PO BOX 818
TERRELL, TX 75160

Current Occupant
311 E I30
ROCKWALL, TX 75087

EASTER TERESE M
3502 LAKESIDE DR
ROCKWALL, TX 75087

LAKESIDE VILLAGE HOMEOWNERS
4100 VILLAGE DR
ROCKWALL, TX 75087

TF HARBOR, LLC
C/O CREDIT UNION LIQUIDITY SERVICES LLC
777 E CAMPBELL RD STE 650
RICHARDSON, TX 75081

JBR2 LLC
1400 RIDGE RD
ROCKWALL, TX 75087

Current Occupant
205 I30
ROCKWALL, TX 75087

ARKOMA REALTY LTD
A TEXAS LTD PARTNERSHIP
203 E INTERSTATE 30
ROCKWALL, TX 75087

Current Occupant
201 E I30
ROCKWALL, TX 75087

DRZW HOLDINGS LTD
4515 DORSET RD
DALLAS, TX 75229

Current Occupant
309 E I30
ROCKWALL, TX 75087

Current Occupant
303 E I30
ROCKWALL, TX 75087

CLEMENTS BOB L
PO BOX 1850
MCKINNEY, TX 75070

LAKE FRONT TRAIL LP
166 YORKSHIRE DR
HEATH, TX 75032

Current Occupant
2850 SHORELINE TRL
ROCKWALL, TX 75032

FAULKNER INVESTMENT CO. LTD
3401 MAIN ST
ROWLETT, TX 75088

THE GAB FAMILY TRUST
C/O ELIZABETH BURKS
603 WOODED TRAIL
ROCKWALL, TX 75087

86

City of Rockwall

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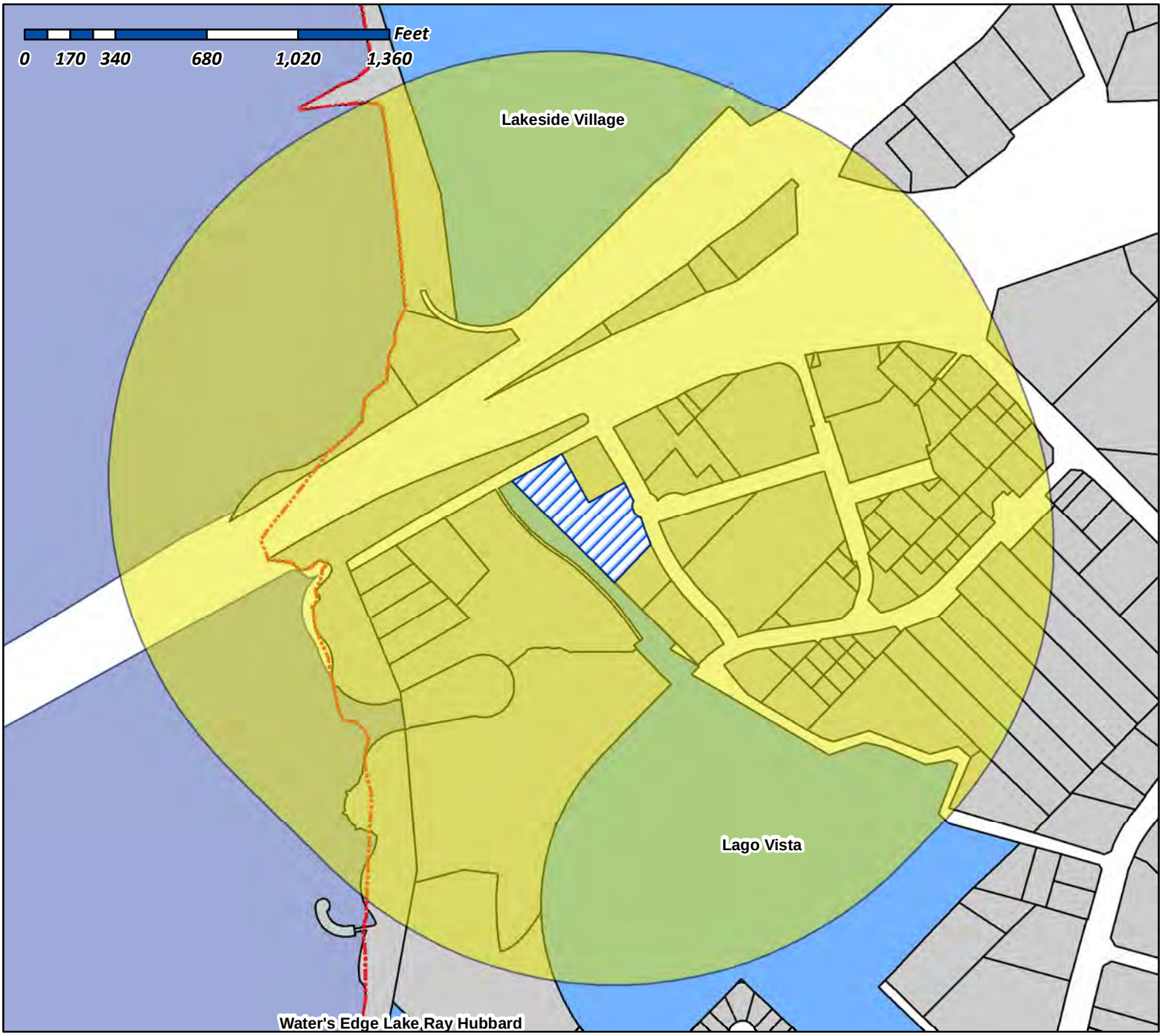
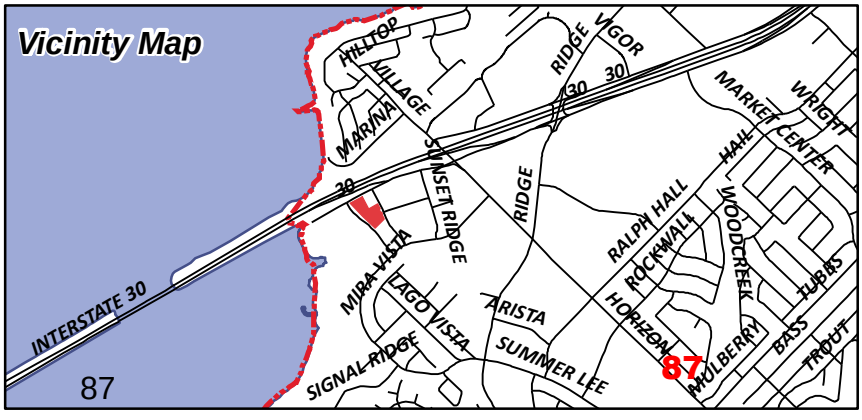


Case Number: Z2014-040
Case Name: Spring Hill Suites Hotel
Case Type: Specific Use Permit
Zoning: PD-32
Case Address: NEC of Lakefront Trail and IH-30 Frontage Road

Date Created: *12/22/2014*
For Questions on this Case Call (972) 771-7745





1 FRONT ELEVATION
SCALE: 3/32" = 1'-0"



2 REAR ELEVATION
SCALE: 3/32" = 1'-0"

jrk DESIGN
Design, Inc.
112 NW 24th
Suite116
Fort Worth, TX. 76164
phone. 972.489.9132

TEMAK DEVELOPMENT

SPRINGHILL SUITES Marriott

Revisions

Springhill Suites

Lakefront Trail
Rockwell, TX 77070

City Review

December 16, 2014

TX-14054

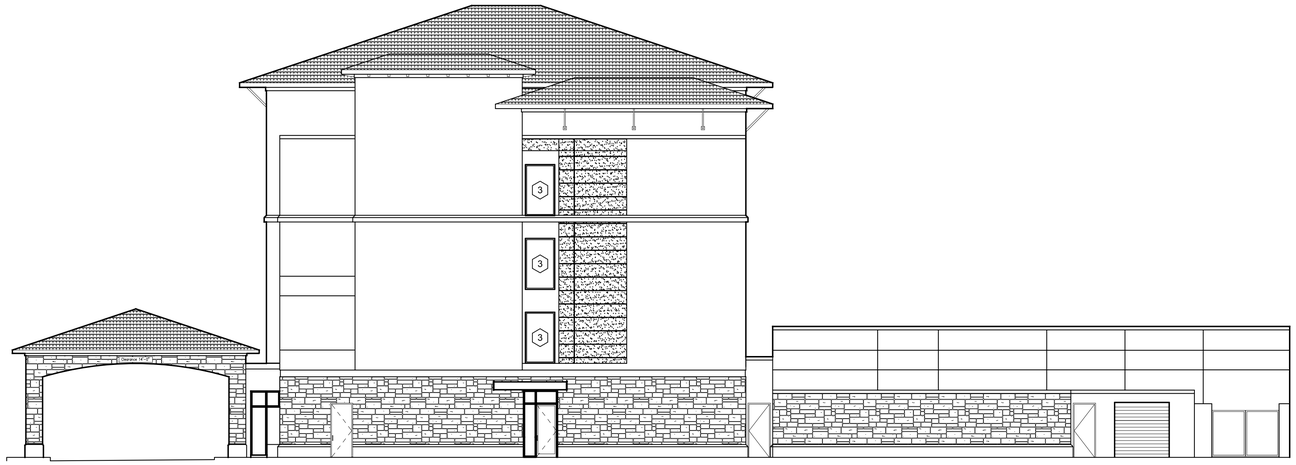
sheet description

Front & Rear Elevations

sheet number

A2.00

88



1 RIGHT ELEVATION
SCALE: 3/32" = 1'-0"



2 LEFT ELEVATION
SCALE: 3/32" = 1'-0"

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Suite116
Fort Worth, TX. 76164
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December 16, 2014

TX-14054

sheet description

Left & Right Elevations

sheet number

A2.00

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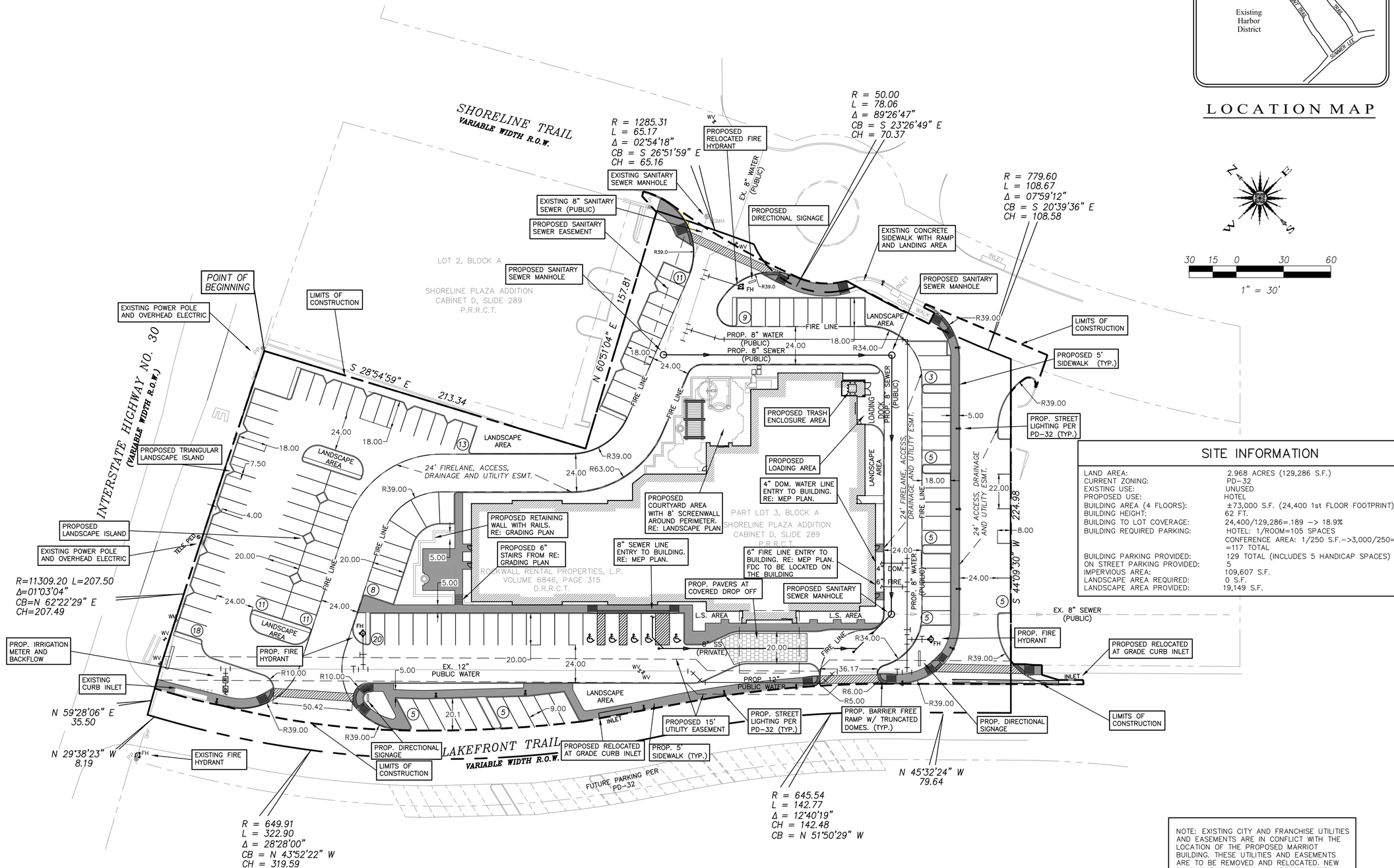



LOCATION MAP

30 15 0 30 60

1" = 30'

SITE INFORMATION

LAND AREA:	2.968 ACRES (129,286 S.F.)
CURRENT ZONING:	PD-32
EXISTING USE:	UNUSED
PROPOSED USE:	HOTEL
BUILDING AREA (4 FLOORS):	±73,000 S.F. (24,400 1st FLOOR FOOTPRINT)
BUILDING HEIGHT:	62 FT.
BUILDING TO LOT COVERAGE:	24,400/129,286=.189 –> 18.9%
BUILDING REQUIRED PARKING:	HOTEL: 1/ROOM=105 SPACES CONFERENCE AREA: 1/250 S.F.–>3,000/250=12 SPACES =117 TOTAL
BUILDING PARKING PROVIDED:	129 TOTAL (INCLUDES 5 HANDICAP SPACES)
ON STREET PARKING PROVIDED:	5
IMPERVIOUS AREA:	109,607 S.F.
LANDSCAPE AREA REQUIRED:	0 S.F.
LANDSCAPE AREA PROVIDED:	19,149 S.F.

NOTE: EXISTING CITY AND FRANCHISE UTILITIES AND EASEMENTS ARE IN CONFLICT WITH THE LOCATION OF THE PROPOSED MARRIOT BUILDING. THESE UTILITIES AND EASEMENTS ARE TO BE REMOVED AND RELOCATED. NEW EASEMENT LOCATIONS WILL BE REPLATTED.

This drawing is proprietary and may not be copied or used in any way without the written permission of FC Cuny Corporation – © Copyright – FC Cuny Corporation

NOT FOR CONSTRUCTION

Revision	Date	Description

Owner:
TEKMAK Development Company
10000 N. Central Expressway, Suite 400
Dallas, TX 75231
Phone: (214) 890-9225

SPRINGHILL SUITES Marriott

~ Civil Engineer ~
F.C. CUNY CORPORATION
#2 Horizon Court • Heath, Texas 75032 • (469) 402-7700
Texas Registered Engineering Firm F-7449

12/19/2014

STATE OF TEXAS
CAMERON A. SLOWN
106317
LICENSED PROFESSIONAL ENGINEER

Drawn By:	Checked By:
F.C. CUNY	F.C. CUNY
Date: 12/14	Project No.: –

Sheet Title: Site Plan

Scale:	Sheet No.:
1"=30'	4 of 8

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CITY OF ROCKWALL

ORDINANCE NO. 15-XX

SPECIFIC USE PERMIT NO. S-1XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A HOTEL WITHIN PLANNED DEVELOPMENT DISTRICT 32 (PD-32), FOR A 2.968-ACRE LOT, CONTAINING TWO (2) PARCELS OF LAND IDENTIFIED AS LOT 3A, BLOCK A, SHORELINE PLAZA ADDITION (1.824-ACRES) AND LOT 1-1, BLOCK A, HENRY AFRICA ADDITION (1.143-ACRES), CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of a Specific Use Permit (SUP) to allow a *Hotel* on a 2.968-acre lot containing two (2) parcels of land identified as Lot 3A, Block A, Shoreline Plaza Addition (1.824-acres) and Lot 1-1, Block A, Henry Africa Addition (1.143-acres), City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, and more specifically described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for a *Hotel* within the *Freeway Frontage Subdistrict* as stipulated by *Exhibit 'D': Subdistrict Land Use Chart* of Planned Development District 32 (PD-32) [*Ordinance No. 10-21*] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance, Planned Development District 32 (PD-32) [*Ordinance No. 10-21 & 14-44*] and as stipulated by Section 4.1, *General Commercial District Standards*, of Article IV, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

DRAFT ORDINANCE 01.20.15

2.1 Operational Conditions

The following conditions pertain to the operation of a *Hotel* on the *Subject Property*, and conformance to these operational conditions are required for continued operations:

1) The development of this property shall generally conform to the *Site Plan* depicted in *Exhibit 'B'* of this ordinance;

2) The development of this property shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance;

3) The development of a hotel on the subject property shall incorporate a minimum of 3,000 SF of floor area that will be utilized for the operation of a *Conference Center* (*i.e. an area that is exclusively used to host conferences, exhibitions, large meetings, seminars, training sessions, etcetera*); and,

4) The *Subject Property* is prohibited from being utilized as an *Extended Stay, Transient* or *Residence Hotel*.

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

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

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

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

SECTION 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 18TH DAY OF AUGUST, 2014.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Ashberry, *City Secretary*

DRAFT ORDINANCE 01.23.2015

APPROVED AS TO FORM:

_____

Frank J. Garza, *City Attorney*

1st Reading: *January 20, 2015*

2nd Reading: *February 2, 2015*

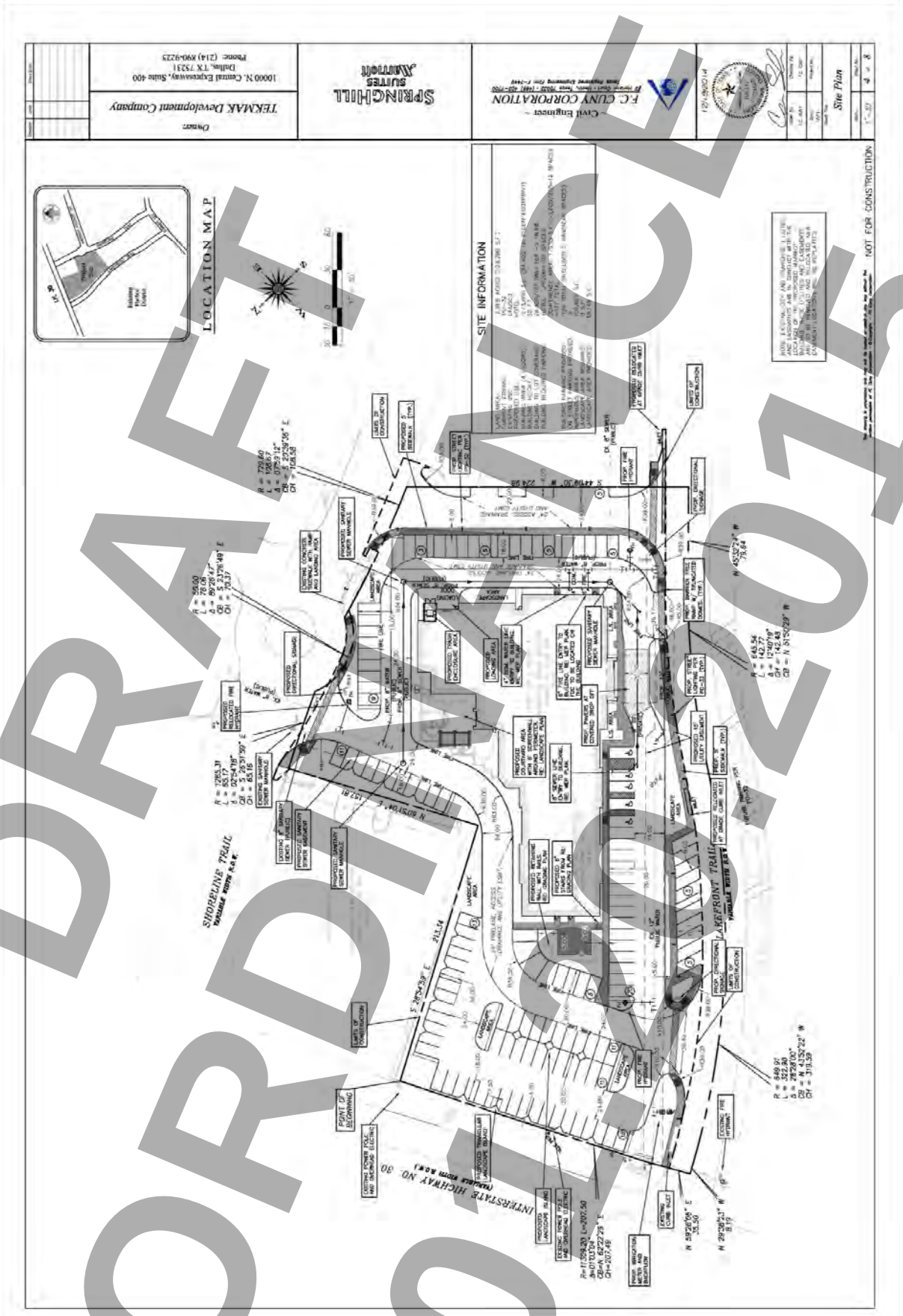
DRAFT ORDINANCE 01.20.2015

Exhibit 'A': Location Map & Legal Description

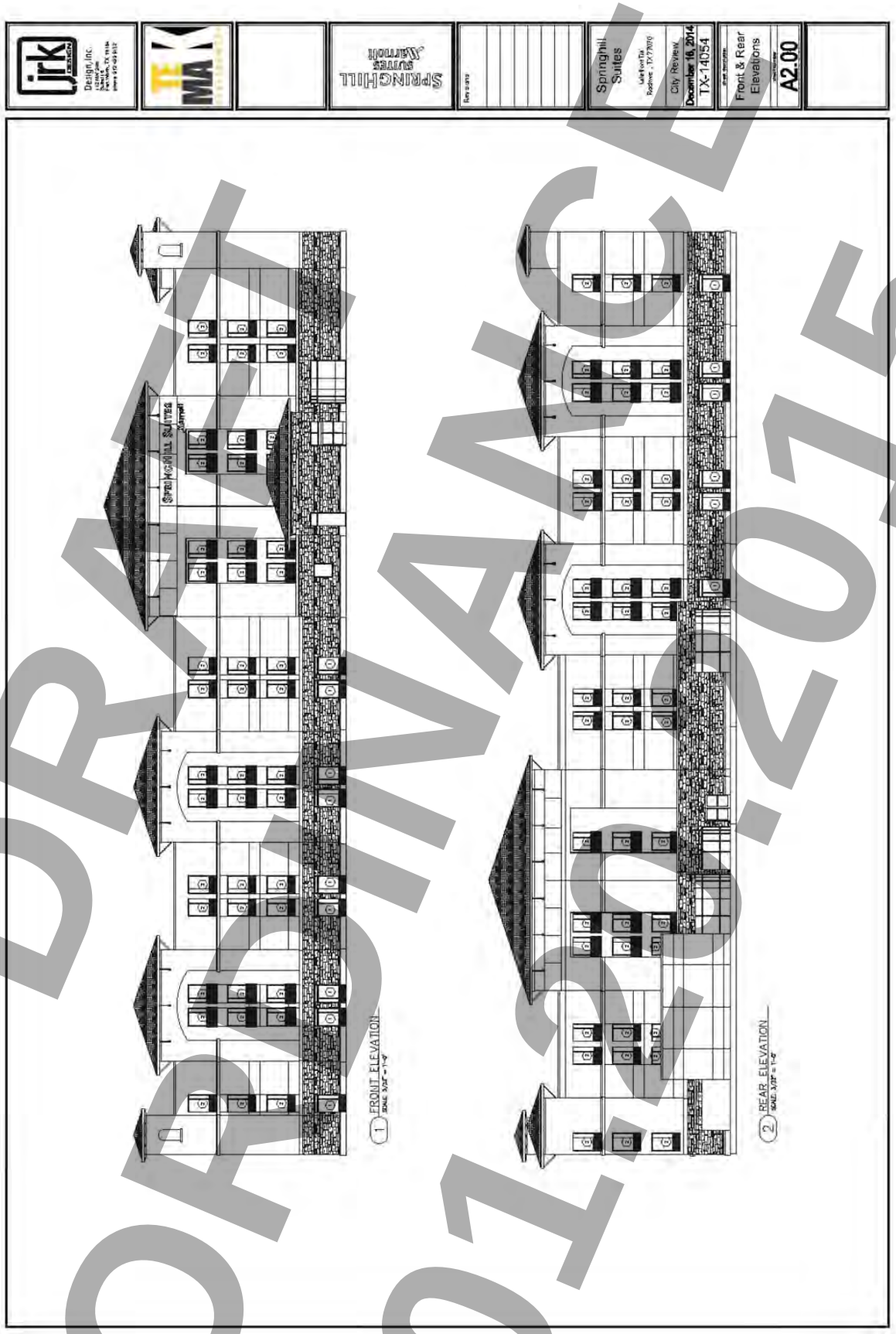
Subject Property: Lot 3A, Block A, Shoreline Plaza Addition & Lot 1-1, Block A, Henry Africa Subdivision



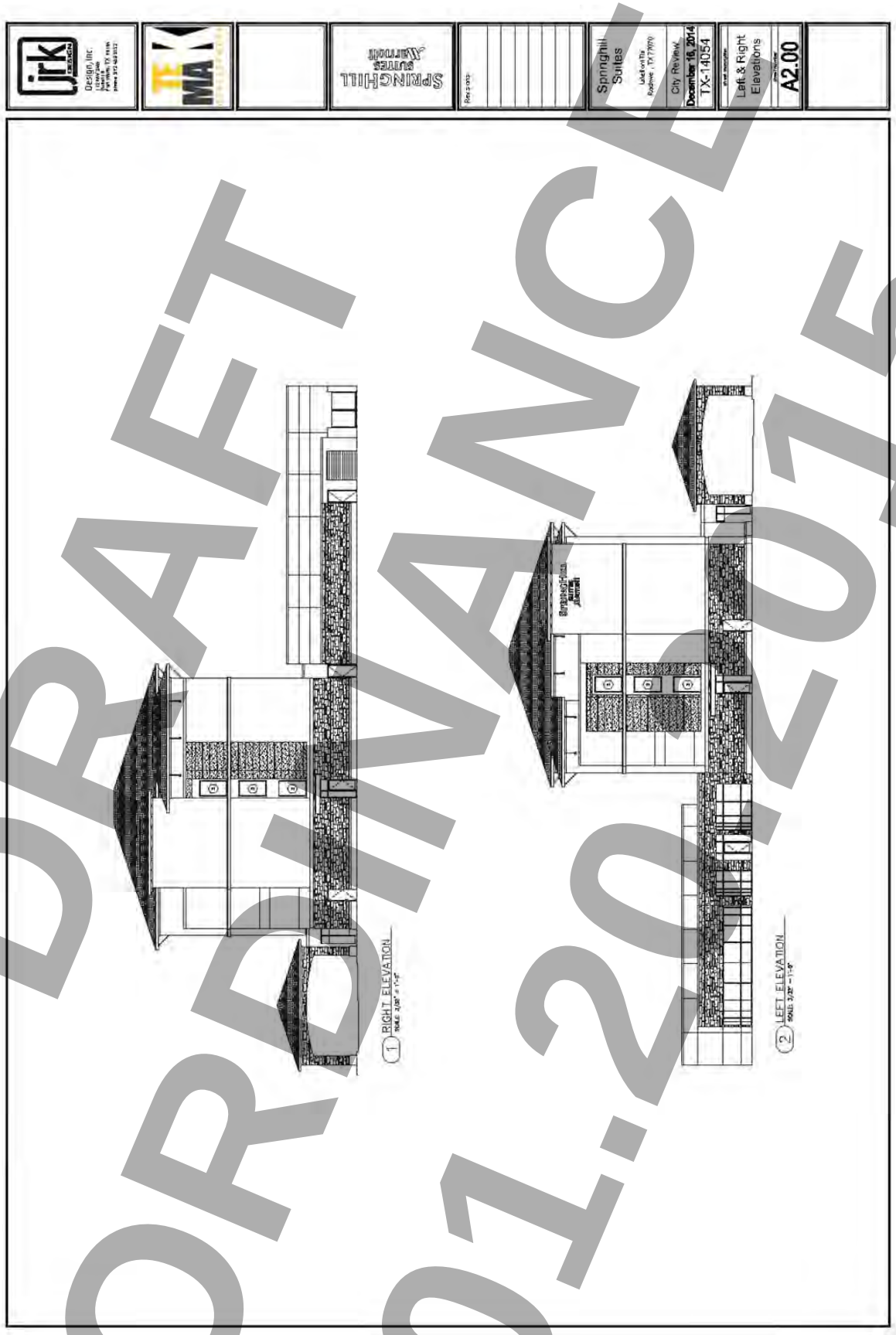
DRAFT
ORDINANCE
01.02.15



DRAFT NOT FOR ORDINANCE 01.16.2015



DRAFT
ORDINANCE
01.20.2015



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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **January 30, 2015**

SUBJECT: **Resolution of Appreciation to Regional Transportation Council (RTC) and the Texas Department of Transportation (TxDOT)**

Mayor Pruitt and I attended the regularly scheduled meeting of the Rockwall County Roadway consortium this past Wednesday. Among other things, the meeting reinforced several actions taken by the Regional Transportation Council and TxDOT which were responsive to the Rockwall City Council Resolution (adopted last August) opposing the Blacklands Tollway/Northeast Gateway project that was being considered at the time.

The actions ultimately taken by the RTC and TxDOT were favorably responsive to the resolution that the Council adopted in August. The project was not added to the RTC planning documents and was not removed from the TxDOT planning documents. To proceed during the course of the next year, the project would have to have been included in both of these documents. Further, the RTC and their staff have indicated that the area of focus will shift from the tollway project to an examination of improvements that should be considered on existing roadways – I-30, SH66, and US 78.

After the meeting the Mayor suggested, and I certainly agreed, that a resolution should be drafted for consideration by the Council expressing our appreciation for the responsiveness of these agencies and the focus that they have now stated. You will note that the resolution further indicates that the City supports NON-TOLL capacity improvements to I-30 and the consideration of service road lanes across Lake Ray Hubbard. This also appears to be the consensus among members of the Rockwall County Roadway Consortium.

Given the number of projects that are currently in various stages of planning, design, and construction, Mayor Pruitt has also suggested that the Council schedule some time so that the these projects can be reviewed by the full Council. He may want to address this further as the resolution is considered on Monday evening.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 15-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, EXPRESSING THE APPRECIATION OF THE CITY OF ROCKWALL TO THE REGIONAL TRANSPORTATION COUNCIL AND THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THEIR RECENT ACTIONS AND THEIR RESPONSIVENESS TO THE CONCERNS PREVIOUSLY EXPRESSED BY THE CITY OF ROCKWALL RELATED TO THE BLACKLANDS TOLLWAY/NORTHEAST GATEWAY PROJECT AND EXPRESSING THE CITY OF ROCKWALL'S COMMITMENT TO WORKING WITH THE REGIONAL TRANSPORATION COUNCIL, THE TEXAS DEPARTMENT OF TRANSPORTATION AND THE ROCKWALL COUNTY ROADWAY CONSORTIUM TO SECURE NEEDED TRANSPORTATION PLANNING AND IMPROVMENTS FOCUSING ON ALTERNATIVES TO THE PREVIOULSY CONSIDERED TOLLWAY PROJECT.

WHEREAS, The City Council of the City of Rockwall by its Resolution No. 14-15 (adopted August 4, 2014) expressed the City's opposition to the then-proposed Blacklands Tollway/Northeast Gateway project and other concerns stated therein, and

WHEREAS, Resolution No. 14-15 was provided to the Regional Mobility Council and the Texas Department of Transportation, and

WHEREAS, the Regional Mobility Council and the Texas Department of Transportation duly considered and evaluated the stated position of the City Council of the City of Rockwall, and

WHEREAS, the Regional Mobility Council, upon the recommendation of its transportation staff, did not include the Blacklands Tollway/Northeast Gateway project in the Metropolitan Transportation Plan, and

WHEREAS, the Texas Department of Transportation removed the Blacklands Tollway/Northeast Gateway project from its Unified Transportation Program, and

WHEREAS, all agencies have indicated an interest in continuing to seek solutions to current and future transportation needs which focus on alternatives to the previously considered new toll facility, and

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

Section 1. That the City of Rockwall expresses it's most sincere appreciation to the Regional Transportation Council and the Texas Department of Transportation for each agency's consideration of and responsiveness to the City's (and others') concerns.

Section 2. That the City of Rockwall is appreciative of each agency's continuing efforts to address future transportation planning and current transportation needs of the region.

Section 3. That the City of Rockwall appreciates examination by the entities of projects that will increase the system capacity of existing traffic facilities and is supportive of non-toll capacity improvements to I-30 within the City Limits of the City of Rockwall and, further, is

supportive of the addition of service roads crossing Lake Ray Hubbard (as a means of improving traffic safety and traffic capacity).

Section 4. **That the City of Rockwall is appreciative of its partnership with the Rockwall County Roadway Consortium and all of its members and further recognizes and appreciates the participation by the Texas Department of Transportation and the North Central Texas Council of Governments in the consortium.**

Section 5. **That the City of Rockwall applauds the Regional Transportation Council, the North Central Texas Council of Governments, and the Texas Department of Transportation for their continuing regional transportation commitments and is appreciative of local projects that have/will contribute to those efforts.**

Section 6. **That the City of Rockwall is committed to working with the Rockwall County Roadway Consortium, the Texas Department of Transportation, and the Regional Transportation Council to address current and future transportation needs.**

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 2nd day of February, 2015.

Jim Pruitt, Mayor

ATTEST:

Kristy Ashberry, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

DATE: **January 28, 2015**

SUBJECT: **Joint Elections Contract**

As you know, the Rockwall County Commissioners Court recently filled a vacancy for the Rockwall County Elections Administrator by hiring Christopher Lynch. I have met and had several exchanges with Mr. Lynch concerning the May 9th election, including a countywide meeting recently held to discuss joint elections and the contract that is before the city council for consideration this evening. City Attorney Frank Garza has reviewed the proposed contract and is comfortable with its provisions, which are, by in large, indicative of joint election contracts that Rockwall has entered into with the County Elections Administrator and the RISD in years past.

May 9, 2015

General Election

Contract for Election Services

Elections Administrator of Rockwall County
and
City of Rockwall
and
Rockwall Independent School District

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May 9, 2015

General Election

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Exhibit C .....Cost of Services
Exhibit D.....Joint Election Agreement

STATE OF TEXAS
COUNTY OF ROCKWALL
CITY OF ROCKWALL
ROCKWALL INDEPENDENT SCHOOL DISTRICT

CONTRACT FOR ELECTION SERVICES

BY THE TERMS OF THIS CONTRACT made and entered into by and between the **CITY OF ROCKWALL** (the "City"), the **ROCKWALL INDEPENDENT SCHOOL DISTRICT** (the "School District") and the **ELECTIONS ADMINISTRATOR OF ROCKWALL COUNTY** (the "EA"), pursuant to the authority in Subchapter D, Section 31.092, of Chapter 31, of the Texas Election Code, agree to the following particulars in regard to coordination, supervision and running of the City's General Election and the School District's General Election to be held on May 9, 2015.

THIS AGREEMENT is entered into in consideration of the mutual covenants and promises hereinafter set out. IT IS AGREED AS FOLLOWS:

I. PRINCIPAL DUTIES AND SERVICES OF THE EA. The EA shall be responsible for performing the following duties and shall furnish the following services and equipment:

A. The EA shall arrange for appointment, notification (including writ of election), training and compensation of all presiding judges, alternate judges, the judge of the Tabulation Room and judge of the Early Voting Balloting Board.

1. The EA shall be responsible for notification of each Election day and Early Voting presiding judge and alternate judge of his or her appointment. The EA recommends providing up to six (6) election workers including alternate judges, clerks and interpreters. The presiding election judge of each polling place, however, will use his/her discretion to determine the working hours of the election workers during normal and peak voting hours. The EA will determine the number of clerks to work in the Tabulation Room and the number of clerks to work on the Balloting Board.

2. Election judges (including Presiding and Alternate) shall attend the EA's school of instruction (Elections Seminar) to be held on a date determined by the EA. The Elections Seminar shall provide training in standard procedures as set forth by the Secretary of State and will also include training on the ES&S Model 100 Precinct Ballot Scanners, the ES&S Ivotronic ADA voting machines and the ADA headphones.

3. Election judges shall be responsible for picking up from and returning election supplies to the Rockwall County Election Administrator's office located at 915 Whitmore Dr. Suite D, Rockwall, Texas. Compensation for this pickup and delivery of supplies will be $25.00.

4. The EA shall compensate each election judge, alternate judge, clerk and interpreter. Each election judge and interpreter shall receive $12.00 per hour for services rendered. Each alternate judge and clerk shall receive $10.00

per hour for services rendered. The expenses shall be shared equally pursuant to the Joint Election Agreement as shown in Exhibit "D" attached and incorporated by reference into this contract.

B. The EA shall procure, prepare, and distribute voting machines, election kits and election supplies.

1. The EA shall secure election kits which include the legal documentation required to hold an election and all supplies including locks, pens, magic markers, etc.

2. The EA shall secure all tables, chairs, and legal documentation required to run the Tabulation Room.

3. The EA shall provide all lists of registered voters required for use on election day and for the early voting period required by law. The Election Day List of registered voters shall be arranged in alphabetical order by polling place.

4. The EA shall procure and arrange for the distribution of all election equipment and supplies required to hold an election. Equipment includes the rental of ES&S Model 100 Precinct Ballot Scanners, ES&S Ivotronic ADA voting machines, ADA headphones, transfer cases, voting signs and supply bags.

C. The EA shall be appointed as the Early Voting Clerk by the City and School District.

1. The EA shall supervise and conduct early voting by mail and in person and shall secure personnel to serve as Early Voting Deputies.

2. Early Voting by personal appearance for the City's General Election and School District's General Election held on May 9, 2015 shall be conducted during the time period and at the locations listed in Exhibit "A", attached and incorporated by reference into this contract.

3. All applications for an Early Voting mail ballot shall be received and processed by the Rockwall County Elections Administrator's office located at 915 Whitmore Dr. Suite D, Rockwall, Texas 75087.

(a) Applications for mail ballots erroneously mailed to the City or School District shall immediately be faxed to the EA for timely processing. The original application shall then be forwarded to the EA for proper retention.

(b) All Federal Post Card Applicants (FPCA) will be sent a mail ballot. No postage is required.

4. All Early Voting ballots (those cast by mail and those cast by personal appearance) shall be prepared for count by the Early Voting Ballot Board in accordance with Section 87.000 of the Texas Election Code. The presiding judge of this Board shall be appointed by the EA. The Board shall meet for preparation of the early voting ballots at a time agreed to between the EA and the Early Voting Ballot Board Judge.

D. The EA shall arrange for the use of all election day polling places. The City and School District shall each assume the responsibility of incurring and absorbing the cost of its employees required to provide access, security and/or custodial services for the polling locations pursuant to a Joint Election Agreement as shown in Exhibit "D" attached and incorporated by reference into this contract. The election day polling locations are listed in Exhibit "B", attached and incorporated by reference into this contract.

E. The EA shall be responsible for establishing and operating the Tabulation Room to receive the ES&S Ivotronic Flashcards and the ES&S Model 100 PCMIA memory cards.

1. The EA shall prepare, test and run the County's Tabulation System in accordance with the statutory requirements.

2. The Public Logic and Accuracy Test of the electronic voting system shall be conducted by the EA and notice of the date shall be posted in local newspapers.

3. The EA shall cause to be published in the local newspapers the required notices including notices of early voting locations, election day voting locations, and tabulation testing.

4. Election night reports will be available to the City and School District after tabulation is completed. Provisional ballots will be tabulated after election night in accordance with the law.

5. The EA shall prepare the unofficial canvass report after all precincts have been counted, and will provide a copy of the unofficial canvass to the City and School District as soon as possible after all returns have been tallied.

6. The EA shall conduct a manual count as prescribed by Section 127.201 of the Texas Election Code and submit a written report to the City and School District in a timely manner. Unless waived by the Secretary of State, if applicable, a written report shall be submitted to the Secretary of State as required by Section 127.201(e) of the aforementioned code.

II. PRINCIPAL DUTIES AND SERVICES OF THE CITY AND SCHOOL DISTRICT.

Each entity shall assume the following responsibilities:

A. The City and School District shall prepare the election orders, resolutions, notices, official canvass and other pertinent documents for adoption by the appropriate office or body.

B. The City and School District shall provide the EA with an updated map and street index of its jurisdictions in an electronic or printed format as soon as possible.

C. The City and School District shall design and provide the EA with the ballot layout and Spanish interpretation in an electronic format.

D. The City and School District shall cause to be published in the local newspapers the required notice of election.

1. The City and School District shall deliver to the EA as soon as possible the official wording for the City's General Election and School District's General Election to be held on May 9, 2015.

2. The City and School District shall approve the ballot format prior to the final printing.

E. The City, School District and the EA shall determine the number of ballots to be purchased.

F. The City and School District shall compensate the EA for any additional verified cost incurred in the process of running this election or for a manual count of this election, if required, consistent with charges and rates shown on Exhibit "C" for required services. These costs will be invoiced for reimbursement.

G. The City and School District shall reimburse Rockwall County for its portion of the printing costs of any and all related materials for ballots, early voting, election day voting, election kits, and for the ES&S Model 100 Precinct Ballot Scanner and ES&S ADA Ivotronic voting machines pursuant to a Joint Election Agreement as shown in Exhibit "D" attached and incorporated by reference into this contract.

H. The City and School District shall reimburse Rockwall County for its portion of the rental of all electronic voting equipment, including Model 100 Precinct Ballot Scanners and ADA Ivotronic voting machines, compliance headphones, PEBs, flash cards, PCMIA cards and any other equipment required to complete the counting of votes pursuant to a Joint Election Agreement as shown in Exhibit "D" attached and incorporated by reference into this contract.

I. The City and School District shall each reimburse the EA for an administrative fee not to exceed ten percent (10%) of the City and School District's portion of the total cost of the election.

J. The City and School District shall each deposit its share of the election costs as set forth on Exhibit "C". The check is to be made payable to Rockwall County

and delivered to the EA. The final costs of the election along with the ten percent (10%) administration fee will be prepared on a format similar to Exhibit "C" and the invoice along with any supporting documentation shall be delivered by the EA. The invoice is due and payable 30 days after receipt by the City and School District.

K. The City and School District, in the event of a contested election, agrees to provide competent legal counsel and representation for the EA and staff, covering any and all legal fees and costs as a result of this elections process.

L. The City and School District, in the event of a recount, agrees to reimburse any expenses incurred by the EA's office not covered by the charges assessed to the person requesting the recount. This would include, but not be limited to the compensation costs of any Rockwall County Election personnel required to work beyond regular office hours in order to conduct said recount of this election. The recount shall take places in the EA's office and the EA's office shall assist the Recount Supervisor and/or the Recount Coordinator in the completion of the recount.

M. The EA shall be the custodian of the voted ballots and shall retain all election materials for a period of 6 months.

N. The City and School District shall prepare and submit to the U.S. Department of Justice under the Federal Voting Rights Act of 1965, any required submissions on voting changes.

III. COST OF SERVICES. See Exhibit "C."

A. The City and School District shall share equally in the expense of conducting early voting and election day voting pursuant to a Joint Election Agreement as shown in Exhibit "D" attached incorporated by reference into this contract.

B. The cost of site support by Third Party Contractors shall be shared equally by the City and School District pursuant to a Joint Election Agreement as shown in Exhibit "D" attached and incorporated by reference into this contract.

IV. GENERAL PROVISIONS.

A. To the extent of the law, the City and School District agree to save and hold harmless the EA from any and all claims arising out of the failure or omission of the City or School District to perform its obligations under this contract.

B. To the extent of the law, the EA agrees to save and hold harmless the City and School District from any all claims arising out of the failure or omission of the County and the EA to perform their obligations under this contract.

C. Nothing contained in this contract shall authorize or permit a change in the officer with whom or the place at which any document or record relating to the City's General Election or School District's General Election held on May 9, 2015 is to be

filed or the place at which any function is to be carried out, or any nontransferable functions specified under Section 31.096 of the Texas Election Code.

D. Upon request, the EA shall provide copies of all invoices, cost reports and other charges incurred in the process of running said election for the City and School District.

E. The EA shall file copies of this contract with the County Auditor and the County Treasurer of Rockwall County, Texas.

F. The City and School District shall enter into a Joint Election Agreement as shown in Exhibit "D" attached and incorporated by reference into this contract.

G. If the City and/or School District cancels their election pursuant to Section 2.053 of the Texas Election Code, the EA shall be paid a contract preparation fee of $75.00. The City and School District will not be liable for any further costs incurred by the EA in conducting the May 9, 2015 Election.

H. This Agreement contains the entire agreement of the parties to the rights herein granted and the obligations herein assumed and supersedes all prior agreements, including prior election services contracts relating to each Entity's May 2015 election. Any prior agreements, promises, negotiations, or representations not expressly contained in this Agreement are of no force and effect. Any oral representations or modifications concerning this Agreement shall be of no force or effect, excepting a subsequent modification in writing as provided herein.

I. Except as otherwise provided, this Agreement may not be amended, modified, or changed in any respect whatsoever, except by a further Agreement in writing, duly executed by the parties hereto. No official, representative, agent or employee of any Participating Entity has any authority to modify this Agreement except pursuant to such expressed authorization as may be granted by the governing body of the respective Participating Entity.

J. This Agreement may be executed in multiple counterparts, all of which shall be deemed originals and with the same effect as if all parties hereto had signed the same document. All of such counterparts shall be construed together and shall constitute one and the same Agreement.

WITNESS BY MY HAND THIS _____ DAY OF _____, 2015.

Christopher J. Lynch, Elections Administrator
Rockwall County, Texas

Rick Crowley,City Manager
City of Rockwall, Texas

ATTEST:

Kristy Ashberry, City Secretary

Jeff Bailey, Superintendent
Rockwall Independent School District

ATTEST:

Secretary

EXHIBIT "A"

EARLY VOTING LOCATIONS & HOURS FOR GENERAL ELECTION

(votacion anticipada horarios y ubicaciones para elecciones generales)

May 9, 2015

(9 de mayo de 2015)

POLLING PLACE (lugar de votacion)		LOCATION & ADDRESS (lugar y direccion)		CITY (ciudad)		
ROCKWALL		COUNTY LIBRARY (conado biblioteca) 1215 E. YELLOWJACKET LN		ROCKWALL		
SUNDAY (Domingo)	**MONDAY (Lunes)**	**TUESDAY (Martes)**	**WEDNESDAY (Miercoles)**	**THURSDAY (Jueves)**	**FRIDAY (Viernes)**	**SATURDAY (Sabado)**
N/A	APRIL 27 8am – 5pm Early Voting	APRIL 28 8am – 5pm Early Voting	APRIL 29 8am – 5pm Early Voting	APRIL 30 8am – 5pm Early Voting	MAY 1 8am – 5pm Early Voting	MAY 2 8am –5pm Early Voting
SUNDAY N/A	MAY 4 7am –7pm* Early Voting	MAY 5 7am – 7pm* Early Voting	MAY 6 N/A	MAY 7 N/A	MAY 8 N/A	MAY 9 Election Day 7am-7pm

***Extended hours on Monday, May 4 and Tuesday, May 5, 2015**

EXHIBIT “B”

ELECTION DAY VOTING LOCATIONS & HOURS FOR GENERAL ELECTION

(lugares de votacion de dia de la eleccion para elecciones generales)

May 9, 2015

(9 de mayo de 2015)

7:00 a.m. – 7:00 p.m.

POLLING PLACE (lugar de votacion)	LOCATION & ADDRESS (lugar y direccion)	CITY (ciudad)
Rockwall	Utley Middle School (Utley escuela) 1201 T L Townsend Drive	Rockwall

EXHIBIT "C"

Cost of Services –Rockwall/RISD

	Quantity	Unit Costs	Subtotal Costs	Extended Costs
Non-Refundable Contract Preparation (Payable only if Contract is Canceled)				75.00
Direct Costs				
Ballots	5000	0.30	1500	1500
Shipping	5000		15	15
Sample Ballots	50	0.30	15	15
Early Voting Election Kits	1	40	40	40
Election Day Kits	1	40	40	40
Supply Costs [Based upon # voting places]	2	15	30	30
Metal Voting Signs	16	1	16	16
Equipment Rental				
Early Voting DRE Machine	3	250	750	750
Election Day DRE Machine	6	250	1500	1500
Precinct Counter – EV & ED	3	450	1350	1350
Equipment Delivery Fee/Truck Rental	12	20	240	240
L & A Machine Testing	12	20	240	240
Judges Pickup & Delivery Fees	2	25	50	50
Notices*				
Notice of Tabulation Testing	1	50	50	50
Notice of Election Day Polling Locations\n	1	50	50	50
Notice of Early Voting Polling Locations	1	50	50	50
Compensation of Judges & Clerks**				
Early Voting Workers			2000	2000
Election Day Workers			600	600
Compensation of County Employees***				
Staff Overtime for Early& Election Day Voting			150	150
Process Election Workers' Checks			50	50
Tabulation of Ballots			150	150
ES&S Site Support Fee (Based on # entities) Subject to change			500	500
Programming Electronic Voting Machines			1500	1500
Subtotal of Direct Costs				11,246.00
Total Contract Costs				11,247.00
Number of participating entities				
25 % Due from Each Entity 45 days before election				2811.50

* Costs for notices will be determined by newspapers and the final invoice will be based upon costs charged by the newspapers.

** The compensation of election judges and clerks will be adjusted on the final billing to reflect actual costs paid after all timesheets have been tabulated and paid. Where applicable, compensation includes payroll appendages.

*** County employees will be paid in accordance with County policies regarding overtime. Hours worked in excess of 40 during a week are paid at 1.5 times each employee's hourly rate. Compensation includes payroll appendages.

A 10% Administration fee will be added to the total amount of the contract. This fee will be determined based upon final actual costs and included on the final invoice.

EXHIBIT "D"

STATE OF TEXAS
CITY OF ROCKWALL
ROCKWALL INDEPENDENT SCHOOL DISTRICT

JOINT ELECTION AGREEMENT

This Agreement is entered into by and between the City of Rockwall, Texas (the "City") and the Rockwall Independent School District (the "School District").

By the terms of this agreement, the City and School District do hereby agree, pursuant to the provisions of the Texas Election Code, to hold a joint election of the General Election of the City and the General Election of the School District to be held on Saturday, May 9, 2015. All entities have contracted with the Rockwall County Elections Administrator (the "EA") to perform various duties and responsibilities on behalf of the two entities.

The two entities shall share equally in the expense of conducting Early and Election Day voting, polling locations, election officials, election supplies, ballots and other and all necessary expenses for the election upon receipt of satisfactory billing and invoices reflecting the total of such election.

An entity canceling an election pursuant to Section 2.053 of the Texas Election Code will not be liable for costs incurred by the EA in conducting the May 9, 2015 Joint General Election; they will be liable for on the contract preparation fee of $75.00.

This Agreement contains the entire agreement of the parties relating to the rights herein granted and the obligations herein assumed and supersedes all prior agreements, including prior election services contracts relating to each Entity's May 2015 election. Any prior agreements, promises, negotiations, or representations not expressly contained in this Agreement are of no force and effect. Any oral representations or modifications concerning this Agreement shall be of no force or effect, excepting a subsequent modification in writing as provided herein.

Except as otherwise provided, this Agreement may not be amended, modified, or changed in any respect whatsoever, except by a further Agreement in writing, duly executed by the parties hereto. No official, representative, agent or employee of any Participating Entity has any authority to modify this Agreement except pursuant to such expressed authorization as may be granted by the governing body of the respective Participating Entity.

This Agreement may be executed in multiple counterparts, all of which shall be deemed originals and with the same effect as if all parties hereto had signed the same document. All of such counterparts shall be construed together and shall constitue one and the same Agreement.

APPROVED BY THE CITY COUNCIL OF ROCKWALL, TEXAS, in its meeting held on the _____ day of _____, 2015, and executed by its authorized representative.

_____
Rick Crowley, City Manager
City of Rockwall, Texas

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED BY THE TRUSTEES OF THE ROCKWALL INDEPENDENT SCHOOL BOARD, in its meeting held on the _____ day of _____, 2015 and executed by its authorized representative.

_____
Jeff Bailey, Superintendent
Rockwall Independent School District

ATTEST:

_____
Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Kristy Ashberry, City Secretary

DATE: January 30, 2015

SUBJECT: May 9, 2015 Special Election: Charter Amendments

Included for consideration in the February 2nd council meeting packet is a resolution calling a Special Election to present proposed Charter Amendments to the voters in conjunction with the General Election (to be held Saturday, May 9, 2015).

CITY OF ROCKWALL

RESOLUTION NO. 15-05

A RESOLUTION OF THE CITY COUNCL OF THE CITY OF ROCKWALL, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD IN SAID CITY ON THE 9TH DAY OF MAY, 2015, FOR THE PURPOSE OF SUBMITING TO THE QUALIFIED VOTERS OF THE CITY OF ROCKWALL, TEXAS, FOR THE ADOPTION OR REJECTION OF, CERTAIN PROPOSED AMEDMENTS TO THE CITY CHARTER; DESIGNATING THE ENTIRE CITY AS ONE ELECTION PRECINCT; DESIGNATING THE POLLING PLACE(S) AT WHICH SAID ELECTION IS TO BE HELD; APPOINTING THE ADMINISTRATOR OF SAID ELECTION; ORDERING NOTICES OF ELECTION TO BE POSTED AND PUBLISHED AS PRESCRIBED BY LAW IN CONNECTION WITH SAID ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the City Council of the City of Rockwall, Texas (hereinafter referred to as the "City"), has, on its own motion, determined to submit to the qualified voters of said City, for their adoption or rejection thereof, certain proposed amendments to the existing City Charter of said City, pursuant to the provisions of Section 9.004 of the Texas Local Government Code (the "Code"); and

Whereas, the City Council determines that the special election shall be held on the next uniform election date on the date set forth below; and

Whereas, the meeting at which this resolution is considered is open to the public as required by law, and public notice of the time, place and purpose of said meeting was given as required by Chapter 551 of the Texas Government Code.

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

Section 1. Incorporation of Premises. That all of the above premises are found to be true and correct and are incorporated into the body of this Resolution as if copied in their entirety.

Section 2. Election Order; Election Date; Purpose of Election. That there be submitted at a specially called election to be participated in by the qualified voters of the City of Rockwall, Texas, to be held on Saturday, May 9, 2015, which date is not less than sixty-two (62) days from the date of the adoption of this ordinance, for the purpose of submitting a Charter amendment proposition to the qualified Resolution voters of the City to amend the Charter of the City at the voting places and hours outlined in this Resolution and Resolution 15-04 calling for the City's General Election .

Section 3. Ballot Propositions. The official ballots shall be prepared in accordance with the Texas Election Code, as amended, so as to permit electors to vote "FOR" or "AGAINST" the aforesaid proposition. Voters should place an "X" in the square beside the statement indicating the way they wish to vote.

Section 4. The following measures will be submitted to the qualified voters of the City at the election to be held on the date specified in the previous section in the form of propositions in accordance with Section 9.004 of the Texas Local Government Code and the City Charter.

PROPOSITION ONE

Shall Sections 1.04 (3), 3.04 (2), 3.05 (4), 3.08 (1), 3.11 (3), 4.02 (2), 4.04 (6), 5.02 (f), 7.15 (1), 7.16 (3), 7.18, 11.13 (g), and 11.16 of the City Charter be amended to require submission to the qualified voters of the City to eliminate provisions which have become inoperative because they have been superseded by state law; replace obsolete references; update terminology to current legal usage, and to eliminate obsolete transitional provisions?

FOR ____ AGAINST ____

PROPOSITION TWO

Shall Sections 3.06 (b) and 4.03 (3) of the City Charter be amended to authorize the City Council to appoint Associate Municipal Judge(s) and eliminate the option of the Mayor being required to serve as Municipal Judge in the absence of the Municipal Judge?

FOR ____ AGAINST ____

PROPOSITION THREE

Shall Section 5.04 (3) of the City Charter be added to clarify that newly elected Council members will be sworn in to take office at the first City Council meeting following the official canvassing of the election?

FOR ____ AGAINST ____

PROPOSITION FOUR

Shall Section 6.07 (1)) of the City Charter be amended to increase the number of days the City Secretary has to verify signatures on a petition from ten days to twenty-one days?

FOR ____ AGAINST ____

PROPOSITION FIVE

Shall Section 7.02 of the City Charter be amended to change the date the City Manager must submit the draft budget to the City Council from August 1st to August 15th?

FOR ____ AGAINST ____

PROPOSITION SIX

Shall Section 7.06 of the City Charter be amended to change the date the Council adopts the budget from 10 days prior to the end of the fiscal year to prior to the beginning of the next fiscal year?

FOR ____ AGAINST ____

PROPOSITION SEVEN

Shall Section 8.01 (5) of the City Charter be amended to clarify that Council action is required to remove any City Board or Commission member who is absent from three consecutive regular meetings without explanation acceptable to the City Council?

FOR ____ AGAINST ____

PROPOSITION EIGHT

Shall Section 11.16 of the City Charter be added to provide a procedure for operation of the city government in case of a disaster?

FOR ____ AGAINST ____

Section 5. The actual proposed Charter language amendments and additions are attached to this Resolution as Exhibit A and are incorporated for all purposes to Resolution.

Section 6. Election Precinct, Polling Place, and Election Hours. That the entire City of Rockwall, Texas shall constitute one (1) election precinct for the election, and the polling place is hereby designated to be located at Utley Middle School, 1201 T.L. Townsend, Rockwall, Texas 75087. In accordance with and pursuant to the requirements of the Code, said polling place shall be open from 7:00 a.m. until 7:00 p.m. on the date of the election.

Section 7. Early Voting and Ballots by Mail. That early voting by personal appearance shall be conducted at the Rockwall County Library, 1215 E. Yellowjacket Lane, Rockwall, Texas 75087 on the following dates at the specified times with the exception of Saturday, Sunday and State holidays:

Monday, April 27 through Saturday, May 2, 2015 - 8:00 a.m. until 5:00 p.m.
Monday, May 4 and Tuesday, May 5, 2015 - 7:00 a.m. until 7:00 p.m.

Applications for ballot by mail shall be requested from and mailed to the Rockwall County Election Administrator, Attn: Christopher Lynch, 915 Whitmore Drive, #D, Rockwall, TX 75087. Applications for ballots by mail must be received no later than the close of business on Thursday, April 30, 2015.

Section 8. Method of Voting. That Direct Record Electronic (DRE) voting machines and Optical Scan ballots shall be used for early voting by personal appearance and for Election Day voting. Optical scan ballots shall be used for early voting by mail. The City Secretary, acting as chief elections officer, shall ensure at least one (1) E. S. & S. Ivotronic "ADA" approved voting machine is provided at the polling place as required by Section 61.012, of the Texas Election Code.

Section 9. Governing Law and Qualified Voters. That the election shall be held in accordance with the constitution of the State of Texas and the Code, and all resident, qualified electors of the city, shall be eligible to vote at the election.

Section 10. Publication and Posting of the Notice. That notice of the election in English and Spanish shall be given by posting a notice of election on the City Hall bulletin board used for posting notices of the meetings of the City Council not less than twenty-one (21) days prior to the date upon which the election is to be held, and by publication of said notice at least once in a newspaper of general circulation within the city, the date of said publication to be not less than ten (10) days and not more than thirty (30) days prior to the date set for the election.

Section 11. Administration of Election and Appointment of Judges and Clerks. That the Rockwall County Elections Administrator shall serve as the Administrator of the election. The County Elections Administrator shall appoint a sufficient number of judges and clerks in accordance with Chapter 32 Texas Elections Code to assist in the proper conduct of the election.

Section 12. Delivery of Returns: Preservation of Election Records. That in accordance with the Code and the City's contract with the Rockwall County Elections Administrator, immediately after the closing of the poll on the day of the election, the election officers shall make and deliver the returns of the election in triplicate as follows: one copy shall be retained by the Presiding Election Judge and by the Presiding Election Judge of the Early Ballot Board, one copy shall be delivered to the Mayor of the City, and one copy of the returns, together with the ballot boxes and all election supplies, shall be delivered to the Rockwall County Elections Administrator. All election records and supplies shall be preserved in accordance with the Code.

Section 13. Representatives. That the following slate of officials and other designated persons are hereby authorized to be present to observe the election counting process:

a. The Mayor and members of the City Council of the City of Rockwall;
b. Candidates for Mayor and City Council of the City of Rockwall;
c. The Rockwall City Secretary or her designated representative.

Section 14. Canvassing of Returns. That the City Council of the City shall convene between May 12, 2015 to May 20, 2015 to canvass the returns of the election in accordance with the Texas Election Code.

Section 15. Necessary Action. That the Mayor and the City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the election, whether or not expressly authorized herein.

Section 16. Severability. That should any part, section, subsection, paragraph, sentence, clause or phrase contained in this resolution be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this resolution, but in all respects said remaining portion shall be and remain in full force and effect.

Section 17. Effective Date. That this resolution shall be in force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 2nd day of February, 2015.

Jim Pruitt, Mayor

ATTEST:

Kristy Ashberry, City Secretary

EXHIBIT A

PROPOSITION ONE

Shall Sections 1.04 (3), 3.04 (2), 3.05 (4), 3.08 (1), 3.11 (3), 4.02 (2), 4.04 (6), 5.02 (f), 7.15 (1), 7.16 (3), 7.18, 11.13 (g), and 11.16 of the City Charter be amended to require submission to the qualified voters of the City to eliminate provisions which have become inoperative because they have been superseded by state law; replace obsolete references; update terminology to current legal usage, and to eliminate obsolete transitional provisions?

Sec. 1.04 (3) Proposed Charter Language: The City Council will establish a written policy governing extension of City services to all areas. Disannexation procedures ~~are provided in Section 42 of the Local Government code as presently written or hereafter amended. (Amended 1993)~~ *shall comply with the applicable provisions of the Texas Local Government Code.*

Sec. 3.04 (2) – Proposed Charter Language: The Mayor Pro-Tem will be a Council member elected by the City Council at the first regular meeting after each election of Council members and/or Mayor. Should a vacancy occur, the unexpired term will be filled at the next regular council meeting after the occurrence of the vacancy. The Mayor Pro-Tem will act as Mayor during the disability or absence of the Mayor, and in this capacity will have the rights conferred upon the Mayor.

Sec. 3.05 (4) - Proposed Charter Language: In the event of a vacancy in the office of the Mayor, the Mayor Pro-Tem must become the Mayor, thereby vacating his Council position. Within thirty days, vacancies in the Council, other than the Mayor, will be filled by a majority vote of the remaining ~~elected~~ members, ~~for the unexpired term only~~ *until the next regular City election*, and provided the successor will possess all qualifications for the position.

Sec. 3.08 (1) - Proposed Charter Language: The City Council will hold at least one regular meeting each month and as many additional meetings as it deems necessary to transact the business of the City. The City Council will fix by ordinance the date and time of the regular meeting(s). Special meetings of the City Council will be held at the call of the Mayor*, City Manager* or a majority of the Council members upon provision of public notice in accordance with state law.

Sec 3.11 (3) - Proposed Charter Language: A proposed ordinance, except as related to an emergency, budget, tax, public utility rate setting, *calling for an election to issue bonds, a public security authorization* or State or Federal requirement, must be read at two City Council meetings with at least one week between readings.

Sec. 4.02 (2) – Proposed Charter Language to add to Section 4.02 (2):

(h) Schedule and oversee all City elections in accordance with the Texas Election Code and any other applicable law.

Sec. 4.04 (6) - Proposed Charter Language: The City Attorney may be removed by a majority vote of the ~~elected~~ City Council.

Sec. 5.02 (f) - of the City Charter shall be DELETED in order to comply with newly adopted state law.

> ~~"*No employee of the City will continue in such position after filing for an elective office provided for in this Charter*."~~

Sec. 7.15 (1) – Proposed Charter Language**: "**The City Council may by ordinance, give the City Manager general authority to *procure and* contract for expenditure without further approval of the Council for all budgeted items not exceeding limits set by the Council *and the procurement conducted in accordance with state law*." All contracts for expenditures involving more than the set limits must be expressly approved in advance by the Council. All contracts or purchases involving more than the limits set by the Council must be let to the lowest bidder whose submittal is among those responsive to the needs of the City after there has been opportunity for competitive bidding as provided by law or ordinance. The City Council, or City Manager ~~in such cases as he/she is authorized to contract for the City,~~ will have the right to reject any and all bids.

Sec. 7.16 (3) –Proposed Charter Language: This prohibition will not be construed to prevent the making or authorizing of payments, or making of contracts for capital improvements to be financed wholly or partly by the issuance of bonds, time warrants, certificates of indebtedness, or certificates of obligation, or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year, providing that such action is made or approved by ~~ordinance~~ *City Council.*

Sec. 7.18 – Proposed Charter Language: At the close of each fiscal year, and at such other times as may be deemed necessary, the City Council must call for an independent audit to be made of all accounts of the City by a certified public accountant. No more than ~~five~~ *four* consecutive annual audits must be completed by the same firm. The certified public accountant selected must have no personal interest, directly or indirectly in the financial affairs of the City or any of its officers. The report of audit, with the Auditor's recommendations will be made to the City Council. Upon completion of the audit, the ~~summary must be published~~ *complete audit and summary must* be immediately *posted on the City's website* ~~in the newspaper of record of the City~~ and copies of the audit placed on file in the City Secretary's office as a public record.

Sec. 11.13 (g) – Proposed Charter Language: "Employee" will refer to any person who is employed and paid a salary by the City including those individuals on a part-time basis, but does not include City Council members, *uncompensated volunteers or independent contractors* ~~or members of the volunteer fire department~~.

Sec. 11.16 – Recommend the deletion of this section in its entirety since the original Charter has been adopted and this transitional language has become obsolete.

PROPOSITION TWO

Shall Sections 3.06 (b) and 4.03 (3) of the City Charter be amended to authorize the City Council to appoint Associate Municipal Judge(s) and eliminate the option of the Mayor being required to serve as Municipal Judge in the absence of the Municipal Judge?

Sec. 3.06 (b) - Proposed Charter Language: Appoint and remove the Municipal Judge *and Associate City Judge(s).*

Sec. 4.03 (3) - Proposed Charter Language: ~~In the event of failure of the City Judge to perform his duties, the Mayor must act in his place and stead (and in the event of a vacancy, until a City Judge is appointed by the Council to fill the vacancy). If the Mayor acts as a City Judge, he/she must be compensated at the same salary, if any, as the City Judge for whom he/she is acting~~ T*he City Council may also appoint Associate City Judge(s) that meet the same qualifications as the City Judge of the Municipal Court who will work in the absence of the City Judge. Associate City Judge(s) will be appointed to a term of two years and may be appointed to additional consecutive terms upon completion of their term of office. The appointment of Associate City Judge(s) may be terminated\ by the City Council. The Associate City Judge(s) will receive compensation as may be determined by the City Council*.

PROPOSITION THREE

Shall Section 5.04 (3) of the City Charter be added to clarify that newly elected Council members will be sworn in to take office at the first City Council meeting following the official canvassing of the election?

Sec. 5.04 (3) - Proposed Charter Language: (3) Each newly elected person to the City Council shall be inducted into office at the first City Council meeting following the official canvassing of the election. At such meeting, the oath shall be administered in accordance with state law

PROPOSITION FOUR

Shall Section 6.07 (1)) of the City Charter be amended to increase the number of days the City Secretary has to verify signatures on a petition from ten days to twenty-one days?

Sec. 6.07 (1) - Proposed Charter Language: Within ~~ten~~ *twenty-one* days after the petition is presented, the City Secretary must complete a certificate of sufficiency or insufficiency. Sufficiency must be determined by compliance with this Article.

PROPOSITION FIVE

Shall Section 7.02 of the City Charter be amended to change the date the City Manager must submit the draft budget to the City Council from August 1st to August 15th?

Sec. 7.02 - Proposed Charter Language: On or before the ~~first~~ *fifteenth* day of the eleventh month of the fiscal year, the City Manager must submit to the Council a budget for the ensuing fiscal year and an accompanying message

PROPOSITION SIX

Shall Section 7.06 of the City Charter be amended to change the date the Council adopts the budget from 10 days prior to the end of the fiscal year to prior to the beginning of the next fiscal year?

Sec. 7.06 - Proposed Charter Language: After public hearing, the Council must analyze the budget, making any additions or deletions which they feel appropriate, and must ~~, at least ten days prior to the beginning of the next fiscal year,~~ adopt the budget *prior to the beginning of the next fiscal year* by a favorable majority vote of the full membership of the Council. Should the City Council take no final action on or prior to such day, the current budget must be in force on a month to month basis until a new budget is adopted.

PROPOSITION SEVEN

Shall Section 8.01 (5) of the City Charter be amended to clarify that Council action is required to remove any City Board or Commission member who is absent from three consecutive regular meetings without explanation acceptable to the City Council?

Sec. 8.01 (5) –Proposed Charter Language: Any member of a*ny City* board, commission or committee who is absent from three consecutive regular meetings without explanation acceptable to the City Council ~~a majority of the other members~~, *shall* ~~must~~ forfeit his position on the board, commission or committee *and be removed by the City Council.*

PROPOSITION EIGHT

Shall Section 11.16 of the City Charter be added to provide a procedure for operation of the city government in case of a disaster?

Proposed Charter Language:

Sec. 11.16 Disaster Clause

In case of disaster when a legal quorum of the elected City Council cannot otherwise be assembled due to multiple deaths or injuries, the surviving persons of the City Council, or highest surviving City elected official, if no elected official remains, within twenty-four (24) hours of such disaster, the City Manager shall appoint a Council to act during the emergency and call a City election as provided in the Texas Election Code, for election of a required quorum, if for good reasons it is known a quorum of the present City Council will never again meet. If City Manager is not available due to death or injury, the County Judge of Rockwall County shall appoint a Council to act during the emergency and call a City election as provided in the Texas Election Code, for election of a required quorum,

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and City Council Members Sub-committee Members

FROM: Hotel Occupancy Tax Sub-committee Members
Mary Smith, Assistant City Manager

DATE: January 30, 2015

SUBJECT: Request for Funding Allocation – Rockwall Rubber Duck Regatta

The City received a supplemental funding request for hotel occupancy tax revenues from the Rockwall Rubber Duck Regatta organization. Copies of the Funding Request Questionnaire and supporting narrative were reviewed by the Subcommittee and are attached for Council's review. Their request totals $32,200 and includes the fees charged by the City for their use of the Harbor.

In addition, the City Recreation staff has met with representatives of the VFW and local retired service members (Commissioner Lee Gilbert and Gary Bunch) about their proposal to partner with City to organize a Memorial Day concert and recognition event. The City would be responsible for logistics support and their committee would handle the program schedule, performers and speakers. It is estimated that the event will cost about $5,000 for setup, sound, performer fees and other associated costs. Staff is asking for hotel tax support for the new event.

The subcommittee has discussed both proposals and will recommend $20,000 funding for the Duck Regatta and $5,000 for the Memorial Day event.

At the present, the Hotel/Motel Occupancy Tax budget is as follows:

Fund Balance carried forward	**$ 144,140**
Revenues budgeted	**310,000**
Allocated Funding	**(311,235)**
Projected Fund Balance	**$ 142,905**

Staff will be available to answer any questions regarding the request. Council is asked to consider authorizing the subcommittee's recommended funding levels.

City of Rockwall
The New Horizon

Hotel Occupancy Tax

Program Year 2015

Application

MUST BE TYPED or PRINTED

DELIVER TO:

City of Rockwall Finance Office
Attn: Lea Ann Ewing
385 S. Goliad St., Rockwall, TX 75087
972-771-7700 lewing@rockwall.com

Organization Name:	Rockwall Rubber Duck Regatta
Name of Event:	2015 Rockwall Rubber Duck Regatta & Duck Fest
Date of Event:	Sept 25-26
Funding Request $:	$32,200 (includes wavier of rental fees)
Website Address:	www.rockwallduckrace.org
Mailing Address:	PO Box 462, Rockwall TX 75087
Physical Address:	
Telephone:	Fax:
Primary Contact Name: (Project Director)	Ariana Hargrove
Mailing Address:	1004 Colonial Drive Royse City, TX 75189
Email Address:	amahargrove@gmail.com
Telephone:	214-538-3457 Fax:
Secondary Contact Name: (President/Board Chairman)	Brenda Cross
Mailing Address:	5735 Southern Cross Rockwall, TX 75032
Email Address:	rockwallrubberduckregatta@gmail.com
Telephone:	214-500-6332 Fax:

- **COMPLETE AN APPLICATION FOR EACH EVENT/PROGRAM/EXHIBIT REQUESTING FUNDS**
- **INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE COUNCIL SUBCOMMITTEE**

1. Mark an "X" next to the category or categories that your organization is requesting funds in the attached budget request.

☒ **Advertising/Tourism** **Requested funding amount $**
Conducting solicitation or promotional programs that encourage tourists and delegates to come to the City of Rockwall.

☐ **Arts** **Requested funding amount $**
Providing encouragement, promotion, improvement and application of the arts as it relates to the presentation, performance execution or exhibition of the major art forms in the City of Rockwall.

☐ **Historical** **Requested funding amount $**
Providing historical restoration, preservation, programs and encouragement to visit preserved historic sites or museums located in the City of Rockwall.

2. Briefly state the purpose of your organization/mission statement:
The mission of the Rockwall Rubber Duck Regatta is to raise money to improve the lives, health, and well-being of children, the disabled, and the elderly in Rockwall County through fun and profitable activities in a safe and family friendly environment.

3. Does your organization have paid staff?
No # Full-Time # Part-Time

4. Does your organization use volunteers?
Yes Approximately how many? 100

5. Is the event/program that the organization is requesting Hotel Tax funds held in/on City-owned property?
Yes Name location: **Harbor**

If you are holding your event in/on city-owned property, the City may, in lieu of funds, donate the cost of the facility/property rental for that event.

6. Will your event be held in *"The Downtown"* or adjacent to *Lake Ray Hubbard*?
Yes Name location: **Adjacent to Lake Ray Hubbard at the Harbor**

7. Will your organization provide special event insurance coverage for the event/program if held on City property?
Yes Name of Insurance Company: Philadelphia Insurance Companies

8. List all other sources of funding your organization receives for this event. Include event budget (use the required budget form attached).

Sponsorships, vendor fees, duck sales, merchandizing, and 5k entry fees

9. List the programs, activities, exhibits, or event for the upcoming fiscal year (Oct. 1, 2014-Sept. 30, 2015) that the requested Hotel funding will support partially or in full.
Running with the Nerds 5k and Fun Run, vendor/craft show, Corporate Duck Beauty Pageant, Corporate Rubber Duck Race, Adopted Baby Duck Race, Live concert, fireworks, and a Glow-in-the-dark duck race.

10. Provide 3 years attendance history for the above listed programs, activities, exhibits or event in #9 above.

Event	Year	Event Duration (in Days)	Audience Size	# of Attendees in hotel rooms
2012 Rockwall Rubber Duck Regatta & Duck Fest	2012	1	4000	20
2013 Rockwall Rubber Duck Regatta & Duck Fest	2013	2	5000	50
2014 Rockwall Rubber Duck Regatta & Duck Fest	2014	1	7000	75

11. How do the requested budget expenditures meet the definition of the categories marked in #1? Advertising/Tourism, Arts, Historical

Funding will be utilized to advertise and promote this Rockwall event and the Harbor area. The purchase of the advertising is likely to *directly* enhance tourism to the city by letting readers of these signs, magazines, newspapers, and billboards know of an event that they may wish to attend. The promotion of this fun and unique family festival will *directly enhance* and promote tourism that will result in overnight stays in the hotels and motels of the city.

12. What specific market will you target with the event/program's marketing plan?
Attach up to 3 examples and evidence of marketing area and readership (Label Exhibit C).

State-wide for festival attendees and vendors through use of print media and social media.

13. Describe in detail how your event/program will promote tourism and the hotel industry in Rockwall.

Marketing of the event will include special rates at local hotels, links to area hotels on our website, and will profile the amenities in the Harbor. We will utilize social media, such as our website and facebook page, to promote the area and the events as well. We have Facebook page friends from all over the world, including 12 different counties. Locally, we have friends from 44 different cities from around the US.

This year we will continue expanding our marketing efforts to include a billboard in Dallas, advertisements in the Dallas Morning Newspaper, Lakeside Living Magazine, and various other print media. In addition, we will continue our advertizing on various festival and vendor websites to reach subscribers all over the region.

14. Describe the organization's long-term plan (3-5 year) in regard to the program/ event that funds are being requested.

Continue to grow into an event for the community of Rockwall, such as the Plano Balloon Festival and Addison Oktoberfest.

15. The City of Rockwall must require segregated accounting of its Hotel funds. Organizations must maintain and account for revenue provided from the tax authorized by section 351.101(a) within one of the two options listed below.

a) Separate checking account without combining with any other revenues or maintained in any other bank account or

b) Maintain a line item accounting, whereby the Hotel revenues may not be combined with any other revenues or expenditures. The funds may be maintained in the same bank account, provided they are reported as a separate line item in the organization's budget. Interest earned on the Hotel revenues must be used to support the event/program as well.

Will the organization be able to segregate the accounting process in either a) or b) above?
Yes We will utilize option B.

16. Provide all of the following documentation with this application and label each as outlined below.

Exhibit A	Proposed budget for each event/program using attached form
Exhibit B	Letter of determination certifying federal tax exempt 501(c)(3) status
Exhibit C	Examples and evidence of marketing area and readership (limit 3)
Exhibit D	List members of the governing body including name, position, mailing address and phone number

We certify, to the best of our ability, that the information in this application, including all exhibits and supporting documentation is true and correct to the best of our knowledge. It is understood and agreed that any funds awarded as a result of this application will be used for the purpose set for herein and the program guidelines.

President/Board Chairman:

Brenda Cross
Print Name

Brenda Cross
Signature

December 31, 2014
Date

Event/Program Director:

Ariana Hargrove
Print Name

Signature

December 31, 2014
Date

Both signatures are required for application to be considered complete.

EXHIBIT A

Hotel Occupancy Tax Funding Request
Event/Program Budget - Program Year 2015

Financial information (round to the nearest dollar). Include a completed copy of this budget with funding request.

Organization Name: Rockwall Rubber Duck Regatta
Event/Program Name: 2015 Rockwall Rubber Duck Regatta & Duck Fest
Requested Funding: $ $32,200 (includes wavier of rental fees)

Expenses (for this project only)		Funding Request a	Cash from all other sources b	In-Kind, no cash Paid (value of volunteered services or goods c	Total a + b + c = d
1. Personnel					
Administrative					0
Artistic					0
Technical					0
Other personnel					0
2. Fees for outside professional service					
Administrative					0
Artistic					0
Technical					
3. Space Rental		7200			7200
4. Equipment Rental			21000		21000
5. Travel/Transportation			0		0
6. Promotion/Printing		25000			25000
7. Costumes/Royalties			50		50
8. Other (supplies, postage etc.)			10000		10000
9. Sub -Totals		32200	31050		63250
10. Total Expenses					63250

Revenues (for this project only)					
1. Total Amount of funding request		32200			
2. Admissions (ticket and concessions)			80000		
3. Donations					
4. Organizational funds budgeted			5000		
5. Grants (State)					
6. Other (list):					
7. Other (list):					
8. Other (list):					
9. Other (list):					
10. Total income and contributions			85000		
11. Total In-Kind					
12. Total Revenues					85000

Financial Information (for this project only)					
Fiscal Year		2011	2012	2013	2014
Total Revenues			$46,797.91	$55,221.27	$65,935.52
Total Expenses			$9,154.91	$31,762.30	$48,082.76
Total Prior Year Hotel funds awarded			0	$2000	$13,600

Exhibit B

Corporations Section
P.O.Box 13697
Austin, Texas 78711-3697

John Steen
Secretary of State

Office of the Secretary of State

CERTIFICATE OF FILING
OF

Rockwall Rubber Duck Regatta, Inc.
File Number: 801695084

The undersigned, as Secretary of State of Texas, hereby certifies that a Certificate of Formation for the above named Domestic Nonprofit Corporation has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

The issuance of this certificate does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 12/05/2012

Effective: 12/05/2012

John Steen
Secretary of State

Come visit us on the internet at http://www.sos.state.tx.us/
Phone: (512) 463-5555
Prepared by: Jean Marchione
Fax: (512) 463-5709
TID: 10306
Dial: 7-1-1 for Relay Services
Document: 455676930002

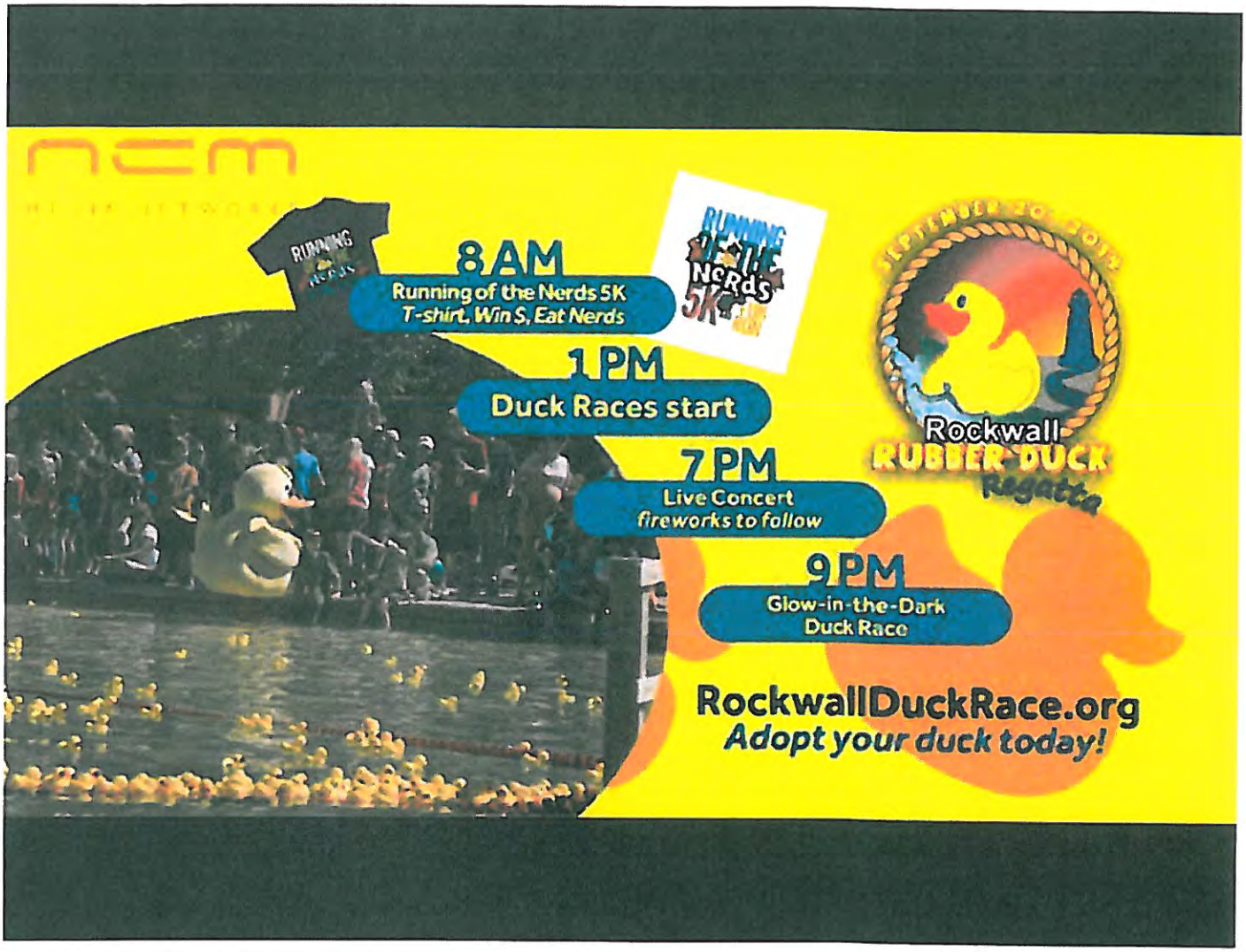
Exhibit C

Billboard located at 599 I-30 Eastbound
Size - 14 X 48
Traffic Count - 159,000

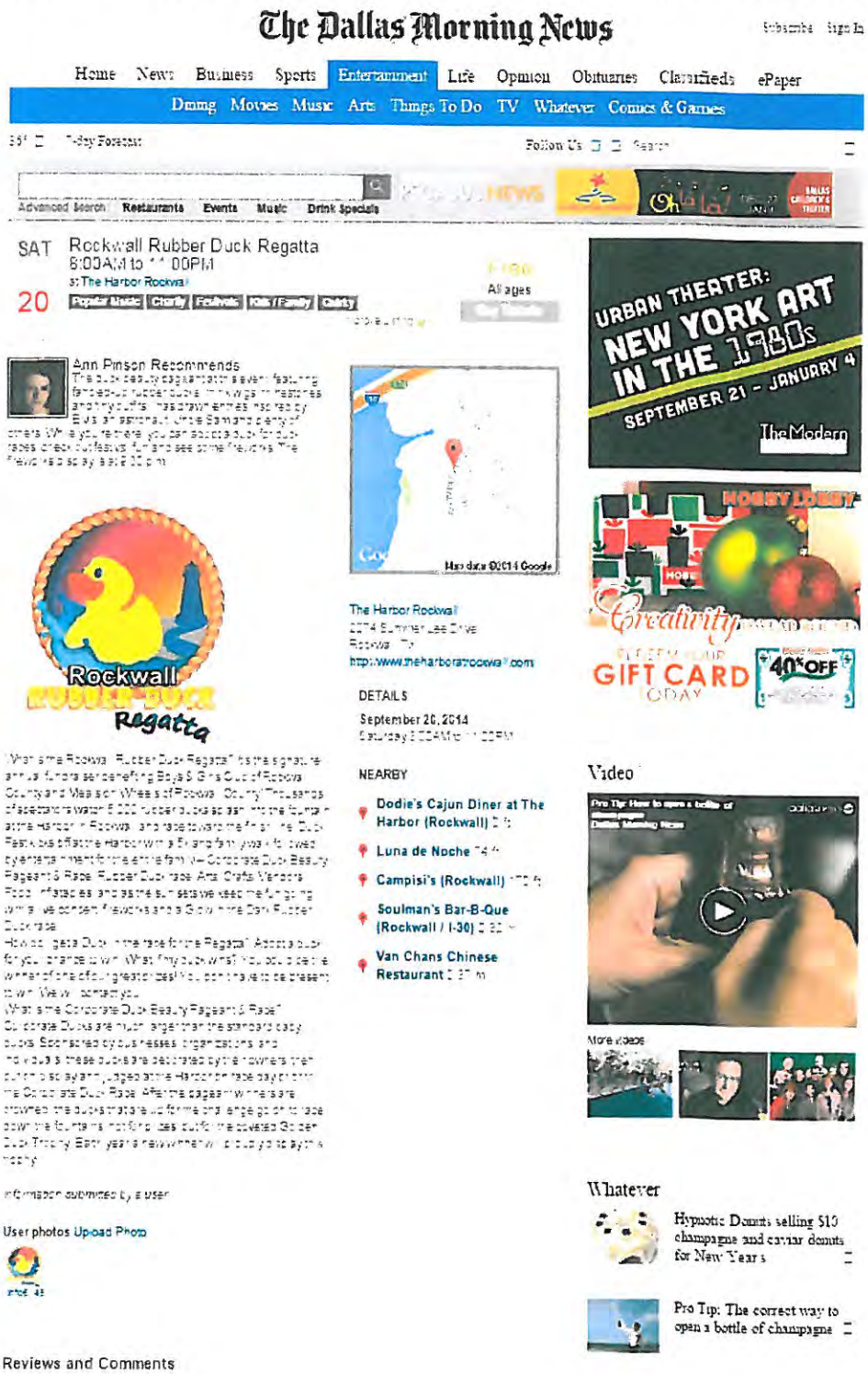




Cinema campaign promoting The Rockwall Rubber Duck Regatta that ran in the Rockwall Cinemark 12 7,423 impressions over month prior to event.



Profiled on Dallas Morning News website for several weeks and in print in the neribors section.



Groupon Deal offered which reached over 60,000 subscribers throughout the Mertroplex. Our Groupon deal ran for 4 weeks. Our 5k had over 600 runners!



Full color, full page advertisement in the Lakeside Living Magazine. Our ad ran for two months prior to the event. Lakeside Living magazine reaches 37,000 homes in the Rockwall, Heath and Rowlett communities. The same art work was posted to place posters around our community and in many other media outlets.



Exhibit D List members of the governing body including name, position, mailing address and phone number

- Brenda Cross, Director, 5735 Southern Cross, Rockwall, TX 75032, 214-500-6332
- Ariana Hargrove, Director, 1004 Colonial Drive, Royse City, TX 75189, 214-538-3457
- Jackie Lawing, Director, 9011 Texas Trail, Poetry, TX 75160, 940-368-4413

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

DATE: **January 28, 2015**

SUBJECT: **Art Commission appointments (3 additional members needed)**

At the January 5 meeting, the City Council appointed Kathleen Morrow and David Sweet to serve on the city's ART Commission. Three vacancies remain to be filled (a total of 5 are needed).

As a reminder, the provisions regarding the ART Commission's composition are as follows:

(a) (1) The art review team (ART) commission shall consist of five members, who shall all be "interested citizens" appointed by the city council. All team members should possess knowledge of or have an interest in contemporary, visual art, artistic principles and art media.

- *a. The art review team (ART) commission shall consist of five regular members appointed by a majority of the city council. A staff liaison will be appointed by the city manager.*
- *b. In the case of a vacancy of the commission, the city council, by a majority vote, may appoint a replacement member to the commission. Any person appointed shall serve until the expiration of the term of office of the vacated position.*
- *c. Each member of the commission shall be a resident citizen and qualified voter of the city.*
- *d. Upon the initial appointment of the commission by the city council, members shall draw lots for three two-year terms and two one-year terms of service. Thereafter, the term of office of members of the commission shall be for two years. Members may be removed, as determined by the city council.*
- *e. Members shall serve without compensation.*

The council member assigned to oversee review of applications and make recommendations to the full council concerning appointments to this commission is now Councilmember Townsend.

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City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

December 2014

Permits

Total Permits Issued: 250

Building Permits: 30 Contractor Permits: 220

Total Permit Values: $ 27,596,460.43

Building Permits: $ 21,571,267 Contractor Permits: $ 6,025,193.43

Total Fees Collected: $ 277,864.58

Building Permits: $ 227,043.13 Contractor Permits: $ 50,821.45

Board of Adjustment

Board of Adjustment Cases 1

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City of Rockwall

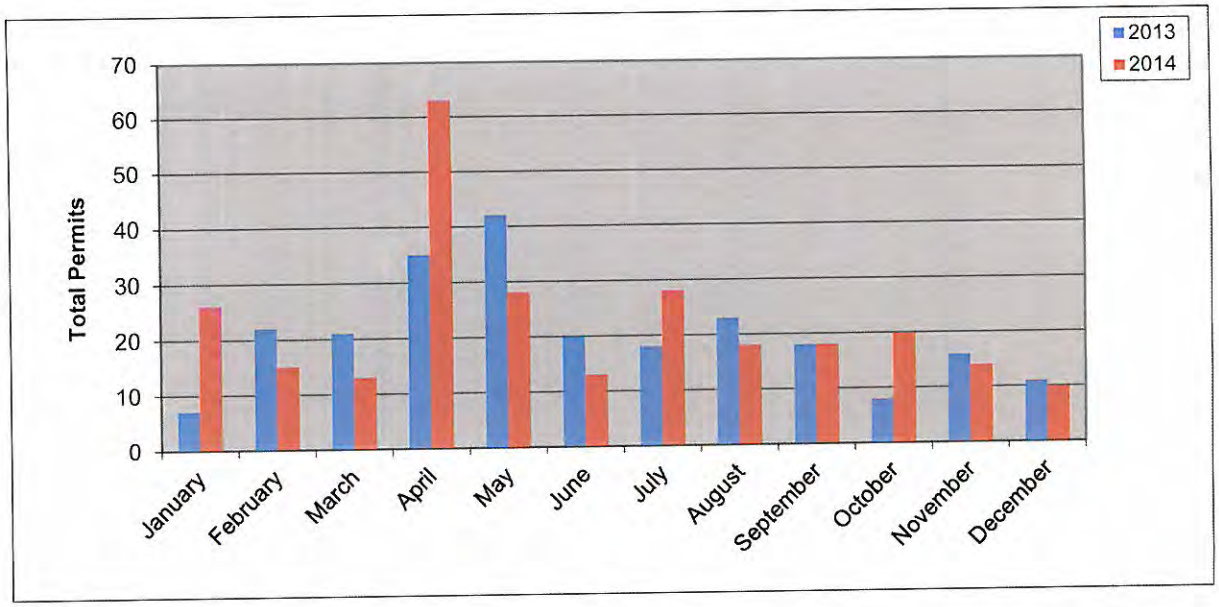
PERMITS ISSUED - Summary by Type and Subtype

For the Period 12/1/2014 thru 12/31/2014

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	5	$0.00	$254.00
30 DAY BANNER	3	$0.00	$153.00
COMING SOON	1	$0.00	$50.00
GRAND OPENING	1	$0.00	$51.00
CHURCH	2	$5,147,000.00	$39,288.32
CONCRETE	1	$7,000.00	$150.75
NEW	1	$5,140,000.00	$39,137.57
CLEAN SHOW	2	$0.00	$150.00
	2	$0.00	$150.00
CO	12	$0.00	$910.50
BUSINESS	10	$0.00	$757.50
INTERIOR	1	$0.00	$76.50
SHELL	1	$0.00	$76.50
COMM	22	$18,908,827.00	$170,901.79
DEMO	3	$34,000.00	$136.50
ELECTRICAL	4	$72,305.00	$1,012.75
INTERIOR COMP	5	$672,150.00	$5,930.65
IRRIGATION	1	$12,000.00	$36.50
NEW	3	$18,050,000.00	$162,655.89
PLUMBING	3	$8,372.00	$131.25
REMODEL	3	$60,000.00	$998.25
SIGNAGE	1	$0.00	$75.00
WALL	1	$0.00	$75.00
SINGLE FAMILY	201	$3,540,633.43	$65,983.47
ACC BLDG	2	$5,195.00	$186.45
ADDITION	1	$1,920.00	$80.75
CONCRETE	2	$5,500.00	$189.50
DECK	2	$10,000.00	$247.00
ELECTRICAL	3	$2,153.00	$133.95
FENCE	58	$147,545.64	$2,044.90
IRRIGATION	30	$51,148.00	$1,053.00
MECHANICAL	5	$31,295.50	$715.60
NEW	10	$2,712,503.00	$55,949.64
PATIO COVER	2	$9,200.00	$221.10
PERGOLA	1	$3,000.00	$94.75
PLUMBING	36	$49,681.00	$2,165.18
REMODEL	2	$54,999.00	$864.05
REPAIR	1	$1,500.00	$35.70
RETAINING WALL	4	$19,000.00	$175.00
ROOF	35	$274,787.98	$1,236.90
SWIM POOL	3	$148,000.00	$450.00
WINDOWS	4	$13,205.31	$140.00
SPECIAL EVENT	5	$0.00	$301.50
	5	$0.00	$301.50
Totals:	250	$27,596,460.43	$277,864.58

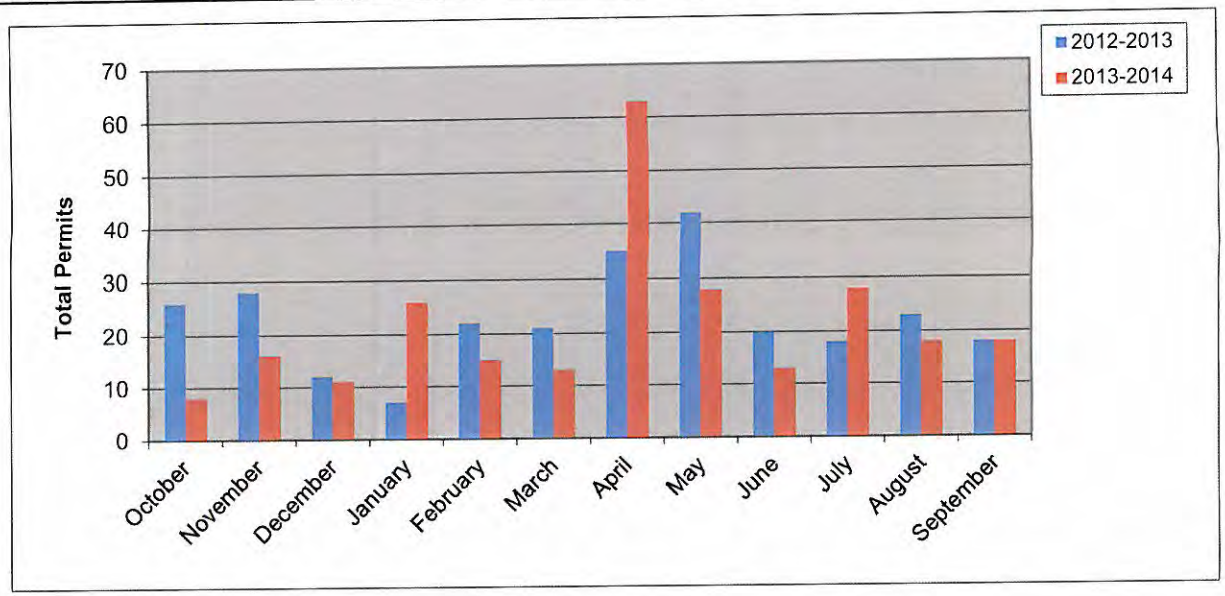
New Residential Permits Calendar Year

	Year	
	2013	2014
January	7	26
February	22	15
March	21	13
April	35	63
May	42	28
June	20	13
July	18	28
August	23	18
September	18	18
October	8	20
November	16	14
December	11	10
Totals	**241**	**266**



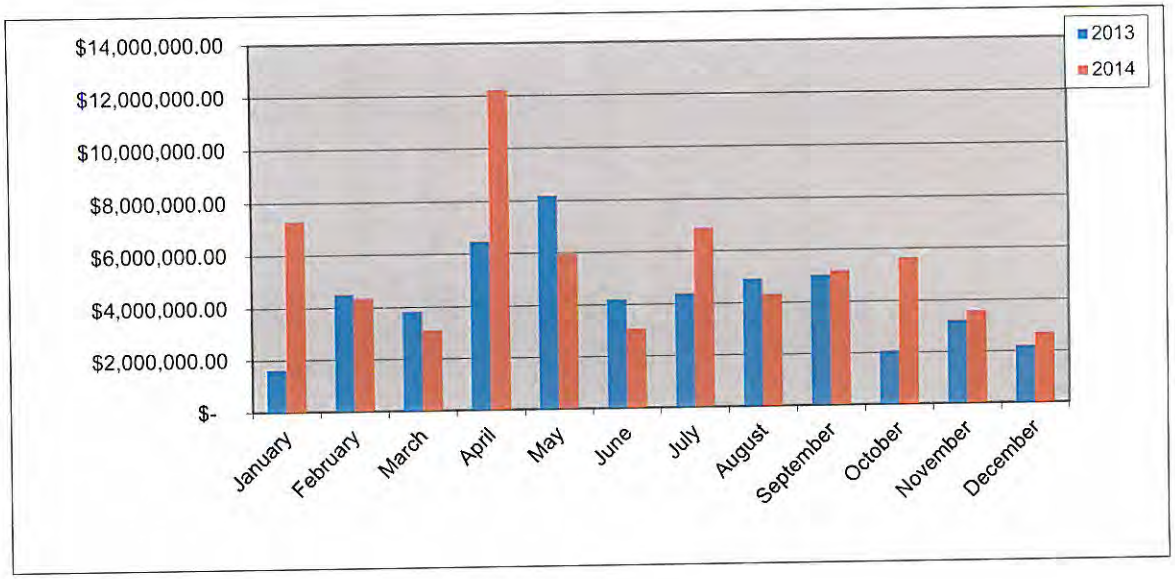
New Residential Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	26	8
November	28	16
December	12	11
January	7	26
February	22	15
March	21	13
April	35	63
May	42	28
June	20	13
July	18	28
August	23	18
September	18	18
Totals	**272**	**257**



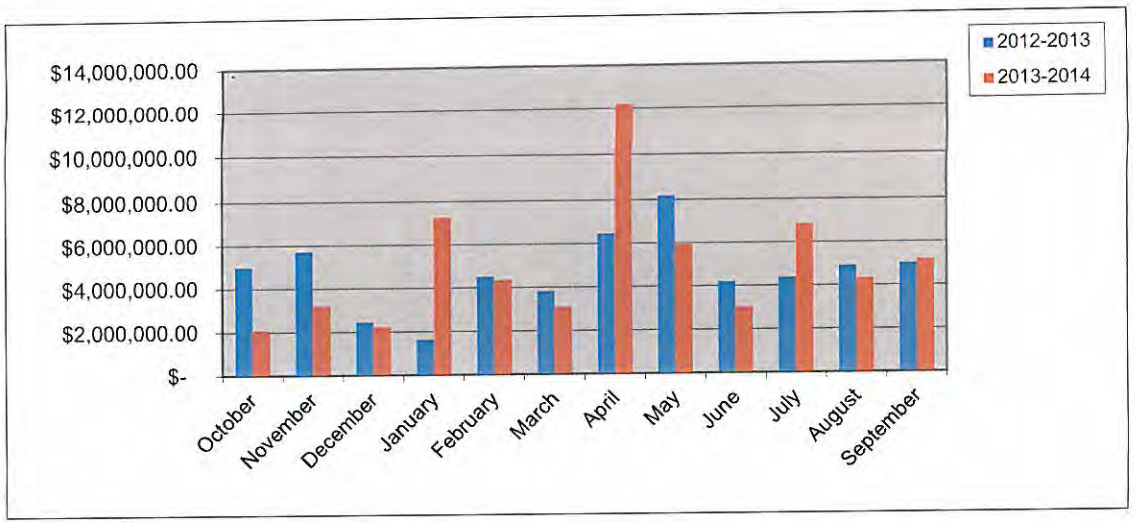
New Residential Value Calendar Year

	Year	
	2013	2014
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	$ 4,353,427.00
March	$ 3,823,384.00	$ 3,094,927.74
April	$ 6,469,868.00	$ 12,228,936.33
May	$ 8,193,211.00	$ 5,960,240.00
June	$ 4,185,842.00	$ 3,048,536.00
July	$ 4,382,866.00	$ 6,883,062.87
August	$ 4,906,203.00	$ 4,330,100.19
September	$ 5,018,954.00	$ 5,184,201.79
October	$ 2,078,584.00	$ 5,661,792.00
November	$ 3,202,067.00	$ 3,581,756.00
December	$ 2,215,924.00	$ 2,712,503.00
Totals	**$50,608,931.00**	**$ 64,327,482.92**



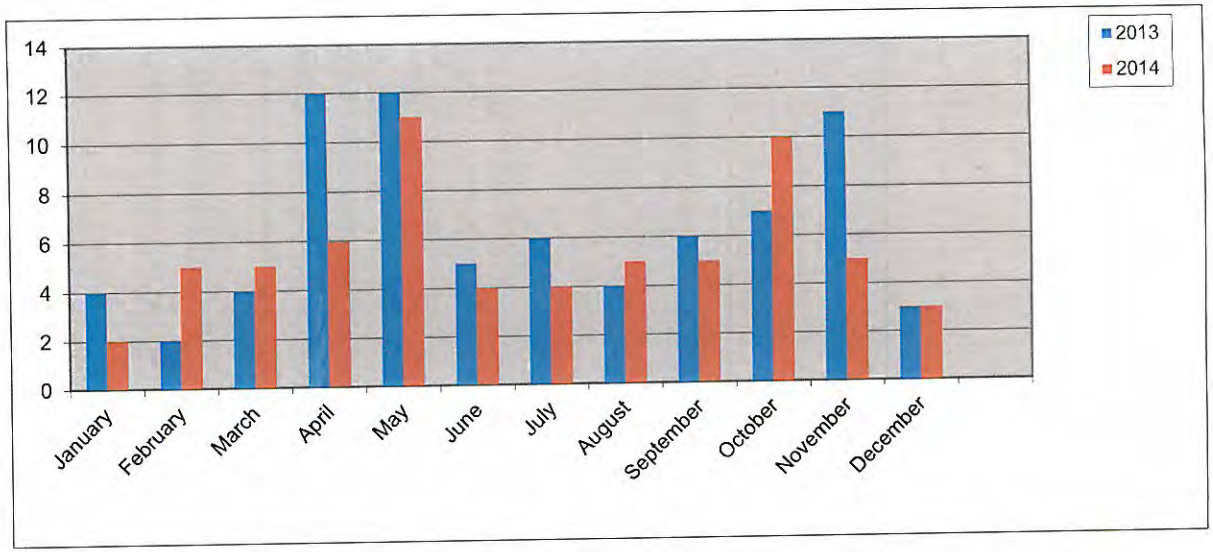
New Residential Value Fiscal Year

	Year	
	2012-2013	2013-2014
October	$ 4,993,587.00	$ 2,078,584.00
November	$ 5,718,696.00	$ 3,202,067.00
December	$ 2,441,748.00	$ 2,215,924.00
January	$ 1,625,808.00	$ 7,288,000.00
February	$ 4,506,220.00	$ 4,353,427.00
March	$ 3,823,384.00	$ 3,094,927.74
April	$ 6,469,868.00	$ 12,228,936.33
May	$ 8,193,211.00	$ 5,960,240.00
June	$ 4,185,842.00	$ 3,048,536.00
July	$ 4,382,866.00	$ 6,883,062.87
August	$ 4,906,203.00	$ 4,330,100.19
September	$ 5,018,954.00	$ 5,184,201.79
Totals	**$56,266,387.00**	**$ 59,868,006.92**



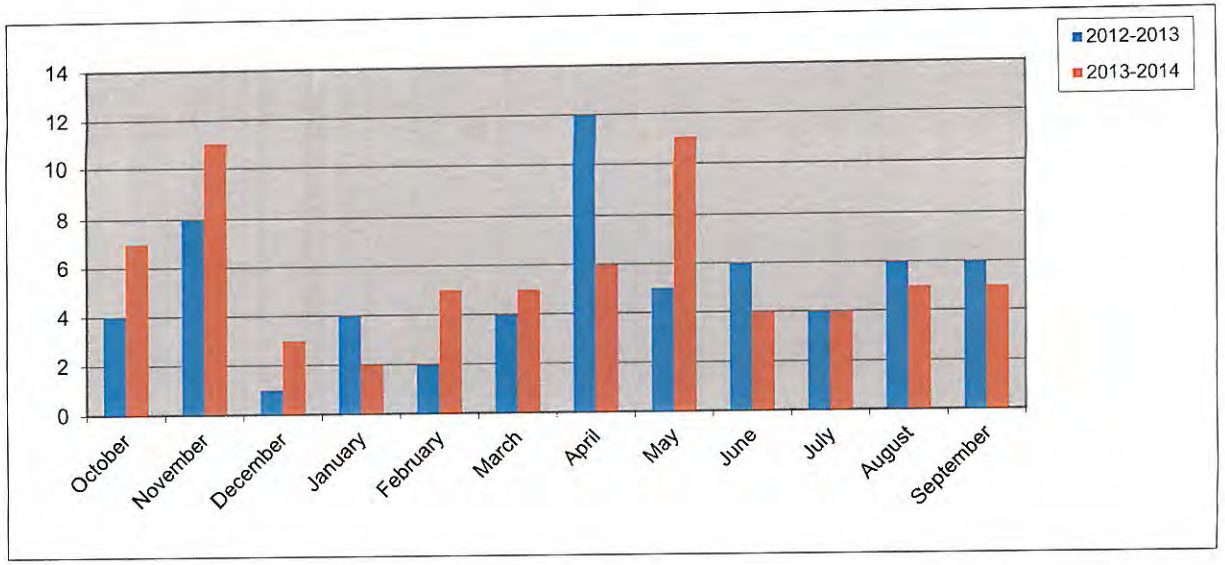
Residential Remodel Permits — Calendar Year

	Year	
	2013	2014
January	4	2
February	2	5
March	4	5
April	12	6
May	12	11
June	5	4
July	6	4
August	4	5
September	6	5
October	7	10
November	11	5
December	3	3
Totals	**76**	65



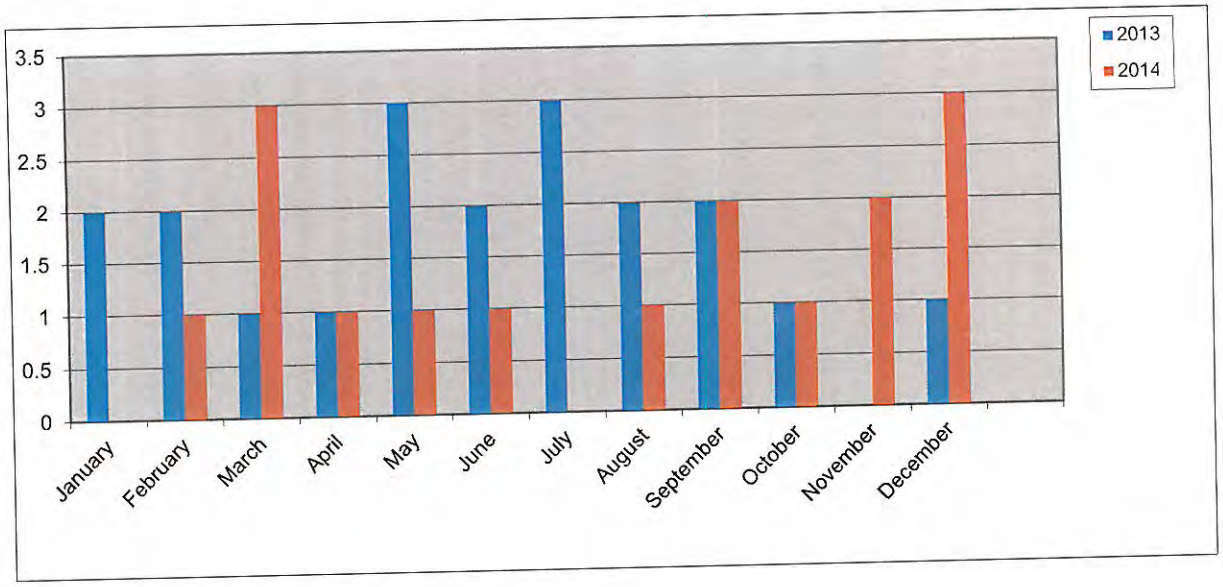
Residential Remodel Permits — Fiscal Year

	Year	
	2012-2013	2013-2014
October	4	7
November	8	11
December	1	3
January	4	2
February	2	5
March	4	5
April	12	6
May	5	11
June	6	4
July	4	4
August	6	5
September	6	5
Totals	**62**	**68**



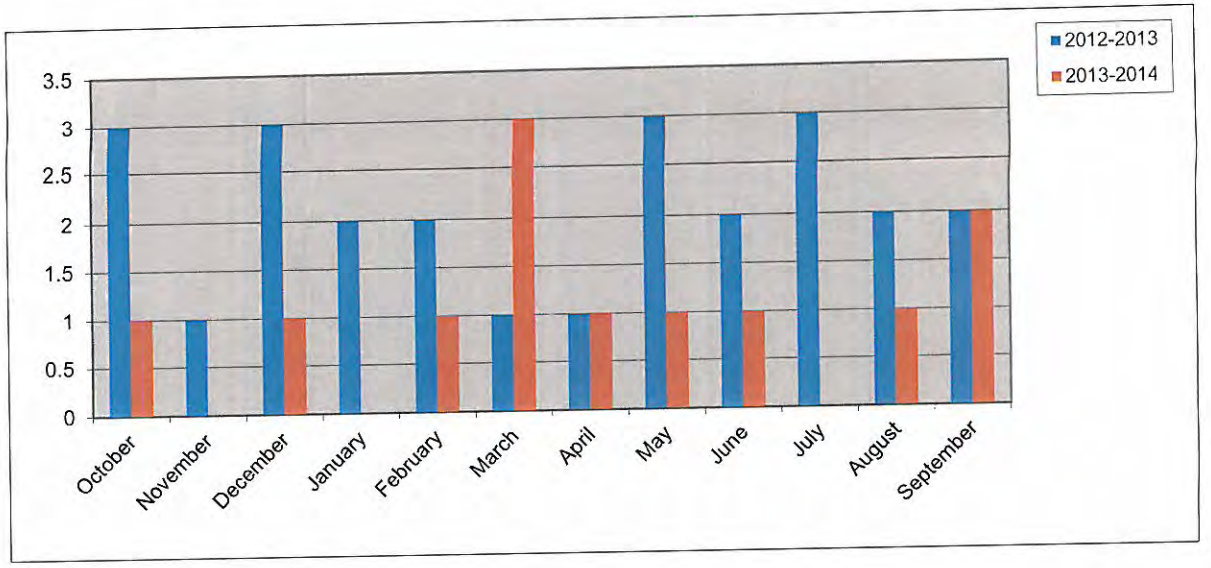
New Commercial Permits Calendar Year

	Year	
	2013	2014
January	2	0
February	2	1
March	1	3
April	1	1
May	3	1
June	2	1
July	3	0
August	2	1
September	2	2
October	1	1
November	0	2
December	1	3
Totals	**20**	**16**



New Commercial Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	3	1
November	1	0
December	3	1
January	2	0
February	2	1
March	1	3
April	1	1
May	3	1
June	2	1
July	3	0
August	2	1
September	2	2
Totals	**25**	**12**



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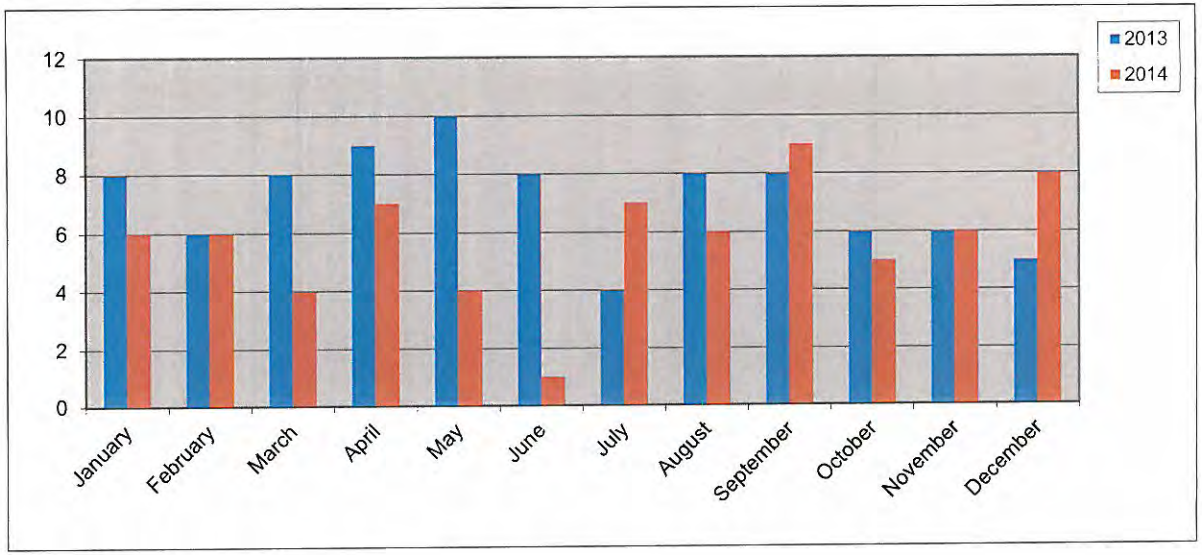
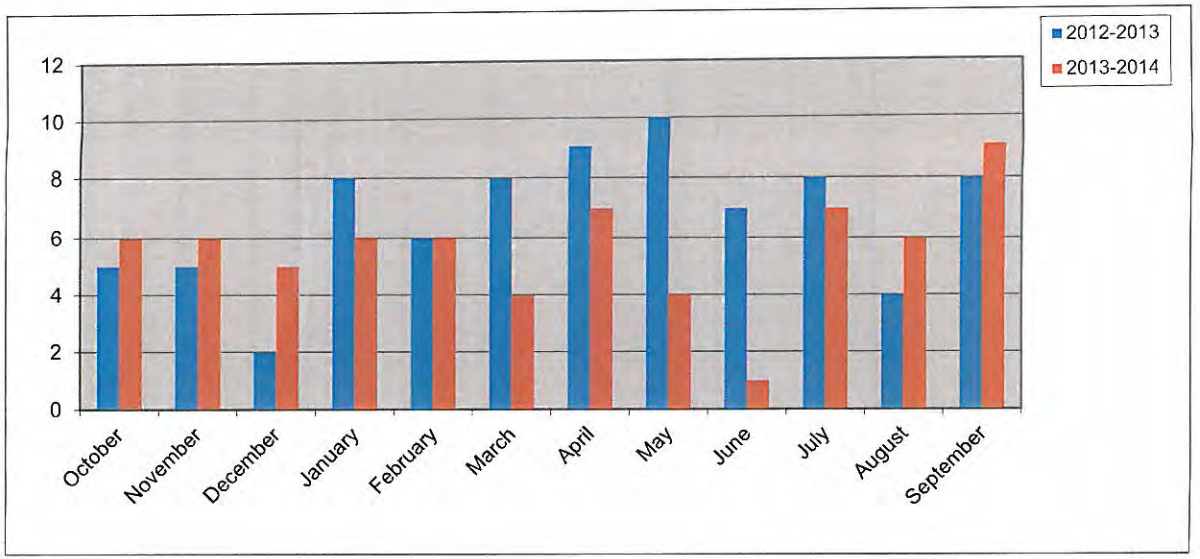
Commercial Remodel Permits Calendar Year

	Year	
	2013	2014
January	8	6
February	6	6
March	8	4
April	9	7
May	10	4
June	8	1
July	4	7
August	8	6
September	8	9
October	6	5
November	6	6
December	5	8
Totals	**86**	**69**



Commercial Remodel Permits Fiscal Year

	Year	
	2012-2013	2013-2014
October	5	6
November	5	6
December	2	5
January	8	6
February	6	**6**
March	8	4
April	9	7
May	10	4
June	7	1
July	8	7
August	4	6
September	8	9
Totals	**80**	**67**



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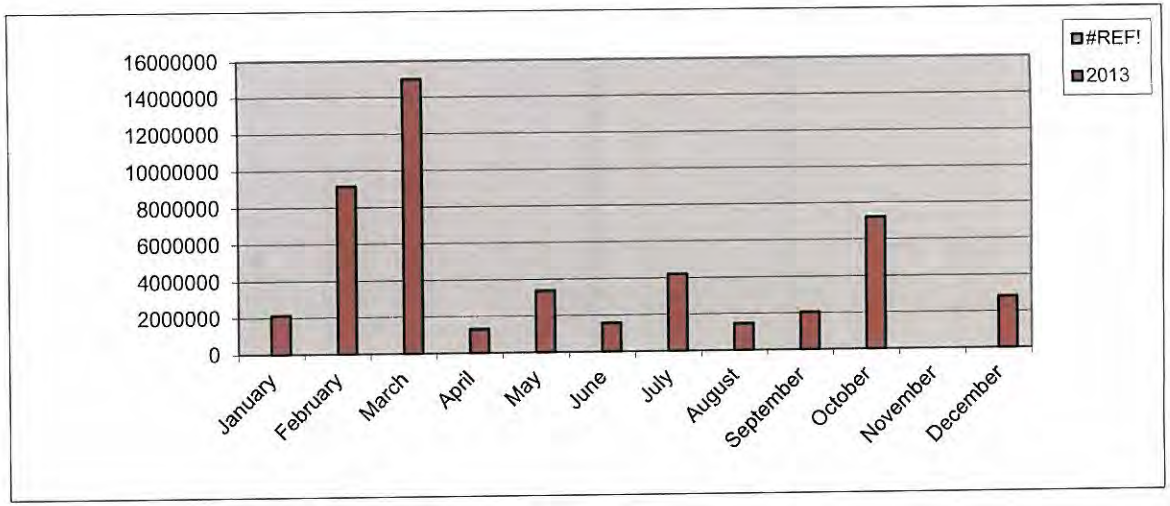
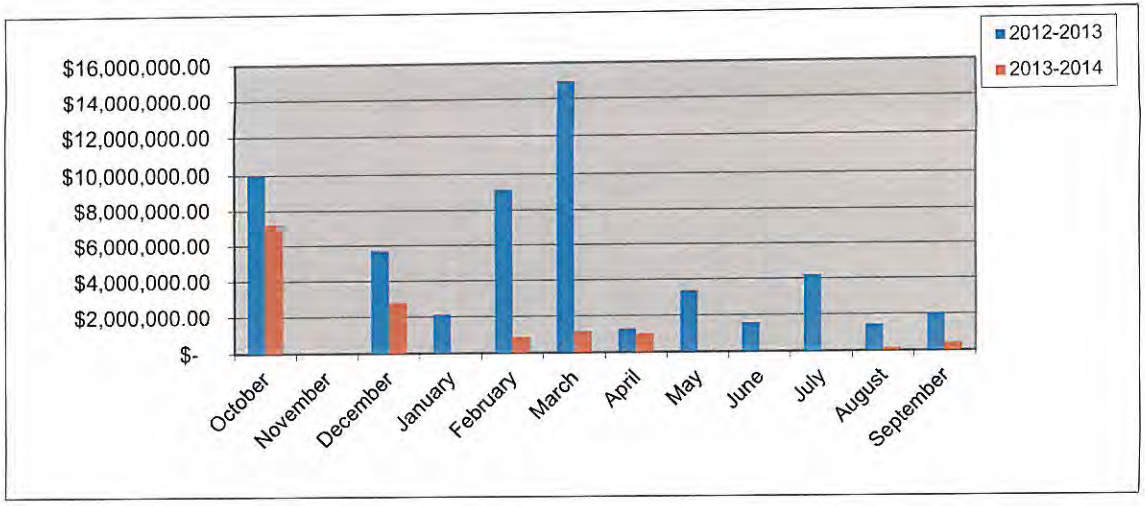
New Commercial Value Calendar Year

Year	2013	2014
January	$ 2,125,000.00	$ -
February	$ 9,150,000.00	$ 850,000.00
March	$ 15,000,000.00	$ 1,185,000.00
April	$ 1,300,000.00	$ 1,000,000.00
May	$ 3,372,000.00	$ 5,000.00
June	$ 1,575,000.00	$ -
July	$ 4,200,000.00	
August	$ 1,454,000.00	$ 150,000.00
September	$ 2,040,000.00	$ 430,795.00
October	$ 7,225,000.00	$ 49,000.00
November	$ -	$ 4,300,000.00
December	$ 2,800,000.00	$ 18,050,000.00
Totals	**$ 50,241,000.00**	**$ 26,019,795.00**



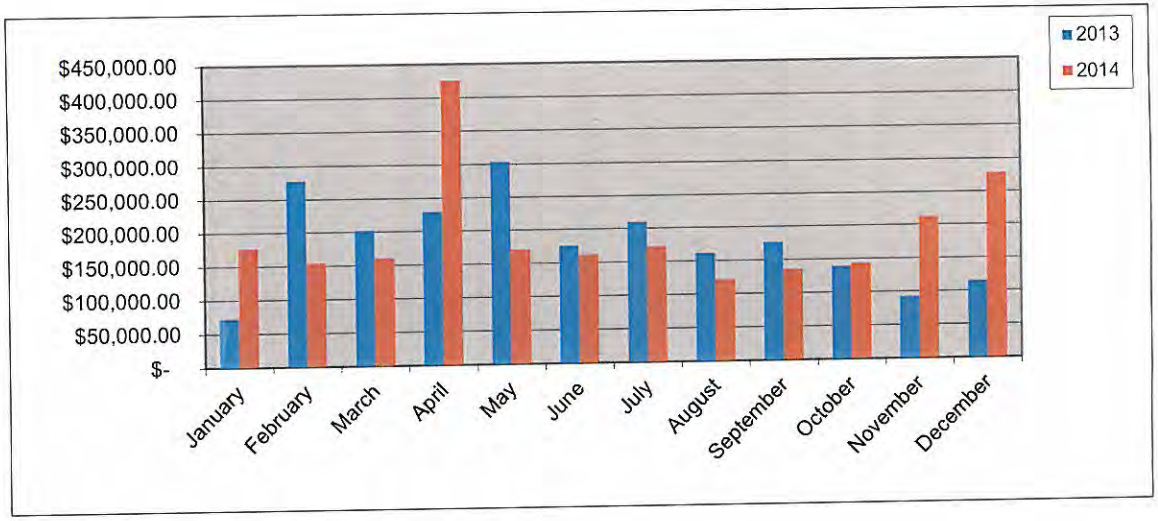
New Commercial Value Fiscal Year

Year	2012-2013	2013-2014
October	$ 10,000,000.00	$ 7,225,000.00
November	$ 5,000.00	$ -
December	$ 5,700,000.00	$ 2,800,000.00
January	$ 2,125,000.00	$ -
February	$ 9,150,000.00	$ 850,000.00
March	$ 15,000,000.00	$ 1,185,000.00
April	$ 1,300,000.00	$ 1,000,000.00
May	$ 3,372,000.00	$ 5,000.00
June	$ 1,575,000.00	$ -
July	$ 4,200,000.00	
August	$ 1,454,000.00	$ 150,000.00
September	$ 2,040,000.00	$ 430,795.00
Totals	**$ 55,921,000.00**	**$ 13,645,795.00**



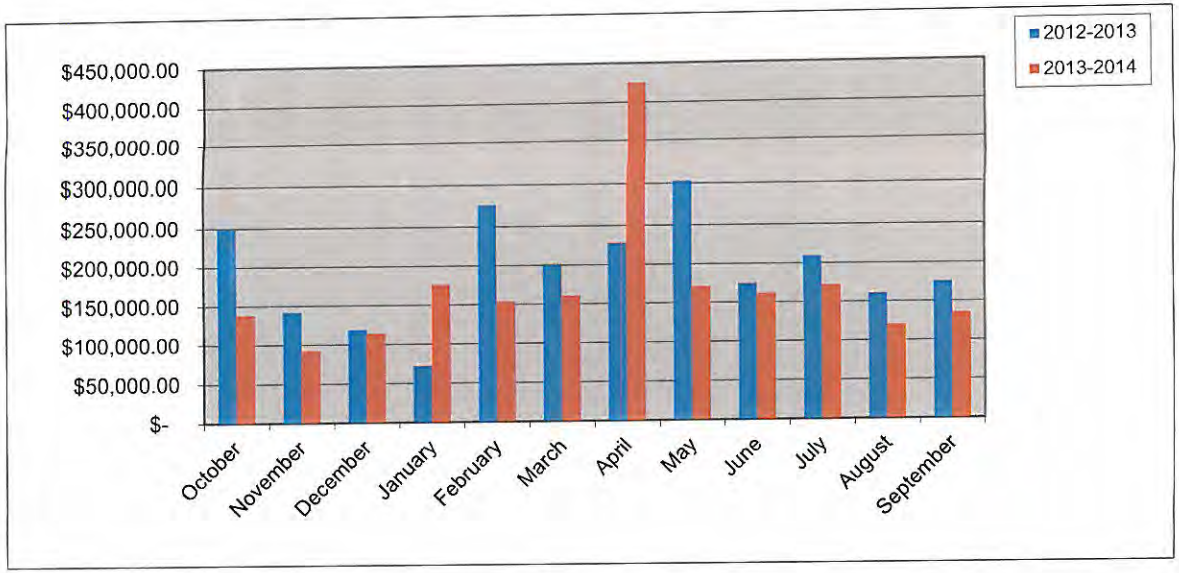
Total Fees Collected Calendar Year

Year	2013	2014
January	$ 72,345.98	$ 176,162.63
February	$ 276,902.10	$ 153,458.98
March	$ 201,529.43	$ 160,530.91
April	$ 228,621.67	$ 425,003.86
May	$ 302,928.73	$ 170,849.07
June	$ 174,872.41	$ 161,690.82
July	$ 209,566.63	$ 172,232.70
August	$ 161,080.17	$ 120,790.39
September	$ 175,835.03	$ 135,478.13
October	$ 138,771.53	$ 143,153.00
November	$ 91,778.83	$ 212,222.54
December	$ 114,645.28	$ 277,864.58
Totals	**$ 2,148,877.79**	**$ 2,309,437.61**



Total Fees Collected Fiscal Year

Year	2012-2013	2013-2014
October	$ 248,932.46	$ 138,771.53
November	$ 142,356.98	$ 91,778.83
December	$ 119,604.19	$ 114,645.28
January	$ 72,345.98	$ 176,162.63
February	$ 276,902.10	$ 153,458.98
March	$ 201,529.43	$ 160,530.91
April	$ 228,621.67	$ 425,003.86
May	$ 302,928.73	$ 170,849.07
June	$ 174,872.41	$ 161,829.08
July	$ 209,566.63	$ 172,232.70
August	$ 161,080.17	$ 120,790.39
September	$ 175,835.03	$ 135,478.13
Totals	**$ 2,314,575.78**	**$ 2,021,531.39**



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City of Rockwall
PERMITS ISSUED
For the Period 12/1/2014 thru 12/30/2014

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0085 7/16/2014 12/3/2014	CO BUSINESS ACTIVE	2010 INDUSTRIAL 609 4824-0000-0002-00-0R INDUSTRIAL ADDITION ECARZDIRECT	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	ROCKWALL, STEEL CO		TERRELL	TX	75160-900	
APPLICANT	JUSTIN NICHOL	2010 INDUSTRIAL BLVD.	ROCKWALL	TX	75087	(214) 600-9111
BUS OWNER	JUSTIN NICHOL	2010 INDUSTRIAL BLVD.	ROCKWALL	TX	75087	(214) 600-9111
BUSINESS	ECARZDIRECT	2010 INDUSTRIAL BLVD. # 60				

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0122 9/12/2014 12/5/2014	CO BUSINESS ACTIVE	2881 MARKET CENTER DR. 4719-000B-001A-00-0R R W MARKETCENTER ADDITION STYLES FOR LESS	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	DUNHILL PARTNERS, INC.	3100 MONTICELLO STE 300	Dallas	TX	75205	(214) 261-9588
APPLICANT	DREW JOHNSON	11442 NEWKIRK ST.	Dallas	TX	75229	(972) 488-9900
CONTRACTOR	SLSJ Associates, LLC	11442 NewKirk	Dallas	TX	75229	
MECH CONTR	Dring A/C and Heating, Inc.	P.O. Box 816367	Dallas	TX	75381	(972) 241-1312
PLB CONTR	TRG PLUMBING SERVICES	440 N LAKEVIEW DR.	Lake Dallas	TX	75065	(940) 465-5702
ELEC CONTR	Zomac Electrical Systems (Chang	P. O. BOX 1288	GRANDVIEW	TX	76050	(817) 535-0112
BUSINESS	STYLES FOR LESS					
BUS OWNER	STYLES FOR LESS	2881 MARKET CENTER DR.	Rockwall	TX	75032	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0134 10/3/2014 12/11/2014	CO BUSINESS ACTIVE	2435 RIDGE RD 111 4854-000A-0009-00-0R ROCKWALL TOWNE CENTRE PH 3 BOGO BISTRO	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
BUSINESS	BOGO BISTRO	2435 RIDGE ROAD, STE 111	ROCKWALL	TX	75087	
BUS OWNER	Brian Watson	8301 Lakeview Parkway #111-301	Rowlett	TX	75088	
OWNER	ROCKWALL, OCEANHILL LLC	C/O RASAR INC	ALAMEDA	CA	94501	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0135 10/6/2014 12/18/2014	CO BUSINESS ACTIVE	2135 Ridge Rd. 101 5355-000A-0001-00-0R YELLOW JACKET ADDITION Lenny's Sub Shop #162	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	IN, KYUNG H &	JUNG OH SOON	IRVING	TX	75060	
APPLICANT	BLP Management, LLC	P.O. Box 2391	ROCKWALL	TX	75087	(972) 722-8401
BUS OWNER	BLP Management, LLC	P.O. Box 2391	ROCKWALL	TX	75087	(972) 722-8401

PERMITS ISSUED

For the Period 12/1/2014 thru 12/30/2014

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
BUSINESS	Lenny's Sub Shop #162				
CO2014-0136	CO	PLAZA DR 4831-0000-0009-00-0R	0.00	$ 75.00	$ 75.00
10/8/2014	BUSINESS	ROCKWALL BUSINESS PARK EAST			
12/18/2014	ACTIVE	Nothing Bundt Cakes		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	EXCEL, ROCKWALL LLC		BOUNTIFUL	UT	84010	
APPLICANT	Leah Rodemeyer	3 Brighton ct.	Heath	TX	75032	(214) 771-3333
BUS OWNER	Leah Rodemeyer	1035 IH 30	Rockwall	TX	75087	(214) 771-3333
BUSINESS	Northing Bundt Cakes					

CO2014-0139	CO	650 IH 30 4838-000A-0011-R1-0R	0.00	$ 76.50	$ 76.50
10/16/2014	BUSINESS	ROCKWALL TOWNE CENTER PH 2 & 3			
12/23/2014	ACTIVE	Valvoline Instant Oil Change		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	PAUL'S, KWIK KAR INC		ROCKWALL	TX	75087	
APPLICANT	Anthony Cavalle	P.O. Box 1947	Coppell	TX	75019	(972) 772-5959
INSP RPT EMAIL	Anthony Cavalle	P.O. Box 1947	Coppell	TX	75019	(972) 772-5959
BUS OWNER	Anthony Cavalle	P.O. Box 1947	Coppell	TX	75019	(972) 772-5959
BUSINESS	Valvoline Instant Oil Change					

CO2014-0140	CO	1106 Ridge Rd A 3570-0484-0002-00-0R	0.00	$ 75.00	$ 75.00
10/16/2014	BUSINESS	OREILLY ADDITION			
12/30/2014	ACTIVE	Kean Financial Services		0	

Contact Type	Contact Name	Contact Address				Phone Number
APPLICANT	Keith Noel	230 CR 2434	Sulphur Springs	TX	75482	(972) 849-4545
INSP RPT EMAIL	Keith Noel	230 CR 2434	Sulphur Springs	TX	75482	(972) 849-4545
BUS OWNER	Keith Noel	1106 Ridge Rd A	Rockwall	TX	75032	(972) 849-4545
OWNER	BENBROOKE, RIDGE PARTNE	C/O PRETIUM PROPERTY MANAC	FORT WORTH	TX	76102	

CO2014-0159	CO	872 W Rusk St 5228-000A-0003-00-0R	0.00	$ 75.00	$ 75.00
12/3/2014	BUSINESS	WAL-MART ROCKWALL			
12/12/2014	ACTIVE	Foot Joy Spa		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	SMYRNA, LAND CO LTD	C/O GRACE DEV INC	NASHVILLE	TN	37203	
APPLICANT	Xiao Dong Wang	5451 Independence Pkwy # 2008	Plano	TX	75023	(972) 722-7550
INSP RPT EMAIL	Xiao Dong Wang	872 W Rusk St	Rockwall	TX	75087	(972) 722-7550

City of Rockwall
PERMITS ISSUED
For the Period 12/1/2014 thru 12/30/2014

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number			Valuation	Total Fees / Total SQFT	Fees Paid
BUS OWNER	Xiao Dong Wang	872 W Rusk St	Rockwall	TX 75087			(972) 722-7550
BUSINESS	Foot Joy Spa						
CO2014-0160	CO	489 IH 30			0.00	$ 76.50	$ 76.50
12/10/2014	BUSINESS	3245-0000-0003-00-0R CARLISLE PLAZA ADDN					
12/18/2014	ACTIVE	Sake Bomb - Interior Remodel				0	
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	BENT, TREE REALTY CO		ADDISON	TX 75001			
APPLICANT	RESTAURANT HEADQUARTE	1501 S. JUPITER RD.	GARLAND	TX 75042			(972) 487-8888
CONTRACTOR	RESTAURANT HEADQUARTE	1501 S. JUPITER RD.	GARLAND	TX 75042			(972) 487-8888
ELEC CONTR	LT Minh Electrical Services	1318 FAWN RIDGE	Garland	TX 75042			(972) 408-7038
MECH CONTR	n/a						
PLB CONTR	R J M Services	609 Pauline	Euless	TX 76040			(817) 267-3465
BUS OWNER	Kathy Praxaybane	3329 Haley Ct.	RICHARDSON	TX 75082			
CO2014-0163	CO	6531 Horizon A			0.00	$ 75.00	$ 75.00
12/17/2014	BUSINESS	3039-0002-0006-00-0R ALLIANCE ADDITION PH 2					
12/19/2014	ACTIVE	Dist Ofc - Congressman John Ratcliff				0	
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	ROCKWALL, RENTAL PROPEF		TERRELL	TX 75160			
APPLICANT	Mike Whittle						(972) 816-5404
BUS OWNER	Jason Ross	2428 Stevens Rd	Rockwall	TX 75032			(214) 636-7404
CO2014-0164	CO	2380 S Goliad St 101			0.00	$ 76.50	$ 76.50
12/17/2014	SHELL	4831-0000-0008-00-0R ROCKWALL BUSINESS PARK EAST					
12/19/2014	ACTIVE	EPH , LLC Shell Bldg.				0	
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
APPLICANT	MATT KING						(469) 742-0678
INSP RPT EMAIL	Skyrider Builders	1400 Sweet Springs Rd.	Weatherford	TX 76088			(817) 599-8880
CONTRACTOR	Skyrider Builders	1400 Sweet Springs Rd.	Weatherford	TX 76088			(817) 599-8880
OWNER	CNLRS, ROCKWALL LP	WOODMONT COMPANY	FORT WORTH	TX 76107-230			
MECH CONTR	A-Ok Companies	3610 Oak Tree Ln	MIDLOTHIAN	TX 76065			(972) 617-0781
PLB CONTR	Tom's Plumbing	1232 Colorado Ln. #103	Arlington	TX 76015			(817) 460-3221
ELEC CONTR	Intex Electric	P. O. BOX 1886	Forney	TX 75126			(972) 288-8041
BUS OWNER	Ed Hurst	2380 S Goliad St	Rockwall	TX 75032			(469) 766-5601

City of Rockwall

PERMITS ISSUED

For the Period 12/1/2014 thru 12/30/2014

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0165	CO	2380 Goliad St S 101	0.00	$ 76.50	$ 76.50
		4831-0000-0008-00-0R			
12/18/2014	INTERIOR	ROCKWALL BUSINESS PARK EAST			
12/18/2014	ACTIVE	Dr. Hurst EPH, LLC		0	

Contact Type	Contact Name	Contact Address				Phone Number
APPLICANT	MATT KING					(469) 742-0678
INSP RPT EMAIL	Skyrider Builders	1400 Sweet Springs Rd.	Weatherford	TX	76088	(817) 599-8880
CONTRACTOR	Skyrider Builders	1400 Sweet Springs Rd.	Weatherford	TX	76088	(817) 599-8880
OWNER	CNLRS, ROCKWALL LP	WOODMONT COMPANY	FORT WORTH	TX	76107-230	
MECH CONTR	A-Ok Companies	3610 Oak Tree Ln	MIDLOTHIAN	TX	76065	(972) 617-0781
PLB CONTR	Tom's Plumbing	1232 Colorado Ln. #103	Arlington	TX	76015	(817) 460-3221
ELEC CONTR	Intex Electric	P. O. BOX 1886	Forney	TX	75126	(972) 288-8041
BUS OWNER	Dr. Hurst EPH, LLC	2380 S Goliad St #101	Rockwall	TX	75032	

12 **Permits Issued from: 12/1/2014** **Thru: 12/30/2014**

Total Valuation: $ 0.00
Total Fees: $ 910.50
Total Fees Paid: $ 910.50

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CALLS BY TYPE DECEMBER 2014

CALLS BY TYPE DECEMBER 2014

City of Rockwall
The New Horizon

CITY CALLS	December
Situation Type	**#**
111 Building fire	2
113 Cooking fire, confined to container	1
142 Brush or brush-and-grass mixture fire	1
154 Dumpster or other outside trash receptacle fire	1
311 Medical assist, assist EMS crew	2
411 Gasoline or other flammable liquid spill	1
412 Gas leak (natural gas or LPG)	6
442 Overheated motor	2
445 Arcing, shorted electrical equipment	1
550 Public service assistance, other	1
551 Assist police or other governmental agency	7
553 Public service	2
556 Public service - Non paged	7
611 Dispatched & canceled en route	2
622 No incident found on arrival at dispatch address	4
631 Authorized controlled burning	1
651 Smoke scare, odor of smoke	3
652 Steam, vapor, fog or dust thought to be smoke	1
700 False alarm or false call, other	1
711 Municipal alarm system, malicious false alarm	1
730 System malfunction, other	1
731 Sprinkler activation due to malfunction	1
734 Heat detector activation due to malfunction	1
735 Alarm system sounded due to malfunction	1
740 Unintentional transmission of alarm, other	2
742 Extinguishing system activation	1
743 Smoke detector activation, no fire - unintentional	9
745 Alarm system activation, no fire - unintentional	8
Unknown	1
Totals:	72

CALLS	December
Situation Type	**#**
143 Grass fire	1
Totals:	1

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CITY RESPONSE
DECEMBER 2014

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes		0- 1 1/2 MINUTES	
CRITERIA MET %	27 of 32	CRITERIA MET %	1 of 1
CRITERIA -ACHIEVE RESPONSE TIME	84.00%	CRITERIA -ACHIEVE RESPONSE TIME	100%
90% OF TIME IN BOXES WITH	Criteria not met	60% OF TIME IN BOXES WITH	Criteria Met
STATIONS		STATIONS	
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES		0-6 MINUTES	
CRITERIA MET %	29 of 32	CRITERIA MET %	1 of 1
CRITERIA -ACHIEVE RESPONSE TIME	91.00%	CRITERIA -ACHIEVE RESPONSE TIME	100%
90% OF TIME IN BOXES WITH	Criteria met	60% OF TIME IN BOXES WITH	Criteria Met
STATIONS		STATIONS	
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES		0-7 1/2 MINUTES	
CRITERIA MET%	29 of 32	CRITERIA MET%	1 of 1
CRITERIA -ACHIEVE RESPONSE TIME	91.00%	CRITERIA -ACHIEVE RESPONSE TIME	100%
90% OF TIME IN BOXES WITH	Criteria met	60% OF TIME IN BOXES WITH	Criteria Met
STATIONS		STATIONS	

COUNTY AND MUTUAL AID
RESPONSE
DECEMBER 2014

COUNTY/MUTUAL	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	1 of 1
CRITERIA -ACHIEVE RESPONSE TIME	100%
60% OF TIME IN BOXES WITH	Criteria met
STATIONS	
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	1 of 1
CRITERIA -ACHIEVE RESPONSE TIME	100%
60% OF TIME IN BOXES WITH	Criteria Met
STATIONS	
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	
CRITERIA MET%	1 of 1
CRITERIA -ACHIEVE RESPONSE TIME	100%
60% OF TIME IN BOXES WITH	Criteria Met
STATIONS	

ENROUTE OVERAGES/ CITY CALLS
DEC 2014

Venue	Alarm Date	Alarm Time	Enroute Time	Alarm to Enroute	Arrival Time	Enroute to Arrival	Response	Number	Station	Lights and Sirens	Apparatus	REASON FOR OVERAGES
Rockwall	12/02/2014	07:11:15	07:12:47	0:01:32	07:13:16	0:00:29	0:02:01	2014-00000966	Rockwall 2	Code 3	E2	CAD Times don't match radio times
Rockwall	12/02/2014	17:58:19	18:00:02	0:01:43	18:03:12	0:03:10	0:04:53	2014-00000968	Rockwall 2	Code 3	BT4	CAD Times don't match radio times
Rockwall	12/03/2014	04:02:12	04:04:22	0:02:10	04:12:25	0:08:03	0:10:13	2014-00000969	Rockwall 2	Code 3	E2	CAD Times don't match radio times
Rockwall	12/29/2014	01:33:15	01:34:47	0:01:32	01:39:21	0:04:34	0:06:06	2014-00001045	Rockwall 2	Code 3	E4	CAD Times don't match radio times
Rockwall	12/29/2014	08:50:11	08:51:46	0:01:35	08:53:24	0:01:38	0:03:13	2014-00001046	Rockwall 1	Code 3	842	CAD Times don't match radio times

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ARRIVAL OVERAGES
DEC. 2014

Venue	Alarm Date	Enroute Time	Arrival Time	Enroute to Arrival	Number	Station	Lights and Sirens	Apparatus	REASON FOR OVERAGES
Rockwall	12/03/2014	04:04:22	04:12:25	0:08:03	2014-00000969	Rockwall 2	Code 3	E2	CAD incorrect
Rockwall	12/09/2014	01:12:02	01:19:41	0:07:39	2014-00000987	Rockwall 2	Code 3	E5	Delayed due to Weather/Fog
Rockwall	12/27/2014	19:32:42	19:39:43	0:07:01	2014-00001041	Rockwall 2	Code 3	E4	Chandles Speed Bumps

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RESPONSE OVERAGES/ CITY
DEC. 2014

Venue	Alarm Date	Alarm Time	Arrival Time	Response	Number	Station	Lights and Sirens	Apparatus	REASON FOR OVERAGES
Rockwall	12/03/2014	04:02:12	04:12:25	0:10:13	2014-00000969	Rockwall 2	Code 3	E2	CAD times don't match Radio times
Rockwall	12/09/2014	01:10:51	01:19:41	0:08:50	2014-00000987	Rockwall 2	Code 3	E5	Delayed due to Weather/Fog
Rockwall	12/27/2014	19:31:39	19:39:43	0:08:04	2014-00001041	Rockwall 2	Code 3	E4	Chandlers Landing Speed Bumps

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COUNTY/MUTUAL AID ENROUTE OVERAGES

Venue	Alarm Date	Alarm Time	Enroute Time	Alarm to Enroute	Number	Station	Lights and	Apparatus	Reason for Overages
Rockwall County	12/25/2014	22:04:06	22:05:54	0:01:48	2014-00001036	Rockwall 3	Code 3	BT3	CAD Incorrect

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To: Chief Poindexter
From: BC Merritt
Re: Structure fire December 17, 2014
Date: December 18, 2014

2230 Garden Crest

We responded to a report of a Structure fire on December 17, 2014. The first unit on scene reported smoke and flames visible from the rear of a 2 story residence. I arrived shortly after the first engine and walked around to the rear of the residence to find heavy flames coming from the attic of the residence. The first crews made entry through the front of the residence and began to attack the flames from the interior. The fire was in two separate attic areas of the residence which made for a difficult initial attack. Interior attack crews were removed from the residence and a defensive attack was done using the aerial master stream. Once the fire had been controlled with the aerial master stream the offensive attack was resumed and the fire was extinguished. No damage occurred to either of the adjacent structures. The initial involved structure suffered significant fire damage to the rear portion and secondary water damage throughout. There were no civilian injuries and no firefighter injuries were reported on this incident.

Dispatch time: 18:14.13
Enroute time: 18:15.09
On scene time: 18:18.50
Clear time: 22.11.21

4 men on scene 18:21

I arrived on scene at 18:19.38 and was the 3rd person on scene so the above 4 man time is estimated. I was unable to report any subsequent times because I was buy trying to help get the initial attack started as well as get an exposure line in place.

We had a total of 5 on duty Firefighters, 19 Volunteers, 2 Investigators, 1 Chief and 3 apparatus on this incident. Mutual aid was also requested from Fate and they sent 6 personnel and 1 apparatus to the scene.

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1200 E. Washington

We responded to a report of a fire at 1200 E. Washington on December 17, 2014. The first unit on scene arrived and reported smoke coming from a vent on the side of the building and large bay doors on the rear of the building. Upon further investigation it was determined the fire was inside a large drying oven and was contained to that location. The fire was extinguished and no damage was done to the structure and minimal damage was done to the drying oven. There were no civilian injuries and no firefighter injuries were reported on this incident.

Dispatch time: 08:16.47
Enroute time: 08:18.20
On scene time: 08:20.35
Clear time: 09:07.25

12 men on scene 08:35.40

We had a total of 4 on duty Firefighters, 15 Volunteers, 2 Investigators, 2 Chiefs and 3 apparatus on this incident.

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Total Dollar Losses

December 2014

City of Rockwall
The New Horizon

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$139,768.00	$1,000.00	$40,800.00	$424,908.00	$539,144.90
Total Content Loss:	$204,860.80	$0.00	$12,000.00	$313,254.80	$237,438.94
Total Property Pre-Incident Value:	$2,584,650.00	$300,000.00	$343,000.00	$3,279,580.00	$3,526,807.00
Total Contents Pre-Incident Value	$6,104,826.00	$150,000.00	$205,800.00	$6,490,050.00	$13,718,980.20
Total Losses:	$344,628.80	$1,000.00	$52,800.00	$738,162.80	$344,628.80
Total Value:	$8,689,476.00	$450,000.00	$548,800.00	$9,769,630.00	$17,245,787.20

Inspection Totals Per Inspector

December 2014

Fire Inspection Status	Fire Inspection FDID	Inspector	Inspection Type	Fire Inspection Inspection Number
Pending	TX504	744 - Patrick	Annual	2518
Finaled	TX504	744 - Patrick	Annual	2468
Finaled	TX504	744 - Patrick	Certificate of Occupancy	CO2014-0136
Finaled	TX504	744 - Patrick	Certificate of Occupancy	CO2014-0139
Finaled	TX504	744 - Patrick	Certificate of Occupancy	CO2014-0149
Finaled	TX504	744 - Patrick	Certificate of Occupancy	CO2014-0145
Pending	TX504	744 - Patrick	Certificate of Occupancy	CO2014-0161
Finaled	TX504	744 - Patrick	Certificate of Occupancy	CO2014-0170
Pending	TX504	744 - Patrick	Certificate of Occupancy	CO2014-0170
Pending	TX504	744 - Patrick	Construction Final	2400
Finaled	TX504	744 - Patrick	Construction Final	2491
Finaled	TX504	744 - Patrick	Courtesy	2524
Finaled	TX504	744 - Patrick	Courtesy	2525
Finaled	TX504	744 - Patrick	Courtesy	2517
Finaled	TX504	744 - Patrick	Courtesy	2543
Finaled	TX504	744 - Patrick	Courtesy	2542
Pending	TX504	744 - Patrick	Fire Alarm System	2523
Pending	TX504	744 - Patrick	Fire Spinkler System	2401
Pending	TX504	744 - Patrick	Fire Spinkler System	2519
Pending	TX504	744 - Patrick	Fire Spinkler System	2540
	Total Per Inspector: 20			
Pending	TX504	836 - Ayres	Annual	2486
Finaled	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0163
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0158
Finaled	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0164
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0169
Finaled	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0150
Finaled	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0158
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0153
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0150
Finaled	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0134
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0153
Finaled	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0159
Finaled	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0135
Finaled	TX504	836 - Ayres	Construction Final	2400
Pending	TX504	836 - Ayres	Construction Final	2541
Pending	TX504	836 - Ayres	Construction Final	2541
Finaled	TX504	836 - Ayres	Courtesy	2535
Finaled	TX504	836 - Ayres	Courtesy	2531
Finaled	TX504	836 - Ayres	Courtesy	2530
Finaled	TX504	836 - Ayres	Courtesy	2513
Finaled	TX504	836 - Ayres	Courtesy	2512
Finaled	TX504	836 - Ayres	Courtesy	2529
Finaled	TX504	836 - Ayres	Courtesy	2528
Finaled	TX504	836 - Ayres	Courtesy	2508
Finaled	TX504	836 - Ayres	Courtesy	2507

Finaled	TX504	836 - Ayres	Courtesy	2506
Finaled	TX504	836 - Ayres	Courtesy	2505
Finaled	TX504	836 - Ayres	Courtesy	2504
Finaled	TX504	836 - Ayres	Courtesy	2503
Pending	TX504	836 - Ayres	Fire Alarm System	2479
Finaled	TX504	836 - Ayres	Fire Alarm System	2523
Pending	TX504	836 - Ayres	Fire Alarm System	2479
Pending	TX504	836 - Ayres	Fire Alarm System	2514
Pending	TX504	836 - Ayres	Fire Spinkler System	2472
Finaled	TX504	836 - Ayres	Fire Spinkler System	2401
Pending	TX504	836 - Ayres	Fire Spinkler System	2515
Pending	TX504	836 - Ayres	Fire Spinkler System	2515
Finaled	TX504	836 - Ayres	Flow Test	2526
Pending	TX504	836 - Ayres	Follow Up	2441
Pending	TX504	836 - Ayres	Follow Up	2537
Finaled	TX504	836 - Ayres	Underground Fire Line	2266
	Total Per Inspector: 41			
Finaled	TX504	843 - Clark	Annual	2518
Pending	TX504	843 - Clark	Annual	2518
Finaled	TX504	843 - Clark	Annual	2492
Pending	TX504	843 - Clark	Annual	2492
Pending	TX504	843 - Clark	Certificate of Occupancy	CO2014-0150
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2014-0140
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2014-0160
Finaled	TX504	843 - Clark	Construction Final	2467
Finaled	TX504	843 - Clark	Construction Final	2522
Finaled	TX504	843 - Clark	Courtesy	2497
Finaled	TX504	843 - Clark	Courtesy	2493
Finaled	TX504	843 - Clark	Courtesy	2509
Finaled	TX504	843 - Clark	Courtesy	2510
Finaled	TX504	843 - Clark	Courtesy	2510
Finaled	TX504	843 - Clark	Courtesy	2510
Finaled	TX504	843 - Clark	Courtesy	2511
Finaled	TX504	843 - Clark	Courtesy	2494
Finaled	TX504	843 - Clark	Courtesy	2510
Finaled	TX504	843 - Clark	Courtesy	2510
Pending	TX504	843 - Clark	Follow Up	2538
Finaled	TX504	843 - Clark	Kitchen Hood Suppression	2532
Finaled	TX504	843 - Clark	Knox Box	2533
Finaled	TX504	843 - Clark	Knox Box	2521
Finaled	TX504	843 - Clark	Knox Box	2520
Finaled	TX504	843 - Clark	Open Burn	2502
Finaled	TX504	843 - Clark	Other	2536
Finaled	TX504	843 - Clark	Underground Fire Line	2534
Pending	TX504	843 - Clark	Underground Fire Line	2534
Pending	TX504	843 - Clark	Underground Fire Line	2534
Pending	TX504	843 - Clark	Underground Fire Line	2539
	Total Per Inspector: 30			
	Department Total: 91			

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Fire Alarms

Date	Address	Common Name	Dispostion Code	CFS Number	Incident Number	Incident ORI	Call Type
12/03/2014 04:00:45	2701 SUNSET RIDGE DR	Trend Tower	FA	358	2014-00000969	TX504	FD - Fire Alarm Commercial
12/04/2014 10:48:12	1210 N GOLIAD ST	YMCA	FA	609	2014-00000970	TX504	FD - Fire Alarm Commercial
12/04/2014 18:13:49	2455 RIDGE RD		FA	676	2014-00000971	TX504	FD - Fire Alarm Commercial
12/05/2014 03:34:26	2045 HILLCROFT DR		FA	763	2014-00000974	TX504	FD - Fire Alarm Residential
12/05/2014 06:50:43	2455 RIDGE RD		FA	768	2014-00000975	TX504	FD - Fire Alarm Commercial
12/05/2014 07:52:39	2455 RIDGE RD		FA	778	2014-00000977	TX504	FD - Fire Alarm Commercial
12/05/2014 08:55:43	899 ROCHELL CT	Rochell Elementary	FA	789	2014-00000978	TX504	FD - Fire Alarm Commercial
12/07/2014 22:05:42	1005 E I30	Dicks Sporting Goods, Plaza at Rockwall Bld 4	FA	1259	2014-00000982	TX504	FD - Fire Alarm Commercial
12/08/2014 09:28:38	5250 MEDICAL DR	Arbor House Of Rockwall	FA	1328	2014-00000984	TX504	FD - Fire Alarm Commercial
12/08/2014 09:54:38	1210 N GOLIAD ST	YMCA	FA	1331	2014-00000985	TX504	FD - Fire Alarm Commercial
12/10/2014 15:13:30	1050 WILLIAMS ST	ISD Admin, Rockwall, Quest Academy, RISD Education Center, Rockwall ISD Administration	FA	1775	2014-00000995	TX504	FD - Fire Alarm Commercial
12/12/2014 12:12:45	909 E I30	Cotton Patch (Rockwall Crossing), FedEx	FA	2077	2014-00001001	TX504	FD - Fire Alarm Commercial
12/14/2014 08:46:01	101 E RUSK ST	Rockwall County Old Courthouse	FA	2503	2014-00001003	TX504	FD - Fire Alarm Commercial
12/17/2014 07:41:07	1210 N GOLIAD ST	YMCA	FA	3090	2014-00001010	TX504	FD - Fire Alarm Commercial
12/17/2014 08:04:30	2004 N GOLIAD ST	CVS (Goliad)	FA	3094	2014-00001011	TX504	FD - Fire Alarm Commercial
12/18/2014 16:39:26	2935 RIDGE RD	First Convenience Bank (Kroger), Kroger Signature	FA	3345	2014-00001016	TX504	FD - Fire Alarm Commercial
12/20/2014 04:46:44	855 E I30	Chuck E. Cheese	FA	3619	2014-00001018	TX504	FD - Fire Alarm Commercial
12/21/2014 06:56:27	5242 MEDICAL DR	Broadmoor Medical Lodge	FA	3795	2014-00001020	TX504	FD - Fire Alarm Commercial
12/21/2014 19:45:56	108 E WASHINGTON ST	Center, The, The Center	FA	3871	2014-00001021	TX504	FD - Fire Alarm Commercial
12/24/2014 12:58:35	2701 SUNSET RIDGE DR	Trend Tower	FA	4378	2014-00001028	TX504	FD - Fire Alarm Commercial
12/24/2014 20:40:34	221 JOE WHITE ST		FA	4424	2014-00001031	TX504	FD - Fire Alarm Residential
12/25/2014 17:22:00	1408 NAPA DR		FA	4521	2014-00001034	TX504	FD - Fire Alarm Residential
12/26/2014 11:03:20	149 SUMMERHILL DR		FA	4598	2014-00001037	TX504	FD - Fire Alarm Residential
12/26/2014 15:13:53	225 E RALPH HALL PKWY	Autumn Leaves	FA	4628	2014-00001039	TX504	FD - Fire Alarm Commercial
12/28/2014 00:07:35	3150 HORIZON RD	Presbyterian Hospital of Rockwall	FA	4885	2014-00001042	TX504	FD - Fire Alarm Commercial
12/28/2014 01:21:02	100 E RUSK ST	Courthouse	FA	4891	2014-00001043	TX504	FD - Fire Alarm Commercial

: 26

1/6/2015 10:34:31 AM

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 12/1/2014 thru 12/31/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2014-184	11/26/14	41	1950 ALPHA DR 100	THE, FIVE NINE SEVEN LIMITED PARTNE	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	12/01/14	12/11/14	12/02/14
	CHURCH		Cornerstone Church - interior remodel							
BLD2014-153	10/23/14	75	2975 Discovery Blvd	ROCKWALL, ECONOMIC DEVELOPMENT	Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/02/14	12/12/14	12/02/14
	COMM		Col-Met - NEW BLDG							
BLD2014-160	10/31/14	67	1700 Justin Rd		Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/02/14	12/12/14	12/02/14
	COMM		The Channell Project							
CO2014-0157	12/02/14	35	965 W Ralph Hall Pkwy 103	965, RHP 103 LLC	Ariana Hargrove	FIRE CO	APPROVED	12/02/14	12/05/14	12/02/14
	CO		965RHP103,LLC (Shell)							
CO2014-0158	12/02/14	35	502 N GOLIAD	BLACK, SHIRLEY M	Ariana Hargrove	FIRE CO	APPROVED	12/02/14	12/05/14	12/03/14
	CO		Sarah Duckworth Photography							
CO2014-0159	12/03/14	34	872 W Rusk St	SMYRNA, LAND CO LTD	Ariana Hargrove	FIRE CO	APPROVED	12/03/14	12/06/14	12/03/14
	CO		Foot Joy Spa							
PLB2014-040	12/03/14	34	1067 IH 30 103	EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE 972-772-6431		12/03/14	12/13/14	
	COMM		Europeon Wax - Gas Test - New Gas Piping							
BLD2014-145	10/10/14	88	1880 IH 30 E	1860, INVESTMENTS LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/04/14	12/14/14	12/04/14
	COMM		CAVENDER'S BOOT CITY							
BLD2014-180	11/21/14	46	1106 Ridge Rd A	BENBROOKE, RIDGE PARTNERS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/04/14	12/14/14	12/04/14
	COMM		Remodel lease space							
BLD2014-188	12/04/14	33	2500 SH 66	REST, HAVEN FUNERAL HOMES INC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	12/04/14	12/14/14	12/10/14
	COMM		Rest Haven Funeral Home - office additiion							
BLD2014-188	12/04/14	33	1615 SCIENCE PLACE	BELLE, HAVTEX LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	12/04/14	12/14/14	12/08/14
	COMM		L-3 interior remodel							
BLD2014-189	12/04/14	33	104 E Rusk St	HENDRICKS, BARBARA S	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	12/04/14	12/14/14	12/08/14
	COMM		First United Bank							
ELE2014-008	12/04/14	33	327 Ranch Trail	WILLIAMS, RONNIE L & KIM A	Ariana Hargrove	FIRE 972-772-6431		12/04/14	12/14/14	
	COMM		Rockwall Landscape - Running Elec to bldg 327							
BLD2014-168	11/10/14	57	2701 SUNSET RIDGE DR 409	HARBOR HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/09/14	12/19/14	12/09/14
	COMM		Keller Williams - interior							
BLD2014-168	11/10/14	57	2701 SUNSET RIDGE DR 601 & 607	HARBOR HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/09/14	12/19/14	12/09/14
	COMM		Sterling One - interior							
BLD2014-169	11/10/14	57	2701 SUNSET RIDGE DR 404 & 415	HARBOR HEIGHTS INVESTORS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/09/14	12/19/14	12/09/14
	COMM		Rockwall Dermatology - interior							
BLD2014-190	12/09/14	28	2582 SH 276	SHARP, RICK	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	12/09/14	12/19/14	12/15/14
	COMM		Sunbelt Rentals - Remodel							
BLD2014-160	10/31/14	67	1700 Justin Rd		Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/10/14	12/20/14	12/10/14
	COMM		The Channell Project							
BLD2014-191	12/10/14	27	890 ROCKWALL PKWY 115	ROCKWALL, MEDICAL PROPERTIES LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/10/14	12/20/14	12/15/14
	COMM		Texas Health Resources- remodel							

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 12/1/2014 thru 12/31/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
CO2014-0160	12/10/14	27	489 IH 30	BENT, TREE REALTY CO	Ariana Hargrove	FIRE CO	APPROVED	12/10/14	12/13/14	12/11/14
	CO		Sake Bomb - Interior Remodel							
ELE2014-008	12/10/14	27	1701 AIRPORT RD	CITY, OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431		12/10/14	12/20/14	
	COMM		Rockwall Airport - Elec. Upgrade at fuel station							
BLD2014-183	11/26/14	41	2305 SH 276	Connally Squared LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	12/11/14	12/21/14	12/11/14
	COMM		Dance Studio							
BLD2014-192	12/11/14	26	407 GOLIAD ST. S D	SLAUGHTER, RICHARD E JR	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	12/11/14	12/21/14	12/15/14
	COMM		BATHROOM REMODEL FOR CROSSFIT							
BLD2014-193	12/12/14	25	2455 RIDGE RD 149	ROCKWALL, OCEANHILL LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	12/12/14	12/22/14	12/15/14
	COMM		WING STOP REMODEL							
BLD2014-193	12/12/14	25	1655 SCIENCE PLACE	BELLE, HAVTEX LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	12/12/14	12/22/14	12/16/14
	COMM		L-COMMUNICATIONS RENOVATION							
BLD2014-150	10/20/14	78	3035 Ridge Rd. 105	TEMUNOVIC, PARTNERSHIP LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/15/14	12/25/14	12/15/14
	COMM		Juice it up - Interior remodel							
BLD2014-163	11/05/14	62	3140 Horizon Rd. 100	ROCKWALL, REGIONAL HOSPITAL LLP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	12/15/14	12/25/14	12/15/14
	COMM		Spine Team - Interior completion							
BLD2014-169	11/11/14	56	3142 Horizon Rd. 210	ROCKWALL, REGIONAL HOSPITAL LLP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/15/14	12/25/14	12/15/14
	COMM		Presb Hospital - Wound Unit on 2nd floor & oxygen tank outsi							
BLD2014-176	11/14/14	53	2055 SUMMER LEE DR	BELLA HARBOR HOTEL VENTURE LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/15/14	12/25/14	12/15/14
	COMM		THE HILTON - INSTALL PATIO COVER WITH RETRACTABLE ROOF SYSTE							
BLD2014-183	11/26/14	41	2305 SH 276	Connally Squared LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	12/15/14	12/25/14	12/15/14
	COMM		Dance Studio							
BLD2014-188	12/04/14	33	2500 SH 66	REST, HAVEN FUNERAL HOMES INC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/15/14	12/25/14	12/15/14
	COMM		Rest Haven Funeral Home - office additiion							
CO2014-0161	12/15/14	22	2010 INDUSTRIAL BLVD 606	ROCKWALL, STEEL CO	Ariana Hargrove	FIRE CO	APPROVED	12/15/14	12/18/14	12/15/14
	CO		Patron Manufacturing							
CO2014-0162	12/16/14	21	826 STEGER TOWNE DR	STEGER, DUNHILL LLC	Ariana Hargrove	FIRE CO	APPROVED	12/16/14	12/19/14	12/17/14
	CO		H & R Block							
DEM2014-001	12/16/14	21	1950 ALPHA DR	THE, FIVE NINE SEVEN LIMITED PARTNE	Ariana Hargrove	FIRE 972-772-6431		12/16/14	12/26/14	
	COMM		Demo partition wall & existing ceiling tile							
BLD2014-165	11/07/14	60	901 Williams St	ROCKWALL, ASSEMBLY OF GOD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/17/14	12/27/14	12/17/14
	COMM		Rockwall Assembly of God - Alteration							
BLD2014-183	11/26/14	41	2305 SH 276	Connally Squared LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/17/14	12/27/14	12/17/14
	COMM		Dance Studio							
BLD2014-189	12/04/14	33	104 E Rusk St	HENDRICKS, BARBARA S	Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/17/14	12/27/14	12/17/14
	COMM		First United Bank							
CO2014-0163	12/17/14	20	6531 Horizon A	ROCKWALL, RENTAL PROPERTIES LP	Ariana Hargrove	FIRE CO	APPROVED	12/17/14	12/20/14	12/17/14
	CO		Dist Ofc - Congressman John Ratcliff							

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 12/1/2014 thru 12/31/2014

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
CO2014-0166	12/18/14	19	512 S CLARK	DEL, BOSQUE RODOLFO	Ariana Hargrove	FIRE CO	APPROVED	12/18/14	12/21/14	12/19/14
	CO		LCS Lawn Care Supply Inc							
BLD2014-188	12/04/14	33	1615 SCIENCE PLACE	BELLE, HAV/TEX LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/19/14	12/29/14	12/19/14
	COMM		L-3 interior remodel							
CO2014-0167	12/19/14	18	3090 GOLIAD 102	METROPLEX, ACQUISITION FUND LP	Ariana Hargrove	FIRE CO		12/19/14	12/22/14	
	CO		Lake Pointe Medical Partners at Rockwall							
CO2014-0168	12/22/14	15	965 Ralph Hall Pkwy 103	965, RHP 103 LLC	Ariana Hargrove	FIRE CO	APPROVED	12/22/14	12/25/14	12/22/14
	CO		Lewis Law Firm							
CO2014-0169	12/23/14	14	2006 Goliad St. S 228	ROCKWALL, CENTRAL SHOP/CNTR JV	Ariana Hargrove	FIRE CO	APPROVED	12/23/14	12/26/14	12/29/14
	CO		Eagle Eye Insurance & Tax							
CO2014-0170	12/23/14	14	108 Althea Rd	INGRAM, CHRISTY RENEE	Ariana Hargrove	FIRE CO	APPROVED	12/23/14	12/26/14	12/29/14
	CO		Christy's Day School							
PLB2014-043	12/24/14	13	308 E WASHINGTON	GAREE, MICHAEL A & GEORGIA	Ariana Hargrove	FIRE 972-772-6431		12/24/14	01/03/15	
	COMM		Install backflow valve - expansion tank							
BLD2014-192	12/11/14	26	407 GOLIAD ST. S D	SLAUGHTER, RICHARD E JR	Ariana Hargrove	FIRE 972-772-6431	APPROVED	12/29/14	01/08/15	12/29/14
	COMM		BATHROOM REMODEL FOR CROSSFIT							
BLD2014-192	12/11/14	26	407 GOLIAD ST. S D	SLAUGHTER, RICHARD E JR	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	12/29/14	01/08/15	12/29/14
	COMM		BATHROOM REMODEL FOR CROSSFIT							
CO2014-0171	12/29/14	8	331 County Line Rd	BUFFALO, CREEK BUSINESS PARK LTD	Ariana Hargrove	FIRE CO	APPROVED	12/29/14	01/01/15	12/29/14
	CO		NTX Signs & Wraps							
CO2014-0172	12/30/14	7	1309 RIDGE RD	ROCKWALL, HH LLC	Ariana Hargrove	FIRE CO	APPROVED	12/30/14	01/02/15	12/30/14
	CO		Rockwall Commons LLC							
CO2014-0174	12/31/14	6	3007 Ridge Rd B	AREZZO, HOME FAMILY HOLDINGS	Ariana Hargrove	FIRE CO	APPROVED	12/31/14	01/03/15	01/02/15
	CO		North American Title Co.							

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2014 Points of Pride
Rockwall Fire Department
Prepared by: Chief Poindexter

OVERVIEW

The 2014 calendar year was another very busy year for the Rockwall Fire Department. Our calls were down 2.03% in the City and up 25% in the County. As always, the volunteers and full-time members of this department worked very hard, did an excellent job for the city and its citizens, and achieved many goals within the year. As a Combination Department we continue to work with a limited paid staff to supplement the volunteer firefighters of the department. Operating four fire stations with three full-time Captains, twelve full-time drivers, sixteen part-time drivers and sixteen volunteers is very challenging. We began the process of hiring three more full-time drivers and the process should be completed by February 1, 2015. This staffing level will allow us to have two on-duty drivers/firefighters at three of the four stations and one on duty at the fourth station. We will be evaluating the staffing levels in the second quarter of 2015 for any future positions. I am excited about the New Year. The City Council and City staff have assisted this department in making major changes that will produce many positive effects in the years to come. The Fire Department is off to a busy start in 2015.

TRAINING & INCENTIVES

The Battalion Chief continues to have positive effects on the level of training among fire department personnel.

Training Highlights

- Twice monthly training sessions
- Fire training schools at Texas A & M
- Basic Wildland Firefighting Certification
- 168 certifications held among our firefighters
- 23 different types of certifications
- 37 Certified firefighters

Incentives at a Glance

- Provide tuition for State Firefighter certification and Emergency Medical Technician certification
- Incentive to attend week long training courses
- VFIS accident/injury insurance
- Workers compensation coverage
- Credit on monthly water bills
- Higher education certification pay
- Pay per call incentive
- Retirement program
- Incentive for receiving State Firefighter Certification & EMT Certifications
- Recruiting incentive
- Recruit training incentive
- Driver shift pay
- Longevity pay

STAFFING

The Rockwall Fire Department approved staffing for 2014 was 20 full time fire personnel, 4 Fire Marshal staff, 2 administrative staff and up to forty-nine part-time/volunteer firefighters. Currently we have:

- Fire Chief
- Battalion Chief
- 3 Captains
- 12 Driver/Operators
- 3 New vacant Driver/Operator positions
- 1 Fire Marshal
- 3 Fire Inspectors/Arson Investigators/Firefighters
- 16 Part-time Driver/Operators (8 full-time paid in other cities)
- 16 Volunteers
- 1 Administrative Assistant
- 1 Administrative Technician

RECRUITING & RETENSION

The recruitment and retention of Volunteers continues to be a priority for our department because the cost savings to the department and citizens is tremendous.

Recruiting Results:

- 29 volunteers at beginning of year
- We received 60 applications during the year
- 42 applicants were rejected or withdrew from process
- 10 applications currently being processed or awaiting Physical Agility Testing or Oral Review Board
- 8 became new members
- 32 total volunteers at end of the year

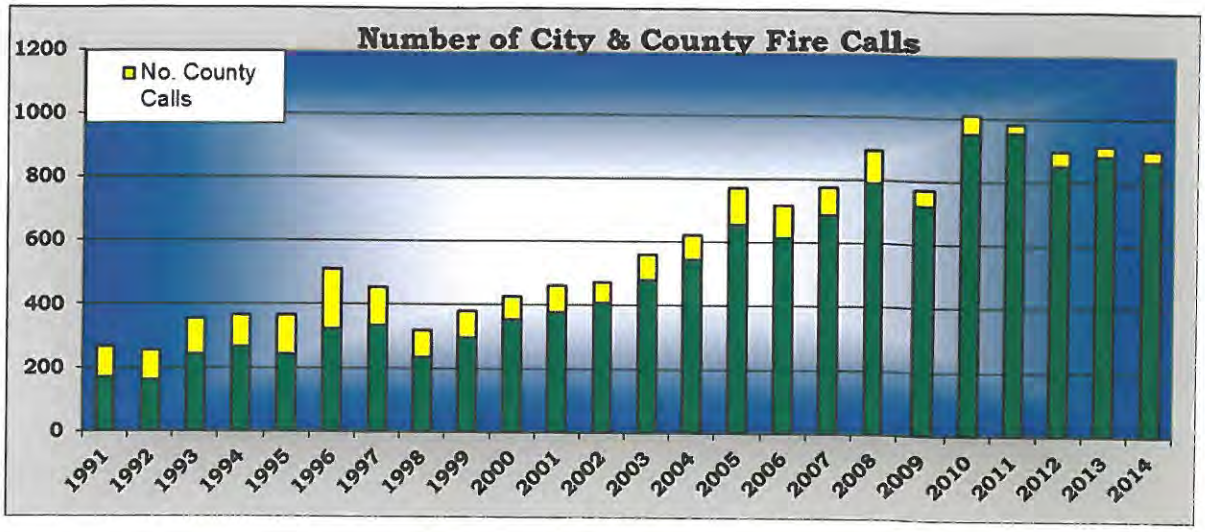
Retention Results:

- 5 volunteers left the volunteer force during the year

STATISTICS

Fire Calls

In 2014, the Rockwall Fire Department answered 867 calls in the City and 35 calls in the County for a total of 902 calls. Of those calls, 13 of the 902 calls were mutual aid calls. City calls were down and County calls were up, so overall the call volume was down slightly by 1.21%.



Fire Apparatus Response Time

Response time criteria was set by Council with goals of achieving them 90% of the time in City fire boxes with stations, 60% of the time in City fire boxes without stations and 60% of the time in the County and Mutual Aid fire boxes. The criteria set forth by Council for enroute times is 1 ½ minutes in the City and County. The criterion for arrival time is 6 minutes in the City and 10 minutes in the County. The criteria set forth for overall response time is 7 ½ minutes in the City and 11 ½ minutes in the County. Response times are tracked by boxes, involving those in the City where we have stations versus those in the City where there are no stations. Also we track the County and mutual aid response times and boxes separately.

In 2014, we met the enroute criteria in the City overall 90.26% of the time. We met the enroute criteria for the County and Mutual Aid areas 67.74% of the time. The arrival criterion in the city overall was met at 91.84%. The arrival criterion in the County and Mutual Aid boxes was met at 75%. The response time criterion in the City overall was met at 94.21%. The response time criterion in the County and Mutual Aid box districts was met at 71%.

This chart shows the response times percentages under the criteria set by Council in the Balanced Scorecard Measures.

	En Route	Arrival	Response	Goal	Status
City limits - boxes with stations	89.5%	93.6%	95.05%	90%	Achieved
City limits - boxes without station	97.29%	72.97%	83.78%	60%	Achieved
County & Mutual Aid Area	67.74%	75.00%	71.43%	60%	Achieved

Manpower to Structure Fire Incidents

During 2014, we maintained the average manpower of 16.81 firefighters on structure fire calls within the City.

Our target is to have at least 24 firefighters available for any type of structure fire. Therefore, we fell short of meeting the target for 2014 by 7.19 firefighters.

Manpower Response Time to Structure Fires

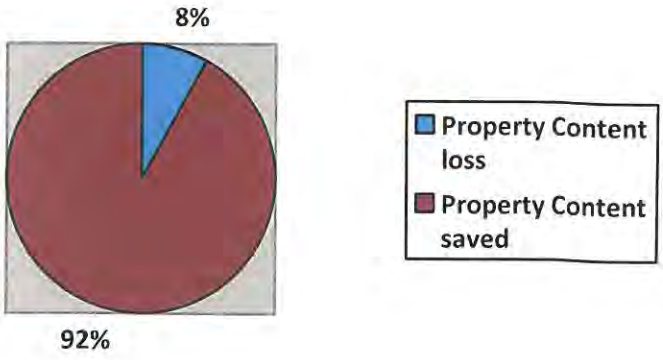
The department has continued to measure and improve manpower response time to all structure fires within the City. This is the amount of time from when a call is dispatched, until the department achieves a (4) man firefighting team, (8) man firefighting team and (12) men firefighting team on scene of all structure fires.

In 2014 it took 8.39 minutes to achieve a (4) man firefighting team, 15.15 minutes to achieve a (8) man firefighting team and 31.13 minutes to achieve a (12) man firefighting team.

Fire Savings/Fire Loss

The pre-incident value of property involved in a fire incident in the City was $ 3,279,580.00 and the pre-incident value of content involved in a fire incident in the City was $6,490,050.00 for a total of $9,769,630.00. The property lost in a fire was valued at $539,144.90 and the content lost in a fire was valued at $237,438.94.

In 2014 the Fire Department saved $2,853,672.00 in property and $6,176,795.20 in content in the City of Rockwall. The amount of property/content loss was 7.565% of the pre-incident value and the amount of property/content saved was 92.44%.



ISO

We are very proud that we were able to achieve our Goal back in 2013 by lowering our Public Protection Class Rating to a PPC Rating of Class 2. This is done by using the Fire Suppression Rating Schedule and taking an in-depth look into the dispatching, water system, fire department and prevention programs within our community.

Fire Marshal's Office

The Fire Marshal's Office is responsible for community Fire Prevention Education, Fire & Building Codes Enforcement, Business & Building Pre Incident Planning, and Fire/Arson Investigations. The Rockwall Fire Marshal's Office strives to provide the best service possible to the City of Rockwall and its customers in all we do.

Fire Prevention Education

An essential component of the service that the Fire Marshal's Office provides to our customers is Fire Prevention. The Fire Marshal's Office focuses on educating the community about the benefits of proper safety practices and identifying and eliminating all types of hazardous conditions, which pose a threat to life, the environment, and property.

Annual Fire Department Open House

This fall, the Fire Marshal's Office organized and managed our 11th annual Fire Department Open House. We opened Fire Station #2 to our citizens who wanted to learn more about their fire department. We expanded the event this year with the addition of the In-n-Out mobile kitchen, which served over 800 free burger meals to our residents for 3 hours during our event.

Fire Prevention Month

We continued our partnership with the Rockwall Independent School District on the injury prevention Risk Watch program, focusing this year on smoke alarms. We visited 11 elementary schools with our interactive Smoke Alarm amazing race. With this program we directly educated over 7,000 children in the community of Rockwall.

Citizen's Fire Academy

In 2014, Rockwall Fire Department changed its recruiting procedures for the Citizen's Fire Academy. These changes include visiting both Rockwall and Rockwall Heath High schools to recruit students 16 years of age or older. These new methods have proven to be very effective. The 2014 Citizen's Fire Academy had the largest recruitment in the program's history. One of the graduates from this class joined the Citizen's Emergency Response Team, and is enrolled to attend fire academy in 2015. Due to the large volume of positive feedback and recruiting success, we will continue this recruiting procedure for the 2015 Citizen's Fire Academy class.

Community Emergency Response Team

Rockwall CERT participated in a total of 51 events in 2014, including 4 business meetings, 17 training meetings, 2 emergency/disaster exercises, 23 planned special events, and 5 official requests for assistance by a public safety agency. This resulted in 918 volunteer hours from our dedicated members. In the last year, Rockwall CERT has taken the time to

re-organize, creating a committee to lead the team. The committee, comprised of 5 members, has been instrumental in creating an organization that falls under the principles of FEMA's National Incident Management System (NIMS) and Incident Command System (ICS), making the team both administratively and operationally more effective. The committee has been hard at work to develop a new Standard Operating Guideline (SOG), which we hope to adopt by the summer of 2015. Rockwall CERT also changed its dispatch and response procedures to improve response times, reliability, and availability to public safety agencies. Due to a resulting increase in requests for assistance from public safety agencies, Rockwall CERT continues to be challenged, finding ways to adapt and improve the service it provides. Rockwall CERT has worked hard to lay a strong foundation to build upon and we hope that in 2015 we can begin to reach out to the community, educate the citizens of Rockwall about emergency preparedness, and recruit new members for the team.

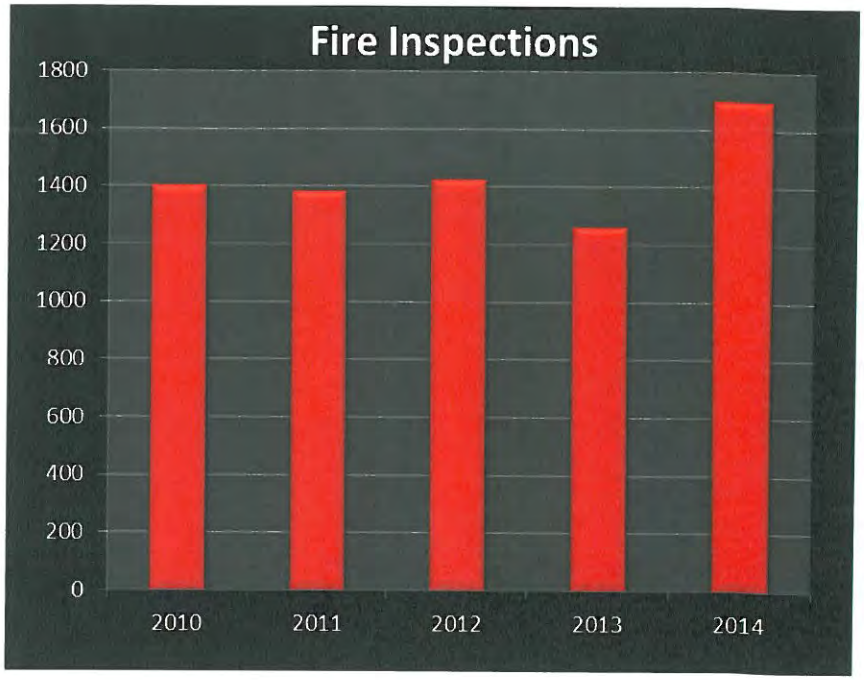
Fire & Building Codes Enforcement Program

Code enforcement is a critical element in the success of fire prevention programs. Almost every aspect of a thorough fire prevention program is affected by code enforcement in some way. It plays a major role in fire and life safety inspections, plans review, hazardous materials and environmental investigations, and the issuance of fire code permits.

At the end of 2013, Rockwall Fire Marshal's Office filled one vacant personnel position. With this new hire, we were able to restructure and revise processes to increase efficiency. We completed several major new construction projects this year, including Trend Tower, Whitmore Manufacturing, Kroger expansion, and YMCA. In 2014, our office reviewed 1,068 total Planning & Zoning, Engineering, Building, and system plans. During 2014, we also have increased the number of inspections completed by almost 20% to a total of 1698.

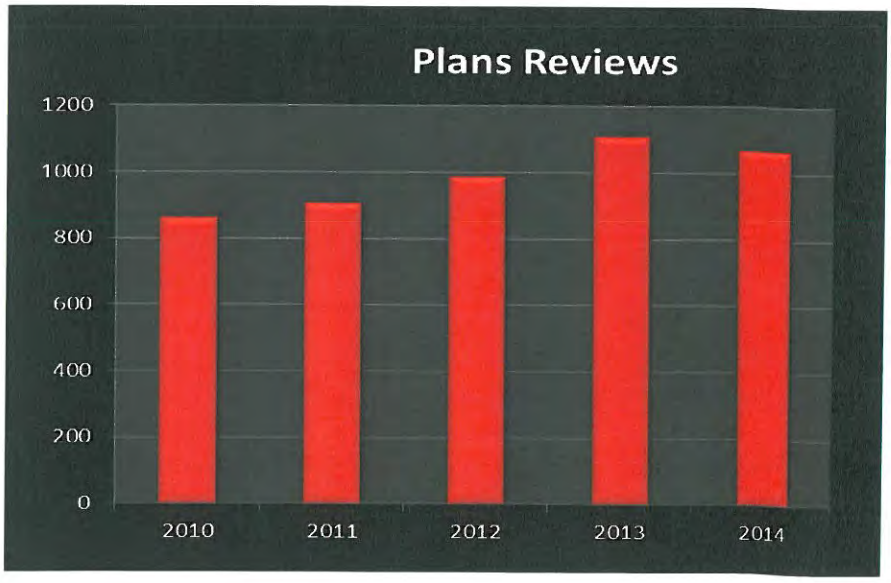
Fire Inspections

The Fire Marshal's Office is involved in the inspection process from the very beginning of a building development until the day the building opens to the public, and then at least every year thereafter. The Fire Marshal's Office conducts inspections during the Site/Civil phase, Building Construction Phases, and during building modifications. In addition, the Fire Marshal's Office conducts annual inspections in existing occupancies, State Mandated Licensing Inspections, Special Events Inspection, and other specialized permit inspections such as for Hazardous Materials and Rack Storage.



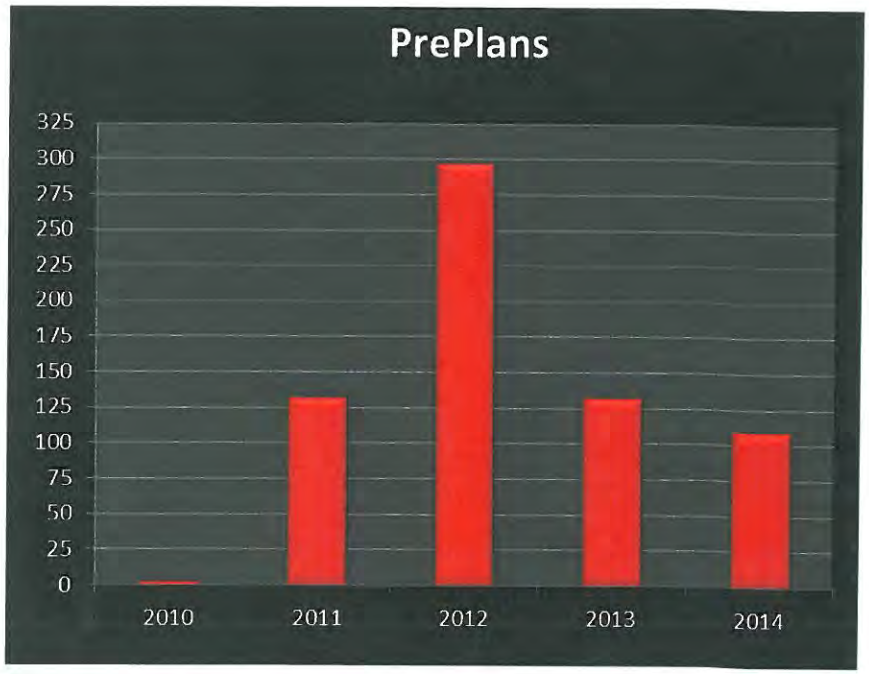
Plan Reviews

The Fire Marshal's Office plays a key role in the development process within the City of Rockwall. The Fire Marshal's Office is involved from the very early stages all the way until the opening day of a building and the business that occupies it, from concept to certificate of occupancy. The Fire Marshal's Office reviews Zoning Cases, Site Plans, Specific Use Permits, Site/Civil Engineering Plans, Building Plans, Fire Protection Systems Plans, and Special System Plans such as electronic locking systems, Hazardous Materials, and High-Rack Storage Permits. In addition, The Fire Marshal's office is involved in the Special Event permitting process.



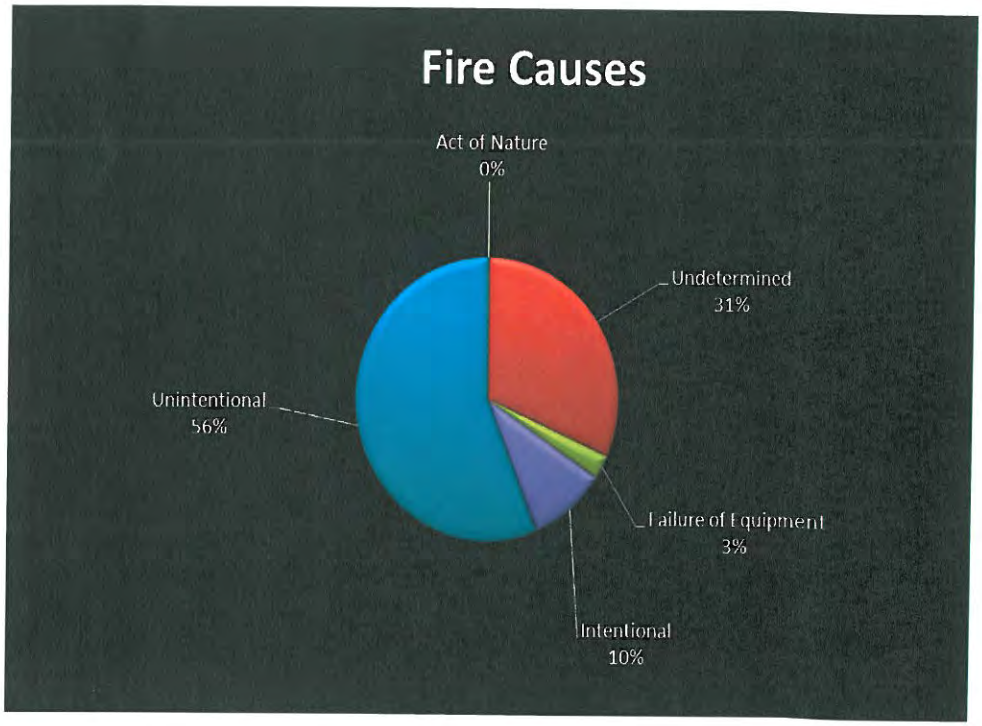
Building & Business Pre Incident Planning

In the last quarter of 2010, we began a new Building and Business Pre-Incent Planning Program. The Rockwall Fire Department is responsible to conduct Pre-Incident Plans, or pre-plans, on every commercial occupancy. Every building and business that is considered commercial property has a record in our reporting software. This program allows for vital information to be available to responding firefighters and the Incident Commander at all incidents.



Fire Investigations

The Fire Marshal's Office conducted 73 investigations to determine the cause. The investigators interview witnesses, collect evidence, write reports, and process cases all the way to the DA's office for prosecution if needed.



In May of this year, we hosted a Hands-On Fire Investigation Class for more than 60 students, in partnership with the North Texas Investigators Association (NTIA). The class was recognized by both, the Texas Commission on Fire Protection (TCFP) and Texas Commission on Law Enforcement (TCOLE) for continuing education training hours. The class was highly reviewed by those students who attended.

NUMBER FULL TIME VOLUNTEERS AND CERTIFICATIONS
ANNUAL 2014

YEAR	NUMBER PAID	NUMBER VOLUNTEERS	CERTIFIED VOLUNTEER FIREFIGHTERS	CERTIFIED PAID FIREFIGHTERS	EMERGENCY MEDICAL TECHNICIAN	PARAMEDIC	ECA	ATTENDING PAID ACADEMY
2014	20	32	1	37	22	13	1	1
2013	18	29	2	35	20	15	2	0
2012	14	34	2	37	22	12	3	2
2011	14	35	3	34	20	10	3	0
2010	13	36	3	33	20	9	3	0
2009	13	37	3	32	18	10	3	2
2008	7	39	3	29	17	8	3	1
2007	7	38	3	27	16	7	3	0
2006	7	40	3	28	16	9	3	0
2005	6	42	3	29	14	11	4	1
2004	5	38	5	26	11	8	4	0
2003	4	36	2	21	9	7	4	4
2002	2	37	4	19	8	7	4	3
2001	1	33	6	16	7	7	3	1
2000	1	40	5	18	10	8	1	2
1999	0	40	7	17	11	8	0	0
1998	0	40	7	15	11	7	0	0
1997	0	40	8	10	5	7	0	0
1996	0	38	10	7	6	7	0	0
1995	0	35	13	7	2	7	0	0
1994	0	33	15	5	2	6	0	0
1993	0	33	10	5	2	5	0	0
1992	0	33	10	5	2	6	0	0
1991	0	33	UNK.	4	1	6	0	0

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EQUIPMENT
DEPRECIATION
2014

CAPITAL EQUIPMENT	NEW COST	# YRS. DEP.	AMOUNT DEP. PER YEAR
1999 PUMPER	215,276.00	20	10,763.80
1999 RESCUE/PUMPER	217,313.00	20	10,865.65
1999 COMPUTER SOFTWARE	42,989.00	15	2,865.93
2000 SCBA	55,425.00	15	3,695.00
2001 BREATHING AIR SYSTEM	35,673.00	20	1,783.65
2001 SCBA	46,584.00	15	3,105.60
2004 FASATTACK GRASS TRUCK	129,472.00	20	6,473.60
2004 PUMPER	331,555.00	20	16,577.75
2004 3,500 GALLON TANKER	0/COUNTY FUNDED	20	0.00
2006 MOBILE COMMAND VEHICLE	$216,825 GRANT/$14,175 CITY FUND	20	708.75
2006 FASATTACK GRASS TRUCK	169,319.00	20	8,465.95
2006 PUMPER	399,023.00	20	19,951.15
2006 PUMPER	399,023.00	20	19,951.15
2009 100' LADDER	855,060.00	20	42,753.00
2012 100' PLATFORM	1,082,582.00	20	54,129.10
2012 E1 PUMPER	536,814.00	20	26,840.70
TOTAL YEARLY DEPRECIATION			228,930.78

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TOTAL OPERATIONAL
COST PER YEAR
1990-2014

YEAR	GENERAL FUND	FIRE EQUIP. FUND	FIRE EQUIP. DEPRECIATED	TOTAL OPERATIONAL COST
1990-1991	85,391.00	0	19,576.25	104,967.25
1991-1992	74,020.00	124.00	19,576.25	93,720.25
1992-1993	99,006.00	4,655.00	19,576.25	123,237.25
1993-1994	87,128.00	21,543.00	19,576.25	128,247.25
1994-1995	80,394.00	12,648.00	19,576.25	112,618.25
1995-1996	110,075.00	54,877.00	19,576.25	184,528.25
1996-1997	131,717.00	14,585.00	46,275.25	192,577.25
1997-1998	141,035.13	19,300.28	46,275.25	206,610.66
1998-1999	176,353.51	3,896.37	67,020.63	247,270.51
1999-2000	232,350.11	190,974.08	83,838.63	507,162.82
2000-2001	310,562.69	153,434.80	89,692.79	553,690.28
2001-2002	446,327.14	33,128.39	94,582.04	574,037.57
2002-2003	830,566.61	35,660.43	94,582.04	960,809.08
2003-2004	960,205.96	98,699.53	116.226.49	1,058,905.49
2004-2005	1,095,123.80	122,320.71	107,627.64	1,325,072.10
2005-2006	1,237,836.64	91,935.14	108,336.99	1,438,108.70
2006-2007	1,334,544.70	163,705.79	156,705.24	1,654,955.73
2007-2008	1,449,026.24	70,747.93	156,705.24	1,676,479.41
2008-2009	1,615,569.80	127,789.35	194,217.74	1,937,576.89
2009-2010	2,061,423.72	172,720.60	194,217.74	2,428,362.06
2010-2011	2,142,091.11	23,073.74	174,659.98	2,339,824.83
2011-2012	2,303,951.24	137,898.90	174,659.98	2,616,510.12
2012-2013	2,440,340.42	99,729.09	228,930.78	2,769,000.29
2013 - 2014	2,897,990.11	202,656,91	228,930.78	3,329,577.80

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TOTAL AVERAGE COST
PER FIRE CALL
thru 2014

YEAR	TOTAL COST OPERATIONS	TOTAL FIRE CALLS CITY	TOTAL FIRE CALLS COUNTY	TOTAL FIRE CALLS FOR YEAR	AVERAGE COST PER FIRE CALL
1990-1991	104,967.25	168	99	267	393.13
1991-1992	93,720.25	161	92	253	370.43
1992-1993	123,237.25	241	111	352	350.10
1993-1994	128,247.25	264	102	366	350.40
1994-1995	112,618.25	244	121	365	308.54
1995-1996	184,528.25	324	188	512	360.40
1996-1997	192,577.25	333	119	452	426.05
1997-1998	206,610.66	236	82	318	649.71
1998-1999	247,270.51	298	84	382	647.30
1999-2000	507,162.82	354	71	425	1193.32
2000-2001	553,690.28	376	82	458	1208.93
2001-2002	574,037.57	408	66	474	1211.05
2002-2003	960,809.08	481	79	560	1715.73
2003-2004	1,058,905.49	545	78	623	1699.69
2004-2005	1,325,072.10	656	116	772	1716.41
2005-2006	1,438,108.70	614	104	718	2,002.93
2006-2007	1,654,955.73	687	90	777	2,129.93
2007-2008	1,676,479.41	791	105	896	1,871.07
2008-2009	1,937,576.89	721	50	771	2,513.07
2009-2010	2,428,362.06	950	56	1006	2,413.88
2010-2011	2,339,824.83	958	24	982	2,382.71
2011-2012	2,616,510.12	852	49	901	2,904.01
2012-2013	2,769,000.29	885	28	913	3,032.86
2013-2014	3,329,577.80	867	35	902	3,691.32

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COUNTY PAYMENT FOR FIRE CALLS
THRU 2014

YEAR	PAYMENT RECEIVED FOR FIRE CALLS	PAYMENT RECEIVED FOR TRAINING	TOTAL $ RECEIVED	NUMBER CALLS	TOTAL AVERAGE $ RECEIVED PER CALL
1984	UNK.	0.00	UNK.	UNK.	50.00
1987	9075.00	0.00	9075.00	121	75.00
1988	12,500.00	0.00	12,500.00	150	83.33
1989	14,100.00	0.00	14,100.00	135	104.44
1990	14,100.00	0.00	14,100.00	143	98.60
1991	14,100.00	0.00	14,100.00	99	142.42
1992	14,100.00	0.00	14,100.00	92	153.26
1993	14,100.00	500.00	14,600.00	111	131.53
1994	14,100.00	500.00	14,600.00	102	143.13
1995	14,100.00	500.00	14,600.00	121	120.66
1996	40,000.00	0.00	40,000.00	188	212.76
1997	40,000.00	0.00	40,000.00	119	336.13
1998	40,000.00	0.00	40,000.00	82	487.8
1999	40,000.00	0.00	40,000.00	84	476.19
2000	50,000.00	0.00	50,000.00	71	704.22
2001	65,000.00	0.00	65,000.00	82	792.68
2002	65,000.00	0.00	65,000.00	66	984.84
2003	65,000.00	0.00	65,000.00	79	822.78
2004	78,000.00	0.00	78,000.00	78	1,000.00
2005	78,000.00	0.00	78,000.00	116	672.41
2006	93,600.00	0.00	93,600.00	104	900.00
2007	93,600.00	0.00	93,600.00	90	1,040.00
2008	93,600.00	0.00	93,600.00	105	891.43
2009	93,600.00	0.00	93,600.00	50	1872.00
2010	93,600.00	0.00	93,600.00	56	1671.43
2011	93,600.00	0.00	93,600.00	24	3900.00
2012	93,600.00	0.00	93,600.00	49	1910.20
2013	93,600.00	0.00	93,600.00	28	3342.86
2014	58,250.00	0.00	58,250.00	35	1664.28

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SHORTAGE /OVERAGES FOR PAYMENT FOR
COUNTY CALLS
1990 THROUGH 2014

YEAR	AVERAGE CITY COST PER FIRE CALL	COUNTY AVERAGE PAYMENT PER FIRE CALL	PAYMENT OVER/UNDER DIFFERENCE	PERCENTAGE OF THE DIFFERENCE (POSTIVE NUMBERS REFLECT % CITY MADE UP AND NEGATIVE NUMBERS REFLECT % CITY WAS OVERPAID)
1990-1991	393.13	142.42	-250.71	63.8
1991-1992	370.43	153.26	-217.17	58.6
1992-1993	350.10	131.53	-218.57	62.4
1993-1994	350.40	143.13	-207.27	59.2
1994-1995	308.54	120.66	-187.88	60.9
1995-1996	360.40	212.76	-147.64	-41.0
1996-1997	426.05	336.13	-89.92	-21.1
1997-1998	649.71	487.80	-161.91	-24.9
1998-1999	647.30	476.19	-171.11	-26.4
1999-2000	1193.32	595.23	-598.12	-50.1
2000-2001	1208.93	704.22	-504.71	-41.7
2001-2002	1211.05	984.84	-226.21	-18.7
2002-2003	1715.73	866.67	-849.06	-49.5
2003-2004	1,699.69	1,000.00	-699.69	-41.2
2004-2005	1,716.41	672.41	-1,044.00	-60.8
2005-2006	2,002.93	900.00	-1,102.93	-55.1
2006-2007	2,129.93	1,040.00	-1,089.93	-51.2
2007-2008	1,871.07	891.43	-979.64	-52.4
2008-2009	2,513.07	1,872.00	-641.07	-25.5
2009-2010	2,413.88	1,671.43	-742.45	-30.8
2010-2011	2,382.71	3,900.00	1,517.29	63.7
2011-2012	2,904.01	1,910.20	-993.81	-34.2
2012-2013	3,032.86	3342.86	310.00	10.2
2013 - 2014	3,691.32	1,664.28	2,027.04	-54.9

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CITY RESPONSE
ANNUAL 2014

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes		0- 1 1/2 MINUTES	
CRITERIA MET %	307 OF 343	CRITERIA MET %	36 OF 37
CRITERIA -ACHIEVE RESPONSE TIME	90%	CRITERIA -ACHIEVE RESPONSE TIME	97%
90% OF TIME IN BOXES WITH	CRITERIA MET	60% OF TIME IN BOXES WITH	CRITERIA MET
STATIONS		STATIONS	
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES		0-6 MINUTES	
CRITERIA MET %	322 OF 344	CRITERIA MET %	27 OF 3
CRITERIA -ACHIEVE RESPONSE TIME	94%	CRITERIA -ACHIEVE RESPONSE TIME	73%
90% OF TIME IN BOXES WITH	CRITERIA MET	60% OF TIME IN BOXES WITH	CRITERIA MET
STATIONS		STATIONS	
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES		0-7 1/2 MINUTES	
CRITERIA MET%	327 OF 344	CRITERIA MET%	31 OF 37
CRITERIA -ACHIEVE RESPONSE TIME	95%	CRITERIA -ACHIEVE RESPONSE TIME	84%
90% OF TIME IN BOXES WITH	CRITERIA MET	60% OF TIME IN BOXES WITH	CRITERIA MET
STATIONS		STATIONS	

COUNTY AND MUTUAL AID
RESPONSE
ANNUAL 2014

COUNTY	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	21 OF 31
CRITERIA MET %	67.74%
CRITERIA -ACHIEVE RESPONSE TIME	CRITERIA MET
60% OF TIME IN BOXES WITH	
STATIONS	
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	21 OF 28
CRITERIA -ACHIEVE RESPONSE TIME	75%
60% OF TIME IN BOXES WITH	CRITERIA MET
STATIONS	
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	
CRITERIA MET%	20 of 28
CRITERIA -ACHIEVE RESPONSE TIME	71%
60% OF TIME IN BOXES WITH	CRITERIA MET
STATIONS	

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Total Dollar Losses

City of Rockwall
The New Horizon

	Current	Last Year
Total Property Loss:	$425,908.00	$539,144.90
Total Content Loss:	$313,254.80	$237,438.94
Total Property Pre-Incident Value:	$3,279,580.00	$3,526,807.00
Total Contents Pre-Incident Value	$6,490,050.00	$13,718,980.20
Total Losses:	$739,162.80	$776,583.84
Total Value:	$9,769,630.00	$17,245,787.20

FULL EXEMPTION RACIAL PROFILING REPORT

Agency Name:	ROCKWALL FIRE DEPT.
Reporting Date:	01/07/2015
TCOLE Agency Number:	397601
Chief Administrator:	MARK POINDEXTER
Agency Contact Information:	Phone: 972-771-7770 Email: mpoindexter@rockwall.com Mailing Address: ROCKWALL FIRE DEPT. 385 South Goliad Street Rockwall, Tex 75087

Article 2.132 CCP Law Enforcement Policy on Racial Profiling

(a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties.

I certify it is not the policy of this agency to make traffic stops in the routine performance of the officers' official duties.

Executed by: ***MARK POINDEXTER***
Chief Administrator

ROCKWALL FIRE DEPT.

Date: 01/07/2015

Submitted electronically to the

The Texas Commission on Law Enforcement

To: Chief Mark Poindexter
From: Battalion Chief Brett Merritt
Re: Applicant Status for 2014
Date: January 20, 2015.

2014 Beginning membership 29, current membership 32

55 - Applicants were rejected by Human Resource Department due to applicant not meeting residency requirements:

60 - Total Applications received in 2014: Crawford, Oden, Payne, Petroski, Reyes, Riley, Rule, Smith, Wellman, Wempa, Adams, Baker, Barry, Blanco, Bonny, Brasier, Breeding, Buffington, Carrocia, Cox, Davis, Esquivel, Figueroa, Gamez, Gamez, Gray, Hardin, Herndon, Hicks, Hilgendorf, Hogan, Hommel, Insuaste, Jones, Juarez, Keith, Kirkpatrick, Krawietz, Leal, Maldonado, Martin, Menges, Miner, Mitchell, Napier, Nickerson, Paris, Patlan, Richmond, Rico, Romans, Sandidge, Singh, Smith, Suarez, Thomas, Tiner, Wade, Weghorst, Wilk-Crosby.

12 - Applications withdrawn by the applicant: Brasier, Caroccia, Davis, Figueroa, Hilgendorf, Insuaste, Kirkpatrick, Martin, Mitchell, Nickerson, Wade, Herndon.

2 - Applicants passed the PAT and failed to return their background packet: Napier, Tiner.

3 - Applicants have been rejected due to issues that were found during the background check or oral review: Esquivel, Rico, Sandidge.

19 - Applications were rejected due to applicants' failure to return phone calls or e-mail messages that were intended to schedule the applicant for the physical agility tests. Some of these applicants were unsuccessful on the PAT at least one time and some never scheduled for the first attempt. I made multiple unsuccessful attempts to contact each applicant prior to this rejection: Blanco, Bonny, Breeding, Cox, Gray, Hardin, Hicks, Hogan, Hommel, Keith, Maldonado, Milner, Patlan, Richmond, Romans, Singh, Suarez, Weghorst, Wilk-Crosby.

7 - Applicants were disqualified due to confirming for and then failing to attend the PAT: Adams, Barry, Gamez, Gamez, Juarez, Smith, Riley

7 - Applicants are awaiting the next physical agility test: Leal, Crawford, Oden, Payne, Petroski, Reyes, Wempa, Alexander, Davis.

8 - Applicants became recruits 2014: Jones, Krawietz, Baker, Buffington, Menges, Thomas, Baker, McCormack.

2 - Applicants are awaiting the oral review board. Smith, Paris.

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1 - Applicants have passed PAT and we are awaiting the return of background packet. Rule

1 - Member was removed from the department for failing to attend 25% of paged emergency calls for two years in a row. Colbert

5 - Volunteer Firefighters resigned from the department in 2014. Baker, Points, Day, Thorn, Downum.

26 - Scheduled Physical agility test/practice sessions. 3 were cancelled due to weather or no applicants for testing.

0 - Number of volunteers are being placed on probation for failing to attend meet minimum response and training requirements for the year.

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2014 Structure Fire Report

2230 Garden Crest

We responded to a report of a Structure fire on December 17, 2014. The first unit on scene reported smoke and flames visible from the rear of a 2 story residence. I arrived shortly after the first engine and walked around to the rear of the residence to find heavy flames coming from the attic of the residence. The first crews made entry through the front of the residence and began to attack the flames from the interior. The fire was in two separate attic areas of the residence which made for a difficult initial attack. Interior attack crews were removed from the residence and a defensive attack was done using the aerial master stream. Once the fire had been controlled with the aerial master stream the offensive attack was resumed and the fire was extinguished. No damage occurred to either of the adjacent structures. The initial involved structure suffered significant fire damage to the rear portion and secondary water damage throughout. There were no civilian injuries and no firefighter injuries were reported on this incident.

Dispatch time: 18:14.13
Enroute time: 18:15.09
On scene time: 18:18.50
Clear time: 22.11.21

4 men on scene 18:21

I arrived on scene at 18:19.38 and was the 3rd person on scene so the above 4 man time is estimated. I was unable to report any subsequent times because I was buy trying to help get the initial attack started as well as get an exposure line in place.

We had a total of 5 on duty Firefighters, 19 Volunteers, 2 Investigators, 1 Chief and 3 apparatus on this incident. Mutual aid was also requested from Fate and they sent 6 personnel and 1 apparatus to the scene.

1200 E. Washington

We responded to a report of a fire at 1200 E. Washington on December 17, 2014. The first unit on scene arrived and reported smoke coming from a vent on the side of the building and large bay doors on the rear of the building. Upon further investigation it was determined the fire was inside a large drying oven and was contained to that location. The fire was extinguished and no damage was done to the structure and minimal damage was done to the drying oven. There were no civilian injuries and no firefighter injuries were reported on this incident.

Dispatch time: 08:16.47
Enroute time: 08:18.20
On scene time: 08:20.35
Clear time: 09:07.25

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12 men on scene 08:35.40

We had a total of 4 on duty Firefighters, 15 Volunteers, 2 Investigators, 2 Chiefs and 3 apparatus on this incident.

206 S. Clark

We responded to a report of a Structure fire on October 30, 2014. The first unit on scene reported smoke showing from the eve of the house. Upon further investigation flames were reported showing from the rear of the house. Firefighters made a quick attack of the fire from the back door and were able to contain the fire to the kitchen area of the house. Two dogs and 1 cat were removed from the smoke filled house by firefighters. The structure suffered moderate damage due to the smoke and fire. No firefighter injuries were reported on this incident.

Dispatch time: 12:03.26
Enroute time: 12:04.33
On scene time: 12:06.09
Clear time: 13:25.25

4 men on scene 12:07.37
8 men on scene 12:09.58

We had a total of 6 on duty Firefighters, 7 Volunteers, 3 Investigators, 2 Chiefs and 4 apparatus on this incident.

2233 Ridge Road

We responded to a report of a Structure fire on September 04, 2014. The first unit on scene arrived and reported a small fire on the first and second floor of the exterior balcony. The fires were quickly extinguished and there was no major damage to the building itself. No firefighter injuries were reported on this incident.

Dispatch time: 06:52:33
Enroute time: 06:52:41
On scene time: 06:54:53
Clear time: 07:46:38

No crew times were reported due to all units being reduced to code 1 just minutes after the arrival of E1.

We had a total of 6 on duty Firefighters on scene, 8 Volunteers, 1 Investigator and 3 apparatus on this incident.

2625 Discovery Blvd

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We responded to a report of a Structure fire on August 20, 2014. The first unit on scene arrived and reported smoke showing from the outside of the building. Upon entry into the building firefighters discovered a fire in a large grinding machine. The fire sprinkler system was flowing but the fire was still burning. Firefighters quickly extinguished the fire and shut down the sprinkler system to minimize the water damage due to the large amount of water that was flowing from the system. There was no major damage to the building itself only the machine that was involved and some other materials that were affected by the water from the sprinkler system. No firefighter injuries were reported on this incident.

Dispatch time: 13:34:14
Enroute time: 13:35:31
On scene time: 13:39:17
Clear time: 15:14:02

4 men on scene 13:41:00
8 men on scene not reported
12 men on scene 14:00:27

We had a total of 6 on duty Firefighters on scene, 6 Volunteers, 2 Chief, 3 Investigators and 4 apparatus.

16 Indian Trail

We responded to a report of a Structure fire on May 01. 2014. The first unit on scene arrived and reported heavy fire showing from the garage of the structure. There was one vehicle in the garage totally engulfed and the fire was spreading through the attic of the home. The home and contents were heavily damaged by the fire and water. No firefighter injuries were reported on this incident.

Dispatch time: 02:31:18
Enroute time: 02:33:14
On scene time: 02:39:08
Clear time: 05:06:17

4 men on scene 02:46:31
8 men on scene 02:47:14
12 men on scene 03:19:12

We had a total of 4 on duty Firefighters on scene, 7 Volunteers, 1 Chief, 2 Investigators and 3 apparatus.

2995 Horizon

We responded to a report of a fire alarm at 2995 Horizon Road on April 29, 2014. The first unit on scene arrived and reported nothing showing from the outside of the structure. Upon making entry the firefighters discovered heavy smoke inside of the building. The call was immediately

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upgraded to a structure fire. Upon investigation firefighters discovered a sprinkler that was flowing water due to a commercial dryer that had been on fire. The sprinkler system was immediately shut down to minimize water damage. The sprinkler system extinguished the fire. There was minimal damage to the structure from the fire, smoke and water from the sprinkler system. No firefighter injuries were reported on this incident.

Dispatch time: 22:41:42
Enroute time: 22:42:53
On scene time: 22:44:55
Clear time: 00:34:27

4 men on scene 22:48:44
8 men on scene 22:58:26
12 men not achieved

We had a total of 5 on duty Firefighters on scene, 4 Volunteers, 2 Chiefs, 2 Investigators and 3 apparatus.

3686 Juniper Hills

We responded to a report of a structure fire at 3686 Juniper Hills on March 10, 2014. The first unit arrived on scene and reported heavy smoke and fire coming from the residential structure. Despite great efforts by firefighters the complete structure was heavily damaged but no damage was done to neighboring structures. No firefighter injuries were reported on this incident

Dispatch time: 02:16.07
Enroute time: 02:16.09
On scene time: 02:23.20
Clear time: 05:40.16

6 men on scene 02:27.11

We had a total of 5 on duty Firefighters on scene, 2 off duty, 2 Chiefs, 6 Volunteers, 3 Investigators and 3 apparatus on scene.

657 Cornelius

We responded to a report of a structure fire on March 07, 2014 at 657 Cornelius. The first unit arrived on scene and reported heavy smoke and fire showing from a residential structure. The structure ended up being a total loss. No injuries were reported on this incident.

Dispatch Time: 21:27.27
Enroute Time: 21:28.36
On Scene Time: 21:33.38
Clear Time: 01:17.08

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8 men on scene 21:41.05

We had a total of 5 0n duty firefighters, 1 off duty, 11 volunteer firefighters, 1 Chief, 2 investigators and 3 apparatus on scene.

313 StoneCrest

We responded to a report of a fire at 301 StoneCrest on March 03, 2014. The first unit on scene arrived and reported light smoke showing from the front of the residential structure. Upon investigation firefighters located a fire in the dishwasher that was producing moderately heavy smoke. The fire was quickly extinguished. There was minimal damage to the structure. No firefighter injuries were reported on this incident.

Dispatch time: 21:55.01
Enroute time: 21:55.47
On scene time: 21:59.56
Clear time: 00:00.55

8 men on scene 22:07:00

We had a total of 5 on duty Firefighters on scene, 4 Volunteers, 1 Chief and 3 apparatus.

501 S. Goliad

We responded to a report of a fire at 501 S. Goliad St. on January 20, 2014. The first unit on scene arrived and reported light smoke showing from the rear of the building. Upon investigation firefighters located a small smoldering fire in the outside wall of the structure The fire was quickly extinguished. There was minimal damage to the structure. No firefighter injuries were reported on this incident.

Dispatch time: 13:29.51
Enroute time: 13:29.56
On scene time: 13:32.15
Clear time: 14:22.18

No Crew times were reported on this incident.

We had a total of 14 Firefighters on scene, 0 Chiefs and 3 apparatus.

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Rockwall Police Department
Harbor District Calls For Service
December 2014

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2014-00039725	12/06/2014	10:03:13	Hilton	911 Hang Up	False 911
2014-00042065	12/27/2014	04:50:00	Glorias Restaurant	Alarm-BUSN	No Report
2014-00040030	12/09/2014	01:32:41	Luna De Noche	Alarm-BUSN	False Alarm
2014-00041101	12/18/2014	04:19:39	Cinemark	Alarm-BUSN	False Alarm
2014-00039307	12/03/2014	02:08:05	Cinemark	Alarm-BUSN	Cancelled Alarm
2014-00042246	12/28/2014	22:26:53	Hilton	Disturbance	No Report
2014-00040616	12/13/2014	23:05:52	The Harbor	Intoxicated	No Report
2014-00039913	12/08/2014	05:14:36	Three Sheets	Investigation	No Report
2014-00039551	12/05/2014	00:18:19	Cinemark	Investigation	No Report
2014-00040556	12/13/2014	17:38:31	The Harbor	Missing Person	No Report
2014-00042238	12/28/2014	21:03:04	Cinemark	Motor Vehicle Theft	Report
2014-00042077	12/27/2014	10:06:31	Cinemark	Property	No Report
			Common Name		
			Cinemark	5	
			Hilton	2	
			The Harbor	2	
			Glorias Restaurant	1	
			Luna De Noche	1	
			Three Sheets	1	
			Total	**12**	

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
DECEMBER 2014

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	7	7	0	100%
ADMINISTRATIVE SERVICES	1	1	0	100%
AIRPORT	4	4	0	100%
ANIMAL SERVICES	4	3	1	75%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	0	0	0	0%
ENGINEERING	8	8	0	100%
FINANCE	0	0	0	0%
FIRE DEPARTMENT	35	33	2	94%
INTERNAL OPERATIONS	105	105	0	100%
MUNICIPAL COURT	5	5	0	100%
PARKS & RECREATION	34	33	1	97%
PLANNING & ZONING	0	0	0	0%
POLICE DEPARTMENT	28	28	0	100%
PUBLIC WORKS	6	6	0	100%
UTILITY BILLING	0	0	0	0%
TOTAL	237	233	4	98%

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
RADIO SYSTEM
REQUESTS FOR SERVICE
DECEMBER 2014

DEPARTMENT	# OF REQUESTS	# OF REQUESTS RESPONDED TO W / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ANIMAL SERVICES	0	0	0	100%
CODE ENFORCEMENT	0	0	0	100%
FIRE DEPARTMENT	1	1	0	100%
EMS	0	0	0	100%
INTERNAL OPERATIONS	0	0	0	100%
PARKS & RECREATION	9	9	0	100%
POLICE DEPARTMENT	6	6	0	100%
PUBLIC WORKS	4	4	0	100%
UTILITY BILLING	0	0	0	100%
HEATH DEPT. PUBLIC SAFETY	2	2	0	100%
HOSPITAL CONTROL STATIONS	0	0	0	100%
SYSTEM ISSUES	0	0	0	100%
TOTAL	22	22	0	100%

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Airport Operations Report

For Month of December 2014

FUEL SALES

	GALLONS SOLD	GROSS SALES
Jet - A Sales	291.00	$1,353.15
Av-Gas Sales	1,671.70	$8,506.37
TOTAL FUEL SALES	1,962.70	$9,859.52

HANGAR RENTAL REVENUE

Open T Hangar Rental Revenue	$2,422.91
Terminal Office Rental Revenue	$250.00
Enclosed Hangar Rental Revenue	$120.00
North Maintenance Hangar Rental Revenue	$500.00
TOTAL HANGAR RENTALS	$3,292.91

HANGAR OCCUPANCY RATES

	TOTAL HANGARS	QTY RENTABLE	QUANTITY LEASED	OCCUPANCY RATE
Open T Hangars	45	40	33	82.50%
Terminal Office Rentals	1	1	1	100%
Closed Hangar Rentals	1	1	1	100%
Open Hangar Cap Rentals	2	1	1	100%
TOTAL HANGAR OCCUPANCY	49	43	36	84%

Of the forty five hangars only forty can actually be rented. Most of these forty should be considered substandard and not easily marketed due to pad slope and width, electrical, and drainage issues.

CITY FEES DUE	FEE RATE	FRANCHISE FEE DUE	FUEL FLOWAGE FEES DUE	TOTAL FEES DUE
Fuel Sales (Gallons Sold)	$0.10	$0.00	$196.27	$196.27
City Owned Hangar Rentals	5.00%	$164.65		$0.00
TOTAL FEES DUE		$164.65	$196.27	$360.92

I certify the information and amounts submitted on this form are true and correct.

Todd Parks
Managing Director - Texas Air Center, LLC

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2014/15 City of Rockwall In kind values /Meals 1st Quarter
Meals on Wheels Senior Services

Oct-14 — 23 Days served

ROUTES	MILES	$
A	308	$172.48
B	220	$123.20
C	748	$418.88
E	682	$381.92
F & K	440	$246.40
H	276	$154.56
I&J	1320	$739.20
RM & R	332	$185.92
	4326	$2,422.56

	HOURS	$
A	23	$338.10
B	33	$485.10
C	23	$338.10
E	23	$338.10
F &K	43	$632.10
H	23	$338.10
I&J	33	$485.10
RM & R	33	$485.10
	234	$3,439.80

$ Value in kind volunteer services $5,862.36

Total October inkind value $5,862.36

ROCKWALL PROGRAM MEALS
1,910 Home Delivered and Disabled
401 Congregate Centers

Total purchased Meals 2,311

Nov-14 — 19 Days served

ROUTES	MILES	$
A	266	$148.96
B	190	$106.40
C	646	$361.76
E	589	$329.84
F& K	380	$212.80
H	238	$133.28
I&J	1140	$638.40
RM & R	286.72	$160.56
	3735.72	$2,092.00

	HOURS	$
A	19	$226.29
B	30	$357.30
C	19	$226.29
E	19	$226.29
F & K	40	$588.00
H	19	$226.29
I&J	30	$441.00
RM & R	30	$441.00
	206	$2,732.46

$ Value in kind volunteer services $ 4,824.46

Thanksgiving Holiday Meal
Dr. Les Sandknop $750.00
Drinks
prepared by Lubys
Volunteer Miles & Hrs $225.00

Total November inkind value $5,799.46

ROCKWALL PROGRAM MEALS
1,655 Home Delivered and Disabled
356 Congregate Centers

Total purchased Meals & Holiday Meals 2,176

Dec-14 — 21 Days served

ROUTES	MILES	$
A	294	$164.64
B	210	$117.60
C	714	$361.76
E	651	$329.84
F& K	420	$212.80
H	263	$147.28
I&J	1260	$638.40
RM & R	286.72	$160.56
	4098.72	$2,132.88

	HOURS	$
A	21	$308.70
B	32	$441.00
C	21	$308.70
E	21	$308.70
F & K	40	$476.40
H	21	$308.70
I&J	32	$441.00
RM & R	32	$441.00
	220	$3,034.20

$ Value in kind volunteer services $ 5,167.08

Christmas Holiday Meal
Rockwall Chamber of Commerce/Zanata $750.00
Drinks $30.00
Volunteer Miles & Hrs $450.00
New Years Eve Holiday Meal
Taco Casa & Drinks $780.00

Total December inkind value $7,177.08

ROCKWALL PROGRAM MEALS
1,955 Home Delivered and Disabled
415 Congregate Centers

Total Purchased Meals & Holiday Meals 2,700

THANK YOU
FOR YOUR
SUPPORT

Sincerely, Margie VerHagen E.D.

Total meals Program Purchased	In-kind VALUE Donated 1st Quarter 2014/15
7,187	$5,862.36 Oct. Total $ 18,838.90
	$5,799.46 Nov.
	$7,177.08 Dec.

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Rockwall Police Department

Monthly Activity Report
December-2014

ACTIVITY	CURRENT MONTH DECEMBER	PREVIOUS MONTH NOVEMBER	YTD 2014	YTD 2013	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	1	1	1	0.00%
Sexual Assault	1	0	7		
Robbery	0	1	5	6	-16.67%
Aggravated Assault	1	1	24	11	118.18%
Burglary	3	7	83	93	-10.75%
Larceny	59	55	644	639	0.78%
Motor Vehicle Theft	11	7	61	63	-3.17%
TOTAL PART I	**75**	**72**	**825**	**820**	**0.61%**
TOTAL PART II	**169**	**118**	**1673**	**1475**	**13.42%**
TOTAL OFFENSES	**244**	**190**	**2498**	**2295**	**8.85%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	23	11	206	162	27.16%
D.W.I.	18	13	211	203	3.94%
TEEN CURFEW	0	0	13	12	8.33%
ARRESTS					
FELONY	19	14	214	185	15.68%
MISDEMEANOR	86	66	929	870	6.78%
WARRANT ARREST	27	31	376	312	20.51%
JUVENILE	2	8	72	64	12.50%
TOTAL ARRESTS	**134**	**119**	**1591**	**1431**	**11.18%**
DISPATCH					
CALLS FOR SERVICE	1459	1326	17524	16438	6.61%
ACCIDENTS					
INJURY	13	19	141	144	-2.08%
(INJURIES)	15	25	194	183	6.01%
NON-INJURY	46	49	543	501	8.38%
FATALITY	0	0	1	2	-50.00%
(FATALITIES)	0	0	1	2	-50.00%
TOTAL	**59**	**68**	**685**	**647**	**5.87%**
FALSE ALARMS					
RESIDENT ALARMS	62	57	709	801	-11.49%
BUSINESS ALARMS	124	117	1533	1328	15.44%
TOTAL FALSE ALARMS	**186**	**174**	**2242**	**2129**	**5.31%**
Estimated Lost Hours	**122.76**	**114.84**	**1479.72**	**1405.14**	**5.31%**
Estimated Cost	**$2,920.20**	**$2,731.80**	**$35,199.40**	**$33,425.30**	**5.31%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**6**
Arrests	**3**
Arrest Warrants	**3**
Search Warrants	
Seized	
Methamphetamine	1,014.8 grams

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Rockwall Police Department
Dispatch and Response Times
December 2014

Police Department

	Average Response Time	
Priority 1		Number of Calls **116**
Call to Dispatch	0:00:22	
Call to Arrival	0:04:53	
% over 7 minutes	15%	
Priority 2	**Average Response Time**	Number of Calls **243**
Call to Dispatch	0:00:37	
Call to Arrival	0:06:18	
% over 7 minutes	30%	
Priority 3	**Average Response Time**	Number of Calls **6**
Call to Dispatch	0:00:34	
Call to Arrival	0:04:15	
% over 7 minutes	0%	
***Priority 4**		Number of Calls **1093**
****Priority 5**		Number of Calls **1**

*Priority 4 call averages are not given because they are calls that do not require an immediate response by police.
**Priority 5 calls are incidents that officers initiate themselves therefore response times are not calculated.

Average dispatch response time goals are as follows:
Priority 1: 30 Seconds
Priority 2: 45 Seconds
Priority 3: 1 Minute

Fire Department

	Average Response Time	
Call to Dispatch	0:00:17	Number of Calls **69**
Call to Arrival	0:05:34	

Overages

Incident No.	Date	Time Rec'd	Call Type	Time Disp	Resp Time	Reason
2014-971	12/4/2014	18:15:28	Fire Alarm Commercial	18:16:37	0:01:09	Address would not geo verify
2014-1004	12/14/2014	11:30:53	Medical Emergency	11:32:08	0:01:15	Address would not geo verify
2014-984	12/8/2014	9:29:02	Fire Alarm Commercial	18:16:37	0:01:09	Address would not geo verify

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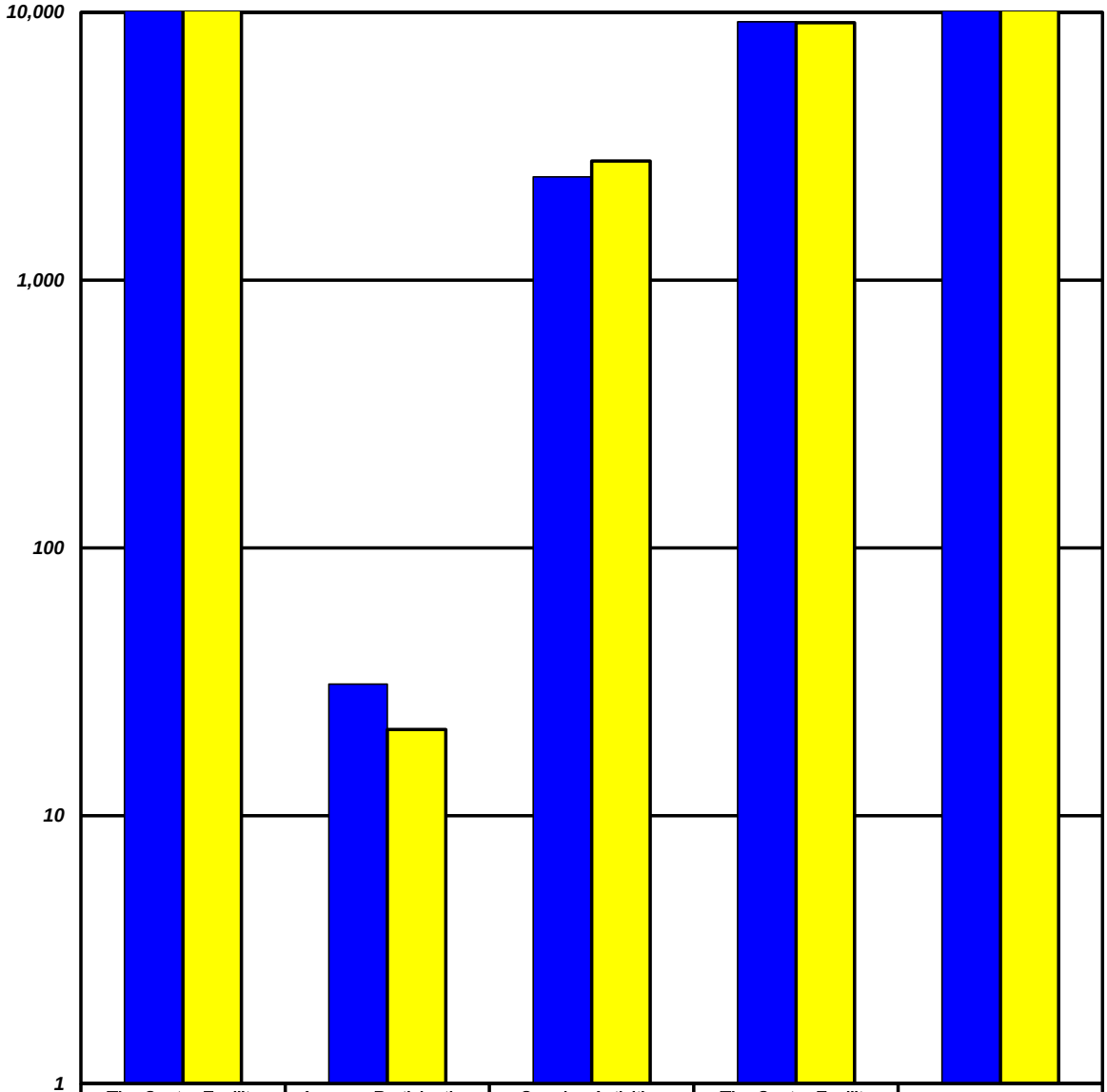
City of Rockwall
Parks and Recreation Department
FY15 December Report



	The Center Facility Usage	Average Participation per Hour	Ongoing Activities Attendance	The Center Facility Rental Revenue	Program Revenue
FY15 YTD	16,693	31	2,434	$9,232	$22,002
FY14 YTD	23,617	21	2,786	$9,158	$25,518

The Center Facility Usage - Total number of visitors and participants that come thru The Center - includes Ongoing Activities.
Average Participation per Hour - The Center Facility Usage divided by the number of hours the facility is open.
Ongoing Activities Attendance - Non fee based activities conducted on a routine basis (Bingo, Exercise with Anita, etc).

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Rockwall Animal Adoption Center Monthly Report
CCHS at Rockwall
December 2014

DISPOSITION REPORT

	December
Intakes	103
1045	0
Adopted	96
Returned to Owner	24
Rescued	15
Euthanized	4
Live Outcome %	**97%**
Number of Animals in Foster	1

FINANCIAL REPORT

Income	**December**
City of Rockwall	$0
Adoption Fee Income	$7,300
Impound Fee Income	$595
Owner Surrender	$430
General Donations	$17,180
Merchandise Sales	$0
Medical	$165
Quarantine Fee	$200
Total Income	**$25,870**

Expenses	**December**
Administrative Expenses (Payroll, etc)	$35,562
Shelter Expenses (Microchips, Drugs, etc)	$6,994
Veterinary Expenses	$3,199
Professional Services	$2,284
Training	$0
Total Expenses	**$48,039**
Balance	**-$26,897**

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Agenda 5

Hold Work Session to discuss the acquisition of portable furniture for San Jacinto Plaza, and take any action necessary.

Memo San Jacinto 10

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Hold Work Session to discuss and consider initiating amendment to the Unified Development Code in Article IX. Tree Preservation, Section 11. Tree Fund, Section 11.1 Tree Fund Administration, and take any action necessary.

Memo_UDC Amendment 21

Existing Ord Language 22

Proposed Ord Language 23

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Hold Work Session to discuss and consider city branding, including updating the city logo, and take any action necessary.

Memo_Logo 25

Logo depiction 26

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Engineers Week

Proclamation 28

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Consider approval of the minutes from the February 2, 2015 regular city council meeting, and take any action necessary.

02/02/15 CC Mtg Mins 30

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P2015-003 - Discuss and consider a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a master plat and open space plan for Phases 1 & 2 of the Somerset Park Subdivision, containing 309 single-family residential lots on a 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary.

P2015-003 44

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P2015-004 - Discuss and consider a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a preliminary plat for Phases 1 & 2 of the Somerset Park Subdivision, containing 309 single-family residential lots on a 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary.

P2015-004 49

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Appointment with Police Chief Mark Moeller to hear reports on racial profiling, crime comparison and the holiday crime initiative, and take any action necessary.

Memo_Racial Profiling 69

RP Report 70

Crime Comp 73

Memo Holiday Crime Initiative 75

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Z2015-001 - Hold a public hearing to discuss and consider approval of an ordinance for a request by James Jackson of Jackson Automotive for the approval of a Specific Use Permit to allow for automotive vehicles to be stored outside overnight in conjunction with an existing minor automotive repair garage on a 0.88-acre parcel of land identified as Lot 2B-2, Block A, Panex LTD Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located at 608 White Hills Drive, and take any action necessary. (1st reading)

Z2015-001 77

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Z2015-004 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Zack Amick of Gordon Rockwall Investments, LLC on behalf of Keith Young for the purpose of amending Specific Use Permit (SUP) S-107 to allow for a new car dealership on a ten (10) acre tract of land identified as Tract 4-02 and Tract 4 of the N. M. Ballard Survey, Abstract No. 24 and the A. Hanna Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Corridor Overlay (IH-30 OV) District, addressed as 1530 E. IH-30, and take any action necessary. (1st reading)

Z2015-004 89

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Z2015-002 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Lawrence H. Ringley of Ringley & Associates, Inc. on behalf of Jill Fisher of Steger Dunhill, LLC for the approval of a Specific Use Permit to allow an automobile rental facility on a 0.215-acre portion of a larger 4.218-acre parcel of land identified as Lot 3, Block A, Steger Towne Crossing, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located at 898 Steger Towne Drive, and take any action necessary. (1st reading)

Z2015-002 111

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Z2015-003 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Cole Franklin of the Skorburg Company on behalf of the owner Larry Hance for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 7 (SF-7) and General Retail (GR) District land uses for a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King Boulevard, and take any action necessary [Postponed to the March 2, 2015 City Council meeting].

Z2015-003 125

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Discuss and consider a request from Mr. Richard and Ceci Chancellor to install a 48" tall wrought iron fence in the required front yard located at 705 Pendleton Dr, and take any action necessary.

Council Packet 128

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Z2014-040 - Discuss and consider approval of an ordinance for a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of a Specific Use Permit (SUP) for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary. (2nd Reading)

Ordinance_2nd reading 135

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SP2014-034 - Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of waivers to Planned Development District 32 (PD-32) [Ordinance No. 10-21] and variances to the Unified Development Code associated with a site plan for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary.

SP2014-034 . . . 142
Blank Page . . . 158

Discuss and consider various bills being proposed in the 84th Texas State Legislative Session and consider authorizing the City Manager to enter into an agreement with Capitol Insights for support in monitoring this legislative session, and take any action necessary.

Memo_Legislative Session . . . 159
Capitol Insights . . . 163
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Discuss and consider initiating a survey for the purpose of soliciting citizen feedback and input regarding city programs and services, and take any action necessary.

Memo to City Council re Citizens Survey . . . 165
Milder memo re Survey . . . 166
2011 Survey Instrument/Questions . . . 167
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AGENDA
ROCKWALL CITY COUNCIL
Monday, February 16, 2015
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

p10 **1. HOLD WORK SESSION TO DISCUSS THE ACQUISITION OF PORTABLE FURNITURE FOR SAN JACINTO PLAZA, AND TAKE ANY ACTION NECESSARY.**

p21 **2. HOLD WORK SESSION TO DISCUSS AND CONSIDER INITIATING AMENDMENT TO THE UNIFIED DEVELOPMENT CODE IN ARTICLE IX. TREE PRESERVATION, SECTION 11. TREE FUND, SECTION 11.1 TREE FUND ADMINISTRATION, AND TAKE ANY ACTION NECESSARY.**

p25 **3. HOLD WORK SESSION TO DISCUSS AND CONSIDER CITY BRANDING, INCLUDING UPDATING THE CITY LOGO, AND TAKE ANY ACTION NECESSARY.**

III. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the city's concession agreement with Suntex Marina / Suntex RHCL Marina, LLC pursuant to Section § 551.071 (Consultation with Attorney)
2. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding legal claim related to back up of city sewage line in Random Oaks Subdivision pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding Economic Development prospects and potential incentive agreement pursuant to Section 551.087 (Economic Development)

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, February 16, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TOWNSEND

VIII. PROCLAMATIONS / AWARDS

p28 **1.** Engineers Week

IX. CONSENT AGENDA

p30 **1.** Consider approval of the minutes from the February 2, 2015 regular city council meeting, and take any action necessary.

944 **2.** **P2015-003** - Discuss and consider a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a master plat and open space plan for Phases 1 & 2 of the Somerset Park Subdivision, containing 309 single-family residential lots on a 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary.

949 **3.** **P2015-004** - Discuss and consider a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a preliminary plat for Phases 1 & 2 of the Somerset Park Subdivision, containing 309 single-family residential lots on a 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

p69 **2.** Appointment with Police Chief Mark Moeller to hear reports on racial profiling, crime comparison and the holiday crime initiative, and take any action necessary.

XI. PUBLIC HEARING ITEMS

p77 **1.** **Z2015-001** - Hold a public hearing to discuss and consider approval of an ordinance for a request by James Jackson of Jackson Automotive for the approval of a Specific Use Permit to allow for automotive vehicles to be stored outside overnight in conjunction with an existing minor automotive repair garage on a 0.88-acre parcel of land identified as Lot 2B-2, Block A, Panex LTD Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located at 608 White Hills Drive, and take any action necessary. **(1st reading)**

p89 **2.** **Z2015-004** - Hold a public hearing to discuss and consider approval of an ordinance for a request by Zack Amick of Gordon Rockwall Investments, LLC on behalf of Keith Young for the purpose of amending Specific Use Permit (SUP) S-107 to allow for a new car dealership on a ten (10) acre tract of land identified as Tract 4-02 and Tract 4 of the N. M. Ballard Survey, Abstract No. 24 and the A. Hanna Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Corridor Overlay (IH-30 OV) District, addressed as 1530 E. IH-30, and take any action necessary. **(1st reading)**

p111 **3.** **Z2015-002** - Hold a public hearing to discuss and consider approval of an ordinance for a request by Lawrence H. Ringley of Ringley & Associates, Inc. on behalf of Jill Fisher of Steger Dunhill, LLC for the approval of a Specific Use Permit to allow an automobile rental facility on a 0.215-acre portion of a larger 4.218-acre parcel of land identified as Lot 3, Block A, Steger Towne Crossing, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located at 898 Steger Towne Drive, and take any action necessary. **(1st reading)**

p125 **4.** **Z2015-003** - Hold a public hearing to discuss and consider approval of an ordinance for a request by Cole Franklin of the Skorburg Company on behalf of the owner Larry Hance for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 7 (SF-7) and General Retail (GR) District land uses for a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King Boulevard, and take any action necessary [Postponed to the March 2, 2015 City Council meeting.

XII. ACTION ITEMS

p128 **1.** Discuss and consider a request from Mr. Richard and Ceci Chancellor to install a 48" tall wrought iron fence in the required front yard located at 705 Pendleton Dr, and take any action necessary.

p135 **2.** **Z2014-040** - Discuss and consider approval of an ordinance for a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of a Specific Use Permit (SUP) for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary. **(2nd Reading)**

p142 **3.** **SP2014-034** - Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of waivers to Planned Development District 32 (PD-32) [Ordinance No. 10-21] and variances to the Unified Development Code associated with a site plan for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary.

p159 **4.** Discuss and consider various bills being proposed in the 84th Texas State Legislative Session and consider authorizing the City Manager to enter into an agreement with Capitol Insights for support in monitoring this legislative session, and take any action necessary.

p165 **5.** Discuss and consider initiating a survey for the purpose of soliciting citizen feedback and input regarding city programs and services, and take any action necessary.

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the city's concession agreement with Suntex Marina / Suntex RHCL Marina, LLC pursuant to Section § 551.071 (Consultation with Attorney)

2. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)

3. Discussion regarding legal claim related to back up of city sewage line in Random Oaks Subdivision pursuant to Section 551.071 (Consultation with Attorney)

4. Discussion regarding Economic Development prospects and potential incentive agreement pursuant to Section 551.087 (Economic Development)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 13th day of February, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

CC: **Rick Crowley, City Manager and Mary Smith, Assistant City Manager**

FROM: **Bethany Browning, Main Street Manager**

DATE: **February 11, 2015**

SUBJECT: **SAN JACINTO PLAZA SITE FURNITURE**

Staff is requesting the City Council review the attached site furnishings information related to San Jacinto Plaza and provide direction regarding the involvement of the DT Improvements Committee in the selection/approval process.

San Jacinto Plaza is a public space created for visitors to gather and spend time. The park-like setting is equipped with a stage for performances, shade trees, seat walls and ample lighting. Tables and chairs will complete the space, providing visitors a place to relax, eat lunch, enjoy musical performances, etc. Planning is currently underway for a summer music series in the Plaza. Forty (40) performances are scheduled to take place on Friday and Saturday evenings from May through mid-September. The music series, in addition to the existing event schedule, necessitates tables and chairs, benefiting downtown by encouraging visitors to stay longer. Below is a list of activities planned for 2015:

Night Owls	2nd Thursday evenings monthly	Shopping w/entertainment
Farmers Mkt	Saturdays May – September	Shopping w/entertainment
Summer Music Series	Friday/Saturday May – September	Entertainment
Rib Rub & Run	October	Festival
Scare on the Square	October	Trick or Treat
Holiday Event	December	Shopping

After review of several outdoor furniture manufacturers, we have included designs from Fermob based on the companies numerous collections in a wide variety of styles and colors. Fermob furnishings can be found in Times Square, Bryant Park and locally, at Klyde Warren Park in Dallas. http://www.fermobusa.com/. The Bistro and Luxembourg collections are included in your packet as well as a site map with table and chair configurations. Tables and chairs are offered in standard or high-top, and provide a mixture of 2 person and 4 person units. Tables and chairs are either stackable or foldable and are completely portable.

The Downtown Plan has standards for several hardscape items such as permanent furniture and fixtures, light poles and other items. However, temporary furniture that can be easily removed and rearranged is not included in the adopted plan. The total cost for the proposed furniture is between $9,000 and $10,000 depending on the style and number of pieces. The source of funding is the Downtown Fund. We are prepared to move forward with the acquisition if the Council desires, or we can proceed in another manner depending on the Council's direction.

Bistro Collection –



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CHAIRS

BISTRO™



5001
CLASSIQUE
Folding chair



6301
DURAFLON®
Folding chair



5107
NATUREL
Folding chair



0101
METAL
Folding chair

TECHNICAL CHARACTERISTICS

Steel frame.
CLASSIQUE : lacquered wooden curved slats.
DURAFLON®: High quality resin curved slats.
Available colours: Cotton white and Cedar green.

NATUREL : natural wooden curved slats + Textrol® treatment.
METAL : galvanised steel curved slats.

Plastic part for slower and safer folding.

One piece crossbar. Foot protectors.
Reinforced frame (tested up to 660 Lbs).

High Protection Treatment for outdoor use.

Anti-UV powder coating.

1-year guarantee

Contract use: Very High Protection Treatment recommended.

DIMENSIONS (inch)



9 Lbs

RANGE

BISTRO™ METAL



5113
Folding high stool



0250
Folding high table
2 persons

TECHNICAL CHARACTERISTICS

Steel frame.
High stool: galvanised steel curved slats.
Plastic part for slower and safer folding.
One piece crossbar. Foot protectors.
High Protection Treatment for outdoor use.
Anti-UV powder coating.
1-year guarantee

DIMENSIONS (inch)



16.5 Lbs



24 Lbs

RANGE

BISTRO™ METAL



0245
Folding table Ø 24" - H 29"
13 Lbs - 2 persons



0233
Folding table Ø 30" - H 29"
21 Lbs - With parasol hole Ø 1 5/8"
3/4 persons



0235
Folding table Ø 38" - H 29"
26.5 Lbs - With parasol hole Ø 1 5/8"
4/5 persons



0237
Folding table Ø 46" - H 29"
36.5 Lbs - With parasol hole Ø 1 5/8"
6/8 persons

TECHNICAL CHARACTERISTICS

Steel base. Steel sheet table top.

Foot protectors.

High Protection Treatment for outdoor use.

Anti-UV powder coating.

1-year guarantee

Contract use: Very High Protection Treatment recommended.

Luxembourg Collection



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RANGE

LUXEMBOURG

Design Frédéric SOFIA

Registered trademark



4101
Stacking chair



4102
Stacking armchair



4103
High stool



4151
Miniature chair (scale 1/6)
Available colours: White, Black, Poppy, Willow Green

RANGE

LUXEMBOURG

Design Frédéric SOFIA

Registered trademark



4134
Knockdown table 32 x 32"
with parasol hole Ø 1 5/8". Use a 1 3/8" pole.
2/4 persons



4140
Knockdown high table 32 x 32"
with parasol hole Ø 1 5/8". Use a 1 3/8" pole.
2/4 persons

EXCLUSIVE FOR CONTRACT



4137
Knockdown table, plain top 28 x 28"
2/4 persons



4135
Knockdown table, 4 feet 32 x 32"
with parasol hole Ø 1 5/8". Use a 1 3/8" pole.
2/4 persons

RANGE

LUXEMBOURG

Design Frédéric SOFIA

Registered trademark



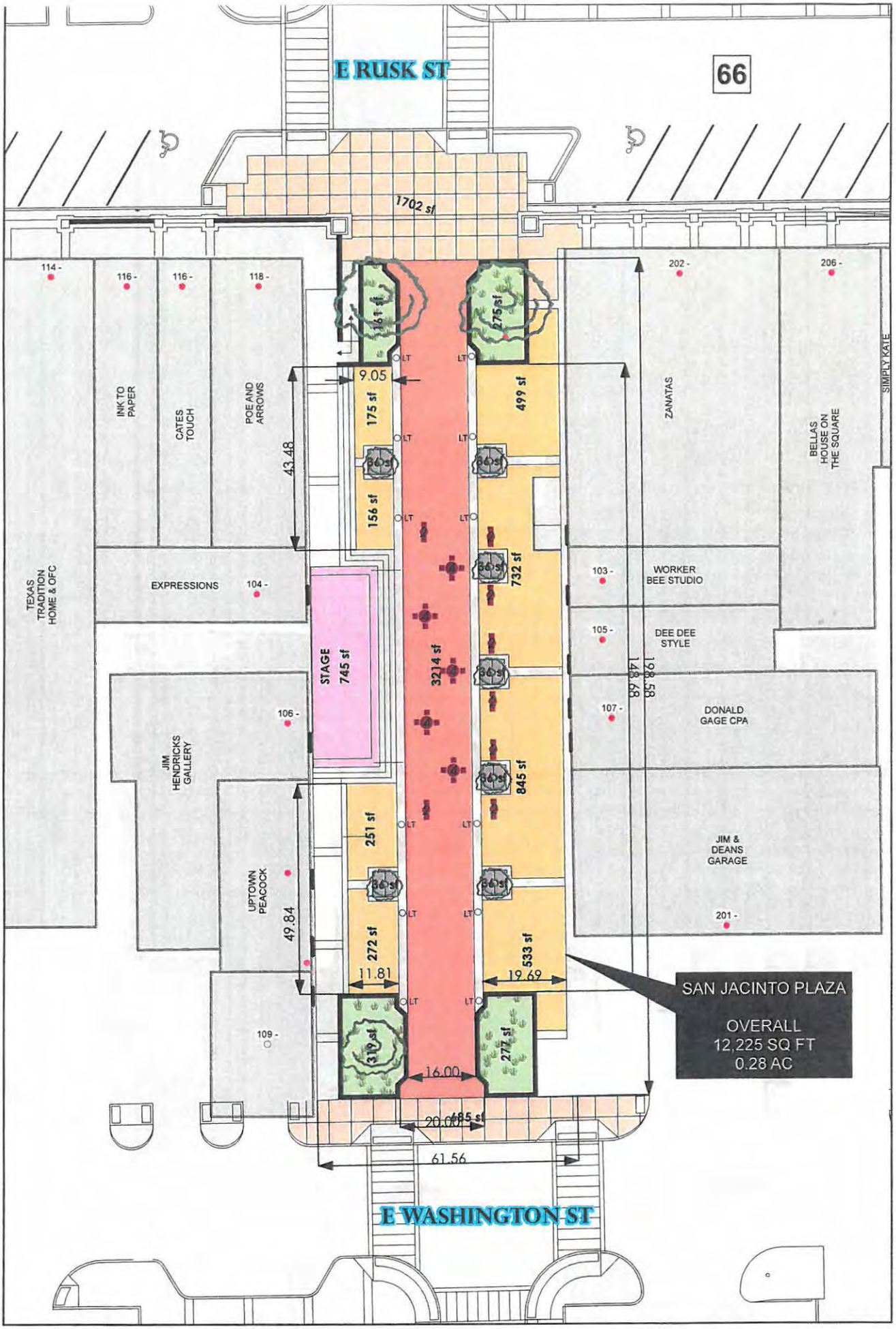
4133
Knockdown table 56 x 32"
with parasol hole Ø 1 5/8" - 6 persons



4136
Knockdown table Confort 6
65 x 39.5" - 6/8 persons



4132
Knockdown table 81.5 x 39.5"
8 persons



City of Rockwall

N W E S

0 20 Feet

1 inch = 20 feet
ROCKWALL GIS
Date: 2/6/2015

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.

SAN JACINTO PLAZA AREA CALCULATIONS

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **February 11, 2015**

SUBJECT: **Potential Tree Fund Amendment**

The Tree Fund is a section of the Unified Development Code that details how funds acquired through the Tree Preservation Ordinance may be used by the City. A copy of the existing section is included for your review.

In Section 11.1, the "City Council shall have the ability to adopt alternative methods of creating tree credits and methods of distribution of tree and/or funds for purchasing trees". The proposed amendment would expand the definition of how the funds could be used and continue to permit the Council to consider alternative methods. The proposed amendment would allow the funds collected to be used to purchase equipment or pay for the labor to plant trees and allow for the cost of an irrigation system to maintain the plant material after it has been installed. The proposal further defines to types of plant material that could be purchased with the funds including any woody type plant material such as boxwoods or any perennial type plant.

Over the past two Council meetings, alternative tree credits were accepted totaling $234,136. With the current drought situation, we do not believe that this is the best time to be planting trees without irrigation, and equipment such as a large auger is necessary to efficiently plant new trees.

Contingent on Council approval, the Planning Department will move forward with the requirements necessary to amend the Unified Development Code.

SECTION 11. - TREE FUND

Sec. 11.1. - Tree fund administration.

The city shall administer the tree fund. The funds shall be used to purchase, plant and maintain trees on public property utilizing either city staff or contract labor, to acquire wooded property that remains in a naturalistic state in perpetuity, to perform and maintain a city wide tree inventory and to educate citizens and developers on the benefits and value of trees. The city council shall have the ability to adopt alternative methods of creating tree credits and methods of distribution of trees and/or funds for purchasing trees.

(Ord. No. 09-23, 6-15-2009)

Sec. 11.2. - Collection of money.

Money contributed to the tree fund shall be paid prior to the issuance of any construction or building permit and prior to filing of a final plat.

SECTION 11. - TREE FUND

Sec. 11.1. - Tree fund administration.

The city shall administer the tree fund. The funds shall be used to purchase plant material as permitted by this ordinance, install (including the equipment or labor necessary to install the plant materials) and maintain trees on public property including the necessary irrigation equipment, to acquire wooded property that remains in a naturalistic state in perpetuity, to perform and maintain a city wide tree inventory and to educate citizens and developers on the benefits and value of trees. The city council shall have the ability to adopt alternative methods of creating tree credits and methods of distribution of trees and/or funds for purchasing trees.

Funds collected as a result of the mitigation of trees may be used to purchase trees, both deciduous and coniferous, any woody type plant or any perennial appropriate for the climatic conditions of the north Texas region.

(Ord. No. 09-23, 6-15-2009)

Sec. 11.2. - Collection of money.

Money contributed to the tree fund shall be paid prior to the issuance of any construction or building permit and prior to filing of a final plat.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Rick Crowley, City Manager**

DATE: **February 11, 2015**

SUBJECT: **Potential logo change**

Recently, Sheri Franza of the REDC provided copies of possible logo changes the REDC had been considering after study on the matter. The current, final version of the logo being considered is attached. At the meeting, staff will provide some preliminary information as to some of the estimated, associated costs associated with a potential logo change.

Mayor Pruitt and Councilmember Milder have requested an opportunity for the council to discuss this matter, so it has been placed as a brief work session item on Monday's meeting agenda.

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Rockwall, Texas

Proclamation

Whereas, engineers provide the talents and skills necessary to analyze and solve complex problems and create the infrastructure essential for the high quality of life our citizens enjoy; and

Whereas, the support of an understanding, informed citizenry is vital to the efficient planning, design, construction and operation of the public infrastructure, which includes water, sanitary and storm sewers, streets and highways, bridges, public buildings, communications, and electricity and natural gas distribution; and

Whereas, engineers address major technological challenges of our time, from rebuilding towns devastated by natural disasters to designing infrastructure that will take our country through the 21st century; and

Whereas, the quality and effectiveness of public infrastructure is vitally dependent upon the efforts, talents and skills of public and private sector engineers; and

Whereas, the City of Rockwall has a small cadre of highly qualified, dedicated engineers whose professionalism materially influences the people's attitude and understanding of the importance of the work they perform.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby designate the week of February 22-28, 2015 as

ENGINEERS WEEK

in the City of Rockwall, and call upon all citizens to acquaint themselves with the issues involved in providing quality infrastructure and to recognize the significant contributions engineers make every day to our health, safety, comfort and quality of life.

In Witness Whereof, I hereunto set my hand and official seal this 16th day of February, 2015.

_____

Jim Pruitt, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, February 02, 2015
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Jim Pruitt called the meeting to order at 4:00 p.m. Present were Mayor Pruitt, Mayor Pro Tem Dennis Lewis and City Council Members David White, Mike Townsend, John Hohenshelt, Scott Milder and Bennie Daniels. Also present for the work session were members of the city's Park Board, including Chairman Brad Bassett and Board Members Ray Harton, Bob Lewis, Charles Johnson, and Kevin Moffatt.

City staff members present at the meeting included City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and City Attorney Frank Garza.

II. WORK SESSION

1. HOLD JOINT WORK SESSION WITH THE CITY'S PARK BOARD REGARDING PARK BOARD DIRECTION AND PRIORITIES, AND TAKE ANY ACTION NECESSARY.

Mayor Pruitt began discussion of this item, indicating that one of his goals as mayor is to work towards development of a lakeside park in the north area of the city. Chairman of the Park Board, Brad Bassett, came forth and provided introductory comments related to his goals for the work session. He indicated that, although he knows a multi-sport, competitive ballpark complex is needed in Rockwall, he understands that the voters voted this down a couple of years back, so that idea is going to be taken off the table and will not be discussed at this time. He shared that the Park Board and staff will be focusing on a review and update to the Parks & Rec Department Business Plan, maintenance standards, and marketing strategies. He generally indicated a desire to establish, with help from the city council, the city's park-related goals for the next year and for the next three-to-five years. Mayor Pro Tem Lewis also indicated a desire to establish a lakeside park. Lewis shared that the City of Richardson bought several houses and tore them down in order to build a beautiful lakeside park near where his daughter lives. He generally expressed a desire for the Park Board to find out from citizens what they would like to see as far as our parks and rec facilities and programs are concerned. He also suggested they consider a review of the policies and procedures governing the use of city parks and evaluate additional parks and trails, especially south of IH-30. Lewis also suggested that the Board consider evaluating current and future use of the city's swimming pools, including evaluating if more marketing and additional parking may be needed.

Councilmember Daniels stated it would be good to know what percentage of our population is within a safe, reasonable walking distance or bicycle riding distance from a city park. He suggested that in some areas of the country, he knows that developers are responsible for, not only putting in biking and walking trails, but also for connecting those trails to adjacent neighborhoods or communities. Daniels also expressed that he would like to see some sort of lakeside park.

Councilmember Townsend expressed that he likes the idea of adding a lakeside park. He also indicated an interest in changing the way developers do the parks to make parks more of a prominent feature in each future subdivision / neighborhood that is developed, focusing on the most optimal 'proximity to parks' and greenspace. He also expressed a desire to create some sort of park-type setting along major entry corridors into the city to more strongly establish that we as a city value parks. He thinks focusing on marketing our city parks and facilities is a good idea. He would also like to see trails that not only lead to parks and subdivisions, but ones that lead to destination areas that the city is focused on, such as downtown. He would also like the Park Board to focus on reaching out to the public to find out in which direction the city needs to go, park-wise, and let the city council know.

Councilmember Milder expressed that, as a lakeside community, we should go the extra mile to take care of the lake and shoreline. He also expressed a desire for a lakeside park and accessibility to the lake on the north and south side of the city. Milder shared that he was recently in Austin and visited Town Lake, which is a gravel hike and bike trail around the lake. He explained that it seems like Town Lake has a 'foundation' in place to raise money to help maintain the trail around the lake, and he suggested perhaps Rockwall could have something similar. He would like to find a way to complete and connect sidewalks which help get people to the city's trails. He suggested that streets be striped with bike lanes and ways for people to traverse by bike throughout the city. Councilmember Milder indicated that the city's pools could potentially be of benefit to the community; however, he expressed that the pool in the Southside area needs to be improved or perhaps taken out of service.

Councilmember White suggested that the Park Board hold town hall meetings around the city and invite the public to those meetings for the purpose of asking what they would like to see related to parks. Councilmember White reminded Councilmember Milder about the city evaluating, a couple of years back, modifications to and/or closing the Southside pool, and that those conversations were not met with favorable feedback from residents in that community.

Mayor Pro Tem Lewis suggested it may be a good idea for Rockwall to talk to some other cities, such as Austin and Frisco, who have great park systems in place in order to glean some ideas. He thanked the Park Board for their work and efforts.

Mayor Pruitt pointed out that trails along the lakeside are likely not feasible due to sub-leases that are in place by homeowners along the takeline area, many of which may not expire for thirty years or more. He further indicated that he does not believe the city will be condemning anyone's property along the lake for park purposes. He went on to express an interest in the Park Board evaluating a facility (leased space) where Pickleball could be played and enjoyed by members of the public, as it has been recently brought to his attention that people of all ages, young and old, are playing it.

Councilmember Hohenshelt indicated that his wife is a very active walker, and she has walked about 1,600 miles in a year. He would like to see how someone who enjoys walking could make it from Point A to Point B in the city if they wanted to walk to various areas. He suggested that more coordination with the school district or other entities in the city that own ball fields to help facilitate play on those fields may be of benefit.

Park Board Member Bob Lewis came forward and generally expressed that he gets a lot of questions about a lakeside park and about where someone may go to see 'the rock wall.' He expressed that he has heard the past bond proposition related to the park associated with displaying and preserving the 'rock wall' most likely failed because its design was too elaborate. He further indicated that he has received mixed input and feedback regarding the idea of a lakeside park, referencing a past flyer that circulated around years ago to discourage the idea of a lake side park. He stated that it may be a good idea to poll residents to see if they really do desire to have a lakeside park. Mayor Pruitt pointed out that there is a certain piece of property in the north area of town that he has in mind, and he stated that there are not any houses anywhere near this particular land. Mr. Lewis went on to express that joining the areas south of IH-30 with the areas north of IH-30 may be challenging, especially 'by foot,' regarding implementing some of the ideas that have been expressed this evening. He further expressed concern about the high expense associated with undeveloped land at the city's main entry points, especially related to the idea of developing these pieces of property as community parks.

Park Board Member Charles Johnson came forth and indicated he has been on the Park Board for about a year. He expressed a desire to have the Park Board work on more meaningful things rather than just placing 'seals of approval' on routine items that come before them for consideration. Mr. Johnson suggested that the Council consider a "Ridge Road overlook" to evaluate the possibility of preserving the lakeside view and scenic overlook associated with the now undeveloped land along Ridge Road. Perhaps it could be called "The Scenic Overlook of Rockwall," and people could enjoy the sunsets and take photographs from this vantage point.

Park Board Member Ray Harton came forth and briefly spoke to the council. He expressed that he often gets asked by citizens about the possibility of a lake side park. He has received feedback that there were perhaps too many items on the ballot to consider regarding bond propositions that went before voters a while back. He would like to further investigate what people may be interested in regarding parks. He mentioned a property up by Dalton Road, and expressed that, although there is no money for development of this area yet, maybe there will be in the future, as he believes this area would be a great asset to the city. He expressed that he will look into the game of Pickleball further.

Park Board Member Kevin Moffatt came forth and indicated that he has been on the Park Board for about six years. He expressed that he is an active runner. He would like the city to consider having the Police Department be more proactive in enforcing the city's pedestrian and biking related regulations. He suggested a pedestrian lane be stripped off in order to allow pedestrians to travel from place-to-place, for example from Myers Park to the ball fields. Mr. Moffatt also suggested that perhaps some of the commercial buildings that have been vacant for a number of years could be purchased or utilized for youth related programs.

Mayor Pruitt mentioned that, in the future, Summit Ridge and Lakeshore will be redesigned and redone, and he would like to get some public input as to how citizens want it designed.

Park Board Member Charles Johnson asked if an app may be able to be developed to show the user where the parks and trails are located within the city. Parks and Rec Manager, Andy Hesser, generally indicated that this may be a possibility. Assistant City

Manager Brad Griggs pointed out that the trails at Myers Park are already on the app called "Map My Run."

Park Board Chairman Brad Bassett thanked city council members for the feedback and suggestions they provided during the work session. The mayor thanked members of the Park Board for the work session and for all they do.

Mayor Pruitt read the below-listed discussion items into the public record before recessing the meeting into Executive Session at 4:50 p.m.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)

2. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)

3. Discussion regarding possible claim or settlement agreement related to enforcing the city's sign ordinance regarding a billboard pursuant to Section 551.071 (Consultation with Attorney).

4. Discussion regarding pending litigation: Tracie Peters individually and as next friend (Parent) for Noah Peters V. City of Rockwall and Lara Pitek pursuant to Section 551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:53 p.m.

V. RECONVENE PUBLIC MEETING

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all seven city council members present.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Lewis indicated that no action is needed as a result of Executive Session.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER WHITE

Councilmember White delivered the invocation and led the Pledge of Allegiance.

VIII. PROCLAMATIONS / AWARDS

1. Constable Randy Earl Parks: Life-Saving Recognition Day

Mayor Pruitt called forth Constable Parks as well as Jack Key and his service dog, tattoo. Mayor Pruitt explained that Parks recently took lifesaving measures to help Mr. Key, who, while driving down the road, began driving erratically due to a diabetic episode. He thanked Constable Parks for his service to the community and for saving Mr. Key's life. He then read and presented an honorary proclamation to Parks.

2. Rockwall Community Playhouse 20th Anniversary Recognition

Mayor Pruitt called forth representatives of the Rockwall Community Playhouse who introduced themselves. Mayor Pruitt then read and presented a proclamation to the organization to commemorate its 20th anniversary.

3. 800th Anniversary of the Magna Carta

Mayor Pruitt acknowledged a group of Cub Scouts who were guests in the audience at the city council meeting. He then read a proclamation into the public record to recognize the 800th anniversary of Magna Carta and gave the proclamation to the Cub Scout Pack.

IX. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted and asked if anyone in the audience would like to come forth and speak during this time. There being no one wishing to speak, Mayor Pruitt then closed Open Forum.

X. CONSENT AGENDA

1. Consider approval of the minutes from the January 20, 2015 regular city council meeting, and take any action necessary.

2. Consider authorizing the City Manager to enter into a contract extension with Clean Harbors Inc. to manage Household Hazardous Waste Collection Day April 18, 2015 and take any action necessary.

3. Consider approval of the First Amendment to the RCH Water Supply Corporation Wholesale Water Contract and take any action necessary.

4. Consider approval of a resolution calling a General Election to be held on May 9, 2015 in the City of Rockwall for the purpose of electing a mayor and city council members for Places 1, 3 and 5, each for two-year terms, and a Special Election to be held in conjunction with the General Election for the purpose of filling a one-year unexpired term associated with City Council Place 2, and take any action necessary.

5. P2015-001 - Consider a request by Harold Fetty of H. D. Fetty Land Surveyor, LLC on behalf of the owner J-BR2, LLC for the approval of a final plat for Lots 1, 2 & 3, Block A, Buffalo Crossing Addition being three (3) non-residential lots currently identified as Tract 17-12 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, being a 7.32-acre tract of land zoned Commercial (C) District, generally located at the southeast corner of the intersection of S. Goliad Street [SH-205] and FM-549, and take any action necessary.

6. **Z2014-037** - Consider approval of an **ordinance** for a request by Bill Bricker of Bricker Enterprise Company (DBA Brick House Cars) on behalf of Rockwall Commercial Property Management for the approval of a Specific Use Permit to allow for an Indoor Motor Vehicle Dealership/Showroom on a one (1) acre portion of a larger 50.826-acre tract of land, identified as Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1200 E. Washington Street, and take any action necessary. **(2nd Reading)**

7. **Z2014-038** - Consider approval of an **ordinance** for a request by Ben McMillian of Hazel & Olive on behalf of the owner of the property for the approval of a Specific Use Permit to allow for a General Retail Store in conjunction with an office and photography studio within Planned Development District 50 (PD-50) for two (2) parcels of land, being 0.43-acres of land, identified as Lots 19A & 19B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, addressed as 503 N. Goliad Street [SH-205], and take any action necessary. **(2nd Reading)**

8. **Z2014-039** - Consider approval of an **ordinance** for a request by Zack Amick of Gordon Rockwall Investments, LLC for the approval of a zoning change from an Agricultural (AG) District to a Light Industrial (LI) District for a 21.684-acre tract of land identified as Tract 4 of the N. M. Ballard Survey, Abstract No. 24, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located in between Commerce Street and T. L. Townsend Drive, and take any action necessary. **(2nd Reading)**

Councilmember Milder made a motion to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7 and 8). Councilmember White seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-02
SPECIFIC USE PERMIT NO. S-129

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) WITHIN A LIGHT INDUSTRIAL (LI) DISTRICT ALLOWING FOR AN INDOOR MOTOR VEHICLE DEALERSHIP/SHOWROOM LOCATED IN A 12,500 SQUARE FOOT BUILDING INDICATED IN "EXHIBIT A" OF THIS ORDINANCE AND ADDRESSED AS 1200 E. WASHINGTON STREET, WHICH IS LOCATED ON A PORTION OF A LARGER 50.826-ACRE TRACT OF LAND DESCRIBED AS TRACT 31 OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 15-03
SPECIFIC USE PERMIT NO. S-130

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A GENERAL RETAIL STORE IN CONJUNCTION WITH AN OFFICE AND PHOTOGRAPHY STUDIO IN A RESIDENTIAL-OFFICE (RO) DISTRICT, ON TWO (2) PARCELS OF LAND, BEING 0.43-ACRES AND IDENTIFIED AS LOTS 19A & 19B OF THE AMICK ADDITION, AND GENERALLY LOCATED AT 503 NORTH GOLIAD STREET, ZONED PLANNED DEVELOPMENT DISTRICT NO. 50 (PD-50); AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 15-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A LIGHT INDUSTRIAL (LI) DISTRICT FOR A 21.684-ACRE TRACT OF LAND IDENTIFIED AS TRACT 4 OF THE N.M. BALLARD SURVEY, ABSTRACT NO. 24, CITY AND COUNTY OF ROCKWALL, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Mayor Pruitt indicated that Mr. Renfro, Chair of the P&Z Commission, will not be present this evening, as a conflict arose in his schedule. No discussion or action took place regarding this agenda item.

2. Appointment with representative of Hill Wilkinson to hear update regarding downtown construction phasing and progress, and take any action necessary.

City Engineer Tim Tumulty came forth and briefly introduced Max Scott and Gary Borchard, the general contractor and superintendent on the downtown reconstruction project. They explained that several, unexpected things have caused the project schedule to fall behind and indicated that the completion date is now estimated to be around the end of October.

City Manager Rick Crowley pointed out that John Cranson is the employee who is assigned as the inspector on the project, and he has done a great job. Mayor Pruitt also acknowledged Mr. Cranson for his work.

City Engineer, Mr. Tumulty, indicated that staff has been working hard to frequently communicate with the merchants and business owners regarding the project.

Councilmember Milder asked if the project is still projected to be 'within budget.' Mr. Tumulty indicated that, yes, it is still expected to be within budget, especially with the contingency fund that is in place.

XII. PUBLIC HEARING ITEMS

1. Hold a public hearing to receive input related to proposed amendments to the City Charter, and take any action necessary.

Mayor Pruitt thanked members of the city's Charter Review Commission for their time and suggestions related to review of the city charter. He then opened the public hearing.

Sol Villasana
809 Village Green Drive
Rockwall, TX

Mr. Villasana came forth and also thanked members of the Charter Review Commission for the hours and work they put in. Mr. Villasana then read a speech he prepared, which, in part spoke about the Voting Rights Act and the importance of its provisions remaining in tact. He explained that a trend, which favors single member districts, is occurring with regards to the political process. He urged the city council to move forward with the Charter Review Commission's recommendation to look into single member districts for Rockwall to ensure representation for the city's growing minority populations.

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

Mayor Pruitt then reordered the agenda to discuss and consider Action Item #5. Mayor Pro Tem Lewis made a motion to approve the resolution calling a Special Election associated with putting forth proposed ballot language to the voters concerning proposed Charter Amendments. Councilmember Milder seconded the motion. The motion passed by a vote of 7 ayes to 0 nays.

XIII. ACTION ITEMS

1. **MIS2015-001** - Discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of D. R. Horton for the approval of an alternative tree mitigation plan for Phase IV of the Lakeview Summit

Subdivision being a 38.056-acre subdivision situated within the J. H. B. Survey, Abstract No. 124 and Nathan Butler Survey, Abstract No. 21, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 29 (PD-29) for residential land uses, located along the northern side of N. Lakeshore Drive east of the intersection of N. Lakeshore Drive and N. Goliad Street [SH-205], and take any action necessary.

Planning Director Robert LaCroix provided background information related to this agenda item, explaining that the request is for approval of an alternative tree mitigation plan. Instead of having trees bought and delivered, the applicant would like to pay for the trees by depositing money into the city's tree mitigation fund.

Dub Douphrate
Douphrate & Associates
2235 Ridge Road
Rockwall, TX

Mr. Douphrate indicated that he is here tonight representing DR Horton.

Mayor Pruitt clarified that the city does not have any big projects going right now or any place to put this large number of physical trees. Mr. Griggs, Assistant City Manager, confirmed this and indicated that the money in lieu of the trees is a better option at this point.

Councilmember White made a motion to approve MIS2015-001. Councilmember Daniels seconded the motion, which passed by a unanimous vote of Council (7 ayes to 0 nays).

2. **Z2014-040** - Discuss and consider approval of an ordinance for a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of a Specific Use Permit (SUP) for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary. **(1st Reading)**

The city's Architectural Review Board (ARB) did reconvene after the last city council meeting, and some changes have been made to the rendering by the applicant as a result of recommendations of the ARB. Mr. Kirkland explained that the event/conference space was originally proposed to be 3,000 square feet. However, this planned space has been increased to about 3,650 square feet without encroaching on the pre-function event space. The pre-function area has increased from 1,000 square feet to now 1,800 square feet.

Councilmember Lewis clarified the increases in square footage for the event space (3,650 sq. ft.) and the pre-event space (1,800 sq. ft.). He also clarified that the outdoor courtyard space would be 2,030 square feet, and it will be fully enclosed.

Mr. Kirkland indicated that pretty significant renovations typically occur with Marriott properties about six to seven years after the hotel opens in order to maintain a certain

level and quality of appearance. He stated that his franchise agreement will be for twenty years; however, he will most likely begin looking to renew the agreement after about fifteen years. Marriott also has an ongoing quality assurance program where the hotel gets graded once per month for cleanliness and quality of the property and services.

Councilmember Townsend asked how many people the event space will now accommodate since the square footage has increased. Mr. Kirkland indicated that in round seating of tables of ten, it will accommodate about 250-300 people. Regarding the outdoor courtyard area, it will not be covered (no roof); however, some portions of it will have trellises, and the perimeter will be closed in.

Councilmember Milder thanked Mr. Kirkland for the changes made to the original plan and for his responsiveness to some of the council's concerns.

Councilmember Townsend made a motion to approve Z2014-040 with the understanding that the square footage will be increased to 3,650 for the ballroom event space. Mayor Pro Tem Lewis clarified that the pre-event space will increase to 1,800 square feet and the courtyard space will increase to 2,030 square feet.

Mayor Pro Tem Lewis then seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-__
SPECIFIC USE PERMIT NO. S-1__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A HOTEL WITHIN PLANNED DEVELOPMENT DISTRICT 32 (PD-32), FOR A 2.968-ACRE LOT, CONTAINING TWO (2) PARCELS OF LAND IDENTIFIED AS LOT 3A, BLOCK A, SHORELINE PLAZA ADDITION (1.824-ACRES) AND LOT 1-1, BLOCK A, HENRY AFRICA ADDITION (1.143-ACRES), CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of council (7 ayes to 0 nays).

3. Discuss and consider Resolution commending the Regional Transportation Council's (RTC) and Texas Department of Transportation (TxDOT) responsiveness to the City's concerns regarding the Blacklands Corridor toll road, and take any action necessary.

City Manager Rick Crowley provided background information related to this agenda item. Mayor Pruitt indicated that he requested this agenda item be placed on the city council agenda. He expressed gratitude for having recently found out that TXDOT entirely removed any reference to the Blacklands Corridor/Tollway project from its future plans. Mayor Pruitt indicated that the city would like IH-30 to increase free road lanes to the

existing IH-30 interstate lanes in and out of the City of Rockwall. He would also like to see service roads extend at least to Horizon (further than Dalrock) so that IH-30 does not get shut down due to wrecks on the interstate. Mayor Pruitt then made a motion to approve the resolution. Councilmember White seconded the motion, which passed by a vote of 7ayes to 0 nays.

4. Discuss and consider authorizing the city manager to execute the Contract for Election Services between the City of Rockwall, Rockwall County Elections Administrator and the Rockwall Independent School District (RISD), and take any action necessary.

City Manager Rick Crowley provided brief background information related to this agenda item. City Secretary Kristy Ashberry pointed out that early voting for Rockwall citizens will not be held at the County Elections Office, but, instead, it will be held at the Rockwall County Library. Councilmember White asked if the city ever received reimbursement for the $10 we had to pay for our own list of registered voters. Ms. Ashberry indicated that, no, we did not receive a reimbursement; however, the new county elections administrator has indicated that we will not be charged for that list in the future.

Councilmember White made a motion to authorize the City Manager to execute the contract. Mayor Pro Tem Lewis seconded the motion. After brief comments, the motion passed by a vote of 7 ayes to 0 nays.

5. Discuss and consider approval of a resolution calling a Special Election to be held on May 9, 2015 in conjunction with the General Election for the purpose of submitting proposed amendments to the City Charter to the voters, and take any action necessary.

Assistant City Manager Rick Crowley indicated that this item was previously addressed by the city council earlier on in the meeting following Public Hearing item #1.

6. Discuss and consider a recommendation from the City Council's Hotel Tax Subcommittee regarding funding request for the Rockwall Rubber Duck Regatta and a new Memorial Day event and take any action necessary.

Assistant City Manager Mary Smith indicated that Councilmembers Lewis, Townsend and White serve on the hotel/motel tax subcommittee. She explained that the Rockwall Rubber Duck Regatta originally requested $32,200 for their upcoming event. After careful consideration, the subcommittee is recommending $20,000 in funding. Of that amount, about $7,200 will come back to the city for rental of the Harbor facility.

In addition, the city's Recreation staff was approached by representatives of some local veterans groups, who want to partner with the city on a newly, revamped Memorial Day event. The city's staff would be in charge of the logistics, and Commissioner Gilbert, Gary Bunch and others would take care of scheduling speakers and the program. The cost of set-up, sound and performers is estimated to be $5,000, and the subcommittee is recommending approval of this $5,000 funding request.

Councilmember Daniels expressed concern about having difficulty following and understanding the form and associated dollar figures included in the city councilmember's packet concerning the funding requests submitted by each of these

organizations. It was suggested that perhaps staff could modify the form to be more easily understood to a lay person.

After brief comments, Councilmember White made a motion to approve the funding requests for the Rubber Duck Regatta and the new Memorial Day event. Councilmember Townsend seconded the motion, which passed unanimously of council (7 ayes to 0 nays).

7. Discuss and consider appointments to city advisory boards, specifically the Art Review Team (ART) Commission, and take any action necessary.

There was no action taken at this time concerning this item.

XIV. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections Monthly Report - December 2014
Fire Department Monthly Report - December 2014
Fire Department Annual Report - 2014
Harbor PD Monthly Report - December 2014
Internal Operations Department Monthly Report - December 2014
Meals on Wheels Senior Services Quarterly Report
Police Department Monthly Report - December 2014
Recreation Monthly Report - December 2014
Rockwall Animal Adoption Center Report - December 2014

2. City Manager's Report

City Manager Crowley pointed out that tomorrow night the annual Rockwall Chamber Awards Banquet will be held, and the annual Rockwall PAWS event will take place this weekend. Assistant City Manager Brad Griggs provided an update on the number of kids and teams signed up for this year's baseball and softball league. No action was taken concerning this agenda item.

XV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)

2. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)

3. Discussion regarding possible claim or settlement agreement related to enforcing the city's sign ordinance regarding a billboard pursuant to Section 551.071 (Consultation with Attorney).

4. Discussion regarding pending litigation: Tracie Peters individually and as next friend (Parent) for Noah Peters V. City of Rockwall and Lara Pitek pursuant to Section 551.071 (Consultation with Attorney)

XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The Council did not reconvene in Executive Session following the close of the public meeting agenda.

XVII. ADJOURNMENT

The meeting was adjourned at 7:18 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 16th day of February, 2015.

ATTEST: **Jim Pruitt, Mayor**

_____

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 02/16/2015

APPLICANT: Christopher Orr, *Arcadia Lakes of Somerset Holdings, LLC*

AGENDA ITEM: **P2015-003**; *Master Plat for Somerset Park Subdivision*

SUMMARY:

Discuss and consider a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a master plat and open space plan for Phases 1 & 2 of the Somerset Park Subdivision, containing 309 single-family residential lots on a 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary.

MASTER PLAT INFORMATION:

✓ The Somerset Park Subdivision is a two (2) phase, master planned community that will be composed of 309 single-family, residential lots on approximately 139.354-acres land. The 309 single-family lots will be broken down into three (3) lot types with 93 lots being allocated to the 7,200 SF lot type, 135 lots being allocated to the 8,400 SF lot type, and 81 lots being allocated to the 10,400 SF lot type. Additionally, the plan will consist of 38.7-acres of open space (*or ~27.05% of total land area*). A summary of the proposed density and dimensional requirements is as follows:

Table 1: Density and Dimensional Requirements

Lot Type (see Concept Plan) ►	***A***	***B***	***C***
Minimum Lot Width [1]	60’	70’	80’
Minimum Lot Depth	120’	120’	130’
Minimum Lot Area	7,200 SF	8,400 SF	10,400 SF
Minimum Front Yard Setback [2] & [5]	20’	20’	20’
Minimum Side Yard Setback	5’	5’	5’
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10’	10’	10’
Minimum Length of Driveway Pavement	25’	25’	25’
Maximum Height [3]	30’	30’	30’
Minimum Rear Yard Setback [4]	20’	20’	20’
Minimum Area/Dwelling Unit (SF)	2,200 SF	2,700 SF	3,200 SF
Maximum Lot Coverage	65%	65%	65%
Permitted Encroachment into Required Setbacks [5]	Allowed	Allowed	Allowed

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.

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

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

[4]: As measured from the rear yard property line.

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

- ✓ The purpose of the applicant's request is to provide a master plat that will delineate the sequence and timing of the development, and an open space plan that will layout the proposed trails, parkland and amenities center for the subdivision. According to the master plat, this development will involve two (2) phases with Phase I containing 144 lots and Phase II containing 165 lots (*for a total of 309 single-family, residential lots*). Additionally, the development will incorporate a total of 38.7-acres of non-contiguous open space and will be connected via a trail that runs throughout the development. In the center of the development and with Phase II the developer shows the construction of an amenities center that will be situated in the open space area.

- ✓ On February 3, 2015 the Parks Board reviewed the proposed master plat and recommended the following:

    1) The developer shall be responsible for the cash-in-lieu of land and pro-rata equipment fees, which shall be assessed at the time of final plat.
    2) The proposed trail system and playground amenities are eligible to be credited against the pro-rata equipment fees.
    3) The applicant shall be permitted to phase the trail system in accordance to the phasing plan on the *Master Plat*.
    4) The trail system shall be construction so that it extends from FM-549 on the south side of the development to a northern connection leading to the property that is directly north of the subject property (*i.e. the Lofland Tract*). Additionally, the trail system should provide a connection to the property directly west of the subject property (*i.e. the Lofland Tract*).

RECOMMENDATIONS:

If the City Council chooses to approve the *master plat* for the *Somerset Park Subdivision* staff would recommend the following conditions:

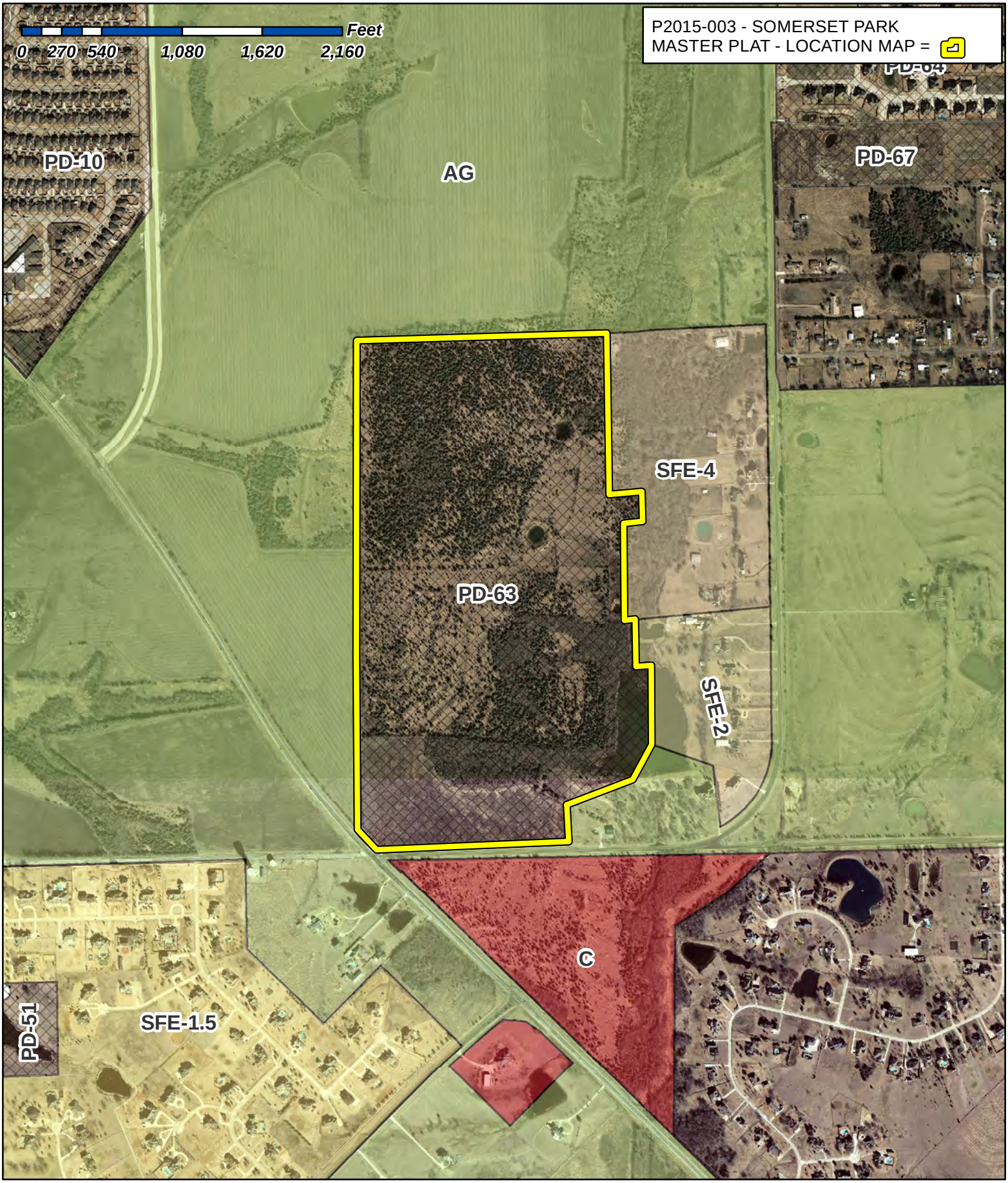
1) The *master plat* shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;

2) The applicant shall adhere to the recommendations made by the Parks Board (*stated above*);

3) Any construction resulting from the approval of this *master plat* shall conform to the requirements set forth by the Unified Development Code (UDC), the 2009 International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On February 10, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the Master Plat per staff's recommendations by a vote of 7-0.



City of Rockwall

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

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

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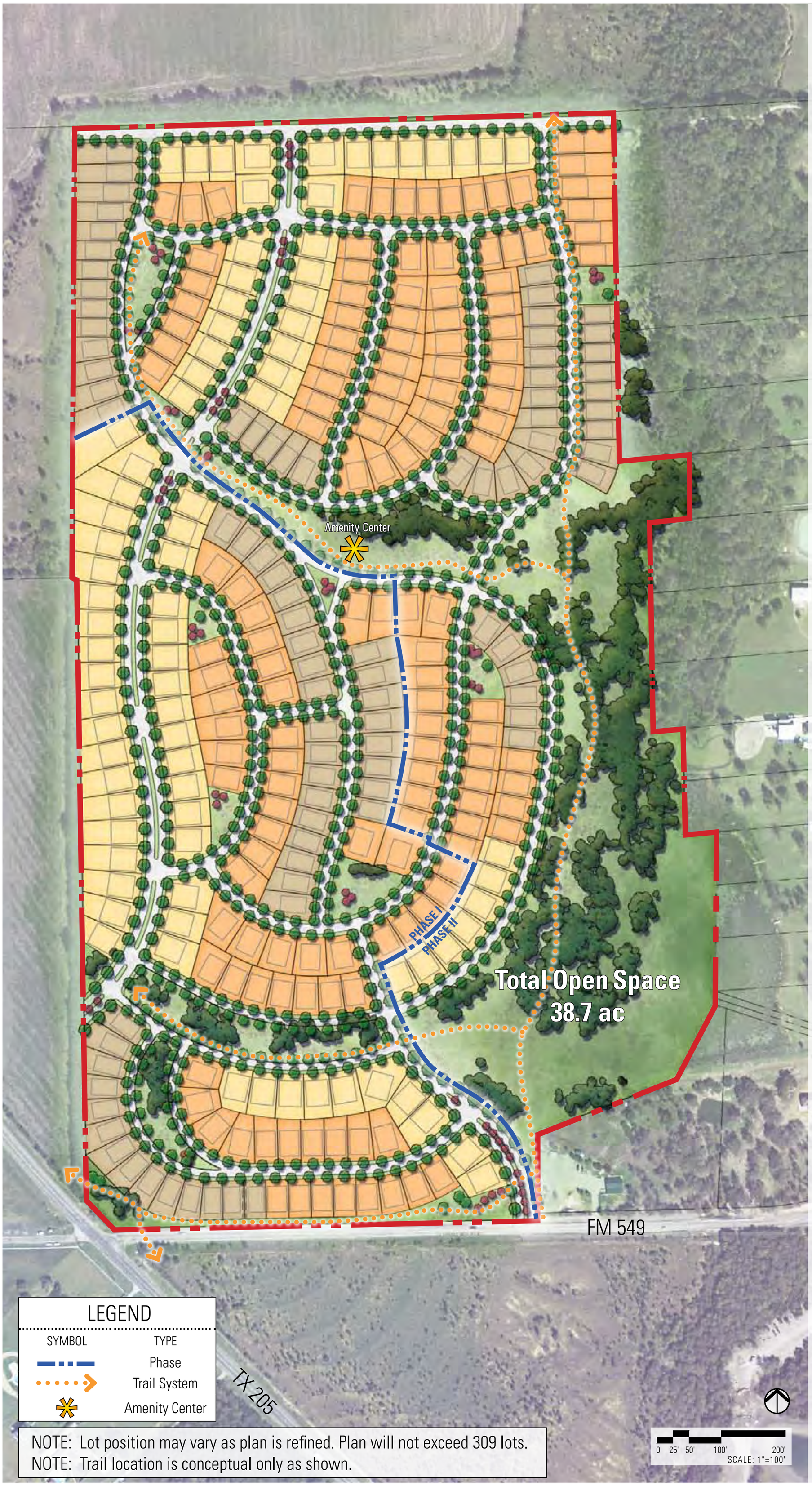


PHASE I - PRODUCT SUMMARY

SYMBOL	APPROX. UNITS	PERCENTAGE
60' x 120'	40	27.8%
70' x 120'	58	40.3%
80' x 130'	46	31.9%
TOTAL	**144**	**100%**

PHASE II - PRODUCT SUMMARY

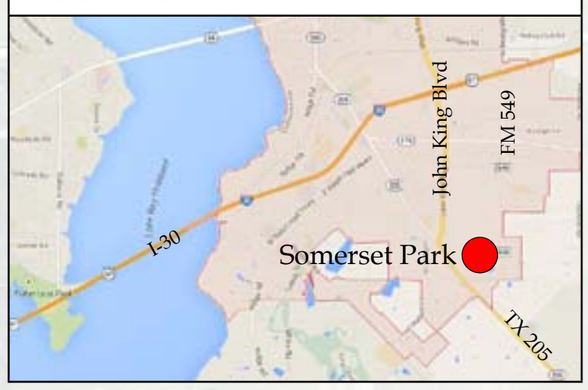
SYMBOL	APPROX. UNITS	PERCENTAGE
60' x 120'	47	28.5%
70' x 120'	83	50.3%
80' x 130'	35	21.2%
TOTAL	**165**	**100%**

PHASE I & II TOTAL	**309**	**PH I - 46.6% PH II - 53.4%**

OVERALL PRODUCT SUMMARY

SYMBOL	APPROX. UNITS	PERCENTAGE
60' x 120'	87	28.2%
70' x 120'	141	45.6%
80' x 130'	81	26.2%
TOTAL	**309**	**100%**

LOCATION MAP



DEVELOPMENT TEAM

Owner/Applicant:
Arcadia Lakes of Somerset Holdings, LLC
3500 Maple Ave., Suite 1165
Dallas, TX 75219
Contact: Christopher Orr
Phone: 214-986-5024

Planner / Landscape Architect:
TBG Partners Inc.
5307 E. Mockingbird Lane, Suite 120
Dallas, TX 75206
Contact: Mark Meyer
Phone: 214-744-0757

Engineer / Surveyor:
Teague Nall & Perkins
1100 Macon Street
Fort Worth, Texas 76102
Contact: Sol Stigall
Phone: 817-336-5773

MASTER PLAT OF SOMERSET PARK *(P2015-003)*

A **139.3** ACRE TRACT,
BEING PART OF THE A. JOHNSON SURVEY
ABSTRACT No. 123
Rockwall, Rockwall County, TX
(**309** Proposed Residential Lots & 7 Open Space Lots)

February 10, 2015

LEGEND

SYMBOL	TYPE
	Phase
	Trail System
	Amenity Center

NOTE: Lot position may vary as plan is refined. Plan will not exceed 309 lots.
NOTE: Trail location is conceptual only as shown.

ARCADIA tnp teague nall & perkins TBG

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 02/16/2015

APPLICANT: Christopher Orr, *Arcadia Lakes of Somerset Holdings, LLC*

AGENDA ITEM: **P2015-004**; *Somerset Park Subdivision*

SUMMARY:

Discuss and consider a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a preliminary plat for Phases 1 & 2 of the Somerset Park Subdivision, containing 309 single-family residential lots on a 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary.

PRELIMINARY PLAT INFORMATION:

✓ The Somerset Park Subdivision is a two (2) phase, master planned community that will be composed of 309 single-family, residential lots on approximately 139.354-acres land. The 309 single-family lots will be broken down into three (3) lot types with 93 lots being allocated to the 7,200 SF lot type, 135 lots being allocated to the 8,400 SF lot type, and 81 lots being allocated to the 10,400 SF lot type. Additionally, the plan will consist of 38.7-acres of open space (*or ~27.05% of total land area*). A summary of the proposed density and dimensional requirements is as follows:

Table 1: Density and Dimensional Requirements

Lot Type (see Concept Plan) ►	***A***	***B***	***C***
Minimum Lot Width [1]	60’	70’	80’
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Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10’	10’	10’
Minimum Length of Driveway Pavement	25’	25’	25’
Maximum Height [3]	30’	30’	30’
Minimum Rear Yard Setback [4]	20’	20’	20’
Minimum Area/Dwelling Unit (SF)	2,200 SF	2,700 SF	3,200 SF
Maximum Lot Coverage	65%	65%	65%
Permitted Encroachment into Required Setbacks [5]	Allowed	Allowed	Allowed

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.

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

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

[4]: As measured from the rear yard property line.

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

- ✓ The purpose of the applicant's submittal is to preliminary plat all 306 single-family, residential lots and the 38.7-acres of private park and open space. In addition to the *Preliminary Plat* the applicant has also submitted a preliminary water, sanitary sewer and storm water plan establishing that the developer can provide adequate utilities to service the proposed phase. *In conjunction with the submittal of this preliminary plat the applicant has submitted a master plat (Case No. P2015-003) showing the open space and phasing plan.*

- ✓ The proposed *preliminary plat* conforms to Planned Development District 63 (PD-63) [*Ordinance No. 14-49*], which was approved by the City Council on November 17, 2014 under *Case No. Z2014-025*.

- ✓ On February 3, 2015 the Parks Board reviewed the proposed *preliminary plat* and recommended the following:

    1) The proposed trail system shall be a minimum of eight (8) feet wide and be constructed with concrete. Where this is not possible the trail system may be a minimum of six (6) feet wide and be constructed with concrete. This trail system should be depicted on the *preliminary plat*.
    2) Playground equipment shall meet or exceed all ASTM and CPSC playground safety guidelines for design, installation, fall zones and maintenance.
    3) Cash-in-lieu of land fees shall be paid at the time of final plat.
    4) The *preliminary plat* should indicate that all private parkland, opens space, and playground equipment is to be maintained by the HOA, and that the trails and playground shall remain open to the public.
    5) The developer must provide proof that the trail and playground amenity costs meet or exceed the required pro-rata equipment fees at the time of final plat in accordance with the *Mandatory Park Land Dedication Ordinance.*

- ✓ The Surveyor/Engineer has completed the majority of the technical revisions requested by staff, and this *preliminary plat*, conforming to the requirements for *Preliminary Plats* as stated in the *Subdivision Ordinance* in the *Municipal Code of Ordinances*, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

RECOMMENDATIONS:

If the City Council chooses to approve the *preliminary plat* for the *Somerset Parks Subdivision* staff would recommend the following conditions of approval:

1) The *preliminary plat* shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;

2) In conformance with Planned Development District 63 (PD-63) [*Ordinance No. 14-49*] a *PD Site Plan* shall be submitted and approved prior to the submittal of a final plat;

3) A Treescape Plan for the entire development shall be submitted and approved prior to the submission of a final plat;

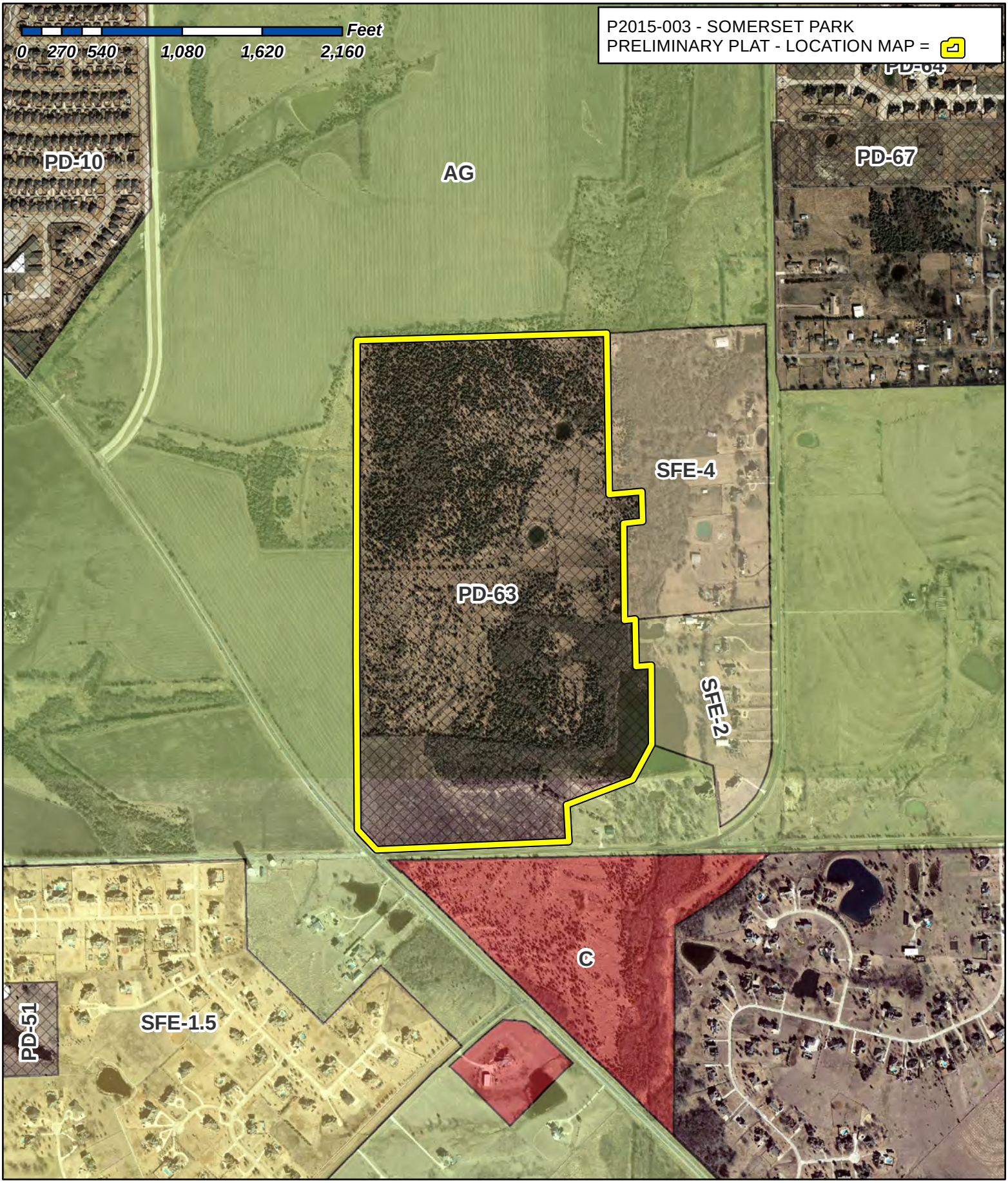
4) The *preliminary plat* shall conform to the recommendations made by the Parks Board; and,

5) Any construction resulting from the approval of this *preliminary plat* shall conform to the

requirements set forth by the Unified Development Code (UDC), the 2009 International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On February 10, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the Preliminary Plat per staff's recommendations by a vote of 7-0.



City of Rockwall

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

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

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1:10,000

Via Electronic Mail

January 30, 2015

Mr. Ryan Miller
Planning Manager
City of Rockwall
385 S. Goliad
Rockwall, TX 75087

Re: Somerset Park – Subdivider's Statement

Dear Ryan,

Arcadia Lakes of Somerset Holdings, LLC will comply with all the city requirements in the proposed subdivision, and all such proposals shall conform to or exceed the standards for such improvements prescribed by the city.

Sincerely,

Arcadia Lakes of Somerset Holdings, LLC

Its: Arcadia Realty Corp., Manager

By: _____
William Gietema, Jr., CEO

MATCH LINE

GRAPHIC SCALE
100 0 50 100

VICINITY MAP
N.T.S.
INTERSTATE 30
S. GOLIAD STREET
PROJECT LOCATION
CITY LIMITS
BOYDSTUN ROAD
W. WALLACE LN

CERTIFICATION

REVIEWED FOR PRELIMINARY APPROVAL:

PLANNING AND ZONING COMMISSION CHAIRMAN

APPROVED FOR PREPARATION OF FINAL PLAT:

MAYOR OF THE CITY OF ROCKWALL

PRELIMINARY PLAT INFORMATION

TOTAL ACERAGE	139.3 Ac.
TOTAL OPEN SPACE	38.7 Ac.
SINGLE FAMILY LOTS	
60' x 120'	89
70' x 120'	139
80' x 130'	81
TOTAL	309
TOTAL DENSITY	2.22 Du/Ac
EXISTING ZONING PD-63 CASE	#Z2014-025
ADJACENT LAND USE DESIGNATIONS	Single Family
BUILDING LINE (D) SETBACKS	PER PD-63

LEGEND

IRF = Iron rod found
P.O.S.E. = Public Open Space Easement
B.L. = Building Line
H.O.A. = Homeowners Association
L.S. = Landscape Easement
D.E. = Drainage Easement
U.E. = Utility Easement
V.S.E. = Visibility & Sidewalk Easement
W.E. = Water Easement
MFF = Minimum Finished Floor

NOTES

1. OPEN SPACES/PRIVATE PARKS TO BE MAINTAINED BY HOME OWNERS ASSOCIATION
2. VISIBILITY (CORNER) CLIPS AT STREET INTERSECTIONS ARE 10'x10' UNLESS OTHERWISE NOTED
3. STREET CROSS SECTIONS PER "PD-63"

OWNER/APPLICANT:

ARCADIA LAKES OF SOMERSET HOLDINGS, LLC
3500 MAPLE AVENUE, SUITE 1165
DALLAS, TEXAS 75219
(214) 724-9281
CONTACT: CHRISTOPHER ORR

ENGINEER:

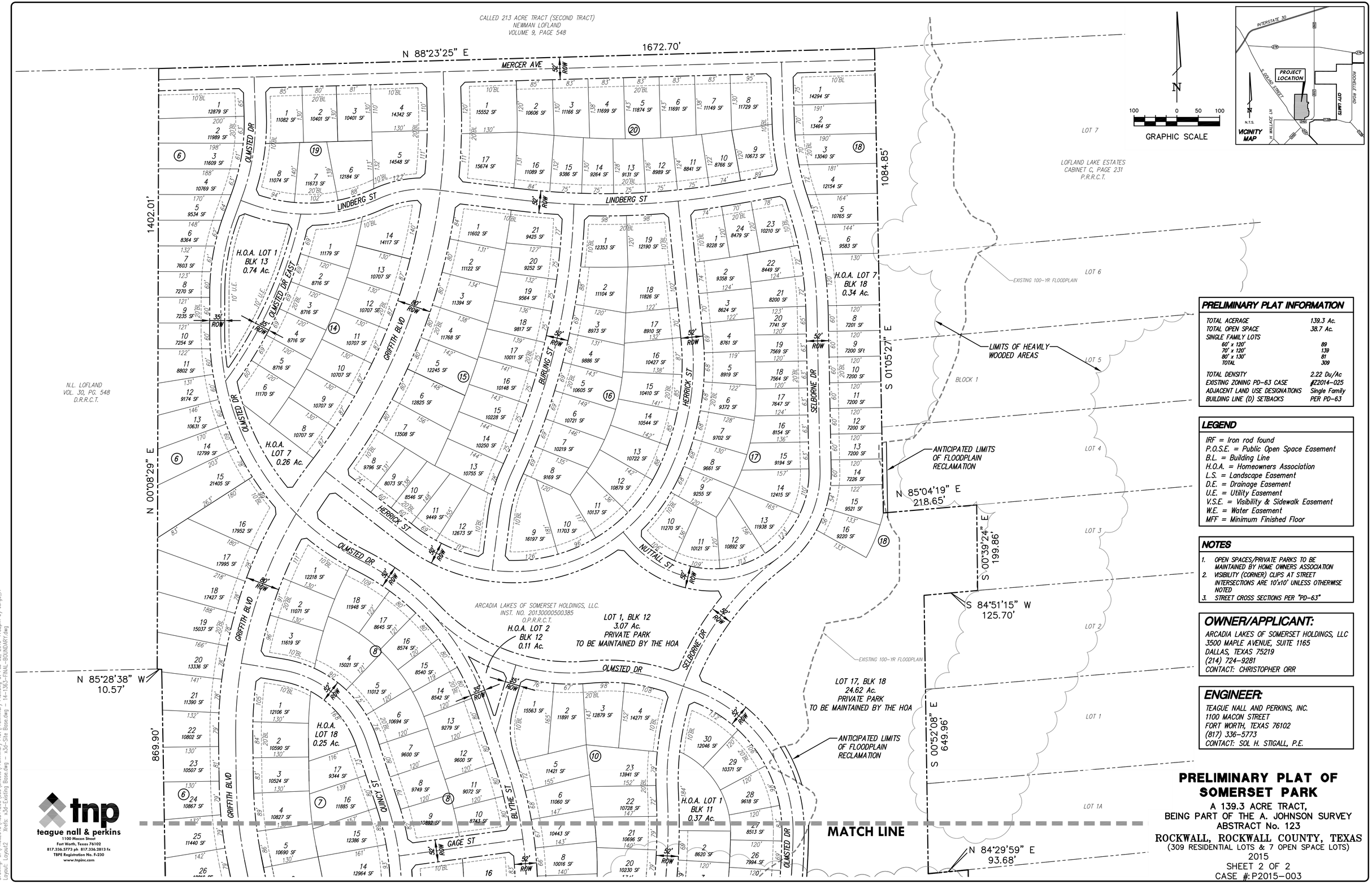
TEAGUE NALL AND PERKINS, INC.
1100 MACON STREET
FORT WORTH, TEXAS 76102
(817) 336-5773
CONTACT: SOL H. STIGALL, P.E.

tnp
teague nall & perkins
1100 Macon Street
Fort Worth, Texas 76102
817.336.5773 ph 817.336.2813 fx
TBPE Registration No. F-230
www.tnpinc.com

PRELIMINARY PLAT OF SOMERSET PARK

A 139.3 ACRE TRACT,
BEING PART OF THE A. JOHNSON SURVEY
ABSTRACT No. 123
ROCKWALL, ROCKWALL COUNTY, TEXAS
(309 RESIDENTIAL LOTS & 7 OPEN SPACE LOTS)
2015
SHEET 1 OF 2
CASE #: P2015-003

Drawing: O:\PROJECTS\AD014208\cad\sheets\Preliminary Plat\Preliminary Plat.dwg at Feb 02, 2015 - 7:48pm by Jorge_A
Layout: Layout1 Xrefs: XJd-Existing Base.dwg - xJd-Site Base.dwg - 14-1363-FINAL-BOUNDARY.dwg



PRELIMINARY PLAT INFORMATION

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60' x 120'	89
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ADJACENT LAND USE DESIGNATIONS	Single Family
BUILDING LINE (D) SETBACKS	PER PD-63

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OWNER/APPLICANT:

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3500 MAPLE AVENUE, SUITE 1165
DALLAS, TEXAS 75219
(214) 724-9281
CONTACT: CHRISTOPHER ORR

ENGINEER:

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1100 MACON STREET
FORT WORTH, TEXAS 76102
(817) 336-5773
CONTACT: SOL H. STIGALL, P.E.

PRELIMINARY PLAT OF SOMERSET PARK

A 139.3 ACRE TRACT,
BEING PART OF THE A. JOHNSON SURVEY
ABSTRACT No. 123
ROCKWALL, ROCKWALL COUNTY, TEXAS
(309 RESIDENTIAL LOTS & 7 OPEN SPACE LOTS)
2015
SHEET 2 OF 2
CASE #: P2015-003

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55

MATCH LINE

GRAPHIC SCALE
100 0 50 100

VICINITY MAP
INTERSTATE 30
S. GOLIAD STREET
PROJECT LOCATION
ROCKWALL ROAD
CITY LIMITS
W. WALLACE LN
N.T.S.

N.L. LOFLAND & ANNIE LOFLAND
VOL. 28, PG. 487
D.R.R.C.T.

H.O.A. LOT 11
0.29 Ac.

H.O.A. LOT 14
BLK 10
0.66 Ac.

H.O.A. LOT 1
BLK 11
0.37 Ac.

H.O.A. LOT 35
0.19 Ac.

H.O.A. LOT
BLK 3
0.90 Ac.

H.O.A. LOT 25
BLK 1
1.76 Ac.

H.O.A. LOT 25
BLK 1
1.76 Ac.

LOT 1, BLK 4
2.24 Ac.
PRIVATE PARK
TO BE MAINTAINED BY THE HOA

LOT 17, BLK 18
24.62 Ac.
PRIVATE PARK
TO BE MAINTAINED BY THE HOA
(19.69 AC PROPOSED FLOODPLAIN)

ARCADIA LAKES OF SOMERSET HOLDINGS, LLC.
INST. NO. 20130000500385
O.P.R.R.C.T.

LOFLAND LAKE ESTATES NO. 2 ADDITION
CABINET C, PAGE 251
P.R.R.C.T.

LOT 1A
LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6

EDWARDS SUBDIVISION
CABINET I, PAGE 41
P.R.R.C.T.

LOT 1, BLOCK A
LOT 2, BLOCK A

MARK M MEDCALF ET AL
(VOL. 4856, PG. 279)
D.R.R.C.T.

GRIFFITH BLVD
QUINCY ST
BLYTHE ST
OLMSTED DR
SELBORNE DR
SYLVAN PARK DR
LONG COMMON NORTH
LONG COMMON SOUTH
LOUDON ST WEST
LOUDON ST EAST
LOUDON ST
GAGE ST
LOFLAND CIR.
S.H. 205
FM 549
(A VARIABLE WIDTH R.O.W.)

8"W
8"SS
12"W
12" SS
EXIST 12"W
EXIST 8"W
EXISTING EASEMENT
(IN ESCROW)
PROPOSED LIFT
STATION
PROPOSED FORCE
MAIN TO FM 3097

LEGEND

- PROPOSED SANITARY SEWER
- PROPOSED SSMH
- PROPOSED WATER LINE
- PROPOSED GATE VALVE
- PROPOSED FIRE HYDRANT

OWNER/APPLICANT:
ARCADIA LAKES OF SOMERSET HOLDINGS, LLC
3500 MAPLE AVENUE, SUITE 1165
DALLAS, TEXAS 75219
(214) 724-9281
CONTACT: CHRISTOPHER ORR

ENGINEER:
TEAGUE NALL AND PERKINS, INC.
1100 MACON STREET
FORT WORTH, TEXAS 76102
(817) 336-5773
CONTACT: SOL H. STIGALL, P.E.

PRELIMINARY WATER & SEWER PLAN SOMERSET PARK

A 139.3 ACRE TRACT,
BEING PART OF THE A. JOHNSON SURVEY
ABSTRACT No. 123
ROCKWALL, ROCKWALL COUNTY, TEXAS
(309 RESIDENTIAL LOTS & 7 OPEN SPACE LOTS)
2015
SHEET 1 OF 2
CASE #: P2015-003

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www.tnpinc.com

Drawing: O:\PROJECTS\AD14208\cad\sheets\Preliminary Plat\Preliminary Water & Sewer.dwg at Feb 02, 2015-7:53pm by Jorge_A
Layout: Layout1 Xrefs: x3d-Existing Base.dwg - x3d-Site Base.dwg - 14-1363-FINAL-BOUNDARY.dwg - x3d-Utility Base.dwg

56

CALLED 213 ACRE TRACT (SECOND TRACT)
NEWMAN LOFLAND
VOLUME 9, PAGE 548

STUB FOR OFFSITE SS CONNECTION

MERCER AVE

OLMSTED DR

LINDBERG ST

H.O.A. LOT 1
BLK 13
0.74 Ac.

OLMSTED DR EAST

GRIFFITH BLVD

BURLING ST

HERRICK ST

SELBORNE DR

H.O.A. LOT 7
BLK 18
0.34 Ac.

H.O.A.
LOT 7
0.26 Ac.

NUTTALL ST

ARCADIA LAKES OF SOMERSET HOLDINGS, LLC.
INST. NO. 20130000500385
O.P.R.R.C.T.

H.O.A. LOT 2
BLK 12
0.11 Ac.

LOT 1, BLK 12
3.07 Ac.
PRIVATE PARK
TO BE MAINTAINED BY THE HOA

LOT 17, BLK 18
24.62 Ac.
PRIVATE PARK
TO BE MAINTAINED BY THE HOA

H.O.A.
LOT 18
0.25 Ac.

QUINCY ST

BLYTHE ST

GAGE ST

H.O.A. LOT 1
BLK 11
0.37 Ac.

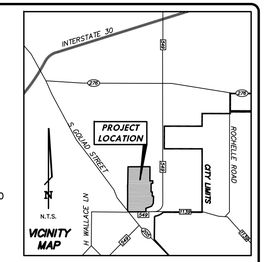
N.L. LOFLAND
VOL. 30, PG. 548
D.R.R.C.T.

LOFLAND LAKE ESTATES
CABINET C, PAGE 231
P.R.R.C.T.

LOT 7
LOT 6
LOT 5
BLOCK 1
LOT 4
LOT 3
LOT 2
LOT 1
LOT 1A

MATCH LINE

GRAPHIC SCALE
100 0 50 100



LEGEND

- PROPOSED SANITARY SEWER
- PROPOSED SSMH
- PROPOSED WATER LINE
- PROPOSED GATE VALVE
- PROPOSED FIRE HYDRANT

OWNER/APPLICANT:
ARCADIA LAKES OF SOMERSET HOLDINGS, LLC
3500 MAPLE AVENUE, SUITE 1165
DALLAS, TEXAS 75219
(214) 724-9281
CONTACT: CHRISTOPHER ORR

ENGINEER:
TEAGUE NALL AND PERKINS, INC.
1100 MACON STREET
FORT WORTH, TEXAS 76102
(817) 336-5773
CONTACT: SOL H. STIGALL, P.E.

PRELIMINARY
WATER & SEWER PLAN
SOMERSET PARK

A 139.3 ACRE TRACT,
BEING PART OF THE A. JOHNSON SURVEY
ABSTRACT No. 123
ROCKWALL, ROCKWALL COUNTY, TEXAS
(309 RESIDENTIAL LOTS & 7 OPEN SPACE LOTS)
2015
SHEET 2 OF 2
CASE #: P2015-003

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Layout: Layout2 Xrefs: x3d-Existing Base.dwg - x3d-Site Base.dwg - 14-1363-FINAL-BOUNDARY.dwg - x3d-Utility Base.dwg

Somerset Park

Preliminary Plat

Lot Information

2/2/2015

Block 1				
Lot #	Lot Product Type	Width of Lot at Building Line (FT)	Depth of Lot (FT)	Lot Area (SF)
1	60	66	150	9,874
2	60	60	150	11,211
3	60	60	147	9,348
4	60	60	125	8,254
5	60	60	132	8,537
6	60	60	163	10,299
7	60	60	163	10,917
8	60	60	146	10,220
9	60	60	146	10,297
10	60	60	145	9,902
11	60	60	136	8,972
12	60	60	120	7,841
13	60	68	120	8,160
14	60	68	120	8,160
15	70	70	120	8,430
16	70	70	120	8,430
17	70	70	120	8,430
18	70	70	120	8,430
19	70	70	120	8,903
20	70	72	120	9,365
21	70	72	120	9,365
22	70	72	120	9,365
23	80	99	137	13,314
24	80	105	137	11,990

Block 2				
Lot #	Lot Product Type	Width of Lot at Building Line (FT)	Depth of Lot (FT)	Lot Area (SF)
1	70	99	123	11,798
2	70	117	123	11,517
3	70	117	149	12,236
4	70	112	149	12,619
5	70	73	149	10,363
6	70	73	138	9,804
7	70	73	135	9,719
8	70	73	143	10,052

Somerset Park

Preliminary Plat

Lot Information

2/2/2015

9	70	80	153	11,068
10	70	110	153	13,372
11	80	100	147	14,862
12	80	98	147	11,933
13	80	140	140	17,631
14	80	88	140	13,001
15	80	80	140	11,897
16	80	80	140	11,870
17	80	80	139	11,706
18	80	91	137	12,207

Block 3				
Lot #	Lot Product Type	Width of Lot at Building Line (FT)	Depth of Lot (FT)	Lot Area (SF)
1	Open Space			

Block 4				
Lot #	Lot Product Type	Width of Lot at Building Line (FT)	Depth of Lot (FT)	Lot Area (SF)
1	Open Space			

Block 5				
Lot #	Lot Product Type	Width of Lot at Building Line (FT)	Depth of Lot (FT)	Lot Area (SF)
1	80	155	141	14,603
2	80	80	141	12,090
3	80	90	141	14,610
4	70	88	127	12,453
5	70	82	127	9,680
6	70	82	126	9,580
7	70	82	124	9,482
8	70	82	123	9,387
9	70	81	121	9,199
10	70	91	120	10,108
11	70	85	120	11,368
12	70	90	121	11,880
13	70	90	123	12,066
14	70	84	126	12,105
15	70	125	126	14,122

Somerset Park

Preliminary Plat

Lot Information

2/2/2015

Block 6				
Lot #	Lot Product Type	Width of Lot at Building Line (FT)	Depth of Lot (FT)	Lot Area (SF)
1	60	65	200	12,879
2	60	62	200	11,989
3	60	61	198	11,609
4	60	63	188	10,769
5	60	64	170	9,534
6	60	62	148	8,364
7	60	61	132	7,603
8	60	60	123	7,270
9	60	60	121	7,235
10	60	60	122	7,254
11	60	63	131	8,802
12	60	62	146	9,174
13	60	62	170	10,631
14	60	62	203	12,799
15	80	81	263	21,405
16	80	113	180	17,952
17	80	80	218	17,995
18	80	80	218	17,427
19	80	80	188	15,037
20	80	80	166	13,336
21	80	80	141	11,390
22	80	80	132	10,802
23	80	81	130	10,507
24	80	80	132	10,867
25	80	80	142	11,440
26	80	80	157	12,216
27	80	80	157	13,119
28	80	83	185	14,337
29	80	87	191	15,142
30	80	87	192	15,385
31	80	85	192	15,332
32	80	92	185	14,761
33	80	94	175	13,687
34	80	94	152	11,407
35	Open Space			

Block 7

Somerset Park

Preliminary Plat

Lot Information

2/2/2015

Lot #	Lot Product Type	Width of Lot at Building Line (FT)	Depth of Lot (FT)	Lot Area (SF)
1	80	102	130	12,106
2	80	84	130	10,590
3	80	82	130	10,524
4	80	88	130	10,827
5	80	85	130	10,690
6	80	80	130	10,400
7	80	80	130	10,499
8	80	80	130	10,837
9	80	80	130	10,837
10	80	111	130	12,871
11	Open Space			
12	70	80	137	9,418
13	70	88	155	11,827
14	70	91	161	12,964
15	70	86	157	12,386
16	70	80	157	11,885
17	70	73	139	12,386
18	Open Space			

Block 8				
Lot #	Lot Product Type	Width of Lot at Building Line (FT)	Depth of Lot (FT)	Lot Area (SF)
1	80	95	130	12,218
2	80	90	130	11,071
3	80	94	130	11,619
4	70	102	121	15,021
5	70	81	121	11,012
6	70	80	120	10,694
7	70	80	120	9,600
8	70	80	120	9,749
9	70	85	120	10,892
10	60	78	120	8,743
11	60	79	120	9,072
12	60	80	120	9,600
13	60	79	120	9,279
14	60	77	120	8,542
15	60	77	120	8,540
16	60	77	121	8,574
17	60	77	121	8,645

Somerset Park

Preliminary Plat

Lot Information

2/2/2015

18	60	106	122	11,948

Block 9				
Lot #	Lot Product Type	Width of Lot at Building Line (FT)	Depth of Lot (FT)	Lot Area (SF)
1	70	75	120	9,664
2	70	70	120	8,887
3	70	70	120	8,887
4	70	70	120	8,887
5	70	70	122	9,277
6	70	70	141	10,427
7	70	75	141	12,830
8	60	81	152	11,754
9	60	64	152	9,755
10	60	64	134	8,638
11	60	64	122	7,809
12	60	74	120	8,437
13	60	74	120	8,437
14	60	74	120	8,437
15	60	74	120	8,451
16	60	81	120	9,061

Block 10				
Lot #	Lot Product Type	Width of Lot at Building Line (FT)	Depth of Lot (FT)	Lot Area (SF)
1	70	80	165	15,563
2	70	70	165	11,891
3	70	95	152	12,879
4	70	104	152	14,271
5	60	72	155	11,421
6	60	70	155	11,060
7	60	69	147	10,443
8	60	67	143	10,016
9	60	70	140	10,323
10	60	67	136	9,197
11	60	65	131	8,709
12	60	65	127	8,393
13	70	127	134	14,435
14	Open Space			
15	70	137	135	16,501
16	70	78	123	9,169

Somerset Park

Preliminary Plat

Lot Information

2/2/2015

17	70	78	125	9,308
18	70	78	129	9,533
19	70	78	134	9,841
20	70	78	140	10,230
21	70	78	147	10,696
22	70	72	152	10,728
23	70	81	152	13,941

Block 11				
Lot #	Lot Product Type	Width of Lot at Building Line (FT)	Depth of Lot (FT)	Lot Area (SF)
1	Open Space			
2	70	70	120	8,620
3	70	70	120	8,617
4	70	70	120	8,617
5	70	70	120	8,617
6	70	70	120	8,617
7	70	70	120	8,617
8	70	70	120	8,680
9	70	71	120	9,239
10	70	71	120	9,239
11	70	71	120	9,239
12	70	71	120	9,239
13	70	76	120	10,204
14	80	99	130	11,891
15	80	94	130	11,260
16	80	94	130	11,230
17	80	94	130	11,243
18	80	94	130	11,299
19	80	87	130	10,840
20	80	84	130	10,518
21	70	75	125	8,931
22	70	75	121	8,736
23	70	75	120	8,717
24	70	75	120	8,717
25	60	68	120	7,994
26	60	68	120	7,994
27	60	79	120	8,513
28	60	93	120	9,618
29	60	100	120	10,371
30	60	123	120	12,046

Somerset Park

Preliminary Plat

Lot Information

2/2/2015

Block 12				
Lot #	Lot Product Type	Width of Lot at Building Line (FT)	Depth of Lot (FT)	Lot Area (SF)
1	Open Space			
2	Open Space			

Block 13				
Lot #	Lot Product Type	Width of Lot at Building Line (FT)	Depth of Lot (FT)	Lot Area (SF)
1	Open Space			

Block 14				
Lot #	Lot Product Type	Width of Lot at Building Line (FT)	Depth of Lot (FT)	Lot Area (SF)
1	70	76	120	11,179
2	70	70	120	8,716
3	70	70	120	8,716
4	70	70	120	8,716
5	70	70	120	8,716
6	70	79	120	11,170
7	Open Space			
8	80	86	130	10,707
9	80	86	130	10,707
10	80	86	130	10,707
11	80	86	130	10,707
12	80	86	130	10,707
13	80	86	130	10,707
14	80	134	130	14,117

Block 15				
Lot #	Lot Product Type	Width of Lot at Building Line (FT)	Depth of Lot (FT)	Lot Area (SF)
1	80	86	131	11,602
2	80	81	134	11,122
3	80	81	138	11,394
4	80	81	142	11,768
5	80	81	148	12,245
6	80	81	156	12,825
7	80	81	156	13,508
8	60	75	131	9,796

Somerset Park

Preliminary Plat

Lot Information

2/2/2015

9	60	60	138	8,073
10	60	60	148	8,546
11	60	68	155	9,449
12	60	11	155	12,673
13	70	77	144	10,755
14	70	74	144	10,250
15	70	74	144	10,228
16	70	74	143	10,148
17	70	74	141	10,011
18	70	74	139	9,817
19	70	74	136	9,564
20	70	74	132	9,252
21	70	77	127	9,425

Block 16				
Lot #	Lot Product Type	Width of Lot at Building Line (FT)	Depth of Lot (FT)	Lot Area (SF)
1	70	99	120	12,353
2	70	91	120	11,104
3	70	70	131	8,973
4	70	70	143	9,886
5	70	70	149	10,605
6	70	70	149	10,721
7	70	70	146	10,219
8	70	70	135	9,169
9	70	118	181	16,197
10	70	91	181	11,703
11	70	91	136	10,137
12	70	91	142	10,879
13	70	84	142	10,722
14	70	82	142	10,544
15	70	82	141	10,410
16	70	84	138	10,427
17	70	70	132	8,910
18	70	102	122	11,826
19	70	99	120	12,190

Block 17				
Lot #	Lot Product Type	Width of Lot at Building Line (FT)	Depth of Lot (FT)	Lot Area (SF)
1	70	75	120	9,228

Somerset Park

Preliminary Plat

Lot Information

2/2/2015

2	70	75	124	9,358
3	70	70	124	8,624
4	70	70	122	8,761
5	70	70	122	8,919
6	70	70	128	9,372
7	70	70	130	9,702
8	70	70	130	9,661
9	70	70	127	9,255
10	60	98	136	11,270
11	60	100	136	10,121
12	60	103	156	10,892
13	60	111	165	11,938
14	60	102	165	12,415
15	60	63	157	9,194
16	60	63	136	8,154
17	60	63	124	7,647
18	60	63	120	7,564
19	60	63	120	7,569
20	60	65	123	7,741
21	60	70	124	8,200
22	60	71	124	8,449
23	70	81	120	10,210
24	70	70	120	8,479

Block 18				
Lot #	Lot Product Type	Width of Lot at Building Line (FT)	Depth of Lot (FT)	Lot Area (SF)
1	70	75	191	14,294
2	70	70	191	13,464
3	70	71	190	13,040
4	70	72	181	12,154
5	70	73	164	10,765
6	70	71	144	9,583
7	Open Space			
8	60	60	120	7,201
9	60	60	120	7,200
10	60	60	120	7,200
11	60	60	120	7,200
12	60	60	120	7,200
13	60	60	120	7,200
14	60	60	122	7,226

Somerset Park

Preliminary Plat

Lot Information

2/2/2015

15	60	60	133	9,521
16	60	60	133	9,220

Block 19				
Lot #	Lot Product Type	Width of Lot at Building Line (FT)	Depth of Lot (FT)	Lot Area (SF)
1	80	85	130	11,082
2	80	80	130	10,401
3	80	80	130	10,401
4	80	110	130	14,342
5	80	111	132	14,548
6	70	92	139	12,184
7	70	97	140	11,673
8	70	90	140	11,074

Block 20				
Lot #	Lot Product Type	Width of Lot at Building Line (FT)	Depth of Lot (FT)	Lot Area (SF)
1	80	120	130	15,552
2	80	85	130	10,606
3	80	83	138	11,166
4	80	83	143	11,699
5	80	83	143	11,874
6	80	83	143	11,691
7	80	83	138	11,149
8	80	95	130	11,729
9	70	89	120	10,673
10	70	74	122	8,766
11	70	74	124	8,841
12	70	74	126	8,989
13	70	74	128	9,131
14	70	74	130	9,264
15	70	74	132	9,386
16	70	84	132	11,089
17	80	114	130	15,674

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mark Moeller, Chief of Police**

DATE: **February 6, 2015**

SUBJECT: **2014 Racial Profiling Report**

To comply with Article 2.132 of the Texas Code of Criminal Procedure addressing racial profiling, each law enforcement agency must collect information relating to traffic stops in which a citation is issued or an arrest is made. The law enforcement agency must also report this information to the governing body no later than March 1st of the following year and must submit the report to the Texas Commission on Law Enforcement (TCOLE) who is the designated central depository for all reports in the state.

There were no complaints of racial profiling made against any Rockwall Police Officer this past year.

Attached is the report submitted to TCOLE of the racial breakdown for citations issued, searches conducted, and arrests made resulting from traffic stops by the Rockwall Police Department for 2014.

TIER 1 - PARTIAL EXEMPTION RACIAL PROFILING REPORT

Agency Name:	ROCKWALL POLICE DEPT.
Reporting Date:	01/29/2015
TCOLE Agency Number:	397204
Chief Administrator:	MARK MOELLER
Agency Contact Information:	Phone: 972 772-6454 Mailing Address: ROCKWALL POLICE DEPT. 205 W. Rusk Rockwall, TX 75087

This Agency claims partial racial profiling report exemption because:

Our vehicles that conduct motor vehicle stops are equipped with video and audio equipment and we maintain videos for 90 days.

Certification to This Report 2.132 (Tier 1) – Partial Exemption

Article 2.132(b) CCP Law Enforcement Policy on Racial Profiling

ROCKWALL POLICE DEPT. has adopted a detailed written policy on racial profiling. Our policy:

(1) clearly defines acts constituting racial profiling;

(2) strictly prohibits peace officers employed by the ROCKWALL POLICE DEPT. from engaging in racial profiling;

(3) implements a process by which an individual may file a complaint with the ROCKWALL POLICE DEPT. if the individual believes that a peace officer employed by the ROCKWALL POLICE DEPT. has engaged in racial profiling with respect to the individual;

(4) provides public education relating to the agency's complaint process;

(5) requires appropriate corrective action to be taken against a peace officer employed by the ROCKWALL POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the ROCKWALL POLICE DEPT.'s policy adopted under this article;

(6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:

(A) the race or ethnicity of the individual detained;

(B) whether a search was conducted and, if so, whether the individual detained consented to the search; and

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

(A) The Commission on Law Enforcement; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

I certify these policies are in effect.

Executed by: ***MARK MOELLER***
Chief Administrator

ROCKWALL POLICE DEPT.

Date: 01/29/2015

ROCKWALL POLICE DEPT. Motor Vehicle Racial Profiling Information

Number of motor vehicle stops:

1. **10554** citation only
2. **173** arrest only
3. **275** both

4. **11002 Total** (4, 11, 14 and 17 must be equal)

Race or Ethnicity:

5 **1170** African
6. **166** Asian
7. **7932** Caucasian
8. **1702** Hispanic
9. **15** Middle Eastern
10. **17** Native American

11. **11002 Total** (lines 4, 11, 14 and 17 must be equal)

Race or Ethnicity known prior to stop?

12. **249** Yes
13. **10753** No

14. **11002 Total** (lines 4, 11, 14 and 17 must be equal)

Search conducted?

15. **448** Yes
16. **10554** No

17. **11002 Total** (lines 4, 11, 14 and 17 must be equal)

Was search consented?

18. **111** Yes
19. **337** No

20. **448 Total** (must equal line 15)

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mark Moeller, Chief of Police**

DATE: **February 6, 2015**

SUBJECT: **Crime Comparison - 2014**

Each year we analyze and compare our crime rate by utilizing the crime index. This is calculated by taking the number of crimes, in any type of category, and comparing those numbers to the estimated population for that year. To make a more accurate comparison from year to year we further break it down based on crimes reported per 1,000 residents.

Part 1 offenses are those crimes that must be reported to the FBI by every police agency in the country. They consist of the total numbers of all murders, rapes, robberies, aggravated assaults, burglaries, thefts, and motor vehicle thefts occurring within that agency's jurisdiction. The following tables compare 2014 with previous years:

Part 1 Offenses

Year	Total Part 1 Crimes	Population Estimate	Crime Index
2003	896	24,332	36.8
2004	896	25,377	35.3
2005	834	28,173	29.6
2006	880	29,458	29.9
2007	853	31,067	27.4
2008	1,051	31,800	33.0
2009	1,070	34,700	30.8
2010	1,004	36,300	27.7
2011	1,070	37,666	28.5
2012	890	38,750	22.9
2013	820	39,238	20.9
2014	825	41,412	19.9

Violent Crime

Year	Violent Crimes	Population Estimate	Crime Index
2003	46	24,332	1.9
2004	51	25,377	2.0
2005	57	28,173	2.0
2006	32	29,458	1.09
2007	23	31,067	0.74
2008	33	31,800	1.03
2009	28	34,700	0.80
2010	18	36,300	0.49
2011	37	37,666	0.98
2012	27	38,750	0.69
2013	25	39,238	0.64
2014	38	41,412	0.92

Total Crime

Year	Total Crimes	Population Estimate	Crime Index
2003	2,401	24,332	98.7
2004	2,556	25,377	100.9
2005	2,605	28,173	92.5
2006	2,914	29,458	98.9
2007	2,927	31,067	94.2
2008	2,849	31,800	89.6
2009	2,946	34,700	84.9
2010	2,763	36,300	76.1
2011	2,897	37,666	77.0
2012	2,596	38,750	67.0
2013	2,115	39,238	53.9
2014	2,555	41,412	61.7

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mark Moeller, Chief of Police**

DATE: **February 11, 2015**

SUBJECT: **Holiday Crime Initiative - 2014**

Our 2014 Holiday Crime Initiative, which added extra patrol throughout the I-30 retail/restaurant corridor, was implemented and managed in the same manner and time frame as all the previous years. STEP overtime is paid for one officer from 1:00pm till 9:00pm through the Thanksgiving weekend and then for the two weeks preceding Christmas day, but also including Christmas and the day after; a total of seventeen days.

In 2010 and 2011, 16 Part One criminal offenses were reported in each year; 2012 had 11 offenses reported. In 2013 there were 23 offenses reported. This past year, 2014, there were 19 offenses reported; a 17% reduction from last year.

An analysis of these thefts occurring during this time frame and along the I-30 corridor, showed 13 were shoplifting thefts which are virtually impossible to prevent by officers patrolling parking lots. Three other theft offenses were also outside the scope of the program since they occurred inside the stores and were thefts of purses from the shopping cart.

Only one burglary of a motor vehicle (BMV) offense targeted shoppers and their parked vehicles in this commercial area. Another property crime that was significantly reduced during this program was Motor Vehicle Theft. In 2013 four vehicles were stolen, in 2014 only two were stolen, a 50% reduction.

The 2014 Holiday Crime Initiative has again proven that this program is very effective in providing a safe environment for our residents and visitors during a very busy shopping season.

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 02/16/2015

APPLICANT: James Jackson of Jackson Automotive

AGENDA ITEM: **Z2015-001;** Outside Storage of Vehicles

Hold a public hearing to discuss and consider a request by James Jackson of Jackson Automotive for the approval of a Specific Use Permit to allow for automotive vehicles to be stored outside overnight in conjunction with an existing minor automotive repair garage on a 0.88-acre parcel of land identified as Lot 2B-2, Block A, Panex LTD Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located at 608 White Hills Drive, and take any action necessary.

BACKGROUND INFORMATION:

The applicant has submitted an application for a Specific Use Permit to allow for automotive vehicles to be stored outside overnight in conjunction with an existing minor automotive repair garage facility within a Commercial (C) District. The property is generally located at 608 White Hills Drive and is doing business as Jackson Automotive. The property was granted a Conditional Use Permit [CUP (Ord. No. 93-27)] in 1993 for an "auto repair garage, minor" that included an approximately 7,500 sq. ft. enclosed area designated for outside storage. Also, a CUP and Site Plan was approved for an approximately 3,000 sq. ft. expansion of the facility in 1998 (Ord. 98-19), which has been completed.

The applicant is requesting the SUP for the specific purpose of allowing outside storage of vehicles for customers needing to drop off or pick up vehicles after hours and vehicles in need of parts which are unavailable at the time of service within the general parking area as depicted on the site plan. The vehicles would be parked/stored in the eighteen (18) striped head-in parking spaces located on the westerly side of the building. Mr. Jackson is requesting the ability to store the vehicles in the designated area up to 48 hours. The site contains an additional thirty (30) parking spaces along the front of the building that will not be used for overnight storage.

According to the Unified Development Code (UDC), Article IV, Permissible Uses, Sec. 2.1.8, Auto repair garage, minor:

> *5. Vehicles, equipment, parts or inventory shall not be stored outside overnight unless expressly permitted by this [Unified Development Code]. In which case, they shall be screened from public streets, sidewalks, open space, and any residentially zoned lot.*

Included in your packet is the letter requesting the SUP and a site plan indicating the eighteen (18) parking spaces to be used for the outside storage of vehicles. A request for an SUP is a discretionary act upon the Planning and Zoning Commission and City Council.

NOTIFICATION:

On January 30, 2015, staff mailed twenty-three (23) notices to property owners within 500 feet of the subject property; however, since there are no HOA/Neighborhood Organizations within 1500 feet participating in the notification program, there was no additional notice forwarded by e-mail. Additionally, staff posted a sign on the property as required by the Unified Development

Code (UDC). At the time this report was drafted, staff has received no notices “for” or “against” the zoning change requested.

RECOMMENDATIONS:

Should the Planning and Zoning Commission approve the proposed Specific Use Permit (SUP), it would allow for automotive vehicles to be stored outside overnight in conjunction with the existing minor automotive repair garage. However, the Commission may additionally consider the limitation for the outside storage of motor vehicles, as specified on the attached site plan and the duration of storage time for these vehicles, as well as other conditions the Commission deem necessary for compatibility with the surrounding uses.

Staff is offering the following conditions for consideration of the proposed use:

1. That the outside overnight storage of vehicles be limited to the eighteen (18) parking spaces located on the westerly side of the property as depicted on the SUP Exhibit; and

2. That the outside overnight storage of vehicles shall not exceed a continuous time period of 48 hours on the *Subject Property*; and

3. That no equipment, parts or inventory shall be stored outside; and

4. That the City Council reserves the right to review the Specific Use Permit (SUP) any time after the effective date of the SUP ordinance.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On February 10, 2015, the Planning and Zoning Commission recommended approval of the SUP request with staff conditions by a vote of 7 to 0.

JACKSON AUTOMOTIVE SPECIALIST
608 WHITE HILLS DR.
ROCKWALL, TX. 75087

To whom it may concern,

I James Jackson, would like to request an amendment to my existing permit at the address 608 White Hills Dr., to allow 48 hour parking in the 18 parking places shown in the site plan.

Thank you,

James Jackson

James Jackson

Owner
Jackson Automotive Specialist
(972) 771-5791
608 White Hills Dr.
Rockwall, Tx. 75087

1/13/2015

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City of Rockwall

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

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

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City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
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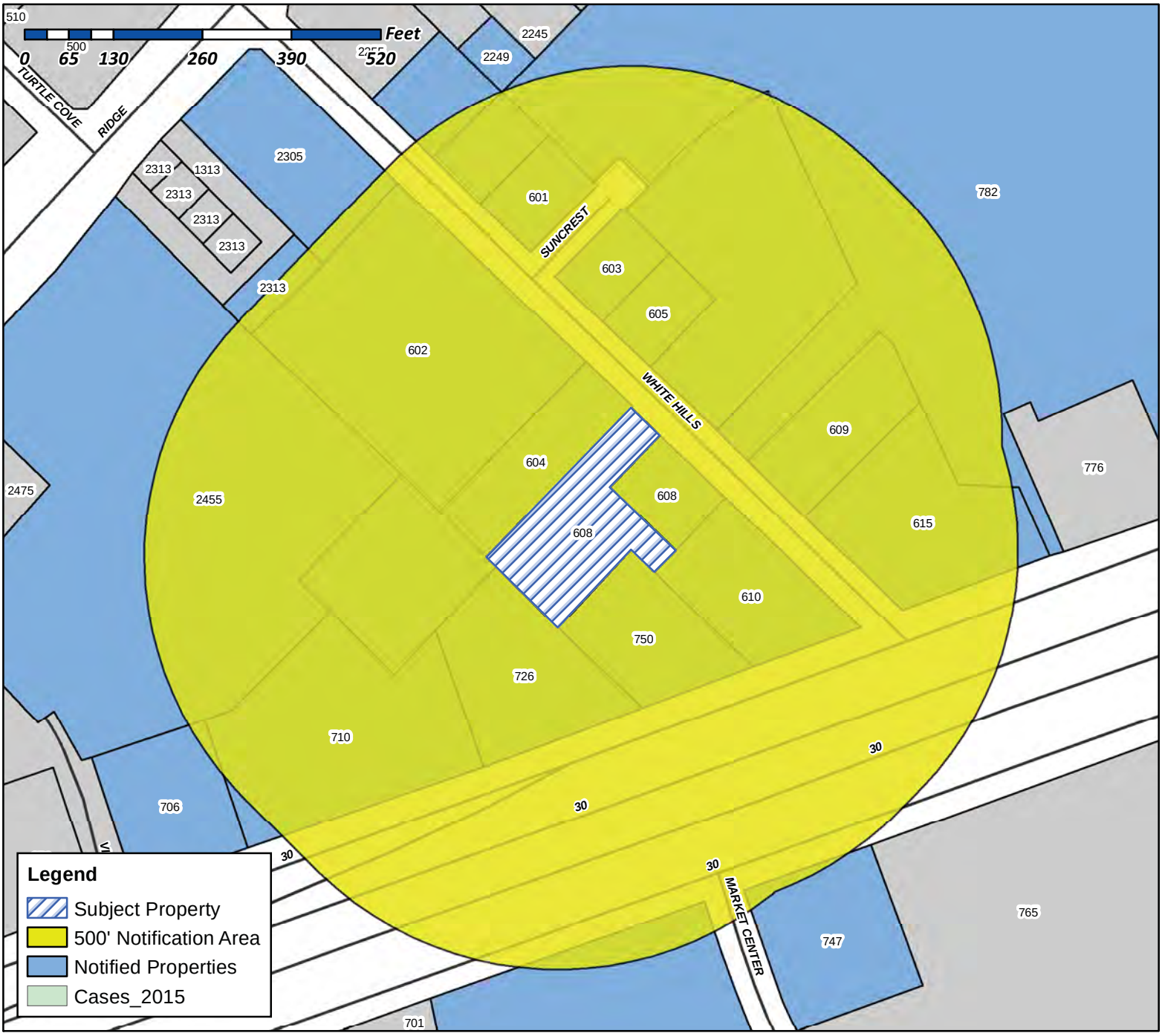
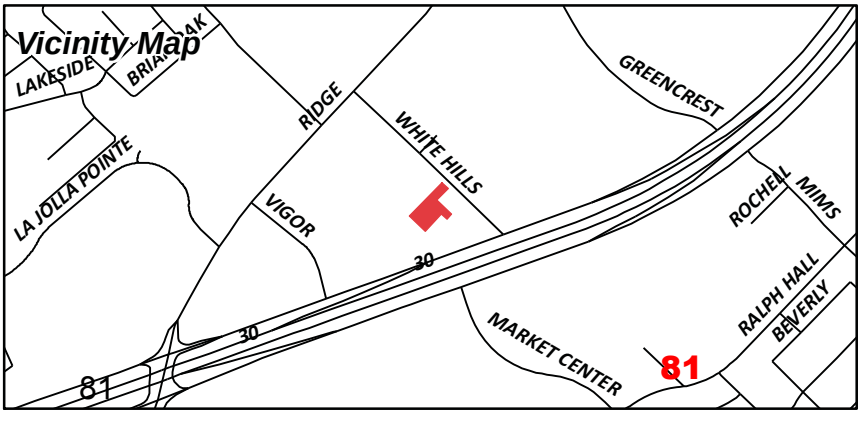


Case Number: Z2015-001
Case Name: Jackson Automotive SUP
Case Type: Specific Use Permit
Zoning: Commercial
Case Address: 608 White Hills Drive

Date Created: *1/22/2015*
For Questions on this Case Call (972) 771-7745



BAPTIST GENERAL CONVENTION OF TEXAS
333 NORTH WASHINGTON
DALLAS, TX 75246

DAKIER PARTNERS LTD
PO BOX 1059
ROCKWALL, TX 75087

HOISINGTON TED & MARILYN
1102 SQUAW VALLEY
ROCKWALL, TX 75087

TACO BUENO RESTAURANTS, INC
PARK WEST 1
1605 LYNDON B JOHNSON FWY STE 800
FARMERS BRANCH, TX 75234

SHEIKHA SABRI H MD
7515 FOREST BEND DR
PARKER, TX 75002

DAKIER PARTNERS LTD
PO BOX 1059
ROCKWALL, TX 75087

PIZZA ENTERPRISES INC
726 E INTERSTATE 30
ROCKWALL, TX 75087

JACKSON ROCKWALL INVESTMENT
1112 PULLEN RD
ROCKWALL, TX 75032

JACKSON ROCKWALL INVESTMENT
1112 PULLEN RD
ROCKWALL, TX 75032

COLE OB ROCKWALL TX LLC
C/O OTB ACQUISITION LLC
6820 LYNDON B JOHNSON FWY
DALLAS, TX 75240

EVANS JIMMIE
800 FULGHAM ROAD
PLANO, TX 75093

SUNFLOWER DELI INC
1345 MEANDERING WAY
ROCKWALL, TX 75087

HP ROCKWALL III 30, LTD
12720 HILLCREST RD STE 1080
DALLAS, TX 75230

ARC BFRKWTX001 LLC
C/O ED RYBURN CMI SENIOR TAX SPECIALIST
BRIDGESTONE AMERICAS HOLDING INC 535
MARRIOTT DR 9TH FLOOR
NASHVILLE, TN 37214

FIRST PRESBYTERIAN CHURCH
ROCKWALL, TEXAS, INC
PO BOX 692
ROCKWALL, TX 75087

OWEN HOLDINGS INC
4718 MILL CREEK
DALLAS, TX 75244

605 WHITE HILLS LLC
253 QUAIL CREEK ROAD
ROCKWALL, TX 75032

THE TWO SHORT, LP
A TEXAS LIMITED PARTNERSHIP
1810 KENTWOOD CIR
ROCKWALL, TX 75032

CONAWAY ROBERT
604 WHITE HILLS DR
ROCKWALL, TX 75087

CHACKO & ABRAHAM INVESTMENTS LLC
4102 NORWICH DRIVE
GARLAND, TX 75043

ROCKWALL DUNHILL LLC
3100 MONTICELLO AVENUE SUITE 300
DALLAS, TX 75205

DAIKER PARTNERS LTD.
PO BOX 1059
ROCKWALL, TX 75087

WAL-MART REAL ESTATE
BUSINESS TRUST
PO BOX 8050
BENTONVILLE, AR 72712

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City of Rockwall

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

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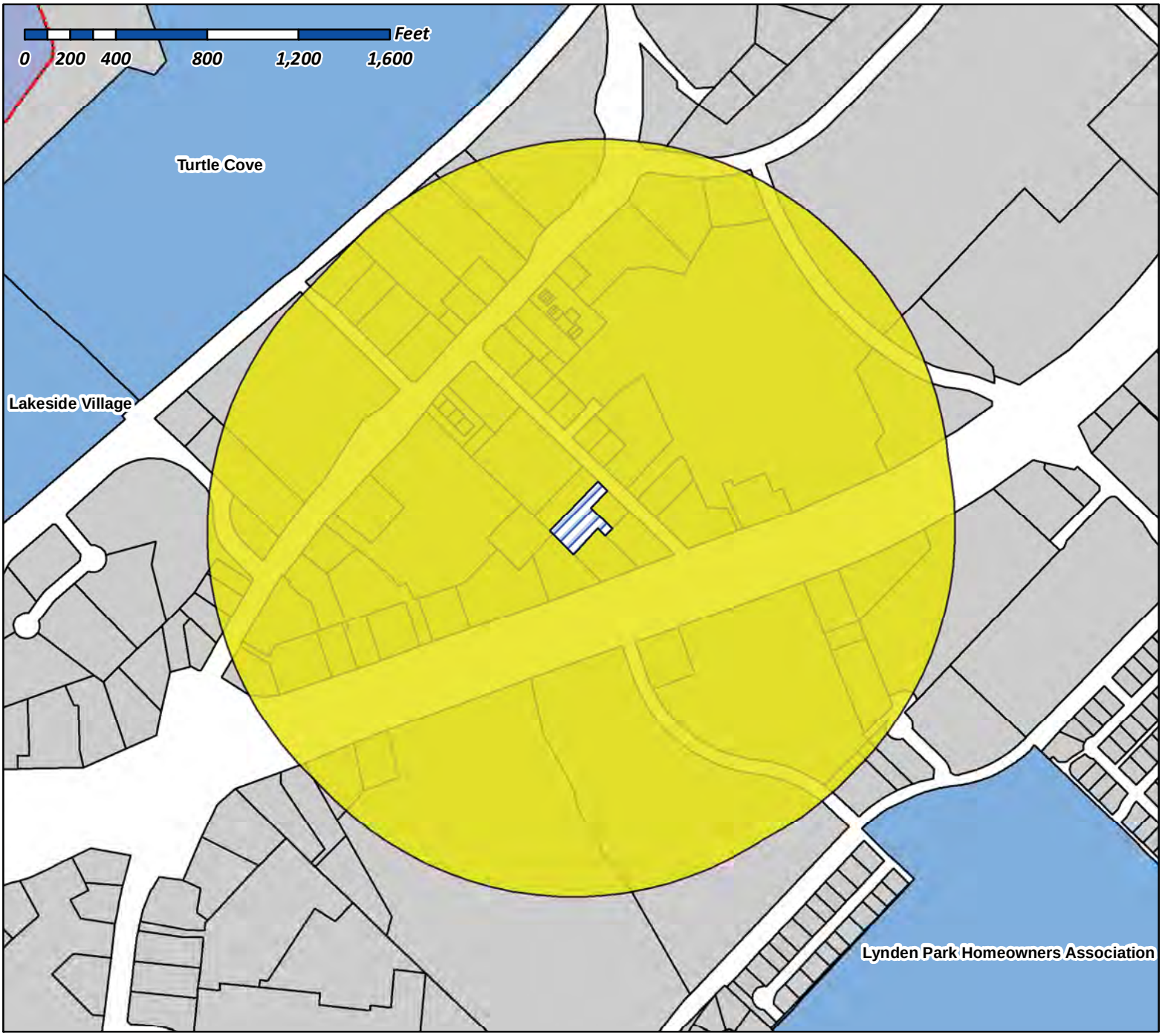

Case Number: Z2015-001
Case Name: Jackson Automotive SUP
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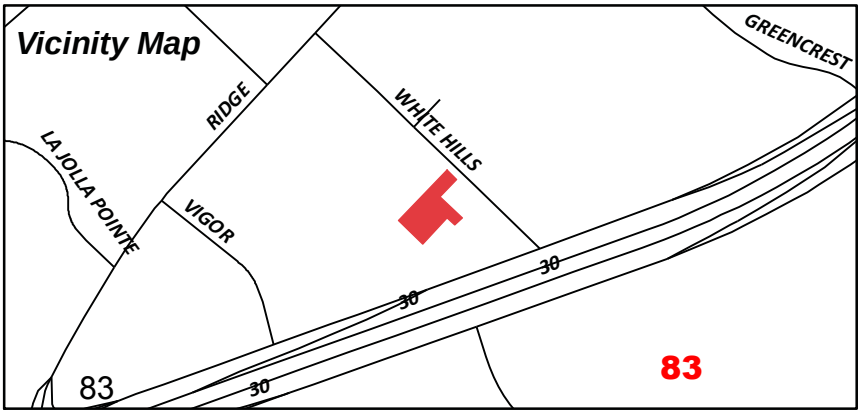


Date Created: 1/22/2015

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

CITY OF ROCKWALL

ORDINANCE NO. 15-___

SPECIFIC USE PERMIT NO. S-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) ALLOWING FOR VEHICLES TO BE STORED OUTSIDE OVERNIGHT IN CONJUNCTION WITH AN EXISTING AUTOMOTIVE REPAIR GARAGE, MINOR WITHIN A COMMERCIAL (C) DISTRICT, BEING A 0.88-ACRE PARCEL OF LAND IDENTIFIED AS LOT 2B-2, BLOCK A, PANEX LTD ADDITION, AND GENERALLY LOCATED AT 608 WHITE HILLS DRIVE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DEPICTED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by James Jackson of Jackson Automotive for the approval of a Specific Use Permit (SUP) to allow vehicles to be stored outside overnight in conjunction with an existing A*utomotive Repair Garage, Minor*, zoned Commercial (C) District, being a 0.88-acre parcel of land identified as Lot 2B-2, Block A, Panex LTD Addition, and generally located at 608 White Hills Drive, City of Rockwall, Rockwall County, Texas, and more specifically depicted in Exhibit 'A' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein ; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for vehicles to be stored outside overnight in conjunction with an existing A*utomotive Repair Garage, Minor* within a Commercial (C) District for the *Subject property*; and

Section 2. That the S*ubject Property* shall be used only in the manner and for the purposes

described in this Specific Use Permit (SUP) ordinance granted herein and shall be subject to the conditions set forth in *Section 2.1.8, Auto and Marine-Related Use Conditions, of Article IV, Permissible Uses,* and *Section 4.5, Commercial (C) District, of Article V, District Development Standards, of the City of Rockwall Unified Development Code [Ordinance No. 04-38]* as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following additions:

2.1 Operational Conditions

The following conditions pertain to the operation of the outside overnight storage of vehicles in conjunction with an *Automotive Repair Garage, Minor* on the S*ubject Property* and conformance to these stipulations is required for continued operations:

1. That the outside overnight storage of vehicles be limited to the eighteen (18) parking spaces located on the westerly side of the property as depicted on Exhibit 'A' attached hereto; and

2. That the outside overnight storage of vehicles shall not exceed a continuous time period of 48 hours on the *Subject Property*; and

3. That no equipment, parts or inventory shall be stored outside; and

4. That the City Council reserves the right to review the Specific Use Permit (SUP) any time after the effective date of this ordinance.

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

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

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

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

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE ____ DAY OF _____, 2015.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Ashberry, *City Secretary*

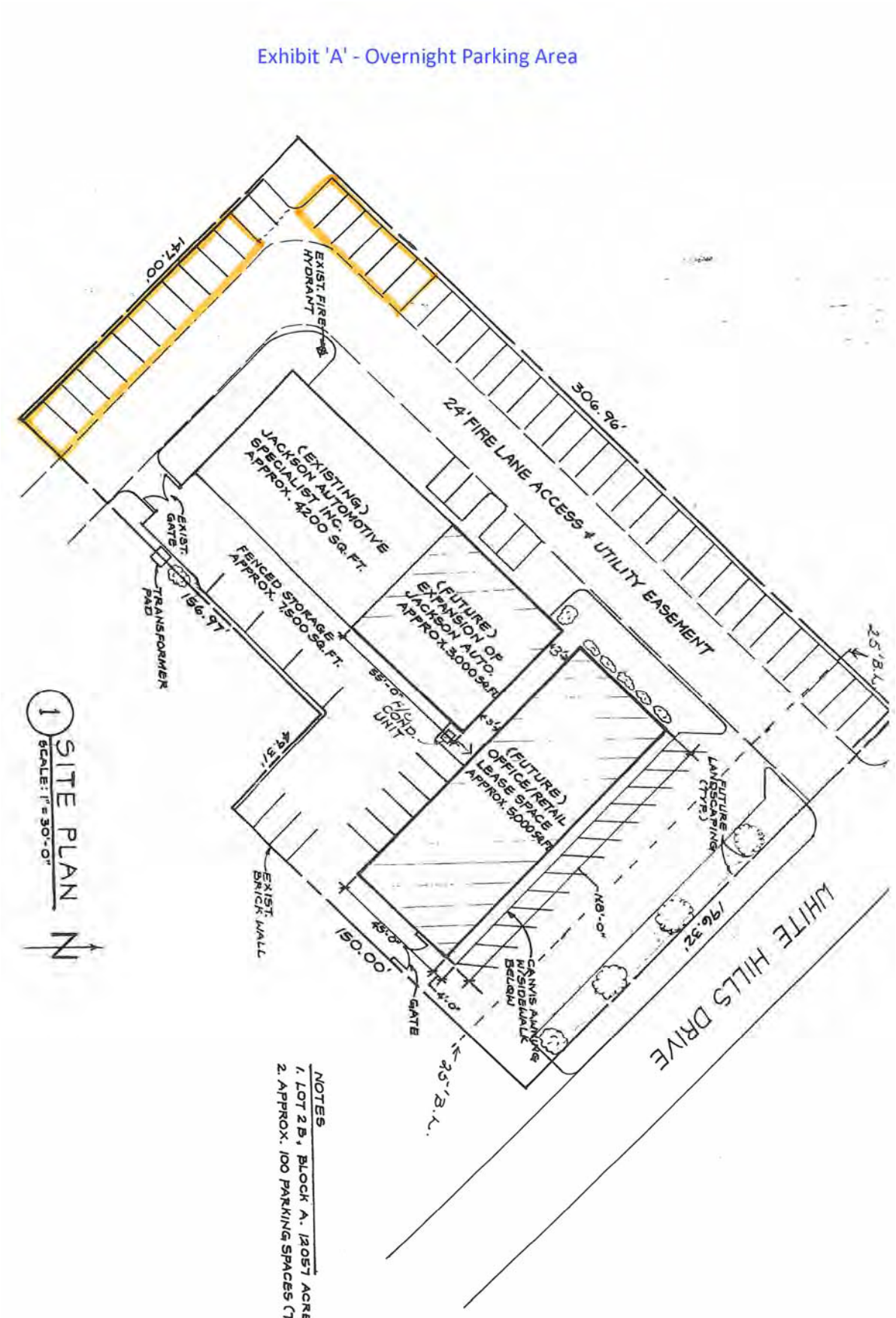
APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: _____

2nd Reading: _____

Exhibit 'A' - Overnight Parking Area



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Or

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 02/16/2015

APPLICANT: Zack Amick; *Gordon Rockwall Investments, LLC*

AGENDA ITEM: **Z2015-004**; *Hyundai of Rockwall Specific Use Permit*

SUMMARY:

Hold a public hearing to discuss and consider a request by Zack Amick of Gordon Rockwall Investments, LLC on behalf of Keith Young for the purpose of amending Specific Use Permit (SUP) S-107 to allow for a new motor vehicle dealership on a 10-acre tract of land identified as Tract 4-02 and Tract 4 of the N. M. Ballard Survey, Abstract No. 24 and the A. Hanna Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Corridor Overlay (IH-30 OV) District, addressed as 1530 E. IH-30, and take any action necessary.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is Interstate Highway 30 (IH-30) followed by several parcels of land zoned Light Industrial (LI) District.

South: Directly south of the subject property is the remainder of a 25.684-acre tract of land that was recently rezoned from an Agricultural (AG) District to a Light Industrial (LI) District. *Note: a portion of the 25.684-acre tract of land is included within the subject property.*

East: Directly east of the subject property is Young Hyundai, which is zoned Light Industrial (LI) District and has a Specific Use Permit (SUP) for a *New Motor Vehicle Dealership* (*i.e. S-094*). East of this property is Rockwall Honda, which is zoned Commercial (C) District and has a SUP for a *New Motor Vehicle Dealership* (*i.e. S-041*).

West: Directly west of the subject property is the Floor and Tile Solutions building, which is zoned Planned Development District 26 & 31 (*PD-26: Light Industrial (LI) District land uses; PD-31: Specific Land Uses*). Beyond this building are several parcels of land with industrial buildings constructed on them. All of these parcels are zoned Light Industrial (LI) District.

PURPOSE AND CHARACTERISTICS OF THE REQUEST:

Specific Use Permit (SUP) No. S-107 was approved on June 3, 2013 and allows for the outside storage of new vehicles in conjunction with the adjacent car dealership (*i.e. Hyundai of Rockwall*). Recently, the applicant submitted a zoning change for the 21.684-acre tract of land, which is situated directly behind the property designated as S-107. The purpose of this zoning change was to change the zoning designation from an Agricultural (AG) District to a Light Industrial (LI) District. This was approved by City Council on February 2, 2015 under *Case No. Z2014-039*. Since this approval, the applicant has submitted an application requesting to amend SUP No. S-107 for the purpose of incorporating a ~5.00-acre portion of the newly zoned tract of land into the SUP and to allow for a *New Motor Vehicle Dealership* to be established on

the subject property. According to Article IV, *Permissible Uses*, of the Unified Development Code (UDC), a *New Motor Vehicle Dealership* requires a SUP within a Light Industrial (LI) District.

The applicant has indicated to staff that the property would continue to be used in conjunction with the adjacent car dealership; however, they would like the flexibility to pursue other brands in addition to Young Hyundai. Should the applicant attract another brand this property would be operated independently of the adjacent Hyundai dealership, which is currently operating under *SUP No. S-094*. As part of this request, the applicant has submitted a letter laying out the planned improvements for the property over the next three (3) years. These improvements and timelines are as follows:

1) *Phase One (12 Months).* Submit and receive approval for all civil drawings (*e.g. paving, drainage, utilities, and etcetera*). Complete all storm water/drainage and detention pond improvements.
2) *Phase Two (12 - 24 Months).* Complete all concrete paving improvements (*these improvements are shaded on the attached Concept Site Plan*).
3) *Phase Three (24 - 36 Months).* Remodel the existing building façade (*the changes to the building façade are depicted in the attached Concept Building Elevations*).

In response to the phased approach taken by the applicant, staff has prepared a SUP ordinance that is set to be reviewed within three (3) years of the approval date. At the time of this review, staff will ensure that all improvements have been completed. If the proposed improvements are incomplete, the SUP ordinance will automatically expire and the applicant will be required to reapply for a new SUP. If all improvements have been completed the SUP will be able to continue operation in conformance with the requirements of the ordinance and the Unified Development Code (UDC). Should the applicant attract a new brand and choose to redevelop the site in conformance with the brands image a full site plan would be required that would require a recommendation from the Architectural Review Board (ARB), approval by the Planning and Zoning Commission, and (*if necessary*) approval by the City Council.

NOTIFICATION:

On January 30, 2015, staff mailed 33 notices to property owners and residents within 500-feet of the subject property. Additionally, staff posted a sign at the northwest corner of the intersection of the IH-30 Frontage Road and Lakefront Trail as required by the Unified Development Code (UDC). At the time this case memo was drafted no responses were received by staff.

City staff has no knowledge of any Homeowner's Associations or Neighborhood Organizations located within 1,500-feet of the subject property.

RECOMMENDATIONS:

If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) to allow a *New Motor Vehicle Dealership* land use on the subject property then staff would recommend the following conditions of approval:

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

    (a) All development on the *Subject Property* shall be in conformance to the *Concept Plan* depicted in the SUP ordinance;
    (b) The rehabilitation of the existing structure on the *Subject Property* shall conform to the *Concept Building Elevations* depicted in the SUP ordinance;

(c) Should the use of the subject property become independent of the adjacent *New Motor Vehicle Dealership* [*Young Hyundai*] (*i.e. any event that would require a separate Certificate of Occupancy [CO] to be issued*) and development not conforming to *Exhibits 'C'* and *'D'* of the SUP ordinance is proposed, a new site plan submittal shall be required to be submitted, reviewed and approved by the Planning and Zoning Commission and/or City Council in accordance with the requirements of the Unified Development Code;

(d) All motor vehicles shall be required to be parked on an all-weather surface (*i.e. concrete or asphalt*) upon the completion of the three (3) year time period established in *Section 3.1* of the SUP ordinance.;

(e) The redevelopment of the *Subject Property* shall generally be in conformance with the timeline established by the applicant's letter contained in *Exhibit 'B'* of the SUP ordinance, and shall be reviewed by staff for compliance upon receipt of an application for renewal; and,

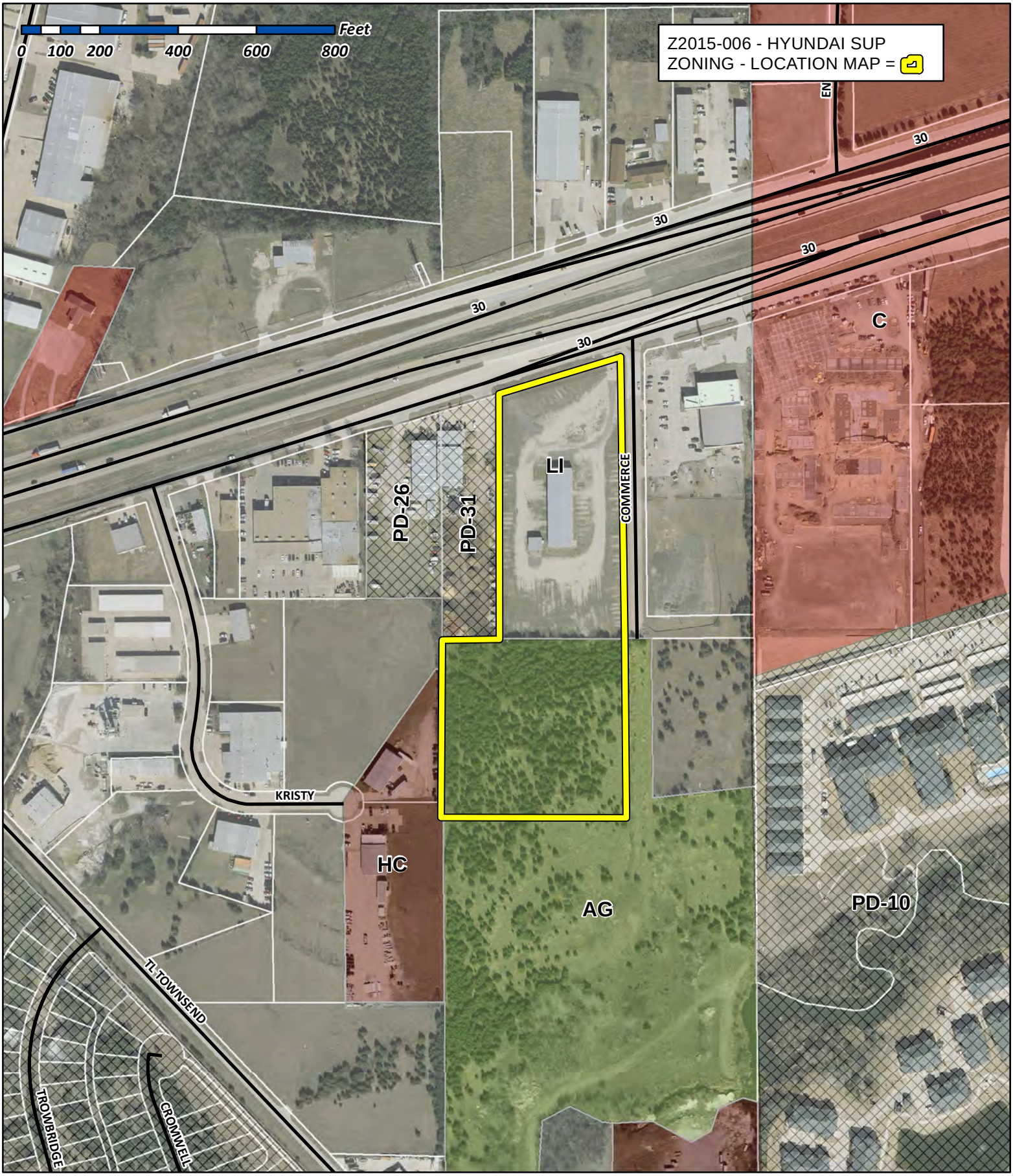
(f) The operation of the *Subject Property* shall conform to all federal, state and local standards.

2) The applicant shall comply with all Planning, Engineering and Fire comments prior to the approval of the SUP; and,

3) Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On February 10, 2015, the Planning and Zoning Commission recommended approval of the Specific Use Permit (SUP) request per staff's recommendations by a vote of 7-0.



City of Rockwall

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

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

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City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
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(P): (972) 771-7745
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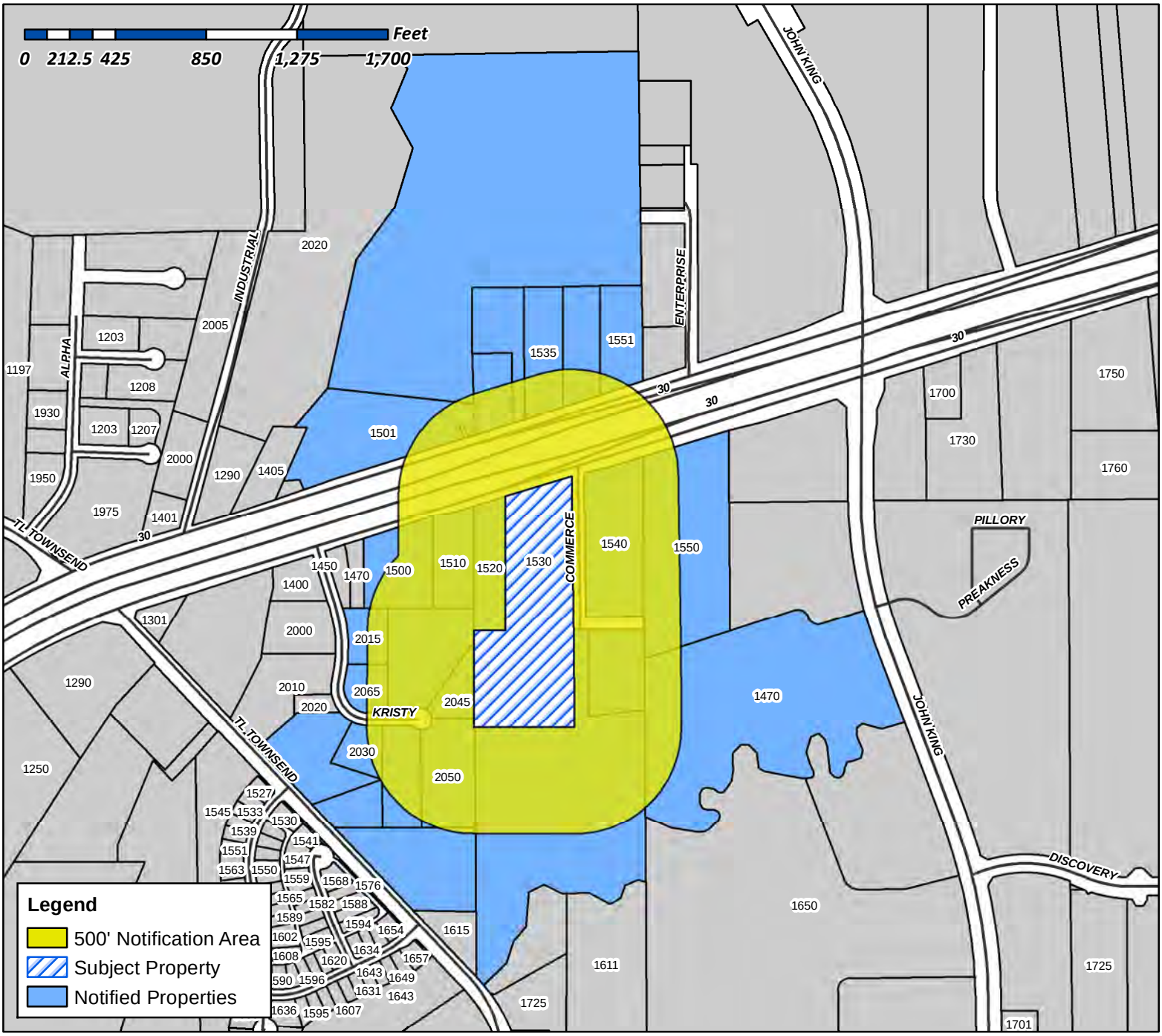
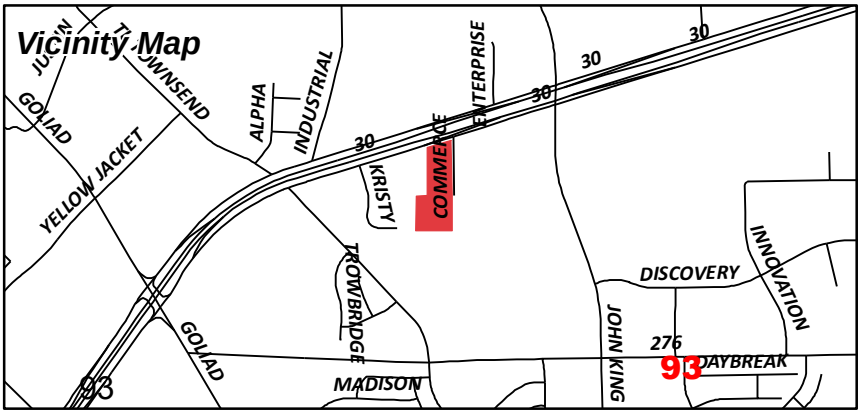


Case Number: Z2015-006
Case Name: Hyundai SUP
Case Type: Specific Use Permit
Zoning: Commercial
Case Address: 1530 E I30

Date Created: *1/30/2015*
For Questions on this Case Call (972) 771-7745



CURRENT OCCUPANT
1470 S JOHN KING BLVD
ROCKWALL, TX 75032

MULTI-METAL & MFG CO, INC
1500 E INTERSTATE 30
ROCKWALL, TX 75087

CURRENT OCCUPANT
1501 W I 30
ROCKWALL, TX 75032

CURRENT OCCUPANT
1510 E I30
ROCKWALL, TX 75032

CURRENT OCCUPANT
1520 E I30
ROCKWALL, TX 75032

CURRENT OCCUPANT
1530 S I30
ROCKWALL, TX 75032

MCCALLUM V LTD
1535 E INTERSTATE 30
ROCKWALL, TX 75087

CURRENT OCCUPANT
1540 I30
ROCKWALL, TX 75032

CURRENT OCCUPANT
1550 E I30
ROCKWALL, TX 75032

GORDON ROCKWALL INVESTMENTS LLC
1551 E I 30
ROCKWALL, TX 75087

AM ROCKWALL INVESTMENTS LP
0
1551 E INTERSTATE 30 0
ROCKWALL, TX 75087

REALTY HOLDINGS OF ROCKWALL LLC
1925 CEDAR SPRINGS ROAD 0
DALLAS, TX 75201

CURRENT OCCUPANT
2015 KRISTY LN
ROCKWALL, TX 75032

CURRENT OCCUPANT
2030 KRISTY LN
ROCKWALL, TX 75032

CURRENT OCCUPANT
2045 KRISTY LN
ROCKWALL, TX 75032

CURRENT OCCUPANT
2050 KRISTY LN
ROCKWALL, TX 75032

MOORE MICHAEL E & MARIJANE
2065 KRISTY LN
ROCKWALL, TX 75032

DVB FAMILY LIMITED PARTNERSHIP
2421 KATHRYN DR
HEATH, TX 75032

IRT CONSTRUCTION, INC
3010 E INTERSTATE 30
FATE, TX 75087

BRE MF ROCKWALL LLC
0
345 PARK AVE
NEW YORK, NY 10154

MOORE MICHAEL E & MARIJANE
348 HARVEST HILL DR
ROCKWALL, TX 75032

AUTOMOTIVE REAL ESTATE HOLDINGS LLC
3709 BRYN MAWR
DALLAS, TX 75225

KAFKA TERRY B
5454 LA SIERRA DR 0
DALLAS, TX 75231

DYNACAP HOLDINGS LTD &
0
709 W RUSK ST 0
ROCKWALL, TX 75087

OWENS REAL ESTATE INVESTMENTS LLC
7156 HUNT LN
ROCKWALL, TX 75087

WAY BILL & JERRY
0
8441 S FM 549
ROCKWALL, TX 75032

BODIN CONCRETE LP
PO BOX 109
ROWLETT, TX 75030

HAWN HOLDINGS LC
PO BOX 1688
ROCKWALL, TX 75087

ROCKWALL CREDIT SERVICES LC
PO BOX 1870
ROCKWALL, TX 75087

ROCKWALL STEEL CO INC
PO BOX 729
TERRELL, TX 75160

94

ROCKWALL RENTAL PROPERTIES LP
PO BOX 818
TERRELL, TX 75160

DAVIS FORREST B
PO BOX 826
FATE, TX 75132

COLLIN G PROPERTIES LTD
PO BOX 847
ROCKWALL, TX 75087

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City of Rockwall

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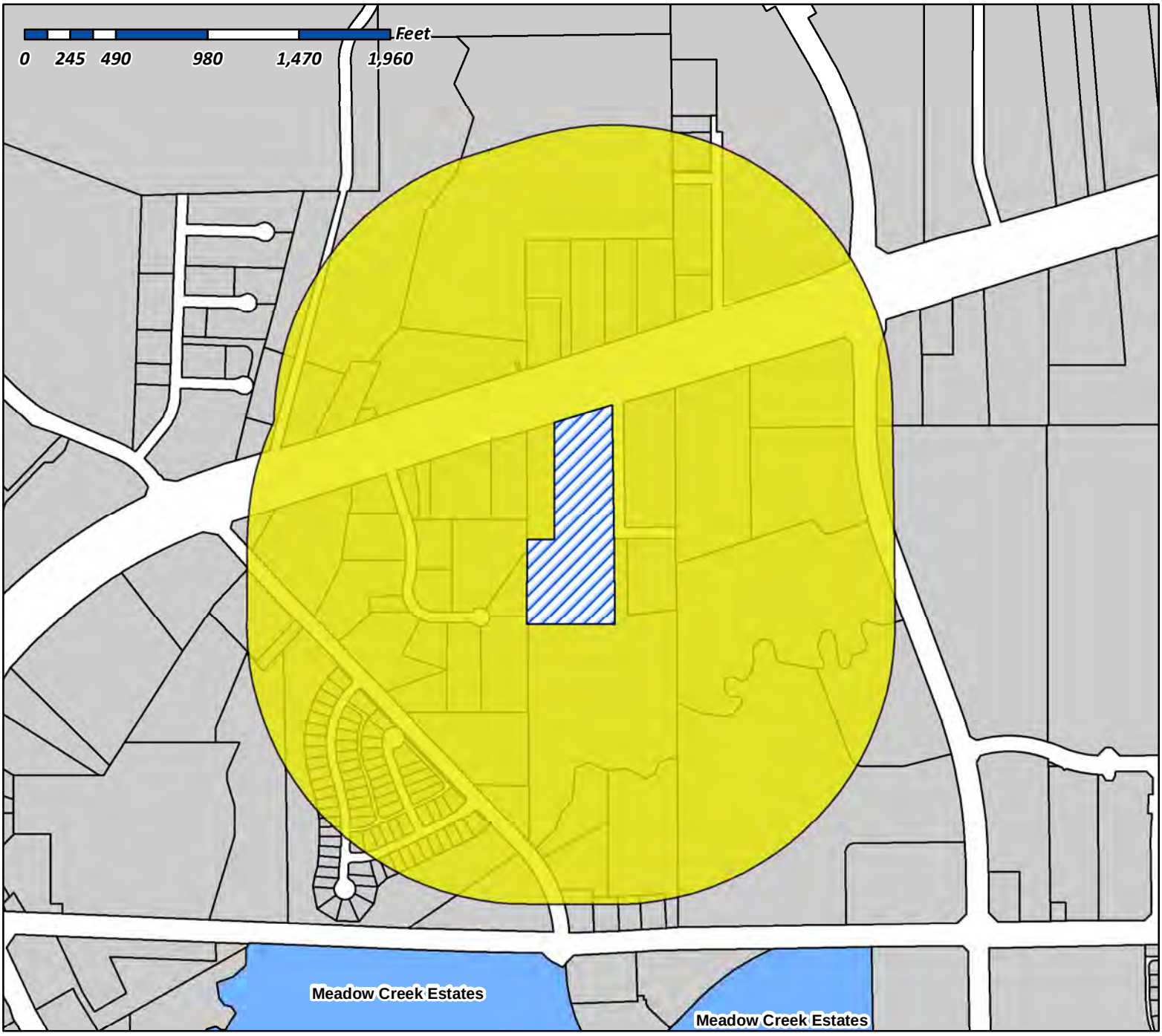

Case Number: Z2015-006
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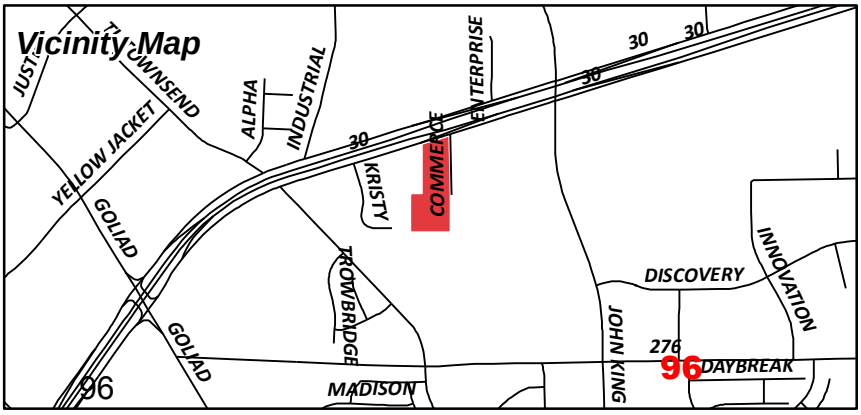

January 23, 2015

Robert LaCroix, AICP
Director of Planning
Planning and Zoning
City of Rockwall
385 South Goliad Street
Rockwall, TX 75087

Subject: 1530 IH-30 East, Rockwall, Texas Special Use Permit

Dear Mr. LaCroix,

The purpose of this letter is to request a change to our existing Specific Use Permit. As you know, this property currently has an SUP that was approved by City Council on 06/03/2013 allowing outside storage and display of motor vehicles. This SUP has a time limitation of 3 years. Our business is growing and we would like to expand.

The capital investment required to improve the property for our use is significant and we respectfully request a Specific Use Permit allowing for a "Motor Vehicle Dealership, New" on the subject 10.00-acre tract of land with existing buildings located at 1530 Interstate Highway 30 East, Rockwall, Texas.

Listed below is an outline of planned improvements for the property. We intend to complete the work in 3 phases over a 3 year period of time.

Phase 1: Engage a civil engineer to provide plans meeting city approval for phased development that address paving, drainage, utilities etc. Complete storm drainage and detention pond within 12 months of receiving counsel approved SUP.
Phase 2: Concrete paving improvements will be completed within 24 months of receiving counsel approved SUP.
Phase 3: Within 36 months of receiving counsel approved SUP. Remodel the existing building façade with new exterior elevations that includes masonry, storefront glazing and other items that would be similar to our existing dealership.

Sincerely,

Zack Amick
Gordon Rockwall Investments, LLC
1551 E. IH 30, Suite 100
Rockwall, TX 75087
214-507-9831

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"EXHIBIT A"

LEGAL DESCRIPTION

BEING a 10.000 acre tract or parcel of land lying and being situated in the N. M. BALLARD SURVEY, Abstract 24, and the A. HANNA SURVEY, Abstract 99, in the City of Rockwall, Rockwall County, Texas and being that certain tract described in Special Warranty Deed to Gordon Rockwall Investments, LLC, recorded in Volume 6959, Page 100, Deed Records, Rockwall County, Texas (D.R.R.C.T.) and a portion of that certain tract described in deed to Thomas Real Estate, LP, recorded in Volume 1507, Page 203, D.R.R.C.T.; and being more particularly described by metes and bounds as follows:

BEGINNING at an aluminum TxDOT monument at the southern end of a corner clip located at the intersection of the southerly right-of-way line of Interstate Highway 30 (a variable width right-of-way) and the west right-of-way line of Commerce Street (a 60-foot wide right-of-way per Cabinet F, Slide 379, Map Records, Rockwall County, Texas);

THENCE South 00 degrees 40 minutes 20 seconds East, along the east line of said Gordon Rockwall tract and said west right-of-way line, a distance of 707.36 feet to a 3/8 inch iron rod found for the southeast corner of said Gordon Rockwall tract and the southwest corner of said right-of-way of Commerce Street; said found iron rod also being located at an angle point in the north line of said Thomas Real Estate tract;

THENCE South 00 degrees 35 minutes 03 seconds East, crossing said Thomas Real Estate tract, a distance of 469.11 feet to a point for corner;

THENCE South 89 degrees 24 minutes 57 seconds West, continuing to cross said Thomas Real Estate tract, a distance of 472.60 feet to a point on the west line of said Thomas Real Estate tract;

THENCE North 00 degrees 21 minutes 13 seconds West, along the west line of said Thomas Real Estate tract, a distance of 468.78 feet to a 1/2 inch iron rod found for the northwest corner of said Thomas Real Estate tract and the southwest corner of that certain tract described in General Warranty Deed to Rockwall Credit Services, L.C., recorded in Volume 4314, Page 34, D.R.R.C.T;

THENCE North 89 degrees 22 minutes 30 seconds East along the common line of the said Thomas Real Estate tract and said Rockwall Credit Services, L.C. tract, a distance of 153.71 feet to a point for corner; said point being the southeast corner of the Rockwall Credit Services, L.C. tract and the southwest corner of the Gordon Rockwall tract;

THENCE North 00 degrees 41 minutes 38 seconds West, continuing along the common line of said Rockwall Credit tract and Gordon Rockwall tract, a distance of 629.40 feet to a point for corner in the south right-of-way line of the aforementioned Interstate Highway 30, same point

being the northeast corner of said Rockwall Credit tract and the northwest corner of said Gordon Rockwall tract;

THENCE North 72 degrees 46 minutes 00 seconds East, continuing along said south right-of-way line and along the north line of said Gordon Rockwall tract, a distance of 308.48 feet to a point for the northern end of the aforementioned corner clip;

THENCE South 65 degrees 17 minutes 09 seconds East, along said corner clip, a distance of 23.86 feet to the Point of Beginning and containing 10.000 Acres (435,600 Square Feet) of land.

NOTE: The Basis of Bearings for this description is the deed to Thomas Real Estate, LP, recorded in Volume 1507, Page 203, D.R.R.C.T.. This description is based upon a compilation of public records.

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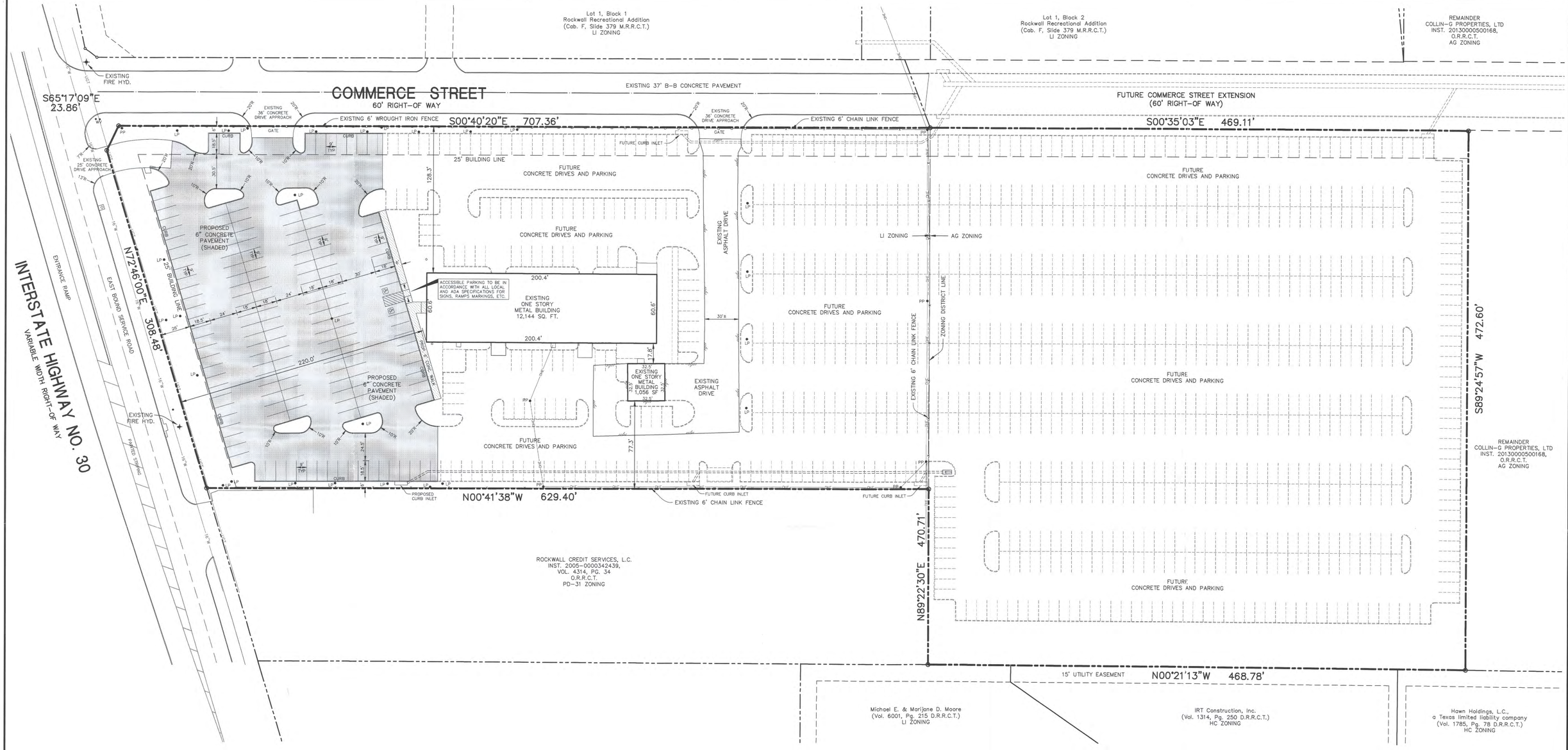


GENERAL NOTES:

1. ALL WORK AND MATERIALS SHALL BE IN ACCORDANCE WITH CITY OF ROCKWALL STANDARD SPECIFICATIONS, GENERAL DESIGN STANDARDS AND NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS SPECIFICATIONS (AS AMENDED BY CITY OF ROCKWALL).

2. A PAY ITEM FOR TRENCH SAFETY SYSTEMS THAT MEET REGULATIONS FOR EXCAVATING, TRENCHING, AND SHORING CONTAINED IN SUB PART P, PART 1926 OF THE CODE OF FEDERAL REGULATIONS SHALL BE INCLUDED IN THE OWNER/CONTRACTOR CONTRACT AGREEMENT IN ACCORDANCE WITH H. B. 665.

3. ALL DIMENSIONS SHOWN ARE TO THE BACK OF CURB UNLESS OTHERWISE SHOWN.

4. SEE SHEET C FOR GRADING AND DRAINAGE PLAN OF THE SITE.

5. SEE SHEET C FOR SITE DETAILS.

6. SEE SHEET C FOR EROSION CONTROL PLAN OF THE SITE.

ACCESSIBILITY NOTES:

1. ALL ACCESSIBLE PARKING AREAS, ROUTES, RAMPS, ETC. SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE TEXAS ACCESSIBILITY STANDARDS (TAS).

2. ALL SIDEWALK RAMPS AND/OR CURB RAMPS SHOWN SHALL HAVE A MAXIMUM VERTICAL RISE OF 6" WITH A MAXIMUM RUNNING SLOPE OF 1:12 (8.33%) AND BE CONSTRUCTED IN ACCORDANCE WITH TAS SECTIONS 4.7 AND 4.8.

3. ALL ACCESSIBLE ROUTES (EXCEPT FOR THE SIDEWALK AND CURB RAMPS) SHALL HAVE A MAXIMUM RUNNING SLOPE OF 1:20 (5%) AND A MAXIMUM CROSS SLOPE OF 1:50 (2%).

4. ALL ACCESSIBLE PARKING SPACES AND ISLES SHALL HAVE A MAXIMUM SLOPE IN ANY DIRECTION OF 1:50 (2%). REFER TO ARCHITECTURAL PLANS FOR DETAILS OF MARKINGS, SIGNS, ETC.

LEGEND

PROPOSED CONCRETE PAVEMENT
(6" 3000 PSI ON COMPACTED SUBGRADE)

PROPOSED CONCRETE WALK
(4" 3000 PSI ON COMPACTED SUBGRADE)

NORTH

SCALE: 1" = 40'

0' 40' 80' 120'

GRAPHIC SCALE

REVISIONS:

STATE OF TEXAS
JAMES DEWEY JR.
61484
LICENSED PROFESSIONAL ENGINEER
11/13/2014

FILE COPY
Z 2015 006
RECEIVED
JAN 30 2015
BY:

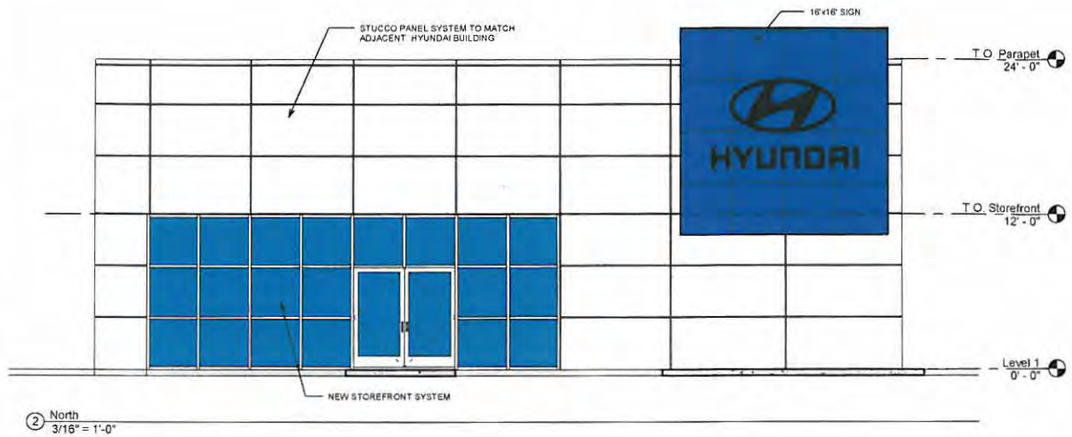
SHEET TITLE:
SITE DIMENSIONAL CONTROL PLAN
YOUNG HYUNDAI
1530 SOUTH INTERSTATE HIGHWAY NO. 30
ROCKWALL, TEXAS

JDJR
PREPARED BY:
ENGINEERS & CONSULTANTS, INC.
TSBPE REGISTRATION NUMBER F-8527
ENGINEERS • SURVEYORS • LAND PLANNERS
2500 Texas Drive Suite 100 Irving, Texas 75062
Tel 972-252-5357 Fax 972-252-8858

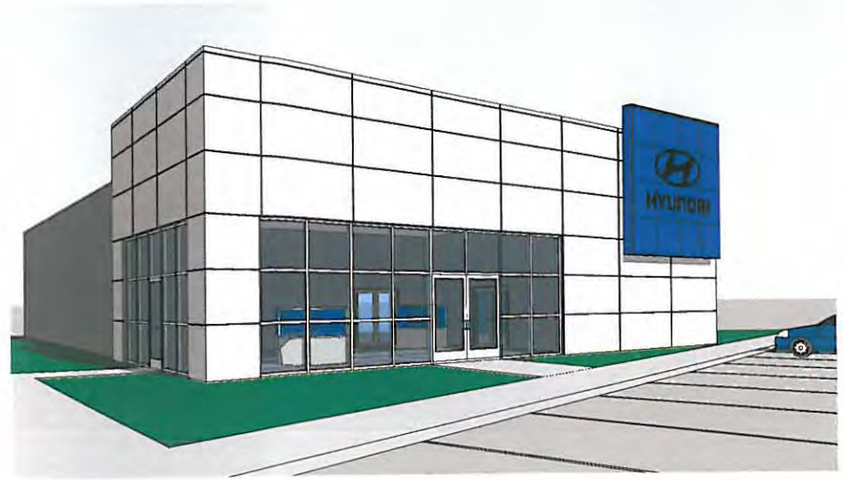
DATE: NOV. 13, 2014	DRAWN BY: SAS	SHEET NO.
SCALE: 1" = 40'	CHECKED BY: JDJR	C1 OF 6

JDJR FILE NO. 1115-4-14

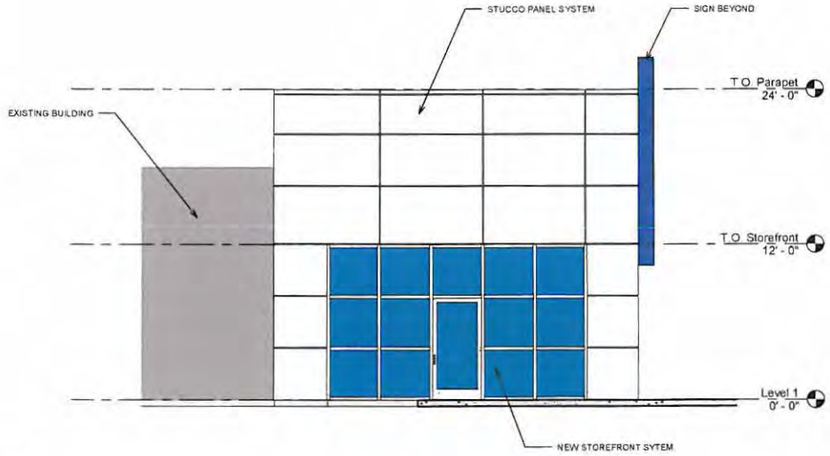
H:\3DJR\proj\2014\1115 Zack Amick\1115-4-14 Young Hyundai - Rockwall\Civil\1115-4-14 SJP SITE PLAN REVISED.dwg, 11/14/2014 10:29:34 AM



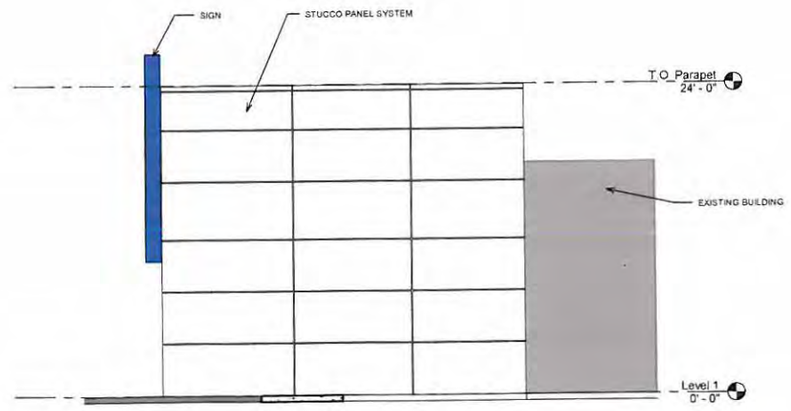
2 North
3/16" = 1'-0"



1 3D View 1



3 East
3/16" = 1'-0"



4 West
3/16" = 1'-0"

FILE COPY
RECEIVED
JAN 30 2015
BY:
Z 2015 006

YOUNG HYUNDAI
1530 E. I-30
ROCKWALL, TX 75087

THIS DOCUMENT IS FOR INTERIM REVIEW ONLY AND NOT INTENDED TO BE USED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.

RODNEY C. St. JOHN
REGISTERED ARCHITECT
TEXAS NO. 14791

PRIZM ARCHITECTS INTERNATIONAL

REVISIONS

YOUNG HYUNDAI

1530 E I-30
ROCKWALL, TX

Project Number	
11/25/2014	
Author	
Checker	

CONCEPT DRAWINGS

A101

CITY OF ROCKWALL

ORDINANCE NO. 15-XX

SPECIFIC USE PERMIT NO. S-107

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO AMEND SPECIFIC USE PERMIT NO. S-107 TO ALLOW FOR A NEW MOTOR VEHICLE DEALERSHIP ON A TEN (10) ACRE TRACT OF LAND IDENTIFIED AS TRACTS 4 & 4-02 OF THE N. M. BALLARD SURVEY, ABSTRACT NO. 24, AND THE A. HANNA SURVEY, ABSTRACT NO. 99, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Zack Amick of Gordon Rockwall Investments, LLC on behalf of Keith Young for the purpose of amending Specific Use Permit No. 107 to allow a *New Motor Vehicle Dealership* on a ten (10) acre tract of land identified as Tracts 4 & 4-02 of the N. M. Ballard Survey, Abstract No. 24 and the A. Hanna Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located within the IH-30 Overlay (IH-30 OV) District, and more specifically described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the enactment of this Specific Use Permit (SUP) Ordinance shall supersede all requirements stipulated in *Ordinance No. 13-13*;

SECTION 2. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *New Motor Vehicle Dealership* within a Light Industrial (LI) District as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code on the *Subject Property*;

SECTION 3. That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as stipulated by Section 2.1.10, *Distribution and Storage,* of Article IV, *Permissible* Uses; Section 5.1, *General Industrial District Standards*; Section 5.3, *Light Industrial (LI) District*, of Article IV, *District Development Standards*; Section 6.6, *IH-30 Overlay (IH-30 OV) District* of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in

DRAFT ORDINANCE 04-16-15

the future, and shall be subject to the additional following operational conditions and compliance standards:

3.1 COMPLIANCE STANDARDS

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

1) This Specific Use Permit (SUP) shall be subject to review by Planning Department staff and/or the Planning and Zoning Commission and City Council within three (3) years of the effective date of the ordinance. At the time of review, Planning Department staff shall be required to review the completeness of the improvements outline in the applicant's letter contained in *Exhibit 'B'* of this ordinance and listed as follows:

   (i) *Phase 1*. Engineering plans addressing paving, drainage, and etcetera shall be approved by the Engineering Department. The storm water/drainage and detention pond shall be permitted and accepted by the City.
   (ii) *Phase 2*. All concrete paving depicted on the *Concept Plan* in *Exhibit 'C'* of this ordinance shall be permitted and accepted by the City.
   (iii) *Phase 3.* Remodel of existing building façade in conformance with the *Building Elevations* contained in *Exhibit 'D'* of this ordinance shall be permitted and accepted by the City.

   Should the improvements be complete staff shall provide a report to the Planning and Zoning Commission and City Council indicating conformance to the requirements of this ordinance, and operation of the *New Motor Vehicle Dealership* shall be permitted to continue under the requirements of this ordinance and the Unified Development Code (UDC). Should the improvements be incomplete this SUP ordinance shall automatically expire.

2) Should the *Subject Property* continued to be operated as an outside storage/outside display lot for new vehicles in conjunction with the adjacent *New Motor Vehicle Dealership* (*i.e. S-094*) then no Certificate of Occupancy (CO) shall be required. Upon changing the use to a standalone *New Motor Vehicle Dealership*, a Certificate of Occupancy (CO) shall be required for the change of use.

3) Should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may -- *after proper notice* -- initiate proceedings before the City Council to revoke this SUP ordinance.

3.2 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *New Motor Vehicle Dealership* on the *Subject Property*, and conformance to these operational conditions is required for continued operation:

1) All development on the *Subject Property* shall be in conformance to the *Concept Plan* depicted in *Exhibit 'C'* of this ordinance;

2) The rehabilitation of the existing structure on the *Subject Property* shall conform to the *Concept Building Elevations* depicted in *Exhibit 'D'* of this ordinance;

3) Should the use of the subject property become independent of the adjacent *New Motor Vehicle Dealership* [*Young Hyundai*] (*i.e. any event that would require a separate Certificate of*

DRAFT ORDINANCE 02-15-2015

Occupancy [CO] to be issued) and development not conforming to *Exhibits 'C'* and *'D'* of this ordinance is proposed, a new site plan submittal shall be required to be submitted, reviewed and approved by the Planning and Zoning Commission and/or City Council in accordance with the requirements of the Unified Development Code;

4) All motor vehicles shall be required to be parked on an all-weather surface (*i.e. concrete or asphalt*) upon the completion of the three (3) year time period established in *Section 3.1* of this SUP ordinance.;

5) The redevelopment of the *Subject Property* shall generally be in conformance with the timeline established by the applicant's letter contained in *Exhibit 'B'* of this ordinance, and shall be reviewed by staff for compliance upon receipt of an application for renewal; and,

6) The operation of the *Subject Property* shall conform to all federal, state and local standards.

SECTION 4. That the official zoning map of the City of Rockwall be corrected to reflect the changes described herein.

SECTION 5. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

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

SECTION 7. If any section of provision of this ordinance or the application of that section or provision to any person, firm, cooperation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have to adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 8. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 2ND DAY OF MARCH, 2015.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

DRAFT ORDINANCE 02.16.2015

1st Reading: *February 16, 2015*

2nd Reading: *March 2, 2015*

DRAFT
ORDINANCE
02.16.2015

BEING a 10.000 acre tract or parcel of land lying and being situated in the N. M. BALLARD SURVEY, Abstract 24, and the A. HANNA SURVEY, Abstract 99, in the City of Rockwall, Rockwall County, Texas and being that certain tract described in Special Warranty Deed to Gordon Rockwall Investments, LLC, recorded in Volume 6959, Page 100, Deed Records, Rockwall County, Texas (D.R.R.C.T.) and a portion of that certain tract described in deed to Thomas Real Estate, LP, recorded in Volume 1507, Page 203, D.R.R.C.T.; and being more particularly described by metes and bounds as follows:

BEGINNING at an aluminum TxDOT monument at the southern end of a corner clip located at the intersection of the southerly right-of-way line of Interstate Highway 30 (a variable width right-of-way) and the west right-of-way line of Commerce Street (a 60-foot wide right-of-way per Cabinet F, Slide 379, Map Records, Rockwall County, Texas);

THENCE South 00 degrees 40 minutes 20 seconds East, along the east line of said Gordon Rockwall tract and said west right-of-way line, a distance of 707.36 feet to a *3/8* inch iron rod found for the southeast corner of said Gordon Rockwall tract and the southwest corner of said right-of-way of Commerce Street; said found iron rod also being located at an angle point in the north line of said Thomas Real Estate tract;

THENCE South 00 degrees 35 minutes 03 seconds East, crossing said Thomas Real Estate tract, a distance of 469.11 feet to a point for corner;

THENCE South 89 degrees 24 minutes 57 seconds West, continuing to cross said Thomas Real Estate tract, a distance of 472.60 feet to a point on the west line of said Thomas Real Estate tract;

THENCE North 00 degrees 21 minutes 13 seconds West, along the west line of said Thomas Real Estate tract, a distance of 468.78 feet to a 112 inch iron rod found for the northwest corner of said Thomas Real Estate tract and the southwest corner of that certain tract described in General Warranty Deed to Rockwall Credit Services, L.C., recorded in Volume 4314, Page 34, D.R.R.C.T;

THENCE North 89 degrees 22 minutes 30 seconds East along the common line of the said Thomas Real Estate tract and said Rockwall Credit Services, L.C. tract, a distance of 153.71 feet to a point for corner; said point being the southeast corner of the Rockwall Credit Services, L.C. tract and the southwest corner of the Gordon Rockwall tract;

THENCE North 00 degrees 41 minutes 38 seconds West, continuing along the common line of said Rockwall Credit tract and Gordon Rockwall tract, a distance of 629.40 feet to a point for corner in the south right-of-way line of the aforementioned Interstate Highway 30, same point being the northeast corner of said Rockwall Credit tract and the northwest corner of said Gordon Rockwall tract;

THENCE North 72 degrees 46 minutes 00 seconds East, continuing along said south right-of-way line and along the north line of said Gordon Rockwall tract, a distance of 308.48 feet to a point for the northern end of the aforementioned corner clip;

THENCE South 65 degrees 17 minutes 09 seconds East, along said comer clip, a distance of 23.86 feet to the Point of Beginning and containing 10.000 Acres (435,600 Square Feet) of land.

NOTE: The Basis of Bearings for this description is the deed to Thomas Real Estate, LP, recorded in Volume 1507, Page 203, D.R.R.C.T. This description is based upon a compilation of public records.

DRAFT
ORDINANCE
02.16.2015

January 23, 2015

Robert LaCroix, AICP
Director of Planning
Planning and Zoning
City of Rockwall
385 South Goliad Street
Rockwall, TX 75087

Subject: 1530 IH-30 East, Rockwall, Texas Special Use Permit

Dear Mr. LaCroix,

The purpose of this letter is to request a change to our existing Specific Use Permit. As you know, this property currently has an SUP that was approved by City Council on 06/03/2013 allowing outside storage and display of motor vehicles. This SUP has a time limitation of 3 years. Our business is growing and we would like to expand.

The capital investment required to improve the property for our use is significant and we respectfully request a Specific Use Permit allowing for a "Motor Vehicle Dealership, New" on the subject 10.00-acre tract of land with existing buildings located at 1530 Interstate Highway 30 East, Rockwall, Texas.

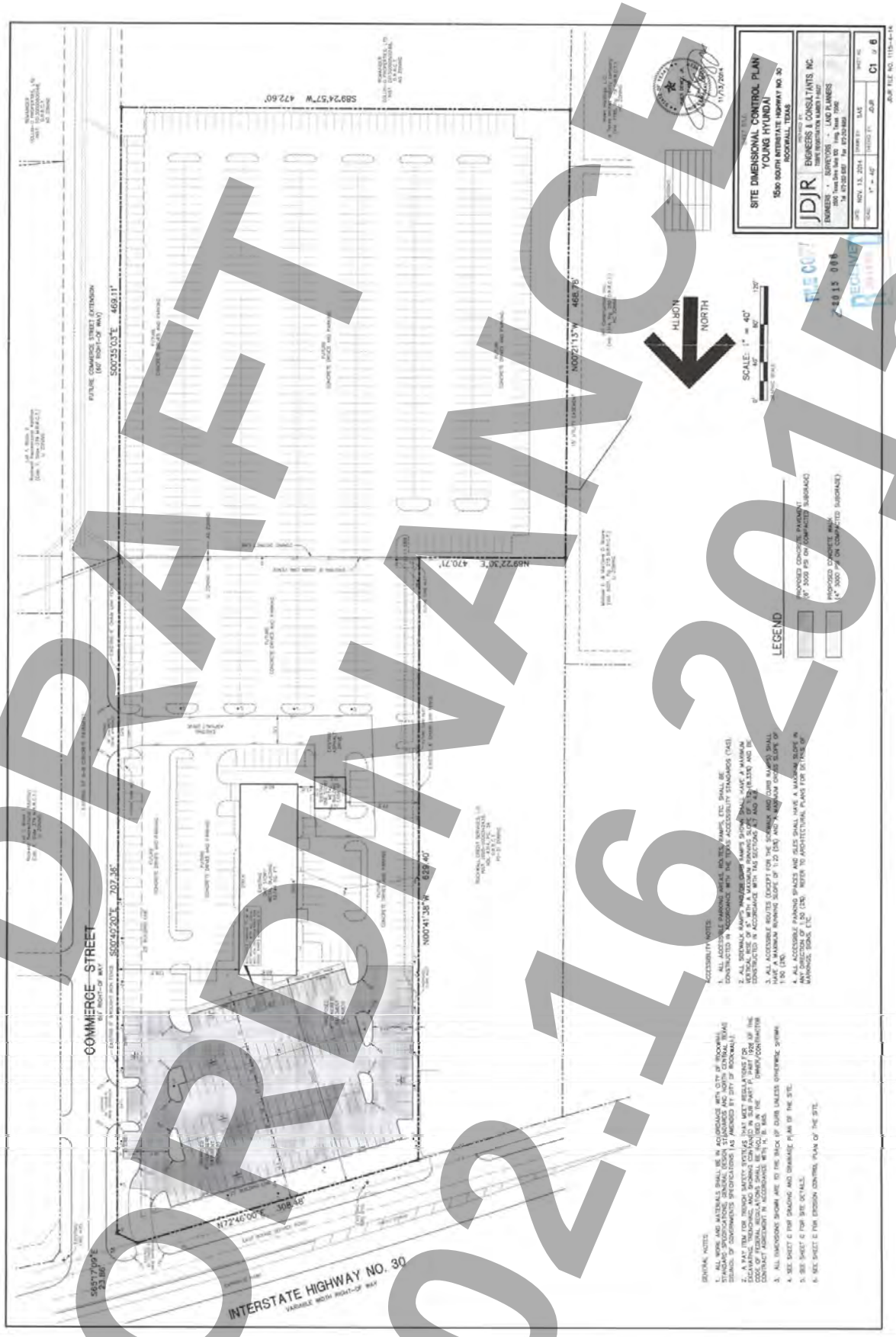
Listed below is an outline of planned improvements for the property. We intend to complete the work in 3 phases over a 3 year period of time.

Phase 1: Engage a civil engineer to provide plans meeting city approval for phased development that address paving, drainage, utilities etc. Complete storm drainage and detention pond within 12 months of receiving counsel approved SUP.
Phase 2: Concrete paving improvements will be completed within 24 months of receiving counsel approved SUP.
Phase 3: Within 36 months of receiving counsel approved SUP. Remodel the existing building façade with new exterior elevations that includes masonry, storefront glazing and other items that would be similar to our existing dealership.

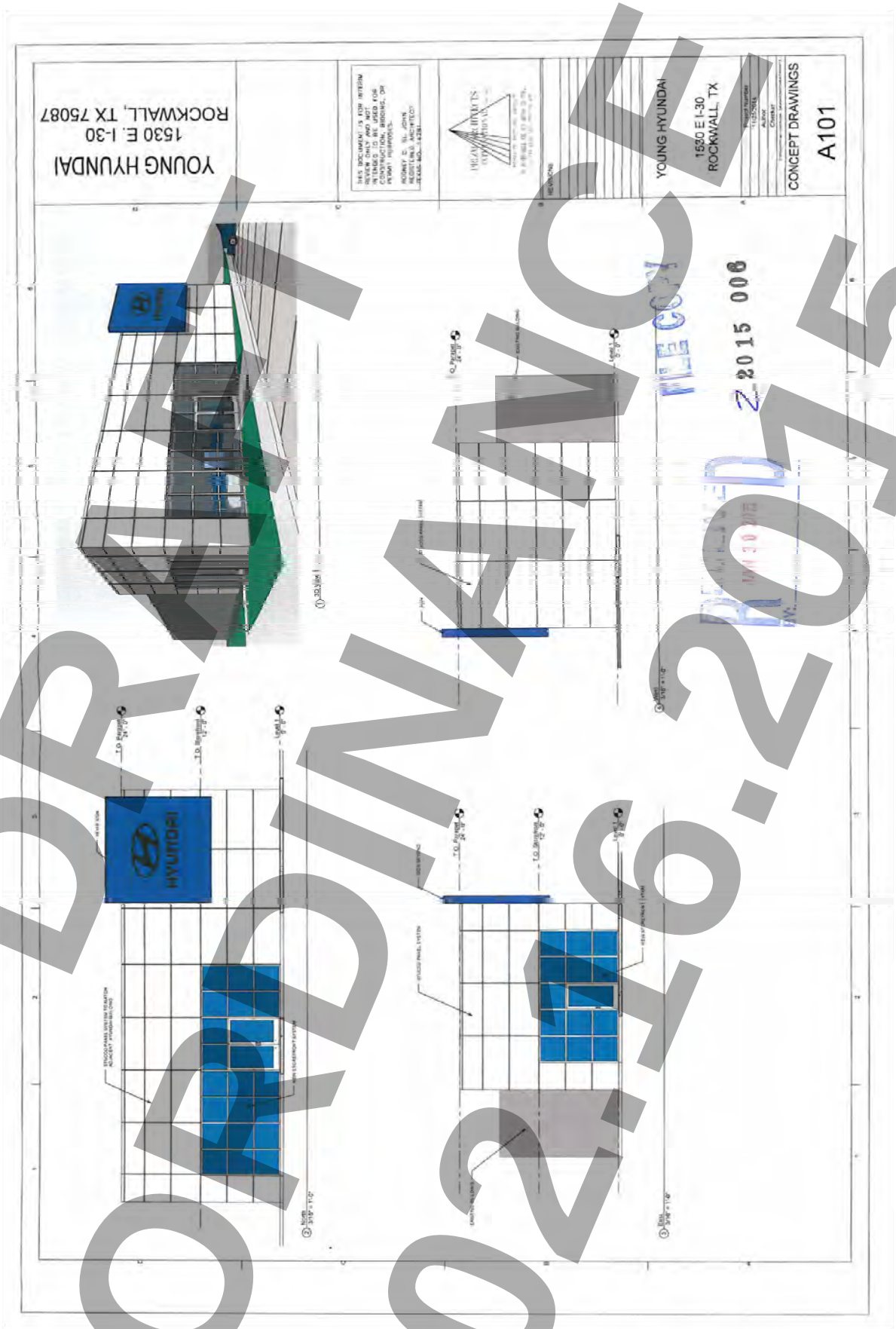
Sincerely,

Zack Amick
Gordon Rockwall Investments, LLC
1551 E. IH 30, Suite 100
Rockwall, TX 75087
214-507-9831

DRAFT ORDINANCE 02.16.2015



DRAFT ORDINANCE 02.16.2015



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ORDINANCE
02.16.2015

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 02/16/2015

APPLICANT: Ringley & Associates, Inc.

AGENDA ITEM: **Z2015-002;** 898 Steger Towne Crossing - Automobile Rental - SUP

SUMMARY:

Hold a public hearing to discuss and consider a request by Lawrence H. Ringley of Ringley & Associates, Inc. on behalf of Jill Fisher of Steger Dunhill, LLC for the approval of a Specific Use Permit to allow an automobile rental facility on a 0.215-acre portion of a larger 4.218-acre parcel of land identified as Lot 3, Block A, Steger Towne Crossing, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located at 898 Steger Towne Drive, and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Lawrence H. Ringley of Ringley & Associates, Inc., is requesting a Specific Use Permit (SUP) to allow for an *Automobile Rental Facility* on a 0.215-acre portion of a larger 4.218-acre parcel of land that is zoned (C) Commercial District. The property is located at 898 Steger Towne Crossing Drive and will be occupied by Avis Budget Car Rental. This location will be used for the rental of passenger vehicles only and will not involve the rental of moving trucks, vans, etc.

Based on the conceptual site plan (SUP Exhibit) submitted, the applicant will lease an area to the rear of the suite and will stripe the area with twenty (20) additional parking spaces should the SUP be approved. These additional parking spaces will be used exclusively for the rental vehicles based on an agreement with the landlord. Staff has included as a condition of approval that the rental vehicles remain in the rear designated parking area when the vehicles are not rented in order to keep the general parking area available for customer use. Also, the representative for Avis Budget Car Rental has indicated that the rental vehicles will be limited to interior cleaning only and will be washed off-site. It should be noted that washing of rental vehicles on site will be strictly prohibited, unless equipped and permitted for a car wash system.

Included in your packet is the letter requesting the SUP, a conceptual site plan (SUP exhibit) indicating the location of the rental facility and the additional twenty (20) parking spaces, a letter indicating the execution of an exclusive parking agreement, and an operational description for the business. A request for an SUP is a discretionary act upon the Planning and Zoning Commission and City Council.

NOTIFICATION:

On January 30, 2015, staff mailed fifteen (15) notices to property owners within 500 feet of the subject property including one (1) HOA/Neighborhood Organization within 1500 feet participating in the notification program. Additionally, staff posted a sign on the property as required by the Unified Development Code (UDC). At the time this report was drafted, staff has received no notices “for” or “against” the zoning change requested.

RECOMMENDATIONS:

Should the Specific Use Permit be approved, staff would offer the following conditions:

1) Adherence to Engineering and Fire Department standards.

2) That the parking of rental vehicles shall be restricted to the proposed parking area designated on the concept site plan (SUP Exhibit) as submitted.

3) That the rental of automobiles shall be for passenger vehicles only.

4) Provide an updated concept site plan (SUP Exhibit) with dimensions as per Engineering's comments in regards to the proposed parking area.

5) Provide a copy of the parking agreement once executed by all parties involved.

6) That the City Council reserves the right to review the Specific Use Permit (SUP) any time after the effective date of this ordinance.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On February 10, 2015, the Planning and Zoning Commission motion to approve the SUP request with staff conditions and to include the additional condition of 'up to 4 vehicles allowed to park in the general parking area' failed by a vote of 6 to 1 (Lyons - For). However, a second motion to approve the SUP request with staff conditions was approved by the Commission by a vote of 7 to 0.



City of Rockwall

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

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

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City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
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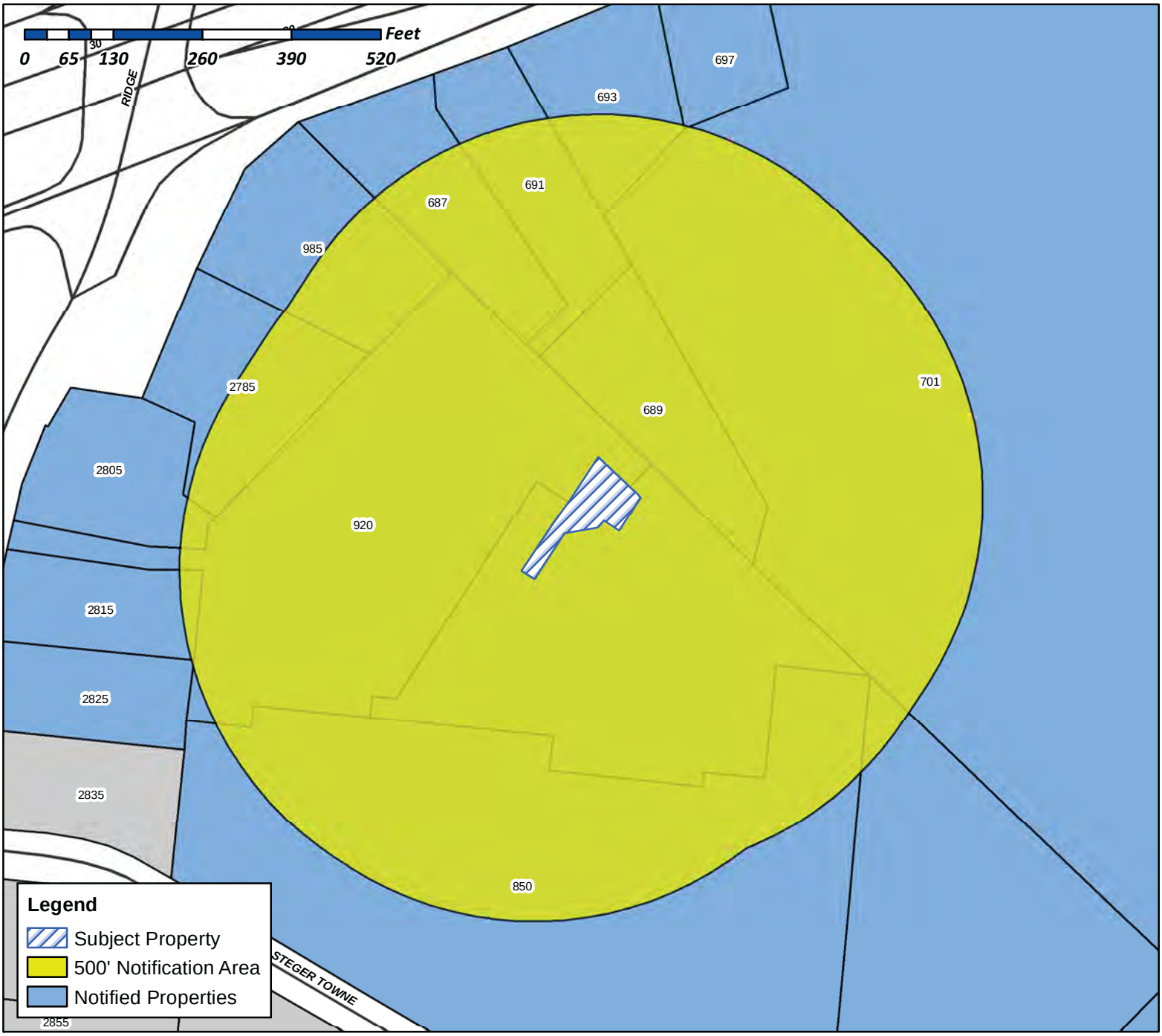
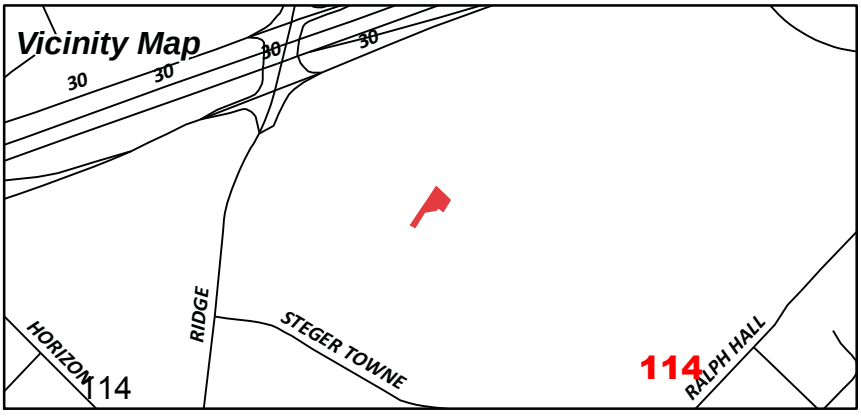


Case Number: Z2015-002
Case Name: Car Rental SUP
Case Type: Specific Use Permit
Zoning: Commercial
Case Address: 898 Steger Towne Drive

Date Created: *1/23/2015*
For Questions on this Case Call (972) 771-7745



ROCKWALL AREA CHAMBER OF COMMERCE
2850 SHORELINE TRL
ROCKWALL, TX 75032

STEGER DUNHILL LLC
3100 MONTICELLO AVE STE 300
DALLAS, TX 75205

VERA CRUZ PROPRETIES LP
NEVADA LIMITED PARTNERSHIP
310 VIA VERA CRUZ STE 202
SAN MARCOS, CA 92078

HALLETT NO 1 LP
PO BOX 1147
ROYSE CITY, TX 75189

J A BYERLY COMPANY
TRICIA MUDOCK
101 EAST CHEROKEE S
JACKSONVILLE, TX 75766

HALLE ENTERPRISES LLC
DEPT 1100 TXD 39
20225 N SCOTTSDALE RD
SCOTTSDALE, AZ 85255

LAKE POINTE BAPTIST CHURCH
701 E INTERSTATE 30
ROCKWALL, TX 75087

MODERNAGE INC
6820 LYNDON B JOHNSON FWY
DALLAS, TX 75240

STEGER DUNHILL LLC
3100 MONTICELLO AVE STE 300
DALLAS, TX 75205

DAYTON HUDSON CORP/TARGET
ATTN PROPERTY ADMINISTRATION
33 S 6TH ST
MINNEAPOLIS, MN 55402

STEGER DUNHILL LLC
3100 MONTICELLO AVE STE 300
DALLAS, TX 75205

STEGER DUNHILL LLC
3100 MONTICELLO AVE STE 300
DALLAS, TX 75205

STJ INVESTMENTS LLC
1126 DRIPPING SPRINGS DR
KELLER, TX 76248

STEGER DUNHILL LLC
C/O TSA STORES/SPORTS AUTHORITY
1050 WEST HAMPDEN AVENUE
ENGLEWOOD, CO 80110

LAKESIDE NATIONAL BANK
ATTN: LYN MCCREARY
2805 RIDGE ROAD
ROCKWALL, TX 75032

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City of Rockwall

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

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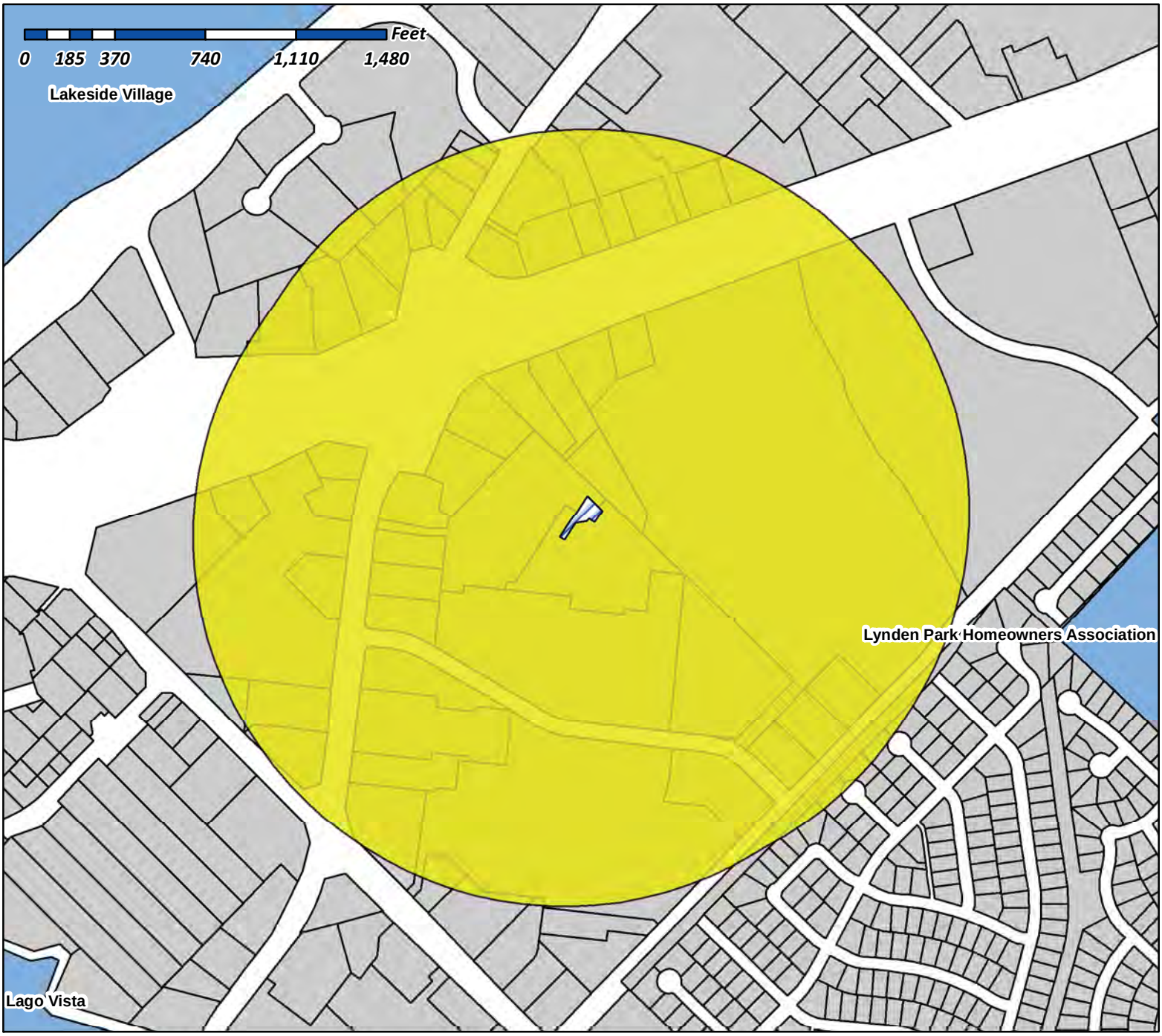
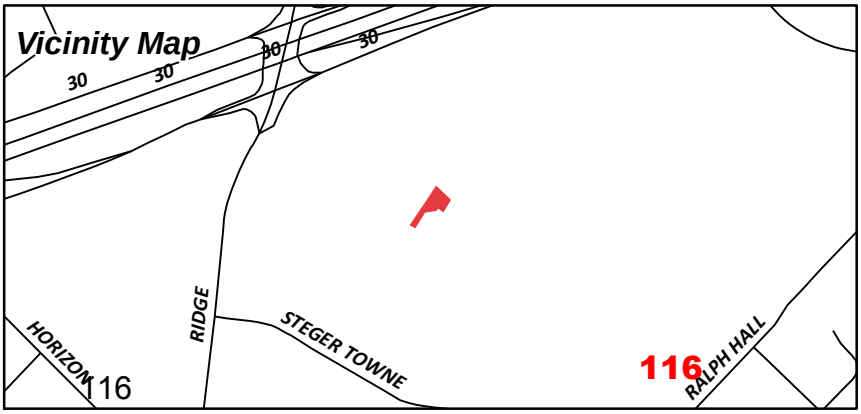


Case Number: Z2015-002
Case Name: Car Rental SUP
Case Type: Specific Use Permit
Zoning: Commercial
Case Address: 898 Steger Towne Drive



Date Created: 1/23/2015
For Questions on this Case Call (972) 771-7745

DUNHILL PARTNERS
Commercial Brokerage & Investments

January 14, 2015

Planning and Zoning Commission
City of Rockwall
385 S. Goliad
Rockwall, TX 75087

RE: AVIS BUDGET CAR RENTAL SPECIFIC USE PERMIT APPLICATION
EXCLUSIVE PARKING AGREEMENT
STEGER TOWNE CROSSING
898 STEGER TOWNE DRIVE, ROCKWALL, TX 75032

To Whom It May Concern:

Please be advised that Steger Dunhill, LLC (hereafter Landlord), the property owner for the subject location, will enter into a Lease Agreement with Avis Budget Car Rental, LLC (hereafter ABCR) pending approval of their Specific Use Permit for the purposes of operating a car rental facility.

Landlord has granted Ringley & Associates to act on behalf of the Landlord for this application. We look forward to the City's approval of the application.

Sincerely,

Steger Dunhill LLC

William L. Hutchinson
President

3100 MONTICELLO, SUITE 300 • DALLAS, TEXAS 75205 • 214-373-7500 • FAX: 214-373-7535

DUNHILL PARTNERS
Commercial Brokerage & Investments

November 12, 2014

Planning and Zoning Commission
City of Rockwall
385 S. Goliad
Rockwall, TX 75087

RE: AVIS BUDGET CAR RENTAL SPECIFIC USE PERMIT APPLICATION
EXCLUSIVE PARKING AGREEMENT
STEGER TOWNE CROSSING
898 STEGER TOWNE DRIVE, ROCKWALL, TX 75032

To Whom It May Concern:

Please be advised that Steger Dunhill, LLC (hereafter Landlord), the property owner for the subject location, will enter into a Lease Agreement with Avis Budget Car Rental, LLC (hereafter ABCR) pending approval of their Specific Use Permit for the purposes of operating a car rental facility.

Landlord has granted ABCR 20 exclusive parking spaces within the Steger Towne Crossing Shopping Center as indicated on ABCR's site plan and legal description.

We look forward to the City's approval of ABCR's application.

Sincerely,

Steger Dunhill LLC

William L. Hutchinson
President

3100 MONTICELLO, SUITE 300 • DALLAS, TEXAS 75205 • 214-373-7500 • FAX: 214-373-7535

avis budget group

January 12 2015

City of Rockwall
Planning Department
385 S. Goliad
Rockwall, TX 75087

RE: AVIS BUDGET CAR RENTAL AT 898 STEGER TOWNE DRIVE
OPERATIONAL DESCRIPTION

To Whom It May Concern:

Avis Budget Car Rental (hereafter ABCR) is applying for a Specific Use Permit for a car rental facility at the subject address.

ABCR provides daily, weekly, and monthly vehicle rentals and returns of both local and one way use. Our operation will be 7 days a week with the following hours of operation:

M – F: 8:00 AM until 6:00 PM
Sat: 8:00 AM until 2:00 PM
Sun: 9:00 AM until 1:00 PM

We will have two agents staffing the facility. Additional operational activities will include interior cleaning of the vehicles for rental but all exterior cleaning (washing) will be conducted off-site.

I look forward to responding to any questions you may have.

Sincerely,

Jeffrey W. Wagner
Area Development Manager

Avis Budget Group, Inc.
Central Area Office
P.O. Box 612707 – 3937 S. 26th Avenue – DFW Airport, TX 75261
Tel: 972-453-4051 – Fax: 972-453-5106

CITY OF ROCKWALL

ORDINANCE NO. 15-___

SPECIFIC USE PERMIT NO. S-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) ALLOWING FOR AN AUTOMOBILE RENTAL FACILITY, WITHIN A COMMERCIAL (C) DISTRICT, BEING A 0.215-ACRE PORTION OF A LARGER 4.218-ACRE PARCEL OF LAND IDENTIFIED AS LOT 3, BLOCK A, STEGER TOWNE CROSSING, PHASE 1 ADDITION, AND GENERALLY LOCATED AT 898 STEGER TOWNE DRIVE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Lawrence H. Ringley of Ringley & Associates, Inc. on behalf of Jill Fisher of Steger Dunhill, LLC for the approval of a Specific Use Permit (SUP) allowing for an *Automobile Rental Facility* within a Commercial (C) District, being a 0.215-acre portion of a larger 4.218-acre parcel of land identified as Lot 3, Block A, Steger Towne Crossing, Phase 1 Addition, and generally located at 898 Steger Towne Drive, City of Rockwall, Rockwall County, Texas, and more specifically described in Exhibit 'A' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein ; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for an *Automobile Rental Facility* within a Commercial (C) District for the *Subject property*; and

Section 2. That the S*ubject Property* shall be used only in the manner and for the purposes

described in this Specific Use Permit (SUP) ordinance granted herein and shall be subject to the conditions set forth in *Article IV, Permissible Uses,* and *Section 4.5, Commercial (C) District, of Article V, District Development Standards, of the City of Rockwall Unified Development Code [Ordinance No. 04-38]* as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following additions:

2.1 Operational Conditions

The following conditions pertain to the operation of the *Automobile Rental Facility* on the S*ubject Property* and conformance to these stipulations is required for continued operations:

1) That the parking of rental vehicles shall be restricted to the proposed parking area designated on the concept site plan (SUP Exhibit) as submitted; and

2) That the rental of automobiles shall be for passenger vehicles only; and

3) That the City Council reserves the right to review the Specific Use Permit (SUP) any time after the effective date of this ordinance.

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

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

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

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

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE ____ DAY OF _____, 2015.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Ashberry, *City Secretary*

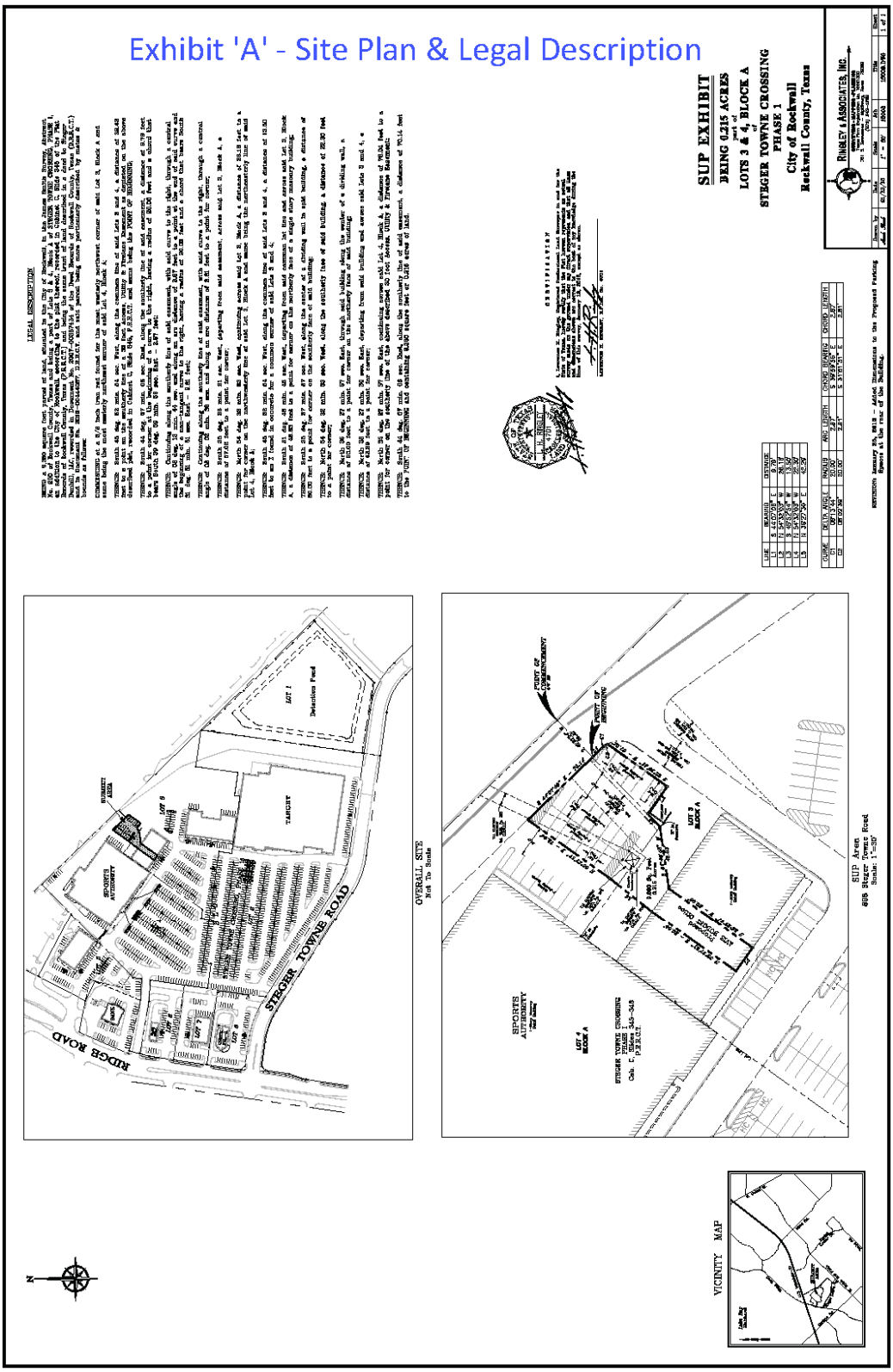
APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: _____

2nd Reading: _____

Exhibit 'A' - Site Plan & Legal Description



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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Robert LaCroix, *Director of Planning and Zoning*

FROM: Ryan Miller, *Planning Manager*

DATE: February 16, 2015

SUBJECT: Lakes of Somerset Amendments (PD-63) [*Z2014-025*]

At their regularly scheduled meeting on February 10, 2015, the Planning and Zoning Commission, at the request of the applicant (*Adam Buczek*), postponed the public hearing to February 24, 2015. This means that the projected City Council public hearing will be held at the March 2, 2015 meeting. According to Section 6.2, *Public Hearing Postponements, Recess, and Continuations*, of the Article II of the Unified Development Code, a public hearing may be postponed by announcing the postponement at the public hearing by stating the time and place the new public hearing is scheduled to begin. The announcement of a postponement shall be sufficient notice and no additional notice shall be required.

SKORBURG COMPANY

8214 Westchester Drive, Suite 710
Dallas, TX 75225

February 9, 2015

Mr. Ryan Miller, Planning Manager
City of Rockwall Planning Department
385 S. Goliad Street
Rockwall, Texas 75087

Re: Request to table Agenda Item Z2015-003: Hance Property

Dear Mr. Miller:

As discussed, please accept this letter as Skorburg Company's official request to table Agenda Item Z2015-003 (the Hance property) at tomorrow night's Planning & Zoning Commission meeting.

We respectfully request to be postponed to the February 24, 2015 Planning & Zoning Commission meeting for action.

Sincerely,

Adam Buczek
Development Partner

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Jeffrey Widmer, Building Official**

DATE: **February 16, 2015**

SUBJECT: **Front yard fence variance**

Consider a request from Mr. Richard and Ceci Chancellor for approval of a 48" wrought iron front yard fence on property located at 705 Pendleton Drive , being, lot 8 Block A, Lynden Park Estates phase 4, zoned PD-17 Single Family Residential district, and take any action necessary.

The applicants are seeking Council approval to allow a 48" wrought iron fence within the front yard of the property, to keep their grandchildren and puppy safe from running into the street. The backyard has a pool and they would rather not have the children playing in the back yard.

All front yard fences require City Council approval.

Rockwall City Council

February 3rd. 2015

To whom it may concern:

My wife Ceci and I would like to petition the Rockwall City Council to allow us to install a 152' X 4' black iron fence around the front perimeter of our front yard.

The purpose of this fence will be to keep our Grandchildren, and new puppy, from running into the street, and safely stay in the front yard, since our back yard, has been restricted by a swimming pool.

Kindly appreciate your consideration.

Richard and Ceci Chancellor

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SURVEY PLAT

BARRY S. RHODES Registered Professional Land Surveyor (972) 475-8940
This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 705 PENDLETON DRIVE, in the city of ROCKWALL Texas. Lot No. EIGHT(8), Block No. A of FINAL PLAT OF LYNDEN PARK ESTATES, PHASE 4, an addition to the City of ROCKWALL, ROCKWALL COUNTY Texas according to the MAP OR PLAT THEREOF RECORDED in CABINET E at SLIDE 395 of the PLAT records of ROCKWALL COUNTY, TEXAS.

RHODES Surveying ©
WWW.RHODESSURVEYING.COM



ACCEPTED BY: _____

_____

TITLE AND ABSTRACTING WORK FURNISHED BY ALLEGIANCE TITLE

EASEMENTS RECORDED IN THE FOLLOWING VOLUME & PAGES TO THE BEST OF MY KNOWLEDGE AND BELIEF DO NOT EFFECT THE ABOVE DESCRIBED PROPERTY.
VOLUME 166 PAGE 222
VOLUME 1039 PAGE 152
VOLUME 51 PAGE 113
VOLUME 51 PAGE 121

THE ABOVE DESCRIBED PROPERTY

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CITY OF ROCKWALL

ORDINANCE NO. 15-05

SPECIFIC USE PERMIT NO. S-131

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A HOTEL WITHIN PLANNED DEVELOPMENT DISTRICT 32 (PD-32), FOR A 2.968-ACRE LOT, CONTAINING TWO (2) PARCELS OF LAND IDENTIFIED AS LOT 3A, BLOCK A, SHORELINE PLAZA ADDITION (1.824-ACRES) AND LOT 1-1, BLOCK A, HENRY AFRICA ADDITION (1.143-ACRES), CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of a Specific Use Permit (SUP) to allow a *Hotel* on a 2.968-acre lot containing two (2) parcels of land identified as Lot 3A, Block A, Shoreline Plaza Addition (1.824-acres) and Lot 1-1, Block A, Henry Africa Addition (1.143-acres), City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, and more specifically described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for a *Hotel* within the *Freeway Frontage Subdistrict* as stipulated by *Exhibit 'D': Subdistrict Land Use Chart* of Planned Development District 32 (PD-32) [*Ordinance No. 10-21*] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance, Planned Development District 32 (PD-32) [*Ordinance No. 10-21 & 14-44*] and as stipulated by Section 4.1, *General Commercial District Standards*, of Article IV, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

2.1 Operational Conditions

The following conditions pertain to the operation of a *Hotel* on the *Subject Property*, and conformance to these operational conditions is required for continued operations:

1) The development of this property shall generally conform to the *Site Plan* depicted in *Exhibit 'B'* of this ordinance;

2) The development of this property shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance;

3) The development of a hotel on the subject property shall incorporate a minimum of 3,650 SF of floor area that will be utilized for the operation of a *Conference Center* (*i.e. an area that is exclusively used to host conferences, exhibitions, large meetings, seminars, training sessions, etcetera*), a minimum of 1,800 SF of floor area that will be utilized as *Pre-Function Event* area, and a minimum of 2,030 SF of floor area that will be utilized as *Courtyard* area; and,

4) The *Subject Property* is prohibited from being utilized as an *Extended Stay, Transient* or *Residence Hotel*.

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

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

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

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

SECTION 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 16TH DAY OF FEBRUARY, 2015.

Jim Pruitt, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

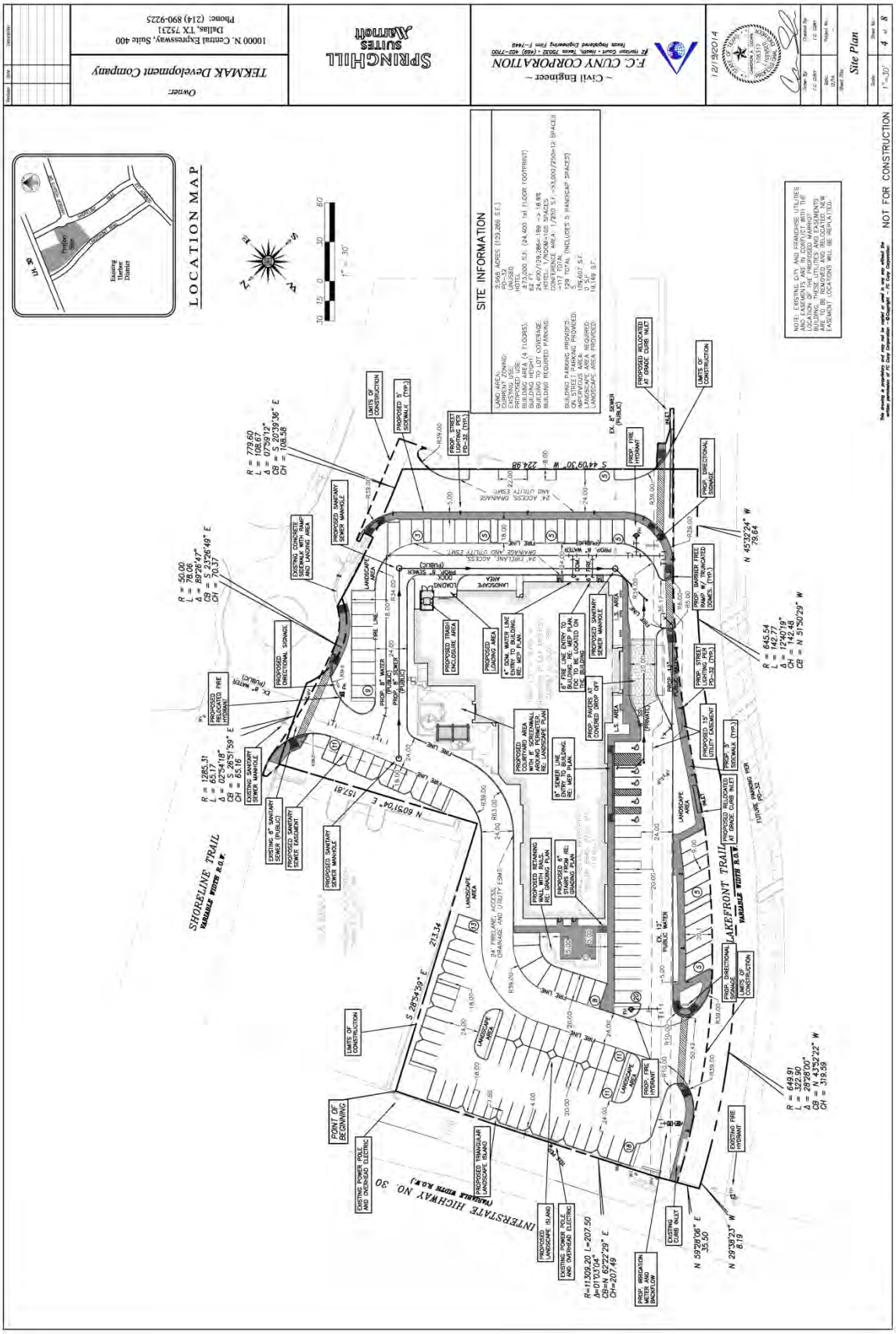
1st Reading: 02-02-2015

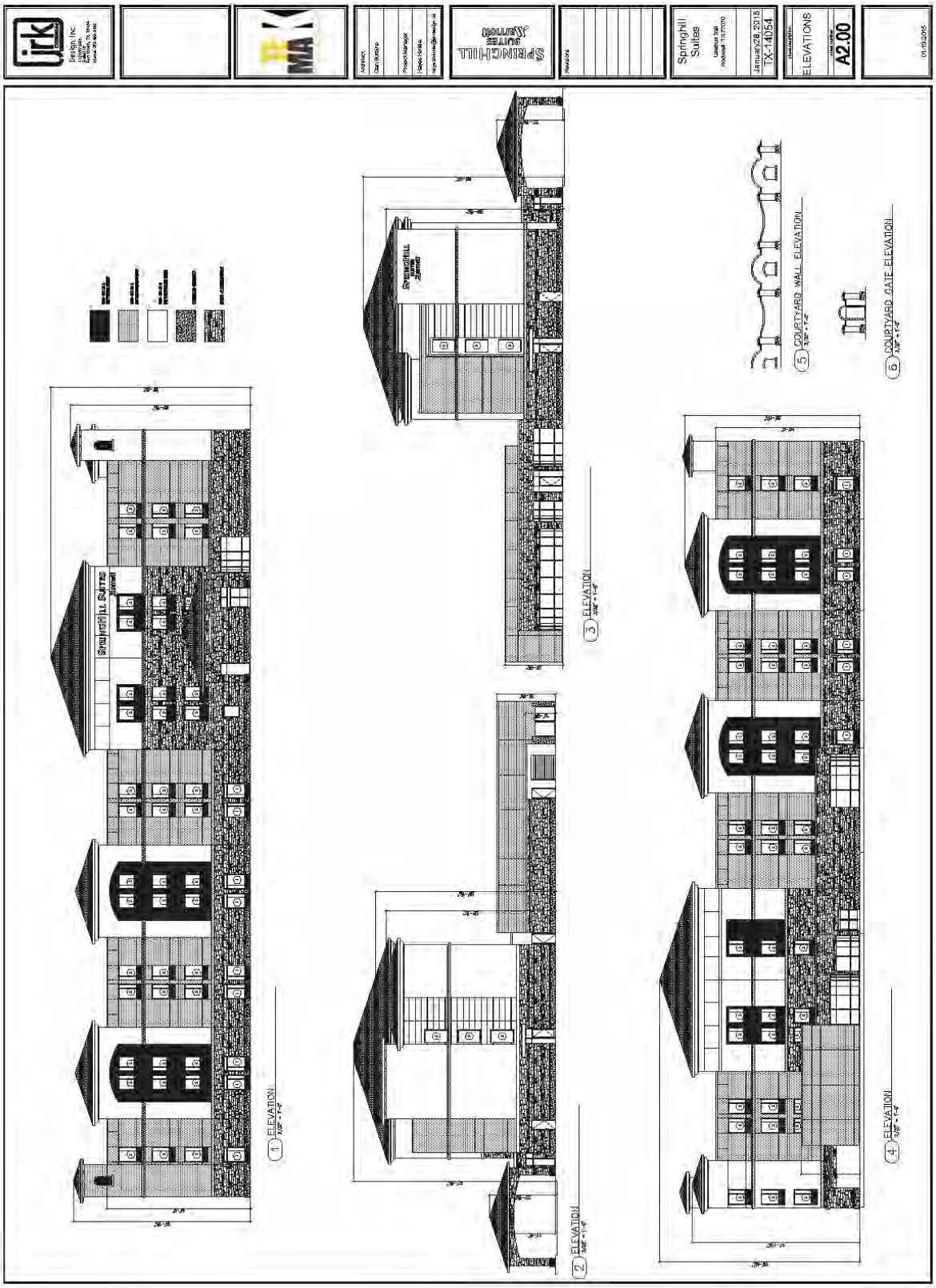
2nd Reading: 02-16-2015

Exhibit 'A': Location Map & Legal Description

<u>Subject Property</u>: Lot 3A, Block A, Shoreline Plaza Addition & Lot 1-1, Block A, Henry Africa Subdivision




SPRINGHILL SUITES MARRIOTT
Owner:
TERMAK Development Company
10000 N. Central Expressway, Suite 400
Dallas, TX 75231
Phone: (214) 890-9225
~ Civil Engineer ~
F.C. CUNY CORPORATION
12/19/2014
Site Plan
Sheet No. 4 of 8
NOT FOR CONSTRUCTION
LOCATION MAP
SITE INFORMATION
SHORELINE TRAIL
LAKEFRONT TRAIL
INTERSTATE HIGHWAY NO. 30
POINT OF BEGINNING


Springhill Suites
January 28, 2015
TX-14054
ELEVATIONS
A2.00
SPRINGHILL SUITES
1 ELEVATION
2 ELEVATION
3 ELEVATION
4 ELEVATION
5 COURTYARD WALL ELEVATION
6 COURTYARD GATE ELEVATION

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 02/16/2015

APPLICANT: Cameron Slown; *FC Cuny Corporation*

AGENDA ITEM: **SP2014-034**; *Spring Hill Suites Hotel (Marriott) Site Plan*

SUMMARY:

Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of waivers to Planned Development District 32 (PD-32) [Ordinance No. 10-21] and variances to the Unified Development Code associated with a site plan for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary.

BACKGROUND:

On December 18, 2015, the applicant submitted a request for the approval of a site plan and Specific Use Permit (SUP) for the purpose of constructing a *Spring Hill Suites Hotel* on the 2.968-acre subject property. After the work session on January 13, 2015, the applicant and staff decided to delay the site plan case until after the first reading of the SUP ordinance and after the Architectural Review Board (ARB) had proper time to review the building elevations. Since this time, the ARB has reviewed and signed off on the proposed building elevations and on February 2, 2015, the City Council approved the first reading of the SUP ordinance. Additionally, the Planning and Zoning Commission approved the site plan with the variances and waivers on February 10, 2015.

CITY COUNCIL WAIVERS:

According to Ordinance No. 10-21, "(i)n order to provide flexibility and create high quality projects, an applicant for development within the PD District [*PD*-32] may request a waiver of the following District or Subdistrict standards: (1) Building Placement Requirements, (2) Landscape Standards, (3) Parking Requirements, (4) Parking Garage Design Standards, and (5) Increased Building Height in any Subdistrict." In this case, the applicant is requesting the following waivers:

1) *Building Placement Requirements*.

   i. *Build-To-Lines and Building Setbacks.* According to the *Freeway Frontage Subdistrict* all buildings constructed on the subject property shall be subject to the following building setbacks:

      (a) Lakefront Trail [*Street Type 'E'*]: Seven (7) Feet
      (b) Harbor Heights Drive [*Street Type 'D'*] (*Based on Ordinance No. 13-16)*: Three (3) Feet
      (c) Shoreline Trail [*Street Type 'A'*]: Five (5) Feet

(d) IH-30 Frontage Road: 250-Feet

The site plan shows conformance to all building and setback requirements with respect to Lakefront Trail, Harbor Heights and Shoreline Trail; however, the site plan depicts the building being situated within 183-feet of the IH-30 Frontage Road. *The purpose of the 250-foot building setback adjacent to the IH-30 Frontage Road is depicted in Exhibit E-2: Freeway Frontage Subdistrict Density and Dimensional Requirements.*

ii. *Building Form.* According to the *Freeway Frontage Subdistrict* all buildings constructed on the subject property shall subject to the following building form requirements:

(a) A minimum of 80% of the street for *Street Type 'E'* must be defined by a building façade.
(b) A minimum of 45% of the building must be built to the *build-to-line* for *Street Types 'C' & 'E'*.
(c) The remaining building façade must be no less than two (2) feet and no greater than 12-feet from the *build-to-line*.

Taking these requirements into consideration the following would be required:

(a) A minimum of ~200-feet of building façade would be required along the frontage of Harbor Heights Drive with a minimum of ~100-feet being located within three (3) feet of the property line. Additionally, the building could not be located greater than 15-feet from the property line. In this case, the hotel is situated ~48-feet from the property line.
(b) Due to the changes from *Ordinance No. 13-16* (which re-introduced Lakefront Trail into the plan as a *Street Type 'E'*) the building form requirements -- when taking into consideration the 250-foot building setback -- cannot be applied to Lakefront Trail.
(c) The building should be no greater than 17-feet from Shoreline Trail. The site plan shows the building at ~55-feet from Shoreline Trial.

For a diagram of the Subdistrict's intent with regard to building placement see Exhibit E-2: Freeway Frontage Subdistrict Density and Dimensional Requirements.

2) <u>*Parking Requirements*</u>

i. *Surface Parking Setbacks.* According to the *Freeway Frontage Subdistrict* all surface parking lots must adhere to the following standards:

(a) Lakefront Trail [*Street Type 'E'*]: Ten (10) Feet
(b) Harbor Heights Drive [*Street Type 'D'*] (*Based on Ordinance No. 13-16)*: Ten (10) Feet
(c) Shoreline Trail [*Street Type 'A'*]: Ten (10) Feet
(d) IH-30 Frontage Road: 20-Feet

With the exception of Lakefront Trail -- *which was re-introduced into the plan by Ordinance No. 13-16* -- none of the proposed surface parking locations conform to any of the setback requirements (*i.e. the setbacks are as follows: Harbor Heights Drive is less than one [1] foot, Shoreline Trail is approximately three [3] feet, and the IH-30 Frontage Road is less than one [1] foot*).

3) <u>*Increased Building Height.*</u> According to the *Freeway Frontage Subdistrict* the maximum building height is two (2) stories at 45-feet, with the ability to add an additional floor that can be used for office uses only. The building elevations submitted by the applicant show a four (4) story hotel that will be 66-feet, 8¼-inches in total height.

With regard to granting waivers, *Ordinance No. 10-21* states that "… (w)aivers may only be approved by the City Council following a recommendation by the Planning and Zoning Commission … [and] In order to approve a waiver, the City Council must find that the waiver:

1) Meets the general intent of the PD District or Subdistrict in which the property is located; and,
2) Will result in an improved project which will be an attractive contribution to the PD District or Subdistrict; and,
3) Will not prevent the implementation of the intent of this PD District."

Taking the intent of the development into consideration, the proposed development would not change the general intent of the *Freeway Frontage Subdistrict*, and should result in an attractive contribution to the adjacent current and future buildings indicated by the overall concept plan. Additionally, the construction of this hotel will not prevent the implementation of the remainder of the PD District and will not inhibit adjacent development.

VARIANCES:

Based on the applicant's submittal staff has identified the following variances:

1) *Building Materials*.

   a) *Stone Requirements.* According to Section 6.6, *IH-30 Overlay (IH-30 OV) District*, of the UDC each exterior wall should incorporate a minimum of 20% natural or quarried stone. In this case, the applicant is requesting to use a similar cultured stone that was utilized on the Trend Tower building (*i.e. Tuscany Country Rubble by Eldorado Stone*). The percentage of culture stone exceeds 20% on each façade.

   b) *Masonry Material Requirements.* According to Section 6.6, *IH-30 Overlay (IH-30 OV) District*, of the UDC exterior walls should be constructed utilizing a minimum of 90% masonry materials. The applicant is requesting a variance to this standard for the purpose of utilizing cultured stone and EFIS. The EFIS being proposed (*i.e. StoTherm NExT Insulated Wall Claddings*) is similar to the EFIS that was permitted on the Hilton and requires the same three (3) part application system that was used to install the *Dryvit Stucco* on the Trend Tower.

   c) *Secondary Material Requirements.* According to Section 6.6, *IH-30 Overlay (IH-30 OV) District*, of the UDC exterior walls should not incorporate more than 10% secondary materials. EFIS is considered to be a secondary material.

2) *Alternate Tree Mitigation Plan.* The applicant is requesting an *Alternate Tree Mitigation Plan* in order to satisfy the remaining tree mitigation balance (*i.e. 306-inches*). Specifically, the applicant is proposing to plant 75 trees ranging in size from four (4) caliper inches to six (6) caliper inches. Some of the trees being proposed do not meet the UDC's requirements for replacement trees.

PLANNING AND ZONING COMMISSION:

On February 10, 2015, the Planning and Zoning Commission made a motion to approve the site plan and recommended approval of the variances, waivers and alternate tree plan requested by the applicant. The motion was approved by a vote of 6-1, with Commissioner Logan dissenting.



City of Rockwall

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

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

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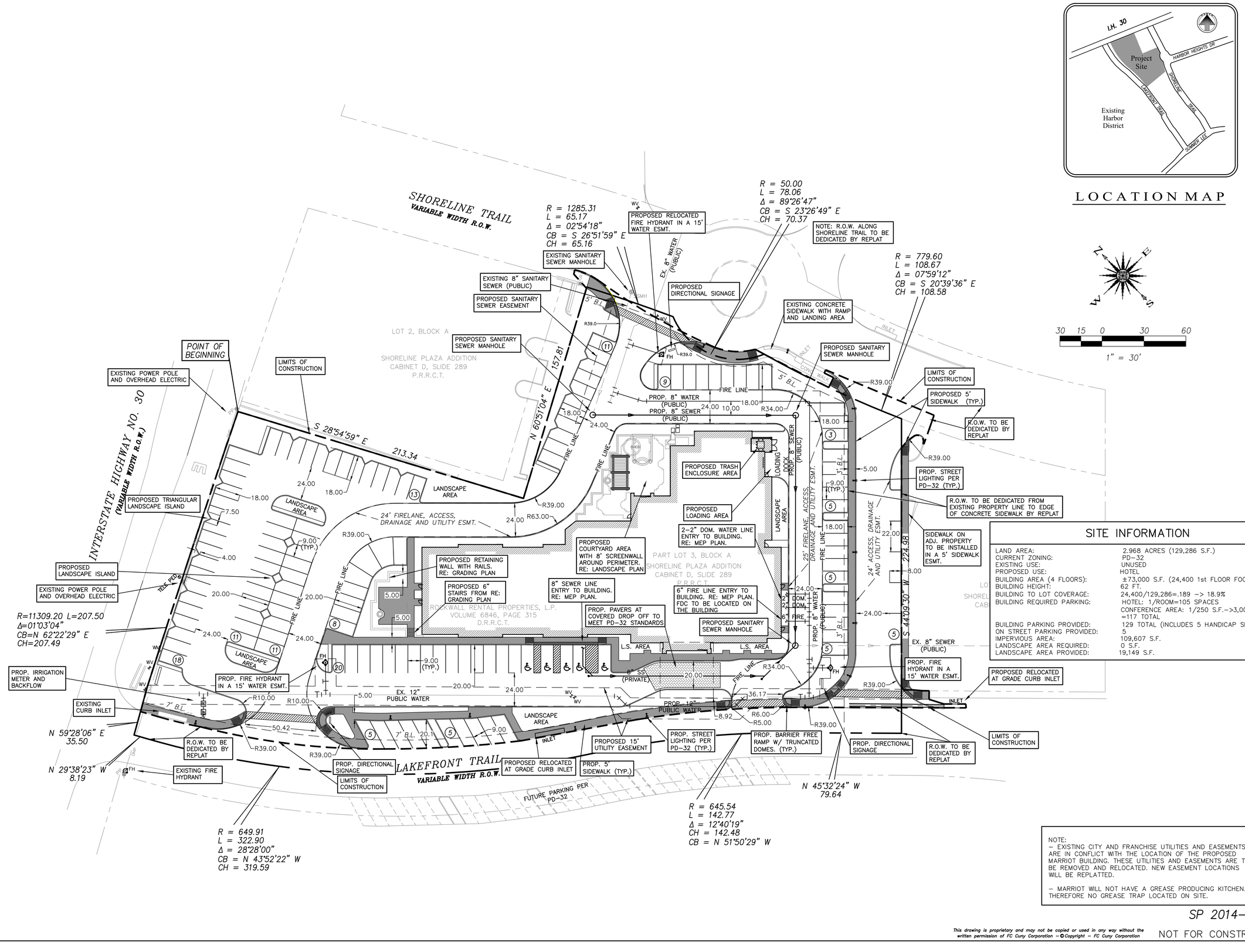

LOCATION MAP

SITE INFORMATION

LAND AREA:	2.968 ACRES (129,286 S.F.)
CURRENT ZONING:	PD-32
EXISTING USE:	UNUSED
PROPOSED USE:	HOTEL
BUILDING AREA (4 FLOORS):	±73,000 S.F. (24,400 1st FLOOR FOOTPRINT)
BUILDING HEIGHT:	62 FT.
BUILDING TO LOT COVERAGE:	24,400/129,286=.189 –> 18.9%
BUILDING REQUIRED PARKING:	HOTEL: 1/ROOM=105 SPACES CONFERENCE AREA: 1/250 S.F.–>3,000/250=12 =117 TOTAL
BUILDING PARKING PROVIDED:	129 TOTAL (INCLUDES 5 HANDICAP SPACES)
ON STREET PARKING PROVIDED:	5
IMPERVIOUS AREA:	109,607 S.F.
LANDSCAPE AREA REQUIRED:	0 S.F.
LANDSCAPE AREA PROVIDED:	19,149 S.F.

NOTE:
– EXISTING CITY AND FRANCHISE UTILITIES AND EASEMENTS ARE IN CONFLICT WITH THE LOCATION OF THE PROPOSED MARRIOT BUILDING. THESE UTILITIES AND EASEMENTS ARE TO BE REMOVED AND RELOCATED. NEW EASEMENT LOCATIONS WILL BE REPLATTED.

– MARRIOT WILL NOT HAVE A GREASE PRODUCING KITCHEN. THEREFORE NO GREASE TRAP LOCATED ON SITE.

SP 2014-034

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NOT FOR CONSTRUCTION

Revision	Date	Description

Owner:
TEKMAK Development Company
10000 N. Central Expressway, Suite 400
Dallas, TX 75231
Phone: (214) 890-9225

SPRINGHILL SUITES Marriott

~ Civil Engineer ~
F.C. CUNY CORPORATION
#2 Horizon Court • Heath, Texas 75032 • (469) 402-7700
Texas Registered Engineering Firm F-7449

01/06/2015

STATE OF TEXAS
CAMERON A. SLOWN
106317
LICENSED PROFESSIONAL ENGINEER

Drawn By:	Checked By:
F.C. CUNY	F.C. CUNY
Date: 12/14	Project No.: –

Sheet Title: Site Plan

Scale:	Sheet No.:
1"=30'	4 of 8

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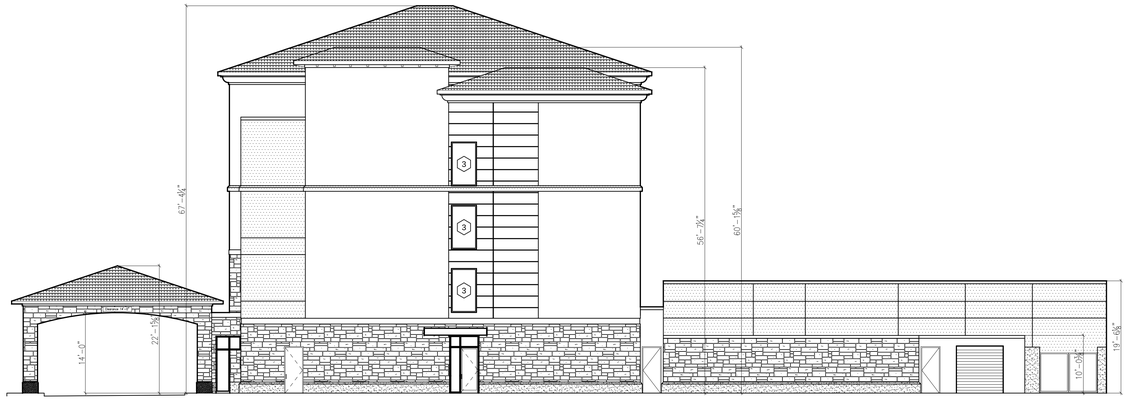
1 ELEVATION
3/32" = 1'-0"



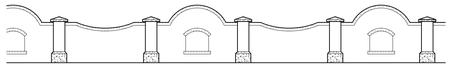
2 ELEVATION
3/32" = 1'-0"



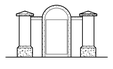
3 ELEVATION
3/32" = 1'-0"



4 ELEVATION
3/32" = 1'-0"



5 COURTYARD WALL ELEVATION
3/32" = 1'-0"



6 COURTYARD GATE ELEVATION
3/32" = 1'-0"

jrk DESIGN
Design, Inc.
112 NW 24th
Suite116
Fort Worth, TX. 76164
phone. 972.489.9132

TEMAK DEVELOPMENT

Architect:
Dan Burbine
Project Manager:
Hayes Hinkle
hayes.hinkle@jrkdesign.us

SPRINGHILL SUITES Marriott

Revisions

Springhill Suites

Lakefront Trail
Rockwell, TX 77070

January28, 2015
TX-14054

sheet description
ELEVATIONS

sheet number
A2.00

01-19-2015

147



148



149



150



151


SpringHill
Suites


SpringHill Suites
Marriott

PLANT MINIMUM CRITERIA STATEMENT

1. PLANTS ARE REQUIRED TO MEET MINIMUM SPECIFICATIONS OF THE AMERICAN STANDARD FOR NURSERY STOCK' PUBLISHED BY THE AMERICAN NURSERY & LANDSCAPE ASSOCIATION, MAY 12, 204, AND RECOMMENDED BY THE TEXAS NURSERY & LANDSCAPE ASSOCIATION.

GRASS NOTES FOR BIDDING

1. BASE BID ALL SOD IS TO BE COMMON BERMUDA GRASS.
2. ADD ALTERNATE #1 GRASS ALL FOR A CHANGE TO ZOYZIA SUN AND SHADE TOLERANT GRASS. INSTALL BE SOIL AMENDMENT NOTES.
3. REMOVE ALL EXISTING GRASSES FROM SITE PRIOR TO INSTALLATION.

COLOR AS NOTED

1. BASE BID ALL COLOR BEDS TO INCLUDE (4) FOUR 4" POTS PER SQ FT. INSTALLED IN 6" PREPARED SOIL FOR FOR FLOWERING PLANTS.
2. INCLUDE COLOR STAR FERTILIZER.
3. BEDS TO BE RAISED 3-4" HIGH AND SLOPED TO DRAIN.
4. OPTIONS FOR COLOR ARE AS FOLLOWS:
   BASE BID,
   1. BEGONIA. GREEN WITH WHITE FLOWERS.
   OPTIONAL PLANT MATERIALS: PRINCE FOR OWNER REVIEW
   1. DWARF REULLA WHITE, 4" POTS. 2 PER SQ FOOT.
   2. MEXICAN FEATHER GRASS, 1 GAL., (1) ONE PER SQ FT.

SOIL AMENDMENT NOTES(LISTED FOR BASE BID)

INCLUDE THE NOTES BELOW AND LANDSCAPE SPECIFICATIONS ON SHEET L2-02

SOIL PREPARATION FOR GRASS AREAS ON SITE.
1. SPRAY ROUND UP TWO TIMES IN HEAT OVER 70 DEGREES OR MANUALLY REMOVE THE EXISTING BERMUDA GRASS, TWO WEEKS PRIOR TO SITE WORK AND IRRIGATION SYSTEM INSTALLATION FOR THE TOTAL SITE AREA. CONTINUE TO REVIEW AND REMOVE ALL BERMUDA GRASS AND WEEDS FROM THE SITE DURING CONSTRUCTION.
2. FINE GRADE SOIL AFTER SITE CLEAN UP PER THE APPROVED GRADING AND DRAINAGE PLANS FOR THE SITE. SW-2 CONTRACTOR HAS THE PLAN ON FILE. OR CALL FOR A PDF FILE.
3. REMOVE ALL DEBRIS FROM SITE. ROCKS AND TILES OVER 1" DIA. ALL EXTRA CONCRETE, FORM BOARDS.
4. HAND RAKE SOIL SMOOTH AND SHAPE BEDS AND EDGES OF BACK OF CURB PER LANDSCAPE ARCHITECTS DIRECTIONS. CALL TO SET UP MEETING PRIOR TO ACCEPTANCE OF THE FINAL GRADE.
5. AFTER IRRIGATION SYSTEM INSTALLATION. WATER SETTLE ALL TRENCHES AND RAKE SMOOTH FOR FINISHED GRADES FOR THE SITE.
6. INSTALL SOD SOD GRASS, ALLOWING FOR TIGHT JOINTS BETWEEN ALL SECTIONS OF SOD. DO NO LEAVE GAPS OR ADD AZALEA MIX IN ALL GAPS OVER 0.5" TO FILL IN AFTER SODDING IF GAPS REMAIN.
7. WATER AND ROLL THE SOD TWO TIMES.
8. IN BASE BID ALLOW FOR ONE (1) TIME MOWING AND EDGING PRIOR TO FINAL ACCEPTANCE.

SOIL PREPARATION FOR 4" POTS AND 1 GALLON GROUND COVER BEDS
1. SOIL AMENDMENTS. EXCAVATE BEDS OR ALLOW FOR 4" SOIL PREPARED BY LIVING EARTH TECHNOLOGY OR EQUAL.
2. TILL IN TO DEPTH OF 8" AND MIX WITH NATIVE SOIL.
3. INSTALL BEDDING PLANTS SETTING THE TOP OF BALLS, MINIMUM 0.5" ABOVE SOIL GRADE.
4. MULCH 2" WITH FINE PINE BARK MULCH OR HARDWOOD MULCH.
5. IN BASE BID ALLOW FOR FINE PRUNING AS REQUIRED BY GENERAL CONTRACTOR PRIOR TO FINAL ACCEPTANCE.

SOIL PREPARATION FOR 3 GALLON AND 5 GALLON SHRUB BEDS
1. SOIL AMENDMENTS. EXCAVATE BEDS OR ALLOW FOR 6" SOIL PREPARED BY LIVING EARTH TECHNOLOGY OR EQUAL.
2. TILL IN TO DEPTH OF 12" AND MIX WITH NATIVE SOIL.
3. INSTALL SHRUBS PLANTS SETTING THE TOP OF BALLS, MINIMUM 1.5" ABOVE SOIL GRADE.
4. MULCH 2" WITH FINE PINE BARK MULCH OR HARDWOOD MULCH.
5. IN BASE BID ALLOW FOR FINE PRUNING AS REQUIRED BY GENERAL CONTRACTOR PRIOR TO FINAL ACCEPTANCE.

SOIL PREPARATION FOR 25 GALLON AND 65 GALLON SHRUB BEDS
1. SOIL AMENDMENTS. EXCAVATE BEDS OR ALLOW FOR 8" SOIL PREPARED BY LIVING EARTH TECHNOLOGY OR EQUAL.
2. TILL IN TO DEPTH OF 16" AND MIX WITH NATIVE SOIL.
3. INSTALL SHRUBS PLANTS SETTING THE TOP OF BALLS, MINIMUM 2.5" ABOVE SOIL GRADE.
4. MULCH 3" WITH FINE PINE BARK MULCH OR HARDWOOD MULCH.
5. IN BASE BID ALLOW FOR FINE PRUNING AS REQUIRED BY GENERAL CONTRACTOR PRIOR TO FINAL ACCEPTANCE.

SOIL PREPARATION FOR 100 GALLON AND LARGER TREES
1. SEE TREE PLANTING ON LA-2.

LANDSCAPE NOTES

1. CONTRACTOR SHALL BE RESPONSIBLE FOR BEING FAMILIAR WITH ALL UNDERGROUND UTILITIES, PIPES, AND STRUCTURES. CONTRACTOR SHALL TAKE SOLE RESPONSIBILITY FOR ANY COST INCURRED DUE TO DAMAGE OF SOIL UTILITIES.
2. CONTRACTOR SHALL NOT WILLFULLY PROCEED WITH CONSTRUCTION AS DESIGNED WHEN IT IS OBVIOUS THAT UNKNOWN OBSTRUCTIONS, AND/OR GRADE DIFFERENCES EXIST THAT MAY NOT HAVE BEEN KNOWN DURING DESIGN. SUCH CONDITIONS SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT AT (972)869-3535. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY REVISIONS DUE TO FAILURE TO GIVE SUCH NOTIFICATION.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY COORDINATION WITH GENERAL CONTRACTOR AND SUBCONTRACTORS AS REQUIRED TO ACCOMPLISH PLANTING OPERATIONS.
4. IF CONFLICTS ARISE BETWEEN SIZE OF AREAS AND PLANS, CONTRACTOR IS TO CONTACT LANDSCAPE ARCHITECT FOR RESOLUTION. FAILURE TO MAKE SUCH CONFLICTS KNOWN TO THE LANDSCAPE ARCHITECT WILL RESULT IN CONTRACTOR'S LIABILITY TO RELOCATE THE MATERIALS.
5. ALL PLANT MATERIAL SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT AND OWNER PRIOR TO INSTALLATION.
6. FINAL LOCATION OF ALL PLANT MATERIAL SHALL BE SUBJECT THE APPROVAL OF THE LANDSCAPE ARCHITECT AND OWNER. LOCATIONS TO CONFORM TO THE SITE AESTHETIC STANDARDS.
7. CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT 48 HOURS PRIOR TO COMMENCEMENT OF WORK TO COORDINATE PROJECT INSPECTION SCHEDULES. SEE SPECIFICATIONS FOR OBSERVATION SCHEDULES.
8. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ALL SHRUB AND GROUND COVER AREA IN A WEED-FREE, DEBRIS-FREE, AND BERMUDA-FREE CONDITION. ALL BERMUDA SHALL BE DUG OUT BY THE ROOTS AND REMOVED FROM THE SITE.
9. ALL PANTING AREA SHALL SLOPE AWAY FROM BUILDINGS TOWARDS THE AREA DRAINS AT A%2MINIMUM SLOPE.
10. FINISH GRADE SHALL BE 1" BELOW FINISH PAVING SURFACE IN ADJACENT LAWN AREA AND 2' IN SHRUB AREAS. SOME SOIL EXCAVATION MAY BE REQUIRED TO ACCOMPLISH FINISH GRADE. (SEE SOIL PREPARATION SPECIFICATIONS.)
11. CROWN OF AL PLANT ROOT SYSTEMS SHALL BE SLIGHTLY HIGHER AFTER SETTLING ADJACENT SOIL.
12. TREE STAKING AND GUYING METHODS, TO CONFORM TO SITE AESTHETIC STANDARDS.
RESPONSIBLE FOR THE TREE'S STABILITY FOR THE DURATION OF THE WARRANTY PERIOD.
13. SHRUBS, GROUND COVERS, AND SEASONAL COLOR SHALL BE TRIANGULARLY SPACED AT SPAN SHOWN ON PLANT LIST AND SHALL RECEIVE A 2" LAYER OF LAYER OF MULCH.
14. ALL GROUND COVERS TO BE HELD BACK 12' FROM EDGE OF SHRUB PLANTING AREAS AND 6' FROM EDGE OF PAVING. ALL PLANTING BEDS TO BE DIVIDED FROM SOD WITH STEEL EDGING, TYPICAL.
15. SEASONAL COLOR WILL BE SELECTED BY THE LANDSCAPE ARCHITECT PRIOR TO THE INSTALLATION TIME. OWNER MAY SELECT COLOR FOR EACH SEASON TO FOLLOW.
16. ALL TREES SHALL BE LOCATED A MINIMUM OF 4 FEET FROM WALLS, HEADERS, WALKS, AND OTHER TREES WITHIN THE PROJECT AND CONFORM TO THE SITE AESTHETIC STANDARDS. IF CONFLICTS THEN CONTACT LANDSCAPE ARCHITECT FOR RESOLUTION. FAILURE TO MAKE SUCH CONFLICTS KNOWN TO THE LANDSCAPE ARCHITECT WILL RESULT IN CONTRACTOR LIABILITY TO RELOCATE THE MATERIALS.
17. SLOPE AREA SHALL NOT HAVE PLANTING INSTALLED UNTIL ALL GULLIES TO RUTS HAVE FILLED IN WITH ADJACENT SOIL AND COMPACTED.
18. LANDSCAPE CONTRACTOR TO RECEIVE SITE GRADED +/- .10 OF 1' OF FINISHED GRADE.
19. IT IS THE CONTRACTORS RESPONSIBILITY TO FURNISH PLANT MATERIALS FREE OF PEST OR PLANT DISEASE. IT IS THE CONTRACTORS OBLIGATION TO WARRANTY ALL PLANT MATERIAL FOR 365 DAYS FROM FINAL COMPLETION DATE.
20. STEEL EDGING SEE NOTES THIS SHEET.

NOTE
1. STEEL EDGING IS REQUIRED TO BE INSTALLED SO THAT THE HEIGHT OF THE STEEL EDGING IS NO GREATER THAN THE HEIGHT OF ADJACENT FRESHLY MOWED GRASS. (EDGING IS NOT INTENDED TO BE A VISUAL COMPONENT OF THE LANDSCAPE NOR TO HOLD BACK PLANTING BEDS BUT TO SEPARATE LAWN AREAS FROM PLATING BEDS FOR THE PURPOSE OF PREVENTING, E.G. BY REGULAR WEEDEATER TRIMMING, GRASS FROM ENTERING THE PLANTING BED.) AS A RULE OF THUMB, EDGING SHOULD BE INSTALLED PRIOR TO SODDING AT A HEIGHT NO GREATER THAN TWO INCHES (2") ABOVE FINISHED UNSODDED GRADE.

LANDSCAPE IRRIGATION WARRANTEE

1. LANDSCAPE CONTRACTOR SHALL WARRANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE YEAR FROM TIME OF FINAL ACCEPTANCE AND PAYMENT OF THE COMPLETED WORK.
2. IRRIGATION SYSTEM SHALL BE WARRANTED FOR ONE YEAR PARTS AND LABOR FOR NEW ITEMS.

IRRIGATION AFFIDAVIT

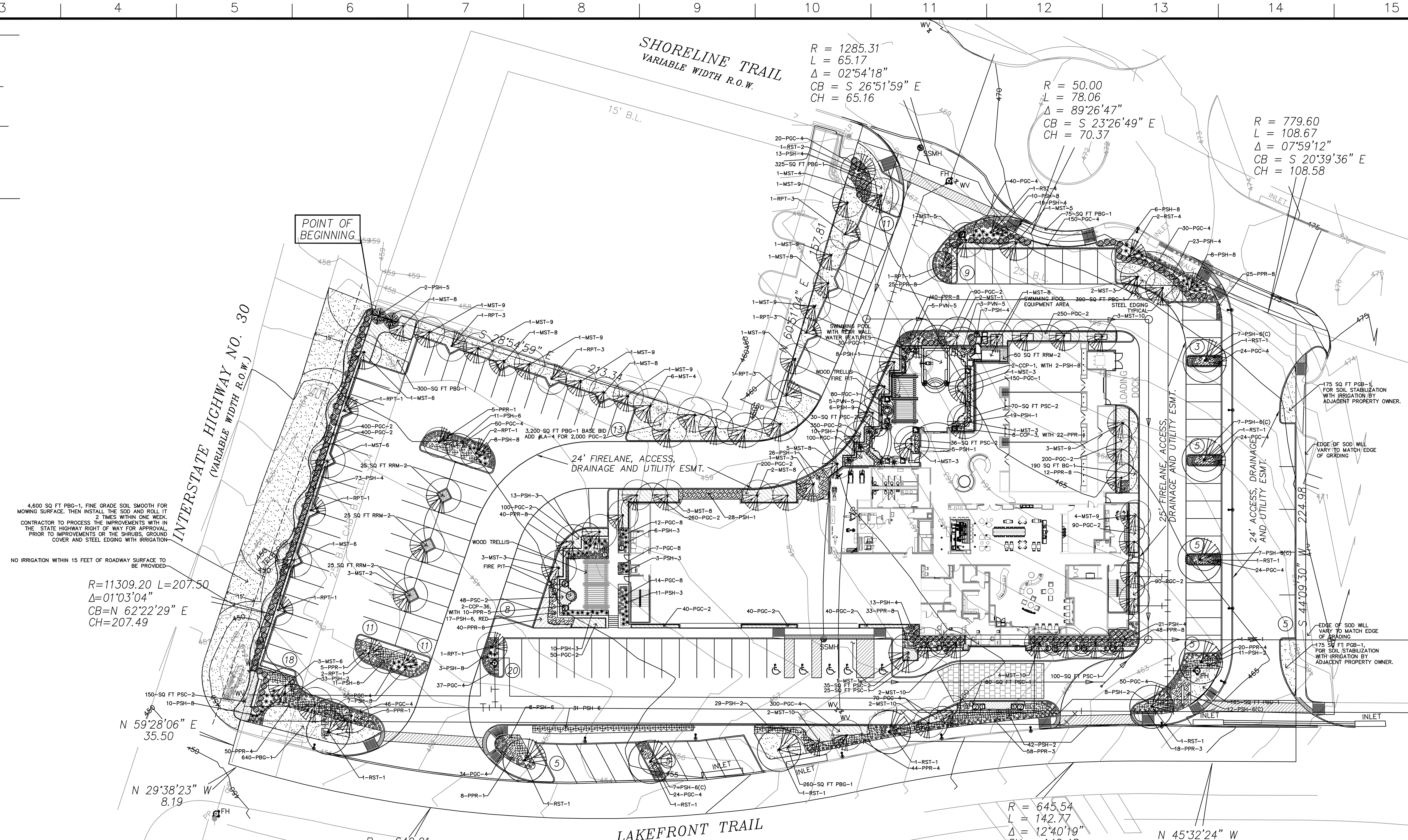
ALL REQUIRED LANDSCAPE AREAS SHALL BE PROVIDED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM WITH RAIN AND FREEZE SENSORS AND EVAPOTRANSPORATIVE (ET) WEATHER BASED CONTOLLERS ANS SAID IRRIGATION SYSTEM SHALL BE DESIGNED BY A QUALIFIED PROFESSIONAL AND INSTALLED LICENSED IRRIGATOR.

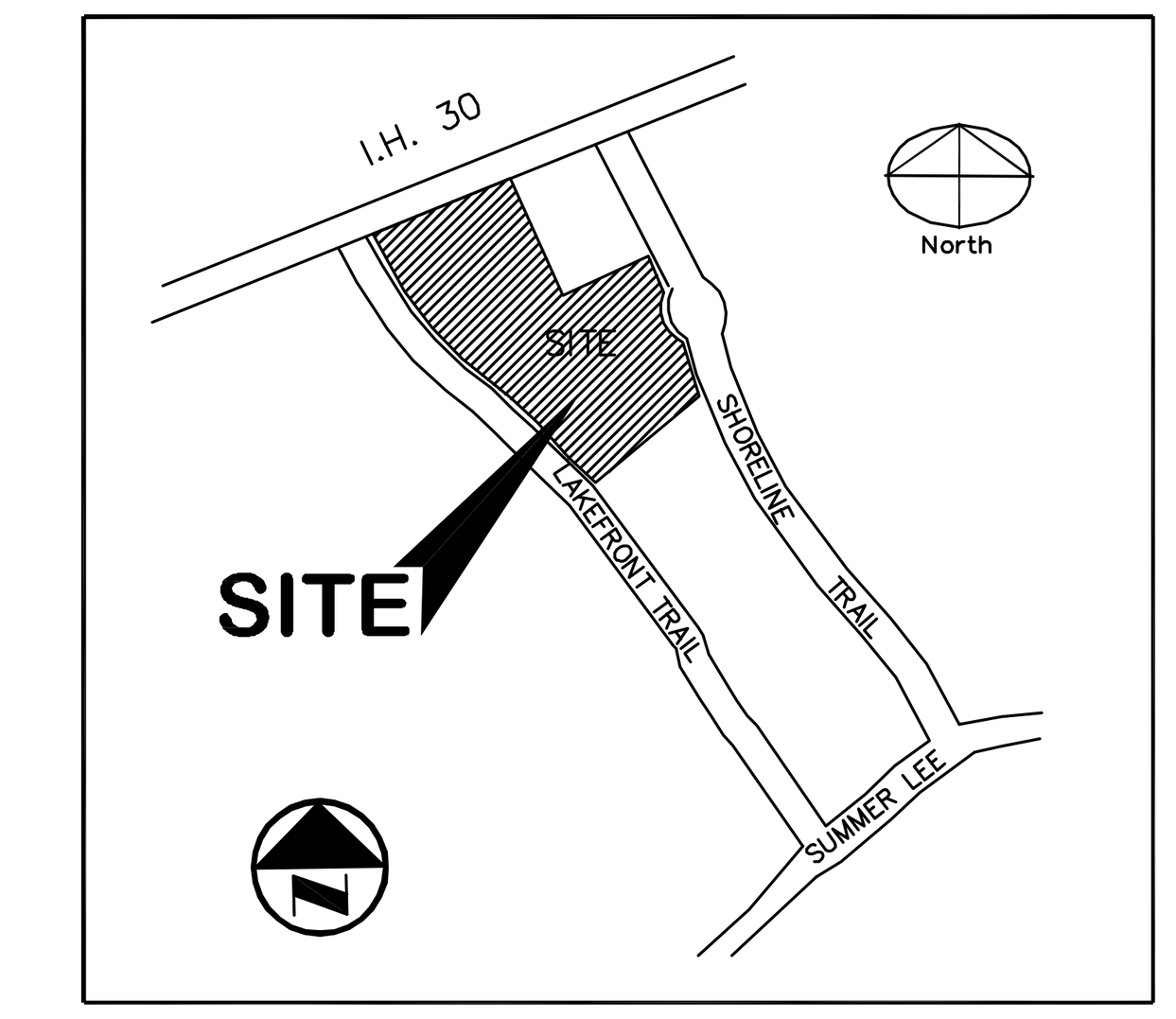
CITY OF ROCKWALL MAINTENANCE NOTE;

MAINTENANCE: THE CURRENT OWNER AND SUBSEQUENT OWNERS OF THE LANDSCAPED PROPERTY, OR MANAGER OR AGENT OF THE OWNER, SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL THE LANDSCAPED AREAS AND MATERIALS, REQUIRED BUFFER YARD AREAS AND MATERIALS AND REQUIRED SCREENING MATERIALS. SAID AREAS MUST BE MAINTAINED O AS TO PRESENT A HEALTHY, NEAT AND ORDERLY APPEARANCE AT ALL TIMES AND SHALL BE KEPT FREE OF REFUSE AND DEBRIS. MAINTENANCE WILL INCLUDE REPLACEMENT OF ALL DEAD PLANT MATERIAL IF THAT MATERIAL WAS USED TO MEET THE REQUIREMENTS OF THE UDC. ALL SUCH PLANTS SHALL BE REPLACED WITHIN (6) SIX MONTHS OF NOTIFICATION, OR BY THE NEXT PLANTING SEASON, WHICH EVER COMES FIRST. A PROPERTY/HOMEOWNERS ASSOCIATION MAY ASSUME RESPONSIBILITY FOR MAINTENANCE OF COMMON AREAS.

ROOT BARRIERS AT UTILITIES AND PAVING EDGES

1. NO TREE SHALL BE PLANTED WITHIN 5 FEET OF ALL UTILITIES WATER, SEWER, ELEC, CABLE, STORM, ECT.
2. ROOT BARRIERS ARE REQUIRED ON ALL TREES WITHIN UTILITY EASEMENTS AND AT EDGE OF PAVING WITHIN 5 FEET. PROVIDE ON ALL TREES SHOWN, UNLESS NOTED
3. DEEP ROOT BARRIERS, 1-800-458-7668, INSTALL UB-48-2 PER SPECIFICATIONS AT EACH TREE ON SIDE OF PAVING OR UTILITY. INCLUDE 4" WIDE TRENCH OF 3/4" DRAIN GRAVEL ON OUT SIDE OF BARRIER, 24" DEEP. BARRIER TO EXTEND 1" ABOVE GRADE.





VICINITY MAP

NOT TO SCALE

THE HARBOR PLANT SYMBOLS

- 4.0" CALIPER, 8.0" CALIPER — REQUIRED STREETSCAPE TREES
- 3.0" CALIPER — REQUIRED PARKING LOT TREES
- 4.0" CALIPER, 6.0" CALIPER — MITIGATION SITE CANOPY TREES
- 4.0" CALIPER — MITIGATION SITE ORNAMENTAL TREE
- LARGE SCREENING SHRUB
- EVERGREEN SHRUBS
- EVERGREEN FLOWERING SHRUBS
- ACCENT YUCCA SHRUBS
- COLORFUL LEAF SHRUBS
- FLOWERING SHRUBS
- PERENNIALS
- NATIVE GRASSES
- VINES, WIRE TO WALL OR FENCE
- SEASONAL COLOR BED, SEE COLOR NOTES THIS SHEET
- GROUND COVER BEDS, SEE PLANT LIST KEY
- RIVER ROCK MULCH OR DECOMPOSED GRANITE SEE PLANT LIST LEGEND FOR KEY
- BERMUDA GRASS, SOLID SOD, SEE GRASS NOTES

LANDSCAPE PLAN LEGEND

1-PGC-1 — QUANTITY; SYMBOL KEY TO PLANT LIST

IRR SLEEVE — IRRIGATION SLEEVE: IRRIGATION WATER SUPPLY 4", WIRES 2" OR AS NOTED ON PLAN

THE HARBOR FREEWAY FRONTAGE DISTRICT CRITERIA

SHORELINE TRAIL
STREETSCAPE "A" MIX OF TREES, STREET LIGHT POLES @ 60 FEET SPACING

24' PUBLIC ROAD
STREETSCAPE "C" LIVE TREES SPACED @ 52 FEET, STREET LIGHT POLES @ 52 FEET SPACING

LAKESHORE TRAIL
STREETSCAPE "E" LIVE TREES SPACED @ 52 FEET, STREET LIGHT POLES @ 52 FEET SPACING

INTERSTATE HIGHWAY 30 EDGE
STREETSCAPE MIX OF TREES

PARKING LOT TREES 1 PER 8 PARKING SPACES, 119 SPACES REQUIRES 15 TREES

ALTERNATIVE LANDSCAPE PLAN

THE TREE SURVEY CHART ON L1-01 OUTLINES EACH TREE AND CALIPER SIZE AND TYPE TO BE REMOVED FROM THE SITE. THE AMOUNT OF 302 INCHES REQUIRES THE OWNER TO REQUEST AN ALTERNATIVE LANDSCAPE PLAN.

THE REQUEST FOR APPROVAL OF THE ALTERNATIVE LANDSCAPE PLAN ALLOWS THE OWNER TO INSTALL THE LARGE 3"-4" 15 FEET HIGH AND ACCENT TREES 3" CALIPER, 15 FEET HIGH ON THE SITE TO FULL FILL THE REQUIRED QUANTITY OF REPLACEMENT TREES CALIPER INCHES AS SHOWN.

THE USE OF ONLY LARGE TREES TO MEET THE MITIGATION REQUIRED WOULD NOT BE POSSIBLE ON THIS SITE DUE TO LIMITED AMOUNT OF LANDSCAPE AREA TO PLANT THEM AND CONSIDER THEIR ULTIMATE GROWTH HABITS AS AN ACCEPTABLE LANDSCAPE SOLUTION. ALLOWING ACCENT TREES ALSO AS MITIGATION TREES INCREASES THE QUALITY OF THE NEW HOTEL LANDSCAPE PLAN.

THE USE OF ACCENT TREES SHOWN ALLOWS FOR MORE A RESIDENTIAL TYPE LUSH LANDSCAPE AROUND THE NEW HOTEL SITE. IN ADDITION OVER 95% OF THE LANDSCAPE IS COVERED IN GROUND COVERS, SEASONAL COLOR, WITH FLOWERING PERENNIALS AND MEDIUM FLOWERING SHRUBS TO LARGE EVERGREEN SHRUBS, BACKED UP BY THE FLOWERING ACCENT TREES AND FRAMED BY THE LARGE CANOPY TREES.

THE HARBOR SELECTED PLANT LIST

NOTE: NOT ALL OF PLANTS LISTED ARE USED ON THE PLANTING PLAN

QUANTITY	KEY	COMMON NAME	BOTANICAL NAME	SIZE
		REQUIRED STREETSCAPE TREES		
10	RST-1	LIVE OAK, SINGLE TRUNK	QUERCUS VIRGINIANA	200 GAL. 8.0"-8.5" CALIPER, SINGLE TRUNK
1	RST-2	LIVE OAK, SINGLE TRUNK	QUERCUS VIRGINIANA	65 GAL. 3.0"-3.5" CAL. SINGLE TRUNK
0	RST-3	BALD CYPRESS	TAXODIUM DISTICHUM	100 GAL. 4.0"-4.5" CAL. SINGLE TRUNK
3	RST-4	CEDAR ELM	ULMAS CRASSIFOLIA	100 GAL. 4.0"-4.5" CAL. SINGLE TRUNK
TOTAL 14				
		REQUIRED PARKING LOT TREES		
9	RPT-1	CREPEMRYTLE NATCHEZ WHITE	LAGERSTROMIA INDICA, (W) WHITE	65 GAL. 3.0"-3.5" CAL. SINGLE TRUNK TO 4 FEET
0	RPT-2	DESERT WILLOW	CHILOPSIS LINEARIS	65 GAL. 3.0"-3.5" CAL. SINGLE TRUNK TO 2 FEET
6	RPT-3	LITTLE GEM MAGNOLIA	MAGNOLIA LITTLE GEM	65 GAL. 3.0"-3.5" CAL. SINGLE TRUNK TO 3 FEET
0	RPT-4	YAUPON HOLLY , MULTI TRUNK	ILEX VOMITORIA	65 GAL. 3.0"-3.5" CAL. MULTI TRUNK
TOTAL 15				
		MITIGATION TREES ON SITE		
3	MST-1	LIVE OAK, SINGLE TRUNK	QUERCUS VIRGINIANA	100 GAL. 6.0"-6.5" CAL. SINGLE TRUNK
3	MST-2	LIVE OAK, SINGLE TRUNK	QUERCUS VIRGINIANA	65 GAL. 4.0"-4.5" CAL. SINGLE TRUNK
9	MST-3	OCTOBER GLORY MAPLE	ACER RUBRUM, OCTOBER GLORY	65 GAL. 4.0"-4.5" CAL. SINGLE TRUNK
7	MST-4	BALD CYPRESS	TAXODIUM DISTICHUM	65 GAL. 4.0"-4.5" CAL. SINGLE TRUNK
2	MST-5	CEDAR ELM	ULMAS CRASSIFOLIA	65 GAL. 4.0"-4.5" CAL. SINGLE TRUNK
6	MST-6	CREPEMRYTLE NATCHEZ WHITE	LAGERSTROMIA INDICA, (W) WHITE	65 GAL. 4.0"-4.5" CAL. SINGLE TRUNK
0	MST-7	DESERT WILLOW	CHILOPSIS LINEARIS	65 GAL. 4.0"-4.5" CAL. SINGLE TRUNK
15	MST-8	LITTLE GEM MAGNOLIA	MAGNOLIA LITTLE GEM	65 GAL. 4.0"-4.5" CAL. SINGLE TRUNK
13	MST-9	YAUPON HOLLY , MULTI TRUNK	ILEX VOMITORIA, TREE FORM	65 GAL. 4.0"-4.5" CAL. MULTI TRUNK, FULL HEAD
13	MST-10	SAVANNAH HOLLY, TREE FORM	ILEX ATTENUATTA 'SAVVANAH'	65 GAL. 4.0"-4.5" CAL. SINGLE TRUNK, FULL HEAD
TOTAL 75				

KEY	COMMON NAME	BOTANICAL NAME	SIZE
	SHRUBS, HEDGES		
PSH-1	DWARF YAUPON HOLLY	ILEX VOMITORIA, NANA	3 GAL.
PSH-2	INDIAN HAWTHORN PINK	RAPHELOPSIS INDICA,	3 GAL. (W) WHITE (P) PINK
PSH-3	SOFT LEAF YUCCA, GREEN	YUCCA RECURVIFOLIA	3 GAL.
PSH-4	DWARF BURFORD HOLLY	ILEX CORNUTA, BURFORDII	3 GAL.
PSH-5	NELLIE R. STEVENS	LEX OPACA, N.R.STEVENS	25 GAL.
PSH-6	DRIFT ROSES,	ROSA, DRIFT ROSES.	3 GAL. (R) RED, (C) CORAL
PSH-7	GIANT ELEPHANT EAR	ALOCASSIA MACROORRHIZA	3 GAL.
PSH-8	VAREIGATED YUCCA	YUCCA FILAMENTOA COLOR GUARD VAR.	3 GAL.
PSH-9	WINDMILL PALM, 4 FT	TRACHYCARPUS FORTUNEI	3-4 FOOT CLEAR TRUNK, BB
	GROUND COVERS		
PGC-1	MONDO GRASS	OPHIOPOGON JAPONICUS	4" POTS
PGC-2	PURPLE WINTER CREEPER	EUONYMUS FORTUNEI	4" POTS, ADD ALTERNATE #LA1 1 GAL.
PGC-3	MOSS VERBENA CHERRY	VERBENA TENUISECTA	4" POTS
PGC-4	FEATHER GRASS	STIPA TENUISSIMA "PONYTAIL"	4" POTS, ADD ALTERNATE #LA2 1 GAL.
	PERENNIALS		
PPR-1	TEXAS RED YUCCA	HESPERALOE PARVIFOLIA	3 GAL. OR BB WITH SPIKE
PPR-2	CHERRY SAGE	SALVIA GREGGII	3 GAL. (R) RED, (C) CORAL
PPR-3	DAYLILIES, EVERGREEN	HEMEROCALLIS, YELLOW	1 GAL.
PPR-4	DAYLILIES, EVERGREEN	HEMEROCALLIS, RED	1 GAL.
PPR-5	LANTANA TRAILING, PURPLE	LANTANA MONTEVINES	1 GAL.(P) PURPLE
PPR-6	LANTANA TRAILING, WHITE	LANTANA MONTEVINES	1 GAL.(W) WHITE
PPR-7	AGAVE GREEN	AGAVE BRACTEOSA CALAMAR	3 GAL.
PPR-8	DWARF MEXCIAN PETUNIA	RUELLIA BRITTONIANA	4" POTS, ADD ALTERNATE #LA3 1 GAL.

KEY	COMMON NAME	BOTANICAL NAME	SIZE
	VINES		
PVN-1	CLEMATIS, WHITE	CLEMATIS, MONTANA, WHITE	1 GAL.ON STAKE
PVN-2	CLEMATIS, DEEP VIOLET	CLEMATIS, GYPSY QUEEN, DEEP VIOLET	1 GAL.ON STAKE
PVN-3	CROSS VINE	BIGNONIA CAPREOLATA	1 GAL.ON STAKE
PVN-4	CONFEDERATE JASMINE	MILLETTIA RETICULATE	1 GAL.ON STAKE
PVN-5	FICUS VINE	FICUS PUMILA	1 GAL.ON STAKE
	SEASONAL COLOR, SEE COLOR NOTES FOR BIDDING THIS SHEET		
PSC-1	SEASONAL COLOR	TO BE SELECTED AT TIME OF PLANTING	4" POTS
PSC-2	SEASONAL COLOR	TO BE SELECTED AT TIME OF PLANTING	4" POTS
	GRASS		
PBG-1	TIF BERMUDA GRASS	BERMUDA SPECIES, 419 TIFF	SOLID SOD

ROCK MULCH BEDS
- RRM-1 ROUND RIVER ROCK, MULTI COLOR FULL COLOR RANGES, 2"-4" RIVER ROCKS
- RRM-2 ROUND RIVER ROCK, MULTI COLOR FULL COLOR RANGES, 1"-2" RIVER ROCKS
- RRM-3 DECOMPOSED GRANITE, LARGEST 0.6" LESS FINES. INSTALL COMPACTED

CERAMIC PLANTERS
- ① CCP-1 30" WIDE, 30" HIGH , ROUND, SELECTED AT SOUTHWEST NURSERY BY LANDSCAPE ARCHITECT.
- ② CCP-2 36" WIDE 24" HIGH , ROUND, SELECTED AT SOUTHWEST NURSERY BY LANDSCAPE ARCHITECT.
- ③ CCP-3 24" WIDE 30" HIGH , SQUARE TOP, SELECTED AT SOUTHWEST NURSERY BY LANDSCAPE ARCHITECT.

SP2014-034

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PLANNER/ENGINEER
F.C.CUNY CO.
F-____
HORIZON ROAD
HEATH, TEXAS
CONTACT: CHRIS CUNY
PHONE: 469-7700

NO.	REVISIONS / SUBMISSIONS	DATE
	----	MM.DD.YYYY

0 30 60 90 FEET
GRAPHIC SCALE 1"=30' , 30 SCALE

T.H.Pritchett / Associates
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JOB NAME
SPRINGFIELD SUITES MARRIOTT
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

DRAWING TITLE
ALTERNATIVE SITE LANDSCAPE PLAN

SEAL: REGISTERED LANDSCAPE ARCHITECT THOMAS H. PRITCHETT 2115 STATE OF TEXAS
THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY T. H. PRITCHETT, R.L.A. NO. 2115 ON 01/06/2015

DRAWN THP	SCALE
CHECKED THP	FILENAME P T LANDSCAPE PLAN
REVIEWED THP	DRAWING NO. L1.02
DATE 01.06.2015	
PROJECT NO. 2014096	_ of _

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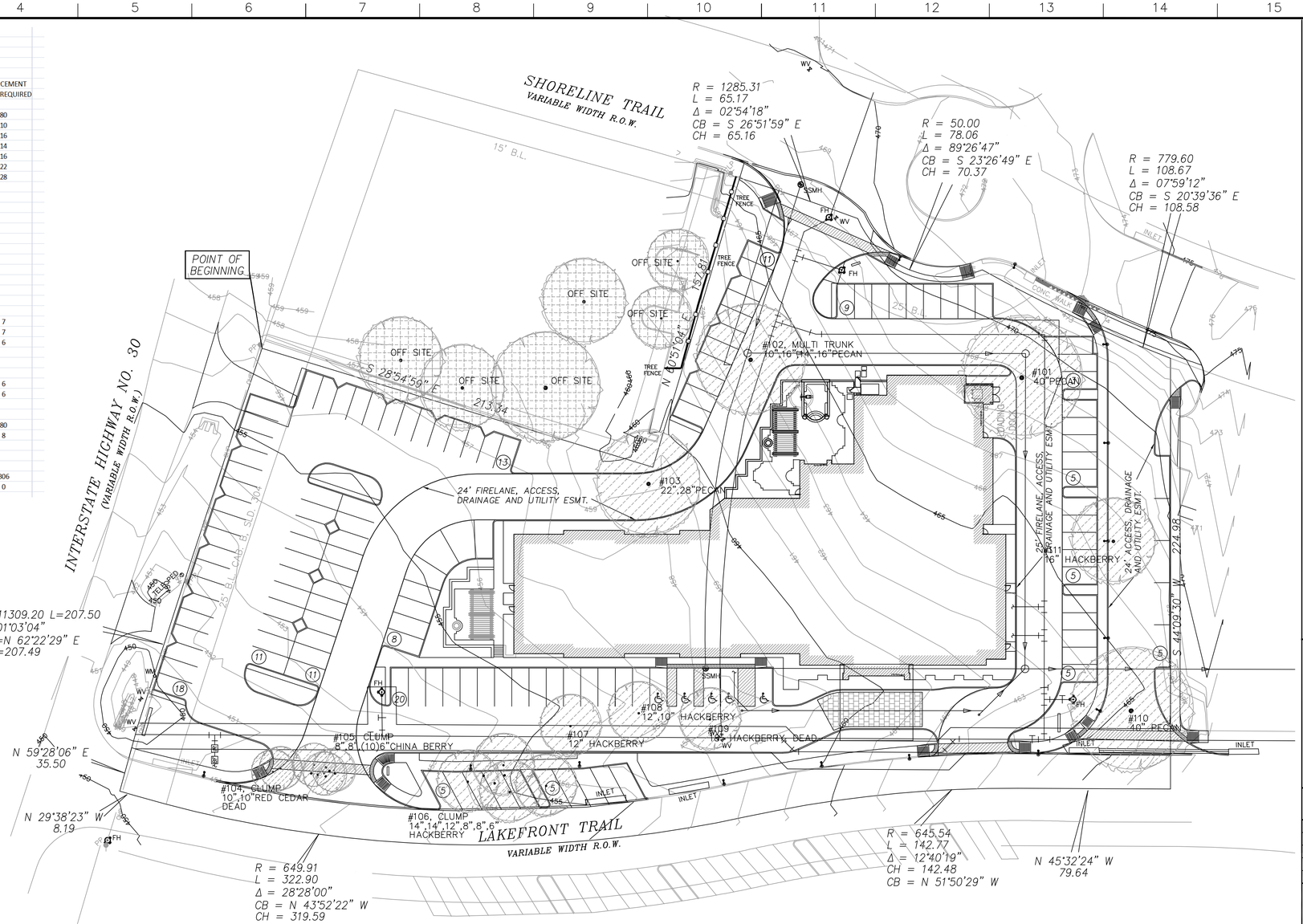
HARBOR MARRIOTT HOTEL

TREE SURVEY, BY T. H. PRITCHETT ON SITE MEASUREMENT OF CALIPER 12/13/2014

TREE NO	TYPE TYPE	TOTAL CALIPER	PROTECTED TREES CALIPER	PROTECTED FEATURE TREES	MITIGATION CALCUATION	REPLACEMENT INCHES REQUIRED
101	PECAN	40	40	YES	2 TIMES	80
102	PECAN, MULTI TRUNK	10	10		1 TIMES	10
	PECAN	16	16		1 TIMES	16
	PECAN	14	14		1 TIMES	14
	PECAN	16	16		1 TIMES	16
103	PECAN, MULTI TRUNK	22	22		1 TIMES	22
	PECAN	28	28		1 TIMES	28
104	RED CEDAR	DEAD				
	RED CEDAR	DEAD				
105	CHINA BERRY	8				
	CHINA BERRY	8				
	CHINA BERRY	6				
	CHINA BERRY	6				
	CHINA BERRY	6				
	CHINA BERRY	6				
	CHINA BERRY	6				
	CHINA BERRY	6				
	CHINA BERRY	6				
	CHINA BERRY	6				
	CHINA BERRY	6				
106	HACKBERRY	14	14		0.5 TIMES	7
	HACKBERRY	14	14		0.5 TIMES	7
	HACKBERRY	12	12		0.5 TIMES	6
	HACKBERRY	8				
	HACKBERRY	8				
	HACKBERRY	6				
107	HACKBERRY	12	12		0.5 TIMES	6
108	HACKBERRY	12	12		0.5 TIMES	6
	HACKBERRY	10				
109	HACKBERRY	DEAD				
110	PECAN	40	40	YES	2 TIMES	80
111	HACKBERRY	16	16		0.5 TIMES	8
	TOTAL CALIPER INCHES	368				
	TOTAL PROTECTIES INCHES		226			
	TOTAL REPLACEMENT CALIPER INCHES REQUIRED					306
	PRESERVATION CREDITS		NO TREES SAVED ON SITE			0


SHORELINE TRAIL
VARIABLE WIDTH R.O.W.
R = 1285.31
L = 65.17
Δ = 02°54'18"
CB = S 26°51'59" E
CH = 65.16
R = 50.00
L = 78.06
Δ = 89°26'47"
CB = S 23°26'49" E
CH = 70.37
R = 779.60
L = 108.67
Δ = 07°59'12"
CB = S 20°39'36" E
CH = 108.58
POINT OF BEGINNING
INTERSTATE HIGHWAY NO. 30
(VARIABLE WIDTH R.O.W.)
R=11309.20 L=207.50
Δ=01°03'04"
CB=N 62°22'29" E
CH=207.49
N 59°28'06" E
35.50
N 29°38'23" W
8.19
S 28°54'59" E
213.34
N 10°51'04" E
152.81
S 44°09'30" W
224.98
N 45°32'24" W
79.64
R = 649.91
L = 322.90
Δ = 28°28'00"
CB = N 43°52'22" W
CH = 319.59
R = 645.54
L = 142.77
Δ = 12°40'19"
CH = 142.48
CB = N 51°50'29" W
LAKEFRONT TRAIL
VARIABLE WIDTH R.O.W.
24' FIRELANE, ACCESS, DRAINAGE AND UTILITY ESMT.
25' FIRELANE, ACCESS, DRAINAGE AND UTILITY ESMT.
24' ACCESS, DRAINAGE AND UTILITY ESMT.
#101 40" PECAN
#102, MULTI TRUNK 10",16",14",16" PECAN
#103 22",28" PECAN
#104, CLUMP 10",10" RED CEDAR DEAD
#105, CLUMP 8",8",(10)6" CHINA BERRY
#106, CLUMP 14",14",12",8",8",6" HACKBERRY
#107 12" HACKBERRY
#108 12",10" HACKBERRY
#109 10" HACKBERRY, DEAD
#110 40" PECAN
#111 16" HACKBERRY
OFF SITE
TREE FENCE
INLET
CONC. WALK
LOADING DOCK
SMH
FH
WV
WV
WV

FREEWAY FRONTAGE SUBDISTRICT

The intent of the Freeway Frontage subdistrict is to provide mid-size retail anchors with high visibility that can contribute to the creation of a vibrant, pedestrian oriented character within the Harbor District and the existing Harbor development. Prime views and access from Interstate 30 combined with storefront presence along the main pedestrian and vehicular corridor within the district make this subdistrict an ideal location for retail anchors. Existing slopes within this subdistrict are in the 3% - 6% range.

Building Placement

Build-to-line (Distance from R.O.W. line)

Street Type C	3'
Street Type E	7'

Setback (Distance from R.O.W. line)

Street Type A	5'
Street Type H	10'
Interstate 30 Frontage	250'

Building Form

Street Type C block face must have a minumum of 90% of its length defined by a building façade.
Street Type E block face must have a minumum of 80% of its length defined by a building façade.

Street Type C façade built to BTL	45%	min.
Street Type E façade built to BTL	45%	min.

Remaining façade must be no less than 2' and no greater than 12' from the BTL.

Maximum Lot Coverage 30%

Notes
When an abutting property with an existing building has windows facing to the side, any new building shall provide at least 10 feet of separation.

Use

Ground Floor
Retail
Restaurant

Upper Floors
Retail
Restaurant
Office

Height

	stories / height
Maximum Building Height *	2 / 45'
Minimum 1st floor commercial Height (with other uses above)	15'
Minimum 1 story commercial Height	25'

Notes
* One additional story may be added for upper floor office use only.

Encroachments

Location

Street Type C	5'
Street Type E	5'
Street Type A	5'
Street Type H	5'
Interstate 30 Frontage	5'

Notes
Canopies, awnings, balconies, and roof overhangs may encroach over the BTL as shown in the table above.

Parking

Surface Parking Setback (Distance from R.O.W. line)

Street Type C	10'
Street Type E	10'
Street Type A	10'
Street Type H	10'
Interstate 30 Frontage	20'

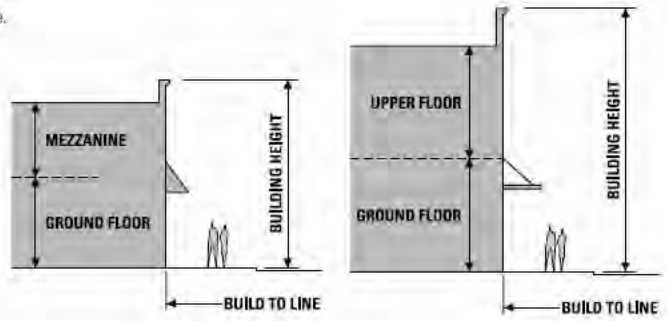
Surface Parking Lots
A maximum of 100% of the total parking for this subdistrict may be surface parking.

Driveways (Maximum number per block face)

Street Type C	0
Street Type E, H	2
Street Type A	2
Interstate 30 Frontage	0

Pedestrianways (Minimum number per block face)

Street Type C	1



1 Story Commercial Building

2-3 Story Commercial Building

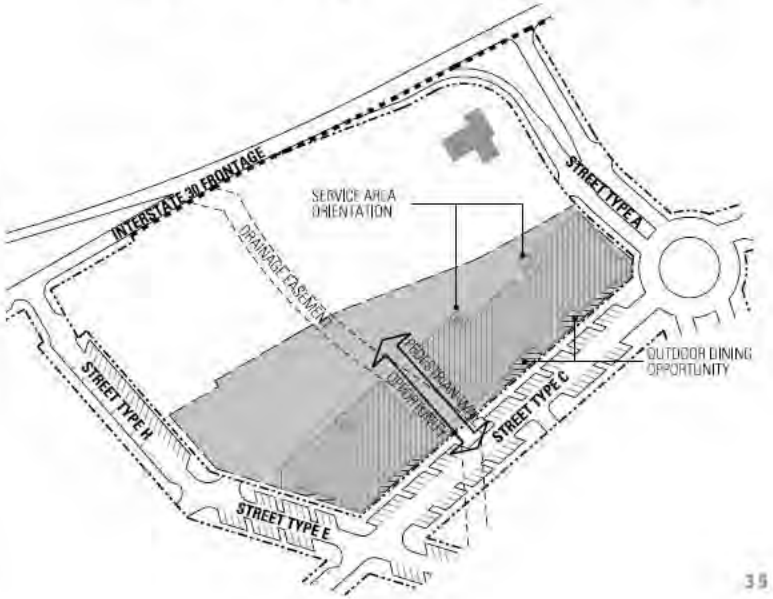
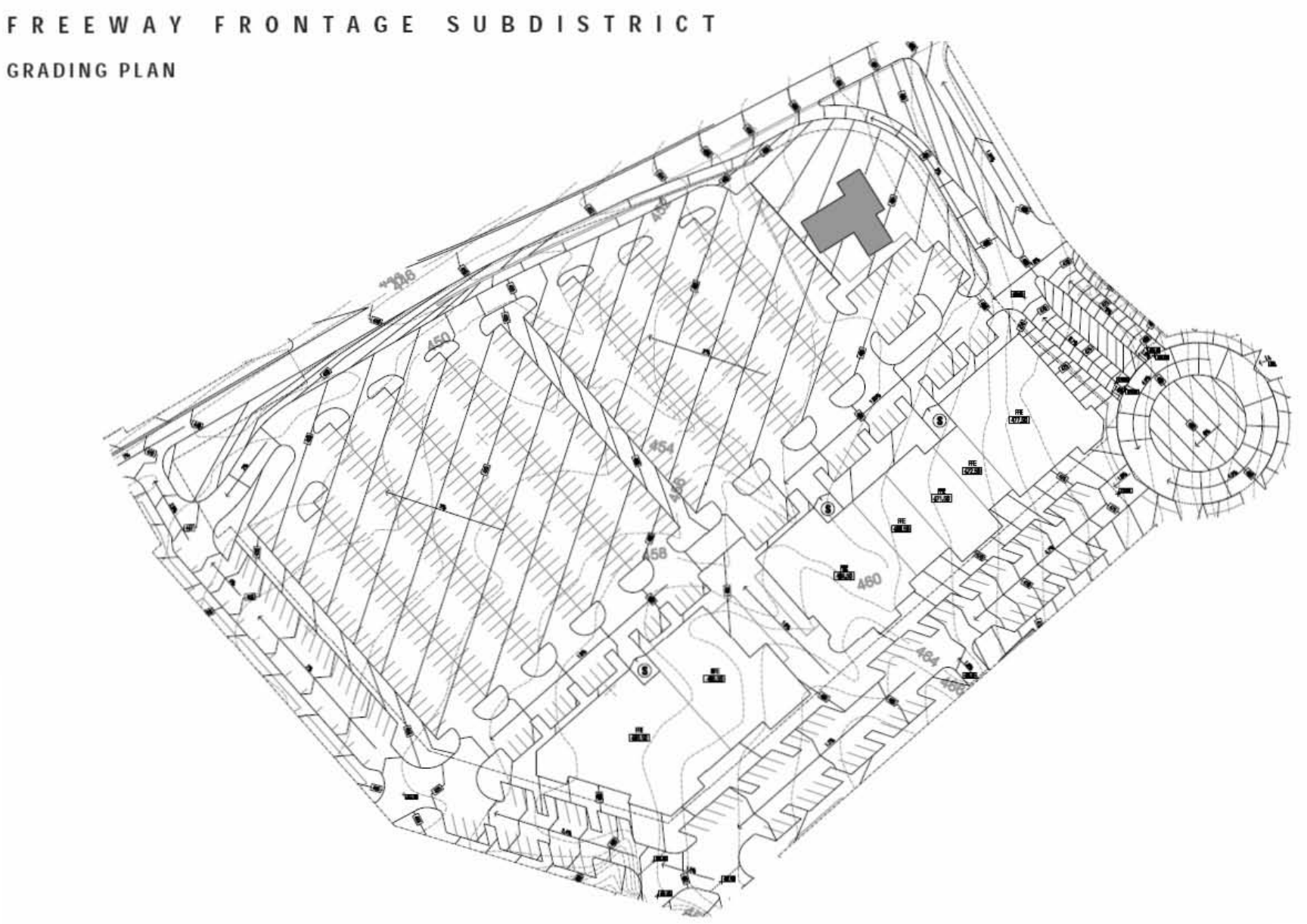


Exhibit E-2 (Page 2 of 2)
Freeway Frontage Subdistrict



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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **February 6, 2015**

SUBJECT: **84th Session of the Legislature**

The 84th Session of the Texas Legislature is currently in progress, and, as of February 1, over 400 bills have been filed that may impact municipal operations. According to Representative Turner's office, over 7,000 bills have been drafted and are waiting to be filed. These bills are currently in the Legislative Council review process. The filing deadline is March 13.

The Texas Municipal League (TML) is currently monitoring bills that may have an impact on local government operations. They send an electronic update each week noting any new bills that have been filed. TML employs a small team of lobbyists to protect the interests of their member cities.

From reviewing the city-related filed bills, there appears to be several bills filed related to transportation funding, gun rights, property and sales tax exemptions and elections.

After a review of the bills being watched by TML, several bills have a potential impact to the City of Rockwall. Of those, I have pulled a sample of bills that the Council may have an interest in taking a particular position on and take an action to oppose or support through a resolution or other formal action.

HB 133: The bill would repeal the additional property taxes imposed as a result of certain changes in the use of open-space land appraised as agricultural land. This bill, if passed, would eliminate the roll back taxes on land that changes from agricultural to SF or commercial.

HB 957: The bill would reduce the property tax appraisal cap on residence homesteads from ten to five percent.

SB 182: This bill would: (1) lower the property tax rollback rate from eight percent to four percent, with an exception for a city located in an area declared a disaster area by the governor or president of the United States during the current tax year; and (2) provide that a city must hold a ratification election to adopt a tax rate that exceeds the four-percent rollback rate (as opposed to current law, which only requires an election if a petition is received from the citizens).

HB 82: This bill would repeal the state law prohibiting the state comptroller from crediting to the Parks and Wildlife Department or the Texas Historical Commission any amount of taxes imposed on the sale of sporting goods in excess of the amounts appropriated to the department or commission, respectively. Currently, the law reads that all sales tax proceeds from the sale of sporting goods shall be credited to the TPWD and the THC subject to appropriations. This bill would credit 94% of the revenue of the sales tax from the sale of sporting goods to the TPWD which would allow for additional grant opportunities for local park projects.

HB 158: Very similar to HB 82, this bill would repeal the state law prohibiting the state comptroller from crediting to the Parks and Wildlife Department or the Texas Historical Commission any amount of taxes imposed on the sale of sporting goods in excess of the amounts appropriated to the department or commission, respectively.

HB 283: This bill would: (1) require a home-rule city with a population of 50,000 or more: (a) to make a video and audio recording of reasonable quality of each regularly scheduled open meeting that is not a work session or a special called meeting, and make available an archived copy of such recording on the Internet; (b) to make the archived recording described in (a), above, available on an existing Internet site, which could be a publicly accessible video-sharing or social networking site; (c) to make available, in a conspicuous manner, on an Internet site that the city maintains the archived recording described in (a), above, or a link to the archived recording; (d) to make the archived recording described in (a), above, available on the Internet not later than seven days after the recording was made and maintain the archived recording on the Internet for not less than two years after the date the recording was first made available; and (e) to comply with the requirements in (b)-(d), above, unless the required recording cannot be made as the result of a catastrophe or technical breakdown, after which the city must make all reasonable efforts to make the required recording available in a timely manner; and (2) authorize a home-rule city with a population of 50,000 or more to broadcast a regularly scheduled open meeting on television. Although many municipalities currently broadcast their public meetings, if passed, this would be an unfunded mandate and previous discussions regarding this subject indicated a fairly high cost to produce these broadcasts in a manner in which would provide the quality we may expect.

HB 814: This bill would provide that: (1) a governmental body that is required by law to post notice of a meeting in a newspaper may instead post notice of the meeting on the Internet; and (2) a government body that is required by law to post notice of a meeting on the Internet is not required to post notice in a newspaper.

HB 342: This bill would abolish a building permit fee on the tenth anniversary after the date the fee is adopted (or reauthorized) unless the city council holds a public hearing on the reauthorization of the fee and reauthorizes the fee by a majority vote of the city council. In 2014, the City of Rockwall collected over $720,000 in Building Permit fees.

HB 359: This bill would provide that if a city fails or refuses to disannex an area pursuant to a petition alleging failure to provide services, a district court shall enter an order disannexing the area if the court finds that a valid petition was filed with the city and that the city failed to perform its obligations in accordance with the service plan or the state law governing provision of services. (Note: This bill would overturn a Supreme Court of Texas decision in favor of the City of Bryan.)

SB 178: This bill would: (1) prohibit a state agency, political subdivision, or a corporation created by a governmental entity from taking private property through the use of eminent domain if the taking is for a recreational purpose, including a parks and recreation system or a specific park, greenbelt, or trail; and (2) provide that the determination by the entity proposing to take the property that the taking does not involve an act or circumstance prohibited by the bill does not create a presumption with respect to whether the taking involves that act or circumstance. Currently, that control lies with the local political subdivision.

SB 360: This bill would make most city regulations subject to the Private Real Property Rights Preservation Act, which would: (1) waive sovereign immunity to suit and liability for a regulatory taking; (2) authorize a private real property owner to bring suit to determine whether the governmental action of a city results in a taking; (3) require a city to prepare a "takings impact assessment" prior to imposing certain regulations; and (4) require a city to post 30-day's notice of the adoption of most regulations prior to adoption.

The bill would also define a "taking" as: (1) a governmental action or series of actions within a 10-year period that: (a) affects private real property, in whole or in part or temporarily or permanently, in a manner that requires the governmental entity to compensate the private real property owner as provided by the federal or state constitutions, (b) affects an owner's private real property that is the subject of the governmental action, in whole or in part or temporarily or permanently, in a manner that restricts or limits the owner's right to the property that would otherwise exist in the absence of the governmental action, and is the cause of a reduction of at
least 20 percent in the market value of the affected private real property; or (b) is the producing cause of at least a 20 percent reduction of revenue or income from the use or sale of the affected real private property, determined by comparing the revenue or income from the use or sale of the property as if the governmental action is not in effect and the revenue or income from the use or sale of the property determined as if the governmental action is in effect;

The bill would also: (1) remove numerous exceptions to the law that would otherwise exempt a city from the Act; (2) extend the statute of limitations for a claim under the Act from 180 days to two years; (3) change the current remedies in the Act to allow for a property owner to seek invalidation of the governmental regulation and money damages from the governmental entity that imposes the regulation; (4) a judgment or final decision or order under the Act shall include a fact finding that determines the monetary damages suffered by the private real property owner as a result of the taking, including, if the governmental action has ceased or has been rescinded, amended, invalidated, or repealed, the temporary or permanent economic loss sustained by the private real property owner while the governmental action was in effect; (5) require a city to give 30 days' notice of any proposed ordinance or rule that could result in a taking of private real property; (6) provide that a court shall award a governmental entity that prevails in a suit or contested case filed under the Act reasonable and necessary attorneys' fees and court costs, but only if the court determines that the private real property owner knew that the suit or contested case had no merit at the time the owner filed the suit; and (7) provide that a proposed governmental action that requires a takings impact assessment may be stayed by a court if an assessment is not prepared or if the assessment is not in compliance with guidelines developed by the attorney general under the Act.

HB 174: This bill would require a city, a state agency, and vendors of state agencies to adopt a living wage policy that would require a city, state agency, or vendor to pay the greater of $10.10 per hour or the federal minimum wage.

HB 630: This bill would: (1) require a governmental entity, including a city, to enroll in e-verify for its employees; (2) require the immediate termination of an employee responsible for verifying employment information through e-verify if they fail to comply with this requirement; and (3) create a license suspension process, including for city licenses, for businesses that knowingly employ a person not lawfully present in the United States.

HB 579: This bill would require a peace officer to complete an animal encounter and behavior training program established by the Texas Commission on Law Enforcement: (1) not later than the second anniversary of the date the officer is licensed or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier; or (2) in any case by September 1, 2017. This may be a good training for our officers to have, but it is a potentially unfunded mandate at this time.

HB 309: This bill would incrementally increase the state's gas tax from 20 to 30 cents by 2018, and would thereafter index annual increases or decreases to the highway cost index.

HB 469: This bill would provide that, beginning in increments in 2017 and completed in 2026, the revenue derived from the state sales tax imposed on the sale of a motor vehicle sold in this state shall be deposited to the credit of the state highway fund.

HB 928: This bill would: (1) require retail public water suppliers that provide potable water service to 3,300 or more connections to include, in each drought contingency plan submitted to the TCEQ, an evaluation of the effectiveness of strategies in the plan that were implemented during any period of significant drought that occurred in the preceding five years; (2) require a public water supplier to notify TCEQ not later than the fifth business day after the date the supplier implements, changes the manner of implementing, or ceases to implement a mandatory provision of the supplier's drought contingency plan; and (3) task the Water Conservation Advisory Council with recommending methodologies for conducting drought contingency plan evaluations. (Companion bill is S.B. 329 by Hinojosa.)

HJR 61: This bill would amend the Texas Constitution to provide that the people have the right to hunt, fish, and harvest wildlife, including by the use of traditional methods, subject to laws or regulations to conserve and manage wildlife and preserve the future of hunting and fishing. (Note: this bill would likely eliminate a city's ability to regulate the discharge of firearms.):

Although these are just a small fraction of the bills filed thus far in the session, the Council may elect to take a position on these bills and others. The Council may also consider whether it may be beneficial to secure additional lobbying support in addition to the TML lobbying program. We have received a proposal from Capitol Insights to serve as a consultant in the legislative session and to serve our needs for government relations during the session. They have proposed a fee of $2,000 per month for the remainder of the session. Capitol Insights was the same firm we used in the 82nd Session to seek passage of the bill related to the investor owned utilities. A copy of the proposal is attached for your review.



CAPITOL-INSIGHTS

LEGISLATIVE AND BUSINESS CONSULTING

LEGISLATIVE and BUSINESS CONSULTANT RETAINER

The Client (City of Rockwall, Texas) agrees to employ the Consultant (Capitol-Insights) for a fee of Two thousand dollars ($2,000.00) per month beginning February 1, 2015 and ending June 30, 2015 for the performance of government relations and political consulting services indicated and described herein.

I. The Consultant accepts such employment and payment and agrees to provide political data, and input in respect to legislative decisions affecting the Client. The services will include consultation with the Client on legislative and government relation matters.

II. The Consultant's work shall be carried out in accordance with general policies and goals set by the Client and the Consultant shall coordinate his efforts with the Client and report to the Client on a periodic basis.

III. The file and work product materials of the Client will be maintained in the Consultant's regular offices.

IV. The Client shall pay to the Consultant as compensation for services the sum of two thousand dollars ($2,000.00) per month

V. It is understood between parties that this Agreement includes all services regarding governmental and business consultation provided by Consultant during the term of the Agreement and as needed by the Client.

This Agreement made this 16th day of February, 2015 by and between Consultant and Client terminates June 30, 2015.

City of Rockwall, Texas

Rick Crowley
City Manager

Date: _____

Capitol-Insights

Drew Campbell
Senior Partner

Date: _____

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **February 11, 2015**

SUBJECT: **Agenda Item Submitted by Councilmember Milder**

Council Member Milder has requested that an item to discuss conducting a Citizen Survey be placed on the agenda. His memorandum on the subject is attached, and I am certain that he will want to address the item at the meeting.

I have included a copy of the 2011 Citizen Survey (conducted by mail) for your reference.

February 10, 2015

To: Rick Crowley
City Manager

From: Scott Milder
Councilmember

Subject: Public Opinion Survey

Let's place an item on the agenda to discuss and consider taking action on authorizing staff to conduct a public opinion survey this spring so that we have results prior to budget planning this summer. I believe a thorough, objective, scientific survey assessing citizen attitudes, priorities, and concerns will help us make better-informed, more strategic decisions.

If Council chooses, I recommend establishing a budget of $25,000 to retain a public opinion research firm that will execute an effective survey with the most *operable* results. Please note that hard costs associated with a survey, such as printing and postage, would be an additional expense since we do not yet know the size of the survey universe, length of the survey, or medium(s).

Following are a few of the reasons why an annual customer survey is so important.

1. Conducting an annual survey of our population creates an opportunity for anyone to be heard who wants to be heard.
2. Conducting an annual survey demonstrates the genuine desire of city leadership to connect with its citizenry.
3. Conducting an annual survey allows the City to gauge what's important to its citizens, and conversely, what's not important. It allows city management to align its priorities with the wishes of its residents by collecting and analyzing unbiased survey data. By analyzing results, the City can address topics in order of importance, rather than waste time and valuable resources on areas of little or no concern.
4. Conducting an annual survey is an un-biased strategy intended to feed the decision-making process. These survey results would help reduce some of the uncertainty city leaders may have when making decisions.
5. Conducting an annual survey would allow the city to adapt its management practices annually, when necessary, as the City continues to grow and evolve.
6. Conducting an annual survey is one of the most foundational elements of any effective community relations program.
7. Conducting an annual survey is a starting point for conversation with citizens about pressing issues facing city leadership, and serves as an invitation to participate in further discussion via live meetings or social media.
8. Conducting an annual survey informs residents about the challenges facing city leaders.
9. Conducting an annual survey will lead the City more strategically toward its goals and objectives.
10. Conducting an annual survey casts a wide net over the entire citizenry. No matter how much each Councilmember thinks they know what's on the minds of their citizens, each of their circles of connections fall far short of a representative sample of the entire city population.

2011 ROCKWALL CITIZEN SURVEY

Mission statement: "…. To provide responsible leadership and the services and infrastructure necessary for a safe environment and a high quality of life for our citizens."

Instructions: Ongoing input from citizens is critical to measuring the city's success. The Mayor and City Council request your help in completing this important survey. Please complete one questionnaire per family. For each question, check the box that is closest to your opinion. Check only one box per question unless instructions say, "Check all that apply." Please return the completed questionnaire to City Hall, or mail it in the enclosed envelope to: Raymond Turco & Associates, Rockwall Citizen Survey, P.O. Box 1386, Rockwall, TX 75087 by March 30, 2011. Please attach a sheet of paper for any additional written comments. Should you have any questions, please contact Joey Boyd at (972) 772-6408 or Jboyd@rockwall.com. Thank you for your help.

DEMOGRAPHIC INFORMATION

1. Sex and age of individual(s) completing survey:

Male	Female
❑1Under 35 years	❑1Under 35 years
❑236—45	❑236—45
❑346—55	❑346—55
❑456—65	❑456—65
❑5Over 65	❑5Over 65

2. Length of residence in Rockwall:

❑1Under 1 year	❑48—10 years
❑21—3 years	❑511—20 years
❑34—7years	❑6More than 20 years

3. Do you have any children under the age of 18 living in your home? (If yes, please indicate age groups and check all that apply.)

❑1No children	❑3Ages 7—12
❑2Under age 6	❑4Ages 13— 18

4. Do you own your residence or do you rent?
❑1 Own ❑2Rent

5. Did you vote in the May 2010 City Council election?
❑1 Yes ❑2No ❑3Not registered to vote

6. Do you work in Rockwall? ❑1Yes ❑2No

7. If you work, in what zip code?_____

8. Overall, how satisfied or dissatisfied are you with the quality of life in Rockwall?
❑1Very satisfied ❑3Dissatisfied
❑2Satisfied ❑4Very dissatisfied

9. How satisfied or dissatisfied are you with roadway improvements made in the city?
❑1Very satisfied ❑3Dissatisfied
❑2Satisfied ❑4Very dissatisfied

10. During the time you have lived here, do you think that as a community, Rockwall has:
❑1Improved ❑2Remained the same ❑3Declined

11. How satisfied or dissatisfied are you with the value of services received from the city as it relates to the amount of tax dollars you pay to the city?
❑1Very satisfied ❑2Satisfied ❑3Dissatisfied ❑4Very dissatisfied

12. What one thing would you say makes Rockwall a unique place to live?
_____

13. What would you say is the most critical issue facing Rockwall today?
_____

14. How strongly do you agree or disagree with the following statement: "I can generally find what I want to buy in Rockwall."
❑1Strongly agree ❑2Agree ❑3Disagree ❑4Strongly disagree

15. The last time you were unable to purchase an item in Rockwall, what were you trying to buy?
_____

16. How strongly do you agree or disagree with the following statement: "I generally find ample entertainment opportunities in Rockwall."
❑1Strongly agree ❑2Agree ❑3Disagree ❑4Strongly disagree

17. The last time you were unable to participate in an entertainment opportunity in Rockwall, what were you trying to do?
_____

18. Please list three retail establishments you would like to see located in Rockwall.
1._____ 2._____ 3._____

19. Please list three restaurants you would like to see located in Rockwall.
1._____ 2._____ 3._____

20. Please list three entertainment opportunities you would like to see located in Rockwall.
1._____ 2._____ 3._____

The City of Rockwall is on Facebook and Twitter. To join, search City of Rockwall. To receive Rockwall's E-newsletter, join at www.rockwall.com.

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21. Check the boxes that best represent the topic you consider to be the city's greatest strength and weakness, as well as those you feel should be emphasized. In addition, if you need more public information on any topic, please check the appropriate boxes.

FOCUS AREA	Strength	Weakness	Areas To Emphasize	More public information needed
	(check one box)	(check one box)	(check all that apply)	(check all that apply)
Public safety	❑1	❑1	❑1	❑1
Roads	❑2	❑2	❑2	❑2
Commercial development	❑3	❑3	❑3	❑3
Roadway intersections	❑4	❑4	❑4	❑4
City staff effectiveness	❑5	❑5	❑5	❑5

22. Is there a topic not listed that should be emphasized by the city? 1. _____2. _____3._____

23. How strongly do you agree or disagree that traffic issues remain a necessary area of emphasis for the city?
❑1Strongly agree ❑2Agree ❑3Disagree ❑4Strongly disagree

24. IMPORTANCE OF CERTAIN ISSUES TO THE CITY

	How satisfied or dissatisfied are you with how the following services are provided? Check the box that is closest to your opinion: ❑1Very satisfied, ❑2Satisfied, ❑3Dissatisfied, ❑4Very dissatisfied. If you have used a particular service, please mark the box. **If you have no opinion, do not mark an answer.**	Very satisfied	Satisfied	Dissatisfied	Very dissatisfied	Have used		How satisfied or dissatisfied are you with how the following services are provided? Check the box that is closest to your opinion: ❑1Very satisfied, ❑2Satisfied, ❑3Dissatisfied, ❑4Very dissatisfied. **If you have no opinion, do not mark an answer.**	Very satisfied	Satisfied	Dissatisfied	Very dissatisfied
A.	Fire services	❑1	❑2	❑3	❑4	❑	O.	Development standards	❑1	❑2	❑3	❑4
B.	Police services	❑1	❑2	❑3	❑4	❑	P.	Major roadways	❑1	❑2	❑3	❑4
C.	Ambulance services	❑1	❑2	❑3	❑4	❑	Q.	Maintenance of neighborhood streets	❑1	❑2	❑3	❑4
D.	Animal services	❑1	❑2	❑3	❑4	❑	R.	Efforts to improve traffic movement	❑1	❑2	❑3	❑4
E.	Code enforcement	❑1	❑2	❑3	❑4	❑	S.	Citizen communication efforts	❑1	❑2	❑3	❑4
F.	City parks	❑1	❑2	❑3	❑4	❑	T.	Trash collection services	❑1	❑2	❑3	❑4
G.	Water and wastewater services	❑1	❑2	❑3	❑4	❑	U.	City wide beautification	❑1	❑2	❑3	❑4
H.	Drainage services	❑1	❑2	❑3	❑4	❑	V.	Emergency preparedness	❑1	❑2	❑3	❑4
I.	Recreational opportunities	❑1	❑2	❑3	❑4	❑	W.	General community safety	❑1	❑2	❑3	❑4
J.	Building inspections	❑1	❑2	❑3	❑4	❑	X.	Community efforts to conserve natural resources	❑1	❑2	❑3	❑4
K.	Opportunities for special events	❑1	❑2	❑3	❑4	❑	Y.	Cable television services	❑1	❑2	❑3	❑4
L.	City activities offered at The Harbor District	❑1	❑2	❑3	❑4	❑						
M.	City activities offered at the Historic Downtown area	❑1	❑2	❑3	❑4	❑						
N.	Opportunities to serve the city as a volunteer	❑1	❑2	❑3	❑4	❑						

25. List the services you would support being improved or expanded: 1. _____ 2. _____ 3. _____

26. How strongly would you support an increase in taxes to fund the additional services? ❑1Strongly support ❑2Support ❑3Oppose ❑4Strongly oppose

27. CUSTOMER SATISFACTION

If you had contact with a city employee during the past year, how satisfied or dissatisfied are you with the following customer service activities? If you had no contact, skip to the next question. Check the box that is closest to your opinion: ❑1Very satisfied, ❑2Satisfied, ❑3Dissatisfied, ❑4Very dissatisfied. **If you have no opinion, do not mark an answer.**		Very satisfied	Satisfied	Dissatisfied	Very dissatisfied			Very satisfied	Satisfied	Dissatisfied	Very dissatisfied
A.	The general courtesy of the person responding	❑1	❑2	❑3	❑4	D.	If not available, correct employee returned my call in reasonable amount of time	❑1	❑2	❑3	❑4
B.	Directed to the correct department/person for my issue	❑1	❑2	❑3	❑4	E.	The issue was adequately addressed by employee responding	❑1	❑2	❑3	❑4
C.	Employee seemed concerned about my issue	❑1	❑2	❑3	❑4	F.	Follow-up from city to ensure my issues were addressed	❑1	❑2	❑3	❑4

28. How safe do you feel in your community? ❑1Very safe ❑2Somewhat safe ❑3Not safe ❑4Not at all safe

29. COMMUNITY SAFETY THROUGH POLICE SERVICES

How strongly would you support or oppose the following public safety actions? Check the box that is closest to your opinion: ❑1Strongly support, ❑2Support, ❑3Oppose, ❑4Strongly oppose. **If you have no opinion, do not mark an answer.**		Strongly support	Support	Oppose	Strongly oppose			Strongly support	Support	Oppose	Strongly oppose
A.	Increase patrol of neighborhoods	❑1	❑2	❑3	❑4	D.	Increase patrol of commercial areas	❑1	❑2	❑3	❑4
B.	Increase speed enforcement in neighborhoods	❑1	❑2	❑3	❑4	E.	Continue holiday crime watch program	❑1	❑2	❑3	❑4
C.	Increase speed enforcement on major roadways	❑1	❑2	❑3	❑4						

30. COMMUNITY SAFETY THROUGH FIRE SERVICES

How knowledgeable or not are you of the following? Check the box that is closest to your opinion: ❑1Very knowledgeable, ❑2Knowledgeable, ❑3Not knowledgeable, ❑4Not at all knowledgeable. **If you have no opinion, do not mark an answer.**		Very knowledgeable	Knowledgeable	Not knowledgeable	Not at all knowledgeable			Very knowledgeable	Knowledgeable	Not knowledgeable	Not at all knowledgeable
A.	The city's combination (volunteer/paid) fire department	❑1	❑2	❑3	❑4	C.	Service levels and cost savings due to the structure of the Fire Department	❑1	❑2	❑3	❑4
B.	Response time of the fire department	❑1	❑2	❑3	❑4	D.	Community services provided by the fire department	❑1	❑2	❑3	❑4

31. How satisfied or dissatisfied are you with the service and manner in which the Fire Department is maintained and operated?
❑1Very satisfied ❑2Satisfied ❑3Dissatisfied ❑4Very dissatisfied

32. COMMUNITY SAFETY THROUGH CODE COMPLIANCE

Please rate how strongly you agree or disagree with the following statements relative to the city's property maintenance standards. Check the box that is closest to your opinion: ❑1Strongly agree, ❑2Agree, ❑3Disagree, ❑4Strongly disagree. **If you have no opinion, do not mark an answer.**

		Strongly agree	Agree	Disagree	Strongly disagree
A.	I am pleased with the overall manner in which the city is maintained	❑1	❑2	❑3	❑4
B.	I believe enforcement of the property maintenance standards has a positive affect on my property values	❑1	❑2	❑3	❑4
C.	I do not believe the current property maintenance standards are reasonable and necessary	❑1	❑2	❑3	❑4
D.	I believe the increased emphasis of the property maintenance standards has led to a positive change in that our city looks better than it did before the code was implemented	❑1	❑2	❑3	❑4

33. Should the city consider changes to its approach to code enforcement? ❑1Yes ❑2No

If yes, how: _____

34. What could the city do to improve its street maintenance efforts? _____

35. Which of the following sources do you use to get information about Rockwall? (Check all that apply)

❑01Local newspapers
❑02City Fun Guide
❑03Local television stations
❑04City cable channel
❑05City web site
❑06Water bill inserts
❑07City Council
❑08City staff
❑09Chamber web site
❑10Blogs
❑11Word of mouth
❑12Newsletters
❑13Posters/flyers
❑14City E-newsletter
❑15Other web sites
❑16Twitter
❑17Facebook
❑18Other_____

36. What cable television service providers are available in your neighborhood?

❑1AT&T ❑2Charter ❑3Other_____

If you would like further information on volunteer opportunities with the city, or to be contacted about an issue or concern you may have, please check the box or boxes below. If you do check a box, please fill in the contact information so that a representative from the city can get in touch with you.

- ❑ I would like information on becoming a Rockwall volunteer firefighter.
- ❑ I would like to register to receive the city's electronic newsletter (E-mail address required below).
- ❑ I would like to participate in public safety volunteer programs (Citizens on Patrol, Neighborhood Watch, Citizens Emergency Response Teams, Volunteer Fire Department, etc.)
- ❑ I would like to participate in a focus group (check all that apply): ❑01Neighborhood ❑02Electronic ❑03Public forum
- ❑ I would like information about serving on a City of Rockwall board or commission.
- ❑ I would like to participate in volunteer programs (The Animal Adoption Center, Parks and Recreation, The Main Street Program, Friends of Downtown)
- ❑ Please contact me regarding a concern or issue I have: _____

Name:_____ Phone: _____ E-mail: _____

Thank you for your comments. Your participation is appreciated.

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Z2015-002 - Consider approval of an ordinance for a request by Lawrence H. Ringley of Ringley & Associates, Inc. on behalf of Jill Fisher of Steger Dunhill, LLC for the approval of a Specific Use Permit to allow an automobile rental facility on a 0.215-acre portion of a larger 4.218-acre parcel of land identified as Lot 3, Block A, Steger Towne Crossing, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located at 898 Steger Towne Drive, and take any action necessary. (2nd reading)

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Consider approval of a resolution authorizing the city manager to apply for and accept grant funding from the Violent Crimes Against Women (VCAW) Grant Program through the Criminal Justice Division of the Governor's Office for continuation of a previously received grant associated with the Domestic Violence Investigator / Prevention Officer, and take any action necessary.

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Z2015-005 - Hold a public hearing to discuss and consider approval of an ordinance for a City initiated request for the purpose of designating the Historic Downtown Courthouse as a Local Landmark per the designation procedures stipulated by Section 6.2, Historic Overlay (HO) District, of the Unified Development Code, being a 0.918-acre parcel of land identified as Rockwall O T Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 101 E. Rusk Street, and take any action necessary. (1st Reading)

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Z2015-004 - Discuss and consider approval of an ordinance for a request by Zack Amick of Gordon Rockwall Investments, LLC on behalf of Keith Young for the purpose of amending Specific Use Permit (SUP) S-107 to allow for a new car dealership on a ten (10) acre tract of land identified as Tract 4-02 and Tract 4 of the N. M. Ballard Survey, Abstract No. 24 and the A. Hanna Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Corridor Overlay (IH-30 OV) District, addressed as 1530 E. IH-30, and take any action necessary. (2nd reading)

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Z2014-040 - Discuss and consider approval of an ordinance for a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of a Specific Use Permit (SUP) for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary. (2nd Reading)

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SP2014-034 - Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of waivers to Planned Development District 32 (PD-32) [Ordinance No. 10-21] and variances to the Unified Development Code associated with a site plan for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary.

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Discuss and consider a request from Mrs. Brandi Lewellwn with Sign Mart representing At Waters Edge for a setback variance for a monument sign located at 204 N Fannin St, and take any action necessary.

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Discuss and consider authorizing the city manager to enter into an agreement with the Texas Parks and Recreation Foundation regarding future park land located within the Breezy Hill development, and take any action necessary.

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Discuss and consider approval of a resolution supporting an application for assistance from the Texas Recreation Parks Account Program through the Texas Parks and Wildlife Department, authorizing the City Manager to enter into a contract with MHS Planning and Design for grant application submittal for the neighborhood park within Breezy Hill and take any action necessary.

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AGENDA
ROCKWALL CITY COUNCIL
Monday, March 02, 2015
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding proposed Development Agreement with Lakefront Trail Rockwall Hotel pursuant to Section 551.071 (Consultation with Attorney).
2. Discussion regarding possible claim or settlement agreement related to enforcing the city's sign ordinance regarding a billboard pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding Rockwall Harbor Landing, Inc. vs. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding right-of-way land acquisition located near Justin Road and John King Blvd. pursuant to Section 551.072 (Real Property) and status of Temunovic condemnation proceeding pursuant to Section 551.071 (Consultation with Attorney).
5. Discussion regarding Economic Development prospects and potential incentive agreement pursuant to Section 551.087 (Economic Development)
6. Discussion regarding the position of Chief of Police pursuant to Section 551.074 (Personnel Matters)

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, March 02, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER HOHENSHELT

VII. PROCLAMATIONS / AWARDS

p.12 **1.** Severe Weather Awareness Week

VIII. OPEN FORUM

IX. CONSENT AGENDA

p.14 **1.** Consider approval of the minutes from the February 16, 2015 regular city council meeting, and take any action necessary.

p.29 **2.** Consider approval of a resolution for the naming of the neighborhood park located with the Stone Creek subdivision, and take any action necessary.

p.36 **3.** Consider approval of a resolution for the naming of the neighborhood park located with the Breezy Hill subdivision, and take any action necessary.

p.43 **4.** **Z2015-001** - Consider approval of an **ordinance** for a request by James Jackson of Jackson Automotive for the approval of a Specific Use Permit to allow for automotive vehicles to be stored outside overnight in conjunction with an existing minor automotive repair garage on a 0.88-acre parcel of land identified as Lot 2B-2, Block A, Panex LTD Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located at 608 White Hills Drive, and take any action necessary. **(2nd reading)**

p.48 **5.** **Z2015-002** - Consider approval of an **ordinance** for a request by Lawrence H. Ringley of Ringley & Associates, Inc. on behalf of Jill Fisher of Steger Dunhill, LLC for the approval of a Specific Use Permit to allow an automobile rental facility on a 0.215-acre portion of a larger 4.218-acre parcel of land identified as Lot 3, Block A, Steger Towne Crossing, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located at 898 Steger Towne Drive, and take any action necessary. **(2nd reading)**

p.52 **6.** Consider approval of a resolution establishing the pro rata equipment fee related to the City's mandatory neighborhood park land dedication regulations and take any action necessary.

p.55 **7.** Consider approval of a resolution regarding the cost per acre related to the City's mandatory neighborhood park land dedication regulations and take any action necessary.

p.95 **8.** **P2015-005** - Consider a request by Harold Fetty of H. D. Fetty Land Surveyor, LLC on behalf of the owner Andrea Holliman for the approval of a replat for Lot 1, Block A, Hoardstroms Addition being a 0.47-acre tract of land identified as a portion of Lot 1 of the W. D. Austin Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 904 N. Goliad Street, and take any action necessary.

p.100 **9.** **P2015-006** - Consider a request by Harold Fetty of H. D. Fetty Land Surveyor, LLC on behalf of the owners Chris and Jill Blasé for the approval of a replat for Lot 3, Block A, Blasé Addition being a 4.28-acre tract of land currently identified as Lot 3, Block A, Blasé Addition and a portion of Tract 11-3 of the A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, addressed as 1220 East Fork Drive, and take any action necessary.

p.109 **10.** Consider authorizing the city manager to execute a contract with MHS Planning and Design for the Stone Creek Neighborhood Park construction plans in the amount of $71,200 to be funded from fees collected from developer contributions in accordance with the Mandatory Neighborhood Park Land Dedication ordinance and take any action necessary.

p.125 **11.** Consider approval of a professional engineering services contract with Birkhoff, Hendricks & Carter, LLP. for the Wastewater Flow Monitoring Study in the amount of $285,800.00 to be funded from Revenue Bonds, and take any action necessary.

p.142 **12.** Consider approval of a resolution authorizing the city manager to apply for and accept grant funding from the Violent Crimes Against Women (VCAW) Grant Program through the Criminal Justice Division of the Governor's Office for continuation of a previously received grant associated with the Domestic Violence Investigator / Prevention Officer, and take any action necessary.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

p.145 **2.** Appointment with representatives of Republic Waste to make presentation of annual downtown improvement fund donation, and take any action necessary.

XI. PUBLIC HEARING ITEMS

p.147 ***1.*** **Z2015-003** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Cole Franklin of the Skorburg Company on behalf of the owner Larry Hance for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 7 (SF-7) District land uses for a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King Boulevard, and take any action necessary. **(1st Reading) - *[Postponed to the March 16, 2015 City Council Meeting]***

p.150 2. **Z2015-005** - Hold a public hearing to discuss and consider approval of an **ordinance** for a City initiated request for the purpose of designating the Historic Downtown Courthouse as a Local Landmark per the designation procedures stipulated by Section 6.2, Historic Overlay (HO) District, of the Unified Development Code, being a 0.918-acre parcel of land identified as Rockwall O T Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 101 E. Rusk Street, and take any action necessary. **(1st Reading)**

XII. ACTION ITEMS

p.187 1. **Z2015-004** - Discuss and consider approval of an **ordinance** for a request by Zack Amick of Gordon Rockwall Investments, LLC on behalf of Keith Young for the purpose of amending Specific Use Permit (SUP) S-107 to allow for a new car dealership on a ten (10) acre tract of land identified as Tract 4-02 and Tract 4 of the N. M. Ballard Survey, Abstract No. 24 and the A. Hanna Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Corridor Overlay (IH-30 OV) District, addressed as 1530 E. IH-30, and take any action necessary. **(2nd reading)**

p. 196 2 **Z2014-040** - Discuss and consider approval of an **ordinance** for a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of a Specific Use Permit (SUP) for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary. **(2nd Reading)**

p.196

p.203 3. **SP2014-034** - Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of waivers to Planned Development District 32 (PD-32) [Ordinance No. 10-21] and variances to the Unified Development Code associated with a site plan for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary.

p.220 4. Discuss and consider a request from Mrs. Brandi Lewellwn with Sign Mart representing At Waters Edge for a setback variance for a monument sign located at 204 N Fannin St, and take any action necessary.

p.225 5. Discuss and consider authorizing the city manager to enter into an agreement with the Texas Parks and Recreation Foundation regarding future park land located within the Breezy Hill development, and take any action necessary.

p.232 **6.** Discuss and consider approval of a resolution supporting an application for assistance from the Texas Recreation Parks Account Program through the Texas Parks and Wildlife Department, authorizing the City Manager to enter into a contract with MHS Planning and Design for grant application submittal for the neighborhood park within Breezy Hill and take any action necessary.

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
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Fire Department Monthly Reports - January 2015 p.255
p.269 Harbor PD Monthly Report - January 2015
Internal Operations Department Monthly Report - January 2015. p.271
p.275 Police Department Monthly Report - January 2015
Recreation Monthly Report - January 2015 p.278
p.280 Rockwall Animal Adoption Center Monthly Report - January 2015

2. City Manager's Report

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

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5. Discussion regarding Economic Development prospects and potential incentive agreement pursuant to Section 551.087 (Economic Development)
6. Discussion regarding the position of Chief of Police pursuant to Section 551.074 (Personnel Matters)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVI. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 27th day of February, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary Date Removed

Jacky Casey, Assistant Secretary

Rockwall, Texas

Proclamation

Whereas, each year brings potential for violent weather in Texas, and

Whereas, large portions of our state, including Rockwall and the surrounding areas, are at risk of experiencing significant flooding, tornadoes, hail, windstorms and other emergencies, and

Whereas, each year, the Governor's Division of Emergency Management, the National Weather Service and the Federal Emergency Management Agency join together to urge citizens to prepare for severe weather events, including educating themselves on safety strategies, and

Whereas, Governor Greg Abbott has declared the week of March 1-7, 2015 as Severe Weather Awareness Week in Texas,

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim the week of March 1 – 7, 2015 as

SEVERE WEATHER AWARENESS WEEK

in the City of Rockwall and urge citizens to learn more about severe weather and prepare themselves and their families in advance for these types of events.

In Witness Whereof, I hereunto set my hand and official seal this 2nd day of March, 2015.

_____

Jim Pruitt, Mayor

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13

MINUTES
ROCKWALL CITY COUNCIL
Monday, February 16, 2015
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dennis Lewis, and City Council Members David White, Mike Townsend, John Hohenshelt, Scott Milder and Bennie Daniels. Also present were City Manager Rick Crowley, Assistant City Managers Brad Griggs and Mary Smith and City Attorney Frank Garza.

II. WORK SESSION

1. Hold Work Session to discuss the acquisition of portable furniture for San Jacinto Plaza, and take any action necessary.

City Manager Rick Crowley provided brief, introductory comments related to this work session item, indicating that Parks & Recreation staff has included several different portable furniture options in the council members' informational meeting packet for review and consideration. Assistant City Manager Brad Griggs indicated that the City of Dallas utilizes this same company and similar furniture in Clyde Warren Park in downtown. Mayor Pruitt asked where the furniture will be stored. Mr. Griggs indicated that it will mostly be kept out; however, it would be able to be stored at The Center if and when needed. Mr. Crowley indicated he would like the council's feedback concerning who should be involved in selection of furniture for the San Jacinto Plaza. Councilmember Daniels asked if the furniture that has been evaluated is sturdy enough to withstand high winds. Mr. Griggs indicated that, yes, even though it is light weight, it is pretty durable and should be ok. Councilmember Milder expressed concern related to it being left out overnight. Councilmember Hohenshelt suggested that a variety of table sizes be chosen to accommodate both couples and small groups. Mayor Pro Tem Lewis asked if graffiti will come off of the furniture easily. Mr. Griggs indicated that he believes it will come off pretty easily. Lewis expressed that he favors the "Bistro Collection" that is included in the council packet. Mr. Griggs indicated that a combination of two seat tables and four seat tables will likely be selected, and a possible combination of high tops and low tops may be selected. Councilmember White suggested that staff and / or whomever oversees maintenance of the plaza should chose the furniture (possibly staff members Bethany Browning and Andy Hesser). Councilmember White inquired as to the expected lifespan of the furniture. Mr. Griggs indicated it will likely be about five to seven years. The general consensus among council members was to allow staff to choose the furniture. No formal action was taken regarding this agenda item.

2. Hold Work Session to discuss and consider initiating amendment to the Unified Development Code in Article IX. Tree Preservation, Section 11. Tree Fund, Section 11.1 Tree Fund Administration, and take any action necessary.

Mr. Crowley began discussion of this item, indicating that this change is related to how the city uses funds it receives from developers associated with tree mitigation. Assistant City Manager Brad Griggs provided additional comments, indicating that this change would allow for funds received to be used to purchase, not only trees, but also any type of plant material that is not an "annual," such as shrubs and bushes. It would also allow funds to be used to pay for the installation or equipment needed for installation. This change would also allow for funds to be spent on purchase and installation of irrigation systems to keep new plantings alive. He explained that the city has received about $235,000 in tree credit payments in the last several months. City Manager Rick Crowley mentioned that if the city council is ok with this amendment, in general, then staff will run it through the Planning & Zoning Commission for them to evaluate it and submit its recommendation back to the council for formal consideration and action at a later date. The council generally agreed to this, and no formal action was taken related to this agenda item at this time.

3. Hold Work Session to discuss and consider city branding, including updating the city logo, and take any action necessary.

Assistant City Manager Mary Smith provided introductory comments related to this work session item, including rough, preliminary costs associated with changing out the city's logo (i.e. cost associated with things such as facility monument signs, street signs, business cards, vehicle decals, city flags, letterhead, water towers, etc.). She indicated that a rough estimate of cost associated with a logo change is about $367,720.00. Brief comments were provided related to possibly phasing in a new logo should the council opt to move forward with its modification.

Mayor Pruitt indicated that he has reviewed the rendering of the suggested new logo, and he believes it only conveys the 'lake' part of our city and not the peacefulness of it. Mayor Pruitt expressed that he would like the city council to ensure that the proposed, new logo conveys that which the city wishes to convey about itself.

Councilmember Milder expressed that the current logo is dated, and he believes the city's logo and brand should reflect who we are today and what we want to be in the future. He believes that the updated design currently being proposed has a lot of symbolism to it. He feels like it is time for the city to move forward with changing its brand and logo, even if it is not this particular logo currently being circulated.

Councilmember Hohenshelt explained that the thought of a potential logo change and rebranding was birthed out of discussions at the REDC because they were considering new, improved marketing strategies to help better attract businesses to Rockwall. He explained that the REDC board looked at about 25 potential logo designs in consultation with a consultant, Billy Quinton of QBall Designs, before narrowing the options down to this particular one.

Councilmember Daniels expressed that he agrees the city should be looking at rebranding itself. However, he does not see a striking difference in the logo included in the council packet versus the one the city currently utilizes. He generally expressed a desire to have some additional expertise and input from a professional in the business of marketing and branding. He does not disagree that the city may need a new logo and new branding; however, he questions if this particular logo is the most desirable one. He also expressed concern about tying in the colors of the two existing high schools on the

flag of the boat's mast in the draft logo. He believes this will be problematic a few years into the future when a third or fourth high school is opened in the city.

Councilmember Milder clarified that perhaps what Councilmember Daniels would like to see is a consultant who could assist with 'branding' and not just graphic design associated with a logo depiction. Councilmember Daniels generally seemed to agree that 'branding,' including input and thought beyond just a pictorial representation is a good idea. For example, maybe a slogan should be created to go along with a new logo.

Councilmember Hohenshelt indicated that when the REDC began looking at revamping its logo, its main concerns were that the current logo did not communicate that Rockwall is a Texas city, and it did seem like the city's current logo was outdated and needed a new, fresh look.

Mr. Crowley explained that the square version of the city's logo was initially created in about 1983 or so, and it was slightly revamped with updated colors and round instead of a square depiction in about 2003 or 2004.

Mayor Pruitt indicated that he and Councilmember Milder requested this work session item, not necessarily for the purpose of taking any action, but to begin discussions of this topic.

Councilmember Milder suggested that three council members be selected to form a subcommittee of the council in order to further explore this topic.

Councilmember White indicated that he has no problem with the REDC and the city having different logos. He pointed out that not having an updated logo or "brand" has not stopped businesses and residents from coming to and moving to Rockwall. Rockwall has continued to be a very fast growing city, and he believes the city has been doing just fine with the logo it has now.

Councilmember Hohenshelt asked if the city council is generally ok with him reporting to the REDC that they are free to move forward with a new logo and marketing plan if they would like to do so. Council members generally indicated that, yes, doing so will be ok.

Mayor Pruitt indicated that he concludes the city council will, at this point, not proceed with initiating a new city logo. He did offer a suggestion that the REDC consider the concern that Councilmember Daniels pointed out regarding not including the colored flags on the boat's mast, which currently represent the school colors of the city's existing, two high schools.

Mr. Crowley mentioned that, at some point, he would like to have a discussion with the council regarding possible, future strategic planning as well as the city's future marketing strategy.

Following the work session items, Mayor Pruitt read the below listed discussion items into the record before recessing the public meeting into Executive Session at 4:45 p.m.

III. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the city's concession agreement with Suntex Marina / Suntex RHCL Marina, LLC pursuant to Section § 551.071 (Consultation with Attorney)
2. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding legal claim related to back up of city sewage line in Random Oaks Subdivision pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding Economic Development prospects and potential incentive agreement pursuant to Section 551.087 (Economic Development)

IV. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:45 p.m.

V. RECONVENE PUBLIC MEETING

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all seven city council members present.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Lewis indicated that no action was needed as a result of Ex. Session.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TOWNSEND

Councilmember Townsend delivered the invocation and led the Pledge of Allegiance.

VIII. PROCLAMATIONS / AWARDS

1. Engineers Week

Mayor Pruitt called forth City Engineer, Tim Tumulty, and read and presented him with this proclamation.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the February 2, 2015 regular city council meeting, and take any action necessary.
2. **P2015-003** - Discuss and consider a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a master plat and open space plan for Phases 1 & 2 of the Somerset Park Subdivision, containing 309 single-family residential lots on a 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey,

Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary.

3. **P2015-004** - Discuss and consider a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a preliminary plat for Phases 1 & 2 of the Somerset Park Subdivision, containing 309 single-family residential lots on a 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary.

Mayor Pro Tem Lewis made a motion to approve the entire consent agenda (#s 1, 2, and 3). Councilmember White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

John McCutcheon of the city's Planning and Zoning Commission came forth and briefed the council on recommendations of the Commission relative to items on tonight's council agenda. The council took no action related to this agenda item.

2. Appointment with Police Chief Mark Moeller to hear reports on racial profiling, crime comparison and the holiday crime initiative, and take any action necessary.

Police Chief Mark Moeller came forth, indicating that the council has been provided with the annual racial profiling report in their informational meeting packet. Councilmember White commented that having had approximately 110 people consent to vehicle searches this past year is an astounding number. Chief Moeller then provided brief comments on the crime comparison of statistics of crimes the year before compared to this past year as well as the statistics associated with the department's holiday crime initiative. The Council thanked Chief Moeller for his hard work and took no action related to this agenda item.

XI. PUBLIC HEARING ITEMS

1. **Z2015-001** - Hold a public hearing to discuss and consider approval of an ordinance for a request by James Jackson of Jackson Automotive for the approval of a Specific Use Permit to allow for automotive vehicles to be stored outside overnight in conjunction with an existing minor automotive repair garage on a 0.88-acre parcel of land identified as Lot 2B-2, Block A, Panex LTD Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV)

District, located at 608 White Hills Drive, and take any action necessary. **(1st reading)**

Planning Director Robert LaCroix provided background information related to this agenda item. He mentioned that Mr. Jackson's business has been operating in the city since about 1983, and it was expanded by about 3,000 square feet several years ago. He explained that Mr. Jackson is making this request because sometimes there is a need for customer cars to be parked and stored outside of his business overnight, especially if he is waiting on a part to come in or the customer is unable to come pick up their vehicle right away when it is ready. Twenty-three notices were mailed out to property owners within 500' of the property, and no notice replies have been received back by staff at this time. He explained that the overnight parking would be limited to 18 parking spaces located to the west of the property, and that no car will be parked outside overnight for longer than a forty-eight (48) hour period. The Planning and Zoning Commission unanimously recommended approval of this item.

Mayor Pruitt opened the public hearing and called forth the applicant.

Mr. James Jackson
608 White Hills Drive

Mr. Jackson came forth and explained that any of the vehicles that would be stored overnight will not be able to be seen from passersby.

Mayor Pruitt asked if anyone else would like to come forth and speak. There being no one else wishing to come forth, Mayor Pruitt closed the public hearing.

Councilmember Townsend made a motion to approve Z2015-001. Mayor Pro Tem Lewis seconded the motion.

The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-___
SPECIFIC USE PERMIT NO. S-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) ALLOWING FOR VEHICLES TO BE STORED OUTSIDE OVERNIGHT IN CONJUNCTION WITH AN EXISTING AUTOMOTIVE REPAIR GARAGE, MINOR WITHIN A COMMERCIAL (C) DISTRICT, BEING A 0.88-ACRE PARCEL OF LAND IDENTIFIED AS LOT 2B-2, BLOCK A, PANEX LTD ADDITION, AND GENERALLY LOCATED AT 608 WHITE HILLS DRIVE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DEPICTED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of council (7 ayes to 0 nays).

2. **Z2015-004** - Hold a public hearing to discuss and consider approval of an ordinance for a request by Zack Amick of Gordon Rockwall Investments, LLC on behalf of Keith Young for the purpose of amending Specific Use Permit (SUP) S-107 to allow for a new car dealership on a ten (10) acre tract of land identified as Tract 4-02 and Tract 4 of the N. M. Ballard Survey, Abstract No. 24 and the A. Hanna Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Corridor Overlay (IH-30 OV) District, addressed as 1530 E. IH-30, and take any action necessary. **(1st reading)**

Planning Director Robert LaCroix provided background information related to this agenda item. He generally explained that the SUP will continue to allow the property to be used in conjunction with the current Hyundai dealership while also allowing the applicant flexibility to pursue other brands. The development enhancements would be phased in over a three year period, and the SUP would be reviewed after three years. The first phase would deal with the paving, drainage and detention ponds (engineering). Part two would be to complete the concrete paving area, add some lighting and landscaping. Lastly, the existing building would be remodeled to match the existing Hyundai dealership adjacent to it. Mr. LaCroix indicated that thirty-three notices were sent out to property owners located within 500' of the subject property. One notice was received back today in favor of the request. The Planning & Zoning Commission did recommend approval of this agenda item by a unanimous vote.

Mayor Pruitt opened the public hearing and called the applicant forth.

Zack Amick
1957 Stevens Road
Rockwall, Texas

He indicated that he is requesting this SUP for the primary reason of expanding the business. He explained that they are exploring having another brand come to Rockwall. He explained that the dealership is owned by Mr. Young, who has been in the car dealership business his whole life. It is possible that the higher end product of Hyundai, Genesis, may be brought to this location.

Mayor Pruitt asked if anyone else would like to come forth and speak. There being no one else, Mayor Pruitt then closed the public hearing.

Councilmember Milder asked Mr. Amick what he would do with the property if the SUP were not approved. Mr. Amick expressed that he is unsure what would be done with it if the SUP is not approved. He explained that, prior to it being purchased and opened for a Hyundai dealership, an RV storage and sales business operated out of this property. Mr. Amick explained that Mr. Young, the current owner of the property and the Hyundai dealership, intends to own and operate a car dealership out of this location for a long time into the future.

Councilmember Townsend expressed that it makes him somewhat uneasy to not know what type of car dealership business will eventually end up operating out of this location in future years since the project is being proposed to be phased in over a three-year period.

Mayor Pruitt asked why the city is not requiring the applicant to finish Commerce Street. Mr. LaCroix indicated that, eventually, this may happen as part of the platting process via some sort of facilities agreement. Pruitt asked if the council is able to make this a condition associated with granting this SUP. Mr. Garza indicated that, no, under the law, that may not be included as a condition of the SUP. Pruitt indicated that spreading out car dealerships and not allowing them right next to each other in a way that overloads a certain area of the city is important, especially if car dealerships end up going under years down the road.

Mr. Amick pointed out that there is very little frontage on IH-30 associated with this car dealership. He also pointed out that the twenty-two acres located to the rear of this property is also owned by Mr. Young, and he has plans to develop it with perhaps some office/warehouse space.

Councilmember White made a motion to approve this SUP request (Z2015-004), including staff recommendations. Mayor Pro Tem Lewis seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-XX
SPECIFIC USE PERMIT NO. S-107

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO AMEND SPECIFIC USE PERMIT NO. S-107 TO ALLOW FOR A NEW MOTOR VEHICLE DEALERSHIP ON A TEN (10) ACRE TRACT OF LAND IDENTIFIED AS TRACTS 4 & 4-02 OF THE N. M. BALLARD SURVEY, ABSTRACT NO. 24, AND THE A. HANNA SURVEY, ABSTRACT NO. 99, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 5 in favor with 2 against (Pruitt and Milder).

3. **Z2015-002** - Hold a public hearing to discuss and consider approval of an ordinance for a request by Lawrence H. Ringley of Ringley & Associates, Inc. on behalf of Jill Fisher of Steger Dunhill, LLC for the approval of a Specific Use Permit to allow an automobile rental facility on a 0.215-acre portion of a larger 4.218-acre parcel of land identified as Lot 3, Block A, Steger Towne Crossing, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located at 898 Steger Towne Drive, and take any action necessary. **(1st reading)**

Planning Director Robert LaCroix provided background information related to this agenda item. He explained that cars associated with this leasing operation would be cleaned off-site and only minor cleaning, such as vacuuming, would take place. Cars would be stored in the rear of the shopping center suite. Notices were mailed out to fifteen property owners located within 500' of the property, and one notice was received back today in favor. The Planning & Zoning Commission did recommend approval of

this item by a vote of 7 ayes to 0 nays. The Commission discussed the possibility of the company having designated parking spaces in front of the business; however, this is something the business would have to work out with the property management company who owns the shopping center / parking lot.

Mayor Pruitt opened the public hearing and called the applicant forth.

Jeff Wagner
3937 S. 26th Avenue
DFW Airport, Texas

Mr. Wagner came forth and indicated that the company has had Rockwall on its radar for quite a number of years now, and it would like to open a car rental operation at this location, which he feels suits the needs of this car leasing business.

Mayor Pruitt asked if anyone else would like to come forth and speak during the public hearing.

Freddie Jackson
1812 Bristol Lane
Rockwall, TX

Mr. Jackson came forth and expressed concern about the applicant indicating that the cars will not be washed on site.

Mr. Wagner explained that if a car is dirty enough to need an external wash, it will be taken down the road to a car wash that's attached to a gas station. Any vacuuming or minor cleaning will take place behind the building.

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

Councilmember white made a motion to approve Z2015-002 with staff recommendations. Mayor Pruitt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-___
SPECIFIC USE PERMIT NO. S-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) ALLOWING FOR AN AUTOMOBILE RENTAL FACILITY, WITHIN A COMMERCIAL (C) DISTRICT, BEING A 0.215-ACRE PORTION OF A LARGER 4.218-ACRE PARCEL OF LAND IDENTIFIED AS LOT 3, BLOCK A, STEGER TOWNE CROSSING, PHASE 1 ADDITION, AND GENERALLY LOCATED AT 898 STEGER TOWNE DRIVE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A

SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

4. **Z2015-003** - Hold a public hearing to discuss and consider approval of an ordinance for a request by Cole Franklin of the Skorburg Company on behalf of the owner Larry Hance for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 7 (SF-7) and General Retail (GR) District land uses for a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King Boulevard, and take any action necessary [Postponed to the March 2, 2015 City Council meeting.

Mayor Pruitt announced that this item has been postponed to the March 2 city council meeting. No discussion took place at this time, and no action was taken.

XII. ACTION ITEMS

1. Discuss and consider a request from Mr. Richard and Ceci Chancellor to install a 48" tall wrought iron fence in the required front yard located at 705 Pendleton Dr, and take any action necessary.

Building Official Jeffrey Widmer provided brief background information related to this agenda item.

Mayor Pruitt called Mr. Chancellor forth. Mr. Chancellor, 705 Pendleton Drive, came forth and indicated that he would like to build this wrought iron fence in order to keep his grandkids and puppy safe from the dangers of the street in front of his home. He explained that it will be a short, 4' fence, and he shared that the rear of his property is occupied by a swimming pool. He explained that there is a home located at the end of his street that has a similar wrought iron fence in its front yard.

Mr. Widmer indicated that the other home is nine houses away from Mr. Chancellor's home, and the variance granting the front yard fence was permitted in 2011. Mr. LaCroix indicated that, as he recalls, that particular variance was granted in April of 2011 to secure a dog.

Mayor Pruitt asked if there is any requirement for neighbors to be notified. Mr. LaCroix indicated that as long as the front yard fence is kept to no more than 4' tall, then neighbors do not have to be notified.

Councilmember White made a motion to grant permission for a 48" tall, wrought iron front yard fence. Mayor Pro Tem Lewis seconded the motion. Councilmember Daniels generally expressed that he believes other front yard fences have been allowed by council in the past due to retaining walls being present and in order to rectify safety-related concerns. He generally expressed concern about granting permission for this front yard fence, as he cannot imagine that neighbors would really be okay with it. Councilmember Milder expressed concern granting permission for this front yard fence

as well. He is uncomfortable with the idea of a dog being out in the front yard and is concerned that precedent may have already been set with the granting of a front yard fence back in 2011 on the same street. Councilmember Hohenshelt asked if Mr. Chancellor has spoken to his neighbors about his desire to build this front yard fence. Mr. Chancellor expressed that he has not, that one of his neighbors just moved in a day or two ago, and the other neighbor moved in about one-and-a-half months ago.

After clarifying comments, the motion on the floor (to approve the front yard fence) passed by a vote of four in favor and 3 against (Pruitt, Milder and Daniels).

2. **Z2014-040** - Discuss and consider approval of an ordinance for a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of a Specific Use Permit (SUP) for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary. **(2nd Reading)**

Mayor Pruitt made a motion to table this item until the next regularly scheduled city council meeting. Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

3. **SP2014-034** - Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of waivers to Planned Development District 32 (PD-32) [Ordinance No. 10-21] and variances to the Unified Development Code associated with a site plan for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary.

Mayor Pruitt made a motion to table this item until the next regularly scheduled city council meeting. Councilmember Daniels seconded the motion, which passed unanimously (7 ayes to 0 nays).

4. Discuss and consider various bills being proposed in the 84th Texas State Legislative Session and consider authorizing the City Manager to enter into an agreement with Capitol Insights for support in monitoring this legislative session, and take any action necessary.

Mr. Crowley provided brief background information related to this agenda item. Councilmember Townsend asked for clarification regarding if Capitol Insights would only be monitoring the session on our behalf or if they would also be doing some lobbying too. Mr. Crowley indicated that this agreement would be limited to the company monitoring proposed bills, and it would not include lobbying services on the city's behalf. Mayor Pruitt pointed out that the legislative session is roughly 1/3 of the way

through at this point. Pruitt indicated that a few of the bills that are being monitored by the TX Municipal League (TML) are being watched because TML is opposed to them; however, he would actually be in favor of lobbying in favor of some of them.

Councilmember Hohenshelt asked how staff would be fielding information to and from the council concerning bills that have been proposed. In other words, how would staff and the company be gleaning insight from the city council concerning its position on certain bills. Mr. Crowley indicated that staff would be periodically approaching the council to find out its stance on certain bills.

Mayor Pruitt expressed he believes TML does a good job of keeping the city informed. He is therefore not in favor of spending taxpayer money to monitor issues the city can monitor on its own. However, if the city has opposing viewpoints contrary to TML's stance on certain bills, he may be in favor of the city hiring a lobbyist to speak on the city's behalf. After the brief discussion, no action was taken concerning this agenda item.

5. Discuss and consider initiating a survey for the purpose of soliciting citizen feedback and input regarding city programs and services, and take any action necessary.

Mr. Crowley indicated that conducting a new citizen survey was not necessarily included in the budget this year; however, it could be funded out of the general fund should the council decide to move forward with one. He pointed out that Councilmember Milder requested this agenda item for discussion and consideration, and staff stands prepared to move forward as directed by council.

Councilmember Milder indicated that he would like a survey conducted in order to gain insight as to what citizens like and dislike in order to help the city council members make informed decisions that are most favorable to citizens' wants and desires. Milder indicated a desire to instruct the city manager to begin investigating possible firms to assist with conducting a citizen survey, and he suggested that a survey be conducted annually.

Mayor Pro Tem Lewis asked what the 'return rate' was the last time a citizen survey was conducted. Mr. Crowley indicated that the last return rate was about twelve percent (12%). He asked how much money may have been spent on printing and mailing the past survey. Mr. Crowley indicated that about $25,000 was previously spent. Also, he pointed out that phone surveys are fairly difficult, especially since most people no longer have home phones.

Councilmember White indicated that there is no way he will support conducting a survey. He pointed out that the city council must be willing to take positive, responsive action in response to the feedback it receives, and, a lot of times, action associated with feedback on a survey is not possible (i.e. citizens wanting a Sprouts or a Whole Foods – the council cannot do a lot about this sort of thing). He instead suggested that staff communicate with citizens in other ways in order to glean feedback from them. He has concerns about having such a low return rate (12%), and he believes it is a waste of taxpayer money.

Councilmember Townsend pointed out that, every year, someone on the city council is up for election, and, therefore, every year citizens have a chance to weigh in on their local government and how it is being operated. He believes that city council members are elected for the purpose of listening to their constituents.

Councilmember Daniels asked how many households are in Rockwall. Mrs. Smith indicated that about 14,000 households are in the city. Councilmember Daniels generally indicated mixed feelings about conducting a citizen survey. Mr. Daniels suggested doing a "sample survey" of a limited number of residents to glean feedback that could then, statistically, be applied to residents of the city as a whole. He indicated he worked for the U.S. Census for a while, and he believes a person can make survey results show whatever he wants them to show. He believes surveys do help uncover some helpful information, however, he believes it is important to keep financial costs in mind.

Councilmember Milder indicated he appreciates the opinions of other council members; however, he believes a survey can genuinely be designed in order to gain sound, valuable feedback from citizens to help the council in making future decisions. He generally expressed that he believes there is value in conducting surveys in order to gain objective, real feedback. He suggested that the city needs to be more strategic in considering critical issues facing the city. He pointed out that a very small percentage of citizens show up to vote and elect city council members. However, it is still important to solicit feedback from citizens living in the city even if they don't vote.

Councilmember White indicated that staff should be advising on certain matters, and, if citizens have concerns, they are always welcome and invited to email council members to express such concerns. He believes that the city gets a lot of positive feedback via things such as magazines naming Rockwall one of the greatest places to live.

Councilmember Hohenshelt weighed in indicating that if there were very specific topics that the city council wanted to ask of citizens, then he could maybe see merit in conducting a survey. However, if questions asked were vague in nature, he would not be largely in favor of conducting a survey of that nature.

Mayor Pruitt suggested that strategic planning or citizen surveys may be topics best discussed at council/staff planning retreats. There being no motions made concerning this item, no action was taken.

Mayor Pruitt then called for the meeting to be adjourned (7:42 p.m.).

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the city's concession agreement with Suntex Marina / Suntex RHCL Marina, LLC pursuant to Section § 551.071 (Consultation with Attorney)
2. Discussion regarding the following legal claim: TF-Harbor LLC v. City of Rockwall, Texas and Rockwall Rental Properties L.P. pursuant to Section 551.071 (Consultation with Attorney)

3. Discussion regarding legal claim related to back up of city sewage line in Random Oaks Subdivision pursuant to Section 551.071 (Consultation with Attorney)

4. Discussion regarding Economic Development prospects and potential incentive agreement pursuant to Section 551.087 (Economic Development)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The council did not reconvene in Executive Session following the close of the public meeting agenda.

XV. ADJOURNMENT

The meeting was adjourned at 7:42 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 2nd day of March, 2015.

ATTEST: **Jim Pruitt, Mayor**

_____

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **February 26, 2015**

SUBJECT: **NEIGHBORHOOD PARK NAMING RESOLUTION – Stone Creek**

According to the Park, Recreation and Municipal Facilities Naming Policy, the procedure for naming park lands is for the Park Board to recommend a name for parks to the City Council. Contingent upon Council approval, a resolution for the official naming is subsequently required.

In the past, neighborhood parks have followed the naming policy in regard to utilizing a physical or geographic identifier in the park name. This has typically been the name of the neighborhood or nearby street that the park is near or within. For example: Shores Park, The Park at Hickory Ridge, Northshore Park and the Park at Foxchase.

At the February 25, 2015 meeting, Park Board voted unanimously to recommend to the City Council to name the neighborhood park located within the Stone Creek subdivision officially as “The Park at Stone Creek”. The policy and resolution is attached for your review.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 15-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPROVING A RECOMMENDATION OF THE PARK BOARD TO NAME A NEIGHBORHOOD PARK "THE PARK AT STONE CREEK;" PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Rockwall City Council has directed the Park Board to name parkland after easily identifiable geographic locations; and

WHEREAS, the Park Board has recommended the name of "The Park at Stone Creek" for a neighborhood park in Park District #5, which is generally located at the intersection of John King Boulevard and Featherstone Drive; and

WHEREAS, this neighborhood park is located adjacent to the Stone Creek residential development.

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

SECTION 1. Based upon the direction of the City Council and the recommendations of the Park Board, the name "The Park at Stone Creek" is hereby adopted for the neighborhood park in Park District #5, generally located at the intersection of John King Boulevard and Featherstone Drive; and

SECTION 2. That this resolution shall take effect immediately from and after its passage, and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THE "APPLICANT," this 2nd day of March , 2015 .

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

Park, Recreation, and Municipal Facilities Naming Policy

Purpose: To establish procedures and guidelines for the naming of park sites and recreation facilities.

Procedure for naming park lands and facilities

A. The Park Board shall act as a committee that will be responsible for recommending a name for park land and recreation facilities.

B. The Park Board shall be responsible for research, study, and recommendation of a proposed name to the City Council. Recommendations, including rationale for the recommendations shall be submitted to the City Council in writing.

C. The Park Board may solicit and use public input during the formation of such recommendations.

D. The Park Board may form a Subcommittee to make recommendations to the full Park Board if desired.

E. The Subcommittee shall not contact any individual(s) whose names are under consideration. It shall also keep strictly confidential all information it has received or discussed, and any recommendation(s) it makes until such decision is taken to the entire Park Board for discussion and action.

F. The City Council shall approve by resolution or disapprove the name recommended by the Park Board.

    1. If the recommendation(s) is disapproved by the City Council, then the matter may be referred back to the Park Board for further action.

G. Park lands and facilities shall be named at the earliest possible and most appropriate date.

H. The Park Board may be notified of the need to name a park or facility by the City Council, City Manager, or Director of Parks and Recreation.

I. The Park Board must approve the recommendation by a simple majority of the members present.

Guidelines for naming park land and facilities.

A. Park names shall be easy to recall, unique and lasting.

31

B. Park lands shall be named:

1. By outstanding and/or predominate physical characteristics of the land, such as:
    a. streams, rivers, lakes, and creeks
    b. Landmark significance
    c. Historical significance
    d. Street or subdivision name identity

2. In honor of a living or deceased community leader

3. In honor of a living or deceased national or state leader

4. Based on the activity, event, or function of the park

C. Sections of a park or facility, such as recreational buildings, swimming pools, sports fields, and play structures, etc., may be given a name which is different from that of the overall park or facility. The procedure for naming such a section shall be the same as for naming an entire park or facility.

D. When appropriate, parks or facilities may be renamed. The procedure for doing so shall be the same as for originally naming a park or facility.

E. Once a name has been established, the Director of Parks and Recreation will be responsible for the installation of appropriate signage and markers.

Municipal Facility Naming Policy

Purpose: To establish procedures and guidelines for the naming of city facilities.

Procedure for naming city facilities

A. A City Council Subcommittee will be formed and be responsible for recommending a name for city facilities to the entire City Council for consideration.

B. The Subcommittee shall be responsible for research, study, and recommendation of a proposed name to the City Council. Recommendations, including rationale for the recommendations shall be submitted to the entire City Council in writing.

C. The Subcommittee may solicit and use public input during the formation of such recommendations.

D. The Subcommittee may also solicit and use input from City Staff during the formation of such recommendations.

32

E. The City Council shall approve by resolution or disapprove the name recommended by the Subcommittee.

1. If the recommendation(s) is disapproved by the City Council, then the matter may be referred back to the Subcommittee for further action.

F. City facilities shall be named at the earliest possible and most appropriate date.

G. The Subcommittee must approve the recommendation by a simple majority.

Guidelines for naming city facilities.

A. Facilities such as a City Hall, Municipal Court, Police Station, Fire Station, Municipal Service Center, etc. shall include the name for the function that they serve to the public in order to prevent confusion and misrepresentation of the facility's mission (such as Ralph Hall Municipal Airport or Benny Gracy Memorial Fire Station).

B. The Subcommittee may recommend that the facility may be dedicated in honor of an individual in lieu of naming.

C. City facility names shall be familiar to the majority of citizens, easy to recall, and unique and lasting.

D. Facilities may not be named for members of the City's staff, boards and commissions, city council, or any other official or employee (elected or otherwise) concerned with the functions and/or control of the City of Rockwall, for so long as such relationship exists.

E. Nothing herein shall be construed to require the City Council to name every facility.

F. City facilities shall be named:

1. In honor of a living or deceased community leader

2. In honor of a living or deceased national or state leader

3. Based on the activity, event, or function of the facility

4. With consideration of landmark or historical significance

G. Individual rooms, such as a conference rooms, etc., may be given a name which is different from that of the overall facility. The procedure for naming such a room shall be the same as for naming an entire facility.

H. When appropriate, facilities may be renamed. The procedure for doing so shall be the same as for originally naming a facility.

I. The Subcommittee shall not contact any individuals whose names are under consideration. It shall also keep strictly confidential all information it has received or discussed, and any recommendation(s) it makes until such decision is taken to the entire City Council for discussion and action.

J. Once a name has been established, the Facilities Management Department will be responsible for the installation of appropriate signage and markers.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **February 26, 2015**

SUBJECT: **NEIGHBORHOOD PARK NAMING RESOLUTION – Breezy Hill**

According to the Park, Recreation and Municipal Facilities Naming Policy, the procedure for naming park lands is for the Park Board to recommend a name for parks to the City Council. Contingent upon Council approval, a resolution for the official naming is subsequently required.

In the past, neighborhood parks have followed the naming policy in regard to utilizing a physical or geographic identifier in the park name. This has typically been the name of the neighborhood or nearby street that the park is near or within. For example: Shores Park, The Park at Hickory Ridge, Northshore Park and the Park at Foxchase.

At the February 25, 2015 meeting, Park Board voted unanimously to recommend to the City Council to name the neighborhood park located within the Breezy Hill subdivision officially as “The Park at Breezy Hill”. The policy and resolution is attached for your review.

Park, Recreation, and Municipal Facilities Naming Policy

Purpose: To establish procedures and guidelines for the naming of park sites and recreation facilities.

Procedure for naming park lands and facilities

A. The Park Board shall act as a committee that will be responsible for recommending a name for park land and recreation facilities.

B. The Park Board shall be responsible for research, study, and recommendation of a proposed name to the City Council. Recommendations, including rationale for the recommendations shall be submitted to the City Council in writing.

C. The Park Board may solicit and use public input during the formation of such recommendations.

D. The Park Board may form a Subcommittee to make recommendations to the full Park Board if desired.

E. The Subcommittee shall not contact any individual(s) whose names are under consideration. It shall also keep strictly confidential all information it has received or discussed, and any recommendation(s) it makes until such decision is taken to the entire Park Board for discussion and action.

F. The City Council shall approve by resolution or disapprove the name recommended by the Park Board.

    1. If the recommendation(s) is disapproved by the City Council, then the matter may be referred back to the Park Board for further action.

G. Park lands and facilities shall be named at the earliest possible and most appropriate date.

H. The Park Board may be notified of the need to name a park or facility by the City Council, City Manager, or Director of Parks and Recreation.

I. The Park Board must approve the recommendation by a simple majority of the members present.

Guidelines for naming park land and facilities.

A. Park names shall be easy to recall, unique and lasting.

B. Park lands shall be named:

1. By outstanding and/or predominate physical characteristics of the land, such as:
    a. streams, rivers, lakes, and creeks
    b. Landmark significance
    c. Historical significance
    d. Street or subdivision name identity

2. In honor of a living or deceased community leader

3. In honor of a living or deceased national or state leader

4. Based on the activity, event, or function of the park

C. Sections of a park or facility, such as recreational buildings, swimming pools, sports fields, and play structures, etc., may be given a name which is different from that of the overall park or facility. The procedure for naming such a section shall be the same as for naming an entire park or facility.

D. When appropriate, parks or facilities may be renamed. The procedure for doing so shall be the same as for originally naming a park or facility.

E. Once a name has been established, the Director of Parks and Recreation will be responsible for the installation of appropriate signage and markers.

Municipal Facility Naming Policy

Purpose: To establish procedures and guidelines for the naming of city facilities.

Procedure for naming city facilities

A. A City Council Subcommittee will be formed and be responsible for recommending a name for city facilities to the entire City Council for consideration.

B. The Subcommittee shall be responsible for research, study, and recommendation of a proposed name to the City Council. Recommendations, including rationale for the recommendations shall be submitted to the entire City Council in writing.

C. The Subcommittee may solicit and use public input during the formation of such recommendations.

D. The Subcommittee may also solicit and use input from City Staff during the formation of such recommendations.

E. The City Council shall approve by resolution or disapprove the name recommended by the Subcommittee.

1. If the recommendation(s) is disapproved by the City Council, then the matter may be referred back to the Subcommittee for further action.

F. City facilities shall be named at the earliest possible and most appropriate date.

G. The Subcommittee must approve the recommendation by a simple majority.

Guidelines for naming city facilities.

A. Facilities such as a City Hall, Municipal Court, Police Station, Fire Station, Municipal Service Center, etc. shall include the name for the function that they serve to the public in order to prevent confusion and misrepresentation of the facility's mission (such as Ralph Hall Municipal Airport or Benny Gracy Memorial Fire Station).

B. The Subcommittee may recommend that the facility may be dedicated in honor of an individual in lieu of naming.

C. City facility names shall be familiar to the majority of citizens, easy to recall, and unique and lasting.

D. Facilities may not be named for members of the City's staff, boards and commissions, city council, or any other official or employee (elected or otherwise) concerned with the functions and/or control of the City of Rockwall, for so long as such relationship exists.

E. Nothing herein shall be construed to require the City Council to name every facility.

F. City facilities shall be named:

1. In honor of a living or deceased community leader

2. In honor of a living or deceased national or state leader

3. Based on the activity, event, or function of the facility

4. With consideration of landmark or historical significance

G. Individual rooms, such as a conference rooms, etc., may be given a name which is different from that of the overall facility. The procedure for naming such a room shall be the same as for naming an entire facility.

H. When appropriate, facilities may be renamed. The procedure for doing so shall be the same as for originally naming a facility.

I. The Subcommittee shall not contact any individuals whose names are under consideration. It shall also keep strictly confidential all information it has received or discussed, and any recommendation(s) it makes until such decision is taken to the entire City Council for discussion and action.

J. Once a name has been established, the Facilities Management Department will be responsible for the installation of appropriate signage and markers.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 15-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPROVING THE RECOMMENDATION OF THE PARK BOARD TO NAME A NEIGHBORHOOD PARK "THE PARK AT BREEZY HILL;" PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Rockwall City Council has directed the Park Board to name parkland after easily identifiable geographic locations; and

WHEREAS, the Park Board has recommended the name of "The Park at Breezy Hill" for the neighborhood park in Park District #7 generally located north of FM 552 between John King Boulevard and Breezy Hill; and

WHEREAS, this neighborhood park is located adjacent to the Breezy Hill residential development.

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

SECTION 1. Based upon the direction of the City Council and the recommendations of the Park Board, the name "The Park at Breezy Hill" is hereby adopted for the neighborhood park in Park District #7 located north of FM 552 between John King Blvd and Breezy Hill.

SECTION 2. That this resolution shall take effect immediately from and after its passage, and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THE "APPLICANT," this 2nd day of March , 2015 .

_____

ATTEST: **Jim Pruitt, Mayor**

_____

Kristy Ashberry, City Secretary

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This is 2nd reading. 1st passed unanimously on 2/16

CITY OF ROCKWALL

ORDINANCE NO. 15-06

SPECIFIC USE PERMIT NO. S-132

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) ALLOWING FOR VEHICLES TO BE STORED OUTSIDE OVERNIGHT IN CONJUNCTION WITH AN EXISTING AUTOMOTIVE REPAIR GARAGE, MINOR WITHIN A COMMERCIAL (C) DISTRICT, BEING A 0.88-ACRE PARCEL OF LAND IDENTIFIED AS LOT 2B-2, BLOCK A, PANEX LTD ADDITION, AND GENERALLY LOCATED AT 608 WHITE HILLS DRIVE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DEPICTED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by James Jackson of Jackson Automotive for the approval of a Specific Use Permit (SUP) to allow vehicles to be stored outside overnight in conjunction with an existing A*utomotive Repair Garage, Minor*, zoned Commercial (C) District, being a 0.88-acre parcel of land identified as Lot 2B-2, Block A, Panex LTD Addition, and generally located at 608 White Hills Drive, City of Rockwall, Rockwall County, Texas, and more specifically depicted in Exhibit 'A' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein ; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for vehicles to be stored outside overnight in conjunction with an existing A*utomotive Repair Garage, Minor* within a Commercial (C) District for the *Subject property*; and

Section 2. That the S*ubject Property* shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance granted herein and shall be subject to the conditions set forth in *Section 2.1.8, Auto and Marine-Related Use Conditions, of Article IV, Permissible Uses,* and *Section 4.5, Commercial (C) District, of Article V, District Development Standards, of the City of Rockwall Unified Development Code [Ordinance No. 04-38]* as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following additions:

2.1 Operational Conditions

The following conditions pertain to the operation of the outside overnight storage of vehicles in conjunction with an *Automotive Repair Garage, Minor* on the S*ubject Property* and conformance to these stipulations is required for continued operations:

1. That the outside overnight storage of vehicles be limited to the eighteen (18) parking spaces located on the westerly side of the property as depicted on Exhibit 'A' attached hereto; and

2. That the outside overnight storage of vehicles shall not exceed a continuous time period of 48 hours on the *Subject Property*; and

3. That no equipment, parts or inventory shall be stored outside; and

4. That the City Council reserves the right to review the Specific Use Permit (SUP) any time after the effective date of this ordinance.

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

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

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

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

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 2nd DAY OF March, 2015.

Jim Pruitt, Mayor

ATTEST:

Kristy Ashberry, City Secretary

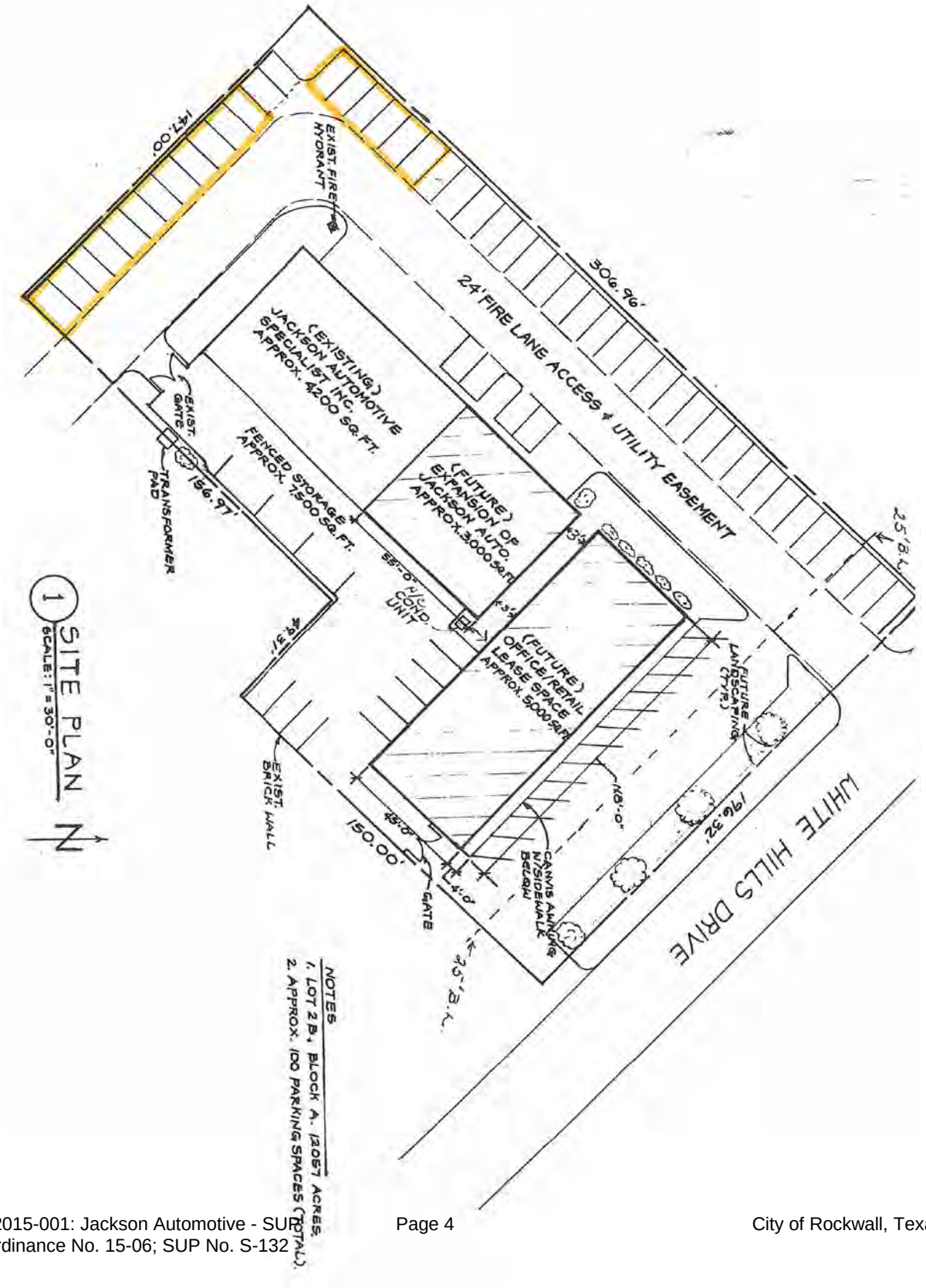
APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: 02-16-15

2nd Reading: 03-02-15

Exhibit 'A' - Overnight Parking Area



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This is 2nd reading. 1st passed unanimiously on 2/16

CITY OF ROCKWALL

ORDINANCE NO. 15-07

SPECIFIC USE PERMIT NO. S-133

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) ALLOWING FOR AN AUTOMOBILE RENTAL FACILITY, WITHIN A COMMERCIAL (C) DISTRICT, BEING A 0.215-ACRE PORTION OF A LARGER 4.218-ACRE PARCEL OF LAND IDENTIFIED AS LOT 3, BLOCK A, STEGER TOWNE CROSSING, PHASE 1 ADDITION, AND GENERALLY LOCATED AT 898 STEGER TOWNE DRIVE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Lawrence H. Ringley of Ringley & Associates, Inc. on behalf of Jill Fisher of Steger Dunhill, LLC for the approval of a Specific Use Permit (SUP) allowing for an *Automobile Rental Facility* within a Commercial (C) District, being a 0.215-acre portion of a larger 4.218-acre parcel of land identified as Lot 3, Block A, Steger Towne Crossing, Phase 1 Addition, and generally located at 898 Steger Towne Drive, City of Rockwall, Rockwall County, Texas, and more specifically described in Exhibit 'A' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein ; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for an *Automobile Rental Facility* within a Commercial (C) District for the *Subject property*; and

Section 2. That the S*ubject Property* shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance granted herein and shall be subject to the conditions set forth in *Article IV, Permissible Uses,* and *Section 4.5, Commercial (C) District, of Article V, District Development Standards, of the City of Rockwall Unified Development Code [Ordinance No. 04-38]* as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following

additions:

2.1 Operational Conditions

The following conditions pertain to the operation of the *Automobile Rental Facility* on the S*ubject Property* and conformance to these stipulations is required for continued operations:

1) That the parking of rental vehicles shall be restricted to the proposed parking area designated on the concept site plan (SUP Exhibit) as submitted; and
2) That the rental of automobiles shall be for passenger vehicles only; and
3) That the City Council reserves the right to review the Specific Use Permit (SUP) any time after the effective date of this ordinance.

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

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

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

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

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 2nd DAY OF March, 2015.

Jim Pruitt, Mayor

ATTEST:

Kristy Ashberry, City Secretary

1st Reading: 02-16-15
2nd Reading: 03-02-15

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

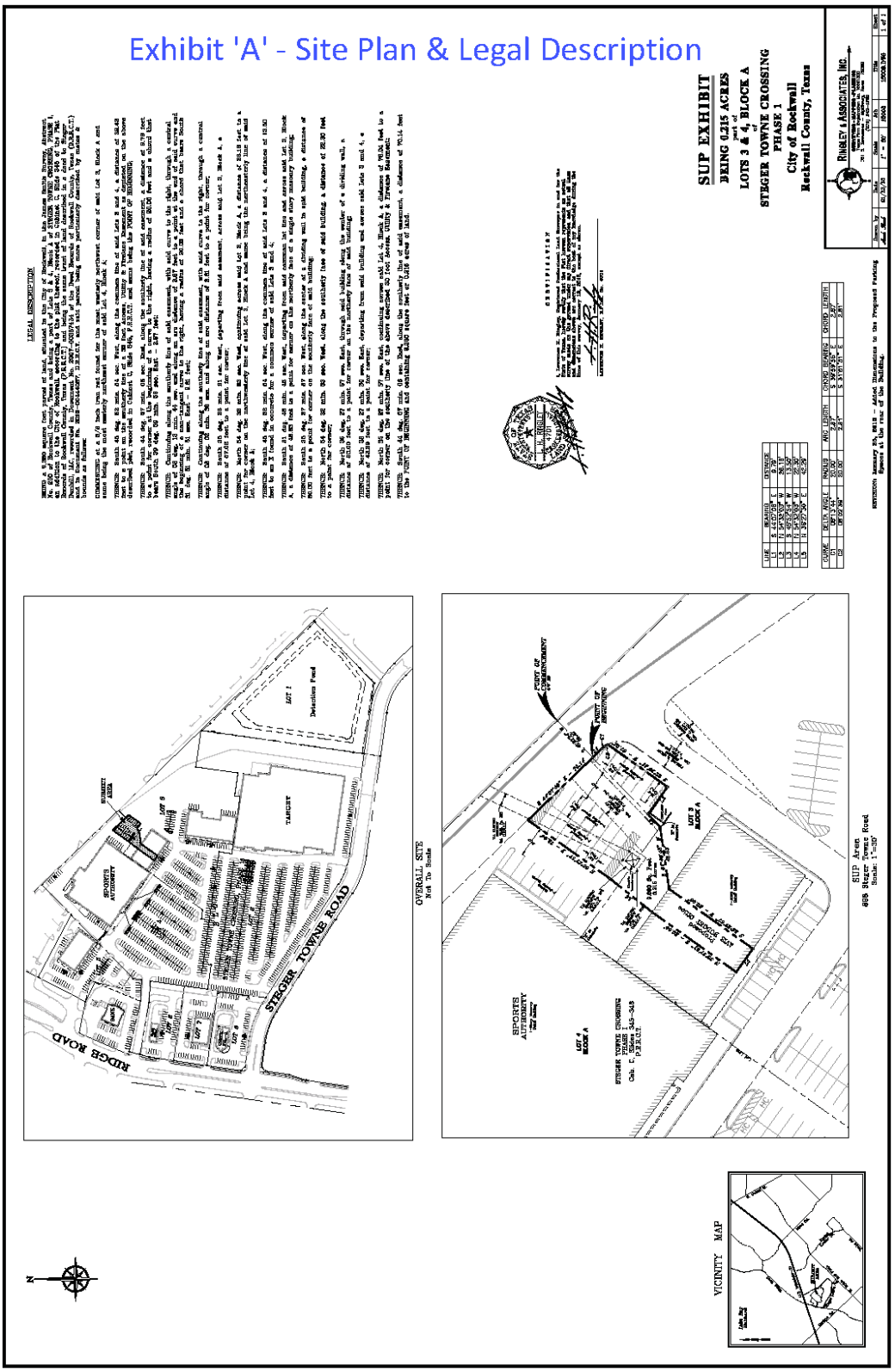
Exhibit 'A' - Site Plan & Legal Description
SUP EXHIBIT
BEING 0.215 ACRES
LOTS 3 & 4, BLOCK A
of
STEGER TOWNE CROSSING
PHASE 1
City of Rockwall
Rockwall County, Texas
RIDGE ROAD
STEGER TOWNE ROAD
OVERALL SITE
Not To Scale
SUP Area
405 Steger Towne Road
Scale: 1"=30'
VICINITY MAP
SPORTS AUTHORITY
TARGET
Detention Pond
POINT OF COMMENCEMENT
POINT OF BEGINNING
LEGAL DESCRIPTION
OWNER'S CERTIFICATE
RIDLEY & ASSOCIATES, INC.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **February 26, 2015**

SUBJECT: **MANDATORY PARK LAND DEDICATION FEES**

A component of our Mandatory Park Land Dedication Ordinance is the cash in lieu of land fee. This fee is applied when the Park Board feels that it is in the best interest of the City to accept cash-in-lieu of land for neighborhood parkland. According to our Mandatory Parkland Dedication Ordinance, the Park Board shall annually make a recommendation to the City Council and Council will set the fee by resolution. The fee is based on the average cost of neighborhood park land across the entire City.

Bryan E. Humphries and Associates completed their appraisal in January of 2015 to determine the average cost per acre of land and provided final report in February 2015. The property must have easy access to utilities, public street, not be within the 100 year flood plain and not possess any unusual topography rendering the land useless for organized recreational activities. According to Mr. Humphries, the average cost of one acre of neighborhood park land with the above restrictions within the City is $34,000.

At the February 25, 2015 meeting, Park Board voted unanimously to recommend setting the cash-in-lieu of land fee for 2015 to $34,000 per acre. Park Board also recommended that the Pro-rata Equipment Fee portion of the ordinance remain at $1,050,000 for the cost of developing a typical 11 park. $525,000.00 would be the “per neighborhood park” cost to be used in calculation of pro-rata neighborhood park development equipment fees associated with the developer’s share of the park.

I have attached the appraisal letter completed by Mr. Humphries and the resolutions for the City Council to set the fee at $34,000 per acre. Please let me know if you need additional information.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. ___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ADOPTING THE PER NEIGHBORHOOD PARK DEVELOPMENT COST TO BE USED IN CALCULATION OF A NEW DEVELOPMENT'S PRO RATA SHARE CONTRIBUTION FOR NEIGHBORHOOD PARK DEVELOPMENT EQUIPMENT FEES; PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Rockwall desires to provide a park system which includes adequately sized and appropriately equipped Neighborhood Parks, and

WHEREAS, the City of Rockwall has adopted a Park and Recreation Master Plan designed to facilitate development of its Park Systems; and

WHEREAS, the City of Rockwall adopted Ordinance No. 38-50, Mandatory Neighborhood Parkland Dedication Ordinance, designed to facilitate participation by developers (on a pro-rata basis) in acquisition and development of neighborhood parks; and

WHEREAS, said ordinance provides that the City Council shall annually adopt a resolution establishing the "per neighborhood park development cost" to be used in calculation of a new development's pro-rata share contribution for neighborhood park development equipment fees,

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

Section 1. Based upon a recommendation of the City of Rockwall Parks and Recreation Board, $525,000.00 per neighborhood park is hereby adopted as the "per neighborhood park" park development cost to be used in calculation of pro-rata neighborhood park development equipment fees associated with Ordinance No. 38-50.

Section 2. This resolution shall be in force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 2nd day of March, 2015.

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **February 26, 2015**

SUBJECT: **MANDATORY PARK LAND DEDICATION FEES**

A component of our Mandatory Park Land Dedication Ordinance is the cash in lieu of land fee. This fee is applied when the Park Board feels that it is in the best interest of the City to accept cash-in-lieu of land for neighborhood parkland. According to our Mandatory Parkland Dedication Ordinance, the Park Board shall annually make a recommendation to the City Council and Council will set the fee by resolution. The fee is based on the average cost of neighborhood park land across the entire City.

Bryan E. Humphries and Associates completed their appraisal in January of 2015 to determine the average cost per acre of land and provided final report in February 2015. The property must have easy access to utilities, public street, not be within the 100 year flood plain and not possess any unusual topography rendering the land useless for organized recreational activities. According to Mr. Humphries, the average cost of one acre of neighborhood park land with the above restrictions within the City is $34,000.

At the February 25, 2015 meeting, Park Board voted unanimously to recommend setting the cash-in-lieu of land fee for 2015 to $34,000 per acre. Park Board also recommended that the Pro-rata Equipment Fee portion of the ordinance remain at $1,050,000 for the cost of developing a typical 11 park. $525,000.00 would be the “per neighborhood park” cost to be used in calculation of pro-rata neighborhood park development equipment fees associated with the developer’s share of the park.

I have attached the appraisal letter completed by Mr. Humphries and the resolutions for the City Council to set the fee at $34,000 per acre. Please let me know if you need additional information.

MARKET STUDY
REAL PROPERTY APPRAISAL CONSULTING REPORT

Prepared For

Andy Hesser, Parks and Recreation Manager
City of Rockwall
108 E. Washington
Rockwall, Texas, 75087

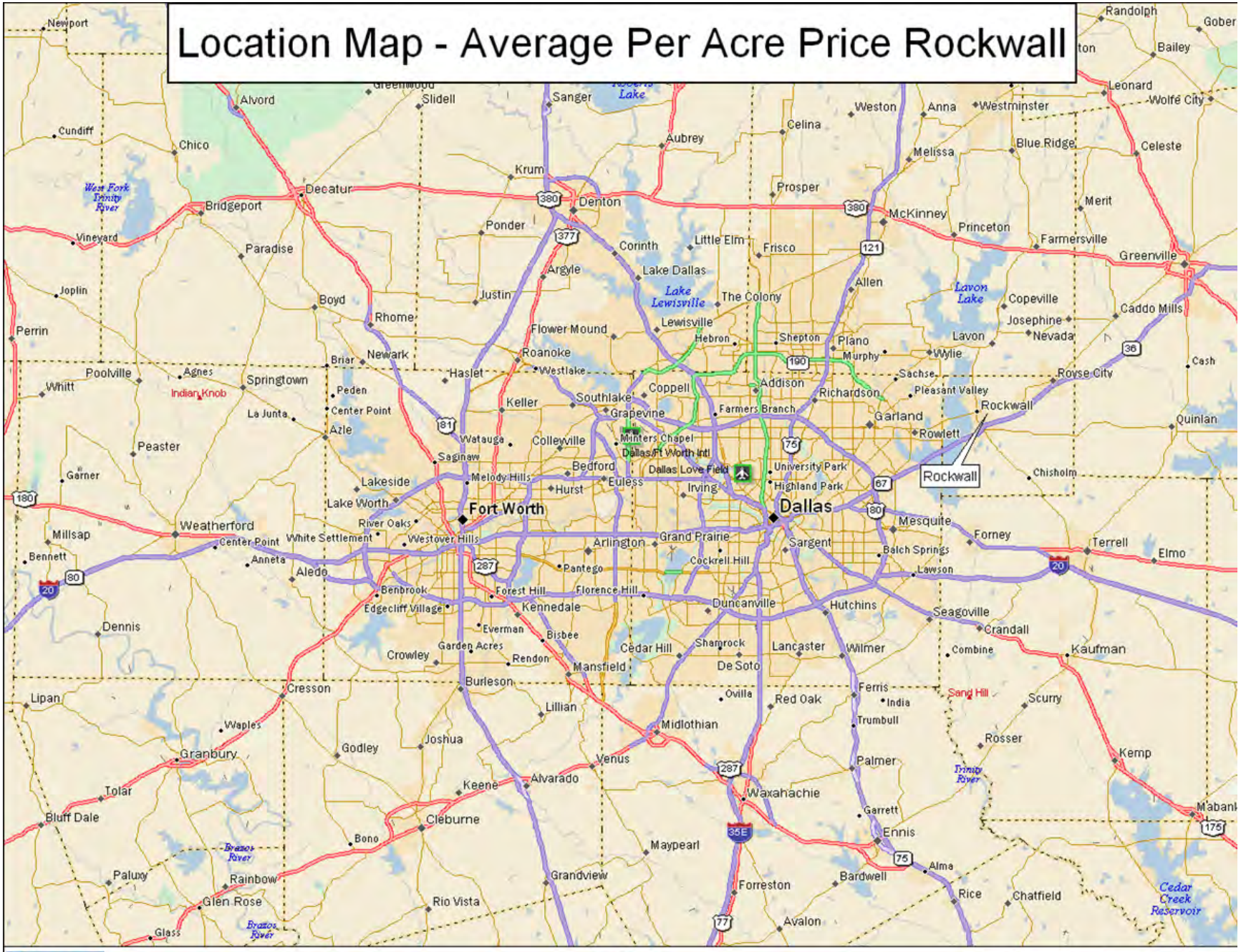
MARKET STUDY
Average Price Per-Acre of Land in the City of Rockwall
The City of Rockwall, Rockwall County, Texas

EFFECTIVE DATE OF CONSULTING ASSIGNMENT:
JANUARY 1, 2015

Prepared By

Bryan E. Humphries & Associates
4054 McKinney Avenue
Suite 210
Dallas, Texas 75204

Location Map - Average Per Acre Price Rockwall



DeLORME

Data use subject to license.

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www.delorme.com

57

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Data Zoom 8-0

BRYAN E. HUMPHRIES & ASSOCIATES
REAL ESTATE VALUATION AND SERVICES

January 15, 2015

Andy Hesser, Parks and Recreation Manager
City of Rockwall
108 E. Washington
Rockwall, TX 75087

Re: Average Price Per-Acre of Land in the City of Rockwall
City of Rockwall, Rockwall County, Texas

Dear Mr. Andy Hesser,

We are pleased to transmit this gross market study/real property appraisal consulting report that was prepared for the purpose of valuing typical parkland in the City of Rockwall. This parkland is typically five acres and in the early stages of development. Please refer to identification of project on page 4 for further explanation of the project scope. This report is a gross market study (real property appraisal consulting report) and does not involve analysis of or the inspection of a physical subject property. The purpose of this gross market study is to derive an opinion of a fee simple market value of the average price per-acre of land in the City of Rockwall, as set forth in the City of Rockwall Park Land Dedication Ordinance, Section 24-45 (b). The effective date of this gross market study is January 1, 2015.

The client should not conclude that an appraisal has been prepared, and this report should not be used for condemnation purposes. This consulting report is only intended to assist the City of Rockwall, in establishing a general value trend and current market value of the average price per-acre of land in the City of Rockwall.

4054 McKinney Avenue, Suite 210, Dallas, Texas 75204

214/528-7584 E-Mail: behinc@flash.net FAX 214/528-2921

Our opinion of market value is premised upon the Assumptions and Limiting Conditions outlined herein. The definition of market value may be found in Addendum A. The report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice (USOAO) and the Standards of Professional Practice of the Appraisal Institute. This consulting assignment has been developed and reported in conformity with Standards Rules 4 and 5 of USPAP. Again, it should be noted that this assignment provides an analysis of general land value and value trend. The assignment considers sales and listing data available from the North Texas Multiple Listing Service as well as information gathered from interviews with knowledgeable real estate brokers and salespeople.

Based on the analysis contained within this report, considering the nature of the analyzed market areas, it is our opinion that the approximate value for the average price-per acre of land in the City of Rockwall, as of January 1, 2015, is:

$34,000

If you have any questions or comments, please contact the undersigned. Thank you for the opportunity to be of service

Respectfully submitted,
BRYAN E. HUMPHRIES AND ASSOCIATES



Bryan E. Humphries, MAI
President
TX-1320676-G

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Assumptions and Limiting Conditions ..... Addendum B
Park Land Dedication Ordinance ..... Addendum C

CERTIFICATE

I certify that, to the best of my knowledge and belief,...

The statements of fact contained in this report are true and correct.

The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, unbiased professional analyses, opinions, and conclusions.

As of the date of the appraisal only, I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.

We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

My engagement in this assignment was not contingent upon developing or reporting predetermined results.

My compensation for completing this assignment is not contingent on the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

Bryan Humphries has made a personal inspection of the property that is the subject of this report.

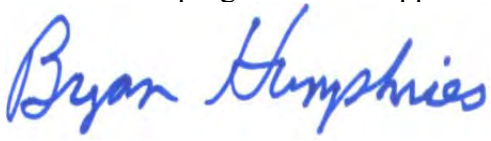
No one provided significant real property appraisal assistance to the persons signing this certificate.

I have performed a previous appraisal (1/1/13 and 1/1/14) involving the subject property within the three years prior to this assignment.

The report analysis, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Uniform Standards of Professional Appraisal Practice of the Appraisal Institute.

The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

As of the date of this Study, I have completed the requirements of the continuing education program of the Appraisal Institute.



Bryan E. Humphries, MAI, TX-1320676-G

GENERAL INFORMATION & SCOPE OF WORK

Identification of Subject and Project

The subject property is a typical, underdeveloped, Parcel in the City of Rockwall. The parcel represents the average in the City of Rockwall, as set forth in the City of Rockwall Park Land Dedication Ordinance, Section 24-45 (b). According to the ordinance, from time to time, developers must dedicate land to the City of Rockwall in order to meet the need for park land in the area. If the dedication is not feasible, the developers must then give the City cash in liew of land that is reflective of typical residential land in Rockwall. The client has indicated that this average residential land is typically 5 acres and in the early stages of development.

Inspection Information, Effective Date and Date of Report

This analysis does not involve a physical subject property, only a hypothetical property, thus no inspection is required. The effective date of the assignment is January 1, 2014. The date of the report is the date of the signature on the first page of this report. Unless otherwise stated, all factors pertinent to a determination of value are considered as of this date.

Identification of the Client/Intended User

This real property appraisal consulting report is prepared for the City of Rockwall, Mr. Andy Hesser, 108 E. Washington, Rockwall, Texas 75087.

Objective of the Assignment/Intended Use

This consulting assignment is only intended to assist the client in establishing an average price per-acre of land. The client should not conclude that an appraisal has been prepared, and this report should not be used for condemnation purposes.

Appraisal Report Option

This is a real property appraisal consulting assignment that complies with the reporting requirements set forth under Standard 5 of the *Uniform Standards of professional Appraisal Practices (USPAP).* As such, it presents sufficient information to enable the client and other intended users, as identified, to understand it properly. The depth of discussion contained in this report is specific to the needs of the client and the intended users of this property appraisal consulting report.

Analysis Overview

As part of this consulting assignment, we have completed the following steps to gather, confirm, and analyze the data.

- ► Physically inspected the subject markets and the surrounding neighborhoods.
- ► Collected factual information about the surrounding market and confirmed that information with various sources.
- ► Collected market information needed to consider the three traditional approaches to value: Cost approach, sales comparison approach and income capitalization approach (if applicable).
- ► Prepared a real property appraisal consulting report setting forth the conclusion derived in this analysis as well as a summary of the information upon which the conclusions are based.

Extraordinary Assumptions

An extraordinary assumption is something that is assumed to be true, but it is not certain. If it turns out to be untrue, the value conclusion could be impacted. Extraordinary assumptions are those assumptions that are specific to the assignment, as opposed to general assumptions, which could be applicable to any assignment. In this assignment, we have assumed typical general assumptions and limiting conditions as cited above. In this particular assignment, the following extraordinary assumptions were made:

- ► Sales and listing data obtained from the Multiple Listing Service is deemed to be sufficiently reliable data to establish overall market trends and the current market value of an average, price per-acre of land. While some knowledgeable real estate brokers and salespeople have been contacted to obtain and confirm data, the reader should be aware that not all of the sales and listing data analyzed was independently confirmed.

- The client should not conclude than an appraisal has been prepared, and this consulting report should not be used for condemnation purposes. This gross market study (real property appraisal consulting report) is only intended to assist the City of Rockwall in establishing a general value trend and current market value of an average price per-acre in the City of Rockwall.

- The purpose of this consultation report is to establish the average price per acre of land in the City of Rockwall. As set forth in the City of Rockwall, Park Land Dedication Ordinance, Section 24-45(b). However, it is beyond the scope of this consultation report to estimate the actual costs of adjacent street and site utilities as stated in the ordinance (see addenda).

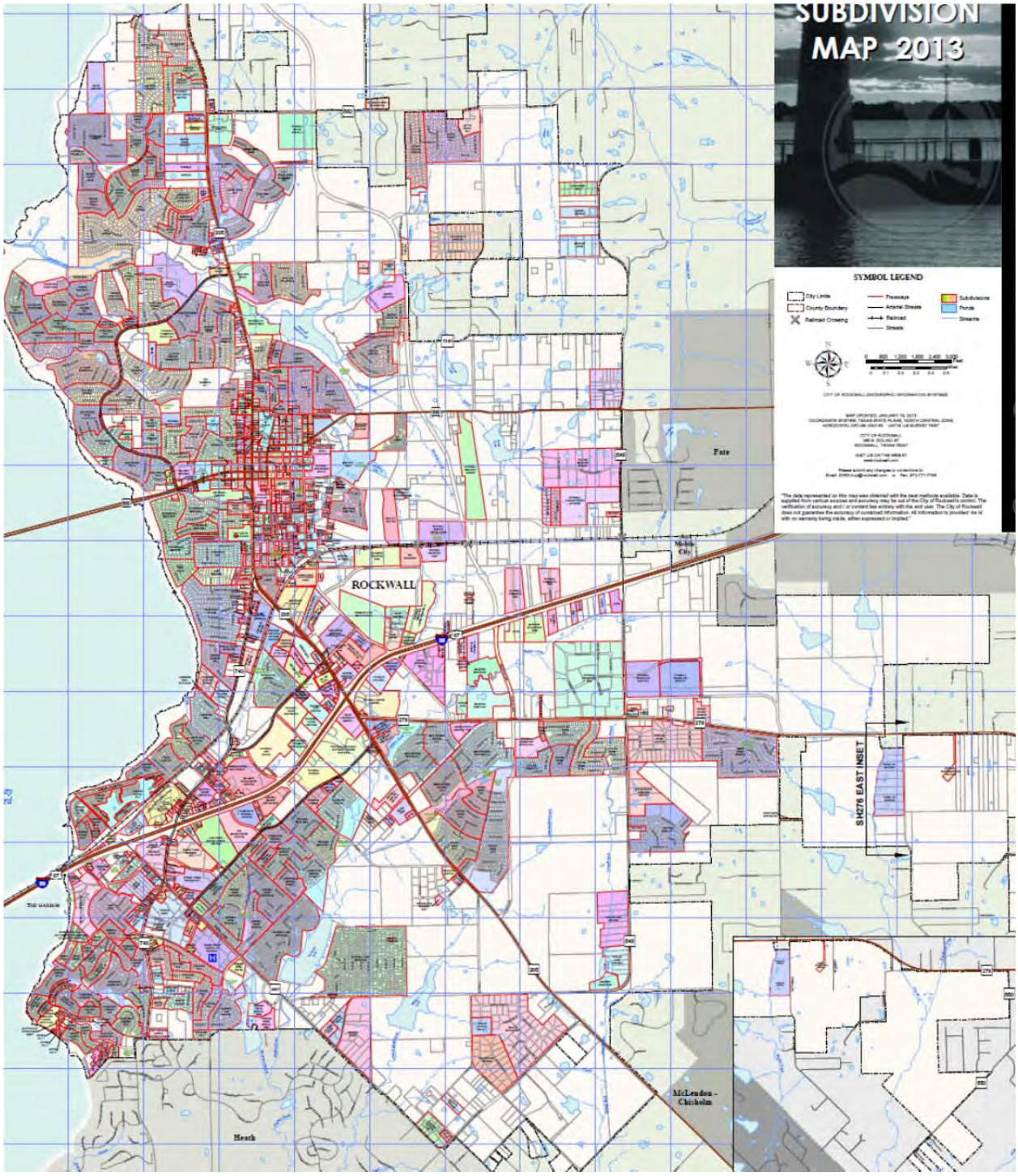
Jurisdictional Exceptions

The Jurisdictional Exception Rule provides for severability preserving the balance of the *Uniform Standards of Professional Appraisal Practice (USPAP).* If one or more parts of *USPAP* are "contrary to the law or public policy of any jurisdiction, only that part shall be void and of no force or effect in that jurisdiction." According to *USPAP*, "A law means a body of rules with binding legal force established by the controlling governmental authority." This includes federal and state constitutions, legislative and court made law, administrative rules, regulations and ordinances. In this assignment, there are no known conflicts of law or public policy that disregard the *USPAP*.

Hypothetical Conditions

A hypothetical condition is that which is contrary to what exists but is supposed for the purpose of analysis. In this particular assignment, the following hypothetical condition was made:

> For purposes of this analysis, the subject property is a hypothetical, undeveloped, parcel in the City of Rockwall.


SUBDIVISION
MAP 2013
SYMBOL LEGEND
City Limits
County Boundary
Railroad Crossing
Freeways
Arterial Streets
Railroad
Streets
Subdivisions
Ponds
Streams
ROCKWALL
Fate
McLendon-Chisholm
Heath
SH276 EAST INSET

Residential Market Analysis

Boundaries

The neighborhood boundaries are generally defined as follows:
City of Rockwall (Urban)
Outlying areas of the City of Rockwall (Suburban)

Development Activities and Trends

Residential development comprises approximately ±80% of the development in Rockwall. According to ESRI, the average 2014 home price within a 1-mile, 3-mile, and 5-mile radius of the Subject is $220,902, $230,517, and $224,991, respectively.

Recent single family building permit activity in Rockwall County summarized as follows:

Rockwall MSA Single Family Building Permits[1]				
Year	**Units**	**% Change**	**Average Value**	**% Change**
2000	955	-	$194,400	-
2001	1.267	32.7%	$171,000	-12%
2002	1,224	-3.4%	$171,000	0.0%
2003	1,219	-0.4%	$168,500	-1.5%
2004	1,598	31.1%	$168,100	-0.2%
2005	1,756	9.9%	$183,400	9.1%
2006	1,190	-32.2%	$201,800	10.0%
2007	759	-36.2%	$240,200	19.0%
2008	589	-22.4%	$192,800	-19.7%
2009	545	-7.5%	$166,500	-13.6%
2010	489	-10.3%	$200,800	20.6%
2011	411	-16.0%	$233,800	16.4%
2012	675	+64.2%	$247,700	5.9%
2013	618	+9.89%	$260,530	5.2%
YTD Sept. 2014	741		$256,900	3.79%

1 Data provided by Texas A&M Real Estate Center

As indicated by the preceding chart, new single family home activity peaked in 2005 at 1,756 permits. Building permit activity dropped significantly in 2006, 2007, and 2008, but slowed to 7.5% in 2009. New construction continued to decline in 2010, but appears to have bottomed in 2011 with 411 homes. For 2012, 2013, & 2014, permits have rebounded significantly, being up over 60% to 70% from 2011 levels

Residential Market Analysis, continued

Demographic Trends

Population growth in Rockwall County had been slow in relation to the Dallas-Fort Worth CMSA after Lake Ray Hubbard was impounded in the 1960's. That changed when IH-30 was upgraded and the bridge widened in the 1990s. While the entire county has benefited, most of the growth has taken place along or near IH-30, and from west to east. Access remains an important factor in Rockwall County's growth pattern.

Area	1980	1990	2000	2010	2000 to 2010 % Change	2000 to 2010 Annual %Change	Estimated 2014
City of Fate	NA	477	463	6,357	1273.0%	29.9%	8,330
City of Heath	1,459	2,108	4,149	6,921	66.8%	5.3%	7,440
City of Rockwall	5,939	10,486	17,976	37,490	108.6%	7.6%	40,030
City of Rowlett	7,522	23,260	44,503	56,199	26.3%	2.4%	56,450
City of Royse City	1,566	2,206	2,957	9,349	216.2%	12.2%	10,000
Rockwall County	14,528	25,600	43,080	78,337	81.8%	6.2%	84,390

Source: U.S. Bureau of the Census & State of Texas

The population in the City of Rockwall increased 7.6% annually from 2000 to its 2010 level of 37,490. The Rockwall County grew 6.2% annually to 78,337 during the same period.

Demographics

The following chart summarizes demographic data in the Subject Neighborhood. The data was provided by ESRI, Inc., and is based on demographics in a 1,3, and 5-mile radius from the Subject Property.

Residential Market Analysis, continued

2010-2014 Demographic Data (Source, ERSI, Inc.)			
Item	**1 Mile**	**3 Mile**	**5 Mile**
2000 Population	5.631	19,454	48,323
2014 Population	7,850	35,465	90,184
2000-2014 Population Growth Rate	39.4%	82.3%	86.6%
Projected 2019 Population	8,765	39,540	99,340
Projected 5-Year Growth Rate	11.7%	11.5%	10.2%
2014 Households	2,845	12,304	30,066
2014 Average Household Size	2.66	2.85	2.98
2014 Median Household Income	$83,834	$89,693	$90,895
2014 Average Household Income	$100,502	$110,046	$109,922
2014 Per Capita Income	$36,979	$38,430	$36,755
2014 Housing Units	2,990	12,866	31,503
2014 Owner Occupied Housing Units	70.7%	74.2%	78.3%
2014 Renter Occupied Housing Units	24.5%	21.5%	17.1%
2014 Vacant Housing Units	4.8%	4.4%	4.6%
Projected 2019 Housing Units	3,366	14,416	34,783
2014 Median Home Value	$220,902	$230,517	$224,991

The following data is compiled from the North Texas Real Estate Information Systems and analyzed by the Real Estate Center at Texas A&M University. According to the data as of December 2014 (includes residential, commercial and farm and ranch) the number of closed transactions year-to-date for lots and vacant land in the Rockwall market area has increased 10% and the average price has increased 4%. The average sold to list price has decreased 4% and the average days on market has decreased 1%. Pending sales have increased by 26% and months inventory has decreased to 29.9 months. The increase in pending sales is a good indicator of possible increased transaction levels in the coming months.

Year-to-Date Sales Closed by Area for: October 2014 Lots and Vacant Land – Part 1								
Area	Sales	%Change Year Ago	Dollar Volume	% Change Year Ago	Average Price	% Change Year Ago	Median Price	% Change Year Ago
34	135	16%	$15,597,495	21%	$115,537	+4%	$56,500	+7%

Residential Market Analysis, continued

Year-to-Date Sales Closed by Area for: October 2014 Lots and Vacant Land – Part 11								
Area	Price per SF	%Change Year Ago	Sold to List Price	% Change Year Ago	Co-op Sales	% Change Year Ago	DOM	% Change Year Ago
34			87%	-4%	49%	-7%	240	-1%

Year-to-Date Sales Closed by Area for: October 2014 Lots and Vacant Land – Part 111								
Area	Pending Sales	%Change Year Ago	New Listings	% Change Year Ago	Active Listings	% Change Year Ago	Months Inventory	% Change Year Ago
34	123	+26%	380	+8%	336	-18%	29.9	-30%

The following data is also compiled from the North Texas Real Estate Information Systems and analyzed by the Real Estate Center at Texas A&M University. According to the data as of December 2014 the number of closed transactions year-to-date for single family residences in the Rockwall market area has increased 3% and the average price increased 5%. The average price per square foot has increased 6% and the average days on market has decreased 8%. Pending sales have increased 11% and months of inventory has decreased 1%.

Year-to-Date Sales Closed by Area for: December 2014 Single Family – Part 1								
Area	Sales	%Change Year Ago	Dollar Volume	% Change Year Ago	Average Price	% Change Year Ago	Median Price	% Change Year Ago
34	1875	+3%	$473,251,875	+9%	$252,401%	+5%	$214,720	+8%

Year-to-Date Sales Closed by Area for: December 2014 Single Family – Part 11								
Area	Price per SF	%Change Year Ago	Sold to List Price	% Change Year Ago	Co-op Sales	% Change Year Ago	DOM	% Change Year Ago
34	$97	+6%	97%	0%	85%	+3%	58	-8%

Year-to-Date Sales Closed by Area for: December 2014 Single Family – Part 111								
Area	Pending Sales	%Change Year Ago	New Listings	% Change Year Ago	Active Listings	% Change Year Ago	Months Inventory	% Change Year Ago
34	1,676	11	2,430	3%	452	-4%	2.9	-7%

Residential Market Analysis, continued

Conclusions

Rockwall has shown strong population growth over the past twenty years and employment trends are positive. The area is rapidly being developed with commercial and residential uses. In the future, Rockwall County is anticipated to be one of the fastest growing areas of the metropolis. The neighborhood is considered to be in a growth life stage and the overall aspects are considered to be good.

DATA ANALYSIS

Description and Analysis of the Subject

For purposes of this analysis, the subject property is a typical, undeveloped, parcel in the City of Rockwall. According to the client, the City of Rockwall will be using the data to value parklands ranging in size from 1 to 10 acres. The client instructed the appraisers to base adjustments on a typical 1 to 2 acre residential parcel.

Description of the Data and Analysis

The purpose of this analysis is to determine the average value of a residential, undeveloped, parcel within the City of Rockwall. The parcel is assumed to have paved street access and to be in the early stages of development.

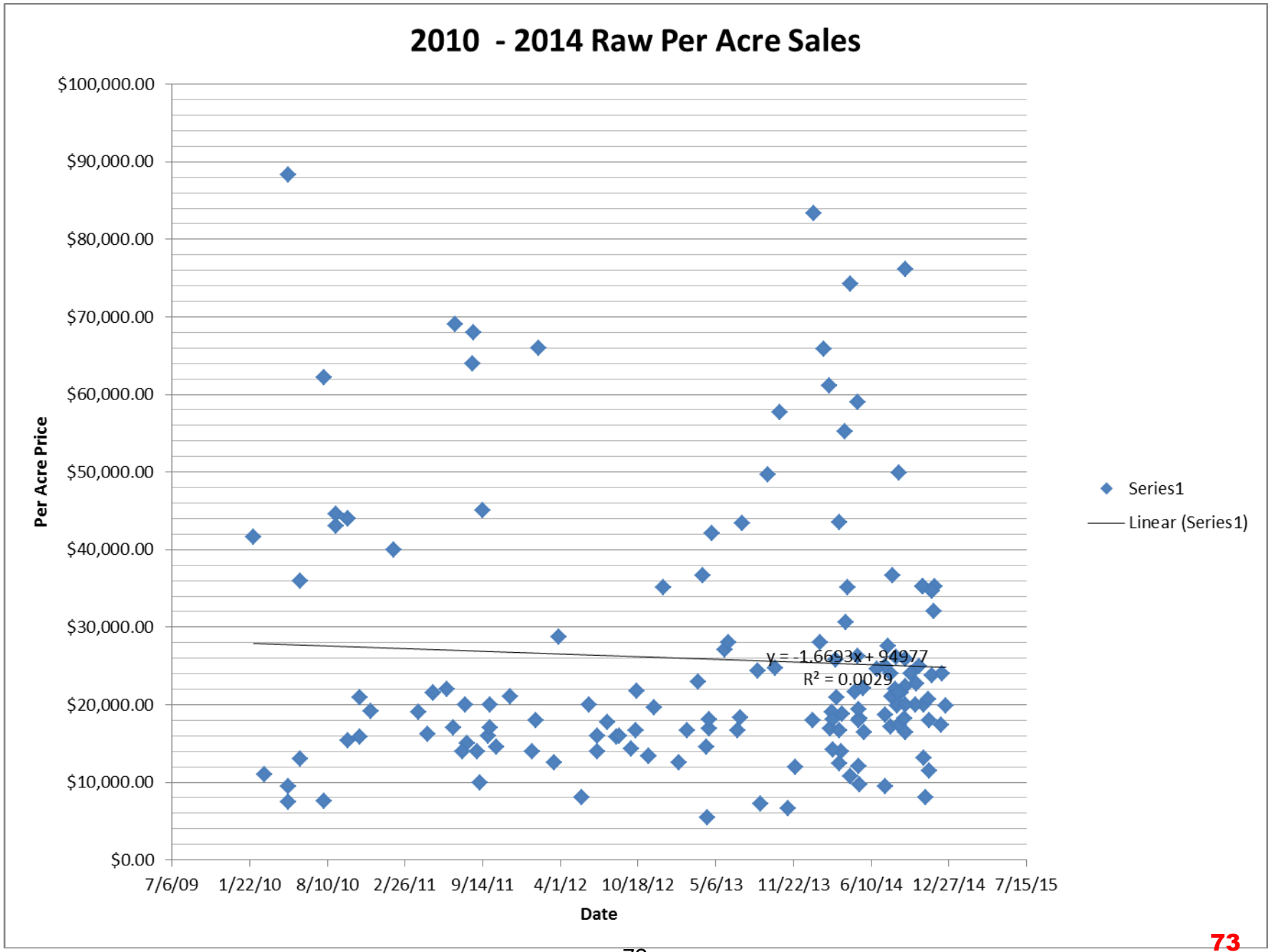
Sales and listing data was obtained from the Multiple Listing Service. Our queried data included all residential land sales and listings from one tenth of an acre to twenty acres in the City of Rockwall and nearby suburban communities commercially supported by the City of Rockwall. Included within the data are land sales of parcels improved with typical subdivision infrastructure (i.e. paved streets, utilities, engineering, platting, etc.) These sales have been adjusted to reflect their condition above the average undeveloped parcel. Within our analysis we have also considered historical land sale prices and trends as these are good indicators of current prices and prices going forward and provide a helpful frame of reference for the overall market. Other factors considered and adjusted for within the sales data include parcel size and location.

Our queries presented the following raw data. The data is not adjusted to reflect the average, undeveloped parcel. The raw average price per acre is heavily biased and influenced by sales of lake front lots and small lots less than 1 acre.

	2010	2011	2012	2013	2014
Total Sales	51	79	90	97	68
Sale to List Ratio	83%	85%	88%	92%	92%
Avg. Price Per Acre	$139,558	$75,231	$59,877	$89,958	$67,148
Avg. Days on Market	304	3714	90	282	154
Percentage of Sale Under 1 Acre	33.33%	45.57%	36.67%	41.1%	53%

Data Analysis continued,

A trend analysis of the raw price per acre of all lot sale listed in MLS from 2010 to 2014 suggests the price trend is to be slightly increasing. The data set was ±478 sales. However, little weight should be given in this data as it is heavily upward biased because of small lots located on or near the lake which sale at a premium price due to location and higher unit prices due to economies of scale. Likewise, at the other end of the spectrum, a few sales sold for $200,000±. Many of the sales were located within Rockwall County but not in the City of Rockwall. In an attempt to reduce the skewing, the data set used in the analysis is refined to sales greater than 1 acre up to 20 acres that sold for less than $200,000 per acre. Only lot sales stated by MLS to be in the City of Rockwall were considered. For the 2010 thru 2014 time period the data set is narrowed to sales greater than 1.001 acres and less than $100,000 in price. The following chart reflects the trend of these sales. The data indicates that the lots sales from 2010 to 2014 had slightly declining trend. However, this is somewhat misleading because the data appears to be skewed by several high priced lot sales in 2010 & 2011 along with a higher velocity and concentration of mid $20,000 sales in 2014.


2010 - 2014 Raw Per Acre Sales
$100,000.00
$90,000.00
$80,000.00
$70,000.00
$60,000.00
$50,000.00
$40,000.00
$30,000.00
$20,000.00
$10,000.00
$0.00
Per Acre Price
7/6/09
1/22/10
8/10/10
2/26/11
9/14/11
4/1/12
10/18/12
5/6/13
11/22/13
6/10/14
12/27/14
7/15/15
Date
y = -1.6693x + 94977
R² = 0.0029
Series1
Linear (Series1)

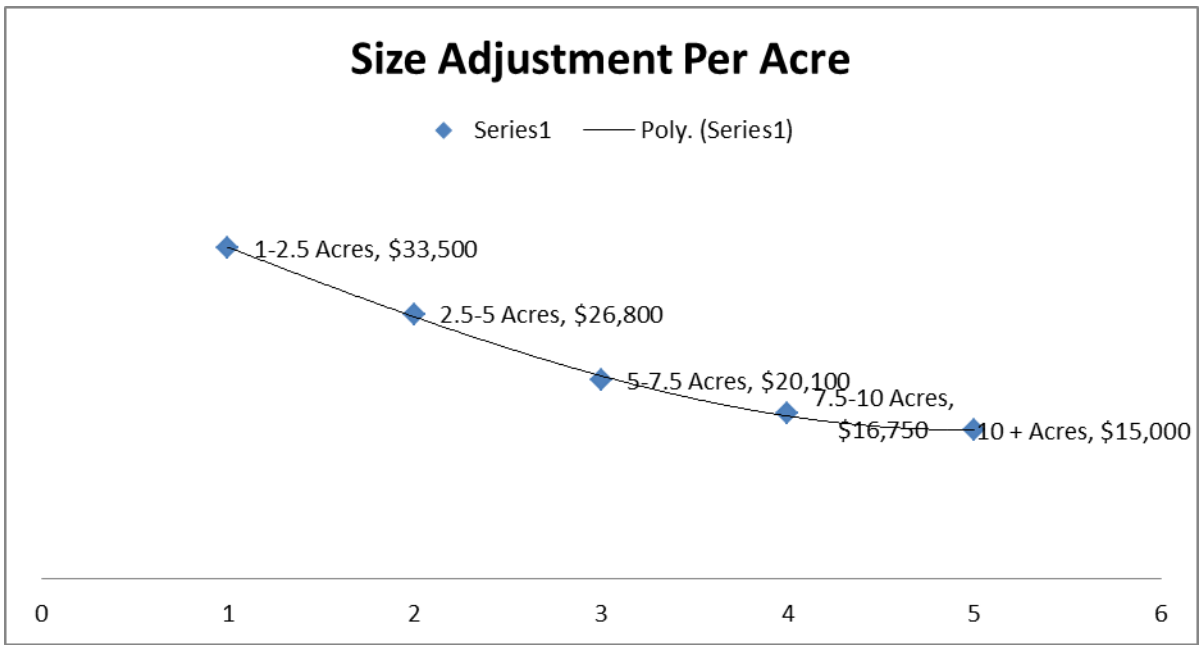
73

Data Analysis, continued

The most recent sales of lots is the 2014 data set. The analysis will focus on the 2014 sales. This data set contains 32 sales that MLS lists as in the City of Rockwall. The sales are all between 1.001 Acre to 20 Acre and less than $100,000.

The data will first be adjusted for location and in infrastructure. These adjustments considered information included in the detail MLS write up sheets. The average price per acre adjusted for location and infrastructure was $33,823.

The next adjustment is a lot size adjustment. The following chart represents the size adjustment of the data set.

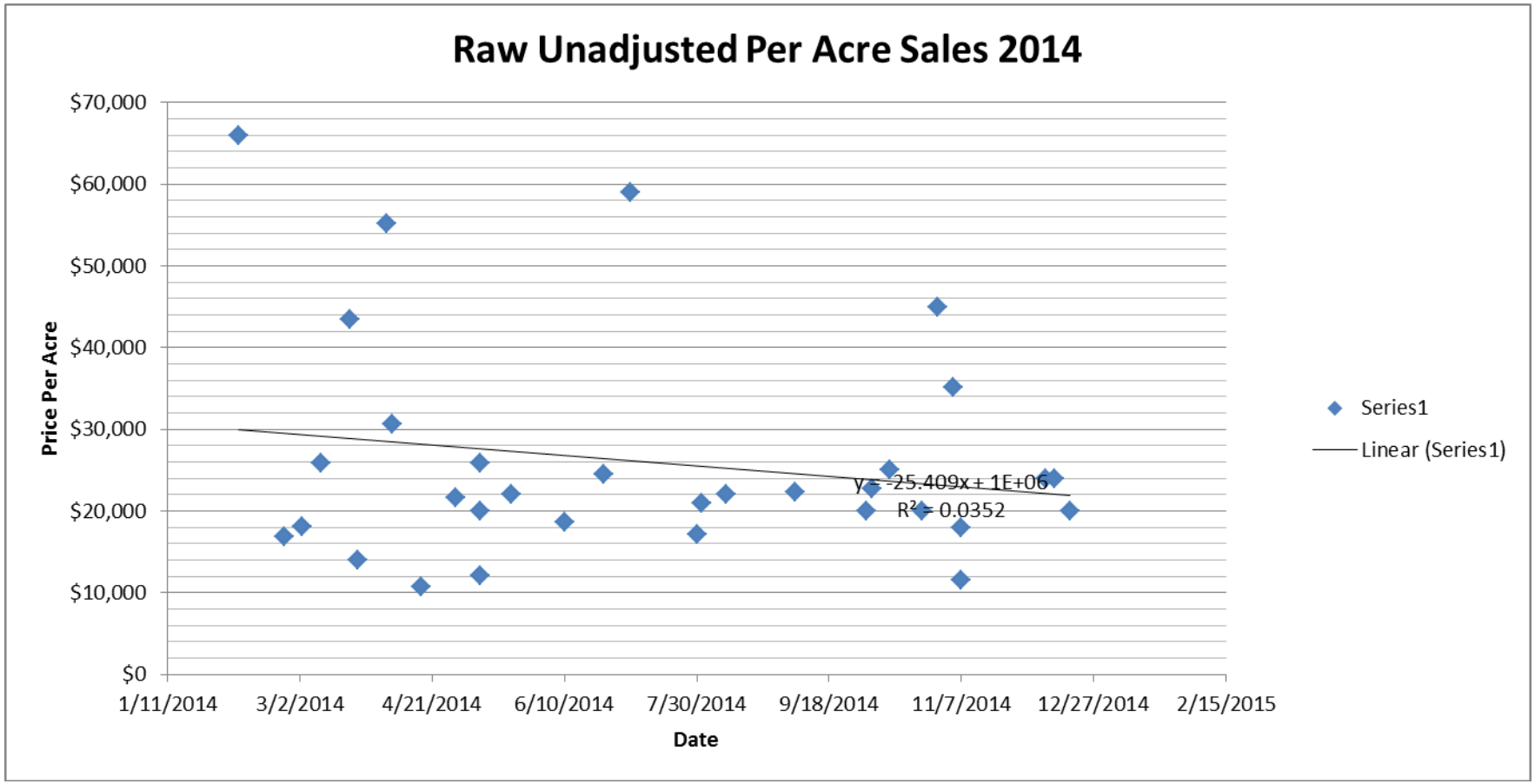


Data Analysis, continued

The data represents the following adjustment to a 5 acre tract.

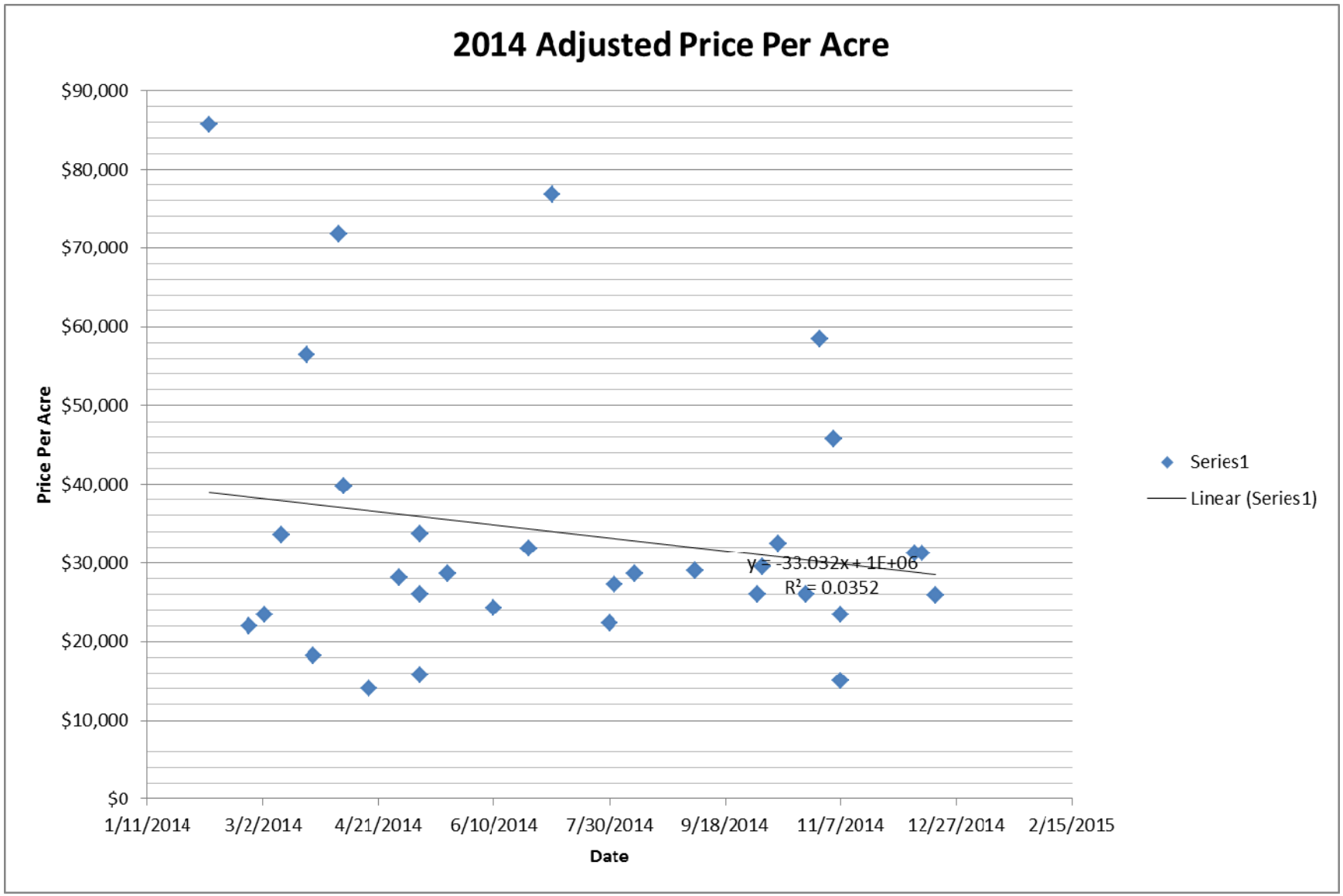
Size Adjustment for a 5 Acre Tract	
1 Acre	-25%
2 Acre	-15%
3 Acre	-7.5%
4 Acre	-3%
5 Acre	0
6 Acre	+5%
7 Acre	+10%
8 Acre	+20%
9 Acre	+20%
10 Acre	+20%

Following are two charts. The first shows the 2014 per acre lot sales date unadjusted. This chart shows the data quite dispersed between ±$10,750 per acre price to a $65,890 per acre price. The average 2014 per acre price was $26,018/Acre. The trend line indicates that the Acre price to be approximately $30,000/Acre at the beginning of 2014 and around $24,000/Acre at the end of 2014. The overall average for the year is $26,018.


Raw Unadjusted Per Acre Sales 2014
$70,000
$60,000
$50,000
$40,000
$30,000
$20,000
$10,000
$0
Price Per Acre
1/11/2014
3/2/2014
4/21/2014
6/10/2014
7/30/2014
9/18/2014
11/7/2014
12/27/2014
2/15/2015
Date
y = -25.409x + 1E+06
R² = 0.0352
Series1
Linear (Series1)

Data Analysis, continued

The second chart represents the 2014 data after adjustments for location and infrastructure. As shown on the chart, the data is represented in a much tighter range. The average for the adjusted data is $33,823/acre. The trend line indicates the price per acre at the beginning of 2014 to be approximately $40,000/acre and $28,000/acre toward the end of the year. This represents a decline of ±30% during the year. This trend is somewhat skewed due to several high priced lots sales occurred in early 2014.


2014 Adjusted Price Per Acre
$90,000
$80,000
$70,000
$60,000
$50,000
$40,000
$30,000
$20,000
$10,000
$0
Price Per Acre
1/11/2014
3/2/2014
4/21/2014
6/10/2014
7/30/2014
9/18/2014
11/7/2014
12/27/2014
2/15/2015
Date
y = -33.032x + 1E+06
R² = 0.0352
Series1
Linear (Series1)

Data Analysis, continued

Conclusions

Over the last three years lot sales actively has been improving for both the number of sales as well as the price.

The following list a summary of our data findings over the past three years.

Average Per Acre Price 2010 to 2014 Unadjusted: $25,917Acre

Average Per Acre Price for 2014 Unadjusted: $26,018 Acre

Average Per Acre Price for 2014 Adjusted for Location & Infrastructure: $33,823 Acre

The adjusted 2014 data represents the tightest range of lot sales. The trend line of the data indicates per acre lot sales decreased during 2014 from $40,000/Acre to $28,000/Acre at the end of the year.

Based upon our analysis and conclusions, subject to parameters defined, my opinion of the average market value price per acre of residential land in the City of Rockwall as of 1/1/2015 is:

$34,000/Acre

Addendum

Qualifications

Assumptions & Limiting Conditions

City of Rockwall Park Land Ordinance

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SUMMARY OF QUALIFICATIONS - Bryan E. Humphries, MAI

Currently

Owner, BRYAN E. HUMPHRIES, INC.

Experience

Over 36 years experience in the appraisal of real properties, including commercial, multi-family, industrial, and special purpose properties, for mortgage bankers, savings and loan associations, insurance companies, attorneys, private individuals, public utilities, and governmental agencies.

Education

Graduated from Texas Tech University in 1974: B.B.A. Business

Graduated from Texas Tech University in 1976: M.S. Finance

Completed college, SREA, and AIREA courses in real estate appraisal

Qualified as "Expert" in real estate valuation in various courts

Professional Designations and Affiliations

MAI	Member (#6514), Appraisal Institute
AI	Admissions Committee, North Texas Chapter 17, 1983-1992 (Chairman, 1989-1990); National Admissions Review (1994-1996); Education Committee (1988); Region 8 Representative (1994, 1996, 1997, 2002); North Texas Chapter 17 Board of Directors (1993 - 1995; 1999 – 2001)
	Appraisal Institute National Screener (1996-2005)
Broker	Licensed Broker (#216136-12), Texas Real Estate Commission
State Certified	Texas State Certified - General Real Estate Appraiser (#TX 1320676-G)
State Certified	Texas State Certified – Property Tax Consultant (00003440)
Member	North Texas Commercial Association of Realtors
Member	Real Estate Financial Executive Association

ASSUMPTIONS AND LIMITING CONDITIONS

1. It is assumed that title to the property herein appraised is good and merchantable, and in fee simple. The value is reported without regard to questions of title, boundaries, encroachments, environmental regulations, licenses, or other matters of a legal nature unless noncompliance has been stated, defined, and considered in the appraisal report.

2. The value is estimated under the assumption that there will be no international or domestic political, economic, or military actions that will seriously affect real estate values throughout the country.

3. Certain information concerning market and operating data was obtained from others. This information is verified and checked, where possible, and is used in this appraisal only if it is believed to be accurate and correct. However, such information is not guaranteed. Dimensions and areas of the Subject Property and of the comparables were obtained by various means and are not guaranteed to be exact.

4. Real estate values are influenced by a number of external factors. The information contained herein is all of the data we consider necessary to support the value estimate. We have not knowingly withheld any pertinent facts, but we do not guarantee that we have knowledge of all factors, which might influence the value of the Subject Property. Due to rapid changes in external factors, the value estimate is considered to be reliable only as of the date of the appraisal.

5. Opinions of value contained herein are estimates. This is the definition of an appraisal. There is no guarantee, written or implied, that the Subject Property will sell for the estimated value. The estimated value assumes that the property is under responsible ownership and has competent and prudent management.

6. The appraiser will not be required to provide testimony or attendance in court or before other legal authority by reason of this appraisal without prior agreement and arrangement between the employer and the appraiser.

7. Disclosure of the contents of this appraisal report is governed by the By-Laws and Regulations of the Appraisal Institute. Neither all nor any part of the contents of this report (especially any opinions, analyses, or conclusions concerning value, the identity of the appraiser or the firm with which he is connected, or any reference to the Appraisal Institute or the M.A.I. or SRA Designation) shall be disseminated to the public through advertising media, public relations media, news media, sales media, prospectus for securities, or any other public means of communication without prior written consent and approval of the undersigned.

8. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures which would render it more or less valuable, except as stated in this report. No responsibility is assumed for such conditions or for engineering, which may be required to discover them. It is assumed that a prudent owner/buyer would allow inspection of the property by a qualified soils or structure engineer if conditions so required.

9. The distribution of the total valuation in this report between land and improvements applies only under the reported highest and best use of the land. The allocation of value for land and improvements, if presented, must not be used in conjunction with any other appraisal and are invalid if so used.

10. Estimates of costs to cure deferred maintenance are difficult at best. Contractors approach such problems in various ways. The estimates, if any, provided within this report are probable costs given current market conditions, available information, and the appraiser's expertise.

11. No environmental impact studies were requested or made in conjunction with this appraisal, and the appraiser hereby reserves the right to alter, amend, revise, and/or rescind the value opinions based upon any subsequent environmental impact studies, research, or investigation.

12. This appraisal was prepared by Bryan E. Humphries & Associates and consists of trade secrets and commercial or financial information, which is privileged and confidential and is exempted from disclosure under 5 U.S.C. 552 (b) (4). Please notify Bryan E. Humphries & Associates of any request of reproduction of this appraisal.

13. Unless otherwise stated in this report, the existence of hazardous substances, including without limitation asbestos, polychlorinated biphenyl, petroleum leakage, or agricultural chemicals, which may or may not be present on the property or other environmental conditions, were not called to the attention of nor did the appraiser become aware of such during the appraiser's inspection. The appraiser has no knowledge of the existence of such materials on or in the property unless otherwise stated. The appraiser, however, is not qualified to test such substances or conditions. If the presence of such substances, such as asbestos, urea formaldehyde foam insulation, or other hazardous substances or environmental conditions, may affect the value of the property, the value estimated is predicated on the assumption that there is no such condition on or in the property or in such proximity thereto that it would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them.

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14. Anyone acting in reliance upon the opinions, judgments, conclusions, or data contained herein, who has the potential for monetary loss due to the reliance thereon, is advised to secure an independent review and verification of all such conclusions and/or facts.

    The user agrees to notify the appraiser prior to any irrevocable loan or investment decision of any error, which would reasonably be determined from a thorough and knowledgeable review.

15. By acceptance and use of this report, the user agrees that any liability for errors, omissions or judgment of the appraiser is limited to the amount of the fee charged.

16. The limiting condition relating to the ADA is as follows:

    > This appraisal has not considered the effects of the enactment of the Americans with Disabilities Act of 1990 (ADA), which initially became effective January 26, 1992. We have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. Standards of this act are designed to provide access to all public facilities to all persons, regardless of mobility limitations. The act provides forceful encouragement for commercial establishments to enhance their accessibility and requires that renovations after this date fully comply with the access standards established by the Architectural and Transportation Barriers Compliance Board. Enhancements to buildings must be readily achievable and able to be carried out without much difficulty or expense. The act recognizes that "readily achievable" is different for companies depending on their resources. The first priority is to provide access from sidewalks, parking and transportation areas, with the second priority being to provide access to areas where goods and services are available to the public. Finally, access to restroom facilities must accommodate all persons. The modifications and costs that may be necessary for the property to conform to ADA can be ascertained only by a qualified architect. Should such a study be undertaken, and should the retrofit costs, if any, become known, then the appraisers reserve the right to re-evaluate the Subject Property.

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING ARTICLE II. PARK LAND DEDICATION OF THE SUBDIVISION REGULATIONS OF THE CODE OF ORDINANCES AS SET FORTH HEREIN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS ($500.00); PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

Section 1. That the Subdivision Regulations of the Code of Ordinances shall be amended in Article II. Park Land Dedication, which shall hereafter read in its entirety as follows:

"ARTICLE II. PARK LAND DEDICATION

Sec. 24-41. Purpose.

(a) This article [Ordinance Number 87-1] is adopted to provide recreational areas in the form of neighborhood parks as a function of subdivision development in the City of Rockwall, Texas.This article is enacted in accordance with the Home Rule powers of the City of Rockwall, granted under the Texas Constitution, in statutes of the State of Texas, including but not by way of limitation, articles 974a and 1175. It is hereby declared by the city council that recreation areas in the form of neighborhood parks are necessary and in the public welfare, and that the only adequate procedure to provide for same is by integrating such a requirement into the procedure for planning and developing property or subdivisions in the city, whether such development consists of new construction on vacant land or rebuilding structures on existing residential property.

(b) Neighborhood parks are those parks providing for a variety of outdoor recreational opportunities, be a minimum of ten acres, and be within convenient distances for a majority of the residents to be served thereby. Park districts are established by the official park plan for the City of Rockwall, Texas, and shall be prima facie proof that any park located therein is within such convenient distance from any residence located therein. Primary cost of neighborhood parks shall be borne by the ultimate residential property owners, who, by reason of the proximity of their property to such parks, shall be the primary beneficiary of such facilities. Therefore, the following requirements are adopted to effect the purposes stated. (Ord. No. 87-1, § I, 1-5-87)

Sec. 24-42. Definitions.

For the purposes of this article, the following definitions shall apply:

Develop (V): The act of subdividing a parcel or tract of land and installation of community facilities in accordance with and as defined by the City of Rockwall Subdivision Ordinance.

Development (N): A parcel or tract of land proposed for subdivision in accordance with and as defined by the City of Rockwall Subdivision Ordinance.

Park development. The development of a park site by construction of streets, drainage, utilities, and recreational improvements to serve a neighborhood park district.

Recreational Improvements - Facilities: The park features set forth for a neighborhood park in the Activity Menu of the Park Plan. A uniform cost shall be prepared annually for these features and adopted by resolution by the City Council. The dedication factor shall be applied to this cost to determine the pro rata share per new dwelling unit for recreational improvements - facilities.

Pro rata share of required dedication. The amount of land that shall be dedicated (or the acreage figure used to calculate cash in lieu of land donation) as prescribed within this article. The pro rata share of required dedication in a neighborhood park district shall be calculated as follows: Pro rata share of required acreage dedication per new dwelling unit is the factor obtained when the 10 acre area of park is divided by the ultimate residential dwelling unit holding capacity for park district in which the unit(s) is located.

The total number of residential units which a neighborhood park district is projected to have when fully developed shall be determined by the Impact Fee Land Use Assumptions as set forth in Table 1, Park Dedication Acreage Factor per Dwelling Unit, below. (Ord. No. 87-1, § II, 1-5-87)

TABLE 1
PARK DEDICATION ACREAGE FACTOR PER DWELLING UNIT

Park District	Ultimate Dwelling Unit Holding Capacity	Dwelling Unit Dedication Factor (Acre)
1	653	.015
2	1151	.009
3	962	.010
4	1660	.006
5	1558	.007
6	978	.010
7	1282	.008
8	1856	.005
9	1524	.007
10	1041	.010
11	948	.011

12	2663	.004
13	728	.014
14	1940	.005
15	870	.015
16	728	.014
17	1235	.008
18	801	.012
19	1071	.009
20	699	.014
21	1473	.007
22	1598	.006
Total	27,419	

Sec. 24-43. General Requirement for SF-16, SF-10, SF-7, ZL-5, 2-F and MF-15, to be used for single-family, zero lot line, duplex, and/or apartment multi-family residential purposes.

(a) Whenever a final plat is filed of record with the county clerk of Rockwall County for development of a residential area in accordance with the planning and zoning ordinances of the City of Rockwall, such plat shall contain a clear fee simple dedication of an area of land to the City of Rockwall for park purposes, which area shall be equal to or greater than the property being subdivided's pro rata share of neighborhood park property required for the neighborhood park district in which the property being platted or subdivided is located as shown by the Park Master Plan. In addition, the developer shall make payment of money for pro-rata share and recreational improvement facilities as defined in this article. Any proposed plat submitted to the city for approval shall show the area proposed to be dedicated under this article. The requirement for dedication under this article may be met by a payment of money in lieu of land when permitted or required by the other provisions of this article.

(b) The city council declares the development of an area smaller than one acre for public park purposes to be impractical. Therefore, if less than one acre is calculated to be the pro rata share of a development plat filed for approval, the developer shall be required to pay the applicable cash in lieu of land amount provided for by Section 24-45(c) of this article, rather than dedicate any land area. No plat showing a dedication of less than one acre shall be approved.

(c) In instances where an area of less than six (6) acres but more than one acre is calculated to be the pro rata share of a development the city council shall have the option of requiring land dedication or cash in lieu of land in accordance with Section 24-45(c) of this article after consideration of the recommendation of the planning and zoning commission and the parks and recreation board. If the City determines that sufficient park area is already in the public domain in the area of the proposed development or the neighborhood park district, or if the recreation potential for that zone would be better served by

expanding or improving an existing park, dedication may also be refused and cash in lieu of land may, likewise, be required.

(d) The dedication required by this article shall be made by filing of final plat or contemporaneously by separate instrument. If the actual number of completed dwelling units exceeds the figures upon which the original dedication is based, additional dedication shall be required and shall be made by payment in lieu of land amount described by Section 24-45(c) of this article, or by the conveyance of an entire numbered lot to the city. (Ord. No.87-1, § III, 1-5-87)

Sec. 24-44. Prior dedication; absence of prior dedication.

At the discretion of the city council, any former gift of land to the city may be credited on a per acre basis toward the eventual land dedication requirements imposed on the donor of such land. The city council shall consider recommendations of the planning and zoning commission and the parks and recreation board in exercising its discretion under this section. (Ord. No. 87-1, § IV, 1-5-87)

Sec. 24-45. Money in lieu of land.

(a) Subject to the veto of the city council and the terms of Section 24-43 of this article, a land owner responsible for dedication under this article may elect to meet the requirements of Section 24-43 in whole or in part by a cash payment in lieu of land, in an amount set forth in Section 24-45(c). Such payment in lieu of land shall be made at or prior to final plat approval.

(b) The city may from time to time decide to purchase land for parks in or near the area of actual or potential development. If the city does purchase park land in a neighborhood park district and said land purchased is used to meet the need for a neighborhood park, subsequent land dedications for that district shall be in cash only and calculated on a pro rata share basis to reimburse the city's actual cost of acquisition and development of such land for parks. The cash amount shall be equal to the sum of (1) the average price per acre of such land, and (2) the actual cost of adjacent streets and site utilities, or an estimate of such actual costs provided by the city engineer and the recreation improvement costs for facilities as set forth in the Park Master Plan for neighborhood parks. Once the city has been reimbursed entirely for all park land within a park zone, this section shall cease to apply and the other sections of this article shall be applicable.

(c) To the extent that Section 24-45(b) is not applicable, the dedication requirements shall be met by a cash payment in lieu of land on the basis of a per acre price. Said per acre price shall be determined annually by the city council and shall be based on current land values within the City. Once established the Council shall adopt the value(s) by resolution for appreciation as required in this subsection. Cash payments may be used only for acquisition or improvement of neighborhood parks located within the same neighborhood park district as the development in accordance with the Park Master Plan. (Ord. No. 87-1, § V, 1-5-87)

Sec. 24-46. Dedication of more than the pro rata share of park land.

The developer of a residential subdivision which is subject to the terms of this article may dedicate more land than the pro rata share calculated for the development if approved by the city council. If the developer dedicates an amount equal to or greater than the total required park land area for the neighborhood park district in which his subdivision is located, the city and the developer shall execute a pro rata refunding agreement in accordance with the City of Rockwall Subdivision Regulations which shall recover the cost of land dedicated in excess of the developer's pro rata share after streets, drainage, and utilities are constructed on the dedicated property.

The developer shall install the streets, drainage, and utilities to serve the neighborhood park, and the cost of same shall be included in the pro rata refunding agreement. The pro rata refunding agreement shall provide that future developers in the same neighborhood park district shall pay their pro rata share of the actual cost of park development which shall be calculated based on the per acre cash in lieu of land cost in effect at the time of dedication, plus the costs of streets, drainage, utilities, and recreational facilities installed to serve the dedicated neighborhood park. The cost of streets, drainage and utilities installed to serve the park shall be certified by the city engineer. In no case shall the developer receive pro rata payments after he has recovered an amount equal to the number of acres actually dedicated in excess of his pro rata share multiplied by the per acre cash in lieu of land figure in effect at the time of actual dedication, plus the costs of streets, drainage, and utilities as certified by the city engineer necessary to serve the neighborhood park. In no case shall the term of any pro rata agreement provided by this article be for a period in excess of five (5) years from the date of dedication. (Ord. No. 87-1, § VI, 1-5-87)

Sec. 24-47. Special fund established; right to refund.

(a) There is hereby established a special fund for the deposit of all cash funds in lieu of land dedication under this article, which fund shall be known as the "Park Land Dedication Fund."

(b) The city shall account for all sums paid in lieu of land dedication under this article referenced to individual plats involved. Any funds paid for such purposes must be expended by the city within eight (8) years from the date received by the city for acquisition and development of a neighborhood park as defined herein. Such funds shall be considered to be spent on a first/in first/out basis. If not so expended, the owners of the property on the last day of such period shall be entitled to a pro rata refund of such funds, calculated on a square footage basis. The owners of such property must request such refund within one year of entitlement; in writing, or such rights shall be barred. (Ord. No. 87-1, § VII, 1-5-87)

Sec. 24-48. Additional requirements and provisions.

(a) Any land dedicated to the city under this article shall be suitable for park and recreation use. The following characteristics of a proposed area are generally unsuitable:

(1) Any area located in the one hundred-year floodplain;

(2) Any area of unusual topography or slope which renders same unusable for organized recreational activities.

The above characteristics of park land dedication area may be grounds for refusal of a plat.

(b) Each park must have ready access to a public street.

(c) Unless provided otherwise herein, action by the city shall be by the city council after consideration of the recommendations of the planning and zoning commission and the parks and recreation board. Any proposal considered by the planning and zoning commission under this article shall have been reviewed by the parks and recreation board and its recommendation given to the commission. The commission may make a decision contrary to such recommendation only by a vote of at least five (5) members. Should the commission be unable to get this vote, the matter shall then be referred to the city council for final decision.

(d) If any provision of this article or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any other provisions or applications of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

(e) This article shall become effective upon adoption by the city council. (Ord. No. 87-1, § VIII, 1-5-87)

Sec. 24-49. Review and updating park master plan.

The City of Rockwall Parks and Recreation Department shall consider the need to update the Park Master Plan at least annually to insure that the plan remains current and provides an equitable, effective framework from which to pursue the acquisition and development of neighborhood park services for each neighborhood park district.

(Ord. No. 87-1, § XI, 1-5-87)

Sec. 24-50. Waiver of mandatory neighborhood park land dedication in the case of private developments.

If a development is proposed to be a private development where no public streets are dedicated for use by the public the city shall:

(1) Calculate the pro rata share of the proposed private development as if it were to be a development where public streets were to be dedicated.

(2) Waive the requirement for mandatory dedication if the private amenities of the proposed development meet or exceed the calculated pro rata share as calculated under Section 24-50(1) above.

(3) Decrease the total acreage shown in the Park Master Plan as being required to meet the ultimate need for neighborhood parks in the applicable neighborhood park district by the acreage calculated under Section 24-50(1) above (for the purpose of future calculations of pro rata shares for future developments).

(4) In a private development within a park district or a private development encompassing an entire park district, the park property within the private development must be easily accessible to the general public either through the use of the city trail system or public roadways. If the private development encompasses the entire park district and the ten acres of park land is not continuous, each separate section of park property must be accessible to the general public and connected by way of a minimum eight foot wide trail.

(Ord. No. 87-1, § IX, 1-5-87)

Sec. 24-51. Waiver of article requirements by city council.

The city council of the City of Rockwall, Texas may waive the requirements of this article upon a finding by the city council that said waiver is clearly in the best interest of the City of Rockwall. (Ord. No. 87-13, § I, 3-16-87)"

Section 2. Any person violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction be subject to a fine in accordance with the general provisions of the Code of Ordinances.

Section 3. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 4. That this ordinance shall take effect immediately from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this _____ day of _____, 1999.

_____
Mayor
City of Rockwall, Texas

ATTEST:

_____
City Secretary
City of Rockwall, Texas

APPROVED:

_____
City Attorney
City of Rockwall, Texas

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. ___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ESTABLISHING THE "COST PER ACRE" TO BE USED IN CALCULATION OF A NEW DEVELOPMENT'S PRO RATA SHARE CONTRIBUTION FOR NEIGHBORHOOD PARK LAND; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall desires to provide a park system which includes adequately sized and appropriately equipped Neighborhood Parks, and

WHEREAS, the City of Rockwall has adopted a Park and Recreation Master Plan designed to facilitate development of its Park Systems, and

WHEREAS, the City of Rockwall adopted Ordinance No. 38-50, Mandatory Neighborhood Parkland Dedication Ordinance, designed to facilitate participation by developers (on a pro-rata basis) in acquisition and development of neighborhood parks, and

WHEREAS, said ordinance provides that the City Council shall annually adopt a resolution establishing the "cost per acre" to be used in calculation of a new development's pro rata share contribution for neighborhood park land;

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

Section 1. Based upon a recommendation of the City of Rockwall Parks and Recreation Board, $34,000.00 is hereby adopted as the "cost per acre" park development cost to be used in calculation of pro-rata neighborhood park development matters associated with Ordinance No. 38-50.

Section 2. This resolution shall be in force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 2nd day of March, 2015.

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 03/02/2015

APPLICANT: Harold Fetty, *H. D. Fetty Land Surveyor*

AGENDA ITEM: **P2015-005**; *Lot 1, Block A, Hoardstroms Addition*

SUMMARY:

Discuss and consider a request by Harold Fetty of H. D. Fetty Land Surveyor, LLC on behalf of the owner Andrea Holliman for the approval of a replat for Lot 1, Block A, Hoardstroms Addition being a 0.47-acre tract of land identified as a portion of Lot 1 of the W. D. Austin Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 904 N. Goliad Street, and take any action necessary.

COMMENTS:

☑ On February 4, 2014, City staff approved an administrative site plan under *Case No. SP2014-001* for the purpose of allowing the applicant to convert an existing residential structure into a retail store within Planned Development District 50 (PD-50). The purpose of this request is to replat the 0.47-acre parcel of land in order to account for all the necessary easements required on the subject property.

☑ The Surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for replats as stated in the *Subdivision Ordinance* in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

RECOMMENDATIONS:

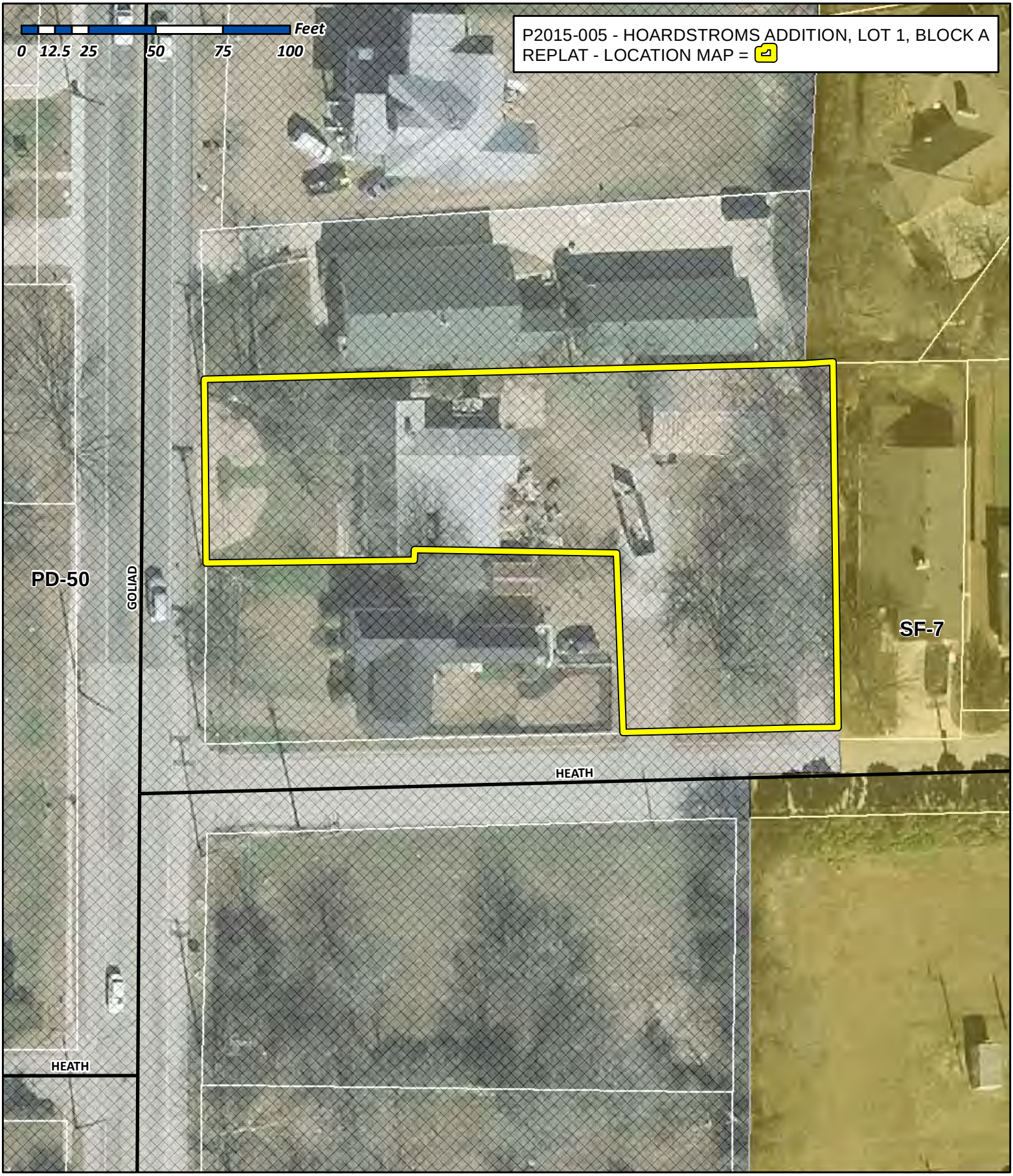
Staff recommends approval of the replat for *Lot 1, Block A, Hoardstroms Addition* in conformance with the following conditions of approval:

1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat; and,

2) Any construction resulting from the approval of this *plat* shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On February 24, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the replat by a vote of 6-0, with Commissioner Conley absent.



City of Rockwall

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

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

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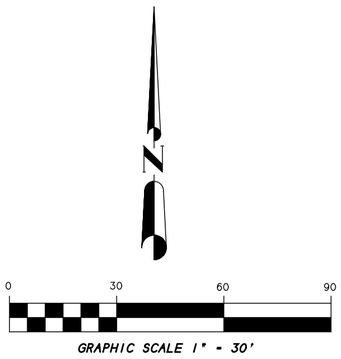

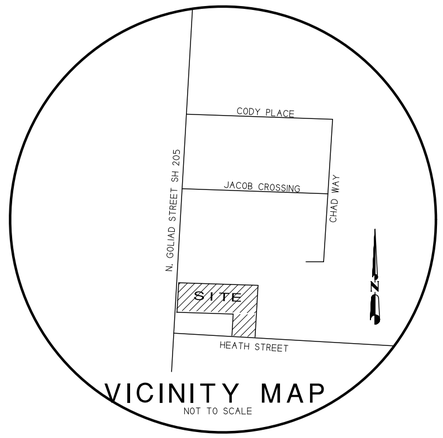

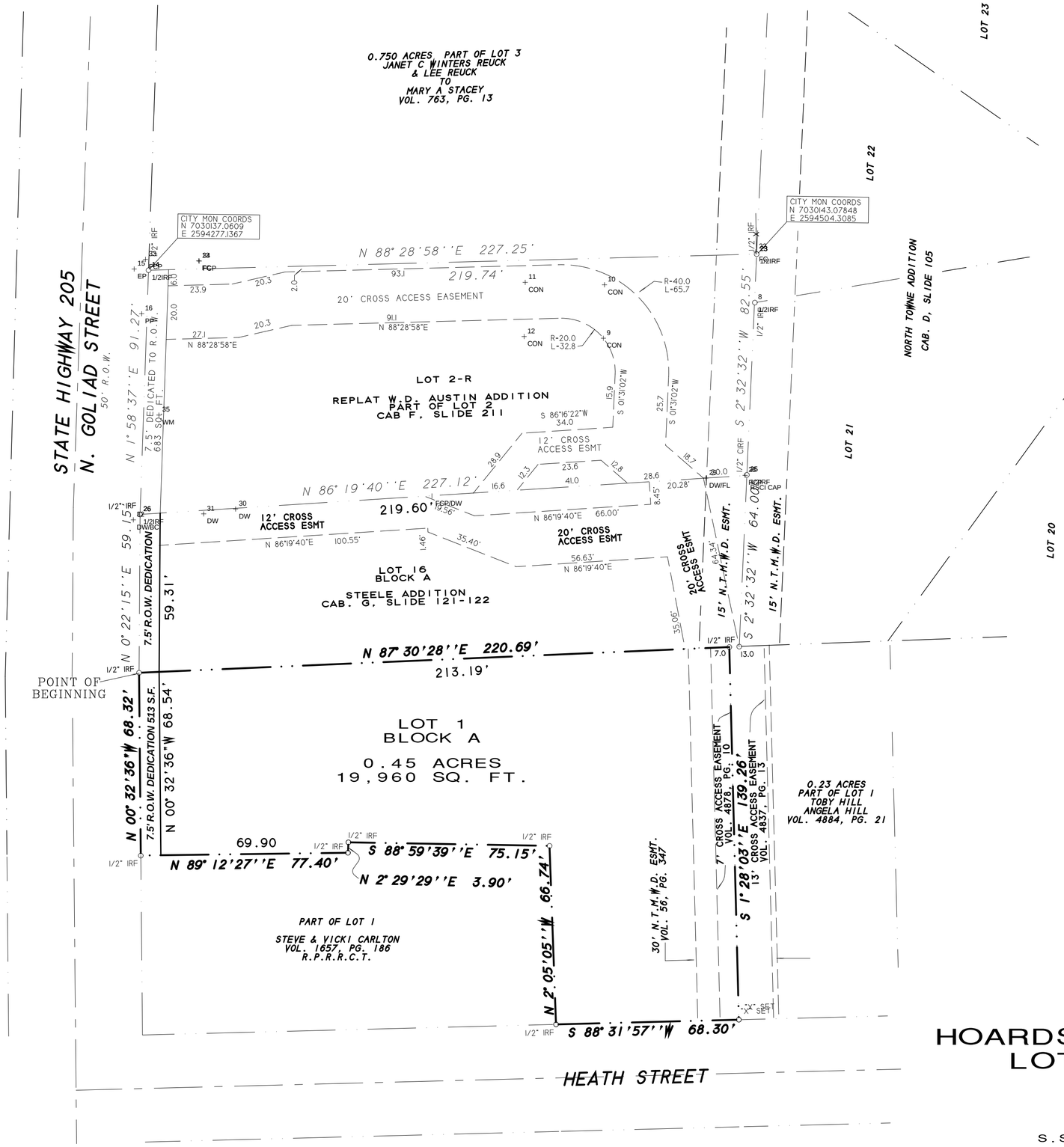

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0030 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: RECORDED DEED IN VOL, 612, P. 209, R.P.R.R.C.T.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "R.S.C.I. RPLS 5034."

OWNER:
ANDREA HOLLIMAN
204 N. WEST STREET
ROCKWALL, TX 75032

FINAL PLAT

HOARDSTROMS ADDITION
LOT 1, BLOCK A

REPLAT OF
W.D. AUSTIN ADDITION
PART OF LOT 1

0.47 ACRES (1 LOT)
S.S. MCCURRY SURVEY, A-146
AN ADDITION TO THE CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE FEBRUARY 13, 2015
SCALE 1" = 30' FILE # 991085-RP3
CLIENT HOLLIMAN

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OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, ANDREA HOLLIMAN, BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract, parcel of land situated in the S.S. McCURRY SURVEY, ABSTRACT NO. 146, Rockwall County, Texas, and being a part of Lot 1 of W.D. AUSTIN ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Volume 0, Page 536 and 537 of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the Northwest corner of Lot 1 and same being the Southeast corner of Lot 2;

THENCE N. 87 deg. 30 min. 28 sec. E. along the South line of Lot 2, a distance of 220.69 feet to a 1/2" iron rod found for corner;

THENCE S 01 deg. 28 min. 03 sec. E. a distance of 139.26 feet, to an "X" set in a concrete driveway apron at the North right-of-way line of Heath Street;

THENCE S. 88 deg. 31 min. 57 sec. W. along the North right-of-way line of Heath Street, a distance of 68.30 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner;

THENCE N. 02 deg. 05 min. 05 sec. W. a distance of 66.74 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner at the base of a fence corner post;

THENCE N. 88 deg. 59 min. 35 sec. W. along a wood board fence line, a distance of 75.15 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner at the base of a fence corner post;

THENCE S. 02 deg. 29 min. 29 sec. W. along a wood board fence line, a distance of 3.90 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner at the base of a fence corner post;

THENCE S. 89 deg. 12 min. 27 sec. W. a distance of 77.40 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner in the East right-of-way line of State Highway 205 (N. Goliad);

THENCE N. 00 deg. 32 min. 36 sec. W. along the East right-of-way line of State Highway 205 (N. Goliad), a distance of 68.32 feet to the POINT OF BEGINNING and containing 19,960 square feet or 0.47 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as HOARDSTROMS ADDITION LOT 1, BLOCK A, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of th eir respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maint aining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Roc kwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer an d/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as p rogress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exaction's made herein.

_____
ANDREA HOLLIMAN

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared ANDREA HOLLIMAN known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for w ater for personal use and fire protection within such plat, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

_____
Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of HOARDSTROMS ADDITION, LOT 1, BLOCK A, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____ , _____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____ ,_____.

_____ _____
Mayor, City of Rockwall City Secretary City of Rockwall

_____
City Engineer

FINAL PLAT

HOARDSTROMS ADDITION
LOT 1, BLOCK A

REPLAT OF
W.D. AUSTIN ADDITION
PART OF LOT 1

0.47 ACRES (1 LOT)
S.S. MCCURRY SURVEY, A-146
AN ADDITION TO THE CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER:
ANDREA HOLLIMAN
204 N. WEST STREET
ROCKWALL, TX 75032

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE FEBRUARY 13, 2015
SCALE 1" = 30' FILE # 991085-RP3
CLIENT HOLLIMAN

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 03/02/2015

APPLICANT: Harold Fetty of H.D. Fetty Land Surveyor, LLC

AGENDA ITEM: **P2015-006** (Blasé Addition - Replat)

SUMMARY:

Discuss and consider a request by Harold Fetty of H. D. Fetty Land Surveyor, LLC on behalf of the owners Chris and Jill Blasé for the approval of a replat for Lot 3, Block A, Blasé Addition being a 4.28-acre tract of land currently identified as Lot 3, Block A, Blasé Addition and a portion of Tract 11-3 of the A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, addressed as 1220 East Fork Drive, and take any action necessary.

COMMENTS:

- The objective of this request is to replat an existing residential lot by incorporating a 10,000 sq. ft. area on the east side of the property. This will create a 4.28-acre parcel of land for the purpose of constructing a guest home/secondary living unit in accordance with the standards established in the Unified Development Code.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions below.

- With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the request for final plat, staff would recommend the following conditions of approval:

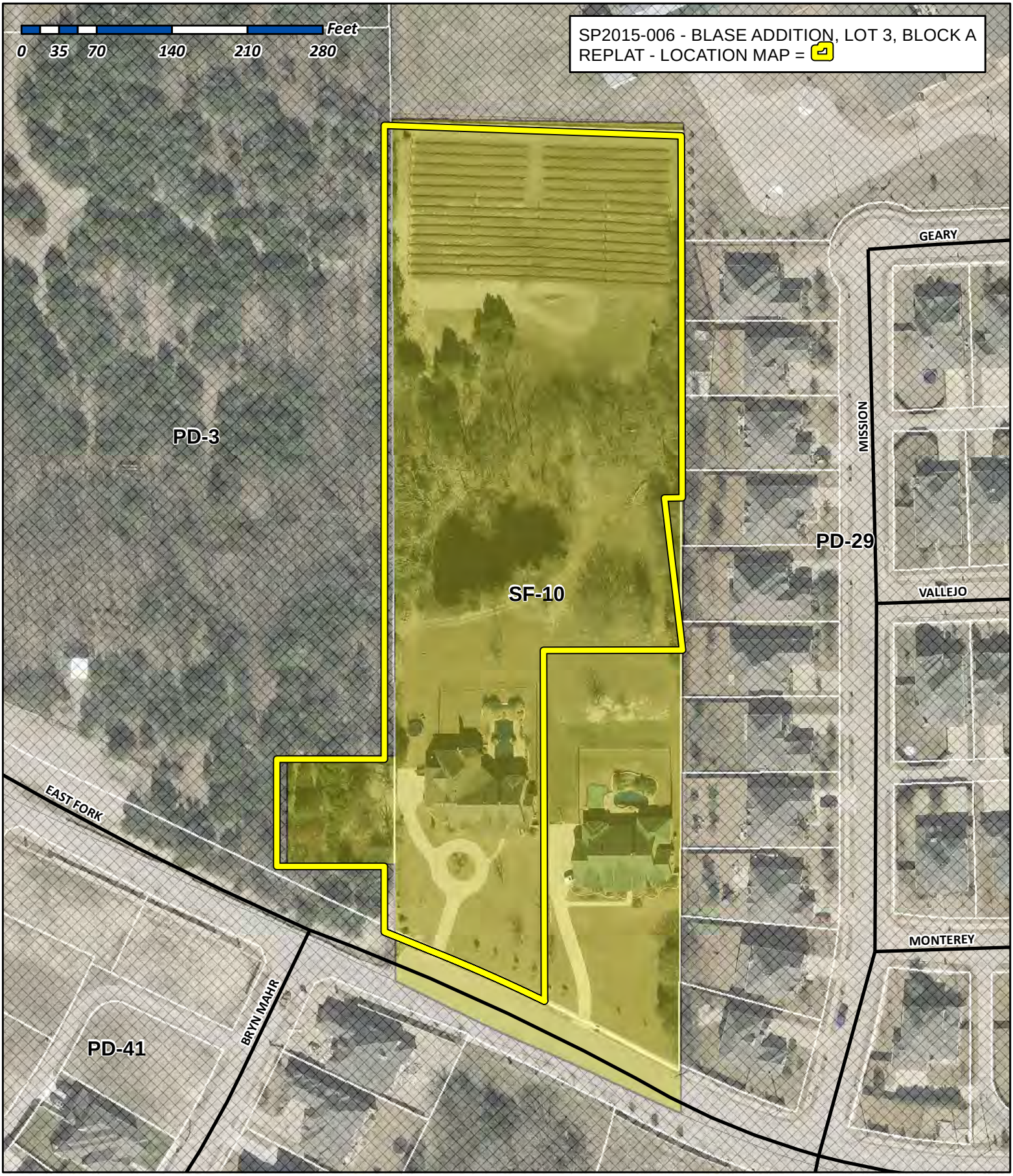
A) All the technical comments from the Engineering and Fire Departments shall be addressed prior to the filing of this plat, including the following Planning Comments;

1. Adherence to Engineering and Fire Department standards.
2. Provide call on plat where indicated as a distance of 2.80', located on the east side of property. The bearing indicated on Owners Certificate is S 00 deg, 22 min, 18 sec. East.
3. Correct signature block under "Approved" to indicate expiration as "180 days."
4. Provide case # on lower right corner at resubmittal (Case# P2015-006).

B) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Commission Recommendation:

On February 24, 2015, the Planning and Zoning Commission recommended approval of the plat with staff conditions by a vote of 6 to 0 [Conley - absent].



City of Rockwall

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

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

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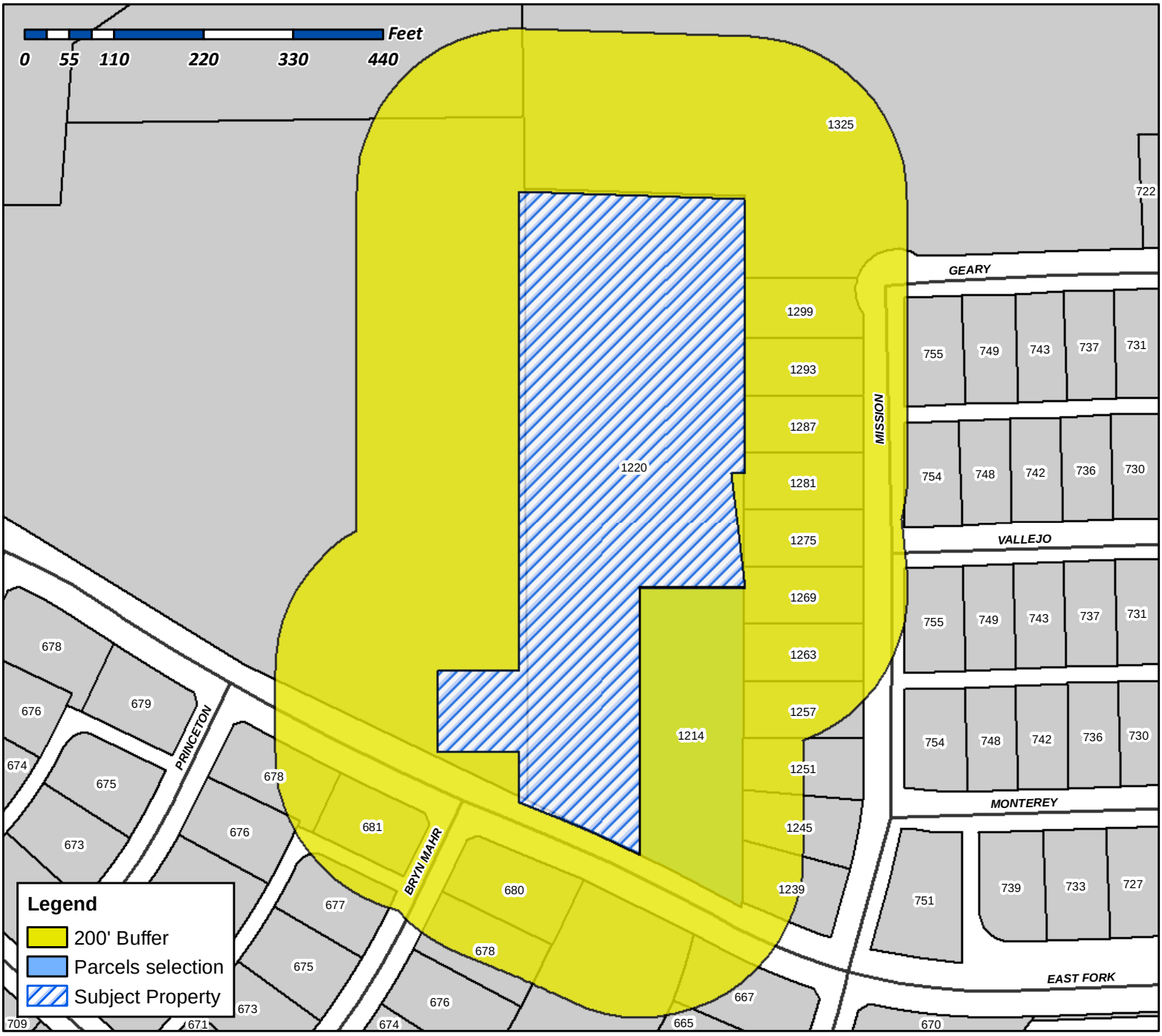
City of Rockwall

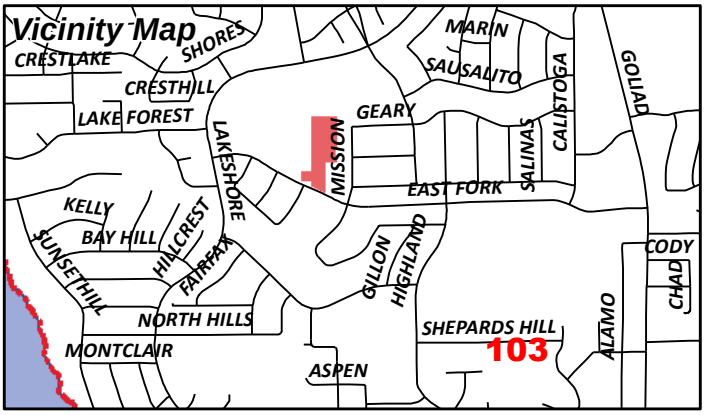
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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



****Only properties within the 200' Buffer that are also in the Blase Subdivision are to be notified****

Case Number: P2015-006
Case Name: BLASE ADDITION, LOT 3, BLOCK A
Case Type: Replat
Zoning: SF-10
Case Address: 1220 East Fork Dr



Date Created: 2/16/2015
For Questions on this Case Call (972) 771-7745

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

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

To Whom It May Concern:

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

Case No. P2015-006: Blase Addition, Lot 3, Block A

Discuss and consider a request by Harold Fetty of H. D. Fetty Land Surveyor, LLC on behalf of the owners Chris and Jill Blasé for the approval of a replat for Lot 3, Block A, Blasé Addition being a 4.28-acre tract of land currently identified as Lot 3, Block A, Blasé Addition and a portion of Tract 11-3 of the A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, addressed as 1220 East Fork Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 2/24/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 3/2/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **3/2/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. P2015-006: Blase Addition, Lot 3, Block A

Please place a check mark on the appropriate line below:

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

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

Name:

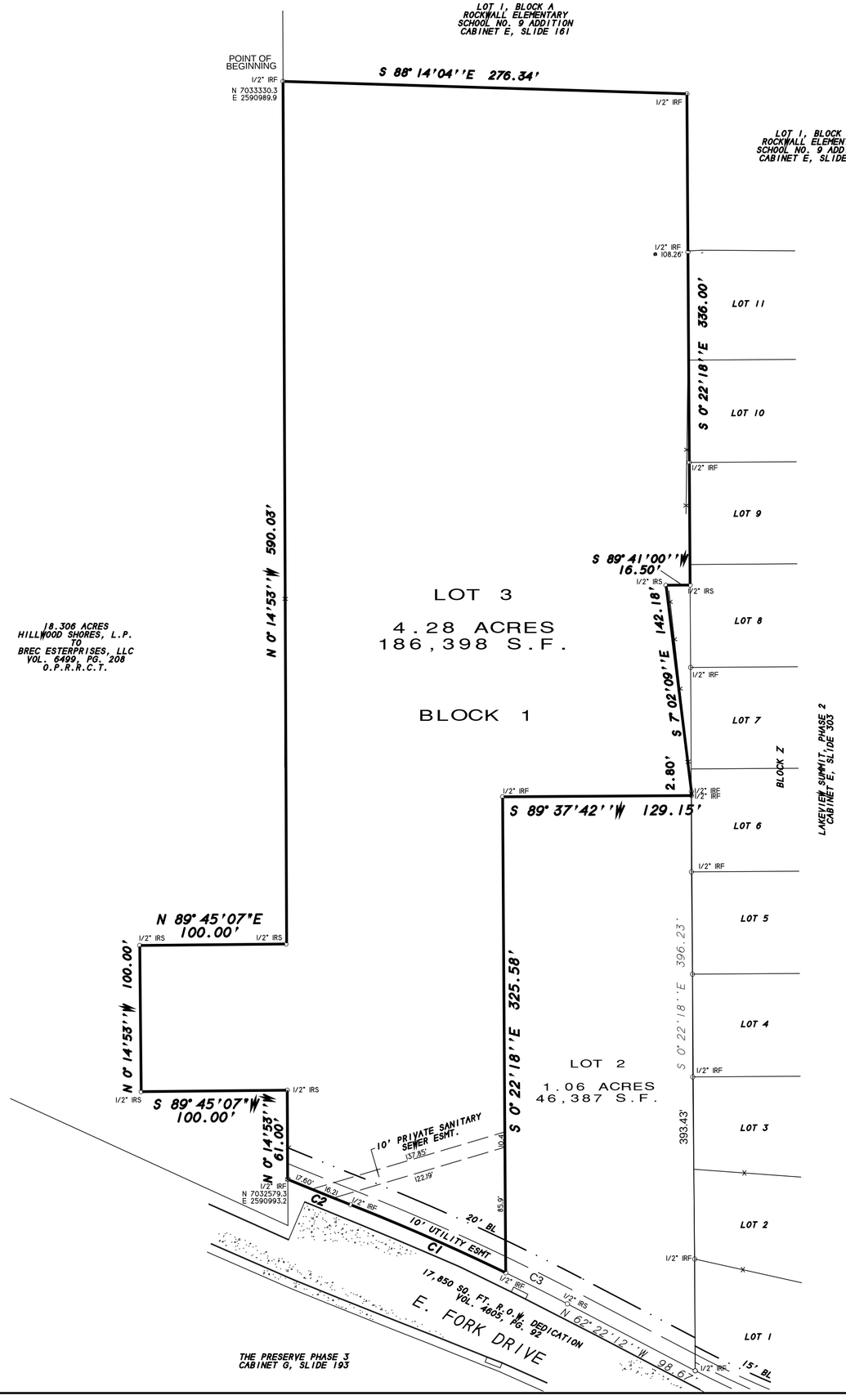
Address:

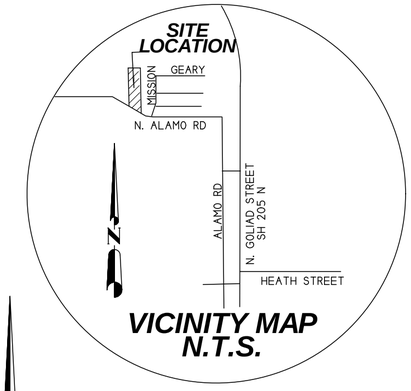
Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written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

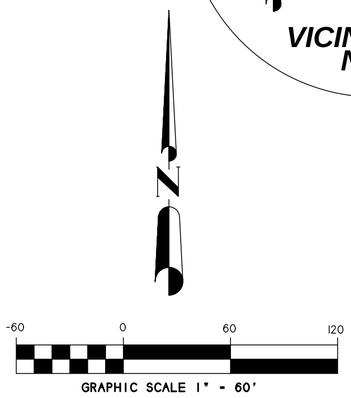
PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Reference No.	Name	Legal Description	Address 1	Address 2	Address 3	City	State	Zip
3124-0000-0002-00-0R	DALLAS ERIN C & COLIN M	BLASE ADDITION, LOT 2, ACRES 1.06		1214 EAST FORK		ROCKWALL	TX	75087

105







CURVE DATA TABLE

Curve	Delta Angle	Radius	Arc	Tangent	Chord	Chord Bearing
1	6°05'46"	1532.50	115.84	57.95	115.81	N 66°18'03"W
2	0°53'42"	2967.50	46.36	23.18	46.36	N 68°01'35"W
3	1°45'56"	1532.50	47.22	23.61	47.22	N 63°15'09"W

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0030 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL MONUMENT SYSTEM BASED ON THE W.B.L.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "R.S.C.I. RPLS 5034."

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for w ater for personal use and fire protection within such plat, as required under Ordinance 83-54.

OWNER:
CHRISTOPHER & JILL BLASE
1220 E. FORK DRIVE
ROCKWALL TEXAS 75087
214-403-8995

FINAL PLAT

BLASE ADDITION
LOT 3, BLOCK A

BEING A REPLAT OF LOT 1
BLOCK 1, BLASE ADDITION

A PART OF THE A.HANNA
SURVEY, ABSTRACT NO. 98

CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE FEBRUARY 13, 2015
SCALE 1" = 60' FILE # 20071648-RP
CLIENT BLASE

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OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS CHRISTOPHER & JILL BLASE, BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the A. HANNA SURVEY, ABSTRACT NO. 98, City of Rockwall, Rockwall County, Texas, andand being a part of a tract of land as described in a Warranty deed from Hillwood Shores, LP to BREC Enterprises, LLC, dated May 11, 2011 and being recorded in Volume 6449, Page 208 of the Official Public Records of Rockwall County, Texas, and all of Lot 1, Block 1, BLASE ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet G, Slide 245, Plat Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the Northwest corner of said 5.38 acres tract, said point being at the Southwest corner of Lot 1, Block A, of ROCKWALL ELEMETARY SCHOOL NO. 9 ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet E, Slide 161 of the Plat Records of Rockwall County, Texas;

THENCE S. 88 deg. 14 min. 04 sec. E. a distance of 276.34 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at the Northeast corner of said Blase Addition and an inner "L" corner of said Lot 1, Block A;

THENCE S. 00 deg. 22 min. 18 sec. E. a distance of 336.00 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner;

THENCE S. 89 deg. 41 min. 00 sec. W. a distance of 16.50 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner;

THENCE S. 07 deg. 02 min. 09 sec. E. along an old wire fence, a distance of 142.18 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner;

THENCE S. 00 deg. 22 min. 18 sec. E. a distance of 2.80 feet to a 1/2" iron rod found for corner at the northeast corner of Lot 2, Block A, Blase Addition;

THENCE S. 89 deg. 37 min. 46 sec. W. along the North line of Lot 2, Block A, a distance of 129.15 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner;

THENCE S. 00 deg. 22 min. 18 sec. E. along the west line of Lot 2, Block A, a distance of 325.58 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner in the northeast right-of-way line of E. Fork Drive;

THENCE in a Northwesterly direction along a curve to the left having a central angle of 04 deg. 19 min. 51 sec., a radius of 1532.50 feet, a tangent of 57.95 feet, a chord of N. 66 deg. 18 min. 03 sec. W., 115.81 feet along said right-of-way line, an arc distance of 115.84 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner;

THENCE in a Northwesterly direction along a curve to the right having a central angle of 00 deg. 53 min. 42 sec., a radius of 2967.50 feet, a tangent of 46.36 feet, a chord of N. 68 deg. 01 min. 35 sec. W., 46.36 feet along said right-of-way line, an arc distance of 46.36 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner at the southwest corner of Lot 1, Block A;

THENCE N. 00 deg. 14 min. 53 sec. W. along the West line of said Lot 1, a distance of 61.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

THENCE S. 89 deg. 45 min. 07 sec. W. a distance of 100.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

THENCE N. 00 deg. 14 min. 53 sec. W. a distance of 100.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

THENCE N. 89 deg. 45 min. 07 sec. E. a distance of 100.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner in the west boundary line of said Lot 1;

THENCE N. 00 deg. 14 min. 53 sec. W. along the west boundary line of said Lot 1, a distance of 590.03 feet to the POINT OF BEGINNING and containing 186,398 square feet or 4.28 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as BLASE ADDITION, LOT 3, BLOCK A, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of th eir respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maint aining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner of any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Roc kwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer an d/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as p rogress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I , my successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exaction's made herein.

_____
CHRISTOPHER L. BLASE

_____
JILL L. BLASE

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared CHRISTOPHER L. BLASE known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared JILL L. BLASE known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner mohurnents shown thereon were properly placed under my personal supervision.

_____
Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of BLASE ADDITION, LOT 3, BLOCK A, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____ , _____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred twenty (120) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____ ,_____.

_____ _____
Mayor, City of Rockwall City Secretary City of Rockwall

_____
City Engineer

FINAL PLAT

BLASE ADDITION
LOT 3, BLOCK A

BEING A REPLAT OF LOT 1
BLOCK 1, BLASE ADDITION

A PART OF THE A.HANNA
SURVEY, ABSTRACT NO. 98

CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER:
CHRISTOPHER & JILL BLASE
1220 E. FORK DRIVE
ROCKWALL TEXAS 75087
214-403-8995

SHEET 2 OF 2

SURVEY DATE FEBRUARY 13, 2015
SCALE 1" = 60' FILE # 20071648-RP
CLIENT BLASE

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

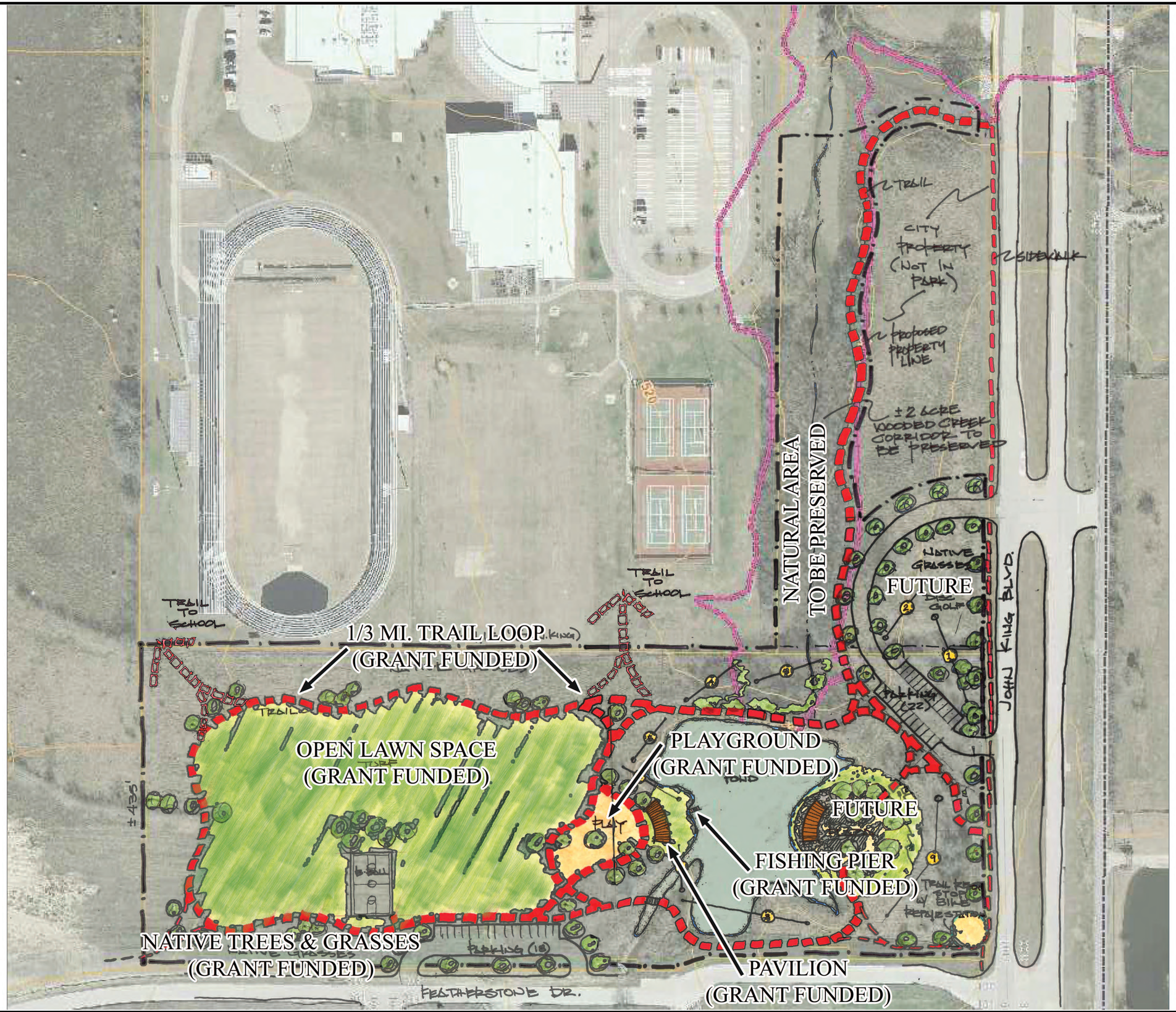
DATE: **February 26, 2015**

SUBJECT: **DESIGN CONTRACT FOR STONE CREEK PARK**

The City of Rockwall has been officially awarded $400,000 in grant funds from the Texas Recreation and Parks Account (TRPA) for developing the neighborhood park in Stone Creek. Contingent upon final execution of the contract with the Texas Parks and Wildlife (TPWD), total funds available will be $647,800. Of that amount, TPWD will contribute $400,000 and the remaining funds of $247,800 come from the developer's contributions collected in accordance with the Mandatory Park Land Dedication Ordinance.

In July of 2014, Council approved Mark Spencer of MHS Planning and Design to prepare the concept plan and grant application. The concept plan includes concrete trail, playground, small pedestrian bridge, fishing pier, native grass and tree plantings, pavilion/picnic area, open play area lawn, and off-street parking stalls.

At the February 25, 2015 meeting, Park Board voted unanimously to recommend that Council considers authorizing the City Manager to enter into an agreement with MHS Planning and Design, LLC to provide construction documents for the Stone Creek neighborhood park. The design fee is $71,200 plus expenses. The funding source will come from the $247,800 available in fees collected from developer. A copy of the approved concept plan is attached for your review.



REVISIONS:

212 West Ninth Street
Tyler, Texas 75701
903-597-6606
903-597-0517 Fax

MHS
PLANNING & DESIGN, LLC

CONCEPTUAL SITE PLAN

STONE CREEK PARK

CITY OF ROCKWALL, TEXAS

DRAWN:	HNR
CHECKED:	MHS
DATE:	JULY 2014
SCALE:	AS SHOWN
JOB NO.:	14-016

1 OF 1

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STATE OF TEXAS

COUNTY OF ROCKWALL

This contract entered into by and between the City of Rockwall, Rockwall County, Texas (hereinafter called "OWNER") acting herein by Rick Crowley, City Manager, hereunto duly authorized, and MHS Planning & Design, LLC of Tyler, Smith County, Texas (hereinafter called the "CONSULTANT").

SECTION 1. EMPLOYMENT OF THE CONSULTANT

A. The Owner hereby employs the "CONSULTANT", and the Consultant agrees to provide consulting services in connection with the construction of The Park at Stone Creek herein after called the "PROJECT" as described in the Preliminary Budget, a copy of which is attached hereto and labeled Exhibit "A".

B. Length of Contract: The services of the Consultant shall commence upon execution of this contract. All of the services required and performed hereunder shall be completed within three years of the date of this contract. The Consultant shall not be responsible for the failure of the Contractor to perform under the terms of any construction contracts awarded as a result of the Consultant's professional services hereunder. The Consultant shall not be responsible for the failure of the Owner to budget funds, acquire property, receive bids, or otherwise diligently prosecute the Owner's responsibilities set forth herein in Section 4 or meet other terms of the potential grant agreement with Texas Parks and Wildlife Department.

SECTION 2. BASIC SERVICES OF THE CONSULTANT

A. General:

1. The Consultant agrees to perform and/or provide services in connection with the Project as hereinafter stated.

2. The Consultant shall serve as the Owner's professional representative in all phases of the project and shall give consultation and advice to the Owner during the performance of his services.

B. Preliminary Report Phase: During the preliminary report phase, the Consultant shall:

1. Consult with the Owner to determine the requirements of the Project.

2. Meet with interested citizens and the Park Board to receive input and review the final site plan.

3. Procure a topographic survey and any existing surveys of right-of-way and utilities for use in the design of the project. The development of a detailed flood

study, wetlands delineation survey and pond/lake permits is specifically excluded from the basic services of the Consultant and is addressed in Section 3 - Additional Services.

4. Provide to the Owner preliminary cost estimates for the improvements contained in the project.

5. Prepare a revised and detailed site plan and sketches for the project based on findings above.

C. Design Phase: After authorization from the Owner to proceed with the final design phase, the Consultant shall:

1. On the basis of the approved preliminary design documents coordinate and/or prepare detailed construction drawings and specifications for the Project. The construction drawings and specifications shall be prepared for the project to be bid under a single construction contract and not multiple contracts.

2. Furnish to the Owner construction plans and specifications so that the Owner may secure approval from the Texas Parks and Wildlife and Texas Department of Licensing & Regulation.

3. Advise the Owner of any adjustment of the cost estimate for the Project caused by changes in scope, design requirements or construction costs, and furnish a revised cost estimate for the Project based on the completed drawings and specifications.

4. Prepare the proposal forms, notice to bidders, and contract documents for submission by the Owner to the Owner's legal counsel for approval as to content, form, and legality.

5. Furnish copies of the contract documents consisting of plans, specifications, bid and contract documents.

6. Assist the Owner in obtaining and evaluating bids and awarding contracts for the construction of the Project. The assistance by the Consultant shall include the provision of advertisement for bids and after reviewing the bids received, making a recommendation on the awarding of a construction contract.

D. Construction Phase: After award of construction contract by the Owner, the Consultant shall:

1. Be responsible for setting benchmarks only for the construction work. The contractor shall determine alignment and grade of work to be constructed from these reference marks.

2. Make periodic visits to the site when deemed appropriate by the Consultant in the exercise of his professional judgment to observe the progress and quality of the executed work and to determine in general if the work is proceeding in accordance with the plans, specifications, and contract documents; he will not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the work; he will not be responsible for having quality control testing done; he will not be responsible for the techniques and sequences of construction and he will not be responsible for the contractor's failure to perform the construction work and will endeavor to guard the Owner against defects and deficiencies in the work of the Contractors, and may disapprove work as failing to conform to the plans and specifications, and contract documents.

3. Check samples, catalog data, laboratory testing, shop drawings, mill tests of materials and equipment, and other data which the Contractor is required to submit, only for the conformance with the design concept of the Project and compliance with the information given by the plans, specifications, and contract documents; and accept or reject all such submittal data furnished by the Contractor, materials used, and work performed by the Contractor as either complying or not complying with the intent of the plans, specifications, and contract documents.

4. Consult and advise with the Owner, act as the Owner's representative at the Project site, issue all instructions of the Owner to the construction contractors that do not conflict with good construction practice, and prepare routine change orders as required.

5. Based on his on-site observations as an experienced and qualified design professional and on his review of the contractor's applications for payment, determine the amount owing to the contractors in such amounts; such approvals of payment to constitute a representation to the Owner, based on such observations and review and data comprising such applications, that the work has progressed to the point indicated and that, to the best of his knowledge, information, and belief, the quality the work is in accordance with the plans, specifications, and contract document subject to the results of subsequent testing called for in the specifications and contract documents and any qualifications stated in this approval.

6. Conduct, in company with the Owner's representative, a final inspection of the Project for conformance with the design concept of the Project and compliance with the plans, specifications, and contract documents, and recommend in writing final payment to the contractor.

7. Make an inspection of the Project prior to expiration of the guarantee period and report observed discrepancies under guarantees provided by the construction contract.

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8. Furnish the Owner, a set of record prints of drawings and addendum drawings showing those changes made during the construction period, based upon the marked up prints, drawings, and other data furnished by the Contractor to the Consultant and which Consultant considers to be the significant.

SECTION 3. ADDITIONAL SERVICES

A. **General**: In addition to the basic services to be furnished by the Consultant under this proposal for which the payment of the standard consulting fee shall be made, the Consultant shall furnish additional services of the following types, if AUTHORIZED BY THE OWNER IN WRITING, to be paid for by the Owner as set out in Section 5, Paragraph B.

1. Additional services due to significant changes in general scope of the project or its design including, but not limited to, changes in size, complexity, or character of construction when such changes are requested by the Owner.

2. Revising at Owner's request studies, reports, design documents, drawings or specifications which were previously approved by the Owner except the Owner shall not be obliged to pay when:

   a) The initial project bids exceed the revised cost estimate (Section 2, C3) and the changes are required to bring the project cost within previously Owner established limits, or

   b) The changes are required by regulating authorities or to bring the design into compliance with applicable codes or ordinances, or

   c) The changes are required as a result of some error or omission on the part of the Consultant.

3. Furnishing of additional copies (beyond the basic contract sets) of reports and additional prints of drawings, specifications, and contract documents.

4. Investigations involving detailed consideration of operation, maintenance, and overhead expenses; and the preparation of rate schedules, earnings and expense statements, feasibility studies, appraisals, and valuations; detailed quantity surveys of material and labor; and material audits or inventories required for certification of force account construction by the Owner.

5. Additional or extended services during the construction made necessary by (1) work damaged by fire, vandalism, or other similar causes not under the control of the Consultant, (2) prolongation of the construction contract time by more than 25 percent, (3) construction contract default due to delinquency or insolvency of the construction contractor.

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6. The preparation of instruction manuals or of operation and maintenance beyond those furnished with fixture and equipment incorporated into the job.

7. Additional services and costs necessitated by out-of-town travel required by the Consultant other than visits to the Project and consultation in the Owner's office as required by Section 2.

8. Serving as expert witness or giving counsel for the Owner in any litigation, real or potential, or other legal proceeding involving the Project where the Consultant is not a party to the litigation.

9. Additional services in connection with the Project not otherwise provided for in this agreement.

10. If requested in writing by the Owner one or more full-time Resident-Project Representatives will be furnished and directed by the Consultant in order to provide more extensive representation at the project site during the construction phase. Such resident project representation will be paid for by the Owner as indicated in Section 5. This section however shall not restrict the Owner from employing other persons for the purpose of full or part time inspection of the project.

11. Preparation of boundary survey, geotechnical investigation, wetland delineation survey, lake permitting, flood studies, plats, legal descriptions, or deeds, record search, abstracting of ownership or other related surveyor work.

SECTION 4. THE OWNER'S RESPONSIBILITIES

The Owner shall:

A. Provide full information as to his requirements for the Project.

B. Assist the Consultant by placing at his disposal all reasonably available information pertinent to the site of the Project including all previous reports, boundary surveys, results of geotechnical testing and any other data relative to design or construction of the Project.

C. Make all provisions for the Consultant to enter upon public and private lands as required for the Consultant to perform his work under this Agreement.

D. Examine all studies, reports, sketches, estimates, drawings, specifications, proposals, and other documents presented by the Consultant and shall render in writing decisions pertaining thereto within reasonable time so as not to delay the work of the Consultant.

E. Advertise for proposals from bidders, open the proposals at the appointed time and place, and pay for all costs incident thereto.

F. Provide such legal, accounting, and insurance counseling services as may be required for the Project.

G. Designate in writing a person to act as Owner's representative with respect to the work to be performed under this Agreement; and such person shall have complete authority to transmit instructions, receive information, interpret and define Owner's policies and decisions with respect to materials, equipment and systems pertinent to the work covered by this Agreement.

H. Give prompt written notice to the Consultant whenever the Owner observes or otherwise becomes aware of any defect in the Project.

I. Furnish, or direct the Consultant to provide at the Owner's expense, necessary additional services as stipulated in Section 3 of this Agreement.

J. Obtain all easements, right-of-way, and fee simple lands for the construction of the project and bear all cost incident thereto.

K. Pay all fees imposed by local, State, or Federal regulatory agencies for the cost of review and approval of completed plans and specifications which must be submitted to those agencies.

SECTION 5. PAYMENT FOR CONSULTING SERVICES

A. Standard Consulting Fee:

1. The Owner hereby agrees to pay to the Consultant for the performance of all services as set out in Section 2 a payment of: Seventy-One Thousand, Two Hundred and no/100ths ($71,200.00) plus reimbursable mileage, postage and reproduction. This lump sum fee shall include all personnel, non-reimbursable expenses, equipment and materials required to complete the work as outlined in Section 2.

   The fee of $71,200 is based on a total construction budget of Five Hundred and Seventy-Six Thousand, Six Hundred Dollars and no/100ths ($576,600.00). The standard consulting fee shall be adjusted pro rata in the event the total construction costs deviate substantially from the scheduled construction amount. Any adjustment to the construction costs shall be approved by Owner prior to any adjustment to consulting fee.

   Payment shall be made upon receipt of the Consultant's detailed monthly invoices.

2. If this Agreement is terminated during any phase of the work authorized by the Owner, the Consultant shall be paid for services performed or provided during

such phase on the basis of his reasonable estimate of the portion of such phase completed prior to termination. In the event of any termination, the Consultant shall be paid all terminal expense resulting therefrom plus payment of any additional services then due. All previous payments to the Consultant shall be credited to any terminal payment due to the Consultant.

B. Payment for Additional Services: The Owner shall pay the Consultant for properly authorized additional services enumerated in Section 3 at the Consultant's normal hourly rates in effect at the time of the authorization for personnel involved and equipment except that such compensation shall not apply to any Project maximum fee shown in this contract.

C. Past Due Payments: In accordance with State Law the Owner shall automatically compute interest on payments past due and pay said interest in whole with the principal payment. Payments shall be considered due and payable upon receipt of the monthly invoice from the Consultant and past due 14 days after the due date.

D. Retainage: No part of the Consultant's compensation shall be withheld from him due to failure of the Contractor to perform; nor shall the Consultant's fees be reduced in the event the amounts owning under any Construction Contract are reduced by change order, settlement, or litigation.

E. Extended Service: Should the term of service required of the Consultant extend beyond the original term as shown in Section IB through no fault of the Consultant, the Consultant shall be paid the fixed fee set forth in Section 5A(1) plus he shall be compensated for the services of all personnel plus any reimbursable expenses necessary to complete the project. Compensation shall be at the hourly published rates in effect at the time of expiration of the original grant agreement.

SECTION 6. GENERAL CONSIDERATIONS

A. Termination: This Agreement may be terminated by either party by giving ten (10) days written notice in the event of substantial failure to perform in accordance of the terms hereof by one party through no fault of the other party. If this Agreement is so terminated the Consultant shall be paid for work completed plus reimbursable expenses. Reimbursable expenses include actual expense for subcontracted services, transportation, and subsistence of personnel when traveling in connection with the Project; reproduction of reports, drawings, specifications, and similar Project related items.

B. Project Documents: As part of the total compensation which Owner has agreed to pay Consultant for the consulting services to be rendered under this Agreement, Consultant agrees that hard copies of all finished and unfinished documents, surveys, preliminary reports, reports, provided by Consultant, and paid for by Owner are, and will remain, the property of the Owner. Consultant will furnish Owner with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however; ownership of the underlying work product shall remain the intellectual property

of the Consultant. Consultant shall have the right to use such work products for Consultant's purposes. Owner may not use the documents for any purpose not intended under this Agreement without the written authorization of the Consultant.

C. Estimates: Since the Consultant has no control over the cost of labor and materials, or other competitive bidding and market conditions, the estimates of construction are to be made on the basis of his experience and qualifications but the Consultant does not guarantee the accuracy of such estimates as compared to the Contractor's bid, or the final contract cost.

D. Successors and Assigns: The Owner and the Consultant each binds himself and his officers, successors, executors, administrators and assigns to the other party of this Agreement in respect to all covenants of this Agreement; except as above, neither the Owner nor the Consultant shall assign, or transfer his interest in this Agreement without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any office or agent of any public body which may be a part hereto.

E. Records and Audits: The Consultant shall maintain accounts and records, including personnel, property and financial records, adequate to identify and account for all costs pertaining to the contract and other such records as may be deemed necessary by the City to assure proper accounting for all project funds.

F. Findings Confidential: All reports, information, and data prepared or assembled by the Consultant under this contract are confidential and the Consultant agrees that they shall not be made available to any individual or organization without the prior written approval of the Owner.

G. Interest of Members of City: No member of the governing body of the City, and no officer, employee, or agent of the City who exercises any functions or responsibilities in connection with the planning and carrying out of the program, shall have any personal financial interest, direct or indirect, in this contract; and the Consultant shall take appropriate steps to assure compliance.

H. Interest in Other Local Public Officials: No member of the governing body of the locality and no other public official of such locality, who exercises any functions or responsibilities in connection with the planning and carrying out of the program, shall have any personal financial interest, direct or indirect, in this contract; and the Consultant shall take appropriate steps to assure compliance.

I. Interest of Consultant and Employees: The Consultant covenants that he presently has no interest and shall not acquire interest, direct or indirect, in the study area or any parcels therein or any other interest which would conflict in any manner or degree with the performance of his services hereunder. The Consultant further covenants that in the performance of this contract, no person having any such interest shall be employed.

J. Personnel: The Consultant represents that he has, or will secure at his own expense, all personnel required in performing the services under this contract. Such personnel shall not be employees of the City. The Consultant further represents that although his staff does not include full time registered architects, that all personnel engaged in the work shall be fully qualified and shall be authorized or permitted under the Texas Engineering Practice Act, State Law and local law to perform such services which may be a part hereto.

K. Third Party Beneficiaries: Nothing contained in this Agreement shall create a contractual relationship with, or a cause of action in favor of a third party against either the Owner or the Consultant. The Consultant's services under this Agreement are being performed solely for the Owner's benefit, and no other entity shall have any claim against the Consultant because of this Agreement or the performance or nonperformance of services hereunder. The Owner agrees to include a provision in all contracts with contractors and other entities involved in this project to carry out the intent of this paragraph.

L. Insurance: The CONSULTANT also agrees to maintain Workers Compensation, Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance, covering claims against the CONSULTANT for damages resulting from bodily injury, death, or property damage from accidents arising in the course of work performed under this Agreement, in the following amounts:

Workmen's Compensation: Statutory

Commercial General Liability Insurance: Personal injury and property damage -- $500,000.00 combined single each occurrence and $500,000.00 aggregate;

Business Automobile Liability for all vehicles: Bodily injury and property damage -- $500,000.00 combined single limit each occurrence;

Umbrella Liability: $1,000,000.00

M. Indemnification: Consultant agrees to indemnify and hold harmless the Owner, its officers, officials, and employees, from and against claims for damages or losses, including claims for property damage, damage to property rights, and claims for personal injury or death, including all such claims for injury or damage made by the employees of Consultant, its contractors, subcontractors, agents or suppliers, caused by the negligence or fault of the Consultant or its agents, employees, subcontractors or assigns, arising from or out of the performance or non-performance of the Agreement or its operation.

This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Rockwall County, Texas. Venue for any action arising under this Agreement shall lie in Rockwall County, Texas.

IN TESTIMONY WHEREOF, the parties have affixed their hands and seals this the _____ day of _____, 2015.

FOR THE CITY OF ROCKWALL, OWNER

_____
Rick Crowley, City Manager

ATTEST:

_____

ATTEST:

_____
Mark H. Spencer, MHS Planning & Design, LLC

_____
Pat Gaddis

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MHS
PLANNING & DESIGN, LLC

Exhibit "A"

City of Rockwall
The Park at Stone Creek
Preliminary Budget

1.	Site Grading (±8,000 cy @ $5.00 cy)	$ 40,000
2.	Concrete Trail (8' wide - 3,350' long @ $4.50/sq. ft.)	120,600
3.	Site Electrical (allowance)	12,000
4.	Playground	100,000
5.	Pedestrian Bridge (8' x 30')	7,200
6.	Fishing Pier (200 sq. ft.)	12,000
7.	Pavilion/Picnic Area	65,000
8.	Open Lawn Area (3.4 acres @ $.50/sq. ft.)	75,000
9.	Native Grasses	10,000
10.	Parking Lot (10,500 sq. ft. @ $6.50/sq. ft.)	68,250
11.	General Conditions/Erosion Control	60,100
12.	Contingency	6,450
13.	Design Fees	71,200
	Total	$ 647,800

212 W. 9th Street Tyler, Texas 75701 903.597.6606 mhs@mhsplanning.com

MHS
PLANNING & DESIGN, LLC

MHS Planning & Design
Hourly Rates
Effective January 1, 2015

Mark H. Spencer Principal	$ 150.00 per hour
Professional Engineer	$ 130.00 per hour
Planner	$ 100.00 per hour
CADD Drafter	$ 80.00 per hour
Word Processing/Clerical	$ 45.00 per hour
Mileage	$ .56 per mile
Surveying, engineering, architectural, reproduction, aerial photography & all other expenses & contracted services	Cost plus 15%

212 W. 9th Street Tyler, Texas 75701 903.597.6606 mhs@mhsplanning.com

MHS
PLANNING & DESIGN, LLC

Fee Breakdown for The Park at Stone Creek
Rockwall, Texas

1)	Topographic Survey	$ 9,000
2)	Public Input, Presentations, and Revised Site Plan	4,000
3)	Plans, Specifications and Contract Documents	43,950
4)	Construction Administration	14,250
	Total	$ 71,200

212 W. 9th Street Tyler, Texas 75701 903.597.6606 mhs@mhsplanning.com

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **February 25, 2015**

SUBJECT: **Professional Engineering Services Contract**
Wastewater Flow Monitoring Study

Engineering designs for wastewater collection systems and treatment facilities incorporate a volume of flow which includes an amount of inflow/infiltration of stormwater into the system. Excess inflow/infiltration can inundate the carrying capacity of a pipe/facility creating an overflow of the system. The overflow discharges into the environment through streets and drainageways or back-up into residential/commercial structures. Either event is seen as potential health issue and a violation of State and Federal regulations. The City of Rockwall entered into a Sanitary Sewer Overflow Initiative on September 8, 2006 with the Texas Commission of Environmental Quality to address and reduce potential sanitary sewer overflows.

The Wastewater Master Plan includes a hydraulic model of the entire collection system. In an effort to calibrate this computerized model, actual flow data is needed for comparison at various points of the system. Utilizing this actual information, Staff will be able to perform further investigation into the operation of the system and/or recommend improvements to reduce inflow/infiltration and possible overflows.

The City's engineering consultant was requested to submit an engineering services contract to install 38 flow meters and four rain gauges in various locations of the wastewater collection system for a period of 45 days. The engineer will utilize this data to evaluate the current model for accuracy, efficiencies and deficiencies. The cost to perform this work shall not exceed $285,800.00.

Staff request City Council consideration to approve a professional engineering services contract with Birkhoff, Hendricks & Carter, LLP. for the Wastewater Flow Monitoring Study in an amount of $285,800.00.

TMT:em

Attachment

Cc:
Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
Rick Sherer, Manager of Water/Wastewater
File

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STATE OF TEXAS ♦

♦

COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

Wastewater Flow Monitoring Study

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Birkhoff, Hendricks & Carter, LLP, ("ENGINEER"), located at 11910 Greenville Ave, Suite 600 Dallas, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for a Wastewater Flow Monitoring Study.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Exhibit "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and detailed in Exhibit "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an annual amount not to exceed Two Hundred Eighty Five Thousand Eight Hundred dollars ($285,800.00) and billed on a lump sum basis for Basic Services and on an hourly basis per rates for Additional Services provided in Attachment "C". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Exhibit "B". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business that has an agreement or is in negotiations of an agreement with CITY. CITY may waive this conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's

purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000.00
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000.00 General aggregate limit

$1,000,000.00 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000.00 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000.00). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
Mary Smith
City of Rockwall
385 S. Goliad
Rockwall, Texas 75087

Engineer
Matt Hickey, P.E.
Birkhoff, Hendricks & Carter, LLP
11910 Greenville Ave. Suite 600
Dallas, Texas 75243

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Contractor.

13. Reports and Information

Engineer, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Exhibits and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 25th day of February 2015.

Birkhoff, Hendricks & Carter, LLP

By: Matt Hickey
Name: Matt Hickey, P.E.
Title: Partner

EXECUTED in triplicate originals on this ____ day of _____ 2013.

ATTEST:

City of Rockwall, Texas

_____
Mary Smith, Assistant City Manager

Exhibit "A" to Agreement between the City of Rockwall, Texas (CITY) and Birkhoff, Hendricks & Carter, L.L.P, (ENGINEER) for Professional Services Dated _____, 2015

ATTACHMENT "A"

SCOPE OF SERVICES

Wastewater Flow Monitoring Program

General Description

The City of Rockwall's Wastewater Collection System Master Plan was updated in June, 2014. As part of the update, the hydraulic wastewater model was updated. However, due to the absence of recent wastewater flow monitoring data, the model was not calibrated to match observed flow data. The report published for the update recommended the City engage in a system wide Wastewater Flow Monitoring Program, which would allow the City to develop a comprehensive understanding of the wastewater system.

The scope of services included in this project is as follows:

PART I: Basic Services

A Wastewater Flow Monitoring Coordination and Analysis

1. Develop criteria for the purpose of determining wastewater flow meter locations. The criteria typically include basins area, linear feet of wastewater pipe per basin, proximity to surrounding meters, and access to the flow meter site.

2. Utilizing the City's existing network of the wastewater collection system, determine wastewater flow meter sites (manholes). Site selections will consider the locations of existing lift stations. City staff will be consulted prior to final site selection.

3. Develop flow monitoring basin map, with basins being delineated predominantly utilizing the divisions within the existing collection system.

4. Conduct field investigation of selected sites (manholes) to confirm conditions are acceptable for monitoring. Common cues include bends at manhole inverts, internal or external drops, obstructions, turbulent flow, or interception of lateral pipes.

5. Determine locations to deploy four (4) rain gauges. Rain gauge sites will be selected based on availability of secure sites, number of flow meters, size of flow meter basins, and geographic area.

6. Coordinate deployment effort of approximately thirty-eight (38) area-velocity wastewater flow meters as exemplified by ADS Environmental Service at the final meter site selections. The meters will be initially deployed for a period of 45 days, with optional 14 day extensions as required to establish reliable wet weather flow patterns. This Scope allows for meter deployment of a single occurance or split over a 2-year period (two deployments). If a split deployment is opted for, it is anticipated that in year one, approximately sixteen (16) meters will be deployed within the Squabble Creek drainage basin, while in year two, approximately twenty-two (22) meters will be deployed within the Buffalo Creek drainage basin.

7. The flow monitoring data will be analyzed to establish existing dry-weather flow peaking patterns (diurnal curves). Flow monitoring data from a representative meter basin (mixture of newer and older developments) will be used to develop a dry-weather flow pattern for future development.

8. Unique per capita flow rates will be determined for each meter basin, utilizing the average dry weather flow monitoring results and the populations as determined from the most current parcel maps available.

9. The flow monitoring data will also be analyzed to determine the system response to a wet weather event. The amount of inflow and infiltration (I/I) within each basin will be determined within each meter basin, allowing the level of wet weather influence within each basin to be prioritized. Hydrographs will be created within each basin to simulate the system response.

10. Prepare written flow monitoring report summarizing the basis and findings of the study. Report to include graphical and tabular description of flow monitoring results from each meter site as observed during dry and wet weather flow conditions. Also included will be a prioritization of meter basins based on Infiltration and Inflow observations, and recommendations for further investigation and/or system improvements.

PART II: Additional Services

A. Wastewater Flow Meters & Rain Gauges (Initial 45-day Deployment)

1. Deploy approximately thirty-eight (38) flow meters and four (4) rain gauges in the existing wastewater collection system to monitor wastewater flow and rainfall data. Initially, the meters will be deployed for a period of 45-days. Flow meter and rain gauge ownership and maintenance and monitoring will be provided by ADS Environmental Services.

    - Squabble Basin Deployment – An estimated sixteen (16) flow meters and two (2) tipping bucket rain gauges will be deployed in the Spring of 2015.
    - Buffalo Basin Deployment – An estimated twenty two (22) flow meters and two (2) tipping bucket rain gauges will be deployed in the Spring of 2016.

B. Hydraulic Wastewater Model Update and Calibration

1. Utilizing results of flow monitoring described above simulate base (dry weather) flow and peak (wet weather) conditions in the existing wastewater collection system model updated as part of the 2013 Wastewater Master Plan Update.
2. Refine wastewater flow loading calculations to link the metered basins with the modeling basins developed as part of the 2013 Wastewater Master Plan Update.
3. Update existing wastewater loading calculations to accommodate per-capita flow rates and Inflow and Infiltration (I/I) rates as determined within each meter basin.
4. Apply dry weather (diurnal curves) and I/I peaking patterns created to model.
5. Adjust model variables to simulate the field observed flow monitoring data. Adjustments may be made to lift station settings, pipe friction coefficients, distribution of model loads, and model connectivity.
6. A trial and error method will be utilized until existing model results are within 10% of observed flow monitoring field data or when funds are expended. A 10% or greater accuracy will be considered calibrated and within model tolerances.
7. Updated loading criteria will be developed for the buildout model based on flow monitoring data gathered from newer basins. The buildout model sizes will be revised accordingly to accommodate updated peak flows.
8. Update Master Plan Map published in 2014 to reflect updated model information.

C. Deliverables

1. Deliver five (5) copies of preliminary reports without flow meter data for the Flow Monitoring Study for City staff review.

2. Prepare and deliver one unbound original copy of the final Flow Monitoring Study Report. The report will be capable of reproduction by the City.

3. Prepare and deliver five (5) bound copies of the final Flow Monitoring Study Report, including methodology of the analysis, recommendations, computer printouts and 2000 scale maps.

4. Deliver AutoCAD based electronic files (current release) of the updated Wastewater Master Plan Map and Wastewater Flow Meter Basin Map.

5. Deliver InfoSewer hydraulic models for existing and buildout model years containing the InfoSewer database attributes and associated data files.

6. Deliver electronic files of the report and exhibits in MS Office and PDF file format.

7. Deliver five (5) full size copies and PDF of the updated Wastewater Master Plan Map.

D. Wastewater Flow Meters & Rain Gauges (14-day Extension)

1. An optional 14-day extension will be available on an as-needed basis. If adequate wet weather conditions are not observed during the initial 45-day period, the City staff will be consulted regarding the extension. The 14-day extension will not be engaged without written direction from the City.

Exhibit "B" to Agreement between the City of Rockwall, Texas (CITY) and Birkhoff, Hendricks & Carter, L.L.P, (ENGINEER) for Professional Services
Dated _____, 2015

ATTACHMENT "B"

PROJECT SCHEDULE

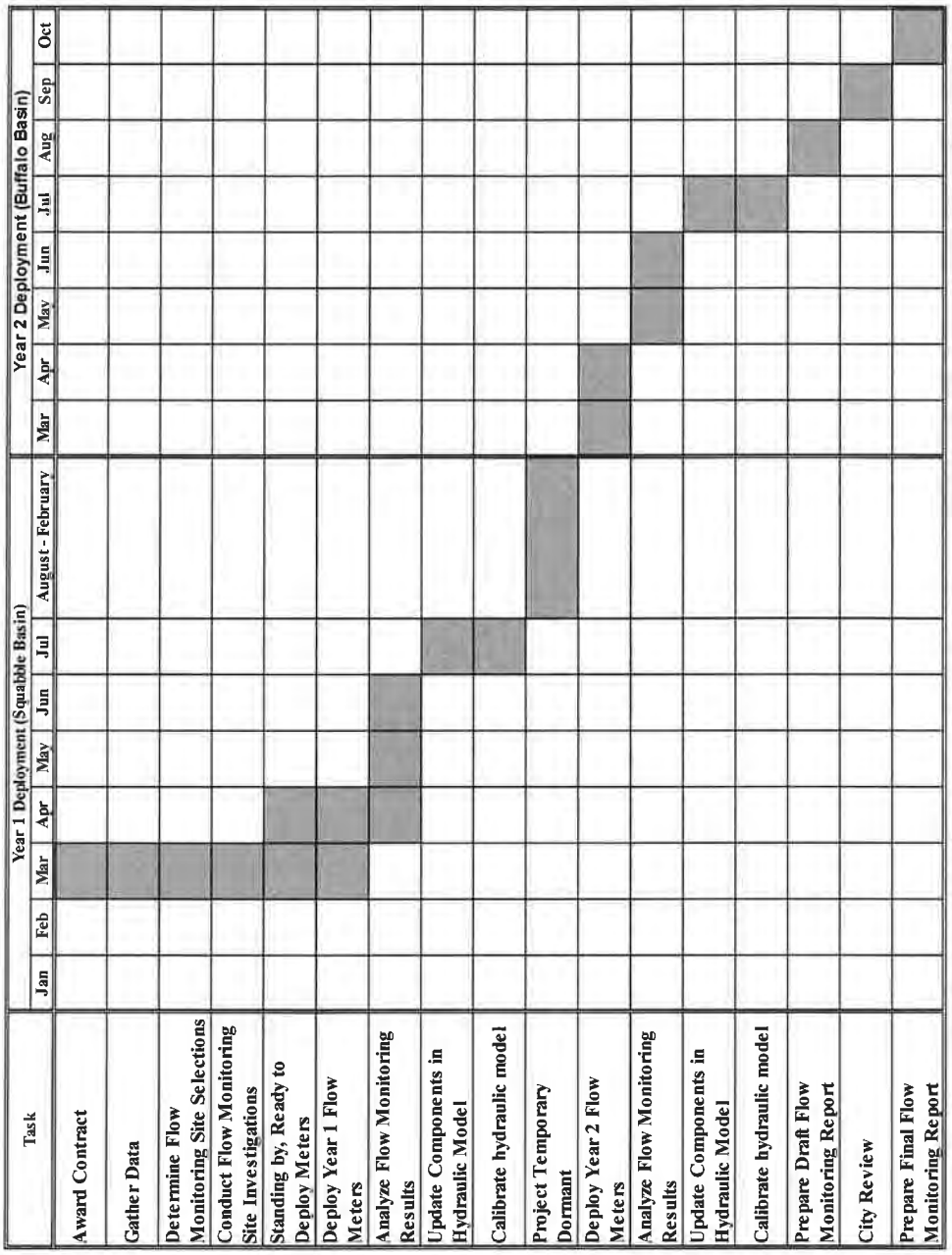

Exhibit "C" to Agreement between the City of Rockwall, Texas (CITY) and Birkhoff, Hendricks & Carter, L.L.P, (ENGINEER) for Professional Services Dated _____, 2015

ATTACHMENT "C"

COMPENSATION SCHEDULE

PART I - BASIC SERVICES (LUMP SUM)

Compensation for the Basic Services described in Part I shall be on a lump sum basis as shown below:

A.	Wastewater Flow Monitoring Coordination & Analysis	$92,100.00
	Total Amount, Basic Services:	***$92,100.00***

PART II - ADDITIONAL SERVICES

For the Additional Services described in Part II, we propose to be compensated on a salary cost basis times a multiplier of 2.40, with expenses at actual invoice cost times 1.15. Automobile mileage for additional services will be invoiced at $0.55 per mile.

We suggest you budget approximately $230,100 in the following amounts for additional services for this project:

A.	Wastewater Flow Monitoring (ADS)	$147,700.00
B.	Wastewater Model Update & Calibration	$44,000.00
C.	Deliverables:	$2,000.00
	Total Amount, Additional Services:	***$193,700.00***
	Total Fee Not to Exceed Amount:	***$285,800.00***

Invoices will be posted monthly based upon estimate of work complete for Parts I and based on actual hourly effort and expenditures for Part II. Payment is due upon receipt of invoice.

The maximum overall fee established herein shall not be exceeded without written authorization from the City, based on increased scope of services.

At the City's option, additional flow monitoring time (Part D Additional Services) can continue for 14-days with a contract amendment in the amount of $36,400.00.

Exhibit "D" to Agreement between the City of Rockwall, Texas (CITY) and Birkhoff, Hendricks & Carter, L.L.P, (ENGINEER) for Professional Services Dated _____, 2015

ATTACHMENT "D"

INFORMATION TO BE PROVIDED BY THE CITY

The following information is to be provided by the City, if available

1. Current GIS files of Wastewater Collection System Network.

2. Construction record drawings in nearby vicinity of flow meter sites.

Exhibit "E" to Agreement between the City of Rockwall, Texas (CITY) and Birkhoff, Hendricks & Carter, L.L.P, (ENGINEER) for Professional Services Dated _____, 2015

ATTACHMENT "E"
SUBCONTRACTORS LIST

1. Wastewater Meter and Rain Gauge Monitoring - ADS Environmental Services, Mr. Chuck Franklin, Senior Project Manager

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **February 27, 2015**

SUBJECT: **Domestic Violence Investigator/Prevention Officer Grant Application Resolution – Year 2 Funding**

The Rockwall Police Department was awarded grant funding through the Criminal Justice Division of the Governor's office for year one of our new Domestic Violence Investigator position in CID. The position was included in the fiscal year 2015 budget contingent on grant funding which was approved in September 2014. The City must reapply for funding each year of the program.

The accompanying Resolution authorizes the submission of the grant application for year two and designates the City Manager as the City's authorized official for the grant program. The Department has prepared the grant application.

If year two grant funding is approved, the city's matching contribution would be to fund benefits, training, and other operational expenses associated with the position. While some of the local contributions are non-cash, the total cash paid by the city would be about $27,500. If approved by the state, the grant for year two would begin in September 2015.

The resolution is attached for your review and the staff will be available at the meeting to answer any questions that you may have. Approval of the Resolution is requested.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 15-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPLYING FOR AND ACCEPTING 2nd Year GRANT FUNDING FROM THE VIOLENT CRIMES AGAINST WOMEN (VCAW) GRANT PROGRAM THROUGH THE CRIMINAL JUSTICE DIVISION OF THE OFFICE OF THE GOVERNOR FOR THE CREATION OF A DOMESTIC VIOLENCE INVESTIGATOR / PREVENTION OFFICER; ESTABLISHING THE DUTIES AND RESPONSIBILITIES OF SAID GRANT REQUIREMENTS; DESIGNATING THE CITY MANAGER AS THE AUTHORIZED OFFICIAL FOR THE GRANT APPLICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall finds it in the best interest of the citizens of Rockwall, Texas, that funding for the continuation of a Domestic Violence Investigator/Prevention Officer be requested through the VCAW Program and that activities of said Investigator continue in the year 2015; and

WHEREAS, the City of Rockwall understands that matching funds are required for the said project through the VCAW grant application; and

WHEREAS, the City of Rockwall agrees that in the event of loss or misuse of the Criminal Justice Division funds, the City of Rockwall will return the funds in full to the Criminal Justice Division (CJD).

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

Section 1. That the City of Rockwall hereby designates Rick Crowley, City Manager, as the grantee's Authorized Official (AO) and empowers him to apply for, accept, reject, alter or terminate the grant on behalf of the City of Rockwall;

Section 2. That the City of Rockwall approves submission of a grant application for the continuation of a Domestic Violence Investigator / Prevention Officer to the Office of the Governor, Criminal Justice Division; and

Section 3. That this Resolution shall be effective immediately after passage and approval, and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 3rd day of March, 2015.

ATTEST: **Jim Pruitt, Mayor**

Kristy Ashberry, City Secretary

Grant Number: _____

Application #: 2793302

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Mary Smith, Assistant City Manager**

DATE: **February 27, 2015**

SUBJECT: **Republic Waste Appt. Item**

Representatives from Republic Waste will be present at Monday's city council meeting to make a presentation regarding the company's annual downtown improvement fund donation.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Robert LaCroix, *Director of Planning and Zoning*

FROM: Ryan Miller, *Planning Manager*

DATE: March 2, 2015

SUBJECT: Hance Property (AG to PD) [*Z2015-003*]

At their regularly scheduled meeting on February 24, 2015, the Planning and Zoning Commission, at the request of the applicant (*Adam Buczek*), postponed the public hearing to March 10, 2015. This means that the projected City Council public hearing will be held at the March 16, 2015 meeting. According to Section 6.2, *Public Hearing Postponements, Recess, and Continuations*, of the Article II of the Unified Development Code, a public hearing may be postponed by announcing the postponement at the public hearing by stating the time and place the new public hearing is scheduled to begin. The announcement of a postponement shall be sufficient notice and no additional notice shall be required.

2/19/15

M. Ryan Miller,

Please postpone the Hance P&Z public hearing until March 10th.

Cordially yours,
John Hance
President

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Robert LaCroix, *Director of Planning and Zoning*

FROM: Ryan Miller, *Planning Manager/Historic Preservation Officer (HPO)*

DATE: March 2, 2015

SUBJECT: Z2015-005; *Landmark Property Designation for the County Courthouse*

In accordance with Section 6.2, *Historic Overlay (HO) District*, of the Unified Development Code (UDC), City staff has initiated a zoning case on behalf of the Historic Preservation Advisory Board (HPAB) for the purpose of designating the historic downtown County Courthouse a *Local Landmark Property*. Through this process, City staff has received positive recommendations from the Rockwall County Historic Foundation and the Rockwall County Historical Commission. Additionally, on December 19, 2014 the Rockwall County Commissioner's Court reviewed the request and approved a motion to allow the case to proceed to the Rockwall City Council by a vote of 5-0. If the City Council chooses to approve the case and designate the Courthouse as a *Local Landmark*, City staff (at the direction of the HPAB) will be pursuing having the Courthouse placed on the *National Registry of Historic Places*. Staff should mention that the State Historical Preservation Office (SHPO) has already approved a *determination of eligibility* and has relayed to staff that the Courthouse is an eligible structure. It should also be noted that the approval of either of these designations will not add any additional restrictions on the property that are not already in place by the Texas Historic Commission (THC) from the grant approved in the late 1990's.

Staff has included in your packet a copy of the report that was provided to the HPAB, as well as, all recommendations from the Rockwall County Historic Foundation, the Rockwall County Historical Commission, and the County Commissioner's Court.

Staff mailed one hundred fifty-five (155) notices to property owners within 500 feet of the subject property. At the time this memo was drafted, staff has received six (6) notices "for" the zoning change requested.

On February 24, 2015, the Planning and Zoning Commission recommended approval of the designation of the Historic Downtown Courthouse as a Landmark District by a vote of 6 to 0 [Conley – absent].

CITY OF ROCKWALL
HISTORIC PRESERVATION ADVISORY BOARD (HPAB) MEMO

AGENDA DATE: 02/19/2015

APPLICANT: City of Rockwall

AGENDA ITEM: **H2015-001**; Landmark Designation: Historic Downtown Courthouse

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SUMMARY:

Hold a public hearing to discuss and consider a City initiated request for the purpose of designating the Historic Downtown Courthouse as a Local Landmark per the designation procedures stipulated by Section 6.2, Historic Overlay (HO) District, of the Unified Development Code, being a 0.918-acre parcel of land identified as Rockwall O T Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 101 E. Rusk Street, and take any action necessary.

DISCUSSION:

After receiving direction from the Rockwall Historic Preservation Advisory Board (HPAB), and recommendations from the Rockwall County Historical Foundation, the Rockwall County Historical Commission, and the Rockwall County Commissioners Court, the City of Rockwall has initiated a request for the purpose of designating the *Historic Downtown Courthouse* as a local *Landmark Property* with the intent of pursuing a *National Register of Historic Places* designation. The *Historic Downtown Courthouse* is prominently located on the northeast corner of Goliad Street and Rusk Street on a 0.918-acre parcel of land and is addressed as 101 E. Rusk Street. The property is identified to be within the Rockwall O T Addition and is zoned Downtown (DT) District.

Historical Perspective:

Since the 1800's, there have been four courthouses located on this site:

- The first courthouse (construction date not known) was a wooden framed building that was destroyed by fire in 1875. The fire had also consumed all of the existing County records.

- The second courthouse was also a wooden framed building that was built in 1878 and was destroyed by fire 1891; however, at the time of construction a second out building made of stone stored the County's records separately and prevented them from being destroyed by the ensuing fire.

- A third courthouse constructed of native sandstone was built in 1892. Due to the deteriorating mortar of the 2nd floor, the building was condemned and eventually demolished in 1940.

The *Historic Downtown Courthouse* was the fourth courthouse built on this site. It began construction in 1940. The building features an Art Deco design that is seemingly visually symmetrical and is indicative of the geometrically straight and clean appearance that defines Art Deco.

Design Perspective:

The existing *Historic Downtown Courthouse* represents distinctive characteristics associated with Art Deco (Moderne or Modernistic) design elements that were considered to have escaped the traditional revivalist representation. Art Deco was characteristically European and began to have an impact on American architecture in the late 1920's and was known for its artistic expressions that complemented the machine age. Art Deco was essentially a style of decoration and ornamentation, such as motifs, that provided low-relief geometrical designs such as parallel straight lines, zigzags, chevrons, and stylized floral or fountain motifs. Exterior architectural elements were characterized by concrete, smooth-faced stone, and metal that were additionally accentuated with elements such as terra cotta, glass block, and colored mirrors. The effect was to capture a streamlined futuristic display of simplicity. Art Deco was a conscience rejection of historical styles and a popular form of ornamentation.

Historical Analysis:

The *Historic Downtown Courthouse* began construction in 1940 after receiving a $52,000 Work Projects Administration (WPA) grant toward its construction. The WPA, instituted by President Franklin D. Roosevelt in the mid 1930's, provided millions of jobs to the unemployed during the Great Depression. The WPA included the construction of public buildings and roads throughout the United States and was instrumental during the New Deal Era intending to end the depression. The total construction cost for the *Historic Downtown Courthouse* was $92,000.

When constructed, the *Historic Downtown Courthouse* was designed to emulate the architectural style of Dallas' Fair Park district, which incorporated Art Deco as its theme. The courthouse expresses many elements of Art Deco design by incorporating low-relief elements such as geometrically paralleled straight lines that are highly visible from the window/pilaster combination on all sides of the building, ornamental and decorative motifs that are present on each façade (primarily at the entrances), decorative cornices with chevron patterns evident on portions of the building and the smooth simplicity of the overall appearance of the courthouse.

The *Historic Downtown Courthouse* is recognized as one of only seven courthouses in Texas to incorporate the stylistic design of Art Deco.

Renovation:

The *Historic Downtown Courthouse* completed a renovation project in 2002 with federal assistance from an ISTEA (Intermodal Surface Transportation Efficiency Act) Grant. The grant was instrumental in the replacement of windows, window frames and hardware, and the replacement of the exterior doors, exterior lighting and landscaping. The grant also assisted with truss repair in order to assure the structural integrity of the building. The removal of mechanical units and exterior electrical wiring was also planned for the facility.

Significant Persons:

Rockwall County Judge Mike Reinhardt, serving his third term, played a pivotal role in securing funding for the project through the WPA program. Prior to the demolition of the 3rd courthouse, Judge Reinhardt, and seven other county judges from Texas, traveled to Washington D.C. and convinced lawmakers to extend the life of the WPA program for Texas.

On January 19, 1940, Rockwall County Judge Mike Reinhardt, supported by Congressman Sam Rayburn and Senators Tom Connally and Morris Sheppard, was awarded a $52,000 WPA grant towards the construction of the Rockwall County Courthouse. Judge Reinhardt died the very next day of acute pneumonia in a Washington hospital.

Unified Development Code:

According to Article V, Section 6.2, Historic Overlay (HO) District, of the Unified Development Code (UDC), the board may recommend to the Commission and the City Council that certain properties be "landmark districts"…as provided for in the Unified Development Code. Any such designation must comply with all limitations expressed in subsections E.5 and E.6…Such a property or district shall bear the word "landmark" or "historic" in their zoning designation. The UDC reads as follows:

E. *Designation procedures.*

5. A historic landmark property may be a single property or structure not contiguous to or part of an existing historic district, but is deemed worth of preserving. A landmark district may be designated if the property meets one of the following:

a. Possesses significance in history, architecture, archeology, and/or culture;

b. Is associated with events that made a significant contribution to the broad patterns of local, regional, state and/or national history;

c. Is associated with the lives of persons significant in the city's past;

d. Embodies the distinctive characteristics of a type, period, and/or method of construction;

e. Represents the work of a master designer, builder, and/or craftsman; or

f. Represents an established and familiar visual historical feature of the city.

6. The board may recommend a historic district to the council to be designated if it:

a. Contains a significant number of properties which meet one or more of the criteria for designation of a landmark as outlined in subsection E.5 above, or

b. Constitutes a distinct historical section of the city.

RECOMMENDATIONS:

In your packet are letters from the Rockwall County Historical Foundation and the Rockwall County Historical Commission recommending the Historic Downtown Courthouse be locally

designated as a *Landmark Property* and to pursue the inclusion of the Courthouse on the *National Register of Historic Places*. These letters were forwarded to the Rockwall County Commissioners Court for their consideration in approving the designation process during their regular meeting held on December 23, 2014. The agenda item passed unanimously of the Commissioners by a vote of 5 to 0.

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City of Rockwall

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

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

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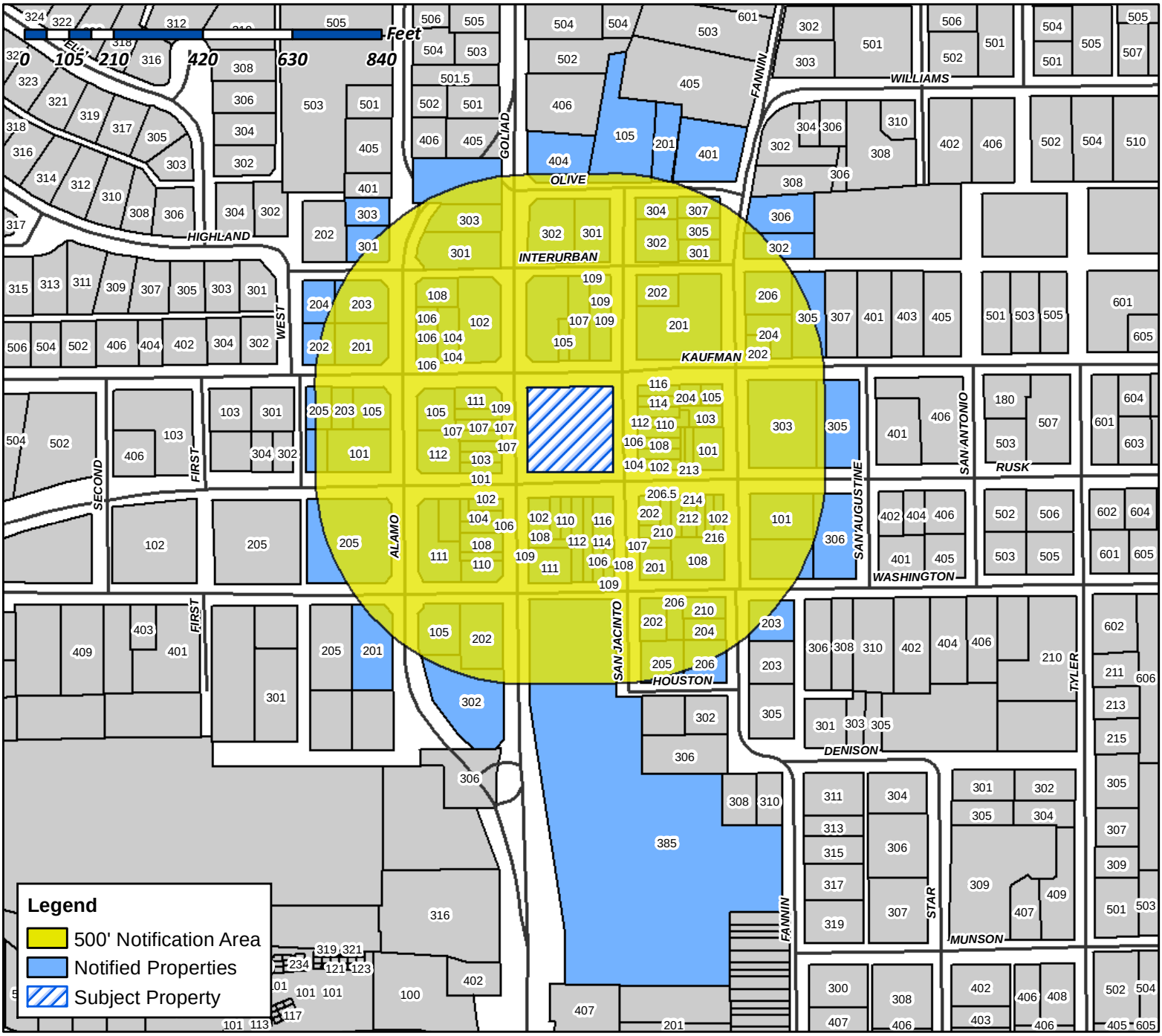
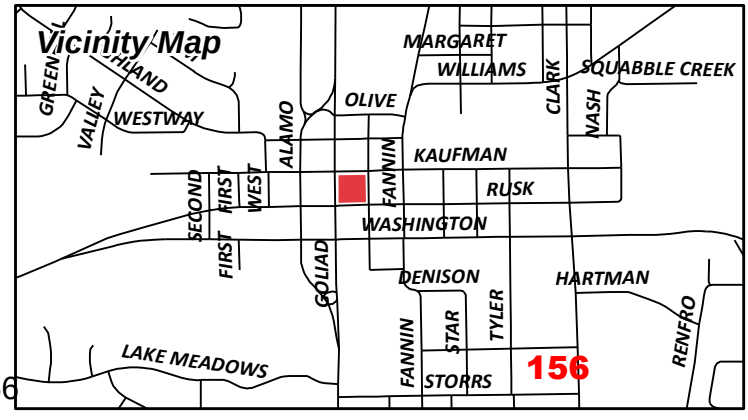
City of Rockwall

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

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



Case Number: Z2015-005
Case Name: Landmark Property Designation
Case Type: Zoning
Zoning: Downtown District
Case Address: 101 E Rusk St



Date Created: 2/05/2015
For Questions on this Case Call (972) 771-7745

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

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

To Whom It May Concern:

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

Case No. Z2015-005: Landmark Property Designation

Hold a public hearing to discuss and consider a City initiated request for the purpose of designating the Historic Downtown Courthouse as a Local Landmark per the designation procedures stipulated by Section 6.2, Historic Overlay (HO) District, of the Unified Development Code, being a 0.918-acre parcel of land identified as Rockwall O T Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 101 E. Rusk Street, and take any action necessary.

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

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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Your comments must be received by **3/2/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2015-005: Landmark Property Designation

Please place a check mark on the appropriate line below:

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

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

Name:

Address:

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

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

BOWEN PERRY
1006 TIMBERLINE DRIVE
HEATH, TX 75032

HEATH H N
101 N ALAMO RD
ROCKWALL, TX 75087

Current Occupant
CREDIT SHELTER TRUST AND SURVIVORS TRUST
101 N FANNIN ST
Rockwall, TX 75087

Current Occupant
RDT ENTERPRISES INC
101 N GOLIAD
Rockwall, TX 75087

Current Occupant
101 S FANNIN ST
Rockwall, TX 75087

ARISTA KAUFMAN LLC
1010 W RALPH HALL PARKWAY SUITE 100
ROCKWALL, TX 75032

Current Occupant
102 E RUSK
Rockwall, TX 75087

Current Occupant
102 N SAN JACINTO
Rockwall, TX 75087

Current Occupant
C/O ALICIA COOK
102 S FANNIN ST
Rockwall, TX 75087

BLACKETER LARRY & FAY
102 S GOLIAD ST
ROCKWALL, TX 75087

Current Occupant
C/O SILVER OAK ADVISORS LLC
102 W KAUFMAN
Rockwall, TX 75087

Current Occupant
CREDIT SHELTER TRUST AND SURVIVORS TRUST
103 N FANNIN ST
Rockwall, TX 75087

Current Occupant
RDT ENTERPRISES INC
103 N GOLIAD
Rockwall, TX 75087

Current Occupant
103 S SAN JACINTO
Rockwall, TX 75087

MORROW TREVA L
104 MORROW LN
LAVON, TX 75166

Current Occupant
104 N SAN JACINTO
Rockwall, TX 75087

MASONIC LODGE
C/O J E HANIS
104 S GOLIAD ST
ROCKWALL, TX 75087

BLESSING BRIAN PC
104 W KAUFMAN ST
ROCKWALL, TX 75087

Current Occupant
105 OLIVE ST
Rockwall, TX 75087

LOFLAND WILLIAM B
105 E KAUFMAN ST
ROCKWALL, TX 75087

Current Occupant
105 N ALAMO
Rockwall, TX 75087

Current Occupant
105 N FANNIN ST
Rockwall, TX 75087

Current Occupant
JOHN C WEDDLE AND PAULETTE S WEDDLE
TRUSTEES
105 N GOLIAD
Rockwall, TX 75087

WIMPEE JOE
105 W KAUFMAN ST
ROCKWALL, TX 75087

Current Occupant
105 W WASHINGTON
Rockwall, TX 75087

Current Occupant
106 SAN JACINTO
Rockwall, TX 75087

RDT ENTERPRISES INC
MIKE SORVINSKI
106 E RUSK STE 200
ROCKWALL, TX 75087

Current Occupant
106 N GOLIAD
Rockwall, TX 75087

Current Occupant
106 S SAN JACINTO
Rockwall, TX 75087

Current Occupant
TIMOTHY M & STACY M ROSE
106 W KAUFMAN
Rockwall, TX 75087

158

Current Occupant
107 E KAUFMAN
Rockwall, TX 75087

Current Occupant
107 N GOLIAD
Rockwall, TX 75087

GMDR PROPERTIES LLC
107 S SAN JACINTO
ROCKWALL, TX 75087

Current Occupant
108 FANNIN ST
Rockwall, TX 75087

Current Occupant
108 INTERURBAN
Rockwall, TX 75087

Current Occupant
RDT ENTERPRISES INC
108 E RUSK
Rockwall, TX 75087

Current Occupant
108 N SAN JACINTO
Rockwall, TX 75087

Current Occupant
108 S GOLIAD
Rockwall, TX 75087

Current Occupant
JENNIFER SMITH BLUM TRUSTEES
108 S SAN JACINTO
Rockwall, TX 75087

Current Occupant
CREDIT SHELTER TRUST AND SURVIVORS TRUST
109 E KAUFMAN
Rockwall, TX 75087

Current Occupant
109 E WASHINGTON
Rockwall, TX 75087

Current Occupant
MIKE SORVINSKI
109 N GOLIAD
Rockwall, TX 75087

K'S ADVERTISING DALLAS INC THE
109 N GOLIAD ST
ROCKWALL, TX 75087

Current Occupant
110 E RUSK
Rockwall, TX 75087

Current Occupant
110 N SAN JACINTO
Rockwall, TX 75087

PRUITT JAMES PRESTON
110 S GOLIAD ST STE 101
ROCKWALL, TX 75087

PANNELL JIM
111 N GOLIAD ST
ROCKWALL, TX 75087

Current Occupant
RDT ENTERPRISES INC
111 S GOLIAD
Rockwall, TX 75087

Current Occupant
ATTN;MARY SMITH
111 W RUSK
Rockwall, TX 75087

Current Occupant
112 E RUSK
Rockwall, TX 75087

Current Occupant
JENNIFER SMITH BLUM TRUSTEES
112 N SAN JACINTO
Rockwall, TX 75087

Current Occupant
RDT ENTERPRISES INC
112 W RUSK
Rockwall, TX 75087

Current Occupant
RDT ENTERPRISES, INC
114 E RUSK
Rockwall, TX 75087

Current Occupant
114 N SAN JACINTO
Rockwall, TX 75087

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

Current Occupant
116 E RUSK
Rockwall, TX 75087

Current Occupant
116 N SAN JACINTO
Rockwall, TX 75087

ANDERSON LORETTA
1208 S LAKESHORE DR
ROCKWALL, TX 75087

FALL C W
1216 SMIRL DR
ROCKWALL, TX 75032

HANCE ROY & RANDA & LARRY
1244 E QUAIL RUN RD
ROCKWALL, TX 75087

159

HOGUE MICHAEL & VICKY
1498 HUBBARD DR
FORNEY, TX 75126

MCCALLUM V LTD
1535 E INTERSTATE 30
ROCKWALL, TX 75087

WEDDLE TRUST
JOHN C WEDDLE AND PAULETTE S WEDDLE
TRUSTEES
1601 S ALAMO RD
ROCKWALL, TX 75087

WEDDLE TRUST
JOHN C WEDDLE AND PAULETTE S WEDDLE
TRUSTEES
1601 S ALAMO RD
ROCKWALL, TX 75087

HENDRICKS JAMES L
1602 RIDGE RD
ROCKWALL, TX 75087

KLUTTS B A
1605 SUNSET HILL DR
ROCKWALL, TX 75087

105 N ALAMO LLC
1660 E FM 550
ROCKWALL, TX 75032

Current Occupant
201 OLIVE ST
Rockwall, TX 75087

Current Occupant
201 E KAUFMAN
Rockwall, TX 75087

ROBERSON RAY ETUX
201 E WASHINGTON
ROCKWALL, TX 75087

Current Occupant
201 N ALAMO
Rockwall, TX 75087

Current Occupant
% DOUGLAS A KAUFMANN
201 W WASHINGTON
Rockwall, TX 75087

WAY SAMMY J
202 BECKY LANE
ROCKWALL, TX 75087

Current Occupant
MIKE SORVINSKI
202 E RUSK
Rockwall, TX 75087

Current Occupant
202 E WASHINGTON
Rockwall, TX 75087

Current Occupant
202 N FANNIN ST
Rockwall, TX 75087

HOLLIMAN ANDREA J &
DIANNE C HOLLIMAN
202 N WEST
ROCKWALL, TX 75087

LAZY DALE PARTNERS LP
202 NORTH SAN JACINTO
ROCKWALL, TX 75087

SHIELDS JOE M
202 S GOLIAD ST
ROCKWALL, TX 75087

Current Occupant
203 N ALAMO
Rockwall, TX 75087

SMITH IRIS
203 S FANNIN ST
ROCKWALL, TX 75087

Current Occupant
203 W KAUFMAN
Rockwall, TX 75087

Current Occupant
204 E KAUFMAN
Rockwall, TX 75087

Current Occupant
204 N FANNIN ST
Rockwall, TX 75087

Current Occupant
204 N WEST ST
Rockwall, TX 75087

Current Occupant
204 S FANNIN ST
Rockwall, TX 75087

Current Occupant
205 S SAN JACINTO
Rockwall, TX 75087

Current Occupant
205 W KAUFMAN
Rockwall, TX 75087

Current Occupant
205 W RUSK
Rockwall, TX 75087

CURANOVIC PETER ESTATE
206 ASHE BEND DRIVE
ROCKWALL, TX 75087

160

Current Occupant
206 E WASHINGTON ST
Rockwall, TX 75087

Current Occupant
206 N FANNIN ST
Rockwall, TX 75087

Current Occupant
206 S FANNIN ST
Rockwall, TX 75087

Current Occupant
206.5 E RUSK
Rockwall, TX 75087

HALL J BLAKELEY
207 E RUSK ST
ROCKWALL, TX 75087

HOEGGER STEVE & KIM
2082 QUAIL RUN RD
WYLIE, TX 75098

Current Occupant
210 E RUSK
Rockwall, TX 75087

Current Occupant
210 E WASHINGTON
Rockwall, TX 75087

Current Occupant
C/O ODIS A LOWE JR
212 E RUSK
Rockwall, TX 75087

Current Occupant
213 E RUSK
Rockwall, TX 75087

Current Occupant
214 E RUSK
Rockwall, TX 75087

Current Occupant
216 E RUSK
Rockwall, TX 75087

RUSSELL RUTH DIANE
2520 WATAUGA RD
FORT WORTH, TX 76111

RAYWAY PROPERTIES LLC
3 GRANITE RIDGE
ROCKWALL, TX 75032

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

Current Occupant
301 N FANNIN ST
Rockwall, TX 75087

Current Occupant
301 N GOLIAD
Rockwall, TX 75087

Current Occupant
301 N SAN JACINTO
Rockwall, TX 75087

Current Occupant
302 N FANNIN ST
Rockwall, TX 75087

JOY LUTHERAN CHURCH
302 N GOLIAD ST
ROCKWALL, TX 75087

BRUCE DANA G & JEANNE L
302 N SAN JACINTO ST
ROCKWALL, TX 75087

Current Occupant
302 S GOLIAD
Rockwall, TX 75087

HIS COVENANT CHILDREN INC
303 E RUSK ST
ROCKWALL, TX 75087

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

Current Occupant
303 N GOLIAD
Rockwall, TX 75087

Current Occupant
304 N SAN JACINTO
Rockwall, TX 75087

CLARKE CARY G
305 E KAUFMAN ST
ROCKWALL, TX 75087

ERUDITE INCORPORATED
305 E RUSK ST
ROCKWALL, TX 75087

FERGUSSON PROPERTIES LLC
305 N FANNIN ST
ROCKWALL, TX 75087

TRINITY HARBOR CHURCH
306 E RUSK ST
ROCKWALL, TX 75087

161

Current Occupant
306 N FANNIN ST
Rockwall, TX 75087

FERGUSSON PROPERTIES LLC
307 N FANNIN ST
ROCKWALL, TX 75087

HOLLIMAN ANDREA J
332 SHEPARDS HILL
ROCKWALL, TX 75087

CHOI YOUNG CHOI
3828 OLD FAITHFUL CT
IRVING, TX 75062

JONES CYNTHIA WALLACE & KENNETH LYNN
401 N FANNIN STREET
ROCKWALL, TX 75087

Current Occupant
C/O FAIR ROAD PROPERTIES INC
404 N GOLIAD
Rockwall, TX 75087

WILLESS LADONA
410 E COACHLIGHT TRL
ROCKWALL, TX 75087

4 ROSES ENTERPRISES LLC AND
TIMOTHY M & STACY M ROSE
436 WYNDEMERE BLVD
HEATH, TX 75032

SMITH ROBERT & MARY SUE
502 W RUSK ST
ROCKWALL, TX 75087

REDDEN POLLY & ROSS
509 E HEATH ST
ROCKWALL, TX 75087

GRAY PEGGY JO
521 KATHY DR
MESQUITE, TX 75149

HEFFERNAN & HEFFERNAN BOOKKEEPING
5924 VOLUNTEER PL
ROCKWALL, TX 75032

KAUFMANN PROPERTIES LLC
% DOUGLAS A KAUFMANN
627 SORITA CIR
HEATH, TX 75032

TURNER V H
704 LAKE MEADOWS CT
ROCKWALL, TX 75087

KING PACIFIC INC
8100 GREENSBORO DR
PLANO, TX 75025

FOX WILLIAM G & ALISON L
816 FAITH TRAIL
HEATH, TX 75032

SMITH LEON & MARGARET AND
JENNIFER SMITH BLUM TRUSTEES
8217 W 100TH TER
OVERLAND PARK, KS 66212

CULLINS KENNETH L & HEATHER D
845 RAVENHURST DR
ROCKWALL, TX 75087

ROBERT COOK ESTATE
C/O ALICIA COOK
901 PIONEER ROAD
MESQUITE, TX 75149

WALKER TOM
902 LAKE MEADOWS DR
ROCKWALL, TX 75087

RHODES TOM B
C/O SILVER OAK ADVISORS LLC
ATTN JEFF TARLTON 400 GALLERIA PARKWAY SE
SUITE 1500
ATLANTA, GA 30339

CAIN REVOCABLE FAMILY TRUST AND
CREDIT SHELTER TRUST AND SURVIVORS TRUST
DEWAYNE CAIN TRUSTEE PO BOX 1119
ROCKWALL, TX 75087

PANNELL SMITH PROPERTY MANAGEMENT LLC
PMB 155 2850 SHORELINE TRL
ROCKWALL, TX 75032

CAIN FAMILY PARTNERSHIP LTD
PO BOX 1119
ROCKWALL, TX 75087

PIRTLE DAVID ETUX
PO BOX 1569
ROCKWALL, TX 75087

HENDRICKS BARBARA S
PO BOX 2136
ROCKWALL, TX 75087

PEOPLES BILLY W
PO BOX 35
ROCKWALL, TX 75087

COMMUNITY BANK
PO BOX 580
GRANBURY, TX 76048

ROCKWALL LIONS CLUB
C/O ODIS A LOWE JR
PO BOX 663
ROCKWALL, TX 75087

LAND HEADQUARTERS COMPANY INC
C/O FAIR ROAD PROPERTIES INC
PO BOX 69
KEY BISCAYNE, FL 33149

BAESA MICHAEL H & PAIGE
PO BOX 814
ROCKWALL, TX 75087

ROCKWALL RENTAL PROPERTIES LP
PO BOX 818
TERRELL, TX 75160

COLLIN-G PROPERTIES LTD
PO BOX 847
ROCKWALL, TX 75087

DOWER YVONNE
PO BOX 871239
MESQUITE, TX 75187

ROCKWALL RENTAL PROPERTIES LP
PO BOX B
TERRELL, TX 75160

163

Gonzales, David

From: Miller, Ryan
Sent: Monday, February 16, 2015 10:02 AM
To: Gonzales, David
Subject: FW:

FYI … see below.

RYAN C. MILLER, AICP
PLANNING MANAGER • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

HELPFUL LINKS | CITY OF ROCKWALL WEBSITE | PLANNING & ZONING DIVISION WEBSITE | MUNICIPAL CODE WEBSITE
GIS DIVISION WEBSITE | CITY OF ROCKWALL INTERACTIVE MAPS | MAIN STREET DIVISION

From: LaCroix, Robert
Sent: Monday, February 16, 2015 8:20 AM
To: Miller, Ryan
Subject: FW:

FYI.

Robt

From: [redacted]
Sent: Friday, February 13, 2015 11:22 AM
To: LaCroix, Robert
Subject:

case #z2015-005 I am in favor of this request. Ray Roberson 201 E Washington St Rockwall, Texas 75087

Sent from Windows Mail

Gonzales, David

From: Miller, Ryan
Sent: Tuesday, February 17, 2015 8:19 AM
To: Gonzales, David
Subject: FW: Landmark Property Designation Case No Z2015-005

FYI …

RYAN C. MILLER, AICP
PLANNING MANAGER • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

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GIS DIVISION WEBSITE | CITY OF ROCKWALL INTERACTIVE MAPS | MAIN STREET DIVISION

From: Peg Pannell Smith [redacted]
Sent: Friday, February 13, 2015 2:59 PM
To: Planning
Subject: Landmark Property Designation Case No Z2015-005

I am in favor of the request for the reasons listed below:

The Rockwall County Historic Downtown Courthouse is a treasure, the gathering place of our community and most definitely should be designated as a Landmark Property. I applaud the person(s) who spearheaded this effort.

Thank you.

Peg Pannell Smith
Pannell Smith Property Management LLC

Make it a beautiful day!
Peg Pannell Smith

PEGPANNELLSMITH, REALTOR®, GRI, RSPS, SRS
PEG PANNELL SMITH GROUP
COMMERCIAL REAL ESTATE SALES & LEASING
COLDWELL BANKER COMMERCIAL SRT
2900 Ridge Road | Rockwall Texas 75032
peg@pegpannellsmith.com | pegpannellsmith.com
CELL 972.489.0788 OFC 972.772.1579 FAX 972.771.7493
INFORMATION ABOUT BROKERAGE SERVICES

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"The sender believes that this E-mail and any attachments were free of any virus, worm, Trojan horse, and/or malicious code when

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

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

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

Case No. Z2015-005: Landmark Property Designation

Hold a public hearing to discuss and consider a City initiated request for the purpose of designating the Historic Downtown Courthouse as a Local Landmark per the designation procedures stipulated by Section 6.2, Historic Overlay (HO) District, of the Unified Development Code, being a 0.918-acre parcel of land identified as Rockwall O T Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 101 E. Rusk Street, and take any action necessary.

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David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. Z2015-005: Landmark Property Designation

Please place a check mark on the appropriate line below:

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

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

I have no objections.

Name: Cain Family Partnership, Ltd/Dewayne Cain

Address: PO Box 1119, Rockwall, TX 75087

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

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David Gonzales
Rockwall Planning and Zoning Dept.
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Rockwall, TX 75087

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Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. Z2015-005: Landmark Property Designation

Please place a check mark on the appropriate line below:

[X] I am in favor of the request for the reasons listed below.

[ ] I am opposed to the request for the reasons listed below.

I have no objections.

Name: Cain Revocable Family Trust/Dewayne Cain Trustee

Address: PO Box 1119, Rockwall, TX 75087

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

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EMAIL: PLANNING@ROCKWALL.COM

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

Case No. Z2015-005: Landmark Property Designation

Hold a public hearing to discuss and consider a City initiated request for the purpose of designating the Historic Downtown Courthouse as a Local Landmark per the designation procedures stipulated by Section 6.2, Historic Overlay (HO) District, of the Unified Development Code, being a 0.918-acre parcel of land identified as Rockwall O T Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 101 E. Rusk Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Historic Preservation Advisory Board will hold a public hearing on **Thursday, 2/19/2015 at 6:00 p.m.**, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 2/24/2015 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 3/2/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **3/2/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2015-005: Landmark Property Designation

Please place a check mark on the appropriate line below:

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

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

Name: Stan & Linda Fergusson

Address: 305 N Fannin St., Rockwall

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

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

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

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

To Whom It May Concern:

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

Case No. Z2015-005: Landmark Property Designation

Hold a public hearing to discuss and consider a City initiated request for the purpose of designating the Historic Downtown Courthouse as a Local Landmark per the designation procedures stipulated by Section 6.2, Historic Overlay (HO) District, of the Unified Development Code, being a 0.918-acre parcel of land identified as Rockwall O T Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 101 E. Rusk Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Historic Preservation Advisory Board will hold a public hearing on **Thursday, 2/19/2015 at 6:00 p.m.**, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 2/24/2015 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 3/2/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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Your comments must be received by **3/2/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2015-005: Landmark Property Designation

Please place a check mark on the appropriate line below:

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

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

Name: Stan & Linda Fergusson

Address: 307 N. Fannin St., Rockwall TX 75087

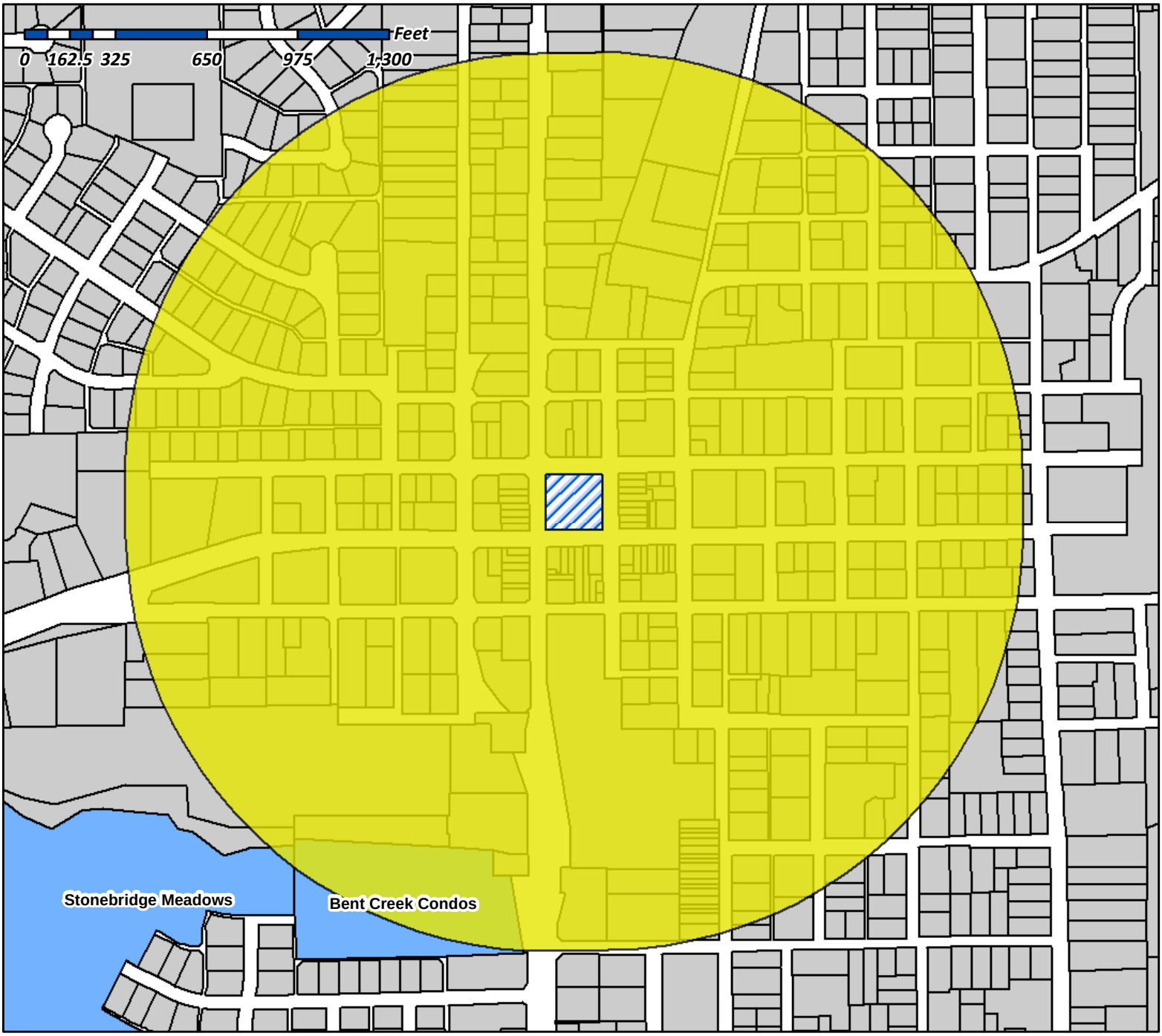
Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be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

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

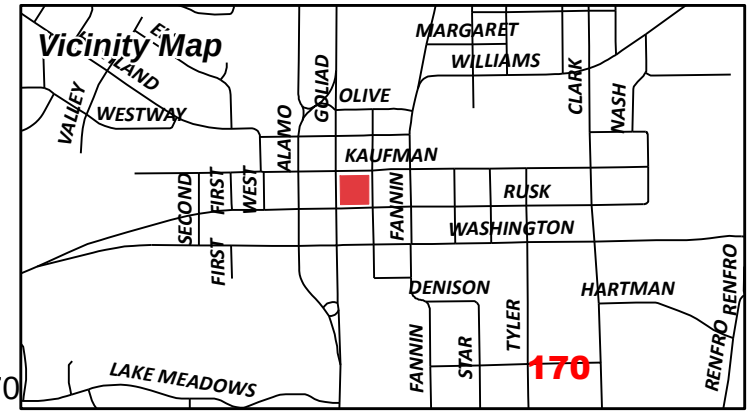
City of Rockwall

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

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



Case Number: Z2015-005
Case Name: Landmark Property Designation
Case Type: Zoning
Zoning: Downtown District
Case Address: 101 E Rusk St



Date Created: 2/05/2015
For Questions on this Case Call (972) 771-7745

Cliff Sevier
Commissioner Precinct 1

Lorie Grinnan
Commissioner Precinct 2

Jerry Hogan
County Judge

Dennis Bailey
Commissioner Precinct 3

David Magness
Commissioner Precinct 4

FILED FOR RECORD
ROCKWALL COUNTY, TEXAS
14 DEC 19 AM 9:18
KELLI MILLER
ROCKWALL COUNTY CLERK
BY: _____ DEPUTY

NOTICE OF REGULAR MEETING

NOTICE IS HEREBY GIVEN THAT THE ROCKWALL COUNTY COMMISSIONERS COURT WILL MEET IN A REGULAR MEETING ON DECEMBER 23, 2014, AT 9:00 A.M. AT THE ROCKWALL COUNTY HISTORIC COURTHOUSE, 101 EAST RUSK, CITY OF ROCKWALL, FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

- **INVOCATION;** -- Commissioner Bailey
- **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG;** -- Judge Hogan
- **PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG;** -- Judge Hogan
- **RECOGNITION OF GUESTS;**

RECOGNITION/PRESENTATION:

Todd Williams and Texas A&M AgriLife Extension Service present to Commissioners Court the Building a Better Texas Award for the 100 year partnership since the signing of the Smith-Lever Act

AGENDA:

1. Discuss/Act to approve Adfinity to host the new Rockwall County Open Space Alliance website at an annual cost of $120.00, effective January 1, 2015, and all related issues; (Sevier-Auditor)

APP 5-0

2. Discuss/Act on the appointment with the City of Rockwall's Planning staff and the Historic Preservation Advisory Board (HPAB) to discuss designating the Historic Downtown Courthouse a local Landmark Property per the City's Historic Designation Program and pursuing the placement of the Historic Courthouse on the National Registry of Historic Places, and all related issues; (Bailey)

3. Discussion of FY2014 year-end financial report by the County Auditor, and all related issues; (Auditor)

4. Discuss/Act on rescinding the Court's prior action regarding the Interlocal Agreement with the City of Fate for Municipal Judge Services relating to evidentiary warrants to obtain blood samples from individuals suspected of driving while intoxicated for four planned "No Refusal Weekends" and approve a revised agreement, and all related issues; (Auditor)

5. Discuss/Act on approving Supplemental Agreement #1 to the Advanced Funding Agreement (AFA) which terminates the original agreement executed on February 14, 2012, between Rockwall County and the State, and all related issues; (Auditor)

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6. Discuss/Act on the progress of the Court Management System for Rockwall County, and all related issues; (Hogan-Arey)

7. Discuss/Act on approving the Interlocal Agreement with the City of Heath for participation in the Rockwall County Interoperability Radio Network, and all related issues; (Hogan)

8. Discuss/Act on approving the Interlocal Agreement with the City of Fate for participation in the Rockwall County Interoperability Radio Network, and all related issues; (Hogan)

9. **EXECUTIVE SESSION:**
Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sections 551.071, 551.072, 551.073, 551.074, 551.0745, 551.076, and 551.087. **Executive Session may be held, under these exceptions, at the end of the Regular Meeting or at any time during the meeting that a need arises for the Commissioners Court to seek advice from the Criminal District Attorney's Office as to the posted subject matter of this Commissioners Court meeting.**

   a. Discussion regarding the appointment and employment of a senior felony prosecutor in the Criminal District Attorney's Office (Tex. Gov't Code §551.074);

10. **RECONVENE:** Action necessary on items discussed in Executive Session;

11. **CONSENT AGENDA;**
   a) Minutes of previous meeting(s);
   b) J.P. Pct. 2, monthly judicial activity report(s);
   c) J.P. Pct. 3, monthly judicial activity report(s);
   d) District Clerk, monthly fee report (s);
   e) J.P. Pct. 1, monthly judicial activity report(s);
   f) Treasurer, monthly report(s);
   g) J.P. Pct. 4, monthly judicial activity report(s);
   h) Co. Clerk, monthly fee report(s);
   i) Auditor, Approve payment to CH2M HILL, Inc. for engineering services provided thru October 31, 2014 at SH 276 from SH 205 to FM 549 in the amount of $96,232.74;

12. **PROPERTY ACQUISITIONS/DISPOSITIONS;**
Discuss/Act on approving the following property acquisitions and dispositions of fixed assets;

   A. Emergency Management to purchase from CRI Grant Capital Outlay: Phillips PicoPix pocket DLP projector @ an estimated cost of $399.99.

   B. Emergency Management to purchase from CRI Grant Supplies: Ricoh printer toner cartridges @ an estimated cost of $267.00.

   C. Emergency Management to purchase from Homeland Security Grant Capital Outlay: Rescue Randy Manikin @ an estimated cost of $1,187.95.

   D. Emergency Management to purchase from Homeland Security Grant Supplies: (20) – 5 pocket backpack supply kits for EastTex CERT @ an estimated cost of $847.36.

   E. Emergency Management to purchase from Homeland Security Grant Equipment, Capital Outlay & Supplies: (2) triage tag pkgs of 50, (2) 20 watt lightweight megaphones, CERT table cover, CERT quick shelter canopy, CERT 2' x 8' banner with logo and graphics @ a total cost of $1,158.00.

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F. County Jail transfer to Surplus: 2005 Chevy Impala (VIN 470).

G. County Jail transfer to Surplus: 2006 Chevy Impala (VIN 372).

H. County Jail transfer to Surplus: 2009 Ford Crown Victoria (VIN 870).

13. **NON-EMERGENCY BUDGET TRANSFER(S);**

2015-04 – Transfer $570 of funds within the General Fund budget **TO** 439th District Court/Capital Outlay > $200 < $5,000 **FROM** General Government/ Contingency resulting from the purchase of a fax machine approved by Commissioners Court on October 14, 2014.

14. **APPROVAL OF ACCOUNTS, BILLS, CLAIMS, AND PAYROLL(S);**

15. **ANNOUNCEMENTS;**
Announcements regarding County news, and upcoming County events.

16. **ADJOURN**

JERRY HOGAN
County Judge

By _____
Court Administrator

CERTIFICATE:

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING NOTICE OF THE MEETING WAS FILED AND POSTED ON THE BULLETIN BOARD AT THE ROCKWALL COUNTY COURTHOUSE, 1111 EAST YELLOWJACKET LANE, IN THE CITY OF ROCKWALL, TEXAS, ON 12/19/14.

SHELLI MILLER, COUNTY CLERK

By_____ Deputy Clerk

NOTE: THE COMMISSIONERS COURT RESERVES THE RIGHT TO CONSIDER AND TAKE ACTION ON THE ABOVE AGENDA ITEMS IN ANY PARTICULAR ORDER. THE ROCKWALL COUNTY COMMISSIONERS COURT COMPLIES WITH A.D.A. REQUIREMENTS. IF YOU PLAN TO ATTEND THIS PUBLIC MEETING AND YOU HAVE A DISABILITY THAT REQUIRES SPECIAL ARRANGEMENTS AT THE MEETING, PLEASE CALL IN ADVANCE OF THE MEETING AT (972) 204-6000.

ROCKWALL COUNTY HISTORICAL COMMISSION

P. O. BOX 916
ROCKWALL, TX 75087

December 9, 2014

Honorable Judge and County Commissioners:

When members of the Rockwall County Historical Commission held its quarterly meeting on December 5, 2014, we learned of a strategic plan by the City of Rockwall to increase Rockwall's "presence" on local, state and national levels.

Part of that plan involves your acceptance of a local *Landmark Property* designation for the historic, downtown Courthouse. Additionally, the City of Rockwall will pursue designation by the National Register of Historic Places for the historic, downtown Courthouse.

Members of the Rockwall County Historical Commission wholeheartedly approve of the City's efforts in this regard. We strongly recommend that Commissioners Court approve the worthy recognition of the historic downtown Courthouse in this manner.

Thank you for your consideration.

Respectfully submitted,

Leigh Plagens
Member RCHC

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Rockwall County Historical Foundation

Post Office Box 916, Rockwall, TX 75087
Telephone: 972/722-1507

December 1, 2014

To the Honorable Judge and Rockwall County Commissioners:

It is our understanding that the City of Rockwall has submitted an application for designation as a Preserve America Community. Membership in that program will enhance awareness of Rockwall's commitment to protect and preserve the county's cultural and natural heritage assets as well as provide other opportunities for grants. As a part of the process to elevate attention to our area, the City of Rockwall proposes to designate the Historic Downtown Courthouse as a local *Landmark Property.* This *Landmark* designation is reserved for structures that are worthy of preserving.

Another step in the City's plan to increase exposure of Rockwall's assets on a local, state and national level will be to apply for designation of the Historic Downton Courthouse by the National Register of Historic Places. These steps should ultimately increase heritage tourism to this unique area.

Therefore, the Board of Directors of the Rockwall County Historical Foundation unanimously recommends that the Court accept the proposal of the City of Rockwall to designate the Historic Downtown Courthouse as a local *Landmark Property* and to apply for acceptance as a National Register of Historic Places.

Respectfully submitted,

Carolyn Francisco

Carolyn Francisco
President, RCHF

Rockwall County Courthouse








North Texas Courthouse Index



Rockwall County Courthouse - Rockwall, Texas


Texas
Courthouse
Trail.com






HISTORIC
COURTHOUSE


ROCKWALL COUNTY
COURT HOUSE
ERECTED 1941
MIKE REINHARDT COUNTY JUDGE
DECEASED JAN 1940
CARL MILLER COUNTY JUDGE
APPOINTED FEB 1940
COUNTY COMMISSIONERS
J W MAXWELL PRECINCT NO. 1
S. E. PIPER PRECINCT NO. 2
E. C. HARRELL PRECINCT NO. 3
J. A. CANUP PRECINCT NO. 4
BEN BEAN COUNTY CLERK
LANNIE STIMSON TREASURER
JACK PULLEN SHERIFF
FAIRES WADE COUNTY ATTORNEY
G. O. CRISP DISTRICT JUDGE
KATE HARP DISTRICT CLERK
VOELCKER & DIXON
ARCHITECTS
ROCKWALL COUNTY COURTHOUSE
RENOVATED 2002
COUNTY JUDGE BILL BELL
COMMISSIONER PCT. 1 JERRY WIMPEE
COMMISSIONER PCT. 2 DALE TROUTT
COMMISSIONER PCT. 3 BRUCE BEATY
COMMISSIONER PCT. 4 ERNEST SMITH
PHOENIX I RESTORATION AND CONSTRUCTION LTD.
DALE C. SELLERS CEO
PHOENIX
Texas Courthouse Trail.com

CITY OF ROCKWALL

ORDINANCE NO. 15_XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. O4-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING BY IN ACCORDANCE WITH THE PROCEDURES OF ARTICLE V, SECTION 6.2 HISTORIC OVERLAY DISTRICT FOR THE PURPOSE OF DESIGNATING A LANDMARK DISTRICT ON PROPERTY KNOWN AS THE HISTORIC DOWNTOWN COURTHOUSE, BEING A 0.918-ACRE PARCEL OF LAND IDENTIFIED AS ROCKWALL O T ADDITION, AND LOCATED AT 101 EAST RUSK STREET, AND MORE SPECIFICALLY DEPICTED IN EXHIBIT 'A' AND EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has initiated a request for designation of a Landmark District and in accordance with the City of Rockwall Unified Development Code [Ordinance No. 04-38]; Article V, Section 6.2 Historic Overlay District for the property located at 101 East Rusk Street, also known as the Historic Downtown Courthouse, being a 0.918-acre parcel of land identified as Rockwall O T Addition; City of Rockwall, Rockwall County, Texas, and more specifically depicted in Exhibit 'A' and Exhibit 'B' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the City of Rockwall Historic Preservation Advisory Board, Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to designate the Historic Downtown Courthouse a Landmark District as set forth in *Article V, Section 6.2 Historic Overlay District of the Unified Development Code [Ordinance No. 04-38*] for the *Subject Property.*

Section 2. That the *Subject Property* shall be recognized as a Landmark District as set forth in *Article V, Section 6.2 Historic Overlay District of the Unified Development Code [Ordinance No. 04-38]* of the City of Rockwall as heretofore amended, as amended herein by granting of

this zoning change, and as may be amended in the future.

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

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

Section 5. If any section paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code No. 04-38 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 6. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE ___ DAY OF _____, 2015.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: _____

2nd Reading: _____


Exhibit 'A'
Legal Description: Rockwall O T Addition, Acres 0.918, Courthouse on Square, Exempt

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

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Exhibit 'B' - Front Facade (Facing Rusk St.)



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This is 2nd reading. 1st passed on 2/16 with 5 ayes and 2 nays (Pruitt, Milder)

CITY OF ROCKWALL

ORDINANCE NO. 15-05

SPECIFIC USE PERMIT NO. S-131

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO AMEND SPECIFIC USE PERMIT NO. S-107 TO ALLOW FOR A NEW MOTOR VEHICLE DEALERSHIP ON A TEN (10) ACRE TRACT OF LAND IDENTIFIED AS TRACTS 4 & 4-02 OF THE N. M. BALLARD SURVEY, ABSTRACT NO. 24, AND THE A. HANNA SURVEY, ABSTRACT NO. 99, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Zack Amick of Gordon Rockwall Investments, LLC on behalf of Keith Young for the purpose of amending Specific Use Permit No. 107 to allow a *New Motor Vehicle Dealership* on a ten (10) acre tract of land identified as Tracts 4 & 4-02 of the N. M. Ballard Survey, Abstract No. 24 and the A. Hanna Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located within the IH-30 Overlay (IH-30 OV) District, and more specifically described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the enactment of this Specific Use Permit (SUP) Ordinance shall supersede all requirements stipulated in *Ordinance No. 13-13*;

SECTION 2. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *New Motor Vehicle Dealership* within a Light Industrial (LI) District as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code on the *Subject Property*;

SECTION 3. That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as stipulated by Section 2.1.10, *Distribution and Storage,* of Article IV, *Permissible* Uses; Section 5.1, *General Industrial District Standards*; Section 5.3, *Light Industrial (LI) District*, of Article IV, *District Development Standards*; Section 6.6, *IH-30 Overlay (IH-30 OV) District* of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following operational conditions and compliance standards:

3.1 COMPLIANCE STANDARDS

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

1) This Specific Use Permit (SUP) shall be subject to review by Planning Department staff and/or the Planning and Zoning Commission and City Council within three (3) years of the effective date of the ordinance. At the time of review, Planning Department staff shall be required to review the completeness of the improvements outline in the applicant's letter contained in *Exhibit 'B'* of this ordinance and listed as follows:

   (i) *Phase 1*. Engineering plans addressing paving, drainage, and etcetera shall be approved by the Engineering Department. The storm water/drainage and detention pond shall be permitted and accepted by the City.
   (ii) *Phase 2*. All concrete paving depicted on the *Concept Plan* in *Exhibit 'C'* of this ordinance shall be permitted and accepted by the City.
   (iii) *Phase 3.* Remodel of existing building façade in conformance with the *Building Elevations* contained in *Exhibit 'D'* of this ordinance shall be permitted and accepted by the City.

   Should the improvements be complete staff shall provide a report to the Planning and Zoning Commission and City Council indicating conformance to the requirements of this ordinance, and operation of the *New Motor Vehicle Dealership* shall be permitted to continue under the requirements of this ordinance and the Unified Development Code (UDC). Should the improvements be incomplete this SUP ordinance shall automatically expire.

2) Should the *Subject Property* continued to be operated as an outside storage/outside display lot for new vehicles in conjunction with the adjacent *New Motor Vehicle Dealership* (*i.e. S-094*) then no Certificate of Occupancy (CO) shall be required. Upon changing the use to a standalone *New Motor Vehicle Dealership*, a Certificate of Occupancy (CO) shall be required for the change of use.

3) Should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may -- *after proper notice* -- initiate proceedings before the City Council to revoke this SUP ordinance.

3.2 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *New Motor Vehicle Dealership* on the *Subject Property*, and conformance to these operational conditions is required for continued operation:

1) All development on the *Subject Property* shall be in conformance to the *Concept Plan* depicted in *Exhibit 'C'* of this ordinance;

2) The rehabilitation of the existing structure on the *Subject Property* shall conform to the *Concept Building Elevations* depicted in *Exhibit 'D'* of this ordinance;

3) Should the use of the subject property become independent of the adjacent *New Motor Vehicle Dealership* [*Young Hyundai*] (*i.e. any event that would require a separate Certificate of Occupancy [CO] to be issued*) and development not conforming to *Exhibits 'C'* and *'D'* of this ordinance is proposed, a new site plan submittal shall be required to be submitted, reviewed and approved by the Planning and Zoning Commission and/or City Council in accordance with the requirements of the Unified Development Code;

4) All motor vehicles shall be required to be parked on an all-weather surface (*i.e. concrete or asphalt*) upon the completion of the three (3) year time period established in *Section 3.1* of this SUP ordinance.;

5) The redevelopment of the *Subject Property* shall generally be in conformance with the timeline established by the applicant's letter contained in *Exhibit 'B'* of this ordinance, and shall be reviewed by staff for compliance upon receipt of an application for renewal; and,

6) The operation of the *Subject Property* shall conform to all federal, state and local standards.

SECTION 4. That the official zoning map of the City of Rockwall be corrected to reflect the changes described herein.

SECTION 5. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

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

SECTION 7. If any section of provision of this ordinance or the application of that section or provision to any person, firm, cooperation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have to adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 8. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 2ND DAY OF MARCH, 2015.

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____

Frank J. Garza, City Attorney

1st Reading: February 16, 2015

2nd Reading: March 2, 2015

BEING a 10.000 acre tract or parcel of land lying and being situated in the N. M. BALLARD SURVEY, Abstract 24, and the A. HANNA SURVEY, Abstract 99, in the City of Rockwall, Rockwall County, Texas and being that certain tract described in Special Warranty Deed to Gordon Rockwall Investments, LLC, recorded in Volume 6959, Page 100, Deed Records, Rockwall County, Texas (D.R.R.C.T.) and a portion of that certain tract described in deed to Thomas Real Estate, LP, recorded in Volume 1507, Page 203, D.R.R.C.T.; and being more particularly described by metes and bounds as follows:

BEGINNING at an aluminum TxDOT monument at the southern end of a corner clip located at the intersection of the southerly right-of-way line of Interstate Highway 30 (a variable width right-of-way) and the west right-of-way line of Commerce Street (a 60-foot wide right-of-way per Cabinet F, Slide 379, Map Records, Rockwall County, Texas);

THENCE South 00 degrees 40 minutes 20 seconds East, along the east line of said Gordon Rockwall tract and said west right-of-way line, a distance of 707.36 feet to a *3/8* inch iron rod found for the southeast corner of said Gordon Rockwall tract and the southwest corner of said right-of-way of Commerce Street; said found iron rod also being located at an angle point in the north line of said Thomas Real Estate tract;

THENCE South 00 degrees 35 minutes 03 seconds East, crossing said Thomas Real Estate tract, a distance of 469.11 feet to a point for corner;

THENCE South 89 degrees 24 minutes 57 seconds West, continuing to cross said Thomas Real Estate tract, a distance of 472.60 feet to a point on the west line of said Thomas Real Estate tract;

THENCE North 00 degrees 21 minutes 13 seconds West, along the west line of said Thomas Real Estate tract, a distance of 468.78 feet to a 112 inch iron rod found for the northwest corner of said Thomas Real Estate tract and the southwest corner of that certain tract described in General Warranty Deed to Rockwall Credit Services, L.C., recorded in Volume 4314, Page 34, D.R.R.C.T;

THENCE North 89 degrees 22 minutes 30 seconds East along the common line of the said Thomas Real Estate tract and said Rockwall Credit Services, L.C. tract, a distance of 153.71 feet to a point for corner; said point being the southeast corner of the Rockwall Credit Services, L.C. tract and the southwest corner of the Gordon Rockwall tract;

THENCE North 00 degrees 41 minutes 38 seconds West, continuing along the common line of said Rockwall Credit tract and Gordon Rockwall tract, a distance of 629.40 feet to a point for corner in the south right-of-way line of the aforementioned Interstate Highway 30, same point being the northeast corner of said Rockwall Credit tract and the northwest corner of said Gordon Rockwall tract;

THENCE North 72 degrees 46 minutes 00 seconds East, continuing along said south right-of-way line and along the north line of said Gordon Rockwall tract, a distance of 308.48 feet to a point for the northern end of the aforementioned corner clip;

THENCE South 65 degrees 17 minutes 09 seconds East, along said comer clip, a distance of 23.86 feet to the Point of Beginning and containing 10.000 Acres (435,600 Square Feet) of land.

NOTE: The Basis of Bearings for this description is the deed to Thomas Real Estate, LP, recorded in Volume 1507, Page 203, D.R.R.C.T. This description is based upon a compilation of public records.

January 23, 2015

Robert LaCroix, AICP
Director of Planning
Planning and Zoning
City of Rockwall
385 South Goliad Street
Rockwall, TX 75087

Subject: 1530 IH-30 East, Rockwall, Texas Special Use Permit

Dear Mr. LaCroix,

The purpose of this letter is to request a change to our existing Specific Use Permit. As you know, this property currently has an SUP that was approved by City Council on 06/03/2013 allowing outside storage and display of motor vehicles. This SUP has a time limitation of 3 years. Our business is growing and we would like to expand.

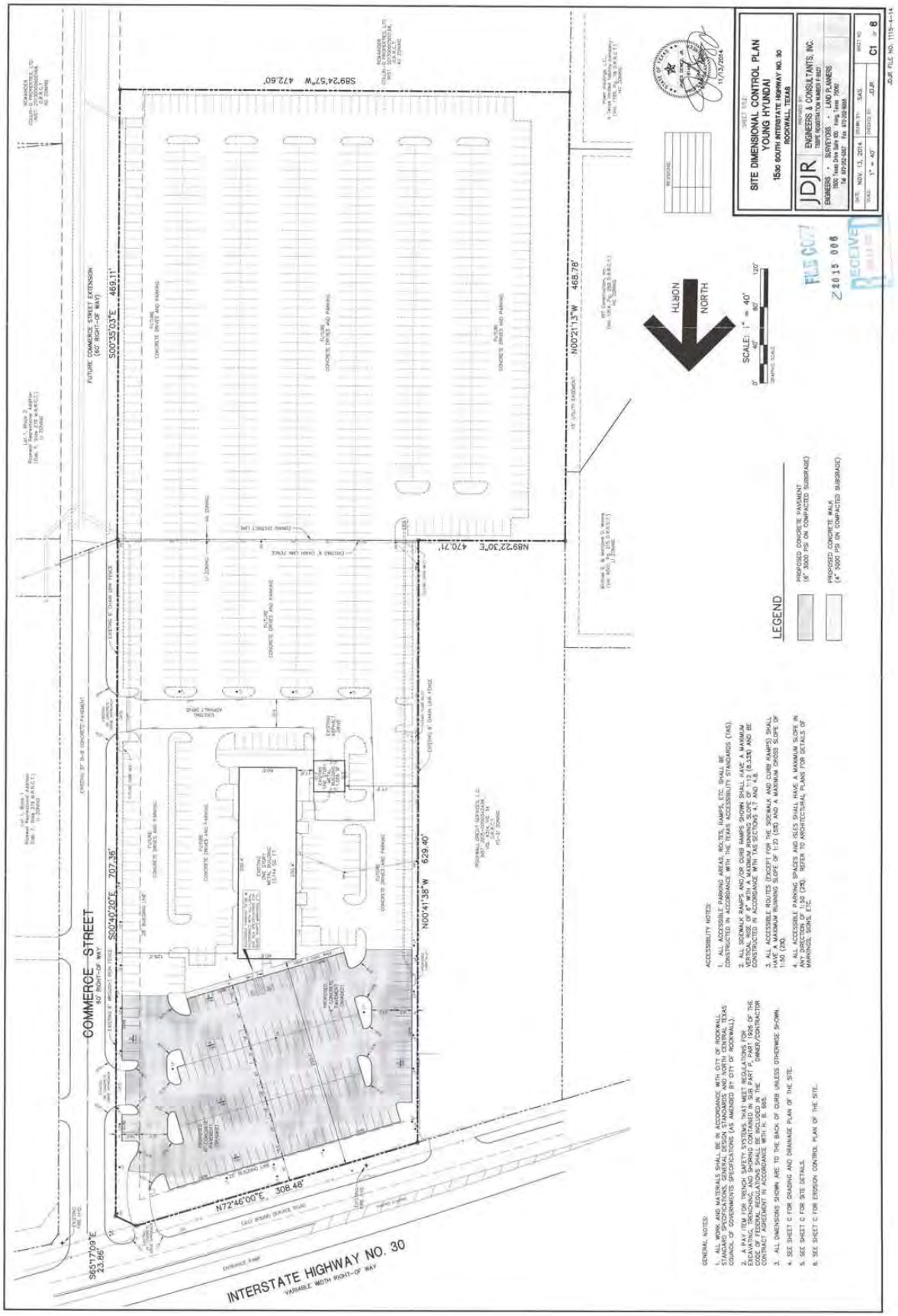
The capital investment required to improve the property for our use is significant and we respectfully request a Specific Use Permit allowing for a "Motor Vehicle Dealership, New" on the subject 10.00-acre tract of land with existing buildings located at 1530 Interstate Highway 30 East, Rockwall, Texas.

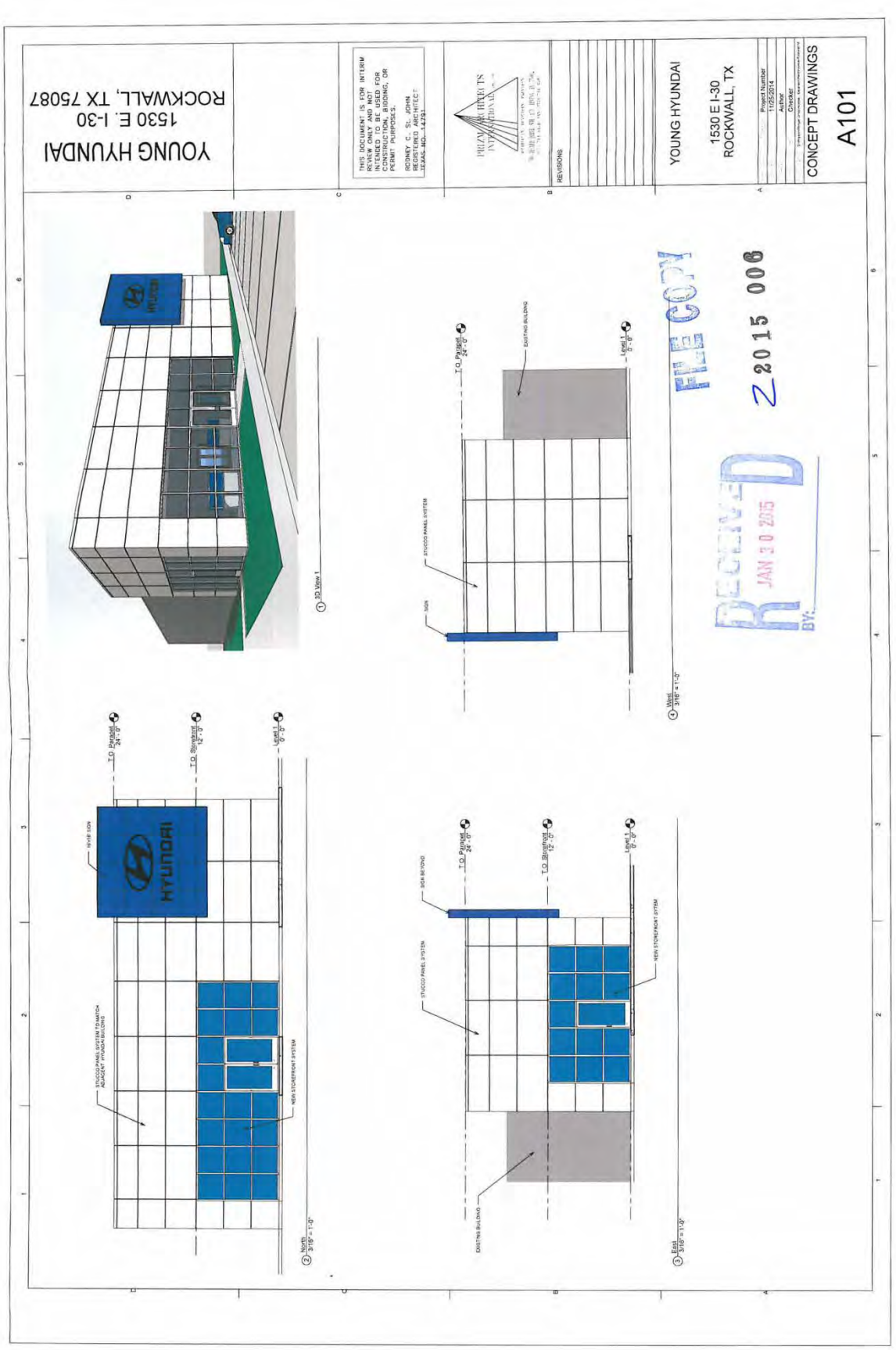
Listed below is an outline of planned improvements for the property. We intend to complete the work in 3 phases over a 3 year period of time.

Phase 1: Engage a civil engineer to provide plans meeting city approval for phased development that address paving, drainage, utilities etc. Complete storm drainage and detention pond within 12 months of receiving counsel approved SUP.
Phase 2: Concrete paving improvements will be completed within 24 months of receiving counsel approved SUP.
Phase 3: Within 36 months of receiving counsel approved SUP. Remodel the existing building façade with new exterior elevations that includes masonry, storefront glazing and other items that would be similar to our existing dealership.

Sincerely,

Zack Amick
Gordon Rockwall Investments, LLC
1551 E. IH 30, Suite 100
Rockwall, TX 75087
214-507-9831


SITE DIMENSIONAL CONTROL PLAN
YOUNG HYUNDAI
1560 SOUTH INTERSTATE HIGHWAY NO. 30
ROCKWALL, TEXAS
JDJR
ENGINEERS & CONSULTANTS, INC.
SCALE: 1" = 40'
NORTH
LEGEND
PROPOSED CONCRETE PAVEMENT
PROPOSED CONCRETE WALK
COMMERCE STREET
INTERSTATE HIGHWAY NO. 30
GENERAL NOTES:
ACCESSIBILITY NOTES:


YOUNG HYUNDAI
1530 E. I-30
ROCKWALL, TX 75087
THIS DOCUMENT IS FOR INTERIM REVIEW ONLY AND NOT INTENDED TO BE USED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.
RODNEY C. SO' JOHN
REGISTERED ARCHITECT
TEXAS NO. 14781
REVISIONS
YOUNG HYUNDAI
1530 E I-30
ROCKWALL, TX
Project Number
11/25/2014
Author
Checker
CONCEPT DRAWINGS
A101
RECEIVED
JAN 30 2015
BY:
FILE COPY
Z2015-006
HYUNDAI
T.O. Parapet 24'-0"
T.O. Storefront 12'-0"
Level 1 0'-0"
STUCCO PANEL SYSTEM TO MATCH ADJACENT HYUNDAI BUILDING
NEW STOREFRONT SYSTEM
EXISTING BUILDING
SIGN BEYOND
STUCCO PANEL SYSTEM
1 3D View 1
2 North 3/16" = 1'-0"
3 East 3/16" = 1'-0"
4 West 3/16" = 1'-0"

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195

This is 2nd reading. 1st passed uanimously on 2/2. 2nd reading was tabled at the 2/16 cc mtg.

CITY OF ROCKWALL

ORDINANCE NO. 15-08

SPECIFIC USE PERMIT NO. S-134

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A HOTEL WITHIN PLANNED DEVELOPMENT DISTRICT 32 (PD-32), FOR A 2.968-ACRE LOT, CONTAINING TWO (2) PARCELS OF LAND IDENTIFIED AS LOT 3A, BLOCK A, SHORELINE PLAZA ADDITION (1.824-ACRES) AND LOT 1-1, BLOCK A, HENRY AFRICA ADDITION (1.143-ACRES), CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of a Specific Use Permit (SUP) to allow a *Hotel* on a 2.968-acre lot containing two (2) parcels of land identified as Lot 3A, Block A, Shoreline Plaza Addition (1.824-acres) and Lot 1-1, Block A, Henry Africa Addition (1.143-acres), City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, and more specifically described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for a *Hotel* within the *Freeway Frontage Subdistrict* as stipulated by *Exhibit 'D': Subdistrict Land Use Chart* of Planned Development District 32 (PD-32) [*Ordinance No. 10-21*] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance, Planned Development District 32 (PD-32) [*Ordinance No. 10-21 & 14-44*] and as stipulated by Section 4.1, *General Commercial District Standards*, of Article IV, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

2.1 Operational Conditions

The following conditions pertain to the operation of a *Hotel* on the *Subject Property*, and conformance to these operational conditions is required for continued operations:

1) The development of this property shall generally conform to the *Site Plan* depicted in *Exhibit 'B'* of this ordinance;

2) The development of this property shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance;

3) The development of a hotel on the subject property shall incorporate a minimum of 3,650 SF of floor area that will be utilized for the operation of a *Conference Center* (*i.e. an area that is exclusively used to host conferences, exhibitions, large meetings, seminars, training sessions, etcetera*), a minimum of 1,800 SF of floor area that will be utilized as *Pre-Function Event* area, and a minimum of 2,030 SF of floor area that will be utilized as *Courtyard* area; and,

4) The *Subject Property* is prohibited from being utilized as an *Extended Stay, Transient* or *Residence Hotel*.

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

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

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

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

SECTION 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 16TH DAY OF FEBRUARY, 2015.

Jim Pruitt, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

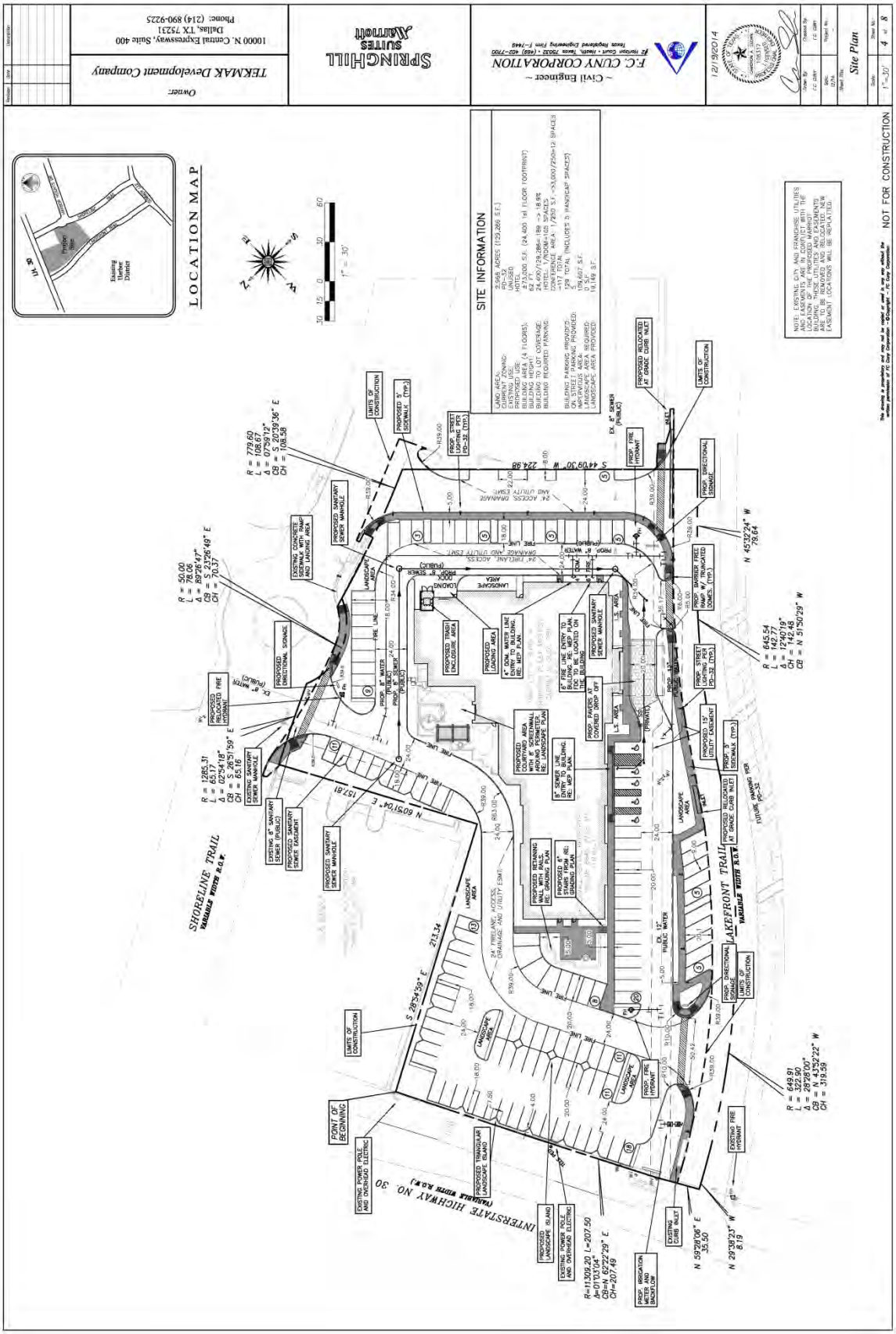
1st Reading: 02-02-2015

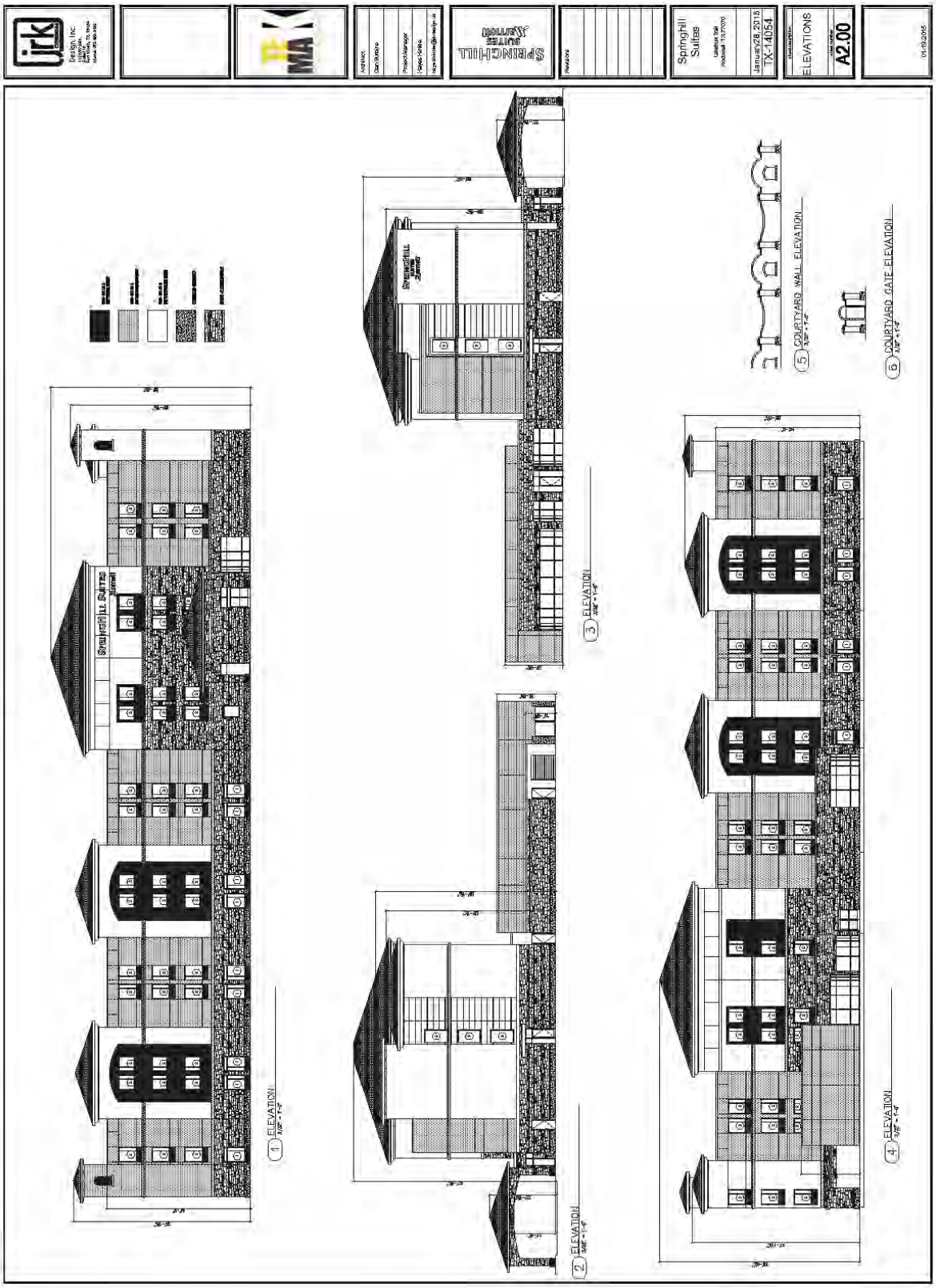
2nd Reading: 02-16-2015

Exhibit 'A': Location Map & Legal Description

<u>Subject Property</u>: Lot 3A, Block A, Shoreline Plaza Addition & Lot 1-1, Block A, Henry Africa Subdivision




SPRINGHILL SUITES MARRIOTT
TERMAK Development Company
F.C. CUNY CORPORATION
~ Civil Engineer ~
12/19/2014
Site Plan
LOCATION MAP
SITE INFORMATION
NOT FOR CONSTRUCTION
SHORELINE TRAIL
LAKEFRONT TRAIL
INTERSTATE HIGHWAY NO. 30
POINT OF BEGINNING


Springhill Suites
January 28, 2015
TX-14054
ELEVATIONS
A2.00
SPRINGHILL SUITES
1 ELEVATION
2 ELEVATION
3 ELEVATION
4 ELEVATION
5 COURTYARD WALL ELEVATION
6 COURTYARD GATE ELEVATION

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 02/16/2015

APPLICANT: Cameron Slown; *FC Cuny Corporation*

AGENDA ITEM: **SP2014-034**; *Spring Hill Suites Hotel (Marriott) Site Plan*

SUMMARY:

Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of waivers to Planned Development District 32 (PD-32) [Ordinance No. 10-21] and variances to the Unified Development Code associated with a site plan for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary.

BACKGROUND:

On December 18, 2015, the applicant submitted a request for the approval of a site plan and Specific Use Permit (SUP) for the purpose of constructing a *Spring Hill Suites Hotel* on the 2.968-acre subject property. After the work session on January 13, 2015, the applicant and staff decided to delay the site plan case until after the first reading of the SUP ordinance and after the Architectural Review Board (ARB) had proper time to review the building elevations. Since this time, the ARB has reviewed and signed off on the proposed building elevations and on February 2, 2015, the City Council approved the first reading of the SUP ordinance. Additionally, the Planning and Zoning Commission approved the site plan with the variances and waivers on February 10, 2015.

CITY COUNCIL WAIVERS:

According to Ordinance No. 10-21, "(i)n order to provide flexibility and create high quality projects, an applicant for development within the PD District [*PD*-32] may request a waiver of the following District or Subdistrict standards: (1) Building Placement Requirements, (2) Landscape Standards, (3) Parking Requirements, (4) Parking Garage Design Standards, and (5) Increased Building Height in any Subdistrict." In this case, the applicant is requesting the following waivers:

1) *Building Placement Requirements*.

   i. *Build-To-Lines and Building Setbacks.* According to the *Freeway Frontage Subdistrict* all buildings constructed on the subject property shall be subject to the following building setbacks:

      (a) Lakefront Trail [*Street Type 'E'*]: Seven (7) Feet
      (b) Harbor Heights Drive [*Street Type 'D'*] (*Based on Ordinance No. 13-16)*: Three (3) Feet
      (c) Shoreline Trail [*Street Type 'A'*]: Five (5) Feet

(d) IH-30 Frontage Road: 250-Feet

The site plan shows conformance to all building and setback requirements with respect to Lakefront Trail, Harbor Heights and Shoreline Trail; however, the site plan depicts the building being situated within 183-feet of the IH-30 Frontage Road. *The purpose of the 250-foot building setback adjacent to the IH-30 Frontage Road is depicted in Exhibit E-2: Freeway Frontage Subdistrict Density and Dimensional Requirements.*

ii. *Building Form.* According to the *Freeway Frontage Subdistrict* all buildings constructed on the subject property shall subject to the following building form requirements:

(a) A minimum of 80% of the street for *Street Type 'E'* must be defined by a building façade.
(b) A minimum of 45% of the building must be built to the *build-to-line* for *Street Types 'C' & 'E'*.
(c) The remaining building façade must be no less than two (2) feet and no greater than 12-feet from the *build-to-line*.

Taking these requirements into consideration the following would be required:

(a) A minimum of ~200-feet of building façade would be required along the frontage of Harbor Heights Drive with a minimum of ~100-feet being located within three (3) feet of the property line. Additionally, the building could not be located greater than 15-feet from the property line. In this case, the hotel is situated ~48-feet from the property line.
(b) Due to the changes from *Ordinance No. 13-16* (which re-introduced Lakefront Trail into the plan as a *Street Type 'E'*) the building form requirements -- when taking into consideration the 250-foot building setback -- cannot be applied to Lakefront Trail.
(c) The building should be no greater than 17-feet from Shoreline Trail. The site plan shows the building at ~55-feet from Shoreline Trial.

For a diagram of the Subdistrict's intent with regard to building placement see Exhibit E-2: Freeway Frontage Subdistrict Density and Dimensional Requirements.

2) <u>*Parking Requirements*</u>

i. *Surface Parking Setbacks.* According to the *Freeway Frontage Subdistrict* all surface parking lots must adhere to the following standards:

(a) Lakefront Trail [*Street Type 'E'*]: Ten (10) Feet
(b) Harbor Heights Drive [*Street Type 'D'*] (*Based on Ordinance No. 13-16)*: Ten (10) Feet
(c) Shoreline Trail [*Street Type 'A'*]: Ten (10) Feet
(d) IH-30 Frontage Road: 20-Feet

With the exception of Lakefront Trail -- *which was re-introduced into the plan by Ordinance No. 13-16* -- none of the proposed surface parking locations conform to any of the setback requirements (*i.e. the setbacks are as follows: Harbor Heights Drive is less than one [1] foot, Shoreline Trail is approximately three [3] feet, and the IH-30 Frontage Road is less than one [1] foot*).

3) <u>*Increased Building Height.*</u> According to the *Freeway Frontage Subdistrict* the maximum building height is two (2) stories at 45-feet, with the ability to add an additional floor that can be used for office uses only. The building elevations submitted by the applicant show a four (4) story hotel that will be 66-feet, 8¼-inches in total height.

With regard to granting waivers, *Ordinance No. 10-21* states that "… (w)aivers may only be approved by the City Council following a recommendation by the Planning and Zoning Commission … [and] In order to approve a waiver, the City Council must find that the waiver:

1) Meets the general intent of the PD District or Subdistrict in which the property is located; and,
2) Will result in an improved project which will be an attractive contribution to the PD District or Subdistrict; and,
3) Will not prevent the implementation of the intent of this PD District."

Taking the intent of the development into consideration, the proposed development would not change the general intent of the *Freeway Frontage Subdistrict*, and should result in an attractive contribution to the adjacent current and future buildings indicated by the overall concept plan. Additionally, the construction of this hotel will not prevent the implementation of the remainder of the PD District and will not inhibit adjacent development.

VARIANCES:

Based on the applicant's submittal staff has identified the following variances:

1) *Building Materials*.

   a) *Stone Requirements.* According to Section 6.6, *IH-30 Overlay (IH-30 OV) District*, of the UDC each exterior wall should incorporate a minimum of 20% natural or quarried stone. In this case, the applicant is requesting to use a similar cultured stone that was utilized on the Trend Tower building (*i.e. Tuscany Country Rubble by Eldorado Stone*). The percentage of culture stone exceeds 20% on each façade.

   b) *Masonry Material Requirements.* According to Section 6.6, *IH-30 Overlay (IH-30 OV) District*, of the UDC exterior walls should be constructed utilizing a minimum of 90% masonry materials. The applicant is requesting a variance to this standard for the purpose of utilizing cultured stone and EFIS. The EFIS being proposed (*i.e. StoTherm NExT Insulated Wall Claddings*) is similar to the EFIS that was permitted on the Hilton and requires the same three (3) part application system that was used to install the *Dryvit Stucco* on the Trend Tower.

   c) *Secondary Material Requirements.* According to Section 6.6, *IH-30 Overlay (IH-30 OV) District*, of the UDC exterior walls should not incorporate more than 10% secondary materials. EFIS is considered to be a secondary material.

2) *Alternate Tree Mitigation Plan.* The applicant is requesting an *Alternate Tree Mitigation Plan* in order to satisfy the remaining tree mitigation balance (*i.e. 306-inches*). Specifically, the applicant is proposing to plant 75 trees ranging in size from four (4) caliper inches to six (6) caliper inches. Some of the trees being proposed do not meet the UDC's requirements for replacement trees.

PLANNING AND ZONING COMMISSION:

On February 10, 2015, the Planning and Zoning Commission made a motion to approve the site plan and recommended approval of the variances, waivers and alternate tree plan requested by the applicant. The motion was approved by a vote of 6-1, with Commissioner Logan dissenting.



City of Rockwall

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

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

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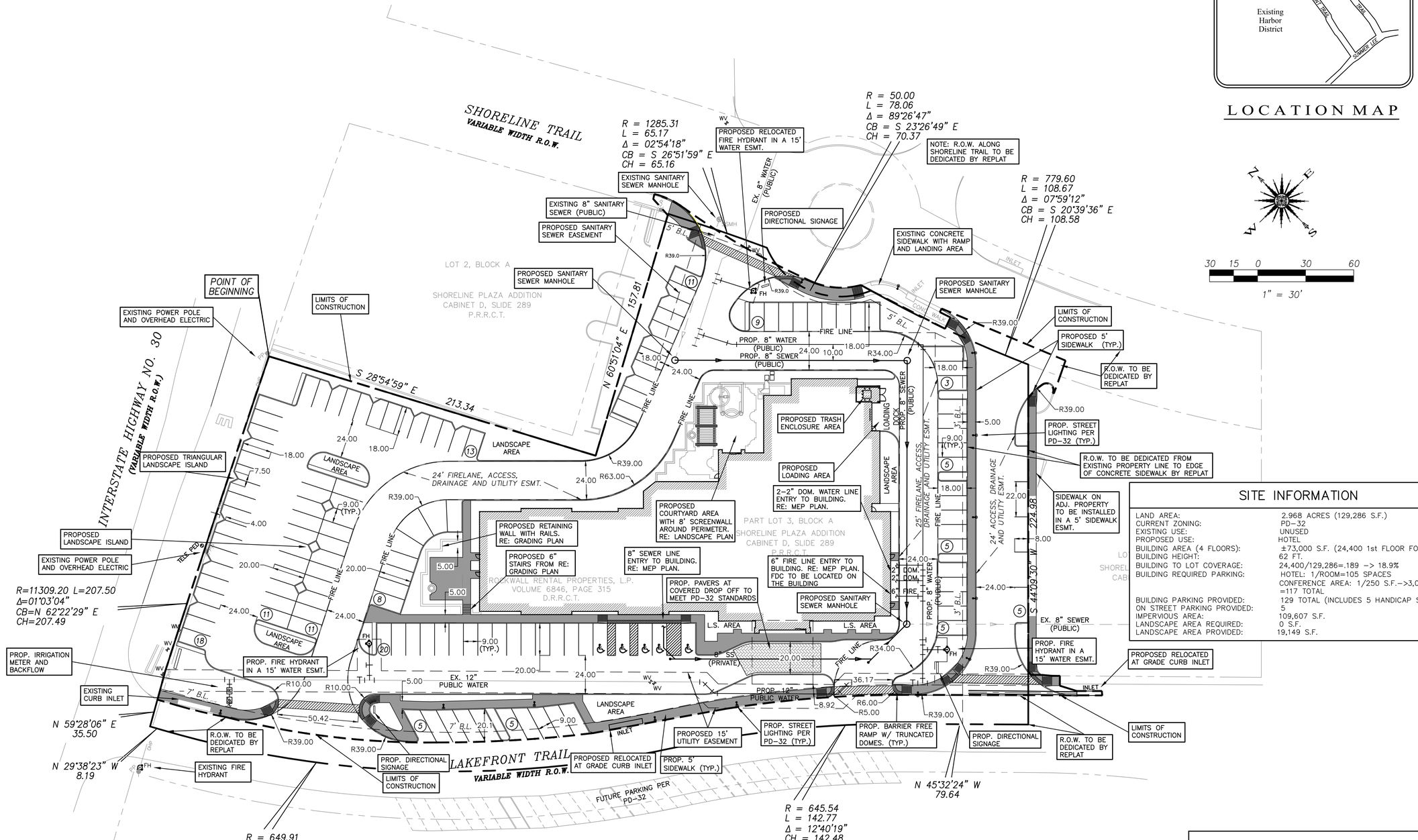

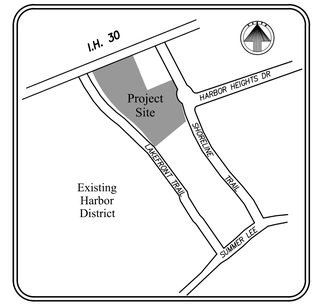

LOCATION MAP

SITE INFORMATION

LAND AREA:	2.968 ACRES (129,286 S.F.)
CURRENT ZONING:	PD-32
EXISTING USE:	UNUSED
PROPOSED USE:	HOTEL
BUILDING AREA (4 FLOORS):	±73,000 S.F. (24,400 1st FLOOR FOOTPRINT)
BUILDING HEIGHT:	62 FT.
BUILDING TO LOT COVERAGE:	24,400/129,286=.189 –> 18.9%
BUILDING REQUIRED PARKING:	HOTEL: 1/ROOM=105 SPACES CONFERENCE AREA: 1/250 S.F.–>3,000/250=12 =117 TOTAL
BUILDING PARKING PROVIDED:	129 TOTAL (INCLUDES 5 HANDICAP SPACES)
ON STREET PARKING PROVIDED:	5
IMPERVIOUS AREA:	109,607 S.F.
LANDSCAPE AREA REQUIRED:	0 S.F.
LANDSCAPE AREA PROVIDED:	19,149 S.F.

NOTE:
– EXISTING CITY AND FRANCHISE UTILITIES AND EASEMENTS ARE IN CONFLICT WITH THE LOCATION OF THE PROPOSED MARRIOT BUILDING. THESE UTILITIES AND EASEMENTS ARE TO BE REMOVED AND RELOCATED. NEW EASEMENT LOCATIONS WILL BE REPLATTED.

– MARRIOT WILL NOT HAVE A GREASE PRODUCING KITCHEN. THEREFORE NO GREASE TRAP LOCATED ON SITE.

SP 2014-034

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NOT FOR CONSTRUCTION

Revision	Date	Description

Owner:
TEKMAK Development Company
10000 N. Central Expressway, Suite 400
Dallas, TX 75231
Phone: (214) 890-9225

SPRINGHILL SUITES Marriott

~ Civil Engineer ~
F.C. CUNY CORPORATION
#2 Horizon Court • Heath, Texas 75032 • (469) 402-7700
Texas Registered Engineering Firm F-7449

01/06/2015

STATE OF TEXAS
CAMERON A. SLOWN
106317
LICENSED PROFESSIONAL ENGINEER

Drawn By:	Checked By:
F.C. CUNY	F.C. CUNY
Date: 12/14	Project No.: –

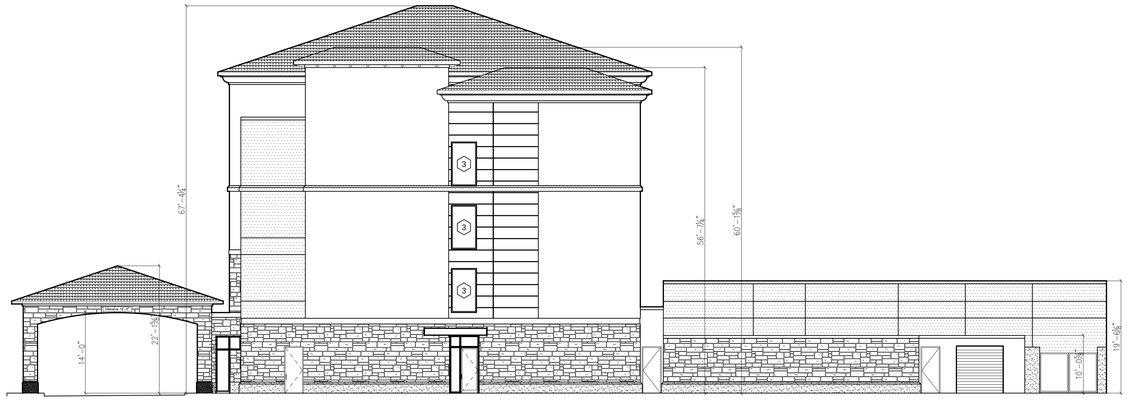
Sheet Title: Site Plan

Scale:	Sheet No.:
1"=30'	4 of 8

207



1 ELEVATION
3/32" = 1'-0"



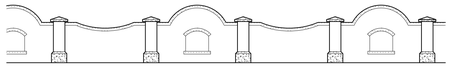
2 ELEVATION
3/32" = 1'-0"



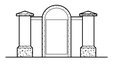
3 ELEVATION
3/32" = 1'-0"



4 ELEVATION
3/32" = 1'-0"



5 COURTYARD WALL ELEVATION
3/32" = 1'-0"



6 COURTYARD GATE ELEVATION
3/32" = 1'-0"

jrk DESIGN
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TEMAK DEVELOPMENT

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SPRINGHILL SUITES Marriott

Revisions

Springhill Suites

Lakefront Trail
Rockwell, TX 77070

January28, 2015
TX-14054

sheet description
ELEVATIONS

sheet number
A2.00

01-19-2015

208



209



210



211



212


SpringHill
Suites


SpringHill Suites
Marriott

PLANT MINIMUM CRITERIA STATEMENT

1. PLANTS ARE REQUIRED TO MEET MINIMUM SPECIFICATIONS OF THE AMERICAN STANDARD FOR NURSERY STOCK' PUBLISHED BY THE AMERICAN NURSERY & LANDSCAPE ASSOCIATION, MAY 12, 204, AND RECOMMENDED BY THE TEXAS NURSERY & LANDSCAPE ASSOCIATION.

GRASS NOTES FOR BIDDING

1. BASE BID ALL SOD IS TO BE COMMON BERMUDA GRASS.
2. ADD ALTERNATE #1 GRASS ALL FOR A CHANGE TO ZOYZIA SUN AND SHADE TOLERANT GRASS. INSTALL BE SOIL AMENDMENT NOTES.
3. REMOVE ALL EXISTING GRASSES FROM SITE PRIOR TO INSTALLATION.

COLOR AS NOTED

1. BASE BID ALL COLOR BEDS TO INCLUDE (4) FOUR 4" POTS PER SQ FT. INSTALLED IN 6" PREPARED SOIL FOR FOR FLOWERING PLANTS.
2. INCLUDE COLOR STAR FERTILIZER.
3. BEDS TO BE RAISED 3-4" HIGH AND SLOPED TO DRAIN.
4. OPTIONS FOR COLOR ARE AS FOLLOWS:
   BASE BID,
   1. BEGONIA. GREEN WITH WHITE FLOWERS.
   OPTIONAL PLANT MATERIALS: PRINCE FOR OWNER REVIEW
   1. DWARF REULLA WHITE, 4" POTS. 2 PER SQ FOOT.
   2. MEXICAN FEATHER GRASS, 1 GAL., (1) ONE PER SQ FT.

SOIL AMENDMENT NOTES(LISTED FOR BASE BID)

INCLUDE THE NOTES BELOW AND LANDSCAPE SPECIFICATIONS ON SHEET L2-02

SOIL PREPARATION FOR GRASS AREAS ON SITE.
1. SPRAY ROUND UP TWO TIMES IN HEAT OVER 70 DEGREES OR MANUALLY REMOVE THE EXISTING BERMUDA GRASS, TWO WEEKS PRIOR TO SITE WORK AND IRRIGATION SYSTEM INSTALLATION FOR THE TOTAL SITE AREA. CONTINUE TO REVIEW AND REMOVE ALL BERMUDA GRASS AND WEEDS FROM THE SITE DURING CONSTRUCTION.
2. FINE GRADE SOIL AFTER SITE CLEAN UP PER THE APPROVED GRADING AND DRAINAGE PLANS FOR THE SITE. SW-2 CONTRACTOR HAS THE PLAN ON FILE. OR CALL FOR A PDF FILE.
3. REMOVE ALL DEBRIS FROM SITE. ROCKS AND TILES OVER 1" DIA. ALL EXTRA CONCRETE, FORM BOARDS.
4. HAND RAKE SOIL SMOOTH AND SHAPE BEDS AND EDGES OF BACK OF CURB PER LANDSCAPE ARCHITECTS DIRECTIONS. CALL TO SET UP MEETING PRIOR TO ACCEPTANCE OF THE FINAL GRADE.
5. AFTER IRRIGATION SYSTEM INSTALLATION. WATER SETTLE ALL TRENCHES AND RAKE SMOOTH FOR FINISHED GRADES FOR THE SITE.
6. INSTALL SOD SOD GRASS, ALLOWING FOR TIGHT JOINTS BETWEEN ALL SECTIONS OF SOD. DO NO LEAVE GAPS OR ADD AZALEA MIX IN ALL GAPS OVER 0.5" TO FILL IN AFTER SODDING IF GAPS REMAIN.
7. WATER AND ROLL THE SOD TWO TIMES.
8. IN BASE BID ALLOW FOR ONE (1) TIME MOWING AND EDGING PRIOR TO FINAL ACCEPTANCE.

SOIL PREPARATION FOR 4" POTS AND 1 GALLON GROUND COVER BEDS
1. SOIL AMENDMENTS. EXCAVATE BEDS OR ALLOW FOR 4" SOIL PREPARED BY LIVING EARTH TECHNOLOGY OR EQUAL.
2. TILL IN TO DEPTH OF 8" AND MIX WITH NATIVE SOIL.
3. INSTALL BEDDING PLANTS SETTING THE TOP OF BALLS, MINIMUM 0.5" ABOVE SOIL GRADE.
4. MULCH 2" WITH FINE PINE BARK MULCH OR HARDWOOD MULCH.
5. IN BASE BID ALLOW FOR FINE PRUNING AS REQUIRED BY GENERAL CONTRACTOR PRIOR TO FINAL ACCEPTANCE.

SOIL PREPARATION FOR 3 GALLON AND 5 GALLON SHRUB BEDS
1. SOIL AMENDMENTS. EXCAVATE BEDS OR ALLOW FOR 6" SOIL PREPARED BY LIVING EARTH TECHNOLOGY OR EQUAL.
2. TILL IN TO DEPTH OF 12" AND MIX WITH NATIVE SOIL.
3. INSTALL SHRUBS PLANTS SETTING THE TOP OF BALLS, MINIMUM 1.5" ABOVE SOIL GRADE.
4. MULCH 2" WITH FINE PINE BARK MULCH OR HARDWOOD MULCH.
5. IN BASE BID ALLOW FOR FINE PRUNING AS REQUIRED BY GENERAL CONTRACTOR PRIOR TO FINAL ACCEPTANCE.

SOIL PREPARATION FOR 25 GALLON AND 65 GALLON SHRUB BEDS
1. SOIL AMENDMENTS. EXCAVATE BEDS OR ALLOW FOR 8" SOIL PREPARED BY LIVING EARTH TECHNOLOGY OR EQUAL.
2. TILL IN TO DEPTH OF 16" AND MIX WITH NATIVE SOIL.
3. INSTALL SHRUBS PLANTS SETTING THE TOP OF BALLS, MINIMUM 2.5" ABOVE SOIL GRADE.
4. MULCH 3" WITH FINE PINE BARK MULCH OR HARDWOOD MULCH.
5. IN BASE BID ALLOW FOR FINE PRUNING AS REQUIRED BY GENERAL CONTRACTOR PRIOR TO FINAL ACCEPTANCE.

SOIL PREPARATION FOR 100 GALLON AND LARGER TREES
1. SEE TREE PLANTING ON LA-2.

LANDSCAPE NOTES

1. CONTRACTOR SHALL BE RESPONSIBLE FOR BEING FAMILIAR WITH ALL UNDERGROUND UTILITIES, PIPES, AND STRUCTURES. CONTRACTOR SHALL TAKE SOLE RESPONSIBILITY FOR ANY COST INCURRED DUE TO DAMAGE OF SOIL UTILITIES.
2. CONTRACTOR SHALL NOT WILLFULLY PROCEED WITH CONSTRUCTION AS DESIGNED WHEN IT IS OBVIOUS THAT UNKNOWN OBSTRUCTIONS, AND/OR GRADE DIFFERENCES EXIST THAT MAY NOT HAVE BEEN KNOWN DURING DESIGN. SUCH CONDITIONS SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT AT (972)869-3535. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY REVISIONS DUE TO FAILURE TO GIVE SUCH NOTIFICATION.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY COORDINATION WITH GENERAL CONTRACTOR AND SUBCONTRACTORS AS REQUIRED TO ACCOMPLISH PLANTING OPERATIONS.
4. IF CONFLICTS ARISE BETWEEN SIZE OF AREAS AND PLANS, CONTRACTOR IS TO CONTACT LANDSCAPE ARCHITECT FOR RESOLUTION. FAILURE TO MAKE SUCH CONFLICTS KNOWN TO THE LANDSCAPE ARCHITECT WILL RESULT IN CONTRACTOR'S LIABILITY TO RELOCATE THE MATERIALS.
5. ALL PLANT MATERIAL SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT AND OWNER PRIOR TO INSTALLATION.
6. FINAL LOCATION OF ALL PLANT MATERIAL SHALL BE SUBJECT THE APPROVAL OF THE LANDSCAPE ARCHITECT AND OWNER. LOCATIONS TO CONFORM TO THE SITE AESTHETIC STANDARDS.
7. CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT 48 HOURS PRIOR TO COMMENCEMENT OF WORK TO COORDINATE PROJECT INSPECTION SCHEDULES. SEE SPECIFICATIONS FOR OBSERVATION SCHEDULES.
8. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ALL SHRUB AND GROUND COVER AREA IN A WEED-FREE, DEBRIS-FREE, AND BERMUDA-FREE CONDITION. ALL BERMUDA SHALL BE DUG OUT BY THE ROOTS AND REMOVED FROM THE SITE.
9. ALL PANTING AREA SHALL SLOPE AWAY FROM BUILDINGS TOWARDS THE AREA DRAINS AT A%2MINIMUM SLOPE.
10. FINISH GRADE SHALL BE 1" BELOW FINISH PAVING SURFACE IN ADJACENT LAWN AREA AND 2' IN SHRUB AREAS. SOME SOIL EXCAVATION MAY BE REQUIRED TO ACCOMPLISH FINISH GRADE. (SEE SOIL PREPARATION SPECIFICATIONS.)
11. CROWN OF AL PLANT ROOT SYSTEMS SHALL BE SLIGHTLY HIGHER AFTER SETTLING ADJACENT SOIL.
12. TREE STAKING AND GUYING METHODS, TO CONFORM TO SITE AESTHETIC STANDARDS. RESPONSIBLE FOR THE TREE'S STABILITY FOR THE DURATION OF THE WARRANTY PERIOD.
13. SHRUBS, GROUND COVERS, AND SEASONAL COLOR SHALL BE TRIANGULARLY SPACED AT SPAN SHOWN ON PLANT LIST AND SHALL RECEIVE A 2" LAYER OF LAYER OF MULCH.
14. ALL GROUND COVERS TO BE HELD BACK 12' FROM EDGE OF SHRUB PLANTING AREAS AND 6' FROM EDGE OF PAVING. ALL PLANTING BEDS TO BE DIVIDED FROM SOD WITH STEEL EDGING, TYPICAL.
15. SEASONAL COLOR WILL BE SELECTED BY THE LANDSCAPE ARCHITECT PRIOR TO THE INSTALLATION TIME. OWNER MAY SELECT COLOR FOR EACH SEASON TO FOLLOW.
16. ALL TREES SHALL BE LOCATED A MINIMUM OF 4 FEET FROM WALLS, HEADERS, WALKS, AND OTHER TREES WITHIN THE PROJECT AND CONFORM TO THE SITE AESTHETIC STANDARDS. IF CONFLICTS THEN CONTACT LANDSCAPE ARCHITECT FOR RESOLUTION. FAILURE TO MAKE SUCH CONFLICTS KNOWN TO THE LANDSCAPE ARCHITECT WILL RESULT IN CONTRACTOR LIABILITY TO RELOCATE THE MATERIALS.
17. SLOPE AREA SHALL NOT HAVE PLANTING INSTALLED UNTIL ALL GULLIES TO RUTS HAVE FILLED IN WITH ADJACENT SOIL AND COMPACTED.
18. LANDSCAPE CONTRACTOR TO RECEIVE SITE GRADED +/- .10 OF 1' OF FINISHED GRADE.
19. IT IS THE CONTRACTORS RESPONSIBILITY TO FURNISH PLANT MATERIALS FREE OF PEST OR PLANT DISEASE. IT IS THE CONTRACTORS OBLIGATION TO WARRANTY ALL PLANT MATERIAL FOR 365 DAYS FROM FINAL COMPLETION DATE.
20. STEEL EDGING SEE NOTES THIS SHEET.

NOTE
1. STEEL EDGING IS REQUIRED TO BE INSTALLED SO THAT THE HEIGHT OF THE STEEL EDGING IS NO GREATER THAN THE HEIGHT OF ADJACENT FRESHLY MOWED GRASS. (EDGING IS NOT INTENDED TO BE A VISUAL COMPONENT OF THE LANDSCAPE NOR TO HOLD BACK PLANTING BEDS BUT TO SEPARATE LAWN AREAS FROM PLATING BEDS FOR THE PURPOSE OF PREVENTING, E.G. BY REGULAR WEEDEATER TRIMMING, GRASS FROM ENTERING THE PLANTING BED.) AS A RULE OF THUMB, EDGING SHOULD BE INSTALLED PRIOR TO SODDING AT A HEIGHT NO GREATER THAN TWO INCHES (2") ABOVE FINISHED UNSODDED GRADE.

LANDSCAPE IRRIGATION WARRANTEE

1. LANDSCAPE CONTRACTOR SHALL WARRANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE YEAR FROM TIME OF FINAL ACCEPTANCE AND PAYMENT OF THE COMPLETED WORK.
2. IRRIGATION SYSTEM SHALL BE WARRANTED FOR ONE YEAR PARTS AND LABOR FOR NEW ITEMS.

IRRIGATION AFFIDAVIT

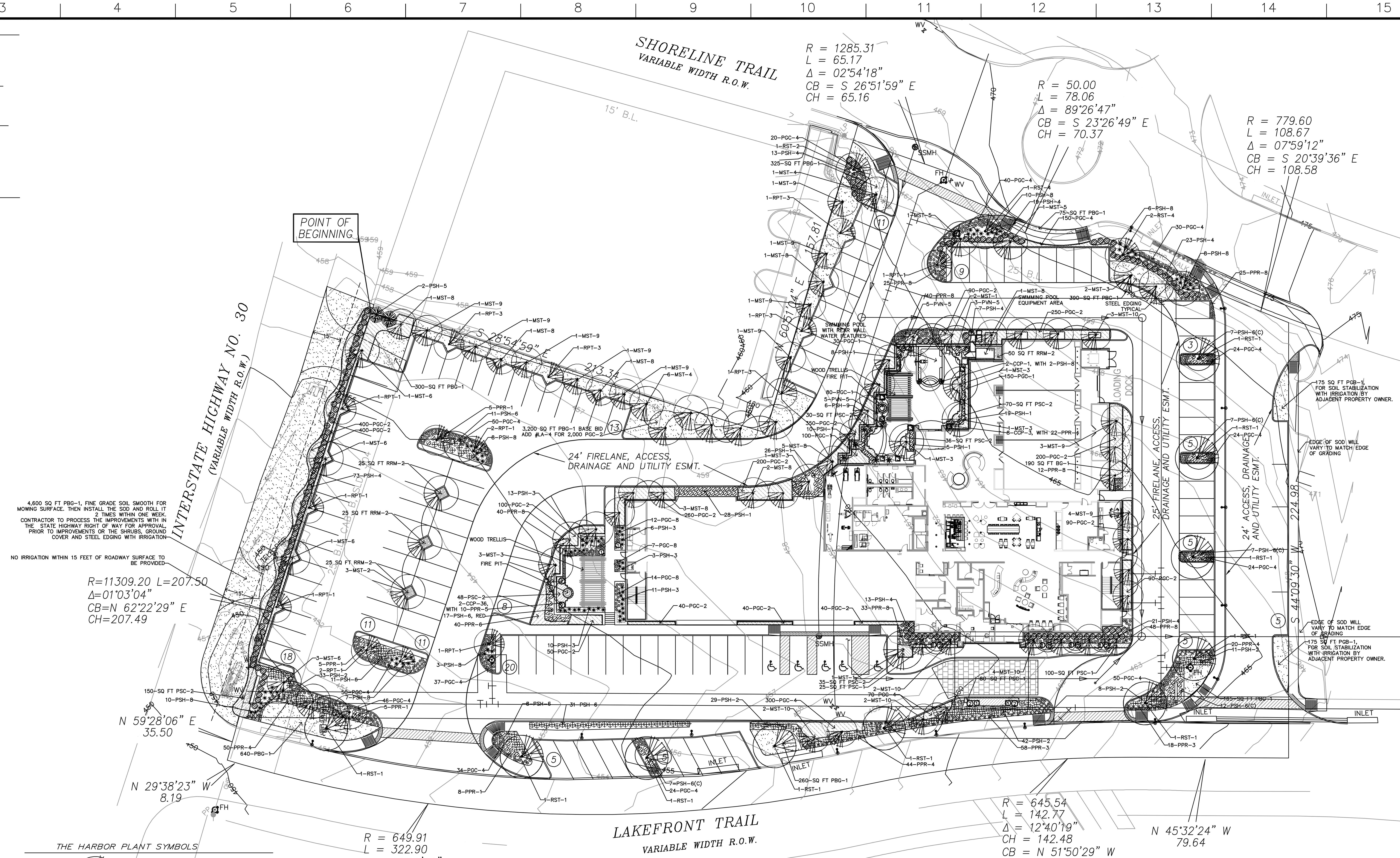
ALL REQUIRED LANDSCAPE AREAS SHALL BE PROVIDED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM WITH RAIN AND FREEZE SENSORS AND EVAPOTRANSPORATIVE (ET) WEATHER BASED CONTOLLERS ANS SAID IRRIGATION SYSTEM SHALL BE DESIGNED BY A QUALIFIED PROFESSIONAL AND INSTALLED LICENSED IRRIGATOR.

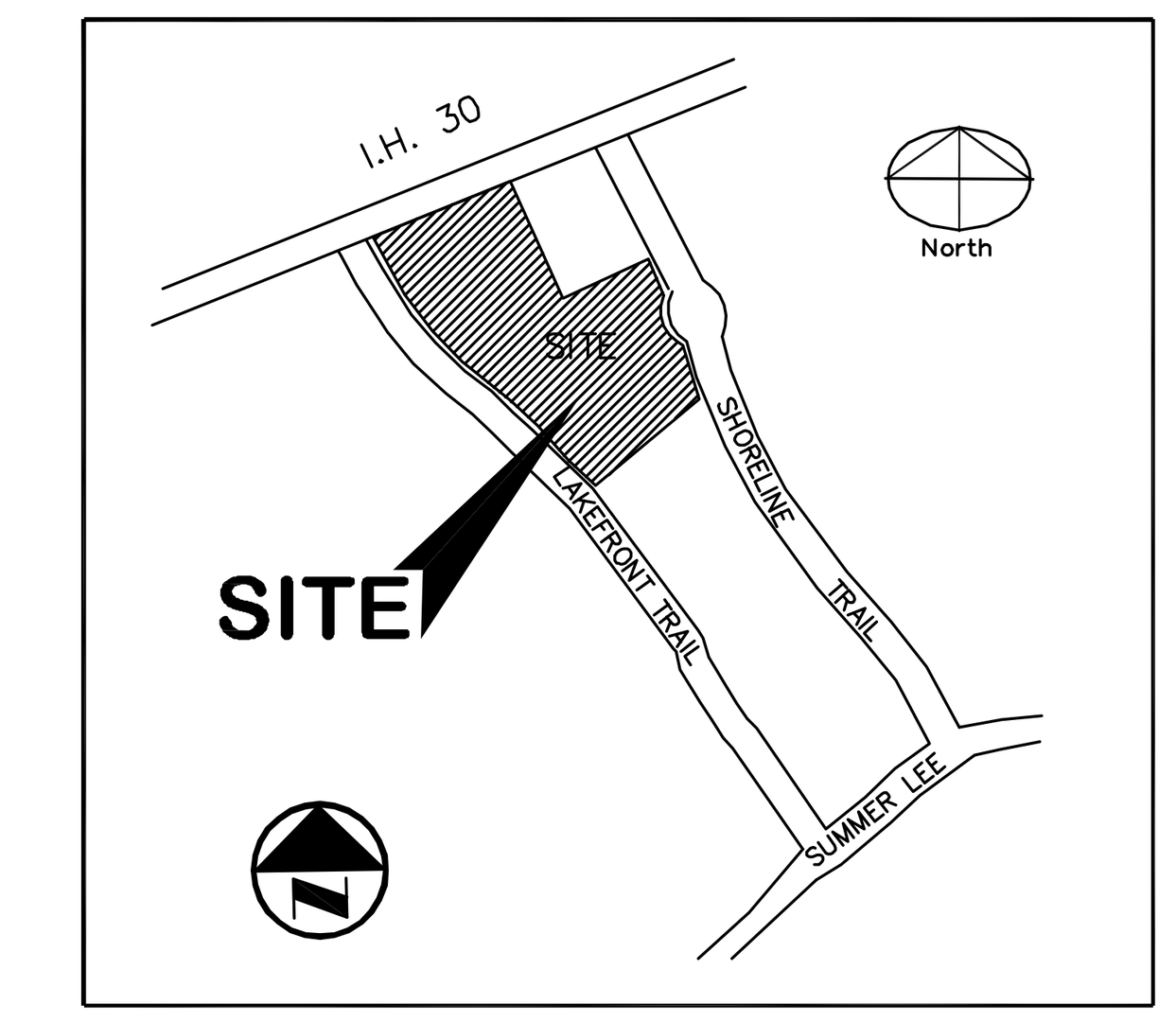
CITY OF ROCKWALL MAINTENANCE NOTE;

MAINTENANCE: THE CURRENT OWNER AND SUBSEQUENT OWNERS OF THE LANDSCAPED PROPERTY, OR MANAGER OR AGENT OF THE OWNER, SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL THE LANDSCAPED AREAS AND MATERIALS, REQUIRED BUFFER YARD AREAS AND MATERIALS AND REQUIRED SCREENING MATERIALS. SAID AREAS MUST BE MAINTAINED O AS TO PRESENT A HEALTHY, NEAT AND ORDERLY APPEARANCE AT ALL TIMES AND SHALL BE KEPT FREE OF REFUSE AND DEBRIS. MAINTENANCE WILL INCLUDE REPLACEMENT OF ALL DEAD PLANT MATERIAL IF THAT MATERIAL WAS USED TO MEET THE REQUIREMENTS OF THE UDC. ALL SUCH PLANTS SHALL BE REPLACED WITHIN (6) SIX MONTHS OF NOTIFICATION, OR BY THE NEXT PLANTING SEASON, WHICH EVER COMES FIRST. A PROPERTY/HOMEOWNERS ASSOCIATION MAY ASSUME RESPONSIBILITY FOR MAINTENANCE OF COMMON AREAS.

ROOT BARRIERS AT UTILITIES AND PAVING EDGES

1. NO TREE SHALL BE PLANTED WITHIN 5 FEET OF ALL UTILITIES WATER, SEWER, ELEC, CABLE, STORM, ECT.
2. ROOT BARRIERS ARE REQUIRED ON ALL TREES WITHIN UTILITY EASEMENTS AND AT EDGE OF PAVING WITHIN 5 FEET. PROVIDE ON ALL TREES SHOWN, UNLESS NOTED
3. DEEP ROOT BARRIERS, 1-800-458-7668, INSTALL UB-48-2 PER SPECIFICATIONS AT EACH TREE ON SIDE OF PAVING OR UTILITY. INCLUDE 4" WIDE TRENCH OF 3/4" DRAIN GRAVEL ON OUT SIDE OF BARRIER, 24" DEEP. BARRIER TO EXTEND 1" ABOVE GRADE.

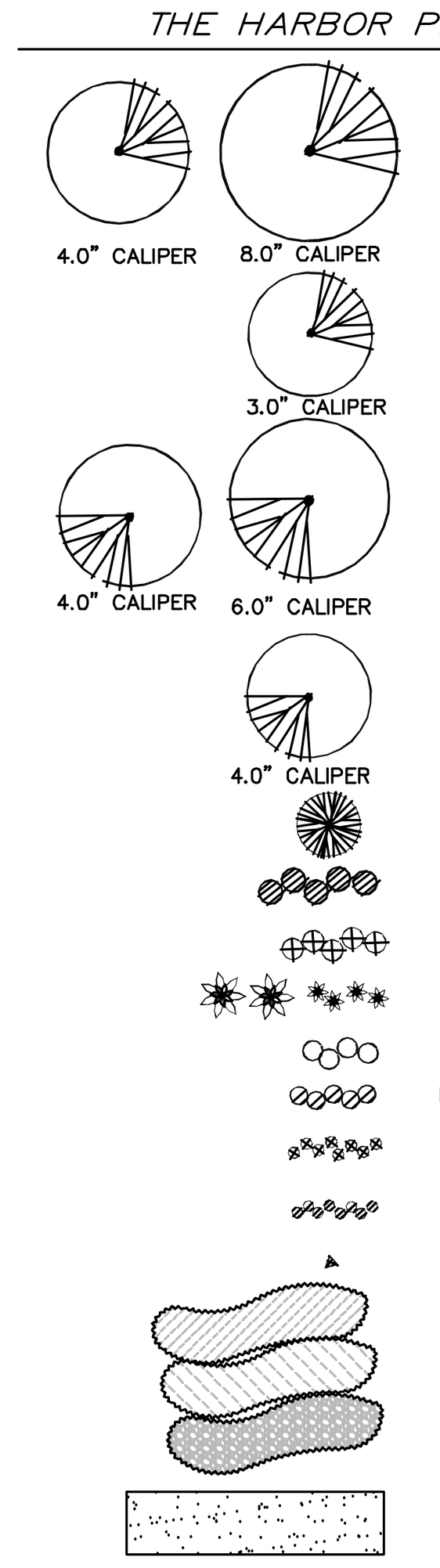




VICINITY MAP

NOT TO SCALE

THE HARBOR PLANT SYMBOLS



LANDSCAPE PLAN LEGEND

1-PGC-1: QUANTITY / SYMBOL KEY TO PLANT LIST

IRR SLEEVE: IRRIGATION SLEEVE: IRRIGATION WATER SUPPLY 4", WIRES 2" OR AS NOTED ON PLAN

THE HARBOR FREEWAY FRONTAGE DISTRICT CRITERIA

SHORELINE TRAIL
STREETSCAPE "A" MIX OF TREES, STREET LIGHT POLES @ 60 FEET SPACING

24' PUBLIC ROAD
STREETSCAPE "C" LIVE TREES SPACED @ 52 FEET, STREET LIGHT POLES @ 52 FEET SPACING

LAKESHORE TRAIL
STREETSCAPE "E" LIVE TREES SPACED @ 52 FEET, STREET LIGHT POLES @ 52 FEET SPACING

INTERSTATE HIGHWAY 30 EDGE
STREETSCAPE MIX OF TREES

PARKING LOT TREES 1 PER 8 PARKING SPACES, 119 SPACES REQUIRES 15 TREES

ALTERNATIVE LANDSCAPE PLAN

THE TREE SURVEY CHART ON L1-01 OUTLINES EACH TREE AND CALIPER SIZE AND TYPE TO BE REMOVED FROM THE SITE. THE AMOUNT OF 302 INCHES REQUIRES THE OWNER TO REQUEST AN ALTERNATIVE LANDSCAPE PLAN.

THE REQUEST FOR APPROVAL OF THE ALTERNATIVE LANDSCAPE PLAN ALLOWS THE OWNER TO INSTALL THE LARGE 3"-4" 15 FEET HIGH AND ACCENT TREES 3" CALIPER, 15 FEET HIGH ON THE SITE TO FULL FILL THE REQUIRED QUANTITY OF REPLACEMENT TREES CALIPER INCHES AS SHOWN.

THE USE OF ONLY LARGE TREES TO MEET THE MITIGATION REQUIRED WOULD NOT BE POSSIBLE ON THIS SITE DUE TO LIMITED AMOUNT OF LANDSCAPE AREA TO PLANT THEM AND CONSIDER THEIR ULTIMATE GROWTH HABITS AS AN ACCEPTABLE LANDSCAPE SOLUTION. ALLOWING ACCENT TREES ALSO AS MITIGATION TREES INCREASES THE QUALITY OF THE NEW HOTEL LANDSCAPE PLAN.

THE USE OF ACCENT TREES SHOWN ALLOWS FOR MORE A RESIDENTIAL TYPE LUSH LANDSCAPE AROUND THE NEW HOTEL SITE. IN ADDITION OVER 95% OF THE LANDSCAPE IS COVERED IN GROUND COVERS, SEASONAL COLOR, WITH FLOWERING PERENNIALS AND MEDIUM FLOWERING SHRUBS TO LARGE EVERGREEN SHRUBS, BACKED UP BY THE FLOWERING ACCENT TREES AND FRAMED BY THE LARGE CANOPY TREES.

THE HARBOR SELECTED PLANT LIST

NOTE: NOT ALL OF PLANTS LISTED ARE USED ON THE PLANTING PLAN

QUANTITY	KEY	COMMON NAME	BOTANICAL NAME	SIZE
		REQUIRED STREETSCAPE TREES		
10	RST-1	LIVE OAK, SINGLE TRUNK	QUERCUS VIRGINIANA	200 GAL. 8.0"-8.5" CALIPER, SINGLE TRUNK
1	RST-2	LIVE OAK, SINGLE TRUNK	QUERCUS VIRGINIANA	65 GAL. 3.0"-3.5" CAL. SINGLE TRUNK
0	RST-3	BALD CYPRESS	TAXODIUM DISTICHUM	100 GAL. 4.0"-4.5" CAL. SINGLE TRUNK
3	RST-4	CEDAR ELM	ULMAS CRASSIFOLIA	100 GAL. 4.0"-4.5" CAL. SINGLE TRUNK
TOTAL 14		REQUIRED PARKING LOT TREES		
9	RPT-1	CREPEMRYTLE NATCHEZ WHITE	LAGERSTROMIA INDICA, (W) WHITE	65 GAL. 3.0"-3.5" CAL. SINGLE TRUNK TO 4 FEET
0	RPT-2	DESERT WILLOW	CHILOPSIS LINEARIS	65 GAL. 3.0"-3.5" CAL. SINGLE TRUNK TO 2 FEET
6	RPT-3	LITTLE GEM MAGNOLIA	MAGNOLIA LITTLE GEM	65 GAL. 3.0"-3.5" CAL. SINGLE TRUNK TO 3 FEET
0	RPT-4	YAUPON HOLLY , MULTI TRUNK	ILEX VOMITORIA	65 GAL. 3.0"-3.5" CAL. MULTI TRUNK
TOTAL 15				
		MITIGATION TREES ON SITE		
3	MST-1	LIVE OAK, SINGLE TRUNK	QUERCUS VIRGINIANA	100 GAL. 6.0"-6.5" CAL. SINGLE TRUNK
3	MST-2	LIVE OAK, SINGLE TRUNK	QUERCUS VIRGINIANA	65 GAL. 4.0"-4.5" CAL. SINGLE TRUNK
9	MST-3	OCTOBER GLORY MAPLE	ACER RUBRUM, OCTOBER GLORY	65 GAL. 4.0"-4.5" CAL. SINGLE TRUNK
7	MST-4	BALD CYPRESS	TAXODIUM DISTICHUM	65 GAL. 4.0"-4.5" CAL. SINGLE TRUNK
2	MST-5	CEDAR ELM	ULMAS CRASSIFOLIA	65 GAL. 4.0"-4.5" CAL. SINGLE TRUNK
6	MST-6	CREPEMRYTLE NATCHEZ WHITE	LAGERSTROMIA INDICA, (W) WHITE	65 GAL. 4.0"-4.5" CAL. SINGLE TRUNK
0	MST-7	DESERT WILLOW	CHILOPSIS LINEARIS	65 GAL. 4.0"-4.5" CAL. SINGLE TRUNK
15	MST-8	LITTLE GEM MAGNOLIA	MAGNOLIA LITTLE GEM	65 GAL. 4.0"-4.5" CAL. SINGLE TRUNK
13	MST-9	YAUPON HOLLY , MULTI TRUNK	ILEX VOMITORIA, TREE FORM	65 GAL. 4.0"-4.5" CAL. MULTI TRUNK, FULL HEAD
13	MST-10	SAVANNAH HOLLY, TREE FORM	ILEX ATTENUATTA 'SAVVANAH'	65 GAL. 4.0"-4.5" CAL. SINGLE TRUNK, FULL HEAD
TOTAL 75				

KEY	COMMON NAME	BOTANICAL NAME	SIZE
SHRUBS, HEDGES			
PSH-1	DWARF YAUPON HOLLY	ILEX VOMITORIA, NANA	3 GAL.
PSH-2	INDIAN HAWTHORN PINK	RAPHELOPSIS INDICA,	3 GAL. (W) WHITE (P) PINK
PSH-3	SOFT LEAF YUCCA, GREEN	YUCCA RECURVIFOLIA	3 GAL.
PSH-4	DWARF BURFORD HOLLY	ILEX CORNUTA, BURFORDII	3 GAL.
PSH-5	NELLIE R. STEVENS	LEX OPACA, N.R.STEVENS	25 GAL.
PSH-6	DRIFT ROSES,	ROSA, DRIFT ROSES.	3 GAL. (R) RED, (C) CORAL
PSH-7	GIANT ELEPHANT EAR	ALOCASSIA MACROORRHIZA	3 GAL.
PSH-8	VARIEGATED YUCCA	YUCCA FILAMENTOA COLOR GUARD VAR.	3 GAL.
PSH-9	WINDMILL PALM, 4 FT	TRACHYCARPUS FORTUNEI	3-4 FOOT CLEAR TRUNK, BB
GROUND COVERS			
PGC-1	MONDO GRASS	OPHOPOGON JAPONICUS	4" POTS
PGC-2	PURPLE WINTER CREEPER	EUONYMUS FORTUNEI	4" POTS, ADD ALTERNATE #LA1 1 GAL.
PGC-3	MOSS VERBENA CHERRY	VERBENA TENUISECTA	4" POTS
PGC-4	FEATHER GRASS	STIPA TENUISSIMA "PONYTAIL"	4" POTS, ADD ALTERNATE #LA2 1 GAL.
PERENNIALS			
PPR-1	TEXAS RED YUCCA	HESPERALOE PARVIFOLIA	3 GAL. OR BB WITH SPIKE
PPR-2	CHERRY SAGE	SALVIA GREGGII	3 GAL. (R) RED, (C) CORAL
PPR-3	DAYLILIES, EVERGREEN	HEMEROCALLIS, YELLOW	1 GAL.
PPR-4	DAYLILIES, EVERGREEN	HEMEROCALLIS, RED	1 GAL.
PPR-5	LANTANA TRAILING, PURPLE	LANTANA MONTEVINES	1 GAL.(P) PURPLE
PPR-6	LANTANA TRAILING, WHITE	LANTANA MONTEVINES	1 GAL.(W) WHITE
PPR-7	AGAVE GREEN	AGAVE BRACTEOSA CALAMAR	3 GAL.
PPR-8	DWARF MEXCIAN PETUNIA	RUELLIA BRITTONIANA	4" POTS, ADD ALTERNATE #LA3 1 GAL.

KEY	COMMON NAME	BOTANICAL NAME	SIZE
VINES			
PVN-1	CLEMATIS, WHITE	CLEMATIS, MONTANA, WHITE	1 GAL.ON STAKE
PVN-2	CLEMATIS, DEEP VIOLET	CLEMATIS, GYPSY QUEEN, DEEP VIOLET	1 GAL.ON STAKE
PVN-3	CROSS VINE	BIGNONIA CAPREOLATA	1 GAL.ON STAKE
PVN-4	CONFEDERATE JASMINE	MILLETTIA RETICULATE	1 GAL.ON STAKE
PVN-5	FICUS VINE	FICUS PUMILA	1 GAL.ON STAKE
SEASONAL COLOR, SEE COLOR NOTES FOR BIDDING THIS SHEET			
PSC-1	SEASONAL COLOR	TO BE SELECTED AT TIME OF PLANTING	4" POTS
PSC-2	SEASONAL COLOR	TO BE SELECTED AT TIME OF PLANTING	4" POTS
GRASS			
PBG-1	TIF BERMUDA GRASS	BERMUDA SPECIES, 419 TIFF	SOLID SOD

ROCK MULCH BEDS
RRM-1 ROUND RIVER ROCK, MULTI COLOR FULL COLOR RANGES, 2"-4" RIVER ROCKS
RRM-2 ROUND RIVER ROCK, MULTI COLOR FULL COLOR RANGES, 1"-2" RIVER ROCKS
RRM-3 DECOMPOSED GRANITE, LARGEST 0.6" LESS FINES. INSTALL COMPACTED

CERAMIC PLANTERS
① CCP-1 30" WIDE, 30" HIGH , ROUND, SELECTED AT SOUTHWEST NURSERY BY LANDSCAPE ARCHITECT.
② CCP-2 36" WIDE 24" HIGH , ROUND, SELECTED AT SOUTHWEST NURSERY BY LANDSCAPE ARCHITECT.
③ CCP-3 24" WIDE 30" HIGH , SQUARE TOP, SELECTED AT SOUTHWEST NURSERY BY LANDSCAPE ARCHITECT.

SP2014-034

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F-____
HORIZON ROAD
HEATH, TEXAS
CONTACT: CHRIS CUNY
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NO.	REVISIONS / SUBMISSIONS	DATE
	----	MM.DD.YYYY

0 30 60 90 FEET
GRAPHIC SCALE 1"=30' , 30 SCALE

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CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

DRAWING TITLE
ALTERNATIVE SITE LANDSCAPE PLAN

SEAL
REGISTERED LANDSCAPE ARCHITECT THOMAS H. PRITCHETT 2115 STATE OF TEXAS
THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY T. H. PRITCHETT, R.L.A. NO. 2115 ON 01/06/2015

DRAWN	THP	SCALE	
CHECKED	THP	FILENAME	P T LANDSCAPE PLAN
REVIEWED	THP	DRAWING NO.	L1.02
DATE	01.06.2015		
PROJECT NO.	2014096		_ of _

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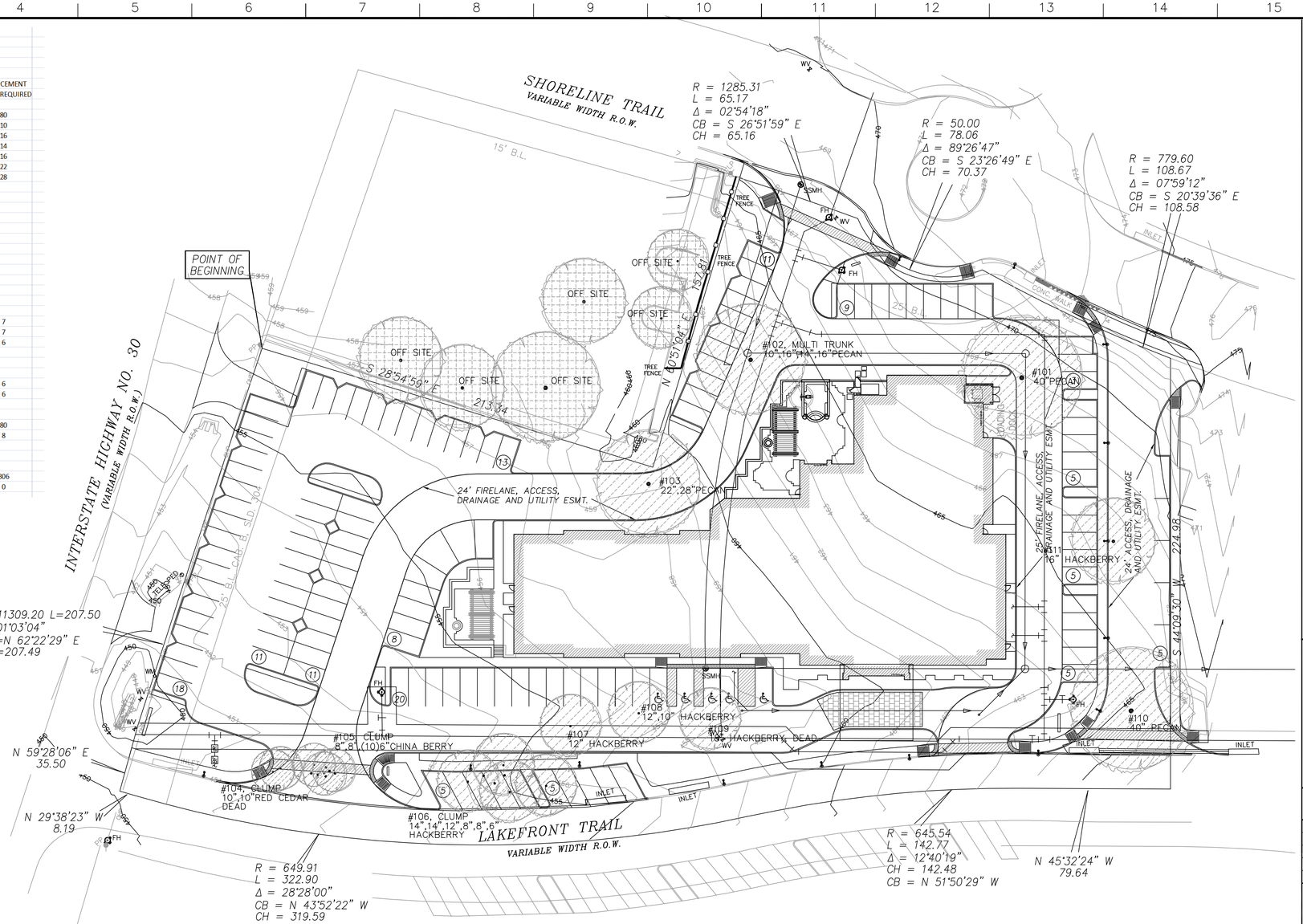
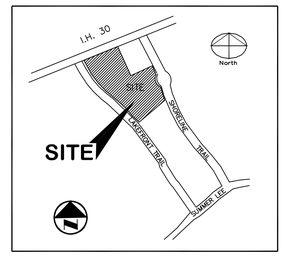
HARBOR MARRIOTT HOTEL

TREE SURVEY, BY T. H. PRITCHETT ON SITE MEASUREMENT OF CALIPER 12/13/2014

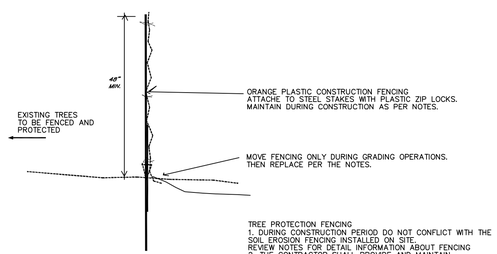
TREE NO	TYPE TYPE	TOTAL CALIPER	PROTECTED TREES CALIPER	PROTECTED FEATURE TREES	MITIGATION CALCUATION	REPLACEMENT INCHES REQUIRED
101	PECAN	40	40	YES	2 TIMES	80
102	PECAN, MULTI TRUNK	10	10		1 TIMES	10
	PECAN	16	16		1 TIMES	16
	PECAN	14	14		1 TIMES	14
	PECAN	16	16		1 TIMES	16
103	PECAN, MULTI TRUNK	22	22		1 TIMES	22
	PECAN	28	28		1 TIMES	28
104	RED CEDAR	DEAD				
	RED CEDAR	DEAD				
105	CHINA BERRY	8				
	CHINA BERRY	8				
	CHINA BERRY	6				
	CHINA BERRY	6				
	CHINA BERRY	6				
	CHINA BERRY	6				
	CHINA BERRY	6				
	CHINA BERRY	6				
	CHINA BERRY	6				
	CHINA BERRY	6				
	CHINA BERRY	6				
106	HACKBERRY	14	14		0.5 TIMES	7
	HACKBERRY	14	14		0.5 TIMES	7
	HACKBERRY	12	12		0.5 TIMES	6
	HACKBERRY	8				
	HACKBERRY	8				
	HACKBERRY	6				
107	HACKBERRY	12	12		0.5 TIMES	6
108	HACKBERRY	12	12		0.5 TIMES	6
	HACKBERRY	10				
109	HACKBERRY	DEAD				
110	PECAN	40	40	YES	2 TIMES	80
111	HACKBERRY	16	16		0.5 TIMES	8
	TOTAL CALIPER INCHES	368				
	TOTAL PROTECTIES INCHES		226			
	TOTAL REPLACEMENT CALIPER INCHES REQUIRED					306
	PRESERVATION CREDITS		NO TREES SAVED ON SITE			0





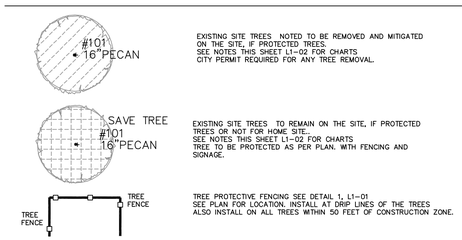
VICINITY MAP — NOT TO SCALE

REPLACEMENT TREES TO BE INSTALLED PER LANDSCAPE PLAN				
QUANTITY		CALIPER	TOTAL INCHES	
3	LIVE OAK	6	18	
3	LIVE OAK	4	12	
9	OCTOBER GLORY	4	36	
4	MAGNOLIA	4	16	
7	BALD CYPRESS	4	28	
2	CEDAR ELM	4	8	
7	CREPEMYRTLE	4	28	
0	DESESERT WILLOW	4	0	
14	LITTLE GEM MAGNOLIA	4	56	
13	YAUPON HOLLY	4	52	
13	SAVANNAH HOLLY	4	52	
TOTAL TREES 75		TOTAL	306	
TOTAL REPLACEMENT CALIPER INCHES REQUIRED				0
PURCHASE CREDITS NOT REQUIRED				
PAYMENT TO BE MADE TO CITY OF ROCKWALL TREE FUND			$125.00 PER INCH	NOT REQUIRED



1 TREE PROTECTION FENCE DETAIL
NOT TO SCALE

TREE PRESERVATION SYMBOLS



SP2014-034

OWNER
TEKMEK DEVELOPMENT CO.
10,000 N. CENTRAL EXPRESSWAY
DALLAS, TX 75231
MR. TOM KIRLAND
PHONE: 972-772-4191

ARCHITECT
HAYES HINKLE
112 WEST 24TH ST. SUITE 116
FT. WORTH, TEXAS
CONTACT: MR. HAYES
PHONE: 972-489-9132

PLANNER/ENGINEER
F.C.CUNY CO.
HORIZON ROAD
HEATH, TEXAS
CONTACT: CHRIS CUNY
PHONE: 469-7700

NO.	REVISIONS / SUBMISSIONS	DATE
	----	MM.DD.YYYY

0 30 60 90 FEET
GRAPHIC SCALE 1"=30', 30 SCALE

T.H.Pritchett / Associates
LANDSCAPE ARCHITECTS
1218 CAMINO LAGO
IRVING, TEXAS 75039
214-697-2580
tom@landdesignplan.com

JOB NAME
SPRINGFIELD SUITES MARRIOTT
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

DRAWING TITLE
SITE TREESCAPE PLAN

SEAL
THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY T. H. PRITCHETT R.L.A. NO. 2115 ON 01/06/2014

DRAWN THP	SCALE
CHECKED THP	FILENAME P T TREESCAPE PLAN
REVIEWED THP	DRAWING NO. L1.01
DATE 01.06.2015	
PROJECT NO. 2014096	-.- of -.-

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FREEWAY FRONTAGE SUBDISTRICT

The intent of the Freeway Frontage subdistrict is to provide mid-size retail anchors with high visibility that can contribute to the creation of a vibrant, pedestrian oriented character within the Harbor District and the existing Harbor development. Prime views and access from Interstate 30 combined with storefront presence along the main pedestrian and vehicular corridor within the district make this subdistrict an ideal location for retail anchors. Existing slopes within this subdistrict are in the 3% - 6% range.

Building Placement

Build-to-line (Distance from R.O.W. line)

Street Type C	3'
Street Type E	7'

Setback (Distance from R.O.W. line)

Street Type A	5'
Street Type H	10'
Interstate 30 Frontage	250'

Building Form

Street Type C block face must have a minumum of 90% of its length defined by a building façade.
Street Type E block face must have a minumum of 80% of its length defined by a building façade.

Street Type C façade built to BTL	45%	min.
Street Type E façade built to BTL	45%	min.

Remaining façade must be no less than 2' and no greater than 12' from the BTL.

Maximum Lot Coverage 30%

Notes
When an abutting property with an existing building has windows facing to the side, any new building shall provide at least 10 feet of separation.

Use

Ground Floor

Retail
Restaurant

Upper Floors

Retail
Restaurant
Office

Height

	stories / height
Maximum Building Height *	2 / 45'
Minimum 1st floor commercial Height (with other uses above)	15'
Minimum 1 story commercial Height	25'

Notes
* One additional story may be added for upper floor office use only.

Encroachments

Location

Street Type C	5'
Street Type E	5'
Street Type A	5'
Street Type H	5'
Interstate 30 Frontage	5'

Notes
Canopies, awnings, balconies, and roof overhangs may encroach over the BTL as shown in the table above.

Parking

Surface Parking Setback (Distance from R.O.W. line)

Street Type C	10'
Street Type E	10'
Street Type A	10'
Street Type H	10'
Interstate 30 Frontage	20'

Surface Parking Lots

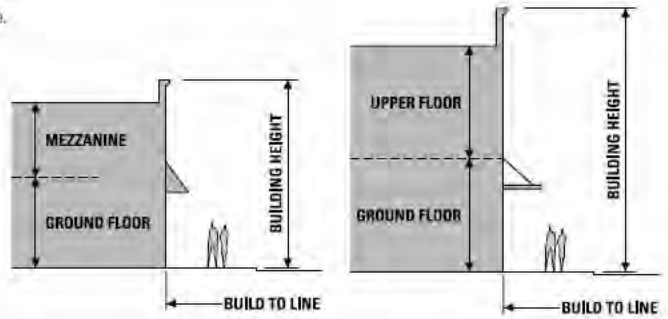
A maximum of 100% of the total parking for this subdistrict may be surface parking.

Driveways (Maximum number per block face)

Street Type C	0
Street Type E, H	2
Street Type A	2
Interstate 30 Frontage	0

Pedestrianways (Minimum number per block face)

Street Type C	1



1 Story Commercial Building

2-3 Story Commercial Building

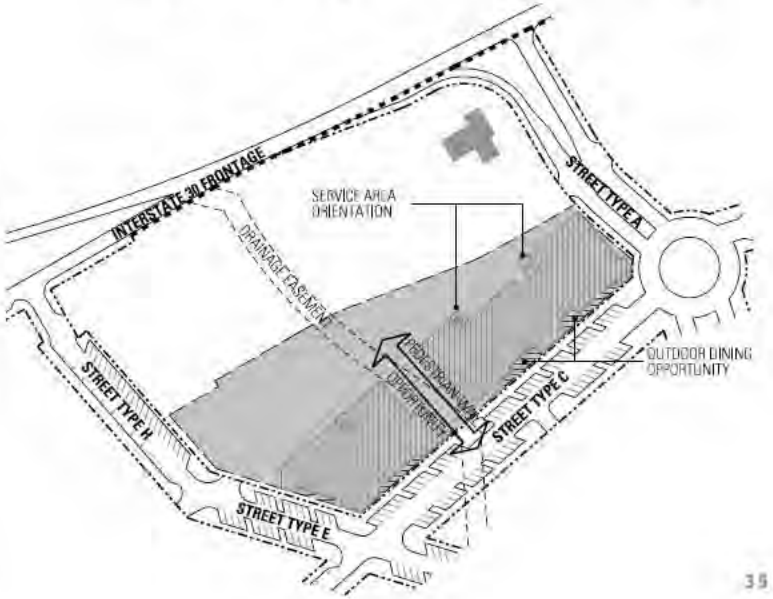
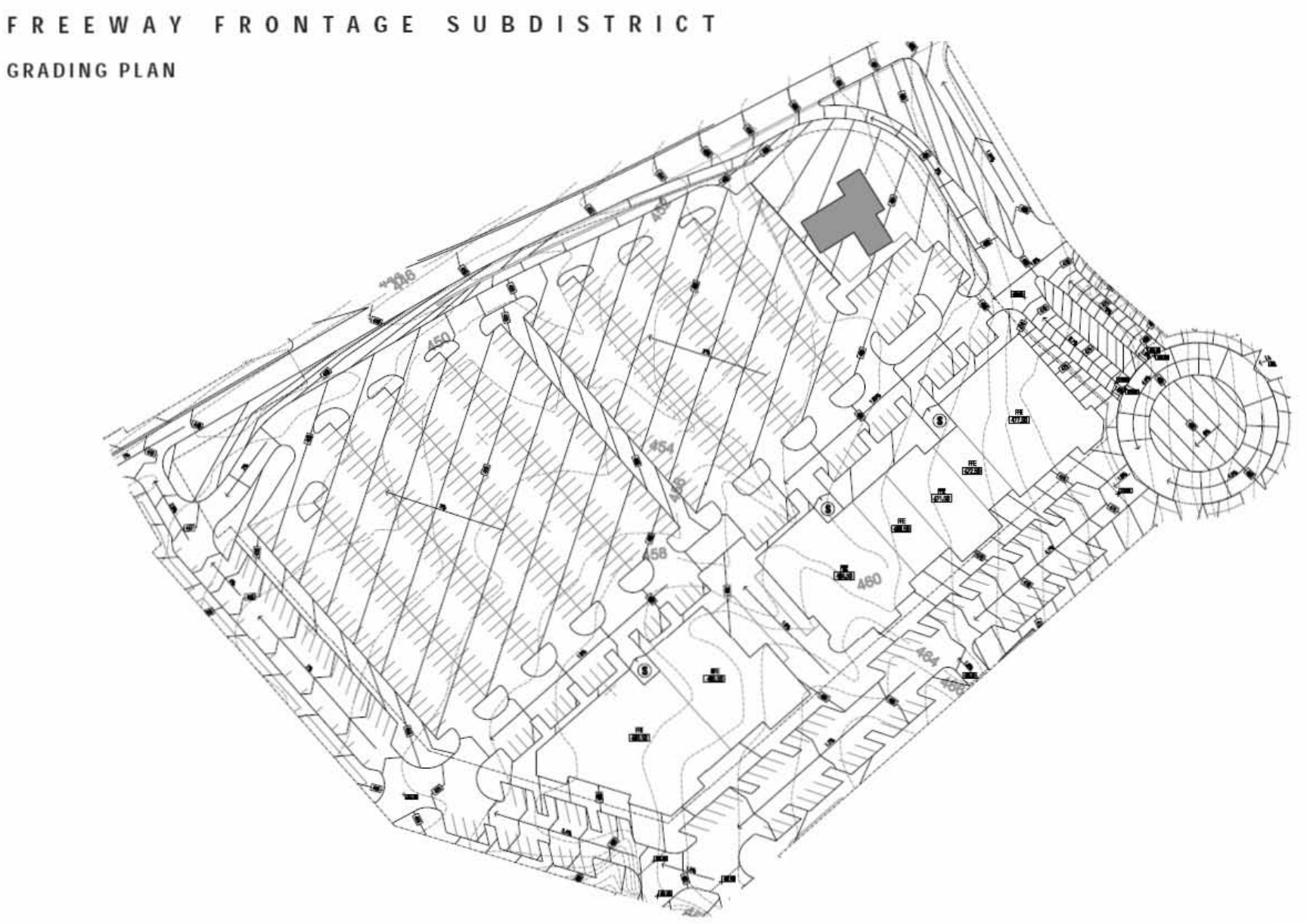


Exhibit E-2 (Page 2 of 2)
Freeway Frontage Subdistrict



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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council**

FROM: **Jeffrey Widmer, Building Official**

DATE: **3/2/15**

SUBJECT: **Variance request for a new monument sign to be located at 204 N. Fannin**

Brandi Lewellen with Sign Mart representing At Waters Edge Counseling and Consulting has asked to appear before the City Council to request a variance for the front setback for a new monument sign, to be located at 204 N Fannin, within the development know as Griffith.

Our sign ordinance requires free standing monument signs to have a minimum 10' setback from the front property line. The applicant is requesting a 0' setback from their front property line, due to the fact that the lot is small and the existing structure is setting only 12' back from the property line.

This property is located within the Downtown zoning district, which allows the sign to be constructed with wood materials. The proposed sign complies with the allowable height and size requirements with a sign area of 4'x4' and a total height of 6'.

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SignMart

February 20, 2015

Re: Sign Permit Variance

To Whom It May Concern:

This letter is to request a sign permit variance at 204 N Fannin Street. We have been approached by the current lessee at the mentioned address, At Water`s Edge Counseling, to install a new monument sign at their location.

The current city ordinance requires the sign to have a 10' setback, however the property is very small. If we were to abide by the ordinance, the sign would be positioned directly in front of the door and on the side walk.

The sign owner is requesting a 0' setback for the sign. The new sign would also be positioned further back than the sign that is currently at the property next door.

We appreciate your consideration to this matter and look forward to the next council meeting to discuss any additional information regarding this matter.

Sincerely,

Brandi Lewellen
Sign Mart
Owner
204 E Kaufman St
Rockwall, TX 75087
972-771-1143

221



Google earth

feet 9
meters 2

222


THE SIGN LOCATION WITH A
ZERO FOOT SETBACK
At Water's Edge
Counseling & Consulting
Evan-Marie Woodall, MA, LPC
214-458-6388
Jill Bennett, Ph.D., LPC
903-450-7879
Parking on Kaufman Street

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **February 26, 2015**

SUBJECT: **TEXAS RECREATION AND PARKS FOUNDATION – BREEZY HILL**

Contingent upon Council approval to pursue the Texas Parks and Wildlife Department (TPWD) grant for development of a neighborhood park within Breezy Hill, the developer would need to donate the land for public park purposes to the City. The value of this land is used toward the City's 50% match of the grant.

According to the TPWD grant process, in order for the value of the land to be considered as a donated parcel, the City cannot own it for public park purposes until the grant is awarded. One method to ensure this status remains in tact is for the current land owner to place the parcels temporarily in a non-profit land trust. The other method is to submit a Waiver of Retroactivity to TPWD, which was done with the park within Stone Creek situation.

The Texas Recreation and Parks Foundation (TRPF) provides many cities across Texas land trust services to hold land until it is ready for development. The greatest benefit to utilizing the TRPF is that if the City does not receive grant funds in this cycle, the land can remain in the trust and be used in future applications, contingent upon Council approval. If the Waiver of Retroactivity method is used, the value of the land is only eligible to be used this year and the following year. In either case, the developer is exempt from the rollback taxes whether it is dedicated to the City or the Foundation. If the City does not receive a grant now or in the future for this development, at the City's request, the foundation would deed the land to the City to be developed once sufficient pro-rata equipment fees are collected in that district or other funds are identified.

Prior to any approved transaction, the Foundation would submit a formal request to the Rockwall Central Appraisal District, certifying that they are a tax exempt entity. The next step in the process is the City would be required to send a formal request letter to TRPF and execute the attached agreement. The current land owner, Skorburg, would then dedicate the land to TRPF via special warranty deed. Additionally, TRPF requires a preliminary environment assessment. The cost for this service would be approximately $9,500 and would be funded from the Recreation Development account.

Should the City be awarded grant funds, the Foundation would then deed the land to the City to develop. The cost of this service is a $300 processing fee and $300 annually, plus any additional attorney or title fees, if necessary.

Staff requests that Council consider authorizing the City Manager to enter into an agreement with the Texas Recreation and Parks Foundation for the purposes of holding the land in trust until the land is ready to be developed. A copy of the formal request letter and draft of the agreement between the City and the Foundation is attached for Council's review.

Park Board voted unanimously to recommend that Council authorize the City Manager to enter in to an agreement with the Texas Recreation and Parks Foundation for the purposes of holding the Breezy Hill land in trust. The City Attorney has reviewed all documents provided by TRPF and has found no issues or concerns with the process.

February 23, 2015

To: President and Board of Directors
Texas Parks and Recreation Foundations
2100 Campbell Road, Ste. 100
Richardson, Texas 75081

From: Rick Crowley, City Manager
The City of Rockwall
385 S. Goliad St.
Rockwall, Texas 75087

This letter is a formal request by the City of Rockwall, Texas to have the Texas Parks and Recreation Foundation hold in trust, property located in the City of Rockwall, Texas, Rockwall County for the purpose of park grant considerations through the Texas Parks and Wildlife Department's Recreation Grant Program. The said property has been subjected to a phase one environmental assessment and indicates no apparent environmental problems. The Foundations will take the property "where is; as is" and convey it in the same manner to the City of Rockwall upon written request. A copy of the phase one report is enclosed. In addition, we have attached a description of the property complete with metes and bounds descriptions. We attest that the property to be conveyed to the Foundation has never been in the ownership of the City of Rockwall or a 4(A) or 4(B) non profit corporation of an agency. We also understand that the property cannot be dedicated as parkland until the property is conveyed to the City of Rockwall. We request that the Foundation consider holding this piece of property that it will be transformed into a public park in the future.

It is our intention to apply for the Texas Parks and Wildlife Department grant within the next two years for the development of the property. When a grant is approved for this project, we will begin the process leading to the development of the park and at that time make a request of the Foundation to convey the property to the City of Rockwall. In the case that we do not receive a grant, the City will request transfer of the property to them to begin the process of developing the property into a public park.

Thank you for your consideration of this request.

Sincerely,

Rick Crowley, City Manager

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Texas Parks and Recreation Foundation

April 28, 2014

Re: Information on the Land Trust Service
of the Texas Parks and Recreation Foundation

To Whom It May Concern:

The Texas Parks and Recreation Foundation is a non-profit corporation in the State of Texas and has a ruling from the IRS as a 501(c)3 organization. One of the missions of the Foundation is to help cities and counties in Texas provide quality parks for the citizens of their communities.

One of the services of the Foundation involves holding land in trust for cities while they make application for a matching grant from the Texas Parks and Wildlife Department through the Recreation Grant Program. The following information is provided to cities that might have need of this service of the Foundation. It is important to remember that the land that is to be closed into or donated to the Foundation can never have been in the ownership of the city, county, or a governmental agency. If the land has been in the ownership of the city, county, or a governmental agency, it will not be eligible as a match on a grant with Texas Parks and Wildlife Department grant program.

You will find in this packet:

1. An outline of the process from the beginning to the end.
2. A listing of the different documents that will be needed to execute the program.
3. Sample documents to be used as a guide in developing the various documents needed for the transactions.

This packet is intended to be only a guide to inform potential sponsors of the process involved. Understanding that every case is different and some modification of the documents may be required, please call Al Johnson, Treasurer at 972-744-4595 if you should have any questions or need direction in this process. It is also understood that the governmental agency needs to do their due diligence prior to the transfer of the property in understanding the rules of the TP&W Grant requirements of using donated property as a match on a grant.

We appreciate the opportunity to be of service to the citizens of your community.

Board of Directors,
Texas Parks & Recreation Foundation

2100 East Campbell Road, Suite 100
Richardson, Texas 75081
972-744-4595 Fax 972-744-5822

STATE OF TEXAS

COUNTY OF ROCKWALL

CITY OF ROCKWALL

AGREEMENT BETWEEN THE CITY OF ROCKWALL, TEXAS AND THE TEXAS PARKS AND RECREATION FOUNDATION

This agreement is made on the 3rd day of March, 2015, by and between the City of Rockwall, a Texas home-rule municipal corporation ("City") and the Texas Parks and Recreation Foundation, a Texas non-profit corporation ("Foundation") and a 501c(3) corporation as determined by the IRS.

The City has requested and Skorburg Company has agreed to convey by Special Warranty Deed the following described real property ("Property"), which is located within the corporate limits of the City. The property is to be held for the City, in order that the City may make a grant request to the Texas Parks and Wildlife Department or request the transfer of the property to the City in the future to develop a public park for said City.

By Resolution No. _____ dated _____ 2015, the Board of Directors of the Foundation resolved to accept conveyance of the title to the Property and to hold it in the trust for future use by the City for park purposes.

During the time the Foundation holds the Property in trust for the City, the City may not use the Property for public purposes. Part of the property can be used for public street right-of-way with the approval of the Foundation. The City may survey, conduct field inspections, clear underbrush, conduct testing, soil boring, and the other actions with respect to the Property, which are deemed necessary by the City to properly plan the Property for the stated purposes. The City may not make any permanent improvements to the property unless written permission is given by the Texas Parks and Recreation Foundation.

The Foundation hereby agrees to lease the Property to the City during the period in which the Property is held in trust for the City, pursuant to a Lease of Real Property to Skorburg Company to the Foundation in the form of attached hereto as Exhibit "A".

For and in consideration of this agreement, the City agrees to: (10) not use the property for park or public purposes during the trust term; (2) reimburse the Foundation for any city, school, State, county taxes, or flood control district assessments which may be levied against the Property during the trust term; (3) abide by the requirements of any other governmental agency having jurisdiction over the Property; (4) name the Board of Directors of the Foundation as insured on the City's insurance policy or purchase a $2,000,000 liability insurance policy naming the Foundation and its Board of Directors as insured (5) reimburse the Foundation for any and all expenses incurred in holding the Property in trust for the City; (6) receive permission from the

Foundation befgore any permanent improvements are constructed on the property, (7) be responsible for complying with any Federal, State, County, and City environmental requirements that apply to the Proeprty during (the Trust term) (the lease term), and render the Foundation a $300 annually to cover office expenses and personnel cost of holding the property and (8) agrees to take no action to permanently dediated the site for park or public purposes until after the Foundation conveys the property to City/County.

The Foundation further agrees that upon completion of the grant process descived above and/or upon written request by the City, the Foundation shall convey the Property by Special Warranty Deed to the City in the form attached hereto as Exhibit "B".

This agreement may be terminated by either party upon thirty (30) days written notice at which time the Property shall be conveyed to the City by Special Warranty Deed in the form attached hereto as Exhibit "B".

SIGNED this 3rd day of March, 2015.

CITY OF ROCKWALL:

By: _____

_____
Printed Name

_____
Title

ATTEST:

_____

_____
Printed Name & Title

TEXAS PARKS AND RECREATION FOUND

By: _____

_____
Printed Name

_____
Title

ATTEST:

_____

_____
Printed Name & Title

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **February 26, 2015**

SUBJECT: **TPWD GRANT RESOLUTION AND APPLICATION**

The Breezy Hill development agreement requires the developer to dedicate a minimum of 11 acres of land for a neighborhood park and pay equipment fees related to the park. The developer is also required to construct the trails according to the trail master plan and their approved open space concept plan.

In addition to the 11 acres and concrete trail, the developer of Breezy Hill would also dedicate two additional parcels totaling approximately 16 acres (contingent on final survey) total just north of the 11 acre proposed neighborhood park site. These parcels would be preserved as natural open space and would connect via an 8' concrete trail system constructed by the developer.

We have an opportunity to submit an application for assistance to the Texas Parks and Wildlife Department (TPWD) to develop the park. This is the same 50/50 grant matching program that recently awarded $400,000 for the Stone Creek neighborhood park development. The deadline for applications is March 31, 2015. Notice of grant awards should be announced around July or August of 2015.

Based on our current park land dedication ordinance, we expect the cost to develop an 11 acre neighborhood park to be $1,050,000. Although the grant is program is very competitive, a maximum of $400,000 could be awarded from the State to develop the park site if our application is successful. The source of the grant funds is the sales tax collected form the sale of sporting goods.

The city's 50% matching funds are derived from the value of the land to be dedicated (contingent on a final appraisal), the value of the trail construction and the pro-rata equipment fees collected in the amount of about $88,000 for park district #7. The remaining 50% is provided by a maximum cash amount of $400,000 from TPWD.

Staff requests that Council consider authorizing the City Manager to contract with MHS Planning and Design to prepare the concept plan and application for assistance to the

TPWD for matching funds to develop the neighborhood park within Breezy Hill. The City's match would come from the value of the land to be dedicated, the equipment fees that have been collected in the park district and the value of the trail to be constructed by the developer.

MHS has proposed a cost of $9,000 plus expenses to prepare the grant application and park concept plan. The source of the funding would be from the Recreation Development Fund.

TPWD requires a resolution from the governing body from the applicant that certifies that funds are available for the matching portion of the project and the dedication of the site is for a permanent park and recreational uses. A copy of the resolution is attached for Council's consideration.

At the February 25, 2015 meeting, Park Board voted unanimously to recommend that City Council authorize the City Manger to pursue the TPWD grant funding and negotiate a contract with MHS Planning and Design to prepare the application and concept plan.

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CITY OF ROCKWALL, TEXAS

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, HEREINAFTER REFERRED TO AS "APPLICANT," AUTHORIZING APPLICATION TO THE TEXAS RECREATION & PARKS ACCOUNT PROGRAM (TRPA); DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE "APPLICANT" IN DEALING WITH THE TEXAS PARKS & WILDLIFE DEPARTMENT, HEREINAFTER REFERRED TO AS "DEPARTMENT," FOR THE PURPOSE OF PARTICIPATING IN THE LOCAL PARK GRANT PROGRAM, HEREINAFTER REFERRED TO AS THE "PROGRAM," CERTIFYING THAT THE "APPLICANT" IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING THAT THE "APPLICANT'S" MATCHING SHARE IS READILY AVAILABLE; DEDICATING THE PROPOSED SITE FOR PERMANENT PUBLIC PARK AND RECREATION USES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Rockwall City Council supports application to the Texas Recreation and Parks Account Program (TRPA); and

WHEREAS, the "Applicant" is fully eligible to receive assistance under the "Program, and

WHEREAS, the "Applicant" is desirous of authorizing an official to represent and act for the "Applicant" in dealing with the "Department" concerning the "Program."

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

SECTION 1. That the "Applicant" hereby certifies that they are eligible to receive assistance under the "Program;"

SECTION 2: That the "Applicant" hereby certifies that the matching share for this application is readily available at this time;

SECTION 3: That the "Applicant" hereby authorizes and directs its City Manager, Rick Crowley, to act for the "Applicant" in dealing with the "Department" for the purpose of the "Program," and Rick Crowley is hereby officially designated as the representative in this regard.

SECTION 4: That the "Applicant" hereby specifically authorizes the official to make application to the "Department" concerning the site to be known as the Park at Breezy Hill in the City of Rockwall for use as a park site and the Park at Breezy Hill is hereby dedicated (or will be dedicated upon completion of the proposed acquisition) for public park and recreation purposes in perpetuity.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THE "APPLICANT," this 2nd day of March, 2015.

ATTEST: _____
Jim Pruitt, Mayor

_____
Kristy Ashberry, City Secretary

MHS
PLANNING & DESIGN, LLC

February 12, 2015

Mr. Andy Hesser, Parks & Recreation Manager
City of Rockwall
108 East Washington
Rockwall, Texas 75087

RE: Preparation of a grant application to Texas Parks & Wildlife for acquisition & development of the Breezy Hill Park

Dear Andy:

It is with great pleasure that I present this proposal to provide assistance with the development of a Texas Recreation and Parks Account grant application for park land acquisition and improvements at Breezy Hill Park.

In addition to preparing the necessary grant forms, I will walk and photograph the site, prepare the grant specific site plan, grant budget, brief environmental assessment, program narrative, environmental checklist, and any other standard items necessary to submit a complete and competitive application.

Although I will be responsible for preparing and coordinating the application, I will need your assistance on several items such as providing me with a plat of the proposed park, including the area to be acquired, letters of commitment from property owners of the land to be acquired and other entities which may be involved, holding a public hearing, and passing a resolution to file the application.

Once the application has been approved by the City and submitted to Texas Parks and Wildlife, I will assist you with any revisions and/or additional information requested by Texas Parks and Wildlife. The grant program is currently highly competitive with about 20% of all submitted projects receiving funding. With this in mind, we will need to prepare an application that addresses every conceivable aspect of the state scoring system in order to be successful.

I will complete the Texas Recreation and Parks Account grant application for a lump sum fee of nine thousand dollars ($9,000.00) plus actual travel and reproduction expense incurred in developing the application.

This agreement may be terminated by the City of Rockwall by giving seven days written notice. If this agreement is terminated, the City of Rockwall will pay MHS Planning and Design, LLC, for any and all work completed prior to the time of termination, based on the hourly rate sheet attached. All work prepared and completed prior to termination shall be the property of the City of Rockwall and shall be provided to the City for project completion as the City deems appropriate.

I look forward to working with you on this project and should you have any questions or need additional information, please let me know. If the agreement meets with your approval, please have signed and return a copy to my office as soon as possible. The completed application must be submitted prior to March 31, 2015.

Sincerely,



Mark H. Spencer

MHS/pg

enclosure

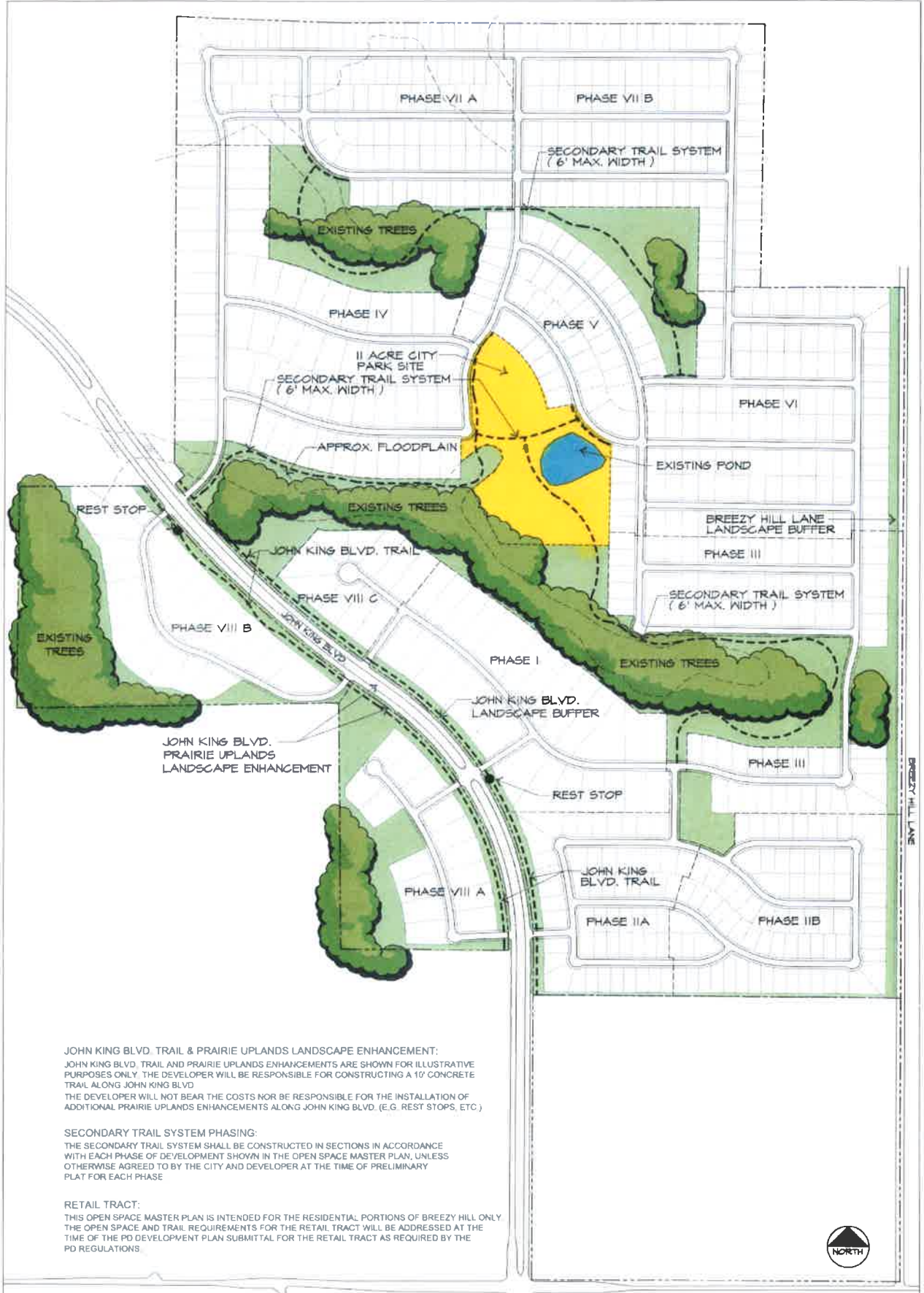
APPROVED AND ACCEPTED THIS
___ DAY OF _____ 2015

_____
Rick Crowley, City Manager
City of Rockwall

MHS
PLANNING & DESIGN, LLC

MHS Planning & Design
Hourly Rates
Effective June 1, 2014

Mark H. Spencer Principal	$ 150.00 per hour
Professional Engineer	$ 130.00 per hour
Planner	$ 90.00 per hour
CADD Drafter	$ 80.00 per hour
Word Processing/Clerical	$ 45.00 per hour
Mileage	$ .56 per mile
Surveying, engineering, architectural, reproduction, aerial photography & all other expenses & contracted services	Cost plus 15%



JOHN KING BLVD. TRAIL & PRAIRIE UPLANDS LANDSCAPE ENHANCEMENT:

JOHN KING BLVD. TRAIL AND PRAIRIE UPLANDS ENHANCEMENTS ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. THE DEVELOPER WILL BE RESPONSIBLE FOR CONSTRUCTING A 10' CONCRETE TRAIL ALONG JOHN KING BLVD.

THE DEVELOPER WILL NOT BEAR THE COSTS NOR BE RESPONSIBLE FOR THE INSTALLATION OF ADDITIONAL PRAIRIE UPLANDS ENHANCEMENTS ALONG JOHN KING BLVD. (E.G. REST STOPS, ETC.)

SECONDARY TRAIL SYSTEM PHASING:

THE SECONDARY TRAIL SYSTEM SHALL BE CONSTRUCTED IN SECTIONS IN ACCORDANCE WITH EACH PHASE OF DEVELOPMENT SHOWN IN THE OPEN SPACE MASTER PLAN, UNLESS OTHERWISE AGREED TO BY THE CITY AND DEVELOPER AT THE TIME OF PRELIMINARY PLAT FOR EACH PHASE

RETAIL TRACT:

THIS OPEN SPACE MASTER PLAN IS INTENDED FOR THE RESIDENTIAL PORTIONS OF BREEZY HILL ONLY. THE OPEN SPACE AND TRAIL REQUIREMENTS FOR THE RETAIL TRACT WILL BE ADDRESSED AT THE TIME OF THE PD DEVELOPMENT PLAN SUBMITTAL FOR THE RETAIL TRACT AS REQUIRED BY THE PD REGULATIONS.

BREEZY HILL

OPEN SPACE MASTER PLAN

Rockwall, Texas 10-2-12

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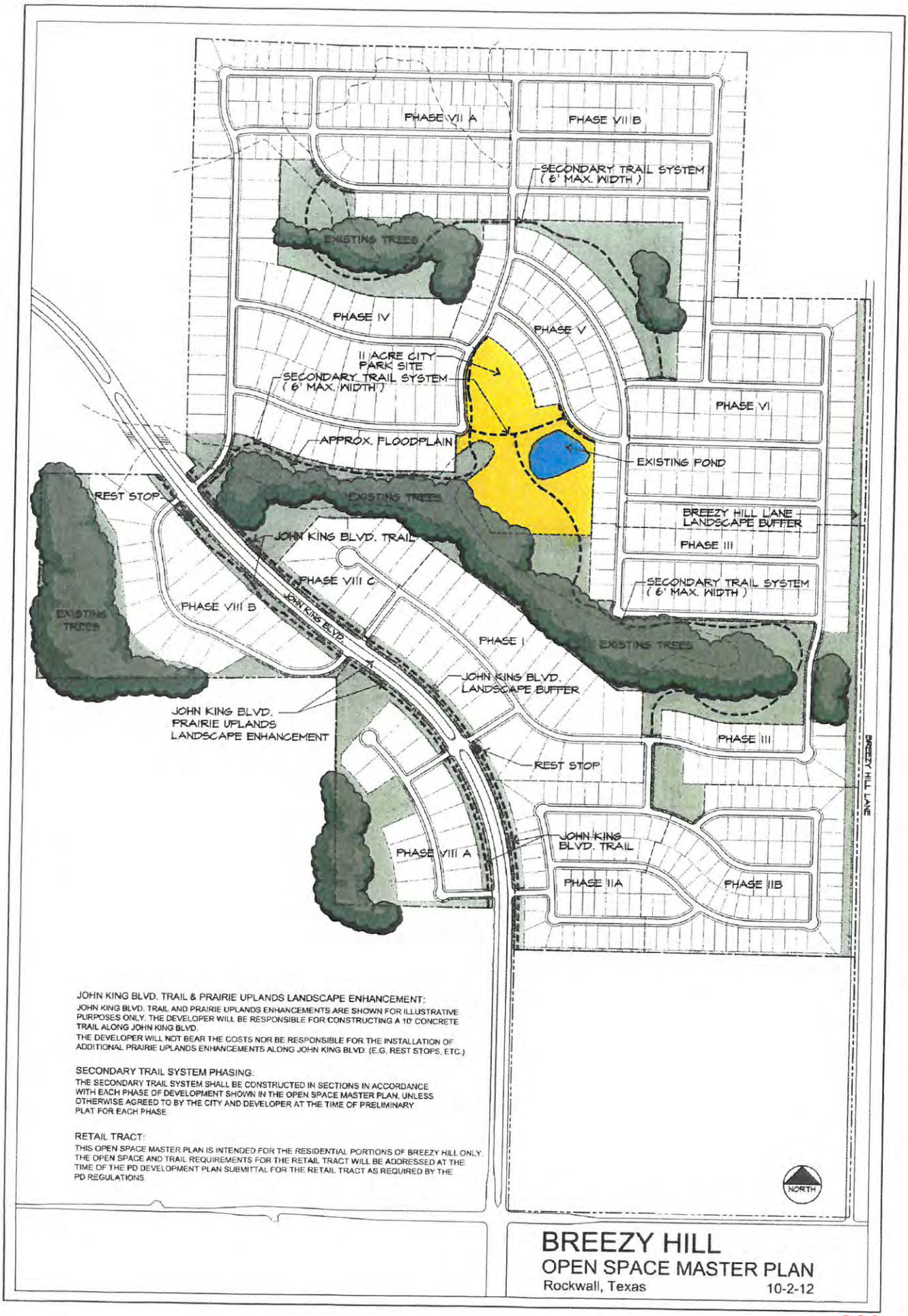

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BREEZY HILL
OPEN SPACE MASTER PLAN
Rockwall, Texas 10-2-12

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City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

January 2015

Permits

Total Permits Issued: 242

Building Permits: 47 Contractor Permits: 195

Total Permit Values: $ 11,340,333.23

Building Permits: $ 10,569,102 Contractor Permits: $ 771,231.23

Total Fees Collected: $ 159,026.65

Building Permits: $ 147,477.99 Contractor Permits: $ 11,548.66

Board of Adjustment

Board of Adjustment Cases 0

City of Rockwall

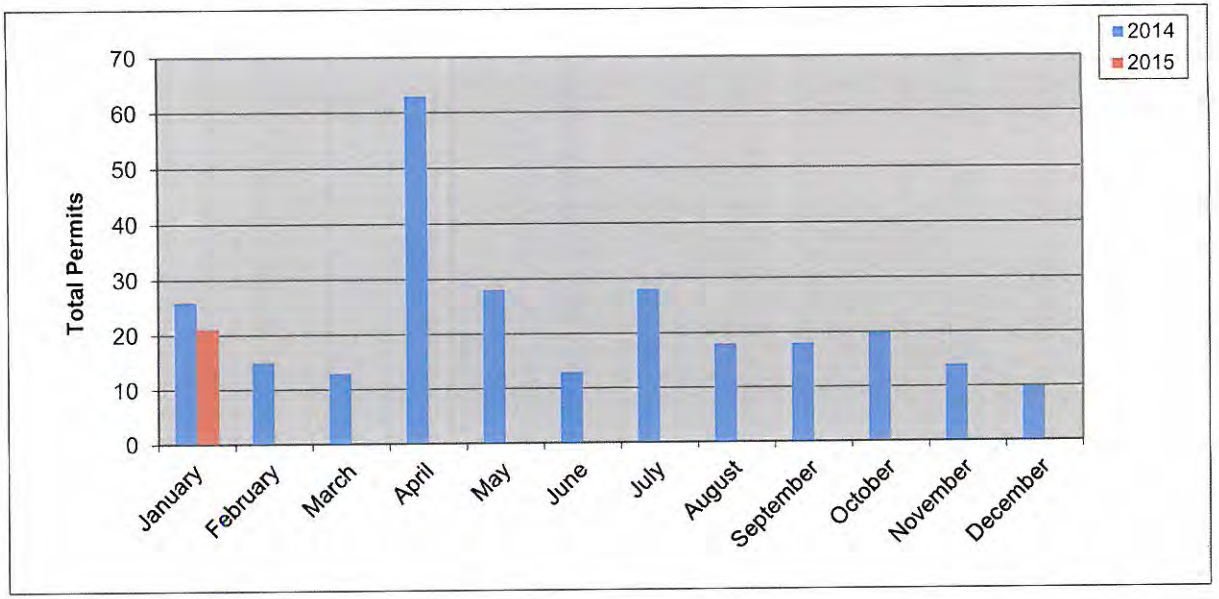
PERMITS ISSUED - Summary by Type and Subtype

For the Period 1/1/2015 thru 1/31/2015

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	11	$0.00	$553.00
30 DAY BANNER	10	$0.00	$503.00
COMING SOON	1	$0.00	$50.00
CHURCH	1	$20,000.00	$339.41
ALTERATION	1	$20,000.00	$339.41
CLEAN SHOW	1	$0.00	$76.50
	1	$0.00	$76.50
CO	12	$0.00	$903.00
BUSINESS	12	$0.00	$903.00
COMM	23	$5,035,290.00	$40,042.04
ACC BLDG	2	$130,000.00	$0.00
ADDITION	1	$180,000.00	$1,634.00
ALTERATION	3	$1,991,194.00	$11,433.39
CONCRETE	1	$35,000.00	$617.83
CONST TRAILER	2	$10,000.00	$200.00
ELECTRICAL	1	$6,000.00	$139.48
INTERIOR COMP	1	$100,000.00	$1,155.25
NEW	2	$2,200,000.00	$21,269.93
PLUMBING	3	$1,550.00	$108.05
REMODEL	5	$318,500.00	$3,411.91
RETAINING WALL	1	$56,046.00	$35.70
ROOF	1	$7,000.00	$36.50
SIGNAGE	17	$0.00	$1,578.00
CANOPY	1	$0.00	$225.00
MONUMENT	5	$0.00	$150.00
POLE	2	$0.00	$150.00
SIGN	1	$0.00	$75.00
WALL	8	$0.00	$978.00
SINGLE FAMILY	172	$6,285,043.23	$115,234.70
ACC BLDG	3	$6,234.00	$269.50
ADDITION	2	$25,860.00	$471.40
ALTERATION	1	$28,000.00	$433.05
CONCRETE	2	$4,100.00	$167.78
DEMO	1	$0.00	$51.50
ELECTRICAL	3	$6,943.00	$224.25
FENCE	36	$104,445.00	$1,297.90
IRRIGATION	20	$34,548.00	$703.60
MECHANICAL	8	$42,872.00	$1,061.67
MISCELLANEOUS	1	$6,372.00	$35.00
NEW	21	$5,509,932.00	$106,062.26
PATIO COVER	3	$49,382.00	$844.14
PLUMBING	36	$55,140.00	$2,148.05
RETAINING WALL	1	$0.00	$35.00
ROOF	28	$315,610.98	$986.60
SWIM POOL	2	$82,000.00	$303.00
WINDOWS	4	$13,604.25	$140.00
SPECIAL EVENT	5	$0.00	$300.00
	5	$0.00	$300.00
Totals:	**242**	**$11,340,333.23**	**$159,026.65**

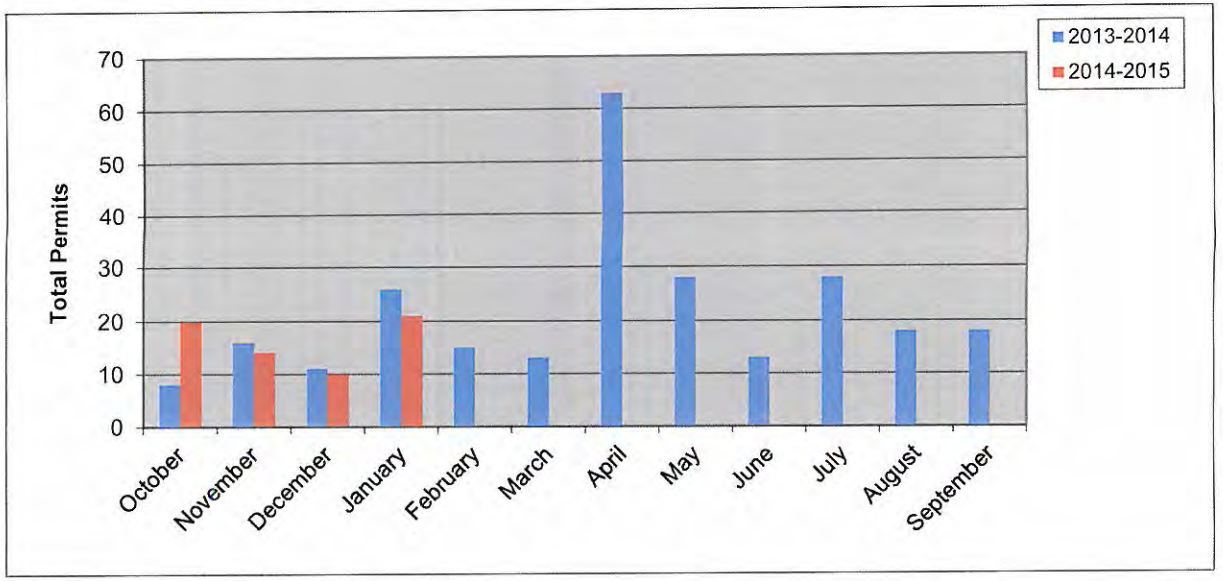
New Residential Permits Calendar Year

	Year	
	2014	2015
January	26	21
February	15	
March	13	
April	63	
May	28	
June	13	
July	28	
August	18	
September	18	
October	20	
November	14	
December	10	
Totals	**266**	**21**



New Residential Permits Fiscal Year

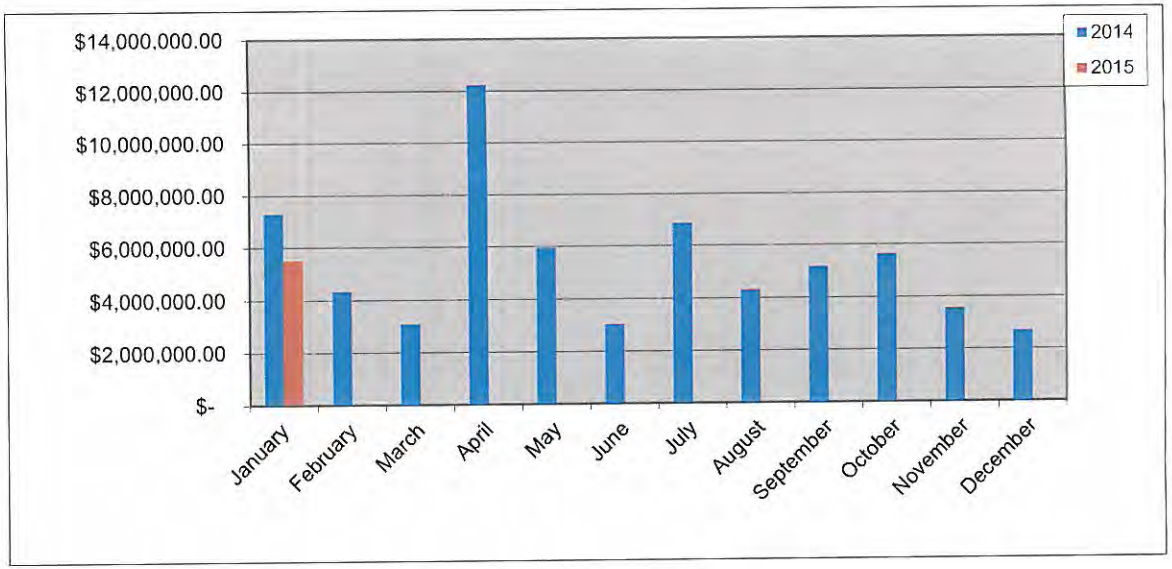
	Year	
	2013-2014	2014-2015
October	8	20
November	16	14
December	11	10
January	26	21
February	15	
March	13	
April	63	
May	28	
June	13	
July	28	
August	18	
September	18	
Totals	**257**	**65**



243

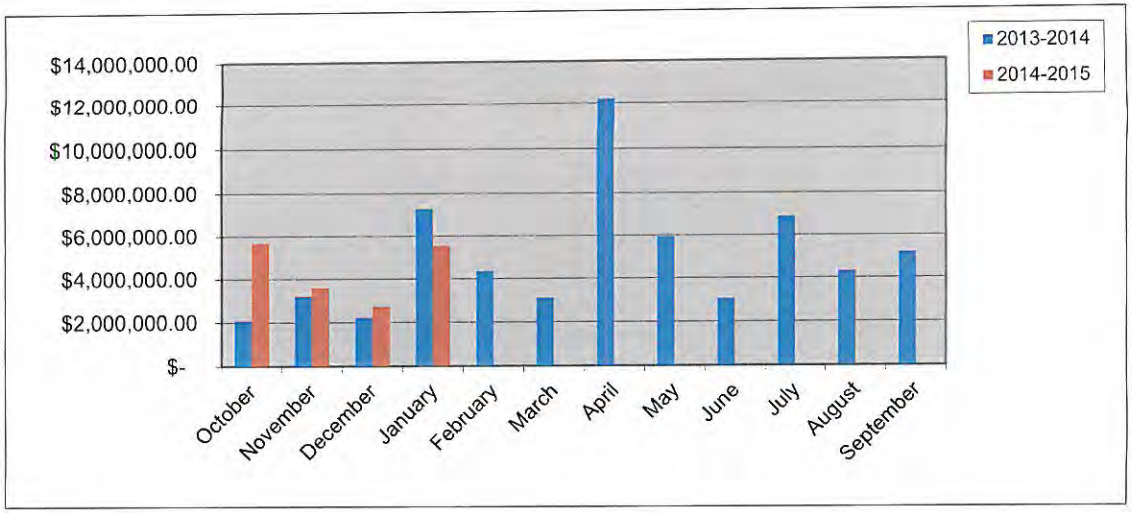
New Residential Value Calendar Year

Year	2014	2015
January	$ 7,288,000.00	$ 5,509,932.00
February	$ 4,353,427.00	
March	$ 3,094,927.74	
April	$ 12,228,936.33	
May	$ 5,960,240.00	
June	$ 3,048,536.00	
July	$ 6,883,062.87	
August	$ 4,330,100.19	
September	$ 5,184,201.79	
October	$ 5,661,792.00	
November	$ 3,581,756.00	
December	$ 2,712,503.00	
Totals	**$64,327,482.92**	**$ 5,509,932.00**



New Residential Value Fiscal Year

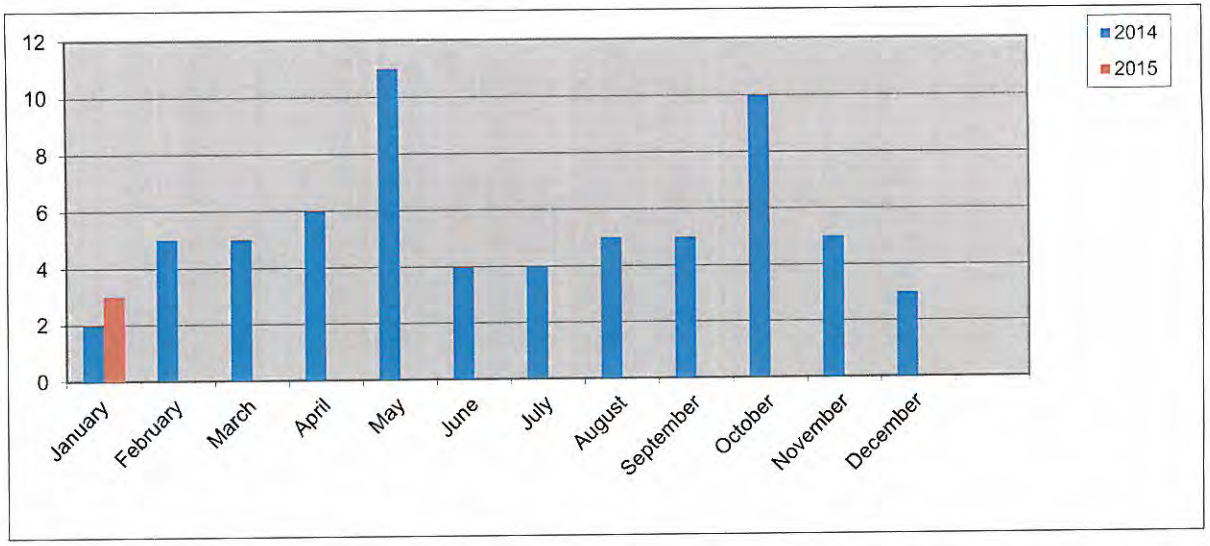
Year	2013-2014	2014-2015
October	$ 2,078,584.00	$ 5,661,792.00
November	$ 3,202,067.00	$ 3,581,756.00
December	$ 2,215,924.00	$ 2,712,503.00
January	$ 7,288,000.00	$ 5,509,932.00
February	$ 4,353,427.00	
March	$ 3,094,927.74	
April	$ 12,228,936.33	
May	$ 5,960,240.00	
June	$ 3,048,536.00	
July	$ 6,883,062.87	
August	$ 4,330,100.19	
September	$ 5,184,201.79	
Totals	**$59,868,006.92**	**$ 17,465,983.00**



244

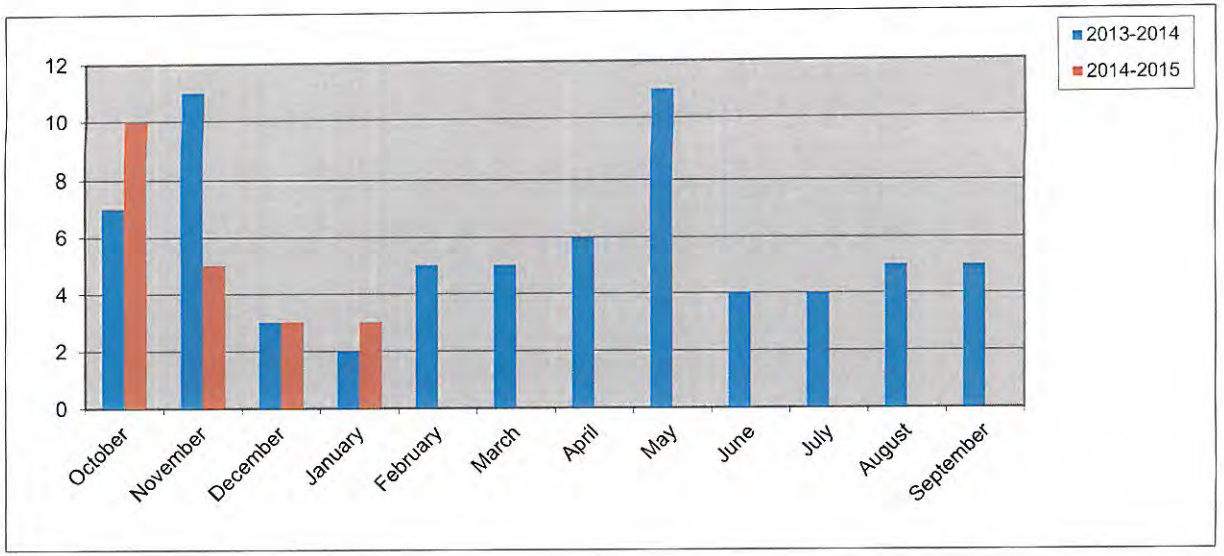
Residential Remodel Permits Calendar Year

	Year	
	2014	2015
January	2	3
February	5	
March	5	
April	6	
May	11	
June	4	
July	4	
August	5	
September	5	
October	10	
November	5	
December	3	
Totals	**65**	3



Residential Remodel Permits Fiscal Year

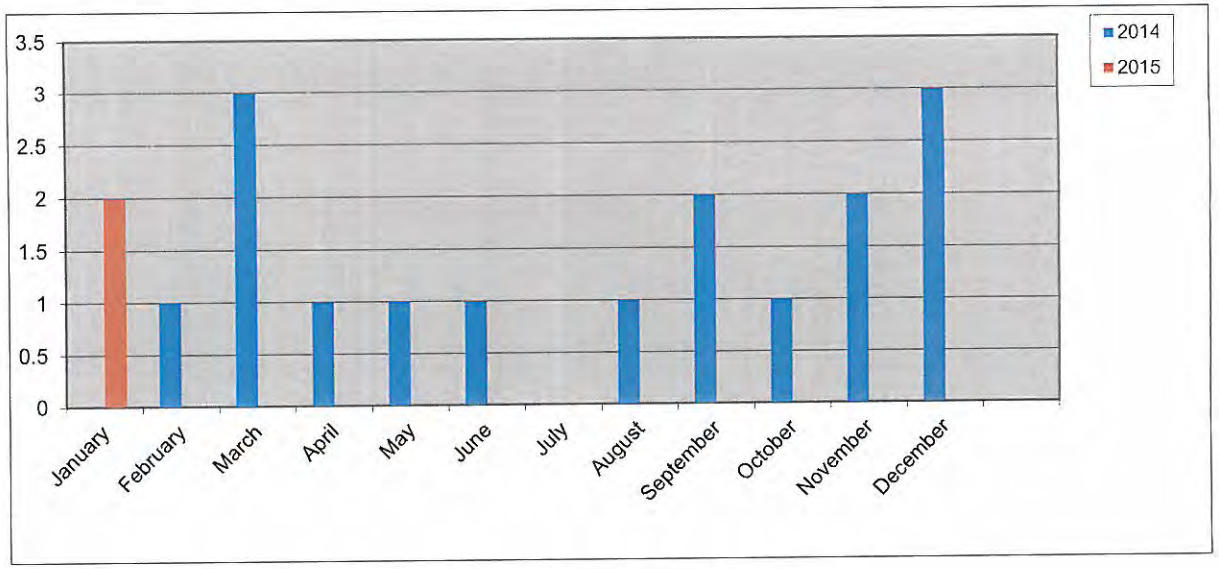
	Year	
	2013-2014	2014-2015
October	7	10
November	11	5
December	3	3
January	2	3
February	5	
March	5	
April	6	
May	11	
June	4	
July	4	
August	5	
September	5	
Totals	**68**	**21**



245

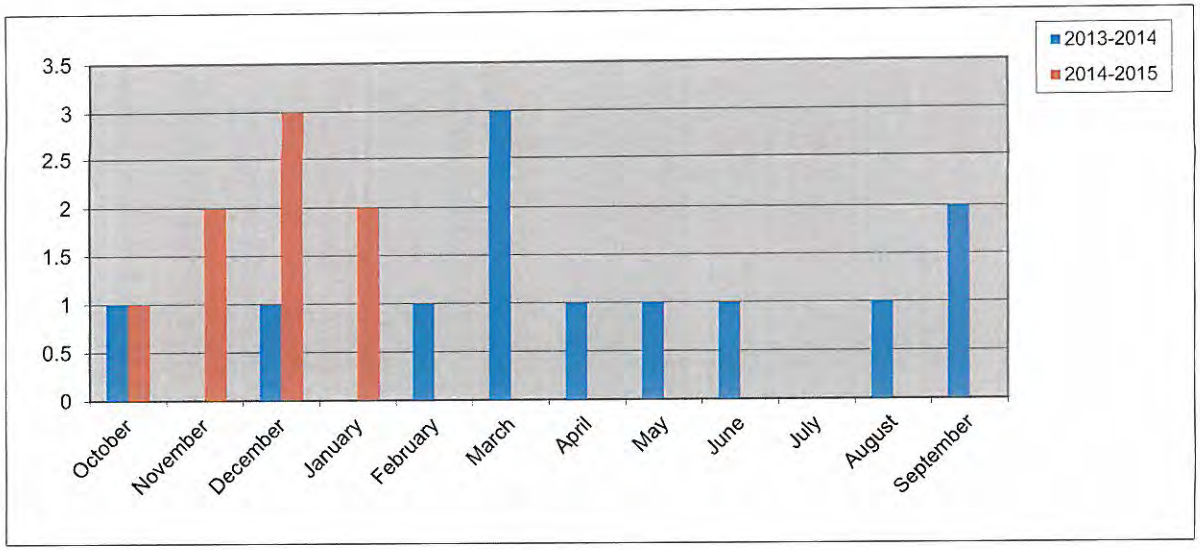
New Commercial Permits Calendar Year

	Year	
	2014	2015
January	0	2
February	1	
March	3	
April	1	
May	1	
June	1	
July	0	
August	1	
September	2	
October	1	
November	2	
December	3	
Totals	**16**	**2**



New Commercial Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	1	1
November	0	2
December	1	3
January	0	2
February	1	
March	3	
April	1	
May	1	
June	1	
July	0	
August	1	
September	2	
Totals	**12**	**8**



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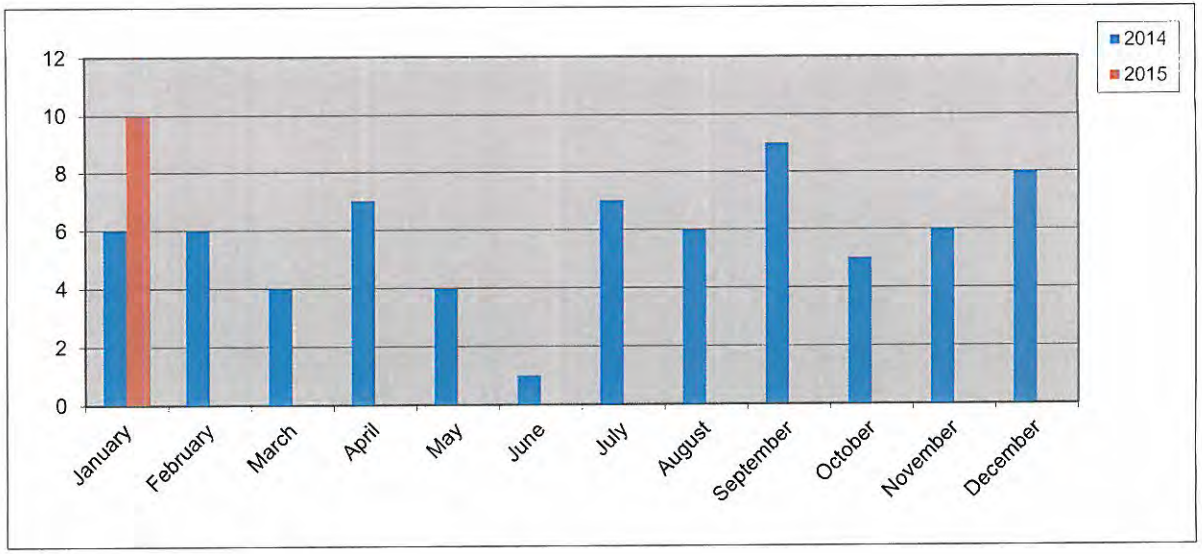
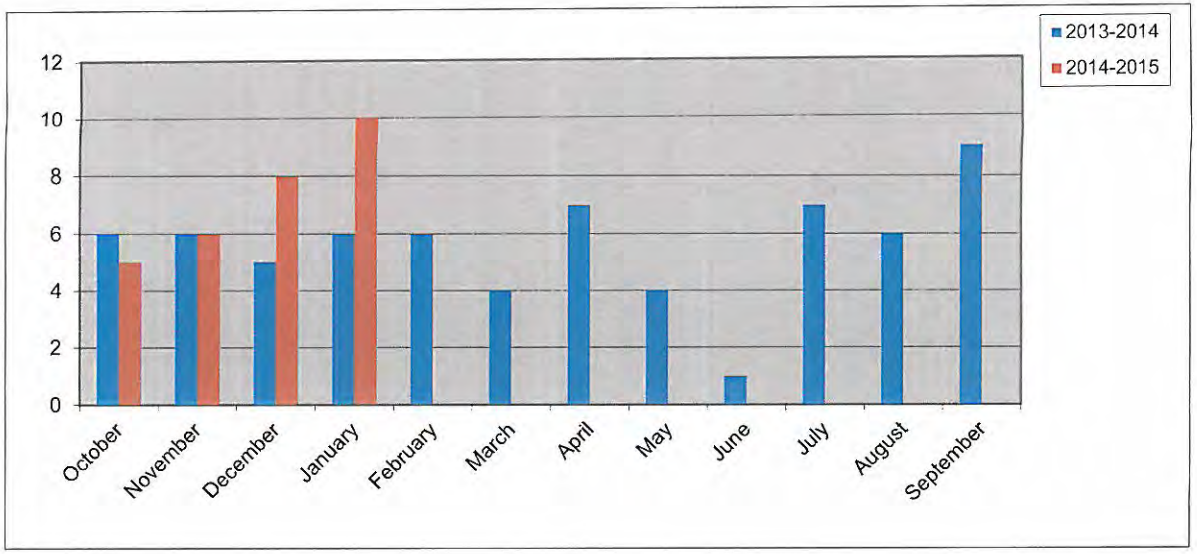
Commercial Remodel Permits Calendar Year

	Year	
	2014	2015
January	6	10
February	6	
March	4	
April	7	
May	4	
June	1	
July	7	
August	6	
September	9	
October	5	
November	6	
December	8	
Totals	**69**	**10**



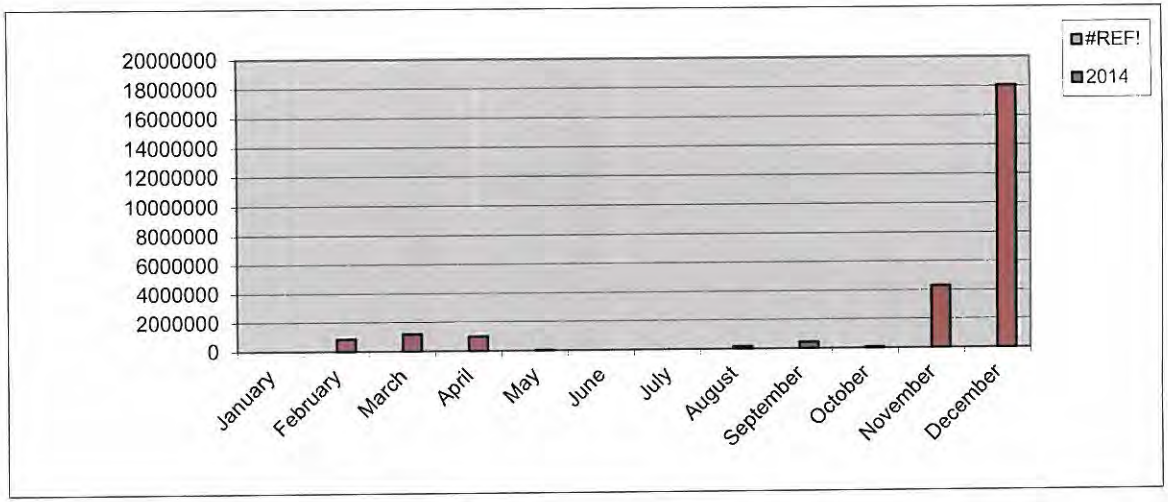
Commercial Remodel Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	6	5
November	6	6
December	5	8
January	6	10
February	**6**	
March	4	
April	7	
May	4	
June	1	
July	7	
August	6	
September	9	
Totals	**67**	**29**



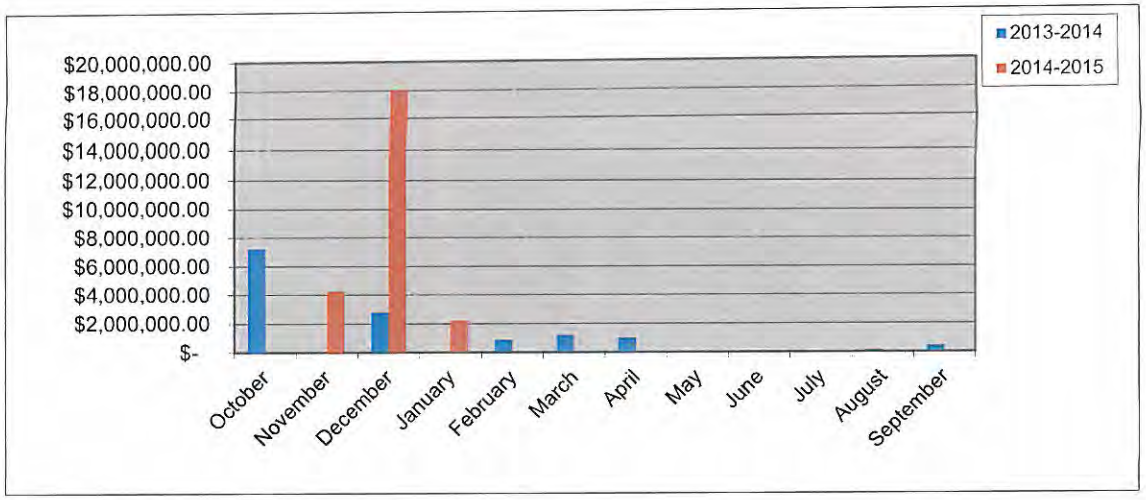
New Commercial Value Calendar Year

Year	2014	2015
January	$ -	$ 2,200,000.00
February	$ 850,000.00	
March	$ 1,185,000.00	
April	$ 1,000,000.00	
May	$ 5,000.00	
June	$ -	
July		
August	$ 150,000.00	
September	$ 430,795.00	
October	$ 49,000.00	
November	$ 4,300,000.00	
December	$ 18,050,000.00	
Totals	**$ 26,019,795.00**	**$ 2,200,000.00**



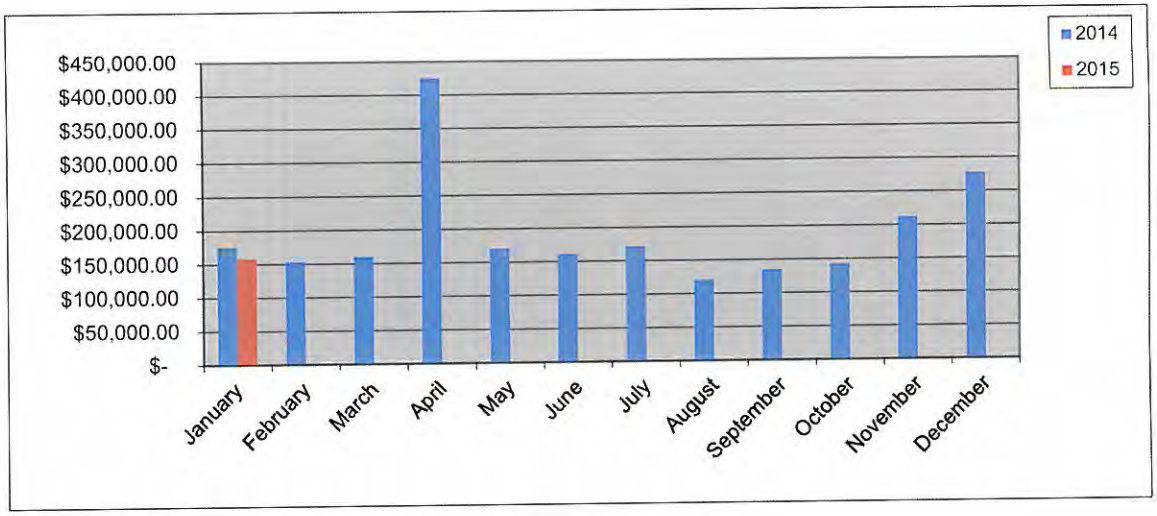
New Commercial Value Fiscal Year

Year	2013-2014	2014-2015
October	$ 7,225,000.00	$ 49,000.00
November	$ -	$ 4,300,000.00
December	$ 2,800,000.00	$ 18,050,000.00
January	$ -	$ 2,200,000.00
February	$ 850,000.00	
March	$ 1,185,000.00	
April	$ 1,000,000.00	
May	$ 5,000.00	
June	$ -	
July		
August	$ 150,000.00	
September	$ 430,795.00	
Totals	**$ 13,645,795.00**	**$ 24,599,000.00**



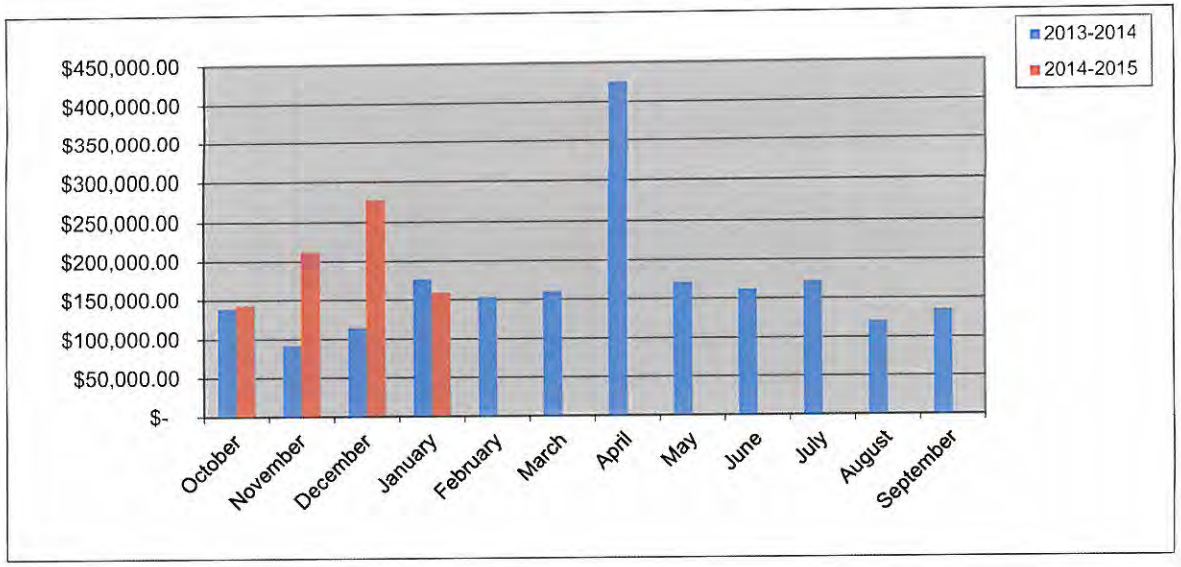
Total Fees Collected Calendar Year

Year	2014	2015
January	$ 176,162.63	$ 159,026.65
February	$ 153,458.98	
March	$ 160,530.91	
April	$ 425,003.86	
May	$ 170,849.07	
June	$ 161,690.82	
July	$ 172,232.70	
August	$ 120,790.39	
September	$ 135,478.13	
October	$ 143,153.00	
November	$ 212,222.54	
December	$ 277,864.58	
Totals	**$ 2,309,437.61**	**$ 159,026.65**



Total Fees Collected Fiscal Year

Year	2013-2014	2014-2015
October	$ 138,771.53	$ 143,153.00
November	$ 91,778.83	$ 212,222.54
December	$ 114,645.28	$ 277,864.58
January	$ 176,162.63	$ 159,026.65
February	$ 153,458.98	
March	$ 160,530.91	
April	$ 425,003.86	
May	$ 170,849.07	
June	$ 161,829.08	
July	$ 172,232.70	
August	$ 120,790.39	
September	$ 135,478.13	
Totals	**$ 2,021,531.39**	**$ 792,266.77**



City of Rockwall

PERMITS ISSUED

For the Period 1/1/2015 thru 1/31/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0059 5/15/2014 1/16/2015	CO BUSINESS ACTIVE	2901 Village Dr. 4724-0000-0000-00-0R RANCH HOUSE ADDITION Snuffers Restaurant & Bar	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	EAGLE, SEIKI SALES LTD	C/O ELIZABETH BURKS	ROCKWALL	TX	75087	
APPLICANT	Firebird Copenhagen, LLC	2414 N. Akard, #500	Dallas	TX	75201	(972) 241-2171
BUS OWNER	Firebird Copenhagen, LLC	2414 N. Akard, #500	Dallas	TX	75201	(972) 241-2171
BUSINESS	Snuffers Restaurant & Bar					

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0145 10/28/2014 1/6/2015	CO BUSINESS ACTIVE	2010 Industrial Blvd 611 4824-0000-0002-00-0R INDUSTRIAL ADDITION Sterling Tea	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
APPLICANT	Brenda Meyers	1614 S. Lakeshore	ROCKWALL	TX	75087	
BUS OWNER	Brenda Meyers	1614 S. Lakeshore	Rockwall	TX	75087	
BUSINESS	Sterling Tea					
OWNER	ROCKWALL, STEEL CO		TERRELL	TX	75160	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0149 11/10/2014 1/16/2015	CO BUSINESS ACTIVE	1105 SH 276 3795-0000-0001-00-0R ROCKWALL CENTRE CORNERS Soulman's BBQ - Office	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
BUS OWNER	Don Hallret	P.O. Box 1147	Royse City	Tx	75189	(214) 926-0721
BUSINESS	Soulman's BBQ, Inc.	1105 SH 276	Rockwall	TX	75032	
OWNER	Don Hallret	P.O. Box 1147	Royse City	Tx	75189	(214) 926-0721
APPLICANT	Brett Randle					(214) 926-0721

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0150 11/12/2014 1/2/2015	CO BUSINESS ACTIVE	906 N GOLIAD ST 5058-000A-0016-00-0R STEELE TCB CONSTRUCTION GROUP LLC	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	MANUEL LOZANO	906 N GOLIAD ST.	ROCKWALL	TX	75087	(214) 584-9397
APPLICANT	Manuel Lozano		Heath	TX	75032	
BUS OWNER	Manuel Lozano	Wyndemore Blvd.	Heath	TX	75032	

City of Rockwall
PERMITS ISSUED
For the Period 1/1/2015 thru 1/31/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0156 11/26/2014 1/9/2015	CO BUSINESS ACTIVE	1975 Alpha 204 3585-000B-0001-00-0R ELLIS CENTRE HTPN Family Medical Center At Rockwall	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
BUS OWNER	ELLIS, RICHARD M	16361 LAUDER LN.	DALLAS	TX	75248	
BUSINESS	HTPN FAMILY MEDICAL CEN	1975 ALPHA RD. # 204	ROCKWALL	TX	75087	
MECH CONTR	STAR SHEET METAL, INC.	200 E PIONEER	IRVING	TX	75061	(972) 438-5056
PLB CONTR	Medco Construction	4005 CRUTCHER # 200	DALLAS	TX	75246	(214) 820-2492
ELEC CONTR	Medco Electric	2625 ELM ST., ST# 216	Dallas	TX	75226	(214) 820-4284
OWNER	ELLIS, RICHARD M	16361 LAUDER LN.	DALLAS	TX	75248	
CONTRACTOR	Medco Construction	4005 Crutcher, #200	Dallas	TX	75226	(214) 820-2492
APPLICANT	Medco Construction	4005 CRUTCHER # 200	DALLAS	TX	75246	(214) 820-2492

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0166 12/18/2014 1/22/2015	CO BUSINESS ACTIVE	512 Clark St S 4420-0002-0022-00-0R MILL CO LCS Lawn Care Supply Inc	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	DEL, BOSQUE RODOLFO		ROCKWALL	TX	75087	
BUS OWNER	Alex Kerbow	512 S Clark St	Rockwall	TX	75087	(214) 341-8581

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0168 12/22/2014 1/9/2015	CO BUSINESS ACTIVE	965 Ralph Hall Pkwy 103 4009-000B-0006-16-0R HORIZON RIDGE ADDITION Lewis Law Firm	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	965, RHP 103 LLC	ATTN: GARON R HORTON	HEATH	TX	75032	
APPLICANT	David A Lewis	405 Johnson	Terrell	TX	75160	(972) 563-5183
BUS OWNER	David Lewis	965 Ralph Hall Pkwy #103	Rockwall	TX	75032	(972) 563-5183
BUSINESS	Lewis Law Firm					

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0169 12/23/2014 1/21/2015	CO BUSINESS ACTIVE	2006 Goliad St. S 228 4834-000A-0002-00-0R ALBRITTON ADDN Eagle Eye Insurance & Tax	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	ROCKWALL, CENTRAL SHOP/		ADDISON	TX	75001	
BUS OWNER	Marlon Madrigal	516 S. Preston St.	Wolfe City	TX	75496	

City of Rockwall
PERMITS ISSUED
For the Period 1/1/2015 thru 1/31/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0174	CO	3007 Ridge Rd B 4009-000A-0011-00-0R	0.00	$ 75.00	$ 75.00
12/31/2014	BUSINESS	HORIZON RIDGE ADDITION			
1/28/2015	ACTIVE	North American Title Co.		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	AREZZO, HOME FAMILY HOL		SAN JOSE	CA	95138	
APPLICANT	Jeffe Duffee	3007 Ridge Rd.	Rockwall	TX	75032	(972) 771-0667
BUS OWNER	Jan Schweder	3007 Ridge Rd B	Rockwall	TX	75032	(972) 771-0067

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0001	CO	811 YELLOW JACKET 106 4830-0000-0001-C0-0R	0.00	$ 75.00	$ 75.00
1/2/2015	BUSINESS	GARLAND FEDERAL SAVINGS & LOAN ADDN			
1/16/2015	ACTIVE	SPEEDY MULTISERVICES OFFICE		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	MARIA GONZALEZ	811 YELLOW JACKET # 106	ROCKWALL	TX	75087	(469) 853-4961
APPLICANT	MARIA GONZALEZ	811 YELLOW JACKET # 106	ROCKWALL	TX	75087	(469) 853-4961
INSP RPT EMAIL	MARIA GONZALEZ	811 YELLOW JACKET # 106	ROCKWALL	TX	75087	(469) 853-4961
BUS OWNER	MARIA GONZALEZ	327 TUBBS RD.	Rockwall	TX	75032	(469) 853-4961
BUSINESS	SPEEDY MULTISERVICES OFF	811 YELLOW JACKET # 106	ROCKWALL	TX	75087	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0003	CO	6537 Horizon Rd A 3039-0002-0005-00-0R	0.00	$ 75.00	$ 75.00
1/8/2015	BUSINESS	ALLIANCE ADDITION PH 2			
1/21/2015	ACTIVE	State Farm, Brian Llewellyn Agency		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	ROCKWALL RENTAL PROPER	P. O. BOX. 818	TERRELL	TX	75160	(972) 816-5404
APPLICANT	Brian Llewellyn	1391 Scarsboro Hills Ln	ROCKWALL	TX	75087	(309) 310-7379
INSP RPT EMAIL	Brian Llewellyn	1391 Scarsboro Hills Ln	ROCKWALL	TX	75087	(309) 310-7379
BUS OWNER	Brian Llewellyn	1391 Scarsboro Hills Ln	Rockwall	TX	75087	(972) 816-5404

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0004	CO	2670 OBSERVATION TRL 4502-000C-0001-00-0R	0.00	$ 75.00	$ 75.00
1/13/2015	BUSINESS	ROCKWALL TECHNOLOGY PARK			
1/29/2015	ACTIVE	SPECIAL PRODUCTS & MFG. INC.		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	KRT ENTERPRISES	2670 OBSERVATION TRL.	Rockwall	TX	75032	
APPLICANT	ED GRAND - LIENARD	2625 DISCOVERY BLVD.	Rockwall	TX	75032	(972) 771-8851
INSP RPT EMAIL	ED GRAND - LIENARD	2625 DISCOVERY BLVD.	Rockwall	TX	75032	(972) 771-8851
BUS OWNER	ED GRAND - LIENARD	2625 DISCOVERY BLVD.	Rockwall	TX	75032	(972) 771-8851
BUSINESS	SPECIAL PRODUCTS & MFG.					

City of Rockwall

PERMITS ISSUED

For the Period 1/1/2015 thru 1/31/2015

Permit Number	Permit Type	Site Address			
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Subdivision Name		Total Fees	
		Plan Number	Valuation	Total SQFT	Fees Paid
12	Permits Issued from: 1/1/2015	Thru: 1/31/2015	Total Valuation: $ 0.00		
			Total Fees: $ 903.00		
			Total Fees Paid: $ 903.00		

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CALLS BY TYPE - JANUARY 2015

City of Rockwall
The New Horizon

CITY CALLS Situation Type	January #
111 Building fire	1
131 Passenger vehicle fire (cars, pickups, SUV's)	2
143 Grass fire	1
151 Outside rubbish, trash or waste fire	1
154 Dumpster or other outside trash receptacle fire	1
311 Medical assist, assist EMS crew	4
353 Removal of victim(s) from stalled elevator	1
412 Gas leak (natural gas or LPG)	3
440 Electrical wiring/equipment problem, other	1
442 Overheated motor	2
445 Arcing, shorted electrical equipment	2
550 Public service assistance, other	2
551 Assist police or other governmental agency	3
553 Public service	2
556 Public service - Non paged	11
611 Dispatched & canceled en route	1
622 No incident found on arrival at dispatch address	5
651 Smoke scare, odor of smoke	4
700 False alarm or false call, other	1
730 System malfunction, other	1
731 Sprinkler activation due to malfunction	2
733 Smoke detector activation due to malfunction	4
735 Alarm system sounded due to malfunction	3
740 Unintentional transmission of alarm, other	5
741 Sprinkler activation, no fire - unintentional	2
743 Smoke detector activation, no fire - unintentional	6
745 Alarm system activation, no fire - unintentional	8
Totals:	79

COUNTY CALLS Situation Type	January #
111 Building fire	1
113 Cooking fire, confined to container	1
150 OTHER Outside rubbish fire	1
Tota/County	3
FATE	
136 Self-propelled motor home or recreational vehicle	1
Heath	
551 Assist police or other governmental agency	1
Royse City	
143 Grass Fire	1
Total other mutual Aid	3

To: Chief Poindexter
From: BC Merritt
Re: January 2015 Structure Fire Report
Date: February 16, 2015

2010 Industrial Blvd

We responded to a report of a Structure fire on January 21, 2015. The first unit on scene reported heavy black smoke coming from a large overhead door of the business. Firefighters made entry into business and found an electric blower used for inflating a bounce house and a bounce house on fire. The fire was quickly extinguished. The structure did not suffer any damage however due to the large amount of black smoke a significant number of bounce houses that were stored near the fire sustained damage. There were no civilian injuries and one firefighter suffered an injury on this incident.

Dispatch time: 11:28.17
Enroute time: 11:29.08
On scene time: 11:31.20
Clear time: 12:12.09

4 men on scene 11:32
8 men on scene 11:35
12 men on scene 11:38

We had a total of 5 on duty Firefighters, 5 off duty firefighters, 10 Volunteers, 3 Investigators, 2 Chiefs and 4 apparatus on this incident.

CITY RESPONSES
JANUARY 2015

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes		0- 1 1/2 MINUTES	
CRITERIA MET %		CRITERIA MET %	
CRITERIA -ACHIEVE RESPONSE TIME	21 of 24	CRITERIA -ACHIEVE RESPONSE TIME	3 of 4
90% OF TIME IN BOXES WITH	0.88%	60% OF TIME IN BOXES WITH	75%
STATIONS	Criteria not met	STATIONS	Criteria met
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES		0-6 MINUTES	
CRITERIA MET %	21 of 24	CRITERIA MET %	3 of 4
CRITERIA -ACHIEVE RESPONSE TIME	0.88%	CRITERIA -ACHIEVE RESPONSE TIME	75%
90% OF TIME IN BOXES WITH	Criteria not met	60% OF TIME IN BOXES WITH	Criteria Met
STATIONS		STATIONS	
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES		0-7 1/2 MINUTES	
CRITERIA MET%	21 of 24	CRITERIA MET%	3 of 4
CRITERIA -ACHIEVE RESPONSE TIME	0.88%	CRITERIA -ACHIEVE RESPONSE TIME	75%
90% OF TIME IN BOXES WITH	Criteria not met	60% OF TIME IN BOXES WITH	Criteria met
STATIONS		STATIONS	

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COUNTY AND MUTUAL AID
RESPONSE
JANUARY 2015

COUNTY/MUTUAL	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	1 of 3
CRITERIA -ACHIEVE RESPONSE TIME	33%
60% OF TIME IN BOXES WITH	Critiera not met
STATIONS	
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	1 of 3
CRITERIA -ACHIEVE RESPONSE TIME	33%
60% OF TIME IN BOXES WITH	Criteria not met
STATIONS	
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	
CRITERIA MET%	1 of 3
CRITERIA -ACHIEVE RESPONSE TIME	33%
60% OF TIME IN BOXES WITH	Criteria not met
STATIONS	

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Enroute Overages
City Calls
Jan. 2015

VENUE	ALARM DATE	ALARM TIME	ENROUTE TIME	ALARM TO ENROUTE	INC. NUMBER	APPARATUS	STATION	Lights and Sirens	REASON FOR OVERAGES
Rockwall	01/14/2015	00:10:49	00:12:59	0:02:10	2015-00000044	E4	Rockwall 4	Code 3	CAD times don't match radio times

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Arrival Overages
City Calls
Jan 2015

VENUE	ALARM DATE	ENROUTE TIME	ARRIVAL TIME	EROUTE TO ARRIVAL	INC. NUMBER	APPARATUS	STATION	Lights and Sirens	REASON FOR OVERAGES
Rockwall	01/09/2015	19:41:38	19:49:57	0:08:19	2015-00000030	E4	Rockwall 4	Code 3	E 4 was at Station #2
Rockwall	01/08/2015	12:35:54	12:43:54	0:08:00	2015-00000017	E2	Rockwall 2	Code 3	Response to area without station
Rockwall	01/05/2015	10:26:02	10:33:39	0:07:37	2015-00000012	TNK1	Rockwall 1	Code 3	Engine responded from Station 1
Rockwall	01/08/2015	13:05:23	13:12:17	0:06:54	2015-00000019	E2	Rockwall 2	Code 3	Engine slow response due to checking out at restaurant

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Response overages
City Calls
January 2015

VENUE	ALARM DATE	ALARM TIME	ARRIVAL TIME	REPSONSE TIME	INC. NUMBER	APPARATUS	STATION	Lights and Sirens	REASON FOR OVERAGES
Rockwall	01/08/2015	12:34:51	12:43:54	0:09:03	2015-00000017	E2	Rockwall 2	Code 3	Response to area without station
Rockwall	01/09/2015	19:41:00	19:49:57	0:08:57	2015-00000030	E4	Rockwall 4	Code 3	E4 was at Station #2
Rockwall	01/05/2015	10:25:08	10:33:39	0:08:31	2015-00000012	TNK1	Rockwall 1	Code 3	Engine responsded from Station 1
Rockwall	01/08/2015	13:04:31	13:12:17	0:07:46	2015-00000019	E2	Rockwall 2	Code 3	Engine slow response due to checking out at restaurant

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Total Dollar Losses

January 2015

City of Rockwall
The Texas Horizon

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$20,000.00	$0.00	$500.00	$20,000.00	$500.00
Total Content Loss:	$60,000.00	$0.00	$0.00	$60,000.00	$0.00
Total Property Pre-Incident Value:	$300,000.00	$0.00	$0.00	$300,000.00	$0.00
Total Contents Pre-Incident Value	$314,728.00	$0.00	$0.00	$314,728.00	$0.00
Total Losses:	$80,000.00	$.00	$500.00	$80,000.00	$80,000.00
Total Value:	$614,728.00	$.00	$.00	$614,728.00	$.00

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 1/1/2015 thru 1/31/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
CO2015-0001	01/02/15	32	811 YELLOW JACKET 106	MARIA GONZALEZ	Ariana Hargrove	FIRE CO	APPROVED	01/02/15	01/05/15	01/05/15
	CO		SPEEDY MULTISERVICES OFFICE							
BLD2014-190	12/09/14	56	2582 SH 276	SHARP, RICK	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/05/15	01/15/15	01/05/15
	COMM		Sunbelt Rentals - Remodel							
BLD2015-001	01/06/15	28	253 VICTORY LN	LASANCE, RICHARD & SHIRLEY	Ariana Hargrove	FIRE 972-772-6431		01/06/15	01/16/15	
	COMM		15' high retaining wall in creek							
BLD2014-193	12/12/14	53	2455 RIDGE RD 149	ROCKWALL, OCEANHILL LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/07/15	01/17/15	01/07/15
	COMM		WING STOP REMODEL							
BLD2015-002	01/07/15	27	331 County Line Rd.	BUFFALO, CREEK BUSINESS PARK LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/07/15	01/17/15	01/08/15
	COMM		Build wall between two Suites							
BLD2014-163	11/05/14	90	3140 Horizon Rd. 100	ROCKWALL, REGIONAL HOSPITAL LLP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/08/15	01/18/15	01/08/15
	COMM		Spine Team - Interior completion							
CO2015-0002	01/08/15	26	407 Goliad St S D	SLAUGHTER, RICHARD E JR	Ariana Hargrove	FIRE CO	APPROVED	01/08/15	01/11/15	01/13/15
	CO		Crossfit Rockwall							
CO2015-0003	01/08/15	26	6537 Horizon Rd A	ROCKWALL RENTAL PROPERTIES LP	Ariana Hargrove	FIRE CO	APPROVED	01/08/15	01/11/15	01/09/15
	CO		State Farm, Brian Llewellyn Agency							
BLD2015-003	01/12/15	22	302 N SAN JACINTO	PRYOR, BOBBY G	Ariana Hargrove	FIRE 972-772-6431		01/12/15	01/22/15	
	COMM		Pryor & Bruce Law Offices - RE-Roof							
BLD2015-002	01/07/15	27	1400 IH 30	CSIHAR, JAMES J	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	01/13/15	01/17/15	01/16/15
	COMM		Longhorn Brewing - Interior Walls, Finishing, & decor							
CO2015-0004	01/13/15	21	2670 OBSERVATION TRL	KRT ENTERPRISES	Ariana Hargrove	FIRE CO	APPROVED	01/13/15	01/16/15	01/13/15
	CO		SPECIAL PRODUCTS & MFG. INC.							
BLD2014-193	12/12/14	53	1655 SCIENCE PLACE	BELLE, HAVTEX LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/14/15	01/24/15	01/14/15
	COMM		L-COMMUNICATIONS RENOVATION							
PLB2015-001	01/14/15	20	108 ALTHEA RD	INGRAM, CHRISTY RENEE	Ariana Hargrove	FIRE 972-772-6431		01/14/15	01/24/15	
	COMM		DOUBLE CHECK FOR CHRISTY'S DAYCARE							
CO2015-0005	01/15/15	19	301 N SAN JACINTO	JOY, LUTHERAN CHURCH	Ariana Hargrove	FIRE CO	APPROVED	01/15/15	01/18/15	01/16/15
	CO		Uptown, Downtown Gallery & Studio							
BLD2015-008	01/16/15	18	105 Olive St	R, & S OPERATING CO LP	Ariana Hargrove	FIRE 972-772-6431		01/16/15	01/26/15	
	COMM		Bin 303 - addition enclosing patio & expanding waiting area							
CO2015-0006	01/20/15	14	406 N GOLIAD	ROCKWALL RUSTICS RANCH	Ariana Hargrove	FIRE CO	APPROVED	01/20/15	01/23/15	01/20/15
	CO		ROCKWALL'S RUSTIC RANCH LLC							
CO2015-0007	01/20/15	14	209 RUSK ST. E	HALL, J BLAKELEY	Ariana Hargrove	FIRE CO	APPROVED	01/20/15	01/23/15	01/21/15
	CO		Tucker Roofing Systems							
BLD2015-009	01/21/15	13	1550 AIRPORT RD	CITY, OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431		01/21/15	01/31/15	
	COMM		BATTING CAGES AT TUTTLE FIELD							

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PLAN11

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 1/1/2015 thru 1/31/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2015-009	01/21/15	13	2975 Discovery Blvd	ROCKWALL, ECONOMIC DEVELOPMENT	Ariana Hargrove	FIRE 972-772-6431		01/21/15	01/31/15	
	COMM		Col-Met - Construction Trailer							
CO2015-0008	01/21/15	13	302 S FANNIN ST	DAVID BOHRNSTEDT	Ariana Hargrove	FIRE CO	APPROVED	01/21/15	01/24/15	01/21/15
	CO		DAYSPRING DISCIPLESHIP							
PLB2015-001	01/21/15	13	811 YELLOW JACKET 102	LANDLOW, LLC	Ariana Hargrove	FIRE 972-772-6431		01/21/15	01/31/15	
	COMM		INSTALL OWNER FURNISHED GREASE TRAP							
BLD2015-010	01/22/15	12	1700 Justin Rd		Ariana Hargrove	FIRE 972-772-6431		01/22/15	02/01/15	
	COMM		Channell - Const. Trailer & Restroom							
BLD2014-184	11/26/14	69	1950 ALPHA DR 100	THE, FIVE NINE SEVEN LIMITED PARTNE	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	01/23/15	02/02/15	01/23/15
	CHURCH		Cornerstone Church - interior remodel							
BLD2015-002	01/07/15	27	1400 IH 30	CSIHAR, JAMES J	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/23/15	02/02/15	01/23/15
	COMM		Longhorn Brewing - Interior Walls, Finishing, & decor							
BLD2014-184	11/26/14	69	1950 ALPHA DR 100	THE, FIVE NINE SEVEN LIMITED PARTNE	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/26/15	02/05/15	01/26/15
	CHURCH		Cornerstone Church - interior remodel							
BLD2015-012	01/26/15	8	1102 Ridge Rd A & C	BENBROOKE, RIDGE PARTNERS LP	Ariana Hargrove	FIRE 972-772-6431		01/26/15	02/05/15	
	COMM		Special Effect Embroidry -Create Cased opening in wall							
BLD2015-012	01/26/15	8	1966 RANDOM OAKS DR	WALKER, PHILIP & KATIE C	Ariana Hargrove	FIRE 972-772-6431		01/26/15	02/05/15	
	SINGLE FAMILY		Re-Roof							
SPEC2015-00	01/26/15	8	2935 RIDGE RD	KROGER, TEXAS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	01/26/15	02/02/15	01/26/15
	SPECIAL EVENT		VALENTINE'S DAY TENT							
BLD2015-012	01/27/15	7	2823 Market Center Dr.	CRP/ARROW, ROCKWALL LLC	Ariana Hargrove	FIRE 972-772-6431	DENIED	01/27/15	02/06/15	01/30/15
	COMM		MATHNASIUM							
CO2015-0009	01/30/15	4	2305 SH 276	Connally Squared LLC	Ariana Hargrove	FIRE CO	APPROVED	01/30/15	02/02/15	01/30/15
	CO		Royalty Dance Academy							

CRW SYSTEMS

City of Rockwall
Project Routing Report By Date Sent (then by project)
For the Period 1/1/2015 thru 1/31/2015

Project #	Appl. Date / Project Type	Aging	Address / Description	Status / Owner Name	Plan Review Detail: Contact / Review Type	Date Sent / Date Due	Completed / Status
SP2014-033	12/19/2014 SITE PLAN	46	1245 SH 276		Ariana Hargrove FIRE	01/08/2015 01/15/2015	01/08/2015 APPROVED
CIP2014-007	09/12/2014 CAPITAL IMPROVEMEN	144			Mark Poindexter Engineering: Fire	01/16/2015 01/30/2015	
Z2015-005	01/28/2015 ZONING	6	101 E. Rusk St.		Ariana Hargrove FIRE	01/28/2015 02/04/2015	
E2015-001	01/07/2015 ENGINEERING	27	HWY276		Ariana Hargrove ENG - FIRE	01/07/2015 01/21/2015	01/08/2015 COMMENTS
E2015-002	01/15/2015 ENGINEERING	19	HWY276		Ariana Hargrove ENG - FIRE	01/15/2015 01/29/2015	01/16/2015 APPROVED
E2015-003	01/23/2015 ENGINEERING	11	1280 E RAPLPH HALL PKWY		Ariana Hargrove ENG - FIRE	01/26/2015 02/09/2015	01/30/2015 COMMENTS
P2015-004	01/20/2015 PLAT	14			Ariana Hargrove FIRE	01/20/2015 01/27/2015	01/21/2015 APPROVED
Z2015-001	01/20/2015 ZONING	14	608 WHITE HILLS DR		Ariana Hargrove FIRE	01/20/2015 01/27/2015	
Z2015-002	01/20/2015 ZONING	14	STEGER TOWNE DR		Ariana Hargrove FIRE	01/20/2015 01/27/2015	01/21/2015 APPROVED
Z2015-003	01/20/2015 ZONING	14			Ariana Hargrove FIRE	01/20/2015 01/27/2015	 APPROVED W/ CON

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CRW SYSTEMS

City of Rockwall
Project Routing Report By Date Sent (then by project)
For the Period 1/1/2015 thru 1/31/2015

Project #	Appl. Date / Project Type	Aging	Address / Description	Status / Owner Name	Plan Review Detail: Contact / Review Type	Date Sent / Date Due	Completed / Status
SP2015-001	01/20/2015 SITE PLAN	14	1701 SCIENCE PLACE		Ariana Hargrove FIRE	01/20/2015 01/27/2015	01/21/2015 APPROVED
P2015-001	01/20/2015 PLAT	14	5133 S FM549		Ariana Hargrove FIRE	01/20/2015 01/27/2015	01/21/2015 APPROVED
P2015-002	01/20/2015 PLAT	14	1701 SCIENCE PLACE		Ariana Hargrove FIRE	01/20/2015 01/27/2015	01/21/2015 APPROVED
P2015-003	01/20/2015 PLAT	14			Ariana Hargrove FIRE	01/20/2015 01/27/2015	01/21/2015 COMMENTS
Z2015-004	01/26/2015 ZONING	8	1530 S I30		Ariana Hargrove FIRE	01/26/2015 02/02/2015	
Z2015-006	01/30/2015 ZONING	4	1530 S I30		Ariana Hargrove FIRE	01/30/2015 02/06/2015	

CRW SYSTEMS

Fire Alarms

Date	Address	Common Name	Dispostion Code	CFS Number	Incident Number	Incident ORI	Call Type
01/02/2015 08:02:27	747 E I30	On the Border	FA	170	2015-00000005	TX504	FD - Fire Alarm Commercial
01/05/2015 07:43:55	2936 WILD OAK LN		FA	657	2015-00000010	TX504	FD - Fire Alarm Residential
01/07/2015 20:11:42	2195 CRESTLAKE DR		FA	1130	2015-00000014	TX504	FD - Fire Alarm Residential
01/08/2015 12:33:46	3055 DISCOVERY BLVD	Bimbo Bakeries	FA	1239	2015-00000017	TX504	FD - Fire Alarm Commercial
01/08/2015 13:03:39	2701 SUNSET RIDGE DR	Trend Tower	FA	1243	2015-00000019	TX504	FD - Fire Alarm Commercial
01/08/2015 13:37:37	1309 RIDGE RD		FA	1252	2015-00000020	TX504	FD - Fire Alarm Commercial
01/08/2015 17:21:08	1484 MEMORIAL DR		FA	1301	2015-00000022	TX504	FD - Fire Alarm Residential
01/10/2015 07:03:15	1975 ALPHA DR	Baylor Emergency, Baylor ER	FA	1611	2015-00000032	TX504	FD - Fire Alarm Commercial
01/10/2015 13:30:53	1210 N GOLIAD ST	YMCA	FA	1666	2015-00000034	TX504	FD - Fire Alarm Commercial
01/11/2015 07:46:54	2055 SUMMER LEE DR	Hilton, Hilton Hotel	FA	1770	2015-00000035	TX504	FD - Fire Alarm Commercial
01/11/2015 08:15:55	2055 SUMMER LEE DR	Hilton, Hilton Hotel	FA	1772	2015-00000036	TX504	FD - Fire Alarm Commercial
01/12/2015 18:11:45	851 STEGER TOWNE DR	Lowes	FA	2040	2015-00000039	TX504	FD - Fire Alarm Commercial
01/12/2015 18:49:59	1050 WILLIAMS ST	ISD Admin, Rockwall, Quest Academy, RISD Education Center, Rockwall ISD Administration	FA	2047	2015-00000040	TX504	FD - Fire Alarm Commercial
01/14/2015 00:10:02	720 E RALPH HALL PKWY	Rock Ridge, Rock Ridge Assisted Living, Rock Ridge Assisted Living and Memory Care	FA	2290	2015-00000044	TX504	FD - Fire Alarm Commercial
01/14/2015 13:24:11	500 TURTLE COVE BLVD	Church Ministries, Rockwall Executive Suites, Wallace Homes	FA	2358	2015-00000045	TX504	FD - Fire Alarm Commercial
01/15/2015 15:52:27	1130 E I30	Super 8 Motel	FA	2552	2015-00000046	TX504	FD - Fire Alarm Commercial
01/24/2015 07:51:38	1615 SCIENCE PL	L3	FA	4258	2015-00000063	TX504	FD - Fire Alarm Commercial
01/24/2015 09:21:24	1860 E I30	Floor N More	FA	4266	2015-00000064	TX504	FD - Fire Alarm Commercial
01/24/2015 17:59:14	1470 S JOHN KING BLVD	Mansion Active Adult (Senior)	FA	4342	2015-00000066	TX504	FD - Fire Alarm Residential
01/24/2015 18:00:15	1650 S JOHN KING BLVD	Mansions Family (now Orion on the Lake), Orion at Lake Ray Hubbard	FA	4343	2015-00000067	TX504	FD - Fire Alarm Residential
01/25/2015 12:46:21	800 SAM HOUSTON		FA	4526	2015-00000068	TX504	FD - Fire Alarm Residential
01/28/2015 07:25:58	2935 RIDGE RD	First Convenience Bank (Kroger), Kroger Signature	FA	5030	2015-00000076	TX504	FD - Fire Alarm Commercial
01/29/2015 09:47:47	800 SAM HOUSTON		FA	5246	2015-00000082	TX504	FD - Fire Alarm Residential
01/30/2015 17:21:45	2055 SUMMER LEE DR	Hilton, Hilton Hotel	FA	5514	2015-00000085	TX504	FD - Fire Alarm Commercial
01/31/2015 16:10:37	1477 HICKORY CREEK LN		FA	5706	2015-00000090	TX504	FD - Fire Alarm Residential

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Rockwall Police Department
Harbor District Calls For Service
January 2015

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2015-00003520	01/31/2015	22:44:47	The Harbor	Accident - Minor	Report
2015-00003520	01/31/2015	22:44:47	The Harbor	Accident - Minor	Arrest
2015-00003520	01/31/2015	22:44:47	The Harbor	Accident - Minor	Citation
2015-00001659	01/16/2015	12:43:00	Hilton	Criminal Trespass	No Report
2015-00000244	01/03/2015	20:52:49	Hilton	General Complaint	No Report
2015-00002653	01/24/2015	19:32:02	The Harbor	Investigation	Unable to Locate
2015-00002577	01/24/2015	00:12:41	The Harbor	Investigation	No Report
2015-00002651	01/24/2015	19:28:16	The Harbor	Meet Complainant	No Report
2015-00002809	01/25/2015	22:11:32	Cinemark	Meet Complainant	No Report
2015-00001161	01/11/2015	22:29:14	The Harbor	Missing Person	No Report
2015-00000935	01/09/2015	18:54:24	The Harbor	Suspicious Activity	No Report
2015-00003306	01/30/2015	06:23:00	The Harbor	Suspicious Activity	No Report
2015-00000081	01/02/2015	04:33:13	Hilton	Suspicious Activity	No Report
2015-00002865	01/26/2015	13:20:21	Rocky Mountain Chocolate Factory	Theft	Report
			Common Name		
			The Harbor	9	
			Hilton	3	
			Rocky Mountain Chocolate Factory	1	
			Cinemark	1	
			Total	**14**	

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
JANUARY 2015

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	7	7	0	100%
ADMINISTRATIVE SERVICES	8	8	0	100%
AIRPORT	0	0	0	0%
ANIMAL SERVICES	1	1	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	0	0	0	0%
ENGINEERING	2	2	0	100%
FINANCE	0	0	0	0%
FIRE DEPARTMENT	29	27	2	93%
INTERNAL OPERATIONS	121	121	0	100%
MUNICIPAL COURT	3	3	0	100%
PARKS & RECREATION	17	17	0	100%
PLANNING & ZONING	1	1	0	100%
POLICE DEPARTMENT	16	15	1	94%
PUBLIC WORKS	9	9	0	100%
UTILITY BILLING	0	0	0	0%
TOTAL	214	211	3	98%

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
RADIO SYSTEM
REQUESTS FOR SERVICE
JANUARY 2015

DEPARTMENT	# OF REQUESTS	# OF REQUESTS RESPONDED TO W / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ANIMAL SERVICES	0	0	0	100%
CODE ENFORCEMENT	0	0	0	100%
FIRE DEPARTMENT	4	4	0	100%
INTERNAL OPERATIONS	1	1	0	100%
PARKS & RECREATION	0	0	0	100%
POLICE DEPARTMENT	8	8	0	100%
PUBLIC WORKS	1	1	0	100%
UTILITY BILLING	0	0	0	100%
HEATH DEPT. PUBLIC SAFETY	3	3	0	100%
SYSTEM / SITE	0	0	0	100%
TOTAL	17	17	0	100%

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Airport Operations Report

For Month of January 2015

FUEL SALES

	GALLONS SOLD	GROSS SALES
Jet - A Sales	408.00	$1,660.20
Av-Gas Sales	1,945.80	$9,048.12
TOTAL FUEL SALES	2,353.80	$10,708.32

HANGAR RENTAL REVENUE

Open T Hangar Rental Revenue	$3,076.41
Terminal Office Rental Revenue	$250.00
Enclosed Hangar Rental Revenue	$120.00
North Maintenance Hangar Rental Revenue	$500.00
TOTAL HANGAR RENTALS	$3,946.41

HANGAR OCCUPANCY RATES

	TOTAL HANGARS	QTY RENTABLE	QUANTITY LEASED	OCCUPANCY RATE
Open T Hangars	45	40	32	80.00%
Terminal Office Rentals	1	1	1	100%
Closed Hangar Rentals	1	1	1	100%
Open Hangar Cap Rentals	2	1	1	100%
TOTAL HANGAR OCCUPANCY	49	43	35	81%

Of the forty five hangars only forty can actually be rented. Most of these forty should be considered substandard and not easily marketed due to pad slope and width, electrical, and drainage issues.

CITY FEES DUE	FEE RATE	FRANCHISE FEE DUE	FUEL FLOWAGE FEES DUE	TOTAL FEES DUE
Fuel Sales (Gallons Sold)	$0.10	$0.00	$235.38	$235.38
City Owned Hangar Rentals	5.00%	$197.32		$0.00
TOTAL FEES DUE		$197.32	$235.38	$432.70

I certify the information and amounts submitted on this form are true and correct.

Todd Parks
Managing Director - Texas Air Center, LLC

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Rockwall Police Department

Monthly Activity Report

January-2015

ACTIVITY	CURRENT MONTH JANUARY	PREVIOUS MONTH DECEMBER	YTD 2015	YTD 2014	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	0	0.00%
Sexual Assault	0	1	0	0	0.00%
Robbery	4	0	4	0	400.00%
Aggravated Assault	2	1	2	3	-33.33%
Burglary	4	3	4	6	-33.33%
Larceny	49	59	49	70	-30.00%
Motor Vehicle Theft	1	11	1	4	-75.00%
TOTAL PART I	**60**	**75**	**60**	**83**	**-27.71%**
TOTAL PART II	**132**	**169**	**132**	**134**	**-1.49%**
TOTAL OFFENSES	**192**	**244**	**192**	**217**	**-11.52%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	9	23	9	15	-40.00%
D.W.I.	12	18	12	21	-42.86%
TEEN CURFEW	1	0	1	1	0.00%
ARRESTS					
FELONY	21	19	21	20	5.00%
MISDEMEANOR	48	86	48	65	-26.15%
WARRANT ARREST	32	27	32	33	-3.03%
JUVENILE	1	2	1	9	-88.89%
TOTAL ARRESTS	**102**	**134**	**102**	**127**	**-19.69%**
DISPATCH					
CALLS FOR SERVICE	1444	1459	1444	1354	6.65%
ACCIDENTS					
INJURY	9	13	9	11	-18.18%
(INJURIES)	11	15	11	19	-42.11%
NON-INJURY	56	46	56	49	14.29%
FATALITY	0	0	0	0	0.00%
(FATALITIES)	0	0	0	0	0.00%
TOTAL	**65**	**59**	**65**	**60**	**8.33%**
FALSE ALARMS					
RESIDENT ALARMS	58	62	58	55	5.45%
BUSINESS ALARMS	116	124	116	128	-9.38%
TOTAL FALSE ALARMS	**174**	**186**	**174**	**183**	**-4.92%**
Estimated Lost Hours	**114.84**	**122.76**	**114.84**	**120.78**	**-4.92%**
Estimated Cost	**$2,731.80**	**$2,920.20**	**$2,731.80**	**$2,873.10**	**-4.92%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**6**
Arrests	**3**
Arrest Warrants	
Search Warrants	
Seized	
Stolen Vehicle	1
Methamphetamine	181.4 grams

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Rockwall Police Department
Dispatch and Response Times
January 2015

Police Department

	Average Response Time	
Priority 1		Number of Calls **113**
Call to Dispatch	0:00:32	
Call to Arrival	0:04:35	
% over 7 minutes	17%	
Priority 2	**Average Response Time**	Number of Calls **252**
Call to Dispatch	0:01:01	
Call to Arrival	0:06:36	
% over 7 minutes	36%	
Priority 3	**Average Response Time**	Number of Calls **10**
Call to Dispatch	0:01:02	
Call to Arrival	0:05:33	
% over 7 minutes	30%	
***Priority 4**		Number of Calls **1062**
****Priority 5**		Number of Calls **7**

*Priority 4 call averages are not given because they are calls that do not require an immediate response by police.
**Priority 5 calls are incidents that officers initiate themselves therefore response times are not calculated.

Average dispatch response time goals are as follows:
Priority 1: 30 Seconds
Priority 2: 45 Seconds
Priority 3: 1 Minute

Fire Department

	Average Response Time	
Call to Dispatch	0:00:14	Number of Calls **88**
Call to Arrival	0:06:50	

Overages

Incident No.	Date	Time Rec'd	Call Type	Time Disp	Resp Time	Reason
2015-61	1/23/2015	17:14:50	Medical Emergency	17:15:52	0:01:02	Non-emergency lift assist
2015-67	1/24/2015	18:01:56	Fire Alarm Residential	18:04:38	0:02:42	Trainee learning fire dispatch

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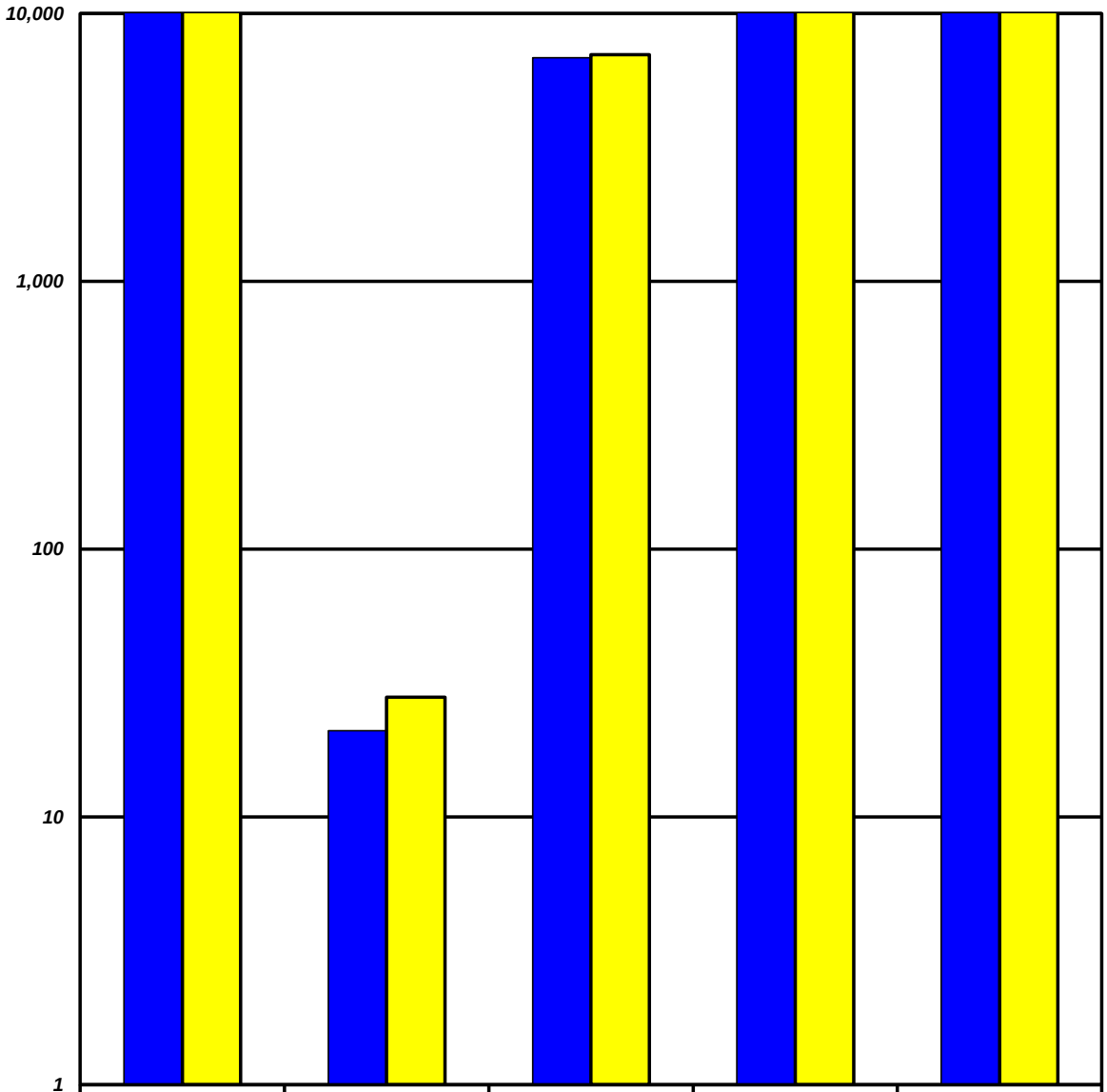
City of Rockwall
Parks and Recreation Department
FY15 January Report



	The Center Facility Usage	Average Participation per Hour	Ongoing Activities Attendance	The Center Facility Rental Revenue	Program Revenue
FY15 YTD	21,655	21	6,843	$12,756	$36,895
FY14 YTD	29,082	28	7,034	$11,338	$35,910

The Center Facility Usage - Total number of visitors and participants that come thru The Center - includes Ongoing Activities.
Average Participation per Hour - The Center Facility Usage divided by the number of hours the facility is open.
Ongoing Activities Attendance - Non fee based activities conducted on a routine basis (Bingo, Exercise with Anita, etc).

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Rockwall Animal Adoption Center Monthly Report
CCHS at Rockwall
January 2015

DISPOSITION REPORT

	January
Intakes	138
1045	2
Adopted	73
Returned to Owner	31
Rescued	20
Euthanized	7
Live Outcome %	**93%**
Number of Animals in Foster	3

FINANCIAL REPORT

Income	**January**
City of Rockwall	$0
Adoption Fee Income	$5,650
Impound Fee Income	$1,100
Owner Surrender	$795
General Donations	$3,177
Merchandise Sales	$0
Medical	$190
Quarantine Fee	$180
Total Income	**$11,092**

Expenses	**January**
Administrative Expenses (Payroll, etc)	$36,457
Shelter Expenses (Microchips, Drugs, etc)	$7,251
Veterinary Expenses	$1,512
Professional Services	$1,389
Training	$0
Total Expenses	**$46,518**
Balance	**-$35,426**

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Table of Contents

Agenda 4

Police Department (Re)Recognition - Texas Police Chiefs Association Best Practices

PD recognition memo 9

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Consider approval of the minutes from the March 2, 2015 regular city council meeting, and take any action necessary.

03-02-15 CC Mins 11

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Consider approval of an ordinance for a City initiated request for the purpose of designating the Historic Downtown Courthouse as a Local Landmark per the designation procedures stipulated by Section 6.2, Historic Overlay (HO) District, of the Unified Development Code, being a 0.918-acre parcel of land identified as Rockwall O T Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 101 E. Rusk Street, and take any action necessary. (2nd Reading)

Ord_2nd Reading (courthouse) 23

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P2015-007 - Consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of D. R. Horton 3. Homes for the approval of a replat of Lakeview Summit, Phase IV for the purpose of reducing the number of single-family residential lots from 97 to 93 for a 38.056-acre subdivision currently composed of 97 single-family residential lots situated within the J. H. B. Jones Survey, Abstract No. 124 and the Nathan Butler Survey, Abstract No. 21, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 29 (PD-29) for Single-Family 10 (SF-10) District land uses, located north of the intersection of Petaluma Drive and N. Lakeshore Drive, and take any action necessary.

P2015-007 28

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Z2015-003 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Cole Franklin of the Skorburg Company on behalf of the owner Larry Hance for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 7 (SF-7) and General Retail (GR) District land uses for a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King Boulevard, and take any action necessary. (1st reading) [Requested Postponement to the April 6, 2015 Planning and Zoning Commission Meeting].

Z2015-003 34

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Z2015-007 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Kevin Carr of GearHeads Hot Rod Garage for the approval of a Specific Use Permit (SUP) to allow truck rental in conjunction with an existing minor automotive repair garage on a two (2) acre tract of land identified as Tract 23-01 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 3920 E. IH-30, and take any action necessary. (1st reading)

Z2015-007 37

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Z2015-008 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Herman Douglas Utley for a zoning change from an Agricultural (AG) District to a Single Family Estate 2.0 (SFE-2.0) District for a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass (SH-205 BY OV) District, addressed as 1815 E. Quail Road, and take any action necessary. (1st reading)

Z2015-008 50

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Z2015-009 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Chris and Jill Blasé for a Specific Use Permit (SUP) for a detached garage that does not conform to the requirements as stipulated by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code for a 4.05-acre parcel of land identified as Lot 1, Block 1, Blasé Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, addressed as 1220 East Fork Drive, and take any action necessary. (1st reading)

Z2015-009 65

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Z2015-010 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Noah Flabiano of the Skorburg Company for a zoning change from Planned Development District 70 (PD-70) for limited commercial/retail land uses to a Planned Development District for townhomes on a 10.142-acre tract of land being identified as a portion of a larger 164.812-acre tract of land identified as Tract 3 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 70 (PD-70), situated within the North SH-205 Overlay (N-SH205 OV) District, generally located at the northeast corner of the intersection of E. Quail Run Road and N. Goliad Street [N. SH-205], and take any action necessary. (1st reading) [Requested Postponement to the April 6, 2015 City Council Meeting].

Z2015-010 82

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SP2015-003 - Discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects on behalf of the owner Dr. Umar Burney of the North Dallas Rockwall Land Investors, LLC for the approval of certain variances in association with a site plan for a medical office building on a 1.6121-acre tract of land identified as Lot 2, Block A, Ridge/Summer Lee Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9), situated within the Scenic Overlay (SOV) District, located east of the intersection Ridge Road and Summer Lee Drive, and take any action necessary.

SP2015-003 85

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SP2015-004 - Discuss and consider a request by Jimmy Strohmeyer of Stohmeyer Architects on behalf of the owner Russell Phillips for the approval of a waiver to Planned Development District 32 (PD-32) [Ordinance No. 10-28] and variances to the building material requirements stipulated by the Unified Development Code in conjunction with a site plan for a 265 unit, condo development situated on a 7.58-acre tract of land identified as Lots 6A, 7A & 8A, Isaac Brown Addition, and a portion of Lots 3 & 4, Block 16 and Lot 4, Block 18, Moton Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Interior Subdistrict of PD-32, located south of the intersection of Summer Lee Drive and Sunset Ridge Drive, and take any action necessary.

SP2015-004 93

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AGENDA
ROCKWALL CITY COUNCIL
Monday, March 16, 2015
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the position of Chief of Police pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding possible claim or settlement agreement related to enforcing the city's sign ordinance regarding a billboard pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding Gary Jackson vs. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding appointments to the Board of Adjustments (city regulatory board) pursuant to Section 551.074 (Personnel Matters)

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, March 16, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRUITT

VII. PROCLAMATIONS / AWARDS

p.9 **1.** Police Department (Re)Recognition - Texas Police Chiefs Association Best Practices

VIII. CONSENT AGENDA

p.11 **1.** Consider approval of the minutes from the March 2, 2015 regular city council meeting, and take any action necessary.

p.23 **2.** Consider approval of an **ordinance** for a City initiated request for the purpose of designating the Historic Downtown Courthouse as a Local Landmark per the designation procedures stipulated by Section 6.2, Historic Overlay (HO) District, of the Unified Development Code, being a 0.918-acre parcel of land identified as Rockwall O T Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 101 E. Rusk Street, and take any action necessary. **(2nd Reading)**

p.28 **3.** **P2015-007** - Consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of D. R. Horton 3. Homes for the approval of a replat of Lakeview Summit, Phase IV for the purpose of reducing the number of single-family residential lots from 97 to 93 for a 38.056-acre subdivision currently composed of 97 single-family residential lots situated within the J. H. B. Jones Survey, Abstract No. 124 and the Nathan Butler Survey, Abstract No. 21, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 29 (PD-29) for Single-Family 10 (SF-10) District land uses, located north of the intersection of Petaluma Drive and N. Lakeshore Drive, and take any action necessary.

IX. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

X. PUBLIC HEARING ITEMS

p.34 **1.** **Z2015-003** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Cole Franklin of the Skorburg Company on behalf of the owner Larry Hance for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 7 (SF-7) and General Retail (GR) District land uses for a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King Boulevard, and take any action necessary. (1st reading) ***[Requested Postponement to the April 6, 2015 Planning and Zoning Commission Meeting].***

p.37 **2.** **Z2015-007** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Kevin Carr of GearHeads Hot Rod Garage for the approval of a Specific Use Permit (SUP) to allow truck rental in conjunction with an existing minor automotive repair garage on a two (2) acre tract of land identified as Tract 23-01 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 3920 E. IH-30, and take any action necessary. **(1st reading)**

p.50 **3.** **Z2015-008** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Herman Douglas Utley for a zoning change from an Agricultural (AG) District to a Single Family Estate 2.0 (SFE-2.0) District for a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass (SH-205 BY OV) District, addressed as 1815 E. Quail Road, and take any action necessary. **(1st reading)**

p.65 **4.** **Z2015-009** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Chris and Jill Blasé for a Specific Use Permit (SUP) for a detached garage that does not conform to the requirements as stipulated by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code for a 4.05-acre parcel of land identified as Lot 1, Block 1, Blasé Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, addressed as 1220 East Fork Drive, and take any action necessary. **(1st reading)**

p.82 ***5.*** **Z2015-010** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Noah Flabiano of the Skorburg Company for a zoning change from Planned Development District 70 (PD-70) for limited commercial/retail land uses to a Planned Development District for townhomes on a 10.142-acre tract of land being identified as a portion of a larger 164.812-acre tract of land identified as Tract 3 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 70 (PD-70), situated within the North SH-205 Overlay (N-SH205 OV) District, generally located at the northeast corner of the intersection of E. Quail Run Road and N. Goliad Street [N. SH-205], and take any action necessary. (1st reading) ***[Requested Postponement to the April 6, 2015 City Council Meeting].***

XI. ACTION ITEMS

p.85 **1.** **SP2015-003** - Discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects on behalf of the owner Dr. Umar Burney of the North Dallas Rockwall Land Investors, LLC for the approval of certain variances in association with a site plan for a medical office building on a 1.6121-acre tract of land identified as Lot 2, Block A, Ridge/Summer Lee Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9), situated within the Scenic Overlay (SOV) District, located east of the intersection Ridge Road and Summer Lee Drive, and take any action necessary.

p.93 **2.** **SP2015-004** - Discuss and consider a request by Jimmy Strohmeyer of Stohmeyer Architects on behalf of the owner Russell Phillips for the approval of a waiver to Planned Development District 32 (PD-32) [Ordinance No. 10-28] and variances to the building material requirements stipulated by the Unified Development Code in conjunction with a site plan for a 265 unit, condo development situated on a 7.58-acre tract of land identified as Lots 6A, 7A & 8A, Isaac Brown Addition, and a portion of Lots 3 & 4, Block 16 and Lot 4, Block 18, Moton Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Interior Subdistrict of PD-32, located south of the intersection of Summer Lee Drive and Sunset Ridge Drive, and take any action necessary.

XII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the position of Chief of Police pursuant to Section 551.074 (Personnel Matters)

2. Discussion regarding possible claim or settlement agreement related to enforcing the city's sign ordinance regarding a billboard pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding Gary Jackson vs. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding appointments to the Board of Adjustments (city regulatory board) pursuant to Section 551.074 (Personnel Matters)
5. Discussion regarding City Manager performance evaluation pursuant to Section, § 551.074 (Personnel Matters).

XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XIV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 13th day of March, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mark Moeller, Chief of Police**

DATE: **March 9, 2015**

SUBJECT: **Police Department Attains "Re-Recognized" Status**

The Texas Police Chiefs Association Recognition Program is a voluntary process where police agencies in Texas prove their compliance with law enforcement's current Best Practices. Several member police chiefs of the TPCA developed this program several years ago to assist Texas agencies in meeting their professional obligations to their citizens. The committee also conducts the final review of an agency's efforts and awards the "Recognized" status.

Being "Recognized" means that the agency meets or exceeds all of the identified Best Practices, which cover every aspect of law enforcement from pursuits, use of force, protection of citizen rights, evidence and property management, and other patrol and investigative operations. This "Recognized" status ensures that an agency has carefully planned for these critical issues, has developed policies and procedures to address them, as well as put systems in place to identify and correct problems.

Police officers exercise government's highest powers – the power to stop and question an individual; the power to arrest and seize a person and his property; and the power to use force, including deadly force, in that process. Police agencies direct and control an officer's activity through supervision, training, and written policies and procedures. Since supervisors cannot always be present, officers often operate alone. This means training and policies, along with the appropriate equipment, are even more critical to ensure proper performance.

The Recognition Program assures city management and citizens that their Police Department is operating within the best practices of law enforcement. After becoming "Recognized" an agency must submit annual reports to ensure continued compliance with all standards. After four years the review process of our policies, the on-site visit to inspect equipment and facilities, interviews of staff, and proof of compliance in all areas is repeated.

We were initially "Recognized" in March, 2011. We were approved for "Re-Recognized" status by the committee on March 2, 2015.

A member of the committee will make a public presentation of our Certificate of Re-Recognition at the March 16, 2015, City Council meeting. I would like to request this presentation be scheduled in the Proclamations/Awards segment of our meeting.

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MINUTES
ROCKWALL CITY COUNCIL
Monday, March 02, 2015
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dennis Lewis and City Council Member David White, Mike Townsend, John Hohenshelt, Scott Milder, and Bennie Daniels. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and legal counsel Patrick Lindner. Mayor Pruitt read the below listed discussion items into the record before recessing the public meeting to go into Executive Session.

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding proposed Development Agreement with Lakefront Trail Rockwall Hotel pursuant to Section 551.071 (Consultation with Attorney).
2. Discussion regarding possible claim or settlement agreement related to enforcing the city's sign ordinance regarding a billboard pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding Rockwall Harbor Landing, Inc. vs. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding right-of-way land acquisition located near Justin Road and John King Blvd. pursuant to Section 551.072 (Real Property) and status of Temunovic condemnation proceeding pursuant to Section 551.071 (Consultation with Attorney).
5. Discussion regarding Economic Development prospects and potential incentive agreement pursuant to Section 551.087 (Economic Development)
6. Discussion regarding the position of Chief of Police pursuant to Section 551.074 (Personnel Matters)

III. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:00 p.m.

IV. RECONVENE PUBLIC MEETING

Mayor Pruitt reconvened the public meeting at 6:00 p.m.

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Lewis made a motion to authorize the city manager to finalize and sign the agreement between the City of Rockwall and Lakepointe Trail Rockwall Hotel, LP related to construction and operation of a hotel on an approximately 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall related to the rebate of city hotel occupancy taxes provided, however, this approval and authorization is subject to council's approval of items Z2014-040 and SP2014-034. Councilmember White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER HOHENSHELT

Councilmember Hohenshelt delivered the invocation and led the Pledge of Allegiance.

VII. PROCLAMATIONS / AWARDS

1. Severe Weather Awareness Week

Mayor Pruitt invited Rockwall County Emergency Management Coordinator, Joe DeLane, to come forth. He then read the proclamation and asked Mr. DeLane if he would like to say a few words. Mr. DeLane shared that the National Weather Service will be hosting a Storm Spotter training class on Saturday, March 7 that is free to the public and will be held at the Rockwall County Library. He encouraged the public to attend.

VIII. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth and speak during this time. There being no one indicating such, Mayor Pruitt then closed Open Forum.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the February 16, 2015 regular city council meeting, and take any action necessary.

2. Consider approval of a resolution for the naming of the neighborhood park located with the Stone Creek subdivision, and take any action necessary.

3. Consider approval of a resolution for the naming of the neighborhood park located with the Breezy Hill subdivision, and take any action necessary.

4. **Z2015-001** - Consider approval of an **ordinance** for a request by James Jackson of Jackson Automotive for the approval of a Specific Use Permit to allow for automotive vehicles to be stored outside overnight in conjunction with an existing minor automotive repair garage on a 0.88-acre parcel of land identified as Lot 2B-2, Block A, Panex LTD Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located at 608 White Hills Drive, and take any action necessary. **(2nd reading)**

5. **Z2015-002** - Consider approval of an **ordinance** for a request by Lawrence H. Ringley of Ringley & Associates, Inc. on behalf of Jill Fisher of Steger Dunhill, LLC for the approval of a Specific Use Permit to allow an automobile rental facility on a 0.215-acre portion of a larger 4.218-acre parcel of land identified as Lot 3, Block A, Steger Towne Crossing, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located at 898 Steger Towne Drive, and take any action necessary. **(2nd reading)**

6. Consider approval of a resolution establishing the pro rata equipment fee related to the City's mandatory neighborhood park land dedication regulations and take any action necessary.

7. Consider approval of a resolution regarding the cost per acre related to the City's mandatory neighborhood park land dedication regulations and take any action necessary.

8. **P2015-005** - Consider a request by Harold Fetty of H. D. Fetty Land Surveyor, LLC on behalf of the owner Andrea Holliman for the approval of a replat for Lot 1, Block A, Hoardstroms Addition being a 0.47-acre tract of land identified as a portion of Lot 1 of the W. D. Austin Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 904 N. Goliad Street, and take any action necessary.

9. **P2015-006** - Consider a request by Harold Fetty of H. D. Fetty Land Surveyor, LLC on behalf of the owners Chris and Jill Blasé for the approval of a replat for Lot 3, Block A, Blasé Addition being a 4.28-acre tract of land currently identified as Lot 3, Block A, Blasé Addition and a portion of Tract 11-3 of the A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, addressed as 1220 East Fork Drive, and take any action necessary.

10. Consider authorizing the city manager to execute a contract with MHS Planning and Design for the Stone Creek Neighborhood Park construction plans in the amount of $71,200 to be funded from fees collected from developer contributions in accordance with the Mandatory Neighborhood Park Land Dedication ordinance and take any action necessary.

11. Consider approval of a professional engineering services contract with Birkhoff, Hendricks & Carter, LLP. for the Wastewater Flow Monitoring Study in the amount of $285,800.00 to be funded from Revenue Bonds, and take any action necessary.

12. Consider approval of a resolution authorizing the city manager to apply for and accept grant funding from the Violent Crimes Against Women (VCAW) Grant Program through the Criminal Justice Division of the Governor’s Office for continuation of a previously received grant associated with the Domestic Violence Investigator / Prevention Officer, and take any action necessary.

Councilmember Milder requested to pull item #11 for further discussion. Councilmember Townsend then made a motion to approve the remaining Consent Agenda Items (#1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 12). Councilmember Daniels seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-06
SPECIFIC USE PERMIT NO. S-132

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) ALLOWING FOR VEHICLES TO BE STORED OUTSIDE OVERNIGHT IN CONJUNCTION WITH AN EXISTING AUTOMOTIVE REPAIR GARAGE, MINOR WITHIN A COMMERCIAL (C) DISTRICT, BEING A 0.88-ACRE PARCEL OF LAND IDENTIFIED AS LOT 2B-2, BLOCK A, PANEX LTD ADDITION, AND GENERALLY LOCATED AT 608 WHITE HILLS DRIVE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DEPICTED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 15-07
SPECIFIC USE PERMIT NO. S-133

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) ALLOWING FOR AN AUTOMOBILE RENTAL FACILITY, WITHIN A COMMERCIAL (C) DISTRICT, BEING A 0.215-ACRE PORTION OF A LARGER 4.218-ACRE PARCEL OF LAND IDENTIFIED AS LOT 3, BLOCK A, STEGER TOWNE CROSSING, PHASE 1 ADDITION, AND GENERALLY LOCATED AT 898 STEGER TOWNE DRIVE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of council (7 ayes to 0 nays).

Regarding Consent Agenda item #11, Councilmember Milder expressed concern about this large of an expenditure amount being placed on Consent for approval. He asked for some clarification regarding the expenditure. City Engineer Tim Tumulty indicated that this expense is related to hiring a consultant and sub-consultant to install thirty-eight meters within the sanitary sewer storm system, meters that will stay in place for forty-five (45) days. As it rains, these meters will help monitor what is really getting into the sanitary sewer system. The data will be plugged into a model, and the Environmental

Protection Agency (EPA) and the Texas Commission on Environmental Quality (TCEQ) will be for this information any time they look at a city's sewer system. Mr. Crowley indicated that the money to fund this item will be taken out of revenue bonds.

Councilmember White made a motion to approve Consent Agenda item #11. Councilmember Milder seconded the motion, which passed by a vote of 7 ayes to 0 nays.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Chairman of the Planning and Zoning Commission, Craig Renfro, came forth and provided brief information concerning recommendations of the Commission relative to items on tonight's city council meeting agenda. The Council took no action concerning this appointment item.

2. Appointment with representatives of Republic Waste to make presentation of annual downtown improvement fund donation, and take any action necessary.

Rick Bernas
Republic Services / Allied Waste
171 Pelican Cove Drive
Rockwall, TX

Mr. Bernas indicated that Republic is making two donations to the city this year. One check is money that will go toward the downtown project, and the second one is for a scholarship program that has been ongoing for many years. He stated that, over the years, more than $120,000 has been donated to the city. Tonight, they are donating $12,000 to the City of Rockwall.

The council accepted the check and thanked the company for what it does for the city. No action was taken.

XI. PUBLIC HEARING ITEMS

1. **Z2015-003** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Cole Franklin of the Skorburg Company on behalf of the owner Larry Hance for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 7 (SF-7) District land uses for a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King Boulevard, and take any action necessary. **(1st Reading) -** ***[Postponed to the March 16, 2015 City Council Meeting]***

Mayor Pruitt announced that the applicant for this item has requested postponement until the March 16, 2015 city council meeting. No discussion took place, and no action was taken.

2. **Z2015-005** - Hold a public hearing to discuss and consider approval of an **ordinance** for a City initiated request for the purpose of designating the Historic Downtown Courthouse as a Local Landmark per the designation procedures stipulated by Section 6.2, Historic Overlay (HO) District, of the Unified Development Code, being a 0.918-acre parcel of land identified as Rockwall O T Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 101 E. Rusk Street, and take any action necessary. **(1st Reading)**

Planning Director, Robert LaCroix, provided background information related to this agenda item. He indicated that the city is bringing forth this item for consideration on behalf of the city's Historic Preservation Advisory Board. It is related to designating the courthouse on the historic downtown square as a local landmark property. City staff has received positive support for this designation from the Rockwall County Historic Foundation, the Rockwall County Historic Commission and the Rockwall County Commissioners Court. The ultimate goal will be to seek entry of the courthouse into the National Registry. He explained that this designation will, in essence, result in a zoning change. One-hundred and fifty-five notices were sent out to property owners located within 500' of the subject property. Six notices were received back in favor of the request. Also, the Planning & Zoning Commission has unanimously recommended approval of this request.

Mayor Pruitt asked if there are other properties that are designated as historic in the area. Mr. LaCroix explained that there are about eight properties in and around the area that are also designated as historic.

Councilmember Townsend asked if this designation will inhibit any future updates to the courthouse. Mr. LaCroix generally indicated that, no, this would not be inhibited.

Mayor Pro Tem Lewis asked for clarification regarding if approval of this item will result in any additional restrictions. Mr. LaCroix indicated that, no, it will not result in any more restrictions beyond those that may already be in place. He indicated that the Rockwall courthouse, like most all other courthouses in Texas, have to go through the Texas Historic Commission for approval of various things. Those rules were already in place, and approval of this designation this evening will not result in any further rules.

Mayor Pruitt opened the public hearing and asked if anyone would like to come forth and speak. There being no one indicating such, Mayor Pruitt then closed the public hearing.

Councilmember Milder made a motion to approve Z2015-005. Councilmember White seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. O4-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING BY IN ACCORDANCE WITH THE PROCEDURES OF ARTICLE V, SECTION 6.2 HISTORIC OVERLAY DISTRICT FOR THE PURPOSE OF DESIGNATING A LANDMARK DISTRICT ON PROPERTY KNOWN AS THE HISTORIC DOWNTOWN COURTHOUSE, BEING A 0.918-ACRE PARCEL OF LAND IDENTIFIED AS ROCKWALL O T ADDITION, AND LOCATED AT 101 EAST RUSK STREET, AND MORE SPECIFICALLY DEPICTED IN

EXHIBIT 'A' AND EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

XII. ACTION ITEMS

1. **Z2015-004** - Discuss and consider approval of an **ordinance** for a request by Zack Amick of Gordon Rockwall Investments, LLC on behalf of Keith Young for the purpose of amending Specific Use Permit (SUP) S-107 to allow for a new car dealership on a ten (10) acre tract of land identified as Tract 4-02 and Tract 4 of the N. M. Ballard Survey, Abstract No. 24 and the A. Hanna Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Corridor Overlay (IH-30 OV) District, addressed as 1530 E. IH-30, and take any action necessary. **(2nd reading)**

Councilmember White made a motion to approve Z2015-004. Councilmember Townsend seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-07
SPECIFIC USE PERMIT NO. S-133

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) ALLOWING FOR AN AUTOMOBILE RENTAL FACILITY, WITHIN A COMMERCIAL (C) DISTRICT, BEING A 0.215-ACRE PORTION OF A LARGER 4.218-ACRE PARCEL OF LAND IDENTIFIED AS LOT 3, BLOCK A, STEGER TOWNE CROSSING, PHASE 1 ADDITION, AND GENERALLY LOCATED AT 898 STEGER TOWNE DRIVE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

Mayor Pruitt indicated that he was opposed to this item upon first reading. He expressed that he believes this location is located within an important corridor along IH-30, and he is not comfortable with it being placed so near to the other two car dealerships in the area. He believes car dealerships in this area should be more spread out.

The motion passed by a vote of 5 ayes to 2 nays (Pruitt and Milder).

2. **Z2014-040** - Discuss and consider approval of an **ordinance** for a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of a Specific

Use Permit (SUP) for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary. **(2nd Reading)**

Mayor Pro Tem Lewis made a motion to approve Z2014-040. Councilmember White seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-08
SPECIFIC USE PERMIT NO. S-134

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A HOTEL WITHIN PLANNED DEVELOPMENT DISTRICT 32 (PD-32), FOR A 2.968-ACRE LOT, CONTAINING TWO (2) PARCELS OF LAND IDENTIFIED AS LOT 3A, BLOCK A, SHORELINE PLAZA ADDITION (1.824-ACRES) AND LOT 1-1, BLOCK A, HENRY AFRICA ADDITION (1.143-ACRES), CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of council (7 ayes to 0 nays).

3. **SP2014-034** - Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of waivers to Planned Development District 32 (PD-32) [Ordinance No. 10-21] and variances to the Unified Development Code associated with a site plan for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary.

Planning Director Robert LaCroix provided background information related to this agenda item, indicating that the applicant is asking for certain waivers and variances related to building placement, landscape requirements, parking setback requirements, parking garage design standards, and an increased building height.

Regarding the variances, these are standard variances to the Unified Development Code on things like building materials and masonry requirements. The applicant would like to put stone on the building, but it is a cultured stone with a limestone base. The stone looks very good, and it looks very similar to real stone. It is the same type of material

that was utilized on the Trend Tower. In addition, the applicant would like to utilize an efface type material on the remainder of the building. It is a product that would be applied in a three-part process. It is the same sort of higher grade efface material that was utilized on the Hilton Hotel. Mr. LaCroix went on to explain that the applicant would like to utilize alternative type trees that will be more of accent trees in lieu of canopy type trees.

The Planning & Zoning Commission has recommended approval of these waivers and variances by a vote of 6 in favor with 1 against. The one dissenting vote pertained to concerns surrounding the alternative tree mitigation plan.

Mr. Tom Kirkland, applicant, came forth and addressed the council. He explained that this particular site location presents several challenges related to development. For example, the need to have only surface level parking for, not only the hotel guests but also for the meeting space visitors, has posed challenges. He explained that regarding the building materials, a Tuscan type stone cladding will be utilized with a three part application process. Regarding the request related to tree mitigation, he explained that requiring canopy type trees would negatively impact the surface level parking availability by limiting the number of spaces. So, he is requesting to plant some alternative type trees that are smaller in size. The site will be heavily landscaped, though, he explained.

Mayor Pruitt asked for clarification regarding the parking lot that comes from the Oar House. He asked if there is a requirement for that parking lot to adjoin with the parking lot on the hotel site. Mr. LaCroix explained that the applicant could include 'cross access' to the adjacent property (owned by Mr. Clements), and the council could require this. However, he explained that the existing plat on Mr. Clement's property does not show any sort of 'cross access' between it and the adjacent property on which the hotel will be located. This would have to be a mutual agreement between Mr. Clements and the applicant.

Councilmember Milder made a motion to approve SP2014-034. Councilmember Daniels seconded the motion. The motion passed by a vote of 7 ayes to 0 nays.

4. Discuss and consider a request from Mrs. Brandi Lewellwn with Sign Mart representing At Waters Edge for a setback variance for a monument sign located at 204 N Fannin St, and take any action necessary.

Building Official Jeffrey Widmer provided brief background information related to this agenda item. He generally explained that the applicant is making this request because placement of a sign in front of the building poses challenges related to the city's set back requirements due to the fact the 'front yard' is not very deep.

Mayor Pro Tem Lewis made a motion to approve the variance request associated with a monument sign at 204 N. Fannin Street. Councilmember Townsend seconded the motion, which passed unanimously of council present.

5. Discuss and consider authorizing the city manager to enter into an agreement with the Texas Parks and Recreation Foundation regarding future park land located within the Breezy Hill development, and take any action necessary.

Assistant City Manager Brad Griggs explained that the developer is prepared to dedicate the park land (11 acres) in accordance with the city's mandatory parkland dedication regulations. In addition, 19 acres will be donated to the city as open space (mainly heavily treed). He explained that the grant application is not until March 31. A Phase 1 environmental study (about $9500) is required on all three parcels that will be dedicated. There will also be a $300 annual fee on the property to the Foundation to manage the asset. This action would place the land in a trust for parks and wildlife grants.

Councilmember Townsend authorized the city manager to enter into an agreement with the Texas Parks and Recreation Foundation regarding future park land located within the Breezy Hill development. Councilmember Hohenshelt seconded the motion, which passed unanimously of council (7 ayes to 0 nays).

6. Discuss and consider approval of a resolution supporting an application for assistance from the Texas Recreation Parks Account Program through the Texas Parks and Wildlife Department, authorizing the City Manager to enter into a contract with MHS Planning and Design for grant application submittal for the neighborhood park within Breezy Hill and take any action necessary.

Mr. Griggs indicated that this item corresponds to Action Item #5 and is related to a grant application which has a deadline of March 31. He explained that the city should know something regarding approval of its application and receipt of the grant sometime in August. Councilmember Milder pointed out that last year, the city council discussed investing $9,000 to hire a consultant to assist with a similar grant application that did end up resulting in receipt of a $400,000 grant.

Councilmember Townsend made a motion to approve the resolution. Mayor Pruitt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections Monthly Report - January 2015
Fire Department Monthly Reports - January 2015
Harbor PD Monthly Report - January 2015
Internal Operations Department Monthly Report - January 2015.
Police Department Monthly Report - January 2015
Recreation Monthly Report - January 2015
Rockwall Animal Adoption Center Monthly Report - January 2015

2. City Manager's Report

Mayor Pruitt announced that the annual Citizens Fire Academy is coming up from March 17 through May 26. He encouraged anyone interested to apply to participate in this program.

City Manager Rick Crowley indicated that departmental reports have been included in council member packets, and staff stands prepared to answer any questions the council may have. There being none, Mayor Pruitt adjourned the public meeting (6:54 p.m.).

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding proposed Development Agreement with Lakefront Trail Rockwall Hotel pursuant to Section 551.071 (Consultation with Attorney).
2. Discussion regarding possible claim or settlement agreement related to enforcing the city's sign ordinance regarding a billboard pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding Rockwall Harbor Landing, Inc. vs. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding right-of-way land acquisition located near Justin Road and John King Blvd. pursuant to Section 551.072 (Real Property) and status of Temunovic condemnation proceeding pursuant to Section 551.071 (Consultation with Attorney).
5. Discussion regarding Economic Development prospects and potential incentive agreement pursuant to Section 551.087 (Economic Development)
6. Discussion regarding the position of Chief of Police pursuant to Section 551.074 (Personnel Matters)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The Council did not reconvene in Executive Session following the close of the public meeting. See action taken as a result of the first Executive Session (at start of 6:00 p.m. public meeting).

XVI. ADJOURNMENT

The meeting was adjourned at 6:54 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 16th day of MARCH, 2015.

ATTEST: **Jim Pruitt, Mayor**

Kristy Ashberry, City Secretary

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This is 2nd reading. 1st reading was on 3/2, and passed by 7-0 vote

CITY OF ROCKWALL

ORDINANCE NO. 15-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. O4-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING BY IN ACCORDANCE WITH THE PROCEDURES OF ARTICLE V, SECTION 6.2 HISTORIC OVERLAY DISTRICT FOR THE PURPOSE OF DESIGNATING A LANDMARK DISTRICT ON PROPERTY KNOWN AS THE HISTORIC DOWNTOWN COURTHOUSE, BEING A 0.918-ACRE PARCEL OF LAND IDENTIFIED AS ROCKWALL O T ADDITION, AND LOCATED AT 101 EAST RUSK STREET, AND MORE SPECIFICALLY DEPICTED IN EXHIBIT 'A' AND EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has initiated a request for designation of a Landmark District and in accordance with the City of Rockwall Unified Development Code [Ordinance No. 04-38]; Article V, Section 6.2 Historic Overlay District for the property located at 101 East Rusk Street, also known as the Historic Downtown Courthouse, being a 0.918-acre parcel of land identified as Rockwall O T Addition; City of Rockwall, Rockwall County, Texas, and more specifically depicted in Exhibit 'A' and Exhibit 'B' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the City of Rockwall Historic Preservation Advisory Board, Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to designate the Historic Downtown Courthouse a Landmark District as set forth in *Article V, Section 6.2 Historic Overlay District of the Unified Development Code [Ordinance No. 04-38*] for the *Subject Property.*

Section 2. That the *Subject Property* shall be recognized as a Landmark District as set forth in *Article V, Section 6.2 Historic Overlay District of the Unified Development Code [Ordinance No. 04-38]* of the City of Rockwall as heretofore amended, as amended herein by granting of

this zoning change, and as may be amended in the future.

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

Section 4. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. That if any section paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code No. 04-38 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 6. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 16th DAY OF MARCH, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 03-02-2015

2nd Reading: 03-16-2015



City of Rockwall

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

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

Exhibit 'B' - Front Facade (Facing Rusk St.)



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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 03/16/2015

APPLICANT: Dub Douphrate, *Douphrate & Associates, Inc.*

AGENDA ITEM: **P2015-007**; *Replat of Lakeview Summit, Phase IV*

SUMMARY:

Discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of D. R. Horton Homes for the approval of a replat of Lakeview Summit, Phase IV for the purpose of reducing the number of single-family residential lots from 97 to 93 for a 38.056-acre subdivision currently composed of 97 single-family residential lots situated within the J. H. B. Jones Survey, Abstract No. 124 and the Nathan Butler Survey, Abstract No. 21, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 29 (PD-29) for Single-Family 10 (SF-10) District land uses, located north of the intersection of Petaluma Drive and N. Lakeshore Drive, and take any action necessary.

COMMENTS:

☑ A final plat for Lakeview Summit, Phase IV was approved on May 15, 2006 [*Case No. P2006-014*] and filed with Rockwall County of April 11, 2007 [*Cab. G, Vol. 129-130*]. Since this time, the applicant has submitted updated civil drawings reconfiguring the lot layout in order to reduce some of the retaining walls required by the original plan. As part of this reconfiguration, the new lot layout calls for a reduction in the number of lots from 97 to 93 single-family lots. Generally, this could be approved at the staff level; however, the applicant has incorporated the required franchise utility easements that were omitted from the filed plat. The addition of these entitlements will require the approval of the Planning and Zoning Commission and City Council. The proposed replat does conform to all the requirements of Planned Development District 29 (PD-29). *Staff has included a copy of the current final plat and proposed replat in the attached packet.*

☑ The Surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for replats as stated in the *Subdivision Ordinance* in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

RECOMMENDATIONS:

Staff recommends approval of the replat for *Lakeview Summit, Phase IV* in conformance with the following conditions of approval:

1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat; and,

2) All open space, common lots and boulevards shall be maintained by the Homeowner's Association.

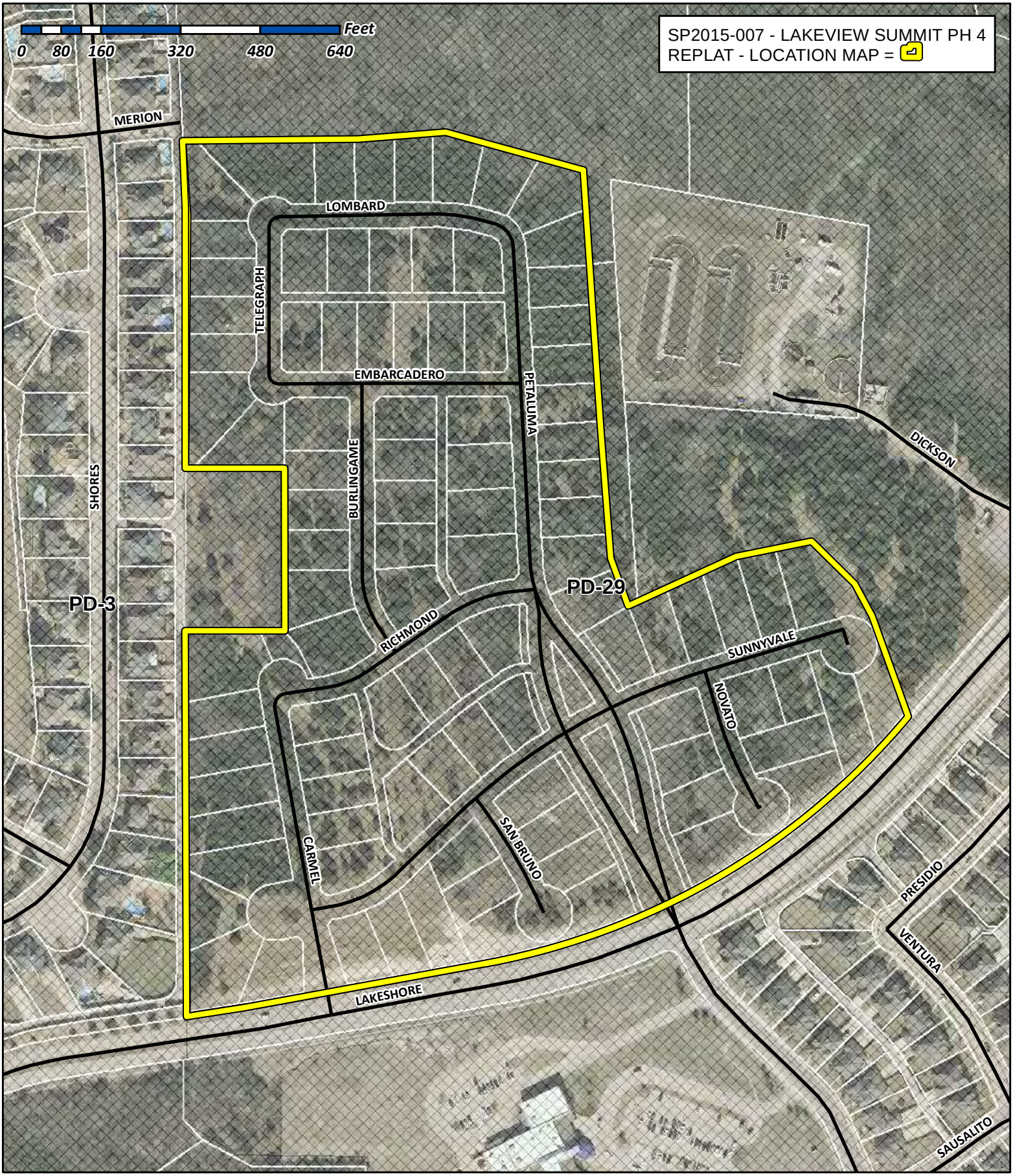
3) All conditions established under the preliminary plat (*Case No. P2012*-028) shall be satisfied as part of this development. Specifically, the following conditions shall be satisfied:

   a) A wrought iron fence shall be installed on all four (4) sides (*i.e. north, south, east and west*) of the Butler Cemetery.
   b) A wrought iron fence shall be constructed along the entire length of N. Lakeshore Drive and the landscape buffer strips on Petaluma Drive.
   c) The Homeowner's Association shall be responsible for maintaining the boulevard space (*i.e. Blocks F & G*) along Petaluma Drive.
   d) The Homeowner's Association shall be responsible for maintaining the *Drainage & Utility Easement* identified as *Lot 22, Block A* on the replat.
   e) The development will need to adhere to the approved Park Board recommendations, which are as follows:
      i) The developer shall constructed an eight (8) foot trail along N. Lakeshore Drive.
      ii) The developer shall be responsible for paying pro-rata equipment fees of $226.00 per lot (*i.e. $21,018*).

4) Any construction resulting from the approval of this *plat* shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On March 10, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the replat per staff's recommendations by a vote 6-0, with Commissioner Conley absent.



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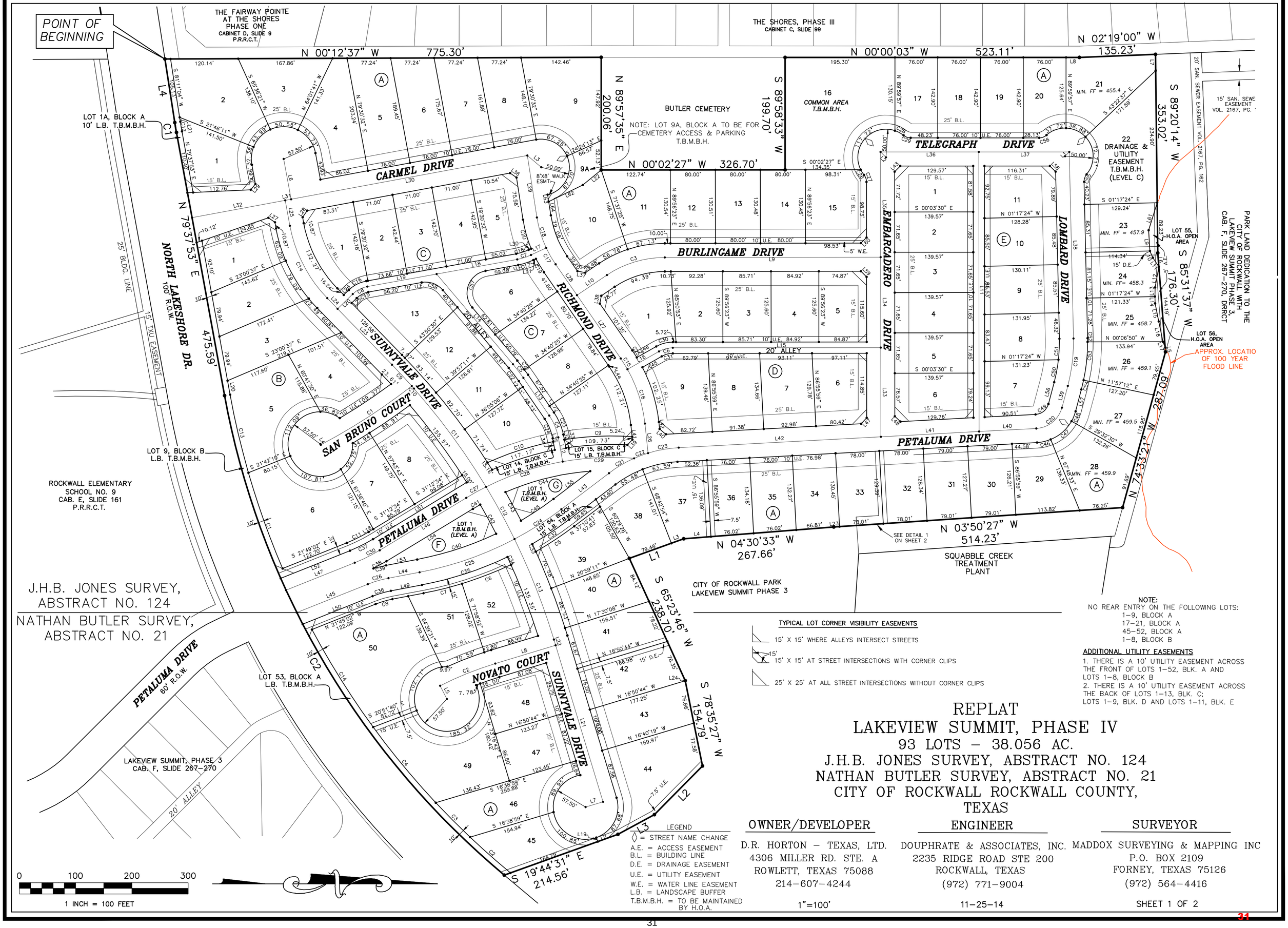

TYPICAL LOT CORNER VISIBILITY EASEMENTS

15' X 15' WHERE ALLEYS INTERSECT STREETS

15' X 15' AT STREET INTERSECTIONS WITH CORNER CLIPS

25' X 25' AT ALL STREET INTERSECTIONS WITHOUT CORNER CLIPS

NOTE:
NO REAR ENTRY ON THE FOLLOWING LOTS:
1–9, BLOCK A
17–21, BLOCK A
45–52, BLOCK A
1–8, BLOCK B

ADDITIONAL UTILITY EASEMENTS

1. THERE IS A 10' UTILITY EASEMENT ACROSS THE FRONT OF LOTS 1–52, BLK. A AND LOTS 1–8, BLOCK B
2. THERE IS A 10' UTILITY EASEMENT ACROSS THE BACK OF LOTS 1–13, BLK. C; LOTS 1–9, BLK. D AND LOTS 1–11, BLK. E

LEGEND

◇ = STREET NAME CHANGE
A.E. = ACCESS EASEMENT
B.L. = BUILDING LINE
D.E. = DRAINAGE EASEMENT
U.E. = UTILITY EASEMENT
W.E. = WATER LINE EASEMENT
L.B. = LANDSCAPE BUFFER
T.B.M.B.H. = TO BE MAINTAINED BY H.O.A.

REPLAT
LAKEVIEW SUMMIT, PHASE IV
93 LOTS – 38.056 AC.
J.H.B. JONES SURVEY, ABSTRACT NO. 124
NATHAN BUTLER SURVEY, ABSTRACT NO. 21
CITY OF ROCKWALL ROCKWALL COUNTY, TEXAS

OWNER/DEVELOPER
D.R. HORTON – TEXAS, LTD.
4306 MILLER RD. STE. A
ROWLETT, TEXAS 75088
214–607–4244

ENGINEER
DOUPHRATE & ASSOCIATES, INC.
2235 RIDGE ROAD STE 200
ROCKWALL, TEXAS
(972) 771–9004

SURVEYOR
MADDOX SURVEYING & MAPPING INC
P.O. BOX 2109
FORNEY, TEXAS 75126
(972) 564–4416

1"=100' | 11–25–14 | SHEET 1 OF 2

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Legal Description

BEING, a tract of land situated in the J.H.B. Jones Survey, Abstract No. 124 and the Nathan Butler Survey, Abstract No. 21, City of Rockwall, Rockwall County, Texas, and being a part of that called 237.167 acre tract as conveyed to Pulte Homes of Texas, L.P., as recorded in Volume 01778, Page 00075 of the Deed Records of Rockwall County, Texas, and further being all of Lakeview Summit, Phase IV as recorded in Cabinet G, Slide 129, Plat Records Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING, at a point on the northerly right of way line of North Lakeshore Drive (a 100' right of way) at the southeast corner of The Fairway Pointe at the Shores, an addition to the City of Rockwall as recorded in Cabinet D, Slide 9 of the Plat Records of Rockwall County, Texas, and also being on the westerly line of said Pulte Homes of Texas, L.P. tract;

THENCE, leaving the northerly right of way line of North Lakeshore Drive and along the westerly line of said Pulte Homes of Texas, L.P. tract, the following:

North 00 degrees 12 minutes 37 seconds West, a distance of 775.30 feet to a point at the southwest corner of the Butler Cemetery (unrecorded);

North 89 degrees 57 minutes 35 seconds East, a distance of 200.06 feet to a point at the southeast corner of said Butler Cemetery;

North 00 degrees 02 minutes 27 seconds West, a distance of 326.70 feet to a point at the northeast corner of said Butler Cemetery;

South 89 degrees 58 minutes 33 seconds West, a distance of 199.70 feet to a point at the northwest corner of said Butler Cemetery and also being on the easterly line of The Shores, Phase III, an addition to the City of Rockwall as recorded in Cabinet C, Slide 99 of said Plat Records;

THENCE North 00 degrees 00 minutes 03 seconds West, along the common line of said The Shores, Phase III with the westerly line of said Pulte Homes of Texas, L.P. tract, a distance of 523.11 feet to a point;

THENCE North 02 degrees 19 minutes 00 seconds West, continuing along the common line of said The Shores, Phase III with the westerly line of said Pulte Homes of Texas, L.P. tract, a distance of 135.23 feet to a point for corner;

THENCE leaving the common line of said The Shores, Phase III with the westerly line of said Pulte Homes of Texas, L.P. tract and over and across said Pulte Homes of Texas, L.P. tract, the following:

North 89 degrees 20 minutes 14 seconds East, a distance of 353.02 feet to a point;
North 85 degrees 31 minutes 37 seconds East, a distance of 176.30 feet to a point;
South 74 degrees 33 minutes 21 seconds East, a distance of 287.09 feet to a point;
South 03 degrees 50 minutes 27 seconds East, a distance of 514.23 feet to a point;
South 04 degrees 30 minutes 33 seconds East, a distance of 267.66 feet to a point;
South 19 degrees 49 minutes 23 seconds East, a distance of 102.53 feet to a point;
North 65 degrees 23 minutes 46 seconds East, a distance of 238.70 feet to a point;
North 78 degrees 35 minutes 27 seconds East, a distance of 154.79 feet to a point;
South 45 degrees 22 minutes 49 seconds East, a distance of 121.83 feet to a point;
South 28 degrees 25 minutes 00 seconds East, a distance of 73.44 feet to a point;
South 19 degrees 44 minutes 31 seconds East, a distance of 214.56 feet to a point on the existing northerly right of way line of North Lakeshore Drive;

THENCE along the existing northerly right of way line of North Lakeshore Drive, the following:

Along a curve to the right having a central angle of 39 degrees 46 minutes 37 seconds, a radius of 1450.00 feet, a chord distance of 986.55 feet that bears South 59 degrees 44 minutes 34 seconds West, around said curve an arc distance of 1006.65 feet to a point;

South 79 degrees 37 minutes 53 seconds West, a distance of 475.59 feet to a point;

Along a curve to the right having a central angle of 1degrees 33 minutes 11 seconds, a radius of 650.00 feet, a chord distance of 17.62 feet that bears South 80 degrees 24 minutes 28 seconds West, around said curve an arc distance of 17.62 feet to a point;

South 81 degrees 11 minutes 04 seconds West, a distance of 114.45 feet to the POINT OF BEGINNING and containing 38.056 acres of land.

SURVEYORS CERTIFICATE

I, HEREBY CERTIFY, THAT I PREPARED THIS SURVEY PLAT SHOWN HEREON FROM AN ACTUAL SURVEY ON THE GROUND BY ME AND THAT ALL CORNERS ARE MARKED, AND THAT ALL DIMENSIONS SHOWN THEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND FURTHERMORE THERE ARE NO ENCROACHMENTS, PROTRUSIONS, IMPROVEMENTS, EASEMENTS, RIGHT-OF- WAY, OR 100 YEAR FLOOD PLAIN AFFECTING THE PROPERTY EXCEPT AS SHOWN THEREON.

WITNESS UNDER MY HAND THIS THE _____ DAY OF _____, 2014.

_____
BRIAN J. MADDOX, R.P.L.S. NO. 5430

STATE OF TEXAS
COUNTY OF KAUFMAN
Before me, the undersigned authority, on this day personally appeared BRIAN J. MADDOX known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of

_____,2014

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

RECOMMENDED FOR FINAL APPROVAL

_____
Planning And Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the

_____ day of _____ 2014

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of

_____ 2014

_____
Mayor, City of Rockwall City Secretary City of Rockwall

_____
City Engineer

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We, the undersigned owner of the land shown on this plat, and designated herein as REPLAT PLAT OF LAKEVIEW SUMMIT PHASE IV ADDITION, an addition to the City of Rockwall, Rockwall County, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in REPLAT OF LAKEVIEW SUMMIT PHASE IV ADDITION, have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall.

OWNER: D.R. HORTON – TEXAS, LTD.

_____
By: David L. Booth, Assistant V.P.

STATE OF TEXAS
COUNTY OF ROCKWALL
Before me, the undersigned authority, on this day personally appeared
known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of

_____,2014

_____
Notary Public in and for the State of Texas My Commission

_____
Signature of Party with Mortgage or Lien Interest

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared David L. Booth known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ Day of

_____,2014

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

BOUNDARY CURVE TABLE

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	650.00'	1°33'11"	17.62'	N 80°24'28" E	17.62'
C2	1450.00'	39°46'37"	1006.65'	N 59°44'34" E	986.55'

BOUNDARY LINE TABLE

LINE	BEARING	DISTANCE
L1	S 19°49'23" E	102.53'
L2	N 45°22'49" W	121.83'
L3	N 28°25'00" W	73.44'
L4	S 81°11'04" W	114.45'

LOT LINE TABLE

LINE	BEARING	DISTANCE
L1	N 00°12'37" W	25.76'
L2	S 19°44'31" E	38.16'
L3	S 19°49'23" E	23.05'
L4	S 04°30'33" E	48.75'
L5	N 85°31'37" E	7.54'
L6	N 85°31'37" E	24.56'
L7	N 89°20'14" E	28.89'
L8	N 00°00'03" W	23.80'
L9	N 86°32'25" E	36.88'
L10	N 67°03'44" E	13.02'
L11	N 56°01'48" E	19.41'
L12	S 79°28'31" E	37.44'
L13	S 89°04'29" E	16.07'
L14	N 88°46'34" E	12.15'
L15	N 78°21'20" E	32.88'
L16	N 78°23'34" E	36.80'
L17	N 68°52'56" E	11.22'
L18	S 31°12'34" E	9.67'
L19	N 70°15'29" E	7.60'
L20	N 79°37'53" E	25.09'
L21	S 81°11'04" W	7.80'
L22	S 39°17'15" E	42.43'
L23	S 03°50'27" E	10.13'
L24	N 78°35'27" E	0.35'
L25	S 44°10'20" E	12.48'
L26	S 44°10'20" E	12.48'
L27	N 34°30'32" E	14.14'
L28	N 55°29'28" W	14.14'
L29	N 51°34'06" W	13.14'
L30	N 25°02'21" W	5.03'
L31	N 25°02'21" W	5.03'
L32	N 79°39'17" E	5.97'
L33	N 79°39'17" E	15.00'
L34	N 79°39'17" E	15.00'
L35	N 79°39'17" E	5.86'
L36	N 35°21'33" E	13.93'
L37	N 10°43'57" E	14.24'
L38	S 79°16'03" E	14.04'
L39	S 46°10'41" E	12.88'
L40	N 40°25'00" E	14.51'
L41	N 83°54'01" E	26.12'
L42	N 83°54'01" E	12.33'
L43	N 45°01'46" W	14.14'
L44	N 55°19'35" E	2.32'
L45	S 29°29'13" E	39.47'
L46	S 29°29'13" E	39.47'
L47	N 46°33'46" W	14.51'
L48	N 43°26'14" E	13.77'
L49	N 10°42'45" W	56.26'
L50	N 21°49'02" W	133.69'
L51	S 31°12'34" E	194.89'
L52	S 21°49'02" E	132.25'
L53	N 10°42'45" W	56.26'
L54	N 31°12'34" W	179.81'
L55	N 37°10'41" W	81.93'
L56	N 75°03'10" W	40.10'
L57	N 75°03'10" W	40.10'
L58	N 44°21'17" E	14.30'
L59	N 44°56'26" E	14.14'
L60	N 45°03'34" W	14.14'
L61	S 72°42'16" E	51.12'
L62	S 25°52'25" E	67.35'
L63	N 81°12'34" E	12.42'
L64	N 81°12'34" E	24.67'

LOT CURVE TABLE

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	1440.00'	7°11'52"	180.90'	N 70°21'27" E	180.78'
C2	1440.00'	3°49'14"	96.02'	N 41°31'51" E	96.00'
C3	1440.00'	3°25'53"	86.24'	N 45°09'25" E	86.23'
C4	1440.00'	6°57'00"	174.67'	N 50°20'52" E	174.56'
C5	640.00'	7°18'51"	81.70'	N 33°31'15" W	81.65'
C6	640.00'	8°21'16"	93.32'	N 21°12'04" W	93.24'
C7	640.00'	6°18'41"	70.50'	N 13°52'05" W	70.46'
C8	160.00'	11°06'18"	31.01'	S 16°15'53" E	30.96'
C9	535.00'	12°56'18"	120.81'	S 02°28'08" E	120.56'
C10	535.00'	13°10'03"	122.95'	S 17°39'50" E	122.68'
C11	265.00'	9°23'32"	43.44'	N 26°30'48" W	43.39'
C12	640.00'	1°33'11"	17.35'	N 80°24'28" E	17.35'
C13	1440.00'	5°40'29"	142.62'	N 76°47'38" E	142.56'
C14	1440.00'	8°08'57"	204.81'	N 57°53'50" E	204.64'
C15	40.00'	33°53'20"	23.66'	S 27°13'40" E	23.32'
C16	60.00'	33°53'20"	35.49'	S 27°13'40" E	34.97'
C17	110.00'	14°45'21"	28.33'	N 17°39'41" W	28.25'
C18	90.00'	14°45'21"	23.18'	N 17°39'41" W	23.11'
C19	225.00'	7°05'13"	27.83'	N 58°52'12" E	27.81'
C20	225.00'	13°42'05"	53.81'	N 74°21'32" E	53.68'
C21	310.00'	5°50'03"	31.57'	S 52°39'09" W	31.55'
C22	290.00'	5°50'03"	29.53'	S 52°39'09" W	29.52'
C23	110.00'	24°05'07"	46.24'	S 67°36'44" W	45.90'
C24	90.00'	24°05'07"	37.83'	S 67°36'44" W	37.56'
C25	275.00'	3°06'10"	14.89'	S 56°52'40" W	14.89'
C26	50.00'	12°30'25"	10.91'	N 57°31'43" E	10.89'
C27	20.00'	38°40'00"	13.50'	S 70°36'30" W	13.24'
C28	50.00'	20°02'02"	17.48'	S 28°42'02" W	17.39'
C29	20.00'	38°43'05"	13.52'	N 19°21'30" E	13.26'
C30	60.00'	29°25'36"	30.82'	S 14°46'25" E	30.48'
C31	40.00'	29°25'36"	20.54'	S 14°46'25" E	20.32'
C32	625.00'	7°11'19"	78.41'	N 33°35'01" W	78.36'
C33	1225.00'	0°42'16"	15.06'	S 65°21'36" W	15.06'
C34	1175.00'	0°43'53"	15.00'	S 65°29'19" W	15.00'
C35	625.00'	14°41'13"	160.21'	N 18°03'21" W	159.77'
C36	175.00'	11°06'18"	33.92'	S 16°15'53" E	33.86'
C37	280.00'	9°23'32"	45.90'	N 26°30'48" W	45.85'
C38	326.00'	4°37'55"	26.35'	N 28°53'37" W	26.35'
C39	221.00'	6°00'12"	23.16'	S 13°42'51" E	23.15'
C40	579.00'	14°38'21"	147.94'	N 18°01'55" W	147.53'
C41	474.00'	1°48'55"	15.02'	S 30°18'07" E	15.02'
C42	1175.00'	2°52'47"	59.06'	S 61°26'22" W	59.05'
C43	1225.00'	2°42'09"	57.78'	S 61°29'58" W	57.77'
C44	474.00'	18°50'23"	155.86'	S 13°54'58" E	155.16'
C45	579.00'	6°52'36"	69.49'	N 33°44'23" W	69.45'
C46	75.00'	19°07'25"	25.03'	N 12°37'44" W	24.92'
C47	75.00'	38°16'03"	50.09'	N 41°19'28" W	49.17'
C48	75.00'	14°35'41"	19.10'	N 67°45'20" W	19.05'
C49	25.00'	71°59'09"	31.41'	N 39°03'36" W	29.38'
C50	275.00'	8°29'09"	40.73'	N 79°17'45" W	40.69'
C51	275.00'	7°45'05"	37.20'	N 87°24'51" W	37.18'
C52	325.00'	1°10'34"	6.67'	S 89°17'53" W	6.67'
C53	325.00'	12°04'02"	68.45'	N 84°04'49" W	68.32'
C54	325.00'	2°59'38"	16.98'	N 76°32'59" W	16.98'
C55	20.00'	41°13'55"	14.39'	S 70°40'26" E	14.08'
C56	20.00'	41°09'17"	14.37'	N 20°34'41" W	14.06'
C57	40.00'	119°58'52"	83.76'	S 70°16'27" E	69.28'
C58	40.00'	60°01'08"	41.90'	S 19°43'33" W	40.01'

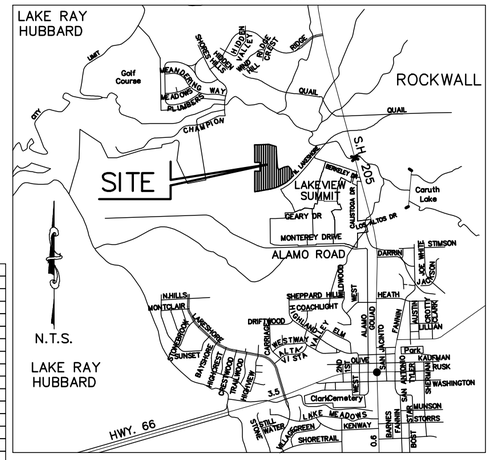
CENTERLINE LINE TABLE

LINE	BEARING	DISTANCE
L1	N 45°52'57" W	10.73'
L2	N 44°51'12" E	13.63'
L3	S 39°56'42" W	32.43'
L4	N 62°20'02" E	1.52'
L5	N 63°03'13" E	26.46'
L6	N 79°30'32" E	72.93'
L7	N 16°50'44" W	32.46'
L8	S 16°50'44" E	112.08'
L9	N 00°03'37" W	383.52'
L10	N 33°51'41" W	64.13'
L11	N 89°56'30" E	496.91'
L12	N 79°39'17" E	43.82'
L13	N 55°34'10" E	81.24'
L14	N 49°44'07" E	210.17'
L15	N 00°03'37" W	369.52'
L16	N 29°29'13" W	64.29'
L17	N 25°02'21" W	29.80'
L18	N 10°17'00" W	145.60'
L19	N 10°17'00" W	125.08'
L20	N 44°10'20" W	37.48'
L21	N 73°09'16" E	290.61'
L22	N 73°09'16" E	10.64'
L23	N 45°49'40" E	138.58'
L24	N 45°49'40" E	26.24'
L25	N 79°30'32" E	45.87'
L26	N 83°54'01" E	52.84'
L27	N 55°19'35" E	136.70'
L28	N 55°19'35" E	66.75'
L29	N 81°12'34" E	111.34'
L30	N 10°29'28" W	426.86'
L31	N 10°29'28" W	10.74'
L32	N 10°29'28" W	168.37'
L33	N 89°56'30" E	158.58'
L34	N 89°56'30" E	160.60'
L35	N 89°56'30" E	187.09'
L36	S 00°00'03" E	174.57'
L37	S 00°00'03" E	160.78'
L38	S 88°42'36" W	331.64'
L39	N 75°03'10" W	40.10'
L40	N 03°04'01" W	101.84'
L41	N 03°04'01" W	174.81'
L42	N 03°04'01" W	359.70'
L43	N 37°10'41" W	106.21'
L44	N 10°42'45" W	56.26'
L45	N 21°49'02" W	135.75'
L46	N 31°12'34" W	179.81'
L47	N 21°49'02" W	131.26'

CENTERLINE CURVE TABLE

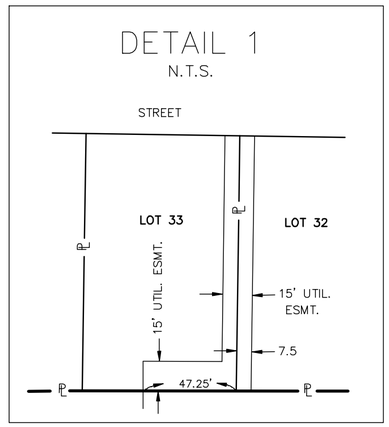
CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	1090.73'	10°07'29"	192.74'	N 32°53'15" W	192.49'
C2	600.00'	10°06'03"	105.77'	S 21°53'46" E	105.64'
C3	185.00'	33°48'03"	109.14'	S 16°57'39" E	107.56'
C4	100.00'	24°05'07"	42.04'	S 67°36'44" W	41.73'
C5	300.00'	5°50'03"	30.55'	S 52°39'09" W	30.53'
C6	50.00'	29°25'36"	25.68'	S 14°46'25" E	25.40'
C7	100.00'	14°45'21"	25.75'	N 17°39'41" W	25.68'
C8	50.00'	33°53'20"	29.57'	S 27°13'40" E	29.14'
C9	1200.00'	2°28'15"	51.75'	S 47°03'47" W	51.75'
C10	1200.00'	0°17'10"	5.99'	S 48°26'30" W	5.99'
C11	1200.00'	10°21'29"	216.94'	S 53°45'50" W	216.64'
C12	1200.00'	5°02'46"	105.69'	S 61°27'57" W	105.65'
C13	1200.00'	9°09'56"	191.96'	S 68°34'18" W	191.76'
C14	250.00'	33°40'53"	146.96'	N 62°40'06" E	144.86'
C15	250.00'	5°11'12"	22.63'	S 57°55'11" W	22.62'
C16	250.00'	23°23'13"	102.05'	S 72°12'24" W	101.34'
C17	200.00'	9°38'04"	33.63'	N 60°08'37" E	33.59'
C18	200.00'	16°14'56"	56.72'	N 73°05'06" E	56.53'
C19	300.00'	16°14'14"	85.02'	N 83°10'17" W	84.73'
C20	50.00'	71°59'09"	62.82'	N 39°03'36" W	58.77'
C21	225.00'	13°16'31"	52.13'	S 30°32'25" E	52.01'
C22	225.00'	6°43'11"	26.39'	S 20°32'34" E	26.37'
C23	225.00'	14°06'58"	55.43'	S 10°07'30" E	55.29'
C24	602.00'	9°24'02"	98.77'	N 32°28'40" W	98.66'
C25	602.00'	17°03'54"	179.30'	N 19°14'42" W	178.64'
C26	198.00'	11°06'18"	38.38'	S 16°15'53" E	38.32'
C27	497.00'	4°38'53"	40.32'	S 28°53'08" E	40.31'
C28	497.00'	16°34'41"	143.80'	S 18°16'21" E	143.30'
C29	497.00'	14°42'06"	127.53'	S 02°37'58" E	127.18'
C30	303.00'	9°23'32"	49.67'	N 26°30'48" W	49.61'

VICINITY MAP



DETAIL 1

N.T.S.



REPLAT
LAKEVIEW SUMMIT, PHASE IV
93 LOTS – 38.056 AC.
J.H.B. JONES SURVEY, ABSTRACT NO. 124
NATHAN BUTLER SURVEY, ABSTRACT NO. 21
CITY OF ROCKWALL ROCKWALL COUNTY, TEXAS

OWNER/DEVELOPER	ENGINEER	SURVEYOR
D.R. HORTON – TEXAS, LTD.	DOUPHRATE & ASSOCIATES, INC.	MADDOX SURVEYING & MAPPING INC
4306 MILLER RD. STE. A	2235 RIDGE ROAD STE 200	P.O. BOX 2109
ROWLETT, TEXAS 75088	ROCKWALL, TEXAS	FORNEY, TEXAS 75126
214-607-4244	(972) 771-9004	(972) 564-4416

1"=100' 11-25-14 SHEET 2 OF 2

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Robert LaCroix, *Director of Planning and Zoning*

FROM: Ryan Miller, *Planning Manager*

DATE: March 16, 2015

SUBJECT: Hance Property (AG to PD) [*Z2015-003*]

At their regularly scheduled meeting on March 10, 2015, the Planning and Zoning Commission, at the request of the applicant (*John Arnold*), postponed the public hearing to March 31, 2015. This means that the projected City Council public hearing will be held at the April 6, 2015 meeting. According to Section 6.2, *Public Hearing Postponements, Recess, and Continuations*, of the Article II of the Unified Development Code (UDC), a public hearing may be postponed by announcing the postponement at the public hearing and indicating the time and place the new hearing is scheduled to begin; however, the date and time of the postponed public hearing cannot be greater than 60 days from the original public hearing date. The announcement of a postponement shall be sufficient notice and no additional notice shall be required. Per these requirements this will be the last meeting the applicant will be eligible to request a postponement. Should the applicant need to postpone the public hearing from the April 6, 2015 meeting the case will need to be withdrawn and resubmitted with a new application and fee.

SKORBURG COMPANY

8214 Westchester Drive, Suite 710
Dallas, TX 75225

March 6, 2015

Mr. Ryan Miller, Planning Manager
City of Rockwall Planning Department
385 S. Goliad Street
Rockwall, Texas 75087

Re: Request to table Agenda Item Z2015-003: Hance Property

Dear Mr. Miller:

As discussed, please accept this letter as Skorburg Company's official request to table Agenda Item Z2015-003 (the Hance property) at the Planning & Zoning Commission meeting for March 10th.

We respectfully request to be postponed to the March 31, 2015 Planning & Zoning Commission meeting for action.

Sincerely,

John Arnold
Development Partner

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 03/16/2015

APPLICANT: Kevin Carr of Gearheads Hot Rod Garage

AGENDA ITEM: **Z2015-007;** Truck Rental - SUP

SUMMARY:

Hold a public hearing to discuss and consider a request by Kevin Carr of GearHeads Hot Rod Garage for the approval of a Specific Use Permit (SUP) to allow truck rental in conjunction with an existing minor automotive repair garage on a two (2) acre tract of land identified as Tract 23-01 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 3920 E. IH-30, and take any action necessary.

BACKGROUND INFORMATION:

U-Haul Co. of North East Dallas is proposing a *Neighborhood Dealer* location for the GearHeads Hot Rod Garage facility. U-Haul will provide the rental of no more than five (5) U-Haul trucks and five (5) trailers for this location at any given time. The applicant has indicated that the trucks and trailers will be parked at the rear of the facility where there is less visibility from IH-30. The purpose of the rental trucks and trailers is to provide their customers with an additional service associated with the existing automotive repair garage. GearHeads Hot Rod Garage is located at 3920 E. IH-30, is within the IH-30 Overly district and is zoned Light Industrial (LI) District. This particular location is adjacent to the eastern City Limits boundary line and is the last property seen as you travel east bound along IH-30 and/or the frontage road.

> *According to the Unified Development Code, Article IV Permissible Uses, Sec. 2.1.10. - Wholesale, distribution and storage.*
>
> > *Outside storage and/or outside display.*
> >
> > > *2. No outside storage shall be allowed in any zoning district adjacent to IH-30. However, on property that is zoned (LI) Light Industrial and adjacent to IH-30, a specific use permit (SUP) may be considered on a case-by-case basis to allow for outside storage and/or display in conjunction with a use that is permitted under this article. An SUP approved for this use may be subject to time limitations, site/landscaping or building enhancements, or other restrictions deemed appropriate by the planning and zoning commission or city council.*

Included in your packet is a letter from U-Haul Company of North East Dallas requesting the Specific Use Permit. The letter also includes a purpose statement for the business. The applicant has included a conceptual site plan indicating the general location of the facility and the area designated for the storage of the trucks and trailers which is at the rear of the building within a fenced-in area.

A request for an Specific Use Permit is a discretionary act upon the Planning and Zoning Commission and City Council.

NOTIFICATION:

On February 20, 2015, staff mailed two (2) notices to property owners within 500 feet of the subject property; however, since there are no HOA/Neighborhood Organizations within 1500 feet participating in the notification program, there was no additional notice forwarded by e-mail. Additionally, staff posted a sign on the property as required by the Unified Development Code (UDC). A public notice has been published in the Rockwall Herald Banner and posted on the City's web-site. At the time this report was drafted, staff has received no notices "for" or "against" the zoning change requested.

RECOMMENDATIONS:

Should the SUP be approved, staff would offer the following conditions of approval:

1. Adherence to all Engineering and Fire Department standards.

2. That the specific use permit (SUP) shall be valid for a period of three years from the date of passage of the SUP ordinance. If an extension to the 3-year time limit is desired, the owner shall petition the City Council for such extension at least 90 days prior the expiration of the SUP. The City Council shall review the SUP and determine if an extension of time is warranted.

3. That the commercial operation of a truck rental facility shall be limited to no more than five (5) U-Haul trucks and five (5) U-Haul trailers on the premises at any one time.

4. That the rental trucks and trailers be parked/stored on the premises, to the rear of the building, behind the fenced area as indicated on the conceptual site plan submitted so as to not be visible from the adjacent street rights-of-way (i.e. IH-30).

Planning and Zoning Commission Recommendation:

On March 10, 2015, the Planning and Zoning Commission recommended approval of the Specific Use Permit (SUP) request with staff conditions by a vote of 6 to 0 [Conley – absent].



City of Rockwall

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

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

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City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
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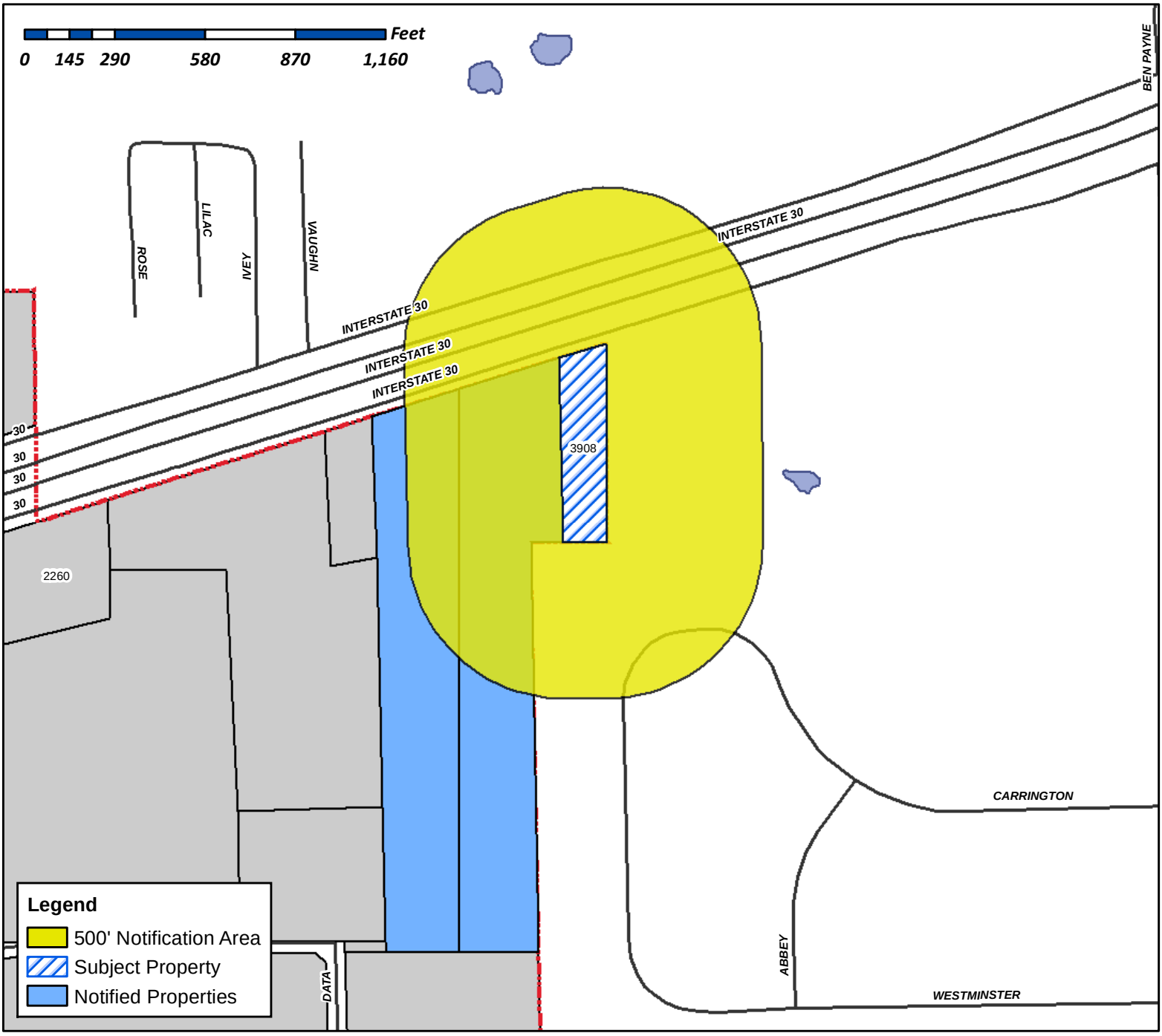
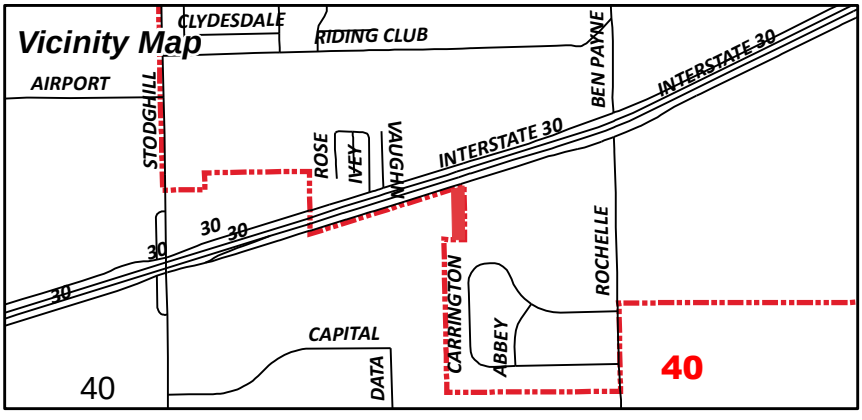


Case Number: Z2015-007
Case Name: Truck Rental SUP
Case Type: Specific Use Permit
Zoning: Light Industrial
Case Address: 3920 E I30

Date Created: *2/13/2015*
For Questions on this Case Call (972) 771-7745



City of Rockwall

Planning & Zoning Department
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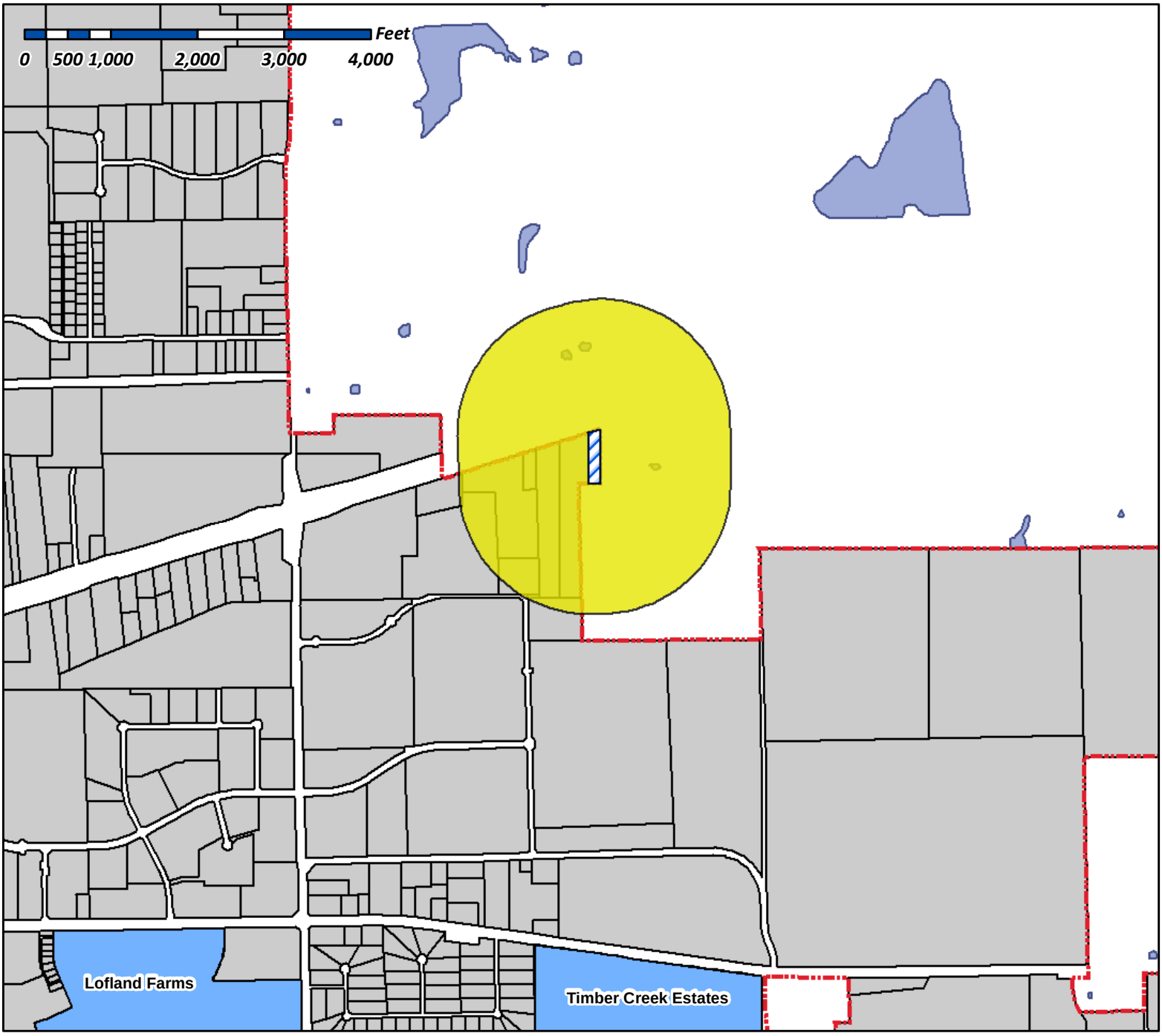

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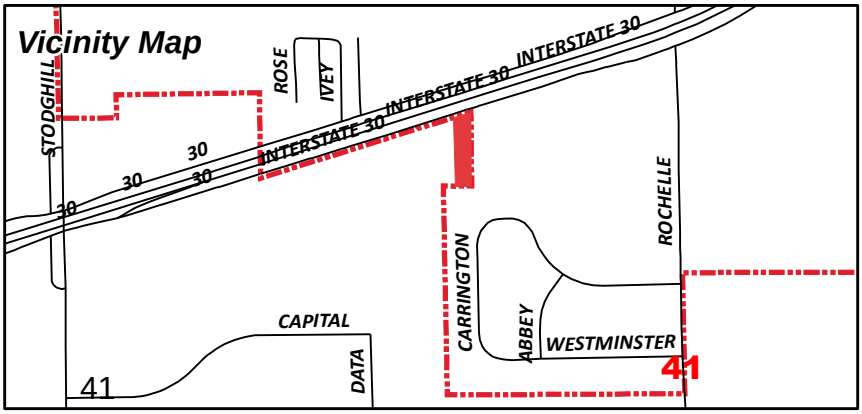

Date Created: 2/13/2015

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

Reference No.	Name	Legal Description	Address 1	Address 2	Address 3	City	State	Zip
0120-0000-0025-00-0R	HERDING PEIRRE & JUNG JA &	A0120 R B IRVINE, TRACT 25, ACRES 11.12	VEERARAGHAVAN LTD PARTNERSHIP	120 BLUE HERON LN		HEATH	TX	75032
0120-0000-0025-01-0R	PHASE 17 INVESTMENTS LP	A0120 R IRVINE, TRACT 25-1, ACRES 11.12		PO BOX 601638		DALLAS	TX	75360

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U-HAUL COMPANY OF NORTH EAST DALLAS
4101 W. Plano Parkway * Plano, Texas 75093 * Phone: (972) 263-4176

To Whom It May Concern:

I am writing on behalf of the U-Haul Co. of NE Dallas.

U-Haul would like to establish a Neighborhood Dealer location with: Kevin Carr at Gearheads Hotrod Garage located at 3920 E Interstate 30 Rockwall, TX 75087.

We are looking to rent U-Haul Trucks and Trailers at this location. We are planning on having no more than five of each at any given time. The location is fenced and equipment will be displayed in an organized fashion.

Having locations such as this as a U-Haul Dealership will allow customers more convenience by reducing the travel distance between drop-off and pick-up of other vehicles at other locations. Simply put, customers not have to travel back and forth, to and from, a separate location to obtain do it yourself moving rental equipment. This unnecessary and non-productive driving can lead to a net increase of carbon emissions in the local area. In other words, the allowance of U-Haul Trucks and Trailers at this location, inside city limits, will reduce the carbon footprint in the entire area.

With this in mind U-Haul would appreciate your support towards establishing a U-Haul Neighborhood Dealership location with Gearheads Hotrod Garage.

Thank you,

Zane Rowland
Marketing Company President
Cell: 214.317.3645
Zane_rowland@uhaul.com

Moving Made Easier

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CITY OF ROCKWALL

ORDINANCE NO. 15-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A TRUCK RENTAL FACILITY IN CONJUNCTION WITH AN EXISTING MINOR AUTOMOTIVE REPAIR GARAGE, BEING A 2.0-ACRE TRACT OF LAND, ZONED LIGHT INDUSTRIAL (LI) DISTRICT AND IDENTIFIED AS TRACT 23-01 OF THE R. IRVING SURVEY, ABSTRACT NO. 120, AND LOCATED AT 3920 E IH-30, , CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DEPICTED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Kevin Carr of GearHeads Hot Rod Garage for the approval of a Specific Use Permit to allow for a *Truck Rental Facility* in conjunction with an existing minor automotive repair garage being a 2.0-acre tract of land, zoned Light Industrial (LI) District and identified as Tract 23-01 of the R. Irvine Survey, Abstract No. 120, and located at 3920 E. IH-30, and, City of Rockwall, Rockwall County, Texas, and more specifically described in Exhibit 'A' of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit allowing for a *Truck Rental Facility* in conjunction with an existing minor automotive repair garage within a Light Industrial (LI) District as stipulated by the Unified Development Code [Ordinance no. 04-38] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) granted herein and shall be subject to the conditions set forth in *Article IV, Permissible Uses, Sec. 2.1.10 Wholesale, Distribution and Storage* of the Unified Development Code [Ordinance No. 04-38] as heretofore amended, as amended herein by

granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following additions and compliance standards:

2.1 Operational Conditions

The following conditions pertain to the operation of a *Truck Rental Facility* in conjunction with an existing minor automotive repair garage on the *Subject Property*, and conformance to these stipulations is required for continued operations:

1. That the commercial operation of a *Truck Rental Facility* shall be limited to no more than five (5) U-Haul trucks and five (5) U-Haul trailers on the premises at any one time for the *Subject Property* as depicted in Exhibit "A" attached hereto; and,

2. That the U-Haul rental trucks and U-Haul trailers be parked/stored on the premises, to the rear of the building, behind the fenced area as indicated on the conceptual site plan submitted as Exhibit 'B' so as to not be visible from the adjacent street rights-of-way (i.e. IH-30); and,

3. That the Specific Use Permit (SUP) shall be valid for a period of three years from the date of passage of the SUP ordinance. If an extension to the 3-year time limit is desired, the owner shall petition the City Council for such extension at least 90 days prior the expiration of the SUP. The City Council shall review the SUP and determine if an extension of time is warranted.

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

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

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

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

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE _____ DAY OF _____, 2015.

_____

Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading:

2nd Reading:

Exhibit 'A'

Legal Description: A0120, R. Irvine, Tract 23-01, Acres-2.0



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

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Feet
0 60 120 240 360 480

Exhibit 'B' - Conceptual Site Plan



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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 3/16/2015

APPLICANT: Herman Douglas Utley

AGENDA ITEM: **Z2015-008**; *1815 E. Old Quail Run Road (AG to SFE-2.0)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Herman Douglas Utley for the approval of a zoning change from an Agricultural (AG) District to a Single Family Estate 2.0 (SFE-2.0) District for a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass (SH-205 BY OV) District, addressed as 1815 E. Old Quail Road, and take any action necessary.

PURPOSE:

The subject property is a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13. The applicant, Herman Douglas Utley, is requesting to rezone the property from an Agricultural (AG) District to a Single-Family Estate (SFE 2.0) District for the purpose of subdividing the property into two (2) acre parcels of land (*i.e. Lot 1: 2.172-acres and Lot 2: 2.33-acres*). Currently, the subject property has an existing single-family home constructed in the southeast corner. According to the applicant's letter, the existing house will remain on one lot and a new single-family home will be constructed on the remainder lot.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is E. Quail Run Road, which is identified as a M4U (*minor arterial, four [4] lane, undivided* roadway) according to the City's Master Thoroughfare Plan. Beyond this roadway is a portion of a larger 62.192-acre tract of land zoned Agricultural (AG) District that is currently vacant.

South: Directly south of the subject property is a 4.83-acre parcel of land zoned Agricultural (AG) District, which is identified as Lot 1, Block A, of the D. R. Taylor Addition and addressed as 1691 E. Old Quail Run Road. Beyond this property are the corporate boundaries of the City of Rockwall.

East: Directly east of the subject property is a 29.929-acre tract of land zoned Agricultural (AG) District that is currently vacant. Beyond this tract of land is Saddlebrook Estates, Phase 2, which is zoned Single-Family 16 (SF-16) District and contains 45 single-family residential lots.

West: Directly west of the subject property is E. Old Quail Run Road followed by a portion of a larger 62.192-acre tract of land zoned Agricultural (AG) District that is currently

vacant. Bisecting this tract of land is John King Boulevard, which is identified as a P6D (*principal arterial, six [6] lane, divided roadway*) according to the City's Master Thoroughfare Plan.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

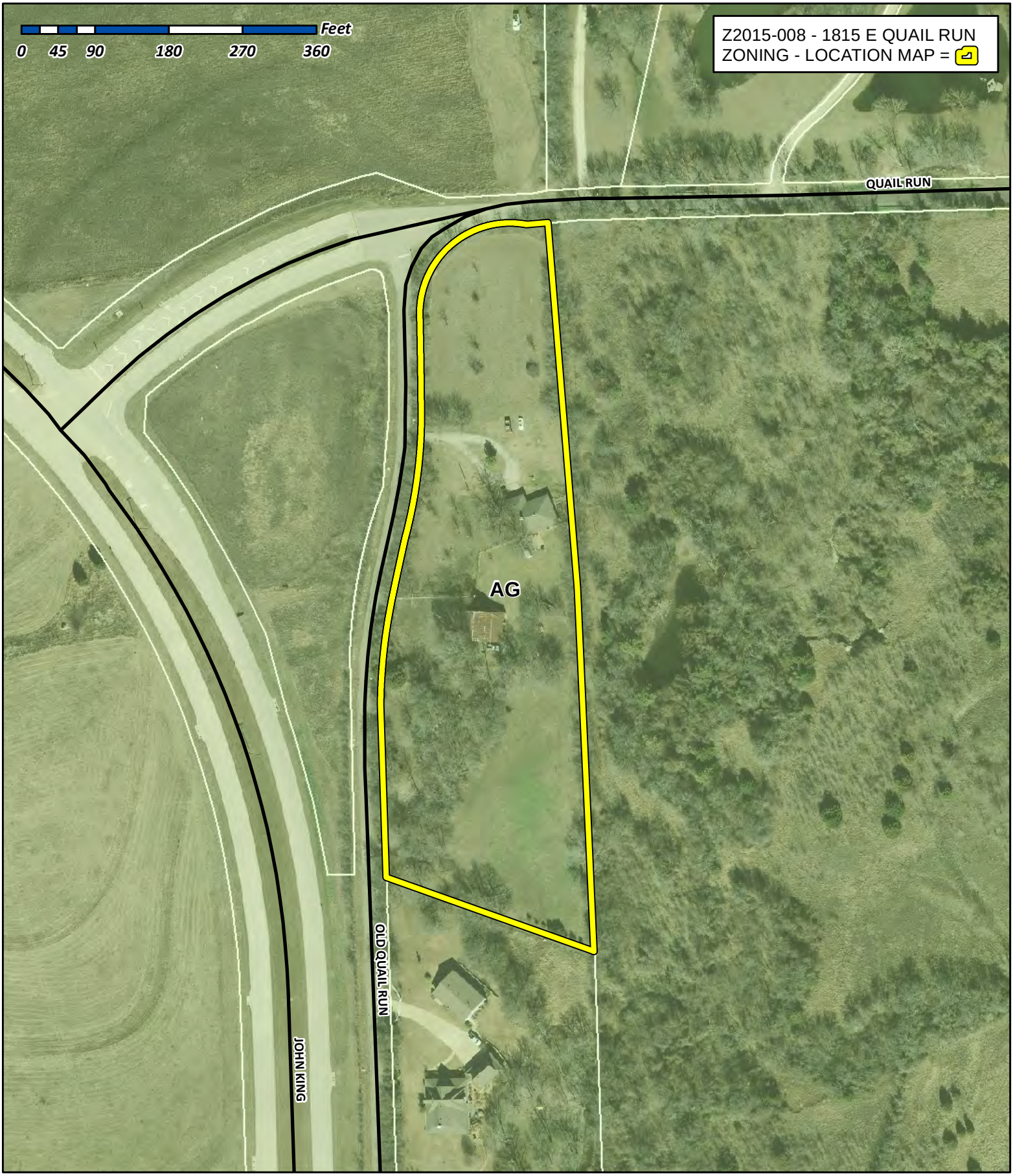
The Future Land Use Map, adopted with the Comprehensive Plan, designates the subject property for *Low Density Residential* land uses, which is defined as less than two (2) single-family units per acre. This designation is in conformance with the applicant's request to rezone the subject property to a Single-Family Estate (SFE-2.0) District (*i.e. a density of 2.251 units per acre*).

NOTIFICATION:

On February 20, 2015, staff mailed seven (7) notices to property owners and residents within 500-feet of the subject property. Staff also emailed notices to the Stoney Hollow and Caruth Lakes Homeowner's Associations (HOA's), which are the only HOA's located within 1,500-feet of the subject property. Additionally, staff posted a sign along E. Old Quail Run Road, and advertised the public hearings in the Rockwall Harold Banner as required by the Unified Development Code (UDC). At the time this case memo was drafted no responses were received by staff.

PLANNING AND ZONING COMMISSION:

On March 16, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the proposed zoning change by a vote of 6-0, with Commissioner Conley absent.



City of Rockwall

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

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City of Rockwall

Planning & Zoning Department
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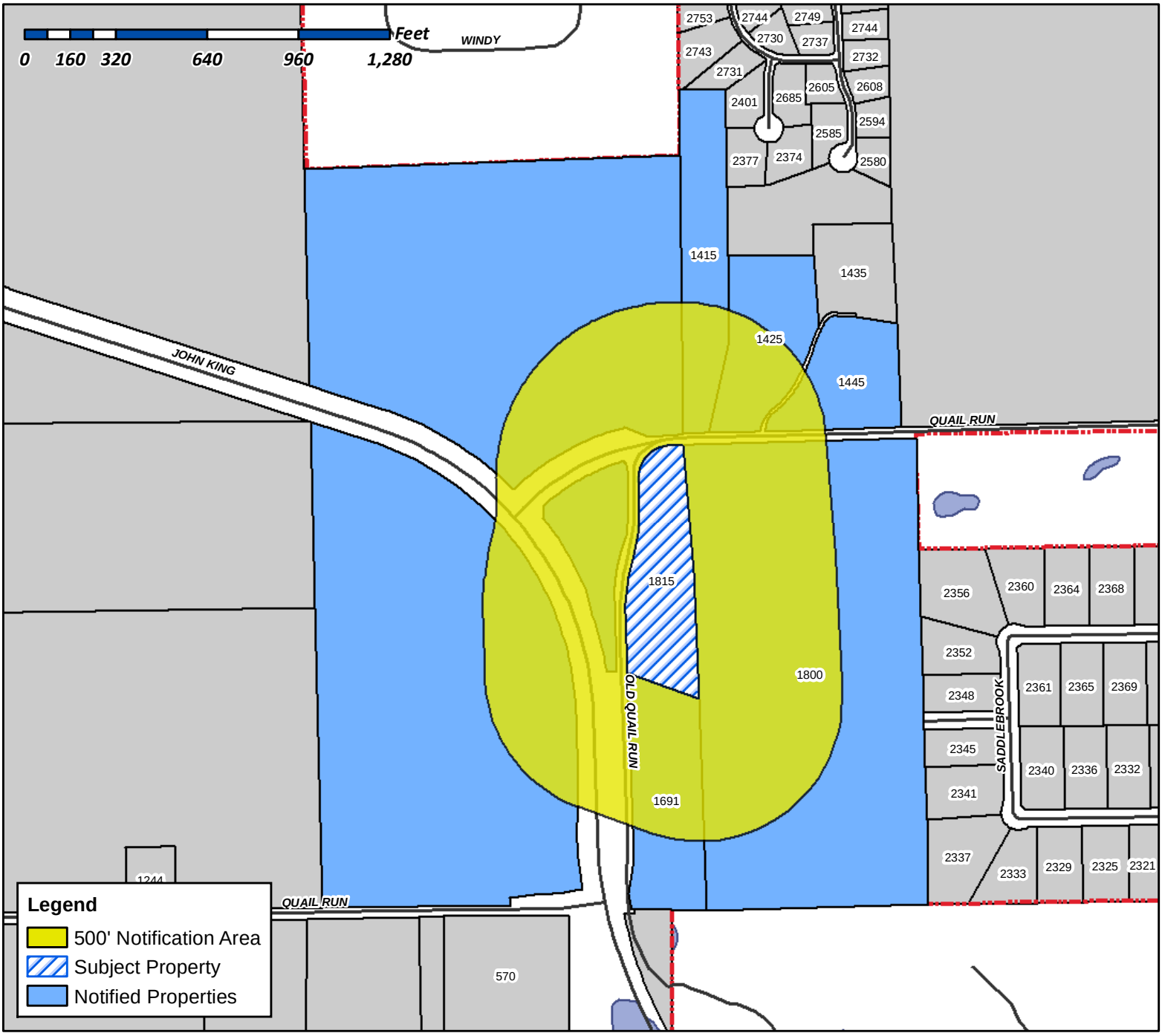
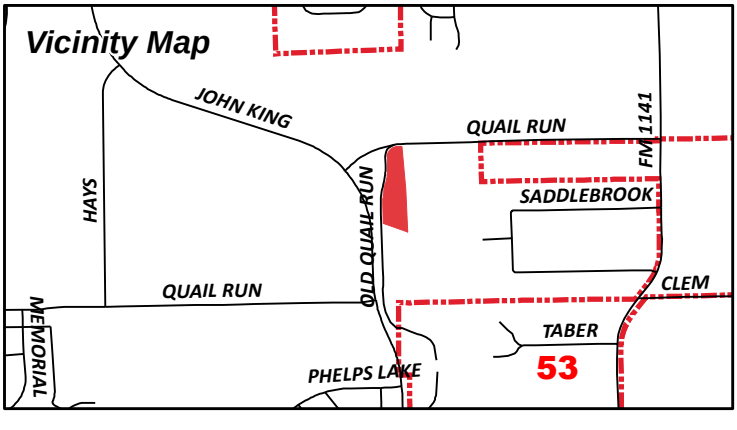


Case Number: Z2015-008
Case Name: 1815 E Quail Run
Case Type: Zoning
Zoning: SF-E/2.0
Case Address: 1815 E Quail Run Rd

Date Created: *2/13/2015*
For Questions on this Case Call (972) 771-7745



NALLEY MICHAEL R & LORI D
1445 E QUAIL RUN RD
ROCKWALL, TX 75087

GIDEON LONNIE L TR
SHELLEYE L GIDEON HENAGER TRUST
1800 QUAIL RUN RD
Rockwall, TX 75087

KOUVELIS HILDA & PETER
1415 E QUAIL RUN RD
ROCKWALL, TX 75087

LARRIVIERE MICHAEL R & LISA J
1425 E QUAIL RUN RD
ROCKWALL, TX 75087

UTLEY HERMAN D
1815 E QUAIL RUN RD
ROCKWALL, TX 75087

LANKFORD BONNIE
1691 OLD E QUAIL RUN RD
ROCKWALL, TX 75087

GIDEON LONNIE L TR
BRADLEY JOE GIDEON TRUST
PO Box 84
FATE, TX 75132

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

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

To Whom It May Concern:

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

Case No. Z2015-008: 1815 E Quail Run

Hold a public hearing to discuss and consider a request by Herman Douglas Utley for the approval of a zoning change from an Agricultural (AG) District to a Single Family Estate 2.0 (SFE-2.0) District for a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass (SH-205 BY OV) District, addressed as 1815 E. Quail Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 3/10/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 3/16/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by **3/16/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2015-008: 1815 E Quail Run

Please place a check mark on the appropriate line below:

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

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

Name:

Address:

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

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

City of Rockwall

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

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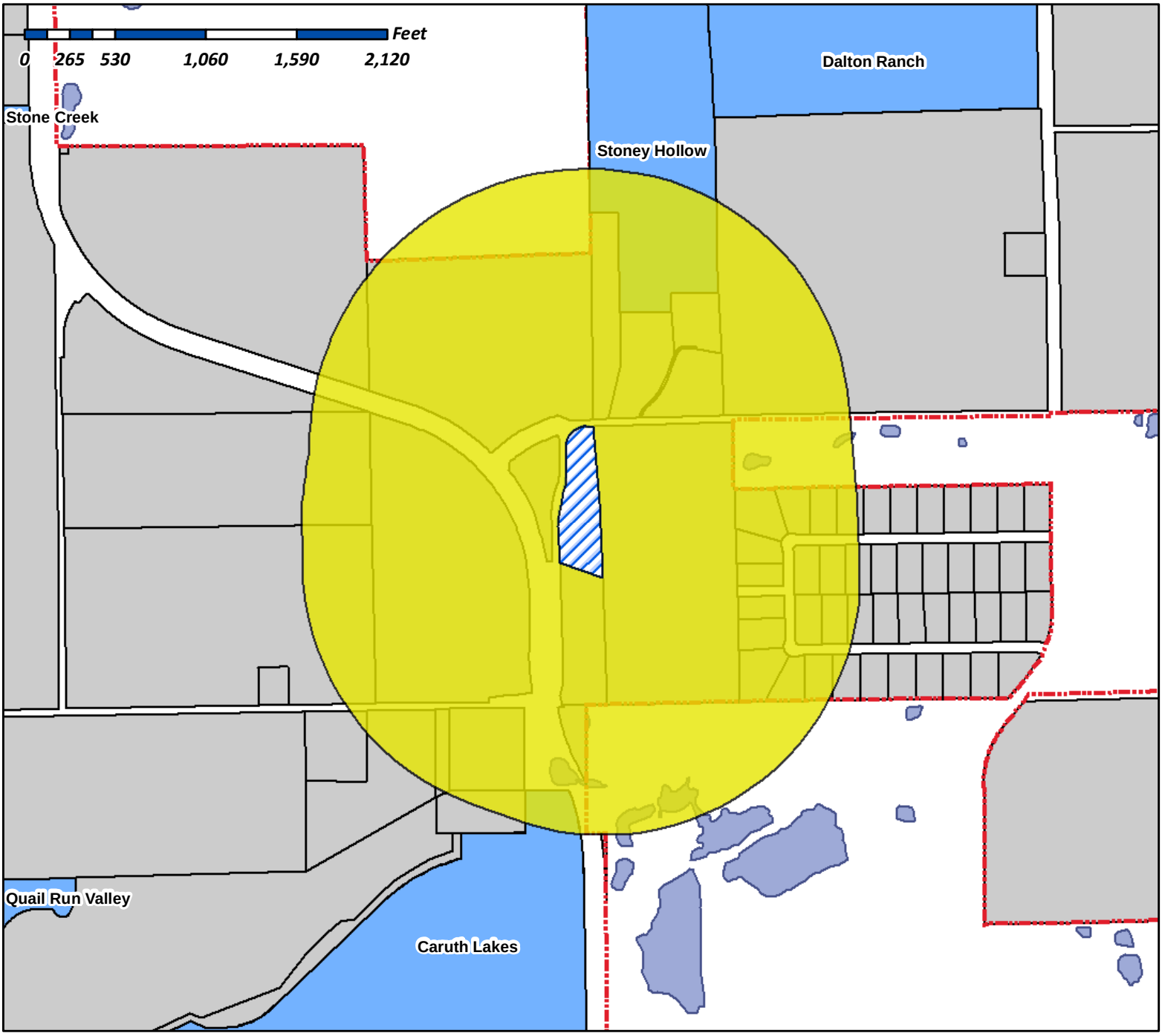

Case Number: Z2015-008
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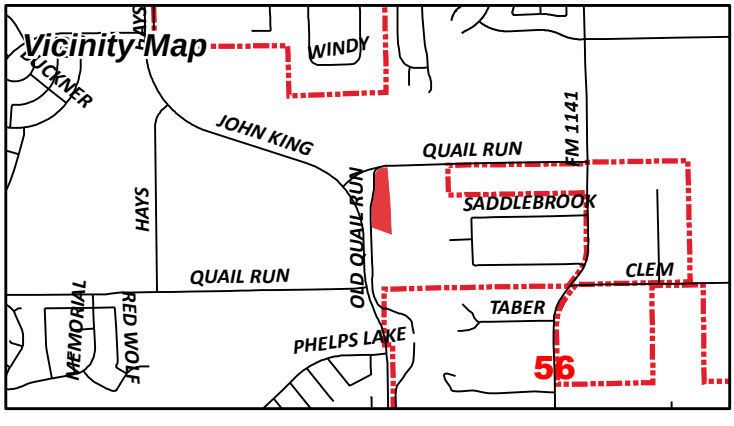
Zoning: SF-E/2.0
Case Address: 1815 E Quail Run Rd



Date Created: *2/13/2015*
For Questions on this Case Call (972) 771-7745

Miller, Ryan

From: Miller, Ryan
Sent: Wednesday, February 25, 2015 3:36 PM
To: [redacted]
Subject: Neighborhood Notification Program: Notice of Zoning Request
Attachments: HOA Map (02.16.2015).pdf

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that was also published in the Rockwall Harold Banner on *February 20th , 2015*. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at http://www.rockwall.com/planning/planningDevCases.asp.

Z2015-008: Hold a public hearing to discuss and consider a request by Herman Douglas Utley for the approval of a zoning change from an Agricultural (AG) District to a Single Family Estate 2.0 (SFE-2.0) District for a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass (SH-205 BY OV) District, addressed as 1815 E. Quail Road, and take any action necessary.

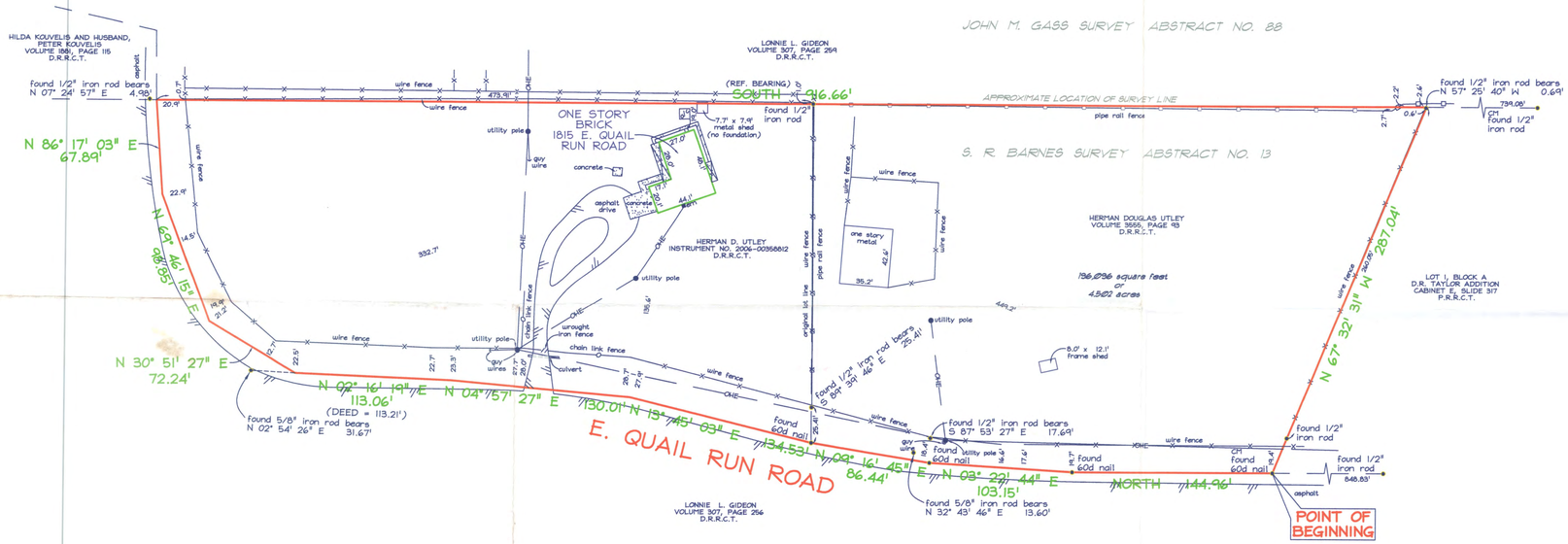
If this email is reaching you in error, please forward it to your HOA or neighborhood group representative and update the contact information at http://www.rockwall.com/planning/hoa.asp.

RYAN C. MILLER, AICP
PLANNING MANAGER • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

HELPFUL LINKS | CITY OF ROCKWALL WEBSITE | PLANNING & ZONING DIVISION WEBSITE | MUNICIPAL CODE WEBSITE
GIS DIVISION WEBSITE | CITY OF ROCKWALL INTERACTIVE MAPS | MAIN STREET DIVISION

I AM WRITING THIS LETTER AS EXPLANATION OF THE REZONING AND PLATTING OF MY PROPERTY LOCATED AT 1815 E. QUAIL RUN RD. AND CONSISTING OF 4.502 ACRES OF LAND. THE LAND IS BEING DEVIDED INTO TWO SEPERATE PEICES OF PROPERTY. ONE BEING 2.172 ACRES OF LAND AND REMAINING 1815 E. QUAIL RUN RD. THE LEFT OVER PEICE OF PROPERTY CONSISTING OF 2.33 ACRES ADDRESSED AS 1800 E. QUAIL RUN RD., WHICH IS NOW ZONED AGGRICULTURAL WILL BE REZONED AS RESIDENTIAL AND PLATTED SEPERATE FOR THE PURPOSE OF BUILDING A SINGLE FAMILY HOUSE.

H. DOUG UTLEY
1815 E. QUAIL RUN RD.
ROCKWALL, TX, 75087
CAVEMAN 0564@YAHOO.COM
214 693 1246







PROPERTY DESCRIPTION

Being a 4.502 acre tract of land situated in the S.R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas and being all that certain tract of land described in deed to Herman D. Utley, as recorded in Instrument No. 2006-00358812, Deed Records, Rockwall County, Texas and all that certain tract of land described in deed to Herman Douglas Utley, as recorded in Volume 3555, Page 93, said Deed Records and being more particularly described by metes and bounds as follows:

BEGINNING at a found 60 penny nail in E. Quail Run Road at the common west corner of said Utley tract (3555/93) and Lot 1, Block A, of the D.R. Taylor Addition, recorded in Cabinet E, Slide 317, Plat Records, Rockwall County, Texas, said 60 penny nail being on the east line of the remainder of that certain tract of land described in deed to Lonnie L. Gideon, as recorded in Volume 307, Page 256, said Deed Records;

THENCE along said E. Quail Run Road and the common line of said Utley tract (3555/93) and said Gideon tract the following bearings and distances:

North, a distance of 144.96 feet to a found 60 penny nail;

North 03 degrees 22 minutes 44 seconds East, a distance of 103.15 feet to a found 60 penny nail from which a found 5/8-inch iron rod bears North 32 degrees 43 minutes 46 seconds East, a distance of 13.60 feet and a found 1/2-inch iron rod bears South 87 degrees 53 minutes 27 seconds East, a distance of 17.69 feet;

North 09 degrees 16 minutes 45 seconds East, a distance of 86.44 feet to a found 60 penny nail at the common west corner of said Utley tracts, from which a found 1/2-inch iron rod bears South 89 degrees 39 minutes 46 seconds East - 25.41 feet;

THENCE along aforesaid E. Quail Run Road and the common line of said Utley tract (2006-00358812) and aforesaid Gideon tract the following bearings and distances:

North 13 degrees 45 minutes 03 seconds East, a distance of 134.53 feet;

North 04 degrees 57 minutes 27 seconds East, a distance of 130.01 feet;

North 02 degrees 16 minutes 19 seconds East, a distance of 113.06 feet to a point from which a found 5/8-inch iron rod bears North 02 degrees 54 minutes 26 seconds East, a distance of 31.67 feet;

North 30 degrees 51 minutes 27 seconds East, a distance of 72.24 feet;

North 69 degrees 46 minutes 15 seconds East, a distance of 98.85 feet;

North 86 degrees 17 minutes 03 seconds East, a distance of 67.89 feet to a point from which a found 1/2-inch iron rod bears North 07 degrees 24 minutes 57 seconds East, a distance of 4.98 feet, said point being the common corner of aforesaid Utley tract (2006-00358812) and that certain tract of land described in deed to Lonnie L. Gideon, as recorded in Volume 307, Page 259, aforesaid Deed Records and that certain tract of land described in deed to Hilda Kouvelis and husband, Peter Kouvelis, as recorded in Volume 1881, Page 115, said Deed Records;

THENCE South along the common line of said Utley tract (2006-00358812) and said Gideon tract (307/259), passing a found 1/2-inch iron rod at the common east corner of said Utley tracts at a distance of 473.91 feet and continuing along the common line of said Utley tract (3555/93) and said Gideon tract (307/259) a total distance of 916.66 feet to a point from which a found 1/2-inch iron rod bears North 57 degrees 25 minutes 40 seconds West, a distance of 0.69 of one foot, said point being the common east corner of said Utley tract (3555/93) and aforesaid Lot 1;

THENCE North 67 degrees 32 minutes 31 seconds West along the common line of said Utley tract (3555/93) and said Lot 1, passing a found 1/2-inch iron rod at a distance of 260.05 feet and continuing a total distance of 287.04 feet to the POINT OF BEGINNING and containing 196,096 square feet or 4.502 acres of land.

THIS IS TO DECLARE that on this date a survey was made on the ground, under my direction and supervision of the above described tract of land.

There are no visible conflicts, visible evidence of easements or rights-of-way, or protrusions, except as shown, and that this date the easements, rights-of-way or other locatable matters of record of which the undersigned has knowledge or has been advised are as shown or noted hereon.

The subject property does not appear to lie within the limits of a 100-year flood hazard zone according to the Map published by the Federal Emergency Management Agency, and has a Zone "X" Rating as shown by Map No. 480543 00030 B, dated SEPTEMBER 17, 1980. The statement that the property does or does not lie within a 100-year flood zone is not to be taken as a representation that the property will or will not flood. This survey is not to be used for construction purposes and is for the exclusive use of Foundation Mortgage and Commonwealth Title only and this survey is made pursuant to that one certain title commitment under the GF number 2252000072, provided by the title company named hereon.

NOTES:

CM = CONTROLLING MONUMENT.

SUBJECT PROPERTY IS NOT AFFECTED BY THE FOLLOWING:
(10e)-EASEMENT, VOL. 80, PG. 123, VOL. 110, PG. 792, R.P.R.R.C.T.
(10f)-EASEMENT, VOL. 82, PG. 358, R.P.R.R.C.T.
(10g)-EASEMENT, VOL. 913, PG. 20, R.P.R.R.C.T.
(10h)-EASEMENT, VOL. 908, PG. 10, R.P.R.R.C.T.

THE BEARINGS FOR THIS SURVEY ARE BASED ON DEEDS RECORDED IN VOLUME 3555, PG. 93 AND IN INSTRUMENT NO. 2006-00358812, D.R.R.C.T.

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STATE OF TEXAS · J.T. THOMPSON · 4604 · PROFESSIONAL LAND SURVEYOR

Registered Professional Land Surveyor

REVISIONS	BY

PRECISE LAND SURVEYING, INC.
4625 EASTOVER DRIVE * MESQUITE, TEXAS 75149
(972) 681-7072 FAX (972) 279-1508

BOUNDARY SURVEY
1815 E. QUAIL RUN ROAD
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

Precise

SURVEYOR	JTT
DATE	02/14/07
TECH	MSP
PARTY CHIEF	JL
SURVEY DATE	02/13/07
DRAWING FILE	F:\07-DRAWN\307-0190
MAPSCO #	284-A/200-A
SCALE	1" = 50'
JOB NUMBER	307-0190
SHEET	1 OF 1 SHEETS

59

CITY OF ROCKWALL

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURE (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT FOR A 4.502-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE S. R. BARNES SURVEY, ABSTRACT NO. 13, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Herman Douglas Utley for the approval of an amendment to the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall to adopt a change in zoning from an Agriculture (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, and more specifically described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agriculture (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family Estate (SF-E) District* in *Section 1.1, "Use of Land and Buildings,"* of *Article IV, "Permissible Uses"* and *Section 3.2, "Single-Family Estate (SF-E/1.5, 2.0, 4.0) District",* of *Article V, "District Development Standards",* of the *Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

Section 3. That the official zoning map of the City be corrected to reflect the changes in the

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zoning described herein.

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

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

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

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 7TH DAY OF APRIL, 2014.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *March 16, 2015*

2nd Reading: *April 6, 2015*

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Exhibit 'A':
Legal Description

PROPERTY DESCRIPTION

Being a 4.502 acre tract of land situated in the S.R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas and being all that certain tract of land described in deed to Herman D. Utley, as recorded in Instrument No. 2006-00358812, Deed Records, Rockwall County, Texas and all that certain tract of land described in deed to Herman Douglas Utley, as recorded in Volume 3555, Page 93, said Deed Records and being more particularly described by metes and bounds as follows:

BEGINNING at a found 60 penny nail in E. Quail Run Road at the common west corner of said Utley tract (3555/93) and Lot 1, Block A, of the D.R. Taylor Addition, recorded in Cabinet E, Slide 317, Plat Records, Rockwall County, Texas, said 60 penny nail being on the east line of the remainder of that certain tract of land described in deed to Lonnie L. Gideon, as recorded in Volume 307, Page 256, said Deed Records;

THENCE along said E. Quail Run Road and the common line of said Utley tract (3555/93) and said Gideon tract the following bearings and distances:

North, a distance of 144.96 feet to a found 60 penny nail;

North 03 degrees 22 minutes 44 seconds East, a distance of 103.15 feet to a found 60 penny nail from which a found 5/8-inch iron rod bears North 32 degrees 43 minutes 46 seconds East, a distance of 13.69 feet and a found 1/2-inch iron rod bears South 87 degrees 53 minutes 27 seconds East, a distance of 17.69 feet;

North 09 degrees 16 minutes 45 seconds East, a distance of 86.44 feet to a found 60 penny nail at the common west corner of said Utley tracts, from which a found 1/2-inch iron rod bears South 89 degrees 39 minutes 46 seconds East - 25.41 feet;

THENCE along aforesaid E. Quail Run Road and the common line of said Utley tract (2006-00358812) and aforesaid Gideon tract the following bearings and distances:

North 13 degrees 45 minutes 03 seconds East, a distance of 134.53 feet;

North 04 degrees 57 minutes 27 seconds East, a distance of 130.01 feet;

North 02 degrees 16 minutes 19 seconds East, a distance of 113.06 feet to a point from which a found 5/8-inch iron rod bears North 02 degrees 54 minutes 26 seconds East, a distance of 31.67 feet;

North 30 degrees 51 minutes 27 seconds East, a distance of 72.24 feet;

North 69 degrees 46 minutes 15 seconds East, a distance of 98.85 feet;

North 86 degrees 17 minutes 03 seconds East, a distance of 67.89 feet to a point from which a found 1/2-inch iron rod bears North 07 degrees 24 minutes 57 seconds East, a distance of 4.98 feet, said point being the common corner of aforesaid Utley tract (2006-00358812) and that certain tract of land described in deed to Lonnie L. Gideon, as recorded in Volume 307, Page 259, aforesaid Deed Records and that certain tract of land described in deed to Hilda Kouvelis and husband, Peter Kouvelis, as recorded in Volume 1881, Page 115, said Deed Records;

THENCE South along the common line of said Utley tract (2006-00358812) and said Gideon tract (307/259), passing a found 1/2-inch iron rod at the common east corner of said Utley tracts at a distance of 473.91 feet and continuing along the common line of said Utley tract (3555/93) and said Gideon tract (307/259) a total distance of 916.66 feet to a point from which a found 1/2-inch iron rod bears North 57 degrees 25 minutes 40 seconds West, a distance of 0.69 of one foot, said point being the common east corner of said Utley tract (3555/93) and aforesaid Lot 1;

THENCE North 67 degrees 32 minutes 31 seconds West along the common line of said Utley tract (3555/93) and said Lot 1, passing a found 1/2-inch iron rod at a distance of 260.05 feet and continuing a total distance of 287.04 feet to the POINT OF BEGINNING and containing 196,096 square feet or 4.502 acres of land.

THIS IS TO DECLARE that on this date a survey was made on the ground, under my direction and supervision of the above described tract of land.

There are no visible conflicts, visible evidence of easements or rights-of-way, or protrusions, except as shown, and that this date the easements, rights-of-way or other locatable matters of record of which the undersigned has knowledge or has been advised are as shown or noted hereon.

The subject property does not appear to lie within the limits of a 100-year flood hazard zone according to the Map published by the Federal Emergency Management Agency, and has a Zone "X" Rating as shown by Map No. 480543 00030 B, dated SEPTEMBER 17, 1980. The statement that the property does or does not lie within a 100-year flood zone is not to be taken as a representation that the property will or will not flood. This survey is not to be used for construction purposes and is for the exclusive use of Foundation Mortgage and Commonwealth Title only and this survey is made pursuant to that one certain title commitment under the GF number 2252000072, provided by the title company named hereon.

NOTES:

CM = CONTROLLING MONUMENT.

SUBJECT PROPERTY IS NOT AFFECTED BY THE FOLLOWING:
(10e)-EASEMENT, VOL. 80, PG. 123, VOL. 110, PG. 792, R.P.R.R.C.T.
(10f)-EASEMENT, VOL. 82, PG. 358, R.P.R.R.C.T.
(10g)-EASEMENT, VOL. 913, PG. 20, R.P.R.R.C.T.
(10h)-EASEMENT, VOL. 908, PG. 10, R.P.R.R.C.T.

THE BEARINGS FOR THIS SURVEY ARE BASED ON DEEDS RECORDED IN VOLUME 3555, PG. 93 AND IN INSTRUMENT NO. 2006-00358812, D.R.R.C.T.

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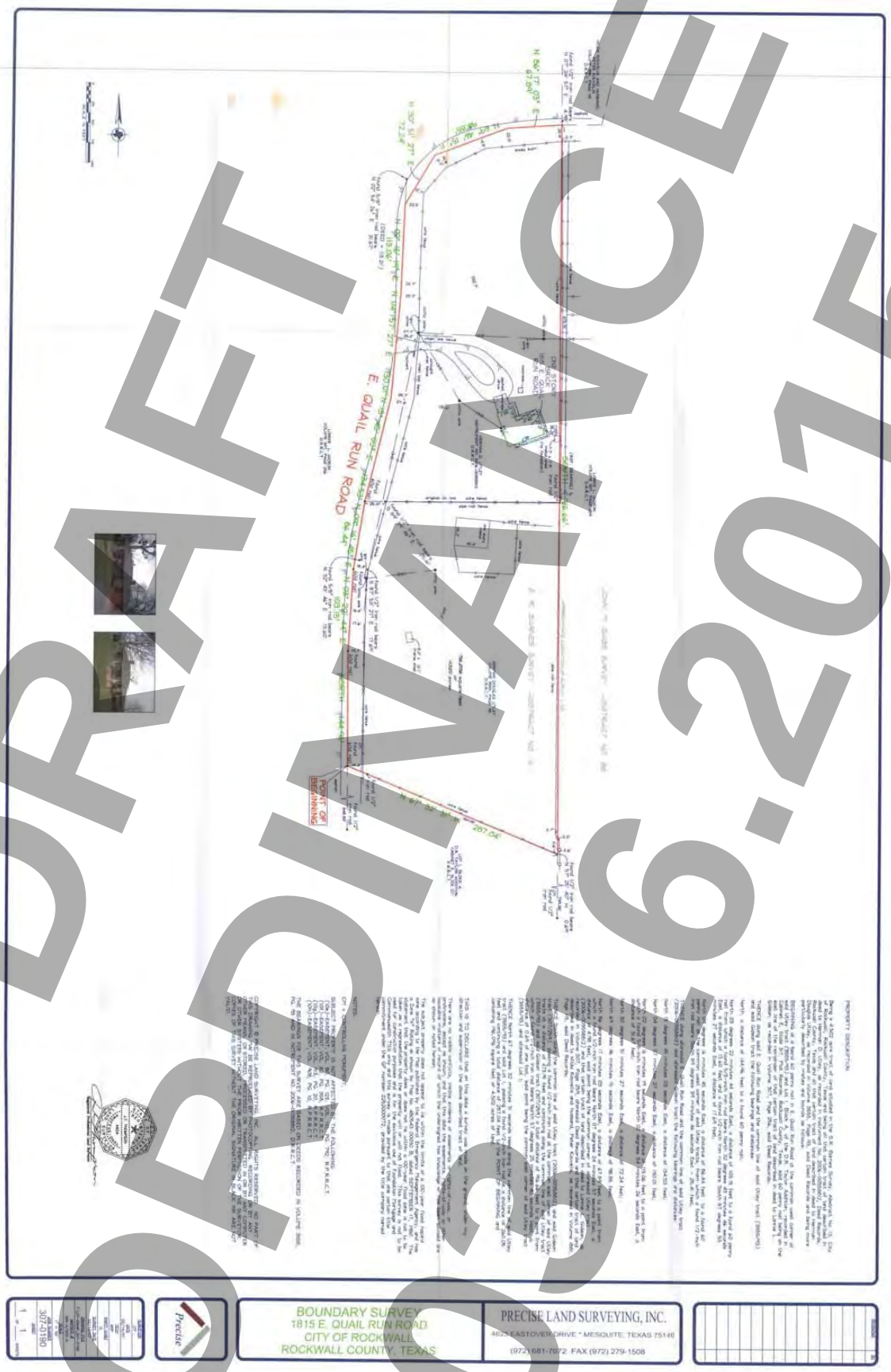
Exhibit 'B':
Zoning Exhibit



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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 03/16/2015

APPLICANT: Chris and Jill Blasé

AGENDA ITEM: **Z2015-009**; Detached Garage - SUP

Hold a public hearing to discuss and consider a request by Chris and Jill Blasé for the approval of a Specific Use Permit (SUP) for a detached garage that does not conform to the requirements as stipulated by Section 2.1.2, *Residential and Lodging Use Conditions*, of Article IV, *Permissible Uses*, of the Unified Development Code for a 4.05-acre parcel of land identified as Lot 1, Block 1, Blasé Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, addressed as 1220 East Fork Drive, and take any action necessary.

BACKGROUND INFORMATION:

The applicants are requesting a Specific Use Permit (SUP) to allow for a 2-story detached garage that exceeds the area and height requirements of the Residential and Lodging Use Conditions for an accessory building within a residential district. The proposed structure will have a building footprint of 1,235 sq. ft. which exceeds the maximum area of 900 sq. ft. The overall height of the structure is 24ft - 10 7/8", exceeding the 15ft height requirement. It should be noted that the proposed structure has a gabled roof design that is measured at the mid-point of the roof for height purposes. When measured at the mid-point, the roof is approximately 17 ½-ft in height, exceeding the 15ft maximum.

Furthermore, the detached garage does not meet the exterior material requirements of the Residential and Lodging Use Conditions for the detached garage. Rather, the applicants are proposing the structure to incorporate metal siding with a metal roof and metal roof elements (dormers) that will have stone matching the primary structure and appearing on the front façade.

According to the Unified Development Code (UDC), Article IV Permissible Uses, Sec. 2.1.2. - Residential and lodging use conditions;

Accessory building (accessory to residential use).

1. The accessory building shall be accessory to a residential use and located on the same lot.

2. In all residential districts, one detached garage shall be allowed provided that it does not exceed 900 square feet in area or 15 feet in height, provided that it is located on the same lot as the residential use and that the exterior cladding contains the same materials, excluding glass, as found on the main structure and is generally in the same proportion.

6. Accessory buildings not meeting these standards shall require approval of an SUP.

The applicants have provided a site plan indicating the location of the detached garage to be directly behind the existing home and building elevations for the proposed 2-story structure. The applicants have proposed to use the structure for parking of vehicles, storage, and as a workshop.

A request for an Specific Use Permit is a discretionary act upon the Planning and Zoning Commission and City Council.

NOTIFICATION:

On February 20, 2015, staff mailed sixty-six (66) notices to property owners and residents within 500 feet of the subject property. Staff has also notified the Shores/Ray Hubbard, Lake View Summit and Hillcrest at the Shores Homeowner's Associations (HOA) via e-mail, which are located within 1,500 feet of the subject property. Additionally, staff posted a sign adjacent to the subject property on East Fork Dr. as required by the Unified Development Code (UDC). A public notice has been published in the Rockwall Herald Banner meeting state statutes and has also been posted on the City's web-site. At the time this case memo was drafted, staff has received two (2) notices "opposed" to the zoning change request.

RECOMMENDATIONS:

Should the request for an SUP be approved, staff offers the following conditions:

1. Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

2. That submittal and approval of a building permit is required prior to the construction of the detached garage.

3. That the detached garage shall generally conform to the site plan as submitted.

4. That the detached garage shall not exceed 1,235 sq. ft. in area or an overall height of 25 ft

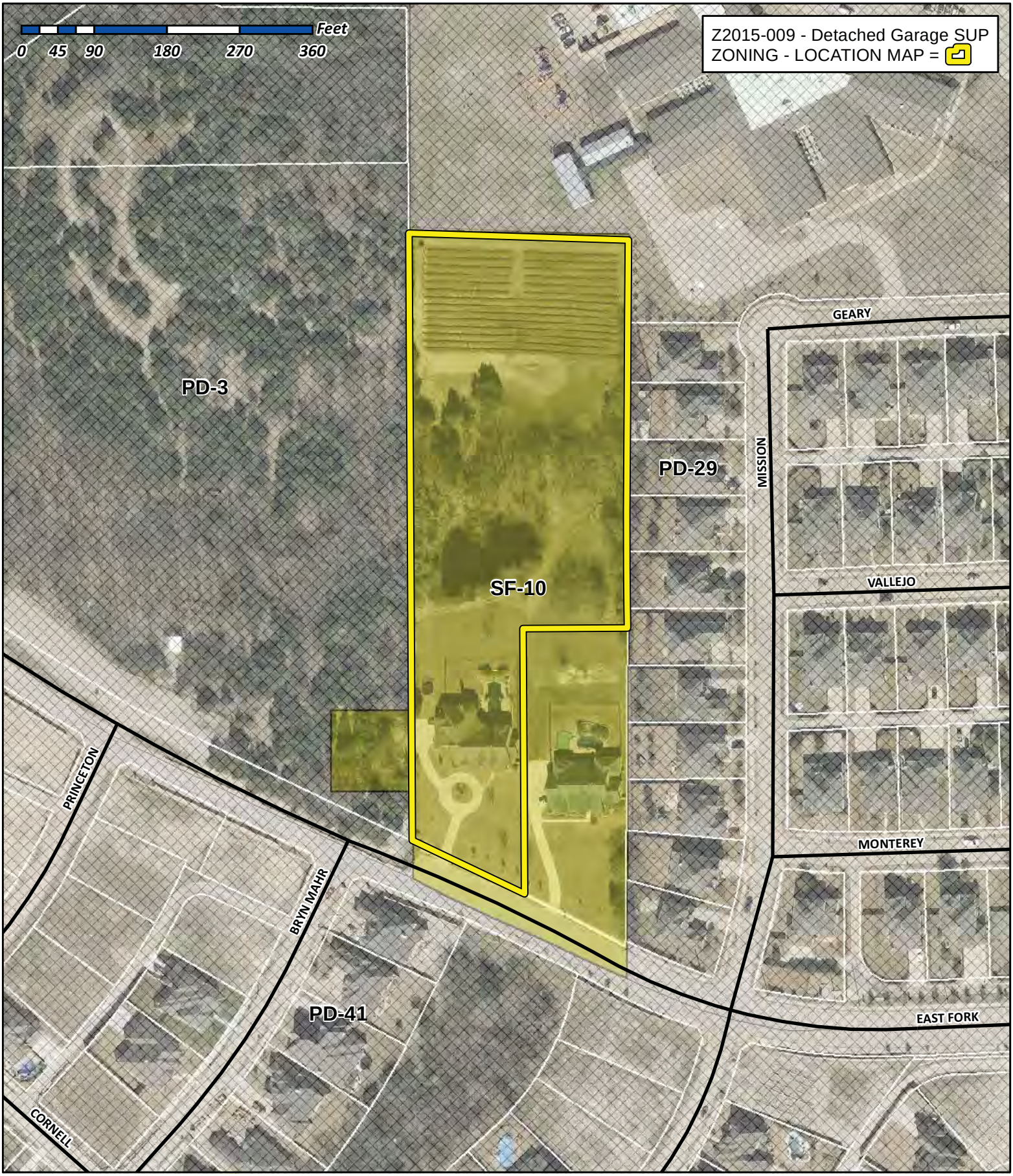
5. That the detached garage shall generally conform to the building elevations as submitted, including the use of metal siding, a metal roof, and metal roof elements (dormers) as depicted.

6. That the detached garage is subject to administrative review in the event that the subject property is sold to another party, conveyed in any manner to another party, subdivided, or re-platted.

7. The City Council reserves the right to review the Specific Use Permit within one (1) year from the date approval.

Planning and Zoning Commission Recommendation:

On March 10, 2015, the Planning and Zoning Commission recommended approval of the Specific Use Permit (SUP) with staff conditions by a vote of 6 to 0 [Conley – absent].



City of Rockwall

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

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

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City of Rockwall

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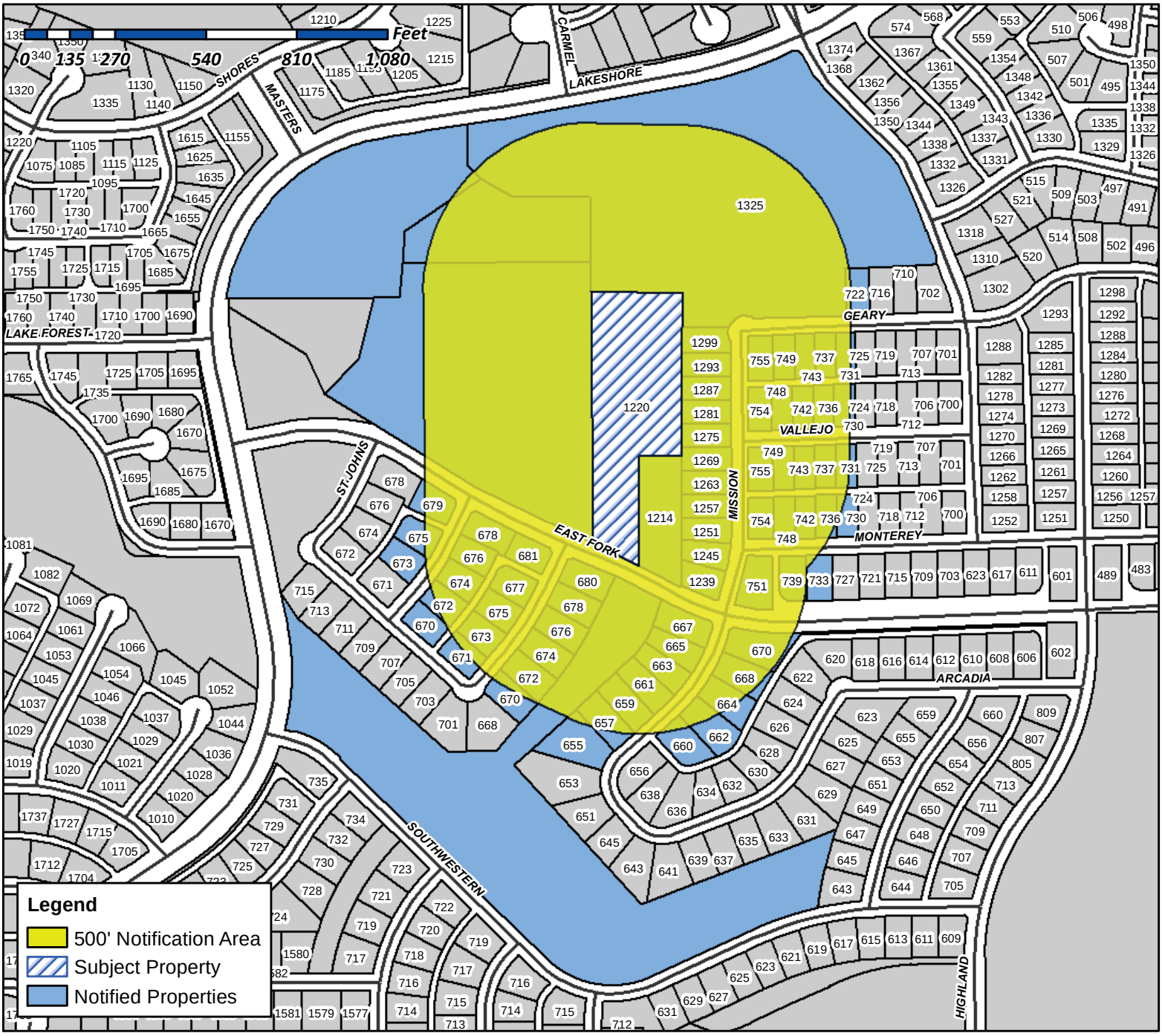
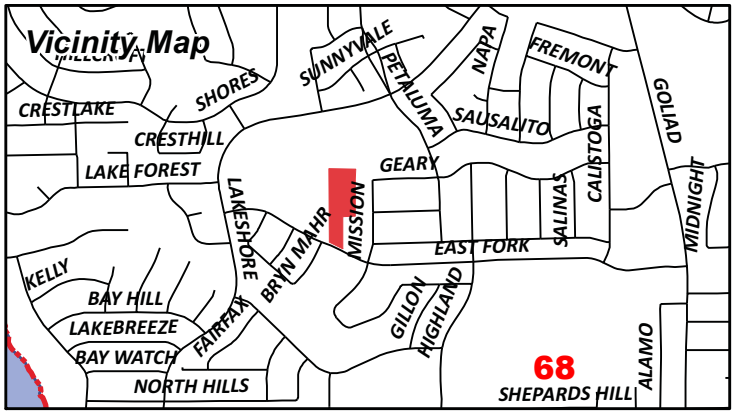


Case Number: Z2015-009
Case Name: Detached Garage SUP
Case Type: Specific Use Permit
Zoning: SF-10
Case Address: 1220 East Fork Drive



Date Created: 2/13/2015
For Questions on this Case Call (972) 771-7745

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

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

To Whom It May Concern:

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

Case No. Z2015-009: Detached Garage SUP

Hold a public hearing to discuss and consider a request by Chris and Jill Blasé for the approval of a Specific Use Permit (SUP) for a detached garage that does not conform to the requirements as stipulated by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code for a 4.05-acre parcel of land identified as Lot 1, Block 1, Blasé Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, addressed as 1220 East Fork Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 3/10/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 3/16/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **3/16/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2015-009: Detached Garage SUP

Please place a check mark on the appropriate line below:

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

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

Name:

Address:

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

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

Reference No.	Name	Legal Description	Address 1	Address 2	Address 3	City	State	Zip
3124-0000-0002-00-0R	DALLAS ERIN C & COLIN M	BLASE ADDITION, LOT 2, ACRES 1.06		1214 EAST FORK		ROCKWALL	TX	75087
0021-0000-0011-03-0R	BREC ENTERPRISES LLC	A0021 N BUTLER, TRACT 11-3, ACRES 3.677 (PT OF 13.3 AC TR)		1220 E FORK DRIVE		ROCKWALL	TX	75087
4292-000Z-0001-00-0R	ANZAI HIDEHIRO & MIKI	LAKEVIEW SUMMIT PHASE 2, BLOCK Z, LOT 1		1239 MISSION DR		ROCKWALL	TX	75087
4292-000Z-0002-00-0R	HUX MARK	LAKEVIEW SUMMIT PHASE 2, BLOCK Z, LOT 2		1245 MISSION DR		ROCKWALL	TX	75087
4292-000Z-0003-00-0R	CONFIDENTIAL	LAKEVIEW SUMMIT PHASE 2, BLOCK Z, LOT 3		1251 MISSION DR		ROCKWALL	TX	75087
4292-000Z-0004-00-0R	PEREZ HUMBERTO	LAKEVIEW SUMMIT PHASE 2, BLOCK Z, LOT 4		1257 MISSION DRIVE		ROCKWALL	TX	75087
4292-000Z-0005-00-0R	CURRENT RESIDENT	LAKEVIEW SUMMIT PHASE 2, BLOCK Z, LOT 5		1263 MISSION DR		ROCKWALL	TX	75087
4292-000Z-0006-00-0R	LEA MELVA JO	LAKEVIEW SUMMIT PHASE 2, BLOCK Z, LOT 6		1269 MISSION DRIVE		ROCKWALL	TX	75087
4292-000Z-0007-00-0R	ROWAN KERTI R AND	LAKEVIEW SUMMIT PHASE 2, BLOCK Z, LOT 7	RYAN D ENGRAV	1275 MISSION DRIVE		ROCKWALL	TX	75087
4292-000Z-0008-00-0R	GARCIA FRANCES	LAKEVIEW SUMMIT PHASE 2, BLOCK Z, LOT 8		1281 MISSION DR		ROCKWALL	TX	75087
4292-000Z-0010-00-0R	CHANDLER JEFFREY & KIMBERLY	LAKEVIEW SUMMIT PHASE 2, BLOCK Z, LOT 10		1293 MISSION DR		ROCKWALL	TX	75087
4292-000Z-0011-00-0R	GUANCIAL JOSEPH	LAKEVIEW SUMMIT PHASE 2, BLOCK Z, LOT 11		1299 MISSION DR		ROCKWALL	TX	75087
4851-000A-0001-00-0R	ROCKWALL I S D	ROCKWALL ELEMENTARY SCHOOL NO. 9 ADDITION, BLOCK A, LOT 1, ACRES 15.092		1325 PETALUMA DR		ROCKWALL	TX	75087
0021-0000-0011-02-0R	HILLWOOD SHORES LP	A0021 N BUTLER, TRACT 11-2, ACRES 5.006		13600 HERITAGE PKWY	STE 200	FORT WORTH	TX	76177
4292-000U-0001-00-0R	CLARK CHARLES L & SANDRA J TRUSTEES	LAKEVIEW SUMMIT PHASE 2, BLOCK U, LOT 1	CHARLES L & SANDRA J CLARK FAMILY TRUST	1739 MORLEY STREET		SIMI VALLEY	CA	93065
4292-000U-0004-00-0R	LING JOYCE H & ROBERT H	LAKEVIEW SUMMIT PHASE 2, BLOCK U, LOT 4		17736 LILIANA CT		ROWLAND HEIGHTS	CA	91748
4694-000M-0007-00-0R	MASTER DEVELOPERS SNB LLC	PRESERVE PHASE 3, THE, BLOCK M, LOT 7	ATTN LORI WOLFE	2400 DALLAS PARKWAY	SUITE 510	PLANO	TX	75093
4292-000T-0004-00-0R	CHIU THOMAS C	LAKEVIEW SUMMIT PHASE 2, BLOCK T, LOT 4		301 CRESTBROOK		ROCKWALL	TX	75087
4694-000P-0001-00-0R	DR HORTON - TEXAS LTD	PRESERVE PHASE 3, THE, BLOCK P, LOT 1		4306 MILLER RD		ROWLETT	TX	75088
4292-000Z-0005-00-0R	TAYLOR DAVID I AND JENNIFER S	LAKEVIEW SUMMIT PHASE 2, BLOCK Z, LOT 5		4710 KYNDRA CIR		RICHARDSON	TX	75082
4694-000P-0003-00-0R	FIRST TEXAS HOMES INC	PRESERVE PHASE 3, THE, BLOCK P, LOT 3		500 CRESCENT COURT	SUITE 500	DALLAS	TX	75201
4694-000P-0007-00-0R	BLACK RICARDO N & LORY C	PRESERVE PHASE 3, THE, BLOCK P, LOT 7		655 MISSION DR		ROCKWALL	TX	75087
4694-000P-0006-00-0R	MALONE CLANTON	PRESERVE PHASE 3, THE, BLOCK P, LOT 6		657 MISSION DR		ROCKWALL	TX	75087
4694-000P-0005-00-0R	HULL JEFFREY C AND CARLA R	PRESERVE PHASE 3, THE, BLOCK P, LOT 5		659 MISSION DR		ROCKWALL	TX	75087
4694-000Q-0005-00-0R	VILLAFANA BILL G & DIANE B	PRESERVE PHASE 3, THE, BLOCK Q, LOT 5		660 MISSION DR		ROCKWALL	TX	75087
4694-000P-0004-00-0R	CUMMINGS TERRENCE J & CHERYL L	PRESERVE PHASE 3, THE, BLOCK P, LOT 4		661 MISSION DR		ROCKWALL	TX	75087
4694-000Q-0004-00-0R	BENEDETTO MATT J & SJ	PRESERVE PHASE 3, THE, BLOCK Q, LOT 4		662 MISSION DRIVE		ROCKWALL	TX	75087
4694-000Q-0003-00-0R	EBEIER JOHN C & DANIELLE B EBEIER	PRESERVE PHASE 3, THE, BLOCK Q, LOT 3		664 MISSION DR		ROCKWALL	TX	75087
4694-000P-0002-00-0R	RAMSEY JAMES & CYNTHIA	PRESERVE PHASE 3, THE, BLOCK P, LOT 2		665 MISSION DR		ROCKWALL	TX	75087
4694-000P-0001-00-0R	CURRENT RESIDENT	PRESERVE PHASE 3, THE, BLOCK P, LOT 1		667 MISSION DR		ROCKWALL	TX	75087
4694-000Q-0002-00-0R	JACKSON TRACY & RETHA	PRESERVE PHASE 3, THE, BLOCK Q, LOT 2		668 MISSION DR		ROCKWALL	TX	75087
4694-000O-0012-00-0R	SUTTON ROGER RAY JR	PRESERVE PHASE 3, THE, BLOCK O, LOT 12		670 BRYN MAHR LANE		ROCKWALL	TX	75087
4694-000Q-0001-00-0R	DAVIS AARON F & AMANDA M	PRESERVE PHASE 3, THE, BLOCK Q, LOT 1		670 MISSION DRIVE		ROCKWALL	TX	75087
4694-000N-0005-00-0R	JESZ RONALD R & MARGARET A	PRESERVE PHASE 3, THE, BLOCK N, LOT 5		670 PRINCETON WAY		ROCKWALL	TX	75087
4694-000N-0006-00-0R	COBB STEPHEN L & MELANIE E	PRESERVE PHASE 3, THE, BLOCK N, LOT 6		671 BRYN MAHR		ROCKWALL	TX	75087
4694-000O-0013-00-0R	SCHWERTNER RAY & SHEILA	PRESERVE PHASE 3, THE, BLOCK O, LOT 13		672 BRYN MAHR LANE		ROCKWALL	TX	75087
4694-000N-0007-00-0R	GRAVES JAMES GREGORY & ALISHA DIAN	PRESERVE PHASE 3, THE, BLOCK N, LOT 7		673 BRYN MAHR LN		ROCKWALL	TX	75087
4694-000N-0003-00-0R	CURRENT RESIDENT	PRESERVE PHASE 3, THE, BLOCK N, LOT 3		674 PRINCETON WAY		ROCKWALL	TX	75087
4694-000O-0014-00-0R	VOTTERI CHRISTOPHER MARK & BONNIE	PRESERVE PHASE 3, THE, BLOCK O, LOT 14		674 BRYN MAHR LN		ROCKWALL	TX	75087
4694-000M-0007-00-0R	CURRENT RESIDENT	PRESERVE PHASE 3, THE, BLOCK M, LOT 7		675 PRINCETON WAY		ROCKWALL	TX	75087
4694-000N-0008-00-0R	TREVINO RAUL & MARIA J	PRESERVE PHASE 3, THE, BLOCK N, LOT 8		675 BRYN MAHR LANE		ROCKWALL	TX	75087
4694-000O-0015-00-0R	DESHETLER TODD M	PRESERVE PHASE 3, THE, BLOCK O, LOT 15		676 BRYN MAHR LN		ROCKWALL	TX	75087
4694-000N-0009-00-0R	PALMER JAMIE A AND MITCHELL	PRESERVE PHASE 3, THE, BLOCK N, LOT 9		677 BRYN MAHR LN		ROCKWALL	TX	75087
4694-000O-0016-00-0R	SOLOMON BRIAN & KELLY	PRESERVE PHASE 3, THE, BLOCK O, LOT 16		678 BRYN MAHR LANE		ROCKWALL	TX	75087
4694-000O-0017-00-0R	BARKER CHARLES W & LISA M	PRESERVE PHASE 3, THE, BLOCK O, LOT 17		680 BRYN MAHR LANE		ROCKWALL	TX	75087
4292-000V-0016-00-0R	ZUVER KENNETH R & MARSHA	LAKEVIEW SUMMIT PHASE 2, BLOCK V, LOT 16		730 MONTEREY DR		ROCKWALL	TX	75087
4292-000U-0016-00-0R	MOORE MARY PATRICIA	LAKEVIEW SUMMIT PHASE 2, BLOCK U, LOT 16		730 VALLEJO DR		ROCKWALL	TX	75087
4292-000U-0005-00-0R	ROGERS CASEY MATTHEW & BRITTNEY M	LAKEVIEW SUMMIT PHASE 2, BLOCK U, LOT 5		731 GEARY DRIVE		ROCKWALL	TX	75087
4292-000V-0005-00-0R	GARCIA RUDOLPH L & ALMA C	LAKEVIEW SUMMIT PHASE 2, BLOCK V, LOT 5		731 VALLEJO DR		ROCKWALL	TX	75087
4292-000Y-0003-00-0R	ALVARADO JOSE & ROXANA	LAKEVIEW SUMMIT PHASE 2, BLOCK Y, LOT 3		733 MONTEREY DR		ROCKWALL	TX	75087
4292-000U-0017-00-0R	WARNICK DAVID S & KELLY S	LAKEVIEW SUMMIT PHASE 2, BLOCK U, LOT 17		736 VALLEJO DR		ROCKWALL	TX	75087
4292-000V-0004-00-0R	PATTERSON RONYA R & MARY W	LAKEVIEW SUMMIT PHASE 2, BLOCK V, LOT 4		737 VALLEJO DR		ROCKWALL	TX	75087
4292-000Y-0002-00-0R	BLACKNALL SHARITA & ANTHONY	LAKEVIEW SUMMIT PHASE 2, BLOCK Y, LOT 2		739 MONTEREY DR		ROCKWALL	TX	75087
4292-000V-0018-00-0R	MATTHEWS SAMUEL JERRY LIFE ESTATE	LAKEVIEW SUMMIT PHASE 2, BLOCK V, LOT 18	SARAH J MATTHEWS	742 MONTEREY DRIVE		ROCKWALL	TX	75087
4292-000U-0018-00-0R	PHILLIPS BRENT JOHN	LAKEVIEW SUMMIT PHASE 2, BLOCK U, LOT 18		742 VALLEJO DR		ROCKWALL	TX	75087
4292-000U-0003-00-0R	RAMSEY JON PAUL & JENNY H	LAKEVIEW SUMMIT PHASE 2, BLOCK U, LOT 3		743 GEARY DR		ROCKWALL	TX	75087
4292-000V-0003-00-0R	CHASE MICHAEL B & TIFFANY CHASE	LAKEVIEW SUMMIT PHASE 2, BLOCK V, LOT 3		743 VALLEJO DR		ROCKWALL	TX	75087
4292-000V-0019-00-0R	PRATHER R A & CANDACE D	LAKEVIEW SUMMIT PHASE 2, BLOCK V, LOT 19		748 MONTEREY DR		ROCKWALL	TX	75087
4292-000U-0019-00-0R	JOHNSON JUDITH LOPEZ & DEREK E	LAKEVIEW SUMMIT PHASE 2, BLOCK U, LOT 19		748 VALLEJO DR		ROCKWALL	TX	75087
4292-000U-0002-00-0R	RYAN THOMAS J &	LAKEVIEW SUMMIT PHASE 2, BLOCK U, LOT 2	THOMAS M RYAN	749 GEARY DR		ROCKWALL	TX	75087
4292-000V-0002-00-0R	COOPER BRADY E & DIANE J	LAKEVIEW SUMMIT PHASE 2, BLOCK V, LOT 2		749 VALLEJO DR		ROCKWALL	TX	75087
4292-000Y-0013-00-0R	DODSON DONALD T & HUA	LAKEVIEW SUMMIT PHASE 2, BLOCK Y, LOT 13, (REPLAT 2011)		751 MONTEREY DRIVE		ROCKWALL	TX	75087
4292-000V-0020-00-0R	ACKER DAVID M	LAKEVIEW SUMMIT PHASE 2, BLOCK V, LOT 20		754 MONTEREY DR		ROCKWALL	TX	75087
4292-000U-0020-00-0R	HUBERT BARBARA J	LAKEVIEW SUMMIT PHASE 2, BLOCK U, LOT 20		754 VALLEJO DR		ROCKWALL	TX	75087
4292-000V-0001-00-0R	ALSROUJI DIAB K	LAKEVIEW SUMMIT PHASE 2, BLOCK V, LOT 1		755 VALLEJO DR		ROCKWALL	TX	75087
4292-000V-0017-00-0R	SIMMONS INVESTMENTS LLC	LAKEVIEW SUMMIT PHASE 2, BLOCK V, LOT 17		8172 CHURCH STEEPLE ST		LAS VEGAS	NV	89131

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PLEASE RETURN THE BELOW FORM

Case No. Z2015-009: Detached Garage SUP

Please place a check mark on the appropriate line below:

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

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

After viewing the blue prints it's clear that the guest house is not a residential dwelling but appears to be commercial which is the opposite of what I was told via phone about the 1st zoning request back in Dec. 2014.

Name: Jim + Cindy Ramsey

Address: 665 Mission Dr.

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

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

Due to the possibility of increased commercial use of said property I voted in favor then but feel I was misled in that decision. VOTE NO to this current request.

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

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

To Whom It May Concern:

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

Case No. Z2015-009: Detached Garage SUP

Hold a public hearing to discuss and consider a request by Chris and Jill Blasé for the approval of a Specific Use Permit (SUP) for a detached garage that does not conform to the requirements as stipulated by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code for a 4.05-acre parcel of land identified as Lot 1, Block 1, Blasé Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, addressed as 1220 East Fork Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 3/10/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 3/16/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **3/16/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2015-009: Detached Garage SUP

Please place a check mark on the appropriate line below:

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

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

I prefer to keep the area residential, Not commercial. Also keep the trees and green belt. Leave it alone!

Name: Jeffrey Hull

Address: 659 Mission Dr. Rockwall TX 75087

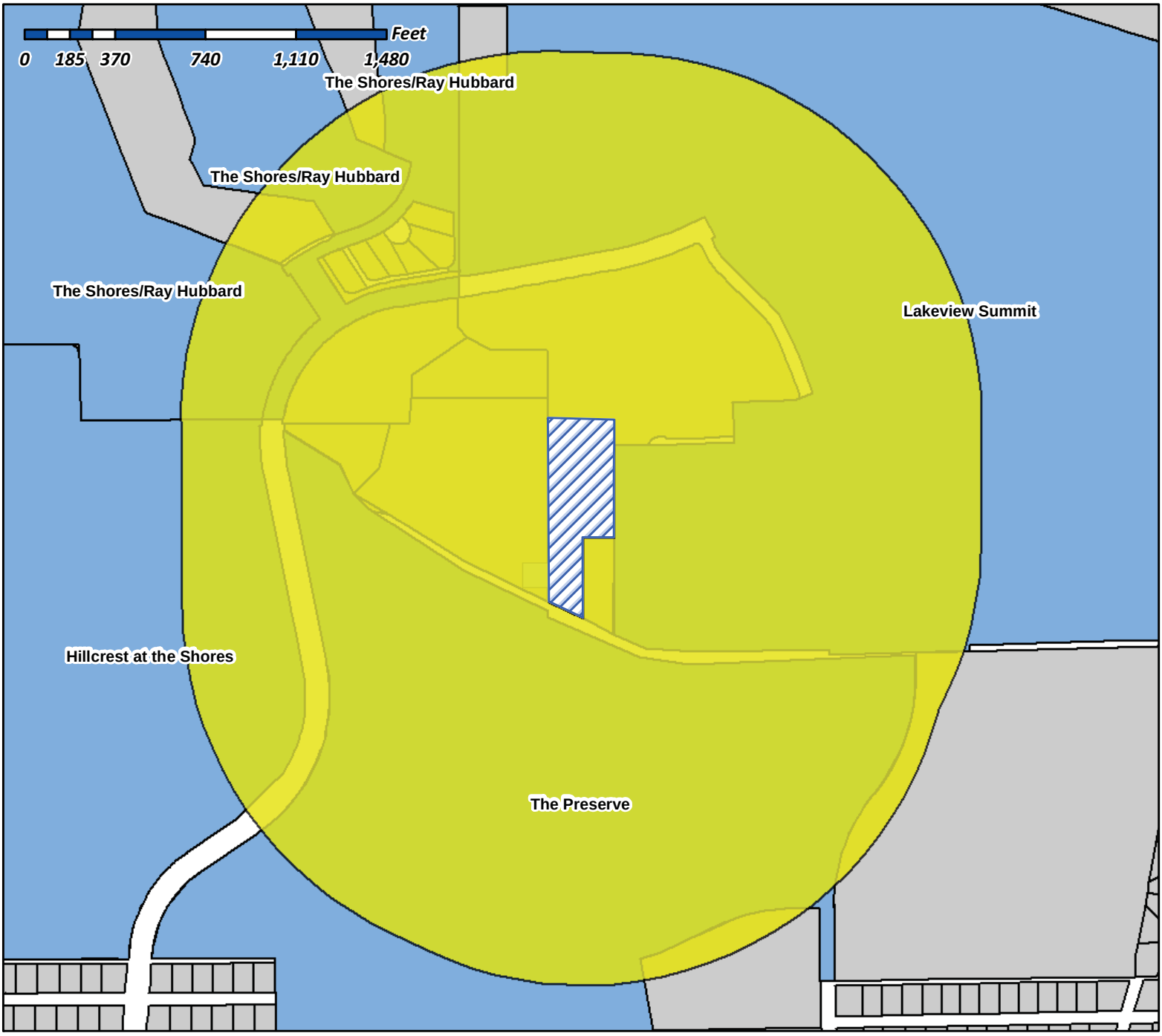
Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be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

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

City of Rockwall

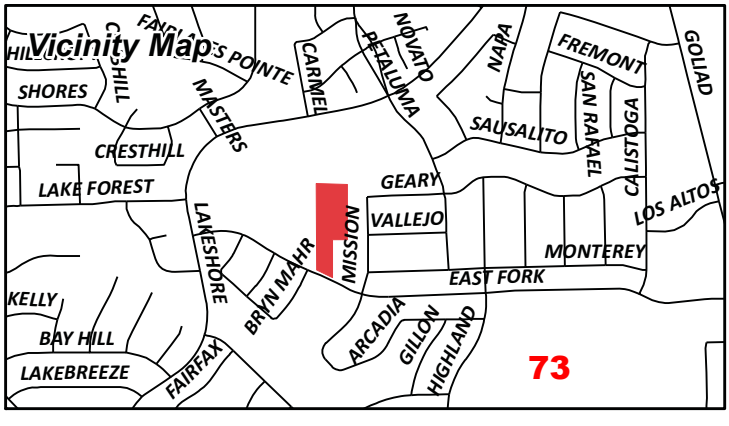
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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



Case Number: Z2015-009
Case Name: Detached Garage SUP
Case Type: Specific Use Permit
Zoning: SF-10
Case Address: 1220 East Fork Drive

Date Created: ***2/13/2015***
For Questions on this Case Call (972) 771-7745



Gonzales, David

From: Miller, Ryan
Sent: Monday, February 16, 2015 4:12 PM
To: Gonzales, David
Subject: FW: Blase detached garage

FYI … Below.

RYAN C. MILLER, AICP
PLANNING MANAGER • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

HELPFUL LINKS | CITY OF ROCKWALL WEBSITE | PLANNING & ZONING DIVISION WEBSITE | MUNICIPAL CODE WEBSITE
GIS DIVISION WEBSITE | CITY OF ROCKWALL INTERACTIVE MAPS | MAIN STREET DIVISION

From: Jill Chris Blase [redacted]
Sent: Monday, February 16, 2015 3:25 PM
To: Miller, Ryan
Subject: Blase detached garage

Dear Ryan,

Thank you for assisting me on Friday.
Chris and I would like to start the process with the city, for approval, to build a detached garage on our property at, 1220 E Fork Drive, Rockwall, TX.

Please let me know if you have any questions. We will gladly answer them right away.

Warmest regards,

Chris and Jill Blase
1220 E Fork Dr
214-498-8458 Chris' cell
214-403-8998 Jill's cell

CITY OF ROCKWALL

ORDINANCE NO. 15-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A DETACHED GARAGE THAT DOES NOT CONFORM TO THE REQUIREMENTS AS STIPULATED BY SECTION 2.1.2, RESIDENTIAL AND LODGING USE CONDITIONS, OF ARTICLE IV, PERMISSIBLE USES, BEING A 4.05-ACRE PARCEL OF LAND, ZONED SINGLE-FAMILY RESIDENTIAL (SF-10) DISTRICT, AND IDENTIFIED AS LOT 1, BLOCK 1, BLASÉ ADDITION, AND LOCATED AT 1220 EAST FORK DRIVE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DEPICTED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Chris and Jill Blasé for the approval of a Specific Use Permit (SUP) to allow for a *Detached Garage* that does not conform to the requirements as stipulated by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses of the Unified Development Code [Ordinance 04-38], being a 4.05-acre parcel of land, zoned Single-Family Residential (SF-10) District, and identified as Lot 1, Block 1, Blasé Addition, and located at 1220 East Fork Drive, and, City of Rockwall, Rockwall County, Texas, and more specifically depicted in Exhibit 'A' of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for a *Detached Garage* that does not conform to the requirements of Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, within a Single Family (SF-10) Residential District as stipulated by the Unified Development Code [Ordinance no. 04-38] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) granted herein and shall be subject to the conditions set forth in *Article IV, Permissible Uses, Sec. 2.1.2 Residential and Lodging Uses* of the Unified Development Code [Ordinance No. 04-38] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following additions and compliance standards:

1. Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government; and,

2. That submittal and approval of a building permit is required prior to the construction of the detached garage; and,

3. That the detached garage shall generally conform to the site plan as submitted and attached hereto as Exhibit 'A'; and,

4. That the detached garage shall not exceed 1,235 sq. ft. in area as depicted in the floor plan attached hereto as Exhibit 'B' and does not exceed an overall height of 25 ft. as depicted in the building elevations attached hereto as Exhibit 'C'; and,

5. That the detached garage shall generally conform to the building elevations as submitted, including the use of metal siding, a metal roof, and metal roof elements (dormers) as depicted and attached hereto as Exhibit 'C'; and,

6. That the detached garage is subject to administrative review in the event that the subject property is sold to another party, conveyed in any manner to another party, subdivided, or re-platted; and,

7. That the City Council reserves the right to review the Specific Use Permit within one (1) year from the date approval.

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

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

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

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

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE _____ DAY OF _____, 2015.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading:

2nd Reading:

Exhibit 'A' - Site Plan



Exhibit 'B' - Floor Plan

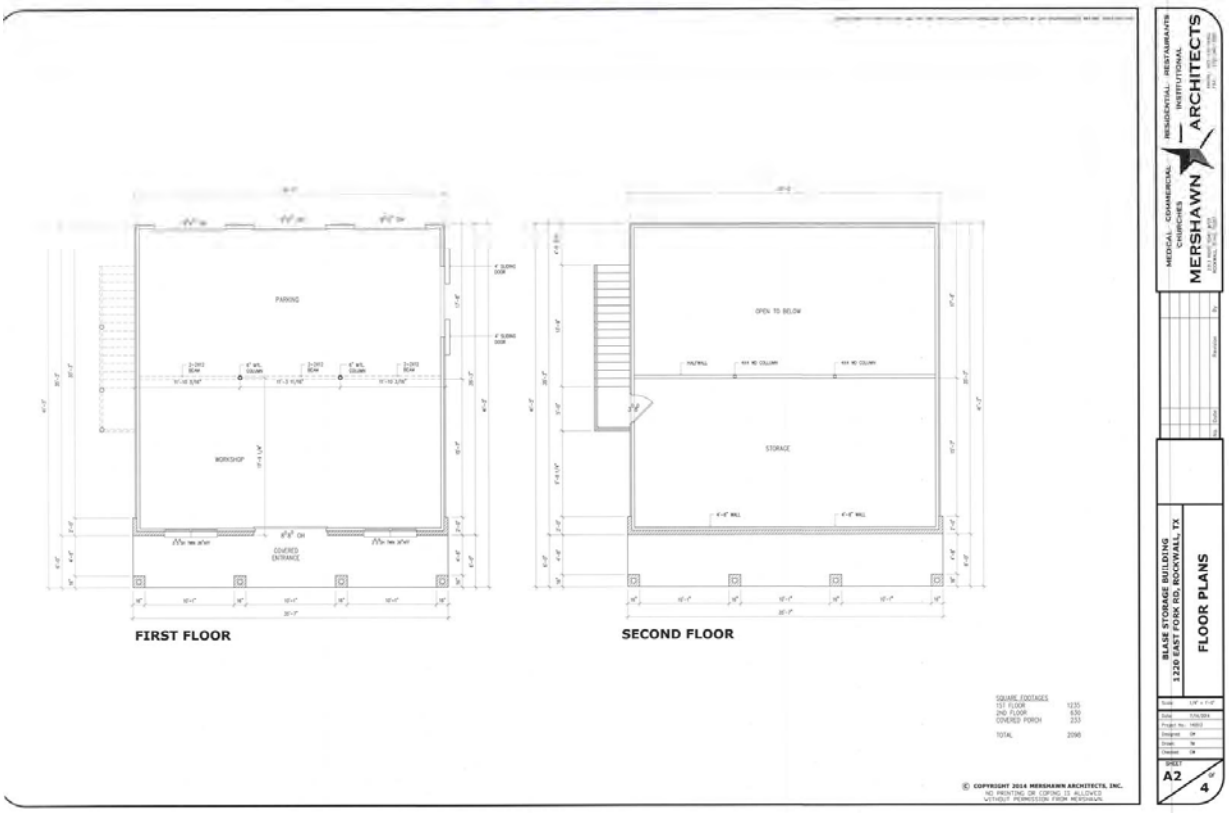


Exhibit 'C' - Building Elevations



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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Robert LaCroix, *Director of Planning and Zoning*

FROM: Ryan Miller, *Planning Manager*

DATE: March 16, 2015

SUBJECT: Z2015-010; *Townhomes [PD-70 to PD]*

At their regularly scheduled meeting on March 10, 2015, the Planning and Zoning Commission, at the request of the applicant (*Adam Buczek*), postponed the public hearing to March 31, 2015. This means that the projected City Council public hearing will be held at the April 6, 2015 meeting. According to Section 6.2, *Public Hearing Postponements, Recess, and Continuations*, of the Article II of the Unified Development Code, a public hearing may be postponed by announcing the postponement at the public hearing and indicating the time and place the new hearing is scheduled to begin. The announcement of a postponement shall be sufficient notice and no additional notice shall be required.

SKORBURG COMPANY

8214 Westchester Drive, Suite 710
Dallas, TX 75225

March 2, 2015

Mr. Ryan Miller, Planning Manager
City of Rockwall Planning Department
385 S. Goliad Street
Rockwall, Texas 75087

Re: Request to table Agenda Item for Stone Creek Townhouse

Dear Mr. Miller:

As discussed, please accept this letter as Skorburg Company's official request to table Agenda Item regarding the Stone Creek property at next Tuesday night's Planning & Zoning Commission meeting.

We respectfully request to be postponed to the March 31, 2015 Planning & Zoning Commission meeting for action.

Sincerely,

Adam Buczek
Development Partner

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 3/16/2015

APPLICANT: Jimmy Strohmeyer of Strohmeyer Architects

AGENDA ITEM: **SP2015-003**; Summer Lee - MOB

Discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects on behalf of the owner Dr. Umar Burney of the North Dallas Rockwall Land Investors, LLC for the approval of certain variances associated with an approved site plan for a medical office building on a 1.6121-acre tract of land identified as Lot 2, Block A, Ridge/Summer Lee Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9), situated within the Scenic Overlay (SOV) District, located east of the intersection Ridge Road and Summer Lee Drive, and take any action necessary.

BACKGROUND INFORMATION:

Jimmy Strohmeyer of Strohmeyer has submitted an application on behalf of the owner Dr. Umar Burney of the North Dallas Land Investors, LLC for site plan approval of a 14,200 sq. ft. medical office building. The proposed facility will be situated on a 1.6121-acre tract of land that is adjacent to and east of the Aldi Grocery store and is generally located at the S.E. quadrant of Summer Lee and Ridge Road. The property is zoned Planned Development No. 9 (PD-9) District and is located within the Scenic Overlay (SOV) district.

VARIANCE REQUEST:

The applicant is requesting the following variances to various sections of the Unified Development Code: Article V, District Development Standards and Article VIII, Landscape Standards as indicated below.

1) To allow for not meeting the 10-ft. landscape buffer requirements by allowing parking spaces to be located within the buffer as established in Art. VIII, Sec. 5.7, A. as depicted in the landscape plan submitted.

2) To allow for not meeting the 20 percent natural or quarried stone requirements established in Art. V, Sec. 6.8 of the Scenic Overlay (SOV) District standards, as depicted in the building elevations submitted.

3) To allow for not meeting the requirements for secondary materials and allowing an exterior wood product to exceed 10% as a secondary material as established in Art. V, Sec.6.8 of the Scenic Overlay (SOV) District standards, as depicted in the building elevations submitted.

The variance requested by the applicant for parking spaces located within the landscape buffer requires a simple majority vote in the affirmative of all council members present for approval.

Variance request numbers 2 & 3 are associated with the SOV district and require approval by a ¾ majority vote of City Council for those members present.

RECOMMENDATIONS:

Architectural Review Board Recommendation:

On February 24, 2015, general discussion concerning the agenda item took place between the Board Members and city staff (Jimmy Strohmeyer recused himself from the conversation, as he was the applicant of this case). The board expressed concern with the lack of stone and vertical articulation used on the building. To address these concerns the board recommended the following:

1) The overhang elements should be metal or have a metal finish/color to help break up the façade.

2) The projections on the front and sides of the building should incorporate a masonry or stone product in lieu of the proposed stucco.

3) The project should incorporate vertical articulation by increasing and/or decreasing the parapet wall of the projections and/or recesses.

Based on the plans submitted, the applicant has revised the buildings elevations to meet recommendations of the ARB.

Staff Recommendation:

Should the request be approved, staff would offer the following conditions:

1. Adherence to Engineering and Fire Department standards.

    a) Drainage Plan submitted was for review purposes only by the Engineering Department and requires a separate submittal and approval by Engineering Department and is not considered approved with this site plan.

    b) Fire Apparatus Turning Radii Plan submitted was for review purposes only by the Fire Department and is not considered approved with this site plan.

2. Submittal and approval of a replat prior to issuance of a building permit.

3. Approval of the requested variances by City Council as outlined in the staff report.

4. All exterior signage requires submittal and approval of a separate permit through the Building Inspections Department.

5. Re-label building elevations and provide revised copy to indicate:

    1) South Elevation Summer Lee as “North Elevation”

    2) North Elevation as “South Elevation”

3) East Elevation as “West Elevation”

4) West Elevation as “East Elevation”

Planning and Zoning Commission Recommendation:

On March 10, 2015, the Planning and Zoning Commission approved the Site Plan with staff conditions, and recommended approval of the associated variances requested by the applicant by a vote of 6 to 0 [Conley – absent].



City of Rockwall

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

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LANDSCAPING GENERAL NOTES:

1. NO LANDSCAPING TREES SHALL BE WITHIN 5' OF ANY UTILITY.

2. A MINIMUM CLEARANCE OF 5' SHALL BE MAINTAINED BETWEEN LANDSCAPING AND FIRE HYDRANTS.

3. IRRIGATION SHALL BE IN ACCORDANCE WITH THE UNIFORM DEVELOPMENT CODE.

IMPERVIOUS AREA / LANDSCAPING CALCULATION:

IMPERVIOUS AREA: 32,012 S.F.

REQUIREMENT: IF IMPERVIOUS AREA IS GREATER THAN 20,000 S.F., 1 TREE REQUIRED PER 10 PARKING SPACES

71 PARKING SPACES

7 TREES REQUIRED; 10 PROVIDED

LEGEND

- CANOPY TREE
- ORNAMENTAL TREE
- SHRUB
- GROUND COVER
- PERENNIAL
- BG BERMUDA GRASS

LANDSCAPING GENERAL REQUIREMENTS AND SCHEDULE:

ROCKWELL CODE OF ORDINANCES, ARTICLE VIII - LANDSCAPING STANDARDS
LAND DEVELOPMENT DISTRICT: PD-9

REQUIREMENT: 15% TOTAL SITE TO BE LANDSCAPED. SITE AREA = 70,132 S.F.; LANDSCAPING AREA REQUIRED = 10,520 S.F.; LANDSCAPING AREA PROVIDED = 13,220 S.F.

SITE LANDSCAPING REQUIREMENTS & SCHEDULE:
1. CANOPY TREES OF THE FOLLOWING VARIETY ARE ACCEPTABLE: CEDAR ELM, TEXAS RED OAK, HOMESTEAD ELM, LACE BARK ELM, BALD CYPRESS, CHINESE PISTACHIO, OCTOBER GLORY MAPLE, PECAN, TEXAS ASH, LIVE OAK, CHINQUAPIN OAK, BURR OAK. 3" CALIPER, 60 GALLON, 12'-14' HEIGHT.

2. UNDERSTORY ORNAMENTAL TREES OF THE FOLLOWING VARIETY ARE ACCEPTABLE: TEXAS REDBUD, MEXICAN PLUM, DOWNY HAWTHORN, WAX MYRTLE YAUPON, DECIDUOUS YAUPON. 3" CALIPER, 60 GALLON, 8'-10' HEIGHT.

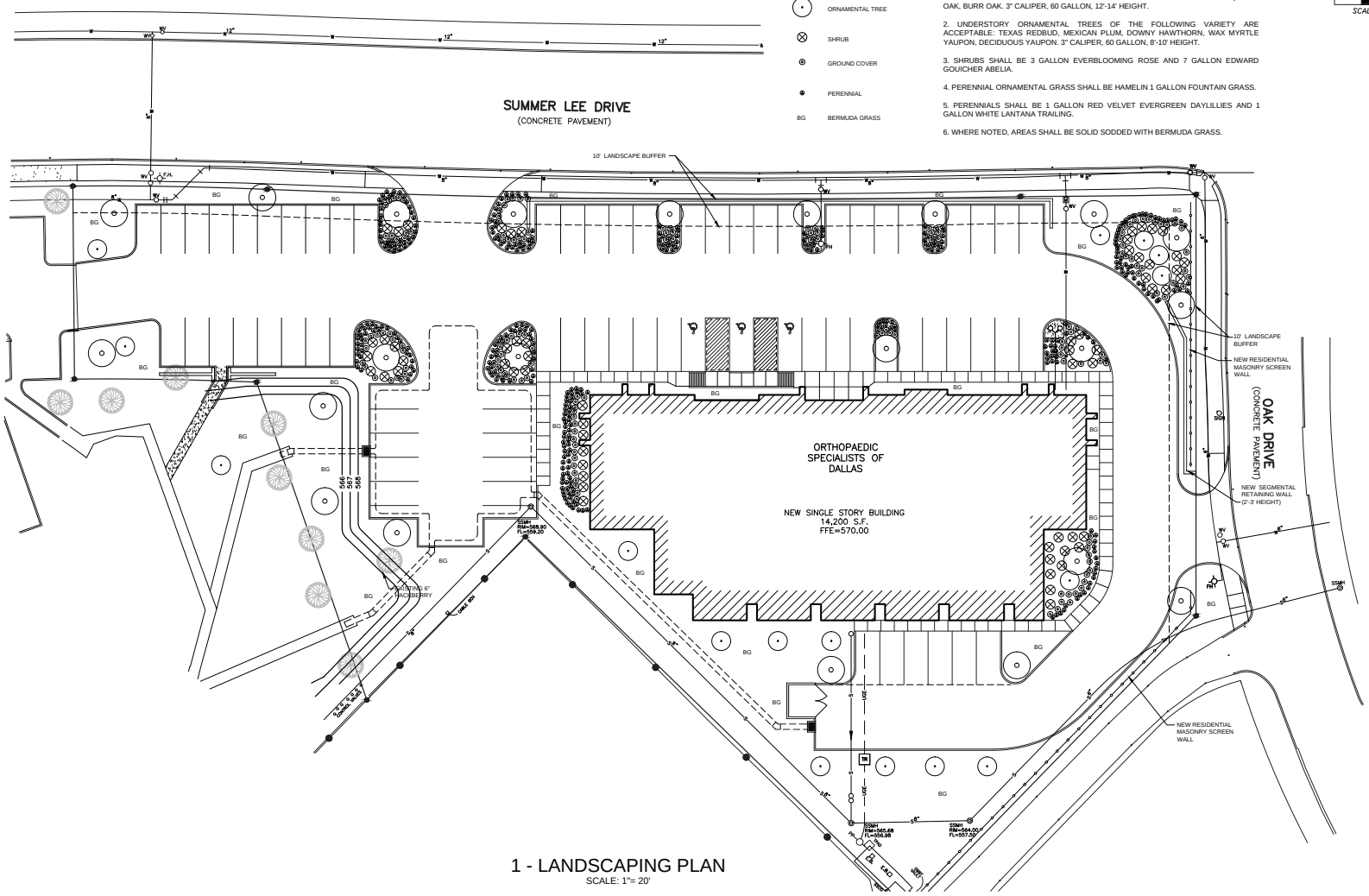
3. SHRUBS SHALL BE 3 GALLON EVERBLOOMING ROSE AND 7 GALLON EDWARD GOUICHER ABELIA.

4. PERENNIAL ORNAMENTAL GRASS SHALL BE HAMELIN 1 GALLON FOUNTAIN GRASS.

5. PERENNIALS SHALL BE 1 GALLON RED VELVET EVERGREEN DAYLILLIES AND 1 GALLON WHITE LANTANA TRAILING.

6. WHERE NOTED, AREAS SHALL BE SOLID SODDED WITH BERMUDA GRASS.

0 10' 20' 40'
SCALE: 1" = 20'



1 - LANDSCAPING PLAN
SCALE: 1"= 20'

STROHMEYER ARCHITECTS INC.

Consultants:

Nassif Engineering & Architecture, LLC

TXBPE Registration No. : F-16335
TBAE Registration No. : BR400

Copyright 2015 Nassif Engineering & Architecture, LLC

ISSUED FOR DEVELOPMENT REVIEW

ORTHOPAEDIC SPECIALISTS OF DALLAS

ROCKWALL, TX 75032

Project Number:	15-117
Drawing Date:	2/13/2015
Drawn:	
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Scale:	AS SHOWN
ACAD File:	

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Revisions:

3/3/2015 - Revisions per Rockwall Development Review (2/20/2015)

Sheet Title:

LANDSCAPING PLAN

L-101

MATERIAL SCHEDULE

3 PART STUCCO -

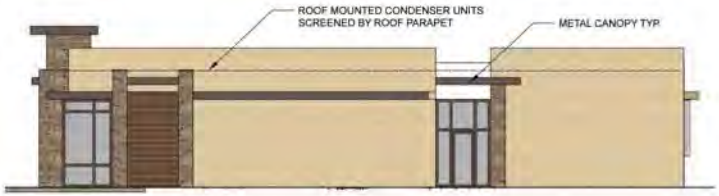
METAL CANOPY -

WOOD SIDING -

BUILDING BRICK (B1)

ELDORADO STONE
EUROPEAN LEDGE
IRON MILL





3 EAST ELEVATION
SCALE: 1/8" = 1'-0"

TOTAL BUILDING WALL HARD SURFACE : 1,742 SF
TOTAL STONE: 210 SF = 12%
TOTAL BRICK: 1,281.5 SF = 73.5%
TOTAL WOOD: 98 SF = 5.5%
TOTAL STUCCO: 153 SF = 9%



4 WEST ELEVATION
SCALE: 1/8" = 1'-0"

TOTAL BUILDING WALL HARD SURFACE : 1,608.5 SF
TOTAL STONE: 210 SF = 13%
TOTAL BRICK: 1,281.5 SF = 80%
TOTAL WOOD: 105 SF = 6.5%
TOTAL STUCCO: 12 SF = .5%



2 NORTH ELEVATION
SCALE: 1/8" = 1'-0"

TOTAL BUILDING WALL HARD SURFACE : 2,141.5 SF
TOTAL STONE: 467 SF = 12.8%
TOTAL BRICK: 2,835 SF = 77.7%
TOTAL WOOD: 347.5 SF = 9.5%



1 SOUTH ELEVATION - SUMMER LEE
SCALE: 1/8" = 1'-0"

TOTAL BUILDING WALL HARD SURFACE : 2,141.5 SF
TOTAL STONE: 430 SF = 20%
TOTAL BRICK: 915.5 SF = 42.7%
TOTAL WOOD: 600 SF = 28%
TOTAL STUCCO: 196 SF = 9.3%

Mar 03, 2015 - 2:15pm User: jimmystrohmeyer
/Users/jimmystrohmeyer/Documents/OSD-Elevations.dwg

STROHMEYER ARCHITECTS Inc.

Consultants:
CIVIL:
STRUCTURAL:
MEP:
FOOD SERVICE:
LANDSCAPING

SCHEMATIC DESIGN

NOT FOR CONSTRUCTION

ROCKWALL COUNTY

ORTHOPAEDIC SPECIALISTS OF DALLAS
ROCKWALL, TEXAS

Project Number: 051421
Drawing Date: 02/13/2015
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Sheet Title:

A201

SP2015-003

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MATERIAL SCHEDULE

3 PART STUCCO -

METAL CANOPY -

WOOD SIDING -

BUILDING BRICK (B1)

ELDORADO STONE
EUROPEAN LEDGE
IRON MILL





STROHMEYER
ARCHITECTS Inc.

Consultants:

CIVIL:

STRUCTURAL:

MEP:

FOOD SERVICE:

LANDSCAPING

SCHEMATIC DESIGN

NOT FOR CONSTRUCTION

ROCKWALL COUNTY

ORTHOPAEDIC SPECIALISTS OF DALLAS

ROCKWALL, TEXAS

Project Number: 051421
Drawing Date: 02/13/2015
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SP2015-003

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 03/16/2015

APPLICANT: Jimmy Strohmeyer; *Stohmeyer Architects*

AGENDA ITEM: **SP2015-004**; *Summer Lee Condominiums*

SUMMARY:

Discuss and consider a request by Jimmy Strohmeyer of Stohmeyer Architects on behalf of the owner Russell Phillips for the approval of a waiver to Planned Development District 32 (PD-32) [*Ordinance No. 10-28*] and variances to the building material requirements stipulated by the Unified Development Code in conjunction with a site plan for a 265 unit, condo development situated on a 7.58-acre tract of land identified as Lots 6A, 7A & 8A, Isaac Brown Addition, and a portion of Lots 3 & 4, Block 16 and Lot 4, Block 18, Moton Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Interior Subdistrict of PD-32, located south of the intersection of Summer Lee Drive and Sunset Ridge Drive, and take any action necessary.

BACKGROUND:

The site plan submitted by the applicant shows the 7.58-acre tract of land being subdivided into two (2) lots, with *Lot 1* being 5.32-acres and *Lot 2* being 1.92-acres. The proposed 265-unit condominium facility will be situated on *Lot 1* adjacent to Summer Lee Drive, and have a building footprint of 88,140 SF.

CITY COUNCIL WAIVERS:

According to *Ordinance No. 10-21*, "(i)n order to provide flexibility and create high quality projects, an applicant for development within the PD District [*PD*-32] may request a waiver of the following District or Subdistrict standards: (1) Building Placement Requirements, (2) Landscape Standards, (3) Parking Requirements, (4) Parking Garage Design Standards, and (5) Increased Building Height in any Subdistrict." In this case, the applicant is requesting a waiver to the building height requirements for the first floor of a building as stipulated for the subdistrict. According to the *Interior Subdistrict* the maximum building height is five (5) stories at 75-feet, with the first floor being constructed to a commercial standard of 15-feet. In this case, the building elevations submitted by the applicant show a ten (10) foot first floor -- *as measured from grade at the point closest to Summer Lee Drive* --, and will require a waiver. The overall building height is in conformance with the requirements of *Ordinance No. 10-21;* being a five (5) story condominium complex that ranges in height from 72-feet to 86-feet, with the majority of the building height being at 62-feet to 77-feet (*72-feet for the purposes of the height requirements established in Ordinance No. 10-21 [PD-32] -- height is measured from grade at the point closest to the Summer Lee Drive and is maintain throughout the development*).

With regard to granting waivers, *Ordinance No. 10-21* states that "… (w)aivers may only be approved by the City Council following a recommendation by the Planning and Zoning Commission … [*and*] (i)n order to approve a waiver, the City Council must find that the waiver:

1) Meets the general intent of the PD District or Subdistrict in which the property is located; and,
2) Will result in an improved project which will be an attractive contribution to the PD District or Subdistrict; and,
3) Will not prevent the implementation of the intent of this PD District."

It should be noted that the applicant's original submittal could have met the ordinance requirements; however, the building was required to be lowered so that no "…floors used for human occupancy [*were*] located more than 55-feet above the lowest level of fire department vehicle access…" (*Section 18-33, Article II; Code of Ordinances*). If the applicant did not lower the building the structure would have been classified as a *High-Rise Building*, which would require different and more costly construction standards. This became an issue due to the grade of the subject property, which falls 12-feet from the grade adjacent to Summer Lee Drive extending southward. As a compensatory measure, the applicant has incorporated a 12-foot floor height on the garage, which is visibly the first floor on ~75% of the building (*i.e. all areas not adjacent to Summer Lee Drive*); however, it is below grade at the point of the building closest to Summer Lee Drive.

The purpose of requiring first floors to be constructed to a commercial standard of 15-feet was intended to add to the pedestrian nature of Planned Development District 32 (PD-32). This requirement would create the appearance of commercial storefronts for non-commercial buildings that were directly adjacent to a sidewalk or street. In addition, the *Interior District* requires that buildings fronting onto Summer Lee Drive be setback a minimum of 20-feet from the right-of-way. Furthermore, taking the property's grade differential into consideration and understanding that the intent of the *Interior Subdistrict* is "to provide an area that can function as either office, residential, or senior living…", the proposed development does not appear to change the general objective of Planned Development District 32 (PD-32). Nor would it prevent the implementation of the remaining *Interior Subdistrict* plan.

VARIANCES:

Based on the applicant's submittal staff has identified the following variances:

1) *Building Materials*.

   a) *Stone Requirements.* According to Section 4.1, *General Commercial District Standards*, of the UDC each exterior wall should incorporate a minimum of 20% stone (*e.g. natural, quarried or cultured*). The building elevations submitted by the applicant show stone percentages on each building façade ranging from five (5) percent to 16.07% (*i.e. East: 14%; North: 16.07%; South: 5%; West: 10.4%*).

   b) *Masonry Material Requirements.* According to Section 4.1, *General Commercial District Standards*, of the UDC exterior walls should be constructed utilizing a minimum of 90% masonry materials, with a minimum of 50% of the masonry requirement permitted to be a cementaceous product (*e.g. stucco, Hardy Plan or similar material*). The building elevations submitted by the applicant indicate that each building façade will be 83.93% to 95% stucco (*i.e. East: 86%; North: 83.93%; South: 95%; West: 89.6%*).

It should be noted that variances similar to the ones requested by the applicant have been approved throughout the *Harbor District*. The applicant has stated that the purpose of requesting these variances is to maintain consistency with the development scheme established within *Ordinance No. 10-21* [*PD-32*] and established with the Trend Tower development; however, approval of variances to the building material requirements is a discretionary decision for the City Council pending a recommendation by the Planning and Zoning Commission.

ARCHITECTURAL REVIEW BOARD (ARB):

On February 24, 2015, the Architectural Review Board (ARB) reviewed the proposed site plan and building elevations. The ARB, having no issues with the proposed building elevations or site plan, recommended approval of the applicant's request. In addition, the board stated that they had no issues with the proposed variances, and that the increased stucco and cultured stone would match other projects within Planned Development District 32 (PD-32).

RECOMMENDATIONS:

If the Planning & Zoning Commission chooses to approve the applicant's request, the following conditions of approval should be adopted with this case:

1) All comments provided by the Planning, Engineering and Fire Department must be addressed prior to the submittal of a building permit;

2) Prior to the issuance of a grading permit, a Treescape Plan shall be submitted and approved by City staff. Additionally, any mitigation requirements shall be satisfied prior to the issuance of a building permit;

3) A facilities agreement addressing the construction of Summer Lee Drive (*situated on Lot 2*) will need to be approved by City Council at the time of final plat and signed by the applicant prior to final plat approval; and,

4) Any construction or building necessary to complete this *Site Plan* request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On March 10, 2015, the Planning and Zoning Commission approved a motion to approve the site plan and recommended approval of the waiver and variances per staff's recommendations by a vote of 4-1; with Commissioner Conley absent, Commissioner Renfro abstaining and Commissioner Jusko dissenting.



City of Rockwall

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

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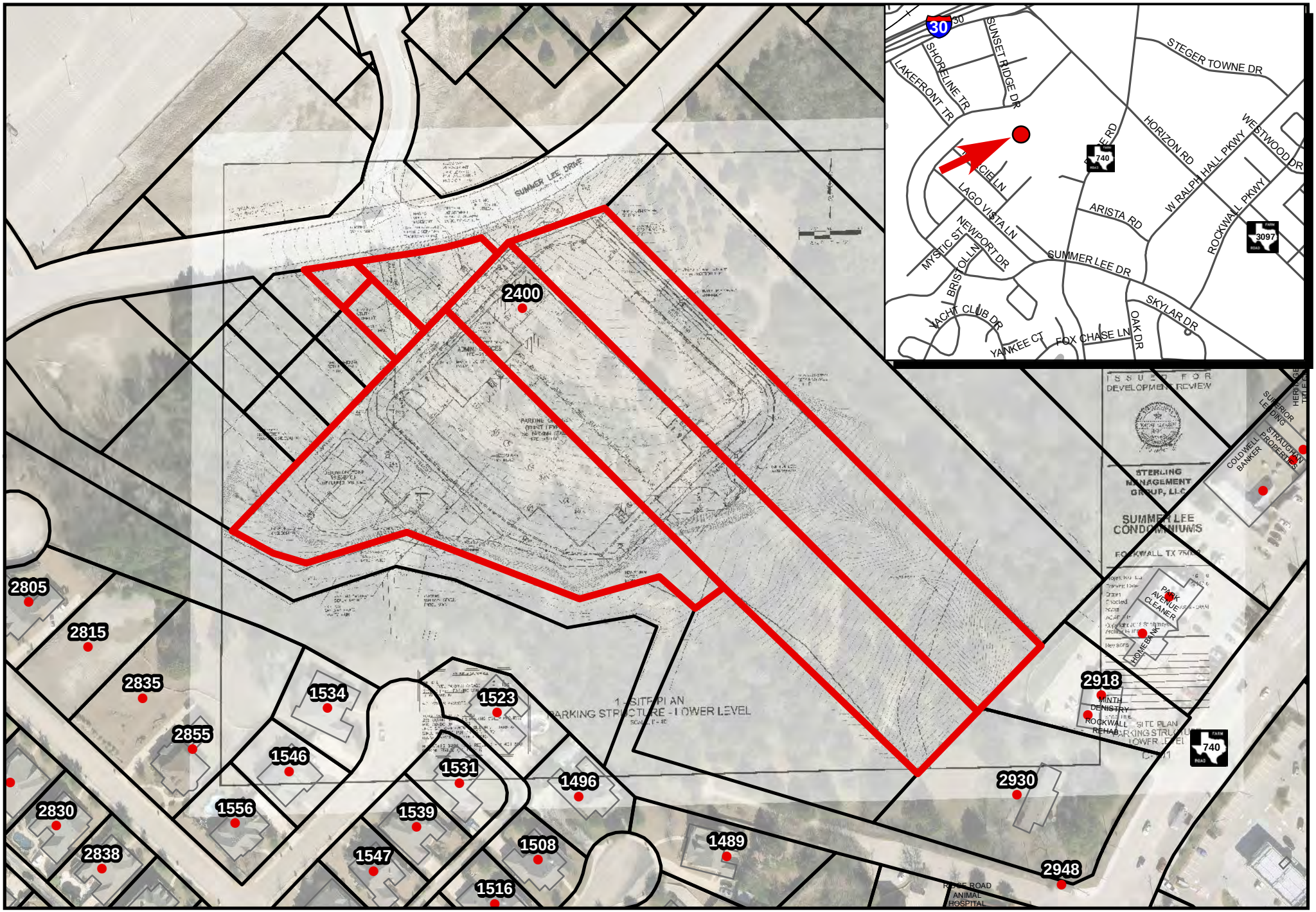

City of Rockwall

N W E S

0 100 Feet

Date: 2/18/2015

City of Rockwall Geographic Information Systems

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SUMMER LEE CONDOMINIUMS
2400 SUMMER LEE DR, ROCKWALL, TX 75032

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March 5, 2015

Mr. Ryan Miller, AICP
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

RE: Summer Lee Condos – SP2015-004

Dear Ryan,

On behalf of Summer Lee Condos, LLC, we respectfully request a variance on the following items:

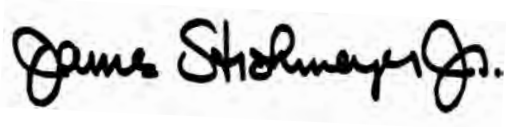
1. Use of Stucco above the maximum 50% due to the Tuscan Style of the building.
2. Use of stone less than the 20% minimum requirement due to the Tuscan Style.

We are also requesting a waiver on the minimum 15' first floor height. The condos are using a podium of parking garage which varies from 10' to 22' due to the slope of the site.

Please note that per our meeting on February 27, 2015, we will provide a trail connection from Summer Lee to Lot 2. The exact location will be coordinated with the City's Parks & Recreation Department. Also prior to grading a tree survey and mitigation plan will be provided.

Thank you for your time and energy on this project.

Sincerely,



Jimmy Strohmeyer, AIA, NCARB
President & CEO
Strohmeyer Architects Inc

MATERIAL SCHEDULE

3 PART STUCCO COLOR 1 -

3 PART STUCCO COLOR 2 -

3 PART STUCCO COLOR 3 -

BUILDING STONE (S1) -
ELDORADO STONE - MOUNTAIN LEDGE

RETAINING WALL - (S2) - AUSTIN STONE



CLAY TILE ROOFING (C1)- BORAL
TEJAS ESPANA -BRAZOS BLEND





2 EAST ELEVATION
SCALE: 1/8" = 1'-0"

TOTAL BUILDING WALL HARD SURFACE : 12,841 SF
TOTAL STUCCO: 11,043 SF = 86%
TOTAL BUILDING STONE: 1,798 SF = 14%



1 NORTH ELEVATION - SUMMER LEE
SCALE: 1/8" = 1'-0"

TOTAL BUILDING WALL HARD SURFACE : 11,186 SF
TOTAL STUCCO: 9,388 SF = 83.93%
TOTAL BUILDING STONE: 1,798 SF = 16.07%

STROHMEYER ARCHITECTS INC.

Consultants:

PRELIMINARY DESIGN

SUMMER LEE CONDOS, LLC

SUMMER LEE CONDOMINIUMS
ROCKWALL, TEXAS
ROCKWALL COUNTY

Project Number:
Drawing Date: 02/13/2015
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A201

SP2015-004

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MATERIAL SCHEDULE

3 PART STUCCO COLOR 1 -

3 PART STUCCO COLOR 2 -

3 PART STUCCO COLOR 3 -

BUILDING STONE (S1) -
ELDORADO STONE - MOUNTAIN LEDGE

RETAINING WALL - (S2) - AUSTIN STONE



CLAY TILE ROOFING (C1)- BORAL
TEJAS ESPANA -BRAZOS BLEND





2 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

TOTAL BUILDING WALL HARD SURFACE : 11,882 SF
TOTAL PLASTER: 11,272 SF = 95%
TOTAL BUILDING STONE: 610 SF = 5%



1 WEST ELEVATION
SCALE: 1/8" = 1'-0"

TOTAL BUILDING WALL HARD SURFACE : 13,054 SF
TOTAL PLASTER: 11,694 SF = 89.6%
TOTAL BUILDING STONE: 1,360 SF = 10.4%

STROHMEYER
ARCHITECTS INC.

Consultants:

PRELIMINARY DESIGN

SUMMER LEE CONDOS, LLC

SUMMER LEE CONDOMINIUMS
ROCKWALL, TEXAS
ROCKWALL COUNTY

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SP2015-004

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MATERIAL SCHEDULE

3 PART STUCCO COLOR 1 -

3 PART STUCCO COLOR 2 -

3 PART STUCCO COLOR 3 -

BUILDING STONE (S1) -
ELDORADO STONE - MOUNTAIN LEDGE

RETAINING WALL - (S2) - AUSTIN STONE



CLAY TILE ROOFING (C1)- BORAL
TEJAS ESPANA -BRAZOS BLEND





STROHMEYER ARCHITECTS INC.

Consultants:

PRELIMINARY DESIGN

SUMMER LEE CONDOS, LLC

SUMMER LEE CONDOMINIUMS

ROCKWALL, TEXAS
ROCKWALL COUNTY

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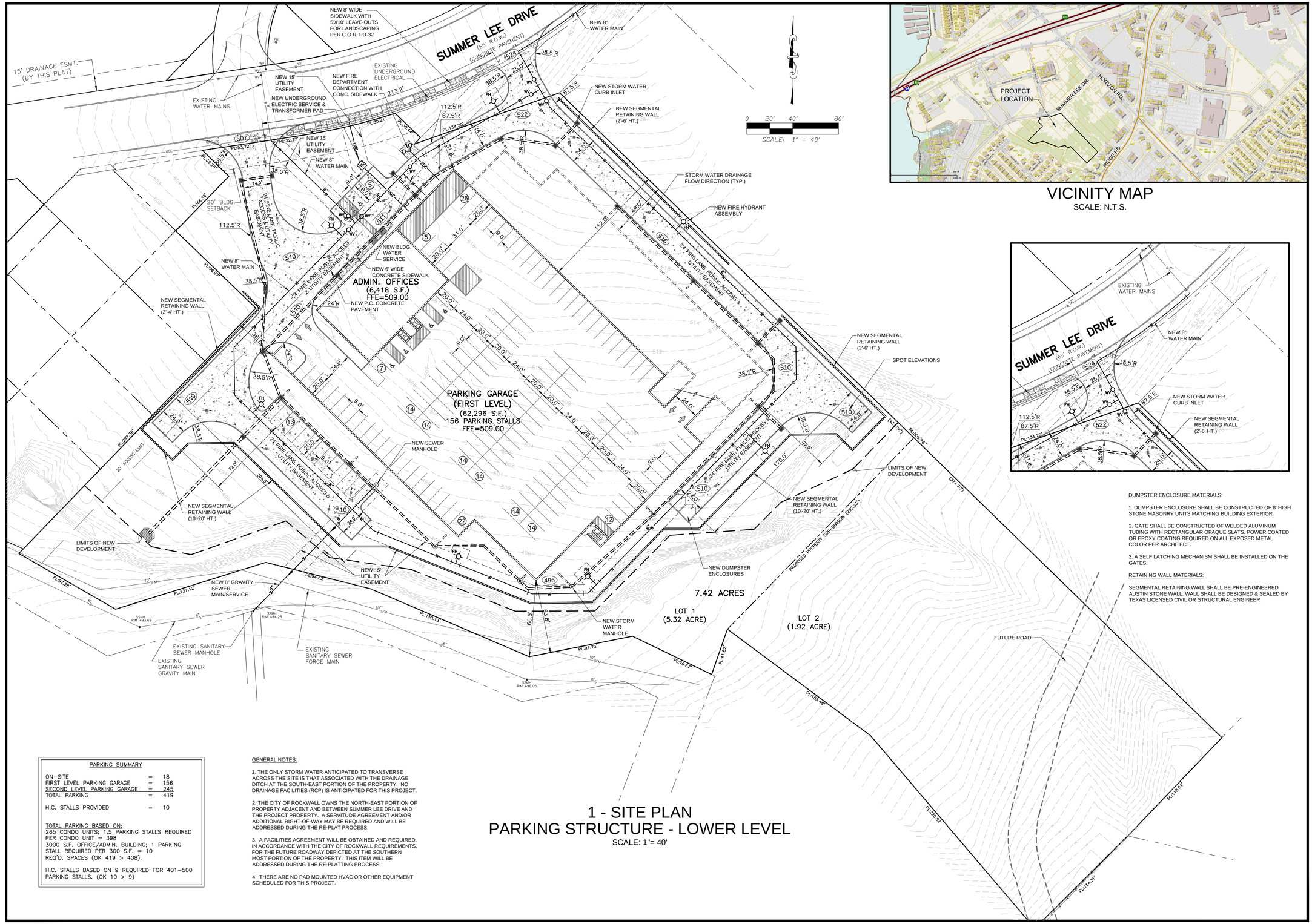

1 - SITE PLAN
PARKING STRUCTURE - LOWER LEVEL
SCALE: 1"= 40'

VICINITY MAP
SCALE: N.T.S.

PARKING SUMMARY		
ON-SITE	=	18
FIRST LEVEL PARKING GARAGE	=	156
SECOND LEVEL PARKING GARAGE	=	245
TOTAL PARKING	=	419
H.C. STALLS PROVIDED	=	10

TOTAL PARKING BASED ON:
265 CONDO UNITS; 1.5 PARKING STALLS REQUIRED PER CONDO UNIT = 398
3000 S.F. OFFICE/ADMIN. BUILDING; 1 PARKING STALL REQUIRED PER 300 S.F. = 10
REQ'D. SPACES (OK 419 > 408).

H.C. STALLS BASED ON 9 REQUIRED FOR 401-500 PARKING STALLS. (OK 10 > 9)

GENERAL NOTES:

1. THE ONLY STORM WATER ANTICIPATED TO TRANSVERSE ACROSS THE SITE IS THAT ASSOCIATED WITH THE DRAINAGE DITCH AT THE SOUTH-EAST PORTION OF THE PROPERTY. NO DRAINAGE FACILITIES (RCP) IS ANTICIPATED FOR THIS PROJECT.

2. THE CITY OF ROCKWALL OWNS THE NORTH-EAST PORTION OF PROPERTY ADJACENT AND BETWEEN SUMMER LEE DRIVE AND THE PROJECT PROPERTY. A SERVITUDE AGREEMENT AND/OR ADDITIONAL RIGHT-OF-WAY MAY BE REQUIRED AND WILL BE ADDRESSED DURING THE RE-PLAT PROCESS.

3. A FACILITIES AGREEMENT WILL BE OBTAINED AND REQUIRED, IN ACCORDANCE WITH THE CITY OF ROCKWALL REQUIREMENTS, FOR THE FUTURE ROADWAY DEPICTED AT THE SOUTHERN MOST PORTION OF THE PROPERTY. THIS ITEM WILL BE ADDRESSED DURING THE RE-PLATTING PROCESS.

4. THERE ARE NO PAD MOUNTED HVAC OR OTHER EQUIPMENT SCHEDULED FOR THIS PROJECT.

DUMPSTER ENCLOSURE MATERIALS:

1. DUMPSTER ENCLOSURE SHALL BE CONSTRUCTED OF 8' HIGH STONE MASONRY UNITS MATCHING BUILDING EXTERIOR.

2. GATE SHALL BE CONSTRUCTED OF WELDED ALUMINUM TUBING WITH RECTANGULAR OPAQUE SLATS. POWER COATED OR EPOXY COATING REQUIRED ON ALL EXPOSED METAL. COLOR PER ARCHITECT.

3. A SELF LATCHING MECHANISM SHALL BE INSTALLED ON THE GATES.

RETAINING WALL MATERIALS:

SEGMENTAL RETAINING WALL SHALL BE PRE-ENGINEERED AUSTIN STONE WALL. WALL SHALL BE DESIGNED & SEALED BY TEXAS LICENSED CIVIL OR STRUCTURAL ENGINEER

STROHMEYER ARCHITECTS inc.

Consultants:

Nassif Engineering & Architecture, LLC

engineering and architecture

TXBPE Registration No. : F-16335
TBAE Registration No. : BR400

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ISSUED FOR DEVELOPMENT REVIEW

STERLING MANAGEMENT GROUP, LLC

SUMMER LEE CONDOMINIUMS

ROCKWALL, TX 75032

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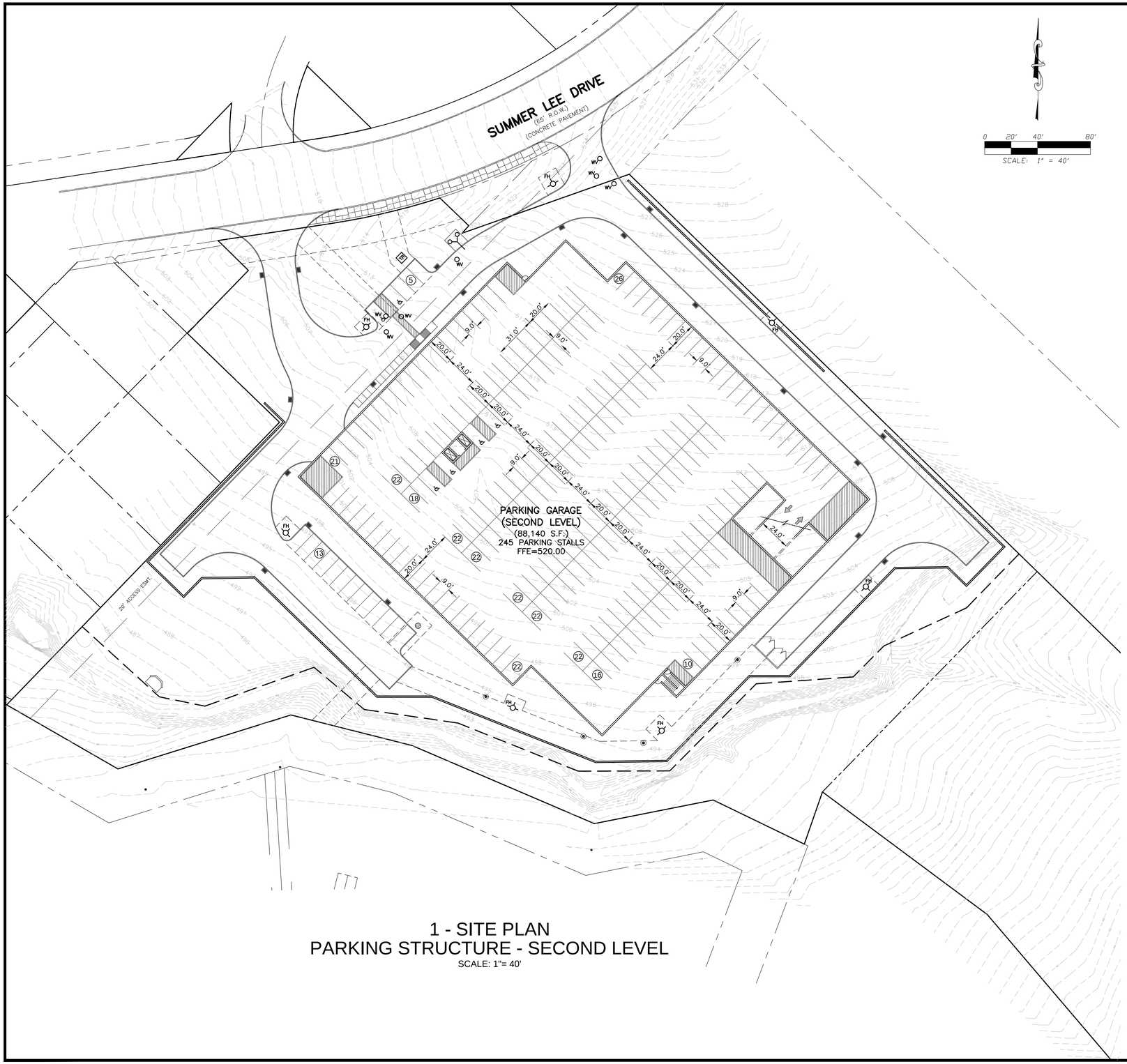
Sheet Title:

SITE PLAN
PARKING STRUCTURE
LOWER LEVEL

C-101

102



1 - SITE PLAN
PARKING STRUCTURE - SECOND LEVEL
SCALE: 1"= 40'

Pre-Development Drainage Calculations

Drainage Area	Area (acres)	Runoff Coefficient	Time of Concentration (minutes)	Intensity (in./hr.) 100-year	Runoff (c.f.s) 100-year
	A	C	Tc	I_{100}	Q_{100}
1	5.32	0.35	20	8.40	15.64
Totals					***15.64***

Post-Development Drainage Calculations

Drainage Area	Area (acres)	Runoff Coefficient	Time of Concentration (minutes)	Intensity (in./hr.) 100-year	Runoff (c.f.s) 100-year
	A	C	Tc	I_{100}	Q_{100}
1	5.32	0.90	10	9.80	46.92
Totals					***46.92***

STROHMEYER ARCHITECTS INC.

Consultants:

Nassif Engineering & Architecture, LLC

engineering and architecture

TXBPE Registration No. : F-16335
TBAE Registration No. : BR400

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I S S U E D F O R
DEVELOPMENT REVIEW

STATE OF TEXAS
NORMAN G. NASSIF
88041
LICENSED
PROFESSIONAL ENGINEER
3-3-15

STERLING MANAGEMENT GROUP, LLC

SUMMER LEE CONDOMINIUMS

ROCKWALL, TX 75032

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Sheet Title:
SITE PLAN
PARKING STRUCTURE
SECOND LEVEL

C-102

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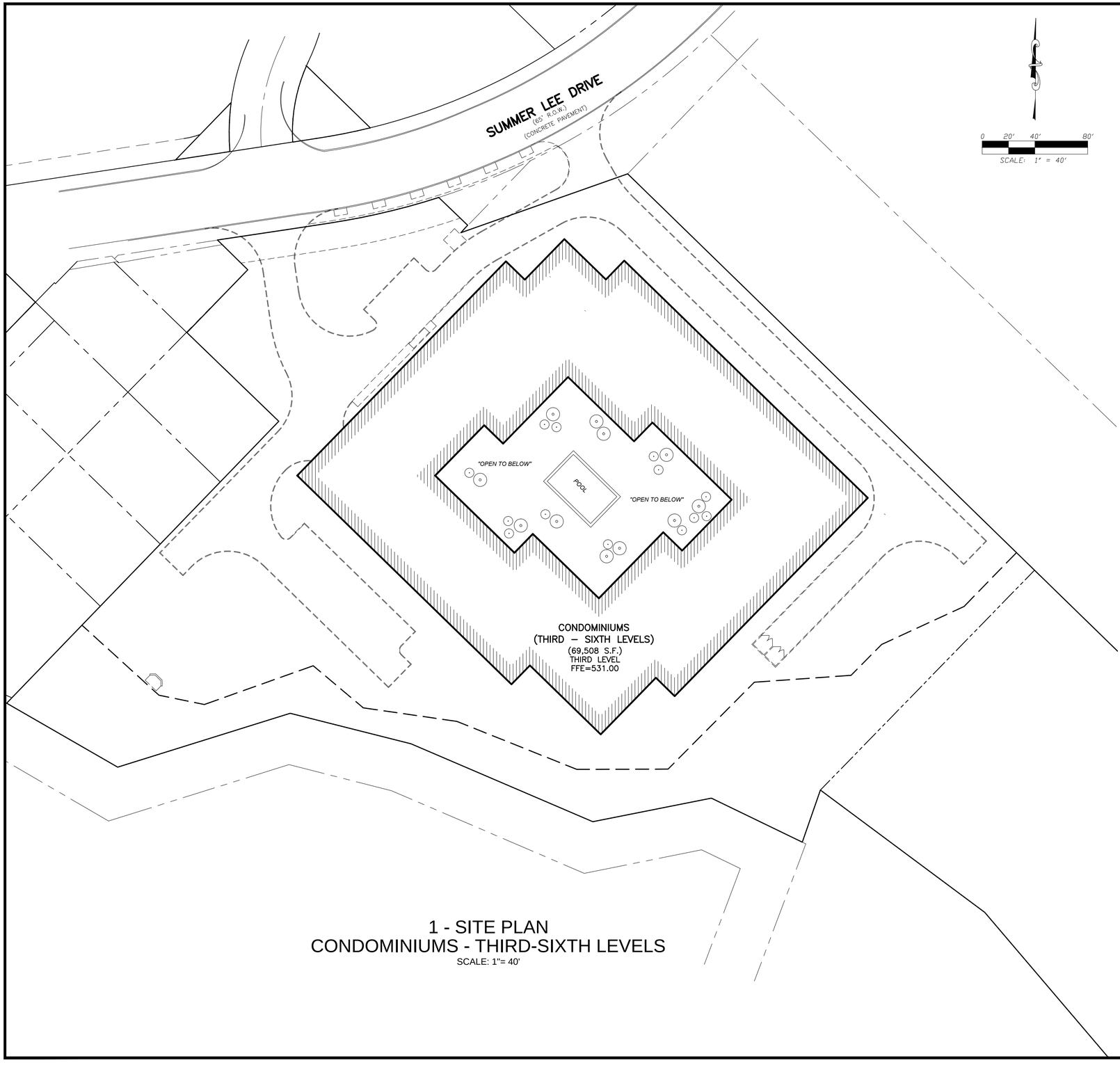

1 - SITE PLAN
CONDOMINIUMS - THIRD-SIXTH LEVELS
SCALE: 1"= 40'

STROHMEYER
ARCHITECTS INC.

Consultants:

Nassif Engineering & Architecture, LLC

TXBPE Registration No. : F-16335
TBAE Registration No. : BR400

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DEVELOPMENT REVIEW

STATE OF TEXAS
NORMAN G. NASSIF
88041
LICENSED
PROFESSIONAL ENGINEER
3-3-15

STERLING MANAGEMENT GROUP, LLC

SUMMER LEE CONDOMINIUMS

ROCKWALL, TX 75032

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Sheet Title:

SITE PLAN
CONDOMINIUMS
THIRD - SIXTH LEVELS

C-103

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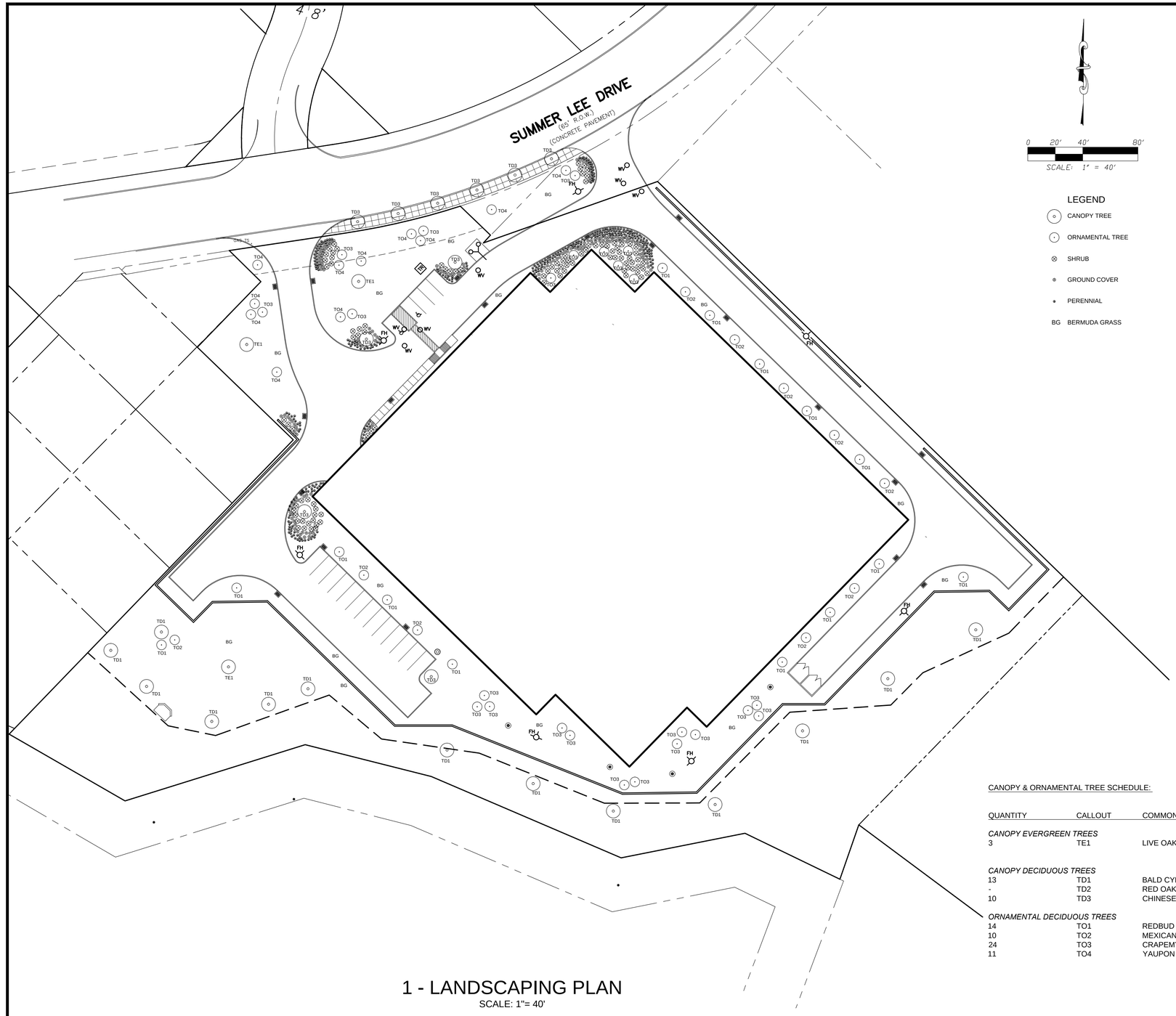

1 - LANDSCAPING PLAN
SCALE: 1"= 40'

LEGEND

- CANOPY TREE
- ORNAMENTAL TREE
- SHRUB
- GROUND COVER
- PERENNIAL
- BG BERMUDA GRASS

LANDSCAPING GENERAL NOTES:

1. NO LANDSCAPING TREES SHALL BE WITHIN 5' OF ANY UTILITY.

2. A MINIMUM CLEARANCE OF 5' SHALL BE MAINTAINED BETWEEN LANDSCAPING AND FIRE HYDRANTS.

3. A MITIGATION/TREESCAPE PLAN IS REQUIRED FOR THIS PROJECT.

4. IRRIGATION SHALL BE IN ACCORDANCE WITH THE UNIFORM DEVELOPMENT CODE.

LANDSCAPING GENERAL REQUIREMENTS AND SCHEDULE

LAND DEVELOPMENT DISTRICT: PD-32
STREET TYPE: O

STREETSCAPE LANDSCAPING REQUIREMENTS & SCHEDULE:

1. CONTRACTOR SHALL PROVIDE EITHER LANDSCAPING OPTION A OR B PER PD-32, EXHIBIT C-4, IN TREE LEAVE-OUTS TO MATCH EXISTING ALONG SUMMER LEE DRIVE. OPTION A SHALL BE A MIX OF SHRUB PERENNIAL, ORNAMENTAL GRASS, AND GROUNDCOVER PLANTING. PLANT MATERIALS SHALL PROVIDE A MIX OF HEIGHT, COLOR, TEXTURE AND EVERGREEN STRUCTURE. OPTION B SHALL BE MEXICAN BEACH STONE PEBBLES.

2. LANDSCAPING LEAVE-OUTS SHALL HAVE TREE SUB-DRAINAGE TIED TO THE STORM DRAIN SYSTEM.

3. TREES IN LANDSCAPING LEAVE-OUTS SHALL BE 4-INCH CALIPER, 100 GALLON. THE VARIETY OF TREES SHALL MATCH EXISTING PLANTINGS ALONG SUMMER LEE DRIVE.

SITE LANDSCAPING REQUIREMENTS & SCHEDULE:

1. TREE VARIETIES SHALL BE A MIX OF ANY OF THE FOLLOWING CANOPY AND ORNAMENTAL TREES IN NATURAL GROUPINGS: LIVE OAK, CEDAR ELM, RED OAK, BURR OAK, CHINQUAPIN OAK, BALD CYPRESS, POND CYPRESS, MEXICAN PLUM, DESERT WILLOW, CHINESE PISTACHIO, YAUPON HOLLY, RED BUD, CRAPE MYRTLE VITEX AND EVE'S NECKLACE.

2. ORNAMENTAL TREES, SHRUBS, PERENNIAL ORNAMENTAL GRASS AND PERENNIALS SHALL BE PROVIDED AT LANDSCAPE ISLANDS AND ADJACENT TO THE BUILDING.

3. SHRUBS SHALL BE 3 GALLON EVERBLOOMING ROSE AND 7 GALLON EDWARD GOUICHER ABELIA.

4. PERENNIAL ORNAMENTAL GRASS SHALL BE HAMELIN 1 GALLON FOUNTAIN GRASS.

5. PERENNIALS SHALL BE 1 GALLON RED VELVET EVERGREEN DAYLILIES AND 1 GALLON WHITE LANTANA TRAILING.

7. WHERE NOTED, AREAS SHALL BE SOLID SODDED WITH BERMUDA GRASS.

IMPERVIOUS AREA / LANDSCAPING CALCULATION:

IMPERVIOUS AREA: 41,575 S.F.

REQUIREMENT: (LS ORD.) IF IMPERVIOUS AREA IS GREATER THAN 20,000 S.F., 1 TREE REQUIRED PER 10 PARKING SPACES. AT 419 TOTAL PARKING SPACES, 42 TREES ARE REQUIRED.

(PD-32 GOVERNS) ONE 3-INCH CALIPER, 65 GALLON CANOPY TREE MUST BE PROVIDED FOR EVERY 8 PARKING SPACES. AT 419 TOTAL PARKING SPACES, 53 CANOPY TREES ARE REQUIRED. CANOPY REQUIRED WITHIN 80' OF PARKING STALLS.

53 TREES REQUIRED; 79 PROVIDED (NOT INCLUDING 6 STREETSCAPE TREES)

CANOPY & ORNAMENTAL TREE SCHEDULE:

QUANTITY	CALLOUT	COMMON NAME	BOTANICAL NAME	SIZE / CONDITION
CANOPY EVERGREEN TREES				
3	TE1	LIVE OAK	QUERCUS VIRGINIANA	100-GAL., 4.0"-4.5" CAL., 14'-16' HT., CLEAR TRUNK 8'
CANOPY DECIDUOUS TREES				
13	TD1	BALD CYPRESS	TAXODIUM DISTICHUM	100-GAL., 4.0"-4.5" CAL., 16'-18' HT., CLEAR TRUNK 6'
-	TD2	RED OAK	QUERCUS SHUMARDII	100-GAL., 4.0"-4.5" CAL., 14'-16' HT., CLEAR TRUNK 8'
10	TD3	CHINESE PISTACHE	PISTACHIA CHINENSIS	100-GAL., 4.0"-4.5" CAL., 12'-14' HT., CLEAR TRUNK 8'
ORNAMENTAL DECIDUOUS TREES				
14	TO1	REDBUD	CERCIS CANADENSIS	65-GAL., 3" CAL., 8'-10' HT., TREE FORM
10	TO2	MEXICAN PLUM	PRUNUS MEXICANA	65-GAL., 3" CAL., 8'-10' HT., TREE FORM
24	TO3	CRAPEMYRTLE	LAGERSTROEMIA INDICA	65-GAL., 3" CAL., 8'-10' HT., TREE FORM
11	TO4	YAUPON HOLLY	ILEX VOMITORIA	65-GAL., 3" CAL., 8'-10' HT., TREE FORM

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Consultants:

Nassif Engineering & Architecture, LLC

engineering and architecture

TXBPE Registration No. : F-16335
TBAE Registration No. : BR400

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STERLING MANAGEMENT GROUP, LLC

SUMMER LEE CONDOMINIUMS

ROCKWALL, TX 75032

Project Number: 15-118
Drawing Date: 2/13/2015
Drawn:
Checked:
Scale: AS SHOWN
ACAD File:

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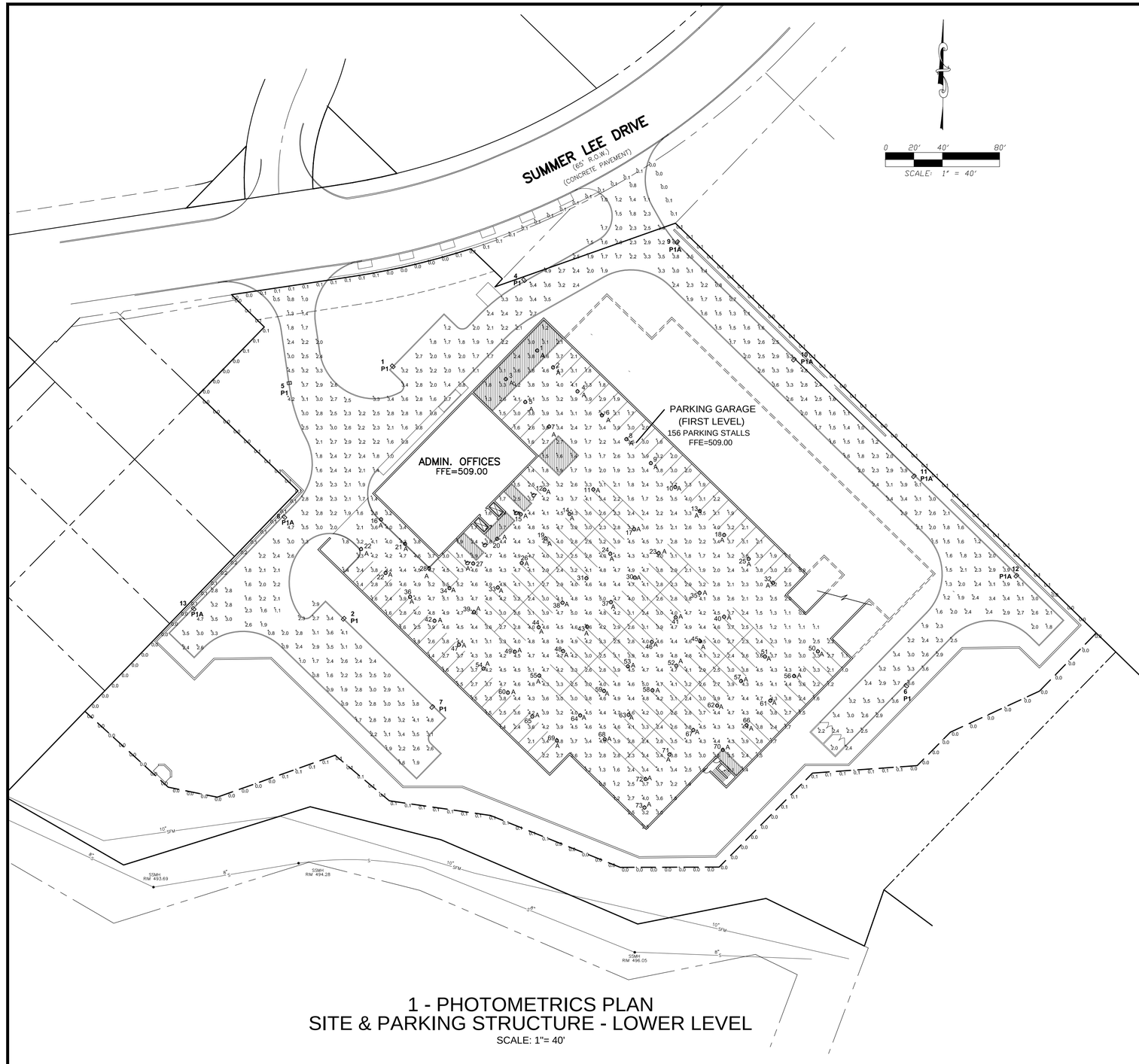
Sheet Title:
LANDSCAPING PLAN

L-101

105



1 - PHOTOMETRICS PLAN
SITE & PARKING STRUCTURE - LOWER LEVEL
SCALE: 1"= 40'

LIGHT SCHEDULE - SITE

Luminaire Schedule						
Symbol	Qty	Label	Arrangement	Total Lamp Lumens	LLF	Description
	7	P1	SINGLE	N.A.	0.912	GLEON-AE-03-LED-E1-SL3
	4	P1A	SINGLE	N.A.	0.912	GLEON-AE-03-LED-E1-SL3-HSS

Luminaire Schedule							
Symbol	Qty	Label	Arrangement	Total Lamp Lumens	LLF	Description	Lum. Watts
	7	P1	SINGLE	N.A.	0.912	GLEON-AE-03-LED-E1-SL3	157
	4	P1A	SINGLE	N.A.	0.912	GLEON-AE-03-LED-E1-SL3-HSS	157

20' pole + 2.5' base (below grade) = 20' mounting height above finished grade,

Luminaire Location Summary								
LumNo	Label	X	Y	Z	Orient	Tilt	Y-Aimpt	Z-Aimpt
1	P1	109	349	22.5	318.219	0	349	22.5
2	P1	85,662	162,627	22.5	225	0	162,627	22.5
3	P1	530	173	22.5	152.193	0	173	22.5
4	P1	205,141	420,519	22.5	311.196	0	420,519	22.5
5	P1	43,045	343,028	22.5	8,531	0	343,028	22.5
6	P1	444	100	22.5	123.733	0	100	22.5
7	P1	149	101	22.5	247.911	0	101	22.5
8	P1A	40,819	250,202	22.5	321.34	0	250,202	22.5
9	P1A	318	443	22.5	216.157	0	443	22.5
10	P1A	399,915	360,621	22.5	225	0	360,621	22.5
11	P1A	462,605	277,759	22.5	227.726	0	277,759	22.5

LIGHT SCHEDULE - PARKING STRUCTURE - LOWER LEVEL

Luminaire Schedule							
Symbol	Qty	Label	Arrangement	Total Lamp Lumens	LLF	Description	Lum. Watts
	73	A	SINGLE	N.A.	0.864	TT-AT-LED-E1-WQ	34

Calculation Summary										
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	PtSpcLr	PtSpcTr	
Parking Garage_Floor	Illuminance	Fc	3.31	5.5	0.8	4.14	6.88	10	10	

Room Summary			
Label	Type	Wall Ht	Description
Parking Garage	Polygon+Tet	10	Assumed Reflectance .2, .2, .2

Luminaire Location Summary						
LumNo	Label	X	Y	Z	Orient	Tilt
1	A	109	350	10	0	0
2	A	170,102	338,185	10	0	0
3	A	137	330	10	0	0
4	A	167,248	321,39	10	0	0
5	A	150,641	313,896	10	0	0
6	A	204,39	304,595	10	0	0
7	A	167,378	296,694	10	0	0
8	A	221,534	287,799	10	0	0
9	A	238,678	271,024	10	0	0
10	A	256,822	254,209	10	0	0
11	A	168,367	252,55	10	0	0
12	A	164,117	252,406	10	0	0
13	A	272,566	237,414	10	0	0
14	A	187,823	235,308	10	0	0
15	A	147,449	235,138	10	0	0
16	A	49,5	231,049	10	0	0
17	A	227,021	224,641	10	0	0
18	A	290,11	220,618	10	0	0
19	A	164,875	218,165	10	0	0
20	A	130,781	217,87	10	0	0
21	A	66,309	214,419	10	0	0
22	A	35,513	210,757	10	0	0
23	A	244,213	207,895	10	0	0
24	A	210,275	207,448	10	0	0
25	A	307,254	203,823	10	0	0
26	A	148,129	200,973	10	0	0
27	A	114,113	200,602	10	0	0
28	A	83,119	197,289	10	0	0
29	A	52,666	193,973	10	0	0
30	A	227,467	190,702	10	0	0
31	A	193,529	190,256	10	0	0
32	A	334,398	187,028	10	0	0
33	A	131,384	183,781	10	0	0
34	A	97,446	183,334	10	0	0
35	A	272,867	179,985	10	0	0
36	A	69,822	177,188	10	0	0
37	A	210,722	173,51	10	0	0
38	A	176,763	173,063	10	0	0
39	A	114,638	166,588	10	0	0
40	A	290,06	163,239	10	0	0
41	A	256,121	162,793	10	0	0
42	A	86,977	160,404	10	0	0
43	A	193,976	156,318	10	0	0
44	A	160,038	155,871	10	0	0
45	A	273,314	146,047	10	0	0
46	A	238,376	145,6	10	0	0
47	A	104,132	143,62	10	0	0
48	A	177,23	139,125	10	0	0
49	A	143,292	138,679	10	0	0
50	A	355,832	138,959	10	0	0
51	A	318,714	135,33	10	0	0
52	A	256,568	128,854	10	0	0
53	A	222,63	128,408	10	0	0
54	A	121,287	126,835	10	0	0
55	A	160,484	121,933	10	0	0
56	A	339,166	121,69	10	0	0
57	A	301,966	118,137	10	0	0
58	A	239,822	111,662	10	0	0
59	A	205,884	111,215	10	0	0
60	A	136,441	110,051	10	0	0
61	A	322,499	104,42	10	0	0
62	A	289,222	100,945	10	0	0
63	A	223,076	94,47	10	0	0
64	A	189,138	94,023	10	0	0
65	A	155,596	93,266	10	0	0
66	A	305,833	87,151	10	0	0
67	A	268,476	83,752	10	0	0
68	A	206,331	77,277	10	0	0
69	A	172,751	76,482	10	0	0
70	A	289,167	69,881	10	0	0
71	A	251,73	66,56	10	0	0
72	A	234,985	49,308	10	0	0
73	A	235	29	10	0	0

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ROCKWALL, TX 75032

Project Number: 15-118
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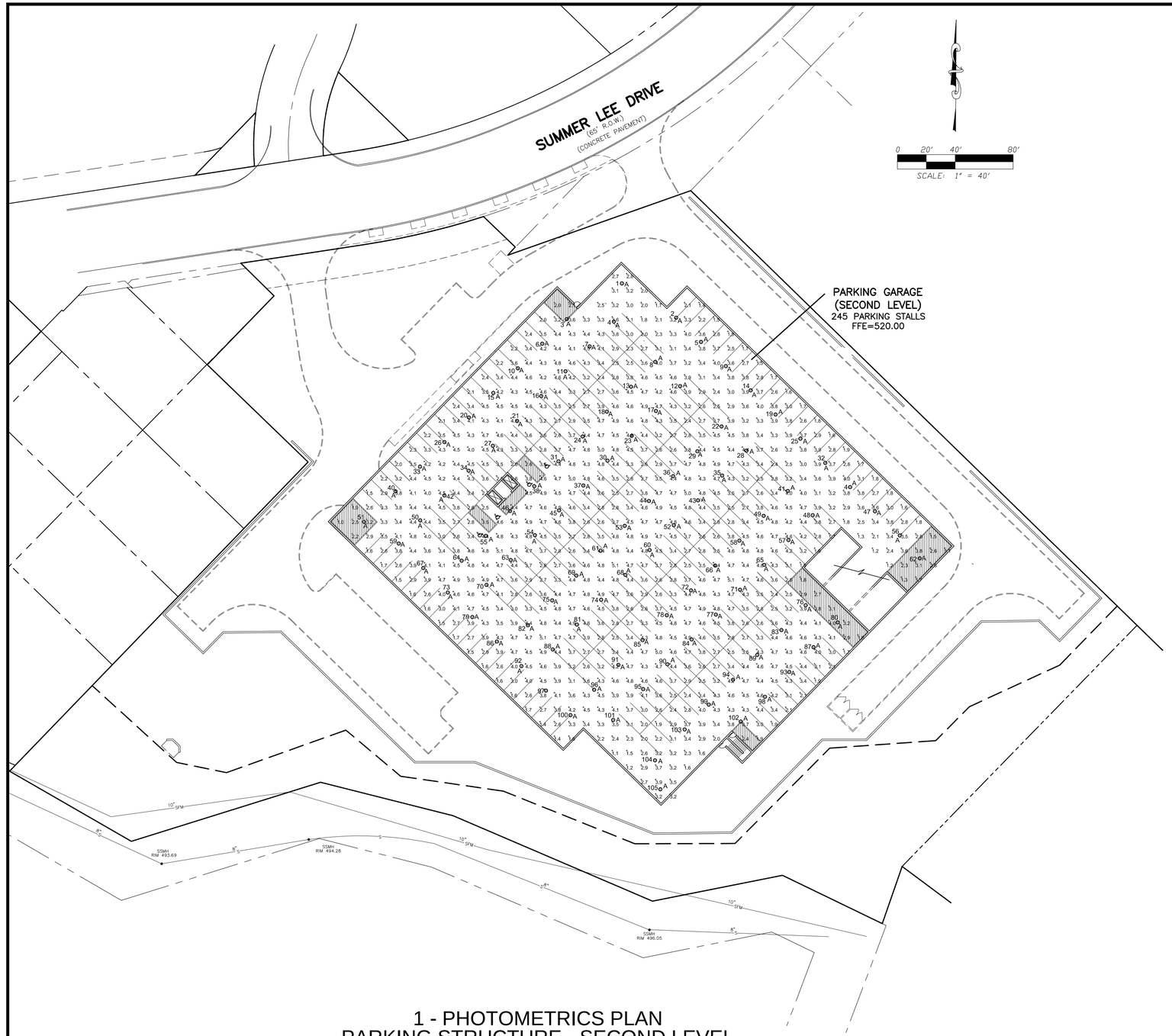
Sheet Title:
PHOTOMETRICS PLAN
SITE & PARKING STRUCTURE
LOWER LEVEL

PH-101

106



1 - PHOTOMETRICS PLAN
PARKING STRUCTURE - SECOND LEVEL
SCALE: 1"= 40'

LIGHT SCHEDULE - PARKING STRUCTURE - SECOND LEVEL

Luminaire Schedule							
Symbol	Qty	Label	Arrangement	Total Lamp Lumens	LLF	Description	Lum. Watts
○	105	A	SINGLE	N.A.	0.864	TT-A1-LED-E1-WQ	34

Calculation Summary								
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	PtSpcLr	PtSpcTb
Parking Garage_Floor	Illuminance	Fc	3.57	5.1	1.9	3.57	5.10	10	10

Room Summary			
Label	Type	Wall Ht	Description
Parking Garage	Polygon/Flat	8	Assumer Reflectance .2, .2, .2

Luminaire Location Summary						
LumNo	Label	X	Y	Z	Orient	Tilt
1	A	207,069	367,447	10	0	0
2	A	244,592	343,723	10	0	0
3	A	168,89	342,735	10	0	0
4	A	201,49	341,034	10	0	0
5	A	261,784	326,977	10	0	0
6	A	151,964	325,72	10	0	0
7	A	184,744	323,841	10	0	0
8	A	230,144	313,124	10	0	0
9	A	276,977	310,231	10	0	0
10	A	135,038	308,705	10	0	0
11	A	167,998	306,646	10	0	0
12	A	247,336	296,378	10	0	0
13	A	213,398	295,932	10	0	0
14	A	296,169	293,465	10	0	0
15	A	118,112	291,69	10	0	0
16	A	151,253	289,457	10	0	0
17	A	230,591	279,196	10	0	0
18	A	196,652	278,739	10	0	0
19	A	313,361	276,739	10	0	0
20	A	101,185	274,675	10	0	0
21	A	134,507	272,264	10	0	0
22	A	275,99	269,469	10	0	0
23	A	213,845	261,994	10	0	0
24	A	179,907	261,547	10	0	0
25	A	330,564	258,994	10	0	0
26	A	84,259	257,661	10	0	0
27	A	117,761	255,072	10	0	0
28	A	293,183	251,723	10	0	0
29	A	259,245	251,276	10	0	0
30	A	197,099	244,801	10	0	0
31	A	163,161	244,355	10	0	0
32	A	347,746	243,248	10	0	0
33	A	97,333	240,646	10	0	0
34	A	101,015	237,879	10	0	0
35	A	276,437	234,531	10	0	0
36	A	242,499	234,084	10	0	0
37	A	180,353	227,609	10	0	0
38	A	146,415	227,162	10	0	0
39	A	364,339	226,052	10	0	0
40	A	50,407	223,631	10	0	0
41	A	321,837	223,813	10	0	0
42	A	84,269	220,667	10	0	0
43	A	259,691	217,338	10	0	0
44	A	225,753	216,892	10	0	0
45	A	163,607	210,416	10	0	0
46	A	129,669	209,97	10	0	0
47	A	382,131	209,756	10	0	0
48	A	339,029	207,067	10	0	0
49	A	305,091	206,621	10	0	0
50	A	67,324	203,499	10	0	0
51	A	28,548	202,477	10	0	0
52	A	242,945	200,146	10	0	0
53	A	209,007	199,699	10	0	0

Luminaire Location Summary						
LumNo	Label	X	Y	Z	Orient	Tilt
54	A	140,862	193,224	10	0	0
55	A	172,923	192,777	10	0	0
56	A	399,323	193,01	10	0	0
57	A	322,283	189,675	10	0	0
58	A	288,345	189,428	10	0	0
59	A	52,834	187,473	10	0	0
60	A	226,2	182,953	10	0	0
61	A	192,261	182,507	10	0	0
62	A	413,152	177,235	10	0	0
63	A	130,116	176,032	10	0	0
64	A	96,178	175,585	10	0	0
65	A	305,537	172,683	10	0	0
66	A	271,599	172,236	10	0	0
67	A	69,613	170,51	10	0	0
68	A	209,454	165,761	10	0	0
69	A	175,516	165,314	10	0	0
70	A	113,37	158,859	10	0	0
71	A	285,792	155,49	10	0	0
72	A	254,854	155,044	10	0	0
73	A	86,391	153,547	10	0	0
74	A	192,708	148,569	10	0	0
75	A	158,77	148,122	10	0	0
76	A	334,191	144,773	10	0	0
77	A	272,045	138,298	10	0	0
78	A	238,108	137,851	10	0	0
79	A	103,569	136,564	10	0	0
80	A	356,423	132,891	10	0	0
81	A	176,962	131,376	10	0	0
82	A	142,024	130,93	10	0	0
83	A	317,446	127,591	10	0	0
84	A	255,3	121,105	10	0	0
85	A	221,362	120,659	10	0	0
86	A	120,540	119,63	10	0	0
87	A	339,638	115,736	10	0	0
88	A	159,216	114,184	10	0	0
89	A	300,7	110,388	10	0	0
90	A	238,554	103,913	10	0	0
91	A	204,616	103,467	10	0	0
92	A	137,529	102,659	10	0	0
93	A	322,854	98,581	10	0	0
94	A	283,954	93,196	10	0	0
95	A	221,809	86,721	10	0	0
96	A	187,87	86,274	10	0	0
97	A	154,804	85,696	10	0	0
98	A	306,069	81,427	10	0	0
99	A	267,208	76,003	10	0	0
100	A	171,483	68,733	10	0	0
101	A	251,008	65,401	10	0	0
102	A	289,285	64,272	10	0	0
103	A	250,463	58,811	10	0	0
104	A	229,957	37,441	10	0	0
105	A	233,668	17,4	10	0	0

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Sheet Title:

PHOTOMETRICS PLAN
PARKING STRUCTURE
SECOND LEVEL

PH-102

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Description

This contemporary styled **D154-TS20 Series** combines a cast aluminum housing, a spun aluminum shade and segmented reflector to create an efficient luminaire with Type III(**HR3**) or Type V(**HR5**) light distribution. Some of the most popular brackets for use with this fixture are shown below, however there are others available in the "Brackets & Wall Luminaires" section of this catalog.

Installation

The luminaire will mount to the bracket as shown on the reverse page. Post top luminaire brackets will mount to a 3" OD post or tenon with (6) 5/16" stainless steel set screws. Wall bracket models have four 3/8" holes for mounting (wall mount hardware is not included).

Electrical

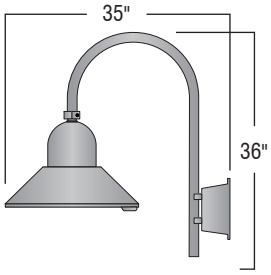
- High power factor ballast (HPF), core and coil type, pre-wired and tested
- Easy ballast pod access
- 4KV pulse rated porcelain socket
- Suitable for wet location

Lens

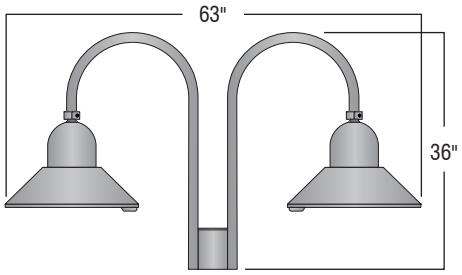
Clear smooth flat tempered glass (**GL**)

Finish

Premium quality thermoset polyester powdercoat (see Finish Selection)



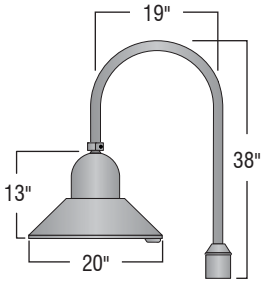
WBR03/D154-TS20



PT12/D154-TS20

EPA: 2.58

Also available in three and four light combinations.



PT01/D154-TS20

EPA: 1.23

Ordering Guide

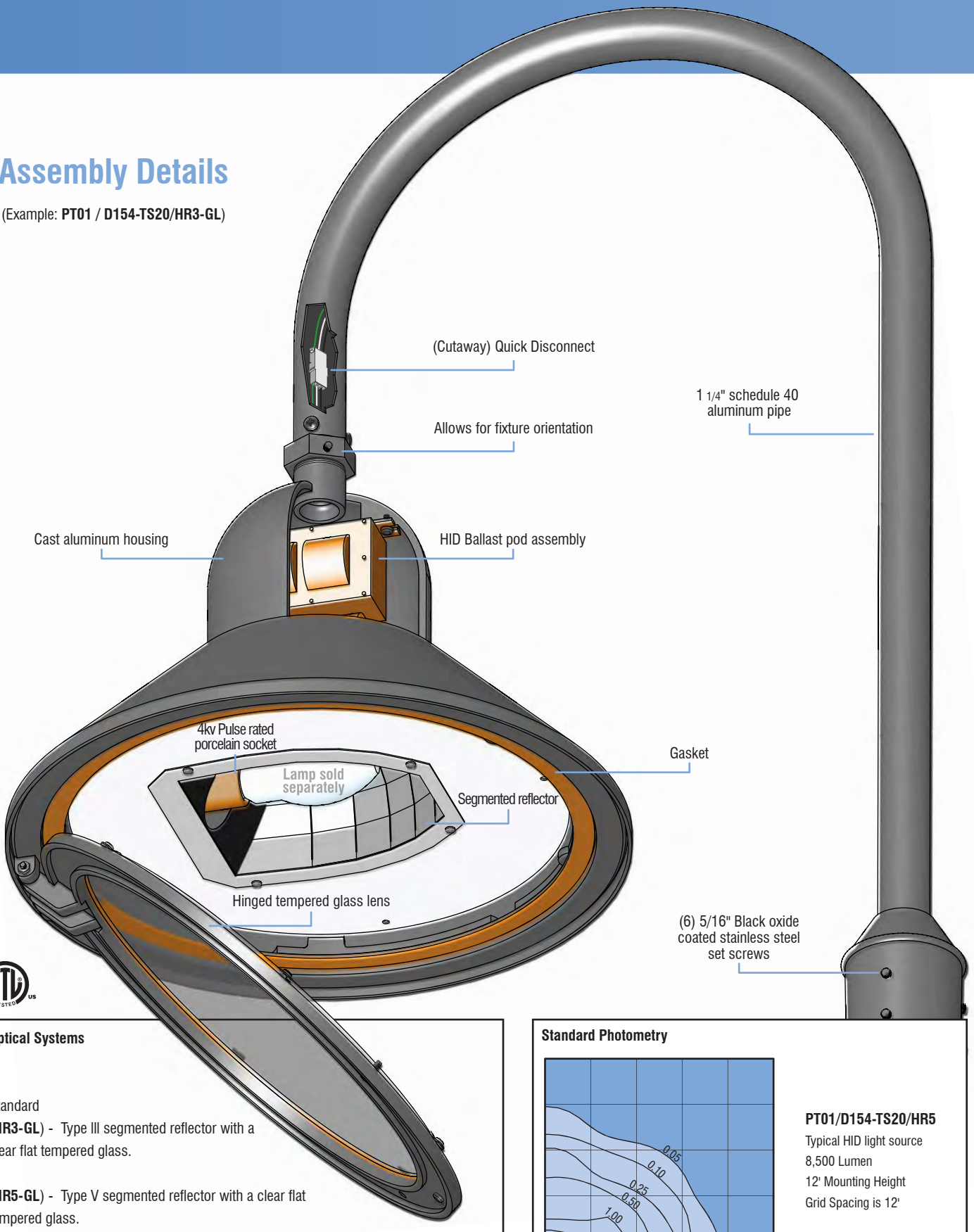
Bracket	Luminaire	Light Distribution	Lens	Light Source	Voltage	Finish	Option
PT01	D154-TS20	HR5	GL	100HPS	120v	BLK	PCL
		HR3		50MH,70MH 100MH,50HPS 70HPS	208v 240v 277v	CLB,GRN WHT,TBK ATC,GTG	

Additional light sources, voltages, and custom colors are available. Contact factory for details.

Light Sources	
Wattage	Socket Type
50MH, 70MH,100MH,150MH	Medium
50HPS,70HPS,100HPS,150HPS	Medium
PL-13	2-pin
CFL 26, 32, or 42	4-pin

Assembly Details

(Example: **PT01 / D154-TS20/HR3-GL**)



Optical Systems

Standard
(**HR3-GL**) - Type III segmented reflector with a clear flat tempered glass.

(**HR5-GL**) - Type V segmented reflector with a clear flat tempered glass.

Standard Photometry

PT01/D154-TS20/HR5
Typical HID light source
8,500 Lumen
12' Mounting Height
Grid Spacing is 12'

INTERIOR SUBDISTRICT

The primary intent of the Interior subdistrict is to provide an area that can function as either office, residential, or senior living use. Key characteristics of this subdistrict include good views of Lake Ray Hubbard and adjacency to open space. Existing slopes within this subdistrict are in the 6% - 10% range. Significant massing of existing trees are also present within this subdisctrict which should be preserved where possible.

Building Placement

Setback (Distance from R.O.W. line)

Summer Lee Drive	20'
Street Type G	5' minimum, 20' minimum average

Building Form

Each building must have a minumum of 30% of the length of its façade fronting Summer Lee Dr located on the 20' setback line.

Maximum Lot Coverage	60%

Notes

When an abutting property with an existing building has windows facing to the side, any new building shall provide at least 10 feet of separation.

Use

Ground Floor

Residential
Office
Senior Living

Upper Floors

Residential
Office
Senior Living

Height

	stories / height
Maximum Building Height	5 / 75'
Minimum 1st floor commercial Height (with other uses above)	15'

Encroachments

Location

Summer Lee Drive	5'
Street Type G	5'

Notes

Canopies, awnings, balconies, and roof overhangs may encroach over the BTL as shown in the table above.

Parking

Surface Parking Setback (Distance from R.O.W. line)

Street Type G	10'
Summer Lee Drive	15'

Surface Parking Lots

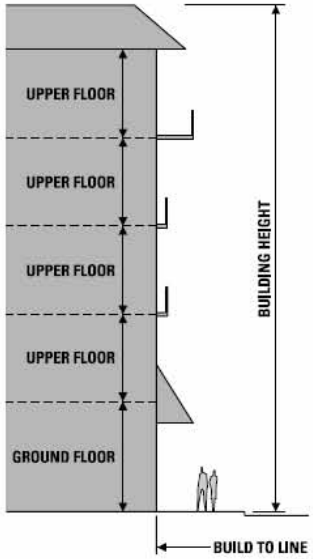
A maximum of 10% of the total parking for this subdistrict may be surface parking.

Driveways (Maximum number per block face)

Street Type G	3
Summer Lee Drive	2

Pedestrianways (Minimum number per block face)

Street Type G	1
Summer Lee Drive	1



3 - 5 Story Building

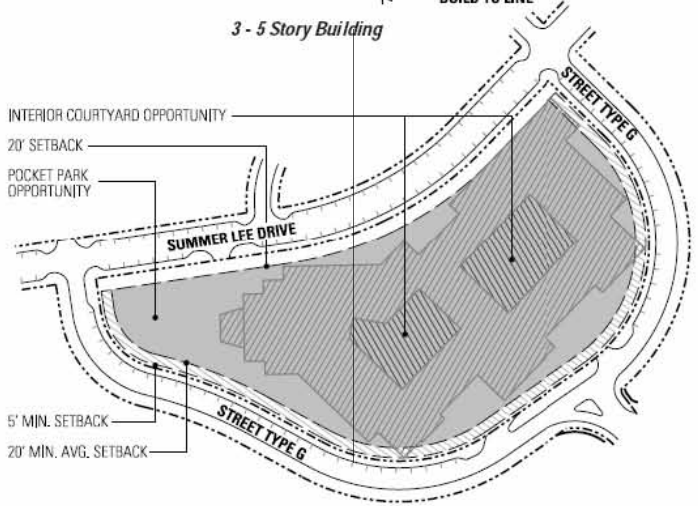
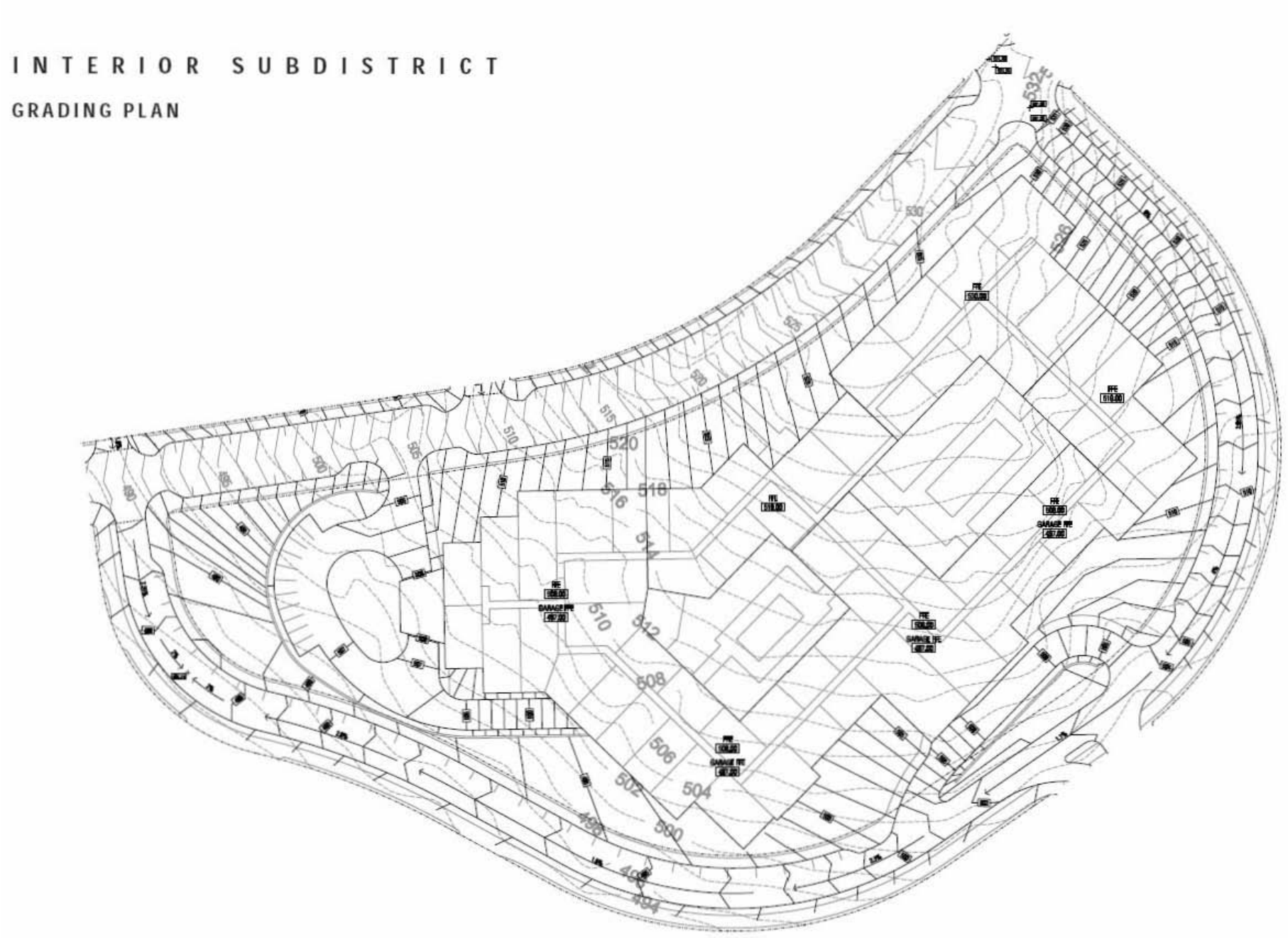


Exhibit E-8 (Page 2 of 2)
Interior Subdistrict



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Hold work session to discuss status of state roadway projects, local roadways and other public works projects, and take any action necessary.

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Austin Cory Eagle Scout Recognition

- Austin Cory Eagle Scout 46
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Bryce Fuller Eagle Scout Recognition

- Bryce Fuller Proc 48
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Caleb Bailey Davis Eagle Scout Recognition

- Caleb Davis 50
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Consider approval of the minutes from the March 16, 2015 regular city council meeting, and take any action necessary.

- 03-16-15 CC Mtg Mins 52
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Z2015-007 - Consider approval of an ordinance for a request by Kevin Carr of GearHeads Hot Rod Garage for the approval of a Specific Use Permit (SUP) to allow truck rental in conjunction with an existing minor automotive repair garage on a two (2) acre tract of land identified as Tract 23-01 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 3920 E. IH-30, and take any action necessary. (2nd reading)

- Ord_2nd reading - GearHeads 62
- Blank Page 67

Z2015-008 - Consider approval of an ordinance for a request by Herman Douglas Utley for a zoning change from an Agricultural (AG) District to a Single Family Estate 2.0 (SFE-2.0) District for a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass (SH-205 BY OV) District, addressed as 1815 E. Quail Road, and take any action necessary. (2nd reading)

- Ord_2nd Reading_Utley 68
- Blank Page 72

Z2015-009 - Consider approval of an ordinance for a request by Chris and Jill Blasé for a Specific Use Permit (SUP) for a detached garage that does not conform to the requirements as stipulated by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code for a 4.05-acre parcel of land identified as Lot 1, Block 1, Blasé Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, addressed as 1220 East Fork Drive, and take any action necessary. (2nd reading)

Ord_2nd reading_Blase 73

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P2015-011 - Consider a request by Duane and Jenifer Piercy for the approval of a final plat for Lot 1, Block A, Piercy Place Addition being a 1.21-acre tract of land identified as Tract 21 of the R. Ballard Survey, Abstract 29, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated west of the intersection of Hartman Street and Renfro Street, and take any action necessary.

P2015-011 80

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Consider authorizing the City Manager to execute a contract extension with 3-D Mowing for right-of-ways and forced mowing services in the amount of $40,291 to be funded through the Parks Operations, Grounds Maintenance Budget, and take any action necessary.

Memo 87

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Consider authorizing the City Manager to execute a purchase order to Freedom Dodge for a 2015 Dodge Charger with new equipment for the Police Patrol Traffic Division in an amount not to exceed $36,000 to be funded from the General Fund, Police Operating Budget, and take any action necessary.

memo 89

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Appointment with representatives of the Stone Creek subdivision for discussion regarding golf carts, and take any action necessary.

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City Attny Memo Re Golf Carts 98

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Z2015-003 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Cole Franklin of the Skorburg Company on behalf of the owner Larry Hance for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 7 (SF-7) and General Retail (GR) District land uses for a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King Boulevard, and take any action necessary. (1st reading) [The Applicant has Requested and been Approved by the Planning and Zoning Commission to Withdraw this Case]

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Z2015-010 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Noah Flabiano of the Skorburg Company for a zoning change from Planned Development District 70 (PD-70) for limited commercial/retail land uses to a Planned Development District for townhomes on a 10.142-acre tract of land being identified as a portion of a larger 164.812-acre tract of land identified as Tract 3 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 70 (PD-70), situated within the North SH-205 Overlay (N-SH205 OV) District, generally located at the northeast corner of the intersection of E. Quail Run Road and N. Goliad Street [N. SH-205], and take any action necessary. (1st reading) [Requested Postponement to the May 4, 2015 City Council Meeting]

Z2015-010 . . . 104
Blank Page . . . 106

Z2015-011 - Hold a public hearing to discuss and consider approval of an ordinance for a City initiated zoning request for the approval of a text amendment to Article IX, Tree Preservation, Section 11.1, Tree fund administration, of the Unified Development Code [Ordinance No. 04-38] for the purpose of modifying this section of the code, and take any action necessary. (1st reading)

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Discuss and consider approval of a resolution related to the authority of private toll road corporations, and take any action necessary.

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Discuss and consider a recommendation from the City Council's Hotel Tax Subcommittee regarding funding request from the Rockwall County Historical Foundation, and take any action necessary.

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AGENDA
ROCKWALL CITY COUNCIL
Monday, April 06, 2015
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

p.10 **1.** Hold work session to discuss status of state roadway projects, local roadways and other public works projects, and take any action necessary.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointments to city's regulatory boards, including the Board of Adjustments, pursuant to Section 551.074 (Personnel Matters)

2. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)

3. Discussion regarding proposed development and possible vesting issues under Chapter 245 Local Government Code pursuant to Section 551.071 (Consultation with Attorney).

4. Discussion regarding City Manager performance evaluation pursuant to Section 551.074 (Personnel Matters).

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, April 06, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR JIM PRUITT

VIII. PROCLAMATIONS / AWARDS

p.46 **1.** Austin Cory Eagle Scout Recognition
2. Bryce Fuller Eagle Scout Recognition p.48
p.50 **3.** Caleb Bailey Davis Eagle Scout Recognition

IX. OPEN FORUM

X. CONSENT AGENDA

p.52 **1.** Consider approval of the minutes from the March 16, 2015 regular city council meeting, and take any action necessary.

p.62 **2.** **Z2015-007** - Consider approval of an **ordinance** for a request by Kevin Carr of GearHeads Hot Rod Garage for the approval of a Specific Use Permit (SUP) to allow truck rental in conjunction with an existing minor automotive repair garage on a two (2) acre tract of land identified as Tract 23-01 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 3920 E. IH-30, and take any action necessary. **(2nd reading)**

p.68 **3.** **Z2015-008** - Consider approval of an **ordinance** for a request by Herman Douglas Utley for a zoning change from an Agricultural (AG) District to a Single Family Estate 2.0 (SFE-2.0) District for a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass (SH-205 BY OV) District, addressed as 1815 E. Quail Road, and take any action necessary. **(2nd reading)**

p.73 **4.** **Z2015-009** - Consider approval of an **ordinance** for a request by Chris and Jill Blasé for a Specific Use Permit (SUP) for a detached garage that does not conform to the requirements as stipulated by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code for a 4.05-acre parcel of land identified as Lot 1, Block 1, Blasé Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, addressed as 1220 East Fork Drive, and take any action necessary. **(2nd reading)**

p.80 **5.** **P2015-011** - Consider a request by Duane and Jenifer Piercy for the approval of a final plat for Lot 1, Block A, Piercy Place Addition being a 1.21-acre tract of land identified as Tract 21 of the R. Ballard Survey, Abstract 29, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated west of the intersection of Hartman Street and Renfro Street, and take any action necessary.

p.87 **6.** Consider authorizing the City Manager to execute a contract extension with 3-D Mowing for right-of-ways and forced mowing services in the amount of $40,291 to be funded through the Parks Operations, Grounds Maintenance Budget, and take any action necessary.

p.89 **7.** Consider authorizing the City Manager to execute a purchase order to Freedom Dodge for a 2015 Dodge Charger with new equipment for the Police Patrol Traffic Division in an amount not to exceed $36,000 to be funded from the General Fund, Police Operating Budget, and take any action necessary.

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

p.91 **2.** Appointment with representatives of the Stone Creek subdivision for discussion regarding golf carts, and take any action necessary.

XII. PUBLIC HEARING ITEMS

p.101 ***1.*** **Z2015-003** - Hold a public hearing to discuss and consider approval of an ordinance for a request by Cole Franklin of the Skorburg Company on behalf of the owner Larry Hance for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 7 (SF-7) and General Retail (GR) District land uses for a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King Boulevard, and take any action necessary. (1st reading) ***[The applicant has requested and been approved by the Planning and Zoning Commission to withdraw this case]***

p.104 *2.* **Z2015-010** - Hold a public hearing to discuss and consider approval of an ordinance for a request by Noah Flabiano of the Skorburg Company for a zoning change from Planned Development District 70 (PD-70) for limited commercial/retail land uses to a Planned Development District for townhomes on a 10.142-acre tract of land being identified as a portion of a larger 164.812-acre tract of land identified as Tract 3 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 70 (PD-70), situated within the North SH-205 Overlay (N-SH205 OV) District, generally located at the northeast corner of the intersection of E. Quail Run Road and N. Goliad Street [N. SH-205], and take any action necessary. (1st reading) ***[Requested postponement to the May 4, 2015 City Council Meeting]***

p.107 **3.** **Z2015-011** - Hold a public hearing to discuss and consider approval of an **ordinance** for a City initiated zoning request for the approval of a text amendment to Article IX, Tree Preservation, Section 11.1, Tree fund administration, of the Unified Development Code [Ordinance No. 04-38] for the purpose of modifying this section of the code, and take any action necessary. **(1st reading)**

XIII. ACTION ITEMS

p.113 **1.** Discuss and consider approval of a resolution related to the authority of private toll road corporations, and take any action necessary.

p.120 **2.** Discuss and consider a recommendation from the City Council's Hotel Tax Subcommittee regarding funding request from the Rockwall County Historical Foundation, and take any action necessary.

XIV. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

p.147 Building Inspections Monthly Report - February 2015

Fire Department Monthly Reports - February 2015 p.161

p.176 Harbor PD Monthly Report - February 2015

Internal Operations Department Monthly Report - February 2015 p.178

p.182 Police Department Monthly Report - February 2015

Recreation Monthly Report - February 2015 p.185

p.187 Rockwall Animal Adoption Center Monthly Report - February 2015

Rockwall County Meals on Wheels Senior Services Quarterly Report p.189

2. City Manager's Report

XV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointments to city's regulatory boards, including the Board of Adjustments, pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)
3. Discussion regarding proposed development and possible vesting issues under Chapter 245 Local Government Code pursuant to Section 551.071 (Consultation with Attorney).
4. Discussion regarding City Manager performance evaluation pursuant to Section 551.074 (Personnel Matters).

XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVII. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 3rd day of April, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Rick Crowley - City Manager**

DATE: **April 3, 2015**

SUBJECT: **Work Session**

A work session will be held at the April 6 council meeting beginning at 4:00 p.m. to hear an update from City Engineer Tim Tumulty concerning the following Public Works-related issues:

- Status of state roadways
- Specific planning for SH-205
- Status of Rochelle Road
- Drainage and erosion issue near 2065 Lake Forest

Staff will be available to help facilitate this discussion and to answer any questions the council may have.

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **April 3, 2015**

SUBJECT: **Roadway Project Status**

Staff has prepared a brief status report for various roadways to be constructed within the City of Rockwall. These projects are being funded by the City of Rockwall, Rockwall County or the Texas Department of Transportation or a combination of the three entities.

Staff will present the information to City Council in the form of a power point presentation. If you have any questions, please advise.

TMT:em

Attachment:

Cc:
Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
Billy Chaffin, Superintendent of Streets and Drainage
File

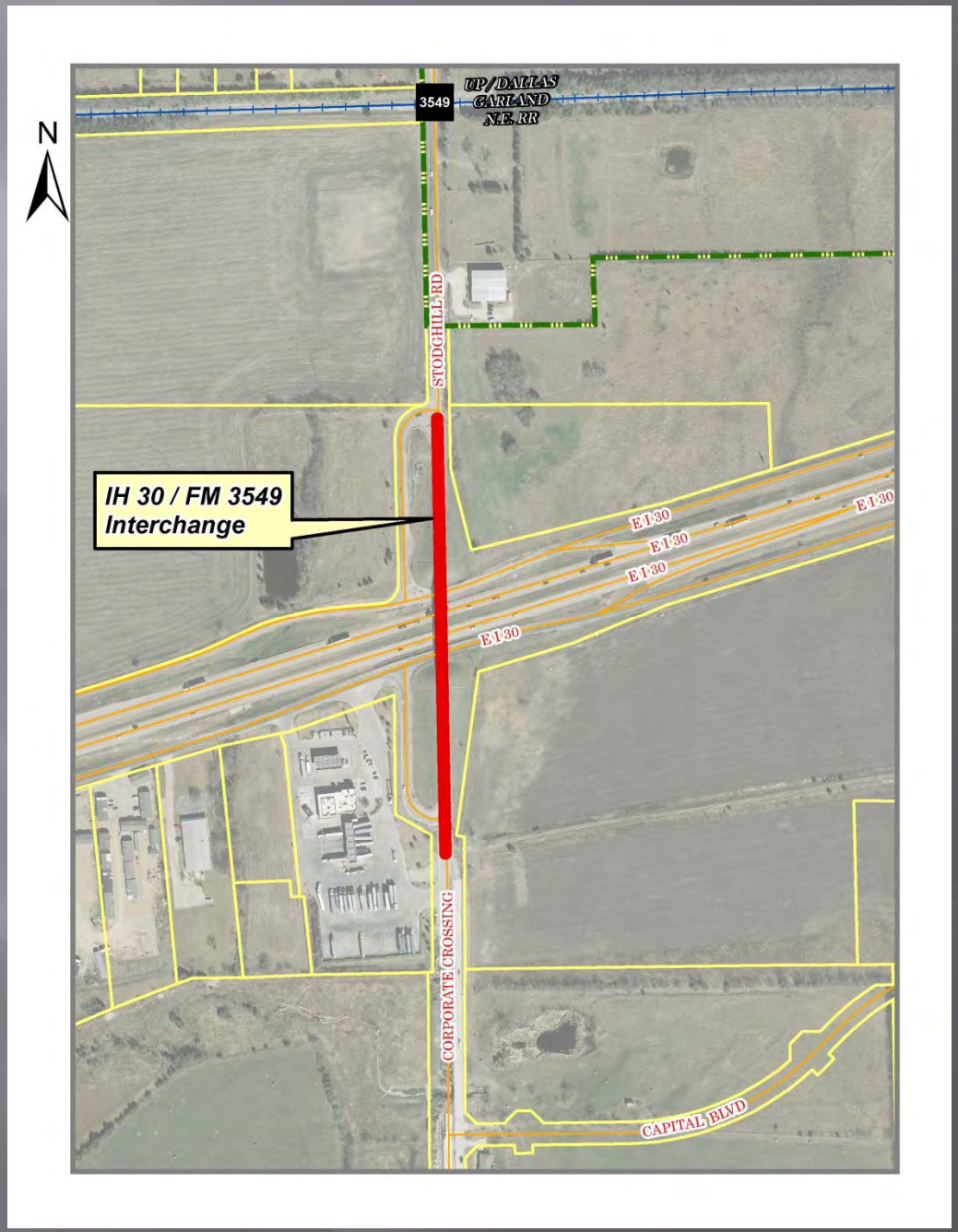
TxDOT/Rockwall County/ City of Rockwall

Roadway Improvement Projects

Status Report

April 6, 2015

12

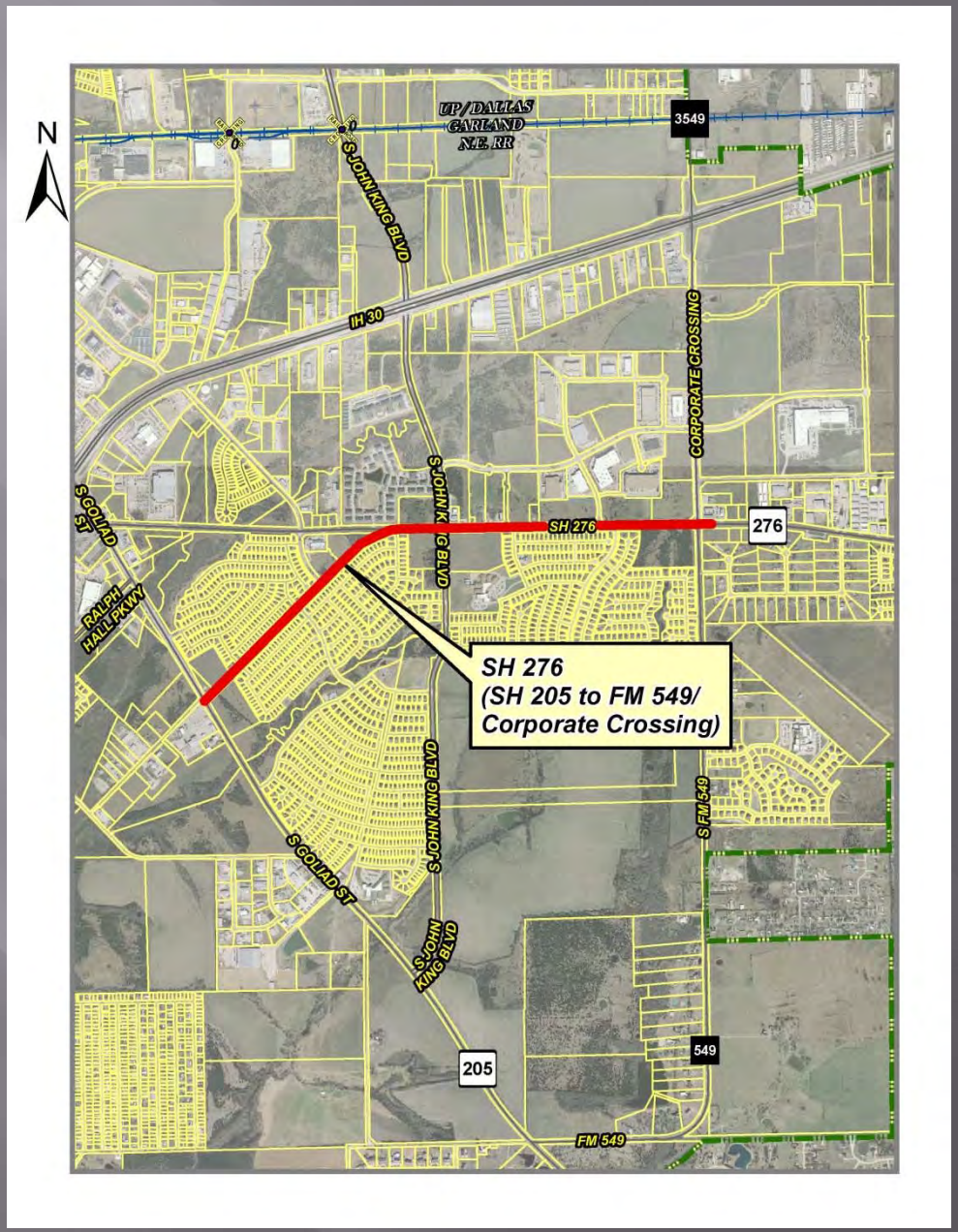

N
3549
UP/DALLAS
GARLAND
N.E. RR
STODGHILL RD
IH 30 / FM 3549
Interchange
E I-30
E I-30
E I-30
E I-30
E I-30
CORPORATE CROSSING
CAPITAL BLVD

13

IH30/ FM 3549 Interchange

- Project Limits: Intersection IH 30 and FM 3549
- Cost: $30 Million
- Bid Date: September 10, 2014
- Start Date: June 2015
- Completion Time: 2 Years

14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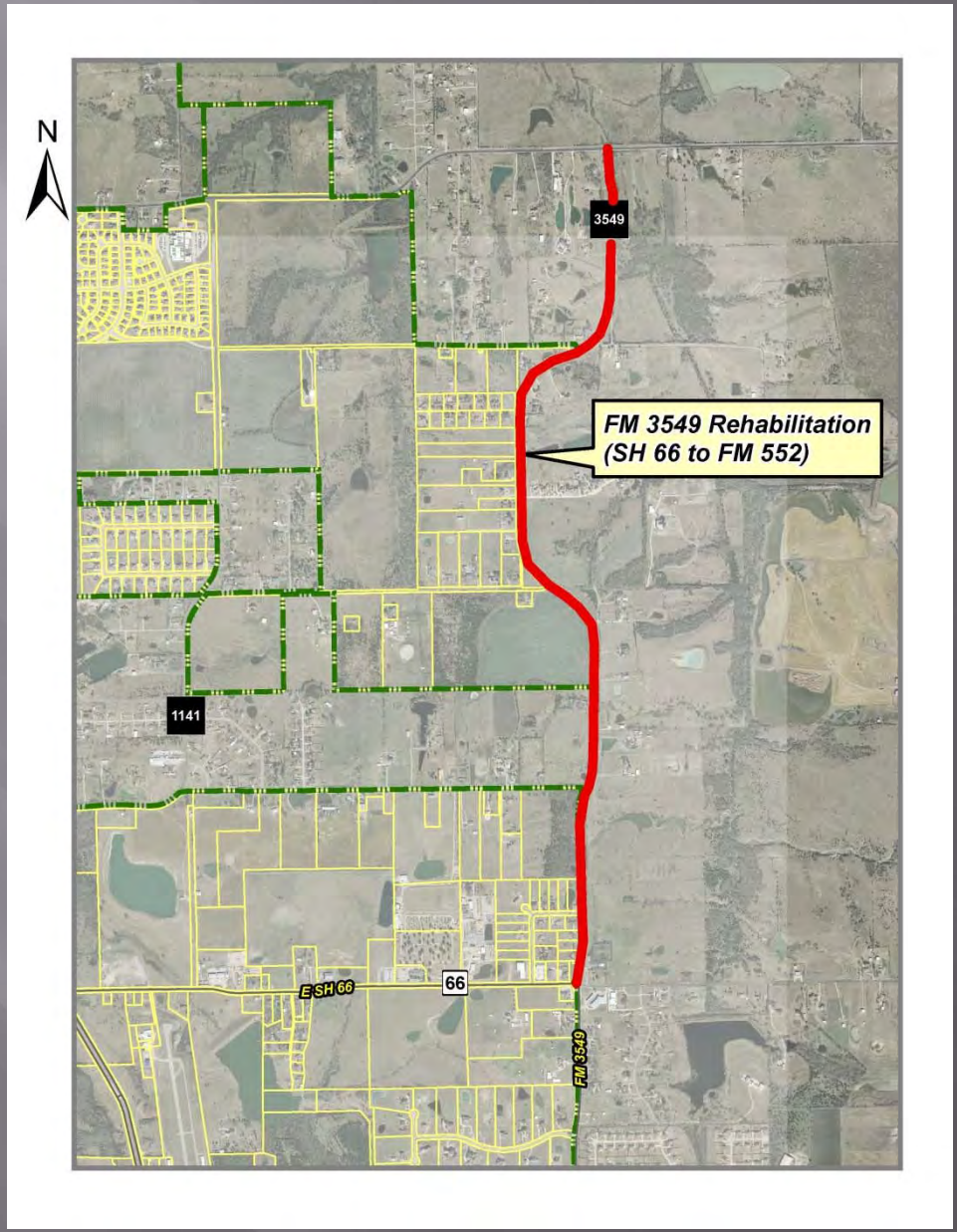
UP / DALLAS GARLAND N.E. RR
3549
S JOHN KING BLVD
IH 30
CORPORATE CROSSING
S GOLIAD ST
SH 276
276
RALPH HALL PKWY
SH 276
(SH 205 to FM 549/
Corporate Crossing)
S JOHN KING BLVD
S FM 549
S GOLIAD ST
S JOHN KING BLVD
549
205
FM 549

SH 276

- Project Limits: SH 205 to FM 549
- Description: Widen 2 lane asphalt to 6 lane divided concrete
- Estimated Construction Cost : $17.2 Million
- Bid Date: September 2017
- Proposition 1 funding - 2018

16


N
3549
FM 3549 Rehabilitation
(SH 66 to FM 552)
1141
E SH 66
66
FM 3549

17

FM 3549 Rehabilitation Project

- Project Limits: SH 66 to FM 552
- Reconstruct 2 lane asphalt roadway with new shoulders
- Estimated Construction Cost : $2.5 Million
- Bid Date: February 2015
- Construction Start Date: May/June 2015

18

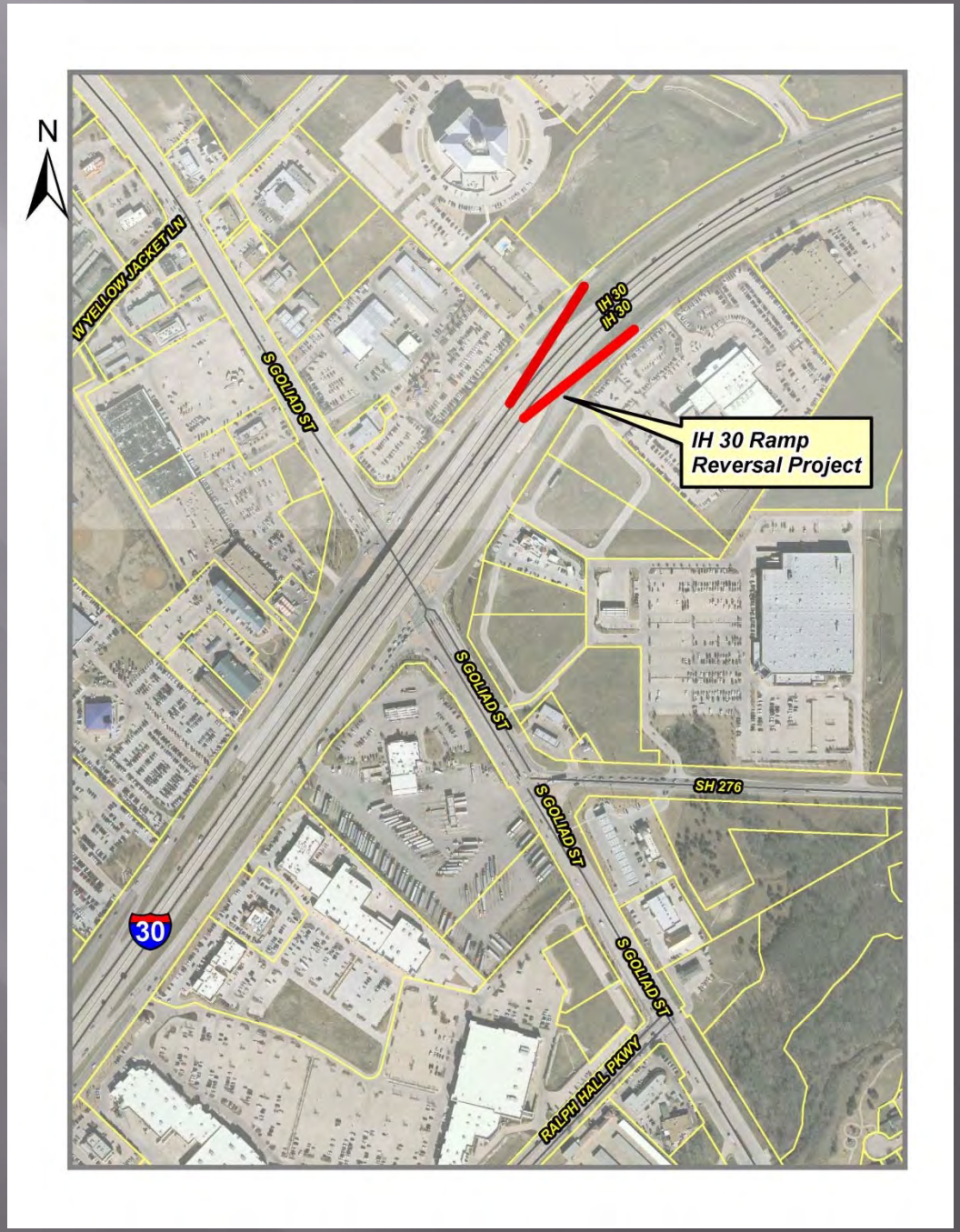

N
66
FM 3549
(IH 30 to SH 66)
FM 3549
FM 3549
UP/DALLAS
GARLAND
N.E. RR
3549
IH 30

19

FM 3549 North

- Project Limits: IH 30 to SH 66
- Description: Widen 2 lane asphalt to 4 lane divided concrete
- Estimated Construction Cost : $9.2 Million
- Bid Date: January 2017
- Proposition 1 funding - 2017

20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W YELLOW JACKET LN
S GOLIAD ST
IH 30
IH 30
IH 30 Ramp
Reversal Project
S GOLIAD ST
SH 276
S GOLIAD ST
S GOLIAD ST
30
RALPH HALL PKWY

21

IH 30 Ramp Reversal Project

- Project Limits: Ramps east of SH 205 @ IH 30
- Description: Revering ramps on I 30 just east of SH 205
- Estimated Construction Cost : $950,000
- Proposed Bid Date: January 2016
- Funded by City of Rockwall ($950,000) and Rockwall County ($360,216)

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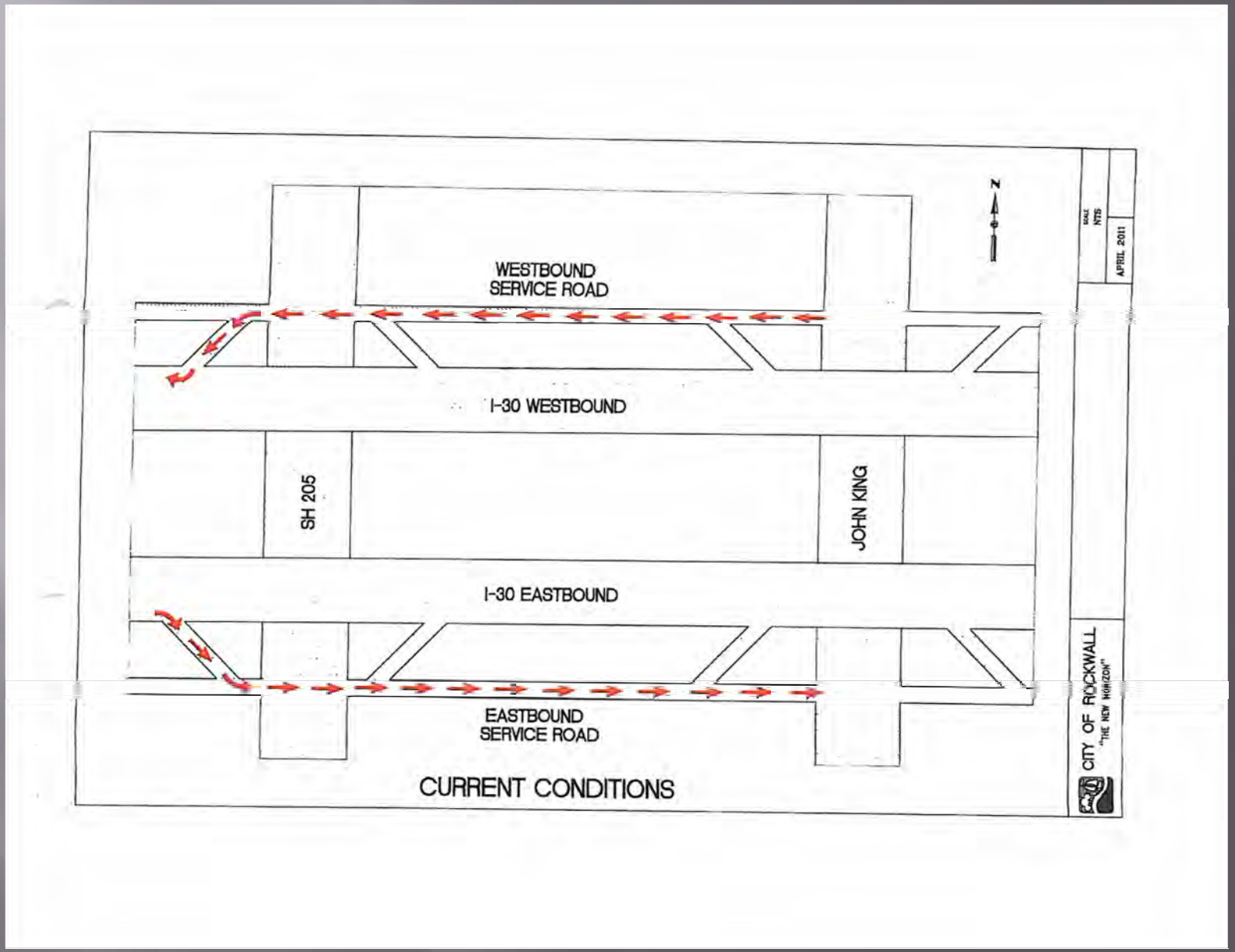
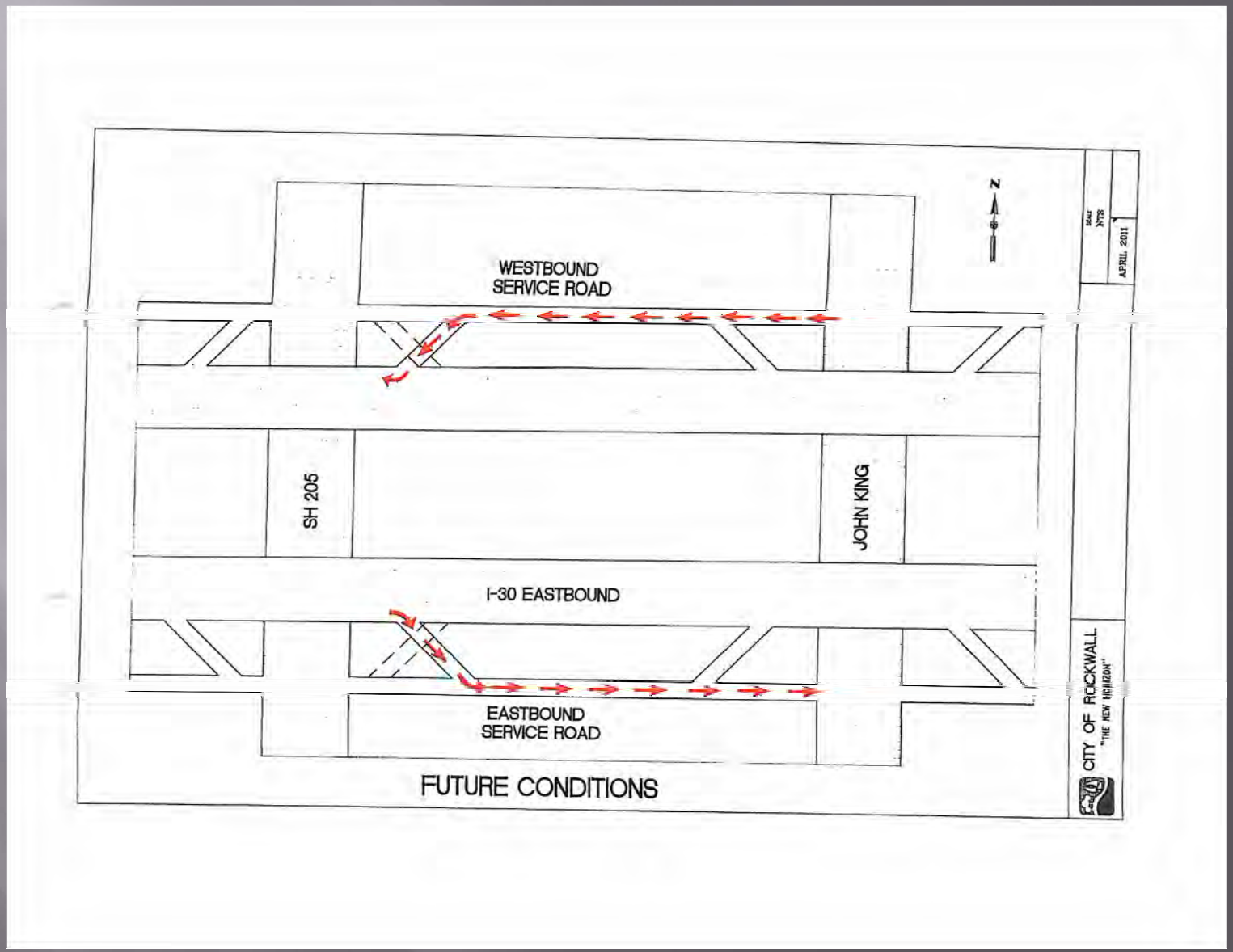

WESTBOUND
SERVICE ROAD
I-30 WESTBOUND
SH 205
JOHN KING
I-30 EASTBOUND
EASTBOUND
SERVICE ROAD
CURRENT CONDITIONS
N
SCALE
NTS
APRIL 2011
CITY OF ROCKWALL
"THE NEW HORIZON"

23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SERVICE ROAD
SH 205
JOHN KING
I-30 EASTBOUND
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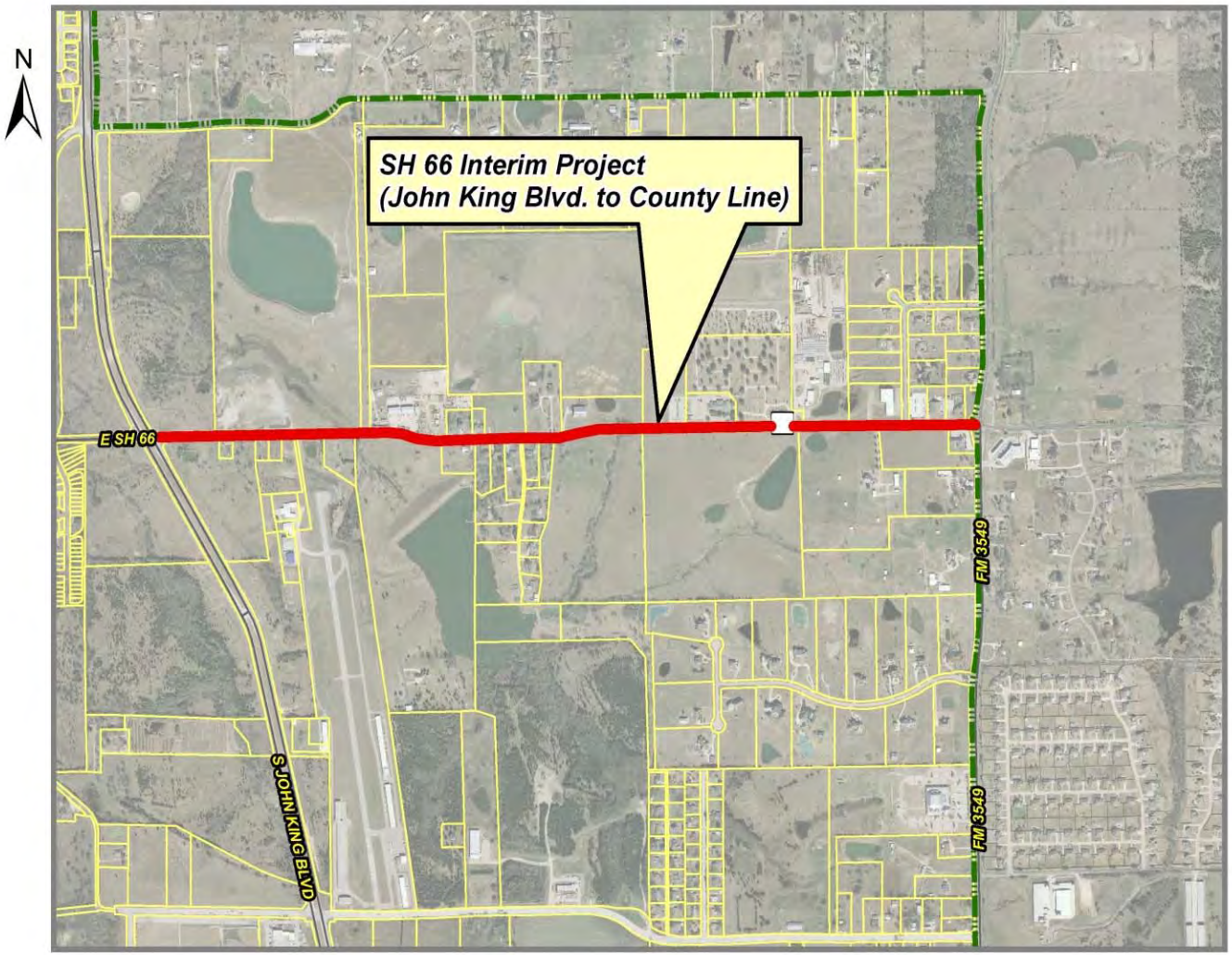
APRIL 2011
CITY OF ROCKWALL
"THE NEW HORIZON"

24

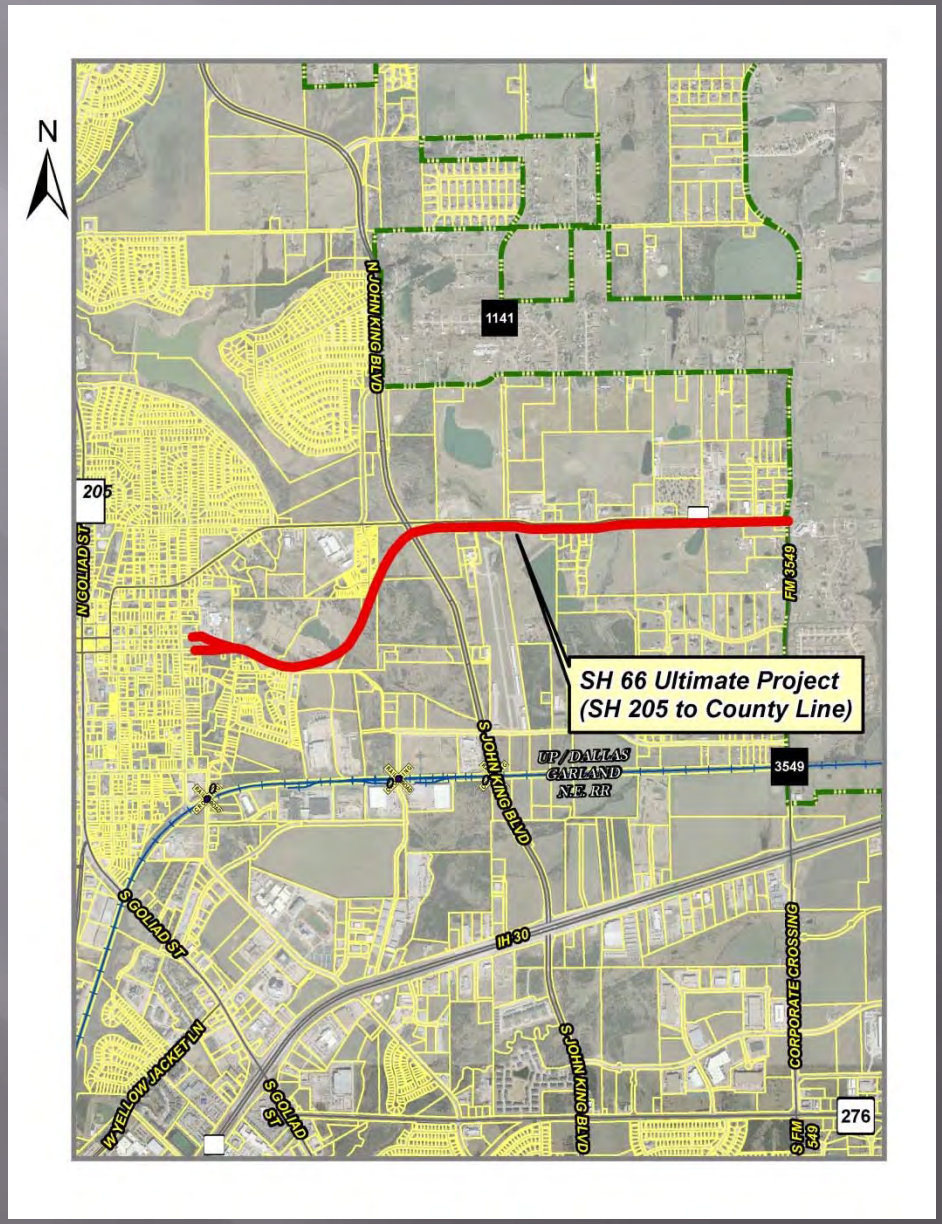

N
SH 66 Interim Project
(John King Blvd. to County Line)
E SH 66
S JOHN KING BLVD
FM 3549
FM 3549

25

SH 66 Interim Project

- Project Limits: John King Boulevard to County Line
- Description: Rehabilitate existing 2 lane asphalt roadway, widen shoulders, various intersection improvements
- Estimated Construction Cost : $21 Million
- Proposed Bid Date: March 2016

26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1141
N JOHN KING BLVD
205
N GOLIAD ST
FM 3549
SH 66 Ultimate Project
(SH 205 to County Line)
S JOHN KING BLVD
UP / DALLAS
GARLAND
N.E. RR
3549
S GOLIAD ST
IH 30
CORPORATE CROSSING
YELLOW JACKET LN
S GOLIAD ST
S JOHN KING BLVD
S FM 549
276

27

SH 66 Ultimate Project

- Project Limits: SH 205 to Rockwall County Line
- Description: Widen 2 lane asphalt to 4/6 lane divided concrete
- Estimated Construction Cost : $96 Million
- Not funded, no time frame for construction

28


N
SH 276
276
S JOHN KING BLVD
S JOHN KING BLVD
S JOHN KING BLVD
S FM 549
FM 549 Rehabilitation
(SH 205 to SH 276)
549
205
FM 549

29

FM 549 Rehabilitation Project

- Project Limits: SH 276 to SH 205
- Description: Remove and replace asphalt surface and improve shoulders
- Proposed Bid Date: March 2015

30

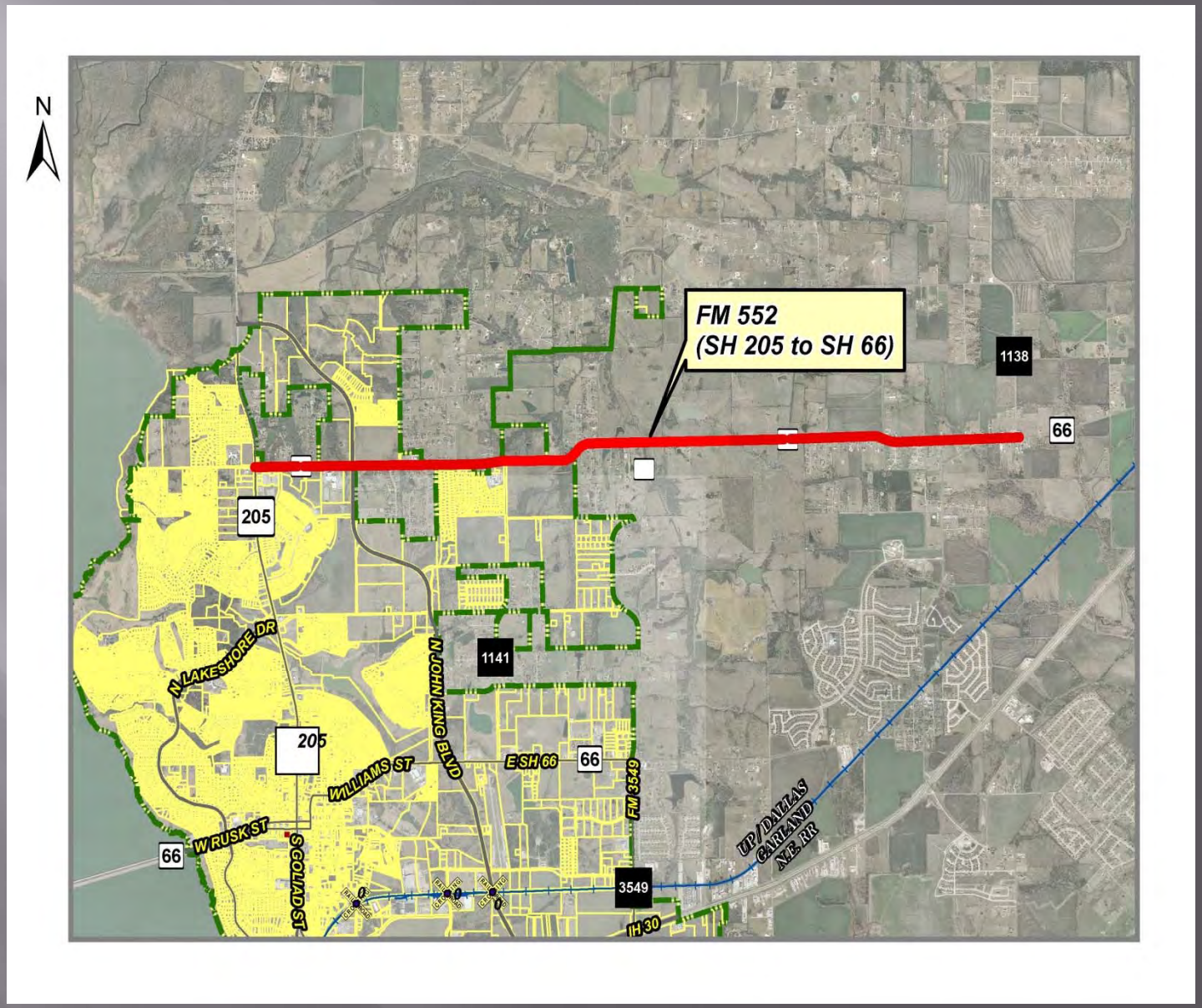

N
SH 276
276
S JOHN KING BLVD
S JOHN KING BLVD
S JOHN KING BLVD
S FM 549
FM 549
(SH 205 to SH 276)
549
205
FM 549
FM 549

31

FM 549 (South)

- Project Limits: SH 276 to SH 205
- Description: Widen 2 lane asphalt to 6 lane divided concrete
- Estimated Construction Cost: $17.8 Million

32

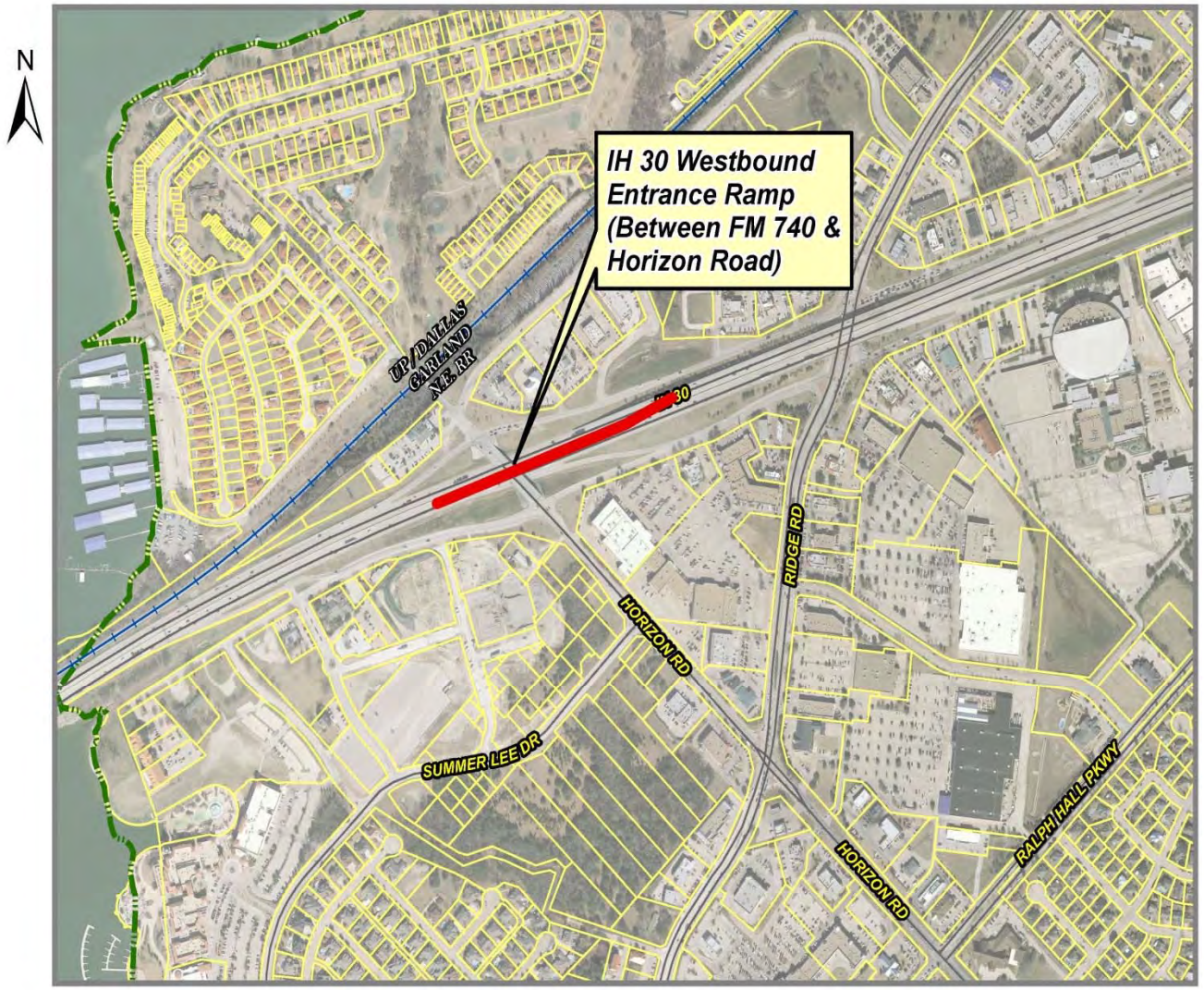

N
FM 552
(SH 205 to SH 66)
1138
66
205
1141
N LAKESHORE DR
N JOHN KING BLVD
205
WILLIAMS ST
E SH 66
66
FM 3549
W RUSK ST
66
S GOLIAD ST
UP / DALLAS
GARLAND
N.E. RR
3549
IH 30

33

FM 552

- Project Limits: SH 205 to SH 66
- Description: Widen 2 lane asphalt to 4/6 divided concrete
- Estimated Construction Cost : $55 Million
- Public Meeting – Concerns of Roadway width
- No time frame for construction

34

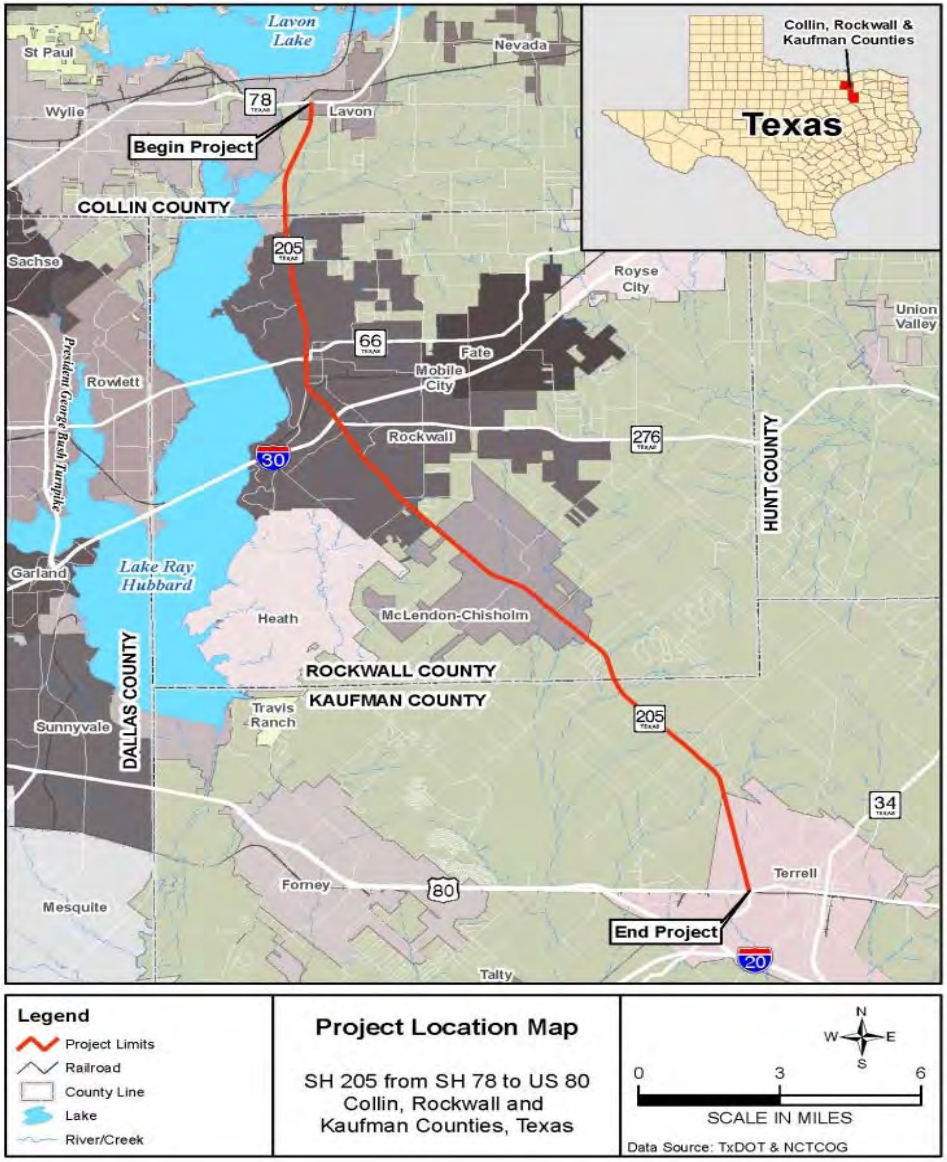

N
IH 30 Westbound Entrance Ramp (Between FM 740 & Horizon Road)
UP/DALLAS GARLAND N.Z. RR
RIDGE RD
HORIZON RD
SUMMER LEE DR
HORIZON RD
RALPH HALL PKWY

35

IH 30 WESTBOUND ENTRANCE RAMP

- Project Limits: Between Horizon Road and FM 740
- Description: Add entrance ramp for westbound IH30
- Estimated Construction Cost : $1.5 Million

36


Lavon Lake
St Paul
Nevada
Wylie
78
Lavon
Begin Project
COLLIN COUNTY
205
Sachse
Royse City
Union Valley
66
Fate
Mobile City
Rowlett
President George Bush Turnpike
Rockwall
276
30
HUNT COUNTY
Garland
Lake Ray Hubbard
Heath
McLendon-Chisholm
ROCKWALL COUNTY
KAUFMAN COUNTY
DALLAS COUNTY
Travis Ranch
Sunnyvale
205
34
Terrell
Forney
80
Mesquite
End Project
20
Talty
Collin, Rockwall & Kaufman Counties
Texas
Legend
Project Limits
Railroad
County Line
Lake
River/Creek
Project Location Map
SH 205 from SH 78 to US 80
Collin, Rockwall and
Kaufman Counties, Texas
N
W
E
S
0
3
6
SCALE IN MILES
Data Source: TxDOT & NCTCOG

37

SH 205

- Project Limits: SH 78 to US 80
- Description: Widen 2 lane asphalt to 4/6 divided concrete
- Status: Working on preliminary schematics

38


FM 3097
(FM 740 TO
TUBBS RD)
RIDGE RD
STEGER TOWNE DR
WOODCREEK DR
COTTONWOOD CT
740
W RALPH HALL PKWY
CREST HAVEN DR
PINON LN
SUMMERHILL DR
SYCAMORE LN
ROCKWALL PKWY
WESTWOOD DR
ARISTA RD
MAPLE RIDGE DR
WINDMILL RIDGE DR
BROOKWAY DR
MULBERRY LN
BASS RD
SUMMER LEE DR
SKYLARK DR
FOX CHASE LN
TUBBS RD
ALTHEA RD
FM 3097
HUNTERS GLEN
OAK DR
3097
SHADYDALE LN
STEEPLECHASE LN
BENTON WOOD DR

39

FM 3097

- Project Limits: FM 740 to Tubbs Road
- Description: Widen 2 lane asphalt to 4 lane divided concrete
- Construction Start Date: June 2015
- Completion Time: 2 years

40

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **April 3, 2015**

SUBJECT: **Rochelle Road**

Staff has been evaluating the options for maintaining the portion of Rochelle Road from State Highway 276 to the north City limits. Rochelle Road within these limits is a gravel surface roadway at a width of approximately 20 feet for most of the roadway. This roadway has an existing corrugated drainage pipe crossing at midpoint where Tributary U of Brushy Branch crosses the roadway. The roadway reduces down to a width of 16 feet at this culvert making the roadway a one lane roadway. The roadway has the potential to become inundated during large rainfall events.

Four options were evaluated.

Option One

Leave the roadway in its current state and continue to maintain. The roadway has been signed for the one lane road designation as the driver approaches the culvert. Roadway inundation will continue to be an issue and should be signed accordingly. A low speed limit should be approved by City Council and posted as such. At this point, Staff would recommend a 20 mile per hour speed limit. Our City Attorney would need to evaluate the City's responsibilities by allowing this roadway to remain in its current condition.

Option Two

The existing roadway could be stabilized by adding/mixing a cement solution and then compacting the base material. Prior to the stabilization, the existing culvert crossing will need improved by installing a triple 10' x 5' concrete multiple box culvert along with elevating the roadway in this area to prevent inundation during a 100 year storm event. After this work is complete, the entire length of Rochelle Road from State Highway 276 to the north City limits would receive a 3 inch asphalt pavement surface. The estimated costs for the roadway and drainage improvement are approximately $450,000. Even with these roadway improvements, certain truck traffic will be prohibited to travel due to excessive weight.

Option Three

Prohibit travel on this roadway by placing barricades at both ends of the gravel road. This would require barricading Springer Road prior to Rochelle Road.

Option Four

Construct the roadway to the section as shown on the Master Thoroughfare Plan. This roadway is listed as a future four lane divided concrete roadway in both cities of Rockwall and Fate. Attached is a cost estimate based upon unit prices from the Justin Road Paving and Drainage Improvement Project from Industrial Boulevard to John King Boulevard.

Please review this response and let's discuss the direction we wish to proceed. If you have any questions, please call me.

TMT:em

Attachment

Cc:

Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
Billy Chaffin, Superintendent of Streets and Drainage
File

OPTION FOUR

Rochelle Road (IH 30 – SH 276)

Per Master Thoroughfare Plan, Rochelle Road is a 4-lane (12 feet in width) divided roadway within 80 feet ROW

Roadway length – 6850 lf
Fate (both sides) 2100 lf
Rockwall/Fate share 1000 lf
Rockwall (both sides) 3750 lf

ROW Needs
ROW required 80 ft
ROW existing 30 ft (assumption)
ROW needed 50 ft

ROW Cost
50 ft X 6850 lf = 324,500 sf
Assume $10/sf
324,500sf X $10/sf = $3,245,000

Roadway Cost
6850' x 50' ÷ 9 = 38,055sy (add 10% for medians) = 41,861sy use 42,000sy

Using Justin Road Paving and Drainage Project price of $135/sy

42,000sy x $135/sy	$5,670,000
Contingency (20%)	1,134,000
Sub-total	6,804,000
Engineering (15%)	1,020,600
Sub-total	7,824,600
ROW	3,425,000
Total Project Cost	$11,249,600

Rockwall Share - $6,979,700

Fate Share - $4,269,900

City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Timothy M. Tumulty, Director of Public Works/City Engineer

DATE: April 3, 2015

SUBJECT: Lake Forest Erosion Project

Engineering Staff received a copy of a letter dated June 3, 2013 sent to Mayor David Sweet expressing a concern about an erosion problem occurring behind 2065 Lake Forest Drive. Upon receipt of the letter, staff met with the homeowner, Mr. Bob Carroll to make a general site investigation. After our initial site visit, staff invited Freese and Nichols, Inc. Consulting Engineers to view the erosion behind Mr. Carroll's home. This visit resulted in a contract with Freese and Nichols, Inc. to conduct a study to determine the cause of erosion behind Lake Forest Drive. The study also included a stream geomorphological assessment, a stream reconnaissance site visit for the entire stream and the evaluation/ results.

Staff began negotiations with Freese and Nichols, Inc. to perform the engineering design contract for this repair. Due to their cost to perform this design, negotiations were terminated. Staff met with Walter P. Moore Consulting Engineers to discuss their company providing these engineering design services to the City for this erosion control project. Their services consist of the design of erosion protection behind 2065 Lake Forest Drive. The proposed structure is likely to be a large, modular concrete block retaining wall stabilized with rock anchors.

Walter P. Moore Consulting Engineers have completed the engineering design of this erosion control project and is prepared to move the project forward to the next step of the process. Staff will present a layout of the final engineering design to City Council during the April 6, 2015 Work Session.

If you have any questions, please advise.

TMT:em

Cc:
Mary Smith, Assistant City Manager
Amy Williams, P.E., Assistant City Engineer
Billy Chaffin, Superintendent of Streets & Drainage
File

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45

Rockwall, Texas

Proclamation

Whereas, during his years in Scouting, Austin Cory has held several leadership positions including that of Quartermaster, Patrol Leader, Assistant Senior Patrol Leader and Senior Patrol Leader; and

Whereas, throughout his journey, Austin has received numerous recognitions including the 50 Miler Award (Philmont), 125 mile award (Northern Tier), Arrow of Light, Historic Trails Award, Honor Medal, Hornaday Award, Leave No Trace, Medal of Merit, Mile Swim (3x), National Outdoor Achievement (NOA) Adventure Award, NOA Aquatics Award, NOA Camping Award, NOA Hiking Award and the religious medals Parvuli Dei and Ad Altere Dei; and

Whereas, Austin has earned the Triple Crown by completing the 3 boy scout high adventure camps (Northern Tier, Seabase and Philmont), successfully completed training for CPR, Junior Leader, National Youth Leader Training, and Oak Leaf, has been inducted into the Order of the Arrow Honor Society and has earned more than two dozen merit badges; and

Whereas, since becoming a Boy Scout in 2008, Austin has progressed through the various ranks, most recently attaining the coveted Eagle Scout rank; and

Whereas, for Austin's Eagle Scout Project, he designed, built and installed an impressive technical feature along the city's Squabble Creek Mountain Bike Trail; and

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim April 6, 2015 as

AUSTIN CORY EAGLE SCOUT RECOGNITION DAY

in the City of Rockwall and urge all citizens to recognize and applaud Austin for his past accomplishments, including recently achieving the rank of Eagle Scout.

In Witness Whereof, I hereunto set my hand and official seal this 6th day of April, 2015.

_____

Jim Pruitt, Mayor

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47

Rockwall, Texas

Proclamation

Whereas, Bryce Fuller began Scouting in 2008; and

Whereas, throughout the years, Bryce has held numerous leadership positions, including that of Quartermaster, Assistant Patrol Leader, Patrol Leader, Assistant Senior Patrol Leader, and most notably, Senior Patrol Leader, the highest leadership position in a troop; and

Whereas, in addition to holding these leadership positions, Bryce has also been awarded the Scout Spirit Award by his troop, twice; and

Whereas, since becoming a Boy Scout, Bryce has progressed through the various ranks, most recently achieving his most notable accomplishment, the rank of Eagle Scout; and

Whereas, Bryce's Eagle Scout project consisted of taking the greenbelt trails used for horseback riding and ATVs in his neighborhood, mapping them out, naming them, and installing trail markers (which he lead the construction of) in order to make the neighborhood trails navigable and also provided a safety feature.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim April 6, 2015 as

BRYCE FULLER EAGLE SCOUT RECOGNITION DAY

in the City of Rockwall and urge all citizens to recognize and applaud Bryce for his past accomplishments, including recently achieving the coveted rank of Eagle Scout.

In Witness Whereof, I hereunto set my hand and official seal this 6th day of April, 2015.

_____

Jim Pruitt, Mayor

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49

Rockwall, Texas

Proclamation

Whereas, over the years, Caleb Bailey Davis has been involved in many personal and professional adventures including Boy Scouts of America, Order of the Arrow, Rockwall Community Playhouse, First Baptist Church Rockwall, The Blue Ribbon News and owning two of his own businesses; and

Whereas, in the 6th grade, Caleb completed the Leaders in Training program at First Baptist Church Rockwall where he learned the importance of high morals, Godly character, and unquestionable ethics, traits which have helped him on the road to attaining Eagle Scout rank before his 14th birthday; and

Whereas, throughout his years of service in Boy Scouts, Caleb has held numerous positions of leadership including Assistant Patrol Leader, Patrol Leader, Chaplain's Aide, Order of the Arrow Representative and Senior Patrol Leader; and

Whereas, in an effort to educate the public on Boy Scouts, Caleb has also been writing his own newspaper column in the local Blue Ribbon News where he has covered topics such as Camporee, Winter Camp, canoeing trips and the road to Eagle; and

Whereas, Caleb's Eagle Scout project consisted of him advertising, selling and placing plaques around the city's 6 mile Squabble Creek trail to help those walking the trail, including school groups, scout groups, hikers and others, identify local trees and have an educational experience.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim April 6, 2015 as

CALEB BAILEY DAVIS EAGLE SCOUT RECOGNITION DAY

in the City of Rockwall and urge all citizens to applaud and recognize Caleb for his past accomplishments, including recently achieving the rank of Eagle Scout.

In Witness Whereof, I hereunto set my hand and official seal this 6th day of April, 2015.

_____

Jim Pruitt, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, March 16, 2015
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pro Tem Lewis called the public meeting to order at 4:00 p.m. Present were Mayor Pro Tem Dennis Lewis and Council Members David White, Mike Townsend, John Hohenshelt, Scott Milder and Bennie Daniels. Also present were City Manager Rick Crowley, Assistant City Managers Brad Griggs and Mary Smith and City Attorney Frank Garza. Mayor Jim Pruitt was absent from the meeting.

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the position of Chief of Police pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding possible claim or settlement agreement related to enforcing the city's sign ordinance regarding a billboard pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding Gary Jackson vs. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding appointments to the Board of Adjustments (city regulatory board) pursuant to Section 551.074 (Personnel Matters)

III. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:55 p.m.

IV. RECONVENE PUBLIC MEETING

Mayor Pro Tem Lewis reconvened the public meeting at 6:00 p.m. All city council members except Mayor Pruitt were present.

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

It was announced that no action will be taken as a result of Executive Session.

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRUITT

Mayor Pro Tem Dennis Lewis delivered the invocation and led the Pledge of Allegiance.

VII. PROCLAMATIONS / AWARDS

1. Police Department (Re)Recognition - Texas Police Chiefs Association Best Practices

City Manager Rick Crowley provided brief comments related to this recognition, indicating that this will be the second time that the Rockwall Police Department has achieved this honor. Police Chief Mark Moeller then came forth and introduced Tom Shehan, retired chief from DFW Airport, who made a brief presentation to recognize the Rockwall PD.

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the March 2, 2015 regular city council meeting, and take any action necessary.

2. Consider approval of an **ordinance** for a City initiated request for the purpose of designating the Historic Downtown Courthouse as a Local Landmark per the designation procedures stipulated by Section 6.2, Historic Overlay (HO) District, of the Unified Development Code, being a 0.918-acre parcel of land identified as Rockwall O T Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 101 E. Rusk Street, and take any action necessary. **(2nd Reading)**

3. **P2015-007** - Consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of D. R. Horton 3. Homes for the approval of a replat of Lakeview Summit, Phase IV for the purpose of reducing the number of single-family residential lots from 97 to 93 for a 38.056-acre subdivision currently composed of 97 single-family residential lots situated within the J. H. B. Jones Survey, Abstract No. 124 and the Nathan Butler Survey, Abstract No. 21, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 29 (PD-29) for Single-Family 10 (SF-10) District land uses, located north of the intersection of Petaluma Drive and N. Lakeshore Drive, and take any action necessary.

Councilmember Daniels made a motion to approve the entire Consent Agenda (#s1, 2 and 3). Councilmember Milder seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. O4-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING BY IN ACCORDANCE WITH THE PROCEDURES OF ARTICLE V, SECTION 6.2 HISTORIC OVERLAY DISTRICT FOR THE PURPOSE OF DESIGNATING A LANDMARK DISTRICT ON PROPERTY KNOWN AS THE HISTORIC DOWNTOWN COURTHOUSE, BEING A 0.918-ACRE PARCEL OF LAND IDENTIFIED AS ROCKWALL O T ADDITION, AND LOCATED AT 101 EAST RUSK STREET, AND MORE SPECIFICALLY DEPICTED IN

EXHIBIT 'A' AND EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 in favor and 1 absent (Pruitt).

IX. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Planning and Zoning Commission Chairman Craig Renfro came forth and provided background information regarding recommendations of the Commission relative to items on tonight's council meeting agenda. The council took no action related to this agenda item.

X. PUBLIC HEARING ITEMS

1. **Z2015-003** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Cole Franklin of the Skorburg Company on behalf of the owner Larry Hance for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 7 (SF-7) and General Retail (GR) District land uses for a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King Boulevard, and take any action necessary. (1st reading) ***[Requested Postponement to the April 6, 2015 Planning and Zoning Commission Meeting].***

Mayor Pro Tem Lewis stated that, at the request of the applicant, this item is being postponed until the April 6, 2015 city council meeting. Indication was given that if the case is postponed any later than April 6, the case would start over and would need to be re-advertised. No action was taken concerning this item.

2. **Z2015-007** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Kevin Carr of GearHeads Hot Rod Garage for the approval of a Specific Use Permit (SUP) to allow truck rental in conjunction with an existing minor automotive repair garage on a two (2) acre tract of land identified as Tract 23-01 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 3920 E. IH-30, and take any action necessary. **(1st reading)**

Planning and Zoning Director, Robert LaCroix, provided brief background information related to this agenda item. He explained that this SUP would allow five U-haul trucks and five trailers to be available for lease at this location at any given time provided that they will be stored / parked at the rear of the building. He also indicated that notices

were sent out to property owners located within 200 feet of the subject property, but no notices have been received back by staff at this time.

Mayor Pro Tem Lewis opened the public hearing and asked if anyone would like to come forth and speak at this time. The applicant not being present and there being no one in the audience indicating a desire to speak, Mayor Pro Tem Lewis closed the public hearing.

Councilmember White then made a motion to approve Z2015-007. Councilmember Milder seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-XX
SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A TRUCK RENTAL FACILITY IN CONJUNCTION WITH AN EXISTING MINOR AUTOMOTIVE REPAIR GARAGE, BEING A 2.0-ACRE TRACT OF LAND, ZONED LIGHT INDUSTRIAL (LI) DISTRICT AND IDENTIFIED AS TRACT 23-01 OF THE R. IRVING SURVEY, ABSTRACT NO. 120, AND LOCATED AT 3920 E IH-30, , CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DEPICTED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 in favor with 1 absent (Pruitt).

3. **Z2015-008** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Herman Douglas Utley for a zoning change from an Agricultural (AG) District to a Single Family Estate 2.0 (SFE-2.0) District for a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass (SH-205 BY OV) District, addressed as 1815 E. Quail Road, and take any action necessary. **(1st reading)**

Mr. LaCroix, Planning Director, provided background information related to this agenda item. The applicant would like to rezone this property so that he may subdivide it into two separate, residential lots. He indicated that staff mailed seven (7) notices to property owners and residents located within 500-feet of the subject property. Staff also emailed notices to the Stoney Hollow and Caruth Lakes Homeowner's Associations (HOA's), which are the only HOA's located within 1,500-feet of the subject property. Additionally, staff posted a sign along E. Old Quail Run Road, and advertised the public hearings in the newspaper of record, and the Planning & Zoning Commission has recommended approval of this item by a vote of 6 to 0.

Mayor Pro Tem Lewis opened the public hearing and called the applicant forth.

Mr. Herman D. Utley
1815 E. Quail Run Road
Rockwall, TX

Mr. Utley indicated that he has no further comments to add beyond those which were provided by Mr. LaCroix. Mayor Pro Tem Lewis asked if anyone else would like to come forth and speak at this time. There being no one to indicate such, Mayor Pro Tem Lewis then closed the public hearing.

Councilmember White then made a motion to approve Z2015-008. Councilmember Daniels seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURE (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT FOR A 4.502-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE S. R. BARNES SURVEY, ABSTRACT NO. 13, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes with 1 absent (Pruitt).

4. **Z2015-009** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Chris and Jill Blasé for a Specific Use Permit (SUP) for a detached garage that does not conform to the requirements as stipulated by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code for a 4.05-acre parcel of land identified as Lot 1, Block 1, Blasé Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, addressed as 1220 East Fork Drive, and take any action necessary. **(1st reading)**

Planning Director Robert LaCroix provided background information related to this agenda item. He indicated that the applicant is requesting to build a two story, detached garage, and it requires that an SUP be approved and granted because the proposed structure will have a building footprint of 1,235 sq. ft. which exceeds the maximum area of 900 sq. ft. In addition, the overall height of the structure is 24ft - 10 7/8", exceeding the 15ft height requirement. He explained that the proposed structure has a gabled roof design that is measured at the mid-point of the roof for height purposes. When measured

at the mid-point, the roof is approximately 17 ½-ft in height, exceeding the 15ft maximum. Furthermore, the detached garage does not meet the exterior material requirements of the city for the detached garage. Rather, the applicants are proposing the structure to incorporate metal siding with a metal roof and metal roof elements (dormers) that will have stone matching the primary structure and appearing on the front façade. Notices were mailed out to adjacent property owners located within 500 feet, and two notices were received back opposing this item. However, it is believed by staff that adjacent property owners may have thought that this item has something to do with the commercial, "urban farm" operation run by the Blasé's rather than a garage for residential home use. The Planning & Zoning Commission has recommended approval of this item by a 6-0 vote.

Mayor Pro Tem Lewis opened the public hearing and called the applicant forth to speak. The applicant indicated he has nothing more to add. Lewis asked if anyone else would like to come forth and speak. There being no one, the public hearing was closed.

Councilmember White made a motion to approve Z2015-009. Councilmember Milder seconded the motion. Milder asked the applicant to come forth and explain a little more about his request in light of the fact that some notices of opposition were received back by staff.

Chris Blasé
1220 East Fork Drive
Rockwall, Texas

Mr. Blasé came forth and indicated that this is for a detached garage behind his residential home. The previous, somewhat recent item, approved by city council was for a detached living quarters. This detached garage will be for storage and hobby-type projects. After brief discussion, the ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-XX
SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A DETACHED GARAGE THAT DOES NOT CONFORM TO THE REQUIREMENTS AS STIPULATED BY SECTION 2.1.2, RESIDENTIAL AND LODGING USE CONDITIONS, OF ARTICLE IV, PERMISSIBLE USES, BEING A 4.05-ACRE PARCEL OF LAND, ZONED SINGLE-FAMILY RESIDENTIAL (SF-10) DISTRICT, AND IDENTIFIED AS LOT 1, BLOCK 1, BLASÉ ADDITION, AND LOCATED AT 1220 EAST FORK DRIVE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DEPICTED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 in favor with 1 absent (Pruitt).

5. **Z2015-010** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Noah Flabiano of the Skorburg Company for a zoning change from Planned Development District 70 (PD-70) for limited commercial/retail land uses to a Planned Development District for townhomes on a 10.142-acre tract of land being identified as a portion of a larger 164.812-acre tract of land identified as Tract 3 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 70 (PD-70), situated within the North SH-205 Overlay (N-SH205 OV) District, generally located at the northeast corner of the intersection of E. Quail Run Road and N. Goliad Street [N. SH-205], and take any action necessary. (1st reading) ***[Requested Postponement to the April 6, 2015 City Council Meeting].***

Mayor Pro Tem Lewis indicated that, at the request of the applicant, this item is being postponed until the April 6, 2015 city council meeting. No discussion took place, and no action was taken.

XI. ACTION ITEMS

1. **SP2015-003** - Discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects on behalf of the owner Dr. Umar Burney of the North Dallas Rockwall Land Investors, LLC for the approval of certain variances in association with a site plan for a medical office building on a 1.6121-acre tract of land identified as Lot 2, Block A, Ridge/Summer Lee Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9), situated within the Scenic Overlay (SOV) District, located east of the intersection Ridge Road and Summer Lee Drive, and take any action necessary.

Mr. LaCroix indicated that the applicant would like to construct a new medical office building right beside the existing Aldi store on about 1.6 acres of land. The applicant is requesting the following variances to various sections of the Unified Development Code: Article V, District Development Standards and Article VIII, Landscape Standards as follows:

- **To allow for not meeting the 10-ft. landscape buffer requirements by allowing parking spaces to be located within the buffer as established in Art. VIII, Sec. 5.7, A. as depicted in the landscape plan submitted.**
- **To allow for not meeting the 20 percent natural or quarried stone requirements established in Art. V, Sec. 6.8 of the Scenic Overlay (SOV) District standards, as depicted in the building elevations submitted.**
- **To allow for not meeting the requirements for secondary materials and allowing an exterior wood product to exceed 10% as a secondary material as established in Art. V, Sec.6.8 of the Scenic Overlay**

The Planning & Zoning Commission has recommended approval of this site plan case by a vote of 6 - 0.

Jimmy Strohmeyer
1620 Fair Lakes Point
Rockwall, Texas

Mr. Strohmeyer came forth to represent the applicant. He indicated that the applicant is trying to achieve an urban modern look as far as the architecture is concerned. Councilmember Hohenshelt asked if the applicant will be the owner and operator of the business. Mr. Strohmeyer indicated that, yes, Dr. Burney will be the one owning and running the orthopedic medical office. He will be moving his physical therapy office from over by the Super Walmart off IH-30 to this location as well.

After brief discussion, Councilmember White made a motion to approve the variance request for the landscape buffer requirements for SP2015-003. Councilmember Daniels seconded the motion, which passed by a vote of 6 ayes with 1 absent (Pruitt).

Councilmember White made a motion to approve the stone requirement variance for SP2015-003. Councilmember Daniels seconded the motion, which passed by a vote of 6 in favor with 1 absent (Pruitt).

Councilmember White made a motion to approve the variance for secondary materials and allowance of wood products for SP2015-003. Councilmember Daniels seconded the motion, which passed by a vote of 6 in favor with 1 absent (Pruitt).

2. **SP2015-004** - Discuss and consider a request by Jimmy Strohmeyer of Stohmeyer Architects on behalf of the owner Russell Phillips for the approval of a waiver to Planned Development District 32 (PD-32) [Ordinance No. 10-28] and variances to the building material requirements stipulated by the Unified Development Code in conjunction with a site plan for a 265 unit, condo development situated on a 7.58-acre tract of land identified as Lots 6A, 7A & 8A, Isaac Brown Addition, and a portion of Lots 3 & 4, Block 16 and Lot 4, Block 18, Moton Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Interior Subdistrict of PD-32, located south of the intersection of Summer Lee Drive and Sunset Ridge Drive, and take any action necessary.

Planning Director Robert LaCroix provided background information related to this agenda item. He explained that the applicant is requesting a waiver related to the height requirements, but, he explained, a portion of the two story parking garage will actually be below grade. Furthermore, a variance is being requested related to the building material. The stone that is proposed to be used is the same as that which was used on the Trend Tower and on the existing hotel, and the incoming "Harbor Heights" development will also have a similar look as far as building materials are concerned.

The site plan has been approved by the Planning and Zoning Commission. He pointed out that the fire chief is here, and there are some fire-related access concerns that must be met by the applicant. Approval of this item tonight would not signal approval of any fire code waivers or exceptions. The applicant will still have to meet all of the fire-related requirements.

Mr. Strohmeyer came forth and indicated that they have attempted to minimize the height of the overall building by putting the parking garage below grade.

Councilmember Milder made a motion to approve SP2015-004. Councilmember White seconded the motion, which passed by a vote of 6 in favor with 1 absent (Pruitt).

Mayor Pro Tem Lewis read the below listed discussion items into the public record before then recessing the public meeting into Executive Session at 6:47 p.m.

XII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the position of Chief of Police pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding possible claim or settlement agreement related to enforcing the city's sign ordinance regarding a billboard pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding Gary Jackson vs. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding appointments to the Board of Adjustments (city regulatory board) pursuant to Section 551.074 (Personnel Matters)
5. Discussion regarding City Manager performance evaluation pursuant to Section, § 551.074 (Personnel Matters).

XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Lewis reconvened the public meeting at 7:00 p.m. with six of the seven city council members being present (Mayor Pruitt was absent).

Councilmember Townsend made a motion to authorize the city manager to execute a settlement agreement with B&B Outdoor Advertising. Councilmember Daniels seconded the motion, which passed unanimously of those present (Pruitt absent).

XIV. ADJOURNMENT

The meeting was adjourned at 7:01 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 6th DAY OF APRIL, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

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61

This is 2nd reading. 1st reading was on 3/16 and passed by 6 in favor with 1 absent (Pruitt)

CITY OF ROCKWALL

ORDINANCE NO. 15-10

SPECIFIC USE PERMIT NO. S-135

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A TRUCK RENTAL FACILITY IN CONJUNCTION WITH AN EXISTING MINOR AUTOMOTIVE REPAIR GARAGE, BEING A 2.0-ACRE TRACT OF LAND, ZONED LIGHT INDUSTRIAL (LI) DISTRICT AND IDENTIFIED AS TRACT 23-01 OF THE R. IRVING SURVEY, ABSTRACT NO. 120, AND LOCATED AT 3920 E IH-30, , CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DEPICTED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Kevin Carr of GearHeads Hot Rod Garage for the approval of a Specific Use Permit to allow for a *Truck Rental Facility* in conjunction with an existing minor automotive repair garage being a 2.0-acre tract of land, zoned Light Industrial (LI) District and identified as Tract 23-01 of the R. Irvine Survey, Abstract No. 120, and located at 3920 E. IH-30, and, City of Rockwall, Rockwall County, Texas, and more specifically described in Exhibit 'A' of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit allowing for a *Truck Rental Facility* in conjunction with an existing minor automotive repair garage within a Light Industrial (LI) District as stipulated by the Unified Development Code [Ordinance no. 04-38] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) granted herein and shall be subject to the conditions set forth in *Article IV, Permissible Uses, Sec. 2.1.10 Wholesale, Distribution and Storage* of the Unified Development Code [Ordinance No. 04-38] as heretofore amended, as amended

herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following additions and compliance standards:

2.1 Operational Conditions

The following conditions pertain to the operation of a *Truck Rental Facility* in conjunction with an existing minor automotive repair garage on the *Subject Property*, and conformance to these stipulations is required for continued operations:

1. That the commercial operation of a *Truck Rental Facility* shall be limited to no more than five (5) U-Haul trucks and five (5) U-Haul trailers on the premises at any one time for the *Subject Property* as depicted in Exhibit "A" attached hereto; and,

2. That the U-Haul rental trucks and U-Haul trailers be parked/stored on the premises, to the rear of the building, behind the fenced area as indicated on the conceptual site plan submitted as Exhibit 'B' so as to not be visible from the adjacent street rights-of-way (i.e. IH-30); and,

3. That the Specific Use Permit (SUP) shall be valid for a period of three years from the date of passage of the SUP ordinance. If an extension to the 3-year time limit is desired, the owner shall petition the City Council for such extension at least 90 days prior the expiration of the SUP. The City Council shall review the SUP and determine if an extension of time is warranted.

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

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

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

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

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law may in such cases provide.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4th DAY OF APRIL, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

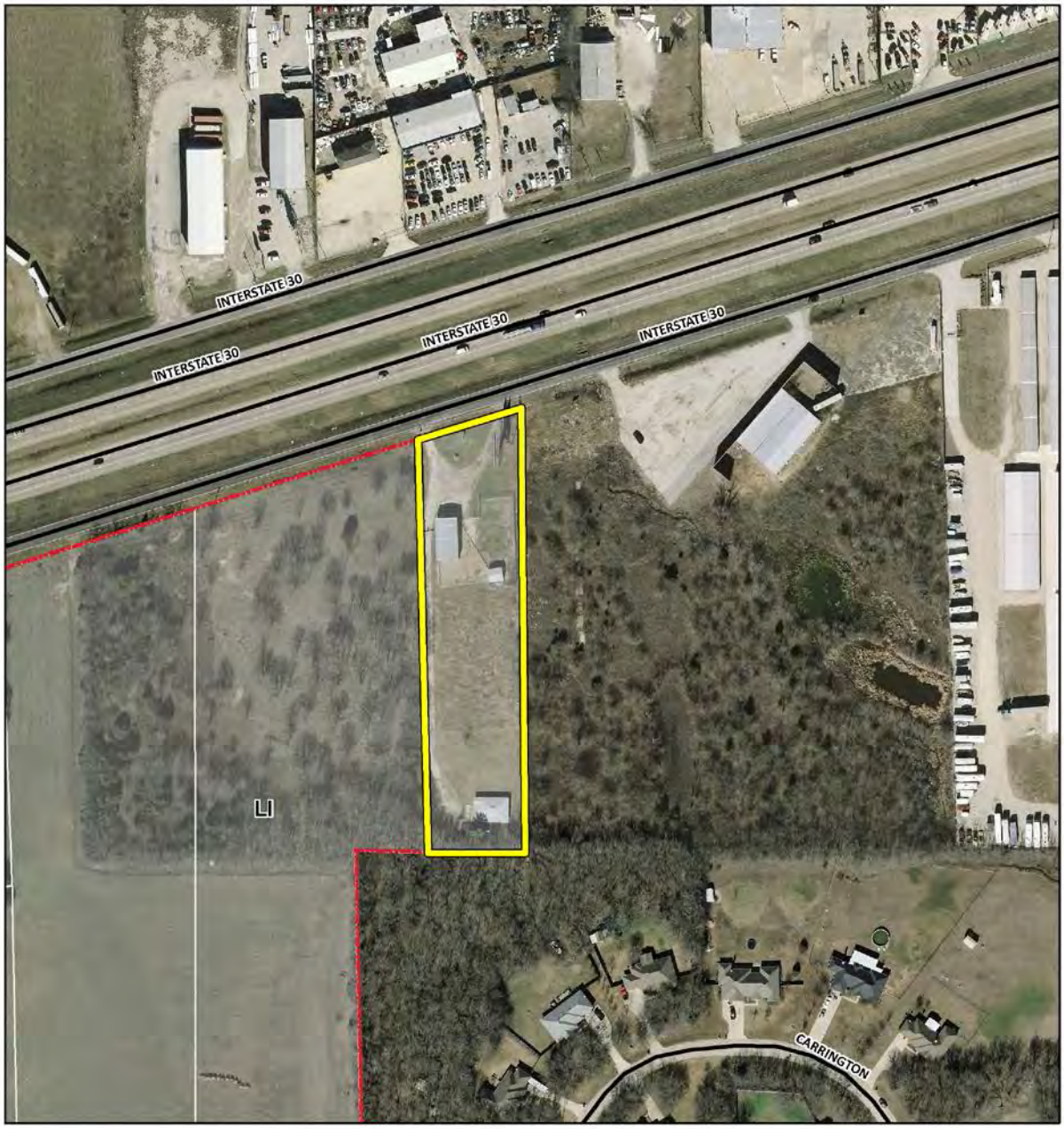
_____
Frank J. Garza, City Attorney

1st Reading: 03-16-15

2nd Reading: 04-06-15

Exhibit 'A'

Legal Description: A0120, R. Irvine, Tract 23-01, Acres-2.0



City of Rockwall

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

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

0 60 120 240 360 480 Feet

Exhibit 'B' - Conceptual Site Plan



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67

This is 2nd reading. 1st reading was on 3/16 and passed by 6 in favor with 1 absent (Pruitt)

CITY OF ROCKWALL

ORDINANCE NO. 15-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURE (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT FOR A 4.502-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE S. R. BARNES SURVEY, ABSTRACT NO. 13, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Herman Douglas Utley for the approval of an amendment to the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall to adopt a change in zoning from an Agriculture (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, and more specifically described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agriculture (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family Estate (SF-E) District* in *Section 1.1, "Use of Land and Buildings,"* of *Article IV, "Permissible Uses"* and *Section 3.2, "Single-Family Estate (SF-E/1.5, 2.0, 4.0) District",* of *Article V, "District Development Standards",* of the *Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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

Section 4. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of two thousand dollars ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

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

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

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law may in such cases provide.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 6TH DAY OF APRIL, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 03-16-15

2nd Reading: 04-06-15

Exhibit 'A':
Legal Description

PROPERTY DESCRIPTION

Being a 4.502 acre tract of land situated in the S.R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas and being all that certain tract of land described in deed to Herman D. Utley, as recorded in Instrument No. 2006-00358812, Deed Records, Rockwall County, Texas and all that certain tract of land described in deed to Herman Douglas Utley, as recorded in Volume 3555, Page 93, said Deed Records and being more particularly described by metes and bounds as follows:

BEGINNING at a found 60 penny nail in E. Quail Run Road at the common west corner of said Utley tract (3555/93) and Lot 1, Block A, of the D.R. Taylor Addition, recorded in Cabinet E, Slide 317, Plat Records, Rockwall County, Texas, said 60 penny nail being on the east line of the remainder of that certain tract of land described in deed to Lonnie L. Gideon, as recorded in Volume 307, Page 256, said Deed Records;

THENCE along said E. Quail Run Road and the common line of said Utley tract (3555/93) and said Gideon tract the following bearings and distances:

North, a distance of 144.96 feet to a found 60 penny nail;

North 03 degrees 22 minutes 44 seconds East, a distance of 103.15 feet to a found 60 penny nail from which a found 5/8-inch iron rod bears North 32 degrees 43 minutes 46 seconds East, a distance of 13.60 feet and a found 1/2-inch iron rod bears South 87 degrees 53 minutes 27 seconds East, a distance of 17.69 feet;

North 09 degrees 16 minutes 45 seconds East, a distance of 86.44 feet to a found 60 penny nail at the common west corner of said Utley tracts, from which a found 1/2-inch iron rod bears South 89 degrees 39 minutes 46 seconds East - 25.41 feet;

THENCE along aforesaid E. Quail Run Road and the common line of said Utley tract (2006-00358812) and aforesaid Gideon tract the following bearings and distances:

North 13 degrees 45 minutes 03 seconds East, a distance of 134.53 feet;

North 04 degrees 57 minutes 27 seconds East, a distance of 130.01 feet;

North 02 degrees 16 minutes 19 seconds East, a distance of 113.06 feet to a point from which a found 5/8-inch iron rod bears North 02 degrees 54 minutes 26 seconds East, a distance of 31.67 feet;

North 30 degrees 51 minutes 27 seconds East, a distance of 72.24 feet;

North 69 degrees 46 minutes 15 seconds East, a distance of 98.85 feet;

North 86 degrees 17 minutes 03 seconds East, a distance of 67.89 feet to a point from which a found 1/2-inch iron rod bears North 07 degrees 24 minutes 57 seconds East, a distance of 4.98 feet, said point being the common corner of aforesaid Utley tract (2006-00358812) and that certain tract of land described in deed to Lonnie L. Gideon, as recorded in Volume 307, Page 259, aforesaid Deed Records and that certain tract of land described in deed to Hilda Kouvelis and husband, Peter Kouvelis, as recorded in Volume 1881, Page 115, said Deed Records;

THENCE South along the common line of said Utley tract (2006-00358812) and said Gideon tract (307/259), passing a found 1/2-inch iron rod at the common east corner of said Utley tracts at a distance of 473.91 feet and continuing along the common line of said Utley tract (3555/93) and said Gideon tract (307/259) a total distance of 916.66 feet to a point from which a found 1/2-inch iron rod bears North 57 degrees 25 minutes 40 seconds West, a distance of 0.69 of one foot, said point being the common east corner of said Utley tract (3555/93) and aforesaid Lot 1;

THENCE North 67 degrees 32 minutes 31 seconds West along the common line of said Utley tract (3555/93) and said Lot 1, passing a found 1/2-inch iron rod at a distance of 260.05 feet and continuing a total distance of 287.04 feet to the POINT OF BEGINNING and containing 196,096 square feet or 4.502 acres of land.

THIS IS TO DECLARE that on this date a survey was made on the ground, under my direction and supervision of the above described tract of land.

There are no visible conflicts, visible evidence of easements or rights-of-way, or protrusions, except as shown, and that this date the easements, rights-of-way or other locatable matters of record of which the undersigned has knowledge or has been advised are as shown or noted hereon.

The subject property does not appear to lie within the limits of a 100-year flood hazard zone according to the Map published by the Federal Emergency Management Agency, and has a Zone "X" Rating as shown by Map No. 480543 00030 B, dated SEPTEMBER 17, 1980. The statement that the property does or does not lie within a 100-year flood zone is not to be taken as a representation that the property will or will not flood. This survey is not to be used for construction purposes and is for the exclusive use of Foundation Mortgage and Commonwealth Title only and this survey is made pursuant to that one certain title commitment under the GF number 2252000072, provided by the title company named hereon.

NOTES:

CM = CONTROLLING MONUMENT.

SUBJECT PROPERTY IS NOT AFFECTED BY THE FOLLOWING:
(10e)-EASEMENT, VOL. 80, PG. 123, VOL. 110, PG. 792, R.P.R.R.C.T.
(10f)-EASEMENT, VOL. 82, PG. 358, R.P.R.R.C.T.
(10g)-EASEMENT, VOL. 913, PG. 20, R.P.R.R.C.T.
(10h)-EASEMENT, VOL. 908, PG. 10, R.P.R.R.C.T.

THE BEARINGS FOR THIS SURVEY ARE BASED ON DEEDS RECORDED IN VOLUME 3555, PG. 93 AND IN INSTRUMENT NO. 2006-00358812, D.R.R.C.T.

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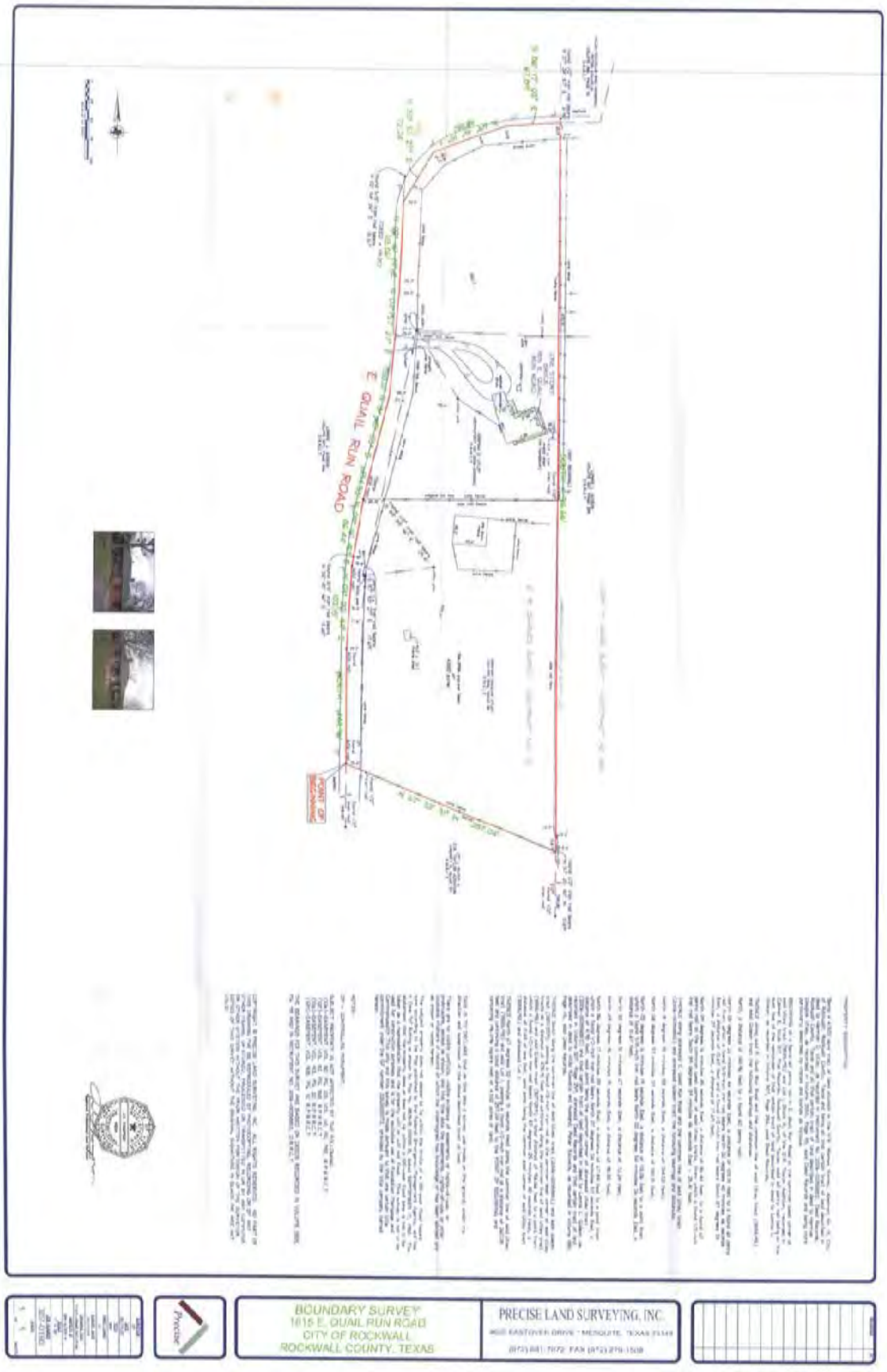
Exhibit 'B':
Zoning Exhibit



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72

This is 2nd reading. 1st reading was on 3/16 and passed by 6 in favor with 1 absent (Pruitt)

CITY OF ROCKWALL

ORDINANCE NO. 15-12

SPECIFIC USE PERMIT NO. S-136

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A DETACHED GARAGE THAT DOES NOT CONFORM TO THE REQUIREMENTS AS STIPULATED BY SECTION 2.1.2, RESIDENTIAL AND LODGING USE CONDITIONS, OF ARTICLE IV, PERMISSIBLE USES, BEING A 4.05-ACRE PARCEL OF LAND, ZONED SINGLE-FAMILY RESIDENTIAL (SF-10) DISTRICT, AND IDENTIFIED AS LOT 1, BLOCK 1, BLASÉ ADDITION, AND LOCATED AT 1220 EAST FORK DRIVE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DEPICTED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Chris and Jill Blasé for the approval of a Specific Use Permit (SUP) to allow for a *Detached Garage* that does not conform to the requirements as stipulated by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses of the Unified Development Code [Ordinance 04-38], being a 4.05-acre parcel of land, zoned Single-Family Residential (SF-10) District, and identified as Lot 1, Block 1, Blasé Addition, and located at 1220 East Fork Drive, and, City of Rockwall, Rockwall County, Texas, and more specifically depicted in Exhibit 'A' of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for a *Detached Garage* that does not conform to the requirements of Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, within a Single Family (SF-10) Residential District as stipulated by the Unified Development Code [Ordinance no. 04-38] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) granted herein and shall be subject to the conditions set forth in *Article IV, Permissible Uses, Sec. 2.1.2 Residential and Lodging Uses* of the Unified Development Code [Ordinance No. 04-38] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following additions and compliance standards:

1. Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government; and,

2. That submittal and approval of a building permit is required prior to the construction of the detached garage; and,

3. That the detached garage shall generally conform to the site plan as submitted and attached hereto as Exhibit 'A'; and,

4. That the detached garage shall not exceed 1,235 sq. ft. in area as depicted in the floor plan attached hereto as Exhibit 'B' and does not exceed an overall height of 25 ft. as depicted in the building elevations attached hereto as Exhibit 'C'; and,

5. That the detached garage shall generally conform to the building elevations as submitted, including the use of metal siding, a metal roof, and metal roof elements (dormers) as depicted and attached hereto as Exhibit 'C'; and,

6. That the detached garage is subject to administrative review in the event that the subject property is sold to another party, conveyed in any manner to another party, subdivided, or re-platted; and,

7. That the City Council reserves the right to review the Specific Use Permit within one (1) year from the date approval.

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

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

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

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

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law may in such cases provide.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6th DAY OF APRIL, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 03-16-15

2nd Reading: 04-06-15

Exhibit 'A' - Site Plan



Exhibit 'B' - Floor Plan

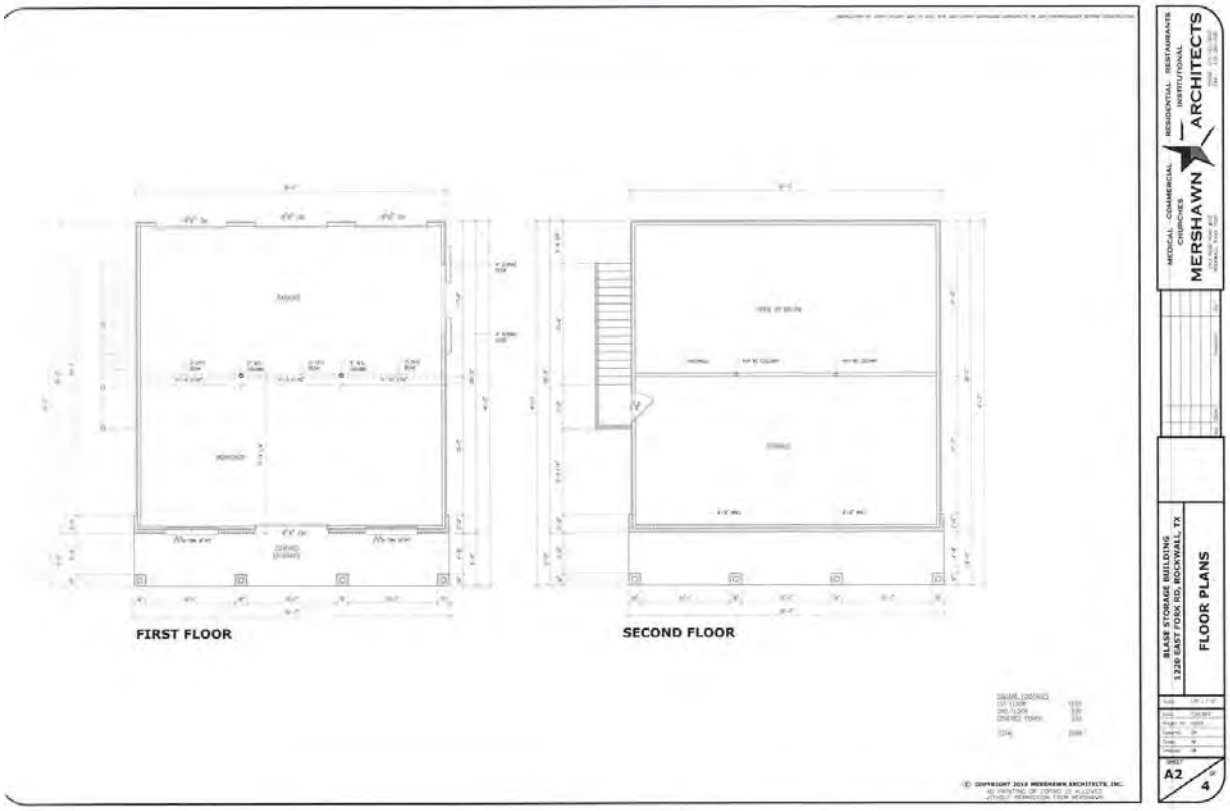

Exhibit 'C' - Building Elevations



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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 04/06/2015

APPLICANT: Duane and Jennifer Piercy

AGENDA ITEM: **P2015-011** (Piercy Place Addition – Final Plat)

SUMMARY:

Discuss and consider a request by Duane and Jennifer Piercy for the approval of a final plat for Lot 1, Block A, Piercy Place Addition being a 1.21-acre tract of land identified as Tract 21 of the R. Ballard Survey, Abstract 29, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated west of the intersection of Hartman Street and Renfro Street, and take any action necessary.

COMMENTS:

- The objective of this request is to plat a vacant residentially parcel of land for the purpose of constructing a single family home.
- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions listed in the Recommendations section below.
- With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the request for final plat, staff would recommend the following conditions of approval:

A) All the technical comments from the Engineering and Fire Departments shall be addressed prior to the filing of this plat, including the following Planning Comments;

1. Adherence to Engineering and Fire Department standards.
2. Address all staff comments as listed in the Project Plan Review (see attached).

B) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Commission

On March 31, 2015, the Planning and Zoning Commission recommended approval of the final plat with staff conditions by a vote of 5 to 0 (Logan & Conley – absent).

City of Rockwall

Project Plan Review History

Project Number	P2015-011	**Owner**	DUANE & JENNIFER PIERCY	**Applied**	3/13/2015	LG
Project Name	Piercy Addition - Final Plat	**Applicant**	DUANE & JENNIFER PIERCY	**Approved**		
Type	PLAT			**Closed**		
Subtype	FINAL			**Expired**		
Status	STAFF REVIEW			**Status**	3/13/2015	LG

Site Address	**City, State Zip**	**Zoning**
713 HARTMAN ST	ROCKWALL, TX 75087	

Subdivision	**Tract**	**Block**	**Lot No**	**Parcel No**	**General Plan**
A0029 R BALLARD, TRACT 21	21		21	0029-0000-0021-00-0R	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	3/13/2015	3/20/2015				
ENGINEERING	Amy Williams	3/13/2015	3/20/2015	3/17/2015	4	COMMENTS	See Comments
(3/17/2015 1:31 PM AW) Add floodplain cross sections with elevations Tie at least 2 corners of the property to City of Rockwall monumentation (x and y coordinates)							
FIRE	Ariana Hargrove	3/13/2015	3/20/2015	3/20/2015	7	APPROVED	
GIS	Lance Singleton	3/13/2015	3/20/2015	3/19/2015	6	APPROVED	
PLANNING	David Gonzales	3/13/2015	3/20/2015	3/23/2015	10	COMMENTS	See comments

Discuss and consider a request by Duane and Jenifer Piercy for the approval of a final plat for Lot 1, Block A, Piercy Place Addition being a 1.229-acre tract of land identified as Tract 21 of the R. Ballard Survey, Abstract 29, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated west of the intersection of Hartman Street and Renfro Street, and take any action necessary.

Planning Staff Comments:

1. Adherence to all engineering and fire department standards.

2. Title Block: Provide the title block information in the lower right hand corner as indicated below (type setting - centered):

Final Plat
Piercy Place Addition
Lot 1, Block A (1 Lot)
Being a 1.229-Acre Tract of Land
Tract 21, R. Ballard Survey, Abstract 29
City of Rockwall, TX, Rockwall County, TX

3. The case number is to be placed in the lower right hand corner of the final plat [P2015-011].

4. The location of the development is required to be tied to at least two (2) corners to City monumentation or state plan coordinates (NAD 83 State Plane Texas, Nortl Central [7202], US Survey Feet).

5. Provide the Vicinity Map as a black lined map and not a color graphic.

6. Subdivision Name: Piercy Place Addition - Indicate the subdivision boundary lines, and acreage and square footage on plat.

7. Label the front building setback line of 20-ft along Hartman Street .

8. Label all existing and proposed easements relative to the site and include the type, purpose and width. Are there any other easements associated with this site?

9. Indicate cross sections for flood boundary as per Engineering requirements.

10. Remove improvements (i.e. fence, buildings, guard rail, utilites not on site, etc.) from plat.

11. Owners Certificate & Dedication:
a) Include Jennifer Piercy [as per deed] in all areas of language where appropriate to include a signature block and notary public.
b) Correct language in owners certificate [all that certain lot, tract or parcel of land...] to include "City of Rockwall, County of Rocwall, State of Texas".
c) Correct language in dedication statement to indicate subdivision name and not address as such [I Duane & Jennifer Piercy the undersigned owner(s) of the land..."designated herein as the Piercy Place Addition, an addition to the ...."]
d) Relocate Notary Public to be underneath signature blocks of the Piercy's
e) Refer to Standard Plat Wording language form for space saving and formating purposes.

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks

12. Remove language "This Survey as conducted and prepared at the request...." from plat.

13. Refer to Standard City Signature block for formating purposes and remove the wording "Approval Certificate"

14. Remove items listed in the Legend that are not appropriate identifications to the plat [i.e. brick, covered area, concrete, wood deck, stone, fences, etc].

15. Remove the "Heavy Lined" boxes at lower area of plat.

16. Provide a minimum 2 inch X 2 inch clear space for recording purposes.



City of Rockwall

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

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

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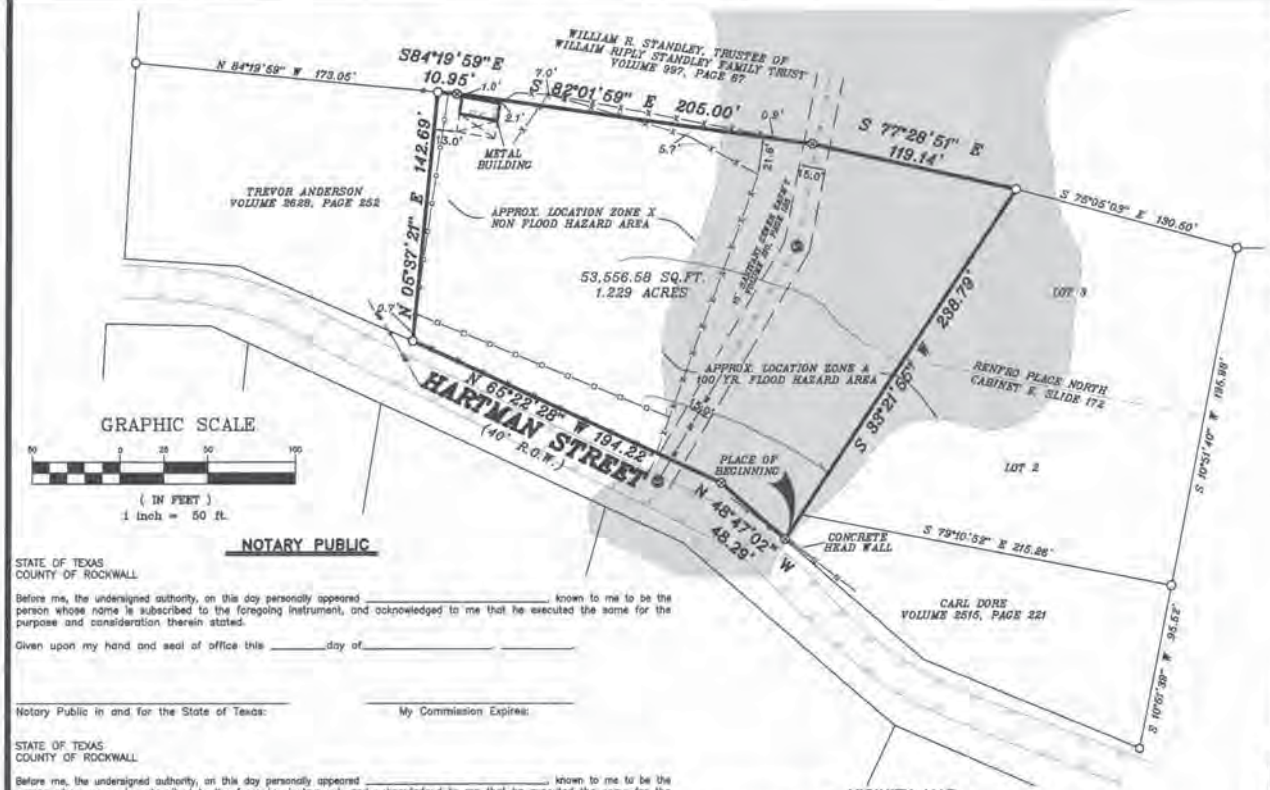

NOTARY PUBLIC

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of_____, _____

_____ _____
Notary Public in and for the State of Texas: My Commission Expires:

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of_____, _____

_____ _____
Notary Public in and for the State of Texas: My Commission Expires:

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

RECOMENDED FOR FINAL APPROVAL:

_____ _____
Planning & Zoning Commission Date

APPROVED:

_____ _____
Mayor Date
City of Rockwall, Texas

THIS SURVEY WAS CONDUCTED AND PREPARED AT THE REQUEST AND IN CONJUNCTION WITH THE INFORMATION PROVIDED BY THE CLIENT. BRIAN GALLIA AND ASSOCIATES HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR THE EXISTENCE OF EASEMENTS, RESTRICTIONS, ENCUMBRANCES OR OTHER FACTS OR MATTERS THAT MAY AFFECT THE SUBJECT PROPERTY. ALWAYS CALL BEFORE YOU DIG, DIAL 811 (TEXAS EXCAVATION SAFETY SYSTEM)

NOTE: ACCORDING TO THE F.I.R.M. IN COMMUNITY PANEL NO. 48397C0040L , THIS PROPERTY APPEARS TO LIE IN ZONE A & X AND A PORTION APPEARS TO LIE WITHIN THE 100 YEAR FLOOD ZONE. THIS STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

NOTE: BEARINGS BASED ON RECORDED PLAT THE NORTHWEST LINE OF RENFRO PLACE NORTH, CAB E, SLIDE 172. THIS SURVEY IS NOT A REPRESENTATION OF WARRANTY OF TITLE OR GUARANTEE OF OWNERSHIP.

TEXAS LICENSED SURVEYING FIRM REGISTRATION NUMBER 10150300

VICINITY MAP



APPROVAL CERTIFICATE

I hereby certify that the above and foregoing plat Of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____ 20____

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, _____

_____ _____
City Secretary City Engineer
City of Rockwall, Texas City of Rockwall, Texas

OWNER'S CERTIFICATE & DEDICATION

STATE OF TEXAS
COUNTY OF ROCKWALL:

WHEREAS Duane Piercy, Being the owner of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE R. BALLARD SURVEY, ABSTRACT NO. 29, ROCKWALL COUNTY, TEXAS, BEING KNOWN AS THAT TRACT OF LAND DESCRIBED IN DEED TO DUANE AND JENNIFER PIERCY, RECORDED IN DOCUMENT NO. 2015-0000001277, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD SET WITH YELLOW CAP STAMPED BGAA RPLS 5569 FOR CORNER IN THE NORTHWEST LINE OF HARTMAN STREET, SAID POINT BEING THE RECOGNIZED SOUTHEAST CORNER OF SAID PIERCY TRACT AND THE APPARENT WEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO CARL DORE, RECORDED IN VOLUME 2515, PAGE 221, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY TEXAS;

THENCE NORTH 48 DEGREES 47 MINUTES 02 SECONDS WEST, ALONG SAID HARTMAN STREET, A DISTANCE OF 48.29 FEET TO A 1/2 INCH IRON ROD SET WITH YELLOW CAP STAMPED BGAA RPLS 5569 FOR ANGLE POINT;

THENCE NORTH 65 DEGREES 22 MINUTES 28 SECONDS WEST, ALONG SAID HARTMAN STREET, A DISTANCE OF 194.22 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED SOUTHWEST CORNER OF SAID PIERCY TRACT AND THE APPARENT SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO TREVOR ANDERSON, RECORDED IN VOLUME 2628, PAGE 252, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS;

THENCE NORTH 05 DEGREES 37 MINUTES 21 SECONDS EAST, A DISTANCE OF 142.69 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE APPARENT SOUTHWEST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO WILLIAM R. STANDLEY, RECORDED IN VOLUME 997, PAGE 67, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, SAID POINT BEING THE RECOGNIZED NORTHWEST CORNER OF SAID PIERCY TRACT AND THE APPARENT NORTHEAST CORNER OF SAID ANDERSON TRACT, FROM WHICH A 1/2 INCH IRON ROD FOUND FOR WITNESS BEARS NORTH 84 DEGREES 19 MINUTES 59 SECONDS WEST - 173.05 FEET, BEING THE APPARENT NORTHWEST CORNER OF SAID ANDERSON TRACT;

THENCE SOUTH 84 DEGREES 19 MINUTES 59 SECONDS EAST, ALONG THE SOUTHWEST LINE OF SAID STANDLEY TRACT, A DISTANCE OF 10.95 FEET TO A 1/2 INCH IRON ROD SET WITH YELLOW CAP STAMPED BGAA RPLS 5569 FOR ANGLE POINT;

THENCE SOUTH 82 DEGREES 01 MINUTES 59 SECONDS EAST, A DISTANCE OF 205.00 FEET TO A 1/2 INCH IRON ROD SET WITH YELLOW CAP STAMPED BGAA RPLS 5569 FOR ANGLE POINT;

THENCE SOUTH 77 DEGREES 28 MINUTES 51 SECONDS EAST, A DISTANCE OF 119.14 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE APPARENT SOUTHWEST LINE OF SAID STANDLEY TRACT, SAID POINT BEING THE RECOGNIZED NORTHEAST CORNER OF SAID PIERCY TRACT AND THE APPARENT NORTHWEST CORNER OF LOT 3 OF RENFRO PLACE NORTH, RECORDED IN CABINET E, SLIDE 172, PLAT RECORDS, ROCKWALL COUNTY, TEXAS, FROM WHICH A 1/2 INCH IRON ROD FOUND FOR WITNESS BEING SOUTH 75 DEGREES 05 MINUTES 03 SECONDS EAST - 1.30.50 FEET, BEING THE APPARENT NORTHEAST CORNER OF SAID LOT 3;

THENCE SOUTH 33 DEGREES 21 MINUTES 55 SECONDS WEST, A DISTANCE OF 238.79 FEET TO THE PLACE OF BEGINNING AND CONTAINING 53,556.58 SQUARE FEET OR 1.229 ACRES OF LAND.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I Duane piercy the undersigned owner(s) of the land shown on this plat, and designated herein as the 713 hartman street, an addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I duane piercy further certify that all other parties who have a mortgage or lien interest in the 713 hartman street, addition have been notified and signed this plat.

I duane piercy understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

I duane piercy also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I duane piercy further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I duane piercy, my successors and assigns hereby waive any claim, damage, or cause of action that I duane piercy may have as a result of the dedication of exactions made herein.

Owner: Duane Piercy Leinholder: American National Bank of Texas

_____ _____
By: Duane Piercy By: Mary Grace Fraiser

SURVEYOR'S CERTIFICATE

That I, Brian D. Gallia, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and the corner monuments shown thereon were properly placed under my personal supervision.

EXECUTED THIS 12TH DAY OF MARCH 2015

BRIAN GALLIA
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5569

LEGEND

BRICK	IRF/IRS- IRON ROD FOUND/SET	D&UE- DRAINAGE & UTILITY EASEMENT	
COVERED AREA	NAIL FOUND/SET	BL- BUILDING LINE/SET BACK LINE	
CONCRETE	1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)	SANITARY SEWER MAN HOLE	POWER POLE
WOOD DECK	1/2" IRON ROD SET	METAL GUARD RAIL	PFC-POINT FOR CORNER
STONE	1" IRON PIPE FOUND	CHAIN LINK FENCE	ROW- RIGHT-OF-WAY
GRAVEL/ROCK ROAD OR DRIVE	MONUMENT FOUND	WOOD FENCE	EASM'T- EASEMENT
ASPHALT PAVING	"X" FOUND/SET	BARBED/WIRE	AC- AIR CONDITIONING
	ELECTRIC METER	SEWER LINE	PE- POOL EQUIPMENT
	LP -LIGHT POLE	GAS LINE	UGT-UNDERGROUND TELEPHONE
	GUY WIRE	OHP OHP OVERHEAD POWER LINE	CATV-UNDERGROUND CABLE TV
			TRANS-ELECTRIC TRANSFORMER

~BRIAN GALLIA & ASSOCIATES~
PROFESSIONAL LAND SURVEYING SERVICES
8877 COUNTY ROAD 3609
QUINLAN, TEXAS, 75474
PHONE: (903) 447-0658
FAX: (903) 447-0931
www.bgasurveying.com

JOB NO. 1501107-1 CAD. TECH. A.OWEN

713 HARTMAN STREET

1.229 ACRES - 713 HARTMAN STREET

R. BALLARD SURVEY, ABSTRACT NO. 29

CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **March 24, 2015**

SUBJECT: **Contract Mowing Agreement Extension**

Contract mowing services include mowing of right-of-ways, street medians, 2 closed landfill locations, drainage easements and debris removal. The City received competitive sealed bids for this service in March 2013. A contract was then awarded to 3-D Mowing Services of Rockwall by the City Council for an April 1, 2013 start date. The current mowing contract amount is $40,291.

The contract terms allow for annual extension at the end of the initial contract period for up to three consecutive years should the scope of work, pricing and bid terms/conditions remain the same. The contractor has agreed to a contract extension with no amendments. Staff has determined that it would be in the best interest of the City to renew the current contract at 2013 unit prices.

Staff asks the City Council to consider this extension in the amount of $40,291. Funding for mowing services was approved in FY 2014-2015 General Fund, Parks Department operating budget and the renewal contract cost of this service is within budget.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**
CC: **Mark Moeller, Police Chief**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **March 19, 2015**

SUBJECT: **Purchase of 2015 Model Dodge Charger Police Pursuit Vehicle for Traffic Division**

There is $28,000 in CID budget to purchase a vehicle for the new Detective this year. Chief Moeller would like to transfer these funds from CID to Patrol to cover the replacement cost of a 2009 Charger used by the Traffic Division. This older Charger has developed an oil leak and the engine could go at any time per Jim and Dean's Garage. We will not be purchasing the new Detective vehicle this year because Chief Moeller's take home vehicle has been moved to CID for use by the new Detective. We will also incur some safety and communication equipment costs for this new 2015 model as most of the equipment on the 2009 model is not compatible.

Funds to buy the additional equipment would come from Community Services budget. Currently we are not able to complete the budgeted vehicle equipment install because we are waiting on another block of computer licenses. Since we already have a license for the traffic vehicle, we will take the money for the Community Services install and use to purchase needed equipment at an estimated cost of $8,000. We will then request the equipment install for the Community Services vehicles in the next budget.

The Dodge Charger is available from Freedom CDJR through Houston-Galveston Area COG purchasing cooperative contract #VE11-13. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to the purchase of this new car.

For Council consideration the total cost of this new car, including equipment, should not exceed $36,000 and authorize the City Manager to execute a Purchase Order.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Rick Crowley - City Manager**

DATE: **April 3, 2015**

SUBJECT: **Appointment item - Golf Carts, Stone Creek Subdivision**

The Council has recently received correspondence from several residents of the Stone Creek subdivision outlining some history regarding operation of golf carts in Stone Creek. An appointment item has been requested for Monday's meeting.

The residents making the request have had follow-up discussions with Mayor Pruitt and, perhaps, several other council members. Generally, the request will likely be that the City Council consider adding additional regulations regarding the operation of golf carts in cases where their operation is allowed by State law.

Attached, please find the residents' discussion of their request related to both the State law and possibly adding additional, local regulations related to safety. Also, a memorandum from City Attorney Frank Garza on the subject is provided. This memo contains several legal opinions of the city attorney and several references to related opinions of the Texas Attorney General.

Crowley, Rick

From: Pruitt, Jim
Sent: Tuesday, March 24, 2015 6:38 PM
To: Crowley, Rick
Subject: Fwd: Clarification on Operation of Golf Carts in City of Rockwall

Rick. Wanted to make sure this got on agenda for first meeting in April.

Sent from my T-Mobile 4G LTE Device

-------- Original message --------
From: Jim Smith
Date: 03/24/2015 6:32 PM (GMT-06:00)
To: "Pruitt, Jim" <JimPruitt@rockwall.com>
Cc: 'Jim Smith'
Subject: RE: Clarification on Operation of Golf Carts in City of Rockwall

Hello Jim,

In a follow-up to your response on March 14th (below), I have received some posts on Nextdoor wanting to know if the subject matter regarding the use of golf carts (in Stone Creek Estates) will be open to the public, if so a time and place, or is this just a council decision?

I have responded saying that I suspect that it may take several months for this all to work its way through the system.

The rezoning (for town-houses in Stone Creek Estates) proposal is scheduled for Tuesday, March 31st at the P&Z, and if still needed, the proposal will be placed before the City Council on Monday, April 6th. I hope to have a few neighbors present at the meetings, but they probably will not be too knowledgeable about the golf cart situation.

Is there anything else that I can share (regarding the golf cart issue) with the neighbors at this point? I really appreciate your assistance.

Thanks,

Jim & Shirley Smith

-----Original Message-----
From: Pruitt, Jim [mailto:JimPruitt@rockwall.com]
Sent: Saturday, March 14, 2015 7:07 AM
To: ; Council Group; Crowley, Rick
Subject: RE: Clarification on Operation of Golf Carts in City of Rockwall

Thank you for your concern over golf carts in master planned communities. I will ask the council for a discussion item in this next month. I expect a number of your community members at ourr first meeting in April.

Thanks
Mayor Jim Pruitt

Sent from my T-Mobile 4G LTE Device

-------- Original message --------
From: Jim Smith
Date: 03/13/2015 6:08 PM (GMT-04:00)
To: "Daniels, Bennie" <BennieDaniels@rockwall.com>,"White, David" <DavidWhite@rockwall.com>,"Hohenshelt, John" <JohnHohenshelt@rockwall.com>,"Townsend, Mike" <MikeTownsend@rockwall.com>,"Milder, Scott" <ScottMilder@rockwall.com>,"Lewis, Dennis" <DennisLewis@rockwall.com>,"Pruitt, Jim" <JimPruitt@rockwall.com>
Cc: 'Jim Smith'
Subject: FW: Clarification on Operation of Golf Carts in City of Rockwall

Dear Rockwall City Council Members:

My wife and I presently reside in the Stone Creek Estates subdivision, a master planned community (with a HOA and an uniform set of restricted covenants in place) within Rockwall. Recently, one of our neighbors posted a question on our social media network, Nextdoor, wanting to know whether or not it is legal to operate a golf cart on the city streets. Several such inquiries arose in regards to this subject matter, and after performing some research on the sites of TxDMV.Gov, Texas Transportation Code, as well as reaching out to Officer Hardman of the Rockwall Police Department, it became reasonably clear that there was too much ambiguity.

In a phone conversation with Officer Hardman and her supervisor, we were informed that currently the policy of the police department is to issue citations for the operation of a golf cart on the city streets. The rationale being that such operation would be in violation of Texas Transportation Code 551.403.

Below, please reference two separate emails which we sent to the Rockwall Police Department on March 6, 2015. In our correspondence, we attempted to communicate our belief that the rationale for issuing a citation for the operation of a golf cart on the city streets would be based upon a misinterpretation of the Texas Transportation Code 551.403.

Officer Hardman followed up with a phone call to my wife, indicating that after further review with the city attorney that she would be clarifying the matter. On March 13, 2015, Rockwall's Officer Hardman wrote to Nextdoor stating,

"I have spoken with Mrs. Smith regarding this issue. She brought up some areas of concerns regarding the discrepancy of a "master planned community" in that Stone Creek meets that criteria. I contacted the city attorney and he forwarded me several e-mails concerning this issue. He stated the following in his e-mail:"

"If the Defendant is not traveling to or from a golf course and meets the other requirements of Texas Transportation code 551.403(a)(3), then legal operation of a golf cart can only occur under Texas Transportation Code 551.403(a)(1) "in a master planned community", ie a neighborhood with a homeowners association that homeowners are required to join. Section 551.403(b) states that the Rockwall City Council can trump subsection (a) and make it illegal to operate a golf cart in the city. I don't believe our council has passed such ordinance."

So it seems that Stone Creek can drive golf carts within the community. At this time, there is currently no city ordinance that I have located that would trump subsection (a).

I hope this clears the matter up."

Now that the law is better understood that the operation of a golf cart within a planned community is legal, we share the concern that we need to keep our streets safe. After searching Rockwall's Code of Ordinances, we could not locate any specific ordinance regarding golf cart operation. At this time, perhaps it would be a prudent idea to create a city ordinance to improve the governing of safe operations of a golf cart on public streets.

Although we personally prefer a less is best in restrictions, having previously lived in two golf course communities, we know that having no restrictions can be dangerous. We are particularly concerned about having under-aged children operating a golf cart on a city street. Some initial thoughts that have been considered regarding improved safety include:

- The operator of a golf cart must be 16 years of age or older,
- The operator must obey all Texas Laws and traffic regulations,
- Cart must be equipped with a flag on a six (6) pole affixed to rear of golf cart,
- Cart must be equipped with:

Ø head lamps,

Ø tail lamps and reflectors,

Ø brake lamps,

Ø mirrors,

Ø turn signals,

Ø parking brake.

- Cart must display a slow-moving vehicle emblem (a requirement by TxDMV).
- Cart must not be operated on a public sidewalk at any time.

Could the Council please help guide us in the mechanics of submitting a recommendation whereby we promote a safer environment?

Thanks,

Jim Smith / Shirley Smith
(713) 501-5295

From: Jim Smith [mailto:]
Sent: Friday, March 06, 2015 5:45 PM
To: 'mmccreary@rockwall.com'
Cc: 'Jim Smith'
Subject: FW: Clarification on Operation of Golf Carts in City of Rockwall

Our Rockwall Stone Creek Estates neighborhood is trying to obtain accurate information regarding the legal operation of private golf carts on public streets in Rockwall. We spoke to Officer Hardman and her supervisor who said that they have previously conferred with Jeff Welch about this issue.

Below, please find our previous correspondence sent to Officer Hardman. In a follow-up phone call, her supervisor stated that if you operate a golf cart on a public street within a neighborhood you may be cited, if the neighborhood does not contain a golf course. The officers also stated that the Municipal Court has upheld these citations and suggested that we contact Municipal Court if we have any questions and/or concerns.

The reason that we are pursuing this matter is that we take pride in our community in "getting it right". We do not even own a golf cart.

The rationale for these citations is based upon the interpretation of the Texas Transportation Code 551.403 (copied below). Having read the Code 551.403, we do not believe that it states that there MUST be a golf course within a neighborhood. Parts (1), (2), and (3) of Section 551.403 presents three different, and independent situations whereby a golf cart may be legally operated on the city streets. The officer's interpretation infer that these three (3) parts be taken together in their entirety. Meaning that the planned community would also have to contain a golf course for golf carts to be permitted on the public streets. If this logic were correct, the community would ALSO be required to have a public or private beach as designated by part (2) of the Code.

We feel very confident that it was not the law's intent to require parts (1), (2), and (3) to all be concurrent. It is our layman's interpretation of the Code that any one of the three (3) situations outlined in the Code would legalize the operation of a golf cart on a Rockwall public street. The Code uses the word or, not the word and in listing these three (3) unique situations.

Based on this Code 551.403 and what is posted at TxDMV.gov; we believe that the simple description for legally operating a golf cart on a Rockwall public street is the following:

1) TxDMV does not register golf carts, so they will not be licensed. A golf cart must display a slow-moving emblem if operated on the street. Golf carts may be driven within your planned community (with a uniform set of restricted covenants in place).

2) You can legally drive out of the community ONLY if traveling to a golf club located no more than two (2) miles from where you house the golf cart, AND not traveling on or across a street with a posted speed limit of no more than 35 miles per hour, AND you are traveling during the daytime.

In summary, based on Texas Transportation Code, we believe that operating a golf cart on a public street in our neighborhood is legal. We are requesting that you please validate our interpretation, and if we are correct, please share the correct interpretation with the Rockwall Police Department.

While as citizens we believe this is how the existing laws of Texas should be enforced with regard to this matter, we don't know what city and/or county regulations exist. We believe to keep our streets safe, that we need better regulations governing the safe operations of golf carts on public streets. We believe that Rockwall Police, having knowledge of issues with golf carts, should draft a proposal seeking Council's approval for safer golf cart operation. Some thoughts that we initially have considered regarding improved safety include:

- Must be 16 or older to operate,

- Cart must be equipped with a flag on a pole to increase visibility,
- Cart must be equipped with head lights, tail lights, and brake lights.
- A limitation (TBD) on occupancy,
- Cart must display a slow-moving emblem.

As we have brought this subject matter to your attention, we are more than willing to help in any way that we can to sponsor and promote a safer environment.

Sincerely,

Jim and Shirley Smith

Sec. 551.403. LIMITED OPERATION. (a) An operator may operate a golf cart:
(1) in a master planned community:
(A) that has in place a uniform set of restrictive covenants; and
(B) for which a county or municipality has approved a plat;
(2) on a public or private beach; or
(3) on a public highway for which the posted speed limit is not more than 35 miles per hour, if the golf cart is operated:
(A) during the daytime; and
(B) not more than two miles from the location where the golf cart is usually parked and for transportation to or from a golf course.
(b) The Texas Department of Transportation or a county or municipality may prohibit the operation of a golf cart on a public highway if the department or the governing body of the county or municipality determines that the prohibition is necessary in the interest of safety.

Added by Acts 2009, 81st Leg., R.S., Ch. 1136 (H.B. 2553<http://www.legis.state.tx.us/tlodocs/81R/billtext/html/HB02553F.HTM>), Sec. 10, eff. September 1, 2009.

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From: Jim Smith [mailto
Sent: Friday, March 06, 2015 1:17 PM
To: Mhardman@rockwall.com<mailto:Mhardman@rockwall.com>
Cc: 'Jim Smith'
Subject: Clarification on Operation of Golf Carts in City of Rockwall
Importance: High

Officer Hardman,

This is regarding information recently posted on Nextdoor regarding the operation of golf carts. The posted information does not reflect information posted on the TxDMV.GOV web site. Bob Wacker, our Nextdoor lead, is working diligently to get this correct. Please review the note below, and if after reviewing the TxDMV.GOV web site, you agree, please send it to Bob so that our neighbors will be correctly informed.

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This is clarification regarding golf carts. The information sent earlier was regarding Neighborhood Electric Vehicles (NEV). NEVs need to be registered, titled, and licensed.

However, TxDMV does not register golf carts, so they will not be licensed. A golf cart must display a slow-moving emblem, if operated on the street. Golf carts may be driven within your planned community (with a uniform set of restricted covenants in place).

You can legally drive out of the community ONLY if traveling to a golf club located no more than two (2) miles from where you house the golf cart, AND not traveling on or across a street with a posted speed limit of no more than 35 miles per hour, AND you are traveling during the daytime.

This information is posted at

http://www.txdmv.gov/motorist/buying-or-selling-a-vehicle/off-highway-vehicles

It is important to select the "golf cart" tab to view information regarding golf carts. I hope this clears up any confusion.

Thanks,

Shirley Smith

_____
This email contains the thoughts and opinions of the sender and does not reflect official City of Rockwall policies.

Other than the intended recipient, any confidential information contained in this email is prohibited from disclosure or use.

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Frank Garza, City Attorney & Ashley White

COPY: File

DATE: March 31, 2015

Re: Clarification on operation of golf carts Golf Carts

This memorandum is in response to your inquiry regarding the operation of golf carts on city streets.

Definition of Golf Cart: The Texas Department of Motor Vehicles defines a "golf cart" as a vehicle that has no less than three wheels, has a normal maximum speed of between 15-25 mph, and is manufactured primarily for operation on golf courses. Golf carts should not be confused with Neighborhood Electric Vehicles (NEVs). NEVs are larger than golf carts, but smaller than most passenger vehicles. The law governing NEVs is separate from the law governing golf carts.

TX State Law: Three sections of two Texas Transportation Code provisions govern whether a golf cart may be driven on a city street:

1. **A golf cart may be driven on a street if the street is**: (1) in a master planned community that meets certain conditions; (2) on a golf course; or (3) on a public or private beach. TEX. TRANSP. CODE § 551.403(a). (Because state law provides no definition of "master planned community," and the attorney general declined to define the term in Texas Attorney General Opinion GA-0966, each city will likely have to look at its own definition of master planned community within its subdivision and zoning regulations.) but more than likely, it will have to be a gated community and no public streets.

2. **A golf cart may also be driven on a city street** that has a posted speed limit of 35 miles per hour or less, if the golf cart is operated to and from a golf course during the daytime and **no more than two miles from the place where the golf cart is usually parked**. Id.; the Attorney General also added that the purpose of driving the golf cart on public streets under this subsection must be to transport a person to and from the golf course. *See* GA-0966.

3. In addition, a golf cart may be driven across an intersection of any street if the cart is being lawfully operated under one of the provisions above. Id. § 551.405. Under a provision adopted in 2013, the Texas Department of Transportation can now offer license plates to golf carts that are driven on public streets as described above. Id. § 551.402.

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City Ordinance: a city council may, by ordinance, authorize a golf cart to be operated on any street in the city that has a posted speed limit of 35 miles per hour or less, so long as the golf cart has special safety equipment, including headlamps, tail lamps, reflectors, parking brakes, and mirrors. *Id.* § 551.404. A **city may completely prohibit the use of golf carts on its streets** if the city council determines that the prohibition is necessary in the interest of safety. *See* §551.403. However, this prohibition would only apply to public streets. A gated community, where the streets are not maintained or owned by the city, would be allowed to have golf carts on any street behind a gate even if a city prohibited them on public streets.

Current Rockwall Ordinances: In our review, the City of Rockwall Code of Ordinances currently only addresses golf carts in its section on the **Storage of Vehicles**. Sec. 4.1. of the Code states "[o]n lots less than five acres, motor homes, camper cabins, non-street legal motorcycles (including all-terrain vehicles, dirt or motocross bikes, or similar type vehicles) boats, farm machinery, or similar equipment, ***excluding golf carts***, shall not be parked or stored on any residential or agricultural lot or the adjacent street except when in conformance with [certain] provisions."

Liability Insurance: If the City allowed for golf carts to be on city streets, an owner must have liability insurance, the same as for a car, if his cart is driven on a public street pursuant to a city ordinance. that authorizes the cart to be operated on any street in the city that has a posted speed limit of not more than 35 miles per hour under Transportation Code Section 551.404. Insurance is not required if the cart is driven pursuant to the state law exceptions allowing its use: (1) in a master planned community that meets certain conditions; (2) on a golf course; (3) on a public or private beach; or (4) on a city street that has a posted speed limit of 35 miles per hour or less, if the golf cart is operated to and from a golf course during the daytime and no more than two miles from the place where the golf cart is usually parked. [Numbers (1) –(4) are the limited uses allowed by Section 551.403.] TEX. TRANSP. CODE § 601.052.

Miscellaneous Provisions: A golf cart must have headlamps, tail lamps, reflectors, a parking brake, mirrors, and a slow-moving vehicle emblem to be driven on any city street. Id.§§ 547.703; 551.404.

- While it is not required, the Texas Department of Motor Vehicles issues license plates to golf carts under a bill passed in 2013. TEX. TRANSP. CODE § 551.402.

- The Transportation Code, Chapters 541-600, outlines the rules of the road for all "self-propelled" vehicles. TEX. TRANSP. CODE §541.201; ch. 545. A golf cart is a self-propelled vehicle and must follow the rules of the road, except for those where specific exceptions have been made. For example, a golf cart operating under Section 551.403 does not have to follow the equipment requirements if it is driven only as allowed under that section (the statute allowing driving in master planned communities and on beaches). Id. § 547.002.

If you have any questions, or if you wish for us to draft an ordinance to limit golf carts, please let us know.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Robert LaCroix, *Director of Planning and Zoning*

FROM: Ryan Miller, *Planning Manager*

DATE: April 6, 2015

SUBJECT: Z2015-003; *Hance Property [AG to PD]*

On March 31, 2015, the Planning and Zoning Commission voted 5-0 (with Commissioners Logan and Conley absent) to accept a request to withdraw *Case No. Z2015-003*. According to Section 5, *Application Withdrawal*, of the Article II of the Unified Development Code (UDC), any case that has been published in the paper and notifications of a public hearing sent out must be placed on the public hearing agenda and acted upon by the applicable body. In this case, since the Planning and Zoning Commission has acted to accept the applicant's request to withdraw and has not forwarded a recommendation to the City Council, no additional action beyond the recognition of the cases withdrawal will be required.

Skorburg Company
8214 Westchester Dr., Ste. 710
Dallas, TX 75225
Phone: 214/522-4945
Fax: 214/522-7244

SKORBURG COMPANY

March 30, 2015

City of Rockwall
Attn: Planning & Zoning

To All:

The Skorburg Company respectfully requests that the Zoning Case for the Hance Property (Agenda Item Z2015-003) be withdrawn from the March 31st Planning and Zoning Work Session.

Cordially yours,

3/30/15

Cole Franklin
Skorburg Company Associate

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Robert LaCroix, *Director of Planning and Zoning*

FROM: Ryan Miller, *Planning Manager*

DATE: April 6, 2015

SUBJECT: Z2015-010; *Townhomes [PD-70 to PD]*

At their regularly scheduled meeting on March 31, 2015, the Planning and Zoning Commission, at the request of the applicant (*Adam Buczek*), postponed the public hearing to April 28, 2015. This means that the projected City Council public hearing will be held at the May 4, 2015 meeting. According to Section 6.2, *Public Hearing Postponements, Recess, and Continuations*, of the Article II of the Unified Development Code (UDC), a public hearing may be postponed by announcing the postponement at the public hearing and indicating the time and place the new hearing is scheduled to begin; however, the date and time of the postponed public hearing cannot be greater than 60 days from the original public hearing date. The announcement of a postponement shall be sufficient notice and no additional notice shall be required. Per these requirements this will be the last meeting the applicant will be eligible to request a postponement. Should the applicant need to postpone the public hearing from the April 28, 2015 Planning and Zoning Commission meeting the case will need to be withdrawn and resubmitted with a new application and fee.

Miller, Ryan

From: Adam Buczek [redacted]
Sent: Tuesday, March 24, 2015 11:50 AM
To: Miller, Ryan
Cc: laura@nmitx.com; John Arnold; Ryan Joyce; LaCroix, Robert
Subject: Stone Creek Townhome table request to 4/28/15 P&Z meeting

Ryan,

As just discussed, below is a nice e-mail of support we received this morning from a Stone Creek resident who lives on York who was initially against our proposed townhome zoning request, but is now in support. There have been other homeowners like Mr. Rey who have changed their position on our zoning request as well over the past week.

We've now held two meetings with the Stone Creek HOA, and I sense that significant progress is being made to get the facts and details out to the homeowners. As the facts and details have been fine-tuned to address the concerns of Stone Creek's residents, we are finding the support is growing as the facts show that the proposed townhomes are a higher and better use for the property than retail use, and the measures we have committed to putting in place will provide sustainable, long-term value and quality for the community and the residents of Stone Creek.

Having said that, we need more time to continue to work with the residents to get the message out and fine tune some of the details we have discussed with the Stone Creek homeowners during the past couple of meetings. We want to be certain we have done all we can to make sure every resident has had every opportunity to get all the facts to make an informed decision.

Due to the follow-up time it will take to finish this task, we respectfully request to postpone our P&Z public hearing on our Stone Creek townhome zoning request to the April 28, 2015 meeting. If you need anything else from us to accept this request, please let us know. Thank you.

Best Regards,

Adam Buczek
Development Partner

Skorburg Company & Windsor Homes
8214 Westchester Drive, Suite 710
Dallas, Texas 75225
Work: (214) 888-8843
Cell: (817) 657-5548
Fax: (214) 522-7244
E-mail: [redacted]

From: [redacted]
Sent: Monday, March 23, 2015 10:25 PM
To: Adam Buczek; Noah Flabiano
Subject: Fwd: Thank you for informational meeting tonight

FYI

Laura Kurak, CMCA, PCAM
Community Association Manager

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Robert LaCroix, *Director of Planning and Zoning*

FROM: Ryan Miller, *Planning Manager*

DATE: April 6, 2015

SUBJECT: *Z2015-011;* Amendment to Article IX, Tree Preservation, of the UDC

In the last month, the City Council has voted to accept two (2) alternative tree mitigation plans that allowed the applicants to pay the remaining tree credits in cash to the *Tree Fund*. The additional revenue added to the fund as a result of these actions totals $234,136.00. With the current drought situation, it is not opportune to use this money to plant trees without the irrigation and equipment (*e.g. a large auger, etc.*) necessary to properly install and sustain the trees. In response to this situation staff has prepared an amendment to Section 11.1, *Tree Fund Administration*, of Article IX, *Tree Preservation*, of the Unified Development Code (UDC) that would expand how the funds could be allocated while continuing to allow the City Council the flexibility of considering and approving an alternative tree mitigation plan. Specifically, this amendment would allow for the funds collected to be used for labor, equipment, and irrigation associated with installing and sustaining landscaping. The proposal further defines the types of landscaping that qualifies to be purchased with these funds.

In accordance, with Section 4.2 of Article XI, *Zoning Related Applications*, of the UDC staff took the proposed amendments forward to the Planning and Zoning Commission for a recommendation to City Council; and, on March 31, 2014 the Planning and Zoning Commission voted 5-0 (with Commissioners Logan and Conley absent) to recommend approval of the proposed amendment. Attached to this memorandum is a copy of the current ordinance and the proposed changes/amendments to the UDC. The schedule for this text amendment is as follows:

Planning and Zoning Commission:
~~Work Session: March 10, 2015~~
~~Public Hearing: March 31, 2015~~

City Council:
Public Hearing: April 6, 2015
2nd Reading: April 20, 2015

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Current Ordinance:

Article IX, Tree Preservation, of the Unified Development Code

Section 11. Tree Fund

Section 11.1. Tree Fund Administration.

The city shall administer the tree fund. The funds shall be used to purchase, plant and maintain trees on public property utilizing either city staff or contract labor, to acquire wooded property that remains in a naturalistic state in perpetuity, to perform and maintain a city wide tree inventory and to educate citizens and developers on the benefits and value of trees. The city council shall have the ability to adopt alternative methods of creating tree credits and methods of distribution of trees and/or funds for purchasing trees.

(Ord. No. 09-23, 6-15-2009)

Proposed Amendments:

Article IX, Tree Preservation, of the Unified Development Code

Section 11. Tree Fund

Section 11.1. Tree Fund Administration.

The city shall administer the tree fund. The funds shall be used to purchase~~,~~ plant ***material as permitted by this ordinance, install (including the equipment or labor necessary to install the plant materials)*** and maintain trees on public property ***including the necessary irrigation equipment~~ utilizing either city staff or contract labor~~***, to acquire wooded property that remains in a naturalistic state in perpetuity, to perform and maintain a city wide tree inventory and to educate citizens and developers on the benefits and value of trees. The city council shall have the ability to adopt alternative methods of creating tree credits and methods of distribution of trees and/or funds for purchasing trees.

Funds collected as a result of the mitigation of trees may be used to purchase trees, both deciduous and coniferous, any woody type plant or any perennial appropriate for the climatic conditions of the north Texas region.

(Ord. No. 09-23, 6-15-2009)

CITY OF ROCKWALL

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 11.1 OF ARTICLE IX, *TREE PRESERVATION*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 04-38*] has been initiated by the City Council of the City of Rockwall to amend Section 11.1, *Tree Fund Administration,* of Section 11, *Tree Fund*, of Article IX, *Tree Preservation*, of the Unified Development Code [*Ordinance No. 04-38*]; and,

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That Section 11.1, *Tree Fund Administration,* of Section 11, *Tree Fund*, of Article IX, *Tree Preservation*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'A'* of this ordinance.

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

Section 3. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 4. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

DRAFT ORDINANCE 04-06-2015

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 20TH DAY OF APRIL, 2015.

_____

Jim Pruitt, *Mayor*

ATTEST:

_____

Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____

Frank J. Garza, *City Attorney*

1st Reading: *April 6, 2015*

2nd Reading: *April 20, 2015*

DRAFT ORDINANCE 04.06.2015

Article IX, Tree Preservation, of the Unified Development Code

Section 11. Tree Fund

Section 11.1. Tree Fund Administration.

The city shall administer the tree fund. The funds shall be used to purchase~~,~~ plant ***material as permitted by this ordinance, install (including the equipment or labor necessary to install the plant materials)*** and maintain trees on public property ***including the necessary irrigation equipment*** ~~***utilizing either city staff or contract labor***~~, to acquire wooded property that remains in a naturalistic state in perpetuity, to perform and maintain a city wide tree inventory and to educate citizens and developers on the benefits and value of trees. The city council shall have the ability to adopt alternative methods of creating tree credits and methods of distribution of trees and/or funds for purchasing trees.

Funds collected as a result of the mitigation of trees may be used to purchase trees, both deciduous and coniferous, any woody type plant or any perennial appropriate for the climatic conditions of the north Texas region.

(Ord. No. 09-23, 6-15-2009)

DRAFT ORDINANCE 04.06.2015

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **April 1, 2015**

SUBJECT: **Resolutions regarding Private Toll Roads Authority**

Councilmember Daniels requested that a resolution be prepared for Council consideration regarding certain bills that have been filed in the 84th Session of the Texas Legislature that would limit the authority of private toll road companies. Staff has prepared three resolutions for Council consideration that would support bills that would remove the power of eminent domain for private toll road companies and restrict private toll roads from connecting to the State highway system.

HB 565, authored by Representative Cindy Burkett, would remove the power of eminent domain from private toll road companies and restrict private toll roads from connecting to any portion of the State highway system. This would include State highways, State roads and State bridges. This bill was referred to the House Transportation Committee, a public hearing was held on March 19 and action is pending.

HB 1004 and the companion bill SB 444 remove the power of eminent domain from private toll road companies that was granted by an earlier Legislature. SB 444 filed by Senator Hall was referred to the Senate Transportation Committee and a public hearing was held on March 11. The bill was voted favorably out of committee on March 18. HB 1004 was referred to the House Transportation Committee and heard on March 19. Action is pending in the committee as of April 1.

Council may consider each of these resolutions for action separately or recommend language to amend any or all of the three options.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 15-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,TEXAS, SUPPORTING SENATE BILL 444 AUTHORED BY SENATOR BOB HALL AND THE COMPANION, HOUSE BILL 1004 AUTHORED BY REPRESENTIATVE YVONNE DAVIS IN THE 84TH SESSION OF THE TEXAS LEGISLATURE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The 84th Session of the Texas Legislature is currently in session and SB 444 and a companion bill, HB 1004 has been filed by Senator Hall and Representative Yvonne Davis, respectively, and

WHEREAS, these bills, if passed by the Texas Legislature and signed into law by the Governor, eliminate the ability of a private toll road company to exercise the power of eminent domain previously granted by State law; and

WHEREAS, the City of Rockwall has attended numerous meetings where discussions regarding private tollway routing have focused on numerous routes located in northern Rockwall County and surrounding areas; and

WHEREAS, in 2014 numerous Rockwall residents opposed a private toll road company constructing a major road project that would have been routed through their private property; and

WHEREAS, Rockwall residents were seriously threatened by and opposed to the ability of a private, "for profit" company having the power of eminent domain for a private toll road.

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

Section 1. The City of Rockwall opposes any private toll road company having the power of eminent domain regardless of the project and believes that the power of eminent domain should be restricted to government projects only; and

Section 2. The City of Rockwall strongly supports SB 444/HB 1004 of the 84th Session of the Texas Legislature and encourages members of the Legislature to support these bills and see that they be forwarded to the Governor for his signature.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS 6th DAY OF April, 2015.

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 15-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,TEXAS, SUPPORTING SENATE BILL 444 AUTHORED BY SENATOR BOB HALL, THE COMPANION HOUSE BILL 1004 AUTHORED BY REPRESENTIATVE YVONNE DAVIS AND HOUSE BILL 565 AUTHORED BY REPRESENTATIVE CINDY BURKETT IN THE 84TH SESSION OF THE TEXAS LEGISLATURE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The 84th Session of the Texas Legislature is currently in session and SB 444 and a companion bill, HB 1004 has been filed by Senator Hall and Representative Yvonne Davis respectively, and

WHEREAS, Representative Burkett has filed HB 565 which is similar in nature to the bills filed by Senator Hall and Representative Davis, and

WHEREAS, these bills authored by Senator Hall and Yvonne Davis, if passed by the Texas Legislature and signed into law by the Governor, eliminate the ability of a private toll road company to exercise the power of eminent domain previously granted by State law; and

WHEREAS, in addition to the elimination of the power of eminent domain, Representative Burkett's bill would eliminate the ability of a private toll road to connect to any part of the State highway system including State highways, State roads and State bridges, and

WHEREAS, the City of Rockwall has attended numerous meetings where discussions regarding private tollway routing have focused on numerous routes located in northern Rockwall County and surrounding areas; and

WHEREAS, in 2014 numerous Rockwall residents opposed a private toll road company constructing a major road project that would have been routed through their private property; and

WHEREAS, Rockwall residents were seriously threatened by and opposed to the ability of a private, "for profit" company having the power of eminent domain for a private toll road.

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

Section 1. The City of Rockwall opposes any private toll road company having the power of eminent domain regardless of the project and believes that the power of eminent domain should be restricted to government projects only; and

Section 2. The City of Rockwall strongly supports SB 444/HB 1004 and HB 565 of the 84th Session of the Texas Legislature and encourages members of the Legislature to support these bills and see that they be forwarded to the Governor for his signature.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS 6th DAY OF April, 2015.

Jim Pruitt, Mayor

ATTEST:

Kristy Ashberry, City Secretary

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 15-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,TEXAS, SUPPORTING HOUSE BILL 565 FILED BY REPRESENTATIVE CINDY BURKETT IN THE 84TH SESSION OF THE TEXAS LEGISLATURE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The 84th Session of the Texas Legislature is currently in session and HB 565 has been filed by Representative Cindy Burkett; and

WHEREAS, HB 565, if passed by the Texas Legislature and signed into law by the Governor, would prohibit the ability of a private turnpike or toll road project to connect to a road, bridge or highway in the State highway system and would eliminate the ability of a private toll road company to exercise the power of eminent domain previously granted by State law; and

WHEREAS, the City of Rockwall has attended numerous meetings where discussions regarding private tollway routing have focused on numerous routes located in Collin County and northern Rockwall County; and

WHEREAS, in 2014 numerous Rockwall residents opposed a private toll road company constructing a major road project that would have been routed through their private property; and

WHEREAS, Rockwall residents were seriously threatened by and opposed to the ability of a private, "for profit" company having the power of eminent domain for a private toll road.

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

Section 1. The City of Rockwall opposes any private toll road company having the power of eminent domain regardless of the project and believes that the power of eminent domain should be restricted to government projects only; and

Section 2. The City of Rockwall strongly supports HB 565 of the 84th Session of the Texas Legislature and encourages members of the Legislature to support this bill and see that it be forwarded to the Governor for his signature.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS 6th DAY OF April, 2015.

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and City Council

FROM: Hotel Occupancy Tax Sub-committee Members
Mary Smith, Assistant City Manager

DATE: April 3, 2015

SUBJECT: Request for Funding Allocation – Historical Foundation

The City received a supplemental funding request for hotel occupancy tax revenues from the Rockwall County Historical Foundation. Copies of the Funding Request Questionnaire and supporting narrative are attached for your review. Their request totals $2,500 to paint the exterior of the historic home located adjacent to Harry Myers Park.

Historical renovation and preservation projects are an allowable use under the nine categories included in the Act.

At the present, the Hotel/Motel Occupancy Tax budget is as follows:

Fund Balance carried forward	**$ 144,140**
Revenues budgeted	**310,000**
Allocated Funding	**(336,235)**
Projected Fund Balance	**$ 107,905**

The subcommittee met and are recommending Council approve $1500 funding for the Historical Foundation project.

City of Rockwall
The New Horizon

Hotel Occupancy Tax

Program Year 2015

Supplemental Application

MUST BE TYPED or PRINTED

DELIVER TO:
City of Rockwall Finance Office
Attn: Lea Ann Ewing
385 S. Goliad St., Rockwall, TX 75087
972-771-7700 lewing@rockwall.com

Organization Name:	Rockwall County Historical Foundation
Name of Event:	Historical
Date(s) of Event:	2015
Funding Request $:	~~15,900~~ #2500
Website Address:	rockwallcountyhistoricalfoundation.com
Mailing Address:	P. O. Box 916, Rockwall, TX 75087
Physical Address:	901 E. Washington, Rockwall, TX 75087
Telephone:	972-722-1507 Fax:
Primary Contact Name: (Project Director)	Carolyn Holt
Mailing Address:	310 Fountain View Ln. Josephine, TX 75173
Email Address:	rockwallhistory@gmail.com
Telephone:	214-384-5580 Fax:
Secondary Contact Name: (President/Board Chairman)	Carolyn Francisco
Mailing Address:	272 Victory Ln. Rockwall, TX 75032
Email Address:	carolynfrancisco@sbcglobal.net
Telephone:	214-729-2815 Fax:

- **COMPLETE AN APPLICATION FOR EACH EVENT/PROGRAM/EXHIBIT REQUESTING FUNDS**
- **INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE COUNCIL SUBCOMMITTEE**

1. Mark an "X" next to the category or categories that your organization is requesting funds in the attached budget request.

☐ **Advertising/Tourism** **Requested funding amount $**
Conducting solicitation or promotional programs that encourage tourists and delegates to come to the City of Rockwall.

☐ **Arts** **Requested funding amount $**
Providing encouragement, promotion, improvement and application of the arts as it relates to the presentation, performance execution or exhibition of the major art forms in the City of Rockwall.

X **Historical** **Requested funding amount $ ~~15,900~~ 2500**
Providing historical restoration, preservation, programs and encouragement to visit preserved historic sites or museums located in the City of Rockwall.

2. Briefly state the purpose of your organization/mission statement:

Mission Statement: RCHF, maintaining that the past should be preserved for the future, encourages the restoration, education and recognition of significant places and people, thus allowing all to enjoy the treasure that is our past.

3. Does your organization have paid staff?
Yes # Full-Time 1 # Part-Time

4. Does your organization use volunteers?
Yes Approximately how many? 15

5. Is the event/program that the organization is requesting Hotel Tax funds held in/on City-owned property?
Yes Name location: Harry Myers Park

If you are holding your event in/on city-owned property, the City may, in lieu of funds, donate the cost of the facility/property rental for that event.

6. Will your event be held in *"The Downtown"* or adjacent to *Lake Ray Hubbard*?
N/A Name location:

7. Will your organization provide special event insurance coverage for the event/program if held on City property?
N/A Name of Insurance Company:

8. List all other sources of funding your organization receives for this event. Include event budget (use the required budget form attached).

Valspar Paint Company has donated 27 gallons of Valspar "Reserve" Paint for this project.

9. List the programs, activities, exhibits, or event for the upcoming fiscal year (Oct. 1, 2014-Sept. 30, 2015) that the requested Hotel funding will support partially or in full.

Museum, Tenant Cabin and outhouse: repair and painting ($15,900 bid attached)
Paint donated by Valspar Paint Company: 27 gal. Valspar Reserve Ext. Paint

10. Provide 3 years attendance history for the above listed programs, activities, exhibits or event in #9 above.

Event	Year	Event Duration (in Days)	Audience Size	# of Attendees in hotel rooms
Museum Visitors	2012	110	466	?
Museum Visitors	2013	110	463	?
Glimpse of the rock wall (Bus picked up at Museum)	2013	1	135	?
Museum Visitors	2014	110	736	8*
Geocache** (at Tenant Cabin)	3 yr ave	365	72	?

11. How do the requested budget expenditures meet the definition of the categories marked in #1? Advertising/Tourism, Arts, Historical

Historical: RCHF Museum, one of the oldest remaining structures in the City, is home to an extensive, growing collection of significant artifacts and memorabilia. 2014 Founders Day at the Park showcased Living History Exhibitors at the Museum grounds and hands-on activities of life in early Rockwall. A total of 215 reported visiting on Geocache website since inception. (**Others may have located Geocache but not logged in to register visit on-line.)

12. What specific market will you target with the event/program's marketing plan? Attach up to 3 examples and evidence of marketing area and readership (Label Exhibit C).

School aged children who tour the Museum are given a copy of RCHF coloring book depicting history from Indians and early settlers to recent events. Middle school students are required to visit a Museum and write a paper about a segment of life represented. These efforts are designed to engage young people in an interest in history. Photography classes and many professional photographers continually use the property to take pictures. Founders Day, May 16, 2015, will be held in Harry Myers Park and will be advertised in national and local media print and online outlets to attract additional visitors to the Museum grounds and Living History Exhibits.

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13. Describe in detail how your event/program will promote tourism and the hotel industry in Rockwall.

Increased interest in viewing our unique rock wall is attracting more out of area visitors to Rockwall and the Museum as a result of the History Channel2 presentation in 2013. *Beginning in the summer of 2014, visitors began reporting on overnight stays in hotels. Out of state visitors arrived from twelve states. The most FAQ is "where can we see the rock wall?" December, 2014 Brown Bag lecture, "The Rock Wall Revisited" attracted the largest group of attendees to our lectures.

14. Describe the organization's long-term plan (3-5 year) in regard to the program/ event that funds are being requested.

As our display of artifacts is enhanced, increased interest is encouraged by new postings on our website, local publications, and Facebook. ***It is imperative that the Museum and out buildings be maintained to provide a suitable showcase.*** RCHF continues to support efforts to make viewing a portion of the rock wall available to the public on a permanent basis. In the meantime, RCHF is communicating with the City and certain land owners, to *re-create a portion of the rock wall on Museum grounds* using rocks from actual rock walls. When this project is completed, additional advertising will be set in motion.

15. The City of Rockwall must require segregated accounting of its Hotel funds. Organizations must maintain and account for revenue provided from the tax authorized by section 351.101(a) within one of the two options listed below.

a) Separate checking account without combining with any other revenues or maintained in any other bank account or

b) Maintain a line item accounting, whereby the Hotel revenues may not be combined with any other revenues or expenditures. The funds may be maintained in the same bank account, provided they are reported as a separate line item in the organization's budget. Interest earned on the Hotel revenues must be used to support the event/program as well.

Will the organization be able to segregate the accounting process in either a) or b) above? Yes

16. Provide all of the following documentation with this application and label each as outlined below.

Exhibit A	Proposed budget for each event/program using attached form
Exhibit B	Letter of determination certifying federal tax exempt 501(c)(3) status
Exhibit C	Examples and evidence of marketing area and readership (limit 3)
Exhibit D	List members of the governing body including name, position, mailing address and phone number

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We certify, to the best of our ability, that the information in this application, including all exhibits and supporting documentation is true and correct to the best of our knowledge. It is understood and agreed that any funds awarded as a result of this application will be used for the purpose set for herein and the program guidelines.

President/Board Chairman:

Carolyn Francisco
Print Name

Carolyn Francisco
Signature

01/28/2015
Date

Event/Program Director:

Carolyn Holt
Print Name

Carolyn Holt
Signature

01/28/2015
Date

Both signatures are required for application to be considered complete.

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EXHIBIT A

Hotel Occupancy Tax Funding Request
Event/Program Budget - Program Year 2015

Financial information (round to the nearest dollar). Include a completed copy of this budget with funding request.

Organization Name: Rockwall County Historical Foundation
Event/Program Name: Historical (Supplemental)
Requested Funding: $ 15,900 labor

Expenses (for this project only)		Funding Request a	Cash from all other sources b	In-Kind, no cash Paid (value of volunteered services or goods c	Total a + b + c = d
1. Personnel					
Administrative					
Artistic					
Technical					
Other personnel-Paint Contractor		~~15,900~~ 2500			
2. Fees for outside professional service					
Administrative					
Artistic					
Technical					
3. Space Rental					
4. Equipment Rental					
5. Travel/Transportation					
6. Promotion/Printing					
7. Costumes/Royalties					
8. Other (supplies, postage etc.)					
9. Sub -Totals					
10. Total Expenses					~~$15,900~~ 2500

Revenues (for this project only)					
1. Total Amount of funding request		~~15,900~~ 2500			
2. Admissions (ticket and concessions)					
3. Donations-Valspar Paint Co.(paint)			1188		
4. Organizational funds budgeted					
5. Grants (State)					
6. Other (list):Membership dues					
7. Other (list):					
8. Other (list):					
9. Other (list):					
10. Total income and contributions			1188		
11. Total In-Kind					
12. Total Revenues					-0-

Financial Information (for this project only)					
Fiscal Year		2012	2013	2014	2015
Total Revenues					
Total Expenses					
Total Prior Year Hotel funds awarded		1000	2000	-0-	-0-

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Rockwall County Historical Foundation
Profit & Loss
January through December 2014

	Jan - Dec 14
Ordinary Income/Expense	
Income	
Direct Public Grants	
Corporate and Business Grants	16,500.00
Total Direct Public Grants	16,500.00
Direct Public Support	
Corporate Contributions	100.00
Donated Art	100.00
Individ, Business Contributions	416.54
Direct Public Support - Other	200.00
Total Direct Public Support	816.54
Dues	4,039.45
Event Income	
Event Contributions	8,257.00
Event Sales (Nongift)	2,330.00
Total Event Income	10,587.00
Fundraiser	
Card Deck Sales	3,157.88
Card Deck Sponsors	3,975.00
Total Fundraiser	7,132.88
Interest	1.21
Other Types of Income	
Inventory Sales	1,570.53
Miscellaneous Revenue	585.00
Total Other Types of Income	2,155.53
Rentals	475.00
Total Income	41,707.61
Cost of Goods Sold	
Cost of Sales - Inventory Sales	6,437.69
Total COGS	6,437.69
Gross Profit	35,269.92
Expense	
Brown Bag Program Expense	50.00
Contract Services	
Accounting Fees	130.00
Outside Contract Services	165.00
Contract Services - Other	-165.00
Total Contract Services	130.00
Dues, Professional	350.00
Event Expense	2,365.54
Facilities and Equipment	
Gazebo	79.79
Maintenance	1,336.82
Property Insurance	2,193.00
Facilities and Equipment - Other	185.10
Total Facilities and Equipment	3,794.71
Landscape Maintenance	265.00
Membership Directory	211.42
Memorial Transfer	75.00
Memorial Transfer Receipt	-75.00
Museum Acquisitions	
Enhancement	360.80
Total Museum Acquisitions	360.80
Newsletter	782.78

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Rockwall County Historical Foundation
Profit & Loss
January through December 2014

	Jan - Dec 14
Operations	
Fire Safety	119.50
Pest Control	181.01
Postage, Mailing Service	234.68
Printing and Copying	277.78
Security	494.40
Supplies	232.54
Telephone, Telecommunications	1,599.72
Total Operations	3,139.63
Other Types of Expenses	
Advertising Expenses	111.42
Total Other Types of Expenses	111.42
Payroll Expenses	11,750.00
Recognition Awards	112.00
Sales Tax	9.77
Travel and Meetings	
Conference, Convention, Meeting	18.48
Total Travel and Meetings	18.48
Utilities	1,937.68
Total Expense	25,389.23
Net Ordinary Income	9,880.69
Net Income	9,880.69

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EXHIBIT B

LETTER OF DETERMINIATION CERTIFYING FEDERAL TAX ECEMPT 501(c)(3)

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IRS Department of the Treasury
Internal Revenue Service
P.O. Box 2508
Cincinnati OH 45201

In reply refer to: 0248145604
Dec. 15, 2014 LTR 4168C 0
75-1717062 000000 00
00018802
BODC: TE

ROCKWALL COUNTY HISTORICAL
FOUNDATION
PO BOX 916
ROCKWALL TX 75087

027149

Employer Identification Number: 75-1717062
Person to Contact: MR. CORDELL
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your Dec. 04, 2014, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in October, 1980.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Please refer to our website www.irs.gov/eo for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

FRASIER CONTRACTING INC.

704 Jackson St.
Rockwall, TX. 75087
Cell: 214-728-6171 Fax: 972-771-7557

Bid

Our Customer

Rockwall Historical Society
C\O Carolyn Holt
Rockwall, Texas

Date: 2/9/2015
Rep:

Quanty	Description	Unit Price	TOTAL
	Prep (caulk, sand, scrape and replace rotten wood) and paint Muesum, outhouse and tennent building		$2,500.00
		TOTAL	$2,500.00

. Thank you for your business!

Dawe Painting, Inc.

932 WISPERWOOD DR.
ROCKWALL TX. 75087-8343
972-880-7368 mb. 972-772-0642 FAX
EM CURTIS@DAWEPAINTING.COM

Estimate

DATE	ESTIMATE NO.
2/2/2015	2150JFJFJR

NAME / ADDRESS
CAROLYN FRANCISCO 214-729-2815

TERMS	DUE DATE	PROJECT
	2/2/2015	museun rockwall

DESCRIPTION	TOTAL
Acceptance of Proposal: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are Authorized to do the work as specified. Payment will be made as outlined above.	0.00
WE thank you for your business .	0.00
.	
Sales Tax	0.00
	TOTAL $3,225.00

SIGNATURE _____

Dawe Painting, Inc.

932 WISPERWOOD DR.
ROCKWALL TX. 75087-8343
972-880-7368 mb. 972-772-0642 FAX
EM CURTIS@DAWEPAINTING.COM

Estimate

DATE	ESTIMATE NO.
2/2/2015	2150JFJFJR

NAME / ADDRESS
CAROLYN FRANCISCO 214-729-2815

TERMS	DUE DATE	PROJECT
	2/2/2015	museun rockwall

DESCRIPTION	TOTAL
ROCKWALL , AT 901 WASHINGTON STREET - MUSEUM HOUSE, OUT HOUSE AND TENANT HOUSE 1.PRESSURE WASH SOAP AND WATER CLEANING. MAIN HOUSE AND OUT HOUSE THE TENANT HOUSE WILL BE HAND WASHED . 2. SAND ALL PEELED AREAS . 3. PRIME ALL BARE WOOD. 4. CAULKING ALL JOINTS AND CRACK IN WOOD. 5. PAINT ALL WOOD SIDING AND TRIM AROUND WINDOWS AND COLUMN 6. PAINT IS SUPPLIED FOR HOUSE	2,300.00 0.00T

	TOTAL

SIGNATURE _____

Dawe Painting, Inc.

932 WISPERWOOD DR.
ROCKWALL TX. 75087-8343
972-880-7368 mb. 972-772-0642 FAX
EM CURTIS@DAWEPAINTING.COM

Estimate

DATE	ESTIMATE NO.
2/2/2015	2150JFJFJR

NAME / ADDRESS
CAROLYN FRANCISCO 214-729-2815

TERMS	DUE DATE	PROJECT
	2/2/2015	museun rockwall

DESCRIPTION	TOTAL
2 -COLUMNS ON FRONT PORCH REPLACE MOLDING AT BASE 1 WINDOW SILL REPLACE NORTH SIDE OF BUILDING 2 AREAS OF SIDING SOUTH SIDE THAT IS ROTTEN REPLACE NEW SOUTH SIDE WINDOW SILL AND 1X3 ON BOTH SIDES OF WINDOWS REPLACE NEW WOOD	500.00
PORCH ON HOUSE AND TENANT HOUSE (PAINTER BUYS PAINT FOR 2 PORCH DECKS) 1. SAND ALL PEELED AREA ON PORCH 2. GRAY SATIN	425.00
A 50% Deposit is required at the start of the job, remaining balance due upon completion of the job.. All change orders made after the start of the project will be an additional charge agreed upon by the contractor and the homeowner in writing.	0.00

	TOTAL

SIGNATURE _____

Proposal

Page # _____ of _____ pages

Customer to supply
25 gallons S-W Duration Satin White latex paint
2 gallons green Duration Satin
4 gallons grey S-W Solid Color stain (PORCHES)

James Imburgia
329 Valiant Drive
Rockwall, TX 75032
Cell: 214-533-4413
Eve.: 972-771-4513
www.imburgiapainting.com

PROPOSAL SUBMITTED TO: R. C. H. F.	JOB NAME 901 E Washington	JOB #
ADDRESS	JOB LOCATION Rockwall	
	DATE	DATE OF PLANS
PHONE #	FAX #	ARCHITECT 214 729 2815

Contact person Carolyn Francisco

We hereby submit specifications and estimates for: Exterior painting + repairs

Museldom

tenant cabin

out house

power wash, sand + caulk as needed

Museum repair 2 sills + 4 sides of windows + trim at bottom of posts on porch + approx 2 pieces of siding

tenant cabin remove approx 4' x 4' piece of plywood at top of stairs + replace w/ 2 x 6' pine BOARDS

We propose hereby to furnish ~~material and~~ labor – complete in accordance with the above specifications for the sum of:

$ labor + prep supplies $15,900 Dollars

with payments to be made as follows: ½ DN ½ on completion of work

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Respectfully submitted James Imburgia

Note – this proposal may be withdrawn by us if not accepted within ___ days.

Acceptance of Proposal

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature _____

Date of Acceptance _____ Signature _____

A-NC3819 / T-3850 09-11

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EXHIBIT C

EXAMPLES AND EVIDENCE OF MARKETING AREA AND READERSHIP
(LIMIT 3)

neighborsgo
The Dallas Morning News
Fric

Rockwall | Rowl





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ROCKWALL

Remembering t

Residents look back on life in county through the years

By LIZ FARMER
lfarmer@neighborsgo.com

Before Martha Joe Bailey Zuspann was born 100 years ago, her father had a home built one block away from Rockwall's downtown square with a porch looking out onto Goliad Street.

Other homes, churches and family owned businesses fanned out around a courthouse, then made of local sandstone, but the majority of people lived and worked on the surrounding farmland.

In 1900, there were more than 1,000 farms in Rockwall County, according to the Handbook of Texas Online.

Although residential and commercial development has altered much of the landscape in Rockwall today, some of the original structures remain.



Jan Johnson, 73, works to preserve Rockwall's history.

For Rockwall native Jan Johnson, 73, it's important that those sites be maintained and people's firsthand accounts be recorded. They serve as a reminder of the struggles people used to face and the blessings residents now have, she said.

As a board member of the Rockwall County Historical Foundation and a previous member of the city's Historic Preservation Advisory Board, Johnson and other locals aim to remind the community, amidst a time of remarkable growth, of Rockwall's past as an agrarian town.

"I'm really very adamant about conserving the history of Rockwall," Johnson said. "You lose a lot when you lose history."

The house Zuspann lived in for her first 27 years remains standing and now serves as the offices for Dr. Ron Perkins Orthodontics. It's a reminder of when the roads were dirt, a movie cost a few cents and amenities were more difficult to come by.



Virginia Holt Vaughan, 86, who's lived in Rockwall most of her life, has a collection wall. Vaughan said her and her siblings would walk or be taken on a horse to the s

from the farms would travel by wagon into town each Saturday and stay all day.

"They parked on the square and then they just visited," she said. "They watched what happened, which nothing did."

Zuspann, who turned 100 Jan. 8, is one of a few people who can recall Rockwall as far back as the early 1920s and has family stories ranging back even earlier. Zuspann's father, Tite Bailey, died when she was 5. But his family, who were local business owners, left a



Martha Joe Bailey Zuspann's family left a

mother because she was s brave to bring up four girl by herself and that's hard and then women didn work," Zuspann said.

She had an office in th sandstone courthous which was built in 1892 an razed in 19[illegible] after the mo tar started to crumble, sai Carolyn Holt, curator of th

S



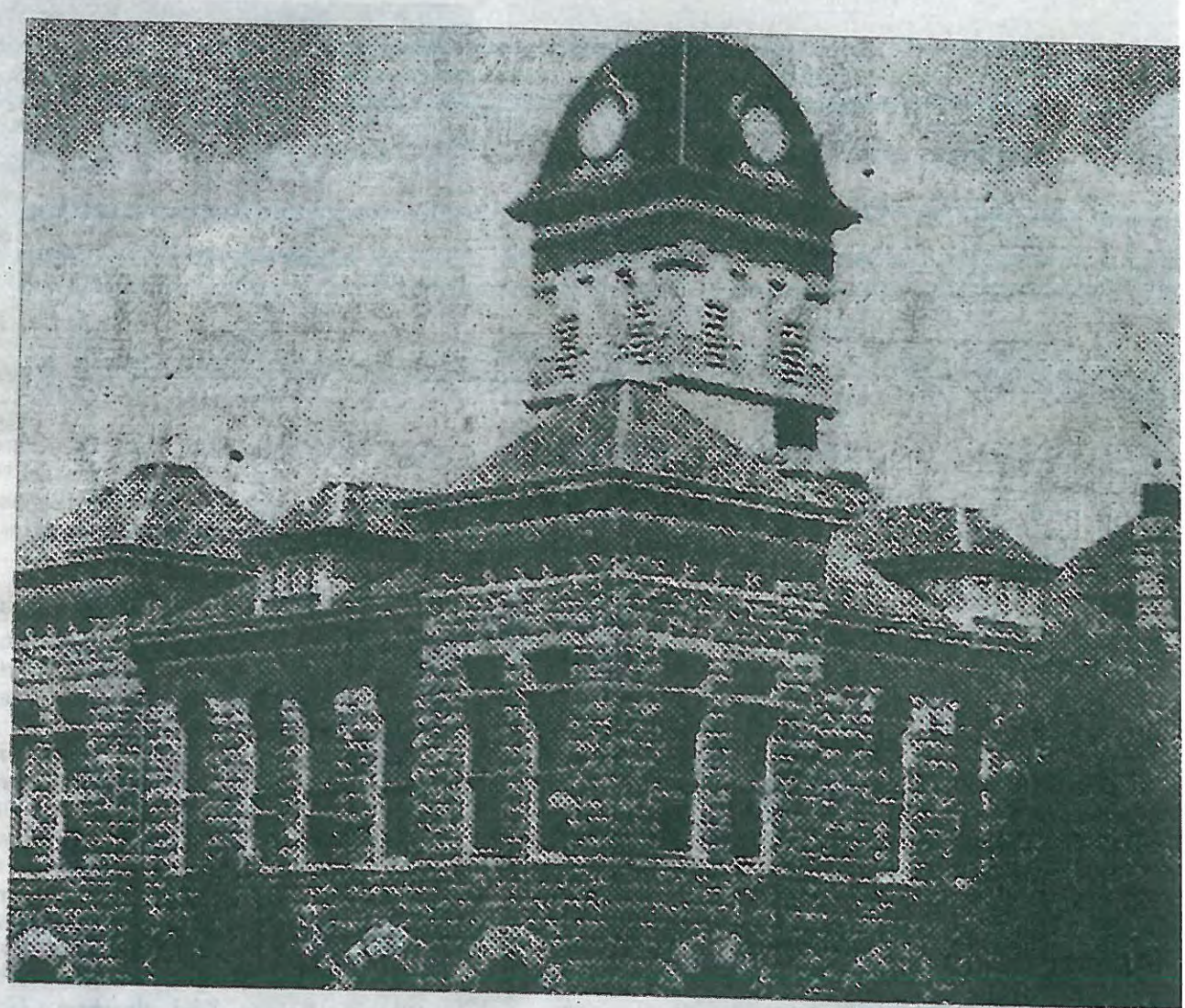
RES/DMN special contributor

or housing in Rock-

lts, dates back in the ar-

s would walk or be tak-
country school they at-

h that sat up front and
that bench and all the
ion," Vaughan said. "Of
went eight grades."
segregated at the time



Courtesy of ROCKWALL COUNTY HISTORI

The Rockwall County Courthouse, made of native sandstone, was built in the middle of the town square in 1892 fo according to *Images of America: Rockwall*. The sandstone courthouse was razed in 1941 after the mortar started said Carolyn Holt, curator of the Rockwall Historical Foundation Museum.



Rockwall County Historical Foundation
February 2015
Preserving the past for the future

Take me out to the ballgame!

Vintage Base Ball is coming back by popular demand! Frank Fite and his "rough and ready" Rockwall Retros will square off with the Farmers Branch Mustang ballists in a vintage base ball match on Sunday afternoon, April 19, at the RISD Campbell Softball/Baseball Complex at 900 Yellow Jacket Ln.



First pitch will be 1:00 pm. Concessions will be open at noon. Stop by for a hot dog and plan to watch this match played by historic 1860 rules when players did not wear gloves, the umpire did not call balls and fouls are not counted as strikes!

There is a whole list of early base ball terminology you will want to become familiar with to add "color" to the game!

Rain date is April 26.

Members recognized for outstanding service



Stephanie Bennett and Debbie Lawhon

Two Outstanding Individual Members were recognized at the Annual Meeting held at the Museum on January 11. Recipient for the 2014 Award was Debbie Lawhon, a long-time RCHF member, active contributing Board Member who also served as Treasurer and for the last seven years served as Curator of the Museum. Thank you, Debbie, for your many years of outstanding service to the Foundation, Museum and dedication to fulfilling our mission of preserving the past for the future, allowing all to enjoy the treasure that is our past!

The recipient for 2015 has not been a long-time member, but definitely made her presence known. Stephanie Bennett reached out to the Foundation when her husband was transferred to Rockwall several years ago. Not knowing anyone in town, she volunteered her time to assist us in any way necessary. Stephanie began transcribing our back-log of oral histories! Elected to serve as 3rd Vice President (in charge of Fundraising) in 2013, she brought fresh, new ideas to the Board that proved to be fun and successful fundraisers. Thank you Stephanie for proposing the Trivia Contest concept, implementing the Playing Cards project and very successful Glimpse of the Rock Wall!

You ladies ROCK!

PAINT THE TOWN!

A great big *THANK YOU* goes to Valspar Paint Company for a generous donation of the exterior paint necessary to paint the Museum, Tenant Cabin and Outhouse!

The grant will help preserve the historical structures that have been entrusted to the Foundation for the future. We truly appreciate the partnership of this national corporation with our local efforts.

The Rockwall County Historical Foundation and The Rockwall County Historical Commission present the Sheri Stodghill Lecture Series 2015

The Sheri Stodghill Lecture Series (formerly called Brown Bag Lecture Series) presents programs of historical interest from noon to 1 p.m. in the third floor courtroom at the historic downtown Courthouse in Rockwall. Lectures are free and open to the public. Mark your calendar and join us in "Getting to Know the Neighbors."

Friday, February 13 – ALL AROUND TOWN

Long time Rockwall resident Patty Canup, will share fond recollections of Rockwall County, including schools, Aluminum Plant, and generations of family heritage.

Friday, March 13 - FLORENCE RANCH and LAWRENCE HOMESTEAD

Established in the 1870s, these two THC landmark properties are representative of a step back in time. Florence Ranch on Barnes Bridge Rd. continued operation until 1976. The Lawrence family continually occupied their home place until 1995. Hear the rich history of both these active, civic minded families.

Friday, April 10 – TERRELL STATE HOSPITAL

In 1883, Terrell rancher and banker, Col Jim Harris, offered 672 acres for the location of a facility that would become known as North Texas Lunatic Asylum. Opening in 1885 with 330 patients, Terrell State Hospital continues to provide care for psychiatric needs of patients.

Friday, May 8 - DWIGHT DAVID EISENHOWER

Born in Denison, TX in 1890, the son of an MKT railroad worker, Eisenhower graduated from West Point and served as the Commanding General of the U. S. forces in the European theatre during WWII. "Ike" became the 34th President of the United States in 1953 and the first President born in Texas.

The lecture series resumes in September. Watch your mailbox for the September newsletter.

See the full schedule at www.rockwallcountyhistorical foundation.com

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Rockwall County Historical Foundation

July 2014

Preserving the past for the future

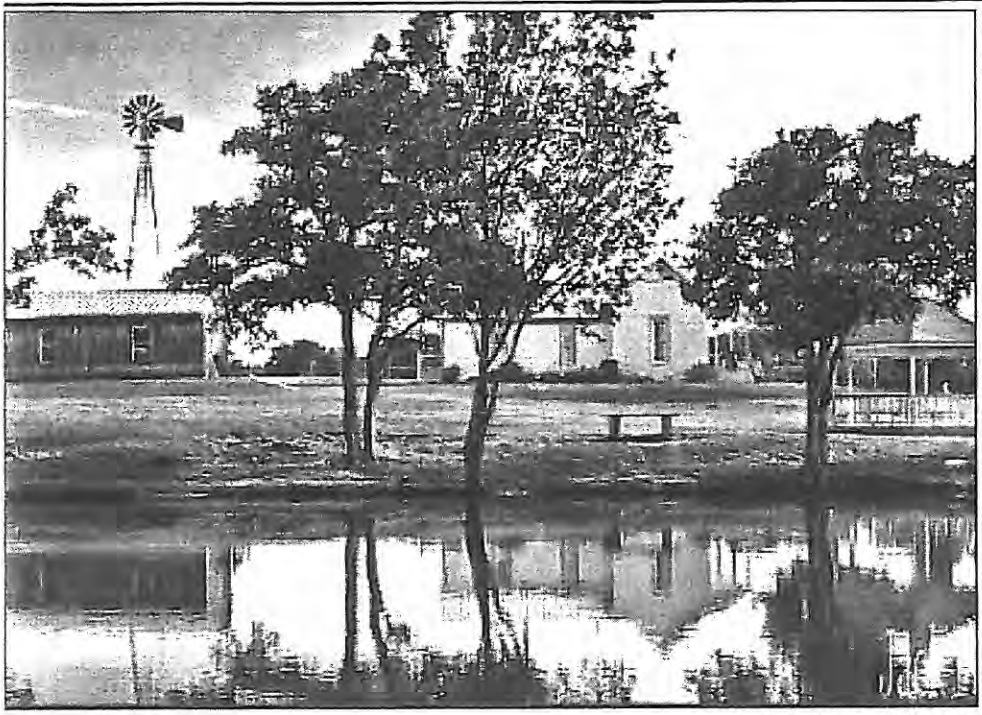

Photo curtesy Jack Palmer

RCHF Museum open for tours during Rockwall's 4th of July Celebration

The Rockwall County Historical Foundation is pleased to announce, in conjunction with the special events planned at Harry Myers Park for the 4th of July Celebration, The Museum at Harry Myers Park will be open for visitors and conducting free tours on Friday, July 4th, 2014 for extended hours from 10am until 5pm. Regular museum hours are every Wednesday and Saturday from 10am - 2pm and by special appointment.

The Museum is housed in the historical 1850 Manson-LaMoreaux-Hartman House located on Washington Street at Harry Myers Park. The building is believed to be the first residential structure in all of Rockwall County. The Museum houses the most expansive collection of furnishings, photographs, and artifacts from the county of Rockwall dating back to the 1840's now available to the public.

This special 4th of July Exhibit will highlight the heritage of Rockwall County and the role of our hometown veterans from The Civil War, World War I and World War II. After exploring The Museum you are encouraged to roam the surrounding grounds of the Rockwall County Historical Foundation which include the popular "White Gazebo by the Pond," the sky-high windmill and antique water-pump located directly behind the museum, The Carriage House, the authentic Tenant Farmer's Cabin, and The Blackland Prairie Preservation Project featuring native grasses and flowers of the original settlers days. These expansive and breath-taking grounds are a favorite among photographers from all across the state of Texas, so bring your camera!

For more information, please contact the museum curator, Robin Shackelford at 972-722-1507.

Be sure to check out the Foundation's "Gift Shop" at www.rockwallcountyhistoricalfoundation.com/gift_store.htm

2014 Brown Bag

The Brown Bag Lecture Series is free and open to the public. All programs are from noon until 1 p.m. on the third floor courtroom at the historic courthouse in downtown Rockwall. All programs are related to topics of interest regarding Rockwall County history. For more information, call The Museum at 972-722-1507.

Fall schedule

September 12:
A Championship Remembered
Linda Duran and guests will show a recent video featuring the story of Rockwall High School's 1963 State Championship football team and present personal recollections. The video features new footage and the exciting story of this championship season.

October 10: ***Talking Tombstones***
Residents from Rockwall's past come to life to tell their own stories.

November 14: ***A Full Deck: Photos featured on the RCHF playing cards***
This program features the photos that will appear on the RCHF's playing cards (the deck is being produced as a fundraiser for the Foundation.) Lots of photos and interesting stories!

December 12: ***The Rock Wall Revisited: re-examine the history of the rock wall.***
This popular annual program will re-examine the history of the rock wall and the developments since the History Channel's airing of the America Unearthed episode featuring Rockwall's unique underground formation.

Farmers Lament

Despite our best efforts, the cotton crop is nonexistent this year. We are so disappointed! The City kindly prepped the plot. Carolyn Francisco and I planted cotton seeds in 10 raised rows. A gully-washer followed 3 days later. Virtually no seeds germinated. Our conclusion is that one or more things happened: the rain washed the seeds away, the seeds were too old, the plot had been used too many times (3), OR some elf had come along and swiped each seed. It certainly wasn't anything WE did.

Watch for a bumper crop next year, folks and appreciate what our fore farmers dealt with each season. ~ *Jan Self*

PO Box 916, Rockwall, TX 75087

Need museum information:
Call 972-722-1507.
Museum drop-in-hours:
Wed. & Sat. 10 am to 2 p.m.

The Rockwall County Historical Foundation Museum is housed in the Manson-LaMoreaux-Hartman House located at 901 E. Washington Street in Harry Myers Park. The museum is open to the public Wednesdays and Saturdays from 10 a.m. - 2 p.m., and by appointment. Admission is free.

If you would like to be removed from the Newsletter mailing list please call 972-722-1507

Planning a Blast for Fall Fundraiser

Fasten your seat belt folks, RCHF is going to BLAST to the PAST!!!



We have organized a trivia contest in which Rockwall native team captains Dana Macalik, Lucinda Rogers and Billy Self and their chosen team members will be quizzed about Rockwall County by moderator (and soon to be County Judge) David Sweet. Macalik, Pullen and Self will be putting their noses to the grindstone n preparation for the three categories of questions that will be presented: Municipal Progress, Agrarian Heritage and lake Lore.

Save the date and plan to attend — it'll be fun, we'll raise money for our Museum efforts, and you'll learn stuff! Thursday, November 20th @ 6:00 p.m. at the Rockwall High School Cafeteria Annex. Dinner will be prepared and served by award-winning RHS students of Cody Hayes.

Repeat announcements are forthcoming. The public is invited but reservations must be made.

Museum notes of interest



ALL HANDS ON DECK!!! Doug and Connie Rogge came to the rescue — repairing and repainting the porch at the Tenant Cabin. Thank you for your generous donations of time and energy. You two make an awesome team!

A NIGHT AT THE MUSEUM is scheduled for September 18, 2014 at 6 p.m. Please join us to welcome our new museum curator, Robin Shackelford. Robin began in early June as Debbie Lawhorn retired after faithfully serving over 7 years as our Curator. Robin has a degree in Art History, a love of history in general, and specifically Rockwall history. You will enjoy getting to know her, just as we board members have. Her energy and enthusiasm are contagious — come and meet and greet Robin.

A repeat BUSINESS AFTER HOURS will be hosted by the RCHF Board of Directors on October 9, 2014, 5:30-7:30 p.m. at the Museum for fellow members of the Chamber of Commerce community. Our previous function was such a success that we want to show off revamped exhibits. Also, because October is Archeology month, we anticipate having additional information/displays available that showcase Rockwall's unique archeological history.

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EXHIBIT D

LIST MEMBERS OF THE GOVERNING BODY
(INCLUDE NAME, POSITION, MAILING ADDRESS AND PHONE NUMBER)

RCHF OFFICERS/DIRECTORS 2015

President: Carolyn Francisco
272 Victory Ln.
Rockwall, TX 75032
214-729-2815
carolynfrancisco@sbcglobal.net

1st Vice President: Lucille Bell
P. O. Box 999
Royse City, TX 75189
972-754-9089 cell
lucillecbell@sbcglobal.net

2nd Vice President: Leigh Plagens
209 Glenn Ave.
Rockwall, TX 75087
972-771-8976 home
cplagens65@aol.com

3rd Vice President:
Fundraising Committee

Treasurer: Jan Self
319 Harborview.
Rockwall, TX 75032
214-543-8332 cell
salsajrs@hotmail.com

Recording Secretary: Leslie Barrett Jamgochian
206 Storrs
Rockwall, TX 75087
972-480-0850 home
214-498-0726 cell
lbj61@swbell.net

Corresponding Secretary: Jan Johnson
303 N. Clark
Rockwall, TX 75087
469-328-9522 cell
jan1naj@flash.net

Director 2015-2017: Susan Reinhardt-Mills
207 Valley
Rockwall, TX 75087
972-771-9223 home
ksreinhardt@sbcglobal.net

Director 2015-2017: Mike Donegan
2620 Ridge Lake Ln.
Rockwall, TX 75032
214-226-8944 cell
mddon72@gmail.com

Director 2015-2016: Nancy Beaty
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Rockwall, TX 75087
214-403-6474 cell
beaty_nancy@yahoo.com

Director 2015-2016: Betty Price
2812 Misty Ridge Ln.
Rockwall, TX 85032
469-314-1314
jdbettyprice@charter.net

Ex-Officio Director: Mary Carol Vervalain
1980 Hidden Valley
Rockwall, TX 75087
972-771-9178
mvervalin@att.net

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City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

February 2015

Permits

Total Permits Issued: 229

Building Permits: 35 Contractor Permits: 194

Total Permit Values: $ 6,220,560.68

Building Permits: $ 4,746,784 Contractor Permits: $ 1,473,776.68

Total Fees Collected: $ 106,693.21

Building Permits: $ 89,237.43 Contractor Permits: $ 106,618.21

Board of Adjustment

Board of Adjustment Cases 1

City of Rockwall

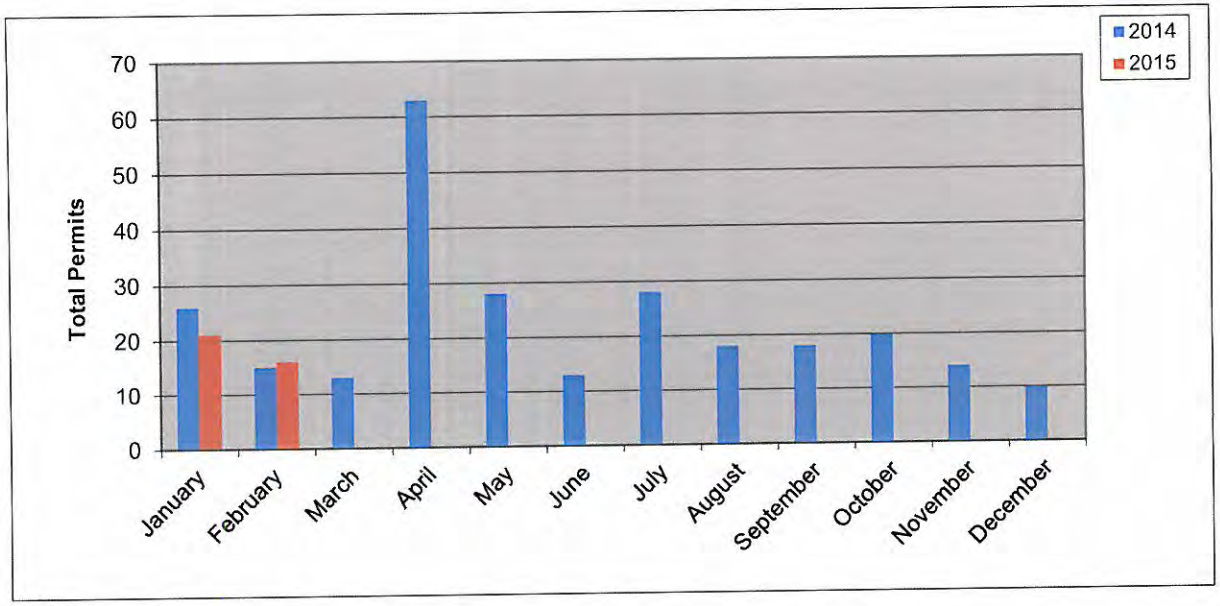
PERMITS ISSUED - Summary by Type and Subtype

For the Period 2/1/2015 thru 2/28/2015

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	4	$0.00	$204.00
30 DAY BANNER	3	$0.00	$154.00
COMING SOON	1	$0.00	$50.00
CO	14	$0.00	$1,054.50
BUSINESS	10	$0.00	$754.50
INTERIOR	1	$0.00	$75.00
NEW CONSTRUCTION	1	$0.00	$75.00
SHELL	2	$0.00	$150.00
COMM	16	$953,200.00	$7,035.53
ACC BLDG	1	$0.00	$0.00
ADDITION	1	$100,000.00	$1,005.25
ALTERATION	1	$3,000.00	$94.75
DEMO	1	$0.00	$50.00
ELECTRICAL	3	$22,900.00	$455.50
MECHANICAL	2	$7,800.00	$221.86
PLUMBING	5	$7,500.00	$312.75
REMODEL	2	$812,000.00	$4,895.42
SIGNAGE	9	$0.00	$1,057.50
MONUMENT	1	$0.00	$153.00
WALL	8	$0.00	$904.50
SINGLE FAMILY	177	$5,267,360.68	$96,987.48
ACC BLDG	3	$5,600.00	$218.10
ADDITION	2	$36,300.00	$565.65
CONCRETE	3	$5,800.00	$239.75
DECK	2	$5,000.00	$175.50
ELECTRICAL	1	$4,944.00	$125.21
FENCE	41	$85,214.00	$1,536.40
IRRIGATION	28	$46,000.00	$983.70
MECHANICAL	13	$90,948.00	$2,030.67
NEW	16	$4,518,552.00	$85,713.56
PATIO COVER	4	$15,832.00	$433.71
PLUMBING	41	$82,591.68	$2,835.67
REMODEL	1	$40,000.00	$554.25
REPAIR	1	$20,000.00	$339.41
RETAINING WALL	2	$33,000.00	$70.00
ROOF	11	$78,862.00	$424.40
SWIM POOL	4	$181,000.00	$600.00
WINDOWS	4	$17,717.00	$141.50
SPECIAL EVENT	9	$0.00	$354.20
	9	$0.00	$354.20
Totals:	229	$6,220,560.68	$106,693.21

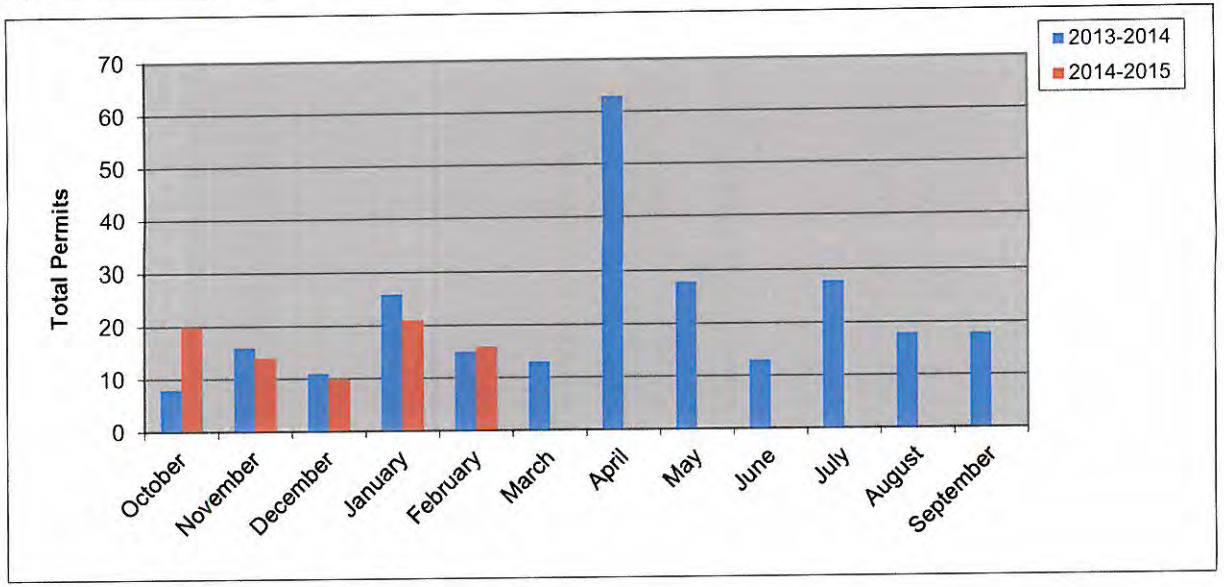
New Residential Permits Calendar Year

	Year	
	2014	2015
January	26	21
February	15	16
March	13	
April	63	
May	28	
June	13	
July	28	
August	18	
September	18	
October	20	
November	14	
December	10	
Totals	**266**	**37**



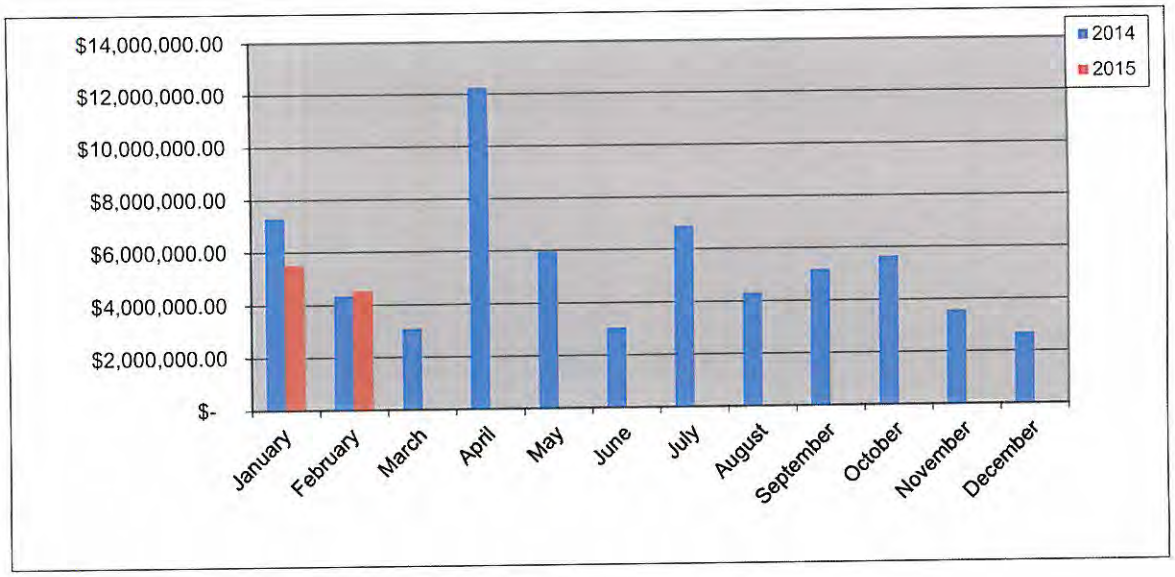
New Residential Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	8	20
November	16	14
December	11	10
January	26	21
February	15	16
March	13	
April	63	
May	28	
June	13	
July	28	
August	18	
September	18	
Totals	**257**	**81**



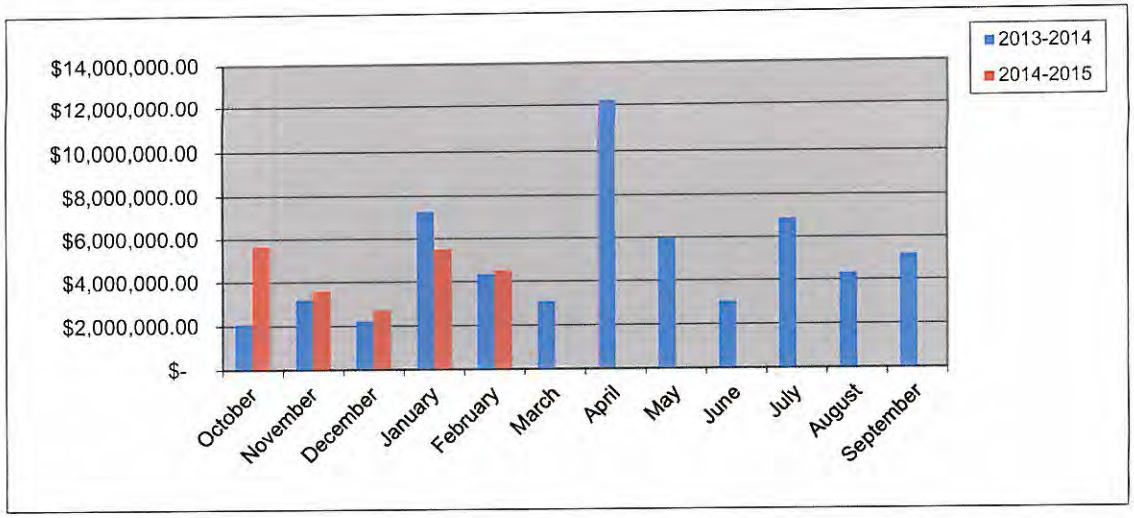
New Residential Value Calendar Year

Year	2014	2015
January	$ 7,288,000.00	$ 5,509,932.00
February	$ 4,353,427.00	$ 4,518,552.00
March	$ 3,094,927.74	
April	$ 12,228,936.33	
May	$ 5,960,240.00	
June	$ 3,048,536.00	
July	$ 6,883,062.87	
August	$ 4,330,100.19	
September	$ 5,184,201.79	
October	$ 5,661,792.00	
November	$ 3,581,756.00	
December	$ 2,712,503.00	
Totals	**$64,327,482.92**	**$ 10,028,484.00**



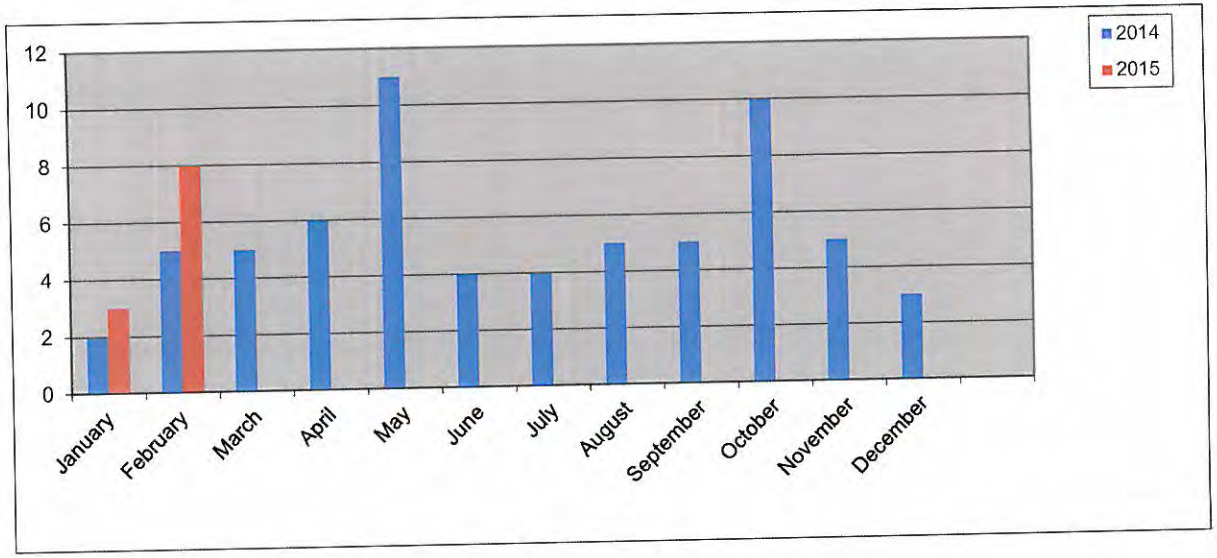
New Residential Value Fiscal Year

Year	2013-2014	2014-2015
October	$ 2,078,584.00	$ 5,661,792.00
November	$ 3,202,067.00	$ 3,581,756.00
December	$ 2,215,924.00	$ 2,712,503.00
January	$ 7,288,000.00	$ 5,509,932.00
February	$ 4,353,427.00	$ 4,518,552.00
March	$ 3,094,927.74	
April	$ 12,228,936.33	
May	$ 5,960,240.00	
June	$ 3,048,536.00	
July	$ 6,883,062.87	
August	$ 4,330,100.19	
September	$ 5,184,201.79	
Totals	**$59,868,006.92**	**$ 21,984,535.00**



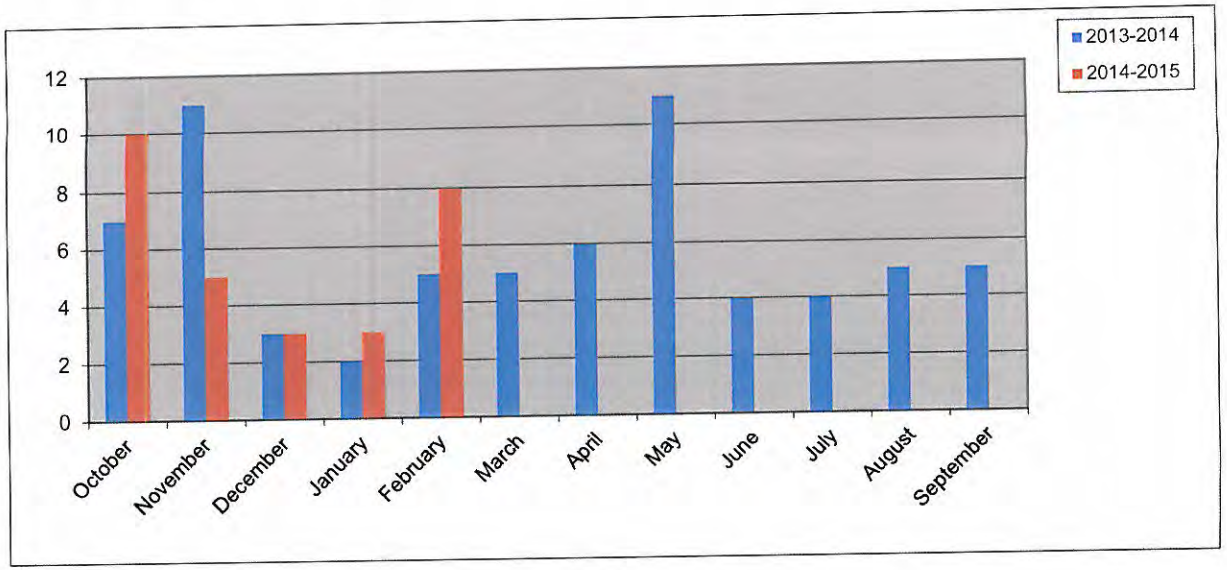
Residential Remodel Permits Calendar Year

	Year	
	2014	2015
January	2	3
February	5	8
March	5	
April	6	
May	11	
June	4	
July	4	
August	5	
September	5	
October	10	
November	5	
December	3	
Totals	**65**	11



Residential Remodel Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	7	10
November	11	5
December	3	3
January	2	3
February	5	8
March	5	
April	6	
May	11	
June	4	
July	4	
August	5	
September	5	
Totals	**68**	**29**



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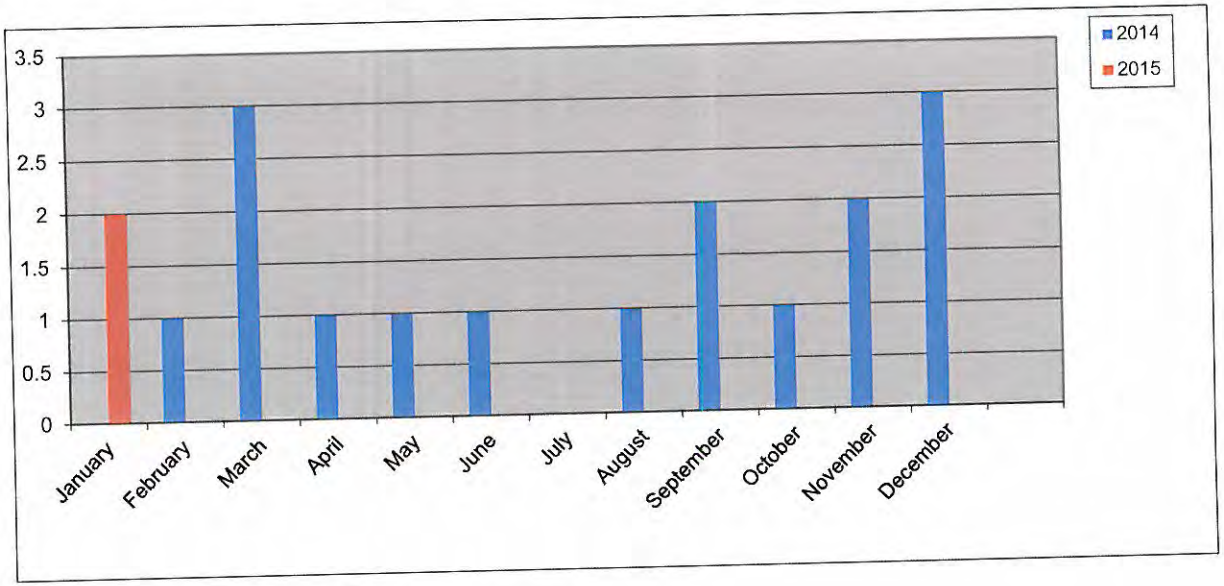
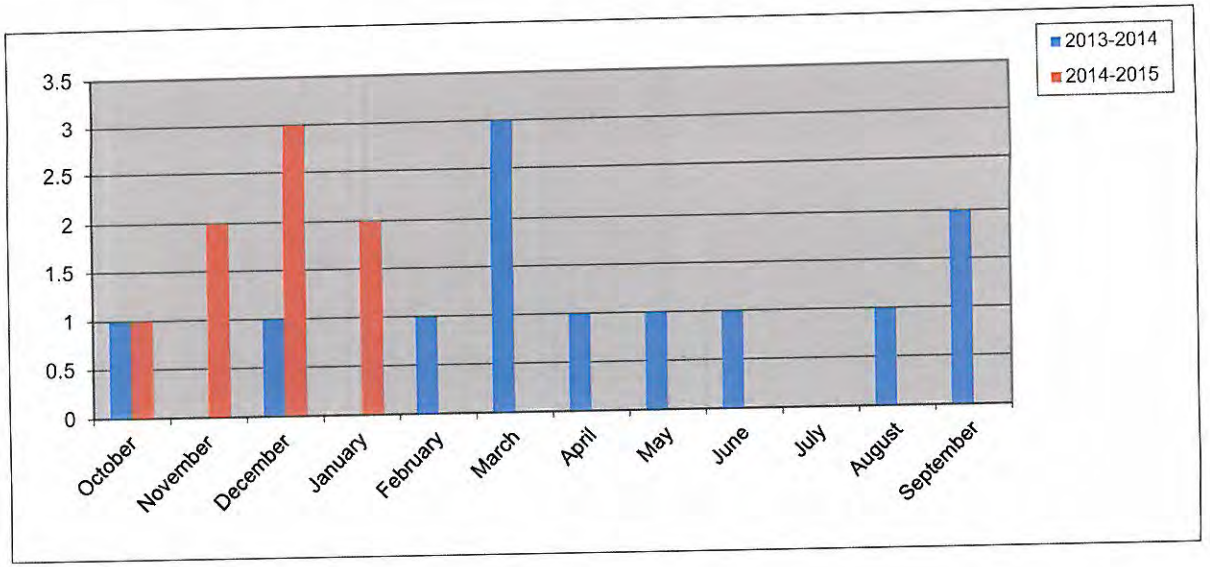
New Commercial Permits Calendar Year

Year		
	2014	2015
January	0	2
February	1	0
March	3	
April	1	
May	1	
June	1	
July	0	
August	1	
September	2	
October	1	
November	2	
December	3	
Totals	**16**	**2**



New Commercial Permits Fiscal Year

Year		
	2013-2014	2014-2015
October	1	1
November	0	2
December	1	3
January	0	2
February	1	0
March	3	
April	1	
May	1	
June	1	
July	0	
August	1	
September	2	
Totals	**12**	**8**



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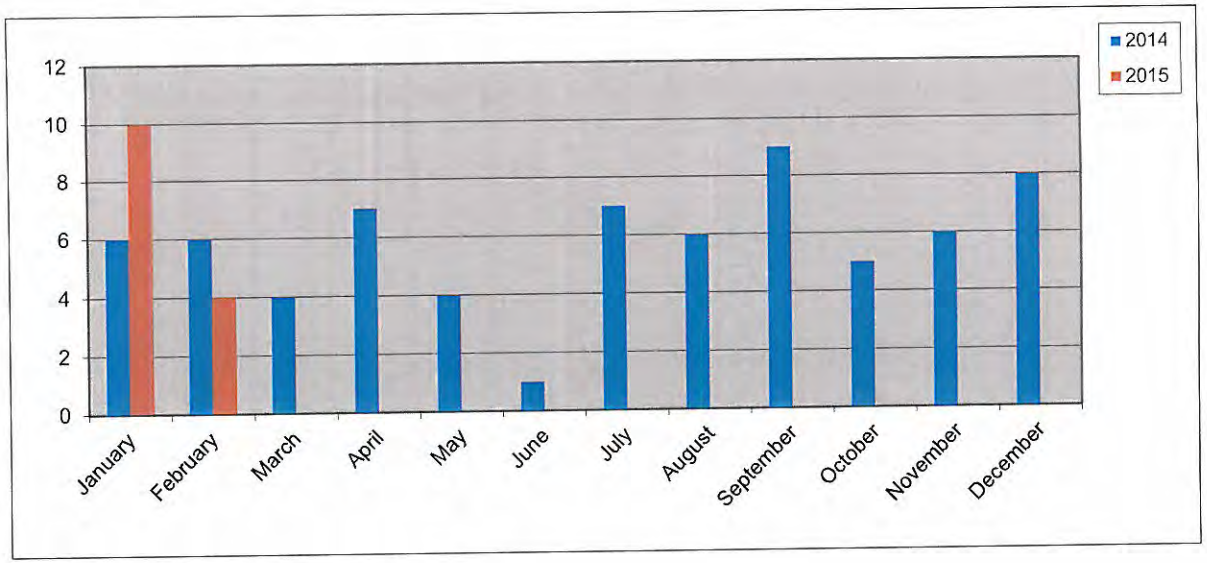
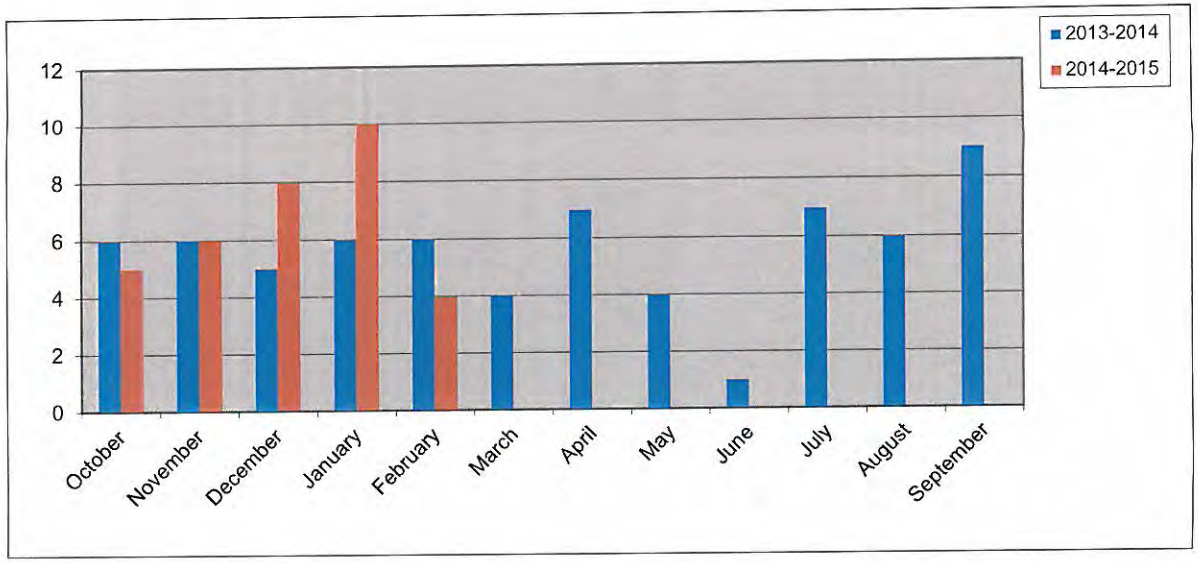
Commercial Remodel Permits — Calendar Year

	Year	
	2014	2015
January	6	10
February	6	4
March	4	
April	7	
May	4	
June	1	
July	7	
August	6	
September	9	
October	5	
November	6	
December	8	
Totals	**69**	**14**



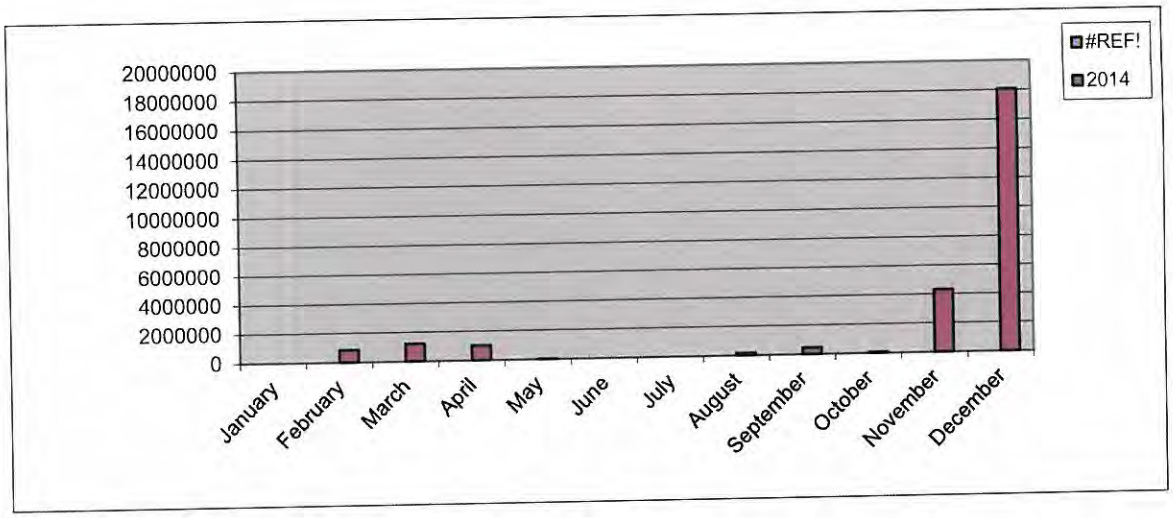
Commercial Remodel Permits — Fiscal Year

	Year	
	2013-2014	2014-2015
October	6	5
November	6	6
December	5	8
January	6	10
February	**6**	**4**
March	4	
April	7	
May	4	
June	1	
July	7	
August	6	
September	9	
Totals	**67**	**33**



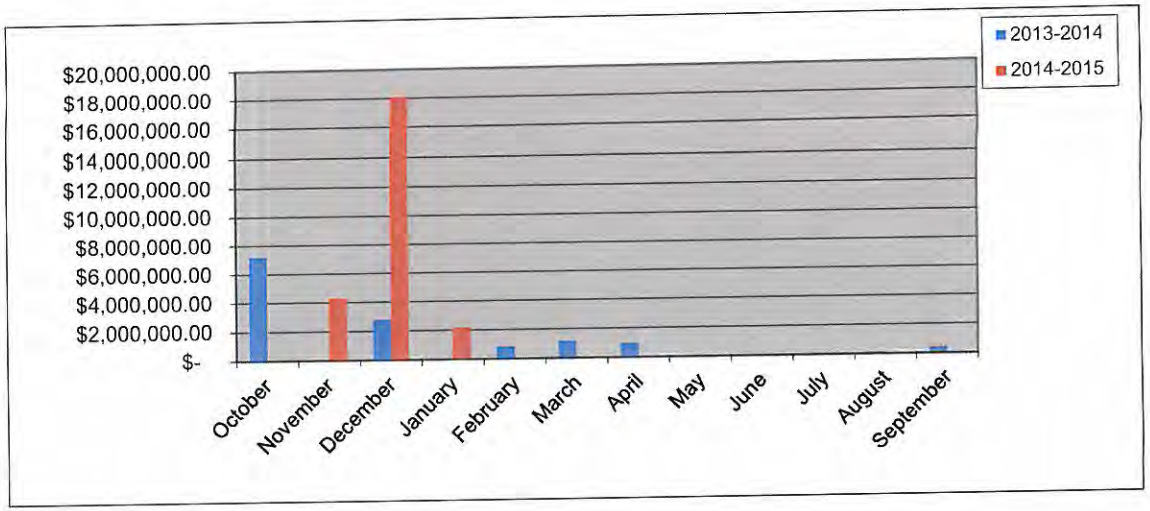
New Commercial Value Calendar Year

Year	2014	2015
January	$ -	$ 2,200,000.00
February	$ 850,000.00	$ -
March	$ 1,185,000.00	
April	$ 1,000,000.00	
May	$ 5,000.00	
June	$ -	
July		
August	$ 150,000.00	
September	$ 430,795.00	
October	$ 49,000.00	
November	$ 4,300,000.00	
December	$ 18,050,000.00	
Totals	**$ 26,019,795.00**	**$ 2,200,000.00**



New Commercial Value Fiscal Year

Year	2013-2014	2014-2015
October	$ 7,225,000.00	$ 49,000.00
November	$ -	$ 4,300,000.00
December	$ 2,800,000.00	$ 18,050,000.00
January	$ -	$ 2,200,000.00
February	$ 850,000.00	$ -
March	$ 1,185,000.00	
April	$ 1,000,000.00	
May	$ 5,000.00	
June	$ -	
July		
August	$ 150,000.00	
September	$ 430,795.00	
Totals	**$ 13,645,795.00**	**$ 24,599,000.00**



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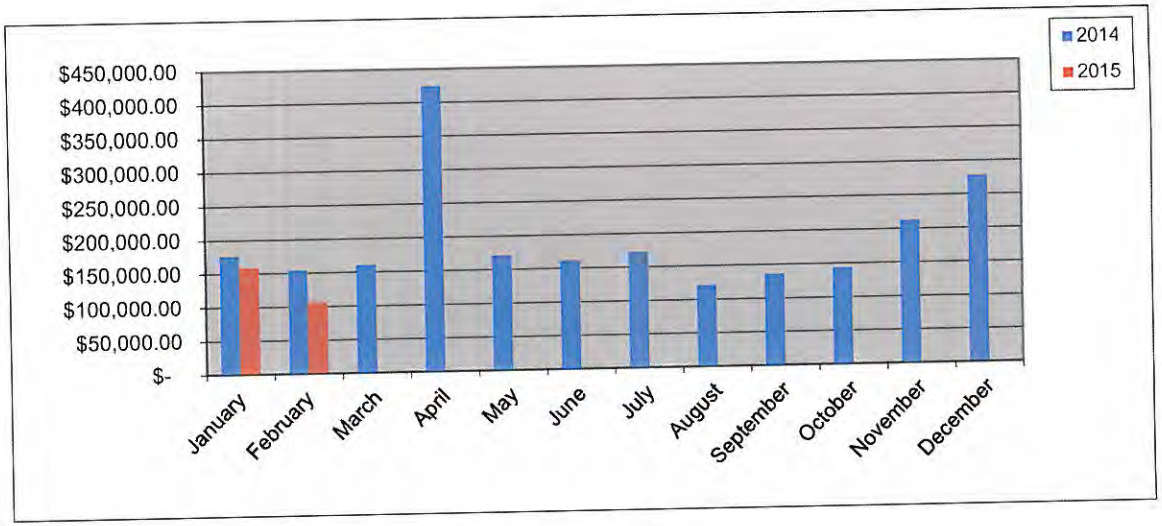
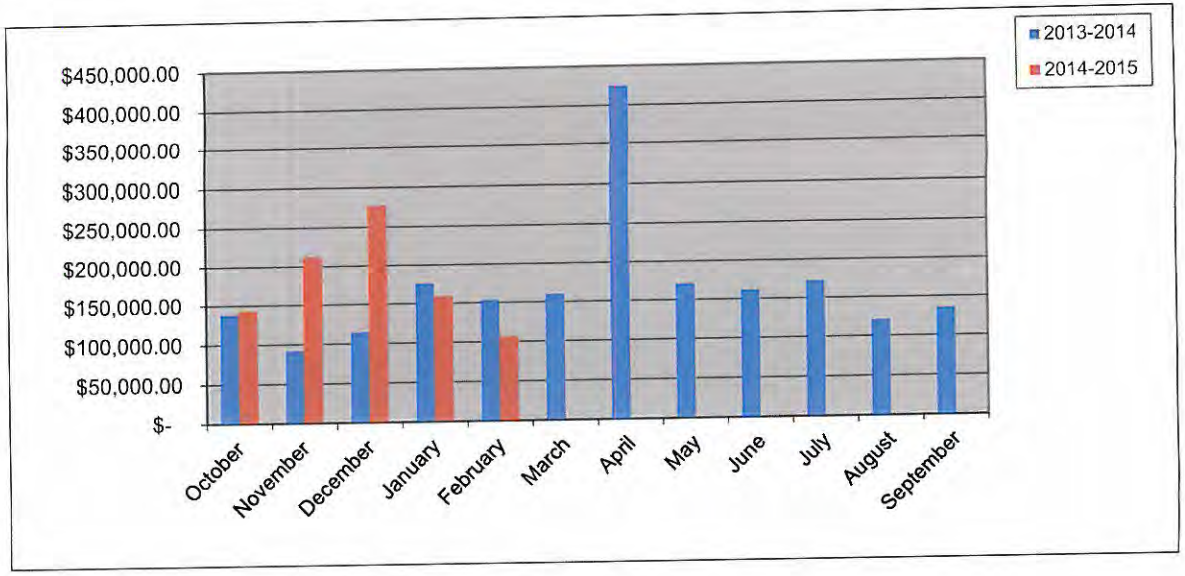
Total Fees Collected Calendar Year

	Year 2014	2015
January	$ 176,162.63	$ 159,026.65
February	$ 153,458.98	$ 106,693.21
March	$ 160,530.91	
April	$ 425,003.86	
May	$ 170,849.07	
June	$ 161,690.82	
July	$ 172,232.70	
August	$ 120,790.39	
September	$ 135,478.13	
October	$ 143,153.00	
November	$ 212,222.54	
December	$ 277,864.58	
Totals	**$ 2,309,437.61**	**$ 265,719.86**



Total Fees Collected Fiscal Year

	Year 2013-2014	2014-2015
October	$ 138,771.53	$ 143,153.00
November	$ 91,778.83	$ 212,222.54
December	$ 114,645.28	$ 277,864.58
January	$ 176,162.63	$ 159,026.65
February	$ 153,458.98	$ 106,693.21
March	$ 160,530.91	
April	$ 425,003.86	
May	$ 170,849.07	
June	$ 161,829.08	
July	$ 172,232.70	
August	$ 120,790.39	
September	$ 135,478.13	
Totals	**$ 2,021,531.39**	**$ 898,959.98**



City of Rockwall
PERMITS ISSUED
For the Period 2/1/2015 thru 2/28/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2009-0072 4/8/2009 2/19/2015	CO SHELL ACTIVE	1611 SH 276 #C 4007-000A-0001-00-0R HOUSER ADDN Gerald Houser - Shell Bldg.	0.00	$ 75.00	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
APPLICANT	GERALD HOUSER	P.O. B0X 847	ROCKWALL	TX	75087	(214) 558-1577
BUS OWNER	Gerald Houser	1611 Hwy 276	Rockwall	TX	75032	(214) 558-1577
BUSINESS	Gerald Houser - Shell Bldg.					
OWNER	GERALD HOUSER	P.O. B0X 847	ROCKWALL	TX	75087	(214) 558-1577

CO2009-0073 4/8/2009 2/18/2015	CO INTERIOR ACTIVE	1611 SH 276 #C 4007-000A-0001-00-0R HOUSER ADDN Chryso, Inc.	0.00	$ 75.00	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
BUS OWNER	Chryso, Inc.	1611 SH 276	Rockwall	TX	75032	(972) 772-6010
OWNER	GERALD HOUSER	P.O. B0X 847	ROCKWALL	TX	75087	(214) 558-1577
PROP OWNER	GERALD HOUSER	P.O. B0X 847	ROCKWALL	TX	75087	(214) 558-1577
APPLICANT	GERALD HOUSER	P.O. B0X 847	ROCKWALL	TX	75087	(214) 558-1577

CO2010-0061 5/24/2010 2/10/2015	CO BUSINESS ACTIVE	106 Goliad St S 4820-000N-0001-D0-0R ROCKWALL O T Kim Hoegger Home		$ 75.00	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	HOEGGER, STEVE & KIM		WYLIE	TX	75098	
APPLICANT	Kim Hoegger	2082 Quail Run Rd.	Wylie	TX	75098	(214) 837-8871
BUS OWNER	Kim Hoegger	106 Goliad St S.	Rockwall	TX	75087	(214) 837-8871
BUSINESS	Kim Hoegger Home					
PROP OWNER	Kim Hoegger	2082 Quail Run Rd.	Wylie	TX	75098	(214) 837-8871

CO2014-0063 5/30/2014 2/4/2015	CO BUSINESS ACTIVE	308 E WASHINGTON 4820-000U-0001-B0-0R ROCKWALL ORIGINAL TOWN Alphagraphics of Rockwall	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	Butch Clark	2005 Hudson Dr.	Rowlett	TX	75088	(972) 771-6728
APPLICANT	Butch Clark	2005 Hudson Dr.	Rowlett	TX	75088	(972) 771-6728
BUS OWNER	Butch Clark	308 E Washington	Rockwall	TX	75087	(972) 771-6728
BUSINESS	Alphagraphics of Rockwall					

City of Rockwall
PERMITS ISSUED
For the Period 2/1/2015 thru 2/28/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0167 12/19/2014 2/18/2015	CO BUSINESS ACTIVE	3090 Goliad St N 102 5121-000A-0004-00-0R STONE CREEK RETAIL ADDITION Lake Pointe Medical Partners at Rockwall	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	METROPLEX, ACQUISITION F		THE WOODLANDS	TX	77380	
BUS OWNER	GDHE	17304 Preston Rd, #450	Dallas	TX	75252	(469) 267-6815

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0170 12/23/2014 2/9/2015	CO BUSINESS ACTIVE	108 Althea Rd 5370-000C-0011-00-0R ROCKWALL LAKE ESTATES PH1 Christy's Day School	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	INGRAM, CHRISTY RENEE		ROCKWALL	TX	75032	
APPLICANT	Fareeha Akram	108 Althea Rd.	Rockwall	TX	75032	(972) 771-5514
BUS OWNER	Fareeha Akram	108 Althea Rd.	Rockwall	TX	75032	(972) 771-5514

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0173 12/31/2014 2/6/2015	CO BUSINESS ACTIVE	830 Steger Towne Dr 5067-000A-0003-00-0R STEGER TOWNE CROSSING PH 1 Camp X Fitness	0.00	$ 75.00 0	$ 0.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	STEGER, DUNHILL LLC		DALLAS	TX	75205	
BUS OWNER	Michelle Clough	830 Steger Towne Dr	Terrell	TX	75160	(214) 373-7500
APPLICANT	Michelle Clough	1437 E. Oaklawn	Terrell	TX	75160	(214) 373-7500
INSP RPT EMAIL	Michelle Clough	1437 E. Oaklawn	Terrell	TX	75160	(214) 373-7500

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0007 1/20/2015 2/6/2015	CO BUSINESS ACTIVE	209 RUSK ST. E 4820-000K-0006-B0-0R ROCKWALL ORIGINAL TOWN Tucker Roofing Systems	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	HALL, J BLAKELEY		ROCKWALL	TX	75087	
BUS OWNER	John Tucker	4784 Secret Cove	Rockwall	TX	75032	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0008 1/21/2015 2/2/2015	CO BUSINESS ACTIVE	302 S FANNIN ST 4820-000X-0001-00-0R ROCKWALL ORIGINAL TOWN DAYSPRING DISCIPLESHIP	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	DAVID BOHRNSTEDT	302 S FANNIN	ROCKWALL	TX	75087	
BUS OWNER	BRENDA COX	302 S FANNIN ST.	ROCKWALL	TX	75087	(972) 722-1905

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number			Valuation	Total Fees / Total SQFT	Fees Paid
BUSINESS	DAYSPRING DISCIPLESHIP	302 S FANNIN ST.	ROCKWALL	TX 75087			(972) 722-1905
APPLICANT	BRENDA COX	302 S FANNIN ST.	ROCKWALL	TX 75087			(972) 722-1905
CO2015-0009	CO	2305 SH 276			0.00	$ 76.50	$ 76.50
		0186-0000-0002-08-0R					
1/30/2015	BUSINESS	YETTS ADDITION					
2/12/2015	ACTIVE	Royalty Dance Academy				0	
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
BUS OWNER	Tim Connolly	P.O. Box 1875	Rowlett	TX 75030			
OWNER	Connally Squared LLC	P.O. Box 1875	ROCKWALL	TX 75087			(214) 315-4046
APPLICANT	Mulliken Construction Mgmt inc	P.O. Box 2523	Rockwall	TX 75087			(903) 450-3529
INSP RPT EMAIL	Mulliken Construction Mgmt inc	P.O. Box 2523	Rockwall	TX 75087			(903) 450-3529
CONTRACTOR	Mulliken Construction Mgmt inc	P.O. Box 2523	Rockwall	TX 75087			(903) 450-3529
MECH CONTR	n/a						
PLB CONTR	McLarry Plumbing Co.	5219 IH 30W	Caddo Mills	TX 75135			90352739900000
ELEC CONTR	Electric, Inc.	179 Southern Dr.	Royse City	Tx 75189			(972) 771-5844
CO2015-0010	CO	811 YELLOW JACKET 117			0.00	$ 75.00	$ 75.00
		4830-0000-0001-C0-0R					
2/3/2015	BUSINESS	GARLAND FEDERAL SAVINGS & LOAN ADDN					
2/20/2015	ACTIVE	The Slocum Agency, LLC				0	
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
BUS OWNER	Justin L. Slocum		Forney	TX 75126			
BUSINESS	The Slocum Agency, LLC		ROCKWALL	TX 75087			
OWNER	LANDLOW, LLC		ROCKWALL	TX 75087			
CO2015-0014	CO	1611 SH 276 B			0.00	$ 75.00	$ 75.00
		4007-000A-0001-00-0R					
2/10/2015	SHELL	HOUSER ADDN					
2/19/2015	ACTIVE	Colin G Properties - Shell				0	
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	COLIN-G, PROPERTIES LTD	A TEXAS LIMITED PARTNERSHIF	ROCKWALL	TX 75087			
APPLICANT	Gerald Houser	P.O. Box 847	Rockwall	TX 75087			(214) 789-1880
INSP RPT EMAIL	Gerald Houser	P.O. Box 847	Rockwall	TX 75087			(214) 789-1880
CONTRACTOR	Gerald Houser	P.O. Box 847	Rockwall	TX 75087			(214) 789-1880
BUS OWNER	Gerald Houser	P.O. Box 847	Rockwall	TX 75087			(214) 789-1880

City of Rockwall

PERMITS ISSUED

For the Period 2/1/2015 thru 2/28/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0018	CO	207 Rusk St E 4820-000K-0006-A0-0R ROCKWALL ORIGINAL TOWN Mike Akers Allstate	0.00	$ 75.00 0	$ 75.00
2/12/2015 2/20/2015	BUSINESS ACTIVE				

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	HEATH, H N		ROCKWALL	TX	75087	
APPLICANT	MIKE AKERS					
BUS OWNER	Mike Akers	207 Rusk St E	Rockwall	TX	75087	(972) 772-0511

CO2015-0020	CO	1870 John King Blvd S. 0025-0000-0001-01-0R	0.00	$ 75.00 0	$ 75.00	
2/17/2015 2/24/2015	NEW CONSTRUCTION ACTIVE	HIGHLAND MEADOWS HEALTH & REHAB				

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	TERRANCE BOYD	1870 S JOHN KING BLVD.	ROCKWALL	5X	75032	(972) 722-7408
INSPECTOR1	Rusty McDowell					
INSPECTOR2	John Shannon					
INSPECTOR3	Larry Daniel					
ARCHITECT	WILLIAM STAFFORD	610 TOWSON AVENUE STE B	FORT			
ELEC CONTR	Fox Electric Ltd.	1104 Colorado Ln.	Arlington	TX	76015	(817) 461-2571
MECH CONTR	ABLE SHEET METAL & AIR C(	6400 GREEN VALLEY CIR.	AUBREY	TX	76227	(940) 566-6406
PLB CONTR	Enhanced Construction, Inc.	9109 Amelia Dr.	Anderson	TX	77830	(936) 851-2120
APPLICANT	DAVID BRADSHAW					
BUS OWNER	OAC SENIOR LIVING	P. O. BOX 2207	Fort Smith	AR	72902	(479) 783-5191
BUSINESS	HIGHLAND MEADOWS HEAL'	1870 S JOHN KING BLVD.	Rockwall	TX	75032	(972) 722-7408

14 **Permits Issued from: 2/1/2015** **Thru: 2/28/2015**

Total Valuation: $ 0.00
Total Fees: $ 1,054.50
Total Fees Paid: $ 979.50

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CALLS BY TYPE

City of Rockwall
The New Horizon

Feb-15

CITY CALLS Situation Type	February #
111 Building fire	1
113 Cooking fire, confined to container	1
243 Fireworks explosion (no fire)	1
350 Extrication, rescue, other	1
352 Extrication of victim(s) from vehicle	1
412 Gas leak (natural gas or LPG)	2
424 Carbon monoxide incident	1
444 Power line down	1
511 Lock-out	2
551 Assist police or other governmental agency	6
553 Public service	2
556 Public service - Non paged	6
611 Dispatched & canceled en route	3
622 No incident found on arrival at dispatch address	5
651 Smoke scare, odor of smoke	2
652 Steam, vapor, fog or dust thought to be smoke	2
653 Smoke from barbecue, tar kettle	1
671 HazMat release investigation w/no HazMat	1
700 False alarm or false call, other	1
730 System malfunction, other	2
731 Sprinkler activation due to malfunction	1
733 Smoke detector activation due to malfunction	2
735 Alarm system sounded due to malfunction	5
736 CO detector activation due to malfunction	1
740 Unintentional transmission of alarm, other	1
743 Smoke detector activation, no fire - unintentional	7
744 Detector activation, no fire - unintentional	1
745 Alarm system activation, no fire - unintentional	1
Unknown	1
Totals:	62

COUNTY Situation Type	February #
651 Smoke scare, odor of smoke	1
652 Steam, vapor, fog or dust thought to be smoke	1
745 Alarm system activation, no fire - unintentional	1
Totals:	3
McLendon Chisholm	0
Heath	0
Royse City	0
Fate	0

CITY OF ROCKWALL, TEXAS
FIRE DEPARTMENT
MEMORANDUM

DATE: **February 18, 2015**

TO: **Rick Crowley, City Manager**

FROM: **Mark Poindexter, Fire Chief**

SUBJECT: **Structure Fire**

The Fire Department responded to a report of a structure fire at 6111 Volunteer Place in Chandlers Landing on February 17, 2015. Dispatch stated they were receiving multiple reports of fire coming from the roof near the fire place. The first unit on scene reported heavy fire coming from the roof on the Alpha side. The firefighters began an offensive attack and found fire throughout the second story attic. They were not able to access the fire above the den area. The den was located on the first floor and the concealed den attic was at rafter level of the second story. After a short time, decision was made to change from offensive to a defensive attack and use the ladder truck water tower to control the attic fire. After the fire was knocked back down, the firefighters resumed the offensive attack. The fire was finally brought under control at 20:07:04. The structure had fire damage to roof, attic and small area of second story. The entire structure and contents received heavy water and smoke damage. There were no civilian injuries and no firefighter injuries were reported on this incident. The fire is still under investigation but the preliminary investigation appears to be accidental.

Dispatch time:	18:55.28
Enroute time:	18:56.28
On scene time:	19:01.33
Clear time:	22:56.27
Back in service time:	23:31:59

4 men on scene: Not reported
8 men on scene: Not reported
12 men on scene: Not reported

We had 5 on duty paid Firefighters, 5 Emergency call-back paid Firefighters, 1 part-time Firefighter, 18 Volunteers, 2 Fire Investigators, 2 Chiefs and 3 apparatus on this incident. This was a total of 33 fire personnel on scene.

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes		0- 1 1/2 MINUTES	
CRITERIA MET %		CRITERIA MET %	3 of 3
CRITERIA -ACHIEVE RESPONSE TIME	21 of 23	CRITERIA -ACHIEVE RESPONSE TIME	100%
90% OF TIME IN BOXES WITH	91.00%	60% OF TIME IN BOXES WITH	Criteria met
STATIONS	Criteria Met	STATIONS	
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES		0-6 MINUTES	
CRITERIA MET %	21 of 23	CRITERIA MET %	2 of 3
CRITERIA -ACHIEVE RESPONSE TIME	91.00%	CRITERIA -ACHIEVE RESPONSE TIME	67.00%
90% OF TIME IN BOXES WITH	Criteria Met	60% OF TIME IN BOXES WITH	Criteria Met
STATIONS		STATIONS	
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES		0-7 1/2 MINUTES	
CRITERIA MET%	21 of 23	CRITERIA MET%	3 of 3
CRITERIA -ACHIEVE RESPONSE TIME	91.00%	CRITERIA -ACHIEVE RESPONSE TIME	100%
90% OF TIME IN BOXES WITH	Criteria Met	60% OF TIME IN BOXES WITH	Criteria met
STATIONS		STATIONS	

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CITY CALLS / FEBRUARY 2015
ENROUTE OVERAGES

Venue	Alarm Date	Alarm Time	Enroute Time	paged to enroute	Inc. Number	Station	Apparatus	Lights and Sirens	REASON FOR OVERAGES
Rockwall	02/25/2015	16:05:36	16:08:23	0:02:47	2015-00000158	Rockwall 1	LAD1	Code 3	CAD times don't match radio times
Rockwall	02/25/2015	16:01:14	16:02:54	0:01:40	2015-00000157	Rockwall 1	E4	Code 3	CAD times don't match radio times

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ARRIVAL OVERAGES
CITY CALLS - FEB 2015

Venue	Alarm Date	Enroute Time	Arrival Date	enroute to arrival	Inc. Number	Station	Apparatus	Lights and Sirens	REASON FOR OVERAGES
Rockwall	02/17/2015	16:09:44	16:24:08	0:14:24	2015-00000129	Rockwall 4	E4	Code 3	CAD times do not match radio times
Rockwall	02/14/2015	13:52:36	14:00:22	0:07:46	2015-00000118	Rockwall 4	BT4	Code 3	Could not locate fire
Rockwall	02/16/2015	15:32:52	15:38:58	0:06:06	2015-00000124	Rockwall 4	LAD1	Code 3	CAD times do not match radio times

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RESPONSE OVERAGES
CITY CALLS - FEB 2015

Venue	Alarm Date	Alarm Time	Arrival time	response	Inc. Number	Station	Apparatus	Lights and Sirens	REASON FOR OVERAGES
Rockwall	02/17/2015	16:08:34	16:24:08	0:15:34	2015-00000129	Rockwall 4	E4	Code 3	CAD times do not mach radio times
Rockwall	02/14/2015	13:51:13	14:00:22	0:09:09	2015-00000118	Rockwall 4	BT4	Code 3	could not locate a fire

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COUNTY AND MUTUAL AID
RESPONSE
FEBRUARY 2015

COUNTY/MUTUAL	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	2 of 3
CRITERIA -ACHIEVE RESPONSE TIME	67.00%
60% OF TIME IN BOXES WITH	Criteria Met
STATIONS	
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	3 of 3
CRITERIA -ACHIEVE RESPONSE TIME	100%
60% OF TIME IN BOXES WITH	Criteria Met
STATIONS	
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	
CRITERIA MET%	3 of 3
CRITERIA -ACHIEVE RESPONSE TIME	100%
60% OF TIME IN BOXES WITH	Criteria Met
STATIONS	

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COUNTY CALLS
FEB 2015

Venue	Alarm Date	Alarm Time	Enroute Time	paged to enroute	Inc. Number	Station	Apparatus	Lights and Sirens	REASON FOR OVERAGES
Rockwall	02/23/2015	12:44:44	12:46:21	0:01:37	2015-00000143	Rockwall 3	E1	Code 3	E 5 Responded, due to ice on roads

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Total Dollar Losses

February 2015

City of Rockwall
The Texas Treasure

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$195,488.00	$20,000.00	$0.00	$215,488.00	$500.00
Total Content Loss:	$117,292.80	$60,000.00	$1,000.00	$177,292.80	$1,000.00
Total Property Pre-Incident Value:	$244,360.00	$300,000.00	$0.00	$544,360.00	$0.00
Total Contents Pre-Incident Value	$146,616.00	$314,728.00	$0.00	$461,344.00	$0.00
Total Losses:	$312,780.80	$80,000.00	$1,000.00	$392,780.80	$312,780.80
Total Value:	$390,976.00	$614,728.00	$.00	$1,005,704.00	$.00

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 2/1/2015 thru 2/28/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
SPEC2015-00	02/02/15	30	765 I30	HOME DEPOT	Ariana Hargrove	FIRE 972-772-6431	APPROVED	02/02/15	02/09/15	02/02/15
	SPECIAL EVENT		HOME DEPOT BOAT & CAR SHOW							
CO2015-0010	02/03/15	29	811 YELLOW JACKET 117	LANDLOW, LLC	Ariana Hargrove	FIRE CO	APPROVED	02/03/15	02/06/15	02/03/15
	CO		The Slocum Agency, LLC							
ELE2015-000	02/03/15	29	950 SIDS ROAD	RAYBURN ELECTRIC	Ariana Hargrove	FIRE 972-772-6431		02/03/15	02/13/15	
	COMM		INSTALLING 10 OUTLETTS IN SERVER ROOM							
BLD2015-012	01/27/15	36	1300 Ralph Hall 102	DALLAS, EAST	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	02/04/15	02/14/15	02/04/15
	COMM		MATHNASIUM							
BLD2015-017	02/05/15	27	951 Calm Crest	BREEZY HILL 405 LTD	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	02/05/15	02/15/15	02/09/15
	COMM		Breezy Hill Aminity Center - NEW							
BLD2015-018	02/06/15	26	537 IH 30 E	SABRE REALTY	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	02/06/15	02/16/15	02/12/15
	COMM		MATTRESS EXPERTS REMODEL							
CO2015-0011	02/06/15	26	370 RANCH TRAIL	JERRY, KISICK CUSTOM HOMES INC	Ariana Hargrove	FIRE CO	APPROVED	02/06/15	02/09/15	02/06/15
	CO		SUNBELT EQ CO							
CO2015-0012	02/06/15	26	3035 Ridge Rd. 109	TEMUNOVIC, PARTNERSHIP LTD	Ariana Hargrove	FIRE CO	APPROVED	02/06/15	02/09/15	02/06/15
	CO		JERSEY MIKES SUBS							
MEC2015-00	02/06/15	26	506 N GOLIAD	MEYERS, STUART A & BRENDA S	Ariana Hargrove	FIRE 972-772-6431		02/06/15	02/16/15	
	COMM		REPLACING 2 FURNACES							
CO2015-0013	02/09/15	23	1115 A Ridge Rd	BENTBROOKE RIDGE PARTNERS, LP	Ariana Hargrove	FIRE CO	APPROVED	02/09/15	02/12/15	02/09/15
	CO		MAIN STREET CONSIGNMENT							
PLB2015-004	02/09/15	23	3001 RIDGE RD	AREZZO, HOME FAMILY HOLDINGS	Ariana Hargrove	FIRE 972-772-6431		02/09/15	02/19/15	
	COMM		REPLACE DOUBLE CHECK VALVE							
BLD2015-008	01/16/15	47	105 Olive St	R, & S OPERATING CO LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	02/10/15	02/20/15	02/10/15
	COMM		Bin 303 - addition enclosing patio & expanding waiting area							
CO2015-0014	02/10/15	22	1611 SH 276 B	COLIN-G, PROPERTIES LTD	Ariana Hargrove	FIRE CO	APPROVED	02/10/15	02/13/15	02/10/15
	CO		Colin G Properties - Shell							
CO2015-0015	02/10/15	22	705 W Rusk	KARAMAND, LP	Ariana Hargrove	FIRE CO	APPROVED	02/10/15	02/13/15	02/10/15
	CO		Lakes Regional Community Center							
DEM2015-00(	02/10/15	22	2109 SUMMER LEE DR. 103	MARIAH, BAY DEVELOPMENT INC	Ariana Hargrove	FIRE 972-772-6431		02/10/15	02/20/15	
	COMM		INTERIOR DEMO							
BLD2015-021	02/11/15	21	2109 SUMMER LEE DR	MARIAH, BAY DEVELOPMENT INC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	02/11/15	02/21/15	02/16/15
	COMM		City Salon Suites & Spa -Interior remodel							
CO2015-0016	02/11/15	21	1104 Ridge Rd A	BENBROOKE, RIDGE PARTNERS LP	Ariana Hargrove	FIRE CO	APPROVED	02/11/15	02/14/15	02/12/15
	CO		Cate's Touch							
CO2015-0017	02/11/15	21	339 COUNTY LINE RD	REX KELLY	Ariana Hargrove	FIRE CO	APPROVED	02/11/15	02/14/15	02/12/15
	CO		AAA VILLAGE AUTOMOTIVE							

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 2/1/2015 thru 2/28/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
ELE2015-000	02/11/15	21	2670 OBSERVATION TRL	KRT, ENTERPRISES INC	Ariana Hargrove	FIRE 972-772-6431		02/11/15	02/21/15	
	COMM		Special products - 225 amp service							
CO2015-0018	02/12/15	20	207 Rusk St E	HEATH, H N	Ariana Hargrove	FIRE CO	APPROVED	02/12/15	02/15/15	02/12/15
	CO		Mike Akers Allstate							
MEC2015-00	02/13/15	19	2731 Market Center Dr	CRP/ARROW, ROCKWALL LLC	Ariana Hargrove	FIRE 972-772-6431		02/13/15	02/23/15	
	COMM		Burkes Outlet - Replace roof top a/c unit							
CO2015-0019	02/16/15	16	1611 SH 276 B	COLIN-G, PROPERTIES LTD	Ariana Hargrove	FIRE CO	APPROVED	02/16/15	02/19/15	02/16/15
	CO		PRC Concrete Pumping							
ELE2015-000	02/16/15	16	4816 S HWY 205	HOUSER, WILLIAM D & STACEY B	Ariana Hargrove	FIRE 972-772-6431		02/16/15	02/26/15	
	COMM		REPULLING SERVICE FEEDER FOR AN EXISTING 911 CABINET							
BLD2015-012	01/27/15	36	1300 Ralph Hall 102	DALLAS, EAST	Ariana Hargrove	FIRE 972-772-6431	APPROVED	02/17/15	02/27/15	02/17/15
	COMM		MATHNASIUM							
CO2015-0020	02/17/15	15	1870 John King Blvd S.	TERRANCE BOYD	Ariana Hargrove	FIRE CO	APPROVED	02/17/15	02/20/15	02/17/15
	CO		HIGHLAND MEADOWS HEALTH & REHAB							
PLB2015-005	02/18/15	14	407 S GOLIAD D	SLAUGHTER, RICHARD E JR	Ariana Hargrove	FIRE 972-772-6431		02/18/15	02/28/15	
	COMM		CrossFit - Replacing sewer line							
ELE2015-000	02/19/15	13	2805 RIDGE RD	LAKESIDE, NATIONAL BANK	Ariana Hargrove	FIRE 972-772-6431		02/19/15	03/01/15	
	COMM		INSTALL 2 LIGHT POLES FOR LAKESIDE NATIONAL BANK							
BLD2015-017	02/05/15	27	951 Calm Crest	BREEZY HILL 405 LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	02/24/15	03/06/15	02/24/15
	COMM		Breezy Hill Aminity Center - NEW							
PLB2015-006	02/24/15	8	670 IH 30 E	DENNY'S	Ariana Hargrove	FIRE 972-772-6431		02/24/15	03/06/15	
	COMM		RPZ REPLACEMENT IN BOILER ROOM							
BLD2014-117	08/12/14	204	2075 SUMMER LEE DR.	TF HARBOR LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	02/25/15	03/07/15	02/25/15
	COMM		THREE SHEETS ROCKWALL LLC							
CO2015-0022	02/25/15	7	975 IH 30 103	ROCKWALL, CROSSING LTD	Ariana Hargrove	FIRE CO	APPROVED	02/25/15	02/28/15	02/25/15
	CO		Compass Trading							
CO2015-0023	02/25/15	7	5719 SH 276	SIGN, OF QUALITY LLC	Ariana Hargrove	FIRE CO	APPROVED	02/25/15	02/28/15	02/27/15
	CO		Whiskey 3 Industries							
PLB2015-006	02/25/15	7	103 S SAN JACINTO	FOX, WILLIAM G & ALISON L	Ariana Hargrove	FIRE 972-772-6431		02/25/15	03/07/15	
	COMM		re-route gas line							
BLD2015-021	02/11/15	21	2109 SUMMER LEE DR	MARIAH, BAY DEVELOPMENT INC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	02/27/15	03/09/15	02/27/15
	COMM		City Salon Suites & Spa -Interior remodel							
CO2015-0024	02/27/15	5	3035 Ridge Rd. 105	TEMUNOVIC, PARTNERSHIP LTD	Ariana Hargrove	FIRE CO	APPROVED	02/27/15	03/02/15	02/27/15
	COMM		Juice it up							

CRW SYSTEMS

City of Rockwall
Project Routing Report By Date Sent (then by project)
For the Period 2/1/2015 thru 2/28/2015

Project #	Appl. Date / Project Type	Aging	Address / Description	Status / Owner Name	Plan Review Detail: Contact / Review Type	Date Sent / Date Due	Completed / Status
E2015-004	02/10/2015 ENGINEERING	22	1245 SH 276		Ariana Hargrove ENG - FIRE	02/11/2015 02/25/2015	02/13/2015 APPROVED
E2015-005	02/24/2015 ENGINEERING	8			Ariana Hargrove ENG - FIRE	02/24/2015 03/10/2015	02/25/2015 APPROVED
P2015-005	02/16/2015 PLAT	16	904 N GOLIAD ST		Ariana Hargrove FIRE	02/16/2015 02/23/2015	02/17/2015 APPROVED
P2015-006	02/16/2015 PLAT	16	1220 EAST FORK DR		Ariana Hargrove FIRE	02/16/2015 02/23/2015	
P2015-007	02/24/2015 PLAT	8	PETALUMA DR		Ariana Hargrove FIRE	02/24/2015 03/03/2015	03/02/2015 APPROVED
SP2015-002	02/16/2015 SITE PLAN	16	203 N ALAMO		Ariana Hargrove FIRE	02/16/2015 02/23/2015	02/17/2015 APPROVED
SP2015-003	02/16/2015 SITE PLAN	16	1301 SUMMER LEE DR		Ariana Hargrove FIRE	02/16/2015 02/23/2015	02/19/2015 APPROVED W/ CON
SP2015-004	02/16/2015 SITE PLAN	16	2400 SUMMER LEE DR		Ariana Hargrove FIRE	02/16/2015 02/23/2015	02/19/2015 COMMENTS
Z2015-007	02/13/2015 ZONING	19	3920 E I30		Ariana Hargrove FIRE	02/13/2015 02/20/2015	02/17/2015 APPROVED
Z2015-008	02/13/2015 ZONING	19	1815 E QUAIL RUN RD		Ariana Hargrove FIRE	02/13/2015 02/20/2015	02/19/2015 APPROVED

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CRW SYSTEMS

City of Rockwall
Project Routing Report By Date Sent (then by project)
For the Period 2/1/2015 thru 2/28/2015

Project #	Appl. Date / Project Type	Aging	Address / Description	Status / Owner Name	Plan Review Detail: Contact / Review Type	Date Sent / Date Due	Completed / Status
Z2015-009	02/13/2015 ZONING	19	1220 EAST FORK DR		Ariana Hargrove FIRE	02/13/2015 02/20/2015	02/17/2015 COMMENTS
Z2015-009	02/13/2015 ZONING	19	1220 EAST FORK DR		Ariana Hargrove Fire Department	02/25/2015 02/25/2015	02/25/2015 APPROVED
Z2015-010	02/13/2015 ZONING	19	HAYS RD		Ariana Hargrove FIRE	02/13/2015 02/20/2015	 APPROVED W/ CON

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CRW SYSTEMS

Fire Alarms

February 2015

Date	Address	Common Name	Dispostion Code	CFS Number	Incident Number	Incident ORI	Call Type
02/01/2015 12:14:04	2455 RIDGE RD	Second Evolution	FA	65	2015-00000091	TX504	FD - Fire Alarm Commercial
02/01/2015 18:09:33	3015 RED VALLEY RUN		FA	117	2015-00000095	TX504	FD - Fire Alarm Residential
02/02/2015 11:06:41	1870 S JOHN KING BLVD		FA	254	2015-00000097	TX504	FD - Fire Alarm Commercial
02/03/2015 09:00:12	1870 S JOHN KING BLVD		FA	384	2015-00000101	TX504	FD - Fire Alarm Commercial
02/03/2015 10:37:51	610 E I30	McDonalds (South)	FA	397	2015-00000102	TX504	FD - Fire Alarm Commercial
02/04/2015 06:16:20	669 FEATHERSTONE DR		FA	545	2015-00000103	TX504	FD - Fire Alarm Residential
02/05/2015 15:04:48	2081 GARRISON DR		FA	753	2015-00000104	TX504	FD - Fire Alarm Residential
02/05/2015 19:14:43	1650 S JOHN KING BLVD	Mansions Family (now Orion on the Lake), Orion at Lake Ray Hubbard	FA	795	2015-00000106	TX504	FD - Fire Alarm Commercial
02/07/2015 21:48:28	2114 PORTOFINO CIR		FA	1295	2015-00000110	TX504	FD - Fire Alarm Residential
02/09/2015 08:17:13	433 NATIONAL DR	National Bank Equipment	FA	1558	2015-00000112	TX504	FD - Fire Alarm Commercial
02/14/2015 09:18:32	108 E WASHINGTON ST	Center, The, The Center	FA	2545	2015-00000117	TX504	FD - Fire Alarm Commercial
02/15/2015 17:10:22	108 E WASHINGTON ST	Center, The, The Center	FA	2813	2015-00000122	TX504	FD - Fire Alarm Commercial
02/17/2015 07:20:51	996 E I30	Best Western	FA	3068	2015-00000127	TX504	FD - Fire Alarm Commercial
02/18/2015 08:26:46	225 E RALPH HALL PKWY	Autumn Leaves	FA	3243	2015-00000132	TX504	FD - Fire Alarm Commercial
02/18/2015 11:36:55	1009 E I30	Staples, Staples (Plaza at Rockwall #5)	FA	3268	2015-00000133	TX504	FD - Fire Alarm Commercial
02/20/2015 09:58:23	2055 SUMMER LEE DR	Hilton, Hilton Hotel	FA	3640	2015-00000134	TX504	FD - Fire Alarm Commercial
02/22/2015 10:16:47	2640 WHITE RD		FA	4027	2015-00000136	TX504	FD - Fire Alarm Residential
02/22/2015 14:03:02	530 SAINT MICHAELS WAY		FA	4053	2015-00000137	TX504	FD - Fire Alarm Residential
02/24/2015 08:54:14	1130 E I30	Super 8 Motel	FA	4278	2015-00000153	TX504	FD - Fire Alarm Commercial
02/25/2015 15:51:01	2701 SUNSET RIDGE DR	Trend Tower	FA	4498	2015-00000156	TX504	FD - Fire Alarm Commercial
02/28/2015 00:49:28	101 E RUSK ST	Rockwall County Old Courthouse	FA	4926	2015-00000162	TX504	FD - Fire Alarm Commercial

: 21

3/3/2015 1:46:10 PM

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Rockwall Police Department
Harbor District Calls For Service
February 2015

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2015-00006658	02/28/2015	22:23:54	Cinemark	Accident - Minor	No Report
2015-00005954	02/21/2015	13:48:12	Cinemark	Civil Matter	No Report
2015-00004636	02/09/2015	23:55:01	Cinemark	Suspicious Activity	No Report
2015-00005096	02/13/2015	21:59:16	En Fuego	Investigation	Arrest
2015-00004472	02/08/2015	20:29:01	Hilton	Disturbance	Arrest
2015-00005201	02/14/2015	21:17:19	Hilton	Intoxicated	No Report
2015-00005232	02/15/2015	00:26:01	Hilton	Investigation	No Report
2015-00005171	02/14/2015	15:36:37	Hilton	Investigation	No Report
2015-00006517	02/27/2015	04:04:45	Hilton	Investigation	Report
2015-00005816	02/20/2015	10:06:05	Hilton	Motor Vehicle Theft	Report
2015-00004146	02/06/2015	21:18:45	Hilton	Ordinance Violation	No Report
2015-00006396	02/26/2015	01:13:47	Hilton	Welfare Concern	No Report
2015-00003750	02/03/2015	09:23:37	Rocky Mountain Chocolate Factory	Alarm-BUSN	No Report
2015-00006369	02/25/2015	21:34:11	The Harbor	Accident - Minor	No Report
2015-00005735	02/19/2015	15:05:27	The Harbor	Investigation	No Report
2015-00003603	02/01/2015	19:11:00	The Harbor	Missing Person	No Report
2015-00005190	02/14/2015	19:21:46	The Harbor	Ordinance Violation	No Report
2015-00005191	02/14/2015	19:25:36	The Harbor	Ordinance Violation	No Report
2015-00004144	02/06/2015	21:01:30	Willis Estates Jewelry	Ordinance Violation	No Report
			Common Name		
			Hilton	8	
			The Harbor	5	
			Cinemark	3	
			En Fuego	1	
			Rocky Mountain Chocolate Factory	1	
			Willis Estates Jewelry	1	
			Total	**19**	

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
FEBRUARY 2015

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	3	3	0	100%
ADMINISTRATIVE SERVICES	2	2	0	100%
AIRPORT	0	0	0	0%
ANIMAL SERVICES	2	1	1	50%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	0	0	0	0%
ENGINEERING	2	2	0	100%
FINANCE	1	1	0	100%
FIRE DEPARTMENT	40	40	0	100%
INTERNAL OPERATIONS	124	124	0	100%
MUNICIPAL COURT	5	5	0	100%
PARKS & RECREATION	22	22	0	100%
PLANNING & ZONING	0	0	0	0%
POLICE DEPARTMENT	29	29	0	100%
PUBLIC WORKS	13	13	0	100%
UTILITY BILLING	1	1	0	100%
TOTAL	244	243	1	99%

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
RADIO SYSTEM
REQUESTS FOR SERVICE
FEBRUARY 2015

DEPARTMENT	# OF REQUESTS	# OF REQUESTS RESPONDED TO W / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ANIMAL SERVICES	0	0	0	100%
CODE ENFORCEMENT			0	100%
FIRE DEPARTMENT	2	2	0	100%
EMS	0	0	0	100%
INTERNAL OPERATIONS	1	1	0	100%
PARKS & RECREATION	0	0	0	100%
POLICE DEPARTMENT	16	16	0	100%
PUBLIC WORKS	1	1	0	100%
UTILITY BILLING	0	0	0	100%
FATE DEPT. PUBLIC SAFETY	1	1		100%
HEATH DEPT. PUBLIC SAFETY	2	2	0	100%
HOSPITAL CONTROL STATIONS	0	0	0	100%
SYSTEM ISSUES	3	3	0	100%
TOTAL	26	26	0	100%

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Airport Operations Report

For Month of February 2015

FUEL SALES

	GALLONS SOLD	GROSS SALES
Jet - A Sales	805.00	$3,139.50
Av-Gas Sales	1,343.40	$6,246.96
TOTAL FUEL SALES	**2,148.40**	**$9,386.46**

HANGAR RENTAL REVENUE

Open T Hangar Rental Revenue	$2,465.00
Terminal Office Rental Revenue	$250.00
Enclosed Hangar Rental Revenue	$120.00
North Maintenance Hangar Rental Revenue	$500.00
TOTAL HANGAR RENTALS	**$3,335.00**

HANGAR OCCUPANCY RATES

	TOTAL HANGARS	QTY RENTABLE	QUANTITY LEASED	OCCUPANCY RATE
Open T Hangars	45	40	32	80.00%
Terminal Office Rentals	1	1	1	100%
Closed Hangar Rentals	1	1	1	100%
Open Hangar Cap Rentals	2	1	1	100%
TOTAL HANGAR OCCUPANCY	**49**	**43**	**35**	**81%**

Of the forty five hangars only forty can actually be rented. Most of these forty should be considered substandard and not easily marketed due to pad slope and width, electrical, and drainage issues.

CITY FEES DUE	FEE RATE	FRANCHISE FEE DUE	FUEL FLOWAGE FEES DUE	TOTAL FEES DUE
Fuel Sales (Gallons Sold)	$0.10	$0.00	$214.84	$214.84
City Owned Hangar Rentals	5.00%	$166.75		$0.00
TOTAL FEES DUE		**$166.75**	**$214.84**	**$381.59**

I certify the information and amounts submitted on this form are true and correct.

Todd Parks
Managing Director - Texas Air Center, LLC

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Rockwall Police Department

Monthly Activity Report
February-2015

ACTIVITY	CURRENT MONTH FEBRUARY	PREVIOUS MONTH JANUARY	YTD 2015	YTD 2014	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	0	**0.00%**
Sexual Assault	0	0	0	0	**0.00%**
Robbery	0	4	4	0	**400.00%**
Aggravated Assault	3	2	5	3	**66.67%**
Burglary	1	4	5	11	**-54.55%**
Larceny	31	49	80	107	**-25.23%**
Motor Vehicle Theft	4	1	5	8	**-37.50%**
TOTAL PART I	**39**	**60**	**99**	**129**	**-23.26%**
TOTAL PART II	**127**	**132**	**259**	**254**	**1.97%**
TOTAL OFFENSES	**166**	**192**	**358**	**383**	**-6.53%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	15	9	24	28	**-14.29%**
D.W.I.	12	12	24	39	**-38.46%**
TEEN CURFEW	0	1	1	2	**-50.00%**
ARRESTS					
FELONY	17	21	38	35	**8.57%**
MISDEMEANOR	69	48	117	136	**-13.97%**
WARRANT ARREST	21	32	53	62	**-14.52%**
JUVENILE	2	1	3	17	**-82.35%**
TOTAL ARRESTS	**109**	**102**	**211**	**250**	**-15.60%**
DISPATCH					
CALLS FOR SERVICE	1292	1444	2736	2626	**4.19%**
ACCIDENTS					
INJURY	8	9	17	22	**-22.73%**
(INJURIES)	15	11	26	33	**-21.21%**
NON-INJURY	58	56	114	92	**23.91%**
FATALITY	0	0	0	0	**0.00%**
(FATALITIES)	0	0	0	0	**0.00%**
TOTAL	**66**	**65**	**131**	**114**	**14.91%**
FALSE ALARMS					
RESIDENT ALARMS	52	58	110	112	**-1.79%**
BUSINESS ALARMS	120	116	236	222	**6.31%**
TOTAL FALSE ALARMS	**172**	**174**	**346**	**334**	**3.59%**
Estimated Lost Hours	**113.52**	**114.84**	**228.36**	**220.44**	**3.59%**
Estimated Cost	**$2,700.40**	**$2,731.80**	**$5,432.20**	**$5,243.80**	**3.59%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**5**
Arrests	**4**
Arrest Warrants	**2**
Search Warrants	**0**
Seized	
Methamphetamine	2.11 kg
Firearms	3
Currency	$100,000.00

Rockwall Police Department
Dispatch and Response Times
February 2015

Police Department

	Average Response Time	
Priority 1		Number of Calls **129**
Call to Dispatch	0:00:30	
Call to Arrival	0:04:53	
% over 7 minutes	20%	
Priority 2		Number of Calls **248**
Call to Dispatch	0:00:58	
Call to Arrival	0:07:09	
% over 7 minutes	40%	
Priority 3		Number of Calls **4**
Call to Dispatch	0:00:26	
Call to Arrival	0:05:19	
% over 7 minutes	25%	
***Priority 4**		Number of Calls **906**
****Priority 5**		Number of Calls **5**

*Priority 4 call averages are not given because they are calls that do not require an immediate response by police.
**Priority 5 calls are incidents that officers initiate themselves therefore response times are not calculated.

Average dispatch response time goals are as follows:
Priority 1: 30 Seconds
Priority 2: 45 Seconds
Priority 3: 1 Minute

Fire Department

	Average Response Time	
Call to Dispatch	0:00:09	Number of Calls **65**
Call to Arrival	0:06:16	

Overages

Incident No.	Date	Time Rec'd	Call Type	Time Disp	Resp Time	Reason
2015-132	2/18/2015	08:27:20	Fire Alarm Commercial	08:28:30	0:01:10	Dispatcher in training

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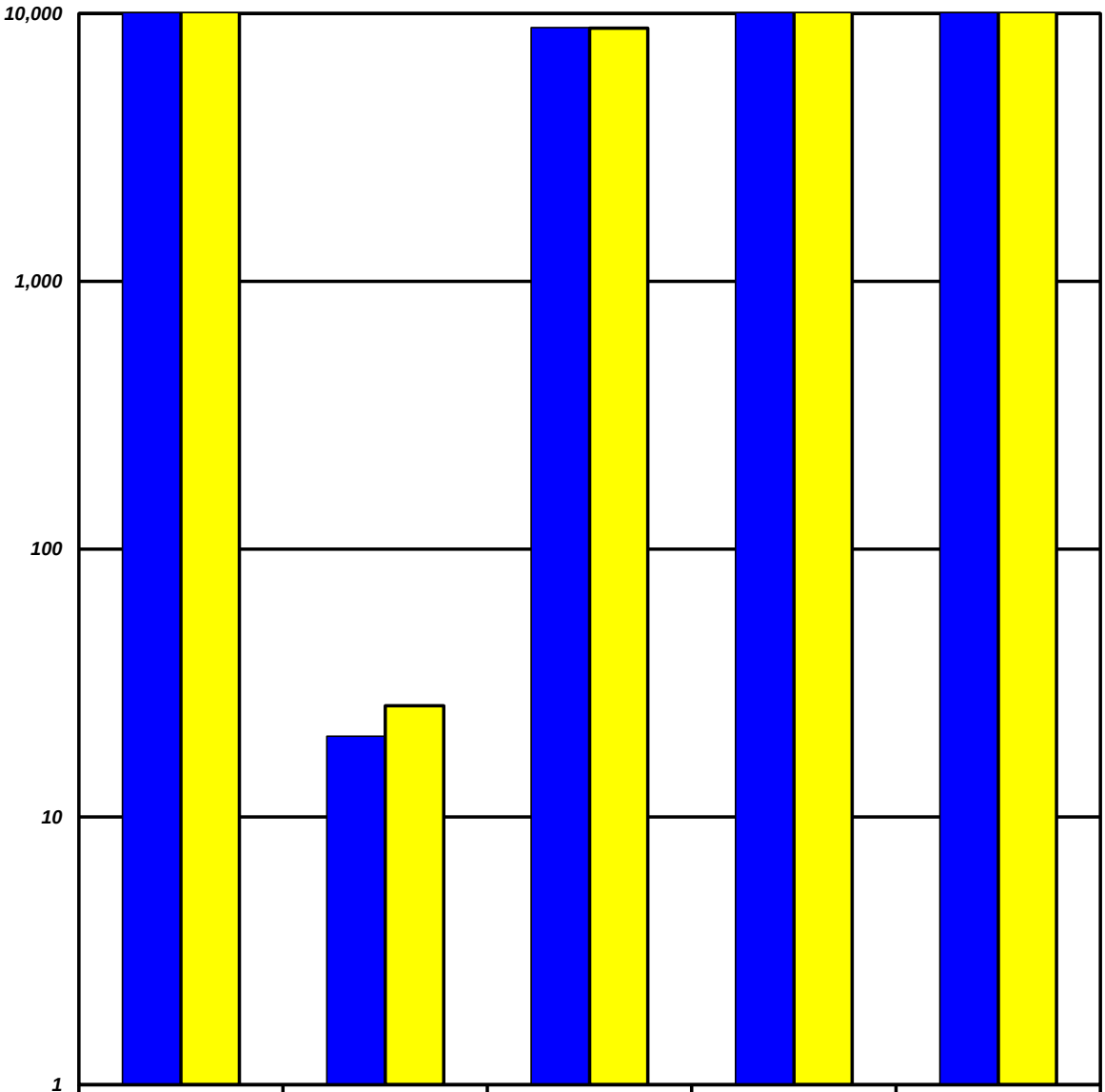
City of Rockwall
Parks and Recreation Department
FY15 February Report



	The Center Facility Usage	Average Participation per Hour	Ongoing Activities Attendance	The Center Facility Rental Revenue	Program Revenue
FY15 YTD	26,151	20	8,883	$14,724	$41,949
FY14 YTD	33,650	26	8,836	$16,578	$45,384

The Center Facility Usage - Total number of visitors and participants that come thru The Center - includes Ongoing Activities.
Average Participation per Hour - The Center Facility Usage divided by the number of hours the facility is open.
Ongoing Activities Attendance - Non fee based activities conducted on a routine basis (Bingo, Exercise with Anita, etc).

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Rockwall Animal Adoption Center Monthly Report
CCHS at Rockwall
February 2015

DISPOSITION REPORT

	February
Intakes	88
1045	0
Adopted	78
Returned to Owner	18
Rescued	11
Euthanized	4
Live Outcome %	**96%**
Number of Animals in Foster	1

FINANCIAL REPORT

Income	**February**
City of Rockwall	$95,951
Adoption Fee Income	$6,160
Impound Fee Income	$740
Owner Surrender	$670
General Donations	$5,627
Merchandise Sales	$0
Medical	$210
Quarantine Fee	$0
Total Income	**$109,358**

Expenses	**January**
Administrative Expenses (Payroll, etc)	$36,252
Shelter Expenses (Microchips, Drugs, etc)	-$2,236
Veterinary Expenses	$10,172
Professional Services	$0
Training	$0
Total Expenses	**$45,088**
Balance	**$64,190**

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2014/15 City of Rockwall In kind values /Meals 2nd Quarter
Meals on Wheels Senior Services

Jan-15		21 Days served
ROUTES	MILES	$
A	294	$164.64
B	210	$117.60
C	714	$361.76
E	651	$329.84
F& K	420	$212.80
H	263	$147.28
I&J	1260	$638.40
RM & R	286.72	$160.56
	4098.72	$2,132.88

	HOURS	$
A	21	$308.70
B	32	$441.00
C	21	$308.70
E	21	$308.70
F & K	40	$476.40
H	21	$308.70
I&J	32	$441.00
RM & R	32	$441.00
	220	$3,034.20

$ Value in kind volunteer services $5,167.08

Total January inkind value $5,167.08

ROCKWALL PROGRAM MEALS
1,834 Home Delivered and Disabled
416 Congregate Centers

Total purchased Meals 2,250

Feb-15		19 Days served
ROUTES	MILES	$
A	252	$141.20
B	180	$100.80
C	582	$327.60
E	589	$329.84
F& K	360	$201.60
H	213	$119.28
I&J	1020	$571.20
RM & R	260.72	$146.00
	3456.72	$1,937.52

	HOURS	$
A	18	$264.60
B	30	$357.30
C	18	$264.60
E	18	$264.60
F & K	36	$529.20
H	18	$264.60
I&J	28	$441.60
RM & R	28	$441.60
	194	$2,828.10

$ Value in kind volunteer services $ 4,824.46

Total February inkind value $4,824.46

ROCKWALL PROGRAM MEALS
1,640 Home Delivered and Disabled
333 Congregate Centers
330 Emergency Food (Inclement weather)

Total purchased Meals 2,303

Mar-15		21 Days served
ROUTES	MILES	$
A	294	$164.64
B	210	$117.60
C	714	$361.76
E	651	$329.84
F& K	420	$212.80
H	263	$147.28
I&J	1260	$638.40
RM & R	286.72	$160.56
	4098.72	$2,132.88

	HOURS	$
A	21	$308.70
B	32	$441.00
C	21	$308.70
E	21	$308.70
F & K	40	$476.40
H	21	$308.70
I&J	32	$441.00
RM & R	32	$441.00
	220	$3,034.20

$ Value in kind volunteer services $ 5,167.08

Total March inkind value $5,167.08

ROCKWALL PROGRAM MEALS
1,963 Home Delivered and Disabled
416 Congregate Centers
165 Emergency Food (Inclement Weather)

Total Purchased Meals 2,544

THANK YOU
FOR YOUR
SUPPORT

Sincerely, Margie VerHagen E.D.

Total meals Program Purchased	In-kind VALUE Donated 2nd Quarter 2014/15
7,097	$5,167.08 Jan Total $ 15,158.62
	$4,824.46 Feb.
	$5,167.08 March

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Consider approval of the minutes from the April 6, 2015 regular city council meeting, and take any action necessary.

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Consider authorizing the City Manager to execute an agreement with Insituforms Technologies LLC to repair wastewater pipe damage at the Random Oaks subdivision in the amount of $16,750 and approval of a wastewater operations budget amendment of $20,000 to provide funding for the project and take any action necessary

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Z2015-011 - Consider approval of an ordinance for a City initiated zoning request for the approval of a text amendment to Article IX, Tree Preservation, Section 11.1, Tree fund administration, of the Unified Development Code [Ordinance No. 04-38] for the purpose of modifying this section of the code, and take any action necessary. (2nd reading)

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P2015-012 - Consider a request by Warren Corwin of Corwin Engineering on behalf of Ryan Joyce of the Skorburg Company (BH Phase V 80’ POD, SF, LTD) for the approval of a preliminary plat for 79 single family residential lots, identified as Phase V of the Breezy Hill Subdivision, being a 25.597-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, situated on the west side of Breezy Hill Road north of the intersection Breezy Hill Road and FM-552, and take any action necessary.

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Discuss and consider approval of a resolution associated with dedication of open space at the Park at Stone Creek as part of the Texas Parks and Wildlife Department grant process, and take any action necessary.

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Appointment with Frank Conroy of Fox, Byrd & Company PC to present the city's Fiscal Year 2014 Comprehensive Annual Financial Report, and

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Appointment with Mr. Tom Galli to hear update regarding a Memorial Day concert scheduled to be held at The Harbor on Sunday evening, May 24th at 7:00 p.m., and take any action necessary.

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Appointment with Mrs. JoAnn Marsh and her neighbors to hear concerns related to sewage issues in their neighborhood (Random Oaks subdivision), and take any action necessary.

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Z2015-012 - Hold a public hearing to discuss and consider the approval of an ordinance for a request by Cindy Levandowski on behalf of the owner Terry Rowe for the approval of an amendment to a Specific Use Permit [Ordinance No. 09-28] to allow for a General Retail Store within Planned Development District 50 (PD-50) for a 0.16-acre parcel of land identified as Lot 1, Block 1, Henry Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 907 N. Goliad Street, and take any action necessary [1st Reading].

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P2015-008 - Hold a public hearing to discuss and consider a request by Michael Clark for the approval of a residential replat for Lots 6 & 7, Block K, Sanger Brothers Addition, being a 0.23-acre parcel of land currently identified as the eastern ½ of Lot 3, Block K, Sanger Brothers Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 808 Sam Houston Street, and take any action necessary.

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Discuss and consider approval of a resolution regarding TxDot planning for SH205, and take any action necessary.

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Discuss and consider a recommendation from the City Council's Hotel Tax Subcommittee regarding a supplemental funding request from the

funding recommendation 94

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SP2015-007 - Discuss and consider a request by Maria Bonilla of Winkelmann and Associates, Inc. on behalf of Mark Matise of MAKKO Goliad I, LP for the approval of a site plan and associated variances for a grocery store and fuel center on a 11.28-acre tract of land identified as Lots 2 & 3, Block A, Quail Run Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the southeast corner of the intersection of N. Goliad Street (SH-205) and E. Quail Run Road, and take any action necessary.

SP2015-007 112

Discuss and consider installing public restrooms in the downtown area, and take any action necessary.

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AGENDA
ROCKWALL CITY COUNCIL
Monday, April 20, 2015
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

III. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding legal matters related to land lease operations at Ralph Hall Municipal Airport pursuant to Section 551.071 (Consultation with Attorney).
2. Discussion regarding deliberation of appointment of public officer to North TX Municipal Water District Board, pursuant to Section 551.074 (personnel matters).
3. Discussion regarding incentives to tenured employees and possible legal issues pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney).
4. Discussion regarding legal claim related to back up of city sewage line in Random Oaks Subdivision pursuant to Section 551.071 (Consultation with Attorney)
5. Discussion regarding legal claim: Jack R. Athey vs. Rockwall Police Chief Mark Moeller, Rockwall County Emergency Services Corporation, and the City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)
6. Discussion regarding the Animal Services Shelter and Adoption Services Agreement between the City of Rockwall and Collin County Humane Society pursuant to Section 551.071 (Consultation with Attorney).
7. Discussion regarding City Manager's performance evaluation and contract pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, April 20, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER SCOTT MILDER

VIII. PROCLAMATIONS / AWARDS

p.9 **1.** Motorcycle Safety and Awareness Month
2. 9-1-1 Dispatcher Appreciation Day p.11
p.13 **3.** Animal Control Officer Appreciation Day

IX. CONSENT AGENDA

p.15 **1.** Consider approval of the minutes from the April 6, 2015 regular city council meeting, and take any action necessary.

p.29 **2.** Consider authorizing the City Manager to execute an agreement with Insituforms Technologies LLC to repair wastewater pipe damage at the Random Oaks subdivision in the amount of $16,750 and approval of a wastewater operations budget amendment of $20,000 to provide funding for the project and take any action necessary

p.34 **3.** Z2015-011 - Consider approval of an ordinance for a City initiated zoning request for the approval of a text amendment to Article IX, Tree Preservation, Section 11.1, Tree fund administration, of the Unified Development Code [Ordinance No. 04-38] for the purpose of modifying this section of the code, and take any action necessary. (2nd reading)

p.39 **4.** P2015-012 - Consider a request by Warren Corwin of Corwin Engineering on behalf of Ryan Joyce of the Skorburg Company (BH Phase V 80' POD, SF, LTD) for the approval of a preliminary plat for 79 single family residential lots, identified as Phase V of the Breezy Hill Subdivision, being a 25.597-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, situated on the west side of Breezy Hill Road north of the intersection Breezy Hill Road and FM-552, and take any action necessary.

p.46 **5.** Discuss and consider approval of a resolution associated with dedication of open space at the Park at Stone Creek as part of the Texas Parks and Wildlife Department grant process, and take any action necessary.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

p.50 **2.** Appointment with Frank Conroy of Fox, Byrd & Company PC to present the city's Fiscal Year 2014 Comprehensive Annual Financial Report, and take any action necessary.

p.51 **3.** Appointment with Mr. Tom Galli to hear update regarding a Memorial Day concert scheduled to be held at The Harbor on Sunday evening, May 24th at 7:00 p.m., and take any action necessary.

p.55 **4.** Appointment with Mrs. JoAnn Marsh and her neighbors to hear concerns related to sewage issues in their neighborhood (Random Oaks subdivision), and take any action necessary.

XI. PUBLIC HEARING ITEMS

p.58 **1.** Z2015-012 - Hold a public hearing to discuss and consider the approval of an ordinance for a request by Cindy Levandowski on behalf of the owner Terry Rowe for the approval of an amendment to a Specific Use Permit [Ordinance No. 09-28] to allow for a General Retail Store within Planned Development District 50 (PD-50) for a 0.16-acre parcel of land identified as Lot 1, Block 1, Henry Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 907 N. Goliad Street, and take any action necessary [1st Reading].

p.75 **2.** P2015-008 - Hold a public hearing to discuss and consider a request by Michael Clark for the approval of a residential replat for Lots 6 & 7, Block K, Sanger Brothers Addition, being a 0.23-acre parcel of land currently identified as the eastern ½ of Lot 3, Block K, Sanger Brothers Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 808 Sam Houston Street, and take any action necessary.

XII. ACTION ITEMS

p.86 **1.** Discuss and consider approval of a resolution regarding TxDot planning for SH205, and take any action necessary.

p.94 **2.** Discuss and consider a recommendation from the City Council's Hotel Tax Subcommittee regarding a supplemental funding request from the Soroptimist Club for the annual Country Fair and take any action necessary.

p.112 **3.** SP2015-007 - Discuss and consider a request by Maria Bonilla of Winkelmann and Associates, Inc. on behalf of Mark Matise of MAKKO Goliad I, LP for the approval of a site plan and associated variances for a

grocery store and fuel center on a 11.28-acre tract of land identified as Lots 2 & 3, Block A, Quail Run Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the southeast corner of the intersection of N. Goliad Street (SH-205) and E. Quail Run Road, and take any action necessary.

p.140 **4.** Discuss and consider installing public restrooms in the downtown area, and take any action necessary.

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

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7. Discussion regarding City Manager's performance evaluation and contract pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 17th day of April, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

Rockwall, Texas

Proclamation

Whereas, today's society finds more citizens involved in motorcycling on the roads of our country; and

Whereas, motorcyclists are roughly unprotected and are much more likely to be injured or killed in a crash than other vehicle drivers; and

Whereas, campaigns have helped inform riders and motorists alike on motorcycle safety issues to reduce motorcycle related risks, injuries, and most of all fatalities, through a comprehensive approach to motorcycle safety; and

Whereas, it is the responsibility of all who put themselves behind the wheel to become aware of motorcyclists and to regard them with the same respect as any other vehicle traveling the highways of this country; and

Whereas, we urge our community to be aware of the inherent dangers involved in operating a motorcycle and for drivers to give motorcyclists the respect on the road they deserve;

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim **May 2015** as:

Motorcycle Safety & Awareness Month

In the City of Rockwall and urge all citizens to do their part to increase safety and awareness of motorcyclists in and around our community.

In Witness Whereof, I hereby affix my official hand and seal this 20th day of April, 2015.

_____

Jim Pruitt, Mayor

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Rockwall, Texas

Proclamation

Whereas, in February, Governor Greg Abbott issued a proclamation declaring April 12-18 as "Public Safety Telecommunicators Week" in the State of Texas; and

Whereas, this State proclamation recognizes the diligent efforts of 9-1-1 operators, dispatchers and other communications specialists throughout the State; and

Whereas, men and women who serve in this capacity are "unseen first responders," providing critical assistance to callers in times of great need; and

Whereas, 9-1-1 dispatchers work in an environment that is often high-paced and stressful, being called upon to utilize their specialized skills and training to make split second decisions, which, at times, could mean the difference between life and death; and

Whereas, the City of Rockwall would like to recognize and applaud its own dispatch personnel for the stellar job each of them performs to ensure the safety and wellbeing of our residents.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim April 20, 2015 as

9-1-1 DISPATCHER APPRECIATION DAY

in the City of Rockwall and urge all citizens to take time to thank these staff members for their dedication and hard work towards protecting and serving both our citizens as well as our Police and Fire Departments.

In Witness Whereof, I hereunto set my hand and official seal this 20th day of April, 2015.

_____

Jim Pruitt, Mayor

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Rockwall, Texas

Proclamation

Whereas, the National Animal Care and Control Association designated April 12-18, 2015 as "Animal Control Officer Appreciation Week" in the United States; and

Whereas, this annual designation allows local entities an opportunity to show pride and appreciation for the important services provided by Animal Control Officers working in their communities; and

Whereas, Rockwall's Animal Control Officers devote a large amount of time to help ensure the welfare of helpless animals and pets that may be rescued from injury, disease, abuse and starvation; and

Whereas, among other duties, Rockwall's Animal Control Officers work diligently to protect the public from the dangers associated with things like 'at large' animals, biting animals, or nuisance animals such as squirrels or skunks that may otherwise wreak havoc on someone's personal property; and

Whereas, while work performed by Animal Control Officers is often "behind the scenes," and it may seem like a "thankless job," the City of Rockwall wishes to express its sincere appreciation for the work these individuals perform, day in and day out.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim April 20, 2015 as

ANIMAL CONTROL OFFICER APPRECIATION DAY

in the City of Rockwall and urge all citizens to applaud and recognize our Animal Control Officers for their dedication and hard work towards protecting and serving both the animals and our citizens.

In Witness Whereof, I hereunto set my hand and official seal this 20th day of April, 2015.

_____

Jim Pruitt, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, April 06, 2015
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dennis Lewis and Council Members David White, John Hohenshelt, Scott Milder, and Bennie Daniels. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and City Attorney Frank Garza. Council Member Mike Townsend was absent from the meeting.

II. WORK SESSION

1. Hold work session to discuss status of state roadway projects, local roadways and other public works projects, and take any action necessary.

City Engineer, Tim Tumulty, came forth and briefed the city council on the status of various current and future state roadway projects affecting the City of Rockwall. Regarding the IH-30 / FM-3549 interchange – the expected date for construction to begin is around June of this year, and it is a TXDOT project. The expected timeframe for completion, after the construction begins, is about two years. This project will route IH-30 over FM-3549. Regarding the SH-276 project from SH-205 to FM-549, it will be a six-lane project, and four lanes will be built in the first phase. This is one of two projects for which Rockwall County received funding from the State of Texas Proposition One Funding source. This project is scheduled for funding in the year 2018, and it will likely be bid in late 2017. This project is about 60% designed already. The next project, FM-3549 Rehab Project, which starts at SH-66 and goes up to FM-552 (a little under 4 miles), and it is a 'rehab' projects. The asphalt will be removed and the shoulders will be expanded. The project was just bid, and construction will likely start sometime around June of this year. Regarding the next project, which is the FM-3549 project from IH-30 to SH-66, this will end up being a four lane / divided roadway. Their bid date is January 2017, and TXDOT is about 30% into the process associated with this project. This project is the other one of the two for which Rockwall County was able to secure funding from the State of Texas Proposition One Funding source. Mr. Tumulty went on to explain that the existing IH 30 ramps near the intersection of SH-205 will end up being reconfigured such that drivers, for example going eastbound on IH-30, will be able to actually exit and access John King instead of having to exit at SH-205 and proceed through the intersection before driving east on the service road to John King. Also, going westbound, drivers wanting to go westbound on IH-30 will be able to enter IH 30 prior to SH 205 so that they don't have to proceed through the IH 30/SH-205 intersection in order to enter onto IH-30. These changes will hopefully help alleviate some of the congestion at this existing intersection.

Regarding the SH-66 interim project, the project limits will be from the Rockwall County Line to the intersection of John King. The asphalt will be stripped and a new surface put down. In addition, turn lanes will be added at the John King intersection and the FM-3549 intersection. March 2016 is the target timeframe for bidding the project. Regarding

the alignment of the permanent project, it will be a four-lane divided roadway from SH 205 to John King, and then it would be a six-lane concrete, divided roadway for the remainder of the project. It is estimated to cost $96 million, and there is no funding and no estimated timeframe for construction at this time.

Regarding FM-549 Rehab Project from SH-276 to SH-205, TXDOT is estimated to bid the project around June of this year. The pavement surface will be removed and shoulders will be added, followed by a new surface overlay. Also, this project will include improvements along FM-1139 from FM 549 back to the east and connecting into FM-550. Left turn lanes will be added along SH 205 at both connections to FM 549 in order to help alleviate traffic congestion along SH 205 and increase traffic flow.

Regarding FM-549 from SH-276 to SH-205, TXDOT is looking to widen it from a two-lane asphalt to a six-lane divided concrete roadway. However, they are currently studying the traffic counts to see if it really does need to be six lanes, or if four lanes would suffice.

Another project that is in process is adding a westbound on-ramp to IH-30 between Ridge Road and FM-740/Horizon. Staff has selected an engineer and is going through negotiations right now. This project was previously approved by voters, and it is a badly needed project. It is expected that this project would take about nine months to complete after construction starts.

Regarding SH-205 from US 78 in Lavon all the way down to US 80 in Terrell, TXDOT is scheduled to have a kick-off meeting on April 14th with the affected communities. The City of Rockwall is concerned about the area of the road that approaches the downtown area.

City Manager Rick Crowley provided a history of when and for what purpose John King Boulevard was constructed. It was anticipated that it would be a future re-route for SH-205. However, Mr. Crowley explained, after John King was designed, TXDOT's standards for roadways drastically changed, so the design of John King does not meet TXDOT's design standards for having traffic routed onto it off of SH-205. He then went on to explain the potential pros and cons of having John King be a re-route for SH-205. He indicated that this possibility might be something the city could bring up to and explore with the engineering consulting firm, Halff Associates, who will be evaluating the SH-205 project. Indication was given that the North Central TX Council of Governments (NCTCOG) is currently studying this area to see if four or six lanes will be needed on SH-205 just north of downtown. Mayor Pruitt indicated that John King Boulevard was built and was always intended to serve as a bypass for SH-205. If it were to become the route for SH-205, then the existing portion of SH-205 that runs through the downtown area would be turned over to the city and would be maintained and managed by the city. Mayor Pruitt asked if the city council members would like staff to pursue encouraging TXDOT to consider John King as a bypass route for SH-205. General consensus was given to staff by city council members that the city council would like staff to pursue encouraging TXDOT to route traffic off of SH-205 onto John King Boulevard.

Mr. Tumulty provided an update on the last project - FM-3097 to FM-740 to Tubbs Road. This project is a TXDOT project where it will be widened from a two-lane asphalt to a four-lane, divided roadway. It was bid back in September of 2014. The city participated in the cost of this project in an amount of $900,000. The state anticipates beginning

construction in June, and it will be a three phase project that will take about two years to complete.

Mr. Tumulty next briefed the city council on the status of Rochelle Road, which is partially abutting the city limits of Rockwall and partially abutting the City of Fate jurisdiction in between IH-30 and SH-276. He explained that the city's portion of the roadway is gravel, and the City of Fate's portion is asphalt. It was clarified that no city development, including no commercial, retail or residential homes, are currently located along this roadway. A portion of the roadway is located in a 100 year floodplain zone. So, depending on how heavy rainfall may be, at times the roadway may need to be shut down periodically due to flooding and associated safety concerns. If Rochelle Road were to be entirely re-done/re-built, it would likely cost about $7 million for the City of Rockwall and just over $4 million for the City of Fate's portion.

Mr. Tumulty next discussed a drainage / erosion problem that was brought to the city's attention by a homeowner who lives adjacent to the project, Mr. Bob Carroll. He explained that the problem is located downstream at Emerald Bay where the creek makes a sharp turn. He shared that rough estimates indicate it would cost the city about $195,000 to build a wall to try and mitigate the drainage / erosion problem that is slowly migrating towards Mr. Carroll's and his neighbor's homes. Should the council choose to move forward with making this repair, the money to do so could be taken out of reserve funds, or it could be considered for inclusion in the future fiscal year's budget. Mr. Crowley indicated that staff will reevaluate the engineering and firm up the costs a little more before bringing a proposal and associated options back to the city council for consideration at a future meeting.

Mayor Pruitt then read the below listed discussion items into the public record before recessing the meeting into Executive Session.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointments to city's regulatory boards, including the Board of Adjustments, pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)
3. Discussion regarding proposed development and possible vesting issues under Chapter 245 Local Government Code pursuant to Section 551.071 (Consultation with Attorney).
4. Discussion regarding City Manager performance evaluation pursuant to Section 551.074 (Personnel Matters).

IV. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:53 p.m.

V. RECONVENE PUBLIC MEETING

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all council members present except for Mike Townsend, who was absent.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session at this time.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR JIM PRUITT

Mayor Pruitt delivered the invocation and led the Pledge of Allegiance.

VIII. PROCLAMATIONS / AWARDS

1. Austin Cory Eagle Scout Recognition
2. Bryce Fuller Eagle Scout Recognition
3. Caleb Bailey Davis Eagle Scout Recognition

Mayor Pruitt called each Boy Scout forward and read and presented each one with an honorary proclamation to commemorate their achieving Eagle Scout rank.

IX. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted and asked if anyone in the audience would like to come forth and speak during this time.

Michael Kropp
1950 Creekside Drive
Rockwall, Texas

Mr. Kropp indicated that he has lived in Rockwall for ten years. Prior to this year, he led a 9U/7U baseball league of teams that played in Rowlett, but he moved both of his teams to Rockwall when the City of Rockwall took over and began a baseball league. He generally expressed disappointment his teams and other similar teams not playing. He indicated that his two teams began playing in February, and they have only played two games. While he understands that it has rained a lot lately, he is disappointed that his teams are not playing and the eight fields are not being better maintained. He encouraged the city to buy land and build additional playing fields and to consider planning for the future.

Al Crump
2295 Falls View Drive
Rockwall, Texas

Mr. Crump expressed that he is a resident of Rockwall and has lived her for over twenty-five years. He is a large 'fan' of Rockwall; however, he approached the city about a year ago about a broken median near the intersection of Ridge Road and North Goliad that the state finally fixed just recently. He had also previously expressed concern about winter sand being left on the roadway's curb areas after the season. He believes it is an eyesore and problematic for storm drains. He believes street sweeping is a good idea and would be met with positive feedback from citizens. He mentioned he used to be in the street sweeping business. In addition, he would like the city to entice more medium

and small sized businesses to come to Rockwall. He has heard stories about some businesses trying to come to Rockwall, but they could not get approved for the incentives they were asking for, so were subsequently turned down. He expressed that he would like to be more involved with economic development in the city. He is overall concerned is the overall appearance of the city, expressing he does not feel it is as clean as it used to be.

Mike Marler
P.O. Box 449
Peyton, CO 80831

Mr. Marler indicated that his permanent residence is in Colorado; however, he is often in Texas and the Rockwall area for work. Mr. Marler commented that he used to work in insurance in Colorado Springs for many years. He indicated that, even if there is no requirement to carry liability insurance on a golf cart, it would not relieve the operator from responsibility if bodily injury occurred.

He went on to explain that his 2006 Ford Super Duty truck was stolen from the Value Place Inn back in January in Rockwall, and it was recovered some time later near Greenville. Last week, someone again attempted to steal his truck by popping a device into the keyhole. He indicated that after it was stolen in January, he purchased an anti-theft device on the ignition, so, as a result, the person who tried to steal it this time was unable to do so because they could not start the engine. He explained that he has a lot of frustration with this because Texas is the number two state in the U.S. for stolen vehicles. He indicated that for a city to ignore problems associated with vehicle theft is to perpetuate the 'border problem.' He suggested that Rockwall consider placing bait vehicles around the city that are equipped with electrical and fuel shut-off capabilities in order to send the message to thieves – "don't steal a vehicle in Rockwall."

X. CONSENT AGENDA

1. Consider approval of the minutes from the March 16, 2015 regular city council meeting, and take any action necessary.

2. **Z2015-007** - Consider approval of an **ordinance** for a request by Kevin Carr of GearHeads Hot Rod Garage for the approval of a Specific Use Permit (SUP) to allow truck rental in conjunction with an existing minor automotive repair garage on a two (2) acre tract of land identified as Tract 23-01 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 3920 E. IH-30, and take any action necessary. **(2nd reading)**

3. **Z2015-008** - Consider approval of an **ordinance** for a request by Herman Douglas Utley for a zoning change from an Agricultural (AG) District to a Single Family Estate 2.0 (SFE-2.0) District for a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass (SH-205 BY OV) District, addressed as 1815 E. Quail Road, and take any action necessary. **(2nd reading)**

4. **Z2015-009** - Consider approval of an **ordinance** for a request by Chris and Jill Blasé for a Specific Use Permit (SUP) for a detached garage that does not conform to the requirements as stipulated by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code for a 4.05-acre parcel of land identified as Lot 1, Block 1, Blasé Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, addressed as 1220 East Fork Drive, and take any action necessary. **(2nd reading)**

5. **P2015-011** - Consider a request by Duane and Jenifer Piercy for the approval of a final plat for Lot 1, Block A, Piercy Place Addition being a 1.21-acre tract of land identified as Tract 21 of the R. Ballard Survey, Abstract 29, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated west of the intersection of Hartman Street and Renfro Street, and take any action necessary.

6. Consider authorizing the City Manager to execute a contract extension with 3-D Mowing for right-of-ways and forced mowing services in the amount of $40,291 to be funded through the Parks Operations, Grounds Maintenance Budget, and take any action necessary.

7. Consider authorizing the City Manager to execute a purchase order to Freedom Dodge for a 2015 Dodge Charger with new equipment for the Police Patrol Traffic Division in an amount not to exceed $36,000 to be funded from the General Fund, Police Operating Budget, and take any action necessary.

Councilmember White made a motion to approve the Consent Agenda (#s 1, 2, 3, 4, 5, 6 and 7). Councilmember Daniels seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-10
SPECIFIC USE PERMIT NO. S-135

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A TRUCK RENTAL FACILITY IN CONJUNCTION WITH AN EXISTING MINOR AUTOMOTIVE REPAIR GARAGE, BEING A 2.0-ACRE TRACT OF LAND, ZONED LIGHT INDUSTRIAL (LI) DISTRICT AND IDENTIFIED AS TRACT 23-01 OF THE R. IRVING SURVEY, ABSTRACT NO. 120, AND LOCATED AT 3920 E IH-30, , CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DEPICTED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 15-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED

SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURE (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT FOR A 4.502-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE S. R. BARNES SURVEY, ABSTRACT NO. 13, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 15-12
SPECIFIC USE PERMIT NO. S-136

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A DETACHED GARAGE THAT DOES NOT CONFORM TO THE REQUIREMENTS AS STIPULATED BY SECTION 2.1.2, RESIDENTIAL AND LODGING USE CONDITIONS, OF ARTICLE IV, PERMISSIBLE USES, BEING A 4.05-ACRE PARCEL OF LAND, ZONED SINGLE-FAMILY RESIDENTIAL (SF-10) DISTRICT, AND IDENTIFIED AS LOT 1, BLOCK 1, BLASÉ ADDITION, AND LOCATED AT 1220 EAST FORK DRIVE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DEPICTED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 in favor with 1 absent (Townsend).

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Mr. LaCroix indicated that neither the Chairman nor the Vice Chairman of the Planning & Zoning Commission was able to attend the meeting this evening. Therefore, this item was not discussed, and no action was taken as a result of this item.

2. Appointment with representatives of the Stone Creek subdivision for discussion regarding golf carts, and take any action necessary.

Mr. James Smith
609 Amherst Drive
Rockwall, TX 75087

Mr. Smith came forth and indicated that he lives in the Stone Creek subdivision, and he has some concerns about the use of golf carts within his neighborhood. After doing extensive research of state and local laws, he has come to understand that state law allows for golf carts to be utilized within his neighborhood, and he was unable to find any location regulations. He explained that a lady living in his neighborhood would like to purchase and begin using a golf cart, but she does not want to do so only to find out that perhaps she is not legally able to do so. Furthermore, he is concerned about someone who is driving a golf cart getting run over by those driving vehicles. He would like to appeal to the city to add additional regulations that would make golf cart use safer in neighborhoods.

City Attorney Frank Garza indicated that the City of Rockwall can develop local ordinance regulations to regulate golf carts on city streets, including prohibiting them on major roadways. It would be up to the city council to decide to what extent they would like to regulate the use of golf carts and how specific they would like the regulations to be.

Brief discussion took place between Councilmember Daniels and Police Chief Mark Moeller concerning 'street legal' neighborhood electric vehicles.

Councilmember Milder expressed that he is in favor of at least placing an age restriction on operation of golf carts (that you have to have a valid driver's license).

Mr. Smith went on to share information that he came across in an Attorney General's Opinion - GA0966, dated September of 2012 – that speaks to use of golf carts within "master planned communities" and the state law which seems to allow for their use in 'master planned communities.'

Mary Carter
661 York Drive
(Buffalo Creek subdivision)

Mrs. Carter came forth and indicated that she has lived in the Rockwall area since the early 1980's. She is aware of former Heath mayor, John Ratcliffe, getting an ordinance passed that calls for a golf cart driver to be a licensed driver in order to drive one. She encouraged the Rockwall city council to pass an ordinance placing specific and descript restrictions on golf cart use in subdivisions (i.e. one has to be a licensed driver and they are not allowed on sidewalks).

Mrs. Shirley Smith
609 Amherst Drive
Rockwall, TX 75087

Mrs. Smith suggested that all of the various regulations concerning the use of golf carts need to be made available to the public online in one location. She believes in having age restrictions that would disallow anyone under 18 years of age to operate golf carts. She also encouraged them to place a "slow moving vehicle" placard on the back of them as well as a six foot tall 'pole' with a neon flag to make them more visible.

Mr. Kevin Fowler
7115 Hunt Lane

Rockwall, TX

Mr. Fowler suggested that the city council may want to look into the golf cart policy currently in place within the Chandlers Landing subdivision, as he believes a lot of work went into its development, and it is a pretty sound policy.

Thomas Campion
108 Chaphill Drive
Rockwall, TX
(in Stone Creek subdivision)

Mr. Campion came forth and encouraged the city to initiate additional regulations and clarify for citizens what will and will not be allowed as far as golf carts and their operation are concerned. He encouraged the city to perhaps allow the vehicles within a neighborhood like Stone Creek but not on a major street. He is in favor of an age restriction. He feels the state regulations are ambiguous.

Mayor Pro Tem Lewis mentioned that he did make copies of the Chandler's Landing golf cart policy available to city council members for review. He believes it is mostly good; however, he disagrees with the age restriction of that particular policy being only fourteen (14) years old – he believes it should be higher.

Mayor Pruitt made a motion to instruct the city attorney to draft a model ordinance that has several different options for the city council to review and then have staff go and actually talk to residents to get their input before any passage / implementation of such regulations. Mayor Pro Tem Lewis seconded the motion.

Mr. Garza indicated that he believes the city could draft an ordinance to require that a golf cart driver have a valid driver's license; however, he does not believe the city could restrict it to only drivers 18 years or older. In addition, a golf cart being utilized on a public street is required to carry liability insurance.

Councilmember White asked staff to also research if liability insurance would be required for neighborhood electric vehicles and/or golf carts. Mr. Garza indicated that state law does require liability insurance; however, there are exceptions to this insurance requirement (being that it's being operated in a master planned community, is two miles from a golf course or on a golf course, on a public beach, etc.). Mr. Garza clarified that the HOA of a master planned community can place restrictions on golf cart usage if they so choose.

Mr. Garza explained that the city cannot restrict golf cart usage within two miles of a golf course going to and from a golf course, or they are in a master planned community. The city could, however, restrict their use elsewhere in the city. The city could place an age restriction in a master planned community, or elsewhere, regarding operation of golf carts. It was clarified that, according to the Texas Attorney General's opinion, a golf cart user does not have to carry liability insurance if they are operating it in a master planned community.

After lengthy discussion, the motion on the floor passed by a vote of 6 in favor with 1 absent (Townsend).

Mayor Pruitt then announced that he will be reopening "Open Forum" because there is a citizen who missed this opportunity earlier in the meeting but would like to come forth and speak.

XII. PUBLIC HEARING ITEMS

1. **Z2015-003** - Hold a public hearing to discuss and consider approval of an ordinance for a request by Cole Franklin of the Skorburg Company on behalf of the owner Larry Hance for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 7 (SF-7) and General Retail (GR) District land uses for a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King Boulevard, and take any action necessary. (1st reading) ***[The applicant has requested and been approved by the Planning and Zoning Commission to withdraw this case]***

Mayor Pruitt announced that the applicant has requested that this item be withdrawn. As a result, no discussion took place, and no action was taken.

2. **Z2015-010** - Hold a public hearing to discuss and consider approval of an ordinance for a request by Noah Flabiano of the Skorburg Company for a zoning change from Planned Development District 70 (PD-70) for limited commercial/retail land uses to a Planned Development District for townhomes on a 10.142-acre tract of land being identified as a portion of a larger 164.812-acre tract of land identified as Tract 3 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 70 (PD-70), situated within the North SH-205 Overlay (N-SH205 OV) District, generally located at the northeast corner of the intersection of E. Quail Run Road and N. Goliad Street [N. SH-205], and take any action necessary. (1st reading) ***[Requested postponement to the May 4, 2015 City Council Meeting]***

Mayor Pruitt announced that the applicant has requested that this item be postponed. Mr. LaCroix explained that this case will be on the Planning & Zoning Commission meeting agenda for April 28. It was indicated that postponement of this item was previously requested as well, so, this is the last possible postponement of the case. That being said, the council did not discuss this item further, and no action was taken at this time.

3. **Z2015-011** - Hold a public hearing to discuss and consider approval of an **ordinance** for a City initiated zoning request for the approval of a text amendment to Article IX, Tree Preservation, Section 11.1, Tree fund administration, of the Unified Development Code [Ordinance No. 04-38] for the purpose of modifying this section of the code, and take any action necessary. **(1st reading)**

Planning Director, Robert LaCroix, provided brief background information related to this agenda item. He indicated that the Planning & Zoning Commission has recommended approval of this change within the Unified Development Code. He generally explained that this change is associated with installing and sustaining landscaping that is donated

to the city by developers through the city's tree mitigation ordinance. It will allow for additional, perineal vegetation to be planted, in addition to trees. Furthermore, it will allow for labor to plant trees and vegetation as well as equipment and irrigation needed to plant and sustain the trees / vegetation.

Mayor Pruitt opened the public hearing and asked if anyone would like to come forth and speak during this time. There being no one indicating such, Mayor Pruitt then closed the public hearing.

Mayor Pruitt briefly shared some concerns that he heard expressed at the Planning and Zoning Commission meeting, mainly related to the use of funds collected (using funds for labor to plant trees, equipment to plant trees, etc. and a concern related to the various percentages that may be allocated to purchase trees, plant trees, for equipment, etc.). After brief comments, Councilmember White made a motion to approve the ordinance for Z2015-011. Mayor Pro Tem Lewis seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 11.1 OF ARTICLE IX, *TREE PRESERVATION*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes with 1 absent (Townsend).

XIII. ACTION ITEMS

1. Discuss and consider approval of a resolution related to the authority of private toll road corporations, and take any action necessary.

Assistant City Manager Brad Griggs provided brief background information related to this agenda item, indicating that Councilmember Daniels asked staff to look into this topic and place it on the city council for discussion and consideration.

After brief discussion, Councilmember Daniels made a motion to approve a resolution (shown on pg. 116 of the council packet), which supports all three proposed bills currently in the legislature. Councilmember White seconded the motion, which passed by a vote of 5 in favor, 1 against (Hohenshelt), and 1 absent (Townsend).

2. Discuss and consider a recommendation from the City Council's Hotel Tax Subcommittee regarding funding request from the Rockwall County Historical Foundation, and take any action necessary.

The Rockwall Historical Foundation would like to do some work to paint their property (historic house). They have requested money to help pay the paint contractor, as they have received the actual paint for free. The council subcommittee met and reviewed the request and has made a recommendation that the council consider approving their

request. Mayor Pruitt made a motion to approve the funding request in the amount of $1,500. Councilmember White seconded the motion, which passed by a vote of 6 in favor with 1 absent (Townsend).

XIV. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections Monthly Report - February 2015
Fire Department Monthly Reports - February 2015
Harbor PD Monthly Report - February 2015
Internal Operations Department Monthly Report - February 2015
Police Department Monthly Report - February 2015
Recreation Monthly Report - February 2015
Rockwall Animal Adoption Center Monthly Report - February 2015
Rockwall County Meals on Wheels Senior Services Quarterly Report

2. City Manager's Report

Staff's implementation of additional volunteer opportunities is underway. Staff will be coming before the council at a future date to discuss and determine how representatives for neighborhoods that do not have HOAs will be chosen for him (the city manager) to meet with on a semi-annual basis. Programing has been secured and the city has been advertising holding live music from May through September on Friday and Saturday nights on San Jacinto Plaza. The Phelps Lake ribbon cutting has been rescheduled for Saturday, April 18 at 10:30 a.m. The Parks Department has submitted the grant application for the Breezy Hill neighborhood park. Lake levels of lakes that serve the City of Rockwall through the North Texas Municipal Water District have notably improved. Citizens of Rockwall will stay on a once every two week watering scheduled for the time being. The city's Household Hazardous Waste Day is scheduled for April 18th from 9AM to 3PM at the Service Center on Airport Road. Brief discussion took place related to a few fire calls in the Fire Department report which were shown as 'no incident found upon arrival at dispatch address.' No action took place related to this agenda item.

XV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointments to city's regulatory boards, including the Board of Adjustments, pursuant to Section 551.074 (Personnel Matters)

2. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)

3. Discussion regarding proposed development and possible vesting issues under Chapter 245 Local Government Code pursuant to Section 551.071 (Consultation with Attorney).

4. Discussion regarding City Manager performance evaluation pursuant to Section 551.074 (Personnel Matters).

XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Mayor Pruitt reconvened the public meeting at 7:48 p.m. with all council members, except Mike Townsend (absent), being present.

Mayor Pro Tem Lewis made a motion to amend the City manager's contract per Executive Session discussion and bring the contract back before the city council for approval. Councilmember Milder seconded the motion. The motion passed by a vote of 6 in favor with 1 absent (Townsend).

Mayor Pro Tem Lewis made motion to appoint Allan Dennard to serve on the Board of Adjustments and Peter Flores to serve as an Alternate Member on the Board of Adjustments. Councilmember White seconded the motion, which passed by a vote of 6 in favor with 1 absent (Townsend).

XVII. ADJOURNMENT

The meeting was adjourned at 7:49 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 20th DAY OF APRIL, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

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City of Rockwall
The New Horizon

TO: Rick Crowley

CC: Tim Tumulty, Public Works Director / City Engineer
Mary Smith, Assistant City Manager / Finance Director

FROM: Rick Sherer, Water/Wastewater Manager

DATE: April 10, 2015

SUBJECT: Sewer line repair

On January 3, 2015, the City's sewer department received a call from dispatch that a resident at the address of 1941 Random Oaks had a sewer stoppage. After the City's crew arrived and assessed the issue, it was determined, the City main was plugged with rocks. The rocks appeared to be the type used in concrete. In order to identify where and how the rocks entered the sewer system and eliminate the possibility of future problems, the City contacted Acme Utility. Acme Utility is an independent contractor that conducts television inspections of sewer lines. The video footage revealed that the damage to the line was the result of a contractor repairing a subdivision wall surrounding the Random Oaks Subdivision. At some point during construction, the contractor bored into the City sewer line. The bored hole was for a concrete pier to support the subdivision wall. The hole allowed concrete to enter into the sewer system.

With the pier and footing located over the pipe, a conventional repair is not an option. In order to make the necessary repair, the pipe repair must be done from inside the pipe. The proposed method of repair is cured-in-place-pipe lining (CIPP). CIPP lining is one of the several pipe rehabilitation methods available in trenchless technologies. CIPP is a preferred method of rehabilitating cracked, broken and failed sanitary sewer pipes.

The lining used in CIPP is a resin-saturated felt tube made of polyester with an exterior polyurethane coating. In this instance, the liner will be inserted from manhole to manhole. Once in place, the liner is inflated by air pressure to press the material against the existing pipe walls. When fully inflated, steam is circulated in the liner to start the curing process of the resin. CIPP liners are designed to be independently structurally stable, not relying on the host pipe for any structural strength.

The proposed repair is 110-feet of liner for an 8-inch pipe. The liner will be pulled from one manhole to another, which would not require any excavation. Attached to this memo are two proposals received by the City and pictures of the damaged pipe videoed by Acme Utilities.

The bids results are as follows:

Insituform Technologies LLC	$16,570.00
IPR South Central, LLC.	$26,750.00

The needed repair was not budgeted this year. Staff is asking Council to consider authorizing the City Manager to execute a contract with the low bidder, Insituform Technologies, LLC. And to amend the budget to allow an appropriation of $20,000 that would also allow a small contingency.

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Hole created in top of pipe from pier



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View of concrete rock in pipe past hole



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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **April 15, 2015**

SUBJECT: **Procedure for expenditures from Tree Fund**

Council is considering an ordinance amendment that will allow developer funds, required as a part of the Tree Preservation section of the Unified Development Code, to be used for expenses other than the purchase of the trees themselves. The ordinance in its current form does not allow the funds to be used for tree planting, other plant materials, irrigation systems for the trees or equipment needed to plant or transplant trees such as an auger.

The process to manage the expenditures is proposed in this way:

The department will request appropriation of funds each budget year in an amount sufficiently large enough to cover the expense of purchasing and planting trees and other plant materials with a contingency allowed since we can't tell how many will be planted each year.

The department will request appropriation of funds each budget year for equipment needed to accomplish the tree plantings. This equipment will be described in sufficient detail as other larger purchases are done in the budget.

The department will request an appropriation of funds each year to cover irrigation materials for the planted trees.

The offset to approved budget appropriations would be a transfer from the Special Escrow "Tree Fund" account to the General Fund as revenue.

In this way, the City Manager will propose the expenditure of funds and Council will be asked to consider approval through the budget process.

CITY OF ROCKWALL

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 11.1 OF ARTICLE IX, *TREE PRESERVATION*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 04-38*] has been initiated by the City Council of the City of Rockwall to amend Section 11.1, *Tree Fund Administration,* of Section 11, *Tree Fund*, of Article IX, *Tree Preservation*, of the Unified Development Code [*Ordinance No. 04-38*]; and,

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That Section 11.1, *Tree Fund Administration,* of Section 11, *Tree Fund*, of Article IX, *Tree Preservation*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'A'* of this ordinance.

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

Section 3. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 4. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 20TH DAY OF APRIL, 2015.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: *April 6, 2015*

2nd Reading: *April 20, 2015*

Article IX, Tree Preservation, of the Unified Development Code

Section 11. Tree Fund

Section 11.1. Tree Fund Administration.

The city shall administer the tree fund. The funds shall be used to purchase~~,~~ plant ***material as permitted by this ordinance, install (including the equipment or labor necessary to install the plant materials)*** and maintain trees on public property ***including the necessary irrigation equipment*** ~~***utilizing either city staff or contract labor***~~, to acquire wooded property that remains in a naturalistic state in perpetuity, to perform and maintain a city wide tree inventory and to educate citizens and developers on the benefits and value of trees. The city council shall have the ability to adopt alternative methods of creating tree credits and methods of distribution of trees and/or funds for purchasing trees.

Funds collected as a result of the mitigation of trees may be used to purchase trees, both deciduous and coniferous, any woody type plant or any perennial appropriate for the climatic conditions of the north Texas region.

(Ord. No. 09-23, 6-15-2009)

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 4/20/2015

APPLICANT: Chase Finch, *Corwin Engineering, Inc.*

AGENDA ITEM: **P2015-012**; *Breezy Hill, Phases V*

SUMMARY:

Discuss and consider a request by Warren Corwin of Corwin Engineering on behalf of Ryan Joyce of the Skorburg Company (BH Phase V 80' POD, SF, LTD) for the approval of a preliminary plat for 79 single family residential lots, identified as Phase V of the Breezy Hill Subdivision, being a 25.597-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, situated on the west side of Breezy Hill Road north of the intersection Breezy Hill Road and FM-552, and take any action necessary.

PRELIMINARY PLAT INFORMATION:

☑ The Breezy Hill Subdivision is a master planned community that will provide approximately 405-acres of residential and commercial development. The residential subdivision will be composed of 742 single-family lots on 371.45-acres of land, and be broken down per the lot mix indicated in Planned Development District 74 (PD-74). The lot mix in this Planned Development District is as follows:

Lot Types	*A*	*B*	*C*	*D*
Typical Lot Frontage *(Feet)*	60	70	80	100
Typical Lot Depth *(Feet)*	120	120	125	200
Minimum Lot Size *(Sq. Ft.)*	7,200	8,400	10,000	20,000
Number of Proposed Units	206	112	326	98
Dwelling Unit %	27.80%	15.10%	43.90%	13.20%

☑ The purpose of the applicant's submittal is to preliminary plat Phase V of the Breezy Hill Subdivision and layout 79 of the 742 single-family lots. The 79 proposed lots will be constructed to the *Type 'C'* standard (*all standards are displayed in the above table*) and be situated on approximately 25.597-acres adjacent to Breezy Hill Road. In addition to the Preliminary Plat the applicant has also submitted a preliminary water, sanitary sewer and storm water plans establishing that the developer can provide adequate utilities to service the proposed phase.

☑ The proposed Preliminary Plat conforms to the revised concept plan approved by the City Council on July 7, 2014 under *Case No. Z2014-017* [*Ordinance No. 14-26*].

☑ On April 7, 2015 the Parks Board reviewed the proposed *Preliminary Plat* and made a recommendation to approve the plat with the following condition:

1) The developer shall be required to abandon the access easement that bisects the public park once sufficient emergency access has been provided to the Fire Department (*i.e. Phase V has been completed*).

☑ The Surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for *Preliminary Plats* as stated in the Subdivision Ordinance in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the *Preliminary Plat* for *Phase V* of the *Breezy Hill Subdivision* staff would recommend the following conditions of approval:

1) The *Preliminary Plat* shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;

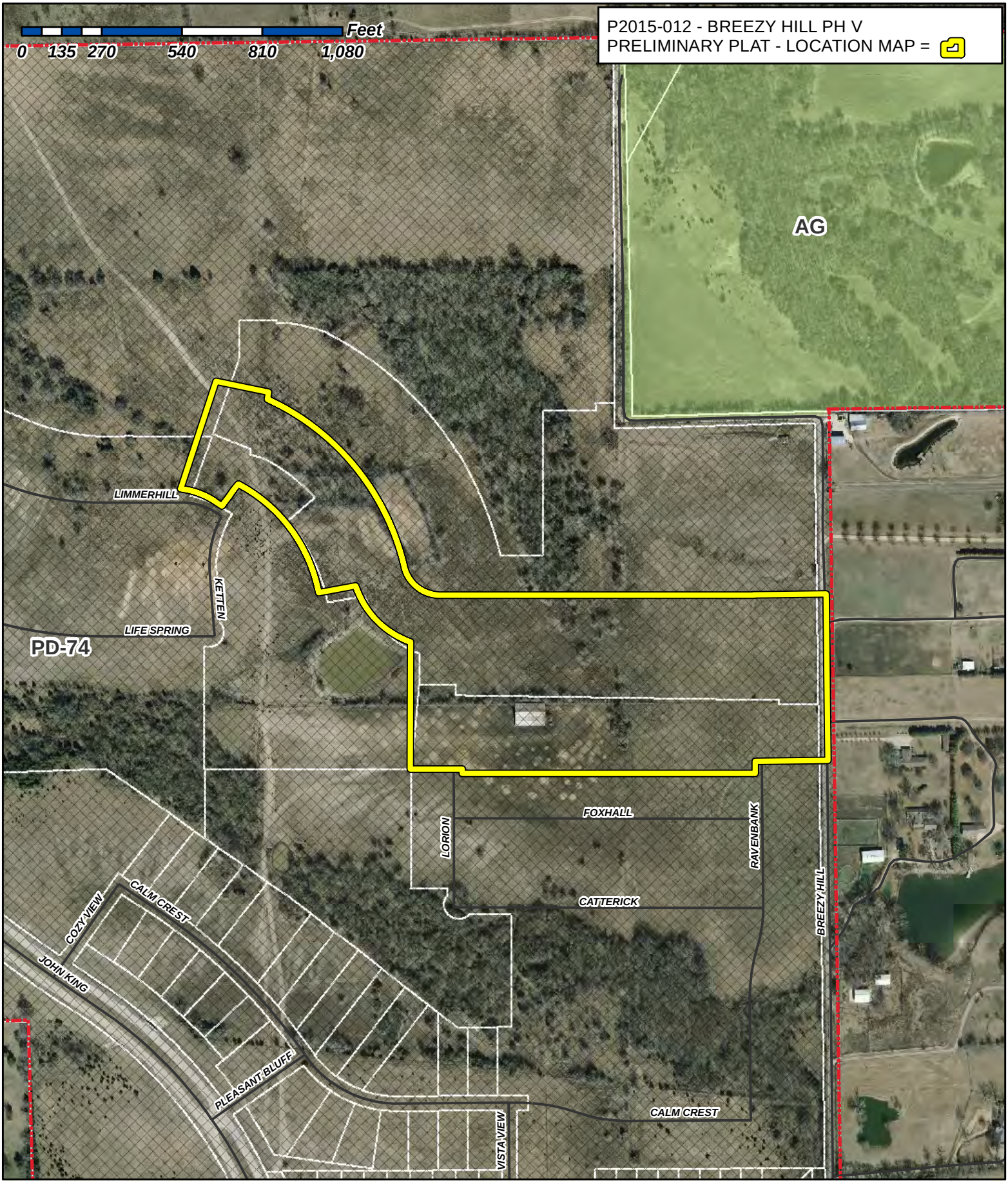
2) A Treescape Plan for the entire phase shall be required to be submitted with the Final Plat;

3) The *Preliminary Plat* shall conform to the recommendation made by the Parks Board; and,

4) Any construction resulting from the approval of this *Preliminary Plat* shall conform to the requirements set forth by the Unified Development Code (UDC), the 2009 International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On April 14, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the proposed preliminary plat per staff's recommendations by a vote 7-0.



City of Rockwall

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

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

41

1:5,000

Breezy Hill Phase 5							
Block A		**Block I**		**Block J**		**Block K**	
Lot	SF	Lot	SF	Lot	SF	Lot	SF
41	10000	13	11857	1	11529	1	10843
42	10000	14	10000	2	10000	2	10000
43	10000	15	10000	3	10000	3	10000
44	10000	16	10000	4	10000	4	10000
45	10000	17	10000	5	10000	5	10000
46	*1817	18	10000	6	10000	6	10000
Block C		19	10000	7	10000	7	10000
Lot	SF	20	10000	8	10000	8	10000
11	14736	21	10000	9	10000	9	10000
12	11268	22	10000	10	10000	10	10000
13	*2854	23	10000	11	10000	11	10000
14	11267	24	11343	12	11410	12	10399
15	11126			13	11410	13	*1250
Block D				14	10000		
Lot	SF			15	10000	**Block M**	
72	10367			16	10000	Lot	SF
73	10369			17	10000	1	12878
74	10372			18	10000	2	13281
75	10374			19	10000	3	12119
76	10376			20	10000	4	11174
77	10379			21	10000	5	11174
78	10381			22	10000	6	11174
79	*22400			23	10000	7	11174
				24	11343	8	11174
				Block L		9	11174
				Lot	SF	10	14830
				1	10696		
				2	10681		
				3	10681		
				4	10681		
				5	21461		
				6	*1888		

* denotes open space

Reviewed for preliminary Approval:

Planning & Zoning Commission Chairman — Date

Approved for Preparation of Final Plat:

Mayor, City of Rockwall — Date

BREEZY HILL 405, LTD.
CLERKS FILE NO. 2007-00375392

20' NORTH TEXAS MUNICIPAL WATER DISTRICT ESMT.
VOL. 812, PG. 23

S77°16'23"E
181.76'

S13°09'52"W
23.66'

380.90'

N19°07'05"E

KETTEN DRIVE (50' R.O.W.)

Δ= 52°19'09"
R= 825.00'
T= 405.23'
L= 753.34'
C= 727.44'
B= S38°20'40"E

LIMMERHILL DRIVE Δ= 26°00'29"
R= 275.00'
T= 63.51'
L= 124.83'
C= 123.76'
B= N68°48'15"W

N55°48'00"W
27.09'

Δ= 51°19'22"
R= 525.00'
T= 252.23'
L= 470.27'
C= 454.71'
B= N35°32'19"W

BREEZY HILL PHASE 4
(UNDER CONSTRUCTION)
41.321 ACRE TRACT
CLERKS FILE NO. 20130000500486

LIFE SPRING DRIVE

LAZY BROOKE DRIVE (50' R.O.W.)

S80°07'23"W
126.68'

Δ= 52°20'46"
R= 300.00'
T= 147.44'
L= 274.08'
C= 264.65'
B= N43°22'32"W

Δ= 76°51'49"
R= 125.00'
T= 99.19'
L= 167.69'
C= 155.40'
B= S50°36'59"E

BREEZY HILL 405, LTD.
CLERKS FILE NO. 2007-00375392

S89°02'54"E 1054.06'

N00°16'06"E
1.16'

S89°43'54"E 244.79'

LOT 6 BLOCK L MAINTAINED BY H.O.A.

LOT 8 BLOCK L MAINTAINED BY H.O.A.

LOT 13 BLOCK K MAINTAINED BY H.O.A.

LOT 45 BLOCK A MAINTAINED BY H.O.A.

LOT 79 BLOCK D MAINTAINED BY H.O.A.

15'x50' UTILITY ESMT.

10'x10' ACCESS ESMT.

CITY OF ROCKWALL GRID SYSTEM COORDINATES

X	Y
2596134.85	7044896.34

ELEV. = 500.00

CITY OF ROCKWALL GRID SYSTEM COORDINATES

X	Y
2596768.28	7044008.13

ELEV. = 519.0

N00°57'06"E
427.21'

N89°02'54"W
175.00'

N00°57'06"E
15.00'

N89°02'54"W 986.35'

N89°43'54"W 244.58'

S00°16'06"W
41.21'

S00°17'25"W 560.00'

LORION DRIVE

RAVENBANK DRIVE

BREEZY HILL ROAD

HEATHER FALLS DRIVE (50' R.O.W.)

FOXTAIL DRIVE

BREEZY HILL PHASE 3
(UNDER CONSTRUCTION)
48.252 ACRE TRACT
CLERKS FILE NO. 20130000498923

Access Easement
Doc No. 20140000000923

100 YR. FLOOD PLAIN
FEMA PANEL NO. 48397C0030L
DATED: SEP. 26, 2008

DOUGLAS D. MORRIS AND WIFE, LYNDA J. MORRIS
VOLUME 99, PAGE 880
D.R.R.C.T.

TRACT 1 (LOT 1)
DONALD E. BENNETT AND WIFE, LINDA H. BENNETT
VOLUME 121, PAGE 997
D.R.R.C.T.

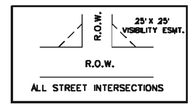
TRACT 2 (LOT 2)
DONALD E. BENNETT AND WIFE, LINDA H. BENNETT
VOLUME 121, PAGE 997
D.R.R.C.T.

JAMES L. KLEIN AND MARY F. KLEIN
VOLUME 2081, PAGE 133
D.R.R.C.T.

BENNIE R. CLARK AND WIFE, JUDY A. CLARK
VOLUME 550, PAGE 256
D.R.R.C.T.

½" IRF

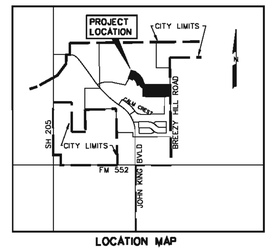
25' R.O.W. DEDICATION



VISIBILITY EASEMENT DETAIL
N.T.S.

N

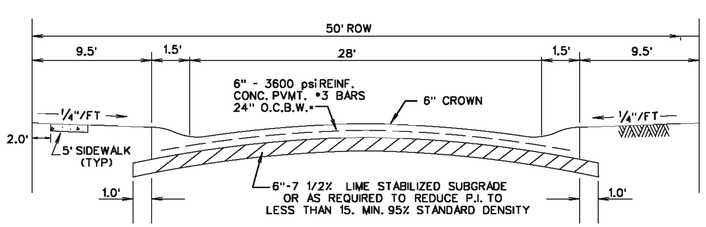
0 50 100 200
SCALE: 1" = 100'



LOCATION MAP
N.T.S.

NOTE:
ALL OPEN SPACE AREAS WILL BE MAINTAINED BY THE HOA.

LEGEND
B.L. - BUILDING LINE
U.E. - UTILITY EASEMENT
R.O.W. - RIGHT OF WAY
H.O.A. - HOMEOWNERS ASSOCIATION



TYPICAL PAVEMENT SECTION - LAYDOWN CURB
N.T.S.
*MIN. 6 ½ SACK MIX IF HAND PLACED

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	BEARING
1.	08°29'51"	350.00'	51.91'	26.00'	51.86'	S37°32'17"W
2.	07°35'12"	300.00'	39.72'	19.89'	36.69'	S37°59'36"W

Zoning: Planned Development District (PD-74)
Single Family Residential [Lot Type C]

TOTAL ACRES 25.597

TOTAL RESIDENTAL LOTS 79

DENSITY 3.09

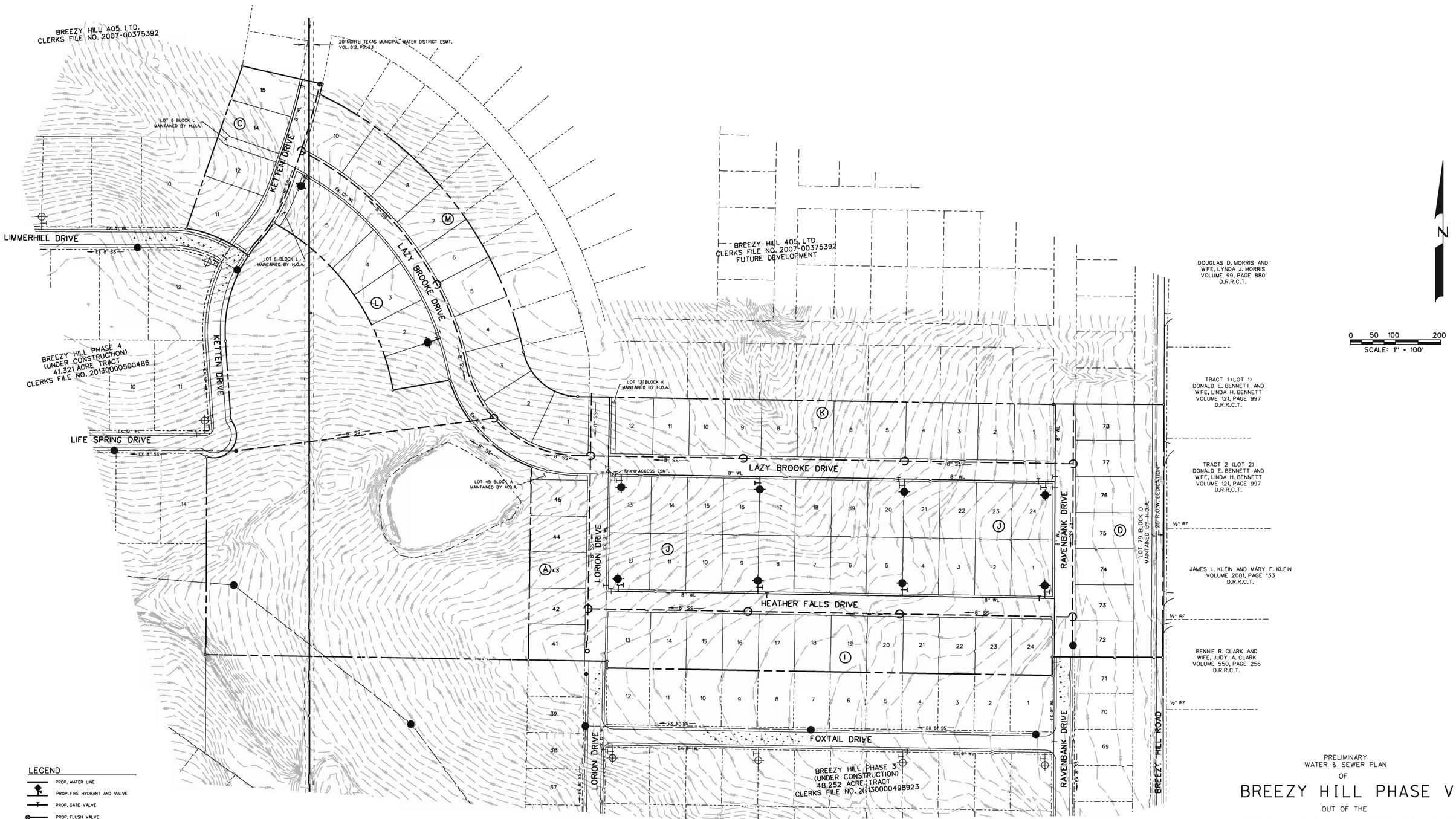
PRELIMINARY PLAT
OF
BREEZY HILL PHASE V
OUT OF THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER
BH PHASE V 80's POD, SF, LTD.
8214 WESTCHESTER DRIVE., SUITE 710
DALLAS, TEXAS 75225
214-522-4945

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

MARCH 2015 SCALE 1" = 100'

CASE #P2015-012



LEGEND

- PROP. WATER LINE
- PROP. FIRE HYDRANT AND VALVE
- PROP. GATE VALVE
- PROP. FLUSH VALVE
- EXIST. WATER LINE
- EXIST. FIRE HYDRANT AND VALVE
- PROP. SANITARY SEWER
- PROP. MANHOLE
- PROP. CLEANOUT
- EXIST. SANITARY SEWER
- EXIST. MANHOLE
- PROP. STORM SEWER
- PROP. CURB INLETS
- PROP. CONC. HEADWALL

PRELIMINARY
WATER & SEWER PLAN
OF

BREEZY HILL PHASE V

OUT OF THE

J. STRICKLAND SURVEY, ABSTRACT NO. 187

IN THE

CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER

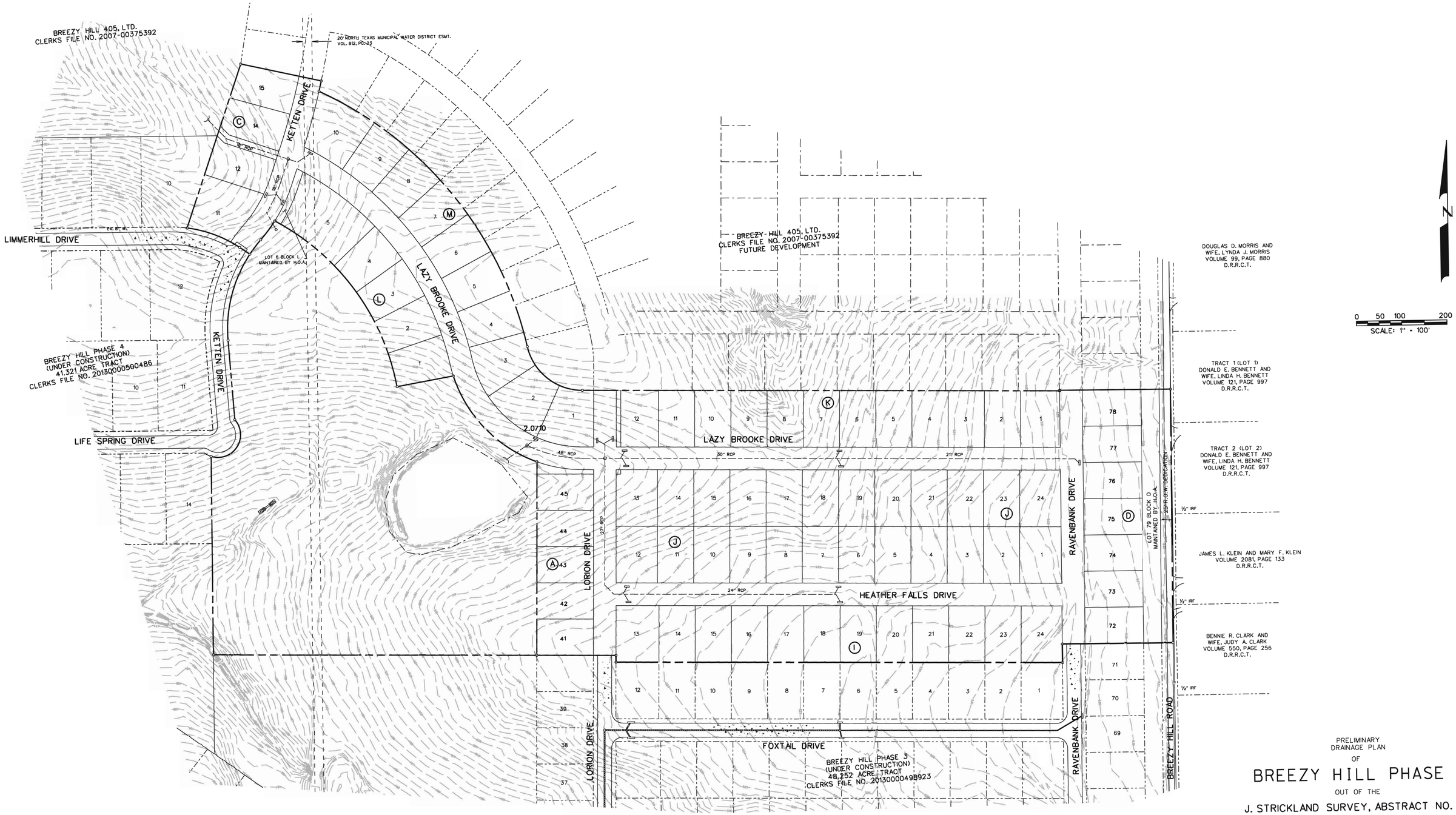
BH PHASE V 80's POD, SF, LTD.
8214 WESTCHESTER DRIVE., SUITE 710
DALLAS, TEXAS 75225
214-522-4945

PREPARED BY

CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

MARCH 2015 SCALE 1" - 100'

CASE #P2015-XXX



LEGEND

- PROP. STORM SEWER
- PROP. CURB INLETS
- PROP. CONC. HEADWALL

PRELIMINARY
DRAINAGE PLAN
OF

BREEZY HILL PHASE V

OUT OF THE

J. STRICKLAND SURVEY, ABSTRACT NO. 187

IN THE

CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER

BH PHASE V 80's POD, SF, LTD.
8214 WESTCHESTER DRIVE., SUITE 710
DALLAS, TEXAS 75225
214-522-4945

PREPARED BY

CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

MARCH 2015 SCALE 1" = 100'

CASE ~~•P2015~~-XXX

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **April 15, 2015**

SUBJECT: **OPEN SPACE RESOLUTION – THE PARK AT STONE CREEK**

The City was officially awarded a $400,000 matching grant from the Texas Parks and Wildlife Department (TPWD) in January of 2015 to develop a neighborhood park within Stone Creek. The application for the grant was approved by Council at the July of 2014 meeting.

One of the major components of the grant proposal was to preserve approximately 3.5 acres of natural open space and flood plain. As part of the TPWD requirements, a resolution is needed to officially commit that land to preservation in perpetuity.

The 11 acre neighborhood park was originally dedicated by the Skorburg Company along Featherstone Drive, adjacent to John King Blvd. The value of this land was used for the City's matching portion of the grant. The City also owns the parcel to the north of the park land. The 3.5 acres of natural open space to be preserved includes the flood plain and associated slopes within the City's parcel and includes the pond within the 11 acre neighborhood park land. The attached "EXHIBIT A" highlights the approximate boundaries of the preserved natural open space and flood plain.

MHS Planning and Design is currently in the preliminary design phase for the Park at Stone Creek. A public meeting will be held during a regularly scheduled Park Board meeting to review and comment on the proposed designs, prior to being presented to City Council for consideration. Construction and bidding documents would follow contingent on Council approval.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 15-14

A RESOLUTION OF THE COMMISSIONER'S COURT OF ROCKWALL COUNTY, TEXAS, DEDICATING 3.5 OF ACRES OF WETLANDS/OPEN SPACE/PARKLAND ALONG THE CREEK/DRAINAGE WAY IN STONE CREEK AS DESCRIBED IN EXHIBIT A ATTACHED AS WETLANDS/OPEN SPACE FOR PERPETUITY, AS REQUIRED BY THE TEXAS PARKS AND WILDLIFE DEPARTMENT; APPROVE THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZE ITS EXECUTION BY THE CITY MANAGER; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Rockwall City Council desires to provide quality park facilities for the residents of Rockwall; and

WHEREAS, the City of Rockwall has obtained a grant from the Texas Parks and Wildlife Department for the development of a neighborhood park and desires to comply with all of the requirements set forth in the grant.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THAT;

SECTION 1. In order to fulfill the requirements of the Texas Parks and Wildlife Department's grant to the City of Rockwall, the City Council of Rockwall, Texas hereby designates 3.5 acres of parkland in Stone Creek as wetlands/open space.

SECTION 2. The Mayor of the City of Rockwall, along with the City Manager, are hereby authorized to execute the appropriate documents approving the terms and conditions of the agreement with the Texas Parks and Wildlife Department.

SECTION 3. Any prior Resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

SECTION 4. Should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

SECTION 5. This Resolution shall take effect immediately from and after is passage and it is so duly resolved.

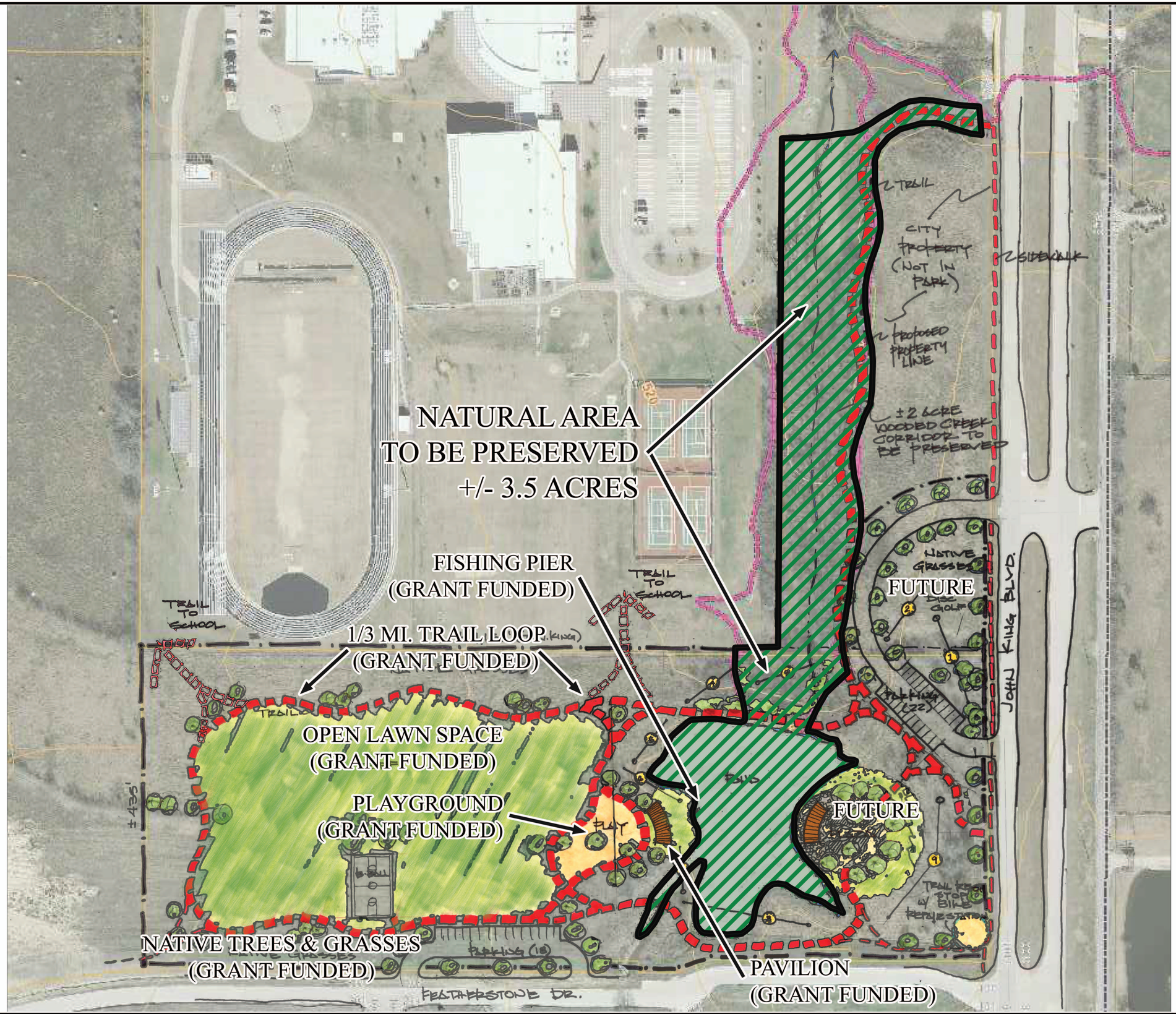
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 20th day of April, 2015.

_____

ATTEST: **Jim Pruitt, Mayor**

_____

Kristy Ashberry, City Secretary



REVISIONS:

212 West Ninth Street
Tyler, Texas 75701
903-597-6606
903-597-0517 Fax

MHS
PLANNING & DESIGN, LLC

EXHIBIT A
3.5 ACRES TO BE PRESERVED
STONE CREEK PARK
CITY OF ROCKWALL, TEXAS

DRAWN:	HNR
CHECKED:	MHS
DATE:	JULY 2014
SCALE:	AS SHOWN
JOB NO.:	14-016

1 OF 1

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary**

DATE: **04/17/2015**

SUBJECT: **Agenda item – verbal discussion (no documentation)**

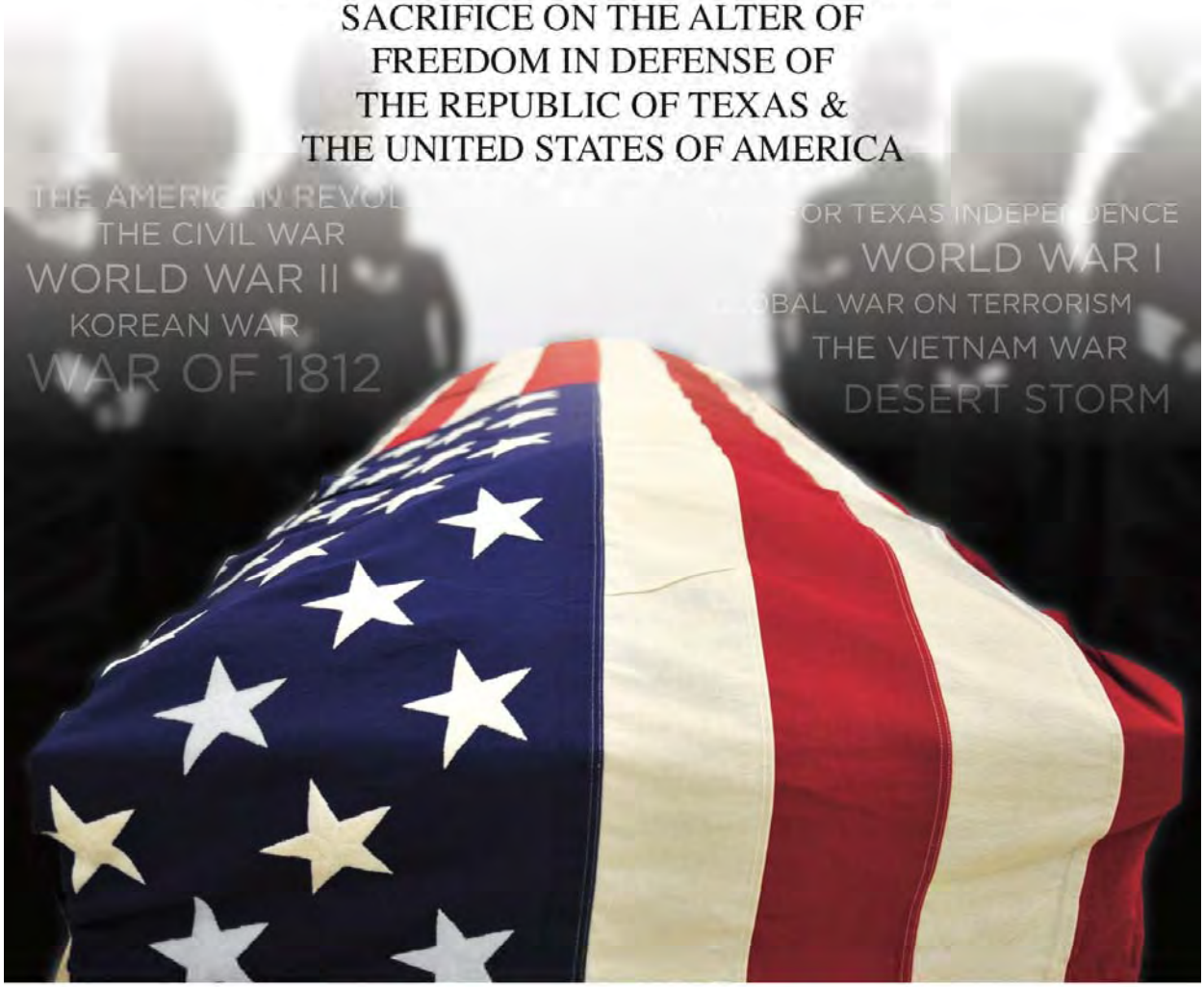
Please know that this agenda item has documentation that is a larger file and will be provided at the meeting and emailed separately.

COME AND TAKE IT

City of Rockwall

MEMORIAL DAY CONCERT

A MUSICAL CELEBRATION IN MEMORY
OF THOSE WHO GAVE THE ULTIMATE
SACRIFICE ON THE ALTER OF
FREEDOM IN DEFENSE OF
THE REPUBLIC OF TEXAS &
THE UNITED STATES OF AMERICA



THE HARBOR AMPHITHEATER

SUN, MAY 24TH, 2015
7:00 PM

51

Memorial Day Celebration Objectives

- ❖ Recurring Civic Commemoration
  - Detailed Planning
- ❖ Honoring & Educating
- ❖ Concert
  - Patriotic Music
  - Featuring Local Musicians
  - Harbor Amphitheater

Planning Committee

Musicians

- Alan Clark – Director Rockwall Children's Chorus
- Mike McGill – Director Rockwall Community Band
- Chris Kosterman – Rockwall ISD Director of Arts

Military

- MG Gary Bunch, USA Ret
- LTC Tom Galli, USA Ret

Citizens

- Gary Freeman
- Terry Garrett

City Parks and Recreation Department

- Andy Hesser
- Andrew Ainsworth

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The Program

Commemorate	Activity	Performer
United States of America	Colors	Rockwall PD Honor Guard
	National Anthem	Rockwall Community Band
	Opening Remarks	Mayor
Revolutionary War	Yankee Doodle & Battle of the Kegs Medley	Rockwall Children's Chorus
War of 1812	Proudly We Hail	Rockwall Community Band
Texas War of Independence	Yellow Rose of Texas	Rockwall Community Band
Civil War	Aura Lea	Rockwall HS Choir
Spanish American War	Washington Post March	Rockwall Community Band
World War I	God Bless America	Children's Chorus
World War II	I'll Be Seeing You	Ms. Shannon White
Vietnam War	Ballad of Green Beret	Rockwall HS Choir Ensemble
Honors to the Fallen	Medley of Armed Forces Hymns	Rockwall HS Orchestra, Choir & Community Band

USA – God of Our Fathers
USN & USMC – Eternal Father, Strong to Save
USCG – Eternal Father Lord of Hosts
USAF – Lord, Guard and Guide

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54

Ashberry, Kristy

From: Crowley, Rick
Sent: Monday, April 06, 2015 12:47 PM
To: Smith, Mary; Ashberry, Kristy
Subject: Fwd: Addressing the city council

Sent from my iPhone

Begin forwarded message:

> **From:** "White, David" <DavidWhite@rockwall.com>
> **Date:** April 6, 2015 at 12:45:01 PM CDT
> **To:** "Ashberry, Kristy" <KAshberry@rockwall.com>
> **Cc:** "Crowley, Rick" <RCrowley@rockwall.com>
> **Subject: Fwd: Addressing the city council**
>
> mrs marsh would like an agenda item for april 20. See below. Told her staff may contact if they have questions.
>
> Begin forwarded message:
>
> > **From:** JoAnn marsh < >
> > **Date:** April 6, 2015 at 12:40:59 PM CDT
> > **To:** "White, David" <DavidWhite@rockwall.com>
> > **Subject: Re: Addressing the city council**
> >
> > April 20 is good. No Sir we live by the shores. Right across from Tom Thumb area on North Goliad.
> >
> > JoAnn Marsh
> >
> > Sent from my iPhone
> >
> > On Apr 6, 2015, at 12:06 PM, White, David <DavidWhite@rockwall.com> wrote:
> >
> > > Do you mean april 20 or May 4? Can't say exactly what time, but will be at beginning of meeting. 6:30 should be about the time.
> > >
> > > Also, do you live in the neighborhood near tubbs and market center?

On Apr 6, 2015, at 12:04 PM, JoAnn marsh wrote:

I would like to go ahead and make an appointment for two Mondays from now. If possible somewhere between 6:30!and 7 PM regarding sewage issues in our neighborhood. We hope to bring neighbors as well to speak on this.

JoAnn Marsh

Sent from my iPhone

> On Apr 6, 2015, at 11:46 AM, White, David <DavidWhite@rockwall.com> wrote:
>
> Meeting starts at 6. Open forum is at the beginning of meeting.
>
> > On Apr 6, 2015, at 11:33 AM, JoAnn marsh
> >
> > wrote:
> >
> > We may come tonight. What time?
> >
> > JoAnn Marsh
> >
> > Sent from my iPhone
> >
> > > On Apr 6, 2015, at

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 04/20/2015

APPLICANT: Cindy Levandowski

AGENDA ITEM: **Z2015-012;** 907 N. Goliad – SUP Amendment

SUMMARY:

Hold a public hearing to discuss and consider a request by Cindy Levandowski on behalf of the owner Terry Rowe for the approval of an amendment to a Specific Use Permit [*Ordinance No. 09-28*] to allow for a *General Retail Store* within Planned Development District 50 (PD-50) for a 0.16-acre parcel of land identified as Lot 1, Block 1, Henry Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 907 N. Goliad Street, and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Cindy Levandowski on behalf of the owner Terry Rowe, is requesting a Specific Use Permit (SUP) to allow for a *General Retail Store* for the property located at 907 N. Goliad Street. This property has an existing SUP [*Ordinance No. 09-28*] that was approved in 2009 for a hair salon known as Renda's Place. The property was site planned in 2007 and later amended (2009) providing additional parking spaces and is considered sufficient for the proposed boutique. The property is within Planned Development District (PD-50) No. 50, the North Goliad Corridor Overly (NGC OV) District, and has an underlying zoning of Residential Office (RO) District.

In your packet is a copy of the amended site plan, a letter requesting the SUP; detailing the merchandise to be sold, the hours of operation and the days the boutique will be open. It should be noted that the current SUP [*Ord. No. 09-28*] limits business hours from 8:00 a.m. to 8:00 p.m. and was intended to be consistent with other hair salons in the RO district. Since the proposed hours of operation for the boutique are within this time frame (10:00 a.m. to 6:00 p.m. /Tue – Sat), it is not necessary to amend the hours of operation for this establishment.

Should the request be approved, the existing SUP would be amended to allow for the *General Retail Store* while keeping the use for a hair salon intact. A request for a Specific Use Permit (SUP) is a discretionary act upon the Planning and Zoning Commission and City Council.

NOTIFICATION:

Staff mailed ninety-eight (98) notices to property owners within 500 feet of the subject property and e-mailed two (2) HOA organizations [Caruth Lakes & Lakeview Summit] participating in the HOA/Neighborhood notification program that are within 1500 feet. Additionally, staff posted a sign on the property as required by the Unified Development Code (UDC). At the time this report was drafted, staff has received two (2) notices "for" and none "opposed to" the zoning change requested.

RECOMMENDATIONS:

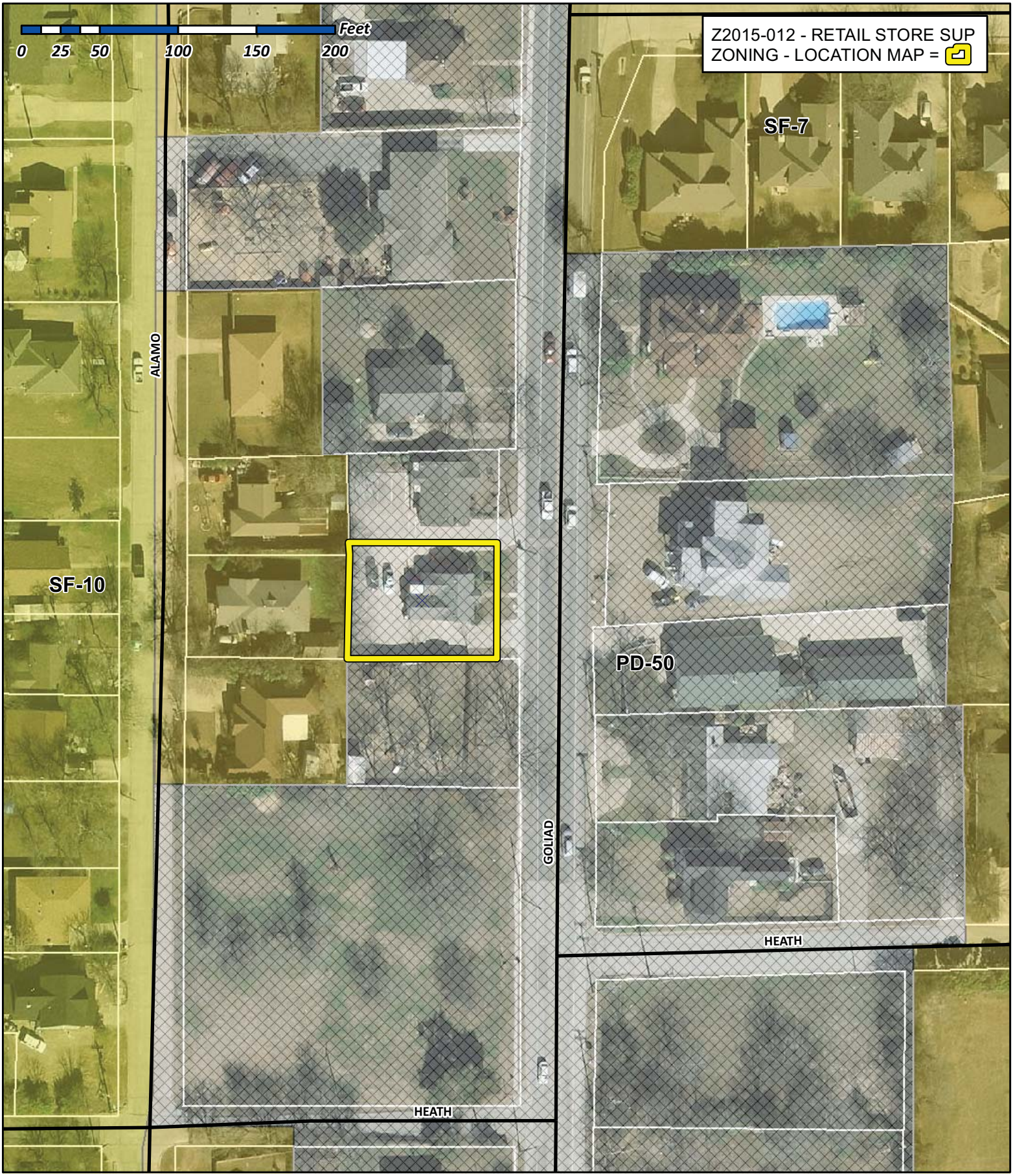
Should the Specific Use Permit [*Ord. No. 09-28*] be amended, staff would offer the following additional conditions of approval:

1) Adherence to Engineering and Fire Department standards.

2) That all signage requires a separate permit and must conform to the standards established in the North Goliad Overlay District.

Planning and Zoning Commission Recommendation:

On April 14, 2015, the Planning and Zoning Commission recommended approval of the request to amend the specific use permit with staff conditions by a vote of 7 to 0.



City of Rockwall

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

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

60

City of Rockwall

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

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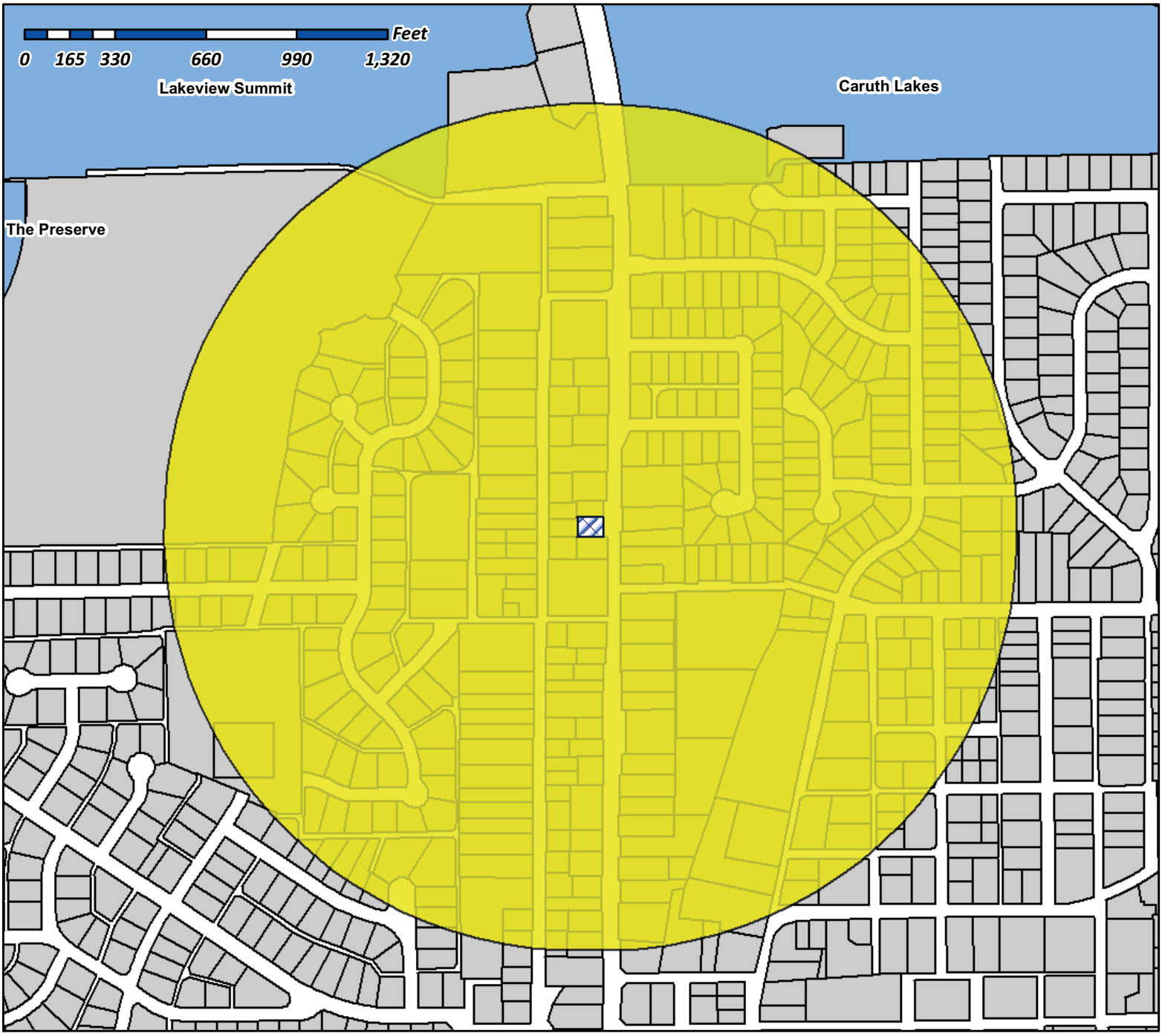
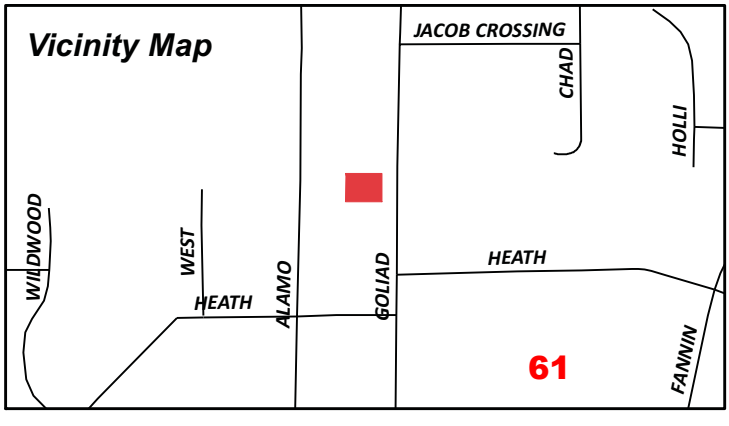


Case Number: Z2015-012
Case Name: Retail Store SUP
Case Type: Specific Use Permit
Zoning: PD-50
Case Address: 907 N Goliad St

Date Created: *3/12/2015*
For Questions on this Case Call (972) 771-7745



Gonzales, David

From: Gonzales, David
Sent: Friday, March 27, 2015 4:33 PM
To: [redacted]
Cc: Miller, Ryan
Subject: Neighborhood Notification Program: Notice of Zoning Request
Attachments: Z2015-012 HOA Map.pdf

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that was also published in the Rockwall Herald Banner on *April 3rd , 2015*. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at http://www.rockwall.com/planning/planningDevCases.asp.

Hold a public hearing to discuss and consider a request by Cindy Levandowski on behalf of the owner Terry Rowe for the approval of an amendment to a Specific Use Permit [*Ordinance No. 09-28*] to allow for a *General Retail Store* within Planned Development District 50 (PD-50) for a 0.16-acre parcel of land identified as Lot 1, Block 1, Henry Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 907 N. Goliad Street, and take any action necessary.

Thank you,

DAVID GONZALES, AICP
SENIOR PLANNER • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6488 OFFICE
DGONZALES@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

HELPFUL LINKS | CITY OF ROCKWALL WEBSITE | PLANNING & ZONING DIVISION WEBSITE | MUNICIPAL CODE WEBSITE
CITY OF ROCKWALL INTERACTIVE MAPS

City of Rockwall

Planning & Zoning Department
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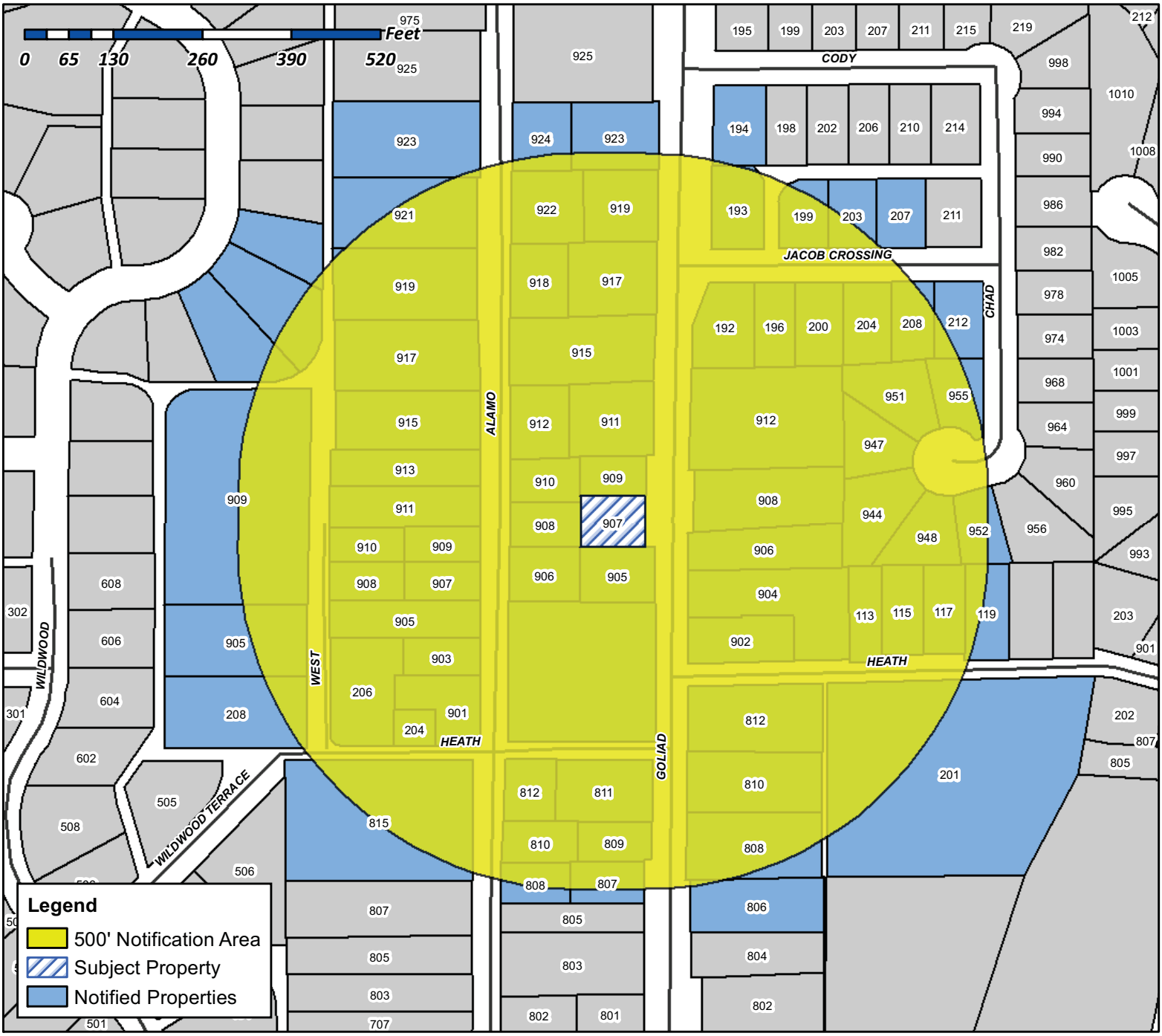

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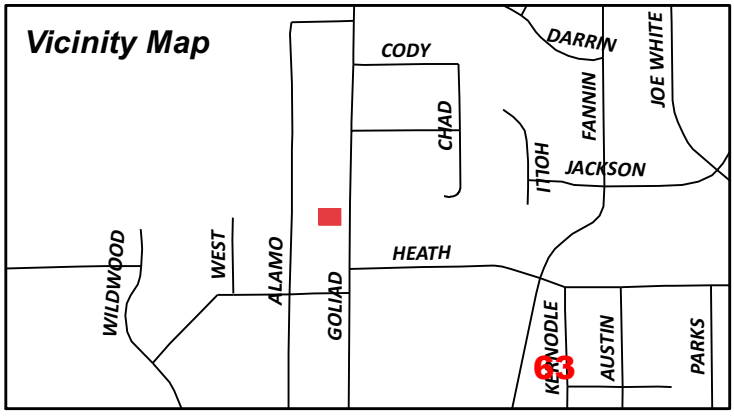

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

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

To Whom It May Concern:

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

Case No. Z2015-012: Retail Store SUP

Hold a public hearing to discuss and consider a request by Cindy Levandowski on behalf of the owner Terry Rowe for the approval of an amendment to a Specific Use Permit [Ordinance No. 09-28] to allow for a General Retail Store within Planned Development District 50 (PD-50) for a 0.16-acre parcel of land identified as Lot 1, Block 1, Henry Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 907 N. Goliad Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 4/14/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 4/20/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **4/20/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2015-012: Retail Store SUP

Please place a check mark on the appropriate line below:

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

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

Name:

Address:

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

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

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Case No. Z2015-012: Retail Store SUP

Please place a check mark on the appropriate line below:

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

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

I/So own 919 N. Goliad and I Favor the Request to Rezone

Name: R.D Vandeerstice

Address: 911 N. Goliad Rockwall Tx 75087

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

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Case No. Z2015-012: Retail Store SUP

Please place a check mark on the appropriate line below:

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

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

I also own the property at 919 N. Goliad within the 500 ft notification area - Did not Receive Notice on this I vote in FAVOR of this Request AS 919 Property owner Also.

Name: R.D Vanderslice

Address: 911 N. Goliad Rockwall Tx 75087

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

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PLEASE RETURN THE BELOW FORM

Case No. Z2015-012: Retail Store SUP

Please place a check mark on the appropriate line below:

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

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

Needs to stay area for family homes - not businesses,

Timothy E White

Name: Timothy E. White (913 N. Adams owner)

Address: 9104 FM 2325, Terrell, Texas 75160

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

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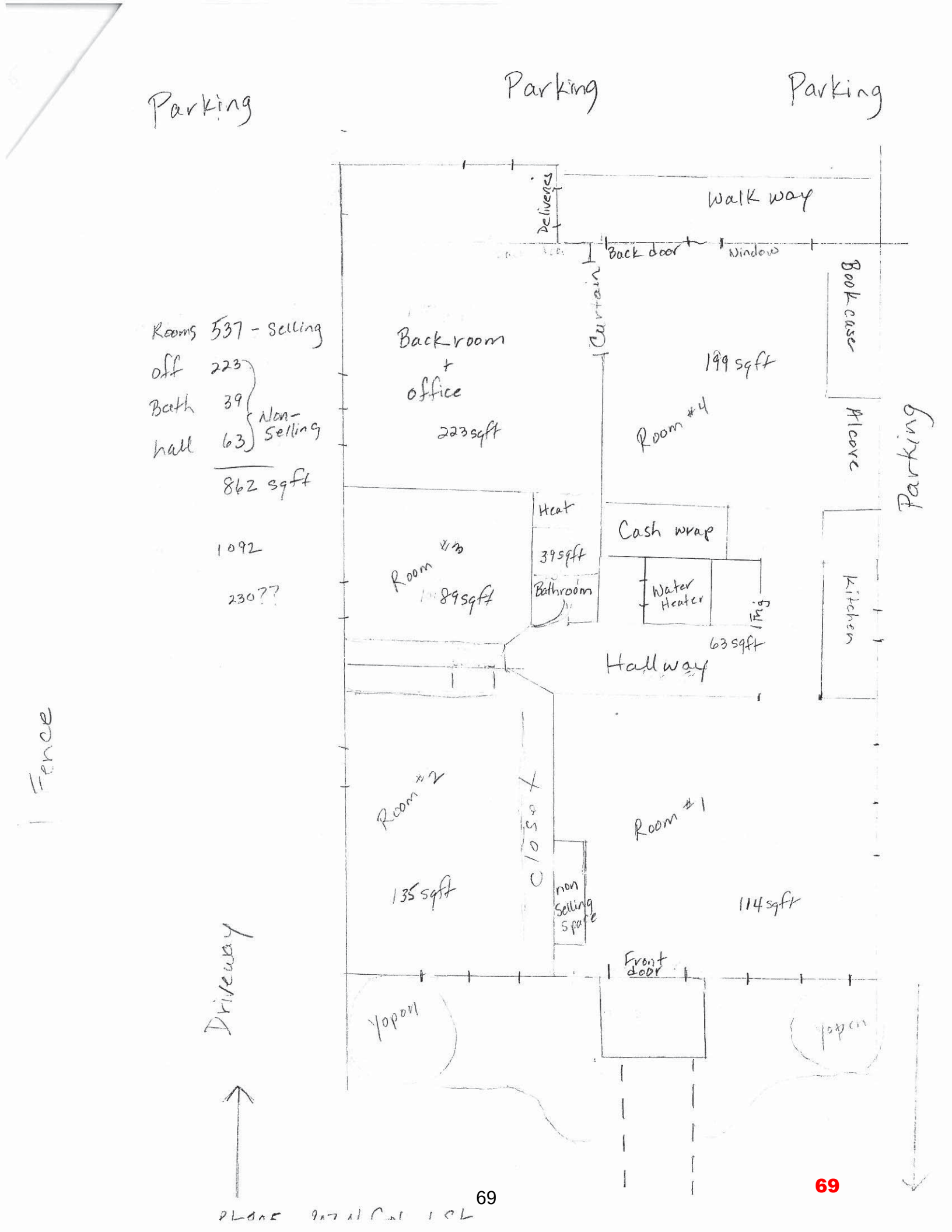
P&Z

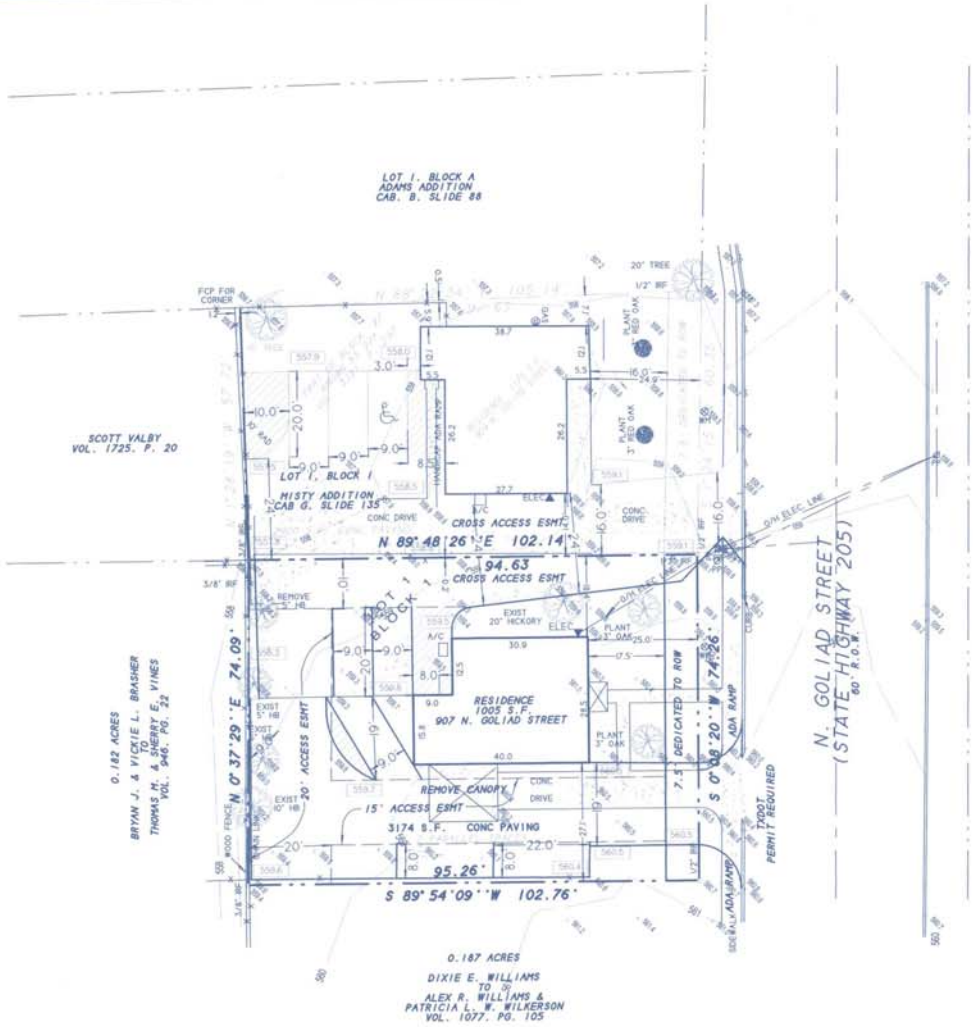
City Counsel Meeting-March 31st 2015

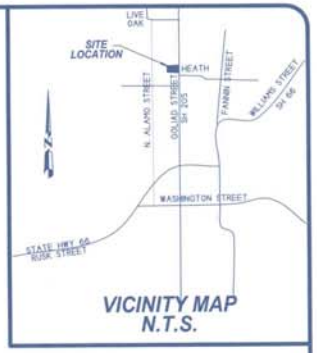
Good evening
My name is Cindy Levandowski and I'm excited to be here to tell you about a boutique that I would like to open just off the square in Rockwall.
The name of the store is "Cindy Lou & Baby 2" to be located at 907 N. Goliad St.
The store hours would be Tuesday thru Saturday 10:00am to 6:00am. Closed Sunday and Monday to stay in accordance with competition and the existing retailers in the square.
This will be an upscale boutique offering accessories for ladies and babies such as Jewelry, scarves, 2pc fun sleepwear, Christian gifts, tote bags, a small assortment of candles. For babies, picture frames, booties, piggy banks, memory books, a small assortment of onesies . . .
No sidewalk sales. All transactions/sales will take place inside the store.
All merchandise deliveries will be accepted in the rear of the building. These deliveries will be delivered during business hours from carriers such as UPS or Fed Ex. It's a single store operation taking in small shipments of merchandise.
I would be the sole owner of this boutique. I have no partners and 907 N. Goliad will be leased by the boutique. No sub letting.
The store décor will be representative of a beachy cape cod cottage. The atmosphere will be warm, cozy and welcoming, and bright and happy. There will be approximately 500 sq. ft. of selling space. My office, backroom holding back stock for the store and a bathroom will occupy the remaining square footage. There are 6 parking spots in the rear of the building, 2 parking spots on the fence side and 1 spot on the south side where I will park my vehicle. I would love to have all available parking filled during the time that the boutique is open AND I know that it takes at least 2 years to really enjoy the benefits of a retail operation☺
I have been a retail buyer for the last 35 years. I'm passionate about the customer and the service I can provide for the customer. I've worked with Toysrus/Babiesrus/Kidsrus, Limited Too (which is now Justice) and a very long time ago for JC Penney.
My family and I lived in Plano from 1987-1990 while I was a buyer at Penneys. My son, Matthew, was born at Presbyterian Dallas at the Margot Perot Center. It has taken us about 23 years to be able to move back to TX where we enjoy our retirement-like life.
Every summer, over the past years, we have traveled back to Rockwall to visit with family and friends and finally made the decision that this city is where we feel at home.
The square has offered great shopping at Groovys, Hazel & Olive and Hallie B, great restaurants such as Zanatas, Fatted Calf, Bin 303 and the tea room and quaint locations with some amazing services like Hair gallery, Signs and Graphics ect.
I can't think of a better location for a boutique store!!!

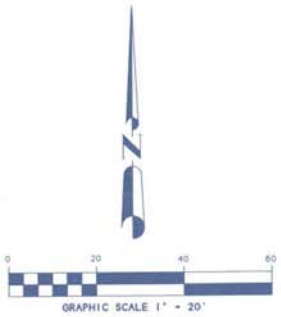
Thank you for considering my Zoning application.


Parking
Parking
Parking
Walk way
Delivery
Back door
Window
Curtain
Book case
Alcove
Parking
Rooms 537 - Selling
off 223
Bath 39
Hall 63
Non-Selling
862 sqft
1092
2307?
Back room + office
223 sqft
199 sqft
Room #4
Heat
39 sqft
Bathroom
Cash wrap
Water Heater
Ling
63 sqft
Hallway
Kitchen
Room #3
89 sqft
Room #2
135 sqft
Room #1
114 sqft
non Selling Space
Front door
Fence
Driveway

69









CONCRETE PAVEMENT CROSS SECTION

AMENDED
SITE PLAN
LOT 1, BLOCK 1
HENRY ADDITION

7042 S.F. OR 0.16 ACRES
BEING A REPLAT OF
PART OF BLOCK 27
GARNER ADDITION

A PART OF THE S.S. McCURRY
SURVEY, ABSTRACT NO. 146
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS





SURVEY DATE JUNE 15, 2009
SCALE 1" = 20' FILE # 9912125P
CLIENT PHILLIPS

OWNER:
HENRY PHILLIPS
909 N. GOLIAD STREET
ROCKWALL, TEXAS 75087
469-223-9086

H.D. FETTY LAND SURVEYOR, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE 972-635-9979 FAX

70

CITY OF ROCKWALL

ORDINANCE NO. 15-___

SPECIFIC USE PERMIT NO. S-068

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO AMEND SPECIFIC USE PERMIT (SUP) NO. S-68 [*ORDINANCE NO. 09-28*] TO ALLOW FOR A GENERAL RETAIL STORE IN A RESIDENTIAL-OFFICE (RO) DISTRICT, ON A 0.16-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK 1, HENRY ADDITION, GENERALLY LOCATED AT 907 N. GOLIAD STREET, AND ZONED PLANNED DEVELOPMENT DISTRICT NO. 50 (PD-50), CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Cindy Levandowski on behalf of the owner Terry Rowe for the approval of an amendment to Specific Use Permit (SUP) No. S-068 [*Ordinance No. 09-28*] to allow for a *General Retail Store* in a *Residential-Office (RO) District*, which shall also allow for the use of a *Hair Salon*, on a 0.16-acre parcel of land identified as Lot 1, Block 1, Henry Addition, generally located at 907 N. Goliad Street, and zoned *Planned Development District No. 50 (PD-50)*, City of Rockwall, Rockwall County, Texas, which herein after shall be referred to as the *Subject Property*, and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

Section 1. That the Unified Development Code [*Ordinance 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to amend Specific Use Permit (SUP) No. S-068 [*Ordinance No. 09-28*] to allow for a *General Retail Store* within Planned Development District No. 50 (PD-50), which shall also allow for the use of a *Hair Salon* on the *Subject Property*, and

Section 2. That this Specific Use Permit (SUP) Ordinance shall supersede all requirements stipulated in *Ordinance No. 09-28*, and that the *Subject Property* shall maintain compliance to all conditions and standards contained within this ordinance; and

Section 3. That the Specific Use Permit shall be subject to the conditions set forth in ***Planned***

Development District No. 50 **(PD-50) & Section 4.2,** ***Residential Office (RO) District*****, of Article V,** ***District Development Standards*****, of the City of Rockwall Unified Development Code (Ordinance No. 04-38)** as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following additions for the *Subject Property*:

1) That no parking will be allowed in the SH205 right of way or in front of the building, and
2) That the hours of operation shall be limited between 8:00 am to 8:00 pm. each day, and
3) That the use for a hair salon shall be limited to a maximum of one (1) chair, and
4) That all signage requires a separate permit and must conform to the standards established in the North Goliad Overlay District, and
5) That the City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof.

Section 4. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 5. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 6. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 7. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 8. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE ____ DAY OF _____, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____

Frank J. Garza, City Attorney

1st Reading: _____

2nd Reading: _____

DRAFT

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 04/20/2015

APPLICANT: Michael Clark

AGENDA ITEM: **P2015-008** (808 Sam Houston - Replat)

SUMMARY:

Hold a public hearing to discuss and consider a request by Michael Clark for the approval of a residential replat for Lots 6 & 7, Block K, Sanger Brothers Addition, being a 0.23-acre parcel of land currently identified as the eastern ½ of Lot 3, Block K, Sanger Brothers Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 808 Sam Houston Street, and take any action necessary.

COMMENTS:

- The objective of this request is to replat an existing residential lot creating two (2) single-family residential lots. The 10,000 sq. ft. residential lot will be subdivided creating two (2) 5,000 sq. ft. lots for the purpose of constructing a single-family home on each site. The homes will be built under the SRO District and SF-7 standards as established in the Unified Development Code.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions below.

- With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

NOTIFICATION:

Staff mailed thirty-eight (38) notices to property owners within 200 feet of the subject property and a notice of Public Hearing was published in the Rockwall Herald-Banner as required by law. At the time this report was drafted, staff has received one (1) notice “opposed to” the residential replat requested.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the request for final plat, staff would recommend the following conditions of approval:

A) All the technical comments from the Engineering and Fire Departments shall be addressed prior to the filing of this plat, including the following Planning Comments;

1. Adherence to Engineering and Fire Department standards.
2. Tie at least two corners to City monumentation (one indicated).

B) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Commission Recommendation:

On April 14, 2015, the Planning and Zoning Commission recommended approval of the residential replat with staff conditions by a vote of 7 to 0.

City of Rockwall

Project Plan Review History

Project Number	P2015-008	**Owner**	MICHAEL CLARK	**Applied**	3/11/2015	DG
Project Name	Residential Replat	**Applicant**	MICHAEL CLARK	**Approved**		
Type	PLAT			**Closed**		
Subtype	REPLAT			**Expired**		
Status	STAFF REVIEW			**Status**	3/11/2015	DG

Site Address	**City, State Zip**	**Zoning**
808 SAM HOUSTON	ROCKWALL, TX 75087	

Subdivision	**Tract**	**Block**	**Lot No**	**Parcel No**	**General Plan**
SANGER	E/2 OF 3	K	E/2 OF 3	4900-000K-0003-A0-0R	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	3/11/2015	3/18/2015	3/23/2015	12	APPROVED	
ENGINEERING	Amy Williams	3/11/2015	3/18/2015	3/20/2015	9	APPROVED	
FIRE	Ariana Hargrove	3/11/2015	3/18/2015	3/20/2015	9	APPROVED	
GIS	Lance Singleton	3/11/2015	3/18/2015	3/19/2015	8	APPROVED	See Comments

(3/19/2015 12:21 PM LS)
Address Assignment:
Lot 6: 806 SAM HOUSTON ST, ROCKWALL, TX 75087
Lot 7: 808 SAM HOUSTON ST, ROCKWALL, TX 75087

Please contact Addressing@rockwall.com with any questions.

PLANNING	David Gonzales	3/11/2015	3/18/2015	3/20/2015	9	APPROVED W/ CONDITIONS	See comments

Hold a public hearing to discuss and consider a request by Michael Clark for the approval of a residential replat for Lots 6 & 7, Block K, Sanger Brothers Addition, being a 0.23-acre parcel of land currently identified as the eastern ½ of Lot 3, Block K, Sanger Brothers Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 808 Sam Houston Street, and take any action necessary.

Planning Staff Comments:

1. Tie at least two corners to City monumentation; only one corner indicated with X,Y coordinate.
2. Adherence to all Engineering and Fire Department standards.



City of Rockwall

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

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

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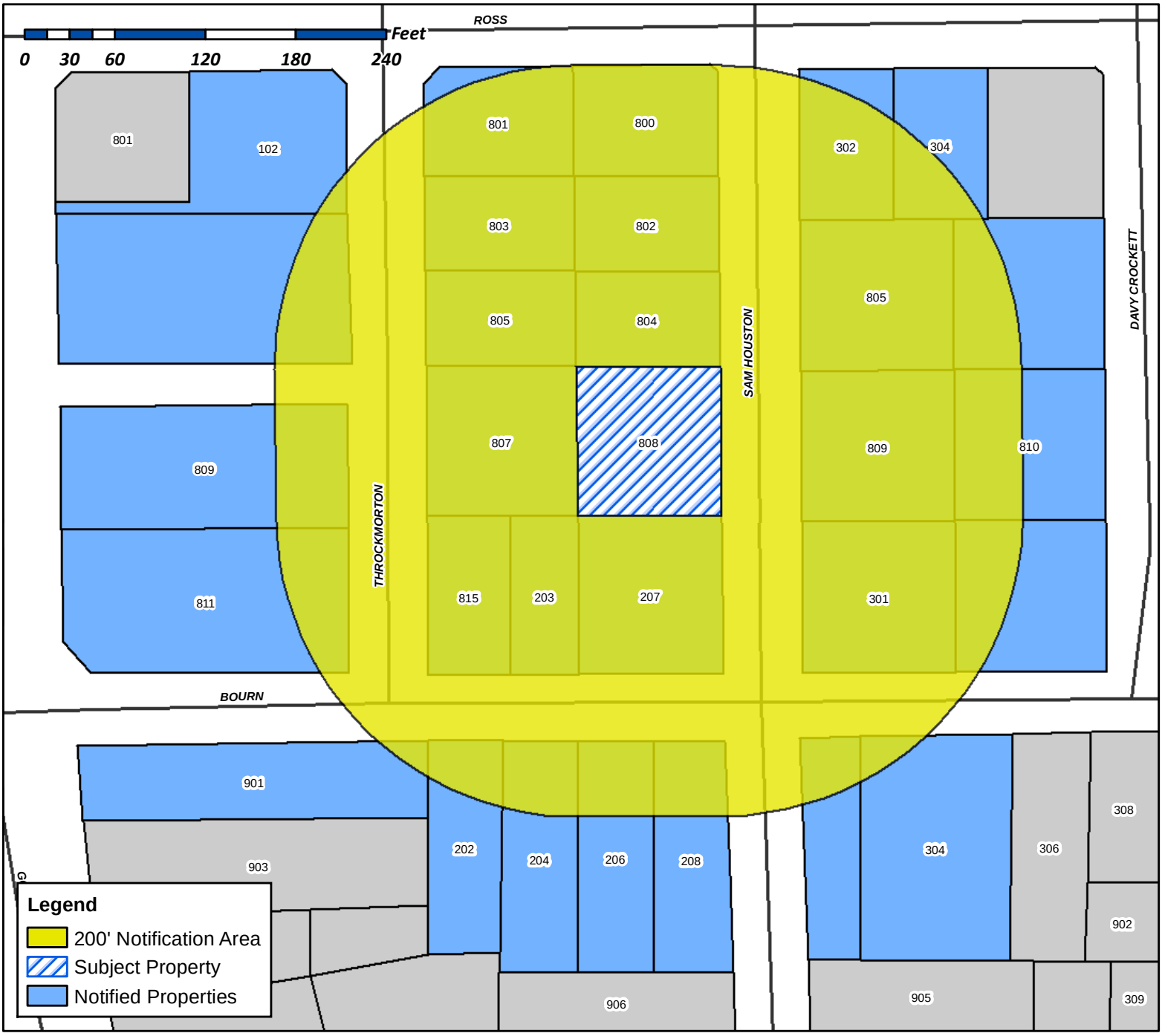
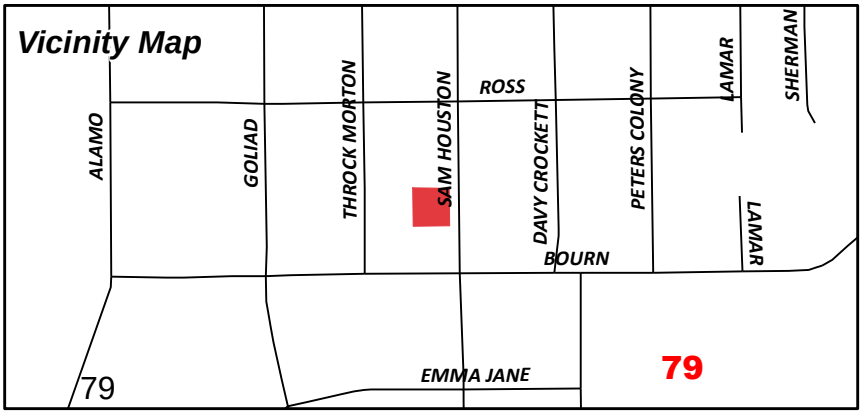


Case Number: P2015-008
Case Name: Residential Replat
Case Type: Replat
Zoning: SF-7
Case Address: 808 Sam Houston



Date Created: 03/26/2015
For Questions on this Case Call (972) 771-7745

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

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

To Whom It May Concern:

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

Case No. P2015-008: Residential Replat

Hold a public hearing to discuss and consider a request by Michael Clark for the approval of a residential replat for Lots 6 & 7, Block K, Sanger Brothers Addition, being a 0.23-acre parcel of land currently identified as the eastern ½ of Lot 3, Block K, Sanger Brothers Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 808 Sam Houston Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 4/14/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 4/20/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **4/20/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. P2015-008: Residential Replat

Please place a check mark on the appropriate line below:

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

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

Name:

Address:

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

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

CURRENT RESIDENT
102 E ROSS AVE
ROCKWALL, TX 75087

MOORE TIMOTHY H & TRACEY PARK
201 MEADOWDALE DR
ROCKWALL, TX 75087

BATRES SALVADOR SR
202 E BOURN ST
ROCKWALL, TX 75087

MOTON R T
203 E BOURN ST
ROCKWALL, TX 75087

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

MIMS KATHY
206 E BOURN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
207 BOURN AVE
ROCKWALL, TX 75087

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

CURRENT RESIDENT
301 E BOURN ST
ROCKWALL, TX 75087

VILLALOBOS JOSE MARVIN & JACKELIN IZELA
302 E ROSS
ROCKWALL, TX 75087

CURRENT RESIDENT
304 BOURN
ROCKWALL, TX 75087

DAVIDSON JEFFREY LEE & MELIZA IBARRA
304 E ROSS AVE
ROCKWALL, TX 75087

EDWARDS JASON
309 NORMANDY LN
HEATH, TX 75032

BUSH JULIA A
(MR)
4014 PASEO BLVD APT 2
KANSAS CITY, MO 64110

HUMPHREY CHARLES RAY
405 ER ELLIS
ROCKWALL, TX 75087

HECKARD ALLEN
4906 FREEMAN DR
ROWLETT, TX 75088

SPENCER NEFAME
6138 SINGING HILLS DR
DALLAS, TX 75241

ERGAZTHEOI LLC
709 WEST RUSK STREET SUITE B BOX 567
ROCKWALL, TX 75087

ALLEN ETHEL JEAN
711 SHERMAN ST
ROCKWALL, TX 75087

BENNETT A L EST
C/O OLIVER LINVELL
712 PETERS COLONY
ROCKWALL, TX 75087

MCGUIRE JOHN L
800 SAM HOUSTON ST
ROCKWALL, TX 75087

LAFAYETTE ESTELLE
801 THROCKMORTON ST
ROCKWALL, TX 75087

JACKSON CALVIN
802 SAM HOUSTON ST
ROCKWALL, TX 75087

DANIELS ANNIE L
803 THROCKMORTON ST
ROCKWALL, TX 75087

DIXON ALMA
804 SAM HOUSTON ST
ROCKWALL, TX 75087

CURRENT RESIDENT
805 SAM HOUSTON
ROCKWALL, TX 75087

ALLEN SAMUEL
805 THROCKMORTON ST
ROCKWALL, TX 75087

CURRENT RESIDENT
807 THROCKMORTON
ROCKWALL, TX 75087

CURRENT RESIDENT
808 SAM HOUSTON
ROCKWALL, TX 75087

CURRENT RESIDENT
809 GOLIAD
ROCKWALL, TX 75087

81

CURRENT RESIDENT
809 SAM HOUSTON
ROCKWALL, TX 75087

STRANGE FREDERICK & PATRICIA
810 DAVY CROCKETT ST
ROCKWALL, TX 75087

CURRENT RESIDENT
811 S GOLIAD
ROCKWALL, TX 75087

HERNANDEZ ALMA VELIA
815 THROCKMORTON ST
ROCKWALL, TX 75087

DEL RIEGO ANA MARIA GONZALEZ
816 COURTLAND DR
MESQUITE, TX 75150

CLARK JUDY A
853 BREEZY HILL LN
ROCKWALL, TX 75087

CURRENT RESIDENT
901 S GOLIAD
ROCKWALL, TX 75087

NEW CALDONIA BAPTIST CHURCH
PO BOX 481
ROCKWALL, TX 75087

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

PHONE: (972) 771-7745
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PLEASE RETURN THE BELOW FORM

Case No. P2015-008: Residential Replat

Please place a check mark on the appropriate line below:

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

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

This is a single family home area & I worry that our property values will decline. ~~[illegible]~~ Let's please keep it AS-IS

Name: Jeffrey Davidson

Address: 304 E. Ross St Rockwall, TX 75087

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

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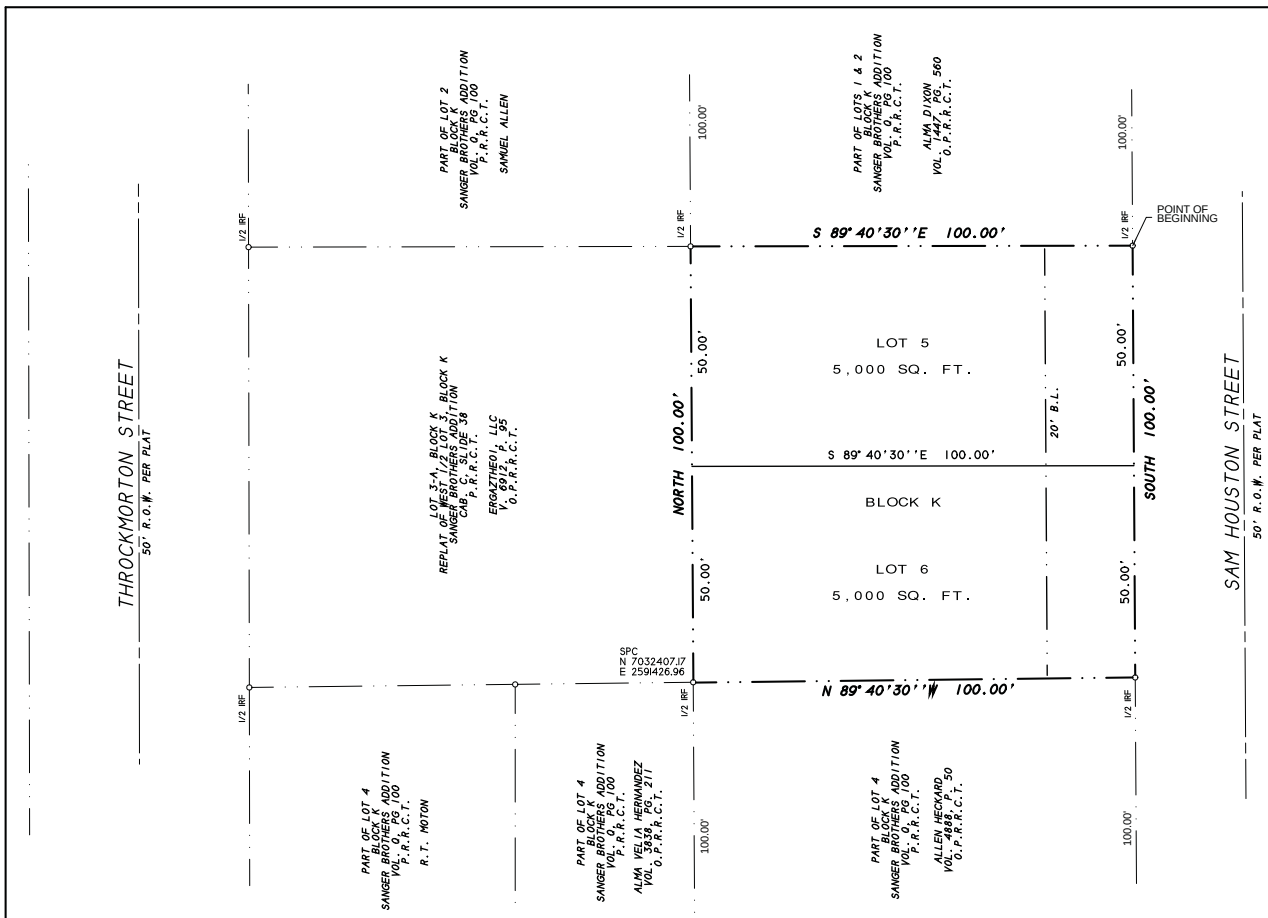

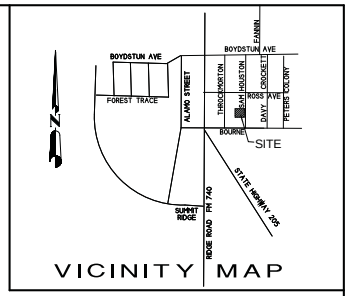

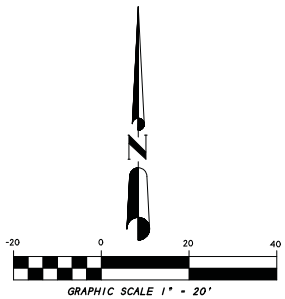

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0040L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

FINAL PLAT

SANGER BROTHERS ADDITION
LOTS 5 & 6, BLOCK K

BEING A REPLAT OF
THE EAST 1/2 LOT 3, BLOCK K
SANGER BROTHERS ADDITION

10000 S.F. OR 0.23 ACRES
(2 LOTS)

B.J. T. LEWIS SURVEY, A-255
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER: MICHAEL CLARK
c|oTERESA DABNEY
469-831-1095
8305 CONCORD
ROWLETT, TX 75089

SYMBOL LEGEND

SURVEY DATE OCTOBER 17, 2014
SCALE 1" = 20' FILE # 20140396-RP
CLIENT CLARK

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CASE NO. P2015-008

84

STATE OF TEXAS
COUNTY OF ROCKWALL

OWNER'S CERTIFICATE
(Public Dedication)

WHEREAS, MICHAEL CLARK, BEING the Owner of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the City of Rockwall, Rockwall County, Texas, and being the East 1/2 of Lot 3, Block K of SANGER BROTHERS ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Volume Q, Page 100 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the west right-of-way line of Sam Houston Street, a 50 foot right-of-way, said point being at the northeast corner of said Lot 3, Block K;

THENCE SOUTH. along the west right-of-way line of Sam Houston Street, a distance of 100.00 feet to a 1/2" iron rod found for corner;

THENCE N. 89 deg. 40 min. 30 sec. W. a distance of 100.00 feet to a 1/2" iron rod found for corner at the southeast corner of Lot 3-A, Block K, of REPLAT OF WEST 1/2 LOT 3, BLOCK K, SANGER BROTHERS ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet C, Slide 38 of the Plat Records of Rockwall County, Texas;

THENCE NORTH along the east line of Lot 3-A, a distance of 100.00 feet to a 1/2" iron rod found for corner;

THENCE S. 89 deg. 40 min. 30 sec. E. along the north line of Lot 3, Block K, a distance of 100.00 feet to the POINT OF BEGINNING and containing 10,000 square feet or 0.23 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as SANGER BROTHERS ADDITION, LOTS 5 & 6, BLOCK K, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of th eir respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maint aining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer an d/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as p rogress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exaction's made herein.

MICHAEL CLARK

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared MICHAEL CLARK known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

Notary Public in and for the State of Texas

My Commission Expires:

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of SANGER BROTHERS ADDITION, LOTS 5 & 6, BLOCK K, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ___ day of_____ ,_____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____ ,_____.

Mayor, City of Rockwall City Secretary City of Rockwall

City Engineer Date

FINAL PLAT

SANGER BROTHERS ADDITION
LOTS 5 & 6, BLOCK K

BEING A REPLAT OF
THE EAST 1/2 LOT 3, BLOCK K
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10000 S.F. OR 0.23 ACRES
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B.J. T. LEWIS SURVEY, A-255
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SHEET 2 OF 2

OWNER: MICHAEL CLARK
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SYMBOL LEGEND

SURVEY DATE OCTOBER 17, 2014
SCALE 1" = 20' FILE # 20140396-RP
CLIENT CLARK

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CASE NO. P2015-008

85

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **April 17, 2015**

SUBJECT: **SH 205 and John King Blvd**

After our meeting in Austin yesterday, Mayor Pruitt and Councilmember White requested a resolution related to our request that TxDoT include the "John King Boulevard Route" in the study that they have initiated for improvement of SH205 from SH78 to US80. A draft of such a resolution has been prepared and I've also attached previously provided emails, and placed on the agenda for Monday night for the Council's consideration.

Indications at the first TxDoT Stakeholder Meeting (also this week) which Tim Tumulty and I attended were that TxDoT and its consultant would give consideration to the City's request.

There is much work to be done with TxDoT as the "John King Route" is considered. All of these considerations would have come into play when the roadway was originally built had the issue of the state required construction cross section not come into play and ended (for then) that consideration. This will include the following matters (and probably others):

- The "John King Route" offers less disruption to properties along the existing route and likely would be positioned
- TxDoT has indicated that the typical standard for the ultimate right-of-way will include 150' of right-of-way, but that they anticipate that there will be variations in the amount of right-of-way required as the roadway goes through the several cities along the route. The 120' right-of-way section along John King will accommodate an ultimate six lane roadway, but if there is additional right-of-way width required by TxDoT along the John King Route, the area is much less developed than the existing SH205 route.
- TxDoT and the City would have to come to terms on the amount and specific circumstances of the portions of the existing route that would, if the John King Route is selected, be taken off system and become city streets. These matters would have to be considered and determinations which portions of existing state roadways would be

conveyed to the City and the timing for same. These discussions may, as they would have in 2005, involve consideration of certain sections of existing SH205, FM740, and perhaps SH276.

Despite the detail to be sorted out, consideration of this route is vitally important in my view.

If we do not secure consideration of the John King Route for SH205 as a part of this specific study, that opportunity under any circumstance will not be an option for consideration in the future; however, until the details of the matter are resolved by work to be done as apart of this planning study, the City is not required to finally provide its final designation of the "Official Locally Preferred Route."

The resolution is designed to formally request consideration of the route. If there are any changes in the resolution, we will be happy to make them at Monday's meeting. Once the resolution is considered by the Council, the Staff will immediately schedule meetings with TxDoT and their consultant to begin the major task of working through details of the proposal. We will be preparing a "talking points" summary of the route matter that would be under consideration.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPLAUDS THE LONG-TERM IMPROVEMENT OF SH205 FROM SH78 TO US80; AGREES THE IMPROVEMENTS ARE IMPORTANT TO CURRENT AND FUTURE TRAFFIC; EXAMINES AND SELECTS THE MOST BENEFICIAL ROUTE TO MOVE TRAFFIC WHILE MINIMIZING NEED TO DISRUPT CURRENT PROPERTIES; CONSIDERS THE MOST FAVORABLE ROUTE FOR SH205 THROUGH THE CITY OF ROCKWALL TO THE "JOHN KING BOULEVARD ROUTE;" RECOGNIZES CONSIDERATION OF THIS ROUTE WILL REQUIRE EVALUTION FROM THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT); PETITIONS TXDOT TO INCLUDE "JOHN KING BOULEVARD ROUTE" AS THE CURRENT PLANNING STUDY FOR IMPROVEMENTS TO SH205.

WHEREAS, the City Council of the City of Rockwall, Texas applauds and is in agreement with the decision of the Texas Department of Transportation's efforts to initiate the planning for improvements of SH205 from SH78 to US80, and

WHEREAS, SH205 is the main north/south roadway in Rockwall moving approximately 20,000 cars and trucks per day through downtown Rockwall, and

WHEREAS, the residents of the City of Rockwall, Texas expressed their support for the construction of John King Boulevard as the route for SH205 through Rockwall by approval of a 2005 Bond Election which financed the acquisition of a 120 foot right-of way section along the route and construction of the roadway from its intersection with the existing SH205 North to its intersection with SH205 South, and

WHEREAS, the existing SH205 route is currently developed in such a manner that significant widening of the right-of-way along that route would result in significant disruption of property rights, commerce, and character, and

WHEREAS, the route along John King Boulevard is currently significantly less developed than the current SH205 route, and

WHEREAS, the route along John King Boulevard provides an opportunity for safer movement of higher volumes of SH205 traffic,

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

Section 1. The City of Rockwall applauds the Texas Department of Transportation for its initiation of planning for the long-term improvement of SH205 from SH78 to US80, and

Section 2. The City of Rockwall agrees that the improvement of this state roadway is important to the movement of traffic and future well-being of the communities, including the city of Rockwall, located along the route and to those who travel along the route, and

Section 3. The City of Rockwall has significant interest in the route study that examines and selects the most beneficial route for the roadway such that the final route selection will reflect both the roadway's ultimate ability to move traffic while minimizing the need to disrupt current and historic business and residential properties along the current route of SH205, and

Section 4. The City of Rockwall currently considers the most favorable ultimate route for SH205 through the City of Rockwall to the "John King Boulevard Route" - from that road's north intersection with existing SH205 to that road's south intersection with the existing SH205, and

Section 5. The City of Rockwall recognizes that the consideration of this "John King Boulevard Route" will require considerable evaluation on the part of both the Texas Department of Transportation and the City of Rockwall and commits to assisting in that evaluation as consideration in any way necessary during the course of the current study, and

Section 6. That the City of Rockwall hereby petitions the Texas Department of Transportation to include the "John King Boulevard Route" through the City of Rockwall in the current planning study for improvements to SH205.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 20th day of April, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

Update:

Because I wanted to have an opportunity to discuss the City of Rockwall's initial input in planning for SH205 (between SH78 and US80), I asked TxDoT to schedule the first stakeholder meeting after the next Council meeting. TxDoT has agreed to do that although I do not yet know how soon after our April 6, meeting that the first SH205 stakeholder meeting will be scheduled. The first stakeholder meeting will NOT be the last opportunity for City of Rockwall input to be heard and considered in the planning process, but I do think it is important that we discuss this particular planning project before that first stakeholder meeting. We will add a 4:00 work session to discuss for discussion of TxDoT roadway planning on the April 6 agenda. We should not necessarily expect that this work session will finalize the City's position and consideration of the subject.

A few things to keep in mind as we consider these matters:

This major project is in only now beginning as a planning project and has not been funded by TxDoT; therefore, we have no idea what a timeframe for the project's construction after planning may be. Such an aggressive project would generally take some time to receive TxDoT funding, but, once plans for major projects like this one are adopted, funding may become available for various sections of the project such that the project is implemented over time.

Since TxDoT was unwilling to accept the John King Blvd. construction standard to serve as SH205 after their construction standards changed, they may be unwilling or unable to consider it now as an alternative to the six-lane SH205 roadway through Rockwall.

The construction of a six-lane SH20 along its current route would drastically change the complexion of community especially along the roadway based primarily on the width of right-of-way required. Over the past many years both TxDoT and the City have required dedication of about 7.5 feet of right-of-way when property has been platted or re-platted, yet the City's thoroughfare plan has not been changed to reflect any new right-of-way requirements for six lanes. On the other hand, the transfer of a SH205 route to John King Blvd. If approved, would also change the nature of traffic downtown - with debate possible as to whether this would be a positive or negative change. In decades past, construction of 'highway bypass" tended to move commerce from downtown areas to the new routes. This tended to change the nature of downtowns across the county. Circumstances MAY be different today in that our downtown has become a destination, again, what may be debated is the role of significant State Highway traffic in creation of such a destination and whether changes that might result from changes in that would be a net positive or a net negative in terms of continuing downtown as a destination.

Several sections of the existing SH205 route remain unimproved at this time. Whether TxDoT could be convinced to make improvements on these sections of the roadway IF a change in route were requested and approved remains to be seen. If TxDoT does not agree to make those improvements the full costs of those needed improvements would become the obligation of the City and would need to be factored in as costs of making the route change if the change was requested and approved.

There will likely be considerable controversy and concern about this matter in our community as we have seen some years ago here, and more recently in other area cities.

In preparation of the Council work session on April 6, I have requested a staff meeting with the TxDoT Advance Planning group next week. Our goal for this meeting is to get an indication of conception point of beginning that TxDoT planners will start from as the planning begins. This should be helpful to our discussions at the work session. We may also include a brief update on the status of other TxDoT roadway projects as time allows during this same work session.

Thanks,
Rick

_____

-----Original Message-----
From: Crowley, Rick
Sent: Monday, March 16, 2015 5:10 PM
To: Crowley, Rick
Subject: Fwd: TxDoT hires Halff and Assoc - SH205

Mayor and Council

FYI

As I forwarded to you earlier, Halff and Associates has told our City Engineer that they have been retained by TxDoT to begin planning for a major project for SH 205 between SH78 and Highway 80. A meeting is to be scheduled for the consultant to kick off the project.

You may recall that the original plan was for John King Blvd. to become the route of SH205 and that the current SH205 route through Rockwall would become a city street without TxDoT regulation, etc. This would have made it possible for the City, among other things, to designate John King Blvd. as the through truck route through the City rather than have a continued route through downtown and along the rest of the existing SH205 route through the City. After John King was authorized and before it was designed, TxDoT changed their construction requirements for State Highways and would not honor their previous agreement to make the change unless the City drastically altered the design of John King Blvd. to meet the new design standard which were FAR more expensive than standards used even for the portion of SH205 that the state had used in the reconstruction of that road from downtown Rockwall to I30 even though that was a then recent project. As a result John King was built to the planned standards as a City street.

As we prepare to attend the kickoff meeting (which has not been yet scheduled) as we have been invited to do, The question now seems appropriate as to whether the Council would like to take "another run" at the "route swap" given that this overall massive project is now being pursued by TxDoT. Since the SH205 project is in the planning phase, it is not currently funded. If the current Council wants to have this considered (as was the case with several previous Councils) it would be appropriate for the question to now be again raised with TxDoT and their planners. This question is a matter that warrants Council discussion at the next meeting.

If there is an interest, we would also want to discuss the matter of improvements to yet-to-be-improved sections of the existing route. If the route trade is desirable, it seems a reasonable trade to me that the project also include improvement of these portions of the roadway to City Standards. Of course, from my standpoint, the TxDoT project should include paying for this as well.

Please consider this matter between now and the next meeting. Additional information will be provided in the packet for the next meeting.

If there is no interest, we will proceed to the kickoff meeting without bringing the matter up.

Thanks,
Rick

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and City Council

FROM: Hotel Occupancy Tax Sub-committee Members
Mary Smith, Assistant City Manager

DATE: April 17, 2015

SUBJECT: Request for Funding Allocation – Soroptimist's Country Fair

The City received a supplemental funding request for hotel occupancy tax revenues from the Soroptimist Club for their annual Country Fair to be held in late May. Copies of the Funding Request Questionnaire and supporting narrative are attached for your review. Their request totals $20,000 for promotion of the event which will be held adjacent to the Courthouse.

The request would qualify under the tourism category included in the Act.

At the present, the Hotel/Motel Occupancy Tax budget is as follows:

Fund Balance carried forward	**$ 144,140**
Revenues budgeted	**310,000**
Allocated Funding	**(337,735)**
Projected Fund Balance	**$ 106,405**

The subcommittee met and are recommending Council approve $2,500 funding for promotional expenses for the Soroptimist Country Fair.

City of Rockwall
The New Horizon

Hotel Occupancy Tax

Program Year 2015

Application

MUST BE TYPED or PRINTED

DELIVER TO:
City of Rockwall Finance Office
Attn: Lea Ann Ewing
385 S. Goliad St., Rockwall, TX 75087
972-771-7700 lewing@rockwall.com

Organization Name:	Soroptimist International of Rockwall
Name of Event:	Rockwall Country Fair
Date(s) of Event:	May 30, 2015
Funding Request $:	$20,000
Website Address:	www.RockwallCountryFair.com
Mailing Address:	P.O. Box 372, Rockwall, TX, 75087
Physical Address:	
Telephone:	Fax:

Primary Contact Name: (Project Director)	Karen Coughlin
Mailing Address:	2360 Shorecrest Dr Rockwall, TX 75032
Email Address:	KarenCoughlin@ebby.com
Telephone:	972-567-6316 Fax:

Secondary Contact Name: (President/Board Chairman)	Erin Atkins
Mailing Address:	1695 Ashbourne Dr. Rockwall, TX 75087
Email Address:	erin@hrkinsurance.com
Telephone:	972-740-0678 Fax:

- COMPLETE AN APPLICATION FOR EACH EVENT/PROGRAM/EXHIBIT REQUESTING FUNDS
- INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE COUNCIL SUBCOMMITTEE

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1. Mark an "X" next to the category or categories that your organization is requesting funds in the attached budget request.

   [X] **Advertising/Tourism** **Requested funding amount $**
   Conducting solicitation or promotional programs that encourage tourists and delegates to come to the City of Rockwall.

   [ ] **Arts** **Requested funding amount $**
   Providing encouragement, promotion, improvement and application of the arts as it relates to the presentation, performance execution or exhibition of the major art forms in the City of Rockwall.

   [ ] **Historical** **Requested funding amount $**
   Providing historical restoration, preservation, programs and encouragement to visit preserved historic sites or museums located in the City of Rockwall.

2. Briefly state the purpose of your organization/mission statement: Improving the lives of women and children in our local community and through out the world.

3. Does your organization have paid staff? No
   Yes # Full-Time # Part-Time

4. Does your organization use volunteers? Yes
   Yes Approximately how many? Over 50

5. Is the event/program that the organization is requesting Hotel Tax funds held in/on City-owned property?
   Yes Name location: Land adjacent to the Rockwall County Courthouse

   If you are holding your event in/on city-owned property, the City may, in lieu of funds, donate the cost of the facility/property rental for that event.

6. Will your event be held in *"The Downtown"* or adjacent to *Lake Ray Hubbard*? No
   Yes Name location:

7. Will your organization provide special event insurance coverage for the event/program if held on City property? Yes
   Yes Name of Insurance Company: Philadelphia Insurance Company

8. List all other sources of funding your organization receives for this event. Include event budget (use the required budget form attached). Sponsorships, vendor fees, kid zone fees, food and beverage sales.

9. List the programs, activities, exhibits, or event for the upcoming fiscal year (Oct. 1, 2014-Sept. 30, 2015) that the requested Hotel funding will support partially or in full.
   Rockwall Country Fair, Antique Car Show, Live Music, Country Fair Games, Vendor/Craft Show, Kid Zone (including Rides and Bounce Houses).

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10. Provide 3 years attendance history for the above listed programs, activities, exhibits or event in #9 above.

Event	Year	Event Duration (in Days)	Audience Size	# of Attendees in hotel rooms
Rockwall Country Fair	2014	1	400	50
Lassos & Lace	2013	1	300	10
Lassos & Lace	2013	1	250	10

11. How do the requested budget expenditures meet the definition of the categories marked in #1? Advertising/Tourism, Arts, Historical

Funding will be used to advertise and promote this event and Rockwall. The location is very visible, right off the Interstate 30 service road. The event is expected to enhance tourism by major marketing campaign including news articles, social media, bill boards, etc.

12. What specific market will you target with the event/program's marketing plan? Attach up to 3 examples and evidence of marketing area and readership (Label Exhibit C).

Statewide Vendors/Food Trucks and families all over North Texas and surrounding areas looking for a fun family day.

13. Describe in detail how your event/program will promote tourism and the hotel industry in Rockwall.

The Rockwall Country Fair will continue to promote Rockwall as a Texas music destination. Social Media, such as facebook, the website, will promote the area and event.

14. Describe the organization's long-term plan (3-5 year) in regard to the program/ event that funds are being requested.

Soroptimist International of Rockawll would like to continue to partner with the city and county to create a long term annual event for North Texans.

15. The City of Rockwall must require segregated accounting of its Hotel funds. Organizations must maintain and account for revenue provided from the tax authorized by section 351.101(a) within one of the two options listed below.

a) Separate checking account without combining with any other revenues or maintained in any other bank account or

b) Maintain a line item accounting, whereby the Hotel revenues may not be combined with any other revenues or expenditures. The funds may be maintained in the same bank account, provided they are reported as a separate line item in the organization's budget. Interest earned on the Hotel revenues must be used to support the event/program as well.

Will the organization be able to segregate the accounting process in either a) or b) above? Yes

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16. Provide all of the following documentation with this application and label each as outlined below.

Exhibit A	Proposed budget for each event/program using attached form
Exhibit B	Letter of determination certifying federal tax exempt 501(c)(3) status
Exhibit C	Examples and evidence of marketing area and readership (limit 3)
Exhibit D	List members of the governing body including name, position, mailing address and phone number

We certify, to the best of our ability, that the information in this application, including all exhibits and supporting documentation is true and correct to the best of our knowledge. It is understood and agreed that any funds awarded as a result of this application will be used for the purpose set for herein and the program guidelines.

President/Board Chairman:

Print Name Eric Atkins

Signature

Date 03/25/2015

Event/Program Director:

Print Name Karen Coughlin

Signature

Date 03/25/2015

Both signatures are required for application to be considered complete.

EXHIBIT A

Hotel Occupancy Tax Funding Request
Event/Program Budget - Program Year 2015

Financial information (round to the nearest dollar). Include a completed copy of this budget with funding request.

Organization Name: Soroptimist International of Rockwall
Event/Program Name: Rockwall Country Fair
Requested Funding: $ 20,0000

Expenses (for this project only)		Funding Request a	Cash from all other sources b	In-Kind, no cash Paid (value of volunteered services or goods c	Total a + b + c = d
1. Personnel					
Administrative					
Artistic					
Technical					
Other personnel					
2. Fees for outside professional service					
Administrative					
Artistic					
Technical					
3. Space Rental					
4. Equipment Rental			$17,500		
5. Travel/Transportation					
6. Promotion/Printing		$20,000			
7. Costumes/Royalties					
8. Other (supplies, postage etc.)			$2,500		
9. Sub -Totals					
10. Total Expenses					$40,000

Revenues (for this project only)					
1. Total Amount of funding request		$20,000			
2. Admissions (ticket and concessions)			$35,000		
3. Donations			$20,000		
4. Organizational funds budgeted					
5. Grants (State)					
6. Other (list):					
7. Other (list):					
8. Other (list):					
9. Other (list):					
10. Total income and contributions			$55,000		
11. Total In-Kind					
12. Total Revenues					$55,000

Financial Information (for this project only)					
Fiscal Year		2011	2012	2013	2014
Total Revenues					$44,036
Total Expenses					$16,102
Total Prior Year Hotel funds awarded					$2,000

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March 10, 2005

Debbie Branch, President
Soroptimist International of Rockwall, TX
PO Box 372
Rockwall, TX 75087

Dear Debbie,

Soroptimist International of Rockwall has been included in the federation's group exemption with the Internal Revenue Service (IRS). The letter granting that group exemption is enclosed and should be kept on file in your club's permanent records. If the club needs to provide proof of its charitable, 501(c)(3) status, you should make a copy of the letter and always retain the original. SIA's group exemption number is 3899. This number must be included on the 990 forms which you must file annually with the IRS if your gross receipts are $25,000 or more. SIA will NOT be filing a group return. Form 990 must be filed by November 15 if your fiscal year ends on June 30. If the club receives a 990 form in the mail, it must be completed and returned even if gross receipts are less than $25,000. Gross receipts means ALL revenue received by the club in the form of dues, donations, grants, interest and fundraising revenue in ALL club accounts.

Please note on page 2 of the enclosed letter the information that must be available for public inspection upon request. Note also, that certain income may be subject to unrelated business income tax (UBIT). Unrelated business income is defined as "income from a trade or business, regularly carried on, that is not substantially related to the charitable purpose that is the basis for the organization's exemption." IRS publication 598 deals with this subject. If you are in doubt, please ask us or consult with a non-profit tax consultant.

Always use the CLUB'S employee identification number (EIN). Your club's EIN is 75-2056847. Never use SIA's EIN. The club's EIN should be used on all bank accounts, IRS or state filings and other legal or accounting documents. It is a unique identifier, like a personal social security number and should be protected and maintained by the club indefinitely. If for any reason you change your EIN, headquarters must be notified.

All club financial reports and audits should be prepared in a timely manner and must be kept on file in the club. SIA will NOT be filing any consolidated financial reports with the IRS. If the club changes its fiscal year, SIA and the IRS should be notified.

The paperwork that you submitted is on file here at headquarters and must be retained for the IRS. Copies of both the request for inclusion and the letter of agreement that your club signed should be kept with the club's permanent records. The agreement is as binding as Soroptimist law and failure to meet the requirements of this agreement might jeopardize your club's good standing. If the club revises its bylaws, please send a copy to headquarters after adoption. While we reviewed bylaws only for possible conflict with the IRS requirements for 501(c)(3) organizations, we did notice that many club bylaws are very outdated. Sample club bylaws are available and we will begin reviewing them to make sure that they reflect modern club culture and operation. If you haven't revised your bylaws in the last 15 years, they are probably due for complete revision.

All of the above requirements are not new. These same rules applied to clubs under SIA's old 501(c)(4) group exemption, but the new designation has increased benefits and therefore is monitored by the IRS more closely. The new exemption means that the club is now able to

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receive grants and corporate contributions to help conduct projects and programs that meet our tax exempt purpose. Participating in SIA identifying programs like Women's Opportunity Awards, Violet Richardson Awards and the prevention of domestic violence initiatives will help ensure that your club is fulfilling its purpose. Make sure that your club is familiar with SIA's strategic plan and choose club projects that fit under the strategic goals and objectives. The plan is available right on the SIA home page www.soroptimist.org. On the home page, just click "Our vision and mission".

Individuals may also make tax deductible donations to the club. All donations should be acknowledged. Receipts MUST be issued for donations greater than $250. This can be done in letter form. Neither SIA nor the club should give individual tax advice, but as of this date, members who itemize deductions may include the SI and SIA portion of their dues as a charitable donation. Region and club dues may also be deductible if nothing of substantial extrinsic value is received in return. Hence, if your dues payment includes meal assessments, you shouldn't deduct that portion for meals consumed. Expenses to attend conventions and conferences may also be deductible with certain limitations. As always, members should be instructed to consult their own tax advisors.

Individuals contributing to SIA should send their checks, payable to Soroptimist International of the Americas, directly to headquarters and these donations will be acknowledged with a receipt and credited towards recognition programs like the Laurel Society. Legacies and bequests are deposited in the Endowment Fund. Clubs and regions are generally not equipped to handle large bequests, especially if they contain donor restrictions. Members wishing to support Soroptimist should be encouraged to name SIA in their estate planning for large gifts, rather than the local club. Large bequests at the local level can become such a substantial part of the local club's assets that the IRS might consider the club to be a private foundation and therefore not eligible to be included in SIA's group exemption. While clubs should have reasonable levels of reserves available, our purpose is not to amass wealth, but conduct projects and programs that make a difference for women.

Remember that this 501(c)(3) group exemption is a federal designation. The exemption is from federal taxes only. Your state may have additional tax and filing requirements for not for profit organizations. It is up to the club to know the rules in their state and local jurisdictions.

If you have any questions, please don't hesitate to contact us at headquarters. We are pleased to be able to provide this service to your club and to include the club in our group exemption. The average cost to secure such a designation on your own would have cost about $1800. We hope that you will be generous in remembering SIA when making charitable distributions from your fundraisers. SIA needs both dues and donations to continue providing quality programs, products and services to our 44,000 members in 1500 clubs in 19 countries.

Sincerely,

Leigh Wintz

Leigh Wintz, CAE
Executive Director

cc: Board of Directors
Fund Development Council
Region Governors

INTERNAL REVENUE SERVICE
P. 0. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **NOV 26, 2002**

DLN: 17053200049002
Contact Person: LYNN A BRINKLEY - ID# 31435
Contact Phone #: 877-829-5500
Addendum Applies: No
GROUP EXEMPTION #: 3899

SOROPTIMIST INTERNATIONAL OF THE AMERICAS INC
23-2154856
2 PENN CENTER 1000
PHILADELPHIA, PA 19102-1721

Dear Applicant:

We have considered your application for a group exemption letter recognizing your subordinates as exempt from federal income tax under section 501(a) of the Internal Revenue Code as organizations of the type described in section 501(c)(3).

Our records show that you were recognized as exempt from federal income tax under section 501(c) (3) of the Code. Your exemption letter remains in effect.

Based on information you supplied, we recognize your subordinates whose names appear on the list you submitted as exempt from federal income tax under section 501(c) (3) of the Code.

Additionally, we have classified the organizations that you operate, supervise, or control, and that are covered by your notification to us, as organizations that are not private foundations because they are organizations of the type described in section 509(a) (2) of the Code.

Donors may deduct contributions to your subordinates as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to your subordinates or for their use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of section 2055, 2106, and 2522 of the Code.

Your subordinates whose gross receipts each year are normally more than $25,000 are each required to file Form 990, Return of Organization Exempt From Income Tax, by the 15th day of the fifth month after the end of their annual accounting period. If you prefer, you may file a group return for those subordinates that authorize you in writing to include them in that return. If you are required to file Form 990 for your own activities, you must file a separate return arid may not be included on any group return that you file for your subordinates. The law imposes a penalty of $20 a day when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty imposed cannot exceed $10,000 or 5 percent of your gross receipts for the year, whichever is less. For organizations with gross receipts exceeding $1,000,000 in any year, the penalty is $100 per day per return, unless there is reasonable cause for the delay. The maximum penalty for an organization with gross receipts exceeding $1,000,000 shall not exceed $50,000. This penalty may also be charged if a return is not complete, so your subordinates should make sure their returns are complete before filing them. Please advise your subordinates that, if they receive a Form 990 package in the mail, they should file the return even if their gross receipts do not exceed the $25,000 minimum. If not required to file, a subordinate should simply attach the label provided, check the box in the heading to indicate that its annual gross receipts are normally $25,000 or less and sign the return. This will allow us to update our records to show that the subordinate is not required to file and to delete that subordinate from the list of organizations that will receive Form 990 packages in future years.

Your subordinates are required to make their annual information return, Form 990 or Form 990-EZ, available for public inspection for three years after the later of the due date of the return or the date the return is filed. You and your subordinates are also required to make available for public inspection your group exemption application, any supporting documents and this exemption letter. Copies of these documents are also required to be provided to any individual upon written or in person request without charge other than reason able fees for copying and postage. You may fulfill this requirement by placing these documents on the Internet. Penalties may be imposed for failure to comply with these requirements. Additional information is available in Publication 557, Tax-Exempt Status for Your Organization, or you may call our toll free number shown above.

Your subordinates are not required to file federal income tax returns unless subject to the tax on unrelated business income under section 511 of the Code. Each organization subject to this tax must file Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your subordinates' present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

As of January 1, 1984, each of your subordinates is liable for social security taxes under the Federal Insurance Contributions Act on remuneration of $100 or more they pay to each of their employees during a calendar year. Your subordinates are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Each year, at least 90 days before the end of your annual accounting period, please send the items listed below to the Internal Revenue Service Center at the address shown below.

1. A statement describing any changes during the year in the purposes, character, or method of operation of your subordinates;
2. A list showing the names, mailing addresses (including Postal ZIP codes), actual addresses if different, and employer identification numbers of subordinates that, since your previous report:
    a. Changed names or address;
    b. Were deleted from your roster; or
    c. Were added to your roster
3. For subordinates to be added, attach:
    a. A statement that the information on which your present group exemption letter is based applies to the new subordinates;
    b. A statement that each has given you written authorization to add its name to the roster;
    c. A list of those to which the Service previously issued exemption rulings or determination letters;
    d. A statement that none of the subordinates is a private foundation as defined in section 509(a) of the Code if the group exemption letter covers organizations described in section 501(c) (3);
    e. The street address of each subordinate whose mailing address is a P.O. Box; and
    f. The information required by Revenue Procedure 75-50, 1975-2 C.B. 587, for each subordinate that is a school claiming exemption under section 501(c) (3). Also include any other information necessary to establish that the school is complying with the requirements of Revenue Ruling 71-447, 1971-2 C.B. 230. This is the same information required by Schedule B, Form 1023, Application for Recognition of Exemption Under Section 501(c) (3) of the Internal Revenue Code.
4. If applicable, a statement that your group exemption roster did not change since your previous report.

Please mail the information requested in this letter to the following address: Internal Revenue Service
Ogden UT 84201

Your Group Exemption Number is 3899. Your subordinates are required to include this number on each Form 990, Return of Organization Exempt From Income Tax, and Form 990-T, Exempt Organization Business Income Tax Return, that they file. Please advise your subordinates of this requirement and provide them with the Group Exemption Number.

If the heading of this letter indicates that an addendum applies, the enclosed addendum is an integral part of this letter. Because this letter could help resolve any questions about the exempt status and foundation status of your subordinates, you should keep it for your records.

We have sent a copy of this letter to your representative as indicated in your power of attorney.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,

Lois G. Lerner
Director, Exempt Organizations

Letter 2419 (DO/CG)

PRESENTS



SATURDAY, MAY 30

10AM - 8PM

1111 E YELLOW JACKET LN ★ ROCKWALL, TX

(on the corner of T L Townsend and the I-30 Service Road)

FREE ADMISSION

Live Music, Rides, Games,
Vendors, Food Trucks, Beverages and More!

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Cart: 0 Items Search

Rockwall COUNTRY FAIR *2015*

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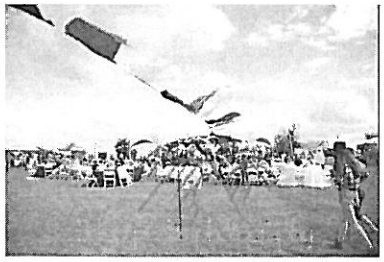

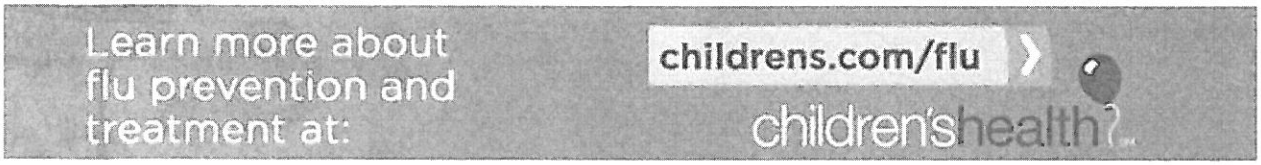

Rockwall / Rowlett

First Rockwall County fair to be held Saturday

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By LIZ FARMER

neighborsgo

Published 09 June 2014 09:45 AM
Updated 09 June 2014 09:45 AM

The first Rockwall County fair will be from 4 to 11 p.m. Saturday at Rock-wall Technology Park, 2610 Interstate 30 Frontage Road in Rockwall.

Activities will include live music, auctions, balloon rides and a chili cook-off.

Tickets are $20 for adults, $10 for kids ages 4 to 11 and free for kids under 3. Family packs with two adult tickets and two kids tickets are $50. Proceeds will benefit Rockwall Soroptimist, an international women's organization. For more information, visit sorop timistrockwall.org.

On Twitter:
@R_R_News

Share Tweet Email Comment Print

Promoted Stories From The Web

Exhibit D-

Erin Atkins, President, 1695 Ashbourne Dr., Rockwall, TX, 75087, 972-740-0678

Norma Morris, President Elect, 1365 FM 740, Heath, TX 75126, 903-413-9179

Judy Canterbury, Treasurer, 929 Grand Cypress Ln, Fairview, TX, 75069, 760-419-5227

Debbie Niems, Secretary, 502 Shoreview Dr., Rockwall, TX, 75087, 214-864-8130

Cookie Ray, Treasurer Elect, 785 Shores Blvd., Rockwall, TX, 75087, 214-662-3435

Frances Egan, Director, 2811 Rochell, Rockwall, TX, 75032, 214-546-6458

Madelyn Hill, Director, 5441 Ranger Dr, Rockwall, TX, 75032, 214-534-9740

Karen Coughlin, Director, 2360 Shorecrest Dr., Rockwall, TX, 75032, 972-567-6316

Sandy Hansen, Director, 801 Austin, Rockwall, TX, 75087, 214-284-4784

Ewing, Lea Ann

From: Erin Atkins <erin@hrkinsurance.com>
Sent: Thursday, March 26, 2015 4:05 PM
To: Ewing, Lea Ann
Subject: RE: HOT Application Rockwall Country Fair

Importance: High

Hi Lea Ann-

We would like to put a billboard up on I-30, hire a local news affiliate to run a social media campaign including print and online advertising, advertise the event in local newspapers and magazines, do an advertisement with the local movie theater, etc.

Please let me know if you need additional information.

Thank you,



Please take a minute and vote for Hanby Insurance as the Best of Lakeside 2015. Click the picture above or follow this link: http://livingmagazine.net/vote-best-lakeside-2015/

Erin Atkins
Principal Agent/Agency Owner
Hanby Insurance

Rockwall:
Tel: 972-771-4110 x7014
Mesquite:
Tel: 972-285-0381 x7014
Text: 469-475-2001
E-fax: 214-975-1827
E-mail: erin@hrkinsurance.com

Site: www.hrkinsurance.com

Dave Ramsey's elp Endorsed Local Providers

Click to Connect:

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From: Ewing, Lea Ann [mailto:LEwing@rockwall.com]
Sent: Wednesday, March 25, 2015 3:23 PM
To: Erin Atkins
Subject: RE: HOT Application Rockwall Country Fair

Hi Erin,
I read the application and have a couple of questions. What types of advertising and promotional items would support the requested $20,000. Would you specify please. I received a copy of the Poster and what else? I saw Billboard, which one? Thanks!

Thank you,

Lea Ann Ewing
Purchasing Agent
City of Rockwall
385 S. Goliad
Rockwall, TX 75087
972-771-7700 Voice
972-771-7728 Fax
www.rockwall.com

From: Erin Atkins [mailto:erin@hrkinsurance.com]
Sent: Wednesday, March 25, 2015 10:48 AM
To: Ewing, Lea Ann
Subject: HOT Application Rockwall Country Fair
Importance: High

Hello Lea Ann-

Attached is the Rockwall Soroptimist application for HOT funds for the Rockwall Country Fair. Please let me know if you require any additional information.

Thank you,

Erin Atkins

Erin Atkins
Principal Agent/Agency Owner
Hanby Insurance

Rockwall:
Tel: 972-771-4110 x7014
Mesquite:
Tel: 972-285-0381 x7014
Text: 469-475-2001
E-fax: 214-975-1827
E-mail: erin@hrkinsurance.com

Site: www.hrkinsurance.com

Dave Ramsey's Endorsed Local Providers

Click to Connect:

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 04/20/2015

APPLICANT: Maria Bonilla; *Winkelmann and Associates, Inc.*

AGENDA ITEM: **SP2015-007**; *Kroger Site Plan (SH-205 & Quail Run Road)*

SUMMARY:

Discuss and consider a request by Maria Bonilla of Winkelmann and Associates, Inc. on behalf of Mark Matise of MAKKO Goliad I, LP for the approval of a site plan for a grocery store and fuel center on an 11.28-acre tract of land identified as Lots 2 & 3, Block A, Quail Run Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N SH-205 OV) District, located at the southeast corner of the intersection of N. Goliad Street (SH-205) and E. Quail Run Road, and take any action necessary.

BACKGROUND:

The subject property is an 11.28-acre tract of land situated at the southeast corner of the intersection of N. Goliad Street (SH-205) and E. Quail Run Road and is zoned Planned Development District 5 (PD-5) for General Retail (GR) District land uses (*with the exceptions contained within Ordinance No. 00-28*). The property has been zoned for General Retail (GR) District land uses since Planned Development District 5 (PD-5) was originally approved on September 4, 1973 under *Ordinance No. 73-31*. According to the concept plan approved with this ordinance, the property was designation for a *Community Mini Mall Shopping Center*.

On October 2, 2000, the City Council approved *Ordinance No. 00-28*, which amended the previous Planned Development District ordinance to allow for a *Planned Shopping Center (on less than 19-acres)* and *Neighborhood Convenience Center*, restaurant with outdoor seating and drive-through facilities, pharmacy with drive-through facilities, and a retail convenience store limited to six (6) gas pump dispensers on the subject property. Additionally, the Planned Development District ordinance required site plan approval by the Planning and Zoning Commission and City Council, which was required on all site plan cases prior to the adoption of the current zoning ordinance (*Ordinance No. 04-38*). Submitted with the zoning change application was a preliminary concept plan that showed the construction of a 62,999 SF grocery store with attached retail store space estimated to be ±27,000 SF in size.

A site plan (*Case No. PZ2002-030-002*) conforming to *Ordinance No. 00-28* was approved by City Council on April 15, 2002. This site plan showed the subject property being subdivided into five (5) lots with a 61,508 SF grocery store and 8,900 SF of attached retail space being constructed on one of the lots. As part of this site planning process, the property was replatted and impact fees were paid. An outstanding tree mitigation balance of 691-inches was required to be satisfied as part of the approval of this site plan; however, no building permit was submitted.

SITE PLAN:

On March 13, 2015, the applicant, Maria Bonilla of Winkelmann and Associates, Inc., submitted an application requesting approval of a site plan for a 90,000 SF Kroger grocery store and gas

station on the subject property. The gas station will be located at the southeast corner of Quail Run Road and SH-205, and consist of a 352 SF convenience store and a fuel canopy that will house six (6) gas pump dispensers. The development will be accessible from two (2) access drives along Quail Run Road and one (1) along Memorial Drive, and will not have direct access to SH-205. According to the *Parking Requirement Schedule* in Article VI, *Parking and Loading*, of the Unified Development Code (UDC) the proposed development will require 362 parking spaces (*i.e. 90,000 SF/250 SF = 360 Parking Spaces; 352 SF/250 SF = 1.4 or ~ 2 Parking Spaces*). The submitted site plan shows that the development will incorporate 363 parking spaces and conform to all parking requirements.

With respect to the density and dimensional requirements contained in Planned Development District 5 (PD-5) and the UDC the applicant's plan, with the adoption of the conditions of approval, is in conformance with all applicable requirements with the exception of the aforementioned variance to the parking area restrictions.

LANDSCAPE PLAN:

According to the UDC, properties within the General Retail (GR) District are required to provide a minimum landscape percentage of 15% (*or net 10% with the maximum landscaping credits*) of the subject property's total square footage (*i.e. 486,519 SF * 15% = 72,977 SF*). The landscape plan provided by the applicant shows that ~28% of the total site would be landscaped, which equates to 135,980 SF landscaping. Included in this landscaping percentage is the N SH-205 OV District's landscape buffer requirements, which include: 1) a 20-foot landscape buffer adjacent to SH-205, 2) four (4) accent trees (*i.e. 'Tuscarora' Crape Myrtle and Texas Redbud*) per every 100 linear feet of street frontage, 3) three (3) canopy trees (*i.e. Shumard Oak and Cedar Elm)* per every 100 linear feet of street frontage, and 4) an 18"-24" berm and shrub row (*i.e. Pfitzer Juniper*). In addition, the plan shows that one (1) canopy tree (*i.e. Texas Ash, Shumard Oak, and Southern Live Oak*) will be planted for every 50 linear feet of frontage inside the ten (10) foot landscape buffers along Quail Run Road and Memorial Drive. These same canopy trees are also utilized as plantings around the drainage/detention pond located adjacent to Memorial Drive in the southeast corner of the subject property.

Per the requirements of the UDC the applicant is showing a 30-foot landscape buffer adjacent to the residential properties situated along the eastern property line. In this landscape buffer, the landscape plan shows that one (1) canopy tree (*i.e. Southern Live Oak*) will be placed every 25-feet adjacent to the residential properties and that a shrub row consisting of *Pfitzer Juniper* will be planted along the entire eastern property line. Additionally, the applicant is proposing to construct a precast masonry-screening wall in order to better screen the development from the residential properties. According to the Article XI, *Fences*, of Chapter 10, *Buildings and Building Regulations*, of the Municipal Code of Ordinances, "(p)recast solid fencing shall require special approval by the Planning and Zoning Commission." By recommending approval of this site plan per staff's conditions on April 14, 2015 the Planning and Zoning Commission approved the use of the proposed precast masonry-screening fence. With the proposed 30-foot landscape buffer and the fire-lane that wraps around the building, the proposed grocery store will be approximately 60-feet from the residential properties located adjacent to the eastern property line.

With respect to the required landscape standards, the proposed landscape plan is in conformance with all requirements of the UDC and Planned Development District 5 (PD-5).

TREESCAPE PLAN:

As stated above, under *Case No. PZ2002-030-002* a Treescape Plan was approved indicating an outstanding balance of 691-inches of trees needing mitigation. This mitigation total was

calculated under the previous tree mitigation requirements, which preceded the current mitigation requirements that were adopted on June 21, 2004 by *Ordinance No. 04-38* and amended on June 15, 2009 by *Ordinance No. 09-23*. Staff has recalculated the outstanding tree mitigation requirements under the current ordinance and determined that the total outstanding tree mitigation balance for the subject property is 548-inches. The applicant's landscape plans indicated that a total of 497-inches of trees will be planted as part of this development leaving an outstanding balance of 51-inches of trees. The applicant has submitted a letter stating that they intend to pay $6,375.00 (*i.e. 51-inches @ $125.00/inch*) into the Tree Fund to satisfy the remaining tree mitigation.

PHOTOMETRIC PLAN:

The applicant has submitted a photometric plan and lighting cut sheets that demonstrate conformance to all lighting requirements contained within Article 7, *Environmental Performance*, of the UDC.

BUILDING ELEVATIONS:

The building elevations submitted by the applicant show the grocery store building utilizing a mixture of cultured stone veneer (*i.e. Palo Pinto Cobble and Granbury Cobble*), architectural concrete block (*i.e. Quik Brik*), cast stone and stucco. The applicant will be requesting a variance to the 20% natural or quarried stone requirement stipulated by the N SH-205 OV District for the purpose of allowing the proposed cultured stone veneer. The building will incorporate various architectural elements (*e.g. canopies, recesses/projections, outdoor patios, varied roof heights, etc.*) to meet the articulation requirements stipulated by the UDC; however, the applicant will be requesting a variance to the four (4) sided architectural requirements stipulated for properties within the N SH-205 OV District for the purpose of allowing the rear building elevation to be less ornate than the front and side elevations. Additionally, the rear of the building will require variances to the horizontal/vertical articulation requirements and to the minimum 20% natural, quarried or cultured stone material requirement. The purpose of the requested variance is due to the façade's lack of visibility from a public right-of-way. These variances are not uncommon for larger *big-box* developments (*see the Variance section of this case memo*), but are a discretionary decision for the City Council.

The proposed convenience store and fuel center will utilize the same architectural concrete block and cultured stone as the grocery store building. Both buildings will incorporate a mansard roof utilizing the same colored standing seam metal roof as the grocery store. The columns of the fuel canopy will be wrapped in the same masonry materials utilized on the convenience store building. *With the exception of the requested variances, the building elevations for both buildings meet the requirements of the N SH-205 OV and the General Commercial District as stipulated by the UDC and Planned Development District 5 (PD-5)*.

According to Section 4.1.C.7 of Article V, *District Development Standards*, of the UDC, buildings in excess of 80,000 SF are required to submit a plan demonstrating that the building can be subdivide (*reasonably*) into multi-tenant spaces. The applicant has submitted a plan indicating that the building could be subdivided into four (4) tenant spaces with a service corridor leading to the loading docks. Staff has reviewed the plan and determined that it does meet the requirements stipulated by the UDC.

VARIANCES:

Based on the applicant's submittal staff has identified the following variances:

(1) *Building Materials.*

(a) *Masonry Material Requirements.* According to Section 6.11.C.1 of Article V, *District Development Standards*, of the UDC, each exterior wall that is visible from an open space or public street should incorporate a minimum of 20% natural or quarried stone (*i.e. excluding cultured or cast stone*). The applicant is requesting a variance to this requirement for the purpose of utilizing cultured stone veneer (*i.e. Palo Pinto Cobble and Granbury Cobble from Texas Stone Design, Inc.*) on all the exterior walls of the proposed grocery store and convenience store. *This variance will require a minimum of a ¾-majority vote to be approved by the City Council.*

(b) *Stone Requirements.* According to Section 4.1, *General Commercial District Standards*, of the UDC, each exterior wall should incorporate a minimum of 20% stone (*e.g. natural, quarried or cultured*). The building elevations submitted by the applicant show stone percentages on each building façade ranging from two (2) percent to 23.9% (*i.e. East: 2%; North: 23.9%; South: 20.6%; West: 20.2%*). The rear elevation (*i.e. East Elevation*) is the only elevation that is less than 20%. *This variance will require a simple majority vote to be approved by the City Council.*

(2) *Building Form.*

(a) *Articulation Requirements.* According to Section 4.1 of Article V, *District Development Standards*, of the UDC, all the facades of a building are required to meet minimum vertical and horizontal articulation requirements. In this case, the proposed grocery store building meets the horizontal and vertical articulation requirements on three (3) of the four (4) sides of the building. The only exception is the rear of the building in which the projections and off-sets are not deep enough to meet the minimum requirements. *This variance will require a simple majority vote to be approved by the City Council.*

(b) *4-Sided Architecture Requirements.* According to Section 6.11.C.5 of Article V, *District Development Standards*, of the UDC, buildings shall be designed so that they are architecturally finished on all four (4) sides. This means that buildings are required to utilize the same materials, detailing and features on all four (4) sides of the building. In this case, the only side of the building that is not meeting this requirement is the rear of the building. *This variance will require a minimum of a ¾-majority vote to be approved by the City Council.*

With respect to the requested variances, all of the variances are typical on larger *big-box* developments. The one exception is the variance request for cultured stone in lieu of natural or quarried stone. As part of this request, staff requested that at a minimum the applicant utilize a cultured stone product that contains pigment throughout the product. This is similar to the cultured stone products that have been granted in the Harbor District. While these variances are typical of a larger development, variances in general require recommendation by the Planning and Zoning Commission and discretionary approval by the City Council.

ARCHITECTURAL REVIEW BOARD (ARB):

On March 31, 2015, the Architectural Review Board (ARB) reviewed the building elevations provided with the original submittal. The board expressed concern that the building did not translate well in relation to comparable development within the City and did not adhere to the overlay district requirements. The board members specifically stated that the building lacked material variation, articulation, and architectural elements. Prior to making a recommendation the board asked the applicant to reconsider the building in relation to comparable development within the City and provide a product that better addressed the City's requirements. The applicant has since provided staff with updated building elevations that better address the

ARB's comments and the City's codes. This project will be re-reviewed by the board prior to the Planning and Zoning Commission meeting on April 14, 2015. Any recommendations from the board will be provided by the ARB Chairman prior to staff presenting the case.

On April 14, 2015, the ARB reviewed the resubmitted building elevations. The board felt that the intent of their comments were addressed; however, they did request that the applicant extend the glass at the entryways from above the canopies to grade. The purpose of this request was to create a more appealing storefront. The applicant has agreed to comply with the Board's recommendations.

RECOMMENDATIONS:

Should the City Council choose to approve the applicant's request, then the following conditions of approval should be adopted with this case:

1) All comments provided by the Planning, Engineering and Fire Department must be addressed prior to the submittal of a building permit;

2) All proposed grading, drainage and utility improvements will need to adhere to the Engineering Department's *Standards of Design Manual*.

3) Per the requirements of the N SH-205 OV District no light pole, pole base or combination thereof shall exceed 20-feet. Additionally, all lighting fixtures shall focus light downward and/ or be shielded;

4) Prior to the issuance of a building permit the applicant will need to satisfy all outstanding tree mitigation;

5) Any construction or building necessary to complete this *Site Plan* request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On April 14, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the site plan and variances per staff's recommendations by a vote of 7-0.



City of Rockwall

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

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Winkelmann
& Associates, Inc.

CONSULTING CIVIL ENGINEERS * SURVEYORS
6750 HILLCREST PLAZA DR., STE. 325
DALLAS, TX 75230 (972) 490-7090 FAX (972) 490-7099

April 8, 2015

Ryan C. Miller, AICP
Planning Manager/Planning & Zoning Division
City of Rockwall
385 S. Goliad Street
Rockwall, TX 75087
RMILLER@ROCKWALL.COM

RE: Kroger SW574
SP2015-007

Mr. Miller:
We respectfully request the following variances for the proposed Kroger project located at 1950 N Goliad St, Rockwall, TX 75087:

-Cultured Stone (Texas Stone) in place of natural stone

-Waiver for 20% stone on the rear elevation

-Waiver for horizontal and vertical articulations on the rear elevation

-Waiver for four sided architectural elements on rear elevation

-Waiver to the parking requirements to allow for more than two rows of parking in front of the building

Thank you for your consideration.

Sincerely,

Maria C. Bonilla

Maria C. Bonilla, P.E., CFM
Vice President

Cc: Mike Clark, WAI
Christina Konrad, Kroger

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realestate
IMAGINE THE POSSIBILITIES

Southwest Division
Real Estate Department
1331 E. Airport Freeway
Irving, TX 75062
Phone: 972-785-6011
Fax: 972-785-6019

April 8, 2015

Ryan Miller
Planning Manager
City of Rockwall – Planning & Zoning Division
385 S. Goliad Street
Rockwall, Texas 75087

Dear Mr. Miller,

Kroger understands that there is an outstanding tree mitigation fee on the property we are planning to develop on at the southeast corner of Quail Run Road and Goliad Street in Rockwall, Texas. Kroger plans to pay $6,375 for the remaining 51 inches of trees not covered in our landscape plan for the development.

If you have any questions or concerns, please contact me at 972-785-6020.

Sincerely,

Jackie Kreda
Real Estate
Kroger Southwest - Dallas

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*****NOTICES TO CONTRACTOR*****

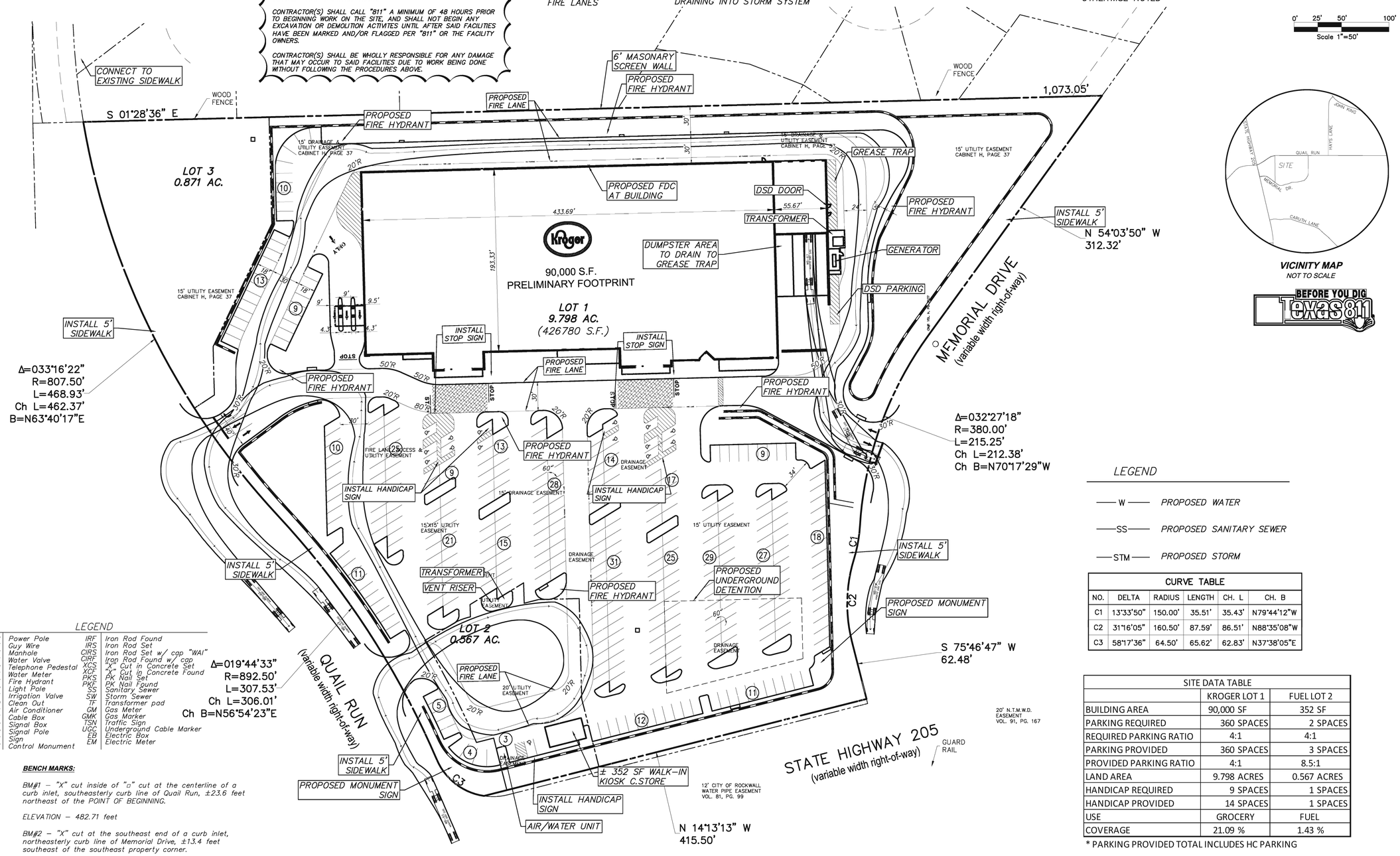
EXISTING UNDERGROUND/BURIED PUBLIC, PRIVATE, AND FRANCHISE UTILITIES/FACILITIES AFFECT THIS SITE, AND ARE DEPICTED ON THE PLANS PER THE BEST AVAILABLE INFORMATION AT THE TIME THE PLANS WERE PRODUCED. WINKELMANN & ASSOC., INC. SHALL NOT BE RESPONSIBLE FOR KNOWING THE EXACT LOCATION OF ALL FACILITIES OR DEPICTING EXACT LOCATIONS OF SAID FACILITIES ON THE PLANS BEYOND WHAT IS STATED ABOVE.

CONTRACTOR(S) SHALL CALL "811" A MINIMUM OF 48 HOURS PRIOR TO BEGINNING WORK ON THE SITE, AND SHALL NOT BEGIN ANY EXCAVATION OR DEMOLITION ACTIVITES UNTIL AFTER SAID FACILITIES HAVE BEEN MARKED AND/OR FLAGGED PER "811" OR THE FACILITY OWNERS.

CONTRACTOR(S) SHALL BE WHOLLY RESPONSIBLE FOR ANY DAMAGE THAT MAY OCCUR TO SAID FACILITIES DUE TO WORK BEING DONE WITHOUT FOLLOWING THE PROCEDURES ABOVE.

NOTES

1. DUMPSTERS, BUILDING, STRUCTURES, AND/OR OVERHANGS SHALL NOT BE IN RIGHT-OF-WAY, EASEMENTS, AND/OR FIRE LANES
2. DRAINAGE FROM FUEL CENTER GAS PUMP AREA (UNDER CANOPY) IS TO DRAIN THROUGH A OIL/WATER SEPARATOR PRIOR TO DRAINING INTO STORM SYSTEM
3. ALL DRIVE AISLES ARE A MINIMUM OF 24' WIDE
4. NO STRUCTURES OR OVERHANGS IN ANY EASEMENTS
5. ALL EASEMENTS FOR EXISTING UTILITIES SHOWN HERON ARE BY PLAT RECORDED IN CABINET H, SLIDE 37, UNLESS OTHERWISE NOTED



0' 25' 50' 100'
Scale 1"=50'

VICINITY MAP
NOT TO SCALE

BEFORE YOU DIG Texas811

LEGEND

PP	Power Pole	IRF	Iron Rod Found
GW	Guy Wire	IRS	Iron Rod Set
MH	Manhole	CIRS	Iron Rod Set w/ cap "WAI"
WV	Water Valve	CIRF	Iron Rod Found w/ cap
TP	Telephone Pedestal	XCS	"X" Cut in Concrete Set
WM	Water Meter	XCF	"X" Cut fd. Concrete Found
FH	Fire Hydrant	PKS	PK Nail Set
LP	Light Pole	PKF	PK Nail Found
IV	Irrigation Valve	SS	Sanitary Sewer
CO	Clean Out	SW	Storm Sewer
AC	Air Conditioner	TF	Transformer pad
TV	Cable Box	GM	Gas Meter
SB	Signal Box	GMK	Gas Marker
SP	Signal Pole	TSN	Traffic Sign
SN	Sign	UGC	Underground Cable Marker
CM	Control Monument	EB	Electric Box
		EM	Electric Meter

BENCH MARKS:

BM#1 – "X" cut inside of "□" cut at the centerline of a curb inlet, southeasterly curb line of Quail Run, ±23.6 feet northeast of the POINT OF BEGINNING.

ELEVATION – 482.71 feet

BM#2 – "X" cut at the southeast end of a curb inlet, northeasterly curb line of Memorial Drive, ±13.4 feet southeast of the southeast property corner.

ELEVATION – 472.19 feet

LEGEND

—— W —— PROPOSED WATER

—— SS —— PROPOSED SANITARY SEWER

—— STM —— PROPOSED STORM

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CH. L	CH. B
C1	13°33'50"	150.00'	35.51'	35.43'	N79°44'12"W
C2	31°16'05"	160.50'	87.59'	86.51'	N88°35'08"W
C3	58°17'36"	64.50'	65.62'	62.83'	N37°38'05"E

SITE DATA TABLE		
	KROGER LOT 1	FUEL LOT 2
BUILDING AREA	90,000 SF	352 SF
PARKING REQUIRED	360 SPACES	2 SPACES
REQUIRED PARKING RATIO	4:1	4:1
PARKING PROVIDED	360 SPACES	3 SPACES
PROVIDED PARKING RATIO	4:1	8.5:1
LAND AREA	9.798 ACRES	0.567 ACRES
HANDICAP REQUIRED	9 SPACES	1 SPACES
HANDICAP PROVIDED	14 SPACES	1 SPACES
USE	GROCERY	FUEL
COVERAGE	21.09 %	1.43 %

* PARKING PROVIDED TOTAL INCLUDES HC PARKING

No.	DATE	REVISION	APPROV.
1.	04/06/2015	1ST CITY RESUBMITTAL	MB
2.			
3.			
4.			
5.			
6.			

LAST SAVED BY: ABARNES April 7, 2015

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
2001 KIRBY DRIVE, SUITE 325
DALLAS, TEXAS 75235 (972) 490-1999 FAX
Texas Engineers Registration No. F-000566-00
Texas Surveyors Registration No. 100866-00

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STATE OF TEXAS
THESE PLANS WERE PREPARED UNDER THE DIRECT SUPERVISION OF MARIA C. BONILLA-NICHOLLS, P.E. #100108. THESE ARE ISSUED FOR INTERIM REVIEW PURPOSES ONLY, THEY ARE NOT TO BE USED FOR CONSTRUCTION PURPOSES.
LICENSED PROFESSIONAL ENGINEER
04-03-2015

SITE PLAN
SW574
SEC N. GOLIAD ST. AND E.QUAIL RUN RD.
ROCKWALL, TEXAS
17585.00

C-1.0

SP2015-007

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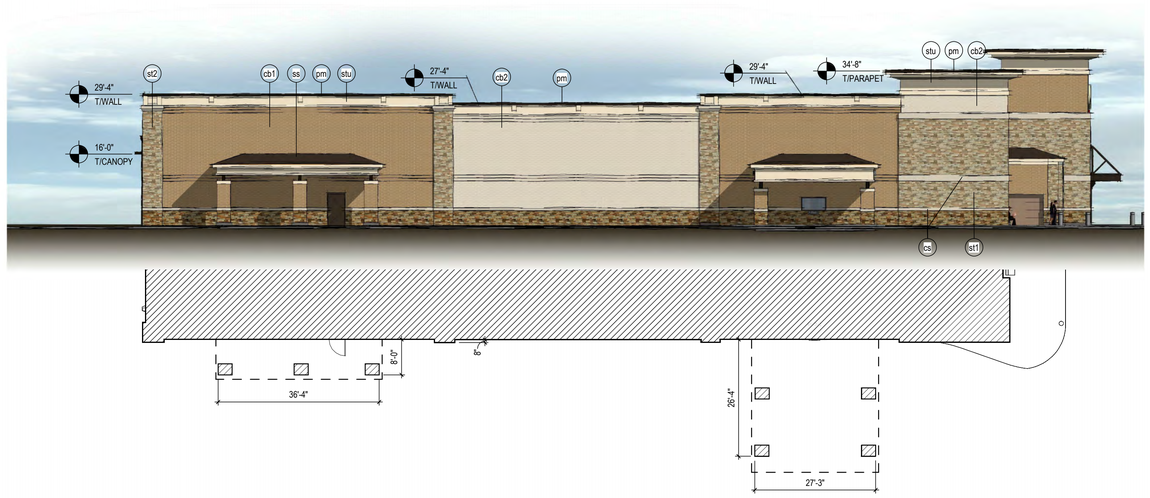
WEST ELEVATION



NORTH ELEVATION

Buildings over fifty thousand (50,000) square feet and under one-hundred thousand (100,000) square feet must include a minimum of six (6) architectural elements.

Architectural Elements Provided:

- Canopies
- Recesses/projections
- Outdoor patios
- Articulated ground floor levels or base
- Articulated cornice line
- Varied roof heights

FINISH SCHEDULE

st1	Cultured Stone Veneer Texas Stone Design Inc. - Palo Pinto Cobble	mr	Mortar Amerimix - Light Tan
st2	Cultured Stone Veneer Texas Stone Design Inc. - Granbury Cobble	stu	Stucco Oyster Shell
cb1	Architectural Concrete Block Oldcastle - Quik Brik - Autumn Blend - 4"	ss	Standing Seam Metal Roof Dark Bronze
cb2	Architectural Concrete Block Oldcastle - Quik Brik - Artic White - 4"	mt	Exposed Metal Paint to match "pm"
cb3	Architectural Concrete Block Oldcastle - Quik Brik - Autumn Blend - 8" split	pm	Prefinished Metal Dark Bronze
cb4	Architectural Concrete Block Oldcastle - Quik Brik - Artic White - 8" split	sf	Dark Bronze
cs	Continental Cast Stone 1103 St. Thomas Tan	gl	Glazing

Material Percentages		
West		
Masonry		
Quik Brik	58.3%	90.5%
Stone	20.2%	
Stucco	12.0%	
Secondary Materials		
Metal	5.5%	9.5%
Cast Stone	4.0%	

Material Percentages		
North		
Masonry		
Quik Brik	55.0%	92.5%
Stone	23.9%	
Stucco	13.6%	
Secondary Materials		
Metal	4.2%	7.5%
Cast Stone	3.3%	

April 7, 2015

Kroger Store SW574

Rockwall, TX
K515406

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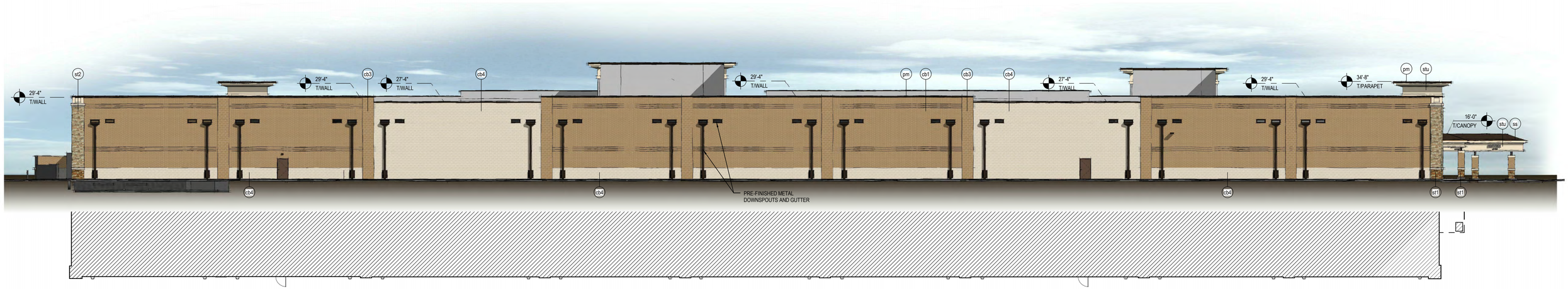
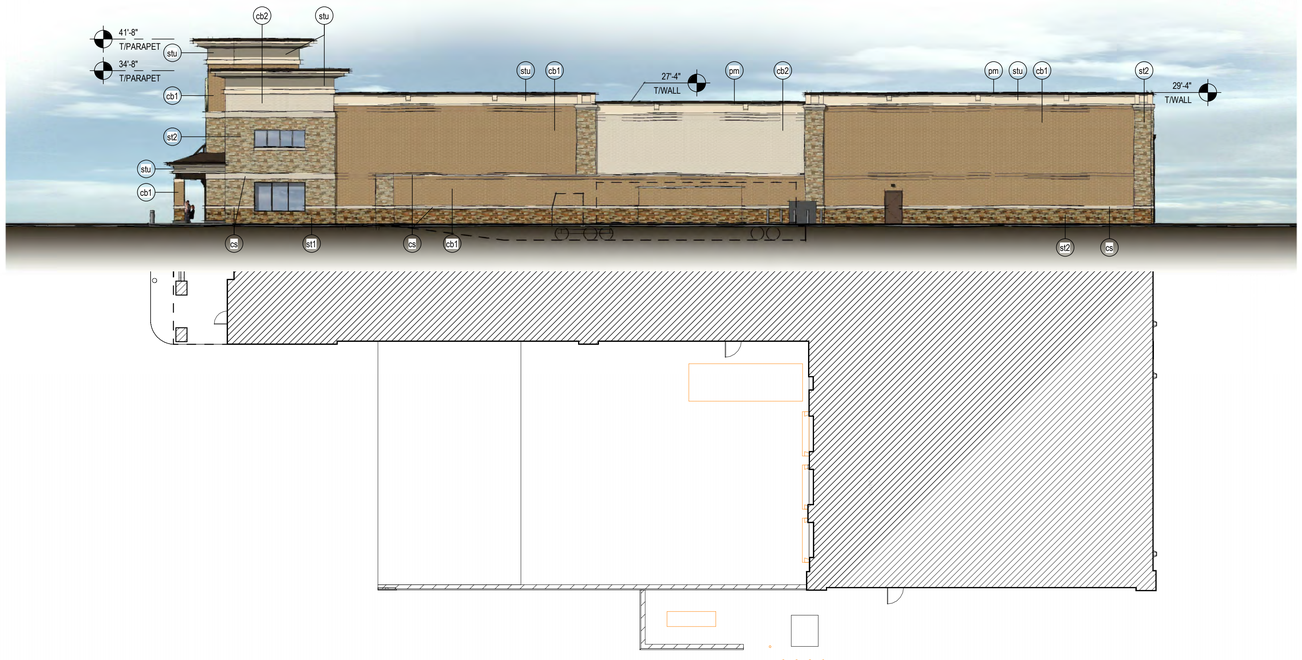


EAST ELEVATION



SOUTH ELEVATION

Buildings over fifty thousand (50,000) square feet and under one-hundred thousand (100,000) square feet must include a minimum of six (6) architectural elements.

Architectural Elements Provided:
- Canopies
- Recesses/projections
- Outdoor patios
- Articulated ground floor levels or base
- Articulated cornice line
- Varied roof heights

FINISH SCHEDULE

st1	Cultured Stone Veneer Texas Stone Design Inc. - Palo Pinto Cobble	mr	Mortar Amerimix - Light Tan
st2	Cultured Stone Veneer Texas Stone Design Inc. - Granbury Cobble	stu	Stucco Oyster Shell
cb1	Architectural Concrete Block Oldcastle - Quik Brik - Autumn Blend - 4"	ss	Standing Seam Metal Roof Dark Bronze
cb2	Architectural Concrete Block Oldcastle - Quik Brik - Artic White - 4"	mt	Exposed Metal Paint to match "pm"
cb3	Architectural Concrete Block Oldcastle - Quik Brik - Autumn Blend - 8" split	pm	Prefinished Metal Dark Bronze
cb4	Architectural Concrete Block Oldcastle - Quik Brik - Artic White - 8" split	sf	Dark Bronze
cs	Continental Cast Stone 1103 St. Thomas Tan	gl	Glazing

Material Percentages		
East		
Masonry		
Quik Brik	57.0%	98.0%
Stone	2.0%	
Stucco	2.0%	
Split-face CMU	37.0%	
Secondary Materials		
Metal	1.99%	2.00%
Cast Stone	0.01%	

Material Percentages		
South		
Masonry		
Quik Brik	60.2%	95.4%
Stone	20.6%	
Stucco	14.0%	
Split-face CMU	0.6%	
Secondary Materials		
Metal	1.5%	4.6%
Cast Stone	3.1%	

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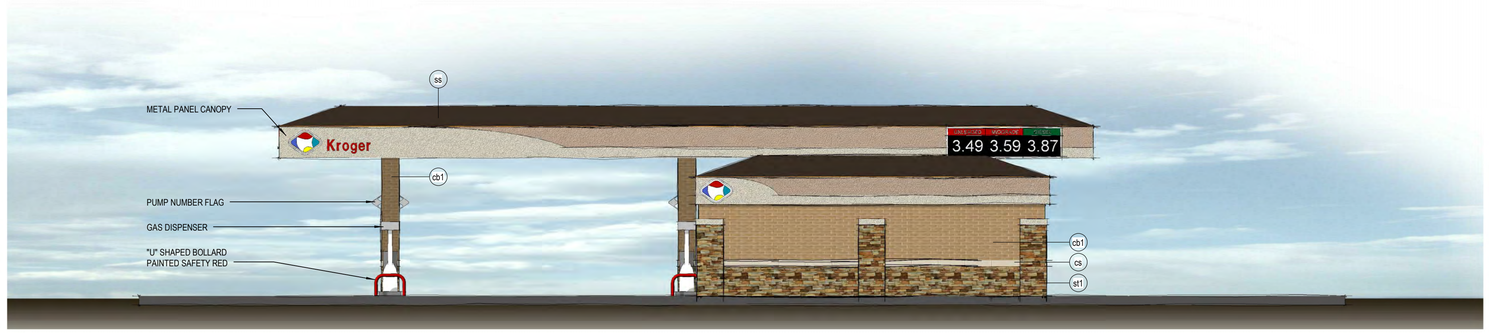
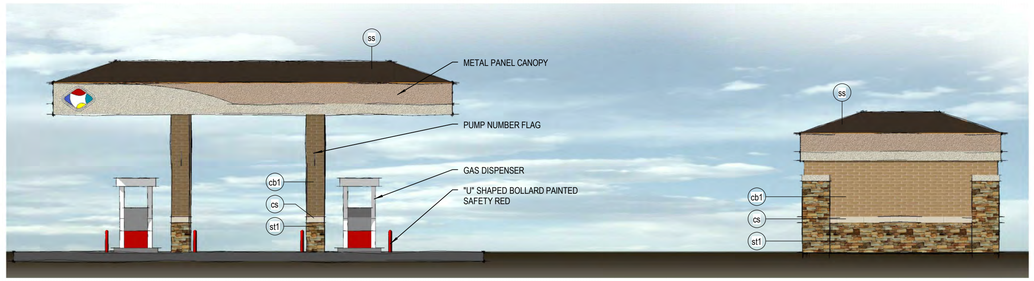


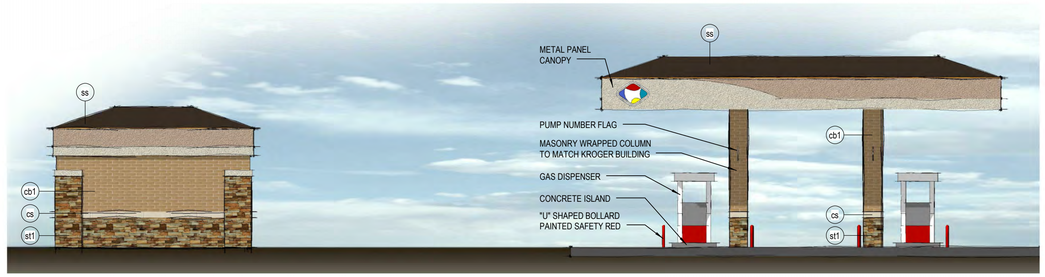
Material Percentages		
West		
Masonry		
Quik Brik	50.0%	94.0%
Stone	44.0%	
Secondary Materials		
Cast Stone	6.0%	6.0%

WEST ELEVATION



Material Percentages		
North & South		
Masonry		
Quik Brik	46.2%	94.2%
Stone	48.0%	
Secondary Materials		
Cast Stone	5.8%	5.8%

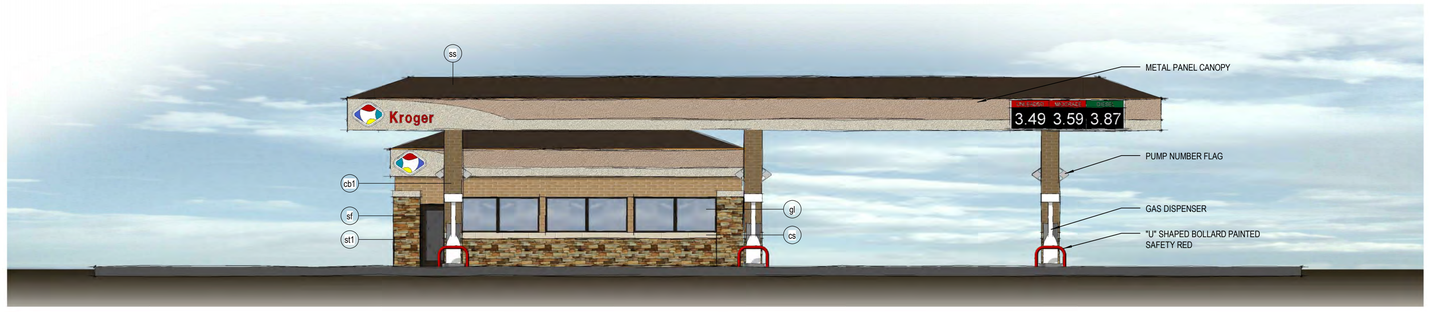
NORTH ELEVATION



SOUTH ELEVATION

FINISH SCHEDULE

- st1 — Cultured Stone Veneer
  Texas Stone Design Inc. - Palo Pinto Cobble - Matching store materials
- cb1 — Architectural Concrete Block
  Oldcastle - Quik Brik - Autumn Blend - 4" - Matching store materials
- cs — Continental Cast Stone
  1103 St. Thomas Tan - Matching store materials
- mr — Mortar
  Amerimix - Light Tan - Matching store materials
- ss — Standing Seam Metal Roof
  Dark Bronze - Matching store materials
- sf — Dark Bronze - Matching store materials
- gl — Glazing - Matching store materials



Material Percentages		
East		
Masonry		
Quik Brik	27.5%	90.9%
Stone	63.4%	
Secondary Materials		
Cast Stone	9.1%	9.1%

EAST ELEVATION

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1 VIEW FROM THE CORNER OF QUAIL RUN RD. AND SH 205



2 VIEW FROM SH 205



3 VIEW FROM MEMORIAL DRIVE



4 VIEW FROM QUAIL RUN RD.

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Decorative Concrete Masonry
Oldcastle - Quik Brik - Autumn Blend



Decorative Concrete Masonry
Oldcastle - Quik Brik - Artic White



Concrete Stone Veneer
Texas Stone Design Inc - Palo Pinto Cobble



Cast Stone
Continental Cast Stone - 1103 St. Thomas Tan



Mortar
Amerimix - Light Tan



Concrete Stone Veneer
Texas Stone Design Inc - Granbury Cobble



Metal Roof Panels
Berridge - Dark Bronze



Stucco
Oyster Shell

EXTERIOR MATERIAL SAMPLES

Kroger SW574 | Rockwall, TX

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EXITS POSSIBLE OUT REAR OF BUILDING ALL ALONG SERVICE CORRIDOR

SERVICE CORRIDOR

TENANT 1

TENANT 2

TENANT 3

TENANT 4

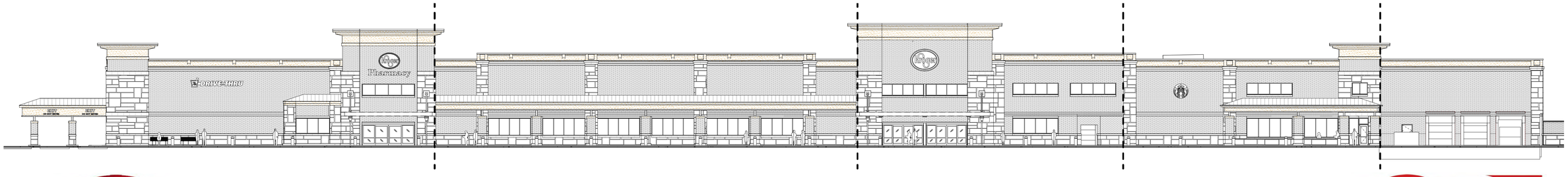
LOADING DOCK

ENTRANCE

ENTRANCE

ENTRANCE

ENTRANCE



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CITY OF ROCKWALL LANDSCAPE REQUIREMENTS		
LANDSCAPE BUFFER	10' LANDSCAPE BUFFER STRIP REQUIRED ALONG PERIMETER	
	REQUIRED	PROVIDED
	10'	10'
STREET LANDSCAPING	1 CANOPY TREE PER EACH 50' OF STREET FRONTAGE	
	REQUIRED (GOLIAD ST)	PROVIDED
	478'/50 = 10 TREES	10 TREES
	REQUIRED (QUAIL RUN)	PROVIDED
	795'/50 = 16 TREES	16 TREES
	REQUIRED (MEMORIAL)	PROVIDED
	706'/50 = 14 TREES	14 TREES
PARKING LOT LANDSCAPING	5% OR 200 SF (WHICHEVER IS GREATER) IN INTERIOR LANDSCAPING	
	REQUIRED	PROVIDED
	149,370 X 5% = 7,470 SF	8,560 SF
PARKING LOT TREES	IF PARKING EXCEEDS 20,000 SF THEN 1 TREE PER 10 SPACES	
	REQUIRED	PROVIDED
	373 SPACES/10 = 37 TREES	37 NEW TREES
PARKING LOT TREES	ALL PARKING SPACES SHALL BE WITHIN 80' OF A TREE	
	REQUIRED	PROVIDED
	ALL SPACES WITHIN 80'	ALL SPACES WITHIN 80'
LANDSCAPE AREA	REQUIRED 15% OF TOTAL SITE IN LANDSCAPE AREA	
	REQUIRED	PROVIDED
	486,519 X 15% =72,977 SF	135,980 SF
LANDSCAPE AREA	50% OF REQUIRED LANDSCAPE AREA IN FRONT YARD	
	REQUIRED	PROVIDED
	72,977 X 50% = 36,489 SF	38,675 SF
DETENTION AREA REQUIRED TREES	ONE (1) TREE PER 750 SQ FT OF DETENTION AREA	
	REQUIRED	PROVIDED
	23,976 SF/ 750 = 32 TREES	32 TREES

OVERLAY DISTRICT LANDSCAPE REQUIREMENTS		
STREET LANDSCAPING	(3) 4" CANOPY TREES AND 4 ACCENT TREES FOR EACH 100' OF STREET FRONTAGE	
	REQUIRED (GOLIAD ST)	PROVIDED
	478'/100 X 3 = 14 TREES	14 TREES
	478'/100 X 4 = 19 ACCENT TREES	19 TREES
	20' LANDSCAPE BUFFER	
	BUILT UP BERM AND/OR SHRUBS,30" -48" MAX.	

NOTE:
- NO TREES SHALL BE PLANTED WITHIN 5' (HORIZONTALLY) FROM ANY PUBLIC UTILITY
- FOR ALL PLANTING ALONG 18' (LENGHT PARKING SPACES: ALL PLANTS MUST BE PLANTED A MINIMUM OF 4' FROM BACK OF CURB>

NOTE:
NO LANDSCAPE PLANTINGS WITHIN 18" OF PARKING LOT CURBS.

BERMUDA HYDROMULCH ALL DISTURBED AREAS

VICINITY MAP

PLANTING NOTES:
1. PRIOR TO PLANTING, CONTRACTOR SHALL CONTACT LANDSCAPE ARCHITECT TO APPROVE NEW TREES ON SITE. LANDSCAPE ARCHITECT SHALL MAKE ONE TRIP TO SITE TO INSPECT TREES. ALL TREES SHALL BE STORED AND HEELED IF REQUIRED PRIOR TO CONTACTING LANDSCAPE ARCHITECT FOR INSPECTION.
2. ALL PLANT MATERIAL TO BE NURSERY GROWN STOCK.
3. CONTRACTOR RESPONSIBLE FOR MAINTENANCE OF ALL PLANT MATERIAL UNTIL PROJECT ACCEPTANCE.
4. ALL CONTAINER GROWN PLANTS TO HAVE FULL, VIGOROUS ROOT SYSTEM, COMPLETELY ENCOMPASSING CONTAINER.
5. ALL PLANTS WELL ROUNDED AND FULLY BRANCHED. ALL TREES WITH SPREAD 2/3 OF HEIGHT.
6. CONTRACTOR TO PROVIDE OWNER WITH PREFERRED MAINTENANCE SCHEDULE OF ALL PLANTS AND LAWNS.
7. MAINTAIN/PROTECT VISIBILITY TRIANGLE WITH PLANT MATERIAL PER CITY STANDARDS AT ALL ENTRANCES TO SITE.
8. PREP ENTIRE WIDTH OF ALL DEFINED PLANTING BEDS WITH MIX AS OUTLINED IN SPECS. WHERE SHRUBS ARE LOCATED ALONG CURB, SET SHRUBS BACK FROM CURB 3 FT.
9. SEE DETAIL SHEET L-8 FOR PLANTING DETAILS.
10. CONTRACTOR RESPONSIBLE FOR LOCATION OF ALL UTILITIES, INCLUDING BUT NOT LIMITED TO TELEPHONE, TELECABLE, ELECTRIC, GAS, WATER AND SEWER. ANY DAMAGE TO UTILITIES TO BE REPAIRED BY CONTRACTOR AT NO COST TO OWNER.
11. EXISTING TREES ARE SHOWN TO REMAIN, CONTRACTOR SHALL PRUNE WITH APPROVAL OF OWNER AND CITY ARBORIST. WORK TO INCLUDE REMOVAL OF ALL SUCKER GROWTH; DEAD AND DISEASED BRANCHES AND LIMBS; VINES, BRIARS AND OTHER INVASIVE GROWTH; AND ALL INTERFERING BRANCHES, AS WELL AS BRANCHES THAT OBSTRUCT SIGN VISIBILITY. MAKE ALL CUTS FLUSH TO REMAINING LIMB. RETAIN NATURAL SHAPE OF PLANT. ALL WORK SUBJECT TO APPROVAL OF OWNER'S REPRESENTATIVE.
12. QUANTITIES ARE PROVIDED AS A COURTESY AND NOT INTENDED FOR BID PURPOSES. CONTRACTOR TO VERIFY PRIOR TO PRICING.
13. INSTALL EDGING BETWEEN LAWN AND PLANTING BEDS. REFER TO SPECIFICATIONS. FILE ALL CORNERS SMOOTH.
14. INSTALL CURLEX BLANKET (OR EQUAL) PER MANUFACTURES INSTRUCTIONS ON ALL GROUNDCOVER/SHRUB BEDS WITH A SLOPE OF 4:1 OR GREATER.
15. AT TIME OF PLAN PREPARATION, SEASONAL PLANT AVAILABILITY CANNOT BE DETERMINED. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO SECURE AND RESERVE ALL B&B PLANTS WHEN AVAILABLE IN CASE ACTUAL INSTALLATION OCCURS DURING THE OFF-SEASON. PURCHASE AND HOLD B&B PLANTS FOR LATE SEASON INSTALLATION.
16. BERM ALL PARKING LOT ISLANDS AS SHOWN ON ENCLOSED DETAIL SHEET. (BERMS MAY NOT BE SHOWN ON GRADING PLAN.)
17. PRIOR TO TREE PLANTING, CONTRACTOR SHALL STAKE TREE LOCATIONS FOR APPROVAL BY OWNER.

CAUTION!!!
UNDERGROUND UTILITIES ARE LOCATED IN THIS AREA. 48 HOURS PRIOR TO ANY CONSTRUCTION ACTIVITIES, CONTACT LINE LOCATES FOR FRANCHISE UTILITY INFO.
CALL BEFORE YOU DIG:
TEXAS EXCAVATION SAFETY SYSTEM (TESS)
1-800-344-8377
TEXAS ONE CALL SYSTEMS
1-800-245-4545
LONE STAR NOTIFICATION CENTER
1-800-669-8344 EXT. 5
BEFORE YOU DIG...

PRELIMINARY
NOT FOR PERMITTING OR CONSTRUCTION
"REVIEW ONLY"

PRELIMINARY FOR REVIEW PURPOSES ONLY

LOT 2
0.567 AC.
(24706 S.F.)

LOT 1
3.788 AC.
(165,030 S.F.)

MATCH LINE, SHEET L-2

REF SHEET L-3 FOR PLANT LEGEND

FAIN • CUPPETT
LANDSCAPE ARCHITECTS, LLC

04/07/15

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No.	DATE	REVISION	APPROV.
1.			
2.			
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4.			
5.			
6.			

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ▪ SURVEYORS
4760 MILLICENT PLAZA DRIVE, SUITE 305
DALLAS, TEXAS (972) 490-2999
Texas Engineering Registration No. F-9
Texas Surveyors Registration No. 100866-00
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LANDSCAPE PLAN
SEC N. GOLIAD ST. AND E. QUAIL RUN RD.
ROCKWALL, TEXAS

L-1

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MATCH LINE, SHEET L-1



PRELIMINARY
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OR CONSTRUCTION
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VICINITY MAP

CAUTION!!!
UNDERGROUND UTILITIES ARE LOCATED IN THIS AREA. 48 HOURS PRIOR TO ANY CONSTRUCTION ACTIVITIES, CONTACT LINE LOCATES FOR FRANCHISE UTILITY INFO.
CALL BEFORE YOU DIG:
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1-800-344-8377
TEXAS ONE CALL SYSTEMS
1-800-245-4545
LONE STAR NOTIFICATION CENTER
1-800-669-8344 EXT. 5

BEFORE YOU DIG...

NOTE:

- TURF ADJACENT TO GOLIAD, QUAIL RUN, MEMORIAL, SLOPES IN EXCESS OF 25% AND IN ANY PARKING ISLAND DESIGNATED AS TURF SHALL BE SOLID BERMUDA SOD. GENERAL CONTRACTOR HAS THE OPTION TO HYDROMULCH BERMUDA TURF ELSEWHERE ON SITE. HOWEVER, IF GRASS IS NOT ESTABLISHED AND ACCEPTED BY OWNER IN ALL DISTURBED AREAS PRIOR TO FILING N.O.T. (NOTICE OF TERMINATION) THE GENERAL CONTRACTOR HAS TO INSTALL SOD.
- REFER TO SHEETS L-10 FOR PLANT LEGEND.
- NO LANDSCAPE PLANTINGS WITHIN 18" OF PARKING LOT CURBS.
- CONTRACTOR SHALL APPLY FRESH MULCH TO A DEPTH OF 4", TWO WEEKS PRIOR TO OPENING. DATE OF OPENING BY OWNER.
- NO LANDSCAPING SHALL BE LOCATED CLOSER THAN 10' TO A FIRE HYDRANT WITHIN ANY PUBLIC ROW OR 5' WITHIN THE PROPERTY'S INTERIOR.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO CONFIRM TREE CALIPER CALIPER MEASUREMENT HEIGHT ABOVE GRADE AS REQUIRED BY CITY.
- ALL TREES (EXISTING AND NEWLY PLANTED) SHALL BE PRUNED TO PROVIDE VISIBILITY ONTO SITE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTACT APPROPRIATE DEPARTMENT FOR DIRECTION PRIOR TO ACTIVITY
- TEMPORARY IRRIGATION WILL BE REQUIRED TO ESTABLISH TURF IN ALL DISTURBED AREAS WITHOUT A PERMANENT IRRIGATION SYSTEM. SOD ADJACENT TO PUBLIC STREETS AND ANY PARKING LOT ISLAND WITH TURF. HYDROMULCH TURF IN ALL OTHER DISTURBED AREAS AS IDENTIFIED ON GRADING AND EROSION CONTROL PLANS. ALL FRONTAGE AND SIDE YARDS ARE TO RECEIVE IRRIGATION.
- PRIOR TO TREE PLANTING, CONTRACTOR SHALL STAKE TREE LOCATIONS FOR APPROVAL BY OWNER.

REF SHEET L-1 FOR PLANTING NOTES
AND L-3 FOR PLANT LEGEND

FAIN • CUPPETT
LANDSCAPE ARCHITECTS, LLC
PARKS AND OPEN SPACE PLANNING • LANDSCAPE ARCHITECTURE • IRRIGATION DESIGN

04/07/15

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No.	DATE	REVISION	APPROV.
1.			
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6.			

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LANDSCAPE PLAN
SEC N. GOLIAD ST. AND E. QUAIL RUN RD.
ROCKWALL, TEXAS

L-2

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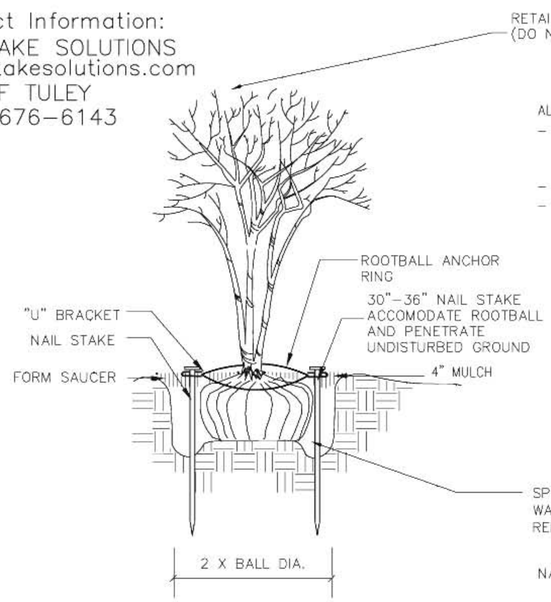
Contact Information:
TREE STAKE SOLUTIONS
www.treestakesolutions.com
JEFF TULEY
903-676-6143



STAKING FOR MULTI–TRUNK TREES & TREES 2" CAL. & UNDER

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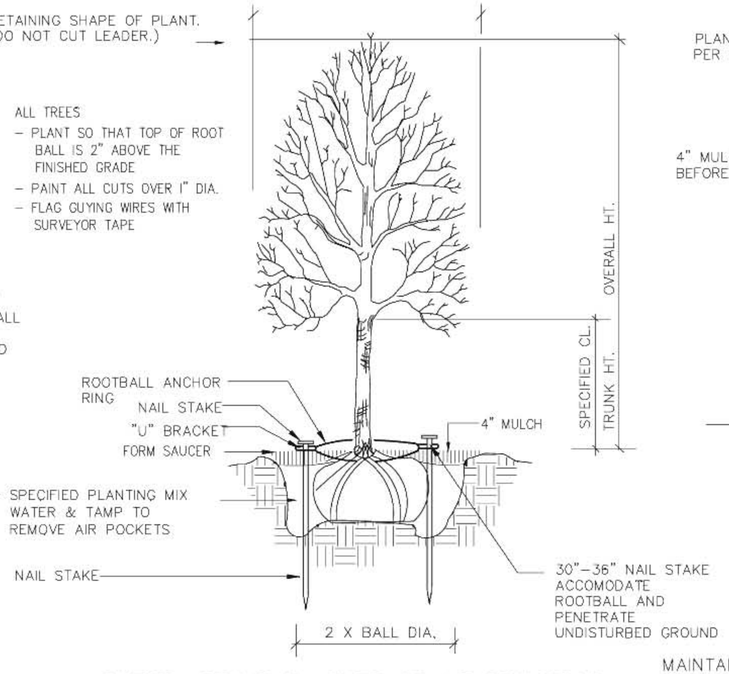
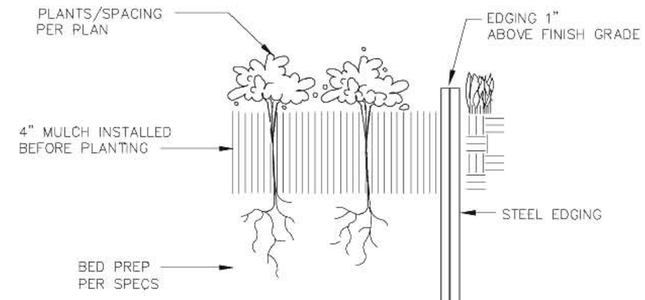


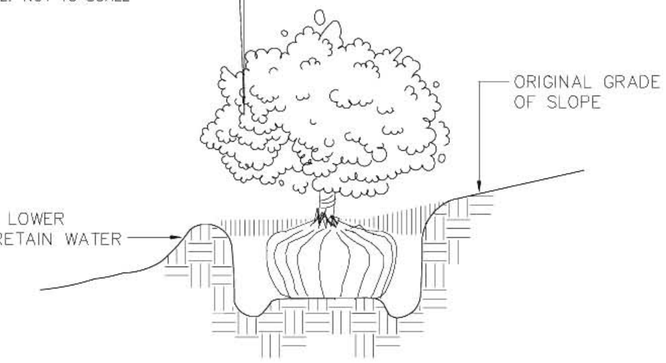
SAFETY STAKE BY TREE STAKE SOLUTIONS

SCALE: NOT TO SCALE



BEDDING PLANTS/ EDGING DETAIL

SCALE: NOT TO SCALE



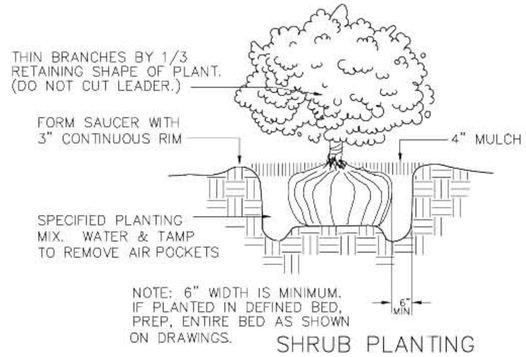
TREE/SHRUB PLANTING ON SLOPES

SCALE: NOT TO SCALE



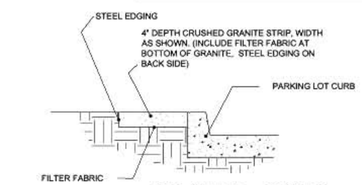
TYPICAL PARKING LOT ISLAND MOUNDING

SCALE: NOT TO SCALE



SHRUB PLANTING

SCALE: NOT TO SCALE



GRANITE STRIP

NTS

PLANT LIST

Symbol	Quantity	Code Name	Scientific Name	Common Name	Planting Size	Comments	Mature Height
	50	Frte	Fraxinus texensis	Texas ash	3"–Cal/12' min ht	B & B	30'
	23	Qush	Quercus shumardii	Shumard oak	3"–Cal/12' min ht	B & B	50'
	50	Quvi	Quercus virginiana	Southern live oak	3"–Cal/12' min ht	B & B	50'
	13	Ulcr	Ulmus crassifolia	Cedar elm	3"–Cal/12' min ht	B & B	50'
	6	Cail	Carya illinoinensis	Pecan	3"–Cal/12' min ht	B & B	50'
	5	Juvi	Juniperus virginiana	Eastern red cedar	3"–Cal/10' min ht	B & B	25'
	7	Qush	Quercus shumardii	Shumard oak	4"–Cal/14' min ht	B & B	50'
	7	Ulcr	Ulmus crassifolia	Cedar elm	4"–Cal/14' min ht	B & B	50'
	343	JuchP	Juniperus chinensis 'Pfitzerana'	Pfitzer juniper	7–Gal./30" min ht	48" O.C.	48"
	11	Laintu	Lagerstroemia indica 'Tuscarora'	'Tuscarora' crape myrtle	45–Gal./8' min ht	3 to 5 Canes, Tree form	15'
	8	Cecate	Cercis canadensis 'Texensis'	Texas redbud	2"–Cal/8' min ht	8'–10' Min Ht	15'
		Stte	Stipa tenuissima	Mexican feathergrass	1–Gal	18" O.C.	
		Tras	Trachelospermum asiaticum	Asian jasmime	4" pot	12" O.C.	
		Cyda	Cynodon dactylon	Solid Bermuda sod	Sod	Solid	

PRELIMINARY
NOT FOR PERMITTING OR CONSTRUCTION
"REVIEW ONLY"

FAIN • CUPPETT
LANDSCAPE ARCHITECTS, LLC
9233 Mid Cities Blvd. Suite B
North Richland Hills, TX 76182-4781
PARKS AND OPEN SPACE PLANNING • LANDSCAPE ARCHITECTURE • IRRIGATION DESIGN

04/07/15

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No.	DATE	REVISION	APPROV.
1.			
2.			
3.			
4.			
5.			
6.			

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ▪ SURVEYORS
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Texas Surveying Registration No. 100866-00

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PLANTING DETAILS
SEC N. GOLIAD ST. AND E. QUAIL RUN RD.
ROCKWALL, TEXAS

L–3

130

Luminaire Schedule

Symbol	Qty	Label	Arrangement	Lum. Watts	Total Watts	Lum. Lumens	LLF	Description	LLD	LDD
▪	12	A	SNGLE	88	1056	8132	0.932	LRC-SB4-4-LED-E1-MST	0.950	0.950
▪	4	LD1-6	SNGLE	315	1260	32141	0.932	GLEON-AE-PM-LED-E1-MWQ	0.950	0.950
▪	11	LD1-8	SNGLE	421	5672	43116	0.932	GLEON-AE-PM-LED-E1-MWQ	0.950	0.950
▪	3	LD5-6	SNGLE	315	945	26220	0.932	GLEON-AE-PM-LED-E3-SL3-HSS	0.950	0.950
▪	2	LD5-8	SNGLE	421	842	36134	0.932	GLEON-AE-PM-LED-E3-SL3-HSS	0.950	0.950
▪	1	LD7-6	SNGLE	315	945	25409	0.932	GLEON-AE-PM-LED-E3-SL3-HSS	0.950	0.950
▪	7	LD7-8	SNGLE	421	2947	33378	0.932	GLEON-AE-PM-LED-E3-SL3-HSS	0.950	0.950
▪	8	LW1-2	SNGLE	107	856	10501	0.932	GLEON-AE-02-LED-E1-T3	0.950	0.950
▪	3	LW2-2	SNGLE	107	321	10502	0.932	GLEON-AE-02-LED-E1-16FT	0.950	0.950

Luminaire Location Summary

LumNo	Label	X	Y	Z	Orient	Tilt
1	A	2593685.	7034597.	15	14.034	0
2	A	2593671.	7034594.	15	14.034	0
3	A	2593655.	7034590.	15	14.034	0
4	A	2593691.	7034573.	15	14.034	0
5	A	2593676.	7034570.	15	14.034	0
6	A	2593661.	7034565.	15	14.034	0
7	A	2593700.	7034540.	15	14.034	0
8	A	2593686.	7034536.	15	14.034	0
9	A	2593670.	7034532.	15	14.034	0
10	A	2593706.	7034517.	15	14.034	0
11	A	2593691.	7034514.	15	14.034	0
12	A	2593676.	7034509.	15	14.034	0
13	LD1-6	2593658.	7034446.	20	0	0
14	LD1-6	2593689.	7034339.	20	0	0
15	LD1-6	2593929.	7034251.	20	331.624	0
16	LD1-6	2593798.	7034628.	20	0	0
17	LD1-8	2593749	7034569	20	0	0
18	LD1-8	2593855.	7034686	20	0	0
19	LD1-8	2593854.	7034571.	20	0	0
20	LD1-8	2593739.	7034453.	20	0	0
21	LD1-8	2593846.	7034456.	20	0	0
22	LD1-8	2593775.	7034335.	20	0	0
23	LD1-8	2593869.	7034337.	20	0	0
24	LD1-8	2593952.	7034339.	20	0	0
25	LD1-8	2593949.	7034455.	20	0	0
26	LD1-8	2593966.	7034565.	20	0	0
27	LD1-8	2593962.	7034678.	20	0	0
28	LD1-8	2594102.	7034751.	20	270.063	0
29	LD1-8	2593998.	7034756.	20	180	0
30	LD5-6	2594079.	7034834.	20	246.194	0
31	LD5-6	2593615.	7034629.	20	291.803	0
32	LD5-6	2593890.	7034750.	20	270	0
33	LD5-8	2593652.	7034275.	20	12.34	0
34	LD5-8	2593618.	7034410.	20	12.34	0
35	LD7-6	2593777.	7034726.	20	309.353	0
36	LD7-6	2594190.	7034803.	20	270	0
37	LD7-6	2593968.	7034849.	20	270	0
38	LD7-8	2593738.	7034221.	20	90	0
39	LD7-8	2593829.	7034222.	20	90	0
40	LD7-8	2593588.	7034526.	20	11.482	0
41	LD7-8	2594006.	7034189.	20	68.497	0
42	LD7-8	2594107.	7034172.	20	90	0
43	LD7-8	2594191.	7034144.	20	72.123	0
44	LD7-8	2593706.	7034677.	20	302.735	0
45	LW1-2	2594212.	7034389.	15	0	0
46	LW1-2	2594183.	7034222.	15	270	0
47	LW1-2	2594209.	7034466.	15	0	0
48	LW1-2	2594215.	7034231.	15	0	0
49	LW1-2	2594213.	7034309.	15	0	0
50	LW1-2	2594207.	7034546.	15	0	0
51	LW1-2	2594205.	7034624.	15	0	0
52	LW1-2	2594204.	7034701.	15	0	0
53	LW2-2	2594175.	7034712.	15	90	0
54	LW2-2	2594100.	7034275.	15	270	0
55	LW2-2	2594033.	7034273.	15	270	0

Calculation Summary

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
CalcPts_1	Illuminance	Fc	0.83	18.7	0.0	N.A.	N.A.
under gas canopy	Illuminance	Fc	14.35	22.5	4.0	3.59	5.63
BACK	Illuminance	Fc	3.11	5.4	1.2	2.59	4.50
PARKING	Illuminance	Fc	4.39	18.7	2.0	2.20	9.35

SCALE 1" = 50'

50 25 0 25 100

Cooper Lighting by EATON
Applications Engineering
1121 Highway 74 South
Peachtree City, GA 30269
tel no: 770-486-4579
fax no: 770-486-4599
e-mail: mtclightingapplications@Eaton.com

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Project Name: KROGER #574 ROCKWALL, TX

Client: GREG STEIN

Drawn By: Arnel Uy

Date: 4/8/2015

Project No: 1500935.AGI

DESCRIPTION

The LRC LED Recessed Canopy Luminaire is specifically designed for recessed applications in single or double skin canopies. Three specialized optics are optimized for efficiency and uniformity, delivering high light levels on task. Typical applications include retail gas stations, convenience stores, banks and pharmacy drive thru canopies. UL/cUL listed for wet locations.

Catalog #		Type
Project		
Comments		Date
Prepared by		

SPECIFICATION FEATURES

Construction
Heavy-duty cast aluminum housing with aluminum mounting frame. Wet location driver enclosure is elevated to prevent water ingress. 1/2" knockouts provided for wiring connections. IP66 Rated.

Optics
Dedicated optical cavities for the array of 16 individual LEDs to maximize the efficiency and control of the distribution out of each module. To enhance visual comfort, a glare-reducing optical system is utilized to maximize delivered lumens while minimizing glare. Scalable in 1, 2 or 4 Light Square LED modules to optimize cost and lumen output. Each reflector is precision manufactured via injection molding and coated with a highly reflective optical coating via vacuum metallization. Two symmetric optics and one asymmetric optic are specifically designed for efficiency and uniformity. Offered standard in 4000K (+/- 275K) CCT and nominal 70 CRI. Optional 6000K CCT with nominal 70 CRI, and 3000K with nominal 80 CRI.

Electrical
LED driver is enclosed in a wet location box, designed to manage thermals for longevity. 120-277V 50/60Hz, 347V 60Hz or 480V 60Hz operation. Optional proprietary circuit module designed to withstand 10kV of transient line surge. 90% lumen maintenance expected at 60,000 hours. The LRC LED Recessed Canopy Luminaire is suitable for operation in -40°C to 40°C ambient operations.

Mounting
Designed to recess in single or double skin canopies. Luminaire can be installed from above or below canopy, through 14" square cutout in the canopy.

Finish
Housing and lens frame are finished in Super TGIC polyester powder cost paint, 2.5 mil nominal thickness for superior protection against fade and wear. Standard housing and lens frame trim finished in true white color. Optional lens frame trim colors include white, grey, black, bronze, dark platinum, and graphite metallic. RAL and color matches available.

Warranty
Five-year warranty.

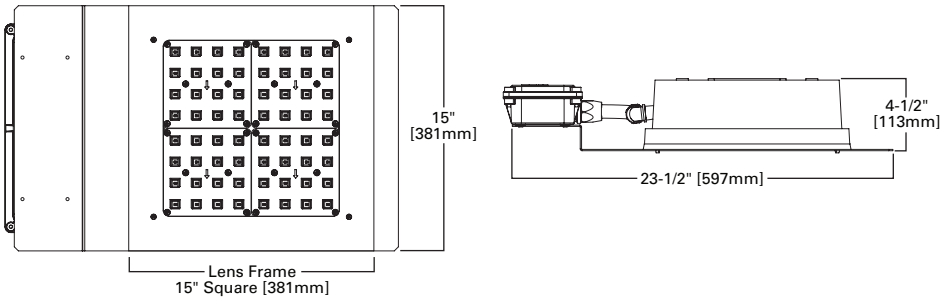


LRC
LED RECESSED CANOPY

1, 2 or 4 Light Squares
Solid State LED

CANOPY LUMINAIRE

DIMENSIONS



CERTIFICATION DATA
UL/cUL Listed
LM79 / LM80 Compliant
ISO 9001
DesignLights Consortium® Qualified*

ENERGY DATA
Electronic LED Driver
>0.9 Power Factor
<20% Total Harmonic Distortion
120-277V/50 & 60Hz, 347V/60Hz, 480V/60Hz
-40°C Minimum Temperature
40°C Maximum Ambient Temperature

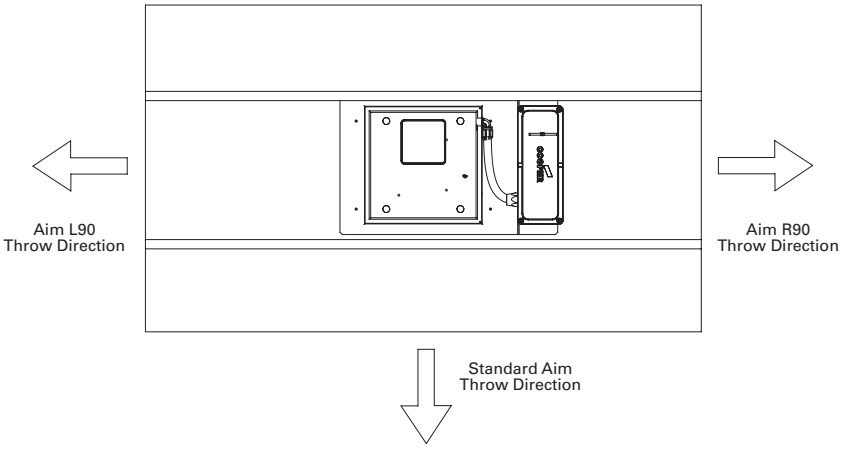
SHIPPING DATA
Approximate Net Weight:
20-29 lbs. (9.07-13.15 kgs.)

POWER AND LUMENS BY NUMBER OF LEDS

Number of LEDs	LED Drive Current	Input Wattage	Input Current (Amps) 120V	Input Current (Amps) 277V	Optics	MST	VAT	WST
16	700mA	37W	0.33	0.15	Lumens	3,099	2,987	3,026
					BUG Rating	2-0-0	2-0-0	1-0-0
	950mA	50W	0.41	0.19	Lumens	3,841	3,702	3,751
					BUG Rating	2-0-1	2-0-0	2-0-0
32	350mA	35W	0.30	0.14	Lumens	3,448	3,323	3,367
					BUG Rating	2-0-0	2-0-0	2-0-0
	450mA	46W	0.40	0.18	Lumens	4,285	4,130	4,184
					BUG Rating	2-0-1	2-0-0	2-0-0
	700mA	73W	0.62	0.23	Lumens	6,048	5,829	5,906
					BUG Rating	3-0-1	3-0-0	2-0-0
64	350mA	69W	0.59	0.28	Lumens	6,679	6,439	6,524
					BUG Rating	3-0-1	3-0-0	2-0-0
	450mA	88W	0.77	0.36	Lumens	8,212	8,019	8,125
					BUG Rating	3-0-1	3-0-0	3-0-0

NOTE: Lumen values tested at 4000K CCT.

VAT OPTIC ORIENTATION



LUMEN MAINTENANCE

Ambient Temperature	TM-21 Lumen Maintenance (60,000 Hours)	Theoretical L70 (Hours)
25°C	> 94%	> 350,000
40°C	> 93%	> 250,000

LUMEN MULTIPLIER

Ambient Temperature	Lumen Multiplier
10°C	1.04
15°C	1.03
25°C	1.00
40°C	0.96

ORDERING INFORMATION

Sample Number: LRC-B64-4-LED-E1-VAT

Product Family [1]	Generation	Number of LEDs	Drive Current [2]	Lamp Type	Voltage	Distribution	Trim Color
LRC=LED Recessed Canopy	**B**=B	**16**=16 **32**=32 **64**=64	**1**=950mA **3**=350mA **4**=450mA **7**=700mA	**LED**=Solid State Light Emitting Diodes	**E1**=Electronic 120-277V **347**=347V **480**=480V [3]	**VAT**=Vertical Aysmmetric **WST**=Wide Symmetric **MST**=Medium Symmetric	**[Blank]**=True White **AP**=Grey **BZ**=Bronze **BK**=Black **DP**=Dark Platinum **GM**=Graphite Metallic **WH**=White

Option (Add as Suffix)	**Accessories** (Order Separately)
10K=10kV Surge Module **2L**=Two Circuits [4] **L90**=Optics Rotated 90° Left [5] **R90**=Optics Rotated 90° Right [5] **7060**=70 CRI/6000K CCT [6] **8030**=80 CRI/3000K CCT [6]	**MA1253**=10kV Circuit Module Replacement

Notes:
1. DesignLights Consortium® Qualified. Refer to www.designlights.org Qualified Products List under Family Models for details.
2. 950mA available only in 16 LEDs. 700mA available in 16 or 32 LEDs. 450mA available only in 32 or 64 LEDs. 350mA only available in 32 or 64 LEDs.
3. Not to be used with un-grounded systems.
4. Not available in 347V or 480V. Not available with 16 LEDs. Not available with 32 LEDs in 350mA or 450mA.
5. Only applies with VAT distribution. MST and WST distributions are symmetrical.
6. Consult factory for lead times and lumen multiplier.

DESCRIPTION

The Galleon™ LED luminaire delivers exceptional performance in a highly scalable, low-profile design. Patented, high-efficiency AccuLED Optics™ system provides uniform and energy conscious illumination to walkways, parking lots, roadways, building areas and security lighting applications. IP66 rated.

Catalog #		Type
Project		
Comments		Date
Prepared by		

SPECIFICATION FEATURES

Construction
Extruded aluminum driver enclosure thermally isolated from Light Squares for optimal thermal performance. Heavy-wall, die-cast aluminum end caps enclose housing and die-cast aluminum heat sinks. A unique, patent pending interlocking housing and heat sink provides scalability with superior structural rigidity. 3G vibration tested. Optional tool-less hardware available for ease of entry into electrical chamber. Housing is IP66 rated.

Optics
Choice of 16 patented, high-efficiency AccuLED Optics. The optics are precisely designed to shape the distribution maximizing efficiency and application spacing. AccuLED Optics create consistent distributions with the scalability to meet customized application requirements. Offered standard in 4000K (+/- 275K) CCT and minimum 70 CRI. Optional 6000K CCT and 3000K CCT. For the ultimate level of spill light control, an optional house side shield accessory can be field or factory installed. The house side shield is designed to seamlessly integrate with the SL2, SL3, SL4 or AFL optics.

Electrical
LED drivers are mounted to removable tray assembly for ease of maintenance. 120-277V 50/60Hz, 347V 60Hz or 480V 60Hz operation. Standard with 0-10V dimming. Shipped standard with Cooper Lighting proprietary circuit module designed to withstand 10kV of transient line surge. The Galleon LED luminaire is suitable for operation in -40°C to 40°C ambient environments. For applications with ambient temperatures exceeding 40°C, specify the HA (High Ambient) option. Light Squares are IP66 rated. Greater than 90% lumen maintenance expected at 60,000 hours. Available in standard 1A drive current and optional 530mA and 700mA drive currents.

Mounting
Extruded aluminum arm includes internal bolt guides allowing for easy positioning of fixture during assembly. Designed for pole or wall mounting. When mounting two or more luminaires at 90° or 120° apart, the EA extended arm may be required. Refer to the arm mounting requirement table on page 3. Round pole top adapter included. For wall mounting, specify wall mount bracket option. 3G vibration rated.

Finish
Housing finished in super durable TGIC polyester powder coat paint, 2.5 mil nominal thickness for superior protection against fade and wear. Heat sink is powder coated black. Standard colors include black, bronze, grey, white, dark platinum and graphite metallic. RAL and custom color matches available. Consult the McGraw-Edison Architectural Colors brochure for the complete selection.

Warranty
Five-year warranty.



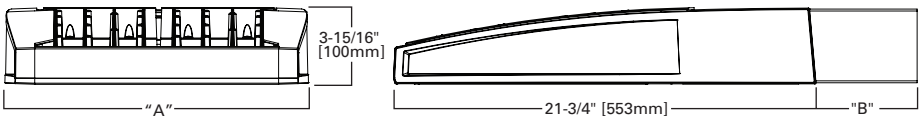
GLEON
GALLEON LED

1-10 Light Squares
Solid State LED

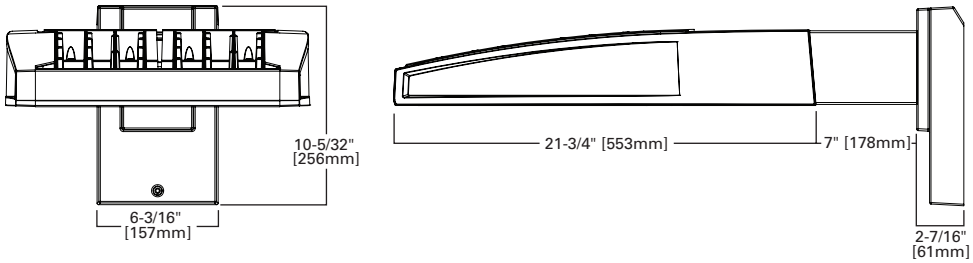
AREA/SITE LUMINAIRE

DIMENSIONS

POLE MOUNT



WALL MOUNT



DIMENSION DATA

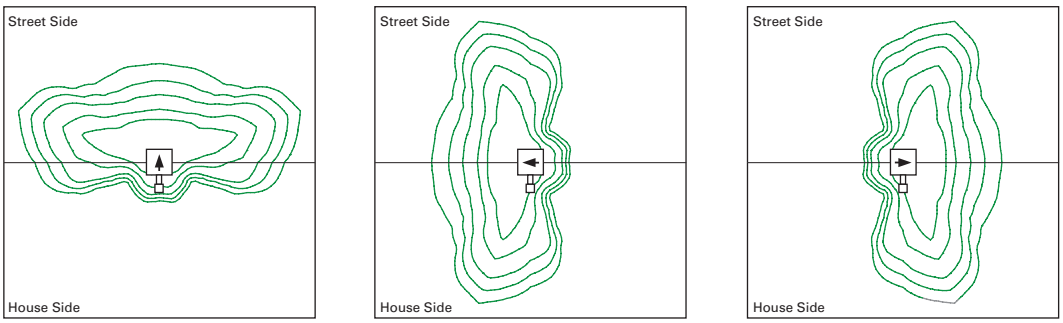
Number of Light Squares	"A" Width	"B" Standard Arm Length	"B" Optional Arm Length [1]	Weight with Arm (lbs.)	EPA with Arm [2] (Sq. Ft.)
1-4	15-1/2" (394mm)	7" (178mm)	10" (254mm)	33 (15.0 kgs.)	0.96
5-6	21-5/8" (549mm)	7" (178mm)	10" (254mm)	44 (20.0 kgs.)	1.00
7-8	27-5/8" (702mm)	7" (178mm)	13" (330mm)	54 (24.5 kgs.)	1.07
9-10	33-3/4" (857mm)	7" (178mm)	16" (406mm)	63 (28.6 kgs.)	1.12

NOTES: 1 Extended arm option may be required when mounting two or more fixtures per pole at 90° or 120°. Refer to arm mounting requirement table. **2** EPA calculated with optional arm length.

CERTIFICATION DATA
UL/cUL Wet Location Listed
ISO 9001
LM79 / LM80 Compliant
3G Vibration Rated
IP66 Rated
DesignLights Consortium® Qualified*

ENERGY DATA
Electronic LED Driver
>0.9 Power Factor
<20% Total Harmonic Distortion
120V-277V 50/60Hz
347V & 480V 60Hz
-40°C Min. Temperature
40°C Max. Temperature
50°C Max. Temperature (HA Option)

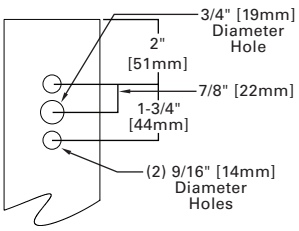
OPTIC ORIENTATION



Standard | **Optics Rotated Left @ 90°** [L90] | **Optics Rotated Right @ 90°** [R90]

DRILLING PATTERN

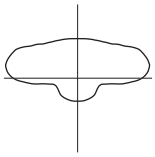
TYPE "N"



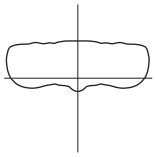
OPTICAL DISTRIBUTIONS

Asymmetric Area Distributions

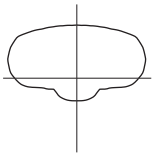
T2 (Type II)



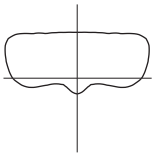
SL2 (Type II with Spill Control)



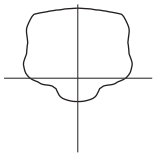
T3 (Type III)



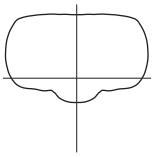
SL3 (Type III with Spill Control)



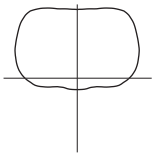
T4FT (Type IV Forward Throw)



T4W (Type IV Wide)

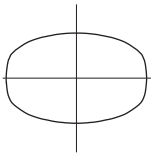


SL4 (Type IV with Spill Control)

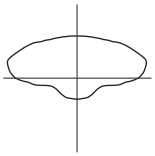


Asymmetric Roadway Distributions

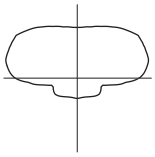
RW (Rectangular Wide Type I)



T2R (Type II Roadway)

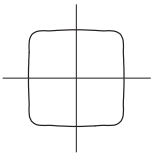


T3R (Type III Roadway)

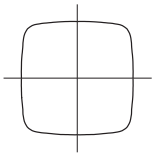


Symmertric Distributions

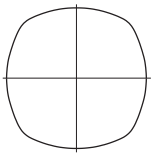
5NQ (Type V Square Narrow)



5MQ (Type V Square Medium)

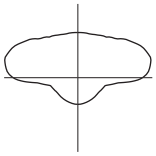


5WQ (Type V Square Wide)

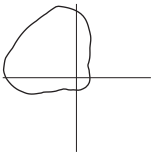


Specialized Distributions

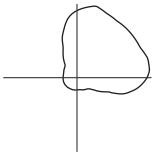
AFL (Automotive Frontline)



SLL (90° Spill Light Eliminator Left)



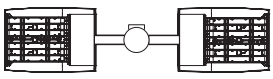
SLR (90° Spill Light Eliminator Right)



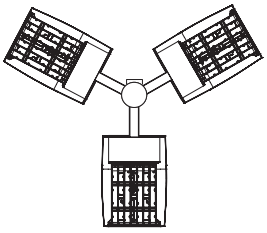
ARM MOUNTING REQUIREMENTS

Configuration	90° Apart	120° Apart
GLEON-AE-01	7" Arm (Standard)	7" Arm (Standard)
GLEON-AE-02	7" Arm (Standard)	7" Arm (Standard)
GLEON-AE-03	7" Arm (Standard)	7" Arm (Standard)
GLEON-AE-04	7" Arm (Standard)	7" Arm (Standard)
GLEON-AE-05	10" Extended Arm (Required)	7" Arm (Standard)
GLEON-AE-06	10" Extended Arm (Required)	7" Arm (Standard)
GLEON-AE-07	13" Extended Arm (Required)	13" Extended Arm (Required)
GLEON-AE-08	13" Extended Arm (Required)	13" Extended Arm (Required)
GLEON-AE-09	16" Extended Arm (Required)	16" Extended Arm (Required)
GLEON-AE-10	16" Extended Arm (Required)	16" Extended Arm (Required)

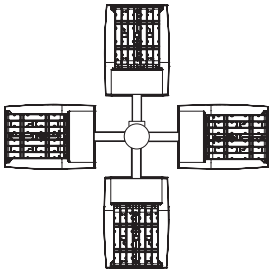
2 @ 180°



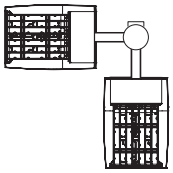
Triple[1]



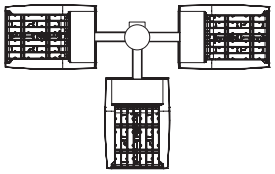
4 @ 90°



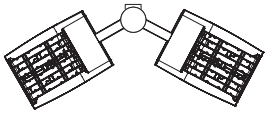
2 @ 90°



Triple[2]



2 @ 120°



NOMINAL POWER AND LUMENS (1A)

Number of Light Squares		1	2	3	4	5	6	7	8	9	10
Drive Current		1A	1A	1A	1A	1A	1A	1A	1A	1A	1A
Nominal Power (Watts)		56	107	157	213	264	315	370	421	475	528
Input Current @ 120V (A)		0.47	0.90	1.31	1.79	2.21	2.64	3.09	3.51	3.96	4.41
Input Current @ 208V (A)		0.28	0.51	0.74	1.02	1.25	1.48	1.76	1.99	2.22	2.50
Input Current @ 240V (A)		0.25	0.45	0.65	0.90	1.10	1.30	1.55	1.75	1.95	2.20
Input Current @ 277V (A)		0.23	0.41	0.59	0.82	1.00	1.18	1.41	1.59	1.77	2.00
Optics											
T2	Lumens	5,272	10,303	15,373	20,313	25,168	30,118	35,618	40,357	45,018	49,842
	BUG Rating	B1-U0-G1	B2-U0-G2	B2-U0-G2	B3-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G4	B3-U0-G5	B4-U0-G5	B4-U0-G5
T2R	Lumens	5,597	10,938	16,321	21,565	26,719	31,974	37,813	42,844	47,792	52,914
	BUG Rating	B1-U0-G1	B2-U0-G2	B2-U0-G2	B3-U0-G3	B3-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G4	B4-U0-G4	B4-U0-G5
T3	Lumens	5,374	10,501	15,669	20,704	25,652	30,697	36,303	41,134	45,884	50,802
	BUG Rating	B1-U0-G2	B2-U0-G2	B2-U0-G3	B3-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G5	B3-U0-G5	B4-U0-G5	B4-U0-G5
T3R	Lumens	5,493	10,735	16,017	21,164	26,222	31,379	37,110	42,048	46,904	51,930
	BUG Rating	B1-U0-G2	B1-U0-G2	B2-U0-G3	B2-U0-G4	B3-U0-G4	B3-U0-G4	B3-U0-G5	B3-U0-G5	B3-U0-G5	B3-U0-G5
T4FT	Lumens	5,405	10,562	15,760	20,824	25,801	30,875	36,514	41,372	46,150	51,096
	BUG Rating	B1-U0-G2	B2-U0-G2	B2-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G5	B3-U0-G5	B3-U0-G5	B3-U0-G5	B3-U0-G5
T4W	Lumens	5,335	10,426	15,556	20,555	25,468	30,476	36,042	40,838	45,554	50,436
	BUG Rating	B1-U0-G2	B2-U0-G2	B2-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G5	B3-U0-G5	B4-U0-G5	B4-U0-G5	B4-U0-G5
SL2	Lumens	5,263	10,285	15,347	20,278	25,124	30,066	35,556	40,288	44,940	49,756
	BUG Rating	B1-U0-G2	B2-U0-G2	B2-U0-G3	B3-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G5	B3-U0-G5	B4-U0-G5	B4-U0-G5
SL3	Lumens	5,373	10,500	15,667	20,701	25,649	30,693	36,298	41,128	45,878	50,794
	BUG Rating	B1-U0-G2	B2-U0-G3	B2-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G4	B3-U0-G5	B3-U0-G5	B3-U0-G5	B3-U0-G5
SL4	Lumens	5,105	9,976	14,886	19,669	24,370	29,163	34,488	39,078	43,591	48,262
	BUG Rating	B1-U0-G2	B1-U0-G3	B1-U0-G3	B2-U0-G4	B2-U0-G4	B2-U0-G5	B3-U0-G5	B3-U0-G5	B3-U0-G5	B3-U0-G5
5NQ	Lumens	5,542	10,830	16,160	21,352	26,455	31,658	37,439	42,421	47,320	52,392
	BUG Rating	B2-U0-G1	B3-U0-G1	B3-U0-G2	B4-U0-G2	B4-U0-G2	B5-U0-G2	B5-U0-G3	B5-U0-G3	B5-U0-G3	B5-U0-G4
5MQ	Lumens	5,644	11,029	16,457	21,745	26,942	32,241	38,128	43,202	48,191	53,356
	BUG Rating	B3-U0-G1	B4-U0-G2	B4-U0-G2	B5-U0-G3	B5-U0-G3	B5-U0-G4	B5-U0-G4	B5-U0-G4	B5-U0-G4	B5-U0-G5
5WQ	Lumens	5,659	11,059	16,501	21,803	27,014	32,327	38,230	43,317	48,320	53,498
	BUG Rating	B3-U0-G1	B4-U0-G2	B4-U0-G2	B5-U0-G3	B5-U0-G4	B5-U0-G4	B5-U0-G4	B5-U0-G5	B5-U0-G5	B5-U0-G5
SLL/SLR	Lumens	4,722	9,227	13,767	18,191	22,539	26,971	31,897	36,141	40,315	44,635
	BUG Rating	B1-U0-G2	B1-U0-G3	B2-U0-G3	B2-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G5	B3-U0-G5	B3-U0-G5	B3-U0-G5
RW	Lumens	5,492	10,732	16,014	21,159	26,216	31,372	37,101	42,038	46,893	51,918
	BUG Rating	B2-U0-G1	B3-U0-G1	B4-U0-G2	B4-U0-G2	B4-U0-G2	B5-U0-G3	B5-U0-G3	B5-U0-G3	B5-U0-G4	B5-U0-G4
AFL	Lumens	5,512	10,771	16,072	21,236	26,311	31,486	37,236	42,191	47,063	52,107
	BUG Rating	B1-U0-G1	B1-U0-G1	B2-U0-G2	B2-U0-G2	B3-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G4

* Nominal data for 4000K CCT.

NOMINAL POWER AND LUMENS (700MA)

Number of Light Squares		1	2	3	4	5	6	7	8	9	10
Drive Current		700mA	700mA	700mA	700mA	700mA	700mA	700mA	700mA	700mA	700mA
Nominal Power (Watts)		38	72	105	138	176	210	243	276	314	348
Input Current @ 120V (A)		0.32	0.59	0.86	1.14	1.45	1.72	2	2.28	2.58	2.86
Input Current @ 208V (A)		0.21	0.36	0.51	0.67	0.87	1.02	1.18	1.34	1.53	1.69
Input Current @ 240V (A)		0.19	0.32	0.45	0.59	0.77	0.90	1.04	1.18	1.35	1.49
Input Current @ 277V (A)		0.20	0.29	0.40	0.51	0.69	0.80	0.91	1.02	1.20	1.31
Optics											
T2	Lumens	3,854	7,531	11,237	14,847	18,395	22,013	26,033	29,497	32,904	36,430
	BUG Rating	B1-U0-G1	B1-U0-G2	B2-U0-G2	B2-U0-G2	B3-U0-G3	B3-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G4	B3-U0-G4
T2R	Lumens	4,091	7,995	11,929	15,762	19,529	23,370	27,638	31,316	34,932	38,676
	BUG Rating	B1-U0-G1	B1-U0-G2	B2-U0-G2	B2-U0-G2	B3-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G4
T3	Lumens	3,928	7,676	11,453	15,133	18,750	22,437	26,534	30,065	33,537	37,132
	BUG Rating	B1-U0-G1	B1-U0-G2	B2-U0-G2	B2-U0-G3	B3-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G4	B3-U0-G4	B3-U0-G5
T3R	Lumens	4,015	7,846	11,707	15,469	19,166	22,936	27,124	30,733	34,283	37,957
	BUG Rating	B1-U0-G1	B1-U0-G2	B2-U0-G2	B2-U0-G3	B2-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G4	B3-U0-G5	B3-U0-G5
T4FT	Lumens	3,951	7,720	11,519	15,221	18,858	22,567	26,688	30,240	33,732	37,347
	BUG Rating	B1-U0-G1	B1-U0-G2	B2-U0-G2	B2-U0-G3	B2-U0-G4	B3-U0-G4	B3-U0-G4	B3-U0-G5	B3-U0-G5	B3-U0-G5
T4W	Lumens	3,900	7,620	11,370	15,024	18,615	22,276	26,343	29,849	33,296	36,864
	BUG Rating	B1-U0-G1	B1-U0-G2	B2-U0-G2	B2-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G4	B3-U0-G5	B3-U0-G5	B3-U0-G5
SL2	Lumens	3,847	7,518	11,217	14,821	18,364	21,975	25,988	29,447	32,847	36,368
	BUG Rating	B1-U0-G1	B1-U0-G2	B2-U0-G3	B2-U0-G3	B3-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G4	B3-U0-G4	B3-U0-G5
SL3	Lumens	3,927	7,675	11,451	15,131	18,747	22,434	26,531	30,061	33,533	37,126
	BUG Rating	B1-U0-G1	B1-U0-G2	B2-U0-G3	B2-U0-G3	B2-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G4	B3-U0-G5	B3-U0-G5
SL4	Lumens	3,731	7,292	10,880	14,376	17,812	21,315	25,208	28,562	31,861	35,275
	BUG Rating	B1-U0-G2	B1-U0-G2	B1-U0-G3	B1-U0-G3	B2-U0-G4	B2-U0-G4	B2-U0-G4	B2-U0-G5	B2-U0-G5	B3-U0-G5
5NQ	Lumens	4,051	7,916	11,811	15,606	19,336	23,139	27,365	31,006	34,587	38,294
	BUG Rating	B2-U0-G1	B3-U0-G1	B3-U0-G1	B3-U0-G2	B4-U0-G2	B4-U0-G2	B4-U0-G2	B5-U0-G2	B5-U0-G3	B5-U0-G3
5MQ	Lumens	4,125	8,062	12,029	15,894	19,692	23,565	27,869	31,577	35,224	38,999
	BUG Rating	B2-U0-G1	B3-U0-G2	B4-U0-G2	B4-U0-G2	B4-U0-G2	B5-U0-G3	B5-U0-G3	B5-U0-G3	B5-U0-G4	B5-U0-G4
5WQ	Lumens	4,136	8,083	12,061	15,936	19,745	23,628	27,943	31,661	35,318	39,103
	BUG Rating	B3-U0-G1	B3-U0-G2	B4-U0-G2	B4-U0-G2	B5-U0-G3	B5-U0-G3	B5-U0-G4	B5-U0-G4	B5-U0-G4	B5-U0-G4
SLL/SLR	Lumens	3,451	6,744	10,063	13,296	16,474	19,714	23,314	26,416	29,467	32,625
	BUG Rating	B1-U0-G1	B1-U0-G2	B1-U0-G3	B2-U0-G3	B2-U0-G3	B2-U0-G4	B3-U0-G4	B3-U0-G4	B3-U0-G5	B3-U0-G5
RW	Lumens	4,014	7,844	11,704	15,465	19,162	22,930	27,118	30,726	34,274	37,948
	BUG Rating	B2-U0-G1	B3-U0-G1	B3-U0-G2	B4-U0-G2	B4-U0-G2	B4-U0-G2	B4-U0-G2	B5-U0-G3	B5-U0-G3	B5-U0-G3
AFL	Lumens	4,029	7,873	11,747	15,522	19,231	23,014	27,216	30,838	34,399	38,086
	BUG Rating	B1-U0-G1	B1-U0-G1	B2-U0-G2	B2-U0-G2	B2-U0-G2	B3-U0-G2	B3-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G3

* Nominal data for 4000K CCT.

NOMINAL POWER AND LUMENS (530MA)

Number of Light Squares		1	2	3	4	5	6	7	8	9	10
Drive Current		530mA	530mA	530mA	530mA	530mA	530mA	530mA	530mA	530mA	530mA
Nominal Power (Watts)		30	54	80	105	130	159	184	209	234	259
Input Current @ 120V (A)		0.25	0.45	0.66	0.86	1.07	1.32	1.52	1.72	1.93	2.14
Input Current @ 208V (A)		0.17	0.28	0.39	0.51	0.63	0.78	0.9	1.02	1.14	1.26
Input Current @ 240V (A)		0.17	0.25	0.35	0.45	0.55	0.70	0.80	0.90	1.00	1.10
Input Current @ 277V (A)		0.19	0.24	0.32	0.40	0.49	0.64	0.72	0.80	0.89	0.98
Optics											
T2	Lumens	3,079	6,017	8,978	11,862	14,697	17,588	20,800	23,567	26,289	29,106
	BUG Rating	B1-U0-G1	B1-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G2	B3-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G4	B3-U0-G4
T2R	Lumens	3,269	6,388	9,531	12,593	15,603	18,672	22,082	25,020	27,909	30,900
	BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G2	B3-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G4
T3	Lumens	3,138	6,133	9,150	12,091	14,980	17,926	21,200	24,021	26,795	29,667
	BUG Rating	B1-U0-G1	B1-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G4
T3R	Lumens	3,208	6,269	9,354	12,359	15,313	18,325	21,671	24,555	27,390	30,326
	BUG Rating	B1-U0-G1	B1-U0-G2	B1-U0-G2	B2-U0-G2	B2-U0-G3	B2-U0-G3	B2-U0-G4	B3-U0-G4	B3-U0-G4	B3-U0-G4
T4FT	Lumens	3,156	6,168	9,203	12,161	15,067	18,030	21,323	24,160	26,950	29,839
	BUG Rating	B1-U0-G1	B1-U0-G2	B1-U0-G2	B2-U0-G2	B2-U0-G3	B2-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G4	B3-U0-G5
T4W	Lumens	3,116	6,088	9,084	12,004	14,872	17,797	21,047	23,848	26,602	29,453
	BUG Rating	B1-U0-G1	B1-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G3	B3-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G4	B3-U0-G5
SL2	Lumens	3,074	6,006	8,962	11,842	14,672	17,558	20,764	23,527	26,244	29,056
	BUG Rating	B1-U0-G1	B1-U0-G2	B2-U0-G2	B2-U0-G3	B2-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G4
SL3	Lumens	3,138	6,132	9,149	12,089	14,978	17,924	21,197	24,018	26,791	29,662
	BUG Rating	B1-U0-G1	B1-U0-G2	B1-U0-G2	B2-U0-G3	B2-U0-G3	B2-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G4	B3-U0-G4
SL4	Lumens	2,981	5,826	8,693	11,486	14,231	17,030	20,140	22,820	25,456	28,184
	BUG Rating	B0-U0-G1	B1-U0-G2	B1-U0-G3	B1-U0-G3	B1-U0-G3	B2-U0-G3	B2-U0-G4	B2-U0-G4	B2-U0-G4	B2-U0-G5
5NQ	Lumens	3,236	6,324	9,437	12,469	15,449	18,487	21,863	24,773	27,634	30,595
	BUG Rating	B1-U0-G0	B2-U0-G1	B3-U0-G1	B3-U0-G2	B3-U0-G2	B4-U0-G2	B4-U0-G2	B4-U0-G2	B4-U0-G2	B5-U0-G2
5MQ	Lumens	3,296	6,441	9,610	12,698	15,733	18,828	22,266	25,229	28,142	31,158
	BUG Rating	B2-U0-G1	B3-U0-G1	B3-U0-G2	B4-U0-G2	B4-U0-G2	B4-U0-G2	B5-U0-G3	B5-U0-G3	B5-U0-G3	B5-U0-G3
5WQ	Lumens	3,305	6,458	9,636	12,732	15,775	18,878	22,325	25,296	28,217	31,241
	BUG Rating	B2-U0-G1	B3-U0-G2	B4-U0-G2	B4-U0-G2	B4-U0-G2	B5-U0-G3	B5-U0-G3	B5-U0-G3	B5-U0-G4	B5-U0-G4
SLL/SLR	Lumens	2,757	5,388	8,040	10,623	13,162	15,751	18,627	21,105	23,543	26,066
	BUG Rating	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G3	B2-U0-G3	B2-U0-G3	B2-U0-G3	B2-U0-G4	B3-U0-G4	B3-U0-G4
RW	Lumens	3,207	6,267	9,351	12,356	15,309	18,320	21,666	24,549	27,384	30,319
	BUG Rating	B2-U0-G1	B3-U0-G1	B3-U0-G1	B3-U0-G2	B4-U0-G2	B4-U0-G2	B4-U0-G2	B4-U0-G2	B4-U0-G2	B5-U0-G3
AFL	Lumens	3,219	6,290	9,385	12,401	15,365	18,387	21,745	24,638	27,484	30,429
	BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G1	B2-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G2	B3-U0-G2	B3-U0-G3	B3-U0-G3

* Nominal data for 4000K CCT.

LUMEN MULTIPLIER

Ambient Temperature	Lumen Multiplier
0°C	1.02
10°C	1.01
25°C	1.00
40°C	0.99
50°C	0.97

LUMEN MAINTENANCE

Ambient Temperature	TM-21 Lumen Maintenance (60,000 Hours)	Theoretical L70 (Hours)
25°C	> 94%	> 350,000
40°C	> 93%	> 250,000
50°C*	> 90%	> 170,000

* 50°C lumen maintenance data applies to 530mA and 700mA drive currents.

ORDERING INFORMATION

Sample Number: GLEON-AE-04-LED-E1-T3-GM-700

Product Family [1]	Light Engine	Number of Light Squares [2]	Lamp Type	Voltage	Distribution	Color	Mounting
GLEON=Galleon	**AE**=1A Drive Current	**01**=1 **02**=2 **03**=3 **04**=4 **05**=5 **06**=6 **07**=7 **08**=8 **09**=9 **10**=10	**LED**=Solid State Light Emitting Diodes	**E1**=120-277V **347**=347V [3] **480**=480V [3, 4]	**T2**=Type II **T2R**=Type II Roadway **T3**=Type III **T3R**=Type III Roadway **T4FT**=Type IV Forward Throw **T4W**=Type IV Wide **5NQ**=Type V Narrow **5MQ**=Type V Square Medium **5WQ**=Type V Square Wide **SL2**=Type II w/Spill Control **SL3**=Type III w/Spill Control **SL4**=Type IV w/Spill Control **SLL**=90° Spill Light Eliminator Left **SLR**=90° Spill Light Eliminator Right **RW**=Rectangular Wide Type I **AFL**=Automotive Frontline	**AP**=Grey **BZ**=Bronze **BK**=Black **DP**=Dark Platinum **GM**=Graphite Metallic **WH**=White	**[Blank]**=Arm for Round or Square Pole **EA**=Extended Arm [5] **MA**=Mast Arm Adapter [6] **WM**=Wall Mount

Options (Add as Suffix)

2L=Two Circuits [7, 8]
7030=70 CRI 3000K [9]
8030=80 CRI 3000K [10]
7050=70 CRI 5000K [10]
7060=70 CRI 6000K [9]
530=Drive Current Factory Set to 530mA [11]
700=Drive Current Factory Set to 700mA [11]
F=Single Fuse (120, 277 or 347V. Must Specify Voltage)
FF=Double Fuse (208, 240 or 480V. Must Specify Voltage)
P=Button Type Photocontrol (120, 208, 240 or 277V)
PER7=NEMA 7-PIN Twistlock Photocontrol Receptacle
R=NEMA Twistlock Photocontrol Receptacle
HA=50°C High Ambient [8, 12]
MS/DIM-L08=Motion Sensor for Dimming Operation, Maximum 8' Mounting Height [13, 14, 15, 16, 17]
MS/DIM-L20=Motion Sensor for Dimming Operation, 9' - 20' Mounting Height [13, 14, 15, 16, 17]
MS/DIM-L40=Motion Sensor for Dimming Operation, 21' - 40' Mounting Height [13, 14, 15, 16, 19]
MS/DIM-L40W=Motion Sensor for Dimming Operation, 21' - 40' Mounting Height (Wide Range) [13, 14, 15, 16, 20]
MS/X-L08=Bi-Level Motion Sensor, Maximum 8' Mounting Height [13, 14, 15, 16, 17, 21]
MS/X-L20=Bi-Level Motion Sensor, 9' - 20' Mounting Height [13, 14, 15, 16, 18, 21]
MS/X-L40=Bi-Level Motion Sensor, 21' - 40' Mounting Height [13, 14, 15, 16, 19, 21]
MS/X-L40W=Bi-Level Motion Sensor, 21' - 40' Mounting Height (Wide Range) [13, 14, 15, 16, 20, 21]
MS-L08=Motion Sensor for ON/OFF Operation, Maximum 8' Mounting Height [13, 14, 15, 16, 17]
MS-L20=Motion Sensor for ON/OFF Operation, 9' - 20' Mounting Height [13, 14, 15, 16, 18]
MS-L40=Motion Sensor for ON/OFF Operation, 21' - 40' Mounting Height [13, 14, 15, 16, 19]
MS-L40W=Motion Sensor for ON/OFF Operation, 21' - 40' Mounting Height (Wide Range) [13, 14, 15, 16, 20]
DIMRF-LW=LumaWatt Wireless Sensor, Wide Lens for 8' - 16' Mounting Height [22]
DIMRF-LN=LumaWatt Wireless Sensor, Narrow Lens for 16' - 40' Mounting Height [22]
L90=Optics Rotated 90° Left
R90=Optics Rotated 90° Right
MT=Factory Installed Mesh Top
TH=Tool-less Door Hardware
LCF=Light Square Trim Plate Painted to Match Housing [23]
HSS=Factory Installed House Side Shield [24]

Accessories (Order Separately)

OA/RA1016=NEMA Photocontrol Multi-Tap - 105-285V
OA/RA1027=NEMA Photocontrol - 480V
OA/RA1201=NEMA Photocontrol - 347V
OA/RA1013=Photocontrol Shorting Cap
OA/RA1014=120V Photocontrol
MA1252=10kV Surge Module Replacement
MA1036-XX=Single Tenon Adapter for 2-3/8" O.D. Tenon
MA1037-XX=2@180° Tenon Adapter for 2-3/8" O.D. Tenon
MA1197-XX=3@120° Tenon Adapter for 2-3/8" O.D. Tenon
MA1188-XX=4@90° Tenon Adapter for 2-3/8" O.D. Tenon
MA1189-XX=2@90° Tenon Adapter for 2-3/8" O.D. Tenon
MA1190-XX=3@90° Tenon Adapter for 2-3/8" O.D. Tenon
MA1191-XX=2@120° Tenon Adapter for 2-3/8" O.D. Tenon
MA1038-XX=Single Tenon Adapter for 3-1/2" O.D. Tenon
MA1039-XX=2@180° Tenon Adapter for 3-1/2" O.D. Tenon
MA1192-XX=3@120° Tenon Adapter for 3-1/2" O.D. Tenon
MA1193-XX=4@90° Tenon Adapter for 3-1/2" O.D. Tenon
MA1194-XX=2@90° Tenon Adapter for 3-1/2" O.D. Tenon
MA1195-XX=3@90° Tenon Adapter for 3-1/2" O.D. Tenon
FSIR-100=Wireless Configuration Tool for Occupancy Sensor [25]
GLEON-MT1=Field Installed Mesh Top for 1-4 Light Squares
GLEON-MT2=Field Installed Mesh Top for 5-6 Light Squares
GLEON-MT3=Field Installed Mesh Top for 7-8 Light Squares
GLEON-MT4=Field Installed Mesh Top for 9-10 Light Squares
LS/HSS=Field Installed House Side Shield [24, 26]

Notes:
1. DesignLights Consortium® Qualified. Refer to www.designlights.org Qualified Products List under Family Models for details.
2. Standard 4000K CCT and minimum 70 CRI.
3. Requires the use of a step down transformer when combined with MS/DIM, MS/X or DIMRF.
4. Not recommended for use with ungrounded, delta configured systems.
5. May be required when two or more luminaires are oriented on a 90° or 120° drilling pattern. Refer to arm mounting requirement table.
6. Factory installed.
7. 2L is not available with MS, MS/X or MS/DIM at 347V or 480V. 2L in AE-02 through AE-04 requires a larger housing, normally used for AE-05 or AE-06. Extended arm option may be required when mounting two or more fixtures per pole at 90° or 120°. Refer to arm mounting requirement table.
8. Not available with LumaWatt wireless sensors.
9. Extended lead times apply. Use dedicated IES files for 3000K and 6000K when performing layouts. These files are published on the Galleon luminaire product page on the website.
10. Extended lead times apply. For 8030, factor 7030 IES files x .92 (8% lumen loss). For 7050, use 7060 IES files.
11. 1 Amp standard. Use dedicated IES files for 530mA and 700mA when performing layouts. These files are published on the Galleon luminaire product page on the website.
12. 50°C lumen maintenance data applies to 530mA and 700mA drive currents.
13. Consult factory for more information.
14. Utilizes internal step down transformer when 347V or 480V is selected.
15. The FSIR-100 configuration tool is required to adjust parameters including high and low modes, sensitivity, time delay, cutoff and more. Consult your Eaton's Cooper Lighting business representative for more information.
16. Not available with HA option.
17. Approximately 22' detection diameter at 8' mounting height.
18. Approximately 40' detection diameter at 20' mounting height.
19. Approximately 60' detection diameter at 40' mounting height.
20. Approximately 100' detection diameter at 40' mounting height.
21. Replace X with number of Light Squares operating in low output mode.
22. LumaWatt wireless sensors are factory installed only requiring network components RF-EM1, RF-GW1 and RF-ROUT1 in appropriate quantities. See www.cooperlighting.com for LumaWatt application information.
23. Not available with house side shield (HSS).
24. Only for use with SL2, SL3, SL4 and AFL distributions. The Light Square trim plate is painted black when the HSS option is selected.
25. This tool enables adjustment of parameters including high and low modes, sensitivity, time delay, cutoff and more. Consult your Eaton's Cooper Lighting business representative for more information.
26. One required for each Light Square.

Ashberry, Kristy

From: Crowley, Rick
Sent: Friday, April 10, 2015 9:47 PM
To: Lewis, Dennis
Cc: Smith, Mary; Ashberry, Kristy; Griggs, Brad
Subject: Re: Restrooms Downtown

Sure.

Sent from my iPhone

> On Apr 10, 2015, at 9:03 PM, "Lewis, Dennis" <DennisLewis@rockwall.com> wrote:
>
> Can we put an item on the next Council agenda to discuss installing public restrooms downtown? Also we may want to discuss whether to provide our portable restrooms for Farmers Market and the music series at San Jacinto Plaza and what the cost of that might be?
>
> Dennis Lewis
> Mayor Pro Tem - City of Rockwall

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **April 15, 2015**

SUBJECT: **Downtown Restrooms**

There is an item on the Council agenda for Monday, April 20 regarding the options for adding public restrooms in the downtown area. Although I will not be able to be in attendance at the meeting, I wanted to present a few options for Council consideration. Bethany and I spoke about options available within the last two weeks and without additional financial commitment, we did not see an opportunity to have public restrooms available for Farmers Market or the weekend music series in San Jacinto Plaza.

Permanent Public restrooms

One option to make restroom facilities available to the public in the downtown area would be to build or renovate an existing building for permanent public restrooms. Although this option would be the most expensive, it would provide restrooms outside of special events and contribute to the pedestrian friendly nature that we seek and encourage longer public visits to the area. From a cost standpoint, pre-fabricated restroom facilities, such as those that have been purchased for our park facilities cost around $125,000 plus the land and installation costs. The acquisition of an existing building through a lease or purchase and the renovation costs would vary too greatly to estimate a cost without a specific location. If the Council is interested in getting estimates at one or more locations in the downtown area, we can begin that immediately. This option will be the slowest to get in place and may not be acceptable.

Use of Existing Facilities

The County Courthouse and the Center are the only two public buildings within the downtown area. During the hours of the Farmers Market, the Center is open to the public at 9:00am and is open until 4:00pm. Restrooms are easily accessible within the building without disrupting any ongoing activities. The County Courthouse may be able to be opened to the public but would require staffing that is not currently in place.

To have public restrooms available for the San Jacinto Plaza music series, The Center or the Courthouse could be opened with additional staffing. The City can open the Center on Friday and Saturday evenings from 5:45pm to 9:15pm for 32 weeks at a cost

of $2500 annually for staff costs. There will be multiple occasions where a party has paid for a private rental and conflicts may develop with the patrons utilizing the restrooms.

Restroom Trailer

The option of utilizing the restroom trailer is available when not being used for other special events although the number of conflicts is minimal. For Farmers Market, the use of the trailer would require 2 Parks Department employees to deliver, monitor, clean and return the trailer to the Service Center. The Water/Wastewater Department would need to pump out the trailer each Monday morning. The estimated cost for the overtime for the Farmers Market is approximately $5,800 for the 22 week season.

To utilize the restroom trailer at the San Jacinto Plaza music series would require the same staffing levels and the estimated overtime cost is $14,000.

Portable Rental Restrooms

Probably our least desirable option is the rental of portable restrooms. These typically rent for $90 a day each and the pick-up charge for a weekend is an additional cost. If the Council desires more information on this option, we can get that information very quickly.

Each option has costs that have not been budgeted and would require a budget amendment. Another option to address restrooms during the Farmers Market may be a joint solution between the Friends of Downtown and the City. Since the revenue from the Farmers Market goes directly to the Friends of Downtown and the event is not a City event, one option to consider would be for the City Council to waive the rental fee of the restroom trailer and the Friends of Downtown reimburse the City for the overtime costs. The Friends of Downtown currently has a fund balance of approximately $14,000. Additional optional funding sources are the General Fund Reserve or the Downtown Fund which has a fund balance of approximately $15,000

We are prepared to schedule the staff according to the direction and timeline provided by the Council.

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National Safe Boating Week

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National Day of Prayer

Proclamation_Natl Day of Prayer 14

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Consider approval of the minutes from the April 20, 2015 regular city council meeting, and take any action necessary.

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Z2015-012 - Consider approval of an ordinance for a request by Cindy Levandowski on behalf of the owner Terry Rowe for the approval of an amendment to a Specific Use Permit [Ordinance No. 09-28] to allow for a General Retail Store within Planned Development District 50 (PD-50) for a 0.16-acre parcel of land identified as Lot 1, Block 1, Henry Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 907 N. Goliad Street, and take any action necessary [2nd Reading].

Ord_2nd reading 30

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P2015-013 - Consider a request by Tony Rangel of Rangel Land Surveying Co. on behalf of Shawn Valk of Platinum Storage for the approval of a final plat for Lot 1, Block A, Platinum Storage Addition being a 5.549-acre tract of land identified as a portion of Tract 2 of the J. Cadle Survey, Abstract No. 65 and the N. M. Ballard Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Corridor (IH-30 OV) Overlay District, located on the west side of Townsend Road south of E. IH-30 and north of SH-276, and take any action necessary.

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Appointment with representative(s) of Eastridge Church of Christ to hear concerns related to expiration of an existing facilities agreement between the City of Rockwall and the church, and take any action necessary.

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Appointment with Mike Clark of Winkelmann and Associates, representing Kroger Stores, to discuss the variance decision relative to the four (4) sided architecture requirement for the proposed Kroger store location at the southeast corner SH 205 and Quail Run Road and take any action necessary.
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Z2015-013 - Hold a public hearing to discuss and consider a request by Cole Franklin of the Skorburg Company on behalf of Breezy Hill 405, LTD for the approval of an ordinance amending Planned Development District 74 (PD-74) to change the concept plan to allow for additional single-family residential lots and allow for changes to the development standards contained in Exhibit ‘C’ of Ordinance 14-26 for 405.184-acres of land identified as Tract 7 & 7-1 of the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary. (1st Reading)
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Discuss and consider possible amendment(s) to the Unified Development Code (UDC) related to approved building materials (natural vs. quarried stone) and associated variances, and take any action necessary.
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Discuss and consider amending the "Policies and Procedures of the Rockwall City Council and Other Boards and Commissions" to call for Open Forum to be held at each regular city council meeting, and take any action necessary.
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Memo_Open Forums . . . 101
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Discuss and consider scheduling the official canvass of the May 9, 2015 General and Special Elections as well as swearing in of newly elected city council members, and take any action necessary.
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Discuss and consider granting permissions for the City's May 16, 2015 Founders Day Festival at Harry Myers Park related to Chapter 30, Article I, Sec. 30-2, Regulated Activities in Parks of the Code of Ordinances, and take any action necessary.
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AGENDA
ROCKWALL CITY COUNCIL
Monday, May 04, 2015
5:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, May 04, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS

VII. PROCLAMATIONS / AWARDS

p.8 **1.** Recognition of Rockwall Police Department Award Recipients
2. Police Week Proclamation p.10
p.12 **3.** National Safe Boating Week
4. National Day of Prayer p.14

VIII. OPEN FORUM

IX. CONSENT AGENDA

p.16 **1.** Consider approval of the minutes from the April 20, 2015 regular city council meeting, and take any action necessary.

p.30 **2.** **Z2015-012** - Consider approval of an **ordinance** for a request by Cindy Levandowski on behalf of the owner Terry Rowe for the approval of an amendment to a Specific Use Permit [Ordinance No. 09-28] to allow for a General Retail Store within Planned Development District 50 (PD-50) for a 0.16-acre parcel of land identified as Lot 1, Block 1, Henry Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 907 N. Goliad Street, and take any action necessary **[2nd Reading]**.

p.34 **3.** **P2015-013** - Consider a request by Tony Rangel of Rangel Land Surveying Co. on behalf of Shawn Valk of Platinum Storage for the approval of a final plat for Lot 1, Block A, Platinum Storage Addition being a 5.549-acre tract of land identified as a portion of Tract 2 of the J. Cadle Survey, Abstract No. 65 and the N. M. Ballard Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Corridor (IH-30 OV) Overlay District, located on the west side of Townsend Road south of E. IH-30 and north of SH-276, and take any action necessary.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

p.43 **2.** Appointment with representative(s) of Eastridge Church of Christ to hear concerns related to expiration of an existing facilities agreement between the City of Rockwall and the church, and take any action necessary.

p.53 **3.** Appointment with Mike Clark of Winkelmann and Associates, representing Kroger Stores, to discuss the variance decision relative to the four (4) sided architecture requirement for the proposed Kroger store location at the southeast corner SH 205 and Quail Run Road and take any action necessary.

XI. PUBLIC HEARING ITEMS

p.56 **1.** **Z2015-013** - Hold a public hearing to discuss and consider a request by Cole Franklin of the Skorburg Company on behalf of Breezy Hill 405, LTD for the approval of an **ordinance** amending Planned Development District 74 (PD-74) to change the concept plan to allow for additional single-family residential lots and allow for changes to the development standards contained in Exhibit 'C' of Ordinance 14-26 for 405.184-acres of land identified as Tract 7 & 7-1 of the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary. (**1st Reading)**

XII. ACTION ITEMS

p.97 **1.** Discuss and consider possible amendment(s) to the Unified Development Code (UDC) related to approved building materials (natural vs. quarried stone) and associated variances, and take any action necessary.

p.100 **2.** Discuss and consider amending the "Policies and Procedures of the Rockwall City Council and Other Boards and Commissions" to call for Open Forum to be held at each regular city council meeting, and take any action necessary.

p.129 **3.** Discuss and consider scheduling the official canvass of the May 9, 2015 General and Special Elections as well as swearing in of newly elected city council members, and take any action necessary.

p.131 **4.** Discuss and consider granting permissions for the City's May 16, 2015 Founders Day Festival at Harry Myers Park related to Chapter 30, Article I, Sec. 30-2, Regulated Activities in Parks of the Code of Ordinances, and take any action necessary.

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

p.135 Building Inspections Monthly Report - March 2015

Finance Department Monthly Report - March 2015 p.150

p.162 Fire Department Monthly Reports - March 2015

Harbor PD Monthly Report - March 2015 p.177

p.179 Internal Operations Department Monthly Report - March 2015

Recreation Monthly Report - March 2015 p.183

p.185 Rockwall Animal Adoption Center Monthly Report - March 2015

2. City Manager's Report

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVI. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 1st day of May, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary Date Removed

Jacky Casey, Assistant Secretary

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary**

DATE: **May 1, 2015**

SUBJECT: **Agenda item – Police Recognitions**

Chief Moeller will be present to help recognize various Police Department personnel who recently received awards.

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9

Rockwall, Texas

Proclamation

Whereas, approximately 900,000 law enforcement officers serve in communicates across the U.S., including the dedicated members of the Rockwall Police Department; and

Whereas, nearly 60,000 assaults against officers are reported each year, resulting in approximately 16,000 injuries; and

Whereas, since the first recorded death in 1791, more than 20,000 law enforcement officers in the U.S. have made the ultimate sacrifice and been killed in the line of duty; and

Whereas, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and

Whereas, hundreds of new names will be added to the memorial this spring to commemorate fallen heroes killed in the last few years; and

Whereas, May 15 is designated as Peace Officers Memorial Day, in honor of fallen officers and their families, and U.S. flags are to be flown at half-staff that day;

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim May 10-16, 2015 as

POLICE WEEK

in the City of Rockwall, and urge all citizens to publicly salute the service of law enforcement officers both in our community and around the nation.

In Witness Whereof, I hereunto set my hand and official seal this 4th day of May, 2015.

_____

Jim Pruitt, Mayor

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11

Rockwall, Texas

Proclamation

Whereas, recreational boating continues to grow in popularity with millions of Americans choosing this activity as an ideal way to relax with their families; and

Whereas, increasing public participation in this healthy outdoor sport has emphasized the need for greater attention to courtesy and safety to minimize incidents which often lead to boating mishaps; and

Whereas, a significant number of boaters who have drowned would have had a better chance of surviving had they worn a life jacket; and

Whereas, the U.S. Coast Guard Auxiliary, Flotilla 5-10, Division 5, District 8CR, which represents Lake Ray Hubbard, supports programs which result in our waterways having a relatively safe, accident free record.

Now, therefore, I, Jim Pruitt, Mayor of the City of Rockwall, do hereby proclaim the week of **May 16-22, 2015**, as

Safe Boating Week



in the City of Rockwall and urge all residents to practice safe boating procedures and "Wear It" this week and throughout the boating season.

In Witness Whereof, I hereunto affix my hand and official seal this 4th day of May, 2015.

_____

Jim Pruitt, Mayor

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13

Rockwall, Texas

Proclamation

Whereas, the first Continental Congress called for a national day of prayer in 1775, as did Abraham Lincoln in 1863; and

Whereas, Congress established National Day of Prayer as an annual event in 1952 by a joint resolution signed by President Truman; and

Whereas, the law was amended and signed by President Reagan in 1988, officially designating the first Thursday in May for its observance; and

Whereas, this year's theme, "Lord, Hear Our Cry," emphasizes the need for individuals, corporately and individually, to place their faith in the unfailing character of their Creator, who is sovereign over all governments, authorities, and men; and

Whereas, to further highlight this year's theme, I Kings 8:28 has been chosen as the designated Scripture, and it reads as follows: "Hear the cry and the prayer that your servant is praying in your presence this day."

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby recognize Thursday, May 7, 2015 as

NATIONAL DAY OF PRAYER

in the City of Rockwall, and invite all citizens to join me on this day and every day to pray for our nation, our state and our city.

In Witness Whereof, I hereunto set my hand and official seal this 4th day of May, 2015.

_____

Jim Pruitt, Mayor

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15

MINUTES
ROCKWALL CITY COUNCIL
Monday, April 20, 2015
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dennis Lewis and City Council Members David White, Mike Townsend, John Hohenshelt, Scott Milder, and Bennie Daniels. Also present were City Manager Rick Crowley and Assistant City Manager Mary Smith. City legal counsel Patrick Lindner was present (filling in for City Attorney Frank Garza). Assistant City Manager Brad Griggs was absent from the meeting.

II. WORK SESSION

Mayor Pruitt announced that this item was mistakenly included on the posted meeting agenda and that no work session will actually be held this evening.

Mayor Pruitt then read the below listed discussion items into the public record before recessing the meeting into Executive Session at 4:01 p.m.

III. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding legal matters related to land lease operations at Ralph Hall Municipal Airport pursuant to Section 551.071 (Consultation with Attorney).
2. Discussion regarding deliberation of appointment of public officer to North TX Municipal Water District Board, pursuant to Section 551.074 (personnel matters).
3. Discussion regarding incentives to tenured employees and possible legal issues pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney).
4. Discussion regarding legal claim related to back up of city sewage line in Random Oaks Subdivision pursuant to Section 551.071 (Consultation with Attorney)
5. Discussion regarding legal claim: Jack R. Athey vs. Rockwall Police Chief Mark Moeller, Rockwall County Emergency Services Corporation, and the City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)
6. Discussion regarding the Animal Services Shelter and Adoption Services Agreement between the City of Rockwall and Collin County Humane Society pursuant to Section 551.071 (Consultation with Attorney).

7. Discussion regarding City Manager's performance evaluation and contract pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:30 p.m.

V. RECONVENE PUBLIC MEETING

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all seven city council members being present.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Lewis made a motion to reappoint Bill Lofland to serve as one of the city's two representatives on the North Texas Municipal Water District Board (term will expire May 31, 2017). Councilmember White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Mayor Pro Tem Lewis made a motion to approve the first amendment to the employment agreement for Rockwall City Manager Rick Crowley effective April 6, 2015. Councilmember White seconded the motion, which passed by a vote of 7 in favor with 0 against.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER SCOTT MILDER

Councilmember Milder delivered the invocation and led the Pledge of Allegiance.

VIII. PROCLAMATIONS / AWARDS

1. Motorcycle Safety and Awareness Month

Mayor Pruitt called forth several representatives of various motorcycle clubs who were present. After brief introductions, he then read and presented the proclamation to this group. Representatives of the group expressed interest in partnering with the city to install "Share the Road" (with motorcyclists) signs.

2. 9-1-1 Dispatcher Appreciation Day

Mayor Pruitt called forth the Dispatch Manager, Kim Barry, and Dispatch Supervisors Kristina Williams, Tosha Marks as well as dispatcher Christopher Minckler. The mayor then read and presented staff with this proclamation.

3. Animal Control Officer Appreciation Day

Mayor Pruitt called forth Joyce Ross, Animal Control Officer for the City of Rockwall, to whom he then read and presented the proclamation.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the April 6, 2015 regular city council meeting, and take any action necessary.

2. Consider authorizing the City Manager to execute an agreement with Insituforms Technologies LLC to repair wastewater pipe damage at the Random Oaks subdivision in the amount of $16,750 and approval of a wastewater operations budget amendment of $20,000 to provide funding for the project and take any action necessary

3. Z2015-011 - Consider approval of an ordinance for a City initiated zoning request for the approval of a text amendment to Article IX, Tree Preservation, Section 11.1, Tree fund administration, of the Unified Development Code [Ordinance No. 04-38] for the purpose of modifying this section of the code, and take any action necessary. (2nd reading)

4. P2015-012 - Consider a request by Warren Corwin of Corwin Engineering on behalf of Ryan Joyce of the Skorburg Company (BH Phase V 80' POD, SF, LTD) for the approval of a preliminary plat for 79 single family residential lots, identified as Phase V of the Breezy Hill Subdivision, being a 25.597-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, situated on the west side of Breezy Hill Road north of the intersection Breezy Hill Road and FM-552, and take any action necessary.

5. Discuss and consider approval of a resolution associated with dedication of open space at the Park at Stone Creek as part of the Texas Parks and Wildlife Department grant process, and take any action necessary.

Mayor Pro Tem Lewis pulled item #2 and asked that it be held for consideration until later on in the meeting.

Councilmember White made a motion to approve the remaining items (#s 1, 3, 4, and 5). Councilmember Milder seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 11.1 OF ARTICLE IX, *TREE PRESERVATION*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of council (7-0).

Consent Agenda item #2 was addressed following Appointment Item #4. Regarding Consent Agenda item #2, City Engineer Tim Tumulty explained that it appears a contractor who was working on the HOA's retaining wall at some point in the past hit the sewer line and dropped rock and concrete into the existing sewer pipe. He explained that this agenda item will provide funding needed in order to make repairs to the line. Mayor Pro Tem Lewis made a motion to approve Consent Agenda item #2. Mayor Pruitt seconded the motion. After brief comments, the motion passed by a vote of 7 ayes to 0 nays.

Public Hearing items were addressed next by Council.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Chairman of the Planning & Zoning Commission, Craig Renfro, came forth and briefed the council on recommendations of the Commission relative to items on tonight's city council meeting agenda. No action was taken concerning this agenda item.

2. Appointment with Frank Conroy of Fox, Byrd & Company PC to present the city's Fiscal Year 2014 Comprehensive Annual Financial Report, and take any action necessary.

Mr. Frank Conroy came forth and briefed the Council on results of the city's FY2014 annual audit. He generally indicated that the city's finances are in good shape. The general fund balance for reserves is favorable as well. He indicated that, overall, the City of Rockwall is being managed with sound financial management. The council took no action concerning this agenda item.

3. Appointment with Mr. Tom Galli to hear update regarding a Memorial Day concert scheduled to be held at The Harbor on Sunday evening, May 24th at 7:00 p.m., and take any action necessary.

Mr. Galli came forth to address the council. He indicated that the promotional poster for the concert was designed by a local veteran who served in military and in the 'global war on terror.' He indicated that this event aims to serve as a recurring civic commemoration to honor those who have served and to educate citizens on those who have served and on past wars which have taken place. He briefed the council on the musicians who are slated to perform as well as the narrator who is scheduled to emcee the event. He further indicated that the Rockwall Police Department Honor Guard and the Rockwall Community Band will play a part in the event as well.

Mayor Pruitt thanked Mr. Galli and his counterparts for taking on this project. He expressed appreciation regarding the program they have put together. Councilmember Milder asked who is supporting and funding the event. He indicated that the city has provided funding and a budget; however, the expenses will be very minor. In addition, the local American Legion, some local businesses, local Boy Scout groups and the Hilton Hotel are all playing some role in making the event possible. The council took no action concerning this agenda item.

4. Appointment with Mrs. JoAnn Marsh and her neighbors to hear concerns related to sewage issues in their neighborhood (Random Oaks subdivision), and take any action necessary.

Chris and JoAnn Marsh
1947 Random Oaks Drive
Rockwall, TX

Mr. Marsh indicated that about seventy-five homes are located within the Random Oaks subdivision, which is near the CVS and is generally located near SH-205 at Quail Run. He generally indicated that several sewage-related concerns have been present in the neighborhood for many years, ever since they moved into their home. Mrs. Marsh proceeded to share a PowerPoint presentation with the city council, which highlighted a history of the problem, steps the city has previously taken to help resolve problems, health related concerns she and her son have had, a sewage backup that recently occurred at her neighbor's home in January of this year, and an overall plea for the city to resolve their issues.

Mr. Marsh came forth and provided additional details concerning the sewage-related problems. He suggested that perhaps there is a city lift station that is not sufficient.

Larry Brown came forth and indicated that he moved into Random Oaks in 1997. In January of this year, he and his wife were home when they witnessed sewage backing up in both of their bathrooms, including in the shower, tub and toilets. Two homes, including his in January of this year and one back in 2008, have sustained sewage-related damage.

Tom and Mitzi Zopp
502 Bending Oaks
Rockwall, TX

Mr. and Mrs. Zopp came forth and indicated they moved into their home in 1998. They have been noticing a sewage smell while on their daily, evening walks ever since they moved into Random Oaks. She has personally called the city about three times for water mains that have broken at the top of the hill, which has caused water to rush down into their yard.

Mrs. Marsh again came forth and shared a hand drawn map with council member to depict where she and her neighbors live. She indicated that the manhole the city uncovered in their driveway in about 2011 has exploded twice. Generally speaking, she and her neighbors have smelled sewage ever since they have lived in Random Oaks (for at least fifteen or twenty years, if not more).

Councilmember Milder asked for City Engineer Tim Tumulty to explain why they city installed a manhole in the Marsh's driveway. Mr. Tumulty indicated that the contractor who built their home had covered up an existing manhole when he poured their driveway. So they city uncovered it.

Mayor Pro Tem Lewis indicated that his brother lives near the Marsh's, on the same street in fact. His brother has indicated to him that he has experienced some smell-related problems.

Mayor Pruitt thanked Mr. and Mrs. Marsh and their neighbors for coming forth and sharing these concerns with the city council. He then explained that the City Council will address Consent Agenda item #2, which deals with taking steps to repair the broken/damaged sewer line underneath the retaining wall that the HOA's contractor impacted while doing work on the wall. The council took no action concerning this Appointment Item.

XI. PUBLIC HEARING ITEMS

1. Z2015-012 - Hold a public hearing to discuss and consider the approval of an ordinance for a request by Cindy Levandowski on behalf of the owner Terry Rowe for the approval of an amendment to a Specific Use Permit [Ordinance No. 09-28] to allow for a General Retail Store within Planned Development District 50 (PD-50) for a 0.16-acre parcel of land identified as Lot 1, Block 1, Henry Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 907 N. Goliad Street, and take any action necessary [1st Reading].

Senior Planner David Gonzales provided background information related to this agenda item. He explained that the owner is currently wishing to open up a boutique type store selling merchandise for ladies and babies. It will occupy about 500 square feet of the existing 1,000 square foot home/business. A description of the operation being proposed, including the anticipated days and hours of operation were included in council member packets. Notices were sent out to property owners and HOA's located within 500' of the subject property. Two notices were received back in favor, and one was received back in opposition. The Planning & Zoning Commission has recommended approval of this item as previously indicated by Chairman Renfro.

Mayor Pruitt opened the public hearing and asked if the applicant or anyone in the audience would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

Councilmember White made a motion to approve Z2015-012 with staff recommendations. Councilmember Townsend seconded the motion.

The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-____
SPECIFIC USE PERMIT NO. S-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO AMEND SPECIFIC USE PERMIT (SUP) NO. S-68

[*ORDINANCE NO. 09-28*] TO ALLOW FOR A GENERAL RETAIL STORE IN A RESIDENTIAL-OFFICE (RO) DISTRICT, ON A 0.16-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK 1, HENRY ADDITION, GENERALLY LOCATED AT 907 N. GOLIAD STREET, AND ZONED PLANNED DEVELOPMENT DISTRICT NO. 50 (PD-50), CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

2. P2015-008 - Hold a public hearing to discuss and consider a request by Michael Clark for the approval of a residential replat for Lots 6 & 7, Block K, Sanger Brothers Addition, being a 0.23-acre parcel of land currently identified as the eastern ½ of Lot 3, Block K, Sanger Brothers Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 808 Sam Houston Street, and take any action necessary.

Mr. Gonzales provided brief background information concerning this agenda item. He indicated that thirty-eight notices were sent out to adjacent property owners. One notice was received back by staff expressing opposition to this item. The Planning & Zoning Commission has recommended its approval with staff recommendations (vote of 7 to 0).

Mayor Pruitt opened the public hearing and asked if anyone would like to come forth and speak. There being no one, Mayor Pruitt then closed the public hearing.

Councilmember Townsend made a motion to approve P2015-008. Councilmember White seconded the motion, which passed unanimously of council (7 - 0).

XII. ACTION ITEMS

1. Discuss and consider approval of a resolution regarding TxDot planning for SH205, and take any action necessary.

City Manager Rick Crowley provided background information concerning this agenda item, generally indicating that the City of Rockwall prefers that John King Boulevard be designated as the preferred, future route for SH-205. Mayor Pruitt indicated that he, another council member, and Mr. Crowley recently met with the city's state representatives to discuss their strong support and preference for John King to be utilized for this purpose. It fiscally makes the most sense for the state of Texas and for the city, as the city does not wish to have large trucks and large amounts of traffic traversing through the historic downtown area. This designation, should it occur, would mean that Goliad would be extended northward through downtown and would be taken over and maintained as a city owned and operated street.

Mayor Pruitt made a motion to approve the resolution. Councilmember White seconded the motion. Councilmember White indicated that he would like this resolution to be sent to TXDOT, our state representatives as well as our county representatives. After brief comments, the motion passed by a vote of 7-0.

2. Discuss and consider a recommendation from the City Council's Hotel Tax Subcommittee regarding a supplemental funding request from the Soroptimist Club for the annual Country Fair and take any action necessary.

Assistant City Manager Mary Smith provided brief background information concerning this agenda item. She indicated that a request of up to $20,000 was recently reviewed by the city council subcommittee (Lewis, White and Townsend), and the sub-committee is recommending that the council consider approving $2,500 of funding for this event. The funding, if approved, will be utilized for the 2nd annual Country Fair being held by the local Soroptimist group at the end of May.

Mayor Pro Tem Lewis made a motion to approve the recommended $2,500 of funding. Councilmember White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

3. SP2015-007 - Discuss and consider a request by Maria Bonilla of Winkelmann and Associates, Inc. on behalf of Mark Matise of MAKKO Goliad I, LP for the approval of a site plan and associated variances for a grocery store and fuel center on a 11.28-acre tract of land identified as Lots 2 & 3, Block A, Quail Run Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the southeast corner of the intersection of N. Goliad Street (SH-205) and E. Quail Run Road, and take any action necessary.

Senior Planner David Gonzales provided brief background information related to this agenda item. He explained that this building will include six gas pumps as well as a drive-thru pharmacy on the north end of the building (with three drive-thru lanes). Also, a truck loading dock area will be located on the south end of the building along with the detention pond area. He explained that the size of the building requires a 30' landscape buffer. This buffer will be included along with an additional 30' fire lane access designation (the building sits 60' back). As part of the landscape buffer between the building and residential properties, southern Live Oaks as well as Junipers and a masonry screening fence will be placed between the store and the adjacent residential neighborhood. The Architectural Review Board (ARB) did review the proposed articulations for this proposed development. He explained the nature of various variance requests that the applicant is asking of council, explaining that the variances are for items, including masonry materials, stone requirements, articulation requirements and architectural finishing, all of which will not be visible to anyone because they are in the rear of the building (4th side) and will not be visible to drivers or to the neighborhood behind the development. He explained that two of the variance requests (A&D for masonry requirements and four-sided architecture) require a ¾ super majority vote of the council for approval, and the remaining two variance requests require a simple majority vote. Mr. Gonzales mentioned that a treescape plan, previously approved in 2002, has resulted in some outstanding tree mitigation left on the property. The owners plan to pay $6,375 into the city's Tree Mitigation Fund in order to satisfy the outstanding tree mitigation on the property.

Michael Clark
Winkelmann and Associates

6750 Hillcrest Plaza, Suite #325
Dallas, Texas 75230

Mr. Clark came forth and indicated that he and several representatives of Kroger are present this evening. He respectfully requested approval of this item tonight.

Gary Huddleston
Director of Public Affairs, Kroger
1331 East Airport Freeway
Irving, Texas 75062

Mr. Huddleston explained that normal deliveries would occur between 6:00 a.m. and 11:00 p.m.; however, they are happy to comply with any expressed city requirement. Mayor Pruitt expressed concerns about trucks making deliveries having trouble coming out onto Memorial and then trying to make a tough turn onto SH-205. He is also concerned about truck traffic accessing the loading dock only to / from Memorial Drive.

Mr. Clark indicated that he envisions truck traffic coming in on Quail Run and then onto Memorial Drive.

Councilmember Milder asked the applicant to consider flipping the proposed location of the loading dock in order to locate it at the other end of the building instead of where it is currently proposed to be located. Councilmember Milder went on to express some concern about the large square footage that is being proposed associated with this particular Kroger development. He believes this square footage is perhaps out of sorts with the large, residential area that exists in the north part of town. It was clarified that this particular Kroger store will be the same size as the currently expanded store located in the south part of town.

Councilmember White asked if this proposed store is allowed to be 90,000 square feet on this particular lot. Mr. Crowley indicated that, yes, the store is allowed to be that size without special approval by Council. The only reason it is coming before the city council this evening is for review and votes concerning the variance requests.

Councilmember Daniels asked what implications would be posed if the loading dock were flipped to the south side rather than the north side of the building. Mr. Clark indicated that it would pose some significant problems because the distance from the ground up to the loading dock would be significantly increased due to the elevation of the ground on the south end of the building versus the north end.

Mr. Crowley indicated that flipping the loading dock to the other side of the building would result in some aesthetic impacts as well.

Mr. Huddleston indicated that the pharmacy traffic will be much more significant than the delivery truck traffic, and these customers will be better served on the Quail Run side of the building.

Lengthy discussion took place related to delivery truck traffic.

Assistant Police Chief Riggs expressed agreement with the city council's concerns about delivery truck traffic turning right onto SH-205, expressing that it would be best if those

truck turned onto Quail Run instead, as it is difficult for a driver to make it across traffic at this location.

Councilmember Hohenshelt suggested that trucks could come out onto Memorial and then work their way to SH-205; however, at that point, perhaps signage could be placed to indicate that all trucks must turn right (no left turn).

Mr. Huddleston indicated that Kroger delivery trucks could be mandated, from within the company, to not turn left onto SH-205.

Councilmember White indicated that TXDOT has previously indicated that no traffic signal is warranted at Memorial Drive; however, he questions if this topic may need to be raised again and reconsidered by TXDOT. Mr. Crowley indicated that the city can certainly raise this concern; however, it is very likely that, if this were to happen at all, it would take a very, very long time (a number of years), if at all.

Mr. Crowley briefed the council on the city originally instituting masonry and stone materials on the façade of buildings being developed. At that time, he explained, those sorts of materials looked the best; however, since that time, many cultured type stones have come to look just as good as natural stone.

A Kroger representative came forth and indicated that the supply and quicker availability of the cultured stone works best for them. Also, cultured stone was previously utilized on the existing Kroger store that is located on the south side of town.

Councilmember Townsend made a motion to approve SP2015-007, variance requests A&D (masonry material (use of cultured stone veneer instead of natural stone) and 4-sided Architecture (not meeting architectural finishing (materials, detailing and features) on the 4th / rear side of the building). Councilmember White seconded the motion, which failed by a vote of 5 ayes to 2 nays (Pruitt and Milder) (a ¾ (super majority) vote of council was required for approval).

Councilmember Townsend made a motion to approve SP2015-007, including variance requests B&C (stone requirements and articulation requirements (horizontal and vertical articulation for rear of the building)). Councilmember White seconded the motion, which passed by a vote of 5 in favor with 2 against (Pruitt and Milder).

Mayor Pruitt indicated that Tom Thumb, who is Kroger's major competitor and is located very near down the road, was required to utilize real stone, so he believes Kroger should have to as well.

Councilmember White indicated he would like staff to place an agenda item on the next city council meeting agenda to consider modifying the city's existing ordinance regulations to allow cultured stone to be utilized in lieu of real stone. Mayor Pro Tem Lewis echoed the desire to revisit the city's ordinance regulations related to use of cultured stone.

Mr. Gonzales pointed out that a city council vote is still needed to approve the site plan itself. The site plan approval would include the photometrics, landscaping, building elevations and the site plan itself.

Councilmember Townsend made a motion to approve the site plan for SP2015-007 with the condition that Kroger will submit a letter agreeing to have their delivery trucks turn right onto SH-205 (Goliad) off of Memorial Drive. Councilmember White seconded the motion, which passed by a vote of 6 in favor with 1 against (Milder).

4. Discuss and consider installing public restrooms in the downtown area, and take any action necessary.

Mayor Pro Tem Lewis indicated he placed this agenda item on for discussion after hearing from several citizens concerning this subject.

Councilmember White asked what citizens are currently doing for restrooms when they attend downtown events. Mr. Crowley indicated that at, for example Farmers Market, the restrooms at The Center are available for use. Lewis expressed some concern about The Center not being open during the upcoming live music series that is scheduled to be held on Friday and Saturday nights. He is also concerned about "life safety issues" associated with downtown visitors having to cross SH-66 in order to get to The Center to utilize public restrooms when that building is open.

Councilmember Milder suggested the city put up signage at events indicating that public restrooms are available at The Center if/when that option will work for events scheduled downtown. It was indicated by staff that sometimes private rentals mean that people are occupying The Center in the evenings when city sponsored events, such as the upcoming music series, may be scheduled. This could pose an unwanted conflict with individuals who have paid to rent out The Center for personal events.

Mr. Crowley indicated that the city spent about $125,000 on restrooms that were somewhat recently installed at the Tuttle Ball Fields. This amount does not include the land. Also, cost associated with restroom facilities of this nature would depend on availability of electrical and sewage-related infrastructure as well as land availability.

Mayor Pruitt asked if restaurants and merchants downtown have a problem with patrons or downtown visitors utilizing their restrooms. Mr. Crowley indicated that staff has not yet had these sorts of discussions with restaurants and businesses currently located in the downtown area. However, he pointed out that some locations probably do not have public restrooms available for use by their patrons at this time. Mr. Crowley indicated The Center is already open on Saturday mornings for use by the public when attending the Farmer's Market.

Councilmember Milder asked if the city's mobile restroom facility could be utilized for some events. Mr. Crowley indicated that, yes, it could be; however, there is cost associated with delivery and pick-up of the mobile restroom facility, and it has to be staffed as well.

Mayor Pro Tem Lewis asked staff if they have shopped for a possible building downtown that could be utilized for installation of public restroom facilities. Mr. Crowley indicated that staff has not done so, but this can be done if the council desires.

Councilmember White indicated that he has not heard of any complaints associated with a lack of restroom facilities in downtown. Mr. Crowley indicated that some stores are not required by the city (for example retail stores) to have public restrooms available,

whereas other types of businesses (i.e. restaurants) are required to have public restrooms.

Councilmember Daniels indicated that, as a previous small business owner who had public restrooms available, he knows that opening up restrooms for public use can result in a lot of costly plumbing bills for business owners.

Mayor Pro Tem Lewis asked Andy Hesser, Parks Manager, his thoughts about public restroom availability. Mr. Hesser indicated that they will just need to wait and see what sort of turn out results from the upcoming music series.

Mayor Pruitt asked if the existing Parks Administration offices could perhaps be repurposed to make public restrooms available. Mr. Crowley indicated that staff can look at some possibilities and then return to the council with options at a later date.

Mayor Pro Tem Lewis indicated that he would like staff to evaluate options and report back to Council. No action was taken at this time concerning this agenda item.

At the end of the scheduled agenda items above, Mayor Pruitt utilized personal privilege to allow the following citizen to come forth and speak about various concerns he wished to express:

Mr. Robert Wacker
806 Miramar
Rockwall, TX 75087

Mr. Wacker came forth and expressed concerns related to his dissatisfaction related to various topics. He generally expressed that he is not in favor of the Kroger development. He is concerned about a traffic signal light possibly being installed at Memorial Drive, as he believes there is not enough room to allow for this at this location. He is also concerned about townhomes possibly being built near this area. He expressed that he is in favor of SH-205 traffic being routed onto John King, and he believes that developments such as Kroger should go there instead. He expressed general concerns about roadways, including drainage and runoff problems near the pond by York Street. He is also concerned about a park being built at Featherstone at John King, especially related to the retention pond that will be utilized by the public. He encouraged a water study to be done to ensure it won't overflow. He is also concerned about a retention pond on site if the Kroger is developed at the currently proposed site (on SH-205). He encouraged the council to take time to understand issues and follow its master plans.

Following Mr. Wacker's comments, Mayor Pruitt adjourned the public meeting (at 8:36 p.m.).

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding legal matters related to land lease operations at Ralph Hall Municipal Airport pursuant to Section 551.071 (Consultation with Attorney).

2. Discussion regarding deliberation of appointment of public officer to North TX Municipal Water District Board, pursuant to Section 551.074 (personnel matters).

3. Discussion regarding incentives to tenured employees and possible legal issues pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney).

4. Discussion regarding legal claim related to back up of city sewage line in Random Oaks Subdivision pursuant to Section 551.071 (Consultation with Attorney)

5. Discussion regarding legal claim: Jack R. Athey vs. Rockwall Police Chief Mark Moeller, Rockwall County Emergency Services Corporation, and the City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)

6. Discussion regarding the Animal Services Shelter and Adoption Services Agreement between the City of Rockwall and Collin County Humane Society pursuant to Section 551.071 (Consultation with Attorney).

7. Discussion regarding City Manager's performance evaluation and contract pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The city council did not convene in Executive Session following the close of the public meeting agenda.

XV. ADJOURNMENT

The meeting was adjourned at 8:36 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,

THIS 4th DAY OF MAY, 2015.

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

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This is 2nd reading. 1st reading passed unanimoulsy of council on 04/20/15

CITY OF ROCKWALL

ORDINANCE NO. 15-14

SPECIFIC USE PERMIT NO. S-137

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO AMEND SPECIFIC USE PERMIT (SUP) NO. S-68 [*ORDINANCE NO. 09-28*] TO ALLOW FOR A GENERAL RETAIL STORE IN A RESIDENTIAL-OFFICE (RO) DISTRICT, ON A 0.16-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK 1, HENRY ADDITION, GENERALLY LOCATED AT 907 N. GOLIAD STREET, AND ZONED PLANNED DEVELOPMENT DISTRICT NO. 50 (PD-50), CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Cindy Levandowski on behalf of the owner Terry Rowe for the approval of an amendment to Specific Use Permit (SUP) No. S-068 [*Ordinance No. 09-28*] to allow for a *General Retail Store* in a *Residential-Office (RO) District*, which shall also allow for the use of a *Hair Salon*, on a 0.16-acre parcel of land identified as Lot 1, Block 1, Henry Addition, generally located at 907 N. Goliad Street, and zoned *Planned Development District No. 50 (PD-50)*, City of Rockwall, Rockwall County, Texas, which herein after shall be referred to as the *Subject Property*, and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

Section 1. That the Unified Development Code [*Ordinance 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to amend Specific Use Permit (SUP) No. S-068 [*Ordinance No. 09-28*] to allow for a *General Retail Store* within Planned Development District No. 50 (PD-50), which shall also allow for the use of a *Hair Salon* on the *Subject Property*, and

Section 2. That this Specific Use Permit (SUP) Ordinance shall supersede all requirements stipulated in *Ordinance No. 09-28*, and that the *Subject Property* shall maintain compliance to all conditions and standards contained within this ordinance; and

Section 3. That the Specific Use Permit shall be subject to the conditions set forth in ***Planned Development District No. 50*** **(PD-50) & Section 4.2, *Residential Office (RO) District*, of Article V, *District Development Standards*, of the City of Rockwall Unified Development Code (Ordinance No. 04-38)** as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following additions for the *Subject Property*:

1) That no parking will be allowed in the SH205 right of way or in front of the building, and
2) That the hours of operation shall be limited between 8:00 am to 8:00 pm. each day, and
3) That the use for a hair salon shall be limited to a maximum of one (1) chair, and
4) That all signage requires a separate permit and must conform to the standards established in the North Goliad Overlay District, and
5) That the City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof.

Section 4. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 5. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 6. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 7. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 8. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4th DAY OF MAY, 2015.

Jim Pruitt, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: 04-20-15

2nd Reading: 05-04-15

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 05/04/2015

APPLICANT: Tony Rangel, *Rangel Land Surveying Co.*

AGENDA ITEM: **P2015-013**; *Lot 1, Block A, Platinum Storage Addition*

SUMMARY:

Discuss and consider a request by Tony Rangel of Rangel Land Surveying Co. on behalf of Shawn Valk of Platinum Storage for the approval of a final plat for Lot 1, Block A, Platinum Storage Addition being a 5.549-acre tract of land identified as a portion of Tract 2 of the J. Cadle Survey, Abstract No. 65 and the N. M. Ballard Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Corridor (IH-30 OV) Overlay District, located on the west side of Townsend Road south of E. IH-30 and north of SH-276, and take any action necessary.

COMMENTS:

- ✓ The objective of this request is to plat a 5.549-acre tract of land for the purpose of constructing a mini-warehouse facility. A site plan [*Case No. SP2014-033*] for this facility was approved by the Planning and Zoning Commission on January 13, 2015.
- ✓ In addition to the site plan, a Specific Use Permit (SUP) [*S-121; Ordinance No. 14-25*] was approved by the City Council on July 7, 2014 allowing the mini-warehouse use on the subject property.
- ✓ The surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for final plats as stated in the *Subdivision Ordinance* in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

RECOMMENDATIONS:

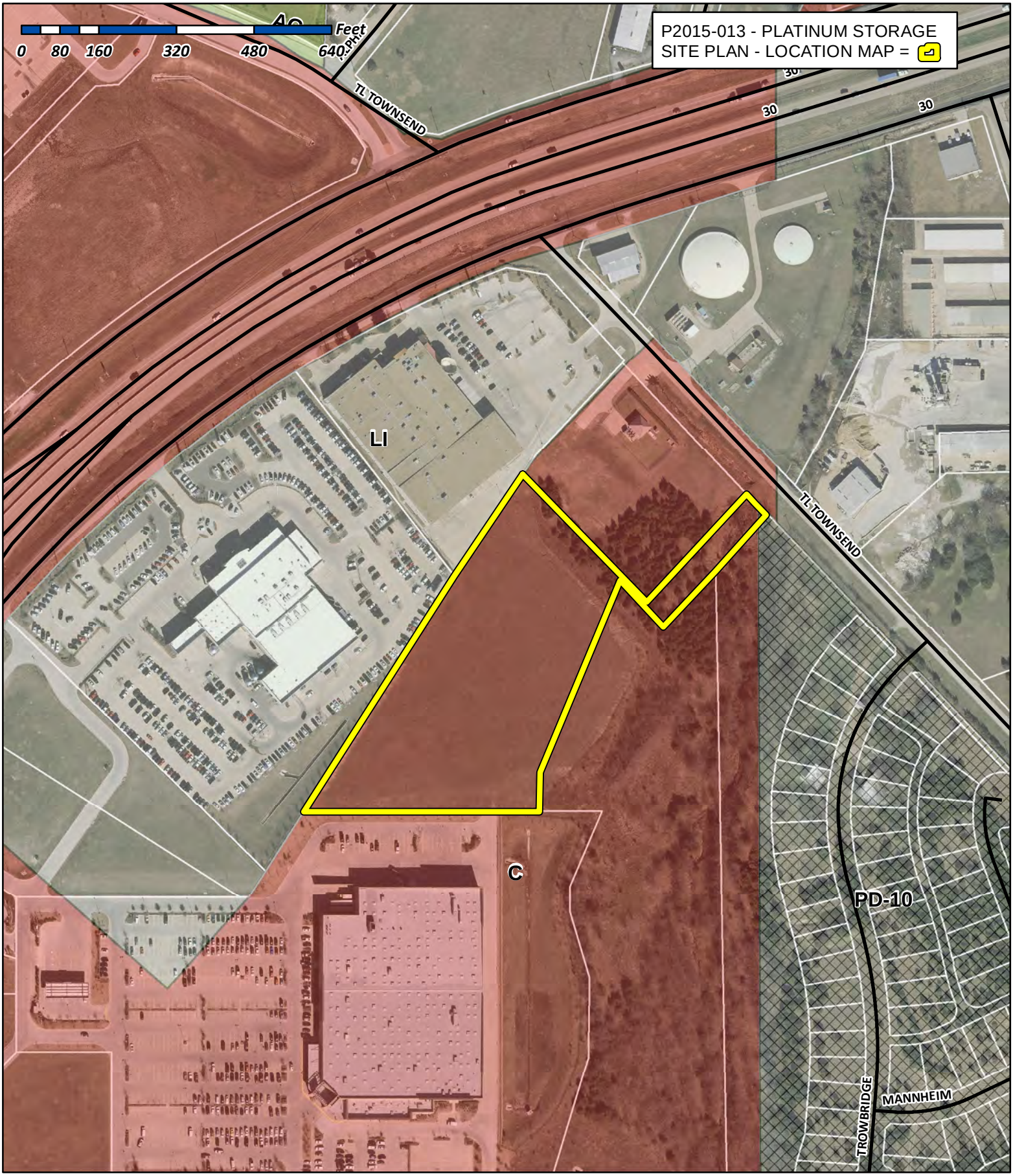
Staff recommends approval of the final plat for *Lot 1, Block A, Platinum Storage Addition* in conformance with the following conditions of approval:

1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

2) Any construction resulting from the approval of this *final plat* shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On April 28, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the final plat by a vote of 7-0.



City of Rockwall

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

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

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City of Rockwall

Project Plan Review History

Project Number	P2015-013	**Owner**	PLATINUM STORAGE	**Applied**	4/13/2015	LM
Project Name	Lot 1, Block 1, Platinum Storage	**Applicant**	RANGE LAND SURVEYING CO	**Approved**		
Type	PLAT			**Closed**		
Subtype	FINAL			**Expired**		
Status	STAFF REVIEW			**Status**	4/13/2015	LM

Site Address	**City, State Zip**	**Zoning**
TOWNSEND DR	Rockwall, TX 75032	

Subdivision	**Tract**	**Block**	**Lot No**	**Parcel No**	**General Plan**
ROCKWALL CENTRE CORNERS	PT 2		PT 2	0065-0000-0002-00-0R	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	4/13/2015	4/20/2015	4/21/2015	8	APPROVED	
ENGINEERING	Amy Williams	4/13/2015	4/20/2015	4/21/2015	8	APPROVED	
FIRE	Ariana Hargrove	4/13/2015	4/20/2015	4/23/2015	10	APPROVED	
GIS	Lance Singleton	4/13/2015	4/20/2015	4/23/2015	10	APPROVED W/ CONDITIONS	See Comments
(4/23/2015 11:54 AM LS) In notes Box: Change NAD88 to NAD83							
PLANNING	Ryan Miller	4/13/2015	4/20/2015	4/23/2015	10	APPROVED W/ CONDITIONS	See Comments

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks

P2015-013 (Lot 1, Block A, Platinum Storage Addition): Please address the following comments (M= Mandatory Comments; I = Informational Comments).

I.1 This is a request for the approval of a final plat for Lot 1, Block A, Platinum Storage Addition being a 5.549-acre tract of land identified as a portion of Tract 2 of the J. Cadle Survey, Abstract No. 65 and the N. M. Ballard Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Corridor (IH-30 OV) Overlay District, located on the west side of Townsend Road south of E. IH-30 and north of SH-276, and take any action necessary.
I.2 For questions or comments concerning this case please contact Ryan Miller in the Planning Department at (972) 772-6441 or email rcmiller@rockwall.com.
M.3 For reference, include the case number (P2015-013) in the lower right hand corner of all pages on future submittals.
M.4 Please change the title block as follows:

Final Plat
Platinum Storage Addition
Lot 1, Block A
One (1) Lot Being Part of
Joseph Cadle Survey, Abstract No. 65
N. M. Ballard Survey, Abstract No. 48
City of Rockwall, Rockwall County, Texas

M.5 The owner listed at the bottom of the page (i.e. Platinum Storage) does not match the owner listed on the legal description or the dedication language. Additionally, the Rockwall Central Appraisal District's list a different owner than is depicted on the plat. Please verify ownership and make the required changes.
M.6 Please change the lot and block designation to Lot 1, Block A.
M.7 Is the off-site easement depicted on the City's property being adjusted? If so, please provide volume and page information on the plat.
M.8 Indicate the centerline of T. L. Townsend Drive.
M.9 Please label the lot, block and subdivision information of all adjacent properties that are contiguous with the subject property.
I.10 Please review the attached planning markups and make the necessary changes.
I.11 Staffhas identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections, and provide any additional information that is requested. The Planning & Zoning meeting date for this case will be April 28, 2015.
I.12 The projected City Council meeting date and subsequent approval for this plat is May 4, 2015.

CLOSURE Report 4/1/2015 14:59

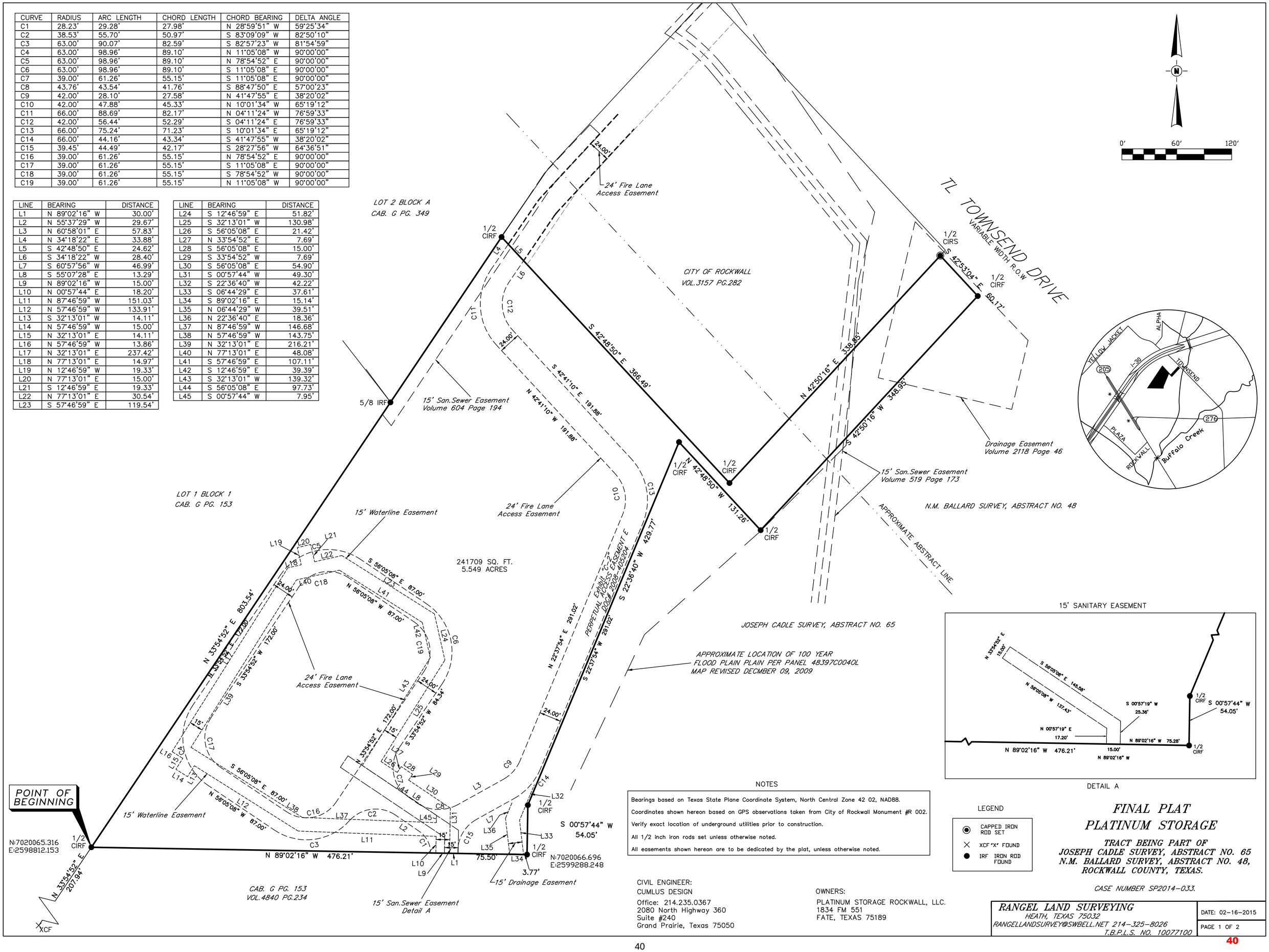
NORTHING	EASTING	BEARING	DISTANCE
7020065.316	2598812.153		
		N 32°47'10" E	803.537
7020740.847	2599247.272		
		S 43°56'32" E	366.490
7020476.960	2599501.591		
		N 41°42'34" E	338.850
7020729.921	2599727.046		
		S 44°00'46" E	60.170
7020686.648	2599768.853		
		S 41°42'34" W	348.950
7020426.147	2599536.678		
		N 43°56'32" W	131.260
7020520.659	2599445.593		
		S 21°28'58" W	429.770
7020120.746	2599288.201		
		S 00°09'58" E	54.050
7020066.696	2599288.358		
		S 89°50'02" W	476.207
7020065.316	2598812.153		

Closure Error Distance> 0.00000
Total Distance> 3009.284
Polyline Area: 241709.180 sq ft, 5.549 acres

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	28.23'	29.28'	27.98'	N 28°59'51" W	59°25'34"
C2	38.53'	55.70'	50.97'	S 83°09'09" W	82°50'10"
C3	63.00'	90.07'	82.59'	S 82°57'23" W	81°54'59"
C4	63.00'	98.96'	89.10'	N 11°05'08" W	90°00'00"
C5	63.00'	98.96'	89.10'	N 78°54'52" E	90°00'00"
C6	63.00'	98.96'	89.10'	S 11°05'08" E	90°00'00"
C7	39.00'	61.26'	55.15'	S 11°05'08" E	90°00'00"
C8	43.76'	43.54'	41.76'	S 88°47'50" E	57°00'23"
C9	42.00'	28.10'	27.58'	N 41°47'55" E	38°20'02"
C10	42.00'	47.88'	45.33'	N 10°01'34" W	65°19'12"
C11	66.00'	88.69'	82.17'	N 04°11'24" W	76°59'33"
C12	42.00'	56.44'	52.29'	S 04°11'24" E	76°59'33"
C13	66.00'	75.24'	71.23'	S 10°01'34" E	65°19'12"
C14	66.00'	44.16'	43.34'	S 41°47'55" W	38°20'02"
C15	39.45'	44.49'	42.17'	S 28°27'56" W	64°36'51"
C16	39.00'	61.26'	55.15'	N 78°54'52" E	90°00'00"
C17	39.00'	61.26'	55.15'	S 11°05'08" E	90°00'00"
C18	39.00'	61.26'	55.15'	S 78°54'52" W	90°00'00"
C19	39.00'	61.26'	55.15'	N 11°05'08" W	90°00'00"

LINE	BEARING	DISTANCE
L1	N 89°02'16" W	30.00'
L2	N 55°37'29" W	29.67'
L3	N 60°58'01" E	57.83'
L4	N 34°18'22" E	33.88'
L5	S 42°48'50" E	24.62'
L6	S 34°18'22" W	28.40'
L7	S 60°57'56" W	46.99'
L8	S 55°07'28" E	13.29'
L9	N 89°02'16" W	15.00'
L10	N 00°57'44" E	18.20'
L11	N 87°46'59" W	151.03'
L12	N 57°46'59" W	133.91'
L13	S 32°13'01" W	14.11'
L14	N 57°46'59" W	15.00'
L15	N 32°13'01" E	14.11'
L16	N 57°46'59" W	13.86'
L17	N 32°13'01" E	237.42'
L18	N 77°13'01" E	14.97'
L19	N 12°46'59" W	19.33'
L20	N 77°13'01" E	15.00'
L21	S 12°46'59" E	19.33'
L22	N 77°13'01" E	30.54'
L23	S 57°46'59" E	119.54'

LINE	BEARING	DISTANCE
L24	S 12°46'59" E	51.82'
L25	S 32°13'01" W	130.98'
L26	S 56°05'08" E	21.42'
L27	N 33°54'52" E	7.69'
L28	S 56°05'08" E	15.00'
L29	S 33°54'52" W	7.69'
L30	S 56°05'08" E	54.90'
L31	S 00°57'44" W	49.30'
L32	S 22°36'40" W	42.22'
L33	S 06°44'29" E	37.61'
L34	S 89°02'16" E	15.14'
L35	N 06°44'29" W	39.51'
L36	N 22°36'40" E	18.36'
L37	N 87°46'59" W	146.68'
L38	N 57°46'59" W	143.75'
L39	N 32°13'01" E	216.21'
L40	N 77°13'01" E	48.08'
L41	S 57°46'59" E	107.11'
L42	S 12°46'59" E	39.39'
L43	S 32°13'01" W	139.32'
L44	S 56°05'08" E	97.73'
L45	S 00°57'44" W	7.95'



15' SANITARY EASEMENT

DETAIL A

NOTES

Bearings based on Texas State Plane Coordinate System, North Central Zone 42 02, NAD88.

Coordinates shown hereon based on GPS observations taken from City of Rockwall Monument #R 002.

Verify exact location of underground utilities prior to construction.

All 1/2 inch iron rods set unless otherwise noted.

All easements shown hereon are to be dedicated by the plat, unless otherwise noted.

LEGEND

- CAPPED IRON ROD SET
- XCF "X" FOUND
- IRF IRON ROD FOUND

FINAL PLAT
PLATINUM STORAGE

TRACT BEING PART OF JOSEPH CADLE SURVEY, ABSTRACT NO. 65 N.M. BALLARD SURVEY, ABSTRACT NO. 48, ROCKWALL COUNTY, TEXAS.

CASE NUMBER SP2014-033.

CIVIL ENGINEER:
CUMLUS DESIGN
Office: 214.235.0367
2080 North Highway 360
Suite #240
Grand Prairie, Texas 75050

OWNERS:
PLATINUM STORAGE ROCKWALL, LLC.
1834 FM 551
FATE, TEXAS 75189

RANGEL LAND SURVEYING
HEATH, TEXAS 75032
RANGELLANDSURVEY@SWBELL.NET 214-325-8026
T.B.P.L.S. NO. 10077100

DATE: 02-16-2015

PAGE 1 OF 2

STATE OF TEXAS:
COUNTY OF ROCKWALL:

WHEREAS SARO PARTNERS, LLC. BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

Being a 5.549 acre of land situated in the JOSEPH CADLE SURVEY, ABSTRACT NO. 65 and the N.M. BALLARD SURVEY, ABSTRACT NO. 48, in the City of Rockwall, Rockwall County, Texas and being a portion of a 65.96 acre tract of land recorded in Volume 4663, Page 281 of the Official Public Records of Rockwall County, Texas and being more particularly described as follows:

Point of Beginning at a 5/8 inch iron rod found for the northerly northwest corner of Lot 1,Block 1 of Rockwall Centre Corners Addition according to the plat recorded in Cabinet G, Slide 299 of the Plat Records of Rockwall County, Texas and being located in the southeasterly line of Lot1, Block 1 of Toyota of Rockwall according to the plat recorded in Cabinet G, Slide 153–155 of the Plat Records of Rockwall County, Texas, from which a found score X bears S 33°54' 52" W a distance of 207.94 feet;

THENCE N 33°54'52" E with said southeasterly line and passing a 5/8 inch iron at 585.86 feet and continuing a total distance of 803.54 feet to a set 1/2 iron rod with cap in the west line of City of Rockwall tract according to deed recorded in Volume 3157, Page 282 of the Official Public Records of Rockwall County, Texas;

THENCE S 42°48'50" E with said tract, a distance of 366.49 feet to a set 1/2 iron rod with cap from which a iron rod bears S 59°51'53" E, a distance of 3.02 feet;

THENCE N 42°50'16" E, a distance of 338.85 feet to a set 1/2 iron rod with cap from which a iron rod bears N 58°19 '35" E, a distance of 8.64 feet found in the south line of Townsend Road a variable width right of way;

THENCE S 42°53'04" E, a distance of 60.17 feet to a set 1/2 iron rod with cap;

THENCE S 42°50'16" W, a distance of 348.95 feet a set 1/2 iron rod with cap;

THENCE N 42°48'50" W, a distance of 131.26 feet a set 1/2 iron rod with cap;

THENCE S 22°36'40" W, a distance of 429.77 feet a set 1/2 iron rod with cap;

THENCE S 00°57'44" W, a distance of 54.05 feet a set 1/2 iron rod with cap in the north line of the aforementioned Lot 1 Block 1from which a 5/8 inch iron found for corner bears S 88°50'40E, a distance of 139.33 feet;

THENCE N 89°02'16" W, a distance of 476.21 feet to the POINT OF BEGINNING containing 241,709 square feet or 5.549 acres.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owner of the land shown on this plat, and designated herein as the _____ subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the_____ subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or Development Process Guidelines (Updates 2012) Page 99 of 154 Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We, our successors and assigns hereby waive any claim, damage, or cause of action that We may have as a result of the dedication of exactions made herein.

REPRESENTATIVE _____

SARO PARTNERS, LLC.
1834 FM 551
FATE, TEXAS 75189

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____,

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

_____
Signature of Party with Mortgage or Lien Interest

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83–54.

SURVEYOR'S CERTIFICATE NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS: THAT I, RUDY RANGEL, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

_____ DATE: _____
RUDY RANGEL
REGISTERED PUBLIC SURVEYOR NO.5664

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____,

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 20___. This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, _____.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

CIVIL ENGINEER:
CUMLUS DESIGN
Office: 214.235.0367
2080 North Highway 360
Suite #240
Grand Prairie, Texas 75050

OWNERS:
PLATINUM STORAGE ROCKWALL, LLC.
1834 FM 551
FATE, TEXAS 75189

FINAL PLAT
PLATINUM STORAGE

TRACT BEING PART OF
JOSEPH CADLE SURVEY, ABSTRACT NO. 65
N.M. BALLARD SURVEY, ABSTRACT NO. 48,
ROCKWALL COUNTY, TEXAS.

CASE NUMBER SP2014–033.

RANGEL LAND SURVEYING
HEATH, TEXAS 75032
RANGELLANDSURVEY@SWBELL.NET 214–325–8026
T.B.P.L.S. NO. 10077100

DATE:02–16–2015

PAGE 2 OF 2

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **May 1, 2015**

SUBJECT: **Facilities Agreement – Eastridge Church of Christ**

Eastridge Church of Christ constructed their building on FM549 in 2004. In order to build on their site, adequate fire flow was necessary. The area is served by Blackland Water Supply that did not meet city standards for fire flow. The City agreed to construct a 16" waterline, for fire protection purposes only, and accept an agreement for the church to make annual payments toward the total cost of the line, which was $175,500. Blackland WSC is still serving the Church for domestic water.

There are parcels of land in the immediate area, which will be served by this water line in the future, and the developer of those tracts will have to pay pro-rata fees based on the cost of the line.

The Agreement signed in 2004 required annual payments for 5 years, which were paid in a timely manner, and then a balloon payment in 2009 or the opportunity to revisit the agreement. At that time, Eastridge asked for an extension of the agreement to allow payments to continue over 5 more years with another balloon payment or opportunity to revisit. At this time, the Church's payments are current and the remaining balance is $47,725. The balloon at the end of the current period is equal to the amount that developers are required to pay when they do come in for development. The agreement, if the Church pays the final amount, would have the City reimburse the Church up to the $47,725 amount.

Rather than extend the agreement again, the Church leaders have asked the City to consider forgiving the remaining balance since the City retains the ability to collect the remaining balance from future development. If the Council will not approve forgiving the balance then the Church would like a ten-year repayment schedule for the remaining balance.

The Church's request letter as well as a copy of the 2009 Facilities agreement is included in the Council packet for review. Church leaders will attend to present the request to Council for consideration.

670 Stodghill Road Rockwall, TX 75087 972-771-9161
church@eastridge.cc www.eastridge.cc

Eastridge
CHURCH OF CHRIST

April 15, 2015

Mary P. Smith
City of Rockwall
385 S. Goliad St.
Rockwall, TX 75087

Dear Mary:

Eastridge Church of Christ would like to request that the balance of $47,725.00 be forgiven by the city of Rockwall, Texas. In the original agreement it was documented that the balance would be revisited by the parties if both agree to do so.

There is much potential for development in the area and the city will have the opportunity to collect on the water line from future developers. Eastridge Church of Christ has paid a total of $127,775.00 to date.

If relief is not granted, we are requesting a payment plan to pay off the balance in 10 years.

Thank you for your consideration of this request.

Mike Singleton
Elder
Eastridge Church of Christ

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STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

FACILITY AGREEMENT
(Replaces the May, 2004 Agreement)

This Agreement is entered into on the _____ day of December, 2009, by and between the City of Rockwall, Texas ("City") and Eastridge (formerly Lakeside) Church of Christ ("Church").

WITNESSETH:

Section 1. That in consideration of the construction of the Eastridge Church of Christ Building located in Rockwall, Texas, the parties agree as follows:

Church agrees to the following:

a. Participate in the construction cost of the 16" water line in FM 549 from the IH 30 Service Road to the northeast property corner of the Church.
b. The Church will make the following payments to pay off the remainder of the original amount ($175,500- $77,574.00= **$97,926.00**):
    1. Initial payment due within one week of execution of this agreement- $10,000.00.
    2. Annual payment of $10,000.00 due June 1, for the next 3 years, beginning June 1, 2010 (2010, 2011, 2012).
    3. Year 4 payment of $10,201.00.
    4. Balance Due Year 5- $47,725.00.
c. At the conclusion of the five-year period, the balance of the participation due may be revisited by the parties if both agree to do so.
d. Any pro-rata collected by the City due to development adjacent to the water line, will be credited to the Church's Year-5 balance ($47,725.00) up to the maximum amount of reimbursement due to the Church of $47,725.00.
e. If the Church should undertake any additional expansion of the facility prior to the end of the five-year payout, the full amount of any remaining participation will be due prior to start of construction of the expansion.

f. Any future expansion to the Church may cause the need for the Church to construct an additional line down Airport Road for additional fire flows, depending on the type of expansion.

Section 2. The City agrees to the following:

a. Construct the 16-inch water line up FM-549 from the IH-30 Service Road to the Church's northeast property corner.
b. Collect pro-rata from developers, of undeveloped land adjacent to the water line, for one-half of the cost of a 12" water line. The City will credit up to $47,725.00 of the pro-rata collected to the Church's Year-5 payment.
c. At this time the 16" water line to the Church is for fire flows only, in area that is within the Blackland CCN. Should the City acquire the right to serve water to this area, the City will utilize the 16" water line for the potable water supply.

Section 3. Nothing contained herein shall be considered as a waiver of the provisions of the City's Comprehensive Zoning Ordinance and subdivision regulations as the case may be.

Section 4. Severability Clause. If any section or provisions of this Agreement or the application of that section or provision to any person, firm, corporation, situation or circumstance is for reason judged invalid, the adjudication shall not affect any other section or provision of this Agreement or the application of any other section or provision to any other person, firm, corporation, situation, or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the Agreement without the invalid parts and to this end the provisions of this Agreement shall remain in full force and effect.

Section 5. Venue for this agreement shall be in Rockwall County, Texas.

Section 6. Notice of this Agreement shall be in writing and addressed to the following:

City of Rockwall
385 S. Goliad
Rockwall, Texas 75087
Attn: City Manager

Eastridge Church of Christ
485 North FM-549
Rockwall, Texas 75087

SIGNED ON THE DATE FIRST ABOVE WRITTEN.

CITY OF ROCKWALL

By: _____
City Manager

EASTRIDGE CHURCH of CHRIST

By: _____

ACKNOWLEDGEMENTS

STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

BEFORE ME, the undersigned authority, on this day Personally appeared, Mike Singleton, ~~the~~ an Elder of the Eastridge Church of Christ, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 3rd day of March, 2009.

Karen L. Foust
Notary Public in and for the State of Texas

My Commission Expires:

6-23-2010
(seal)

KAREN L. FOUST
Notary Public
State of Texas
My Comm. Exp. 06-23-2010

STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

BEFORE ME, the undersigned authority, on this day Personally appeared, Julie Couch, City of Rockwall City Manager, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 15 day of December, 2009.

Elizabeth A Morgan
Notary Public in and for the State of Texas

My Commission Expires:
02-28-2013
(seal)

NOTARY PUBLIC STATE OF TEXAS
ELIZABETH A. MORGAN
Notary Public
State of Texas
My Comm. Exp. 02-28-2013

STATE OF TEXAS §
COUNTY OF ROCKWALL §
CITY OF ROCKWALL §

FACILITY AGREEMENT

This Agreement is entered into on the 28th day of May, 2004, by and between the City of Rockwall, Texas ("City") and Lakeside Church of Christ ("Church").

W I T N E S S E T H:

Section 1. That in consideration of the construction of the Lakeside Church of Christ Building located in Rockwall, Texas, the parties agree as follows:

Church agrees to the following:

a. Participate in the construction cost of the 16" water line in FM 549 from the IH 30 Service Road to the northeast property corner of the Church.

b. The Church will make the following payments:

1. Initial payment due prior to beginning of the site work -- $31,253.00.
2. Annual payments of $10,000 each due June 1, for years 1 through 3, beginning June 1, 2005.
3. Year 4 payment of $16,321.00.
4. Balance Due Year 5 -- $97,926.00.

c. At the conclusion of the five-year period, the balance of the participation due may be revisited by the parties if both agree to do so.

d. Any pro-rata collected by the City due to development adjacent to the water line, will be credited to the Church's Year-5 balance ($97,926) up to the maximum amount of reimbursement due to the Church of $47,725.00.

e. If the Church should undertake any additional expansion of the facility prior to the end of the five-year payout, the full amount of any remaining participation will be due prior to start of construction of the expansion.

f. Any future expansion to the Church may cause the need for the Church to construct an additional line down Airport Road for additional fire flows, depending on the type of expansion.

Section 2. The City agrees to the following:

a. Construct the 16-inch water line up FM 549 from the IH 30 Service Road to the Church's northeast property corner.

b. Collect pro-rata from developers, of undeveloped land adjacent to the water line, for one-half of the cost of a 12" water line. The City will credit up to $47,725.00 of the pro-rata collected to the Church's Year-5 payment.

c. At this time the 16" water line to the Church is for fire flows only, in area that is within the Blackland CCN. Should the City acquire the right to serve water to this area, the City will utilize the 16" water line for the potable water supply.

Section 3. Nothing contained herein shall be considered as a waiver of the provisions of the City's Comprehensive Zoning Ordinance and subdivision regulations as the case may be.

Section 4. **Severability Clause**. If any section or provisions of this Ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation, or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the Ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 5. Venue for this agreement shall be in Rockwall County, Texas.

Section 6. Notice of this Agreement shall be in writing and addressed as follows:

To City: City of Rockwall
Attn: City Manager
385 S. Goliad
Rockwall, Texas 75087

To Church:
Lakeside Church of Christ
950 William Street
Rockwall, Texas 75087

SIGNED ON THE DATE FIRST ABOVE WRITTEN.

CITY OF ROCKWALL

By: _____
Julie Couch, City Manager

LAKESIDE CHURCH OF CHRIST

By: _____
It's Authorized Representative

ACKNOWLEDGEMENTS

STATE OF TEXAS §
COUNTY OF ROCKWALL §
CITY OF ROCKWALL §

BEFORE ME, the undersigned authority, on this day Personally appeared, Julie Couch, City of Rockwall City Manager, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 26th day of May, 2004.

ATTEST:

DOROTHY J. BROOKS
Notary Public
State of Texas
My Comm. Exp. 04-28-2007

[S E A L]

Dorothy J Brooks
Notary Public in and for the State of Texas

STATE OF TEXAS §
COUNTY OF ROCKWALL §
CITY OF ROCKWALL §

BEFORE ME, the undersigned authority, on this day Personally appeared, Milton Halbert, the Treasurer of the Lakeside Church of Christ, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said Church.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 26 day of May, 2004.

Karen Garner
Notary Public in and for the State of Texas

ATTEST:

KAREN GARNER
Notary Public
State of Texas
My Comm. Exp. 01-26-08

[S E A L]

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **City Council**

FROM: **Robert LaCroix**

DATE: **April 27, 2015**

SUBJECT: **Kroger Variance Request**

Mike Clark with Winkelmann & Associates, representing Kroger Stores, has requested an appointment with City Council at the May 4, 2015 regularly scheduled council meeting to discuss the variance decision relative to the four (4) sided architecture requirement for the proposed Kroger store location at the southeast corner SH 205 and Quail Run Road. As stated in Mr. Clark's request letter, "we request this because it appeared that the request was lumped into the request for the use of cultured stone solely because of the need for a supermajority vote". The applicant would like the Council to take the opportunity to vote on this variance request separately.

Winkelmann
&Associates, Inc.

CONSULTING CIVIL ENGINEERS * SURVEYORS
6750 HILLCREST PLAZA DR., STE. 325
DALLAS, TX 75230 (972) 490-7090 FAX (972) 490-7099

April 27, 2015

Robert LaCroix
City of Rockwall
385 S. Goliad Street
Rockwall, TX 75087

RE: Kroger- SW574
Memorial Drive and SH-205

Mr. LaCroix:

Please accept this letter on behalf of Kroger to have the City Council act again on variance relative to four(4) sided architecture.

We request this because it appeared that this request was lumped into the request for use of cultured store solely because of the need for a supermajority vote.

We would like Council to take the opportunity to vote on this request separately.

We request to be heard at the May 4, 2015 Council if at all possible.

Thank you for your considering.

Should you have any questions or need additional information, please give me a call.

Sincerely,
Winkelmann & Associates, Inc.

Michael Clark, P.E.
President

Cc: Craig Winkler
Jacklyn Kreda
Christina Konrad
Maria Bonilla

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 05/04/2015

APPLICANT: Cole Franklin, *Skorburg Company*

AGENDA ITEM: **Z2015-013**; *Breezy Hill Amendments (PD-74)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Cole Franklin of the Skorburg Company on behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to Planned Development District 74 (PD-74) to amend the concept plan to allow for additional single-family residential lots and allow for changes to the development standards contained in *Exhibit 'C'* of Ordinance 14-26 for 405.184-acres of land identified as Tract 7 & 7-1 of the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary.

BACKGROUND:

The property was annexed in 2008 after three (3) years of litigation that lead to the execution of a Chapter 212 Development Agreement. In accordance with this agreement, the property was zoned to Planned Development District 74 (PD-74) on April 20, 2009 with the intention of being a master planned residential community that offered tracts of land designated for retail/office, residential, and institutional land uses. The approval of this zoning change altered the existing 212 Development Agreement -- *which originally permitted 810 single-family residential lots and did not contain any retail acreage* -- to include 658 single-family residential lots and a 59-acre tract of land designated for general retail land uses. The retail tract of land is located at the northeast corner of the intersection of FM-552 and John King Boulevard (see *Exhibit 'A'* to view the original *PD Concept Plan*).

On October 1, 2012 the City Council approved an amendment to Planned Development District 74 (PD-74) modifying the concept plan to remove the school sites that were originally required by the *Facilities Agreement* and adjust the lot mix accordingly [*i.e. increasing the number of lots from 658 to 691*]. The lot mix was again increased on July 7, 2014 from 691 lots to 742 lots for the purpose of incorporating two (2) additional phases (*i.e. Phases IXA & IXB*) and to reduce the land designated as commercial/retail from 59.4-acres to 33.7-acres (see *Figure 1* for the adjusted lot mix).

Figure 1: Current Lot Mix

Lot Types	*A*	*B*	*C*	*D*
Typical Lot Frontage *(Feet)*	60	70	80	100
Typical Lot Depth *(Feet)*	120	120	125	200
Minimum Lot Size *(Sq. Ft.)*	7,200	8,400	10,000	20,000
Number of Units	206	112	326	98
Dwelling Unit %	27.80%	15.10%	43.90%	13.20%

PURPOSE:

On March 13, 2015, the applicant submitted an alternate concept plan depicting a reduction in the number of acres designated for retail land uses from 33.7-acres to 19.49-acres for the

purpose of amending Planned Development District 74 (PD-74) to include an additional residential phase. With this submittal, the applicant has also submitted changes to the development standards that include a modified lot mix that incorporates a new lot type, *Lot Type 'E'* (*i.e. 50-foot by 120-foot lots*), for the proposed phase.

The proposed PD Concept Plan is depicted in Exhibit 'D' and a copy of the proposed changes to the development standards is contained in Exhibit 'E'.

CHARACTERISTICS OF THE REQUEST:

The 14.21-acres of land that the applicant is proposing to remove from the retail acreage will establish a new phase of the Breezy Hill Subdivision that will contain 47 single-family homes. The new phase will be located north of the remaining retail acreage, adjacent to Phase IIA. These new homes will be constructed on 50-foot by 120-foot lots that will be a minimum of 6,000 square feet in size. The development standards for this new lot type (identified below in *Figure 2* as *Lot Type 'E'*) are taken directly from the zoning ordinance that regulates the Stone Creek Subdivision (*i.e. Planned Development District 70 [PD-70]*) and are similar to the remaining lot types in Planned Development District 74 (PD-74) with respect to the development standards. The only major difference in this lot type will be the forward facing garages. This is due to the difficulty of incorporating a 'J' swing driveway into a 50-foot lot.

Figure 2: Proposed Lot Mix

Lot Types	*A*	*B*	*C*	*D*	*E*
Typical Lot Frontage *(Feet)*	60	70	80	100	50
Typical Lot Depth *(Feet)*	120	120	125	200	120
Minimum Lot Size *(Sq. Ft.)*	7,200	8,400	10,000	20,000	6,000
Number of Units	192	99	326	98	47
Dwelling Unit %	25.20%	12.99%	42.78%	12.86%	6.17%

Considering the proposed new lot type and the proposed changes to the lot mix, the total number of single-family lots will be increased from 742 to 762. This proposed change does not alter the existing residential housing density, which is (*and proposed to be*) two (2) units per acre (*i.e. currently the subdivision has 742 lots on ~379-acres, and the applicant is proposing 762 lots on ~381-acres*). With this being said, it is important to note that the original Chapter 212 Development Agreement permitted the applicant 810 single-family residential lots, and the proposed concept plan has a total lot count that is 48 lots less than this number. With the exception of the proposed changes to the lot mix tables and subsequent changes to accommodate the new lot type, the applicant is not requesting any additional changes to Planned Development District 74 (PD-74).

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The Future Land Use Map contained within the Comprehensive Plan designates the subject property for *Commercial* land uses. Should the City Council approve the applicant's request, the Future Land Use Map will be amended to reflect the proposed changes in land use from a *Commercial* designation to a *Low Density Residential* designation.

NOTIFICATION:

On March 27, 2015, staff mailed 33 notices to property owners and residents within 500-feet of the subject property. Staff also emailed a notice to the Stoney Hollow and Breezy Hill Homeowner's Associations (HOA's), which are the only HOA's located within 1,500 feet of the subject property. Additionally, staff posted a sign at the corner of FM-552 and John King Boulevard, and advertised the public hearings in the Rockwall Harold Banner as required by the

Unified Development Code (UDC). At the time this case memo was drafted no responses were received by staff.

RECOMMENDATIONS:

If the Planning and Zoning Commission recommends approval of the applicant's request to amend Planned Development District 74 (PD-74) then staff would propose the following conditions of approval:

1) The applicant shall be responsible for maintaining compliance with the conditions contained within the *Planned Development District* ordinance;

2) By approving this zoning change, the City Council will effectively be approving changes to the Comprehensive Plan and Future Land Use Map. Specifically, this will change the designation of the subject property from a *Commercial* designation to a *Low Density Residential* designation;

3) Prior to accepting a Final Plat for the proposed phase (*i.e. depicted in purple of the PD Concept Plan in Exhibit 'D'*) the applicant shall be required to administratively amend the PD Site Plan in order to show all necessary entry features/signage, landscaping and hardscaping proposed for the new phase;

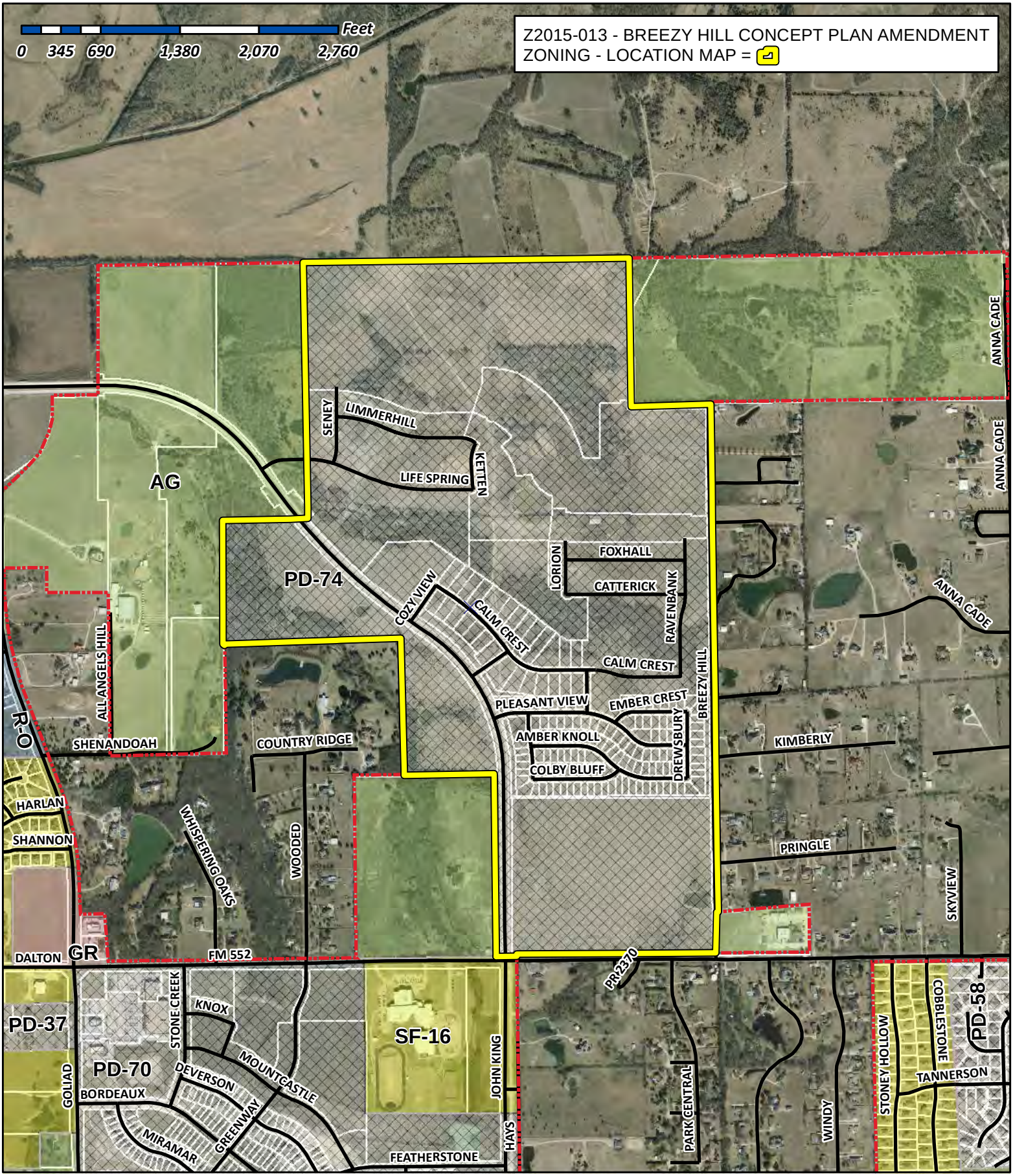
4) Prior to accepting a Preliminary Plat for the proposed phase (*i.e. depicted in purple of the PD Concept Plan in Exhibit 'D'*) the applicant shall be required to administratively amend the Preliminary Plat for Phase IXA & IXB to show the new street layout;

5) Prior to accepting a Preliminary Plat and/or a Planned Development Site Plan for the remaining area designated as *retail* on the *PD Concept Plan*, a *PD Development Plan* must be approved by City Council; and,

6) Any construction resulting from the approval of this *zoning amendment* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On April 14, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the proposed amendments to PD-74 by a vote of 6-1, with Commissioner Logan dissenting.



City of Rockwall

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

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

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City of Rockwall

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

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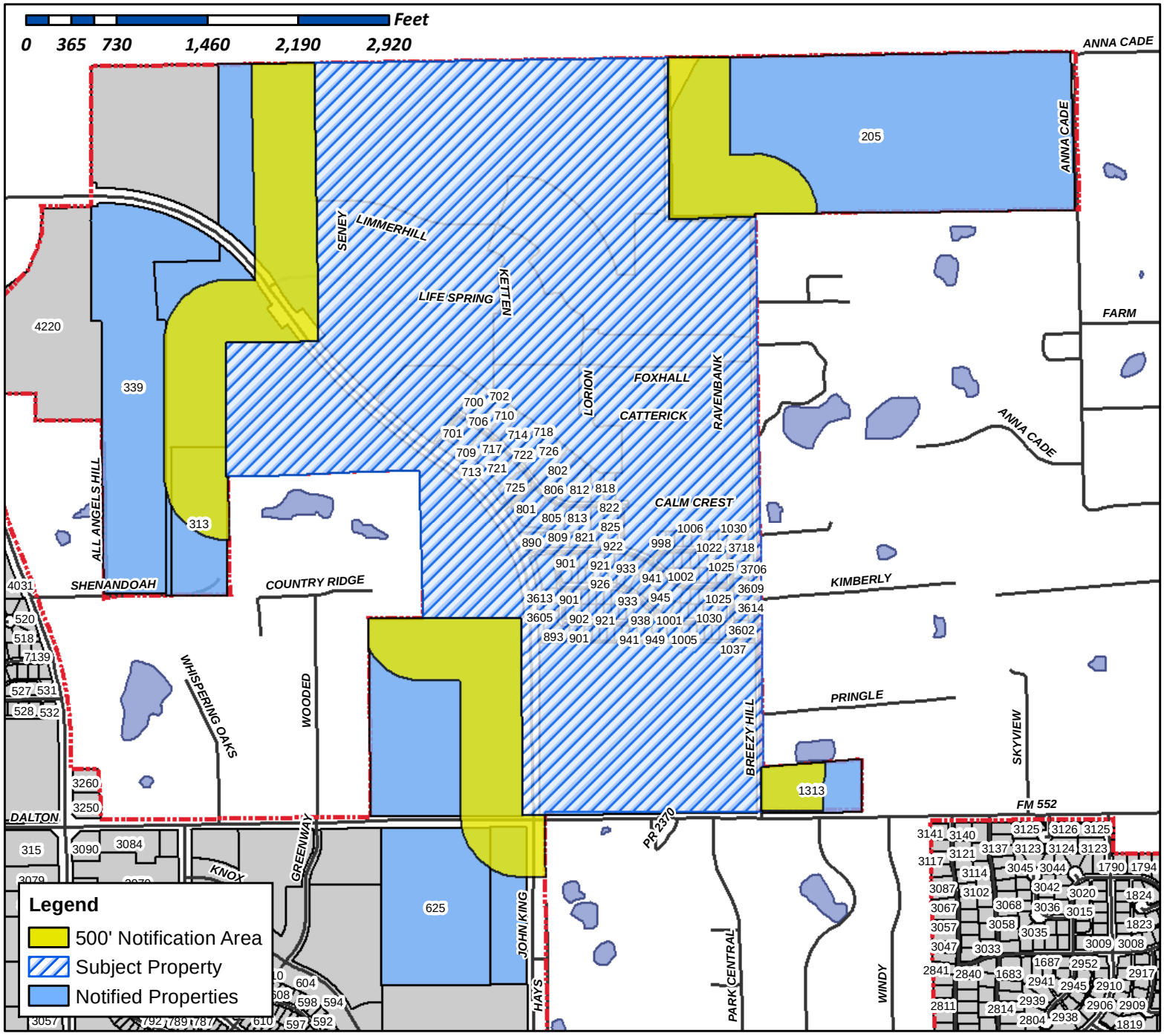
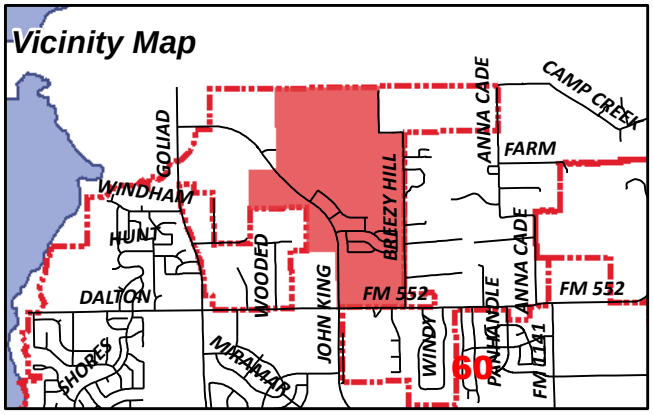


Case Number: Z2015-013
Case Name: Breezy Hill Concept Plan Amendment
Case Type: Rezoning
Zoning: PD - 74
Case Address: NEQ of John King & FM 552

Date Created: *3/16/2015*
For Questions on this Case Call (972) 771-7745



BH BALANCE I LLC
8214 WESTCHESTER DRIVE SUITE 710
DALLAS, TX 75225

BH BALANCE II LLC
8214 WESTCHESTER DRIVE SUITE 710
DALLAS, TX 75225

BH BALANCE III LLC
8214 WESTCHESTER DRIVE SUITE 710
DALLAS, TX 75225

BH BALANCE IV LLC
8214 WESTCHESTER DRIVE SUITE 710
DALLAS, TX 75225

BH PHASE I SF LTD
8214 WESTCHESTER DRIVE SUITE 710
DALLAS, TX 75225

BH PHASE IIA SF LTD
8214 WESTCHESTER DRIVE SUITE 710
DALLAS, TX 75225

BH PHASE IIB SF LTD
8214 WESTCHESTER DRIVE SUITE 710
DALLAS, TX 75225

BH PHASE III SF LTD
8214 WESTCHESTER DRIVE SUITE 710
DALLAS, TX 75225

BH PHASE IV SF LTD
8214 WESTCHESTER DRIVE SUITE 710
DALLAS, TX 75225

CLARK BRUCE A
PO BOX 1473
ROCKWALL, TX 75087

DREES CUSTOM HOMES LP
6225 N STATE HIGHWAY 161 STE 150
IRVING, TX 75038

HANCE LARRY
6306 GLENHOLLOW CT
DALLAS, TX 75248

LIFE SPRING CHURCH
P O BOX 886
ROCKWALL, TX 75087

RIDGEVIEW CHURCH
1362 E FM 522
ROCKWALL, TX 75087

RIGGS WILLIAM AUDY SR ESTATE
C/O JASON G SMITH P C
105 E KAUFMAN ST
ROCKWALL, TX 75087

SHENNENDOAH REAL ESTATE PARTNERS
PO BOX 941428
PLANO, TX 75094

WINDSOR HOMES CUMBERLAND LLC
8214 WESTCHESTER SUITE 710
DALLAS, TX 75225

CURRENT RESIDENT
313 SHENNENDOAH
ROCKWALL, TX 75087

CURRENT RESIDENT
1313 FM552
ROCKWALL, TX 75087

CURRENT RESIDENT
205 ROCKHOUSE LN
ROCKWALL, TX 75087

CURRENT RESIDENT
339 ALL ANGELS HILL
PLANO, TX 75094

BLOCHER AYERS H III AND KAREN L
726 CALM CREST DR
ROCKWALL, TX 75087

BRADLEY ERIK DOUGLAS
822 CALM CREST DR
ROCKWALL, TX 75087

CAMP JOSEPH RICHAR AND
821 CALM CREST DR
ROCKWALL, TX 75087

CARIKER KEVIN L AND LESLIE J
818 CALM CREST DR
ROCKWALL, TX 75087

COLLINS HOPE AND GUY JR
806 CALM CREST DR
ROCKWALL, TX 75087

ETLEY MICHAEL EUGENE
812 CALM CREST DR
ROCKWALL, TX 75087

EVANS JEFFREY WILLIAM AND JULIE BONDS
709 CALM CREST DR
ROCKWALL, TX 75087

LOWDERMILK SHANE AND CHERYL
817 CALM CREST DR
ROCKWALL, TX 75087

ROGERS DAMIAN W AND JESSICA L
722 CALM CREST DR
ROCKWALL, TX 75087

WEBB JOHN DAVID AND CAROLYN PARKER
825 CALM CREST DR
ROCKWALL, TX 75087

WILLIAMS TOMMY EUGENE AND PEGGIE J
717 CALM CREST DR
ROCKWALL, TX 75087

YAO CHAN-HWA AND ESTHER KUO-LIN
805 CALM CREST DR
ROCKWALL, TX 75087

Miller, Ryan

From: Jessica Rogers <drjessicarogers@gmail.com>
Sent: Monday, April 13, 2015 2:10 PM
To: Planning
Subject: CASE Z2015-013 Breezy Hill

I am opposed to the amended plan- CASE Z2015-013 Breezy Hill. Thank you for the notification.

There are would be too many homes in this area with the addition of that many more homes. This would become a very high density area, and I cannot see how the roads would handle this and.. how Celia Hayes Elementary would hold all of the additional children that come from adding a s*ignificant amount of small homes*. The area has acreage and we want to keep it this way.

Jessica Rogers
722 Calm Crest Dr
Rockwall TX 75087

Living in the Breezy Hill Development





Past and Present Student Networking Group:
https://www.facebook.com/groups/147244638668939/

The information contained in this electronic mail message is intended only for the person(s) or entity to which it is addressed and may be privileged and confidential. If you are not the designated recipient of this e-mail, please delete immediately from your computer, and note that any use, review, disclosure, copying, distribution, alteration or manipulation of the content is prohibited.

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

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

To Whom It May Concern:

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

Case No. Z2015-013: Breezy Hill Concept Plan Amendment

Hold a public hearing to discuss and consider a request by Cole Franklin of the Skorburg Company on behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to Planned Development District 74 (PD-74) to amend the concept plan to allow for additional single-family residential lots and allow for changes to the development standards contained in Exhibit 'C' of Ordinance 14-26 for 405.184-acres of land identified as Tract 7 & 7-1 of the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 4/14/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 5/4/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by **5/4/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2015-013: Breezy Hill Concept Plan Amendment

Please place a check mark on the appropriate line below:

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

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

We purchased our home in Breezy Hill because of the space between lots and country feel to the development. We oppose the additional lots which would lower our property values and lead to congestion.

Name: Jeff & Julie Evans

Address: 709 Calm Crest Drive Rockwall, TX 75087

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

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

PLEASE RETURN THE BELOW FORM

Case No. Z2015-013: Breezy Hill Concept Plan Amendment

Please place a check mark on the appropriate line below:

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

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

Not in favor of adding high density housing. We purchased a home in Breezy Hill based on the existing development plan. It is late in the game to make a change to add high density houses.

Name: Kevin & Leslie Carlton

Address: 818 Calm Crest Dr, Rockwall TX 75087

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

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

OUTSIDE OF THE CITY LIMITS

Miller, Ryan

From: Randy Miller <RMiller@hyphensolutions.com>
Sent: Tuesday, April 14, 2015 2:36 PM
To: Miller, Ryan; Planning
Subject: PD-74 - Z2015-013

Importance: High

Mr. Ryan Miller:

My wife and I live on Park Central Drive off of FM 552, close to Breezy Hill Road.

We are not going to be able to attend the public hearing this evening, but would like to express our strong objection to increasing the housing density of this Planned Development.

We do appreciate your consideration and would ask that the Planning and Zoning Commission reject the developer's proposal to amend the Planned Development in question.

Thank you.

Randy and Janice Miller
24 Park Central Drive
Rockwall, TX 75087

City of Rockwall

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

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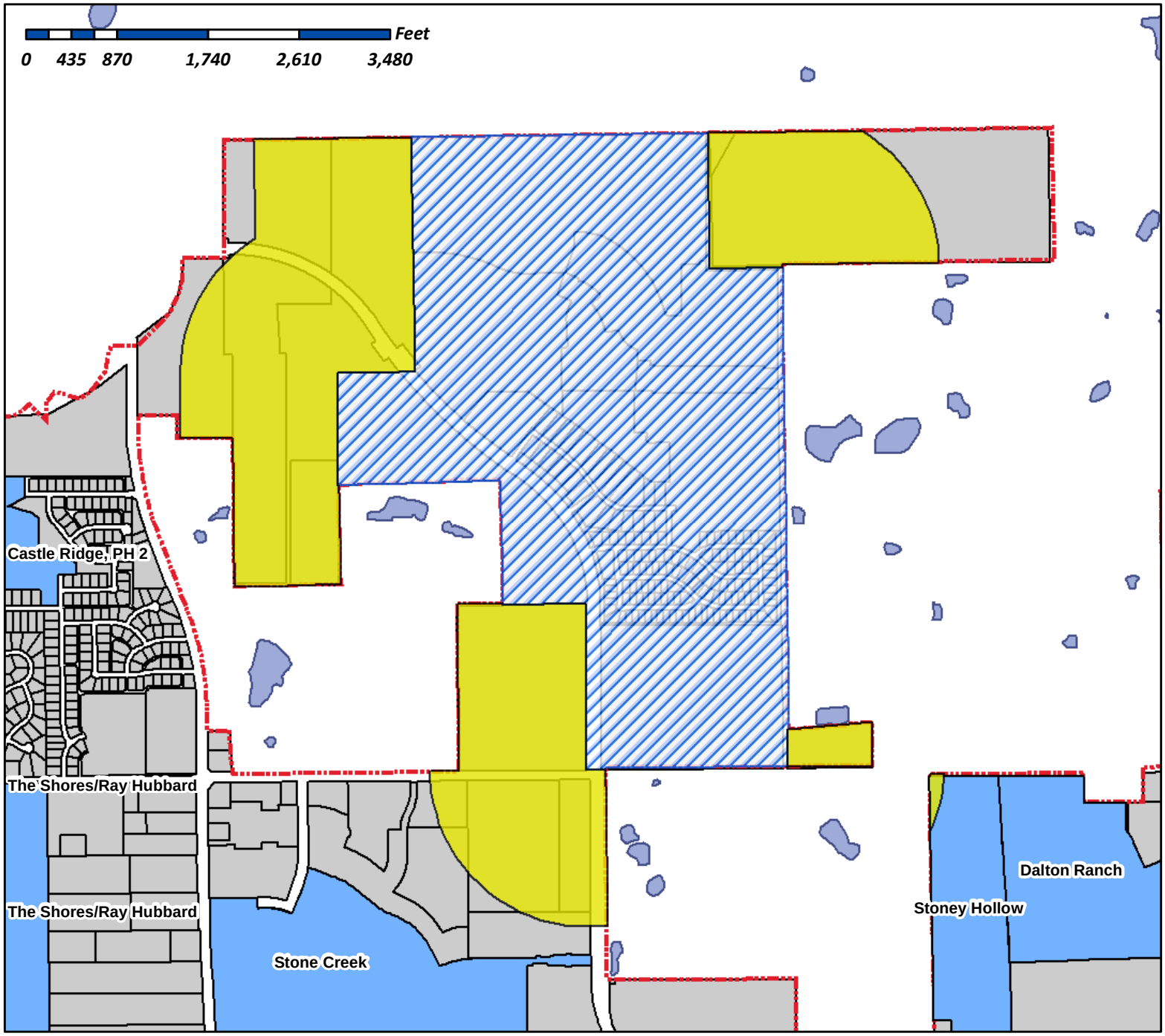
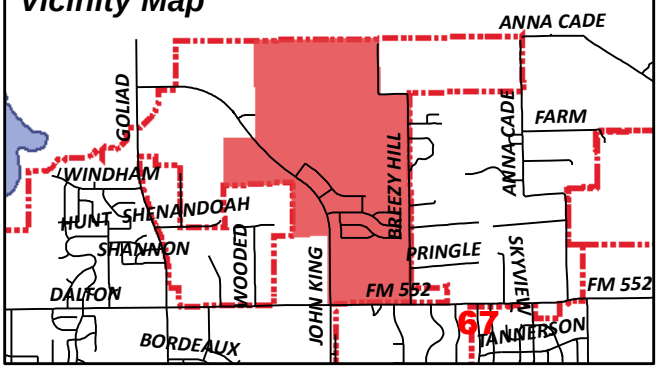


Case Number: Z2015-013
Case Name: Breezy Hill Concept Plan Amendment
Case Type: Rezoning
Zoning: PD - 74
Case Address: NEQ of John King & FM 552

Vicinity Map



Date Created: 3/16/2015
For Questions on this Case Call (972) 771-7745

Miller, Ryan

From: Miller, Ryan
Sent: Wednesday, March 25, 2015 2:11 PM
To: [redacted]
Subject: Neighborhood Notification Program: Notice of Zoning Request
Attachments: HOA Map (03.16.2015).pdf

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that will be published in the Rockwall Harold Banner on *April 3rd , 2015*. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at https://sites.google.com/site/rockwallplanning/development-cases.

Z2015-013: Hold a public hearing to discuss and consider a request by Cole Franklin of the Skorburg Company on behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to Planned Development District 74 (PD-74) to amend the concept plan to allow for additional single-family residential lots and allow for changes to the development standards contained in Exhibit 'C' of Ordinance 14-26 for 405.184-acres of land identified as Tract 7 & 7-1 of the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary.

If this email is reaching you in error, please forward it to your HOA or neighborhood group representative and update the contact information at http://www.rockwall.com/planning/hoa.asp.

RYAN C. MILLER, AICP
PLANNING MANAGER • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

HELPFUL LINKS | CITY OF ROCKWALL WEBSITE | PLANNING & ZONING DIVISION WEBSITE | MUNICIPAL CODE WEBSITE
GIS DIVISION WEBSITE | CITY OF ROCKWALL INTERACTIVE MAPS | MAIN STREET DIVISION

Skorburg Company
8214 Westchester Dr., Ste. 710
Dallas, TX 75225
Phone: 214/522-4945
Fax: 214/522-7244

March 16, 2015

City of Rockwall
Attn: Planning & Zoning

To All:

This letter is concerning the Amendment to the Breezy Hill Planned Development (PD-74), located on the Northeast corner of John King Blvd. & F.M. 552.

We respectfully request that the Public Hearing, currently scheduled for April 20, 2015, to be moved to May 4, 2015.

Cordially yours,

Cole Franklin
Skorburg Company Associate

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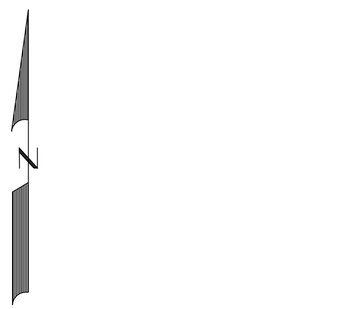
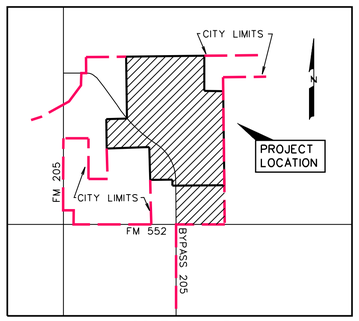
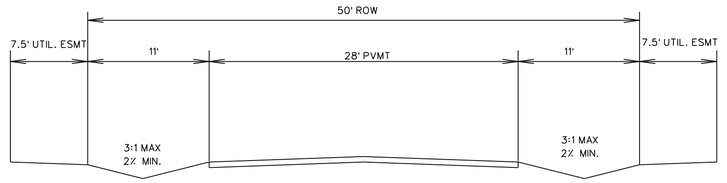
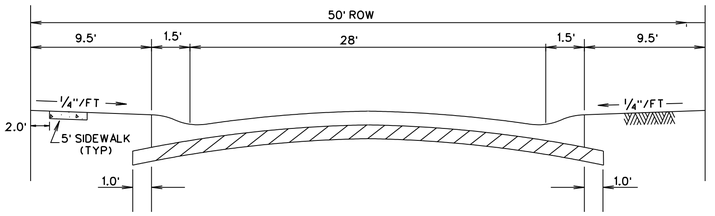




LOCATION MAP
N.T.S.



RURAL STREET SECTION
N.T.S.
100'x200' LOTS



TYPICAL PAVEMENT SECTION - LAYDOWN CURB
N.T.S.

RESIDENTAL OPEN SPACE

Number	Acres	OPEN SPACE CREDITS	Comments
1	11.5	11.5	Open Space
2	1.3	1.3	Open Space
3	7.5	7.5	Open Space
4	0.8	0.8	Open Space
5	1.6	1.6	Open Space
6	5.4	5.4	Open Space
7	7.1	7.1	Open Space
8	32.5	32.5	Open Space
9	9.4	9.4	Open Space
10	0.7	0.7	Open Space
11	6.6	6.6	Floodplain
12	11.9	5.9*	Floodplain
13	1.4	0.7*	Floodplain
14	0.2	0.2	Open Space
15	1.6	1.6	Amenity Center
16	1.2	1.2	Open Space
17	0.8	0.8	Open Space
18	0.09	0.09	Open Space
TOTAL	101.6 AC.	94.9 AC.	

* indicates 50% Credit for Flood Plain

TOTAL RESIDENTAL ACRES	- 381.20 AC.
JOHN KING R.O.W.	- 8.1 AC.
NET ACRES	- 373.10 AC.
20% required Open Space per PD	- 74.62 AC.
TOTAL RETAIL	- 19.5 AC.
JOHN KING R.O.W.	- 4.45 AC.
NET RETAIL ACRES	- 16.2 AC.
20% required Open Space per PD	- 3.2 AC

NOTE:

BETWEEN CONSTRUCTION OF PHASES TEMPORARY TURNAROUNDS WILL BE PLACED AS NEEDED TO ACCOMMODATE FIRE PROTECTION.

FEMA FLOODPLAIN PANEL NO. 48397C0030L

THE 19.5 ACRE TRACT DESIGNATED AS "RETAIL TRACT" WILL REQUIRE A SEPARATE PD DEVELOPMENT PLAN AND IS INCLUDED IN THE AREA COVERED BY THIS MASTER PLAT.

RETAIL TRACT	19.5 ac.
RESIDENTAL TRACT	381.20 ac.
TOTAL ACRES	405.15
TOTAL RESIDENTAL LOTS	762
RESIDENTAL DENSITY	2.0

ZONED: PLANNED DEVELOPMENT DISTRICT 74 (PD-74)

LEGEND

TYPICAL LOT SIZES

- TYPE A - [NOTE A] - Between 186 and 198 lots (60's) [NOTE A]
- TYPE B - [NOTE A] - Between 93 and 105 lots (70's) [NOTE A]
- TYPE C - - 326 LOTS (80's)
- TYPE D - - 98 LOTS (100's)
- TYPE E - - 47 LOTS (50's)
- - PUBLIC OPEN SPACE/ LANDSCAPE BUFFER

Note A: The total maximum lots in the PD will be 762 lots. 68 lots on this exhibit shall be removed from the Type "A" and/or Type "B" lots within Phase VII-A as the area depicted with diagonal lines.

Infrastructure Statement

Drainage Facilities:
There are natural drainage ways within the project and detention will be required.

Sanitary Sewer Facilities:
This site will utilize lift stations and force mains to send the sewer flows to the existing sewer trunk line located at the intersection of FM 552 and Highway 205

Water Facilities:
There is an existing water line located in FM 552. A new 16"water line will be constructed along John King Boulevard north of FM 552 to service this tract.

Roadway Facilities:
The west side of the project is bounded by John King Boulevard, the south side is bounded by FM 552, the east side is bounded by Breezy Hill Road.

MASTER PLAT
OF
BREEZY HILL
OUT OF THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
T.R. BAILEY SURVEY, ABSTRACT NO. 30
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNERS
BREEZY HILL 405, LTD.
8214 WESTCHESTER, SUITE 710
DALLAS, TEXAS 75225
214-522-4945

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

MARCH 2015 SCALE 1" = 400'

CASE #2015-XXX

CITY OF ROCKWALL

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 74 (PD-74) [*ORDINANCE NO. 14-26*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING THE PLANNED DEVELOPMENT CONCEPT PLAN AND THE DEVELOPMENT STANDARDS APPROVED WITH ORDINANCE NO. 14-26, BEING A 405.184-ACRE TRACT OF LAND SITUATED IN THE J. STRICKLAND SURVEY, ABSTRACT NO. 187, T. R. BAILEY SURVEY, ABSTRACT NO. 30 AND THE J. SIMMONS SURVEY, ABSTRACT NO. 190, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE..

WHEREAS, the City has received a request by the Cole Franklin of the Skorburg Company on behalf of Breezy Hill 405, LTD for an amendment to the Planned Development Concept Plan and Development Standards contained within Planned Development District 74 (PD-74) [specifically contained within *Ordinance No. 14-26*] and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, for a 405.184-acre tract of land situated in the J. Strickland Survey, Abstract No. 187, T. R. Bailey Survey, Abstract No. 30 and the J. Simmons Survey, Abstract No. 190, Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 74 [*Ordinance No. 14-26*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No. 09-19, 12-26 & 14-26*;

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 3. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and

PRINCE ORDINANCE 08.20.2015

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

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

Section 5. That a master parks and open space plan for the Property, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan*, (*Open Space Master Plan*) shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

Section 6. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

(a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 5(b) through 5(f) below*), shall be the exclusive procedures applicable to the subdivision and platting of the Property.

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

1. Open Space Master Plan
2. Master plat
3. PD development plans (*required for retail areas only*)
4. PD site plans
5. Preliminary plats
6. Final plats

(c) A master plat application covering all of the Property, other than the area designated on the *Planned Development Concept Plan* as *Retail*, shall be submitted and shall identify each phase of development. No master plat application shall be approved until the *Open Space Master Plan* for all of the Property has been approved; however, the *Open Space Master Plan* may be processed by the City concurrently with the master plat application.

(d) A *PD Development Plan* must be approved for the area designated on the Concept Plan as *Retail* prior to submittal of a *PD Site Plan* application and/or a preliminary plat application. No master plat is required for the area designated on the Concept Plan as *Retail*. A traffic impact analysis for the retail tract shall be submitted with the *PD Development Plan* to determine the extent and timing of any recommended facilities and/or improvements to the surrounding roadway network. The traffic impact analysis may be updated with each *PD Site Plan* for the retail tract.

(e) A preliminary plat application shall be submitted for each phase of residential development. A *PD Site* Plan application, including a site plan application for improvements for parkland or trails, may be processed by the City concurrently with a preliminary plat application for that phase of the development.

(f) A *Capital Facilities Agreement* in the form of *Exhibit 'D',* attached hereto and incorporated herein by reference as *Exhibit 'D',* shall be executed by Developer providing for delivery of adequate public facilities and services within the District.

DRAFT ORDINANCE 03.25.2015

Section 7. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 8. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

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

Section 10. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 18TH DAY OF MAY, 2015.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *May 4, 2015*

2nd Reading: *May 18, 2015*

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Exhibit 'A':
Legal Description

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN PARTS OF THE J. STRICKLAND SURVEY, ABSTRACT NUMBER 187, T. R. BAILEY SURVEY, ABSTRACT NUMBER 30 AND THE J. SIMMONS SURVEY, ABSTRACT NUMBER 190 OF ROCKWALL COUNTY, AND BEING THAT TRACT OF LAND CONVEYED TO W.W. CARUTH, JR. ACCORDING TO THE DOCUMENT FILED OF RECORD IN VOLUME 66, PAGE 493, DEED RECORDS OF ROCKWALL COUNTY, TEXAS (D.R.R.C.T.) ALSO A PORTION OF THE J. STRICKLAND SURVEY, ABSTRACT 794•3 LYING IN COLLIN COUNTY, TEXAS, THAT TRACT OF LAND CONVEYED TO MABEL CARUTH ACCORDING TO THE FILE OF RECORD IN COUNTY CLERK FILE NUMBER 92-0054539 OF COLLIN COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND AT THE BASE OF A CORNER POST, SAID IRON ROD BEING THE SOUTHWEST CORNER OF A 1RACT OF LAND DESCRIBED IN DEED TO DONG WON KANG RECORDED IN VOLUME 4703, PAGE 1402, D.R.R.C.T., AND SAME (BEING THE SOUTHEAST CORNER OF SAID TRACT "ONE" AS SHOWN HEREON;

THENCE NORTH 89°21'28" EAST, A DISTANCE OF 2077.92 FEET TO A 1/2" IRON ROD FOUND FOR A CORNER OF THIS TRACT;

THENCE SOUTH 00°01'37" EAST, GENERALLY ALONG THE CENTER OF A GRAVEL ROAD, A DISTANCE OF 1274.60 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE SOUTH 89°19'07" EAST, GENERALLY ALONG THE CENTER OF A GRAVEL ROAD, A DISTANCE OF 686.18 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE SOUTH 00'42'37" EAST, ALONG THE CENTER OF BREEZY HILLS ROAD, A DISTANCE OF 4777.93 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER IN THE NORTH LINE OF F.M. HIGHWAY 552, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 89°20'36" WEST, ALONG THE NORTH LINE OF SAID F.M. HIGHWAY, A DISTANCE OF 1887.13 FEET, TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER IN A ENTRYWAY OF A RANCH ROAD, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 00°31'43" WEST, GENERALLY ALONG THE CENTER OF SAID RANCH ROAD, PASSING AT A DISTANCE OF 10.00 FEET A 1/2" IRON ROD FOUND ON THE WEST LINE OF THIS TRACT AND CONTINUING A TOTAL DISTANCE OF J593.55 FEET TO A S/S" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE SOUTH S9°15'47" WEST, A DISTANCE OF S03.29 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 01"31'06" WEST, A DISTANCE OF 1189.10 FEET TO A 5/8" IRON ROD FOUND AT THE BASE OF A CORNER POST, FOR A CORNER OF THIS TRACT;

THENCE SOUTH 88°05'58" WEST, A DISTANCE OF 1546.66 FEET TO A 3/8" IRON ROD

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FOUND FOR A CORNER OF THIS TRACT;

THENCE NORTH 00°47'14" WEST, A DISTANCE OF 1067.53 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 88°33'50" E, A DISTANCE OF 748.00 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 00°45'11" W, A DISTANCE OF 2243.67 FEET TO A 5/S" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 89°21'28" E, A DISTANCE OF 754.93 FEET TO THE POINT OF BEGINNING, AND CONTAINING 405.184 ACRES OF LAND, MORE OR LESS.

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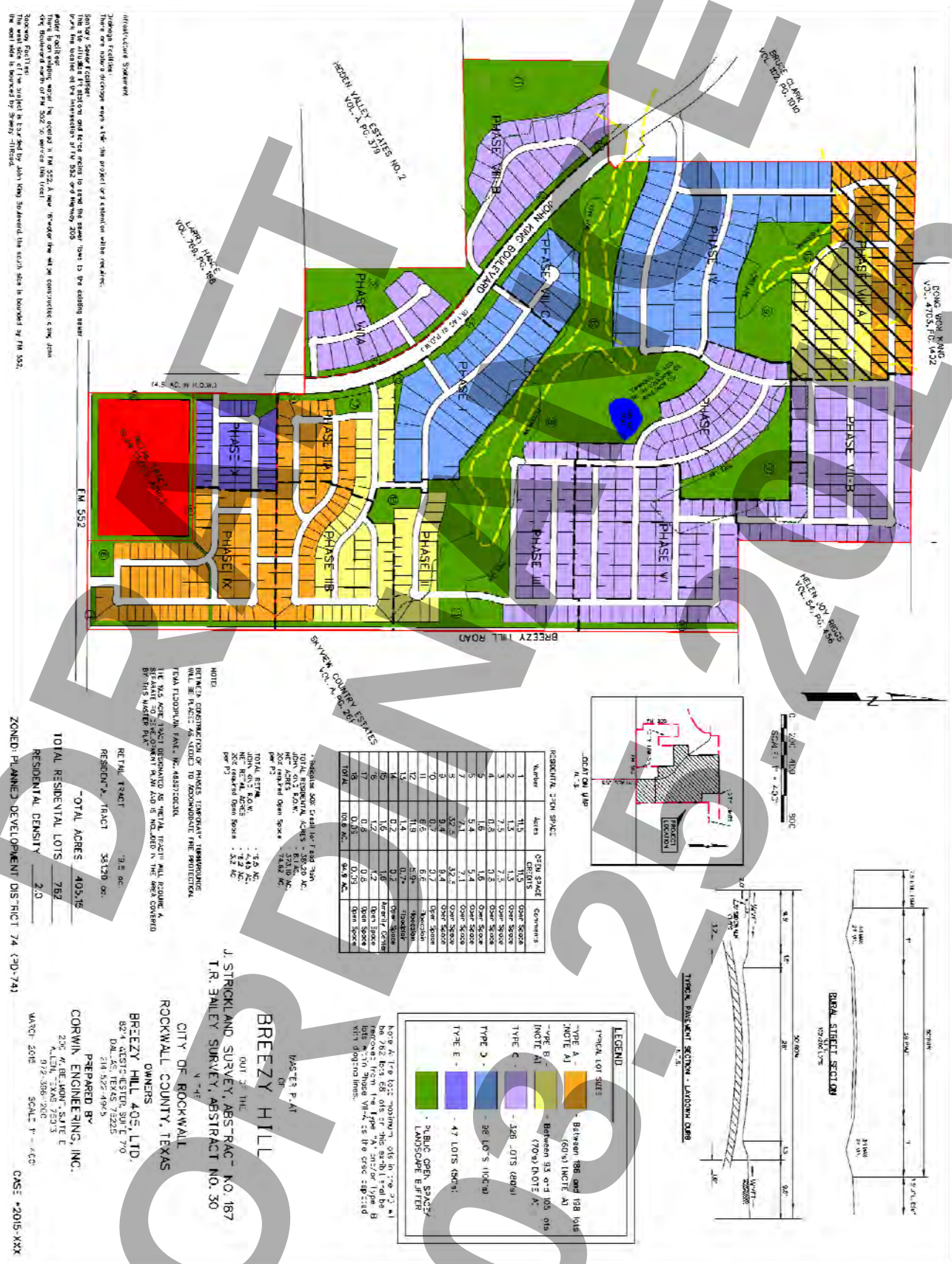
Exhibit 'B':
Concept Plan



TEXT TO BE ADDED TO THE ORDINANCE
~~***TEXT TO BE REMOVED FROM THE ORDINANCE***~~

A. GENERAL REQUIREMENTS

1. *Uses Allowed.* The following uses are permitted for the Property.

   a. *Residential uses*. Uses permitted of right or by special use permit for the (SF-10) Single Family Residential District, as set forth in Article IV, Permissible Uses, of the City of Rockwall Unified Development Code, shall be allowed for areas designated as Single-Family on the Concept Plan, subject to approval of a Special Use Permit if required by the SF-10 District Regulations.

   b. *Non-residential uses*. Non-residential uses shall be allowed only within the area designated as Retail on the approved Concept Plan for the District, and are limited to those uses permitted of right or by special use permit for the (GR) General Retail District subject to approval of a PD Development Plan and PD Site Plan in accordance with the Planned Development District regulations, Article X, Section 2 of the Unified Development Code, and subject to approval of a Special Use Permit if required by the GR District Regulations; provided, however, that the following uses are expressly prohibited:

   - ☑ Animal Hospital, Clinic
   - ☑ Convent or Monastery
   - ☑ Hotel or Motel
   - ☑ Hotel, Residence
   - ☑ Cemetery/Mausoleum
   - ☑ Mortuary of Funeral Chapel
   - ☑ Social Service Provider
   - ☑ Billiard Parlor or Pool Hall
   - ☑ Carnival, Circus, or Amusement Ride
   - ☑ Commercial Amusement/Recreation (Outside)
   - ☑ Gun Club, Skeet or Target Range (indoor)
   - ☑ Astrologer, Hypnotist, or Psychic Art and Science
   - ☑ Garden Supply/Plant Nursery
   - ☑ Night Club, Discotheque, or Dance Hall
   - ☑ Secondhand Dealer
   - ☑ Car Wash, Self Service*
   - ☑ Service Station*
   - ☑ Mining and Extraction (Sand, Gravel, Oil & other)
   - ☑ Helipad
   - ☑ Railroad Yard or Shop
   - ☑ Transit Passenger Facility

   ** Not including a convenience store with an accessory car wash use or more than four (4) gas pumps, which accessory uses are permitted by SUP.*

   The following additional use shall be permitted of right in the PD District:

   - ☑ Grocery Store with a maximum building area of one hundred and thirty thousand (130,000) square feet.

   c. *Design of non-residential uses.* The retail area shall be designed to be pedestrian-oriented and easily accessible to adjacent residential neighborhoods. Additionally, the retail area shall be designed and constructed to be integrated with adjacent uses, not separated from them by screening walls or other physical barriers. This will be accomplished by creating paths from adjacent development into the retail area and

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through the use of landscaping buffers, building design and other urban design elements to create compatibility with the surrounding residential neighborhood.

d. *Density and lot composition*. If the retail develops in accordance with the attached Concept Plan, no more than ~~***742***~~ ***762*** single-family residential dwelling units may be constructed within the Property. Except as provided in subsection (e), single-family residential units shall be allocated by product type in accordance with the following table:

Table 1: Lot Composition

Lot Type	Lot Size Minimum	Lot SF Minimum	Driveway Access	Total Units	Total Dwelling Units (%)
A	60' x 120'	7,200	Front	~~***206***~~ ***192***	~~***27.80***~~ ***25.20%***
B	70' x 120'	8,400	Front	~~***112***~~ ***99***	~~***15.10***~~ ***12.99%***
C	80' x 125'	10,000	Front	326	~~***43.90***~~ ***42.78%***
D	100' x 200'	20,000	Front	98	~~***13.20***~~ ***12.86%***
E	***50' x 120'***	***6,000***	***Front***	***47***	***6.17%***
	AVERAGE LOT SIZE:	**10,000**			
			MAXIMUM ALLOWED TOTAL UNITS:	~~***742***~~ ***762***	**100%**

e. *Variation in lot composition.* The allocation of single-family dwellings among lot types may deviate from that in subsection (d), provided that the maximum allowed total dwelling units does not exceed ~~***742***~~ ***762*** units, the average lot size for the development is not less than 10,000 sq. ft., and the following rules are met:

(1) Lot types "A & B" may increase not more than 5% in aggregate number.
(2) Lot type "C" shall not be decreased below ~~***42%***~~ ***42.78%*** of the total ~~***742***~~ ***762*** lots.
(3) Lot Type "D" shall not be decreased below 98 of the total lots.
(4) Lot Type "E" shall not increase above 47 of the total lots.

2. *Development Standards Applicable.* Except as may be modified by these Development Standards, residential uses shall be subject to the development standards for a (SF-10) Single Family Residential District, as set forth in Article V, District Development Standards for Section 3.4 of the City of Rockwall Unified Development Code; to the development standards in the 205 Bypass Overlay District; and to all supplemental standards contained in the Unified Development Code, including but not limited to the tree preservation regulations in the Unified Development Code.

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B. SPECIAL DEVELOPMENT STANDARDS

1. *Dimensional Standards for Residential Uses*

Table 2: Lot Type Matrix

Lot Types	A	B	C	D	E
Maximum Building Height	36'	36'	36'	36'	***36'***
Minimum Air Conditioned Square Footage	2,200	2,400	2,600 [2]	3,000	***1,800***
Minimum Front Yard Building Setback	20' [4]	20'	20'	40' [3]	***15'*** [4]
Minimum Rear Yard Building Setback	10'	10'	15'	15'	***10'***
Minimum Side Yard (*Interior*)	5'	5'	6'	7'	***5'***
Minimum Side Yard Adjacent to a Street	15'	15'	15'	15'	***15'***
Minimum Distance of Driveway (*from Property Line*)	20'	20'	20'	40'	***20'***
Minimum Lot Area (*Square Feet*)	7,200	8,400	10,000	20,000	***6,000***
Minimum Lot Frontage [1]	60'	70'	80'	100'	***50'***

Notes:

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

[2]: A maximum of 20% of the lots may have homes not less than 2,500 sq. ft.

[3]: The Director of Planning or his designee may grant a reduction in the required 40-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 40-foot front yard building setback would create an undue hardship on the property.

[4]: Front porch may encroach to within 10-feet of the front property line.

2. *Development Standards for Residential Uses by Lot Product/Type*

a. *Detached Single Family Lot Type A*

Development Standards	
Minimum Lot Size	7,200 SF
Minimum Lot Width (@ Front Building Line)	60'
Minimum Lot Depth	110'
Minimum Lot Width (Corner Lot)	65'
Minimum Side Yard Setback	5'
Minimum Front Yard Building Setback	20'
Minimum Rear Yard Building Setback	10'
Minimum Air Conditioned Square Footage	2,200 SF
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [*Brick, Stone, Cultured Stone, 3-Part Stucco*]	80%
Garage Orientation	Garages will be allowed to have the garage accessed from the street using traditional "swing" or "J" drive. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 33% of Type 'A' lots shall have 3-car garages.
Maximum Lot Coverage	65%

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b. *Detached Single Family Lot Type B*

Development Standards	
Minimum Lot Size	8,400 SF
Minimum Lot Width (@ Front Building Line)	70'
Minimum Lot Depth	120'
Minimum Lot Width (Corner Lot)	75'
Minimum Side Yard Setback	5'
Minimum Front Yard Building Setback	20'
Minimum Rear Yard Building Setback	10'
Minimum Air Conditioned Square Footage	2,400 SF
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [*Brick, Stone, Cultured Stone, 3-Part Stucco*]	80%
Garage Orientation	Garages will be allowed to have the garage accessed from the street using traditional "swing" or "J" drives. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 33% of Type 'B' lots shall have 3 car garages.
Maximum Lot Coverage	65%

c. *Detached Single Family Lot Type C*

Development Standards	
Minimum Lot Size	10,000 SF
Minimum Lot Width (@ Front Building Line)	80'
Minimum Lot Depth	125'
Minimum Lot Width (Corner Lot)	85'
Minimum Side Yard Setback	6'
Minimum Front Yard Building Setback	20'
Minimum Rear Yard Building Setback	15'
Minimum Air Conditioned Square Footage	2,600 SF [1]
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [*Brick, Stone, Cultured Stone, 3-Part Stucco*]	80%
Garage Orientation	Traditional "swing" or "J" drive required. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 80% of Type 'C' lots shall have 3 car garages.
Maximum Lot Coverage	65%

Notes:

[1]: A maximum of 20% of the lots may have homes not less than 2,500 sq. ft.

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d. *Detached Single Family Lot Type D*

Development Standards	
Minimum Lot Size	20,000 SF
Minimum Lot Width (@ Front Building Line)	100'
Minimum Lot Depth	175'
Minimum Lot Width (Corner Lot)	100'
Minimum Side Yard Setback	7'
Minimum Front Yard Building Setback	40' [1]
Minimum Rear Yard Building Setback	15'
Minimum Air Conditioned Square Footage	3,000 SF
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [*Brick, Stone, Cultured Stone, 3-Part Stucco*]	80%
Garage Orientation	Traditional "swing" or "J" drive required. Single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. 80% of Type D lots shall have a minimum of 3 car garages.
Maximum Lot Coverage	70%

Notes:

[1]: The Director of Planning or his designee may grant a reduction in the required 40-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 40-foot front yard building setback would create an undue hardship on the property.

e. ***Detached Single Family Lot Type E***

Development Standards	
Minimum Lot Size	***6,000 SF***
Minimum Lot Width (@ Front Building Line)	***50'***
Minimum Lot Depth	***110'***
Minimum Lot Width (Corner Lot)	***55'***
Minimum Side Yard Setback	***5'***
Minimum Front Yard Building Setback	***15'***
Minimum Rear Yard Building Setback	***10'***
Minimum Air Conditioned Square Footage	***1,800 SF***
Minimum Roof Pitch	***8:12 Except for 4:12 on Porch Roofs***
Minimum Masonry Requirement [Brick, Stone, Cultured Stone, 3-Part Stucco]	***80%***
Garage Orientation	***Garages will be allowed to be accessed from the street; however a minimum driveway length of 20-ft must be provided***
Maximum Lot Coverage	***75%***

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3. *Fencing.* All individual residential fencing for lots less than 20,000 square feet shall be cedar standard fencing material (minimum ½" thickness) or better (spruce fencing will not be allowed). All cedar pickets shall be placed on the "public side" facing the street, alley or neighboring property. Lots containing 20,000 sq. ft., lots located along perimeter roadways, and lots abutting open spaces, greenbelts and parks shall be required to install tubular steel fencing. Corner lot fencing (adjacent to the street) shall provide masonry columns at forty-five feet (45') off center spacing that begins at the rear property line corner and terminates ten feet (10') behind the front yard building setback line. A maximum six (6') foot solid board on board "panel" cedar fencing shall be allowed between the masonry columns along the side and/or rear yard lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five feet (5'). The property owner shall maintain that portion of the property outside the fence.
4. *Anti-Monotony Features.* Lot types shall incorporate the following elevation features.

Table 3 : Anti-Monotony Matrix

Lot Type	Lot Size (Approx.)	Elevation Features
A	60' x 120'	i., ii., iii.
B	70' x 120'	i., ii., iii.
C	80' x 125'	i., ii., iii.
D	100' x 200'	i., ii., iii.
E	***50' 120'***	***i., ii.***

i. Exterior facade must be composed of eighty percent (80%) masonry (brick, stone, cultured stone, or three-part stucco). Identical brick blends may not occur to adjacent (side-by-side) properties. Elevations shall not repeat along the fronting or siding streetscape without at least four (4) intervening homes of sufficient dissimilarity (to be determined by the ARC) on the same side of the street and (2) intervening homes on the opposite side of the street). The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least two (2) intervening homes of sufficient dissimilarity (to be determined by the ARC). Masonry (brick, stone, cultured stone, or three-part stucco) chimneys shall be required on all homes.
ii. Minimum of 8:12 roof pitch, except for 4:12 roof pitches on porches. For each phase, a maximum of four compatible roof colors may be used. Dimensional shingles shall be used. Crown molding will be installed in all living and family rooms, unless vaulted or pop-up ceilings are utilized. No Formica counters in kitchens and bathrooms, no blown acoustic ceilings. No vinyl flooring will be used in kitchens.
iii. For front entry driveway access a traditional "swing" or "J" drive will be used. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only.

5. *Streetscape Landscape.* Prior to issuance of a Certificate of Occupancy, yards for all single-family lots in the District shall be landscaped with large canopy trees.

(1) Two minimum three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.
(2) Two minimum three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two additional trees of same caliper shall be planted in the side yard facing the street.
(3) For purposes of this section only, the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.

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6. *Master Design Guidelines.* Additional design guidelines specific to each phase of development that shall apply to all single-family dwellings units within that phase of development, shall be submitted to the City prior to issuance of any building permits for that portion of the development.

C. STANDARDS FOR DISTRICT DESIGN AND CONNECTIVITY

1. *Streetscape Standards for Collectors & Non-Fronting Thoroughfares.* All streets, excluding drives, fire lanes and private parking areas, shall be built according to City of Rockwall street standards. Sidewalks and Hike / Bike trails are to be placed according to city requirements and as set forth in the Open Space Master Plan for the District.

    a. *Buffer-Strip* and Sidewalks (John King Boulevard Overlay District). The landscape buffer strip along John King Blvd shall be as described in the City of Rockwall Unified Development Code, Article V (District Development Standards), Section 6.10 E (Landscape Standards) and be a minimum width of fifty (50) feet as shown on the Planned Development Concept Plan in Exhibit 'B'. Additionally, the developer shall construct a minimum of a ten (10) foot sidewalk, on both sides of John King Boulevard, within the fifty (50) foot landscape buffer strip as recommended by the John King Boulevard Design Concept Plan located in the Comprehensive Plan of the City of Rockwall.
    b. *Buffer-Strip (FM 552).* A landscape buffer strip with a minimum width of fifteen (15) feet shall be provided along the frontage of FM 552, and shall be landscaped with at least one canopy tree per 30-ft and a combination of berms and shrubbery to be reviewed with the PD Site Plan(s) for the retail tract.
    c. *Buffer-Strip (Breezy Hill) Retail.* The minimum buffer width between the proposed retail area and Breezy Hill Rd shall be fifty (50) feet, and shall include a berm with a minimum height of five (5) feet with at least three (3) canopy trees and four (4) accent trees per 100-ft of frontage. A detail of this landscape buffer shall be approved by the Planning and Zoning Commission and City Council at the time of PD Development Plan for the retail tract.
    d. *Buffer-Strip (Breezy Hill) Residential.* A landscape buffer strip with a minimum width of ten (10) feet shall be provided between any residential area and Breezy Hill Rd.
    e. *Irrigation.* Any irrigation installed in landscape areas and public parks must be designed by a Texas licensed irrigator or landscape architect.
    f. *Fencing.* The Association will maintain all common area and perimeter fencing surrounding the Property. Such perimeter fencing shall be composed of six foot (6') tall tubular steel fencing with masonry entry features or such other fencing as may be approved by the City at the time of platting. Perimeter screening may also be accomplished by earthen berms landscaped with living screening. Property owners will maintain all fences constructed on private property.
    g. *Curvilinear Walks.* Walks are to be a minimum of five feet (5') wide to six feet (6') maximum width (hike and bike trail) consistent with the approved Open Space Master Plan. "Collector streets" with or without center medians may incorporate sidewalks six feet (6') in width adjacent to or within "front yard" landscape easements. Walks may meander within parkway and common area; however, edge of walk shall be no closer than four feet (4') from back-of-curb.
    h. *Medians.* Any proposed median openings shall meet the City standards at the time of PD site plan approval.

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2. *Lighting.* Light poles shall not exceed twenty feet (20') in height. All light fixtures shall direct light downward and be contained to the site.
3. *Sidewalks.* At a minimum, sidewalks located on lay down curb section streets shall begin four feet (4') behind the back of curb and be five feet (5') in overall width. Sidewalks will not be required on rural street sections.
4. Curbing. Within certain lot types "A, B, & C" "roll up, lay down curbing" may be incorporated in an effort to minimize frequent curb cuts and maximize streetscape continuity, as approved by the City of Rockwall (Engineering Department) with approval of the final plat application.
5. *Buried Utilities.* New distribution power-lines required to serve the Property shall be placed underground, whether such lines are located internally or along the perimeter of the Property, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (3 phase lines), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the Property, except along the 205 Bypass. Additionally, if such above ground lines are installed along the perimeter of the property and adjacent to non-residential use, then the lines shall be installed behind the non-residential buildings where the installation is possible. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the Property. Temporary power-lines constructed across undeveloped portions of the Property to facilitate development phasing and looping may be allowed above ground, but shall not be considered "existing lines" at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph.
6. *Parks and Open Space.*
   a. Residential and retail acreages (net of right-of-way dedication) shall contain no less than 20% open space and.
   b. Allowable open space may include but is not limited to 50% of floodplain, amenity center, public or private parks, trails, natural areas, buffers, traffic circle medians, entry features, common areas (including any Association recreation center or similar facilities) and other features depicted on the Development Plan, as set forth in the Open Space Master Plan prepared in accordance with subparagraph (c) below. Street right of way will not be included as open space. At least 80% of the single-family dwellings within the development shall be located within eight hundred feet (800') of public or private open space. In order to qualify, such open space must be at least one (1) continuous acre in area, not including roadway buffers less than fifty (50') feet in width.
   c. The Developer shall prepare the Open Space Master Plan to be consistent with the approved Development Plan. The purpose of an Open Space Master Plan is to supplement the Development Plan by providing an additional level of detail for public and private open space areas. The Open Space Master Plan shall identify the locations of and improvements to public parks, and other public and private open space or common areas and shall illustrate an integral system of trail improvements that, together with intervening land held by other property owners or the City, is designed to connect residential areas, schools and retail areas within the District to parks and open space within the District and that provides for continuation and connection of the trail system to off-site parks and open space, in accordance with the City's Master Park and Recreation Plan. The Open Space Master Plan shall clearly differentiate public parks from private facilities and common lands to be maintained by the Association. The locations of public parks, school sites and other public and private open space or common areas shown on the Open Space Master Plan shall be in conformance with the Development Plan. The Open Space Master Plan shall include a phasing plan for construction of all trails, parks, common open space and facilities. The Open Space

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Master Plan shall be considered for approval if it complies with this section, the applicable City regulations, the Development Plan, and generally accepted park-planning practices.

d. The District shall contain not less than eleven (11) acres of land to be used as public or private parkland. A minimum of eleven (11) contiguous acres shall be dedicated to the City in accordance with the City's Neighborhood Parkland Dedication Ordinance on approval of the final plats for those phases adjacent to or abutting the proposed parkland dedication and will provide access to said parkland area. The remaining parkland area will be retained as a private park within the District. Park improvements shall be constructed in accordance with the approved Open Space Master Plan. The site plan incorporating the design of park improvements and hike/bike trail improvements shall be considered for approval with the final plat for the phase of the development containing such improvements. Performance of the obligations in this subparagraph shall be deemed to fully satisfy the City's Neighborhood Parkland Dedication Ordinance regarding land dedication. At the time of recordation of final plats for each phase, the Developer shall pay park improvement fees to the City. These fees shall be held in an escrow account until the parkland is dedicated to the City, at which time the Developer shall inform the City if the Developer wishes to use the escrowed fees as well as future fees to construct park improvements. Prior to construction, said improvements shall be approved by Parks Director, approval not to be unreasonably withheld, and invoices for improvements shall be submitted to Parks Director for approval. Performance of the obligations in this subparagraph shall be deemed to fully satisfy the City's Neighborhood Parkland Dedication Ordinance regarding park development fees, provided that park improvements are installed at a value equal or exceeding the value of park improvement fees for the entire District applicable at that time, or improvement fees are paid. Thereafter, the Developer shall not be responsible for additional parkland dedication or park development fees associated with the Property, except as otherwise may be provided in a capital facilities agreement approved by the City.

7. Developer shall provide a minimum of one (1) retention pond in the District with hard edges and fountain features. The exact configuration and location of the ponds will be determined at development. All retention pond hardedges shall be similar to the hardedge shown on Figure 1 (below).



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Figure 1: *Retention Pond with Hardedge.*

8. *Signage.* Permanent subdivision identification signage shall be permitted at all major entry points, in general conformance to the signage shown in Figure 2 & 3 (below). Final design of entry features to be determined with the Planned Development Site Plan.



Figure 2: *Example of Subdivision Signage Locations*

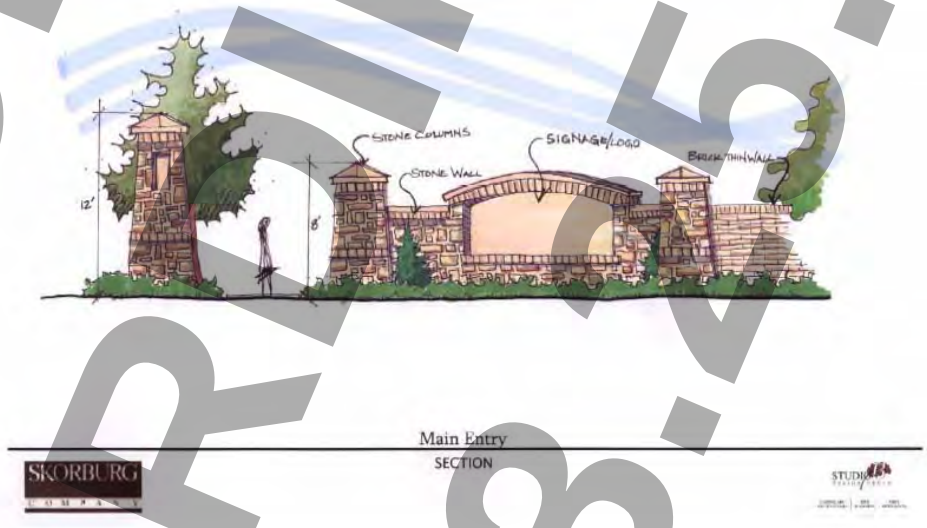

Figure 3: *Example of Subdivision Signage Design Standard*

9. *Variances.* The variance procedures and standards for approval set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

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10. *Amenity Center.* Site plan, landscape plan and building elevations for the Amenity Center shall be approved by the Planning and Zoning Commission prior to construction.
11. *Trees.* All trees planted within the District shall be a minimum three (3) inch caliper measured six (6) inches above the root ball.

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EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

THIS CAPITAL FACILITIES AGREEMENT (the "Agreement") is by and among the Breezy Hill 405, Ltd, ("Breezy" or "Developer") and the City of Rockwall, Texas ("City" or "Rockwall "),

I. RECITALS

1. Breezy seeks to rezone and subdivide the Property for single-family residential use and certain commercial uses. Breezy shall submit an application to rezone the 405 acres north of FM-552 (the "Property") as a planned development (PD) district for a development currently known as Breezy Hill (the "PD District"),

NOW, THEREFORE, in consideration of the foregoing recitals and mutual covenants contained herein, the Parties hereto agree as follows:

II. ADEQUATE PUBLIC FACILITIES

1. *General Provisions.*

   a. *Adequacy Required.* Development of the Property shall be supported with adequate levels of public facilities and services, Adequate facilities and services are those that (i) comply with the applicable City regulations, including this Agreement, and (ii) are consistent with generally accepted engineering and planning practices for similar developments, The Parties agree that the dedication and construction of public improvements, or the contribution of proportionate development fees, required to support development of the Property shall precede or be concurrent with the construction of private improvements to the land, in accordance with the phasing provisions incorporated within this section, or as otherwise may be provided through approval of a master plat.

   b. *Proportionality.* The Parties agree that the dedication or construction of public improvements, or the contributions of development fees, provided for in this Agreement are roughly proportional to the nature and extent of the proposed development of the Property on the City's public facilities systems. Breezy hereby covenants not to sue the City for any claim, or otherwise consent to participate in any action against the City arising from any claim by such party or by its affiliates, alleging that application of the adequate facilities requirements set forth in this Part II of the Agreement to the development of the Property, or the imposition of conditions to a plat application for a portion of the Property that are consistent with the requirements of this section, are not roughly proportional to the impacts of the development depicted in the Concept Plan, including but not limited to any action premised upon Tex. Loc. Gov't Code sec. 212.904 or successor statute. Such covenant not to sue touches and concerns the Property, and is a covenant running with the land such that it binds successors-in-interest and assigns of Breezy. Should any successor-in-interest or assign of Breezy other than an affiliate of Breezy assert any of the foregoing claims in a court of competent jurisdiction, in violation of this Subsection 1 (b), with respect to the development of any portion of the Property, the Parties agree that, with respect to such portion of the Property or all of the Property, at the City's option, this Agreement thereupon shall become null and void and any rights that may otherwise have

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vested under then existing state law shall be waived upon such event. Breezy further agrees that the City may expressly rely upon the provisions of this paragraph in any certification under section 212.904 and that a court in determining rough proportionality may consider all of the Property. Should Breezy or an affiliate of Breezy violate the covenant not to sue contained in this paragraph, the City may either enforce the covenant or pursue the remedies provided for herein that are applicable to successors or assigns, other than affiliates. As used in this Agreement, the term "affiliate" means any person, corporation, partnership, or other entity controlled by, controlling, or under common control with Breezy.

c. *No Waiver.* The requirements in this Part II shall be considered additional standards and conditions applicable to development within the PD District. Except in the event of a conflict between the standards in this Agreement and other standards applicable within the District, nothing in this Agreement shall be construed as superseding any requirement or standard in the City's subdivision or utility regulations relating to provision of adequate public facilities and services.

2. *Wastewater Services.*

a. *City as Provider.* The City shall be the supplier of wastewater services to the Property.

b. *Line Extensions.* The Developer shall extend wastewater mains sufficient to serve each phase of development within the PD District, sized in accordance with the City's master plan for wastewater facilities and constructed in accordance with the phasing schedule approved in conjunction with the Developer's master plat application. The Developer shall design and construct a lift station in order to serve the development within the PD District. The Developer shall be entitled to pro-rata fees for the costs of over-sizing the lift station from other future developments using the lift station, calculated on a per acreage basis. Developer also shall be eligible for credits against, wastewater impact fees otherwise due for construction of improvements identified and included in the City's wastewater improvements plan for impact fees, in accordance with the City's then existing impact fee regulations. Provisions for City participation in oversize costs, rebate of pro-rata fees or provision of impact fee credits shall be set forth in a facilities and reimbursement agreement between the Developer and the City.

c. *Payment of Impact Fees.* Wastewater impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations.

3. *Water Services*

a. *City as provider.* The City shall be the supplier of water services to the Property. The City represents that it has sufficient capacity to serve the Property.

b. *Line Extensions.* The Developer shall extend water mains sufficient to serve each phase of development within the PD District, sized in accordance with

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the City's master plan for water facilities and constructed in accordance with the phasing schedule approved in conjunction with the Developer's master plat application. The Developer shall be eligible for City participation in the costs of over-sizing water distribution mains or appurtenances that serve other land in addition to the Property, in accordance with the City's standard policies, or for collection of pro-rata fees for such facilities. Developer also shall be eligible for credits against, water impact fees otherwise due for construction of improvements identified and included in the City's water improvements plan for impact fees, in accordance with the City's then existing impact fee regulations. Provisions for City participation in oversize costs, rebate of pro rata fees or provision of impact fee credits shall be set forth in a facilities and reimbursement agreement between the' Developer and the City.

c. *Payment of Impact Fees.* Water impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations.

4. *Road Improvements.* The Developer shall make the following road improvements.

a. *John King Boulevard (Highway 205 Bypass).* The Developer shall have no obligation with respect to construction of John King Blvd. other than as outlined herein regarding payment of road impact fees.

b. *FM-552 Improvements.* The Developer shall dedicate rights-of-way for and construct turn lanes and acceleration/deceleration lanes concurrent with construction of any road on the Property that intersects FM 552, in accordance with City and TXDOT standards and specifications at the time of development of adjoining property.

c. *Breezy Hill Road Improvements.* The Developer shall dedicate a minimum of twenty-five feet (25') of right-of-way or such right-of-way as is needed to construct a twenty-four foot (24') concrete rural section of Breezy Hill Road and appurtenances adjacent to the Property, together with a two-foot (2') asphalt or concrete shoulder on either side of the concrete section, the total not to exceed twenty-eight feet (28') in width, from the northern point of Breezy Hill Road adjacent to the Property, to FM-552, as shown on the Development Plan. The Developer also shall dedicate and improve a minimum landscape buffer of ten feet (10') for the residential tract and fifty feet (50') for the retail tract, adjacent to the right-of-way for Breezy Hill Road, designed in accordance with the requirements of a PD District then in effect for a rural collector. The bar ditch that abuts the buffer strip, designed to a maximum slope of 3: 1, shall not encroach into the required ten-foot or fifty-foot buffer area, except to the extent that the buffers exceed ten feet (10') in width. The Developer shall dedicate right-of-way for Breezy Hill Road and the landscape buffer at the time of final plat approval for any lot abutting Breezy Hill Road. Developer shall construct Breezy Hill Road in conjunction with the retail tract that is final platted adjacent to Breezy Hill Road. Breezy Hill Road will be constructed from the northernmost intersection created by any portion of the retail tract being platted, south to FM-552. Developer shall install any

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EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

needed expansion of existing culverts created by such construction or the development, of such retail tract.

d. *Payment of Roadway Impact Fees.* Roadway impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations. Construction costs incurred by Developer for roadway improvements in this Agreement that are included in the City's roadway improvements plan for impact fees shall be credited against roadway impact fees otherwise due, in accordance with the City's impact fee regulations.

5. *Drainage Improvements.* Dedication of rights-of-way for and construction of drainage improvements shall be provided as specified in conditions imposed with approval of the master plat for development within the PD District and in accordance with City standards and specifications.

6. *Parks and Open Space.*

a. The Developer or a property owners association shall maintain public parklands and improvements within the development for a period of three (3) months from the completion and acceptance of the improvements. Thereafter, the City shall assume responsibilities for maintenance. All open space and improvements which are not dedicated as parkland to the City shall be maintained as common areas in perpetuity by the property owners association for the PD District. Additionally, the property owners association shall maintain Developer-installed landscaping areas in public rights-of-way and public drainage ways internal to and adjacent to the Property.

III. GENERAL PROVISIONS

1. Notice on Sale. The Developer shall provide the City with notice of the sale of any tract or parcel within the District that has not been platted at the following address:

Rockwall City Manager
Rockwall City Hall
385 S. Goliad Street
Rockwall, TX 75087

2. *Recording.* This Agreement is intended to run with the land, and shall be recorded in the Real Property Records, Rockwall County, Texas.

3. *Term of Agreement.* This Agreement shall terminate two (2) years following the City's acceptance of the dedication and construction of the public improvements described herein serving the last phase of development within the PD District, after which the City agrees, upon the request of the Developer to execute a termination of this Agreement in recordable form. Any reimbursements for payment of impact fees shall not expire.

4. *Effective Date.* This Agreement shall take effect upon the date of its execution by the last of the Parties to the Agreement; provided, however, that Breezy shall execute this Agreement no later than five (5) business days following the

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effective date of the PD zoning ordinance for the Property. If Breezy fails to execute this Agreement within such period, this Agreement shall become null and void, and unless a subsequent agreement, acceptable to the City and the Developer, is agreed to, the City may thereafter deny any PD site plan, master plat or other plat application on grounds that the application is not supported by adequate public facilities and services.

5. *Severability.* Invalidation of any provision of this Agreement by judgment or court order shall not invalidate any of the remaining provisions which shall remain in full force and effect, unless such remaining provisions are an integral part of the invalid provisions or the invalid provision is necessary to give effect to the remaining provisions.

6. *Enforcement.* This Agreement may be enforced by the Parties by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the provisions of this Agreement thereafter.

7. *Venue.* Venue for this Agreement shall be in Rockwall County, Texas.

8. *Execution.* This Agreement may be separately executed in individual counterparts, and upon execution, shall constitute one and the same instrument.

9. *Amendment.* This Agreement may only be amended in writing upon mutual consent of the City and the Developer.

10. *Joint preparation.* This Agreement shall be deemed to have been jointly prepared by all Parties hereto, and no ambiguity of this Agreement shall be construed against any party based upon the identity of the author of this Agreement or any portion thereof.

11. *Recitals Incorporated.* Statements and representations contained herein are to be considered contractual in nature and not merely recitations of fact. The Recitals contained in Part I of this Agreement hereby are expressly incorporated into this Agreement by reference.

12. *Construction.* All references herein in the singular shall be construed to include the plural where applicable, the masculine to include the feminine and neuter genders.

13. *Authority.* Each of the signatories to this Agreement represents and warrants that he is authorized to execute this Agreement and bind his principals to the terms and provisions hereof. Each Party warrants that any action required to be taken in order for this Agreement to be binding on it has been duly and properly taken prior to the execution of this Agreement.

14. *Conflicts.* In the event of a conflict between this Agreement and any provision of the Unified Development Code, the City Code, or any City ordinance, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this Agreement, the standards in this Agreement shall control.

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EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

15. *No Waiver*. Developer retains the right to challenge the application of any City impact fee regulations to the Property solely on the basis that such regulations fail to comply with Chapter 395 of the Texas Local Government Code, as amended. If Developer prevails in such a claim, impact fees shall be applied to the development of the Property and paid by the Developer, as applicable, in accordance with the court order.

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EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

PARTIES TO THE AGREEMENT

CITY OF ROCKWALL

CITY OF ROCKWALL TEXAS
SEAL

By: _____

Name: DAVID SWEET

Title: MAYOR

STATE OF TEXAS §
§
COUNTY OF ROCKWALL §

SWORN AND SUBSCRIBED TO BEFORE ME, by said DAVID SWEET, who in their capacity as MAYOR for the City of Rockwall, acknowledges that he was authorized to execute the foregoing document this 2nd day of October 2012, certify witness my hand and seal of office.

Kristy Ashberry
Notary Public in and for the State of Texas

NOTARY PUBLIC STATE OF TEXAS
KRISTY ASHBERRY
Notary Public
State of Texas
My Comm. Exp. 05-01-2016

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EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

PARTIES TO THE AGREEMENT

BREEZY HILL 405, LTD, A TEXAS LIMITED PARTNERSHIP
BREEZY HILL 405 GP CORPORATION, A TEXAS CORPORATION, ITS GENERAL PARTNER

By: _____

Name: RICHARD M. SKORBURG

Title: PRESIDENT

STATE OF TEXAS §
§
COUNTY OF ROCKWALL §

SWORN AND SUBSCRIBED TO BEFORE ME, by said RICHARD M. SKORBURG, who in their capacity as PRESIDENT for the Breezy Hill 405, LTD, acknowledges that he was authorized to execute the foregoing document this 1st day of OCTOBER 2012, certify witness my hand and seal of office.

_____
Notary Public in and for the State of Texas

NOTARY PUBLIC STATE OF TEXAS
Kellie Lee Patch
Notary Public, State of Texas
My Comm. Expires 05/12/2015

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **City Council**

FROM: **Robert LaCroix**

DATE: **April 29, 2015**

SUBJECT: **Natural or Quarried Stone Requirements**

The natural or quarried stone requirements are found within each of the corridor overlay districts of the Unified Development Code under the Architectural Standards section. This section states the following:

- *Architectural standards.*
  1. Masonry requirements. Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, **including a minimum of 20 percent natural or quarried stone.**
     a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the buildings exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation.
     b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

At the time of adoption of the natural stone requirement into the corridor overlay, the intent was to ensure that a high quality stone product was used on the façades of highly visible commercial and industrial building along the major roadways. At that time, cultured stone varied in quality and generally, the applications that were being applied in the City of Rockwall did not have the appearance that the City Council was pleased with. The zoning code was amended to adopt the stricter requirement for natural or

quarried stone in the corridor overlay districts in addition to the city wide 20% stone for all commercial and industrial buildings.

The stone requirement has been problematic with some larger buildings but more particularly with the very large industrial buildings such as the ones located in the REDC industrial tech park. However, this issue was presented to the REDC in the past and they have preferred to continue requiring the 20% stone requirement and natural stone requirement where it applied along the dual overlay districts that border the park. The use of this requirement has enabled the REDC to ask for and in most cases, receive a higher level of architectural quality on the buildings they have been directly involved with, both in and outside the park.

The quality of cultured stone has improved dramatically over last few years and the variances that have been approved to allow the cultured stone have mandated the higher quality product. As stated, the real issue is generally with construction of substantially larger buildings, those that exceed 25,000 square feet in area. Most of the newer shopping centers have been able to comply with the requirement because the building(s) are connected in long spans and the front facades can meet the requirements however the developers usually ask for relief on the rear building facades. The bigger issue is with larger single buildings on individual lots, those that exceed 25,000 square feet. Should the developer request a variance to the natural stone standard, the existing requirement then allows the City Council to require a high quality cultured stone product that would not be attainable otherwise. There are several levels of cultured stone products and all recent variances approved by the Council have been associated with a high quality product that has integrated color mixed through the stone using real crushed stone rather than cement. High quality manufactured stone veneer is cast from molds of real stone which makes it lighter than natural stone. The installation process requires less labor in addition to being less expensive than natural stone.

The key issue is that the natural stone requirement gives the Council the ability to negotiate, if they choose, for a much better quality stone product when the developer requests a variance. Consideration of variances on single larger buildings, i.e. buildings 25,000 square feet or greater, has produced high quality commercial building facades within the City. However, this continues to be a discretionary decision for the Council, and there may be some guidelines or policies to consider that would make this a more equitable requirement.

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Ashberry, Kristy

From: Crowley, Rick
Sent: Wednesday, April 29, 2015 10:27 AM
To: Ashberry, Kristy; Smith, Mary
Subject: Fwd: Agenda Item

Sent from my iPhone

Begin forwarded message:

> **From:** "Pruitt " <Pruitt >
> **Date:** April 29, 2015 at 5:41:31 AM CDT
> **To:** "Crowley, Rick" <RCrowley@rockwall.com>
> **Subject: Agenda Item**
>
> Please put an item on the agenda about open forum at each regular council meeting as we recently discussed.
>
> Mayor Jim Pruitt

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary**

DATE: **May 1, 2015**

SUBJECT: **Agenda item – Open Forum(s)**

Mayor Pruitt has requested that a discussion item be placed on the May 4 meeting agenda to discuss and consider scheduling Open Forum at each regular city council meeting. With the council's current meeting schedule, this change would mean Open Forum would be included on agendas for both the 1st and the 3rd Monday meetings each month. The "Policies and Procedures of the Rockwall City Council…," which currently calls for Open Forum to be scheduled during the first regular meeting of each month, is included in your meeting packet *(see highlighted reference on page 12 of the PDF (labeled pg. 11 on the bottom, center of the actual page)).* The Council may, at its discretion, choose to modify these Policies and Procedures.

POLICIES AND PROCEDURES OF THE
ROCKWALL CITY COUNCIL AND OTHER BOARDS & COMMISSIONS

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APPENDIX ONE. CURRENT LISTS FOR BOARDS, COMMISSIONS, COMMITTEES

I. List of Boards and Commissions
II. List of Council Representatives on Committees
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PREAMBLE - INTRODUCTION, DEFINITIONS, AND BASIS FOR ADOPTION

Pursuant to Section 3.10 of the Charter of the City of Rockwall, Texas (Charter), the Rockwall City Council (Council) adopts the following rules and order of business governing all Council meetings.

A. Statement of Purpose

The Policies and Procedures of the Rockwall City Council (Policies) are intended to describe the rules and guidelines by which the Rockwall City Council operates and to set forth standing Council policy. The manual includes excerpts from the Home Rule Charter for the City of Rockwall, the City of Rockwall Code, and the Texas Local Government Code. Unless otherwise noted, the text of the manual is assumed to be Council polices and procedures in addition to those established in law. The manual serves as a quick reference for resolving policy and procedural questions during meetings and work sessions. These Polices may be amended or waived by a majority vote of the elected members of the Council, except those rules that are required by law.

B. Sources and Definitions

As used in these Policies, the following words have the following meaning:

1. The word City means the City of Rockwall, Texas.
2. The word Charter means the Home Rule Charter for the City of Rockwall, as amended.
3. The word Code means the Rockwall Code of Ordinances, as amended.
4. The term TX Code means the Texas Local Government Code, as amended.
5. The word Council means the duly elected City Council of the City of Rockwall.
6. The words Council member(s) mean a duly elected and sworn member of the City Council of the City of Rockwall, and include the Mayor and the Mayor Pro Tem.
7. The words Code of Ethics means the Ordinance.

C. Oath of Office

Each Council member, including the Mayor, must swear or affirm the following Oath of Office before participating in Council business:

I, _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of _____, City of Rockwall of the State of Texas, and will to the best of my ability preserve,

protect, and defend the Constitution and laws of the United States and of this State, so help me God.

SECTION ONE - GOVERNMENTAL STRUCTURE

A. Powers of the Council

Local Government powers are conferred on the elected Council by the State of Texas and the people of the City of Rockwall by way of the democratic process. Powers are defined by the Charter, State law, and the Texas Constitution.

The City is a Home Rule City, as authorized by Article 11, Section 5 of the Texas Constitution. The Charter was first adopted on January 19, 1985 and amended on the following dates: May 7, 1988, May 1, 1993, May 4, 1996, and May 7, 2005.

B. Mayor & Mayor Pro Tem

1. Mayor

Charter section 3.04 prescribes the duties of the Mayor and the Mayor Pro Tem. The Mayor is the official head of the City government and serves as the presiding officer over Council meetings, and performs other duties consistent with the office. The Mayor has the right to vote on all items voted on by the Council, but has no power to veto. The Mayor is the "first among equals," and his or her vote counts no more and no less than the vote of any other individual Council member.

2. The Mayor Pro Tem

The Mayor Pro-Tem is a Council member elected annually by the Council at the first regular meeting after each election of Council members and/or Mayor. The Mayor Pro-Tem acts as Mayor during the disability or absence of the Mayor.

C. Filling Council Vacancies

Charter section 3.05 provides for filling vacancies on the Council. Generally, within thirty days of any Council vacancy, the Council must appoint an individual to fill the vacancy for the unexpired term only (i.e., until the next regular election), at which time the position is placed on the ballot.

The procedure for filling vacancies is set forth in Section 3.A. of these Policies.

D. Council-Manager Form of Government

Charter section 1.02 provides that the City is a Council-Manager form of government. The Council, consisting of the elected Mayor and Council members, appoints the City Manager who is directly responsible to the Council for executing the laws and administering City government.

Under this form of government, the governing body is composed of citizens serving on a part-time basis to decide major policy issues, much in the same manner as the Board of Directors of a private corporation. The Mayor's role is to preside over Council meetings much

like a Chairman of the Board. Council members serve the interests of the citizens who elected them to office—the stockholders of the corporation.

The City Manager is comparable to the corporation's Chief Executive Officer. The City Manager is a professionally trained public administrator charged with implementing the policies and directives of the Council. The City Manager has broad administrative authority and the Charter has strict rules prohibiting political interference in administrative matters. Conversely, the City Manager refrains from participating in political activities that would impair professional administration.

E. The City Manager's Role in Administrative Affairs

Charter section 4.01 provides for the qualifications, powers, and duties of the City Manager. The City Manager is responsible for the appointment, removal, and supervision of all City employees.

With the exception of the City Attorney and the Municipal Judge, all City staff are employees of the City Manager. Thus, neither the Council nor any of its members should direct or request the appointment or removal of City officers or employees.

F. Council/Staff Relationships and Communications

Except for inquiry and timely communication, the Council should contact City employees through the City Manager. Council members should refrain from giving orders or direction to any subordinate of the City Manager, either publicly or privately.

While it is inappropriate for any Council member to instruct a City employee, it is appropriate for Council members to inquire about information. Information that would be difficult or time consuming to produce, however, or that relates to a current or future agenda item, should be formally requested of the City Manager, rather than requested of an individual staff member. Work assignments and policy directions should come from the elected body as a whole and not from individual members. To avoid confusion and conflicting priorities, certain guidelines for Council/staff relationships should be followed.

Council initiatives generally fall into one of four areas:

1. Requests for information that is readily available;
2. Follow-up for a constituent relative to a municipal problem or question;
3. Requests for information nor readily available and requiring considerable staff time and/or research effort;
4. Initiation of a new priority or program.

Normally, items under the first two areas can be handled directly between the Council member and City staff. Items under the last two areas should be channeled through the City Manager. If a Council member is not satisfied with the channels of communication, he or she should discuss the matter with the City Manager, whose job is to ensure the thorough and timely flow of information.

G. Implementing the Will of the Majority

Once a vote is taken and the issue decided, Council speaks to the staff with a single voice. City staff must respond to the majority view, regardless of whether individual Council members agree, and regardless of whether staff agrees.

H. Electronic Communications

The widespread use of electronic mail system (e-mail) raises concerns over the appropriate communications among Council members and between Council members and staff. Generally, all e-mail communications among Council members and between Council members and staff are subject to disclosure under the Texas Open Records Act. All e-mail communications to and from staff members should be in accordance with established guidelines for staff inquiries. The City Manager should be copied on all e-mail communications between Council members and Staff.

I. Conflict of Interest Rules

To ensure citizens that the judgment of public officers and employees is not compromised or affected by inappropriate conflicts, the Council passed an ordinance providing for a Code of Ethics for all officials and employees. The Code of Ethics applies to elected or appointed individuals, whether paid or unpaid, advisory or administrative. The Code of Ethics serves not only as a guide for official conduct of the City's public servants, but also as a basis for discipline for those who fail to abide by its terms. The ordinance states that the proper operation of democratic government requires that:

1. Public officials and employees be independent, impartial, and responsible only to the people of the City;
2. Governmental decisions and policy be made using the proper procedures of the governmental structure;
3. No officer or employee have any financial interest, direct or indirect, or engage in any business, transaction, or professional activity, or incur any obligation of any nature, which is in conflict with the proper discharge of his duties in the public interest;
4. Public office not be used for personal gain;
5. The Council at all times be maintained as a nonpartisan body.

The Code of Ethics provides for standards of conduct for officers and employees of the City as well as providing for penalties for violations. In addition to the local Code of Ethics, Council members are bound by state law pertaining to conflicts of interest as well. The City Attorney is the proper person to consult for competent legal advice concerning conflict of interest questions.

The Council has established that the City Attorney will provide annual training for all members of the City's boards and commissions, as well as for Council members.

J. Council Representatives on Various Committees

The Council is represented on a number of committees and groups. These include intergovernmental bodies, various community organizations, Council subcommittees, and as

liaisons to selected boards and commissions. Such representation is distinct from formal appointments to Boards and Commissions.

K. Representation on Outside Organizations

Outside groups often invite the Council to participate in their activities. For appointments to outside groups, the Council may designate either a Council member or a City employee (if appropriate) to the committee or group. Appointments for these positions occur as needed.

L. Representation and Role of Council subcommittees

The Council may create a Council subcommittee to review and provide recommendations to the full Council concerning a specific issue. Subcommittees should be considered by the Council when items of interest to the Council will require a significant amount of time to develop and review beyond what may reasonably be accomplished in a regular meeting or workshop of the full Council. The role of a subcommittee is to examine issues in depth when requested by the full Council and to report back their findings and recommendations. They do not have the responsibility or authority to set policy. Additionally, subcommittees have no authority to direct the spending of funds unless approved by the full Council.

Generally, subcommittees are created when Council members at a posted meeting consider such creation. Procedures for establishing and operating a subcommittee are as follows:

1. Establishing subcommittees

The Council may establish a subcommittee at a posted meeting. Upon establishment the Council will adopt a resolution creating the subcommittee. The resolution will contain guidelines as to the scope, function, or charge of the subcommittee. The resolution will also identify the term of the subcommittee, reporting requirements to the full Council, and whether the subcommittee is a standing committee with ongoing functions, or an ad hoc committee. The resolution will be prepared by staff with input by the subcommittee members and submitted to the Council within 30 days of establishing a subcommittee.

2. Appointments

Appointments to subcommittees may be made at any time by the Council. Appointments to subcommittees should be reviewed and adjusted as necessary annually after elections once the new Council takes office. However, the Council may make reassignments and new assignments as needed.

3. Reporting and Communication with Council

Subcommittees shall make periodic reports to the full Council as provided in the resolution establishing the subcommittee. Interim reporting may occur at a posted Council meeting or it may occur through updates provided by staff. Such interim reporting will include updates to the full Council regarding activities that involve discussions or participation with outside parties.

Final and periodic reporting as outlined in the establishing resolution will occur at posted Council meetings. Such reports are intended to reflect the opinions and ideas of each Council member serving on a subcommittee.

Once a subcommittee has been formed and is working, should one or more Council members who have questions or wish to discuss the item being developed or reviewed by the subcommittee should request an item for discussion of such at a regular Council meeting.

4. Operation of Subcommittees

The staff liaison has the responsibility for scheduling meetings with the subcommittee. Staff also has the responsibility for tracking the work of the subcommittee and providing access to all reports and committee assignments to the full Council.

When the Council votes on the recommendations of a subcommittee, generally the motions to act on those items should be made by council members not serving on the subcommittee.

5. Orientation of New Council members

Staff will include a review of the operation and process of subcommittees in the orientation process with newly elected council members.

M. Role of Council Liaisons to Boards and Commissions

From time to time the Council will consider establishing a Council liaison to particular City boards or commissions to improve communication between the Council and the Board. Their role will be to periodically meet with the Chair of that Board or Commission, to periodically attend the meetings of the assigned Board or Commission, and report back to Council with any recommendations. Items of interest or upcoming action for Council may be communicated from the liaison to the City Manager, who may then forward the information to the full Council. Appointments as liaison may be made at any time by the Council. Appointments should be reviewed and adjusted as necessary annually after elections once the new Council takes office. However, the Council may make reassignments and new assignments as needed.

SECTION TWO— CITY COUNCIL MEETINGS

A. Monthly Council Meetings

Charter section 3.08 provides that the Council shall hold at least one regular meeting each month and as many additional meetings as it deems necessary to transact the business of the City. The Council conducts regular meetings beginning at 6:00 p.m. on the first and third Monday of each month in the Council Chambers at City Hall, located at 385 S. Goliad. Special Council meetings are held at the call of the Mayor or a majority of the Council members as needed.

Activities during regular Council meetings include:

1. Consent Agenda for items that have previously been discussed, are of a routine nature and are unlikely to generate discussion, and are ready for action. Any member of the Council may pull an item for discussion and/or

separate vote. Council members are encouraged to submit any items they would like to pull from the consent agenda to the Chair prior to the start of the meeting.

2. Open Forums where Citizens may address the Council on any matter not included in the published meeting Agenda;

3. Public Hearings as required by law or Council policy. Public hearings may cover subjects such as proposed budgets, proposed Comprehensive Plan amendments, and rezoning;

4. Reports, Action Items, and Recommendations from the City Manager. Generally, the manager's report should be limited to 15 minutes and should include written or verbal information on the city's financial position, staffing status, status of capital construction projects, departmental activities, and other current information.

5. Reports, Action Items, and Recommendations from the Planning Commission and other advisory boards;

6. Award of Bids or Approval of Contracts where the Council formally authorizes the purchase of materials and the letting of contracts;

7. Action Items placed on the Agenda by the Mayor or one of the Council members;

8. Ordinances and Resolutions that are legal instruments where the Council establishes public policy, either in the form of local laws (Ordinances) or formal statements of fact and intent (Resolutions);

9. Appointments with Citizens who submit requests for action or consideration. Generally, any items that include a citizen, outside group, or other third party, other than zoning or other development related matters, should be placed under the appointment section of the agenda in order to address their issues early in the meeting.

Streamlined Council Meetings - It is the goal of the Council to have Council conduct business in an effective and efficient manner, while allowing for appropriate levels of input form both the public as appropriate, and from staff and Council members. City staff will identify estimated times for completion of agenda items. The Chair will set the end time for meetings and executive sessions. Generally, regular city council meetings will not extend past 11:30, however, the Chair may extend that time on a case by case basis. Actions not acted upon by the end of the meeting will be rescheduled to the next regular meeting unless the Council approves a special meeting to be held.

B. Open Meetings Law

The Texas Open Meetings Act provides that meetings of governmental bodies must be open to the public (except for expressly authorized executive sessions), and that the public must be given notice of the time, place, and subject matter of meetings of governmental bodies. Any additional procedures that a governmental body adopts for the conduct of its meetings must be consistent with the Open Meetings Act.

The Open Meetings Act applies to a governmental body when it engages in a "regular, special, or called meeting." Informal meetings of a quorum of members of a governmental body are also subject to the act.

1. Deliberation Between a Quorum of a Governmental Body and a Third Party

A governmental body must comply with the Open Meetings Act when a quorum of its members is present and engages in verbal deliberation with a third party, for example, by listening to a report and asking questions of that person. Under this aspect of the definition, no verbal exchange among members of the governmental body is necessary to subject the deliberations to the act. Therefore anytime 4 or more members of the Council attend any Board or Commission meeting and takes part in the discussions, the City must comply with the Open Meetings Act, including but not limited to the posting of notices.

2. Notice

The Open Meetings Act requires written notice of the date, hour, place, and subject of all meetings at least 72 hours before the scheduled meeting time. The Open Meetings Act provides that a governmental body must give written notice of each meeting held by the governmental body.

3. Emergency Items

Special notice provisions exist for emergency items. In an emergency or when there is an urgent public necessity, the notice of a meeting or the supplemental notice of a subject added as a item to the agenda for a meeting for which notice has already been posted is sufficient if it is posted for at least two hours before the meeting is convened. An emergency or an urgent public necessity exists only if immediate action is required because of an imminent threat to public health and safety, or a reasonably unforeseeable situation.

C. Open Sessions

1. Convening the Meeting

A Council meeting may not be convened unless a quorum of the governmental body is present in the meeting room. This requirement applies even if the governmental body plans to go into an executive session immediately after convening.

2. Rights of the Public

A meeting that is "open to the public" under the Open Meetings Act is one that the public is permitted to attend. The act does not entitle the public to choose the items to be discussed or to speak about items on the agenda.

D. Closed Sessions

The Open Meetings Act provides certain exceptions to the requirement that meetings of a governmental body be open to the public. It provides a governmental body may not conduct a closed meeting unless (a) a quorum of the governmental body first convenes in an open meeting for which notice has been given, (b) during which the presiding officer publicly announces that a closed meeting will be held, and (c) the notice identifies the section or sections of the Open Meetings Act under which the closed meeting is being held.

1. Section 551.071: Consultations with Attorney

This section authorizes a governmental body to consult with its attorney in an executive session to seek his or her advice on legal matters when the governmental body seeks the advice of its attorney about pending or contemplated litigation; a settlement offer; or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. The governmental body may hold an executive session to seek or receive its attorney's advice on legal matters that are not related to litigation or the settlement of litigation.

2. Section 551.072: Deliberations about Real Property

This section authorizes a governmental body meet in executive session to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

3. Section 551.073: Deliberations about Gifts and Donations

This section provides that a governmental body may deliberate a negotiated contract for a prospective gift or donation to the governmental body if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

4. Section 551.074: Personnel Matters

This section authorizes deliberations about the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of public officer or employee; or to hear a complaint or charge against an officer or employee;

This section does not apply if the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

This section permits executive session deliberations concerning an individual officer or employee. Deliberations about a *class* of employees must, however, be held in an open session.

5. Section 551.087: Deliberations Regarding Economic Development Negotiations

This section does not require a governmental body to conduct an open meeting to discuss or deliberate regarding commercial or financial information that the governmental body

has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and within which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

E. Record of Meetings

1. Minutes and Tape Recordings of Open Sessions

A governmental body is required to prepare and keep minutes or make a tape recording of each open meeting of the body. The minutes must state the subject of each deliberation and indicate each vote, order, decision, or other action taken. The minutes and tape recordings of an open meeting are public records and must be available for public inspection and copying on request to the governmental body's chief administrative officer or the officer's designee.

2. Certified Agenda

A governmental body must make and keep either a certified agenda or a tape recording of each closed executive session, except for an executive session held by the governmental body to consult with its attorney in accordance with section 551.071 of the Government Code.

If a certified agenda is kept, the presiding officer must certify that the agenda is a true and correct record of the executive session. The certified agenda must include (1) a statement of the subject matter of each deliberation, (2) a record of any further action taken, and (3) an announcement by the presiding officer at the beginning and the end of the closed meeting indicating the date and time. A certified agenda or tape recording of an executive session is confidential.

SECTION THREE - COUNCIL PROCEDURES

A. Setting the Agenda

All meeting agenda items that require formal Council action are placed on the agenda for consideration. A draft of the agenda of the regular meetings is completed on the Wednesday before the Monday Council meeting. If necessary, the agenda may be supplemented on the Friday before the Monday meeting. Items may be added to the agenda in the following ways:

1. The City Manager may add items as needed;

2. Items may be added by individual Council members by completing the appropriate form and returning the form to the City Secretary. Generally, the items should be submitted by the Wednesday deadline for inclusion on the next meeting. Generally, when items are added the staff will provide appropriate information as deemed necessary by the City Manager for the Council to make informed decisions about the item. Staff will only move forward to develop detailed information, ordinances, or other documents related to acting on the item should the Council vote to move forward.

3. Items may be added by citizens by submitting a written request outlining their topic or request by Wednesday before the Monday Council meeting.

4. Items may be added by applicants for formal action by the Council as in zoning or development applications.

Items originating from Council members should be shared with the City Manager. The City Manager is responsible for preparing and distributing the agenda.

B. Presiding Officer

The Mayor is the Chair and presides at every meeting of the Council and, at the appointed hour, calls the Council to order, provided a quorum is present.

While each Council member is responsible for maintaining order in the Council Chambers, the Chair preserves order and controls the Council Chamber and the connecting rooms. In case of a disturbance or disorderly conduct, the Chair may order any room or chamber cleared.

The Mayor Pro Tem presides as Chair of the Council meeting in the Mayor's absence.

C. Public Participation in Council Meetings

State law and City ordinances permit the public to speak during a posted public hearing. Speakers will be asked to limit their remarks and speak only once until others who desire to speak have been heard. All speakers will speak only when recognized by the Chair, and will address the Council. No dialogue between speakers will be permitted. The Chair may request that speakers limit their comments to three minutes.

The Council may hear from persons during the "open forum" session, which is held on the first regular meeting of each month. At that time, such persons may address the Council on any topic not already included in the posted agenda which will allow public comment. The Council may not enter into discussions with the speaker or with the Council or staff on any item raised under open forum other than to indicate if the item needs to be placed on a future agenda or if the staff will work with the speaker to resolve their issue. The guidelines for the open forum will be displayed on the overhead screen. Each speaker will be given 3 minutes for an open forum topic, unless the Chair grants an extension.

Individuals who have requested an appointment with the Council will generally be given 3 minutes to make their presentation, unless the Chair grants an extension.

The Chair will request all speakers to sign in with the City Secretary for the record.

The City Charter provides that at any reading of a proposed ordinance, the adoption of which was not preceded by a public hearing held by the City Council, interested persons must be given a reasonable opportunity to be heard on the matter.

D. Public Hearings

Public hearings primarily are concerned with zoning or any matter for which a public hearing is required by law such as Budget; Tax Matters; Utility Rate Increase, zoning matters, etc.

1. Staff Presentation of the Item

Prior to opening a public hearing the Chair will recognize the appropriate City staff person handling the matter. Staff reports should generally contain a brief summary of the case and any new information that the Council may need to be aware of in their deliberations. In zoning matters before the Council, The Staff will present the facts surrounding the case and state the action of the Planning and Zoning Commission. If sought, the Mayor must recognize Council members who seek clarifying questions of the Staff.

2. Conduct of the Public Hearing

At the conclusion of the staff report, the Chair will open the Public Hearing and, if applicable, the applicant may present their case. Following the applicant(s), any other interested citizen is entitled to speak on the application. Generally, the applicant will be given 10 minutes to present their case and others addressing the Council will be given 3 minutes to address the Council. The Chair may grant reasonable extensions.

To provide the Council with as much necessary information concerning the item as is necessary to reach an informed and rational decision on the matter, and in the case of a zoning request, afford all zoning applicants the opportunity to present their entire case, Council members should refrain from commenting on the merits of the item until the Public Hearing is closed.

3. Council Action

After every citizen who desires to address the Council has spoken and after the applicant has been afforded the opportunity for rebuttal, the Chair will close the Public Hearing. At this time, the matter is returned to the Council for discussion or debate before a Motion is made pursuant to the procedures set forth in these Policies and Procedures.

E. Types of Council Actions

The Council adopts standing policy for the city primarily in three forms: (1) Ordinances; (2) Resolutions; and (3) Voted Council Actions.

1. Ordinances

An ordinance adopted by the Council is a law of the city that may be enforced through the court system. The City Manager or any member of the Council may offer an ordinance for consideration by the Council. Copies of proposed ordinances are furnished to members of the Council before the first reading. Copies of proposed ordinances are made available at the City offices and will be furnished to citizens upon request to the City Secretary.

A proposed ordinance, except as related to an emergency, budget, tax, public utility rate setting, or State or Federal requirement, must be read at two Council meetings with at least one week between readings.

A proposed ordinance may be amended at either reading, but any ordinance amended in substance must be considered as a first reading, except for ordinances authorizing the issuance of bonds or other obligations.

The Charter requires that the City codify all general ordinances. General ordinances are those ordinances of a permanent or continuing nature that affect the residents of the City at large. The Council may legislate by ordinance only.

2. Resolutions

Resolutions do not have the force of law. A resolution is adopted to state a policy or to define in writing the intent of the Council when a law is not necessary. Examples would include a resolution to define the scope and purpose of a Council committee, or a resolution to define the Council's policy on an issue such as the City's street assessment program. Resolutions are also used to document Council actions for reference.

A list of resolutions is maintained by the City Secretary.

3. Council Actions

In addition to ordinances and resolutions, Council policy may also be set by Council action. Those actions are documented in the minutes of the meeting.

Council policy is also supplemented by administrative orders issued by the City Manager and other duly authorized offices of the city, such as clarifications to the personnel manual, or the General Orders of the Police Department. All administrative orders must be in conformance with any policies set by the Council.

F. Method for Determining Procedural Questions

The City Attorney serves as the Council parliamentarian and should be consulted on the proper conduct of meetings when questions arise. With the assistance of the City Attorney, the Chair decides all points of order.

G. Order of Discussion

1. Duties and Responsibilities of the Chair

a. Public Participation on Items Not Requiring Public Hearing

The Chair may determine if members of the public will be allowed to address the Council on an agenda item that does not require a public hearing. If the Chair determines it will permit the public to address the Council, the Chair will then determine the time allotted for speakers to address the Council.

b. Arranging the Agenda

The Chair may alter or rearrange the order of consideration of items on the posted agenda.

c. Maintaining Decorum

The Chair is responsible for maintaining decorum in the Chambers during meetings. If the safety of the public and/or the Council or Staff becomes a concern, the Chair may order the removal of disruptive persons or ask that the Council Chambers be cleared.

d. Council Participation

Every Council member who wishes to speak must be first be recognized by the Chair. The Chair will recognize Council members by order of request for recognition.

H. Motions

1. Motions Generally and Permissible Debate

Generally, there are three types of Motions: (1) Main; (2) Secondary; and (3) Privileged. Motions are usually classified into three categories: (1) Not Debatable; (2) Debatable; and (3) Privileged (for limited debate).

a. Main Motions

A Main Motion is the Motion that initiates action. Once made, it must be seconded. If it is not seconded it can be withdrawn or simply declared by the Chair to die for lack of a second. Then, another Motion can be made. A new main Motion cannot be made while the first main Motion is being debated.

Main Motions are debatable. The debate must be relevant to the Main Motion or the items under discussion if no motion has yet been made.

b. Secondary Motions

A Secondary Motion is used to propose an action on the main Motion being deleted. Examples of Secondary Motions include, but are not limited to, Motions to Table, to Cease Discussion, to Amend, to Postpone, and to Refer to Committee. Secondary Motions are generally not debatable.

c. Privileged Motions

A Privileged Motion is used to bring procedural questions before the Council; they do not require a second. Examples of Privileged Motion include, but are not limited to, Motions to Recess, to Adjourn, and to vary the Order of Agenda.

Privileged Motions, such as a Motion to Recess or Adjourn, can have limited debate. It is within the Chair's sole discretion to allow debate on a Privileged Motion and, if allowed, the parameters of debate on a Privileged Motion are set solely at the Chair's discretion.

2. Entertaining Motions

The Chair may make a motion on an item being addressed by the Council, or may recognize a Council member to make such a motion. If seconded, the Chair must ultimately call for the Council's vote on the matter. If not seconded, the Chair must declare the motion dead for lack of a second.

Although the Chair may entertain motions and seconds before all Council members have had the opportunity to speak on the matter, the Chair may not call for a vote on any seconded Motions until all Council members who wish to speak on the matter have been given the opportunity to do so.

After all discussion and debate has ended, the Chair will call for the ordinance to be read (when such reading is required by local or state law), after which time the Chair will ask for the Council's vote on the matter.

I. Voting

1. Majority Vote Required for Most Council Action

Unless otherwise required by statute, ordinance, or law, or by the Charter or these Rules, all Council action requires the affirmative vote of a majority of the Council members present.

2. Items Requiring Unanimous Vote

An affirmative vote of the entire Council is required to authorize the emergency borrowing of money.

3. Items Requiring Supermajority Vote

An affirmative vote of at least six members of the Council is required:

1. To issue Certificates of Obligation in the event of an urgent public necessity, when a vote of the citizens is not held;
2. To issue Revenue bonds when a vote of the citizens is not held; and
3. To approve a zoning change if the owners of twenty-percent of the land within 200 feet of the proposed area to be changed register written opposition to the change or if the Planning and Zoning Commission recommends denial of the change.

4. Items Requiring a Full Quorum Vote

An affirmative vote of at least four members of the Council is required:

1. to adopt an emergency ordinance;
2. to approve or amend the annual budget;
3. to approve the issuance of revenue bonds approved by the voters.

J. Filling Council Vacancies

In the event of a vacancy on the Council, the following procedure is hereby adopted for filling such vacancy:

The Council will, via news media, City Website, and Cable Channels, notify the citizens that the Council seeks applications from qualified citizens wishing to be considered for appointment.

All interested parties will be required to submit an application of interest to the City Secretary by a date certain.

The City Council will provide an opportunity at a public meeting for applicants to make short presentations to the Council to present their qualifications and reasons for wishing to serve. The Council may then choose to interview some or all of the applicants in executive session.

The Council will then finalize their decision as soon as practicable after the completion of the interviews.

K. Appointment Process for Boards and Commissions

It is the Council's objective to manage the appointment process so that (1) boards, commissions, and committees are composed of capable, dependable, and effective members, (2) citizens are encouraged to apply for appointments, (3) appointments are made on time, (4) new members are oriented and prepared for their roles, and (5) retiring members are recognized and thanked.

In an effort to perpetuate positive growth and healthy dynamics over time, it shall be the general policy of the Council that citizens appointed to boards or commissions will typically serve no more than six consecutive years in one position so that new members may be considered to serve. This policy may not necessarily be applied to those serving in a specific technical role on certain boards or commissions as determined by the City Council.
(Res. #10-43)

1. Application Procedures

All persons interested in serving on any City board, commission, or committee must first obtain from the City Secretary, complete, and return an Application for City Boards and Commissions. Applications may be submitted at any time and will be retained for two years for use when vacancies occur. Invitations to apply will be publicized periodically.

Notifications and Orientation of Appointees - the City Secretary will notify appointees in writing of their appointments by City Council and provide each appointee with the appropriate forms that must be completed and returned. The staff assigned to the board is responsible for orienting the new member to their duties.

Recognition of Outgoing Members - the City Secretary schedules an annual banquet for all board, commission, and committee members to express the city's appreciation for the work done by those volunteers. All outgoing members are recognized for their service.

Council Rules of Procedure Addendum

(Adopted by Ord. 10-18 on 07-19-10)

Chapter 171 of the Local Government Code – Conflicts of Interest

Chapter 171 of the Local Government Code regulates local public officials' conflicts of interest. TEX. LOCAL GOV'T CODE §171.001-.010. It prohibits a local public official from voting or participating on a matter involving a business entity or real property in which the official has a substantial interest if an action on the matter will result in a special economic effect on the business that is distinguishable from the effect on the public, or in the case of a substantial interest in real property, it is reasonably foreseeable that the action will have a special economic effect on the value of the property, distinguishable from its effect on the public. *Id.* §171.004(a).

A public official who has such interest is required to file, before a vote or decision on any matter involving the business entity or real property, an affidavit with the city's official record keeper, stating the nature and extent of the interest. *Id*. §171.004(b). In addition, a public official is required to abstain from further participating in the matter. *Id.* However, a public official that is required to file an affidavit is not required to abstain from participating in the matter if a majority of the members of the governing body have a substantial interest and are required to file and do file affidavits of similar interests on the same official matter. *Id*. §174.004(c).

Local Public Official

A "local public official" constitutes "a member of the City Council, any official appointed by the City Council, whether paid or unpaid, and any member of a board or commission".

Substantial Interest

A public official has a substantial interest in a business entity if the official:

(1) owns 10 percent or more of the voting stock or shares of the business entity;

(2) owns either 10 percent or more or $15,000 or more of the fair market value of the business entity; or

(3) receives funds from the business entity that exceeds 10 percent of the person's gross income for the preceding year.

Id. §171.002(a).

A person has a substantial interest in real property if the interest is an equitable or legal ownership with a fair market value of $2,500 or more. *Id.* §171.002(b).

A public official is also considered to have a substantial interest in a business entity or real property if the official's relative within the first degree of consanguinity (blood) or affinity (marriage) has a substantial interest in the business entity or real property. *Id.* §171.002(c). As such, any "substantial interest" that a public official's spouse, parent, child, step-child, father or mother-in-law, or son or daughter-in-law has is imputed to the public official. TEX. GOV'T CODE 573.023; 573.024; Tex. Att'y Gen. Op. No. DM-267 (1993) at 2; Tex. Att'y Gen. LO-95-080, at 3. For example, a public official has a "substantial interest" in a business that employs the official's daughter if the official's daughter earns a small income, which exceeds ten percent of her gross income. *See* Tex. Att'y Gen. Op. No. JC-0063 (1999).

Business Entity

A business entity is defined as "a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or any other entity recognized by law." *Id.* §171.001(2). A nonprofit corporation is also considered a business entity. Tex. Att'y Gen. Op. No. JM-424 (1986) at 2. The term also includes a business entity that represents an entity or person with an interest in a matter before the city council. Tex. Att'y Gen. Op. No. DM-309 (1994), at 2. Another city or another public entity is not considered to be a business entity.

"Further Participation"

The limit on "further participation" does not preclude the interested public official from attending meetings, including executive session meetings, relevant to the matter in which he has a substantial interest, provided that the official remains silent during the deliberations. Tex. Att'y Gen. No. GA-0334 (2005), at 6. As such, an interested public official does not participate in a matter by merely attending an executive session on the matter and remaining silent during the deliberations. *Id.*

Special Economic Effect

The question of whether a vote or decision has a "special economic effect" on a business entity or on the value of real property is a question of fact. Tex. Att'y Gen. LO-98-052. Likewise, whether it is "reasonably foreseeable" that an action on the matter will have a special economic effect on the value of the property, distinguishable from its effect on the public, is fact specific. Tex. Att'y Gen. LO-96-049.

Budget Adoption

There are special rules beyond the filing of an affidavit and abstaining from voting that apply to the adoption of the City's annual budget. If an item of the budget is specifically dedicated to a

contract with a business entity in which a member of the City Council has a substantial interest, the City Council must consider that line item separately.

Depositories

The City Council may select a bank as its depository even if one or more of its members is an officer or director of the bank or owns or has a beneficial interest, individually or collectively, in ten percent or less of the outstanding capital stock of the bank, so long as two conditions are met. One, a majority of the members of the City Council must vote to select the bank as a depository. Two, the interested member must abstain from voting.

Enforcement

If a member of the City Council or one of the City's boards or commissions votes on a matter that he or she has a substantial interest in and fails to abstain from further participation, the action of the City Council or the respective commission on the matter is not voidable, unless the matter that was the subject of the action would not have passed without the vote of the person who had a "substantial interest." A knowing violation of Chapter 171 is a Class A misdemeanor, which is punishable by a fine and/or confinement.

Chapter 176 of the Local Government Code – Conflicts Disclosure

Q: What is Chapter 176 of the Local Government Code?

A: Chapter 176 is a relatively new ethics law that was enacted by H.B. 914 in 2005. It requires certain local government officials to disclose employment and business relationships with vendors who conduct business with local government entities. After the law was implemented, city officials and others realized that the law created several unintended consequences. As such, the bill's author sought an opinion from the Texas Attorney General to clarify many provisions of Chapter 176. In response, the attorney general's office released Opinion Number GA-0446, which concluded that the legislative changes to the law were necessary. In response, the legislature passed H.B. 1491 during the 2007 regular legislative session. The bill became effective on May 25, 2007.

Q: Is the City of Rockwall subject to this law?

A: Yes, including boards and commissions.

Q: What local government officers are subject to this law?

A: Chapter 176 applies to the City Council and the City Manager. Chapter 176 may be applied to City Employees through the HR policies.

Q: When is an officer required to file a "conflicts disclosure statement"?

A: An officer is required to file a conflicts disclosure statement ("statement") if a vendor enters into a contract with the city or if the city is considering entering into a contract with the vendor, and the officer or officer's family member has an employment or other business relationship with the vendor that results in the officer or officer's family member receiving taxable income that is more than $2,500 in the preceding twelve months. An officer who receives investment income, regardless of amount, is not required to file a disclosure statement. *Id.* Investment income includes dividends, capital gains, or interest income gained from a personal or business checking or savings account or other similar account, a personal or business investment, or a personal or business loan.

An officer is also required to file a statement if the officer or officer's family member accepts one or more gifts from a vendor that has an aggregate value of more than $250 in the preceding twelve months. An officer is not required to file a statement in relation to a gift, regardless of amount, that is accepted by an officer or officer's family member if the gift is given by a family member of the person accepting the gift, is a political contribution, or is food, lodging, transportation, or entertainment accepted as a guest.

(Note: An officer is required to file a statement no later than 5 p.m. on the seventh business day after the date on which the officer becomes aware of facts that require a filing of the statement.)

Q: How does Chapter 176 define a "vendor"?

A: A vendor is any person that enters or seeks to enter into a contract with a city. *Id.* §176.002(a). The term also includes an agent of a vendor. *Id.*

Q: How does Chapter 176 define a “family member”?

A: A family member is defined as a person related to another person within the first degree of consanguinity (blood) or affinity (marriage). *Id.* §176.001(2). An officer’s family member would include the officer’s spouse, father, mother, son, daughter, father-in-law, mother-in-law, son-in-law, daughter in law, or a step child. *Id.*

Q: To what types of contracts does the law apply?

A: The law applies to any written contract for the sale or purchase of real property, goods or services. A contract for services would include one for skilled or unskilled labor, as well as professional services.

Q: When is a vendor required to file a “conflicts of interest questionnaire”?

A: A vendor is required to file a conflict of interest questionnaire (“questionnaire”) if the vendor has a business relationship with the city and has: (1) an employment or other business relationship with an officer or an officer’s family member that results in the officer receiving taxable income that is more than $2,500 in the preceding twelve months; or (2) has given an officer or an officer’s family member one or more gifts totaling more than $250 in the preceding twelve months.

A vendor is required to file a questionnaire not later than the seventh business day after the later of the following: (1) the date that the vendor begins discussions or negotiations to enter into a contract with the city or submits an application or response to a bid proposal; or (2)

the date that the vendor becomes aware of a relationship or gives a gift to an officer or officer's family member.

Q: With whom should the statements and/or disclosures be filed?

A: The statements and disclosures must be filed with the City Secretary. The City is required to post statements and disclosures on the website.

(Note: The City does not have a duty to ensure that a vendor that is required to file a questionnaire files one. *Id.* §176.008.)

Q: What happens if a statement is not filed?

A: An officer or vendor who knowingly fails to file a statement or a disclosure when required to do so commits a Class C misdemeanor which is punishable by a fine of up to $500. It is an exception to prosecution if an officer/vendor files a statement/questionnaire not later than the seventh day after the date the person receives notice from the city of the alleged violation.

(Note: The validity of a contract between a city and a vendor is not affected solely because an officer or vendor fails to file a statement or disclosure.)

Q: Where can an officer or vendor obtain the necessary forms?

A: The Texas Ethics Commission is charged with creating statements and disclosure forms, and has adopted new forms that conform to the new bill. The forms may be found at www.ethics.state.tx.us or by contacting the City Secretary's office at 972-772-6406.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary**

DATE: **May 1, 2015**

SUBJECT: **Scheduling official canvass of election**

The 2015 election calendar, published each year by the Texas Secretary of State's office, indicates that this year, the official canvass of the May 9, 2015 election may occur any time between the dates of May 12 (Tues.) through May 20 (Wed.). State law stipulates that only two officers are needed for a quorum at a canvassing meeting (Tex. Elec. Code Ann. § 67.004(a)). Furthermore, canvassing must take place at a public meeting, the agenda of which has been published 72-hours in advance in accordance with the Texas Open Meetings Act.

Since the second council meeting in May falls on Monday, May 18, which is within the prescribed timeframe for canvassing the May 9 election, consideration may be given to scheduling the canvass for May 18. The following are options that may be considered:

- Scheduling the canvass on 05/18 at 4PM; formally swearing in newly elected members (by city secretary) prior to recessing into Executive Session; having a ceremonial swearing in at the start of the 6PM public meeting agenda; recognizing and thanking outgoing members;
- Scheduling the canvass on 05/18 during Action Items on the regular agenda; formally swearing in newly elected members (by city secretary) at the very end of the 6PM public meeting agenda; recognizing and thanking outgoing members; with this option, newly elected council members' first official meeting would be Monday, June 1st (unless a special meeting were called in between)
- Scheduling a special meeting to conduct the canvass prior to the May 18 regular council meeting. If this option were chosen, newly elected members would be sworn in (by city secretary) after the canvass occurs, and they would take their seats at the beginning of the May 18 meeting with any ceremonial swearing in and recognition of outgoing members taking place at the start of the public meeting.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **April 28, 2015**

SUBJECT: **2015 Founders Day Festival**

The 2015 City of Rockwall Founders Day will be held at Harry Myers Park on Saturday, May 16 beginning at 10:00am and concluding around 9:00pm. This will be the eleventh consecutive Founders Day Festival which started in 2004 when the City celebrated its 150th birthday.

Although there are not any major changes from the festival last year, minor changes such as the regional act stage has been upgraded and the location has been moved. The location of the food vendors has been changed to have them more centrally located. The headline act this year will be the Sawyer Brown Band. Sawyer Brown had multiple top ten hits on the country charts in the 1980's and got their "big break" on the TV show "Star Search".

In 2014, the City Council amended sec. 30-2, Regulated Activities in Parks which permitted the possession and consumption of alcohol in Harry Myers Park for City-sponsored events as designated by the City Council. Since the Founders Day Festival was held on the Square for eight years prior to the 2014 festival, patrons have been permitted to bring their own alcoholic beverages to the festival. When the venue location changed in 2014, the Council amended the ordinance to minimize conflict due to past history. In 2014, there were no alcohol related incidents that required Police Department intervention.

With the 2015 festival just a few weeks away, the Council has the discretion to designate the event as a City-sponsored event where the possession and consumption of alcohol would be permitted. The designation must be granted annually and expires at the conclusion of the event and can be limited to all or a portion of Harry Myers Park.

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 30 PARKS AND RECREATION, ARTICLE I IN GENERAL, SECTION 30-2. REGULATED ACTIVITIES IN PARKS TO AMEND THE POSSESSION AND CONSUMPTION OF ALCOHOL AT HARRY MYERS PARK; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the Rockwall City Council deems the public interest to be best served by the adoption of certain rules and regulations regarding Regulated activities in parks as set forth herein;

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

SECTION 1. That the Code of Ordinances in Chapter 30. Parks and Recreation, Article I. In General, Section 30-2 Regulated activities in parks is hereby repealed in its entirety and is replaced with a new Sec. 30-2 which shall hereby read in its entirety as follows:

Sec. 30-2. Regulated activities in parks.

(a) *Camping.* It shall be unlawful for any person to camp in any public park in the city, except in designated authorized areas.

(b) *Littering.* It shall be unlawful for any person to throw, dump or deposit any litter, garbage, refuse or rubbish upon property in any public park in the city except in receptacles providing therefor.

(c) *Fires.* It shall be unlawful for any person to start, maintain or permit an open fire upon property in any park in the city except in designated authorized areas.

(d) *Parking, driving motor vehicles.* It shall be unlawful for any person to park or drive a motor vehicle upon any property other than a public street in any public park in the city except in designated authorized areas.

(e) *Hours of operation.* Neighborhood parks shall be open to the public from 5:00 a.m. until 10:00 p.m. Myers Park and Tuttle Park shall be open to the public from 5:00 a.m. until 11:00 p.m. All parks other than Myers Park and Tuttle Park are deemed neighborhood parks for purposes of this provision. Each city park shall have the hours in which it is open and closed to the public posted at the entrance to the park. It shall be unlawful for any person to be in a city park at any time except during the hours designated in this provision except by special permission of the city manager.

(f) *Possession and consumption of alcohol is prohibited at any city park except for Harry Myers Park as designated by the City Council for city-sponsored events in designated areas.*

(Code 1982, § 19-3; Ord. No. 81-12, §§ 1—4, 5-4-1981; Ord. No. 85-10, §§ 1, 2, 3-4-1985; Ord. No. 00-11, § 1, 5-1-2000)

SECTION 2. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 3. That the Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

SECTION 5. That it is hereby found and determined that the meeting at which this ordinance was passes was open to the public as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

SECTION 6. That this Ordinance shall take effect immediately upon its second reading and newspaper publication as required by the City Charter, Section 3.11.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 5th day of May, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

CITY OF ROCKWALL TEXAS SEAL

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 04-21-2014

2nd Reading: 05-05-2014

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City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

March 2015

Permits

Total Permits Issued: 227

Building Permits: 29 Contractor Permits: 198

Total Permit Values: $ 7,326,536.01

Building Permits: $ 4,513,026.38 Contractor Permits: $2,813,509.63

Total Fees Collected: $ 103,029.95

Building Permits: $ 86,390.53 Contractor Permits: $ 16,639.42

Board of Adjustment

Board of Adjustment Cases 1

City of Rockwall

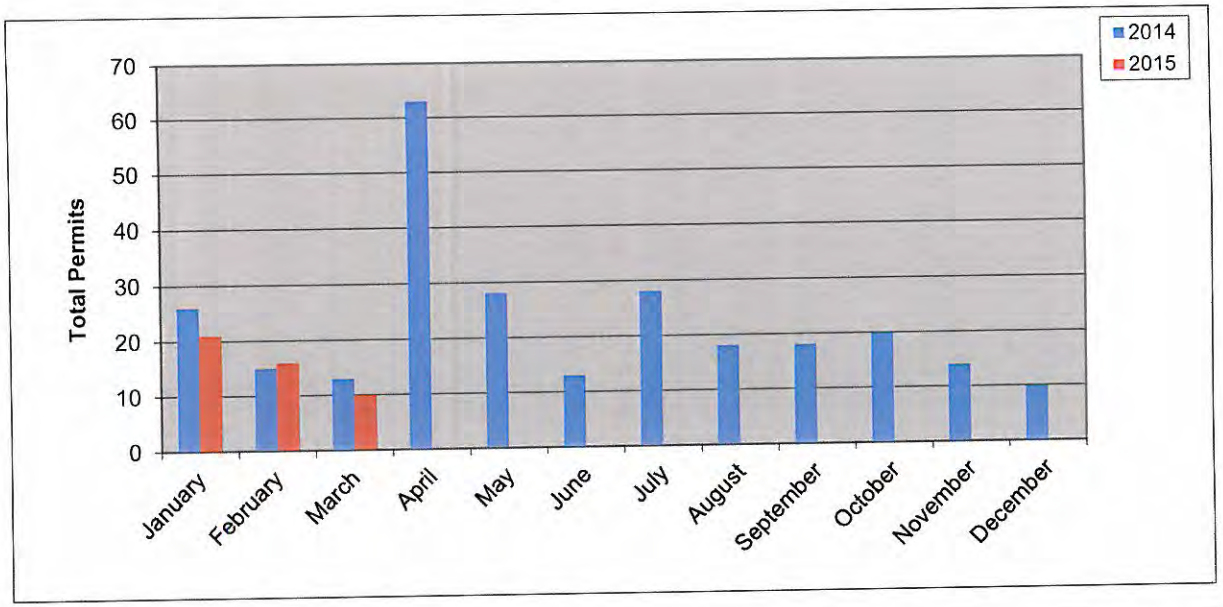
PERMITS ISSUED - Summary by Type and Subtype

For the Period 3/1/2015 thru 3/31/2015

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	11	$0.00	$504.50
	2	$0.00	$100.00
30 DAY BANNER	7	$0.00	$303.00
COMING SOON	1	$0.00	$50.00
GOING OUT OF BUS	1	$0.00	$51.50
CLEAN SHOW	2	$0.00	$153.00
	2	$0.00	$153.00
CO	17	$0.00	$1,285.50
BUSINESS	16	$0.00	$1,210.50
INTERIOR	1	$0.00	$75.00
COMM	17	$3,402,850.00	$29,541.23
ADDITION	2	$296,150.00	$2,179.91
CONCRETE	2	$4,500.00	$161.96
CONST TRAILER	3	$1,745,000.00	$302.00
MECHANICAL	1	$10,000.00	$196.61
NEW	1	$930,000.00	$23,601.25
PLUMBING	4	$4,200.00	$208.60
REMODEL	3	$403,000.00	$2,855.90
ROOF	1	$10,000.00	$35.00
NONPROFIT SIGN PERMI	1	$0.00	$0.00
	1	$0.00	$0.00
SIGNAGE	11	$0.00	$1,104.50
DEVELOPMENT	2	$0.00	$228.00
DIRECTORY	1	$0.00	$75.00
MONUMENT	2	$0.00	$350.00
WALL	6	$0.00	$451.50
SINGLE FAMILY	163	$3,923,686.01	$70,279.72
ACC BLDG	2	$3,700.00	$154.20
ADDITION	1	$6,900.00	$150.75
BALCONY	1	$21,000.00	$353.69
CONCRETE	4	$5,650.00	$3,473.75
ELECTRICAL	2	$10,500.00	$259.50
FENCE	33	$98,082.00	$1,161.08
IRRIGATION	21	$34,700.00	$738.67
MECHANICAL	9	$46,258.00	$1,146.84
NEW	10	$2,742,324.00	$55,668.98
PATIO COVER	5	$28,500.00	$626.35
PERGOLA	1	$2,796.01	$94.75
PLUMBING	32	$40,315.00	$2,280.59
REMODEL	1	$20,000.00	$332.75
REPAIR	3	$79,656.37	$936.62
RETAINING WALL	2	$27,200.00	$70.00
ROOF	13	$145,605.29	$457.20
SWIM POOL	14	$570,000.00	$2,059.00
WINDOWS	9	$40,499.34	$315.00
SPECIAL EVENT	5	$0.00	$161.50
	5	$0.00	$161.50
Totals:	227	$7,326,536.01	$103,029.95

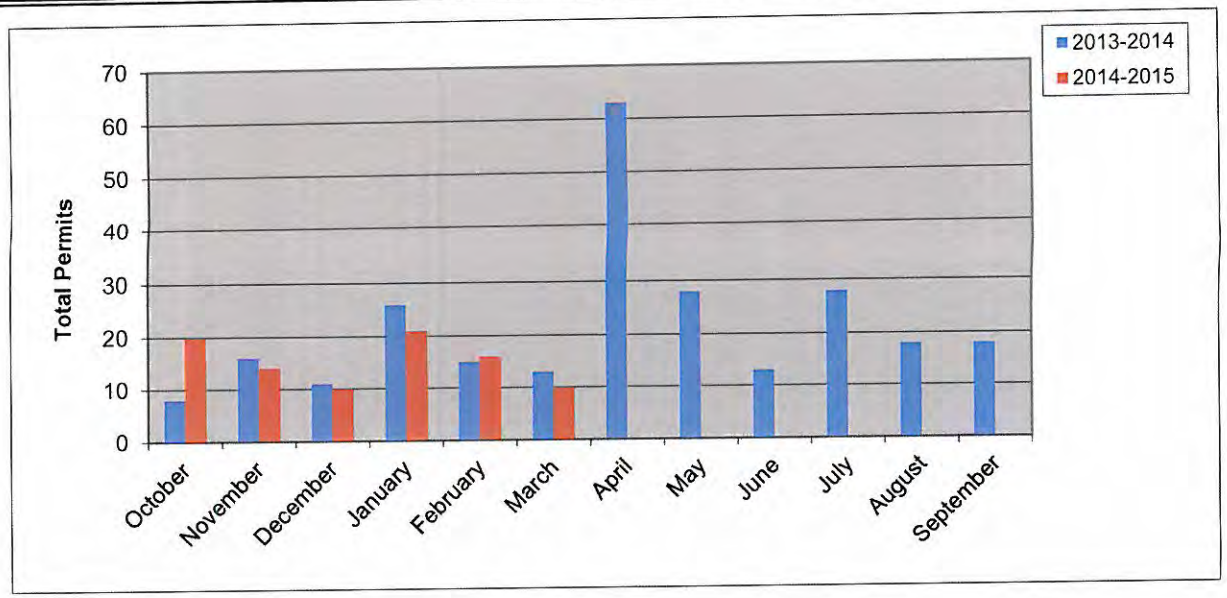
New Residential Permits Calendar Year

	Year	
	2014	2015
January	26	21
February	15	16
March	13	10
April	63	
May	28	
June	13	
July	28	
August	18	
September	18	
October	20	
November	14	
December	10	
Totals	**266**	**47**



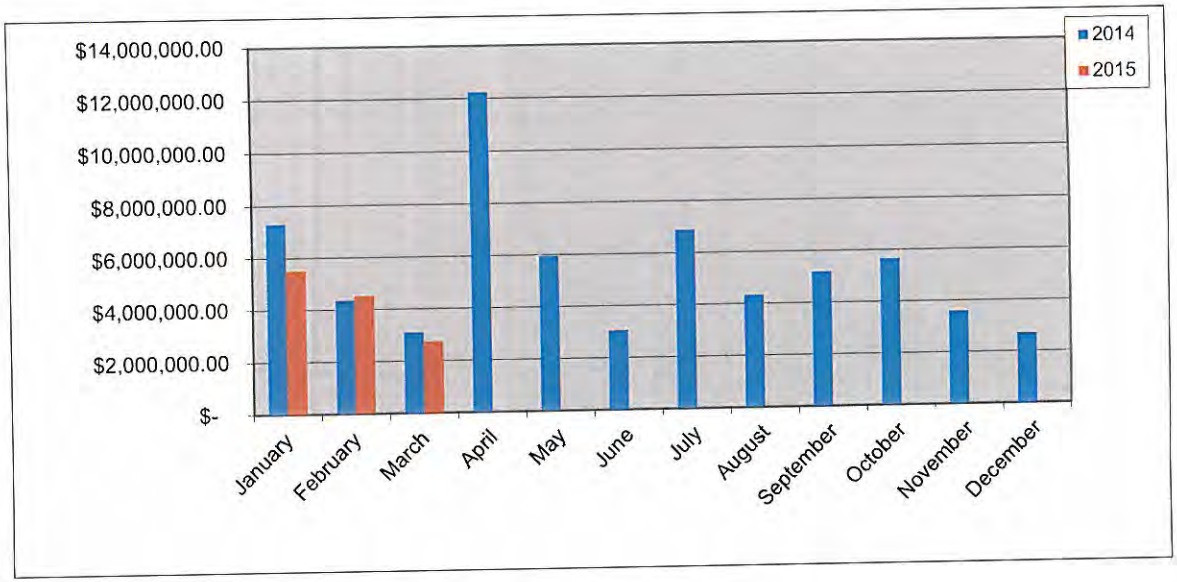
New Residential Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	8	20
November	16	14
December	11	10
January	26	21
February	15	16
March	13	10
April	63	
May	28	
June	13	
July	28	
August	18	
September	18	
Totals	**257**	**91**



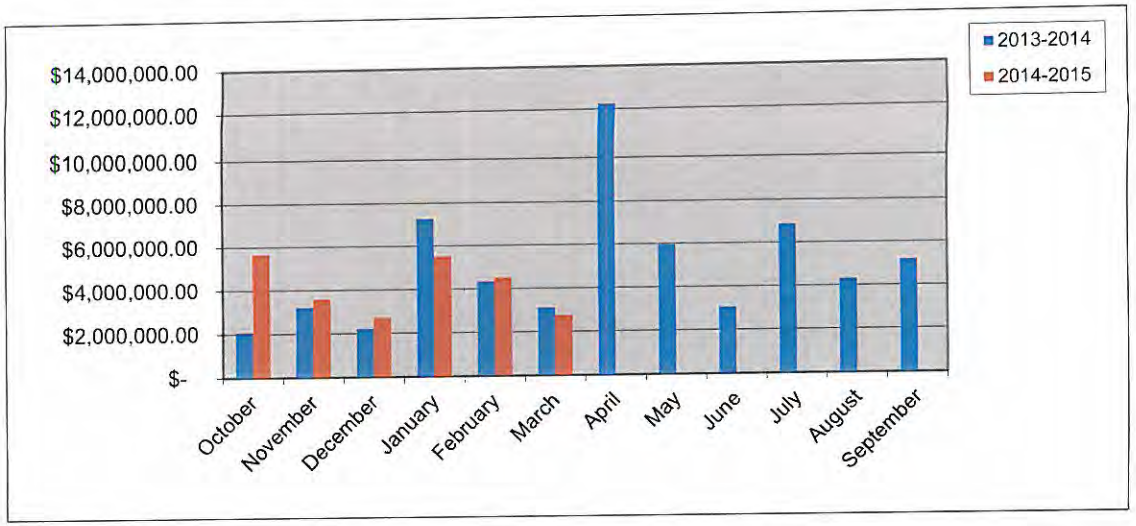
New Residential Value Calendar Year

Year	2014	2015
January	$ 7,288,000.00	$ 5,509,932.00
February	$ 4,353,427.00	$ 4,518,552.00
March	$ 3,094,927.74	$ 2,742,324.00
April	$ 12,228,936.33	
May	$ 5,960,240.00	
June	$ 3,048,536.00	
July	$ 6,883,062.87	
August	$ 4,330,100.19	
September	$ 5,184,201.79	
October	$ 5,661,792.00	
November	$ 3,581,756.00	
December	$ 2,712,503.00	
Totals	**$64,327,482.92**	**$ 12,770,808.00**



New Residential Value Fiscal Year

Year	2013-2014	2014-2015
October	$ 2,078,584.00	$ 5,661,792.00
November	$ 3,202,067.00	$ 3,581,756.00
December	$ 2,215,924.00	$ 2,712,503.00
January	$ 7,288,000.00	$ 5,509,932.00
February	$ 4,353,427.00	$ 4,518,552.00
March	$ 3,094,927.74	$ 2,742,324.00
April	$ 12,228,936.33	
May	$ 5,960,240.00	
June	$ 3,048,536.00	
July	$ 6,883,062.87	
August	$ 4,330,100.19	
September	$ 5,184,201.79	
Totals	**$59,868,006.92**	**$ 24,726,859.00**



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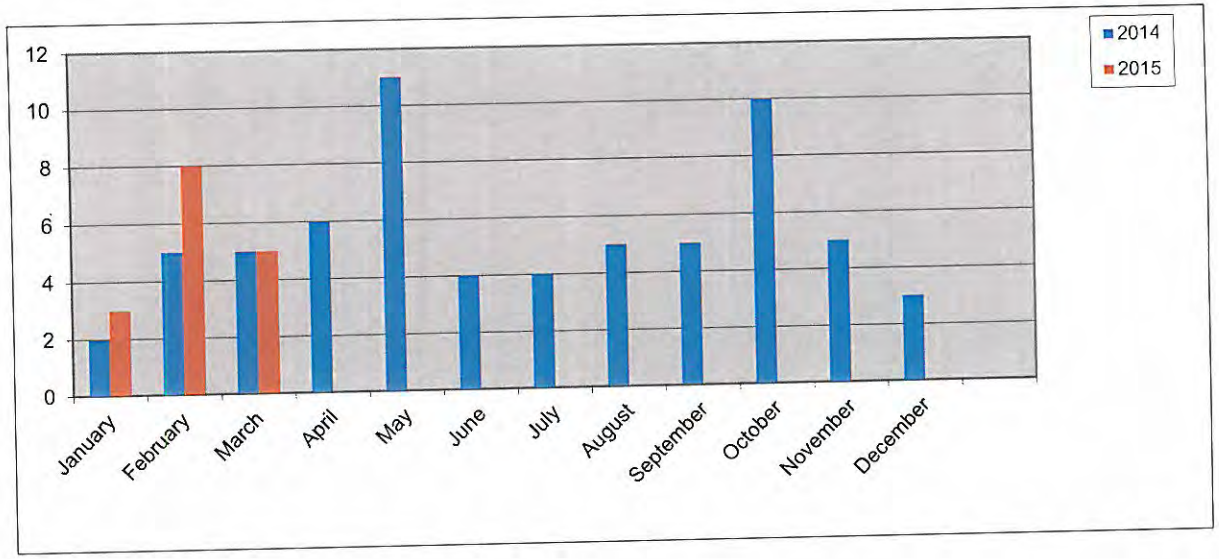
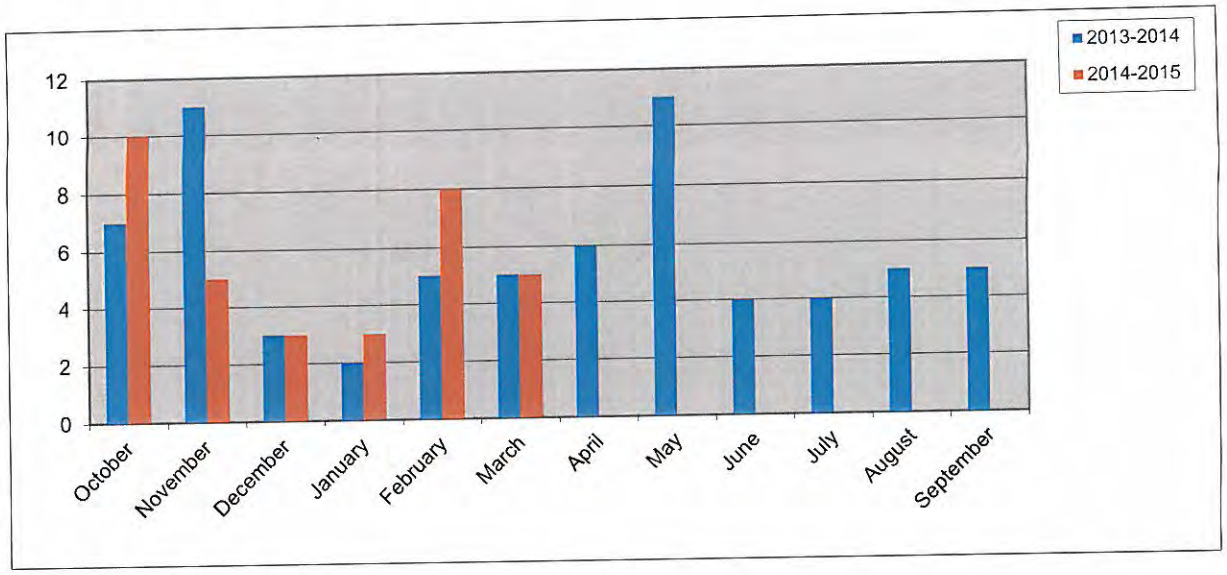
Residential Remodel Permits — Calendar Year

	Year	
	2014	2015
January	2	3
February	5	8
March	5	5
April	6	
May	11	
June	4	
July	4	
August	5	
September	5	
October	10	
November	5	
December	3	
Totals	**65**	16



Residential Remodel Permits — Fiscal Year

	Year	
	2013-2014	2014-2015
October	7	10
November	11	5
December	3	3
January	2	3
February	5	8
March	5	5
April	6	
May	11	
June	4	
July	4	
August	5	
September	5	
Totals	**68**	**34**



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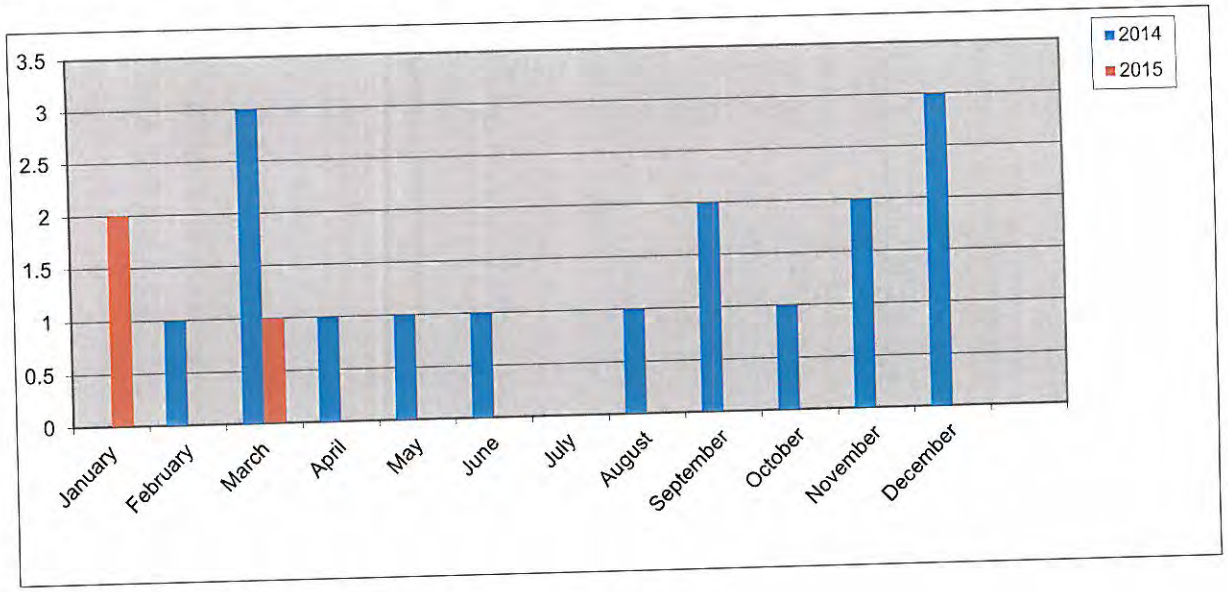
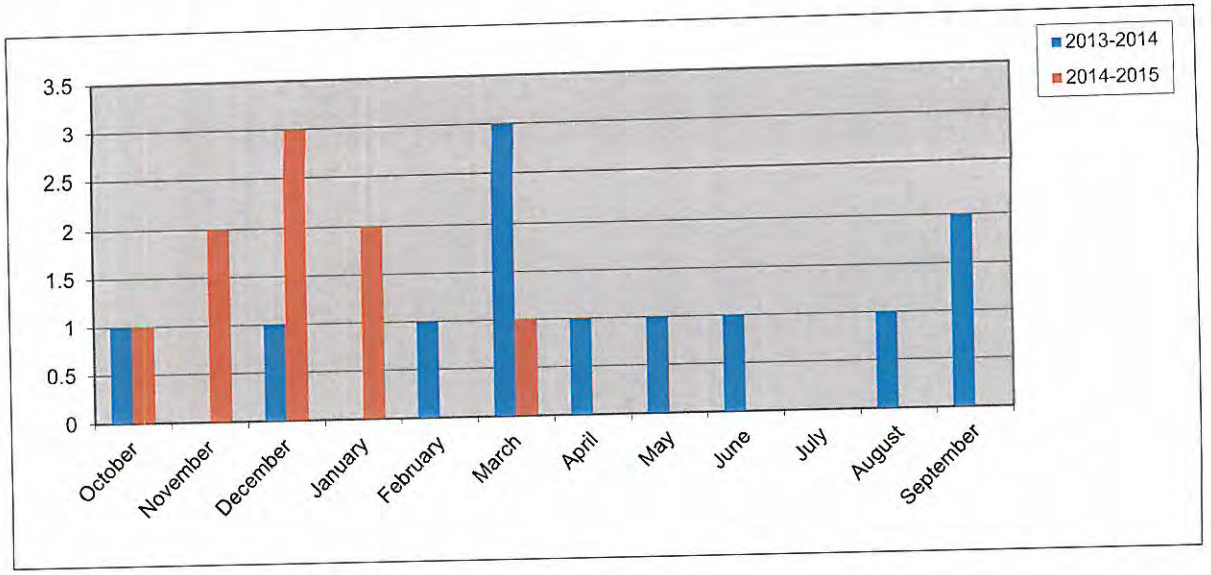
New Commercial Permits Calendar Year

	Year	
	2014	2015
January	0	2
February	1	0
March	3	1
April	1	
May	1	
June	1	
July	0	
August	1	
September	2	
October	1	
November	2	
December	3	
Totals	**16**	**3**



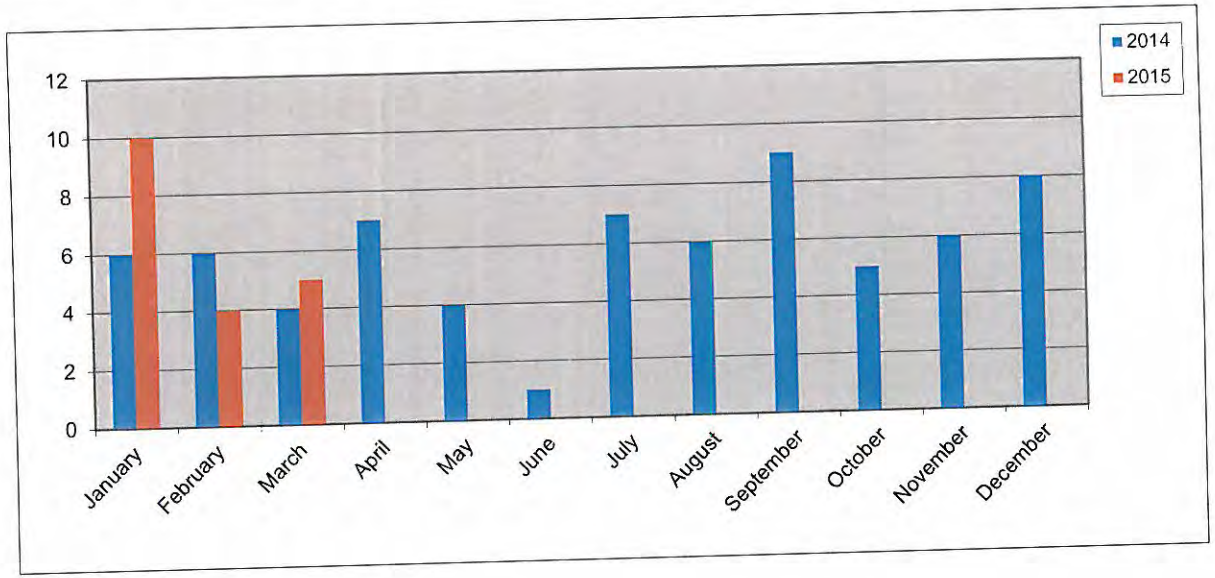
New Commercial Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	1	1
November	0	2
December	1	3
January	0	2
February	1	0
March	3	1
April	1	
May	1	
June	1	
July	0	
August	1	
September	2	
Totals	**12**	**9**



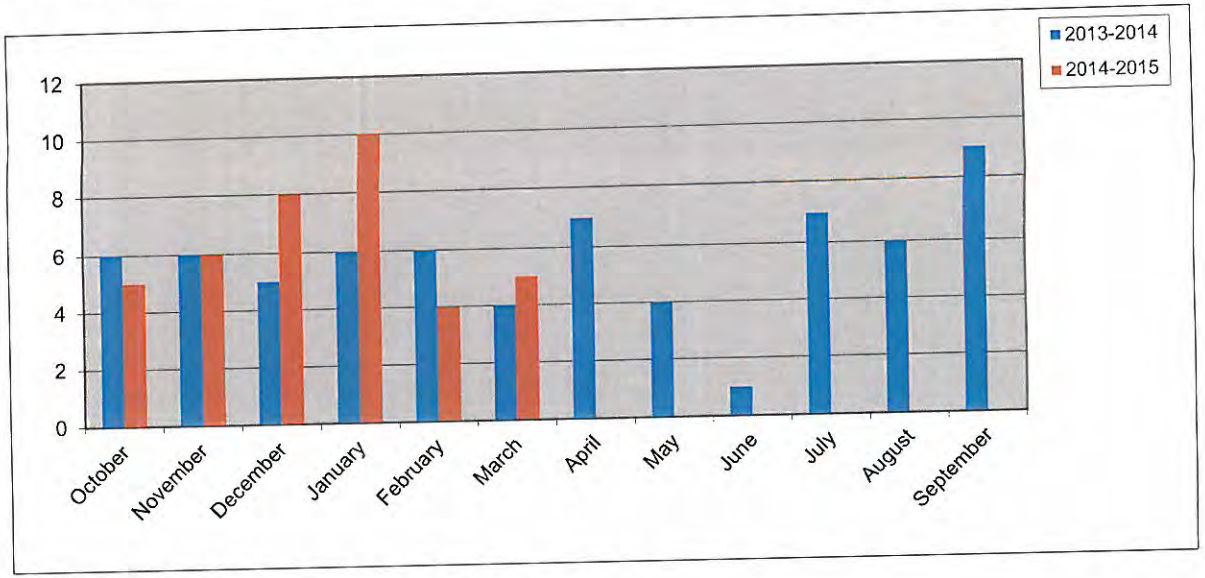
Commercial Remodel Permits — Calendar Year

Year	2014	2015
January	6	10
February	6	4
March	4	5
April	7	
May	4	
June	1	
July	7	
August	6	
September	9	
October	5	
November	6	
December	8	
Totals	**69**	**19**



Commercial Remodel Permits — Fiscal Year

Year	2013-2014	2014-2015
October	6	5
November	6	6
December	5	8
January	6	10
February	**6**	**4**
March	4	5
April	7	
May	4	
June	1	
July	7	
August	6	
September	9	
Totals	**67**	**38**



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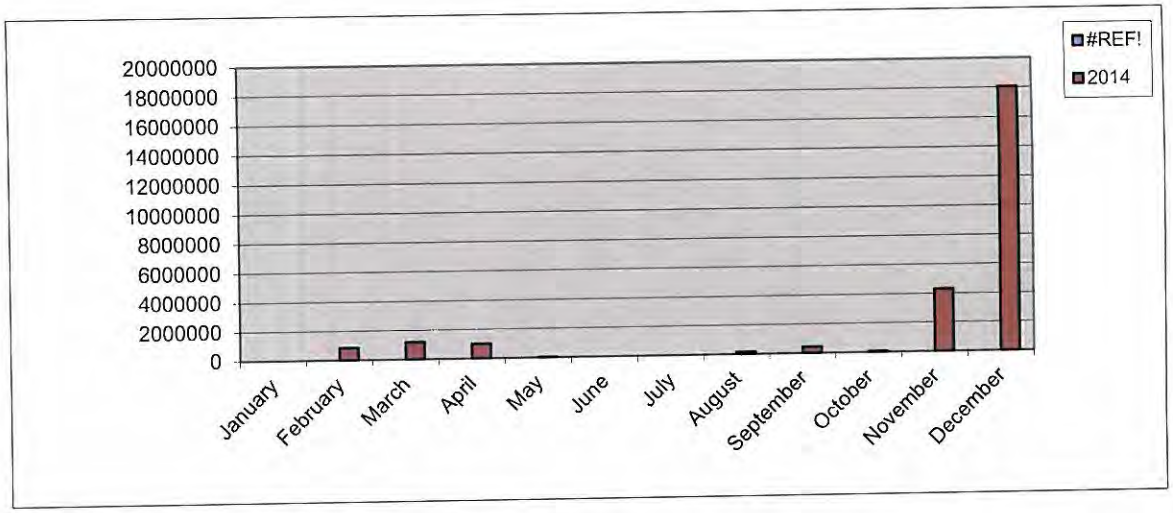
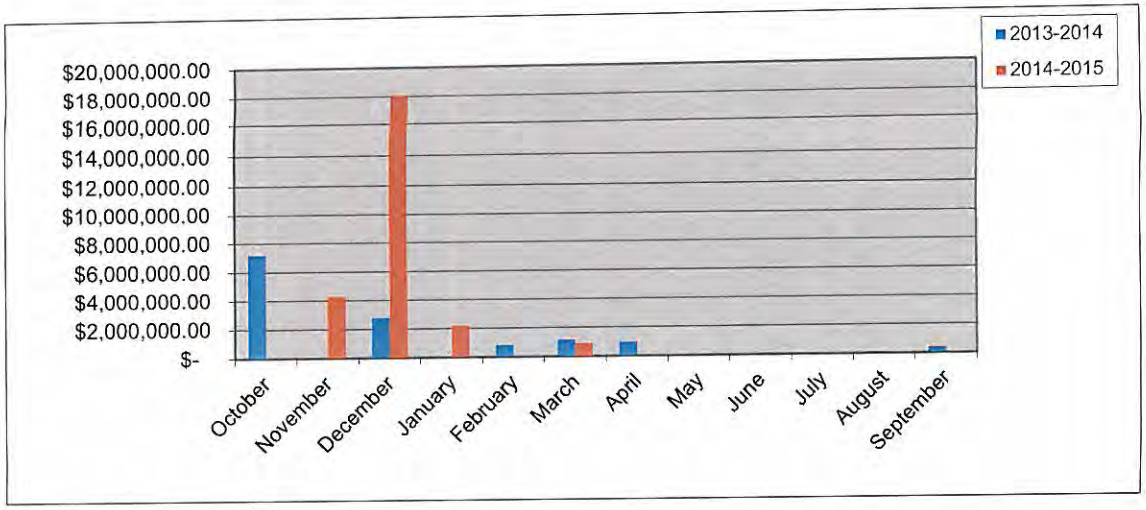
New Commercial Value Calendar Year

Year	2014	2015
January	$ -	$ 2,200,000.00
February	$ 850,000.00	$ -
March	$ 1,185,000.00	$ 930,000.00
April	$ 1,000,000.00	
May	$ 5,000.00	
June	$ -	
July		
August	$ 150,000.00	
September	$ 430,795.00	
October	$ 49,000.00	
November	$ 4,300,000.00	
December	$ 18,050,000.00	
Totals	**$ 26,019,795.00**	**$ 3,130,000.00**



New Commercial Value Fiscal Year

Year	2013-2014	2014-2015
October	$ 7,225,000.00	$ 49,000.00
November	$ -	$ 4,300,000.00
December	$ 2,800,000.00	$ 18,050,000.00
January	$ -	$ 2,200,000.00
February	$ 850,000.00	$ -
March	$ 1,185,000.00	$ 930,000.00
April	$ 1,000,000.00	
May	$ 5,000.00	
June	$ -	
July		
August	$ 150,000.00	
September	$ 430,795.00	
Totals	**$ 13,645,795.00**	**$ 25,529,000.00**



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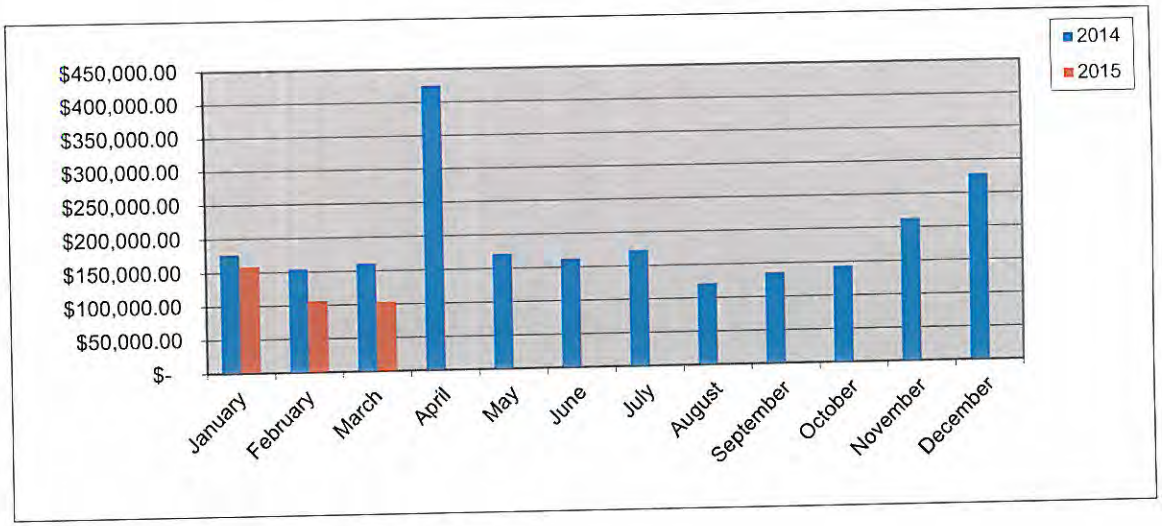
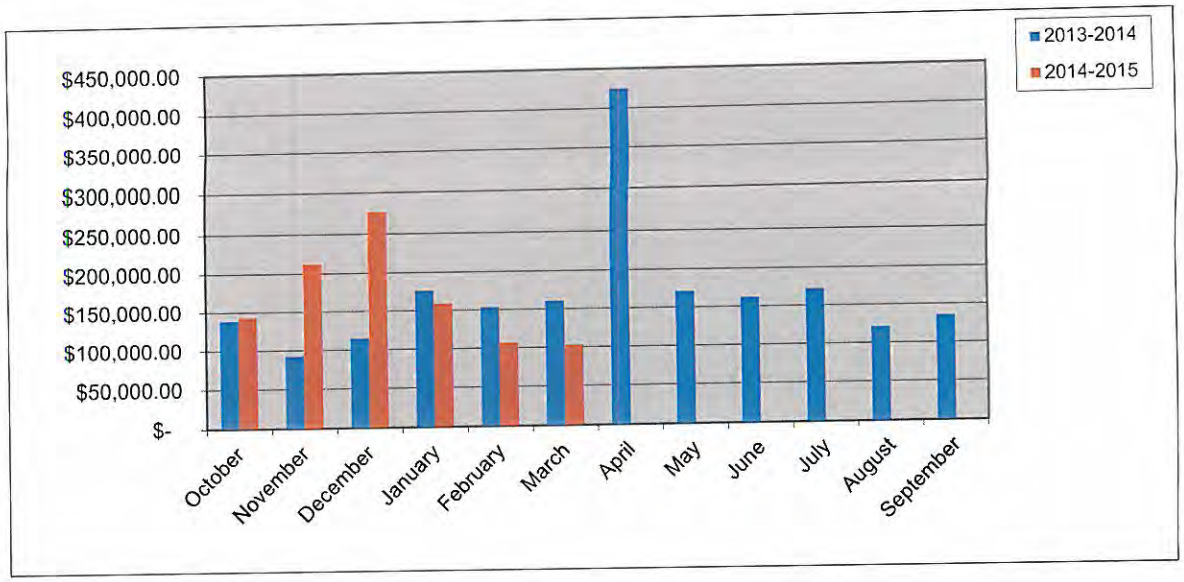
Total Fees Collected Calendar Year

Year	2014	2015
January	$ 176,162.63	$ 159,026.65
February	$ 153,458.98	$ 106,693.21
March	$ 160,530.91	$ 103,029.95
April	$ 425,003.86	
May	$ 170,849.07	
June	$ 161,690.82	
July	$ 172,232.70	
August	$ 120,790.39	
September	$ 135,478.13	
October	$ 143,153.00	
November	$ 212,222.54	
December	$ 277,864.58	
Totals	**$ 2,309,437.61**	**$ 368,749.81**



Total Fees Collected Fiscal Year

Year	2013-2014	2014-2015
October	$ 138,771.53	$ 143,153.00
November	$ 91,778.83	$ 212,222.54
December	$ 114,645.28	$ 277,864.58
January	$ 176,162.63	$ 159,026.65
February	$ 153,458.98	$ 106,693.21
March	$ 160,530.91	$ 103,029.95
April	$ 425,003.86	
May	$ 170,849.07	
June	$ 161,829.08	
July	$ 172,232.70	
August	$ 120,790.39	
September	$ 135,478.13	
Totals	**$ 2,021,531.39**	**$ 1,001,989.93**



City of Rockwall
PERMITS ISSUED
For the Period 3/1/2015 thru 3/31/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2014-0153	CO	2475 Ridge Rd. 4854-000A-0001-00-0R	0.00	$ 76.50	$ 76.50
11/19/2014	BUSINESS	ROCKWALL TOWNE CENTRE PH 4			
3/11/2015	ACTIVE	Culver's of Rockwall		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	LITTLEPAGE, ENTERPRISES L		PRAIRIE DU SAC	WI	53578	
APPLICANT	Becky Lapp	1880 Avonlea Dr.	ROCKWALL	TX	75087	(815) 541-2006
BUS OWNER	Becky Lapp	2475 Ridge Rd.	Rockwall	TX	75087	(815) 541-2006
BUSINESS	Culver's of Rockwall					

CO2014-0158	CO	502 Goliad St N 3119-0001-0001-00-0R	0.00	$ 75.00	$ 75.00
12/2/2014	BUSINESS	BLACKS COLLECTABLES ADDITION			
3/30/2015	Active	Sarah Duckworth Photography		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	BLACK, SHIRLEY M		ROCKWALL	TX	75087	
APPLICANT	Sarah Duckworth	502 Goliad St N	Rockwall	TX	75087	(469) 834-8257
BUS OWNER	Sarah Duckworth	502 Goliad St N	Rockwall	TX	75087	(469) 834-8257
BUSINESS	Sarah Duckworth Photography					

CO2014-0162	CO	826 STEGER TOWNE DR 5067-000A-0003-00-0R	0.00	$ 75.00	$ 75.00
12/16/2014	BUSINESS	STEGER TOWNE CROSSING PH I			
3/25/2015	ACTIVE	H & R Block		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	STEGER, DUNHILL LLC		DALLAS	TX	75205	
BUS OWNER	HRB Tax Group Inc.	One H & R Block Way	Kansas City	MO	64105	(972) -72-2-47
BUSINESS	H & R Block					

CO2015-0002	CO	407 Goliad St S D 4839-0000-0000-00-0R	0.00	$ 75.00	$ 75.00
1/8/2015	BUSINESS	ROCKWALL RETAIL STRIP CENTER			
3/25/2015	ACTIVE	Crossfit Rockwall		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	SLAUGHTER, RICHARD E JR	P O BOX 1717	ROCKWALL	TX	75087	(214) 535-8876
APPLICANT	Mary Woodruff	2840 Eganridge Ln	ROCKWALL	TX	75087	(352) 262-8978
CONTRACTOR	GEORGE WELCH	P. O. BOX 818	CRANDALL	TX	75114	(214) 534-3999
PLB CONTR	B & M PLUMBING	7551 CR 2829	Mabank	TX	75156	(903) 288-2750
ELEC CONTR	R M Electric Inc.	P.O. Box 8661	Greenville	TX	75404	(972) 345-4984
BUS OWNER	Mary Woodruff	407 Goliad St s #D	Rockwall	TX	75087	(352) 262-8978

City of Rockwall

PERMITS ISSUED

For the Period 3/1/2015 thru 3/31/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0005	CO	301 N San Jacinto 4820-000C-0001-00-0R	0.00	$ 75.00	$ 75.00
1/15/2015	BUSINESS	ROCKWALL ORIGINAL TOWN			
3/17/2015	Active	Uptown, Downtown Gallery & Studio		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	JOY, LUTHERAN CHURCH		ROCKWALL	TX	75087	
APPLICANT	ArtVentures Studio, LLC	504 Nash St.	Rockwall	TX	75087	(214) 543-3381
BUS OWNER	Joetta Currie	504 Nash St.	Rockwall	TX	75087	(214) 543-3381
BUSINESS	Uptown, Downtown Gallery & Stu					

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0011	CO	370 RANCH TRAIL 4720-0000-0013-00-0R	0.00	$ 76.50	$ 76.50
2/6/2015	BUSINESS	RAINBOW ACRES			
3/9/2015	ACTIVE	SUNBELT EQ CO		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	JERRY, KISICK CUSTOM HOM	PROFIT SHARING TRUST	DALLAS	TX	75252	
APPLICANT	TERRY MCKINNEY	370 RANCH TRL.	Rockwall	TX	75032	(214) 697-0411
BUS OWNER	TERRY MCKINNEY	370 RANCH TRL.	Rockwall	TX	75032	(214) 697-0411

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0012	CO	3035 Ridge Rd. 109 0207-0000-0004-09-0R	0.00	$ 75.00	$ 75.00
2/6/2015	BUSINESS				
3/16/2015	ACTIVE	Jersey Mikes Subs		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	TEMUNOVIC, PARTNERSHIP I		HEATH	TX	75032	
CONTRACTOR	Mike Nolan & Associates	12167 High Meadow, Inc.	Dallas	TX	75234	(214) 789-8845
MECH CONTR	R & R HEATING & COOLING L	1194 CEDAR LN.	Kaufman	TX	75142	(214) 384-9773
PLB CONTR	R & R Plumbing	PO Box 1111	Forney	TX	75126	(972) 564-9583
ELEC CONTR	Allstate Electric	1202 Municipal Ave	Plano	TX	75074	(972) 881-9000
APPLICANT	DALTON STEWART	3035 RIDGE ROAD	ROCKWALL	TX	75087	
BUS OWNER	Dalton Stewart	3035 Ridge Rd.	Rockwall	TX	75032	(469) 314-1362

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0013	CO	1115 Ridge Rd A 3570-0484-A003-00-0R	0.00	$ 76.50	$ 76.50
2/9/2015	BUSINESS	EASTRIDGE CENTER			
3/2/2015	ACTIVE	MAIN STREET CONSIGNMENT			

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	BENTBROOKE RIDGE PARTNI	115 W 7TH ST. STE 1323	Fort Worth	TX	76102	(817) 870-7610
APPLICANT	WILLIAM HOLMES	312 Dartbrook	ROCKWALL	TX	75087	(214) 734-0299
BUS OWNER	Williams Holmes	1115 A Ridge Rd.	Rockwall	TX	75087	(972) 635-6415
BUSINESS	Main Street Consignment					

City of Rockwall
PERMITS ISSUED
For the Period 3/1/2015 thru 3/31/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0016 2/11/2015 3/2/2015	CO BUSINESS ACTIVE	1104 Ridge Rd A 3570-0484-A001-A0-0R EASTRIDGE CENTER Cate's Touch	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	BENBROOKE, RIDGE PARTNE	C/O PRETIUM PROPERTY MANAC	FORT WORTH	TX	76102	
APPLICANT	Carol Cate	P.O. Box 1952	ROCKWALL	TX	75087	(972) 722-4305
INSP RPT EMAIL	Carol Cate	P.O. Box 1952	ROCKWALL	TX	75087	(972) 722-4305
BUS OWNER	Carol Cate	P.O. Box 1952	ROCKWALL	TX	75087	(972) 722-4305

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0021 2/18/2015 3/3/2015	CO BUSINESS ACTIVE	104 E Rusk St 4820-000M-0004-00-0R ROCKWALL ORIGINAL TOWN First United Bank Mortgage	0.00	$ 75.00 1,300	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	HENDRICKS, BARBARA S		ROCKWALL	TX	75087	
BUS OWNER	Tara Price	1400 W. Main St.	Durant	OK	74701	(469) 964-6323

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0022 2/25/2015 3/11/2015	CO BUSINESS ACTIVE	975 IH 30 103 4799-000A-0009-00-0R ROCKWALL CROSSING Compass Trading	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	ROCKWALL, CROSSING LTD		FORT WORTH	TX	76107	
APPLICANT	Holly Pennington		Dallas	TX	75220	(254) 925-9259
BUS OWNER	PENNINGTON INVESTMENT C	2630 ANDJON DR.	Dallas	TX	75087	(254) 925-9259
BUSINESS	Compass Trading		ROCKWALL	TX	75087	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0023 2/25/2015 3/20/2015	CO BUSINESS ACTIVE	5719 SH 276 0022-0000-0001-06-0R Whiskey 3 Industries	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
APPLICANT	IAN WILKINSON					
BUS OWNER	IAN WILKINSON	5719 SH 276	ROCKWALL	TX	75087	(214) 608-2590
BUSINESS	WHISKEY 3 INDUSTRIES	2519 SH 276	ROCKWALL	TX	75087	
OWNER	PAM GRINER	5707 SH 276	Royse City	Tx	75189	(972) 771-2004

City of Rockwall
PERMITS ISSUED
For the Period 3/1/2015 thru 3/31/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0024 2/27/2015 3/26/2015	CO BUSINESS ACTIVE	3035 Ridge Rd. 105 0207-0000-0004-09-0R HORIZON RIDGE ADDITION Juice it up	0.00	$ 76.50 1,107	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	TEMUNOVIC, PARTNERSHIP I		HEATH	TX	75032	
INSP RPT EMAIL	WCG, LP	P.O. Box 1622	ROCKWALL	TX	75087	(214) 762-5086
APPLICANT	Tracey Taylor					
BUS OWNER	Tracey Taylor	3035 Ridge Rd, #105	Rockwall	TX	75032	(214) 263-6667

CO2015-0025 3/2/2015 3/4/2015	CO BUSINESS ACTIVE	2455 Ridge Rd 149 4854-000A-0009-00-0R ROCKWALL TOWNE CENTRE PH 3 Wing Stop	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
BUS OWNER	Rex Hechelman	2455 Ridge Rd, #149	Rockwall	TX	75087	(972) 896-7292
OWNER	ROCKWALL, OCEANHILL LLC	C/O RASAR INC	ALAMEDA	CA	94501	
APPLICANT	REX HECHELMAN	P5150 LOCUST GROVE RD.	Garland	TX	75043	(972) 896-7292
PLB CONTR	1ST SOURCE PLUMBING LLC	111 GOTCHER AVE.	Lake Dallas	TX	75065	(214) 491-2043
MECH CONTR	NEWSOME HEATING & AIR C(	4855 STALLCUP DR.	MESQUITE	TX	75150	(469) 855-3095
ELEC CONTR	POWER HOUSE ELECTRIC	1140 COLINA DR.	FT. WORTH	TX	76148	(817) 448-8748
CONTRACTOR	VPR WINGS, L. P.	2455 Ridge Road, sTe 149	ROCKWALL	TX	75087	

CO2015-0026 3/2/2015 3/24/2015	CO INTERIOR ACTIVE	6531 Horizon Suite C 3039-0002-0006-00-0R ALLIANCE ADDITION PH 2 Amazing Grades Tutoring	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
BUS OWNER	Nancy Vance		Rockwall	TX	75032	
OWNER	ROCKWALL, RENTAL PROPEI		TERRELL	TX	75160	

CO2015-0027 3/11/2015 3/25/2015	CO BUSINESS ACTIVE	6537 HORIZON RD. STE B-1 3039-0002-0008-00-0R ALLIANCE ADDITION PH 2 SENATOR BOB HALL OFFICE	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	N&TT LEGACY PARTNERS	P. O. BOX 818	TERRELL	TX	75160	(972) 772-5253
APPLICANT	STATE OF TEXAS	6537 HORIZON RD. STE B-1	Rockwall	TX	75032	(512) 463-0102
BUS OWNER	STATE OF TEXAS	6537 HORIZON RD. STE B-1	Rockwall	TX	75032	(512) 463-0102
BUSINESS	SENATOR BOB HALL					

City of Rockwall

PERMITS ISSUED

For the Period 3/1/2015 thru 3/31/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0028 3/12/2015 3/13/2015	CO BUSINESS ACTIVE	1300 Ralph Hall 102 4832-000B-0001-00-0R ROCKWALL BUSINESS PARK EAST PH 2 MATHNASIUM OF ROCKWALL-HEATH	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	DALLAS, EAST	ATTN; JIM VAUDAGNA	SAN JOSE	CA	95126	(408) 998-1345
APPLICANT	COMMERCIAL CONSTRUCTIC	9535 FOREST LN. STE 200	Dallas	TX	75243	(972) 961-0444
INSP RPT EMAIL	COMMERCIAL CONSTRUCTIC	9535 FOREST LN. STE 200	Dallas	TX	75243	(972) 961-0444
CONTRACTOR	COMMERCIAL CONSTRUCTIC	9535 FOREST LN. STE 200	Dallas	TX	75243	(972) 961-0444
MECH CONTR	n/a					
ELEC CONTR	n/a					
BUS OWNER	ROBERT BARNS	1300 RALPH HALL PKWY # 102	Rockwall	TX	75032	
BUSINESS	MATHNASIUM OF ROCKWALL	1300 RALPH HALL PKWY # 102	ROCKWALL	TX	75087	

17 **Permits Issued from: 3/1/2015** **Thru: 3/31/2015**

Total Valuation: $ 0.00
Total Fees: $ 1,285.50
Total Fees Paid: $ 1,285.50

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **May 1, 2015**

SUBJECT: **March 2015 Budget Report**

The following analysis is offered for the period ended March 31, 2015 budget report. The budget is established in broad categories with line item estimates. In each category actual expenses as a whole should be considered rather than at the line item level. The budget threshold for this period is 50%. The below categories exceed the threshold but most are not unusual for this time of year.

General Fund Revenues

- All revenues are coming in at or above expected levels.
- Sales tax increased by 12.31% for the month of March (January sales) as compared to the prior year, same month. For the six-month period the increase is 4.96% over the prior year.
- Franchise revenues for electric, gas and cable have been stronger than anticipated. Atmos fees were 38% higher than budgeted.
- Construction related revenues are strong as well.

General Fund Expenditures

- Mayor/Council Operational – the decision was made to rejoin TEX-21, a regional transportation planning organization and this was not a budgeted item.
- Administration Contractual – three quarterly payments have been made for the ES Corp and the RCAD for their services.
- Fire Marshal Capital – all replacement vehicles included in the budget have been purchased.
- Police Communications Contractual – annual lease payment and maintenance agreement for CAD package were paid.
- Police Community Services Contractual – Lease payments for the office are paid in advance.
- Planning Contractual – annual maintenance agreement on GIS software was paid
- Parks Salaries – the retirement of the long-time superintendent and payout of his accrued time will cause this budget item to be over for the remainder of the year.
- Parks Supplies – the budgeted project to pave Tuttle parking lot was finished in February. Projects are undertaken ahead of the busy parks summer season.
- Parks Operations – the new superintendent was sent to maintenance management school earlier this year.

Water / Sewer Revenues

- Water sales – sales are up 5.02% when compared to the prior year. This is a reflection of increased rates while rains and conservation measures keep sales down. This will certainly improve as strict restrictions are lifted in the coming month.
- All other revenues are in line with projections – the majority of sales to wholesale customers takes place June – September and will benefit from restriction changes as well.

Water / Sewer Expenditures

- Sewer Operations Contractual – NTMWD requires payments in advance for the sewer treatment plants in order to fund their operating expenses.
- All other accounts are within thresholds.

Special Revenue Funds Summary

- All establishments paid the hotel taxes this quarter.

CITY OF ROCKWALL
REPORT OF REVENUES
FOR THE PERIOD ENDED MARCH 31, 2015
WITH COMPARATIVE TOTALS FROM PRIOR YEAR

GENERAL FUND

DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	PRIOR YEAR YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	CURRENT YEAR YTD %
Current Taxes	8,393,000	7,921,624	94.38%	8,580,100	8,095,682	94.35%
Delinquent Taxes	60,000	43,014	71.69%	60,000	28,570	47.62%
Penalty & Interest	60,000	24,186	40.31%	60,000	16,583	27.64%
Total Property Taxes	8,513,000	7,988,824	93.84%	8,700,100	8,140,835	93.57%
General Sales Tax	13,232,000	6,597,597	49.86%	13,617,300	7,262,129	53.33%
Beverage Tax	195,000	103,547	53.10%	210,000	115,746	55.12%
Total Sales Tax	13,427,000	6,701,144	49.91%	13,827,300	7,377,875	53.36%
Electrical Franchise	1,650,000	952,440	57.72%	1,680,000	961,944	57.26%
Telephone Franchise	150,000	74,596	49.73%	150,000	66,576	44.38%
Gas Franchise	402,600	393,375	97.71%	388,000	537,888	138.63%
Cable T.V. Franchise	500,000	266,386	53.28%	500,000	317,491	63.50%
Garbage Franchise	210,000	94,394	44.95%	208,000	103,208	49.62%
Total Franchise Fees	2,912,600	1,781,191	61.15%	2,926,000	1,987,107	67.91%
Park & Recreation Fees	35,000	14,162	40.46%	35,000	11,503	32.87%
Municipal Pool Fees	15,000	-	0.00%	17,000	3,000	17.65%
Center Rentals	38,000	22,714	59.77%	38,000	20,562	54.11%
Harbor Rental	10,000	6,152	61.52%	10,000	1,360	13.60%
Tax Certificate Fees	100	80	79.97%	250	47	18.65%
Code Enforcement Fees	40,500	12,729	31.43%	5,000	8,540	170.80%
Beverage Permits	10,000	4,470	44.70%	10,000	1,600	16.00%
Planning & Zoning Fees	35,000	18,372	52.49%	35,000	25,770	73.63%
Construction Fees	140,000	82,681	59.06%	280,000	137,616	49.15%
Fire Plan Fees	20,000	9,805	49.03%	20,000	6,400	32.00%
Total Misc. Fees	343,600	171,164	49.81%	450,250	216,399	48.06%
Building Permits	692,000	318,555	46.03%	710,000	394,188	55.52%
Fence Permits	20,000	9,447	47.24%	20,000	10,500	52.50%
Electrical Permits	30,000	17,591	58.64%	30,000	8,566	28.55%
Plumbing Permits	38,000	19,798	52.10%	38,000	22,067	58.07%
Mechanical Permits	35,000	13,174	37.64%	35,000	14,596	41.70%
Daycare Center Permits	2,000	540	27.00%	2,000	1,140	57.00%
Health Permits	82,000	72,870	88.87%	86,000	77,670	90.31%
Sign Permits	26,000	13,810	53.12%	26,000	9,125	35.10%
Miscellaneous Permits	41,000	19,700	48.05%	41,000	22,272	54.32%
Total Permits	966,000	485,484	50.26%	988,000	560,124	56.69%

DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	PRIOR YEAR YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	CURRENT YEAR YTD %
Court Fines	500,000	231,115	46.22%	500,000	226,078	45.22%
Court Fees	165,000	75,314	45.65%	165,000	87,302	52.91%
Warrant Fees	70,000	38,648	55.21%	70,000	37,606	53.72%
Court Deferral Fees	285,000	139,624	48.99%	285,000	131,658	46.20%
Animal Control Fees	7,000	3,577	51.10%	7,000	2,726	38.94%
Alarm Fees and Fines	45,000	19,952	44.34%	45,000	22,454	49.90%
Tower Lease	70,000	-	0.00%	70,000	27,280	38.97%
Total Municipal Court	1,142,000	508,230	44.50%	1,142,000	535,105	46.86%
Interest Earnings	20,000	18,011	90.06%	20,000	10,466	52.33%
Sale of Supplies	800	613	76.66%	500	323	64.69%
Auction/Scrap	50,000	11,056	22.11%	20,000	32,449	162.25%
Other	50,000	23,968	47.94%	58,000	11,675	20.13%
Total Miscellaneous	120,800	53,649	44.41%	98,500	54,914	55.75%
Grant Proceeds	-	-	0.00%	106,000	-	0.00%
School Patrol	306,100	217,421	71.03%	306,100	217,421	71.03%
County Contracts	1,000	320	32.00%	1,000	480	48.00%
City Contracts	269,200	124,476	46.24%	319,000	159,996	50.16%
Total Intergovernmental	576,300	342,216	59.38%	732,100	377,897	51.62%
Transfer In - Police Investigation	25,000	-	0.00%	30,500	-	0.00%
Transfer In - Recreation Dev.	110,000	-	0.00%			
Transfer In - Narcotics	-	176,782	0.00%	60,000	-	0.00%
Total Transfers In	135,000	176,782	130.95%	90,500	-	0.00%
Total General Fund Revenues	**28,136,300**	**18,208,685**	**64.72%**	**28,954,750**	**19,250,255**	**66.48%**

CITY OF ROCKWALL
REPORT OF EXPENDITURES
FOR THE PERIOD ENDED MARCH 31, 2015
WITH COMPARATIVE TOTALS FROM PRIOR YEAR

GENERAL FUND

DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	PRIOR YEAR YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	CURRENT YEAR YTD %
Mayor and Council						
Contractual	35,350	14,781	41.81%	38,350	18,253	47.59%
Supplies	400	-	0.00%	400	255	63.63%
Operational	63,000	32,888	52.20%	73,500	41,711	56.75%
Total	98,750	47,669	48.27%	112,250	60,218	53.65%
Administration						
Personnel Costs	883,100	433,942	49.14%	917,000	437,145	47.67%
Contractual	719,700	452,138	62.82%	716,500	498,482	69.57%
Supplies	18,050	6,643	36.80%	18,050	7,357	40.76%
Operational	51,750	28,697	55.45%	52,750	28,373	53.79%
Utilities	5,600	961	17.16%	5,600	1,246	22.25%
Capital	-	-	0.00%	-	-	0.00%
Total	1,678,200	922,381	54.96%	1,709,900	972,603	56.88%
Administrative Services						
Personnel Costs	459,900	229,072	49.81%	468,950	232,934	49.67%
Contractual	6,000	2,315	38.58%	6,000	266	4.43%
Supplies	2,500	271	10.84%	2,500	752	30.10%
Operational	52,600	21,665	41.19%	52,600	26,008	49.44%
Utilities	2,100	356	16.96%	2,100	863	41.08%
Total	523,100	253,679	48.50%	532,150	260,822	49.01%
Internal Operations						
Personnel Costs	852,700	436,688	51.21%	867,300	428,717	49.43%
Contractual	305,650	162,720	53.24%	342,250	175,021	51.14%
Supplies	88,700	38,418	43.31%	91,700	28,359	30.93%
Operational	3,550	65	1.84%	5,000	922	18.45%
Utilities	338,700	139,447	41.17%	337,200	190,399	56.46%
Capital	365,200	185,245	50.72%	26,800	25,075	93.56%
Total	1,954,500	962,584	49.25%	1,670,250	848,494	50.80%
Finance						
Personnel Costs	363,400	187,194	51.51%	366,900	162,555	44.30%
Contractual	251,500	102,418	40.72%	241,000	86,972	36.09%
Supplies	73,750	28,035	38.01%	82,750	25,567	30.90%
Operational	9,100	1,226	13.48%	9,000	2,958	32.87%
Utilities	-	-	0.00%	-	-	0.00%
Total	697,750	318,874	45.70%	699,650	278,053	39.74%

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DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	PRIOR YEAR YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	CURRENT YEAR YTD %
Municipal Court						
Personnel Costs	337,100	154,759	45.91%	334,400	148,559	44.43%
Contractual	77,700	39,469	50.80%	87,700	28,972	33.04%
Supplies	9,250	2,271	24.55%	9,250	328	3.55%
Operational	5,000	1,959	39.17%	5,000	2,431	48.63%
Capital	-	-	0.00%	-	-	0.00%
Total	429,050	198,458	46.26%	436,350	180,291	41.32%
Fire Department						
Personnel Costs	2,064,000	932,614	45.18%	2,469,000	1,064,374	43.11%
Contractual	184,300	101,922	55.30%	212,900	95,937	45.06%
Supplies	97,900	29,003	29.63%	91,900	28,013	30.48%
Operational	32,000	6,083	19.01%	38,600	9,011	23.34%
Utilities	2,800	1,324	47.28%	2,800	936	33.42%
Capital	100,650	-	0.00%	26,050	7,731	29.68%
Total	2,481,650	1,070,945	43.15%	2,841,250	1,206,000	42.45%
Fire Marshal						
Personnel Costs	342,000	165,512	48.40%	358,700	173,313	48.32%
Contractual	16,400	6,903	42.09%	15,500	2,395	15.45%
Supplies	43,000	16,325	37.97%	45,000	11,650	25.89%
Operational	19,700	6,884	34.94%	16,500	3,925	23.79%
Utilities	3,800	314	8.27%	3,800	566	14.89%
Capital	94,750	70,978	74.91%	94,900	92,371	97.34%
Total	519,650	266,916	51.36%	534,400	284,221	53.19%
Police Administration						
Personnel Costs	998,100	494,018	49.50%	987,800	485,443	49.14%
Contractual	70,250	29,504	42.00%	70,500	26,900	38.16%
Supplies	14,600	4,976	34.08%	16,600	4,865	29.31%
Operational	20,650	6,543	31.68%	20,650	9,146	44.29%
Utilities	6,800	1,994	29.32%	6,800	2,251	33.10%
Capital	0	0	0.00%		0	0.00%
Total	1,110,400	537,034	48.36%	1,102,350	528,604	47.95%
Communications						
Personnel Costs	828,500	420,939	50.81%	862,600	428,286	49.65%
Contractual	156,950	136,034	86.67%	178,500	150,247	84.17%
Supplies	5,700	1,853	32.51%	5,700	2,855	50.09%
Operational	9,800	1,261	12.87%	9,800	921	9.40%
Utilities	1,000	-	0.00%	1,000	180	18.00%
Capital	-	-	0.00%	-	-	0.00%
Total	1,001,950	560,086	55.90%	1,057,600	582,490	55.08%

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DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	PRIOR YEAR YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	CURRENT YEAR YTD %
Police Patrol						
Personnel Costs	4,641,700	2,246,960	48.41%	4,644,200	2,273,310	48.95%
Contractual	78,800	29,508	37.45%	73,600	38,908	52.86%
Supplies	328,550	123,237	37.51%	336,950	108,575	32.22%
Operational	30,050	8,071	26.86%	36,800	17,968	48.83%
Utilities	5,500	1,073	19.51%	5,500	1,322	24.04%
Capital	565,550	169,175	29.91%	0	-	0.00%
Total	5,650,150	2,578,024	45.63%	5,097,050	2,440,083	47.87%
Criminal Investigation						
Personnel Costs	982,200	467,643	47.61%	980,500	468,909	47.82%
Contractual	13,300	4,218	31.71%	19,700	7,145	36.27%
Supplies	42,400	16,194	38.19%	38,000	15,506	40.81%
Operational	8,700	5,397	62.04%	8,700	6,757	77.66%
Utilities	8,500	3,755	44.18%	9,300	3,943	42.39%
Capital	-	-	0.00%	3,500	1,800	51.43%
Total	1,055,100	497,208	47.12%	1,059,700	504,059	47.57%
Community Services						
Personnel Costs	711,000	345,849	48.64%	695,800	331,807	47.69%
Contractual	27,350	14,457	52.86%	25,750	20,978	81.47%
Supplies	29,900	10,056	33.63%	31,600	8,465	26.79%
Operational	10,400	1,959	18.84%	10,400	3,587	34.49%
Utilities	1,950	0	0.00%	1,000	-	0.00%
Capital	15,900	12,054	75.81%	45,900	21,142	46.06%
Total	796,500	384,375	48.26%	810,450	385,980	47.63%
Warrant Officer						
Personnel Costs	175,500	87,053	49.60%	175,300	84,755	48.35%
Contractual	2,600	795	30.57%	2,600	473	18.19%
Supplies	3,450	1,434	41.57%	3,950	813	20.59%
Operational	-	-	0.00%	900	-	0.00%
Utilities	900	-	0.00%	0	-	0.00%
Capital	-	-	0.00%	16,000		0.00%
Total	182,450	89,282	48.94%	198,750	86,041	43.29%
Records						
Personnel Costs	316,200	160,272	50.69%	325,700	153,536	47.14%
Contractual	1,950	-	0.00%	5,550	695	12.52%
Supplies	1,700	666	39.19%	1,700	859	50.53%
Operational	4,900	2,429	49.58%	4,900	-	0.00%
Utilities	1,100	0	0.00%	1,100	485	44.08%
Capital	-	-	0.00%	-	-	0.00%
Total	325,850	163,368	50.14%	338,950	155,575	45.90%

DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	PRIOR YEAR YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	CURRENT YEAR YTD %
Planning						
Personnel Costs	520,700	267,357	51.35%	548,850	259,292	47.24%
Contractual	45,600	27,601	60.53%	26,000	15,716	60.45%
Supplies	1,750	718	41.05%	1,600	784	49.00%
Operational	14,850	5,093	34.29%	18,000	8,423	46.79%
Utilities	750	582	77.65%	1,000	353	35.32%
Capital	-	-	0.00%	-	-	0.00%
Total	583,650	301,351	51.63%	595,450	284,568	47.79%
Neighborhood Improvement Services						
Personnel Costs	327,400	187,751	57.35%	308,800	146,798	47.54%
Contractual	118,850	36,489	30.70%	117,350	30,331	25.85%
Supplies	24,050	7,862	32.69%	24,050	5,726	23.81%
Operational	9,650	4,917	50.95%	9,650	4,121	42.71%
Utilities	2,800	954	34.06%	2,500	1,180	47.19%
Capital	-	-	0.00%	-	-	0.00%
Total	482,750	237,972	49.30%	462,350	188,156	40.70%
Inspections						
Personnel Costs	609,400	314,448	51.60%	617,350	304,217	49.28%
Contractual	43,800	3,559	8.13%	43,600	3,057	7.01%
Supplies	13,450	4,440	33.01%	13,450	3,711	27.59%
Operational	9,850	7,225	73.36%	9,750	3,496	35.86%
Utilities	4,500	1,351	30.02%	3,800	1,865	49.08%
Capital	-	-	0.00%	-	-	0.00%
Total	681,000	331,023	48.61%	687,950	316,346	45.98%
Parks						
Personnel Costs	948,900	488,845	51.52%	913,400	558,533	61.15%
Contractual	368,750	96,306	26.12%	363,450	95,439	26.26%
Supplies	220,050	120,736	54.87%	358,450	277,172	77.33%
Operational	12,000	6,285	52.38%	11,500	12,335	107.26%
Utilities	141,900	55,195	38.90%	191,900	61,050	31.81%
Capital	83,600	80,960	96.84%	16,900	13,520	80.00%
Total	1,775,200	848,327	47.79%	1,855,600	1,018,049	54.86%

DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	PRIOR YEAR YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	CURRENT YEAR YTD %
Harbor						
Personnel Costs	102,400	50,220	49.04%	104,050	49,922	47.98%
Contractual	167,800	72,740	43.35%	92,800	23,569	25.40%
Supplies	42,800	15,723	36.74%	41,800	12,075	28.89%
Operational	3,000	0	0.00%	4,000	173.96	4.35%
Utilities	131,500	41,982	31.93%	131,500	58,155	44.22%
Capital	10,550	7,580	71.85%	-	-	
Total	458,050	188,245	41.10%	374,150	143,895	38.46%
Recreation						
Personnel Costs	573,300	243,422	42.46%	586,000	218,535	37.29%
Contractual	21,900	3,632	16.59%	20,250	6,104	30.14%
Supplies	55,600	10,929	19.66%	55,150	13,788	25.00%
Operational	58,650	16,317	27.82%	98,650	40,475	41.03%
Utilities	75,700	24,023	31.73%	75,700	36,190	47.81%
Capital	-	-	0.00%	-	-	0.00%
Total	785,150	298,322	38.00%	835,750	315,091	37.70%
Animal Services						
Personnel Costs	188,000	98,403	52.34%	186,100	94,735	50.91%
Contractual	414,500	206,390	49.79%	414,500	122,852	29.64%
Supplies	18,500	5,766	31.17%	18,500	3,191	17.25%
Operational	2,550	1,122	43.99%	2,550	0	0.00%
Utilities	4,000	1,431	35.79%	4,000	1,314	32.84%
Capital	-	-	0.00%	-	-	0.00%
Total	627,550	313,112	49.89%	625,650	222,091	35.50%
Engineering						
Personnel Costs	920,600	467,252	50.76%	930,500	438,371	47.11%
Contractual	94,700	54,559	57.61%	115,100	22,170	19.26%
Supplies	20,150	8,290	41.14%	25,500	10,845	42.53%
Operational	24,900	14,948	60.03%	24,900	2,416	9.70%
Utilities	8,000	4,323	54.04%	9,000	2,471	27.46%
Capital	27,400	26,687	97.40%		-	0.00%
Total	1,095,750	576,059	52.57%	1,105,000	476,273	43.10%
Streets						
Personnel Costs	603,100	316,839	52.54%	596,500	301,399	50.53%
Contractual	156,500	31,510	20.13%	129,800	43,266	33.33%
Supplies	1,095,400	165,550	15.11%	1,147,400	306,158	26.68%
Operational	2,500	1,773	70.93%	5,800	3,037	52.36%
Utilities	418,900	163,100	38.94%	459,900	234,044	50.89%
Capital	15,500	15,295	98.68%		-	
Total	2,291,900	694,068	30.28%	2,339,400	887,904	37.95%
Operating Transfers Out						
Trsf Out - Radio Sys	185,000	-	0.00%	160,000	-	0.00%
Trsf Out - Employee Benefits	2,500,000	2,260,000	90.40%	2,300,000	2,300,000	100.00%
Trsf Out - Airport	11,000	-	0.00%	15,000	-	0.00%
Trsf Out - Work Comp		-	0.00%	50,000	-	0.00%
Trsf Out - Bond Projects	126,250	-	0.00%	-	-	0.00%
Trsf Out - Equipment Replacement	157,000	-	0.00%	150,000	-	0.00%
Total	2,979,250	2,260,000	75.86%	2,675,000	2,300,000	85.98%
TOTAL GENERAL FUND:	**30,265,300**	**14,899,363**	49.23%	**29,757,350**	**14,925,908**	50.16%

WATER AND SEWER FUND

DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	PRIOR YEAR YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	CURRENT YEAR YTD %
Operating Revenues:						
Retail Water Sales	8,200,000	3,701,209	45.14%	9,544,000	3,887,295	40.73%
Sewer Charges	5,084,000	2,491,056	49.00%	5,500,000	2,580,038	46.91%
Pretreatment Charges	9,300	4,654	50.04%	9,500	4,654	48.98%
HHW Fee	97,000	50,672	52.24%	100,000	48,511	48.51%
Penalties	200,000	113,266	56.63%	220,000	68,535	31.15%
Total Utility Sales	13,590,300	6,360,856	46.80%	15,373,500	6,589,032	42.86%
RCH Water Sales	796,200	211,811	26.60%	846,000	283,725	33.54%
Blackland Water Sales	583,000	252,383	43.29%	622,150	268,228	43.11%
City of Heath	814,800	312,216	38.32%	898,000	331,695	36.94%
Total Contract Sales	2,194,000	776,410	35.39%	2,366,150	883,648	37.35%
Water Taps	81,000	30,960	38.22%	85,000	35,820	42.14%
Sewer Taps	25,000	7,974	31.90%	25,000	4,800	19.20%
Total Other Receipts	106,000	38,934	36.73%	110,000	40,620	36.93%
Meter Rental Fees	20,000	9,750	48.75%	22,000	12,500	56.82%
Total Other Fees	20,000	9,750	48.75%	22,000	12,500	56.82%
Total Operating Revenues	15,910,300	7,185,950	45.17%	17,871,650	7,525,800	42.11%
Non-Operating Revenues:						
Interest Earnings	20,000	1,519	7.60%	5,000	779	15.58%
Auction/Scrap Proceeds	10,000	3,571	35.71%	5,000	4,258	85.15%
Other	20,000	10,586	52.93%	20,000	5,204	26.02%
Cell Tower Leases	122,800	68,451	55.74%	188,200	91,658	48.70%
Impact Fees	627,300	627,300	100.00%	650,000	247,964	38.15%
Total Non-Operating Revenues	800,100	711,427	88.92%	868,200	349,863	40.30%
Total Water & Sewer Revenues	**16,710,400**	**7,897,376**	**47.26%**	**18,739,850**	**7,875,663**	**42.03%**

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WATER & SEWER FUND

DESCRIPTION	PRIOR YEAR BUDGET	PRIOR YEAR ACTUAL	PRIOR YEAR YTD %	CURRENT YEAR BUDGET	CURRENT YEAR ACTUAL	CURRENT YEAR YTD %
Long Term Debt						
Total	4,143,150	896,350	21.63%	3,337,150	1,033,666	30.97%
Utility Billing						
Personnel Costs	376,500	197,894	52.56%	383,900	190,441	49.61%
Contractual	302,600	141,985	46.92%	306,600	106,220	34.64%
Supplies	101,800	49,569	48.69%	100,800	36,018	35.73%
Operational	134,200	1,562	1.16%	133,800	-	0.00%
Capital	-	-	0.00%	-	-	0.00%
Total	915,100	391,009	42.73%	925,100	332,680	35.96%
Water Operations						
Personnel Costs	843,900	444,722	52.70%	849,700	412,522	48.55%
Contractual	6,640,700	3,221,140	48.51%	7,199,800	3,503,493	48.66%
Supplies	406,900	204,445	50.24%	412,650	159,790	38.72%
Operational	14,800	1,456	9.84%	13,300	6,514	48.98%
Utilities	254,400	88,690	34.86%	259,400	130,578	50.34%
Capital	23,000	-	0.00%	17,300	8,152.25	47.12%
Total	8,183,700	3,960,454	48.39%	8,752,150	4,221,049	48.23%
Sewer Operations						
Personnel Costs	697,500	372,569	53.41%	642,700	324,903	50.55%
Contractual	3,263,750	2,075,670	63.60%	3,762,250	2,109,798	56.08%
Supplies	149,600	53,815	35.97%	145,350	41,067	28.25%
Operational	13,100	1,957	14.94%	9,400	4,511	47.99%
Utilities	123,450	51,421	41.65%	143,450	51,100	35.62%
Capital	68,250	-	0.00%	0	-	0.00%
Total	4,315,650	2,555,432	59.21%	4,703,150	2,531,380	53.82%
Operating Transfers Out						
Trsf Out - Employee Benefits	1,050,000	700,000	66.67%	900,000	900,000	100.00%
Trsf Out - Workers' Comp.	30,000	-	0.00%	30,000	-	0.00%
Trsf Out - Equipment	11,950	-	0.00%	6,500	-	0.00%
Total	1,091,950	700,000	64.11%	936,500	900,000	96.10%
TOTAL WATER/SEWER FUND:	**18,649,550**	**8,503,245**	**45.59%**	**18,654,050**	**9,018,775**	**48.35%**

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City of Rockwall
The New Horizon

CITY CALLS Situation Type	March #
113 Cooking Fire, confined to container	1
131 Passenger vehicle fire (cars, pickups, SUV's)	1
143 Grass fire	1
311 Medical assist, assist EMS crew	1
353 Removal of victim(s) from stalled elevator	1
365 Watercraft rescue	1
412 Gas leak (natural gas or LPG)	4
445 Arcing, shorted electrical equipment	1
550 Public service assistance, other	1
551 Assist police or other governmental agency	13
553 Public service	6
556 Public service - Non paged	6
600 Good intent call, other	1
611 Dispatched & canceled en route	2
622 No incident found on arrival at dispatch address	1
671 HazMat release investigation w/no HazMat	3
700 False alarm or false call, other	3
735 Alarm system sounded due to malfunction	4
736 CO detector activation due to malfunction	1
741 Sprinkler activation, no fire - unintentional	1
743 Smoke detector activation, no fire - unintentional	7
744 Detector activation, no fire - unintentional	2
745 Alarm system activation, no fire - unintentional	7
Unknown	1
Totals:	70

COUNTY CALLS Situation Type	March #
111 Building fire	1
444 Power line down	1
550 Public service assistance, other	1
Totals:	3
MUTUAL AID CALLS	0

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes		0- 1 1/2 MINUTES	
CRITERIA MET %	12 of 15	CRITERIA MET %	1 of 1
CRITERIA -ACHIEVE RESPONSE TIME	80.00%	CRITERIA -ACHIEVE RESPONSE TIME	100%
90% OF TIME IN BOXES WITH	Criteria not met	60% OF TIME IN BOXES WITH	Criteria met
STATIONS		STATIONS	
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES		0-6 MINUTES	
CRITERIA MET %	15 of 15	CRITERIA MET %	0 of 1
CRITERIA -ACHIEVE RESPONSE TIME	100.00%	CRITERIA -ACHIEVE RESPONSE TIME	0.00%
90% OF TIME IN BOXES WITH	Criteria met	60% OF TIME IN BOXES WITH	Criteria not met
STATIONS		STATIONS	
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES		0-7 1/2 MINUTES	
CRITERIA MET%	14 of 15	CRITERIA MET%	0 of 1
CRITERIA -ACHIEVE RESPONSE TIME	93.00%	CRITERIA -ACHIEVE RESPONSE TIME	0.00%
90% OF TIME IN BOXES WITH	Criteria met	60% OF TIME IN BOXES WITH	Criteria Not Met
STATIONS		STATIONS	

COUNTY AND MUTUAL AID
RESPONSE
March 2015

COUNTY/MUTUAL	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	1 of 1
CRITERIA -ACHIEVE RESPONSE TIME	100.00%
60% OF TIME IN BOXES WITH	Criteria Met
STATIONS	
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	1 of 1
CRITERIA -ACHIEVE RESPONSE TIME	100.00%
60% OF TIME IN BOXES WITH	Criteria Met
STATIONS	
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	
CRITERIA MET%	1 of 1
CRITERIA -ACHIEVE RESPONSE TIME	100.00%
60% OF TIME IN BOXES WITH	Criteria Met
STATIONS	

ENROUTE OVERAGES
CITY CALLS
MARCH 2015

Venue	Alarm Date	Alarm Time	Enroute Time	Paged to Enroute	Inc. Number	Fire Incident Station	Lights and Sirens	Appartus	REASON FOR OVERAGES
Rockwall	03/05/2015	02:43:08	02:45:28	0:02:20	2015-00000180	Rockwall 1	Code 3	E1	Radio and pager issues
Rockwall	03/09/2015	08:43:56	08:46:12	0:02:16	2015-00000195	Rockwall 1	Code 3	LAD1	Personnel were out on foot for missing person search
Rockwall	03/10/2015	02:37:18	02:39:01	0:01:43	2015-00000197	Rockwall 2	Code 3	LAD2	CAD Times do not match radio times

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ARRIVAL OVEARGES
CITY CALLS
MARCH 2015

Venue	Alarm Date	Enroute Time	Arrival Time	Enroute to Arrival	Inc. Number	Fire Incident Station	Lights and Sirens	Appartus	REASON FOR OVERAGES
Rockwall	03/14/2015	12:51:08	12:58:47	0:07:39	2015-00000206	Rockwall 1	Code 3	E4	Call to area without stations

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RESPONSE OVERAGES
CITY CALLS
MARCH 2015

Venue	Alarm Date	Alarm Time	Enroute Time	Paged to Enroute	Arrival Time	Enroute to Arrival	Response	Inc. Number	Fire Incident Station	Lights and Sirens	Appartus	REASON FOR OVERAGES
Rockwall	03/14/2015	12:49:56	12:51:08	0:01:12	12:58:47	0:07:39	0:08:51	2015-00000206	Rockwall 1	Code 3	E4	Response to Area without station
Rockwall	03/05/2015	02:43:08	02:45:28	0:02:20	02:50:51	0:05:23	0:07:43	2015-00000180	Rockwall 1	Code 3	E1	Radio & Pager Issues

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Total Dollar Losses

March 2015

City of Rockwall
The New Horizon

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$15,300.00	$195,488.00	$153,060.00	$230,788.00	$153,560.00
Total Content Loss:	$2,000.00	$117,292.80	$12,000.00	$179,292.80	$13,000.00
Total Property Pre-Incident Value:	$0.00	$244,360.00	$152,910.00	$544,360.00	$152,910.00
Total Contents Pre-Incident Value	$0.00	$146,616.00	$90,252.00	$461,344.00	$90,252.00
Total Losses:	$17,300.00	$312,780.80	$165,060.00	$410,080.80	$17,300.00
Total Value:	$.00	$390,976.00	$243,162.00	$1,005,704.00	$243,162.00

City of Rockwall
Project Routing Report By Date Sent (then by project)
For the Period 3/1/2015 thru 3/31/2015

Project #	Appl. Date / Project Type	Aging	Address / Description	Status / Owner Name	Plan Review Detail: Contact / Review Type	Date Sent / Date Due	Completed / Status
E2015-001	01/07/2015 ENGINEERING	97	HWY276		Ariana Hargrove Engineering: Fire	03/02/2015 03/17/2015	03/03/2015 APPROVED
SP2015-004	02/16/2015 SITE PLAN	57	2400 SUMMER LEE DR		Ariana Hargrove FIRE	03/04/2015 03/11/2015	03/04/2015 COMMENTS
P2015-008	03/11/2015 PLAT	34	808 SAM HOUSTON		Ariana Hargrove FIRE	03/11/2015 03/18/2015	03/20/2015 APPROVED
E2015-006	03/03/2015 ENGINEERING	42	1701 SCIENCE PLACE		Ariana Hargrove ENG - FIRE	03/04/2015 03/18/2015	03/16/2015 APPROVED
E2015-008	03/23/2015 ENGINEERING	22	2994 FM549 S		Ariana Hargrove ENG - FIRE	03/23/2015 04/06/2015	03/30/2015 COMMENTS
P2015-009	03/12/2015 PLAT	33	2804 RIDGE RD		Ariana Hargrove FIRE	03/12/2015 03/19/2015	03/16/2015 APPROVED
Z2015-012	03/12/2015 ZONING	33	907 N GOLIAD ST		Ariana Hargrove FIRE	03/12/2015 03/19/2015	03/20/2015 APPROVED
P2015-010	03/13/2015 PLAT	32	203 N ALAMO		Ariana Hargrove FIRE	03/13/2015 03/20/2015	03/17/2015 APPROVED
P2015-011	03/13/2015 PLAT	32	713 HARTMAN ST		Ariana Hargrove FIRE	03/13/2015 03/20/2015	03/20/2015 APPROVED
P2015-012	03/13/2015 PLAT	32	BREEZY HILLS RD		Ariana Hargrove FIRE	03/13/2015 03/20/2015	03/20/2015 APPROVED

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CRW SYSTEMS

City of Rockwall
Project Routing Report By Date Sent (then by project)
For the Period 3/1/2015 thru 3/31/2015

Project #	Appl. Date / Project Type	Aging	Address / Description	Status / Owner Name	Plan Review Detail: Contact / Review Type	Date Sent / Date Due	Completed / Status
SP2015-005	03/13/2015 SITE PLAN	32	6525 FM 3097		Ariana Hargrove FIRE	03/13/2015 03/20/2015	03/20/2015 COMMENTS
SP2015-006	03/13/2015 SITE PLAN	32	6540 ALLIANCE DR		Ariana Hargrove FIRE	03/13/2015 03/20/2015	03/20/2015 COMMENTS
Z2015-013	03/16/2015 ZONING	29	BREEZY HILLS RD		Ariana Hargrove FIRE	03/16/2015 03/23/2015	03/23/2015 APPROVED
SP2015-007	03/16/2015 SITE PLAN	29	1950 N GOLIAD ST		Ariana Hargrove FIRE	03/16/2015 03/23/2015	03/18/2015 COMMENTS
Z2015-011	03/03/2015 ZONING	42			Ariana Hargrove FIRE	03/03/2015 03/10/2015	

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 3/1/2015 thru 3/31/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2015-027	03/02/15	43	5451 Horizon	BUFFALO, CREEK BUSINESS PARK LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	03/02/15	03/12/15	03/02/15
	COMM		Rex Kelly - building wall to split space							
CO2015-0025	03/02/15	43	2455 Ridge Rd 149	ROCKWALL, OCEANHILL LLC	Ariana Hargrove	FIRE CO	APPROVED	03/02/15	03/05/15	03/02/15
	CO		Wing Stop							
CO2015-0026	03/02/15	43	6531 Horizon Suite C	ROCKWALL, RENTAL PROPERTIES LP	Ariana Hargrove	FIRE CO	APPROVED	03/02/15	03/05/15	03/02/15
	CO		Amazing Grades Tutoring							
BLD2015-028	03/03/15	42	1037 IH 30 103	EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/03/15	03/13/15	03/06/15
	COMM		Soma - New interior Completion							
BLD2015-028	03/03/15	42	2380 S GOLIAD ST 100	CNLRS, ROCKWALL LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	03/03/15	03/13/15	03/06/15
	COMM		Rockwall Eye Associates							
BLD2015-029	03/04/15	41	1220 HORIZON RD	1220, HORIZON ROAD LLC	Ariana Hargrove	FIRE 972-772-6431		03/04/15	03/14/15	
	COMM		CVS DUMPSTER ENCLOSURE (FOOTINGS ONLY)							
BLD2015-028	03/03/15	42	1037 IH 30 104	EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/06/15		03/06/15
	COMM		Chico - New interior Completion							
PLB2015-007	03/10/15	35	990 I30	ROCKWALL, LAND COMPANY LTD	Ariana Hargrove	FIRE 972-772-6431		03/10/15	03/20/15	
	COMM		Rockwall Ford - Replacing water heater							
BLD2015-031	03/11/15	34	1037 IH 30	EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE 972-772-6431		03/11/15	03/21/15	
	COMM		CONSTRUCTION TRAILER							
CO2015-0027	03/11/15	34	6537 HORIZON RD. STE B-1	N&TT LEGACY PARTNERS	Ariana Hargrove	FIRE CO	APPROVED	03/11/15	03/14/15	03/16/15
	CO		SENATOR BOB HALL OFFICE							
CO2015-0028	03/12/15	33	1300 Ralph Hall 102	DALLAS, EAST	Ariana Hargrove	FIRE CO		03/12/15	03/15/15	
	CO		MATHNASIUM OF ROCKWALL-HEATH							
CO2015-0029	03/13/15	32	2255 RIDGE RD	DAKIER, PARTNERS LTD	Ariana Hargrove	FIRE CO	APPROVED	03/13/15	03/16/15	03/16/15
	CO		MMF INVESTMENTS							
PLB2015-008	03/13/15	32	5719 SH 276	SIGN, OF QUALITY LLC	Ariana Hargrove	FIRE 972-772-6431		03/13/15	03/23/15	
	COMM		INSTALL DOUBLE CHECK VALVE FOR J & F PROPERTIES							
PLB2015-008	03/13/15	32	1104 Ridge Rd A	BENBROOKE, RIDGE PARTNERS LP	Ariana Hargrove	FIRE 972-772-6431		03/13/15	03/23/15	
	COMM		2 SHAMPOO BOWLS AND RUN LINE TO WASHING MACHINE							
BLD2014-129	09/09/14	217	3140 Horizon Rd.	ROCKWALL, REGIONAL HOSPITAL LLP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	03/17/15	03/27/15	03/17/15
	COMM		Shell Only- Spine Team Texas							
BLD2015-034	03/17/15	28	1700 IH 30	NESBO, LIMITED PARNERSHIP	Ariana Hargrove	FIRE 972-772-6431		03/17/15	03/27/15	
	COMM		FENTEN NISSAN 58' x 10' construction Trailer							
BLD2015-034	03/18/15	27	2897 SH 66	TA, LANDHOLDINGS LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/18/15	03/28/15	03/20/15
	COMM		Rockwall County Veterinary Clinic - Romodel							

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 3/1/2015 thru 3/31/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
PLB2015-008	03/18/15 COMM	27	811 YELLOW JACKET PURE SMOOTHIES, GREASE TRAP, ICE MAKER, SINK	LANDLOW, LLC	Ariana Hargrove	FIRE 972-772-6431		03/18/15	03/28/15	
BLD2015-036	03/20/15 COMM	25	810 E RALPH HALL PKWY 120 Urgent Care Rockwall Expansion - Interior Completion	INTERMED, SERVICES MANAGEMENT CO LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/23/15	03/30/15	03/23/15
BLD2015-036	03/23/15 COMM	22	3018 RIDGE RD 120 DR. CHOU PEDIATRIC DENTAL OFFICE	AJ, SQUARED LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/23/15	04/02/15	03/30/15
BLD2015-036	03/23/15 COMM	22	520 WASHINGTON ST. WOOD RAMP FOR BETHEL BAPTIST CHURCH	BETHEL BAPTIST CHURCH	Ariana Hargrove	FIRE 972-772-6431		03/23/15	04/02/15	
BLD2015-036	03/23/15 COMM	22	2578 HWY 276 FLAT WORK	VACPARTS WAREHOUSE COM LLC	Ariana Hargrove	FIRE 972-772-6431		03/23/15	04/02/15	
SPEC2015-00	03/23/15 SPECIAL EVENT	22	102 KENWAY DR FUN FEST-SAINT MATTHIAS CATHOLIC CHURCH	KNIGHTSBRIDGE, HOLDING CO PROFIT	Ariana Hargrove	FIRE 972-772-6431	APPROVED	03/23/15	03/30/15	03/23/15
BLD2014-125	09/02/14 COMM	224	760 Ralph Hall Pkwy W Horizon Village New Bldg	FLEMING, INVESTMENTS INC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/24/15	04/03/15	03/24/15
CO2015-0030	03/24/15 CO	21	890 Rockwall Pkwy 115 Texas Health Behavioral Servces	ROCKWALL, MEDICAL PROPERTIES LP	Ariana Hargrove	FIRE CO	APPROVED	03/24/15	03/27/15	03/24/15
BLD2014-125	09/02/14 COMM	224	760 Ralph Hall Pkwy W Horizon Village New Bldg	FLEMING, INVESTMENTS INC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	03/25/15	04/04/15	03/27/15
BLD2015-038	03/25/15 COMM	20	689 IH 30 LaQuinta Inn - lobby /mtg/ breakfast area remodel	STJ, INVESTMENTS LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	03/25/15	04/04/15	03/30/15
MEC2015-00	03/25/15 COMM	20	554 W RALPH HALL PKWY REPLACE HVAC FOR BUFFINGTON CHIROPRACTIC	BUFFINGTON CHIROPRACTIC	Ariana Hargrove	FIRE 972-772-6431		03/25/15	04/04/15	
BLD2015-039	03/26/15 COMM	19	898 Steger Town Dr. Avis Budget Car Rental - Adding 3 wing walls / no demo	STEGER, DUNHILL LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/26/15	04/05/15	03/30/15
BLD2015-040	03/27/15 COMM	18	506 N GOLIAD COMMERICAL - SHINGLES ONLY FOR THE LIGHTHOUSE	MEYERS, STUART A & BRENDA S	Ariana Hargrove	FIRE 972-772-6431		03/27/15	04/06/15	
CO2015-0031	03/27/15 CO	18	901 DAVY CROCKETT 316 BJJ	HENRY, PATRICK ETUX	Ariana Hargrove	FIRE CO	APPROVED	03/27/15	03/30/15	03/30/15
BLD2015-036	03/23/15 COMM	22	3018 RIDGE RD 100 DR AJAY GULATI ENDODONTIC	AJ, SQUARED LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/30/15		03/30/15

CRW Systems

Fire Alarms

March 2015

Fire Inspection Status	Date	Address	Common Name	Dispostion Code	CFS Number	Incident Number	Incident ORI
	03/02/2015 14:35:15	1539 MADISON DR		FA	255	2015-00000167	TX504
	03/03/2015 12:39:05	996 E I30	Best Western	FA	420	2015-00000169	TX504
	03/03/2015 15:15:11	1309 RIDGE RD		FA	447	2015-00000172	TX504
	03/03/2015 17:48:12	2901 VILLAGE DR		FA	468	2015-00000173	TX504
	03/08/2015 13:59:03	5242 MEDICAL DR	Broadmoor Medical Lodge	FA	1391	2015-00000191	TX504
	03/09/2015 08:42:58	1309 RIDGE RD		FA	1496	2015-00000195	TX504
	03/09/2015 11:39:13	1201 T L TOWNSEND DR	Herman E. Utley Middle School, Utley	FA	1512	2015-00000196	TX504
	03/10/2015 02:36:02	405 E I30	Office Depot	FA	1600	2015-00000197	TX504
	03/12/2015 17:54:52	350 DALTON RD	Nebbie	FA	2064	2015-00000202	TX504
	03/14/2015 20:05:58	1390 GLENWICK DR		FA	2407	2015-00000208	TX504
	03/15/2015 10:33:40	2949 WILD OAK LN		FA	2503	2015-00000209	TX504
	03/17/2015 11:26:28	720 E RALPH HALL PKWY	Rock Ridge, Rock Ridge Assisted Living, Rock Ridge Assisted Living and Memory Care	FA	2874	2015-00000213	TX504
	03/19/2015 14:25:32	112 E RUSK ST	Fatted Calf	FA	3304	2015-00000218	TX504
	03/24/2015 07:27:28	850 STEGER TOWNE DR	Target	FA	4114	2015-00000227	TX504
	03/25/2015 09:45:16	113 WALNUT LN		FA	4295	2015-00000229	TX504
	03/26/2015 10:38:07	1695 SCIENCE PL		FA	4452	2015-00000234	TX504
	03/29/2015 10:41:55	111 LANSHIRE DR		FA	5033	2015-00000243	TX504
		: 17					

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Inspection Totals Per Inspector

March 2015

Fire Inspection Status	Fire Inspection FDID	Inspector	Inspection Type	Fire Inspection Inspection Number
Pending	TX504	744 - Patrick	Certificate of Occupancy	CO2015-0022
Finaled	TX504	744 - Patrick	Certificate of Occupancy	CO2015-0019
Finaled	TX504	744 - Patrick	Courtesy	2626
Finaled	TX504	744 - Patrick	Courtesy	2625
Finaled	TX504	744 - Patrick	Courtesy	2624
Finaled	TX504	744 - Patrick	Courtesy	2623
Finaled	TX504	744 - Patrick	Courtesy	2632
Finaled	TX504	744 - Patrick	Courtesy	2631
Finaled	TX504	744 - Patrick	Courtesy	2630
Finaled	TX504	744 - Patrick	Courtesy	2629
Pending	TX504	744 - Patrick	Fire Alarm System	2621
Pending	TX504	744 - Patrick	Fire Alarm System	2564
Pending	TX504	744 - Patrick	Fire Spinkler System	2540
Pending	TX504	744 - Patrick	Fire Spinkler System	2540
Pending	TX504	744 - Patrick	Fire Spinkler System	2540
Finaled	TX504	744 - Patrick	Knox Box	2633
	Total Per Inspector: 16			
Pending	TX504	836 - Ayres	Annual	2639
Pending	TX504	836 - Ayres	Annual	2637
Pending	TX504	836 - Ayres	Annual	2627
Finaled	TX504	836 - Ayres	Annual	2609
Pending	TX504	836 - Ayres	Annual	2609
Finaled	TX504	836 - Ayres	Certificate of Occupancy	CO2015-0021
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2015-0015
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2015-0029
Finaled	TX504	836 - Ayres	Construction Final	2602
Finaled	TX504	836 - Ayres	Courtesy	2640
Finaled	TX504	836 - Ayres	Fire Spinkler System	2463
Finaled	TX504	836 - Ayres	Follow Up	2537
Pending	TX504	836 - Ayres	Follow Up	2612
Pending	TX504	836 - Ayres	Follow Up	2537
Pending	TX504	836 - Ayres	Remote FDC	2604
Pending	TX504	836 - Ayres	Underground Fire Line	2603
	Total Per Inspector: 16			
Finaled	TX504	843 - Clark	Annual	2619
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0028
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0027
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0023
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0005
Pending	TX504	843 - Clark	Certificate of Occupancy	CO2015-0028
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0026
Pending	TX504	843 - Clark	Certificate of Occupancy	CO2015-0026
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0022
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0024
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0025
Pending	TX504	843 - Clark	Certificate of Occupancy	CO2015-0023

Finaled	TX504	843 - Clark	Construction Final	2554
Finaled	TX504	843 - Clark	Construction Final	2555
Pending	TX504	843 - Clark	Construction Final	2628
Pending	TX504	843 - Clark	Construction Final	2638
Finaled	TX504	843 - Clark	Construction Final	2628
Pending	TX504	843 - Clark	Construction Final	2628
Finaled	TX504	843 - Clark	Construction Final	2552
Pending	TX504	843 - Clark	Construction Final	2628
Finaled	TX504	843 - Clark	Construction Final	2571
Pending	TX504	843 - Clark	Construction Final	2613
Finaled	TX504	843 - Clark	Courtesy	2494
Finaled	TX504	843 - Clark	Courtesy	2493
Finaled	TX504	843 - Clark	Courtesy	2586
Finaled	TX504	843 - Clark	Courtesy	2493
Finaled	TX504	843 - Clark	Courtesy	2636
Finaled	TX504	843 - Clark	Courtesy	2635
Finaled	TX504	843 - Clark	Courtesy	2634
Finaled	TX504	843 - Clark	Courtesy	2493
Finaled	TX504	843 - Clark	Courtesy	2494
Finaled	TX504	843 - Clark	Courtesy	2586
Pending	TX504	843 - Clark	Fire Spinkler System	2610
Finaled	TX504	843 - Clark	Fire Spinkler System	2610
Finaled	TX504	843 - Clark	Fire Spinkler System	2595
Finaled	TX504	843 - Clark	Fire Spinkler System	2610
Pending	TX504	843 - Clark	Fire Spinkler System	2463
Finaled	TX504	843 - Clark	Fire Spinkler System	2582
Finaled	TX504	843 - Clark	Fire Spinkler System	2581
Pending	TX504	843 - Clark	Follow Up	2617
Finaled	TX504	843 - Clark	Follow Up	2618
Pending	TX504	843 - Clark	Follow Up	2618
Finaled	TX504	843 - Clark	Follow Up	2611
Pending	TX504	843 - Clark	Follow Up	2611
Finaled	TX504	843 - Clark	Follow Up	2617
Finaled	TX504	843 - Clark	Knox Box	2565
Finaled	TX504	843 - Clark	Open Burn	2622
Finaled	TX504	843 - Clark	Other	2585
Finaled	TX504	843 - Clark	Tanks - Piping	2620
	Total Per Inspector: 49			
	Department Total: 81			

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Rockwall Police Department

Harbor District Calls For Service

March 2015

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2015-00007737	03/11/2015	20:57:41	Cinemark	Disturbance	No Report
2015-00009520	03/28/2015	03:36:47	Cinemark	Suspicious Activity	Report
2015-00006727	03/01/2015	14:51:35	Dodie's	Civil Matter	No Report
2015-00008939	03/22/2015	08:08:07	Hilton	Alarm-BUSN	False Alarm
2015-00009706	03/29/2015	22:41:57	Hilton	Solicitor	Arrest
2015-00007764	03/12/2015	03:17:21	Hilton	Suspicious Activity	No Report
2015-00008971	03/22/2015	14:25:59	Hilton	Welfare Concern	No Report
2015-00009554	03/28/2015	12:50:00	The Harbor	Accident - Minor	No Report
2015-00008389	03/17/2015	20:32:45	The Harbor	Assist Motorist	No Report
2015-00006675	03/01/2015	00:34:51	Three Sheets	Disturbance	Arrest
2015-00007428	03/08/2015	04:06:17	Three Sheets	Investigation	No Report
			Common Name		
			Hilton	4	
			The Harbor	2	
			Three Sheets	2	
			Cinemark	2	
			Dodie's	1	
			Total	**11**	

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
MARCH 2015

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	3	3	0	100%
ADMINISTRATIVE SERVICES	1	1	0	100%
AIRPORT	0	0	0	0%
ANIMAL SERVICES	4	3	1	75%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	0	0	0	0%
ENGINEERING	4	4	0	100%
FINANCE	3	3	0	100%
FIRE DEPARTMENT	39	38	1	97%
INTERNAL OPERATIONS	121	121	0	100%
MUNICIPAL COURT	4	4	0	100%
PARKS & RECREATION	26	26	0	100%
PLANNING & ZONING	0	0	0	0%
POLICE DEPARTMENT	36	36	0	100%
PUBLIC WORKS	13	13	0	100%
UTILITY BILLING	0	0	0	0%
TOTAL	254	252	2	99%

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
RADIO SYSTEM
REQUESTS FOR SERVICE
MARCH 2015

DEPARTMENT	# OF REQUESTS	# OF REQUESTS RESPONDED TO W / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ANIMAL SERVICES	0	0	0	100%
CODE ENFORCEMENT			0	100%
FIRE DEPARTMENT	8	8	0	100%
EMS	0	0	0	100%
INTERNAL OPERATIONS	1	1	0	100%
PARKS & RECREATION	0	0	0	100%
POLICE DEPARTMENT	6	6	0	100%
PUBLIC WORKS	0	0	0	100%
UTILITY BILLING	0	0	0	100%
FATE DEPT. PUBLIC SAFETY	0	0		100%
HEATH DEPT. PUBLIC SAFETY	1	1	0	100%
HOSPITAL CONTROL STATIONS	0	0	0	100%
SYSTEM ISSUES	1	1	0	100%
TOTAL	17	17	0	100%

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Airport Operations Report

For Month of March 2015

FUEL SALES

	GALLONS SOLD	GROSS SALES
Jet - A Sales	701.90	$2,737.41
Av-Gas Sales	1,753.00	$8,151.58
TOTAL FUEL SALES	**2,454.90**	**$10,888.99**

HANGAR RENTAL REVENUE

Open T Hangar Rental Revenue	$2,550.00
Terminal Office Rental Revenue	$250.00
Enclosed Hangar Rental Revenue	$120.00
North Maintenance Hangar Rental Revenue	$500.00
TOTAL HANGAR RENTALS	**$3,420.00**

HANGAR OCCUPANCY RATES

	TOTAL HANGARS	QTY RENTABLE	QUANTITY LEASED	OCCUPANCY RATE
Open T Hangars	45	40	36	90.00%
Terminal Office Rentals	1	1	1	100%
Closed Hangar Rentals	1	1	1	100%
Open Hangar Cap Rentals	2	1	1	100%
TOTAL HANGAR OCCUPANCY	**49**	**43**	**39**	**91%**

Of the forty five hangars only forty can actually be rented. Most of these forty should be considered substandard and not easily marketed due to pad slope and width, electrical, and drainage issues.

CITY FEES DUE	FEE RATE	FRANCHISE FEE DUE	FUEL FLOWAGE FEES DUE	TOTAL FEES DUE
Fuel Sales (Gallons Sold)	$0.10	$0.00	$245.49	$245.49
City Owned Hangar Rentals	5.00%	$171.00	$0.00	$0.00
TOTAL FEES DUE		**$171.00**	**$245.49**	**$416.49**

I certify the information and amounts submitted on this form are true and correct.

Todd Parks
Managing Director - Texas Air Center, LLC

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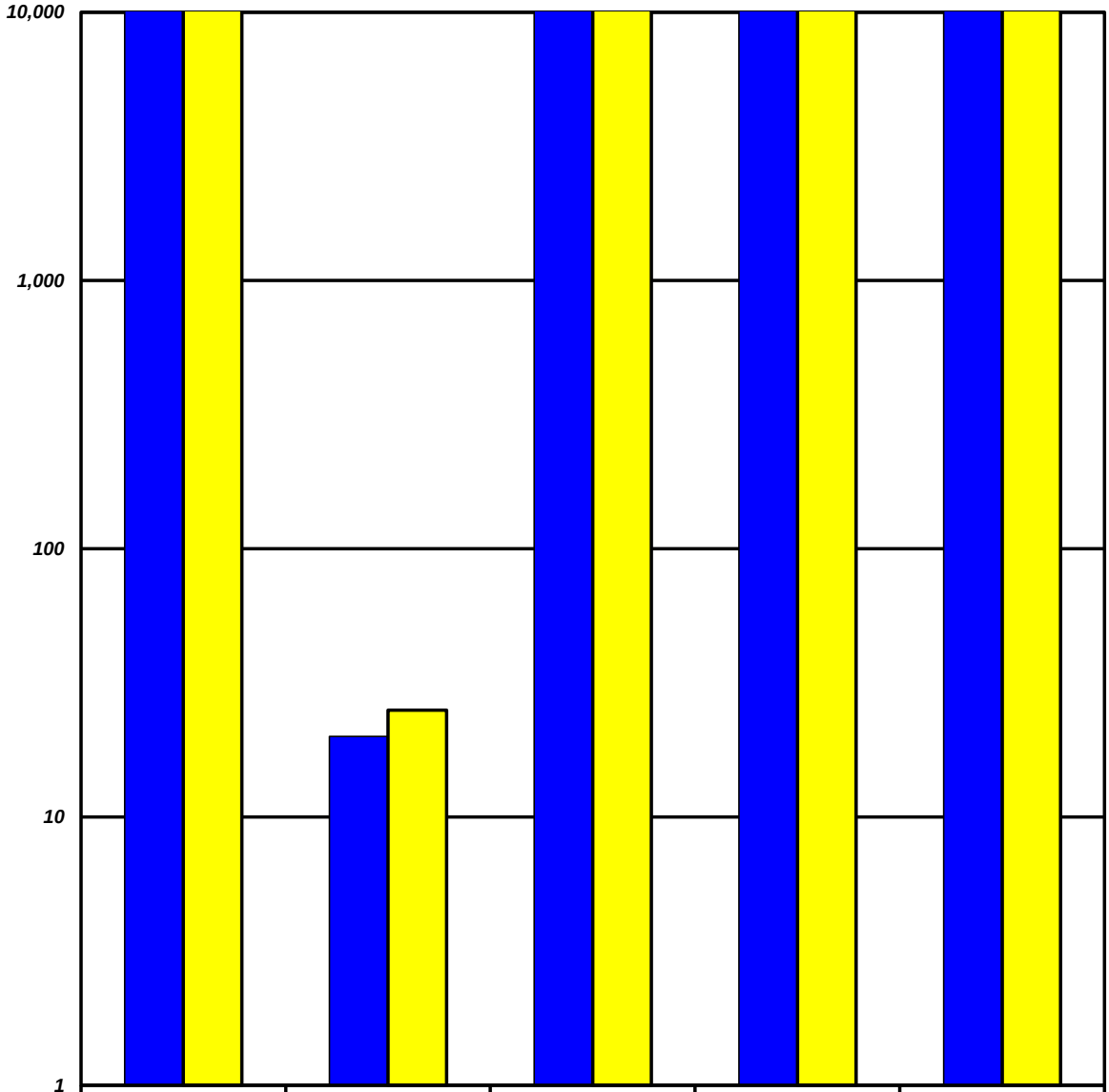
City of Rockwall
Parks and Recreation Department
FY15 March Report



	The Center Facility Usage	Average Participation per Hour	Ongoing Activities Attendance	The Center Facility Rental Revenue	Program Revenue
FY15 YTD	31,787	20	12,429	$20,562	$54,362
FY14 YTD	39,836	25	10,834	$22,714	$57,613

The Center Facility Usage - Total number of visitors and participants that come thru The Center - includes Ongoing Activities.
Average Participation per Hour - The Center Facility Usage divided by the number of hours the facility is open.
Ongoing Activities Attendance - Non fee based activities conducted on a routine basis (Bingo, Exercise with Anita, etc).

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Rockwall Animal Adoption Center Monthly Report
CCHS at Rockwall
March 2015

DISPOSITION REPORT

	March
Intakes	139
1045	2
Adopted	73
Returned to Owner	31
Rescued	9
Euthanized	6
Live Outcome %	**94%**
Number of Animals in Foster	2

FINANCIAL REPORT

Income	**March**
City of Rockwall	$0
Adoption Fee Income	$6,425
Impound Fee Income	$830
Owner Surrender	$1,252
General Donations	$1,562
Merchandise Sales	$0
Medical	$750
Quarantine Fee	$470
Total Income	**$11,289**

Expenses	**March**
Administrative Expenses (Payroll, etc)	$37,893
Shelter Expenses (Microchips, Drugs, etc)	$8,905
Veterinary Expenses	$1,135
Total Expenses	**$45,088**
Balance	**-$35,893**

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Consider approval of a resolution amending the Parks and Open Space Master Plan to update the Neighborhood Park District Map, and take any action necessary.

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P2015-017 - Consider a request by Ashley Malone on behalf of Lay Construction, LLC for the approval of a final plat for Lots 1 & 2, Block 1, HJG Plaza Addition being a 2.064-acre tract of land identified as Tract 36 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH -205 OV) District, located on the east side of SH-205 [S. Goliad Street] north of the intersection of SH-205 and Yellow Jacket Lane, and take any action necessary.

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Appointment with members of the Rockwall Youth Advisory Council (YAC) to hear year-end program report and to recognize graduating high school seniors, and take any action necessary.

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Appointment with Todd Parks, Fixed Base Operator at the Ralph M. Hall / Rockwall Municipal Airport, to hear annual report regarding Airport operations, and take any action necessary.

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Appointment with representative(s) of Eastridge Church of Christ to hear concerns related to the expiration of an existing facilities agreement between the City of Rockwall and the church, and take any action necessary.

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Hold a public hearing to discuss and consider approval of an ordinance amending Sections 38-50 through 38-61 of Article II, Parkland Dedication, of Chapter 38, Subdivisions, of the Code of Ordinances for the purpose of adjusting “Table 1: Park Dedication Acreage Factor per Dwelling Unit” to account for changes to the “Ultimate Dwelling Unit Holding Capacity” and “Dwelling Unit Dedication Factor” as approved by the Land Use Assumptions Report adopted by Resolution No. 14-16, and take any action necessary. (1st reading)
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Z2015-014 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Cole Franklin of the Skorburg Company on behalf of the owner the Lonnie Gideon Estate for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 29.192-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of the intersection of E. Quail Run Road and John King Boulevard, and take any action necessary. (1st Reading)
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P2015-015 - Hold a public hearing to discuss and consider a request by Bradley G. Bischof for the approval of a residential replat creating Lot 26, Block C, Harbor Landing, Phase 2, being a 0.46-acre parcel of land currently identified as Lots 21 & 22, Block C, Harbor Landing, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single family land uses, addressed as 320 & 322 Port View Place, and take any action necessary.
P2015-015 103
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Discuss and consider a recommendation from the Atmos Cities Steering Committee regarding adoption of an ordinance approving a negotiated resolution between the Atmos Cities Steering Committee (ACSC) and Atmos Energy Corporation, Mid-Tex Division regarding the company’s 2014 and 2015 Rate Review Mechanism filings, approving a settlement agreement with attached rates, and take any action necessary. (1st reading)
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Discuss and consider (2) nominations for an "outstanding senior who is making a difference in the senior community," as requested by Meals on Wheels Senior Services of Rockwall County, and take any action necessary.
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Discuss and consider approval of a resolution canvassing the May 9, 2015 General and Special Elections, and take any action necessary.

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Discuss and consider approval of an ordinance entering an order into the city records declaring that a total of eight (8) Home Rule Charter amendments were approved by the voters of the City on May 9, 2015 and are hereby adopted, and take any action necessary.

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AGENDA
ROCKWALL CITY COUNCIL
Monday, May 18, 2015
5:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointment to the city's Rockwall Economic Development Corporation (regulatory) board, pursuant to Section 551.074 (Personnel Matters)

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, May 18, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM LEWIS

VII. PROCLAMATIONS / AWARDS

p.8 **1.** Safe Boating Week (U.S. Coast Guard Auxiliary)
p.10 **2.** National Public Works Week

VIII. OPEN FORUM

IX. CONSENT AGENDA

p.12 **1.** Consider approval of the minutes from the May 4, 2015 regular city council meeting, and take any action necessary.

p.23 **2.** Consider approval of a resolution amending the Parks and Open Space Master Plan to update the Neighborhood Park District Map, and take any action necessary.

p.28 **3.** **P2015-017** - Consider a request by Ashley Malone on behalf of Lay Construction, LLC for the approval of a final plat for Lots 1 & 2, Block 1, HJG Plaza Addition being a 2.064-acre tract of land identified as Tract 36 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of SH-205 [S. Goliad Street] north of the intersection of SH-205 and Yellow Jacket Lane, and take any action necessary.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

p.35 **2.** Appointment with members of the Rockwall Youth Advisory Council (YAC) to hear year-end program report and to recognize graduating high school seniors, and take any action necessary.

p.49 **3.** Appointment with Todd Parks, Fixed Base Operator at the Ralph M. Hall / Rockwall Municipal Airport, to hear annual report regarding Airport operations, and take any action necessary.

p.61 **4.** Appointment with representative(s) of Eastridge Church of Christ to hear concerns related to the expiration of an existing facilities agreement between the City of Rockwall and the church, and take any action necessary.

XI. PUBLIC HEARING ITEMS

p.71 **1.** Hold a public hearing to discuss and consider approval of an **ordinance** amending Sections 38-50 through 38-61 of Article II, Parkland Dedication, of Chapter 38, Subdivisions, of the Code of Ordinances for the purpose of adjusting "Table 1: Park Dedication Acreage Factor per Dwelling Unit" to account for changes to the "Ultimate Dwelling Unit Holding Capacity" and "Dwelling Unit Dedication Factor" as approved by the Land Use Assumptions Report adopted by Resolution No. 14-16, and take any action necessary. **(1st reading)**

p.81 **2.** **Z2015-014** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Cole Franklin of the Skorburg Company on behalf of the owner the Lonnie Gideon Estate for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 29.192-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of the intersection of E. Quail Run Road and John King Boulevard, and take any action necessary. **(1st Reading)**

p.103 **3.** P2015-015 - Hold a public hearing to discuss and consider a request by Bradley G. Bischof for the approval of a residential replat creating Lot 26, Block C, Harbor Landing, Phase 2, being a 0.46-acre parcel of land currently identified as Lots 21 & 22, Block C, Harbor Landing, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single family land uses, addressed as 320 & 322 Port View Place, and take any action necessary.

XII. ACTION ITEMS

p.116 **1.** Discuss and consider a recommendation from the Atmos Cities Steering Committee regarding adoption of an **ordinance** approving a negotiated resolution between the Atmos Cities Steering Committee (ACSC) and Atmos Energy Corporation, Mid-Tex Division regarding the company's 2014 and 2015 Rate Review Mechanism filings, approving a settlement agreement with attached rates, and take any action necessary. **(1st reading)**

p.151 **2.** Discuss and consider (2) nominations for an "outstanding senior who is making a difference in the senior community," as requested by Meals on Wheels Senior Services of Rockwall County, and take any action necessary.

p.153 **3.** Discuss and consider approval of a resolution canvassing the May 9, 2015 General and Special Elections, and take any action necessary.

p.161 **4.** Discuss and consider approval of an **ordinance** entering an order into the city records declaring that a total of eight (8) Home Rule Charter amendments were approved by the voters of the City on May 9, 2015 and are hereby adopted, and take any action necessary.

XIII. RECOGNITION OF OUTGOING CITY COUNCIL MEMBER, BENNIE DANIELS (PLACE 3)

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointment to the city's Rockwall Economic Development Corporation (regulatory) board, pursuant to Section 551.074 (Personnel Matters)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVI. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 15th day of May, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

Rockwall, Texas

Proclamation

Whereas, recreational boating continues to grow in popularity with millions of Americans choosing this activity as an ideal way to relax with their families; and

Whereas, increasing public participation in this healthy outdoor sport has emphasized the need for greater attention to courtesy and safety to minimize incidents which often lead to boating mishaps; and

Whereas, a significant number of boaters who have drowned would have had a better chance of surviving had they worn a life jacket; and

Whereas, the U.S. Coast Guard Auxiliary, Flotilla 5-10, Division 5, District 8CR, which represents Lake Ray Hubbard, supports programs which result in our waterways having a relatively safe, accident free record.

Now, therefore, I, Jim Pruitt, Mayor of the City of Rockwall, do hereby proclaim the week of **May 16-22, 2015**, as

Safe Boating Week



in the City of Rockwall and urge all residents to practice safe boating procedures and "Wear It" this week and throughout the boating season.

In Witness Whereof, I hereunto affix my hand and official seal this 18th day of May, 2015.

_____

Jim Pruitt, Mayor

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Proclamation

Rockwall, Texas

Whereas, Public works services provided in our community are an integral part of our citizens' everyday lives; and

Whereas, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sanitary and storm sewers, streets and alleys, as well as providing support for various City Departments; and

Whereas, the health, safety and comfort of this community greatly depends on these facilities and services; and

Whereas, the quality and effectiveness of these facilities, as well as their planning, design and construction, is vitally dependent upon the efforts and skill of public works officials; and

Whereas, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform.

Whereas, National Public Works Week is a celebration of the tens of thousands of men and women in North America who provide and maintain the infrastructure and services collectively know as public works.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, do hereby proclaim the week of May 17-23, 2015, as:

NATIONAL PUBLIC WORKS WEEK

in the City of Rockwall, and call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort and quality of life.

In Witness Whereof, I hereunto set my hand and official seal of the city this 18th day of May, 2015.

_____

Jim Pruitt, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, May 04, 2015
5:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dennis Lewis and Council Members David White, Mike Townsend, John Hohenshelt, Scott Milder, and Bennie Daniels. Also present were City Manager Rick Crowley, Assistant City Managers Brad Griggs and Mary Smith and City Attorney Frank Garza.

Mayor Pruitt read the below listed items into the public record before recessing the meeting into Executive Session.

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)

III. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:40 p.m.

IV. RECONVENE PUBLIC MEETING

Mayor Pruitt reconvened the public meeting at 6:00 p.m.

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session.

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS

Councilmember Daniels delivered the invocation and led the Pledge of Allegiance.

VII. PROCLAMATIONS / AWARDS

1. Recognition of Rockwall Police Department Award Recipients

Police Chief Mark Moeller came forth and introduced the Assistant Chief of Police as well as several other members of the command staff. He then recognized Officer Russell Lambert for receiving the Lifesaving Award when he performed CPR and helped save the life of worker who was working on repairing a transformer when he became electrocuted.

He also acknowledged Officer Mike McCreary for receiving a Certificate of Merit for his clever police work which helped end a rash of motor vehicle burglaries. Chief Moeller went on to recognize several narcotics officers who received Certificates of Merit for their work to bust up a large drug trafficking operation that had been under investigation for several years.

2. Police Week Proclamation

Mayor Pruitt thanked the city's professional, dedicated police officers for their hard work and dedication to the City of Rockwall and its citizens. He then read a proclamation declaring it to be Police Week in the City of Rockwall.

3. National Safe Boating Week

This item was deferred until the next meeting.

4. National Day of Prayer

Mayor Pruitt reminded everyone about the Mayor's Prayer Breakfast at The Center on Thursday morning, May 7 at 7:30 a.m. as well as the noon day event out front of city hall. He then read a proclamation for National Day of Prayer into the public record.

VIII. OPEN FORUM

Mrs. Carrie Martin
119 Westminster Drive
(Carrington Farms subdivision)
Fate, Texas

Mrs. Martin expressed that she moved here from California and explained the various reasons why she moved to Fate. She explained that she has concerns about Rochelle Road, and she would like to see the City of Rockwall and the City of Fate make improvements to this gravel road to allow it to be traversed by the public without damage to personal vehicles. She suggested that paving the road as a two-lane roadway would be a good option at this point. She does not believe paving it as four-lane roadway would be necessary at this time, and she is not in favor of blocking it completely. She thanked the council for its consideration.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the April 20, 2015 regular city council meeting, and take any action necessary.

2. **Z2015-012** - Consider approval of an **ordinance** for a request by Cindy Levandowski on behalf of the owner Terry Rowe for the approval of an amendment to a Specific Use Permit [Ordinance No. 09-28] to allow for a General Retail Store within Planned Development District 50 (PD-50) for a 0.16-acre parcel of land identified as Lot 1, Block 1, Henry Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated

within the North Goliad Corridor Overlay (NGC OV) District, addressed as 907 N. Goliad Street, and take any action necessary **[2nd Reading]**.

3. **P2015-013** - Consider a request by Tony Rangel of Rangel Land Surveying Co. on behalf of Shawn Valk of Platinum Storage for the approval of a final plat for Lot 1, Block A, Platinum Storage Addition being a 5.549-acre tract of land identified as a portion of Tract 2 of the J. Cadle Survey, Abstract No. 65 and the N. M. Ballard Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Corridor (IH-30 OV) Overlay District, located on the west side of Townsend Road south of E. IH-30 and north of SH-276, and take any action necessary.

Councilmember Daniels made a motion to approve the entire Consent Agenda (#s 1, 2, and 3). Mayor Pro Tem Lewis seconded the motion. The ordinance for #2 was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-14
SPECIFIC USE PERMIT NO. S-137

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO AMEND SPECIFIC USE PERMIT (SUP) NO. S-68 [*ORDINANCE NO. 09-28*] TO ALLOW FOR A GENERAL RETAIL STORE IN A RESIDENTIAL-OFFICE (RO) DISTRICT, ON A 0.16-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK 1, HENRY ADDITION, GENERALLY LOCATED AT 907 N. GOLIAD STREET, AND ZONED PLANNED DEVELOPMENT DISTRICT NO. 50 (PD-50), CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of those present (7-0).

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Craig Renfro, Chair of the Planning & Zoning Commission, came forth and briefed the council on the Public Hearing item on tonight's city council meeting agenda.

2. Appointment with representative(s) of Eastridge Church of Christ to hear concerns related to expiration of an existing facilities agreement between the City of Rockwall and the church, and take any action necessary.

Indication was given that Councilmember White would be recusing himself from this item. However, indication was given that the representative(s) was not present. Therefore, this item was not discussed.

3. Appointment with Mike Clark of Winkelmann and Associates, representing Kroger Stores, to discuss the variance decision relative to the four (4) sided architecture requirement for the proposed Kroger store location at the southeast corner SH 205 and Quail Run Road and take any action necessary.

Mike Clark
Winkelmann and Associates
6750 Hillcrest Plaza, Suite 325
Dallas, Texas 75230

Mr. Clark explained that he is representing Kroger. He thanked the Council for allowing him to bring this item forward. He expressed that the four-sided architecture-related variance was not really discussed much at the last council meeting. He explained that he would be appreciative if the council might consider this particular issue as a stand-alone item rather than lumping it together with any of the other three variance requests that were presented at the last meeting.

Christina Conrad
Project Manager, Kroger Company
1331 East Airport Freeway
Irving, Texas

Ms. Conrad explained that this variance is associated with the elevations on the articulation at the rear of the building. She explained that this side of the building will all be screened with a fence and with buffer landscaping.

Mr. Clark explained that the articulation on the rear of the building involves separation from the back of the building and residents beyond the rear. There is a 30' landscape buffer of trees planned.

Mayor Pruitt asked for clarification regarding some "chimney like" elevations that would be present on the top of the roof of the building, asking if these would be visible from nearby residential homes. Mr. Clark explained that, generally, residents might see these, but likely they will not.

Councilmember White asked for clarification regarding if this item would have to go back on the agenda, or if the council can vote on these variance requests separately as four separate action items tonight. Mr. Garza, city legal counsel, confirmed that Council is able to take action this evening if it so chooses.

Councilmember White made a motion to approve the variance request for the four-sided architecture requirement, specifically regarding the rear of the building. Councilmember Townsend seconded the motion. The mayor commented that this must be a super majority vote if it is to be approved. Councilmember Milder indicated that he does not believe the size of this proposed store is way too large for this lot, and he is concerned about delivery truck traffic on Memorial Drive. Mayor Pruitt also indicated that he is not in favor of the entire development; however, he does not have a problem with granting the variance on the four-sided architecture (rear). The motion passed unanimously (7-0).

Councilmember White asked if the applicant (Kroger) will be coming back to ask for

reconsideration of the natural stone versus cultured stone variance that was denied at the last council meeting. Ms. Conrad indicated that they are waiting to see what the Council decides to do on the Action Item related to the subject matter later on in tonight's meeting. Mr. Clark indicated that, depending on how that item ends up, they may decide to come back and seek reconsideration; however, they may just continue on with using natural stone as decided at the last meeting.

XI. PUBLIC HEARING ITEMS

1. **Z2015-013** - Hold a public hearing to discuss and consider a request by Cole Franklin of the Skorburg Company on behalf of Breezy Hill 405, LTD for the approval of an **ordinance** amending Planned Development District 74 (PD-74) to change the concept plan to allow for additional single-family residential lots and allow for changes to the development standards contained in Exhibit 'C' of Ordinance 14-26 for 405.184-acres of land identified as Tract 7 & 7-1 of the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary. (**1st Reading)**

Mr. Ryan Miller, Planning Manager, provided background information related to this agenda item. He explained that the applicant is asking for about fourteen acres of currently designated retail land to be changed to allow for additional single-family residential lots instead. If this were to be approved, it would result in an increase of 742 to 762 lots, which is a total increase of about twenty lots. He went on to explain that the developer has been able to stay within guidelines on the city's density requirements (2 units per acre and 20% open space). Thirty-three property owners located within 500' of the subject property received notifications of this proposed change. Three notifications were returned back from residents in the subdivision, all of whom were opposed to this request. The Planning & Zoning Commission voted 6-1 to recommend approval of this request.

Adam Buczek
Skorburg Company
8214 Westchester Drive, Ste. 710
Dallas, TX 75225

Mr. Buczek provided a history of the Breezy Hill subdivision development over the last several years. He explained that, if approved, these 50x120' lot sized homes will be sold at a price point of the high $200's to mid-$300's and will be between 1,800 to 4,000 square feet.

Mayor Pruitt then opened the public hearing and asked if anyone would like to come forth and speak at this time.

Mrs. Caroline Nuytten
304 Wooded Trail
Rockwall, TX 75087

Mrs. Nuytten came forth and generally expressed opposition to these smaller lots. She explained that children and their parents already do not have a lot of space to play outdoors in the Breezy Hill neighborhood, so children are often in the streets playing.

She believes this poses a great safety concern. She is generally not in favor of this request.

Mr. Freddie Jackson
1812 Bristol Lane
Rockwall, TX 75032

Mr. Jackson asked for some clarification on the lot sizes originally and what is being proposed now. He expressed that he believes the residents in the neighborhood prefer the larger lots in lieu of smaller ones. He explained that those residents are not present this evening; however, several were in attendance at the P&Z meeting and expressed these sorts of sentiments.

Mayor Pro Tem Lewis expressed that he is torn between feeling that this proposed size lot is a product that is needed by young families and residents who already bought homes and live there likely expecting the larger lots within the neighborhood.

Mr. Buczek came forth and explained that he believes these residential lots will be a more desirable product than retail would be, as there will not be retail buildings, backs of those buildings, trash receptacles, etc. present if this area were developed as retail. He believes residential homes will be more helpful to the residents than retail would be.

Councilmember Pruitt expressed that he generally feels the developer should stick to what was originally proposed and approved within this subdivision, especially since residents who already purchased homes and are living there have had certain expectations ever since they bought their home (they have been expecting retail).

Councilmember Townsend expressed concern about the applicant expressing that any retail development in this location would be a horrible thing for the existing residents and the area. He does not believe this to be true. He is concerned about the developer referring to any residential lots as a "buffer area" between other residential homes on bigger lots and retail areas. He believes this sends a very negative message to people living in that community. He also has concerns about what the developer might allow to go into the retail areas.

Mr. Buczek indicated that even the 50' lots will not be cheap / inexpensive lots. He explained that he does not believe retail is 'negative,' stating that he is excited about it. He went on to explain that the current market is different than the original market, and therefore they no longer need as much retail as originally planned. Instead, they need more of the 50' lot product because they are almost out of these lots.

Councilmember Daniels expressed that fifty foot lots with front end garages will eventually become unsightly. He also offered concern about the applicant 'borrowing density' from elsewhere within the development in order to 'artificially' stay in compliance with the city prescribed / approved density requirements. He shared that he lives in a community that has very narrow lots and high density, and, in his experience, this combination does pose safety concerns for children and drivers who may drive over 10 mph. He feels that is how some of the residents in Breezy Hill may feel as well as far as allowing smaller/more narrow lots. He is generally concerned about developers coming in and not staying true to what they originally propose to put on the ground.

Councilmember Hohenshelt asked if the 50' lot product in Stone Creek was always, originally a part of that development, or if they were asked for and granted later on. Mr. Buzchek explained that the 50' lots were there and included originally.

Mr. Buczek explained that DCRs are in place in this neighborhood and will help with any concerns about property maintenance over time.

Mayor Pruitt reflected on 60' lots that were previously approved in Breezy Hill by a 5-2 vote. He believes residents who bought in Breezy Hill were already expecting that the subdivision would have large lots and some retail, and now he is hearing concerns from those residents about the city potentially allowing the developer to change what these residents believed they were originally buying into when they purchased their homes.

Councilmember Milder asked for the Planning & Zoning Chairman, Craig Renfro, to come forth and further explain discussions of the Commission relative to this agenda item. Mr. Renfro indicated that the commissioners had originally expressed a lot of similar concerns to those that city council members have expressed this evening. However, he and others on P&Z understand that a developer typically has an original vision and intent going into a project; however, sometimes, due to extenuating and other circumstances, the developer runs into a need to modify and make a course correction. Furthermore, he explained, after hearing from residents and thereafter talking through it, the P&Z cautioned residents to be careful what they wish for as far as the potential retail development areas are concerned and what could end up going in there. He went on to explain that Commissioner Logan was the one dissenting vote concerning the recommendation that this item be approved because she felt that the developer should stick to 60' lots.

Councilmember Hohenshelt asked for and received clarification from Mr. Buchek about the lot sizes being 50'. Mr. Buchek explained that they will be running out of fifty-foot lot sizes in about a year, so it makes sense to make more of this product available. Hohenshelt asked if he felt he would have any trouble selling 60' lot sizes, and Mr. Buchek indicated, no; however, he explained that there are significantly more 60' lots in inventory than there are 50' lots.

The public hearing was closed. Mayor Pruitt then made a motion to deny the request for this zoning change (change in concept plan). Councilmember Milder seconded the motion, which passed by a vote of 6 in favor with 1 against (White).

XII. ACTION ITEMS

1. Discuss and consider possible amendment(s) to the Unified Development Code (UDC) related to approved building materials (natural vs. quarried stone) and associated variances, and take any action necessary.

Councilmember White indicated that he placed this item on the agenda for discussion this evening.

Councilmember White made a motion to have the Planning & Zoning Commission and staff evaluate and bring back to the council for consideration a standard of high-quality, cultured stone that would be acceptable and durable for use in overlay districts. Councilmember Daniels seconded the motion.

Councilmember Hohenshelt suggested that perhaps leaving the ordinance regulations "as is" might result in applicants bringing forth before council, not only requests for variances associated with natural versus cultured stone, but also with perhaps some other high quality or unique architectural designs or materials that they would like the council to consider (which may be a positive thing). He generally cautioned the council to carefully consider the bigger picture before making a decision to change the ordinance regulations currently in place in overlay districts.

After additional discussion, the motion passed by a vote of 7 in favor with 0 against.

2. Discuss and consider amending the "Policies and Procedures of the Rockwall City Council and Other Boards and Commissions" to call for Open Forum to be held at each regular city council meeting, and take any action necessary.

Mayor Pruitt indicated that he asked that this item be placed on the meeting agenda for consideration. He believes that allowing Open Forum at each regularly scheduled city council meeting, rather than only at the first meeting of the month, is more inclusive for citizens who may wish to speak.

Councilmember White made a motion to modify the "Policies and Procedures of the Rockwall City Council and Other Boards and Commissions" to add language that will call for Open Forum to be held at each regularly scheduled city council meeting. Mayor Pruitt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

3. Discuss and consider scheduling the official canvass of the May 9, 2015 General and Special Elections as well as swearing in of newly elected city council members, and take any action necessary.

City Manager Rick Crowley provided the city council with some options pertaining to when the official canvass could be scheduled and when city council members who are newly elected could be sworn in.

Councilmember Lewis made a motion to move forward with the second option described in staff's memo (as follows):

> **Schedule the canvass on 05/18 during Action Items on the regular agenda; formally swear in newly elected members (by city secretary) at the very end of the 6PM public meeting agenda; recognizing and thanking outgoing members; with this option, newly elected council members' first official meeting would be Monday, June 1st (unless a special meeting were called in between)**

Councilmember White seconded the motion, which passed by a vote of 7 in favor with 0 against.

4. Discuss and consider granting permissions for the City's May 16, 2015 Founders Day Festival at Harry Myers Park related to Chapter 30, Article I, Sec. 30-2, Regulated Activities in Parks of the Code of Ordinances, and take any action necessary.

Councilmember White made a motion to approve this item, allowing alcohol to be brought in by residents/visitors/attendees and personally consumed at Harry Myers Park during the 2015 Founders Day Festival. Councilmember Hohenshelt seconded the motion. Councilmember Daniels indicated that he is opposed to the idea of having alcohol in the city's public parks because it is prohibited by ordinance. He does not believe the city council should be promoting alcohol in public parks. Mayor Pruitt indicated that he is also against alcohol in city parks. After brief comments, the motion passed by a vote of 4 in favor with 3 against (Pruitt, Milder and Daniels).

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections Monthly Report - March 2015
Finance Department Monthly Report - March 2015
Fire Department Monthly Reports - March 2015
Harbor PD Monthly Report - March 2015
Internal Operations Department Monthly Report - March 2015
Recreation Monthly Report - March 2015
Rockwall Animal Adoption Center Monthly Report - March 2015

2. City Manager's Report

City Manager Rick Crowley updated the council on various current and upcoming events. Lake Lavon has begun releasing water into Lake Ray Hubbard, which indicates we are in a significantly better position than we were as far as water and lake levels are concerned. He indicated that a recent bill in the legislature has been approved by the House, and it is a bill for which the council recently passed an ordinance of support. The San Jacinto music series is ongoing on Friday and Saturday evenings on the downtown square. Concert by the Lake begins this Thursday, and Founders Day is set for May 16. Staff is working through a lot of applications for the position of Chief of Police. Mayor Pruitt thanked staff for offering various, ongoing live music events to the public, which do help make the City of Rockwall the Live Music Capital of North Texas.

Councilmember White asked if there were any issues with members of the public needing to use the restroom while attending the San Jacinto music event. Mr. Crowley indicated that a few people did inquire, and they were told that The Center was available, however, a number of those in attendance went to a nearby restaurant or to 7-11 to use the restroom.

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Council did not convene in Executive Session at the end of the public meeting agenda.

XVI. ADJOURNMENT

The meeting was adjourned at 7:46 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 18th DAY OF MAY, 2015.

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **May 11, 2015**

SUBJECT: **PROPOSED RESOLUTION TO UPDATE PARK DISTRICT MAPS**

The adopted Parks and Open Space Master Plan provides for the ability to create neighborhood park spaces to be within convenient distances that serve the majority of the residents. Park districts are established within the Master Plan to provide graphical representation that any given park is established within such convenient locations.

The Master Plan prescribes the goal of an 11 acre park within each park district when possible. The Mandatory Park Land Dedication Ordinance requires residential developers to contribute to the development of neighborhood parks within the district in which they build. The developer is required to contribute in two ways. First by paying a pro-rata equipment fee and second by dedicating suitable park land or pay cash-in-lieu of land fees as defined in the Dedication Ordinance.

The park district map is the basis for calculating the pro-rata share and land required by each developer based on the total maximum dwelling units within each district. The maximum dwelling units within the districts are tied to the Land Use Assumptions Report, which was most recently adopted by City Council in October of 2014.

As land uses change, new areas are annexed and roads are built, the park district map is intended to be updated. The packet includes a map showing 29 existing park districts and a map that shows the proposed changes with 35 total park districts. The additional districts are proposed to account for new areas within the ETJ as well as incorporate areas within a commercial and light industrial corridor along I-30 and SH 276. In the event that a residential development comes in or a rezoning is granted in these areas, a park district would need to be in place in order to collect the required fees.

At the May meeting, Park Board voted unanimously to recommend to City Council the approval of the updated park district map.

CITY OF ROCKWALL

RESOLUTION NO. 15-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE PARKS, RECREATION & OPEN SPACE MASTER PLAN 2010-2020 BY APPROVING AN UPDATED PARK DISTRICT MAP; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall has adopted updated land use assumptions (*Resolution No. 14-16*) in accordance with Chapter 395, *Financing Capital Improvements Required by New Development in Municipalities, Counties, and Certain Other Local Governments*, of the Texas Local Government Code; and

WHEREAS, the growth projections for the City contained within the adopted *Land Use Assumptions Report* show residential growth in areas designated for *Technological/Light Industrial/Commercial* on the current *Park District Map* (*Exhibit 'A'*) contained within the *Parks, Recreation & Open Space Master Plan 2010-2020*; and

WHEREAS, the new *Park District Map* (*Exhibit 'B'*) removes the *Technological/Light Industrial/Commercial* designation and places all areas within the City and its extraterritorial jurisdiction into districts subject to the collection of cash-in-lieu of land and pro-rata equipment fees for new residential development; and

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

Section 1. The new *Park District Map* shall supersede and replace the prior *Park District Map* contained within the *Parks, Recreation & Open Space Master Plan 2010-2020*.

Section 2. This resolution shall take effect immediately upon its adoption, and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 18TH DAY OF MAY, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

Exhibit 'A'
Current Park District Map

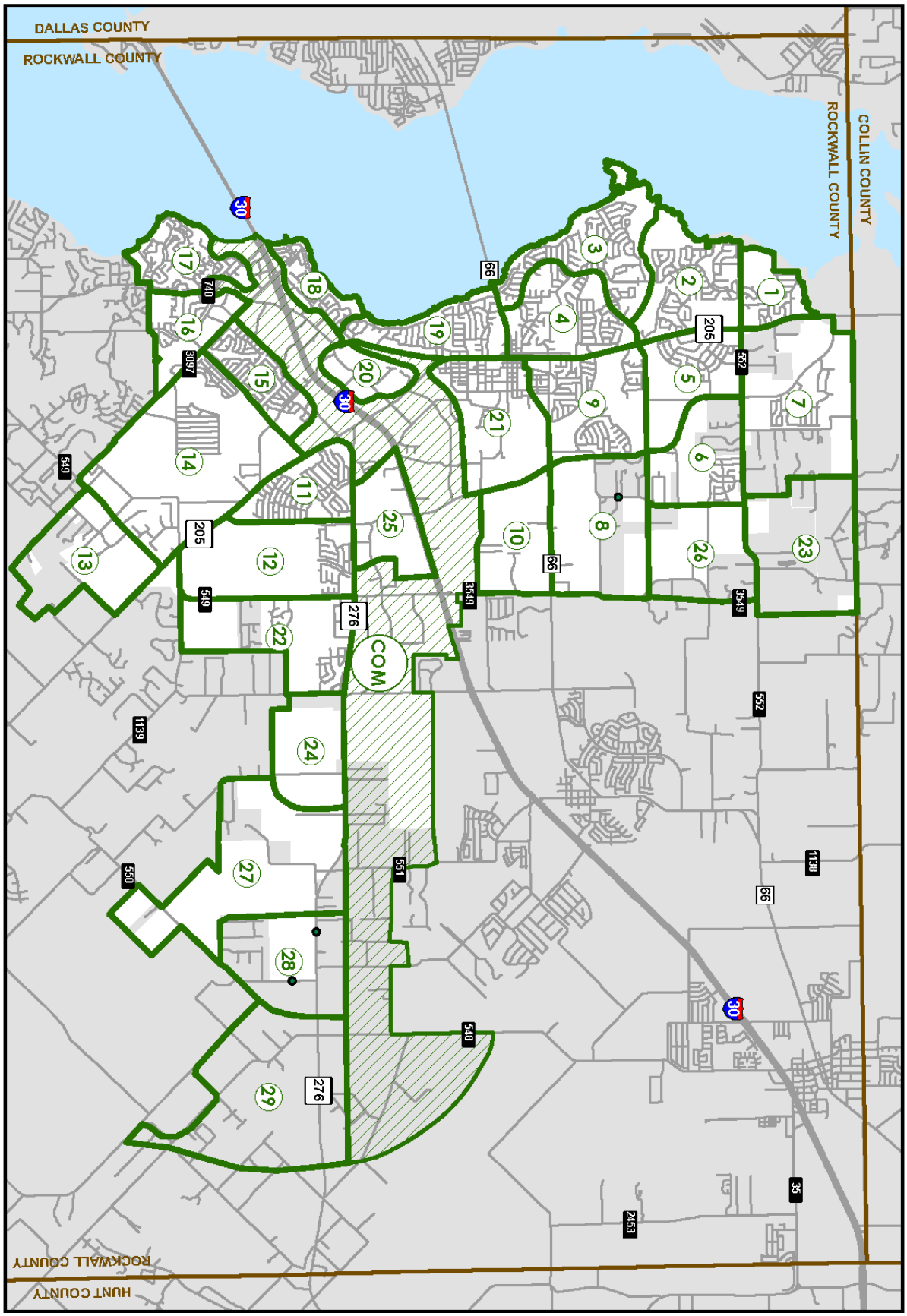
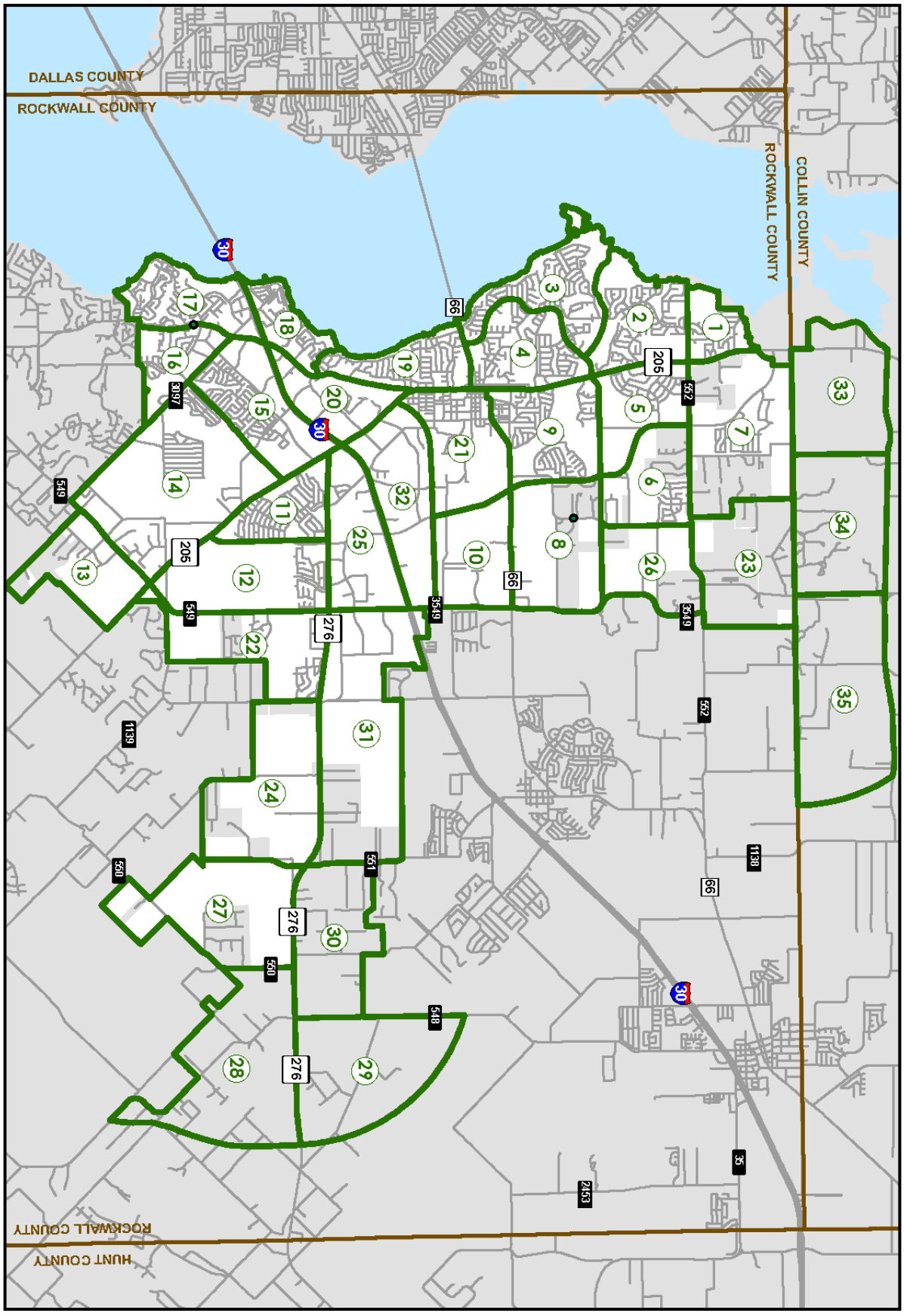


Exhibit 'B'
Proposed Park District Map



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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 05/18/2015

APPLICANT: Ashley Malone on behalf of Lay Construction, LLC

AGENDA ITEM: **P2015-017** (HJG Plaza Addition – Final Plat)

SUMMARY:

Discuss and consider a request by Ashley Malone on behalf of Lay Construction, LLC for the approval of a final plat for Lots 1 & 2, Block 1, HJG Plaza Addition being a 2.064-acre tract of land identified as Tract 36 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of SH-205 [*S. Goliad Street*] north of the intersection of SH-205 and Yellow Jacket Lane, and take any action necessary.

COMMENTS:

- The objective of the request is to final plat a 2.064-acre vacant tract of land into two separate parcels, Lot 1 being 1.154-acres & Lot 2 being 0.910-acres, for the purpose of development.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions listed in the Recommendations section below.

- With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the request for final plat, staff would recommend the following conditions of approval:

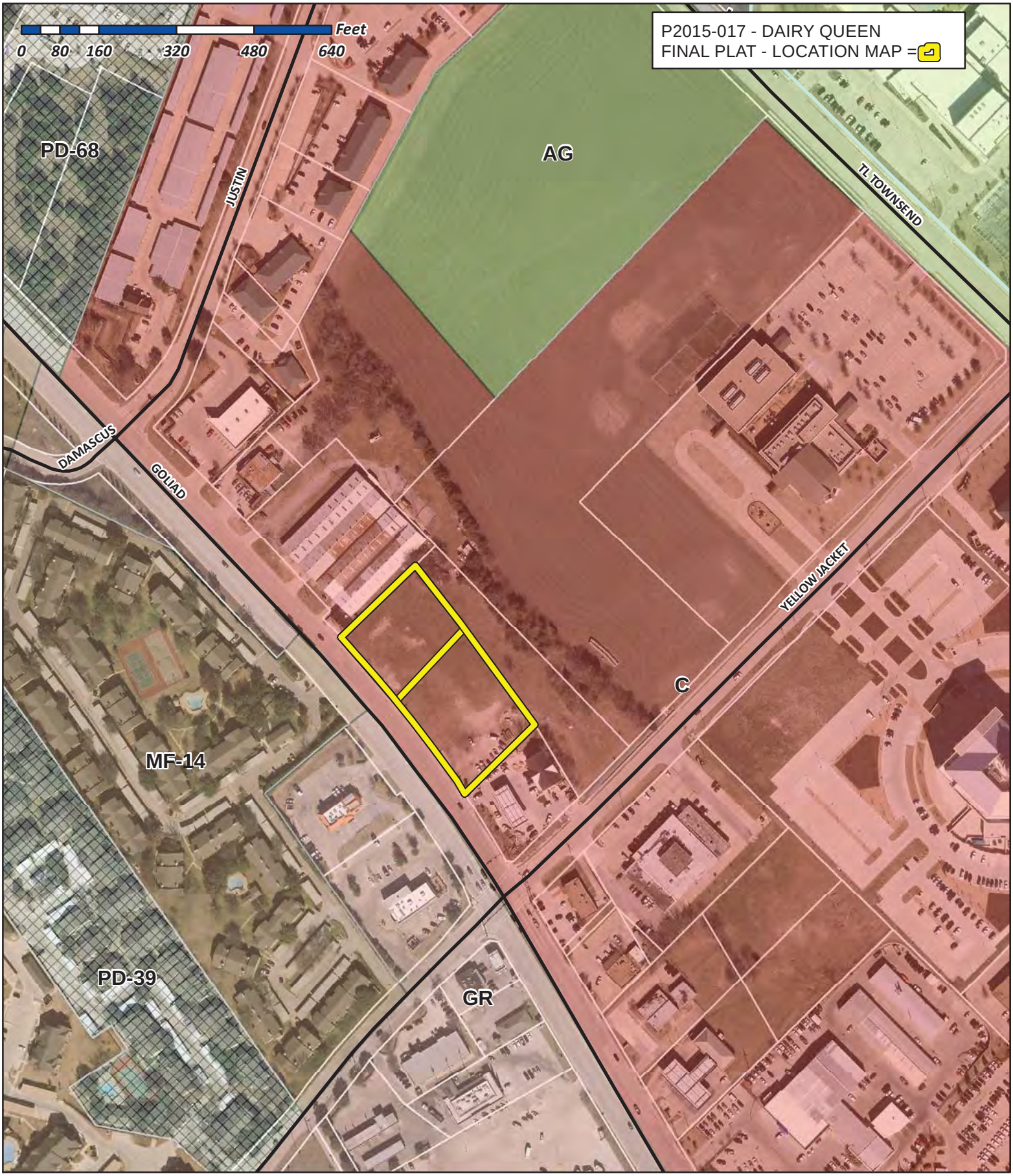
A) All the technical comments from the Planning, Engineering and Fire Departments shall be addressed prior to the filing of this plat, including the following comments;

1. Adherence to Engineering and Fire Department standards.
2. Address all staff comments as listed in the Project Plan Review (see attached).

B) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Recommendation:

On May 12, 2015, the Planning and Zoning Commission recommended approval of the final plat with staff conditions by a vote of 5 to 0 [Conley & Lyons – absent].



City of Rockwall

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

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

LEGEND

- = Concrete
- = Water Meter
- = Power Pole
- = Fire Hydrant
- WL = Water Line
- SL = Sewer Line
- OHE = Over Head Electric
- = Fire Lane
- = 1/2" Iron Rod Found
- = 1/2" Iron Rod Set

B. J. T. LEWIS
A-225

Scale: 1" = 50'

C1 Curve Information	
Radius	2923.79'
Chord Bearing	N 38°27'39" W
Chord Distance	411.31'
Arc Distance	411.65'
C2 Curve Information	
Radius	2864.79'
Chord Bearing	S 35°22'50" E
Chord Distance	419.77'
Arc Distance	420.15'
C3 Curve Information	
Radius	2926.75'
Chord Bearing	N 36°44'44" W
Chord Distance	236.63'
Arc Distance	236.70'
C4 Curve Information	
Radius	2864.79'
Chord Bearing	S 33°35'41" E
Chord Distance	241.48'
Arc Distance	241.55'
C5 Curve Information	
Radius	2864.79'
Chord Bearing	S 37°47'46" E
Chord Distance	178.56'
Arc Distance	178.60'
C6 Curve Information	
Radius	2928.97'
Chord Bearing	N 40°46'54" W
Chord Distance	174.92'
Arc Distance	174.95'

F1 Curve Information	
Radius	44.00'
Chord Bearing	S 86°28'24" E
Chord Distance	62.67'
Arc Distance	69.75'
F2 Curve Information	
Radius	2990.91'
Chord Bearing	S 39°21'41" E
Chord Distance	177.20'
Arc Distance	177.23
F3 Curve Information	
Radius	20.00'
Chord Bearing	S 84°49'54" E
Chord Distance	29.33'
Arc Distance	32.93'
F4 Curve Information	
Radius	44.00'
Chord Bearing	S 82°28'54" E
Chord Distance	66.93'
Arc Distance	76.06'
F5 Curve Information	
Radius	44.00'
Chord Bearing	S 07°31'06" W
Chord Distance	57.13'
Arc Distance	62.18'

F6 Curve Information	
Radius	20.00'
Chord Bearing	S 06°26'58" W
Chord Distance	26.53'
Arc Distance	29.01'
F7 Curve Information	
Radius	2990.91'
Chord Bearing	S 34°51'39" E
Chord Distance	25.11'
Arc Distance	25.11'
F8 Curve Information	
Radius	2966.91'
Chord Bearing	N 37°47'43" W
Chord Distance	337.82'
Arc Distance	338.00'
F9 Curve Information	
Radius	20.00'
Chord Bearing	N 86°28'24" W
Chord Distance	28.49'
Arc Distance	31.71'
F10 Curve Information	
Radius	2938.79'
Chord Bearing	N 38°30'00" W
Chord Distance	411.61'
Arc Distance	411.95'

FIRE LANE INFORMATION

NO.	Bearing	DIST.
FL1	N 41°42'51" W	24.00'
FL2	N 48°06'45" E	3.76'
FL3	N 48°00'00" E	81.43'
FL4	S 32°57'47" E	6.08'
FL5	S 48°00'00" W	93.65'
FL6	S 44°33'00" W	24.44'
FL7	S 48°06'45" W	3.84'

0.0117 Acre Utility Easement Detail D

Bayview Loan Servicing LLC
Called 1.922 Acres
Doc. No.: 2013-490955
Exhibit A

N: 7021820.2250
E: 2596609.6610

3/8" IRF

230.55'
N 43°17'39" E

State of Texas
Called 0.0045 Acres
Doc. No.: 2007-381301

Surveyed 2.0638 Acres
Horace L. Williams
Called 2 Acres
Volume 56 Page 150

1/2" IRS

0.0117 Acre Utility Easement
Doc. No.: 2015-00178
(See Detail D)

15' Drainage / Detention Easement (See Detail C)

Lot 2 - Block 1
HJG Plaza Addition
Surveyed 0.910 Acres

15' Utility Easement

24' Firelane & Public Access Easement

220.96'
220.96'
S 43°55'20" W
N 43°55'20" E

Lot 6 - Block 1
First United Methodist Church Addition
Cabinet G Slide 345

Lot 1 - Block 1
HJG Plaza Addition
Surveyed 1.154 Acres

25' Building Setback Line

0.0227 Acre Drainage Easement
Doc. No.: 2015-00177
(See Detail A)

N: 7021477.9760
E: 2596852.7100

1/2" IRF

Point of Beginning

South Goliad Street (S.H. 205)
(Variable Width R.O.W.)

Drainage / Detention Easement (See Detail A)

207.15'
S 44°33'00" W

10' Additional Drainage Easement
Doc. No.: 2015-00177

24' Firelane & Public Access Easement

Water Easement for Fire Hydrant
0.0135 Acres
(See Detail B)

State of Texas
Called 0.0192 Acres
Doc. No.: 2006-365493

R.O.W.

Lot 1 - Block 1
7-Eleven/Goliad Addition
Cabinet H Slide 243

Yellow Jacket Ln.

15' Drainage / Detention Easement Detail C
0.0663 Acres

E1 Curve Information	
Radius	2953.83'
Chord Bearing	S 40°24'36" E
Chord Distance	177.71'
Arc Distance	177.74'
E2 Curve Information	
Radius	2940.39'
Chord Bearing	N 39°00'30" W
Chord Distance	33.05'
Arc Distance	33.05'

E3 Curve Information	
Radius	2923.79'
Chord Bearing	N 39°16'00" W
Chord Distance	15.00'
Arc Distance	15.00'
E4 Curve Information	
Radius	2938.79'
Chord Bearing	N 40°52'59" W
Chord Distance	129.24'
Arc Distance	129.25'

Water Easement for Fire Hydrant
0.0135 Acres
Detail B

Owner:
Rockwall Ice Cream Holdings, LLC
121 Eagle Point Dr.
Waxahachie, TX 75165

Location Map

Justin Rd.
T. L. Townsend
Damascus Rd.
Site Location
S. Goliad St / Highway 205
E. Yellowjacket Drive
W. Yellowjacket Drive
I-30
Not to Scale

0.3997 Acre Detention / Drainage Easement Detail A

E5 Curve Information	
Radius	2876.98'
Chord Bearing	S 32°27'48" E
Chord Distance	97.78'
Arc Distance	97.79'

WALKER & ASSOCIATES SURVEYING INC.
10819 HWY 69 N. - TYLER, TEXAS 75706
PHONE: 903-534-9000 - FAX: 903-534-9616
www.walkersurvey.com - TBPLS Firm No.: 10025300

FINAL PLAT
HJG Plaza Addition
LOT 1 & 2, BLOCK 1 - BEING 2.0638 ACRES
OUT OF THE B.J.T. LEWIS A-225
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

DRAWN BY: C.H.J.	DATE: APRIL 28, 2015
SHEET 1 OF 2	JOB NO.: J10747
G:\J10747\REPLAT.DWG	CASE NO: P2015-017

STATE OF TEXAS}
COUNTY OF ROCKWALL}

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS.

We _____ the undersigned owners of the land shown on this plat, and designated herein as the HJG Plaza subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the DAIRY QUEEN ADDITION subdivision have been notified and signed this plat. We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement stripes for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner had complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to the pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence or work done; or

Until the developer and/or owner files a corporate surety bond with the city of secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exactions made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; My successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exactions made herein.

_____ _____
Rockwall Ice Cream Holdings, LLC (Owner) Date

STATE OF TEXAS }
COUNTY OF ROCKWALL }

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the forgoing instrument, and acknowledged to me that he/she executed the same for the purpose and consideration therein stated

GIVEN MY HAND SEAL OF OFFICE this the _____ of _____, 2015.

_____ _____
Notary Public, State of Texas My commission expires:

GENERAL NOTES

1) It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83–54.

OWNERS CERTIFICATE

STATE OF TEXAS}
COUNTY OF ROCKWALL}

WHEREAS, Rockwall Ice Cream Holdings, LLC, is the owner of a tract located in the B.J.T. LEWIS Survey A–225, in the City of Rockwall, being all of the same land being called 2 acres conveyed to Horace L. Williams as described and recorded in Volume 56 Page 150 of the Deed Records of Rockwall County, Texas, less and except a called 0.0192 acre tract conveyed to the State of Texas as described and recorded in Document Number 2006–365493 of the Deed Records of Rockwall County, Texas, said 2.0638 acre tract to be more particularly described as follows;

Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, N.A.D. 1983.

BEGINNING at a ½" iron rod found for the Southeast corner of herein described tract, same point also being the Northeast corner of Lot 1, Block 1 of the 7–Eleven /Goliad Addition as recorded in Cabinet H, Slide 243 of the Plat Records of Rockwall County, Texas, same point also being on the Southwest line of Lot 6, Block 1 of the First United Methodist Church Addition as recorded in Cabinet G, Slide 345 of the Plat Records of Rockwall County, Texas;

THENCE South 44°33'00" West along and with the Northwest line of said Lot 1 Block 1 of the 7–Eleven/Goliad Addition a distance of 207.15 feet to a ½" iron rod set for corner, same point being the Southwest corner of said Lot 1, Block 1 7–Eleven/Goliad Addition, same point being the Southeast corner of said called 0.0192 acre tract, same point also being on the East line of South Goliad Street, also known as S.H. 205 having a variable width R.O.W., same point also being the beginning of a curve to the left;

THENCE along and with the East line of South Goliad Street, also being said curve to the left having a radius of 2923.79 feet, said curve also having a chord bearing of North 38°27'39" West and having a chord distance of 411.31 feet, and having an arc distance of 411.65 feet to a ½" iron rod set for corner, same point being on the East line of South Goliad Street, same point also being the Northeast corner of said called 0.0192 acre tract, same point also being the Southeast corner of a called 0.0045 acre tract conveyed to the State of Texas as described and recorded in Document Number 2007–381301 of the Deed Records of Rockwall County, Texas, same point also being the Southwest corner of the residue of a called 1.922 acre tract conveyed to Bayview Loan Servicing LLC as described and recorded in Document Number 2013–490955 of the Deed Records of Rockwall County, Texas;

THENCE North 43°17'39" East along and with the Southeast line of said called 1.922 acre tract a distance of 230.55 feet to a 3/8" iron rod found for corner, same point being on the South line of said called 1.922 acre tract, same point also being the Northwest corner of said Lot 6, Block 1, of the First United Methodist Addition, same point also being the beginning of a curve to the right;

THENCE along and with the West line of said Lot 6, Block 1 of the First United Methodist Church Addition, also being said curve to the right having a radius of 2864.79 feet, said curve also having a chord bearing of South 35°22'50" East and having a chord distance of 419.77 feet, and having an arc distance of 420.15 back to the PLACE OF BEGINNING and containing 2.0638 acres of land.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Dennis H. Walker, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly places under my supervision.

Dated this the _____ day of _____, 2015

_____
Dennis H. Walker
State of Texas
R.P.L.S. No: 2117
Walker & Associates Surveying, Inc.
903–534–9000

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning & Zoning Commission, Chairman Date

APPROVED:

I hereby certify that the above and forgoing plat of an addition to the City of Rockwall, Texas was approved by the City Council of the City of Rockwall on the

_____ day of _____, 2015.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within on hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this the _____ day of _____, 2015

_____ _____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

WALKER & ASSOCIATES
SURVEYING INC.
10819 HWY 69 N. – TYLER, TEXAS 75706
PHONE: 903–534–9000 – FAX: 903–534–9616
www.walkersurvey.com – TBPLS Firm No.: 10025300

FINAL PLAT
HJG Plaza Addition
LOT 1 & 2, BLOCK 1 – BEING 2.0638 ACRES
OUT OF THE B.J.T. LEWIS A–225
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

Owner:
Rockwall Ice Cream Holdings, LLC
121 Eagle Point Dr.
Waxahachie, TX 75165

DRAWN BY: C.H.J.	DATE: APRIL 28, 2015
SHEET 2 OF 2	JOB NO.: J10747
G:\J10747\REPLAT.DWG	CASE NO: P2015–017

City of Rockwall

Project Plan Review History

Project Number	P2015-017	**Owner**	WILLIAMS, HORACE LEE JR AND	**Applied**	4/22/2015	LM
Project Name	DAIRY QUEEN	**Applicant**	LAY CONSTRUCTION LLC	**Approved**		
Type	PLAT			**Closed**		
Subtype	FINAL			**Expired**		
Status	STAFF REVIEW			**Status**	4/22/2015	LM

Site Address	**City, State Zip**	**Zoning**
1415 S GOLIAD	ROCKWALL, TX	

Subdivision	**Tract**	**Block**	**Lot No**	**Parcel No**	**General Plan**
7-ELEVEN / GOLIAD	36		36	0255-0000-0036-00-0R	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	4/22/2015	4/29/2015	4/22/2015		APPROVED	
BUILDING	John Shannon	5/6/2015	5/13/2015	5/6/2015		APPROVED	
ENGINEERING	Amy Williams	4/22/2015	4/29/2015	4/23/2015	1	COMMENTS	See Comments
(4/23/2015 8:14 AM AW) Engineering Comments on plat. The detention areas are to be labeled "Drainage and Detention" Give bearing and distances for 15' utility easement along SH 205 Add letters to details to clarify Move text around to make it easier to see.							
ENGINEERING	Amy Williams	5/6/2015	5/13/2015	5/6/2015		APPROVED	
FIRE	Ariana Hargrove	4/22/2015	4/29/2015	4/24/2015	2	APPROVED	
FIRE	Ariana Hargrove	5/7/2015	5/14/2015	5/7/2015		APPROVED	revisions
GIS	Lance Singleton	4/22/2015	4/29/2015				
PLANNING	David Gonzales	4/22/2015	4/29/2015	4/23/2015	1	COMMENTS	See comments

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
Discuss and consider a request by Ashley Malone on behalf of Lay Construction, LLC for the approval of a final plat for Lots 1 & 2, Block 1, HJG Plaza Addition being a 2.064-acre tract of land identified as Tract 36 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of SH-205 [S. Goliad Street] north of the intersection of SH-205 and Yellow Jacket Lane, and take any action necessary. Planning Department General Comments: 1. Adherence to Engineering and Fire Department standards. 2. Correct Title Block to include the following additions to read as follows: "HJG Plaza Addition" & "Lots 1 & 2, Block 1, being 2.0638-acres". 3. Label each lot to include "HJG Plaza Addition" - ex. Lot 1, Block 1, HJG Plaza Addition, 1.154- acres. 4. Relabel as Drainage/Dention Easement on Lot 1 by removing "Proposed Underground..." 5. Indicate 25-ft front building setback line (per SH205 OV). 6. "Dash-in" State of Texas right-of-way dedication in order to delineate from the property line. 7. Move Owners Certificate/legal description to page 2 to prevent crowding of plat. 8. Notary not necessary when plat is stamped by Surveyor - remove. 9. Will there be shared parking for either site? If so, an off-site parking agreement must be excuted and submitted prior to CO. 10. Provide label indicating "Case No. P2015-017" at the lower right hand corner of each page. 11. All revised/corrected plans are to be submitted to the Planning Department by Tuesday, May 5th, 2015.							
Planning Department	David Gonzales	5/7/2015	5/8/2015	5/8/2015	1	APPROVED	See comments
1. Adherence to all Engineering and Fire Department standards.							

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Honorable Mayor & City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

DATE: **May 15, 2015**

SUBJECT: **Youth Advisory Council (YAC) at council meeting**

Members of this year's Youth Advisory Council (YAC) will be at the council meeting on Monday evening to deliver the group's year-end report to the Council. It will also be an opportunity to recognize two outgoing seniors, Elsa Castro and Mie Pighee, as they are graduating high school and will be leaving the YAC.

City of Rockwall

Youth Advisory Council
2014-2015

Year End Overview

- September
  - YAC members selected
  - Attend city council meeting
  - Kick off social at Braum's
- October
  - First official YAC Mtg. held
    - Expectations set and officers selected
- November
  - Police Department visit (SWAT Team)

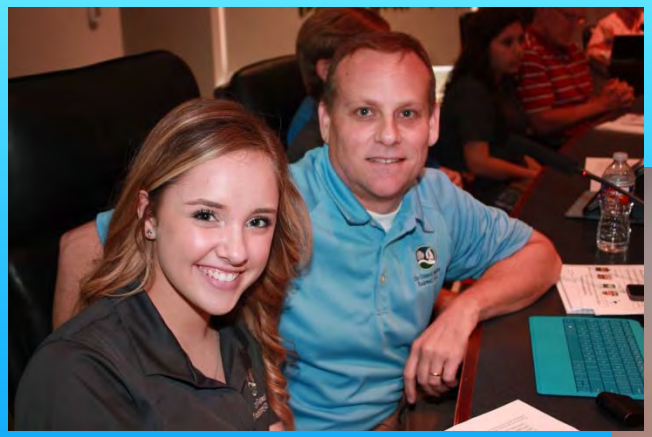
continued…

- December
  - Session with various city staff (Engineering, Fire and Planning): Overview of “development process”
- January
  - Guest Speaker: Michael Kovacs, Fate City Manager (education and career progression to City Manager)
  - YAC Summit – Killeen, TX
- February
  - Guest Speaker: Mike Donegan (History of Rockwall)

continued…

- March
  - FD rappelling got cancelled due to icy weather
- April
  - Visit Squabble Creek Wastewater Treatment Plant
  - Rappelling with Fire Dept.
- May
  - Year end social at Shenaniganz
  - Guest speaker: Molly Peterson (Rockwall Animal Adoption Center / CCHS)

First City Council Meeting













continued…







Meeting with the PD/SWAT Team







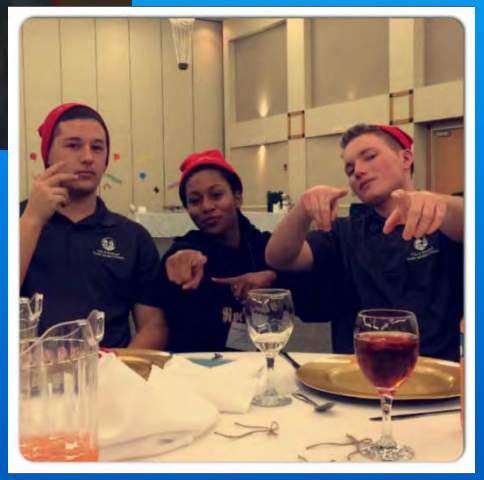


YAC Summit









Guest Speaker

- Fate City Manager
  - Education and career progression
  - Managing a small vs. larger city







Water Treatment Plant







Rappelling











Shenaniganz Social



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Texas Air Center

Texas Air Center, LLC



FBO Annual Report



May 13th, 2015

Texas Air Center, LLC 1701 Airport Road Rockwall, Texas 75087 **T** 972.771.0151 **F** 469.200.4479

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Introduction

Texas Air Center, LLC

Texas Air Center LLC. operates under contract with the City of Rockwall to provide airport management and aircraft services to based and transit aircraft operating in and out of the airport. In operation since April 1st of 2014 we have provided exceptional service to visitors, airport tenants, residents living in areas surrounding the airport and the citizens of Rockwall. Our objectives in April of 2014 were as follows;

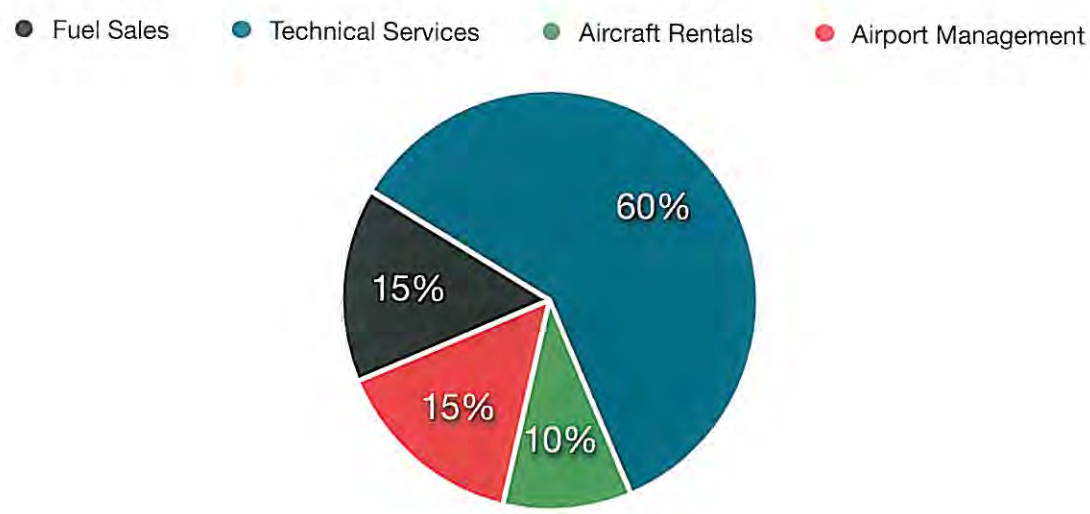
- Provide financial stability to FBO operations,
- Insure the availability of Jet-A and 100LL Aviation Fuel
- Improve relations with existing tenants.
- Provide hangar storage for new tenants.
- Increase airport revenues consistent with FAA self sufficiency guidelines.
- Work with city management to preserve and manage existing airport facilities
- Work with city management to submit Capital Improvement plans to Texas Department of Transportation
- Work with city management to insure fair access to existing hangar space by the flying public.
- Develop ordinances designed to enhance airport safety, security, and compliance with FAA grant assurances

While substantial progress has been made on some objectives we must also concede that others have not been fully met due to financial and facility constraints. We face substantial hurdles including maintenance and repair of existing structures, airport equipment and repairs to ramp areas, taxiways, and runways. It should be noted that development of a budget that addresses the needs of the airport was not possible going into 2015 due to the short time the FBO contract had been in place. We are looking forward to our first year of working with city management to develop a working plan for addressing the needs of the airport for 2016. Our goals will not change because we view them as essential to the safe and efficient operation of the airport.

Finally, we would like to thank the mayor, council members, city management and particularly Joey Boyd. Joey has worked tirelessly on the city's behalf to further the development of the airport where possible and we are grateful for his and his staff's support. If we can provide additional details before the May 18th council meeting please let us know.

FBO Operations

Line Services	Technical Services	Aircraft Rentals	Airport Management
Aircraft fueling and ground service operations	Aircraft maintenance, inspection, and overhaul	Aircraft rental as a profit center and supporting aircraft instruction	Airport property management and coordination with assistant to the City Manager
Operational Anchor	Capital Intensive Operations	Drives Airport Operations & Activity	Limited role in management of airport.

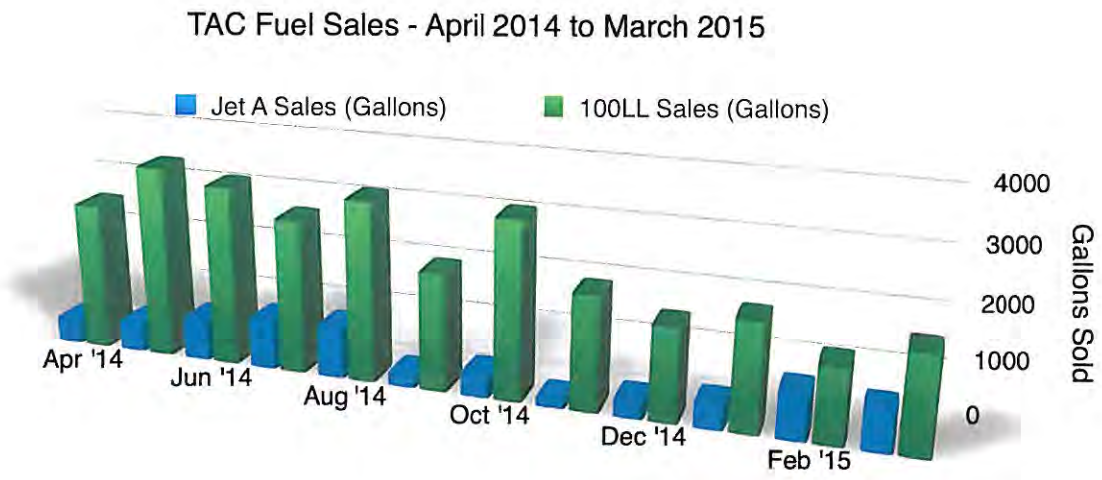


Texas Air Center, Product Mix

Texas Air Center currently operates seven days per week from 7:00 AM until 7:00 PM. With city council approval we closed at 6:00 PM during the months of December, January, February and March. Staffing includes the FBO manager, one full time line service employee and one part time employee working Sundays. FBO operations as listed above include line services to based and transient aircraft, technical services to based, transient and local aircraft, aircraft rentals in support of flight training operations and airport management services to the City of Rockwall.

Fuel Sales

Fuel sales for April 2014 through March of 2015 did not meet expectations due in part to faulty projections on TAC management's part, poor weather conditions and disappointing flight activity. Fuel sales have been reported each month to city management and these figures are illustrated below for council's convenience. In comparing previous year's fuel sales to this years sales one should take into consideration the use of the airport by aircraft temporarily displaced by construction at Sulphur Springs as well as re-location of one high volume customer to Mesquite airport following a change in aircraft type. TAC management views fuel sales as dependent on airport utilization and as such does not anticipate significant improvement (outside of weather conditions) absent upgrades in the quality and quantity of hangar space and improvements to airside assets (ramps, taxiways and runways).



Hangar Rentals

Rentable hangar facilities at the Rockwall Airport consist of 45 city owned covered "patio" hangars and 31 enclosed hangars operating under a ground lease contract with Eagle's Nest. The patio hangars are located on the East side of the field the ground lease hangars on the West side. The East side patio hangars rent for $85.00/month with rents going to the FBO per the current FBO contract. The West side hangars currently rent for $290.00 per month for small enclosed hangars and $560.00 per month for each of the three twin hangars. One large hangar is also covered under the West side ground lease and rents for $1500.00 per month. The west side hangar ground lease provides for a 25% ground lease applied to these hangar rents paid to the city



Airport Utilization

Airport utilization is best characterized by the number of operations flown during a particular time period by based and transient aircraft. The characteristics of the Ralph M. Hall/Rockwall Municipal airport do not support operations by transient aircraft demanding higher volumes of fuel. These would include turboprops and jet aircraft. Generally speaking, the transient aircraft visiting Rockwall are small aircraft on pleasure trips or aircraft and helicopters engaged in flight training activities. The table below illustrates that although there are a relatively large number of aircraft based on the field, a majority of those are rarely active.

Aircraft Operations

There are 73 aircraft based at the airport. These are all light (under 12,500 LBS) general aviation aircraft made up of small jet, light twin, single engine turbo-prop and single engine piston aircraft. Given the current operational restrictions of the airport in terms of runway length and width we would not anticipate this mix of aircraft changing in the future. To summarize, very few based aircraft utilize the airport on a regular basis. A majority of the aircraft traffic consists of helicopter and single engine aircraft training flights that have to date not taken fuel or used ramp facilities in any appreciable amount.

Light Jet	Single Engine Turbine	Twin Engine Piston	Single Engine Piston
1	1	4	67

Flight Frequency/ Month	Light Jet	Single Engine Turbine	Twin Engine Piston	Single Engine Piston
0	0	0	2	45
>1	0	0	0	15
>3	1	1	2	3
>5	0	0	0	4

Airport Revenues

Airport revenues consist of contracted percentages paid on hangar rentals, fuel sold and through the fence agreements. Per the FBO contract, through the fence agreement and ground lease revenues are not paid to Texas Air Center. City management has been provided information obtained on leasing activities to the extent we know them and corrections to amounts due the city were made in 2014 which did increase those revenues coming in to the airport fund. Our goal remains to continue working with city management to maximize the income generated by the airport in order to bring the airport as close to self sufficiency as possible.

Month	Fuel Flowage Fees	Hangar Lease Fees	Total
April 2014	$313.16	$145.00	$458.16
May 2014	$403.14	$138.00	$541.14
June 2014	$401.45	$161.25	$562.70
July 2014	$371.64	$159.25	$530.89
August 2014	$419.08	$120.50	$120.50
September 2014	$232.99	$151.00	$383.99
October 2014	$368.29	$160.75	$529.04
November 2014	$219.54	$139.50	$359.04
December 2014	$196.27	$164.65	$360.92
January 2015	$235.38	$197.32	$432.70
February 2015	$214.84	$166.75	$381.59
March 2015	$245.49	$171.00	$416.49
Total Revenues	$3621.27	$1874.97	$5077.16

Fiscal Year 2016 Objectives

Hangar & Ramp Renovations

Beginning in April 2015 Texas Air Center began terminating lease agreements on the terminal offices, commonly refereed to as the flight school, and the North hangar facility previously occupied by Rockwall Air Service and Rockwall Flite. This was not an easy decision. TAC management was sympathetic to businesses that had operated on the field for many years. Our preference would have been to find ways to work with existing business in a manner that took into account the limited space available for commercial aeronautical operations. However, proposals designed to make this happen were rejected. As of May 1st 2015 we have cleaned out both the terminal offices and the north hangar and are in the process of re-modeling both. The terminal offices have been painted and new carpet is expected to be installed within the next two weeks. These offices will be used as flight training rooms and offices for TAC management. We anticipate the North maintenance hangar being used for the storage of aircraft previously unable to base on the field following repairs and replacement of lighting fixtures and upgrades to the door system required for safety. City management has also submitted a letter of interest to TXDOT Aviation for funding of extensive repairs to airport paved surfaces, hangar drainage and hangar repair. City staff and Texas Air Center management have met with TxDOT Aviation planners on site and are working with them to get these projects programmed and scheduled as soon as set and federal funds become available.We are optimistic that the 2016 budget process will address the city's portion of funding for these projects and their implementation will serve to increase utilization of the facilities and revenues for the FBO and the city of Rockwall..

Airport Ordinances

City ordinances covering the operation of airports are written to insure that FAA grant assurances are met and that the airport is run in a manner that promotes the safety and well being of airport users and their aircraft. These ordinances provide rules and procedures covering the movement and operation of aircraft on the field, their storage in hangar facilities and the conduct of commercial and private aeronautical activities. TAC management has begun working with city management in drafting a set of airport rules and regulations that will serve all of these purposes. Submission of these ordinances for council approval is anticipated within the next 60 days following review with the airport subcommittee and TxDOT Aviation.

Through The Fence Agreements

Through the fence agreements are contracts between property owners owning land adjacent to an airport who wish to access airside facilities while retaining ownership of private property. In the interest of protecting airport operations and the right of property owners accessing the airport we would recommend that all through the fence agreements be reviewed as soon as possible.

Supporting Documents

Historical Fuel Sales Data

Historical Hangar Sales Data

Historical Fuel Sales Data

Year	January	February	March	April	May	June	July	August	September	October	November	December
2010	3,248.30	5,010.00	4,614.50	3,748.00	4,078.30	4,204.90	4,318.40	5,475.40	5,531.80	6,618.50	5,772.30	5,520.60
2011	3,319.50	2,083.90	Unavailable	3,521.30	3,425.90	4,682.60	4,854.90	4,405.40	3,270.50	4,188.40	3,496.50	3,756.70
2012	4,233.20	3,965.90	4,635.40	4,628.20	4,277.70	4,060.90	3,622.50	4,143.80	3,690.40	3,486.90	4,040.50	2,790.90
2013	2,328.00	1,895.30	2,020.10	3,311.60	3,048.70	3,297.80	3,850.50	3,536.00	3,397.80	Unavailable	Unavailable	Unavailable
2014	Unavailable	Unavailable	Unavailable	3131.6	4031.4	4014.5	3691.6	4201.1	2352.8	3626.2	2195.4	1962.7
2015	2353.8	2148.4	2454.9									

Historical Hangar Sales Data

Year	January	February	March	April	May	June	July	August	September	October	November	December
2010	$ 2,640.00	$ 2,536.40	$ 2,700.00	$ 3,470.00	$ 2,630.00	$ 2,838.89	$ 2,398.51	$ 2,280.00	$ 2,780.00	$ 2,360.00	$ 1,870.00	$ 3,060.00
2011	$ 1,940.00	$ 1,870.00	$ 2,220.00	$ 2,150.00	$ 1,940.00	$ 2,290.00	$ 2,220.00	$ 2,220.00	$ 2,850.00	$ 2,080.00	$ 1,300.00	$ 2,150.00
2012	$ 2,220.00	$ 2,500.00	$ 2,570.00	$ 2,150.00	$ 2,220.00	$ 2,430.00	$ 2,150.00	$ 2,570.00	$ 2,220.00	$ 2,570.00	$ 1,660.00	$ 1,940.00
2013	$ 1,940.00	$ 1,660.00	Unavailable	Unavailable	Unavailable	Unavailable	Unavailable	Unavailable	Unavailable	Unavailable	Unavailable	Unavailable
2014	Unavailable	Unavailable	Unavailable	$ 2,379.00	$ 3,068.48	$ 3,309.00	$3171.00	$2498.00	$2960.00	$3236.00	$2860.00	$3437.91
2015	$ 3,974.41	$3342.00	$3854.00									

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **May 1, 2015**

SUBJECT: **Facilities Agreement – Eastridge Church of Christ**

Eastridge Church of Christ constructed their building on FM549 in 2004. In order to build on their site, adequate fire flow was necessary. The area is served by Blackland Water Supply that did not meet city standards for fire flow. The City agreed to construct a 16" waterline, for fire protection purposes only, and accept an agreement for the church to make annual payments toward the total cost of the line, which was $175,500. Blackland WSC is still serving the Church for domestic water.

There are parcels of land in the immediate area, which will be served by this water line in the future, and the developer of those tracts will have to pay pro-rata fees based on the cost of the line.

The Agreement signed in 2004 required annual payments for 5 years, which were paid in a timely manner, and then a balloon payment in 2009 or the opportunity to revisit the agreement. At that time, Eastridge asked for an extension of the agreement to allow payments to continue over 5 more years with another balloon payment or opportunity to revisit. At this time, the Church's payments are current and the remaining balance is $47,725. The balloon at the end of the current period is equal to the amount that developers are required to pay when they do come in for development. The agreement, if the Church pays the final amount, would have the City reimburse the Church up to the $47,725 amount.

Rather than extend the agreement again, the Church leaders have asked the City to consider forgiving the remaining balance since the City retains the ability to collect the remaining balance from future development. If the Council will not approve forgiving the balance then the Church would like a ten-year repayment schedule for the remaining balance.

The Church's request letter as well as a copy of the 2009 Facilities agreement is included in the Council packet for review. Church leaders will attend to present the request to Council for consideration.

670 Stodghill Road Rockwall, TX 75087 972-771-9161
church@eastridge.cc www.eastridge.cc

Eastridge
CHURCH OF CHRIST

April 15, 2015

Mary P. Smith
City of Rockwall
385 S. Goliad St.
Rockwall, TX 75087

Dear Mary:

Eastridge Church of Christ would like to request that the balance of $47,725.00 be forgiven by the city of Rockwall, Texas. In the original agreement it was documented that the balance would be revisited by the parties if both agree to do so.

There is much potential for development in the area and the city will have the opportunity to collect on the water line from future developers. Eastridge Church of Christ has paid a total of $127,775.00 to date.

If relief is not granted, we are requesting a payment plan to pay off the balance in 10 years.

Thank you for your consideration of this request.

Mike Singleton
Elder
Eastridge Church of Christ

STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

FACILITY AGREEMENT
(Replaces the May, 2004 Agreement)

This Agreement is entered into on the _____ day of December, 2009, by and between the City of Rockwall, Texas ("City") and Eastridge (formerly Lakeside) Church of Christ ("Church").

WITNESSETH:

Section 1. That in consideration of the construction of the Eastridge Church of Christ Building located in Rockwall, Texas, the parties agree as follows:

Church agrees to the following:

a. Participate in the construction cost of the 16" water line in FM 549 from the IH 30 Service Road to the northeast property corner of the Church.
b. The Church will make the following payments to pay off the remainder of the original amount ($175,500- $77,574.00= **$97,926.00**):
    1. Initial payment due within one week of execution of this agreement- $10,000.00.
    2. Annual payment of $10,000.00 due June 1, for the next 3 years, beginning June 1, 2010 (2010, 2011, 2012).
    3. Year 4 payment of $10,201.00.
    4. Balance Due Year 5- $47,725.00.
c. At the conclusion of the five-year period, the balance of the participation due may be revisited by the parties if both agree to do so.
d. Any pro-rata collected by the City due to development adjacent to the water line, will be credited to the Church's Year-5 balance ($47,725.00) up to the maximum amount of reimbursement due to the Church of $47,725.00.
e. If the Church should undertake any additional expansion of the facility prior to the end of the five-year payout, the full amount of any remaining participation will be due prior to start of construction of the expansion.

f. Any future expansion to the Church may cause the need for the Church to construct an additional line down Airport Road for additional fire flows, depending on the type of expansion.

Section 2. The City agrees to the following:

a. Construct the 16-inch water line up FM-549 from the IH-30 Service Road to the Church's northeast property corner.
b. Collect pro-rata from developers, of undeveloped land adjacent to the water line, for one-half of the cost of a 12" water line. The City will credit up to $47,725.00 of the pro-rata collected to the Church's Year-5 payment.
c. At this time the 16" water line to the Church is for fire flows only, in area that is within the Blackland CCN. Should the City acquire the right to serve water to this area, the City will utilize the 16" water line for the potable water supply.

Section 3. Nothing contained herein shall be considered as a waiver of the provisions of the City's Comprehensive Zoning Ordinance and subdivision regulations as the case may be.

Section 4. Severability Clause. If any section or provisions of this Agreement or the application of that section or provision to any person, firm, corporation, situation or circumstance is for reason judged invalid, the adjudication shall not affect any other section or provision of this Agreement or the application of any other section or provision to any other person, firm, corporation, situation, or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the Agreement without the invalid parts and to this end the provisions of this Agreement shall remain in full force and effect.

Section 5. Venue for this agreement shall be in Rockwall County, Texas.

Section 6. Notice of this Agreement shall be in writing and addressed to the following:

City of Rockwall
385 S. Goliad
Rockwall, Texas 75087
Attn: City Manager

Eastridge Church of Christ
485 North FM-549
Rockwall, Texas 75087

SIGNED ON THE DATE FIRST ABOVE WRITTEN.

CITY OF ROCKWALL

By: _____
City Manager

EASTRIDGE CHURCH of CHRIST

By: _____

ACKNOWLEDGEMENTS

STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

BEFORE ME, the undersigned authority, on this day Personally appeared, Mike Singleton, ~~the~~ an Elder of the Eastridge Church of Christ, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 3rd day of March, 2009.

_____
Notary Public in and for the State of Texas

My Commission Expires:

6-23-2010
(seal)

KAREN L. FOUST
Notary Public
State of Texas
My Comm. Exp. 06-23-2010

STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

BEFORE ME, the undersigned authority, on this day Personally appeared, Julie Couch, City of Rockwall City Manager, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 15 day of December, 2009.

Elizabeth A Morgan
Notary Public in and for the State of Texas

My Commission Expires:
02-28-2013
(seal)

ELIZABETH A. MORGAN
Notary Public
State of Texas
My Comm. Exp. 02-28-2013

STATE OF TEXAS §
COUNTY OF ROCKWALL §
CITY OF ROCKWALL §

FACILITY AGREEMENT

This Agreement is entered into on the 28th day of May, 2004, by and between the City of Rockwall, Texas ("City") and Lakeside Church of Christ ("Church").

W I T N E S S E T H:

Section 1. That in consideration of the construction of the Lakeside Church of Christ Building located in Rockwall, Texas, the parties agree as follows:

Church agrees to the following:

a. Participate in the construction cost of the 16" water line in FM 549 from the IH 30 Service Road to the northeast property corner of the Church.

b. The Church will make the following payments:

1. Initial payment due prior to beginning of the site work -- $31,253.00.
2. Annual payments of $10,000 each due June 1, for years 1 through 3, beginning June 1, 2005.
3. Year 4 payment of $16,321.00.
4. Balance Due Year 5 -- $97,926.00.

c. At the conclusion of the five-year period, the balance of the participation due may be revisited by the parties if both agree to do so.

d. Any pro-rata collected by the City due to development adjacent to the water line, will be credited to the Church's Year-5 balance ($97,926) up to the maximum amount of reimbursement due to the Church of $47,725.00.

e. If the Church should undertake any additional expansion of the facility prior to the end of the five-year payout, the full amount of any remaining participation will be due prior to start of construction of the expansion.

f. Any future expansion to the Church may cause the need for the Church to construct an additional line down Airport Road for additional fire flows, depending on the type of expansion.

Section 2. The City agrees to the following:

a. Construct the 16-inch water line up FM 549 from the IH 30 Service Road to the Church's northeast property corner.

b. Collect pro-rata from developers, of undeveloped land adjacent to the water line, for one-half of the cost of a 12" water line. The City will credit up to $47,725.00 of the pro-rata collected to the Church's Year-5 payment.

c. At this time the 16" water line to the Church is for fire flows only, in area that is within the Blackland CCN. Should the City acquire the right to serve water to this area, the City will utilize the 16" water line for the potable water supply.

Section 3. Nothing contained herein shall be considered as a waiver of the provisions of the City's Comprehensive Zoning Ordinance and subdivision regulations as the case may be.

Section 4. Severability Clause. If any section or provisions of this Ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation, or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the Ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 5. Venue for this agreement shall be in Rockwall County, Texas.

Section 6. Notice of this Agreement shall be in writing and addressed as follows:

To City: City of Rockwall
Attn: City Manager
385 S. Goliad
Rockwall, Texas 75087

To Church:
Lakeside Church of Christ
950 William Street
Rockwall, Texas 75087

SIGNED ON THE DATE FIRST ABOVE WRITTEN.

CITY OF ROCKWALL

By: _____
Julie Couch, City Manager

LAKESIDE CHURCH OF CHRIST

By: _____
It's Authorized Representative

ACKNOWLEDGEMENTS

STATE OF TEXAS §
COUNTY OF ROCKWALL §
CITY OF ROCKWALL §

BEFORE ME, the undersigned authority, on this day Personally appeared, Julie Couch, City of Rockwall City Manager, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 26th day of May, 2004.

ATTEST:

DOROTHY J. BROOKS
Notary Public
State of Texas
My Comm. Exp. 04-28-2007

Dorothy J. Brooks
Notary Public in and for the State of Texas

[SEAL]

STATE OF TEXAS §
COUNTY OF ROCKWALL §
CITY OF ROCKWALL §

BEFORE ME, the undersigned authority, on this day Personally appeared, Milton Halbert, the Treasurer of the Lakeside Church of Christ, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said Church.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 26 day of May, 2004.

Karen Garner
Notary Public in and for the State of Texas

ATTEST:

KAREN GARNER
Notary Public
State of Texas
My Comm. Exp. 01-26-08

[SEAL]

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **May 14, 2015**

SUBJECT: **PROPOSED AMENDMENT TO PARK LAND DEDICATION ORDINANCE**

Each year the City Council adopts by resolution the per acre price of land and the cost to develop an 11 acre park within each district. The 2015 adopted per acre price is $34,000 and the equipment fees are currently based on $525,000. Each residential developer is responsible for their pro rata share of these values within a given district.

Contingent upon approval of the park district map, the Mandatory Park Land Dedication ordinance will need to be codified to reflect the updates to the map. Within Section 1, Sec.38-50 – Definitions of the ordinance, Table 1 is amended with the additional Park Districts, Ultimate Dwelling Unit Holding Capacity and Dwelling Unit Dedication Factor. This table is used to calculate the pro rata share of required acreage to be dedicated per new dwelling unit.

The Ultimate Dwelling Unit Holding Capacity column has been updated based on the most recent adopted Land Use Assumptions. The Dwelling Unit Dedication Factor column is updated by dividing the 11 acres of park area by the new Ultimate Dwelling Unit Holding Capacity for the district in which the units are located. The pro-rata equipment fees are also calculated using the Ultimate Dwelling Unit within each district.

The Parks and Open Space Master Plan is reviewed annually to ensure the plan is current and relevant. The Park Dedication Dwelling Unit table within the Park Land Dedication Ordinance is also reviewed and amended contingent on changes in the Land Use Assumptions.

CITY OF ROCKWALL

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING ARTICLE II, *PARK LAND DEDICATION*, OF CHAPTER 38, *SUBDIVISIONS*, OF THE CODE OF ORDINANCES AS SET FORTH HEREIN; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall has adopted a resolution updating the *Park District Map* and, therefore, codification of the city's *Park Land Dedication* ordinance regulations is necessary in order to reflect said updates.

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

Section 1. That Section 38-50 through Section 38-61 of Article II, *Parkland Dedication*, of Chapter 38, *Subdivisions*, of the Code of Ordinances, is heretofore amended, be and the same is hereby amended, which shall hereafter read in its entirety as follows:

Sec. 38-50. - Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Develop (V) means the act of subdividing a parcel or tract of land and installation of community facilities in accordance with and as defined by these subdivision regulations.

Development (N) means a parcel or tract of land proposed for subdivision in accordance with and as defined by these subdivision regulations.

Park Development means the development of a park site by construction of streets, drainage, utilities, and recreational improvements to serve a neighborhood park district.

Pro Rata Share of Required Dedication means the amount of land that shall be dedicated (*or the acreage figure used to calculate cash in lieu of land donation*) as prescribed within this article. The pro rata share of required dedication in a neighborhood park district shall be calculated as follows: pro rata share of required acreage dedication per new dwelling unit is the factor obtained when the 11-acre area of park is divided by the ultimate residential dwelling unit holding capacity for park district in which the unit is located.

Note: The total number of residential units which a neighborhood park district is projected to have when fully developed shall be determined by the *Impact Fee Land Use Assumptions* as

set forth in *Table 1*, *Park Dedication Acreage Factor per Dwelling Unit*, below.

Table 1: Park Dedication Acreage Factor per Dwelling Unit

Park District	Ultimate Dwelling Unit Holding Capacity	Dwelling Unit Dedication Factor (Acre)
1	457	0.024
2	1,212	0.009
3	1,398	0.008
4	1,295	0.008
5	879	0.013
6	1,227	0.009
7	2,450	0.004
8	1,194	0.009
9	1,822	0.006
10	436	0.025
11	1,110	0.010
12	1,343	0.008
13	989	0.011
14	2,780	0.004
15	1,256	0.009
16	347	0.032
17	2,774	0.004
18	687	0.016
19	1,057	0.010
20	1,174	0.009
21	1,212	0.009
22	1,178	0.009
23	1,775	0.006
24	2,115	0.005
25	490	0.022
26	966	0.011
27	2,079	0.005
28	2,418	0.005
29	2,219	0.005
30	973	0.011
31	994	0.011
32	561	0.020
33	1,875	0.006
34	2,050	0.005
35	3,004	0.004

Recreational Improvements Facilities means the park features set forth for a neighborhood park in the activity menu of the park plan. A uniform cost shall be prepared annually for these features and adopted by resolution by the city council. The dedication factor shall be applied to this cost to determine the pro rata share per new dwelling unit for recreational improvements facilities.

(Code 1982, § 24-42; Ord. No. 87-1, § II, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999; Ord. No. 03-29, § 1, 9-2-2003; Ord. No. 05-04, § 1, 1-18-2005)

Sec. 38-51. Purpose

(a) This article is adopted to provide recreational areas in the form of neighborhood

parks as a function of subdivision development in the city. This article is enacted in accordance with the home rule powers of the city, granted under the state constitution, in statutes of the state including, but not limited to, V.T.C.A., Local Government Code § 212.001 et seq. It is hereby declared by the city council that recreation areas in the form of neighborhood parks are necessary and in the public welfare, and that the only adequate procedure to provide for same is by integrating such a requirement into the procedure for planning and developing property or subdivisions in the city, whether such development consists of new construction on vacant land or rebuilding structures on existing residential property.

(b) Neighborhood parks are those parks providing for a variety of outdoor recreational opportunities, be a minimum of ten acres, and be within convenient distances for a majority of the residents to be served thereby. Park districts are established by the official park plan for the city and shall be prima facie proof that any park located therein is within such convenient distance from any residence located therein. Primary cost of neighborhood parks shall be borne by the ultimate residential property owners, who, by reason of the proximity of their property to such parks, shall be the primary beneficiary of such facilities. Therefore, the requirements of this article are adopted to affect the purposes stated.

(Code 1982, § 24-41; Ord. No. 87-1, § I, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-52. Impact Fee Land Use Assumptions

The total number of residential units which a neighborhood park district is projected to have when fully developed shall be determined by the impact fee land use assumptions as set forth in Table 1 Park Dedication Acreage Factor per Dwelling Unit which is on file with the City Secretary's office.

(Code 1982, § 24-42; Ord. No. 87-1, § II, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999; Ord. No. 03-29, § 1, 9-2-2003; Ord. No. 05-04, § 1, 1-18-2005)

Sec. 38-53. General Requirements for SF-E, SF-1, SF-16, SF-10, SF-8.4, SF-7, ZL-5, 2-F and MF-14, to be Used for Single-Family, Zero Lot Line, Duplex, and/or Apartment/Multifamily Residential Purposes

(a) Whenever a final plat is filed of record with the county clerk for development of a residential area in accordance with the planning and zoning ordinances of the city, such plat shall contain a clear fee simple dedication of an area of land to the city for park purposes, which area shall be equal to or greater than the property being subdivided's pro rata share of neighborhood park property required for the neighborhood park district in which the property being platted or subdivided is located as shown by the park master plan. Any proposed plat submitted to the city for approval shall show the area proposed to be dedicated under this article. The requirement for dedication under this article may be met by a payment of money in lieu of land when permitted or required by the other provisions of this article.

(b) The city council declares the development of an area smaller than one acre for public park purposes to be impractical. Therefore, if less than one acre is calculated to be the pro rata share of a development plat filed for approval, the developer shall be required to pay the applicable cash in lieu of land amount provided for by section

38-55(c), rather than dedicate any land area. No plat showing a dedication of less than one acre shall be approved.

(c) In instances where an area of less than six acres but more than one acre is calculated to be the pro rata share of a development, the city council shall have the option of requiring land dedication or cash in lieu of land in accordance with section 38-55(c) after consideration of the recommendation of the planning and zoning commission and the parks and recreation board. If the city determines that sufficient park area is already in the public domain in the area of the proposed development or the neighborhood park district, or if the recreation potential for that zone would be better served by expanding or improving an existing park, dedication may also be refused and cash in lieu of land may, likewise, be required.

(d) The dedication required by this article shall be made by filing of the final plat or contemporaneously by separate instrument. If the actual number of completed dwelling units exceeds the figures upon which the original dedication is based, additional dedication shall be required and shall be made by payment in lieu of land amount described by section 38-55(c), or by the conveyance of an entire numbered lot to the city.

(Code 1982, § 24-43; Ord. No. 87-1, § III, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-54. Prior Dedication; Absence of Prior Dedication

At the discretion of the city council, any former gift of land to the city may be credited on a per acre basis toward the eventual land dedication requirements imposed on the donor of such land. The city council shall consider recommendations of the planning and zoning commission and the parks and recreation board in exercising its discretion under this section.

(Code 1982, § 24-44; Ord. No. 87-1, § IV, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-55. Money in Lieu of Land

(a) Subject to the veto of the city council and the terms of section 38-53, a landowner responsible for dedication under this article may elect to meet the requirements of section 38-53 in whole or in part by a cash payment in lieu of land, in an amount set forth in subsection (c) of this section. Such payment in lieu of land shall be made at or prior to final plat approval.

(b) The city may from time to time decide to purchase land for parks in or near the area of actual or potential development. If the city does purchase park land in a neighborhood park district and said land purchased is used to meet the need for a neighborhood park, subsequent land dedications for that district shall be in cash only and calculated on a pro rata share basis to reimburse the city's actual cost of acquisition and development of such land for parks. The cash amount shall be equal to the sum of:

(1) The average price per acre of such land; and
(2) The actual cost of adjacent streets and site utilities, or an estimate of such actual costs provided by the city engineer and the recreation improvement costs

for facilities as set forth in the park master plan for neighborhood parks.

Once the city has been reimbursed entirely for all park land within a park zone, this section shall cease to apply and the other sections of this article shall be applicable.

(c) To the extent that subsection (b) of this section is not applicable, the dedication requirements shall be met by a cash payment in lieu of land on the basis of a per acre price. Said per acre price shall be determined annually by the city council and shall be based on current land values within the city. Once established the council shall adopt the value by resolution for appreciation as required in this subsection. Cash payments may be used only for acquisition or improvement of neighborhood parks located within the same neighborhood park district as the development in accordance with the park master plan.

(Code 1982, § 24-45; Ord. No. 87-1, § V, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-56. Dedication of more than the Pro Rata Share of Parkland

(a) The developer of a residential subdivision which is subject to the terms of this article may dedicate more land than the pro rata share calculated for the development if approved by the city council. If the developer dedicates an amount equal to or greater than the total required parkland area for the neighborhood park district in which his subdivision is located, the city and the developer shall execute a pro rata refunding agreement in accordance with these subdivision regulations which shall recover the cost of land dedicated in excess of the developer's pro rata share after streets, drainage, and utilities are constructed on the dedicated property.

(b) The developer shall install the streets, drainage, and utilities to serve the neighborhood park, and the cost of same shall be included in the pro rata refunding agreement. The pro rata refunding agreement shall provide that future developers in the same neighborhood park district shall pay their pro rata share of the actual cost of park development which shall be calculated based on the per acre cash in lieu of land coast in effect at the time of dedication, plus the costs of streets, drainage, utilities, and recreational facilities installed to serve the dedicated neighborhood park. The cost of streets, drainage and utilities installed to serve the park shall be certified by the city engineer. In no case shall the developer receive pro rata payments after he has recovered an amount equal to the number of acres actually dedicated in excess of his pro rata share multiplied by the per acre cash in lieu of land figure in effect at the time of actual dedication, plus the costs of streets, drainage, and utilities as certified by the city engineer necessary to serve the neighborhood park. In no case shall the term of any pro rata agreement provided by this article be for a period in excess of five years from the date of dedication.

(Code 1982, § 24-46; Ord. No. 87-1, § VI, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-57. Special Fund Established; Refunds

(a) There is hereby established a special fund for the deposit of all cash funds in lieu of land dedication under this article, which fund shall be known as the "Park Land Dedication Fund."

(b) The city shall account for all sums paid in lieu of land dedication under this article referenced to individual plats involved. Any funds paid for such purposes must be expended by the city within eight years from the date received by the city for acquisition and development of a neighborhood park as defined in this article. Such funds shall be considered to be spent on a first/in first/out basis. If not so expended, the owners of the property on the last day of such period shall be entitled to a pro rata refund of such funds, calculated on a square footage basis. The owners of such property must request such refund within one year of entitlement, in writing, or such rights shall be barred.

(Code 1982, § 24-47; Ord. No. 87-1, § VII, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-58. Additional Requirements and Provisions

(a) Any land dedicated to the city under this article shall be suitable for park and recreation use. The following characteristics of a proposed area are generally unsuitable:

(1) Any area located in the 100-year floodplain;
(2) Any area of unusual topography or slope which renders same unusable for organized recreational activities.

The characteristics of the parkland dedication area mentioned in this subsection may be grounds for refusal of a plat.

(b) Each park must have ready access to a public street.

(c) Unless provided otherwise in this article, action by the city shall be by the city council after consideration of the recommendations of the planning and zoning commission and the parks and recreation board. Any proposal considered by the planning and zoning commission under this article shall have been reviewed by the parks and recreation board and its recommendation given to the commission. The commission may make a decision contrary to such recommendation only by a vote of at least five members. Should the commission be unable to get this vote, the matter shall then be referred to the city council for final decision.

(d) If any provision of this article or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any other provisions or applications of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

(Code 1982, § 24-48; Ord. No. 87-1, § VIII, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-59. - Review and Updating Park Master Plan

The city parks and recreation department shall consider the need to update the park master plan at least annually to ensure that the plan remains current and provides an equitable, effective framework from which to pursue the acquisition and development of neighborhood park services for each neighborhood park district.

(Code 1982, § 24-49; Ord. No. 87-1, § XI, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-60. Waiver of Mandatory Neighborhood Parkland Dedication in the Case of Private Developments

(a) If a development is proposed to be a private development where no public streets are dedicated for use by the public, the city shall:

(1) Calculate the pro rata share of the proposed private development as if it were to be a development where public streets were to be dedicated.
(2) Waive the requirement for mandatory dedication if the private amenities of the proposed development meet or exceed the calculated pro rata share as calculated under subsection (a)(1) of this section.
(3) Decrease the total acreage shown in the park master plan as being required to meet the ultimate need for neighborhood parks in the applicable neighborhood park district by the acreage calculated under subsection (1) of this section (for the purpose of future calculations of pro rata shares for future developments).

(b) In a private development within a park district or a private development encompassing an entire park district, the park property within the private development must be easily accessible to the general public either through the use of the city trail system or public roadways. If the private development encompasses the entire park district and the ten acres of parkland is not continuous, each separate section of park property must be accessible to the general public and connected by way of a minimum eight-foot-wide trail.

(Code 1982, § 24-50; Ord. No. 87-1, § IX, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-61. Waiver of Article Requirements by City Council

The city council may waive the requirements of this article upon a finding by the city council that said waiver is clearly in the best interest of the city.

(Code 1982, § 24-51; Ord. No. 87-13, § I, 3-16-1987; Ord. No. 99-20, § 1, 6-7-1999)

Section 2. That any person, firm or corporation who violates any provision of this ordinance or who fails to obtain a special event permit shall be deemed guilty of a misdemeanor and upon conviction thereof, in the Municipal Court of Rockwall, TX, shall be subject to a fine in accordance with the general provisions of the Code of Ordinances;

Section 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict;

Section 4. That the Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance;

Section 5. That should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable;

Section 6. That it is hereby found and determined that the meeting at which this ordinance was passes was open to the public as required by *Section 551.001* et seq., *Texas Government Code*, and that advance public notice of the time, place and purpose of said meeting was given;

Section 7. That this Ordinance shall take effect immediately upon its second reading and newspaper publication as required by the *City Charter*, *Section 3.11*;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 1ST DAY OF JUNE, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 05-18-15

2nd Reading: 06-01-15

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 05/18/2015

APPLICANT: Cole Franklin, *Skorburg Company*

AGENDA ITEM: **Z2015-014**; *Gideon Tract (AG to PD)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Cole Franklin of the Skorburg Company on behalf of the owner Lonnie Gideon Estate for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 29.192-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of the intersection of E. Quail Run Road and John King Boulevard, and take any action necessary.

PURPOSE:

On April 17, 2015, the applicant submitted an application requesting to rezone a 29.192-acre tract of land from an Agricultural (AG) District to a Planned Development District for a single-family, residential subdivision that will consist of 72 single-family lots, an amenities center and open space areas. The property, which was annexed into the City on March 16, 1998 by *Ordinance No. 98-10*, is located at the northeast corner of E. Quail Run Road and John King Boulevard and is currently vacant agricultural land.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is the City's corporate boundaries followed by a single family, residential development that is situated within Rockwall County.

South: Directly south of the subject property is John King Boulevard, which is designated as a P6D (*principal, six [6] lane, divided roadway*), and a portion of E. Quail Run Road, which is designated as a M4U (*minor, four [4] lane, undivided roadway*) according to the City's Master Thoroughfare Plan. Beyond these roadways are the remaining tracts of land that are part of a larger 62.192-acre tract of land that incorporates the subject property. All the properties are vacant agricultural land that are zoned Agricultural (AG) District.

East: Directly east of the subject property are several single-family homes situated on estate lots, and zoned Agricultural (AG) District. Beyond these properties is a vacant 76.577-acre tract of land, zoned Agricultural (AG) District, and owned by the Rockwall Independent School District (RISD) [*identified as Tract 14-11 of the J. M. Gass Survey, Abstract No. 88*].

West: Directly west of the subject property is a vacant 45.318-acre tract of land zoned Agricultural (AG) District. Beyond this tract of land is John King Boulevard.

CHARACTERISTICS OF THE REQUEST:

Along with the application, the applicant has submitted a concept plan and development standards for the proposed residential subdivision. The concept plan shows the layout of the subdivision, which will have access drives on John King Boulevard and E. Quail Run Road. The development will consist of 45, 80' x 125' lots (*eight [8] of which will have a depth of 150-feet*) and 27, 100' x 150' lots, and have a gross residential density of 2.46 units/acre. The subdivision will incorporate 2.79-acres of open space (~9.56%) that will be adjacent to John King Boulevard and E. Quail Run Road, and provide a buffer between the houses and the adjacent thoroughfares. An amenities center will be provided to service the 72-lot subdivision. A summary of the proposed development standards is as follows:

Lot Type ►	***A***	***B***
Minimum Lot Width/Frontage	80'	100'
Minimum Lot Depth	125'	150'
Minimum Lot Area	10,000 SF	15,000 SF
Minimum Front Yard Setback	20'	20'
Minimum Side Yard Setback	5'	7'
Minimum Side Yard Setback (Adjacent to a Street)	10'	10'
Minimum Length of Driveway Pavement	20'	20'
Maximum Height	36'	36'
Minimum Rear Yard Setback	15'	15'
Minimum Area/Dwelling Unit (SF)	2,600 SF	3,000 SF
Maximum Lot Coverage	65%	70%

Additionally, the applicant has agreed to incorporate the same anti-monotony standards that were incorporated in Planned Development District 70 (PD-70) [*i.e. the Stone Creek subdivision*] and Planned Development District 74 (PD-74) [*i.e. the Breezy Hill subdivision*]. *Copies of the proposed PD Concept Plan and PD Development Standards have been provided in the attached packet for the City Council and Planning & Zoning Commission's review.*

CONFORMANCE WITH THE COMPREHENSIVE PLAN AND UDC:

The Future Land Use Map, contained within the Comprehensive Plan, designates the subject property for *Low Density Residential* land uses. According to the Comprehensive Plan, "(l)ow density residential is defined as less than two (2) units per acre; however, a density up to two and one-half (2.5) units per gross acre may be allowed within a residential Planned Development District that includes the dedication and/or development of additional amenities exceeding the minimum standards for residential Planned Developments." The additional amenities are described as: 1) Parks and Open Space, 2) Golf Course, 3) Neighborhood Amenity/Recreation Center, 4) Integration of Schools into the Community Fabric, 5) Development of Trails and Parks in Floodplains, and 6) Development of Municipal Parks and Recreation Facilities. Additionally, the Planned Development District standards contained within the Unified Development Code (UDC) require a minimum of 20% of the gross land area be dedicated to open space.

In this case, the concept plan shows a total of 2.79-acres of open space (~9.56%), which represents roughly half the compulsory amount required for this development. Staff has calculated that the applicant would need an additional 3.05-acres of open space to be in compliance with the Planned Development requirements. This would equate to a reduction of approximately 13, 80' x 125' lots. The plan does indicate that the development will incorporate an amenities center that could satisfy the additional amenity requirement, and justify the disparity in the open space; however, the requested gross residential density is 2.46 units/acre,

and any additional density over two (2) units per acre is a discretionary decision for the City Council based on the amenities provided by the proposed development. It should also be noted that the applicant has agreed to include a ten (10) foot sidewalk along John King Boulevard per the recommendations of the *John King Boulevard Design Concept Plan* contained within the Comprehensive Plan. This has been included in the proposed Planned Development District ordinance.

If the City Council chooses to grant the applicant's request, no changes to the Future Land Use Map would be required because the proposed density is in conformance with the range designated for the *Low Density Residential* designation (*i.e. 2-2.5 units/acre*).

NOTIFICATION:

On April 24, 2015, staff mailed 19 notices to property owners and residents within 500-feet of the subject property. Staff also emailed a notice to the Stoney Hollow and Dalton Ranch Homeowner's Associations (HOA's), which are the only HOA's located within 1,500 feet of the subject property. Additionally, staff posted a sign at the corner of John King Boulevard and E. Quail Run Road, and advertised the public hearings in the Rockwall Harold Banner as required by the Unified Development Code (UDC). At the time this case memo was drafted no responses were received by staff.

RECOMMENDATIONS:

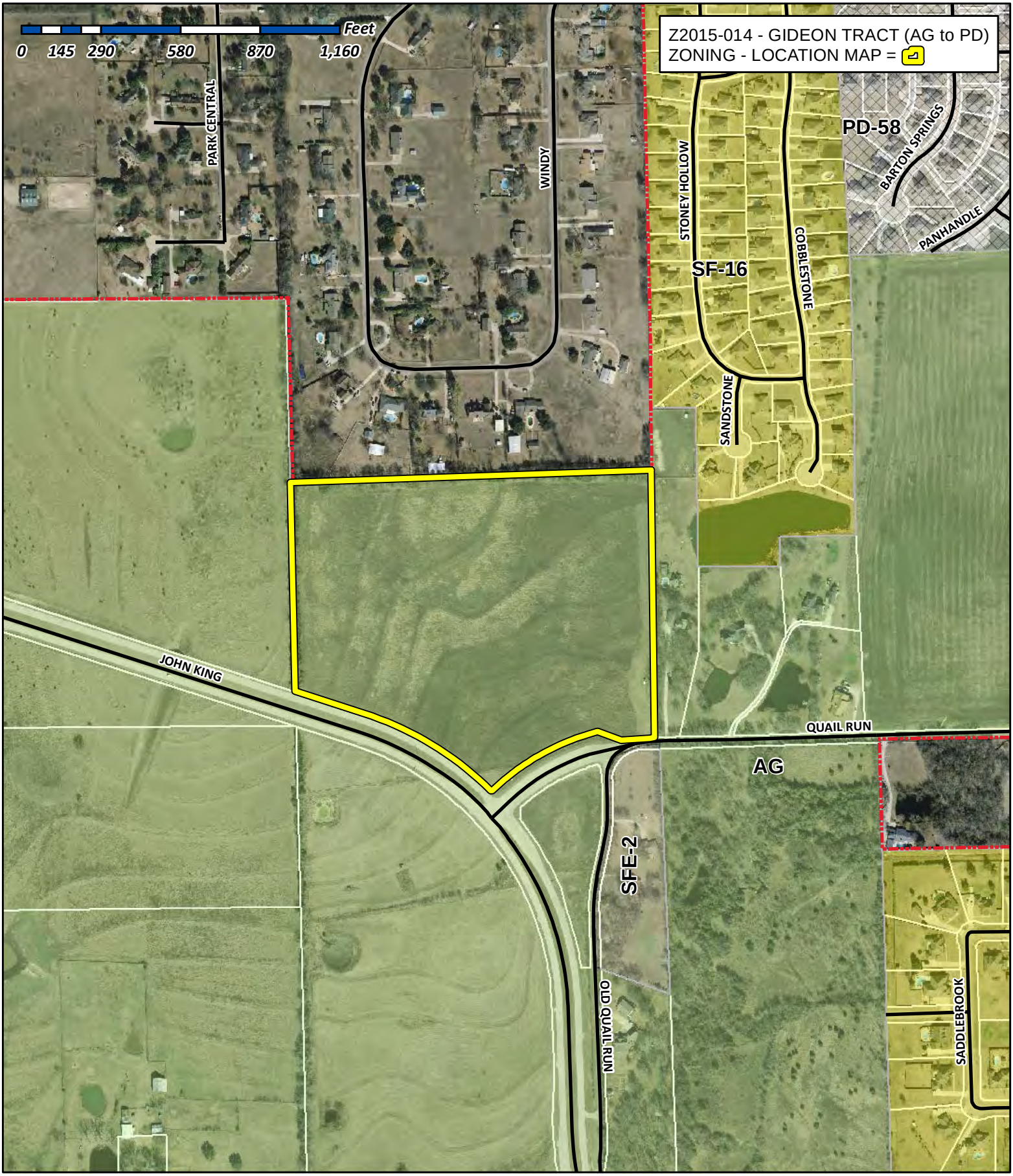
If the Planning and Zoning Commission chooses to recommend approval of the applicant's request to rezone the subject property from an Agricultural (AG) District to a Planned Development District, then staff would propose the following conditions of approval:

1) The applicant shall be responsible for maintaining compliance with the conditions contained within the *Planned Development District* ordinance; and,

2) Any construction resulting from the approval of this *zoning amendment* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On May 12, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the proposed zoning change by a vote of 5-0, with Commissioners Lyons and Conley absent.



City of Rockwall

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

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

City of Rockwall

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385 S. Goliad Street
Rockwall, Texas 75087
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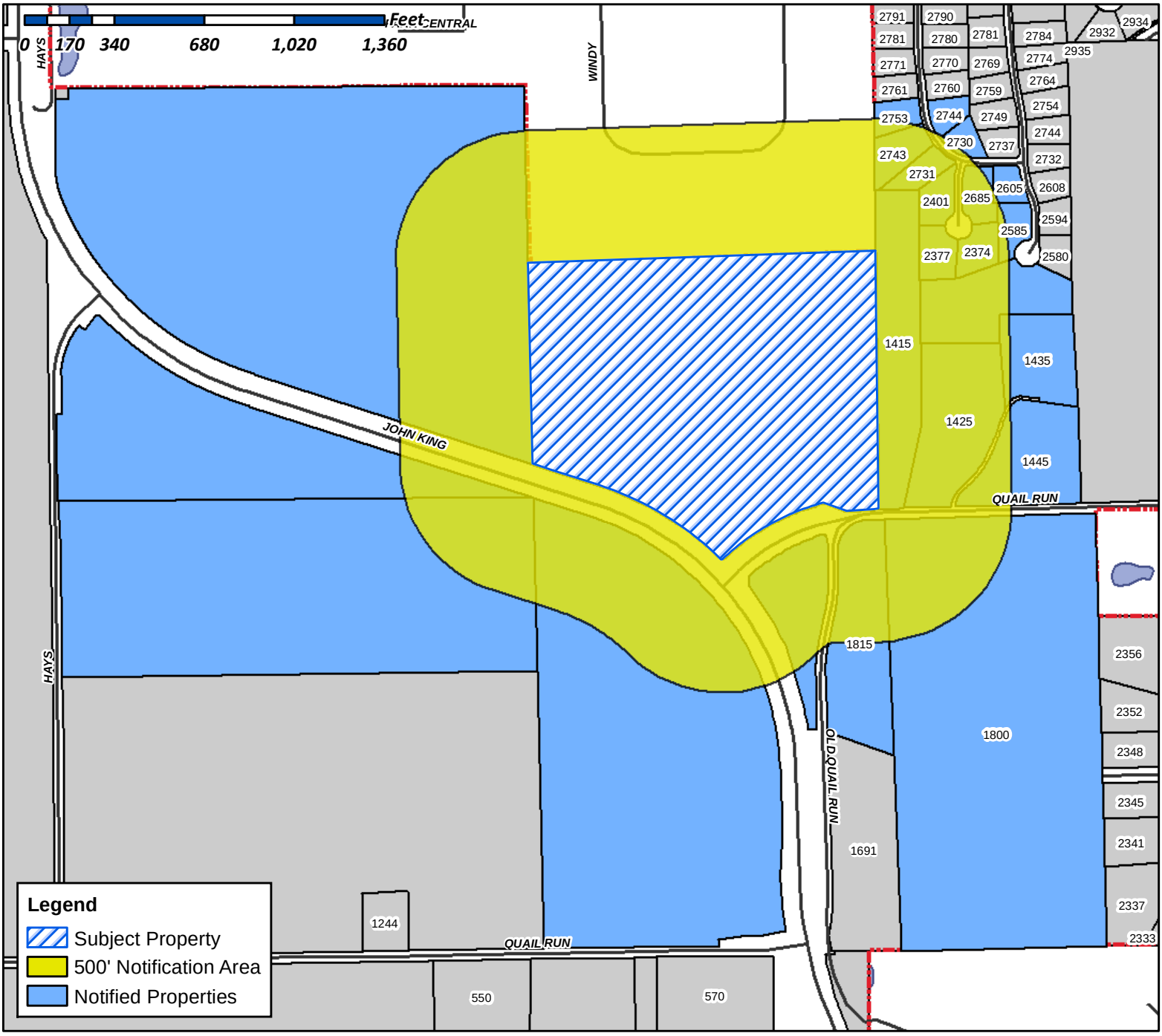
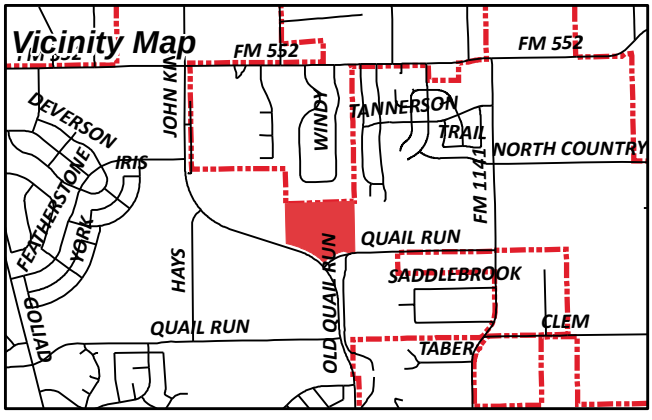


Case Number: Z2015-014
Case Name: Gideon Tract (AG to PD)
Case Type: Planned Development
Zoning: PD
Case Address: North of John King Blvd & E Quail Run Intersection

Date Created: *4/23/2015*
For Questions on this Case Call (972) 771-7745



R & R HANCE INVESTMENTS LP
1244 E QUAIL RUN RD
ROCKWALL, TX 75087

KOUVELIS HILDA & PETER
1415 E QUAIL RUN RD
ROCKWALL, TX 75087

LARRIVIERE MICHAEL R & LISA J
1425 E QUAIL RUN RD
ROCKWALL, TX 75087

TULLY DOYL C & VONETTE S
1435 E QUAIL RUN RD
ROCKWALL, TX 75087

NALLEY MICHAEL R & LORI D
1445 E QUAIL RUN RD
ROCKWALL, TX 75087

GIDEON LONNIE L TR
1800 QUAIL RUN RD
ROCKWALL, TX 75087

UTLEY HERMAN D
1815 E QUAIL RUN RD
ROCKWALL, TX 75087

FINCH PATRICIA A
2374 SANDSTONE
ROCKWALL, TX 75087

MARKARIAN MASIS A & CLAUDIA
2377 SANDSTONE
ROCKWALL, TX 75087

LANGLEY RICHARD E
2401 SANDSTONE
ROCKWALL, TX 75087

STONEY HOLLOW OWNERS ASSOC
2500 LEGACY DR 0
FRISCO, TX 75034

VAN BRUNT RICHARD JOSEPH SR
2585 COBBLESTONE DR
ROCKWALL, TX 75087

NEWBAUER AARON AND
2605 COBBLESTONE DRIVE
ROCKWALL, TX 75087

SIVINSKI JOSEPH & LUANNE
2685 STONEY HOLLOW LANE
ROCKWALL, TX 75087

TRENT GERALDINE
2730 STONEY HOLLOW LN
ROCKWALL, TX 75087

GREEN LINDA LAMINACK & TOMMY FAGAN
2731 STONEY HOLLOW LANE
ROCKWALL, TX 75087

COBB RICHARD B & DEANNA C
2743 STONEY HOLLOW LN
ROCKWALL, TX 75087

JENNINGS CODY D
2744 STONEY HOLLOW LANE
ROCKWALL, TX 75087

HATCHER TYRUS NEAPOLIS &ANTONIETA P
2753 STONEY HOLLOW LN
ROCKWALL, TX 75087

City of Rockwall

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385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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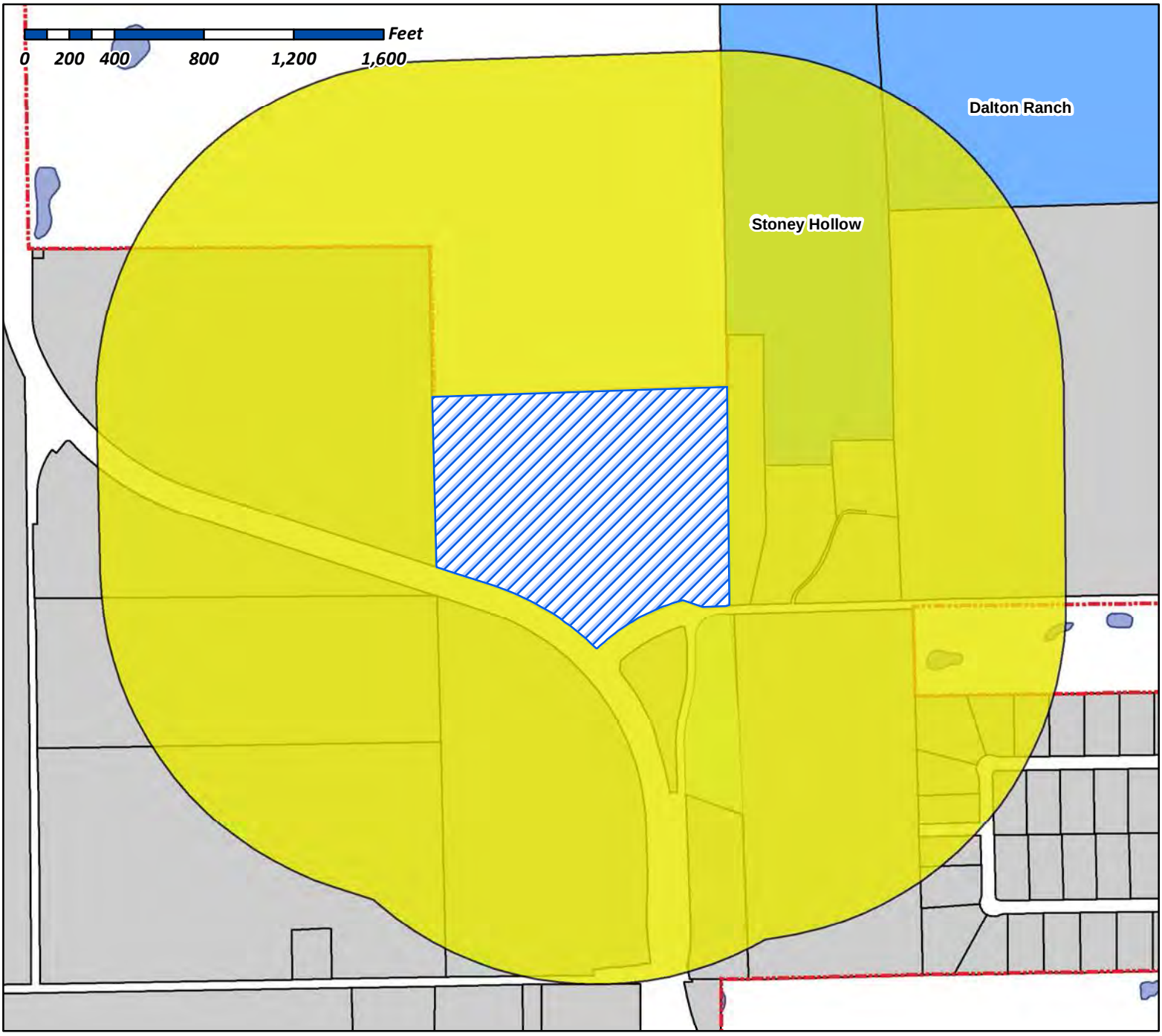
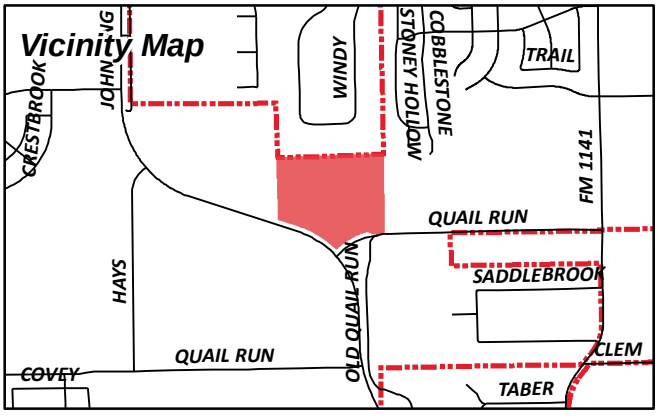


Case Number: Z2015-014
Case Name: Gideon Tract
Case Type: Rezoning
Zoning: PD
Case Address: North of John King Blvd & E Quail Run Intersection



Date Created: 4/29/2015
For Questions on this Case Call (972) 771-7745

Miller, Ryan

From: Morales, Laura
Sent: Thursday, April 30, 2015 4:36 PM
To: [redacted]
Subject: Neighborhood Noification Program: Notice of zoning request
Attachments: HOA Notification Map (04.30.2015).pdf

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that was also published in the Rockwall Herald Banner on May 1, 2015. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at http://www.rockwall.com/planning/planningDevCases.asp.

Z2015-014-Hold a public hearing to discuss and consider a request by Cole Franklin of the Skorburg Company on behalf of the owner Lonnie Gideon Estate for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 29.192-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of the intersection of E. Quail Run Road and John King Boulevard, and take any action necessary.

If this email is reaching you in error, please forward it to your HOA or neighborhood group representative and update the contact information at http://www.rockwall.com/planning/hoa.asp.

Sincerely,

Planning Staff

City of Rockwall
Planning & Zoning Department
972.771.7745
planning@rockwall.com

WINDMILL VALLEY ADDITION
VOL. 3, PG. 20

N87° 18'21"E 1316.59'

32.5 ACRE TRACT
HANCE INVESTMENTS, LP
CLERKS FILE NO. 2008-00396963

N02° 34'28"W 760.71'

STREET B

STREET A

STREET C

STREET E

STREET D

S03° 05'42"E 983.73'

0.17 AC Open Space

N73° 16'05"W 265.64'

JOHN KING BOULEVARD
(120' R.O.W.)

AMENITY CENTER

2.3 AC OPEN SPACE AND DETENTION POND

0.21 AC Open Space

VARIABLE R.O.W. DEDICATION

EAST QUAIL RUN ROAD
CENTERLINE
FUTURE 65' R.O.W.

S85° 35'09"W 224.75'

S82° 51'02"W 37.04'

N03° 13'28"W 18.45'

85' R.O.W.

Δ= 26°55'01"
R= 1160.00'
T= 277.60'
L= 544.96'
C= 539.96'
B= N59° 48'34"W

Δ= 20°04'44"
R= 842.50'
T= 149.15'
L= 295.25'
C= 293.74'
B= S61° 16'04"W

N38° 46'15"W 27.00'

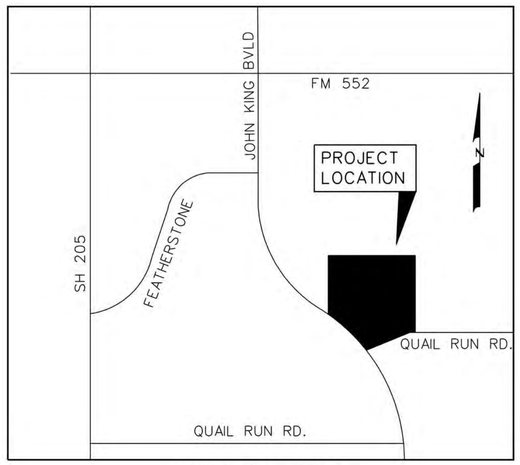
S51° 13'42"W 22.00'

S38° 46'18"E 27.29'

N89° 10'23"W 43.51'

S47° 13'55"W 7.53'

Δ= 02°29'58"
R= 842.50'

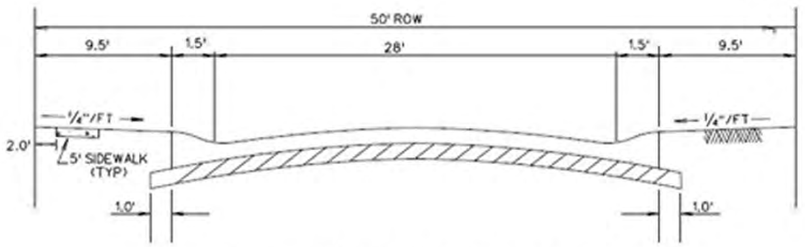


LOCATION MAP
N.T.S.

LEGEND

- 80' X 125' – 37 LOTS
- 80' X 150' – 8 LOTS
- 100' X 150' – 27 LOTS
- OPEN SPACE – 2.68 ACRES
- 10' HIKE & BIKE TRAIL

N



TYPICAL PAVEMENT SECTION - LAYDOWN CURB
N.T.S.

0 50 100 400
SCALE: 1" = 100'

TOTAL OPEN SPACE 2.68 AC.

TOTAL ACRES 29.192

TOTAL RESIDENTAL LOTS 72

RESIDENTAL DENSITY 2.46

CITY OF ROCKWALL

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR SINGLE FAMILY 10 (SF-10) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 29.192-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 1-01 OF THE S. R. BARNES SURVEY, ABSTRACT NO. 13, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by the Cole Franklin of the Skorburg Company on behalf of the owner of the property, Lonnie Gideon, for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 29.192-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 2. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 3. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

DRAFT ORDINANCE 05.19.15

Section 4. That a master parks and open space plan for the Property, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan*, (*Open Space Master Plan*) shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

Section 5. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

(a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 5(b) through 5(e) below*), shall be the exclusive procedures applicable to the subdivision and platting of the Property.

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

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

(c) *PD Site Plan.* A *PD Site Plan* covering all of the *Subject Property* shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Preliminary Plat Application* for the development.

(d) *Preliminary Plat.* A *Preliminary Plat* covering all of the *Subject Property* shall be submitted and shall include a *Treescape Plan*. A *Preliminary Plat Application* may be processed by the City concurrently with a *PD Site Plan Application* for the development.

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

Section 7. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 8. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 9. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development*

DRAFT ORDINANCE 05-18-2015

Code), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 10. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 1ST DAY OF JUNE, 2015.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *May 18, 2015*

2nd Reading: *June 1, 2015*

DRAFT ORDINANCE 05.18.2015

Exhibit 'A':
Legal Description

BEING a 29.192-acre tract out of the S. R. Barnes Survey, Abstract No. 13, Rockwall County, Texas being part of the following described 80-acre tract of land:

80-acres of land, more or less, out of the S. R. Barnes Survey, Abstract No. 13, Rockwall County, Texas, and more particularly described by metes and bounds as follows:

BEGINNING at the Southwest corner of said S. R. Barnes Survey;

THENCE North 940 varas to a point for the Northwest corner of this tract;

THENCE East 475 varas to a point for the Northeast corner of this tract;

THENCE South 940 varas to a point for the Southeast corner of this tract;

THENCE West 475 varas to the PLACE OF BEGINNING

and being the same land's described as Tract 1 in a deed dated March 11, 1940, from M. M. Mccurry, et ux, et al, to Joe W. Gideon et ux, Katherine Gideon, and recorded in Volume 35, Page 591, Deed Records of Rockwall County, Texas,

SAVE AND EXCEPT FROM SAID 80-ACRES THE FOLLOWING FOUR TRACTS OF LAND:

SAVE and EXCEPT TRACT 1:

1.5034435-acres of land, more or less, out of the S. R. Barnes Survey, Abstract No. 13, Rockwall County, Texas, and more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a point in the middle of a public road on the East boundary line of the afore described 80-acre tract, said point being 346 varas South of the Northeast corner of said 80-acre tract and being the Northeast corner of this 1.5034435-acre tract;

THENCE West along the middle of a public road 63.699 varas to a point in the middle of the intersection of two public roads for the Northwest corner of this 1.5034435-acre tract;

THENCE South along the middle of a public road 133.093 varas to a point for the Southwest corner of this 1.5034435-acre tract;

THENCE East 63.699 varas to a point on the East boundary line of the aforedescribed 80-acre tract for the Southeast corner of this 1.5034435-acre tract;

THENCE North 133.093 varas along the East boundary line of the aforedescribed 80-acre tract to the place of beginning.

SAVE and EXCEPT TRACT 2:

7.170-acres conveyed in a Warranty Deed from Lonnie L. Gideon, a single person, both Individually and as Trustee of the Bradley Joe Gideon Trust, to Donald R. Taylor, dated May 5, 1994, filed May 11, 1994, recorded in Volume 902, Page 141, Deed Records, Rockwall County, Texas.

SAVE and EXCEPT TRACT 3:

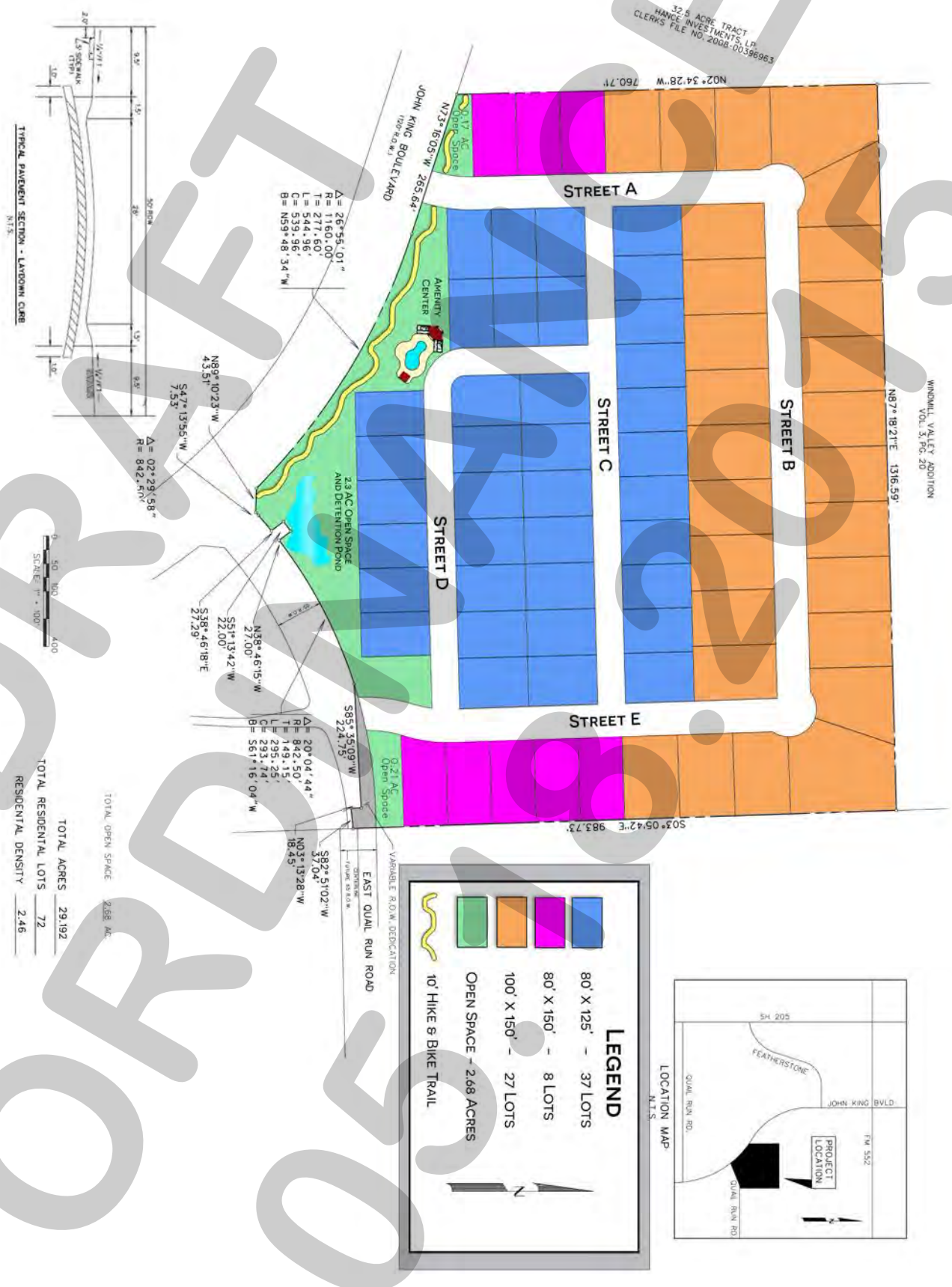
2.172-acres conveyed in a Warranty Deed from Lonnie Leo Gideon, Individually and as Independent Executor of the Estate of Joe Wilson Gideon, Deceased, and as Trustee of the Bradley Joe Gideon Trust, to James T. Bradley and wife, Brenda J. Bradley, dated May 31, 1994, filed June 2, 1994, recorded in Volume 908, Page 10, Deed Records, Rockwall County, Texas.

SAVE and EXCEPT TRACT 4:

8.466-acres vested in the City of Rockwall, Texas pursuant to Agreed Judgment of Court Granting Right-of-Way and Easement under Cause No. 1-07-552, District Court, Rockwall County, certified copy filed October 30, 2009, recorded in Volume 5951, Page 84, Official Public Records, Rockwall County, Texas.

DRAFT ORDINANCE 03.18.2015

Exhibit 'B':
Concept Plan



DRAFT ORDINANCE 05.18.15

Exhibit 'C':
PD Development Standards

A. GENERAL REQUIREMENTS

Development Standards.

1. *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 10 (SF-10) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.

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

Table 1: Lot Composition

Lot Type	*Minimum Lot Size (FT)*	*Minimum Lot Size (SF)*	*Dwelling Units (#)*	*Dwelling Units (%)*
A	80' x 125'	10,000 SF	45	62.50%
B	100' x 150'	15,000 SF	27	37.50%
	Average Lot Size:	10,000 SF		
		Maximum Permitted Units:	*72*	*100.00%*

3. *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development ordinance, the development standards stipulated by the Single Family 10 (SF-10) District, as specified by Article V, *District Development Standards*, of the Unified Development Code are applicable to all development on the *Subject Property.* The maximum permissible density for the *Subject Property* shall not exceed *2.50* dwelling units per gross acre of land; however, in no case should the proposed development exceed *72* units. All lots shall conform to the standards depicted in *Table 2*, which is as follows:

Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ►	***A***	***B***
Minimum Lot Width/Frontage [1]	80'	100'
Minimum Lot Depth	125'	150'
Minimum Lot Area	10,000 SF	15,000 SF
Minimum Front Yard Setback [3]	20'	20'
Minimum Side Yard Setback	5'	7'
Minimum Side Yard Setback (Adjacent to a Street)	10'	10'
Minimum Length of Driveway Pavement	20'	20'
Maximum Height	36'	36'
Minimum Rear Yard Setback	15'	15'
Minimum Area/Dwelling Unit (SF) [2]	2,600 SF	3,000 SF
Maximum Lot Coverage	65%	70%

General Notes:

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

[2]: A maximum of 20% of the lots may have homes not less than 2,500 SF.

[3]: The Director of Planning or his designee may grant a reduction in the required 20-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 20-foot front yard building setback would create an undue hardship on the property.

4. *Building Standards.* All development shall adhere to the following building standards:

(a) *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all buildings shall be 90%. For the purposes of this ordinance the masonry requirement

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shall be limited to full width brick, natural stone, cast stone, cementaceous fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*).

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

(c) Garage Orientation. Garages shall oriented in a *traditional swing* (or *j-swing*) or in a front entry configuration. If a front entry garage configuration is utilized that garage shall be located at least 20-feet behind the front building façade. On *traditional swing* (or *j-swing*) garages a second single garage door facing the street is permitted if it is located behind the width of the double garage door.

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

Table 3 : Anti-Monotony Matrix

Lot Type	*Minimum Lot Size*	*Elevation Features*
A	80' x 125'	(1), (2), (3)
B	100' x 150'	(1), (2), (3)

(1) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least four (4) intervening homes of differing materials on the same side of the street beginning with the adjacent property and two (2) intervening homes of differing materials on the opposite side of the street.

(2) Front building elevations shall not repeat along any block face without at least four (4) intervening homes of differing appearance on the same side of the street and two (2) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on John King Boulevard shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

(a) Number of Stories
(b) Permitted Encroachment Type and Layout
(c) Roof Type and Layout
(d) Articulation of the Front Façade

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

See the Illustrations on the following page.

DRAFT ORDINANCE 05.18.15

Illustration 1: Properties line up on the opposite side of the street. Where RED are the same.

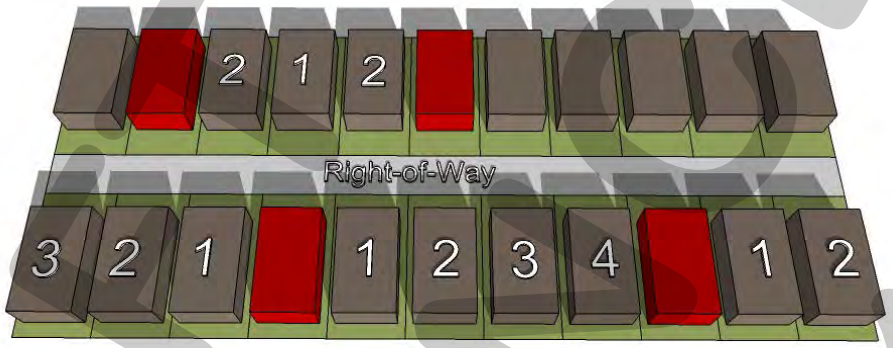
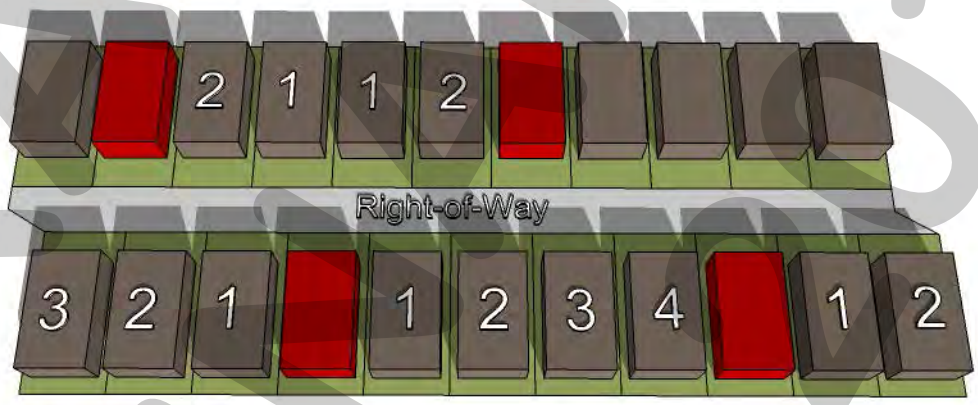


Illustration 2: Properties do not line up on opposite side of the street. Where RED are the same.



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

(a) Wood Fences. All wood fences shall be constructed of a standard fencing material (*minimum of ½" thickness or better; spruce fencing will not be allowed*), and use fasteners that are hot dipped galvanized or stainless steel. Wood fences facing onto a street shall be painted and/or stained and sealed with all pickets being placed on the *public side* facing the street. All wood fences shall be smooth-finished, free of burs and splinters, and be a maximum of six (6) feet in height.

(b) Wrought Iron/Tubular Steel. Lots located along the perimeter of roadways, abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height.

(c) Corner Lots. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

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

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ORDINANCE
05.18.15

7. *Landscape and Hardscape Standards.*

(1) *Landscape.* Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within this development, unless specifically provided by this PD Ordinance, shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height. The following tree species are approved for planting within this subdivision:

(a) Canopy/Shade Trees. Bald Cyprus, Cedar Elm, Texas Red Oak, Homestead Elm, Lace Bark Elm, Alle Elm, Chinese Pistachio, Shumard Oak, Sycamore, and Burr Oak.

(b) Accent/Ornamental/Under-Story Trees. Texas Redbud, Eve's Necklace, Mexican Plum, Downy Hawthorn, Crepe Myrtle, Texas Mountain Laurel, Vitex, and Desert Willow.

(2) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).

(a) Landscape Buffer and Sidewalks (John King Boulevard). A minimum of a 50-foot landscape buffer shall be provided along the frontage of John King Boulevard (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a ten (10) foot sidewalk situated within the 50-foot landscape buffer adjacent to John King Boulevard.

(b) Landscape Buffer (Quail Run Road). A minimum of a 20-foot landscape buffer shall be provided along the frontage of Quail Run Road (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least one (1), three (3) inch canopy tree shall be planted per 50-feet of linear frontage.

(3) *Streetscape Landscaping.* Prior to the issuance of a Certificate of Occupancy (CO), all residential, single family lots situated within the proposed subdivision shall be landscaped with canopy trees from the list stipulated by *Section 7(1)* of this ordinance in the following sizes and proportions:

(i) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.
(ii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two (2), three (3) inch caliper trees shall be planted in the side yard facing the street.

DRAFT ORDINANCE 05.18.15

Note: For the purposes of this section only [i.e. Section 7(3)], the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.

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

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

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

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

10. *Sidewalks.* At a minimum, all sidewalks located on lay down curb section streets shall begin four (4) feet behind the back of curb and be five (5) feet in overall width.

11. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (*i.e. 3-phase lines*), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*, except along John King Boulevard. The *Developer* shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

12. *Open Space.* The development shall consist of a minimum of *9.56%* open space (*or 2.79-acres*), and generally conform to the *Open Space Plan* contained in *Exhibit 'B'* of this ordinance. All open space areas shall be maintained by the Homeowner's Association (HOA).

13. *Neighborhood Signage.* Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision and shall generally conform to the signage depicted in *Figures 1 & 2* (*below*). Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.

See the Illustrations on the following page.

DRAFT ORDINANCE 05-18-2015

Figure 2: *Example of Subdivision Signage Locations*



Figure 3: *Example of Subdivision Signage Design Standard*

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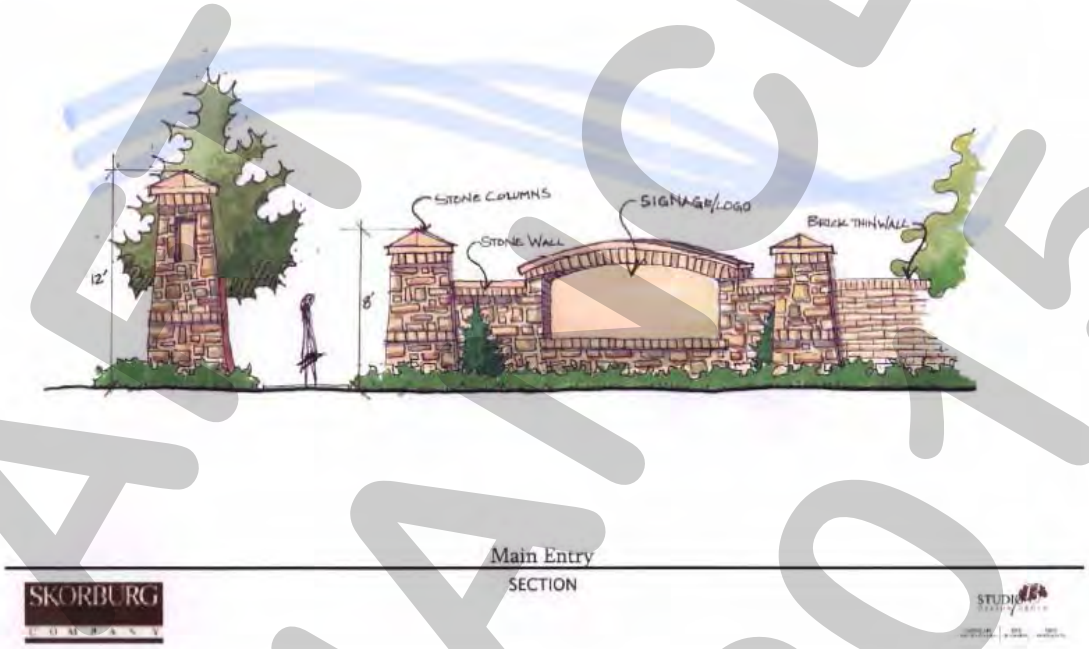

14. *Amenity Center.* A site plan, landscape plan and building elevations for the Amenity Center shall be subject to site plan approval by the Planning and Zoning Commission prior to construction.

15. *Homeowner's Association (HOA)*. A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the *Municipal Code of Ordinances* of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, amenity centers, screening fences associated with this development.

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

DRAFT ORDINANCE 05.18.2015

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 05/18/2015

APPLICANT: Bradley G. Bischof

AGENDA ITEM: **P2015-015** (Harbor Landing Phase 2)

SUMMARY:

Hold a public hearing to discuss and consider a request by Bradley G. Bischof for the approval of a residential replat creating Lot 26, Block C, Harbor Landing, Phase 2, being a 0.46-acre parcel of land currently identified as Lots 21 & 22, Block C, Harbor Landing, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single family land uses, addressed as 320 & 322 Port View Place, and take any action necessary.

COMMENTS:

- The objective of this request is to combine two residential parcels (Lots 21 & 22) of the Harbor Landing Phase 2 Addition into one larger 20,000 sq. ft. residential parcel (Lot 26). It should be noted that in 1987 the City of Rockwall entered into a settlement agreement with the plaintiffs in regards to a dispute concerning the height restrictions established in Planned Development No. 8 (PD-8) District for certain lots identified to be in Blocks B and C of the Harbor Landing Phase 2 Addition. Lots 21 and 22 are located in Block C and meet this criterion. The court order establishes "maximums" for roof top elevations, pad elevations, and house height for each lot and is referenced as "Exhibit C" in your packet.

  Since a home has been built on Lot 21, it is the City's recommendation that the property owner adhere to the courts order in perpetuity for the more restrictive maximums established for the roof top elevations, pad elevations, and house height on what is designated and currently known as Lot 22.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions below.

- With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

NOTIFICATION:

Staff mailed thirty-nine (39) notices to property owners within 200 feet of the subject property and a notice of Public Hearing was published in the Rockwall Herald-Banner as required by law. At the time this report was drafted, staff has received one (1) notice "For" the residential replat requested.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the residential replat request, staff would recommend the following conditions of approval:

A) All the technical comments from the Engineering and Fire Departments shall be addressed prior to the filing of this plat, including adherence to the following Planning Department comments;

1. Adherence to Engineering and Fire Department standards.

2. Adherence to the court's order and in association with the proposed properties for the more "restrictive" maximums in regards to roof top elevations, pad elevations, and house height as established for Lots 21 & 22, Block C of the Harbor Landing Phase 2 Addition attached hereto and labeled as "Exhibit C".

3. Verify curve data (C1 - C4) to final plat.

4. Indicate outer extremes of Utility Easement along the rear of the property. Final plat indicates 15-ft Utility Easement.

5. Provide label indicating "Case No. P2015-015" – to be located at the lower right hand corner of each page.

B) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Commission Recommendation:

On May 12, 2015, the Planning and Zoning Commission recommended approval of the residential replat with staff conditions by a vote of 5 to 0 [Conley & Lyons – absent].



City of Rockwall

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

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

1:500

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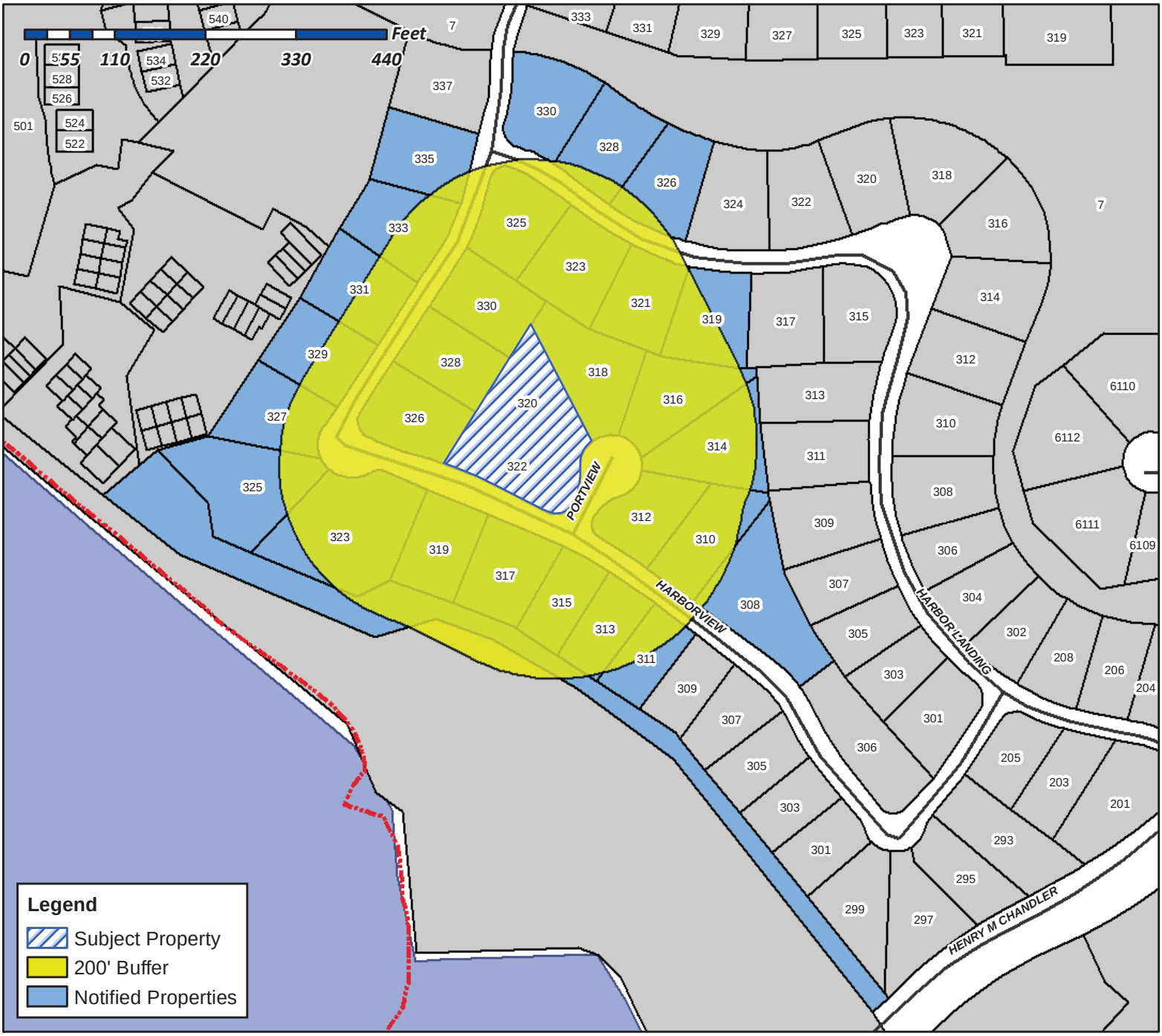
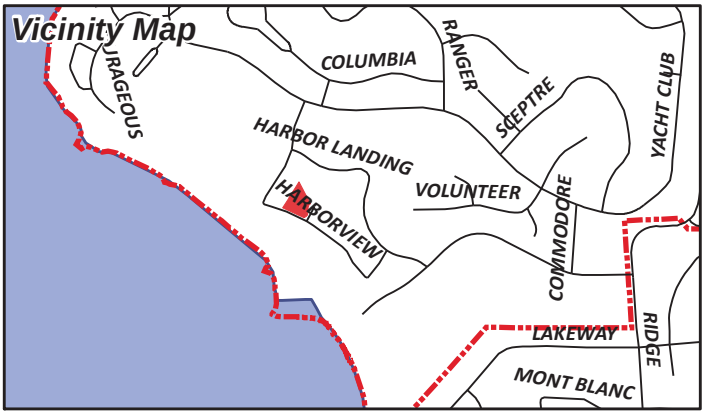


Case Number: P2015-015
Case Name: 320 PORTVIEW PLACE
Case Type: Residential Replat
Zoning: PD - 8
Case Address: 320 Portview Pl



Date Created: 4/23/2015
For Questions on this Case Call (972) 771-7745

CULLEN GREGORY L & JEAN C
1604 S LAKESHORE DRIVE
ROCKWALL, TX 75087

SUNTEX RHCL MARINA LLC
17330 PRESTON ROAD SUITE 111D
DALLAS, TX 75252

HAMID SYED
2006 SLEEPY HOLLOW LN
HEATH, TX 75032

CURRENT RESIDENT
308 HARBORVIEW DR
ROCKWALL, TX 75032

CURRENT RESIDENT
310 HARBORVIEW DR
ROCKWALL, TX 75032

CURRENT RESIDENT
311 HARBORVIEW DR
ROCKWALL, TX 75032

CURRENT RESIDENT
312 PORTVIEW PL
ROCKWALL, TX 75032

ROSS TOM
313 HARBORVIEW DRIVE
ROCKWALL, TX 75032

CURRENT RESIDENT
314 PORTVIEW PL
ROCKWALL, TX 75032

CURRENT RESIDENT
315 HARBORVIEW DR
ROCKWALL, TX 75032

COFFEY JAMES & DEBORAH
316 PORTVIEW PL
ROCKWALL, TX 75032

CURRENT RESIDENT
317 HARBORVIEW DR
ROCKWALL, TX 75032

CURRENT RESIDENT
318 PORTVIEW PL
ROCKWALL, TX 75032

REYNOLDS MARVIN C JR & CLARE D
319 HARBOR LANDING DR
ROCKWALL, TX 75032

SELF SCOTT & JANET
319 HARBORVIEW DR
ROCKWALL, TX 75032

BISCHOF BRADLEY G & SANDRA L
320 PORTVIEW PL
ROCKWALL, TX 75032

KUBASEK RYAN E
321 HARBOR LANDING DRIVE
ROCKWALL, TX 75032

CURRENT RESIDENT
322 PORTVIEW PL
ROCKWALL, TX 75032

IMRIE DONALD M & CHERYL K
323 HARBOR LANDING DR
ROCKWALL, TX 75032

CURRENT RESIDENT
323 HARBORVIEW DR
ROCKWALL, TX 75032

GRAY RUSSELL LEE
325 HARBOR LANDING DR
ROCKWALL, TX 75032

CURRENT RESIDENT
325 HARBORVIEW DR
ROCKWALL, TX 75032

HOWELL ELMIN K & BETTY K
326 HARBOR LANDING DR
ROCKWALL, TX 75032

CURRENT RESIDENT
326 HARBORVIEW DR
ROCKWALL, TX 75032

CURRENT RESIDENT
327 HARBORVIEW DR
ROCKWALL, TX 75032

WHETSELL BETTY R
328 HARBOR LANDING DR
ROCKWALL, TX 75032

CURRENT RESIDENT
328 HARBORVIEW DR
ROCKWALL, TX 75032

CURRENT RESIDENT
329 HARBORVIEW DR
ROCKWALL, TX 75032

MATTES JOHN AND TONG
330 HARBOR LANDING DR
ROCKWALL, TX 75032

CURRENT RESIDENT
330 HARBORVIEW DR
ROCKWALL, TX 75032

CURRENT RESIDENT
331 HARBORVIEW DR
ROCKWALL, TX 75032

CURRENT RESIDENT
333 HARBORVIEW DR
ROCKWALL, TX 75032

MONAHAN GWENDELYN L AND MIRIAM GARCIA
335 HARBORVIEW DR
ROCKWALL, TX 75032

USMAN ASIM & HUMA RASHID
5140 BEAR CLAW LN
ROCKWALL, TX 75032

VALDES JAIME AND
5590 SPRING VALLEY F208
DALLAS, TX 75254

FRANCE COURT PROPERTIES LLC
5720 SOUTHERN CROSS DR
ROCKWALL, TX 75032

SELF BILLY & KATIE
1830 E I30
ROCKWALL, TX 75087

LUCIA LODEMA S TRUSTEE
PO BOX 1600
ROCKWALL, TX 75087

ROCKWALL RENTAL PROPERTIES LP
PO BOX 818
TERRELL, TX 75160

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

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

To Whom It May Concern:

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

Case No. P2015-015: 320 PORTVIEW PLACE

Hold a public hearing to discuss and consider a request by Bradley G. Bischof for the approval of a residential replat creating Lot 26, Block C, Harbor Landing, Phase 2, being a 0.46-acre parcel of land currently identified as Lots 21 & 22, Block C, Harbor Landing, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single family land uses, addressed as 320 & 322 Port View Place, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 5/12/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 5/18/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **5/18/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. P2015-015: 320 PORTVIEW PLACE

Please place a check mark on the appropriate line below:

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

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

Name:

Address:

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

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

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

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

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PLEASE RETURN THE BELOW FORM

Case No. P2015-015: 320 PORTVIEW PLACE

Please place a check mark on the appropriate line below:

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

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

No Change in zoning restrictions for combined plat.

Name: Marvin C. Reynolds
Address: 319 Harbor Landing Dr.

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

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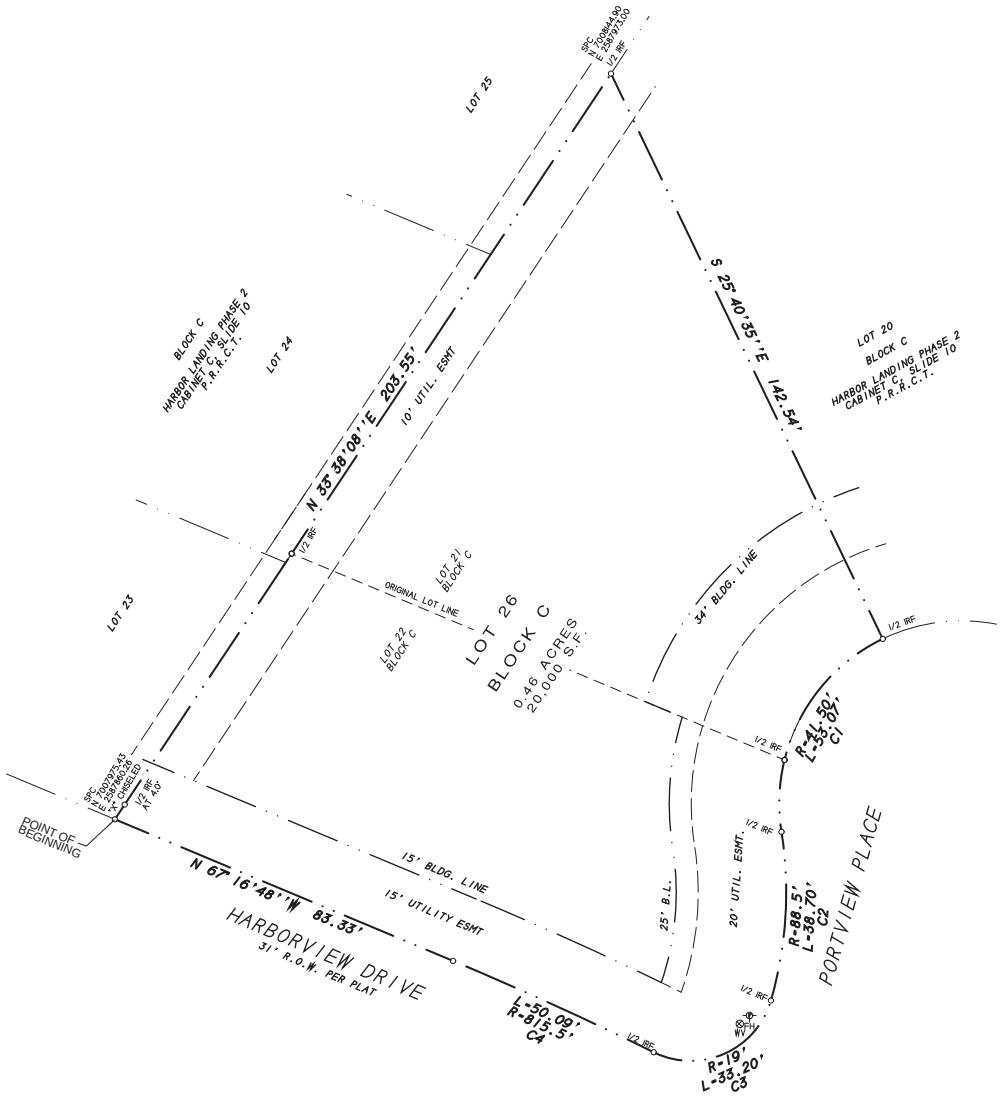
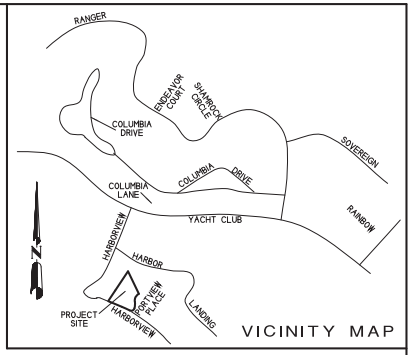
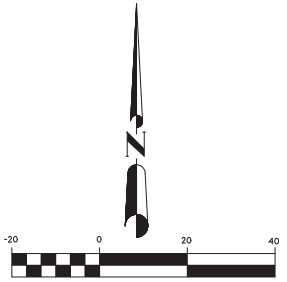






CURVE DATA

Curve	Delta Angle	Radius	Arc	Tangent	Chord	Chord Bearing
1	73°16'21"	41.50	53.07	30.86	49.53	S 27°41'15"W
2	25°03'17"	86.50	38.70	19.66	38.39	S 03°34'43"W
3	100°07'47"	19.00	33.20	22.70	29.14	S 66°10'44"W
4	03°31'09"	815.50	50.09	25.05	50.08	N 65°31'13"W

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0040L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

FINAL PLAT

HARBOR LANDING PHASE 2
LOT 26, BLOCK C

BEING A REPLAT OF
LOT 21 AND 22, BLOCK C

0.46 ACRES OR 20,000 S.F.
(1 LOT)
EDWARD TEAL SURVEY A-207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER:
BRADLEY G. BISCHOF
320 PORTVIEW PLACE
ROCKWALL, TEXAS 75032
214-274-0380

SYMBOL LEGEND

SURVEY DATE APRIL 17, 2015
SCALE 1" = 20' FILE # 20090418-26RP
CLIENT BISCHOF

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE 972-635-9979 FAX

CITY CASE NO P2015-

STATE OF TEXAS
COUNTY OF ROCKWALL

OWNER'S CERTIFICATE
(Public Dedication)

WHEREAS, BRADLEY G. BISCHOF, BEING the Owner of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

Being Lot 21 and Lot 22, Block C, of HARBOR LANDING PHASE TWO, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet C, Slide 10, Plat Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an "X" found for corner in the north right-of-way line of Harborview Drive, a 31 foot right-of-way, said point being at the southwestcorner of said Lot 22;

THENCE N. 33 deg. 38 min. 08 sec. E. along the west line of Lot 22 and Lot 21, a distance of 203.55 feet to a 1/2" iron rod found for corner at the northwest corner of Lot 21;

THENCE S. 25 deg. 40 min. 35 sec. E. along the northeast line of Lot 21, a distance of 142.54 feet to a 1/2" iron rod found for corner in the curving northwest right-of-way line of Portview Place;

THENCE in a southwesterly direction along a curve to the left having a central angle of 73 deg. 16 min. 21 sec., a radius of 41.50 feet, a tangent of 30.86 feet, a chord of S. 27 deg. 41 min. 15 sec. W., 49.53 feet, along said right-of-way line, an arc distance of 53.07 feet to a 1/2" iron rod found for corner;

THENCE in a southwesterly direction along a curve to the right having a central angle of 25 deg. 03 min. 17 sec., a radius of 88.50 feet, a tangent of 19.66 feet, a chord of S. 03 deg. 34 min. 43 sec. W., 38.39 feet, along said right-of-way line, an arc distance of 38.70 feet to a 1/2" iron rod found for corner;

THENCE in a southwesterly direction along a curve to the right having a central angle of 100 deg. 07 min. 47 sec., a radius of 19.00 feet, a tangent of 22.70 feet, a chord of S. 66 deg. 10 min. 44 sec. W., 29.14 feet, along said right-of-way line, an arc distance of 33.20 feet to a 1/2" iron rod found for corner in the curving north right-of-way line of Harborview Drive;

THENCE in a northwesterly direction along a curve to the left having a central angle of 03 deg. 31 min. 09 sec., a radius of 815.50 feet, a tangent of 25.05 feet, a chord of N. 65 deg. 31 min. 13 sec. W., 50.08 feet, along said right-of-way line, an arc distance of 50.09 feet to a 1/2" iron rod found for corner;

THENCE N. 67 deg. 16 min. 48 sec. W. along said right-of-way line, a distance of 83.33 feet to the POINT OF BEGINNING and containing 20,000 square feet or 0.46 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as HARBOR LANDING PHASE 2, LOT 26, BLOCK C, BEING A REPLAT OF LOT 21 AND 22, BLOCK C, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of th eir respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maint aining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer an d/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as p rogress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exaction's made herein.

_____
BRADLEY G. BISCHOF

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared BRADLEY G. BISCHOF known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

_____
Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of HARBOR LANDING PHASE 2, LOT 26, BLOCK C, BEING A REPLAT OF LOT 21 AND 22, BLOCK C an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ___ day of_____ ,_____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____ ,_____.

_____ _____
Mayor, City of Rockwall City Secretary City of Rockwall

_____ _____
City Engineer Date

FINAL PLAT

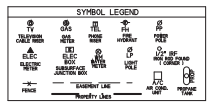
HARBOR LANDING PHASE 2
LOT 26, BLOCK C

BEING A REPLAT OF
LOT 21 AND 22, BLOCK C

0.46 ACRES OR 20,000 S.F.
(1 LOT)
EDWARD TEAL SURVEY A-207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

SYMBOL LEGEND



SURVEY DATE APRIL 17, 2015
SCALE 1" = 20' FILE # 20090418-26RP
CLIENT BISCHOF

OWNER:
BRADLEY G. BISCHOF
320 PORTVIEW PLACE
ROCKWALL, TEXAS 75032
214-274-0380

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE 972-635-9979 FAX

CITY CASE NO P2015-

Jeffrey -into

Exhibit "C"
Harbor Landing Phase 2

BLOCK B

Lot #	Maximum Rooftop Elevation Per Court Order	Maximum Pad Elevation Per Court Order	As-Built Pad Elevation	Maximum House Height Per Court Order	Adjusted Maximum House Height
4	488	466		22'	
5	488	459		29'	
6	471	448	450	23'	21'
7	471	448		23'	
8	471	448		23'	
9	469	447		22'	
10	469	447		22'	
11	478.5	452		26.5'	
12	489	451		29'	
13	474.5	451.5		23'	
14	469	446		23'	
15	469	446		23'	
16	468	445	446	23'	22'
17	468	445	447	23'	21'
18	468	445	448	23'	20'
19	477	449		28'	
20	480	450		30'	
21	477	450		27'	
22	484	458	454	26'	30'
23	490	460		30'	

BLOCK C

Lot #	Maximum Rooftop Elevation Per Court Order	Maximum Pad Elevation Per Court Order	As-Built Pad Elevation	Maximum House Height Per Court Order	Adjusted Maximum House Height
14	479	456	459	23'	20'
15	481	456		25'	
16	482	457		25'	
17	485.5	462.5		23'	
18	495	470		25'	
19	496.5	473.5		23'	
20	493	470		23'	
21	492	466.5		26.5'	
22	478.5	456		22.5'	
23	479	457		22'	
24	479	457		22'	
25	489	467		22'	

City of Rockwall

Project Plan Review History

				Applied	4/20/2015	LM
Project Number	P2015-015	**Owner**	BRADY G. BISCHOF	**Approved**		
Project Name	320 PORTVIEW PLACE	**Applicant**	BRADY G. BISCHOF	**Closed**		
Type	PLAT			**Expired**		
Subtype	REPLAT			**Status**	4/20/2015	LM
Status	STAFF REVIEW					

Site Address	**City, State Zip**	**Zoning**
320 PORTVIEW PL	,	

Subdivision	**Tract**	**Block**	**Lot No**	**Parcel No**	**General Plan**
HARBOR LANDING PH 2	21	C	21	3808-000C-0021-00-0R	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	4/20/2015	4/27/2015	4/21/2015	1	APPROVED	
ENGINEERING	Amy Williams	4/20/2015	4/27/2015	4/21/2015	1	COMMENTS	See Comment
(4/21/2015 2:31 PM AW) Show 5' utility easement along back of lots 23-25, block C.							
FIRE	Ariana Hargrove	4/20/2015	4/27/2015	4/23/2015	3	APPROVED	
GIS	Lance Singleton	4/20/2015	4/27/2015				
PLANNING	David Gonzales	4/20/2015	4/27/2015	4/23/2015	3	COMMENTS	See comments

Hold a public hearing to discuss and consider a request by Bradley G. Bischof for the approval of a residential replat creating Lot 26, Block C, Harbor Landing, Phase 2, being a 0.46-acre parcel of land currently identified as Lots 21 & 22, Block C, Harbor Landing, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single family land uses, addressed as 320 & 322 Port View Place, and take any action necessary.

Planning Department General Comments:

1. Adherence to Engineering and Fire Department standards.
2. Adherence to the court's order and in association with the proposed properties for the more "restrictive" maximums in regards to roof top elevations, pad elevations, and house height elevations as established for Lots 21 & 22, Block C of the Harbor Landing Phase 2 Addition and attached hereto and labeled as "Exhibit C".
3. Verify curve data (C1 - C4) to final plat.
4. Indicate outer extremes of Utility Easement along the rear of the property. Final plat indicates 15-ft Utility Easement.
5. Provide label indicating "Case No. P2015-015" at the lower right hand corner of each page.
6. All revised/corrected plans are to be submitted to the Planning Department by Tuesday, May 5th, 2015.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Joey Boyd, Director of Internal Operations

DATE: May 11, 2015

SUBJECT: Atmos Energy Corporation; Mid-Tex Division Rate Settlement

The City, along with other similarly situated cities served by Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company"), is a member of the Atmos Cities Steering Committee ("ACSC"). The RRM Tariff was adopted by the City as an alternative to the Gas Reliability Infrastructure Program ("GRIP"), the statutory provision that allows Atmos to bypass the City's rate regulatory authority to increase its rates annually to recover capital investments. In February 2014, Atmos Mid-Tex filed its second annual filing under the Rate Review Mechanism ("RRM") Tariff, seeking an increase of $45.7 million. Although ACSC attempted to reach a settlement with the Company as it had in past years, the wide differences between the Company and ACSC's consultants' recommendations made a compromise impossible. On the recommendation of the ACSC Executive Committee and ACSC's legal counsel, the City in 2014 adopted a Resolution denying the requested rate increase.

The Company appealed the City's denial to the Railroad Commission of Texas ("Commission"), and revised its requested increase to $43.8 million. A hearing was held on the Company's appeal on September 3, 2014. On April 28, 2015, the Commission's Hearings Examiner issued his Proposal for Decision ("PFD") in the Company's appeal of the City's denial of the 2014 RRM rate increase. This PFD was not favorable to ACSC, but did recommend a reduction of approximately $860,000 to the Company's adjusted 2014 filing.

While the parties were waiting for the PFD from the Hearings Examiner in the appeal of the 2014 RRM filing, on February 27, 2015, Atmos Mid-Tex filed with the City another rate increase request under the RRM Tariff, seeking additional revenues in the amount of $28.762 million (total system) or $24.0 million (affected cities). The City worked with ACSC to analyze the schedules and evidence offered by Atmos Mid-Tex to support its 2015 request to increase rates. The Ordinance and attached Settlement Agreement and tariffs are the result of negotiation between the Mid-Tex Executive Committee and the Company to resolve issues raised by ACSC during the review and evaluation of Atmos Mid-Tex's filing. The recommended Settlement Agreement also requires

Atmos to abate its appeal of the City's rejection of the 2014 RRM rate increase pending approval by all ACSC cities of the Settlement Agreement. The Agreement requires Atmos to give the City the benefit of the adjustments to the 2014 rate increase recommended by the PFD.

The Ordinance and Settlement tariffs approve rates that will increase the Company's revenues by $65.7 million for the Mid-Tex Rate Division, effective for bills rendered on or after June 1, 2015. The monthly residential customer charge will be $18.60. The consumption charge will change from $0.08819 per Ccf to $0.09931 per Ccf. The monthly bill impact for the typical residential customer consuming 60 Ccf will be an increase of $1.14 (about a 1.59% increase in the base bill). The typical commercial customer will see an increase of $2.69 or 0.96%.

The ACSC Executive Committee and its designated legal counsel and consultants recommend that all Cities adopt the Ordinance approving the negotiated Settlement Agreement resolving both the 2014 and the 2015 RRM filings, and implementing the rate change.

RRM Background:

The RRM tariff was originally approved by ACSC Cities as part of the settlement agreement to resolve the Atmos Mid-Tex 2007 system-wide rate filing at the Railroad Commission. In early 2013, the City adopted a renewed RRM tariff for an additional five years. This is the third RRM filing under the renewed tariff. The RRM tariff and the process implementing that tariff were created collaboratively by ACSC and Atmos Mid-Tex as an alternative to the legislatively-authorized GRIP surcharge process. ACSC has opposed GRIP because it constitutes piecemeal ratemaking, does not allow any review of the reasonableness of Atmos' expenditures, and does not allow participation by cities or recovery of cities' rate case expenses. In contrast, the RRM process has allowed for a more comprehensive rate review and annual adjustment as a substitute for GRIP filings. ACSC's consultants have calculated that had Atmos filed its 2015 case under the GRIP provisions, it would have received additional revenues from ratepayers of approximately $10 million.

Purpose of the Ordinance:

The purpose of the Ordinance is to approve the Settlement Agreement and the resulting rate change under the RRM tariff. As a result of the negotiations, the Executive Committee was able to reduce the Company's requested $28.8 million rate increase for Mid-Tex cities to $21,962,784. When added to the settlement of the 2014 RRM filing and the adjustments recommended by the PFD, the Company will receive total additional annual revenues of $65.7 million. Because the 2014 rates have been in effect since June 1, 2014, the increase to currently-billed rates is $21 million. Approval of the Ordinance will result in rates that implement an increase in Atmos Mid-Tex's revenues effective June 1, 2015.

Why Approve the Settlement Agreement:

While it is annoying and disconcerting to annually consider rate adjustments from Atmos Mid-Tex, the Texas legislature has granted gas utilities the right, through the GRIP process, to an annual increase based on increases in invested capital. GRIP is piecemeal ratemaking and ignores increases in revenues and declines in O&M expenses that may be associated with plant additions. ACSC found it preferable to negotiate with Atmos to substitute an expedited comprehensive review

process that includes consideration of revenues and expenses as well as invested capital for the GRIP process.

Compelling reasons for approving the Settlement include:

1. While the 2015 RRM system-wide filing exceeded $28 million, a comparable GRIP filing would have been in excess of $38 million. ACSC has negotiated a reduction to the 2015 filing of approximately $6 million. Therefore, the 2015 RRM result is approximately $16 million better for ratepayers within municipal limits than ratepayers within Environs.

2. ACSC counsel is convinced that the Proposal for Decision ("PFD") by Railroad Commission Examiners in the 2014 RRM appeal will not improve if we file Exceptions and Replies to Exceptions. Counsel recommends action to avoid the PFD becoming a final order that would serve as precedent in future rate proceedings.

3. The token benefit to ratepayers authorized in the PFD to the 2014 appeal has been incorporated into the Settlement Agreement.

4. Atmos will file its formal withdrawal of its 2014 appeal only after all ACSC members approve the Settlement Agreement.

5. The alternative to approval of the Settlement Agreement would be another contested case hearing on appeal of the 2015 filing, implementation of interim rates on June 1, 2015 at the full value of the Company's request (or $6 million higher than proposed by the Settlement) and continuation of the 2014 appeal with resulting rate case expenses borne by ratepayers.

Explanation of "Be It Ordained" Sections:

1. This section approves all findings in the Ordinance.

2. This section finds the Settlement Agreement (attached to the Ordinance) to be a comprehensive settlement of gas utility rate issues arising from Atmos Mid-Tex's 2014 and 2015 RRM filings, and that such settlement is in the public interest and consistent with the City's statutory authority.

3. This section finds the existing Atmos Mid-Tex rates to be unreasonable, and approves the new tariffed rates providing for additional revenues over currently-billed rates of $21 million and adopts the attached new rate tariffs.

4. This section establishes the baseline for pensions and other post-employment benefits for future rate cases.

5. This section renews the Atmos Mid-Tex RRM Tariff for an additional period of time, commencing with the filing to be made on March 1, 2016, and continuing until the RRM Tariff is suspended by ordinance of the City.

6. This section requires the Company to reimburse Cities for reasonable ratemaking costs associated with reviewing and processing the RRM filing.

7. This section repeals any resolution or ordinance that is inconsistent with this Ordinance.

8. This section finds that the meeting was conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

9. This section is a savings clause, which provides that if any section(s) is later found to be unconstitutional or invalid, that finding shall not affect, impair or invalidate the remaining provisions of this Ordinance. This section further directs that the remaining provisions of the Ordinance are to be interpreted as if the offending section or clause never existed.

10. This section provides for an effective date upon passage which, according to the Cities' ordinance that adopted the RRM process, is June 1, 2015.

11. This paragraph directs that a copy of the signed Ordinance be sent to a representative of the Company and legal counsel for the Steering Committee.

CITY OF ROCKWALL, TEXAS

ORDINANCE 15-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2014 AND 2015 RATE REVIEW MECHANISM FILINGS; APPROVING A SETTLEMENT AGREEMENT WITH ATTACHED RATE TARIFFS AND PROOF OF REVENUES; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

WHEREAS, the City of Rockwall, Texas ("City") is a gas utility customer of Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company"), and a regulatory authority with an interest in the rates and charges of Atmos; and

WHEREAS, the City is a member of the Atmos Cities Steering Committee ("ACSC"), a coalition of similarly-situated cities served by Atmos Mid-Tex ("ACSC Cities") that have joined together to facilitate the review of and response to natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, ACSC and the Company worked collaboratively to develop a new Rate Review Mechanism ("RRM") tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program ("GRIP") process instituted by the Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

WHEREAS, the initial RRM Tariff was in effect for four (4) years; and

WHEREAS, ACSC Cities and Atmos Mid-Tex entered into another settlement agreement and revised the RRM Tariff; and

WHEREAS, ACSC Cities and Atmos Mid-Tex compromised and reached agreements on the amount of the rate increases to be in effect for the RRM Tariff filings for 2012 and 2013; and

WHEREAS, ACSC Cities and Atmos Mid-Tex were unable to reach an agreement on the 2014 RRM Tariff filing, resulting in the ACSC Cities' rejection of the 2014 RRM filing; and

WHEREAS, Atmos Mid-Tex appealed the ACSC Cities' actions rejecting its 2014 RRM filing to the Railroad Commission of Texas ("Commission"), pursuant to the provisions of the RRM Tariff; and

WHEREAS, Atmos Mid-Tex and ACSC litigated the appeal of the 2014 RRM filing at the Commission; and

WHEREAS, on February 27, 2015, Atmos Mid-Tex filed its 2015 RRM Tariff filing, requesting to increase natural gas base rates system-wide by $28.762 million; and

WHEREAS, ACSC coordinated its review of Atmos Mid-Tex RRM filing through its Executive Committee, assisted by ACSC's attorneys and consultants, to resolve issues identified in the Company's RRM filing; and

WHEREAS, Atmos Mid-Tex has agreed to withdraw its appeal of ACSC's rejection of its 2014 RRM Tariff rate increase; and

WHEREAS, the Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities approve the attached Settlement Agreement (Attachment A to this Ordinance) as well as the tariffs attached thereto, resolving both the 2014 and the 2015 RRM Tariff filings, which together will increase the Company's revenues by $65.7 million over the amount allowed under City-approved rates set in 2013; and

WHEREAS, the attached tariffs implementing new rates are consistent with the negotiated Settlement Agreement and are just, reasonable, and in the public interest; and

WHEREAS, the RRM Tariff should be renewed for a period of time commencing in 2016 and continuing until the RRM Tariff is suspended by ordinance of the City; and

WHEREAS, the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications;

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

Section 1. That the findings set forth in this Ordinance are hereby in all things approved.

Section 2. That the City Council finds that the Settlement Agreement (Attachment A to this Ordinance) represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2014 and 2015 RRM filings, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

Section 3. That the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as Attachment C, are just and reasonable, and are designed to allow Atmos Mid-Tex to recover annually an additional $65.7 million in revenue over the amount allowed under currently approved rates, or $21 million over currently-billed rates, as shown in the Proof of Revenues attached hereto and incorporated herein as Attachment B; such tariffs are hereby adopted.

Section 4. That the ratemaking treatment for pensions and other post-employment benefits in Atmos' next RRM filing shall be as set forth on Attachment D, attached hereto and incorporated herein.

Section 5. That in an effort to streamline the regulatory review process, the Atmos Mid-Tex RRM Tariff is renewed for a period commencing with the Company's March 1, 2016 RRM filing for calendar year 2015, effective June 1, 2016, and continuing thereafter until such time as the City adopts an ordinance suspending operation of the RRM Tariff.

Section 6. That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC in processing the Company's RRM application.

Section 7. That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Ordinance, it is hereby repealed.

Section 8. That the meeting at which this Ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 9. That if any one or more sections or clauses of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions

of this Ordinance and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

Section 10. That consistent with the City Ordinance that established the RRM process, this Ordinance shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after June 1, 2015.

Section 11. That a copy of this Ordinance shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LJB Freeway, Suite 1862, Dallas, Texas 75240, and to Geoffrey Gay, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED by the City Council of the City of Rockwall, Texas this 18th day of May, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank Garza, City Attorney

SETTLEMENT AGREEMENT BETWEEN ATMOS ENERGY CORP., MID-TEX DIVISION AND ATMOS CITIES STEERING COMMITTEE

WHEREAS, this agreement ("Settlement Agreement") is entered into by Atmos Energy Corp's Mid-Tex Division and Atmos Cities Steering Committee ("ACSC") whose members include the Cities of Abilene, Addison, Allen, Alvarado, Angus, Anna, Argyle, Arlington, Aubrey, Bedford, Bellmead, Benbrook, Beverly Hills, Blossom, Blue Ridge, Bowie, Boyd, Bridgeport, Brownwood, Buffalo, Burkburnett, Burleson, Caddo Mills, Canton, Carrollton, Cedar Hill, Celeste, Celina, Centerville, Cisco, Clarksville, Cleburne, Clyde, College Station, Colleyville, Colorado City, Comanche, Commerce, Coolidge, Coppell, Copperas Cove, Corinth, Corral City, Crandall, Crowley, Dalworthington Gardens, Denison, DeSoto, Duncanville, Eastland, Edgecliff Village, Emory, Ennis, Euless, Everman, Fairview, Farmers Branch, Farmersville, Fate, Flower Mound, Forest Hill, Fort Worth, Frisco, Frost, Gainesville, Garland, Garrett, Grand Prairie, Grapevine, Gunter, Haltom City, Harker Heights, Haskell, Haslet, Hewitt, Highland Park, Highland Village, Honey Grove, Hurst, Hutto, Iowa Park, Irving, Justin, Kaufman, Keene, Keller, Kemp, Kennedale, Kerens, Kerrville, Killeen, Krum, Lake Worth, Lakeside, Lancaster, Lewisville, Lincoln Park, Little Elm, Lorena, Madisonville, Malakoff, Mansfield, McKinney, Melissa, Mesquite, Midlothian, Murphy, Newark, Nocona, North Richland Hills, Northlake, Oakleaf, Ovilla, Palestine, Pantego, Paris, Parker, Pecan Hill, Petrolia, Plano, Ponder, Pottsboro, Prosper, Quitman, Red Oak, Reno (Parker County), Richardson, Richland, Richland Hills, Roanoke, Robinson, Rockwall, Roscoe, Rowlett, Royse City, Sachse, Saginaw, Sansom Park, Seagoville, Sherman, Snyder, Southlake, Springtown, Stamford, Stephenville, Sulphur Springs, Sweetwater, Temple, Terrell, The Colony, Trophy Club, Tyler, University Park, Venus, Vernon, Waco, Watauga, Waxahachie, Westlake, White Settlement, Whitesboro, Wichita Falls, Woodway, and Wylie.

WHEREAS, on February 28, 2014, Atmos filed with the ACSC Cities an application, hereinafter referred to as the 2014 RRM filing, to adjust rates pursuant to Rider RRM - Rate Review Mechanism, which were subsequently consolidated into GUD No. 10359 at the Railroad Commission of Texas; and

WHEREAS, on February 27, 2015, Atmos filed with the ACSC Cities an application, hereinafter referred to as the 2015 RRM filing, to adjust rates pursuant to Rider RRM - Rate Review Mechanism; and

WHEREAS, the Settlement Agreement resolves all issues between Atmos and ACSC ("the Signatories") regarding the 2014 RRM filing, which is currently pending before the Commission, and the 2015 RRM filing, which is currently pending before the ACSC Cities, in a manner that the Signatories believe is consistent with the public interest, and the Signatories represent diverse interests; and

WHEREAS, the Signatories believe that the resolution of the issues raised in the 2014 RRM filing and the 2015 RRM filing can best be accomplished by each ACSC City approving this Settlement Agreement and the rates, terms and conditions reflected in the tariffs attached to this Settlement Agreement as Exhibit A;

NOW, THEREFORE, in consideration of the mutual agreements and covenants established herein, the Signatories, through their undersigned representatives, agree to the

following Settlement Terms as a means of fully resolving all issues between Atmos and the ACSC Cities involving the 2014 RRM filing and 2015 RRM filing:

Settlement Terms

1. Upon the execution of this Settlement Agreement, the ACSC Cities will approve an ordinance or resolution to approve the Settlement Agreement and implement the rates, terms and conditions reflected in the tariffs attached to the Settlement Agreement as Exhibit A. (Attachment A to the Ordinance ratifying the Agreement). Said tariffs should allow Atmos to recover annually an additional $65.7 million in revenue over the amount allowed under currently approved rates by implementation of rates shown in the proof of revenues attached as Exhibit B. (Attachment B to the Ordinance ratifying this Agreement). The uniform implementation of gas rates, terms and conditions established by the Settlement Agreement shall be effective for bills rendered on or after June 1, 2015. Consistent with the City's authority under Section 103.001 of the Texas Utilities Code, the Settlement Agreement represents a comprehensive settlement of gas utility rate issues affecting the rates, operations and services offered by Atmos within the municipal limits of the ACSC Cities arising from Atmos' 2014 RRM filing and 2015 RRM filing. No refunds of charges billed to customers by Atmos under the RRM in past periods shall be owed or owing.

2. In an effort to streamline the regulatory review process, Atmos and the ACSC Cities have agreed to renew the Rate Review Mechanism ("Rider RRM") for a period commencing with the Company's March 1, 2016 filing under this mechanism for the calendar year 2015, effective June 1, 2016, and continuing thereafter until such time as either the ACSC Cities issue an ordinance stating a desire to discontinue the operation of the tariff or Atmos files a Statement of Intent. Atmos and the ACSC Cities further agree that the RRM tariff shall remain in effect until such time as new, final rates are established for Atmos. Upon approval of this Settlement Agreement by the ACSC Cities, Atmos shall file an updated RRM Tariff with each city reflecting the provisions of this agreement.

3. Atmos and the ACSC Cities agree that rate base as of December 31, 2014 in the amount of $1,955,948,256 is just and reasonable and shall be recovered in rates.

4. Atmos and the ACSC Cities agree that a pension and other postemployment benefits balance as of December 31, 2014 in the amount of $18,284,949 is just and reasonable and shall be used as the beginning balance for purposes of determining pension and other postemployment benefits to be recovered in the next RRM filing (Attachment D to the Ordinance ratifying the Agreement).

5. With regard to the treatment of Atmos' Rule 8.209 regulatory asset under the RRM, Atmos and the ACSC Cities agree to the following with respect to any pending and future RRM filings:

    a. the capital investment in the Rule 8.209 regulatory asset in the 2014 RRM filing and 2015 RRM filing is reasonable and consistent with the requirements of Rule 8.209;

b. the classification of projects included in the Rule 8.209 regulatory asset in the 2014 RRM filing and 2015 RRM filing is reasonable and consistent with the requirements of Rule 8.209 and shall serve as a basis for classification of projects in future RRM filings;

c. the treatment of blanket replacement projects, system upgrades, relocations, and transmission line replacements in the Rule 8.209 regulatory asset in the 2014 RRM filing and 2015 RRM filing is reasonable and consistent with the requirements of Rule 8.209 and shall be included in future RRM filings.

d. the incurred expenses included in the Rule 8.209 regulatory asset in the 2014 RRM and the 2015 RRM are reasonable and consistent with the requirements of Rule 8.209 and shall be included in future RRM filings;

e. interest on the Rule 8.209 regulatory asset account shall be calculated using the pre-tax cost of capital most recently approved by the Commission. The use of the pre-tax cost of capital is consistent with Rule 8.209. A return on Rule 8.209 capital investment is only earned once the investment is included in rate base. No change in the Company's calculation of the interest component in its Rule 8.209 regulatory asset accounts is warranted through the period ended May 31, 2015. Beginning June 1, 2015, interest expense shall be calculated monthly using simple interest (*i.e.* 11.49% divided by 12, or approximately 0.96% per month) applied to the total value of the Rule 8.209 asset investment (exclusive of interest) until such time the Rule 8.209 regulatory asset is approved for inclusion in the Company's rate base.

f. While Atmos and the ACSC Cities agree to apply the treatments and methodologies set forth in this paragraph, subsections (a) – (e) in all future RRM filings, the regulatory authority retains its right to disallow any capital investment that is not shown to be prudently incurred, and any expense not shown to be reasonable and necessary, in future RRM filings.

g. Atmos and the ACSC Cities acknowledge that their agreement regarding the treatment and methodologies applicable to Rule 8.209 capital investments under the RRM tariff shall not prejudice the right of either party to argue for different treatments or methodologies in a future statement of intent proceeding.

6. Revenues approved pursuant to Paragraph 1 of the Settlement Agreement include reimbursement of rate case expenses owed to the ACSC Cities in connection with the 2014 RRM filing.

7. The Signatories agree that each ACSC city shall approve this Settlement Agreement and adopt an ordinance or resolution to implement for the ACSC Cities the rates, terms, and conditions reflected in the tariffs attached to the Settlement Agreement as Exhibit A. Atmos and ACSC further agree that at such time as all of the ACSC Cities have passed an ordinance or resolution consistent with the Settlement and Atmos has received such ordinance or resolution, Atmos shall withdraw its appeal of the currently pending RRM filing before the Railroad Commission of Texas in connection with the 2014 RRM filing.

8. Atmos and the ACSC Cities further agree that the express terms of the Rider RRM are supplemental to the filing, notice, regulatory review, or appellate procedural process of the ratemaking provisions of Chapter 104 of the Texas Utilities Code. If the statute requires a mandatory action on behalf of the municipal regulatory authority or Atmos, the parties will follow the provisions of such statute. If the statute allows discretion on behalf of the municipal regulatory authority, the ACSC Cities agree that they shall exercise such discretion in such a way as to implement the provisions of the RRM tariff. If Atmos appeals an action or inaction of an ACSC City regarding an RRM filing to the Railroad Commission, the ACSC Cities agree that they will not oppose the implementation of interim rates or advocate the imposition of a bond by Atmos consistent with the RRM tariff. Atmos agrees that it will make no filings on behalf of its Mid-Tex Division under the provisions of Section 104.301 of the Texas Utilities code while the Rider RRM is in place. In the event that a regulatory authority fails to act or enters an adverse decision regarding the proposed annual RRM adjustment, the Railroad Commission of Texas shall have exclusive appellate jurisdiction, pursuant to the provisions of the Texas Utilities Code, to review the action or inaction of the regulatory authority exercising exclusive original jurisdiction over the RRM request. In addition, the Signatories agree that this Settlement Agreement shall not be construed as a waiver of the ACSC Cities' right to initiate a show cause proceeding or the Company's right to file a Statement of Intent under the provisions of the Texas Utilities Code.

9. The Signatories agree that the terms of the Settlement Agreement are interdependent and indivisible, and that if any ACSC city enters an order that is inconsistent with this Settlement Agreement, then any Signatory may withdraw without being deemed to have waived any procedural right or to have taken any substantive position on any fact or issue by virtue of that Signatory's entry into the Settlement Agreement or its subsequent withdrawal. If any ACSC city rejects this Settlement Agreement, then this Settlement Agreement shall be void *ab initio* and counsel for the ACSC Cities shall thereafter only take such actions as are in accordance with the Texas Disciplinary Rules of Professional Conduct.

10. The Signatories agree that all negotiations, discussions and conferences related to the Settlement Agreement are privileged, inadmissible, and not relevant to prove any issues associated with Atmos' 2014 RRM filing and 2015 RRM filing.

11. The Signatories agree that neither this Settlement Agreement nor any oral or written statements made during the course of settlement negotiations may be used for any purpose other than as necessary to support the entry by the ACSC Cities of an ordinance or resolution implementing this Settlement Agreement.

12. The Signatories agree that this Settlement Agreement is binding on each Signatory only for the purpose of settling the issues set forth herein and for no other purposes, and, except to the extent the Settlement Agreement governs a Signatory's rights and obligations for future periods, this Settlement Agreement shall not be binding or precedential upon a Signatory outside this proceeding.

13. The Signatories agree that this Settlement Agreement may be executed in multiple counterparts and may be filed with facsimile signatures.

Agreed to this 7 day of May, 2015.

ATMOS ENERGY CORP., MID-TEX DIVISION

By: John A. Paris

John A. Paris
President, Mid-Tex Division

Agreed to this 7th day of May 2015.

ATTORNEY FOR ATMOS CITIES STEERING COMMITTEE, WHOSE MEMBERS INCLUDE THE CITIES OF ABILENE, ADDISON, ALLEN, ALVARADO, ANGUS, ANNA, ARGYLE, ARLINGTON, AUBREY, BEDFORD, BELLMEAD, BENBROOK, BEVERLY HILLS, BLOSSOM, BLUE RIDGE, BOWIE, BOYD, BRIDGEPORT, BROWNWOOD, BUFFALO, BURKBURNETT, BURLESON, CADDO MILLS, CANTON, CARROLLTON, CEDAR HILL, CELESTE, CELINA, CENTERVILLE, CISCO, CLARKSVILLE, CLEBURNE, CLYDE, COLLEGE STATION, COLLEYVILLE, COLORADO CITY, COMANCHE, COMMERCE, COOLIDGE, COPPELL, COPPERAS COVE, CORINTH, CORRAL CITY, CRANDALL, CROWLEY, DALWORTHINGTON GARDENS, DENISON, DESOTO, DUNCANVILLE, EASTLAND, EDGECLIFF VILLAGE, EMORY, ENNIS, EULESS, EVERMAN, FAIRVIEW, FARMERS BRANCH, FARMERSVILLE, FATE, FLOWER MOUND, FOREST HILL, FORT WORTH, FRISCO, FROST, GAINESVILLE, GARLAND, GARRETT, GRAND PRAIRIE, GRAPEVINE, GUNTER, HALTOM CITY, HARKER HEIGHTS, HASKELL, HASLET, HEWITT, HIGHLAND PARK, HIGHLAND VILLAGE, HONEY GROVE, HURST, HUTTO, IOWA PARK, IRVING, JUSTIN, KAUFMAN, KEENE, KELLER, KEMP, KENNEDALE, KERENS, KERRVILLE, KILLEEN, KRUM, LAKE WORTH, LAKESIDE, LANCASTER, LEWISVILLE, LINCOLN PARK, LITTLE ELM, LORENA, MADISONVILLE, MALAKOFF, MANSFIELD, MCKINNEY, MELISSA, MESQUITE, MIDLOTHIAN, MURPHY, NEWARK, NOCONA, NORTH RICHLAND HILLS, NORTHLAKE, OAKLEAF, OVILLA, PALESTINE, PANTEGO, PARIS, PARKER, PECAN HILL, PETROLIA, PLANO, PONDER, POTTSBORO, PROSPER, QUITMAN, RED OAK, RENO (PARKER COUNTY), RICHARDSON, RICHLAND, RICHLAND HILLS, ROANOKE, ROBINSON, ROCKWALL, ROSCOE, ROWLETT, ROYSE CITY, SACHSE, SAGINAW, SANSOM PARK, SEAGOVILLE, SHERMAN, SNYDER, SOUTHLAKE, SPRINGTOWN, STAMFORD, STEPHENVILLE, SULPHUR SPRINGS, SWEETWATER, TEMPLE, TERRELL, THE COLONY, TROPHY CLUB, TYLER, UNIVERSITY PARK, VENUS, VERNON, WACO, WATAUGA, WAXAHACHIE, WESTLAKE, WHITE SETTLEMENT, WHITESBORO, WICHITA FALLS, WOODWAY, AND WYLIE.

By: _____
Geoffrey Gay*

* Subject to approval by ACSC City Councils

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RRC Tariff No:

RATE SCHEDULE:	**C – COMMERCIAL SALES**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS**	
EFFECTIVE DATE:	**Bills Rendered on or after 06/01/2015**	**PAGE:**

Application
Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

Type of Service
Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate
Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	$ 40.00 per month
Rider CEE Surcharge	$ 0.00 per month[1]
Total Customer Charge	$ 40.00 per month
Commodity Charge – All Ccf	$ 0.08020 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement
An Agreement for Gas Service may be required.

Notice
Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

1 Reference Rider CEE - Conservation And Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2014.

RATE SCHEDULE:	**I – INDUSTRIAL SALES**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS**	
EFFECTIVE DATE:	**Bills Rendered on or after 06/01/2015**	**PAGE:**

Application
Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 3,500 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 3,500 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

Type of Service
Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate
Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Meter	$ 700.00 per month
First 0 MMBtu to 1,500 MMBtu	$ 0.2937 per MMBtu
Next 3,500 MMBtu	$ 0.2151 per MMBtu
All MMBtu over 5,000 MMBtu	$ 0.0461 per MMBtu

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Curtailment Overpull Fee
Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index
In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RRC Tariff No:

RATE SCHEDULE:	**I – INDUSTRIAL SALES**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS**	
EFFECTIVE DATE:	**Bills Rendered on or after 06/01/2015**	**PAGE:**

Agreement
An Agreement for Gas Service may be required.

Notice
Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions
In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

RATE SCHEDULE:	**R – RESIDENTIAL SALES**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS**	
EFFECTIVE DATE:	**Bills Rendered on or after 06/01/2015**	**PAGE:**

Application
Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

Type of Service
Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate
Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	$ 18.60 per month
Rider CEE Surcharge	$ 0.02 per month[1]
Total Customer Charge	$ 18.62 per month
Commodity Charge – All Ccf	$0.09931 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement
An Agreement for Gas Service may be required.

Notice
Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

[1]Reference Rider CEE - Conservation And Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2014.

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2015	PAGE:

Application
Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

Type of Service
Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate
Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

Charge	Amount
Customer Charge per Meter	$ 700.00 per month
First 0 MMBtu to 1,500 MMBtu	$ 0.2937 per MMBtu
Next 3,500 MMBtu	$ 0.2151 per MMBtu
All MMBtu over 5,000 MMBtu	$ 0.0461 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Imbalance Fees
All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

Monthly Imbalance Fees
Customer shall pay Company the greater of (i) $0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RRC Tariff No:

RATE SCHEDULE:	**T – TRANSPORTATION**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS**	
EFFECTIVE DATE:	**Bills Rendered on or after 06/01/2015**	**PAGE:**

Curtailment Overpull Fee
Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index
In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement
A transportation agreement is required.

Notice
Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions
In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RIDER:	**WNA – WEATHER NORMALIZATION ADJUSTMENT**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS**	
EFFECTIVE DATE:	**Bills Rendered on or after 11/01/2015**	**PAGE:**

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where

i = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification

$WNAF_i$ = Weather Normalization Adjustment Factor for the ith rate schedule or classification expressed in cents per Ccf

R_i = Commodity Charge rate of temperature sensitive sales for the ith schedule or classification.

HSF_i = heat sensitive factor for the ith schedule or classification divided by the average bill count in that class

NDD = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.

ADD = billing cycle actual heating degree days.

Bl_i = base load sales for the ith schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the jth customer in ith rate schedule is computed as:

$WNA_i = WNAF_i \times q_{ij}$

Where q_{ij} is the relevant sales quantity for the jth customer in ith rate schedule.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RIDER:	**WNA – WEATHER NORMALIZATION ADJUSTMENT**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS**	
EFFECTIVE DATE:	**Bills Rendered on or after 11/01/2015**	**PAGE:**

Base Use/Heat Use Factors

	Residential		Commercial	
Weather Station	Base use Ccf	Heat use Ccf/HDD	Base use Ccf	Heat use Ccf/HDD
Abilene	10.22	0.1404	98.80	0.6372
Austin	11.59	0.1443	213.62	0.7922
Dallas	14.12	0.2000	208.11	0.9085
Waco	9.74	0.1387	130.27	0.6351
Wichita Falls	11.79	0.1476	122.35	0.5772

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the company posts on its website at atmosenergy.com/mtx-wna, in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the company calculated its WNAs factor during the preceding winter season. Additionally, on or before June 1 of each year, the company files one hard copy and a Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of that Division.

ATMOS ENERGY CORP., MID-TEX DIVISION
PROOF OF REVENUES AND PROPOSED TARIFF STRUCTURE
TEST YEAR ENDING DECEMBER 31, 2014

	(a)	(b)	(c)	(d)	(e)	(f)	(g)
1	Proposed Change In Rates:		$21,066,527	Schedule A			
2	Proposed Change In Rates without Revenue Related Taxes:		$19,757,254	Ln 1 divided by factor on WP_F-5.1			
3							
4							
5							
6		Revenue Requirements	Allocations				
7	Residential	$ 338,431,486	77.95%	Per GUD 10170 Final Order			
8	Commercial	$ 84,223,622	19.40%	Per GUD 10170 Final Order			
9	Industrial and Transportation	$ 11,490,316	2.65%	Per GUD 10170 Final Order			
10	Net Revenue Requirements GUD No. 10170	$ 434,145,424					
11							
12							
17							

18	Rate Class	Current	Proposed Change	Proposed Rates	Proposed Change In Revenues	Proposed Revenues	Proposed Rates with Rate Case Expenses
19							
20	Residential Base Charge	$ 18.20	$ 0.36	$ 18.56	$ 6,351,350	$ 327,447,398	$ 18.60
21	Residential Consumption Charge	$ 0.08819	$ 0.01112	$ 0.09931	$ 9,049,383	$ 80,817,829	$ 0.09931
22	Commercial Base Charge	$ 38.50	$ 1.37	$ 39.87	$ 2,000,584	$ 58,221,364	$ 40.00
23	Commercial Consumption Charge	$ 0.07681	$ 0.00339	$ 0.08020	$ 1,834,968	$ 43,411,339	$ 0.08020
24	I&T Base Charge	$ 675.00	$ 22.35	$ 697.35	$ 220,192	$ 6,870,292	$ 700.00
25	I&T Consumption Charge Tier 1 MMBTU	$ 0.2807	$ 0.0130	$ 0.2937	$ 142,055	$ 3,209,350	$ 0.2937
26	I&T Consumption Charge Tier 2 MMBTU	$ 0.2056	$ 0.0095	$ 0.2151	$ 117,051	$ 2,650,282	$ 0.2151
27	I&T Consumption Charge Tier 3 MMBTU	$ 0.0441	$ 0.0020	$ 0.0461	$ 42,703	$ 984,314	$ 0.0461
28					$ 19,758,287	$ 523,612,169	
29							

Data Sources:
GUD10170_FINAL.xlsm

ATMOS ENERGY CORP., MID-TEX DIVISION
PROOF OF REVENUES AND PROPOSED TARIFF STRUCTURE
TEST YEAR ENDING DECEMBER 31, 2014

	(a)	(b)	(c)	(d)	(e)	(f)	(g)
1	Proposed Change In Rates:		$21,066,527	Schedule A			
2	Proposed Change In Rates without Revenue Related Taxes:		$19,757,254	Ln 1 divided by factor on WP_F-5.1			
3							
4							
5							
6		Revenue Requirements	Allocations				
7	Residential	$ 338,431,486	77.95%	Per GUD 10170 Final Order			
8	Commercial	$ 84,223,622	19.40%	Per GUD 10170 Final Order			
9	Industrial and Transportation	$ 11,490,316	2.65%	Per GUD 10170 Final Order			
10	Net Revenue Requirements GUD No. 10170	$ 434,145,424					
11							
12							
17							

18	Rate Class	Current	Proposed Change	Proposed Rates	Proposed Change In Revenues	Proposed Revenues	Proposed Rates with Rate Case Expenses
19							
20	Residential Base Charge	$ 18.20	$ 0.36	$ 18.56	$ 6,351,350	$ 327,447,398	$ 18.60
21	Residential Consumption Charge	$ 0.08819	$ 0.01112	$ 0.09931	$ 9,049,383	$ 80,817,829	$ 0.09931
22	Commercial Base Charge	$ 38.50	$ 1.37	$ 39.87	$ 2,000,584	$ 58,221,364	$ 40.00
23	Commercial Consumption Charge	$ 0.07681	$ 0.00339	$ 0.08020	$ 1,834,968	$ 43,411,339	$ 0.08020
24	I&T Base Charge	$ 675.00	$ 22.35	$ 697.35	$ 220,192	$ 6,870,292	$ 700.00
25	I&T Consumption Charge Tier 1 MMBTU	$ 0.2807	$ 0.0130	$ 0.2937	$ 142,055	$ 3,209,350	$ 0.2937
26	I&T Consumption Charge Tier 2 MMBTU	$ 0.2056	$ 0.0095	$ 0.2151	$ 117,051	$ 2,650,282	$ 0.2151
27	I&T Consumption Charge Tier 3 MMBTU	$ 0.0441	$ 0.0020	$ 0.0461	$ 42,703	$ 984,314	$ 0.0461
28					$ 19,758,287	$ 523,612,169	
29							

Data Sources:
GUD10170_FINAL.xlsm

RATE SCHEDULE:	**C – COMMERCIAL SALES**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS**	
EFFECTIVE DATE:	**Bills Rendered on or after 06/01/2015**	**PAGE:**

Application
Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

Type of Service
Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate
Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	$ 40.00 per month
Rider CEE Surcharge	$ 0.00 per month[1]
Total Customer Charge	$ 40.00 per month
Commodity Charge – All Ccf	$ 0.08020 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement
An Agreement for Gas Service may be required.

Notice
Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

1 Reference Rider CEE - Conservation And Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2014.

RATE SCHEDULE:	**I – INDUSTRIAL SALES**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS**	
EFFECTIVE DATE:	**Bills Rendered on or after 06/01/2015**	**PAGE:**

Application
Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 3,500 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 3,500 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

Type of Service
Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate
Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Meter	$ 700.00 per month
First 0 MMBtu to 1,500 MMBtu	$ 0.2937 per MMBtu
Next 3,500 MMBtu	$ 0.2151 per MMBtu
All MMBtu over 5,000 MMBtu	$ 0.0461 per MMBtu

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Curtailment Overpull Fee
Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index
In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RATE SCHEDULE:	**I – INDUSTRIAL SALES**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS**	
EFFECTIVE DATE:	**Bills Rendered on or after 06/01/2015**	**PAGE:**

Agreement
An Agreement for Gas Service may be required.

Notice
Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions
In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RATE SCHEDULE:	**R – RESIDENTIAL SALES**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS**	
EFFECTIVE DATE:	**Bills Rendered on or after 06/01/2015**	**PAGE:**

Application
Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

Type of Service
Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate
Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	$ 18.60 per month
Rider CEE Surcharge	$ 0.02 per month[1]
Total Customer Charge	$ 18.62 per month
Commodity Charge – All Ccf	$0.09931 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement
An Agreement for Gas Service may be required.

Notice
Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

[1]Reference Rider CEE - Conservation And Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2014.

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2015	PAGE:

Application
Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

Type of Service
Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate
Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

Charge	Amount
Customer Charge per Meter	$ 700.00 per month
First 0 MMBtu to 1,500 MMBtu	$ 0.2937 per MMBtu
Next 3,500 MMBtu	$ 0.2151 per MMBtu
All MMBtu over 5,000 MMBtu	$ 0.0461 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Imbalance Fees
All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

Monthly Imbalance Fees
Customer shall pay Company the greater of (i) $0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2015	PAGE:

Curtailment Overpull Fee
Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index
In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement
A transportation agreement is required.

Notice
Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions
In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RIDER:	**WNA – WEATHER NORMALIZATION ADJUSTMENT**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS**	
EFFECTIVE DATE:	**Bills Rendered on or after 11/01/2015**	**PAGE:**

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where

i = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification

$WNAF_i$ = Weather Normalization Adjustment Factor for the ith rate schedule or classification expressed in cents per Ccf

R_i = Commodity Charge rate of temperature sensitive sales for the ith schedule or classification.

HSF_i = heat sensitive factor for the ith schedule or classification divided by the average bill count in that class

NDD = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.

ADD = billing cycle actual heating degree days.

Bl_i = base load sales for the ith schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the jth customer in ith rate schedule is computed as:

$WNA_i = WNAF_i \times q_{ij}$

Where q_{ij} is the relevant sales quantity for the jth customer in ith rate schedule.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RIDER:	**WNA – WEATHER NORMALIZATION ADJUSTMENT**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS**	
EFFECTIVE DATE:	**Bills Rendered on or after 11/01/2015**	**PAGE:**

Base Use/Heat Use Factors

	Residential		Commercial	
Weather Station	Base use Ccf	Heat use Ccf/HDD	Base use Ccf	Heat use Ccf/HDD
Abilene	10.22	0.1404	98.80	0.6372
Austin	11.59	0.1443	213.62	0.7922
Dallas	14.12	0.2000	208.11	0.9085
Waco	9.74	0.1387	130.27	0.6351
Wichita Falls	11.79	0.1476	122.35	0.5772

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the company posts on its website at atmosenergy.com/mtx-wna, in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the company calculated its WNAs factor during the preceding winter season. Additionally, on or before June 1 of each year, the company files one hard copy and a Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of that Division.

ATTACHMENT D

ATMOS ENERGY CORP., MID-TEX DIVISION
PENSIONS AND RETIREE MEDICAL BENEFITS FOR CITIES APPROVAL
TEST YEAR ENDING DECEMBER 31, 2014

Line No.	Description	Shared Services		Mid-Tex Direct			Adjustment Total
		Pension Account Plan ("PAP")	Post-Retirement Medical Plan ("FAS 106")	Pension Account Plan ("PAP")	Supplemental Executive Benefit Plan ("SERP")	Post-Retirement Medical Plan ("FAS 106")	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)
1	Fiscal Year 2014 Towers Watson Report (excluding Removed Cost Centers)	$ 6,388,826	$ 4,542,023	$ 9,481,670	$ 165,758	$ 8,736,645	
2	Allocation to Mid-Tex	46.26%	46.26%	71.70%	100.00%	71.70%	
3	FY14 Towers Watson Benefit Costs (excluding Removed Cost Centers) Allocated to MTX (Ln 1 x Ln 2)	$ 2,955,304	$ 2,101,021	$ 6,798,531	$ 165,758	$ 6,264,334	
4	O&M and Capital Allocation Factor	100.00%	100.00%	100.00%	100.00%	100.00%	
5	FY14 Towers Watson Benefit Costs To Approve (excluding Removed Cost Centers) (Ln 3 x Ln 4)	$ 2,955,304	$ 2,101,021	$ 6,798,531	$ 165,758	$ 6,264,334	$ 18,284,949
6							
7							
8	**Summary of Costs to Approve:**						
9							
10	Total Pension Account Plan ("PAP")	$ 2,955,304		$ 6,798,531			$ 9,753,835
11	Total Post-Retirement Medical Plan ("FAS 106")		$ 2,101,021			$ 6,264,334	8,365,356
12	Total Supplemental Executive Retirement Plan ("SERP")				$ 165,758		165,758
13	Total (Ln 10 + Ln 11 + Ln 12)	$ 2,955,304	$ 2,101,021	$ 6,798,531	$ 165,758	$ 6,264,334	$ 18,284,949
14							
15							
16	O&M Expense Factor	95.82%	95.82%	43.03%	21.00%	43.03%	
17							
18	Expense Portion (Ln 13 x Ln 16)	$ 2,831,859	$ 2,013,260	$ 2,925,600	$ 34,809	$ 2,695,721	$ 10,501,250
19							
20	Capital Factor	4.18%	4.18%	56.97%	79.00%	56.97%	
21							
22	Capital Portion (Ln 13 x Ln 20)	$ 123,445	$ 87,761	$ 3,872,930	$ 130,949	$ 3,568,614	$ 7,783,699
23							
24	Total (Ln 18 + Ln 22)	$ 2,955,304	$ 2,101,021	$ 6,798,531	$ 165,758	$ 6,264,334	$ 18,284,949

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MEALS on WHEELS
SENIOR SERVICES
of Rockwall County
950 Williams St
Bldg. C Ste. 200
Rockwall, TX 75087
972-771-9514

April 27, 2015

Dear Kristy Ashberry,

May is National Older Americans Month, a federally proclaimed annual celebration. Meals on Wheels Senior Services are honoring Rockwall County seniors, programs, and volunteers serving our elderly community. The National Theme this Year is: Get into the Act! Enclosed is the information from the Federal Website. Please submit two nominee's for an award for an outstanding senior who is making a difference in the senior community. Please call the office at:
972-771-9514 or send e-mail to:
rockwallmow@hotmail.com
We are having the proclamations and awards presented at a reception on Friday, May 22nd, at 1:00p.m. at the Rockwall County Library, 1215 Yellowjacket Lane, Rockwall, TX 75087. All elected officials or candidates for public office are invited to attend. Thank you for your time! The Seniors of Rockwall County really appreciate all your efforts.

Sincerely,

Margie VerHagen
Executive Director

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Honorable Mayor & City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

DATE: **May 15, 2015**

SUBJECT: **Resolution Canvassing May 9, 2015 elections**

Included for Council action on the May 18 meeting agenda is a resolution canvassing the General (city council members) and Special (Charter amendments) elections. City Attorney Frank Garza has reviewed and approved of the resolution included in the meeting packet. Certificates of Election will be given and Oaths of Office administered for newly elected council members on June 1st.

CITY OF ROCKWALL

RESOLUTION NO. 15-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, CANVASSING THE RETURNS, INCLUDING THE RETURNS OF EARLY VOTING AND ELECTION DAY BALLOTS CAST IN CONNECTION THEREWITH, AND DECLARING THE RESULTS OF THE GENERAL AND SPECIAL ELECTIONS HELD ON THE 9TH OF MAY, 2015 FOR THE PURPOSE OF ELECTING A MAYOR AND THREE (3) COUNCIL MEMBERS - ONE (1) FOR PLACE 1, ONE (1) FOR PLACE 3, AND ONE (1) FOR PLACE 5, EACH FOR TWO (2) YEAR TERMS, AND FOR FILLING A ONE YEAR UNEXPIRED TERM FOR PLACE 2 AND FOR A SPECIAL ELECTION FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF ROCKWALL, TEXAS, FOR THE ADOPTION OR REJECTION OF, CERTAIN PROPOSED AMENDMENTS TO THE CITY CHARTER; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on February 2, 2015, the City Council of the City of Rockwall, Texas (hereinafter referred to as the "City") passed and approved Resolution No. 15-04 which ordered a general election (hereinafter referred to as the "General Municipal Election") to be held on May 9, 2015, for the purpose of electing a Mayor and three Council Members, one (1) for Place 1, one (1) for Place 3, and one (1) for Place 5, each for two (2) year terms and a Special Election to fill a one year, unexpired term for Place 2; and

WHEREAS, on February 2, 2015, the City Council also passed and approved Resolution No. 15-05 which ordered a Special Election for the purpose of submitting to the qualified voters of the City, for the adoption or rejection of, certain proposed amendments to the City Charter, pursuant to the provisions of Section 9.004 of the Texas Local Government Code (the "Code"); and

WHEREAS, it is hereby found and determined that notice of said elections were duly given in the form, manner and time required by law, and that said elections were in all respects legally held and conducted in accordance with applicable laws of the State of Texas, including the proceedings calling and governing the holding of said elections; and

WHEREAS, the returns of said elections were duly and legally received by the Rockwall County Elections Administrator and submitted to the City of Rockwall for canvassing by the Rockwall City Council, and that a tabulation of the returns for each polling place for early voting and election day voting, as canvassed and tabulated by this governing body show **1,880** total ballots were cast, and each city council candidate received the following number of votes in the General Election (for Mayor, Place 1, Place 3, and Place 5) and Special Election (to fill a one-year vacancy for Place 2):

City Council, Mayor	Votes Cast	Percentages
Jim Pruitt	1,042	55.43%
Dennis Lewis	838	44.57%
City Council, Place 1		
David White	1,320	100.00%
City Council, Place 2		
John Hohenshelt	1,282	100.00%
City Council, Place 3		
Freddie Jackson	598	33.54%
Kevin Fowler	1,185	66.46%
City Council, Place 5		
Scott Milder	1,288	100.00%

WHEREAS, said returns also reflect the following results related to the Special Election that was held for consideration of certain amendments to the City Charter:

VOTES CAST (RESULTS) SHOWN IN **BOLD, BLUE FONT** BELOW	**PROPOSITION NO. 1** **(PROPOSICIÓN NRO. 1)**
⬭ YES **1,626 / 92.91%** ⬭ NO **124 / 7.09%** **Total ballots cast: 1,750**	SHALL SECTIONS 1.04 (3), 3.04 (2), 3.05 (4), 3.08 (1), 3.11 (3), 4.02 (2), 4.04 (6), 5.02 (F), 7.15 (1), 7.16 (3), 7.18, 11.13 (G), AND 11.16 OF THE CITY CHARTER BE AMENDED TO REQUIRE SUBMISSION TO THE QUALIFIED VOTERS OF THE CITY TO ELIMINATE PROVISIONS WHICH HAVE BECOME INOPERATIVE BECAUSE THEY HAVE BEEN SUPERSEDED BY STATE LAW; REPLACE OBSOLETE REFERENCES; UPDATE TERMINOLOGY TO CURRENT LEGAL USAGE, AND TO ELIMINATE OBSOLETE TRANSITIONAL PROVISIONS?
⬭ YES **1,467 / 82.60%** ⬭ NO **309 / 17.40%** **Total ballots cast: 1, 776**	**PROPOSITION NO. 2** **(PROPOSICIÓN NRO. 2)** SHALL SECTIONS 3.06 (B) AND 4.03 (3) OF THE CITY CHARTER BE AMENDED TO AUTHORIZE THE CITY COUNCIL TO APPOINT ASSOCIATE MUNICIPAL JUDGE(S) AND ELIMINATE THE OPTION OF THE MAYOR BEING REQUIRED TO SERVE AS MUNICIPAL JUDGE IN THE ABSENCE OF THE MUNICIPAL JUDGE?
⬭ YES **1,721 / 96.63%** ⬭ NO **60 / 3.37%** **Total ballots cast: 1,781**	**PROPOSITION NO. 3** **(PROPOSICIÓN NRO. 3)** SHALL SECTION 5.04 (3) OF THE CITY CHARTER BE ADDED TO CLARIFY THAT NEWLY ELECTED COUNCIL MEMBERS WILL BE SWORN IN TO TAKE OFFICE AT THE FIRST CITY COUNCIL MEETING FOLLOWING THE OFFICIAL CANVASSING OF THE ELECTION?
⬭ YES **1,465 / 83.71%** ⬭ NO **285 / 16.29%** **Total ballots cast: 1,750**	**PROPOSITION NO. 4** **(PROPOSICIÓN NRO. 4)** SHALL SECTION 6.07 (1) OF THE CITY CHARTER BE AMENDED TO INCREASE THE NUMBER OF DAYS THE CITY SECRETARY HAS TO VERIFY SIGNATURES ON A PETITION FROM TEN DAYS TO TWENTY-ONE DAYS?

⬭ YES **1,370 / 79.28%** ⬭ NO **358 / 20.72%** **Total ballots cast: 1,728**	**PROPOSITION NO. 5** **(PROPOSICIÓN NRO. 5)** SHALL SECTION 7.02 OF THE CITY CHARTER BE AMENDED TO CHANGE THE DATE THE CITY MANAGER MUST SUBMIT THE DRAFT BUDGET TO THE CITY COUNCIL FROM AUGUST 1ST TO AUGUST 15TH?
⬭ YES **1,242 / 73.23%** ⬭ NO **454 / 26.77%** **Total ballots cast: 1,696**	**PROPOSITION NO. 6** **(PROPOSICIÓN NRO. 6)** SHALL SECTION 7.06 OF THE CITY CHARTER BE AMENDED TO CHANGE THE DATE THE COUNCIL ADOPTS THE BUDGET FROM 10 DAYS PRIOR TO THE END OF THE FISCAL YEAR TO PRIOR TO THE BEGINNING OF THE NEXT FISCAL YEAR?
⬭ YES **1,593 / 90.77%** ⬭ NO **162 / 9.23%** **Total ballots cast: 1,755**	**PROPOSITION NO. 7** **(PROPOSICIÓN NRO. 7)** SHALL SECTION 8.01 (5) OF THE CITY CHARTER BE AMENDED TO CLARIFY THAT COUNCIL ACTION IS REQUIRED TO REMOVE ANY CITY BOARD OR COMMISSION MEMBER WHO IS ABSENT FROM THREE CONSECUTIVE REGULAR MEETINGS WITHOUT EXPLANATION ACCEPTABLE TO THE CITY COUNCIL?
⬭ YES **1,699 / 96.32%** ⬭ NO **65 / 3.68%** **Total ballots cast: 1,764**	**PROPOSITION NO. 8** **(PROPOSICIÓN NRO. 8)** SHALL SECTION 11.16 OF THE CITY CHARTER BE ADDED TO PROVIDE A PROCEDURE FOR OPERATION OF THE CITY GOVERNMENT IN CASE OF A DISASTER?

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

Section 1. Incorporation of premises. That all of the above premises are found and determined to be true and correct and are incorporated into the body of this resolution as if copied in their entirety; and

Section 2. Confirmation of Vote Tabulations. That it is further found and determined that the results of the General Election, as canvassed and tabulated in the preamble of this resolution, reflect the expressed desires of the resident, qualified electors of the City; and

Section 3. Elected Officials; Terms of Office. That the duly elected members of the City Council of the City of Rockwall, elected May 9, 2015, for Mayor and Places 1, 2, 3, and 5, and the corresponding terms of office, subject to the taking of the oaths of office as required by the laws of the State of Texas, are as follows:

City Council, Mayor	TERMS
Jim Pruitt	Two (2) Years – ending May 2017
City Council, Place 1	
David White	Two (2) Years – ending May 2017
City Council, Place 2	
John Hohenshelt	One (1) Year – ending May 2016
City Council, Place 3	
Kevin Fowler	Two (2) Years – ending May 2017
City Council, Place 5	
Scott Milder	Two (2) Years – ending May 2017

Section 4. Adopted Charter Amendments. That the results of the Charter amendment ballot propositions, as canvassed and tabulated in the preamble of this resolution reflect the expressed desires of the resident, qualified voters of the City and that associated changes to the City Charter's language shall be adopted by entering an Order into the city records by way of passage of an ordinance adopted by the City Council; and

Section 5. Canvassing of Returns. That the City Council of the City of Rockwall, Texas has convened on Monday, May 18, 2015 during its regularly scheduled city council meeting to canvass the returns of the aforementioned elections in accordance with the Texas Election Code, that said meeting was open to the public as required by law, and that public notice of the time, place and purpose of said meeting was given as required by Chapter 551 of the Texas Government Code.

Section 6. Issuance of Certificates of Election. That the Mayor is hereby authorized and directed to execute and deliver Certificates of Election to the successful candidates elected during the May 9, 2015 General Municipal Election, as specified in Section 3 of this resolution; and

Section 7. Issuance of Canvass of General Municipal Election. That the Mayor is hereby authorized and directed to execute and deliver the Canvass of the General and Special Municipal Elections, a copy of which is attached hereto as "**Exhibit A"** of this resolution in accordance with the election laws of the State of Texas, and to take all other action necessary in connection therewith; and

Section 8. Severability. That should any part, section, subsection, paragraph, sentence, clause or phrase contained in this resolution be held to be unconstitutional or of no force and effect,

such holding shall not affect the validity of the remaining portion of this resolution, but in all respects said remaining portion shall be and remain in full force and effect; and

Section 9. Effective Date. That this resolution shall be in force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 18th day of May, 2015.

Jim Pruitt, Mayor

ATTEST:

Kristy Ashberry, City Secretary

EXHIBIT A

CANVASS OF MAY 9, 2015
GENERAL AND SPECIAL ELECTIONS

I, Jim Pruitt, Presiding Officer and Mayor of the City of Rockwall, with the Rockwall City Council sitting as the Canvassing Board, do hereby canvass the General and Special Elections held on May 9, 2015, in, Rockwall, Texas, and state the following:

I HEREBY CERTIFY that the figures on the returns have been received from the Rockwall County Elections Administrator and have been APPROVED by the City Council of the City of Rockwall, Texas.

WITNESS MY HAND ON THIS THE 18TH DAY OF MAY, 2015.

_____

Jim Pruitt, Mayor and Presiding Officer
Canvassing Board
City of Rockwall, Texas

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Honorable Mayor & City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

DATE: **May 15, 2015**

SUBJECT: **Ordinance re: Order to Adopt Voter Approved Charter Amendments**

Included for Council consideration on the May 18 meeting agenda is an ordinance calling for an Order to be entered into the city records declaring that eight (8) amendments to the City Charter were approved by voters in the May 9, 2015 election and that the specific changes to the Charter are formally adopted by the City Council. City Attorney Frank Garza has indicated that passage of this ordinance is required by state law and has advised that only one reading of the ordinance caption is necessary. The full ordinance is being provided to the Council for review in the meeting packet and for consideration Monday night.

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 15-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ENTERING AN ORDER INTO THE CITY RECORDS DECLARING THAT A TOTAL OF EIGHT (8) HOME RULE CHARTER AMENDMENTS WERE APPROVED BY THE VOTERS OF THE CITY ON MAY 9, 2015, AND ARE HEREBY ADOPTED; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 9, 2015, eight (8) proposed Home Rule Charter Amendments of the City of Rockwall were approved by a majority of the qualified voters of the municipality who voted at an election held for that purpose; and

WHEREAS, Section 9.005(b) of the Texas Local Government Code requires the City Council to enter an order in the records of the City declaring that the charter amendments were adopted in order for said charter amendments to take effect.

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

SECTION 1. The Charter Amendments adopted by the voters of the City of Rockwall on May 9, 2015, and attached hereto as Exhibit "A", are hereby adopted; and

SECTION 2. The City Secretary is hereby ordered to record this ordinance in the permanent records of the City; and

SECTION 3. This ordinance constitutes an order which meets all of the requirements of Section 9.005(b) of the Texas Local Government Code; and

SECTION 4. Severability: If any portion of this Ordinance shall, for any reason, be declared invalid, the invalidity shall not affect the remaining provisions thereof.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 18th day of May, 2015.

ATTEST: **Jim Pruitt, Mayor**

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

EXHIBIT A
(to Ordinance #15-___)

PROPOSITION ONE

Sec. 1.04 (3) Revised Charter Language: The City Council will establish a written policy governing extension of City services to all areas. Disannexation procedures ~~are provided in Section 42 of the Local Government code as presently written or hereafter amended. (Amended 1993)~~ *shall comply with the applicable provisions of the Texas Local Government Code.*

Sec. 3.04 (2) – Revised Charter Language: The Mayor Pro-Tem will be a Council member elected by the City Council at the first regular meeting after each election of Council members and/or Mayor. Should a vacancy occur, the unexpired term will be filled at the next regular council meeting after the occurrence of the vacancy. The Mayor Pro-Tem will act as Mayor during the disability or absence of the Mayor, and in this capacity will have the rights conferred upon the Mayor.

Sec. 3.05 (4) - Revised Charter Language: In the event of a vacancy in the office of the Mayor, the Mayor Pro-Tem must become the Mayor, thereby vacating his Council position. Within thirty days, vacancies in the Council, other than the Mayor, will be filled by a majority vote of the remaining ~~elected~~ members, ~~for the unexpired term only~~ *until the next regular City election*, and provided the successor will possess all qualifications for the position.

Sec. 3.08 (1) - Revised Charter Language: The City Council will hold at least one regular meeting each month and as many additional meetings as it deems necessary to transact the business of the City. The City Council will fix by ordinance the date and time of the regular meeting(s). Special meetings of the City Council will be held at the call of the Mayor*, City Manager* or a majority of the Council members upon provision of public notice in accordance with state law.

Sec 3.11 (3) - Revised Charter Language: A proposed ordinance, except as related to an emergency, budget, tax, public utility rate setting, *calling for an election to issue bonds, a public security authorization* or State or Federal requirement, must be read at two City Council meetings with at least one week between readings.

Sec. 4.02 (2) – Revised Charter Language to add to Section 4.02 (2):

(h) Schedule and oversee all City elections in accordance with the Texas Election Code and any other applicable law.

Sec. 4.04 (6) - Revised Charter Language: The City Attorney may be removed by a majority vote of the ~~elected~~ City Council.

Sec. 5.02 (f) - of the City Charter shall be DELETED in order to comply with newly adopted state law.

"~~*No employee of the City will continue in such position after filing for an elective office provided for in this Charter.*~~"

Sec. 7.15 (1) – Revised Charter Language**: "**The City Council may by ordinance, give the City Manager general authority to *procure and* contract for expenditure without further approval of the Council for all budgeted items not exceeding limits set by the Council *and the procurement conducted in accordance with state law*." All contracts for expenditures involving more than the set

limits must be expressly approved in advance by the Council. All contracts or purchases involving more than the limits set by the Council must be let to the lowest bidder whose submittal is among those responsive to the needs of the City after there has been opportunity for competitive bidding as provided by law or ordinance. The City Council, or City Manager ~~in such cases as he/she is authorized to contract for the City,~~ will have the right to reject any and all bids.

Sec. 7.16 (3) – Revised Charter Language: This prohibition will not be construed to prevent the making or authorizing of payments, or making of contracts for capital improvements to be financed wholly or partly by the issuance of bonds, time warrants, certificates of indebtedness, or certificates of obligation, or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year, providing that such action is made or approved by ~~ordinance~~ *City Council.*

Sec. 7.18 – Revised Charter Language: At the close of each fiscal year, and at such other times as may be deemed necessary, the City Council must call for an independent audit to be made of all accounts of the City by a certified public accountant. No more than ~~five~~ *four* consecutive annual audits must be completed by the same firm. The certified public accountant selected must have no personal interest, directly or indirectly in the financial affairs of the City or any of its officers. The report of audit, with the Auditor's recommendations will be made to the City Council. Upon completion of the audit, the ~~summary must be published~~ *complete audit and summary must* be immediately *posted on the City's website* ~~in the newspaper of record of the City~~ and copies of the audit placed on file in the City Secretary's office as a public record.

Sec. 11.13 (g) – Revised Charter Language: "Employee" will refer to any person who is employed and paid a salary by the City including those individuals on a part-time basis, but does not include City Council members, *uncompensated volunteers or independent contractors* ~~or members of the volunteer fire department~~.

Sec. 11.16 – This section shall be deleted in its entirety since the original Charter has been adopted and this transitional language has become obsolete.

PROPOSITION TWO

Sec. 3.06 (b) - Revised Charter Language: Appoint and remove the Municipal Judge *and Associate City Judge(s).*

Sec. 4.03 (3) - Revised Charter Language: ~~In the event of failure of the City Judge to perform his duties, the Mayor must act in his place and stead (and in the event of a vacancy, until a City Judge is appointed by the Council to fill the vacancy). If the Mayor acts as a City Judge, he/she must be compensated at the same salary, if any, as the City Judge for whom he/she is acting~~ T*he City Council may also appoint Associate City Judge(s) that meet the same qualifications as the City Judge of the Municipal Court who will work in the absence of the City Judge. Associate City Judge(s) will be appointed to a term of two years and may be appointed to additional consecutive terms upon completion of their term of office. The appointment of Associate City Judge(s) may be terminated\ by the City Council. The Associate City Judge(s) will receive compensation as may be determined by the City Council*.

PROPOSITION THREE

Sec. 5.04 (3) - Revised Charter Language: (3) Each newly elected person to the City Council shall be inducted into office at the first City Council meeting following the official canvassing of the election. At such meeting, the oath shall be administered in accordance with state law

PROPOSITION FOUR

Sec. 6.07 (1) - Revised Charter Language: Within ~~ten~~ *twenty-one* days after the petition is presented, the City Secretary must complete a certificate of sufficiency or insufficiency. Sufficiency must be determined by compliance with this Article.

PROPOSITION FIVE

Sec. 7.02 - Revised Charter Language: On or before the ~~first~~ *fifteenth* day of the eleventh month of the fiscal year, the City Manager must submit to the Council a budget for the ensuing fiscal year and an accompanying message

PROPOSITION SIX

Sec. 7.06 - Revised Charter Language: After public hearing, the Council must analyze the budget, making any additions or deletions which they feel appropriate, and must ~~, at least ten days prior to the beginning of the next fiscal year,~~ adopt the budget *prior to the beginning of the next fiscal year* by a favorable majority vote of the full membership of the Council. Should the City Council take no final action on or prior to such day, the current budget must be in force on a month to month basis until a new budget is adopted.

PROPOSITION SEVEN

Sec. 8.01 (5) – Revised Charter Language: Any member of a*ny City* board, commission or committee who is absent from three consecutive regular meetings without explanation acceptable to the City Council ~~a majority of the other members~~, *shall* ~~must~~ forfeit his position on the board, commission or committee *and be removed by the City Council.*

PROPOSITION EIGHT

Revised Charter Language:

Sec. 11.16 Disaster Clause

In case of disaster when a legal quorum of the elected City Council cannot otherwise be assembled due to multiple deaths or injuries, the surviving persons of the City Council, or highest surviving City elected official, if no elected official remains, within twenty-four (24) hours of such disaster, the City Manager shall appoint a Council to act during the emergency and call a City election as provided in the Texas Election Code, for election of a required quorum, if for good reasons it is known a quorum of the present City Council will never again meet. If City Manager is not available due to death or injury, the County Judge of Rockwall County shall appoint a Council to act during the emergency and call a City election as provided in the Texas Election Code, for election of a required quorum

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Hold work session to discuss city strategic planning, and take any action necessary.

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Hold work session with Stacy McVey regarding potential development of property located on the northeast corner of SH-276 and Rochelle Road, and take any action necessary.

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Hold work session to discuss the city's Comprehensive Land Use Plan, and take any action necessary.

Memo_Comp Plan WkSession 12

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Hold work session to discuss the approaching expiration of the current solid waste collection contract with Allied Waste, and take any action necessary.

memo 16

contract 17

addendum 27

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Consider approval of the minutes from the May 18, 2015 regular city council meeting, and take any action necessary.

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Consider approval of an ordinance amending Sections 38-50 through 38-61 of Article II, Parkland Dedication, of Chapter 38, Subdivisions, of the Code of Ordinances for the purpose of adjusting “Table 1: Park Dedication Acreage Factor per Dwelling Unit” to account for changes to the “Ultimate Dwelling Unit Holding Capacity” and “Dwelling Unit Dedication Factor” as approved by the Land Use Assumptions Report adopted by Resolution No. 14-16, and take any action necessary. (2nd reading)

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Consider award/approval of the bid presented by Roadway Solutions in the amount of $197,829.00 for the construction of the traffic signal at the intersection of Ralph Hall Parkway at Mims Road, and take any action necessary.

City Manager Memo 50

Recommendation/Bid Tabulations 51

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Appointment with representatives of the city's Main Street Advisory Board to hear update regarding the program and downtown, and take any action necessary.

Memo_MSAB appt 55

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P2015-014 - Hold a public hearing to discuss and consider a request by Jay Bedford of A.J. Bedford Group, Inc. for the approval of a residential replat creating Lots 6, 7, & 8, Block A, Grady Rash Subdivision, being a 3.727-acre tract of land currently identified as Lots 1, 2, 4, & 5, Grady Rash Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single Family Residential (SF-10) District, addressed as 1 Soapberry Lane, 2 Soapberry Lane, 4 Soapberry Lane, & 5 Soapberry Lane, and take any action necessary.
P2015-014 57
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Discuss and consider adoption of a resolution appointing a Municipal Court Judge, and take any action necessary.
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SP2015-012 - Discuss and consider a request by Jennifer Garcia of KBGE on behalf of Rockwall Ice Cream Holdings, LLC for the approval of a variance to horizontal articulation requirements as stipulated by Article V, District Development Standards, of the Unified Development Code in conjunction with an approved site plan for a general retail store on a 0.91-acre tract of land identified as Tract 36 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of SH-205 [S. Goliad Street] north of the intersection of SH-205 and Yellow Jacket Lane, and take any action necessary.
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AGENDA
ROCKWALL CITY COUNCIL
Monday, June 01, 2015
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

p8 **1. HOLD WORK SESSION TO DISCUSS CITY STRATEGIC PLANNING, AND TAKE ANY ACTION NECESSARY.**

p10 **2. HOLD WORK SESSION WITH STACY MCVEY REGARDING POTENTIAL DEVELOPMENT OF PROPERTY LOCATED ON THE NORTHEAST CORNER OF SH-276 AND ROCHELLE ROAD, AND TAKE ANY ACTION NECESSARY.**

p12 **3. HOLD WORK SESSION TO DISCUSS THE CITY'S COMPREHENSIVE LAND USE PLAN, AND TAKE ANY ACTION NECESSARY.**

p16 **4. HOLD WORK SESSION TO DISCUSS THE APPROACHING EXPIRATION OF THE CURRENT SOLID WASTE COLLECTION CONTRACT WITH ALLIED WASTE, AND TAKE ANY ACTION NECESSARY.**

III. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding legal matters related to land lease operations at Ralph Hall Municipal Airport pursuant to Section 551.071 (Consultation with Attorney).

2. Discussion regarding claim filed by Ryan Frost pursuant to Section 551.071 (Consultation with Attorney)

3. Discussion regarding appointment of city council subcommittees, board liaisons and designation of Mayor Pro Tem pursuant to Section, §551.074 (Personnel Matters).

4. Discussion regarding appointment to the city's Rockwall Economic Development Corporation (regulatory) board, pursuant to Section 551.074 (Personnel Matters)

5. Discussion regarding Agreement for Municipal Court Judge pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, June 01, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. SWEARING IN OF NEWLY ELECTED MAYOR & CITY COUNCIL MEMBERS

VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VIII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER WHITE

IX. OPEN FORUM

X. CONSENT AGENDA

p30 **1.** Consider approval of the minutes from the May 18, 2015 regular city council meeting, and take any action necessary.

p41 **2.** Consider approval of an ordinance amending Sections 38-50 through 38-61 of Article II, Parkland Dedication, of Chapter 38, Subdivisions, of the Code of Ordinances for the purpose of adjusting "Table 1: Park Dedication Acreage Factor per Dwelling Unit" to account for changes to the "Ultimate Dwelling Unit Holding Capacity" and "Dwelling Unit Dedication Factor" as approved by the Land Use Assumptions Report adopted by Resolution No. 14-16, and take any action necessary. (2nd reading)

p50 **3.** Consider award/approval of the bid presented by Roadway Solutions in the amount of $197,829.00 for the construction of the traffic signal at the intersection of Ralph Hall Parkway at Mims Road, and take any action necessary.

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

p55 **2.** Appointment with representatives of the city's Main Street Advisory Board to hear update regarding the program and downtown, and take any action necessary.

XII. PUBLIC HEARING ITEMS

p57 **1.** P2015-014 - Hold a public hearing to discuss and consider a request by Jay Bedford of A.J. Bedford Group, Inc. for the approval of a residential replat creating Lots 6, 7, & 8, Block A, Grady Rash Subdivision, being a 3.727-acre tract of land currently identified as Lots 1, 2, 4, & 5, Grady

Rash Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single Family Residential (SF-10) District, addressed as 1 Soapberry Lane, 2 Soapberry Lane, 4 Soapberry Lane, & 5 Soapberry Lane, and take any action necessary.

XIII. ACTION ITEMS

p69 **1.** Discuss and consider adoption of a resolution appointing a Municipal Court Judge, and take any action necessary.

p71 **2.** SP2015-012 - Discuss and consider a request by Jennifer Garcia of KBGE on behalf of Rockwall Ice Cream Holdings, LLC for the approval of a variance to horizontal articulation requirements as stipulated by Article V, District Development Standards, of the Unified Development Code in conjunction with an approved site plan for a general retail store on a 0.91-acre tract of land identified as Tract 36 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of SH-205 [S. Goliad Street] north of the intersection of SH-205 and Yellow Jacket Lane, and take any action necessary.

XIV. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections Monthly Report - April 2015
Fire Department Monthly Report - April 2015
Harbor PD Monthly Report - April 2015
Internal Operations Department Monthly Report - April 2015
Police Department Monthly Report - April 2015
Recreation Monthly Report - April 2015
Rockwall Animal Adoption Center Monthly Report - April 2015

2. City Manager's Report

XV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding claim filed by Ryan Frost pursuant to Section 551.071 (Consultation with Attorney)

2. Discussion regarding legal matters related to land lease operations at Ralph Hall Municipal Airport pursuant to Section 551.071 (Consultation with Attorney).

3. Discussion regarding appointment of city council subcommittees, board liaisons and designation of Mayor Pro Tem pursuant to Section, §551.074 (Personnel Matters).

4. Discussion regarding appointment to the city's Rockwall Economic Development Corporation (regulatory) board, pursuant to Section 551.074 (Personnel Matters)

5. Discussion regarding Agreement for Municipal Court Judge pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney)

XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVII. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 29th day of May, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Rick Crowley, City Manager**

SUBJECT: **Work Session – Strategic Planning**

Councilmember John Hohenshelt requested this item be added to the agenda for disussion.

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Ashberry, Kristy

From: Stacy MCVEY
Sent: Tuesday, May 26, 2015 3:25 PM
To: Ashberry, Kristy
Cc: Kenny Huff; T. Craig Carney; David English
Subject: Re: Work Session - Mon., June 15

Kristy, at our work session meeting with the City Council June 1st we would like to discuss the following items:

1. Discovery Lakes PD overall plan.
2. Discovery Lakes lot size mix.
3. Discovery Lakes relationship to the neighborhood and Technology Center.
4. Discovery Lakes mixed use components.

If you have any questions or need additional info please give me a call.

Thanx and have a great day

Stacy McVey
Double Eagle Properties, LLC

469-426-7402

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11

City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Robert LaCroix, Director of Planning & Zoning

DATE: May 26, 2015

SUBJECT: Comprehensive Plan Discussion

At the May 18, 2015 City Council meeting, the Council elected to have a work session item be placed on the June 1, 2015 meeting to discuss certain sections of the City's Comprehensive Plan as they relate to the residential development policies. The following residential policies were adopted originally in 2001:

1. General residential policies:

a. The City will encourage land use patterns that reflect the neighborhood concept. Support retail and open space (trails and parks) should be within convenient walking distance where possible.

b. All residential lots which are 16,000 s.f. or less should be served by an alley.

c. When residential properties abut a major collector or larger roadway, they should be designed in one of the following ways:

- Lots facing the thoroughfare should be a minimum of ½ acre in size and accommodate on-site parking for 5 vehicles and a turn-around;
- Lots should face an "eyebrow" off the thoroughfare; or
- The side of the lot should face onto the thoroughfare.
- Long, tall fences against the roadway should be avoided.

d. Medium density housing should generally be used where designated on the Land Use Plan, where it would be an extension or continuation of an existing medium density development, or as a buffer from commercial or higher density residential.

e. High density residential should be used as a transitional use from commercial (or existing retail) use, or where it will serve as a logical extension of an existing high density development.

f. Where residential uses in a Planned Development abut an existing residential development, the PD lots should be at least the same size as the existing lots or be buffered by open space, trails, walkways, natural screening or a roadway.

g. In developments where open space, trails and walkways, screening and other common areas are provided, the provision for maintenance of these areas may be required.

h. Existing surrounding conditions such as lot size, house styles and existing development patterns should be considered in conjunction with the current comprehensive plan to determine appropriate zoning.

i. At a minimum, new residential development shall be equal to or better than existing surrounding residential development.

j. All new residential development shall also incorporate the Comprehensive Plan policies adopted via Resolution No. 07-03 and attached hereto as Appendix "A."

(This section was added in the 2007 amendment to the Comprehensive Plan.)

In 2007 the Comprehensive Plan was amended to more clearly define the City's vision for residential development and to establish policies for higher standards for residential design. These amendments were intended to encourage large master planned neighborhoods with a mixture of uses and residential unit types on properties over 50 acres while preserving open space and creating walkability within the neighborhood to parks and other amenities. The following are some of the guidelines included in the amendment that address large planned developments:

a. "Encourage large master planned neighborhoods with a mixture of uses, unit types and lot sizes to create sustainable neighborhoods and to facilitate transitions between uses"

i. "The inclusion of a range of high quality, well-constructed and appropriately situated residential unit types should be part of all new larger developments"

"Provide for a mixture of uses and residential unit types in development, including a requirement of differing residential home type and size on properties over 50 acres"

Other policies included 20% open space for new residential subdivisions and allowing only 50% of the any floodplain to be counted toward the requirement in addition to providing for proximity to neighborhood oriented parks for residential lots under 12,000 square foot. Additionally, the amendment recommended establishing higher standards for design including anti-monotony policies, establishing higher standards for fences and subdivision perimeter fencing. Finally, the amendment recommended changing the Zoning Ordinance to establish the modified standards and to update the Zoning and Subdivision Ordinances to clarify the items in the amendment.

After the amendment in 2007, staff proceeded with the amendment to the Unified Development Code to adopt the recommendations into code. This was accomplished by amending the Planned Development section of the code. These amendments addressed the open space requirement; *"unless otherwise provided by the PD*

Ordinance, a minimum of twenty percent (20%) of the gross land area within the entire PD District shall be devoted to open space, except where floodplain exists in the proposed development in which case the dedicated floodplain shall be allowed to count for up to fifty percent (50%) of the twenty percent (20%) open space requirement… The density standards for residential use include the following:

- *Density standards for residential use. Unless otherwise provided by the PD ordinance, a residential planned development shall allow for a density greater than one unit per gross acre and up to two units per gross acre with a mixture of uses and residential unit size with no minimum lot size. The planned development zoning may be allowed based on the following:*

•Topographic conditions that will result in quality open space and building arrangements.
•Mix of unit types to accommodate elements of "life-cycle" housing.
•Amount and distribution of open space to enhance value-creation.
•The overall master plan and arrangement of buildings and uses.
•The property should be 50 acres or more in size to adequately accommodate the transition to surrounding development.

Additionally, in a residential planned development, a density up to 2.5 units per gross acre may be allowed with the dedication and/or development of additional amenities that would exceed the minimum standards for residential planned developments which could include:

•Parks and open space.
•Golf course.
•Neighborhood amenity/recreation center.
•Integration of schools into the community fabric.
•Development of trails and parks in floodplains.
•Development of municipal parks and recreation facilities.

The adoption of these standards into the Zoning Code (UDC) to correspond to the adopted recommendations of the Comprehensive Plan and the Future Land Use Plan essentially requires all residential development to be put into a Planned Development District. The only real option for “straight” zoning is the SF-1 (Single Family-One) District which has a density of one (1) unit per acre but still requires the 20% open space standard.

In the 2001 Comprehensive Plan, there is a recommendation, that developments with residential lots less than 16,000 square feet or less should be alley served, however the actual requirement for alleys in residential subdivisions is found in the Engineering Design Standards which is an appendix to the Subdivision Ordinance. This section states that:

2.11 Alleys and Alley Widths: Alleys shall be provided in all residential areas and shall be paved with concrete. No alley may be over 1,000 feet long. The City Council may waive the residential alley requirement upon determination by the Council, if it is in the best interest of the City…….

The City Council approval of Planned Development Districts without alleys is essentially waiving the Engineering requirement for alleys. Alley waivers have also been approved after zoning with the submittal of the preliminary plat.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **May 27, 2015**

SUBJECT: **Solid Waste Services Contract**

The City has been under our present contract addendum with Allied Waste (Republic Waste) for solid waste collection services since January 2010 which references the 2006 contract. Allied, previously known as Trinity and Laidlaw, has served the City since 1991. During this period, the City has at different times chosen to extend the contract and has last received sealed proposals in 2001. The contract states the City must give notice within 180 days of the expiration of the contract (by July 3, 2015) whether or not we intend to renew and extend the contract.

In years past, staff has conducted surveys to gauge customer satisfaction and customer complaints are tracked. The most recent solid waste survey was completed in 2010 and the most recent citizen survey was completed in 2012. The latter survey showed satisfaction with Allied's service reported to be 91%.

The current contract addendum allows for an additional five-year renewal. If the Council wishes to instead exercise the option to seek proposals then the process would be conducted over the next several months and a contract award made by Council in sufficient time to allow any necessary transition to take place prior to January 1.

Service levels have changed somewhat since the contract was signed. The garbage customer survey did show some interest on the part of residents to have polycarts. Since it was not a majority though Allied agreed to outfit their trucks in order to offer an optional polycart rental and optional recycling cart rental program. We currently have 13,055 residential household accounts of which 2,180 have elected polycarts and 633 recycling carts. The same twice per week collection service is provided with the optional program.

In past years, the Council has asked staff to conduct a survey of area city rates, service levels and customer satisfaction levels. If the Council desires we can conduct this survey again.

<u>Timeline</u>

Council will need to decide over the next several weeks whether to extend or to seek proposals. We could have an item to discuss on the June 15th agenda with Council making their decision that evening.

CONTRACT

THE STATE OF TEXAS

COUNTY OF ROCKWALL

KNOWN ALL MEN BY THESE PRESENTS:

The City of Rockwall, Texas, a municipal corporation of Rockwall County, Texas, hereinafter called "CITY," acting by and through Julie Couch, City Manager, and Allied Waste Services, Hutchins Texas, hereinafter called CONTRACTOR, acting by and through Jim Lattimore, District Manager, its duly authorized representative, do hereby covenant and agree as follows:

GRANT. For and in consideration of compliance by the CONTRACTOR with the covenants and conditions herein set forth, and the ordinances and regulations of the CITY governing the collecting and disposing of residential and commercial/industrial solid waste, and recyclable materials collection and processing the CITY hereby grants to the CONTRACTOR a non exclusive permit to use the public streets, alleys and thoroughfares within the Corporate Limits of the CITY for the purpose of engaging in the business of collecting and disposing of garbage and solid waste and recyclable materials collection and processing generated within the Corporate Limits of the CITY. CONTRACTOR shall conduct operations in accordance with all applicable federal, state, and local laws that exist at the time of the execution of this agreement and any additional laws, regulations, or requirements that may become effective during the term of this agreement. CONTRACTOR shall be responsible for obtaining any permits or licenses required to fulfill its obligations under this agreement.

As compensation for the use of the City's streets and alleys, the CITY shall withhold the sum of five (5) percent (%) of the gross monthly revenues due the CONTRACTOR as a result of this contract for residential, brush/bulky, and residential recycling services. For purposes of this contract gross revenues shall be defined as the payments made by the CITY for residential, brush/bulky, residential recycling services; plus payments received by the CONTRACTOR for all commercial hand collection and commercial/industrial services. Additionally, the Contractor shall remit $20.00 per ton per month recycling rebate based on the tonnage of residential recycling materials processed at the Materials Recycling Facility.

CITY shall deduct street use fees from invoice due CONTRACTOR. CONTRACTOR will remit to the CITY by the twentieth (20th) day of the following month the commercial/industrial street use fee and recycling rebates. Failure to pay the street use fee or recycling rebate on or before the due date shall result in a penalty of ten percent (10%) of the amount due being added to the required payment.

In addition, CONTRACTOR shall annually provide CITY a remittance of ten thousand dollars ($10,000) for the Downtown Improvement Project or other such projects as the CITY shall deem appropriate. The said sum is to be provided to CITY no later than March 1of each calendar year.

CONTRACTOR shall provide by March 1 of each calendar year one - two thousand dollars ($2,000) scholarship funds to the Rockwall High School, general scholarship fund.

TERM. The term of service shall be five (5) years, beginning January 3, 2006, with one (1) five-year renewal option pending agreement of both parties. Should either the CITY or CONTRACTOR elect not to renew and extend the contract for an additional five year period, notice must be given, by certified mail (return receipt requested) to the other party in writing not less than 180 days prior to the expiration of the Contract. The other party must respond, in writing, at least 150 days prior to contract expiration and indicate its willingness to renew. If neither party has made notification 180 days prior to the expiration of the contract, the contract will renew for a subsequent five year term.

NON-WAIVER OF POWERS. This Contract shall not be taken or held to imply the relinquishment or waiver by the CITY of its power to make future reasonable requirements or regulations. The CITY hereby expressly reserves the right to make all regulations which may be necessary to properly secure the safety, welfare, and accommodation of the public including, among other things, the right to adopt and enforce regulations to protect and promote the

health and general welfare of the public from danger and inconvenience in the management and operation of garbage and waste disposal, and to provide such service as is contemplated by this Contract.

NON-WAIVER OF REGULATIONS. Nothing herein contained shall constitute a waiver of any of the requirements of the rules and regulations heretofore adopted by the CITY, including the right to make such changes and amendments of said rules and regulations as said CITY may deem to be advisable and necessary to protect the public health and general welfare of its inhabitants.

SCOPE AND NATURE OF OPERATION. It is expressly agreed and understood that the CONTRACTOR shall collect and deliver for disposal all garbage, brush and limbs, and bulky items from residences, commercial establishments, and construction sites which are generated within the CITY as outlined in Exhibit B. The CONTRACTOR is not required to collect any hazardous or special waste, or any other materials specifically prohibited from disposal in a Type I Landfill, as defined by the Texas Commission on Environmental Quality. CONTRACTOR shall also collect, and deliver for recycling all recyclable products placed in specified containers. The recycling containers shall be provided by the CONTRACTOR at its own expense to all recycling customers. CONTRACTOR shall, at its own expense, furnish personnel and equipment to collect garbage, solid waste, brush and bulky waste, and recyclable goods, and will establish and maintain, in an efficient and business-like manner, such scheduled routes and special schedules as may be necessary to fulfill the solid waste service requirements of the CITY. Initial routes and any changes in residential routes or collection schedules must be approved by the City Manager. Ten days written notice shall be given by CONTRACTOR to all affected residences when route changes are made. The CONTRACTOR shall provide for the solicitation and servicing of commercial/industrial customers and in its solicitation shall recommend schedules of service to said customers. Unless otherwise established by ordinance, commercial collection schedules shall be determined by the CONTRACTOR based upon negotiation with the customers.

RESIDENTIAL HAZARDOUS WASTE COLLECTION PROGRAM. The CITY annually enters into a separate agreement with a licensed hazardous waste collection and disposal company to provide residential hazardous waste cleanup service to its customers. CONTRACTOR shall provide to the CITY, at the CITY's request, a list of licensed hazardous waste collection and disposal companies who will provide this type of service to the CITY.

SURETY AND CANCELLATION. CONTRACTOR will furnish a performance bond as security for the faithful performance of this contract. Said performance bond must be in an amount equal to One Hundred Percent (100%) of the annual contract amount annually during the five (5) year term of the contract. The CONTRACTOR shall pay premium for the bonds described above. A certificate from the surety showing that the bond premiums are paid in full shall accompany the bond on an annual basis. The surety on the bond shall be a duly authorized corporate surety to do business in the State of Texas.

If at any time CONTRACTOR fails to substantially perform terms, covenants of conditions herein set forth, CITY shall notify CONTRACTOR by registered or certified mail addressed to CONTRACTOR at the address set forth herein of specific reasons in support of CITY'S claim that CONTRACTOR has substantially breached the terms and provisions of this Contract. CONTRACTOR shall be allowed a thirty-(30) day period from the date of receipt of said notice from CITY to remedy any failure to perform.

Should CONTRACTOR fail to remedy its performance, after a hearing described herein, CITY may terminate this contract and the rights and privileges granted to CONTRACTOR herein. A notice shall be sent to CONTRACTOR no earlier than ten (10) days before a hearing is scheduled. The notice shall specify the time and place of the hearing and shall include the specific reasons in support of CITY's claim that CONTRACTOR has substantially breached the terms and provisions of the Contract. Should CITY still deem CONTRACTOR to have failed in its performance, said hearing shall be conducted in public by the City Council and CONTRACTOR shall be allowed to be present and shall be given full opportunity to answer such claims as are set out against it in the aforesaid notice. If, after said public hearing, the City Council makes a finding that CONTRACTOR has failed to provide adequate refuse collection service for CITY, or has otherwise substantially failed to perform its duties hereunder, the City Council may terminate this Contract.

RATE ADJUSTMENTS. The rates presented in the Proposal shall not be subject to change until the end of each consecutive year of the contract period, commencing January 1, 2007, nor thereafter more often than once per year. No rate adjustment can take place without prior consent of the City Council. The CONTRACTOR shall notify the CITY's Director of Finance in writing 60 days prior to any desired rate increase adjustment. Council action on rates shall occur only after a full review of any or all of the CONTRACTOR's financial or other data that the CITY deems necessary to make a determination of the need for a rate increase.

Base rate adjustments will be considered by the CITY no more than once per year during the life of the contract. The change in the rate shall not exceed 85% of the Municipal Cost Index during each 12-month period (from October to September of each year) shall be used to adjust the HAULING portion of the Base Rate. The LANDFILL portion of the base rate shall be determined using the following formula:

Hauling Portion equals 70% of the Base Rate
Landfill Portion equals 30% of the Base Rate

The landfill portion of the Base Rate may be adjusted during October of each year to reflect any increase, or decrease, in the actual landfill cost for the waste collected as a result of this Contract. Documentation will be required to demonstrate the need for any change in the Landfill portion of the Base Rate. The CONTRACTOR shall also submit for review a comparison of landfill costs compared to other landfills in the area.

CONTRACTOR may request adjustment of the monthly rate of the Polycart program upon documentation of increased costs. At fifty percent (50%) participation, CITY and CONTRACTOR agree to review the rates and CONTRACTOR must demonstrate the need to continue the monthly fee over and above residential rates.

BILLING PAYMENTS. The CITY shall bill the Residential Hand Collect Units, and shall provide house counts to the CONTRACTOR on a monthly basis; Contractor will prepare invoicing based on the house count and submit to City by 8th of the month. Remittance by the CITY shall be made by the 20th of the month following the month service was rendered, by wire transfer. CONTRACTOR shall be entitled to payment for all services rendered, except for the street use fee mentioned in accordance with the GRANT section of this Contract.

CONTRACTOR shall quote rates for commercial and industrial services in compliance with the rates set forth in the franchise. CONTRACTOR shall bill commercial and industrial customers directly.

Condominium complexes with containerized service shall be treated as residential customers by the CITY and shall be included in the house count. The CONTRACTOR shall provide an adequate number of containers and pickups that will ensure the same level of service as residential customers. Any disputes concerning service level shall be settled solely at the CITY's discretion.

COMPLAINTS. At a minimum, the customer complaint procedure shall provide that the customer complaint shall be addressed within 24 hours of receipt of such complaint and CONTRACTOR shall be responsible for maintaining a log of complaints, and provide the CITY on a weekly basis, with copies of all complaints indicating the date and hour of the complaint, nature of the complaint, and the manner and timing of its resolution. Any missed pickups of residential refuse will be collected the same business day if notification to the CONTRACTOR is provided by 2:00 p.m. but not later than 12:00 p.m. the next business day if notification is provided after 2:00 p.m.

VEHICLE IDENTIFICATION AND MAINTENANCE. All motor vehicles used in performance of the obligations herein created shall be clearly marked with the CONTRACTOR's name, telephone number and unit number legible from 150 feet. No advertising shall be permitted on vehicles. All collection equipment shall be maintained in a first class, safe, and efficient working condition throughout the term of the Contract. Such vehicles shall be maintained and painted as often as necessary to preserve and present a well-kept appearance, and a regular preventative maintenance program. Vehicles shall be maintained in order to prevent the discharge of oils, fluids and lubricants from the vehicles. The CITY may inspect CONTRACTOR's vehicles at any time to insure compliance of equipment with Contract, or require equipment replacement schedule to be submitted to CITY. Vehicles are to be washed on the inside and sanitized with a suitable disinfectant and deodorant a minimum of once a month. Such vehicles shall be washed and painted or repainted as often as necessary to keep them in a neat and sanitary condition.

SERVICE TO CITY. Containerized service to facilities owned or operated by CITY shall be furnished by CONTRACTOR at no charge to CITY. These locations shall include Police/Courts Building, The Center, City Service Center, Fire Stations. In addition, the CONTRACTOR shall provide up to 20 roll-off boxes per year for city wide clean up events at no charge. Such events shall be planned by the CITY at its sole convenience and CONTRACTOR will be notified a minimum of 15 days in advance of the event.

REGULATION OF COMMERCIAL COLLECTION CONTAINERS. The CONTRACTOR shall provide, at his own expense, containers to the owner or occupant of any premises wherein he contracts for commercial storage and collection of solid waste, subject to the following requirements:

a) All such containers shall be constructed according to reasonable specifications which are acceptable to the CITY.

b) All such containers shall be equipped with suitable covers to prevent blowing or scattering of refuse or garbage while being transported for disposal of their contents.

c) All such containers shall be maintained by the CONTRACTOR so as to be in good repair and a sanitary condition.

d) All such containers shall be clearly marked with the CONTRACTOR's name and telephone number in letters not less than two inches (2") in height.

e) All such containers shall be placed in designated, screened areas, when available.

DISPOSAL OF SOLID WASTE. The CONTRACTOR agrees to dispose of all solid waste collected within the CITY at a sanitary landfill site permitted to accept such waste. CONTRACTOR shall attempt to maintain the lowest possible disposal cost during the term of this Agreement. Provided, however, that if the CONTRACTOR incurs increases in its disposal costs which are beyond its control and have an adverse effect on CONTRACTOR's ability to maintain a reasonable return for its service, then the CITY and CONTRACTOR agree that a rate adjustment will be reviewed as requested by CONTRACTOR. No adjustments may be made without the consent of the City Council and only after a full review. It is further agreed by the parties hereto that all charges for services provided herein may be adjusted at any time for any federal, state or local authority compliance with the approval of the City Council.

BOOKS AND RECORDS. The CITY and the CONTRACTOR agree to maintain at their respective places of business adequate books and records relating to the performance of their respective duties under the provisions of this Contract and such books and records shall be made available at any time during business hours for inspection by the other party, at the inspecting party's expense, upon reasonable advance notice.

REPORTING REQUIREMENTS: CONTRACTOR shall provide the CITY with quarterly reports within two (2) weeks of the end of the reporting period. Reports shall include tonnage of materials collected; number of commercial accounts showing type of container and number of times collected per month; number of complaints taken and the date and time complaints were resolved, recycling materials revenues, house counts for optional polycart program, etc. Penalties will be assessed by the CITY for failure to comply with the reporting deadline in the amount of $100 per day until the reporting is received.

The CITY may at any time and at its option, cause an audit, either formal or informal, to be made of that portion of CONTRACTOR's books and records representing the CITY's operation or any portion of its other operations which may be allocated or charged to the CITY operation. Both parties agree that the expense of such audit will be paid for by the CITY.

INDEMNIFICATION INSURANCE: The CONTRACTOR will indemnify and save harmless the CITY, its officers, and employees from and against any and all suits, actions, legal proceedings, claims, demands, damages, costs, expenses, and attorneys fees arising out of a willful or negligent act of CONTRACTOR, or any of its agents or employees. CONTRACTOR shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property, which may arise from or in conjunctions with the performance of the work hereunder by the CONTRACTOR, his agents, representatives, employees, or subcontractors. The cost of such insurance shall be borne by the CONTRACTOR and a Certificate of Insurance evidencing that such insurance has been procured and is in force will be forwarded to the CITY before commencement of work hereunder.

Minimum Limits of Insurance:

Type Coverage	Per Occurrence Minimum	Aggregate Minimum
Workers Compensation	As required by law and shall cover all employees including drivers.	As required by law
Comprehensive & General Public Liability	$1,000,000	$3,000,000
Property Damage	$1,000,000	$1,000,000
Comprehensive Auto Liability Bodily Injury	$1,000,000	
Comprehensive Auto Liability-Property Damage	$1,000,000	
Excess Liability	$5,000,000	$5,000,000

TRANSFERIBILITY OF AGREEMENT. Other than by operation of law, no assignment of the contract shall be made in whole or in part by the CONTRACTOR without the express written consent of the CITY, which consent shall not be unreasonably withheld; in the assignment, the assignee shall assume the liability of the CONTRACTOR. In the event CONTRACTOR assigns, transfers, sublets, conveys, or disposes of this Agreement without the prior consent of the City Council, the City may, at its discretion, terminate this Agreement.

BANKRUPTCY. This Contract shall terminate in the case of bankruptcy, voluntary or involuntary, or insolvency of the CONTRACTOR. In the case of bankruptcy, such termination shall take effect on the day and at the time the bankruptcy is filed and the CITY may invoke the terms of Paragraph 6 (b) of this agreement.

VENUE. This Agreement shall be considered consummated in Rockwall County, Texas. All actions brought hereunder shall be brought in Rockwall County, Texas.

MODIFICATION. This Agreement constitutes the entire Agreement and understanding between the parties hereto, and it shall not be considered modified, altered, changed, or amended in any respect unless modified by ordinance of the CITY as provided herein.

RIGHT TO REQUIRE PERFORMANCE. The failure of the CITY at any time to require performance by the CONTRACTOR of any provisions hereof shall in no way affect the rights of the CITY thereafter to enforce the same. Nor shall waiver by the CITY of any breach of any provisions hereof be taken or held to be a waiver of any provision itself.

ILLEGAL PROVISIONS. If any provision of this Agreement shall be declared illegal, void or unenforceable, the other provisions shall not be affected and shall remain in full force and effect.

NOTICES. Any notice required or permitted to be delivered, hereunder shall be in writing and shall be deemed to be delivered when deposited in the United States mail, postage prepaid, certified mail, return receipt requested, addressed to the respective part of the address set forth below:

If to the CITY:

City of Rockwall
385 South Goliad
Rockwall, Texas 75087
Attn: Director of Finance

If to the CONTRACTOR:

Allied Waste Services
1450 E. Cleveland Road
Hutchins, Texas 75141
Attn: General Manager

Or such other addresses as the parties may hereafter specify by written notice delivered in accordance herewith.

APPROVAL BY THE CITY. This Agreement shall not be considered fully executed nor binding on the CITY until the same shall have been executed by CONTRACTOR, the City Manager and the City Secretary.

EFFECTIVE DATE. This contract shall be effective the 3rd day of January, 2006.

ATTEST:

Dorothy Brooks
City Secretary

1-10-06
Date

CITY OF ROCKWALL

Julie Couch, City Manager

1-10-06
Date

ATTEST:

ALLIED WASTE SERVICES

DISTRICT MANAGER

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EXHIBIT "A"

CITY OF ROCKWALL

RATE SCHEDULE
EFFECTIVE JANUARY 3, 2006

RESIDENTIAL		$9.24
	TWICE A WEEK COLLECTION TWICE PER MONTH BRUSH/BULKY	
	RECYCLABLES COLLECTION/PROCESSING ONCE A WEEK COLLECTION	$ 1.61
	CITY HHW FEE	$ 0.60
COMMERCIAL		
	HAND COLLECT TWICE A WEEK COLLECTION	$12.49

FRONT LOAD CONTAINERS

SIZE/PICK UP	1xWEEK	2xWEEK	3xWEEK	4xWEEK	5xWEEK	6xWEEK
2 CU YD	$ 55.37	$ 102.43	$ -	$ -	$ -	$ -
3 CU YD	63.28	117.06	-	-	-	-
4 CU YD	79.10	146.33	203.48	-	-	-
6 CU YD	94.92	175.60	244.18	302.48	-	-
8 CU YD	118.65	219.50	305.23	378.09	440.03	492.66

ROLL OFF CONTAINERS

20 CU YD PER HAUL	$ 330.00
30 CU YD PER HAUL	347.00
40 CU YD PER HAUL	360.00
30 CU YD COMPACTOR PER HAUL	370.00
35 CU YD COMPACTOR PER HAUL	399.00
42 CU YD COMPACTOR PER HAUL	399.00
DELIVERY AND EXCHANGE	115.00
DAILY CONTAINER RENTAL	3.00

RATES INCLUDE STREET USE FEES AS DESCRIBED IN THE CONTRACT.

CITY ADMINISTRATION FEE WILL BE USED TO SUBSIDIZE EXPENSES RELATED TO SPONSORSHIP OF HAZARDOUS WASTE COLLECTION.

EXHIBIT "B"

CITY OF ROCKWALL

PERFORMANCE STANDARDS

I. General

A. Holidays: New Years
Thanksgiving Day
Christmas Day

CONTRACTOR may decide to observe any or all of the above-mentioned holidays by suspension or collection service on the holiday, but the CONTRACTOR must meet his obligation as required. NOTE: CONTRACTOR shall be responsible for providing make-up collection for residential routes that occur on specified holidays. Make-up days shall be the next collection day following the holiday. CONTRACTOR must notify CITY 3 weeks prior to holiday if CONTRACTOR is electing to collect garbage on listed holidays.

B. Notwithstanding anything herein to the contrary, CONTRACTOR shall not be liable for the failure to perform its duties if such failure is caused by a catastrophe, riot, war, governmental order or regulation, fire, Act of God, or other similar or different contingency beyond the reasonable control of CONTRACTOR.

II: Residential and Commercial Hand Collection

A. Schedule: Twice Weekly, with at least two days between pickups.
B. Hours of Operation: 7:00 a.m. - 6:00 p.m.
C. Placement: Curbside or in alleys, where available
D. Items For Collection:
1. Bags: Plastic sacks, designed to store refuse with sufficient wall strength to maintain physical integrity when lifted by the top. Total weight of a bag and its contents shall not exceed thirty-five (35) pounds.
2. Bundles: Tree, shrub and brush trimmings or newspapers and magazines securely tide together forming an easily handled package not exceeding four (4) feet in length, six (6) inches in diameter, or 50 lbs. in weight. Total amount of "bundles" material set out for collection each week (per home) shall not exceed two (2) cubic yards (6' x 3' x 3').

E. Polycart Service

CONTRACTOR will offer optional 95 gallon Polycarts to any household which elects the service, for a monthly fee of $3.50 per Polycart. The monthly fee will be billed and collected by CONTRACTOR. The monthly fee will be paid semi-annually, in advance of service.

III. Container (Refuse): A receptacle with a capacity of at least 18-20 gallons but less than 35 gallons constructed of plastic, metal or fiberglass, having handles of adequate strength for lifting. The mouth of a container shall have a diameter greater than or equal to that of the base.

IV. Spillage: Any spillage will be picked up immediately by CONTRACTOR.

V. Residential Recycling:

A. Schedule: Once weekly.

B. Hours of Operation: 7:00 a.m. - 6:00 p.m.

C. Placement: Curbside or in alleys, where available.

D. Items for Collections:

Newsprint
Magazines
Aluminum Beverage Cans
Steel/Tin Cans
HDPE & PET Plastic Bottles #1, #2

Materials may be added or deleted by mutual consent of the CITY and the CONTRACTOR.

The CONTRACTOR shall be responsible for transporting the recyclable materials to a processing site and must have established buyers or markets for the recyclables. The CONTRACTOR shall be required to identify the buyers of the recyclables upon request by the CITY. Recyclable materials collected for the purpose of recycling may not be deposited in any landfill.

The CONTRACTOR shall be solely responsible for the processing and marketing of all recyclable materials collected pursuant to the Contract.

VI. Residential Bulk Collection

A. Schedule: Twice Monthly during the weeks containing the first and third Wednesday.

B Hours of Operation: 7:00 a.m. - 6:00 p.m.

C. Placement: Curbside.

D. Items Collected:

1. Brush: Plants or grass clippings, leaves or tree trimmings. Brush waste shall be unlimited in quantity.

2. Bulky Wastes: Stoves, refrigerators which have CFC's removed by a certified technician, water tanks, washing machines, furniture, loose brush greater than four (4) inches in diameter that cannot be bundled in four (4) foot lengths and weights more than 50 lbs., and other waste materials. Bulky wastes shall be unlimited in cubic yards.

   Construction debris, dead animals, hazardous waste, or stable matter with weights or volumes greater than those allowed for containers will not be accepted as bulky waste and will not be picked up.

3. Bundle: Tree, shrub and brush trimmings or newspapers and magazines securely tied together forming an easily handled package not exceeding four (4) feet in length, six (6) inches in diameter, or 50 lbs. in weight. Total amount of "bundled" material set out for collection each week (per home) shall not exceed two (2) cubic yards (6' x 3" x 3").

VII. Commercial Hand Collection

A. A retail or light commercial type of business, which generates no more than one (1) cubic yard of refuse per week.

B. Customers with special circumstances limiting placement of a dumpster may also be eligible for hand collection service with the approval of the CITY. Any disputes regarding volume shall be determined by the CITY.

VIII. Commercial Container Collection

A. Container Size Available: 2 cu. Yd., 3 cu. yd., 4 cu. yd., 6 cu. yd., 8 cu. yd., Roll offs: 20 cu. yd., 30 cu. yd., 40 cu. yd., 42 cu. yd.

Compactors: 30 cu. yd., 35 cu. yd, and 40/42 cu. yd.

B. Schedules Available: One to Six times weekly

C. Hours of Operation: 7:00 a.m. - 6:00 p.m.

D. New Service: Requests for new service will be filled within three working days.

E. Extra Collections: If notified by 12:00 noon of service day, extra pick up will be performed that day. After 12:00 noon, pick up may be made the next day.

F. Blocked Containers: If access to a container is blocked, the driver will radio CONTRACTOR's dispatcher. A call will be placed to the location describing the obstruction. The driver will wait until the customer is contacted and the obstruction cleared. If not cleared, the driver will proceed on route. Customer may call in for an extra pick up, if desired, when access is clear.

G. Overfilled Containers: Container will not be emptied if a safety hazard exists. Customer will be contacted to remove excess. The pick up will be rescheduled when excess refuse has been removed.

Container Maintenance: Containers that have been damaged during emptying shall be exchanged or repaired within 5 working days of notification. If the damage is due to customer action, a fee may be charged to the customer. The amount will depend on the repairs needed. All containers will be exchanged at reasonable intervals to maintain a good appearance considering type of refuse generated normal wear and weathering.

Odor and Insect Control: The customer will be responsible for odor and insect control in and around containers.

H. Holidays: Pick-ups missed due to holidays shall be made up on the next collection day.

IX. Commercial Recycling

A. CONTRACTOR shall continue to provide commercial recyclable programs as are generally considered standard in the recycling business. Annual reports are to address current programs and proposed programs. Current programs shall include the following:

1. Businesses will be offered the opportunity to participate in the office "Paper Toter" program.
2. Each CITY facility will be offered participation in the office "Paper Toter" program.
3. The Rockwall I.S.D. will be offered the opportunity to participate in the CONTRACTOR's "S.M.A.R.T. recyclable program. Each school will receive a rebate base on the current market value of recyclables collected.
4. Businesses will be offered the opportunity to recycle corrugated cardboard.

ADDENDUM TO
SOLID WASTE COLLECTION AND DISPOSAL
RECYCLABLE MATERIALS COLLECTION CONTRACT

THIS ADDENDUM (the "Addendum") is made this 1st day of October, 2010, between the City of Rockwall, Texas, a municipal corporation of Rockwall County, Texas (the "City") and Republic Waste Services of Texas, Ltd, a Texas limited partnership d.b.a. Allied Waste Services of Dallas ("Contractor").

RECITALS

The City and Allied Waste Services are parties to that certain Solid Waste Collection and Disposal Recyclable Materials Collection Contract, dated January 3, 2006 (the "Agreement"). Allied Waste Services was incorrectly identified in the Agreement and should have been identified as Allied Waste Systems, Inc. ("Allied"). Allied and Contractor hereby request that City grant consent to the assignment of the Agreement from Allied to Contractor. The assignment is requested as a result of Allied's and Contractor's parent's internal efforts to restructure certain of its subsidiaries to be administratively consistent with other existing operations. The City and Contractor desire to amend the Agreement to modify certain terms of the Agreement, in accordance with, and subject to, the terms and conditions set forth below.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

AGREEMENT

1. **Defined Terms.** Capitalized terms used in this Addendum and not defined herein have the meaning given such terms in the Agreement. In the event of any inconsistency between the terms of the Agreement and the terms of this Addendum, the terms of this Addendum shall govern and control.

2. **Assignment**. The City hereby grants written consent to an assignment of the Agreement and all rights, title and interest therein of Allied to Contractor. Contractor hereby agrees to assume all responsibilities in compliance with the terms and conditions of the Agreement and any liabilities associated therewith.

3. **Term.** The term of the Agreement is extended for an additional 5-year term, terminating on December 31, 2015. The term may be extended for one additional 5-year renewal option pending agreement of both parties. Should either the City or Contractor elect not to renew and extend the Agreement for an additional 5-year period, notice must be given by certified mail (return receipt requested) to the other party in writing not less than 180 days prior to the expiration of the Agreement. The other party must respond, in writing, at least 150 days prior to contract expiration and indicate its willingness to renew. If neither party has made notification 180 days prior to the expiration of the contract, the contract will renew for a subsequent five year term.

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4. **Full Force and Effect; Counterparts.** The Agreement shall remain in full force and effect in accordance with its terms and provisions except as modified by this Addendum. This Addendum shall be binding on the parties hereto and their respective successors and assigns. This Addendum may be executed in one or more counterparts, all counterparts shall be valid and binding on the party executing them, and all counterparts shall together constitute one and the same document for all purposes. This Addendum may be executed and delivered by facsimile signature for execution on the part of one or more parties hereto and upon one party sending via facsimile to another party a facsimile copy of a signature page showing the sending party's execution or signature, the sending party shall be bound by such signature or execution.

IN WITNESS WHEREOF, the undersigned have entered this Addendum effective as of the day and year first above written.

City of Rockwall, Texas

By: _____
City Manager

ATTEST

By: _____
City Secretary

Republic Waste Services of Texas, Ltd.

By: _____
Area President

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MINUTES
ROCKWALL CITY COUNCIL
Monday, May 18, 2015
5:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dennis Lewis and City Council Members David White, Mike Townsend, John Hohenshelt, Scott Milder, and Bennie Daniels. Also present were City Manager Rick Crowley and Assistant City Managers Mary Smith and Brad Griggs. City Attorney Frank Garza was absent from the meeting.

Mayor Pruitt read the below listed item into the public record before recessing the meeting into Executive Session.

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointment to the city's Rockwall Economic Development Corporation (regulatory) board, pursuant to Section 551.074 (Personnel Matters)

III. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:55 p.m.

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all seven city council members present (Pruitt, Lewis, White, Townsend, Hohenshelt, Milder, and Daniels).

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session.

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM LEWIS

Mayor Pro Tem Lewis delivered the invocation and led the Pledge of Allegiance.

VII. PROCLAMATIONS / AWARDS

1. Safe Boating Week (U.S. Coast Guard Auxiliary)

Mayor Pruitt called forth Randy Greenlee of the U.S. Coast Guard Auxiliary. He then read and presented a proclamation declaring this week to be Safe Boating Week in the City of Rockwall. Mr. Greenlee encouraged the public to be safe on local lakes, especially during the upcoming Memorial Day weekend. He also cautioned to be aware of floating debris, as a lot of debris has surfaced in local lakes after recent, heavy rains. Lastly, he asked that everyone ensure they wear a life jacket. He inquired about the possibility of placing a radio on our dispatch center. Mayor Pruitt asked Chief Poindexter to get with him on this issue.

2. National Public Works Week

Mayor Pruitt called forth City Engineer, Tim Tumulty, who brought several members of his Public Works staff forward. Mayor Pruitt then read a proclamation to recognize public works staff for the work they do to benefit the citizens of Rockwall daily.

At this point in the meeting, Mayor Pruitt called forth Councilmember Bennie Daniels and his wife, Gloria to address item XIII on the meeting agenda. Mayor Pruitt provided several pieces of information on Daniels, including his past leadership roles and that he has served on city council since 2011. Rockwall County Judge David Sweet came forth and provided positive comments and expressions of gratitude to Daniels for his service, integrity and leadership. Then, each member of the city council also thanked Daniels for his service and offered positive comments and well wishes. Mayor Pruitt provided Councilman Daniels with a clock to recognize him and thank him for his four years of service on the city council.

VIII. OPEN FORUM

John White, Rockwall resident, came forth and offered comments regarding the city's parks system, thanking city staff and council for the wonderful parks system that we enjoy in Rockwall. Mayor Pruitt went on to thank the city's Parks & Recreation staff for their "on the fly" contingency plans that led to a great Founder's Day Festival over the weekend despite the threat of rain.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the May 4, 2015 regular city council meeting, and take any action necessary.

2. Consider approval of a resolution amending the Parks and Open Space Master Plan to update the Neighborhood Park District Map, and take any action necessary.

3. **P2015-017** - Consider a request by Ashley Malone on behalf of Lay Construction, LLC for the approval of a final plat for Lots 1 & 2, Block 1, HJG Plaza Addition being a 2.064-acre tract of land identified as Tract 36 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of SH-205 [S. Goliad Street] north of the intersection of SH-205 and Yellow Jacket Lane, and take any action necessary.

Councilmember Townsend made a motion to approve all Consent Agenda items (#1, 2 and 3). Councilmember White seconded the motion, which passed by a vote of 7 in favor with 0 against.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Craig Renfro, Chair of the Planning & Zoning Commission, came forth and thanked Councilmember Bennie Daniels for his service on the city council. He then briefed the council on recommendations of the Commission relative to items on tonight's city council meeting agenda. The council took no action concerning this particular agenda item.

2. Appointment with members of the Rockwall Youth Advisory Council (YAC) to hear year-end program report and to recognize graduating high school seniors, and take any action necessary.

Isabella Burzair, Chair of the YAC, and Elsa Castro, YAC member, came forth and provided a report to the City Council on various activities that the group participated in throughout the 2014-2015 school year. Graduating seniors, Elsa Castro and Mie Pighee, were recognized and thanked for their service and leadership this past year while serving on the Youth Council.

3. Appointment with Todd Parks, Fixed Base Operator at the Ralph M. Hall / Rockwall Municipal Airport, to hear annual report regarding Airport operations, and take any action necessary.

Mr. Parks briefed the council on the year-end report for the Rockwall Municipal Airport. Mayor Pro Tem Lewis thanked Mr. Parks for his report, commenting that it is perhaps the best report he has heard regarding the airport. Councilmember White thanked Mr. Parks for his efforts and work at the airport since he was hired by the city. He commented that the city's airport is one amenity that the city has worked hard to improve over time, and the city will continue to strive to improve it. He mentioned that the biggest roadblocks to positive change are the FAA and TXDOT Aviation. White encouraged Mr. Todd to bring to the council any airport-related needs he may have in the future. Mayor Pruitt commented about various physical and aesthetic improvements that have been made at the airport over the last year or two since Mr. Parks has taken over the operation. He generally thanked Mr. Parks and staff for their efforts towards positive change.

4. Appointment with representative(s) of Eastridge Church of Christ to hear concerns related to the expiration of an existing facilities agreement between the City of Rockwall and the church, and take any action necessary.

Councilmember White recused himself from this discussion and associated vote on this item, filing associated paperwork with the City Secretary.

Mike Singleton came forth and indicated that he lives in Rockwall, is a member of Eastridge Church, and he serves as an elder in the church. He indicated it has been nearly ten years since the church moved into the facility it now occupies on Stodgehill Road. He indicated that, when they moved into the facility, a water line had to be installed from IH-30 down Stodgehill Road to their building (about 1/3 to ½ mile), which was necessary for a fire suppression system. He explained that the Blackland Water Supply Corporation services the building for water. He explained that payments have been being made by the church over the last ten years, they are current on all payments, and a $47,725.00 balance is currently still owed. He explained that the church is now requesting that the city consider

releasing the church for the remaining balance, and the church would release the city from the requirement to remit developer pro rata share of the water line cost back to the church.

Assistant City Manager Mary Smith shared that the city attorney has advised that the city cannot forgive the debt because of Texas Constitution provisions. He suggested that an agreement be drafted to allow the amount due to be held in abeyance for five years. If, during that time development occurs, then the city would be paid by developers moving into this same area. If, at the end of five years, development has not occurred, then the church could begin to make payments again with the understanding that they would receive money back if and when future development occurs.

Mayor Pro Tem Lewis made a motion to instruct the city attorney to draft and bring back an agreement for council consideration. Councilmember Townsend seconded the motion, which passed unanimously of those present (6 in favor, 1 abstaining (White)).

XI. PUBLIC HEARING ITEMS

1. Hold a public hearing to discuss and consider approval of an **ordinance** amending Sections 38-50 through 38-61 of Article II, Parkland Dedication, of Chapter 38, Subdivisions, of the Code of Ordinances for the purpose of adjusting "Table 1: Park Dedication Acreage Factor per Dwelling Unit" to account for changes to the "Ultimate Dwelling Unit Holding Capacity" and "Dwelling Unit Dedication Factor" as approved by the Land Use Assumptions Report adopted by Resolution No. 14-16, and take any action necessary. **(1st reading)**

Mayor Pruitt opened the public hearing and asked if anyone would like to come forth and speak. There being no one, the public hearing was closed. Mayor Pruitt made a motion to approve the ordinance. Councilmember White seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING ARTICLE II, *PARK LAND DEDICATION*, OF CHAPTER 38, *SUBDIVISIONS*, OF THE CODE OF ORDINANCES AS SET FORTH HEREIN; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

2. **Z2015-014** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Cole Franklin of the Skorburg Company on behalf of the owner the Lonnie Gideon Estate for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 29.192-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of the intersection of E. Quail Run Road and John King Boulevard, and take any action necessary. **(1st Reading)**

The applicant is requesting to rezone approximately thirty acres of agricultural zoned land to a planned development district to accommodate an approximately 72 unit single family home subdivision. The applicant has submitted a concept plan and development standards, which have been summarized for Council in staff's case memo. The subdivision will have access from both John King Boulevard and East Quail Run Road. Forty-five of the lots will be 80'x125' (10,000 square foot homes). Eight lots will have an increased depth of 150'. The remaining twenty-seven lots will be 100'x150' (15,000 square foot homes) with a gross density of 2.466 units per acre. There will be 2.7 acres of open space adjacent to John King Boulevard which will also serve as a buffer between the homes and the road way. There will also be an amenity center and a 10' walking trail along John King Boulevard. Nineteen notices were mailed out to adjacent property owners living within 500', and no replies have been received back by staff to date. The Planning & Zoning Commission has voted 5-0 to recommend approval of this request to the city council.

Cole Franklin
Skorburg Company
8214 Westchester Drive
Dallas, TX 75225

Mr. Franklin briefed the council on some of the past projects (subdivisions) in Rockwall, this property's location as well as its proposed development standards, concept plan, and his zoning request. He requested a variance on the open space requirement (proposing just over 9% versus the city's required 20%). He explained that a not required, but encouraged, 10' walking/hike/bike trail will be provided instead of the open space, and an amenity center with a swimming pool will also be provided. He explained that Breezy Hill, which has a large amount of open space, is just about a 10 minute walk away from where this subdivision will be located, suggesting that residents of this new subdivision could walk there to access open space.

Mayor Pruitt asked for clarification about the amenity center and trail. City Manager Rick Crowley asked the applicant to describe the amenity center in more detail. Adam Buzcek with the Skorburg Company then came forth and provided the council with additional details concerning the proposed amenity center, which he explained will consist of a swimming pool, covered area, cabana, restrooms and seating area.

Councilmember Milder asked for and received some clarification from Mr. LaCroix regarding the city's requirements for open space in planned development districts.

Mr. Buzcek clarified that, although residents in this proposed development could walk to and access open space in Breezy Hill or Stone Creek, for example, these residents would not be able to utilize the amenities center within those other subdivisions. So this particular pool/cabana/seating area amenity center would be the only amenity center to which these residents would have access.

Councilmember Daniels asked how close this amenity center will be located to John King Boulevard. It was explained that there will be a 50' landscape buffer between it and John King Blvd. Councilmember Daniels asked if this amenity center will eventually be turned over to a Homeowners Association by the developer. Mr. Buzcek indicated that, yes, it will be turned over to an HOA eventually, and the HOA would be responsible for monitoring its use.

Councilmember Townsend expressed concern about the applicant requesting that the open space acreage be reduced. Furthermore, he believes the idea of these residents walking to Breezy Hill or Stone Creek to access open space within those subdivisions is a 'hard sell' and is hard to believe.

Councilmember Daniels generally expressed that he hopes the applicant will not be back later on to try and squeeze in some more lots.

Mayor Pruitt opened the public hearing and asked if anyone would like to come forth and speak.

Richard Langley
2401 Sandstone Court
Rockwall, TX

Mr. Langley came forth and expressed that he has concerns about potential drainage problems associated with this development and the negative impact this may have on his property.

Mayor Pruitt asked for the City Engineer, Tim Tumulty, to speak to drainage concerns. Mr. Tumulty indicated that the city's Engineering staff will review the proposed plats carefully once they are submitted. He explained that this subdivision would have a detention pond located near Quail Run and John King, indicating that the Squabble Creek watershed is very touchy; however, he indicated that a hydraulics study was done back in 2006 to evaluate future development and associated drainage needs. This study called for a detention pond to be included on site. He offered assurance that any potential water that may come towards Mr. Langley's subdivision would be carefully evaluated.

Christy Utley
(husband is Herman Utley)
1815 E. Quail Run Road
Rockwall, TX 75087

Mrs. Utley explained that the road she lives on, which is across the street from this proposed subdivision, is a lot like a private road. She has concerns related to traffic, as it is a small road. She also has concerns about potential drainage problems. She is unaware of any sort of engineering draining studies being done that may be needed in order to ensure draining will in fact not be an issue. She does not believe that an open space park is needed or necessary within this proposed development. She expressed that she is opposed to this development; however, if it is to be approved, she would like to see that it conform to the restrictions and requirements that were already in place prior to this zoning change request. She would like to see the density consist of larger lots. She also pointed out that there is a lot of wildlife in the area, so she hopes that Animal Control will be able to assist with any of those types of issues.

Mr. Nicholas Grant
1569 E. Quail Run Road
Rockwall, TX 75087

Mr. Grant came forth and encouraged the council to not approve this zoning change. He believes this development will be an experiment that will set a negative precedent for the

city. He believes the development will be an eyesore. He is concerned about it being a tight, cluttered subdivision, especially since it does not have any planned alleyways. He is opposed to the very little open / green space that is being proposed.

Brief discussion took place between council and staff concerning alleyways. It was indicated that council may grant a waiver to the alley way requirement included in the city's Comprehensive Plan, and that it has done so in the past on other subdivisions such as Stone Creek, Breezy Hill and Lakes of Somerset. Mr. LaCroix explained that each of those has had alleyway requirements waived in favor of front or side entry garages.

Jim Turner
1691 E. Quail Run Road
Rockwall, TX 75087

He pointed out that nothing about the John King Overlay District is being addressed or discussed in any of the developer's slides, and no conversations about it are occurring. He explained that John King Boulevard is likely, invariably going to become the "new SH-205." He encouraged the council to ask the developer to go back and read the guidelines for this overlay district and come back with a proposal that adheres to those standards. He is not in favor of this much density, and he encouraged the city council to only consider larger lots.

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

Councilmember Milder expressed concern about not having enough information in their informational meeting packet to make the best, most informed decision possible. He believes the two acres per lot standards is in place for a reason, and he believes this standard is what the residents who already live in and around the area have been expecting. He would like to see the developer come back with 2 units per acre and at least 20% open space.

Mr. LaCroix clarified some concerns regarding a buffer between the homes and John King Boulevard. He further clarified that what the council is being asked to consider this evening is an increase in density, waivers of alleyways and reduction of open space.

Mayor Pruitt made a motion to table this item to the next meeting to allow time to see what the developer's plan would look like if it were built to the standards of the city's Comprehensive Plan. Councilmember White seconded the motion.

Councilmember Hohenshelt encouraged the council to provide more direction to the developer as to what council would like to see from the developer. Mayor Pruitt clarified that he believes tabling the item is more so related to allowing the city council time to think about this further before taking action.

Councilmember White asked the developer if he is clear as to what the city council is asking of him. Mr. Buzcek indicated that, no, he is not clear as to what is being asked. Mr. Buzcek indicated that open space parks are located within both a quarter and a half mile from this area of proposed lots and homes.

Mayor Pruitt indicated that he would like to see what the developer would bring forth if he were to come forth with a proposal that adheres to the city's Comprehensive Plan. Mr. Buzcek indicated that, financially, coming forth with a development that strictly adheres to the city's Comp Plan, will not work and is not feasible from an economic / business standpoint.

Chairman of the Planning & Zoning Commission, Craig Renfro, came forth and provided the council with some general thoughts and opinions of the Commission relative to this applicant's requests. He explained that not too many cities are approving alleyways in new home developments. His opinion, and the opinion of some P&Z members, is that alleyways are unsafe for kids. Also, he explained that he and all members of P&Z have read the city's Comp Plan cover to cover.

Mayor Pruitt suggested to Mr. Buzeck that he do nothing in particular to prepare for the next council meeting. He explained that the City Council will schedule a separate work session to discuss development standards, in general, and policies. Mr. Crowley explained that if a work session is scheduled, that work session conversation would need to be limited to only discussing policies and not this particular zoning request.

Mayor Pruitt amended his motion to table this agenda item until the Monday, June 15 city council meeting to allow council time to hold a work session on June 1st to become better educated on the existing development standards before addressing this particular zoning change request. Councilmember White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

3. P2015-015 - Hold a public hearing to discuss and consider a request by Bradley G. Bischof for the approval of a residential replat creating Lot 26, Block C, Harbor Landing, Phase 2, being a 0.46-acre parcel of land currently identified as Lots 21 & 22, Block C, Harbor Landing, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single family land uses, addressed as 320 & 322 Port View Place, and take any action necessary.

Staff provided brief comments, indicating that thirty-nine notices were mailed out to property owners located within 200' of the subject property with one notice being received back in favor.

Mayor Pruitt opened the public hearing and asked if anyone would like to come forth and speak. There being no one, the public hearing was closed.

Councilmember White made a motion to approve P2015-015. Councilmember Lewis seconded the motion, which passed unanimously of council present (7 ayes to 0 nays).

XII. ACTION ITEMS

1. Discuss and consider a recommendation from the Atmos Cities Steering Committee regarding adoption of an **ordinance** approving a negotiated resolution between the Atmos Cities Steering Committee (ACSC) and Atmos Energy Corporation, Mid-Tex Division regarding the company's 2014 and 2015 Rate Review Mechanism filings, approving a settlement agreement with attached rates, and take any action necessary. **(1st reading)**

Joey Boyd, Director of Internal Operations, provided a brief summary regarding this agenda item. After brief discussion, Mayor Pro Tem Lewis made a motion to approve the ordinance as presented. Councilmember White seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE 15-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2014 AND 2015 RATE REVIEW MECHANISM FILINGS; APPROVING A SETTLEMENT AGREEMENT WITH ATTACHED RATE TARIFFS AND PROOF OF REVENUES; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

The motion passed by a vote of 6 in favor with 1 against (Pruitt).

2. Discuss and consider (2) nominations for an "outstanding senior who is making a difference in the senior community," as requested by Meals on Wheels Senior Services of Rockwall County, and take any action necessary.

Mayor Pruitt explained that Meals on Wheels has asked the city to nominate two seniors who are making a difference in our community. After brief discussion, no action was taken concerning this agenda item.

3. Discuss and consider approval of a resolution canvassing the May 9, 2015 General and Special Elections, and take any action necessary.

City Manager Rick Crowley provided brief comments regarding this item. Mayor Pro Tem Lewis then made a motion to approve the resolution. Councilmember White seconded the motion, which passed by a vote of 7 in favor with 0 against.

4. Discuss and consider approval of an **ordinance** entering an order into the city records declaring that a total of eight (8) Home Rule Charter amendments were approved by the voters of the City on May 9, 2015 and are hereby adopted, and take any action necessary.

Councilmember Townsend made a motion to approve the ordinance as presented. Councilmember White seconded the motion.

The ordinance was read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 15-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ENTERING AN ORDER INTO THE CITY RECORDS DECLARING THAT A TOTAL OF EIGHT (8) HOME RULE CHARTER AMENDMENTS

WERE APPROVED BY THE VOTERS OF THE CITY ON MAY 9, 2015, AND ARE HEREBY ADOPTED; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 to 0.

XIII. RECOGNITION OF OUTGOING CITY COUNCIL MEMBER, BENNIE DANIELS (PLACE 3)

This item was addressed by the Council following the Proclamations/Awards portion of the meeting agenda.

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointment to the city's Rockwall Economic Development Corporation (regulatory) board, pursuant to Section 551.074 (Personnel Matters)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

City Council did not convene in Executive Session following the conclusion of the 6:00 p.m. meeting agenda.

XVI. ADJOURNMENT

The meeting was adjourned at 8:40 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,

THIS 1st DAY OF June, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

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CITY OF ROCKWALL

ORDINANCE NO. 15-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING ARTICLE II, *PARK LAND DEDICATION*, OF CHAPTER 38, *SUBDIVISIONS*, OF THE CODE OF ORDINANCES AS SET FORTH HEREIN; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall has adopted a resolution updating the *Park District Map* and the *Park Land Dedication* ordinance needs to be codified to reflect these updates; and

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

Section 1. That Section 38-50 through Section 38-61 of Article II, *Parkland Dedication*, of Chapter 38, *Subdivisions*, of the Code of Ordinances, is heretofore amended, be and the same is hereby amended, which shall hereafter read in its entirety as follows:

Sec. 38-50. - Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Develop (V) means the act of subdividing a parcel or tract of land and installation of community facilities in accordance with and as defined by these subdivision regulations.

Development (N) means a parcel or tract of land proposed for subdivision in accordance with and as defined by these subdivision regulations.

Park Development means the development of a park site by construction of streets, drainage, utilities, and recreational improvements to serve a neighborhood park district.

Pro Rata Share of Required Dedication means the amount of land that shall be dedicated (*or the acreage figure used to calculate cash in lieu of land donation*) as prescribed within this article. The pro rata share of required dedication in a neighborhood park district shall be calculated as follows: pro rata share of required acreage dedication per new dwelling unit is the factor obtained when the 11-acre area of park is divided by the ultimate residential dwelling unit holding capacity for park district in which the unit is located.

Note: The total number of residential units which a neighborhood park district is projected to have when fully developed shall be determined by the *Impact Fee Land Use Assumptions* as set forth in *Table 1*, *Park Dedication Acreage Factor per Dwelling Unit*, below.

Table 1: Park Dedication Acreage Factor per Dwelling Unit

Park District	Ultimate Dwelling Unit Holding Capacity	Dwelling Unit Dedication Factor (Acre)
1	457	0.024
2	1,212	0.009
3	1,398	0.008
4	1,295	0.008
5	879	0.013
6	1,227	0.009
7	2,450	0.004
8	1,194	0.009
9	1,822	0.006
10	436	0.025
11	1,110	0.010
12	1,343	0.008
13	989	0.011
14	2,780	0.004
15	1,256	0.009
16	347	0.032
17	2,774	0.004
18	687	0.016
19	1,057	0.010
20	1,174	0.009
21	1,212	0.009
22	1,178	0.009
23	1,775	0.006
24	2,115	0.005
25	490	0.022
26	966	0.011
27	2,079	0.005
28	2,418	0.005
29	2,219	0.005
30	973	0.011
31	994	0.011
32	561	0.020
33	1,875	0.006
34	2,050	0.005
35	3,004	0.004

Recreational Improvements Facilities means the park features set forth for a neighborhood park in the activity menu of the park plan. A uniform cost shall be prepared annually for these features and adopted by resolution by the city council. The dedication factor shall be applied to this cost to determine the pro rata share per new dwelling unit for recreational improvements facilities.

(Code 1982, § 24-42; Ord. No. 87-1, § II, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999; Ord. No. 03-29, § 1, 9-2-2003; Ord. No. 05-04, § 1, 1-18-2005)

Sec. 38-51. Purpose

(a) This article is adopted to provide recreational areas in the form of neighborhood parks as a function of subdivision development in the city. This article is enacted in

accordance with the home rule powers of the city, granted under the state constitution, in statutes of the state including, but not limited to, V.T.C.A., Local Government Code § 212.001 et seq. It is hereby declared by the city council that recreation areas in the form of neighborhood parks are necessary and in the public welfare, and that the only adequate procedure to provide for same is by integrating such a requirement into the procedure for planning and developing property or subdivisions in the city, whether such development consists of new construction on vacant land or rebuilding structures on existing residential property.

(b) Neighborhood parks are those parks providing for a variety of outdoor recreational opportunities, be a minimum of 11-acres, and be within convenient distances for a majority of the residents to be served thereby. Park districts are established by the official park plan for the city and shall be prima facie proof that any park located therein is within such convenient distance from any residence located therein. Primary cost of neighborhood parks shall be borne by the ultimate residential property owners, who, by reason of the proximity of their property to such parks, shall be the primary beneficiary of such facilities. Therefore, the requirements of this article are adopted to affect the purposes stated.

(Code 1982, § 24-41; Ord. No. 87-1, § I, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-52. Impact Fee Land Use Assumptions

The total number of residential units which a neighborhood park district is projected to have when fully developed shall be determined by the impact fee land use assumptions as set forth in Table 1 Park Dedication Acreage Factor per Dwelling Unit which is on file with the City Secretary's office.

(Code 1982, § 24-42; Ord. No. 87-1, § II, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999; Ord. No. 03-29, § 1, 9-2-2003; Ord. No. 05-04, § 1, 1-18-2005)

Sec. 38-53. General Requirements for SF-E, SF-1, SF-16, SF-10, SF-8.4, SF-7, ZL-5, 2-F and MF-14, to be Used for Single-Family, Zero Lot Line, Duplex, and/or Apartment/Multifamily Residential Purposes

(a) Whenever a final plat is filed of record with the county clerk for development of a residential area in accordance with the planning and zoning ordinances of the city, such plat shall contain a clear fee simple dedication of an area of land to the city for park purposes, which area shall be equal to or greater than the property being subdivided's pro rata share of neighborhood park property required for the neighborhood park district in which the property being platted or subdivided is located as shown by the park master plan. Any proposed plat submitted to the city for approval shall show the area proposed to be dedicated under this article. The requirement for dedication under this article may be met by a payment of money in lieu of land when permitted or required by the other provisions of this article.

(b) The city council declares the development of an area smaller than one acre for public park purposes to be impractical. Therefore, if less than one acre is calculated to be the pro rata share of a development plat filed for approval, the developer shall be required to pay the applicable cash in lieu of land amount provided for by section 38-55(c), rather than dedicate any land area. No plat showing a dedication of less than one acre shall be approved.

(c) In instances where an area of less than six acres but more than one acre is calculated to be the pro rata share of a development, the city council shall have the option of requiring land dedication or cash in lieu of land in accordance with section 38-55(c) after consideration of the recommendation of the planning and zoning commission and the parks and recreation board. If the city determines that sufficient park area is already in the public domain in the area of the proposed development or the neighborhood park district, or if the recreation potential for that zone would be better served by expanding or improving an existing park, dedication may also be refused and cash in lieu of land may, likewise, be required.

(d) The dedication required by this article shall be made by filing of the final plat or contemporaneously by separate instrument. If the actual number of completed dwelling units exceeds the figures upon which the original dedication is based, additional dedication shall be required and shall be made by payment in lieu of land amount described by section 38-55(c), or by the conveyance of an entire numbered lot to the city.

(Code 1982, § 24-43; Ord. No. 87-1, § III, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-54. Prior Dedication; Absence of Prior Dedication

At the discretion of the city council, any former gift of land to the city may be credited on a per acre basis toward the eventual land dedication requirements imposed on the donor of such land. The city council shall consider recommendations of the planning and zoning commission and the parks and recreation board in exercising its discretion under this section.

(Code 1982, § 24-44; Ord. No. 87-1, § IV, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-55. Money in Lieu of Land

(a) Subject to the veto of the city council and the terms of section 38-53, a landowner responsible for dedication under this article may elect to meet the requirements of section 38-53 in whole or in part by a cash payment in lieu of land, in an amount set forth in subsection (c) of this section. Such payment in lieu of land shall be made at or prior to final plat approval.

(b) The city may from time to time decide to purchase land for parks in or near the area of actual or potential development. If the city does purchase park land in a neighborhood park district and said land purchased is used to meet the need for a neighborhood park, subsequent land dedications for that district shall be in cash only and calculated on a pro rata share basis to reimburse the city's actual cost of acquisition and development of such land for parks. The cash amount shall be equal to the sum of:

(1) The average price per acre of such land; and
(2) The actual cost of adjacent streets and site utilities, or an estimate of such actual costs provided by the city engineer and the recreation improvement costs for facilities as set forth in the park master plan for neighborhood parks.

Once the city has been reimbursed entirely for all park land within a park zone, this

section shall cease to apply and the other sections of this article shall be applicable.

(c) To the extent that subsection (b) of this section is not applicable, the dedication requirements shall be met by a cash payment in lieu of land on the basis of a per acre price. Said per acre price shall be determined annually by the city council and shall be based on current land values within the city. Once established the council shall adopt the value by resolution for appreciation as required in this subsection. Cash payments may be used only for acquisition or improvement of neighborhood parks located within the same neighborhood park district as the development in accordance with the park master plan.

(Code 1982, § 24-45; Ord. No. 87-1, § V, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-56. Dedication of more than the Pro Rata Share of Parkland

(a) The developer of a residential subdivision which is subject to the terms of this article may dedicate more land than the pro rata share calculated for the development if approved by the city council. If the developer dedicates an amount equal to or greater than the total required parkland area for the neighborhood park district in which his subdivision is located, the city and the developer shall execute a pro rata refunding agreement in accordance with these subdivision regulations which shall recover the cost of land dedicated in excess of the developer's pro rata share after streets, drainage, and utilities are constructed on the dedicated property.

(b) The developer shall install the streets, drainage, and utilities to serve the neighborhood park, and the cost of same shall be included in the pro rata refunding agreement. The pro rata refunding agreement shall provide that future developers in the same neighborhood park district shall pay their pro rata share of the actual cost of park development which shall be calculated based on the per acre cash in lieu of land coast in effect at the time of dedication, plus the costs of streets, drainage, utilities, and recreational facilities installed to serve the dedicated neighborhood park. The cost of streets, drainage and utilities installed to serve the park shall be certified by the city engineer. In no case shall the developer receive pro rata payments after he has recovered an amount equal to the number of acres actually dedicated in excess of his pro rata share multiplied by the per acre cash in lieu of land figure in effect at the time of actual dedication, plus the costs of streets, drainage, and utilities as certified by the city engineer necessary to serve the neighborhood park. In no case shall the term of any pro rata agreement provided by this article be for a period in excess of five years from the date of dedication.

(Code 1982, § 24-46; Ord. No. 87-1, § VI, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-57. Special Fund Established; Refunds

(a) There is hereby established a special fund for the deposit of all cash funds in lieu of land dedication under this article, which fund shall be known as the "Park Land Dedication Fund."

(b) The city shall account for all sums paid in lieu of land dedication under this article referenced to individual plats involved. Any funds paid for such purposes must be expended by the city within eight years from the date received by the city for acquisition and development of a neighborhood park as defined in this article. Such

funds shall be considered to be spent on a first/in first/out basis. If not so expended, the owners of the property on the last day of such period shall be entitled to a pro rata refund of such funds, calculated on a square footage basis. The owners of such property must request such refund within one year of entitlement, in writing, or such rights shall be barred.

(Code 1982, § 24-47; Ord. No. 87-1, § VII, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-58. Additional Requirements and Provisions

(a) Any land dedicated to the city under this article shall be suitable for park and recreation use. The following characteristics of a proposed area are generally unsuitable:

(1) Any area located in the 100-year floodplain;
(2) Any area of unusual topography or slope which renders same unusable for organized recreational activities.

The characteristics of the parkland dedication area mentioned in this subsection may be grounds for refusal of a plat.

(b) Each park must have ready access to a public street.

(c) Unless provided otherwise in this article, action by the city shall be by the city council after consideration of the recommendations of the planning and zoning commission and the parks and recreation board. Any proposal considered by the planning and zoning commission under this article shall have been reviewed by the parks and recreation board and its recommendation given to the commission. The commission may make a decision contrary to such recommendation only by a vote of at least five members. Should the commission be unable to get this vote, the matter shall then be referred to the city council for final decision.

(d) If any provision of this article or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any other provisions or applications of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

(Code 1982, § 24-48; Ord. No. 87-1, § VIII, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-59. - Review and Updating Park Master Plan

The city parks and recreation department shall consider the need to update the park master plan at least annually to ensure that the plan remains current and provides an equitable, effective framework from which to pursue the acquisition and development of neighborhood park services for each neighborhood park district.

(Code 1982, § 24-49; Ord. No. 87-1, § XI, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-60. Waiver of Mandatory Neighborhood Parkland Dedication in the Case of Private Developments

(a) If a development is proposed to be a private development where no public streets are dedicated for use by the public, the city shall:

(1) Calculate the pro rata share of the proposed private development as if it were to be a development where public streets were to be dedicated.
(2) Waive the requirement for mandatory dedication if the private amenities of the proposed development meet or exceed the calculated pro rata share as calculated under subsection (a)(1) of this section.
(3) Decrease the total acreage shown in the park master plan as being required to meet the ultimate need for neighborhood parks in the applicable neighborhood park district by the acreage calculated under subsection (1) of this section (for the purpose of future calculations of pro rata shares for future developments).

(b) In a private development within a park district or a private development encompassing an entire park district, the park property within the private development must be easily accessible to the general public either through the use of the city trail system or public roadways. If the private development encompasses the entire park district and the ten acres of parkland is not continuous, each separate section of park property must be accessible to the general public and connected by way of a minimum eight-foot-wide trail.

(Code 1982, § 24-50; Ord. No. 87-1, § IX, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-61. Waiver of Article Requirements by City Council

The city council may waive the requirements of this article upon a finding by the city council that said waiver is clearly in the best interest of the city.

(Code 1982, § 24-51; Ord. No. 87-13, § I, 3-16-1987; Ord. No. 99-20, § 1, 6-7-1999)

Section 2. That any person, firm or corporation who violates any provision of this ordinance or who fails to obtain a special event permit shall be deemed guilty of a misdemeanor and upon conviction thereof, in the Municipal Court of Rockwall, TX, shall be subject to a fine in accordance with the general provisions of the Code of Ordinances;

Section 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict;

Section 4. That the Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance;

Section 5. That should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable;

Section 6. That it is hereby found and determined that the meeting at which this ordinance was passes was open to the public as required by *Section 551.001* et seq., *Texas Government Code*, and that advance public notice of the time, place and purpose of said meeting was given;

Section 7. That this Ordinance shall take effect immediately upon its second reading

and newspaper publication as required by the *City Charter*, *Section 3.11*;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 1ST DAY OF JUNE, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 05-18-15

2nd Reading: 06-01-15

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Tim M. Tumulty, Director of Public Works/City Engineer

DATE: May 27, 2015

SUBJECT: Traffic Signal Bid
Ralph Hall Parkway @ Mims Road

The City Staff hired Binkley & Barfield – C & P, Inc. to prepare engineering design plans for a new traffic signal at Ralph Hall Parkway and Mims Road. The plans were completed and bids were opened on April 2, 2015.

Bids were received from two bidders. Traffic signal construction has limited amount of contractors performing this specific type of work. A bid in the amount of $197,829.00 was received by Roadway Solutions and the other bid of $220,100.00 was submitted by Durable Specialties.

Roadway Solutions bid had a few errors contained within the bid document. The most notable error was the cost for one traffic signal pole assembly arm (60' foot) with light and edge lit sign. They entered a bid amount of $1,600.00 when it should have been $16,000.00. Durable Specialties bid $17,200.00 for the same item.

Roadway Solutions has agreed to honor their bid even though it has an error of $14,400.00. Staff has verified their references and they were found acceptable. Staff requests City Council approval of the bid presented by Roadway Solutions in the amount of $197,829.00 for the construction of the traffic signal at Ralph Hall Parkway at Mims Road.

TMT:em

Cc:
file

Binkley & Barfield | C&P
consulting engineers

May 28, 2015

Mr. Tim Tumulty, PE
City of Rockwall
385 S. Goliad
Rockwall, Texas 75087

RE: Bid Tabulations for Signal Improvements: Ralph Hall Pkwy at Mims Rd

Dear Mr. Tumulty:

Bid tabulations were opened for the above mentioned project on April 2, 2015 at 2 PM. There were two bids placed on the project. A review of the bid tabulations was conducted and a summary of the results is provided below.

- **Durable Specialties**
  Total bid was for **$220,100.00**. A review of the unit bid prices and tabulations showed that the total as presented in the bid forms were accurate.
- **Roadway Solutions**
  The total bid was for **$197,829.00**. A review of the unit bid prices showed a few typos in either the written description of the of the unit bid prices, the unit price figures, or the extended amount. However, the final bid number reflected the intent of the unit prices as presented in the bid form. A summary of the corrections are as follows:
  - Bid Item 5 – Extended Amount shown as $4875.75, should have been $14,875.75
  - Bid Item 14 – Unit price in figures missing decimal per bid price in words
  - Bid Item 21 – Extended amount written incorrectly, should have been $392.00 based on unit price
  - Bid Item 52 – Bid price in words and in figures shows $350 but extended amount shown based on a unit price of $3.50. The unit price should be $3.50.
  - Bid Item 58 – Showed a unit prices of **$1,600** (in written and figure form) which was felt by the design engineer to be incorrect. In comparison, Durable Specialties bid **$17,200** for this same item. It was assumed that Roadway Solutions intended the bid price to be **$16,000** instead of **$1,600**. Contact was made with Roadway Solutions to check on this item. It was confirmed by the bidder that a mistake was made and the unit price should have been **$16,000**.

Despite the mistake on Bid Item 58, the low bidder (Roadway Solutions) has agreed to honor their original bid price of **$197,829.00** for this project.

Contact was made a couple of cities and agencies familiar with the work of Roadway Solutions. Those references included the following:

- City of Frisco
- City of Denton

Conversations with these individuals indicated that they have used Roadway Solutions on multiple occasions and that they do a good job.

Binkley & Barfield | C&P
consulting engineers

Based on this information it is recommended to select Roadway Solutions as the winning bidder on this project based on their submitted bid of **$197,829.00.**

Should you require additional information or have any questions, please feel free to give me a call at 972-644-2800 or contact me via email at cwilliams@bbcpi.com.

Sincerely,

Binkley & Barfield – C&P, Inc.
Consulting Engineers

Cameron Williams, P.E., PTOE, PTP
Project Manager

Enclosures: Bid Tabulations (1)

CITY OF ROCKWALL
TRAFFIC SIGNAL DESIGN - RALPH HALL PARKWAY AT MIMS ROAD
Bid Tabulation - April 2, 2015

Item	TxDOT No.	Description	Units	Bid Quantity	Roadway Solutions		Durable Specialties				Engineer's Estimate	
					Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	104	REMOVING CONCRETE (SIDEWALKS)	SY	53	$54.00	$2,862.00	$30.00	$1,590.00		$0.00	$8.00	$424.00
2	416	DRILL SHAFT (TRF SIG POLE) (24 IN)	LF	20	$110.00	$2,200.00	$175.00	$3,500.00		$0.00	$160.00	$3,200.00
3	416	DRILL SHAFT (TRF SIG POLE) (36 IN)	LF	30	$165.00	$4,950.00	$195.00	$5,850.00		$0.00	$220.00	$6,600.00
4	416	DRILL SHAFT (TRF SIG POLE) (48 IN)	LF	44	$250.00	$11,000.00	$235.00	$10,340.00		$0.00	$320.00	$14,080.00
5	500	MOBILIZATION	LS	1	$14,875.75	$14,875.75	$10,500.00	$10,500.00		$0.00	$10,000.00	$10,000.00
6	502	BARRICADS, SIGNS, AND TRAFFIC HANDLING	MO	3	$500.00	$1,500.00	$1,500.00	$4,500.00		$0.00	$1,500.00	$4,500.00
7	529	CONCRETE CURB AND GUTTER	LF	82	$16.00	$1,312.00	$30.00	$2,460.00		$0.00	$18.50	$1,517.00
8	531	CONCRETE SIDEWALKS	SY	112	$105.00	$11,760.00	$85.00	$9,520.00		$0.00	$50.00	$5,600.00
9	618	CONDUIT (PVC) (SCHD 40) (2")	LF	180	$6.00	$1,080.00	$8.00	$1,440.00		$0.00	$10.50	$1,890.00
10	618	CONDUIT (PVC) (SCHD 40) (3")	LF	20	$7.00	$140.00	$9.00	$180.00		$0.00	$12.50	$250.00
11	618	CONDUIT (PVC) (SCHD 40) (4")	LF	40	$8.00	$320.00	$10.00	$400.00		$0.00	$15.50	$620.00
12	618	CONDUIT (PVC) (SCHD 40) (4") (BORED)	LF	475	$22.00	$10,450.00	$18.00	$8,550.00		$0.00	$21.50	$10,212.50
13	620	ELEC CONDR (NO. 6) INSULATED	LF	120	$0.55	$66.00	$1.00	$120.00		$0.00	$1.35	$162.00
14	620	ELEC CONDR (NO. 6) GROUND	LF	720	$0.60	$432.00	$1.00	$720.00		$0.00	$1.35	$972.00
15	621	TRAY CABLE (3 CONDR) (12 AWG)	LF	1600	$1.00	$1,600.00	$1.00	$1,600.00		$0.00	$1.35	$2,160.00
16	621	TRAY CABLE (3 CONDR) (14 AWG)	LF	1260	$1.00	$1,260.00	$1.00	$1,260.00		$0.00	$1.05	$1,323.00
17	624	GROUND BOX (TYPE D) (162922) W/APRON	EA	4	$500.00	$2,000.00	$700.00	$2,800.00		$0.00	$800.00	$3,200.00
18	628	ELECTRICAL METER PEDESTAL	EA	1	$4,000.00	$4,000.00	$5,000.00	$5,000.00		$0.00	$5,500.00	$5,500.00
19	644	INSTALL SMALL ROAD SIGN SUPPORT AND ASSEMBLY TYS80 (1) SA (P)	EA	1	$600.00	$600.00	$700.00	$700.00		$0.00	$540.00	$540.00
20	666	REFLECTIVE PAVEMENT MARKING TYPE I (W) 8" (SLD) (100 MIL)	LF	675	$1.50	$1,012.50	$2.00	$1,350.00		$0.00	$0.75	$506.25
21	666	REFLECTIVE PAVEMENT MARKING TYPE I (W) 12" (SLD) (100 MIL)	LF	112	$3.50	$392.00	$4.00	$448.00		$0.00	$2.50	$280.00
22	666	REFLECTIVE PAVEMENT MARKING TYPE I (W) 24" (SLD) (100 MIL)	LF	408	$8.00	$3,264.00	$7.00	$2,856.00		$0.00	$5.45	$2,223.60
23	666	REFLECTIVE PAVEMENT MARKING TYPE I (W) (ARROW) (100 MIL)	EA	5	$130.00	$650.00	$130.00	$650.00		$0.00	$102.00	$510.00
24	666	REFLECTIVE PAVEMENT MARKING TYPE I (W) (DOUBLE ARROW) (100	EA	1	$220.00	$220.00	$220.00	$220.00		$0.00	$165.00	$165.00
25	666	REFLECTIVE PAVEMENT MARKING TYPE I (W) (WORD) (100 MIL)	EA	6	$130.00	$780.00	$130.00	$780.00		$0.00	$125.00	$750.00
26	666	REFLECTIVE PAVEMENT MARKING TYPE I (Y) 4" (SLD) (100 MIL)	LF	450	$0.80	$360.00	$1.00	$450.00		$0.00	$0.30	$135.00
27	677	ELIMINATE EXISTING PAVEMENT MARKING AND MARKS (4")	LF	400	$0.50	$200.00	$0.50	$200.00		$0.00	$0.45	$180.00
28	677	ELIMINATE EXISTING PAVEMENT MARKING AND MARKS (8")	LF	822	$0.75	$616.50	$0.50	$411.00		$0.00	$0.65	$534.30
29	677	ELIMINATE EXISTING PAVEMENT MARKING AND MARKS (12")	LF	221	$1.55	$342.55	$2.00	$442.00		$0.00	$1.30	$287.30
30	677	ELIMINATE EXISTING PAVEMENT MARKING AND MARKS (24")	LF	148	$2.00	$296.00	$2.00	$296.00		$0.00	$3.00	$444.00
31	677	ELIMINATE EXISTING PAVEMENT MARKING AND MARKS (ARROW)	EA	7	$40.00	$280.00	$16.00	$112.00		$0.00	$43.00	$301.00
32	677	ELIMINATE EXISTING PAVEMENT MARKING AND MARKS (WORD)	EA	4	$40.00	$160.00	$16.00	$64.00		$0.00	$56.00	$224.00
33	678	PAVEMENT SURFACE PREPARATION FOR MARKINGS (4")	LF	450	$0.10	$45.00	$0.15	$67.50		$0.00	$0.05	$22.50
34	678	PAVEMENT SURFACE PREPARATION FOR MARKINGS (8")	LF	675	$0.10	$67.50	$0.10	$67.50		$0.00	$0.15	$101.25
35	678	PAVEMENT SURFACE PREPARATION FOR MARKINGS (12")	LF	112	$0.50	$56.00	$0.50	$56.00		$0.00	$0.25	$28.00
36	678	PAVEMENT SURFACE PREPARATION FOR MARKINGS (24")	LF	408	$0.80	$326.40	$0.50	$204.00		$0.00	$1.05	$428.40
37	678	PAVEMENT SURFACE PREPARATION FOR MARKINGS (ARROW)	EA	5	$10.00	$50.00	$2.00	$10.00		$0.00	$13.50	$67.50
38	678	PAVEMENT SURFACE PREPARATION FOR MARKINGS (DOUBLE ARROW)	EA	1	$10.00	$10.00	$5.00	$5.00		$0.00	$16.75	$16.75
39	678	PAVEMENT SURFACE PREPARATION FOR MARKINGS (WORD)	EA	6	$10.00	$60.00	$2.00	$12.00		$0.00	$17.50	$105.00
40	680	INSTALLATION OF HIGHWAY TRAFFIC SIGNAL (ISOLATED)	EA	1	$19,850.00	$19,850.00	$20,000.00	$20,000.00		$0.00	$15,000.00	$15,000.00
41	682	BACKPLATE (12 IN) (3 SEC)	EA	8	$50.00	$400.00	$90.00	$720.00		$0.00	$85.00	$680.00
42	682	BACKPLATE (12 IN) (4 SEC)	EA	4	$60.00	$240.00	$100.00	$400.00		$0.00	$88.00	$352.00
43	682	VEHICLE SIGNAL SECTION (12 IN) LED (RED ARROW)	EA	4	$250.00	$1,000.00	$240.00	$960.00		$0.00	$210.00	$840.00
44	682	VEHICLE SIGNAL SECTION (12 IN) LED (RED)	EA	8	$250.00	$2,000.00	$240.00	$1,920.00		$0.00	$210.00	$1,680.00
45	682	VEHICLE SIGNAL SECTION (12 IN) LED (GREEN ARROW)	EA	4	$250.00	$1,000.00	$240.00	$960.00		$0.00	$210.00	$840.00
46	682	VEHICLE SIGNAL SECTION (12 IN) LED (GREEN)	EA	8	$250.00	$2,000.00	$240.00	$1,920.00		$0.00	$21.00	$168.00
47	682	VEHICLE SIGNAL SECTION (12 IN) LED (YELLOW ARROW)	EA	8	$250.00	$2,000.00	$240.00	$1,920.00		$0.00	$210.00	$1,680.00
48	682	VEHICLE SIGNAL SECTION (12 IN) LED (YELLOW)	EA	8	$250.00	$2,000.00	$240.00	$1,920.00		$0.00	$210.00	$1,680.00
49	682	PEDESTRIAN SIGNAL SECTION LED (COUNTDOWN)	EA	8	$450.00	$3,600.00	$550.00	$4,400.00		$0.00	$550.00	$4,400.00
50	684	TRAFFIC SIGNAL CABLE (TY A) (14 AWG) (5 CONDR)	LF	368	$1.00	$368.00	$1.00	$368.00		$0.00	$1.65	$607.20
51	684	TRAFFIC SIGNAL CABLE (TY A) (14 AWG) (7 CONDR)	LF	1818	$1.00	$1,818.00	$1.00	$1,818.00		$0.00	$3.00	$5,454.00
52	684	TRAFFIC SIGNAL CABLE (TY A) (14 AWG) (16 CONDR)	LF	780	$3.50	$2,730.00	$3.00	$2,340.00		$0.00	$3.75	$2,925.00
53	686	PEDESTRIAN POLE ASSEMBLY	EA	5	$1,200.00	$6,000.00	$1,000.00	$5,000.00		$0.00	$1,250.00	$6,250.00
54	686	PEDESTRIAN POLE ASSEMBLY (PUSH BUTTON ONLY)	EA	0		$0.00		$0.00		$0.00	$1,250.00	$0.00
55	686	INSTALL TRAFFIC SIGNAL POLE ASSEMBLY (S) 1 ARM (36') LUM & ILS	EA	1	$6,800.00	$6,800.00	$7,200.00	$7,200.00		$0.00	$5,600.00	$5,600.00
56	686	INSTALL TRAFFIC SIGNAL POLE ASSEMBLY (S) 1 ARM (40') LUM & ILS	EA	1	$7,200.00	$7,200.00	$8,200.00	$8,200.00		$0.00	$7,200.00	$7,200.00
57	686	INSTALL TRAFFIC SIGNAL POLE ASSEMBLY (S) 1 ARM (55') LUM & ILS	EA	1	$17,000.00	$17,000.00	$17,000.00	$17,000.00		$0.00	$16,600.00	$16,600.00
58	686	INSTALL TRAFFIC SIGNAL POLE ASSEMBLY (S) 1 ARM (60') LUM & ILS	EA	1	$1,600.00	$1,600.00	$17,200.00	$17,200.00		$0.00	$20,150.00	$20,150.00
59	688	ACCESSIBLE PEDESTRIAN PUSHBUTTONS	EA	8	$1,100.00	$8,800.00	$1,200.00	$9,600.00		$0.00	$1,350.00	$10,800.00
60	6006	COAXIAL CABLE	LF	1004	$1.70	$1,706.80	$2.00	$2,008.00		$0.00	$2.40	$2,409.60
61	-	VIDEO DETECTOR SYSTEM (MULTI-CHANNEL SYSTEM)	EA	1	$3,700.00	$3,700.00	$5,487.00	$5,487.00		$0.00	$265.00	$265.00
62	-	VIDEO DETECTOR SYSTEM (CAMERA)	EA	4	$1,100.00	$4,400.00	$1,500.00	$6,000.00		$0.00	$350.00	$1,400.00
63	-	VIDEO POWER CABLE	LF	1004	$2.00	$2,008.00	$2.00	$2,008.00		$0.00	$2.15	$2,158.60
64	-	EMERGENCY PRE-EMPTION - 1 CHANNEL DETECTOR UNIT (OPTICOM	EA	4	$600.00	$2,400.00	$1,000.00	$4,000.00		$0.00	$160.00	$640.00
65	-	EMERGENCY PRE-EMPTION - 4 CHANNEL DESCRIMINATOR UNIT	EA	1	$3,000.00	$3,000.00	$4,000.00	$4,000.00		$0.00	$2,000.00	$2,000.00
66	-	3M 138 OPTICOM CABLE	LF	1020	$0.60	$612.00	$1.00	$1,020.00		$0.00	$1.10	$1,122.00
67	-	ILLUMINATED STREET NAME SIGN	EA	4	$3,000.00	$12,000.00	$3,000.00	$12,000.00		$0.00	$3,230.00	$12,920.00
TOTAL BID						**$197,829.00**		**$220,100.00**		**$0.00**	**$0.00**	**$205,881.75**

Denotes bid correction

53

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MSAB – AGENDA ITEM MEMORANDUM

TO: **MSAB Members**

FROM: **Bethany Browning, Main Street Manager**

DATE: **May 26, 2015**

SUBJECT: **2015 Main Street Advisory Board Update**

Board Chair, Evan Matteson, will address the Mayor and Council with a brief summary and update of the board's work. The Prezi should last approximately 10-15 minutes in length.

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 06/01/2015

APPLICANT: Jay Bedford of A.J. Bedford Group, Inc.

AGENDA ITEM: **P2015-014** (Grady Rash Subdivision)

SUMMARY:

Hold a public hearing to discuss and consider a request by Jay Bedford of A.J. Bedford Group, Inc. for the approval of a residential replat creating Lots 6, 7, & 8, Block A, Grady Rash Subdivision, being a 3.727-acre tract of land currently identified as Lots 1, 2, 4, & 5, Grady Rash Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single Family Residential (SF-10) District, addressed as 1 Soapberry Lane, 2 Soapberry Lane, 4 Soapberry Lane, & 5 Soapberry Lane, and take any action necessary.

COMMENTS:

- The The Grady Rash Subdivision is comprised of a total of five (5) residential lots. The objective of this request is to eliminate one residential lot (Lot 1, Blk A as recorded in Cabinet B, Slide 142) by re-platting Lots 2, 4, & 5 and absorbing all of Lot 1 as laid out on said plat and creating Lots 6, 7, & 8. All lots within the subdivision can be accessed through a 50-ft private drive and utility easement known as Soapberry Lane. The replat will also establish various easements that are not identified when the property was final platted in 1984.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions below.

- With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

NOTIFICATION:

The Texas Local Government Code (TLGC) requires notice to be mailed to all property owners within 200 feet of the subject property ***that are within the subdivision;*** therefore, staff mailed one (1) notice to the property owner of Lot 3, Block A, Grady Rash Subdivision as required by State statute. A notice of Public Hearing was published in the Rockwall Herald-Banner as required by law. At the time this report was drafted, staff has not received any notice regarding the residential replat request.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the residential replat request, staff would recommend the following conditions of approval:

A) All the technical comments from the Engineering and Fire Departments shall be addressed prior to the filing of this plat, including adherence to the following Planning Department comments;

1. Adherence to Engineering and Fire Department standards.
2. Address all staff comments as listed in the Project Plan Review (see attached).

B) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

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City of Rockwall

Project Plan Review History

Project Number	P2015-014	**Owner**	RASH, MARTHA PLUMMER LIFE ESTA	**Applied**	4/13/2015	LM
Project Name	GRADY RASH SUBDIVISION - Residential	**Applicant**	A.J. BEDFORD GROUP, INC	**Approved**		
Type	PLAT			**Closed**		
Subtype	REPLAT			**Expired**		
Status	STAFF REVIEW			**Status**	4/13/2015	LM

Site Address	City, State Zip	Zoning
1,3,4,5 SOAPBERRY LN	ROCKWALL, TX 75087	

Subdivision	Tract	Block	Lot No	Parcel No	General Plan
NORTHSHORE PH 1A	1	A	1,2,4,5	4730-000A-0001-00-0R	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	4/13/2015	4/20/2015	4/21/2015	8	APPROVED	
ENGINEERING	Amy Williams	4/13/2015	4/20/2015	4/21/2015	8	COMMENTS	See Comments
(4/21/2015 2:20 PM AW) Need to add more utility easements (2 more) and add "utility" to the private drive easement. See markups Tie at least 2 corners of the property to City of Rockwall monumentation (x and y coordinates) Engineering Comments on plat.							
ENGINEERING	Amy Williams	5/20/2015	5/27/2015	5/20/2015		COMMENTS	
FIRE	Ariana Hargrove	4/13/2015	4/20/2015	4/23/2015	10	APPROVED	
FIRE	Ariana Hargrove	5/20/2015	5/27/2015	5/20/2015		APPROVED	
GIS	Lance Singleton	4/13/2015	4/20/2015				
PLANNING	David Gonzales	4/13/2015	4/20/2015	5/4/2015	21	COMMENTS	See comments

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks

Hold a public hearing to discuss and consider a request by Jay Bedford of A.J. Bedford Group, Inc. for the approval of a residential replat creating Lots 6, 7, & 8, Block A, Grady Rash Subdivision, being a 3.727-acre tract of land currently identified as Lots 1, 2, 4, & 5, Grady Rash Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single Family Residential (SF-10) District, addressed as 1 Soapberry Lane, 2 Soapberry Lane, 4 Soapberry Lane, & 5 Soapberry Lane, and take any action necessary.

Planning Staff Comments:

1. Adherence to Engineering and Fire Department Standards.

2. Relabel the lot numbers as Lot 6, Lot 7, & Lot 8 (Lots 2, 4 & 5 respectively). The City does not use an "R" in the lot number sequence when replating.

3. Correct Title Block to read:
Final Plat
Grady Rash Subdivision
Lots 6, 7, & 8, Block A
3.727 Acres
Being a replat of all of lots 1, 2, 4, & 5, Block A.....Correct spelling in Cabinet.

4. Remove "25' Building Line" label north of the private drive (Soapberry Lane) easement located on lots 7 & 8.

5. Relabel Soapberry Lane as a "50' Private Drive & Utility Easement".

6. Delineate/describe Soapberry Lane to establish boundary on plat.

7. Indicate the extremes and label 25' building line on lots where appropriate.

8. Indicate the extremes of the 10' & 15' utility easements on southern property line.

9. Indicate and label 15' utility easement at "old lot line" of Lot 6.

10. Along Soapberry Lane's eastern property boundary, delineate access & utility easement from 24' private road (refer to 1984 Final Plat).

11. Label 20' alley adjacent to Soapberry Lane's eastern property boundary.

12. Location Map - Use gray scale graphic.

13. Correct Lot numbers in Dedication Statement on page two to read Lots 6, 7, & 8 where applicable.

14. Notary not necessary when stamped by surveyor.

Planning Department	David Gonzales	5/21/2015	5/22/2015	5/21/2015		APPROVED W/ CONDITIONS	See comments

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks

The following staff comments for the revised plat are to be addressed and resubmitted no later than Tuesday, June 2, 2015 (four large copies [18" X 24" FOLDED] and one PDF version) for subsequent review by staff.

Provide a label indicating "Case No. P2015-014" on all pages resubmitted for staff review.

1. Adherence to Engineering and Fire Department Standards.

2. Relabel the lot numbers as Lot 6, Lot 7, & Lot 8 (Lots 2, 4 & 5 respectively). The City does not use an "R" in the lot number sequence when replating.

3. Correct Title Block to read:
Final Plat
Grady Rash Subdivision
Lots 6, 7, & 8, Block A
3.727 Acres
Being a replat of all of lots 1, 2, 4, & 5, Block A.....Correct spelling in Cabinet.

4. Relabel Soapberry Lane as a "50' Private Drive & Utility Easement".

5. Indicate the extremes and label 25' building line on for all lots with a double arrow between building line setback and private drive easement.

6. Indicate the extremes of the 10' & 15' utility easements on southern property line (use double arrow).

7. Along Soapberry Lane's eastern property boundary, delineate access & utility easement from 24' private road (refer to 1984 Final Plat).

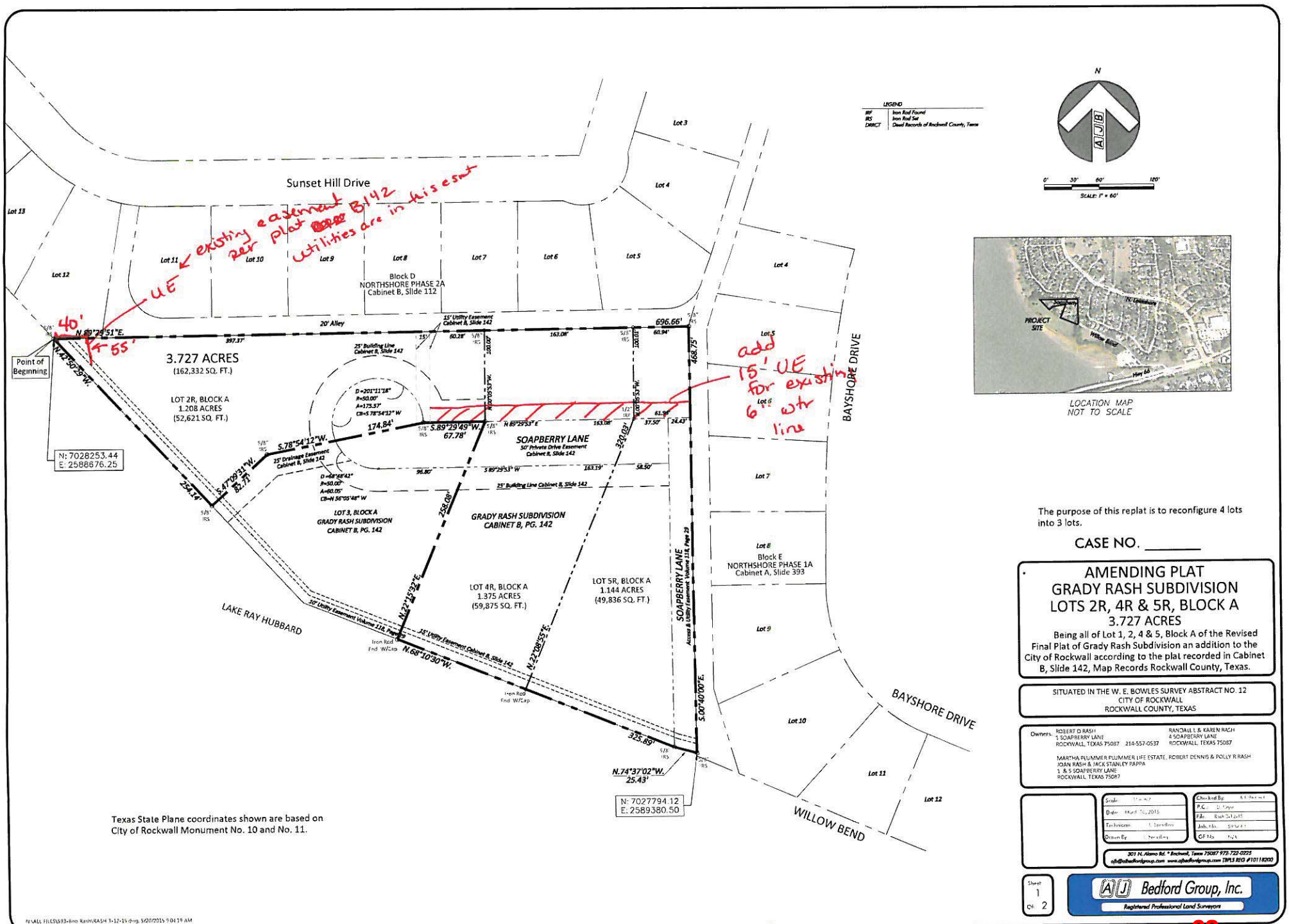
8. Label 20' alley adjacent to Soapberry Lane's eastern property boundary.

9. Location Map - Use a gray-scale graphic to better delineate.

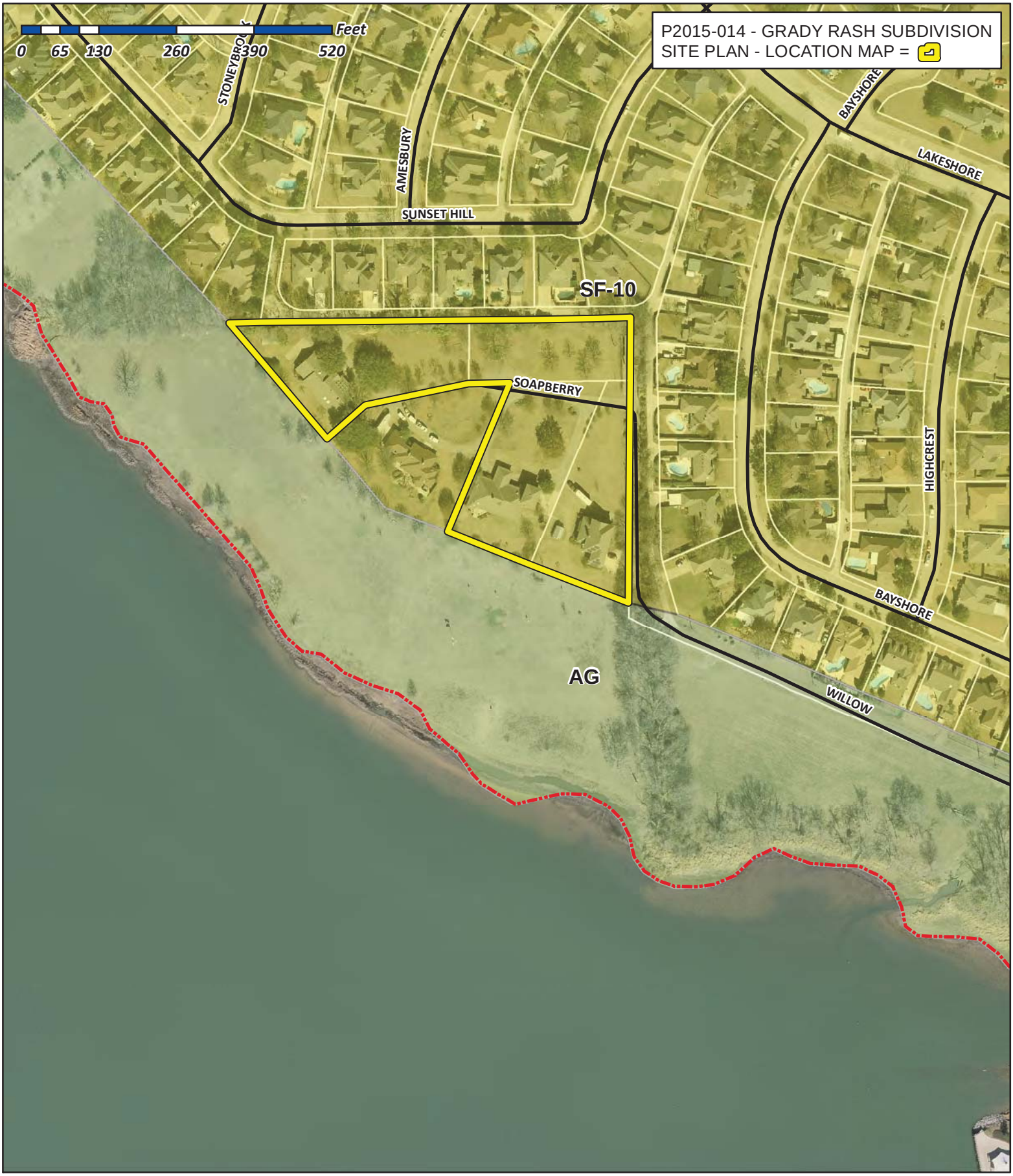
10. Label the portions of the originl Lot 1 to indicate "Non-Buildable Area" norht of the private drive easement for Lot 7 and Lot 8.

11. Correct Lot numbers in Dedication Statement on page two to read Lots 6, 7, & 8 where applicable.

12. Notary notnecessary when stamped by surveyor. Please remove notary certificate underneath surveyor block.


Sunset Hill Drive
Lot 13
Lot 12
Lot 11
Lot 10
Lot 9
Lot 8
Lot 7
Lot 6
Lot 5
Lot 4
Lot 3
Block D
NORTHSHORE PHASE 2A
Cabinet B, Slide 112
existing easement per plat Cabinet B/142 utilities are in this esmt
UE
40'
55'
20' Alley
15' Utility Easement Cabinet B, Slide 142
N 89°29'51"E.
397.37'
696.66'
60.94'
468.75'
Point of Beginning
N 42°50'29"W.
3.727 ACRES
(162,332 SQ. FT.)
LOT 2R, BLOCK A
1.208 ACRES
(52,621 SQ. FT.)
25' Building Line Cabinet B, Slide 142
D=201°11'18"
R=50.00'
A=175.37'
CB=S 78°54'12" W
174.84'
S.89°29'49"W.
67.78'
S.78°54'12"W.
82.71'
S.47°09'31"W.
254.14'
25' Drainage Easement Cabinet B, Slide 142
N: 7028253.44
E: 2588676.25
SOAPBERRY LANE
50' Private Drive Easement
Cabinet B, Slide 142
add 15' UE for existing 6" wtr line
BAYSHORE DRIVE
LOT 3, BLOCK A
GRADY RASH SUBDIVISION
CABINET B, PG. 142
GRADY RASH SUBDIVISION
CABINET B, PG. 142
258.00'
N.22°15'32"E.
LOT 4R, BLOCK A
1.375 ACRES
(59,875 SQ. FT.)
LOT 5R, BLOCK A
1.144 ACRES
(49,836 SQ. FT.)
320.03'
SOAPBERRY LANE
Access & Utility Easement Volume 114, Page 23
S.00°40'00"E.
Block E
NORTHSHORE PHASE 1A
Cabinet A, Slide 393
LAKE RAY HUBBARD
30' Utility Easement Volume 114, Page 23
15' Utility Easement Cabinet B, Slide 142
N.68°10'30"W.
N.22°08'55"E.
N.74°37'02"W.
25.43'
325.89'
N: 7027794.12
E: 2589380.50
BAYSHORE DRIVE
WILLOW BEND
Lot 10
Lot 11
Lot 12
LEGEND
IRF Iron Rod Found
IRS Iron Rod Set
DRRCT Deed Records of Rockwall County, Texas
N
0' 30' 60' 120'
SCALE: 1" = 60'
PROJECT SITE
N. Lakeshore
Willow Bend
Hwy 66
LOCATION MAP
NOT TO SCALE
The purpose of this replat is to reconfigure 4 lots into 3 lots.
CASE NO. _____
AMENDING PLAT
GRADY RASH SUBDIVISION
LOTS 2R, 4R & 5R, BLOCK A
3.727 ACRES
Being all of Lot 1, 2, 4 & 5, Block A of the Revised Final Plat of Grady Rash Subdivision an addition to the City of Rockwall according to the plat recorded in Cabinet B, Slide 142, Map Records Rockwall County, Texas.
SITUATED IN THE W. E. BOWLES SURVEY ABSTRACT NO. 12
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
Owners: ROBERT D RASH
1 SOAPBERRY LANE
ROCKWALL, TEXAS 75087 214-557-0537
RANDALL L & KAREN RASH
4 SOAPBERRY LANE
ROCKWALL, TEXAS 75087
MARTHA PLUMMER PLUMMER LIFE ESTATE, ROBERT DENNIS & POLLY R RASH
JOAN RASH & JACK STANLEY PAPPA
1, & 5 SOAPBERRY LANE
ROCKWALL, TEXAS 75087
Scale
Date
Technician
Drawn By
Checked By
P.C.
File
Job. No.
C.F. No.
301 N. Alamo Rd. * Rockwall, Texas 75087 972-722-0225
ajb@bedfordgroup.com www.ajbedfordgroup.com TBPLS REG #10118200
Sheet 1 of 2
AJ Bedford Group, Inc.
Registered Professional Land Surveyors
Texas State Plane coordinates shown are based on City of Rockwall Monument No. 10 and No. 11.
N:\ALL FILES\593-Bno Rash\RASH 3-12-15.dwg, 5/20/2015 9:04:19 AM

62



City of Rockwall

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

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

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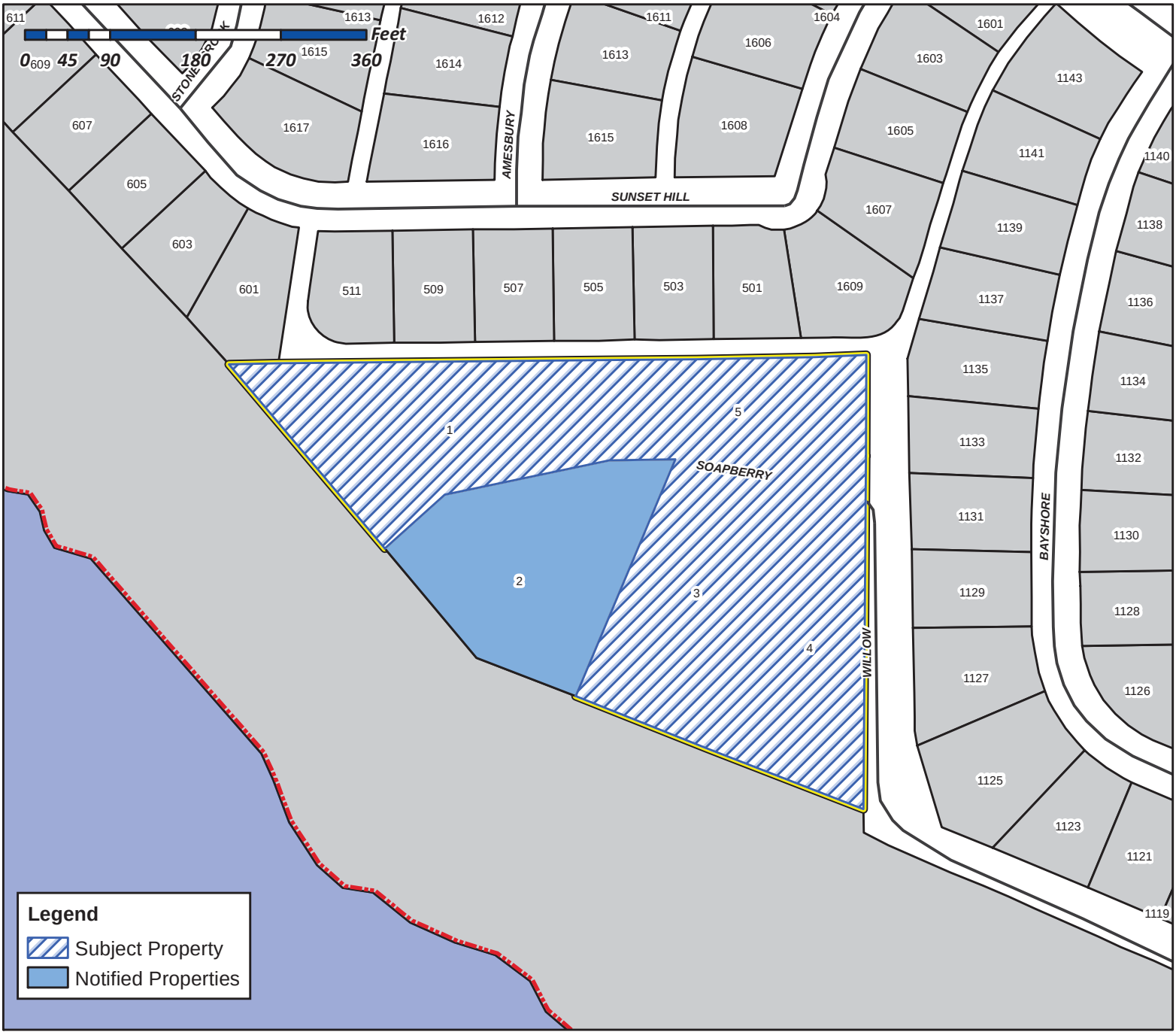
City of Rockwall

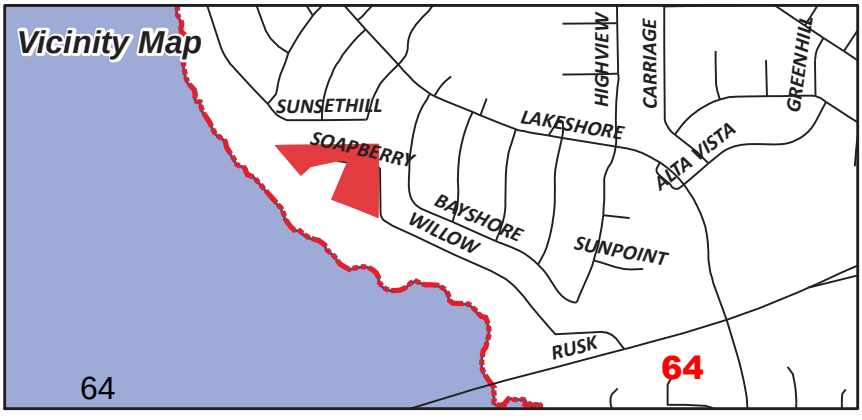
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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



Case Number: P2015-014
Case Name: Grady Rash Subdivision
Case Type: Amending Plat
Zoning: SF-10
Case Address: Soapberry Ln

Date Created: *05/07/2015*
For Questions on this Case Call (972) 771-7745



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

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

To Whom It May Concern:

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

Case No. P2015-014: GRADY RASH SUBDIVISION - Residential Rep

Hold a public hearing to discuss and consider a request by Jay Bedford of A.J. Bedford Group, Inc. for the approval of a residential replat creating Lots 6, 7, & 8, Block A, Grady Rash Subdivision, being a 3.727-acre tract of land currently identified as Lots 1, 2, 4, & 5, Grady Rash Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single Family Residential (SF-10) District, addressed as 1 Soapberry Lane, 2 Soapberry Lane, 4 Soapberry Lane, & 5 Soapberry Lane, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 5/26/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 6/1/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **6/1/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. P2015-014: GRADY RASH SUBDIVISION - Residential Rep

Please place a check mark on the appropriate line below:

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

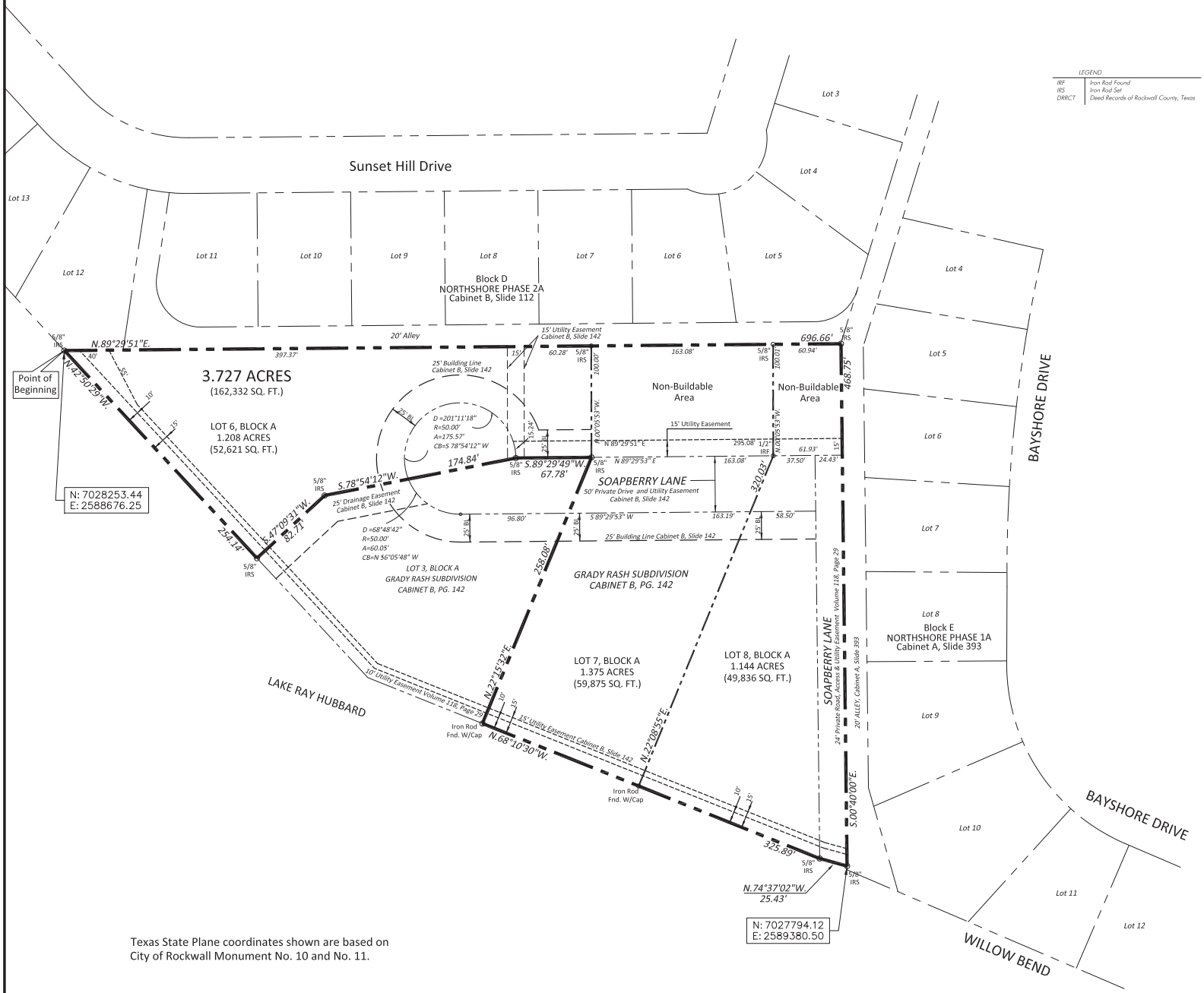
☐ I am opposed to the request for the reasons listed below.

Name:

Address:

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

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



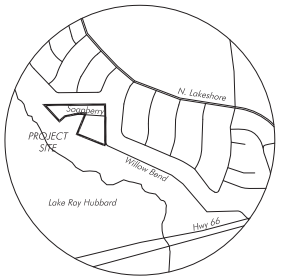
LEGEND

IRF	Iron Rod Found
IRS	Iron Rod Set
DRRCT	Deed Records of Rockwall County, Texas

N

0' 30' 60' 120'

SCALE: 1" = 60'



LOCATION MAP
NOT TO SCALE

Texas State Plane coordinates shown are based on
City of Rockwall Monument No. 10 and No. 11.

The purpose of this replat is to reconfigure 4 lots into 3 lots.

CASE NO. P2015-014

FINAL PLAT
GRADY RASH SUBDIVISION
LOTS 6, 7 & 8, BLOCK A
3.727 ACRES

Being all of Lot 1, 2, 4 & 5, Block A of the Revised Final Plat of Grady Rash Subdivision an addition to the City of Rockwall according to the plat recorded in Cabinet B, Slide 142, Map Records Rockwall County, Texas.

SITUATED IN THE W. E. BOWLES SURVEY ABSTRACT NO. 12
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

Owners: ROBERT D RASH
1 SOAPBERRY LANE
ROCKWALL, TEXAS 75087 214-557-0537

RANDALL L & KAREN RASH
4 SOAPBERRY LANE
ROCKWALL, TEXAS 75087

MARTHA PLUMMER PLUMMER LIFE ESTATE, ROBERT DENNIS & POLLY R RASH
JOAN RASH & JACK STANLEY PAPPA
1 & 5 SOAPBERRY LANE
ROCKWALL, TEXAS 75087

Scale:	1" = 60'
Date:	March 30, 2015
Technician:	L. Spradling
Drawn By:	L. Spradling
Checked By:	A.J. Bedford
P.C.:	D. Cryer
File:	Rash 3-12-15
Job. No.	593-001
GF No.	N/A

201 N. Alamo Rd. * Rockwall, Texas 75087 972-722-0225
ajb@ajbedfordgroup.com www.ajbedfordgroup.com TBPLS REG #10118200

Sheet: 1 Of: 2

AJ Bedford Group, Inc.
Registered Professional Land Surveyors

N:\ALL FILES\593-Bob Rash\RASH 3-12-15.dwg, Model, 5/26/2015 11:04:59 AM

66

OWNERS CERTIFICATE §
STATE OF TEXAS §
COUNTY OF ROCKWALL §

WHEREAS MARTHA PLUMMER RASH LIFE ESTATE, ROBERT D. RASH AND RANDALL L & KAREN RASH, are the owners of a 3.727 acre tract of land situated in the W. P. Bowles Survey Abstract No. 12, City of Rockwall, Rockwall County, Texas and being all of Lots 1, 2, 4, and 5, Block A of Grady Rash Subdivision an addition to the City of Rockwall according to the plat recorded in Cabinet B, Slide 142, Map Records Rockwall County, Texas (MRRCT) and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod set in the east line of Lake Ray Hubbard and being the northwest corner of said Lot 2 and the most southerly southwest corner of Lot 12, Block D of Northshore Phase 2A an addition to the City of Rockwall according to the plat recorded in Cabinet B, Slide 112 (MRRCT);

THENCE along the north line of said Grady Rash Subdivision and the south line of said Northshore Phase 2A, NORTH 89°29'51" EAST a distance of 696.66 feet to a 5/8 inch iron rod set for corner at the northeast corner of said Grady Rash Subdivision and the southeast corner of said Northshore Phase 2A and being in the west line of Northshore Phase 1A an addition to the City of Rockwall according to the plat recorded in Cabinet A, Slide 393 (MRRCT);

THENCE along the east line of said Grady Rash Subdivision and the west line of said Northshore Phase 1A, SOUTH 00°40'00" EAST a distance of 468.75 feet to a 5/8 inch iron rod set for corner in the northeasterly line of said Lake Ray Hubbard;

THENCE along the south line of said Grady Rash Subdivision and the northeasterly line of said Lake Ray Hubbard as follows:

NORTH 74°37'02" WEST a distance of 25.43 feet to a 5/8 inch iron rod set for corner;

NORTH 68°10'30" WEST a distance of 325.89 feet to a capped iron rod found for corner at the southwest corner of said Lot 4;

THENCE along the west line of said Lot 4, NORTH 22°15'32" EAST a distance of 258.08 feet to a 5/8 inch iron rod set for corner in the south line of said Lot 1;

THENCE along the south line of said Lot 1, SOUTH 89°29'49" WEST a distance of 67.78 feet to a 5/8 inch iron rod set for corner at the southeast corner of said Lot 2;

THENCE continuing along the south line of said Lot 2, SOUTH 78°54'12" WEST a distance of 174.84 feet to a 5/8 inch iron rod set for corner;

THENCE continuing along the south line of said Lot 2, SOUTH 47°09'31" WEST a distance of 82.71 feet to a 5/8 inch iron rod set for corner in the east line of said Lake Ray Hubbard;

THENCE along the west line of said Lot 2 and the east line of said Lake Ray Hubbard, NORTH 42°50'29" WEST a distance of 254.14 feet to the POINT OF BEGINNING;

CONTAINING 3.727 acres or 162,332 square feet of land more or less

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS §
COUNTY OF ROCKWALL §

I the undersigned owner of the land shown on this plat, and designated herein as the GRADY RASH SUBDIVISION, LOTS 6, 7 AND 8 BLOCK A to the City of Rockwall, Rockwall County, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown for the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the GRADY RASH SUBDIVISION, LOTS 6, 7 AND 8 BLOCK A have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following:

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house, dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I , my successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exactions made herein.

MARTHA PLUMMER RASH LIFE ESTATE - OWNER LOTS 1 AND 2

_____

STATE OF TEXAS §
COUNTY OF ROCKWALL §

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person(s) whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, 2015.

_____
Notary Public in and for the State of Texas

_____
Signature of Party With Mortgage or Lien Interest

ROBERT D. RASH - OWNER LOT 4

_____

STATE OF TEXAS §
COUNTY OF ROCKWALL §

Before me, the undersigned authority, on this day personally appeared ROBERT D. RASH, known to me to be the person(s) whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, 2015.

_____
Notary Public in and for the State of Texas

_____
Signature of Party With Mortgage or Lien Interest

RANDAL L. & KAREN RASH - OWNER LOT 5

_____

STATE OF TEXAS §
COUNTY OF ROCKWALL §

Before me, the undersigned authority, on this day personally appeared RANDALL L. & KAREN RASH known to me to be the person(s) whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, 2015.

_____
Notary Public in and for the State of Texas

_____
Signature of Party With Mortgage or Lien Interest

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Austin J. Bedford, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

_____
Austin J. Bedford
Registered Professional Land Surveyor No. 4132

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2015.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 2015.

_____ _____
Mayor, City of Rockwall City Secretary

_____
City Engineer

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

The purpose of this replat is to reconfigure 4 lots into 3 lots.

CASE NO. P2015-014

FINAL PLAT
GRADY RASH SUBDIVISION
LOTS 6, 7 & 8, BLOCK A
3.727 ACRES

Being all of Lot 1, 2, 4 & 5, Block A of the Revised Final Plat of Grady Rash Subdivision an addition to the City of Rockwall according to the plat recorded in Cabinet B, Slide 142, Map Records Rockwall County, Texas.

SITUATED IN THE W. E. BOWLES SURVEY ABSTRACT NO. 12
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

Owners: ROBERT D RASH
1 SOAPBERRY LANE
ROCKWALL, TEXAS 75087 214-557-0537

RANDALL L & KAREN RASH
4 SOAPBERRY LANE
ROCKWALL, TEXAS 75087

MARTHA PLUMMER PLUMMER LIFE ESTATE, ROBERT DENNIS & POLLY R RASH
JOAN RASH & JACK STANLEY PAPPA
1 & 5 SOAPBERRY LANE
ROCKWALL, TEXAS 75087

Scale:	1" = 60'
Date:	March 30, 2015
Technician:	L. Spradling
Drawn By:	L. Spradling
Checked By:	A.J. Bedford
P.C.:	D. Cryer
File:	Rash 3-12-15
Job. No.	593-001
GF No.	N/A

301 N. Alamo Rd. * Rockwall, Texas 75087 972-722-0225
ajb@ajbedfordgroup.com www.ajbedfordgroup.com TBPLS REG #10118200

Sheet: 2 Of: 2

AJ Bedford Group, Inc.
Registered Professional Land Surveyors

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CITY OF ROCKWALL

RESOLUTION NO. 15-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPOINTING THE ROCKWALL MUNCIPAL COURT JUDGE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Texas law govern the appointment of the City's Municipal Judge to a two-year term; and

WHEREAS, the City Charter Section 4.03 provides that the City Council will appoint a City Judge of the Municipal Court who will be appointed to a two-year term and may be reappointed to additional terms; and

WHEREAS, Cathy Mason Penn is a duly qualified attorney licensed in the State of Texas and has served in the capacity of Municipal Court Judge for five years; and

WHEREAS, the City Charter was amended in May 2015 to allow for the City Council to appoint an Associate City Judge(s) that meet the same qualifications as the City Judge of the Municipal Court who will work in the absence of the City Judge; and

WHEREAS, the City has begun the process to fill the position of Associate Judge and it is anticipated such position will be filled before July 30, 2015;

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

Section 1. Cathy Mason Penn is duly qualified to serve as Municipal Court Judge and is hereby reappointed to serve a term of two (2) years coinciding with the term of the Mayor to begin on June 1, 2015 and end on May 31, 2017.

Section 2. The Mayor is authorized to execute an agreement with Cathy Mason Penn for services as Municipal Court Judge.

Section 3. This Resolution shall become effective from and after its adoption and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 1st day of June 2015.

Jim Pruitt, Mayor

ATTEST

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 06/01/2015

APPLICANT: Jennifer Garcia of KBGE

AGENDA ITEM: **SP2015-012;** General Retail Store – S. Goliad Street

---

SUMMARY:

Discuss and consider a request by Jennifer Garcia of KBGE on behalf of Rockwall Ice Cream Holdings, LLC for the approval of a variance to horizontal articulation requirements as stipulated by Article V, District Development Standards, of the Unified Development Code in conjunction with an approved site plan for a general retail store on a 0.91-acre tract of land identified as Tract 36 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of SH-205 [S. Goliad Street] north of the intersection of SH-205 and Yellow Jacket Lane, and take any action necessary.

PURPOSE:

The applicant is requesting approval of a variance(s) as identified in this staff report for not meeting the articulation standards of the Unified Development Code (UDC). A site plan for the proposed location was approved by the Planning and Zoning Commission on May 12, 2015. However, the Planning Commission did not take action on the variance requested at that time due to constraints of the site as outlined by the applicant. The Planning Commission remanded the elevations back to the Architectural Review Board (ARB) for a subsequent review and recommendation based on the changes presented to P&Z at the May 12th meeting.

VARIANCE REQUEST:

The applicant is requesting the following variances to the *Unified Development Code*, *Article V, Section 4.1 General Commercial District Standards*, to allow for not meeting the Horizontal Articulation requirements as established in *Art. V, Sec. 4.1, C.1.a. & b* and as depicted in the color perspective and color elevations submitted. The code reads as follows:

C. *Building articulation.*

1. *Requirements.* Facades shall meet the following minimum standards for articulation:

    a. *Horizontal articulation.* No building wall shall extend for a distance equal to three times the wall's height without having an offset of 25 percent of the wall's height, and that new plane shall extend for a distance equal to at least 25 percent of the maximum length of the first plane.

b. *Vertical articulation.* No horizontal wall shall extend for a distance greater than three times the height of the wall without changing height by a minimum of 25 percent of the wall's height.

The applicant has provided an offset (bump-out) on each wall and two (2) vertical elements (south & west facing elevations); however, the offsets do not meet the technical definition for horizontal articulation and the vertical element (south facing) and lack of vertical elements on two sides (north & east facing) do not meet the intent of the vertical articulation standard as well. The variances requested by the applicant for not meeting the horizontal and vertical articulation standards of the UDC requires a simple majority vote in the affirmative of all council members present for approval.

ARCHITECTURAL REVIEW BOARD RECOMMENDATION:

On April 28, 2015, the Architectural Review Board (ARB) reviewed the proposed building elevations for the site. General discussion concerning the agenda item took place between the Board Members and city staff. The board expressed concern with the lack of horizontal and vertical articulation for the building as well as their desire to retain the pilaster elements at the corners. To address these concerns the board recommended that the applicant increase the horizontal and vertical projections of the front entry element and to lower the cornice of the pilaster to be in line with the lower (main) parapet.

The applicant has revised the front elevation by increasing the horizontal and vertical projections, which meets the ARB's concern for articulation on the front façade; however, the pilaster elements are not on the revised elevations, and therefore do not meet the ARB's overall recommendation. It should be noted that the applicant's revised plans indicate vertical elements on each wall that meet the intent of the UDC with regard to vertical articulation; however, a variance to the horizontal articulation is still required.

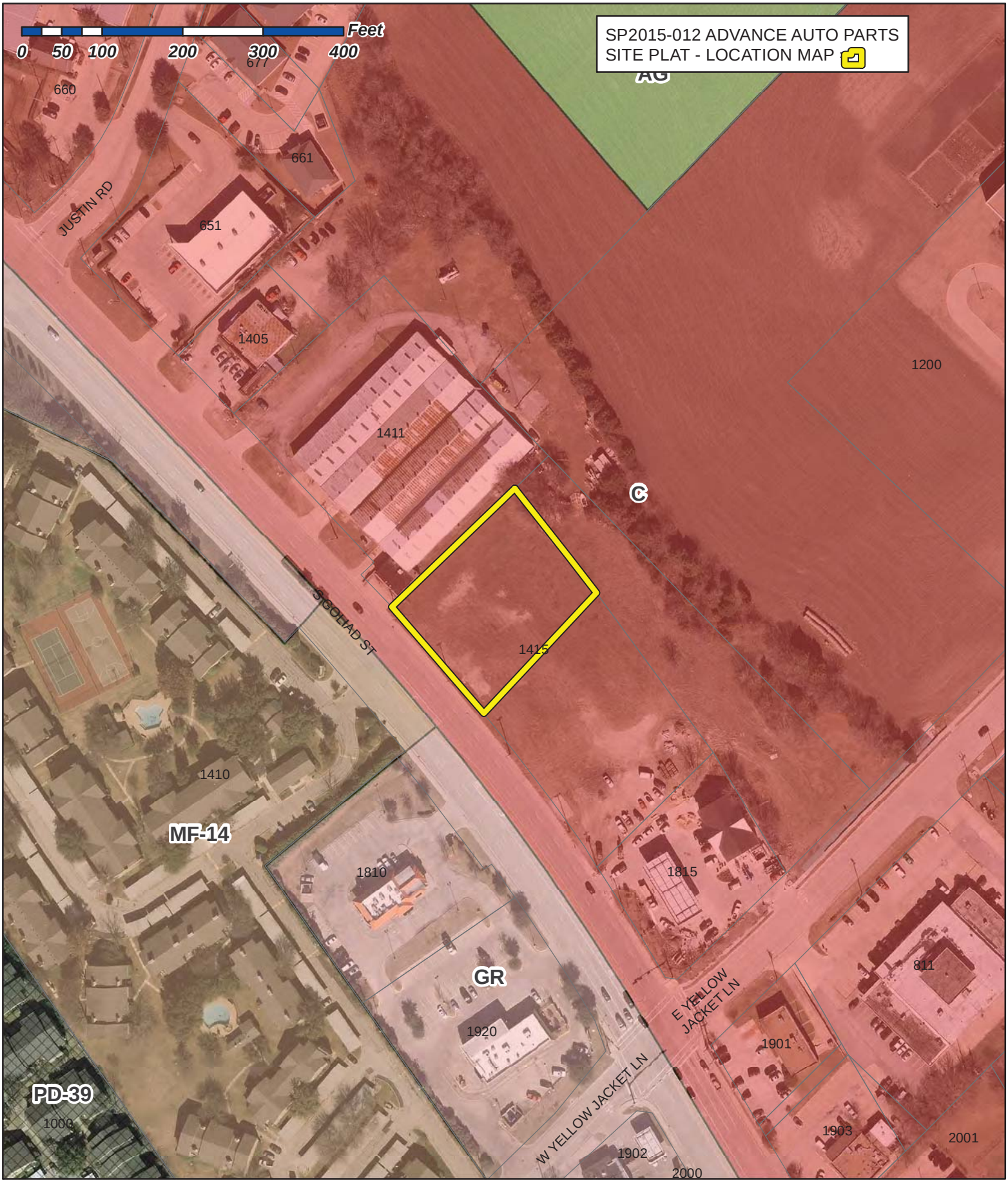
The ARB requested to review the revised elevations via e-mail. At the time of this report, staff has not received comments from the ARB members.

On May 9, 2015, ARB Board Member Mase (Mase) responded to the e-mail addressing all other members of the board requesting feedback to a question concerning the vertical articulation of the side and back being as tall as the front elevation. No other responses were received by staff either for or against the proposed changes or for the question posed by Mase.

On May 26, 2015, the Architectural Review Board reviewed the revisions submitted by the applicant, and unanimously recommended approval of the revised elevations.

PLANNING AND ZONING RECOMMENDATION:

On May 12, 2015, the Planning and Zoning Commission did not take action on the variance requested, rather remanded the elevations back to the Architectural Review Board (ARB) for a subsequent review and recommendation after approving the site plan. On May 26, 2015, the Planning Commission approved a motion recommending approval of the variances to the horizontal and vertical articulation requirements by a vote of 7 to 0.



City of Rockwall

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

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

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1:1,846



FRONT PERSPECTIVE VIEW



01 3-COAT STUCCO, PAINT "BEACHCOMBER"



02 SPLITFACE CMU, PAINT "CASTLEROCK"



03 3-COAT STUCCO, PAINT "AAP RED"



04 NATURAL STONE W/ CAP, "TEXAS RUST"



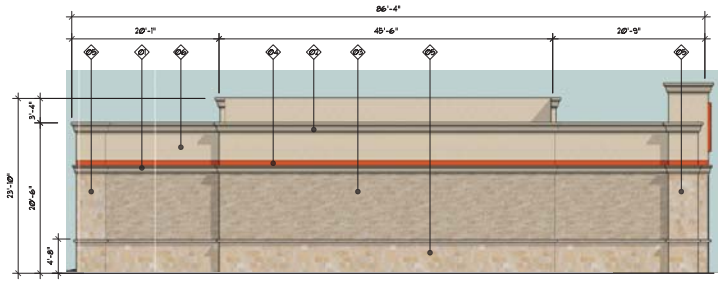
05 INSULATED GLAZING 1" CLEAR LOW-E

ADVANCE AUTO PARTS
1415 S. GOLIAD STREET, ROCKWALL TX 75087

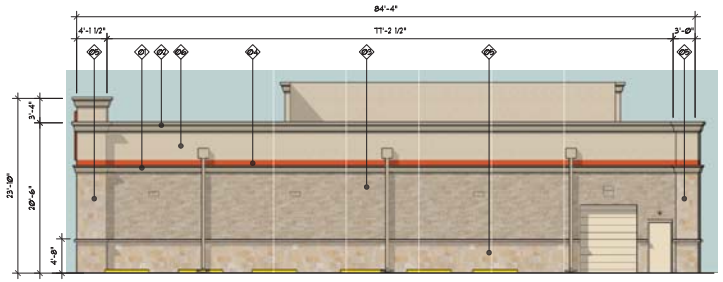
MAY 20, 2015 (SCALE: N.T.S.)

Applicant:
Ed Copeland, AIA
CaCo Architecture
921 N. Riverfront Blvd.
Dallas, TX 75207 ph: 972.934.7600
advancemail@cacoarchitecture.com

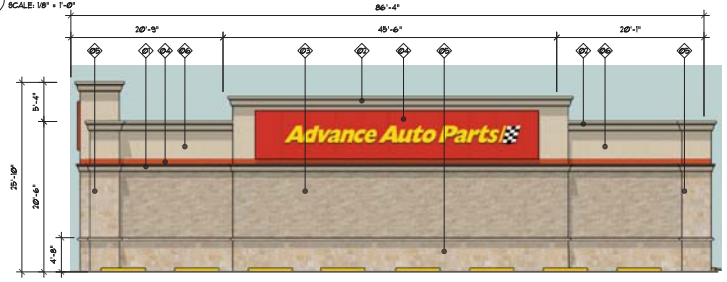
CaCo architecture



1 / A6 WEST ELEVATION
SCALE: 1/8" = 1'-0"



2 / A6 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



3 / A6 EAST ELEVATION
SCALE: 1/8" = 1'-0"



4 / A6 SOUTH ELEVATION (ADJACENT TO RIGHT-OF-WAY)
SCALE: 1/8" = 1'-0"

WEST ELEVATION:

TOTAL SURFACE AREA	1,729 SF		
LESS GLAZING/DOORS	-0 SF		
	1,729 SF		
TOTAL MASONRY PROVIDED:	1,729 SF	(100%)	MIN. REQUIRED: 90%
NATURAL STONE PROVIDED:	466 SF	(29.5%)	MIN. REQUIRED: 20% OF 90% OF SURFACE AREA
MATERIALS:			
SPLIT FACE CMU	687 SF	(39.1%)	
NATURAL STONE	466 SF	(27.0%)	
STUCCO	576 SF	(33.3%)	
GLAZING/DOORS	0 SF	(N/A)	
HORIZONTAL ARTICULATION:			
PROJECTING OFFSET PROVIDED:	8"	MIN. REQUIRED: 25% x 20'-6"H = 5'-1 1/2"	
LENGTH OF OFFSET PROVIDED:	21'-4"	MIN. REQUIRED: 25% x 83'-0"L = 20'-9"	
DISTANCE BETWEEN PROVIDED:	30'-10"	MAX. ALLOWED: 3 x 20'-6"H = 61'-6" OR 60'-0" MAX.	
VERTICAL ARTICULATION:			
PROJECTING OFFSET PROVIDED:	5'-4"	MIN. REQUIRED: 25% x 20'-6"H = 5'-1 1/2"	
LENGTH OF OFFSET PROVIDED:	21'-4"	MIN. REQUIRED: 25% x 83'-0"L = 20'-9"	
DISTANCE BETWEEN PROVIDED:	30'-10"	MAX. ALLOWED: 3 x 20'-6"H = 61'-6" OR 60'-0" MAX.	

NORTH ELEVATION:

TOTAL SURFACE AREA	1,729 SF		
LESS GLAZING/DOORS	-99 SF		
	1,630 SF		
TOTAL MASONRY PROVIDED:	1,630 SF	(100%)	MIN. REQUIRED: 90%
NATURAL STONE PROVIDED:	491 SF	(31.2%)	MIN. REQUIRED: 20% OF 90% OF SURFACE AREA
MATERIALS:			
SPLIT FACE CMU	650 SF	(37.6%)	
NATURAL STONE	491 SF	(28.4%)	
STUCCO	523 SF	(30.2%)	
GLAZING/DOORS	99 SF	(9.8%)	
HORIZONTAL ARTICULATION:			
PROJECTING OFFSET PROVIDED:	2'-0"	MIN. REQUIRED: 25% x 20'-6"H = 5'-1 1/2"	
LENGTH OF OFFSET PROVIDED:	21'-4"	MIN. REQUIRED: 25% x 83'-0"L = 20'-9"	
DISTANCE BETWEEN PROVIDED:	30'-10"	MAX. ALLOWED: 3 x 20'-6"H = 61'-6" OR 60'-0" MAX.	
VERTICAL ARTICULATION:			
PROJECTING OFFSET PROVIDED:	5'-4"	MIN. REQUIRED: 25% x 20'-6"H = 5'-1 1/2"	
LENGTH OF OFFSET PROVIDED:	21'-4"	MIN. REQUIRED: 25% x 83'-0"L = 20'-9"	
DISTANCE BETWEEN PROVIDED:	30'-10"	MAX. ALLOWED: 3 x 20'-6"H = 61'-6" OR 60'-0" MAX.	

EAST ELEVATION:

TOTAL SURFACE AREA	1,881 SF		
LESS GLAZING/DOORS	-0 SF		
	1,881 SF		
TOTAL MASONRY PROVIDED:	1,881 SF	(100%)	MIN. REQUIRED: 90%
NATURAL STONE PROVIDED:	466 SF	(21.5%)	MIN. REQUIRED: 20% OF 90% OF SURFACE AREA
MATERIALS:			
SPLIT FACE CMU	687 SF	(36.5%)	
NATURAL STONE	466 SF	(24.8%)	
STUCCO	728 SF	(38.7%)	
GLAZING/DOORS	0 SF	(N/A)	
HORIZONTAL ARTICULATION:			
PROJECTING OFFSET PROVIDED:	8"	MIN. REQUIRED: 25% x 20'-6"H = 5'-1 1/2"	
LENGTH OF OFFSET PROVIDED:	41'-9"	MIN. REQUIRED: 25% x 83'-0"L = 20'-9"	
DISTANCE BETWEEN PROVIDED:	20'-7"	MAX. ALLOWED: 3 x 20'-6"H = 61'-6" OR 60'-0" MAX.	
VERTICAL ARTICULATION:			
PROJECTING OFFSET PROVIDED:	5'-4"	MIN. REQUIRED: 25% x 20'-6"H = 5'-1 1/2"	
LENGTH OF OFFSET PROVIDED:	41'-9"	MIN. REQUIRED: 25% x 83'-0"L = 20'-9"	
DISTANCE BETWEEN PROVIDED:	20'-7"	MAX. ALLOWED: 3 x 20'-6"H = 61'-6" OR 60'-0" MAX.	

SOUTH ELEVATION:

TOTAL SURFACE AREA	1,972 SF		
LESS GLAZING/DOORS	-350 SF		
	1,622 SF		
TOTAL MASONRY PROVIDED:	1,622 SF	(100%)	MIN. REQUIRED: 90%
NATURAL STONE PROVIDED:	498 SF	(34.2%)	MIN. REQUIRED: 20% OF 90% OF SURFACE AREA
MATERIALS:			
SPLIT FACE CMU	372 SF	(18.9%)	
NATURAL STONE	498 SF	(29.3%)	
STUCCO	754 SF	(38.1%)	
GLAZING/DOORS	350 SF	(11.1%)	
HORIZONTAL ARTICULATION:			
PROJECTING OFFSET PROVIDED:	2'-0"	MIN. REQUIRED: 25% x 20'-6"H = 5'-1 1/2"	
LENGTH OF OFFSET PROVIDED:	49'-6"	MIN. REQUIRED: 25% x 83'-0"L = 20'-9"	
DISTANCE BETWEEN PROVIDED:	25'-4"	MAX. ALLOWED: 3 x 20'-6"H = 61'-6" OR 60'-0" MAX.	
VERTICAL ARTICULATION:			
PROJECTING OFFSET PROVIDED:	5'-4"	MIN. REQUIRED: 25% x 20'-6"H = 5'-1 1/2"	
LENGTH OF OFFSET PROVIDED:	49'-6"	MIN. REQUIRED: 25% x 83'-0"L = 20'-9"	
DISTANCE BETWEEN PROVIDED:	25'-4"	MAX. ALLOWED: 3 x 20'-6"H = 61'-6" OR 60'-0" MAX.	

KEYNOTES:

- (01) 3-COAT STUCCO TRIM, PAINT "BEACHCOMBER 20YY"
- (02) 3-COAT STUCCO CORNICE, PAINT "BEACHCOMBER 20YY"
- (03) SPLIT FACE CMU, PAINT "CASTLEROCK 10YY"
- (04) 3-COAT STUCCO, PAINT "AAP RED"
- (05) NATURAL STONE WITH CAP, "TEXAS RUST"
- (06) 3-COAT STUCCO, PAINT "BEACHCOMBER 20YY"

CaCo architecture

ARCHITECT:
CACO ARCHITECTURE, LLC.
501 N. RIVERFRONT BLVD. SUITE 500
DALLAS, TX 75207 (972) 934-7600

MEP ENGINEER:
BEN ENGINEERS, INC.
511 E. JOHN CARPENTER FWY. SUITE 210
IRVING, TX 75207 (214) 495-1579

STRUCTURAL:
STRENSTROM-SCHNEIDER, INC.
1941 ROYAL TRAIL SUITE 120, LB 10
DALLAS, TX 75248 (214) 491-4831

CIVIL:
RPRE ENGINEERING
105 WEST RIVERSIDE DRIVE, SUITE 110
AUSTIN, TX 78704 (512) 634-0450

Advance Auto Parts
1415 S. GOLIAD STREET
ROCKWALL, TX 75087
STORE # 13853

REV	DATE	DESCRIPTION
		REVISIONS

DATE	GROSS BLDG.
05-20-15	6,889 sf

PROJECT #: P1461.003
DRAWN BY: SWH
CHECKED: RED/EJC

ALL REPORTS, PLANS, SPECIFICATIONS, FIELD DATA, NOTES AND OTHER DOCUMENTS, INCLUDING ALL DOCUMENTS ON ELECTRONIC MEDIA, PREPARED BY THE DESIGN PROFESSIONAL AS INSTRUMENTS OF SERVICE SHALL REMAIN THE PROPERTY OF THE DESIGN PROFESSIONAL. DESIGNATION MAY NOT BE MADE TO OWNER OR ANY OTHER PARTY OF THE DESIGN PROFESSIONAL ALL COMMON LAW RIGHTS OF COPYRIGHT AND OTHERWISE, ARE HEREBY SPECIFICALLY RESERVED.

EXTERIOR ELEVATIONS

SP1

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City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

April 2015

Permits

Total Permits Issued: 272

Building Permits: 46 Contractor Permits: 226

Total Permit Values: $ 9,198,047.60

Building Permits: $ 8,014,264 Contractor Permits: $ 1,183,783.60

Total Fees Collected: $ 189,684.37

Building Permits: $167,164.33 Contractor Permits: $ 22,520.04

Board of Adjustment

Board of Adjustment Cases 1

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City of Rockwall

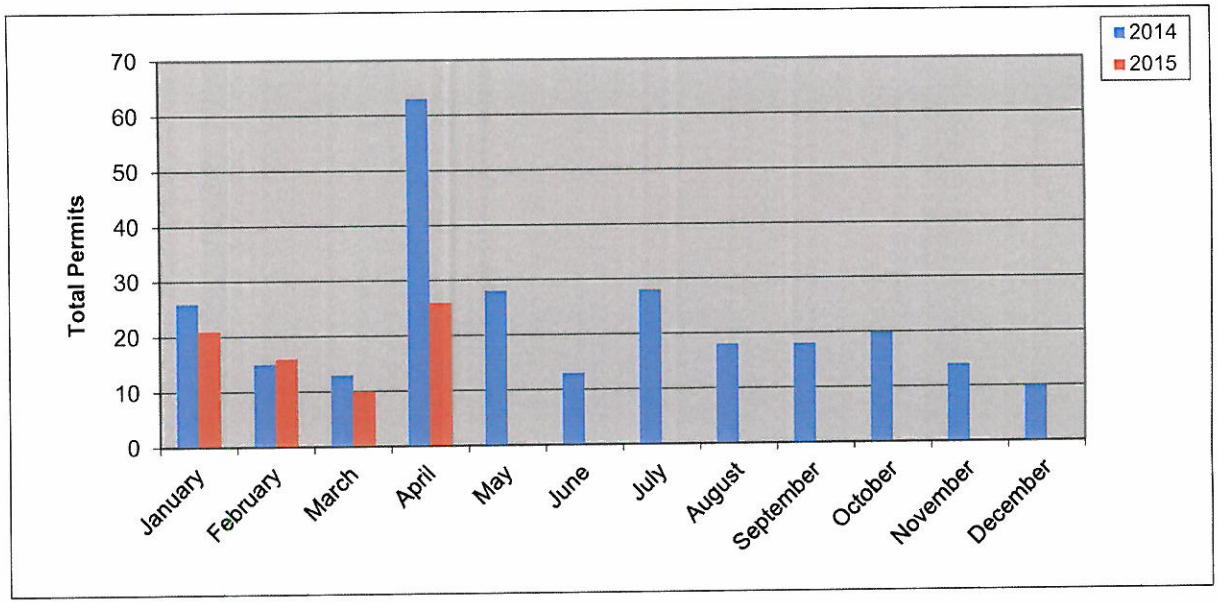
PERMITS ISSUED - Summary by Type and Subtype

For the Period 4/1/2015 thru 4/30/2015

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	2	$0.00	$100.00
30 DAY BANNER	2	$0.00	$100.00
CO	13	$0.00	$906.00
	1	$0.00	$75.00
BUSINESS	9	$0.00	$603.00
INTERIOR	1	$0.00	$75.00
NEW CONSTRUCTION	1	$0.00	$76.50
SHELL	1	$0.00	$76.50
COMM	18	$2,300,195.85	$47,575.46
ELECTRICAL	2	$15,400.00	$299.25
FENCE	2	$3,000.00	$71.50
IRRIGATION	2	$0.00	$7,492.62
MECHANICAL	1	$27,000.00	$422.95
NEW	2	$1,780,000.00	$34,939.09
PLUMBING	4	$3,882.85	$199.45
REMODEL	4	$468,413.00	$4,115.60
ROOF	1	$2,500.00	$35.00
FILL	1	$0.00	$0.00
PERMANENT	1	$0.00	$0.00
NONPROFIT SIGN PERMI	3	$0.00	$0.00
	3	$0.00	$0.00
SCHOOL	1	$150.00	$135.00
PLUMBING	1	$150.00	$135.00
SIGNAGE	8	$0.00	$676.50
WALL	8	$0.00	$676.50
SINGLE FAMILY	183	$6,897,701.75	$138,893.91
ACC BLDG	5	$15,283.00	$481.78
ALTERATION	2	$5,500.00	$158.00
BALCONY	1	$500.00	$35.00
CONCRETE	7	$16,200.00	$552.88
DECK	1	$2,625.00	$95.00
DEMO	1	$0.00	$50.00
ELECTRICAL	2	$22,190.00	$174.49
FENCE	34	$117,829.00	$1,198.20
IRRIGATION	20	$26,700.00	$700.00
MECHANICAL	21	$185,588.00	$3,821.20
NEW	26	$5,703,968.00	$126,553.60
PATIO COVER	5	$39,800.00	$835.61
PERGOLA	1	$800.00	$45.65
PLUMBING	28	$32,253.00	$1,549.60
RETAINING WALL	4	$23,300.00	$142.20
ROOF	8	$63,273.00	$283.70
SWIM POOL	14	$627,281.00	$2,112.00
WINDOWS	3	$14,611.75	$105.00
SPECIAL EVENT	43	$0.00	$1,397.50
	43	$0.00	$1,397.50
Totals:	272	$9,198,047.60	$189,684.37

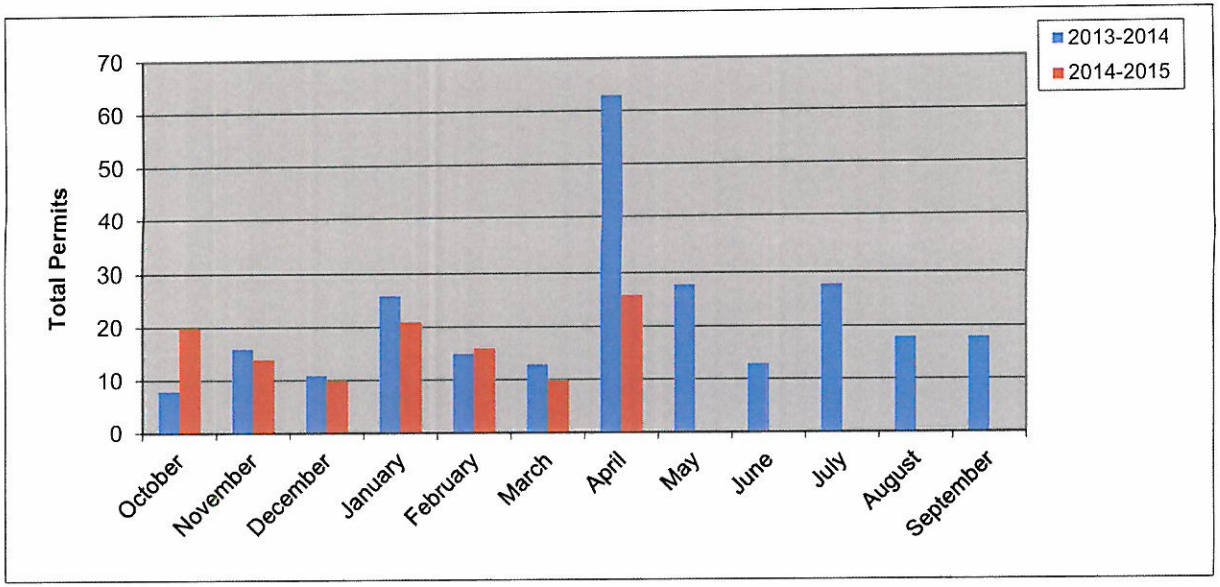
New Residential Permits Calendar Year

	Year	
	2014	2015
January	26	21
February	15	16
March	13	10
April	63	26
May	28	
June	13	
July	28	
August	18	
September	18	
October	20	
November	14	
December	10	
Totals	**266**	**73**



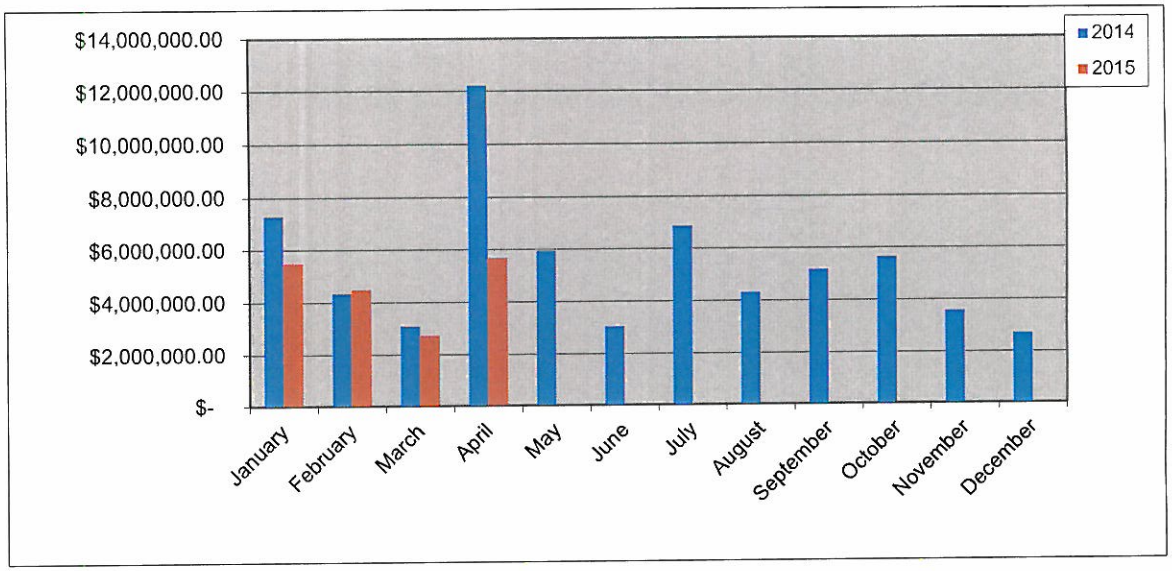
New Residential Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	8	20
November	16	14
December	11	10
January	26	21
February	15	16
March	13	10
April	63	26
May	28	
June	13	
July	28	
August	18	
September	18	
Totals	**257**	**117**



New Residential Value Calendar Year

Year	2014	2015
January	$ 7,288,000.00	$ 5,509,932.00
February	$ 4,353,427.00	$ 4,518,552.00
March	$ 3,094,927.74	$ 2,742,324.00
April	$ 12,228,936.33	$ 5,703,968.00
May	$ 5,960,240.00	
June	$ 3,048,536.00	
July	$ 6,883,062.87	
August	$ 4,330,100.19	
September	$ 5,184,201.79	
October	$ 5,661,792.00	
November	$ 3,581,756.00	
December	$ 2,712,503.00	
Totals	**$64,327,482.92**	**$ 18,474,776.00**



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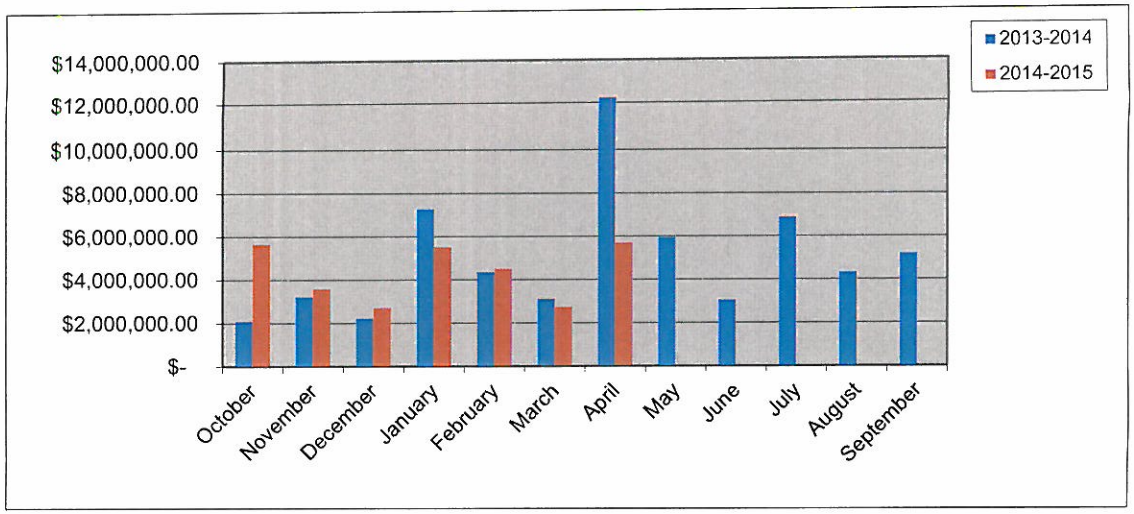
New Residential Value Fiscal Year

Year	2013-2014	2014-2015
October	$ 2,078,584.00	$ 5,661,792.00
November	$ 3,202,067.00	$ 3,581,756.00
December	$ 2,215,924.00	$ 2,712,503.00
January	$ 7,288,000.00	$ 5,509,932.00
February	$ 4,353,427.00	$ 4,518,552.00
March	$ 3,094,927.74	$ 2,742,324.00
April	$ 12,228,936.33	$ 5,703,968.00
May	$ 5,960,240.00	
June	$ 3,048,536.00	
July	$ 6,883,062.87	
August	$ 4,330,100.19	
September	$ 5,184,201.79	
Totals	**$59,868,006.92**	**$ 30,430,827.00**



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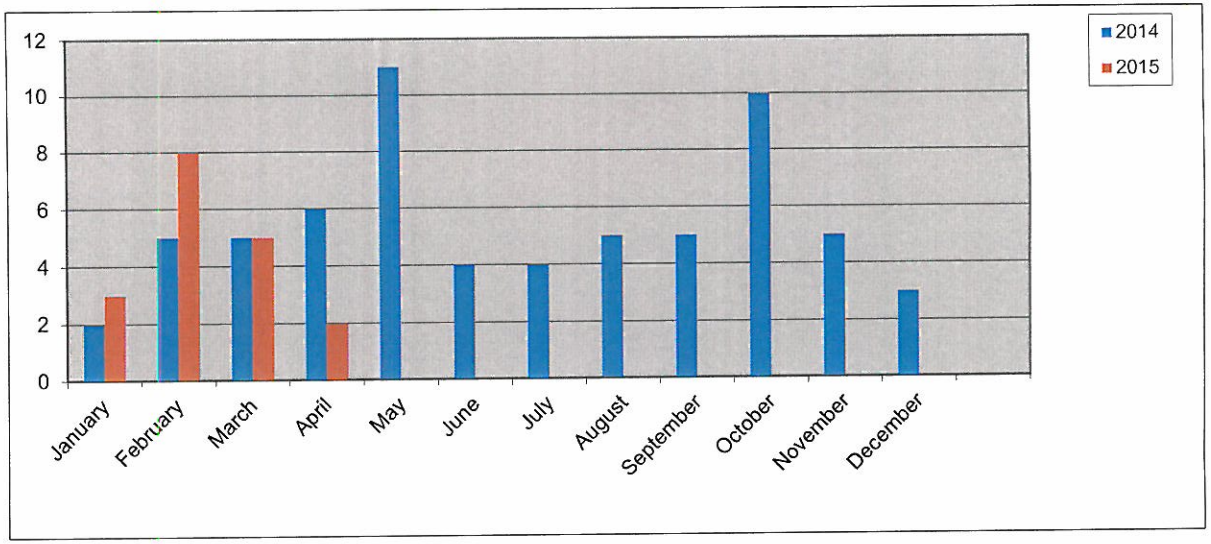
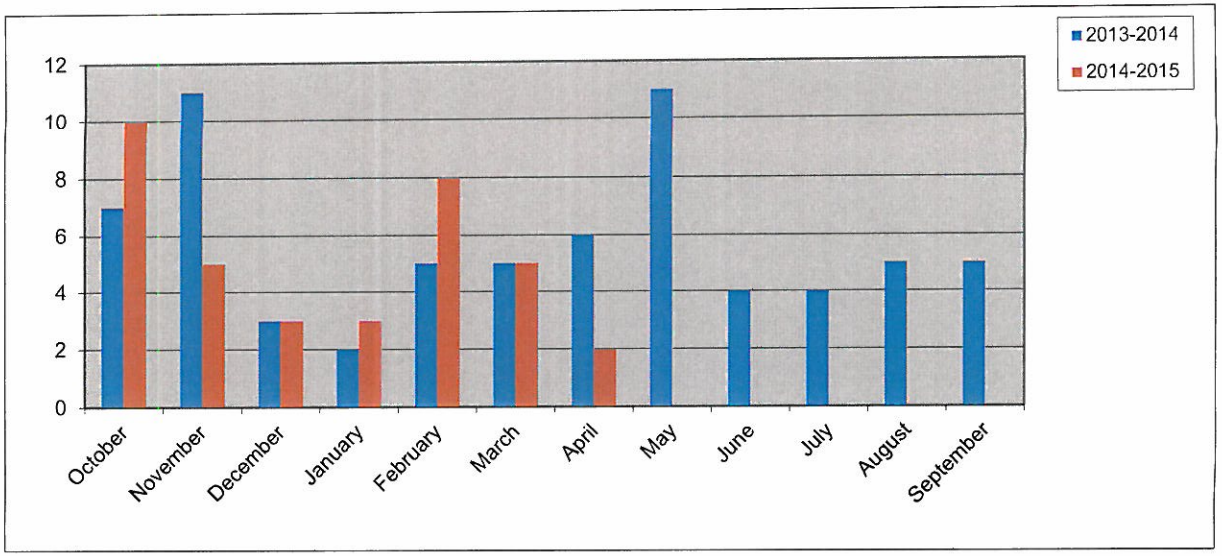
Residential Remodel Permits Calendar Year

	Year	
	2014	2015
January	2	3
February	5	8
March	5	5
April	6	2
May	11	
June	4	
July	4	
August	5	
September	5	
October	10	
November	5	
December	3	
Totals	**65**	18



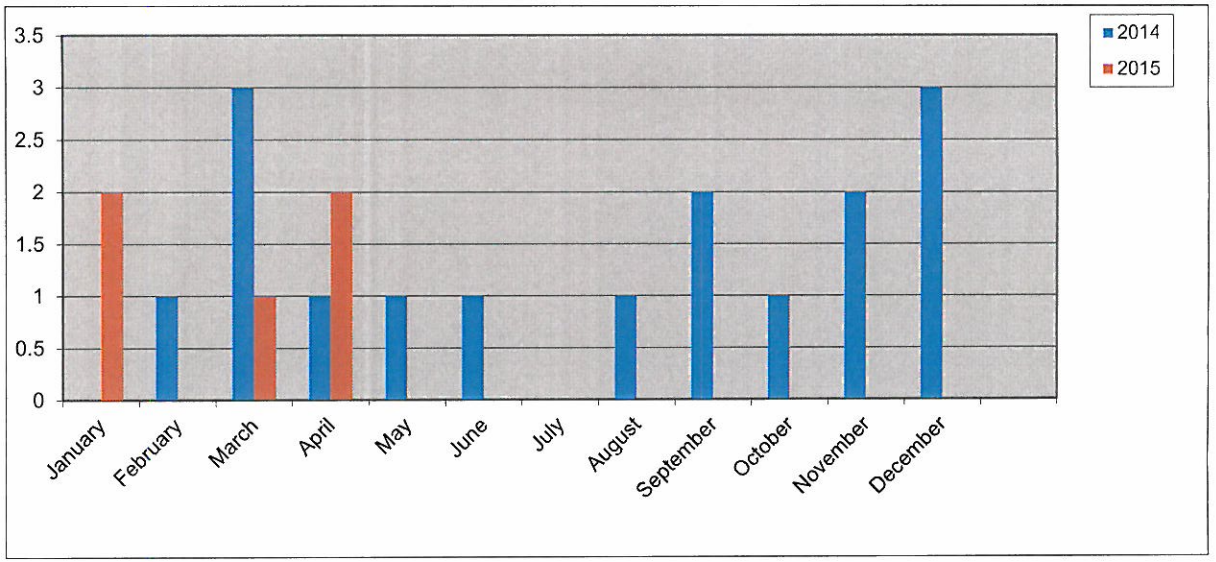
Residential Remodel Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	7	10
November	11	5
December	3	3
January	2	3
February	5	8
March	5	5
April	6	2
May	11	
June	4	
July	4	
August	5	
September	5	
Totals	**68**	**36**



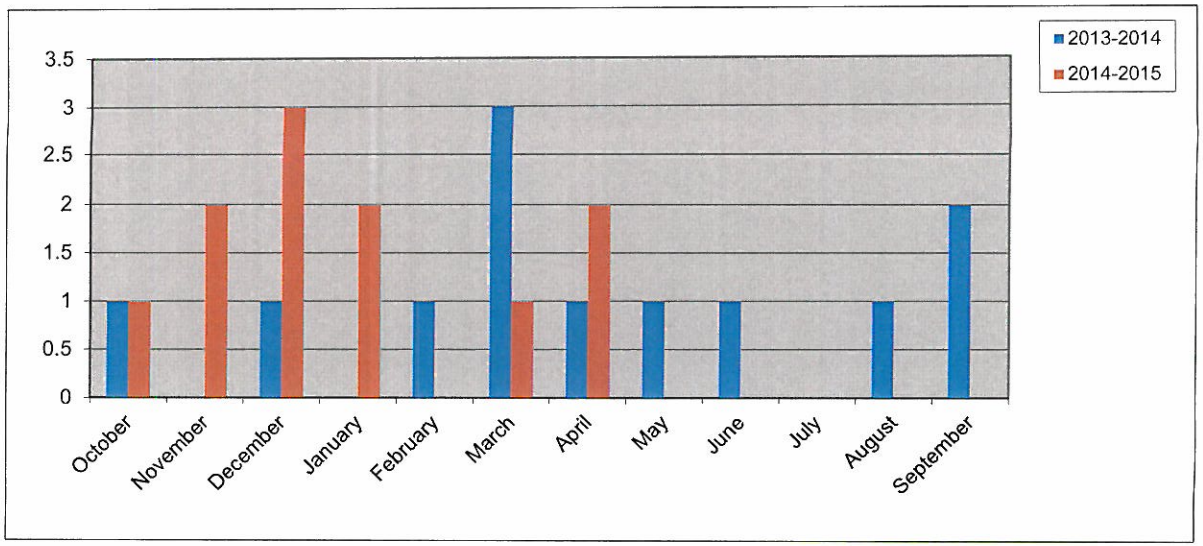
New Commercial Permits Calendar Year

	Year	
	2014	2015
January	0	2
February	1	0
March	3	1
April	1	2
May	1	
June	1	
July	0	
August	1	
September	2	
October	1	
November	2	
December	3	
Totals	**16**	**5**



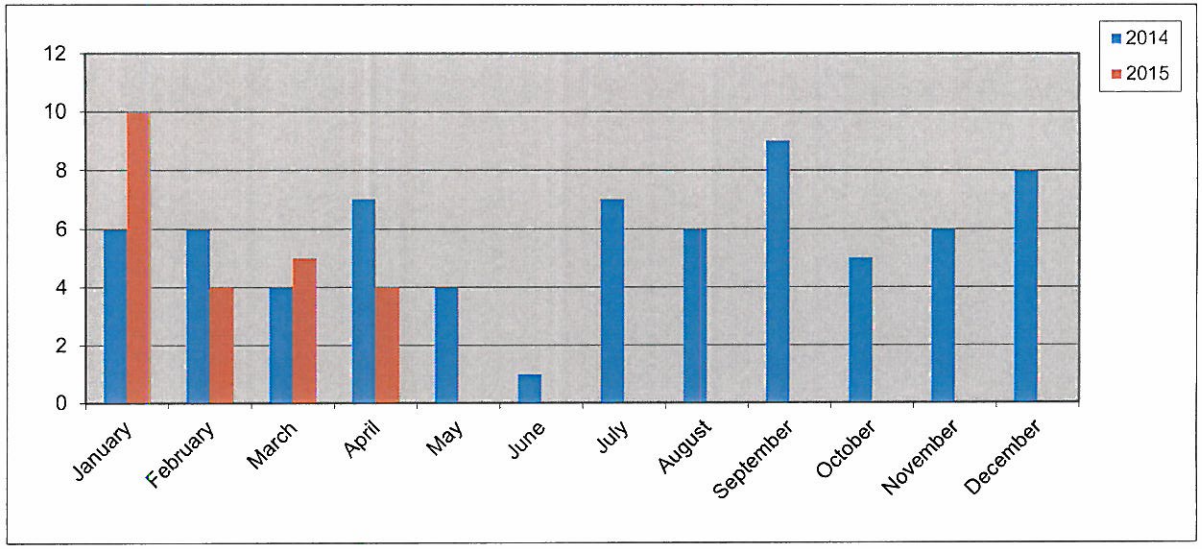
New Commercial Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	1	1
November	0	2
December	1	3
January	0	2
February	1	0
March	3	1
April	1	2
May	1	
June	1	
July	0	
August	1	
September	2	
Totals	**12**	**11**



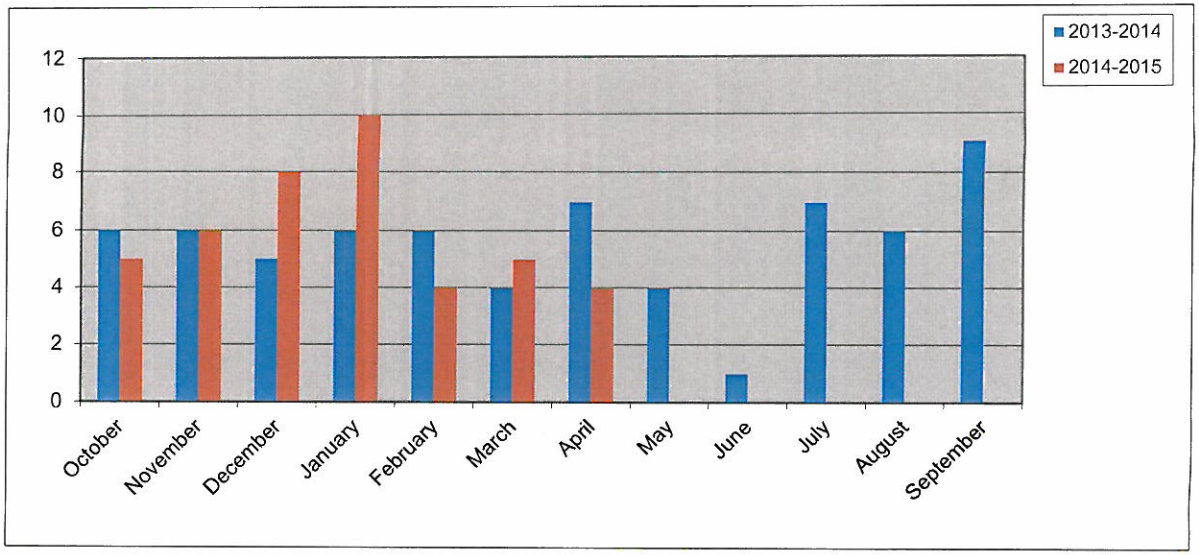
Commercial Remodel Permits Calendar Year

	Year	
	2014	2015
January	6	10
February	6	4
March	4	5
April	7	4
May	4	
June	1	
July	7	
August	6	
September	9	
October	5	
November	6	
December	8	
Totals	**69**	**23**



Commercial Remodel Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	6	5
November	6	6
December	5	8
January	6	10
February	**6**	**4**
March	4	5
April	7	4
May	4	
June	1	
July	7	
August	6	
September	9	
Totals	**67**	**42**



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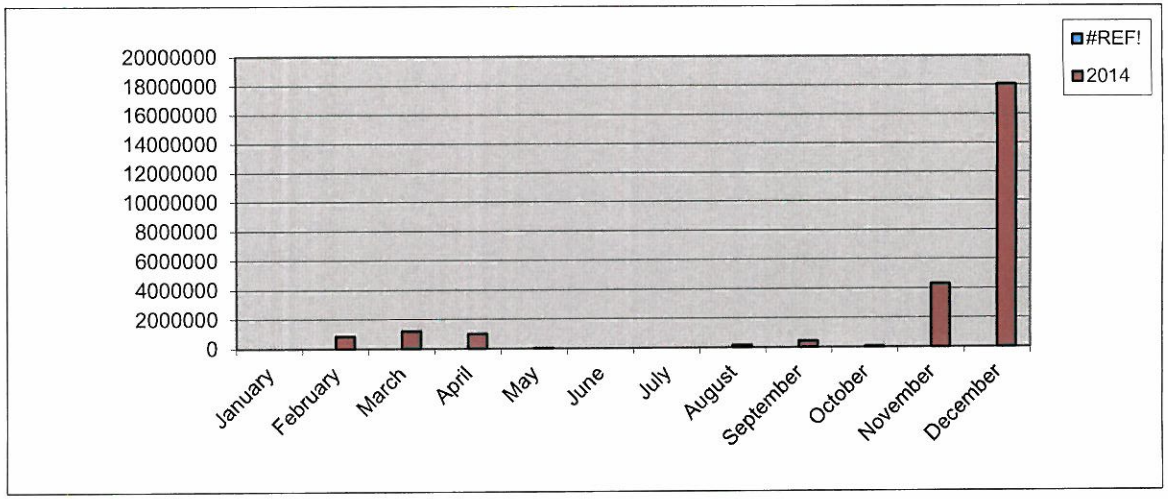
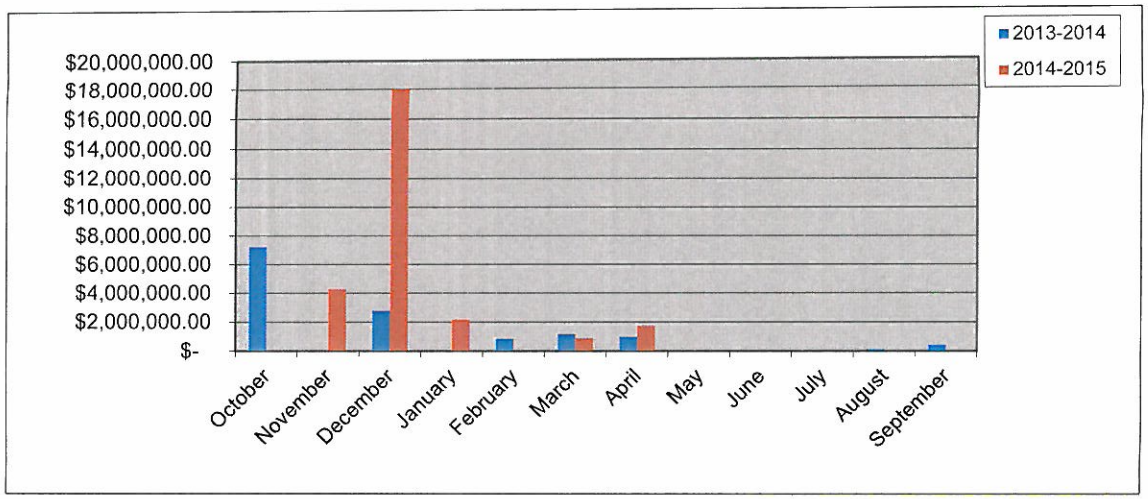
New Commercial Value Calendar Year

Year	2014	2015
January	$ -	$ 2,200,000.00
February	$ 850,000.00	$ -
March	$ 1,185,000.00	$ 930,000.00
April	$ 1,000,000.00	$ 1,780,000.00
May	$ 5,000.00	
June	$ -	
July		
August	$ 150,000.00	
September	$ 430,795.00	
October	$ 49,000.00	
November	$ 4,300,000.00	
December	$ 18,050,000.00	
Totals	**$ 26,019,795.00**	**$ 4,910,000.00**



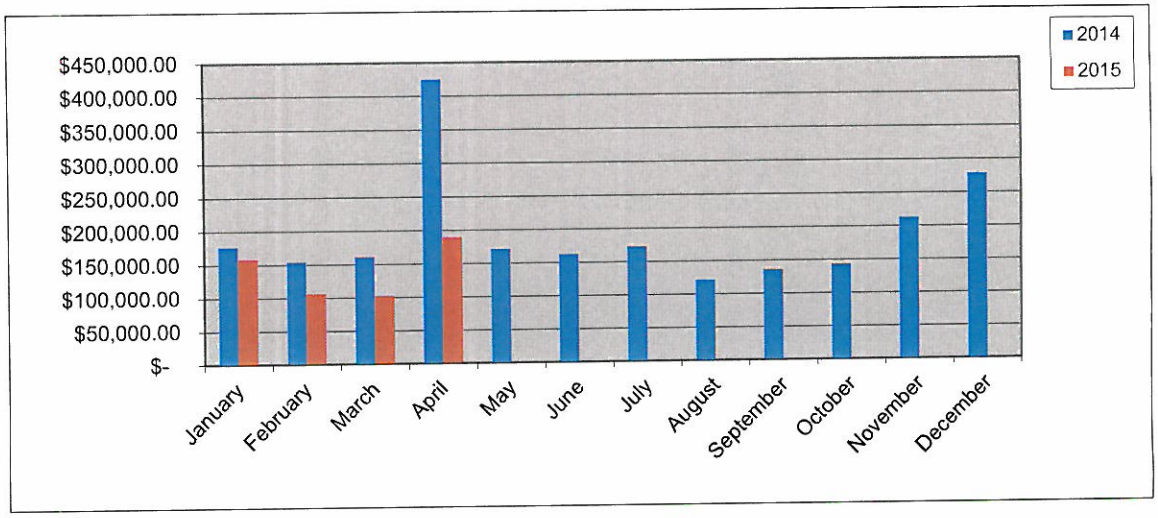
New Commercial Value Fiscal Year

Year	2013-2014	2014-2015
October	$ 7,225,000.00	$ 49,000.00
November	$ -	$ 4,300,000.00
December	$ 2,800,000.00	$ 18,050,000.00
January	$ -	$ 2,200,000.00
February	$ 850,000.00	$ -
March	$ 1,185,000.00	$ 930,000.00
April	$ 1,000,000.00	$ 1,780,000.00
May	$ 5,000.00	
June	$ -	
July		
August	$ 150,000.00	
September	$ 430,795.00	
Totals	**$ 13,645,795.00**	**$ 27,309,000.00**



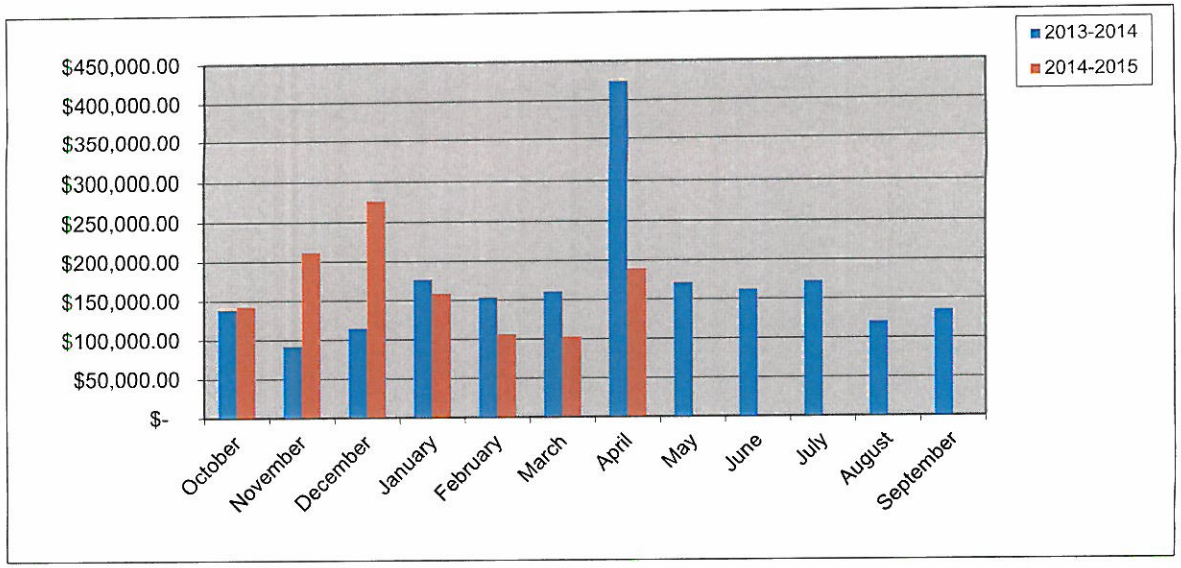
Total Fees Collected Calendar Year

Year	2014	2015
January	$ 176,162.63	$ 159,026.65
February	$ 153,458.98	$ 106,693.21
March	$ 160,530.91	$ 103,029.95
April	$ 425,003.86	$ 189,684.37
May	$ 170,849.07	
June	$ 161,690.82	
July	$ 172,232.70	
August	$ 120,790.39	
September	$ 135,478.13	
October	$ 143,153.00	
November	$ 212,222.54	
December	$ 277,864.58	
Totals	**$ 2,309,437.61**	**$ 558,434.18**



Total Fees Collected Fiscal Year

Year	2013-2014	2014-2015
October	$ 138,771.53	$ 143,153.00
November	$ 91,778.83	$ 212,222.54
December	$ 114,645.28	$ 277,864.58
January	$ 176,162.63	$ 159,026.65
February	$ 153,458.98	$ 106,693.21
March	$ 160,530.91	$ 103,029.95
April	$ 425,003.86	$ 189,684.37
May	$ 170,849.07	
June	$ 161,829.08	
July	$ 172,232.70	
August	$ 120,790.39	
September	$ 135,478.13	
Totals	**$ 2,021,531.39**	**$ 1,191,674.30**



City of Rockwall

PERMITS ISSUED

For the Period 4/1/2015 thru 4/30/2015

Permit Number	Permit Type	Site Address			
Application Date	Subtype	Parcel Number / Subdivision Name		Total Fees	
Issue Date	Status of Permit	Plan Number	Valuation	Total SQFT	Fees Paid
CO2014-0172	CO	1309 Ridge Rd 4866-000A-0001-00-0R	0.00	$ 76.50	$ 76.50
12/30/2014	SHELL	ROCKWALL COMMONS			
4/16/2015	ACTIVE	Rockwall Commons LLC		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	ROCKWALL, HH LLC		ROCKWALL	TX	75087	
BUS OWNER	Rockwall Commons LLC	341 Vericliff Ct.	Oviedo	FL	32765	(972) 961-8532

CO2014-0173	CO	830 Steger Towne Dr 5067-000A-0003-00-0R	0.00	$ 75.00	$ 75.00
12/31/2014	BUSINESS	STEGER TOWNE CROSSING PH 1			
4/9/2015	Active	Camp X Fitness		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	STEGER, DUNHILL LLC		DALLAS	TX	75205	
BUS OWNER	Michelle Clough	830 Steger Towne Dr	Terrell	TX	75160	(214) 373-7500
APPLICANT	Michelle Clough	1437 E. Oaklawn	Terrell	TX	75160	(214) 373-7500
INSP RPT EMAIL	Michelle Clough	1437 E. Oaklawn	Terrell	TX	75160	(214) 373-7500

CO2015-0019	CO	1611 SH 276 B 4007-000A-0001-00-0R	0.00	$ 75.00	$ 75.00
2/16/2015	BUSINESS	HOUSER ADDN			
4/30/2015	ACTIVE	PRC Concrete Pumping		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	COLIN-G, PROPERTIES LTD	A TEXAS LIMITED PARTNERSHIF	ROCKWALL	TX	75087	
APPLICANT	Mike Potter	P.O. Box 1984	ROCKWALL	TX	75087	(972) 771-3069
INSP RPT EMAIL	Mike Potter	1611 SH 276	Rockwall	TX	75032	(972) 771-3069
BUS OWNER	Mike Potter	1611 SH 276 B	Rockwall	TX	75032	(972) 771-3069

CO2015-0026	CO	6531 Horizon Suite C 3039-0002-0006-00-0R	0.00	$ 75.00	$ 75.00
3/2/2015	INTERIOR	ALLIANCE ADDITION PH 2			
4/13/2015	ACTIVE	Amazing Grades Tutoring		0	

Contact Type	Contact Name	Contact Address				Phone Number
BUS OWNER	Nancy Vance	1832 Bluebonnet	Rockwall	TX	75032	
OWNER	ROCKWALL, RENTAL PROPEF		TERRELL	TX	75160	

CO2015-0030	CO	890 Rockwall Pkwy 115 4703-000A-0019-00-0R	0.00	$ 75.00	$ 75.00
3/24/2015	BUSINESS	HORIZON RIDGE CENTER			
4/17/2015	ACTIVE	Texas Health Behavioral Servces		0	

Contact Type	Contact Name	Contact Address	Phone Number

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
INSP RPT EMAIL	Nate Moore				
OWNER	ROCKWALL, MEDICAL PROPE	C/O TED BARR MANAGING MEM	MIDDLEBURG HEIC OH	44130	
CONTRACTOR	MedTech Construction, Inc.	P.O. Box 2497	Rockwall TX	75087	(972) 226-3332
BUS OWNER	Dustin Webb	8140 Walnut Hill Lane #240	Rockwall TX	75032	(214) 345-7063
BUSINESS	Texas Health Behavioral Serivces				
CO2015-0031	CO	901 DAVY CROCKETT 4392-000A-0002-00-0R	0.00	$ 75.00	$ 75.00
3/27/2015	BUSINESS	MELTON & FRAZIER			
4/16/2015	Active	316 BJJ		0	
Contact Type	**Contact Name**	**Contact Address**			**Phone Number**
BUS OWNER	Robert Hatcher	P.O. Box 1236	Rockwall TX	75087	(469) 702-1316
BUSINESS	316 BJJ				
OWNER	HENRY, PATRICK ETUX	C/O HENRY PATRICK ETUX	ROCKWALL TX	75087	
CO2015-0032	CO	339 County Line Rd. 0080-0000-0020-01-0R	0.00	$ 76.50	$ 76.50
4/3/2015	BUSINESS	BUFFALO CREEK BUSINESS PARK			
4/23/2015	ACTIVE	Building Air Services		0	
Contact Type	**Contact Name**	**Contact Address**			**Phone Number**
OWNER	REX KELLY	2324 IH 30	Royse City Tx	75189	
APPLICANT	JEFFREY DICKSON				(727) 614-5241
BUS OWNER	Stephen Boose	6785 114th Ave.	Largo FL	33773	(727) 528-3688
CO2015-0034	CO	950 Sids Rd 0026-0000-0003-06-0R	0.00	$ 76.50	$ 76.50
4/7/2015	NEW CONSTRUCTION				
4/22/2015	ACTIVE	Rayburn Country Electric Cooperative, Inc.		0	
Contact Type	**Contact Name**	**Contact Address**			**Phone Number**
OWNER	RAYBURN, COUNTRY ELECTI		ROCKWALL TX	75087-003	
BUS OWNER	David Naylor & John Kirkland	950 Sids Rd.	Rockwall TX	75032	
BUSINESS	Rayburn Country Electric Cooper				
CO2015-0035	CO	1215 Arista Dr. 101 4009-000A-0010-02-0R	0.00	$ 75.00	$ 75.00
4/9/2015	BUSINESS	HORIZON RIDGE ADDITION			
4/23/2015	ACTIVE	Endodontic Specialist of Rockwall		0	
Contact Type	**Contact Name**	**Contact Address**			**Phone Number**
APPLICANT	Amr Radwan				
BUS OWNER	Dr. Maheeb Jaduni	4170 Lavon Dr. #1640	Garland TX	75040	(504) 261-6969
OWNER	NERITA, LLC		DALLAS TX	75229	

City of Rockwall

PERMITS ISSUED

For the Period 4/1/2015 thru 4/30/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0036 4/13/2015 4/14/2015	CO BUSINESS ACTIVE	919 IH 30 101 4799-000A-0009-00-0R ROCKWALL CROSSING Sleep Train	0.00	$ 0.00 0	$ 0.00

Contact Type	Contact Name	Contact Address				Phone Number
APPLICANT	Rob Jack					
OWNER	ROCKWALL, CROSSING LTD		FORT WORTH	TX	76107	
BUS OWNER	Sleep Expert Partners, LP	5815 Gulf Freeeway	Houston	TX	77023	(713) 651-2017

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0037 4/14/2015 4/16/2015	CO BUSINESS ACTIVE	2010 Industrial Blvd 604 4824-0000-0002-00-0R INDUSTRIAL ADDITION Fortress Manufacturing, LLC	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	ROCKWALL, STEEL CO		HEATH	TX	75032	
APPLICANT	Jason Rowe	4005 Tradewind Cir	Rowlett	TX	75088	(214) 790-9736
INSP RPT EMAIL	Jason Rowe	2010 Industrial Blvd # 603-604	Rockwall	TX	75087	(214) 790-9736
BUS OWNER	Jason Rowe	2010 Industrial Blvd # 603-604	Rockwall	TX	75087	(214) 790-9736
BUSINESS	Fortress Manufacturing, LLC					

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0039 4/16/2015 4/17/2015	CO BUSINESS ACTIVE	1657 Airport Rd. B1 4845-0000-0001-00-0R ROCKWALL MUNICIPAL AIRPORT Rockwall Flite Center LLC	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	CITY, OF ROCKWALL				0	
BUS OWNER	Eddie Walkowicz	3610 Syracuse	Garland	TX	75043	(972) 489-9100

12 **Permits Issued from: 4/1/2015** **Thru: 4/30/2015**

Total Valuation: $ 0.00
Total Fees: $ 831.00
Total Fees Paid: $ 831.00

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APRIL 2015

City of Rockwall
The Near Horizon

CITY CALLS	
Situation Type	**April #**
440 Electrical wiring	1
120 OTHER-Fire in mobile prop. used as a fixed struc., other	1
142 Brush or brush-and-grass mixture fire	2
143 Grass fire	1
311 Medical assist, assist EMS crew	1
322 Motor vehicle accident with injuries	2
331 Lock-in (if lock out , use 511)	1
412 Gas leak (natural gas or LPG)	4
442 Overheated motor	1
444 Power line down	5
445 Arcing, shorted electrical equipment	1
550 Public service assistance, other	1
551 Assist police or other governmental agency	6
553 Public service	3
556 Public service - Non paged	4
611 Dispatched & canceled en route	1
651 Smoke scare, odor of smoke	4
652 Steam, vapor, fog or dust thought to be smoke	1
671 HazMat release investigation w/no HazMat	2
700 False alarm or false call, other	2
714 Central station, malicious false alarm	1
715 Local alarm system, malicious false alarm	1
730 System malfunction, other	1
733 Smoke detector activation due to malfunction	2
735 Alarm system sounded due to malfunction	4
736 CO detector activation due to malfunction	1
740 Unintentional transmission of alarm, other	1
743 Smoke detector activation, no fire - unintentional	4
744 Detector activation, no fire - unintentional	1
745 Alarm system activation, no fire - unintentional	6
746 Carbon monoxide detector activation, no CO	2
814 Lightning strike (no fire)	1
900 Special type of incident, other	1
Totals:	70

COUNTY CALLS AND MUTUAL AID	
COUNTY Situation Type	April #
444 Power line down	2
743 Smoke detector activation, no fire - unintentional	1
745 Alarm system activation, no fire - unintentional	1
Totals:	4

FATE	**April #**
611 Dispatched & canceled en route	1
651 Smoke scare, odor of smoke	1
Totals:	2

McLendon Chisholm	**April #**
652 Steam, vapor, fog or dust thought to be smoke	1
Totals:	1

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Total Dollar Losses

April 2015

City of Rockwall
The New Horizon

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$10,000.00	$15,300.00	$4,000.00	$240,788.00	$157,560.00
Total Content Loss:	$0.00	$2,000.00	$0.00	$179,292.80	$13,000.00
Total Property Pre-Incident Value:	$238,255.00	$0.00	$0.00	$782,615.00	$152,910.00
Total Contents Pre-Incident Value	$142,953.00	$0.00	$0.00	$604,297.00	$90,252.00
Total Losses:	$10,000.00	$17,300.00	$4,000.00	$420,080.80	$10,000.00
Total Value:	$381,208.00	$.00	$.00	$1,386,912.00	$243,162.00

CITY RESPONSE
APRIL 2015

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes		0- 1 1/2 MINUTES	
CRITERIA MET %	19 of 22	CRITERIA MET %	3 of 3
CRITERIA -ACHIEVE RESPONSE TIME	86.00%	CRITERIA -ACHIEVE RESPONSE TIME	100%
90% OF TIME IN BOXES WITH	Criteria not met	60% OF TIME IN BOXES WITH	Criteria met
STATIONS		STATIONS	
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES		0-6 MINUTES	
CRITERIA MET %	20 of 22	CRITERIA MET %	2 of 3
CRITERIA -ACHIEVE RESPONSE TIME	90.91%	CRITERIA -ACHIEVE RESPONSE TIME	67.00%
90% OF TIME IN BOXES WITH	Criteria Met	60% OF TIME IN BOXES WITH	Criteria met
STATIONS		STATIONS	
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES		0-7 1/2 MINUTES	
CRITERIA MET%	21 of 22	CRITERIA MET%	2 of 3
CRITERIA -ACHIEVE RESPONSE TIME	95.00%	CRITERIA -ACHIEVE RESPONSE TIME	67.00%
90% OF TIME IN BOXES WITH	Criteira Met	60% OF TIME IN BOXES WITH	Criteria met
STATIONS		STATIONS	

COUNTY AND MUTUAL AID
RESPONSE
APRIL 2015

COUNTY/MUTUAL	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	0 OF 0%
CRITERIA -ACHIEVE RESPONSE TIME	
60% OF TIME IN BOXES WITH	
STATIONS	
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	0 OF 0%
CRITERIA -ACHIEVE RESPONSE TIME	
60% OF TIME IN BOXES WITH	
STATIONS	
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	
CRITERIA MET%	0 OF 0 %
CRITERIA -ACHIEVE RESPONSE TIME	
60% OF TIME IN BOXES WITH	
STATIONS	

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ENROUTE OVERAGES
CITY CALLS
APRIL 2015

VENUE	Alarm Date	Alarm Time	EnrouteTime	Paged to Enroute	Fire Incident Number	Fire Incident Station	Lights and Sirens	Apparatus	REASON FOR OVERAGES
Rockwall	04/28/2015	01:14:42	01:16:48	0:02:06	2015-00000315	Rockwall 1	Code 3	E1	CAD times do not match radio times
Rockwall	04/17/2015	22:33:27	22:35:17	0:01:50	2015-00000283	Rockwall 1	Code 3	E2	CAD times do not match radio times
Rockwall	04/30/2015	23:52:40	23:54:11	0:01:31	2015-00000324	Rockwall 4	Code 3	E4	CAD times do not match radio times

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ARRIVAL OVERAGES
CITY CALLS
APRIL 2015

VENUE	Alarm Date	EnrouteTime	Arrival time	Enroute to Arrival	Fire Incident Number	Fire Incident Station	Lights and Sirens	Apparatus	REASON FOR OVERAGES
Rockwall	04/17/2015	19:14:03	19:21:58	0:07:55	2015-00000281	Rockwall 2	Code 3	E4	Difficulty locating line down
Rockwall	04/18/2015	16:32:08	16:39:25	0:07:17	2015-00000286	Rockwall 4	Code 3	E4	reduced code while enroute
Rockwall	04/07/2015	19:31:00	19:37:02	0:06:02	2015-00000260	Rockwall 1	Code 3	TNK1	CAD times don't match radio times

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RESPONSE OVERAGES
CITY CALLS
APRIL 2015

VENUE	Alarm Date	Alarm Time	Arrival time	Response	Fire Incident Number	Fire Incident Station	Lights and Sirens	Apparatus	REASON FOR OVERAGES
Rockwall	04/17/2015	19:12:39	19:21:58	0:09:19	2015-00000281	Rockwall 2	Code 3	E4	difficulty locating down line
Rockwall	04/18/2015	16:31:21	16:39:25	0:08:04	2015-00000286	Rockwall 4	Code 3	E4	response to area without station

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Fire Alarms

April 2015

Date	Address	Common Name	Dispostion Code	CFS Number	Incident Number	Incident ORI	Call Type
04/01/2015 18:05:25	3141 BOURBON STREET CIR		FA	141	2015-00000247	TX504	FD - Fire Alarm Residential
04/02/2015 21:18:01	3141 BOURBON STREET CIR		FA	363	2015-00000249	TX504	FD - Fire Alarm Residential
04/03/2015 16:29:37	565 ANNA CADE RD		FA	518	2015-00000251	TX504	FD - Fire Alarm Residential
04/05/2015 21:50:30	1222 MEMORIAL DR		FA	926	2015-00000255	TX504	FD - Fire Alarm Residential
04/07/2015 01:31:00	350 DALTON RD	Nebbie	FA	1170	2015-00000258	TX504	FD - Fire Alarm Commercial
04/08/2015 15:50:38	3130 FONTANNA BLVD	Shannon Elementary, Sharon Shannon Elementary School	FA	1438	2015-00000262	TX504	FD - Fire Alarm Commercial
04/09/2015 14:53:36	609 S GOLIAD ST	Post Office	FA	1618	2015-00000266	TX504	FD - Fire Alarm Commercial
04/15/2015 10:00:54	1005 E I30	Dicks Sporting Goods, Plaza at Rockwall Bld 4	FA	2646	2015-00000275	TX504	FD - Fire Alarm Commercial
04/16/2015 20:55:19	610 S GOLIAD ST	First Baptist Church	FA	2963	2015-00000280	TX504	FD - Fire Alarm Commercial
04/18/2015 16:30:24	3055 DISCOVERY BLVD	Bimbo Bakeries	FA	3259	2015-00000286	TX504	FD - Fire Alarm Commercial
04/23/2015 11:24:12	1362 FM552		FA	4105	2015-00000300	TX504	FD - Fire Alarm Commercial
04/24/2015 15:39:59	920 STEGER TOWNE DR	Nations Bank - Albertsons, Sports Authority	FA	4310	2015-00000304	TX504	FD - Fire Alarm Commercial
04/24/2015 17:38:50	2110 PORTOFINO CIR		FA	4331	2015-00000305	TX504	FD - Fire Alarm Commercial
04/26/2015 09:25:05	103 E WASHINGTON ST		FA	4715	2015-00000309	TX504	FD - Fire Alarm Commercial
04/28/2015 01:13:47	996 E I30	Best Western	FA	5068	2015-00000315	TX504	FD - Fire Alarm Commercial
04/29/2015 15:45:36	5128 STHY205		FA	5342	2015-00000318	TX504	FD - Fire Alarm Residential
04/29/2015 21:11:45	205 W RUSK ST	PD, Police Department, Rockwall Municipal Court, Rockwall Police Department	FA	5400	2015-00000320	TX504	FD - Fire Alarm Commercial
04/30/2015 15:47:05	1 NORTHCREST CIR		FA	5544	2015-00000321	TX504	FD - Fire Alarm Residential
04/30/2015 22:19:04	111 LANSHIRE DR		FA	5623	2015-00000323	TX504	FD - Fire Alarm Residential
04/30/2015 23:51:24	1835 T L TOWNSEND DR	Galaxy Ranch Private School	FA	5636	2015-00000324	TX504	FD - Fire Alarm Commercial

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5/18/2015 1:34:00 PM

Inspection Totals Per Inspector

April 2015

Fire Inspection Status	Fire Inspection FDID	Inspector	Inspection Type	Fire Inspection Inspection Number
Finaled	TX504	744 - Patrick	Annual	2699
Pending	TX504	744 - Patrick	Annual	2699
Finaled	TX504	744 - Patrick	Certificate of Occupancy	CO2015-0034
Finaled	TX504	744 - Patrick	Certificate of Occupancy	CO2015-0037
Finaled	TX504	744 - Patrick	Certificate of Occupancy	CO2015-0039
Finaled	TX504	744 - Patrick	Construction Final	2549
Finaled	TX504	744 - Patrick	Construction Final	2667
Finaled	TX504	744 - Patrick	Construction Final	2667
Finaled	TX504	744 - Patrick	Courtesy	2657
Finaled	TX504	744 - Patrick	Courtesy	2690
Finaled	TX504	744 - Patrick	Courtesy	2659
Finaled	TX504	744 - Patrick	Courtesy	2626
Finaled	TX504	744 - Patrick	Courtesy	2693
Finaled	TX504	744 - Patrick	Courtesy	2631
Finaled	TX504	744 - Patrick	Courtesy	2660
Finaled	TX504	744 - Patrick	Courtesy	2632
Finaled	TX504	744 - Patrick	Courtesy	2665
Finaled	TX504	744 - Patrick	Courtesy	2689
Finaled	TX504	744 - Patrick	Courtesy	2690
Finaled	TX504	744 - Patrick	Courtesy	2691
Finaled	TX504	744 - Patrick	Courtesy	2692
Finaled	TX504	744 - Patrick	Courtesy	2657
Finaled	TX504	744 - Patrick	Courtesy	2632
Finaled	TX504	744 - Patrick	Courtesy	2659
Finaled	TX504	744 - Patrick	Courtesy	2626
Finaled	TX504	744 - Patrick	Courtesy	2689
Finaled	TX504	744 - Patrick	Courtesy	2689
Finaled	TX504	744 - Patrick	Courtesy	2556
Finaled	TX504	744 - Patrick	Courtesy	2626
Finaled	TX504	744 - Patrick	Courtesy	2632
Finaled	TX504	744 - Patrick	Courtesy	2658
Finaled	TX504	744 - Patrick	Courtesy	2657
Finaled	TX504	744 - Patrick	Courtesy	2694
Finaled	TX504	744 - Patrick	Courtesy	2692
Finaled	TX504	744 - Patrick	Courtesy	2691
Finaled	TX504	744 - Patrick	Courtesy	2659
Finaled	TX504	744 - Patrick	Courtesy	2690
Finaled	TX504	744 - Patrick	Courtesy	2659
Finaled	TX504	744 - Patrick	Courtesy	2660
Finaled	TX504	744 - Patrick	Courtesy	2658
Finaled	TX504	744 - Patrick	Courtesy	2657
Finaled	TX504	744 - Patrick	Courtesy	2656
Finaled	TX504	744 - Patrick	Courtesy	2655
Pending	TX504	744 - Patrick	Fire Alarm System	2621
Finaled	TX504	744 - Patrick	Fire Alarm System	2621
Finaled	TX504	744 - Patrick	Fire Spinkler System	2664

Finaled	TX504	744 - Patrick	Fire Sprinkler System	2540
Finaled	TX504	744 - Patrick	Follow Up	2441
Pending	TX504	744 - Patrick	Follow Up	2677
Finaled	TX504	744 - Patrick	Follow Up	2677
	Total Per Inspector: 50			
Pending	TX504	836 - Ayres	Annual	2673
Pending	TX504	836 - Ayres	Annual	2669
Finaled	TX504	836 - Ayres	Annual	2700
Finaled	TX504	836 - Ayres	Annual	2684
Finaled	TX504	836 - Ayres	Annual	2682
Finaled	TX504	836 - Ayres	Annual	2639
Finaled	TX504	836 - Ayres	Annual	2666
Pending	TX504	836 - Ayres	Annual	2639
Pending	TX504	836 - Ayres	Annual	2673
Pending	TX504	836 - Ayres	Annual	2669
Pending	TX504	836 - Ayres	Annual	2666
Finaled	TX504	836 - Ayres	Annual	2627
Pending	TX504	836 - Ayres	Annual	2661
Pending	TX504	836 - Ayres	Annual	2627
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2015-0031
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2015-0015
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2015-0015
Finaled	TX504	836 - Ayres	Certificate of Occupancy	CO2015-0031
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2015-0029
Finaled	TX504	836 - Ayres	Certificate of Occupancy	CO2014-0172
Finaled	TX504	836 - Ayres	Certificate of Occupancy	CO2015-0029
Finaled	TX504	836 - Ayres	Certificate of Occupancy	TCO2015-0001
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2015-0015
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2015-0040
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2015-0015
Pending	TX504	836 - Ayres	Construction Final	2460
Finaled	TX504	836 - Ayres	Construction Final	2685
Pending	TX504	836 - Ayres	Construction Final	2686
Pending	TX504	836 - Ayres	Construction Final	2685
Finaled	TX504	836 - Ayres	Courtesy	2665
Finaled	TX504	836 - Ayres	Courtesy	2654
Finaled	TX504	836 - Ayres	Courtesy	2653
Finaled	TX504	836 - Ayres	Courtesy	2650
Finaled	TX504	836 - Ayres	Courtesy	2649
Finaled	TX504	836 - Ayres	Courtesy	2665
Finaled	TX504	836 - Ayres	Courtesy	2646
Finaled	TX504	836 - Ayres	Courtesy	2645
Finaled	TX504	836 - Ayres	Courtesy	2644
Finaled	TX504	836 - Ayres	Courtesy	2643
Finaled	TX504	836 - Ayres	Courtesy	2642
Finaled	TX504	836 - Ayres	Courtesy	2641
Finaled	TX504	836 - Ayres	Courtesy	2654
Finaled	TX504	836 - Ayres	Courtesy	2653
Finaled	TX504	836 - Ayres	Courtesy	2652

Finaled	TX504	836 - Ayres	Courtesy	2651
Finaled	TX504	836 - Ayres	Courtesy	2650
Finaled	TX504	836 - Ayres	Courtesy	2649
Finaled	TX504	836 - Ayres	Courtesy	2648
Finaled	TX504	836 - Ayres	Courtesy	2647
Finaled	TX504	836 - Ayres	Courtesy	2646
Finaled	TX504	836 - Ayres	Courtesy	2645
Finaled	TX504	836 - Ayres	Courtesy	2644
Finaled	TX504	836 - Ayres	Courtesy	2643
Finaled	TX504	836 - Ayres	Courtesy	2642
Finaled	TX504	836 - Ayres	Courtesy	2641
Finaled	TX504	836 - Ayres	Fire Alarm System	2683
Finaled	TX504	836 - Ayres	Fire Alarm System	2564
Pending	TX504	836 - Ayres	Fire Alarm System	2683
Pending	TX504	836 - Ayres	Fire Alarm System	2564
Pending	TX504	836 - Ayres	Follow Up	2612
Pending	TX504	836 - Ayres	Follow Up	2612
Pending	TX504	836 - Ayres	Follow Up	2612
Pending	TX504	836 - Ayres	Follow Up	2698
Finaled	TX504	836 - Ayres	Follow Up	2698
Finaled	TX504	836 - Ayres	Knox Box	2695
Finaled	TX504	836 - Ayres	Knox Box	2671
Pending	TX504	836 - Ayres	Underground Fire Line	2688
Finaled	TX504	836 - Ayres	Underground Fire Line	2603
	Total Per Inspector: 68			
Finaled	TX504	843 - Clark	Access Control Doors	2704
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0030
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0032
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0035
Pending	TX504	843 - Clark	Certificate of Occupancy	CO2015-0033
Pending	TX504	843 - Clark	Certificate of Occupancy	CO2015-0032
Pending	TX504	843 - Clark	Certificate of Occupancy	CO2015-0035
Finaled	TX504	843 - Clark	Construction Final	2638
Pending	TX504	843 - Clark	Construction Final	2662
Pending	TX504	843 - Clark	Construction Final	2613
Pending	TX504	843 - Clark	Construction Final	2662
Finaled	TX504	843 - Clark	Courtesy	1669
Finaled	TX504	843 - Clark	Courtesy	2561
Finaled	TX504	843 - Clark	Courtesy	2635
Finaled	TX504	843 - Clark	Courtesy	2493
Finaled	TX504	843 - Clark	Courtesy	2497
Finaled	TX504	843 - Clark	Courtesy	2494
Finaled	TX504	843 - Clark	Courtesy	2634
Finaled	TX504	843 - Clark	Courtesy	2636
Finaled	TX504	843 - Clark	Courtesy	2635
Finaled	TX504	843 - Clark	Courtesy	2561
Finaled	TX504	843 - Clark	Courtesy	2687
Finaled	TX504	843 - Clark	Courtesy	2687
Finaled	TX504	843 - Clark	Courtesy	2497

Finaled	TX504	843 - Clark	Courtesy	2561
Finaled	TX504	843 - Clark	Courtesy	2493
Finaled	TX504	843 - Clark	Courtesy	2494
Finaled	TX504	843 - Clark	Courtesy	2668
Finaled	TX504	843 - Clark	Courtesy	2561
Finaled	TX504	843 - Clark	Courtesy	2494
Finaled	TX504	843 - Clark	Courtesy	2635
Finaled	TX504	843 - Clark	Courtesy	2493
Finaled	TX504	843 - Clark	Courtesy	2670
Finaled	TX504	843 - Clark	Courtesy	2668
Finaled	TX504	843 - Clark	Courtesy	2494
Finaled	TX504	843 - Clark	Courtesy	2497
Finaled	TX504	843 - Clark	Courtesy	2587
Finaled	TX504	843 - Clark	Courtesy	2680
Finaled	TX504	843 - Clark	Courtesy	2679
Finaled	TX504	843 - Clark	Courtesy	2497
Finaled	TX504	843 - Clark	Courtesy	2678
Finaled	TX504	843 - Clark	Courtesy	2561
Finaled	TX504	843 - Clark	Courtesy	2561
Finaled	TX504	843 - Clark	Fire Alarm System	2676
Pending	TX504	843 - Clark	Fire Alarm System	2681
Pending	TX504	843 - Clark	Fire Alarm System	2676
Finaled	TX504	843 - Clark	Fire Alarm System	2703
Finaled	TX504	843 - Clark	Fire Spinkler System	2663
Pending	TX504	843 - Clark	Fire Spinkler System	2663
Pending	TX504	843 - Clark	Fire Spinkler System	2663
Finaled	TX504	843 - Clark	Follow Up	2675
Finaled	TX504	843 - Clark	Follow Up	2588
Pending	TX504	843 - Clark	Follow Up	2696
Pending	TX504	843 - Clark	Follow Up	2697
Pending	TX504	843 - Clark	Follow Up	2697
Pending	TX504	843 - Clark	Follow Up	2702
Finaled	TX504	843 - Clark	Knox Box	2672
Finaled	TX504	843 - Clark	Underground Fire Line	2578
Pending	TX504	843 - Clark	Underground Fire Line	2578

Total Per Inspector: 59

Department Total: 177

5/14/2015 1:24:43 PM

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 4/1/2015 thru 4/30/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2015-034	03/18/15 COMM	62	2897 SH 66 Rockwall County Veterinary Clinic - Romodel	TA, LANDHOLDINGS LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	04/01/15	04/11/15	04/01/15
BLD2015-042	04/01/15 COMM	48	901 E Washington RCHF -build retaining wall 3' tall x 12'long HARY MYERS	CITY, OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431		04/01/15	04/11/15	
BLD2015-042	04/01/15 COMM	48	2880 Ridge Rd. Interior remodel of existing space Superior Lending	HP, ROCKWALL 740 LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/01/15	04/11/15	04/06/15
BLD2015-043	04/02/15 COMM	47	1695 Science Space L-3 renovate existing space & finishout acquired space	BELLE, HAV/TEX LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	04/02/15	04/12/15	04/06/15
SPEC2015-00	04/02/15 SPECIAL EVENT	47	2610 OBSERVATION TRL ANNUAL PARTY IN THE PARK	JBC, LAND & CATTLE COMPANY LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/02/15	04/09/15	04/02/15
BLD2013-105	06/25/13 COMM	693	1307 Ridge Rd. Rockwall Commons ph II -w/ 133 Apts	T, ROCKWALL PHASE 2 LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	04/03/15	04/13/15	04/03/15
BLD2015-044	04/03/15 COMM	46	980 SIDS RD Sprint add & or change out antennas & equipment as needed	RAYBURN, COUNTRY ELECTRIC CORP INC	Ariana Hargrove	FIRE 972-772-6431		04/03/15	04/13/15	
CO2015-0032	04/03/15 CO	46	339 County Line Rd. Building Air Services	REX KELLY	Ariana Hargrove	FIRE CO	APPROVED	04/03/15		04/03/15
BLD2015-039	03/26/15 COMM	54	898 Steger Town Dr. Avis Budget Car Rental - Adding 3 wing walls / no demo	STEGER, DUNHILL LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/07/15	04/17/15	04/07/15
CO2015-0033	04/07/15 CO	42	5445 Horizon Rd Carey & Lary Knowlton	BUFFALO, CREEK BUSINESS PARK LTD	Ariana Hargrove	FIRE CO	APPROVED	04/07/15	04/10/15	04/07/15
CO2015-0034	04/07/15 CO	42	950 Sids Rd Rayburn Country Electric Cooperative, Inc.	RAYBURN, COUNTRY ELECTRIC CORP INC	Ariana Hargrove	FIRE CO	APPROVED	04/07/15	04/10/15	04/07/15
MEC2015-00	04/07/15 COMM	42	823 IH 30 E REPLACING 7 ROOF UNITS	KOHLS, ILLNOIS INC	Ariana Hargrove	FIRE 972-772-6431		04/07/15	04/17/15	
BLD2015-046	04/08/15 COMM	41	5853 FM3097 Dennis Hardin property owner - ReRoof	HARDIN, DENNIS & JOLYNN JONES	Ariana Hargrove	FIRE 972-772-6431		04/08/15	04/18/15	
CO2015-0035	04/09/15 CO	40	1215 Arista Dr. 101 Endodontic Specialist of Rockwall	NERITA, LLC	Ariana Hargrove	FIRE CO		04/09/15	04/12/15	
BLD2015-047	04/10/15 SINGLE FAMILY	39	3142 MARKET CENTER DR 6' CEDAR FENCE WITH METAL POSTS	BOND, PATRICIA	Ariana Hargrove	FIRE 972-772-6431		04/10/15	04/20/15	
BLD2015-036	03/23/15 COMM	57	3018 RIDGE RD 120 DR. CHOU PEDIATRIC DENTAL OFFICE	AJ, SQUARED LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/13/15	04/23/15	04/13/15
BLD2015-036	03/23/15 COMM	57	3018 RIDGE RD 100 DR AJAY GULATI ENDODONTIC	AJ, SQUARED LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/13/15	04/23/15	04/13/15

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 4/1/2015 thru 4/30/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
CO2015-0036	04/13/15 CO	36	919 IH 30 101 Sleep Train	ROCKWALL, CROSSING LTD	Ariana Hargrove	FIRE CO		04/13/15	04/16/15	
PLB2015-011	04/13/15 COMM	36	700 INDUSTRIAL BLVD Grahmn Packaging	CONTINENTAL, PET TECHNOLOGY	Ariana Hargrove	FIRE 972-772-6431		04/13/15	04/23/15	
BLD2015-034	03/18/15 COMM	62	2897 SH 66 Rockwall County Veterinary Clinic - Romodel	TA, LANDHOLDINGS LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/14/15	04/24/15	04/14/15
CO2015-0037	04/14/15 CO	35	2010 Industrial Blvd 604 Fortress Manufacturing, LLC	ROCKWALL, STEEL CO	Ariana Hargrove	FIRE CO	APPROVED	04/14/15	04/17/15	04/14/15
TCO2015-000	04/14/15 TCO	35	901 S Goliad St The Ice Train		Ariana Hargrove	FIRE CO	APPROVED	04/14/15		04/14/15
CO2015-0038	04/15/15 CO	34	898 Steger Town Dr. Avis Budget Car Rental	STEGER, DUNHILL LLC	Ariana Hargrove	FIRE CO		04/15/15	04/18/15	
ELE2015-001	04/15/15 COMM	34	5136 S FM 549 New Electrical Svc for sudden link Controller	J, BR2 LLC	Ariana Hargrove	FIRE 972-772-6431		04/15/15	04/25/15	
CO2015-0039	04/16/15 CO	33	1657 Airport Rd. B1 Rockwall Flite Center LLC	CITY, OF ROCKWALL	Ariana Hargrove	FIRE CO	APPROVED	04/16/15	04/19/15	04/17/15
BLD2015-050	04/17/15 COMM	32	3045 N GOLIAD RD 106 Payless Cleaners - Interior completion	PCB, PROPERTIES LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	04/17/15	04/27/15	04/20/15
SPEC2015-00	04/17/15 SPECIAL EVENT	32	2935 RIDGE RD Kroger's Mother's Day Special Event	KROGER, TEXAS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/17/15	04/27/15	04/17/15
BLD2013-105	06/25/13 COMM	693	1307 Ridge Rd. Rockwall Commons ph II -w/ 133 Apts	T, ROCKWALL PHASE 2 LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/20/15	04/30/15	04/20/15
BLD2015-036	03/20/15 COMM	60	810 E RALPH HALL PKWY 120 Urgent Care Rockwall Expansion - Interior Completion	INTERMED, SVCS MNGMT CO LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/20/15	04/30/15	04/20/15
BLD2015-051	04/20/15 COMM	29	951 IH 30 101 BUFFALO WILD WINGS REMODEL	ROCKWALL, CROSSING LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/20/15	04/30/15	04/21/15
SPEC2015-00	04/08/15 SPECIAL EVENT	41	1197 T L TOWNSEND DR Aspasians Art Fair	ROCKWALL, I S D	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/21/15	04/25/15	04/21/15
BLD2014-190	12/09/14 COMM	161	2582 SH 276 Sunbelt Rentals - Remodel	SHARP, RICK	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/23/15	05/03/15	04/23/15
BLD2015-050	04/17/15 COMM	32	3045 N GOLIAD RD 106 Payless Cleaners - Interior completion	PCB, PROPERTIES LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/23/15	05/03/15	04/23/15
SPEC2015-00	04/23/15 SPECIAL EVENT	26	960 W RALPH HALL PKWY ANNUAL APPRECIATION PARKING LOT PARTY	CHRISMER, LANE LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	04/23/15		04/23/15
BLD2015-053	04/24/15 COMM	25	302 S FANNIN ST 42" white picket fence around front & side of property	David B	Ariana Hargrove	FIRE 972-772-6431		04/24/15	05/04/15	

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 4/1/2015 thru 4/30/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2015-053	04/24/15	25	1700 IH 30	NESBO, LIMITED PARNERSHIP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	04/24/15	05/04/15	04/29/15
	COMM		Nissan of Rockwall - New Bldg							
CO2015-0040	04/27/15	22	923 YELLOW JACKET LN	MISSION, NE DALLAS I LLC	Ariana Hargrove	FIRE CO	APPROVED	04/27/15	04/30/15	04/27/15
	CO		Mission Rockwall Apts.							
BLD2015-056	04/29/15	20	2380 S GOLIAD ST 120	CNLRS, ROCKWALL LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	04/29/15	05/09/15	04/30/15
	COMM		Texas Retina Associates							
CO2015-0041	04/29/15	20	199 IH 30	DRZW, HOLDINGS LTD	Ariana Hargrove	FIRE CO	APPROVED	04/29/15	05/02/15	04/30/15
	CO		Advanced Foot Specialists							

City of Rockwall
Project Routing Report By Date Sent (then by project)
For the Period 4/1/2015 thru 4/30/2015

Project #	Appl. Date / Project Type	Aging	Address / Description	Status / Owner Name	Plan Review Detail: Contact / Review Type	Date Sent / Date Due	Completed / Status
SP2015-007	03/16/2015 SITE PLAN	64	1950 N GOLIAD ST		Ariana Hargrove FIRE	04/08/2015 04/15/2015	04/08/2015 APPROVED
SP2015-005	03/13/2015 SITE PLAN	67	6525 FM 3097		Ariana Hargrove FIRE	04/08/2015 04/15/2015	04/08/2015 APPROVED
SP2015-006	03/13/2015 SITE PLAN	67	6540 ALLIANCE DR		Ariana Hargrove FIRE	04/08/2015 04/15/2015	04/08/2015 APPROVED
E2015-013	04/24/2015 ENGINEERING	25			Ariana Hargrove FIRE	04/27/2015 05/11/2015	04/30/2015 APPROVED
E2015-009	04/06/2015 ENGINEERING	43	3055 DISCOVERY BLVD		Ariana Hargrove ENG - FIRE	04/06/2015 04/20/2015	04/07/2015 APPROVED
E2015-010	04/15/2015 ENGINEERING	34	1301 SUMMER LEE DR		Ariana Hargrove ENG - FIRE	04/15/2015 04/29/2015	04/20/2015 COMMENTS
E2015-011	04/17/2015 ENGINEERING	32			Ariana Hargrove ENG - FIRE	04/20/2015 05/04/2015	04/21/2015 COMMENTS
E2015-012	04/20/2015 ENGINEERING	29	1530 S I30		Ariana Hargrove ENG - FIRE	04/20/2015 05/04/2015	04/21/2015 COMMENTS
E2015-014	04/27/2015 ENGINEERING	22	602 White Hills Dr		Ariana Hargrove ENG - FIRE	04/27/2015 05/11/2015	04/29/2015 APPROVED
P2015-014	04/13/2015 PLAT	36	1,3,4,5 SOAPBERRY LN		Ariana Hargrove FIRE	04/13/2015 04/20/2015	04/23/2015 APPROVED

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City of Rockwall
Project Routing Report By Date Sent (then by project)
For the Period 4/1/2015 thru 4/30/2015

Project #	Appl. Date / Project Type	Aging	Address / Description	Status / Owner Name	Plan Review Detail: Contact / Review Type	Date Sent / Date Due	Completed / Status
SP2015-008	04/13/2015 SITE PLAN	36	2625 DISCOVERY BLVD		Ariana Hargrove FIRE	04/13/2015 04/20/2015	04/23/2015 COMMENTS
P2015-013	04/13/2015 PLAT	36	TOWNSEND DR		Ariana Hargrove FIRE	04/13/2015 04/20/2015	04/23/2015 APPROVED
P2015-016	04/20/2015 PLAT	29	SUNSET RIDGE DR		Ariana Hargrove FIRE	04/20/2015 04/27/2015	04/23/2015 APPROVED
SP2015-009	04/20/2015 SITE PLAN	29	1350 SUMMER LEE DR		Ariana Hargrove FIRE	04/20/2015 04/27/2015	04/23/2015 COMMENTS
SP2015-010	04/20/2015 SITE PLAN	29	1320 SUMMER LEE DR		Ariana Hargrove FIRE	04/20/2015 04/27/2015	04/23/2015 COMMENTS
P2015-015	04/20/2015 PLAT	29	320 PORTVIEW PL		Ariana Hargrove FIRE	04/20/2015 04/27/2015	04/23/2015 APPROVED
SP2015-011	04/20/2015 SITE PLAN	29	503 N GOLIAD		Ariana Hargrove FIRE	04/20/2015 04/27/2015	04/23/2015 COMMENTS
SP2015-012	04/20/2015 SITE PLAN	29	1415 S GOLIAD		Ariana Hargrove FIRE	04/20/2015 04/27/2015	04/23/2015 COMMENTS
Z2015-014	04/22/2015 ZONING	27	JOHN KING BLVD		Ariana Hargrove FIRE	04/22/2015 04/29/2015	04/24/2015 APPROVED
P2015-017	04/22/2015 PLAT	27	1415 S GOLIAD		Ariana Hargrove FIRE	04/22/2015 04/29/2015	04/24/2015 APPROVED

City of Rockwall
Project Routing Report By Date Sent (then by project)
For the Period 4/1/2015 thru 4/30/2015

Project #	Appl. Date / Project Type	Aging	Address / Description	Status / Owner Name	Plan Review Detail: Contact / Review Type	Date Sent / Date Due	Completed / Status
P2015-018	04/29/2015 PLAT	20	3055 DISCOVERY BLVD		Ariana Hargrove FIRE	04/29/2015 05/06/2015	04/30/2015 APPROVED

CRW SYSTEMS

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Rockwall Police Department
Harbor District Calls For Service
April 2015

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2015-00010325	04/03/2015	23:42:37	Cinemark	BMV	No Report
2015-00011111	04/10/2015	22:20:28	Cinemark	Disturbance	No Report
2015-00011959	04/18/2015	16:41:26	Cinemark	Fraud	No Report
2015-00012379	04/22/2015	19:54:22	Gloria's	Theft	No Report
2015-00013299	04/29/2015	22:46:16	Hilton	Disorderly Conduct	No Report
2015-00012099	04/20/2015	00:18:41	Hilton	Disturbance	No Report
2015-00012099	04/20/2015	00:18:41	Hilton	Disturbance	Report
2015-00013317	04/30/2015	02:20:20	Hilton	Intoxicated	Report
2015-00012306	04/22/2015	03:40:19	Hilton	Investigation	Unable To Locate
2015-00012306	04/22/2015	03:40:19	Hilton	Investigation	No Report
2015-00012274	04/21/2015	20:36:32	Hilton	Missing Person	No Report
2015-00012713	04/25/2015	16:02:44	The Harbor	Disorderly Conduct	No Report
2015-00013153	04/28/2015	20:57:12	The Harbor	Investigation	No Report
2015-00010052	04/01/2015	20:24:53	Willis Estates Jewelry	Alarm-BUSN	False Alarm
			Common Name		
			Hilton	7	
			The Harbor	2	
			Cinemark	3	
			Gloria's	1	
			Willis Estates Jewelry	1	
			Total	**14**	

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
APRIL 2015

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	2	2	0	100%
ADMINISTRATIVE SERVICES	2	2	0	100%
AIRPORT	0	0	0	0%
ANIMAL SERVICES	5	5	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	1	1	0	100%
ENGINEERING	5	5	0	100%
FINANCE	0	0	0	0%
FIRE DEPARTMENT	38	38	0	100%
INTERNAL OPERATIONS	163	163	0	100%
MUNICIPAL COURT	10	10	0	100%
PARKS & RECREATION	23	23	0	100%
PLANNING & ZONING	3	3	0	100%
POLICE DEPARTMENT	34	34	0	100%
PUBLIC WORKS	9	9	0	100%
UTILITY BILLING	3	3	0	100%
TOTAL	298	298	0	100%

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
RADIO SYSTEM
REQUESTS FOR SERVICE
APRIL 2015

DEPARTMENT	# OF REQUESTS	# OF REQUESTS RESPONDED TO W / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ANIMAL SERVICES	0	0	0	100%
CODE ENFORCEMENT			0	100%
FIRE DEPARTMENT	2	2	0	100%
EMS	0	0	0	100%
INTERNAL OPERATIONS	1	1	0	100%
PARKS & RECREATION	0	0	0	100%
POLICE DEPARTMENT	4	4	0	100%
PUBLIC WORKS	0	0	0	100%
UTILITY BILLING	4	4	0	100%
HEATH DEPT. PUBLIC SAFETY	3	3	0	100%
HOSPITAL CONTROL STATIONS	2	2	0	100%
SYSTEM ISSUES	3	3	0	100%
TOTAL	19	19	0	100%

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Airport Operations Report

For Month of April 2015

FUEL SALES

	GALLONS SOLD	GROSS SALES
Jet - A Sales	455.00	$1,774.50
Av-Gas Sales	1,528.20	$6,691.76
TOTAL FUEL SALES	**1,983.20**	**$8,466.26**

HANGAR RENTAL REVENUE

Open T Hangar Rental Revenue	$3,145.00
Transient Covered Hgr - Nightly	$420.00
Enclosed Hangar Rental Revenue	$120.00
Nightly Tiedown Fees	$7.00
North Maintenance Hangar Rental Revenue	$500.00
TOTAL HANGAR RENTALS	**$4,192.00**

HANGAR OCCUPANCY RATES

	TOTAL HANGARS	QTY RENTABLE	QUANTITY LEASED	OCCUPANCY RATE
Open T Hangars	45	40	36	90.00%
Closed Hangar Rentals	1	1	1	100%
Open Hangar Cap Rentals	2	1	1	100%
TOTAL HANGAR OCCUPANCY	**48**	**42**	**38**	**90%**

Of the forty five hangars only forty can actually be rented. Most of these forty should be considered substandard and not easily marketed due to pad slope and width, electrical, and drainage issues.

CITY FEES DUE	FEE RATE	FRANCHISE FEE DUE	FUEL FLOWAGE FEES DUE	TOTAL FEES DUE
Fuel Sales (Gallons Sold)	$0.10	$0.00	$198.32	$198.32
City Owned Hangar Rentals	5.00%	$209.60	$0.00	$0.00
TOTAL FEES DUE		**$209.60**	**$198.32**	**$407.92**

I certify the information and amounts submitted on this form are true and correct.

Todd Parks
Managing Director - Texas Air Center, LLC

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Rockwall Police Department

Monthly Activity Report
April-2015

ACTIVITY	CURRENT MONTH APRIL	PREVIOUS MONTH MARCH	YTD 2015	YTD 2014	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	0	**0.00%**
Sexual Assault	2	3	5	0	**500.00%**
Robbery	0	0	4	1	**300.00%**
Aggravated Assault	4	4	13	9	**44.44%**
Burglary	4	2	11	24	**-54.17%**
Larceny	49	35	164	217	**-24.42%**
Motor Vehicle Theft	8	4	17	14	**21.43%**
TOTAL PART I	**67**	**48**	**214**	**265**	**-19.25%**
TOTAL PART II	**182**	**119**	**560**	**529**	**5.86%**
TOTAL OFFENSES	**249**	**167**	**774**	**794**	**-2.52%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	17	17	58	52	**11.54%**
D.W.I.	14	16	54	70	**-22.86%**
TEEN CURFEW	1	0	2	4	**-50.00%**
ARRESTS					
FELONY	18	14	70	67	**4.48%**
MISDEMEANOR	71	68	256	294	**-12.93%**
WARRANT ARREST	40	34	127	117	**8.55%**
JUVENILE	0	0	3	30	**-90.00%**
TOTAL ARRESTS	**129**	**116**	**456**	**508**	**-10.24%**
DISPATCH					
CALLS FOR SERVICE	1497	1328	5561	5393	**3.12%**
ACCIDENTS					
INJURY	10	9	36	42	**-14.29%**
(INJURIES)	17	9	52	55	**-5.45%**
NON-INJURY	49	53	216	173	**24.86%**
FATALITY	0	0	0	0	**0.00%**
(FATALITIES)	0	0	0	0	**0.00%**
TOTAL	**59**	**62**	**252**	**215**	**17.21%**
FALSE ALARMS					
RESIDENT ALARMS	79	61	250	237	**5.49%**
BUSINESS ALARMS	109	90	435	442	**-1.58%**
TOTAL FALSE ALARMS	**188**	**151**	**685**	**679**	**0.88%**
Estimated Lost Hours	**124.08**	**99.66**	**452.1**	**448.14**	**0.88%**
Estimated Cost	**$2,951.60**	**$2,370.70**	**$10,754.50**	**$10,660.30**	**0.88%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**7**
Arrests	**6**
Arrest Warrants	**0**
Search Warrants	**0**
Seized	
Marijuana	1 oz
Methamphetamine	.6 g
Steroids	72 g

Rockwall Police Department
Dispatch and Response Times
April 2015

Police Department

	Average Response Time	
Priority 1		Number of Calls **124**
Call to Dispatch	0:00:24	
Call to Arrival	0:04:49	
% over 7 minutes	20%	
	Average Response Time	
Priority 2		Number of Calls **234**
Call to Dispatch	0:00:56	
Call to Arrival	0:07:06	
% over 7 minutes	37%	
	Average Response Time	
Priority 3		Number of Calls **7**
Call to Dispatch	0:01:43	
Call to Arrival	0:09:30	
% over 7 minutes	29%	
***Priority 4**		Number of Calls **1126**
****Priority 5**		Number of Calls **6**

*Priority 4 call averages are not given because they are calls that do not require an immediate response by police.
**Priority 5 calls are incidents that officers initiate themselves therefore response times are not calculated.

Average dispatch response time goals are as follows:
Priority 1: 30 Seconds
Priority 2: 45 Seconds
Priority 3: 1 Minute

Fire Department

	Average Response Time	
Call to Dispatch	0:00:13	Number of Calls **61**
Call to Arrival	0:06:07	

Overages

Incident no.	Date	Time Rec'd	Call Type	Time Disp	Resp Time	Reason
2015-310	4/26/2015	12:09:48	Water Rescue	12:11:34	0:01:46	Call from Dallas PD
2015-291	4/18/2015	21:28:17	Wire Down/Arc Trnsfrmrs	21:30:19	0:02:02	Storm and multiple calls - added to call stack

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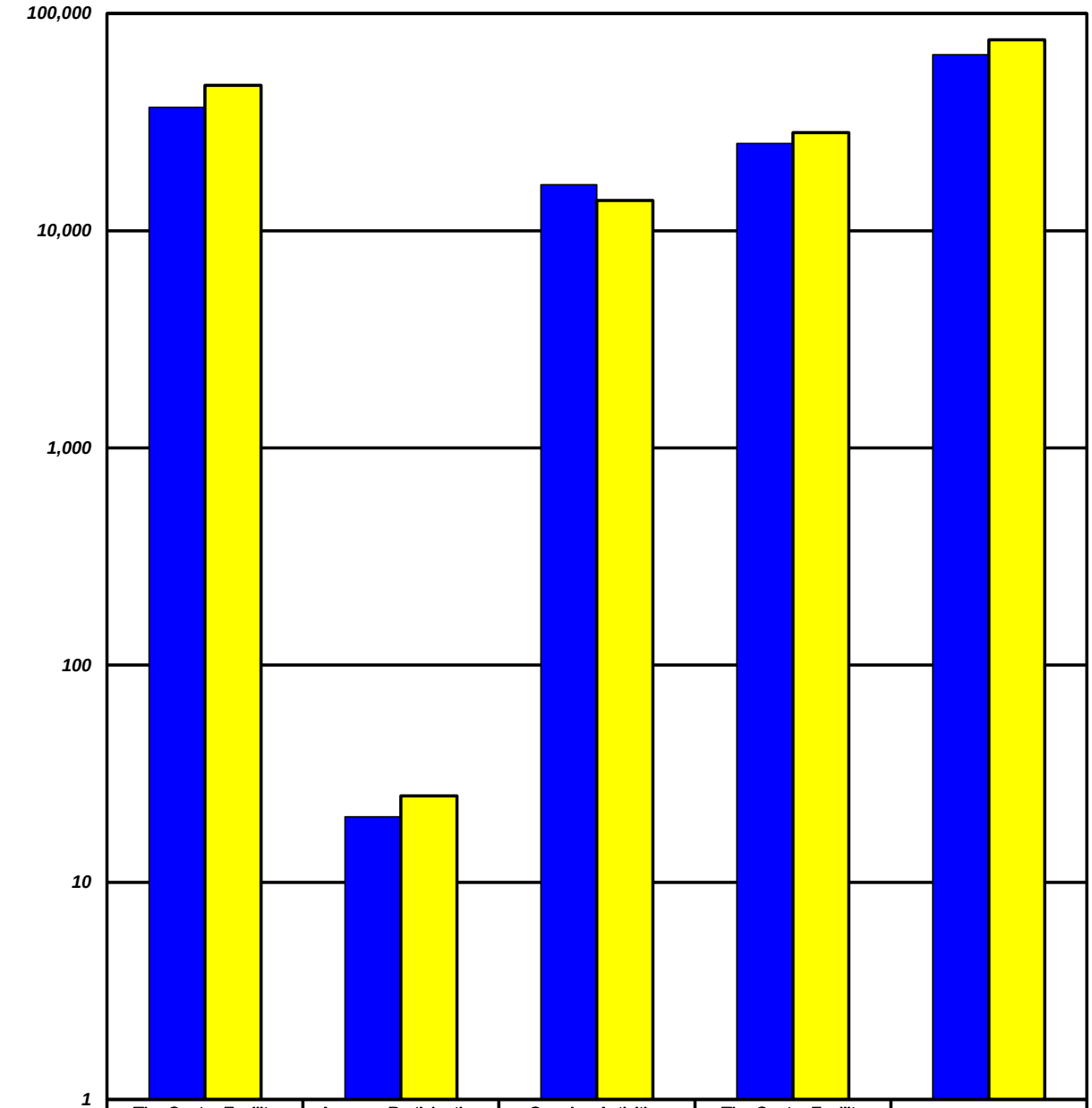
City of Rockwall
Parks and Recreation Department
FY15 April Report



	The Center Facility Usage	Average Participation per Hour	Ongoing Activities Attendance	The Center Facility Rental Revenue	Program Revenue
FY15 YTD	36,979	20	16,278	$25,197	$64,567
FY14 YTD	46,648	25	13,762	$28,328	$75,574

The Center Facility Usage - Total number of visitors and participants that come thru The Center - includes Ongoing Activities.
Average Participation per Hour - The Center Facility Usage divided by the number of hours the facility is open.
Ongoing Activities Attendance - Non fee based activities conducted on a routine basis (Bingo, Exercise with Anita, etc).

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Rockwall Animal Adoption Center Monthly Report
CCHS at Rockwall
April 2015

DISPOSITION REPORT

	April
Intakes	138
1045	3
Adopted	68
Returned to Owner	33
Rescued	21
Euthanized	6
Live Outcome %	**93%**
Number of Animals in Foster	3

FINANCIAL REPORT

Income	**April**
City of Rockwall	$0
Adoption Fee Income	$5,745
Impound Fee Income	$890
Owner Surrender	$745
General Donations	$4,069
Medical	$455
Quarantine Fee	$330
Total Income	**$12,234**

Expenses	**April**
Administrative Expenses (Payroll, etc)	$36,179
Shelter Expenses (Microchips, Drugs, etc)	$4,069
Veterinary Expenses	$4,194
Training	$2,284
Total Expenses	**$46,726**
Balance	**-$34,493**

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Hold a work session to discuss Rockwall County Thoroughfare Planning update and the status of SH 205 Planning and take any action necessary.

City Manager Memo 10

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Hold work session to discuss IH-30 ramp addition (near Ridge Road) and other roadway improvements, and take any action necessary.

Memo_IH30 Ramp 12

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Hold work session with the Parks & Recreation Advisory Board to discuss and consider Parks and Recreation Business Plan Strategic Initiatives, and take any action necessary.

Staff Memo 14

Marketing Subcommittee Memo 15

Strategic Initiatives Draft 17

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Consider approval of the minutes from the June 1, 2015 regular city council meeting, and take any action necessary.

06/01 cc mtg mins 34

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P2015-022 - Consider a request by Mike Whittle on behalf of Rockwall Rental Properties, LP for the approval of a replat for Lot 11 & 12, Block 2, Alliance Addition, Phase 2 being a 1.420-acre parcel of land currently identified as Lots 1 & 10, Block 2, Alliance Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, addressed as 6505 & 6525 FM-3097, and take any action necessary.

P2015-022 46

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Appointment with Mr. Jack Youngkin to hear about the "International Campaign for Compassionate Cities" and to discuss and consider approval of a resolution affirming the "Charter for Compassion," and take any action necessary.

Memo 53

Resolution_Compassion Charter 54

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Appointments to hear concerns related to city ordinance regulations contained in Chapter 6, Article VI, Sec. 6-162(b) (regarding the prohibition of owning or keeping chickens, ducks, turkeys, geese, peacocks, or guinea hens within the corporate limits of the city except in agricultural zoned districts), and take any action necessary.

Freese Appt Item Request 59

Dean Appt Item Request 60

Polunsky Appt Request 61

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Worthy Appt Request . . . 63
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Appointment with Chris Johnson to discuss changes to the Unified Development Code that would allow the operation of a Portable Beverage or Food Service Facility under a Specific Use Permit, and take any action necessary.

Appt Item Request . . . 65
Memorandum . . . 66
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Appointment with representative(s) of Core Adventure Sports to discuss and consider entering into a contract with the City for the purpose of providing Stand-up Paddle Board services within the take line lease area at The Harbor and the SH 66 Public Boat Ramp, and take any action necessary.

Memo . . . 70
Draft Agreement . . . 72
Exhibit C - Map . . . 81
Exhibit C- Map 2 . . . 82
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Z2015-017 - Hold a public hearing to discuss and consider a request by Jonathan Hake of Cross Engineering Consultants, Inc. on behalf of the owner Kenneth R. Smith of K. R. Smith Holdings, LLC for the approval of an ordinance for a Specific Use Permit for Commercial Amusement/Recreation (Outside) to allow a baseball training facility to be constructed on a six (6) acre tract of land identified as Tract 4-07 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 By-Pass Corridor Overlay (SH-205 BY-OV) District, located on the north side of Airport Road west of the intersection of Airport Road and John King Boulevard, and take any action necessary [1st Reading].

Z2015-017 . . . 84
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Z2015-018 - Hold a public hearing to discuss and consider a request by Herman Douglas Utley for the approval of an ordinance for a zoning change from a Single Family Estate 2.0 (SFE-2.0) District to a Single Family Estate 1.5 (SFE-1.5) District for a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 2.0 (SFE-2.0) District, situated within the SH-205 By-Pass (SH-205 BY OV) District, addressed as 1815 E. Old Quail Run Road, and take any action necessary. [1st Reading]

Z2015-018 . . . 108
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MIS2015-002 - Discuss and consider a request by David Smith of the Rockwall Housing Development Corporation for the approval of a special exception to allow a manufactured home for the purpose of providing emergency housing on a 0.27-acre parcel of land identified as Lot 984A of Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, addressed as 112 Chris Drive, and to consider a city initiated request for the approval of a special exception to allow for manufactured homes for the purpose of providing emergency housing on other lots currently owned by the City of Rockwall, zoned Planned Development District 75 (PD-75) [Ordinance No. 09-37], located within the Lake Rockwall Estates Subdivision, and take any action necessary.

MIS2015-002 . . . 123

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P2015-021 - Discuss and consider a request by Jay Bedford of A. J. Bedford Group, Inc. on behalf of the owners G. Kent and Kay Loy Smith for the approval of a final plat for Lots 1-4, Block A, Breezy Hill Estates being a 7.873-acre tract of land identified as Lots 10-13, Breezy Hill (Unrecorded), Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), located on property currently addressed as 575 Breezy Hill Lane, and take any action necessary.

P2015-021 . . . 127

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Z2015-014 - Discuss and consider approval of an ordinance for a request by Cole Franklin of the Skorburg Company on behalf of the owner of the Lonnie Gideon Estate for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 29.192-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of the intersection of E. Quail Run Road and John King Boulevard, and take any action necessary. (1st Reading)

Skorburg info from 5/18 cc mtg . . . 136

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Discuss and consider approval of an ordinance adding Sections 26-290 to 260-297 "Operation of Golf Carts" to Chapter 26. Motor Vehicles and Traffic, Article IV. Bicycles, Golf Carts and Play Vehicles, Division 5 of the Municipal Code of Ordinances to authorize the operation of golf carts within the city limits, and take any action necessary. (1st reading)

Memo_golf carts . . . 158

Draft Ord_golf carts . . . 159

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Discuss and consider update related to an erosion control project located near 2065 Lake Forest Drive, and take any action necessary.

Memo_Tumulty . . . 165

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Discuss and consider the provisions of Chapter 12. Businesses & Sales, Article XII. Ambulance Service of the Code of Ordinances, and take any action necessary.

Memo_Pruitt agenda item . . . 167
Ordinance (ambulances) . . . 168
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Discuss and consider survey results and options related to the city's solid waste collection contract, and take any action necessary.

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survey results . . . 171
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Discuss and consider amendments to the natural and/or quarried stone requirement stipulated by the overlay district standards contained in Article V, District Development Standards, of the Unified Development Code, and take any action necessary.

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Discuss and consider options related to providing public restrooms in the downtown area, and take any action necessary.

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Discuss and consider an update related to public parking signage at The Harbor, and take any action necessary.

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Discuss and consider maintenance within the take line area, and take any action necessary.

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AGENDA
ROCKWALL CITY COUNCIL
Monday, June 15, 2015
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

p.10 **1.** Hold a work session to discuss Rockwall County Thoroughfare Planning update and the status of SH 205 Planning and take any action necessary.

p.12 **2.** Hold work session to discuss IH-30 ramp addition (near Ridge Road) and other roadway improvements, and take any action necessary.

p.14 **3.** Hold work session with the Parks & Recreation Advisory Board to discuss and consider Parks and Recreation Business Plan Strategic Initiatives, and take any action necessary.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the city's concession agreement with Suntex Marina / Suntex RHCL Marina, LLC pursuant to Section § 551.071 (Consultation with Attorney)

2. Discussion regarding possible legal claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)

3. Discussion regarding purchase or lease of real property / land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).

4. Discussion regarding status of Rockwall Harbor Landing, Inc. vs. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney).

5. Discussion regarding Eclipse Fitness LLC and DRZW Holdings LTD vs. City of Rockwall, Texas pursuant to Section 551.071 (Consultation with Attorney).

6. Discussion regarding possible development-related legal claim in the vicinity of Bourne Street pursuant to Section 551.071 (Consultation with Attorney)

7. Discussion regarding appointment of city council subcommittees and board liaisons pursuant to Section, §551.074 (Personnel Matters).

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, June 15, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TOWNSEND

VIII. OPEN FORUM

IX. CONSENT AGENDA

p.34 **1.** Consider approval of the minutes from the June 1, 2015 regular city council meeting, and take any action necessary.

p.46 **2.** P2015-022 - Consider a request by Mike Whittle on behalf of Rockwall Rental Properties, LP for the approval of a replat for Lot 11 & 12, Block 2, Alliance Addition, Phase 2 being a 1.420-acre parcel of land currently identified as Lots 1 & 10, Block 2, Alliance Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, addressed as 6505 & 6525 FM-3097, and take any action necessary.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

p.53 **2.** Appointment with Mr. Jack Youngkin to hear about the "International Campaign for Compassionate Cities" and to discuss and consider approval of a resolution affirming the "Charter for Compassion," and take any action necessary.

p.59 **3.** Appointments to hear concerns related to city ordinance regulations contained in Chapter 6, Article VI, Sec. 6-162(b) (regarding the prohibition of owning or keeping chickens, ducks, turkeys, geese, peacocks, or guinea hens within the corporate limits of the city except in agricultural zoned districts), and take any action necessary.

a) Paul and Leah Freese

b) Mike Dean

c) Brent Polunsky

d) Sharon Worthy

e) Ben Weible

p.65 **4.** Appointment with Chris Johnson to discuss changes to the Unified Development Code that would allow the operation of a Portable Beverage or Food Service Facility under a Specific Use Permit, and take any action necessary.

p.70 **5.** Appointment with representative(s) of Core Adventure Sports to discuss and consider entering into a contract with the City for the purpose of providing Stand-up Paddle Board services within the take line lease area at The Harbor and the SH 66 Public Boat Ramp, and take any action necessary.

XI. PUBLIC HEARING ITEMS

p.84 **1.** **Z2015-017** - Hold a public hearing to discuss and consider a request by Jonathan Hake of Cross Engineering Consultants, Inc. on behalf of the owner Kenneth R. Smith of K. R. Smith Holdings, LLC for the approval of an **ordinance** for a Specific Use Permit for Commercial Amusement/Recreation (Outside) to allow a baseball training facility to be constructed on a six (6) acre tract of land identified as Tract 4-07 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 By-Pass Corridor Overlay (SH-205 BY-OV) District, located on the north side of Airport Road west of the intersection of Airport Road and John King Boulevard, and take any action necessary **[1st Reading].**

p.108 **2.** **Z2015-018** - Hold a public hearing to discuss and consider a request by Herman Douglas Utley for the approval of an **ordinance** for a zoning change from a Single Family Estate 2.0 (SFE-2.0) District to a Single Family Estate 1.5 (SFE-1.5) District for a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 2.0 (SFE-2.0) District, situated within the SH-205 By-Pass (SH-205 BY OV) District, addressed as 1815 E. Old Quail Run Road, and take any action necessary. **[1st Reading]**

XII. ACTION ITEMS

p.123 **1.** MIS2015-002 - Discuss and consider a request by David Smith of the Rockwall Housing Development Corporation for the approval of a special exception to allow a manufactured home for the purpose of providing emergency housing on a 0.27-acre parcel of land identified as Lot 984A of Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, addressed as 112 Chris Drive, and to consider a city initiated request for the approval of a special exception to allow for manufactured homes for the purpose of providing emergency housing on other lots currently owned by the City of Rockwall, zoned Planned Development District 75 (PD-75) [Ordinance No. 09-37], located within the Lake Rockwall Estates Subdivision, and take any action necessary.

p.127 **2.** **P2015-021 -** Discuss and consider a request by Jay Bedford of A. J. Bedford Group, Inc. on behalf of the owners G. Kent and Kay Loy Smith for the approval of a final plat for Lots 1-4, Block A, Breezy Hill Estates being a 7.873-acre tract of land identified as Lots 10-13, Breezy Hill (Unrecorded), Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), located on property currently addressed as 575 Breezy Hill Lane, and take any action necessary.

p.136 **3.** **Z2015-014** - Discuss and consider approval of an **ordinance** for a request by Cole Franklin of the Skorburg Company on behalf of the owner of the Lonnie Gideon Estate for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 29.192-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of the intersection of E. Quail Run Road and John King Boulevard, and take any action necessary. **(1st Reading)**

p.158 **4.** Discuss and consider approval of an **ordinance** adding Sections 26-290 to 260-297 "Operation of Golf Carts" to Chapter 26. Motor Vehicles and Traffic, Article IV. Bicycles, Golf Carts and Play Vehicles, Division 5 of the Municipal Code of Ordinances to authorize the operation of golf carts within the city limits, and take any action necessary. **(1st reading)**

p.165 **5.** Discuss and consider update related to an erosion control project located near 2065 Lake Forest Drive, and take any action necessary.

p.167 **6.** Discuss and consider the provisions of Chapter 12. Businesses & Sales, Article XII. Ambulance Service of the Code of Ordinances, and take any action necessary.

p.170 **7.** Discuss and consider survey results and options related to the city's solid waste collection contract, and take any action necessary.

p.177 **8.** Discuss and consider amendments to the natural and/or quarried stone requirement stipulated by the overlay district standards contained in Article V, District Development Standards, of the Unified Development Code, and take any action necessary.

p.180 **9.** Discuss and consider options related to providing public restrooms in the downtown area, and take any action necessary.

p.184 **10.** Discuss and consider an update related to public parking signage at The Harbor, and take any action necessary.

p.189 **11.** Discuss and consider maintenance within the take line area, and take any action necessary.

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the city's concession agreement with Suntex Marina / Suntex RHCL Marina, LLC pursuant to Section § 551.071 (Consultation with Attorney)
2. Discussion regarding possible legal claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding purchase or lease of real property / land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).
4. Discussion regarding status of Rockwall Harbor Landing, Inc. vs. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney).
5. Discussion regarding Eclipse Fitness LLC and DRZW Holdings LTD vs. City of Rockwall, Texas pursuant to Section 551.071 (Consultation with Attorney).
6. Discussion regarding possible development-related legal claim in the vicinity of Bourne Street pursuant to Section 551.071 (Consultation with Attorney)
7. Discussion regarding appointment of city council subcommittees and board liaisons pursuant to Section, §551.074 (Personnel Matters).

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 12th day of June, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Timothy M. Tumulty, Director of Public Works/City Engineer

DATE: June 12, 2015

SUBJECT: Rockwall County Master Thoroughfare Plan

The Cities of Rockwall, Fate, Royse City, McLendon-Chisholm and Heath have been working with the Rockwall County Commissioners to evaluate and revise the County Master Thoroughfare Plan. The North Central Texas Council of Governments (NCTCOG) is assisting Rockwall County to evaluate roadway lane requirements of major arterial roadways needed to meet the population demands in the year 2035. NCTCOG has completed their analysis of the future roadway needs and provided a draft copy to the Rockwall County cities for their review and comment. This plan also addresses the impact to SH 205 through our City.

Our staff has completed the review of the proposed plan and will meet with Rockwall County on Tuesday, June 16, 2015 to discuss our comments. The County intends to complete this phase of the process by the end of this month. If and when this new plan takes effect at the County level, the cities should incorporate these roadways into their Master Thoroughfare Plan. If you have any questions, please advise.

TMT:em

Cc:
Mary Smith, Assistant City Manager
Brad Griggs, Assistant City Manager
Amy Williams, Assistant City Engineer
file

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11

City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Timothy M. Tumulty, Director of Public Works/City Engineer

DATE: June 12, 2015

SUBJECT: IH 30 Westbound Entrance Ramp

The 2012 Bond Program included a project to design and construct a new entrance ramp to westbound IH 30 between FM 740 (Ridge Road) and Horizon Road. The construction of this entrance ramp should improve traffic flow in the surrounding area during peak travel hours. Traffic in the area of Ridge Road wishing to travel to Dallas or other western suburb cities must drive through the IH 30/Horizon Road intersection which becomes severely congested in peak hours. With the installation of this new entrance ramp, congestion levels should be reduced in this area.

This ramp will be designed and constructed to State standards. The design contract will be managed by the City of Rockwall while construction management will be handled through the Texas Department of Transportation's Area Office. The design and construction will be performed solely at the cost of the City. Staff is currently negotiating with a consulting engineer for the engineering design services contract. Once the consultant starts the design process, construction could get underway within nine months. Construction time should take approximately nine months to complete.

If you have any questions, please advise.

TMT:em

Cc:

Mary Smith, Assistant City Manager
Brad Griggs, Assistant City Manager
Amy Williams, Assistant City Engineer
file

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13

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **June 10, 2015**

SUBJECT: **PARKS AND RECREATION STRATEGIC INITIATIVES**

In 2005, a department wide business plan was adopted that outlined several strategic initiatives giving operational direction to the staff. The plan provided clear timelines and guidance for completion. As the City has grown and many past goals have been met and progress has been made on the Parks and Recreation Master Plan, it seems to be an appropriate time to forge ahead with additional strategic initiatives.

As a result of joint meetings with Park Board and City Council and staff input, 15 new initiatives have identified. The initiatives are intended to be strategic in nature and achievable in a 12 to 24 month period. Many tasks will be taken on as standard operating procedure after the initiatives are approved and completed.

At the June meeting, Park Board voted unanimously to recommend to Council the strategic initiatives attached with this agenda item. Park Board has also requested a work session with City Council to present the final recommendations.

Six of the initiatives are intended to plan, design or complete physical improvements to the park system; four emphasize operational improvements and staff development; three more identify and develop new recreation program offerings; one explores barriers and opportunities to attract business and leisure travelers; and the final initiative is to expand public awareness of parks and recreation services and how they contribute to our residents' quality of life.

Earlier this year, Park Board Chairman Brad Bassett appointed three board members to a marketing subcommittee to evaluate our current efforts. A memo from subcommittee chair-person Wayne Larson that summarizes their findings is attached. These findings are also preliminarily addressed in the public awareness strategic initiative.

Park Board will present their recommendations. Staff will be available to answer any questions. Contingent upon approval, staff is prepared to begin work on the initiatives immediately.

Memorandum

Date: June 8, 2015

To: City of Rockwall Mayor Jim Pruitt and City Council

From: Wayne Larson, CPC, APR, Parks Marketing Committee Chairperson

Copy: Rick Crowley, City Manager
Brad Griggs, Assistant City Manager
Andy Hesser, Parks and Recreation Manager
Parks and Recreation Advisory Board

Subject: Parks Marketing Committee Summary

I was asked by Parks Board Chairman Brad Bassett to submit this memorandum to you. A draft was reviewed by the Parks and Recreation Department staff and the Parks Board.

The Marketing Committee of the Parks Board met twice with the leadership team of the Parks and Recreation Department during the past few months to discuss various aspects of promoting the department as well as the City of Rockwall. The following is the committee's summary of those meetings:

- The department is the primary public relations arm of the city through special events and other related activities.
- However, the overall public awareness of the city and the department needs to be further refined and strategic. Current process and use of city logos is inconsistent.
- Current consideration should be given to:
    - Budgeted line items within the department's annual operating budget for event promotions so staff planning is not restricted to sponsorship funding and is empowered to promote events and the city.
    - A professional survey of residents and department customers on their communication preferences and knowledge of city programs.

- There is an opportunity for strategic planning to utilize all available city communication resources: newsletters, promotions, direct mail, social media, electronic communications, website, etc. This will help breakdown silo communications of departments independently operating with competing interests.

It is the overall recommendation of the Parks Board Marketing Committee that city management and the City Council consider the following objectives:

- Investing resources (strategic planning, staff, budget) into a long-term, public awareness strategy for the City of Rockwall.
- Developing a dedicated, holistic approach to promoting the city, its attributes and unique characteristics.
- Approving guidelines and a style guide for all city departments which will foster consistency and continuity of public awareness efforts.

In closing, we hope the City Council gives consideration to the topic of city-wide public awareness and promotions during future budget sessions or planning retreats. On behalf of the committee and department, I thank you in advance for your time and attention on this issue.

Current Parks & Recreation Strategic Initiatives

The following strategic initiatives are those which were identified as a result of input gathered from City Council and Park Board joint meetings as well as staff input. At this point, all are strategic in nature, but some may evolve into daily operations once implemented. Certain initiatives will be completed, and many will be ongoing with additional measures and targets added as the initiatives achieve particular levels of progress.

INITIATIVE TABLE OF CONTENTS
Identify opportunities to expand public awareness of parks, trails, recreation, and special events.
Develop financing & phasing plan for Lakeside Park Master Plan
The Park at Stone Creek
The Park at Breezy Hill
Conduct analysis of needed recreation software upgrades
Park Maintenance Standards
Conduct analysis of park maintenance and contract personnel
Professional Development
Create operations training manual for Parks & Rec Division
Develop and increase program offerings for those with special needs
Identify and implement new water-based and outdoor recreation program opportunities
Habitat enhancements for purpose of attracting butterflies and specific birds
Revive the reforestation plan by planting one tree on public grounds for each year since the City has been founded
Identify and purchase 50 acre community park land south of I-30
Improve tourism opportunities and hotel room nights

DRAFT

17

Identify opportunities to expand public awareness of parks, trails, recreation, and special events.

Description: Parks, trails, rental facilities, playgrounds, live music, The Harbor, pools, fishing, boating, youth baseball/softball, summer camps, senior programs, and a wide variety of other recreation programs are just some of the services The City of Rockwall Parks and Recreation provides. The challenge is getting the word out to residents that their tax dollars are being used for their benefit and quality of life. It has become evident that many people do not know that most of the services they desire or already utilize are provided by the City.

A comprehensive communication plan could provide a consistent and effective message to our residents. Some of these efforts will encompass how, when and with whom we communicate through seasonal programs and event cycles, such as Fun Guide, websites, and other print and electronic media. Other efforts can be accomplished on a daily one on one scale. Our park maintenance and recreation staff encounter residents on a daily basis. Increasing their knowledge and skills with how they interact ensures a genuine personal exchange in what the City has to offer.

Measure:

1. Develop a public awareness campaign for parks, recreation, open space and trails.
2. Develop a comprehensive electronic media communication plan.
3. Develop a comprehensive print media communication plan.
4. Design and evaluate opportunities for a park ambassador program.
5. Implement communication and park ambassador plans.

Target:

1. October 30, 2015
2. March 30, 2016
3. February 1, 2016
4. April 30, 2016

Owner: Andrew Ainsworth, measures 1-4

Aaron Dobson, measure 5

DRAFT

Developing financing and phasing plan for Lakeside Park Master Plan

Description: The Parks, Recreation and Open Space Master Plan identifies opportunities to develop a lakeside community park along the northeast shores of Lake Ray Hubbard. In 2010, a concept plan for approximately 400 acres of land within the take-line area of the lake was created to highlight the park development possibilities of this land. Due to the size and complexity of the project, a phasing and financing plan needs to be explored to direct any future actions.

Measure:

1. Amend inter-local lease area agreement with the City of Dallas.
2. Develop phasing plan and cost estimate.
3. Review grant opportunities and identify Capital Improvement Program (CIP) options.

Target:

1. December 31, 2015
2. March 15, 2016
3. April 30, 2016

Owner: Andy Hesser

DRAFT

19

The Park at Stone Creek

Description: The developer of the Stone Creek subdivision dedicated approximately 11 acres of park land to be developed as the neighborhood park for district #5. Pro-rata equipment fees have also been collected for this district. The value of the land and the fees collected were used as the matching portion of a $400,000 grant from the Texas Parks and Wildlife Department (TPWD). In August of 2014, the City was successful in receiving the grant.

The City has entered into a contract with MHS Planning and Design for construction and bid documents services. Public input will be taken during a regularly scheduled Park Board meeting when the drawings are substantially complete. There are many steps in the TPWD grant process that require approval prior to moving to the next step. In addition to TPWD, there may be other state and federal regulatory approvals needed. The anticipated project development schedule is subject to TPWD requirements.

Measure:

1. Receive and review plan draft from MHS
2. Public input meeting
3. City Council review
4. Submit plans to TPWD for review
5. Project completion
6. Grand opening

Target:

1. June 15, 2015
2. August 4, 2015
3. September 8, 2015
4. October 1, 2015
5. August 31, 2016
6. August/September 2016

Owner: Andy Hesser

DRAFT

The Park at Breezy Hill

Description: In March of 2015, the City submitted an application to the Texas Parks and Wildlife (TPWD) grant program for $400,000 in matching funds to develop the neighborhood park at Breezy Hill. The developer has dedicated 11 acres of land for the neighborhood park, as well as approximately 30 acres of land dedicated as natural open space. The value of the land and the pro-rata equipment fees collected will be used as the City's matching portion of the grant. Contingent upon being awarded the grant funds, the City will undertake the same process as the Park at Stone Creek for design and development.

The land dedicated by the developer has been placed in the Texas Recreation and Parks Foundation to be held in trust until funds are available to develop the park. In the event the City is not awarded the grant in this funding cycle, the land and its associated value are still eligible to be used for future grant applications.

Measure:

1. Receive notification of grant award from TPWD.
2. Contingent upon award of grant, sign agreement with TPWD.
3. Begin design process.

Target:

1. August 1, 2015
2. March 15, 2016
3. March 30, 2016

Owner: Andy Hesser

DRAFT

Conduct analysis of new recreation software

Description: We currently use software called CLASS for all recreation program and facility registration functions. Support for this software is being phased out in 2016 due to end of service life. As customer needs and technology changes, alternatives for customer registration software need to be evaluated. Recent innovations in recreation software may provide new options for our customers that we currently cannot offer such as: online program registration, online facility reservations, automatic messaging, key deposits, social media integration, pool passes, and customer trends analysis.

Measure:

1. Develop list of criteria/attributes and evaluate options based on criteria established.
2. Make recommendation for budget request.

Target:

1. July 15, 2015
2. August 15, 2015

Anticipated Funding Source:

Recreation Development Fund

Owner: Andrew Ainsworth

DRAFT

Park Maintenance Standards

Description: Our residents regularly express a high expectation for how our parks, trails, facilities and open space are to be maintained. This expectation can be subjective and highly variable. It is important to clearly define and quantify these standards in order to make the best use of the City's time, personnel, equipment and fiscal resources. The park maintenance standards need to be updated to reflect the community's growth and desire to maintain a high-quality parks and municipal grounds system.

.

Measure:

1. Update inventory of existing facilities.
2. Define appearance standards or "levels" appropriate for each park, trail and facility type.
3. Define maintenance frequency standards appropriate for each level.
4. Define work load priorities by level.

Target:

1. December 2015
2. December 2015
3. February 2016
4. March 2016

Owner: Aaron Dobson

DRAFT

Analysis of Park Maintenance Personnel and Contract Personnel

Description: The park maintenance department is responsible for full-time and part-time employees and contracted resources to perform a wide variety of tasks and expertise that include but are not limited to: turf maintenance, tree maintenance, shrub and flower maintenance, infrastructure construction, irrigation installation and maintenance, ball field maintenance, playground construction and maintenance, trail maintenance, as well as program and special event support.

These resources are finite and must be used efficiently in order to meet the adopted standards and expectations. Analysis of these resources in comparison to the adopted maintenance standards is necessary to determine an effective allocation of resources and to forecast the maintenance needs of future facilities or improvements.

Measure:

1. Determine available staff hours.
2. Estimate productivity standards; equipment, tasks needed to maintain adopted levels of service.
3. Determine work load requirements to maintain adopted level of service.
4. Recommendations for service mix

Target:

1. March 2016
2. March 2016
3. May 2016

Owner: Aaron Dobson

DRAFT

24

Professional Development

Description: Rockwall currently has approximately 44,000 residents. In 2004, Rockwall had about 27,000. The City strives to meet these increasing demands in a variety of ways. In all scenarios a well trained and knowledgeable staff is key to keeping up with the changing demands and trends. Each Parks and Recreation position requires specific skill sets and certifications, as well as, broad knowledge and skills to meet our expectations.

Standard Operations Procedure Manual and in-service training schedules are designed to provide skill and knowledge enhancement on the daily operational level. Other initiatives will prepare employees for long range growth and development.

Measure:

1. Identify specific training opportunities for each position.
2. Develop in-service training for new hires and part time employees
3. Increase number of staff Certified Parks and Recreation Professional certifications (CPRP)
4. Evaluate the process and benefits of national accreditation of the Parks and Recreation Department (CAPRA certification)
5. Complete CAPRA self assessment
6. Apply for TRAPS Gold Medal Award
7. Apply for NRPA Gold Medal Award

Target:

1. November 1, 2015
2. April 1, 2016
3. December 1, 2016
4. January 1, 2016
5. August 1, 2016
6. October 30, 2016
7. February/March 2016

Owner: Andy Hesser

DRAFT

Create operations training manual for Parks & Rec Division

Description: In order for staff to efficiently and effectively meet the City's high expectations, performance standards must be clearly and consistently communicated. Standard operating procedures, best practices and training programs are important to staff's performance and development. These standards and expectations should be maintained as one Standard Operating Procedure Manual that is reviewed and updated on an annual basis. The Manual provides a basis to clearly communicate how we should perform our daily operations.

Information gained from the *personnel analysis strategic initiative*, asset inventories and Council adopted maintenance standards can all be communicated through this document. It will also serve to support staff development and training.

Measure:

1. Gather staff input of relevant and desired components of manual
2. Compile all content
3. Review and approval of draft
4. Initiative staff training

Target:

1. November15, 2016
2. January 31, 2016
3. March 1, 2016
4. April 1, 2016

Owner: Andy Hesser

DRAFT

Develop and increase program offerings for those with special needs

Description: The Recreation Division's mission is to "Provide a diverse selection of customer centered activities that are enriching and valued by our residents". One of our core values is *DIVERSITY – to provide activities that enhance the quality of life for all segments of our populations.*

Throughout the public input process for the barrier free playground constructed in Yellowjacket Park, residents revealed new opportunities that are aligned with this mission. With stakeholder input, the Parks and Recreation Department is prepared to explore and develop recreational opportunities geared toward those with special needs.

Measure:

1. Identify stakeholder groups to seek input for program needs.
2. Review current resources for potential program /events
3. Implement new programs utilizing current resources
4. Identify opportunities for new programs and facilities

Target:

1. November 2015
2. January 2016
3. February 2016
4. April 2016
5. October 2016

Owner: Sarah Hurst

DRAFT

27

Identify and implement new water-based and outdoor recreation program opportunities

Description: One of Rockwall's greatest assets is Lake Ray Hubbard. The City's parks and facilities inventory consists almost entirely of outdoor assets. Rockwall's park system includes a variety of paved and unpaved trails, many ponds, fishing piers, a public boat ramp, boat docks, natural open spaces and developed spaces. Seeking public input and partnerships may reveal fresh ideas to further utilize our City's parks, trails, ponds and other natural assets. In addition to existing staff levels, a combination of contract instructors, concession agreements and other partners may be necessary to provide a diverse program mix.

Measure:

1. Conduct public input meetings to seek input for program needs.
2. Assess current resources for feasibility of program opportunities.
3. Develop, implement and market new programs with current resources.

Target:

1. December 1, 2015
2. January 1, 2016
3. March 1, 2016

Owner: Dave Wilson

DRAFT

28

Habitat Enhancements

Description: An important component to a healthy and enjoyable park system is the aesthetic and ecological value of native wildlife. As development and growth pressure increases, these assets become scarce. In order to thrive, native birds, fish, mammals, insects and vegetation need a suitable landscape. Native grasses, trees and wildflowers can be incorporated into public land to provide those needs in a suburban setting. Wildflowers, water fowl and other colorful birds also provide leisure opportunities for residents and visitors for photography opportunities and wildlife viewing.

Not only does native flora and fauna provide recreational enjoyment for our residents, there are other benefits as well. These include reduced need for irrigation and water consumption, slope stabilization and reduced maintenance tasks such as mowing.

Measure:

1. Create a wildflower and native grass plan.
2. Create a plan to enhance habitat to attract songbirds and butterflies.
3. Identify potential partners and resources.
4. Implementation of plan.

Target:

1. April 2016
2. May 2016
3. Aug 2016

Owner: Aaron Dobson

DRAFT

Reforestation Plan

Description: As the City continues to grow, trees are lost to development. Our tree preservation ordinance requires developers to contribute trees or funds to purchase trees to be used in public areas. Public areas include any tax supported entity within the City limits.

Measure:

1. Assess current inventory of trees and available and available resources to purchase and plant trees for public reforestation.
2. Identify locations and phasing for tree planting
3. Adopt plan to plant 162 trees in 2016 and increase this amount annually by 1 to correspond to city's founding date (1854).
4. Complete initial 1 year plan (162 trees).

Target:

1. September 2015
2. September 2015
3. November 2015
4. December 31, 2016

Anticipated Funding Source: Tree preservation ordinance escrow funds

Owner: Aaron Dobson

DRAFT

30

Identify and purchase 50 acre community park land south of I-30

Description: The 2005 voter approved bond program provided approximately $1.2million to acquire one 50 acre community park north of I-30 and one south of I-30. A 50 acre tract north of I-30 has been purchased. It is located at the corner of FM 1141 and North Country lane. A tract south of I-30 has yet to be acquired.

Measure:

1. Identify 50 acre sites
2. Talk to all interested parties.
3. Make recommendations to make acquisition.

Target:

1. Oct 31, 2015
2. May 31, 2016
3. July 31, 2016

Owner: Brad Griggs

DRAFT

31

Improve tourism opportunities and hotel room nights

Description: Tourism revenue from business and casual travelers is a major industry throughout the world. Capturing a portion of that industry revenue needs to be a focal point of future operations. The City of Rockwall is a desirable destination for the business and casual traveler but strategies must be implemented to gain a larger market share.

Measure:

1. Determine city related meeting host opportunities and procedures for procurement
2. Develop professional "marketing" video for the City of Rockwall highlighting meeting host desirable assets of the community
3. Analyze barriers and threats to the City of Rockwall becoming a sought after meeting host location and determine strategies to overcome those threats and barriers.

Target:

1. September 2015
2. May 2016
3. July 2016

Anticipated Funding Source: Hotel Motel Occupancy tax

Owner: Brad Griggs

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MINUTES
ROCKWALL CITY COUNCIL
Monday, June 01, 2015
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dennis Lewis and City Council Members David White, Mike Townsend, Scott Milder, Kevin Fowler and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs, and City Attorney Frank Garza.

II. WORK SESSION

1. Hold work session to discuss city strategic planning, and take any action necessary.

Mayor Pruitt announced that this item will be discussed later on in the meeting.

(See pg. 11 under XVI for minutes concerning this item).

2. Hold work session with Stacy McVey regarding potential development of property located on the northeast corner of SH-276 and Rochelle Road, and take any action necessary.

Mayor Pruitt called forth Mr. Stacy McVey to hear a presentation from him concerning development of this property. Mr. McVey explained that this potential development is located on the northeast corner of SH-276 at Rochelle. They will be requesting that the property be rezoned from Light Industrial (LI) to a Planned Development District (PD). The property consists of 316 acres, and the objective for today's meeting is to present the concept plan and get feedback from the city council.

Craig Carney
4588 Hinton Drive
Plano, TX 75024

Mr. Carney indicated that Commercial is reflected on the concept plan (about 9 acres), two Soil Conservation Commission (SCS) ponds, and about 519 lots. Also, there is a recreational component on the very north side. He understands that density, lot sizes and open space are important to the council, and they are looking to donate about 42 acres of open space. He went on to explain that density is 1.7 houses per acre with green space greater than 30% and walk/hike/bike trails greater than 3 miles, with a lot mix consisting of some - 80x120's, 70x110's and 60x110's. One of the advantages of the residential development will be its proximity to the Rockwall Technology Park. Discovery Boulevard would be extended from the Tech Park over to and across this development. It will be a mixed use development, and they intend to have at least one hotel to service the Tech Park and possibly the recreational component up to the North, which may involve baseball tournaments (perhaps a Boys & Girls Club recreational component). Again, two SCS ponds will be present, surrounded by the residential subdivision. Infrastructure improvements will include a portion of Rochelle Road from SH-276 up to the NW corner of the property. Also, water and sewer infrastructure will be

installed, and a substantial upgrade will be made to the Timber Creek lift station. Two amenity centers (swimming pools, meeting rooms and activity spaces) will be included. Retail and restaurants are also anticipated in the Commercial portion as well as neighborhood-related services.

Mayor Pro Tem Lewis asked the density calculation includes the floodplain acreage. Lewis mentioned that the city is currently having problems with an SCS pond flooding a neighborhood. He also asked if the developer has spoken to the Rockwall Economic Development Corporation (REDC). Mr. McVey indicated that he believes the meandering nature of the property, coupled with the floodplain areas, does not make this property ideal for a large, LI development.

Mr. Carney indicated that they have meet with representatives of the SCS and have gleaned their feedback, indicating that some flood studies will need to be completed. Mr. Carney indicated that they spoke to the REDC about three to four weeks ago, and they left with a feeling that they were in support of it, but they perhaps want to find some replacement land for the Light Industrial (LI).

Lewis again asked if the floodplain area was included in the density calculation. Mr. Carney indicated that part of the floodplain area was used in the calculation, but not all of it.

Councilmember Hohenshelt expressed concern about the proposed SCS ponds, especially in light of the fact we have some flooding problems currently because of similar ponds. Mr. Carney indicated that once the concept plan is approved, more extensive drainage and flood engineering studies would be conducted.

Councilmember Milder expressed thanks for the developer staying in compliance with the city's comprehensive plan. He then asked what the expected price point would be on the homes in this development. Mr. McVey indicated that on the high end, the homes would be in the high $200,000's and the high price point would be around $400,000. He also asked what builders might be involved. Mr. Carney generally indicated that they are open to various builders as long as they can guarantee building a quality product. Milder asked if there will be any sort of pedestrian walkway from the development over to the Tech Park. Mr. McVey indicated that they are considering this, and they hope to include this in the plans.

Mayor Pruitt indicated that he has concerns about citizens who might move into this residential development if at some point the Rockwall Economic Development Corporation (REDC) has a future business client that wants to build or expand a warehouse right next door in the area that is zoned 'light industrial.' He is concerned that two hundred plus citizens would then come forth and complain that they are not in favor of a "light industrial" development going in right next to their homes. He strongly suggested that, if this development moves forward and comes to fruition, the developer / builders ensure that residents purchasing homes there are clearly made aware of the fact that "light industrial" could very well go in right next door to their homes / neighborhood. Councilmember Hohenshelt echoed similar concerns, indicating that a large buffer space/area is highly desirable between the residential development and the LI zoned area.

Councilmember White expressed that, on the surface, he is fully in support of this proposed development, expressing that improvements to Rochelle Road and the potential partnership with the Boys & Girls Club would both be beneficial.

The council took no action concerning this work session discussion item.

Work Session item #4 was addressed next by city council.

3. Hold work session to discuss the city's Comprehensive Land Use Plan, and take any action necessary.

Mayor Pruitt provided brief background information related to this agenda item, indicating that he wanted this item placed on the agenda for discussion. It stemmed from past discussions regarding how the city can encourage developers to come into the city and develop larger lots. He believes that, along with larger lots, developers may be requesting a reduction in the amount of required open space. He wonders how much the council is willing to compromise on required open space in order to achieve larger lots / larger homes.

City Manager Rick Crowley indicated that he would like to discuss the standards that the city has in place regarding 2.0 units and whether or not the council would be violating its own regulations if it were to grant higher density (i.e. 2.5 units per acre). He explained that the council does have discretion if a developer is proposing amenities within a development that the council feels are sufficient enough to warrant allowing a slight increase in the density. Also, the council may wish to discuss if certain development standards should apply to developments involving 50 acres or more. Regarding alleyways being required, fairly routinely this provision has been waived upon the council exercising its discretion. Regarding open space, Mr. Crowley clarified that this is distinguished from parks and parkland dedication requirements. Also, the John King Boulevard Overlay District design standards are in place and will need to be adhered to, or else a super majority vote of the council would be needed to waive them. Brief comments were made related to the buffer requirements for development off of John King.

Councilmember Fowler asked if it makes sense for city staff and the Planning & Zoning Commission to take a look at our Comp Plan and bring a list of recommended changes to the council to consider, taking into account what types of developments are most commonly occurring today. Mr. LaCroix, Planning Director, indicated that the city's Comp Plan has been reviewed since it was first established in 2000/2001. In 2004, the Downtown Plan was adopted and incorporated into the overall Comp Plan, and in 2007, clarifications regarding residential development standards were incorporated into the Comp Plan to clarify how those standards are associated with the Land Use Plan (addressed 2 units per acre, amenities and open space). Also, in 2010, a process to reevaluate the Comp Plan was started, and it took about eighteen months. So, additional amendments were adopted in 2012 as a result of that review. He indicated that once every six to eight years, cities typically review their Comp Plans to ensure they are still applicable with respect to how a city is growing.

Councilmember Milder indicated that, unless a developer presents a really compelling reason, he is inclined to believe that the council should not grant variances that waiver from the city's Comprehensive Plan. He does not believe that a developer's profit or bottom line is a compelling reason to grant variances. He believes the city council needs

to be more vigilant in honoring the intent of elements contained within the city's Comp Plan.

Councilmember Lewis indicated that when he served on the city's Planning & Zoning Commission, he was involved in an in-depth review of the city's Comp Plan, and it was quite an involved process. He indicated that the city is currently being faced with what it wants John King to ultimately look like. LaCroix clarified that part of the Comp Plan already contains design standard guidelines for the John King Boulevard Overlay corridor that reflect what the roadway itself is proposed to look like.

Councilmember Lewis indicated that he would like to see more creativity in the city's future subdivisions to get away from always having square lots.

Councilmember Hohenshelt expressed disagreement with Milder in that he believes a property owner should be able to sell his land and make a profit from doing so. He generally encouraged the city council members to educate themselves more so that they have a good handle on what the city's standards are and what they would and would not like to see from developers, especially concerning developments involving 50 acres or less. He expressed he believes these proposals will become more prevalent. Councilmember Milder suggested that perhaps there needs to be more specific guidelines incorporated into the Comp Plan that specifically address 50 acres or less. Councilmember White expressed that the more guidelines that are put in place, the more variances the city council will see come forth.

Mr. LaCroix explained that in 2007, guidelines were put in place to stipulate that low density is 2.0 units or less per acre; 2.0 - 3.0 units per acre is medium density and, if you come in as a PD, you might be granted 2.5 acres with the right amenity(ies). Also, there must be open space incorporated, so there is essentially no 'straight zoning' anymore. There are only PDs being proposed, and these sorts of standards were adopted and put into place in 2007.

Mr. LaCroix clarified that, if the council approves a PD, it essentially waives the alleyway requirement.

Following the discussion, the council took no action related to this item.

4. Hold work session to discuss the approaching expiration of the current solid waste collection contract with Allied Waste, and take any action necessary.

Assistant City Manager Mary Smith provided information concerning this item. She stated that the existing garbage contract will expire on December 31, and about six months prior to its expiration (by July 3), the City of Rockwall will need to provide notice to the existing garbage contractor regarding if we desire to extend the contract or go out for proposal. In the past, the City has conducted garbage surveys to glean feedback from Rockwall citizens regarding satisfaction with their garbage service; however, we have not done so in several years. She explained that the Council will need to discuss this topic in more detail and take action at the next city council meeting regarding. She further indicated that staff is happy to conduct a garbage survey of other cities to inquire about their garbage contractors and associated service and return the results to the council by the next meeting.

Mayor Pruitt asked Mr. Burnis of Allied Waste if there are any concerns from the company's standpoint.

Rick Burnis
171 Pelican Cove
Rockwall, TX

Mr. Burnis indicated that Rockwall signed a five year contract with his company with a five year renewal clause. He is excited about the opportunity to renew the contract. The only thing that the company may need to consider is a couple of new pieces of equipment due to the increased population and increase in mature trees, but these items can be negotiated with the city. Mr. Burnis indicated that citizens of Rockwall really enjoy the twice per week garbage pickups, so that will likely not be proposed to change.

Mayor Pruitt has concerns about citizens having to make forced payments for recycling regardless of if they do or do not participate in it. He would like to see a breakdown of the benefit to the city regarding the recycling program.

Councilmember Milder indicated that he has been satisfied with the existing garbage company's service; however, he believes it would be in the best interest of tax payers to allow other garbage companies to bid on a request for proposals. Perhaps there is a way to save a little money or be more efficient in our trash service. Maybe there could be a 'bulk pickup' hotline, for example, where citizens could call to request bulk pickup only if and when they have those items to be picked up. Mr. Burnis explained that pre-scheduled pickups are done throughout the city in an effort to be mindful of the overall cleanliness and appearance of the city.

Mayor Pruitt asked staff to proceed with conducting a multi-city survey and put a discussion item on the next council meeting agenda to decide how the council would like to proceed concerning its garbage contract. No formal action was taken at this time.

Following Work Session item #3, the city council recessed into Executive Session. Mayor Pruitt read the following discussion items into the public record for discussion as well as Work Session Agenda Item #1. The public meeting was recessed at 5:00 p.m.

III. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding legal matters related to land lease operations at Ralph Hall Municipal Airport pursuant to Section 551.071 (Consultation with Attorney).
2. Discussion regarding claim filed by Ryan Frost pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding appointment of city council subcommittees, board liaisons and designation of Mayor Pro Tem pursuant to Section, §551.074 (Personnel Matters).
4. Discussion regarding appointment to the city's Rockwall Economic Development Corporation (regulatory) board, pursuant to Section 551.074 (Personnel Matters)
5. Discussion regarding Agreement for Municipal Court Judge pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

Executive Session adjourned at 5:55 p.m.

V. RECONVENE PUBLIC MEETING

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all seven council members being present.

VI. SWEARING IN OF NEWLY ELECTED MAYOR & CITY COUNCIL MEMBERS

District Court Judge Brett Hall was present and administered Oaths of Office to newly elected Mayor Jim Pruitt and Council Members David White, John Hohenshelt, Scott Milder and Kevin Fowler.

VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session at this point; however, see end of public meeting for action taken after the second Executive Session was held.

VIII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER WHITE

Councilmember White delivered the invocation and led the Pledge of Allegiance.

IX. OPEN FORUM

Mayor Pruitt explained how this portion of the meeting is conducted and asked if anyone would like to come forth and speak during this time.

Mary Puckett-Eckstine
1605 Plummer Drive
Rockwall, TX

Mrs. Puckett-Eckstine came forth and indicated that she has lived in her home in Rockwall since 1980. She shared a brief story about a recent observation she had concerning emergency vehicles and personnel being able to access some of the homes within The Shores if and when a major traffic accident on IH-30 causes an influx of traffic in and along Ridge Road and through The Shores neighborhood as drivers try to make it over to SH-66. She indicated that she recently called Mayor Pruitt to express her concerns and was pleased to learn that the mayor, council and city staff have already put plans in place to address this concern. She thanked the city council and staff for their forethought and plans.

John Fischer
260 Argyle Shore
Rockwall, TX 75087

Mr. Fischer indicated that he has lived in his home since 2004. He has concerns about a home on his street (2610 Argyle Shore) that has been utilized as a 'group home' for seniors, which he believes is not an authorized use. He is concerned that the city does not have proper zoning regulations in place to prevent these types of operations from

existing illegally within the city. He expressed that an elderly person who was living in that home recently passed away. He encouraged the city to strengthen its laws to ensure this does not happen again in the future. He stated that he believes the operation has now vacated the home, and he requested and had the police department perform a welfare check at the home just to be sure no one was left behind.

X. CONSENT AGENDA

1. Consider approval of the minutes from the May 18, 2015 regular city council meeting, and take any action necessary.

2. Consider approval of an ordinance amending Sections 38-50 through 38-61 of Article II, Parkland Dedication, of Chapter 38, Subdivisions, of the Code of Ordinances for the purpose of adjusting "Table 1: Park Dedication Acreage Factor per Dwelling Unit" to account for changes to the "Ultimate Dwelling Unit Holding Capacity" and "Dwelling Unit Dedication Factor" as approved by the Land Use Assumptions Report adopted by Resolution No. 14-16, and take any action necessary. (2nd reading)

3. Consider award/approval of the bid presented by Roadway Solutions in the amount of $197,829.00 for the construction of the traffic signal at the intersection of Ralph Hall Parkway at Mims Road, and take any action necessary.

Councilmember White made a motion to approve all Consent Agenda items (#1, 2 and 3). Councilmember Lewis seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING ARTICLE II, *PARK LAND DEDICATION*, OF CHAPTER 38, *SUBDIVISIONS*, OF THE CODE OF ORDINANCES AS SET FORTH HEREIN; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Craig Renfro, Chair of the Planning & Zoning Commission, came forth and briefed the city council on recommendations of the Commission relative to items on tonight's city council meeting agenda. The council took no action concerning this agenda item.

2. Appointment with representatives of the city's Main Street Advisory Board to hear update regarding the program and downtown, and take any action necessary.

Evan Matteson from the city's Main Street Advisory Board came forth and provided a brief presentation to council to update them on the program and activities in and around downtown. He stated that a big goal is to provide readily available public restrooms in the downtown area, expressing that the board views this as a necessity. He indicated that the board would also like to increase the presence of cultural arts, create new special events and support and grow existing special events. They would also like to more frequently update the Council and increase transparency as far as public awareness is concerned.

Mayor Pruitt acknowledged Bethany Browning, the city's Main Street Manager, for her work and for attending this evening. No action was taken concerning this agenda item.

XII. PUBLIC HEARING ITEMS

1. P2015-014 - Hold a public hearing to discuss and consider a request by Jay Bedford of A.J. Bedford Group, Inc. for the approval of a residential replat creating Lots 6, 7, & 8, Block A, Grady Rash Subdivision, being a 3.727-acre tract of land currently identified as Lots 1, 2, 4, & 5, Grady Rash Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single Family Residential (SF-10) District, addressed as 1 Soapberry Lane, 2 Soapberry Lane, 4 Soapberry Lane, & 5 Soapberry Lane, and take any action necessary.

Mr. LaCroix indicated that a public hearing is required by State law with regards to this residential replat. The original plat had a total of five residential lots and was a family development; however, some of the lots have since been sold outside of the family. He generally indicated that the owner would now like to divide up this property into three lots. This replat allows for a private access utility easement to be clarified and for some technical aspects of the plat to be cleaned up. The Planning & Zoning Commission did recommend approval of this item.

Mayor Pruitt opened the public hearing and asked if anyone would like to come forth and speak. There being no one, Mayor Pruitt then closed the public hearing.

Jay Bedford of A.J. Bedford Group
301 N. Alamo
Rockwall, TX

Mr. Bedford came forth to answer any questions of the council. He explained that his understanding is that the owner wants to do this solely for tax purposes. Councilmember White made a motion to approve this item. Councilmember Milder seconded the motion, which passed by a unanimous vote (7 ayes to 0 nays).

XIII. ACTION ITEMS

1. Discuss and consider adoption of a resolution appointing a Municipal Court Judge, and take any action necessary.

Mayor Pruitt indicated that this item will be discussed in Executive Session before the council considers taking action on it. In the end, no action was taken at this council meeting concerning this agenda item.

2. SP2015-012 - Discuss and consider a request by Jennifer Garcia of KBGE on behalf of Rockwall Ice Cream Holdings, LLC for the approval of a variance to horizontal articulation requirements as stipulated by Article V, District Development Standards, of the Unified Development Code in conjunction with an approved site plan for a general retail store on a 0.91-acre tract of land identified as Tract 36 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of SH-205 [S. Goliad Street] north of the intersection of SH-205 and Yellow Jacket Lane, and take any action necessary.

This tract of land is owned by the same owner of the Dairy Queen. It is essentially a second lot that is under a sales contract right now, and a retail auto parts store is being proposed at this location. The Architectural Review Board (ARB) reviewed once and, as a result, some architectural changes were requested to be made. After those changes were made, the ARB and P&Z Commission reviewed it a second time. The Planning & Zoning Commission recommended approval of this request.

Councilmember Lewis made a motion to approve SP2015-012. Councilmember Townsend seconded the motion. Councilmember Milder expressed that he appreciates the development, however, he believes that putting a third auto parts store so close to two other existing ones is not an appropriate placement, especially considering this is a major corridor location. Following Milder's comments, the motion passed by a vote of 5 in favor with 2 against (Milder and Fowler).

XIV. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections Monthly Report - April 2015
Fire Department Monthly Report - April 2015
Harbor PD Monthly Report - April 2015
Internal Operations Department Monthly Report - April 2015
Police Department Monthly Report - April 2015
Recreation Monthly Report - April 2015
Rockwall Animal Adoption Center Monthly Report - April 2015

2. City Manager's Report

City Manager Rick Crowley briefed the city council on recent rains that caused flooding in the Lake Rockwall Estates neighborhood. He expressed that the flooded Soil Conservation lake is being managed at this time. He thanked Rockwall County Helping Hands for their prompt and continued assistance in rendering aid to those families whose homes have been flooded. He expressed heartfelt regret to families who have been adversely affected. Mr. Crowley stated that he would like the council's blessing to seek out additional private source funding that could be utilized by Helping Hands to continue helping families that have been affected on a more long-term basis. He thanked the County Emergency Management Coordinator for his continued assistance and work. He explained that a Presidential Disaster has been declared with regards to flooding in the State of Texas, and the families in Rockwall who have been affected by the floods are being encouraged to report their losses; however, this does not guarantee any Federal

monetary assistance. The lake will continue to be managed; however, it will take at least thirty days for the lake level to recede. Mayor Pruitt indicated that he and the council are in support of Mr. Crowley seeking out monetary donations for Helping Hands so that they may continue helping affected families. Mr. Crowley indicated that electrical meters were pulled by Oncor at the request of the city for safety purposes. There is no gas in the area.

Fire Chief Mark Poindexter then came forth and shared photographs and a verbal report concerning homes that have been affected by the flooding in the Lake Rockwall Estates subdivision. He explained that an 8" siphon pipe has been installed to try and drain the lake level to some extent, and the Soil Conservation Commission is overseeing this; however, it is a very, very slow process.

Councilmember Lewis indicated that there are still some vacant lots for sale. If a buyer goes through a title company or bank, then it does have to be disclosed that the property is located in a 100 year floodplain. However, if the sale takes place on a 'note,' then it may not be disclosed. Councilmember White asked if the city would issue a building permit to someone who purchased a lot in a floodplain. Mr. Crowley and City Engineer Tim Tumulty indicated that no, the city would not. Regarding if a resident will be allowed to rebuild, Mr. Tumulty indicated that they are allowed to rehab the structure, and Building Inspections will be involved to assess the damage and ensure building codes are met if/when rehabbing takes place. The council took no action concerning this agenda item.

Regarding the application process for Police Chief candidates, Mr. Crowley indicated that interviews have been ongoing with eleven candidates, and the last interview is scheduled for tomorrow. He will then be significantly narrowing down the candidate pool and will begin conducting background checks. He has had assistance from the two assistant city managers and one of the directors; however, he will be the one ultimately making the final selection. He generally indicated that the process is going smoothly.

From the Executive Session discussion items below, Mayor Pruitt then read into the record #s 3, 4 and 5, as well as the wording for Work Session item #3, before recessing the meeting into Executive Session at 7:00 p.m.

XV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding claim filed by Ryan Frost pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding legal matters related to land lease operations at Ralph Hall Municipal Airport pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding appointment of city council subcommittees, board liaisons and designation of Mayor Pro Tem pursuant to Section, §551.074 (Personnel Matters).
4. Discussion regarding appointment to the city's Rockwall Economic Development Corporation (regulatory) board, pursuant to Section 551.074 (Personnel Matters)

5. Discussion regarding Agreement for Municipal Court Judge pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney)

XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Mayor Pruitt reconvened the public meeting at 8:20 p.m. and addressed Work Session Item #1 (regarding city's strategic plan).

Councilmember Hohenshelt began discussion of this Work Session Item, indicating he would like to develop the city's strategic plan with the purpose of giving guidance to staff as they manage day-to-day. He expressed the belief that land use has implications for the city's revenue stream, which then funds spending. Hohenshelt went on to talk about a revenue / expenditure model. Mayor Pruitt questioned how the spending model will be examined. Hohenshelt discussed the need to decide appropriate mixes of commercial, light industrial, etc. as far as zoning is concerned. Councilmember White discussed the importance of this city council setting things in motion for future city councils. No action was taken as a result of this Work Session discussion item.

The following actions were taken as a result of Executive Session:

Mayor Pro Tem Lewis made a motion to appoint Mr. Rick Carroll to serve on the Rockwall Economic Development Corporation (REDC) board to fill Kevin Fowler's unexpired term (through December of 2015). Councilmember White seconded the motion, which passed by a unanimous vote (7 ayes to 0 nays).

Councilmember Townsend made a motion to (re)name Dennis Lewis as Mayor Pro Tem. Councilmember Milder seconded the motion, which passed by a vote of 6 in favor with 1 opposed (Pruitt).

Mayor Pruitt made a motion to appoint Councilmember Kevin Fowler to serve on the city's Fire Department Pension Board (replacing former Councilmember Bennie Daniels). Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 in favor with 0 against.

XVII. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 8:55 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,

THIS 15th DAY OF JUNE, 2015.

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 06/15/2015

APPLICANT: Mike Whittle on behalf of Rockwall Rental Properties, LP

AGENDA ITEM: **P2015-022** (Alliance Addition – Replat)

SUMMARY:

Discuss and consider a request by Mike Whittle on behalf of Rockwall Rental Properties, LP for the approval of a replat for Lot 11 & 12, Block 2, Alliance Addition, Phase 2 being a 1.420-acre parcel of land currently identified as Lots 1 & 10, Block 2, Alliance Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, addressed as 6505, 6510 & 6525 FM-3097, and take any action necessary.

COMMENTS:

- The objective of the request is to replat a 1.420-acre tract of land containing two parcels of land (Lot 1 being 0.854-acres & Lot 10 being 0.566-acres). The replat is being proposed to establish the necessary easements in order to accommodate the development of Lot 10. The plat will also establish a temporary 24-ft firelane, public access, and utility easement on Lot 1 until this site develops.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions listed in the Recommendations section below.

- With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the request for final plat, staff would recommend the following conditions of approval:

A) All the technical comments from the Planning, Engineering and Fire Departments shall be addressed prior to the filing of this plat, including the following comments;

1. Adherence to Engineering and Fire Department standards.
2. Address all staff comments as listed in the Project Plan Review (see attached).

B) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On June 9, 2015, the Planning and Zoning Commission recommended approval of the request with staff conditions by a vote of 6 to 0 (Conley – absent).

City of Rockwall

Project Plan Review History

				Applied	5/29/2015	LM
Project Number	P2015-022	**Owner**	ROCKWALL, RENTAL PROPERTIES LP	**Approved**		
Project Name	ALLIANCE ADDITION PH 2 LOT 11-12 BLOCK 2	**Applicant**	MIKE WHITTLE	**Closed**		
Type	PLAT			**Expired**		
Subtype	REPLAT			**Status**	6/1/2015	LM
Status	STAFF REVIEW					

Site Address	City, State Zip	Zoning
FM3097	, TX	

Subdivision	Tract	Block	Lot No	Parcel No	General Plan
ALLIANCE ADDITION PH 2	10	2	10	3039-0002-0010-00-0R	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	5/29/2015	6/5/2015	6/1/2015	3	APPROVED	
ENGINEERING	Amy Williams	5/29/2015	6/5/2015	6/1/2015	3	COMMENTS	See Comments
(6/1/2015 11:13 AM AW) Tie at least 2 corners of the property to City of Rockwall monumentation (x and y coordinates) Need to clarify the existing drainage/utility easement in the southwest corner (see markup)							
FIRE	Ariana Hargrove	5/29/2015	6/5/2015	6/4/2015	6	APPROVED	
GIS	Lance Singleton	5/29/2015	6/5/2015				
PLANNING	David Gonzales	5/29/2015	6/5/2015	6/3/2015	5	COMMENTS	See comments

Discuss and consider a request by Mike Whittle on behalf of Rockwall Rental Properties, LP for the approval of a replat for Lot 11 & 12, Block 2, Alliance Addition, Phase 2 being a 1.420-acre parcel of land currently identified as Lots 1 & 10, Block 2, Alliance Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, addressed as 6505 & 6525 FM-3097, and take any action necessary.

The following staff comments are to be addressed and resubmitted no later than Friday, June 12, 2015 (four large copies [18" X 24" FOLDED] and one PDF version) for subsequent review by staff.

1. Adherence to all Engineering and Fire Department standards.
2. Provide a label indicating "Case No. P2015-022" on the lower right corner on all pages of the plat.
3. Lot 11 - label the 15-ft Drainage Easement located on the west side of property
4. Lot 11 - label the 15-ft Utility Easement located on the north side of property.
5. Change Title Block from Replat to "Final Plat" at the heading only.
6. Notary Certificate not necessary when stamped by Surveyor.



City of Rockwall

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

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

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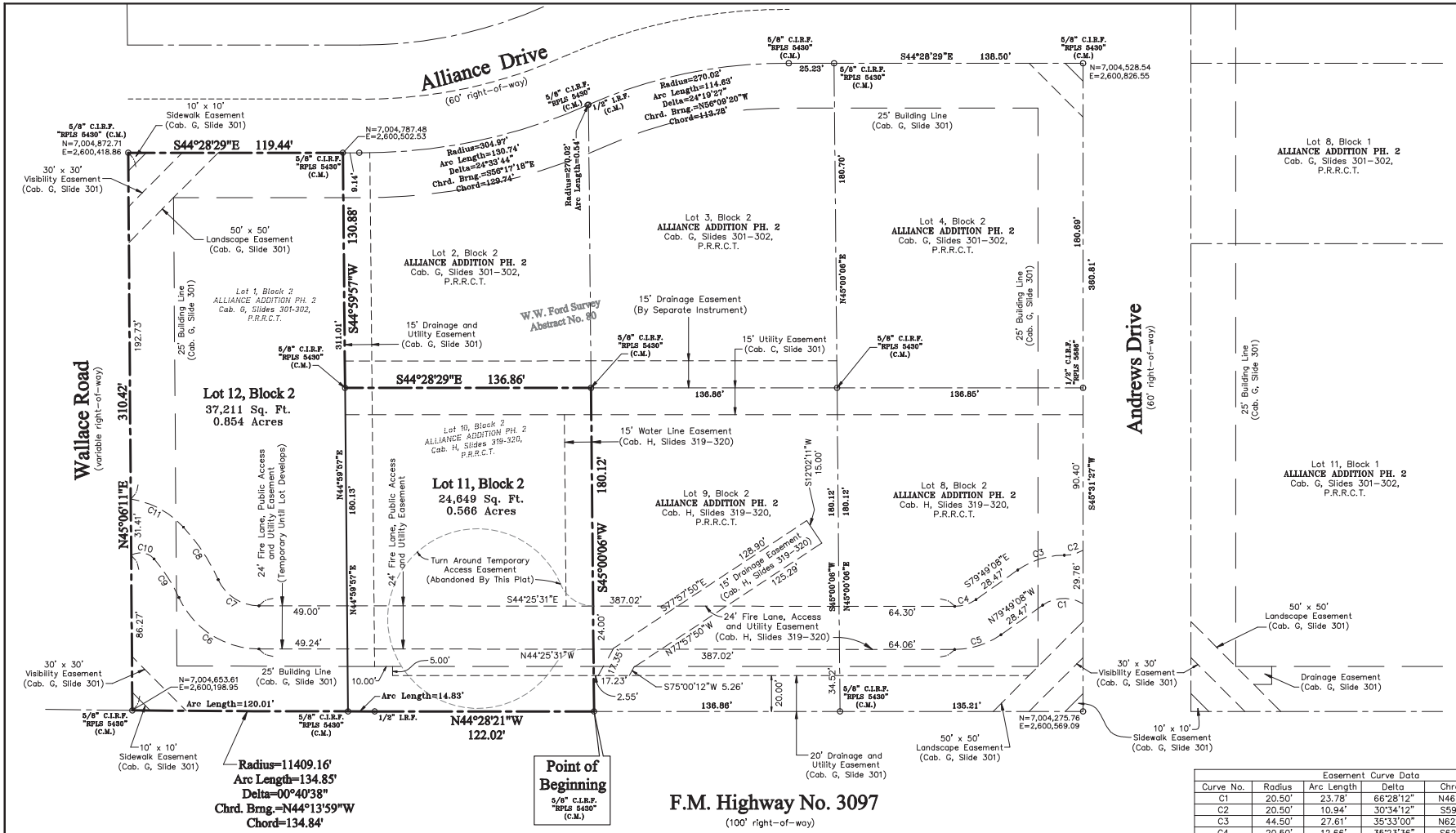
1:1,200



Easement Curve Data					
Curve No.	Radius	Arc Length	Delta	Chrd. Brng.	Chrd. Dist.
C1	20.50'	23.78'	66°28'12"	N46°35'02"W	22.47'
C2	20.50'	10.94'	30°34'12"	S59°33'13"E	10.81'
C3	44.50'	27.61'	35°33'00"	N62°02'37"W	27.17'
C4	20.50'	12.66'	35°23'36"	S62°07'20"E	12.46'
C5	44.50'	27.49'	35°23'36"	S62°07'20"E	27.05'
C6	49.00'	55.96'	65°25'45"	S11°42'39"E	52.96'
C7	25.00'	28.55'	65°25'45"	S11°42'39"E	27.02'
C8	112.17'	35.14'	17°57'05"	N12°01'41"E	35.00'
C9	88.17'	25.59'	16°37'46"	N12°41'21"E	25.50'
C10	10.00'	13.98'	80°05'50"	N35°40'28"W	12.87'
C11	50.00'	33.86'	38°48'06"	N16°20'55"W	33.22'

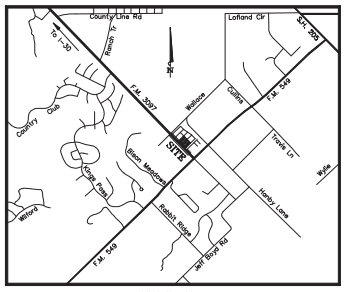
Notes:

1. According to the Flood Insurance Rate Map of Rockwall County, Texas, Map No. 48397C0105L, Map Revised September 26, 2008, the herein described property is located in Zone "X", described by said map to be, "areas determined to be outside the 0.2% annual chance floodplain".

2. Bearings are based on the most easterly south line of **ALLIANCE ADDITION PH. 2**, an addition to the City of Rockwall, Rockwall County, Texas, as recorded in Cabinet G, Slides 301 and 302, of the Plat Records, Rockwall County, Texas.

3. State Plane Coordinates shown on this plat are per the plat of **ALLIANCE ADDITION PH. 2**, an addition to the City of Rockwall, Rockwall County, Texas, as recorded in Cabinet G, Slides 301 and 302, of the Plat Records, Rockwall County, Texas. North Central Zone (4202).

4. It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.



GRAPHIC SCALE

40 0 20 40 80 160

(IN FEET)
1 inch = 40 ft.

REPLAT
LOTS 11-12, BLOCK 2
ALLIANCE ADDITION PH. 2
2 LOTS
61,860 SQ. Ft. / 1.420 ACRES
BEING A REPLAT OF
LOTS 1 and 10, BLOCK 2
ALLIANCE ADDITION PH. 2, AN ADDITION
TO THE CITY OF ROCKWALL, TEXAS
OUT OF THE
W.W. FORD SURVEY, ABSTRACT NO. 80
ROCKWALL COUNTY, TEXAS

Scale: 1" = 40' Date: May 2015

DATE: 05/27/2015	SCALE: 1" = 40'	DRAWN BY: C.S.H.	CHK'D. BY: M.B.A.	JOB NO.: 2013-0030

SHEET: 1 OF 2 **50**

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We, ROCKWALL RENTAL PROPERTIES, L.P., the undersigned owners of the land shown on this plat, and designated herein as **LOTS 11–12, BLOCK 2 – ALLIANCE ADDITION PH. 2** subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in **LOTS 11 AND 12, BLOCK 2 – ALLIANCE ADDITION PH. 2**, of this subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

Rockwall Rental Properties, L.P.

_____
Randall Noe – Owner

STATE OF TEXAS:
COUNTY OF ROCKWALL:

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Randall Noe, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this the_____ day of_____, 2015.

_____
Notary Public in and for the STATE OF TEXAS

OWNER:
Rockwall Rental Properties, L.P.
Contact: Mike Whittle
P.O. Box 369
Rockwall, Texas 75087
Phone (972) 771–5253

ENGINEER:
HELMBERGER ASSOCIATES, INC.
1525 Bozman Road
Wylie, Texas 75098
Contact: Stephen A. Helmberger, P.E.
Phone (972) 442–7459

SURVEYOR:
North Texas Surveying, LLC
1515 South McDonald St., Suite 110
McKinney, Texas 75069
Ph. (469) 424–2074
Fax (469) 424–1997
www.northtexassurveying.com

DATE: 05/27/2015	SCALE: 1" = 40'	DRAWN BY: C.S.H.	CHK'D. BY: M.B.A.	JOB NO.: 2013–0030

OWNER'S CERTIFICATION:

LEGAL DESCRIPTION:

BEING a tract of land situated in the City of Rockwall, Rockwall County, Texas, being in the W.W. Ford Survey, Abstract No. 80 and being all of Lot 1, Block 2, of **ALLIANCE ADDITION PH. 2**, an addition to the City of Rockwall, Rockwall County, Texas, as recorded in Cabinet G, Slides 301 and 302, of the Plat Records of Rockwall County, Texas (P.R.R.C.T.) and also all of Lot 10, Block 2, of **ALLIANCE ADDITION PH. 2**, an addition to the City of Rockwall, Rockwall County, Texas, as recorded in Cabinet H, Slides 319 and 320, P.R.C.C.T., said tract being more particularly described as follows:

BEGINNING at a 5/8" iron rod with a yellow plastic cap stamped "RPLS 5430" found (herein after referred to as a capped iron rod found) in the northeasterly monumented line of F.M. Highway No. 3097, said corner being the westerly corner of said Lot 9 (H/319–320) and the most southerly corner of said Lot 10;

THENCE North 44°28'21" West, along the northeasterly monumented line of F.M. Highway No. 3097, same being the southwesterly line of said Lot 10, a distance of 122.02' to 1/2" iron rod found at the beginning of a curve to the right, having a radius of 11,409.16', a central angle of 00°40'38", and a chord which bears, North 44°13'59" West, a chord distance of 134.84';

Thence in a northwesterly direction, along said curve to the right, an arc length of 134.85' to a capped iron rod found for the most westerly corner of said Lot 1, same being in the southeasterly monumented line of Wallace Road;

THENCE North 45°06'11" East, along said southeasterly monumented line of Wallace Road, same being the northwesterly line of said Lot 1, a distance of 310.42' to a capped iron rod found at the intersection of said Wallace Road and Alliance Drive, same being the most northerly corner of said Lot 1;

THENCE South 44°28'29" East, along the southwesterly monumented line of Alliance Drive, same being the northeasterly line of said Lot 1, a distance of 119.44' to a capped iron rod found for the most easterly corner of said Lot 1, same being the most northerly corner of Lot 2, Block 2, of said addition (G/301–302);

THENCE South 44°59'57" West, along the comon line between said Lots 1 and 2, a distance of 130.88' to a capped iron rod found for the most westerly corner of said Lot 2, same being the most northerly corner of the aforementioned Lot 10;

THENCE South 44°28'29" East, along the northeasterly line of said Lot 10, same being the southwesterly line of said Lot 2, a distance of 136.86' to a capped iron rod found for the most easterly corner of said Lot 10, same being the most southerly corner of said Lot 2, same also being the most westerly corner of Lot 3, Block 2 (G/301–302) and the most northerly corner of the aforementioned Lot 9;

THENCE South 45°00'06" West, along the common line between said Lots 9 and 10, a distance of 180.12' to the **POINT OF BEGINNING** and containing 1.420 acres of land, more or less.

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Michael B. Arthur, do hereby ceertify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

_____
Michael B. Arthur
Registered Professional Land Surveyor
Texas Registration No. 5686

STATE OF TEXAS:
COUNTY OF ROCKWALL:

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Michael B. Arthur, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this the_____ day of_____, 2015.

_____
Notary Public in and for the STATE OF TEXAS

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the_____ day of_____, 2015.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this_____ day of_____, 2015.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

REPLAT
LOTS 11-12, BLOCK 2
ALLIANCE ADDITION PH. 2

2 LOTS
61,860 SQ. Ft. / 1.420 ACRES
BEING A REPLAT OF
LOTS 1 and 10, BLOCK 2
ALLIANCE ADDITION PH. 2, AN ADDITION
TO THE CITY OF ROCKWALL, TEXAS
OUT OF THE
W.W. FORD SURVEY, ABSTRACT NO. 80
ROCKWALL COUNTY, TEXAS

Scale: 1" = 40' Date: May 2015

SHEET: 2 OF 2

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

SUBJECT: **Agenda Item Request – Compassionate Cities**

Mayor Pruitt has requested that an Appointment Item regarding this matter be placed on the city council meeting agenda for discussion. Mr. Jack Youngkin, who represents the "International Campaign for Compassionate Cities," will be present to make a brief presentation to the city council. A related resolution has been included in your packets for consideration.

CITY OF ROCKWALL

RESOLUTION NO. 15-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AFFIRMING THE "CHARTER FOR COMPASSION" AS PART OF THE INTERNATIONAL CAMPGAIGN FOR COMPASSIONATE CITIES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall includes a diverse spectrum of ethnic, religious and political groups embodying the very best of Texan and American values; and

WHEREAS, the Rockwall community is home to a generous citizenry responsible for creating numerous compassionate initiatives, including but not limited to the local Meals and Wheels program, Rockwall County Helping Hands, the Kiwanis' Angel League; and programs through local Rotary Clubs; and

WHEREAS, recently, the City of Rockwall launched additional compassionate initiatives to create a 'barrier free' public playground designed to accommodate people of all abilities and to develop additional Parks & Recreation program offerings for those with special needs;

WHEREAS, studies have shown that compassion promotes happiness, increases productivity and spurs innovation; and

WHEREAS, compassion can help promote interest, growth and economic development in Rockwall by solidifying our city as a state and national leader in the quest for a just and better world; and

WHEREAS, in fulfilling the universal principal and moral of "loving thy neighbor as thyself," compassion can be a strong, unifying force in a polarized world, and it has the power to alleviate the suffering of fellow citizens by putting the needs of others before our own and honoring the rights of others by treating everyone, without exception, with absolute justice, equity and respect; and

WHEREAS, although compassion can be experienced amongst all humankind, we also recognize our responsibility to show compassion for all creation.

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

Section 1. We affirm the "Charter for Compassion," attached hereto as Exhibit A, and call on the Mayor to cultivate compassion in Rockwall by partnering with local public and private entities to create a shared vision that will enhance positive change, civic engagement, and establish the City of Rockwall as a model "Compassionate City" through the International Campaign for Compassionate Cities

Section 2. The City of Rockwall encourages all citizens to affirm the Charter for Compassion and strive to live and act compassionately.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 15TH DAY OF June, 2015.

ATTEST: **Jim Pruitt, Mayor**

Kristy Ashberry, City Secretary

“EXHIBIT A”

The Charter for Compassion

The principle of compassion lies at the heart of all religious, ethical and spiritual traditions, calling us always to treat all others as we wish to be treated ourselves. Compassion impels us to work tirelessly to alleviate the suffering of our fellow creatures, to dethrone ourselves from the centre of our world and put another there, and to honour the inviolable sanctity of every single human being, treating everybody, without exception, with absolute justice, equity and respect.

It is also necessary in both public and private life to refrain consistently and empathically from inflicting pain. To act or speak violently out of spite, chauvinism, or self-interest, to impoverish, exploit or deny basic rights to anybody, and to incite hatred by denigrating others—even our enemies—is a denial of our common humanity. We acknowledge that we have failed to live compassionately and that some have even increased the sum of human misery in the name of religion.

We therefore call upon all men and women to restore compassion to the centre of morality and religion ~ to return to the ancient principle that any interpretation of scripture that breeds violence, hatred or disdain is illegitimate ~ to ensure that youth are given accurate and respectful information about other traditions, religions and cultures ~ to encourage a positive appreciation of cultural and religious diversity ~ to cultivate an informed empathy with the suffering of all human beings—even those regarded as enemies.

We urgently need to make compassion a clear, luminous and dynamic force in our polarized world. Rooted in a principled determination to transcend selfishness, compassion can break down political, dogmatic, ideological and religious boundaries. Born of our deep interdependence, compassion is essential to human relationships and

to a fulfilled humanity. It is the path to enlightenment, and indispensable to the creation of a just economy and a peaceful global community.

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Ashberry, Kristy

From: Lewis, Dennis
Sent: Tuesday, June 02, 2015 9:58 PM
To: Ashberry, Kristy
Subject: Fwd: Appointment to speak at the next city council meeting

Kristy:

Rick is aware of this - you may want to get with him. Rick had said it would be on next agendA as an appointment item. I have already told the Freese's to be prepared to present their case.

Dennis Lewis
Mayor Pro Tem - City of Rockwall

Begin forwarded message:

> **From:** Paul Freese < >
> **Date:** June 2, 2015 at 5:25:46 PM CDT
> **To:** "KristyAshberry@rockwall.com" <KristyAshberry@rockwall.com>
> **Cc:** "Fowler, Kevin" <KevinFowler@rockwall.com>, "Hohenshelt, John" <JohnHohenshelt@rockwall.com>, "Lewis, Dennis" <DennisLewis@rockwall.com>
> **Subject: Appointment to speak at the next city council meeting**
> **Reply-To:** Paul Freese < >
>
> Kristy,
> This Paul Freese. I reside at 943 Lexington Drive, Rockwall Tx. My contact phone number . I am emailing you at the suggestion from Councilman Kevin Fowler. My wife Leah and I would like to speak to the council concerning amending the current city ordinance which prohibits the ownership of chickens within the city limits. Please let me know what else is required. Mr. Fowler stated that scheduling an appoint to speak was a better route than trying to get the subject added as a agenda item.
> Thank you for your assistance in this matter
> Paul

Ashberry, Kristy

From: Mike Dean
Sent: Tuesday, June 09, 2015 7:55 PM
To: Ashberry, Kristy
Subject: request for appointment

Ms. Ashberry,
I would like to have an appointment with the city council June 15,2015. I understand Mr. Freese has an appointment that evening. I would prefer an appointment immediately following his.
I would also like to discuss the ordinance.
Sincerely,
Rev. Mike Dean

Ashberry, Kristy

From: Brent Polunsky
Sent: Friday, June 12, 2015 10:49 AM
To: Ashberry, Kristy
Cc: Brent Polunsky
Subject: City Council Meeting

Good morning Ms. Ashberry,

I live in Turtle Cove and I would like to speak to City Council this Monday evening regarding the variance that is being considered for the chickens. Would you please let me know what I need to do to be put on the list to speak.

Thank you,
Brent Polunsky

Ashberry, Kristy

From: Tom Galli
Sent: Friday, June 12, 2015 2:02 PM
To: Ashberry, Kristy
Subject: Ordinance Variance.

I am informed the City Council will consider a request to waive or modify the current prohibition for holding or raising poultry on land zoned other than for agricultural use.

I would like to address council on this matter. Please add me to the list of speakers.

Regards,

T. J. Galli
Lt. Col., U.S. Army Ret.

Ashberry, Kristy

From: Ashberry, Kristy
Sent: Friday, June 12, 2015 4:12 PM
To: 'Sharon Worthy'
Subject: RE: Turtle cove

Mrs. Worthy,

Please know that I went with the assumption that the "chickens" issue is what you were referring to, so I did include your name on the agenda as part of that Appointment Item on the final agenda that just got posted. The meeting starts at 6PM at Rockwall City Hall in the city council chambers (to your left off the foyer as you enter city hall from the parking lot).

Thanks, and have a nice weekend

Kristy Ashberry Cole

-----Original Message-----
From: Ashberry, Kristy
Sent: Friday, June 12, 2015
To: 'Sharon Worthy'
Subject: RE: Turtle cove

Mrs. Worthy:

To clarify - I assume related to 'chickens'? I am 2 seconds away from finalizing the agenda. Please confirm as soon as possible.

Thank you,

Kristy

-----Original Message-----
From: Sharon Worthy
Sent: Friday, June 12, 2015 3:59 PM
To: Ashberry, Kristy
Subject: Turtle cove

I too would like to speak
Thanks,
Sharon A. Worthy
REALTOR
Keller Williams Rockwall

"D" Magazine Best 2014

Multi Million Dollar Top Producer since 2007

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Ashberry, Kristy

From: Yahoo Home < >
Sent: Thursday, June 11, 2015 3:16 PM
To: Ashberry, Kristy
Subject: Re: Appt. with City Council on 06/15

Thank you ma'am! Have a great evening!

Sent from my iPhone

On Jun 11, 2015, at 3:14 PM, Ashberry, Kristy <KAshberry@rockwall.com> wrote:

> Thank you, Mr. Johnson. Your appointment item has been added to the 6/15 city council meeting agenda.
>
> Warm regards,
>
> Kristy Ashberry Cole
>
> ---
>
> **From:** Yahoo Home [mailto:]
> **Sent:** Thursday, June 11, 2015 3:08 PM
> **To:** Ashberry, Kristy
> **Subject:** Re: Appt. with City Council on 06/15
>
> I am requesting a meeting with the Rockwall city council. On June 15 th. I am wanting to request a food trailer to be located at 803 N. Goliad. The owner of the property, Scott Milder, has granted me permission to use this location. Thank you, Chris Johnson.
>
> Sent from my iPhone
>
> On Jun 5, 2015, at 9:48 AM, Ashberry, Kristy <KAshberry@rockwall.com> wrote:
>
> > Mr. Johnson,
> >
> > Per our conversation, please reply back to me with your request to go before City Council on 6/15, including a brief description of what it is you'd like to discuss with the council.
> >
> > Thanks so much,
> >
> > Kristy Cole
> > Assistant to the City Manager/
> > City Secretary, TRMC
> > City of Rockwall
> > Ph: (972) 772-6406
> > Fax: (972) 771-7727
> > **www.knowhat2do.com**

City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Robert LaCroix, Director of Planning

DATE: June 8, 2015

SUBJECT: Request for Portable Food Service Facility

Chris Johnson is requesting an appointment with the City Council to discuss changing the Unified Development Code to allow the operation of a *"portable food service facility".* Mr. Johnson has indicated he would like to operate a food trailer at the property located at 803 N. Goliad Street. Currently, the Unified Development Code does not define or allow this use or the sale of food other than the portable beverage service facility, which is allowed by Specific Use Permit and only permits the sale of beverages and snow-cones. Should Council elect to consider amending the code, we have included a draft revision to the section that could be utilized to facilitate this change.

Subject: Permission Letter

From: Scott Milder (smilder@fotps.org)

To: cotton_fireman@yahoo.com;

Date: Tuesday, June 2, 2015 5:58 PM

June 2, 2015

Dear City Officials of Rockwall,

I, Scott Milder, have authorized Chris Johnson to pursue a permit for a food truck and/or trailer to be located on our property at 803 N. Goliad in Rockwall. We look forward to the possibility of bringing something new to Rockwall!

Sincerely,



Scott Milder

Owner

OUR HOUSE

803 N. Goliad

Rockwall, TX 75087

214-497-6411 cell

Sec. 2.1.6. - Retail and personal service use conditions.

Beverage **or food** service facility, portable. A portable beverage **or food** service facility is an establishment that sells beverages **or food** from a structure **or trailer** that can be moved from place to place but that stays at one location during a normal business day; ~~food sales are prohibited in these facilities~~. A portable beverage **or food** facility shall meet the following minimum conditions:

1. The service shall be limited to snow cone stands and beverage **or food** stands serving nonalcoholic beverages such as coffee, juices or sodas **and prepared food products**.

2. The maximum time limit of such temporary use shall not exceed 150 days annually **or a time limit otherwise approved by the City Council**. At the end of the 150-day period, the structure shall be removed from the property.

3. Any temporary power poles will be removed on the date of or immediately following the termination date of the permit.

4. No additional freestanding signage shall be permitted.

5. The temporary portable structure or trailer shall meet all health and electrical codes off the city.

6. Any such temporary facility shall not reduce the number of required parking spaces of any nearby building or use.

7. Any such temporary facility shall have permanent restrooms for employees available within 300 feet of the door of the portable beverage facility. Written permission from the permanent building owner for restroom use must be submitted to the building official; no portable restroom facility is allowed.

8. Any such temporary facility shall be located on an all-weather (asphalt or concrete) parking surface with adequate space for parking and circulation, unless variance has been approved.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **June 8, 2015**

SUBJECT: **PROPOSED STAND UP PADDLE BOARD CONCESSIONAIRE AGREEMENT**

The City has been approached by Dean Peaple of Core Adventure Sports seeking permission to operate a Stand-Up Paddleboard (SUP) business within the takeline lease area, specifically The Harbor public boat docks and SH 66 Public Boat Ramp.

Stand-Up Paddle boards resemble a large surf board or a large flat kayak where a person uses a long paddle to navigate on the surface of the water. Many fitness activities such as yoga and strength training may also be done on an SUP as well as fishing.

Mr. Peaple presented his proposal to the Park Board at the June 2nd meeting. Park Board voted unanimously to recommend that City Council authorize the City Manager to enter into a concession agreement with the following provisions:

- The Service Provider shall pay the City of Rockwall a concession fee of 4.75% of gross revenue. The City of Dallas is entitled to an additional percentage of the Service Provider's annual gross revenue if it exceeds $100,000, per the inter-local agreement with City of Dallas.
- Adequate insurance shall be provided and maintained that is satisfactory to the City of Rockwall as well as consistent with industry standards for the type of risk incurred. Insurance policy shall list the City of Rockwall and City of Dallas as additionally insured.
- All SUP activities shall comply with all applicable local, state and federal laws. .
- The City is unable to guarantee or reserve any boat slips for the purposes of their operation.
- All signage and marketing must be temporary and comply with all applicable sign codes.
- Approval should be contingent upon the final approval by the City of Dallas.
- Service Provider should take all reasonable efforts to operate within recommended manufacturer safety and training standards.

- The City cannot reserve nor guarantee parking for his customers and must utilize the public parking lots that are currently available.

The draft agreement has been reviewed by the City Attorney and is attached for your review. The agreement also includes the schedule of fees to be charged by the service provider, fees owed to Dallas based on total revenue and the location map services may be allowed within the take line lease area.

At this time, Mr. Peaple already owns the SUP's and has completed the recommended instructor certification course; has adequate insurance currently in place and is prepared to begin operations immediately, contingent upon City Council approval.

STATE OF TEXAS §
COUNTY OF ROCKWALL §
CITY OF ROCKWALL §

FRANCHISE AGREEMENT

THIS FRANCHISE AGREEMENT ("Agreement") is made and entered into by and between **Core Adventures Sports** ("Service Provider"), and the City of Rockwall, Texas ("City").

WHEREAS, the City, subject to the terms and conditions set forth herein, desires to grant to the Service Provider the non-exclusive franchise, license and privilege to Stand up Paddleboard (SUP) Lessons, Retail and Rental services within the Take Line Lease Area on Lake Ray Hubbard in the Harbor district, and the SH 66 Public Boat Ramp park;

NOW THEREFORE, in consideration of the premises and the mutual promises, covenants and agreements set forth herein, the Service Provider and the City hereby agree as follows:

Section 1. The City hereby grants to the Service Provider the non-exclusive franchise, license and privilege to provide Core Adventure Sports services from the Harbor and SH 66 Public Boat Ramp park area. No other area may be used without written authorization as outlined in Section 6..

Section 2. Prior to the commencement of any recreation services, the Service Provider shall file with the City's Park and Recreation Department: an emergency action plan, provide an instructor training certificate that verifies stand up paddle board experience; a description of the equipment, safety related gear and supplies and all watercraft to be used in the conduct SUP services. All maintenance and repairs of the water craft shall be the responsibility of the Service Provider. The Service Provider shall observe all federal and state rules and or regulations regarding safety measures. The City reserves the right to conduct a routine safety inspection of all watercraft on a monthly basis.

Section 4. Prior to the commencement of any recreation services, the Service Provider shall provide to the City's Park and Recreation Department a schedule of fees to be charged for SUP rentals and services are hereby incorporated into this Agreement and attached as **Exhibit A**. Any increase in fees from those established as of the date of this Agreement shall first be approved by the City's Park and Recreation Director and Park Board, whose approval shall not be unreasonably withheld. In addition, a schedule of the hours of services shall be furnished to the City's Park and Recreation Department. Any signage advertising the tours shall be in conformance with the City's sign code.

Section 5. The Service Provider agrees to remit to the City, on a monthly basis, a concession fee of 4.75% of all fees collected from any and all services provided by Service

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Provider at the Harbor dock area. The Service Provider shall maintain at his respective place of business adequate books and records relating to the fees collected for the SUP service. Such books and records shall be available at any time during normal business hours for inspection by the City, at the City's expense, upon reasonable advance notice. In addition to the City's concession fee, Service Provider must also pay a fee to the City of Dallas. Therefore, in consideration of the City of Dallas' consent to this agreement, the City agrees to remit to the City of Dallas its share of the concession fee collected from the Service provider as provided for in **Exhibit B**, attached hereto and made part of this agreement.

Section 6. The Service Provider and the City agree that should any modification or alteration of the dock or shoreline be necessary to accommodate the service provided herein, such modification or alteration shall be done at the sole expense of the Service Provider. No modification or alteration to the dock may be commenced until the plans and specifications are reviewed and approved in writing by the City's Engineer. Any modification or alteration of the dock or shoreline area shall be ADA compliant. If the Service Provider ceases operation of the SUP rentals or services, or should this Agreement be terminated for any reason, the Service Provider, at its sole expense, will return the docks or shoreline so altered to their original condition within thirty (30) days of said cessation of operations or termination unless the City waives this requirement. Such waiver must be in writing and approved by the City Council. The location for the water craft to be used while at the Harbor has been provided by the Service Provider and is shown in **Exhibit C**, attached hereto and made part of this agreement. Any variation from the approved docking plan due to a fluctuation in water level, etc must be approved by the Director of Parks and Recreation or designee.

Section 7. The term for this Agreement shall be for a period of five (5) years from the date hereof. The Agreement may be extended for a successive (5) year terms unless written notice of intent to terminate this Agreement is provided by either party on or before the sixtieth (60) day prior to the expiration of the primary term of the Agreement. Any renewal of the agreement will be on the same terms, conditions, and rates in place at the end of the primary term. If either party provides written notice to terminate, the Agreement will terminate at the end of the then applicable term. Service Provider shall have twelve (12) months to commence operations once permission is granted. Failure of Service Provider to commence operations shall terminate this Agreement without notice or right to cure as outlined in Section 8.

Section 8. Defaults and Remedies.

A. Notice of Violation. If the City has reason to believe that Service Provider is in violation of this Franchise, the City shall notify Service Provider in writing of the alleged violation setting forth the nature of such alleged violation. Within thirty (30) days of receipt of such notice, or such longer period specified by the City, Service Provider shall respond in writing that the violation has been cured or provide a cure plan or schedule or provide explanations in refutation or excuse with documentation to support that an alleged violation did not occur.

B. Cure Period. Notwithstanding Subsection 8.a. above, Service Provider shall be allowed sixty (60) days to cure violations after written notice is received from the City, by taking appropriate steps to comply with the terms of this Franchise and any lawful regulations. If the

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nature of the violation is such that it cannot be fully cured within 60 days, the period of time in which Service Provider must cure the violation may be extended for such additional time reasonably necessary to complete the cure, provided that (i) Service Provider shall have promptly commenced to cure, and (ii) Service Provider is diligently pursuing its efforts to cure. The determination as to whether the cure period will be extended will be solely the City's discretion.

Section 9. The Service Provider shall not deny employment to any person on the basis of race, creed, gender, or religion, and will insure that all federal and state laws pertaining to salaries, wages and operating requirements are met or exceeded.

Section 10.

Pursuant to this Agreement, the Service Provider shall carry the following types of insurance in an amount equal to or exceeding the limits specified below:

Coverage	Limits of Liability
(1) Workmen's Compensation	Statutory
(2) Bodily Injury Liability	$1,000,000 per occurrence; 1,000,000 in the aggregate
(3) Property Damage Liability	$500,000 per occurrence; $1,000,000 in the aggregate

Before commencement of work hereunder, the Service Provider agrees to furnish the City certificates of insurance or other evidence satisfactory to the City to the effect that such insurance has been procured and is in force. Such certificates of insurance shall be filed with the City Secretary, a copy of which shall also be submitted by the City to the Director of Water Utilities Department of the City of Dallas for its records. The City, the City of Dallas, its officers, servants, and employees shall be named as additional insureds during the initial term and any renewals. The certificates shall contain the following express obligation:

> "This is to certify that the policies of insurance described herein have been issued to the insured for whom this certificate is executed and are in force at this time. In the event of cancellation or material change in a policy affecting the certificate holder, thirty (30) days prior written notice will be given to the City of Rockwall certificate holder."

Section 12: This franchise is not exclusive, and nothing herein shall be construed so as to prevent the City from granting other like or similar rights and privileges to any other person, firm or corporation consistent with applicable state law.

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Section 13. **THE SERVICE PROVIDER ASSUMES ALL RISKS OF LOSS OR INJURY TO PROPERTY OR PERSONS CAUSED BY ITS PERFORMANCE OF THE SERVICES. THE SERVICE PROVIDER AGREES TO INDEMNIFY AND HOLD HARMLESS THE CITY, THE CITY OF DALLAS THE CITY OF ROCKWALL AND THEIR AGENTS, DIRECTORS, EMPLOYEES, OFFICERS AND SERVANTS FROM AND AGAINST ANY AND ALL SUITS, ACTIONS, LEGAL PROCEEDINGS, CLAIMS, DEMANDS, DAMAGES, COSTS, LIABILITIES, LOSSES OR EXPENSES (INCLUDING, BUT NOT LIMITED TO, REASONABLE ATTORNEYS' FEES) INCIDENT TO ITS PERFORMANCE OF THE SERVICES CAUSED BY A WILLFUL OR NEGLIGENT ACT OR OMISSION OF THE SERVICE PROVIDER, ITS OFFICERS AND EMPLOYEES. IT SHALL BE UNDERSTOOD THAT THE CITY OF DALLAS IS A THIRD PARTY BENEFICIARY OF THIS AGREEMENT AND SHALL HAVE THE RIGHT TO ENFORCE THE TERMS OF THIS AGREEMENT.**

Section 14. Notices under this Agreement shall be deemed sufficient if sent to the following:

Service Provider:	City of Rockwall:
Core Adventure Sports 10205 Bent Tree Drive Rowlett, TX 75089	Rick Crowley, City Manager 385 S. Goliad Rockwall, Texas 75087

Section 15. This Agreement shall be governed by the laws of the State of Texas, and venue for this Agreement shall be in Rockwall County, Texas. Nothing contained in this Agreement shall ever be construed as a waiver of governmental immunity by the City. The City shall never be deemed by the execution of this Agreement to have waived any sovereign governmental immunity and expressly reserves unto itself all such rights to the fullest extent authorized by law.

Section 16. The City shall not be liable or responsible for any loss of revenue because of suspension or inability to provide the service at the docking area due to causes beyond the reasonable control of either the City or Service Provider. Such causes shall include, but not be limited to, acts of God, acts of war, accident, explosion, fire, flood, riot, sabotage, or unusually severe weather conditions.

Section 17. **Non-Assignment of Agreement Rights** – Grantee shall not sell, assign or transfer this Agreement to another entity, nor transfer any rights under this agreement to any other person or corporation without written City approval. Any assignment without City approval shall terminate this Agreement without notice or right to cure as outlined in Section 8.

Section 18. **Severability** – If any section, sentence, clause, or paragraph of this ordinance is for any reason held to be illegal or invalid, such invalidity shall not affect the validity of the remaining portions of this ordinance.

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This Agreement shall be effective as of the last date signed by either party below.

_____

By: _____

Title: _____
Its Authorized Representative
Date: _____

CITY OF ROCKWALL

By: _____
Rick Crowley, City Manager
Date: _____

ATTEST:

_____
Kristy Ashberry, City Secretary

ACKNOWLEDGEMENTS

STATE OF TEXAS)
COUNTY OF ROCKWALL)
CITY OF ROCKWALL)

BEFORE ME, a notary public in and for said county and state, personally appeared Dean Peaple, of Core Adventure Sports and acknowledged to me that he executed the within and foregoing document as his free and voluntary act and deed; and the free and voluntary act deed of _____, for the uses and purposes set forth therein.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ day of _____, 2015.

_____
Notary Public in and for the State of Texas

My Commission Expires:

_____
[S E A L]

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STATE OF TEXAS)
COUNTY OF ROCKWALL)
CITY OF ROCKWALL)

BEFORE ME, a notary public in and for said county and state, personally appeared Rick Crowley, City Manager of the City of Rockwall, and acknowledged to me that he executed the within and foregoing document as his free and voluntary act and deed, and the free and voluntary act deed of the City of Rockwall, for the uses and purposes set forth therein.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ day of _____, 2015.

_____
Notary Public in and for the State of Texas

My Commission Expires:

_____
[S E A L]

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EXHIBIT A

Core Adventure Sports

Open Daily

FEE SCHEDULE

PRIVATE SUP LESSONS	
Individual	$65
2 People (per person)	$55
3-6 People (per person)	$45
Walk-up/Non-private lesson	
Wind-SUP LESSONS	
Level 1: Beginner	$65
Level 2: Intermediate	$75
Level 3: Advanced	$85
SUP Fitness Classes	
SUP FIT	$35
SUP Yoga	$35
SUP Events & Team Activities	
Starts @ $40/person depending on size of group.	

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EXHIBIT A Continued:

SUP Rentals	
1 Hour	$20
2 Hour	$35
4 Hour	$45
Wind SUP Rental	
1 Hour	$25
2 Hour	$35
4 Hour	$45
Sunset SUP	
1.5 Hours	$35
SUP Fishing	
2 hours	$45
Each additional hour	$10
Fishing Rental only	
Hourly	$5

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EXHIBIT B

City of Dallas Fee Schedule

Core Adventure Sports

Core Adventure Sports Gross Income	Percentage of fees owed to City of Dallas
Zero to $100,000.00	Zero
Above $100,000.00 to under $200,000.00	1.5%
$200,000 and above	2.5%

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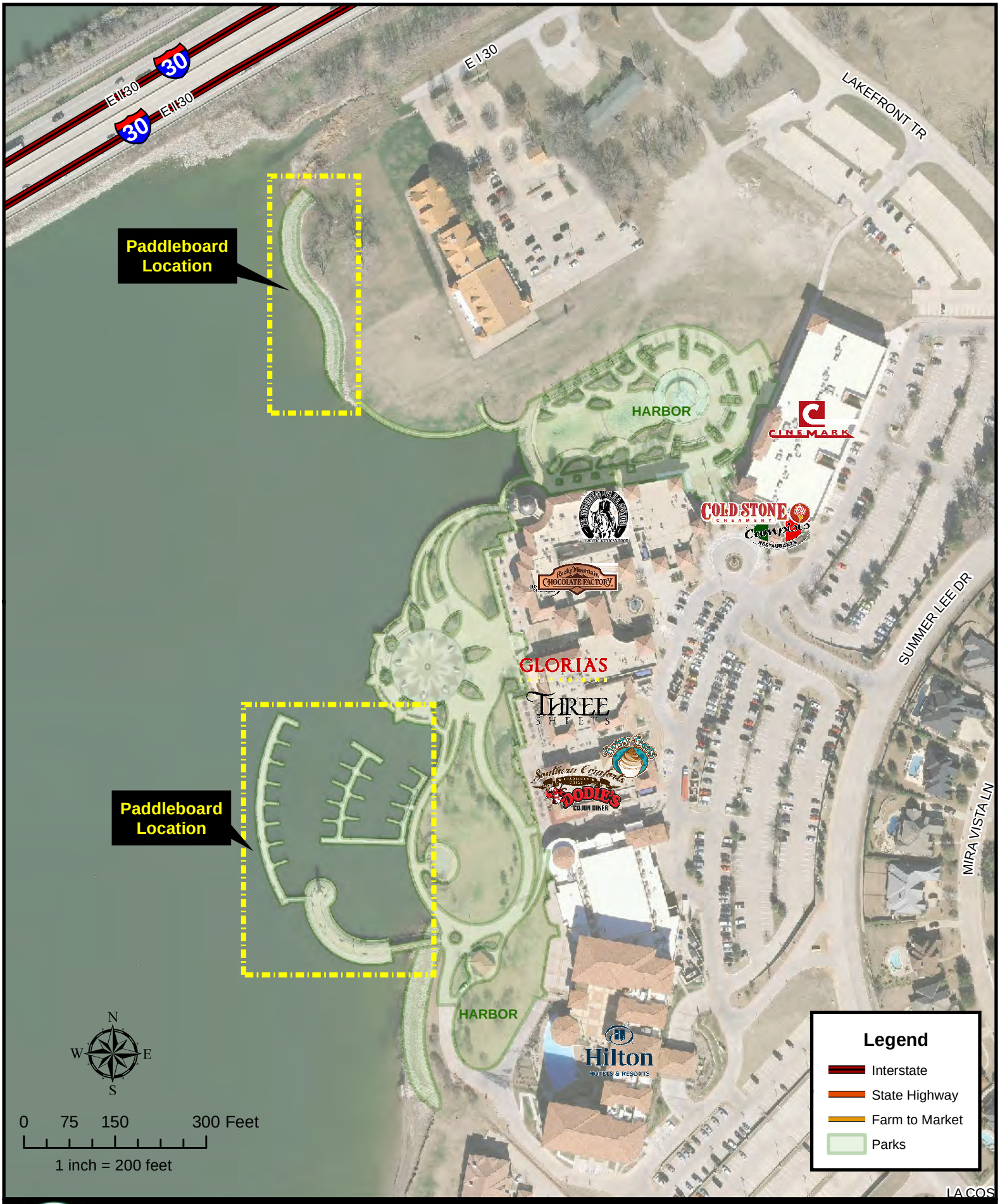

Paddleboard Concessionaire

Possible Location #1

City of Rockwall
Geographic Information Systems
385 S Goliad St.
Rockwall, TX 75087
P. 972-771-7745 F. 972-771-7748
www.rockwall.com/gis



Paddleboard Concessionaire

Possible Location #2

City of Rockwall
Geographic Information Systems
385 S Goliad St.
Rockwall, TX 75087
P. 972-771-7745 F. 972-771-7748
www.rockwall.com/gis

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 06/15/2015

APPLICANT: Jonathan Hake of Cross Engineering Consultants

AGENDA ITEM: **Z2015-017;** Airport Road – Recreation Facility (Outdoor) - SUP

SUMMARY:

Hold a public hearing to discuss and consider a request by Jonathan Hake of Cross Engineering Consultants, Inc. on behalf of the owner Kenneth R. Smith of K. R. Smith Holdings, LLC for the approval of a Specific Use Permit for *Commercial Amusement/Recreation (Outside)* to allow a baseball training facility to be constructed on a six (6) acre tract of land identified as Tract 4-07 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 By-Pass Corridor Overlay (SH-205 BY-OV) District, located on the north side of Airport Road west of the intersection of Airport Road and John King Boulevard, and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Jonathan Hake of Cross Engineering Consultants, Inc., is requesting a Specific Use Permit (SUP) to allow for a *Commercial Amusement/Recreation (Outdoor)* and more specifically a private baseball training facility on a 6.00-acre tract of land that is zoned (C) Commercial District. The property is located at the northwest quadrant of Airport Road and John King Boulevard, across from the Leon Tuttle Athletic Complex. The properties adjacent to this site are non-residentially zoned (East & West – Commercial, and North – Agricultural) and are vacant.

The applicant has submitted a conceptual site plan indicating an indoor facility, a practice field, and a full sized baseball field that will provide consumer based recreational activities for the general public. The indoor facility will be equipped with batting cages, practice cages, virtual video cages, concessions, arcade games, a workout facility, a meeting room, a pro shop and business office. The baseball field and practice fields will be available for rental, select team use, and tournament play.

As a part of the SUP request, the applicant is providing a photometric plan in order to establish generally acceptable lighting levels for the purpose of containing the spill over lighting and glare for the sports complex. The City's outdoor lighting regulations do not have standards associated with a sports complex in terms of the maximum intensity measured at the property line or for the maximum height of light pole standards. The photometric plan submitted by the applicant establishes an illumination level for the site that is generally not to exceed an average of 50-FC in order to provide the necessary lighting for the ball fields. However, the photometric plan does indicate area's beyond the property line that exceed the City's standard of 0.2-FC for a typical development (e.g. parking lot lighting). The highest reading calculated beyond the property line is 3.8-FC and is located at the center of the north property line and approximately 9-ft from this property line. This particular reading drops dramatically to 1.0-FC at approximately 28-ft from the property line and continues to decline reaching 0.2-FC at approximately 120-ft from the property line. The light pole standards to be installed are measured to have a maximum overall height of 50-ft. The site will incorporate a total of nine (9) 50-ft height light poles for the ball fields (3 – practice field & 6 – main ball field). In comparison, the light poles

installed at the Leon Tuttle Athletic Complex have an overall height of 70-ft and have approximately twenty (20) light poles.

Included in your packet is a letter requesting the SUP, a legal description of the property (Exhibit 'A'), a zoning exhibit (Exhibit 'B'), a conceptual site plan, and a photometric plan for your review. The photometric plan submitted for the lighting of the baseball complex does have merit based on adjustments that may reduce the intensity of the lighting, the proximity to vacant undeveloped property and the Leon Tuttle Athletic Complex; however, a request for an SUP is a discretionary act upon the Planning and Zoning Commission and City Council.

NOTIFICATION:

Staff mailed fifteen (4) notices to property owners within 500 feet of the subject property; however, there are no HOA/Neighborhood Organization within 1500 feet participating in the notification program. Additionally, staff posted a sign on the property as required by the Unified Development Code (UDC). At the time this report was drafted, staff has received one (1) notices "for" the zoning change requested.

RECOMMENDATIONS:

Should the Specific Use Permit be approved, staff would offer the following conditions:

1) That adherence to Engineering and Fire Department standards is required.

2) That the lighting levels are generally not to exceed the levels established in the preliminary photometric plan submitted for this site in order to contain spill over lighting and glare on adjacent properties, and that the illumination will generally not exceed an average of 50-FC as indicated on such plan.

3) That the heights for the lighting pole standards are not to exceed a maximum overall height of 50-ft (includes pole, base, fixtures, etc.).

4) That submittal and approval of a site plan (to include approval of a photometric plan), engineering plans, and final plat are required prior to issuance of a certificate of occupancy.

5) That written clearance from the Federal Aviation Administration (FAA) shall be provided to the City indicating approval of the maximum height for the light pole standards, the maximum intensity regarding glare produced from the lighting, and any other requirement deemed necessary for the safety of air traffic to and from the Rockwall Municipal Airport.

6) That the City Council reserves the right to review the Specific Use Permit (SUP) any time after the effective date of this ordinance.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On June 9, 2015, the Planning and Zoning Commission recommended approval of the SUP request with staff conditions by a vote of 6 to 0 (Conley – absent).

CROSS ENGINEERING CONSULTANTS

131 S. Tennessee St. • McKinney, Texas 75069
972.562.4409 • Fax 972.562.4471

May 14, 2015

City of Rockwall
Planning and Zoning Department
385 South Goliad
Rockwall, Texas 75087

Re: SUP Explanation Letter – NexRev Baseball Facility

Attached please find the SUP Application submittal for the NexRev Baseball Facility. The 6.0 acre property is located at the northwest corner of Airport Road and John King Boulevard.

KR Smith Holdings, LLC is planning to build a Baseball Training Complex directly across from the Leon Tuttle Athletic Complex.

The 35,000 square foot facility will house indoor machine batting cages, practice cages, virtual video cages, concessions, arcade games, a full-size workout facility, meeting room, pro shop and business office. The facility will provide the City of Rockwall with a state of the art baseball complex for both the serious baseball player as well as the consumer seeking an evening of recreational activity. One full size baseball field and one smaller practice field will sit directly next to the facility for rental, select team use, and tournaments. It is the intent of the owner and all consultants to construct a quality project within the standards set by the City of Rockwall for Building and Engineering Design.

Because an indoor/outdoor baseball facility is not permitted by right within the Commercial District, we are requesting a Specific Use Permit for the proposed development. We are also requesting a Specific Use Permit for the proposed lighting height and spread. A Proposed Lighting Layout has been included in this submittal for review.

Thank you for your consideration of this Specific Use Permit Application. Please call if you have any questions.

Sincerely,
CROSS ENGINEERING CONSULTANTS, INC.

Jonathan Hake



City of Rockwall

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

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

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City of Rockwall

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

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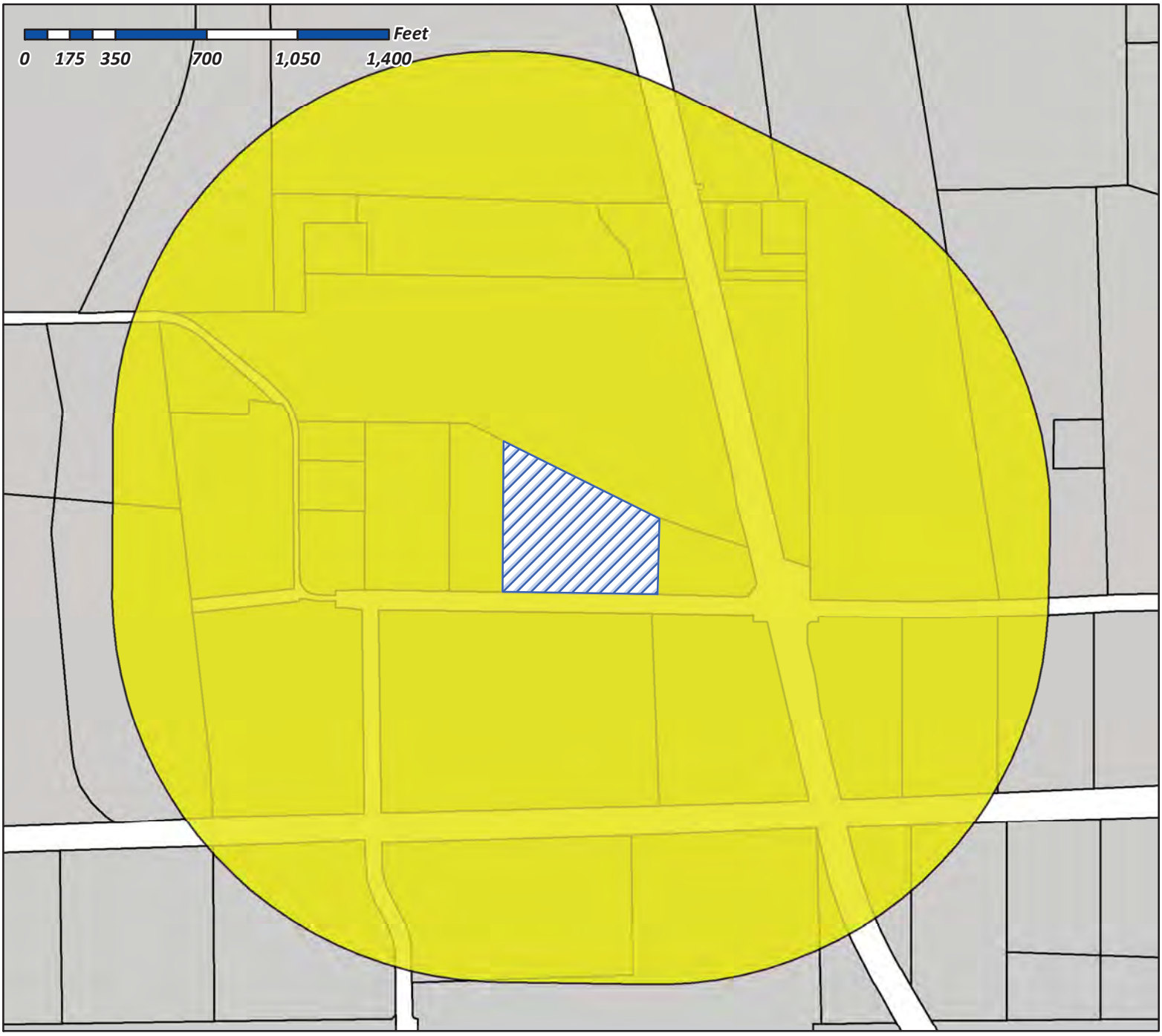
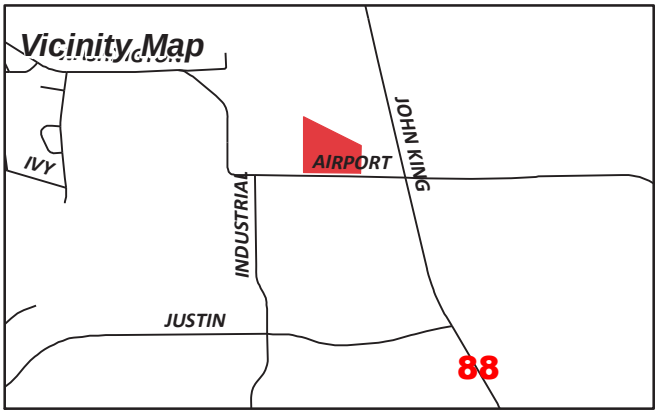


Case Number: Z2015-017
Case Name: Crush It Sports
Case Type: Zoning
Zoning: SUP
Case Address: 1551 Airport Rd.



Date Created: 05/19/2015
For Questions on this Case Call (972) 771-7745

City of Rockwall

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

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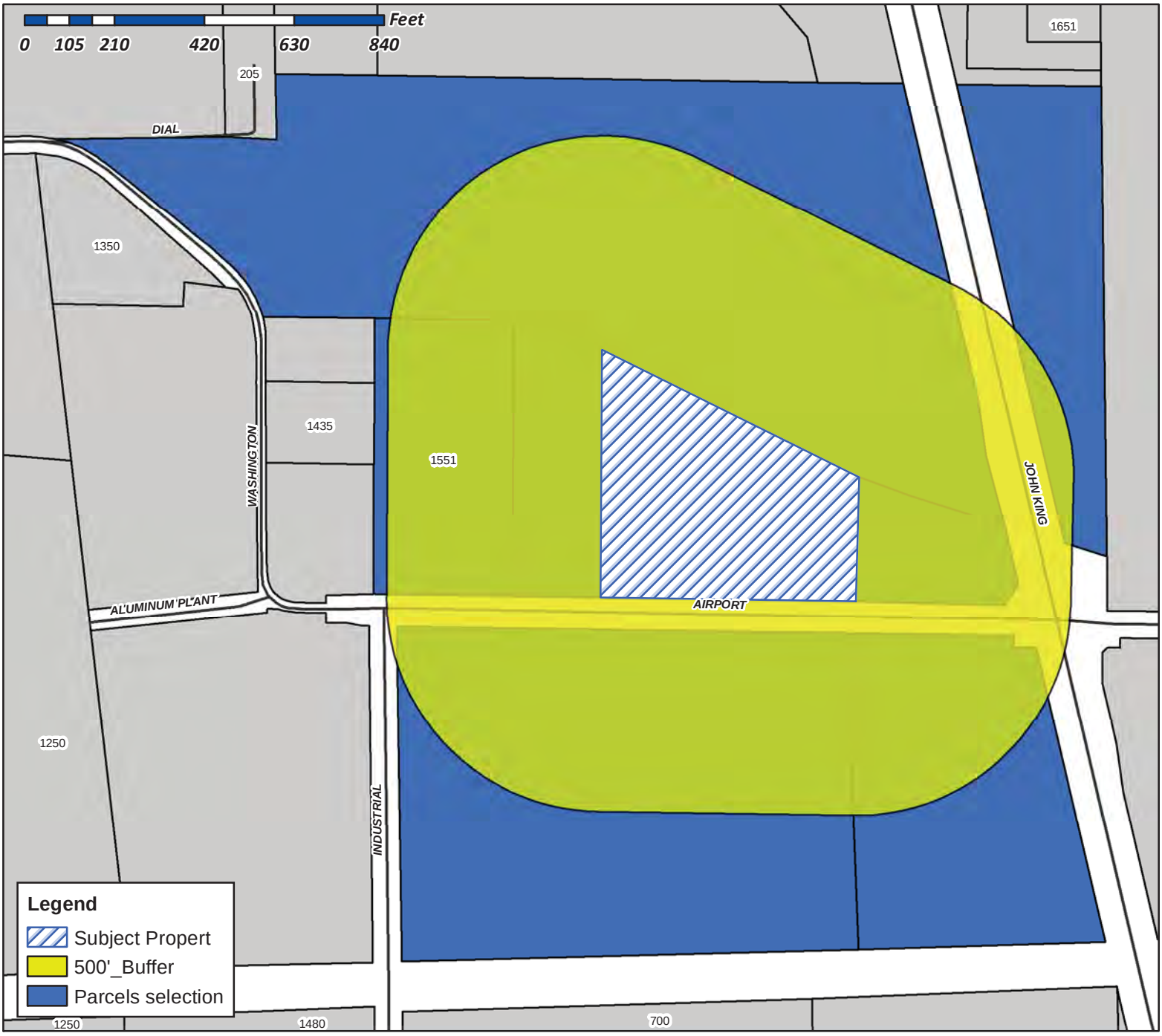

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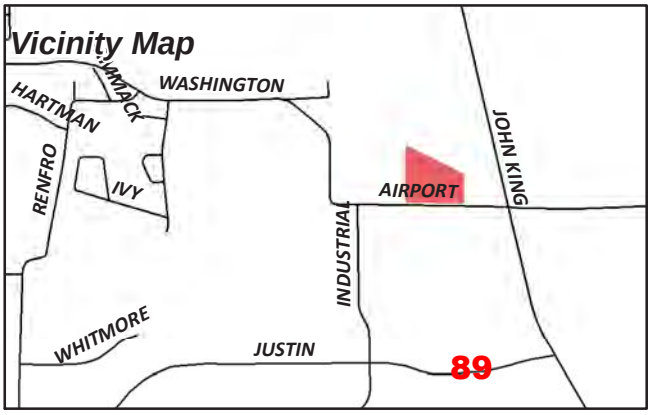

Date Created: 05/19/2015
For Questions on this Case Call (972) 771-7745

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

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

To Whom It May Concern:

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

Case No. Z2015-017: SUP for Crush It Sports

Hold a public hearing to discuss and consider a request by Jonathan Hake of Cross Engineering Consultants, Inc. on behalf of the owner Kenneth R. Smith of K. R. Smith Holdings, LLC for the approval of a Specific Use Permit for Commercial Amusement/Recreation (Outside) to allow a baseball training facility to be constructed on a six (6) acre tract of land identified as Tract 4-07 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 By-Pass Corridor Overlay (SH-205 BY-OV) District, located on the north side of Airport Road west of the intersection of Airport Road and John King Boulevard, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 6/9/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 6/15/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **6/15/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2015-017: SUP for Crush It Sports

Please place a check mark on the appropriate line below:

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

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

Name:

Address:

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

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

MARSHALL JULIE CATHERINE ETAL
1125 S BROADWAY AVE
TYLER, TX 75701

ROCKWALL PROPERTY CORPORATION
ATTN BILL BRICKER
305 PARK PLACE BLVD
ROCKWALL, TX 75087

LAKES REGIONAL MHMR CENTER
400 AIRPORT RD
TERRELL, TX 75160

FUNK JOSEPH
6623 ROYAL CREST DR
DALLAS, TX 75230

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Gonzales, David

From: Miller, Ryan
Sent: Monday, June 08, 2015 11:36 AM
To: Gonzales, David
Subject: FW: Z2015-017

FYI ...

RYAN C. MILLER, AICP
PLANNING MANAGER • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

HELPFUL LINKS | CITY OF ROCKWALL WEBSITE | PLANNING & ZONING DIVISION WEBSITE | MUNICIPAL CODE WEBSITE
GIS DIVISION WEBSITE | CITY OF ROCKWALL INTERACTIVE MAPS | MAIN STREET DIVISION

-----Original Message-----
From: Bill Bricker [redacted]
Sent: Monday, June 08, 2015 11:37 AM
To: Miller, Ryan
Subject: Z2015-017

Ryan,

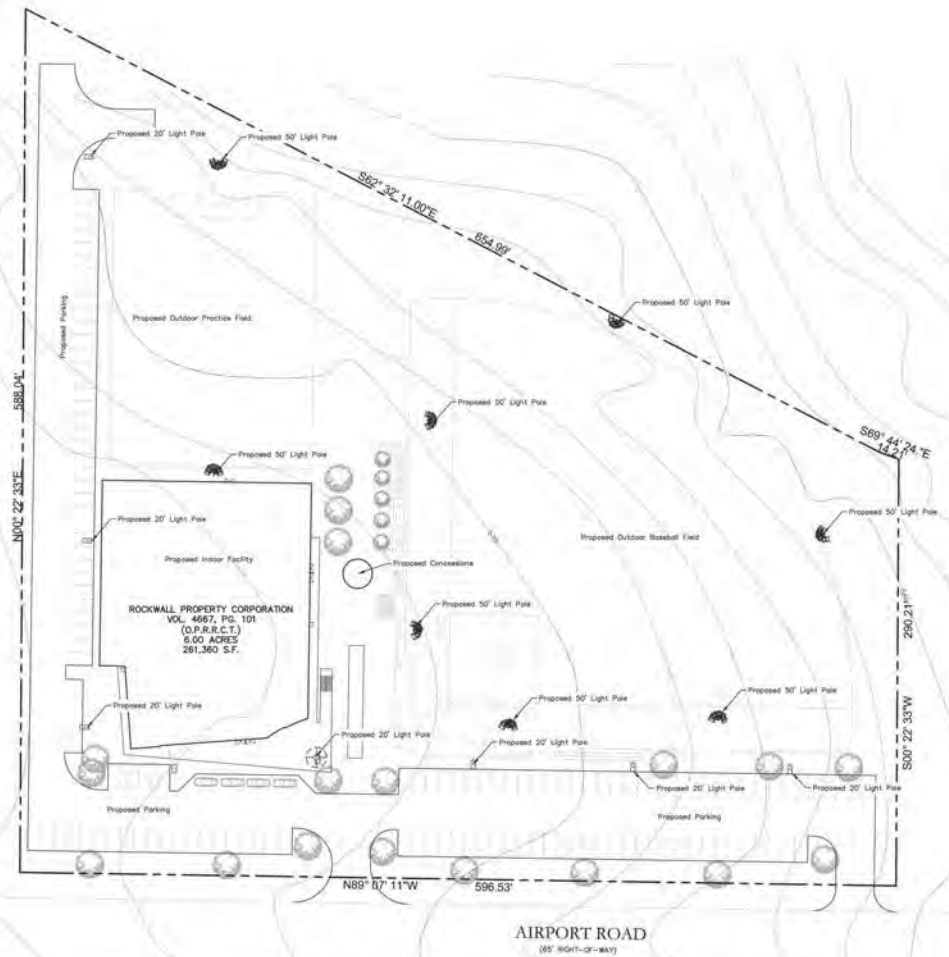
I am writing in support of the SUP case for Crush It Sports on Airport Road.
A sports facility across from the ball fields is a great use of the property and will enhance the surrounding area. It is good to see development that is on or utilizing John King for access as that was the purpose of this new road, to spur development on the east side of Rockwall.

Thanks,

Bill

Bill Bricker

Columbia Development Company, LLC
305 Park Place Blvd.
Rockwall, TX 75087
972-722-2439
bill@colventures.com



Case No. Z2015-017

JOHN KING BOULEVARD
(80' RIGHT-OF-WAY)

0 40 100
GRAPHIC SCALE
1" = 40'

STOP!
CALL BEFORE YOU DIG
Texas 811
Know what's below.
(@ least 72 hours prior to digging)

NOTE: THIS IS NOT A CONSTRUCTION DOCUMENT.
THIS DOCUMENT IS FOR CONCEPTUAL PLANNING PURPOSES ONLY.

Issue Dates:	Revisions:	Date:
1	1	
2	2	
3	3	
4	4	
5	5	
6	6	

CROSS ENGINEERING CONSULTANTS
133 S. Tennessee St. McKinney, Texas 75069
972.562.4409 Texas P.E. Firm No. F-3955

Drawn By:	Checked By:	Scale:
C.E.C.I.	C.E.C.I.	1:40

CONCEPTUAL SITE PLAN

CRUSH IT SPORTS

KR SMITH, HOLDINGS LLC

CITY OF ROCKWALL, TEXAS

Sheet No.
CSP

Project No.
15038

CRUSH IT SPORTS

NOTES:
1) EXACT MOUNTING DETAILS TO BE DETERMINED AT JOBSITE BY OTHERS.
2) CALCULATIONS DO NOT SHOW THE EFFECT OF SHADOWING CAUSED BY OBJECTS WITHIN THE AREA.
3) READINGS SHOWN ARE MAINTAINED HORIZONTAL FC TAKEN AS SHOWN IN CALCULATION SUMMARY
4) FIXTURE ORIENTATION IS SUCH THAT 0 IS TO THE RIGHT OF THE DRAWING AND 90 IS TO THE TOP OF THE DRAWING AS SHOWN.
5) TILT ANGLE IS THE RAISING AND LOWERING OF THE FIXTURE HEAD.
6) THE LAYOUT DRAWING MUST BE COORDINATED WITH THE SITE LOCATION FOR CORRECT FIXTURE ORIENTATION.
7) CHECK GRAPHIC SCALE. DOCUMENTS PRINTED OR PLOTTED FROM ELECTRONIC FILES MAY OCCUR AT OTHER THAN THE DESIRED OR ASSUMED GRAPHIC SCALES. IT IS THE RESPONSIBILITY OF THE RECIPIENT TO VERIFY THAT THE PRINTED OR PLOTTED-TO-SCALE DRAWING IS PRINTED TO SCALE.

Case No. Z2015-017

Luminaire Schedule

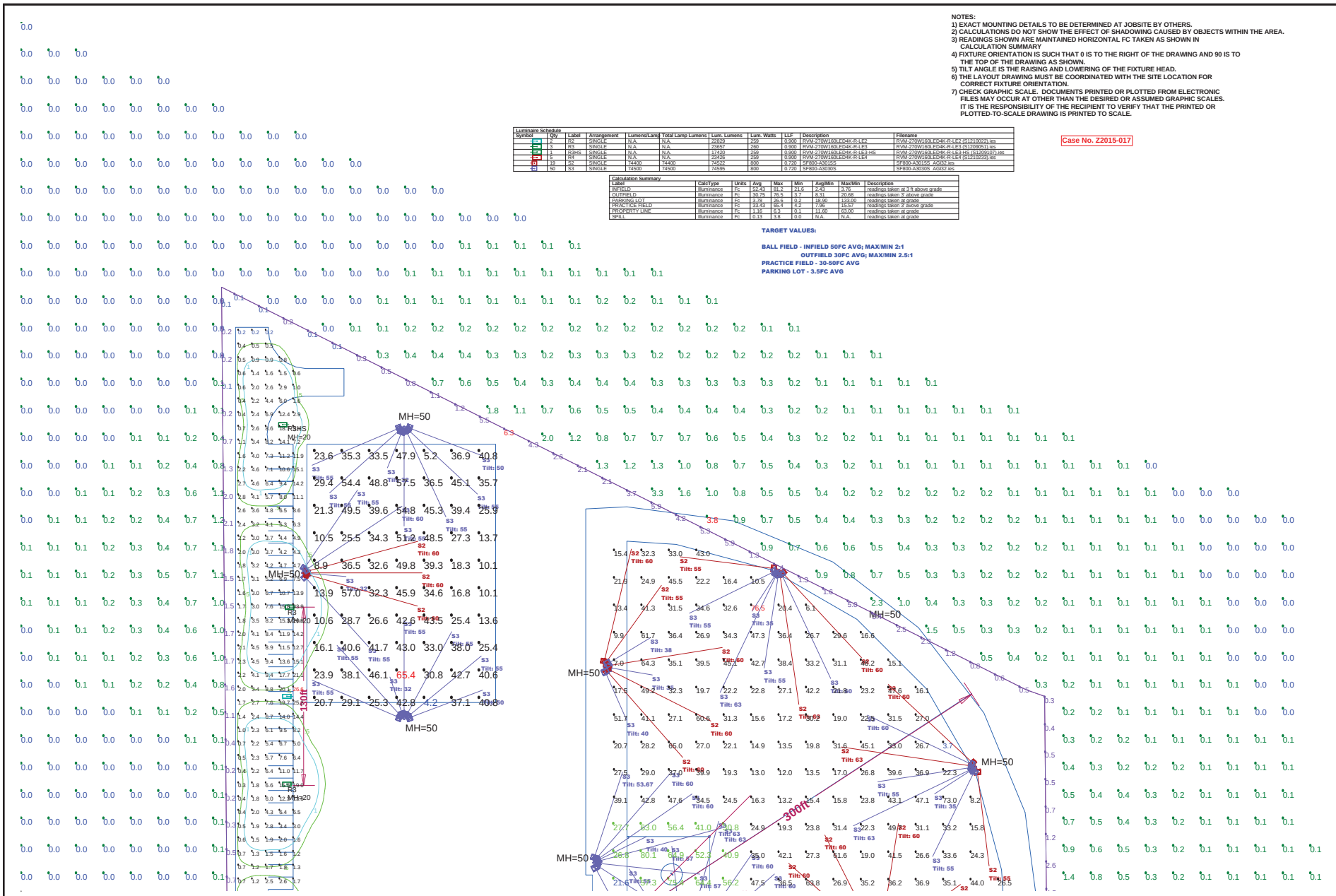
Symbol	Qty	Label	Arrangement	Lumens/Lamp	Total Lamp Lumens	Lum. Lumens	Lum. Watts	LLF	Description	Filename
	2	R2	SINGLE	N.A.	N.A.	22829	259	0.900	RVM-270W160LED4K-R-LE2	RVM-270W160LED4K-R-LE2 (S1210022).ies
	3	R3	SINGLE	N.A.	N.A.	23657	260	0.900	RVM-270W160LED4K-R-LE3	RVM-270W160LED4K-R-LE3 (S1209051).ies
	1	R3HS	SINGLE	N.A.	N.A.	17420	259	0.900	RVM-270W160LED4K-R-LE3-HS	RVM-270W160LED4K-R-LE3-HS (S1209107).ies
	5	R4	SINGLE	N.A.	N.A.	23426	259	0.900	RVM-270W160LED4K-R-LE4	RVM-270W160LED4K-R-LE4 (S1210233).ies
	19	S2	SINGLE	74400	74400	74522	800	0.720	SF800-A3015S	SF800-A3015S_AGI32.ies
	50	S3	SINGLE	74500	74500	74595	800	0.720	SF800-A3030S	SF800-A3030S_AGI32.ies

Calculation Summary

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	Description
INFIELD	Illuminance	Fc	52.43	81.2	21.6	2.43	3.76	readings taken at 3 ft above grade
OUTFIELD	Illuminance	Fc	30.75	76.5	3.7	8.31	20.68	readings taken 3' above grade
PARKING LOT	Illuminance	Fc	8.78	28.6	0.2	43.90	143.00	readings taken at grade
PRACTICE FIELD	Illuminance	Fc	33.43	65.4	4.2	7.96	15.57	readings taken 3' above grade
PROPERTY LINE	Illuminance	Fc	1.16	6.3	0.1	11.60	63.00	readings taken at grade
SPILL	Illuminance	Fc	0.13	3.8	0.0	N.A.	N.A.	readings taken at grade

TARGET VALUES:

BALL FIELD - INFIELD 50FC AVG; MAX/MIN 2:1
OUTFIELD 30FC AVG; MAX/MIN 2.5:1
PRACTICE FIELD - 30-50FC AVG
PARKING LOT - 3.5FC AVG



Plan View:Plan Rotated 0 Tilted 0
Scale: 1 inch= 32 Ft.

CRUSH IT BASEBALL COMPLEX
PROPOSED LIGHTING LAYOUT
TO ACHIEVE SPECIFIED LEVELS

LIGHTING LAYOUT GENERATED BY LIGHTING APPLICATION SCIENCES IN SAN MARCOS, TEXAS

DESIGNED BY: J. JAQUES
SCALE AS SHOWN
DRAWING 106513_AGI
DATE 4/16/2015
Page 1 of 2

LIGHTING APPLICATION SCIENCES
2441 DEERWOOD DRIVE
SAN MARCOS, TEXAS 78666
512-393-3999 PH/FAX
512-787-9477 CELL

NOTICE: THIS DRAWING IS THE EXCLUSIVE PROPERTY OF LIGHTING APPLICATION SCIENCES. ITS ACCEPTANCE BY ANY PERSON OR ENTITY CONSTITUTES AGREEMENT THAT THE DRAWING AND THE INFORMATION THEREIN IS TO BE USED FOR THE PURPOSES FIRST THE VALUES INTENDED FOR THE PROJECT AND SHALL NOT BE REPRODUCED, COPIED OR DISCLOSED OR COPIED EXCEPT AS EXPRESSLY AUTHORIZED BY LIGHTING APPLICATION SCIENCES.

NOTICE: THE INTENT OF THIS LIGHTING LAYOUT IS TO SUGGEST THE BEST LIGHTING LAYOUT TO ACHIEVE THE SPECIFIED LEVELS AND UNIFORMITY AS PRESENTED. BY THE MANUFACTURER'S JOB NUMBER WITH THE PERFORMANCE FROM PERFORMANCE SHOWN HERE IS NOT AUTHORIZED BY LIGHTING APPLICATION SCIENCES.

94

NOTES:
1) EXACT MOUNTING DETAILS TO BE DETERMINED AT JOBSITE BY OTHERS.
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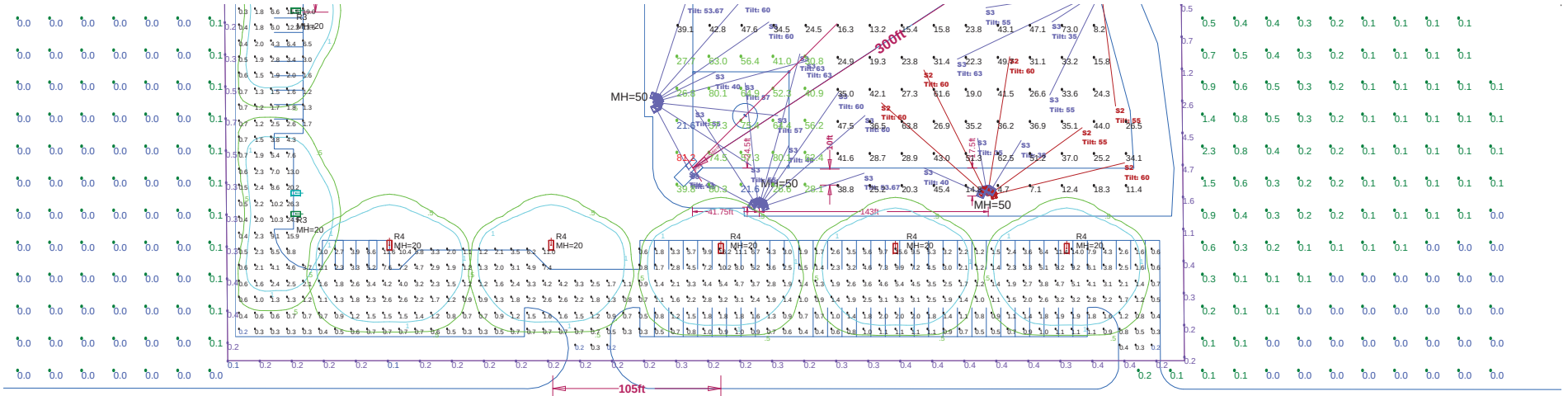
Case No. Z2015-017



Plan View:Plan Rotated 0 Tilted 0
Scale: 1 inch= 32 Ft.

TITLE: CRUSH IT BASEBALL COMPLEX
PROPOSED LIGHTING LAYOUT
TO ACHIEVE SPECIFIED LEVELS

LIGHTING LAYOUT GENERATED BY LIGHTING APPLICATION SCIENCES IN SAN MARCOS, TEXAS

DESIGNED BY: J. JAQUES
SCALE: AS SHOWN
DRAWING #: 106913_AGI
DATE: 4/16/2015
Page 2 of 2

LIGHTING APPLICATION SCIENCES
200 DERBOOD DRIVE
SAN MARCOS, TX 78666
512-353-3000 PH/FAX
512-787-9477 CELL

NOTICE: THIS DRAWING IS THE EXCLUSIVE PROPERTY OF LIGHTING APPLICATION SCIENCES. ITS ACCEPTANCE CONSTITUTES AGREEMENT THAT IT WILL NOT BE USED, REPRODUCED OR DISCLOSED IN WHOLE OR IN PART WITHOUT THE EXPRESS WRITTEN CONSENT OF LIGHTING APPLICATION SCIENCES. THE DRAWING IS TO BE USED ONLY FOR PURPOSES DIRECTLY RELATED TO THE PROJECT FOR WHICH IT WAS PREPARED AND IS NOT TO BE LOANED, COPIED OR REPRODUCED IN ANY FORM OR MANNER WHATSOEVER, NOR ARE ANY RIGHTS TO BE CONVEYED EXCEPT AS EXPRESSLY AUTHORIZED BY LIGHTING APPLICATION SCIENCES.

NOTICE: THE USER OF THIS LIGHTING LAYOUT IS TO SUGGEST THE BEST LIGHTING SOLUTION FOR THE APPLICATION. LIGHTING APPLICATION SCIENCES IS NOT RESPONSIBLE FOR ANY DEFICIENCIES IN PERFORMANCE OR APPEARANCE THAT MAY BE ATTRIBUTABLE TO THE INSTALLATION, USE OR MAINTENANCE OF THE LUMINAIRES IN A MANNER THAT IS NOT CONSISTENT WITH THE WRITTEN INSTRUCTIONS FURNISHED BY THE MANUFACTURERS. ANY WARRANTY OF PERFORMANCE SHALL BE VOID IF THE LUMINAIRES ARE NOT INSTALLED, USED AND MAINTAINED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.

95

SUFA SF





IP 66

Less Glare Through Multiple Narrow Beam

- Ultimate 1 for 1 replacement for 2Kw HID (SF800W)
- Excellent cooling structure
- High efficient light

Application

Sport Stadium, Indoor Venue, Port

Specification

* Tolerance : ± 5%

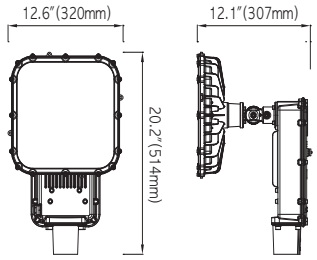
Model	Power	*Luminous Efficacy	*Luminous Flux	Color Temperature	CRI	Weight	Life Time	Input Voltage	Operation Temperature
SF200	200W	105 lm/W	21,000 lm	3000K, 4000K 5000K	70 Ra 80 Ra	8 Kg / 17.6 lb	50,000hrs	AC100~277V AC100~240V AC347~480V	-22°F ~ 140°F -30°C ~ 60°C
SF400	400W		42,000 lm			14.5 Kg / 31.9 lb			
SF800	800W		84,000 lm			25 Kg / 55.1 lb			

Body	Cast Aluminum	Installation Type	SF200 : Pole Mount (Ø 60.5 mm Pipe Applied) SF400, 800 : Mount Bracket
Cover	Tempered Glass 3T (Clear)	Light Distribution	15°(Symmetric) / 15°(Asymmetric) / 30°(Symmetric)
Finish	Powder Coating	Control System	Wireless (ZigBee) / Wired (RS-485)

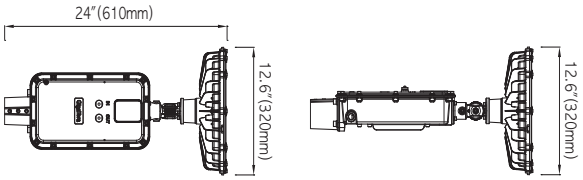
more details of GeSS at p.36

Dimension

- SF200-Vertical Type



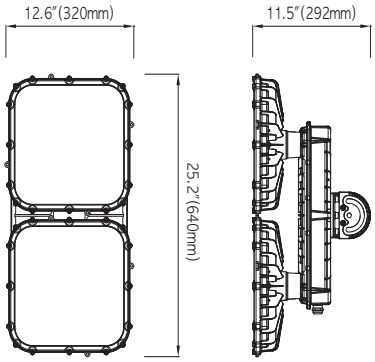
- SF200-Horizontal Type



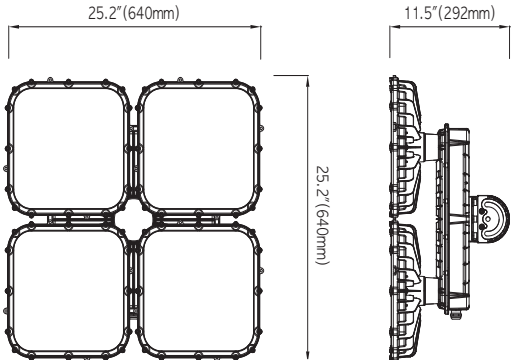


SF SUFA

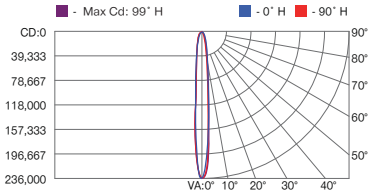
• SF400



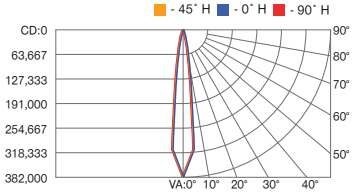
• SF800



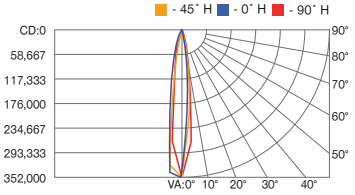
Photometry



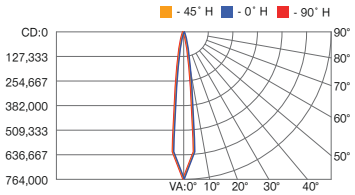
[SF200 / 5000K / 15°(Symmetric)]



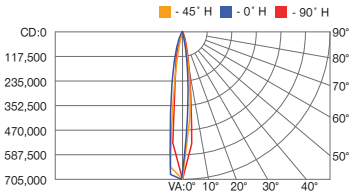
[SF400 / 5000K / 15°(Symmetric)]



[SF400 / 5000K / 15°(Asymmetric)]



[SF800 / 5000K / 15°(Symmetric)]



[SF800 / 5000K / 15°(Asymmetric)]



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
2601 Meacham Boulevard
Fort Worth, TX 76193

Aeronautical Study No.
2015-ASW-4331-OE

Issued Date: 06/09/2015

Kenneth Smith
KR Smith Holdings, LLC
601 Development Drive
Plano, TX 75074

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Light Pole Light Pole 5
Location:	Rockwall, TX
Latitude:	32-55-36.88N NAD 83
Longitude:	96-26-22.01W
Heights:	573 feet site elevation (SE)
	50 feet above ground level (AGL)
	623 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part 1)
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

Any height exceeding 50 feet above ground level (623 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

This determination expires on 12/09/2016 unless:

(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
(b) extended, revised, or terminated by the issuing office.
(c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within

6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

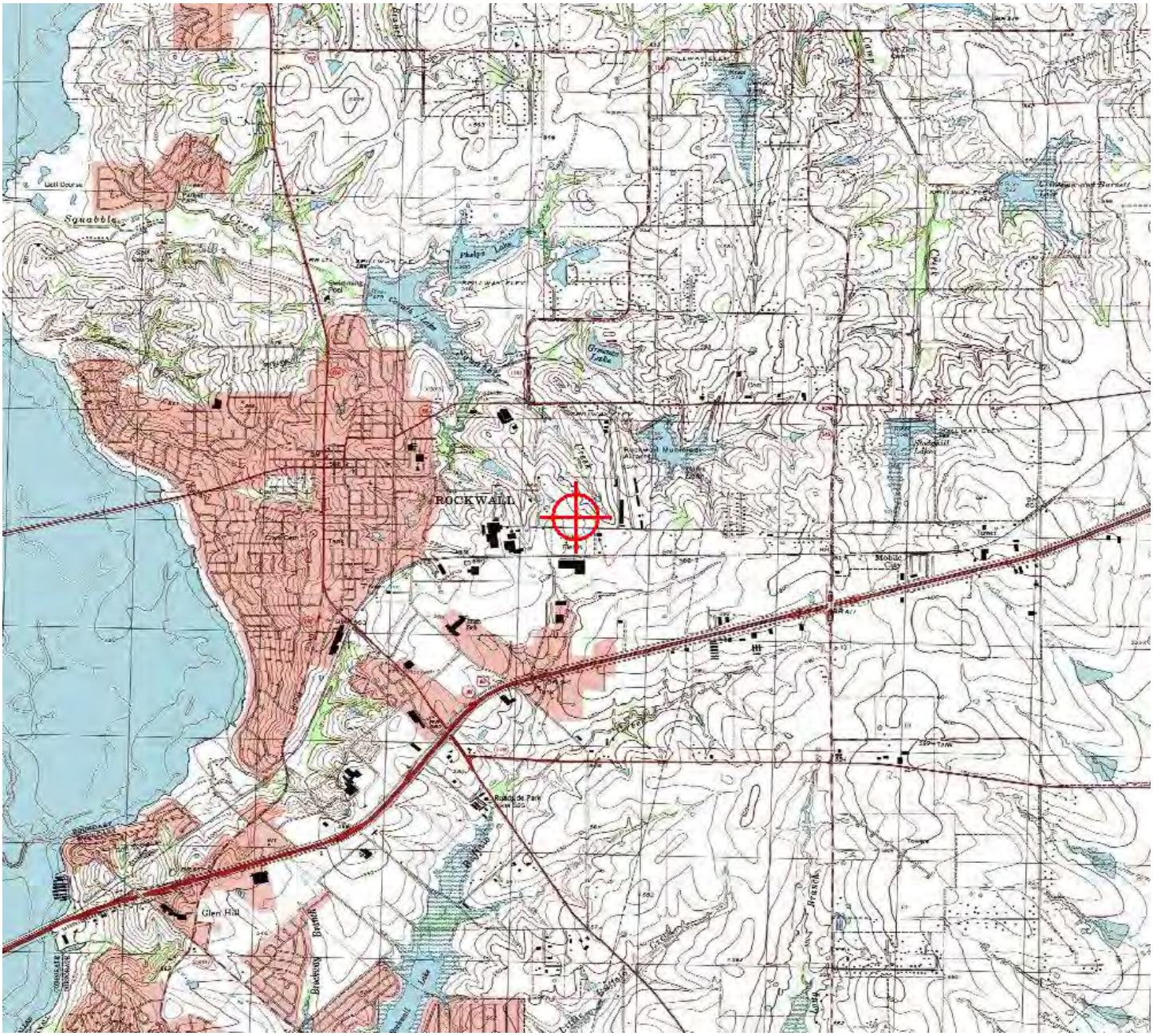
Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

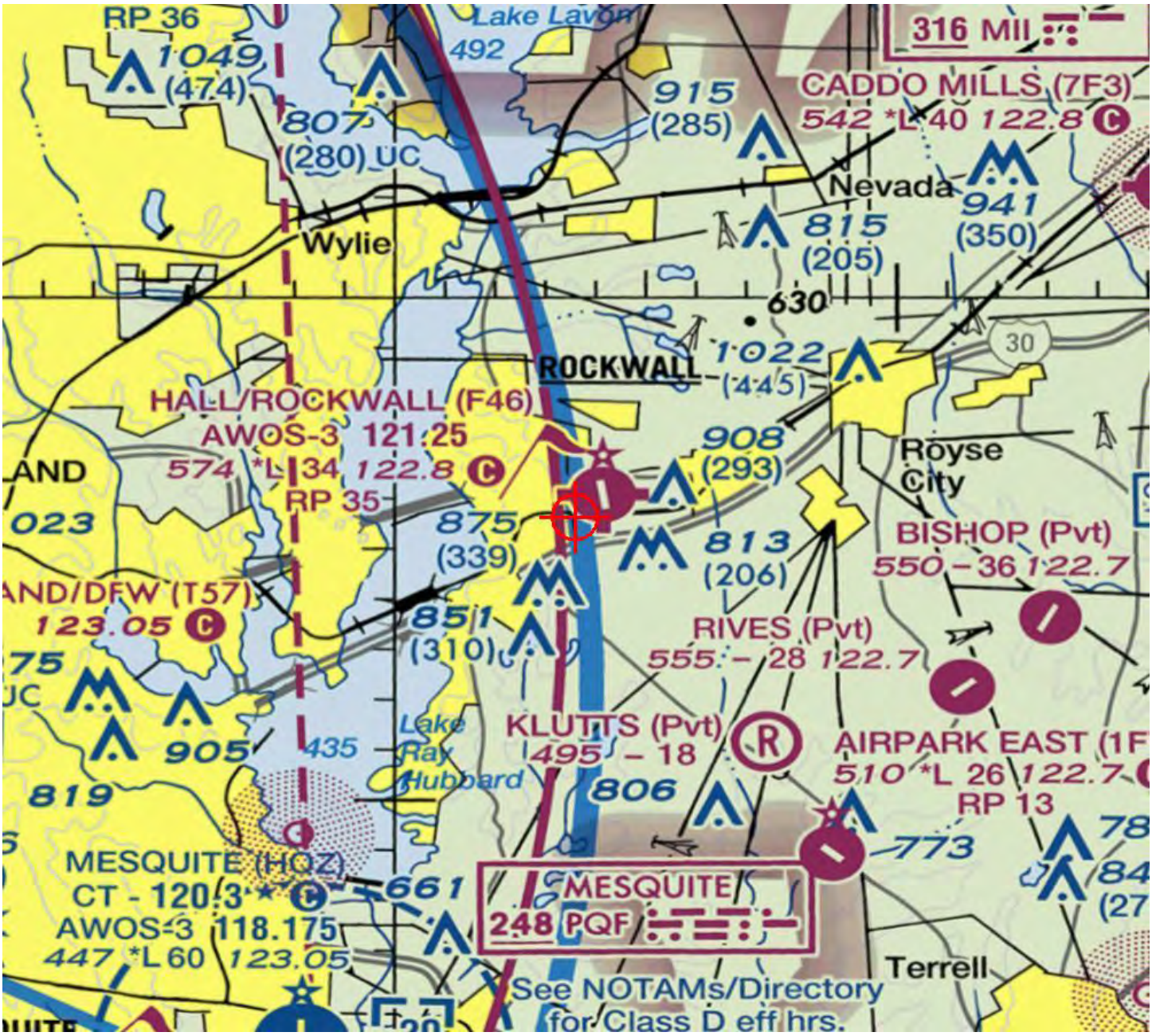
If we can be of further assistance, please contact our office at (817) 321-7754. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2015-ASW-4331-OE.

Signature Control No: 253620815-254431540 (DNE)
Andrew Hollie
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2015-ASW-4331-OE




RP 36
1049
(474)
807
(280) UC
Lake Lavon
492
915
(285)
316 MII
CADDO MILLS (7F3)
542 *L 40 122.8 C
Nevada
941
(350)
815
(205)
Wylie
630
1022
(445)
ROCKWALL
30
HALL/ROCKWALL (F46)
AWOS-3 121.25
574 *L 34 122.8 C
RP 35
908
(293)
Royse City
AND
023
875
(339)
813
(206)
BISHOP (Pvt)
550 – 36 122.7
AND/DFW (T57)
123.05 C
851
(310)
RIVES (Pvt)
555 – 28 122.7
75
UC
905
435
Lake Ray Hubbard
KLUTTS (Pvt)
495 – 18
R
AIRPARK EAST (1F
510 *L 26 122.7
RP 13
819
806
773
MESQUITE (HQZ)
CT - 120.3 C
661
AWOS-3 118.175
447 *L 60 123.05
MESQUITE
248 PQF
Terrell
See NOTAMs/Directory
for Class D eff hrs.

CITY OF ROCKWALL

ORDINANCE NO. 15-___

SPECIFIC USE PERMIT NO. S-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) ALLOWING FOR A COMMERCIAL AMUSEMENT/RECREATION FACILITY (OUTDOOR) AND MORE SPECIFICALLY A BASEBALL TRAINING FACILITY, WITHIN A COMMERCIAL (C) DISTRICT, BEING A SIX (6) ACRE TRACT OF LAND IDENTIFIED AS TRACT 4-07 OF THE N. BUTLER SURVEY, ABSTRACT NO. 20, AND GENERALLY LOCATED ON THE NORTHWEST QUADRANT OF AIRPORT ROAD AND JOHN KING BOULEVARD, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND AS DEPICTED IN EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Jonathan Hake of Cross Engineering Consultants, Inc. on behalf of the owner Kenneth R. Smith of K. R. Smith Holdings, LLC for the approval of a Specific Use Permit (SUP) allowing for a *Commercial Amusement/Recreation Facility (Outdoor)* and more specifically a baseball training facility, within a Commercial (C) District, being a six (6) acre tract of land identified as Tract 4-07 of the N. Butler Survey, Abstract No. 20, and generally located on the northwest quadrant of Airport Road and John King Boulevard, City of Rockwall, Rockwall County, Texas, and more specifically described in Exhibit 'A' and as depicted in Exhibit 'B' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit

(SUP) allowing for a *Commercial Amusement/Recreation Facility (Outside)* and more specifically a baseball training facility within a Commercial (C) District for the *Subject property*; and

Section 2. That the S*ubject Property* shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance granted herein and shall be subject to the conditions set forth in *Article IV, Permissible Uses, Section 2.1.5 Recreation, Entertainment and Amusement Use Conditions,* and *Article V, District Development Standards, Section 4.5 Commercial (C) District, of the City of Rockwall Unified Development Code [Ordinance No. 04-38]* as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions:

2.1 Operational Conditions

The following conditions pertain to the operation of the Commercial Amusement/Recreation Facility (Outdoor) on the Subject Property and conformance to these stipulations is required for continued operations:

1) That adherence to Engineering and Fire Department standards is required.

2) That the lighting levels are generally not to exceed the levels established in the preliminary photometric plan submitted for this site in order to contain spill over lighting and glare on adjacent properties, and that the illumination will generally not exceed an average of 50-FC as indicated on such plan.

3) That the heights for the lighting pole standards are not to exceed a maximum overall height of 50-ft (includes pole, base, fixtures, etc.).

4) That submittal and approval of a site plan (to include approval of a photometric plan), engineering plans, and final plat are required prior to issuance of a certificate of occupancy.

5) That written clearance from the Federal Aviation Administration (FAA) shall be provided to the City indicating approval of the maximum height for the light pole standards, the maximum intensity regarding glare produced from the lighting, and any other requirement deemed necessary for the safety of air traffic to and from the Rockwall Municipal Airport.

6) That the City Council reserves the right to review the Specific Use Permit (SUP) any time after the effective date of this ordinance.

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

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

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

day such offense shall continue shall be deemed to constitute a separate offense.

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

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE ____ DAY OF _____, 2015.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: _____

2nd Reading: _____

DRAFT

Exhibit 'A'

LEGAL DESCRIPTION

All that certain lot, tract or parcel of land situated in the N. BUTLER SURVEY, ABSTRACT NO, 20, City of Rockwall, Rockwall County, Texas, and being all of that tract of land as described in a Warranty deed from Brewer Properties, LP to Rockwall Property Corporation, dated July 7, 2006 and being recorded in Volume 4667, Page 101 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½" iron rod found for corner at the northeast corner of Lot 4, Block A, of COLUMBIA PARK ADDITION, BLOCK A, LOT 4, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet H, Slide 329 of the Plat Records of Rockwall County, Texas;

THENCE S. 62 deg. 32 min. 11 sec. E. a distance of 654.99 feet to a 3/8" iron rod found for corner;

THENCE S. 69 deg. 44 min. 24 sec. E a distance of 14.21 feet to a ½" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

THENCE S. 00 deg. 22 min. 33 sec. W. a distance of 290.21 feet to a ½" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner in the north right-of-way of Airport Road per Volume 5913, Page 123 of the Official Public Records of Rockwall County, Texas;

THENCE N. 89 deg. 07 min. 11 sec. W. along said right-of-way line, a distance of 596.53 feet to a ½" iron rod found for corner at the southeast corner of Lot 4, Block A;

THENCE N. 00 deg. 22 min. 33 sec. E. along the east boundary line of said Lot 4, Block A, a distance of 588.04 feet to the POINT OF BEGINNING and containing 261,360 square feet or 6.00 acres of land.

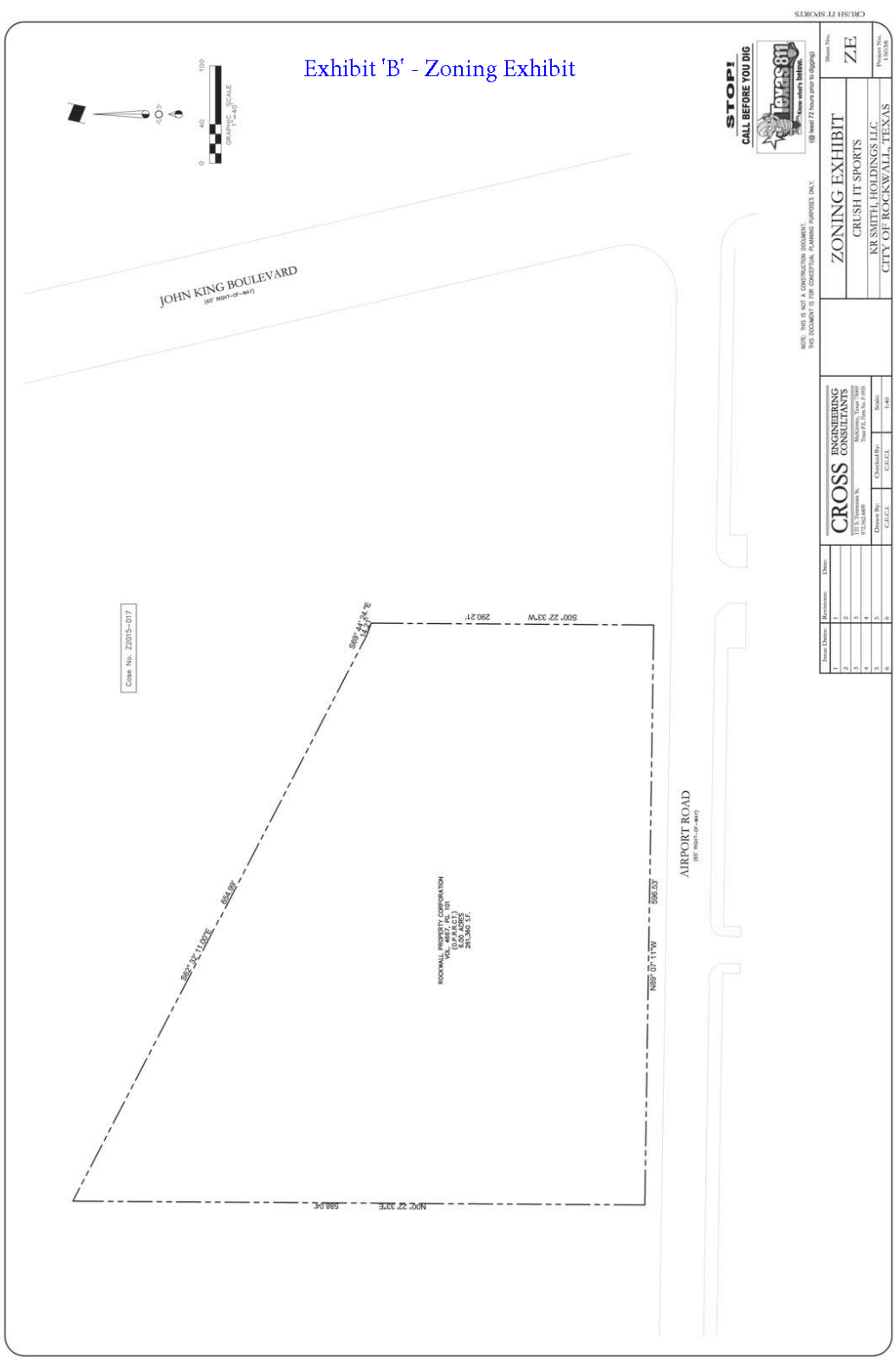


Exhibit 'B' - Zoning Exhibit
JOHN KING BOULEVARD
AIRPORT ROAD
Case No. Z2015-017
ROCKWALL PROPERTY CORPORATION
VOL. 4667, PG. 101
(D.R.R.C.T.)
0.00 ACRES
261,360 S.F.
S89° 44' 24"E
S00° 22' 33"W
290.21'
S89° 25' 11"E
654.99'
N89° 07' 11"W
596.53'
N00° 22' 33"E
588.04'
ZONING EXHIBIT
CRUSH IT SPORTS
KR SMITH HOLDINGS LLC
CITY OF ROCKWALL, TEXAS
CROSS ENGINEERING CONSULTANTS
Sheet No.
ZE
Project No.
15018
Drawn By
C.E.C.I.
Checked By
C.E.C.I.
Scale
1:40
Date:
Revisions:
Issue Dates:
STOP! CALL BEFORE YOU DIG
Texas811
Know what's below.
(@ least 72 hours prior to digging)
NOTE: THIS IS NOT A CONSTRUCTION DOCUMENT.
THIS DOCUMENT IS FOR CONCEPTUAL PLANNING PURPOSES ONLY.
CRUSH IT SPORTS

THIS PAGE INTENTIONALLY LEFT BLANK

107

CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 06/15/2015

APPLICANT: Herman Douglas Utley

AGENDA ITEM: **Z2015-018**; *1815 E. Old Quail Run Road (SFE-2.0 to SFE-1.5)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Herman Douglas Utley for the approval of a zoning change from a Single Family Estate 2.0 (SFE-2.0) District to a Single Family Estate 1.5 (SFE-1.5) District for a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 2.0 (SFE-2.0) District, situated within the SH-205 By-Pass (SH-205 BY OV) District, addressed as 1815 E. Old Quail Run Road, and take any action necessary.

PURPOSE:

The subject property is a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13. The applicant, Herman Douglas Utley, is requesting to rezone the property from a Single Family Estate 2.0 (SFE-2.0) District to a Single-Family Estate (SFE 1.5) District for the purpose of subdividing the property into two (2) acre parcels of land (*i.e. Lot 1: 1.82-acres and Lot 2: 2.12-acres -- see attached proposed plat*). On April 6, 2015, the City Council approved a zoning change for the subject property from an Agricultural (AG) District to a Single Family Estate 2.0 (SFE-2.0) District under *Case Number Z2015-008*. The Single Family Estate 2.0 (SFE-2.0) District requires a minimum lot size of two (2) acres or more; however, after accounting for roadway dedication the remaining property was 3.94-acres and would prohibit the Mr. Utley from subdividing the property. Currently, the subject property has an existing single-family home constructed in the southeast corner. According to the applicant's original letter provided with *Case No. Z2015-008*, the existing house will remain on one (1) lot and a new single-family home will be constructed on the remainder lot.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is E. Quail Run Road, which is identified as a M4U (*minor arterial, four [4] lane, undivided* roadway) according to the City's Master Thoroughfare Plan. Beyond this roadway is a portion of a larger 62.192-acre tract of land zoned Agricultural (AG) District that is currently vacant.

South: Directly south of the subject property is a 4.83-acre parcel of land zoned Agricultural (AG) District, which is identified as Lot 1, Block A, of the D. R. Taylor Addition and addressed as 1691 E. Old Quail Run Road. Beyond this property are the corporate boundaries of the City of Rockwall.

East: Directly east of the subject property is a 29.929-acre tract of land zoned Agricultural (AG) District that is currently vacant. Beyond this tract of land is Saddlebrook Estates, Phase 2, which is zoned Single-Family 16 (SF-16) District and contains 45 single-family residential lots.

West: Directly west of the subject property is E. Old Quail Run Road followed by a portion of a larger 62.192-acre tract of land zoned Agricultural (AG) District that is currently vacant. Bisecting this tract of land is John King Boulevard, which is identified as a P6D (*principal arterial, six [6] lane, divided roadway*) according to the City's Master Thoroughfare Plan.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The Future Land Use Map, adopted with the Comprehensive Plan, designates the subject property for *Low Density Residential* land uses, which is defined as less than two (2) single-family units per acre. This designation is in conformance with the applicant's request to rezone the subject property to a Single-Family Estate (SFE-1.5) District.

NOTIFICATION:

On May 22, 2015, staff mailed seven (7) notices to property owners and residents within 500-feet of the subject property. Staff also emailed notices to the Stoney Hollow and Caruth Lakes Homeowner's Associations (HOA's), which are the only HOA's located within 1,500-feet of the subject property. Additionally, staff posted a sign along E. Old Quail Run Road, and advertised the public hearings in the Rockwall Harold Banner as required by the Unified Development Code (UDC). At the time this case memo was drafted no responses were received by staff.

PLANNING AND ZONING COMMISSION:

On June 9, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the applicant's request by a vote of 6-0, with Commissioner Conley absent.



City of Rockwall

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

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

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City of Rockwall

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

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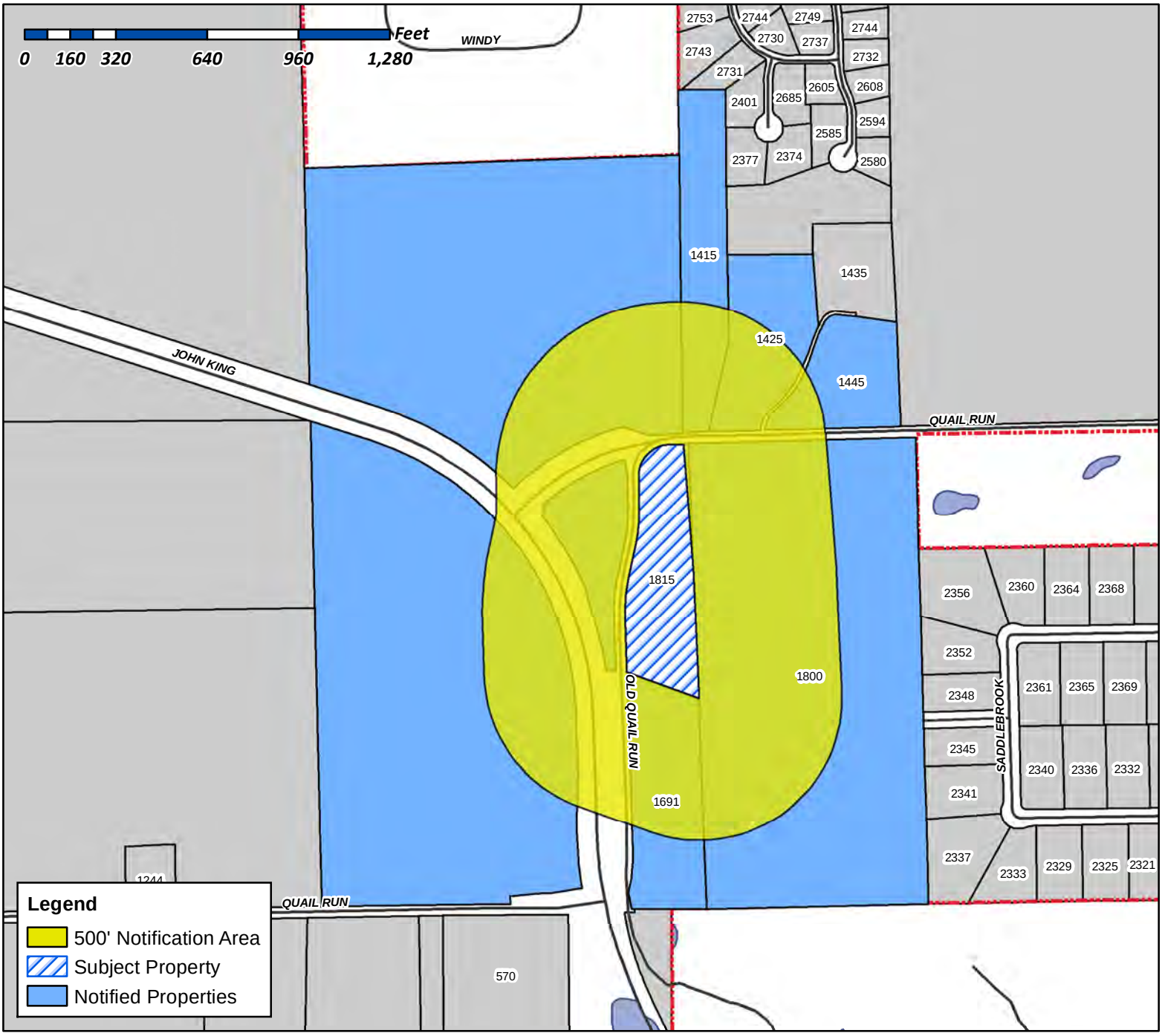
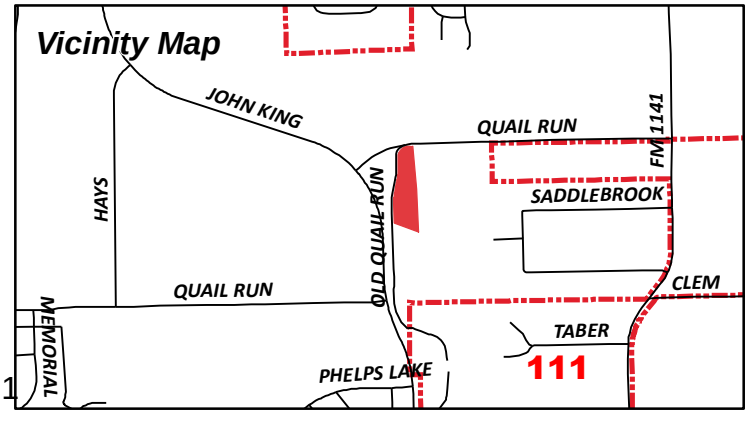


Case Number: Z2015-018
Case Name: 1815 E Quail Run
Case Type: Zoning
Zoning: SF-E/1.5
Case Address: 1815 E Quail Run Rd

Date Created: *05/19/2015*
For Questions on this Case Call (972) 771-7745



NALLEY MICHAEL R & LORI D
1445 E QUAIL RUN RD
ROCKWALL, TX 75032

GIDEON LONNIE L TR
SHELLEYE L GIDEON HENAGER TRUST
1800 QUAIL RUN RD
Rockwall, TX 75032

KOUVELIS HILDA & PETER
1415 E QUAIL RUN RD
ROCKWALL, TX 75032

LARRIVIERE MICHAEL R & LISA J
1425 E QUAIL RUN RD
ROCKWALL, TX 75032

UTLEY HERMAN D
1815 E QUAIL RUN RD
ROCKWALL, TX 75032

LANKFORD BONNIE
1691 OLD E QUAIL RUN RD
ROCKWALL, TX 75032

GIDEON LONNIE L TR
BRADLEY JOE GIDEON TRUST
PO Box 84
FATE, TX 75132

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

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

To Whom It May Concern:

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

Case No. Z2015-018:

Hold a public hearing to discuss and consider a request by Herman Douglas Utley for the approval of a zoning change from a Single Family Estate 2.0 (SFE-2.0) District to a Single Family Estate 1.5 (SFE-1.5) District for a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 2.0 (SFE-2.0) District, situated within the SH-205 By-Pass (SH-205 BY OV) District, addressed as 1815 E. Old Quail Run Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 6/9/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 6/15/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by **6/15/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2015-018:

Please place a check mark on the appropriate line below:

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

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

Name:

Address:

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

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

City of Rockwall

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

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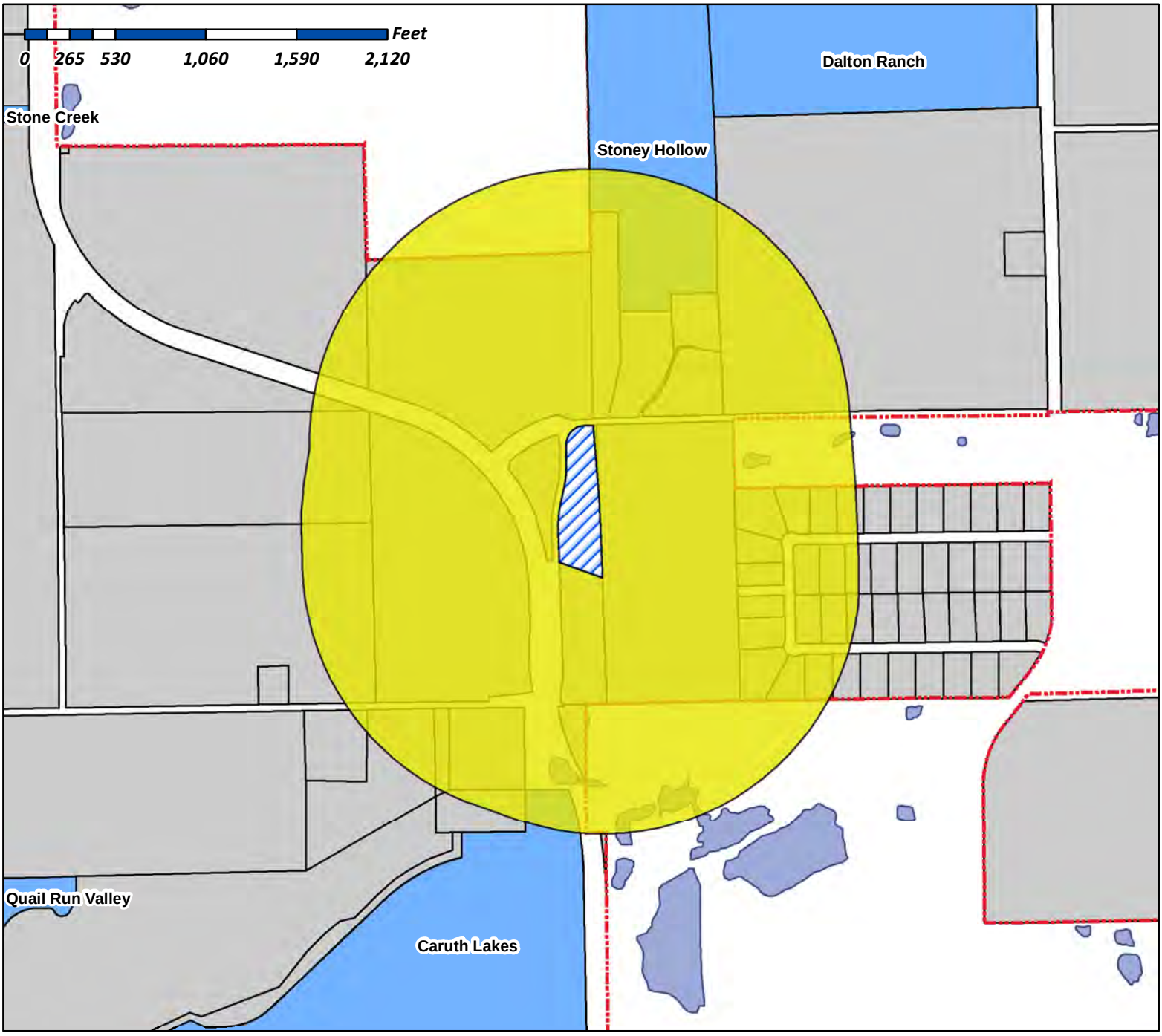

Case Number: Z2015-018
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Case Address: 1815 E Quail Run Rd

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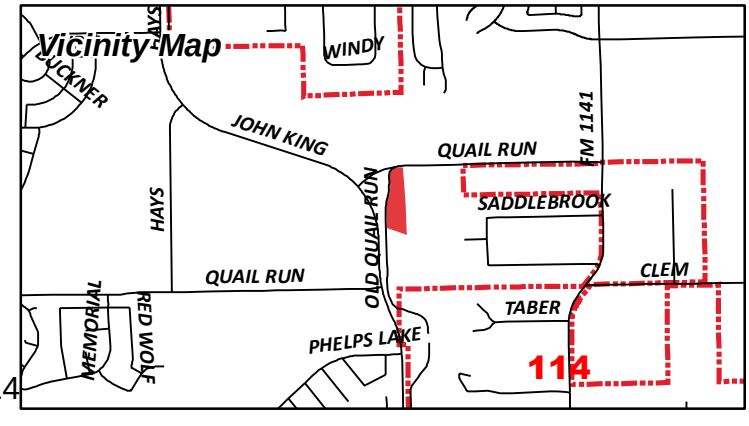
For Questions on this Case Call (972) 771-7745



Miller, Ryan

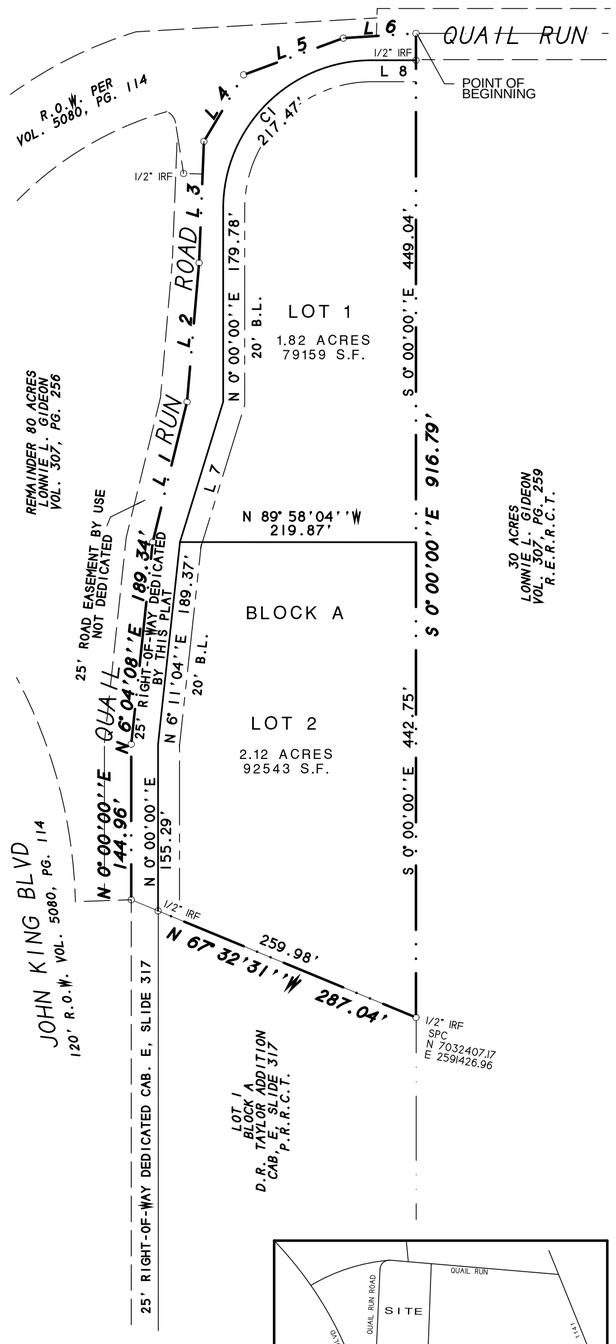
From: Morales, Laura
Sent: Thursday, May 21, 2015 2:13 PM
To: [redacted]
Cc: Miller, Ryan
Subject: Neighborhood Notification Program: Notice of Zoning Request
Attachments: HOA Map (05.21.2015).pdf

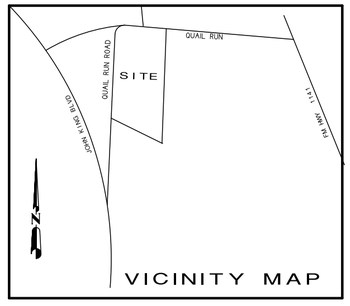
To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that will also be published in the Rockwall Herald Banner on *May 29, 2015*. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at http://www.rockwall.com/planning/planningDevCases.asp.

Z2015-018
Hold a public hearing to discuss and consider a request by Herman Douglas Utley for the approval of a zoning change from a Single Family Estate 2.0 (SFE-2.0) District to a Single Family Estate 1.5 (SFE-1.5) District for a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 2.0 (SFE-2.0) District, situated within the SH-205 By-Pass (SH-205 BY OV) District, addressed as 1815 E. Quail Road, and take any action necessary.

Laura Morales
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
Lmorales@rockwall.com | http://www.rockwall.com





LINE TABLE

Line	Bearing	Distance
1	N 13°45'03"E	134.53'
2	N 4°57'27"E	130.00'
3	N 2°16'19"E	113.21'
4	N 30°51'27"E	72.24'
5	N 69°46'15"E	98.85'
6	N 86°17'03"E	67.89'
7	N 17°07'21"E	136.75'
8	N 90°00'00"E	41.16'

CURVE DATA

Curve	Delta Angle	Radius	Arc	Tangent	Chord	Chord Bearing
1	90°00'00"	138.45	217.47	138.45	195.79	N 45°00'00"E

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0030L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

STATE OF TEXAS
COUNTY OF ROCKWALL

OWNER'S CERTIFICATE
(Public Dedication)

WHEREAS, HERMAN D. UTLEY, BEING the Owner of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the S.R. BARNES SURVEY, ABSTRACT NO. 13, City of Rockwall, Rockwall County, Texas, and being all of a 2.172 acres tract of land as described in a Warranty deed from Brenda J. Bradley to Herman D. Utley, as recorded in Volume 4664, Page 273, of the Official Public Records of Rockwall County, Texas, and also being all of a 2.33 acres tract of land as described in a Warranty deed from Veronica Utley to Herman Douglass Utley, as recorded in Volume 3555, Page 93 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the center of Quail Run Road, at the northeast corner of said 2.172 acres tract of land;

THENCE S. 00 deg. 00 min. 00 sec. E. along the east line of said 2.172 acres tract, at 442.75 feet pass a 1/2" iron rod found for corner at the southeast corner of same and the northeast corner of said 2.33 acres tract, and continuing for a total distance of 916.79 feet to a 1/2" iron rod found for corner at the southeast corner of said 2.33 acres tract and at the northeast corner of Lot 1, Block A, D.R. Taylor Addition, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet E, Slide 317 of the Plat Records of Rockwall County, Texas;

THENCE N. 67 deg. 32 min. 31 sec. W. along the north line of Lot 1, a distance of 287.04 feet to a 1/2" iron rod found for corner in the center of Quail Run Road;

THENCE in a northerly direction along the center of Quail Run Road, as follows:

N. 00 deg. 00 min. 00 sec. E. a distance of 144.96 feet; N. 06 deg. 04 min. 08 sec. E. a distance of 189.34 feet; N. 13 deg. 45 min. 03 sec. E. a distance of 134.53 feet; N. 04 deg. 57 min. 27 sec. E. a distance of 130.00 feet; N. 02 deg. 16 min. 19 sec. E. a distance of 113.21 feet; N. 30 deg. 51 min. 27 sec. E. a distance of 72.24 feet; N. 69 deg. 46 min. 15 sec. E. a distance of 98.85 feet; N. 86 deg. 17 min. 03 sec. E. a distance of 67.89 feet to the POINT OF BEGINNING and containing 195,661 square feet or 4.49 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as UTLEY ADDITION, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of th eir respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer an d/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as p rogress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exaction's made herein.

HERMAN D. UTLEY

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared HERMAN D. UTLEY known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

Notary Public in and for the State of Texas

My Commission Expires:

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR

Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of UTLEY ADDITION, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ___ day of_____ ,_____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

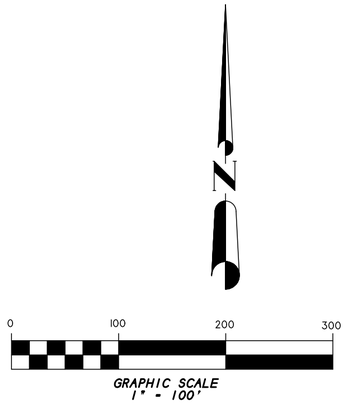
Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____ ,_____.

Mayor, City of Rockwall

City Secretary City of Rockwall

City Engineer Date



FINAL PLAT

UTLEY ADDITION

4.49 ACRES OR 195,661 S.F.
(2 LOTS)

S.R. BARNES SURVEY, A-13
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 1

OWNER:
HERMAN DOUG UTLEY
1815 E. QUAIL RUN ROAD
ROCKWALL, TEXAS 75087
214-693-1246

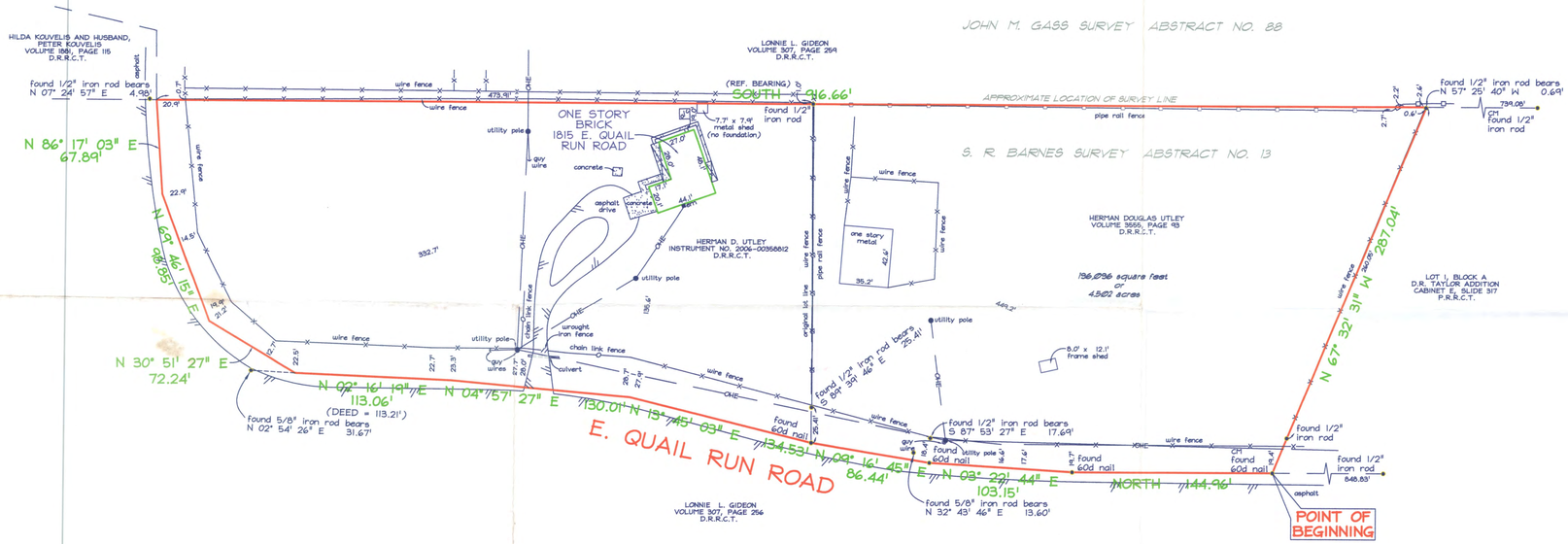
SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND (CORNER)
FENCE	EASEMENT LINE		A/C AIR COND. UNIT	PROPANE TANK
	PROPERTY LINES			

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE MAY 15, 2015
SCALE 1" = 20' FILE # 20150133
CLIENT UTLEY

116







PROPERTY DESCRIPTION

Being a 4.502 acre tract of land situated in the S.R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas and being all that certain tract of land described in deed to Herman D. Utley, as recorded in Instrument No. 2006-00358812, Deed Records, Rockwall County, Texas and all that certain tract of land described in deed to Herman Douglas Utley, as recorded in Volume 3555, Page 93, said Deed Records and being more particularly described by metes and bounds as follows:

BEGINNING at a found 60 penny nail in E. Quail Run Road at the common west corner of said Utley tract (3555/93) and Lot 1, Block A, of the D.R. Taylor Addition, recorded in Cabinet E, Slide 317, Plat Records, Rockwall County, Texas, said 60 penny nail being on the east line of the remainder of that certain tract of land described in deed to Lonnie L. Gideon, as recorded in Volume 307, Page 256, said Deed Records;

THENCE along said E. Quail Run Road and the common line of said Utley tract (3555/93) and said Gideon tract the following bearings and distances:

North, a distance of 144.96 feet to a found 60 penny nail;

North 03 degrees 22 minutes 44 seconds East, a distance of 103.15 feet to a found 60 penny nail from which a found 5/8-inch iron rod bears North 32 degrees 43 minutes 46 seconds East, a distance of 13.60 feet and a found 1/2-inch iron rod bears South 87 degrees 53 minutes 27 seconds East, a distance of 17.69 feet;

North 09 degrees 16 minutes 45 seconds East, a distance of 86.44 feet to a found 60 penny nail at the common west corner of said Utley tracts, from which a found 1/2-inch iron rod bears South 89 degrees 39 minutes 46 seconds East - 25.41 feet;

THENCE along aforesaid E. Quail Run Road and the common line of said Utley tract (2006-00358812) and aforesaid Gideon tract the following bearings and distances:

North 13 degrees 45 minutes 03 seconds East, a distance of 134.53 feet;

North 04 degrees 57 minutes 27 seconds East, a distance of 130.01 feet;

North 02 degrees 16 minutes 19 seconds East, a distance of 113.06 feet to a point from which a found 5/8-inch iron rod bears North 02 degrees 54 minutes 26 seconds East, a distance of 31.67 feet;

North 30 degrees 51 minutes 27 seconds East, a distance of 72.24 feet;

North 69 degrees 46 minutes 15 seconds East, a distance of 98.85 feet;

North 86 degrees 17 minutes 03 seconds East, a distance of 67.89 feet to a point from which a found 1/2-inch iron rod bears North 07 degrees 24 minutes 57 seconds East, a distance of 4.98 feet, said point being the common corner of aforesaid Utley tract (2006-00358812) and that certain tract of land described in deed to Lonnie L. Gideon, as recorded in Volume 307, Page 259, aforesaid Deed Records and that certain tract of land described in deed to Hilda Kouvelis and husband, Peter Kouvelis, as recorded in Volume 1881, Page 115, said Deed Records;

THENCE South along the common line of said Utley tract (2006-00358812) and said Gideon tract (307/259), passing a found 1/2-inch iron rod at the common east corner of said Utley tracts at a distance of 473.91 feet and continuing along the common line of said Utley tract (3555/93) and said Gideon tract (307/259) a total distance of 916.66 feet to a point from which a found 1/2-inch iron rod bears North 57 degrees 25 minutes 40 seconds West, a distance of 0.69 of one foot, said point being the common east corner of said Utley tract (3555/93) and aforesaid Lot 1;

THENCE North 67 degrees 32 minutes 31 seconds West along the common line of said Utley tract (3555/93) and said Lot 1, passing a found 1/2-inch iron rod at a distance of 260.05 feet and continuing a total distance of 287.04 feet to the POINT OF BEGINNING and containing 196,096 square feet or 4.502 acres of land.

THIS IS TO DECLARE that on this date a survey was made on the ground, under my direction and supervision of the above described tract of land.

There are no visible conflicts, visible evidence of easements or rights-of-way, or protrusions, except as shown, and that this date the easements, rights-of-way or other locatable matters of record of which the undersigned has knowledge or has been advised are as shown or noted hereon.

The subject property does not appear to lie within the limits of a 100-year flood hazard zone according to the Map published by the Federal Emergency Management Agency, and has a Zone "X" Rating as shown by Map No. 480543 00030 B, dated SEPTEMBER 17, 1980. The statement that the property does or does not lie within a 100-year flood zone is not to be taken as a representation that the property will or will not flood. This survey is not to be used for construction purposes and is for the exclusive use of Foundation Mortgage and Commonwealth Title only and this survey is made pursuant to that one certain title commitment under the GF number 2252000072, provided by the title company named hereon.

NOTES:

CM = CONTROLLING MONUMENT.

SUBJECT PROPERTY IS NOT AFFECTED BY THE FOLLOWING:
(10e)-EASEMENT, VOL. 80, PG. 123, VOL. 110, PG. 792, R.P.R.R.C.T.
(10f)-EASEMENT, VOL. 82, PG. 358, R.P.R.R.C.T.
(10g)-EASEMENT, VOL. 913, PG. 20, R.P.R.R.C.T.
(10h)-EASEMENT, VOL. 908, PG. 10, R.P.R.R.C.T.

THE BEARINGS FOR THIS SURVEY ARE BASED ON DEEDS RECORDED IN VOLUME 3555, PG. 93 AND IN INSTRUMENT NO. 2006-00358812, D.R.R.C.T.

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STATE OF TEXAS · J.T. THOMPSON · 4804 · PROFESSIONAL LAND SURVEYOR

Registered Professional Land Surveyor

REVISIONS	BY

PRECISE LAND SURVEYING, INC.
4625 EASTOVER DRIVE * MESQUITE, TEXAS 75149
(972) 681-7072 FAX (972) 279-1508

BOUNDARY SURVEY
1815 E. QUAIL RUN ROAD
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

Precise

SURVEYOR	JTT
DATE	02/14/07
TECH	MSP
PARTY CHIEF	JL
SURVEY DATE	02/13/07
DRAWING FILE	F:\07-DRAWN\307-0190
MAPSCO #	284-A/200-A
SCALE	1" = 50'
JOB NUMBER	307-0190
SHEET	1 OF 1 SHEETS

117

CITY OF ROCKWALL

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT TO A SINGLE-FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT FOR A 4.502-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE S. R. BARNES SURVEY, ABSTRACT NO. 13, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Herman Douglas Utley for the approval of an amendment to the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall to adopt a change in zoning from a Single-Family Estate 2.0 (SFE-2.0) District to a Single-Family Estate 1.5 (SFE-1.5) District for a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, and more specifically described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agriculture (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family Estate (SF-E) District* in *Section 1.1, "Use of Land and Buildings,"* of *Article IV, "Permissible Uses"* and *Section 3.2, "Single-Family Estate (SF-E/1.5, 2.0, 4.0) District",* of *Article V, "District Development Standards"*, of the *Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

Section 3. That the official zoning map of the City be corrected to reflect the changes in the

DRAFT ORDINANCE 05.19.15

zoning described herein.

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

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

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

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 6TH DAY OF JULY, 2015.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *June 15, 2015*

2nd Reading: *July 6, 2015*

DRAFT ORDINANCE 06.15.2015

Exhibit 'A':
Legal Description

PROPERTY DESCRIPTION

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THIS IS TO DECLARE that on this date a survey was made on the ground, under my direction and supervision of the above described tract of land.

There are no visible conflicts, visible evidence of easements or rights-of-way, or protrusions, except as shown, and that this date the easements, rights-of-way or other locatable matters of record of which the undersigned has knowledge or has been advised are as shown or noted hereon.

The subject property does not appear to lie within the limits of a 100-year flood hazard zone according to the Map published by the Federal Emergency Management Agency, and has a Zone "X" Rating as shown by Map No. 480543 00030 B, dated SEPTEMBER 17, 1980. The statement that the property does or does not lie within a 100-year flood zone is not to be taken as a representation that the property will or will not flood. This survey is not to be used for construction purposes and is for the exclusive use of Foundation Mortgage and Commonwealth Title only and this survey is made pursuant to that one certain title commitment under the GF number 2252000072, provided by the title company named hereon.

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(10f)-EASEMENT, VOL. 82, PG. 358, R.P.R.R.C.T.
(10g)-EASEMENT, VOL. 913, PG. 20, R.P.R.R.C.T.
(10h)-EASEMENT, VOL. 908, PG. 10, R.P.R.R.C.T.

THE BEARINGS FOR THIS SURVEY ARE BASED ON DEEDS RECORDED IN VOLUME 3555, PG. 93 AND IN INSTRUMENT NO. 2006-00358812, D.R.R.C.T.

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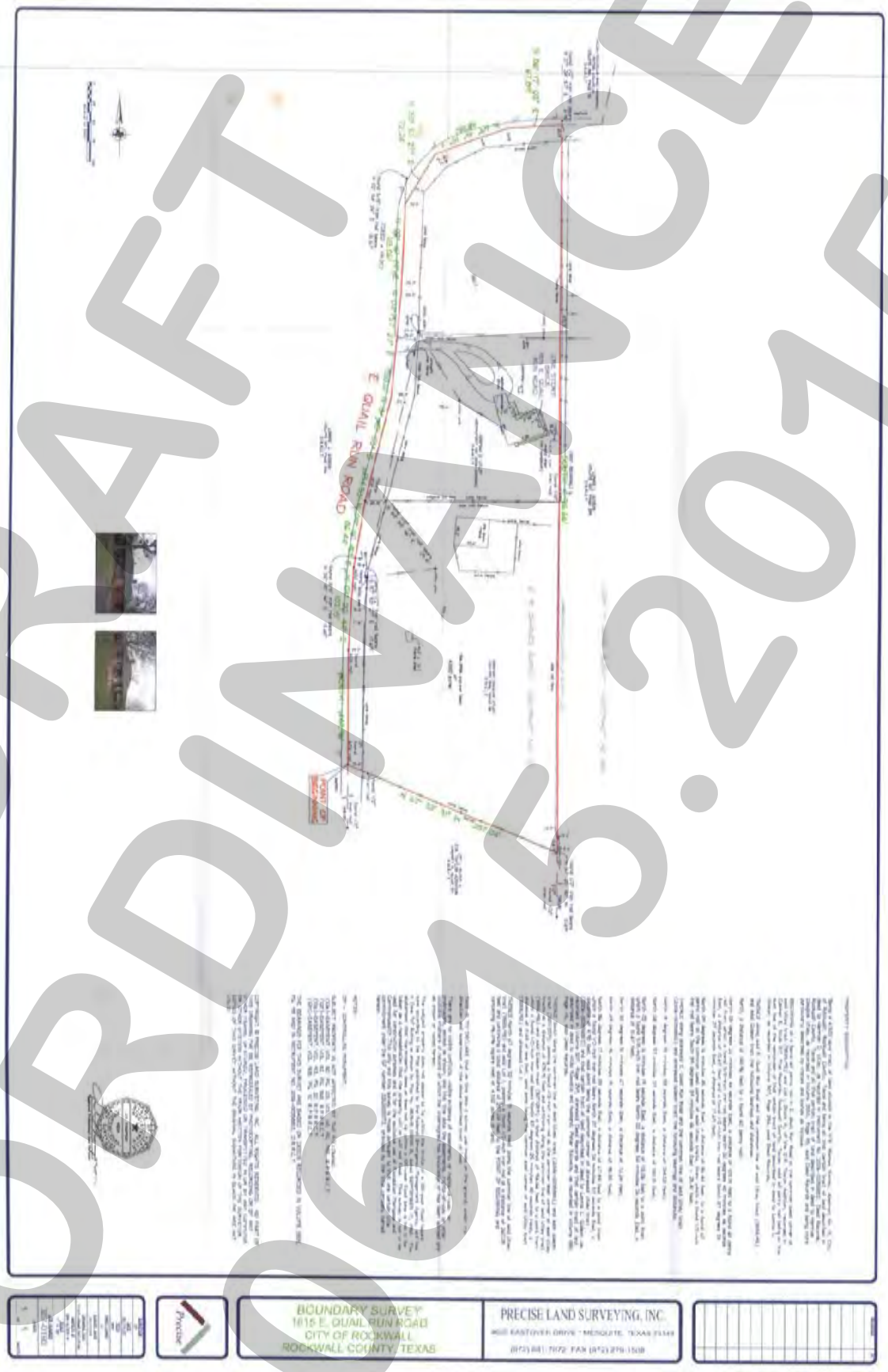
DRAFT ORDINANCE 06.15.2015

Exhibit 'B':
Zoning Exhibit



DRAFT ORDINANCE 06.15.2015

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Robert LaCroix, Director of Planning & Zoning

DATE: June 12, 2015

SUBJECT: Special Exception

David Smith with the Rockwall Housing Development Corporation is requesting a Special Exception, as permitted in Planned Development District 75, (PD-75), to allow the location of a manufactured home for emergency housing purposes on the subject property at 112 Chris Drive in the Lake Rockwall Estates Subdivision. Due to the recent flooding in this area some property owners have been forced out of their homes and are currently residing in a local hotel. These homes will require extensive repair to be habitable. The RHDC is attempting to provide emergency housing to these individuals by providing temporary housing on one of the lots they currently own within Lake Rockwall Estates Subdivision. In addition, the RHDC is working with the City to determine if City owned lots, within a close proximity, could be utilized to locate other manufactured homes for the same emergency reasons. Mr. Smith is requesting the Special Exception for 112 Chris Drive, but staff would also request that the Council allow additional Special Exceptions apply to those City lots for the same purpose of locating emergency housing. Those lots will be determined at a later date.

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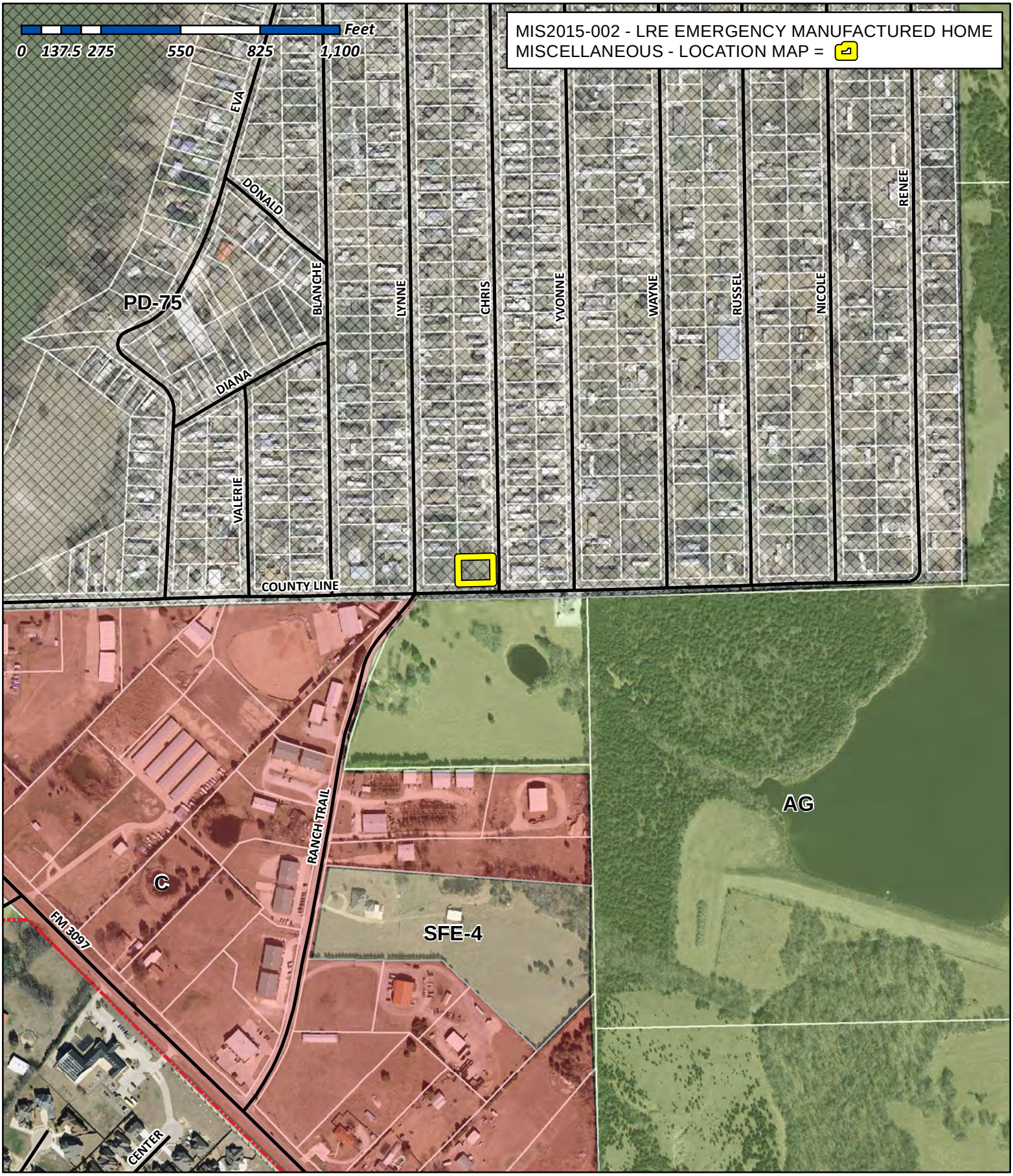

City of Rockwall

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

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

I request that a request for variance for ~~temporary~~ EMERGENCY housing ~~on~~ be placed on the City Council Agenda for Monday June 15, 2015.

David Smith
Rochmale Housing Dev. Corp.
972-771.2579

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 06/15/2015

APPLICANT: Jay Bedford of A.J. Bedford Group, LLC

AGENDA ITEM: **P2015-021** (Breezy Hill Estates [ETJ] – Final Plat)

SUMMARY:

Discuss and consider a request by Jay Bedford of A. J. Bedford Group, Inc. on behalf of the owners G. Kent and Kay Loy Smith and Alan C. and Brenda G. Meador for the approval of a final plat for Lots 1-4, Block A, Breezy Hill Estates being a 7.873-acre tract of land identified as Lots 10-13, Breezy Hill (Unrecorded), Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), located on property currently addressed as 575 Breezy Hill Lane, and take any action necessary.

COMMENTS:

- The objective of this request is to establish a subdivision within the City's Extraterritorial Jurisdiction (ETJ) by platting four (4) lots that combine for a total of 7.873-acres. Although four (4) lots existed prior to this request, they were not recorded as platted lots. The City's Subdivision Ordinance requires all lots or tracts of land within the ETJ to be platted if the lot or tract of land is subdivided into parcels or tracts less than 5-acres. Also, the Subdivision Ordinance requires all lots to have frontage along a public street and is based on the City's zoning code for frontage. The proposed plat indicates Lots 3 & 4 does as not having frontage along a public street; therefore, approval of a waiver to this standard is required by City Council in order for the proposed plat to be approved.

- The property is located in the northeast quadrant of F.M. 552 and Breezy Hill Road and is currently addressed as 575 Breezy Hill Lane.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions listed in the Recommendations section below.

- With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the request for final plat, staff would recommend the following conditions of approval:

A) All the technical comments from the Engineering and Fire Departments shall be addressed prior to the filing of this plat, including the following Planning Comments;

1. Approval of a waiver by the City Council to the Subdivision Ordinance to allow Lots 3 & 4 (as depicted on the proposed plat) to be platted without frontage on a public street.
2. Adherence to Engineering and Fire Department standards.

3. Address all staff comments as listed in the Project Plan Review (see attached).

B) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On June 9, 2015, the Planning and Zoning Commission recommended approval of the request, which included a recommendation of approval for the waiver to the Subdivision Ordinance to allow for Lots 3 & 4 to be platted without frontage on a public street by a vote of 6 to 0 (Conley – absent).

City of Rockwall

Project Plan Review History

Project Number	P2015-021	**Owner**	G. Kent Smith & Kay Loy Smith	**Applied**	5/18/2015	RM
Project Name	Lots 1-4, Block A, Breezy Hill Estates	**Applicant**	Jay Bedford of A.J. Bedford Group, LLC	**Approved**		
Type	PLAT			**Closed**		
Subtype	FINAL			**Expired**		
Status	P&Z HEARING			**Status**	6/1/2015	DG

Site Address	**City, State Zip**	**Zoning**
	,	

Subdivision	**Tract**	**Block**	**Lot No**	**Parcel No**	**General Plan**

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	5/18/2015	5/25/2015				
ENGINEERING	Amy Williams	5/18/2015	5/25/2015	5/18/2015		COMMENTS	See Comments
(5/18/2015 3:52 PM AW) Need to clarify the easements (bigger arrow heads) Need to dedicate right-of-way (see markup)							
FIRE	Ariana Hargrove	5/18/2015	5/25/2015	5/20/2015	2	APPROVED	
GIS	Lance Singleton	5/18/2015	5/25/2015				
PLANNING	David Gonzales	5/18/2015	5/25/2015	5/19/2015	1	COMMENTS	See comments

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks

Discuss and consider a request by Jay Bedford of A. J. Bedford Group, Inc. on behalf of the owners G. Kent and Kay Loy Smith for the approval of a final plat for Lots 1-4, Block A, Breezy Hill Estates being a 7.873-acre tract of land identified as Lots 10-13, Breezy Hill (Unrecorded), Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), located on property currently addressed as 575 Breezy Hill Lane, and take any action necessary.

The following staff comments are to be addressed and resubmitted no later than Tuesday, June 2, 2015 (four large copies [18" X 24" FOLDED] and one PDF version) for subsequent review by staff.

1. Adherence to all Engineering and Fire Department standards.
2. Breezy Hill Road identifed as a "minor collector" on the City's Thoroughfare Plan, requires dedication of right-of-way.
3. Indicate extremes of all easements that are not identified by a double arrow.
4. Remove the label "by this plat" where indicated.
5. Remove improvements (e.g. fence, concrete area's, building footprint, etc.).
6. Lots 3 & 4 do not have frontage on a public street - requires a waiver to the Subdivision Standards for frontage.
7. What is "judgement" and why is it relevant to this plat?
8. Provide a label indicating "Case No. P2015-021" on the lower right corner of all pages of the plat.

Planning Department	David Gonzales	6/1/2015	6/1/2015	6/1/2015		COMMENTS	See comments

The following staff comments are to be addressed and resubmitted for a subsequest review by staff (two large copies [18" X 24" FOLDED] and one PDF version).

1. Adherence to all Engineering and Fire Department standards.
2. Approval of a waiver to the Subdivision Standards by City Council is required for not having the required frontage along a public street for Lots 3 & 4.
3. Page 2 - Use Standard City Signtrue Block along with County Judge signature line (not Director of Planning signature line).

AJ Bedford Group, Inc.
Registered Professional Land Surveyors

June 4, 2015

CITY OF ROCKWALL
Attn: David Gonzales, AICP
Senior Planner
385 S. Goliad Street
Rockwall, Texas 75087

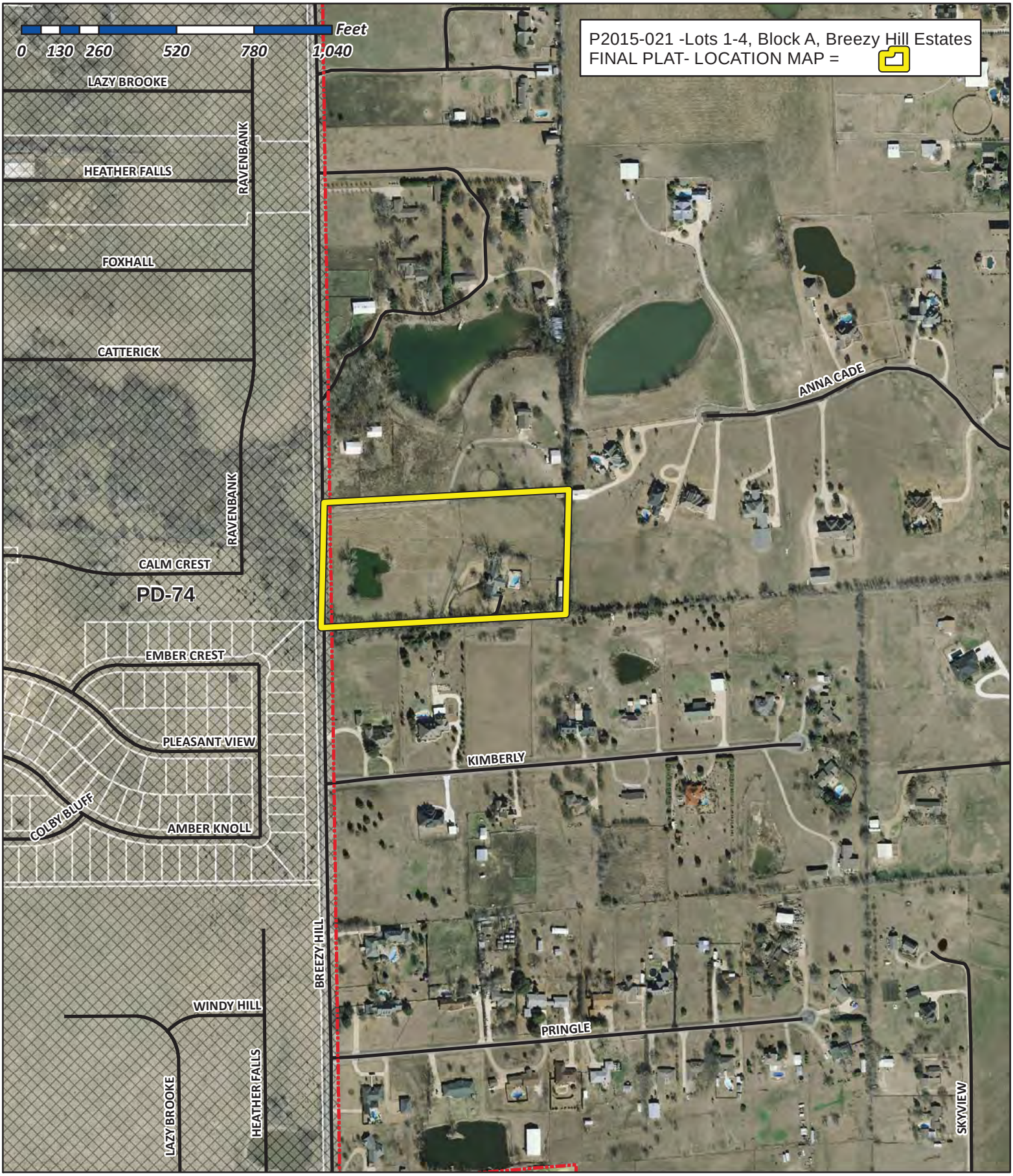
RE: P2015-021
Lots 1-4, Block A, Breezy Hill Estates
FINAL PLAT

Respectfully on behalf of G. Kent Smith & Kay Loy Smith, owners, we, A.J. Bedford Group, Inc. are requesting a waiver to subdivision ordinance to allow for Lots 3 & 4 to not have frontage along a public street. These lots have access based on the 20-ft and 30-ft access easements as indicated on the plat.

Thank you for your consideration,

Austin J. Bedford
Registered Professional Land Surveyor No. 4132

301 N. Alamo Road Rockwall, Texas 75087 972-722-0225 Fax 972-722-0361 www.ajbedfordgroup.com



City of Rockwall

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(W): www.rockwall.com

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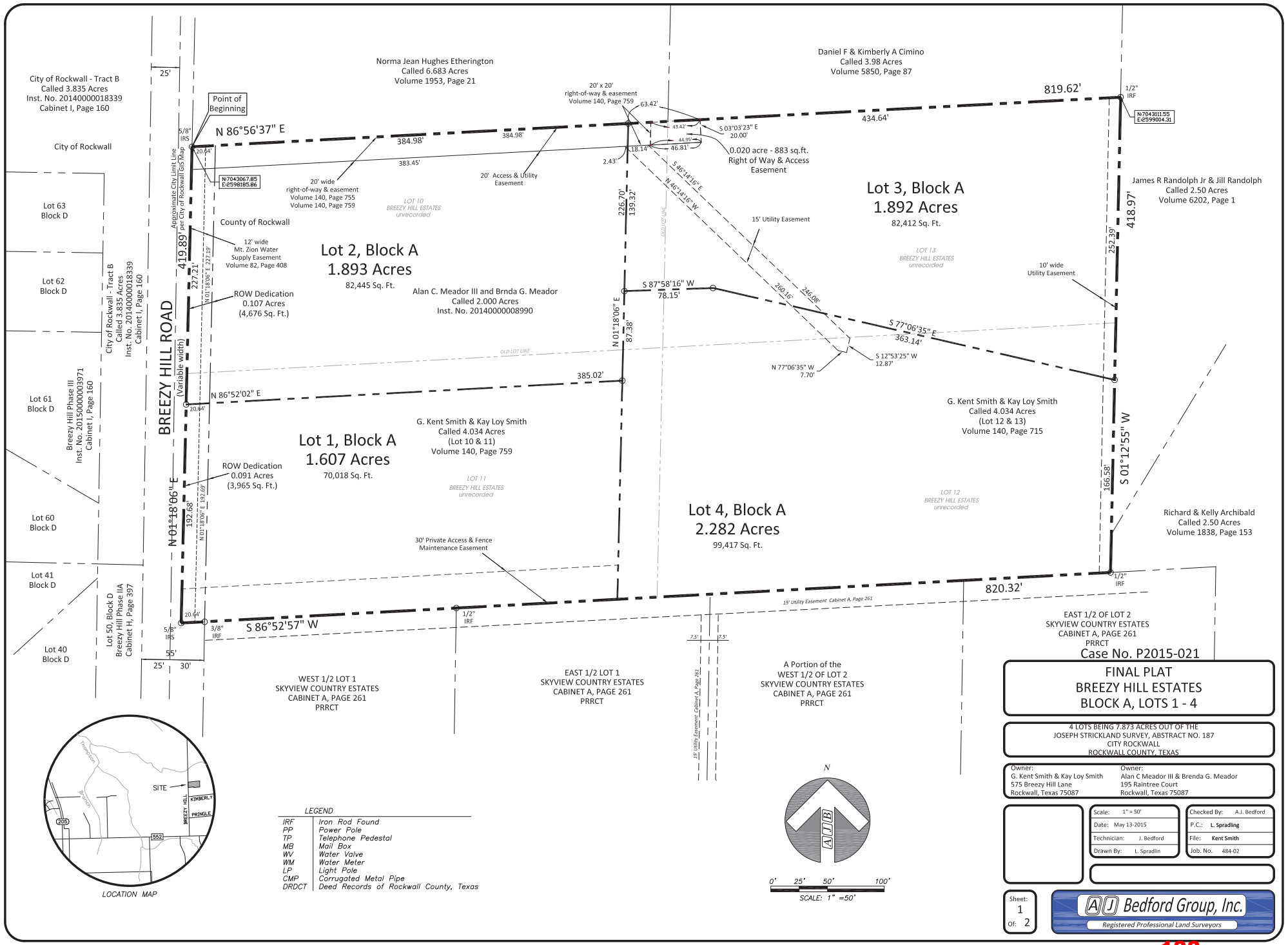

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OWNER'S CERTIFICATION
STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, G. Kent Smith, Kay Loy Smith, Alan C. Meador III and Brenda G. Meador are the owners of a 7.873 acre tract of land situated in the Joseph Strickland Survey, Abstract No. 187, Rockwall County, Texas and being a portion of the land described in documents to G. Kent Smith and Kay Loy Smith recorded in Volume 140, Page 759, Volume 140 and Volume 757, Page 002, Official Public Records Rockwall County, Texas (OPRRCT) and being all of a called 2.000 acre tract of land described in a deed to Allen C. Meador III and Brenda G. Meador recorded in Instrument No. 20140000008990 (OPRRCT) and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod set for corner in the west line of Breezy Hill Road a variable width right of way and being the northwest corner of said Meador tract;

THENCE along the north line of said Meador tract, NORTH 86°56'37" EAST a distance of 819.62 feet to a 1/2 inch iron rod found for corner in the west line of a tract of land described in a deed to James R. Randolph Jr. and Jill Randolph recorded in Volume 6202, Page 1 (OPRRCT);

THENCE along the west line of said Randolph tract, SOUTH 01°12'55" WEST a distance of 418.97 feet to a 1/2 inch iron rod found for corner in the north line of Skyview Country Estates an addition to Rockwall County according to the plat recorded in Cabinet A, Page 261 (OPRRCT);

THENCE along the north line of said Skyview Country Estates, SOUTH 86°52'57" WEST a distance of 820.32 feet to a 5/8 inch iron rod set for corner in the east line of said Breezy Hill Road;

THENCE along the east line of said Breezy Hill Road, NORTH 01°18'06" EAST a distance of 419.89 feet to the POINT OF BEGINNING;

CONTAINING 7.873 acres or 342,933 square feet of land more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
STATE OF TEXAS
COUNTY OF ROCKWALL

We, the undersigned owners of the land shown on this plat, and designated herein as the BREEZY HILL ESTATES subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the BREEZY HILL ESTATES subdivision have been notified and signed this plat. We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We, my (our) successors and assigns hereby waive any claim, damage, or cause of action that We may have as a result of the dedication of exactions made herein.

_____ _____
G. Kent Smith Kay Loy Smith

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared G. Kent Smith & Kay Loy Smith, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, 2015

_____
Notary Public in and for the State of Texas

_____ _____
Alan C. Meador III Brenda G. Meador

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Allen C. Meador III & Brenda G. Meador, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, 2015

_____
Notary Public in and for the State of Texas

General Notes:
1) It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Austin J. Bedford, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

_____
Austin J. Bedford
Registered Professional Land Surveyor
Texas Registration No 4132
301 Alamo Road
Rockwall, Texas 75087

_____
Planning & Zoning Commission, Chairman Date

APPROVED:
I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 2015.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 2015.

_____
Mayor, City of Rockwall

_____
City Secretary

_____
City Engineer

_____
Rockwall County Judge Date

Case No. P2015-021

FINAL PLAT
BREEZY HILL ESTATES
BLOCK A, LOTS 1 - 4

4 LOTS, BEING 7.873 ACRES OUT OF THE
JOSEPH STRICKLAND SURVEY, ABSTRACT NO. 187
CITY ROCKWALL
ROCKWALL COUNTY, TEXAS

Owner:
G. Kent Smith & Kay Loy Smith
575 Breezy Hill Lane
Rockwall, Texas 75087

Owner:
Alan C Meador III & Brenda G. Meador
195 Raintree Court
Rockwall, Texas 75087

Scale:	1" = 50'
Date:	May 13-2015
Technician:	J. Bedford
Drawn By:	L. Spradlin

Checked By:	A.J. Bedford
P.C.:	L. Spradling
File:	Kent Smith
Job. No.	484-02

301 North Alamo Road - Rockwall, Texas 75087
(972) 722-0225 , ajb@ajbedfordgroup.com

Sheet: 2 Of: 2

AJ Bedford Group, Inc.
Registered Professional Land Surveyors

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 05/18/2015

APPLICANT: Cole Franklin, *Skorburg Company*

AGENDA ITEM: **Z2015-014**; *Gideon Tract (AG to PD)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Cole Franklin of the Skorburg Company on behalf of the owner Lonnie Gideon Estate for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 29.192-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of the intersection of E. Quail Run Road and John King Boulevard, and take any action necessary.

PURPOSE:

On April 17, 2015, the applicant submitted an application requesting to rezone a 29.192-acre tract of land from an Agricultural (AG) District to a Planned Development District for a single-family, residential subdivision that will consist of 72 single-family lots, an amenities center and open space areas. The property, which was annexed into the City on March 16, 1998 by *Ordinance No. 98-10*, is located at the northeast corner of E. Quail Run Road and John King Boulevard and is currently vacant agricultural land.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is the City's corporate boundaries followed by a single family, residential development that is situated within Rockwall County.

South: Directly south of the subject property is John King Boulevard, which is designated as a P6D (*principal, six [6] lane, divided roadway*), and a portion of E. Quail Run Road, which is designated as a M4U (*minor, four [4] lane, undivided roadway*) according to the City's Master Thoroughfare Plan. Beyond these roadways are the remaining tracts of land that are part of a larger 62.192-acre tract of land that incorporates the subject property. All the properties are vacant agricultural land that are zoned Agricultural (AG) District.

East: Directly east of the subject property are several single-family homes situated on estate lots, and zoned Agricultural (AG) District. Beyond these properties is a vacant 76.577-acre tract of land, zoned Agricultural (AG) District, and owned by the Rockwall Independent School District (RISD) [*identified as Tract 14-11 of the J. M. Gass Survey, Abstract No. 88*].

West: Directly west of the subject property is a vacant 45.318-acre tract of land zoned Agricultural (AG) District. Beyond this tract of land is John King Boulevard.

CHARACTERISTICS OF THE REQUEST:

Along with the application, the applicant has submitted a concept plan and development standards for the proposed residential subdivision. The concept plan shows the layout of the subdivision, which will have access drives on John King Boulevard and E. Quail Run Road. The development will consist of 45, 80' x 125' lots (*eight [8] of which will have a depth of 150-feet*) and 27, 100' x 150' lots, and have a gross residential density of 2.46 units/acre. The subdivision will incorporate 2.79-acres of open space (~9.56%) that will be adjacent to John King Boulevard and E. Quail Run Road, and provide a buffer between the houses and the adjacent thoroughfares. An amenities center will be provided to service the 72-lot subdivision. A summary of the proposed development standards is as follows:

Lot Type ►	***A***	***B***
Minimum Lot Width/Frontage	80'	100'
Minimum Lot Depth	125'	150'
Minimum Lot Area	10,000 SF	15,000 SF
Minimum Front Yard Setback	20'	20'
Minimum Side Yard Setback	5'	7'
Minimum Side Yard Setback (Adjacent to a Street)	10'	10'
Minimum Length of Driveway Pavement	20'	20'
Maximum Height	36'	36'
Minimum Rear Yard Setback	15'	15'
Minimum Area/Dwelling Unit (SF)	2,600 SF	3,000 SF
Maximum Lot Coverage	65%	70%

Additionally, the applicant has agreed to incorporate the same anti-monotony standards that were incorporated in Planned Development District 70 (PD-70) [*i.e. the Stone Creek subdivision*] and Planned Development District 74 (PD-74) [*i.e. the Breezy Hill subdivision*]. *Copies of the proposed PD Concept Plan and PD Development Standards have been provided in the attached packet for the City Council and Planning & Zoning Commission's review.*

CONFORMANCE WITH THE COMPREHENSIVE PLAN AND UDC:

The Future Land Use Map, contained within the Comprehensive Plan, designates the subject property for *Low Density Residential* land uses. According to the Comprehensive Plan, "(l)ow density residential is defined as less than two (2) units per acre; however, a density up to two and one-half (2.5) units per gross acre may be allowed within a residential Planned Development District that includes the dedication and/or development of additional amenities exceeding the minimum standards for residential Planned Developments." The additional amenities are described as: 1) Parks and Open Space, 2) Golf Course, 3) Neighborhood Amenity/Recreation Center, 4) Integration of Schools into the Community Fabric, 5) Development of Trails and Parks in Floodplains, and 6) Development of Municipal Parks and Recreation Facilities. Additionally, the Planned Development District standards contained within the Unified Development Code (UDC) require a minimum of 20% of the gross land area be dedicated to open space.

In this case, the concept plan shows a total of 2.79-acres of open space (~9.56%), which represents roughly half the compulsory amount required for this development. Staff has calculated that the applicant would need an additional 3.05-acres of open space to be in compliance with the Planned Development requirements. This would equate to a reduction of approximately 13, 80' x 125' lots. The plan does indicate that the development will incorporate an amenities center that could satisfy the additional amenity requirement, and justify the disparity in the open space; however, the requested gross residential density is 2.46 units/acre,

and any additional density over two (2) units per acre is a discretionary decision for the City Council based on the amenities provided by the proposed development. It should also be noted that the applicant has agreed to include a ten (10) foot sidewalk along John King Boulevard per the recommendations of the *John King Boulevard Design Concept Plan* contained within the Comprehensive Plan. This has been included in the proposed Planned Development District ordinance.

If the City Council chooses to grant the applicant's request, no changes to the Future Land Use Map would be required because the proposed density is in conformance with the range designated for the *Low Density Residential* designation (*i.e. 2-2.5 units/acre*).

NOTIFICATION:

On April 24, 2015, staff mailed 19 notices to property owners and residents within 500-feet of the subject property. Staff also emailed a notice to the Stoney Hollow and Dalton Ranch Homeowner's Associations (HOA's), which are the only HOA's located within 1,500 feet of the subject property. Additionally, staff posted a sign at the corner of John King Boulevard and E. Quail Run Road, and advertised the public hearings in the Rockwall Harold Banner as required by the Unified Development Code (UDC). At the time this case memo was drafted no responses were received by staff.

RECOMMENDATIONS:

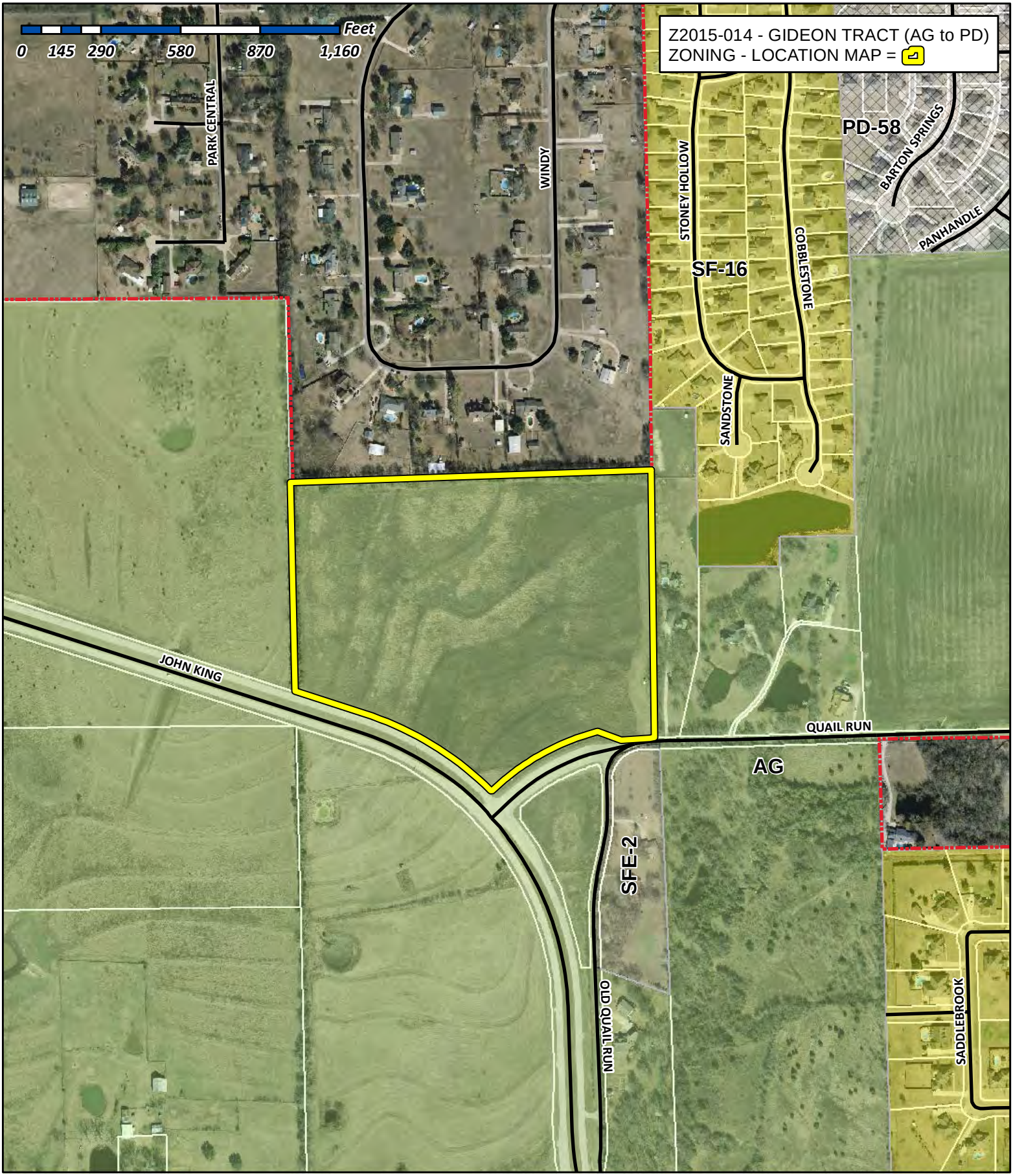
If the Planning and Zoning Commission chooses to recommend approval of the applicant's request to rezone the subject property from an Agricultural (AG) District to a Planned Development District, then staff would propose the following conditions of approval:

1) The applicant shall be responsible for maintaining compliance with the conditions contained within the *Planned Development District* ordinance; and,

2) Any construction resulting from the approval of this *zoning amendment* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On May 12, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the proposed zoning change by a vote of 5-0, with Commissioners Lyons and Conley absent.



City of Rockwall

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

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City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
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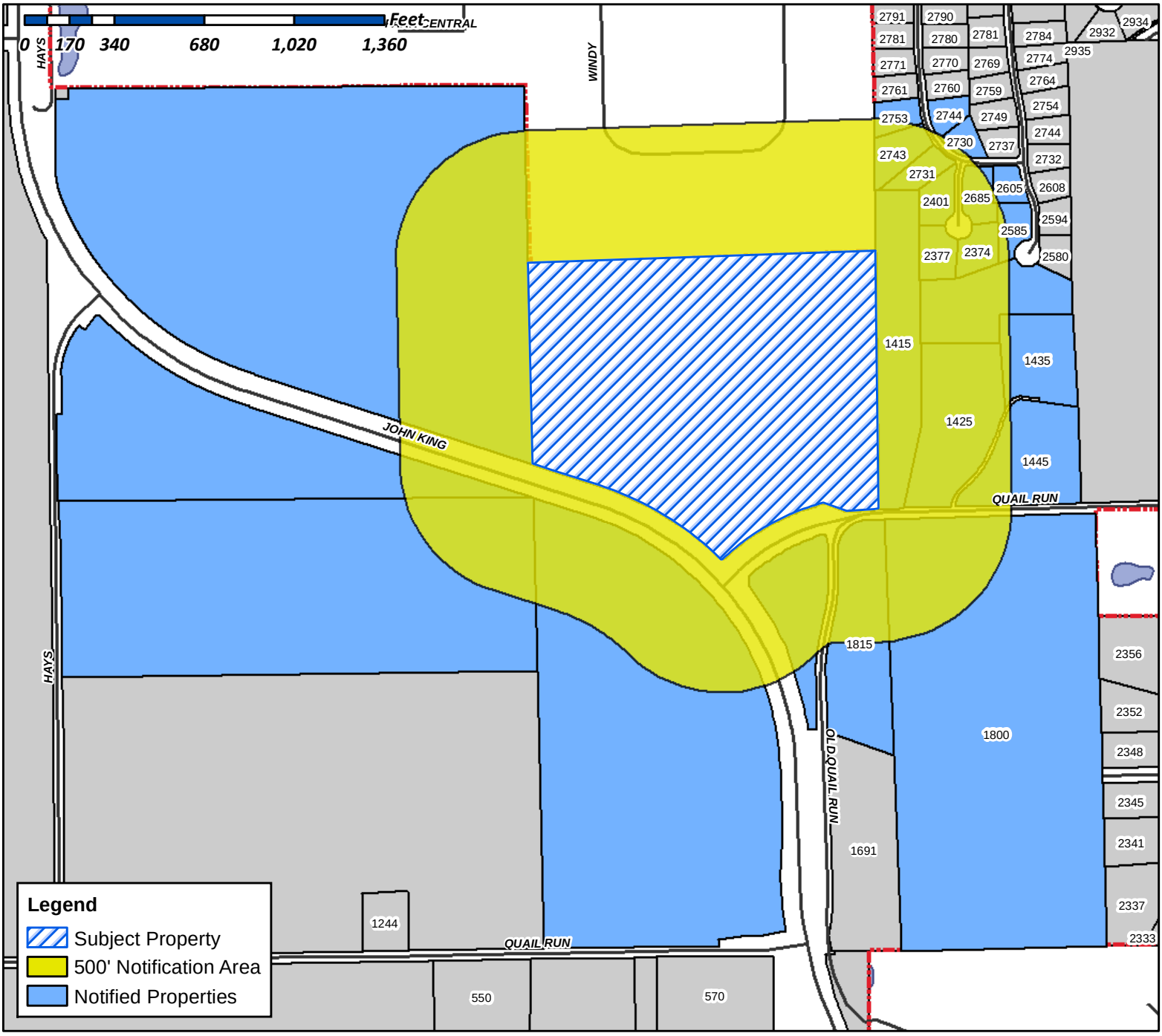
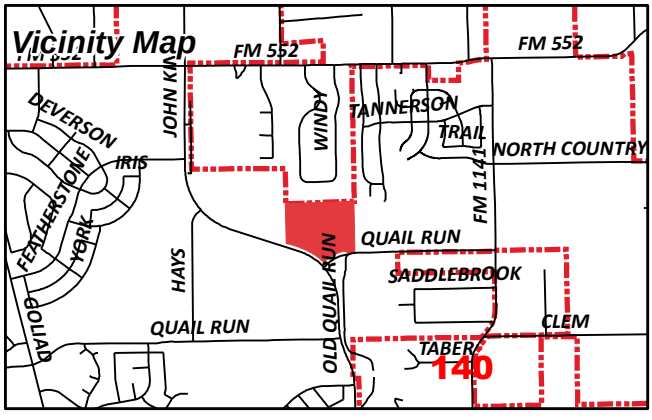


Case Number: Z2015-014
Case Name: Gideon Tract (AG to PD)
Case Type: Planned Development
Zoning: PD
Case Address: North of John King Blvd & E Quail Run Intersection



Date Created: ***4/23/2015***
For Questions on this Case Call (972) 771-7745

R & R HANCE INVESTMENTS LP
1244 E QUAIL RUN RD
ROCKWALL, TX 75087

KOUVELIS HILDA & PETER
1415 E QUAIL RUN RD
ROCKWALL, TX 75087

LARRIVIERE MICHAEL R & LISA J
1425 E QUAIL RUN RD
ROCKWALL, TX 75087

TULLY DOYL C & VONETTE S
1435 E QUAIL RUN RD
ROCKWALL, TX 75087

NALLEY MICHAEL R & LORI D
1445 E QUAIL RUN RD
ROCKWALL, TX 75087

GIDEON LONNIE L TR
1800 QUAIL RUN RD
ROCKWALL, TX 75087

UTLEY HERMAN D
1815 E QUAIL RUN RD
ROCKWALL, TX 75087

FINCH PATRICIA A
2374 SANDSTONE
ROCKWALL, TX 75087

MARKARIAN MASIS A & CLAUDIA
2377 SANDSTONE
ROCKWALL, TX 75087

LANGLEY RICHARD E
2401 SANDSTONE
ROCKWALL, TX 75087

STONEY HOLLOW OWNERS ASSOC
2500 LEGACY DR 0
FRISCO, TX 75034

VAN BRUNT RICHARD JOSEPH SR
2585 COBBLESTONE DR
ROCKWALL, TX 75087

NEWBAUER AARON AND
2605 COBBLESTONE DRIVE
ROCKWALL, TX 75087

SIVINSKI JOSEPH & LUANNE
2685 STONEY HOLLOW LANE
ROCKWALL, TX 75087

TRENT GERALDINE
2730 STONEY HOLLOW LN
ROCKWALL, TX 75087

GREEN LINDA LAMINACK & TOMMY FAGAN
2731 STONEY HOLLOW LANE
ROCKWALL, TX 75087

COBB RICHARD B & DEANNA C
2743 STONEY HOLLOW LN
ROCKWALL, TX 75087

JENNINGS CODY D
2744 STONEY HOLLOW LANE
ROCKWALL, TX 75087

HATCHER TYRUS NEAPOLIS &ANTONIETA P
2753 STONEY HOLLOW LN
ROCKWALL, TX 75087

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City of Rockwall

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

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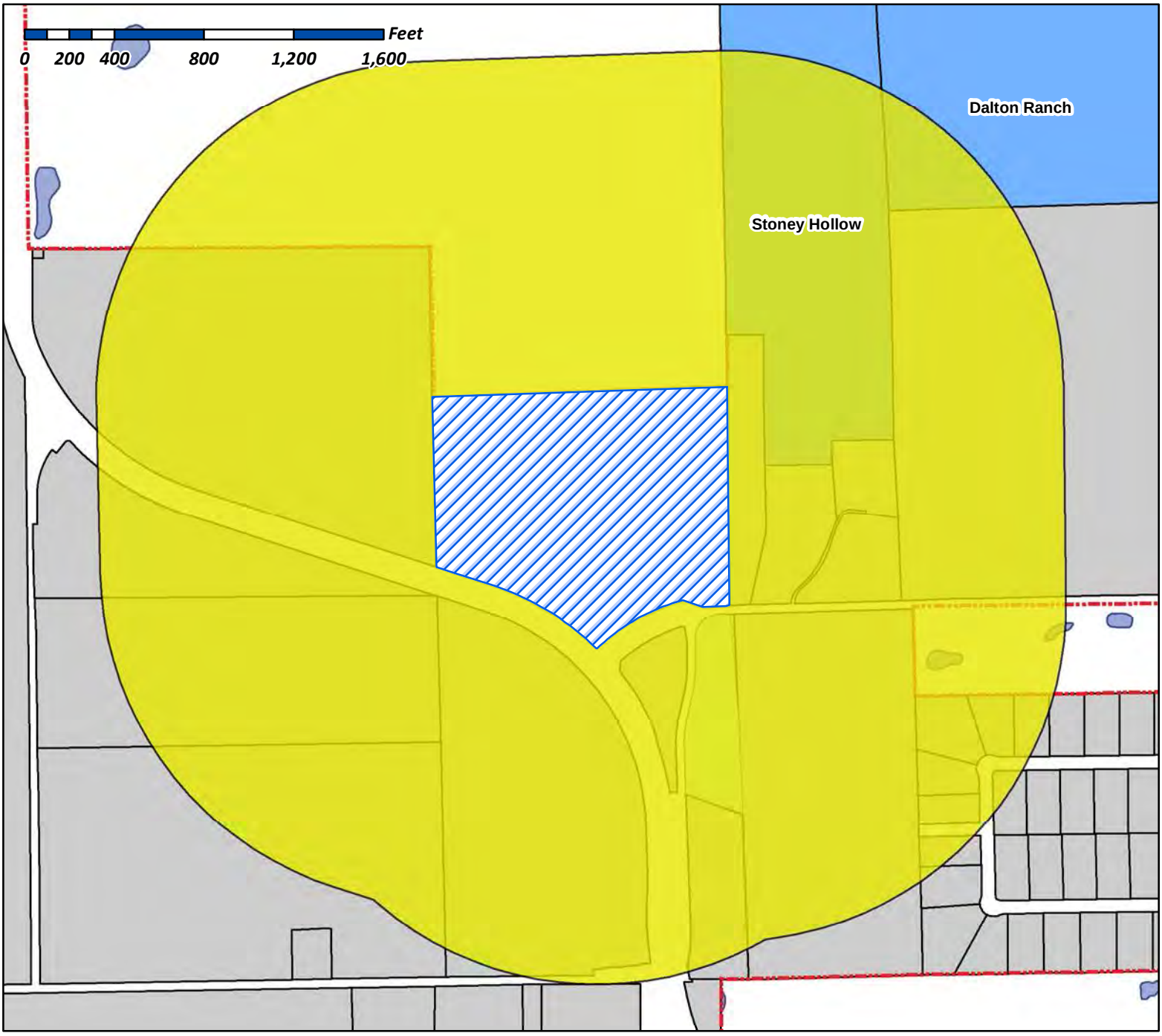
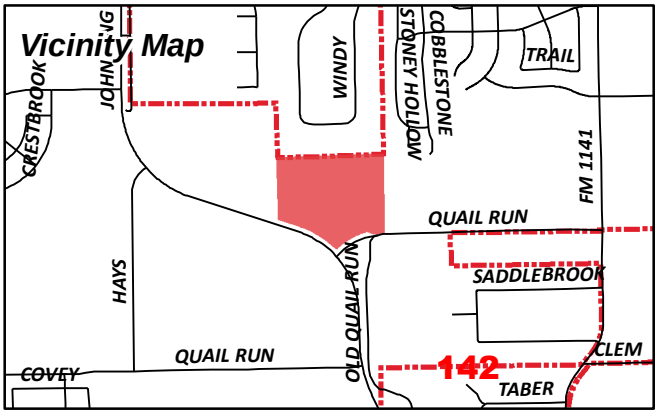


Case Number: Z2015-014
Case Name: Gideon Tract
Case Type: Rezoning
Zoning: PD
Case Address: North of John King Blvd & E Quail Run Intersection



Date Created: 4/29/2015
For Questions on this Case Call (972) 771-7745

Miller, Ryan

From: Morales, Laura
Sent: Thursday, April 30, 2015 4:36 PM
To: [redacted]
Subject: Neighborhood Noification Program: Notice of zoning request
Attachments: HOA Notification Map (04.30.2015).pdf

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that was also published in the Rockwall Herald Banner on May 1, 2015. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at http://www.rockwall.com/planning/planningDevCases.asp.

Z2015-014-Hold a public hearing to discuss and consider a request by Cole Franklin of the Skorburg Company on behalf of the owner Lonnie Gideon Estate for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 29.192-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of the intersection of E. Quail Run Road and John King Boulevard, and take any action necessary.

If this email is reaching you in error, please forward it to your HOA or neighborhood group representative and update the contact information at http://www.rockwall.com/planning/hoa.asp.

Sincerely,

Planning Staff

City of Rockwall
Planning & Zoning Department
972.771.7745
planning@rockwall.com

WINDMILL VALLEY ADDITION
VOL. 3, PG. 20

N87° 18'21"E 1316.59'

32.5 ACRE TRACT
HANCE INVESTMENTS, LP
CLERKS FILE NO. 2008-00396963

N02° 34'28"W 760.71'

STREET B

STREET A

STREET C

STREET E

S03° 05'42"E 983.73'

STREET D

0.17 AC Open Space

AMENITY CENTER

N73° 16'05"W 265.64'

JOHN KING BOULEVARD
(120' R.O.W.)

2.3 AC OPEN SPACE AND DETENTION POND

0.21 AC Open Space

VARIABLE R.O.W. DEDICATION

EAST QUAIL RUN ROAD
CENTERLINE
FUTURE 65' R.O.W.

S85° 35'09"W 224.75'

S82° 51'02"W 37.04'

N03° 13'28"W 18.45'

85' R.O.W.

Δ= 26°55'01"
R= 1160.00'
T= 277.60'
L= 544.96'
C= 539.96'
B= N59° 48'34"W

Δ= 20°04'44"
R= 842.50'
T= 149.15'
L= 295.25'
C= 293.74'
B= S61° 16'04"W

N38° 46'15"W 27.00'

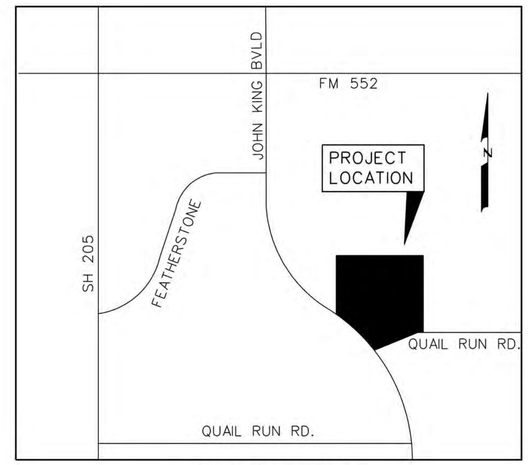
S51° 13'42"W 22.00'

S38° 46'18"E 27.29'

N89° 10'23"W 43.51'

S47° 13'55"W 7.53'

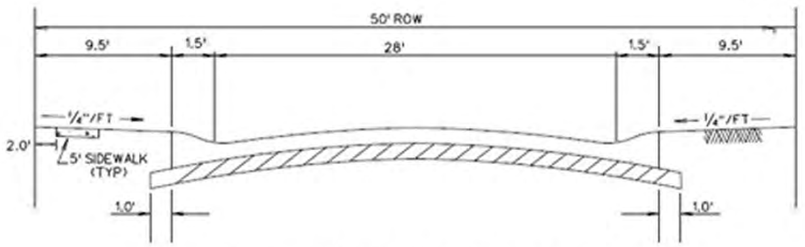
Δ= 02°29'58"
R= 842.50'



LOCATION MAP
N.T.S.

LEGEND

- 80' X 125' – 37 LOTS
- 80' X 150' – 8 LOTS
- 100' X 150' – 27 LOTS
- OPEN SPACE – 2.68 ACRES
- 10' HIKE & BIKE TRAIL



TYPICAL PAVEMENT SECTION - LAYDOWN CURB
N.T.S.

0 50 100 400
SCALE: 1" = 100'

TOTAL OPEN SPACE 2.68 AC.

TOTAL ACRES 29.192

TOTAL RESIDENTAL LOTS 72

RESIDENTAL DENSITY 2.46

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CITY OF ROCKWALL

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR SINGLE FAMILY 10 (SF-10) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 29.192-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 1-01 OF THE S. R. BARNES SURVEY, ABSTRACT NO. 13, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by the Cole Franklin of the Skorburg Company on behalf of the owner of the property, Lonnie Gideon, for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 29.192-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 2. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 3. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

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Section 4. That a master parks and open space plan for the Property, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan*, (*Open Space Master Plan*) shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

Section 5. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

(a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 5(b) through 5(e) below*), shall be the exclusive procedures applicable to the subdivision and platting of the Property.

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

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

(c) *PD Site Plan.* A *PD Site Plan* covering all of the *Subject Property* shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Preliminary Plat Application* for the development.

(d) *Preliminary Plat.* A *Preliminary Plat* covering all of the *Subject Property* shall be submitted and shall include a *Treescape Plan*. A *Preliminary Plat Application* may be processed by the City concurrently with a *PD Site Plan Application* for the development.

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

Section 7. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 8. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 9. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development*

Code), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 10. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 1ST DAY OF JUNE, 2015.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *May 18, 2015*

2nd Reading: *June 1, 2015*

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Exhibit 'A':
Legal Description

BEING a 29.192-acre tract out of the S. R. Barnes Survey, Abstract No. 13, Rockwall County, Texas being part of the following described 80-acre tract of land:

80-acres of land, more or less, out of the S. R. Barnes Survey, Abstract No. 13, Rockwall County, Texas, and more particularly described by metes and bounds as follows:

BEGINNING at the Southwest corner of said S. R. Barnes Survey;

THENCE North 940 varas to a point for the Northwest corner of this tract;

THENCE East 475 varas to a point for the Northeast corner of this tract;

THENCE South 940 varas to a point for the Southeast corner of this tract;

THENCE West 475 varas to the PLACE OF BEGINNING

and being the same land's described as Tract 1 in a deed dated March 11, 1940, from M. M. Mccurry, et ux, et al, to Joe W. Gideon et ux, Katherine Gideon, and recorded in Volume 35, Page 591, Deed Records of Rockwall County, Texas,

SAVE AND EXCEPT FROM SAID 80-ACRES THE FOLLOWING FOUR TRACTS OF LAND:

SAVE and EXCEPT TRACT 1:

1.5034435-acres of land, more or less, out of the S. R. Barnes Survey, Abstract No. 13, Rockwall County, Texas, and more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a point in the middle of a public road on the East boundary line of the afore described 80-acre tract, said point being 346 varas South of the Northeast corner of said 80-acre tract and being the Northeast corner of this 1.5034435-acre tract;

THENCE West along the middle of a public road 63.699 varas to a point in the middle of the intersection of two public roads for the Northwest corner of this 1.5034435-acre tract;

THENCE South along the middle of a public road 133.093 varas to a point for the Southwest corner of this 1.5034435-acre tract;

THENCE East 63.699 varas to a point on the East boundary line of the aforedescribed 80-acre tract for the Southeast corner of this 1.5034435-acre tract;

THENCE North 133.093 varas along the East boundary line of the aforedescribed 80-acre tract to the place of beginning.

SAVE and EXCEPT TRACT 2:

7.170-acres conveyed in a Warranty Deed from Lonnie L. Gideon, a single person, both Individually and as Trustee of the Bradley Joe Gideon Trust, to Donald R. Taylor, dated May 5, 1994, filed May 11, 1994, recorded in Volume 902, Page 141, Deed Records, Rockwall County, Texas.

SAVE and EXCEPT TRACT 3:

2.172-acres conveyed in a Warranty Deed from Lonnie Leo Gideon, Individually and as Independent Executor of the Estate of Joe Wilson Gideon, Deceased, and as Trustee of the Bradley Joe Gideon Trust, to James T. Bradley and wife, Brenda J. Bradley, dated May 31, 1994, filed June 2, 1994, recorded in Volume 908, Page 10, Deed Records, Rockwall County, Texas.

SAVE and EXCEPT TRACT 4:

8.466-acres vested in the City of Rockwall, Texas pursuant to Agreed Judgment of Court Granting Right-of-Way and Easement under Cause No. 1-07-552, District Court, Rockwall County, certified copy filed October 30, 2009, recorded in Volume 5951, Page 84, Official Public Records, Rockwall County, Texas.

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Exhibit 'B':
Concept Plan

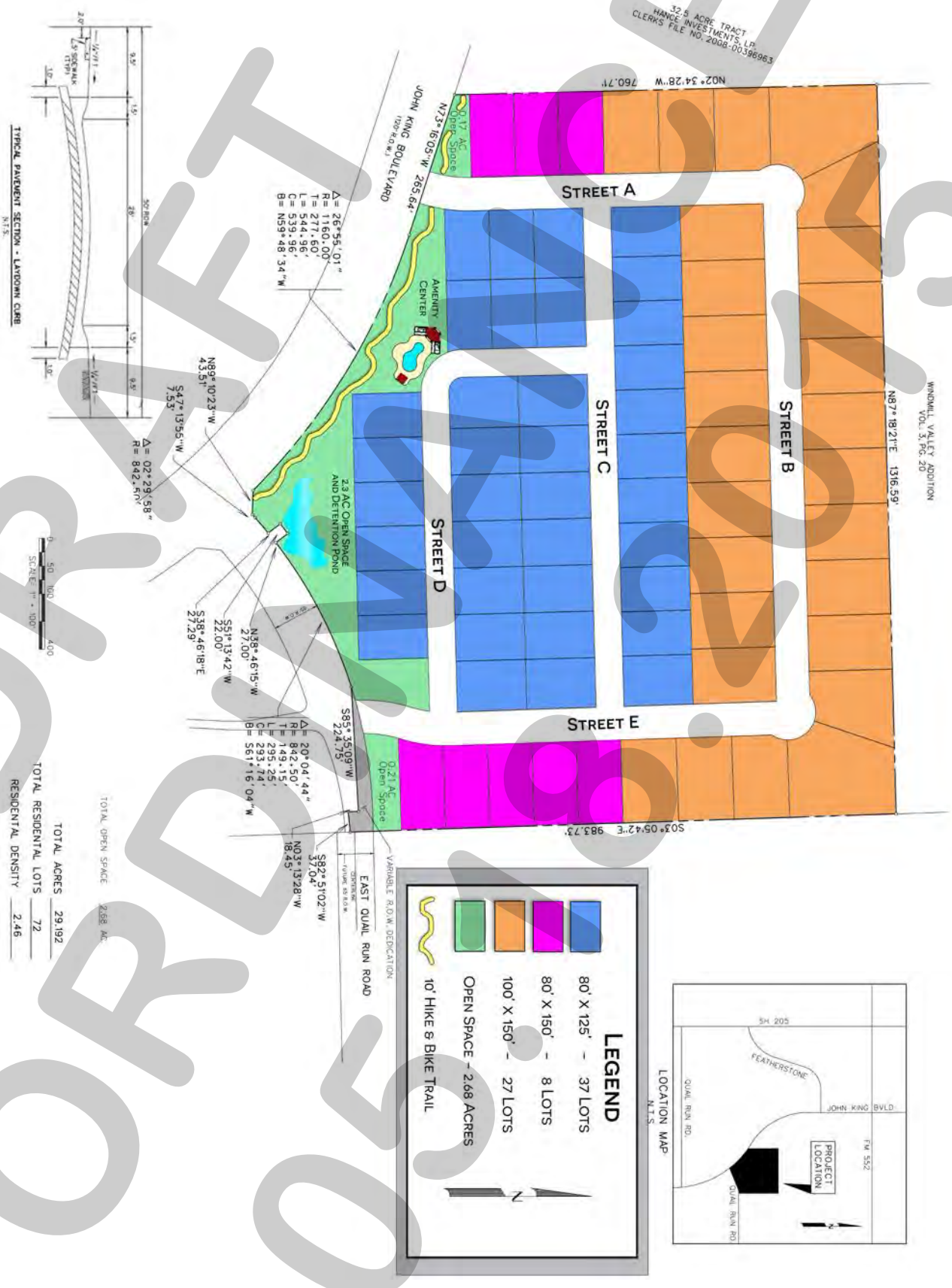

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Exhibit 'C':
PD Development Standards

A. GENERAL REQUIREMENTS

Development Standards.

1. *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 10 (SF-10) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.

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

Table 1: Lot Composition

Lot Type	*Minimum Lot Size (FT)*	*Minimum Lot Size (SF)*	*Dwelling Units (#)*	*Dwelling Units (%)*
A	80' x 125'	10,000 SF	45	62.50%
B	100' x 150'	15,000 SF	27	37.50%
	Average Lot Size:	10,000 SF		
		Maximum Permitted Units:	*72*	*100.00%*

3. *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development ordinance, the development standards stipulated by the Single Family 10 (SF-10) District, as specified by Article V, *District Development Standards*, of the Unified Development Code are applicable to all development on the *Subject Property.* The maximum permissible density for the *Subject Property* shall not exceed *2.50* dwelling units per gross acre of land; however, in no case should the proposed development exceed *72* units. All lots shall conform to the standards depicted in *Table 2*, which is as follows:

Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ►	***A***	***B***
Minimum Lot Width/Frontage [1]	80'	100'
Minimum Lot Depth	125'	150'
Minimum Lot Area	10,000 SF	15,000 SF
Minimum Front Yard Setback [3]	20'	20'
Minimum Side Yard Setback	5'	7'
Minimum Side Yard Setback (Adjacent to a Street)	10'	10'
Minimum Length of Driveway Pavement	20'	20'
Maximum Height	36'	36'
Minimum Rear Yard Setback	15'	15'
Minimum Area/Dwelling Unit (SF) [2]	2,600 SF	3,000 SF
Maximum Lot Coverage	65%	70%

General Notes:

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

[2]: A maximum of 20% of the lots may have homes not less than 2,500 SF.

[3]: The Director of Planning or his designee may grant a reduction in the required 20-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 20-foot front yard building setback would create an undue hardship on the property.

4. *Building Standards.* All development shall adhere to the following building standards:

(a) *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all buildings shall be 90%. For the purposes of this ordinance the masonry requirement

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shall be limited to full width brick, natural stone, cast stone, cementaceous fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*).

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

(c) Garage Orientation. Garages shall oriented in a *traditional swing* (or *j-swing*) or in a front entry configuration. If a front entry garage configuration is utilized that garage shall be located at least 20-feet behind the front building façade. On *traditional swing* (or *j-swing*) garages a second single garage door facing the street is permitted if it is located behind the width of the double garage door.

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

Table 3 : Anti-Monotony Matrix

Lot Type	*Minimum Lot Size*	*Elevation Features*
A	80' x 125'	(1), (2), (3)
B	100' x 150'	(1), (2), (3)

(1) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least four (4) intervening homes of differing materials on the same side of the street beginning with the adjacent property and two (2) intervening homes of differing materials on the opposite side of the street.

(2) Front building elevations shall not repeat along any block face without at least four (4) intervening homes of differing appearance on the same side of the street and two (2) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on John King Boulevard shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

(a) Number of Stories
(b) Permitted Encroachment Type and Layout
(c) Roof Type and Layout
(d) Articulation of the Front Façade

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

See the Illustrations on the following page.

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Illustration 1: Properties line up on the opposite side of the street. Where RED are the same.

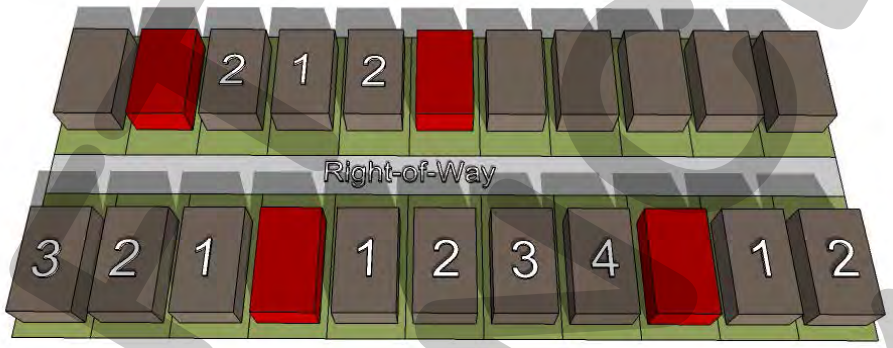
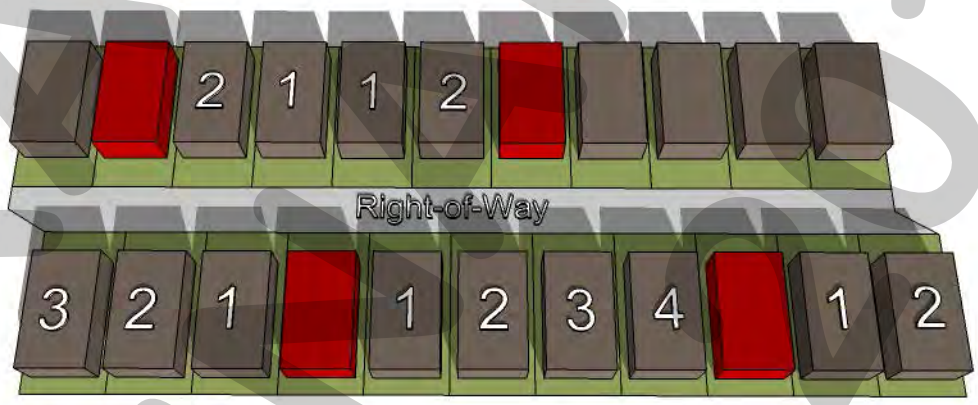


Illustration 2: Properties do not line up on opposite side of the street. Where RED are the same.



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

(a) Wood Fences. All wood fences shall be constructed of a standard fencing material (*minimum of ½" thickness or better; spruce fencing will not be allowed*), and use fasteners that are hot dipped galvanized or stainless steel. Wood fences facing onto a street shall be painted and/or stained and sealed with all pickets being placed on the *public side* facing the street. All wood fences shall be smooth-finished, free of burs and splinters, and be a maximum of six (6) feet in height.

(b) Wrought Iron/Tubular Steel. Lots located along the perimeter of roadways, abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height.

(c) Corner Lots. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

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

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7. *Landscape and Hardscape Standards.*

(1) *Landscape.* Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within this development, unless specifically provided by this PD Ordinance, shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height. The following tree species are approved for planting within this subdivision:

(a) Canopy/Shade Trees. Bald Cyprus, Cedar Elm, Texas Red Oak, Homestead Elm, Lace Bark Elm, Alle Elm, Chinese Pistachio, Shumard Oak, Sycamore, and Burr Oak.

(b) Accent/Ornamental/Under-Story Trees. Texas Redbud, Eve's Necklace, Mexican Plum, Downy Hawthorn, Crepe Myrtle, Texas Mountain Laurel, Vitex, and Desert Willow.

(2) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).

(a) Landscape Buffer and Sidewalks (John King Boulevard). A minimum of a 50-foot landscape buffer shall be provided along the frontage of John King Boulevard (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a ten (10) foot sidewalk situated within the 50-foot landscape buffer adjacent to John King Boulevard.

(b) Landscape Buffer (Quail Run Road). A minimum of a 20-foot landscape buffer shall be provided along the frontage of Quail Run Road (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least one (1), three (3) inch canopy tree shall be planted per 50-feet of linear frontage.

(3) *Streetscape Landscaping.* Prior to the issuance of a Certificate of Occupancy (CO), all residential, single family lots situated within the proposed subdivision shall be landscaped with canopy trees from the list stipulated by *Section 7(1)* of this ordinance in the following sizes and proportions:

(i) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.
(ii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two (2), three (3) inch caliper trees shall be planted in the side yard facing the street.

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Note: For the purposes of this section only [i.e. Section 7(3)], the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.

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

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

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

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

10. *Sidewalks.* At a minimum, all sidewalks located on lay down curb section streets shall begin four (4) feet behind the back of curb and be five (5) feet in overall width.

11. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (*i.e. 3-phase lines*), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*, except along John King Boulevard. The *Developer* shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

12. *Open Space.* The development shall consist of a minimum of *9.56%* open space (*or 2.79-acres*), and generally conform to the *Open Space Plan* contained in *Exhibit 'B'* of this ordinance. All open space areas shall be maintained by the Homeowner's Association (HOA).

13. *Neighborhood Signage.* Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision and shall generally conform to the signage depicted in *Figures 1 & 2* (*below*). Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.

See the Illustrations on the following page.

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Figure 2: *Example of Subdivision Signage Locations*



Figure 3: *Example of Subdivision Signage Design Standard*

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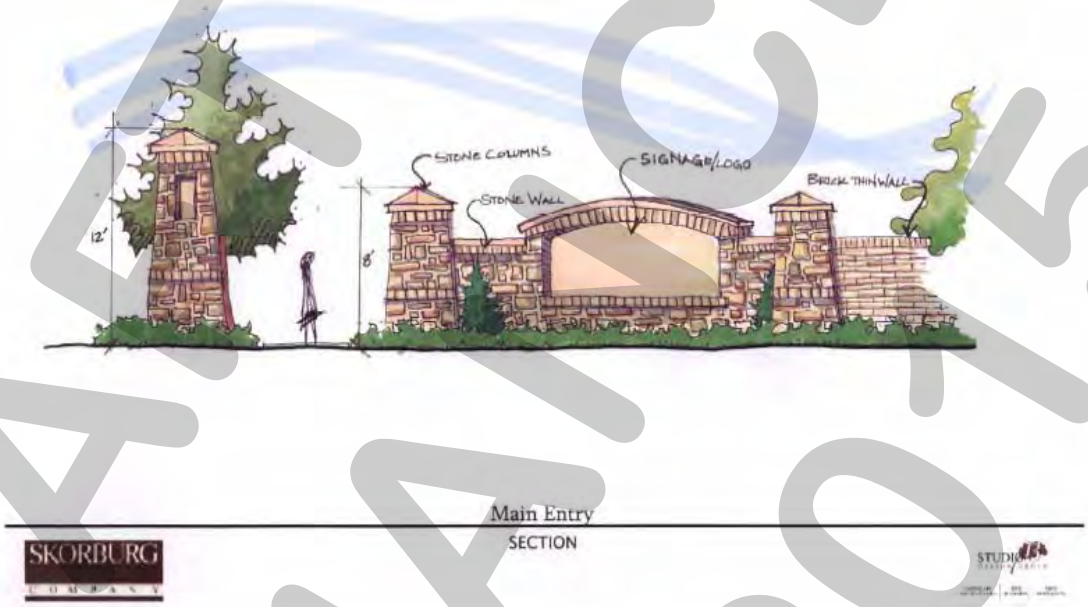

14. *Amenity Center.* A site plan, landscape plan and building elevations for the Amenity Center shall be subject to site plan approval by the Planning and Zoning Commission prior to construction.

15. *Homeowner's Association (HOA)*. A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the *Municipal Code of Ordinances* of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, amenity centers, screening fences associated with this development.

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

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **June 12, 2015**

SUBJECT: **Ordinance Draft related to the Operation of Golf carts**

City Attorney Frank Garza has prepared a draft ordinance regulating the operation of golf carts on public streets within the City limits as requested. The ordinance, if approved, would restrict the operation of golf carts on public streets to licensed drivers. Other restrictions in the draft include limiting the operation of golf carts to use on streets with speed limits of 30 mph or less and the golf carts must have safety equipment such as headlamps, tail lamps, side reflectors, parking brakes and rear view mirrors.

Frank Garza will be present at the meeting to provide further details if needed.

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ADDING SECTIONS 26-290 TO 260-297 *OPERATION OF GOLF CARTS* TO CHAPTER 26, *MOTOR VEHICLES AND TRAFFIC*, ARTICLE IV, *BICYCLES, GOLF CARTS AND PLAY VEHICLES*, DIVISION 5 OF THE MUNICIPAL CODE OF ORDINANCES TO AUTHORIZE THE OPERATION OF GOLF CARTS WITHIN THE CITY LIMITS; AUTHORIZING THE CITY TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE PROVISIONS OF THIS ORDINANCE; PROVIDING A PENALTY; INCORPORATING RECITALS; PROVIDING FOR SEVERABILITY; REPEALING ANY OTHER CODE PROVISIONS, ORDINANCES, OR PARTS OF ORDINANCES, AND OTHER PROVISIONS IN CONFLICT HEREWITH; REQUIRING PUBLICATION AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall is a Home Rule Municipality duly formed under the Constitution and the laws of the State of Texas; and

WHEREAS, the regulation of traffic is essential to the furtherance of public health, safety and welfare; and

WHEREAS, the Texas Transportation Code authorizes the governing body of a municipality to regulate and control the operation of Motorized Carts (golf carts only) within the city's legal boundaries and on its public Streets to ensure the public safety of the community; and

WHEREAS, the Rockwall City Council, deems it to be in the best interest and safety of the citizens to regulate and control the operation of Motorized Carts (golf carts only) within the Town's legal boundaries and on its public Streets; and

WHEREAS, the City Council determines that regulating the operation of Motorized Carts upon public streets within the Town is necessary in the interest of the health, safety and welfare of the public.

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

SECTION ONE. **AMENDMENT.** Sections 26-290 to 260-297, Operation *of Golf Carts* are added to Chapter 26 *Motor Vehicles and Traffic*, Article IV, *Bicycles, Golf Carts and Play Vehicles Division 5* of the Municipal Code of Ordinances to read as follows:

CHAPTER 26, *MOTOR VEHICLES AND TRAFFIC*,
ARTICLE IV - *BICYCLES, GOLF CARTS AND PLAY VEHICLES*,
DIVISION 5

SEC. 26-290. .DEFINITIONS

A. (*Driver's license* means an authorization issued by the department of public safety for operation of a motor vehicle. The term includes a temporary license or instruction permit and an occupational license.

B. *Golf cart* shall have the meaning assigned by the V.T.C.A., Transportation Code § 502.001, as amended, and means a motor vehicle commonly referred to as a golf cart which must have a minimum of four wheels and has an attainable top speed not greater than 25 miles per hour on a paved level surface and which is manufactured primarily for transporting persons on a golf course and in compliance with those federal motor vehicle safety standards for low-speed vehicles. Specifically excluded from this definition are those motorized conveyances commonly referred to as all-terrain vehicles ("ATVs"), off-road vehicles, four-wheelers, Mules, Gators and design-altered golf carts which have been altered to allow them to travel at a speed greater than 25 miles per hour?

C. *Night-time* shall have the meaning assigned by V.T.C.A., Transportation Code § 541.401(5) and means the period beginning one-half hour after sunset and ending one-half hour before sunrise.

D. *Operator* means any person driving and having physical control over the golf cart.

E. *Park* or *parking* means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of, and while actually engaged in, loading or unloading merchandise or passengers.

F. *Parking area* means those areas accessible to the public by motor vehicular traffic and which are designated for temporary parking of motor vehicles, usually in places referred to as parking lots.

G. *Street* means a public roadway of the City of Rockwall, Texas by whatever name (e.g., road, alley, avenue, highway, route, boulevard, etc.) that:

(1) Provides for no more than two lanes of vehicular traffic per direction; or
(2) Is not designated as part of either the state or federal highway system

SEC. 26-291. PERMITTED LOCATIONS OF OPERATION

- Golf carts are permitted to be operated on:

A. Streets ("permitted streets") where the posted speed limit is 30 miles per hour or less, and the street is not designated as part of a state highway system, including Interstate Highway 30;
B. A "public highway" as defined by the V.T.C.A., Transportation Code § 502.001, if the public highway is in the corporate limits of the City; and,
C. A parking area as defined by this ordinance

SEC. 26-292. REGISTRATION PERMIT

Before any golf cart may be operated on any permitted street, public highway, or parking area of the city ("permitted locations"), it must be registered by the Texas Department of Motor Vehicles and display the license plate as mandated by the V.T.C.A., Transportation Code § 551.402.

SEC. 26-293. REQUIRED EQUIPMENT

A. A golf cart properly registered under section 26-292 must be equipped with the following equipment as mandated by the V.T.C.A., Transportation Code § 551.404(a), as amended, and/or required by the city to operate on permitted locations:
   (1) Operational headlamps;
   (2) Operational tail lamps;
   (3) Side reflectors;
   (4) Operational parking brake; and
   (5) Rear-view mirror(s)

B. A golf cart that is operated at a speed of not more than 25 miles per hour shall display a slow-moving-vehicle emblem when it is operated on a public highway, as defined by V.T.C.A., Transportation Code § 502.001.

C. Additionally, golf carts driven during the night time shall be equipped with the following:
   (1) Turn signals;
   (2) Horn; and
   (3) Brake lights.

D. Equipment and its installation must meet standards provided by Texas Transportation Code, as amended.

E. All such safety equipment shall be maintained as required by state law.

SEC. 26-294. OPERATION REGULATIONS

A. All registered operators of golf carts shall:

   (1) Be licensed to operate a motor vehicle as provided by V.T.C.A., Transportation Code § 521.021, as amended, and carry a valid driver's license as provided by V.T.C.A., Transportation Code § 521.025, and all driver's license permissions and restrictions shall apply to the operating of a golf cart;
   (2) Abide by all traffic regulations applicable to vehicular traffic when operating a golf cart in the city.

(3) Use standard hand signals for turning during daylight if the operator's golf cart is not equipped with turn signals;

(4) Not operate or park a golf cart on a sidewalk, pedestrian walkway, jogging path, park trail or any location normally used for pedestrian traffic at any time unless such operation is by Police or authorized City personnel acting in an official capacity and performing an official duty;

(5) Not pull any object or person with a golf cart in a permitted location;

(6) Maintain financial responsibility as required for other passenger vehicles in the V.T.C.A., Transportation Code § 601.051;

(7) Not intentionally or knowingly allow an unlicensed or unregistered operator to operate a golf cart in violation of this chapter;

(8) Not exceed the seating capacity of the golf cart as designed by the manufacturer;

(9) Be allowed to cross streets which are otherwise not permitted locations under this article.

B. Operators and passengers of golf carts shall:

(1)Remain seated at all times while the golf cart is in motion;

(2)Be three years old or older.

SEC. 26-295. EXEMPTIONS

The following uses of a golf cart are exempt from requiring a permit or other regulations within the ordinance:

A. Golf Course – golf carts are allowed for use on the golf course or to cross a roadway from one section of the golf course to another section of the same course.
B. Gated or Private Planned Community – The ordinance does not apply to golf cart drivers utilizing the cart in a gated or private neighborhood.
C. Official City Business – golf carts are allowed for official City of Rockwall business.
D. Transportation to/from Golf Course (Daytime only) – golf carts are allowed on a public street if the golf cart complies with all requirements of the Texas Transportation Code, is operated during the daytime only and cannot be driven more than two (2) miles from the location where the golf cart is usually parked and is used for transportation to or from the golf course only.
E. Parade, Festival or Special Event – golf carts are allowed for use in a parade, festival or other town sponsored special event.

SEC. 26-296. FINANCIAL RESPONSIBILITY

All golf carts operated in the City shall provide proof of financial responsibility (liability insurance) meeting the minimum state requirements for liability insurance for motor vehicles. It shall be a violation for a person to operate a Golf Cart on a street without current valid financial responsibility meeting the minimum state requirements for motor vehicle.

SEC. 26-297. LIABILITY

A. Nothing in this Article shall be construed as an assumption of liability by the City of Rockwall for any injuries (including death) to persons, pets or property which may result from the operation of a golf cart by an authorized driver; and

B. Owners are fully liable and accountable for the action of any individual that they provide permission to operate and drive said golf cart, both on personal and/or any authorized public streets, parking areas and traffic ways. This described liability responsibility especially applies to personal injuries (including death) or property damage resulting from golf cart drivers who are minors under the age eighteen (18) with or without a current and valid driver's license

SECTION TWO. AUTHORIZATION. The City Council of the City of Rockwall authorizes the Mayor to take all necessary steps to implement the provisions of this Ordinance.

SECTION THREE. PENALTY. Any person operating a golf cart within the City in violation of this Ordinance shall be guilty of a misdemeanor and punished by a fine in the municipal court of no more than $200.00 per offense.

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

SECTION FIVE. SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared void.

SECTION SIX. EFFECTIVE DATE. This Ordinance shall be effective upon approval by the City Council and publication in the Rockwall Echo in the manner prescribed by Tex. Loc. Gov't Code Ann. § 52.011.

PASSED AND APPROVED this _____ day of June, 2015.

Jim Pruitt, Mayor

ATTEST:

Kristy Ashberry, City Secretary

DRAFT

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Timothy M. Tumulty, Director of Public Works/City Engineer

DATE: June 10, 2015

SUBJECT: Update re: Lake Forest Erosion Project

Engineering Staff received a copy of a letter dated June 3, 2013 sent to then Mayor David Sweet expressing a concern about an erosion problem occurring behind 2065 Lake Forest Drive. Upon receipt of the letter, staff met with the homeowner, Mr. Bob Carroll, to make a general site investigation. After our initial site visit, staff invited Freese and Nichols, Inc. Consulting Engineers to view the erosion behind Mr. Carroll's home. This visit resulted in a contract with Freese and Nichols, Inc. to conduct a study to determine the cause of the erosion behind Lake Forest Drive. The study also included a stream geomorphological assessment, a stream reconnaissance site visit for the entire stream and the evaluation/ results.

Staff began negotiations with Freese and Nichols, Inc. to perform the engineering design contract for this repair. Due to their cost to perform this design, negotiations were terminated. Staff met with Walter P. Moore Consulting Engineers to discuss their company providing these engineering design services to the City for this erosion control project. Their services consist of the design of the erosion protection behind 2065 Lake Forest Drive. The proposed structure is likely to be a large, modular concrete block retaining wall stabilized with rock anchors.

Walter P. Moore Consulting Engineers have completed the engineering design of this erosion control project and is prepared to move the project forward to the next step of the process. Staff presented a layout of the final engineering design to City Council during the April 6, 2015 Work Session and was instructed to move forward towards construction. The engineer is completing the bidding documents, and the proposed bid date is July 9, 2015.

If you have any questions, please advise.

TMT:em

Cc:
Mary Smith, Assistant City Manager
Amy Williams, P.E., Assistant City Engineer
Billy Chaffin, Superintendent of Streets & Drainage
File

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

SUBJECT: **Agenda item re: ambulance service ordinance provisions**

Mayor Pruitt has requested that an agenda item regarding these ordinance regulations be placed on the June 15 city council meeting agenda for discussion. A copy of the regulations, as contained in our Code of Ordinances, is included in your informational meeting packet for reference.

ARTICLE XII. - AMBULANCE SERVICE

Sec. 12-1251. - Contract required.

No person shall operate or cause to be operated a vehicle for ambulance purposes nor furnish, conduct, maintain, advertise or otherwise be engaged in the business or service of the transportation of ambulance patients within the city unless such person is the ambulance service provider currently under contract with the County of Rockwall Emergency Services Corporation to provide ambulance service within the county. No person shall knowingly solicit ambulance services regulated in this article except from the ambulance service provider.

(Code 1982, § 18-51; Ord. No. 93-41, § 1, 10-18-1993)

Sec. 12-1252. - Applicability.

The provisions of section 18-166 shall not apply to:

(1) Rendering assistance to patients in the case of a major catastrophe or emergency with which the contractor's ambulances are insufficient or unable to cope;
(2) Transporting a patient from outside of the county to a point within the city; or
(3) Transporting a patient picked up outside of the county, traveling through the city to a destination outside of the county.

(Code 1982, § 18-52; Ord. No. 93-41, § 2, 10-18-1993)

Sec. 12-1253. - Violations.

Violations of this article are hereby declared to be public nuisances and shall be prohibited and abated in actions at law or in equity.

(Code 1982, § 18-53; Ord. No. 93-41, § 3, 10-18-1993)

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **June 12, 2015**

SUBJECT: **Solid Waste Services Contract**

The City Council discussed the City's solid waste contract with Allied Waste in worksession on June 1st. At that time, the City asked staff to conduct a survey of area cities to compare rates, services and satisfaction. This survey is conducted when the City is considering the contract and updated periodically in between. The result of this survey is included in the Council packet. The citizen satisfaction survey was last updated in 2012 and Allied score was 91% satisfied/extremely satisfied.

The City has been under our present contract addendum with Allied Waste (Republic Waste) for solid waste collection services since January 2010, which references the 2006 contract. Allied, previously known as Trinity and Laidlaw, has served the City since 1991. During this period, the City has at different times chosen to extend the contract and has last received sealed proposals in 2001. The contract states the City must give notice within 180 days of the expiration of the contract (by July 3, 2015) whether or not we intend to renew and extend the contract.

Service levels have changed somewhat since the contract was signed. The garbage customer survey did show some interest on the part of residents to have polycarts. Since it was not a majority though Allied agreed to outfit their trucks in order to offer an optional polycart rental and optional recycling cart rental program. We currently have 13,055 residential household accounts of which 2,180 have elected polycarts and 633 recycling carts. The same twice per week collection service is provided with the optional program.

The current contract addendum allows for an additional five-year renewal. Council options would include:

- Authorize negotiation of the extension terms for an additional five-year period
- Authorize the City Manager's staff to prepare bid specifications and begin the process of soliciting bid proposals following the state bid laws.
- Authorize the City Manager to negotiate terms of an extension agreement but set a deadline of 45 days for that process to be completed. If terms, satisfactory to Council, cannot be negotiated during that time then staff could begin the bid process at that point, which will still allow sufficient time for any transition that could arise.

Regardless of the option chosen, the City will need to send a certified letter to Allied setting out the Council's decision by July 3rd.

CITY	PHONE #	CONTRACTOR	POLY CARTS	Garbage	ADD 2nd TRASH CART	ADD 2nd RECY CART	GARBAGE TIMES PER WEEK	RECYCLING TIMES PER WEEK	REQUIREMENTS FOR BULK	COMPLAINT CALLS	SATISFACTION W/SERVICE	RATES W/TAX
Addison	972-450-2871	Waste Mgmt.	No Carts				2	1	Every Monday by public works dept.			11.65
Allen	214-509-4554	CWD	1 Trash & 1 Recycling cart		8.89	2.10	1	Every other week	1 x per month for up to five large item (water heaters, washing machines/dryers, furniture, mattresses and box springs, large toys, yard tools – must be tagged “bulk trash”-, kitchen appliances, televisions, refrigerators and freezers [Freon must be removed and certified with a tag on appliance]) 1 x per month for loose brush (max of 3 cubic yards)	Complains come to the utility billing office and also CWD directly	Yes. CWD has been Allen’s contractor since 1996. They have been very involved in the community, promoting and supporting recycling, environmental responsibility and zero waste events. The city solid waste staff work closely with CWD to minimize service issues.	16.88
Carrollton	972-466-3120	Waste Mgmt.	1 Trash & 1 Recycling cart		7.26	7.26	1	Every other week	Brush (tree trimmings, limbs and branches) and bulk waste (items too large for green roll-out containers, including bagged or boxed material) will be collected weekly on customers' regular collection day. All limbs must be cut into 4-foot lengths and placed in bundles not exceeding 40 pounds to fit in a rear-end loader truck. Bulk items should be placed in boxes not exceeding 50 pounds for safe, manageable collection.	Both	Just re-bid, it going to continue contract with Waste Mgmt., the price difference was to close to make a change to Republic Services. Has made the new contract a lot stricter for penalties and performance issues.	16.95
Cedar Hill	972-291-5100	Waste Mgmt.	1 Recycle cart	Garbage cart is optional, if rented cart is $3.00 per month			1	1	On your trash days you are allowed to set out one bulky item or 4 bundles of brush. Bulky items are defined as appliances, carpet, mattresses, furniture, and fence sections (cut to 4 ft. sections with no concrete). Loose brush is picked up once per month. (10 cubic yards) 4' lengths/branches over 6 inches in diameter	Waste Mgmt.	They do a good job.	13.26 + 3.00 for trash cart

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CITY	PHONE #	CONTRACTOR	POLY CARTS	Garbage	ADD 2nd TRASH CART	ADD 2nd RECY CART	GARBAGE TIMES PER WEEK	RECYCLING TIMES PER WEEK	REQUIREMENTS FOR BULK	COMPLAINT CALLS	SATISFACTION W/SERVICE	RATES W/TAX
Coppell	972-462-5110	Republic Waste	1 Recycle cart	Own can or bags			2	1	Maximum of 10 bags of solid waste per service day. Twice per week, one large item or 2 cubic yards. Yard trimming once per week and HHW and Electronics collection at the door once per week (call in for collection)	Both	Yes, satisfied	16.13 includes .10 education fee
Forney	972-564-7304	CWD	No Carts				1	1	Bulk once a week on Wednesday. Container not weight more then 50lbs when filled. Loos brush-limbs limited to 6" in diameter, 10' in length, 4 cubic yards in volume.	Residents call city, then we send them to CWD directly	We usually get about 15 calls on Thursday about missed or incomplete(didn't get all bulk etc.). But we send them to CWD. They are always out on Thursdays by 10am to do any missed services. They are always quick to drop off recycle bins to us.	10.76
Frisco	972292-5575	Progressive	1 Trash & 1 Recycling cart		8.50		1	1	Grass clippings, leaves in paper bags, limbs less than 3ft, 30 lbs. and bundled. Picked up each week. Up to 10 bags. Items too large to fit in the trash can furniture, carpet, Wood poles (under 4ft and free of concrete),Kitchen cabinets, countertops (maximum of 50 pounds and 4 foot sections are picked up weekly. Service limited to five items per month.	Both	Real happy as of Aug of last year when they changed from CWD. CWD quit picking up recycling after notification of contractor prior to contract expiration . Natural gas fleets. 7 year with 3 year extension.	11.50
Garland	972-205-2671	Garland	1 Trash & 1 Recycling cart				1	Every other week	No limit on weekly bulk/brush pick up.	City	left message	18.09
Grapevine	817-410-3173	Republic Services	No Carts				2	1	Once per week do not have to be broken down -just light enough for a man to lift. Limbs do not have to be tied together.	Send to Republic Services	Yes, does a good job	13.82
Heath	972-771-6228	Progressive	1 Trash & 1 Recycling cart		7.35	3.63	1	1	3 cubic yards of brush @ no charge once a month any amount over 3 cubic yards is pick up @ $10.00 per cubic yard.	Utility Billing office	Great service, when the City calls they get right on the problem	15.13

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CITY	PHONE #	CONTRACTOR	POLY CARTS	Garbage	ADD 2nd TRASH CART	ADD 2nd RECY CART	GARBAGE TIMES PER WEEK	RECYCLING TIMES PER WEEK	REQUIREMENTS FOR BULK	COMPLAINT CALLS	SATISFACTION W/SERVICE	RATES W/TAX
Highland Village	972-317-2989	Waste Mgmt.	No Carts			2.00	1	1	Limit of 3 cubic yards. Brush and limbs must be bundled in lengths less than 4' . bulk and the weight must be less than 40 lbs. No bulk pick up.	Complains come to the utility billing office.	For the most part they do a great job. The only time we have any issue, is when we have new drivers that are not familiar with this area	14.07
Keller	817-743-4060	CWD	No Carts				2	1	Take-All" simply means that CWD will collect all items placed on the curb as long as they are containerized in a bag or box; or tied, bundled, and stacked at curbside. Each container or bundle is to be fifty (50) pounds or less in weight. Brush and tree limbs must be tied in bundles not to exceed four feet (4') in length and fifty (50) pounds in weight.	CWD	information gathered from website - did not return phone calls	9.65
Little Elm	214-975-0481	CWD	1 Trash & 1 Recycling cart				1	1	All items that are not hazardous or construction. Refrigerators need to have the label stating the Freon has been removed. Bulk pick up is twice a month.	99% of complaints come to this department	As of today we are. We had our problems last year but they have really tired to correct them and give better customer service	16.78
McKinney	972-547-7550	Progressive	1 Trash & 1 Recycling cart		6.60	6.60	1	1	Bagged leaves and grass clippings. Tree trimmings 4' in length, bundled-tied less than 50 lbs. Limited to what 2 men can pick up in 5 minutes	Complaints filter there way to the Solid Waste Division for resolution	Yes very much, they extended the contract till 2024	15.36
Plano	972-769-4150	City Employees	1 Trash & 1 Recycling cart		13.25	0.00	1	Every other week	Yard Debris weekly 4x4x6 pile. Bulky waste one per month on a regular schedule. HHW residents call in.	Our customer service team takes all calls	Yes	15.10
Richardson	972-744-4120	City Employees	No Carts				2	1	Must call and request, no additional charge & no limit	Complaints are taken by City department.	N/A	18.00
Rockwall	972-771-7736	Republic Waste	No carts		Rental 3.55	Rental 3.55	2	1	Unlimited pick up two times per month on scheduled weeks	Complaints are taken in Utility Billing.	N/A	13.41w/out cart 3.55 addl per cart

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CITY	PHONE #	CONTRACTOR	POLY CARTS	Garbage	ADD 2nd TRASH CART	ADD 2nd RECY CART	GARBAGE TIMES PER WEEK	RECYCLING TIMES PER WEEK	REQUIREMENTS FOR BULK	COMPLAINT CALLS	SATISFACTION W/SERVICE	RATES W/TAX
Rowlett	972-475-3600	Waste Mgmt.	1 Trash & 1 Recycling cart				1	1	Provides weekly brush and bulky item collection without a call-in required. There are no bundling requirements or size restrictions for brush or bulk.	Waste Mgmt.	left message	16.18
Royse City	972-636-2250	Sanitation Solutions	1 Trash & 1 Recycling cart		4.00	4.00	1	1	One bulk item per trash day with the exception of building materials. One brush pile per trash day. Must be bundled, no longer than 4' long and 6" in diameter or heavier than 50 lbs.	Utility Billing office	Satisfied, employees with Sanitation are very enjoyable and they are willing to accommodate any request in a timely manner. Any events we schedule and need extra totes etc.. Are always planned and executed in a timely manner.	14.18

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CITY	PHONE #	CONTRACTOR	POLY CARTS	Garbage	ADD 2nd TRASH CART	ADD 2nd RECY CART	GARBAGE TIMES PER WEEK	RECYCLING TIMES PER WEEK	REQUIREMENTS FOR BULK	COMPLAINT CALLS	SATISFACTION W/SERVICE	RATES W/TAX
Southlake	817-748-8051	Republic Waste	1 Recycle cart	Hand pick up garbage			2	1	Bulky waste during the regular residential collection at a rate of up to two (2) cubic yards per resident per collection. Bundled brush in lengths of no more than four feet and no more than 50 pounds in weight can be picked up during the regular residential collection without additional charges. In addition, Republic will collect up to twelve (12) cubic yards of unbundled brush, rubbish, or limbs, per year for each residential customer on an on-call basis for no additional cost. Items such as sofas, appliances, stoves, water heaters, and limited amounts of unbundled brush can be collected as a bulk pick-up item. Any appliance, such as a refrigerator or air conditioner, which once contained a refrigerant, must have the refrigerant removed by a certified professional prior to collection. A state approved "clean certificate" must be attached to the appliance before it will be collected	Complaints are taken at the City.	Yes we are very happy with our provider. If they miss trash they will send someone right out to pick it up, even if it has to be Supervisor in a pickup truck. Great Customer service	14.40
Wylie	972-516-6100	CWD	1 Trash & 1 Recycling cart				1	1	As needed up to 6 cubic yards per pick up and 24 cubic yards per year.	Both	Yes	11.98

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Robert LaCroix, *Director of Planning and Zoning*

FROM: Ryan Miller, *Planning Manager*

DATE: June 15, 2015

SUBJECT: *Natural and Quarried Stone Requirements*

At the direction of the City Council, the Planning and Zoning Commission reviewed the City's current stone requirements as stipulated by the *Architectural Standards* section of the overlay district requirements. According to this section, a minimum of 20% natural or quarried stone is required for all buildings. Specifically, the Planning and Zoning Commission reviewed this requirement to assess if cultured stone was an appropriate material to include in meeting the 20% requirement. After reviewing the ordinances of six (6) comparable cities and discussing the issue with staff, the Planning and Zoning Commission made a motion to recommend that the changes contained in *Exhibit 'A'* (*attached to this memorandum*) be adopted to the overlay district requirements contained in Article V, *District Development Standards*, of the Unified Development Code. The motion passed by a vote of 5-0, with Commissioner Conley and Lyons absent. The adoption of these changes would allow the Planning and Zoning Commission to approve the use of a high quality manufactured or cultured stone, in lieu of natural or quarried stone, pending conformance to the criteria established within the proposed text amendment. Since the stone requirements are more of a technical approval, the City Council would not be required to vote on these issues unless the Planning and Zoning Commission denied an applicants' request, in which case the applicant would be able to appeal their request to the City Council.

Should the City Council choose to accept the changes proposed by the Planning and Zoning Commission, staff will prepare the required ordinance and bring it back to the City Council for first reading at the *July 6, 2015* City Council meeting.

C. *Architectural standards.*

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

   a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. ***Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty are applied to the product;***

      - ***That the manufacturing molds should be made from actual stones and each piece should complement each other having the right shape, texture, size and detail of natural stone;***
      - ***That the overtones of color should be integrated into the stone during the molding process, while the base color of the stone is blended entirely throughout;***
      - ***That highly skilled artisans should be utilized to hand paint each piece in order to give each stone depth and variation of color;***
      - ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
      - ***That the manufactured stone product shall have a minimum warranty of 75 years.***

   b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **June 10, 2015**

SUBJECT: **Downtown Restroom Options**

During the April 20, 2015 City Council meeting, an item was discussed regarding options for adding public restrooms in downtown. The original memo laid out four options that may be considered. These included the acquisition (through a lease or purchase) of an existing building that could be used for public facilities, the use of current public buildings such as the Rockwall County Courthouse or The Center, the utilization of the City's mobile restroom trailer or the use of temporary rental units. The Council requested that staff continue to examine the options and bring additional information back to the Council for further review.

Permanent Facilities

Three buildings are currently vacant downtown and may be available for some sort of lease or purchase. Building 1 is a small building that is the former site of Cain Used Cars. It is located at the northwest corner of the intersection of Kaufman and San Jacinto, and it is not currently being marketed for lease or sale. Building 2 is located at the southwest corner of Fannin and Rusk and is the former site of Awards and Creations. We have made several attempts to contact the owner to check on the possibility of a lease or purchase; however, our calls and emails have gone unanswered. The former Elections Office is being marketed, and we understand that they are currently negotiating an agreement with a tenant.

The acquisition and renovation of an existing building from an office/retail space to a public restroom facility would be the most expensive and most untimely option.

Current Public Buildings

The County Courthouse and The Center are the only two public buildings within the downtown area. During the hours of the Farmers Market, The Center is open to the public from 9:00 a.m. until 4:00 p.m. Restrooms are easily accessible within the building during these hours without disrupting any ongoing activities. The County Courthouse may be able to be opened to the public but would require staffing that is not currently in place.

Andy Hesser has worked out a schedule using part-time personnel that would utilize the restrooms on the Administrative side of the Parks and Recreation office for the San Jacinto music series. This option would cost approximately $2,000 annually, and the restrooms would be available at The Center during our normal operating hours on Saturdays for the Farmers Market.

Portable Restroom Trailer

The trailer is used for the Concert by the Lake series on Thursday evenings and is scheduled to be used for the Family Fun Friday program scheduled one Friday evening per month in June, July, August and September. Due to the need for a generator and the weight of the steps to open and close the unit, full time personnel is typically used. The overtime cost to have the unit available for both the Farmers Market and the music series is estimated at slightly under $20,000 annually.

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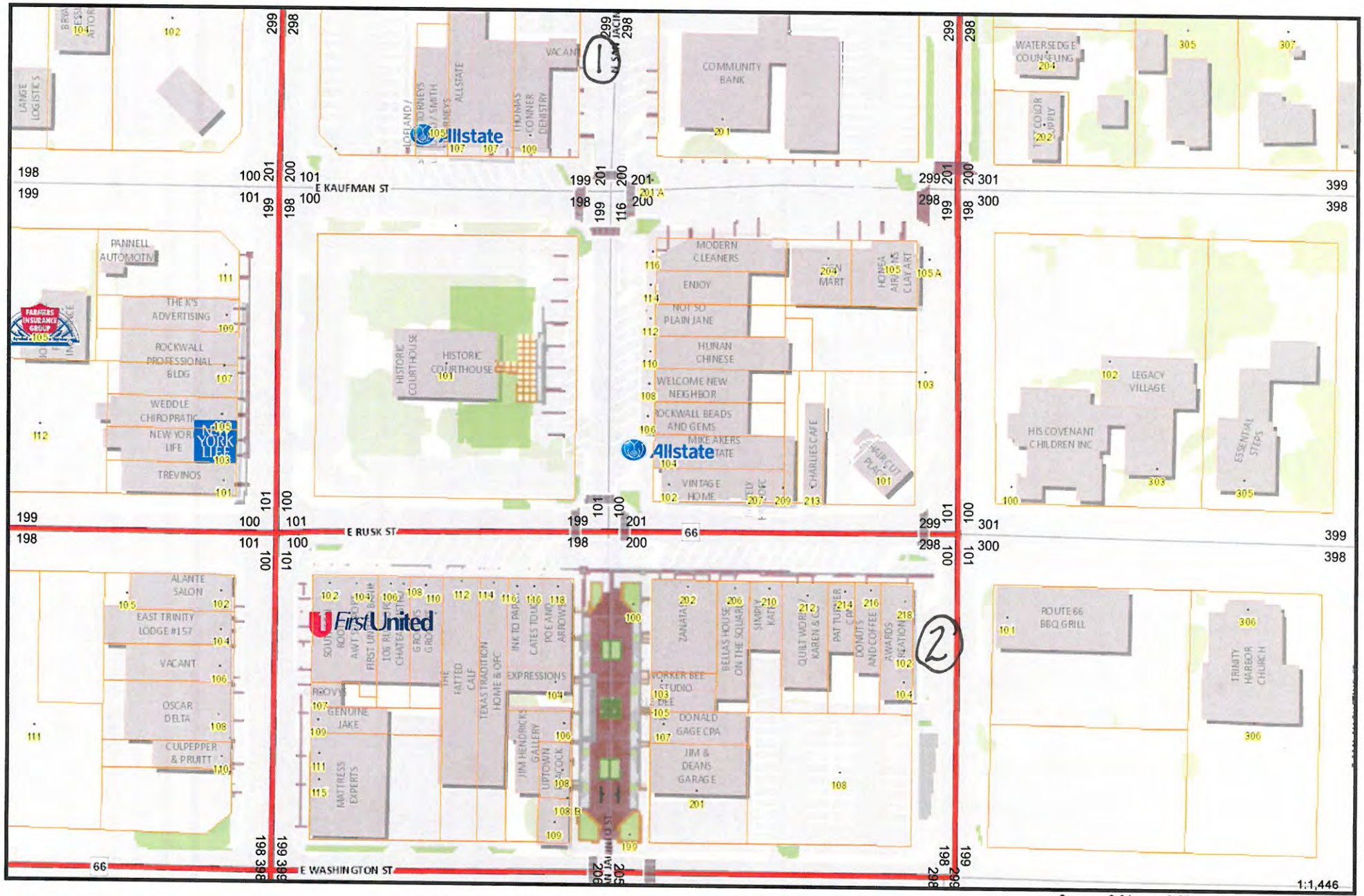

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City of Rockwall
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June 10, 2015

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

SUBJECT: **Agenda Item Request**

Mayor Pruitt has requested that an item regarding this matter be placed on the city council meeting agenda for discussion.


PARKING GARAGE
CLEARANCE 8' 2" FIRST FLOOR ONLY
CLEARANCE 8'-2"
PUBLIC
PARKING


PUBLIC
PARKING
PINNACLE WAY DR
NO PARKING


PUBLIC
PARKING
STOP

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **June 12, 2015**

SUBJECT: **Maintenance within the Takeline**

Mayor Pruitt requested that an item be placed on the agenda related to the maintenance of the takeline area and the expectations of homeowners that sublease the takeline and those that do not sublease. The maintenance within the takeline area performed by the City has been inconsistent over the past ten years and the Mayor has requested this item be placed on the agenda to reach a consensus for moving forward.

When the takeline sublease program was initiated, the maintenance of the takeline area became the responsibility of the homeowner when they subleased. For areas that were not subleased, maintenance of the takeline, such as mowing and tree care was not performed by the City and may or not be performed by the adjacent property owner(s). Over the past ten years, situations have surfaced that required some tree maintenance in areas that were not subleased. Initially, the response was that the City was comfortable letting a tree fall or lay on the ground after it had fallen. On some occasions, the City would send a crew to remove these fallen or dead trees and in other cases, if a tree was deemed to be dangerous and may injure someone, we would have it addressed.

Our general procedure is that if there is a tree that may be a danger to someone that is located in an area that is not subleased, the City would have a crew remove the tree. If the area was subleased, we would not address the issue. Mayor Pruitt would like to see the formation of a consistent policy to follow as we move forward.

THE STATE OF TEXAS §
§ **RESIDENTIAL SUBLEASE AGREEMENT**
CITY OF ROCKWALL §

Residential Sublease Agreement

This Sublease Agreement (hereinafter referred to as the "Sublease") is made and entered into this _____day of _____, 20__ by and between the City of Rockwall, Texas, herein called "Sublessor," and _____, herein called "Sublessee."

RECITALS

A. On or about the 16th day of January, 2001, Sublessor (as lessee) and the City of Dallas, Texas (as lessor) entered into an Interlocal Agreement and Lease (hereinafter defined and described as the "Base Lease") covering the lease of the Lake Ray Hubbard take line area, which encompasses the Leased Area as hereinafter defined. Said Interlocal Agreement and Lease is incorporated herein by reference.

B. Sublessor is a municipal corporation, which has leased from the City of Dallas the land adjacent to Lake Ray Hubbard, which encompasses the perimeter boundary of Dallas' property at the lake for the purposes as set out in the Base Lease.

C. Sublessor desires to sublease to Sublessee the leased area adjacent to Sublessee's property being described as Lot _____, Block _____ of the Addition _____, so as to permit use and enjoyment of same by said Sublessee, said Leased Area being more specifically described by the hereto attached Exhibit A survey of the sublease property, during the term hereof.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are mutually acknowledged, the parties hereby agree as follows:

ARTICLE 1. DEFINITIONS

A. **"Interlocal Agreement"** means the Base Lease, or Master Lease, covering the lease of the Lake Ray Hubbard take line area by the City of Dallas to the City of Rockwall, dated January 16, 2001, which encompasses the Leased Area as defined herein.

B. **"Lake"** means Lake Ray Hubbard.

C. **"Take Line"** means the perimeter boundary of Dallas' property at the Lake.

D. **"Take Area"** means the land owned by Dallas between the Take Line and the normal Lake pool elevation (435.5 mean sea level).

E. **"Lake Area"** means the City of Dallas property, known as Lake Ray Hubbard, that is normally submerged by the Lake at normal Lake pool elevation (property at or below elevation 435.5 mean sea level).

F. **"Leased Area"** means the Take Area that is within the City Limits of Rockwall, or where the Take Line is directly adjacent to the City Limits of Rockwall.

G. **"Maintenance Responsibilities"** shall mean keeping the erosion control structure(s) in good condition throughout the term hereof so that such structures remain capable of proper protection against erosion.

H. **"Subleased Premises"** means the area hereby subleased and more particularly described in Article 3 herein.

I. "**Residential Area**" means the Leased Area where the Take Line is adjacent to the residential property and where no commercial activity exists, or is proposed to exist, on Dallas property. If commercial activity occurs in a Residential Area, that portion of the Leased Area will be considered a Commercial Area.

J. "**Sublessee**" means a person or entity subleasing Dallas property in the Leased Area from City of Rockwall. Sublessee shall be an adjacent property owner.

K. **"Shoreline**" means the line along the shore of the Lake, established by the normal Lake pool elevation (435.5 mean sea level).

L. **"New Immediate Action Area**" means any section of the Leased Area where any of the following has occurred:

1. The shoreline is within 30 feet or less of the Take Line;
2. A public hazard exists or can be expected to be created by erosion within a short period of time;
3. Structures are at risk of structural damage due to erosion;
   or
4. Existing adjacent erosion protection is impeded if erosion is allowed to continue.

M. **"Critical Areas"** mean areas determined to be immediate action erosion control areas, as defined in the 1987 "Lake Ray Hubbard Erosion Control Study" by Bernard Johnson Incorporated (the Bernard Johnson Report), a copy of which is available for review at the City of Rockwall Parks and Recreation Department.

ARTICLE 2. PURPOSE AND INTENT

The purpose of this sublease agreement is to permit the development of property along the take area of Lake Ray Hubbard under certain regulatory conditions governing permitted uses and development standards, setting forth procedures for the development of said property and establishing an appeals process for the terms of Lake Ray Hubbard Overlay District Ordinance. The zoning overlay district has its basis in and is intended to serve as one implementation tool for the Lake Ray Hubbard Master Plan, adopted by the City of Dallas on _____N/A___; the Lake Ray Hubbard Interlocal Agreement as approved by those municipalities comprising the Lake Cities Coalition (Garland, Rockwall, and Rowlett, Texas) and the City of Dallas, Texas; and the Comprehensive Plan for the City of Rockwall, adopted on December 17, 2001. The adoption of the Zoning district is intended to provide a means for the protection of water quality, water supply, and the preservation of the natural environment and to enhance the quality of the Lake Ray Hubbard shoreline through regulation of manmade facilities. For those properties that take part in the City of Rockwall Residential Sublease Agreement the overlay zoning ordinance is to be used in conjunction and in addition to the erosion control and engineering standards as well as other development related ordinances, such as but not limited to, landscaping ordinance, tree preservation ordinance and outdoor lighting.

ARTICLE 3. DEMISE OF SUBLEASED AREA

A. **Sublessor, for and in consideration of the rents, covenants and promises herein contained to be kept, performed and observed by Sublessee has demised and leased and by their presents does hereby demise and lease unto Sublessee, and Sublessee, for and in consideration of the covenants and agreements herein reserved on the part of the** Sublessor to be kept and performed, does hereby accept from Sublessor, the Subleased **Area as more specifically described by the hereto attached Exhibit A** (survey of the Take Area) **and subsequent to the terms and conditions as hereafter described. Sublessee acknowledges that it has inspected the Subleased Area to their satisfaction and accepts the Subleased Area "As Is" and with all faults and defects, whether known or unknown to either Sublessor or Sublessee and without representation or warranty of any kind from Sublessor as to the status or condition thereof.**

B. All structures and/or improvements in the Take Area shall require a building permit issued by the City of Rockwall consistent with applicable ordinances and regulations of Takeline Area Overlay District allowed uses.

C. Sublessee acknowledges that the decision to lease the Subleased Area is based solely upon the Sublessee's comprehensive inspection of the Subleased Area and

not upon any warranty or representation of Sublessor, or of Sublessor's employees, agents or representatives with regard thereto. Without limiting the foregoing, **THERE IS NO WARRANTY, EXPRESSED OR IMPLIED, OF SUITABILITY, MERCHANT ABILITY, HABITABILITY, OR FITNESS FOR ANY PARTICULAR PURPOSE GIVEN IN CONNECTION WITH THIS LEASE.**

D. **IT IS UNDERSTOOD BY BOTH THE CITY OF ROCKWALL AND SUBLESSEE THAT THE WATER LEVEL IN THE LAKE WILL NOT REMAIN CONSTANT AND THAT ALL LAND IN THE SUBLEASED PREMISES IS SUBJECT TO FLOODING. THE PARTIES AGREE THAT NEITHER THE CITY OF DALLAS NOR THE CITY OF ROCKWALL SHALL BE RESPONSIBLE FOR DAMAGES TO ANY STRUCTURES, FACILITIES, LANDSCAPING, OR OTHER PROPERTY DAMAGE ON THE SUBLEASED AREA DUE TO WIND, WATER, EROSION, FLUCTUATING WATER LEVELS, OR FLOATING DEBRIS.**

ARTICLE 4. SUBLEASE TERM

A. Subject to the terms and conditions of this Sublease, the demise set forth in Article 3 above shall be for the Sublease Term, which shall **expire on January 16, 2041.** Residential area subleases cannot be further subleased. If a sublessee (abutting property owner) sells his or hers property, the sublease shall be transferred to the new owner.

B. This sublease shall terminate and become null and void no later than **January 16, 2041**, unless extended by the parties hereto in writing subject to the provisions of the Base Lease or the Master Lease by and between the City of Dallas and the City of Rockwall. Any holding over or use and occupancy by Sublessee after the termination of this Sublease shall not constitute a renewal hereof or give Sublessee any rights hereunder in or to the Subleased Area upon termination. Upon termination of this Sublease, all improvements to the Subleased Area (whether or not constructed by Sublessee) shall be and become the property of Sublessor **or** its successors in interest; provided, however, Sublessee shall be entitled to remove from the Subleased Area removable equipment, provided that such removal can be accomplished without unreasonable injury to the Subleased Area or the removing improvements on the Subleased Premises.

C. This Sublease shall be terminated or canceled by the City of Rockwall in the event that the Interlocal Agreement between the City of Rockwall and the City of Dallas is terminated or canceled by agreement or operation of law. Sublessee shall be entitled to no compensation of any kind from the City of Rockwall or the City of Dallas if this Agreement is so canceled or terminated.

D. The annual sublease payment shall not exceed the estimated annual expenses of the City of Rockwall in administering all subleases and sublease areas, pursuant to the base lease, divided by the number of properties within the boundaries of the City of Rockwall within the Takeline area, and subleases or legally available for sublease.

E. Sublessee shall have the right to terminate this sublease if, at any time during this sublease, a material and substantial change in circumstances existing at the time of this sublease should occur. For the purpose of this paragraph, a "material and substantial change in circumstances" shall include but not be limited to the destruction of the residential structure of the sublessee on the lot adjacent to the leased area, a collective increase in the sublease payment of more than 100% over any ten year period or less, or the elimination by the City Council of an authorized use for which the sublessee has in place.

ARTICLE 5. SUBLEASE PAYMENT

A. In accordance with Section III (**C**) of the Base Lease, Sublessee shall pay **an initial payment of $600.00** to Sublessor and an annual payment of $**350.00** due annually based on contract date. Said payment may be **adjusted annually** by the City during the term of the Sublease by majority vote of the City Council of the City of Rockwall.

B. Failure of sublessee to pay the annual payment as provided for in Section A shall be considered as an event of default. If Sublessee fails to pay the annual payment within thirty (30) days of receipt of notice, Sublessor may terminate this lease and take possession of any improvements on the leased premises subject to Article 6, Section N herein.

ARTICLE 6. USE OF SUBLEASED AREA

A. Sublessee agrees to use and maintain the Subleased Area in accordance with all City codes and regulations established by Sublessor for the Take Line area. Any violation of such regulations shall be considered a breach by Sublessee of this Agreement, for which Sublessor shall be entitled to take appropriate action if such violation is not cured. Sublessee specifically recognizes that the City of Dallas, as a third party beneficiary, has the right to enforce the terms of this Agreement in the event of the Sublessee' breach of any of the terms contained herein.

B. Structures or appurtenances that shall be **prohibited** within the Subleased Area, without prior approval by Sublessor and the City of Dallas are as follows but not limited to:

1. Propane tanks.
2. Storage of gasoline, oils, diesel, or similar types of compounds.
3. Storage of pesticides, herbicides, fungicides, or preservatives.
4. Use of pesticides, herbicides, fungicides, or preservatives that are not approved by the Texas Commission on Environmental Quality or US Environmental Protection Agency for use around water supplies, and on a listing approved provided by Dallas.
5. Storage of any hazardous materials, regardless of its nature.
6. Septic tanks and lateral lines (with the exception of city utilities).
7. Toilets.
8. Habitable structures.
9. Diving boards and slides over and/or into the lake.
10. Pets living quarters, livestock, maintenance of livestock or any such structure that houses or shelters livestock and/or pets, including but not limited to cattle, horses, swine, poultry.
11. Water wells.
12. Chemically preserved wood (e.g. railroad ties and telephone poles) in the water.

C. **Prohibited activities on the lake and shore area:**

1. Shoreline (bank of the lake) will not be tapered, cut, smoothed, or altered in any way without a permit.

2. Leased shore area will not be excavated, channeled, cut, bored, dug, filled, smoothed, or altered in any manner unless specifically permitted.

3. Wheeled vehicles and all other motorized equipment are prohibited from operating on the lake bottom unless specifically authorized.

4. The construction of sandy beaches on the lake bottom at the shoreline are prohibited.

5. Removal of vegetation from the lake bottom at the shoreline is prohibited unless specifically authorized.

6. Railroad ties on the shoreline and Take Area are prohibited.

7. No dumping on the shoreline (bank of the lake) and take area of brush, leaves, bricks, logs, concrete rubble, asphalt rubble, soil, sand, gravel, rock, or any other material.

8. Garbage cans and waste receptacles are prohibited anywhere in the leased area.

9. No signage in the leased area unless specifically authorized.

10. No business activity will be performed from within the leased area.

11. No storage of personal items on the Take Area and shoreline unless specifically authorized by the City of Rockwall. Personal items includes but is not limited to boats, jet skis, rafts, watercraft, boat trailers, vehicles, campers, RVs, wood piles, lawn equipment, appliances, storage facilities, construction material, and storage of miscellaneous materials.

12. Drawing lake water for personal usage such as for irrigation is prohibited without a permit issued by Dallas Water Utilities.

Additional Requirements:

1. All tree removals will comply with the City of Rockwall Tree Preservation Ordinance.

2. A permit is required for any and all types of lake dredging and lake bottom earthwork.

3. Sublessee will immediately remove personal items littering the lake, particularly after a storm.

4. No permit is required for minor repair or general maintenance of an authorized existing erosion control structure unless the repair or general maintenance will include different material than what was originally approved. A permit is required for modifications and alterations to existing erosion control structures.

5. All boats on the shoreline must comply with the mooring time limit as specified in the Rockwall Takeline Overlay District Zoning Ordinance.

6. Boats will in no way pollute lake waters from, but not limited to; bilge discharges, septic waste, fueling, cleaning, maintenance, and painting.

7. Sublessee must first install an approved method of erosion control before the construction of lake structures. Lake structures will not be permitted without the placement of erosion control the entire length of the subleased shoreline.

D. Sublessee agrees that he/she will not make nor allow to be made, any unlawful, improper or offensive use of the premises, which would be injurious to any person

or property, or which would violate the laws of the United States or the State of Texas, or any ordinance(s) of the City of Rockwall or the City of Dallas that may pertain to the demised premises. In the event of a conflict between the respective ordinances and/or the provisions of the lease the most restrictive shall apply. Sublessee shall be subject to the terms and penalties associated with ordinance and regulations violations in addition to the provisions of this Sublease.

E. The City of Rockwall and the City of Dallas retain the right to make regular or special inspections of the Subleased Premises to ensure that it is being maintained and used in accordance with the terms of this Sublease and the Base Lease and that all terms of this Sublease and the Base Lease are being upheld. The City of Rockwall will provide written notice of a breach or violation, or noncompliance with the terms of this Sublease or the Base Lease to Sublessee. Sublessee will have **ten (10)** days to correct and/or abate all violations, unless otherwise agreed by the City of Rockwall. If Sublessee has commenced and is pursuing the cure of the same, then after first advising the City Council of Rockwall or its designated representatives of Sublessee's effort to cure, Sublessee may utilize an additional **ten (10)** days, if approved by the City of Rockwall. Failure to correct all violations in the allotted time constitutes a material breach of this Sublease.

F. In the event of the default after the expiration of the applicable notice and cure periods (except for the non-payment of agreed sublease), the City of Rockwall shall be entitled in addition to any other penalties or fines to assess and receive from Sublessee as liquidated damages the sum of $**500.00** per day for each day the breach remains uncured.

G. Failure by the City to provide the **ten (10)** day notice described above shall not constitute a waiver of any breach of this Sublease. Waiver of any breach of any provision of this Sublease shall not be considered as a waiver of any subsequent breach of the same or any other provision of the Sublease.

H. The City of Rockwall has adopted the Takeline Area Overlay District Zoning Ordinance and policies for the construction of structures and/or other improvements in the Subleased Premises. A detailed plan for construction of fences and other proposed structures in accordance with the Take Area Zoning Ordinance adopted June 21, 2004**,** must be approved by the City of Rockwall and the City of Dallas prior to construction. If improvements or structures have been constructed in the Takeline area or the shoreline prior to the execution of this Sublease, all existing noncompliance items or encroachments that are not approved must be abated prior to the execution of this sublease agreement. No structures or improvements that are in noncompliance or are encroaching will be grandfathered.

I. Sublessee recognizes and consents to the City of Rockwall and the City of Dallas having the right of ingress and egress to the Subleased premises for any operational or maintenance purposes upon twenty-four (24) hours advance

notification to Sublessee; except that no advance notice will be required in case of an emergency or possible health and/or safety hazards.

J. Sublessee understands that pursuant to the Base Lease Dallas will make a reasonable effort to repair any damage resulting from Dallas accessing the Take Area for utility maintenance and/or public safety vehicles, and will restore the damaged property as nearly as possible to its condition prior to the damage created by the City of Dallas accessing the Take Area; however, if the damage is located within a dedicated easement the requirements of that easement shall govern and no additional obligations are assumed by the City of Rockwall or the City of Dallas as a result of the execution of this Sublease. Likewise, the City of Rockwall will make a reasonable effort to repair any damage resulting from the City of Rockwall accessing the Take Area for utility maintenance and/or public safety vehicles, and will restore the damaged property as nearly as possible to its condition prior to the damage created by the City of Rockwall accessing the Takeline Area however, if the damage is located within a dedicated easement the requirements of that easement shall govern and no additional obligations are assumed by the City of Rockwall or the City of Dallas as a result of the execution of this Sublease.

K. Sublessee recognizes that the City of Rockwall may require easements in the future in the Subleased Area. Sublessee hereby agrees to approve future easements with the understanding that the Sublessor will make all reasonable efforts to avoid damage to existing improvements. If damage results from the use of a future easement, Sublessor will restore the damaged property as nearly as possible to its condition prior to the damage created by the Sublessor.

L. Sublessee recognizes that Sublessor has established specific setbacks, reservation of future easements or other development requirements unique to this Sublease. Such specific requirements are set forth in the Take Area Zoning Ordinance adopted June 21, 2004. Sublessee agrees to abide by all requirements during the term of the Sublease.

M. Sublessee recognizes that prior to placement of any structures and/or personal items, improvements, including, but not limited to: landscaping, construction or subgrade alterations on the Subleased Premises a construction alteration permit must first be obtained from the City of Rockwall. Such construction alteration permit will be in addition to any other permit or approval required by the City of Dallas. Time limits for completion of construction will be established at the issuance of the construction alteration permit. **No construction will be considered complete and/or approved until a final inspection is conducted by the City of Rockwall and/or the City of Dallas or their appointed representatives.**

N. If this lease is terminated for any reason stated within this agreement any structures and/or any improvements must be removed within 30 days.

ARTICLE 7. EROSION PROTECTION

A. ***For all subleases, the City of Rockwall will require sublessee of Residential Zoned Areas to either completely install, or pay for the installation of, Shoreline erosion protection in accordance with Section VI of the Base Lease or Master Lease in Critical Areas, whenever such Critical Areas may arise (as defined in Section VI (A) Base Lease), before execution of the sublease. Erosion protection required under the sublease must be completed no later than twelve (12) months from the date of execution of the sublease, but prior to, or concurrent with, a sublessee's commencement of construction of any improvements. If a Critical Area arises after execution of the sublease, the City of Dallas or the City of Rockwall are not responsible for any erosion control measures required and the sublessee shall not look to the City of Dallas or the City of Rockwall for action. If any part of the subleased area becomes a Critical Area after execution of the sublease, the sublessee of a residential area may, at sublessee's option, install erosion protection in accordance with this sublease agreement and Base Lease. Erosion protection required under the sublease must be completed prior to a sublessee's commencement of construction of any improvements of any kind on the leased area, subject to the City of Rockwall's permitting process.***

B. In areas determined to be Critical Areas or New Immediate Action Areas, as defined above (collectively referred to as "Critical Areas"), the Sublessee will be responsible for installation and maintenance of erosion control. Such required erosion protection must be completed no later than twelve (12) months from the date of execution of this Sublease, but prior to, or concurrent with, the Sublessee's commencement of construction of any improvement. If the City of Dallas has installed or performed maintenance or erosion control in any Critical Area, the Sublessee will reimburse the City of Dallas for the cost of installation and maintenance from the date of execution of the Base Lease to the later of, the date of execution of the Sublessee's sublease with the City of Rockwall, or the date of installation of the erosion control. If Dallas installed or performed maintenance or erosion control in any area that is not a Critical Area, the Sublessee will reimburse Dallas for the cost of installation and maintenance from the date of execution of the Base Lease to the date of execution of the Sublessee's sublease with the City of Rockwall (*i.e.* there will be no retroactive reimbursement obligations of the Sublessee in a non-Critical Area; the full extent of the erosion reimbursement obligations of the Sublessee in a non-Critical Area will be known at the time of execution of the sublease). Reimbursements can be paid in a lump sum or over a term to be determined by Dallas. Term payments will include interest charges and the term will not exceed the life of the asset. Sublessee shall assume maintenance responsibility for existing or proposed erosion control.

C. Sublessee may install erosion control subject to the approval of the City of Dallas and the City of Rockwall. Sublessee will be responsible for maintenance of the installed erosion control in the same manner as set out above.

D. The City of Dallas and the City of Rockwall will establish a listing of types of erosion control approved for use around the Lake, based on the Bernard Johnson Report or engineering data or criteria list. The list may be expanded jointly by Dallas and the City of Rockwall should new and approved technology become available for such erosion control. If the City of Dallas or the City of Rockwall installs erosion control, it can install any type listed in the Bernard Johnson Report, or on the updated/approved listing, as it deems economically and/or environmentally feasible.

E. The Sublessee may reclaim lost Shoreline with the approval of the City of Rockwall and prior written approval of the City of Dallas, as determined on a case-by-case basis. Any reclamation or cut and fill in the Lake or at the Shoreline shall not reduce the usable water storage capacity or flood storage capacity of the Lake, as determined by the City of Dallas. Sublessee, or the parties performing the reclamation, will be responsible for obtaining all related permits for the reclamation, such as the U.S. Army Corps of Engineer permits.

F. No activities will be allowed which will increase the erosion of the Shoreline property, including any alteration of vegetation or property, as determined by the City of Dallas as described by the Bernard Johnson report.

G. Erosion control installations must comply with all local, state, and federal laws, regulations and requirements and shall be designed by a licensed professional engineer and installed by a competent contractor with demonstrated experience in the installation of that system.

H. Sublessee agrees to allow abutting Sublessee(s) to connect to the erosion protection mechanism so installed, so as not to create gaps between abutting properties in said erosion protection.

ARTICLE 8. HOLD HARMLESS

Sublessee hereby agrees to defend, indemnify and hold the City of Dallas and Sublessor, their respective officers, agents and employees, fully harmless from any claims, lawsuits or expenses for personal injury (including death), property damage or other harm for which damages may be recovered under law, suffered by any person or persons (including but not limited to Sublessee), that may arise out of or be occasioned by Sublessee's fault or negligence in the use, occupancy, maintenance or operation of the Subleased Premises for any purpose, or that arises out of or is occasioned by erosion control improvements installed, used or maintained by Sublessee, or by Sublessee's

failure to install erosion control devices as required under the Sublease, **REGARDLESS OF WHETHER OR NOT THE NEGLIGENCE OR FAULT OF THE CITY OF DALLAS OR THE CITY OF ROCKWALL IN OPERATING OR MAINTAINING THE LAKE AREA, OR ORIGINALLY INSTALLING OR MAINTAINING ANY EXISTING EROSION CONTROL IMPROVEMENTS ASSUMED BY SUBLESSEE, OR IN DETERMINING WHAT EROSION CONTROL IMPROVEMENTS WERE APPROPRIATE, CONTRIBUTED TO THE DAMAGE OR INJURY.**

ARTICLE 9. COVENANT RUNNING WITH THE LAND

A. This Sublessee cannot be further subleased by Sublessee, except that this Sublease shall be transferred to any subsequent owner of the residential property, as described herein. Sublessee agrees to notify in writing, Sublessor of any change in ownership of the property within ten (10) days of closing. This covenant shall be considered as a covenant running with the land and shall be filed for record in the deed records of Rockwall County, Texas.

B. It is the understanding of the parties that this Sublease contains the entire understanding of the Sublessor and Sublessee and that any change, alteration, or modification of this Sublease shall only be effective if in writing approved by both parties.

C. Sublessee further asserts that he/she has received a summary of the Base Lease and the Takeline Area Overlay District Zoning Ordinance which is incorporated herein by reference and that he/she has read said Base Lease and understands its terms and provisions.

D. Sublessee will endeavor to provide Sublessor with a certificate that extends coverage under Sublessee's Homeowners Insurance Policy to the leased premises.

ARTICLE 10. SEVERABILITY

In case any one or more of the provisions contained in this Sublease shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Sublease shall be considered as if such invalid, illegal, unenforceable provision had never been contained in this Sublease.

EXECUTED on the date first written above.

SUBLESSOR:
CITY OF_____

_____
(Authorized Signature)

SUBLESSEE:

_____
NAME

_____
ADDRESS.

_____
TELEPHONE

_____
ALTERNATE TELEPHONE

_____
SIGNATURE

ACKNOWLEDGMENT

THE STATE OF TEXAS §

COUNTY OF DALLAS/ROCKWALL §

BEFORE ME, the, undersigned, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 20__.

_____
Notary Public in and for the
State of Texas

_____
My Commission Expires:

STATE OF TEXAS)
COUNTY OF ROCKWALL)
CITY OF ROCKWALL)

BEFORE ME, a notary public in and for said county and state, personally appeared Rick Crowley, City Manager of the City of Rockwall, and acknowledged to me that he executed the within and foregoing document as his free and voluntary act and deed, and the free and voluntary act deed of the City of Rockwall, for the uses and purposes set forth therein.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ day of _____, 20__.

_____
Notary Public in and for the State of Texas

My Commission Expires:

_____
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Agenda 5

Hold Work Session to discuss the Public Outreach Action Plan for reconstruction of South Lakeshore Drive/Summit Ridge Drive from SH 66 to FM 740, and take any action necessary.

- City Manager Memo 10
- Public Outreach Action Plan 11
- Public Outreach Action Plan - Schedule 13
- Blank Page 14

Hold Work Session to discuss potential regulations regarding the use and operation of golf carts, and take any action necessary.

- Memo_golf cart wksession 15
- Blank Page 16

Consider approval of the minutes from the June 15, 2015 regular city council meeting, and take any action necessary.

- 06-15-15 Minutes 17
- Blank Page 32

Z2015-018 - Consider approval of an ordinance for a request by Herman Douglas Utley for a zoning change from a Single Family Estate 2.0 (SFE-2.0) District to a Single Family Estate 1.5 (SFE-1.5) District for a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 2.0 (SFE-2.0) District, situated within the SH-205 By-Pass (SH-205 BY OV) District, addressed as 1815 E. Old Quail Run Road, and take any action necessary. (2nd Reading)

- Ord_2nd reading 33
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Z2015-017 - Consider approval of an ordinance for a request by Jonathan Hake of Cross Engineering Consultants, Inc. on behalf of the owner Kenneth R. Smith of K. R. Smith Holdings, LLC for a Specific Use Permit for Commercial Amusement/Recreation (Outside) to allow a baseball training facility to be constructed on a six (6) acre tract of land identified as Tract 4-07 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 By-Pass Corridor Overlay (SH-205 BY-OV) District, located on the north side of Airport Road west of the intersection of Airport Road and John King Boulevard, and take any action necessary. (2nd Reading)

- Ord_2nd Reading 38
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P2015-019 - Consider approval of a request by Harold Fetty of H. D. Fetty Land Surveyor, LLC on behalf of the owner Doug Utley for the approval of a final plat for Lots 1 & 2, Block A, Utley Addition 4.49-acre parcel of land currently identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 2.0 (SFE-2.0) District, situated within the SH-205 By-Pass Overlay (SH 205 BY-OV) District, addressed as 1751 & 1815 E. Old Quail Run Road, and take any action necessary.

Case Memo (P2015-019) 44

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P2015-020 - Consider approval of a request by Caprice Michelle of Rockwall Rustic Ranch, LLC for the approval of a replat for Lot 1, Block A, Rockwall Rustic Ranch Addition being a 0.53-acre parcel of land currently identified as Lot B, Block 123, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 406 N. Goliad Street, and take any action necessary.

Case Memo (P2015-020) 51

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P2015-027 - Consider approval of a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Dr. Umar Burney of the North Dallas Rockwall Land Investors, LLC for the approval of a replat for Lot 3, Block A, Ridge/Summer Lee Addition being a replat of 1.6121-acre tract of land identified as Lot 2, Block A, Ridge/Summer Lee Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, located at the southwest corner of the intersection of Oak Drive and Summer Lee Drive, and take any action necessary.

Case Memo (P2015-027) 57

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P2015-028 - Consider approval of a request by David Greer of Bannister Engineering on behalf of Ben McMillian of Ben McMillian Properties, LLC for the approval of a replat for Lot 1, Block A, Hazel and Olive Addition being a 0.421-acre tract of land composed of two (2) parcels of land identified as Block 19A & 19B, Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, addressed as 503 N. Goliad Street [SH-205], and take any action necessary.

Case Memo (P2015-028) 62

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Consider authorizing the expenditure of funds from insurance claim proceeds in the amount of $195,955.00 to make needed repairs at the Harbor boat docks and a contingency fund of $10,000 from insurance claim proceeds, and take any action necessary.

Bellingham Memo 70

Repair Agreement 71

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Consider authorizing the city manager to enter into an agreement for the purchase of upgrades to the recreation facility and reservation system software in the amount of $18,764.62 to be funded by Recreational Development Funds, and take any action necessary.

Memo . . . 77
Services Agreement . . . 78
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Consider authorizing the city manager to execute a contract with Binkley & Barfield, Inc. to perform the engineering design services for the Greencrest Drive Water Line Replacement Project in the amount of $49,070 to be funded out of the 2008 water and sewer revenue bonds, and take any action necessary.

City Manager Memo . . . 90
Engineering Design Services Contract . . . 92
Location Map . . . 104
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Z2015-016 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Stacey McVey of Double Eagle Properties on behalf of the owner 308 ON 276 LP for a zoning change from an Light Industrial (LI) District to a Planned Development District for Single Family 10 (SF-10) and General Retail (GR) District land uses, on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the northeast corner of the intersection of Rochelle Road and SH-276, and take any action necessary. (1st Reading)

Memorandum (Z2015-016) . . . 106
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Z2015-014 - Discuss and consider approval of an ordinance for a request by Cole Franklin of the Skorburg Company on behalf of the owner of the Lonnie Gideon Estate for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 29.192-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of the intersection of E. Quail Run Road and John King Boulevard, and take any action necessary. (2nd Reading)

Ord_2nd reading (Skorburg) . . . 108
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Discuss and consider approval of an ordinance adding Sections 26-290 to 260-296 "Operation of Golf Carts" to Chapter 26. Motor Vehicles and Traffic, Article IV. Bicycles, Golf Carts and Play Vehicles, Division 5 of the Municipal Code of Ordinances to authorize the operation of golf carts within the city limits, and take any action necessary. (1st reading)

Memo_Ord (Golf carts) draft . . . 121
Edited Draft Ord . . . 122

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Discuss and consider the provisions of Chapter 12. Businesses & Sales, Article XII. Ambulance Service of the Code of Ordinances, and take any action necessary.
Memo_Pruitt item . . . 129
ambulance excerpt from code . . . 130
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Discuss and consider animal surrender policies at the Rockwall Animal Adoption Center, and take any action necessary.
Memo_animal surrenders . . . 132
Blank Page . . . 133
Discuss and consider approval of a policy for the construction of structures, including a dock deck, fixed pier or boathouse within Lake Ray Hubbard for properties eligible to lease the Lake Ray Hubbard Takeline adjacent to the property, and take any action necessary.
Memorandum . . . 134
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Discuss and consider citywide roadway / thoroughfare planning, and take any action necessary.
Thoroughfare Planning . . . 137
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Building Inspections Monthly Report - May 2015
May 2015 Building Report . . . 146
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Fire Dept. Monthly Reports - May 2015
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Harbor PD Monthly Report - May 2015
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Rockwall Animal Adoption Center Monthly Report - May 2015
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AGENDA
ROCKWALL CITY COUNCIL
Monday, July 06, 2015
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

1. Hold Work Session to discuss the Public Outreach Action Plan for reconstruction of South Lakeshore Drive/Summit Ridge Drive from SH 66 to FM 740, and take any action necessary.
2. Hold Work Session to discuss potential regulations regarding the use and operation of golf carts, and take any action necessary.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)
2. Discussion regarding Agreement for Municipal Court Judge pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney)
3. Discussion regarding purchase or lease of real property / land acquisition in the north part of the city for municipal purposes pursuant to Section § 551.072 (Real Property).
4. Discussion regarding possible development-related legal claim in the vicinity of Bourne Street pursuant to Section 551.071 (Consultation with Attorney)
5. Discussion regarding the city's concession agreement with Suntex Marina / Suntex RHCL Marina, LLC pursuant to Section § 551.071 Consultation with Attorney)
6. Discussion regarding possible legal claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)
7. Discussion regarding status of Rockwall Harbor Landing, Inc. vs. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney).
8. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission and Board of Adjustments pursuant to Section 551.074 (personnel matters)

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, July 06, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER HOHENSHELT

VIII. OPEN FORUM

IX. CONSENT AGENDA

p.17 **1.** Consider approval of the minutes from the June 15, 2015 regular city council meeting, and take any action necessary.

p.33 **2.** **Z2015-018** - Consider approval of an **ordinance** for a request by Herman Douglas Utley for a zoning change from a Single Family Estate 2.0 (SFE-2.0) District to a Single Family Estate 1.5 (SFE-1.5) District for a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 2.0 (SFE-2.0) District, situated within the SH-205 By-Pass (SH-205 BY OV) District, addressed as 1815 E. Old Quail Run Road, and take any action necessary. **(2nd Reading)**

p.38 **3.** **Z2015-017** - Consider approval of an **ordinance** for a request by Jonathan Hake of Cross Engineering Consultants, Inc. on behalf of the owner Kenneth R. Smith of K. R. Smith Holdings, LLC for a Specific Use Permit for Commercial Amusement/Recreation (Outside) to allow a baseball training facility to be constructed on a six (6) acre tract of land identified as Tract 4-07 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 By-Pass Corridor Overlay (SH-205 BY-OV) District, located on the north side of Airport Road west of the intersection of Airport Road and John King Boulevard, and take any action necessary. **(2nd Reading)**

p.44 **4.** **P2015-019** - Consider approval of a request by Harold Fetty of H. D. Fetty Land Surveyor, LLC on behalf of the owner Doug Utley for the approval of a final plat for Lots 1 & 2, Block A, Utley Addition 4.49-acre parcel of land currently identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 2.0 (SFE-2.0) District, situated within the SH-205 By-Pass Overlay (SH 205 BY-OV) District, addressed as 1751 & 1815 E. Old Quail Run Road, and take any action necessary.

p.51 **5.** **P2015-020** - Consider approval of a request by Caprice Michelle of Rockwall Rustic Ranch, LLC for the approval of a replat for Lot 1, Block A, Rockwall Rustic Ranch Addition being a 0.53-acre parcel of land currently identified as Lot B, Block 123, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 406 N. Goliad Street, and take any action necessary.

p.57 **6.** **P2015-027** - Consider approval of a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Dr. Umar Burney of the North Dallas Rockwall Land Investors, LLC for the approval of a replat for Lot 3, Block A, Ridge/Summer Lee Addition being a replat of 1.6121-acre tract of land identified as Lot 2, Block A, Ridge/Summer Lee Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, located at the southwest corner of the intersection of Oak Drive and Summer Lee Drive, and take any action necessary.

p.62 **7.** **P2015-028** - Consider approval of a request by David Greer of Bannister Engineering on behalf of Ben McMillian of Ben McMillian Properties, LLC for the approval of a replat for Lot 1, Block A, Hazel and Olive Addition being a 0.421-acre tract of land composed of two (2) parcels of land identified as Block 19A & 19B, Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, addressed as 503 N. Goliad Street [SH-205], and take any action necessary.

p.70 **8.** Consider authorizing the expenditure of funds from insurance claim proceeds in the amount of $195,955.00 to make needed repairs at the Harbor boat docks and a contingency fund of $10,000 from insurance claim proceeds, and take any action necessary.

p.77 **9.** Consider authorizing the city manager to enter into an agreement for the purchase of upgrades to the recreation facility and reservation system software in the amount of $18,764.62 to be funded by Recreational Development Funds, and take any action necessary.

p.90 **10.** Consider authorizing the city manager to execute a contract with Binkley & Barfield, Inc. to perform the engineering design services for the Greencrest Drive Water Line Replacement Project in the amount of $49,070 to be funded out of the 2008 water and sewer revenue bonds, and take any action necessary.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

XI. PUBLIC HEARING ITEMS

p.106 **1.** **Z2015-016** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Stacey McVey of Double Eagle Properties on behalf of the owner 308 ON 276 LP for a zoning change from an Light Industrial (LI) District to a Planned Development District for Single Family 10 (SF-10) and General Retail (GR) District land uses, on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the northeast corner of the intersection of Rochelle Road and SH-276, and take any action necessary. **(1st Reading)** ***(postponed due to P&Z Commission tabling)***

XII. ACTION ITEMS

p.108 **1.** **Z2015-014** - Discuss and consider approval of an **ordinance** for a request by Cole Franklin of the Skorburg Company on behalf of the owner of the Lonnie Gideon Estate for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 29.192-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of the intersection of E. Quail Run Road and John King Boulevard, and take any action necessary. **(2nd Reading)**

p.121 **2.** Discuss and consider approval of an **ordinance** adding Sections 26-290 to 260-296 "Operation of Golf Carts" to Chapter 26. Motor Vehicles and Traffic, Article IV. Bicycles, Golf Carts and Play Vehicles, Division 5 of the Municipal Code of Ordinances to authorize the operation of golf carts within the city limits, and take any action necessary. **(1st reading)**

p.129 **3.** Discuss and consider the provisions of Chapter 12. Businesses & Sales, Article XII. Ambulance Service of the Code of Ordinances, and take any action necessary.

p.132 **4.** Discuss and consider animal surrender policies at the Rockwall Animal Adoption Center, and take any action necessary.

p.134 **5.** Discuss and consider approval of a policy for the construction of structures, including a dock deck, fixed pier or boathouse within Lake Ray Hubbard for properties eligible to lease the Lake Ray Hubbard Takeline adjacent to the property, and take any action necessary.

p.137 **6.** Discuss and consider citywide roadway / thoroughfare planning, and take any action necessary.

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

p.146 Building Inspections Monthly Report - May 2015

p.158 Police Department Monthly Report - May 2015
Fire Dept. Monthly Reports - May 2015 p.161
p.179 Harbor PD Monthly Report - May 2015
Internal Operations Department Monthly Report - May 2015 p.181
p.185 Recreation Monthly Report - May 2015
Rockwall Animal Adoption Center Monthly Report - May 2015 p.187

2. City Manager's Report

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)

2. Discussion regarding Agreement for Municipal Court Judge pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney)

3. Discussion regarding purchase or lease of real property / land acquisition in the north part of the city for municipal purposes pursuant to Section § 551.072 (Real Property).

4. Discussion regarding possible development-related legal claim in the vicinity of Bourne Street pursuant to Section 551.071 (Consultation with Attorney)

5. Discussion regarding the city's concession agreement with Suntex Marina / Suntex RHCL Marina, LLC pursuant to Section § 551.071 (Consultation with Attorney)

6. Discussion regarding possible legal claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)

7. Discussion regarding status of Rockwall Harbor Landing, Inc. vs. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney).

8. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission and Board of Adjustments pursuant to Section 551.074 (personnel matters)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVI. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 2nd day of July, 2015 at 7:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary Date Removed

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **July 1, 2015**

SUBJECT: **South Lakeshore Drive/Summit Ridge Drive Roadway Reconstruction Project**

Staff has completed reviewing the Request for Qualifications for the Roadway Reconstruction Project for South Lakeshore Drive/Summit Ridge Drive from S.H. 66 to FM 740. Staff has chosen Kimley-Horn and Associates, Inc. to perform the engineering design services for this roadway reconstruction project. Prior to establishing the scope of services for engineering design of this reconstruction project, staff needs to consider important issues related to roadway width, potential sidewalk issues and traffic calming features along the entire stretch of the roadway.

Staff has been discussing the approach of gathering this information with representatives from Kimley-Horn and Associates, Inc. related to obtaining a better define scope prior to proceeding with the engineering design. Attached is a proposed Public Outreach Action Plan prepared by the engineer to acquire this needed information.

Staff would like to discuss this process during the City Council work Session.

TMT:em

Attachment:

Cc:
Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
Jeremy White, Civil Engineer
Billy Chaffin, Superintendent of Streets and Drainage
File

Kimley»Horn

Public Outreach Action Plan

To: Jeremy M. White, P.E., CFM
Engineering Department - Civil Engineer

From: Brad Tribble, P.E.
Kimley-Horn

Date: June 1, 2015

PROJECT OVERVIEW

On May 20, 2015, the City of Rockwall discussed with Kimley-Horn the development of a plan regarding public outreach in preparation of roadway improvements slated for design along Summit Ridge Drive and South Lakeshore Drive.

Below is the description of the plan developed during the initial discussion and subsequent revisions:

TRAFFIC COUNTS

Kimley-Horn will coordinate the collection of traffic volume information along the following lengths of roadway:

- Along South Lakeshore Drive, south of Stillwater Drive and north of Shoretrail Drive.
- Along Summit Ridge Drive, east of Spring Creek Drive and west of South Alamo Drive.

- Collected information will include volume and speed data.
- Kimley-Horn will notify City of location and dates in which data will be collected.

PUBLIC INPUT SURVEYS

Kimley-Horn will develop hard copy and electronic survey questionnaires for distribution to residences located along the study corridor:

- Hard Copy Questionnaire Survey
  - Mutually develop questions for survey with City staff.
  - Format and develop questionnaire document.
  - The questionnaire will state that the survey responses can be provided on the hard copy form provided and returned to the City or follow the link provided to submit their input electronically.
  - Provide document to City for review.
- Electronic Questionnaire Survey
  - Create electronic questionnaire using an electronic medium (i.e. Survey Monkey, Google Forms, etc.)

- Questionnaire will include all questions verbatim to hard copy questionnaire.

- Develop notification for distribution to residents within the study area.
  - Provide notification document to City for review.
  - Provide the City hard copies of the mailer survey and/or door hangers
  - City to manage distribution of mailer survey and/or door hangers.
  - Notification document to include URL for those who choose to respond electronically
  - Written and electronic surveys will request respondents to provide their email addresses for the City's use for subsequent notifications and announcements (including the proposed Public Meeting).
- Collect and summarize responses, provide summary to City.

PUBLIC MEETING

Kimley-Horn will provide the following:

- Notify residences of public meeting
  - Medium of message delivery to be determined based on residence response to questionnaire survey.
- Prepare for public meeting
  - City staff to determine meeting time and arrange location.
  - Prepare aerial map exhibits including addresses and property lines.
  - Prepare PowerPoint presentation.
  - Prepare handouts and comment cards for distribution.
- Facilitate public meeting
- Collect and summarize comment responses, provide summary to City.

NEXT STEPS IN PROJECT DEVELOPMENT

Upon completion of the above plan, Kimley-Horn, in partnership with City staff, will develop scope and fee based on resident feedback regarding project concerns.

CLOSING

On behalf of the entire Kimley-Horn team, we sincerely appreciate the opportunity to serve you and the City on such an important outreach initiative. Please do not hesitate to contact me at (214) 420-5600 or Brad.Tribble@kimley-horn.com should you have any further questions or comments.

Sincerely,

Brad Tribble, P.E.
Project Manager

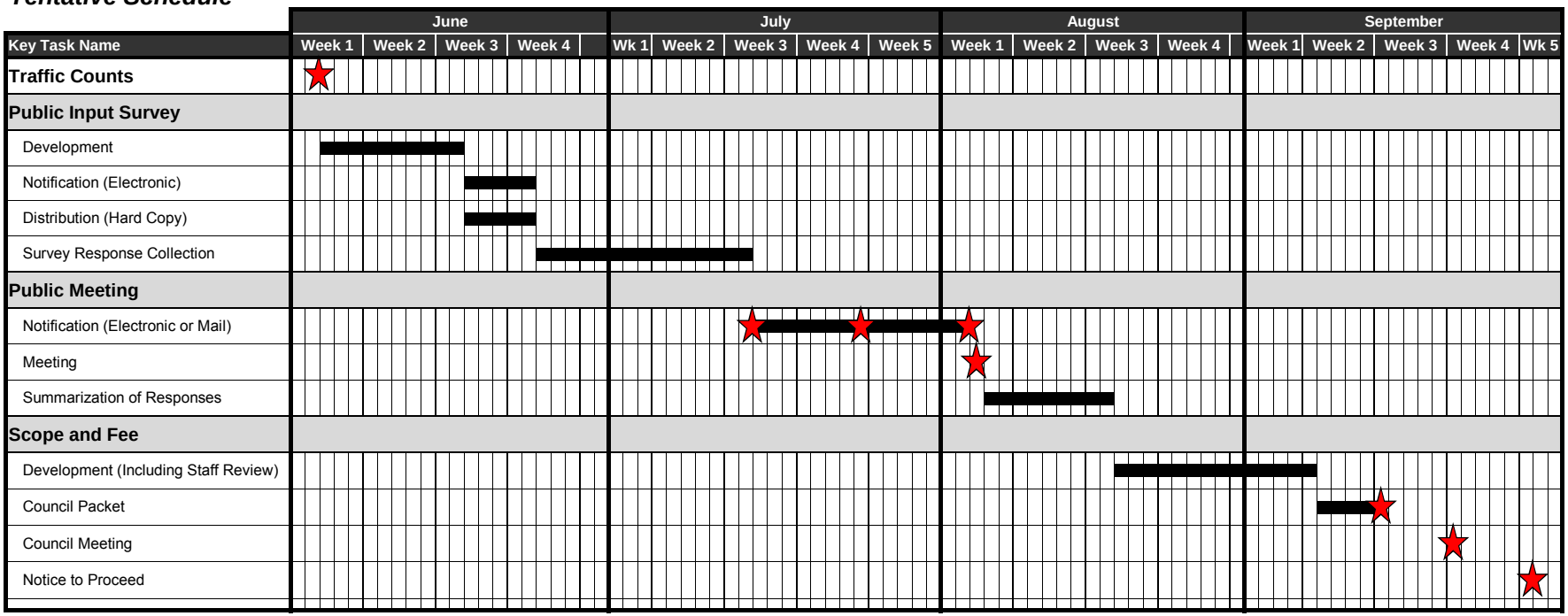
DRAFT

Public Outreach Action Plan

City of Rockwall - Summit Ridge / South Lakeshore Drive

Kimley»Horn

Tentative Schedule



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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

SUBJECT: **Work Session re: golf carts**

DATE: **July 2, 2015**

The topic of 'golf carts' use was discussed at the June 15 city council meeting. At that time, Council directed staff to schedule a work session on this topic before possibly moving forward with adoption of an ordinance. This requested work session agenda item has been included on the July 6 meeting agenda, as well as a related Action Item. The Action Item contains a draft ordinance from City Attorney Frank Garza.

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MINUTES
ROCKWALL CITY COUNCIL
Monday, June 15, 2015
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, and City Council Members David White, Mike Townsend, Scott Milder, Kevin Fowler and John Hohenshelt. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs, and City Attorney Frank Garza. Mayor Pro Tem Dennis Lewis was absent.

II. WORK SESSION

1. Hold a work session to discuss Rockwall County Thoroughfare Planning update and the status of SH 205 Planning and take any action necessary.

Mayor Pruitt called forth Public Works Director, Tim Tumulty, to hear an update from him regarding this item. Mr. Tumulty stated that the Rockwall County Road Consortium has been updating the master thoroughfare plan and handed out copies of their draft update to council. Mr. Tumulty explained that he and City Manager Rick Crowley have a meeting the following day after the meeting with Rockwall County and their consultants, Innovative Transportation Solutions, Inc. (ITS), to discuss suggestions from the city. He went on to explain some of the concerns and suggestions that would be proposed so that their thoroughfare plan matches what the city's currently shows.

Staff reviewed the document and proposed some changes to the plan. The section of FM 3097 from Tubbs Road to FM 549 was left as a two lane roadway and should match the four lane divided road shown from FM 740 to Tubbs Road. The section of FM 3097 from IH 30 to FM 740 needs to reflect a four lane undivided as it is today. FM 549 from SH 276 to FM 3097 shows it to be a six lane divided thoroughfare. There is a question regarding if it needs to be a six lane or four lane road from SH 205 to FM 3097. FM 3549 shows to be a four lane divided road from IH 30 to the north city limits line. John King Boulevard is shown as a six lane thoroughfare. FM 552 from SH 205 to our east city limits has been reduced from a six lane divided roadway to a four lane divided roadway. SH 66 from John King Boulevard to our east city limits line has been reduced from a six lane divided thoroughfare to a four lane divided roadway. This map also shows SH 205 from downtown Rockwall to John King Boulevard reduced to a four lane divided roadway. SH 276 from SH 205 to our east City limits line remains a six lane divided thoroughfare.

Councilmember David White stated that the one project he is most concerned about is the north 205 project and felt that the city has made it clear what they would like to see. General discussion and statements from City Manager Rick Crowley took place, and there was no further action concerning this work session discussion item.

2. Hold work session to discuss IH-30 ramp addition (near Ridge Road) and other roadway improvements, and take any action necessary.

City Manager Rick Crowley gave brief background information on this work session item and explained that the I-30 ramp near Ridge Road is an onramp that would occur prior to Horizon Drive. He thinks that it's a project that has previous funding authorization from the city. Mr. Crowley stated that there are concerns about the cost of the engineering of the project and that the city will be looking at more cost effective alternatives.

The other project associated with this agenda item is primarily Rochelle Road. Council has communicated with several residents of the City of Fate and the City of Rockwall, as well as the school district. Mr. Crowley went on to say that the road is in poor condition and that he estimates the improvements would be around $400K dollars. He indicated that this amount happens to be the amount that the county would be able to help with and that if the council will consider the funds from the county, the project could move forward.

Mr. Crowley went on to say that a couple of things to keep in mind are that the proposed amount would not result in the ultimate road improvements being made for that stretch of Rochelle Rd., but it would improve it enough to make it a safer road for the residents and the school district. The project could be promising if the City of Fate would agree to do their portion of the road and Rockwall do their own with the help of the county funding. Hehe stated he would like to get council feedback on their thoughts.

Councilmember David White explained that he felt none of the projects on Rochelle Rd. would benefit the citizens of the City of Rockwall, and he would rather spend the money on a city project in the city limits. He went on to state that eventually future developers would improve the road.

Councilmember Hohenshelt asked if the $400K being proposed would only get the road to a base function. Mr. Tumulty answered the question by giving council the various improvements that would take place such as cement and asphalt, explaining these would not accommodate heavy trucks. Mr. Crowley added that the City of Fate is planning to budget for their cost in the upcoming budget year.

Councilmember Milder indicated that he was in support of partnering with other agencies for a mutual benefit.

Councilmember Townsend asked if a future developer came through, would the improvements made to the road with the $400K dollars have to be redeveloped. City Engineer Tim Tumulty indicated that they would more than likely tear out the road and re-develop it at that point. Councilmember Townsend went on to express that he would hate for the city to pay the money for a temporary road, only to see it get torn out later for future development.

Councilmember Hohenshelt made a motion to direct staff to pursue discussion with the county and City of Fate regarding the usage of $400K of funds on Rochelle Rd. with the contingency that if the land east of Rochelle Rd. is purchased that those funds would not be spent. Councilmember Townsend seconded the motion, which passed by a vote of 5 in favor with 1 against (White).

3. Hold work session with the Parks & Recreation Advisory Board to discuss and consider Parks and Recreation Business Plan Strategic Initiatives, and take any action necessary.

Mayor Pruitt called forth Parks and Recreation Board President, Brad Bassett, to hear a presentation concerning this item.

Mr. Bassett started by introducing Park Board members present - Bob Lewis, Larry Denny, and Ray Harton. He then went on to state that the strategic initiatives proposed were unanimously approved by the board, and he went on with the presentation.

Councilmember Townsend and Milder expressed ideas of developing the city's website in the future and possibly having a full-time, in house marketing staff person to further the development of these projects. City Manager Rick Crowley indicated that nothing like that has been budgeted as of right now, thiswould be open to suggestions at a later date.

Councilmember Townsend made a motion to approve the strategic direction of the Parks & Recreation board as presented. Councilmember White seconded the motion. The motion passed unanimously of council present (Lewis absent).

Councilmember Townsend made another motion to direct staff to purchase the proposed software with a budget amendment. Councilmember Milder seconded the motion. The motion passed unanimously of council present.

Following Work Session item #3, the city council recessed into Executive Session. Mayor Pruitt read the following discussion items into the public record for discussion. The public meeting was recessed at 5:04 p.m.

III. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the city's concession agreement with Suntex Marina / Suntex RHCL Marina, LLC pursuant to Section § 551.071 (Consultation with Attorney)
2. Discussion regarding possible legal claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding purchase or lease of real property / land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).
4. Discussion regarding status of Rockwall Harbor Landing, Inc. vs. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney).
5. Discussion regarding Eclipse Fitness LLC and DRZW Holdings LTD vs. City of Rockwall, Texas pursuant to Section 551.071 (Consultation with Attorney).
6. Discussion regarding possible development-related legal claim in the vicinity of Bourne Street pursuant to Section 551.071 (Consultation with Attorney)
7. Discussion regarding appointment of city council subcommittees and board liaisons pursuant to Section, §551.074 (Personnel Matters).

IV. ADJOURN EXECUTIVE SESSION

Executive Session adjourned at 5:57 p.m.

V. RECONVENE PUBLIC MEETING

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all councilmembers present with the exception of Mayor Pro-Tem Lewis, who was absent.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TOWNSEND

Councilmember Townsend delivered the invocation and led the Pledge of Allegiance.

VIII. OPEN FORUM

Mayor Pruitt explained how this portion of the meeting is conducted and asked if anyone would like to come forth and speak during this time.

Forrest Fenwick
2715 Promenade Harbor
Rockwall, TX 75087

Ms. Fenwick brought materials to pass out to council regarding takeline maintenance and concerns. Ms. Fenwick went on to state that she has general concerns that shortly after the homes that were built in 2004, the City of Rockwall began maintenance of a small meadow area including mowing. Over the years the mowing has been kept up, but the maintenance of the area under the trees has not been done. Beyond that, she has more concerns about snakes in that area. She went on to ask that these areas continue to be kept up to avoid this problem. She then thanked council for their time to hear her concerns.

Charles Miller
821 Zion Hill Circle
Rockwall, TX 75087

Mr. Miller came forth to express concerns about the pot holes on the 549/Hwy 30 access road. City Manager Rick Crowley clarified that those areas are state roadways. Mr. Miller then urged the city to suggest to the appropriate authorities that the problem be fixed. Mayor Jim Pruitt thanked Mr. Miller for his comments and mentioned that a city staff member would be following up with him the next day regarding these concerns.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the June 1, 2015 regular city council meeting, and take any action necessary.

2. P2015-022 - Consider a request by Mike Whittle on behalf of Rockwall Rental Properties, LP for the approval of a replat for Lot 11 & 12, Block 2, Alliance Addition, Phase 2 being a 1.420-acre parcel of land currently identified as Lots 1 & 10, Block 2, Alliance Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District

57 (PD-57) for Commercial (C) District land uses, addressed as 6505 & 6525 FM-3097, and take any action necessary.

Councilmember White made a motion to approve all Consent Agenda items (#1 and 2). Councilmember Milder seconded the motion. The motion passed unanimously of council present (Lewis absent).

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Craig Renfro, Chair of the Planning & Zoning Commission, came forth and briefed the city council on recommendations of the Commission relative to items on tonight's city council meeting agenda. The council took no action concerning this agenda item.

2. Appointment with Mr. Jack Youngkin to hear about the "International Campaign for Compassionate Cities" and to discuss and consider approval of a resolution affirming the "Charter for Compassion," and take any action necessary.

Mayor Jim Pruitt first noted that this item has nothing to do with Section 8 housing in any way. He then called Jack Youngkin forward to hear a presentation regarding this item. Mr. Youngkin started by introducing his colleague, Dr. Charles Barker, who is also a board member of the Richardson Interfaith Alliance. Mr. Youngkin then proceeded with a presentation regarding the program. Dr. Barker then came forward to give a brief background of the proposed charter and adoption of the initiative.

Councilmember Townsend expressed concerns regarding what the city's role would be and thinks that we can change an atmosphere, and city and people's hearts and minds, but that we don't necessarily need government to do it. He believes that government will change when people change and added that he would like to see actions come from the citizens out in the community itself.

No formal action was taken on this item.

3. Appointments to hear concerns related to city ordinance regulations contained in Chapter 6, Article VI, Sec. 6-162(b) (regarding the prohibition of owning or keeping chickens, ducks, turkeys, geese, peacocks, or guinea hens within the corporate limits of the city except in agricultural zoned districts), and take any action necessary.

a) Paul and Leah Freese,

943 Lexington Drive, Rockwall, TX

Mayor Jim Pruitt called upon Mr. & Mrs. Freese to hear their concerns on this item. Mrs. Freese gave a short presentation in favor of amending the current city ordinance to allow for chickens in the city limits.

b) Mike Dean,

947 Lexington Drive, Rockwall, TX

Mr. Dean came forward in opposition of any change to the ordinance.

c) Brent Polunsky,

955 Lexington Drive, Rockwall, TX

Mr. Polunsky came forward as the Turtle Cove HOA President in opposition of allowing any changes to the current ordinance prohibiting chickens.

d) Sharon Worthy – **Ms. Worthy was not able to attend the meeting.**

e) Ben Weible,

215 Trout Street, Rockwall, TX

Mr. Weible came forward in support of possibly changing the current ordinance, expressing that this particular issue should be taken to the Turtle Cove HOA.

Thomas Gaili – Came forward in opposition of changing the ordinance.
645 Stafford Circle
Rockwall, TX 75087

Gina Celii – Came forward in opposition of changing the ordinance.
667 Turtle Cove Blvd.
Rockwall, TX 75087

Candace Jefcoat – Came forward in opposition of changing the ordinance.
3115 Lakeside Drive
Rockwall, TX 75087

Roman Linane – Came forward in support of changing the ordinance.
919 Lexington Drive
Rockwall, TX 75087

Nathan Sellers – Came forward in support of changing the ordinance.
4053 Bass Rd.
Rockwall, TX 75032

Nell Welborn – Came forward in opposition of changing the ordinance.
810 Lake Meadows Circle
Rockwall, TX 75087

Jay Bedford – Came forward in opposition of changing the ordinance.
301 N. Alamo
Rockwall, TX 75087

Bree McClusky – Came forward in support of changing the ordinance.
4053 Bass Rd.
Rockwall, TX 75032

Heather Canun – Came forward in support of changing the ordinance.
784 Berrymore Drive
Rockwall, TX 75087

Councilmember White expressed that he would be in favor of a possible change.

Councilmembers Milder and Mayor Pruitt expressed that they have concerns regarding what sized lot would be allowed to have chickens if the ordinance is changed.

Councilmember Hohenshelt asked City Attorney, Frank Garza, a question regarding if the HOA already had a regulation prohibiting chickens, and the city changed it, could the HOA still prohibit them. Mr. Garza informed council that the HOA could indeed still prohibit chickens in their subdivision.

General discussion took place, and no action was taken.

4. Appointment with Chris Johnson to discuss changes to the Unified Development Code that would allow the operation of a Portable Beverage or Food Service Facility under a Specific Use Permit, and take any action necessary.

Indication was given that Councilmember Milder would be recusing himself from this item.

Mayor Pruitt called Mr. Johnson forth to speak on this item. Mr. Johnson generally expressed that he would like to request a variance to be able to operate a food truck longer that 150 days at 803 N. Goliad Street, which is Councilmember Milder's lot. He explained that Councilmember Milder has granted him permission for use of this property. He went further to explain that the menu and type of food being served hasn't been decided on yet. He would also like to partner with the Rockwall High School Culinary program to give some of the students an opportunity to work in this venue and that they would be giving a portion of profits to the RHS Culinary Program. He gave examples of what the trailer would look like and expressed that there would be paving, tables and umbrellas for seating as well as some possible outdoor games such as horseshoes.

Planning and Zoning Director, Robert LaCroix, explained that if the item comes back at direction of council, there would be an ordinance change, and the SUP chart would also change.

Councilmember White made a motion to send the item back to modify the UDC for the operation of a portable food facility, with the exception of the requested timeframe with the stipulation that the timeframe could be extended if needed. Councilmember Townsend seconded the motion. The motion passed by a vote of 4 ayes, 1 against (Pruitt), 1 abstention (Milder) and 1 absent (Lewis).

5. Appointment with representative(s) of Core Adventure Sports to discuss and consider entering into a contract with the City for the purpose of providing Stand-up Paddle Board services within the take line lease area at The Harbor and the SH 66 Public Boat Ramp, and take any action necessary.

Mayor Pruitt called forth Dean People and Stephanie Olsen to speak on this item. Mr. People gave a brief update on his company and its vision.

Mayor Pruitt expressed general concern about the area at the SH 66 Boat Ramp because he feels that ramp is not a park and is specifically used as a boat ramp only.

Councilmember Milder stated that he would be in favor of this activity being offered to citizens but shares Mayor Pruitt's thought that it should not be allowed at the SH 66 Boat Ramp.

Councilmember Milder made a motion to enter into a contract with Core Adventure Sports for the purpose of providing Stand-up Paddle Board services in the takeline lease area at The Harbor. Councilmember White seconded the motion, which passed unanimously of council (Lewis absent).

XI. PUBLIC HEARING ITEMS

1. **Z2015-017** - Hold a public hearing to discuss and consider a request by Jonathan Hake of Cross Engineering Consultants, Inc. on behalf of the owner Kenneth R. Smith of K. R. Smith Holdings, LLC for the approval of an **ordinance** for a Specific Use Permit for Commercial Amusement/Recreation (Outside) to allow a baseball training facility to be constructed on a six (6) acre tract of land identified as Tract 4-07 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 By-Pass Corridor Overlay (SH-205 BY-OV) District, located on the north side of Airport Road west of the intersection of Airport Road and John King Boulevard, and take any action necessary **[1st Reading].**

Planning Director Robert LaCroix gave a brief history of this item and provided a site plan to council. He stated that the complex is intended for select team training. One of the concerns expressed is related to the lighting at the complex. The applicant did indicate they would use a max height of 50 feet on the light poles. They have also made arrangements to get their FFA clearance.

Mayor Pruitt opened the public hearing and asked if anyone would like to come forth and speak.

Kenneth Smith
3888 N. SH 205
Rockwall, TX

Kenneth Smith came forth to speak on this item and explained his vision for this facility. He indicated it would be a two story building with a workout area, arcade, concession stand and pro shop. He further explained that it would include a turf field.

Following public comment, Councilmember Townsend made a motion to approve the SUP for Commercial Amusement/Recreation for a baseball training facility. Councilmember White seconded the motion, which passed unanimously of council (Lewis absent). The ordinance was read as follows:

ORDINANCE NO. 15-18
SPECIFIC USE PERMIT NO. S-138

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) ALLOWING FOR A COMMERCIAL AMUSEMENT/RECREATION FACILITY (OUTDOOR) AND MORE SPECIFICALLY A BASEBALL TRAINING FACILITY, WITHIN A COMMERCIAL (C) DISTRICT, BEING A SIX (6) ACRE TRACT OF LAND IDENTIFIED AS TRACT 4-07 OF THE N. BUTLER SURVEY, ABSTRACT NO. 20, AND GENERALLY LOCATED ON THE NORTHWEST QUADRANT OF AIRPORT ROAD AND JOHN KING BOULEVARD, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND AS DEPICTED IN EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

2. **Z2015-018** - Hold a public hearing to discuss and consider a request by Herman Douglas Utley for the approval of an **ordinance** for a zoning change from a Single Family Estate 2.0 (SFE-2.0) District to a Single Family Estate 1.5 (SFE-1.5) District for a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 2.0 (SFE-2.0) District, situated within the SH-205 By-Pass (SH-205 BY OV) District, addressed as 1815 E. Old Quail Run Road, and take any action necessary. **[1st Reading]**

Planning Director Robert LaCroix gave a brief history on this item. He indicated that notices went out to adjacent property owners, but none have been received back.

Mayor Pruitt opened the public hearing and asked if anyone would like to come forth and speak. Seeing no one, he closed the public hearing.

Councilmember Townsend made a motion to approve Z2015-018. Councilmember Milder seconded the motion, which passed unanimously of council. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT TO A SINGLE-FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT FOR A 4.502-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE S. R. BARNES SURVEY, ABSTRACT NO. 13, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

XII. ACTION ITEMS

1. MIS2015-002 - Discuss and consider a request by David Smith of the Rockwall Housing Development Corporation for the approval of a special exception to allow a manufactured home for the purpose of providing emergency housing on a 0.27-acre parcel of land identified as Lot 984A of Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, addressed as 112 Chris Drive, and to consider a city initiated request for the approval of a special exception to allow for manufactured homes for the purpose of providing emergency housing on other lots currently owned by the City of Rockwall, zoned Planned Development District 75 (PD-75) [Ordinance No. 09-37], located within the Lake Rockwall Estates Subdivision, and take any action necessary.

City Manager Rick Crowley gave council a brief update on the status of the homes in the Lake Rockwall Estates area that recently flooded. He explained that, of the four residents that receive funding, one other property owner owns several lots but has not come to terms with if he is able to move back into the home. He is getting help from Helping Hands. Other homeowners have stated that they do not have a desire to return to their homes.

Fire Chief Mark Poindexter stated that the water had subsided a great deal, but it is still too deep, so the road remains closed at this time. There is potential for more flooding in the coming days with the future weather forecast.

The applicant, David Smith of RHDC, came forward to speak on this item and update council on the condition of the current homes. He stated that there are still two homeowners that are displaced and understand their homes were located in a flood plain. They are currently living at the Super 8 Motel short-term. Mr. Smith asked council to authorize the City Manager's office to send the designated organization a letter so that the families can be placed in better homes.

Mayor Pruitt asked what would happen to the trailer homes, if approved, after they are no longer needed.

City Manager Rick Crowley stated that he believed the city could find a spot on city land to park them after they are no longer being used as well as find a spot for them to go when the families move in.

Mr. Smith explained that the private corporation has a financing period that will take 60-90 days along with a planning period and a construction phase. FEMA also has the stipulation that the trailers be owned for at least 18 months by the municipality.

Councilmember Townsend made a motion to approve MIS2015-002 and give staff direction to send a letter to ask for the assistance. Councilmember White seconded the motion, which passed unanimously of council.

2. **P2015-021 -** Discuss and consider a request by Jay Bedford of A. J. Bedford Group, Inc. on behalf of the owners G. Kent and Kay Loy Smith for the approval of a final plat for Lots 1-4, Block A, Breezy Hill Estates being a 7.873-acre tract of land identified as Lots 10-13, Breezy Hill (Unrecorded), Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), located on property currently addressed as 575 Breezy Hill Lane, and take any action necessary.

Planning Director Robert LaCroix gave a brief update on this item. He explained that the tract is located on Breezy Hill and is in the city's ETJ. The applicant would like to sell these tracts of land. Two tracts of land would have street frontage access but do not have street front drives. He stated that the Planning & Zoning Commission approved this item.

Mr. A.J. Bedford, 301 N. Alamo Drive, Rockwall, came forth to address council and give a brief update on their intentions with said properties.

Councilmember Townsend made a motion to approve P2015-021. Councilmember Milder seconded the motion. It passed unanimously of council present (Lewis absent).

3. **Z2015-014** - Discuss and consider approval of an **ordinance** for a request by Cole Franklin of the Skorburg Company on behalf of the owner of the Lonnie Gideon Estate for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 29.192-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of the intersection of E. Quail Run Road and John King Boulevard, and take any action necessary. **(1st Reading)**

Mayor Jim Pruitt called representatives forth to deliver a presentation they would like to give.

Cole Franklin with the Skorburg Company came forward to address council and briefly updated council on the intentions for the requested zoning change. He stated that they do not meet the 20% open space requirement, but the proposal does have alternatives included, such as a small park and a swimming pool/amenities center. He explained the benefits of what's being proposed.

Mayor Jim Pruitt called forth two citizens wishing to address council on this item.

John Yingling & Lynelle Yingling
570 E. Quail Run Rd
Rockwall, TX 75087

Mr. and Mrs. Yingling generally expressed concerns with allowing variances and urged the council to please follow the guidelines for the current comprehensive plan as it relates to open space.

Mayor Pruitt asked Mr. LaCroix what the comprehensive plan calls for in this area. Mr. LaCroix explained that in 2007, they took those policies and tried to work them into the code, and council had the ability to take various factors into consideration. It was ultimately decided that the area would call for a mixed use of lots and specificy density.

Nick Grant
1569 E. Quail Run Rd.
Rockwall, TX 75087

Mr. Grant asked that council not approve this item for failure to meet the guidelines of the current comprehensive plan.

Mike Larriviere
1425 E. Quail Run
Rockwall, TX 75087

Mr. Larriviere stated that he is in opposition of this item.

Councilmember White made a motion to approve Z2015-014 to include a playground area. Councilmember Hohenshelt seconded the motion, which passed with 5 ayes, 1 nay (Townsend), and 1 absent (Lewis).

The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-77) FOR SINGLE FAMILY 10 (SF-10) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 29.192-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 1-01 OF THE S. R. BARNES SURVEY, ABSTRACT NO. 13, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

4. Discuss and consider approval of an **ordinance** adding Sections 26-290 to 260-297 "Operation of Golf Carts" to Chapter 26. Motor Vehicles and Traffic, Article IV. Bicycles, Golf Carts and Play Vehicles, Division 5 of

the Municipal Code of Ordinances to authorize the operation of golf carts within the city limits, and take any action necessary. **(1st reading)**

Mayor Pruitt called forth citizens wishing to address council on this item.

Jim Smith & Shirley Smith
609 Amherst
Rockwall, TX

Mr. & Mrs. Smith came forth to address council on proposed revisions to the ordinance. They gave extensive recommendations as specified in an email sent to council in advance of the meeting

Councilmember Fowler felt that having an ordinance with regulations would be too restrictive. Councilmember Milder felt that there should be some regulations related to drivers of golf carts needing to have a valid driver's license.

Councilmember White asked Assistant Chief Riggs if the police department gets very many complaints about reckless driving and younger drivers on golf carts. Chief Riggs indicated that there may be a few calls a year, but they are more specifically about younger drivers in general, not necessarily that they are driving recklessly.

Mayor Pruitt made a motion to table this item for work session discussion before it comes back for an action item and vote. Councilmember Townsend seconded the motion, which passed by a vote of 5 ayes,1 nay (White) and 1 absent (Lewis).

5. Discuss and consider update related to an erosion control project located near 2065 Lake Forest Drive, and take any action necessary.

City Engineer Tim Tumulty gave a brief update and background information on this item, explaining that erosion is slowly moving toward this home and toward the retaining wall near the back part of this property. He indicated that the city is ready to put out an open bid on this project on July 9th. Once bids are returned, staff would look for a direction from council to move forward. He added that the estimated cost of the project would be around $200K.

Councilmember Hohenshelt asked if the resident, Mr. Carol, would be willing to allow access. Mr. Tumulty stated that access through the resident's property would not be possible. No formal action was taken.

6. Discuss and consider the provisions of Chapter 12. Businesses & Sales, Article XII. Ambulance Service of the Code of Ordinances, and take any action necessary.

Mayor Jim Pruitt explained the he doesn't think he and Mayor Pro Tem Lewis are ready to make a recommendation, and since Lewis is absent tonight, he would like to update council in two weeks.

Councilmember White made a motion to table this item until the next regular council meeting. Councilmember Townsend seconded, which passed unanimously of council.

7. Discuss and consider survey results and options related to the city's solid waste collection contract, and take any action necessary.

Assistant City Manager Mary Smith gave a brief update and background information on this item and further expressed that the current vendor, Allied Waste Management, would need to be notified by July 3rd regarding the city's intentions are concerning the contract.

Mr. Rick Bernas of Allied Waste Management stated he would like the opportunity to sit down with the city to negotiate another 5 year extension.

Dick Demien, Progressive Waste
1240 Coastal Drive
Rockwall, TX

Mr. Demien generally explained that he is a competitor of Allied Waste Management and services several other cities in the area. He would like the opportunity to bid for this contract.

Councilmember Milder stated that he feels that the council owes it to the citizens in Rockwall to go out for an RFP to see what the options are.

Mayor Jim Pruitt made a motion to send the letter to Allied to allow for the possibility of an RFP and give them 45 days to talk with staff and come up with a proposal before deciding if the city wants to move forward with the RFP process. This motion failed for lack of a second.

Councilmember Hohenshelt made a motion to go out for competitive bid.

Councilmember Townsend asked City Attorney Frank Garza to clarify the difference between the two motions. Frank Garza stated that a letter has to be sent to notify the current provider that the city is not prepared to stay with the same contract. He then clarified that a letter would need to be sent either way under both motions that were made previously.

Councilmember Milder then made a motion to second Councilmember Hohenshelt's motion to go out for competitive bid. The motion failed by a vote of 3 ayes and 3 nays (Townsend, White, and Pruitt against) with 1 absent (Lewis).

Councilmember Milder made a motion to send the letter to Allied to allow for the possibility of an RFP and give them 45 days to talk with staff and come up with a proposal before deciding if the city wants to move forward with the RFP process. Councilmember David White seconded the motion, which passed by a vote of 4 ayes,2 nays (White and Hohenshelt) and 1 absent (Lewis).

8. Discuss and consider amendments to the natural and/or quarried stone requirement stipulated by the overlay district standards contained in Article V, District Development Standards, of the Unified Development Code, and take any action necessary.

Planning Director Robert LaCroix gave brief background information on this item. He explained the differences between the materials of stone being proposed. He stated that an ordinance would come back before council for future consideration if this item is approved.

Councilmember White made motion to move forward with the ordinance change and recommendations by the Planning and Zoning Commission as presented. Councilmember Townsend seconded the motion, which passed by a vote of 5 ayes, 1 nay (Milder) and 1 absent (Lewis)

9. Discuss and consider options related to providing public restrooms in the downtown area, and take any action necessary.

Assistant City Manager Brad Griggs gave a brief update on this item, explaining that the best option at this time would be to utilize the public building at The Center for downtown events such as Farmers Market and the San Jacinto Music Series. This cost

would be around $2K, and directional signs would be placed to let the public know where restrooms are available.

No action was taken on this item.

10. Discuss and consider an update related to public parking signage at The Harbor, and take any action necessary.

Mayor Jim Pruitt explained that he added this item to the agenda due to a recent event at The Harbor, Cars for CASA. He explained that there was general confusion as to where people could park, and he feels that the signs that are out there now don't adequately direct people to the city's available parking at Trend Tower. Mayor Pruitt suggested that getting a larger sign on the building so that traffic can be directed to the parking garage would help.

Councilmember Hohenshelt stated that he would like to see city signage along the public road access leading up to the building and then a larger sign on the garage itself.

Mayor Pruitt made a recommendation for staff to negotiate with Trend Tower to move forward with signage on the garage.

11. Discuss and consider maintenance within the take line area, and take any action necessary.

Mayor Pruitt gave a brief update on the background of this item. He expressed that there is general confusion as to whose responsibility it is to clean up debris and trees from the takeline area if there is not a lease on the property. He stated that he would like to give staff direction as to how to answer questions and phone calls from those that would like the city to clean up these areas because he would like there to be a consistent way of handling it. He then went on to say that the residents that do have leases on the takeline do clean up that area, but others that do not have a lease expect the city to do it.

Councilmember White asked staff where the $350 dollars per year goes that the city collects from the takeline leases. Assistant City Manager, Brad Griggs explained that it goes into the Recreation Development fund. He further explained that the $350 per year is to pay for the cost of the Neighborhood Improvement Services Department to rent a boat and take care of the maintenance of dangerous areas along the takeline.

Councilmember Hohenshelt asked for clarification on what such maintenance really includes - if it includes trees or other trash and things that float up to the takeline. City Manager Rick Crowley clarified that the maintenance could include both if the city is required to do regular maintenance.

Mr. Crowley explained that he would like the ability to determine if the debris is a danger and needs to be taken down.

Councilmember Townsend asked who mows the lots that are not leased. Brad Griggs explained that it's up to the property owner to mow, but if they don't, the land returns to its natural state. Councilmember Townsend asked who can determine if trees are dangerous. City Manager Rick Crowley stated that if a tree is already in the process of dying or is in a state that it could fall on someone, it's his opinion that the city should go in and have it removed.

Council's suggestion for staff was to determine on a case-by-case basis if trees are dangerous enough for the city to handle. City Manager Rick Crowley stated he would get the cost related documents together for council to review.

From the Executive Session discussion items below, Mayor Pruitt then read #7into the record before recessing the meeting into Executive Session at 10:27 p.m.

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding the city's concession agreement with Suntex Marina / Suntex RHCL Marina, LLC pursuant to Section § 551.071 (Consultation with Attorney)
2. Discussion regarding possible legal claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding purchase or lease of real property / land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).
4. Discussion regarding status of Rockwall Harbor Landing, Inc. vs. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney).
5. Discussion regarding Eclipse Fitness LLC and DRZW Holdings LTD vs. City of Rockwall, Texas pursuant to Section 551.071 (Consultation with Attorney).
6. Discussion regarding possible development-related legal claim in the vicinity of Bourne Street pursuant to Section 551.071 (Consultation with Attorney)
7. Discussion regarding appointment of city council subcommittees and board liaisons pursuant to Section, §551.074 (Personnel Matters).

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Mayor Pruitt reconvened the public meeting at 10:37 p.m. and there was no action taken.

XV. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 10:40 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,

THIS 6th DAY OF JULY, 2015.

_____

Jim Pruitt, Mayor

ATTEST:

_____

Jacky Casey, Assistant City Secretary

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CITY OF ROCKWALL

ORDINANCE NO. 15-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT TO A SINGLE-FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT FOR A 4.502-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE S. R. BARNES SURVEY, ABSTRACT NO. 13, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Herman Douglas Utley for the approval of an amendment to the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall to adopt a change in zoning from a Single-Family Estate 2.0 (SFE-2.0) District to a Single-Family Estate 1.5 (SFE-1.5) District for a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, and more specifically described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agriculture (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family Estate (SF-E) District* in *Section 1.1, "Use of Land and Buildings,"* of *Article IV, "Permissible Uses"* and *Section 3.2, "Single-Family Estate (SF-E/1.5, 2.0, 4.0) District",* of *Article V, "District Development Standards",* of the *Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

Section 3. That the official zoning map of the City be corrected to reflect the changes in the

zoning described herein.

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

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

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

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 6TH DAY OF JULY, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: June 15, 2015

2nd Reading: July 6, 2015

Exhibit 'A':
Legal Description

PROPERTY DESCRIPTION

Being a 4.502 acre tract of land situated in the S.R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas and being all that certain tract of land described in deed to Herman D. Utley, as recorded in Instrument No. 2006-00358812, Deed Records, Rockwall County, Texas and all that certain tract of land described in deed to Herman Douglas Utley, as recorded in Volume 3555, Page 93, said Deed Records and being more particularly described by metes and bounds as follows:

BEGINNING at a found 60 penny nail in E. Quail Run Road at the common west corner of said Utley tract (3555/93) and Lot 1, Block A, of the D.R. Taylor Addition, recorded in Cabinet E, Slide 317, Plat Records, Rockwall County, Texas, said 60 penny nail being on the east line of the remainder of that certain tract of land described in deed to Lonnie L. Gideon, as recorded in Volume 307, Page 256, said Deed Records;

THENCE along said E. Quail Run Road and the common line of said Utley tract (3555/93) and said Gideon tract the following bearings and distances:

North, a distance of 144.96 feet to a found 60 penny nail;

North 03 degrees 22 minutes 44 seconds East, a distance of 103.15 feet to a found 60 penny nail from which a found 5/8-inch iron rod bears North 32 degrees 43 minutes 46 seconds East, a distance of 13.60 feet and a found 1/2-inch iron rod bears South 87 degrees 53 minutes 27 seconds East, a distance of 17.69 feet;

North 09 degrees 16 minutes 45 seconds East, a distance of 86.44 feet to a found 60 penny nail at the common west corner of said Utley tracts, from which a found 1/2-inch iron rod bears South 89 degrees 39 minutes 46 seconds East - 25.41 feet;

THENCE along aforesaid E. Quail Run Road and the common line of said Utley tract (2006-00358812) and aforesaid Gideon tract the following bearings and distances:

North 13 degrees 45 minutes 03 seconds East, a distance of 134.53 feet;

North 04 degrees 57 minutes 27 seconds East, a distance of 130.01 feet;

North 02 degrees 16 minutes 19 seconds East, a distance of 113.06 feet to a point from which a found 5/8-inch iron rod bears North 02 degrees 54 minutes 26 seconds East, a distance of 31.67 feet;

North 30 degrees 51 minutes 27 seconds East, a distance of 72.24 feet;

North 69 degrees 46 minutes 15 seconds East, a distance of 98.85 feet;

North 86 degrees 17 minutes 03 seconds East, a distance of 67.89 feet to a point from which a found 1/2-inch iron rod bears North 07 degrees 24 minutes 57 seconds East, a distance of 4.98 feet, said point being the common corner of aforesaid Utley tract (2006-00358812) and that certain tract of land described in deed to Lonnie L. Gideon, as recorded in Volume 307, Page 259, aforesaid Deed Records and that certain tract of land described in deed to Hilda Kouvelis and husband, Peter Kouvelis, as recorded in Volume 1881, Page 115, said Deed Records;

THENCE South along the common line of said Utley tract (2006-00358812) and said Gideon tract (307/259), passing a found 1/2-inch iron rod at the common east corner of said Utley tracts at a distance of 473.91 feet and continuing along the common line of said Utley tract (3555/93) and said Gideon tract (307/259) a total distance of 916.66 feet to a point from which a found 1/2-inch iron rod bears North 57 degrees 25 minutes 40 seconds West, a distance of 0.69 of one foot, said point being the common east corner of said Utley tract (3555/93) and aforesaid Lot 1;

THENCE North 67 degrees 32 minutes 31 seconds West along the common line of said Utley tract (3555/93) and said Lot 1, passing a found 1/2-inch iron rod at a distance of 260.05 feet and continuing a total distance of 287.04 feet to the POINT OF BEGINNING and containing 196,096 square feet or 4.502 acres of land.

THIS IS TO DECLARE that on this date a survey was made on the ground, under my direction and supervision of the above described tract of land.

There are no visible conflicts, visible evidence of easements or rights-of-way, or protrusions, except as shown, and that this date the easements, rights-of-way or other locatable matters of record of which the undersigned has knowledge or has been advised are as shown or noted hereon.

The subject property does not appear to lie within the limits of a 100-year flood hazard zone according to the Map published by the Federal Emergency Management Agency, and has a Zone "X" Rating as shown by Map No. 480543 00030 B, dated SEPTEMBER 17, 1980. The statement that the property does or does not lie within a 100-year flood zone is not to be taken as a representation that the property will or will not flood. This survey is not to be used for construction purposes and is for the exclusive use of Foundation Mortgage and Commonwealth Title only and this survey is made pursuant to that one certain title commitment under the GF number 2252000072, provided by the title company named hereon.

NOTES:

CM = CONTROLLING MONUMENT.

SUBJECT PROPERTY IS NOT AFFECTED BY THE FOLLOWING:
(10e)-EASEMENT, VOL. 80, PG. 123, VOL. 110, PG. 792, R.P.R.R.C.T.
(10f)-EASEMENT, VOL. 82, PG. 358, R.P.R.R.C.T.
(10g)-EASEMENT, VOL. 913, PG. 20, R.P.R.R.C.T.
(10h)-EASEMENT, VOL. 908, PG. 10, R.P.R.R.C.T.

THE BEARINGS FOR THIS SURVEY ARE BASED ON DEEDS RECORDED IN VOLUME 3555, PG. 93 AND IN INSTRUMENT NO. 2006-0035881Z, D.R.R.C.T.

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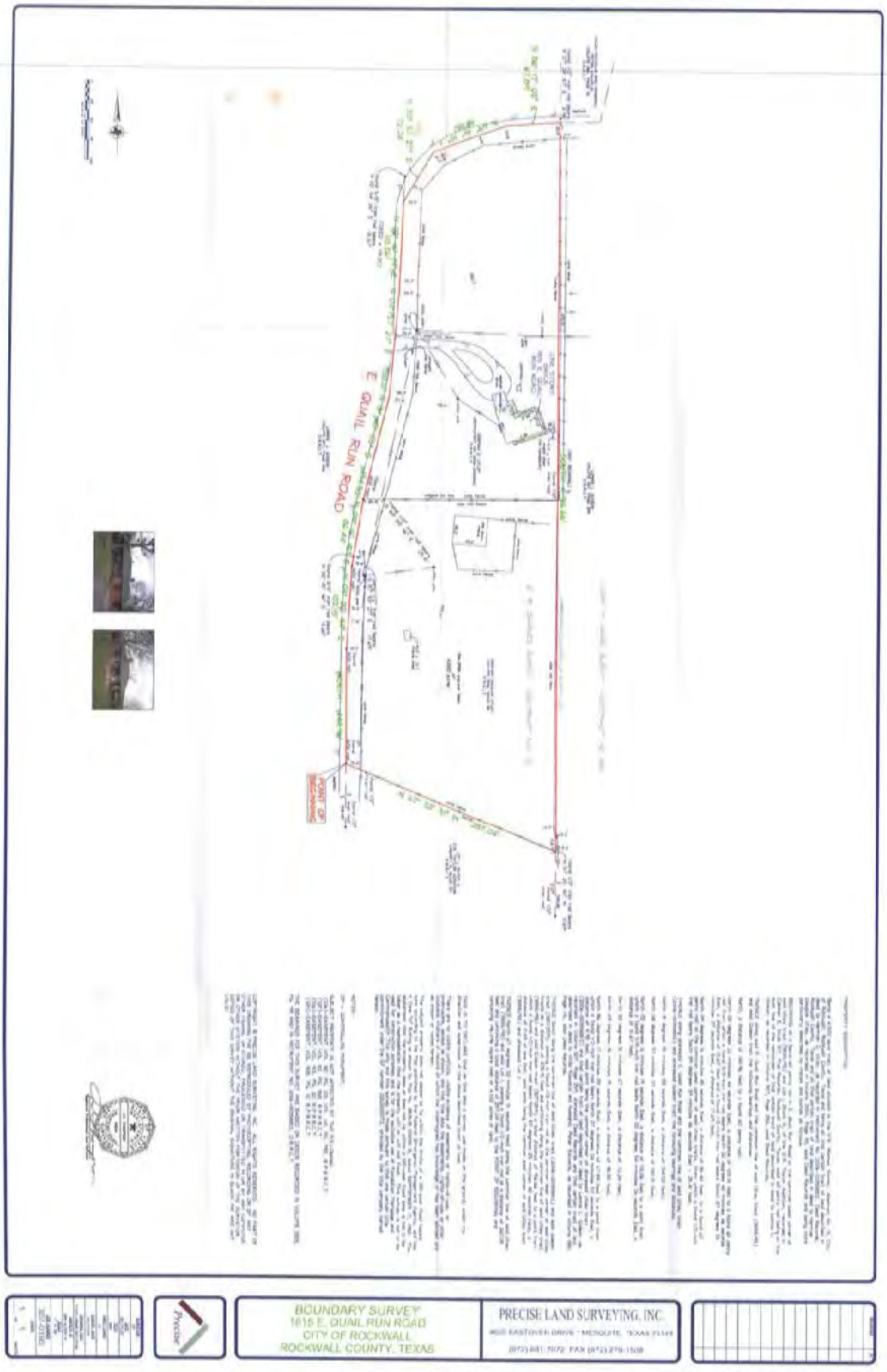
Exhibit 'B':
Zoning Exhibit



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CITY OF ROCKWALL

ORDINANCE NO. 15-18

SPECIFIC USE PERMIT NO. S-138

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) ALLOWING FOR A COMMERCIAL AMUSEMENT/RECREATION FACILITY (OUTDOOR) AND MORE SPECIFICALLY A BASEBALL TRAINING FACILITY, WITHIN A COMMERCIAL (C) DISTRICT, BEING A SIX (6) ACRE TRACT OF LAND IDENTIFIED AS TRACT 4-07 OF THE N. BUTLER SURVEY, ABSTRACT NO. 20, AND GENERALLY LOCATED ON THE NORTHWEST QUADRANT OF AIRPORT ROAD AND JOHN KING BOULEVARD, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND AS DEPICTED IN EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Jonathan Hake of Cross Engineering Consultants, Inc. on behalf of the owner Kenneth R. Smith of K. R. Smith Holdings, LLC for the approval of a Specific Use Permit (SUP) allowing for a *Commercial Amusement/Recreation Facility (Outdoor)* and more specifically a baseball training facility, within a Commercial (C) District, being a six (6) acre tract of land identified as Tract 4-07 of the N. Butler Survey, Abstract No. 20, and generally located on the northwest quadrant of Airport Road and John King Boulevard, City of Rockwall, Rockwall County, Texas, and more specifically described in Exhibit 'A' and as depicted in Exhibit 'B' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

Section 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit

(SUP) allowing for a *Commercial Amusement/Recreation Facility (Outside)* and more specifically a baseball training facility within a Commercial (C) District for the *Subject property*; and

Section 2. That the S*ubject Property* shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance granted herein and shall be subject to the conditions set forth in *Article IV, Permissible Uses, Section 2.1.5 Recreation, Entertainment and Amusement Use Conditions,* and *Article V, District Development Standards, Section 4.5 Commercial (C) District, of the City of Rockwall Unified Development Code [Ordinance No. 04-38]* as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions:

2.1 Operational Conditions

The following conditions pertain to the operation of the Commercial Amusement/Recreation Facility (Outdoor) on the Subject Property and conformance to these stipulations is required for continued operations:

1) That adherence to Engineering and Fire Department standards is required.

2) That the lighting levels are generally not to exceed the levels established in the preliminary photometric plan submitted for this site in order to contain spill over lighting and glare on adjacent properties, and that the illumination will generally not exceed an average of 50-FC as indicated on such plan.

3) That the heights for the lighting pole standards are not to exceed a maximum overall height of 50-ft (includes pole, base, fixtures, etc.).

4) That submittal and approval of a site plan (to include approval of a photometric plan), engineering plans, and final plat are required prior to issuance of a certificate of occupancy.

5) That written clearance from the Federal Aviation Administration (FAA) shall be provided to the City indicating approval of the maximum height for the light pole standards, the maximum intensity regarding glare produced from the lighting, and any other requirement deemed necessary for the safety of air traffic to and from the Rockwall Municipal Airport.

6) That the City Council reserves the right to review the Specific Use Permit (SUP) any time after the effective date of this ordinance.

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

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

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

day such offense shall continue shall be deemed to constitute a separate offense.

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

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6th DAY OF July, 2015.

Jim Pruitt, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: 06-15-15

2nd Reading: 07-06-15

Exhibit 'A'

LEGAL DESCRIPTION

All that certain lot, tract or parcel of land situated in the N. BUTLER SURVEY, ABSTRACT NO, 20, City of Rockwall, Rockwall County, Texas, and being all of that tract of land as described in a Warranty deed from Brewer Properties, LP to Rockwall Property Corporation, dated July 7, 2006 and being recorded in Volume 4667, Page 101 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½" iron rod found for corner at the northeast corner of Lot 4, Block A, of COLUMBIA PARK ADDITION, BLOCK A, LOT 4, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet H, Slide 329 of the Plat Records of Rockwall County, Texas;

THENCE S. 62 deg. 32 min. 11 sec. E. a distance of 654.99 feet to a 3/8" iron rod found for corner;

THENCE S. 69 deg. 44 min. 24 sec. E a distance of 14.21 feet to a ½" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

THENCE S. 00 deg. 22 min. 33 sec. W. a distance of 290.21 feet to a ½" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner in the north right-of-way of Airport Road per Volume 5913, Page 123 of the Official Public Records of Rockwall County, Texas;

THENCE N. 89 deg. 07 min. 11 sec. W. along said right-of-way line, a distance of 596.53 feet to a ½" iron rod found for corner at the southeast corner of Lot 4, Block A;

THENCE N. 00 deg. 22 min. 33 sec. E. along the east boundary line of said Lot 4, Block A, a distance of 588.04 feet to the POINT OF BEGINNING and containing 261,360 square feet or 6.00 acres of land.

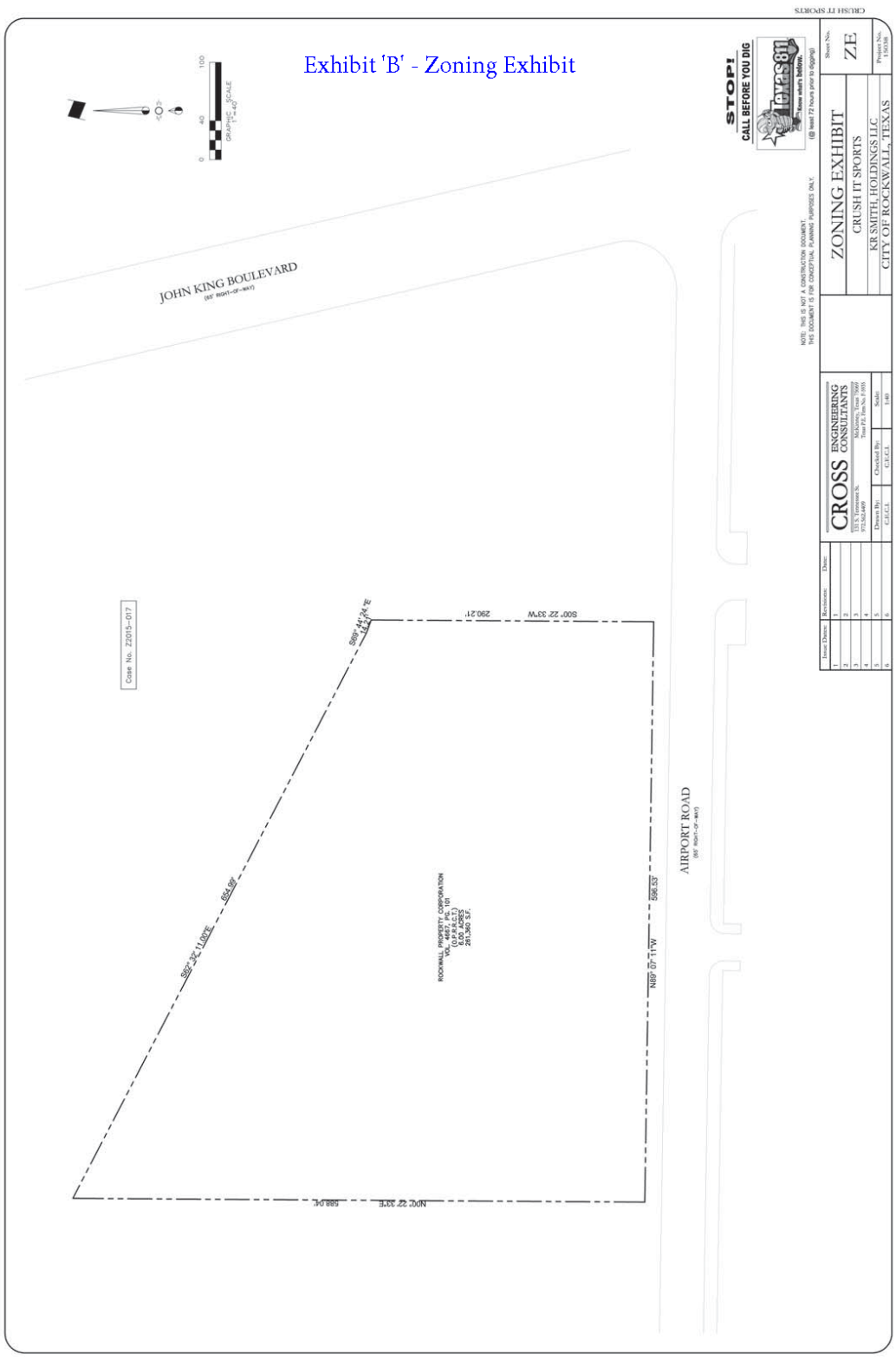
Exhibit 'B' - Zoning Exhibit
JOHN KING BOULEVARD
AIRPORT ROAD
Case No. Z2015-017
ROCKWALL PROPERTY CORPORATION
STOP!
CALL BEFORE YOU DIG
ZONING EXHIBIT
CRUSH IT SPORTS
KR SMITH, HOLDINGS LLC
CITY OF ROCKWALL, TEXAS
ZE
CROSS ENGINEERING CONSULTANTS

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 07/06/2015

APPLICANT: Harold Fetty, *H. D. Fetty Land Surveyor, LLC*

AGENDA ITEM: **P2015-019**; *Lots 1 & 2, Block A, Utley Addition*

SUMMARY:

Discuss and consider a request by Harold Fetty of H. D. Fetty Land Surveyor, LLC on behalf of the owner Doug Utley for the approval of a final plat for Lots 1 & 2, Block A, Utley Addition 4.49-acre parcel of land currently identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 2.0 (SFE-2.0) District, situated within the SH-205 By-Pass Overlay (SH 205 BY-OV) District, addressed as 1751 & 1815 E. Old Quail Run Road, and take any action necessary.

PLAT COMMENTS:

- ✓ The objective of this request is to subdivide a 4.49-acre tract of land into two (2) residential parcels of land. After the required roadway dedication of 0.55-acres, the parcels will be 1.82-acres and 2.12-acres. Both parcels will conform to the standards of the Single Family Estate 1.5 (SFE-1.5) District.
- ✓ The second reading for a zoning ordinance (*i.e. Case No. Z2014-018*) that will change the zoning of the subject property from Single Family Estate 2.0 (SFE-2.0) to Single Family Estate 1.5 (SFE-1.5) is scheduled to be on the consent agenda at the July 6, 2015 City Council meeting. This plat will be placed on the action items agenda at the same meeting to ensure that the approvals for this case are chronologically correct.
- ✓ The surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for final plats as stated in the *Subdivision Ordinance* in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

RECOMMENDATIONS:

Staff recommends approval of the final plat for *Lots 1 & 2, Block A, Utley Addition* in conformance with the following conditions of approval:

1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

2) Any construction resulting from the approval of this *final plat* shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On June 30, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the final plat by a vote of 5-0, with Commissioners Conley and Logan absent.

City of Rockwall

Project Plan Review History

				Applied	5/15/2015	LM
Project Number	P2015-019	**Owner**	DOUG UTLEY	**Approved**		
Project Name	Lots 1 & 2, Block A, Utley Addition	**Applicant**	DOUG UTLEY	**Closed**		
Type	PLAT			**Expired**		
Subtype	FINAL			**Status**	5/15/2015	LM
Status	STAFF REVIEW					

Site Address	**City, State Zip**	
1815 OLD E QUAIL RUN RD	,	**Zoning**

Subdivision	**Tract**	**Block**	**Lot No**	**Parcel No**	**General Plan**
D R TAYLOR ADDITION	1		1	0013-0000-0001-00-0R	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	5/15/2015	5/22/2015	6/17/2015	33	APPROVED	
ENGINEERING	Amy Williams	5/15/2015	5/22/2015	5/18/2015	3	COMMENTS	
FIRE	Ariana Hargrove	5/15/2015	5/22/2015	5/20/2015	5	APPROVED	
GIS	Lance Singleton	5/15/2015	5/22/2015	6/17/2015	33	APPROVED	
PLANNING	Ryan Miller	5/15/2015	5/22/2015	6/17/2015	33	APPROVED W/ CONDITIONS	See Comments

P2015-019 (Lots 1 & 2, Block A, Utley Addition): Please address the following comments (M= Mandatory Comments; I = Informational Comments).

I.1 This is a request for the approval of a final plat for Lots 1 & 2, Block A, Utley Addition being a 4.49-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 2.0 (SFE-2.0) District, situated within the SH-205 By-Pass Corridor Overlay (SH-205 BY-OV) District, and located on property currently addressed as 1815 E. Old Quail Run Road.
I.2 For questions or comments concerning this case please contact Ryan Miller in the Planning Department at (972) 772-6441 or email rcmiller@rockwall.com.
M.3 For reference, include the case number (P2015-019) in the lower right hand corner of all pages on future submittals.
M.4 Please change the title block as follows:

Final Plat
Utley Addition
Lots 1 & 2, Block A
Two (2) Lot Being
4.49-Acres or 195,661 SF
Situated Within the SR Barnes Survey, Abstract No. 13
City of Rockwall, Rockwall County, Texas

M.5 The location of the development is required to be tied to a Rockwall monument, or tie two (2) corners to state plane coordinates (NAD 83 State Plane Texas, North Central [7202] US Survey Feet).
M.6 Indicate the site location on the vicinity map.
M.7 Indicate a 50-foot minimum front yard building setback.
M.8 Indicate the points for the line segments for the adjust property line (i.e. after dedication).
M.9 Check legal description. I think that the fourth paragraph of the legal description where 442.75 is referenced that it is actually referring to 449.04.
I.10 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections, and provide any additional information that is requested. Revisions for this case will be due on June 30, 2015; however, it is encouraged for applicants to submit revisions as soon as possible to give staff ample time to review the case prior to the June 30, 2015 Planning & Zoning Meeting.
I.11 The projected City Council Meeting date and subsequent approval for this plat is July 6, 2015.



City of Rockwall

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

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

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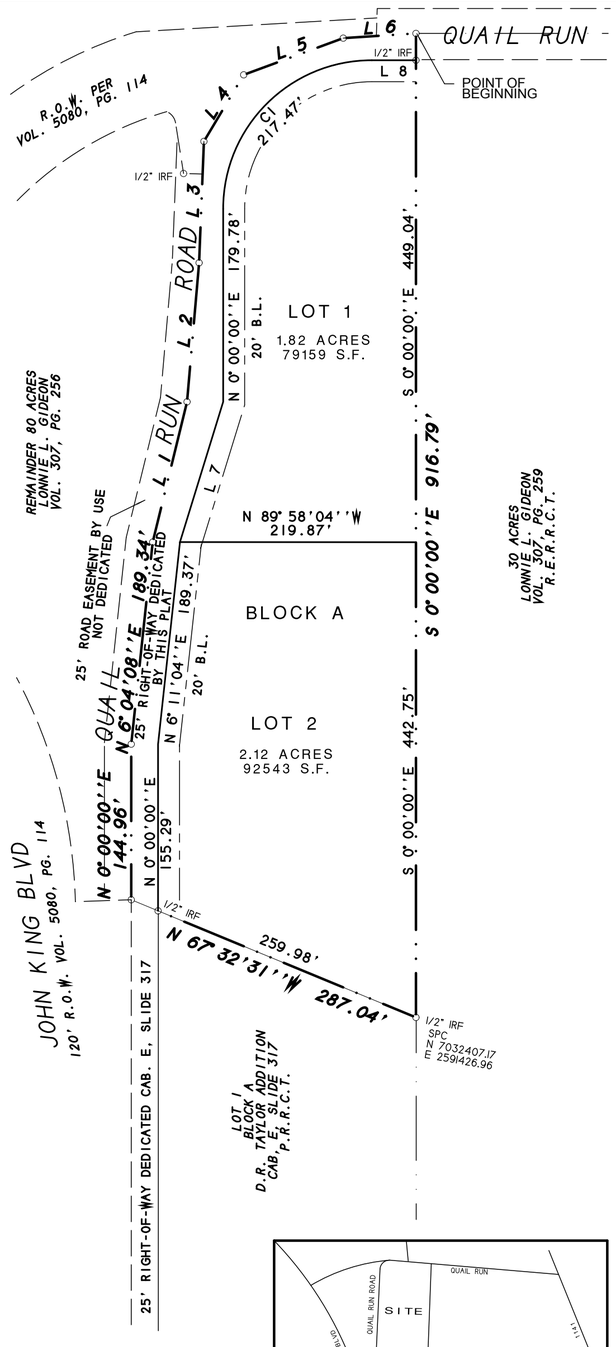
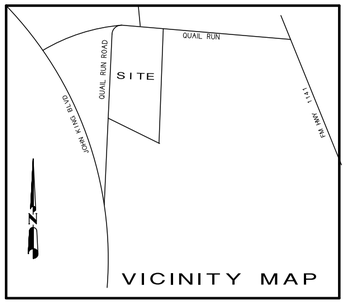


LINE TABLE

Line	Bearing	Distance
1	N 13°45'03"E	134.53'
2	N 4°57'27"E	130.00'
3	N 2°16'19"E	113.21'
4	N 30°51'27"E	72.24'
5	N 69°46'15"E	98.85'
6	N 86°17'03"E	67.89'
7	N 17°07'21"E	136.75'
8	N 90°00'00"E	41.16'

CURVE DATA

Curve	Delta Angle	Radius	Arc	Tangent	Chord	Chord Bearing
1	90°00'00"	138.45	217.47	138.45	195.79	N 45°00'00"E



NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0030L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

STATE OF TEXAS
COUNTY OF ROCKWALL

OWNER'S CERTIFICATE
(Public Dedication)

WHEREAS, HERMAN D. UTLEY, BEING the Owner of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the S.R. BARNES SURVEY, ABSTRACT NO. 13, City of Rockwall, Rockwall County, Texas, and being all of a 2.172 acres tract of land as described in a Warranty deed from Brenda J. Bradley to Herman D. Utley, as recorded in Volume 4664, Page 273, of the Official Public Records of Rockwall County, Texas, and also being all of a 2.33 acres tract of land as described in a Warranty deed from Veronica Utley to Herman Douglass Utley, as recorded in Volume 3555, Page 93 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the center of Quail Run Road, at the northeast corner of said 2.172 acres tract of land;

THENCE S. 00 deg. 00 min. 00 sec. E. along the east line of said 2.172 acres tract, at 442.75 feet pass a 1/2" iron rod found for corner at the southeast corner of same and the northeast corner of said 2.33 acres tract, and continuing for a total distance of 916.79 feet to a 1/2" iron rod found for corner at the southeast corner of said 2.33 acres tract and at the northeast corner of Lot 1, Block A, D.R. Taylor Addition, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet E, Slide 317 of the Plat Records of Rockwall County, Texas;

THENCE N. 67 deg. 32 min. 31 sec. W. along the north line of Lot 1, a distance of 287.04 feet to a 1/2" iron rod found for corner in the center of Quail Run Road;

THENCE in a northerly direction along the center of Quail Run Road, as follows:

N. 00 deg. 00 min. 00 sec. E. a distance of 144.96 feet; N. 06 deg. 04 min. 08 sec. E. a distance of 189.34 feet; N. 13 deg. 45 min. 03 sec. E. a distance of 134.53 feet; N. 04 deg. 57 min. 27 sec. E. a distance of 130.00 feet; N. 02 deg. 16 min. 19 sec. E. a distance of 113.21 feet; N. 30 deg. 51 min. 27 sec. E. a distance of 72.24 feet; N. 69 deg. 46 min. 15 sec. E. a distance of 98.85 feet; N. 86 deg. 17 min. 03 sec. E. a distance of 67.89 feet to the POINT OF BEGINNING and containing 195,661 square feet or 4.49 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as UTLEY ADDITION, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of th eir respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maint aining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer an d/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as p rogress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exaction's made herein.

HERMAN D. UTLEY

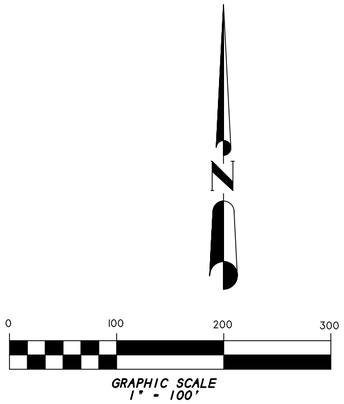
STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared HERMAN D. UTLEY known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

Notary Public in and for the State of Texas

My Commission Expires:



NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR

Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of UTLEY ADDITION, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ___ day of_____ ,_____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____ ,_____.

Mayor, City of Rockwall City Secretary City of Rockwall

City Engineer Date

FINAL PLAT

UTLEY ADDITION

4.49 ACRES OR 195,661 S.F.
(2 LOTS)

S.R. BARNES SURVEY, A-13
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 1

OWNER:
HERMAN DOUG UTLEY
1815 E. QUAIL RUN ROAD
ROCKWALL, TEXAS 75087
214-693-1246

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND (CORNER)
FENCE	EASEMENT LINE	PROPERTY LINES	A/C AIR. COND. UNIT	PROPANE TANK

SURVEY DATE MAY 15, 2015
SCALE 1" = 20' FILE # 20150133
CLIENT UTLEY

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 07/06/2015

APPLICANT: Caprice Michelle, *Rustic Ranch, LLC*

AGENDA ITEM: **P2015-020**; *Lot 1, Block A, Rockwall Rustic Ranch Addition*

SUMMARY:

Discuss and consider a request by Caprice Michelle of Rockwall Rustic Ranch, LLC for the approval of a replat for Lot 1, Block A, Rockwall Rustic Ranch Addition being a 0.53-acre parcel of land currently identified as Lot B, Block 123, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 406 N. Goliad Street, and take any necessary.

PLAT COMMENTS:

- ✓ The objective of this request is to plat a 0.53-acre tract of land for the purpose of finalizing the rehabilitation of 406 N. Goliad Street. On October 6, 2014, the City Council approved *Ordinance No. 14-44* (*SUP-127*) [*Case No. Z2014-026*] allowing for a *Restaurant (Less Than 2,000 SF*) to be established on the subject property. Additionally, Planned Development District 50 (PD-50) allows all uses permitted within a Residential-Office (RO) District. Currently, the applicant has not identified the proposed use for the subject property. A site plan [*Case No. SP2014-016*] for this facility changing the use from residential to commercial as required by Planned Development District 50 (PD-50) was approved by the Planning and Zoning Commission on August 12, 2014.

- ✓ At the Planning and Zoning Commission Work Session meeting held on May 26, 2015 the applicant expressed a desire to request a waiver to the cross access requirements stipulated by Planned Development District 50 (PD-50). Since this meeting, the applicant has withdrawn that request and has submitted a replat demonstrating conformance to all the technical requirements.

- ✓ The surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for replats as stated in the *Subdivision Ordinance* in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

RECOMMENDATIONS:

Staff recommends approval of the replat for *Lot 1, Block A, Rockwall Rustic Ranch Addition* in conformance with the following conditions of approval:

1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

2) Any construction resulting from the approval of this *replat* shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

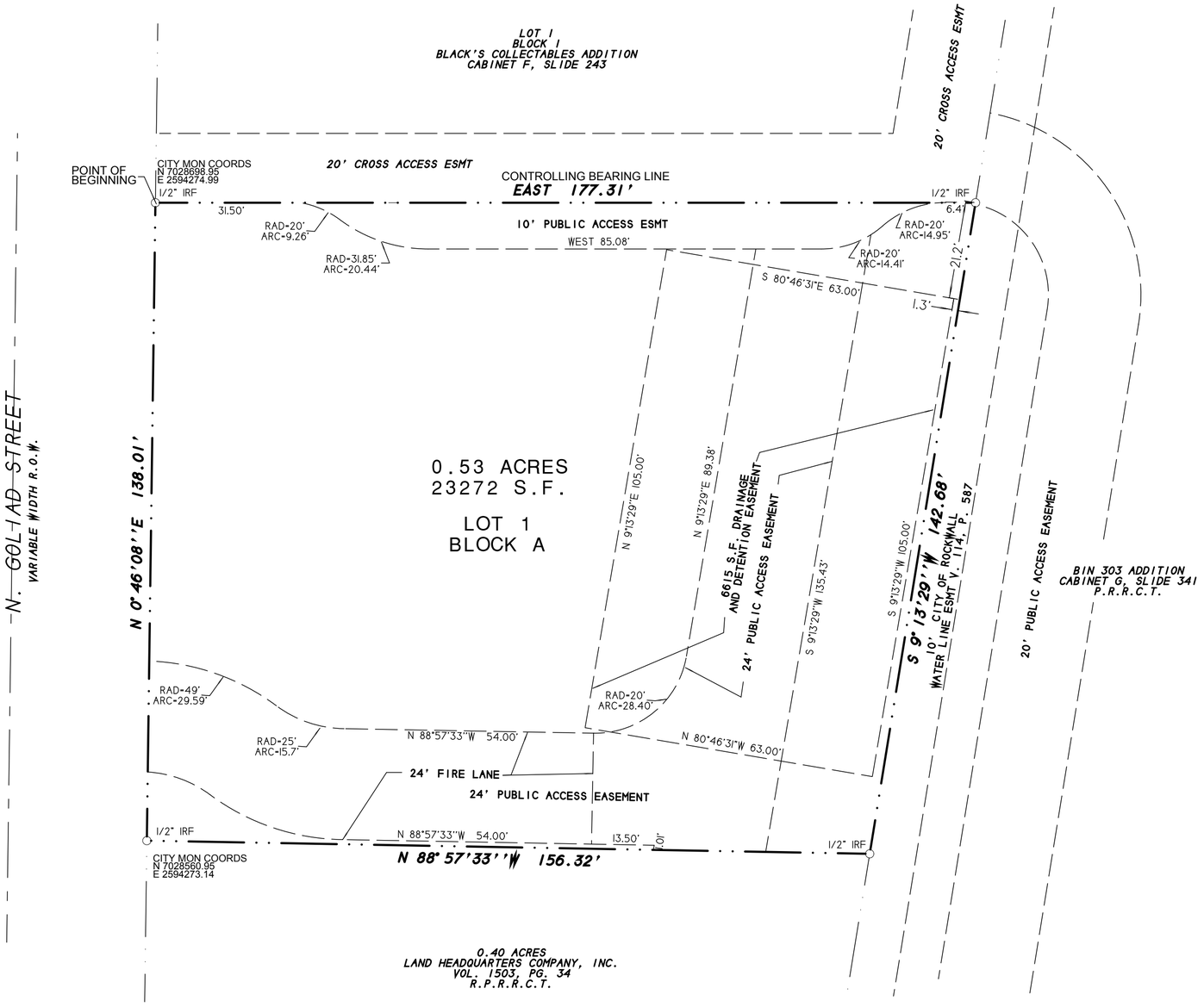
PLANNING AND ZONING COMMISSION:

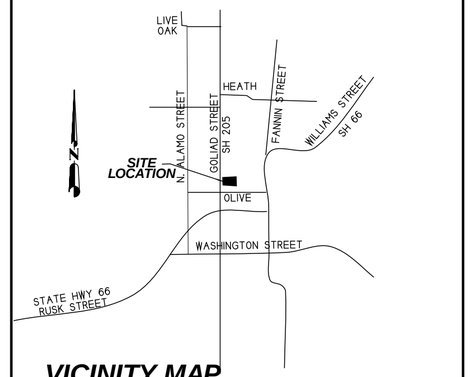
On June 30, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the replat by a vote of 5-0, with Commissioners Conley and Logan absent.



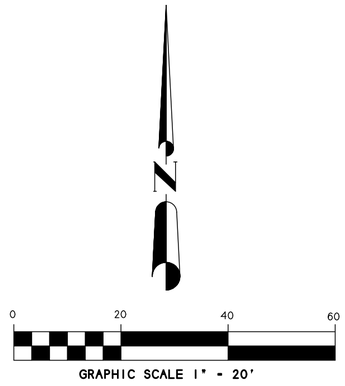
City of Rockwall
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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





VICINITY MAP
N.T.S.



FINAL PLAT

ROCKWALL RUSTIC RANCH ADDITION LOT 1, BLOCK A

ONE (1) LOT BEING
23,272 S.F. OR 0.53 ACRES

SITUATED IN THE B.F. BOYDSTUN
SURVEY, ABSTRACT NO. 14
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER:
ROCKWALL RUSTIC RANCH, LLC
CAPRICE MICHELLE
1506 SIGNAL RIDGE PL
ROCKWALL, TEXAS 75032
214-789-7364

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0030 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: STATE PLACE COORDINATES BASED ON ROCKWALL MONUMENT SYSTEM.

SHEET 1 OF 2

SURVEY DATE JULY 18, 2014
SCALE 1" = 20' FILE # 20140266-FP
CLIENT CAPRICE GF # NONE

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CITY CASE NO P2015-020

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OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, ROCKWALL RUSTIC RANCH, LLC, BEING THE OWNER OF A TRACT OF land in the B.F. BOYDSTUN SURVEY, ABSTRACT NO. 14, County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the B.F. BOYDSTUN SURVEY, ABSTRACT NO. 14, City of Rockwall, Rockwall County, Texas, and being all of a tract of land as described in a Warranty deed from Pink Dallas, LLC to Rockwall Rustic Ranch, LLC, dated June 10, 2014 and being recorded in Document number 20140000008099 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the northwest corner of said Rockwall Rustic Ranch, LLC tract, said point being in the east right-of-way line of State Highway 205 N. Goliad Street (Variable width R.O.W.) and being at the southwest corner of Lot 1, Block A, BLACK'S COLLECTABLE ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet F, Slide 243 of the Plat Records of Rockwall County, Texas;

THENCE EAST along the south boundary line of said Black's Collectable Addition, a distance of 177.31 feet to a 1/2" iron rod found for corner at the southeast corner of same and in the west boundary line of BIN 303 ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet G, Slide 341 of the Plat Records of Rockwall County, Texas;

THENCE S. 09 deg. 13 min. 29 sec. W. along the west line of said Bin 303 Addition, a distance of 142.68 feet to a 1/2" iron rod found for corner at the northeast corner of a tract of land as described in a Warranty deed to Land Headquarters Company, Inc. as recorded in Volume 1503, Page 34 of the Plat Records of Rockwall County, Texas;

THENCE N. 88 deg. 57 min. 33 sec. W. a distance of 156.32 feet to a 1/2" iron rod found for corner in the east line of State Highway 205 N. Goliad Street;

THENCE N. 00 deg. 46 min. 08 sec. E. along the east line of said State Highway 205 N. Goliad Street, a distance of 138.01 feet to the POINT OF BEGINNING and containing 23,272 square feet or 0.53 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as ROCKWALL RUSTIC RANCH ADDITION an Addition to the City of Rockwall, Texas and whose name is subscribed hereto, hereby dedicated to the use of public forever all streets, alleys parks water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed, I further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasional by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exaction's made herein.

_____
for ROCKWALL RUSTIC RANCH, LLC

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared CAPRICE MICHELLE known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, 20__.

Notary Public in and for the State of Texas My Commission Expires:

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal useand fire protection within such plat, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

_____
Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

STATE OF TEXAS
REGISTERED
HAROLD D. FETTY III
5034
PROFESSIONAL
LAND SURVEYOR

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of ROCKWALL RUSTIC RANCH ADDITION an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____ , _____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____ ,_____.

_____ _____
Mayor, City of Rockwall City Secretary City of Rockwall

_____ _____
City Engineer Date

FINAL PLAT

ROCKWALL RUSTIC RANCH ADDITION LOT 1, BLOCK A

ONE (1) LOT BEING
23,272 S.F. OR 0.53 ACRES

SITUATED IN THE B.F. BOYDSTUN
SURVEY, ABSTRACT NO. 14
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER:
ROCKWALL RUSTIC RANCH, LLC
CAPRICE MICHELLE
1506 SIGNAL RIDGE PL
ROCKWALL, TEXAS 75032
214-789-7364

SHEET 2 OF 2

SURVEY DATE JULY 18, 2014
SCALE 1" = 20' FILE # 20140266-FP
CLIENT CAPRICE GF # NONE

H.D. Fetty Land Surveyor, LLC
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CITY CASE NO P2015-020

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 07/06/2015

APPLICANT: Jimmy Strohmeyer of Strohmeyer Architects, Inc.

AGENDA ITEM: **P2015-027** (Ridge/Summer Lee Addition – Replat)

SUMMARY:

Discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Dr. Umar Burney of the North Dallas Rockwall Land Investors, LLC for the approval of a replat for Lot 3, Block A, Ridge/Summer Lee Addition being a replat of 1.6121-acre tract of land identified as Lot 2, Block A, Ridge/Summer Lee Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, located at the southwest corner of the intersection of Oak Drive and Summer Lee Drive, and take any action necessary.

COMMENTS:

- The objective of the request is to replat a 1.6121-acre tract of land to establish the necessary easements in order to accommodate the development of this site.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions listed in the Recommendations section below.

- With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the request for final plat, staff would recommend the following conditions of approval:

A) All the technical comments from the Planning, Engineering and Fire Departments shall be addressed prior to the filing of this plat, including the following comments;

1. Adherence to Engineering and Fire Department standards.
2. Address all staff comments as listed in the Project Plan Review (see attached).

B) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On June 30, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the replat by a vote of 5-0, with Commissioners Conley and Logan absent.



City of Rockwall

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

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

RIDGE ROAD (F.M. 740)
(VARIABLE WIDTH R.O.W.)

SUMMER LEE DRIVE
(65' R.O.W.)

RALPH HALL PARKWAY
(60' R.O.W.)

OAK DRIVE
(VARIABLE WIDTH R.O.W.)

SKYLAR DR.

CEDAR COURT

20' ALLEY

VARIABLE WIDTH DRAINAGE & DETENTION ESMT. INST. NO. 20130000499802 O.P.R.R.C.T.

FIRELANE AND ACCESS ESMT. INST. NO. 20130000499801 O.P.R.R.C.T.

NEC RIDGE/SUMMER LEE ADDITION
LOT 1, BLOCK A
CAB. I, PG. 71
P.R.R.C.T.

REMAINDER TEMUNOVIC PARTNERSHIP, LTD.
VOL. 7038, PG. 319
D.R.R.C.T.

LOT 14
LOT 9R AND 14, BLOCK A
HORIZON RIDGE ADDITION
CAB. E, PG. 393
P.R.R.C.T.

LOT 1 BLOCK E
FOXCHASE PHASE 5
CAB. "D", 111
P.R.R.C.T.

65' R.O.W. (1.0524 AC.) TO CITY OF ROCKWALL INST. NO. 2008-00396193

NORTHING 7011326.3590
EASTING 2591142.8127
AS TIED TO CITY OF ROCKWALL GPS MONUMENTS R015 & R017

P.O.B.

1.6121 AC.
LOT 2
BLOCK A
RIDGE/SUMMER LEE ADDITION
CABINET "H", PAGE 231
P.R.R.C.T.

LOT 1 BLOCK A
RIDGE/SUMMER LEE ADDITION
CABINET "H", PAGE 231
P.R.R.C.T.

LOT 2-RA
BUFFALO CREEK SHOPPING VILLAGE NO. 2
CABINET "C", SLIDE 385 B

LOT 1-RA
BUFFALO CREEK SHOPPING VILLAGE NO. 2
CABINET "C", SLIDE 385

BLOCK B FOXCHASE, PHASE 1
LOT 13
LOT 4
LOT 3
LOT 5

LOT A
REPLAT OF COMMUNITY BANK OF ROCKWALL ADDITION
CAB. "D", PG. 133

LOT B-2-A
REPLAT OF COMMUNITY BANK OF ROCKWALL ADDITION
REPLAT OF LOT B-2 OF LOT B-1
CAB. "D", PG. 279

NORTHING 7011106.1629
EASTING 2590957.9160
AS TIED TO CITY OF ROCKWALL GPS MONUMENTS R015 & R017

7.5' U.E. CAB. C, SL. 35
CAB. C, SL. 284
CAB. C, SL. 385

15' WATER EASEMENT CABINET "H", PAGE 231

20' BUILDING SETBACK (PER ZONING)

DRAINAGE & DETENTION EASEMENT CAB. "H", PG. 231

25' FIRE LANE, ACCESS UTILITY & DRAINAGE EASEMENT CAB. "H", PG. 231

10' UTILITY EASEMENT CABINET "H", PAGE 231

20' UTILITY EASEMENT CABINET "H", PAGE 231

15' RCH WATER SUPPLY CORPORATION EASEMENT VOL. 64, PG. 256 VOL. 64, PG. 274

5' UTILITY EASEMENT CAB. "H", PG. 231

20' BUILDING SETBACK (PER ZONING)

25' FIRE LANE, ACCESS UTILITY & DRAINAGE EASEMENT CAB. "H", PG. 231

10' UTILITY EASEMENT CABINET "H", PAGE 231

DRAINAGE & DETENTION EASEMENT CABINET "H", PAGE 231

15' UTILITY ESMT.

7.5' UTILITY EASEMENT CAB. C, SL. 385

15' DRAINAGE EASEMENT CAB. "H", PG. 231

24' INGRESS CAB. C, SL. 385 & EGRESS EASEMENT CAB. C, SL. 385

25' BUILDING LINE CAB. C, SL. 385

6' PRIVATE SANITARY SEWER EASEMENT CAB. C, SL. 385

5' UTILITY EASEMENT CAB. C, SL. 385

15' U.E. INST. NO. 20120047450?

15' UTILITY EASEMENT CAB. "H", PG. 231

10' UTILITY EASEMENT

24' F.P.A.E.

U.E.

S.W.D.D.E.

20' BUILDING SETBACK PER ZONING

BLOCK B FOXCHASE, PHASE 1

10' UTILITY EASEMENT

25' BUILDING LINE

5/8" F.I.R.

1/2" F.I.R.

N 17°46'33" E 72.00'

N 00°52'58" W 125.47'

S 62°24'24" W 84.87'

N 27°35'36" W 153.13'

S 62°24'24" W 200.00'

S 18°14'14" W 157.16'

S 81°49'51" E 41.92'

N 53°10'09" E 30.00'

N 06°02'19" E 107.37'

N 21°15'49" W 94.36'

S 62°24'24" W - 426.45'

S 62°24'24" W 83.34'

204.59'
30.08'
117.72'
140.92'
211.41'
32.50'
276.70'
248.08'
198.27'
202.36'
27.96'
30.46'
137.0'
73.0'
38.54'
5.81'
1.17'
8.29'
233.83'
100.23'
196.52'
76.12'
64.23'
91.85'
157.01'
156.41'
69.14'
124.63'
59.32'
41.69'
40.49'
57.19'
43.44'
128.23'
53.32'
40.18'
41.11'
55.70'

0 25' 50' 100'
GRAPHIC SCALE: 1"=50'

Legend of Symbols & Abbreviations
F.I.R. = FOUND IRON ROD
R.O.W. = RIGHT-OF-WAY
P.O.B. = POINT OF BEGINNING
U.E. = UTILITY EASEMENT
F.P.A.E. = FIRE & PUBLIC ACCESS EASEMENT
S.W.D.D.E. = STORM WATER DETENTION/DRAINAGE EASEMENT
DOC = DOCUMENT
VOL. = VOLUME
PG. = PAGE
CAB. = CABINET

THE PURPOSE OF THIS REPLAT IS TO ADD EASEMENTS TO LOT 2, BLOCK A IN ORDER TO CREATE A DEVELOPABLE LOT.

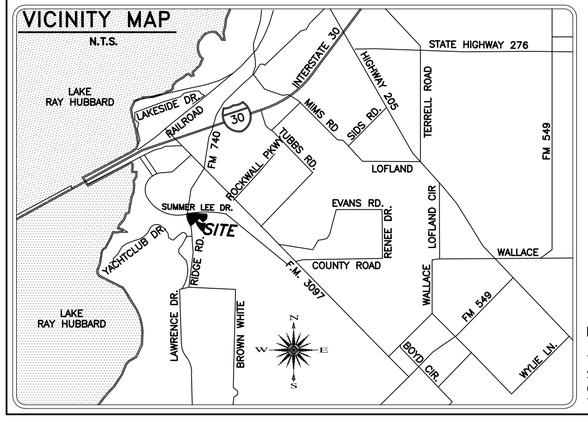
FLOOD NOTE:

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) – NATIONAL FLOOD INSURANCE PROGRAM (NFIP) – FLOOD INSURANCE RATE MAP (FIRM) – FOR THE ROCKWALL COUNTY, TEXAS AND INCORPORATED AREAS – MAP NO. 48397C0040L, MAP REVISED, SEPTEMBER 26, 2008, THE PROPERTY SHOWN HEREON LIES IN ZONE "X" (OTHER AREAS).

ZONE "X"(OTHER AREAS) IS DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURE THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

VICINITY MAP
N.T.S.



NOTES:

THE BASIS OF BEARING AND ELEVATION DATUM FOR THIS SURVEY IS THE TEXAS STATE PLANE, NORTH CENTRAL ZONE, GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS TAKEN ON SITE.

REPLAT

RIDGE/SUMMER LEE ADDITION
LOT 2, BLOCK A

BEING ALL OF
LOT 2, BLOCK A, OF THE RIDGE/SUMMER LEE ADDITION,
RECORDED IN CABINET H, SLIDE 231
P.R.R.C.T.
SITUATED IN THE
EDWARD TEAL SURVEY, ABSTRACT NO. 207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER

NORTH DALLAS ROCKWALL
LAND INVESTORS, LLC
1005 West Ralph Hall Pky. Suite #233
Rockwall, Texas 75032
(972) 771-8111

SURVEYOR

MADDOX SURVEYING & MAPPING INC
P.O. BOX 2109
FORNEY, TEXAS 75126
(972) 564-4416

1"=50' 5-22-15 SHEET 1 OF 2

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OWNERS DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS}
COUNTY OF ROCKWALL}

That we the undersigned owner's of the land shown on this plat, and designated herein as the **REPLAT OF THE RIDGE/SUMMER LEE ADDITION, LOT 2, BLOCK A** to the City of Rockwall, Texas, and whose name's are subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. we further certify that all other parties who have a mortgage or lien interest in the REPLAT OF THE **RIDGE/SUMMER LEE ADDITION, LOT 2, BLOCK** A have been notified

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwalls West regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall, or until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We and our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

_____
UMAR BURNEY
NORTH DALLAS ROCKWALL LAND INVESTORS, LLC

STATE OF TEXAS
COUNTY OF ROCKWALL
Before me, the undersigned authority, on this day personally appeared **UMAR BURNEY**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.
Given upon my hand and seal of office this _____day of _____, 2015.

_____
Notary Public in and for the State of Texas

_____
My Commission Expires:

OWNERS CERTIFICATE

STATE OF TEXAS}
COUNTY OF ROCKWALL}

WHEREAS, North Dallas Rockwall Land Investors, LLC is the owner of a tract of land in the Edward Teal Survey, Abstract No. 207, situated in the City of Rockwall, in Rockwall County, Texas, being all of Lot 2, Block A, of the Ridge/Summer Lee Addition, an addition to The City of Rockwall as recorded in Cabinet H, Slide 231, of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found for the northeast corner of said Lot 2, Block A, said point also lying on the southerly Right of Way of Summer Lee Drive, (a 65 foot wide Right of Way) and on the westerly Right of Way of Oak Drive (a variable width Right of Way);

THENCE South 18 degrees 14 minutes 14 seconds West along the westlerly line of said Oak Drive and along the easterly line of said Lot 2 a distance of 157.16 feet to a 1/2 inch iron rod found for the south corner of said Lot 2, said point also lying on the northerly line of a called 20 foot alley as shown on the plat of Foxchase Phase 1, an addition to The City of Rockwall, as recorded in Cabinet C, Slide 49 of the Plat Records of Rockwall County, Texas;

THENCE South 62 degrees 24 minutes 24 seconds West Departing said Oak Drive and along the northerly line of said Alley a distance of 153.13 feet to a 5/8 inch iron rod found for the most southerly southwest corner of said Lot 2, said point also being the southeast corner of Buffalo Creek Shopping Village, an addition to The City of Rockwall as recorded in Cabinet C, Slide 385 of the Plat Records of Rockwall County, Texas;

THENCE North 27 degrees 35 minutes 36 seconds West departing said Alley and along the common line between said Lot 2 and said Buffalo Creek Shopping Village a distance of 200.00 feet to a 1/2 inch iron rod found for an inner ell corner of said Lot 2, same being the northeast corner of said Buffalo Creek Shopping Village;

THENCE South 62 degrees 24 minutes 24 seconds West continuing along said common line between said Lot 2 and said Buffalo Creek Shopping Village a distance of 84.87 feet to a 5/8 inch iron rod found for the most northerly southwest corner of said Lot 2, same being the south corner of Lot 1, Block A of the aforementioned Ridge/Summer Lee Addition;

THENCE North 00 degrees 52 minutes 58 seconds West along the common line of said Lot 1 and said Lot 2 a distance of 125.47 feet to a 5/8 inch iron rod found for a common corner of said lots and at the beginning of a curve to the left;

THENCE with said curve to the left and continuing along the common line of said Lot 1 and said Lot 2 having a radius of 1375.50 feet, a central angle of 02 degrees 49 minutes 52 seconds, an arc length of 67.97 feet, a chord bearing of North 70 degrees 48 minutes 31 seconds West a distance of, 67.96 feet to a 5/8 inch iron rod found for a common corner of said lots;

THENCE North 17 degrees 46 minutes 33 seconds East continuing along the common line of said Lot 1 and said Lot 2 a distance of 72.00 feet to a 5/8 inch iron rod found for the north corner of said Lot 2 and the northeast corner of said Lot 1, said point also lying on the southerly line of the aforementioned Summer Lee Drive and at the beginning of a curve to the right;

THENCE with said curve to the right and along the southerly line of said Summer Lee Drive having a radius of 1447.50 feet, a central angle of 02 degrees 52 minutes 21 seconds, an arc length of 72.57 feet, a chord bearing of South 70 degrees 47 minutes 16 seconds East a distance of, 72.56 feet to a 5/8 inch iron rod found for corner at the beginning of a reverse curve to the left;

THENCE continuing along the southerly line of said Summer Lee Drive and with said reverse curve to the left having a radius of 4308.50 feet, a central angle of 03 degrees 44 minutes 10 seconds, an arc length of 280.95 feet, a chord bearing of South 71 degrees 13 minutes 11 seconds East a distance of, 280.90 feet to a 5/8 inch iron rod found for corner at the beginning of a compound curve continuing to the left;

THENCE continuing along the southerly line of said Summer Lee Drive and with said compound curve continuing to the left having a radius of 2761.77 feet, a central angle of 01 degrees 21 minutes 31 seconds, an arc length of 65.48 feet, a chord bearing of South 72 degrees 24 minutes 30 seconds East a distance of, 65.48 feet; to the **POINT OF BEGINNING** containing 70,223 square Feet, or 1.612 acres of land.

SURVEYORS CERTIFICATE

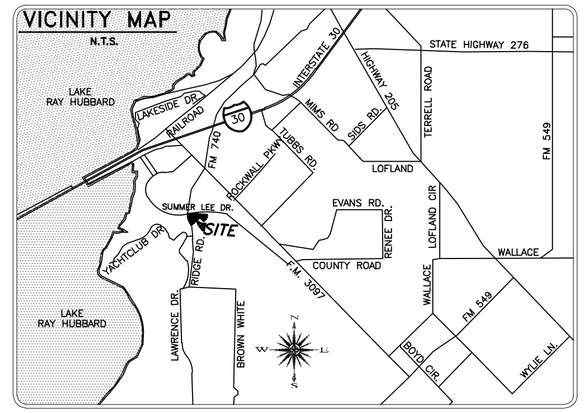
I, HEREBY CERTIFY, THAT I PREPARED THIS SURVEY PLAT SHOWN HEREON FROM AN ACTUAL SURVEY ON THE GROUND BY ME AND THAT ALL CORNERS ARE MARKED, AND THAT ALL DIMENSIONS SHOWN THEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND FURTHERMORE THERE ARE NO ENCROACHMENTS, PROTRUSIONS, IMPROVEMENTS, EASEMENTS, RIGHT-OF- WAY, OR 100 YEAR FLOOD PLAIN AFFECTING THE PROPERTY EXCEPT AS SHOWN THEREON.

WITNESS UNDER MY HAND THIS THE _____ DAY OF _____, 2015.

_____
BRIAN J. MADDOX, R.P.L.S. NO. 5430

THE PURPOSE OF THIS REPLAT IS TO ADD EASEMENTS TO LOT 2, BLOCK A IN ORDER TO CREATE A DEVELOPABLE LOT.

EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 62°24'24" W	50.42'
L2	N 00°52'58" W	125.47'
L3	S 71°45'46" E	15.00'
L4	N 72°35'36" W	4.63'
L5	N 27°35'36" W	14.45'
L6	N 18°14'14" E	10.00'
L7	S 17°46'33" W	18.47'
L8	S 26°45'46" E	48.57'
L9	S 18°14'14" W	52.01'
L10	S 71°45'46" E	51.08'
L11	N 18°14'14" E	18.50'
L12	S 18°14'14" W	25.68'
L13	S 18°14'14" W	22.79'
L14	S 18°14'14" W	22.43'
L15	N 18°14'14" E	24.00'
L16	S 18°14'14" W	25.90'
L17	N 18°14'14" E	60.94'
L18	N 18°14'14" E	60.94'
L19	N 71°45'46" W	10.50'
L20	N 71°45'46" W	191.00'
L21	S 70°16'05" E	25.01'
L22	N 18°14'14" E	12.70'
L23	N 18°14'14" E	13.35'
L24	N 17°46'33" E	24.08'
L25	S 71°45'46" E	71.66'
L26	S 71°45'46" E	81.68'
L27	N 18°14'14" E	19.28'
L28	N 18°14'14" E	9.28'
L29	S 76°49'05" E	26.19'
L30	S 76°49'05" E	28.11'
L31	N 62°24'24" E	29.90'
L32	N 62°24'24" E	29.90'
L33	N 71°45'46" W	24.00'
L34	N 18°14'14" E	8.44'
L35	N 71°45'46" W	66.10'
L36	N 71°45'46" W	66.10'
L37	S 71°45'46" E	199.98'
L38	N 18°14'14" E	66.21'
L39	N 18°14'14" E	32.82'
L40	S 71°45'46" E	49.58'
L41	N 71°45'46" W	22.09'



EASEMENT CURVE TABLE					
CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	4308.50'	0°12'37"	15.82'	S 70°32'22" E	15.82'
C2	2761.77'	0°18'40"	15.00'	S 72°07'34" E	15.00'
C3	124.00'	5°03'19"	10.94'	N 74°17'25" W	10.94'
C4	100.00'	5°03'19"	8.82'	N 74°17'25" W	8.82'
C5	20.00'	90°00'00"	31.42'	S 63°14'14" W	28.28'
C6	8.00'	82°49'09"	11.56'	S 23°10'21" E	10.58'
C7	24.00'	45°49'50"	19.20'	N 85°19'19" E	18.69'
C8	48.00'	45°49'50"	38.39'	N 85°19'19" E	37.38'
C9	10.00'	90°25'02"	15.78'	S 26°33'15" E	14.19'
C10	10.00'	91°30'10"	15.97'	N 63°34'17" E	14.33'
C11	20.00'	90°00'00"	31.42'	N 26°45'46" W	28.28'
C12	48.00'	90°00'00"	75.40'	N 26°45'46" W	67.88'
C13	24.00'	90°00'00"	37.70'	N 26°45'46" W	33.94'
C14	24.00'	44°10'10"	18.50'	N 40°19'19" E	18.05'
C15	10.00'	41°22'00"	7.22'	S 49°27'49" W	7.06'
C16	15.00'	18°11'31"	4.76'	S 79°14'34" W	4.74'
C17	48.00'	33°37'34"	28.17'	N 45°35'37" E	27.77'

BOUNDARY CURVE TABLE					
CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	1375.50'	2°49'52"	67.97'	N 70°48'31" W	67.96'
C2	1447.50'	2°52'21"	72.57'	S 70°47'16" E	72.56'
C3	4308.50'	3°44'10"	280.95'	S 71°13'11" E	280.90'
C4	2761.77'	1°21'31"	65.48'	S 72°24'30" E	65.48'

APPROVED

I hereby certify that the above and foregoing plat of REPLAT OF THE RIDGE/SUMMER LEE ADDITION LOT 2, BLOCK A to the City of Rockwall, Texas was approved by the City Council of the City of Rockwall on the ____ day of _____, 2015.

This approval shall be invalid unless the approved Plat for such Addition is recorded in the office of the County Clerk of Rockwall County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

_____ _____
Director of Planning *City Engineer*

REPLAT
RIDGE/SUMMER LEE ADDITION
LOT 2, BLOCK A

BEING ALL OF
LOT 2, BLOCK A, OF THE RIDGE/SUMMER LEE ADDITION,
RECORDED IN CABINET H, SLIDE 231
P.R.R.C.T.
SITUATED IN THE
EDWARD TEAL SURVEY, ABSTRACT NO. 207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER

NORTH DALLAS ROCKWALL
LAND INVESTORS, LLC
1005 West Ralph Hall Pky. Suite #233
Rockwall, Texas 75032
(972) 771-8111

SURVEYOR

MADDOX SURVEYING & MAPPING INC
P.O. BOX 2109
FORNEY, TEXAS 75126
(972) 564-4416

1"=50' 5-22-15 SHEET 2 OF 2

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 07/06/2015

APPLICANT: David Greer, *Bannister Engineering*

AGENDA ITEM: **P2015-028**; *Lot 1, Block A, Hazel and Olive Addition*

SUMMARY:

Discuss and consider a request by David Greer of Bannister Engineering on behalf of Ben McMillian of Ben McMillian Properties, LLC for the approval of a replat for Lot 1, Block A, Hazel and Olive Addition being a 0.421-acre tract of land composed of two (2) parcels of land identified as Block 19A & 19B, Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, addressed as 503 N. Goliad Street [SH-205], and take any action necessary.

PLAT COMMENTS:

- ✓ The objective of this request is to plat a 0.421-acre tract of land for the purpose of constructing a general retail store, photography studio and office building on the subject property at 503 N. Goliad Street. On February 2, 2015, the City Council approved *Ordinance No. 15-03* (*SUP-130*) [*Case No. Z2014-038*] allowing for a *General Retail Store* to be established on the subject property. Additionally, the Planning and Zoning Commission approved a site plan request [*Case No. SP2015-011*] on May 12, 2015.

- ✓ The surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for replats as stated in the *Subdivision Ordinance* in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

RECOMMENDATIONS:

Staff recommends approval of the final plat for *Lot 1, Block A, Hazel and Olive Addition* in conformance with the following conditions of approval:

1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

2) Any construction resulting from the approval of this *replat* shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On June 30, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the final plat by a vote of 5-0, with Commissioners Conley and Logan absent.

City of Rockwall

Project Plan Review History

Project Number	P2015-028	**Owner**	DATAR, CORPORATION	**Applied**	6/23/2015	LM
Project Name	Hazel and Olive	**Applicant**	BANNISTER ENGINEERING	**Approved**		
Type	PLAT			**Closed**		
Subtype	REPLAT			**Expired**		
Status	STAFF REVIEW			**Status**	6/23/2015	LM

Site Address	**City, State Zip**	**Zoning**
503 N GOLIAD ST	ROCKWALL, TX 75087	

Subdivision	**Tract**	**Block**	**Lot No**	**Parcel No**	**General Plan**
AMICK		19A E PART		3050-019A-0018-00-0R	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	6/23/2015	6/30/2015	6/23/2015		APPROVED	
ENGINEERING	Amy Williams	6/23/2015	6/30/2015	6/24/2015	1	APPROVED	
FIRE	Ariana Hargrove	6/23/2015	6/30/2015	6/23/2015		APPROVED	
GIS	Lance Singleton	6/23/2015	6/30/2015	6/23/2015		APPROVED	
PLANNING	Ryan Miller	6/23/2015	6/30/2015	6/24/2015	1	APPROVED W/ CONDITIONS	See Comments

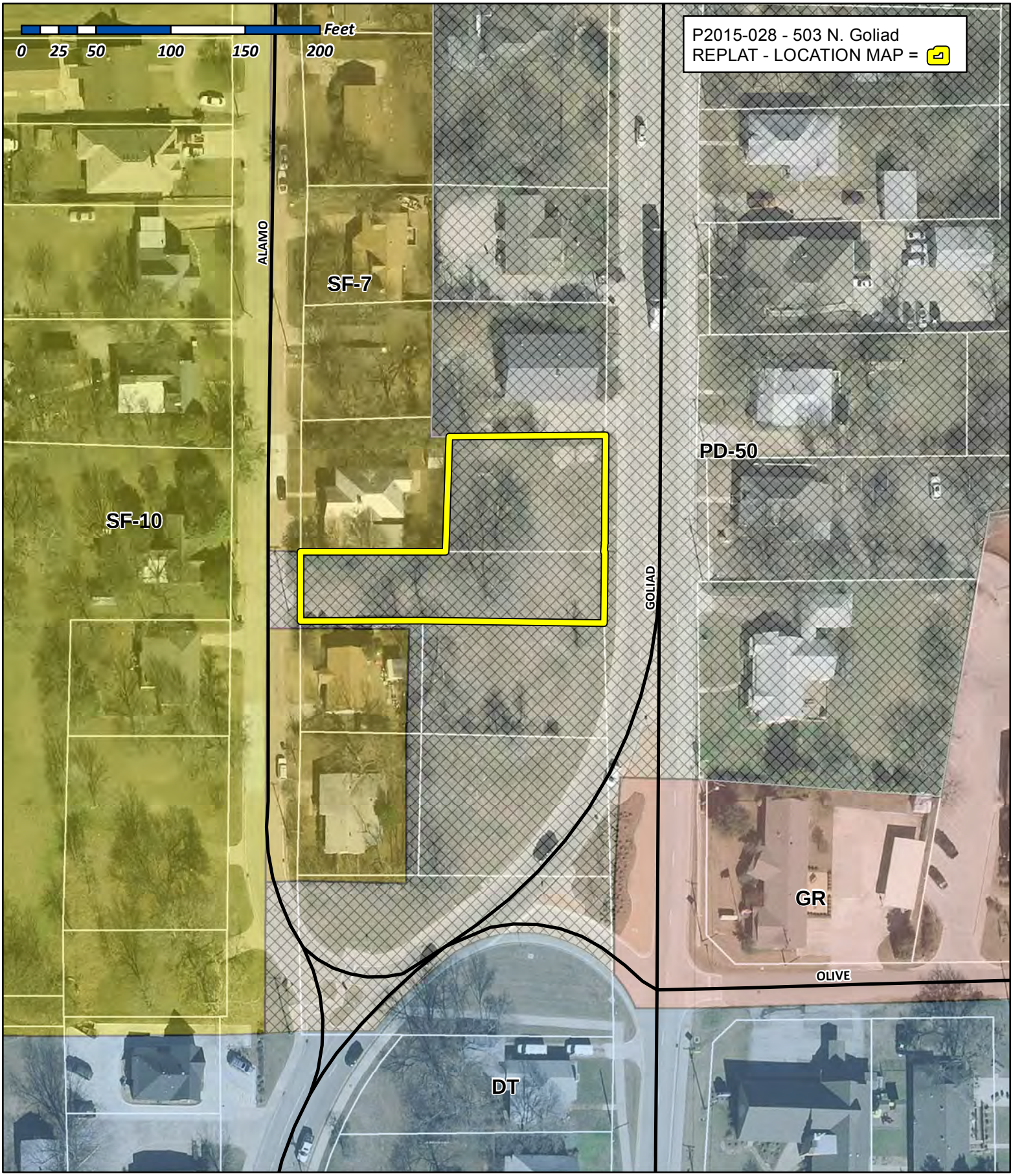
Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks

P2015-028 (Lot 1, Block A, Hazel & Olive Addition): Please address the following comments (M= Mandatory Comments; I = Informational Comments).

I.1 This is a request for the approval of a replat for Lot 1, Block A, Hazel and Olive Addition being a 0.421-acre tract of land composed of two (2) parcels of land identified as Block 19A & 19B, Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, and addressed as 503 N. Goliad Street [SH-205].
I.2 For questions or comments concerning this case please contact Ryan Miller in the Planning Department at (972) 772-6441 or email rcmiller@rockwall.com.
M.3 For reference, include the case number (P2015-028) in the lower right hand corner of all pages on future submittals.
M.4 Please change the title block as follows:

Replat
Hazel and Olive Addition
Lot 1, Block A
Being a Replat of
Block 19A & 19B, Amick Addition
0.421-Acres or 18,355 SF
Situated Within the Benjamin F. Boydstun Survey, Abstract No. 14
City of Rockwall, Rockwall County, Texas

M.5 The shape used in the vicinity map does not match the subject property. Please make the necessary corrections.
M.6 Change all references of “Amicks” to “Amick”.
M.7 Remove all building setbacks from the replat.
M.8 The public access easement needs to extend to the property to the north (i.e. Block 20B, Amick Addition) as required by the site plan case (i.e. SP2015-011).
M.9 Move all text impairing the visibility of the boundaries of the easements.
M.10 Indicate the centerline of all adjacent right-of-ways.
M.11 Add the total distance of the line segment in paragraph five (5) of the legal description (i.e. 203.79’).
M.12 Change the signature block from the administrative approval signature block to the standard city signature block.
I.13 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections, and provide any additional information that is requested. The Planning & Zoning meeting date for this case will be June 30, 2015.
I.14 The projected City Council meeting date and subsequent approval for this plat is July 6, 2015.

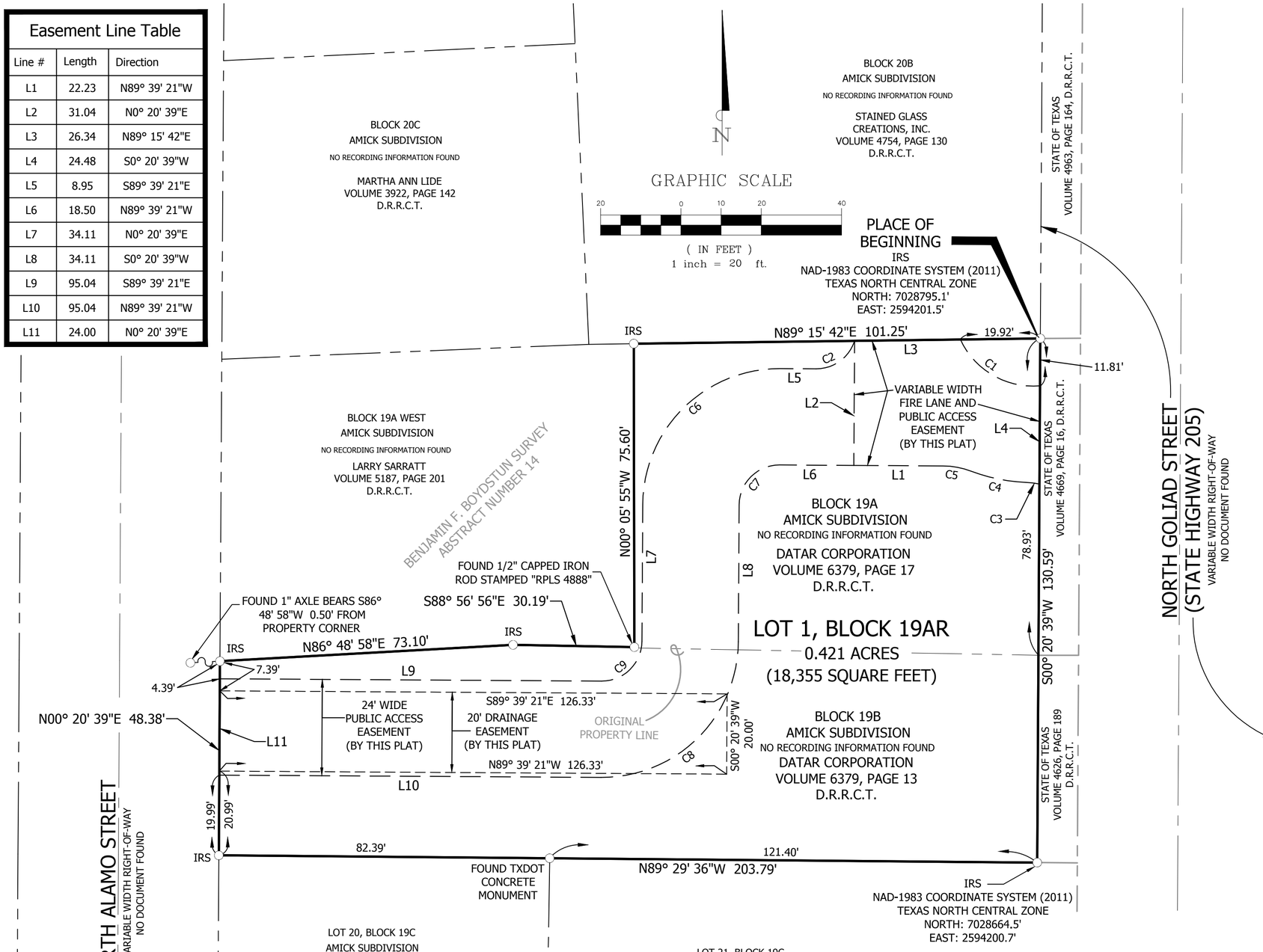


City of Rockwall

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

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

Easement Line Table		
Line #	Length	Direction
L1	22.23	N89° 39' 21"W
L2	31.04	N0° 20' 39"E
L3	26.34	N89° 15' 42"E
L4	24.48	S0° 20' 39"W
L5	8.95	S89° 39' 21"E
L6	18.50	N89° 39' 21"W
L7	34.11	N0° 20' 39"E
L8	34.11	S0° 20' 39"W
L9	95.04	S89° 39' 21"E
L10	95.04	N89° 39' 21"W
L11	24.00	N0° 20' 39"E



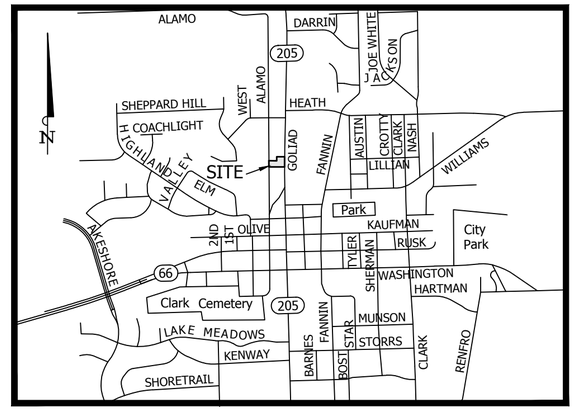
Easement Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	24.46	20.00	70°04'43"	S59° 47' 38"E	22.97
C2	12.70	10.00	72°46'32"	N53° 57' 23"E	11.86
C3	3.28	20.00	9°23'44"	N82° 55' 49"W	3.28
C4	14.12	44.00	18°23'23"	N78° 26' 00"W	14.06
C5	7.13	20.00	20°25'02"	N79° 26' 50"W	7.09
C6	53.41	34.00	90°00'00"	N45° 20' 39"E	48.08
C7	15.71	10.00	90°00'00"	S45° 20' 39"W	14.14
C8	53.41	34.00	90°00'00"	S45° 20' 39"W	48.08
C9	15.71	10.00	90°00'00"	N45° 20' 39"E	14.14

LEGEND

N NORTH
S SOUTH
E EAST
W WEST
° DEGREES
' MINUTES/FEET
" SECONDS

D.R.R.C.T.
DEED RECORDS
ROCKWALL COUNTY, TEXAS

P.R.R.C.T.
PLAT RECORDS
ROCKWALL COUNTY, TEXAS



VICINITY MAP
NOT TO SCALE
ROCKWALL, TEXAS

GENERAL NOTES:

1. It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83 -54.

2. According to surveyor's interpretation of information shown on the National Flood Insurance Program (NFIP) "Flood Insurance Rate Map" (FIRM), Community Panel No. 48397C0040L, dated September 26, 2008.. The property appears to lie within Zone "X" and the entire property lies within a "Areas determined to be outside the 0.2% annual chance floodplain" zone as defined by the U.S. Department of Housing and Urban Development, Federal Insurance Administration, or the Federal Emergency Management Agency.

3. The above referenced "FIRM" map is for use in administering the "NFIP"; it does not necessarily show all areas subject to flooding, particularly from local sources of small size, which could be flooded by severe, concentrated rainfall coupled with inadequate local drainage systems. There may be other streams, creeks, low areas, drainage systems or other surface or subsurface conditions existing on or near the subject property which are not studied or addressed as a part of the "NFIP".

4. All iron rods set (IRS) are 5/8-inch with a plastic cap stamped "RPLS 4838".

5. All coordinates and bearings shown herein are Texas State Plane Coordinate System, NAD83 (2011), Texas North Central Zone (4202). All distances shown herein are surface distances.

6. SOURCE BENCHMARK: City of Rockwall monument No. Reset R005-1, Concrete monument with a brass cap Stamped "Reset R005-1" found in the median of Summit Ridge Drive at the intersection of Summit Ridge Drive and F.M. Highway No. 740

Elevation = 578.631'

REPLAT
HAZEL AND OLIVE ADDITION
LOT 1 , BLOCK A

BEING A REPLAT OF BLOCK 19A & 19B, AMICK SUBDIVISION, 0.421 ACRES (18,355 S.F.) OF LAND SITUATED WITHIN THE BENJAMIN F. BOYDSTUN SURVEY, ABSTRACT NO. 14 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

CASE NO. P2015-028

SHEET 1 OF 2

OWNER/DEVELOPER
DATAR CORPORATION
1508 BAY VALLEY CIRCLE
HEATH, TEXAS 75032

PREPARED BY:
PROJECT NO. 062-15-06
BANNISTER ENGINEERING
1696 Country Club Drive
Mansfield, TX 76063 817.842.2094
TBPLS REGISTRATION NO. 10193823

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS DATAR CORPORATION, BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING 0.421 acre or (18,355 square feet) of land in the Benjamin F. Boydstun Survey, Abstract No. 14, City of Rockwall, Rockwall County, Texas; said 0.421 acre or (18,355 square feet) of land being a portion of that certain tract of land known as Block 19A (East) and Block 19B, AMICK SUBDIVISION (Unrecorded subdivision), (hereinafter referred to as Block 19A (East) and/or Block 19B); said 0.421 acre or (18,355 square feet) of land being all of that certain tract of land described in a General Warranty Deed to Datar Corporation, as recorded in Volume 6379, Page 17, Deed Records, Rockwall County, Texas (D.R.R.C.T.); and all of that certain tract of land described in a General Warranty Deed to Datar Corporation (collectively hereinafter referred to as Datar tract), as recorded in Volume 6379, Page 13, D.R.R.C.T.; said 0.421 acre or (18,355 square feet) of land being more particularly described, by metes and bounds, as follows:

BEGINNING at a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for the Northeast corner of said Datar tract, same being the Southeast corner of that certain tract of land described in a Correction Warranty Deed to Stained Glass Creations, Inc. (hereinafter referred to as Stained Glass Creations tract), as recorded in Volume 4754, Page 130, D.R.R.C.T., same also being the existing West right-of-way line of North Goliad Street, also known as State Highway 205, (Variable width right-of-way), as recorded in Volume 4669, Page 16, D.R.R.C.T.;

THENCE South 00 degrees 20 minutes 39 seconds West with the common line between said Datar tract and the existing West right-of-way line of said North Goliad Street, passing at a distance of 78.93 feet, the common line between said Block 19A (East) and said Block 19B and continue with said course for a total distance of 130.59 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for the Southeast corner of said Datar tract, same being the North line of that certain tract of land described in a deed to the State of Texas (hereinafter referred to as State of Texas tract), as recorded in Volume 4702, Page 8, D.R.R.C.T.;

THENCE North 89 degrees 29 minutes 36 seconds West, departing the existing West right-of-way line of said North Goliad Street and with the common line between said Datar tract and the North line of said State of Texas tract, passing at a distance of 121.40 feet, a Texas Department of Transportation concrete monument (TXDOT) found for the Northwest corner of said State of Texas tract, same ostensibly being the Northeast corner of that certain tract of land described in a deed to Aracelia Tamez and Silveno Tamez, as recorded in Volume 327, Page 145, D.R.R.C.T. (hereafter referred to as Tamez tract) and continuing with said course and the common line between said Datar tract and said Tamez tract to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for the Southwest corner of said Datar tract, same ostensibly being the Northwest corner of said Tamez tract, same also being the existing East right-of-way line of North Alamo Street (a variable width right-of-way);

THENCE North 00 degrees 20 minutes 39 seconds East with the common line between said Datar tract and the existing East right-of-way line of said North Alamo Street, a distance of 48.38 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for the Westerly Northwest corner of said Datar tract, same being the Southwest corner of that certain tract of land described in a General Warranty Deed to Larry Sarratt, (hereinafter referred to as Sarratt tract), as recorded in Volume 5187, Page 201, D.R.R.C.T., from which an 1" Axle found bears South 86 degrees 48 minutes 58 seconds West, a distance of 0.50 feet;

THENCE North 86 degrees 48 minutes 58 seconds East, departing the existing East right-of-way line of said North Alamo Street and with the common line between said Datar tract and said Sarratt tract, a distance of 73.10 to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for an angle point in the South line of said Sarratt tract;

THENCE South 88 degrees 56 minutes 56 seconds East continuing with the common line between said Datar tract and said Sarratt tract, a distance of 30.19 feet to a one-half inch iron rod with plastic cap stamped "RPLS 4888" found for the Southeast corner of said Sarratt tract, same being an inner-ell corner of said Datar tract;

THENCE North 00 degrees 05 minutes 55 seconds West, continuing with the common line between said Datar tract and said Sarratt tract, a distance of 75.60 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for the Northerly Northwest corner of said Datar tract, same being the Northeast corner of said Sarratt tract, same also being the South line of the aforesaid Stained Glass Creations tract;

THENCE North 89 degrees 15 minutes 42 seconds East with the common line between said Datar tract and said Stained Glass Creations, Inc tract, a distance of 101.25 feet to the PLACE OF BEGINNING, and containing a calculated area of 0.421 acre or (18,355 square feet) of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owner of the land shown on this plat, and designated herein as the HAZEL AND OLIVE ADDITION, an addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the HAZEL AND OLIVE ADDITION have been notified and signed this plat. We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

DATA CORPORATION
a Texas corporation

_____

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, 2015.

_____ _____ _____
Notary Public in and for the State of Texas My Commission Expires

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Michael Dan Davis, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

For: Bannister Engineering LLC

PRELIMINARY,
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

Michael Dan Davis
Registered Professional Land Surveyor
Texas Registration No. 4838

STATE OF TEXAS
REGISTERED
MICHAEL DAN DAVIS
4838
PROFESSIONAL
SURVEYOR
PRELIMINARY

_____ _____
Planning & Zoning Commission, Chairman Date

APPROVED:
I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2015.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 2015.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

REPLAT
HAZEL AND OLIVE ADDITION
LOT 1 , BLOCK A

BEING A REPLAT OF BLOCK 19A & 19B, AMICK SUBDIVISION, 0.421 ACRES (18,355 S.F.) OF LAND SITUATED WITHIN THE BENJAMIN F. BOYDSTUN SURVEY, ABSTRACT NO. 14 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

CASE NO. P2015-028

SHEET 2 OF 2

PREPARED BY: PROJECT NO. 062-15-06

OWNER/DEVELOPER
DATAR CORPORATION
1508 BAY VALLEY CIRCLE
HEATH, TEXAS 75032

BANNISTER ENGINEERING
1696 Country Club Drive
Mansfield, TX 76063 817.842.2094
TBPLS REGISTRATION NO. 10193823

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **July 1, 2015**

SUBJECT: **HARBOR BOAT DOCK STORM DAMAGE**

The boat docks at The Harbor sustained significant structural damage as a result of storms the week of May 18th and again the week of June 21st. Winds were reported to have reached 40 – 50 mph for several hours. Another storm hit shortly afterwards that had winds reported above 60 mph.

Staff immediately contacted Bellingham Marine, the original manufacturer and installer of the boat dock system. They sent a representative out to assess the damage and provide cost estimates for repairs. The repair costs are estimated to be approximately $195,955.00 at this time. Funds for the repair would be covered by insurance, less a $2,500 deductible. Contingent on Council approval, Bellingham Marine would begin manufacturing the floats and necessary parts to make the repairs and begin work within four to six weeks. Bellingham Marine estimates that it will take about two to three weeks to complete the work once on site, contingent on weather.

Approximately $55,000 of the insurance funds have been received. Staff requests that Council consider authorizing the City Manager to enter into an agreement with Bellingham Marine to complete the Harbor boat dock repairs, establishing a $10,000 contingency for any potential hidden damages.

Florida Floats, Inc. 1813 Dennis St. P. (904) 358-3362
dba Bellingham Marine Jacksonville, FL 32204 F. (904) 354-4818
www.bellingham-marine.com

Bellingham MARINE
The World's Most Comprehensive Marina Builder

LETTER AGREEMENT FOR ROCKWALL HARBOR MARINA STORM REPAIRS AND MAINTENANCE

July 2, 2015

Mr. Andy Hesser, Parks and Recreation Manager
City of Rockwall
108 E. Washington
Rockwall Texas, 75087

Re: Rockwall Harbor Marina Tropical Storm Bill Repairs & Maintenance

Dear Andy:

This Letter Agreement ("Agreement") is entered into between the City of Rockwall ("Owner"), and Bellingham Marine ("Contractor"), for Tropical Storm Bill related dock repairs and to the existing Unifloat® floating concrete dock system at Rockwall Harbor Marina, 2059 Summer Lee Dr., Rockwall, TX 75032 ("the "Facility").

Our quoted price is: $195,955.00 (One Hundred Ninety Five Thousand Nine Hundred Fifty Five Dollars)

Material List:

NO.	MATERIAL DESCRIPTION	QUANTITY
1	3' x 23' Concrete Float Module	5
2	11' x 10' Concrete Float Module	6
3	7' x 8' Concrete Float Module	1
4	7' x 10' Concrete Float Module	1
5	Walers – 3"x 17 5/8"Glulams	1,460'
6	Walers – 4"x 8"	350'
7	Walers – 3"x 10"	80'
8	Cover Boards – 2" x 12"	700'
9	Cover Boards – 2" x 10"	40'
10	Cover Boards – 2" x 8"	700'
11	4'x 4' Triangle Frame (HDG)	15
12	T-Frame (HDG)	4
13	3' Finger End Pile Guide Frame (HDG)	7
14	Thru-Rod 12'-2½" w/Hardware (HDG)	100
15	Thru-Rod 8'-0½" w/Hardware (HDG)	40
16	Thru-Rod 3'-6 ½" w/Hardware (HDG)	100
17	Misc. Hardware & Roller Assemblies	1
18	14" Mooring Cleats (HDG)	12
19	Vinyl Fendering (Grey)	1,100'

Initials _____ / _____
Owner BMI

Prices are contingent upon receipt of all plans, specifications, data and/or other reports issued pertaining to the project.

The Owner and the Contractor agree as follows:

1. The following services are included in this Agreement:

   1.1 **Attenuator Dock Repairs –** The repair materials include the following:
   - 6 each 11' x 10' Concrete Float Modules (Main Walkways Floats)
   - 5 each 3' x 23' Concrete Float Modules (25' Finger Piers)
   - 1,460' – 3" x 17 5/8" Glulam Walers
   - 700' – 2" x 8" Cover Board
   - 700' – 2" x 12" Cover Board
   - 7 each 3' finger end pile guide frames
   - 100 each 12'-2½" Thru-rods
   - 100 each 3'-6½" Thru-rods
   - 14 each 14" HDG Mooring Cleats
   - Misc Hardware & Roller Assemblies
   - Vinyl Fendring – Grey – 1,100'

   1.2 **Interior Dock Repairs –** The repair materials include the following:
   - 40 each 8'-0½" Thru-rods
   - 80' – 3" x 10" Walers
   - 40' – 2" x 10" Cover Boards
   - Vinyl Fendering - Grey

   1.3 **Repair Labor** – includes a 3 man crew for 2 weeks.

   1.4 **Freight to the Jobsite.**

2. Services and items not specifically included in Section 1 above are **specifically excluded from this Agreement. Excluded** items include, but are not limited to, the following:

   2.1 Sales or Use Taxes.
   2.2 Disposal or removal from the site of the damaged concrete float modules.
   2.3 Maintenance or repairs to fire systems, electrical systems, potable water systems or other utility systems.
   2.4 Any dock hardware (except as listed), major structural repairs (except as listed), patching, deck treatment, supplemental floatation, gangways, gates, or piers.
   2.5 Building Permits.
   2.6 Bonds.
   2.7 Signed or Sealed Drawings or Calculations.

3. **Schedule.** The Contractor shall begin the maintenance work on or about (a date to be determined).

Initials _____ / _____
Owner *BMI*

4. **Fees.** The fee for the replacement work set forth by this contract is **$195,955.00** (One Hundred Ninety Five Thousand Nine Hundred Ninety Five Dollars). Maintenance services performed and Maintenance materials supplied outside the scope of Article 1 herein may only be performed and supplied, respectively, by mutual written agreement. Maintenance services excluded from this Agreement will be billed at the rate of $150.00 per man hour. Maintenance materials will be billed at cost plus 20%.

5. **Payment.** 50% Deposit with the balance due upon completion. Payment shall be due net cash ten (10) days from receipt of invoice. Method of payment to be approved by Contractor's credit department prior to commencement of services. Interest will be charged on past due accounts at 12% per annum, or at the highest non-usurious commercial rate allowable by state law or provided by state statute, whichever is less. If Contractor is required to employ an attorney to collect any amount due as a result of the default of Owner, the Owner shall pay all costs of collection, including reasonable attorney's fees and court costs.

6. **Materials Supplied.** All parts, components, and supplies supplied hereunder to maintain the facility shall be furnished by Contractor on an exchange basis, and the removed parts and/or components shall become the property of Contractor upon removal. Any parts, components, equipment, or supplies supplied by Contractor hereunder may, at Contractor's option, be either new or reconditioned, but in any case, they shall meet or exceed the specifications for the replaced part, component, equipment, or supply.

7. **Warranty.** Contractor warrants to Owner that all services will be performed in a good, workmanlike manner and that repaired or replaced parts or components will be free from defects in material and workmanship until the termination of this Agreement or one (1) year from the date of the service, whichever occurs first. Contractor's sole obligation under this warranty shall be to repair any item in the Facility which is covered by this warranty that is repairable, or, at its option, to refurbish, overhaul, rebuild, replace, or issue a credit or refund for any item in the Facility which is covered by this warranty that has been reported to Contractor as defective in material or workmanship by Owner and which has been determined by Contractor to be defective, provided that the Owner has complied with all of the terms and conditions of this Agreement. Failure of the Owner to promptly notify Contractor of a defect or malfunction will void the warranty, as will product misuse or neglect, use that is not considered "normal" under this Agreement, or if any other terms or conditions of this Agreement are violated. THE ABOVE IS A LIMITED WARRANTY AND IT IS THE ONLY WARRANTY MADE BY CONTRACTOR. THIS WARRANTY IS EXPRESSLY IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY: (A) IMPLIED WARRANTY OR MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE; OR (B) IMPLIED WARRANTY OR CONDITION ARISING FROM COURSE OF PERFORMANCE, COURSE OF DEALING, OR USAGE OF TRADE. UNDER NO CIRCUMSTANCES SHALL CONTRACTOR HAVE ANY LIABILITY FOR CONSEQUENTIAL, EXEMPLARY, OR INCIDENTAL DAMAGES, OR FOR LOSS OF PROFITS OR ANY SIMILAR DAMAGES, EVEN IF IT HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. CONTRACTOR SHALL NOT BE LIABLE FOR ANY DAMAGE CAUSED BY A DELAY IN FURNISHING OF MAINTENANCE OR INSPECTION SERVICES UNDER THIS AGREEMENT. Owner specifically acknowledges and agrees that Contractor's obligations hereunder are strictly that of a provider of services, and not as a vendor of goods or as a merchant.

Initials _____ / _____
Owner *BMI*

8. **Limitation of Liability and Hold Harmless:** Unless otherwise expressly stated, these Services do not include testing or inspection intended to discover or analyze soil or water conditions, hazardous materials, electrical or mechanical systems, sewage disposal or water systems, or the suitability of the design and construction of the marina to withstand fire, flood, windstorm and wave action or other casualty, and we disclaim any responsibility to advise you of any conditions related thereto. Services performed hereunder do not constitute a warranty or guarantee concerning any condition, and BMI's fee for services has been determined accordingly. If Owner or any third party claims that BMI is liable for negligent performance of Services hereunder or for any other reason Owner claims that BMI has not fully satisfied its obligations under this Agreement, it is expressly agreed that BMI's liability to Owner is exclusively limited to the Fee paid under this Agreement. The Services performed hereunder are not intended to be performed for the benefit or use of any party other than the Owner, and Owner agrees to indemnify and hold Contractor harmless from any claim made by any third party relating in any way to the Service provided hereunder.

9. **Modifications or Damage to the Facility.** Owner shall be responsible for use, care, and cleaning of the Facility in accordance with instructions provided. All risk of loss or damage to the Facility, except that caused by the negligence of Contractor, shall be the responsibility of Owner at all times. If the Facility is changed, modified, altered, or damaged in any respect by any party other than as a result of Contractor's negligence during the term of this Agreement, then, at the option of Contractor, this Agreement shall be terminated. Absent such termination, Contractor shall give Owner written notice of the change, modification, alteration, or damage, and Owner shall promptly correct the change, modification, alternation, or damage, or adjust the price payable hereunder to cover any increased costs to Contractor.

10. **Access.** During the term of this Agreement, Owner will allow access to all of the Facility and to all devices which are part of or associated with the Facility. Contractor will use its best efforts to coordinate annual inspection visits with Owner to minimize operational interruptions. In the event Contractor is denied or prevented from gaining access to the Facility, Contractor's obligations under this Agreement shall be suspended until the act, omission, or condition affecting access is remedied. If Contractor is denied or prevented from gaining access to the Facility as a result of an act or omission of Owner, Contractor shall be entitled to be paid for any visit which it is required to make as a result of such denial or prevention at its then standard rate for labor, material, and travel.

11. **Assessment and Adjustments.** Owner agrees to assume full responsibility for any present or future taxes or any other government charges now or hereafter imposed by existing or future laws in connection with the transfer, use, ownership, or possession of any of the Facility.

12. **Additional Devices.** Owner agrees not to employ additional attachments, features, or devices to the Facility, make alterations to the Facility, or permit the maintenance of the Facility by other than Contractor's personnel without the written consent of Contractor. Contractor shall not be liable for loss or damage to Owner resulting from unauthorized additional attachments and Owner shall be liable to Contractor for any repair or damage costs incurred by Contractor as a result of the addition of unauthorized attachments. In addition, the warranty contained herein shall be null and void and of no force and effect if any provision of this paragraph is violated.

Initials _____ / _____
Owner *BMI*

13. **Arbitration.** All controversies, disputes, or claims of whatever nature arising out of, in connection with, or in relation to the interpretation, from performance or breach of this Agreement, including any claim based on contract, tort, or statute, shall be resolved, at the request of either BMI or Owner, by final and binding arbitration administered by and in accordance with the then existing Construction Industry Rules of the American Arbitration Association, and judgment upon any award rendered by the Arbitrator(s) may be entered by any state or federal court having jurisdiction thereof. The arbitrator shall determine which is the prevailing party and shall include in the award that party's reasonable attorney's fees and costs.

14. **Agreement.** This Agreement represents the entire agreement between the parties hereto and supersedes prior negotiations, representations, or agreements, either written or oral.

This Agreement entered into as of the day and year first contract is executed between both parties.

City of Rockwall	Bellingham Marine
By:_____	By: _____
Title:_____	Title:_____
Date:_____	Date:_____

Initials _____ / _____
Owner *BMI*

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **July 1, 2015**

SUBJECT: **RECREATION PROGRAM AND FACILITY SOFTWARE UPGRADE**

At the June 15th meeting, City Council heard a presentation from Park Board Chairman Brad Bassett during a joint work session meeting to hear recommendations regarding the Parks and Recreation Business Plan strategic initiatives. 15 initiatives were presented. Council unanimously approved moving forward with all 15 items presented.

During the public awareness campaign portion of the presentation, Mr. Bassett requested consideration of moving forward with a budget amendment to purchase recreation program and facility reservation software to upgrade the current software. Support for our current software is being phased out in 2016. Council voted unanimously to move forward with the budget amendment for the purchase of the software.

The cost is $18,764.62 for the service agreement. The agreement covers the services necessary for data base setup, staff training and testing prior to launch. There are no annual maintenance fees due to the fact that the system is entirely hosted off-site and is accessible through any web browser. Once the system is up and running a “per transaction fee” not to exceed 5% is included with each registration or reservation. This fee covers the credit card processing fees and access to the browser based software. This fee will be incorporated into an updated pricing for each program offered. The initial agreement is for three years, with automatic annual renewals.

Available funds will come from the recreation development fund. This account is funded by program registration fees collected from program participants.

Implementation of the new system will take approximately 14 to 16 weeks. Our goal is to be prepared to advertise to residents and implement the ability to register for programs and reserve facilities online by February of 2016. This is the time of year that our spring and summer programs, events and facilities are released in the Fun Guide brochure.

Service Agreement
Contract # 65365

This Service Agreement ("Agreement") is made effective as of July 7, 2015 (the "Effective Date") and entered into between Active Network, LLC ("Active" or "we" or "us") and the City of Rockwall ("you" or "your" or "Client"). The parties agree as follows:

1. Services. Active will provide services and support ("Services") related to events, camps, licenses, classes, tickets, contests, permits, facility/equipment use, transactions, sales, memberships, reservations, donations, and/or activities (together, "Events"), including without limitation access to its software as a solution product ("Software"). The features, services, options, and fees may be described more fully on web pages describing the Software and Services, and/or in an applicable schedule, quote, pricing form, order form, or similar document (each, a "Schedule"). From time to time, the parties may enter into new Schedules. Each Schedule will be generated by Active, reference this Agreement or the Contract Number above (if applicable), must be signed by Client, and will be governed by and incorporated into this Agreement. You agree to cooperate with us and to provide us with certain information relating to your organization as necessary for us to provide the Software and Services. Software provided under this Agreement is deemed delivered when access is made available to you.

2. License to Intellectual Property/Promotion. a) Active retains all right, title, and interest in and to its Software and Services and any underlying software subject to the limited license in this Agreement.

b) Active hereby grants to you a limited, non-exclusive, non-transferable, non-sublicensable license during the term of this Agreement (i) to use the Software and Services for the purposes of offering, promoting, managing, tracking, and collecting fees in connection with your Event(s) solely in accordance with the Schedule and this Agreement, and (ii) to display, reproduce, distribute, and transmit in digital form Active's name and logo solely for the purposes set forth in this Section 2. You hereby grant to Active a limited license to use information provided by you relating to your organization and Event, which may include content regarding the Event, your organization's name, trademarks, service marks, and logo, solely in connection with the promotion of your organization or Events and the Services that we provide. All rights not expressly granted herein are reserved.

c) You will make reasonable efforts to promote and encourage the use and availability of the Software in connection with the promotion of Events. You will include Active's name and logo in newsletters, printed registration forms or mailings provided by you to prospective participants (e.g., by inserting the following statement in any online or print media related to your Event: "Online Registration by Active.com"). During the term of this Agreement, Active will be the sole and exclusive provider of registration software and other services similar to the Software and Services provided to Client hereunder for all of Client's Events for which registration begins during the term of this Agreement. Client expressly understands and agrees that the exclusivity set forth in this Section is consideration in exchange for the pricing and other benefits being provided to Client hereunder. In the event that Client breaches its exclusivity obligations under this Section, Client agrees to pay the Liquidated Damage Amount (as defined below) related to the breach of exclusivity.

d) You agree to receive notifications regarding free product, promotional items, and giveaways at your Event(s) or facility(ies), but you may opt not to receive the items. Users who register for, sign up, or otherwise use the Services in connection with Events ("End Users") may opt-in to receive information, items, or promotions/deals from Active or other third parties, in which case, Active or such third party will be responsible for fulfillment and for providing customer service for any such offers.

e) Client shall: (i) not reverse engineer, disassemble, modify, incorporate into or with other software, or decompile any Software or prepare derivative works thereof; (ii) not copy, modify, transfer, display, or use any portion of the Software or Services except as expressly authorized in this Agreement or in the applicable documentation; (iii) not contest or do or aid others in contesting or doing anything which impairs the validity of any proprietary or intellectual property rights, title, or interest of Active in and to any Software or Services; (iv) not use the Software to transmit, publish, or distribute any material or information: (1) for which Client does not have all necessary rights and licenses, including any material or information that infringes, violates, or misappropriates the intellectual property rights of any third party; (2) that contains a computer virus or other code, files, or programs designed to disrupt or interfere with the functioning of the Software; (3) that is inaccurate or misleading; or (4) that is or that may reasonably be perceived as being harmful, threatening, offensive, obscene, or otherwise objectionable; (v) not attempt to gain access to any systems or networks that connect thereto except for the express purpose of using the Software for their intended use; (vi) not rent, lease, sublicense, resell, or provide access to the Software on a time-share or service bureau basis; (vii) not engage in any activity that interferes with or disrupts the Software or Services; (vii) not obliterate, alter, or remove any proprietary or intellectual property notices from the Software or Services; (ix) use the Software and Services exclusively for authorized and legal purposes, consistent with all applicable laws, regulations, and the rights of others; (x) not take any steps to avoid or defeat the purpose of security measures associated with the Software and Service, such as sharing of login and password information, or attempt to circumvent any use restrictions.

f) The Software may include encryption software or other encryption technologies that may be controlled for import, export, or purposes under the laws and regulations of the countries and/or territories in which the Software and Services are used ("Applicable Law"). Client may not export, re-export, or assist or facilitate in any manner the export or re-export of, any portion of the Software, as determined by Applicable Law under which Client operates: (i) to any country on Canada's Area Control List; (ii) to any country subject to UN Security Council embargo or action; (iii) contrary to Canada's Export Control List Item 5505; (iv) to countries subject to U.S. economic sanctions and embargoes; and (v) to persons or entities prohibited from receiving U.S. exports or U.S.-origin items, including, to any person or entity appearing on the Office of Foreign Assets Control's Specially Designated Nationals and Blocked Persons List or the Bureau of Industry and Security's Denied Persons List. Client hereby represents and covenants that: (a) to the best of Client's knowledge, Client is eligible to access the Software under Applicable Law; (b) Client will import, export, or re-export the Software to, or use or access the Software in, any country or territory only in accordance with Applicable Law; and (c) Client will ensure that End Users use the Software in accordance with the foregoing restrictions.

3. Information Collection. Active collects certain information from End Users. You may login to our data management system to access End User information relevant to an Event. You are responsible for the security of your login information and for the use or misuse of such information. You will immediately disable a user's access who is using the Software or Services on your behalf or notify Active in writing if any such user is no longer authorized or is using such information without your consent. Active may rely, without independent verification, on such notice, and Client, inclusive of Client's parent, subsidiary and affiliated entities, as applicable, and each of their respective officers, directors, managers, shareholders, owners, agents, employees, contractors, and representatives covenant not to sue and agree to defend, indemnify, and hold harmless Active from any claims arising from Active providing, denying, suspending, or modifying access to or use of the Software and Services of any individual as directed by Client or by someone who Active reasonably, under the circumstances, believes is authorized to act on behalf of Client. In the event of any dispute between two or more parties as to account ownership, you agree that Active will be the sole arbiter of such dispute in its sole discretion and that Active's decision (which may include termination or suspension of any account subject to dispute) will be final and binding on all parties. You agree not to use the Software or Services to collect or elicit (a) any special categories of data (as defined in the European Union Data Protection Directive, as may be amended from time to time), including, but not limited to, data revealing racial or ethnic origin, political opinions, or religious or other beliefs, trade-union membership, as well as personal data concerning health or sexual life or criminal convictions other than as expressly directed by Active, and in such event, only in pre-defined fields within the Software that are intended for that purpose; or (b) credit card information other than in pre-defined fields within the Software that are intended for that purpose. Both parties agree to use the collected information in compliance with (i) all applicable laws, rules and regulations, including, without limitation, those governing privacy (e.g., by including an appropriate CAN-SPAM opt out mechanism in email communications)

and the use of credit card data (e.g., using credit card information only for purposes authorized by the cardholder); (ii) applicable credit card network rules and Payment Card Industry Data Security Standards; and (iii) Active's privacy policy, as published on its website or otherwise provided by Active from time to time.

4. Fees. a) Client will pay the fees as more fully described in the applicable Schedule. Unless otherwise set forth on the applicable Schedule, Active will charge registration fees to individuals who register for the Events online, and will process and collect such fees as a merchant of record according to the card networks. On a bi-weekly basis, unless otherwise set forth in the applicable Schedule, Active will pay you sums due you based on the total fees collected, net of Active's service fees as set forth in the applicable Schedule and any other deductions provided herein. The applicable currency will be set forth on the Schedule.

b) Active may suspend its performance hereunder, including remitting payments, or terminate this Agreement in the event it reasonably believes that your use of the Software or Services is not in compliance with applicable law or this Agreement, is fraudulent, or is otherwise suspect, or if there is a dispute as to the legal authority of a Customer-associated party to perform hereunder. If Active reasonably believes that a transaction may be fraudulent or otherwise contrary to law, Active may issue an invoice or offset an equivalent amount from your account or any payment Active owes to you and return the value to the End User (as set forth below) and if sufficient funds are not available, you must reimburse Active on demand. Active will notify you of the reason for such offset provided that it is lawful to do so.

c) Any minimum volume commitment will be set forth in the applicable Schedule. The minimum volume calculation will begin on the date of the first live operational use of the Software for the Event(s) ("Go-Live Date"). If the Schedule indicates that you are paying on a subscription basis, you will be invoiced for the first year of subscription fees upon the Go-Live Date, with subsequent annual subscription fees being invoiced upon each anniversary of Go-Live Date.

d) If (i) you fail to meet an agreed upon minimum volume commitment as set forth in a Schedule; (ii) there are any overdue amounts owed by you; or (iii) there are returned charges or items, including those resulting from any error or complaint related to an Event, Active has the right to charge fees owed to Active by you by issuing an invoice, or by offsetting the deficiency from any account balance you maintain with Active or any payment Active owes you.

e) All amounts owed by you that are not directly collected by Active from End Users are due from you within thirty (30) days from either (i) the end of the remittance cycle during which the fees accrued (if related to registrations) or (ii) the date of the applicable invoice. These fees are displayed on your account statement. Past due fees shall accrue interest at the lesser of the annual rate of ten percent (10%) per annum or the maximum amount permitted by applicable law. In the event of delay in paying a fee, you agree to reimburse Active for any fees incurred in its collection efforts. Active may suspend or deactivate your account, including suspending its performance and obligation to remit payments hereunder, if your account is more than thirty (30) days past due.

f) Active may modify the fees once per calendar year, provided that any increase will not exceed twelve and a half percent (12.5%) over the then-current fees.

g) You are solely responsible for, and will pay, any and all use, excise, sales or privilege taxes, duties, value added taxes, fees, assessments, or similar liabilities, chargeable by a governmental authority (collectively, "Taxes") as a result of any Software or Service provided under this Agreement. Taxes on Active's net income are excluded. h) All fees described in the applicable Schedule are in consideration of the Software and Services that Active provides. Active and Client acknowledge that certain credit card network rules and laws prohibit imposing a surcharge that is based on the type of payment method used (e.g., having a different fee for the use of a credit card vs. debit card), and therefore, each agrees not to impose such a surcharge on any end user.

i) In the event you are entering into this Agreement and using the Services for the benefit of a third-party Event or organization ("Third Party Beneficiary"), you agree that we may remit amounts directly to the Third Party Beneficiary identified by you. In addition, you agree to include provisions in your agreement with such Third Party Beneficiary that are at least as protective of Active as Sections 5 and 6 herein. Should you fail to include such provisions in your contract with the Third Party Beneficiary and the failure results in costs or damages to Active, you agree to defend, indemnify, and hold Active harmless from any such costs and damages, including, without limitation, reasonable attorneys' fees. In addition, you agree to be responsible and liable for each Third Party Beneficiary's compliance with the terms and conditions of this Agreement.

j) It is your responsibility to notify End Users of your refund policy. You must ensure that your refund policies are consistent with this Agreement. You agree that all fees for a given Event are earned by you only following either the conclusion or delivery of the applicable Event (as applicable) and all amounts ultimately due to you will be net of all service fees, reversals, refunds, disputed charges, chargebacks and other deductions, whether due to customer complaints, allegations of fraud, discrepancies related to the applicable Event or otherwise. No payments shall be made to you with respect to any Event that is cancelled. If payments have already been made by Active to you for a cancelled Event or if Active reasonably determines that it is prudent or otherwise necessary to pay a refund to or honor a chargeback request from an End User, Active may issue an invoice or offset an equivalent amount from your account or payment owed by Active to you and return the value to the End User, and if sufficient funds are not available, you must reimburse Active on demand. Active will notify you of the reason for such offset provided that it is lawful to do so.

5. Disclaimer of Warranty/Limitation of Liability. **ACTIVE EXPRESSLY DISCLAIMS ANY WARRANTY THAT THE USE OF THE SOFTWARE OR SERVICES WILL BE UNINTERRUPTED OR ERROR FREE OR THAT THE SOFTWARE OR SERVICES WILL MEET YOUR REQUIREMENTS. SOFTWARE AND SERVICES ARE PROVIDED TO YOU ON AN "AS-IS" BASIS WITHOUT WARRANTIES OF ANY KIND, EITHER EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. ACTIVE SHALL NOT BE LIABLE FOR INDIRECT DAMAGES OR LOSSES (IN CONTRACT, TORT, OR OTHERWISE), INCLUDING BUT NOT LIMITED TO DAMAGES FOR LOST PROFITS, LOST SAVINGS, COST OF REPLACEMENT SERVICES, LOST DATA, LOSS OF USE OF INFORMATION OR SERVICES, OR ANY INCIDENTAL, CONSEQUENTIAL, EXEMPLARY, PUNITIVE, OR SPECIAL DAMAGES. ACTIVE'S TOTAL AGGREGATE LIABILITY FOR ALL MATTERS ARISING FROM OR RELATED TO THIS AGREEMENT IS LIMITED TO THE AMOUNT OF FEES ACTUALLY PAID BY YOU AS CONSIDERATION FOR THE SOFTWARE AND SERVICES GIVING RISE TO SUCH CLAIMS DURING THE TWELVE (12) MONTH PERIOD PRECEDING THE DATE ON WHICH THE FIRST CAUSE OF ACTION AROSE.**

6. Indemnification. a) Active shall defend, settle, and pay damages (including reasonable attorneys' fees) ("Damages") relating to any third party claim, demand, cause of action or proceedings (whether threatened, asserted, or filed) ("Claims") against Client to the extent that such Claim is based upon Active's proprietary Software infringing a United States patent, registered copyright, or registered trademark provided that the Software is used in accordance with this Agreement.

b) You shall defend, settle, and pay Damages relating to Claims to the extent based on (i) injury or death to a person or damage to property resulting from the participation in an Event operated by you in connection with the Software and/or Services; (ii) your provision of materials, products, or services as part of your obligations hereunder that infringe the intellectual property rights of any third party provided that such materials, products, or services are used by Active in accordance with this Agreement; (iii) your use of the Software and/or Services in violation of Section 2(e); (iv) any claims for refunds, reversals, or chargeback requests from End Users; and/or (iv) brought by a Third Party Beneficiary or brought in connection with Active's payment to a Third Party Beneficiary of any fees due hereunder in accordance with this Agreement. For the purposes of Sections 5 and 6, reference to Active shall also include its suppliers and licensors.

7. Term and Termination. The term of this Agreement shall be for three (3) years from the Effective Date with automatic renewals for three (3) year terms thereafter, unless either party gives written notice to the other party to terminate this Agreement no less than twelve (12) months prior to the expiration of the then-current term. Either party may terminate this Agreement: (a) upon a material breach by the other party, if such breach is not cured within thirty (30) days following written notice to the breaching party; or (b) where the other party becomes unable to fulfill its payment obligations generally or is subject to a filed bankruptcy petition or formal insolvency proceeding that is not dismissed within thirty (30) days. Notwithstanding the termination or expiration of this Agreement under any circumstance other than in the event of Active's breach of the Agreement, the parties agree that Active will continue to be the exclusive provider of registration software and other services similar to the Software and Services provided to Client hereunder for all of Client's Events for which registration begins during the term of this Agreement until the Event occurs or registration or similar services are no longer needed.

8. Assignment. a) Active may assign any of its rights or obligations under this Agreement. Client may not resell, assign, or transfer any of its rights or obligations hereunder except as expressly provided herein, and any attempt to resell, assign, or transfer such rights or obligations without Active's prior written approval will be null and void.
b) Except for Retained Assets (as defined below), Client shall cause each Schedule hereunder to be assigned to (i) the purchaser of all or substantially all of Client's assets or equity securities or (ii) to any successor by way of merger, consolidation, or other corporate reorganization of Client ((i) and (ii) together, a "Change of Control").
c) In addition, if Client seeks to sell, assign or otherwise transfer any Events which are the underlying subject matter of any Schedule (the "Subject Assets") regardless of whether such sale, assignment or transfer constitutes a Change of Control (any such transaction, a "Transfer"), Client shall cause the portion of the applicable Schedule relating to such Event(s) to be assigned to the purchaser or assignee of the Subject Assets (i.e. Client shall require the purchaser to assume Client's obligations under the applicable Schedule and this Agreement relating to such Event); provided however, in the event Client seeks to consummate a Transfer or enters into a Change of Control, but Client retains assets (i.e. Events) which are the underlying subject matter of a Schedule ("Retained Assets"), Client shall cause the applicable portion of the Schedule relating to the Subject Assets to be assigned to the purchaser or assignee of the Subject Assets, and Client shall retain its obligations under this Agreement and the Schedule(s) relating to the Retained Assets. Client shall be responsible for any and all costs incurred by it in connection with any such assignment. In the event that Client fails to cause an assignment as specified above, to the extent that there is a line item in the Schedule(s) entitled "Projected Contract Value," Client agrees to pay the amount of the Projected Contract Value related to such failed assignment as liquidated damages to Active, minus the amount of revenue already paid to Active net of all refunds, credit card chargebacks, and all other deducted amounts (the "Liquidated Damage Amount").
d) In the event that Client plans to enter into a Change of Control or otherwise consummate a Transfer, Client agrees to provide prior written notice to Active of the contemplated transaction. Within the thirty (30) day period following such transaction, Active shall have the right to immediately terminate each applicable Schedule if Active determines, in its reasonable good faith discretion that the purchaser or assignee of the Subject Assets is a competitor of Active or a party with whom Active does not want to do business. In the event of such termination by Active, Client will pay the Liquidated Damage Amount.
e) Client agrees (i) to require that the assignee (as outlined in this Section 8) agree, in writing, to be bound by the terms and conditions of the Agreement and each applicable Schedule; (ii) that Active may offset any Liquidated Damages Amount set forth in this Agreement from any account balance you maintain with Active or any payment Active owes you; (iii) all Liquidated Damage Amounts set forth in this Agreement will automatically reset during each renewal term; and (iv) because of the difficulty in making a precise determination of actual damages incurred by Active in the event that Client breaches its exclusivity obligations in Section 2(c), fails to cause an assignment pursuant to Section 8(c), or if Active terminates this Agreement pursuant to Section 8(d), the Liquidated Damage Amount will be assessed, not as a penalty, but as a reasonable approximation of costs incurred by Active and Active's loss of revenue; and (iv) that in any suit or other action or proceeding involving the assessment or recovery of liquidated damages, the reasonableness of the Liquidated Damage Amount shall be presumed and the liquidated damages assessed will be in addition to every other remedy now or hereinafter enforceable at law, in equity, by statute, or under the Agreement.
9. Miscellaneous. a) Any notices required to be given under this Agreement shall be in writing sent to the address set forth below for Client or, in the case of Active, to the address set forth above to the attention of Chief Legal Officer. Notices will be deemed received the next day if sent via overnight mail or courier with confirmation of receipt, or three (3) days after deposited in the mail sent certified or registered.
b) This Agreement shall be governed by the laws of the State of Delaware, without giving effect to the conflict of laws provisions thereof. Neither the United Nations Convention of Contracts for the International Sale of Goods nor the Uniform Computer Information Transactions Act shall apply to this Agreement. The parties irrevocably agree that any legal action or proceeding relating to this Agreement shall be instituted only in any state or federal court in Delaware.
c) This Agreement contains the entire understanding of the parties regarding the subject matter hereof and can only be modified or amended by a subsequent written agreement executed by both parties. This Agreement supersedes and replaces all oral or written RFPs, proposals, prior agreements, and other prior or contemporaneous communications between the parties concerning the subject matter of this Agreement.
d) Sections 2, 3, 5, 6, and 9 of this Agreement and any fees owed by you shall survive any termination or expiration of this Agreement.
e) If any provision of this Agreement is held to be unenforceable by a court of competent jurisdiction for any reason whatsoever, (i) the validity, legality, and enforceability of the remaining provisions of this Agreement (including without limitation, all portions of any provisions containing any such unenforceable provision that are not themselves unenforceable) shall not in any way be affected or impaired thereby, and (ii) to the fullest extent possible, the unenforceable provision shall be deemed modified and replaced by a provision that approximates the intent and economic effect of the unenforceable provision and the Agreement shall be deemed amended accordingly.
f) No waiver of any provision of this Agreement or any attachment shall be effective unless it is in writing and signed by the party against which it is sought to be enforced.
g) Neither party will be deemed to be in default hereunder, or will be liable to the other, for delay or failure to perform any of its obligations under this Agreement to the extent that such delay or failure results from any event or circumstance beyond that party's reasonable control, including without limitation, delays or failures of any Internet service provider, third-party payment processor or other third party.
h) Client has not received or been offered any illegal or improper bribe, kickback, payment, gift, or thing of value from an Active employee or agent in connection with this Agreement.
i) The Software is provided with restricted rights. Use, duplication, or disclosure by the U.S. Government is subject to restrictions as set forth in subparagraph (c) of The Rights in Technical Data and Computer Software clause at DFARS 252.227-7013, or subparagraphs (b)(1) and (2) of the Commercial Computer Software - Restricted Rights at 48 CFR 52.227-19, as applicable. The Manufacturer is Active Network, LLC or one of its affiliates or subsidiaries.
j) This Agreement may be executed in separate counterparts and delivered by facsimile or such other electronic means as are available to the parties. Such counterparts taken together shall constitute one and the same original document.

SIGNATURE PAGE

By signing this Agreement, each party represents and warrants that it has the necessary and full right, power, authority, and capability to enter into this Agreement and to perform its obligations hereunder.

Active Network, LLC	Client	
By: _____ Signature (Authorized Representative Only)	By: _____ Signature (Authorized Representative Only)	Email: _____
Name: _____	Name: _____	Phone: _____
Title: _____	Title: _____	Address: _____
Date: _____	Date: _____	_____ Event URL (site): _____

Schedule

Company Address	717 North Harwood Drive, Suite 2500 Dallas, TX 75201 US

Created Date	6/25/2015
Quote Number	00065365
Expiration Date	9/23/2015
Currency	USD

Prepared By	Janette Onizuka
Phone	1 (800) 661-1196 #1276
E-mail	janette.onizuka@activenetwork.com

Contact Name	Andy Hesser
Phone	+1 972 7726467
Email	mhesser@rockwall.com
Fax	(972) 771-7762

Bill To Name	City of Rockwall, TX
Bill To Contact	Andy Hesser
Bill To Address	385 S. Goliad Street Rockwall, TX 75087 United States

Ship To Contact	Andy Hesser
Ship To Address	385 S. Goliad Street Rockwall, TX 75087 United States

Product	Product Type	Description	Quantity	Sales Price	Fee %	Total Price
ACTIVE Net - Functionality: Activity Registration	SaaS		1			
ACTIVE Net - Functionality: Equipment Lending	SaaS		1			
ACTIVE Net - Functionality: Facility Reservation	SaaS		1			
ACTIVE Net - Functionality: League Scheduling	SaaS		1			
ACTIVE Net - Functionality: Memberships	SaaS		1			
ACTIVE Net - Functionality: Payroll	SaaS		1			
ACTIVE Net - Class Migration - Staff Interface - Technology Fee	SaaS	Technology Rates for organizations migrating to ACTIVE Net that are anticipated to have less than $1,500,000 in total annual transaction revenue that passes through ACTIVE Net.	1		2.00	
ACTIVE Net - Staff Interface - Payment Processing Fee - Credit Card	SaaS	Rates for organizations under $1,500,000 in annual revenue through ACTIVE Net.	1		3.00	

ACTIVE Net - (credit card refunds - flat fee)	SaaS		1	0.10		0.10
ACTIVE Net - Staff Interface - Payment Processing Fee - Electronic Cheque/Check Processing	SaaS		1		0.50	
ACTIVE Net - Public Interface - ($1.00 Service Charge Minimum)	SaaS		1			
ACTIVE Net - Public Interface - Online Transaction Fee	SaaS	Migration Loyalty Rates for first term of contract for organizations under $1,500,000 in annual revenue through ACTIVE Net.	1		5.00	
ACTIVE Net - ACTIVE Advantage - opt out	SaaS		1			
ACTIVE Net - Magazine Offer - opt out	SaaS		1			
ACTIVE Net - SaaS						
ACTIVE Net - ACH Remittance- Every 1 week	Service		1			
ACTIVE Net - Class Customer Loyalty - Professional Services Conversion to ACTIVE Net Credit	Service	The Class Customer Loyalty – Professional Services Conversion to ACTIVE Net Credit (the "Credit") is conditioned upon Client fulfilling all of its obligations under the Agreement during the initial term of the Agreement or three years, whichever is longer. If Client fails to fulfill such obligations, Client must pay to Active the full amount of the Credit. The Credit is only to be used for professional services, but cannot be used for hardware or reimbursement of airfare/transportation cost. Client must be current on Class Maintenance until ACTIVE Go Live to be eligible for the Credit. Service Charges will increase to standard list rate after initial term of the Agreement.	1	-5,835.38		-5,835.38
ACTIVE Net - Service Package Standard 6	Service	ACTIVE Net Service Package Standard 6 consists of the following Services: • remote business process review • remote functionality review & data collection preparation • remote data collection review • remote data entry (system inventory and policy controls) • remote user testing • remote train the trainer training • remote Go Live preparation • remote hardware configuration The scope of Services is contained to the 6 functionalities listed below. 50% of total Service costs will be billed at Service initiation, payable within 30 days of the date of invoice. 50% of total Service costs will be billed at Service completion, payable within 30 days of the date of invoice.	1	24,600.00		24,600.00

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		Total Price	USD 18,764.62
Service Total	18,764.62		

All fees described herein are in consideration of the Software and Services that Active provides. Active and Client acknowledge that certain credit card network rules and laws prohibit imposing a surcharge that is based on the type of payment method used (e.g., having a different fee for the use of a credit card vs. debit card), and therefore, each agree not to impose such a surcharge on any End User.

The payment options we offer may include MasterCard, Visa, American Express and Discover.

*Sales Tax not included in total price. Sales tax, where applicable, will be added to your invoice.

Quote Acceptance Information

Signature: _____

Printed Name: _____

Title: _____

Date: _____

PO# (if applicable): _____



SUPPORT AND MAINTENANCE HANDBOOK

SUPPORT AND MAINTENANCE

The following supplies and services are included in Support and Maintenance:

- Unlimited technical support between 5:00am and 6:00pm Pacific Time, Monday through Friday via telephone (800.663.4991), email or web portal (http://support.theactivenetwork.com)
- Unlimited phone support for System Down issues on a **24 hours x 7 days a week** basis, provided that:
    - If self-hosted, the site must have remote access and Internet email capability for extended support hours
    - Support calls placed during extended support hours must be placed by an authorized contact person
    - The type of support call is an urgent issue that includes site down, revenue impacting, or customer facing issues that have no reasonable work-around
- Access to Active's secure customer care web portal, discussion forums, knowledgebase and online training materials
- Regular documentation and communication
- **Support also includes, if such assistance can be provided in 15 minutes or less:**
    - Assistance troubleshooting Third Party Products (e.g., Crystal Reports, Citrix client)
    - Assistance to isolate and/or troubleshoot difficulties resulting from sources other than Active Network products and services, such as:
        - General network/internet support (e.g., network access, printing, internet access)
        - PC hardware troubleshooting
        - PC setup, configuration and optimization
        - Network operating system configuration and functionality
        - Basic Microsoft Windows functionality (i.e. Windows Explorer or Internet Explorer)
        - Loss of supervisor or other password

ANNUAL SUPPORT AND MAINTENANCE FOR NON-HOSTED CUSTOMERS

The following supplies and services are included in Support and Maintenance for non-hosted customers:

- New releases and version of the Software and free assistance in planning upgrades

SUPPORT AND MAINTENANCE FOR HOSTED CUSTOMERS

The following supplies and services are included in Support and Maintenance:

- Installation of new Software releases
- Monitoring of connectivity and critical functionality at all times (24hr x 365 days/year) by skilled personnel using an extensive series of automated probes from multiple locations
- Response to site-down/critical issues within one hour, with reasonable efforts to advise your organization of the current status and expected resolution time
- Service agreements between Active and critical vendors essential to the continuing successful operation of the hosted environment
- Scheduled maintenance to increase performance, fix defects or update applications, with reasonable efforts to notify your organization of scheduled maintenance times and potential impacts to service
- Urgent maintenance (done to correct network, hardware or Software issues that are likely to cause significant service disruption and that require immediate action), which may temporarily degrade service or cause outages. Active may undertake urgent maintenance at any time deemed necessary and shall provide status updates to your organization as soon as possible.

SUPPORT ISSUE PRIORITIES AND TIMELINES

TICKET RESOLUTION TARGETS

- New support incidents are assigned one of the following levels, each with its respective standard ticket resolution target:

Call Priority Level	Description	Standard Completion Target
Priority 1 – System Outage	Fatal issues that result in the customer's inability to fulfill critical business functions (i.e., those pertaining to core functionality such as processing registrations, memberships, rentals) and that have no reasonable work-around	1 business Day
Priority 2 – High Business Impact	Serious issues significantly impacting use of the system but do not prevent core functions from being fulfilled (i.e., Customer cannot perform critical business functions; Customer experiences severe site degradation)	2 business day
Priority 3 – Medium Business Impact	All other issues, except those classified as low; (e.g., how-to questions, reporting/reconciliation issues, general questions, work around options)	3 business days
Priority 4 – Low Business Impact	Issues that are not time-sensitive or may be undertaken as customer service initiatives outside the scope of this Agreement (i.e., feature requests or low priority questions)	None
Guaranteed Uptime	For clients licensing Hosted Software	99%

SERVICES NOT INCLUDED
The following supplies and services are excluded from Support and Maintenance: • Services required to remedy problems that stem from changes to or defects in system configuration upon which the Software was originally installed • Services required to remedy problems which do not stem from any defect in the Software • Services required to remedy problems caused by lack of training of Client's personnel • Improper treatment or use of the Software • Onsite or remote training services • Full report customization service • Database-specific services or assistance

RESTRICTIONS
The following actions will void Active's obligations under this Support and Maintenance Handbook: • The use of any other application that modifies data in the database, whether created by you or otherwise • The use or creation of third party applications that work in connection with Active's application or application database without prior written notification and consent from Active

HOLIDAY HOURS (US AND CANADA)		
Holiday	Open with reduced staff	Closed
New Year's Day (January 1st)		✓
Martin Luther King Day (3rd Monday in January)	✓	
President's Day (3rd Monday in February)	✓	
Good Friday (Friday before Easter)	✓	
Victoria Day (3rd Monday in May)	✓	
Memorial Day (Last Monday in May)	✓	
Canada Day (July 1st)	✓	
Independence Day (July 4th)	✓	
Civic holiday (1st Monday in August)	✓	
Labor Day (1st Monday in September)		✓
Canadian Thanksgiving/Columbus Day (2nd Monday in October)	✓	
Remembrance Day/Veteran's Day (November 11th)	✓	
US Thanksgiving (4th Thursday in November)	✓	
Day after US Thanksgiving (4th Friday in November)	✓	
Christmas Day (Dec. 25th)		✓
Boxing Day (December 26th)	✓	
New Year's Eve (December 31st)	✓	

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **July 1, 2015**

SUBJECT: **Greencrest Drive Water Line Replacement Project**

Greencrest Drive currently has a 16 inch diameter water line located behind the back of curb from Yellow Jacket Lane to the westbound IH 30 frontage road. This section of water line is a major component of the water distribution system. This line has experienced several small leaks over the past year. The pipe material for the water line is reinforced concrete steel cylinder and was installed in 1984. When any repair is required for this line, staff must hire a specialized company to mobilize on site and weld the repairs.

The last leak on this line triggered further discussions regarding the appropriate repair. The welder was unable to find a good section of steel cylinder pipe to weld the repairs without creating additional leaks. A suggestion was made to replace a 32 foot section(s) until the proper steel thickness of the pipe is located to allow repairs. There are not any guarantees that good sections of pipe will be found. Since repairs were unable to be made, Staff isolated this section of pipe and shut it down along Greencrest Drive as a temporary measure. The current location of the pipe makes the excavation a deep cut on the slope of the hill adjacent to the retaining walls for the Walmart development. Even this suggested repair would require the use of a private contractor to perform this construction.

Staff has evaluated another option that includes the replacement of the existing 16 inch diameter pipe along Greencrest Drive. Staff is considering utilizing PVC pipe as a replacement pipe material. The benefits to using PVC includes easier installation, repairs can be done by in-house staff, should cost less than the reinforced concrete steel cylinder and/or ductile iron pipe and is comparable to other pipe materials. The new line will be placed under the existing concrete pavement in Greencrest Drive making the installation and future maintenance less complicated.

Staff has discussed this matter with a consulting engineer. The preliminary cost estimate to reconstruct the water line is $450,000 with an engineering fee of $49,070. Staff recommends that the engineering design get underway as soon as possible. There are funds available from the remaining 2008 water and revenue bonds. Staff recommends City Council consideration for hiring Binkley & Barfield•C&P, Inc. to perform the engineering design services for this project. If you have any questions, please advise.

TMT:em

Attachments

Cc:

Rick Sherer, Manager of Water/Wastewater
Amy Williams, Assistant City Engineer
Jeremy White, Civil Engineer
Rick Sherer, Manager of Water and Wastewater
File

STATE OF TEXAS ♦

COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

BBCPI #15018
GREENCREST 16" WATER LINE

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Binkley & Barfield • C&P, Inc. ("ENGINEER"), located at 1801 Gateway Boulevard, Suite 101, Richardson, Texas 75080, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for design of a 16" water line in Greencrest Blvd. from Yellow Jacket Drive to IH 30 Service Road.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Exhibit "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and detailed in Exhibit "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an amount not to exceed forty nine thousand seventy dollars and no cents ($49,070.00), as shown in Exhibit "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Exhibit "C". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee

within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business that has an agreement or is in negotiations of an agreement with CITY. CITY may waive this conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination. However, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000.00
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000.00 General aggregate limit
$1,000,000.00 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence
$1,000,000.00 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000.00). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY:

Richard Crowley
City Manager
City of Rockwall
385 South Goliad
Rockwall, Texas 75087

ENGINEER:

Binkley & Barfield I C&P, Inc.
1801 Gateway Boulevard
Suite 101
Richardson, Texas 75080

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Contractor.

12. Reports and Information

Engineer, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

13. Entire Agreement

This Contract and its Exhibits and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

14. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

15. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

16. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

17. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

18. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

19. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this ____ day of 2015.

_____

By: _____
Name: _____
Title: _____

EXECUTED in triplicate originals on this ____ day of _____ 2015.

ATTEST:

_____
Richard Crowley, City Manager

EXHIBIT "A"

SCOPE OF WORK

Exhibit "A" further outlines the proposed scope of work to be performed by Binkley & Barfield-C&P, Inc. (BBCPI). BBCPI shall perform engineering design and shall develop construction plans for review, permitting, bidding, construction, inspection and record keeping. These plans and design shall be consistent with normal industry practice for projects of this nature. The project services are defined as follows:

A. Preliminary – Meet with City staff and go over project and establish a "very preliminary opinion of probable cost".

B. Design Survey:

1. Establish a horizontal and vertical control network and project control baseline for the project area. Existing topographic data in the area will be merged with the obtained data to obtain the best fit existing surface;
2. Establish horizontal and vertical project control monumentation;
3. Tie ROW lines, easements and corners that can be found via pin finder, property lines and corners/monuments, buildings, fence lines, mailboxes, trees 4-inches in diameter and larger, edges of pavements and all other visible surface features to the project control baseline. This is not a property or ROW Survey. Existing visible above ground utility structures shall be located and referenced by utility name (i.e. Oncor Elec., Verizon Telephone, Atmos Gas, Etc.);
4. Vertical topographic information tying pavement, drives, walls, manholes (top and inverts), storm drain inlets (top and inverts), culverts (flowline and top of pipe or headwall), water meters (top of meter box), water valves (top of valve box), clean outs (top and invert), and other improvements as needed within the project areas for the design;
5. Contacting Texas 811 prior to topographic survey to request field locates of existing underground utilities within the project limits (Not Level B SUE).

C. Design Phase:

I. Preliminary Design

1. Attend kick off meeting with the City of Rockwall to discuss project schedule and preliminary alignment as necessary to facilitate design;
2. Meet with City of Rockwall engineering staff and obtain design criteria, pertinent utility plans, street plans, plats and ROW maps, existing easement information, recent bid tabulations from projects similar in scope and other information available for the project area;
3. Conduct an on-site review and walk through of project locations;
4. Meet with the City Staff to confirm easement and/or right of way requirements (none anticipated for this project.);
5. Prepare preliminary construction plans. Prepare the following sheets (22" x 34") at the engineering scale indicated:
   a. Cover Sheet
   b. General Notes Sheet
   c. Quantity Sheet (sheet by sheet breakdown of all quantities)

d. Project Layout Control Sheet, Scale 1"= 100'
e. Typical Sections and Details Sheet
f. Waterline Replacement Plan/Profile Sheets, Scale 1"=40'

6. Erosion Control will be incorporated into the construction plans as needed;
7. Prepare outline of any special technical specifications needed for the project (if any);
8. Prepare an estimate of construction quantities and develop the preliminary statement of probable construction cost;
9. Submit two (2) sets of preliminary plans, and two (2) sets of outline of special technical specifications and preliminary statement of probable construction cost to the City for review (60% Submittal).

II. Begin Final Design

1. Meet with City of Rockwall staff to discuss City comments on preliminary plans, specifications and cost estimates;
2. Revise preliminary plans incorporating comments from the City of Rockwall;
3. Finalize construction plans for proposed replacements/improvements;
4. Finalize technical specifications and special conditions (if any);
5. Prepare bid documents for construction (as required by the City of Rockwall);
6. Incorporate City of Rockwall Standard Details into the construction plans and prepare additional details as required;
7. Finalize construction quantities and revise engineer's estimate of probable construction cost;
8. Submit two (2) sets of construction plans and one (1) set of special technical specifications, draft bid schedule and final statement of probable construction cost to the City for review (90% Submittal).

III. Final Design

1. Meet with City of Rockwall staff to discuss City final comments on construction plans, specifications, bid schedule and cost estimates;
2. Revise construction plans incorporating final comments from the City of Rockwall;
3. Revise bid documents, technical specifications and special conditions (as needed per final comments from the City of Rockwall);
4. Revise construction quantities and revise engineer's estimate of probable construction cost (as needed per final comments from the City of Rockwall);
5. Submit one (1) set of final black/blue line prints, one (1) bound copy of the bid documents and two (2) unbound original bid documents with special technical specifications to the City of Rockwall (100% Submittal).

D. Bid Phase

1. Assist the City staff in advertising for bids;
2. Furnish plans and specifications for bidding (25 sets) and distribute from BBCPI office. Maintain a list of plan holders;
3. Furnish plans and bid documents to plan review rooms. These documents are to be furnished at no cost to the plan review rooms;
4. Assist City staff in conducting a pre-bid conference, if required;
5. Provide written responses to requests for information or clarifications;

6. Address technical questions and prepare draft addenda, if necessary;
7. Assist City staff as required in bid opening.
8. Provide bid tabulation to the City within four working days of the bid letting (if requested);
9. Evaluate the low and second low bidders. Prepare letter of recommendation to the City of Rockwall for awarding a contract to the lowest responsible bidder within four working days of the bid letting (if requested).

E. Construction Phase

1. Assist City staff in obtaining completed contract documents from approved contractor;
2. Assist City staff in a pre-construction conference;
3. Review and approval of shop drawings and other submittals;
4. Provide written responses for construction questions;
5. Provide periodic site visits by the design engineer, at least two (2) times per month during construction;
6. Prepare plan and quantity revisions as required for change orders;
7. Perform a final walk-through inspection and prepare a written final punch list;
8. Prepare construction “Record Drawings” based upon mark-ups and information provided by the construction contractor(s). Submit one black-line set to the City and two (2) CD-ROM disks containing AutoCAD drawing files and scanned images of the 34" x 22" final "Record Drawings” (with "As-Built” stamps bearing the signature of the Engineer with the current date). The drawings shall be scanned 1 to 1 as an Adobe Acrobat Document (PDF File) at a minimum resolution of 200 dots per inch and a maximum resolution of 400 dots per inch. The PDF files shall be legible and shall include any post processing that may be required to enhance image quality (e.g., de-speckling, de-shading, de-skewing, etc.). Each file shall be named in numeric order. AutoCAD drawing files will be saved to the latest version of AutoCAD as specified by the City of Rockwall.

F. Franchise Utility Coordination

1. Contacting franchise utility companies regarding the location of their facilities in the area (with City’s assistance). City to furnish contact information.
2. Send preliminary and final plans to utility companies and request their review for possible conflicts with their facilities (with City’s assistance);
3. Reflect the utility locations on the construction documents;
4. Assist the City in preparing any exhibits necessary for obtaining franchise utility company approval.

EXHIBIT "B"
COMPENSATION
Waterline Replacement Project

Exhibit "B" further outlines the basis of compensation to Binkley & Barfield-C&P, Inc. for services provided.

Basic Fee Services: The basic fee for the services outlined in this agreement is $49,070.00.

The basis of compensation for the Basic Fee services shall be as follows:

A. Preliminary $750.00
B. Design Survey $6,640.00
C. Design Phase $33,725.00
D. Bid Phase $2,500.00
E. Construction Phase $1,100.00
F. Franchise utility Coordination $1,800.00

Engineering/Surveying $46,515.00

Prints, Plots, Deliveries, Mileage $2,555.00
(Estimated)

Total $49,070.00

These items will be billed lump sum monthly based on percent completion of the design tasks. Any taxes will be additional.

Total compensation for Basic Fee Services is $49,070.00

ADDITIONAL SERVICES

The intent of this scope of services is to include only the services specifically listed herein and none others. Services specifically excluded from this scope of services include, but are not necessarily limited to the following:

1. Horizontal and Vertical control stakes for construction;
2. Construction Materials Testing;
3. Geotech Investigation of the project site;
4. Trench Safety Design;
5. SWPPP sheets meeting TCEQ and City of Rockwall requirements will not be required. (Estimated Project Site < 1 Acre)

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Binkley & Barfield | C&P
consulting engineers

Preliminary Cost Estimate
Rockwall Water Line Improvements
BBCPI Project #BC15018

Item	Description	Units	Quantity	Unit Price	Total
1	PVC Water Line, AWWA C900 DR14, 08", by OC w Embed	LF	200.00	$35.00	$7,000.00
2	PVC Water Line, AWWA C905 DR18, 16", by OC w Embed	LF	1,850.00	$60.00	$111,000.00
3	DI Fittings	TNS	10.00	$5,000.00	$50,000.00
4	Gate Valve 8"	EA	5.00	$900.00	$4,500.00
5	Gate Valve 16"	EA	4.00	$5,000.00	$20,000.00
6	Cut & Plug Existing 8" Water	EA	2.00	$500.00	$1,000.00
7	Cut & Plug Existing 16" Water (RCCP)	EA	2.00	$1,500.00	$3,000.00
8	Tapping Sleeve & Valve 16" x 16" (Tap RCCP)	EA	2.00	$8,000.00	$16,000.00
9	Remove and Salvage Existing Fire Hydrant	EA	4.00	$600.00	$2,400.00
10	F&I Fire Hydrant Assembly, Complete	EA	4.00	$3,200.00	$12,800.00
11	Traffic Control	LS	1.00	$5,000.00	$5,000.00
12	Erosion Control	LS	1.00	$2,500.00	$2,500.00
13	Trench Safety	LF	2,050.00	$3.00	$6,150.00
14	Solid Block Sodd	SY	200.00	$6.00	$1,200.00
15	Connect to Existing 8" Water Line	EA	1.00	$1,500.00	$1,500.00
16	Connect to Existing 16" Water Line (RCCP)	EA	2.00	$2,000.00	$4,000.00
17	Water Crossing Under Existing Sanitary Sewer	EA	1.00	$1,500.00	$1,500.00
18	Remove Reinforced Concrete Driveway	SY	0.00	$10.00	$0.00
19	Remove Reinforced Concrete Pavement	SY	661.11	$10.00	$6,611.11
20	Replace Reinforced Concrete Driveway	SY	0.00	$60.00	$0.00
21	Replace Reinforced Concrete Pavement	LF	1,116.67	$60.00	$67,000.00
22	Full Depth Saw Cut	LF	9,020.00	$3.00	$27,060.00
23	Water Test	LS	1.00	$2,500.00	$2,500.00
24	Compaction Testing	LS	1.00	$3,000.00	$3,000.00
25	Construction Staking	LS	1.00	$2,500.00	$2,500.00
26	Bonds (1.5%)	LS	1.00	$5,253.32	$5,253.32
					$363,474.43
				15% Contingency	$72,694.89
					$436,169.31

EXHIBIT "C"
SCHEDULE
Waterline Replacement Project

BINKLEY & BARFIELD-C&P, INC. agrees to perform engineering and surveying services in accordance with the outline below, to the extent over which BBCPI has control.

- **Commencement of Work** - The City agrees to issue a Notice to Proceed as soon as practical after approval by the Rockwall City Council. BBCPI agrees to begin work within five (5) working days following the issuance of a Notice to Proceed.

- **Time Line** – The following time line shall govern the completion of the indicated items.
  1. Completion/Furnishing 60% preliminary plans for forwarding to utility companies to plan adjustments: 75 calendar days from date of authorization, exclusive of City review time.

  2. Completion/Furnishing 90% final plans, specifications, bid quantities, and construction cost estimates: 120 calendar days from date of authorization.

  3. Completion/Furnishing 100% final plans, specifications, bid quantities, and construction cost estimate: 145 calendar days from date of authorization.

  4. Bidding and Construction Services shall correspond to City's schedule and construction time.

  5. Closure: 30 calendar days from the date of construction completion.

1 inch = 200 feet



Date: 7/1/2015

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council**

FROM: **Kristy Ashberry, City Secretary**

SUBJECT: **Item to be added Friday**

Supplemental information for this item will be added to the packet this Friday.

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Robert LaCroix, *Director of Planning and Zoning*

FROM: Ryan Miller, *Planning Manager*

DATE: July 6, 2015

SUBJECT: Z2015-016, *Discovery Lakes (AG to PD)*

At their regularly scheduled meeting on June 30, 2015, the Planning and Zoning Commission approved a motion to table the proposed zoning case to the July 14, 2015 meeting. The motion was approved by a vote of 3-2, with Chairman Renfro and Commissioner McCutcheon dissenting and Commissioners Conley and Logan absent. This means that the projected City Council public hearing will be held at the July 20, 2015 meeting. According to Section 6.2, *Public Hearing Postponements, Recess, and Continuations*, of the Article II of the Unified Development Code (UDC), a public hearing may be postponed by announcing the postponement at the public hearing and indicating the time and place the new hearing is scheduled to begin; however, the date and time of the postponed public hearing cannot be greater than 60 days from the original public hearing date. The announcement of a postponement shall be sufficient notice and no additional notice shall be required.

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Townsend voted against on first reading (on 06/15/15)

CITY OF ROCKWALL

ORDINANCE NO. 15-20

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 77 (PD-77) FOR SINGLE FAMILY 10 (SF-10) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 29.192-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 1-01 OF THE S. R. BARNES SURVEY, ABSTRACT NO. 13, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by the Cole Franklin of the Skorburg Company on behalf of the owner of the property, Lonnie Gideon, for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 29.192-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 2. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 3. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 4. That a master parks and open space plan for the Property, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan*, (*Open Space Master Plan*) shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

Section 5. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

(a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 5(b) through 5(e) below*), shall be the exclusive procedures applicable to the subdivision and platting of the Property.

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

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

(c) *PD Site Plan.* A *PD Site Plan* covering all of the *Subject Property* shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Preliminary Plat Application* for the development.

(d) *Preliminary Plat.* A *Preliminary Plat* covering all of the *Subject Property* shall be submitted and shall include a *Treescape Plan*. A *Preliminary Plat Application* may be processed by the City concurrently with a *PD Site Plan Application* for the development.

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

Section 7. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 8. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 9. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development*

Code), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 10. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6th DAY OF JULY, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 06/15/2015

2nd Reading: 07/06/2015

Exhibit 'A':
Legal Description

BEING a 29.192-acre tract out of the S. R. Barnes Survey, Abstract No. 13, Rockwall County, Texas being part of the following described 80-acre tract of land:

80-acres of land, more or less, out of the S. R. Barnes Survey, Abstract No. 13, Rockwall County, Texas, and more particularly described by metes and bounds as follows:

BEGINNING at the Southwest corner of said S. R. Barnes Survey;

THENCE North 940 varas to a point for the Northwest corner of this tract;

THENCE East 475 varas to a point for the Northeast corner of this tract;

THENCE South 940 varas to a point for the Southeast corner of this tract;

THENCE West 475 varas to the PLACE OF BEGINNING

and being the same land's described as Tract 1 in a deed dated March 11, 1940, from M. M. Mccurry, et ux, et al, to Joe W. Gideon et ux, Katherine Gideon, and recorded in Volume 35, Page 591, Deed Records of Rockwall County, Texas,

SAVE AND EXCEPT FROM SAID 80-ACRES THE FOLLOWING FOUR TRACTS OF LAND:

SAVE and EXCEPT TRACT 1:

1.5034435-acres of land, more or less, out of the S. R. Barnes Survey, Abstract No. 13, Rockwall County, Texas, and more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a point in the middle of a public road on the East boundary line of the afore described 80-acre tract, said point being 346 varas South of the Northeast corner of said 80-acre tract and being the Northeast corner of this 1.5034435-acre tract;

THENCE West along the middle of a public road 63.699 varas to a point in the middle of the intersection of two public roads for the Northwest corner of this 1.5034435-acre tract;

THENCE South along the middle of a public road 133.093 varas to a point for the Southwest corner of this 1.5034435-acre tract;

THENCE East 63.699 varas to a point on the East boundary line of the aforedescribed 80-acre tract for the Southeast corner of this 1.5034435-acre tract;

THENCE North 133.093 varas along the East boundary line of the aforedescribed 80-acre tract to the place of beginning.

SAVE and EXCEPT TRACT 2:

7.170-acres conveyed in a Warranty Deed from Lonnie L. Gideon, a single person, both Individually and as Trustee of the Bradley Joe Gideon Trust, to Donald R. Taylor, dated May 5, 1994, filed May 11, 1994, recorded in Volume 902, Page 141, Deed Records, Rockwall County, Texas.

SAVE and EXCEPT TRACT 3:

2.172-acres conveyed in a Warranty Deed from Lonnie Leo Gideon, Individually and as Independent Executor of the Estate of Joe Wilson Gideon, Deceased, and as Trustee of the Bradley Joe Gideon Trust, to James T. Bradley and wife, Brenda J. Bradley, dated May 31, 1994, filed June 2, 1994, recorded in Volume 908, Page 10, Deed Records, Rockwall County, Texas.

SAVE and EXCEPT TRACT 4:

8.466-acres vested in the City of Rockwall, Texas pursuant to Agreed Judgment of Court Granting Right-of-Way and Easement under Cause No. 1-07-552, District Court, Rockwall County, certified copy filed October 30, 2009, recorded in Volume 5951, Page 84, Official Public Records, Rockwall County, Texas.

Exhibit 'B':
Concept Plan



Exhibit 'C':
PD Development Standards

A. GENERAL REQUIREMENTS

Development Standards.

1. *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 10 (SF-10) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.

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

Table 1: Lot Composition

Lot Type	*Minimum Lot Size (FT)*	*Minimum Lot Size (SF)*	*Dwelling Units (#)*	*Dwelling Units (%)*
A	80' x 125'	10,000 SF	45	62.50%
B	100' x 150'	15,000 SF	27	37.50%
	Average Lot Size:	10,000 SF		
		Maximum Permitted Units:	*72*	*100.00%*

3. *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development ordinance, the development standards stipulated by the Single Family 10 (SF-10) District, as specified by Article V, *District Development Standards*, of the Unified Development Code are applicable to all development on the *Subject Property.* The maximum permissible density for the *Subject Property* shall not exceed *2.50* dwelling units per gross acre of land; however, in no case should the proposed development exceed *72* units. All lots shall conform to the standards depicted in *Table 2*, which is as follows:

Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ►	***A***	***B***
Minimum Lot Width/Frontage [1]	80'	100'
Minimum Lot Depth	125'	150'
Minimum Lot Area	10,000 SF	15,000 SF
Minimum Front Yard Setback [3]	20'	20'
Minimum Side Yard Setback	5'	7'
Minimum Side Yard Setback (Adjacent to a Street)	10'	10'
Minimum Length of Driveway Pavement	20'	20'
Maximum Height	36'	36'
Minimum Rear Yard Setback	15'	15'
Minimum Area/Dwelling Unit (SF) [2]	2,600 SF	3,000 SF
Maximum Lot Coverage	65%	70%

General Notes:

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

[2]: A maximum of 20% of the lots may have homes not less than 2,500 SF.

[3]: The Director of Planning or his designee may grant a reduction in the required 20-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 20-foot front yard building setback would create an undue hardship on the property.

4. *Building Standards.* All development shall adhere to the following building standards:

(a) Masonry Requirement. The minimum masonry requirement for the exterior façades of all buildings shall be 90%. For the purposes of this ordinance the masonry requirement shall be limited to full width brick, natural stone, cast stone, cementaceous fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*).

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

(c) Garage Orientation. Garages shall oriented in a *traditional swing* (or *j-swing*) or in a front entry configuration. If a front entry garage configuration is utilized that garage shall be located at least 20-feet behind the front building façade. On *traditional swing* (or *j-swing*) garages a second single garage door facing the street is permitted if it is located behind the width of the double garage door.

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

Table 3 : Anti-Monotony Matrix

Lot Type	*Minimum Lot Size*	*Elevation Features*
A	80' x 125'	(1), (2), (3)
B	100' x 150'	(1), (2), (3)

(1) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least four (4) intervening homes of differing materials on the same side of the street beginning with the adjacent property and two (2) intervening homes of differing materials on the opposite side of the street.

(2) Front building elevations shall not repeat along any block face without at least four (4) intervening homes of differing appearance on the same side of the street and two (2) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on John King Boulevard shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

(a) Number of Stories
(b) Permitted Encroachment Type and Layout
(c) Roof Type and Layout
(d) Articulation of the Front Façade

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

See the Illustrations on the following page.

Illustration 1: Properties line up on the opposite side of the street. Where RED are the same.

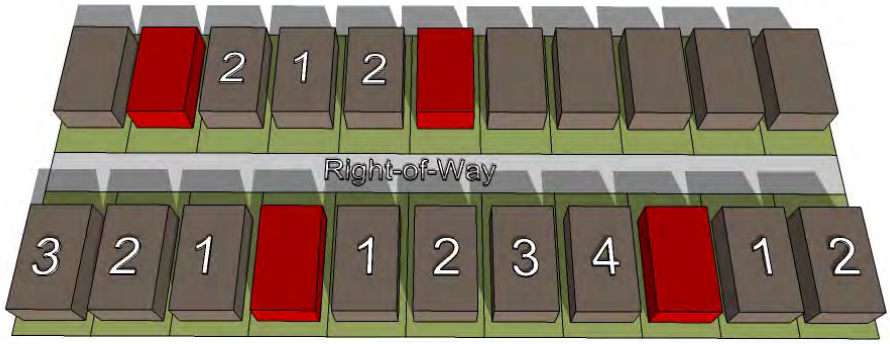


Illustration 2: Properties do not line up on opposite side of the street. Where RED are the same.



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

(a) Wood Fences. All wood fences shall be constructed of a standard fencing material (*minimum of ½" thickness or better; spruce fencing will not be allowed*), and use fasteners that are hot dipped galvanized or stainless steel. Wood fences facing onto a street shall be painted and/or stained and sealed with all pickets being placed on the *public side* facing the street. All wood fences shall be smooth-finished, free of burs and splinters, and be a maximum of six (6) feet in height.

(b) Wrought Iron/Tubular Steel. Lots located along the perimeter of roadways, abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height.

(c) Corner Lots. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line

adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

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

7. Landscape and Hardscape Standards.

(1) *Landscape.* Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within this development, unless specifically provided by this PD Ordinance, shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height. The following tree species are approved for planting within this subdivision:

(a) Canopy/Shade Trees. Bald Cyprus, Cedar Elm, Texas Red Oak, Homestead Elm, Lace Bark Elm, Alle Elm, Chinese Pistachio, Shumard Oak, Sycamore, and Burr Oak.

(b) Accent/Ornamental/Under-Story Trees. Texas Redbud, Eve's Necklace, Mexican Plum, Downy Hawthorn, Crepe Myrtle, Texas Mountain Laurel, Vitex, and Desert Willow.

(2) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).

(a) Landscape Buffer and Sidewalks (John King Boulevard). A minimum of a 50-foot landscape buffer shall be provided along the frontage of John King Boulevard (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a ten (10) foot sidewalk situated within the 50-foot landscape buffer adjacent to John King Boulevard.

(b) Landscape Buffer (Quail Run Road). A minimum of a 20-foot landscape buffer shall be provided along the frontage of Quail Run Road (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least one (1), three (3) inch canopy tree shall be planted per 50-feet of linear frontage.

(3) *Streetscape Landscaping.* Prior to the issuance of a Certificate of Occupancy (CO), all residential, single family lots situated within the proposed subdivision shall be landscaped with canopy trees from the list stipulated by *Section 7(1)* of this ordinance in the following sizes and proportions:

(i) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.

(ii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two (2), three (3) inch caliper trees shall be planted in the side yard facing the street.

Note: For the purposes of this section only [i.e. Section 7(3)], the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.

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

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

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

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

10. *Sidewalks.* At a minimum, all sidewalks located on lay down curb section streets shall begin four (4) feet behind the back of curb and be five (5) feet in overall width.

11. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (*i.e. 3-phase lines*), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*, except along John King Boulevard. The *Developer* shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

12. *Open Space.* The development shall consist of a minimum of *9.56%* open space (*or 2.79-acres*), and generally conform to the *Open Space Plan* contained in *Exhibit 'B'* of this ordinance. All open space areas shall be maintained by the Homeowner's Association (HOA).

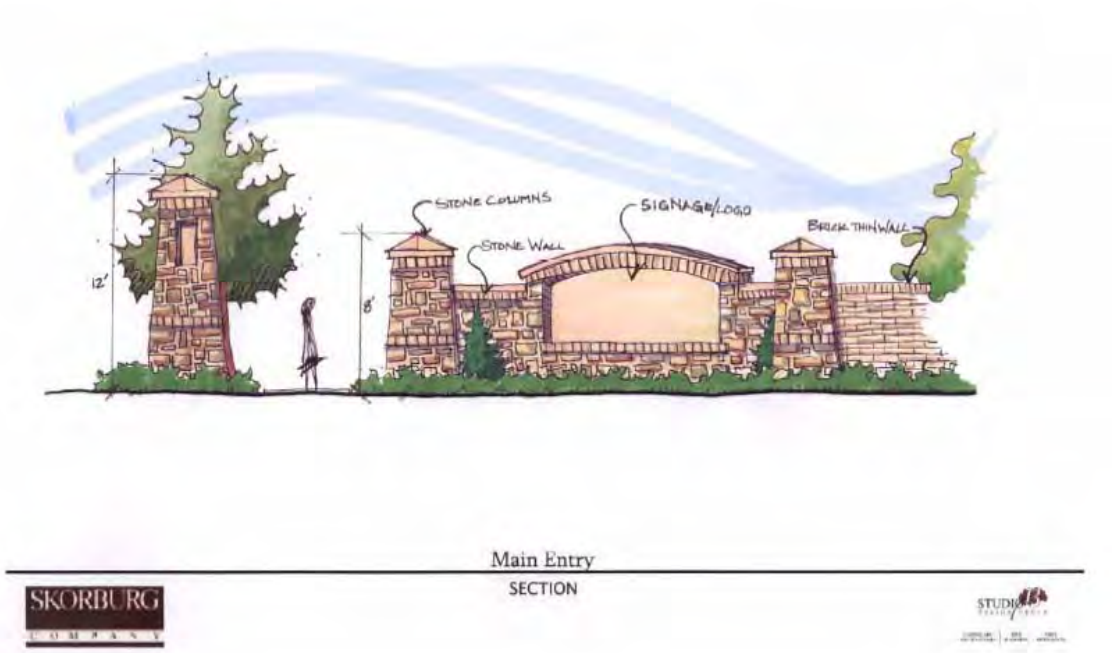
13. *Neighborhood Signage.* Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision and shall generally conform to the signage depicted in *Figures 1 & 2* (*below*). Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.

See the Illustrations on the following page.

Figure 2: *Example of Subdivision Signage Locations*



Figure 3: *Example of Subdivision Signage Design Standard*



14. *Amenity Center.* A site plan, landscape plan and building elevations for the Amenity Center shall be subject to site plan approval by the Planning and Zoning Commission prior to construction.

15. *Homeowner's Association (HOA)*. A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the *Municipal Code of Ordinances* of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, amenity centers, screening fences associated with this development.

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

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

SUBJECT: **Agenda item re: draft golf carts ordinance**

DATE: **July 2, 2015**

The topic of a 'golf carts' ordinance to regulate their use was discussed at the June 15 city council meeting, and public input on the subject was heard by Council. City Attorney Frank Garza has drafted the attached ordinance for council consideration, and has indicated that this version incorporates some, but not all, of the recommended changes voiced by the gentleman who spoke on June 15. Mr. Garza will be available to answer any questions the council may have on Monday.

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ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ADDING SECTIONS 26-290 TO 260-297~~6~~ *OPERATION OF GOLF CARTS* TO CHAPTER 26, *MOTOR VEHICLES AND TRAFFIC*, ARTICLE IV, *BICYCLES, GOLF CARTS AND PLAY VEHICLES*, DIVISION 5 OF THE MUNICIPAL CODE OF ORDINANCES TO AUTHORIZE THE OPERATION OF GOLF CARTS WITHIN THE CITY LIMITS; AUTHORIZING THE CITY TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE PROVISIONS OF THIS ORDINANCE; PROVIDING A PENALTY; INCORPORATING RECITALS; PROVIDING FOR SEVERABILITY; REPEALING ANY OTHER CODE PROVISIONS, ORDINANCES, OR PARTS OF ORDINANCES, AND OTHER PROVISIONS IN CONFLICT HEREWITH; REQUIRING PUBLICATION AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall is a Home Rule Municipality duly formed under the Constitution and the laws of the State of Texas; and

WHEREAS, the regulation of traffic is essential to the furtherance of public health, safety and welfare; and

WHEREAS, the Texas Transportation Code authorizes the governing body of a municipality to regulate and control the operation of Motorized Carts (golf carts only) within the city's legal boundaries and on its public Streets to ensure the public safety of the community; and

WHEREAS, the Rockwall City Council, deems it to be in the best interest and safety of the citizens to regulate and control the operation of Motorized Carts (golf carts only) within the Town's legal boundaries and on its public Streets; and

WHEREAS, the City Council determines that regulating the operation of Motorized Carts upon public streets within the Town is necessary in the interest of the health, safety and welfare of the public.

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

SECTION ONE. **AMENDMENT.** Sections 26-290 to 260-297, Operation *of Golf Carts* are added to Chapter 26 *Motor Vehicles and Traffic*, Article IV, *Bicycles, Golf Carts and Play Vehicles Division 5* of the Municipal Code of Ordinances to read as follows:

CHAPTER 26, *MOTOR VEHICLES AND TRAFFIC*,
ARTICLE IV - *BICYCLES, GOLF CARTS AND PLAY VEHICLES*,
DIVISION 5

SEC. 26-290. .DEFINITIONS

A. (*Driver's license* means an authorization issued by the department of public safety for operation of a motor vehicle. The term includes a temporary license or instruction permit and an occupational license.

B. *Golf cart* shall have the meaning assigned by the V.T.C.A., Transportation Code § 502.001, as amended, and means a motor vehicle commonly referred to as a golf cart which must have a minimum of four wheels and has an attainable top speed not greater than 25 miles per hour on a paved level surface and which is manufactured primarily for transporting persons on a golf course and in compliance with those federal motor vehicle safety standards for low-speed vehicles. Specifically excluded from this definition are those motorized conveyances commonly referred to as all-terrain vehicles ("ATVs"), off-road vehicles, four-wheelers, Mules~~,~~ and Gators~~. and design-altered golf carts which have been altered to allow them to travel at a speed greater than 25 miles per hour?~~

C. *Driver Safety Course* shall mean a basic safety course conducted by the City's Park and Recreation Department on the proper handling of a golf cart on public streets for unlicensed drivers that are 14 years or older.

~~C.~~D. *Night-time* shall have the meaning assigned by V.T.C.A., Transportation Code § 541.401(5) and means the period beginning one-half hour after sunset and ending one-half hour before sunrise.

~~D.~~E. *Operator* means any person driving and having physical control over the golf cart.

~~E.~~F. *Park* or *parking* means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of, and while actually engaged in, loading or unloading merchandise or passengers.

~~F.~~G. *Parking area* means those areas accessible to the public by motor vehicular traffic and which are designated for temporary parking of motor vehicles, usually in places referred to as parking lots.

~~G.~~H. *Street* means a public roadway of the City of Rockwall, Texas by whatever name (e.g., road, alley, avenue, highway, route, boulevard, etc.) that:

(1) Provides for no more than two lanes of vehicular traffic per direction; or

(2) Is not designated as part of either the state or federal highway system

SEC. 26-291. PERMITTED LOCATIONS OF OPERATION

- Golf carts are permitted to be operated on:

A. Streets ("permitted streets") where the posted speed limit is 30 miles per hour or less, and the street is not designated as part of a state highway system, including Interstate Highway 30;

B. A "public highway" as defined by the V.T.C.A., Transportation Code § 502.001, if the public highway is in the corporate limits of the City; and,

C. A parking area as defined by this ordinance.

~~**SEC. 26-292. REGISTRATION PERMIT**~~

~~Before any golf cart may be operated on any permitted street, public highway, or parking area of the city ("permitted locations"), it must be registered by the Texas Department of Motor Vehicles and display the license plate as mandated by the V.T.C.A., Transportation Code § 551.402.~~

SEC. 26-29~~2~~3. REQUIRED EQUIPMENT

A. A golf cart ~~properly registered under section 26-292~~ must be equipped with the following equipment as mandated by the V.T.C.A., Transportation Code § 551.404(a), as amended, and/or required by the city to operate on permitted locations:

(1) Operational headlamps;

(2) Operational tail lamps;

(3) Side reflectors;

(4) Operational parking brake; and

(5) Rear-view mirror(s)

B. A golf cart that is operated at a speed of not more than 25 miles per hour shall display a slow-moving-vehicle emblem when it is operated on a public highway, as defined by V.T.C.A., Transportation Code § 502.001.

C. Additionally, golf carts driven during the night time shall be equipped with the following:

(1) Turn signals;

(2) Horn; and

(3) Brake lights.

D. Equipment and its installation must meet standards provided by Texas Transportation Code, as amended.

E. All such safety equipment shall be maintained as required by state law.

SEC. 26-29~~3~~4. OPERATION REGULATIONS

A. All ~~registered~~ operators of golf carts shall:

(1) Be either licensed to operate a motor vehicle as provided by V.T.C.A., Transportation Code § 521.021, ~~as amended,~~ and carry a valid driver's license as provided by V.T.C.A., Transportation Code § 521.025, ~~and all driver's license permissions and restrictions shall apply to the operating of a golf cart~~ of have taken the Driver Safety Course.~~;~~

(2) Abide by all traffic regulations applicable to vehicular traffic when operating a golf cart in the city.

(3) Use standard hand signals for turning during daylight if the operator's golf cart is not equipped with turn signals;

(4) Not operate or park a golf cart on a sidewalk, pedestrian walkway, jogging path, park trail or any location normally used for pedestrian traffic at any time unless such operation is by Police or authorized City personnel acting in an official capacity and performing an official duty;

(5) Not pull any object or person with a golf cart in a permitted location;

(6) Maintain financial responsibility as required for other passenger vehicles in the V.T.C.A., Transportation Code § 601.051;

(7) Not intentionally or knowingly allow an unlicensed operator or ~~unregistered~~ operator who has not taken the driver safety course to operate a golf cart in violation of this chapter;

(8) Not exceed the seating capacity of the golf cart as designed by the manufacturer;

(9) Be allowed to cross streets which are otherwise not permitted locations under this article.

B. Operators and passengers of golf carts shall:

(1)Remain seated at all times while the golf cart is in motion;

(2)Be three years old or older.

SEC. 26-~~295~~294. EXEMPTIONS

The following uses of a golf cart are exempt from requiring a permit or other regulations within the ordinance:

A. Golf Course – golf carts are allowed for use on the golf course or to cross a roadway from one section of the golf course to another section of the same course.
B. Gated or Private Planned Community – The ordinance does not apply to golf cart drivers utilizing the cart in a gated or private neighborhood.
C. Official City Business – golf carts are allowed for official City of Rockwall business.
D. Transportation to/from Golf Course (Daytime only) – golf carts are allowed on a public street if the golf cart complies with all requirements of the Texas Transportation Code, is operated during the daytime only and cannot be driven more than two (2) miles from the location where the golf cart is usually parked and is used for transportation to or from the golf course only.

E. Parade, Festival or Special Event – golf carts are allowed for use in a parade, festival or other town sponsored special event.

SEC. 26-~~296~~295. FINANCIAL RESPONSIBILITY

All golf carts operated in the City shall provide proof of financial responsibility (liability insurance) meeting the minimum state requirements for liability insurance for motor vehicles. It shall be a violation for a person to operate a ~~G~~golf ~~C~~cart on a street without current valid financial responsibility meeting the minimum state requirements for motor vehicle.

SEC. 26-~~297~~296. LIABILITY

A. Nothing in this Article shall be construed as an assumption of liability by the City of Rockwall for any injuries (including death) to persons, pets or property which may result from the operation of a golf cart by an authorized driver; and

B. Owners are fully liable and accountable for the action of any individual that they provide permission to operate and drive said golf cart, both on personal and/or any authorized public streets, parking areas and traffic ways. This described liability responsibility especially applies to personal injuries (including death) or property damage resulting from golf cart drivers who are minors under the age eighteen (18) with or without a current and valid driver's license.

SECTION TWO. AUTHORIZATION. The City Council of the City of Rockwall authorizes the Mayor to take all necessary steps to implement the provisions of this Ordinance.

SECTION THREE. PENALTY. Any person operating a golf cart within the City in violation of this Ordinance shall be guilty of a misdemeanor and punished by a fine in the municipal court of no more than $200.00 per offense.

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

SECTION FIVE. SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared void.

SECTION SIX. EFFECTIVE DATE. This Ordinance shall be effective upon approval by the City Council and publication in the Rockwall Echo in the manner prescribed by Tex. Loc. Gov't Code Ann. § 52.011.

PASSED AND APPROVED this _____ day of June, 2015.

DRAFT

Jim Pruitt, Mayor

ATTEST:

Kristy Ashberry, City Secretary

1st Reading: 07-06-15
2nd Reading: 07-20-15

DRAFT

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

SUBJECT: **Agenda item re: ambulance service ordinance provisions**

Mayor Pruitt requested that an agenda item regarding these ordinance regulations be placed on the June 15 city council meeting agenda. Since Mayor Pro Tem Lewis, who serves alongside Mayor Pruitt on the countywide Emergency Services Corporation Board, was absent from the June 15 meeting, discussion of this item was deferred until July 6.

A copy of the regulations, as contained in our Code of Ordinances, is included in your informational meeting packet for reference.

ARTICLE XII. - AMBULANCE SERVICE

Sec. 12-1251. - Contract required.

No person shall operate or cause to be operated a vehicle for ambulance purposes nor furnish, conduct, maintain, advertise or otherwise be engaged in the business or service of the transportation of ambulance patients within the city unless such person is the ambulance service provider currently under contract with the County of Rockwall Emergency Services Corporation to provide ambulance service within the county. No person shall knowingly solicit ambulance services regulated in this article except from the ambulance service provider.

(Code 1982, § 18-51; Ord. No. 93-41, § 1, 10-18-1993)

Sec. 12-1252. - Applicability.

The provisions of section 18-166 shall not apply to:

(1) Rendering assistance to patients in the case of a major catastrophe or emergency with which the contractor's ambulances are insufficient or unable to cope;
(2) Transporting a patient from outside of the county to a point within the city; or
(3) Transporting a patient picked up outside of the county, traveling through the city to a destination outside of the county.

(Code 1982, § 18-52; Ord. No. 93-41, § 2, 10-18-1993)

Sec. 12-1253. - Violations.

Violations of this article are hereby declared to be public nuisances and shall be prohibited and abated in actions at law or in equity.

(Code 1982, § 18-53; Ord. No. 93-41, § 3, 10-18-1993)

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **July 2, 2015**

SUBJECT: **Animal Surrenders at the Rockwall Animal Adoption Center**

Several Councilmembers may have previously received correspondence from Molly Peterson with Legacy Humane Society (formerly Collin County Humane Society of Rockwall), the contractor that operates the Rockwall Animal Adoption Center for the City. The Rockwall Animal Adoption Center operates as a "90% live outcome" operation for animals that are received there. This makes the shelter highly preferred by many who want to surrender an animal for whatever reason.

The free animal surrender service is available to residents of Rockwall and Heath (since Heath pays for that service for their residents). The Center does not accept surrendered animals from other cities or unincorporated areas. The operational problem currently being encountered at the adoption center according to Legacy involves possible misrepresentation as to where animals may be coming from by some who seek to surrender animals. As the contractors for the city, Legacy is required to accept only animals from Rockwall and Heath for surrender. Legacy is of the opinion that an ordinance provision prohibiting misinterpretation at the time of surrender would be beneficial to them in performing the contractual obligations that it has with the city.

Mayor Pruitt has requested that this item be placed on the agenda for Council consideration, and he may have additional thoughts to provide at the meeting on Monday. Quite frankly I did not get the information to City Attorney Garza in sufficient time for him to draft a proposed ordinance, or that would have been available for you to consider on Monday night. Given that, after discussion of the problem and the requested solution, the Council may want to consider directing the preparation of an ordinance with any other specific provisions that may be applicable.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Robert LaCroix, Director of Planning & Zoning

DATE: July 1, 2015

SUBJECT: Policy for constructing boat related structures including dock decks, fixed piers and boathouses in Lake Ray Hubbard

Over the last several years the staff has issued building permits for the construction of boathouses, dock decks and fixed piers in Lake Ray Hubbard. The ability for a property owner to construct one of these structures in the lake depends on their eligibility to lease the 'take line' area adjacent to their property. All eligible properties were initially surveyed and identified along the perimeter of the lake prior to establishing the 'Take Line Overlay District' creating the requirements and standards for the take line area. The setback requirements for structures in the leased 'take line' area are measured from the extension of the side property lines as indicated on the survey. However, the forty (40') feet of area into the lake, beyond the leased 'take line', that is allowed to be used for boathouses and docks was not clearly determined in measuring setback requirements. Generally staff has extended those imagery survey lines from each survey into the unleased lake area to determine the location of boathouses for construction. However, this practice has presented problems with certain properties that are allowed to lease but due to the extension of the survey lines into the lake has narrowed their building area to the point of having to reduce the size of their boathouse or completely eliminate the ability to build a boathouse. The intent of the 'Take Line Overlay District' was to establish consistency for all structures on the lake with similar materials and appearance and to allow property owners to enjoy and invest in their lake property and in so doing provide the needed erosion control that preserves the shoreline. The staff is seeking some policy direction to have the flexibility to establish the imagery survey lines into lake that will allow all property owners the ability to build structures i.e. boathouses and docks. Staff would suggest a policy that would establish the imagery survey lines into the lake utilizing a construction survey that would also indicate both adjacent properties showing those areas where construction could occur or where a boathouse or dock already exists. This survey, indicating the three properties would allow staff to ensure that no single structure would impede the ability of the adjacent property owners from the ability to construct a boathouse or dock. If the survey presented any issues for the other adjoining properties, then staff would not issue a construction permit.



City of Rockwall
City of Rockwall
Geographic Information Systems
385 S. Goliad St.
Rockwall, TX 75087
P. 972-771-7745
F. 972-771-7748
www.rockwall.com/gis

N W E S

0 50 Feet

Date: 7/2/2015 1 inch = 100 feet

City of Rockwall Geographic Information Systems

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **July 1, 2015**

SUBJECT: **Thoroughfare Planning Agenda Item**

Please find the information provided by Tim Tumulty related to this item. Tim reviewed the County Thoroughfare Plan results with the Council at the last meeting. The comments to the County Plan were largely minor "map clean up items" that were discussed at that time.

As the City's Thoroughfare Plan is updated to reflect the changes noted in the County Plan, there are several update items that also need to be addressed in that document. Tim will discuss these with the Council on Monday, and they are noted in Ryan Miller's memorandum which is also attached. You will note that there are several changes related to previous and future development in the north part of the city. Tim and Ryan can address those more specifically on Monday.

Cc: Tim Tumulty
Mary Smith
Brad Griggs
Amy Williams

City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Timothy M. Tumulty, Director of Public Works/City Engineer

DATE: July 1, 2015

SUBJECT: Rockwall County/City of Rockwall Master Thoroughfare Plan Amendments

The Cities of Rockwall, Fate, Royse City, McLendon-Chisholm and Heath have been working with the Rockwall County Commissioners to evaluate and revise the County Master Thoroughfare Plan. The North Central Texas Council of Governments (NCTCOG) is assisting Rockwall County to evaluate roadway lane requirements of major arterial roadways needed to meet the population demands in the year 2035. NCTCOG has completed their analysis of the future roadway needs and provided a draft copy to the Rockwall County cities for their review and comment. This plan also addresses the impact to SH 205 through our City. Our staff completed the review of the proposed plan and met with Rockwall County's Consultant on Tuesday, June 16, 2015 to discuss our comments. After their Consultant makes the requested changes, the Rockwall County Commissioner's Court will review and adopt the revised Master Thoroughfare Plan. Once that action has occurred, the Commissioner's Court expects all Rockwall County cities to incorporate these changes into their plans and have their City Council adopt the document.

With the review of the Rockwall County Master Thoroughfare Plan, City Staff began review of our own Master Thoroughfare Plan and has identified several adjustments to local roadways that should be considered for adoption for current and future development. Attached is a Memorandum from Ryan Miller, Planning Manager, explaining suggested changes.

Staff wishes to discuss these suggested changes with the City Council during the Work Session. If you have any questions, please advise.

TMT:em

Cc:

Mary Smith, Assistant City Manager
Brad Griggs, Assistant City Manager
Amy Williams, Assistant City Engineer
file

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Planning and Zoning Commission

CC: Robert LaCroix, *Director of Planning and Zoning*
Tim Tumulty, *Director of Public Works*

FROM: Ryan Miller, *Planning Manager*

DATE: June 30, 2015

SUBJECT: MIS2015-003; *Amendment to Master Thoroughfare Plan*

In May 2014, Rockwall County initiated a review of the *County Master Thoroughfare Plan* with the assistance of city staff. During this time staff was also assisting the North Central Texas Council of Governments (NCTCOG) with the *2014 Amendment* to the *Mobility 2035* study. Through these reviews and a review of the current *Master Thoroughfare Plan*, staff has identified several adjustments to local roadways that should be adopted to account for current and future development. Staff should mention that future changes beyond the proposed changes might be necessary when Rockwall County finalizes the *County Master Thoroughfare Plan*. A summary of the proposed changes corresponding to the attached map is as follows:

1) *Add a minor collector extending from La Jolla Pointe Drive to Turtle Cove Boulevard.* The City currently has a facilities agreement with the adjacent property owner allowing the construction of a portion of this roadway should the adjacent property be developed. This roadway would connect to Turtle Cove Boulevard south of the railroad right-of-way (*i.e. on the opposite side of the Turtle Cove Subdivision*).
2) *Remove Breezy Hill Road #2.* The City Council waived Breezy Hill #2 when the concept plan for the Breezy Hill subdivision was approved.
3) *Change Clem Road from an M4U to a Minor Collector.*
4) *Extend Breezy Hill #1 to Anna Cade Road.* This extension is required to provide an east/west connection north of FM-552.
5) *Extend Breezy Hill #1 to John King Boulevard.* This extension is required to provide an east/west connection north of FM-552.
6) *Realignment of Breezy Hill #1.* This extension is required to provide an east/west connection north of FM-552.
7) *Remove north/south minor collector extending from John King Boulevard to Breezy Hill #1.* The City Council waived this minor collector when the concept plan for the Breezy Hill subdivision was approved.
8) *Remove Breezy Hill Road as a Minor Collector.* The City does not currently have access to the right-of-way required to complete this roadway.
9) *Extend FM-1141 from E. SH-66 to the realignment of SH-66.* This extension is required to account for the future realignment of SH-66.
10) *Remove Technology Way.* This change was waived with the approval of S-126 [*Ordinance No. 14-43; Case No. Z2014-024*].
11) *Remove the section of roadway between Tubbs Road and Sids Road.* This area of the roadway is within the 100-year floodplain.
12) *Change Zollner Lane from a M4U to a Minor Collector.* This change was approved with the approval of Planned Development District 76 (PD-76) [*Ordinance No. 14-50; Case No. Z2014-030*].
13) *Realign Data Drive.* Realign Data Drive to be split by the adjacent parcel.
14) *Change County Line Road and Renee Drive (Wilson Road) from an M4U to a Minor Collector and remove a section of County Line Road.*
15) *Change N. FM-3549 from a M4U to a M4D.* Change N. FM-3549 from the Collin County boundary line north to the limits of the City's Extraterritorial Jurisdiction (ETJ) for the purpose of matching the existing FM-3549 south of the Collin County boundary line.
16) *Change North Country Lane and Panhandle Drive from a Minor Collector to a M4U.*

17) *Change SH-205 from a TxDOT 6D to a M3U.* Change SH-205 from East Fork Road to the downtown couplet to an M3U, or other alternative to be discussed.
18) *Realignment of the Proposed Outer Loop.* Realign the Outer Loop along FM-548 to match the alignment established by Rockwall County.

In addition, a new roadway cross section is being proposed for the area between East Fork Drive and the SH-205 couplet in the downtown area. This new roadway cross section is identified as a M3U (*minor arterial, three [3] lane, undivided roadway*], which will consist of 70-feet of right-of-way (*i.e. two (2), 14-foot travel lanes; one (1), 16-foot reversible lane; and two (3), 13-foot parkways which include the one [1] foot curbs*). As an alternative, this section of roadway could be designated as a M4U (*minor arterial, four [4] lane, undivided roadway*), which requires a 65-foot right-of-way.

According to Section 213.003 of the *Texas Local Government Code*, "(a) comprehensive plan may be adopted or amended by ordinance following:

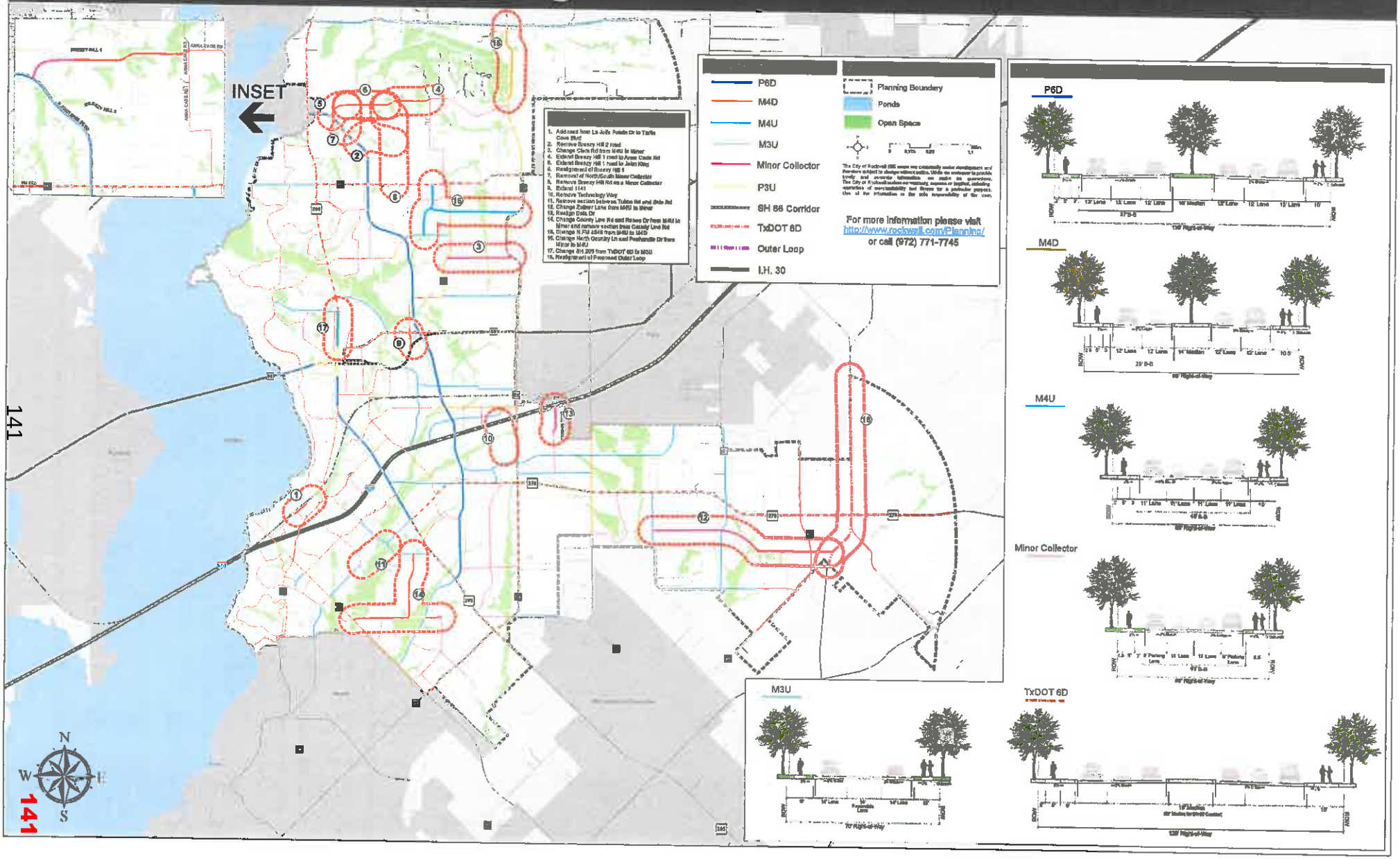
1) A hearing at which the public is given the opportunity to give testimony and present written evidence; and
2) Review by the municipality's planning commission or department, if one exists."

Additionally, Section 9.03 of the City's *Home Rule Charter* states that "(r)ecommended changes to the Master Plan shall be submitted to the City Manager after the Planning and Zoning Commission holds at least one public hearing on the proposed change." Furthermore, Section 9.04 states that the "City Manager shall submit the proposed changes to the Council, together with any recommendations. The Council, after a public hearing, shall adopt or reject such proposed revision or any part thereof as submitted within sixty (60) days following its submission by the City Manager. If the proposed revision or part thereof should be rejected by the Council, the Planning and Zoning Commission may make modifications and again forward it to the City Manager for submission to the Council."

The projected meeting dates for this case are as follows:

Planning and Zoning Commission Work Session: June 30, 2015
Planning and Zoning Commission Public Hearing: July 14, 2015
City Council Public Hearing/1st Reading: July 20, 2015
City Council 2nd Reading: August 3, 2015

City of Rockwall Thoroughfare Plan



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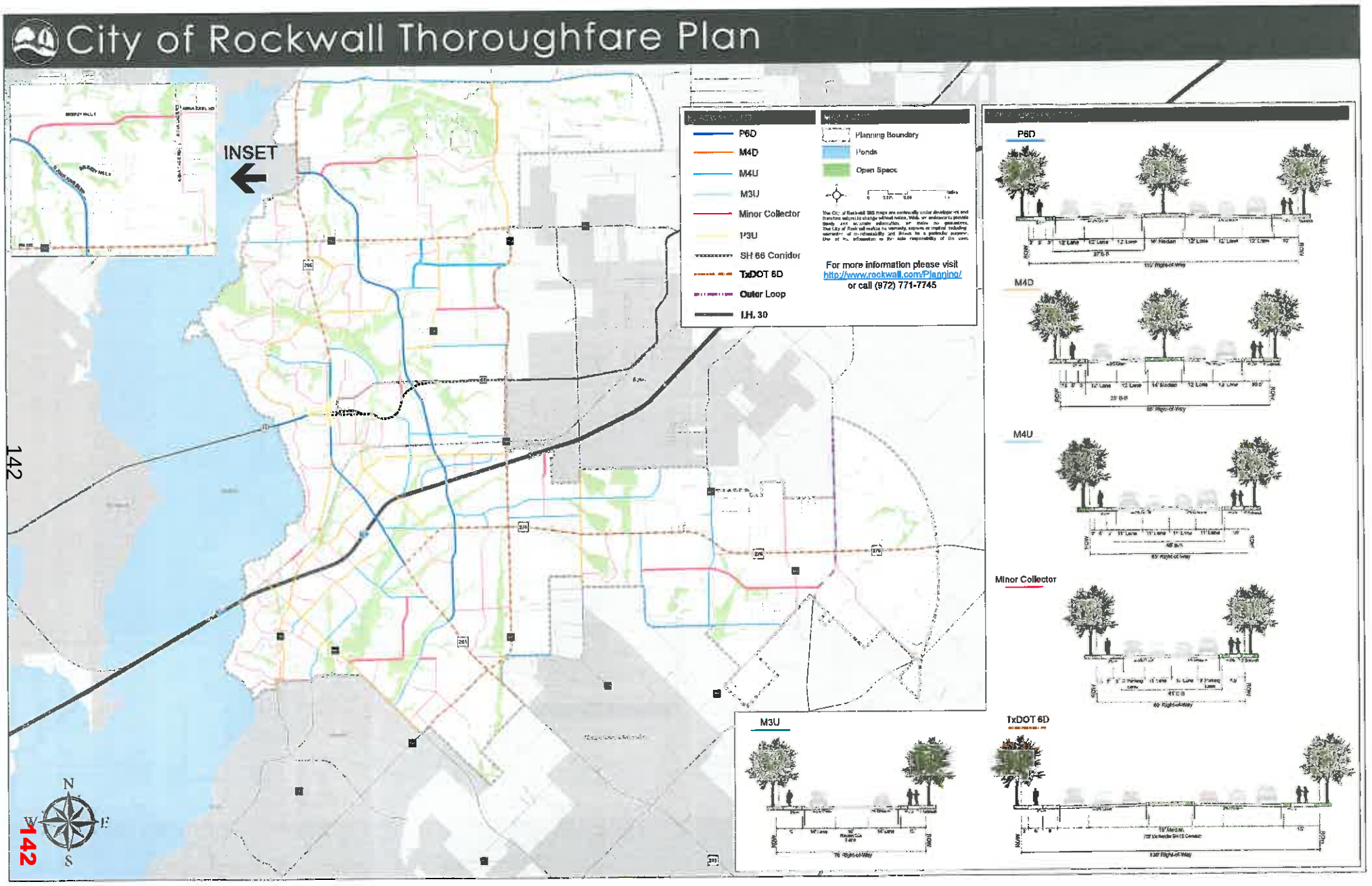
City of Rockwall Thoroughfare Plan



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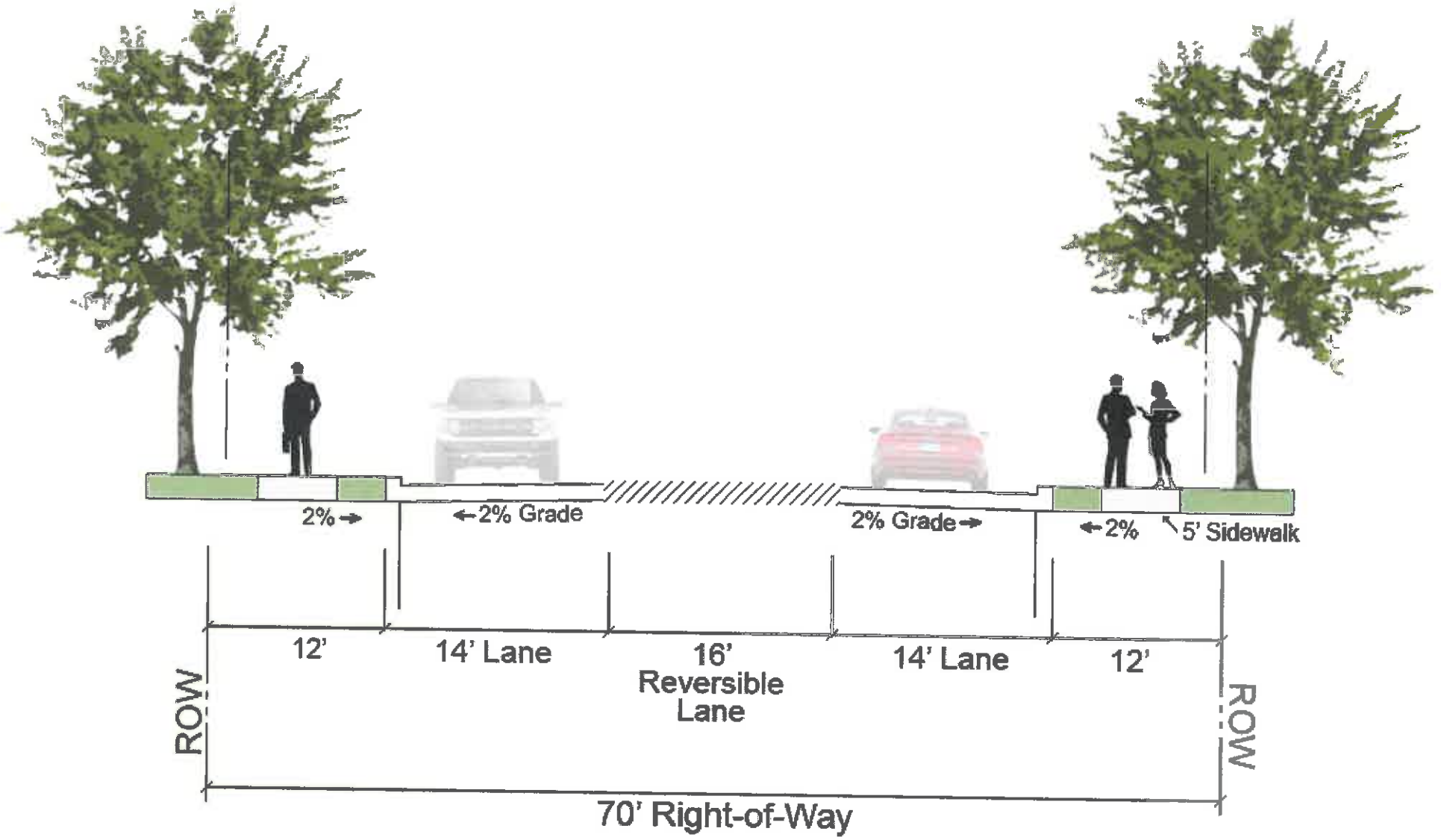
2%
2% Grade
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5' Sidewalk
12'
14' Lane
16'
Reversible
Lane
14' Lane
12'
ROW
ROW
70' Right-of-Way

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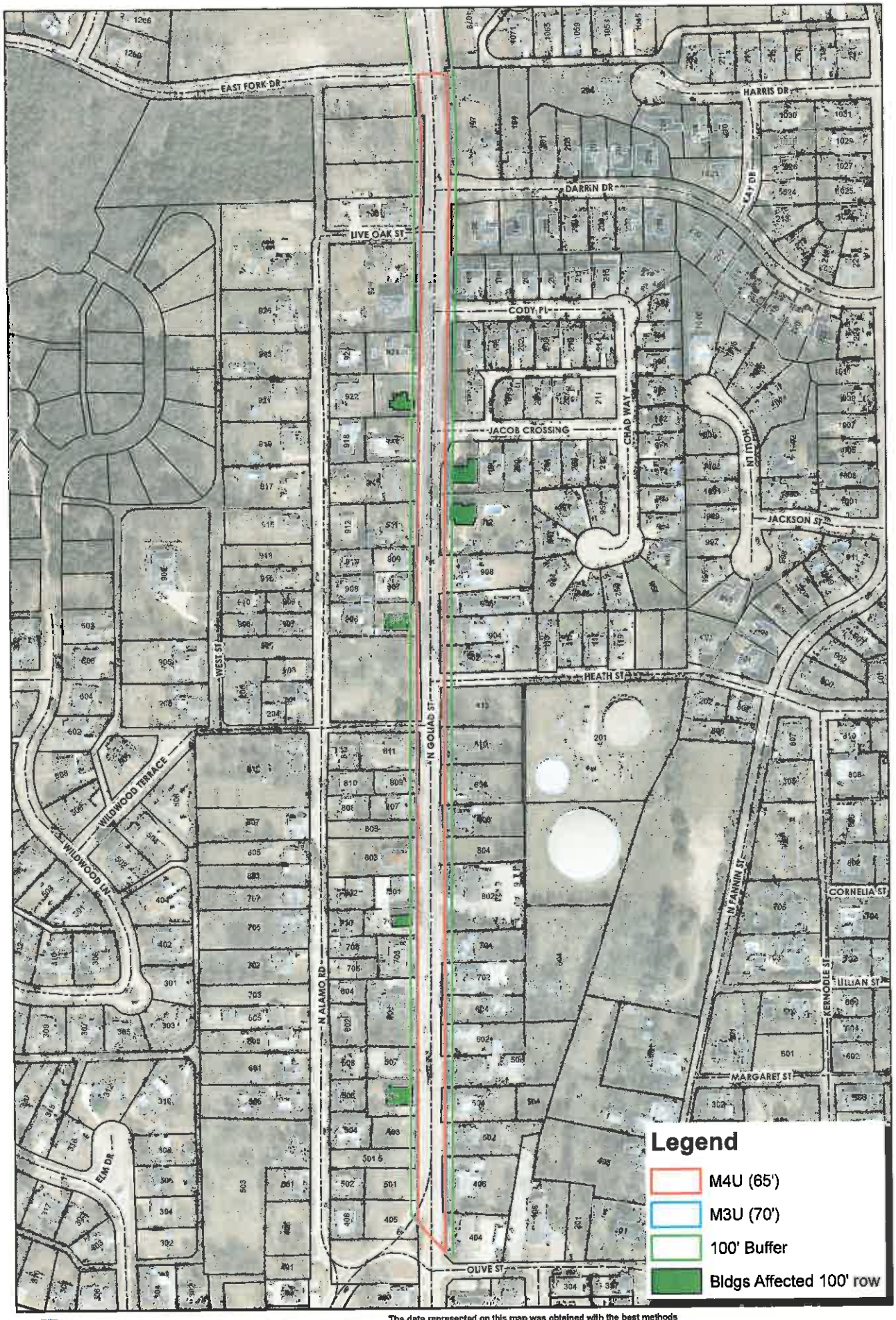

City of Rockwall

0 50 100 200 Feet

1 inch = 200 feet

Date: 6/24/2015

N

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided 'As is' with no warranty being made, either expressed or implied.

NORTH GOLIAD ST ROW EXHIBIT

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City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

May 2015

Permits

Total Permits Issued: 269

Building Permits: 65 Contractor Permits: 204

Total Permit Values: $ 10,240,630.92

Building Permits: $ 9,077,012.52 Contractor Permits: $ 1,163,618.40

Total Fees Collected: $ 204,062.18

Building Permits: $178,800.33 Contractor Permits: $ 25,261.85

Board of Adjustment

Board of Adjustment Cases 0

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City of Rockwall

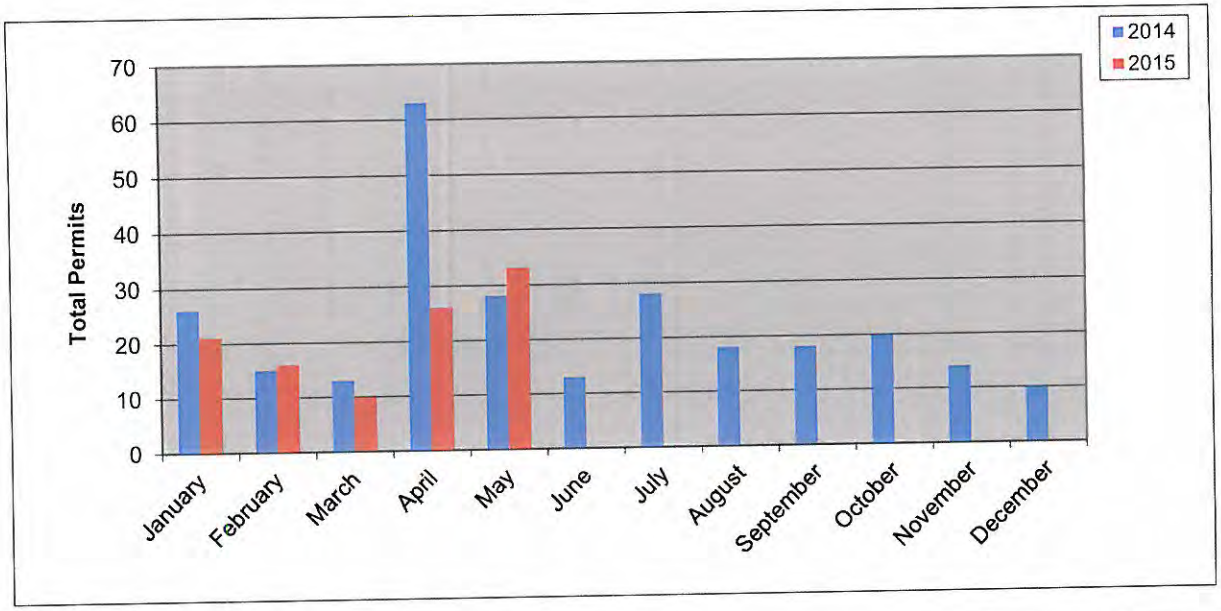
PERMITS ISSUED - Summary by Type and Subtype

For the Period 5/1/2015 thru 5/31/2015

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	8	$0.00	$406.00
	1	$0.00	$51.50
30 DAY BANNER	5	$0.00	$254.50
COMING SOON	2	$0.00	$100.00
CLEAN SHOW	1	$0.00	$76.75
	1	$0.00	$76.75
CO	7	$0.00	$529.50
BUSINESS	5	$0.00	$378.00
SHELL	2	$0.00	$151.50
COMM	20	$965,385.00	$20,308.78
ALTERATION	1	$49,000.00	$745.15
CONST TRAILER	1	$0.00	$100.00
ELECTRICAL	3	$6,600.00	$215.27
EXPANSION	1	$87,000.00	$914.25
FENCE	3	$56,000.00	$148.00
INTERIOR COMP	5	$706,935.00	$6,034.52
IRRIGATION	2	$9,850.00	$2,544.09
MECHANICAL	2	$21,000.00	$403.36
PLUMBING	1	$5,000.00	$8,807.62
REMODEL	1	$24,000.00	$396.52
MISCELLANEOUS	3	$0.00	$0.00
ELECTRICAL	3	$0.00	$0.00
NONPROFIT SIGN PERMI	1	$0.00	$0.00
	1	$0.00	$0.00
SIGNAGE	8	$7,000.00	$900.00
DEVELOPMENT	1	$0.00	$75.00
TEMP REAL ESTATE	1	$0.00	$75.00
WALL	6	$7,000.00	$750.00
SINGLE FAMILY	194	$9,268,245.92	$180,668.15
ACC BLDG	10	$19,826.00	$746.72
ADDITION	4	$116,189.00	$1,573.41
CONCRETE	4	$6,300.00	$290.25
ELECTRICAL	3	$20,000.00	$152.25
FENCE	40	$181,396.40	$1,413.40
IRRIGATION	12	$23,300.00	$420.00
MECHANICAL	18	$163,095.00	$3,325.50
NEW	33	$8,039,718.52	$167,328.46
PATIO COVER	7	$26,344.00	$740.81
PERGOLA	1	$6,000.00	$139.49
PLUMBING	32	$37,143.00	$1,754.26
REPAIR	1	$2,000.00	$81.00
RETAINING WALL	6	$43,395.00	$210.70
ROOF	8	$72,725.00	$282.90
SWIM POOL	15	$510,814.00	$2,209.00
SPECIAL EVENT	27	$0.00	$1,173.00
	27	$0.00	$1,173.00
Totals:	**269**	**$10,240,630.92**	**$204,062.18**

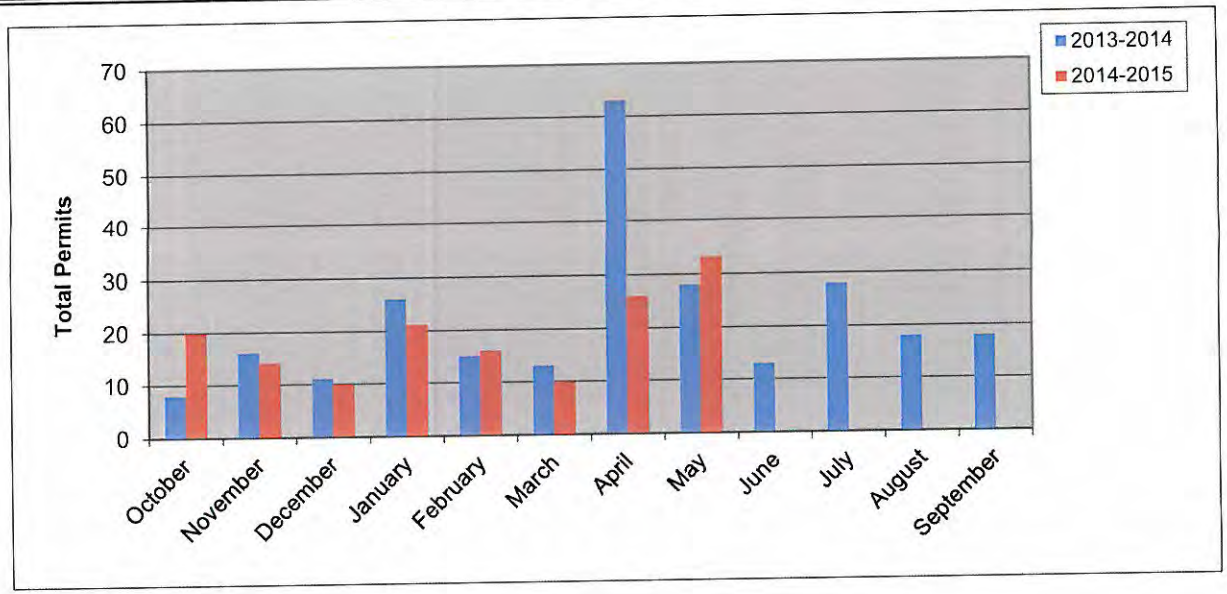
New Residential Permits Calendar Year

	Year	
	2014	2015
January	26	21
February	15	16
March	13	10
April	63	26
May	28	33
June	13	
July	28	
August	18	
September	18	
October	20	
November	14	
December	10	
Totals	**266**	**106**



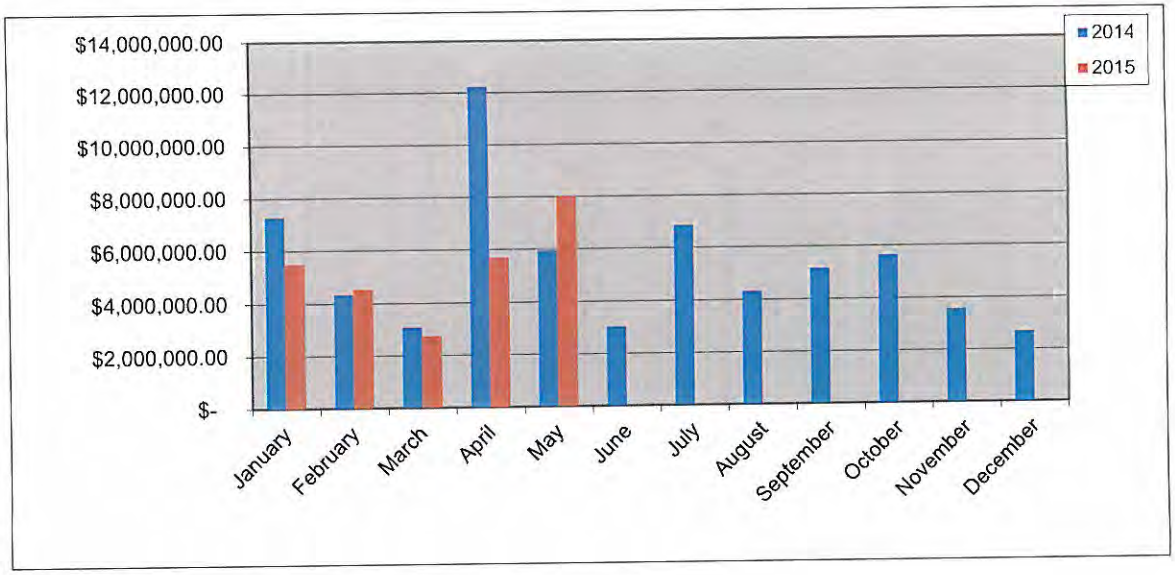
New Residential Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	8	20
November	16	14
December	11	10
January	26	21
February	15	16
March	13	10
April	63	26
May	28	33
June	13	
July	28	
August	18	
September	18	
Totals	**257**	**150**



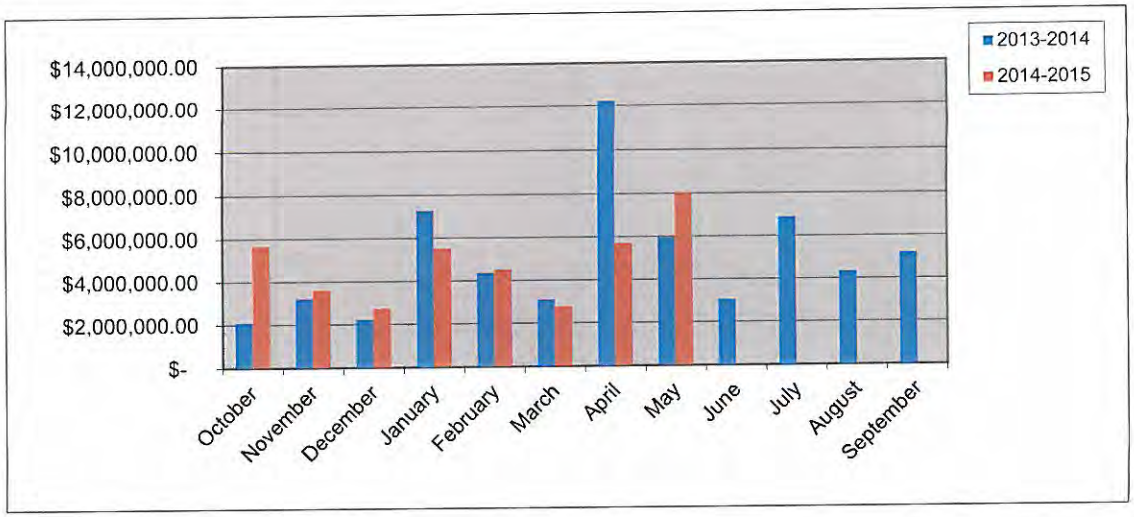
New Residential Value Calendar Year

Year	2014	2015
January	$ 7,288,000.00	$ 5,509,932.00
February	$ 4,353,427.00	$ 4,518,552.00
March	$ 3,094,927.74	$ 2,742,324.00
April	$ 12,228,936.33	$ 5,703,968.00
May	$ 5,960,240.00	$ 8,039,718.52
June	$ 3,048,536.00	
July	$ 6,883,062.87	
August	$ 4,330,100.19	
September	$ 5,184,201.79	
October	$ 5,661,792.00	
November	$ 3,581,756.00	
December	$ 2,712,503.00	
Totals	**$64,327,482.92**	**$ 26,514,494.52**



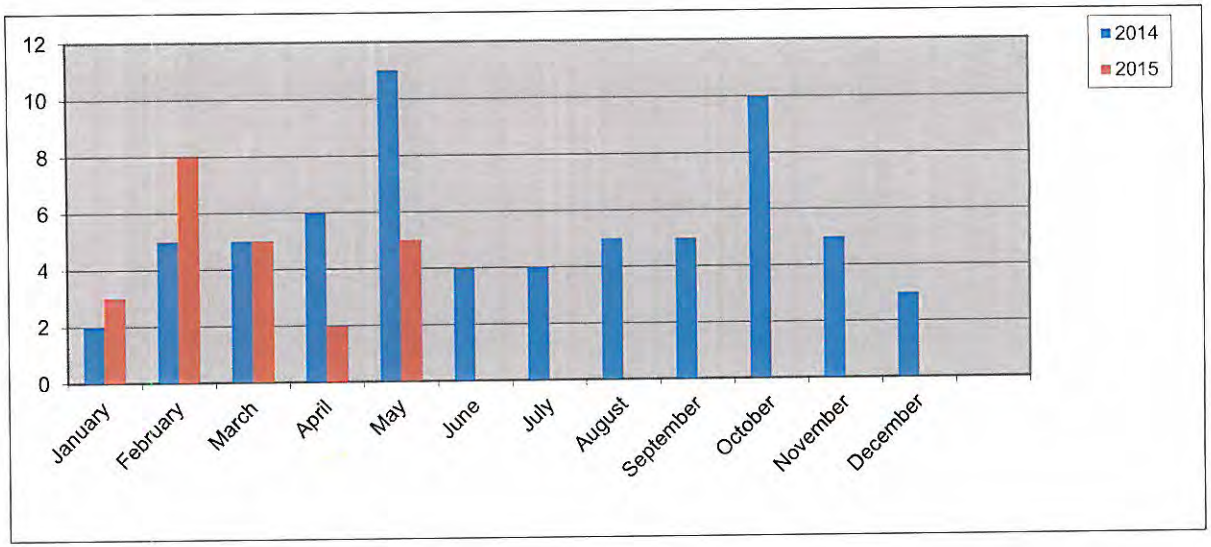
New Residential Value Fiscal Year

Year	2013-2014	2014-2015
October	$ 2,078,584.00	$ 5,661,792.00
November	$ 3,202,067.00	$ 3,581,756.00
December	$ 2,215,924.00	$ 2,712,503.00
January	$ 7,288,000.00	$ 5,509,932.00
February	$ 4,353,427.00	$ 4,518,552.00
March	$ 3,094,927.74	$ 2,742,324.00
April	$ 12,228,936.33	$ 5,703,968.00
May	$ 5,960,240.00	$ 8,039,718.52
June	$ 3,048,536.00	
July	$ 6,883,062.87	
August	$ 4,330,100.19	
September	$ 5,184,201.79	
Totals	**$59,868,006.92**	**$ 38,470,545.52**



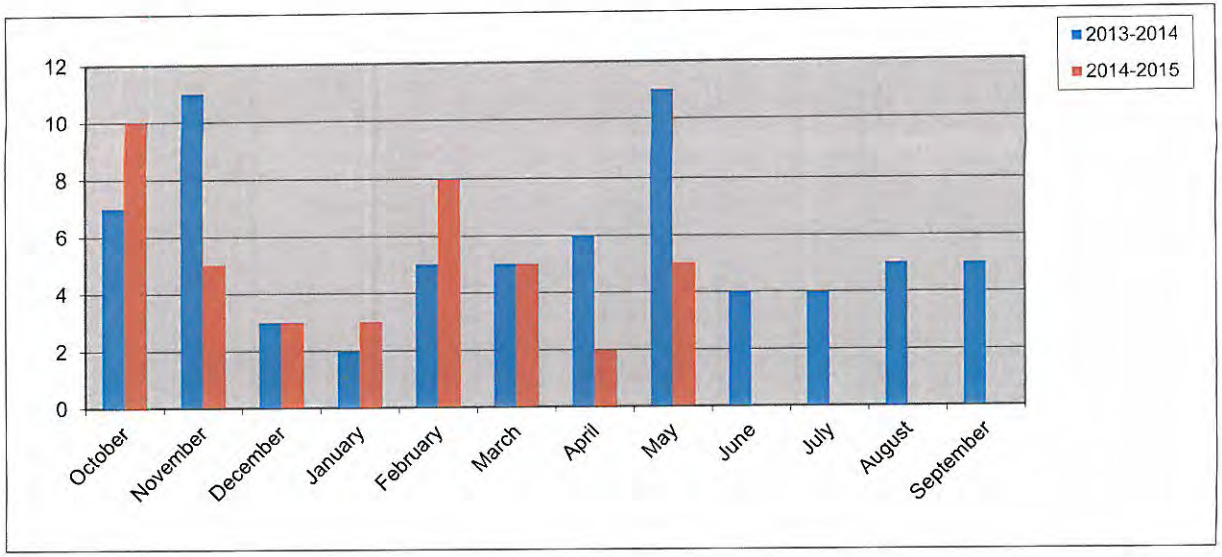
Residential Remodel Permits Calendar Year

Year	2014	2015
January	2	3
February	5	8
March	5	5
April	6	2
May	11	5
June	4	
July	4	
August	5	
September	5	
October	10	
November	5	
December	3	
Totals	**65**	23



Residential Remodel Permits Fiscal Year

Year	2013-2014	2014-2015
October	7	10
November	11	5
December	3	3
January	2	3
February	5	8
March	5	5
April	6	2
May	11	5
June	4	
July	4	
August	5	
September	5	
Totals	**68**	**41**



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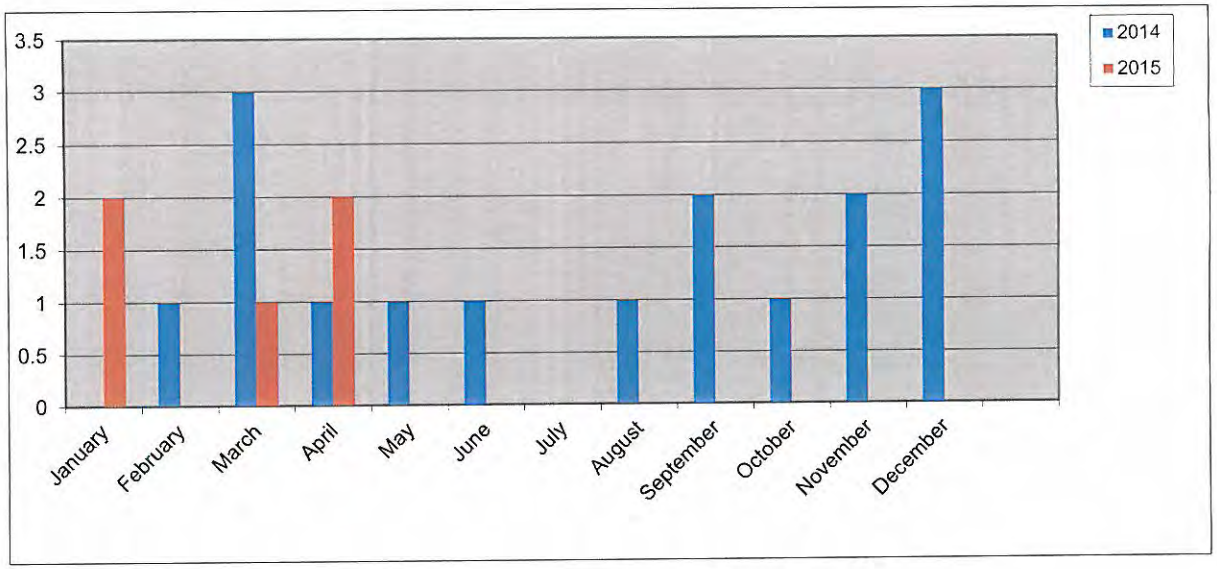
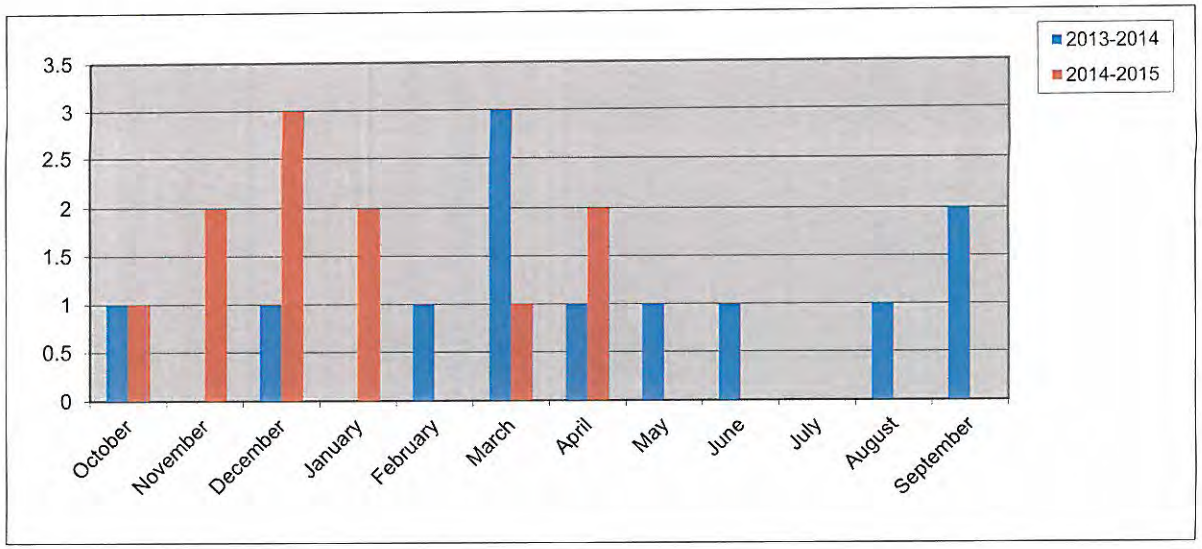
New Commercial Permits Calendar Year

	Year	
	2014	2015
January	0	2
February	1	0
March	3	1
April	1	2
May	1	0
June	1	
July	0	
August	1	
September	2	
October	1	
November	2	
December	3	
Totals	**16**	**5**



New Commercial Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	1	1
November	0	2
December	1	3
January	0	2
February	1	0
March	3	1
April	1	2
May	1	0
June	1	
July	0	
August	1	
September	2	
Totals	**12**	**11**



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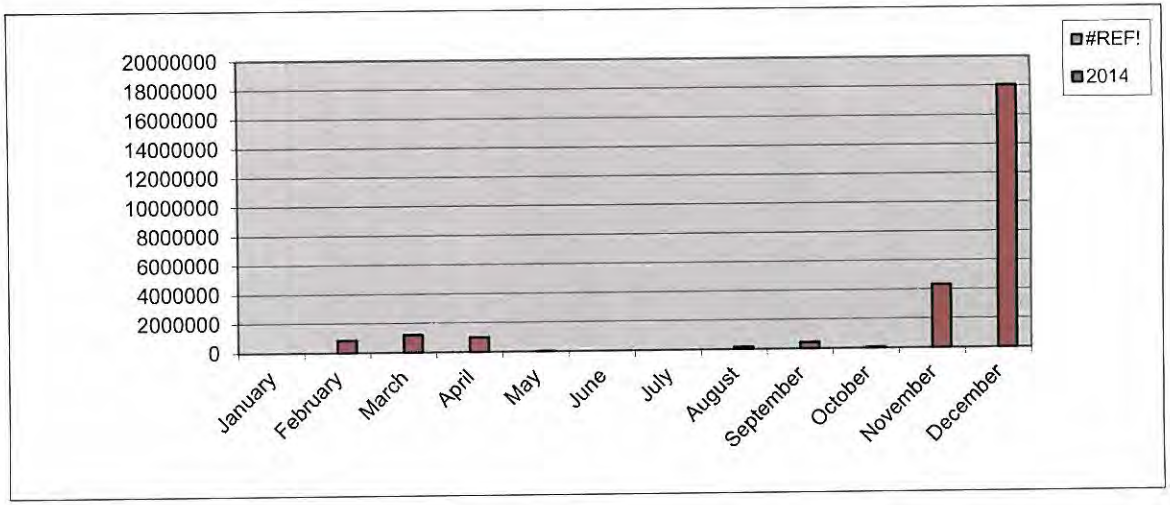
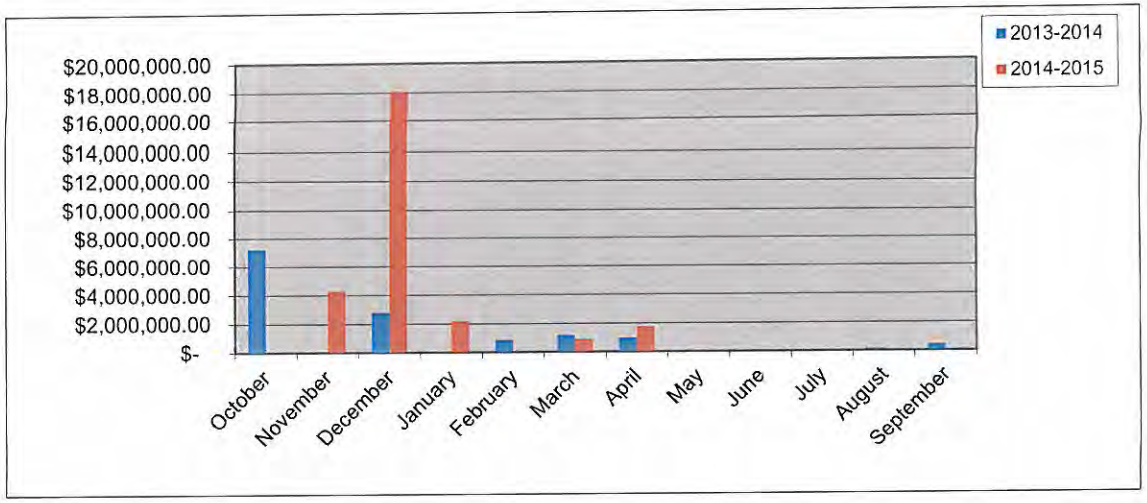
New Commercial Value Calendar Year

Year	2014	2015
January	$ -	$ 2,200,000.00
February	$ 850,000.00	$ -
March	$ 1,185,000.00	$ 930,000.00
April	$ 1,000,000.00	$ 1,780,000.00
May	$ 5,000.00	$ -
June	$ -	
July		
August	$ 150,000.00	
September	$ 430,795.00	
October	$ 49,000.00	
November	$ 4,300,000.00	
December	$ 18,050,000.00	
Totals	**$ 26,019,795.00**	**$ 4,910,000.00**



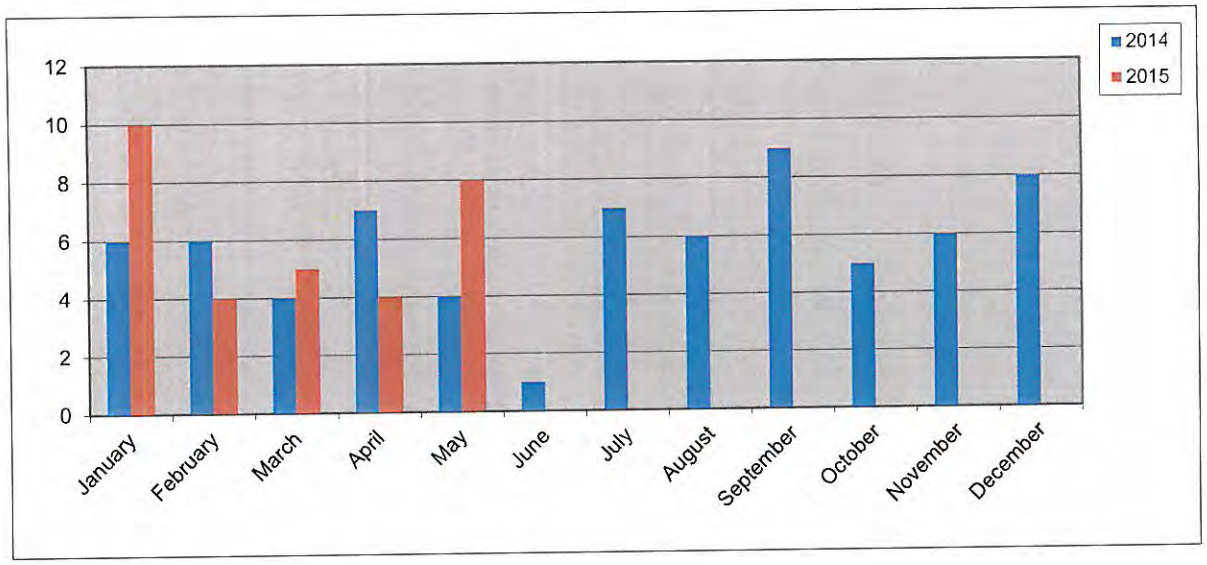
New Commercial Value Fiscal Year

Year	2013-2014	2014-2015
October	$ 7,225,000.00	$ 49,000.00
November	$ -	$ 4,300,000.00
December	$ 2,800,000.00	$ 18,050,000.00
January	$ -	$ 2,200,000.00
February	$ 850,000.00	$ -
March	$ 1,185,000.00	$ 930,000.00
April	$ 1,000,000.00	$ 1,780,000.00
May	$ 5,000.00	$ -
June	$ -	
July		
August	$ 150,000.00	
September	$ 430,795.00	
Totals	**$ 13,645,795.00**	**$ 27,309,000.00**



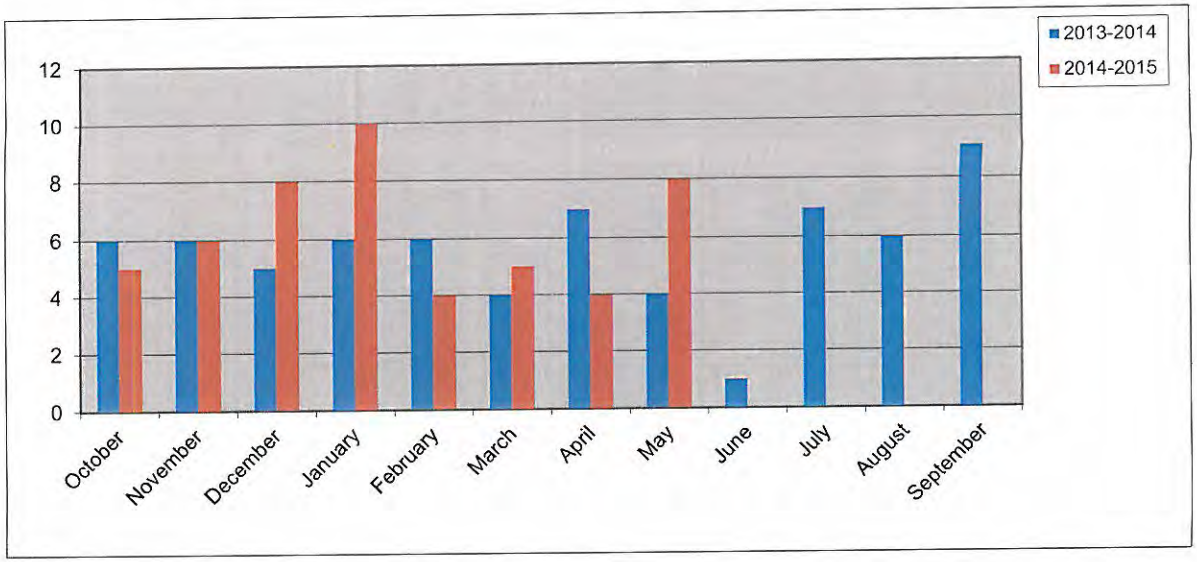
Commercial Remodel Permits Calendar Year

Year	2014	2015
January	6	10
February	6	4
March	4	5
April	7	4
May	4	8
June	1	
July	7	
August	6	
September	9	
October	5	
November	6	
December	8	
Totals	**69**	**31**



Commercial Remodel Permits Fiscal Year

Year	2013-2014	2014-2015
October	6	5
November	6	6
December	5	8
January	6	10
February	**6**	**4**
March	4	5
April	7	4
May	4	8
June	1	
July	7	
August	6	
September	9	
Totals	**67**	**50**



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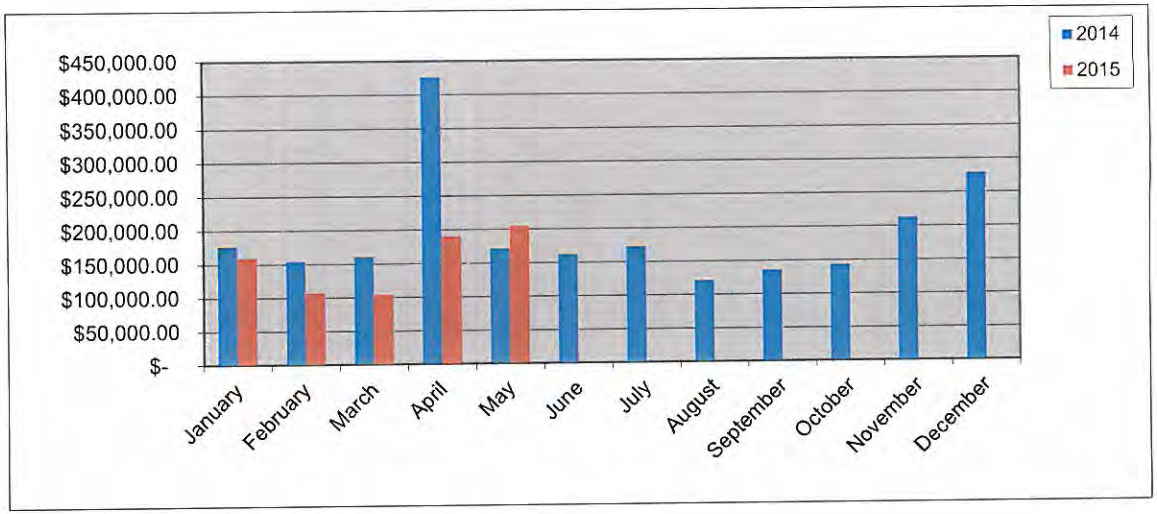
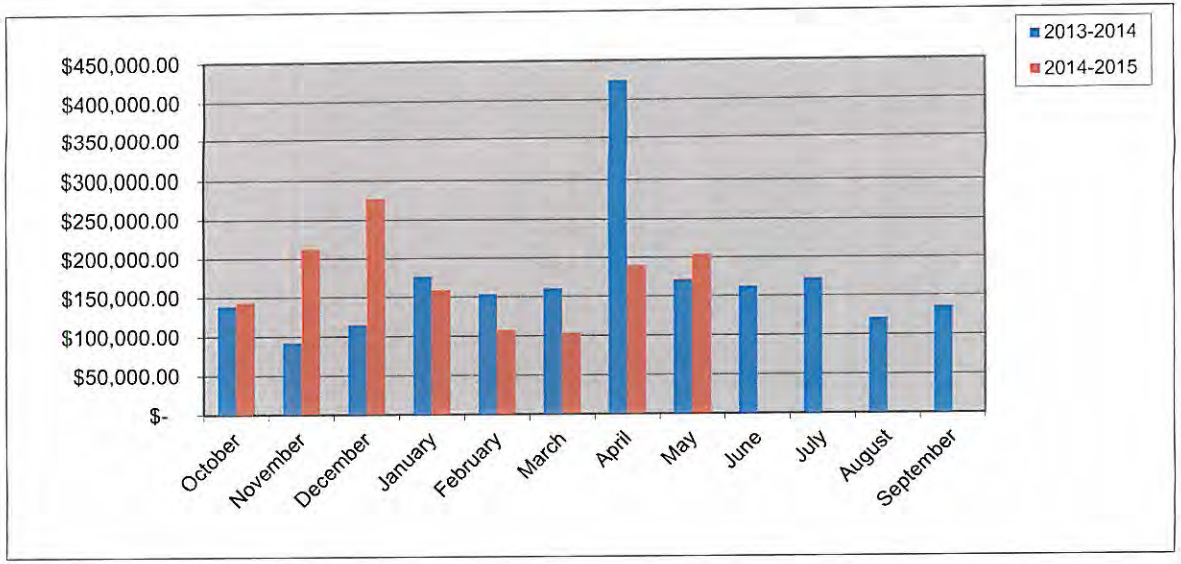
Total Fees Collected Calendar Year

Year	2014	2015
January	$ 176,162.63	$ 159,026.65
February	$ 153,458.98	$ 106,693.21
March	$ 160,530.91	$ 103,029.95
April	$ 425,003.86	$ 189,684.37
May	$ 170,849.07	$ 204,062.18
June	$ 161,690.82	
July	$ 172,232.70	
August	$ 120,790.39	
September	$ 135,478.13	
October	$ 143,153.00	
November	$ 212,222.54	
December	$ 277,864.58	
Totals	**$ 2,309,437.61**	**$ 762,496.36**



Total Fees Collected Fiscal Year

Year	2013-2014	2014-2015
October	$ 138,771.53	$ 143,153.00
November	$ 91,778.83	$ 212,222.54
December	$ 114,645.28	$ 277,864.58
January	$ 176,162.63	$ 159,026.65
February	$ 153,458.98	$ 106,693.21
March	$ 160,530.91	$ 103,029.95
April	$ 425,003.86	$ 189,684.37
May	$ 170,849.07	$ 204,062.18
June	$ 161,829.08	
July	$ 172,232.70	
August	$ 120,790.39	
September	$ 135,478.13	
Totals	**$ 2,021,531.39**	**$ 1,395,736.48**



City of Rockwall
PERMITS ISSUED
For the Period 5/1/2015 thru 5/31/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2014-0113 09/05/2014 05/01/2015	CO BUSINESS ACTIVE	1950 Alpha Dr. 100 3585-000A-0001-00-0R Cornerstone Comm Church	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Cheryl Stewart	1950 Cornerstone Comm. Church, Rockwall, TX 75032	(469) 544-9372
BUS OWNER	Doug Fox	1950 Alpha Dr #100, Rockwall, TX 75032	(972) 800-3633
CONTRACTOR	Doug Fox	2130 Berkdale, ROCKWALL, TX 75087	(972) 800-3633
OWNER	THE, FIVE NINE SEVEN LI	, IRVING, TX 75061	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2015-0015 02/10/2015 05/20/2015	CO BUSINESS ACTIVE	705 W Rusk 5120-0000-0002-00-0R Lakes Regional Community Center	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
BUS OWNER	Lakes Regional Community C	705 W Rusk St, Rockwall, TX 75087	(469) 214-8040
OWNER	KARAMAND, LP	, ROCKWALL, TX 75087	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2015-0029 03/13/2015 05/07/2015	CO SHELL ACTIVE	2255 RIDGE RD 4300-000A-0003-00-0R MMF INVESTMENTS	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	JEFF GRINNAN	, ,	
BUS OWNER	JEFF GRINNAN	2255 Ridge Rd #333, ROCKWALL, TX 75087	
BUSINESS	MMF INVESTMENTS	, ,	
OWNER	DAKIER, PARTNERS LTD	P O BOX 1059, ROCKWALL, TX 75087	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2015-0040 04/27/2015 05/15/2015	CO SHELL ACTIVE	923 YELLOW JACKET LN 4821-000A-0001-00-0R Mission Rockwall Apts.	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
BUS OWNER	IX MC	591 N. Putnam Ave., Greenwich, CT 06830	
OWNER	MISSION, NE DALLAS 1 LI	C/O STARWOOD CAPITAL GROUP GLO, GREENWICH, CT 6830	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2015-0043 05/05/2015 05/14/2015	CO BUSINESS ACTIVE	2067 Summer Lee Dr 105 3809-000A-0002-00-0R Southern Comforts	0.00	76.50	76.50

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Patrick Tetrick	, ,	(214) 395-4173
BUS OWNER	Soco Rockwall LLC	2067 Summer Lee Dr. # 105, Rockwall, TX 75032	(214) 395-4173
BUSINESS	Southern Comforts	, ,	
OWNER	MARIAH, BAY DEVELOPM	, ROCKWALL, TX 75087-0369	

City of Rockwall
PERMITS ISSUED
For the Period 5/1/2015 thru 5/31/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2015-0045 05/11/2015 05/18/2015	CO BUSINESS ACTIVE	337 County Line Rd. 0080-0000-0020-01-0R Elms Heating & Air	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Jerianne Elms	309 Henry M Chandler, Rockwall, TX 75032	(214) 493-1842
BUS OWNER	Jason Elms	309 Henery M Chandler, Rockwall, TX 75032	(214) 437-0329
OWNER	BUFFALO, CREEK BUSINE	, ROYSE CITY, TX 75189	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Permit Name	Valuation	Total Fees	Fees Paid
CO2015-0046 05/13/2015 05/19/2015	CO BUSINESS ACTIVE	2850 SHORELINE TRL 101/102 4941-000A-0005-00-0R RE/MAX LANDMARK	0.00	75.00	75.00

Contact Type	Contact Name	Contact Address	Phone Number
APPLICANT	Terry Roberts	P.O. Box 1508, Terrell, TX 75160	(972) 771-7575
BUS OWNER	TERRY ROBERTS	P O BOX 1508, TERRELL, TX 75160	
BUSINESS	RE/MAX LANDMARK	2850 SHORELINE TRL. 101/102, ,	
OWNER	LAKE, FRONT TRAIL LP	, HEATH, TX 75032	

Total Valuation: **0.00**
Total Fees: **529.50**
Total Fees Paid: **529.50**

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Rockwall Police Department

Monthly Activity Report
May-2015

ACTIVITY	CURRENT MONTH MAY	PREVIOUS MONTH APRIL	YTD 2015	YTD 2014	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	0	**0.00%**
Sexual Assault	0	2	5	0	**500.00%**
Robbery	1	0	5	1	**400.00%**
Aggravated Assault	4	4	17	12	**41.67%**
Burglary	4	4	15	26	**-42.31%**
Larceny	62	49	226	258	**-12.40%**
Motor Vehicle Theft	2	8	19	20	**-5.00%**
TOTAL PART I	**73**	**67**	**287**	**317**	**-9.46%**
TOTAL PART II	**185**	**182**	**745**	**668**	**11.53%**
TOTAL OFFENSES	**258**	**249**	**1032**	**985**	**4.77%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	11	17	69	79	**-12.66%**
D.W.I.	9	14	63	95	**-33.68%**
TEEN CURFEW	0	1	2	7	**-71.43%**
ARRESTS					
FELONY	19	18	89	88	**1.14%**
MISDEMEANOR	80	71	336	379	**-11.35%**
WARRANT ARREST	24	40	151	142	**6.34%**
JUVENILE	1	0	4	38	**-89.47%**
TOTAL ARRESTS	**124**	**129**	**580**	**647**	**-10.36%**
DISPATCH					
CALLS FOR SERVICE	1690	1497	7251	6885	**5.32%**
ACCIDENTS					
INJURY	7	10	43	52	**-17.31%**
(INJURIES)	13	17	65	67	**-2.99%**
NON-INJURY	49	49	265	204	**29.90%**
FATALITY	1	0	1	0	**100.00%**
(FATALITIES)	1	0	1	0	**100.00%**
TOTAL	**57**	**59**	**309**	**256**	**20.70%**
FALSE ALARMS					
RESIDENT ALARMS	54	79	304	300	**1.33%**
BUSINESS ALARMS	134	109	569	563	**1.07%**
TOTAL FALSE ALARMS	**188**	**188**	**873**	**863**	**1.16%**
Estimated Lost Hours	**124.08**	**124.08**	**576.18**	**569.58**	**1.16%**
Estimated Cost	**$2,951.60**	**$2,951.60**	**$13,706.10**	**$13,549.10**	**1.16%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**4**
Arrests	**0**
Arrest Warrants	**0**
Search Warrants	**0**
Seized	
Cocaine	26.3 grams
Methamphetamine	5.2 kilos
Guns	2
Currency	$50,000

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Rockwall Police Department
Dispatch and Response Times
May 2015

Police Department

	Average Response Time		
Priority 1		Number of Calls	**156**
Call to Dispatch	0:00:38		
Call to Arrival	0:05:27		
% over 7 minutes	27%		
	Average Response Time		
Priority 2		Number of Calls	**280**
Call to Dispatch	0:01:01		
Call to Arrival	0:07:03		
% over 7 minutes	41%		
	Average Response Time		
Priority 3		Number of Calls	**9**
Call to Dispatch	0:00:21		
Call to Arrival	0:04:19		
% over 7 minutes	29%		
***Priority 4**		Number of Calls	**1241**
****Priority 5**		Number of Calls	**4**

*Priority 4 call averages are not given because they are calls that do not require an immediate response by police.
**Priority 5 calls are incidents that officers initiate themselves therefore response times are not calculated.

Average dispatch response time goals are as follows:
Priority 1: 30 Seconds
Priority 2: 45 Seconds
Priority 3: 1 Minute

Fire Department

	Average Response Time		
Call to Dispatch	0:00:18	Number of Calls	**103**
Call to Arrival	0:06:36		

Overages

Incident No.	Date	Time Rec'd	Call Type	Time Disp	Resp Time	Reason
2015-354	5/10/2015	10:53:46	Fire Alarm Residential	10:55:27	0:01:41	Non-paged call
2015-356	5/10/2015	16:10:26	Water Rescue	16:14:14	0:03:48	Assist DPD Water // non-page

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CALLS BY TYPE
MAY 2015

City of Rockwall
The City Between Lakes

CITY CALLS	May
Situation Type	**#**
111 Building fire	1
143 Grass fire	2
311 Medical assist, assist EMS crew	1
322 Motor vehicle accident with injuries	1
360 Water & ice-related rescue, other	3
412 Gas leak (natural gas or LPG)	2
440 Electrical wiring/equipment problem, other	1
444 Power line down	6
550 Public service assistance, other	3
551 Assist police or other governmental agency	5
553 Public service	5
556 Public service - Non paged	12
611 Dispatched & canceled en route	3
622 No incident found on arrival at dispatch address	1
631 Authorized controlled burning	1
650 Steam, other gas mistaken for smoke, other	1
651 Smoke scare, odor of smoke	1
652 Steam, vapor, fog or dust thought to be smoke	4
671 HazMat release investigation w/no HazMat	1
700 False alarm or false call, other	3
714 Central station, malicious false alarm	1
733 Smoke detector activation due to malfunction	6
735 Alarm system sounded due to malfunction	9
736 CO detector activation due to malfunction	1
740 Unintentional transmission of alarm, other	1
741 Sprinkler activation, no fire - unintentional	1
743 Smoke detector activation, no fire - unintentional	6
745 Alarm system activation, no fire - unintentional	15
746 Carbon monoxide detector activation, no CO	1
Totals:	98

COUNTY	May
Situation Type	**#**
631 Authorized controlled burning	1
Totals:	1

FATE	0

HEATH	May
Situation Type	**#**
442 Overheated motor	1
611 Dispatched & canceled en route	2
Totals:	3

MCLENDON CHISHOLM	May
Situation Type	**#**
111 Building fire	1
Totals:	1

To: Chief Poindexter
From: BC Merritt
Re: May Structure fire report
Date: June 16, 2015

1935 Evergreen

We responded to a report of a possible structure fire on May 10, 2015. The first unit on scene reported a slight haze of smoke in the entry and living room. Upon further investigation it was determined that the residence had most likely been struck by lightning and a gas line in the attic had ruptured and caused a small fire behind the wall in the entry hall. No major damage was done to the structure. There were no civilian injuries and one firefighter suffered an injury on this incident.

Dispatch time: 09:38.48
Enroute time: 09:40.17
On scene time: 09:45.38
Clear time: 10:57.55

No crew times were reported on this incident due to delayed responses due to weather at the time and multiple calls going on at the same time man power was limited.

The actual number of personnel on scene of this incident cannot be truly recorded due to multiple incidents taking place at the same time and personnel on all incidents were recorded on this incident sheet.

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Total Dollar Losses

May 2015

City of Rockwall
The Texas Treasure

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$4,500.00	$0.00	$100,000.00	$219,988.00	$256,560.00
Total Content Loss:	$0.00	$0.00	$48,846.00	$177,292.80	$61,846.00
Total Property Pre-Incident Value:	$168,975.00	$0.00	$162,820.00	$713,335.00	$315,730.00
Total Contents Pre-Incident Value	$101,385.00	$0.00	$97,692.00	$562,729.00	$187,944.00
Total Losses:	$4,500.00	$.00	$148,846.00	$397,280.80	$4,500.00
Total Value:	$270,360.00	$.00	$260,512.00	$1,276,064.00	$503,674.00

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes		0- 1 1/2 MINUTES	
CRITERIA MET %		CRITERIA MET %	2 of 2
CRITERIA -ACHIEVE RESPONSE TIME	27 of 29	CRITERIA -ACHIEVE RESPONSE TIME	100%
90% OF TIME IN BOXES WITH	0.93%	60% OF TIME IN BOXES WITH	Criteria Met
STATIONS	Criteria Met	STATIONS	
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES		0-6 MINUTES	
CRITERIA MET %	26 of 29	CRITERIA MET %	1 of 2
CRITERIA -ACHIEVE RESPONSE TIME	0.90%	CRITERIA -ACHIEVE RESPONSE TIME	50.00%
90% OF TIME IN BOXES WITH	Criteria Met	60% OF TIME IN BOXES WITH	Criteria Not Met
STATIONS		STATIONS	
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES		0-7 1/2 MINUTES	
CRITERIA MET%	26 of 29	CRITERIA MET%	1 of 2
CRITERIA -ACHIEVE RESPONSE TIME	0.90%	CRITERIA -ACHIEVE RESPONSE TIME	50.00%
90% OF TIME IN BOXES WITH	Criteria Met	60% OF TIME IN BOXES WITH	Criteria Not Met
STATIONS		STATIONS	

ENROUTE OVERAGES
CITY
MAY 2015

ALARM DATE	ALARM TIME	ENROUTE TIME	PAGED TO ENROUTE	NUMBER	STATION	Lights and Sirens	APPARATUS	REASON FOR OVERAGES
05/04/2015	15:22:21	15:24:08	0:01:47	2015-00000332	Rockwall 4	Code 3	E4	Dispatch talked for 1:15 seconds
05/07/2015	16:51:59	16:53:34	0:01:35	2015-00000341	Rockwall 1	Code 3	E1	CAD time doesn't match Radio time

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ARRIVAL OVERAGES

CITY

MAY 2015

VENUE	ALARM DATE	ENROUTE TIME	ARRIVAL TIME	ENROUTE TO ARRIVAL	NUMBER	STATION	Lights and Sirens	APPARATUS	REASON FOR OVERAGES
Rockwall	05/30/2015	07:46:52	07:57:56	0:11:04	2015-00000427	Rockwall 2	Code 3	E1	Weather delayed
Rockwall	05/10/2015	09:52:19	10:01:08	0:08:49	2015-00000350	Rockwall 3	Code 3	E4	Weather delayed
Rockwall	05/31/2015	04:52:44	05:01:15	0:08:31	2015-00000433	Rockwall 4	Code 3	E4	Response to area without station
Rockwall	05/10/2015	10:55:57	11:03:28	0:07:31	2015-00000354	Rockwall 2	Code 3	E2	Weather delayed

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RESPONSE OVERAGES
CITY
MAY 2015

VENUE	ALARM DATE	ALARM TIME	ARRIVAL TIME	RESPONSE	NUMBER	STATION	Lights and Sirens	APPARATUS	REASON FOR OVERAGES
Rockwall	05/30/2015	07:45:57	07:57:56	0:11:59	2015-00000427	Rockwall 2	Code 3	E1	E1 responded from another call / E2 was on call and was slowed due to weather
Rockwall	05/10/2015	09:51:27	10:01:08	0:09:41	2015-00000350	Rockwall 3	Code 3	E4	E3 Responded from out of district
Rockwall	05/31/2015	04:51:43	05:01:15	0:09:32	2015-00000433	Rockwall 4	Code 3	E4	Response to area without station
Rockwall	05/10/2015	10:55:27	11:03:28	0:08:01	2015-00000354	Rockwall 2	Code 3	E2	All units were tied up and had to clear from other alls and slowed due to weather.

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COUNTY CALL OVERAGES
MAY 2015

VENUE	ALARM DATE	ALARM TIME	ENROUTE TIME	PAGED TO ENROUTE	ARRIVAL TIME	ENROUTE TO ARRIVAL	RESPONSE	NUMBER	STATION	Lights and Sirens	APPARATUS	REASON FOR OVERAGES
ENROUTE OVERAGES												
Rockwall County	05/21/2015	05:49:51	05:52:23	0:02:32	06:06:09	0:13:46	0:16:18	2015-00000390	Rockwall 2	Code 3	E2	Radio times don't match CAD times
DALLAS	05/16/2015	13:46:41	13:51:19	0:04:38	13:51:29	0:00:10	0:04:48	2015-00000370	Rockwall 2	Code 3	Mar1	Radio times don't match CAD times
ARRIVAL OVERAGES												
Rockwall County	05/21/2015	05:49:51	05:52:23	0:02:32	06:06:09	0:13:46	0:16:18	2015-00000390	Rockwall 2	Code 3	E2	Drive time to McClendon Chisholm
RESPONSE OVERAGES												
Rockwall County	05/21/2015	05:49:51	05:52:23	0:02:32	06:06:09	0:13:46	0:16:18	2015-00000390	Rockwall 2	Code 3	E2	Drove time to McClendon Chisholm

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COUNTY AND MUTUAL AID
RESPONSE
MAY 2015

COUNTY/MUTUAL	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	0 of 2 0.00% Criteria Not Met
CRITERIA -ACHIEVE RESPONSE TIME	
60% OF TIME IN BOXES WITH	
STATIONS	
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	1 of 2 50.00% Criteria Not Met
CRITERIA -ACHIEVE RESPONSE TIME	
60% OF TIME IN BOXES WITH	
STATIONS	
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	
CRITERIA MET%	1 of 2 50.00% Criteria Not Met
CRITERIA -ACHIEVE RESPONSE TIME	
60% OF TIME IN BOXES WITH	
STATIONS	

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Fire Alarms

May 2015

Date	Address	Common Name	Dispostion Code	CFS Number	Incident Number	Incident ORI	Call Type
05/02/2015 04:22:59	2949 WILD OAK LN		FA	245	2015-00000326	TX504	FD - Fire Alarm Residential
05/04/2015 15:20:10	991 E I30	Plaza at Rockwall Building 1	FA	725	2015-00000332	TX504	FD - Fire Alarm Commercial
05/04/2015 15:21:08	1053 E I30		FA	727	2015-00000333	TX504	FD - Fire Alarm Commercial
05/05/2015 13:08:41	206 STORRS ST	Nursing Home, Rockwall, Rockwall Nursing Care, Rockwall Nursing Center	FA	900	2015-00000336	TX504	FD - Fire Alarm Commercial
05/07/2015 16:51:09	1200 E YELLOW JACKET LN		FA	1299	2015-00000341	TX504	FD - Fire Alarm Commercial
05/09/2015 12:40:58	101 E RUSK ST	Rockwall County Old Courthouse	FA	1667	2015-00000345	TX504	FD - Fire Alarm Commercial
05/10/2015 10:12:10	941 STEGER TOWNE DR	Childrens Park Daycare	FA	1830	2015-00000351	TX504	FD - Fire Alarm Commercial
05/10/2015 10:52:27	2871 LAGO VISTA LN		FA	1837	2015-00000354	TX504	FD - Fire Alarm Residential
05/11/2015 15:03:57	1027 E I30	Belk	FA	2027	2015-00000359	TX504	FD - Fire Alarm Commercial
05/11/2015 23:18:13	111 LANSHIRE DR		FA	2115	2015-00000361	TX504	FD - Fire Alarm Residential
05/14/2015 16:21:05	709 BIG OAK CT		FA	2564	2015-00000366	TX504	FD - Fire Alarm Residential
05/14/2015 17:03:48	995 MONT CASCADES DR		FA	2573	2015-00000367	TX504	FD - Fire Alarm Residential
05/16/2015 17:09:52	101 E RUSK ST	Rockwall County Old Courthouse	FA	2898	2015-00000371	TX504	FD - Fire Alarm Commercial
05/17/2015 03:24:07	1621 COASTAL DR		FA	3001	2015-00000373	TX504	FD - Fire Alarm Residential
05/17/2015 04:17:22	479 SONOMA DR		FA	3007	2015-00000374	TX504	FD - Fire Alarm Residential
05/17/2015 21:33:12	996 E I30	Best Western	FA	3105	2015-00000375	TX504	FD - Fire Alarm Commercial
05/18/2015 11:12:44	302 ROCKBROOK DR		FA	3203	2015-00000378	TX504	FD - Fire Alarm Residential
05/19/2015 22:25:34	2055 SUMMER LEE DR	Hilton, Hilton Hotel	FA	3535	2015-00000384	TX504	FD - Fire Alarm Commercial
05/20/2015 09:59:39	625 E FM552		FA	3602	2015-00000386	TX504	FD - Fire Alarm Commercial
05/23/2015 16:08:44	489 BENDING OAKS TRL		FA	4191	2015-00000395	TX504	FD - Fire Alarm Residential
05/23/2015 17:35:50	2180 ARROWHEAD CT		FA	4199	2015-00000396	TX504	FD - Fire Alarm Residential
05/24/2015 21:47:11	1109 BAYSHORE DR		FA	4372	2015-00000401	TX504	FD - Fire Alarm Residential
05/27/2015 07:58:32	1111 E YELLOW JACKET LN	County Clerks Office, County Courthouse, New Courthouse, Rockwall County Justice Center	FA	4827	2015-00000412	TX504	FD - Fire Alarm Commercial
05/28/2015 20:09:17	1305 CALISTOGA DR		FA	5162	2015-00000419	TX504	FD - Fire Alarm Residential
05/29/2015 05:14:10	1000 SIGNAL RIDGE PL	Signal Ridge Security	FA	5251	2015-00000422	TX504	FD - Fire Alarm Commercial
05/30/2015 07:30:58	205 WINDY LN		FA	5468	2015-00000425	TX504	FD - Fire Alarm Residential
05/30/2015 07:33:27	5250 MEDICAL DR	Arbor House Of Rockwall	FA	5469	2015-00000426	TX504	FD - Fire Alarm Commercial

Inspection Totals Per Inspector

May 2015

Fire Inspection Status	Fire Inspection FDID	Inspector	Inspection Type	Fire Inspection Inspection Number
Pending	TX504	744 - Patrick	Courtesy	2726
Pending	TX504	744 - Patrick	Courtesy	2726
Finaled	TX504	744 - Patrick	Courtesy	2690
Finaled	TX504	744 - Patrick	Courtesy	2659
Finaled	TX504	744 - Patrick	Courtesy	2494
Pending	TX504	744 - Patrick	Fire Spinkler System	2664
Finaled	TX504	744 - Patrick	Flow Test	2734
Finaled	TX504	744 - Patrick	Flow Test	2733
Pending	TX504	744 - Patrick	Underground Fire Line	2708
	Total Per Inspector: 9			
Finaled	TX504	836 - Ayres	Annual	2724
Finaled	TX504	836 - Ayres	Annual	2719
Pending	TX504	836 - Ayres	Annual	2719
Finaled	TX504	836 - Ayres	Annual	2661
Pending	TX504	836 - Ayres	Annual	2669
Finaled	TX504	836 - Ayres	Annual	2673
Pending	TX504	836 - Ayres	Annual	2705
Finaled	TX504	836 - Ayres	Certificate of Occupancy	CO2015-0040
Finaled	TX504	836 - Ayres	Certificate of Occupancy	CO2015-0015
Finaled	TX504	836 - Ayres	Certificate of Occupancy	CO2015-0052
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2015-0048
Pending	TX504	836 - Ayres	Certificate of Occupancy	TCO2015-0002
Finaled	TX504	836 - Ayres	Construction Final	2460
Finaled	TX504	836 - Ayres	Construction Final	2686
Pending	TX504	836 - Ayres	Construction Final	2460
Finaled	TX504	836 - Ayres	Construction Final	2712
Finaled	TX504	836 - Ayres	Construction Final	2706
Pending	TX504	836 - Ayres	Construction Final	2706
Finaled	TX504	836 - Ayres	Follow Up	2718
Finaled	TX504	836 - Ayres	Open Burn	2728
Pending	TX504	836 - Ayres	Remote FDC	2709
Pending	TX504	836 - Ayres	Remote FDC	2709
Pending	TX504	836 - Ayres	Underground Fire Line	2708
Pending	TX504	836 - Ayres	Underground Fire Line	2708
Finaled	TX504	836 - Ayres	Underground Fire Line	2708
	Total Per Inspector: 25			
Pending	TX504	843 - Clark	Certificate of Occupancy	CO2015-0045
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0043
Pending	TX504	843 - Clark	Certificate of Occupancy	CO2015-0043
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0045
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0046
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0047
Finaled	TX504	843 - Clark	Certificate of Occupancy	co2015-0041
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0042
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0033
Finaled	TX504	843 - Clark	Construction Final	2707

Pending	TX504	843 - Clark	Construction Final	2662
Finaled	TX504	843 - Clark	Construction Final	2662
Pending	TX504	843 - Clark	Construction Final	2711
Pending	TX504	843 - Clark	Construction Final	2710
Finaled	TX504	843 - Clark	Construction Final	2714
Pending	TX504	843 - Clark	Construction Final	2714
Finaled	TX504	843 - Clark	Construction Final	2711
Finaled	TX504	843 - Clark	Construction Final	2710
Finaled	TX504	843 - Clark	Courtesy	2634
Finaled	TX504	843 - Clark	Courtesy	2635
Finaled	TX504	843 - Clark	Courtesy	2687
Finaled	TX504	843 - Clark	Courtesy	2678
Finaled	TX504	843 - Clark	Courtesy	2561
Finaled	TX504	843 - Clark	Courtesy	2636
Finaled	TX504	843 - Clark	Courtesy	2493
Finaled	TX504	843 - Clark	Courtesy	2494
Finaled	TX504	843 - Clark	Courtesy	2635
Finaled	TX504	843 - Clark	Courtesy	2679
Finaled	TX504	843 - Clark	Courtesy	2687
Finaled	TX504	843 - Clark	Courtesy	2561
Finaled	TX504	843 - Clark	Courtesy	2497
Finaled	TX504	843 - Clark	Courtesy	2687
Finaled	TX504	843 - Clark	Courtesy	2494
Finaled	TX504	843 - Clark	Courtesy	2634
Finaled	TX504	843 - Clark	Courtesy	2636
Finaled	TX504	843 - Clark	Courtesy	2497
Finaled	TX504	843 - Clark	Courtesy	2561
Finaled	TX504	843 - Clark	Courtesy	2497
Finaled	TX504	843 - Clark	Courtesy	2493
Finaled	TX504	843 - Clark	Courtesy	2561
Finaled	TX504	843 - Clark	Courtesy	2494
Finaled	TX504	843 - Clark	Courtesy	2732
Finaled	TX504	843 - Clark	Courtesy	2493
Finaled	TX504	843 - Clark	Courtesy	2561
Finaled	TX504	843 - Clark	Fire Alarm System	2681
Pending	TX504	843 - Clark	Fire Alarm System	2720
Pending	TX504	843 - Clark	Fire Spinkler System	2716
Pending	TX504	843 - Clark	Fire Spinkler System	2727
Pending	TX504	843 - Clark	Fire Spinkler System	2729
Pending	TX504	843 - Clark	Fire Spinkler System	2729
Pending	TX504	843 - Clark	Fire Spinkler System	2716
Finaled	TX504	843 - Clark	Flow Test	2717
Finaled	TX504	843 - Clark	Flow Test	2717
Finaled	TX504	843 - Clark	Follow Up	2713
Pending	TX504	843 - Clark	Follow Up	2713
Finaled	TX504	843 - Clark	Follow Up	2697
Pending	TX504	843 - Clark	Follow Up	2696
Finaled	TX504	843 - Clark	Follow Up	2722
Pending	TX504	843 - Clark	Follow Up	2702

	TX504	843 - Clark	Follow Up	2702
Finaled	TX504	843 - Clark	Other	2731
Pending	TX504	843 - Clark	Other	2731
Finaled	TX504	843 - Clark	Other	2730
Pending	TX504	843 - Clark	Other	2730
Finaled	TX504	843 - Clark	Other	2723

Total Per Inspector: 65

Department Total: 99

6/10/2015 3:01:16 PM

City of Rockwall
Project Routing Report By Date Sent (then by project)
For the Period 5/1/2015 thru 5/31/2015

Project #	Appl. Date / Project Type	Aging	Address / Description	Status / Owner Name	Plan Review Detail: Contact / Review Type	Date Sent / Date Due	Completed / Status
P2015-017	04/22/2015 PLAT	55	1415 S GOLIAD		Ariana Hargrove FIRE	05/07/2015 05/14/2015	05/07/2015 APPROVED
SP2015-011	04/20/2015 SITE PLAN	57	503 N GOLIAD		Ariana Hargrove FIRE	05/07/2015 05/14/2015	05/07/2015 APPROVED
SP2015-012	04/20/2015 SITE PLAN	57	1415 S GOLIAD		Ariana Hargrove FIRE	05/11/2015 05/18/2015	05/11/2015 APPROVED W/ CON
SP2015-009	04/20/2015 SITE PLAN	57	1350 SUMMER LEE DR		Ariana Hargrove FIRE	05/11/2015 05/18/2015	05/11/2015 APPROVED
SP2015-010	04/20/2015 SITE PLAN	57	1320 SUMMER LEE DR		Ariana Hargrove FIRE	05/11/2015 05/18/2015	05/11/2015 APPROVED
E2015-011	04/17/2015 ENGINEERING	60			Ariana Hargrove FIRE	05/18/2015 05/25/2015	05/18/2015 COMMENTS
P2015-014	04/13/2015 PLAT	64	1,3,4,5 SOAPBERRY LN		Ariana Hargrove FIRE	05/20/2015 05/27/2015	05/20/2015 APPROVED
E2015-015	05/06/2015 ENGINEERING	41			Ariana Hargrove ENG - FIRE	05/07/2015 05/21/2015	05/11/2015 COMMENTS
E2015-016	05/07/2015 ENGINEERING	40	1950 N GOLIAD ST		Ariana Hargrove ENG - FIRE	05/07/2015 05/21/2015	05/15/2015 COMMENTS
CIP2015-009	05/15/2015 CAPITAL IMPROVEMEN	32			Ariana Hargrove ENG - FIRE	05/15/2015 05/29/2015	

CRW SYSTEMS

City of Rockwall
Project Routing Report By Date Sent (then by project)
For the Period 5/1/2015 thru 5/31/2015

Project #	Appl. Date / Project Type	Aging	Address / Description	Status / Owner Name	Plan Review Detail: Contact / Review Type	Date Sent / Date Due	Completed / Status
E2015-017	05/18/2015 ENGINEERING	29	503 N GOLIAD		Ariana Hargrove ENG - FIRE	05/18/2015 06/01/2015	05/19/2015 APPROVED
SP2015-013	05/07/2015 SITE PLAN	40	588 STODGHILL RD		Ariana Hargrove FIRE	05/07/2015 05/14/2015	05/08/2015 COMMENTS
P2015-019	05/15/2015 PLAT	32	1815 OLD E QUAIL RUN RD		Ariana Hargrove FIRE	05/15/2015 05/22/2015	05/20/2015 APPROVED
Z2015-015	05/15/2015 ZONING	32	205 ROCKHOUSE LN		Ariana Hargrove FIRE	05/15/2015 05/22/2015	 APPROVED W/ CON
SP2015-014	05/15/2015 SITE PLAN	32	1010 S RIDGE RD		Ariana Hargrove FIRE	05/15/2015 05/22/2015	05/20/2015 APPROVED
P2015-020	05/15/2015 PLAT	32	406 N GOLIAD		Ariana Hargrove FIRE	05/15/2015 05/22/2015	05/20/2015 COMMENTS
Z2015-018	05/19/2015 ZONING	28	1815 OLD E QUAIL RUN RD		Ariana Hargrove FIRE	05/19/2015 05/26/2015	05/21/2015 APPROVED
Z2015-019	05/19/2015 ZONING	28	HWY276		Ariana Hargrove FIRE	05/19/2015 05/26/2015	
P2015-022	05/29/2015 PLAT	18	FM3097		Ariana Hargrove FIRE	05/29/2015 06/05/2015	06/04/2015 APPROVED
Z2015-016	05/18/2015 ZONING	29	HWY276		Ariana Hargrove FIRE	05/18/2015 05/25/2015	05/20/2015 DENIED

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CRW SYSTEMS

City of Rockwall
Project Routing Report By Date Sent (then by project)
For the Period 5/1/2015 thru 5/31/2015

Project #	Appl. Date / Project Type	Aging	Address / Description	Status / Owner Name	Plan Review Detail: Contact / Review Type	Date Sent / Date Due	Completed / Status
Z2015-017	05/18/2015 ZONING	29	AIRPORT RD		Ariana Hargrove FIRE	05/18/2015 05/25/2015	 APPROVED W/ CON
P2015-021	05/18/2015 PLAT	29			Ariana Hargrove FIRE	05/18/2015 05/25/2015	05/20/2015 APPROVED

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CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 5/1/2015 thru 5/31/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2015-064	05/14/15	28	1801 S Goliad St	WILLIAMS, HORACE LEE JR AND	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	05/14/15	05/24/15	05/20/15
	COMM		Dairy Queen - New Construction							
BLD2015-062	05/08/15	34	1050 WILLIAMS	ROCKWALL, I S D	Ariana Hargrove	FIRE 972-772-6431	APPROVED	05/18/15	05/28/15	05/18/15
	COMM		Install back up generator							
BLD2015-066	05/19/15	23	1245 SH 276	ROCKWALL, SH205 VENTURE LLC	Ariana Hargrove	FIRE 972-772-6431		05/19/15	05/29/15	
	COMM		CONSTRUCTION TRAILER							
BLD2015-067	05/20/15	22	911 N GOLIAD	R.D. VANDERSLICE	Ariana Hargrove	FIRE 972-772-6431		05/20/15	05/30/15	
	COMM		COMMERCIAL Irrigation -RD Vanderslice							
CO2015-0047	05/21/15	21	493 IH 30	BENT, TREE REALTY CO	Ariana Hargrove	FIRE CO	APPROVED	05/21/15	05/24/15	05/21/15
	CO		Bubble Bubble							
BLD2015-068	05/22/15	20	1245 SH 276	ROCKWALL, SH205 VENTURE LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	05/22/15	06/01/15	06/04/15
	COMM		Platinum Storage							
CO2015-0048	05/22/15	20	1405 Goliad St S D	WHITFORD, D R	Ariana Hargrove	FIRE CO	APPROVED	05/22/15	05/25/15	05/28/15
	CO		I fix phone Repair							
CO2015-0049	05/22/15	20	911 N Goliad St.	R.D. VANDERSLICE	Ariana Hargrove	FIRE CO	APPROVED	05/22/15	05/25/15	05/22/15
	CO		Behavioral Transformations							
CO2015-0050	05/22/15	20	911 N Goliad St	R.D. VANDERSLICE	Ariana Hargrove	FIRE CO	APPROVED	05/22/15		05/22/15
	CO		RD Vanderslice - Shell Bldg.							
MEC2015-00	05/22/15	20	2881 Market Center Dr.	CRP/ARROW, ROCKWALL LLC	Ariana Hargrove	FIRE 972-772-6431		05/22/15	06/01/15	
	COMM		Replace 10 ton RTU Same Size at current unit							
BLD2015-068	05/21/15	21	1480 JUSTIN RD	SPR P ACKAGING	Ariana Hargrove	FIRE 972-772-6431	APPROVED	05/26/15	06/05/15	05/28/15
	COMM		NEW CONCRETE SILO FOUNDATION FOR SPR PACKAGING							
SPEC2015-00	05/26/15	16	STEGER TOWNE DR	STEGER, DUNHILL LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	05/26/15	05/29/15	05/26/15
	SPECIAL EVENT		Pool Stop-Big Green Event							
BLD2015-053	04/24/15	48	1700 IH 30	NESBO, LIMITED PARNERSHIP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	05/28/15	06/07/15	05/28/15
	COMM		Nissan of Rockwall - New Bldg							
CO2015-0051	05/28/15	14	108 E RUSK ST	SWIERCINSKY, MICHAEL P AND	Ariana Hargrove	FIRE CO	APPROVED	05/28/15	05/31/15	05/28/15
	CO		EMBELLISHED ON THE SQUARE							
ELE2015-001	05/28/15	14	105 N GOLIAD	WEDDLE, JOHN C	Ariana Hargrove	FIRE 972-772-6431		05/28/15	06/07/15	
	COMM		REPLACE METER BASE							
CO2015-0052	05/29/15	13	489 BENDING OAKS TRL	LORI COPE	Ariana Hargrove	FIRE CO	APPROVED	05/29/15	06/01/15	06/01/15
	CO		ESSENTIAL LIVING RESIDENTIAL CARE							

CRW SYSTEMS

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Rockwall Police Department

Harbor District Calls For Service

May 2015

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2015-00015839	05/22/2015	01:19:28	Cinemark	Intoxicated	No Report
2015-00015926	05/22/2015	20:59:17	Cinemark	Intoxicated	Arrest
2015-00015924	05/22/2015	20:50:03	Cinemark	Investigation	No Report
2015-00013518	05/01/2015	20:44:23	Cinemark	Investigation	No Report
2015-00015508	05/19/2015	01:12:10	Cinemark	Suspicious Activity	No Report
2015-00015374	05/18/2015	00:25:00	Dodie's Seafood	Intoxicated	No Report
2015-00014547	05/10/2015	00:57:22	En Fuego	Investigation	No Report
2015-00013552	05/02/2015	00:02:19	Glorias	Disturbance	No Report
2015-00015748	05/21/2015	11:22:08	Hilton	911 Hang Up	False 911
2015-00016369	05/27/2015	01:32:22	Hilton	Alarm-BUSN	No Report
2015-00014558	05/10/2015	05:16:00	Hilton	BMV	Report
2015-00016142	05/24/2015	23:38:36	Hilton	Disturbance	Arrest
2015-00016155	05/25/2015	03:37:13	Hilton	Disturbance	No Report
2015-00016599	05/28/2015	21:28:51	Hilton	Disturbance	No Report
2015-00013840	05/03/2015	23:55:03	Hilton	Intoxicated	Arrest
2015-00013531	05/01/2015	22:01:01	Hilton	Investigation	Arrest
2015-00013717	05/03/2015	00:36:32	Hilton	Ordinance Violation	No Report
2015-00016158	05/25/2015	04:22:57	Hilton	Suspicious Activity	No Report
2015-00014536	05/09/2015	23:41:40	Hilton	Suspicious Activity	Arrest
2015-00013646	05/02/2015	18:38:14	The Harbor	Theft	Report
2015-00013678	05/02/2015	21:38:12	The Harbor	Disturbance	No Report
2015-00013668	05/02/2015	21:10:34	The Harbor	General Complaint	No Report
2015-00015277	05/16/2015	23:59:30	The Harbor	Investigation	Unable to Locate
2015-00014675	05/11/2015	13:41:52	The Harbor	Investigation	No Report
2015-00013569	05/02/2015	01:50:39	The Harbor	Investigation	No Report
2015-00016806	05/30/2015	18:01:36	The Harbor	Welfare Concern	No Report
2015-00015280	05/17/2015	00:08:48	The Harbor	Welfare Concern	No Report
2015-00014695	05/11/2015	15:31:32	Zeus Botique	Motor Vehicle Theft	Report
			Common Name		
			Hilton	11	
			The Harbor	8	
			Cinemark	5	
			Dodie's Seafood	1	
			En Fuego	1	
			Glorias	1	
			Zeus Botique	1	
			Total	**28**	

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
MAY 2015

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	7	7	0	100%
ADMINISTRATIVE SERVICES	3	3	0	100%
AIRPORT	6	6	0	100%
ANIMAL SERVICES	4	4	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	1	1	0	100%
ENGINEERING	3	3	0	100%
FINANCE	0	0	0	0%
FIRE DEPARTMENT	31	31	0	100%
INTERNAL OPERATIONS	117	117	0	100%
MUNICIPAL COURT	14	14	0	100%
PARKS & RECREATION	25	25	0	100%
PLANNING & ZONING	0	0	0	0%
POLICE DEPARTMENT	32	32	0	100%
PUBLIC WORKS	10	10	0	100%
UTILITY BILLING	1	1	0	100%
TOTAL	254	254	0	100%

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
RADIO SYSTEM
REQUESTS FOR SERVICE
MAY 2015

DEPARTMENT	# OF REQUESTS	# OF REQUESTS RESPONDED TO W / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ANIMAL SERVICES	0	0	0	100%
CODE ENFORCEMENT	0	0	0	100%
FIRE DEPARTMENT	3	3	0	100%
EMS	0	0	0	100%
INTERNAL OPERATIONS	1	1	0	100%
PARKS & RECREATION	0	0	0	100%
POLICE DEPARTMENT	19	19	0	100%
PUBLIC WORKS	0	0	0	100%
UTILITY BILLING	0	0	0	100%
HEATH DEPT. PUBLIC SAFETY	0	0	0	100%
HOSPITAL CONTROL STATIONS	0	0	0	100%
FATE DPS	1	1	0	100%
SYSTEM ISSUES	5	5	0	100%
TOTAL	29	29	0	100%

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Airport Operations Report

For Month of May 2015

FUEL SALES

	GALLONS SOLD	GROSS SALES
Jet - A Sales	423.00	$1,649.70
Av-Gas Sales	1,679.80	$7,278.98
TOTAL FUEL SALES	**2,102.80**	**$8,928.68**

HANGAR RENTAL REVENUE

Open T Hangar Rental Revenue	$2,550.00
Transient Covered Hgr - Nightly	$60.00
Enclosed Hangar Rental Revenue	$120.00
Nightly Tiedown Fees	$28.00
North Maintenance Hangar Rental Revenue	$0.00
TOTAL HANGAR RENTALS	**$2,758.00**

HANGAR OCCUPANCY RATES

	TOTAL HANGARS	QTY RENTABLE	QUANTITY LEASED	OCCUPANCY RATE
Open T Hangars	45	40	34	85.00%
Closed Hangar Rentals	2	2	1	50%
Open Hangar Cap Rentals	2	1	1	100%
TOTAL HANGAR OCCUPANCY	**49**	**43**	**36**	**84%**

Of the forty five hangars only forty can actually be rented. Most of these forty should be considered substandard and not easily marketed due to pad slope and width, electrical, and drainage issues.

CITY FEES DUE	FEE RATE	FRANCHISE FEE DUE	FUEL FLOWAGE FEES DUE	TOTAL FEES DUE
Fuel Sales (Gallons Sold)	$0.10	$0.00	$210.28	$210.28
City Owned Hangar Rentals	5.00%	$137.90	$0.00	$0.00
TOTAL FEES DUE		**$137.90**	**$210.28**	**$348.18**

I certify the information and amounts submitted on this form are true and correct.

Todd Parks
Managing Director - Texas Air Center, LLC

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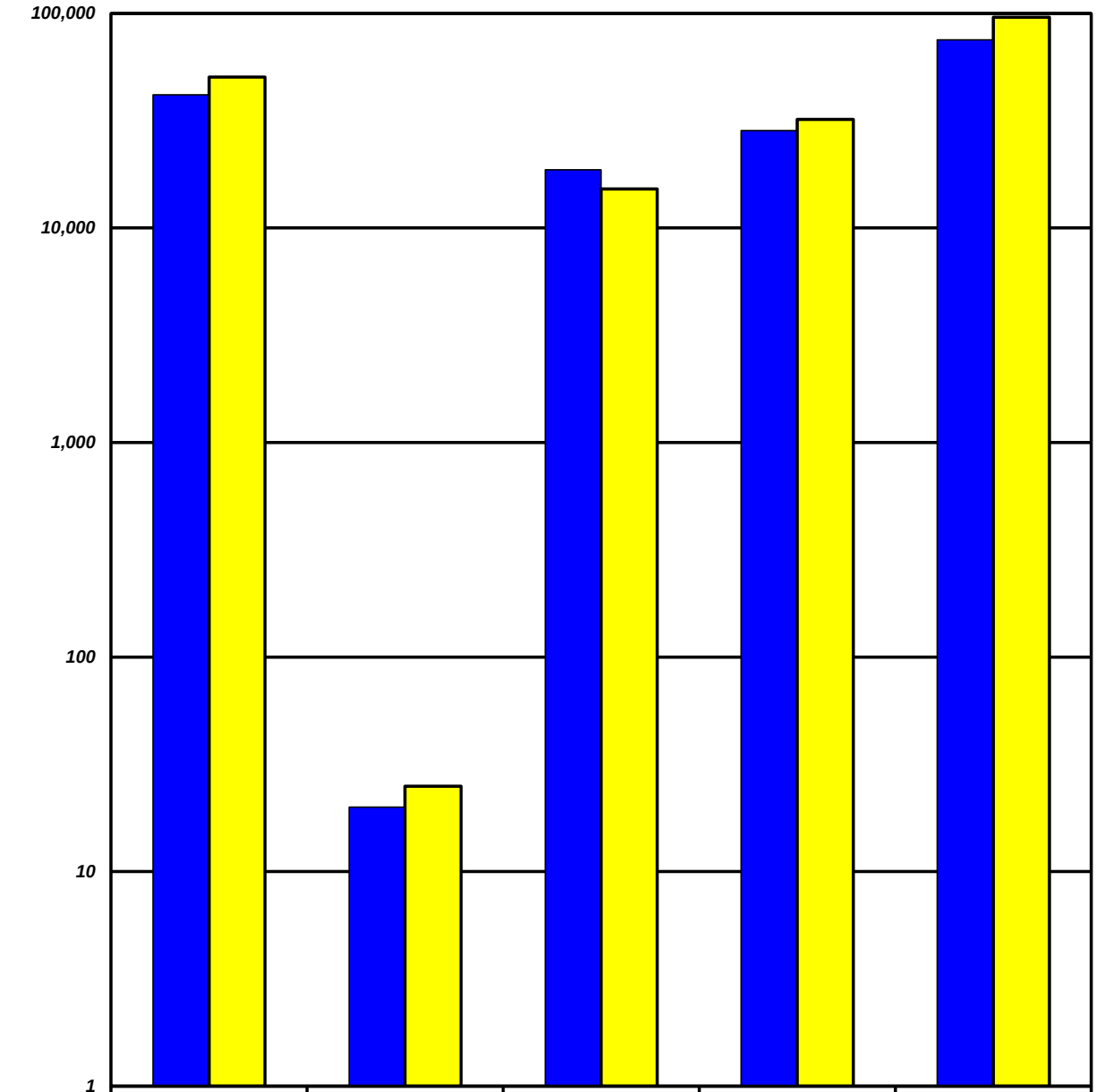
City of Rockwall
Parks and Recreation Department
FY15 May Report



	The Center Facility Usage	Average Participation per Hour	Ongoing Activities Attendance	The Center Facility Rental Revenue	Program Revenue
FY15 YTD	41,815	20	18,681	$28,489	$75,334
FY14 YTD	50,544	25	15,197	$32,110	$96,064

The Center Facility Usage - Total number of visitors and participants that come thru The Center - includes Ongoing Activities.
Average Participation per Hour - The Center Facility Usage divided by the number of hours the facility is open.
Ongoing Activities Attendance - Non fee based activities conducted on a routine basis (Bingo, Exercise with Anita, etc).

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Rockwall Animal Adoption Center Monthly Report
CCHS at Rockwall
May 2015

DISPOSITION REPORT

	May
Intakes	182
1045	1
Adopted	80
Returned to Owner	27
Rescued	21
Euthanized	5
Live Outcome %	**95%**
Number of Animals in Foster	0

FINANCIAL REPORT

Income	**May**
City of Rockwall	$95,951
Adoption Fee Income	$6,450
Impound Fee Income	$1,015
Owner Surrender	$899
General Donations	$2,188
Medical	$505
Quarantine Fee	$200
Total Income	**$107,208**

Expenses	**May**
Administrative Expenses (Payroll, etc)	$33,323
Shelter Expenses (Microchips, Drugs, etc)	$6,820
Veterinary Expenses	$3,712
Total Expenses	**$43,855**
Balance	**$63,352**

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Table of Contents

Agenda 6

Hold work session with city's appointee to Rockwall County Open Space Alliance (RCOA) to hear update on the RCOA Master Plan and related board activities, and take any action necessary.

- Memo_RCOA WkS item 11
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Hold work session to discuss and consider the provisions of Chapter 12. Businesses & Sales, Article XII. Ambulance Service of the Code of Ordinances, and take any action necessary.

- Memo and docs 13
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Hold work session to hear from representative(s) of the Rockwall Area Chamber of Commerce concerning the "I Shop Rockwall Campaign," and take any action necessary.

- Memo 173
- Blank Page 174

Hold a work session to discuss and consider animal surrender policies at the Rockwall Animal Adoption Center, and take any action necessary.

- Memo_Animal Surrenders WkSession 175
- Blank Page 176

Consider approval of the minutes from the July 6, 2015 regular city council meeting, and take any action necessary.

- 07-06-15 CC Mins 177
- Blank Page 190

Consider approval of a resolution authorizing the City Manager to execute an Interlocal Purchasing Agreement with the City of Midlothian, and take any action necessary

- Agreement 191
- Resolution 194
- Blank Page 196

Consider approval of a resolution allowing a temporary partial closure of FM 552 (John King Boulevard to the Rockwall East City Limits), FM 549 (FM 3097 to SH 205) and SH 205 (FM 549 to South John King Boulevard) for the Hot Rocks Bike Ride on Saturday, August 8, 2015 from 6:30 AM to 3:00 PM, and take any action necessary.

- City Manager Memo 197
- Resolution 198
- Exhibit A Hot Rocks Bike Ride 199
- Hot Rocks Bike Ride Map 200
- TxDOT Permit 204
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Consider approval of a resolution authorizing the City Manager to execute an Interlocal Purchasing Agreement with the City of Frisco, and take any action necessary.

1

Agreement 213
Resolution 216
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P2015-023 219
Blank Page 224
P2015-024 - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of Matt Alexander of the Cambridge Company, Inc. for the approval of a final plat for Phase 2 of the Rockwall Downes Subdivision, consisting of 30 single family lots on a 11.923-acre tract of land identified as a portion of Tract 3 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 10 (PD-10) for residential land uses, located at the northeast corner of the intersection of John King Boulevard and Discovery Boulevard, and take any action necessary.
P2015-024 225
Blank Page 230
P2015-025 - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of Matt Alexander of the Cambridge Company, Inc. for the approval of a final plat for Phase 3 of the Rockwall Downes Subdivision, consisting of 26 single family lots on a 8.559-acre tract of land identified as a portion of Tract 3 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 10 (PD-10) for residential land uses, located at the northwest corner of the intersection of John King Boulevard and Discovery Boulevard, and take any action necessary.
P2015-025 231
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Appointment with Jim Lambeth of Linebarger, Goggan, Blair & Sampson LLP to present information regarding a bid received for delinquent property taxes at 464 Evans at an amount less than the outstanding taxes, and take any action necessary.
staff memo 237
bid form and attachments 238
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Appointment with Joey Howell to discuss and consider initiating a development agreement, in accordance with Chapter 212 of the Texas Local Government Code, for a property identified as Tract 18 & 18-01 of the S. McFadgin Survey, Abstract No. 142, Rockwall County, Texas, being a ~98-acre tract of land situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), located south of SH-276 on the east side of FM-548, and take any action necessary.

Memorandum 244

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Z2015-015 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Rich Darragh of the Skorburg Company on behalf of the owner William Audy Riggs, SR Estate for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 93.00-acre tract of land identified as Tract 33 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the east side of Breezy Hill Road north of FM -552, and take any action necessary. (1st Reading)

Z2015-015 259

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Z2015-020 314

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Z2015-021 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Sam Ellis on behalf of the owner, the George Dewoody Estate, for a Specific Use Permit (SUP) for a daycare facility in an Agricultural (AG) District for a two (2) acre parcel of land identified as Lot 1 of the Dewoody Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the North SH-205 Corridor Overlay (N SH-205 OV) District, addressed as 3011 N. Goliad Street [SH-205], and take any action necessary. (1st Reading)

Z2015-021 329

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Z2015-022 - Hold a public hearing to discuss and consider approval of an ordinance for modifications to Article IV, Permissible Uses, and Article V, District Development Standards, of the Unified Development Code for the purposes of creating a standard for cultured stone, and adding standards for a Portable Beverage or Food Facility, and take any action necessary. (1st Reading)

Z2015-022 350
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Z2015-016 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Stacey McVey of Double Eagle Properties on behalf of the owner 308 ON 276 LP for a zoning change from an Light Industrial (LI) District to a Planned Development District for Single Family 10 (SF-10) and General Retail (GR) District land uses, on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the northeast corner of the intersection of Rochelle Road and SH-276, and take any action necessary. (1st Reading) (Applicant has requested to postpone to the Aug. 3, 2015 regular cc mtg.)

Z2015-016 376
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Discuss and consider a request from Dr. Umar Burney for waiver of fees owed on a development which includes a medical office building (Ortho Specialists of Dallas) located on Summer Lee Drive behind the Aldi building, and take any action necessary.

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Fee memo (Eng.) 417
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SP2015-015 - Discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Elias Pope of 8020 Restaurants, LLC for the approval of variances to the natural stone and masonry material requirements stipulated by Article V, District Development Standards, of the UDC in conjunction with an approved site plan for a restaurant on a 0.90 -acre parcel of land identified as Lot 3, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH -30 Overlay (IH-30 OV) District, located at the southeast corner of the IH-30 Frontage Road and Sunset Ridge Drive, and take any action necessary.

SP2015-015 420
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A2015-001 - Discuss and consider the expiration of an existing 212 Development Agreement for four (4) tracts of land contiguous with the City of Rockwall's city limits and being identified as approximately 94.05-acres of land situated within the City's Extraterritorial Jurisdiction (ETJ), generally located south of SH-276 along Zollner Road, and take any action necessary.

Memorandum (A2015-001) 429
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Discuss and consider status of Franchise Agreement with Legends Batting Cages, and take any action necessary.

Memo 462
Park Board Minutes - Jan 6, 2015 464
Park Board Minutes - April 1, 2015 467
Agreement 470

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Discuss and consider approval of a policy for the construction of structures, including a dock deck, fixed pier or boathouse within Lake Ray Hubbard for properties eligible to lease the Lake Ray Hubbard Takeline adjacent to the property, and take any action necessary.
Memorandum 477
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AGENDA
ROCKWALL CITY COUNCIL
Monday, July 20, 2015
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

p.11 **1.** Hold work session with city's appointee to Rockwall County Open Space Alliance (RCOA) to hear update on the RCOA Master Plan and related board activities, and take any action necessary.

p.13 **2.** Hold work session to discuss and consider the provisions of Chapter 12. Businesses & Sales, Article XII. Ambulance Service of the Code of Ordinances, and take any action necessary.

p.173 **3.** Hold work session to hear from representative(s) of the Rockwall Area Chamber of Commerce concerning the "I Shop Rockwall Campaign," and take any action necessary.

p.175 **4.** Hold a work session to discuss and consider animal surrender policies at the Rockwall Animal Adoption Center, and take any action necessary.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding status of Rockwall Harbor Landing, Inc. vs. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)

2. Discussion regarding the city's concession agreement with Suntex Marina / Suntex RHCL Marina, LLC pursuant to Section § 551.071 Consultation with Attorney)

3. Discussion regarding possible legal claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)

4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Planning & Zoning Commission, and Board of Adjustments pursuant to Section 551.074 (personnel matters)

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, July 20, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER FOWLER

VIII. OPEN FORUM

IX. CONSENT AGENDA

p.177 **1.** Consider approval of the minutes from the July 6, 2015 regular city council meeting, and take any action necessary.

p.191 **2.** Consider approval of a resolution authorizing the City Manager to execute an Interlocal Purchasing Agreement with the City of Midlothian, and take any action necessary

p.197 **3.** Consider approval of a resolution allowing a temporary partial closure of FM 552 (John King Boulevard to the Rockwall East City Limits), FM 549 (FM 3097 to SH 205) and SH 205 (FM 549 to South John King Boulevard) for the Hot Rocks Bike Ride on Saturday, August 8, 2015 from 6:30 AM to 3:00 PM, and take any action necessary.

p.213 **4.** Consider approval of a resolution authorizing the City Manager to execute an Interlocal Purchasing Agreement with the City of Frisco, and take any action necessary.

p.219 **5.** **P2015-023** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH 60's Pod, LTD for the approval of a final plat for Phase IXA of the Breezy Hill Subdivision, consisting of 55 single family lots on a 16.805-acre tract of land identified as Tract 7-13 of the T. R. Bailey Survey, Abstract No. 30 and J. Simmons Survey, Abstract No. 190, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, located at the northwest corner of the intersection of FM-552 and Breezy Hill Lane, and take any action necessary.

p.225 **6.** **P2015-024** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of Matt Alexander of the Cambridge Company, Inc. for the approval of a final plat for Phase 2 of the Rockwall Downes Subdivision, consisting of 30 single family lots on a 11.923-acre tract of land identified as a portion of Tract 3 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 10 (PD-10) for residential land uses, located at the northeast corner of the intersection of John King Boulevard and Discovery Boulevard, and take any action necessary.

p.231 7. **P2015-025** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of Matt Alexander of the Cambridge Company, Inc. for the approval of a final plat for Phase 3 of the Rockwall Downes Subdivision, consisting of 26 single family lots on a 8.559-acre tract of land identified as a portion of Tract 3 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 10 (PD-10) for residential land uses, located at the northwest corner of the intersection of John King Boulevard and Discovery Boulevard, and take any action necessary.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

p.237 2. Appointment with Jim Lambeth of Linebarger, Goggan, Blair & Sampson LLP to present information regarding a bid received for delinquent property taxes at 464 Evans at an amount less than the outstanding taxes, and take any action necessary.

p.244 3. Appointment with Joey Howell to discuss and consider initiating a development agreement, in accordance with Chapter 212 of the Texas Local Government Code, for a property identified as Tract 18 & 18-01 of the S. McFadgin Survey, Abstract No. 142, Rockwall County, Texas, being a ~98-acre tract of land situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), located south of SH-276 on the east side of FM-548, and take any action necessary.

XI. PUBLIC HEARING ITEMS

p.259 1. **Z2015-015** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Rich Darragh of the Skorburg Company on behalf of the owner William Audy Riggs, SR Estate for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 93.00-acre tract of land identified as Tract 33 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the east side of Breezy Hill Road north of FM-552, and take any action necessary.**(1st Reading)** ***(Applicant has requested to withdraw)***

p.314 2. **Z2015-020** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Wayne Mershawn of Mershawn Architects on behalf of Rex Walker of Life Springs Church for a Specific Use Permit (SUP) for a church in an Agricultural (AG) District for a seven (7) acre portion of a larger 28.881-acre tract of land identified as Tract 15-01 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Corridor Overlay (SH 205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King Boulevard and SH-205, and take any action necessary. **(1st Reading)**

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p.376 **5.** **Z2015-016** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Stacey McVey of Double Eagle Properties on behalf of the owner 308 ON 276 LP for a zoning change from an Light Industrial (LI) District to a Planned Development District for Single Family 10 (SF-10) and General Retail (GR) District land uses, on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the northeast corner of the intersection of Rochelle Road and SH-276, and take any action necessary. **(1st Reading)** ***(Applicant has requested to postpone to the Aug. 3, 2015 regular cc mtg.)***

XII. ACTION ITEMS

1. Discuss and consider a request from Dr. Umar Burney for waiver of fees owed on a development which includes a medical office building (Ortho Specialists of Dallas) located on Summer Lee Drive behind the Aldi building, and take any action necessary.

p.420 **2.** **SP2015-015** - Discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Elias Pope of 8020 Restaurants, LLC for the approval of variances to the natural stone and masonry material requirements stipulated by Article V, District Development Standards, of the UDC in conjunction with an approved site plan for a restaurant on a 0.90-acre parcel of land identified as Lot 3, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the IH-30 Frontage Road and Sunset Ridge Drive, and take any action necessary.

p.429 **3.** **A2015-001** - Discuss and consider the expiration of an existing 212 Development Agreement for four (4) tracts of land contiguous with the City of Rockwall's city limits and being identified as approximately 94.05-acres of land situated within the City's Extraterritorial Jurisdiction (ETJ), generally located south of SH-276 along Zollner Road, and take any action necessary.

p.462 **4.** Discuss and consider status of Franchise Agreement with Legends Batting Cages, and take any action necessary.

p.477 **5.** Discuss and consider approval of a policy for the construction of structures, including a dock deck, fixed pier or boathouse within Lake Ray Hubbard for properties eligible to lease the Lake Ray Hubbard Takeline adjacent to the property, and take any action necessary.

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding status of Rockwall Harbor Landing, Inc. vs. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding the city's concession agreement with Suntex Marina / Suntex RHCL Marina, LLC pursuant to Section § 551.071 Consultation with Attorney)
3. Discussion regarding possible legal claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Planning & Zoning Commission, and Board of Adjustments pursuant to Section 551.074 (personnel matters)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 17th day of July, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Ashberry, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

SUBJECT: **07/20 Work Session re: Rck. Co. Open Space Alliance (RCOA) Update**

DATE: **July 17, 2015**

The city's appointee to the RCOA, Ken Dickson, will be present at the work session Monday to provide Council with an update on activities of the RCOA, including the countywide open space master plan.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

SUBJECT: **07/20 Work Session re: ambulance exclusivity ordinance**

DATE: **July 15, 2015**

The topic of the city's current ordinance that essential creates "exclusivity" of ambulance service provision within the City of Rockwall was discussed at the July 6 regular city council meeting as an Action Item. As a result of that discussion, several members of Council generally expressed a desire to review some additional information pertaining to the Emergency Services Corporation, the EMS contract, 'exclusivity,' budget/financials, complaints, etc. I have assimilated several documents, some of which may be more useful to you than others. While it is a lot of information, staff wanted to provide Council with as much information as possible. As such, included for your review are the following documents:

1) City of Rockwall's current ordinance
2) Information submitted on 07/15/15 by Medic Rescue/Rockwall County EMS (current provider under contract in the County via the Emergency Services Corp. Board) germane to the discussion had at the 07/06 cc. mtg.
3) E-mail correspondence from representative of Baylor Rockwall re: Rockwall County EMS' service
4) Memo from EMS consultant to the ES Corp. Board, Steve Athey of Healthcare Visions, pertaining to (1) "exclusivity," and (2) Senate Bill 8 (in part pertaining to ambulance providers w/in a city/county)
5) Current EMS contract (signed in 2007) between Medic Rescue (dba Rockwall County EMS) and the ES Corp.
6) Current FY-15 ambulance services budget (of the ES Corp.)
7) Proposed ambulance budget for FY-16

8) ES Corp. Articles of Incorporation
9) Subsequent amendment to Articles of Incorporation
10) ES Corp. Bylaws
11) Contract with Steve Athey of Healtcare Visions and the ES Corp.
12) ES Corp.'s complaints procedure/policy re: ambulance service
13) Summary of known EMS related complaints over the years

In addition to my contacting Medic Rescue (Rockwall Co. EMS) and Baylor, Mary Smith reached out to Presbyterian Hospital Rockwall to solicit any written documentation they may wish to submit for council review prior to the July 20 work session; however, no information has been received thus far. Medic Rescue, Presby and Baylor have all been informed that a work session is scheduled at 4:00 p.m. on Mon., July 20 and that they are welcome to attend if they so desire.

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ARTICLE XII. - AMBULANCE SERVICE

Current City of Rockwall Ordinance (as of July 15, 2015)

Sec. 12-1251. - Contract required.

No person shall operate or cause to be operated a vehicle for ambulance purposes nor furnish, conduct, maintain, advertise or otherwise be engaged in the business or service of the transportation of ambulance patients within the city unless such person is the ambulance service provider currently under contract with the County of Rockwall Emergency Services Corporation to provide ambulance service within the county. No person shall knowingly solicit ambulance services regulated in this article except from the ambulance service provider.

(Code 1982, § 18-51; Ord. No. 93-41, § 1, 10-18-1993)

Sec. 12-1252. - Applicability.

The provisions of section 18-166 shall not apply to:

(1) Rendering assistance to patients in the case of a major catastrophe or emergency with which the contractor's ambulances are insufficient or unable to cope;
(2) Transporting a patient from outside of the county to a point within the city; or
(3) Transporting a patient picked up outside of the county, traveling through the city to a destination outside of the county.

(Code 1982, § 18-52; Ord. No. 93-41, § 2, 10-18-1993)

Sec. 12-1253. - Violations.

Violations of this article are hereby declared to be public nuisances and shall be prohibited and abated in actions at law or in equity.

(Code 1982, § 18-53; Ord. No. 93-41, § 3, 10-18-1993)

Rockwall County EMS
809 South Goliad
Rockwall, Texas 75087

Date: July 14, 2015

To: The Honorable Jim Pruitt, Mayor of Rockwall
Members of the Rockwall City Council

Re: Response to Questions Arising from July 4, 2015 City Council Meeting; Chapter 12. Businesses & Sales, Article XII. Ambulance Service of the Code of Ordinances

Gentlemen:

In response to questions that arose during discussion regarding the City Ordinance related to ambulance service exclusivity and for the purpose of clarification, the following is some additional information and related facts.

Intent of Ordinance: This ordinance was put in place in 1993 for the sole purpose of protecting the contracted EMS's ability to perform its duties in the manner intended, the duties outlined in the contract for ambulance services between Rockwall County and the then-contracted EMS. It provided the added benefit that all ambulance responses within the city would be performed by a vetted ambulance service, the contracted provider. LakePointe Medical Center was built in Rockwall County in 1987. The ordinance had no effect on patient destinations or the time required to transport citizens to Dallas.

Two Types of Ordinances: Given there are two basic EMS models, a 911-only and a public utility model, two types of city ordinances also exist. Rockwall County's EMS system design, a public utility model, is predicated on ordinances that provide exclusivity for both emergency and non-emergency transports. Rockwall Emergency Services Corporation (ESC) contract language is as follows:

> "Exclusive Service Agreement. Participating jurisdictions agree to utilize the Contractor solely within their jurisdictions. Exclusive service agreement shall include all requests for emergency and non-emergency transports and requests, including requests originating from nursing homes, hospice, and other long-term medical health care facilities. Member Jurisdictions are encouraged, through contacts with the Corporation, to exclusively use the Contractor's EMS services and to that end develop and employ "City Ordinances" whenever possible."

Without the protection of the non-emergency transport income or additional subsidization, the EMS budget would not allow for the additional ambulances when the system becomes busy. Without further government oversight, unvetted EMS providers would be allowed to respond to any calls within the city limits.

Currently only 1 facility, an extended-care facility, is located outside of the city limits of Rockwall. There has not been an overwhelming need to have exclusive ordinances in any city other than Rockwall. Rockwall and Heath currently have such ordinances. Heath's ordinance is attached. McLendon-Chisholm has one before its City Attorney.

System Funding: The county-wide EMS budget of roughly $3M is primarily funded through user fees, from both 911 requests for service and non-emergency transports, and subsidies. User fees and other AR make up roughly $2.5M and current annual EMS subsidy is $497,104.

The AR generated by the non-emergency transports in the city of Rockwall in 2014 is approximately $1,181,488 (3014 trips at $392 per trip), or 39.4% of the annual budget. The AR generated from the transfers out of Presbyterian Rockwall alone in 2014 is as follows:

Payments for Dates Of Service of 2014 picked up at Presbyterian Rockwall 2265 or 3150.

DOSYM	Total
2014-01	$ 50,704
2014-02	$ 49,785
2014-03	$ 41,219
2014-04	$ 42,438
2014-05	$ 44,714
2014-06	$ 48,393
2014-07	$ 53,438
2014-08	$ 55,063
2014-09	$ 59,072
2014-10	$ 48,942
2014-11	$ 41,660
2014-12	$ 30,129
Grand Total	$565,557

We are experiencing a 13.4% trip-per-month increase annually which would estimate AR generated from Presbyterian Rockwall transfers alone in FY 2015 at $641,342.

With respect to the subsidy portion, Rockwall County pays 50% and each participating cities pay the balance based on population percentage. FY 15-16 subsidy will be $427,460. FY 16-17 subsidy will be $398,575. The current (FY 14-15) City of Rockwall portion is $150, 922.92.

Survey-based Reimbursement: Concerns have been raised regarding response times to non-emergency transfers and its potential effect on potential Centers for Medicare and Medicaid Services (CMS) incentives. CMS uses an incentive program know as the Hospital Value-Based Purchasing (VBP) Program that rewards hospitals with incentive payments for the quality of care they provide to Medicare patients based on patient satisfaction surveys. The survey is a national, standardized survey that asks adult patients about their experiences during a recent hospital stay encompassing 8 important aspects of hospital quality. A CMS VBP fact sheet has been attached. Presbyterian's actual (2015) incentives can be found at http://globe1234.org/cost.xlsx, their Hospital ID is 670044. Columns T-W speak to the incentives specifically, including the most-important readmit penalties.

Contractually, Presbyterian is supplied a monthly report including response times. The last 6 monthly reports are attached and a summary follows:

Transfers Made from Presbyterian January thru June 2015	
Total Calls	651
Total Late Calls	83
< 15 Minutes Late	31
15 Minutes - 1 Hour Late	38
1 Hour - 2 Hours Late	12
2 Hours - 3 Hours Late	2
> 3 Hours Late	0

Of those 651 calls, to provide better ETAs, 163 calls, or 25%, were done by services other than Rockwall County EMS.

Ambulance Services Agreement (Presbyterian and Rockwall County EMS): Texas Health Presbyterian Rockwall contracted with Rockwall County EMS in 2013. This contract allows them greatly reduced prime vendor pricing and provides clearinghouse services, or one phone number to call to arrange for ambulance transport. This relinquishes their staff from having to 'shop' ambulance ETAs - EMS dispatch makes all arrangements. If Rockwall County EMS cannot meet the desired response time, the best ETA from 4 Presbyterian-recognized providers is obtained and that service is sent on the transport.

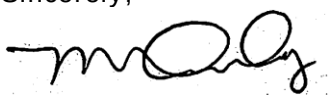
Some confusion exists as to whether this provision of the contract circumvents the Rockwall exclusivity ordinance.

> "No person shall operate or cause to be operated a vehicle for ambulance purposes nor furnish, conduct, maintain, advertise or otherwise be engaged in the business or service of the transportation of ambulance patients within the city unless such person is the ambulance service provider currently under contract with the County of Rockwall Emergency Services Corporation to provide ambulance service within the county…"

By virtue of EMS dispatch making the arrangements for all transports, Rockwall County EMS is the ambulance service provider causing a vehicle to be operated for ambulance purposes, even when it becomes necessary to engage a different provider for the transport. Therefore, the contract between Rockwall County EMS and Presbyterian does not violate or circumvent the Rockwall exclusivity ordinance.

I hope this adds sufficient clarity to aid in this very important decision. If any additional questions should exist, I invite the opportunity to further discuss this matter at your convenience.

Sincerely,



Mitch Ownby, EMS Chief

CHAPTER 113: AMBULANCE SERVICE

Section

113.01 Operating prohibited without contract

113.02 Exceptions

§ 113.01 OPERATING PROHIBITED WITHOUT CONTRACT.

(A) No person shall operate or cause to be operated an ambulance vehicle as that term is defined in TDH regulations, nor furnish, conduct, maintain, advertise or otherwise be engaged in the business or service of the transportation of patients in an ambulance within the City of Heath unless that person is the ambulance service provider currently under contract with Rockwall County to provide ambulance service within the county.

(B) No person shall knowingly solicit ambulance services regulated herein except from the ambulance service provider.

(2005 Code, § 6-5-1) (Ord. 980820B, passed - -) Penalty, see § 10.99

§ 113.02 EXCEPTIONS.

The provisions of § 113.01 above shall not apply to:

(A) Rendering assistance to patients in the case of a major catastrophe or emergency with which the contractor's ambulances are insufficient or unable to cope;

(B) Transporting a patient from outside of Rockwall County to a point within the City of Heath; or

(C) Transporting a patient picked up outside of Rockwall County, traveling through the City of Heath to a destination outside of Rockwall County.

(2005 Code, § 6-5-2) (Ord. 980820B, passed - -)

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Centers for Medicare & Medicaid Services

Medicare Learning Network®
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VBP

Hospital Value-Based Purchasing Program

Introduction

The Hospital Value-Based Purchasing (VBP) Program is a Centers for Medicare & Medicaid Services (CMS) initiative that rewards acute-care hospitals with incentive payments for the quality of care they provide to people with Medicare. This fact sheet explains how the VBP Program works, how hospital performance is measured and scored, and provides a preview of changes in future VBP Program years.

> "Changing the way we pay hospitals will improve the quality of care for seniors and save money. Under this initiative, Medicare will reward hospitals that provide high quality care and keep their patients healthy. It's an important part of our work to improve the health of our nation and drive down costs."
>
> 
>
> Kathleen Sebelius, Secretary of the U.S. Department of Health and Human Services (HHS)
>
> April 29, 2011

How Does Hospital Value-Based Purchasing Work?

CMS rewards hospitals based on the **quality** of care provided to Medicare patients, how closely best clinical practices are followed, and how well hospitals enhance patients' experiences of care during hospital stays. Hospitals are no longer paid solely based on the **quantity** of services they provide.

The Affordable Care Act of 2010 established the Hospital VBP Program, which applies to payments beginning in Fiscal Year (FY) 2013, on or after October 1, 2012, and affects payment for inpatient stays in 2,985 hospitals across the country.

Under the Hospital VBP Program, Medicare makes incentive payments to hospitals based on either:

1) How well they perform on each measure, or
2) How much they improve their performance on each measure compared to their performance during a baseline period.

How Is Hospital Performance Measured?

CMS bases hospital performance on an approved set of **measures** and **dimensions**, grouped into specific quality **domains**. Different domains apply depending on the FY 2013 – 2015. Table 1 provides the applicable domains for FY 2013 – 2015.

Table 1. Applicable Domains, FY 2013 – 2015

Fiscal Year	Applicable Domains
2013	Clinical Process of Care Domain Patient Experience of Care Domain
2014	Clinical Process of Care Domain Patient Experience of Care Domain Outcome Domain
2015	Clinical Process of Care Domain Patient Experience of Care Domain Outcome Domain Efficiency Domain

Clinical Process of Care Domain

Table 2 lists the Clinical Process of Care domain measures for FY 2013 – 2015.

Table 2. Clinical Process of Care Measures, FY 2013 – 2015

Measure ID	Measure Description
AMI-7a	Fibrinolytic Therapy Received Within 30 Minutes of Hospital Arrival
AMI-8a	Primary PCI Received Within 90 Minutes of Hospital Arrival
HF-1	Discharge Instructions
PN-3b	Blood Cultures Performed in the Emergency Department (ED) Prior to Initial Antibiotic Received in Hospital
PN-6	Initial Antibiotic Selection for Community-Acquired Pneumonia (CAP) in Immunocompetent Patients
SCIP-Inf-1	Prophylactic Antibiotic Received Within One Hour Prior to Surgical Incision
SCIP-Inf-2	Prophylactic Antibiotic Selection for Surgical Patients

Table 2. Clinical Process of Care Measures, FY 2013 – 2015 (cont.)

Measure ID	Measure Description
SCIP-Inf-3	Prophylactic Antibiotics Discontinued Within 24 Hours After Surgery End Time
SCIP-Inf-4	Cardiac Surgery Patients with Controlled 6:00 a.m. Postoperative Serum Glucose
SCIP-Inf-9 (for FY 2014 – 2015 only)	Urinary Catheter Removal on Postoperative Day 1 or Postoperative Day 2
SCIP-Card-2	Surgery Patients on a Beta-Blocker Prior to Arrival Who Received a Beta-Blocker During the Perioperative Period
SCIP-VTE-1 (for FY 2013 – 2014 only)	Surgery Patients with Recommended Venous Thromboembolism Prophylaxis Ordered
SCIP-VTE-2	Surgery Patients Who Received Appropriate Venous Thromboembolism Prophylaxis Within 24 Hours Prior to Surgery to 24 Hours After Surgery

Patient Experience of Care Domain

The dimensions of the Patient Experience of Care domain for FY 2013 – 2015 are listed below.

1) Nurse Communication
2) Doctor Communication
3) Hospital Staff Responsiveness
4) Pain Management
5) Medicine Communication
6) Hospital Cleanliness and Quietness
7) Discharge Information
8) Overall Hospital Rating



Outcome Domain

Table 3 lists the Outcome domain measures for FY 2014 – 2015.

Table 3. Outcome Measures, FY 2014 – 2015

Measure ID	Measure Description
MORT-30-AMI	Acute Myocardial Infarction (AMI) 30-Day Mortality Rate
MORT-30-HF	Heart Failure (HF) 30-Day Mortality Rate
MORT-30-PN	Pneumonia (PN) 30-Day Mortality Rate
AHRQ PSI-90 composite (for FY 2015 only)	Complication/Patient Safety for Selected Indicators (composite)
CLABSI (for FY 2015 only)	Central Line-Associated Blood Stream Infection

Efficiency Domain

Table 4 lists the Efficiency domain measure, effective for FY 2015.

Table 4. Efficiency Measures, FY 2015

Measure ID	Measure Description
MSPB-1	Medicare Spending per Beneficiary (MSPB)

The MSPB measure assesses Medicare Part A and Part B payments for services provided to a Medicare beneficiary during a spending-per-beneficiary episode that spans from 3 days prior to an inpatient hospital admission through 30 days after discharge. The payments included in this measure are price-standardized and risk-adjusted.

How Is Hospital Performance Scored?

CMS assesses each hospital's total performance by comparing its **Achievement** and **Improvement** scores for each applicable Hospital VBP measure. CMS uses a threshold (50th percentile) and benchmark (mean of the top decile) to determine how many points are awarded for the Achievement and Improvement scores. CMS compares the Achievement and Improvement scores and only uses whichever is greater.

To determine the Clinical Process of Care and Outcome domain scores, points are added across all measures.

The Patient Experience of Care domain score is the sum of a hospital's Hospital Consumer Assessment of Healthcare Providers and Suppliers (HCAHPS) base score and that hospital's HCAHPS **Consistency** score.

- **Achievement points** are awarded by comparing a hospital's rates during the performance period with all hospitals' rates from a baseline period:
  - Hospital rates at or above benchmark = 10 Achievement points
  - Hospital rates below the Achievement threshold = 0 Achievement points
  - If the rate is equal to or greater than the Achievement threshold and less than the benchmark = 1 – 10 Achievement points
- **Improvement points** are awarded by comparing a hospital's rates during the performance period to that same hospital's rates from a baseline period:
  - Hospital rates at or above benchmark = 9 Improvement points
  - Hospital rates at or below baseline period rate = 0 Improvement points
  - If the hospital's rate is between the baseline period rate and the benchmark = 0 – 9 Improvement points
- **Consistency points** are awarded by comparing a hospital's Patient Experience of Care dimensions rates during the performance period with all hospitals' Patient Experience of Care rates from a baseline period:
  - If all dimension rates are at or above Achievement threshold = 20 Consistency points
  - If any dimension rate is at or below worst-performing hospital dimension baseline period rate = 0 Consistency points
  - If the lowest dimension rate is greater than the worst-performing hospital's rate but less than the Achievement threshold = 0 – 20 Consistency points

CMS calculates a hospital's **Total Performance Score** by:

1) Combining the greater of either the hospital's Achievement or Improvement points for each measure to determine a score for each domain;
2) Then multiplying each domain score by a specified "weight" (percentage); and
3) Then adding together the weighted domain scores.



5

The domain weights for FY 2013 – 2015 are listed in Table 5.

Table 5. Weighted Value of Each Domain, FY 2013 – 2015

Domain	FY 2013 Weight	FY 2014 Weight	FY 2015 Weight
Clinical Process of Care	70%	45%	20%
Patient Experience of Care	30%	30%	30%
Outcome	N/A	25%	30%
Efficiency	N/A	N/A	20%

What Are the Hospital VBP Program Periods?

A Hospital VBP Program **performance period** is a designated time span used to capture data that shows how well a hospital is performing. CMS compares data collected during the performance period to data collected for each participating hospital during a **baseline period**. Table 6 provides baseline and performance period dates for FY 2013 – 2015.



Table 6. Baseline and Performance Periods, FY 2013 – 2015

Domain	FY 2013	FY 2014	FY 2015
Clinical Process of Care Measure(s)	**Baseline Period:** July 1, 2009 – March 31, 2010 **Performance Period:** July 1, 2011 – March 31, 2012	**Baseline Period:** April 1, 2010 – December 31, 2010 **Performance Period:** April 1, 2012 – December 31, 2012	**Baseline Period:** January 1, 2011 – December 31, 2011 **Performance Period:** January 1, 2013 – December 31, 2013
Patient Experience of Care Dimension(s)	**Baseline Period:** July 1, 2009 – March 31, 2010 **Performance Period:** July 1, 2011 – March 31, 2012	**Baseline Period:** April 1, 2010 – December 31, 2010 **Performance Period:** April 1, 2012 – December 31, 2012	**Baseline Period:** January 1, 2011 – December 31, 2011 **Performance Period:** January 1, 2013 – December 31, 2013
Mortality Outcome Measure(s)	N/A	**Baseline Period:** July 1, 2009 – June 30, 2010 **Performance Period:** July 1, 2011 – June 30, 2012	**Baseline Period:** October 1, 2010 – June 30, 2011 **Performance Period:** October 1, 2012 – June 30, 2013
AHRQ PSI composite Outcome Measure(s)	N/A	N/A	**Baseline Period:** October 15, 2010 – June 30, 2011 **Performance Period:** October 15, 2012 – June 30, 2013
CLABSI Outcome Measure(s)	N/A	N/A	**Baseline Period:** January 1, 2011 – December 31, 2011 **Performance Period:** February 1, 2013 – December 31, 2013
Efficiency Measure(s)	N/A	N/A	**Baseline Period:** May 1, 2011 – December 31, 2011 **Performance Period:** May 1, 2013 – December 31, 2013

How Are Hospitals Rewarded?

The Hospital VBP Program is funded by a percentage withheld from participating hospitals' Diagnosis-Related Group (DRG) payments. This applicable percentage varies until FY 2017. Table 7 lists these applicable percentages.

Table 7. Applicable Percentages, FY 2013 – 2017

Fiscal Year	Applicable Percentage
2013	1.0%
2014	1.25%
2015	1.50%
2016	1.75%
2017 and subsequent years	2.0%

Other funding specifics for the program include:

- The law requires the total amount of value-based incentive payments in aggregate be equal to the amount available for value-based incentive payments.
- CMS finalized a linear exchange function to translate Total Performance Scores into value-based incentive payments.



Resources

Table 8 provides resources for additional information.

Table 8. Hospital Value-Based Purchasing Resources

Resource	Website
Compilation of Social Security Laws	http://www.ssa.gov/OP_Home/ssact/title18/1886.htm on the U.S. Social Security Administration website
Final Rules in the Federal Register	• FY 2013: http://www.gpo.gov/fdsys/pkg/FR-2011-05-06/pdf/2011-10568.pdf • FY 2014: http://www.gpo.gov/fdsys/pkg/FR-2011-11-30/pdf/2011-28612.pdf • FY 2015: http://www.gpo.gov/fdsys/pkg/FR-2012-08-31/pdf/2012-19079.pdf
HCAHPS	http://www.hcahpsonline.org
Hospital Quality Initiative	http://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/HospitalQualityInits
Hospital VBP Program	For more information on the Hospital VBP Program, visit http://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/Hospital-Value-Based-Purchasing on the CMS website, or scan the Quick Response (QR) code on the right with your mobile device.
Medicare Learning Network® (MLN) Guided Pathways	The MLN Educational Web Guides MLN Guided Pathways to Medicare Resources helps providers gain knowledge on resources and products related to Medicare and the CMS website. For more information applicable to you, refer to the section about your provider type in the "MLN Guided Pathways to Medicare Resources Provider Specific" booklet at http://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNEdWebGuide/Downloads/Guided_Pathways_Provider_Specific_Booklet.pdf on the CMS website. For all other "Guided Pathways" resources, visit http://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNEdWebGuide/Guided_Pathways.html on the CMS website.

This fact sheet was current at the time it was published or uploaded onto the web. Medicare policy changes frequently so links to the source documents have been provided within the document for your reference.

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Presbyterian Hospital of Rockwall Ambulance Reporting - April 2015

RUN NUMBER *-ED patient	DATE CREATED	TIME CREATED/ [SCHEDULED]	EMS PROVIDER *-changed	RESPONSE TIME (EARLY)	DESTINATION	PAYER
*15-04-0002	4/1/15	04.52.05	RCEMS	18.13	Childrens Dallas	Superior Health
15-04-0005	4/1/15	[11.00]	RCEMS	(1.21)	VA Dallas	Medicare
*15-04-0011	4/1/15	14.54.18	RCEMS	11.45	Methodist Richardson	Medicare
*15-04-0014	4/1/15	[16.45]	RCEMS	46.55	[redacted] Meadowcrest Dr, Terrell	Self Pay/Presby Rockwall
*15-04-0018	4/2/15	01.51.34	RCEMS	12.24	Presby Dallas	Tri-Care
15-04-0021	4/2/15	[13.00]	RCEMS	17.25	Beacon Harbor	Secure Horizons
*15-04-0030	4/2/15	16.16.41	RCEMS	45.17	Arbor House	Medicare
15-04-0038	4/2/15	18.07.59	RCEMS	10.25	Timberlawn	UHC
*15-04-0047	4/3/15	05.12.25	RCEMS	30.36	Medical City Dallas	BCBS
15-04-0053	4/3/15	[13.00]	RCEMS	0.00	Barnes Bridge, Sunnyvale	Medicare
*15-04-0058	4/3/15	14.07.45	RCEMS	30.59	Presby Dallas	Medicare
15-04-0062	4/3/15	[16.45]	RCEMS	12.27	Broadmoore	Medicare
15-04-0087	4/4/15	12.41.10	Allegiance	1.09.50	Kindred Greenville Ave, Dallas	Secure Horizons
*15-04-0088	4/4/15	13.11.56	AMR	49.04	Medical Center Plano	Medicare
*15-04-0089	4/4/15	14.39.28	RCEMS	11.33	Presby Dallas	Care N Care
*15-04-0096	4/4/15	16.34.46	RCEMS	1.52.23	Baylor Dallas	Medicare
15-04-0097	4/4/15	16.39.05	RCEMS	18.36	Lake Pointe Medical Center	Medicaid
*15-04-0098	4/4/15	16.44.23	RCEMS	16.55	Presby Dallas	Tri-Care
*15-04-0099	4/4/15	16.46.32	RCEMS	1.22.05	Parkland	Medicare
*15-04-0104	4/4/15	20.21.29	Allegiance	34.57	Presby Dallas	Medicare
*15-04-0116	4/5/15	13.18.07	RCEMS	1.27.52	Presby Dallas	Medicare
*15-04-0120	4/5/15	16.22.11	RCEMS	30.08	Medical Center Plano	Blue Cross
*15-04-0121	4/5/15	18.04.16	RCEMS	17.28	Presby Dallas	Medicare
*15-04-0122	4/5/15	19.14.52	RCEMS	1.12.00	Prseby Dallas	Medicare
*15-04-0130	4/6/15	07.05.53	RCEMS	20.24	Presby Dallas	Medicare
15-04-0141	4/6/15	13.54.01	RCEMS	17.11	Baylor Dallas	Medicare
15-04-0144	4/6/15	[16.00]	RCEMS	1.13.40	Arborhouse	Medicare
*15-04-0152	4/6/15	[22.15]	Careflite	16.00	Presby Plano	Humana Medicare
*15-04-0157	4/7/15	01.03.01	RCEMS	10.40	Autumn Leaves	BCBS
*15-04-0159	4/7/15	01.46.43	Allegiance	56.00	Baylor Dallas	Self Pay
15-04-0163	4/7/15	[13.15]	RCEMS	(6.23)	[redacted] County Road 2450, Terrell	Medicare
15-04-0165	4/7/15	14.43.12	RCEMS	18.48	Baylor Dallas	Medicare
*15-04-0167	4/7/15	16.17.29	RCEMS	13.45	Presby Dallas	Secure Horizons
*15-04-0170	4/7/15	18.22.56	RCEMS	3.03	Presby Dallas	Medicare
*15-04-0177	4/7/15	19.54.45	RCEMS	41.17	Presby Plano	Humana Medicare
*15-04-0187	4/8/15	11.39.19	RCEMS	9.06	Walnut Hill Medical Center	Medicare
*15-04-0190	4/8/15	15.12.18	RCEMS	12.17	Medical Center Plano	Medicare
*15-04-0191	4/8/15	15.36.09	RCEMS	55.00	Windsor Care Center, Terrell	Medicare
*15-04-0200	4/8/15	[18.45]	Careflite	1.05.28	Presby Dallas	Medicare
*15-04-0206	4/8/15	19.34.57	RCEMS	1.21.59	Presby Dallas	Aetna
*15-04-0207	4/8/15	20.02.20	Allegiance	28.02	Medical Center Plano	Medicare
*15-04-0208	4/8/15	21.49.20	RCEMS	1.20.02	Autumn Leaves	Medicare
*15-04-0211	4/8/15	23.46.36	Allegiance	2.18.47	UTSW Clements	Medicare
*15-04-0224	4/9/15	13.22.59	RCEMS	5.16	Medical Center Plano	Aetna
*15-04-0226	4/9/15	[15.00]	RCEMS	7.19	Lake Pointe Medical Center	Self Pay
*15-04-0234	4/9/15	[17.45]	Allegiance	14.05	Presby Dallas	Medicare
*15-04-0235	4/9/15	[16.30]	RCEMS	33.36	Childrens Dallas	Medicaid
*15-04-0240	4/9/15	23.21.30	RCEMS	12.51	Baylor Plano	BCBS
*15-04-0250	4/10/15	13.31.08	RCEMS	13.53	Presby Dallas	Aetna
15-04-0258	4/10/15	17.35.32	RCEMS	10.29	Walnut Hill Medical Center	Medicare
*15-04-0263	4/10/15	20.53.37	Careflite	48.08	Childrens Dallas	BCBS
*15-04-0266	4/11/15	00.19.07	RCEMS	22.56	Presby Dallas	Medicare
*15-04-0269	4/11/15	4.51.43	RCEMS	11.47	Medical Center Plano	Self Pay
*15-04-0272	4/11/15	10.37.37	RCEMS	1.18	Timberlawn	Parkland Medicaid
*15-04-0285	4/11/15	17.04.11	RCEMS	2.10	Presby Dallas	Medicare
*15-04-0288	4/11/15	20.50.15	RCEMS	12.50	Presby dallas	BCBS
*15-04-0289	4/11/15	22.52.04	RCEMS	11.20	Lake Pointe Medical Center	Medicare
*15-04-0291	4/12/15	00.25.16	RCEMS	53.10	Presby Dallas	AARP/BCBS
*15-04-0293	4/12/15	01.30.52	Careflite	39.08	Medical City Childrens	Self Pay
*15-04-0304	4/12/15	16.38.01	RCEMS	1.40	Presby Dallas	Medicare
*15-04-0312	4/12/15	22.44.56	RCEMS	8.57	Medical City Dallas	Aetna
15-04-0324	4/13/15	[13.00]	RCEMS	1.02.29	Kindred Dallas	Medicare
15-04-0326	4/13/15	[14.30]	RCEMS	(2.08)	Ridgecrest Nursing Home, Forney	Medicare
15-04-0329	4/13/15	13.46.49	Allegiance	30.11	[redacted]County Road 2322, Terrell	Medicare
15-04-0333	4/13/15	[16.45]	RCEMS	(5.23)	Presby Plano	Medicare
*15-04-0334	4/13/15	17.22.17	RCEMS	14.01	Lakepoint Medical Center	Medicare
*15-04-0339	4/13/15	21.14.42	RCEMS	10.24	Medical Center Plano	UHC
15-04-0351	4/14/15	[13.00]	RCEMS	(9.37)	Autumn Leaves	Medicare
15-04-0355	4/14/15	15.31.11	RCEMS	12.07	Lake Pointe Medical Center	Self Pay
*15-04-0356	4/14/15	15.43.56	RCEMS	26.54	Presby Dallas	Cigna
15-04-0364	4/15/15	[10.30]	RCEMS	(2.04)	Presby Dallas	Medicare
*15-04-0365	4/15/15	[10.45]	Careflite	(2.00)	Medical Center Plano	BCBS
*15-04-0373	4/15/15	16.08.06	RCEMS	16.40	Presby Dallas	Medicaid
*15-04-0386	4/15/15	22.22.01	RCEMS	3.52	Presby Dallas	Unknown

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*15-04-0391	4/16/15	01.27.09	Allegiance	54.51	Green Oaks	Self Pay
15-04-0393	4/16/15	08.48.17	RCEMS	10.02	Presby Dallas	Secure Horizons
15-04-0395	4/16/15	[13.00]	RCEMS	(7.18)	Royse City Health & Rehab	Secure Horizons
15-04-0398	4/16/15	[14.15]	RCEMS	(2.43)	Baylor Dallas	Medicare
*15-04-0414	4/16/15	22.18.33	RCEMS	22.29	Presby Dallas	Cigna
*15-04-0417	4/17/15	05.05.15	RCEMS	34.45	Lake Pointe Medical Center	Medicare
15-04-0424	4/17/15	[12.15]	RCEMS	5.17	Ridgecrest Nursing Home, Forney	Medicare
15-04-0429	4/17/15	[15.00]	RCEMS	34.55	Royse City Health & Rehab	Medicare
15-04-0435	4/17/15	17.56.03	RCEMS	17.29	Broadmoore	Humana Gold
*15-04-0437	4/17/15	19.33.38	RCEMS	32.31	Presby Dallas	Medicare
*15-04-0444	4/18/15	06.40.20	RCEMS	46.26	Presby Dallas	None
*15-04-0459	4/18/15	19.54.36	Allegiance	2.47.58	Presby Dallas	Medicare
*15-04-0462	4/18/15	22.24.51	RCEMS	33.17	Royse City Health & Rehab	Medicare
*15-04-0485	4/19/15	16.33.01	RCEMS	12.40	Presby Dallas	Medicare
*15-04-0498	4/20/15	02.17.52	RCEMS	16.57	Childrens Dallas	Self Pay
*15-04-0508	4/20/15	14.17.46	RCEMS	14.44	Baylor Garland	Medicare
*15-04-0514	4/20/15	18.04.06	Allegiance	41.54	Medical Center Plano	Medicare
15-04-0524	4/21/15	[10.30]	RCEMS	0.00	Mesquite Specialty	Cigna
*15-04-0532	4/21/15	[15.15]	RCEMS	4.01	Medical Center Plano	UHC
*15-04-0535	4/21/15	17.17.42	RCEMS	7.27	Medical Center Plano	Medicare
15-04-0541	4/21/15	[20.00]	Careflite	44.24	Pleasant Valley Nursing Home, Garland	Medicare
*15-04-0547	4/22/15	07.52.26	RCEMS	11.08	Medical Center Plano	Medicare
15-04-0553	4/22/15	11.08.39	RCEMS	31.30	LPMC	Molina
*15-04-0555	4/22/15	13.08.58	RCEMS	1.05.13	Presby Plano	UHC
*15-04-0561	4/22/15	[16.15]	Allegiance	38.26	Presby Plano	Medicare
*15-04-0562	4/22/15	15.35.08	RCEMS	5.35	Medical Center Plano	Medicare
15-04-0569	4/22/15	[19.15]	Careflite	33.17	Medical City Dallas	Medicare/Medicaid
*15-04-0570	4/22/15	23.11.58	RCEMS	13.14	Medical Center Plano	Self Pay
15-04-0586	4/23/15	17.22.27	RCEMS	13.35	Broadmoore	Care Improvement +
*15-04-0592	4/23/15	19.44.03	RCEMS	29.40	Presby Dallas	Medicare
15-04-0613	4/24/15	[16.00]	Allegiance	1.16.23	Briarcliff Nursing Home, Greenville	Medicare
15-04-0628	4/25/15	[09.00]	Careflight	(6.00)	Broadmoore	Medicare
15-04-0629	4/25/15	[10.15]	Allegiance	9.00	Broadmoore	Medicare
15-04-0633	4/25/15	[12.30]	RCEMS	(8.16)	[redacted] Ridgemont, Heath	Humana Medicare
15-04-0640	4/25/15	[17.00]	RCEMS	2.24	Broadmoore	Humana Medicare
*15-04-0649	4/25/15	19.51.16	Allegiance	49.20	Presby Plano	Medicare
*15-04-0651	4/25/15	22.00.59	RCEMS	11.05	Autumn Leaves	Medicare
15-04-0658	4/26/15	09.32.55	AMR	41.57	Presby Dallas	Aetna
15-04-0667	4/26/15	15.55.38	RCEMS	51.01	[redacted] Blackland Rd, Fate	Medicare
*15-04-0671	4/26/15	19.00.30	RCEMS	12.00	Childrens Dallas	Tri-Care
*15-04-0676	4/26/15	22.54.18	RCEMS	23.09	Methodist Richardson	BCBS
*15-04-0678	4/26/15	00.38.29	RCEMS	8.14	Presby Dallas	Medicare
*15-04-0694	4/27/15	14.15.11	RCEMS	55.09	Presby Dallas	Secure Horizons
15-04-0715	4/28/15	[12.30]	RCEMS	3.48	[redacted] County Road 589, Neveda	Medicare
15-04-0719	4/28/15	[16.00]	RCEMS	(4.27)	Ridgecrest Nursing Home, Forney	Medicare
*15-04-0734	4/28/15	[22.00]	Careflite	(9.00)	Presby Dallas	Medicare
*15-04-0736	4/28/15	23.10.01	RCEMS	9.08	Medical Center Plano	Medicare
*15-04-0742	4/29/15	08.06.14	RCEMS	30.00	Presby Plano	Medicare
*15-04-0746	4/29/15	13.59.21	RCEMS	13.52	Rockridge Assisted Living	Medicare
*15-04-0749	4/29/15	[16.30]	RCEMS	(3.47)	Presby Dallas	Self Pay
15-04-0751	4/29/15	[18.30]	Careflite	13.00	Baylor Dallas	Medicare
15-04-0772	4/30/15	[13.00]	RCEMS	(2.09)	Presby Dallas	Self Pay
15-04-0773	4/30/15	[14.30]	Careflite	7.00	[redacted] Mockingbird St, Royse City	Medicare
*15-04-0779	4/30/15	18.32.06	RCEMS	8.23	Baylor Dallas	Medicare
*15-04-0780	4/30/15	[19:15:00]	Allegiance	36.21	Timberlawn	Self Pay
15-04-0781	4/30/15	[21.00]	Careflite	1.45.59	[redacted] Bayview Dr, Garland	Medicare
*15-04-0786	4/30/15	21.12.31	RCEMS	1.37.48	Presby Dallas	Medicare

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RUN NUMBER *-ED patient	DATE CREATED	TIME CREATED/ [SCHEDULED	EMS PROVIDER *-changed	RESPONSE TIME (EARLY)	DESTINATION	PAYER
15-02-0005	2/1/15	[10.15]	RCEMS	(9.03)	Willow Bend, Mesquite	Secure Horizon
*15-02-0020	2/2/15	23.28.31	Allegiance	1.58.00	[redacted] Music Row, Terrell Tx	Medicare
15-02-0029	2/2/15	[14.00]	RCEMS	(21.12)	Royce City Health & Rehab	AARP/Medicaid
*15-02-0050	2/3/15	02.52.46	Allegiance	37.14	Presby Plano	Secure Horizons
15-02-0055	2/3/15	09.59.05	RCEMS	45.47	Baylor Dallas H&V	UHC
15-02-0057	2/3/15	[11.00]	RCEMS	(5.09)	Crestwood H&R, Wills Point	Medicare
15-02-0059	2/3/15	[11.45]	RCEMS	62.47	Lakepoint Medical Center	Medicare
*15-02-0084	2/4/15	09.58.45	RCEMS	32.40	Baylor Dallas	Medicare
*15-02-0091	2/4/15	15.27.07	RCEMS	15.54	Presby Dallas	Medicare
*15-02-0100	2/5/15	03.08.35	RCEMS	9.30	Presby Dallas	Cigna
*15-02-0125	2/5/15	[19.15]	RCEMS	(5.07)	Timberlawn	Medicare
15-02-0127	2/5/15	23.44.27	RCEMS	13.37	Lakepoint Medical Center	Medicaid
15-02-0136	2/6/15	[10.30]	RCEMS	0.11	Presby Dallas	Medicare
15-02-0145	2/6/15	[14.30]	RCEMS	15.44	Zale	Well Care
15-02-0151	2/6/15	[17.30]	RCEMS	7.18	Life Care Plano	Medicare
15-02-0153	2/6/15	17.59.29	AMR	78.52	Medical Center Plano	BCBS
*15-02-0177	2/7/15	14.43.20	RCEMS	0.00	Timberlawn	Medicare
15-02-183	2/7/15	[17.00]	Allegiance	38.25	PRESBY DALLAS	Medicare
*15-02-0187	2/7/15	[18.00]	Allegiance	19.00	BAYLOR HEART AND VASCULAR	Medicare
*15-02-0191	2/7/15	22.21.56	Allegiance	79.57	Timberlawn	ATENA
*15-02-0211	2/9/15	01.10.28	Allegiance	1.59.32	Presby Dallas	AARP
15-02-0221	2/9/15	10.31.43	RCEMS	16.28	Lakepoint Medical Center	Medicare
*15-02-0241	2/9/15	22.52.04	Allegiance	45.56	BAYLOR HEART AND VASCULAR	BCBS
*15-02-0247	2/10/15	09.58.15	RCEMS	11.43	Timberlawn	BCBS
*15-02-0253	2/10/15	14.09.09	RCEMS	12.36	Timberlawn	Aetna
15-02-0255	2/10/15	14.44.50	RCEMS	41.07	Presby Plano	Cigna
15-02-0258	2/10/15	[18.00]	Allegiance	22.00	Mesquite Rehab	Medicare
15-02-0265	2/10/15	18.05.10	RCEMS	2.36.45	Presby Dallas	Medicare
15-02-0266	2/10/15	[20.00]	Allegiance	1.22.00	Lakepoint Medical Center	UHC
*15-02-0275	2/10/15	22.08.51	RCEMS	9.50	Medical Center Plano	Medicare
*15-02-0280	2/11/15	03.47.44	RCEMS	9.09	Medical City Dallas	GPA
*15-02-0290	2/11/15	18.49.36	Allegiance	83.53	Baylor Garland	Secure Horizons
15-02-0325	2/12/15	18.27.51	Allegiance	93.09	Presby Dallas	Self Pay
*15-02-0326	2/12/15	19.16.31	RCEMS	25.46	Presby Dallas	Humanna
*15-02-0327	2/12/15	21.55.01	RCEMS	9.33	presby allen	Medicare
15*-020331	2/13/15	03.33.04	RCEMS	19.37	Presby Plano	BCBS
15-02-0335	2/13/15	10.24.25	RCEMS	16.13	Presby Dallas	Medicare
*15-02-0357	2/14/15	00.53.03	Allegiance	55.00	Presby Dallas	Medicare
*15-02-0360	2/14/15	03.02.06	Allegiance	39.57	Lakepoint Medical Center	BCBS
*15-02-0361	2/14/15	4.31.43	RCEMS	14.04	Baylor Garland	BCBS
*15-02-0368	2/14/15	10.36.10	RCEMS	13.45	Presby Dallas	Medicare
15-02-0370	2/14/15	[13.30]	Allegiance	(46.00)	Windsor Care Center, Terrell	Medicare
*15-02-0372	2/14/15	18.46.54	Allegiance	1.42.00	Healthsouth Plano	Medicare
*15-02-0383	2/15/15	00.24.05	Allegiance	18.55	Baylor Dallas	Self Pay
*15-02-0384	2/15/15	00.26.39	Allegiance	83.31	Parkland	BCBS
*15-02-0385	2/15/15	01.04.02	Allegiance	64.58	Baylor Garland	Self Pay
*15-02-0386	2/15/15	03.41.06	Allegiance	48.54	Parkland	Unknown
*15-02-0392	2/15/15	12.29.50	RCEMS	10.20	Children's Legacy, Frisco	Amerigroup
*15-02-0405	2/15/15	22.59.37	Allegiance	24.23	Baylor Dallas	Aetna
15-02-0408	2/16/15	12.31.45	RCEMS	14.02	UT Southwestern	Aenta PPO
15-02-0412	2/16/15	[16.30]	RCEMS	(0.20)	San Remo NH, Richardson	UHC
*15-02-0419	2/16/15	19.17.49	RCEMS	2.15.13	Presby Dallas	Aetna
*15-02-0420	2/16/15	19.22.35	Allegiance	82.25	Presby Dallas	Medicaid
*15-02-0428	2/16/15	22.18.59	Allegiance	46.01	Medical Center Plano	M Carriage M Care
*15-02-0432	2/17/15	03.25.44	RCEMS	9.18	Presby Plano	None
*15-02-0437	2/17/15	09.29.21	RCEMS	16.23	[redacted] Meadowcrest, Terrell	None
*15-02-0446	2/17/15	15.49.08	Allegiance	3.11.00	Presby Dallas	Medicaid
15-02-0449	2/17/15	17.02.04	Allegiance	2.38.00	Presby Plano	BCBS
*15-02-0452	2/17/15	20.28.50	Allegiance	1.23.00	Medical Center Plano	Medicare
*15-02-0457	2/18/15	00.14.41	RCEMS	23.02	Broadmoore Medical Lodge	Medicare
15-02-0473	2/18/15	[13.15]	RCEMS	(4.04)	Beacon Harbor	Medicare
15-02-0476	2/18/15	[16.30]	RCEMS	7.16	Royse City Health & Rehab	Medicare
*15-02-0477	2/18/15	17.37.35	RCEMS	62.20	Hickory Trails	Medicaid
*15-02-0481	2/18/15	21.34.28	Allegiance	85.44	presby dallas	BCBS
15-02-0491	2/19/15	[14.00]	RCEMS	(16.02)	Healthsouth Plano	Aetna/Medicare
15-02-0499	2/19/15	18.36.43	RCEMS	16.52	Christian Care	Secure Horizons

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*15-02-0500	2/19/15	[19.30]	Allegiance	14.11	Children's Dallas	BCBS
*15-02-0503	2/19/15	19.16.03	Allegiance	42.53	Presby Plano	humanna
*15-02-0508	2/19/15	22.55.05	RCEMS	33.33	GREEN OAKS	None
15-02-0509	2/19/15	22.58.07	Allegiance	36.19	PRESBY DALLAS	Medicare
*15-02-0510	2/20/15	01.27.17	RCEMS	8.36	childrens dallas	Medicaid
*15-02-0511	2/20/15	03.19.21	Allegiance	35.32	childrens dallas	Unknown
15-02-0514	2/20/15	10.10.27	RCEMS	10.21	Presby Dallas	Superior
15-02-0522	2/20/15	[16.30]	RCEMS	(0.45)	[redacted] Mockingbird St. Royse City	Medicare
*15-02-0524	2/20/15	18.36.20	RCEMS	52.02	Timberlawn	
*15-02-0529	2/20/15	19.51.33	AMR	59.59	Baylor Garland	Cigna
*15-02-0533	2/20/15	22.00.32	RCEMS	15.13	Lakepoint Medical Center	Medicare
*15-02-0534	2/20/15	23.20.47	Allegiance	70.00	childrens dallas	BCBS
*15-02-0539	2/21/15	00.02.06	Allegiance	68.49	childrens dallas	Superior
*15-02-0559	2/21/15	20.53.38	RCEMS	46.25	Medical Center Plano	BCBS
*15-02-0560	2/21/15	22.05.36	Allegiance	66.57	childrens dallas	ATENA
*15-02-0561	2/21/15	23.44.38	RCEMS	11.12	CHILDRENS DALLAS	Amerigroup
*15-02-0563	2/22/15	06.31.57	RCEMS	1.58.11	CHILDRENS DALLAS	Amerigroup
15-02-0619	2/24/15	[15.00]	Allegiance	1.07.00	Ridgecrest NH, Forney	Secure Horizons
15-02-0622	2/22/15	[20.30]	Allegiance	3.29.00	Baylor Dallas	BCBS
*15-02-0628	2/25/15	01.21.15	RCEMS	14.58	Medical Center Plano	AARP Secure Horizons
*15-02-0642	2/25/15	15.07.49	RCEMS	12.10	Presby Dallas	Self Pay
*15-02-0647	2/25/15	[18.30]	RCEMS	(5.00)	Baylor Dallas	Superior Health Care
15-02-0654	2/26/15	03.20.32	RCEMS	12.02	PRESBY DALLAS	Secure Horizons
15-02-0663	2/26/15	[14.00]	RCEMS	0.00	Centennial Med Cntr, Frisco	UHC
15-02-0667	2/26/15	[18.00]	RCEMS	(69.55)	[redacted] Mark Dr, Mesquite	Secure Horizons
15-02-0668	2/26/15	16.42.40	RCEMS	156.27	Parkland Hospital	Worker's Comp
*15-02-0671	2/26/15	19.10.49	Allegiance	31.39	WALNUT HILL MED CTR	Medicare
*15-02-0675	2/26/15	21.32.02	RCEMS	92.10	[redacted] LAKEBLUFF DR GARLAND	Medicare
15-02-0683	2/27/15	[10.00]	RCEMS	(23.45)	Rockwall Nursing Care Center	Medicare
15-02-0685	2/27/15	[12.30]	Allegiance	53.53	Terrell Healthcare	Medicare
15-02-0687	2/27/15	11.49.49	RCEMS	17.45	Arborhouse	Medicare
*15-02-0715	2/28/15	17.23.34	RCEMS	48.43	Presby Dallas	AARP

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RUN NUMBER *-ED patient	DATE CREATED	TIME CREATED/ [SCHEDULED]	EMS PROVIDER *-changed	RESPONSE TIME (EARLY)	DESTINATION	PAYER
*15-01-0006	1/1/15	[07.00]	Allegiance	16.00	Seay Behavioral	UHC
*15-01-0007	1/1/15	[08.00]	Allegiance	(7.00)	Presby Dallas	Medicare
*15-01-0025	1/1/15	[18.30]	Allegiance	(30.00)	Baylor Dallas	Medicare
*15-01-0034	1/1/15	21.37.35	RCEMS	12;41	Broadmoore	Medicare
*15-01-0036	1/1/15	22.47.15	RCEMS	5.04	Presby Dallas	Aetna
*15-01-0039	1/2/15	00.50.05	Allegiance	27.00	Presby Dallas	Self Pay
15-01-0054	1/2/15	17.44.33	RCEMS	5.07	Walnut Hill Hospital, Dallas	Medicare
*15-01-0056	1/2/15	19.45.22	RCEMS	15.48	Baylor Dallas	Medicare
15-01-0064	1/3/15	09.58.38	RCEMS	38.13	Royse City H&R	Medicare
*15-01-0081	1/3/15	19.15.59	RCEMS	17.09	Presby Dallas	UHC
*15-01-0082	1/3/15	19.31.40	Allegiance	33.20	Presby Dallas	Self Pay
*15-01-0087	1/3/15	22.28.32	RCEMS	5.00	Presby Dallas	Secure horizons
*15-01-0090	1/4/15	02.17.53	RCEMS	17.00	Presby Plano	Medicare
*15-01-0091	1/4/15	02.24.07	Allegiance	39.53	Baylor Dallas	Medicare
*15-01-0093	1/4/15	05.54.17	RCEMS	13.37	Medical Center Plano	Medicare
*15-01-0126	1/5/15	08.58.42	RCEMS	1.52.00	Presby Dallas	Self Pay
*15-01-0144	1/5/15	17.12.44	RCEMS	43.36	Presby Dallas	Medicare
*15-01-0150	1/5/15	19.58.18	RCEMS	2.23.57	Presby Dallas	Medicare
*15-01-0153	1/5/15	20.39.47	RCEMS	2.47	Presby Dallas	Medicare
15-01-0166	1/5/15	[13.45]	RCEMS	0.28	Royse City H&R	Medicare
15-01-0175	1/6/15	19.45.24	RCEMS	45.00	Presby Dallas	Private Healthcare Systems
15-01-0192	1/7/15	[15.00]	RCEMS	6.10	Broadmoore	Medicare
*15-01-0200	1/8/15	02.02.57	RCEMS	11.02	Presby Dallas	Medicare/Medicaid
15-01-0211	1/8/15	[13.30]	Allegiance	(35.00)	San Remo Nursing Home	Medicare
*15-01-0218	1/8/15	13.54.29	RCEMS	14.25	Royse City Health & Rehab	Medicare
15-01-0219	1/8/15	[14.30]	RCEMS	4.34	Ridge Crest Nursing Home	Medicare
15-01-0222	1/8/15	[17.45]	RCEMS	(12.42)	Rockwall Nursing	Medicare
*15-01-0235	1/8/15	[18.00]	Allegiance	(7.00)	Presby Dallas	Medicare
15-01-0251	1/9/15	[17.30]	Allegiance	(42.00)	Mesquite Speciality	Medicare
*15-01-0253	1/9/15	[08.00]	Allegiance	11.00	Walnut Hill Hospital, Dallas	Medicare
*15-01-0262	1/9/15	23.10.53	RCEMS	18.11	Timberlawn	Aetna
15-01-0275	1/10/15	[12.30]	RCEMS	(17.01)	Kindred Whiterock	Medicare
*15-01-0291	1/11/15	00.50.38	Allegiance	33.22	Presby Dallas	Health Spring
*15-01-0304	1/11/15	07.22.13	RCEMS	13.57	Rockridge Asst Living	Medicare
*15-01-0306	1/11/15	[10.30]	RCEMS	10.25	Children's Medical Center	Amerigroup
*15-01-0309	1/11/15	11.52.27	RCEMS	5.57	Presbyterian Dallas	Medicare
*15-01-0311	1/11/15	13.08.38	RCEMS	1.06.58	Medical Center Plano	Medicare
*15-01-0313	1/11/15	16.24.43	RCEMS	35.04	Rockwall Nursing	Medicare
15-01-0320	1/11/15	19.01.28	RCEMS	11.04	Presby Dallas	Aetna
*15-01-0325	1/11/15	22.10.55	RCEMS	8.05	Medical Center Plano	Medicare
*15-01-0328	1/12/15	00.53.20	RCEMS	8.49	Royse City Health & Rehab	Medicare
*15-01-0329	1/12/15	01.22.39	Allegiance	88.21	Presby Plano	BCBS
*15-01-0337	1/12/15	06.12.56	RCEMS	91.17	Parkland Memorial Hospital	Medicare
15-01-0345	1/12/15	[13.45]	RCEMS	(8.31)	Royse City Health & Rehab	Medicare
15-01-0346	1/12/15	[14.30]	RCEMS	37.19	Broadmoore	Medicare
*15-01-0350	1/12/15	15.34.25	Allegiance	115.35	Presbyterian Dallas	None
*15-01-0353	1/12/15	16.34.58	RCEMS	46.09	Baylor Dallas	UHC
*15-01-0362	1/12/15	23.39.20	RCEMS	5.57	Lake Pointe Medical Center	Medicare
15-01-0368	1/13/15	[10.30]	RCEMS	1.52	Royse City Health & Rehab	Secure Horizons
15-01-0375	1/13/15	[15.30]	RCEMS	(6.23)	[redacted] Avonlea, Rockwall	Medicare
*15-01-0379	1/13/15	16.45.54	RCEMS	23.54	Baylor Dallas Heart & Vascular	Medicare
*15-01-0397	1/14/15	04.00.36	RCEMS	10.01	Rock Ridge Nursing	Medicare
15-01-0403	1/14/15	[10.30]	RCEMS	2.44	Lake Pointe Medical Center	Medicare
*15-01-0414	1/14/15	14.50.26	RCEMS	0.00	Presby Dallas	Medicare
15-01-0417	1/14/15	[16.30]	Allegiance	0.08	Presby Plano	Medicare/AARP
15-01-0436	1/15/15	[13.00]	RCEMS	98.09	Windsor Care Center, Terrell	Medicare
*15-01-0440	1/15/15	13.39.40	RCEMS	7.57	Baylor Dallas	Medicare
*15-01-0445	1/15/15	20.15.11	Allegiance	2.15.38	PRESBY DALLAS	Medicaid
15-01-0452	1/16/15	[10.30]	RCEMS	(0.05)	Windsor Care Center, Terrell	Medicare
15-01-0453	1/16/15	[13.00]	RCEMS	(1.24)	Pleasant Valley NH, Garland	Secure horizons
*15-01-0460	1/16/15	16.51.16	RCEMS	10.48	Royse City Health & Rehab	Medicare
*15-01-0471	1/17/15	00.00.12	RCEMS	21.02	Presby Dallas	Aetna
15-01-0483	1/17/15	[15.30]	RCEMS	52.06	Royse City Health & Rehab	Secure Horizons
15-01-0487	1/17/15	[17.00]	RCEMS	(38.38)	Broadmoore	Medicare
*15-01-0493	1/17/15	16.50.14	RCEMS	18.03	Tx Regional Sunnyvale	Meicare
*15-01-0500	1/17/15	21.42.22	RCEMS	31.22	Arbor House	Medicare
*15-01-0520	1/18/15	17.48.09	RCEMS	4.35	Presby Rockwall	Medicare
*15-01-0528	1/18/15	21.55.12	RCEMS	18.36	Arbor House	Medicare
15-01-0535	1/19/15	[13.00]	RCEMS	25.35	Royse City Health & Rehab	Secure horizons
15-01-0536	1/19/15	[14.15]	RCEMS	23.19	Rockwall Nursing	Medicare

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Presbyterian Hospital of Rockwall Ambulance Reporting - January 2015

15-01-0537	1/19/15	[15.30]	RCEMS	(1.50)	Broadmoore	Medicare
*15-01-0539	1/19/15	12.42.01	Allegiance	32.59	Presby Dallas	BCBS
*15-01-0545	1/19/15	15.39.12	RCEMS	38.50	Medical City Dallas	Medicaid
15-01-0547	1/19/15	[20.00]	RCEMS	*37.38	Presbyterian Dallas	Medicare
*15-01-0549	1/19/15	22.55.31	RCEMS	9.48	Presby Dallas	Medicare
*15-01-0550	1/19/15	22.57.25	Allegiance	38.35	Presby Plano	Medicare
15-01-0559	1/20/15	[11.00]	Allegiance	41.00	Kindred Greenville, Dallas	Secure horizons
*15-01-0560	1/20/15	10.16.37	RCEMS	10.50	Presby Plano	UHC
15-01-0565	1/20/15	13.37.41	RCEMS	20.53	Arbor House	Medicare
15-01-0566	1/20/15	[15.30]	RCEMS	(6.07)	Select Specialty (Baylor Garland)	Medicare
15-01-0570	1/20/15	[17.30]	RCEMS	(20.34)	Royse City Health & Rehab	Medicare
*15-01-0582	1/21/15	00.07.27	Allegiance	24.33	Children's Dallas	UHC
*15-01-0589	1/21/15	07.51.10	RCEMS	0.00	Presby Dallas	Medicare
*15-01-0602	1/21/15	16.36.48	RCEMS	3.06	Medical Center Plano	Medicare
15-01-0619	1/22/15	[15.00]	RCEMS	(0.33)	Senior Care Lakepoint	Medicare
15-01-0624	1/22/15	[18.00]	RCEMS	32.52	Kindred Dallas	Medicare
15-01-0628	1/22/15	17.07.31	RCEMS	38.57	Carrolton Springs	Medicare
*15-01-0640	1/22/15	23.15.33	Allegiance	1.09	Presby Dallas	Medicare
15-01-0645	1/23/15	[08.15]	RCEMS	2.40	Presby Dallas	BCBS
*15-01-0651	1/23/15	11.27.17	RCEMS	77.33	3 Forks Asst. Living, Forney	Medicare
*15-01-0654	1/23/15	14.11.28	RCEMS	30.50	Medical Center Plano	Secure horizons
15-01-0658	1/23/15	[17.30]	RCEMS	88.27	Mesquite Specialty	Medicare
*15-01-0674	1/23/15	21.28.25	RCEMS	14.47	Presby Dallas	Medicare
*15-01-0678	1/24/15	03.22.14	RCEMS	13.16	Medical City Children's	Medicaid
*15-01-0679	1/24/15	05.16.42	RCEMS	16.25	Presby Dallas	BCBS
15-01-0692	1/24/15	[16.00]	RCEMS	3.53	Founders Plaza, Wylie	Medicare
*15-01-0699	1/24/15	[21.30]	RCEMS	(48.28)	Presby Dallas	Medicare
*15-01-0702	1/24/15	19.30.47	Allegiance	80.40	Presby Dallas	UHC
*15-01-0711	1/25/15	04.04.47	Allegiance	43.25	Children's Legacy	Medicaid
*15-01-0712	1/25/15	6.26.56	RCEMS	51.02	Medical Center Plano	Medicare
*15-01-0725	1/25/15	17.51.26	RCEMS	26.21	Baylor Dallas	BCBS
*15-01-0730	1/25/15	22.35.50	RCEMS	10.03	Arbor House	Medicare
15-01-0744	1/26/15	13.33.02	RCEMS	73.01	Baylor Garland	Self Pay
*15-01-0751	1/26/15	20.32.06	RCEMS	43.35	Medical City Dallas Childrens	Medicaid
*15-01-0753	1/26/15	22.03.04	RCEMS	13.36	Zale Lipshy University Hospital	Self Pay
*15-01-0758	1/27/15	01.00.49	Allegiance	35.11	Medical City Dallas	BCBS
*15-01-0762	1/27/15	12.59.01	Allegiance	28.59	Presby Plano	BCBS
*15-01-0771	1/27/15	15.09.14	Allegiance	24.46	Parkland Memorial Hospital	Multiplan PPO
*15-01-0781	1/28/15	00.21.03	RCEMS	7.51	Presby Dallas	First Health Network
*15-01-0791	1/28/15	[12.30]	RCEMS	(2.16)	Presby Dallas	Medicare
*15-01-0803	1/28/15	19.41.21	Allegiance	47.39	Parkland Memorial Hospital	Tri-Care
*15-01-0805	1/28/15	18.48.01	Allegiance	74.59	Medical Center Plano	Superior Health
15-01-0829	1/29/15	[16.00]	Allegiance	3.00	Mesquite Speciality	Medicare
*15-01-0835	1/29/15	[19.00]	RCEMS	16.29	Broadmoore	Medicare
*15-01-0837	1/29/15	19.22.31	Allegiance	13.29	Children's Dallas	BCBS
15-01-0838	1/29/15	19.25.16	RCEMS	71.57	Presby Dallas	Medicare
*15-01-0841	1/29/15	20.08.12	Allegiance	61.48	Presby Dallas	Medicare
*15-01-0845	1/29/15	23.56.11	RCEMS	31.01	Medical Center Plano	VA
15-01-0855	1/30/15	[13.00]	RCEMS	4.51	Senior Care Lakepoint	Medicare
*15-01-0867	1/30/15	[18.48]	Allegiance	(15.00)	Medical City Children's	BCBS
*15-01-0871	1/31/15	00.07.15	RCEMS	51.45	Timberlawn	BCBS
*15-01-0881	1/31/15	06.25.01	RCEMS	1.24.05	Presby Dallas	Medicare

Presbyterian Hospital of Rockwall Ambulance Reporting - June 2015

RUN NUMBER *-ED patient	DATE CREATED	TIME CREATED/ [SCHEDULED]	EMS PROVIDER *-changed	RESPONSE TIME (EARLY)	DESTINATION	PAYER	
15-06-0016	6/1/15	[15.15]	RCEMS	19.18	Rockwall Nursing Care Center	Medicare	
15-06-0022	6/1/15	[18.00]	RCEMS	27.10	Beacon Harbor	Secure Horizon	
15-06-0023	6/1/15	16.39.46	RCEMS	19.09	Methodist Medical Center, Dallas	Healthspring	
*15-06-0024	6/1/15	19.33.52	RCEMS	1.12.45	[redacted] Briarcrest, Garland	Medicare	
15-06-0042	6/1/15	[17.00]	RCEMS	(2.05)	[redacted] Sherman St, Rockwall	Medicare	
15-06-0065	6/3/15	16.06.11	RCEMS	8.31	Walnut Hill Medical Center	UHC	
15-06-0067	6/3/15	[17.15]	RCEMS	(2.55)	[redacted] N Houston St, Royse City	Medicare	
15-06-0069	6/3/15	[18.30]	RCEMS	(2.39)	Medical Center Plano	Secure Horizon	
*15-06-0074	6/4/15	00.08.52	Allegiance	18.44	Presby Plano	Aetna	
*15-06-0077	6/4/15	2.54.12	RCEMS	39.10	Rowlett nursing center	Unk	
15-06-0096	6/4/15	[16.30]	RCEMS	(8.57)	[redacted] Silver Leaf Dr, Fate	Medicare	
*15-06-0097	6/4/15	[13.30]	Careflite	(8.57)	Presby Dallas	Medicare	
*15-06-0112	6/5/15	11.38.58	RCEMS	7.33	Medical Center Plano	Humana Gold	
*15-06-0114	6/5/15	13.17.10	RCEMS	17.18	Children's Dallas	UHC	
15-06-0115	6/5/15	[13.45]	RCEMS	6.31	Broadmoore Medical Lodge	Medicare	
*15-06-0121	6/5/15	18.42.06	RCEMS	19.26	Presby Dallas	Secure Horizon	
*15-06-0124	6/5/15	20.01.37	Allegiance	60.00	Presby Dallas	Medicare	
*15-06-0125	6/5/15	21.25.15	RCEMS	10.17	Royce City Health Rehab	Medicare	
*15-06-0129	6/6/15	01.45.14	RCEMS	14.43	Medical Center Plano	Self Pay	
*15-06-0133	6/6/15	04.08.07	Allegiance	46.59	Presby Dallas	BCBS	
*15-06-0146	6/6/15	17.08.52	Careflite	43.08	Medical Center Plano	Medicare	
15-06-0150	6/6/15	20.04.42	RCEMS	16.39	[redacted] Shoregate Dr, Garland	Coventry Health	
*15-06-0152	6/6/15	21.40.51	Allegiance	32.00	Baylor Dallas	Unk	
*15-06-0157	6/7/15	11.06.08	RCEMS	30.24	Baylor Dallas	Self Pay	
*15-06-0177	6/7/15	23.24.47	Careflite	43.13	Presby Dallas	Medicare	
*15-06-0178	6/8/15	00.32.43	RCEMS	13.27	Rockwall Nursing Care Center	Medicare	
15-06-0189	6/8/15	[14.00]	RCEMS	0.00	Broadmoore Medical Lodge	Medicare	
15-06-0191	6/8/15	13.10.03	RCEMS	5.29	Lakepoint Medical Center	Medicare	
*15-06-0193	6/8/15	17.17.33	RCEMS	7.54	Walnut Hill Medical Center	Medicare	
15-06-0206	6/9/15	[12.30]	RCEMS	(10.25)	Royse City Health & Rehab	Medicare	
*15-06-0216	6/9/15	15.22.36	RCEMS	9.45	Rockwall Nursing Care Center	Medicare	
15-06-0226	6/9/15	[22.00.00]	RCEMS	21.06	Clements Hospital	Medicare / BCBS	
*15-06-0228	6/9/15	23.21.22	RCEMS	1.24.31	Presby Dallas	BCBS	
*15-06-0236	6/10/15	[05.45.00]	RCEMS	3.20	Baylor Garland	Medicare / Medicaid	
*15-06-0247	6/10/15	13.40.47	RCEMS	0.00	Baylor Dallas	Medicare	
*15-06-0249	6/10/15	[14.45]	Allegiance	14.42.29	Medical Center Plano	Self Pay	
15-06-0252	6/10/15	[16.00]	RCEMS	0.38	Presby Dallas	Medicare/UHC	
15-06-0254	6/10/15	[17.15]	Allegiance	16.59.46	Mesquite Speciality	Medicare	
*15-06-0255	6/10/15	[17.15]	RCEMS	6.27	Lakepoint Medical Center	Aetna	
15-06-0274	6/11/15	[15.00]	RCEMS	27.55	Select Specialty @ BOG	Medicare	
15-06-0275	6/11/15	[16.30]	Careflite	164.46	Hunt Regional	Medicare	
*15-06-0278	6/11/15	15.37.47	RCEMS	55.15	Zale Lipshy	Medicare	
*15-06-0280	6/11/15	18.34.36	RCEMS	37.23	Medical Center Plano	Medicare	
*15-06-0284	6/11/15	19.16.18	Allegiance	25.26	Medical Center Plano	BCBS	
*15-06-0285	6/11/15	19.55.14	Allegiance				
15-06-0295	6/12/15	[12.30]	RCEMS	1.53	Broadmoore Medical Lodge	Medicare	
15-06-0296	6/12/15	[11.45]	RCEMS	0.19	Broadmoore Medical Lodge	Medicare	
15-06-0304	6/12/15	15.49.34	RCEMS	11.51	Presby Dallas	Medicare	
*15-06-0310	6/13/15	00.23.13	RCEMS	10.51	Children's Dallas	Tricare	
*15-06-0326	6/13/15	13.53.07	RCEMS	16.23	Broadmoore Medical Lodge	Medicare/Medicaid	
15-06-0327	6/13/15	14.53.00	Careflite	45.00	3 Forks Nursing & Rehab	Medicare	
*15-06-0328	6/13/15	14.55.20	RCEMS	13.40	Medical City Dallas	Aetna	
*15-06-0330	6/13/15	18.41.12	RCEMS	9.59	Timberlawn	Tri-Care	
*15-06-0343	6/14/15	15.56.21	RCEMS	16.11	Presby Dallas	BCBS	
*15-06-0350	6/14/15	20.50.08	RCEMS	21.47	Presby Dallas	Medicaid	
15-06-0361	6/15/15	[13.30]	RCEMS	5.07	Broadmoore Medical Lodge	Medicare	
*15-06-0365	6/15/15	12.55.03	RCEMS	1.15.02	Timberlawn	BCBS	
*15-06-0371	6/15/15	15.50.00	RCEMS	52.18	Medical Center Plano	Medicare	
*15-06-0387	6/16/15	10.59.25	RCEMS	25.56	Presby Dallas	Medicare	
15-06-0390	6/16/15	[14.00]	RCEMS	3.46	Select Specialty @ BOG	Medicare	
*15-06-0392	6/16/15	15.16.10	RCEMS	15.20	Presby Dallas	Medicaid	
*15-06-0399	6/16/15	[21.20]	RCEMS	(1.26)	Presby Dallas	Self Pay	
*15-06-0400	6/16/15	22.23.11	RCEMS	6.54	Medical Center Plano	Secure Horizons/Physicians Mutual	
*15-06-0402	6/17/15	[07.15]	RCEMS	5.20	Parkland Memorial Hospital	BCBS	
*15-06-0406	6/17/15	08.57.24	RCEMS	7.25	Parkland Memorial Hospital	Care Improvement Plus	
15-06-0412	6/17/15	[15.30]	RCEMS	1.47	Health South Plano	Medicare	
15-06-0415	6/17/15	[16.45]	RCEMS	(10.47)	Broadmoore Medical Lodge	Humana Medicare	
15-06-0426	6/17/15	20.16.44	Allegiance	37.05	Baylor Dallas	BCBS	
*15-06-0429	6/17/15	22.31.03	RCEMS	24.08	Presby Dallas	Humana	
*15-06-0437	6/18/15	04.46.35	RCEMS	10.33	Medical Center Plano	Medicaid	
*15-06-0447	6/18/15	13.53.09	RCEMS	12.05	Baylor Dallas	Self Pay	
15-06-0448	6/18/15	[14.45]	RCEMS	2.50	Broadmoore Medical Lodge	Aetna Medicare	
*15-06-0452	6/18/15	16.04.04	RCEMS	8.00	Medical Center Plano	Humana Medicare	
*15-06-0466	6/19/15	03.42.41	RCEMS	8.08	Timberlawn	BCBS	

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Presbyterian Hospital of Rockwall Ambulance Reporting - June 2015

*15-06-0491	6/19/15	21.59.22	RCEMS	9.31	Baylor Dallas	Medicare	
15-06-0496	6/20/15	01.15.05	Allegiance	44.33	Medical Center Plano	Medicaid	
*15-06-0501	6/20/15	10.41.59	RCEMS	7.21	Edgewood NH, Mesquite	Medicare	
15-06-0505	6/20/15	14.53.45	Careflite	58.15	Walnut Hill Medical Center	UHC	
*15-06-0509	6/20/15	17.15.17	allegiance	51.00	Presby Dallas	Medicare	
15-06-0527	6/21/15	[14.00]	RCEMS	(4.50)	[redacted] Griffin, Fate	Medicare	
*15-06-0536	6/21/15	22.26.24	RCEMS	14.43	Presby Dallas	Medicaid	
15-06-0546	6/22/15	[13.00]	RCEMS	(6.09)	Broadmoore Medical Lodge	Medicare	
15-06-0549	6/22/15	[13.30]	RCEMS	(2.16)	Presby Plano	Tricare	
15-06-0554	6/22/15	[16.00]	RCEMS	(5.20)	Healthsouth Plano	Medicare	
15-06-0557	6/22/15	16.47.01	Allegiance	47.00	Baylor Dallas	Aetna PPO	
*15-05-0564	6/22/15	19.31.19	Allegiance	70.00	Plaza Ft. Worth	Tricare	
15-05-0568	6/23/15	12.02.38	RCEMS	11.33	Presby Dallas	Medicare	
*15-06-0571	6/23/15	13.52.36	RCEMS	5.43	Medical Center Plano	Self Pay	
*15-06-0572	6/23/15	14.26.02	RCEMS	17.53	Lakepoint Medical Center	Amerigroup	
*15-06-0574	6/23/15	15.43.54	RCEMS	16.34	VA Dallas	Humana Gold+	
15-06-0580	6/23/15	18.09.32	RCEMS	34.57	Presby Dallas	Medicare	
*15-06-0619	6/25/15	03.05.36	RCEMS	8.35	Medical Center Plano	Medicare	
15-06-0627	6/25/15	[12.30]	RCEMS	20.21	Terrell Healthcare	Medicare	
15-06-0628	6/25/15	[13.30]	Allegiance	3.00	Baylor Garland	Medicare	
15-06-0631	6/25/15	[15.30]	RCEMS	26.59	[redacted]Briarcrest, Garland	Medicare	
*15-06-0642	6/25/15	16.58.01	Allegiance	56.19	Presby Dallas	Medicare	
*15-06-0665	6/26/15	18.09.04	RCEMS	3.40	THR HEB	Unk	
*15-06-0683	6/27/15	09.37.56	RCEMS	8.15	Presby Plano	Medicare	
*15-06-0696	6/27/15	18.06.45	RCEMS	2.05	Presby Plano	Medicare	
*15-06-0698	6/27/15	18.35.32	Allegiance	13.11	Presby Dallas	Self Pay	
*15-06-0699	6/27/15	[19.30]	Allegiance	27.16	Medical Center Plano	Medicare	
*15-06-0703	6/27/15	22.08.04	RCEMS	40.26	Presby Dallas	Cigna	
*15-06-0710	6/28/15	04.13.58	RCEMS	19.17	Medical Center Plano	Self Pay	
*15-06-0716	6/28/15	08.26.35	RCEMS	6.36	Rockwall Nursing Care Center	Medicare	
*15-06-0723	6/28/15	[12.15]	RCEMS	4.22	Timberlawn Garland	Medicare/Medicaid	
*15-06-0726	6/28/15	13.44.09	RCEMS	4.23	Medical Center Plano	Self Pay	
*15-06-0742	6/29/15	05.45.13	RCEMS	21.44	Lakepoint Medical Center	Tricare	
*15-06-0744	6/29/15	08.49.19	RCEMS	10.33	Medical Center Plano	None	
15-06-0755	6/29/15	[15.30]	RCEMS	0.00	Rockwall Nursing Care Center	Medicare	
*15-06-0778	6/30/15	10.01.22	RCEMS	20.35	Medical City Dallas	BCBS	
*15-06-0788	6/30/15	15.25.24	RCEMS	4.00	Presby Dallas	Medicare	
15-06-0791	6/30/15	18.01.50	RCEMS	12.24	Presby Dallas	Medicare	

Presbyterian Hospital of Rockwall Ambulance Reporting - March 2015

RUN NUMBER *-ED patient	DATE CREATED	TIME CREATED/ [SCHEDULED]	EMS PROVIDER *-changed	RESPONSE TIME (EARLY)	DESTINATION	PAYER
*15-03-0017	3/1/15	17.18.15	RCEMS	1.21.30	Presby Dallas	UHC
*15-03-0018	3/1/15	17.58.46	RCEMS	2.16.30	Medical Center Plano	Medicare
15-03-0029	3/2/15	[11.00]	RCEMS	(6.12)	Presby Dallas	Medicare
*15-03-0041	3/2/15	16.30.56	RCEMS	33.15	Medical Center Plano	BCBS
*15-03-0048	3/2/15	22.34.35	RCEMS	13.56	Baylor Dallas	Medicare/Sierra Health
*15-03-0049	3/3/15	00.09.41	RCEMS	50.30	Broadmoore Medical Lodge	Medicare
15-03-0058	3/3/15	[14.45]	RCEMS	(10.43)	Baylor Dallas	Cigna
*15-03-0063	3/3/15	[17.00]	RCEMS	(7.10)	UT Southwest	BCBS
15-03-0064	3/3/15	[18.30]	Allegiance	1.01.00	Presby Dallas	BCBS
*15-03-0068	3/3/15	21.23.12	RCEMS	0.00	Presby Dallas	Medicare
*15-03-0071	3/4/15	03.50.17	RCEMS	16.00	Presby Dallas	Unknown
15-03-0078	3/4/15	[11.45]	RCEMS	42.26	Juliet Fowler, Dallas	Medicare
15-03-0080	3/4/15	[13.00]	RCEMS	1.09.09	Ridgecrest NH, Forney	Secure Horizon
15-03-0087	3/4/15	[16.45]	Allegiance	1.25.00	Presby Dallas	Cigna
15-03-0088	3/4/15	16.46.56	RCEMS	33.25	Presby Dallas	Tri-Care
15-03-0091	3/4/15	17.37.21	RCEMS	15.27	Lakepoint Medical Center	Medicare
*15-03-0110	3/5/15	10.31.38	Allegiance	32.22	Baylor Dallas	UHC
*15-03-0114	3/5/15	16.32.30	RCEMS	29.40	Presby Dallas	UHC
15-03-0115	3/5/15	[19.00]	RCEMS	19.31	Presby Dallas	Humana
*15-03-0118	3/5/15	18.46.49	RCEMS	36.69	Presby Plano	Medicare
*15-03-0119	3/5/15	19.13.05	RCEMS	10.23	Presby Plano	Self Pay
*15-03-0130	3/6/15	06.22.18	RCEMS	2.48.21	Parkland	Medicaid
*15-03-0152	3/6/15	17.17.10	RCEMS	11.08	Presby Dallas	Medicare
15-03-0153	3/6/15	[19.00]	RCEMS	1.53.00	Clements Hospital	Medicare
*15-03-0158	3/6/15	22.22.20	RCEMS	24.14	Presby Dallas	Medicare
*15-03-0161	3/7/15	00.24.30	Allegiance	1.00.38	Presby Dallas	Medicaid
15-03-0180	3/7/15	[15.00]	RCEMS	59.00	Royse City Health & Rehab	Medicare
15-03-0183	3/7/15	[17.00]	RCEMS	44.02	Remington Healthcare of Richardson	Medicare
15-03-0201	3/8/15	16.09.18	RCEMS	44.20	Lakepoint Medical Center	Amerigroup
*15-03-0205	3/8/15	18.01.29	RCEMS	43.53	Presby Dallas	Cigna
*15-03-0206	3/8/15	19.53.17	RCEMS	56.49	Royse City Health & Rehab	Medicare
*15-03-0209	3/9/15	05.41.36	RCEMS	12.21	Baylor Dallas	Self Pay
*15-03-0232	3/10/15	[09.30]	RCEMS	(3.34)	Presby North Rockwall	Self Pay
*15-03-0233	3/10/15	09.40.04	RCEMS	0.30	Presby North Rockwall	Self Pay
*15-03-0268	3/11/15	[12.30]	RCEMS	(0.13)	Baylor Garland	BCBS
*15-03-0282	3/11/15	21.00.27	RCEMS	13.25	Presby Dallas	AARP/UHC
*15-03-0285	3/11/15	22.00.42	RCEMS	33.22	Arbor House	Tri-Care
*15-03-0294	3/12/15	04.45.30	RCEMS	8.13	Baylor Plano	Medicare
*15-03-0296	3/12/15	[07.45]	RCEMS	(6.00)	Timberlawn	Medicare
15-03-0298	3/12/15	[11.30]	Allegiance	33.00	Rockwall Nursing	Self Pay
*15-03-0348	3/14/15	17.14.05	RCEMS	0.53	Presby Dallas	Medicare
*15-03-0350	3/14/15	17.44.09	Allegiance	35.00	Presby Dallas	Medicare
*15-03-0358	3/15/15	10.18.58	RCEMS	14.19	Timberlawn	Secure Horizon
15-03-0359	3/15/15	11.11.34	RCEMS	26.09	Lakepoint Medical Center	UHC
15-03-0379	3/16/15	15.08.53	RCEMS	20.14	[redacted] McCurdy Ln, Terrell	Humana
*15-03-0386	3/17/15	02.50.23	RCEMS	14.26	Ridgecrest NH, Forney	Secure Horizon
15-03-0402	3/17/15	14.09.27	RCEMS	53.40	Broadmoore Medical Lodge	Medicare
15-03-0403	3/17/15	[17.00]	RCEMS	41.21	Beacon Harbor	Secure Horizon
*15-03-0413	3/17/15	20.46.43	Allegiance	47.03	[redacted] Woodmere, Garland Tx 75043	Medicare/Medicaid
*15-03-0418	3/18/15	00.13.04	RCEMS	52.57	Presby Plano	AARP / Secure Horizons
*15-03-0427	3/18/15	[13.30]	RCEMS	(8.15)	Medical Center Plano	BCBS
*15-03-0436	3/18/15	21.16.07	RCEMS	1.12.13	Presby Dallas	BCBS
*15-03-0447	3/19/15	03.47.39	RCEMS	28.38	Timberlawn	Tri-Care
*15-03-0448	3/19/15	05.38.03	RCEMS	10.37	Medical Center Plano	Medicare
15-03-0457	3/19/15	[15.30]	RCEMS	11.08	Green Oaks Hospital	Self Pay
15-03-0458	3/19/15	[16.45]	RCEMS	10.03	Glenoaks Hospital	UHC
*15-03-0474	3/20/15	13.01.21	RCEMS	14.13	Broadmoore Medical Lodge	UHC
15-03-0472	3/20/15	[15.00]	RCEMS	1.24.56	Mesquite Specialty	Aetna
*15-03-0478	3/20/15	15.07.09.	RCEMS	21.37	Presby Dallas	Medicare
*15-03-0491	3/21/15	11.20.13	RCEMS	9.04	Presby Dallas	Unknown
*15-03-0497	3/21/15	19.29.01	RCEMS	11.12	Medical Center Plano	Cigna
*15-03-0501	3/21/15	22.12.45	RCEMS	17.18	Zale Lipshy	Ameri-Group
*15-03-0528	3/23/15	08.26.56	RCEMS	25.31	Arbor House	Medicare
15-03-0543	3/23/15	16.44.49	RCEMS	1.18.31	Legends Greenville	Medicare
*15-03-0551	3/24/15	01.24.41	RCEMS	15.27	Childrens Legacy	UHC
*15-03-0553	3/24/15	3.33.58	RCEMS	9.33	Presby Dallas	Medicare
*15-03-0564	3/24/15	16.27.16	RCEMS	30.46	Medical Center Plano	Cigna
*15-03-0572	3/24/15	22.50.05	RCEMS	20.50	Arbor House	Medicare
*15-03-0575	3/25/15	07.57.25	RCEMS	1.41.35	Medical city Dallas	Blue Cross
*15-03-0594	3/25/15	15.33.00	Allegiance	17.00	Presby Dallas	Self Pay

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*15-03-599	3/25/15	21.28.57	Allegiance	1.01.42	Medical city Dallas	Ameri-Group
15-03-0617	3/26/15	14.22.28	Allegiance	1.57.28	Hopkins County Memorial Care Unit Rehab	Medicare
*15.03.0623	3/26/15	17.08.34	RCEMS	45.26	Ridgecrest NH, Forney	Medicare
*15-03-0627	3/26/15	23.14.57	RCEMS	5.58	Lakepoint Medical Center	Unknown
*15-03-0635	3/27/15	05.07.57	RCEMS	7.27	Arbor House	Medicare
*15-03-0637	3/27/15	06.22.35	RCEMS		Medical Center Plano	Medicare
*15-03-0645	3/27/15	[17.15]	RCEMS	1.27	Presby Dallas	Medicare
*15-03-0650	3/27/15	19.08.30	RCEMS	17.05	Presby Dallas	Medicare
*15-03-0662	3/28/15	[13.30]	RCEMS	6.16	Presby Dallas	Medicare
*15-03-0679	3/29/15	00.52.02	Allegiance	1.01.00	Medical city Dallas	UHC
15-03-0681	3/29/15	06.33.43	RCEMS	1.03.01	[redacted] W. 10th St, Dallas	Self Pay
*15-03-0686	3/29/15	11.53.40	RCEMS	9.15	Presby Dallas	Medicare
*15-03-0689	3/29/15	17.46.26	RCEMS		Presby Dallas	Medicare
15-03-0690	3/29/15	21.41.17	RCEMS	9.17	Presby Dallas	Cigna
*15-03-0693	3/30/15	00.18.29	RCEMS	52.12	Arbor House	Medicare
15-03-0695	3/30/15	[11.30]	RCEMS	(0.56)	Summer Ridge Asst Living	Medicare
15-03-0708	3/30/15	19.45.24	RCEMS	11.18	Baylor Plano	BCBS
15-03-0709	3/30/15	21.07.57	RCEMS	21.30	Presby Dallas	UHC
*15-03-0711	3/30/15	21.45.36	Allegiance	30.24	Presby Dallas	Medicare
15-03-0729	3/31/15	13.50.52	RCEMS	28.56	Windsor Care Center, Terrell	Medicare
15-03-0730	3/31/15	[16.30]	RCEMS	9.53	Summer Ridge Asst Living	Medicare
15-03-0736	3/31/15	14.59.13	RCEMS	44.41	Broadmoore Medical Lodge	Medicare

Presbyterian Hospital of Rockwall Ambulance Reporting - May 2015

RUN NUMBER *-ED patient	DATE CREATED	TIME CREATED/ [SCHEDULED]	EMS PROVIDER *-changed	RESPONSE TIME (EARLY)	DESTINATION	PAYER
*15-05-0001	5/1/15	00.53.36	RCEMS	32.03	Presby Dallas	Self Pay
*15-05-0003	5/1/15	03.12.01	RCEMS	12.25	PMH	Self Pay
*15-05-0005	5/1/15	04.53.02	RCEMS	2.52.09	Presby North	Self Pay
*15-05-0015	5/1/15	09.46.11	Allegiance	32.49	Presby North	Bill Facility
15-05-0017	5/1/15	12.27.03	RCEMS	6.31	Presby Dallas	Cigna
*15-05-0026	5/1/15	16.09.02	RCEMS	89.05	Presby Dallas	None
*15-05-0046	5/2/15	4.41.26	RCEMS	43.46	Presby Dallas	Secure Horizons
15-05-0057	5/2/15	[13.00]	RCEMS	4.42	Broadmoore	Medicare
*15-05-0064	5/2/15	20.05.15	RCEMS	45.27	Medical Center Plano	BCBS
*15-05-0079	5/3/15	04.09.33	Allegiance	54.04	C Ctr Plano 6110 W Parker Plano	UHC
*15-05-0091	5/3/15	12.17.28	Allegiance	52.32	Presby Dallas	Aetna
15-05-0095	5/3/15	13.58.03	Careflight	1.31.57	Ridgecrest NH, Forney	Medicare
15-05-0101	5/3/15	19.55.27	RCEMS	58.00	Presby Dallas	AARP / UHC
*15-05-0110	5/3/15	23.51.25	Careflight	26.35	Childrens Dallas	UHC
*15-05-0111	5/4/15	00.39.28	RCEMS	11.11	Medical Center Plano	BCBS
15-05-0120	5/4/15	14.14.27	RCEMS	12.07	Walnut Hill medical Center, Dallas	Medicare
*15-05-0121	5/4/15	18.50.02	RCEMS	17.30	Zale Lipshy	Medicare
*15-05-0127	5/4/15	21.00.30	Careflight	39.30	Presby Dallas	Medicare / Molina
15-05-0132	5/5/15	[12.30]	RCEMS	(1.52)	Presby Dallas (Rehab Unit)	Medicare
15-05-0135	5/5/15	16.04.15	RCEMS	25.47	Medical City Dallas	Tri-Care
*15-05-0148	5/6/15	04.05.52	RCEMS	18.08	[redacted]W Parker Rd, Plano	Medicare
15-05-0154	5/6/15	[13.00]	RCEMS	(2.12)	Royse City Health & Rehab	Medicare
*15-05-0168	5/7/15	04.36.45	RCEMS	11.24	Baylor Dallas	Medicare
15-05-0178	5/7/15	[15.00]	RCEMS	(4.03)	Royse City Health & Rehab	Medicare
15-05-0179	5/7/15	[16.00]	RCEMS	(1.03)	Broadmoore	Humana Medicare
15-05-0183	5/7/15	[17.00]	RCEMS	(1.02)	[redacted] S. Alamo, Rockwall	Medicare
*15-05-0196	5/8/15	5.42.14	RCEMS	13.07	Medical Center Plano	Secure Horizons
15-05-0201	5/8/15	[12.15]	RCEMS	(12.51)	[redacted] Dartbrook, Rowlett	Medicare
15-05-0203	5/8/15	[13.45]	Careflight	72.35	Willowbend Nursing Home	Medicare
15-05-0216	5/8/15	[17.30]	Allegiance	61.43	Timberlawn	Tri-Care
*15-05-0247	5/9/15	11.44.36	RCEMS	46.57	Arborhouse	Medicare
15-05-0253	5/9/15	16.17.51	Allegiance	44.09	Lakepoint Medical Center	Blue Cross Out of State
*15-05-0259	5/9/15	22.35.53	RCEMS	17.35	Childrens Dallas	None
*15-05-0261	5/9/15	23.46.25	Careflight	44.00	Presby Dallas	BCBS
*15-05-0280	5/10/15	23.41.08	RCEMS	8.24	Lakepoint Medical Center	Medicare
*15-05-0282	5/11/15	05.03.01	RCEMS	8.29	Childrens Dallas	None
*15-05-0291	5/11/15	16.18.58	RCEMS	10.29	Presby Dallas	Aetna
15-05-0301	5/11/15	18.48.21	Allegiance	41.00	Presby Dallas	BCBS
15-05-0313	5/12/15	10.09.22	RCEMS	6.40	Presby Dallas	UHC
*15-05-0316	5/12/15	11.05.19	AMR	44.41	Medical Center Plano	Humana Gold
*15-05-0318	5/12/15	14.08.41	RCEMS	15.13	Children's Dallas	Self Pay
*15-05-0321	5/12/15	17.04.25	RCEMS	10.20	Children's Dallas	Medicaid
*15-05-0327	5/12/15	23.07.37	Careflight	40.00	Presby Plano	Aetna
*15-05-0340	5/13/15	10.29.12	RCEMS	7.30	Lakepoint Medical Center	Self Pay
*15-05-0344	5/13/15	12.05.37	RCEMS	1.50	Lakepoint Medical Center	Amerigroup
*15-05-0348	5/13/15	[14.15]	RCEMS	6.27	Baylor Dallas	BCBS
*15-05-0363	5/13/15	21.34.18	RCEMS	13.30	Parkland	BCBS
*15-05-0379	5/1415	18.07.21	RCEMS	16.41	Presby Dallas	Medicare
*15-05-0383	5/15/15	0.35.16	RCEMS	13.17	Zale Lipshy	Medicare
*15-05-0394	5/15/15	10.01.50	RCEMS	31.28	Baylor Dallas	UHC PPO
15-05-0395	5/15/15	[13.00]	RCEMS	2.46	Royse City Health & Rehab	Medicare
*15-05-0402	5/15/15	14.28.12	RCEMS	13.54	Children's Legacy	Medicaid
*15-05-0427	5/16/15	9.25.08	Allegiance	56.40	Hunt Regional	Aetna
*15-05-0434	5/17/15	10.09.17	RCEMS	12.07	Lakepoint Medical Center	Medicare
*15-05-0467	5/18/15	11.02.16	RCEMS	1.59	Timberlawn	BCBS
15-05-0477	5/18/15	13.59.14	RCEMS	29.29	Lakepoint Medical Center	BCBS
*15-05-0519	5/20/15	06.18.20	RCEMS	12.03	Presby Dallas	Aetna
*15-05-0526	5/20/15	12.44.34	RCEMS	4.56	Medical Center Plano	BCBS
*15-05-0544	5/20/15	20.52.34	Allegiance	19.55	Willow Bend Mesquite	Medicare
*15-05-0547	5/20/15	23.12.43	Allegiance	51.42	Presby Dallas	Medicare
*15-05-0549	5/21/15	04.37.56	RCEMS	17.39	Medical Center Plano	Medicare
*15-05-0556	5/21/15	12.50.38	RCEMS	26.48	Presby Dallas	Medicare
15-05-0563	5/21/15	15.51.04	AMR	38.57	Lakepoint Medical Center	Medicare
15-05-0564	5/21/15	[17.15]	RCEMS	10.24	Mesquite Specialty	Medicare
*15-05-0572	5/21/15	22.42.59	Allegiance	67.38	Medical Center Plano	Medicare
15-05-0582	5/22/15	[12.45]	RCEMS	(8.09)	Timberlawn	UHC
*15-05-0586	5/22/15	[14.00]	RCEMS	2.39	Medical Center Plano	Self Pay
15-05-0584	5/22/15	[14.15]	RCEMS	11.30	[redacted] Walnut Ln, Rockwall	Medicare
*15-05-0588	5/22/15	14.45.33	RCEMS	16.25	Presby Dallas	Medicare
15-05-0592	5/22/15	[15.45]	Allegiance	41.25	Town East Nursing & Rehab	Humana Medicare

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15-05-0593	5/22/15	[16.30]	Allegiance	62.58	Presby Dallas	Unknown
15-05-0594	5/22/15	[16.00]	RCEMS	(3.04)	Royse City Health & Rehab	Medicare
*15-05-0595	5/22/15	[17.00]	Allegiance	82.43	Presby Dallas	Medicare
15-05-0596	5/22/15	[16.30]	RCEMS	(2.06)	Broadmoore	Medicare
*15-05-0610	5/23/15	4.55.27	RCEMS	9.09	Timberlawn	Secure Horizons
15-05-0614	5/23/15	[12.00]	Careflight	(20.00)	Hopkins County Memorial Hospital	Medicare
*15-05-0630	5/23/15	[17.45]	Allegiance	2.52.00	Medical Center Plano	BCBS
15-05-0650	5/24/15	19.12.38	AMR	44.22	Presby Dallas	Medicare
*15-05-0664	5/25/15	19.54.38	RCEMS	7.36	Presby Dallas	MDCR/Care Improv +/BCBS
*15-05-0686	5/26/15	13.04.32	RCEMS	20.02	Medical Center Plano	UHC
15-05-0690	5/26/15	[15.15]	RCEMS	17.32	Presby Dallas	Superior Medicare
*15-05-0699	5/26/15	22.27.13	RCEMS	11.25	Presby Dallas	Self Pay
15-05-0716	5/27/15	[12.45]	RCEMS	(3.42)	[redacted] Broadway Blvd #1127, Garland	Medicare
15-05-0717	5/27/15	[13.45]	RCEMS	(6.27)	Royse City Health & Rehab	Medicare
*15-05-0755	2/29/15	00.26.12	RCEMS	17.36	Presby Dallas	Medicare
*15-05-0771	5/29/15	13.04.41	Allegiance	40.19	Walnut Hill medical Center, Dallas	Medicare
15-05-0773	5/29/15	[13.30]	RCEMS	20.28	[redacted] Jennifer Cir., Forney	Medicare
*15-05-0778	5/29/15	15.53.35	RCEMS	31.54	Presby Plano	Cigna
*15-05-0780	5/29/15	17.41.03	RCEMS	23.38	Medical Center Plano	Secure Horizons
*15-05-0781	5/29/15	17.45.14	Allegiance	50.33	Three Forks Nursing Center, Forney	Medicare
*15-05-0792	5/30/15	04.05.42	RCEMS	21.35	Presby Dallas	Medicare
*15-05-0799	5/30/15	12.57.14	RCEMS	0.00	Parkland	Self Pay
*15-05-0800	5/30/15	[16.00]	Careflight	(4.00)	Presby Dallas	Self Pay
*15-05-0802	5/30/15	16.59.34	RCEMS	10.06	Presby Dallas	Aetna Medicare
*15-05-0819	5/30/15	21.16.00	Allegiance	38.00	Baylor Dallas	BCBS
*15-05-0838	5/31/15	23.58.07	Careflight	15.53	Childrens Dallas	Amerigroup

Ashberry, Kristy

From: Danielle Everett <danielle.everett@emerus.com>
Sent: Monday, July 13, 2015 2:19 PM
To: Ashberry, Kristy
Subject: RE: issues regarding Rockwall EMS

Thank you.

Danielle Everett, BSN, RN
Hospital Administrator
1975 Alpha, Suite 100
Rockwall, Texas 75087
Cell: 903-276-8785
danielle.everett@emerus.com

BAYLOR
Emergency Medical Center

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From: Ashberry, Kristy [mailto:KAshberry@rockwall.com]
Sent: Monday, July 13, 2015 2:04 PM
To: Danielle Everett
Subject: FW: issues regarding Rockwall EMS

Ms. Everett,

Please see below email that Mr. Crowley sent to me a bit ago.

Again, thank you so much for your thoughts/input.

Regards,
Kristy Ashberry Cole

From: Crowley, Rick
Sent: Monday, July 13, 2015 12:11 PM
To: Ashberry, Kristy
Subject: Re: issues regarding Rockwall EMS

Kristy

Please let Ms. Everett know that we will provide her email to the Council and that she is correct that the meeting I had with her was as she described it, a part of my reaching out to businesses. If I did not accurately characterize her thoughts when I advised the EMS company that they should consider the level of service satisfaction experienced by

Baylor, certainly her email has corrected any inaccuracy in my passing that along. If there has been an issue with service, I am pleased that the two companies have resolved any issue that existed.

Thanks,
Rick

Sent from my iPhone

On Jul 13, 2015, at 11:43 AM, "Ashberry, Kristy" <KAshberry@rockwall.com> wrote:

> Mrs. Everett,
>
> Thank you for your email. I will ensure it gets forwarded to City Manager Rick Crowley and shared with members of city council prior to the meeting on Mon., July 20. A final meeting agenda will be posted to our city website at http://www.rockwall.com/meetings/ late afternoon/early evening on July 17. You are certainly invited and welcome to attend the work session I believe will be planned for 4PM on Mon., 07/20.
>
> Please let me know if you have any questions or concerns.
>
> Thank you again,
>
> Kristy Ashberry Cole
> Assistant to the City Manager/
> City Secretary, TRMC
> City of Rockwall
> Ph: (972) 772-6406
> Fax: (972) 771-7727
> **www.knowhat2do.com**

From: Danielle Everett [mailto:danielle.everett@emerus.com]
Sent: Friday, July 10, 2015 12:53 PM
To: Ashberry, Kristy
Cc: Martin Ramirez
Subject: issues regarding Rockwall EMS

Hello. I appreciate that you and your team have reached out to our hospital in regards to concerns surrounding EMS transfers. I have given this some thought over the past few days since you initiated a phone call on Monday. I want to start out by saying that I have never put in a formal complaint or grievance against Rockwall EMS. I have heard that there was some misconception about this, and I wanted to make sure to clear this up. We strive to be a Community Hospital, and truly want what is best for our patients and the City of Rockwall. The City Manager requested a meeting with me and our hospital a few months ago. It was presented to me that the City Manager likes to meet with all new businesses, and was the purpose of the meeting. During our meeting, the Rockwall EMS service was discussed. My concern that I shared with the City Manager was in regards to the inadequate amount of EMS trucks that were in the county and the amount of EMS trucks that could leave the county at one time. At the time, the lack of adequate EMS transportation was causing concern for our facility. I also expressed concern due to the growing city population, and consequently the growing hospital and urgent care centers being established within the city. I questioned the non-exclusivity clause to gain insight as to how Rockwall EMS operates, and why the clause was in place. I have spoken with Martine Ramirez at Rockwall EMS. Martin and I established a healthy working relationship several years ago when Baylor Emergency Medical Center was in the beginning stages. Martin has assured me that Rockwall EMS has now added more trucks to their fleet, and this will allow for quicker turn-around times

for our transports. Over the past year and a half, we've encountered 6-8 instances of severe long waits for an ambulance. I have discussed the issues with Martin, and together, I believe that we have developed a plan to address most of the issues. I am confident that Rockwall EMS can deliver quality care to our hospital and to our patients. I/we have no vested interest whether the city ordinance is lifted or remains. I/we want a healthy relationship with all Rockwall services and organizations. If Rockwall EMS can provide services for our facility in a professional and timely manner, as I believe that they can, then our hospital sees no need at this time speaking against Rockwall EMS in any entity or capacity. I appreciate the City's diligence and attention to this matter. Thank you for considering and listening to our concerns. Please feel free to share this with the City Council Members, and also to reach out for any and all questions and assistance. Thank you and have a great day.

Danielle Everett, BSN, RN

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<image001.jpg>

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TO: County of Rockwall Emergency Services Corporation Board

FROM: Steven L. Athey, Health Care Visions

SUBJECT: Discussion Items

DATE: December 10, 2014

This report will cover two items of discussion (1) exclusivity in the service area, and (2) the local impact of Senate Bill 8.

1. **Exclusivity**

The current agreement between the Corporation and Medic Rescue states in Section VI. Financial Provisions, D. Exclusive Service Agreement, "Participating jurisdictions agree to utilize the Contractor solely within their jurisdictions. Exclusive service agreement shall include all requests for emergency and non emergency transports and requests, including all requests originating from nursing homes, hospice, and other long-term medical health facilities. Member jurisdictions are encouraged, through contracts with the Corporation, to exclusively use the Contractors EMS services and to that end develop and employ "City Ordinances" whenever possible."

This language has been in the agreement since its inception and has resulted in the service area being served exclusively for *all* ground ambulance transports by a single provider. This is a sound policy, both structurally and financially, allowing the Corporation to set policies and standards for operations with a single provider and allowing for all potential system revenue to be utilized for the betterment of the overall system, thereby reducing required tax-based subsidy.

The Texas Health and Safety Code provides language that addresses city's and county's rights (Sec. 773.051, 774.003) regarding Emergency Medical Services. Cities and counties cite these regulations in the development of their exclusive EMS systems; however neither section is crystal clear regarding the rights to grant exclusivity for non-emergency ambulance services even though many compelling arguments exist for such a move.

Developing and defending an exclusive operating area for emergency and non emergency ambulance services appears easier for cites than counties and I have included two examples of ordinances used for those purposes (Arlington, Texas and 13 cities in the MedStar system).

The state regulation addressing counties (below) is not clear regarding exclusivity for all ambulance services.

> *§ 774.003. EMERGENCY AMBULANCE SERVICE PROVIDED BY COUNTIES.*
>
> *(a) The commissioners court of a county may provide for emergency ambulance service in the county, including the provision of necessary equipment, personnel, and maintenance for the service.*
> *(b) In providing for the services authorized by Subsection (a), a commissioners court may enter into exclusive agreements with any municipality, hospital district, sheriff's office, fire department, private ambulance service, or other agency or entity that the commissioners court finds to be suitably organized to provide efficient emergency ambulance service in the county. The governing body of a municipality or hospital district in which emergency ambulance service is to be rendered must approve an agreement made with the commissioners court to provide that service in the municipality or hospital district.*

Texas law gives broad authority to the Commissioners Court in each County to assign market rights and does not require the use a competitive process to establish exclusive emergency ambulance services. A contractual relationship is all that is required to establish exclusivity for emergency ambulance service. Health and Safety Code Section 774.003 refers to the provision of "emergency ambulance service within the county." Inter-facility and convalescent ambulance transports and are often referred to as "non-emergency" ambulance services. We do not know if the Texas Legislature intended to exclude this segment of the market when it adopted Section 774.003. However, several reasonable arguments exist in favor of including this portion of the ambulance service market in any exclusive market rights that are awarded by the Commissioners Court.

---

2. Local Impact of Senate Bill 8

Over the last several weeks city and county officials have been contacted by potential ambulance operators asking for a "letter from the County" granting permission for their company to "operate in Rockwall County". These callers have cited "Senate Bill 8" as their reason for calling, prompting this discussion.

In 2013 Senate Bill 8 was enacted into law. This Bill was originally designed and promulgated in an attempt to prevent fraud, waste and abuse in the state Medicaid program. This Bill has several components that were intended to slow the proliferation of new ambulance services in the state, as the issuance of new ambulance licenses without real need or oversight was believed to add to the growing problem of Medicaid/Medicare fraud and abuse especially in the urban areas.

In part Senate Bill 8:

- Amends the Health and Safety Code

- Establishes a data analysis unit within the state
- Limits certain marketing activities of providers
- Adds rules to the state managed transportation programs, and
- Adds significant ambulance licensing requirements.

New applicants (with exceptions) now have to provide a letter of credit, and have an approved and trained Administrator of Record. They must also comply with the following: "the applicant holds a letter of approval issued under Section 773.0573 by the governing body of the municipality or the commissioners court of the county in which the applicant is located and is applying to provide emergency medical services, as applicable…" Without this letter a potential provider will be denied a provider licensee by the state.

The purpose of this section was to limit new provider licenses in areas where they are not needed. I spoke to the author of this section who stated they added the section about the applicant being "located" in the area in which they are applying to avoid "shopping". It was believed that potential applicants would "shop" for any letter they could obtain one and then go operate in some more lucrative market area. Under this provision they must operate in the area they receive the letter for two years.

The entity, city of county, has ***no obligation*** to write these letters conferring "permission" to these potential providers. In our case, I think one of two things is occurring. (1) existing Texas providers are seeking letters in error, or (2) potential new providers are "shopping" for letters to obtain their initial state license.

For information please contact

Steven L. Athey, President

Health Care Visions

ARTICLE IV
AMBULANCE SERVICE

Section 4.01 Policy

To lessen congestion caused by emergency vehicles on the public streets, safeguard the public health and well-being and to facilitate the prompt dispatch of appropriately equipped and staffed ambulances when needed to protect life and health, it is hereby determined that the City Council may designate one ambulance provider to provide all ambulance service, including special event and standby ambulance services. No other ambulance service provider shall operate an ambulance within the City of Arlington except in the situations described in this Chapter or upon consent of the Fire Chief or his designee. It is the intent of this policy that no ambulance patient be transported by ground transportation unless in compliance with this ordinance and the Texas Health & Safety Code. (Amend Ord 08-069, 8/19/08)

Section 4.02 Contract Required

No person shall operate an ambulance for hire on any street of the City without first having obtained a contract from the City Council, except as provided below:

A. Renders assistance during any catastrophe or major emergency when the ambulances authorized to operate in the City by contract are either insufficient in number or inadequate for any other reason, as determined by the EMS Dispatch Center;

B. Operates from a location outside the City and transports any patient from a point of origin outside the City to a destination inside the City;

C. Operates an ambulance brought into the City solely for the purpose of a drill or training exercise;

D. Operates any ambulance rendering requested assistance to ambulances currently authorized by the City in cases of disaster or major emergency pursuant to provisions of a "mutual aid agreement" approved by the City;

E. Operates a hospital operated pediatric/neonatal transport service with ambulances modified for pediatric/neonatal transport and staffed at least by registered nurses.

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MEDSTAR

UNIFORM EMS ORDINANCE

Be it ordained by the City Council of _____,Texas:

SEC. 1 STATUTORY AUTHORITY.

This Ordinance is enacted by the City Council of _____, Texas, pursuant to Sec. 773.051 of the Texas Health and Safety Code, which provides that municipalities may establish standards for ambulances, and to Sec. 791.001 of the Texas Government Code which provides that combinations of local governmental units may contract for the provision of governmental services.

SEC. 2 GENERAL PURPOSES AND INTENT OF ORDINANCE.

It is the purpose of this Ordinance:

A. To establish a regulated ambulance service system which can provide state-of-the-art clinical quality of care, with reasonable, reliable response time standards, and with the goal of furnishing the best possible chance of survival, without disability or preventable complication, to each ambulance patient.

B. To establish a sole-provider ambulance system, because it is unreasonable to have unnecessarily high rates and/or public subsidy to make needed improvements to ambulance service in the Service Area, when a more efficiently designed system can achieve the same results at a lower cost. The most efficient design to achieve the goals of high-quality service, at the lowest cost, consistent with the quality of care required, is the implementation of the system described herein.

C. To provide more effective system performance through the provision of services by a competitively selected qualified private operator, rather than direct governmental operation of ambulance services.

D. To provide more effective medical control by establishing a multi-jurisdictional Emergency Physicians Advisory Board (EPAB) and by empowering that Board to oversee and regulate all clinical aspects of the emergency medical system which affect patient care.

SEC. 3 DEFINITIONS.

For purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

A. Advanced Life Support Ambulance. Any vehicle which is equipped to provide treatment of life-threatening emergencies through the use of advanced airway management, intravenous therapy, and other advanced pre-hospital care procedures, and which is equipped to transport sick or injured persons to or from health care facilities.

B. **Aeromedical Transportation Unit**. Any rotary or fixed wing aircraft providing basic or advanced life support services and patient transportation that originates within the Service Area.

C. **Ambulance Service**. The transportation of patients (as defined herein) by ambulance.

D. **Approved Rate Schedule**. Those fees for ambulance services rendered which have been established for the Jurisdiction by the Ambulance Authority from the Uniform Schedules of Price/Subsidy Options.

E. **Area Metropolitan Ambulance Authority ("Ambulance Authority")**. That public administrative agency established to oversee the operation of the ambulance system established by this Ordinance.

F. **Base Station Physician**. A physician licensed to practice medicine in the State of Texas, knowledgeable in the pre-hospital emergency medical protocols, EMS radio procedure and the general operating policies of the ambulance system, and a person from whom ambulance personnel may take medical direction by radio or other remote communications device.

G. **Contractor**. That person selected by the Ambulance Authority, pursuant to the Request for Proposal process, which is awarded the right to provide all ambulance services in this Jurisdiction, except those specifically exempted by Section 6F of this Ordinance.

H. **Emergency Medical Technician (EMT)**. A person certified as an "emergency medical technician" as defined by Sec. 773.047, Texas Health and Safety Code.

I. **EMS Communications Center**. The single facility designated by the Ambulance Authority as the central communications center from which all ambulances operating in the Service Area shall be dispatched and controlled.

J. **Emergency Physicians Advisory Board ("EPAB")**. The medical board created by this Ordinance and empowered to promulgate the various standards, rules and regulations related to clinical aspects of ambulance service and first responder and other services within the Service Area, and to perform medical audits and otherwise monitor system performance.

K. **First Responder**. Any person, fire department vehicle, police vehicle, or other vehicle not normally used for purposes of patient transport, but which vehicle and onboard personnel are capable of providing first responder services in medical emergencies.

L. **Medical Audit**. An official inquiry into the circumstances involving an ambulance run or request for ambulance service, conducted by the Medical Director or a licensed physician designated by the Medical Director

M. **Medical Control**. Direction given ambulance personnel by a base station physician through direct voice contact, with or without vital sign telemetry, as required by applicable medical protocols promulgated by the EPAB, and by Sec. 773.003(18), Texas Health and Safety Code.

N. **Medical Director**. The licensed physician appointed by the EPAB serving as administrative officer in carrying out the duties and powers of the EPAB.

O. **Medical Protocol**. Any diagnosis-specific or problem-oriented written statement of standard procedure, or algorithm, promulgated by the EPAB as the normal standard of pre-hospital care for a given clinical condition.

P. **Mutual Aid Agreement**. A written agreement between the Ambulance Authority and one or more entities whereby the signing parties agree to provide backup ambulance service to one another under conditions and pursuant to terms specified in the agreement as approved by the Ambulance Authority.

Q. **Paramedic**. A person qualified as a certified or licensed "paramedic" as defined by Sections 773.049 and 773.0495, Texas Health and Safety Code.

R. **Patient**. An individual who is ill, sick, injured, wounded, or otherwise incapacitated and is in need of or is at risk of needing medical care during transport to or from a health care facility.

S. **Person**. Any individual, firm, association, partnership, corporation, governmental entity, or other group or combination acting as a unit.

T. **Response Time**. The actual elapsed time between receipt of notification at the EMS Communication Center that an ambulance is needed at a location within the Service Area and the actual arrival of an ambulance at that location.

U. **Restated Interlocal Cooperative Agreement ("Agreement")**. That contract adopted by this jurisdiction concurrently with the passage of this Ordinance, which contract is entered into by this Jurisdiction pursuant to Chapter. 791 of the Texas Government Code more commonly known as the "Interlocal Cooperation Act."

V. **Senior Paramedic in Charge**. That person among the certified personnel assigned to an ambulance, not the driver, who is a certified paramedic designated as the individual in command of the ambulance.

W. **Service Area**. That geographical area which is contained within the boundaries of all the jurisdictions which adopt this Uniform EMS Ordinance, and which adopt and execute the Restated Interlocal Cooperation Agreement implementing the Ordinance, thereby becoming members of the Ambulance Authority.

X. **Special Event**. Any public event located within the Service Area, for which standby ambulance service is arranged in advance, and for which an ambulance (or ambulances) are hired by the sponsor of the event or other interested party.

Y. **Specialized Mobile Intensive Care Unit**. A vehicle which is specially constructed, equipped, staffed, and employed in the interfacility transport of patients whose requirements for en route medical support are likely to exceed the clinical capabilities of an advanced life support ambulance.

SEC. 4 EMERGENCY PHYSICIANS ADVISORY BOARD (EPAB).

There is hereby created an Emergency Physicians Advisory Board which shall oversee and regulate on behalf of this city all medical aspects of the ambulance system which affect patient care.

A. The EPAB shall consist of a board whose membership shall be composed of licensed physicians as follows:

(1) The medical director, or his designee, of each hospital emergency department which is located within the Service Area and which maintains an emergency medical services department staffed twenty four (24) hours per day, seven (7) days per week by in-house physicians; all EPAB members shall be currently or formerly licensed physicians.

(2) Five (5) additional licensed physicians with currently or formerly active specialties or sub-specialties of benefit in developing standards for emergency pre-hospital care, and who are appointed by and serve at the pleasure of the Tarrant County Medical Society.

(3) The EPAB may, at its option, elect from among its members an Executive Board consisting of not less than seven nor more than nine physicians, which Executive Board shall exercise such powers and duties of EPAB as are set forth in written by-laws approved by a two-thirds majority vote of the entire EPAB membership.

B. The EPAB shall appoint a Medical Director who shall be responsible for the day-today affairs of the EPAB in carrying out its duties under this Ordinance. The Medical Director shall be a licensed physician who is board-certified in emergency medicine. The Medical Director shall serve at the pleasure of EPAB.

C. The EPAB shall have the following powers and duties:

(1) To recommend to the Ambulance Authority medically appropriate response time standards for this Jurisdiction;

(2) To establish standards for patient care, including standards for ambulance and first responder vehicles and on-board equipment;

(3) To develop medical protocols for ambulance and first responder services and periodically revise same;

(4) To develop Communication Center protocols and periodically revise same;

(5) To conduct medical audits and develop standards and procedures for the conduct of such audits;

(6) To develop and periodically revise and administer both written and practical tests for the certification and licensing of emergency medical services personnel, including ambulance personnel, first responders, and EMS Communication Center personnel;

(7) To develop and periodically revise and administer educational material, programs and/or tests to insure that base station physicians are knowledgeable concerning the local ambulance system, its medical protocols, radio procedures, and transport protocols, and to certify qualified physicians as base station physicians;

(8) To conduct inspections of vehicles, equipment and supplies on both an announced and unannounced basis;

(9) To monitor response time performance, in this regard, the Ambulance Authority shall furnish such statistical information regarding response time performance as may be requested by EPAB;

(10) To develop standards and procedures for the resolution of disputes regarding the application of exemptions from late run penalties assessed against the ambulance service contractor for failure to meet response time standards;

(11) To periodically conduct intensive reviews of the system's performance relative to specific clinical types and to revise medical protocols and such other standards of the system as may be appropriate in light of the findings;

(12) To conduct medical audits of individual cases as requested by the Ambulance Authority, by any elected official of a member jurisdiction, by any licensed physician regarding a patient of such physician, or by any paramedic involved in the case which is the subject of the audit request;

(13) To annually present a written and oral report to the Ambulance Authority concerning the state of clinical performance of the ambulance system; each member jurisdiction shall be informed of the time and place of such oral report at least 30 days in advance of that meeting and shall be invited to send representatives, and shall be furnished a copy of the written report;

(14) To establish such committees as may be necessary to aid in the performance of its powers and duties;

(15) To approve standards governing the operation of specialized mobile intensive care units, including standards limiting the types of patients which may be transported thereby, and to issue, suspend, revoke, and renew permits for the operation of such units as required by this Ordinance; all such permits when issued by EPAB shall be valid for a period of two (2) years and then shall be subject to provisions governing renewal as established by EPAB;

(16) To approve standards governing the operation of Aeromedical Transportation Unit, including standards defining the circumstances under which such units may be deployed to emergency scenes, and to issue, suspend, revoke, and renew permits for the operation of such units as required by this Ordinance; all such permits when issued by EPAB shall be valid for a period of two (2) years and then shall be subject to provisions governing renewal as established by EPAB;

(17) To approve standards governing the operation of wheelchair transport services for patients, stretcher van transport service for patients and other types of patient transportation services, including standards limiting the types of patients which may be transported thereby, and to issue, suspend, revoke, and renew permits for the delivery of such services as required by this Ordinance; all such permits when issued by EPAB shall be valid for a period of two (2) years and then shall be subject to provisions governing renewal as established by EPAB; and,

(18) To issue, suspend, revoke, and renew permits for the delivery of first responder services.

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D. For each patient transported by ambulance by the Ambulance Authority or its contractor, and for each patient transported by any other provider issued permits pursuant to this Ordinance, the transporting provider shall pay to EPAB a fee of five dollars and 10 cents ($5.10), which sum shall be used to defray the costs of medical regulation of the EMS system. Such payments shall be made monthly by the fifteenth (15th) day of each month for services rendered during the previous calendar month. Such funds shall be maintained in a separate account administered by the Ambulance Authority on EPAB's behalf, and shall be expended solely for the purposes set forth in this Sec. 4 as approved by EPAB or its Executive Board. This per-transport fee may be periodically increased at the discretion of EPAB, but not more often than annually, and no single increase may exceed five percent (5%).

E. This Jurisdiction shall indemnify and hold harmless EPAB, its members, its Medical Director, and EPAB staff members from liability for actual damage, including costs and attorney's fees, arising from any claim, lawsuit, or judgment resulting from an act or omission of said EPAB member, the Medical Director, or EPAB staff member while acting in the scope and course of his office, provided that such liability arises out of or in connection with the provision of ambulance services or first responder services originating within the corporate limits of this Jurisdiction.

SEC. 5 AREA METROPOLITAN AMBULANCE AUTHORITY.

By adopting this Ordinance, and concurrently therewith executing and approving the Restated Interlocal Cooperative Agreement, this jurisdiction has joined the Area Metropolitan Ambulance Authority, which is herein called the "Ambulance Authority," and in regard to that Ambulance Authority the following shall apply:

A. The Ambulance Authority is hereby designated as the sole provider of all ambulance services within this Jurisdiction, pursuant to the terms, conditions and provisions of the Restated Interlocal Cooperative Agreement, except for those services exempted by Sec. 6(K) herein.

B. The Ambulance Authority shall comply with all terms of the Restated Interlocal Cooperative Agreement, and have all of the duties, powers and responsibilities enumerated therein.

C. The Ambulance Authority is required to provide this Jurisdiction with advanced life support ambulance service. Such service shall comply with all applicable state laws and rules, as well as all rules, regulations, standards and response times as the Ambulance Authority or EPAB may from time to time promulgate.

SEC. 6 VIOLATIONS.

It shall be unlawful:

A. To perform duties as an emergency ambulance vehicle operator, attendant (EMT or paramedic), or EMS dispatcher without a current certification issued by EPAB;

B. To permit a person to work as an ambulance operator or attendant or EMS dispatcher without a current license issued by the EPAB;

C. To use, or cause to be used any ambulance service other than that of the contractor authorized to operate in this Jurisdiction by virtue of its contract with the Ambulance Authority, except those services described in Paragraph K of this Section 6.

D. To provide ambulance service within this jurisdiction (other than the contractor which contracts with the Ambulance Authority).

E. To provide wheelchair transport services for patients, stretcher van transport services for patients or other patient transport services in this jurisdiction in violation of EPAB regulations governing the delivery of such services or without a permit issued by EPAB pursuant to Sec. 4(C)(17) herein.

F. To provide aeromedical transportation unit services in this jurisdiction in violation of EPAB regulations governing the delivery of such services or without a permit issued by EPAB pursuant to Sec. 4(C)(16) herein.

G. To provide specialized mobile intensive care unit services in this jurisdiction in violation of EPAB regulations governing the delivery of such services or without a permit issued by EPAB pursuant to Sec. 4(C)(15) herein.

H. To provide first responder services without a permit issued by EPAB pursuant to Sec. 4(C)(18) herein.

I. To use an ambulance for the transportation of persons other than patients.

J. To knowingly give false information to induce the dispatch of an ambulance or Aeromedical Transportation Unit.

K. It shall be a defense to any alleged violation of this Section 6 that the vehicle is being used solely in any of the following manners:

(1) A privately owned vehicle not ordinarily used in the business of transporting persons who are sick, injured, wounded, incapacitated or helpless.

(2) A vehicle rendering such service as an ambulance in the event of a major catastrophe or extreme system overload when such condition is declared by the Medical Director, the Executive Director of the Ambulance Authority, or by an authorized representative of the Ambulance Authority's contracted ambulance service provider, and such assistance has been requested by the Communication Center.

(3) Any ambulance owned or operated by the federal or state government

(4) Any transport to a location within the Service Area, which transport originated from a point outside the Service Area.

(5) Mutual aid calls when rendered pursuant to a mutual aid agreement approved by the Ambulance Authority

(6) Special events coverage, so long as such service is provided without any charge by an emergency medical services volunteer provider, as defined in Chpt. 773.003(13), Texas Civil Statues

(7) Wheelchair transport services for persons other than patients.

(8) Aeromedical transports where such transports originate outside the Service Area.

SEC. 7 PENALTIES.

The following provisions for application of penalties for violation of this Ordinance shall apply:

A. Any person convicted of violating the provisions of this Ordinance shall be fined no more than five hundred dollars ($500.00). This does not serve to limit any other remedies available to this Jurisdiction in law or equity.

B. Each violation of this ordinance that is committed shall constitute a separate offense.

SEC. 8 TRAFFIC LAWS; EXEMPTION.

When the ambulance vehicle operator of an ambulance has reasonable grounds to believe that an emergency exists, as determined by the EMS Communication Center, the ambulance vehicle operator of the ambulance may:

A. Park or stand, irrespective of the otherwise applicable provisions of law, ordinance or regulations,

B. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation,

C. Exceed the maximum speed limits permitted by law, ordinance or regulation, provided, however, that life and property are not endangered thereby,

D. Disregard laws, ordinances and regulations governing directions or movements or turning in specified directions

E. Provided, however, that any exemption herein granted shall apply only when such ambulance is operating with siren and emergency lights in operation, and when such audible and visual signals meet the requirements of law, ordinance or regulation, and provided further, that the foregoing provisions shall not operate to relieve the ambulance vehicle operator of any ambulance from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the ambulance vehicle operator from the consequences of his reckless disregard for the safety of others.

Note: Only this portion of SB-8 is included in CC members' 07/20/15 mtg. packet since it's the only portion of the bill that is relevant to "exclusivity"

(5) the status of any coordination efforts of the department and the Texas Medical Board related to those sections.

(c) Subchapter C, Chapter 773, Health and Safety Code, is amended by adding Section 773.0573 to read as follows:

Sec. 773.0573. LETTER OF APPROVAL FROM LOCAL GOVERNMENTAL ENTITY. (a) An emergency medical services provider applicant must obtain a letter of approval from:

(1) the governing body of the municipality in which the applicant is located and is applying to provide emergency medical services; or

(2) if the applicant is not located in a municipality, the commissioners court of the county in which the applicant is located and is applying to provide emergency medical services.

(b) A governing body of a municipality or a commissioners court of a county may issue a letter of approval to an emergency medical services provider applicant who is applying to provide emergency medical services in the municipality or county only if the governing body or commissioners court determines that:

(1) the addition of another licensed emergency medical services provider will not interfere with or adversely affect the provision of emergency medical services by the licensed emergency medical services providers operating in the municipality or county;

(2) the addition of another licensed emergency medical services provider will remedy an existing provider shortage that cannot be resolved through the use of the licensed emergency medical services providers operating in the municipality or county; and

(3) the addition of another licensed emergency medical services provider will not cause an oversupply of licensed emergency medical services providers in the municipality or county.

(c) An emergency medical services provider is prohibited from expanding operations to or stationing any emergency medical services vehicles in a municipality or county other than the municipality or county from which the provider obtained the letter of approval under this section until after the second anniversary of the date the provider's initial license was issued, unless the expansion or stationing occurs in connection with:

(1) a contract awarded by another municipality or county for the provision of emergency medical services;

(2) an emergency response made in connection with an existing mutual aid agreement; or

(3) an activation of a statewide emergency or disaster response by the department.

(d) This section does not apply to:

(1) renewal of an emergency medical services provider license; or

(2) a municipality, county, emergency services district, hospital, or emergency medical services volunteer provider organization in this state that applies for an emergency medical services provider license.

(d) Subchapter C, Chapter 773, Health and Safety Code, is amended by adding Section 773.06141 to read as follows:

Sec. 773.06141. SUSPENSION, REVOCATION, OR DENIAL OF EMERGENCY MEDICAL SERVICES PROVIDER LICENSE. (a) The

ORIGINAL

CONTRACT FOR AMBULANCE SERVICES BETWEEN

THE COUNTY OF ROCKWALL EMERGENCY SERVICES CORPORATION

AND

MEDIC RESCUE, INCORPORATED

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CONTRACT FOR AMBULANCE SERVICES BETWEEN THE COUNTY OF ROCKWALL EMERGENCY SERVICES CORPORATION AND MEDIC RESCUE, INCORPORATED

This Agreement for Ambulance Services (this "Agreement") is entered into October 1, 2007 by and between the County of Rockwall Emergency Services Corporation ("Rockwall ESC" or "Corporation") and Medic Rescue, Incorporated, d/b/a Rockwall County EMS ("Medic Rescue"/ "Contractor").

WITNESSETH:

WHEREAS, Rockwall ESC desires to enter into an ambulance service agreement with Medic Rescue; and

WHEREAS, Medic Rescue will provide the ambulance service outlined in this Agreement to the Cities of Rockwall, Heath, Royse City, Fate, McLendon-Chisholm, Mobile City, all unincorporated areas within the County of Rockwall, and respond to emergencies when mutual aid is requested to the portions of Rockwall County located within the incorporated portions of Dallas, Rowlett and Wylie.

NOW, THEREFORE, it is hereby mutually agreed between Rockwall ESC and Medic Rescue as follows:

SECTION I. TERMINATION OF PRIOR CONTRACTS:

Both parties agree that this Agreement expressly supersedes and revokes all prior contracts and agreements between Rockwall ESC and Medic Rescue, and that, effective immediately, the prior Contract for Ambulance Services between Rockwall ESC and Medic Rescue, is hereby terminated.

SECTION II. DEFINITIONS:

The following definitions shall apply to terms as used throughout this Agreement and in the Attachments hereto:

Advanced Life Support (ALS) means emergency paramedic pre-hospital care that uses invasive medical acts, as such term may be subsequently defined in the Texas Health & Safety Code.

Arrival at Incident Location means the moment an ambulance crew notifies the Communications Center that the ambulance has arrived at its parking position at the scene of an incident (e.g., the entrance to a specific apartment building, not merely the entrance to the apartment complex in general; or an actual accident scene -- not merely an approach location within sight of the accident scene).

Base Service Work means all emergency and routine patient transports performed by the Contractor that originate within the Primary Service Area.

Basic Life Support (BLS) means emergency pre-hospital care that uses noninvasive medical acts; as such term may be subsequently defined in the Texas Health & Safety Code.

CAD System means the computer aided dispatch system provided by Medic Rescue which system shall meet or exceed the functional specifications set forth in Section VIII B.

Communications Center means the EMS communications center designated by Medic Rescue as the central communications center from which all ambulances operating in the Primary Service Area are dispatched and controlled.

Communications System means all mobile and portable radios; communications center telephone hardware, software and line services; communications system infrastructure including antennae, pagers, consoles, and console equipment.

Contract Year means each 12-month period during the term of this Agreement (and any extension thereof) beginning on October 1 12:01 a.m. and ending on September 30 12:00 p.m.

Dedicated Special Events Coverage means the posting of personnel and/or equipment at the location of a scheduled special event within the Primary Service Area. Personnel so assigned shall not depart the scene of the event for any reason except to transport a patient in need of immediate transport from the event location to a medical facility, in which case another unit shall be immediately dispatched to resume dedicated coverage of the special event. Contractor may temporarily substitute another response unit (Supervisor vehicle) until another transport-capable unit is available.

EMS System means that network of individuals, organizations, facilities and equipment, including but not limited to Medic Rescue, whose participation is required to generate a clinically-appropriate, pre-planned system-wide response to each request for pre-hospital care and/or interfaculty transport, so as to provide each patient the best possible chance of survival without disability, given available financial resources and then-current state of-the-art EMS technology.

First Responder means any person, fire department vehicle, police vehicle, or other vehicle not normally used for purposes of patient transport, but which vehicle and

onboard personnel are capable of providing first responder services (Basic Life Support or above) in medical emergencies.

Major Default shall mean the occurrence of an event or the existence of a condition as defined in Section XII. B. hereof.

Medical Director shall mean a licensed physician selected by Medic Rescue and approved by Rockwall ESC Board of Directors to serve as the contractor's chief medical officer. Medical Director is provided by Contractor.

Member Jurisdictions means the Cities of Rockwall, Heath, Royse City, Fate, Mobile City, McLendon-Chisholm, and all unincorporated areas within the County of Rockwall.

Mobile Intensive Care means treatment that meets the requirements of an Advanced Life Support emergency medical services provider; and has personnel and sufficient equipment and supplies to provide cardiac monitoring, defibrillation, cardioversion, drug therapy, and two-way radio communication.

Mutual Aid Import means an emergency response resulting in a patient transport originating within the Primary Service Area which is performed by an EMS provider other than the Contractor at the Contractor's request.

Mutual Aid Service Area means a response to emergencies when mutual aid is requested to the portions of Rockwall County which are located within portions of Rockwall County within the incorporated portions of Dallas, Rowlett and Wylie.

Overload Status means anytime current call volume (demand) exceeds scheduled and/or available ambulances to respond, facilitating the need for the additional and immediate staffing of additional personnel.

Patient Record Form means the written or electronically recorded patient records, in such reasonable form as is approved by Rockwall ESC, providing for documentation by field personnel on the approved form of all required medical information, billing information and other information related to a single Patient Contact.

Patient Contact means direct physical contact with, or on-site observation by the Contractor's personnel of, that person or persons for whom an ambulance was requested and dispatched.

Primary Service Area means the geographical area contained within the corporate city limits of each Member Jurisdiction City and all unincorporated areas within the County of Rockwall.

Priority One (Call for Service) means a 9-1-1 emergency call for EMS service. Requires an emergency response.

Priority Two (Call for Service) means a 9-1-1 call for EMS service that is designated as non-life threatening, using Medical Director approved call prioritization. Requires a normal, non-emergency response.

Response shall mean the dispatch by the Medic Rescue Communications Center of an ambulance, or EMS Supervisor vehicle to an incident.

Response Time Exception means anytime an ambulance transmits the "unit arrived on scene" status after the allotted contractual time has elapsed, the response will be considered a response time exception, also known as a "late response".

Response Time Exemption means a Response Time Exception that has occurred as a result of unusual factors beyond the Contractor's reasonable control, and has been approved as an exemption on a call-by-call basis by Rockwall ESC. These unusual factors are usually limited to unusually severe weather conditions, declared disasters or incorrect caller information as noted in this agreement. Equipment failure, traffic congestion, ambulance failure, EMS dispatch error, or other causes shall not be grounds for granting an exemption and no other causes of late response shall serve to justify exemption from response time requirements unless specifically authorized.

Rural (Area) means all areas within the County of Rockwall, including Fate, McLendon-Chisholm, and Mobile City, exclusive of the areas within the city limits of Rockwall, Heath, and Royse City, designation can be changed by mutual agreement.

Supervisor Vehicle An emergency vehicle staffed with an ALS provider, complete with all ALS equipment and supplies.

System Standard of Care means (i) the compilation of all Medical Priority Dispatch Protocols, medical protocols (i.e., for First Responders and ambulance crews), response time standards, standards for certification of pre-hospital care personnel (i.e. EMS dispatchers, First Responders, ambulance personnel, and base station physicians), and standards governing requirements for on-board medical equipment and supplies, all as set forth in this, and all state laws, rules and regulations governing ambulance services and/or EMS control center operations. The System Standard of Care simultaneously serves as both a contractual standard and, where applicable, a regulatory standard.

Transport (or Patient Transport) means the one-way transport by ambulance of a single patient. Furthermore, two patients transported in the same ambulance shall be considered two patient transports.

Urban (Area) means the corporate city limits of the cities of Rockwall, Heath, and Royse City, designation can be changed by mutual agreement.

SECTION III. TERM OF AGREEMENT AND END-TERM PROVISIONS

A. **Term of Agreement.** The base term of this Agreement shall commence at 12:00 a.m., October 1, 2007 and will be for a period of five (5) years, ending at 11:59 p.m., September 30, 2012. The Contractor may earn up to five (5) extensions of one (1) year each according to the following terms. To earn each extension, the Contractor must substantially exceed the minimum requirements of the contract during the previous one year term. Extensions must be applied for prior to 60 days before the end of each base contract year, and approved annually beginning with the first year of the contract. If granted, the first renewal (or sixth year) of the contract will be granted by the Rockwall ESC and will commence at the end of the existing base contract. This process will repeat for subsequent years of the base contract.

Any year the Contractor's performance has not substantially exceeded the minimum requirements of the contract and the Rockwall ESC does not grant an extension, or any year the Contractor does not apply for an extension will be removed from consideration; shortening the potential length of the contract.

B. **End-Term Provisions.** In the event the Contractor does not succeed itself at the end of the term of this Agreement (or any Rockwall ESC approved extension); the following end-term provisions shall apply:

1. Rockwall ESC or Designee shall hold a final inspection of any equipment and facilities that may have been provided for the Contractor's use by Rockwall ESC or City prior to midnight on the last day of this Agreement. All equipment furnished by Emergency Services Corporation or other City, shall be returned before final payment.

2. Rockwall ESC may withhold the Contractor's final payment for the last month of service rendered under this Agreement for a period not to exceed 30 days after receipt of the final invoice. During such time, the Contractor shall provide Rockwall ESC, or Designee access to all CAD System records for the purpose of reviewing the final invoice.

3. Except as expressly set forth in this Agreement, the Contractor shall have no further duties under this Agreement after the last day of this Agreement or any Rockwall ESC approved extension.

C. **Lame Duck Provisions.** Should the Contractor not succeed itself at the end of the term of this Agreement or any Rockwall ESC approved extension, Rockwall ESC shall depend upon the Contractor to continue provision of all services required under this Agreement until the successor contractor assumes service responsibilities. Under these circumstances, the Contractor will, for the remaining term of this Agreement, serve as a "lame duck" contractor. To ensure

continued performance fully consistent with the requirements of this Agreement throughout any such lame duck period, the following provisions shall apply:

1. The Contractor shall make no changes in methods of operation, which could reasonably be considered to be aimed at cutting the Contractor's service below that required by this Agreement in order to maximize profits during such lame duck period.

2. The Contractor shall continue all operations and support services at the same level of performance that were in effect prior to the award of the subsequent agreement to the successor contractor, including, but not limited to, compliance with the provisions related to the qualifications of key personnel.

3. Rockwall ESC recognizes that, if a competing bidder is awarded the contract in a subsequent bid cycle, the Contractor may reasonably begin to prepare for transition of service to the new contractor during the lame duck period, and Contractor shall not unreasonably withhold its approval of the new Contractor's requests to begin an orderly transition process, so long as such transition activities do not impair the Contractor's performance during the lame duck period or negatively impact the quality of patient care.

D. **Conditions for Extensions**. To earn each extension, the contractor must substantially exceed the minimum requirements of the contract during the previous one year term, according to the terms of this agreement. The following conditions apply:

1. **Exercise/Pricing of Option**. Extensions must be applied for prior to 60 days before the end of each base contract year and approved annually by the Rockwall ESC board, beginning with the first year of the contract. Subsidy requests, if any, for any earned extension year must be negotiated between the parties and agreed upon by the Rockwall ESC board prior to twenty-four (24) months of the commencement of said extension year.

2. **Evaluation of Contractor's Performance/Conditions for Extension**. Upon receipt, by Rockwall ESC, of the Contractor's request for an extension in accordance with Paragraph 1 above, the Rockwall ESC, or Designee shall conduct an evaluation and assessment of the Contractor's performance during the previous Contract Year. The following criteria are representative of the expectations of the Rockwall ESC regarding performance of the contractor and shall be minimum standards to be met by the Contractor during the previous Contract Year. The following criteria are representative of the expectations of the Corporation regarding performance:

(a) The Contractor has consistently achieved response time compliance during the previous Contract Year of Responses of 90% or greater for each measurable category outlined in Section IV, D, 3 Response Time Standards in this agreement. The Contractor shall be deemed to have failed this standard if the Contractor's response time performance falls below 90% compliance for two consecutive months during any Contract Year, regardless of whether such consecutive noncompliance relates to the same or a different priority Response.

(b) The Contractor consistently and timely delivers to Rockwall ESC, or Designee, during the previous Contract Year the monthly reports and documentation required by this Agreement with a minimum of inaccurate, deficient or missing documentation.

(c) The Contractor consistently demonstrates clinical performance during the previous Contract Year satisfying the requirements of the current System Standard of Care through regular reporting to the Corporation.

(d) The Contractor consistently maintains and projects to the general public during the previous Contract Year a professional image to the satisfaction of Rockwall ESC.

(e) The Contractor has met the terms of this agreement.

(f) The election to extend this agreement is solely a decision of the Corporation.

(g) Rockwall ESC may deny the Contractor's request for extension with or without cause.

3. **Expiration of Term.** If the Contractor fails to exercise its option to request an extension of this Agreement in accordance with the above sections or fails to obtain an extension in accordance with the above sections, the term of this Agreement shall automatically terminate (as applicable) at the expiration of the original term or any previously approved extension years.

E. **Medical Director Responsibilities**. The Medical Director is employed by Medic Rescue and is expected to provide medical direction and liaison responsibilities to the Corporation. The Medical Director is expected to oversee and regulate all clinical aspects of ambulance service which affect patient care. The Medical Director selected by Medic Rescue must be approved by the Corporation, or

Designee. The Medical Director, among other duties, shall provide input or direction to:

1. Establish standards for patient care, including standards for ambulance and first responder vehicles and on-board equipment;

2. Develop and revise Medical Protocols for ambulance service and First Responder Organizations;

3. Develop and revise Communications Center protocols;

4. Conduct medical audits and develop standards and procedures for the conduct of such audits;

5. Develop, revise and administer both written and practical tests for the certification and licensing of emergency medical services personnel, including ambulance personnel, First Responders, and EMS Communications Center personnel;

6. Develop, revise and administer educational material, programs and tests to ensure that base station physicians are knowledgeable concerning the EMS System, its medical protocols, radio procedures and transport protocols, and certify qualified physicians as base station physicians;

7. Conduct inspections of vehicles, equipment and supplies on both an announced and unannounced basis;

8. Monitor response time performance of the Contractor;

9. Conduct, on a periodic basis, intensive review of the EMS System's performance relative to specific clinical types and revise medical protocols and such other standards of the EMS System as may be appropriate;

10. Participate in the implementation and review of the Quality Improvement program implemented by the Contractor.

F. **Contractor's Functional Responsibilities.** During the term of this Agreement, the Contractor shall provide and manage delivery of ground ambulance services meeting or exceeding requirements of the System Standard of Care, and provide other ancillary services (e.g., medical standby services, public education and information services, etc.). The Contractor's clinical and Response Time performance must meet or exceed standards set forth in this Agreement and the System Standard of Care. The Contractor is the authorized and exclusive Contractor of emergency ambulance services. Medical control, protocols and standards of patient care are the responsibility of the Medical Director -- not the Contractor.

The listing below of Contractor responsibilities should be considered illustrative only and not complete. Along with other duties and responsibilities as defined within the scope of this agreement, the Contractor shall:

1. Employ, supervise and manage ambulance personnel and Communications Center personnel;

2. Provide or purchase all in-service training required of ambulance and Communications Center personnel;

3. Provide all equipment necessary to provide the services required of the Contractor under this Agreement;

4. Furnish all maintenance, insurance, and repairs for equipment utilized in the performance of this Agreement;

5. Furnish supply inventory and replacement supplies used by ambulance crews and maintain a system of inventory control;

6. Operate the Communications Center and ambulance system to meet all applicable staffing, clinical, and response time standards in compliance with state laws and regulations, the System Standard of Care, this Agreement and approved medical protocols;

7. Maintain good working relationships with First Responders to ensure continued first responder support; participate in on-scene equipment exchange program (when available); replace on a one-for-one basis supplies used by First Responders in rendering patient care (to the extent replacement supplies are stocked on the Contractor's ambulance); provide paramedic-assist training to First Responders without additional charge; and, make available by advance notice, at no additional charge, the Contractor's own in-service training programs to First Response personnel operating within the Primary Service Area;

8. Submit to the Corporation, or Designee, on a timely basis, as required by this Agreement, accurate and complete reporting on clinical, billing, and response time related data in a report format satisfactory to Rockwall ESC, see Attachment #1;

9. Secure at the Contractor's own expense such ambulance housing locations as the Contractor deems necessary;

10. Maintain good working relationships with law enforcement agencies in the Primary Service Area;

11. Ensure courteous, professional, and safe conduct of all ambulance personnel, Communications Center personnel, and other staff at all times;

12. Maintain neat, clean, and professional appearance of all personnel, equipment, and facilities;

13. Promote and maintain Contractor's good reputation through superior service and courteous and professional conduct, prompt response and follow-up to inquiries and complaints, leadership in community CPR programs, leadership in such community activities as health fairs, school demonstrations and civic affairs, and participation in local radio and television media events, business and social group meetings, etc.;

14. Maintain a current and extensive knowledge of developments in equipment, procedures, and research throughout the EMS industry.

15. Maintain state and/or local personnel certifications.

16. Inform Rockwall ESC, or Designee in a timely matter of activities, issues, and policy/procedure modifications (internal and external) that fall within the areas of the Contractor's responsibility and which come to the attention of the Contractor's management or which would reasonably be expected to be known to the management of a well-managed firm, and which may reasonably be expected to affect Rockwall ESC (positively or negatively);

17. Participate and cooperate with the Medical Director in its medical audits and investigations. The Contractor shall cooperate in scheduling personnel for audits and in securing related information, and the Contractor's training officer or his designee shall attend every medical audit session to ensure that medical audit findings are routinely translated into system-wide improvements by way of pre-service training, in-service training, protocol changes, or other appropriate methods;

18. Participate actively in public information and public education programs.

19. Participate with emergency preparedness/disaster response by sending at least one representative to any and all emergency-management related training classes as requested by Rockwall ESC or any Member Jurisdiction. Such training may include, but is not limited to tabletop exercises, functional exercises, full-scale exercises, mass casualty training, etc.

20. Provide pre-hospital care and transportation of prisoners in custody of prisoners in custody of the County whose medical condition requires transportation by ambulance, to pre-designated hospital(s) within Rockwall

County or to a Dallas County hospital if the patient's condition requires a higher level of care. Fees for this service are included in the cost of this Agreement.

21. Provide Contractor representation at Rockwall ESC monthly meetings.

SECTION IV. OPERATIONS MANAGEMENT PROVISIONS

A. **Scope of Service.** The Contractor shall furnish all emergency and ground ambulance service for the entire population of the Primary Service Area. Aero medical helicopter rescue services will be provided by other agencies and will not be the responsibility of the Contractor.

All ambulances shall be staffed and equipped to render ALS care at the MICU level. Each ambulance will be staffed with at least two crewmembers, both of whom shall be certified emergency medical technician-paramedic.

In the event an overload situation occurs, where an unexpected event or events results in system demand outstripping Contractor's scheduled resources, the Contractor will make every attempt to staff additional ambulances, placed in service at the required two (2) certified emergency medical technician – paramedic level. In the rare occurrence that an emergency call is holding and the only available crew is comprised of a certified emergency medical technician (EMT) and an certified emergency medical technician – paramedic, that crew may respond to a system request until additional paramedic personnel are available. Any such instance must be reported to the Rockwall EMS Board during the next scheduled meeting. The Contractor is exempt from this requirement during a declared mass casualty (MCI) or disaster situation.

Additionally, the Contractor shall furnish stand-by special events coverage, mutual aid services, and medical dispatch services, as specified in this Agreement. Rockwall ESC expects the Contractor to cooperate and assist in identifying and reducing the number of ambulance transports that are not medically necessary.

B. **Contractor Collections.** Contractor will be responsible for billing all ambulance calls and will use all available recourses, including the services of a collection agency if necessary, to maximize the collection rate of all fee-for-service accounts, to minimize reliance on tax-based subsidy.

Rate Approval. Rockwall ESC must approve Contractor billing rates (Attachment #2).

C. **Response Time Performance.** System response times are a key unit of measurement to which today's high performance ambulance services are held.

This measurement is the determining factor that drives the placement and redeployment of the system's resources throughout the entire system. All response times in the Contractor's system are to be measured in seconds, not whole minutes.

The Contractor shall use its best efforts to minimize variations or fluctuations in response time performance. Superior response time performance by the Contractor during one part of a month shall not justify inferior response time performance during the remainder of the month.

The Contractor shall not be held accountable for emergency or non-emergency response time compliance for any request for service originating outside the Primary Service Area, nor will these calls be counted in the number of total calls used to determine response time compliance under this Agreement. For presumptively designated emergency calls, the Contractor will cause the notification of the appropriate First Responder agencies in accordance with then current standards as mutually agreed upon by all agencies involved.

D. **Response Times.** Response times in the Primary Service Area shall be determined as follows:

1. **Response Time Measurement.** Priority 1 and Priority 2 response times shall be measured via the CAD System from the moment of receipt at the Contractor's Communications Center of a valid address, type of call and callback number, until the Contractor's Communications Center is notified of the first arriving MICU ambulance approved for transport, or Supervisor Vehicle staffed with a certified emergency medical technician-paramedic's arrival at the incident/location. Each incident will be counted as a single Response regardless of the number of units that respond.

   The parties understand and agree that to avoid delaying actual patient contact; "arrival" notification shall normally be given immediately prior to parking the ambulance -- not after the ambulance has been parked. In cases of response to incidents where there is reason to believe the scene is unsafe, either by approved protocol or incident-specific factors, the Contractor's response time clock shall be stopped the moment its ambulance arrives at a safe or designated staging area proximate to the scene. In responses to locations lacking access by way of a street or road maintained for public or private use, response time shall be measured as the interval between time-call-received and the moment the responding crew advises the Communications Center that they are leaving the paved street or road to access the patient.

2. **Upgrades, Downgrades and Reassignments.** From time to time special circumstances may cause changes in call priority classification. Response time calculations for determination of compliance will be as follows:

(a) **Upgrades.** If a Response is upgraded prior to Arrival at Incident Location (e.g., from Priority 2 to Priority 1), the Contractor's compliance will be calculated based on the time elapsed from the time of upgrade to Arrival at Incident Location.

(b) **Downgrades.** If a Response is downgraded prior to Arrival at Incident Location (e.g., from Priority 1 to Priority 2), the Contractor's compliance will be calculated based on the time of receipt of the downgrade as follows:

(1) If the Priority 1 Response is downgraded after the response time standard has elapsed, the Response will be recorded as a late Priority 1 response, or

(2) If the Priority 1 Response is downgraded before the response time standard has elapsed, the time required to drive non-emergency to the scene is expected from the contractor.

All downgrades will be subject to protocols developed by the Medical Director.

(c) Reassignment enroute. If an ambulance is reassigned enroute, prior to Arrival at Incident/Location (e.g., to respond to a higher priority request), the Contractor's compliance will be calculated based on the response time standard applicable to the assigned priority of the initial Response. The response time clock will not stop until the Arrival at Incident/Location on the scene from which the ambulance was diverted.

3. **Response Time Standards.** The Contractor must comply with the agreement by meeting the specified response times. The priority designation of an assignment is accomplished by presumptive prioritization in accordance with then current Medical Protocols. The Contractor will be deemed to be in compliance if 90% or more of all Patient Contacts, measured monthly, meet the following specified response time criteria:

Priority	Maximum Urban Response Time	Maximum Rural Response Time
1 *Emergency Response*	7:59 min	11:59 min
2 *Emergent Response*	11:59 min	14:59 min

Failure to comply with the response time standards could lead to Contractor default and/or failure by the Contractor to obtain Rockwall ESC approval for future extension requests as described in Sections XII and III, D., respectively.

(a) The Contractor's Supervisor Vehicle, staffed with a licensed emergency medical technician-paramedic may "stop the clock" on Arrival at Location/Incident. This apparatus may be used to compliment, not supplement a Mobile Intensive Care Unit's response. Should the Contractor choose to dispatch an appropriately staffed Supervisor Vehicle, the MICU must arrive within 14:59 minutes after initial receipt of the call at the Contractor's Communications Center. Each incident will result in an activity report to the Corporation, detailing the Supervisor Vehicle's response time, and the responding MICU' response time so any delay in the arrival of a transport capable ambulance can be identified.

(b) For every Response (resulting in Patient Contact) in every presumptively defined category exceeding the response time standards set forth above, the Contractor shall submit a written report, at least monthly, documenting the cause of the late response time and the Contractor's efforts to eliminate recurrence.

(c) Services provided by any party other than the Contractor under a mutual aid agreement shall not relieve the Contractor of its response time responsibilities for those Responses. If the response occurred in the Primary Service Area it will be subject to the same standards and criteria, required of the Contractor under this Agreement.

4. **Response Time Exceptions and Exemptions.** The Contractor shall maintain mechanisms for reserve production capacity to increase production should temporary Overload Status persist. However, it is understood that from time to time, unusual factors beyond the Contractor's reasonable control affect the achievement of the specified response time standards. For purposes of determining the Contractor's compliance with

the response time standards set forth herein, every request for ambulance service originating within the Primary Service Area shall be counted, except as follows:

The following shall not, for purposes of reporting response times, be counted as a Response or as a Response Time Exception:

(a) Responses not resulting in Patient Contact, unless the call was cancelled by the caller after expiration of the applicable response time standard; and/or

(b) Responses occurring:

(1) during a period of severe weather conditions, such that response time compliance is either impossible or could be achieved only at a greater risk to EMS personnel or the public than would result from delayed response; and

(2) requests during a disaster, locally or in a neighboring jurisdiction (in accordance with a Rockwall ESC approved mutual aid agreement), in which the Contractor is rendering.

The following (c & d) shall be counted as a Response and shall not be counted as a late response,

(c) Responses in which the Contractor can fully document that the response time was excessive as a direct result of incorrect location provided either by the individual caller or by another agency.

(d) Responses in which the Contractor can fully document that the response time was achieved within the appropriate criteria which may appear as late runs due to miscellaneous circumstances.

No other causes of late response (e.g. equipment failures, traffic congestion, vehicular accident regardless of origin, ambulance failures, dispatch errors, or inability to staff units) shall serve to justify exemption from response time requirements.

In all cases, if the Contractor believes that any Response or group of Responses should be exempted from the calculation of the response time standards due to reasons listed in (a) – (d), above, the Contractor must provide detailed documentation to Rockwall ESC, or designee and request that these runs be excluded from the response time calculations. Any such request must be in writing and received by the Corporation or designee within fifteen (15) business days after the end of each month.

Rockwall ESC or designee will review the request and issue a determination. Rockwall ESC's ruling shall be final and binding.

5. **Response Time Audit Trail.** The Contractor shall develop and maintain a system to assure a complete audit trail for all response times, which shall be incorporated into the software program operating the CAD System.

SECTION V. SCOPE AND QUALITY OF WORK

In consideration of the compensation provided for herein, the Contractor shall perform as follows:

A. **General Service Requirements.** The Contractor shall, throughout the term of this Agreement, cause every request for ambulance service from within the Primary Service Area to be answered and managed by a certified Emergency Medical Technician (EMT) with Emergency Medical Dispatch (EMD) training; dispatch an MICU ambulance to every such request; transport every patient requiring transport to a medical facility by an MICU ambulance.

The Contractor shall report to Rockwall ESC any specific individuals who are chronic abusers of the transport requirements of the EMS System. Subject to the System Standard of Care established by the Medical Director for such identified abusers, the Contractor may decline to transport such individuals.

B. **Performance Standards.**

1. **Clinical Requirements.** The clinical requirements under this Agreement are established by Rockwall ESC in accordance with the System Standard of Care. The applicable medical protocols shall be the most recent protocols approved by the system Medical Director and approved by the Corporation. The Contractor is required to fully comply with the System Standard of Care with respect to its clinical performance, and in so doing, the Contractor's clinical performance satisfies the scope of this specification. The Contractor's failure to do so may constitute a Major Default as provided in Section XII hereof.

2. **Contractor Communications Center Requirements.** Rockwall ESC expects that emergency lines will be answered on the first ring, and the Contractor shall take such steps as are reasonably necessary to staff and operate the Communications Center in order to meet this standard. All medical communications personnel, at a minimum, shall be certified as Emergency Medical Technicians, and shall have and maintain Emergency Medical Dispatch training.

Failure of the Contractor to respond to a call or failure to transport or to render emergency medical patient assessment and treatment, as appropriate, or to otherwise refuse or fail to provide ambulance services originating within the Primary Service Area because of the patient's perceived, demonstrated or stated inability to pay for such services, or because of the unavailability or location of any ambulance unit at the time of the request for ambulance service, may constitute a Major Default.

3. **Professional Appearance, Conduct, and Courtesy Requirements.** County of Rockwall Emergency Services Corporation expects professional and courteous conduct at all times from all Contractor personnel. The Contractor is encouraged to consider this requirement in conducting personnel selection. Also, any occasional transgressions regarding professional and courteous behavior must be immediately addressed and corrected by the Contractor. Failure of the Contractor to achieve this standard may constitute a Major Default under this Agreement.

4. **Dress/Appearance Code.** Contractor shall require a mutually approved standard dress/appearance code to be implemented to include, but not limited to, a standard uniform to be worn by all crewmembers. Each employee uniform shirt shall have the employee's name and level of Texas Department of State Health Services EMS certification.

5. **Quality Improvement Program.** It is the Corporation's desire that the Contractor develops and implements a comprehensive Quality Improvement (QI) program for the EMS System. To this end, the Contractor shall implement and maintain an organized, budgeted, scheduled, and effective Quality Improvement program.

6. **Community Service and Education Requirements.** The Corporation desires that the Contractor participate in community education programs emphasizing preventative health care. These programs are to be made available to schools and community groups located or operating within the Primary Service Area. It is Rockwall ESC's expectation that the Contractor will plan such programs working collaboratively with other public safety and EMS-related groups, such as the American Heart Association, the American Red Cross, and local fire departments.

7. **Stand-by and Special Events Coverage.** Upon request by law enforcement and fire department dispatchers, the Contractor shall, without additional compensation, furnish standby coverage at emergency incidents within the Primary Service Area involving a potential danger to the personnel of the requesting agency or to the general public.

   (a) Other entities and organizations may request Dedicated Special Events Coverage from Contractor. The Contractor shall provide

such Dedicated Special Events Coverage if reasonably possible, only in such a way as to not interfere with the performance requirements of this agreement.

8. **Location of System Resources.** The Contractor will use its system resources located in Rockwall County in order meet the requirements of this agreement. The Contractor will not attempt to operate the provisions of this agreement from neighboring counties or locations using shared resources.

9. **Equipment and Supply Replenishment.** The Contractor shall develop mechanisms to exchange reusable orthopedic appliances and restock disposable and BLS and ALS medical supplies used by First Responders when treatment has been provided by First Responder personnel and patient care is assumed by the Contractor's personnel. Equipment and supplies stocked on the Contractor's ambulances shall be exchanged on a one-for-one basis. Whenever possible, this exchange should be accomplished at the scene. If patient care or circumstances at the scene prevent an on-scene exchange, the Contractor shall arrange to accomplish the exchange as soon as reasonably possible.

10. **Return to Station.** In any situation in which First Responder personnel assist the Contractor during transport, the Contractor shall provide or arrange return transportation for such personnel to their station or post as soon as reasonably possible.

C. **Disaster Assistance.** The Contractor shall actively participate with Rockwall ESC and Member Jurisdictions in planning for and responding to any declared disaster in any of the Primary Response Area. Mass casualty incident plans and emergency disaster plans following Incident Command System (ICS), Incident Management System (IMS) or other uniform command system guidelines have been developed and provided to the Contractor. The Contractor shall commit such resources as are necessary and appropriate, given the nature of the disaster, and shall assist in accordance with disaster plans and protocols established by each Member Jurisdiction.

The disaster-related provisions of this Agreement are:

1. During such periods, the Contractor shall be released from response time performance requirements for all Responses, until notified by Rockwall ESC, or designee that disaster assistance may be terminated, and for a reasonable period thereafter to allow orderly restoration of coverage. At the scene of such disasters, the Contractor's personnel shall perform in accordance with local disaster plans.

2. When disaster assistance has been terminated, the Contractor shall resume normal operations as rapidly as is practical considering exhaustion of personnel, need for restocking, and other relevant considerations.

3. During the course of the disaster, the Contractor shall use its best efforts to maintain emergency service throughout the Primary Service Area, and is encouraged to suspend or ration non-emergency transport work as necessary, informing persons requesting such non-emergency service of the reason for the temporary suspension.

4. At the conclusion of such disaster assistance, the Contractor shall determine its direct marginal costs incurred in the course of rendering disaster assistance (i.e., production costs incurred by the Contractor that would not have been incurred if disaster assistance had not been rendered) that are not recoverable from third parties, and shall present such cost statement to the Corporation, or designee for review, acceptance, and reimbursement. The cost statement associated with rendering aid under disaster conditions shall be based solely upon the direct marginal costs incurred by the Contractor in the course of rendering such disaster assistance, and shall not include costs of maintaining production capacity that would have been borne by the Contractor to meet normal service requirements if the disaster had not occurred. Reimbursement shall be made only in regard to actual, reasonable and verifiable direct marginal costs incurred.

D. **Mutual Aid**. The Contractor shall enter into or maintain mutual aid agreements with other providers which will utilize the other Contractor's units and personnel to occasionally respond to calls within the Primary Service Area, provided that such mutual aid agreements are first approved in writing by the Corporation. The Contractor will only enter into mutual aid agreements that support emergency medical service in the Primary Service Area.

All services provided by any party other than the Contractor under a mutual aid agreement shall be subject to the same standards and criteria, including response times, as required of the Contractor under this Agreement. Any mutual aid utilized by the Contractor may only supplement, and not replace, the services required of the Contractor under this Agreement.

SECTION VI. FINANCIAL PROVISIONS

In addition to provisions herein allowing the Contractor's use of facilities and/or equipment provided by Rockwall ESC or any Member Jurisdiction, the following provisions for monetary compensation are agreed to by the parties:

A. **Payment for Services.** Rockwall ESC shall pay the Contractor the monthly amount of (see fee schedule below) for service rendered under this agreement, said payment to be made within five (5) business days after the end of the month. The monthly amount for this five (5) year contract will be based on the following fee schedule.

Budget Year	07-08	08-09	09-10	10-11	11-12
Subsidy per Year	$444,359	$452,089	$458,326	$464,537	$470,756
Subsidy per Month	$37,030	$37,674	$38,194	$38,711	$39,230

B. **Adjustment for Increased Standards of Production.** The Contractor shall be entitled to apply for a negotiated adjustment to the Contractor's monthly payment (subsidy) and/or billing rates in the event of (i) externally-imposed changes in the requirements of this Agreement, including changes in the System Standard of Care, or (ii) changes in applicable federal, state, or local laws, rules or regulations, when such changes require adjustments to the Contractor's operations which may reasonably be expected to increase the Contractor's cost of producing the services which are the subject of this Agreement. For purposes of this provision, "externally-imposed" means a change which is mandatory, unavoidable and not optional to the Contractor, regardless of whether enactment of such change was initiated or supported by the Contractor, or a change which, in the exercise of the Contractor's judgment and experience, could not have been reasonably anticipated by the Contractor, including changes in external market forces. In determining the amount of any such compensation adjustment, the following stipulations shall apply:

1. The burden of proving the fact and amount of such actual and reasonable financial impact upon the Contractor's production costs shall rest entirely with the Contractor.

2. This provision shall not apply to changes in production standards, which were known to the Contractor, or which should have been known to a well-managed ambulance company at the time this Agreement was signed.

3. The standard in question must actually constitute an increase in requirements—not merely a clarification of a previously existing standard or an application of the "rule of reason" to interpret an existing standard.

4. In applying for such actual-cost increases in compensation, the Contractor must clearly demonstrate to the Corporation's satisfaction that the stated costs are actual, unavoidable, and in addition to costs which would have been incurred by the Contractor if the new standard had not been imposed.

5. Training-related costs shall be considered only to the extent such training is in excess of in-service and other training requirements of this Agreement, the proposal and/or the System Standard of Care, and in the

opinion of the Medical Director and the Corporation, could not reasonably have been incorporated within regularly-scheduled training sessions.

6. In the event applicable federal, state, or local laws, rules or regulations, are relaxed so as to permit changes in the Contractor's operations which may reasonably be expected to decrease the Contractor's cost of producing the services which are the subject of this Agreement, the base service monthly payment shall be subject to reduction using the same methods of adjustment which are applicable to an increase in standards.

7. Any adjustment to the Contractor's base service monthly payment attributable to a change in applicable laws, rules or regulations shall be made as of the effective date of the new or amended law, rule or regulation.

C. **Adjustment in Monthly Billing Rate (Subsidy).** For the term of this agreement there will be no anticipated or scheduled adjustment to the subsidy payments, except as provided in part B., above. Adjustments (increases or decreases) to the payment for services may be requested and negotiated as part of the requested extensions.

D. **Exclusive Service Agreement.** Participating jurisdictions agree to utilize the Contractor solely within their jurisdictions. Exclusive service agreement shall include all requests for emergency and non-emergency transports and requests, including requests originating from nursing homes, hospice, and other long-term medical health care facilities. Member Jurisdictions are encouraged, through contacts with the Corporation, to exclusively use the Contractor's EMS services and to that end develop and employ "City Ordinances" whenever possible.

E. **Adjustments For Withdrawal of Member Jurisdiction.** In the event a Member Jurisdiction withdraws from the Rockwall ESC or withdraws from participation in EMS Special Services, either the Corporation or the Contractor may negotiate rate adjustments. A request of this nature must be made to the other party within 30 days after a member jurisdiction has officially withdrawn from the Corporation.

SECTION VII. GENERAL PROVISIONS

A. **All-ALS, Full-Service System.** All ambulances rendering services pursuant to this Agreement, whether engaged in response to a 911 medical request, other request for emergency, or Dedicated Special Events Coverage, shall be staffed and equipped to render MICU paramedic-level care, unless otherwise approved by the Corporation.

B. **Nature of Commitment.** The nature of contractual commitment by the Contractor shall be performance, not "level-of-effort." Clinical and response time

performance shall be reliable, with equipment failure and human error held to an absolute minimum through constant attention to performance, protocol, performance auditing, failure analysis, and prompt and definitive corrective action. This Agreement requires the highest levels of performance and reliability, and the mere demonstration of effort, even diligent and well-intentioned effort, shall not substitute for required performance results. The Contractor is specifically being retained for its expertise in effectively managing the efficient delivery of paramedic ambulance services.

C. **Profit and Loss.** As this Agreement is a "fixed-price performance contract for requirements," and not a "cost-reimbursable, level-of-effort contract," any discrepancy between the Contractor's actual cost of providing the contracted services at the System Standard of Care and the Contractor's total net revenues from the delivery of those same services, whether profit or loss, shall not constitute grounds for compensation adjustment or relief from contractual performance commitments.

D. **Use Own Expertise and Judgment.** The Contractor is specifically advised to use its own best expert and professional judgment in deciding upon the methods to be employed to achieve and maintain the levels of performance required hereunder. Such methods include compensation programs, shift schedules, personnel policies, supervisory structures, vehicle deployment techniques, and other internal matters which, taken together, comprise the Contractor's own strategies and tactics for achieving the performance standards required by this Agreement.

E. **Business Volumes Not Guaranteed.** Rockwall ESC declines to put forth any representations, estimates or predictions regarding the frequency of 911 medical requests, which may originate within the Primary Service Area during the term of this Agreement, or the percentage of such Patient Contacts which may result in patient transports which the Contractor may receive.

F. **Compliance With Laws.** All services furnished by the Contractor under this Agreement shall be rendered in full compliance with applicable federal, state and local laws, ordinances, rules and regulations. It shall be the Contractor's sole responsibility to determine which laws, rules, and regulations apply to the services rendered under this Agreement, and to maintain compliance with those applicable standards at all times. The Contractor also shall comply with the provisions of all regulations and written guidelines established by the Medical Director.

G. **Outside Work.** Except as otherwise provided, should the Contractor desire to use any Rockwall ESC provided equipment or services to clients other than those within the Primary Response Area, the Contractor shall submit to the Corporation, or designee a written request for approval of such use, and provided

the following conditions are met, such approval shall not be unreasonably withheld.

(1) **Added Personnel, Vehicles, and Equipment.** The Contractor shall expand its production resources at its own expense, as necessary to conduct the additional business without decreasing service to the Primary Service Area.

(2). **Trade Name for Outside Work.** All such outside work shall be performed under the Contractor's own trade name and, if applicable, license – not those of "County of Rockwall Emergency Services Corporation".

H. **Permits & Licenses.** The Contractor shall be responsible for obtaining all necessary licenses, permits, and certifications required for initiation and completion of its work under this Agreement. The Contractor shall make all necessary payments for licenses and permits to conduct its business and duties under this Agreement. The Contractor shall take such steps as are necessary to renew all licenses and permits on a timely basis. The Contractor shall ensure that all of its employees hold valid and current state and local certifications as are required to meet the Contractor's responsibilities under this Agreement.

I. **Inspections and Audits.** Rockwall ESC, or it's designee, and the Medical Director may, at any time, and without notification, directly observe the Contractor's operation of the Communications Center, maintenance facility, and any ambulance post location, and may ride as a "third person" observer on any ambulance unit at any time. Provided, however, that in exercising this right to inspection and observation, such representatives shall conduct themselves in a professional and courteous manner, shall not interfere in any way with the Contractor's employees in the performance of their duties, shall at all times be respectful of the Contractor's employer/employee relationships, and shall be subject to such reasonable risk-management requirements as may be specified by the Contractor, including but not limited to compliance with applicable OSHA requirements and execution of a waiver of liability.

Rockwall ESC, or it's designee, and the Medical Director shall have the right, upon at least 48 hours advance notice to the Contractor (provided, however, no advance notice shall be required if the Corporation has a reasonable basis to suspect fraud or willful falsification of data), to audit all reports, data, and financial information that the Contractor is required to provide and/or maintain under this Agreement. All audits may be conducted only during normal business hours and in such manner as to cause as little interference with the Contractor's normal operations as reasonably possible.

J. **Vehicle Markings & Advertising Restrictions.** Rockwall ESC shall have the right of prior approval of the form and content of all public information and advertising, direct or indirect, utilized by the Contractor in conjunction with

services and operations related to this Agreement. In general, all vehicle markings, local advertising, employees' uniforms and uniform markings, public information material and programs, and "Yellow Pages" advertising shall utilize Contractor's – not the "County of Rockwall Emergency Services Corporation" name and trademark.

K. **Emergency Driving Privilege.** All applicable state rules and regulations governing emergency and non-emergency vehicle driving privileges shall be observed during the term of this Agreement. The Contractor shall require all of its vehicles to be operated in a safe, courteous, and professional manner at all times.

L. **No On-Scene Collections.** Except as approved by the Corporation, or designee the Contractor's personnel shall not request or accept payment, on scene or at the time of service, for ambulance services rendered.

M. **Annual Review and Evaluation of EMS System.** Rockwall ESC and the Contractor acknowledge that continual review and evaluation of the entire EMS System will be beneficial to both the providers and users of emergency and non-emergency ambulance services. To this end and to enhance the Contractor's ability to serve this Agreement on an on-going basis, the Contractor, and the Medical Director shall jointly conduct an annual review and evaluation of the entire EMS System, including the performance and delivery of services by the Contractor under this Agreement. Such review and evaluation process may result in improvements in the delivery of ambulance services, further cost efficiencies, and possible changes to the System Standard of Care. It is anticipated that such review and evaluation shall be conducted during July of each year during the term of this Agreement. The parties agree to cooperate with each other and to provide such information as is reasonably requested by any party participating in this review and evaluation process. The parties recognize that such information may involve trade secrets and commercial and financial information that could be of value to the Contractor's competitors and that such information is extremely proprietary in nature, containing information for which a significant amount of money has been expended by the Contractor in developing and which could not be properly acquired or duplicated by the Contractor's competitors without a great deal of difficulty. Therefore, Rockwall ESC agrees that should it receive any Open Records Request for such information under applicable law, it will promptly notify the Contractor, provide the Contractor with a copy of the request, and will not release such information to the requesting party (unless otherwise advised by the Corporation's legal counsel) before allowing the Contractor a reasonable period of time (not to exceed any deadline imposed by applicable law) to object to the disclosure of such information by the Corporation. Any such objection shall be in writing and shall specify the exceptions under applicable law which would permit Rockwall ESC not to release such information.

N. **Force Majeure.** Notwithstanding anything else contained in this Agreement, the Contractor shall not be responsible to the Corporation for any loss or damage resulting from any delay or failure in performing services or complying with any other provision of this Agreement if the delay or failure results directly from (a) compliance with any mandatory law, ruling, order, regulation, requirement or instructions of the government of the United States of America, or of any state, agency, political subdivision or local government thereof, or any civil or military authority, but only to the extent compliance therewith prevents or substantially limits the Contractor's ability to fully and timely perform its duties hereunder; (b) acts of God occurring within the Primary Service Area, including earthquakes, fires, hurricanes, tornadoes, storms and floods; (c) riots, insurrections, civil disturbances, explosions, nuclear accidents, or wars; (d) intentional acts of Rockwall ESC that substantially and materially interfere with or prevent the Contractor's performance under this Agreement; or (e) any strike, slowdown, mass resignation, mass absenteeism, or any type of concerted work stoppage by employees of emergency medical services providers occurring on a national or regional basis but expressly excluding any such labor difficulties experienced only by the Contractor or its affiliates. Any delay resulting from any such causes shall extend performance accordingly, or excuse performance in whole or in part, but only to the extent and only for such period of time as the Contractor diligently and expeditiously attempts to remedy the delay in performance caused by such event of Force Majeure. In the event any event of Force Majeure results in the delay or failure of the performance of services by the Contractor hereunder for more than three (3) consecutive days, the parties agree to immediately meet and use their best efforts to resolve the problems caused by such event of Force Majeure. Nothing in this section shall in any way limit, impede or delay the Corporation's right and ability to draw on, or recover against, the performance security pursuant to section "Major Default & Takeover Provisions" hereof, and in connection therewith, any assertion by the Contractor of an event of Force Majeure shall be subject to the provisions of section "Major Default & Takeover Provisions".

O. **Ambulances.** The Contractor shall acquire at no cost to the Corporation, all ambulances and other vehicles necessary to perform the requirements of this agreement. All ambulances will be Type I or Type III M.I.C.U.'s fully compliant with all applicable local, state and federal laws. These units must be licensed through Texas Department of State Health Services (Texas DSHS) and must be appropriately stocked with equipment and supplies, and must be capable of being staffed to accommodate Overload Status demands.

The Contractor will maintain its M.I.C.U.'s in good working order and meet Texas DSHS's inspections or will replace the unit at no cost to the Corporation. All units used in the provision of services in this Agreement will be maintained through the company's fleet maintenance program and will not exceed 250,000 miles.

SECTION VIII. DATA COLLECTION & REPORTING SYSTEM

A. **Data Collection and Reporting.** All records and data maintained and collected by the Contractor in the delivery of services under this Agreement shall be made available to the Corporation, or it's designee, upon request. The Contractor shall meet all requirements of Section VIII within six months after the commencement of this contract. The Contractor is encouraged to meet the requirements of Section VIII in as short of time as possible.

B. **Computer Aided Dispatch (CAD) System.** The Contractor shall provide, maintain, and operate, a computer aided dispatch system to record dispatch information for all ambulance requests. The CAD time recording system shall include the date, hour, minutes and seconds. All telephone communications, including pre-arrival instructions and time track, and radio communications shall be recorded on tape and made available for Rockwall ESC's review for a minimum of 90 days after the date of recording. The CAD System shall be capable of the following minimum requirements:

1. electronic data entry of every Response on a real-time basis;

2. prioritization of deployment planning, displaying calls received for runs pending, runs in progress, and status of ambulance resources available for service;

3. continuous display of unit time in each response status. Automatic display of units exceeding pre-determined "time in status" criteria for deployment and crew safety;

4. immediate recall on any current, previous, or pre-scheduled run for inquiry by date, incident number, location or patient name, available for immediate recall for the contract period. Data older than 180 days must be made available to the Corporation within five (5) business day after the Contractor's receipt of such request;

5. on-line, real time visual display showing a deployment plan and prioritization of Primary Service Area coverage for that time of day and day of week. Visual displays of deployment plans must be available for both actual and hypothetical ambulance availability levels;

6. security features preventing unauthorized access or retrospective adjustment and full audit trail documentation.

C. **Communication Center Data Capabilities.** The CAD System must be capable of producing the following reports to be utilized, among other purposes, in measuring response time compliance:

1. emergency life threatening and non-life threatening response times by Member Jurisdiction and by user definition, including CAD notes for late calls;

2. out-of-chute response times by crew members;

3. on-scene times;

4. hospital drop times by crew members;

5. emergency and non-emergency responses by hour and day;

6. dispatch personnel response times reports;

7. cancelled run reports;

8. response districts (jurisdictions).

If the CAD system is at any time inoperable or malfunctioning, the Contractor shall fully complete a manual "dispatch card" (in such form as approved by the Corporation, or it's designee) for each dispatch of an ambulance while the CAD system is inoperable. Immediately following the normal operation of the CAD system, the Contractor shall enter the manual dispatch cards into the CAD system.

SECTION IX. EQUIPMENT & FACILITIES

Equipment and facilities furnished by Rockwall ESC for the Contractor's use in rendering the services under this Agreement are furnished by the Corporation and accepted by the Contractor subject to the following:

A. <u>Equipment and Facilities Furnished by Rockwall ESC.</u>

1. **Communications System.** The Corporation represents that the Communications System equipment provided for Contractor shall be in good working order and condition as of the effective date of this Agreement..

2. **Facilities.** The Corporation or Member Jurisdictions may provide EMS housing facilities to Contractor.

B. <u>Maintenance of Equipment Furnished by Rockwall ESC.</u>

1. **Communications System.** The Communications System shall be maintained and repaired by the City of Rockwall during the term of this

Agreement, except for losses and repairs due to loss, theft, abuse or neglect for which the Contractor shall be liable. The Contractor shall be responsible for coordinating the installation of all mobile communications equipment. The Corporation shall be responsible for providing and maintaining emergency communication interfaces [which now exist or may be required in the future as part of the Communications System.] The Contractor shall be responsible for the costs of reinstalling mobile communications equipment in replacement vehicles upon retirement of vehicles from the initial fleet.

C. **Facilities and Equipment Furnished by Contractor**

1. **Ambulances and Other Vehicles.** Contractor shall provide such number and type of ambulances and other vehicles as are necessary to allow the Contractor to perform all of its obligations under, and to meet or exceed all performance criteria required of the Contractor by this Agreement. All costs of maintenance and repairs for the ambulances and other vehicles provided by Contractor, including parts, supplies, spare parts and inventory, labor, subcontracted services, and costs of extended maintenance contracts and extended warranties, and vehicle licenses, shall be the Contractor's sole responsibility and expense. The Contractor shall be responsible for the washing of all ambulances and support vehicles, interior and exterior. The Contractor shall be responsible for the cost of all licenses and permits for the ambulances.

2. **Supplies for Basic and Advanced Life Support Services.** The Contractor at its expense shall provide all supplies necessary and required to perform basic and advanced life support services under this Agreement.

3. **Other Equipment Provided by Contractor.** The Contractor shall provide such other equipment and facilities as are necessary to perform all of its obligations under, and to meet or exceed all performance criteria required of this Agreement. All costs of maintenance and repairs of such other equipment shall be the Contractor's sole responsibility and expense.

   (a) Stretchers. Contractor shall provide one (1) stretcher for every ambulance.

SECTION X. PERSONNEL PROVISIONS

A. **Character and Competence of Personnel.** All persons employed by the Contractor in the performance of work under this Agreement shall be competent and holders of appropriate licenses and permits in their respective trades or professions. The Contractor shall discharge or reassign outside the Primary

Service Area any employee who repeatedly engages in acts of misconduct or is chronically incompetent or negligent in the due and proper performance of such employee's duties.

B. **Reasonable Work Schedules/Working Conditions/Compensation**. While this Agreement is a "performance contract," and while the Contractor is not only allowed but required to employ its own methods and techniques for producing the required performance reliably and efficiently, the Contractor is expressly required to utilize reasonable work schedules, shift assignments, working conditions, shift-length, specific workload management standards and real-time workload management practices. The primary issues are patient care and employee safety, and the Contractor shall employ policies which ensure that field personnel working extended shifts and overtime are not without rest to an extent that might impair judgment or motor skills.

The Contractor shall not utilize sub-standard compensation levels with its employees in order to deliver the economic efficiencies necessary to profitably manage this Agreement. While the Corporation in no way intends to limit the ingenuity of the Contractor in proposing compensation programs for its employees, Rockwall ESC expects the Contractor, throughout the term of this Agreement, to provide such levels of reasonable compensation and benefits as are necessary to attract and retain qualified personnel.

C. **Professional Conduct/Courteous Service**. Rockwall ESC expects and requires professional and courteous conduct at all times from the Contractor's ambulance personnel, Communications Center personnel, middle managers and top executives. The Contractor shall address and correct any occasional departure from this standard of conduct promptly upon becoming aware of same.

D. **Non-Discrimination**. The Contractor shall comply with all applicable provisions of federal, state and local laws and regulations that prohibit discrimination. Specifically, the Contractor shall:

1. not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

2. comply with Executive Order 11246, as amended, if applicable, and the rules, regulations and orders of the U.S. Secretary of Labor; and

3. be responsible for determining the applicability of and compliance with any federal or state regulations enacted pursuant to Executive Orders, federal legislation or amendments to legislation, and state legislation or amendments to legislation.

E. **Licensing of Personnel.** It shall be the responsibility of the Contractor to ensure that all of its personnel's licenses are maintained and kept up to date as described herein. It is understood by the Contractor that none of its employees shall be allowed to operate or function in the Primary Service Area unless all necessary licenses are in full force. The Contractor shall take measures or employ personnel to monitor all licensed personnel to ensure no non-licensed person is operating inappropriately.

F. **OSHA and Other Regulatory Requirements.** It is anticipated that during the term of this Agreement, certain regulatory requirements for occupational safety and health, including but not limited to infection control and blood borne pathogens, may be increased. The Contractor shall adopt procedures that meet or exceed all requirements for dealing with such current and future regulatory requirements. The Contractor shall be solely responsible for all costs relating to compliance with any new OSHA requirements imposed during this Agreement.

G. **Drug Free Workplace.** In order to ensure a drug free workplace, Contractor shall make every effort to combat the actual use and potential use of employees using illegal drugs. Contractor shall test employees both "For Cause" and "Randomly." Contractor shall randomly and for cause test for drugs based on a written drug testing policy to be approved by the Corporation.

1. **For Cause.** A test is required when a reasonable suspicion exists, based upon observable facts, that an employee may be impaired

2. **Random Drug Testing.** Twice annually and randomly, employees will be tested.

3. **New Employment Testing.** All new employees whether full-time or part-time will be required to be drug tested before employment becomes official.

SECTION XI. INSURANCE AND INDEMNIFICATION

A. **Insurance.** At all times during the term of this Agreement, and throughout any extension periods, the Contractor shall obtain, maintain and pay all premiums for and furnish one or more certificates of insurance to the Corporation for insurance as specified below which provides coverage for the periods covered by this Agreement. All such policies shall name "County of Rockwall Emergency

Services Corporation", each Member Jurisdiction, and the Medical Director as "Additional Named Insured's."

Each such policy shall provide that the carrier thereunder shall give Rockwall ESC sixty (60) days advanced written notice of any cancellation, change (other than the addition of property to the coverage or deletion of insured property no longer used in the performance of this Agreement), termination, failure to renew, or any change in coverage of any such policy. Ten (10) days written advance notice shall be acceptable in the event of non-payment of insurance premiums.

All insurance shall be maintained with companies: (i) holding a "General Policyholder's Rating" of A:IX or better, as set forth in the most current issue of Best's Insurance Guide, or the successor rating to A:IX or comparable rating from a reputable rating organization, and (ii) financially responsible and licensed to do business in the State of Texas by the Texas Department of Insurance. The insurance certificate or certificates delivered to the Corporation shall list all coverage's, limits, deductibles, exclusions, expiration dates and terms of policies, all carriers issuing said policies, and all endorsements whether or not required by the Corporation. The Contractor shall furnish, at the Corporation's request, a certified copy of each policy, including endorsements. The insurance requirements shall remain in effect throughout the term of this Agreement.

B. **Insurance Requirements.** Insurance coverage provided by the Contractor shall meet the following minimum requirements: All of the following coverage must be obtained prior to the signing of this agreement and must begin immediately upon the effective date of this Agreement.

1. **Workers' Compensation.** Coverage meeting the statutory limits prescribed by the laws of the State of Texas subject to the following minimums: employer's liability - $1,000,000 each accident and $1,000,000 disease each person with a $1,000,000 disease policy limit. This policy shall be endorsed to include a waiver of subrogation, or waiver of rights of recovery, in favor of all additional insured.

2. **Comprehensive General Liability.** General liability insurance with the following coverage: $2,000,000 each occurrence; $2,000,000 aggregate limit.

3. **Professional Liability Insurance.** Professional liability insurance with minimum coverage of no less than $2,000,000 per each claim. If this insurance is purchased on a claims-made basis, the Contractor shall maintain such insurance coverage continuously during the term of this Agreement and for a period of not less than five (5) years after termination of this Agreement.

4. **Vehicle Insurance**. The Contractor shall obtain, maintain and pay all premiums for commercial vehicle liability insurance on the ambulances and other vehicles hereunder with no less coverage than $2,000,000 each accident.

C. **Special Insurance Provisions**. No insurance policies required under this section above shall contain any exclusion for hazards commensurate with the services and operations provided by the Contractor under this Agreement. Deductibles or self-insurance limits shall not exceed $250,000 per occurrence for any line of coverage, unless prior written approval is granted by the Corporation. The Contractor agrees that it will maintain adequate reserves for such deductible limits at all times during the term of this Agreement. Any form of alternative coverage or risk financing measures, such as risk treatment through insurance pools, risk retention groups, or self-insurance, shall be subject to prior approval and appropriate monitoring by the Corporation. In the event any local, state, federal or other regulatory laws or requirements mandate insurance coverage's for ambulance service providers in excess of the requirements specified herein, such higher requirements shall prevail over the requirements specified herein.

D. **Indemnification by Contractor**. The Contractor agrees to indemnify, defend and hold harmless Rockwall ESC, the Medical Director, and each Member Jurisdiction, and their respective directors, officers, representatives and employees (collectively, the "Indemnified Parties") from and against all losses, liabilities, damages, lawsuits, deficiencies, claims, demands, costs or expenses, including court costs, attorneys' fees and costs of investigation ("Losses"), based upon, incurred in connection with, arising out of or otherwise in respect of (i) any injuries to or death of any person or damage to or loss of any property caused or alleged to be caused, in whole or in part, by any act, omission or neglect of the Contractor or its partners, directors, officers, employees, agents or any parties contracting with the Contractor relating to the performance of its obligations under this Agreement, (ii) any material inaccuracy in or any breach of any representation or warranty of the Contractor contained in this Agreement, or (iii) any material breach of any covenant or agreement of the Contractor contained in this Agreement. The Contractor's obligations under this indemnity shall not be limited to the limits or coverage of insurance maintained or required to be maintained by the Contractor under this Agreement.

If any lawsuit, action or proceeding (a "Third-Party Action") is filed against an Indemnified Party entitled to the benefit of the indemnity herein, written notice thereof (the "Third-Party Action Notice") shall be given by such Indemnified Party to the Contractor as promptly as practicable; provided, however, the failure of any Indemnified Party to give notice timely hereunder shall not affect its right to indemnification hereunder, except to the extent that the Contractor demonstrates actual damage caused by such failure. After such notice, the Contractor shall be entitled, if it so elects, (i) to take control of the defense and investigation of such Third-Party Action, (ii) to employ attorneys reasonably satisfactory to the

Indemnified Parties to handle and defend the same, at the Contractor's sole expense, and (iii) to compromise or settle such Third-Party Action, which compromise or settlement shall be made only with the written consent of the Indemnified Parties, such consent not to be unreasonably withheld. If the Contractor fails to assume the defense of such Third-Party Action within ten (10) days after receipt of the Third-Party Action Notice, the Indemnified Parties (upon delivery of notice to such effect to the Contractor) will have the right to undertake, at the Contractor's sole expense, the defense, compromise or settlement of such Third-Party Action on behalf of and for the account and risk of the Contractor. The Contractor shall be liable for any settlement of any Third-Party Action affected pursuant to this paragraph and for any judgment and the Contractor agrees to indemnify and hold harmless the Indemnified Parties from and against any Loss by reason of such settlement or judgment.

E. **Employment of Member Jurisdiction Employees.** Any employee of a Member Jurisdiction who is also an employee of the Contractor shall be considered exclusively an employee of the Contractor for purposes of any worker's compensation, accidental injury/death, and/or retirement or disability benefits in the event of an injury to or death of such employee while engaged in the scope of the employee's employment with the Contractor.

SECTION XII. MAJOR DEFAULT & TAKEOVER PROVISIONS

A. **Performance Security.** Due to the importance of EMS to the communities served, the Corporation must do everything possible to eliminate the potential for a system failure. This agreement incorporates a variety of performance security measures to minimize the potential for failure and to sustain uninterrupted service in the event of the failure of the Contractor. The Corporation will utilize the following methods:

1. The Corporation will pre-qualify Contractors to ensure the ability of the Contractor to fulfill the obligations of this Agreement.

2. The Contractor will agree to execute a standby lease agreement upon contract execution, which will assure the Corporation immediate access to any and all equipment and supplies and other assets that the Corporation determine are necessary for the continued operations of the system.

3. The Contractor will deposit with the Corporation an annually renewable performance letter of credit, cash escrow account, performance bond or access to the Contractor's accounts receivables in a form acceptable to the Corporation. The amount of the performance letter of credit, cash escrow account, performance bond or accounts receivables pledge shall be three

hundred thousand dollars ($300,000.00). The parties will agree that this is a reasonable amount for total liquidated damages in the event of Contractor's failure to perform, termination, or breach of contract.

B. **Major Default Defined.** Conditions and circumstances which shall constitute a Major Default by the Contractor, unless waived by Rockwall ESC in writing, shall include, but not be limited to, the following:

1. Supplying to Rockwall ESC during or after the negotiation process false or intentionally misleading material information (which the Contractor knew to be false or misleading at the time such information was delivered to the Corporation), or information so incomplete as to effectively mislead;

2. Willful falsification of material data or information supplied to County the Corporation or the Medical Director during the course of operations, including by way of example but not by way of exclusion, dispatch data, patient report data, response time data, financial data, or willful downgrading of presumptive run code designations to enhance the Contractor's apparent performance, or creating Patient Transports in order to artificially inflate run volumes, or falsification or deliberate omission of any other data or information required under this Agreement, including submission of intentionally misleading information, or information so incomplete as to effectively mislead;

3. Failure of the Contractor to operate the ambulance service system in a manner which enables the Contractor to remain in substantial compliance with the requirements of applicable federal, state, and local laws, rules and regulations;

4. Deliberate and unauthorized scaling down of operations during a lame duck period to an extent that the Contractor materially fails to comply with the terms of this Agreement;

5. Chronic failure to maintain equipment and facilities in accordance with manufacturer recommended maintenance procedures (or reasonably equivalent maintenance procedures adopted by the Contractor) and with the enhanced maintenance practices appropriate to the emergency service responsibilities of a primary Contractor of emergency medical services;

6. Except as otherwise permitted by applicable law, willful attempts by the Contractor to intimidate or otherwise punish non-management employees who desire to interview with or to sign contingent employment agreements with competing bidders during a future competitive procurement cycle;

7. Chronic failure by the Contractor to correct employees who fail to conduct themselves in a professional and courteous manner, or to present a professional appearance;

8. Failure by the Contractor to reasonably cooperate with and assist the Corporation in its takeover of the Contractor's operations after a Major Default has been declared by Rockwall ESC, as provided for herein, even if it is later determined that such default never occurred or that the cause of such default was beyond the Contractor's reasonable control;

9. Failure (to the extent described in Sections IV(D)(3) and (4)) to meet or exceed the response time standards required hereunder;

10. Failure on the part of the Contractor to substantially fulfill the End-Term provisions of this Agreement as set forth herein, including but not limited to the requirement that the Contractor shall satisfy in all material respects its remaining financial obligations to its employees and suppliers upon the termination of this Agreement;

11. Chronic failure by the Contractor to timely and properly submit reports, data generated in the course of operations, and such other material information required by the terms of this Agreement;

12. Acceptance by the Contractor of, or the knowing failure by the Contractor to correct any of its employees who have accepted any bribe, illegal kickback or consideration of any kind in exchange for any consideration whatsoever, when such consideration or action on the part of the Contractor or its employees could be reasonably construed to violate federal, state or local law;

13. Payment by the Contractor of, or the knowing failure by the Contractor to correct or prevent (if possible) any of its employees who have paid, any bribe, illegal kickback or consideration of any kind to any federal, state or local public official or consultant in exchange for any consideration whatsoever, when such consideration or action on the part of the Contractor or its employees could be reasonably construed to violate federal, state or local law;

14. Failure to purchase and maintain in force insurance meeting the material requirements set forth in this Agreement;

15. Material failure by the Contractor to comply with the performance standards;

16. The assignment or attempted assignment of this Agreement by the Contractor except as permitted;

17. Failure on the part of the Contractor to ensure that all payments are made in full and on time to any and all vendors and other parties;

18. The Contractor (i) applying for or consenting to the appointment of a receiver, custodian, trustee, intervener or liquidator of itself or of all or a substantial part of its assets, (ii) voluntarily becoming the subject of a bankruptcy, reorganization or insolvency proceeding or be insolvent or admit in writing that it is unable to pay its debts as they become due, (iii) making a general assignment for the benefit of its creditors (iv) filing a petition or answer seeking reorganization or an arrangement with creditors or to take advantage of any bankruptcy or insolvency laws, (v) filing an answer admitting the material allegations of, or consent to, or default in answering, a petition filed against it in any bankruptcy, reorganization or insolvency proceeding, (vi) becoming the subject of an order for relief under any bankruptcy, reorganization or insolvency proceeding, or (vii) failing to pay any material money judgment against it before the expiration of thirty (30) days after such judgment becomes final and no longer subject to appeal;

19 Failure to maintain a performance letter of credit, cash escrow account, or access to the Contractor's accounts receivables in a form acceptable to the Corporation.

20 Any other material failure of performance or failure to comply with the material terms of this Agreement, clinical or otherwise, which is determined by Rockwall ESC to constitute a significant endangerment to public health and safety.

C. **Default Dangerous to Public Health and Safety**. In the event the Corporation determines that a Major Default has occurred, and if the nature of the default is, in the opinion of the Corporation, such that public health and safety are or will be imminently endangered, the Contractor shall cooperate completely and immediately with the Corporation to effect a prompt and orderly transfer of all responsibilities to the Corporation or its designated contractor. Such transfer of responsibilities shall be effective within 72 hours after such finding that a Major Default endangers public health and safety.

Further, the contractor expressly agrees that, in the event of Major Default by the contractor, the contractor will work with the Corporation to assure continuous delivery of services regardless of the underlying cause of the default. The contractor agrees that there is a public health and safety obligation to assure that the Corporation is able to provide uninterrupted service delivery in the event of default even if the contractor disagrees with the determination of default.

D. **Default Not Dangerous To Public Health and Safety.** If Rockwall ESC declares the Contractor to be in Major Default on grounds other than performance deficiencies dangerous to public health and safety, the Corporation shall give the Contractor written notice describing with reasonable specificity the nature of the Major Default. Within five (5) days of its receipt of such notice, the Contractor shall deliver to the Corporation a written plan to cure such Major Default. The Contractor shall deliver to the Corporation a written update of its efforts to cure the Major Default every five (5) calendar days until such default is completely cured. If the Contractor fails to cure such noticed default within thirty (30) calendar days (or any longer period of time approved in writing by Rockwall ESC) after its receipt of notice of default (such failure to be determined in the reasonable discretion of Rockwall ESC), or if the Contractor fails to timely deliver its plan to cure such default or fails to timely update such plan, the Corporation may immediately terminate this Agreement and draw on the performance security as provided in Section XII hereof. If this Agreement is so terminated by the Corporation, the Contractor shall cooperate completely and immediately with the Corporation to effect a prompt and orderly transfer of all responsibilities to the Corporation or its designated contractor.

E. **Dispute After Transfer of Service Responsibilities.** The Contractor shall not be prohibited from disputing any finding of Major Default pursuant to Section XII; provided, however, no action or proceeding initiated by the Contractor shall have the effect of delaying, in any way, the immediate transfer of service responsibilities to the Corporation or its designated contractor. Such dispute by the Contractor shall not delay the Corporation's access to the Contractor's performance security, essential equipment, and inventory of supplies as provided in Section IX. Any action or proceeding initiated by the Contractor challenging any actions taken by the Corporation may not be initiated until after the transfer of service responsibilities has been completed, and shall not, under any circumstances, delay the Corporation's access to the performance security funds. The Contractor's cooperation with, and full support of, such transfer of the Contractor's responsibilities to the Corporation, as well as the release of performance security funds to the Corporation, shall not constitute or be construed as acceptance by the Contractor of the finding of a Major Default, and shall not in any way jeopardize the Contractor's right to recovery should a proceeding later determine that the declaration of Major Default was made in error.

F. **Incorporation of End-Term Provisions.** In the event of a Major Default by the Contractor and the termination of this Agreement by Rockwall ESC, the end-term provisions set forth in Section III shall apply.

G. **Waiver.** No failure to exercise, and no delay in exercising, on the part of the Corporation, of any right or remedy granted to it hereunder shall operate as a waiver thereof, nor shall any single or partial exercise thereof preclude any other or further exercise thereof or the exercise of any other right or remedy.

SECTION XIII. REPORTS

A. **Monthly Operations Reports.** On or before the fifteenth (15th) business day of each month, the Contractor shall furnish to the Corporation written operations reports in a format satisfactory to the Rockwall ESC, which shall summarize activities for the preceding month in the following categories:

1. First Responder Support, Training, and Continuing Education.

2. Response Time Compliance Report. The Contractor shall provide to the Corporation, or designee an accounting of response time performance relative to every request for ambulance service resulting in Patient Contact and originating within the Primary Service Area, and any requests for which the Corporation, or designee must grant a response time exemption, as provided for herein. A separate Response Time Compliance Report shall be provided for each municipality in the Primary Service Area, for information purposes only.

3. Billing and Accounts Receivables Report

B. **State Reports.** The Contractor shall retain full responsibility for capturing and accurately reporting to the Corporation, or Designee all information within its areas of responsibility necessary to comply with State of Texas reporting requirements.

C. **Annual Audit.** The Rockwall ESC may conduct an annual financial audit of any previous fiscal year, prepared by a certified public accountant of the Rockwall ESC's choosing. The Rockwall ESC will select the auditor and be responsible for the fee for said audit. The Contractor will cooperate fully in the completion of this audit and the audit shall reflect the financial information applicable to the performance of this Agreement as separate and apart from any other financial information.

D. **Miscellaneous Reports.** The Contractor shall assist the Corporation, or its designee, in preparing any miscellaneous reports requested by the Medical Director, any Member Jurisdiction, or city, county, state or federal agencies, or as reasonably requested by the Corporation, or designee.

SECTION XIV. REPRESENTATIONS AND WARRANTIES

To induce Rockwall ESC to enter into this Agreement, the Contractor represents and warrants to Rockwall ESC that:

A. **Organization and Good Standing.** The Contractor is a corporation duly organized and validly existing in good standing under the laws of the State of Texas, is duly authorized to transact business as a corporation in Texas and is in good standing in Texas, and has the power and authority to own its properties and assets and to transact the business in which it is engaged.

B. **Authorization and Power.** The Contractor has the power and requisite authority to execute, deliver and perform this Agreement; the Contractor is duly authorized to, and has taken all action necessary to authorize the Contractor to execute, deliver and perform this Agreement and is and will continue to be duly authorized to perform this Agreement.

C. **No Conflicts or Consents.** Neither the execution and delivery of this Agreement, nor the consummation of any of the transactions herein contemplated, nor compliance with the terms and provisions hereof, will contravene or materially conflict with any provisions of law, statute or regulation to which the Contractor is subject or any judgment, license, order or permit applicable to the Contractor, or any indenture, loan agreement, mortgage, deed of trust, or other agreement or instrument to which the Contractor is a party or by which the Contractor may be bound, or to which the Contractor may be subject, or violate any provision of the Charter or Bylaws of the Corporation. No consent, approval, authorization or order of any court or governmental authority or third party is required in connection with the execution and delivery by the Contractor of this Agreement or to consummate the transactions contemplated hereby.

D. **Enforceable Obligations.** This Agreement is the legal, valid and binding obligation of the Contractor, enforceable in accordance with its terms, except as limited by bankruptcy, insolvency or other laws of general application relating to the enforcement of creditors' rights.

E. **Full Disclosure.** There is no material information or fact that the Contractor has not disclosed to Rockwall ESC which could have a material adverse affect on the Contractor's ability to perform its obligations and duties under this Agreement. Neither the proposal nor any written statement delivered by the Contractor to the Corporation in connection with the negotiations of this Agreement contains any untrue statement of a material fact or omits to state any material fact necessary to keep the statements contained therein from being misleading.

F. **Location of Records.** The Contractor shall maintain all operating records and books relating to the performance of its obligations under this Agreement at the following location: 809 South Goliad Street, Rockwall, Texas 75087 (or at any other address provided prior notice of such has been given to the Corporation. After a minimum of a seventy-two (72) hour notice, the Corporation may inspect Contractor operating records and books relating existing agreement. Inspection may only commence during normal business hours.

G. **Compliance with Law.** The Contractor is in compliance with all laws, rules, regulations, orders and decrees, which are applicable to the Contractor and its operations under this Agreement.

SECTION XV. ADMINISTRATIVE PROVISIONS

A. **Non-Transferable Agreement.** This Agreement may not be assigned or transferred by the Contractor without the prior written consent of Rockwall ESC; provided, however, Rockwall ESC's consent shall not be required for any assignment to an entity wholly owned by the Contractor so long as such permitted assignee assumes in writing all of the Contractor's duties, obligations and liabilities under this Agreement. Any such permitted assignment shall not release the Contractor from any liability then existing or thereafter arising under this Agreement, including, without limitation, the Contractor's indemnification obligations hereunder. Any change in ownership of the Contractor that significantly affects control of the organization shall be considered a form of assignment of this Agreement, and must be approved by the Corporation. Provided, however, that the Corporation shall not unreasonably withhold its approval of such requested change in ownership so long as the new owners are of known financial and business integrity. Any assignment, as defined hereunder, without the Corporation's prior consent (other than an assignment permitted by the first sentence of this Paragraph A), shall be a Major Default under the terms of this Agreement and shall not convey any rights to the assignee. This Agreement may not be assigned by Rockwall ESC without the Contractor's prior written consent, such consent not to be unreasonably withheld.

B. **Rights and Remedies Not Waived.** The Contractor agrees that the work herein specified shall be completed without further compensation than that provided for in this Agreement; and that the acceptance of work hereunder and the payment therefore shall not be held to prevent maintenance of an action for failure to perform such work in accordance with this Agreement. In no event shall any payment by the Corporation hereunder constitute or be construed to be a waiver by or estoppel of the Corporation of any default or covenant or any default which may then exist on the part of the Contractor, and the making of such payment while any such default exists, shall in no way impair or prejudice any right or remedy available to estoppels with respect to such default.

C. **Severability.** In the event any provision hereof shall be declared invalid, such provision shall be deemed severable from the remaining provisions of this Agreement, which shall remain in full force and effect.

D. **Titles.** The titles to the paragraphs of this Agreement are solely for the convenience of the parties and are not an aid in the interpretation of this instrument.

E. **Consent to Jurisdiction.** Subject to the dispute resolution provisions of Section XII, the Contractor consents to the exclusive jurisdiction of the courts of the State of Texas, Rockwall County, or a federal court in Texas in any and all actions and proceedings between the parties hereto arising out of or relating to this Agreement and irrevocably agrees to service of process by any means authorized under Texas law.

F. **Costs of Enforcement.** If either estoppels or the Contractor institutes any proceeding against the other to enforce its rights pursuant to this Agreement, the actual and reasonable costs incurred by the prevailing party, including, but not limited to, reasonable and actual attorneys' fees, expenses, consultant and expert fees, or other costs incurred shall be paid by the non-prevailing party to the prevailing party, within ninety (90) days after receiving notice that such costs have been incurred and an itemized invoice with appropriate expense documentation.

G. **Integration.** This Agreement (including any the Attachments hereto) constitutes the entire agreement between the parties with respect to the subject matter hereof, and supersedes all prior understandings with respect thereto. There are no agreements, understandings, warranties, or representations between the parties with respect to the subject matter hereof except as provided herein. This Agreement may not be modified, changed or supplemented, nor may any obligations hereunder be waived, except by written instrument signed by authorized representatives of both parties.

H. **Omnibus Provision.** Until the expiration of four (4) years after the furnishing of any services pursuant to this Agreement, the parties shall make available, upon written request by the Secretary of the United States Department of Health and Human Services (or successor Agency), or upon written request by the United States Comptroller General, or any of their fully authorized representatives, this Agreement, and such books, documents, and records as are necessary to certify the nature and extent of the services rendered hereunder, and the reasonableness of the costs thereof, as paid by Rockwall ESC pursuant hereto.

I. **No Third Party Beneficiaries.** This Agreement is between the parties hereto and no others. Neither this Agreement nor any rights hereunder shall inure to the benefit of any third person or entity. No person or entity other than the parties hereto shall be entitled to enforce the provisions of, or recover damages for the breach of, this Agreement, including, without limitation, breaches related to response time requirements.

J. **Reimbursement for Expenses.** In the event the Contractor fails to perform an essential duty required under this Agreement, after notice by the Corporation and reasonable opportunity to correct such deficiency, the Corporation may perform such essential duty on the Contractor's behalf, in which case the Contractor shall reimburse the Corporation for any and all reasonable and necessary expenses,

interest, penalties, consulting fees, or other costs incurred by the Corporation in performing any essential duty of the Contractor required under this Contact within thirty (30) days after receipt of notice from the Corporation. The Corporation may not seek reimbursement of its expenses under this Paragraph J if the Corporation has drawn on the performance security under Section XII.

K. **Dispute Resolution.** Rockwall ESC and the Contractor agree that any and all claims, penalties, disputes and controversies arising out of or relating to the interpretation or enforcement of this Agreement or the operation of its terms (a "Dispute"), shall be subjected to mediation, as described herein. If the mediation proceeding is unsuccessful, either party may file a lawsuit subject to the provisions of this Paragraph K.

1. **Venue.** The parties bind themselves to mediate, and if the parties agree to arbitration, to arbitrate any Dispute in Rockwall, Rockwall County, Texas. Venue for any court action or proceeding relating to a Dispute shall be in the state or federal courts located in Rockwall County, Texas.

2. **Independent Nature of Mediator.** The mediator shall be independent of the parties and under no circumstance shall any mediator or arbitrator have any connection to or relationship with any of the parties, or their respective principals or employees.

3. **Mediation Proceeding.**

   (1) If either party desires to mediate any Dispute, such party (the "Movant") shall notify the other party (the "Respondent") of the Dispute desired to be mediated, including a brief statement of the matter in controversy. If the parties are not able to resolve the Dispute within ten (10) days after the Movant notifies the Respondent of its desire to mediate ("Mediation Notice"), then, within five (5) days immediately after the expiration of the aforesaid ten (10) - day period, the parties shall agree upon an independent mediator. The parties agree that each party shall pay one-half (1/2) of the mediator's services.

   (2) Within ten (10) days after selection of the mediator, the mediator shall call for and set a meeting among the parties and the mediator for the purpose of mediating the Dispute. If the parties are unable to resolve the Dispute within thirty (30) days after the Mediation Notice (the "Mediation Period"), the Dispute shall be decided by litigation.

4. **Jurisdiction.** The parties hereby submit to the in personam jurisdiction of the state and federal courts located in Rockwall County, Texas for the purpose of any litigation relating to a Dispute, and agree that any such

court may enter all such orders as may be necessary or appropriate to enforce the provisions hereof and/or to confirm any pre-arbitration ruling or decision or any award rendered by the arbitration panel. Any court of law of Texas or the United States of America shall enforce the decision of the panel of arbitrators (or single arbitrator, as applicable) in its entirety and only in its entirety.

L. **Conflicts of Interest**. Each party shall certify to the other that it is not violating and will not violate, either directly or indirectly, any applicable statute or ordinance prohibiting conflicts of interest. To avoid potential conflicts of interests, no member of the Corporation's Board shall receive any compensation or remuneration, directly or indirectly, from the Contractor without prior written approval from the Corporation.

M. **Relationship of the Parties**. Nothing in this Agreement shall be construed to create a relationship of employer and employee or principal and agent, partnership, joint venture, or any relationship other than that of independent parties contracting with each other solely for the purpose of carrying out the provisions of this Agreement.

N. **Notice of Litigation**. Each party shall notify the other within five (5) business days of either party first becoming aware of the filing of any litigation by or against such party or of any threatened or pending litigation, claim or other material adversarial action involving such party, which in any way, directly or indirectly, arises under or relates to this Agreement or the performance of either party's obligations hereunder. The Contractor shall also promptly notify the Corporation of any litigation, proceeding, or claim which could have a material adverse effect on the Contractor or its ability to perform its obligations under this Agreement.

O. **Governing Law**. This agreement shall be governed by and construed in accordance with the laws of the State of Texas.

P. **Time of Essence**. Time is of the essence in connection with the performance of this Agreement.

Q. **Entirety and Amendments**. This Agreement, the Attachments hereto, and the proposal (to the extent incorporated into this Agreement as provided in paragraph Q above) constitute the entire Agreement between the parties and supersede all prior agreements and understandings, including the Existing Agreement, relating to the subject matter of this Agreement. This Agreement may be amended or supplemented only by an instrument in writing executed by each party hereto.

R. **Voluntary Termination of Agreement**. Notwithstanding any other provision of this Agreement, the Contractor may provide the Corporation with ninety (90) days

written notice to terminate this agreement for any reason, subject to approval of the Corporation. If the Corporation has not selected a suitable contractor replacement at the end of the ninety (90) day period, the Contractor must continue to provide service on a "per diem" basis beginning on the ninety-first (91st) day of the period until such time as a suitable replacement emergency medical services contractor is selected.

IN WITNESS WHEREOF, the parties hereto, acting by and through their duly authorized representatives, have executed this Agreement for Ambulance Services to be effective as of the (date) (the "Effective Date").

Oct. 1, 2007

MEDIC RESCUE, INCORPORATED

By: _____
Tim Wolf, President
Date Signed: 8/30/07

By: _____
Mitch Ownby, Vice President
Date Signed 8-30-07

COUNTY OF ROCKWALL EMERGENCY SERVICES CORPORATION

By: _____
Bruce Beaty, President
Date Signed: 8-30-07

ACKNOWLEDGEMENTS

STATE OF TEXAS §
COUNTY OF ROCKWALL §

BEFORE ME, a notary public in and for said County and State, on this 8-30-07 (date), personally appeared Bruce Beaty, President of the County of Rockwall Emergency Services Corporation ("Corporation"), and acknowledged to me that he voluntarily executed the above and foregoing document on behalf of the Corporation for the uses and purposes therein set forth.

WITNESS BY HAND AND SEAL the day and year last above written.

Felicia L. Morris
Notary in and for the State of Texas

MY COMMISSION EXPIRES:

9-16-2008
[SEAL]

FELICIA L. MORRIS
NOTARY PUBLIC STATE OF TEXAS
COMMISSION EXPIRES:
SEPTEMBER 16, 2008

STATE OF TEXAS §
COUNTY OF ROCKWALL §

8-30-07

BEFORE ME, a notary public in and for said County and State, on this ~~(date)~~, personally appeared Tim Wolf, President of Medic Rescue, Incorporated (Medic Rescue), and acknowledged to me that he voluntarily executed the above and foregoing document on behalf of Medic Rescue for the uses and purposes therein set forth.

WITNESS BY HAND AND SEAL the day and year last above written.

Felicia L Morris

Notary in and for the State of Texas

MY COMMISSION EXPIRES:

9-16-08

[SEAL]

FELICIA L. MORRIS
NOTARY PUBLIC STATE OF TEXAS
COMMISSION EXPIRES:
SEPTEMBER 16, 2008

STATE OF TEXAS §
COUNTY OF ROCKWALL §

8-30-07

BEFORE ME, a notary public in and for said County and State, on this ~~(date)~~, personally appeared Mitch Ownby, Vice President of Medic Rescue, Incorporated (Medic Rescue), and acknowledged to me that he voluntarily executed the above and foregoing document on behalf of Medic Rescue for the uses and purposes therein set forth.

WITNESS BY HAND AND SEAL the day and year last above written.

Felicia L. Morris

Notary in and for the State of Texas

MY COMMISSION EXPIRES:

9-16-08

[SEAL]

FELICIA L. MORRIS
NOTARY PUBLIC STATE OF TEXAS
COMMISSION EXPIRES:
SEPTEMBER 16, 2003

SECTION XVI. ATTACHMENTS

Attachment #1

The Contractor will provide monthly reporting to the Board in this required reporting format (example included):

1. First Responder Support, Training and Continuing Education
2. State Reporting
3. Internal Clinical Report
4. Billing Report
5. EMS Response Time Report – Last 12 months Summary
    a. Urban Priority 1 Response Time
    b. Urban Priority 2 Response Time
    c. Rural Priority 1 Response Time
    d. Rural Priority 2 Response Time
6. Response Time Compliance Report – Fractile
    a. Priority 1 Urban
    b. Priority 2 Urban
    c. Priority 1 Rural
    d. Priority 2 Rural
    e. Late reporting explanation
7. Priority 1 Response Times by Individual Area – Information Only
    a. Rockwall
    b. Heath
    c. Royse City
    d. Rockwall County
    e. Fate
    f. McLendon-Chisolm
8. Variance Report – Use of Non paramedic personnel during Overload Status
9. Informational Report – Use of Supervisory Vehicle to stop response time clock

ATTACHMENT 2
AMBULANCE FEE SCHEDULE

Description	*Charge*
AlS-1 Emergency	$575.00
ALS-1 Non Emergency	$575.00
ALS-2	$690.00
SCT	$862.50
Mileage/Per Mile Loaded	$ 14.00
ALS Routine Disposable Supply	$ 32.08

I. Advanced Life Support, Level 1 (ALS1) – Advanced life support, level1, (ALS1) means transportation by ground ambulance, medically necessary supplies and services and an ALS assessment by ALS personnel or the provision of at least one ALS intervention.

Advanced life support assessment is an assessment performed by an ALS crew as part of an emergency response that was necessary because the patient's reported condition at the time of dispatch was such that only an ALS crew was qualified to perform the assessment. An ALS assessment does not necessarily result in a determination that the patient requires as ALS level of service.

Advanced life support intervention means a procedure that is, in accordance with State and local laws, beyond the scope of authority of an emergency medical technician-basic (EMT-Basic).

Advanced life support personnel means an individual trained to the level of the emergency medical technician-intermediate (EMT-Intermediate) or paramedic. The EMT-Intermediate is defined as an individual who is qualified, in accordance with State and local laws, as an EMT-Basic and who is also qualified in accordance with State and local laws to perform essential advanced techniques and to administer a limited number of medications. The EMT-Paramedic is defined as possessing the qualifications of the EMT-Intermediate and also, in accordance with State and local laws, as having enhanced skills that include being able to administer additional interventions and medications.

II. Advanced Life Support, Level 1 (ALS1) – Emergency – The Advanced Life Support, Level 1 – Emergency Response category is defined as the provision of ALS1 services as specified above, in the context of an emergency response.

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Emergency response means responding immediately at the BLS or ALS1 level of service to a 911 call or the equivalent in areas without a 911 system. An immediate response is one in which the ambulance supplier begins as quickly as possible to take the steps necessary to respond to the call.

III. Advanced Life Support, Level 2 (ALS2) – The Advanced Life Support, Level 2 category is:

A. Three or more different administrations of medications by intravenous push/bolus or by continuous infusion excluding crystalloid, hypotonic, isotonic, and hypertonic solutions (Dextrose, Normal Saline, Ringer's Lactate), or transportation. Medically necessary supplies and service, and

B. The provision of at least one of the following ALS procedures:

1. Manual defibrillation/cardioversion
2. Endotracheal intubation
3. Central venous line
4. Cardiac pacing
5. Chest decompression
6. Surgical airway
7. Intraosseous line

IV. Specialty Care Transport (SCT) – When medically necessary, for a critically injured or ill beneficiary, a level of inter-facility service provided by a ground ambulance vehicle, including medically necessary supplies, that is at a level of service beyond the scope of the EMT-paramedic, SCT is necessary when a beneficiary's condition requires ongoing care that must be provided by one or more health professionals in an appropriate specialty area (for example, nursing, emergency medicine, respiratory care, cardiovascular care, or a paramedic with additional training).

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AMENDMENT 1
TO CONTRACT FOR AMBULANCE SERVICES BETWEEN
THE COUNTY OF ROCKWALL EMERGENCY SERVICES CORPORATION AND
MEDIC RESCUE, INCORPORATED

The following section of the Ambulance Services Agreement was modified by the County of Rockwall Emergency Services Corporation Board through action taken at its regular meeting on September 22, 2010. The section was changed to read as follows:

> **Section III. (D.)(1.) Exercise/Pricing of Option**
>
> **Subsidy requests, if any, for any earned extension year must be negotiated between the parties and agreed upon by the Rockwall ESC board prior to eiqhteen (18) months of the commencement of said extension year, pending agreement with Medic Rescue. Inc.**

The above noted change was made subject to Medic Rescue's agreement to said change. Expression of agreement to the change on the part of Medic Rescue is attached as "Exhibit A" to this amendment.

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Amendment 1, Exhibit A

ROCKWALL COUNTY
EMERGENCY MEDICAL SERVICES

809 South Goliad, Rockwall, Texas 75087, 972.772.4148

September 29, 2010

County of Rockwall Emergency Services Corporation
C/O Commissioner Lorie Grinnan, President
Rockwall Historic Courthouse
101 East Rusk
Rockwall, TX 75087

Commissioner Grinnan:

At the County of Rockwall Emergency Services Corporation meeting held on October 22, 2010, under a motion and a second, it was passed that the language in Section III.(D.)(1.), entitled Exercise/Pricing of Option, of the Contract for Ambulance Services Between the County of Rockwall Emergency Services Corporation and Medic Rescue, Incorporated, entered into on October 1, 2007 (the "Contract"), be changed as follows:

> "...Subsidy requests, if any, for any earned extension year must be negotiated between the parties and agreed upon by the Rockwall ESC board prior to eighteen (18) months of the commencement of said extension year, pending agreement with Medic Rescue, Inc."

The purpose of this letter is to inform you that Medic Rescue, Inc. is in agreement with the changes to Section III.(D.)(1.) of the Contract as set forth above. Further, in accordance with the revised language of Section III.(D.)(1.), Medic Rescue, Inc. will submit a subsidy request, to begin negotiations, no later than January 31, 2011.

We look forward to working with you and the Technical Sub-committee as we all strive to further improve Emergency Medical Services in Rockwall County. Thank you.

Sincerely,

Mitch Ownby, Vice President
Medic Rescue, Inc.

COUNTY OF ROCKWALL
EMERGENCY SERVICES CORPORATION

RESOLUTION NO. 14-03

A RESOLUTION OF THE COUNTY OF ROCKWALL EMERGENCY SERVICES CORPORATION, ADOPTING AND APPROVING THE FY 2014-2015 AMBULANCE SERVICES BUDGET FOR THE COUNTY OF ROCKWALL EMERGENCY SERVICES CORPORATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed Ambulance Services Budget for the County of Rockwall Emergency Services Corporation ("the ES Corporation") has been previously distributed to each of the member entities for review and consideration by their respective governing bodies; and

WHEREAS, having received no indication of opposition from any member entity regarding said budget proposal;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY OF ROCKWALL EMERGENCY SERVICES CORPORATION:

Section 1. That the Ambulance Services Budget for the County of Rockwall Emergency Services Corporation for October 1, 2014 through September 30, 2015 is attached hereto as **Exhibit "A"** and made a part hereof for all purposes.

Section 2. That said Ambulance Services Budget for October 1, 2014, through September 30, 2015, for the County of Rockwall Emergency Services Corporation be, and the same is approved and adopted by the Board of Directors, as the official Ambulance Services Budget for the County of Rockwall Emergency Services Corporation for the fiscal year aforesaid.

Section 3. That expenditures during the fiscal year shall be made in accordance with the budget approved by this resolution unless otherwise amended by the County of Rockwall Emergency Services Corporation.

Section 4. This resolution shall take effect immediately upon its passage and approval, and it is so resolved.

PASSED AND APPROVED BY THE COUNTY OF ROCKWALL EMERGENCY SERVICES CORPORATION, this 24th day of September, 2014.

Lorie Grinnan, President

ATTEST:

Kristy Ashberry, Assistant Secretary

County of Rockwall ES Corporation TEXAS

Exhibit "A"

COUNTY OF ROCKWALL EMERGENCY SERVICES CORPORATION
AMBULANCE BUDGET

PROPOSED FY 2015
(Oct. 1, 2014 - Sept. 30, 2015)

Available Fund Balance	**5,000**
Revenues	
Sponsor Contributions	511,004
Total Revenues and Fund Balance	**516,004**
Expenses	
Subsidy	497,104
Consulting	13,900
Audit	5,000
Total Expenses	**516,004**

Allocation Methodology		
Rockwall County		50%
Fate	8,330	12.29%
Heath	7,440	10.98%
McLendon Chisholm	1,750	2.58%
Mobile City	218	.32%
Rockwall	40,030	59.07%
Royse City	10,000	14.76%

Expense Allocation

PROPOSED FY 2015

Entity	Amount
City of Fate	31,406.15
City of Heath	28,05063
City of McLendon Chisholm	6,597.93
Mobile City	821.91
City of Rockwall	150,922.92
City of Royse City	37,702.46
Rockwall County	255,502.00
Total Contributions:	**511,004**

ADOPTED AND APPROVED this 24th day of September, 2014.

Lorie Grinnan
President, Board of Directors
County of Rockwall ES Corporation

ATTEST:

Kristy Ashberry, Assistant
Secretary, Board of Directors
County of Rockwall ES Corporation

County of Rockwall ES Corporation TEXAS

Proposed 06/23/14
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COUNTY OF ROCKWALL EMERGENCY SERVICES CORPORATION
AMBULANCE BUDGET

PROPOSED FY 2016
(Oct. 1, 2015 - Sept. 30, 2016)

Available Fund Balance	**5,000**
Revenues	
Sponsor Contributions	441,800
Total Revenues and Fund Balance	**441,800**
Expenses	
Subsidy	427,460
Consulting	14,340
Audit	5,000
Total Expenses	**446,800**

Allocation Methodology		
Rockwall County		50%
Fate	9,700	13.81%
Heath	7,430	10.58%
McLendon Chisholm	2,050	2.92%
Mobile City	218	.31%
Rockwall	40,620	57.83%
Royse City	10,220	14.55%

Proposed

Expense Allocation

PROPOSED FY 2016

Entity	Amount
City of Fate	30,506.71
City of Heath	23,367.51
City of McLendon Chisholm	6,447.29
Mobile City	685.61
City of Rockwall	127,750.76
City of Royse City	32,142.12
Rockwall County	220,900.00
Total Contributions:	**441,800**

ADOPTED AND APPROVED this ____ day of _____2015.

_____

President, Board of Directors
County of Rockwall ES Corporation

ATTEST:

_____

Secretary, Board of Directors
County of Rockwall ES Corporation

Proposed

Corporations Section
P.O.Box 13697
Austin, Texas 78711-3697

Gwyn Shea
Secretary of State

Office of the Secretary of State

CERTIFICATE OF INCORPORATION
OF

County of Rockwall Emergency Services Corporation
Filing Number: 800214646

The undersigned, as Secretary of State of Texas, hereby certifies that Articles of Incorporation for the above named corporation have been received in this office and have been found to conform to law.

Accordingly, the undersigned, as Secretary of State, and by virtue of the authority vested in the Secretary by law, hereby issues this Certificate of Incorporation.

Issuance of this Certificate of Incorporation does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 06/13/2003

Effective: 06/13/2003

Gwyn Shea
Secretary of State

ARTICLES OF INCORPORATION
OF
COUNTY OF ROCKWALL
EMERGENCY SERVICES CORPORATION

We, the undersigned natural persons, each of whom is at least 18 years of age, a citizen of the State of Texas and a resident of the City of Fate, the City of Heath, the City of McLendon-Chisholm, the City of Mobile City, the City of Rockwall, the City of Rowlett, the City of Royse City and Rockwall County, Texas (collectively, the "Sponsoring Local Governments"), acting as incorporators of a public, nonprofit local government corporation under Subchapter D of Chapter 431, Texas Transportation Code, as amended, and Chapter 394, Texas Local Government Code, as amended (collectively, the "Act"), do hereby adopt the following Articles of Incorporation for such corporation:

ARTICLE ONE

The name of the Corporation is County of Rockwall Emergency Services Corporation (the "Corporation").

ARTICLE TWO

The Corporation is a public, nonprofit local government corporation governed by the Act.

ARTICLE THREE

The period of duration of the Corporation is perpetual.

ARTICLE FOUR

The Corporation is organized solely to carry out the purposes of the Act by aiding and acting on behalf of the Sponsoring Local Governments to accomplish certain governmental purposes of the Sponsoring Local Governments, to wit: provide emergency and public safety services, including without limitation ambulance service and dispatch and communication services.

The Corporation is formed pursuant to the provisions of the Act as it now or may hereafter be amended, which authorizes the Corporation to assist and act on behalf of the Sponsoring Local Governments to accomplish any governmental purpose of the Sponsoring Local Governments and to engage in activities in the furtherance of the purposes for its creation.

The Corporation shall have and possess the broadest possible powers granted it by the Act as it may be amended from time to time (including without limitation all powers of a corporation authorized for creation by the Texas Transportation Commission under Chapter 431, Texas Transportation Code, as amended, and all powers of a nonprofit corporation under the Texas Non-Profit Corporation Act (Article 1396-1.01 et. seq., Vernon's Texas Civil Statutes, as amended) to accomplish the purposes for which it is created and as may be determined from time to time by the Sponsoring Local Governments, whether or not so expressly stated in these Articles of Incorporation. The Corporation is a duly constituted authority and a public instrumentality within the meaning of the regulations of the United States Treasury Department

and the rulings of the Internal Revenue Service prescribed and promulgated pursuant to Section 103 of the Internal Revenue Code of 1986 (26 U.S.C. §103), as amended, and the Corporation is authorized, and has as an additional specific purpose for its organization and operation, to act on behalf of the Sponsoring Local Governments as provided in these Articles of Incorporation. However, no agreements, bonds, debts or obligations of the Corporation are or shall ever be deemed to be the agreements, bonds, debts or obligations, or the lending of credit, or a grant of public money or thing of value, of or by any of the Sponsoring Local Governments, or any other political corporation, subdivision or agency of the State of Texas, or a pledge of the faith and credit of any of them.

The Corporation is created as a local government corporation pursuant to the Act and shall be a governmental unit as that term is used in Chapter 101, Texas Civil Practice and Remedies Code. The operations of the Corporation are governmental and not proprietary functions.

No part of the Corporation's activities shall be carrying on propaganda, or otherwise attempting to influence legislation, and it shall not participate in, or intervene in (including the publishing or distribution of statements), any political campaign on behalf of or in opposition to any candidate for public office.

ARTICLE FIVE

The Corporation shall have no members and is a nonstock corporation.

ARTICLE SIX

The street address of the initial registered office of the Corporation is 1101 Ridge Road, Rockwall, Texas 75087, and the name of its initial registered agent at such address is Paulette Burks, County Clerk.

ARTICLE SEVEN

All powers of the Corporation shall be vested in a Board of Directors consisting of any number of directors, but not less than 10, as may be fixed by the bylaws of the Corporation. The Board of Directors shall be composed in its entirety of persons appointed by the governing bodies of the Sponsoring Local Governments. Appointment, removal, number and term of office for directors shall be as specified in the bylaws of the Corporation. The directors shall serve as such without compensation except that they shall be reimbursed for their actual expenses incurred in the performance of their duties as directors.

All other matters pertaining to the internal affairs of the Corporation shall be governed by the bylaws of the Corporation, so long as such bylaws are not inconsistent with these Articles of Incorporation, the Act, or any other applicable law of the State of Texas.

The Corporation and the directors shall be subject to both the Texas Open Meetings Act and the Texas Public Information Act (Chapters 551 and 552, Texas Government Code, as amended, respectively).

ARTICLE EIGHT

The number of directors constituting the initial board of directors shall be ten (10). The names and street addresses of the persons who are to serve as the initial directors and the date of

expiration of their initial terms as directors (which terms shall commence on the date these Articles of Incorporation are filed with the Secretary of State's office) are as follows:

Sponsoring Local Government	Name	Address	Expiration Date of Initial Term
City of Fate	Gerry Boren	401 E. Fate Main Place Fate, Texas 75132	April 30, 2005
City of Heath	Chris Cuny	200 Laurence Drive Heath, Texas 75032	April 30, 2005
City of McLendon-Chisholm	Steve Hatfield	1248 SH-205 South Rockwall, Texas 75032	April 30, 2005
City of Mobile City	Wanda Cooper	824 Lilac Lane Rockwall, Texas 75087	April 30, 2005
City of Rockwall	Ken Jones	385 S. Goliad Rockwall, Texas 75087	April 30, 2005
City of Rockwall	Bill Cecil	385 S. Goliad Rockwall, Texas 75087	April 30, 2005
City of Rowlett	C. Shane Johnson	P. O. Box 99 Rowlett, Texas 75030-0099	April 30, 2005
City of Royse City	George McCain	100 W. Main Royse City, Texas 75189	April 30, 2005
County of Rockwall	Bruce Beaty	1101 Ridge Road Rockwall, Texas 75087	April 30, 2005
County of Rockwall	Scott Self	1101 Ridge Road Rockwall, Texas 75087	April 30, 2005

Each of the initial directors resides within his or her respective Sponsoring Local Government.

ARTICLE NINE

The name and street address of the 24 incorporators, three of whom reside in each of the Sponsoring Local Governments, are as follows:

Sponsoring Local Government	Name	Address
City of Fate	Gerry Boren	105 E. Fate Main Place P. O. Box 31 Fate, Texas 75132
City of Fate	Rob McCoy	105 E. Fate Main Place P. O. Box 31 Fate, Texas 75132
City of Fate	Curtis Maroney	105 E. Fate Main Place P. O. Box 31 Fate, Texas 75132

Sponsoring Local Government	Name	Address
City of Heath	Chris Cuny	200 Laurence Drive Heath, Texas 75032
City of Heath	John Ratcliffe	200 Laurence Drive Heath, Texas 75032
City of Heath	Julianna Zurek	200 Laurence Drive Heath, Texas 75032
City of McLendon-Chisholm	Beverly Stibbens	1248 SH205 South McLendon-Chisholm, Texas 75032
City of McLendon-Chisholm	Mike Donegan	1248 SH205 South McLendon-Chisholm, Texas 75032
City of McLendon-Chisholm	Steve Hatfield	1248 SH205 South McLendon-Chisholm, Texas 75032
City of Mobile City	Wanda Cooper	824 Lilac Lane Mobile City, Texas 75087
City of Mobile City	Lee House	824 Lilac Lane Mobile City, Texas 75087
City of Mobile City	Sonja Bolin	824 Lilac Lane Mobile City, Texas 75087
City of Rockwall	Ken Jones	385 S. Goliad Rockwall, Texas 75087
City of Rockwall	Bill Cecil	385 S. Goliad Rockwall, Texas 75087
City of Rockwall	John King	385 S. Goliad Rockwall, Texas 75087
City of Rowlett	C. Shane Johnson	P. O. Box 99 Rowlett, Texas 75030-0099
City of Rowlett	Rick Sheffield	P. O. Box 99 Rowlett, Texas 75030-0099
City of Rowlett	Bruce Mannken	P. O. Box 99 Rowlett, Texas 75030-0099
City of Royse City	Janet Nichol	100 W. Main Royse City, Texas 75189
City of Royse City	Gary Gregory	100 W. Main Royse City, Texas 75189
City of Royse City	Ken Brown	100 W. Main Royse City, Texas 75189
County of Rockwall	Bill Bell	1101 Ridge Road Rockwall, Texas 75087
County of Rockwall	Bruce Beaty	1101 Ridge Road Rockwall, Texas 75087
County of Rockwall	Scott Self	1101 Ridge Road Rockwall, Texas 75087

ARTICLE TEN

The Sponsoring Local Governments which have caused the Corporation to be created to act in accordance with the Act are the City of Fate, the City of Heath, the City of McLendon-Chisholm, the City of Mobile City, the City of Rockwall, the City of Rowlett, the City of Royse City and Rockwall County, Texas.

ARTICLE ELEVEN

These Articles of Incorporation at any time and from time to time may be amended by either of the following methods: (1) the Board of Directors of the Corporation may file a written application with each governing body of the Sponsoring Local Governments requesting permission to amend the articles of incorporation, specifying in such application the amendment proposed to be made, and if each governing body of the Sponsoring Local Governments by appropriate resolution determines that it is wise, expedient, necessary or advisable that the proposed amendment be made and shall approve the form of the same and authorize it to be made, then the Board of Directors of the Corporation may amend the articles of incorporation by adopting such amendment at a meeting of the Board of Directors and delivering the articles of amendment to the Secretary of State, or (2) the governing bodies of the Sponsoring Local Governments may, in their sole discretion, and at any time, by appropriate resolution adopted by the governing body of each of the Sponsoring Local Governments alter or change the structure, organization, programs, or activities of the Corporation (including the power to terminate the Corporation), subject to any limitation on the impairment of contracts entered into by the Corporation, by adopting an amendment to these Articles of Incorporation and delivering articles of amendment to the Secretary of State.

ARTICLE TWELVE

No dividends shall ever be paid by the Corporation and no part of its net earnings (beyond that necessary for retirement of the indebtedness of the Corporation or to implement the public purposes of the Sponsoring Local Governments for which the Corporation has been created) shall be distributed to or inure to the benefit of its directors or officers or any person, firm, corporation or association except in reasonable amounts for services rendered or for reimbursement of actual expenses incurred in connection with the business affairs of the Corporation, except that in the event the board of directors shall determine that sufficient provision has been made for the full payment of the expenses, bonds and other obligations of the Corporation, then any net earnings of the Corporation thereafter accruing shall be paid to the Sponsoring Local Governments.

If the Corporation is a private foundation within the meaning of Section 509(a) of the Code, the Corporation (a) shall distribute its income for each taxable year at such time and in such manner as not to become subject to the tax on undistributed income imposed by Section 4942 of the Code; (b) shall not engage in any article self-dealing as defined in Section 4941 (d) of the Code; (c) shall not retain any excess business holdings as defined in Section 4943(c) of the Code; (d) shall not make any investments in such manner as to subject a to tax under Section 4944 of the Code; and (e) shall not make any taxable expenditures as defined in Section 4945(d) of the Code.

ARTICLE THIRTEEN

If the Corporation ever should be dissolved when it has, or is entitled to, any interest in any funds or property of any kind, real, personal or mixed, such funds or property or rights thereto shall not be transferred to private ownership, but shall be transferred and delivered to the Sponsoring Local Governments after satisfaction or provision for satisfaction of debts and claims.

ARTICLE FOURTEEN

Resolutions approving these Articles of Incorporation and authorizing the creation of the Corporation to act on their behalf to further the public purposes set forth in said resolution and these Articles of Incorporation have been duly adopted by the governing bodies of the Sponsoring Local Governments. The dates of the adoption of such resolutions are 04-07-03 for the City of Rockwall, Texas; 02-06-03 for the City of Heath; Texas, 04-7-03, for the City of Fate, Texas; 04-08-03 for the City of Royse City, Texas; 03-10-03 for the City of McLendon-Chisholm, Texas; 04-15-03 for the City of Rowlett, Texas; 04-25-03 for the City of Mobile City, Texas; and 04-14-03 Rockwall County, Texas.

EXECUTED this 7th day of April, 2003.

INCORPORATORS - CITY OF FATE, TEXAS

Gerry Boren, as an Incorporator

Rob McCoy, as an Incorporator

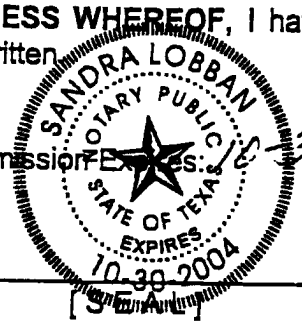
Curtis Maroney, as an Incorporator

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this 7th day of April, personally appeared Gerry Boren, Rob McCoy, and Curtis Maroney, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Incorporation as incorporators and in their respective capacities, as shown above and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.



My Commission Expires: 10-30-04

Notary Public in and for the State of Texas

[SEAL]

EXECUTED this _____ day of _____, 2003.

INCORPORATORS - CITY OF HEATH, TEXAS

_____
Chris Cuny, as an Incorporator

_____
John Ratcliffe, as an Incorporator

_____
Julianna Zurek, as an Incorporator

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this _____ day of _____, personally appeared Chris Cuny, John Ratcliffe, and Julianna Zuerk, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Incorporation as incorporators and in their respective capacities, as shown above and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

My Commission Expires: _____

Notary Public in and for the State of Texas

_____
[SEAL]

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

My Commission Expires: _____ Notary Public in and for the State of Texas

_____
[SEAL]

EXECUTED this 1st day of May, 2003.

INCORPORATORS - CITY OF HEATH, TEXAS

_____
Chris Cuny, as an Incorporator

_____
John Ratcliffe, as an Incorporator

_____
Julianna Zurek, as an Incorporator

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this 1st day of May 2003, personally appeared Chris Cuny, John Ratcliffe, and Julianna Zuerk, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Incorporation as incorporators and in their respective capacities, as shown above and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

My Commission Expires: _____ Notary Public in and for the State of Texas

8-11-2005
[SEAL]

OFFICIAL SEAL
Stephanie Litzsinger
State of Texas
My Commission Expires
August 11, 2005

EXECUTED this 10th day of April, 2003.

INCORPORATORS - CITY OF McLENDON-CHISHOLM, TEXAS

Beverly Stibbens, as an Incorporator

Mike Donegan, as an Incorporator

Steve Hatfield, as an Incorporator

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this 10th day of April, 2003, personally appeared Beverly Stibbens, Mike Donegan, and Steve Hatfied, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Incorporation as incorporators and in their respective capacities, as shown above and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

Notary Public in and for the State of Texas

My Commission Expires:

CHARLENE SIMPSON
Notary Public
State of Texas
My Comm. Exp. 01-22-05
[SEAL]

EXECUTED this _____ day of _____, 2003.

INCORPORATORS - CITY OF MOBILE CITY, TEXAS

Wanda Cooper, as an Incorporator

Lee House, as an Incorporator

Sonja Bolin, as an Incorporator

EXECUTED this 25 day of _____, 2003.

INCORPORATORS - CITY OF McLENDON-CHISHOLM, TEXAS

_____
Beverly Stibbens, as an Incorporator

_____
Mike Donegan, as an Incorporator

_____
Steve Hatfield, as an Incorporator

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

DE Wanda Cooper DE Lee House

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this 25th day of April, personally appeared ~~Beverly Stibbens~~, ~~Mike Donegan~~, and ~~Steve Hatfield~~, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Incorporation as incorporators and in their respective capacities, as shown above and that the statements therein contained are true.

DE Sonja Bolin

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

Donna Lin Evans
_____
Notary Public in and for the State of Texas

My Commission Expires:

DONNA LISA EVANS
Notary Public
State of Texas
My Comm. Exp. 01-29-2007

[SEAL]

EXECUTED this 25th day of April, 2003.

INCORPORATORS - CITY OF MOBILE CITY, TEXAS

Wanda Cooper
Wanda Cooper, as an Incorporator

Lee House
Lee House, as an Incorporator

Sonja Bolin
Sonja Bolin, as an Incorporator

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this 5th day of June, personally appeared Wanda Cooper, Lee House and Sonja Bolin, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Incorporation as incorporators and in their respective capacities, as shown above and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

DONNA LISA EVANS
Notary Public
State of Texas
My Comm. Exp. 01-29-2007

My Commission Expires:

Donna Lisa Evans
Notary Public in and for the State of Texas

[SEAL]

EXECUTED this _____ day of _____, 2003.

INCORPORATORS - CITY OF ROCKWALL, TEXAS

_____
Ken Jones, as an Incorporator

_____
Bill Cecil, as an Incorporator

_____
John King, as an Incorporator

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this _____ day of _____, personally Ken Jones, Bill Cecil, and John King, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Incorporation as incorporators and in their respective capacities, as shown above and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

My Commission Expires:

_____
Notary Public in and for the State of Texas

[SEAL]

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

See above

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this _____ day of _____, personally appeared Wanda Cooper, Lee House and Sonja Bolin, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Incorporation as incorporators and in their respective capacities, as shown above and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

My Commission Expires:

_____
Notary Public in and for the State of Texas

_____
[SEAL]

EXECUTED this _____ day of _____, 2003.

INCORPORATORS - CITY OF ROCKWALL, TEXAS

_____
Ken Jones, as an Incorporator

_____
Bill Cecil, as an Incorporator

_____
John King, as an Incorporator

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this 7th day of April, 2003, personally Ken Jones, Bill Cecil, and John King, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Incorporation as incorporators and in their respective capacities, as shown above and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

My Commission Expires:

Dorothy J. Brooks
Notary Public in and for the State of Texas

_____
[SEAL]

DOROTHY J. BROOKS
Notary Public
State of Texas
My Comm. Exp. 04-28-2007

EXECUTED this 15th day of April, 2003.

INCORPORATORS - CITY OF ROWLETT, TEXAS

C. Shane Johnson, as an Incorporator

Rick Sheffield, as an Incorporator

Bruce Mannken, as an Incorporator

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this 15th day of April, 2003, personally appeared C. Shane Johnson, Rick Sheffield and Bruce Mannken, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Incorporation as incorporators and in their respective capacities, as shown above and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

My Commission Expires: December 6, 2005

Notary Public in and for the State of Texas

EXECUTED this _____ day of _____, 2003.

INCORPORATORS - CITY OF ROYSE CITY, TEXAS

Janet Nichol, as an Incorporator

Gary Gregory, as an Incorporator

Ken Brown, as an Incorporator

EXECUTED this _____ day of _____, 2003.

INCORPORATORS - CITY OF ROWLETT, TEXAS

_____
C. Shane Johnson, as an Incorporator

_____
Rick Sheffield, as an Incorporator

_____
Bruce Mannken, as an Incorporator

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this 8th day of April, personally appeared C. Shane Johnson, Rick Sheffield and Bruce Mannken, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Incorporation as incorporators and in their respective capacities, as shown above and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

Brenda J. Craft
Notary Public in and for the State of Texas

My Commission Expires:

NOTARY PUBLIC STATE OF TEXAS
BRENDA CRAFT
Notary Public
State of Texas
My Comm. Exp. 01-26-04

[SEAL]

EXECUTED this 8th day of April, 2003.

INCORPORATORS - CITY OF ROYSE CITY, TEXAS

Janet Nichol
Janet Nichol, as an Incorporator

Gary J. Gregory
Gary Gregory, as an Incorporator

Ken Brown
Ken Brown, as an Incorporator

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this 8th day of April, personally appeared Janet Nichol, Gary Gregory and Ken Brown, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Incorporation as incorporators and in their respective capacities, as shown above and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

Brenda J Craft
Notary Public in and for the State of Texas

My Commission Expires:

BRENDA CRAFT
Notary Public
State of Texas
My Comm. Exp. 01-26-04

[SEAL]

EXECUTED this _____ day of _____, 2003.

INCORPORATORS - ROCKWALL COUNTY, TEXAS

_____
Bill Bell, as an Incorporator

_____
Bruce Beaty, as an Incorporator

_____
Scott Self, as an Incorporator

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this _____ day of _____, personally appeared Bill Bell, Bruce Beaty and Scott Self, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Incorporation as incorporators and in their respective capacities, as shown above and that the statements therein contained are true.

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this _____ day of _____, personally appeared Janet Nichol, Gary Gregory and Ken Brown, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Incorporation as incorporators and in their respective capacities, as shown above and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

My Commission Expires: _____

Notary Public in and for the State of Texas

_____
[SEAL]

EXECUTED this 14th day of April, 2003.

INCORPORATORS - ROCKWALL COUNTY, TEXAS

_____
Bill Bell, as an Incorporator

_____
Bruce Beaty, as an Incorporator

_____
Scott Self, as an Incorporator

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this 14 day of April, 2003, personally appeared Bill Bell, Bruce Beaty and Scott Self, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Incorporation as incorporators and in their respective capacities, as shown above and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

Notary Public in and for the State of Texas

My Commission Expires:



[SEAL]

Corporations Section
P.O.Box 13697
Austin, Texas 78711-3697

Roger Williams
Secretary of State

Office of the Secretary of State

CERTIFICATE OF AMENDMENT
OF

County of Rockwall Emergency Services Corporation
800214646

The undersigned, as Secretary of State of Texas, hereby certifies that the attached Articles of Amendment for the above named entity have been received in this office and have been found to conform to law.

ACCORDINGLY the undersigned, as Secretary of State, and by virtue of the authority vested in the Secretary by law hereby issues this Certificate of Amendment.

Dated: 09/29/2006
Effective: 09/29/2006

Roger Williams
Secretary of State

FILED
In the Office of the
Secretary of State of Texas
SEP 29 2006
Corporations Section

ARTICLES OF AMENDMENT

TO THE

ARTICLES OF INCORPORATION
OF
COUNTY OF ROCKWALL EMERGENCY SERVICES CORPORATION

The name of the Corporation is County of Rockwall Emergency Services Corporation (the "Corporation").

Article Four of the articles of incorporation of the Corporation is hereby amended to read as follows:

"ARTICLE FOUR

The Corporation is organized solely to carry out the purposes of the Act by aiding and acting on behalf of the Sponsoring Local Governments to accomplish certain governmental purposes of the Sponsoring Local Governments, to wit: provide emergency and public safety services, including without limitation ambulance service and dispatch and communication services.

The Corporation is formed pursuant to the provisions of the Act as it now or may hereafter be amended, which authorizes the Corporation to assist and act on behalf of the Sponsoring Local Governments to accomplish any governmental purpose of the Sponsoring Local Governments and to engage in activities in the furtherance of the purposes for its creation.

The Corporation shall have and possess the broadest possible powers granted it by the Act as it may be amended from time to time (including without limitation all powers of a corporation authorized for creation by the Texas Transportation Commission under Chapter 431, Texas Transportation Code, as amended, and all powers of a nonprofit corporation under the Texas Non-Profit Corporation Act (Article 1396-1.01 et. seq., Vernon's Texas Civil Statutes, as amended)) to accomplish the purposes for which it is created and as may be determined from time to time by the Sponsoring Local Governments, whether or not so expressly stated in these Articles of Incorporation. The Corporation is a duly constituted authority and a public instrumentality within the meaning of the regulations of the United States Treasury Department and the rulings of the Internal Revenue Service prescribed and promulgated pursuant to Section 103 of the Internal Revenue Code of 1986 (26 U.S.C. §103), as amended, and the Corporation is authorized, and has as an additional specific purpose for its organization and operation, to act on behalf of the Sponsoring Local Governments as provided in these Articles of Incorporation. However, no agreements, bonds, debts or obligations of the Corporation are or shall ever be deemed to be the agreements, bonds, debts or obligations, or the lending of credit, or a grant of public money or thing of value, of or by any of the Sponsoring Local Governments, or any other political corporation, subdivision or agency of the State of Texas, or a pledge of the faith and credit of any of them, except as otherwise may be agreed to in writing by any of the foregoing entities.

The Corporation is created as a local government corporation pursuant to the Act and shall be a governmental unit as that term is used in Chapter 101, Texas Civil Practice and Remedies Code. The operations of the Corporation are governmental and not proprietary functions.

No part of the Corporation's activities shall be carrying on propaganda, or otherwise attempting to influence legislation, and it shall not participate in, or intervene in (including the publishing or distribution of statements), any political campaign on behalf of or in opposition to any candidate for public office."

Resolutions approving this Amendment to the Articles of Incorporation have been duly adopted by a majority vote of the governing bodies of the Corporation and the Sponsoring Local Governments. The dates of the adoption of such resolutions are August 7, 2006 for the City of Rockwall, Texas, September 21, 2006, for the City of Heath, Texas, August 21, 2006 for the City of Fate, Texas, August 8, 2006, for the City of Royse City, Texas, August 14, 2006 for the City of McLendon-Chisholm, Texas, September 19, 2006, for the City of Rowlett, Texas, August 1, 2006, for the City of Mobile City, Texas, September 11, 2006, for the County of Rockwall and September 24, 2006, for the County of Rockwall Emergency Services Corporation.

[The remainder of this page intentionally left blank.]

EXECUTED THIS 27 DAY OF September, 2006, _____.

COUNTY OF ROCKWALL EMERGENCY SERVICES CORPORATION

Bruce Beaty
President, Board of Directors

Scott Self
Secretary, Board of Directors

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this 27th day of September personally appeared Bruce Beaty and Scott Self, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Amendment to the Articles of Incorporation in their respective capacities, as shown above and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

Felicia L Morris
Notary Public in and for
the State of Texas
My Commission Expires 9-16-08

(NOTARY SEAL)

FELICIA L. MORRIS
NOTARY PUBLIC STATE OF TEXAS
COMMISSION EXPIRES:
SEPTEMBER 16, 2008

EXECUTED THIS 25 DAY OF August, 2006.

CITY OF FATE, TEXAS

David Hill, Mayor

Sandra Lobban, City Secretary

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this 25th day of August, personally appeared David Hill and Sandra Lobban, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Amendment to the Articles of Incorporation in their respective capacities, as shown above and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

Notary Public in and for
the State of Texas
My Commission Expires 4-6-2008

(NOTARY SEAL)



EXECUTED THIS 21 DAY OF September, 2006.

CITY OF HEATH, TEXAS

John Ratcliffe, Mayor

Stephanie Galanides, City Secretary

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this 21 day of September, personally appeared John Ratcliffe and Stephanie Galanides, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Amendment to the Articles of Incorporation in their respective capacities, as shown above and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

Nancy I. Hernandez
Notary Public in and for
the State of Texas
My Commission Expires August 21, 2007

(NOTARY SEAL)

OFFICIAL SEAL
Nancy I. Hernandez
State of Texas
My Commission Expires
August 21, 2007

EXECUTED THIS _____ DAY OF _____, _____.

CITY OF McLENDON CHISHOLM, TEXAS

Mayor

City Secretary

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF ROCKWALL

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this 21 day of August 2006, personally appeared Mike Donegan, and Carolyn Lawhorn, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Amendment to the Articles of Incorporation in their respective capacities, as shown above and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

Notary Public in and for
the State of Texas
My Commission Expires 8/19/08

(NOTARY SEAL)
TOM R. RICHMOND
Notary Public
State of Texas
My Comm. Exp. 08-19-2008

EXECUTED THIS ___ DAY OF _____, _____.

CITY OF MOBILE CITY, TEXAS

Wanda Cooper
WANDA COOPER, Mayor

Linda K Prince
LINDA PRINCE, City Secretary

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this 23 day of August, personally appeared Wanda Cooper and Linda K Prince, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Amendment to the Articles of Incorporation in their respective capacities, as shown above and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

NOTARY PUBLIC STATE OF TEXAS
DOROTHY J. BROOKS
Notary Public
State of Texas
My Comm. Exp. 04-28-2007

(NOTARY SEAL)

Dorothy J Brooks
Notary Public in and for
the State of Texas
My Commission Expires 04-28-2007

EXECUTED THIS 27th DAY OF September, 2006.

CITY OF ROCKWALL, TEXAS

William R. Cecil, Mayor

Dorothy Brooks, City Secretary

ACKNOWLEDGEMENT

THE STATE OF TEXAS '
COUNTY OF ROCKWALL '

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this 27th day of September, personally appeared William R. Cecil, and Dorothy Brooks, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Amendment to the Articles of Incorporation in their respective capacities, as shown above and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

Veronica Padilla
Notary Public in and for the State of Texas
My Commission Expires 2-23-09

(NOTARY SEAL)
VERONICA PADILLA
Notary Public
State of Texas
My Comm. Exp. 02-23-2009

EXECUTED THIS 19 DAY OF September, 2006.

CITY OF ROWLETT, TEXAS

C. Shane Johnson, Mayor

Susie Quinn, City Secretary

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF DALLAS §

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this 19th day of September 2006, personally appeared C. Shane Johnson and Susie Quinn, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Amendment to the Articles of Incorporation in their respective capacities, as shown above and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

STACEY CHADWICK
Notary Public, State of Texas
My Commission Expires
July 31, 2010
(NOTARY SEAL)

Notary Public in and for
the State of Texas
My Commission Expires 7-31-2010

EXECUTED THIS 29th DAY OF August, 2006.

CITY OF ROYSE CITY, TEXAS

Jim Mellody, Mayor

Brenda Craft, City Clerk

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this 29th day of August, personally appeared Jim Mellody and Brenda Craft, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Amendment to the Articles of Incorporation in their respective capacities, as shown above and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

STEPHANIE MODISETTE
Notary Public, State of Texas
My Commission Expires
December 22, 2009

Stephanie Modisette
Notary Public in and for
the State of Texas
My Commission Expires 12-22-09

(NOTARY SEAL)

EXECUTED THIS 11th DAY OF September, 2006

ROCKWALL COUNTY, TEXAS

Bill Bell

Rockwall, County Judge

Paulette Burks

Rockwall, County Clerk

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this 13th day of September, personally appeared Bill Bell, and Paulette Burks each being by me first duly sworn, severally declared that they are the persons who signed the foregoing Articles of Amendment to the Articles of Incorporation in their respective capacities, as shown above and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office the day and year above written.

FELICIA L. M...
NOTARY PUBLIC STATE OF TEXAS
COMMISSION EXPIRES:
SEPTEMBER 16, 2008
(NOTARY SEAL)

Felicia L Morris
Notary Public in and for
the State of Texas
My Commission Expires Sept. 16, 2008

BYLAWS
OF
COUNTY OF ROCKWALL EMERGENCY SERVICES CORPORATION

ARTICLE I

POWERS AND DUTIES

Section 1.01. Powers. The Corporation shall have all powers granted it by Subchapter D of Chapter 431, Texas Transportation Code, as amended (the "Act"), including all powers incorporated therein by reference, whether or not so expressly stated in these Bylaws, to provide emergency services and public safety services, including without limitation ambulance service and dispatch and communication services, on behalf of and as may be determined from time to time by the City of Fate, the City of Heath, the City of McLendon Chisholm, the City of Mobile City, the City of Rockwall, the City of Rowlett, the City of Royse City and Rockwall County, Texas (collectively, the "Sponsoring Local Governments") in a timely and efficient manner.

Section 1.02. General Services Plan. (a) The Board of Directors of the Corporation shall adopt a general services plan (the "General Services Plan") which shall set forth:

(i) the services to be provided or caused to be provided by the Corporation, and the means of providing such services, that shall be provided for the benefit of all of the Sponsoring Local Governments;

(ii) fees to be charged for any of its services;

(iii) the formula or other criteria for allocating the annual amount to be paid by each Sponsoring Local Government for the costs associated with the General Services Plan and the administrative and overhead costs of the Corporation allocable to the General Services Plan;

(iv) the service area of the General Services Plan;

(v) operating guidelines for the General Services Plan;

(vi) the location of all facilities, offices, equipment and apparatus to be used in connection with the General Services Plan; and

(vii) such other information deemed appropriate by the Board of Directors or requested in writing by a Sponsoring Local Government.

150

(b) The Board of Directors shall, at least annually, review the General Services Plan and shall revise the General Services Plan as the Board of Directors deems necessary or appropriate.

(c) The initial General Services Plan and any revisions thereof shall be submitted to the governing body of each Sponsoring Local Government for approval.

(d) A Sponsoring Local Government may request, in writing to the Board of Directors with a copy thereof sent to each of the other Sponsoring Local Governments, a change in the General Services Plan.

(e) The Sponsoring Local Governments may, at their sole discretion, revise the General Services Plan by resolution adopted by each of the governing bodies thereof.

Section 1.03. Special Purpose Services Plans. (a) Any one or more of the Sponsoring Local Governments may request, in writing to the Board of Directors with a copy thereof sent to each of the other Sponsoring Local Governments, that the Corporation provide a service or function that is not included in the General Services Plan. Each Sponsoring Local Governments shall notify the Board of Directors in writing within sixty days of the date such request is submitted to each Sponsoring Local Government whether such Sponsoring Local Government approves of such service or function. If all of the Local Sponsoring Governments approve of such service or function, the Board of Directors shall incorporate the requested service or function into the General Services Plan. If less than all of the Local Sponsoring Governments approve of such service or function, but such service or function is approved by two or more of the Sponsoring Local Governments, the Board of Directors shall appoint a committee (a "Special Purpose Service Committee") that shall consist of the members of the Board of Directors that are appointed by the Sponsoring Local Governments that approved the requested service or function.

(b) A Special Purpose Service Committee shall adopt a service plan for the service or function (a "Special Service") for which the Special Purpose Service Committee was formed (a "Special Purpose Service Plan"). The Special Purpose Service Plan shall contain, as applicable for the Special Service, the information set forth in Section 1.02(a). The Special Purpose Service Committee shall submit such Special Purpose Service Plan to the Board of Directors. If the Board of Directors approves the Special Purpose Service Plan, the Board of Directors shall submit such Special Purpose Service Plan to the governing body of each of the Sponsoring Local Governments. If two or more of the Sponsoring Local Governments approve of such Special Purpose Services Plan within sixty days of the date such Special Purpose Service Plan is submitted to each of such Sponsoring Local Governments, the Special Purpose Services Plan shall be implemented by the Board of Directors to provide the Special Service on behalf of the Sponsoring Local Governments that approved of such Special Service.

(c) Except as may otherwise be provided in a Special Service Plan, a Sponsoring Local Government that is not participating in a Special Service may opt to participate in a Special Service by providing notice to the Board of Directors. Upon such notice, the applicable Special Purpose Service committee shall revise the Special Purpose Service Plan to incorporate the provision of such

Special Service to the Sponsoring Local Government that has chosen to participate in the Special Service. The Special Purpose Service Committee shall submit the revised Special Purpose Service Plan to the Board of Directors. If the Board of Directors approves the revised Special Purpose Service Plan, the Board of Directors shall submit such Special Purpose Service Plan to the governing body of each of the Sponsoring Local Governments. If two or more of the Sponsoring Local Governments approve of such revised Special Purpose Services Plan within sixty days of the date such revised Special Purpose Service Plan is submitted to each of such Sponsoring Local Governments, the revised Special Purpose Services Plan shall be implemented by the Board of Directors to provide the Special Service on behalf of the Sponsoring Local Governments that approved of such Special Service.

(d) Except as may otherwise be provided in a Special Service Plan, a Sponsoring Local Government that is participating in a Special Service may choose to not participate in a Special Service by providing written notice to the Board of Directors setting forth the Special Service to be discontinued on behalf of such Sponsoring Local Government and the date of termination of such service. Upon such notice, the applicable Special Purpose Service Committee shall revise the Special Purpose Service Plan to discontinue the provision of such Special Service to the Sponsoring Local Government that has chosen to not participate in the Special Service and submit the revised Special Purpose Service Plan to the Board of Directors for approval.

(e) Each Special Purpose Service Committee shall, at least annually, review its Special Purpose Service Plan and shall revise such Special Purpose Service Plan as the Special Purpose Service Committee deems necessary or appropriate.

(f) A Sponsoring Local Government participating in a Special Purpose Service Plan may request, in writing to the Special Purpose Service Committee, with a copy thereof sent to each of the Sponsoring Local Governments participating in the Special Purpose Service Plan, a change in the Special Purpose Service Plan.

(g) A revision of a Special Purpose Service Plan under Subsection (e) of this Section or a requested revision of a Special Purpose Service Plan under Subsection (f) of this Section shall follow the procedures set forth in Subsection (c) of this Section with respect to approval by the Board of Directors and Sponsoring Local Governments and implementation of the revised Special Purpose Services Plan.

(h) Upon a change in the Sponsoring Local Governments that participate in a Special Services Plan, the Board of Directors shall reappoint the Special Services Committee to include only the members of the Board of Directors that were appointed by the Sponsoring Local Governments that are participating in the Special Purpose Service Plan.

Section 1.04. Funding. (a) It is recognized and acknowledged by the Board of Directors and each of the Sponsoring Local Governments that the principal source of funding for the Corporation and its operations will be fees for services and contract payments made to the Corporation by each of the Sponsoring Local Governments.

(b) At least 60 days prior to the beginning of each fiscal year of the Corporation, the Board of Directors shall adopt a proposed budget for each fiscal year, which shall include a separate budget for each Special Purpose Service Plan prepared by the applicable Special Purpose Service Committee, and submit the budget for approval to each Sponsoring Local Government.

(c) The proposed budget shall include the annual amounts to be paid by each Sponsoring Local Government to the Corporation to enable the Corporation to provide services on behalf of such Sponsoring Local Government in accordance with the General Services Plan and each Special Purpose Services Plan. Each Sponsoring Local Government shall annually enter into a contract with the Corporation, either joint or several, pursuant to which such Sponsoring Local Government will agree to pay its annual amount to the Corporation in substantially equal monthly installments; provided that each such contract shall provide that a Sponsoring Local Government may prepay all or a portion of its annual amount.

(d) Each Sponsoring Local Government shall, within ten days of the adoption of its annual budget, notify the Corporation of the amount budgeted and appropriated for the payment of the Sponsoring Local Government's annual payment. In the event any Sponsoring Local Government does not budget and appropriate sufficient funds to pay its annual amount, or defaults in the payment of any amounts due the Corporation, the Corporation shall cease to provide services on behalf of such Sponsoring Local Government, such termination of services to be effective as of the last date for which such Sponsoring Local Government made payment of its amount for services, and shall notify the other Sponsoring Local Governments of such event in writing. Except as may otherwise be provided in a Special Service Plan, any funds or other property paid or contributed to the Corporation shall remain the property of the Corporation.

(e) The Corporation shall cause its books, records, accounts and financial statements for each fiscal year to be audited by an independent certified public accountant. Such audit shall include a written management letter which details suggested management controls and operating efficiencies. Each audit shall be prepared and submitted annually to each Sponsoring Local Government within 120 days of the end of the Corporation's fiscal year. Any such audit shall be performed at the expense of the Corporation.

(f) The Corporation shall not issue or incur any bonds, notes or other obligations for borrowed money without the approval of the governing bodies of each of the Sponsoring Local Governments.

(g) A Sponsoring Local Government shall not be liable or obligated for the undertakings or obligations, including any amounts to be paid under contracts or other agreements, of any other Sponsoring Local Government.

ARTICLE II

DIRECTORS

Section 2.01. Board of Directors. The number of directors constituting the initial board of directors of the Corporation (the "Board of Directors") shall be as set forth in the Articles of Incorporation. Upon the expiration of the terms of office of the initial members of the Board of Directors, the membership of the Board of Directors shall consist of the number of directors determined in accordance with Section 2.02(a).

Section 2.02. Appointment of Directors. (a) Directors shall be appointed by the governing bodies of the Sponsoring Local Governments, as follows:

(i) Each Sponsoring Local Government with a population of 10,000 or more residing in Rockwall County shall appoint two members of the Board of Directors; and

(ii) Each Sponsoring Local Government with a population of less than10,000 residing in Rockwall County shall appoint one member of the Board of Directors.

(b) Prior to the expiration of the terms of the initial Board of Directors and prior to the expiration of the two year terms of office for Directors as provided in Section 2.03(a), the Board of Directors shall determine the population of each of the Sponsoring Local Governments in accordance with Section 7.07, and notify each of the Sponsoring Local Governments of the number of Directors to be appointed by such Sponsoring Local Government for the next ensuing two term of office.

(c) Each Sponsoring Local Government shall notify the Corporation, in writing, of its appointed director(s) and give written notice of any changes made thereto.

(d) To be eligible for appointment to the Board of Directors, a person must be at least 18 years of age and a resident of the Sponsoring Local Government that appoints such person to the Board of Directors.

Section 2.03. Term of Office; Removal; Resignations; Vacancies.

(a) Upon the expiration of the terms of the initial Board of Directors, each director appointed to serve thereafter shall hold office for a term of two years and until the director's successor has been appointed and qualified; and further provided that if any director at any time shall also be a member of the governing body, an officer or employee of a Sponsoring Local Government, then the term of such director shall never exceed the period for which such director is a member of the governing body, an officer or employee of such Sponsoring Local Government.

(b) Any director may be removed from office by the governing body that appointed such director, for cause or at will.

(c) Any director may resign at any time. Such resignations shall be made in writing and shall take effect at the time specified therein, or, if no time be specified, at the time of its receipt by the presiding officer of the governing body that appointed such director. The acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in the resignation.

(d) Vacancies in the Board of Directors shall be filled for the unexpired term by the governing body responsible for appointing that position to the Board; provided that if a position on the Board remains vacant for more than 90 days, the remaining member or members of the Board, regardless of whether the remaining member or members of the Board are sufficient in number to constitute a quorum, shall by majority vote appoint a qualified person to serve in each such position until the governing body responsible for appointing a director to such position has appointed a qualified person to such position.

Section 2.04. Powers of Corporation to be Exercised by Board. The property and business of the Corporation shall be managed by the Board which may exercise all powers of the Corporation and do all lawful acts.

Section 2.05. Place of Board Meetings. Meetings of the Board may be held at such place or places in the State of Texas as the Board from time to time may determine.

Section 2.06. Regular Board Meetings. Regular meetings of the Board may be held on such dates and at such time and places as shall from time to time be determined by the Board, without necessity of notice except as provided in Section 3.01 of these Bylaws.

Section 2.07. Special Board Meetings. Special meetings of the Board may be called by the President or Secretary on three days' notice to each director, and upon public notice as provided in Section 3.01 herein below, and shall be called by the President or Secretary also on three days' notice to each director, and upon public notice as provided in Section 3.01 herein below, on the written request of two directors. Emergency meetings may be called by the President or Secretary on two hours notice, but only upon compliance with the public notice requirements as provided in Section 3.01 herein below. Notice of each special meeting may be given in person, by telephone, electronic transmission (e.g., facsimile transmission or electronic mail) or mail. Notice by mail shall be deemed to be given at the time when the same shall be thus mailed. Notice by electronic transmission shall be deemed to be given at the time the sending party receives confirmation that the transmission has been transmitted.

Section 2.08. Quorum. At all meetings of the Board the presence of a majority of the directors shall be necessary and sufficient to constitute a quorum for the transaction of business and the act of a majority of the directors present at any meeting at which there is a quorum shall be the act of the Board, except as may be otherwise specifically provided by these Bylaws.

Section 2.09. Conduct of Business. The Board of Directors shall adopt guidelines and procedures for the conduct of its business as it deems necessary and appropriate. At meetings of the Board of Directors, matters pertaining to the purposes of the Corporation shall be considered in such order as the Board of Directors may determine from time to time. The President shall preside at all meetings of the Board of Directors; provided that in the absence of the President, the Vice President shall preside. The Secretary of the Corporation shall act as Secretary of all meetings of the Board of Directors. In the absence of the Secretary, the presiding officer may appoint any person to act as Secretary of the meeting.

Section 2.10. No Compensation Paid to Directors. Directors, as such, shall receive no compensation for services rendered as directors, but shall be reimbursed for all reasonable expenses incurred in performing their duties as directors.

Section 2.11. Committees. (a) In addition to Special Purpose Service Committees, the Board may by resolution or resolutions adopted by the Board, establish one or more committees, each committee to consist of two or more of the directors of the Corporation. Such committee or committees shall have such name or names, and such powers, as may be determined from time to time by resolution adopted by the Board.

(b) A majority of the directors appointed to a committee shall be necessary and sufficient to constitute a quorum for the transaction of business by the committee and the act of a majority of the directors present at any meeting at which there is a quorum shall be the act of the committee, except as may be otherwise specifically provided by these Bylaws.

(c) Each committee shall appoint a chairperson to preside at meetings of the committee, and such other officers as the committee shall determine.

(d) Each committee shall keep regular minutes of its proceedings and report the same to the Board when required.

ARTICLE III

NOTICES

Section 3.01. Open Meetings Act. The Board, all actions of the Board, all meetings of the Board, whether regular, special, or emergency, and all meetings of committees of the Board shall be subject to the public notice requirements of the Texas Open Meetings Act, Chapter 551, Texas Government Code.

Section 3.02. Notice to Directors. Whenever under the provisions of any statute or these Bylaws notice is required to be given to any director (other than notice of a special meeting as provided in Section 2.07), it shall not be construed to mean personal notice, but such notice may be given in writing, by mail, addressed to such director at such address as appears on the books of the Corporation, and such notice shall be deemed to be given at the time when the same shall be thus mailed.

Section 3.03. Waiver of Notice by Directors. Attendance of a director at a meeting shall constitute a waiver of notice of such meeting, except when a director attends a meeting for the express purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully called or convened. A waiver of notice in writing, signed by the person or persons entitled to said notice, whether before or after the time state therein, shall be deemed equivalent to the giving of such notice.

ARTICLE IV

OFFICERS

Section 4.01. Titles and Term of Office.

The officers of the Corporation shall be a President, a Vice President, a Secretary, a Treasurer, and such other officers as the Board of Directors from time to time may elect or appoint. The President and Vice President shall be members of the Board of Directors, however the Secretary, Treasurer and any other officers may or may not be members of the Board of Directors. One person may hold more than one office, except that the President shall not hold the office of Secretary. Terms of office shall be one year, or until the successor of such offices is elected or appointed by the Board of Directors. A person appointed as an officer of the Corporation who is not a member of the Board of Directors is not entitled to vote on a matter coming before the Board.

Section 4.02. Removal; Resignations; Vacancies.

(a) All officers shall be subject to removal from office, with or without cause, at any time by a vote of a majority of the Directors in office.

(b) Any officer may resign at any time. Such resignation shall be made in writing and shall take effect at the time specified therein, or, if no time be specified, at the time of its receipt by the President or Secretary. The acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in the resignation.

(c) A vacancy in the office of any officer shall be filled by a vote of a majority of the Directors in office.

Section 4.03. President.

The President shall be the chief executive officer of the Corporation and, subject to the Board of Directors, shall be in general charge of the properties and affairs of the Corporation; the President shall preside at all meetings of the Board of Directors; in furtherance of the purposes of the Corporation, he or she may sign and execute all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments in the name of the Corporation, except where required or permitted by law to be otherwise signed and executed and except where the signing and execution thereof shall be expressly delegated by the Board to some other officer or agent of the Corporation.

Section 4.04. Vice President.

The Vice President shall have such powers and duties as may be assigned by the Board of Directors and shall exercise the powers of the President during that officer's absence or inability to act. Any action taken by the Vice President in the performance of the duties of the President shall be conclusive evidence of the absence or inability to act of the President at the time such action was taken.

Section 4.05. Secretary.

(a) The Secretary shall keep the minutes of all meetings of the Board of Directors in books provided for that purpose; he or she shall attend to the giving and serving of all notices; in furtherance of the purposes of this Corporation, he or she may sign with the President in the name of the Corporation; and/or attest the signature thereto, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments of the Corporation, except where required or permitted by law to be otherwise signed and executed and except where the signing and execution thereof shall be delegated by the Board to some other officer or agent of the Corporation; he or she shall have charge of the corporate books, records and securities of which the Treasurer shall have custody and charge, and such other books and papers as the Board of Directors may direct, all of which shall at all reasonable times be open to inspection upon application at the office of Corporation during business hours, and he or she shall in general perform all duties incident to the office of Secretary subject to the control of the Board of Directors.

(b) The Board of Directors may appoint one or more persons to serve as an Assistant Secretary, which person may, but need not be, a Director. The Assistant Secretary may perform any duty required of or granted to the Secretary in these Bylaws and/or in any resolution or order approved by the Board.

Section 4.06. Treasurer.

(a) To the extent not otherwise provided by the Board, by rules or regulations, in resolutions relating to the issuance of bonds, or in any financing documents relating to such issuance, the Treasurer shall have custody of all the funds and securities of the Corporation which come into his hands. When necessary or proper, he or she may endorse, on behalf of the Corporation, for collection, checks, notes and other obligations and shall deposit the same to the credit of the Corporation in such bank or banks or depositories as shall be designated in the manner prescribed by the Board of Directors; he or she may sign all receipts and vouchers for payment made to the Corporation, either alone or jointly with such other officer as is designated by the Board of Directors; whenever required by the Board of Directors, he or she shall render a statement of all transactions performed as Treasurer of the financial condition of the Corporation; he or she shall enter or cause to be entered regularly in the books of the Corporation to be kept by him for that purpose full and accurate accounts of all monies received and paid out on account of the Corporation; he or she shall perform all acts incident to the position of Treasurer subject to the control of the Board of Directors; he or she shall, if required by the Board of Directors, give such bond for the faithful discharge of his duties in such form as the Board of Directors may require.

(b) The Board of Directors may appoint one or more persons to serve as an Assistant Treasurer, which person may, but need not be, a director. The Assistant Treasurer may perform any duty granted to the Treasurer in these Bylaws and/or in any resolution or order approved by the Board.

Section 4.07. Compensation.

Officers as such shall not receive any salary or compensation for their services, except that they shall be reimbursed for their actual expenses incurred in the performance of their duties hereunder.

Section 4.08. Facsimile Signatures.

The provisions of the Texas Uniform Facsimile Signature of Public Officials Act shall be applicable to the Corporation, which is a duly constituted instrumentality of the District, a political subdivision of the State of Texas.

Section 4.11. Surety Bonds. The Board may require the President, Vice President, the Secretary, any Assistant Secretary, the Treasurer, any Assistant Treasurer and any other officer of the Corporation to give the Corporation bonds in such sums and with such surety or sureties as shall be satisfactory to the Board for the faithful performance of the duties of their office and for the restoration to the Corporation, in case of such person's death, resignation, retirement or removal from office, of all books, papers, vouchers, money and other property of whatever kind in such person's possession or under such person's control belonging to the Corporation.

ARTICLE V

FISCAL PROVISIONS

Section 5.01. Restrictions on Payment of Funds. No dividends shall ever be paid by the Corporation and no part of its net earnings remaining after payment of its expenses shall be distributed to or inure to the benefit of its directors or officers or any individual, firm, corporation, or association, except that in the event the Board of Directors shall determine that sufficient provision has been made for the full payment of the expenses, bonds, and other obligations of the Corporation, then any net earnings of the Corporation thereafter accruing shall be paid to the Sponsoring Local Governments. No part of the Corporation's activities shall be carrying on propaganda, or otherwise attempting to influence legislation, and it shall not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of or in opposition to any candidate for public office.

Section 5.02. Execution of Financial Instruments. All checks, demands for money, withdrawals of money, notes, time and demand deposits and certificates of deposit shall be signed by the Treasurer or his designee or such other person or persons as the Board of Directors from time to time may designate by resolution or other action of the Board of Directors or as may be designated in any financing documents relating to the issuance of bonds or other obligations of the Corporation, provided that in the case of checks at least one of the authorized signatories shall be an officer of the Corporation.

Section 5.03. Fiscal Year. The fiscal year of the Corporation shall be as determined by the Board of Directors.

Section 5.04. Books and Records. The Corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of the Board and committees having any of the authority of the Board. All books and records of the Corporation shall be kept at the principal office of the Corporation where they shall be available to the public in accordance with the applicable provisions of the Texas Public Information Act (Chapter 552, Tex. Government Code, as amended).

Section 5.05. Staff Functions. Staff functions for the Corporation may be performed by the one or more of the Sponsoring Local Governments as directed by the Board of Directors and agreed to by such Sponsoring Local Government. The Corporation shall pay, to the extent funds of the Corporation are legally available, the amount of costs for such services from fees collected by it, as from time to time shall be billed to the Corporation by the Sponsoring Local Government.

ARTICLE VI

SEAL

The seal of the Corporation shall be as determined by the Board of Directors.

ARTICLE VII

GENERAL PROVISIONS

Section 7.01. Amendment of Bylaws. These Bylaws may be amended at any time and from time to time, provided that the Board of Directors shall first file with each governing body of the Sponsoring Local Governments a written application requesting that the governing bodies of the Sponsoring Local Governments approve such amendment to these Bylaws, specifying in such application the amendment or amendments proposed to be made. If each of the governing bodies of the Sponsoring Local Governments by appropriate resolution finds and determines that it is advisable that the proposed amendment be made, authorizes the same to be made and approves the form of the proposed amendment, the Board of Directors shall proceed to amend these Bylaws. These Bylaws may also be amended at any time and from time to time by the governing bodies of the Sponsoring Local Governments, at their sole discretion, by adopting an amendment to these Bylaws by resolution of the governing body of each of the Sponsoring Local Governments and delivering a copy of such amendment to the President or Secretary of the Board of Directors.

Section 7.02. Interpretation of Bylaws. These Bylaws and all the terms and provisions hereof shall be liberally construed to effectuate the purposes set forth herein. If any word, phrase, clause, sentence, paragraph, section or other part of these Bylaws, or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of these Bylaws and the application of such word, phrase, clause, sentence, paragraph, section or other part of these Bylaws to any other person or circumstance shall not be affected thereby.

Section 7.03. Effective Date.

These Bylaws and any amendment thereto shall become effective only upon the occurrence of the following events:

(a) the approval thereof by each the governing bodies of the Sponsoring Local Governments; and

(b) the adoption thereof by the Board of Directors.

Section 7.04. Approval or Advice and Consent of the Governing Bodies of the Sponsoring Local Governments.

To the extent that these Bylaws refer to any approval by the governing bodies of the Sponsoring Local Governments or refer to advice and consent by the governing bodies of the Sponsoring Local Governments, such advice and consent may be evidenced by a certified copy of a resolution, ordinance, order or motion duly adopted by any such governing body.

Section 7.05. Indemnification of Directors, Officers and Employees

(a) The Corporation may, upon finding of its Board of Directors that it is in the best interest of the Corporation, indemnify any person who was, is or is threatened to be made a named defendant or respondent in the proceeding, whether civil, criminal, administrative, arbitrative or investigative, including all appeals, because that person is or was a director, officer, employee or agent of the Corporation. Indemnification shall be against all expenses, including, without limitation, attorney's fees, court costs, expert witness fees, judgments, decrees, fines, penalties and reasonable expenses actually incurred by the person in connection with the proceeding, except that if the person is found liable to the Corporation or is found liable on the basis that he or she improperly received personal benefit, indemnification shall be limited to reasonable expenses actually incurred by the person in connection with the proceeding, and shall not be made in respect of any proceeding in which the person shall have been found liable for negligence or misconduct in the performance of his or her duty by the Corporation. The indemnification incurred in these By-laws shall also extend to good faith expenditures incurred in anticipation of, or preparation for, threatened or proposed litigation. The Board of Directors may, in proper cases, extend the indemnification to cover the good faith settlement of any such action, suit, or proceeding, whether formally instituted or not.

(b) The Corporation may purchase and maintain insurance, at its expense, for the Corporation against any expense, liability or loss, and on behalf of any person who is or was a director, officer, employee or agent of the Corporation or who is or was serving at the request of the Corporation as a director, officer, employee, agent or similar position, against any liability asserted against him or her or incurred by him or her in such capacity or arising out of his or her status as such, whether or not the Corporation would have the power to indemnify him or her against that liability under the Business Corporation Act Article 2.02-1. If such insurance is obtained, the insurance may be procured, maintained or established with an insurer deemed appropriate by the

Board of Directors. In the absence of fraud, the judgment of the Board of Directors as to the terms and conditions of the insurance shall be conclusive.

Section 7.06. Dissolution of the Corporation.

(a) The Corporation may be dissolved by resolution adopted by the Board of Directors and approved by each of the Sponsoring Local Governments, or the governing bodies of the Sponsoring Local Governments may at any time direct the Board of Directors to proceed with the dissolution of the Corporation, at which time the Board of Directors shall proceed with the dissolution of the Corporation in accordance with applicable Texas law and the provisions of these Articles of Incorporation; provided that all debts and claims of the Corporation have been satisfied or provided for.

(b) Upon dissolution of the Corporation, title to or other interests in any real or personal property owned by the Corporation, including any funds held by or on behalf of the Corporation, at such time shall vest in the Sponsoring Local Governments and shall be distributed to the Sponsoring Local Governments, with respect to property or funds attributable to the General Services Plan and each Special Purpose Services Plan, in proportion to the amount paid by each Sponsoring Local Government in accordance with the most recently adopted General Services Plan and each Special Purpose Services Plan.

Section 7.07 Determination of Population. The population of a Sponsoring Local Government shall be determined by annual population estimates provided by the North Texas Council of Governments.

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CONSULTING AGREEMENT

THIS AGREEMENT is made by and between County of Rockwall Emergency Services Corporation ("Client") and Health Care Visions ("Consultant").

WHEREAS, it is the desire of Client to engage Consultant to perform certain consulting services in the field of emergency medical services and related areas on Client's behalf; and,

WHEREAS, it is the desire of the Consultant to undertake for Client such services on the terms and conditions as set forth herein.

NOW THEREFORE, in consideration of the mutual promises contained in this agreement and for other good and valuable consideration the receipt and sufficiency of which is acknowledged, the parties agree as follows:

1. Services. Consultant will provide for Client, EMS Consulting services as outlined in the Health Care Visions' proposal attached as Attachment 1.

2. Term. The respective duties and obligations of the parties to this agreement shall be for a period of 3 years beginning January 23, 2013 and terminating January 22, 2016. By mutual agreement this contract may be extended for two (2) additional years under the stated terms.

3. Compensation. For the services to be rendered under this agreement the Client shall pay to Consultant a monthly fee of $1,102.50 payable on the first of each month beginning on February 1, 2013. Beginning February 1, 2014 and each subsequent year on the same date, compensation will increase 3%. Compensation is inclusive of all expenses related to this project, unless specifically agreed upon by both parties. Additional work will be priced by written mutual agreement according to the rate schedule provided as Attachment 2 of the proposal.

4. Nondisclosure. Consultant will not disclose any confidential information or trade secrets of Client, regardless of whether the confidential information or trade secrets have been conceived or developed, in whole or in part, by the efforts or investment of Client or by others.

   The terms "confidential information" and "trade secrets" as used in this Agreement shall include, without limitation, the whole or any portion of confidential methods and specialized techniques of the business operations of Client and any other information concerning the business or affairs of Client, which is of a confidential character and which has not been published or otherwise become a matter of general public knowledge. All information and data received by Consultant from Client in any form or format is conclusively deemed to be confidential information unless expressly excluded from confidential information by the specific terms of this Agreement. Consultant will not breach this covenant by making any disclosure that is

required by law, so long as Consultant gives adequate notice to Client to allow Client a reasonable time to file objections with the party requesting the disclosure.

5. Intellectual Property. The Client shall be entitled to the fair use of any intellectual property rights associated with the rendition of the services but Consultant retains all other rights and privileges with respect to all intellectual property created in connection with or arising out of this Agreement and the services to be rendered hereunder.

6. Mediation. If any dispute arises between the parties out of or connected with this Agreement or the rights and duties of the parties as set forth herein on contemplated hereby, then the parties agree any such dispute, shall be submitted for nonbinding mediation before a mutually agreeable mediator prior to commencement of litigation.

7. Independent Contractor. Consultant shall be deemed an independent contractor of Client and nothing in this Agreement shall be construed to create an employment, partnership, or joint venture relationship between the parties.

8. Assignment. Neither party shall have the right to assign any of his rights or obligations under this Agreement, in whole or in part, without the written consent of the other party.

9. Limitation on Damages. Client agrees that Consultant will not be liable for Client's lost profits or other consequential damages of any kind in the event of a breach of this Agreement or other liability arising out of the services to be performed hereunder.

10. Amendment, Waiver, Entire Agreement. No amendment hereof shall be deemed valid unless set forth in writing signed by both parties. Waiver of any provision of this Agreement will not have any effect on any part of the remainder of the Agreement nor will it be construed as a waiver of that or any other provision in the future nor will it be deemed a waiver of any subsequent breach of a provision of the Agreement.

    This Agreement constitutes the entire agreement of the parties and supersedes and cancels all prior oral or written understandings or agreements. Time is of the essence in this Agreement. All amounts due under this Agreement and remaining unpaid for 20 days shall bear interest at the lesser of eighteen percent per annum or the maximum rate permitted by applicable law.

11. Notices. Any notices from one party to the other party shall be deemed valid and effective, if and only if it is in writing and is delivered by way of certified mail return receipt requested, registered mail, or nationally recognized delivery service providing proof of delivery, and, furthermore, is delivered to the party receiving the notice at the address of the party set forth below, whether or not the notice is accepted.

12. Addresses of Client/Consultant.

County of Rockwall Emergency Services Corporation 101 E. Rusk Street Rockwall, TX 75087	Health Care Visions 201 Morning Dove CT Argyle, TX 76226

13. Liaison. Client agrees to name an individual who will be the Client liaison with Consultant with the authority to act on behalf of Client. Until another individual is designated, the Client liaison is Lorie Grinnan.

14. Severability. Each provision of this Agreement is intended to be severable from the others only to the extent that if any provision or term hereof is determined to be illegal or invalid for any reason whatsoever (and cannot be modified or interpreted by a court or arbitrator to be enforceable), such illegality or invalidity shall not affect the validity of the other provisions and terms hereof:

15. Enforceability. This Agreement and any amendments hereto shall be governed by and construed in accordance with the laws of the State of Texas (except for its choice of law provisions).

16. HIPAA Compliance Health Care Visions shall carry out its obligations under this Agreement in compliance with the privacy regulations pursuant to Public Law 104-191 of August 21, 1996, known as the Health Insurance Portability and Accountability Act of 1996, Subtitle F – Administrative Simplification, Sections 261, *et seq.*, as amended ("HIPAA"), to protect the privacy of any personally identifiable protected health information ("PHI") that is collected, processed or learned as a result of the services provided to County of Rockwall Emergency Services Corporation or Rockwall County EMS by Health Care Visions.

Executed on _____, 20_____

CLIENT
County of Rockwall Emergency Services Corporation

By:_____

Title:_____

CONSULTANT
Steven L. Athey

By:_____
Title: President

Attachment 1

PROPOSAL

Health Care Visions proposes to provide the following scope of services for the County of Rockwall Emergency Services Corporation. Health Care Visions will:

1. Function as a liaison between Medic Rescue, Inc., d/b/a Rockwall County Emergency Medical Services (Contractor) and the County of Rockwall Emergency Services Corporation (Corporation) on issues of contract compliance.

   Duties will include:

   - Working with the Contractor to provide timely reports to the Corporation
   - Providing periodic oversight and audits of response time compliance as reported by the contractor.
   - Attend the Corporation meetings at least 4 times annually.

2. Provide resources, assistance, and counsel to the Corporation regarding contract compliance and EMS operations.
3. Other duties as assigned and agreed upon by both parties.

ATTACHMENT 2
HEALTH CARE VISIONS
CHARGES

Hourly Rate:	$225.00
Daily Rate:	$1,750.00
Weekly Rate:	$8,750.00
Project Price:	Negotiable
Travel Days:	Required travel under 3 hours is not charged to the client. Travel that exceeds 3 hours is charged per hour at 50% of the hourly rate
Expenses:	All expenses are charged at cost without markup

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Note: Adopted by motion of the ESC Board on 02/24/2010

Note: This Draft is designed to start the discussion on how the Board would like to see inquires handled. I tried to make it simple; avoiding a multi-step, lengthy process to what is often a simple inquiry, while still providing some level of accountability and follow trhough.

Policy: **Customer/Patient Inquires and Complaint Resolution**

Date: **February 24, 2010**

Overview:

The County of Rockwall Emergency Services Corporation contracts with Medic Rescue, Inc., for the provision of ambulance services within Rockwall County. It is the Corporation's desire and responsibility to ensure those services are provided with the highest level of customer care and service. This policy will outline the procedures the Corporation will utilize when confronted with a customer/patient inquiry or complaint.

Contacts Made Directly to the Corporation

If the Corporation receives an inquiry or complaint directly, either through the mail or in person, the Board President will direct the method of investigation/resolution, by;

- directly asking the Contractor to investigate and resolve the issue, or
- asking the Board Consultant to independently investigate/resolve the issue

Regardless of the method, a report to the Board will be made following the investigation and resolution.

Contacts made to Individual Board Members

Customer/patient inquiries may come through direct contact with any Board Member and to avoid complex procedures and delays, the Board Member may either contact the Board President or Medic Rescue directly asking for an investigation/resolution.

Regardless of the method of contact it will be Medic Rescue's responsibility to document the situation and include the inquiry and resolution as part of the Board packet the following month.

If any Board member feels the resolution to the inquiry is not satisfactory they can ask for a Consultant independent review.

DRAFT

Known EMS Related Complaints (to the County of Rockwall ES Corp. Board)
2003 - present (July, 2015)

Complaint Date	Brief Description of Complaint	Resolution Date	Description of Resolution	Additional Notes
March, 2011	unconscious patient at health club; complainant felt EMS responders did not display enough urgency	unsure	was investigated by EMS consultant to the board, Steve Athey, including review of video footage from the health club of the EMS crew responding…consultant advised that paramedics are trained to NOT outwardly display what could be construed by others as "panic" or overly heightened sense of urgency and concluded that paramedics performed just fine (including saving patient's life)	
January, 2015	possible collusion and diversion between parties (diverting to a hospital that is not the closest, distance wise, or to one that the patient does not wish to go to); Medicare billing issues related to possible fraud and abuse compliance practices (claim of over billing)	March, 2015	According to the ESC's board consultant (Healthcare Visions, Steve Athey), the complainants claims "differ wildly" from those of the ambulance crew; recommendation for a different hospital was made due to the patient asking for the crew's recommendation and the crew indicating that one of the hospitals had a higher level of trauma certification and had a certain specialty lab which could have been key to the patient's survival - EMS consultant advised this was an appropriate decision; EMS consultant concluded the billing issue did involve an error by the EMS company, but it was corrected after one phone call; he advised he did not find evidence of "collusion," "diversion," or "fraud" on the part of the EMS provider	EMS provider's investigation report indicated that in the year 2014, the number of patients transported to each of these two hospitals was as follows: Lake Pointe Medical Center: 1,461 Presby Rockwall: 2,020
May, 2007	patient alleged that initial ambulance crew on scene refused to transport him to the hospital following a motor vehicle accident, and that a second ambulance crew showed up on scene and did finally transport him; he sent a demand letter asking for compensation associated with "inconvenience and aggravation" in the initial amount of $2,500 and later at a demand amount of $7,500	June, 2007	EMS company retained an attorney who wrote the complainant back, alleging that no wrong doing took place, and indicating that the demand for financial compensation would not be met	President of the ESC at the time, County Commissioner Bruce Beaty, spoke with complainant (June, 2007) who alleged he was discriminated against, due to his race, and he proposed to settle his complaint for the sum of $5,000
February, 2013	complainant alleged that patient care of an adult male and his two year old son, who were involved in a major motor vehicle accident that consisted of their SUV rolling over, was inadequate and he questioned its appropriateness given the seriousness of the accident and the circumstances surrounding the adult's condition. In lieu of ground transport, the complainant (a trained firefighter and EMT) suggested the adult patient should have been air lifted rather than driven by ambulance. Also, the 2 year old should have been placed on a back board and had his spine mobilized, and he also should have been transported to the hospital to be evaluated. EMS initially was not planning to transport the child or have him checked out. They only agreed to transport after the father instructed them to do so.	April, 2013	EMS company reported to the ESC board president the details of the call timing, including initial call, response time and time on scene. Explanation was given as to scene assessment upon arrival. Report explained that 2 year old had been initially found restrained in car seat in the second row of the vehicle near the vehicle's center of gravity but was being held on scene by a bystander about 25 feet away from the vehicle when EMS arrived. Child was assessed by paramedics and found to be void of injury. Child was subsequently assessed by paramedic supervisor and was found to have had no physical injuries. Child and adult parent were both transported by ground to Dallas.	

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Complaint Date	Brief Description of Complaint	Resolution Date	Description of Resolution	Additional Notes
February, 2013	City of Rockwall dispatch complained to the ESC board that the EMS company's dispatch did not immediately answer a 911 call being transferred to them; after 14 rings, a subsequent attempt to transfer the call took place with the EMS dispatcher finally answering. Complainant also expressed concern about the ambulance not being equipped with a RPD radio, as the responding Police Officer wanted to communicate with the ambulance driver but could not do so. There was confusion over who was responsible for procuring a radio for installing in the (somewhat) new ambulance (was the city responsible for its purchase, or was Medic Rescue?)	March, 2013	EMS contractor indicated the dispatcher claimed to have not heard the line ringing. The dispatcher was given a letter of reprimand. Contractor indicated that the phone line "bells" would be moved to a designated rest area, the audible decibel level would be increased, and a visible alert would be added. Additionally, contractor indicated they were interviewing for an office staff person who would be hired to help alleviate some phone duties during the week in order to free up dispatcher(s).	
February, 2013	City of Rockwall dispatch complained that EMS dispatch had been difficult to contact regarding a 911 EMS call and that then there was difficulty associated with the EMS crew locating a certain address in Heath	March, 2013	EMS company reported that the correct physical address was provided for the caller's location, who was at a Shell gas station; however, the incorrect 'cross streets' were relayed by PD dispatch, and there was also a Shell gas station located at that (incorrect) intersection. Contractor indicated that the phone line "bells" would be moved to a designated rest area, the audible decibel level would be increased, and a visible alert would be added. The contractor had reported this "late call" to the ESC board during its January 2013 monthly report	

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Complaint Date	Brief Description of Complaint	Resolution Date	Description of Resolution	Additional Notes
January, 2007	Complainant alleges that she and her husband called 911 due to a severe nose bleed. Paramedics arrived and they were completely satisfied; however, the next night they had to call 911 again for the same issue, and approximately 20 mins. passed with no ambulance showing up. This caused them to leave their home, on their own, and drive themselves to the hospital where it was determined the patient had lost a lot of blood, and he remained in ICU for 2 days and a regular room for 1 additional day.	Jan.2007	EMS supervisor investigated and found that there were two ambulance units on duty that night. One of the units had to be dispatched to what ended up resulting in a transport to Dallas. In triaging the calls, based on the information received by the EMS dispatcher, it was determined that this particular call was 'low priority,' so the remaining ambulance was kept "free" in case it was needed for a life threatening, critical call that may have come in until which time as the other ambulance could return from Dallas. EMS supervisor indicated that perhaps this was not the best choice, in hindsight, that their staff had discussed procedures to ensure it doesn't happen again, and he apologized to the patient. Complainant forwarded complaint and company's reply to City of Rockwall mayor and city manager at the time, and the ESC's board consultant, Steve Athey, subsequently investigated the complaint. EMS consultant to the ESC board found that an initial 'hang up call' came into PD dispatch. PD dispatch returned the hang up call, and caller advised he was trying to get his nose to stop bleeding, so PD dispatch hung up with caller, indicating help would be on its way, and then called EMS dispatch. PD dispatcher then called EMS dispatch to relay call information (call was never transferred and EMS dispatch never spoke directly to the caller). PD dispatcher relayed to EMS dispatcher that caller was conscious and alert and that no medical interrogation or further questioning occurred. EMS dispatch's recording mechanism was not working in the dispatch center, so no recordings of the call were made. Also, the EMS dispatcher did not initiate an "electronic dispatch card" at the time of the call. A card was not initiated until 41 minutes after the time of the call, which is not standard protocol. Dispatcher relayed in an incident report that the patient had "minor bleeding of stitches, post surgery, of the nose," but had never actually spoken to the patient or caller directly before making this acertation. EMS Consultant, Steve Athey, made a series of 6 recommendations regarding policy changes that should be implemented in order to avoid a repeat of this type of scenario occurring (i.e. consider becoming a secondary PSAP to handle call transfers; require an electronic dispatch card to be imitated at the time of call, and ensure dispatchers follow this policy; audio record every call; have medical director hold a mandatory in-service training with all dispatchers w/in 60 days regarding call prioritization; as part of the company's "Quality Improvement" process, have an 911 call that is prioritized as 'lower priority' be subsequently reviewed by the medical director to ensure proper call handling and triage	

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

SUBJECT: **07/20 Work Session re: "I Shop Rockwall" Chamber initiative**

DATE: **July 15, 2015**

A representative(s) of the Rockwall Area Chamber of Commerce will be present at the Monday, July 20 city council meeting to hold a work session with Council to discuss this program.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

SUBJECT: **07/20 Work Session re: Surrender of Animals to the RAAC**

DATE: **July 17, 2015**

At the July 6, 2015 regular city council meeting, Council requested to hold a work session to further discuss the surrender of animals to the Rockwall Animal Adoption Center (RAAC). At Monday's meeting, staff will be prepared to provide Council with a status update related to drafting of an ordinance.

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MINUTES
ROCKWALL CITY COUNCIL
Monday, July 06, 2015
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dennis Lewis, and Council Members David White, Mike Townsend, Scott Milder and Kevin Fowler. Also present were Assistant City Managers Mary Smith and Brad Griggs and City Attorney Frank Garza. City Manager Rick Crowley was absent from the meeting.

II. WORK SESSION

1. Hold Work Session to discuss the Public Outreach Action Plan for reconstruction of South Lakeshore Drive/Summit Ridge Drive from SH 66 to FM 740, and take any action necessary.

City Engineer Tim Tumulty provided a brief presentation to the city council concerning the reconstruction of this stretch of roadway. Mayor Pruitt generally expressed a desire to have sidewalks or some sort of separation between the vehicular traffic and individuals walking between the street and the houses along the stretch of Summit Ridge Dr. Mr. Tumulty expressed that some portion of people's front yards, including some trees and the need for retaining walls all make the idea of sidewalks a little challenging. Mayor Pruitt encouraged getting the residents' input concerning their preference for sidewalks versus no sidewalks. Mayor Pruitt expressed concern about when traffic accidents occur on IH-30 and drivers come through this area in order to cut over to SH-66, indicating that there is typically a long line of traffic that results. The city's consultant, Brad Tribble with Kimley Horne, came forth and explained various ways that the roadway might be designed in order to create various "friction" techniques to dissuade drivers from wanting to use this roadway as a cut-across if and when accidents on IH-30 occur.

Mr. Tumulty indicated that as part of this Public Outreach Action Plan, he plans to ask residents to answer survey questions electronically. Mayor Pro Tem Lewis encouraged the use of paper surveys in addition to electronic ones for some residents who may not be inclined to answer a survey electronically. Councilmember Milder shared that he is in support of conducting a resident survey. He also supports sidewalks and anything that might slow down drivers. Councilmember White stressed that he is most interested in gleaning feedback from the residents that actually live along this roadway in this neighborhood.

Mr. Tumulty indicated that he believes the city may be faced with updating the water/sewer lines in this area before a new street and/or sidewalks are (re)built, and he feels confident that citizen feedback will echo this need.

Councilmember White and Mayor Pruitt summarized that council would like to see staff conduct a survey(s) as well as hold a public town hall meeting to glean resident input on

this project. Mr. Tumulty indicated that he would like to start with asking for feedback from homeowner/property owners whose property directly abuts the roadway and then widen the survey further thereafter to glean additional input. The council generally agreed with this plan. Councilmember White stressed that he does not believe Mr. Tumulty could ask for and obtain too much resident feedback, as he feels this is very important. After the discussion, no formal action was taken concerning this agenda item.

2. Hold Work Session to discuss potential regulations regarding the use and operation of golf carts, and take any action necessary.

Councilmember Fowler asked if the city has to have an ordinance in place in order for residents to operate golf carts within residential neighborhoods. City Attorney Frank Garza indicated that, no, no ordinance is needed for individuals to operate golf carts. Councilmember Hohenshelt generally indicated that he does not really see the need to pass an ordinance, especially since there doesn't appear to be an overabundance of complaints or much of a problem. Mayor Pruitt asked if there is a state law calling for a certain age limit before a person can operate a golf cart. Mr. Garza indicated that, no, currently there is no state prescribed minimum age limit. Councilmember Fowler asked if the city would assume any liability if no ordinance is passed. Mr. Garza indicated that, no, the city assumes no liability either way, pointing out that a local government has 'governmental immunity' anyway.

Discussion ensued regarding operating golf carts in master planned communities. Mr. Garza indicated that any local ordinance that might pass would not apply to master planned communities in the city because state law allows their operation in master planned communities whether they're gated or not gated. Mayor Pruitt asked if a golf cart driver could cross a state roadway to get from one master planned community over to another. Mr. Garza indicated that a driver could do this as long as doing so is within a 2 mile radius of a golf course.

To clarify, Councilmember Townsend summarized that this ordinance would only apply to those residents not located in a master planned community, not living in a PD, and not located within 2 miles of a golf course. Mr. Garza concurred. Garza went on to indicate that a health and safety restriction probably could be applied, but he would have to check on this. However, such ordinance regulations would still not apply in a master planned community. Several city council members generally expressed that perhaps an ordinance is not needed at this time, as complaints about this issue are not prevalent and are very few. No action was taken concerning this item.

At 4:38 p.m., Mayor Pruitt read the below listed items (1-8) into the public record before recessing the meeting into Executive Session.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)
2. Discussion regarding Agreement for Municipal Court Judge pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney)
3. Discussion regarding purchase or lease of real property / land acquisition in the north part of the city for municipal purposes pursuant to Section § 551.072 (Real Property).
4. Discussion regarding possible development-related legal claim in the vicinity of Bourne Street pursuant to Section 551.071 (Consultation with Attorney)
5. Discussion regarding the city's concession agreement with Suntex Marina / Suntex RHCL Marina, LLC pursuant to Section § 551.071 Consultation with Attorney)
6. Discussion regarding possible legal claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)
7. Discussion regarding status of Rockwall Harbor Landing, Inc. vs. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney).
8. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission and Board of Adjustments pursuant to Section 551.074 (personnel matters)

IV. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:20 p.m.

V. RECONVENE PUBLIC MEETING

The public meeting reconvened at 6:00 p.m.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Lewis made a motion to reappoint Kathy Mason Penn to serve as Municipal Court Judge. Councilmember White seconded the motion, which passed unanimously (7 ayes to 0 nays).

Mayor Pro Tem Lewis made a motion to appoint David Mallard to serve as Associate Municipal Court Judge. Councilmember Milder seconded the motion, which passed unanimously (7 ayes to 0 nays).

Mayor Pro Tem Lewis made a motion to approve a settlement of a legal claim with Dewayne Cain in the amount of $11,664.01. Councilmember White seconded the motion, which passed unanimously (7 ayes to 0 nays).

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER HOHENSHELT

Councilmember Hohenshelt delivered the invocation and led the Pledge of Allegiance.

VIII. OPEN FORUM

Charles Miller
821 Zion Hills Circle

Rockwall, TX

Regarding the potholes on FM-549 and IH-30, Mr. Miller expressed thanks to the city's pothole repair staff person in the Streets Department, expressing that it seems like something may be happening to address pothole concerns in this area. He went on to state that the weeds coming into town on SH-66 and along IH-30, as well as along other roadways within the city, are out of control and need to be addressed. He also has had recent problems with bulk pick up by the city's trash provider.

Martin Ramirez
Rockwall County EMS
809 S. Goliad
Rockwall, TX

Mr. Ramirez came forth indicating that he would like to speak to the council about the possible rescinding of the city ordinance related to exclusivity of EMS service provision. He pointed out that rescinding this ordinance would open up the flood gates to allow any provider to come in and service any of the twelve medical facilities in Rockwall, including Presby, Baylor, nursing homes and assisted living centers. He went on to explain that because of the exclusivity ordinance being in place, Rockwall County EMS has been able to cut subsidy costs by about 20% or just under $100,000 for the most recent year. He generally expressed that revocation of this ordinance would likely result in more subsidy money being requested on an annual basis.

Richard Langley
2401 Sandstone Court
Rockwall, TX

Mr. Langley indicated that he previously spoke before Council expressing concern about drainage associated with the project the council is considering approving along John King Boulevard. He thanked the staff, including Mr. LaCroix, for assuring him that the drainage will be safe. Regarding the issue of raising chickens, he encouraged the council to consider shortening the time that residents have to speak on matters like this because doing so would allow the Council an ability to address their concerns in a more timely fashion.

Mrs. Smith
609 Amherst
Rockwall, TX

Regarding the draft golf cart ordinance that is being considered on Action Items this evening, she thanked the council and staff for the work that's gone into this ordinance draft. She went on point out a few, scrivener's errors that were in need of correction. In addition, she pointed out that ATVs have to have an orange, reflective flag attached on a 6-8' pole, and she encouraged the council to consider adding a similar provision for placement on golf carts. She also suggested that the council consider adding break lights as a requirement for golf carts 24 hours/day. She is glad that the council's draft ordinance includes a provision that a driver be a licensed driver or that they successfully complete a required driver's safety course. She wanted drivers to be required to carry proof of either / both with them when driving a golf cart.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the June 15, 2015 regular city council meeting, and take any action necessary.

2. **Z2015-018** - Consider approval of an **ordinance** for a request by Herman Douglas Utley for a zoning change from a Single Family Estate 2.0 (SFE-2.0) District to a Single Family Estate 1.5 (SFE-1.5) District for a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 2.0 (SFE-2.0) District, situated within the SH-205 By-Pass (SH-205 BY OV) District, addressed as 1815 E. Old Quail Run Road, and take any action necessary. **(2nd Reading)**

3. **Z2015-017** - Consider approval of an **ordinance** for a request by Jonathan Hake of Cross Engineering Consultants, Inc. on behalf of the owner Kenneth R. Smith of K. R. Smith Holdings, LLC for a Specific Use Permit for Commercial Amusement/Recreation (Outside) to allow a baseball training facility to be constructed on a six (6) acre tract of land identified as Tract 4-07 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 By-Pass Corridor Overlay (SH-205 BY-OV) District, located on the north side of Airport Road west of the intersection of Airport Road and John King Boulevard, and take any action necessary. **(2nd Reading)**

4. **P2015-019** - Consider approval of a request by Harold Fetty of H. D. Fetty Land Surveyor, LLC on behalf of the owner Doug Utley for the approval of a final plat for Lots 1 & 2, Block A, Utley Addition 4.49-acre parcel of land currently identified as Tract 1 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 2.0 (SFE-2.0) District, situated within the SH-205 By-Pass Overlay (SH 205 BY-OV) District, addressed as 1751 & 1815 E. Old Quail Run Road, and take any action necessary.

5. **P2015-020** - Consider approval of a request by Caprice Michelle of Rockwall Rustic Ranch, LLC for the approval of a replat for Lot 1, Block A, Rockwall Rustic Ranch Addition being a 0.53-acre parcel of land currently identified as Lot B, Block 123, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 406 N. Goliad Street, and take any action necessary.

6. **P2015-027** - Consider approval of a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Dr. Umar Burney of the North Dallas Rockwall Land Investors, LLC for the approval of a replat for Lot 3, Block A, Ridge/Summer Lee Addition being a replat of 1.6121-acre tract of land identified as Lot 2, Block A, Ridge/Summer Lee Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, located at the southwest corner of the intersection of Oak Drive and Summer Lee Drive, and take any action necessary.

7. **P2015-028** - Consider approval of a request by David Greer of Bannister Engineering on behalf of Ben McMillian of Ben McMillian Properties, LLC for the approval of a replat for Lot 1, Block A, Hazel and Olive Addition being a 0.421-acre tract of land composed of two (2) parcels of land identified as Block 19A & 19B, Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, addressed as 503 N. Goliad Street [SH-205], and take any action necessary.

8. Consider authorizing the expenditure of funds from insurance claim proceeds in the amount of $195,955.00 to make needed repairs at the Harbor boat docks and a contingency fund of $10,000 from insurance claim proceeds, and take any action necessary.

9. Consider authorizing the city manager to enter into an agreement for the purchase of upgrades to the recreation facility and reservation system software in the amount of $18,764.62 to be funded by Recreational Development Funds, and take any action necessary.

10. Consider authorizing the city manager to execute a contract with Binkley & Barfield, Inc. to perform the engineering design services for the Greencrest Drive Water Line Replacement Project in the amount of $49,070 to be funded out of the 2008 water and sewer revenue bonds, and take any action necessary.

Councilmember Lewis pulled item #8 for further discussion. Councilmember Milder then made a motion to approve the remaining Consent Agenda items (#1, 2, 3, 4, 5, 6, 7, 9 and 10). Mayor Pro Tem Lewis seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT TO A SINGLE-FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT FOR A 4.502-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE S. R. BARNES SURVEY, ABSTRACT NO. 13, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 15-18
SPECIFIC USE PERMIT NO. S-138

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) ALLOWING FOR A COMMERCIAL AMUSEMENT/RECREATION FACILITY (OUTDOOR) AND MORE SPECIFICALLY A BASEBALL TRAINING FACILITY, WITHIN A COMMERCIAL (C) DISTRICT, BEING A SIX (6) ACRE TRACT OF LAND IDENTIFIED AS TRACT 4-07 OF THE N. BUTLER SURVEY, ABSTRACT NO. 20, AND GENERALLY LOCATED ON THE NORTHWEST QUADRANT OF AIRPORT ROAD AND JOHN KING BOULEVARD, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND

AS DEPICTED IN EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of council (7 ayes to 0 nays).

Regarding Consent Agenda Item #8, Mayor Pro Tem Lewis asked why the repairs associated with this project/expenditure were not placed out for bid. Assistant City Manager Brad Griggs indicated that the damage at the boat docks presents a need for immediate, emergency repairs because delaying the repairs may impede public safety. So, since the need is an emergency need, and since the boat docks were a custom-made product by a certain vendor, bids were not requested. Mayor Pro Tem Lewis then made a motion to approve Consent Agenda item #8. Councilmember White seconded the motion, which passed unanimously of council present (7 ayes to 0 nays).

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Chairman of the Planning & Zoning Commission, Craig Renfro, came forth and briefed the city council on recommendations of the Commission relative to the Public Hearing item on tonight's council meeting agenda. He indicated that Commissioner Conley and Commissioner Logan were not in attendance when this item was recently heard at the Planning & Zoning Commission Meeting. He stated that the P&Z Commission agreed by a vote of 3 in favor, 2 against to table this item at the request of the applicant. He explained that this is for a request to change zoning to allow for about 560 residential lots just west of the Rockwall Technology Park. He indicated that the applicant had previously explained, during a work session, that a baseball complex of some sort would be included with this development along with a location for the Boys & Girls Club and a generous donation of land to the city. However, when the zoning case came forward, the baseball complex had been removed from the proposal, as well as the Boys & Girls Club aspect, and the donation of land was discovered to be relatively unusable land located in a flood plain. He explained that these changes were not well received by some of the P&Z Commissioners. They also do not like front yard setbacks of 15' (instead of 20') that are being proposed, and they have concerns about traffic flow. They are also not comfortable with the proposed trail system access, and the fire department access being proposed was not sufficient either. So, the applicant requested that this item be tabled to allow them some time to make some revisions to be brought back for consideration. Therefore, the P&Z tabled this item.

Following Mr. Renfro's comments, the Council took no action related to this appointment item.

XI. PUBLIC HEARING ITEMS

1. **Z2015-016** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Stacey McVey of Double Eagle Properties on behalf of the owner 308 ON 276 LP for a zoning change from an Light Industrial (LI) District to a Planned Development District for Single Family

10 (SF-10) and General Retail (GR) District land uses, on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the northeast corner of the intersection of Rochelle Road and SH-276, and take any action necessary. **(1st Reading)** ***(postponed due to P&Z Commission tabling)***

Mayor Pruitt announced and acknowledged that this case has been postponed. Therefore, no action was taken by council concerning this agenda item at this time.

XII. ACTION ITEMS

1. **Z2015-014** - Discuss and consider approval of an **ordinance** for a request by Cole Franklin of the Skorburg Company on behalf of the owner of the Lonnie Gideon Estate for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 29.192-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of the intersection of E. Quail Run Road and John King Boulevard, and take any action necessary. **(2nd Reading)**

Regarding this item, Councilmember White made a motion to approve Z2015-014. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-20

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 77 (PD-77) FOR SINGLE FAMILY 10 (SF-10) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 29.192-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 1-01 OF THE S. R. BARNES SURVEY, ABSTRACT NO. 13, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 in favor with 1 against (Townsend).

2. Discuss and consider approval of an **ordinance** adding Sections 26-290 to 260-296 "Operation of Golf Carts" to Chapter 26. Motor Vehicles and Traffic, Article IV. Bicycles, Golf Carts and Play Vehicles, Division 5 of the Municipal Code of Ordinances to authorize the operation of golf carts within the city limits, and take any action necessary. **(1st reading)**

City Attorney Frank Garza provided brief comments, indicating that, per council's direction at the last meeting, some changes were made to the previously proposed golf cart ordinance related to operation of golf carts on city streets. He pointed out that, by state law, the city may not regulate golf carts within a master planned community or if the golf carts being operated are located within two miles of a golf course.

Councilmember Milder pointed out that, during the work session that took place earlier this afternoon, it was discussed that passing an ordinance like this would not affect very many neighborhoods in the city because a lot of the neighborhoods are located within master planned communities.

After brief comments by Milder, no motion was presented, so no action was taken concerning this agenda item.

3. Discuss and consider the provisions of Chapter 12. Businesses & Sales, Article XII. Ambulance Service of the Code of Ordinances, and take any action necessary.

Mayor Pro Tem Lewis asked for clarification regarding if he needs to recuse himself from this discussion item because his wife is a nurse at Presbyterian Hospital. Mr. Garza indicated that, unless his wife has direct input regarding the selection and use of an ambulance service provider, there is not a need for him to recuse himself. Lewis indicated that his wife does not have any input regarding the provision of ambulance service, so he stayed for the discussion.

Mayor Pruitt then provided detailed background information related to this agenda item, explaining the city's existing 'exclusivity ordinance' and how it impacts the local hospitals and the countywide ambulance service provider, both with regards to keeping the ordinance in place and regarding revoking it.

Mayor Pro Tem Lewis, who serves on the countywide Emergency Services Corporation Board (ESC) with Mayor Pruitt, provided brief comments as well, indicating that he understands that revoking our city ordinance may in fact result in Medic Rescue (service provider in the county) having to ask for an increased subsidy from the ESC in future years. He explained that Royse City was considering instituting an exclusivity ordinance; however, their city attorney advised against it because he believed it would create a monopoly. He pointed out that various cities around Ft. Worth who contract with MedStar maintain similar exclusivity ordinances; however, he is personally in favor of our city revoking its exclusivity ordinance.

City Attorney Frank Garza spoke briefly about how some of the other cities he represents do have exclusivity provisions in place regarding emergency transports, but that they generally do not have exclusivity provisions in place regarding non-emergency transports.

Councilmember Fowler pointed out that he does not believe it is a 'monopoly' any more than the city contracting exclusively with a trash service provider is a monopoly. The only difference is that a citizen does not commit a criminal offense if they use a different provider to pick up their trash. Fowler indicated that he would like to see a lot more information, have more extensive discussion and more time to consider this issue before voting to repeal the current ordinance.

Councilmember Townsend asked the city attorney for clarification regarding if the city could possibly amend the ordinance to still keep the exclusivity provision in place, yet not make it a criminal offense to violate its provisions. He expressed that he does have some level of concern with opening up the door to ambulance service providers with

whom our city is not familiar and does not have knowledge of regarding their level of service and care.

Councilmember White indicated that he also does not feel he has enough information to take action on this agenda item this evening. He has never heard or personally received any complaints from the hospitals or any citizens or members of the public concerning Medic Rescue's service. He would like to see staff, Pruitt and Lewis assimilate additional information on past history that has transpired related to this issue. He would also like to see Mary Smith prepare some information on the potential financial impact. Pruitt indicated that Smith won't be able to do so because she does not have access to Medic Rescue's business financials. Pruitt indicated that the only thing the Council has been given in regards to the potential financial impact is Medic Rescue's email today stating that if they cannot keep Presby's business, they will lose $600,000 per year.

Councilmember Fowler indicated that he would like additional information on this issue, and he would like to have some conversations with Mitch and Tim, representatives of the current EMS service provider (Medic Rescue), before moving forward with any potential ordinance change.

Councilmember Milder indicated that he too would like to receive some additional information before making any decision. He has some concerns that the city's ultimate cost (annual payment to the ES Corp. for ambulance service subsidy) may increase.

Mayor Pruitt requested that a work session be scheduled for the Monday, July 20th city council meeting to further discuss this topic. White requested that Presby Hospital, Baylor, the EMS company representatives, etcetera be allowed to come forth to plead their case and express their concerns. Hohenshelt requested that such information submitted by the various stakeholders (Presby hospital and Medic Rescue) please be submitted to the city council for review and consideration in advance of the scheduled work session to allow ample time for thorough review of said information in advance.

4. Discuss and consider animal surrender policies at the Rockwall Animal Adoption Center, and take any action necessary.

Mayor Pruitt provided background information on this agenda item, generally explaining that, more and more, animals are showing up in our city shelter that are suspected to have come from places and individuals living outside of our city limits. This is causing our space to be 'maxed out,' and it is beginning to cause problems with maintaining our 90% live outcome. Molly Petterson who runs the shelter via contract has met with Pruitt to express that this is problematic, and she would like to see the city institute an ordinance that has some 'teeth' to it that would make it an offense, including an associated fine, to surrender animals to our shelter if they truly did not originate from within our city limits. Councilmember White suggested that perhaps the council could consider placing a limit on the number of animals that a citizen can surrender to our city shelter each year.

Council directed the city attorney to draft an ordinance for the council to discuss and consider at its next meeting on July 20th.

5. Discuss and consider approval of a policy for the construction of structures, including a dock deck, fixed pier or boathouse within Lake Ray

Hubbard for properties eligible to lease the Lake Ray Hubbard Takeline adjacent to the property, and take any action necessary.

Planning Director Robert LaCroix provided background information related to this agenda item. Mr. LaCroix explained that the ability for a property owner to construct one of these structures in the lake depends on their eligibility to lease the 'take line' area adjacent to their property. All eligible properties were initially surveyed and identified along the perimeter of the lake prior to establishing the 'Take Line Overlay District,' creating the requirements and standards for the take line area. The setback requirements for structures in the leased 'take line' area are measured from the extension of the side property lines as indicated on the survey. However, the forty (40') feet of area into the lake, beyond the leased 'take line', that is allowed to be used for boathouses and docks was not clearly determined in measuring setback requirements. Generally staff has extended those imagery survey lines from each survey into the unleased lake area to determine the location of boathouses for construction. However, this practice has presented problems with certain properties that are allowed to lease but, due to the extension of the survey lines into the lake, has narrowed their building area to the point of having to reduce the size of their boathouse or completely eliminate the ability to build a boathouse. The intent of the 'Take Line Overlay District' was to establish consistency for all structures on the lake with similar materials and appearance and to allow property owners to enjoy and invest in their lake property and, in so doing, provide the needed erosion control that preserves the shoreline. He explained that staff is seeking some policy direction from the Council to have the flexibility to establish the imagery survey lines into lake that will allow all property owners the ability to build structures i.e. boathouses and docks.

Following Mr. LaCroix's explanation, Councilmember Hohenshelt made a motion to instruct staff to draft and bring back a policy for the council to consider at the next city council meeting. Councilmember Milder seconded the motion, which passed unanimously of council (7 ayes to 0 nays).

6. Discuss and consider citywide roadway / thoroughfare planning, and take any action necessary.

City Engineer Tim Tumulty provided background information related to this agenda item. He indicated that the Rockwall County Master Thoroughfare Plan was previously brought forth to Council for review. Subsequently, Rockwall's requested changes were turned over to the County's consultant, who will review and make those changes accordingly. Eventually, the plan will be brought back to the city council for review/approval, and aspects of the County's master thoroughfare plan will be incorporated into the city's master thoroughfare plan. Mr. Tumulty explained that the city's thoroughfare plan would go through a process of going before the P&Z Commission for review and public hearing, and then it would come forth before Council for a public hearing and review. Following his presentation, council expressed general consensus on moving forward with this process. However, no formal action was taken by council concerning this agenda item.

Mayor Pruitt pointed out that this is the last city council meeting that Police Chief Mark Moeller will be attending prior to his upcoming retirement. He thanked the chief for his years of service to the city. Chief Moeller then thanked the council and expressed that

he has enjoyed his years of service here in Rockwall and is looking forward to his retirement.

Pruitt shared that City Manager Rick Crowley's mother passed away, and his mother's funeral is scheduled in Hamlin, TX tomorrow.

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections Monthly Report - May 2015
Police Department Monthly Report - May 2015
Fire Dept. Monthly Reports - May 2015
Harbor PD Monthly Report - May 2015
Internal Operations Department Monthly Report - May 2015
Recreation Monthly Report - May 2015
Rockwall Animal Adoption Center Monthly Report - May 2015

2. City Manager's Report

Mrs. Smith, Assistant City Manager, reminded the City Council of various, upcoming receptions scheduled to honor several staff members who are retiring. She thanked the Parks & Rec staff for all the recent work on the 4th of July fireworks event. Mayor Pruitt indicated that it was the best fireworks he's seen in Rockwall, and he thanked staff for their efforts.

The Council did not reconvene in Executive Session following the conclusion of the public meeting agenda.

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)

2. Discussion regarding Agreement for Municipal Court Judge pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney)

3. Discussion regarding purchase or lease of real property / land acquisition in the north part of the city for municipal purposes pursuant to Section § 551.072 (Real Property).

4. Discussion regarding possible development-related legal claim in the vicinity of Bourne Street pursuant to Section 551.071 (Consultation with Attorney)

5. Discussion regarding the city's concession agreement with Suntex Marina / Suntex RHCL Marina, LLC pursuant to Section § 551.071 (Consultation with Attorney)

6. Discussion regarding possible legal claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)

7. Discussion regarding status of Rockwall Harbor Landing, Inc. vs. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney).

8. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission and Board of Adjustments pursuant to Section 551.074 (personnel matters)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The Council did not reconvene in Executive Session following the conclusion of the public meeting agenda.

XVI. ADJOURNMENT

The meeting was adjourned at 7:27 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,

THIS 20th DAY OF JULY, 2015.

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

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INTERLOCAL AGREEMENT

This Interlocal Agreement (“Agreement”) is made and entered into this __ day of _____, 2015, by and between the CITY OF MIDLOTHIAN, Texas (hereinafter called "CITY OF MIDLOTHIAN"), and the CITY OF ROCKWALL, Texas (hereinafter called "ROCKWALL"), each acting by and through its duly authorized officials:

WHEREAS, CITY OF MIDLOTHIAN and ROCKWALL are both governmental entities engaged in the purchase of goods and services, which is a recognized governmental function;

WHEREAS, CITY OF MIDLOTHIAN and ROCKWALL wish to enter into this Agreement pursuant to Chapter 791 of the Texas Government Code (hereinafter "Interlocal Cooperation Act") to set forth the terms and conditions upon which CITY OF MIDLOTHIAN and ROCKWALL may purchase various goods and services commonly utilized by each party;

WHEREAS, participation in an interlocal agreement will be highly beneficial to the taxpayers of CITY OF MIDLOTHIAN and ROCKWALL through the anticipated savings to be realized and is of mutual concern to the contracting parties;

WHEREAS, CITY OF MIDLOTHIAN and ROCKWALL have current funds available to satisfy any fees owed pursuant to this Agreement.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises, covenants and obligations as set forth herein; CITY OF MIDLOTHIAN and ROCKWALL agree as follows:

1. CITY OF MIDLOTHIAN and ROCKWALL may cooperate in the purchase of various goods and services commonly utilized by the participants, where available and applicable, and may purchase goods and services from vendors under present and future contracts.

2. CITY OF MIDLOTHIAN and ROCKWALL shall each be individually responsible for payments directly to the vendor and for the vendor's compliance with all conditions of delivery and quality of purchased items under such contracts. CITY OF MIDLOTHIAN and ROCKWALL shall each make their respective payments from current revenues available to the paying party.

3. Notwithstanding anything herein to the contrary, participation in this Agreement may be terminated by any party upon thirty (30) days written notice to the other participating party(ies).

4. The undersigned officer and/or agents of the party(ies) hereto are duly authorized officials and possess the requisite authority to execute this Agreement on behalf of the parties hereto.

5. This Agreement may be executed separately by the participating entities, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

6. This Agreement shall become effective on the day and year first written above (the "Effective Date"). The primary term of this Agreement shall be for one (1) year, commencing on the Effective Date and terminating on July 1, 2016, and shall thereafter automatically renew for successive one-year terms, unless terminated according to the terms set forth in Paragraph 3.

7. To the extent allowed by law, each party agrees to release, defend, indemnify, and hold harmless the other (and its officers, agents, and employees) from and against all claims or causes of action for injuries (including death), property damages (including loss of use), and any other losses, demands, suits, judgments and costs, including reasonable attorneys' fees and expenses, in any way arising out of, related to, or resulting from its performance under this agreement, or caused by its negligent acts or omissions (or those of its respective officers, agents, employees, or any other third parties for whom it is legally responsible) in connection with performing this agreement.

8 The laws of the State of Texas shall govern the interpretation, validity, performance and enforcement of this Agreement.

9. The provisions of this Agreement are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this Agreement is for any reason held by a court of competent jurisdiction to be contrary to law or contrary to any rule or regulation having the force and effect of the law, the remaining portions of the Agreement shall be enforced as if the invalid provision had never been included.

10. This Agreement embodies the entire agreement between the parties and may only be modified in writing executed by both parties.

11. This Agreement shall be binding upon the parties hereto, their successors, heirs, personal representatives and assigns. Neither party will assign or transfer an interest in this Agreement without the written consent of the other party.

12. It is expressly understood and agreed that, in the execution of this Agreement, neither party waives, nor shall be deemed hereby to have waived any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. By entering into this Agreement, the parties do not create any obligations, express or implied other that those set forth herein, and this Agreement shall not create any rights in parties not signatories hereto.

13. The declarations, determinations and findings declared, made and found in the preamble to this Agreement are hereby adopted, restated and made part of the operative provisions hereof.

EXECUTED hereto on the day and year first above written.

CITY OF MIDLOTHIAN

By:
City Manager

CITY OF ROCKWALL

By: Richard Crowley
City Manager

STATE OF TEXAS §

COUNTY OF ELLIS §

This instrument was acknowledged before me on the ___ day of _____, 2015, by_____, City Manager of the **CITY OF MIDLOTHIAN, TEXAS,** a home-rule municipal corporation, on behalf of such corporation.

Notary Public in and for the
State of Texas

STATE OF TEXAS §

COUNTY OF ROCKWALL §

This instrument was acknowledged before me on the ___day of _____, 2015, by _____ of the **CITY OF ROCKWALL, TEXAS,** a home-rule municipal corporation, on behalf of such corporation.

Notary Public in and for the
State of Texas

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 15-19

Of

City of Rockwall, Texas
Cooperative Member

WHEREAS, the City of Rockwall, Texas, (hereinafter "Cooperative Member") pursuant to the authority granted by Article 791 et seq. of the Interlocal Cooperation Act, as amended, desires to participate in the statewide purchasing program of the Cooperative;

WHEREAS, the City of Rockwall, Texas, has elected to be a Cooperative Member in the Texas Local Government Purchasing Cooperative (hereinafter "Cooperative"), a program created by local governments in accordance with and pursuant to the Interlocal Cooperation Act ("Act"), Chapter 791, Texas Government Code;

WHEREAS, the Cooperative Member, is of the opinion that participation in the Cooperative's purchasing program will be highly beneficial to the taxpayers of the City of Rockwall (local government) through the efficiencies and potential savings to be realized; and

WHEREAS, the Cooperative Member desires to participate and join with other local governments in a cooperative Interlocal agreement ("Agreement") for the purpose of fulfilling and implementing their respective public and governmental purposes, needs, objectives, programs, functions and services.

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

SECTION 1. the Cooperative Member does request that the Cooperative include its stated needs for all categories, including but not limited to, instructional, maintenance, custodial, and food service goods and services, on the Cooperative's Purchasing Program and award contracts for those items, whereby the Cooperative Members may be allowed to purchase those items from the Cooperative's contracts; and that Cooperative is authorized to sign and deliver all necessary requests and other documents in connection therewith for and on behalf of the Cooperative Members that have elected to participate;

SECTION 2. the City Council of the City of Rockwall does hereby authorize its City Manager to execute the Interlocal Participation Agreement that includes the adoption and approval of the City of Midlothian Interlocal Agreement previously executed and adopted by two or more local governments; and

SECTION 3. the execution of this Resolution shall evidence the election of Cooperative Member and eligible local governments to become members of the Cooperative upon the terms and conditions stated. The City Council has, and at the time of adoption of this Resolution had, full power and lawful authority to adopt the foregoing Resolution and to confer the obligations, powers, and authority to the persons named, who are hereby granted the power to exercise the same.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS and reflected in the official minutes of the regular city council meeting on this the 20TH day of July, 2015.

City of Rockwall, Texas, Cooperative Member

Jim Pruitt
Mayor of Rockwall, Texas

ATTEST

Kristy Ashberry
City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Timothy M. Tumulty, Director of Public Works/City Engineer

DATE: July 17, 2015

SUBJECT: Hot Rocks Bike Ride – City Council Resolution

The Hot Rocks Bike Ride is sponsored by the Rockwall Rotary Club on an annual basis. This year's event is scheduled for Saturday, August 8, 2015 from 6:30 AM to 3:00 PM. A portion of the bike ride course will utilize a few State roadways on the north and south parts of the City. The race will begin and move north on John King Boulevard and turn right on FM 552. They will remain on FM 552 until the reach FM 1138. The bike riders will enter our southern border of the City at FM 549 from FM 3097 to SH 205. At SH 205, they will turn left to the north and travel to John King Boulevard and return to the starting point. The Rockwall Police Department will assist in the partial closure of various lanes of these State roadways as well as furnish traffic control at other intersections along the race route within our City. The Texas Department of Transportation (TxDOT) requires a City Council resolution supporting a request to allow the partial closure of these various State roadways.

Staff request City Council consideration to approve the attached resolution allowing a temporary partial closure of FM 552 (John King Boulevard to the Rockwall East City Limits), FM 549 (FM 3097 to SH 205) and SH 205 (FM 549 to South John King Boulevard) for the Hot Rocks Bike Ride on Saturday, August 8, 2015 from 6:30 AM to 3:00 PM.

TMT:em

Attachments

Cc:

Mary Smith, Assistant City Manager
Brad Griggs, Assistant City Manager
Amy Williams, Assistant City Engineer
Billy Chaffin, Superintendent of Streets & Drainage
File

CITY OF ROCKWALL, TEXAS
RESOLUTION NO. 15-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,TEXAS, FINDING THAT A NECESSITY EXISTS TO TEMPORARILY CLOSE A PORTION OF A CERTAIN STATE ROADWAYS TO FACILITATE THE HOT ROCKS BIKE RIDE; HEREBY REQUESTING THAT THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) GRANT PERMISSION TO THE CITY OF ROCKWALL FOR SAID EVENT AND AUTHORIZE THE CITY OF ROCKWALL TO PARTIALLY CLOSE FM 552 (JOHN KING BOULEVARD TO THE EAST CITY LIMITS), FM 549 (FM 3097 TO SH 205) AND SH 205 (FM 549 TO SOUTH JOHN KING BOULEVARD) BETWEEN THE HOURS OF 6:30 A.M. AND 3:00 P.M. ON SATURDAY, AUGUST 8, 2015 PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Rockwall City Council recognizes the value of physical fitness and the benefits of a healthy community; and

WHEREAS, the Rockwall City Council wants to promote healthy lifestyles in our community by providing fitness opportunities and encouraging cyclist to participate in either the 40 mile or 60 mile ride in the Hot Rocks Bike Ride in Rockwall, Texas; and

WHEREAS, the Rockwall City Council hereby finds that necessity exists to temporarily partially close FM 552 (John King Boulevard to the East City Limits), FM 549 (FM 3097 to SH 205) and SH 205 (FM 549 to South John King Boulevard) for the Hot Rocks Bike Ride sponsored by the Rockwall Rotary Club; and

WHEREAS, the Rockwall City Council supports submission of a temporary partial closure request for State maintained roadways, for FM 552 (John King Boulevard to the East City Limits), FM 549 (FM 3097 to SH 205) and SH 205 (FM 549 to South John King Boulevard) to the Texas Department of Transportation to facilitate the Hot Rocks Bike Ride on Saturday, August 8, 2015 between the hours of 6:30 a.m. and 3:00 p.m.; and

WHEREAS, the Rockwall City Council hereby agrees to support said request by providing traffic control for the event; and

WHEREAS, the temporary partial closing of these sections of FM 552, FM 549 and SH205 will create a safer environment for event participants and spectators;

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

Section 1. That a formal request is hereby made to TXDOT to approve the request of the Rockwall City Council to temporarily partial close the aforementioned sections of FM 552, FM 549 and SH205 at the above stated date and time; and

Section 2. That this resolution shall be in full force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 20th day of July, 2015.

ATTEST: **Jim Pruitt, Mayor**

Kristy Ashberry, City Secretary

Hot Rocks Bike Ride

Event name: Hot Rocks Bike Ride (60 Mile and 40 Mile Course)

Event Coordinator: Rockwall Rotary Club
David Watlington
Phone: 214-403-7652
Email: davidwatlington@gmail.com

When: Saturday August 8th, 2015; 6:30 AM to 3:00 PM

Number of participants: approximately 1,500

Location: Event starts and ends at Rockwall ISD Football Stadium at 1201 TL Townsend Drive with a 60 mile and a 40 mile bike ride.

199

60 Mile Route. http://www.trainingpeaks.com/sr/NCRRS76TEFP7XG2VAMOXTIUOQM

TOWNSEND/JUSTIN/INDUSTRIAL/AIRPORT TO KING NORTH

*Recommend not using any cones on John King Northbound between Airport and 552. The cones contributed to at least one very serious accident last year.

JOHN KING NORTH TO 552 EAST (552 surface is much better than before and much better than 66)

552 EAST TO 1138 NORTH

1138 NORTH TO 6 EAST

6 EAST TO FM 1138 NORTH AND TURN LEFT TO GO TO HUBBARD RD (VALERO station)

RIGHT AT VALERO STATION TO GO EAST ON HUBBARD RD TO JOSEPHINE AND RE-JOIN 6 EAST.

*Intersection of Hubbard and Sebastian in Josephine needs to be swept (gravel)

6 EAST TO 1777 SOUTH

1777 SOUTH TO 66 EAST

66 EAST TO FM 2642 SOUTH

2642 SOUTH PAST ROYSE CITY HS

RIGHT ON OLD GREENVILLE ROAD AND MAKE WAY TO 548 SOUTH

*The short connector street between Old Greenville and the 30 service road could use patching.

548 SOUTH TO 276 WEST

*Several large cracks on 548 between 30 and 276.

276 WEST TO 550 SOUTH

*276 shoulder has cracks, drop-offs, and debris.

550 SOUTH/WEST TO 205

CROSS 205 AND CONTINUE 550 TO SOUTH SMITH

LEFT ON SOUTH SMITH AND GO TO CONNIE

*Sweep gravel at intersection of South Smith and 550

RIGHT ON CONNIE

*Sweep gravel at intersection of Connie and South Smith

200

CONNIE TO CORNSTALK

*Sweep gravel at Connie/Cornstalk intersection

RIGHT ON CORNSTALK TO STEVENS

*Several large cracks on Cornstalk.

RIGHT ON STEVENS TO MCDONALD

LEFT ON MCDONALD AND CONTINUE ON TO RABBIT RIDGE AT 550

*Several large cracks on McDonald.

STAY ON RABBIT RIDGE TO 549

*Several cracks on Rabbit Ridge.

RIGHT ON 549 TO 205 NORTH

205 NORTH TO JOHN KING NORTH

*205 Shoulder needs to be swept of debris

RETURN TO STADIUM VIA AIRPORT/INDUSTRIAL/JUSTIN/TOWNSEND, WITH ADDITIONAL LOOP ON JOHN KING IF NEED MILEAGE.

40 Mile Route. http://www.trainingpeaks.com/sr/JPQJFBKLMBR4DG2VAM0XTIUOQM

SAME ROUTE AS 60 MILE ROUTE UNTIL INTERSECTION OF 1777 AND 66 WHERE 40 MILERS WILL TURN RIGHT ON 66 INSTEAD OF LEFT.

66 WEST TO 552 WEST

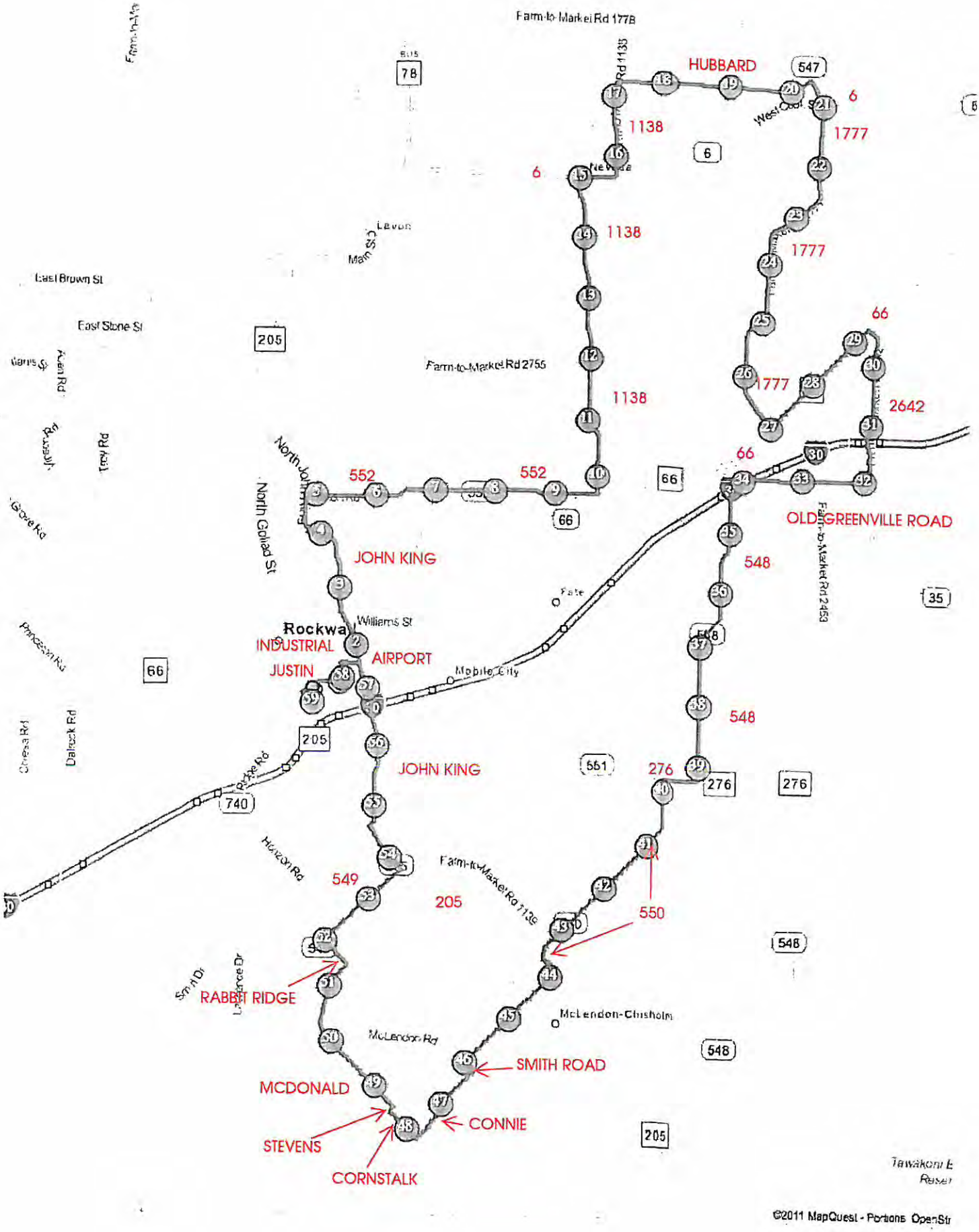
CONTINUE WEST ON 552 AND HEAD TO JOHN KING

LEFT ON JOHN KING SOUTHBOUND AND CONTINUE TO AIRPORT.

*Probably okay to use cones on the southbound stretch of John King for the 10mile and 40mile routes.

RETURN TO STADIUM VIA AIRPORT/INDUSTRIAL/JUSTIN/TOWNSEND.

***Major advantage of this route is that it cuts way down on the number of riders going through Royse City on 548 and completely takes 276 off the route, which is a dangerous road and frustrates cars.



Farm-to-Market Rd 1778
HUBBARD
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6
1777
1138
6
1138
1777
66
1777
2642
1138
552
552
66
66
OLD GREENVILLE ROAD
548
JOHN KING
Rockwall
Williams St
INDUSTRIAL
AIRPORT
JUSTIN
Mobile City
548
JOHN KING
276
276
276
549
205
550
548
RABBIT RIDGE
McLendon-Chisholm
McLendon Rd
SMITH ROAD
MCDONALD
CONNIE
STEVENS
CORNSTALK
205
Farm-to-Market Rd 2755
East Brown St
East Stone St
Levon
Main St
North Goliad St
Troy Rd
Princeton Rd
Dalrock Rd
Horizon Rd
Farm-to-Market Rd 1139
Farm-to-Market Rd 2453
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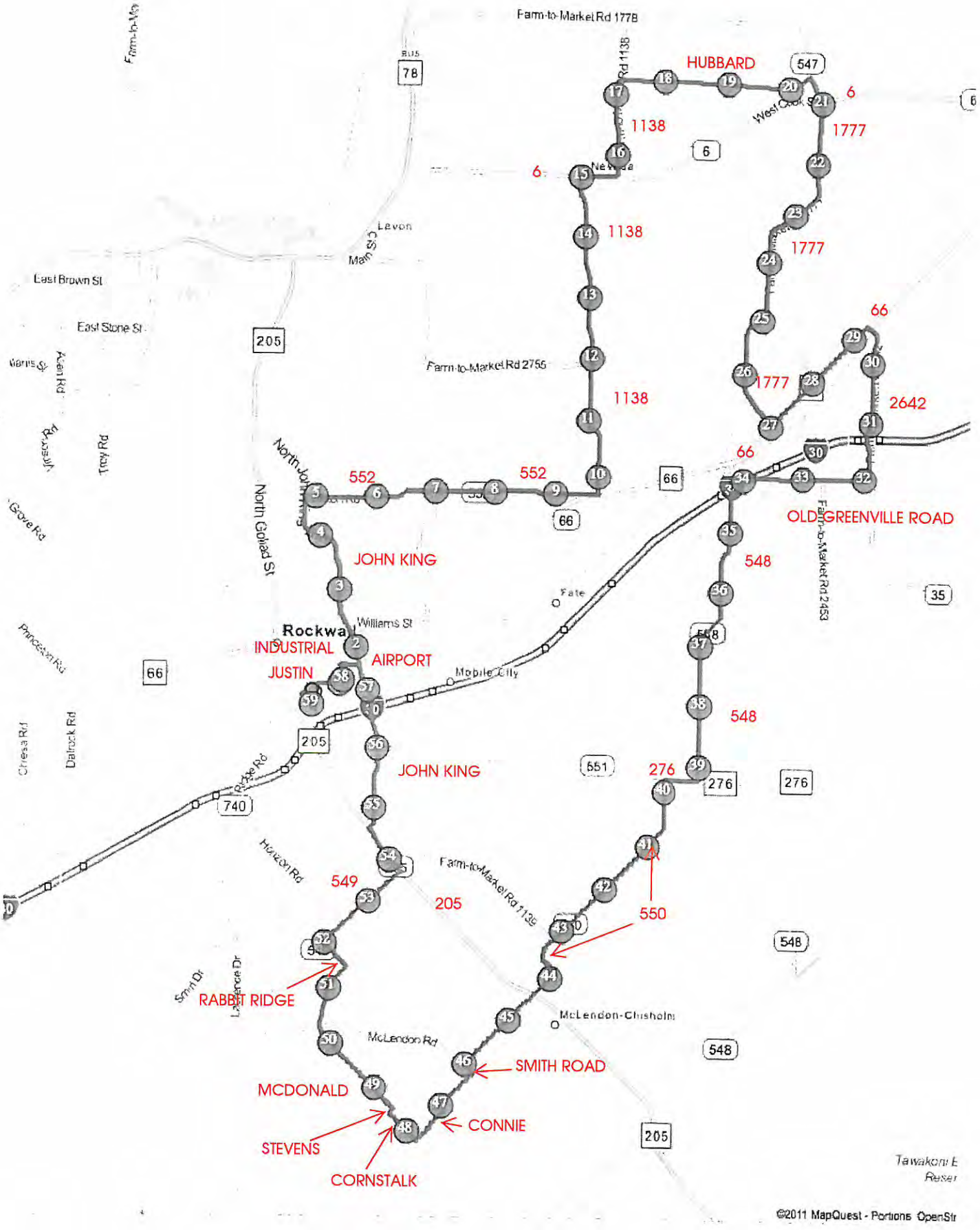

Farm-to-Market Rd 1778
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Rockwall
INDUSTRIAL
AIRPORT
JUSTIN
Mobile City
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205
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RABBIT RIDGE
McLendon-Chisholm
SMITH ROAD
MCDONALD
CONNIE
STEVENS
CORNSTALK
Farm-to-Market Rd 2755
Farm-to-Market Rd 2453
Farm-to-Market Rd 1139
North Goliad St
Williams St
Mobile City
Fate
Levon
East Brown St
East Stone St
Troy Rd
Grove Rd
Princeton Rd
Chesa Rd
Dalrock Rd
Ridge Rd
Horizon Rd
McLendon Rd
Smith Dr
Lawrence Dr
Tawakoni E
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Agreement No._____

STATE OF TEXAS §

COUNTY OF TRAVIS §

AGREEMENT FOR THE TEMPORARY CLOSURE OF STATE RIGHT OF WAY

THIS AGREEMENT is made by and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter called the "State," and the City of Rockwall, a municipal corporation, acting by and through its duly authorized officers, hereinafter called the "local government."

W I T N E S S E T H

WHEREAS, the State owns and operates a system of highways for public use and benefit, including FM 552, FM 549 and SH 205 in THE City of Rockwall, Rockwall County; and

WHEREAS, the local government has requested the temporary closure of FM 552 from John King Boulevard to the east City limits, FM 549 from FM 3097 to SH 205 and SH 205 from FM 549 to South John King Boulevard for the purpose of Hot Rocks Bike Ride on August 8, 2015, from 6:30 A.M. to 3:00 P.M. as described in the attached "Exhibit A," hereinafter identified as the "Event;" and

WHEREAS, the Event will be located within the local government's incorporated area; and

WHEREAS, the State, in recognition of the public purpose of the Event, wishes to cooperate with the City so long as the safety and convenience of the traveling public is ensured and that the closure of the State's right of way will be performed within the State's requirements; and

WHEREAS, on the 20th day of July, 2015, the Rockwall City Council passed Resolution No. 14-__, attached hereto and identified as "Exhibit B," establishing that the Event serves a public purpose and authorizing the local government to enter into this agreement with the State; and

WHEREAS, 43 TAC, Section 22.12 establishes the rules and procedures for the temporary closure of a segment of the State highway system; and

WHEREAS, this agreement has been developed in accordance with the rules and procedures of 43 TAC, Section 22.12;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

A G R E E M E N T

Article 1. CONTRACT PERIOD

This agreement becomes effective upon final execution by the State and shall terminate upon completion of the Event or unless terminated or modified as hereinafter provided.

Article 2. EVENT DESCRIPTION

The physical description of the limits of the Event, including county names and highway numbers, the number of lanes the highway has and the number of lanes to be used, the proposed schedule of start and stop times and dates at each location, a brief description of the proposed activities involved, approximate number of people attending the Event, the number and types of animals and equipment, planned physical modifications of any man-made or natural features in or adjacent to the right of way involved shall be attached hereto along with a location map and identified as “Exhibit C.”

Article 3. OPERATIONS OF THE EVENT

A. The local government shall assume all costs for the operations associated with the Event, to include but not limited to, plan development, materials, labor, public notification, providing protective barriers and barricades, protection of highway traffic and highway facilities, and all traffic control and temporary signing.

B. The local government shall submit to the State for review and approval the construction plans, if construction or modifications to the State’s right of way is required, the traffic control and signing plans, traffic enforcement plans, and all other plans deemed necessary by the State. The State may require that any traffic control plans of sufficient complexity be signed, sealed and dated by a registered professional engineer. The traffic control plan shall be in accordance with the latest edition of the Texas Manual on Uniform Traffic Control Devices. All temporary traffic control devices used on state highway right of way must be included in the State’s Compliant Work Zone Traffic Control Devices List. The State reserves the right to inspect the implementation of the traffic control plan and if it is found to be inadequate, the local government will bring the traffic control into compliance with the originally submitted plan, upon written notice from the State noting the required changes, prior to the event. The State may request changes to the traffic control plan in order to ensure public safety due to changing or unforeseen circumstances regarding the closure.

C. The local government will ensure that the appropriate law enforcement agency has reviewed the traffic control for the closures and that the agency has deemed them to be adequate. If the law enforcement agency is unsure as to the adequacy of the traffic control, it will contact the State for consultation no less than 10 workdays prior to the closure.

D. The local government will complete all revisions to the traffic control plan as requested by the State within the required timeframe or that the agreement will be terminated upon written notice from the State to the local government. The local government hereby agrees that any failure to cooperate with the State may constitute reckless endangerment of the public and that the Texas Department of Public Safety may be notified of the situation as soon as possible for the appropriate action, and failing to follow the traffic control plan or State instructions may result in a denial of future use of the right of way for three years.

E. The local government will not initiate closure prior to 24 hours before the scheduled Event and all barriers and barricades will be removed and the highway reopened to traffic within 24 hours after the completion of the Event.

F. The local government will provide adequate enforcement personnel to prevent vehicles from stopping and parking along the main lanes of highway right of way and otherwise prevent interference with the main lane traffic by both vehicles and pedestrians. The local government will prepare a traffic enforcement plan, to be approved by the State in writing at least 48 hours prior to the scheduled Event. Additionally, the local government shall provide to the State a letter of certification from the law enforcement agency that will be providing traffic control for the Event, certifying that they agree with the enforcement plan and will be able to meet its requirements.

G. The local government hereby assures the State that there will be appropriate passage

allowance for emergency vehicle travel and adequate access for abutting property owners during construction and closure of the highway facility. These allowances and accesses will be included in the local government's traffic control plan.

H. The local government will avoid or minimize damage, and will, at its own expense, restore or repair damage occurring outside the State's right of way and restore or repair the State's right of way, including, but not limited to, roadway and drainage structures, signs, overhead signs, pavement markings, traffic signals, power poles and pavement, etc. to a condition equal to that existing before the closure, and, to the extent practicable, restore the natural and cultural environment in accordance with federal and state law, including landscape and historical features.

Article 4. OWNERSHIP OF DOCUMENTS

Upon completion or termination of this agreement, all documents prepared by the local government will remain the property of the local government. All data prepared under this agreement shall be made available to the State without restriction or limitation on their further use. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

Article 5. TERMINATION

A. This agreement may be terminated by any of the following conditions:

(1) By mutual written agreement and consent of both parties.

(2) By the State upon determination that use of the State's right of way is not feasible or is not in the best interest of the State and the traveling public.

(3) By either party, upon the failure of the other party to fulfill the obligations as set forth herein.

(4) By satisfactory completion of all services and obligations as set forth herein.

B. The termination of this agreement shall extinguish all rights, duties, obligations, and liabilities of the State and local government under this agreement. If the potential termination of this agreement is due to the failure of the local government to fulfill its contractual obligations as set forth herein, the State will notify the local government that possible breach of contract has occurred. The local government must remedy the breach as outlined by the State within ten (10) days from receipt of the State's notification. In the event the local government does not remedy the breach to the satisfaction of the State, the local government shall be liable to the State for the costs of remedying the breach and any additional costs occasioned by the State.

Article 6. DISPUTES

Should disputes arise as to the parties' responsibilities or additional work under this agreement, the State's decision shall be final and binding.

Article 7. RESPONSIBILITIES OF THE PARTIES

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

Article 8. INSURANCE

A. Prior to beginning any work upon the State's right of way, the local government and/or its contractors shall furnish to the State a completed "Certificate of Insurance" (TxDOT Form 1560, latest edition) and shall maintain the insurance in full force and effect during the period

that the local government and/or its contractors are encroaching upon the State right of way.
B. In the event the local government is a self-insured entity, the local government shall provide the State proof of its self-insurance. The local government agrees to pay any and all claims and damages that may occur during the period of this closing of the highway in accordance with the terms of this agreement.

Article 9. AMENDMENTS
Any changes in the time frame, character, agreement provisions or obligations of the parties hereto shall be enacted by written amendment executed by both the local government and the State.

Article 10. COMPLIANCE WITH LAWS
The local government shall comply with all applicable federal, state and local environmental laws, regulations, ordinances and any conditions or restrictions required by the State to protect the natural environment and cultural resources of the State's right of way.

Article 11. LEGAL CONSTRUCTION
In case one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions hereof and this agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

Article 12. NOTICES
All notices to either party by the other required under this agreement shall be delivered personally or sent by certified U.S. mail, postage prepaid, addressed to such party at the following respective addresses:

Local Government:	**State:**
City of Rockwall 385 S. Goliad Rockwall, Texas 75087 Attn: City Manager	Texas Department of Transportation 4777 U.S. Highway 80 East Mesquite, TX 75150-6643 Attn: Kelly Selman, P.E.

All notices shall be deemed given on the date so delivered or so deposited in the mail, unless otherwise provided herein. Either party hereto may change the above address by sending written notice of such change to the other in the manner provided herein.

Article 13. SOLE AGREEMENT
This agreement constitutes the sole and only agreement between the parties hereto and supersedes any prior understandings or written or oral agreements respecting the within subject matter.

IN TESTIMONY WHEREOF, the parties hereto have caused these presents to be executed in duplicate counterparts.

THE CITY OF ROCKWALL
Executed on behalf of the local government by:

By_____ Date_____
City Official

Typed or Printed Name and Title Rick Crowley_____
City Manager_____

THE STATE OF TEXAS
Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By_____ Date_____
District Engineer

Exhibit A

Exhibit B

Exhibit C

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INTERLOCAL AGREEMENT

This Interlocal Agreement (“Agreement”) is made and entered into this _20th_ day of __July____, 2015, by and between the CITY OF FRISCO, Texas (hereinafter called "CITY OF FRISCO"), and the CITY OF ROCKWALL, Texas (hereinafter called "ROCKWALL"), each acting by and through its duly authorized officials:

WHEREAS, CITY OF FRISCO and ROCKWALL are both governmental entities engaged in the purchase of goods and services, which is a recognized governmental function;

WHEREAS, CITY OF FRISCO and ROCKWALL wish to enter into this Agreement pursuant to Chapter 791 of the Texas Government Code (hereinafter "Interlocal Cooperation Act") to set forth the terms and conditions upon which CITY OF FRISCO and ROCKWALL may purchase various goods and services commonly utilized by each party;

WHEREAS, participation in an interlocal agreement will be highly beneficial to the taxpayers of CITY OF FRISCO and ROCKWALL through the anticipated savings to be realized and is of mutual concern to the contracting parties;

WHEREAS, CITY OF FRISCO and ROCKWALL have current funds available to satisfy any fees owed pursuant to this Agreement.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises, covenants and obligations as set forth herein; CITY OF FRISCO and ROCKWALL agree as follows:

1. CITY OF FRISCO and ROCKWALL may cooperate in the purchase of various goods and services commonly utilized by the participants, where available and applicable, and may purchase goods and services from vendors under present and future contracts.

2. CITY OF FRISCO and ROCKWALL shall each be individually responsible for payments directly to the vendor and for the vendor's compliance with all conditions of delivery and quality of purchased items under such contracts. CITY OF FRISCO and ROCKWALL shall each make their respective payments from current revenues available to the paying party.

3. Notwithstanding anything herein to the contrary, participation in this Agreement may be terminated by any party upon thirty (30) days written notice to the other participating party(ies).

4. The undersigned officer and/or agents of the party(ies) hereto are duly authorized officials and possess the requisite authority to execute this Agreement on behalf of the parties hereto.

5. This Agreement may be executed separately by the participating entities, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

6. This Agreement shall become effective on the day and year first written above (the "Effective Date"). The primary term of this Agreement shall be for one (1) year, commencing on the Effective Date and terminating on July 1, 2016, and shall thereafter automatically renew for successive one-year terms, unless terminated according to the terms set forth in Paragraph 3.

7. To the extent allowed by law, each party agrees to release, defend, indemnify, and hold harmless the other (and its officers, agents, and employees) from and against all claims or causes of action for injuries (including death), property damages (including loss of use), and any other losses, demands, suits, judgments and costs, including reasonable attorneys' fees and expenses, in any way arising out of, related to, or resulting from its performance under this agreement, or caused by its negligent acts or omissions (or those of its respective officers, agents, employees, or any other third parties for whom it is legally responsible) in connection with performing this agreement.

8 The laws of the State of Texas shall govern the interpretation, validity, performance and enforcement of this Agreement.

9. The provisions of this Agreement are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this Agreement is for any reason held by a court of competent jurisdiction to be contrary to law or contrary to any rule or regulation having the force and effect of the law, the remaining portions of the Agreement shall be enforced as if the invalid provision had never been included.

10. This Agreement embodies the entire agreement between the parties and may only be modified in writing executed by both parties.

11. This Agreement shall be binding upon the parties hereto, their successors, heirs, personal representatives and assigns. Neither party will assign or transfer an interest in this Agreement without the written consent of the other party.

12. It is expressly understood and agreed that, in the execution of this Agreement, neither party waives, nor shall be deemed hereby to have waived any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. By entering into this Agreement, the parties do not create any obligations, express or implied other that those set forth herein, and this Agreement shall not create any rights in parties not signatories hereto.

13. The declarations, determinations and findings declared, made and found in the preamble to this Agreement are hereby adopted, restated and made part of the operative provisions hereof.

EXECUTED hereto on the day and year first above written.

CITY OF FRISCO

George Purefoy
City Manager

CITY OF ROCKWALL

By: Richard Crowley
City Manager

STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the ___ day of _____, 2015, by George Purefoy, City Manager of the **CITY OF FRISCO, TEXAS,** a home-rule municipal corporation, on behalf of such corporation.

Notary Public in and for the
State of Texas

STATE OF TEXAS §

COUNTY OF ROCKWALL §

This instrument was acknowledged before me on the ___day of _____, 2015, by _____ of the **CITY OF ROCKWALL, TEXAS,** a home-rule municipal corporation, on behalf of such corporation.

Notary Public in and for the
State of Texas

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 15-18

Cooperative Member

WHEREAS, the City of Rockwall, Texas, (hereinafter "Cooperative Member") pursuant to the authority granted by Article 791 et seq. of the Interlocal Cooperation Act, as amended, desires to participate in the statewide purchasing program of the Cooperative;

WHEREAS, the City of Rockwall, Texas, has elected to be a Cooperative Member in the Texas Local Government Purchasing Cooperative (hereinafter "Cooperative"), a program created by local governments in accordance with and pursuant to the Interlocal Cooperation Act ("Act"), Chapter 791, Texas Government Code;

WHEREAS, the Cooperative Member, is of the opinion that participation in the Cooperative's purchasing program will be highly beneficial to the taxpayers of the City of Rockwall (local government) through the efficiencies and potential savings to be realized; and

WHEREAS, the Cooperative Member desires to participate and join with other local governments in a cooperative Interlocal agreement ("Agreement") for the purpose of fulfilling and implementing their respective public and governmental purposes, needs, objectives, programs, functions and services.

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

Section 1. That the Cooperative Member does request that the Cooperative include its stated needs for all categories, including but not limited to, instructional, maintenance, custodial, and food service goods and services, on the Cooperative's Purchasing Program and award contracts for those items, whereby the Cooperative Members may be allowed to purchase those items from the Cooperative's contracts; and that Cooperative is authorized to sign and deliver all necessary requests and other documents in connection therewith for and on behalf of the Cooperative Members that have elected to participate;

Section 2. That the City Council of the City of Rockwall does hereby authorize its City Manager to execute the Interlocal Participation Agreement that includes the adoption and approval of the City of Frisco Interlocal Agreement previously executed and adopted by two or more local governments.

Section 3. That the execution of this Resolution shall evidence the election of Cooperative Member and eligible local governments to become members of the Cooperative upon the terms and conditions stated. The City Council has, and at the time of adoption of this Resolution had, full power and lawful authority to adopt the foregoing Resolution and to confer the obligations, powers, and authority to the persons named, who are hereby granted the power to exercise the same.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS and reflected in the official minutes of the regular city council meeting on this the 20TH day of July, 2015.

City of Rockwall, Texas, Cooperative Member

Jim Pruitt
Mayor of Rockwall, Texas

ATTEST

Kristy Ashberry
City Secretary

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 07/20/2015

APPLICANT: Chase Finch, *Corwin Engineering, Inc.*

AGENDA ITEM: **P2015-023**; *Breezy Hill, Phase IXA*

SUMMARY:

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH 60's Pod, LTD for the approval of a final plat for Phase IXA of the Breezy Hill Subdivision, consisting of 55 single family lots on a 16.805-acre tract of land identified as Tract 7-13 of the T. R. Bailey Survey, Abstract No. 30 and J. Simmons Survey, Abstract No. 190, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, located at the northwest corner of the intersection of FM-552 and Breezy Hill Lane, and take any action necessary.

PLAT INFORMATION:

- ✓ The Breezy Hill Subdivision is a master planned community that will provide approximately 405-acres of residential and commercial development. The residential subdivision will be composed of 742 single-family lots on 371.3-acres of land, and be broken down per the lot mix indicated in Planned Development District 74 (PD-74). The lot mix in this Planned Development District is as follows:

Lot Types	*A*	*B*	*C*	*D*
Typical Lot Frontage *(Feet)*	60	70	80	100
Typical Lot Depth *(Feet)*	120	120	125	200
Minimum Lot Size *(Sq. Ft.)*	7,200	8,400	10,000	20,000
Number of Proposed Units	206	112	326	98
Dwelling Unit %	27.80	15.10	43.90	13.20

- ✓ The purpose of the applicant's submittal is to final plat *Phase IXA* of the *Breezy Hill Subdivision* and layout 55 of the 742 single-family lots. The 55 proposed lots will be constructed to the *Type 'A'* standard (*all standards are displayed in the above table*). This portion of the development is intended to provide a buffer between the residents east of Breezy Hill Road and the planned ~30-acres of land designated for General Retail (GR) District uses located to the west of the subject property.

- ✓ The proposed final plat conforms to the amended concept plan that was approved on July 7, 2014 by the City Council under *Case No. Z2014-017* [*Ordinance No. 14-26*].

- ✓ On July 7, 2015 the Parks Board reviewed the proposed final plat and recommended the following:

  1) The developer pay the pro-rata equipment fees required for District No. 7 in the amount of $11,700.00 [55 Lots @ $214.00 Per Lot].

- ✓ The Surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for final plats as stated in the *Subdivision*

Ordinance contained in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the *final plat* for *Phases IXA* of the *Breezy Hill Subdivision* staff would recommend the following conditions of approval:

1) The *final plat* shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;

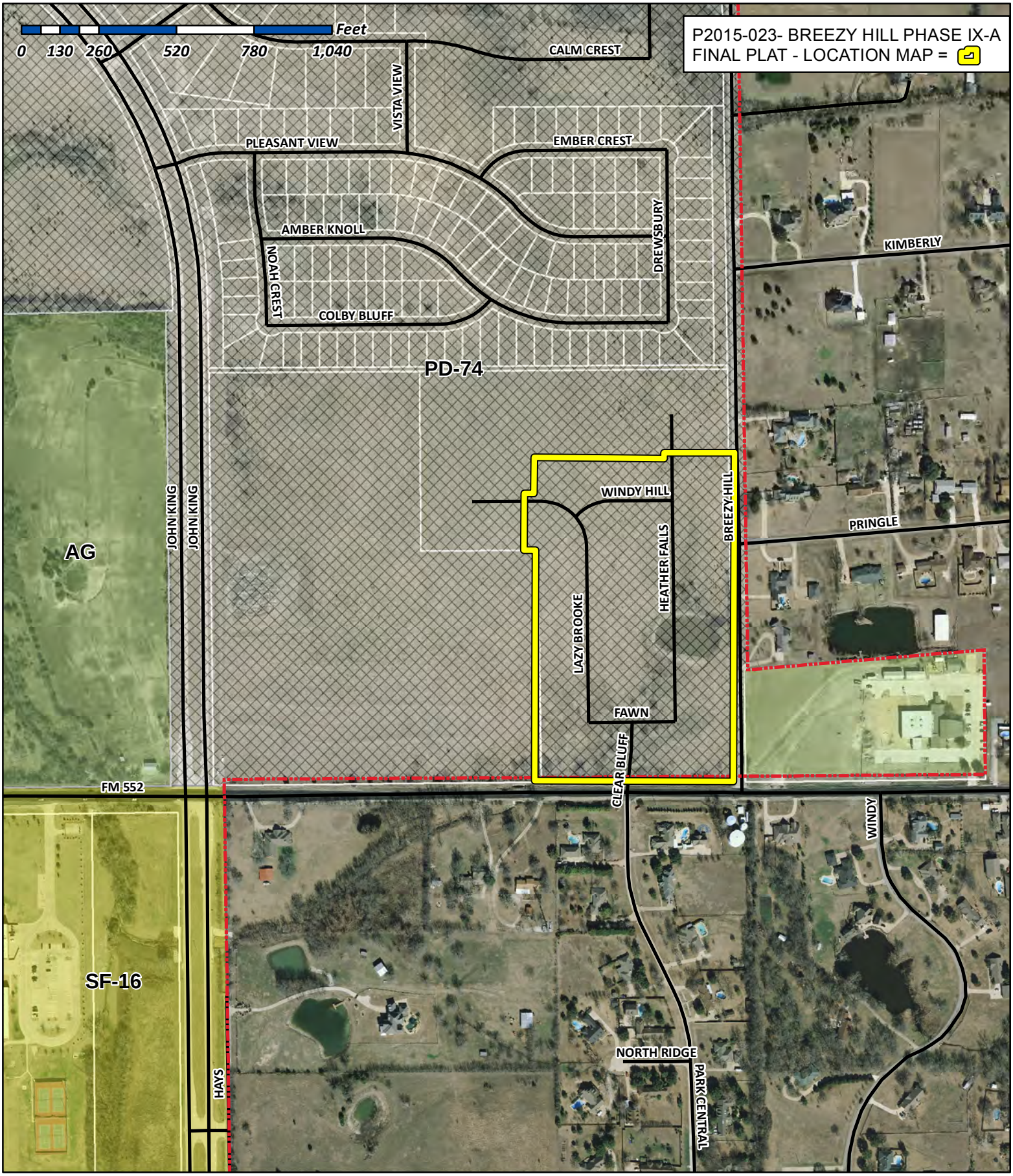
2) In conformance with Planned Development District 74 (PD-74) [*Ordinance No. 12-26*] amendments to the *PD Site Plan* approved under *Case No. SP2013-013* shall be submitted and approved administratively prior to the filing of this final plat;

3) The final plat shall conform to the recommendations made by the Parks Board; and,

4) Any construction resulting from the approval of this *final plat* shall conform to the requirements set forth by the Unified Development Code (UDC), the 2009 International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On July 14, 2015, the Planning & Zoning Commission approved a motion to recommend approval of the final plat by a vote of 6-0, with Commissioner Lyons absent.



City of Rockwall

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

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

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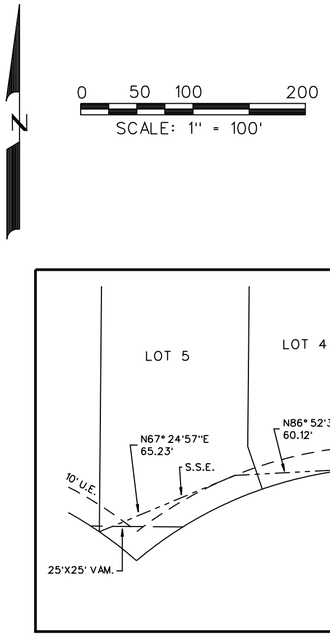
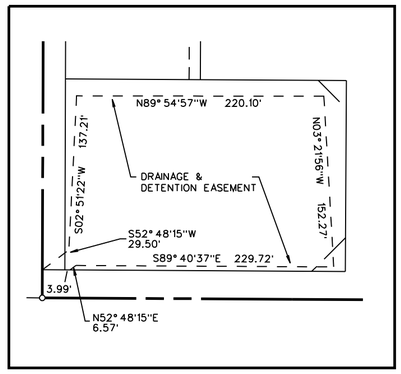
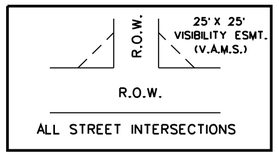


EASEMENT DETAIL
LOT 4 & 5 BLOCK D
SCALE 1" = 50'



DRAINAGE & DETENTION EASEMENT DETAIL
LOT 1 BLOCK C
SCALE 1" = 100'



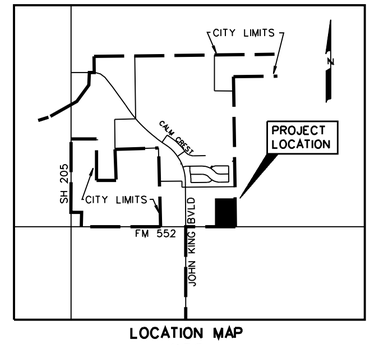
VISIBILITY & SIDEWALK EASEMENT DETAIL
N.T.S.

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	BEARING
1.	40°40'10"	150.00'	106.47'	55.59'	104.25'	N20°08'14"W
2.	49°00'14"	150.00'	128.29'	68.37'	124.42'	N64°58'28"W
3.	40°59'46"	150.00'	107.33'	56.08'	105.05'	N70°01'33"E
4.	163°51'55"	50.00'	143.00'	-----	99.01'	S45°15'37"W

LINE TABLE

LINE NO.	BEARING	DISTANCE
1.	N 49°31'40" E	22.58'
2.	N 89°28'34" W	54.47'



LOCATION MAP
N.T.S.

NOTES

1. Bearing are referenced to 21.857 acre tract, as described in Clerks File No. 2012-467951, in the Deed Records of Rockwall County, Texas.
2. All lot lines are radial or perpendicular to the street unless otherwise noted by bearing.
3. ½" iron rods with "CORWIN ENGR. INC." caps set at all boundary corners, block corners, points of curvature, points of tangancy, and angle points in public right-of-way unless otherwise noted.
4. B.L. - Building Line.
   U.E. - Utility Easements.
   S.S.E. - Sanitary Sewer Easement
   C.M. - Controlling Monument.
   V.A.M.S. - Visibility, Maintenence & Sidewalk Easement
   H.O.A. - Homeowners Association
   ◊ - Street Name Change
5. All open spaces, drainage areas and other common areas shall be maintained by the Homeowners Association.
6. No building permits will be issued until all public improvments are accepted by the City.

TOTAL LOTS 55
TOTAL ACRES 16.805

FINAL PLAT
OF

BREEZY HILL PHASE IX-A

55 LOTS, BEING 16.805 ACRES
SITUATED IN THE
T.R. BAILEY SURVEY, ABSTRACT NO. 30
J. SIMMONS SURVEY, ABSTRACT NO. 190
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

OWNER
BH PHASE IX SF, LTD.
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75225
214-522-4945

JUNE 2015 SCALE 1" = 100'

CASE •P2015-023

LEGAL DESCRIPTION

BEING, a tract of land situated in the T.R. Bailey Survey, Abstract No. 30 and the J. Simmons Survey, Abstract No. 190 in the City of Rockwall, Rockwall County, Texas, being out of a 405.184 acre tract, as described in Clerks File No. 2007-00375392 in the Deed Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING, at a ½ inch iron rod set at the southeast corner of said 405.184 acre tract, being in the north line of F.M. 552 (80' R.O.W.);

THENCE, North 89° 40'37" West, along the south line of said 405.184 acre tract and the north line of said F.M. 552, for a distance of 665.00 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 00° 11'51" East, departing said north and south lines, for a distance of 772.32 feet, to a ½ inch iron rod set with a yellow cap stamped 7/32Corwin Eng. Inc.9/32;

THENCE, North 89° 28'34" West, for a distance of 39.56 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 00° 31'26" East, for a distance of 190.00 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 89° 28'34" East, for a distance of 32.12 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 00° 31'26" East, for a distance of 120.00 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 89° 28'34" East, for a distance of 435.68 feet, to a 1/5 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 00° 11'51" East, for a distance of 20.39 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 89° 48'09" East, for a distance of 235.00 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", in the east line of said 405.184 acre tract and in the west line of Breezy Hill Road;

THENCE, South 00° 11'51" West, along the east line of said 405.184 acre tract and the west line of Breezy Hill Road, for a distance of 1101.72 feet, to the POINT OF BEGINNING and containing 16.805 acres of land.

SURVEYOR CERTIFICATE

I, WARREN L. CORWIN, do hereby certify that the plat shown hereon accurately represents the results of an on-the-ground survey made under my direction and supervision and all corners are as shown thereon and there are no encroachments, conflicts, protrusions or visible utilities on the ground except as shown and said plat has been prepared in accordance with the platting rules and regulations of the City Plan Commission of the City of Rockwall, Texas.

DATED the this_____day of _____, 2015.

_____
WARREN L. CORWIN
R.P.L.S. No. 4621

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared WARREN L. CORWIN, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the_____day of _____, 2015.

_____
Notary Public in and for the State of Texas

Recommended for Final Approval:

_____ _____
Planning & Zoning Commission Date

APPROVED
I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the_____day of_____, 2015.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the Counrt Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this_____day of _____, 2015.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

OWNER'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
STATE OF TEXAS
COUNTY OF ROCKWALL
I the undersigned owner of the land shown on this plat, and designated herein as the BREEZY HILL PHASE IX-A, subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the BREEZY HILL PHASE IX-A, subdivision have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following:

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall: or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done: or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City: we, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

BH PHASE IX, SF, LTD.
a Texas limited partnership
By: BH PHASE IX SF, GP Corporation,
a Texas corporation, its General Partner

_____ _____
Richard M. Skorburg Mortgage or Lien Interest
President

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared RICHARD M. SKORBURG, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.
Given upon my hand and seal of office this_____day of_____, 2015.

Notary Public in and for the State of Texas My Commission Expires: _____

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared_____
known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.
Given upon my hand and seal of office this_____day of_____, 2015.

Notary Public in and for the State of Texas My Commission Expires: _____

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

FINAL PLAT
OF

BREEZY HILL PHASE IX-A

55 LOTS, BEING 16.805 ACRES
SITUATED IN THE
T.R. BAILEY SURVEY, ABSTRACT NO. 30
J. SIMMONS SURVEY, ABSTRACT NO. 190
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

OWNER
BH PHASE IX SF, LTD.
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75225
214-522-4945

JUNE 2015

CASE •P2015-023

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 07/20/2015

APPLICANT: Chase Finch, *Corwin Engineering, Inc.*

AGENDA ITEM: **P2015-024**; *Rockwall Downes, Phase 2*

SUMMARY:

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of Matt Alexander of the Cambridge Company, Inc. for the approval of a final plat for Phase 2 of the Rockwall Downes Subdivision, consisting of 30 single family lots on a 11.923-acre tract of land identified as a portion of Tract 3 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 10 (PD-10) for residential land uses, located at the northeast corner of the intersection of John King Boulevard and Discovery Boulevard, and take any action necessary.

PLAT INFORMATION:

- ✓ The purpose of the applicant's request is to final plat 30 single-family, residential lots on a 11.923-acre tract of land for the construction of *Phase 2* of the *Rockwall Downes Subdivision*. The subdivision will be composed of 90 single-family lots that will be broken down into three (3) phases with Phase 1 containing 34 lots, Phase 2 containing 30 lots, and Phase 3 containing 26 lots. Each single-family lot will have a minimum lot size of 55' x 110' (*or 6,050 SF*).

- ✓ The subject property is zoned Planned Development District 10 (PD-10), which designates the subject property for single family detached uses. According to Ordinance No. 04-25 the development standards for the subject property are as follows:

	Ordinance Requirements
Maximum Density (Dwelling Units Per Acre)	5
Minimum SF Per Dwelling Unit	1,500 SF
Minimum Lot Frontage on a Public Street	50'
Minimum Lot Width	55'
Minimum Lot Depth	100'
Minimum Front Yard Setback	20'
Minimum Rear Yard Setback	10'
Minimum Side Yard Setbacks (Internal, Street, Arterial)	5', 15', 20'
Minimum Distance Between Buildings	10'
Maximum Lot Coverage	45%
Maximum Building Height	32'
Minimum Masonry Requirement	90%

- ✓ The proposed final plat conforms to the site plan approved by the Planning and Zoning Commission on September 9, 2014 under *Case No. SP2014-014*.

- ✓ On July 7, 2015 the Parks Board reviewed the proposed final plat and recommended the following:

    1) The developer should provide a ten (10') foot walking trail along the east side of John King Boulevard connecting the trail constructed with Rockwall Downes, Phase I to Discovery Boulevard. The trail should be utilized as a public trail, but maintained by the HOA.

- ✓ The Surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for plats as stated in the *Subdivision Ordinance* in the *Municipal Code of Ordinances*, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the *final plat* for *Phase 2* of the *Rockwall Downs Subdivision* staff would recommend the following conditions:

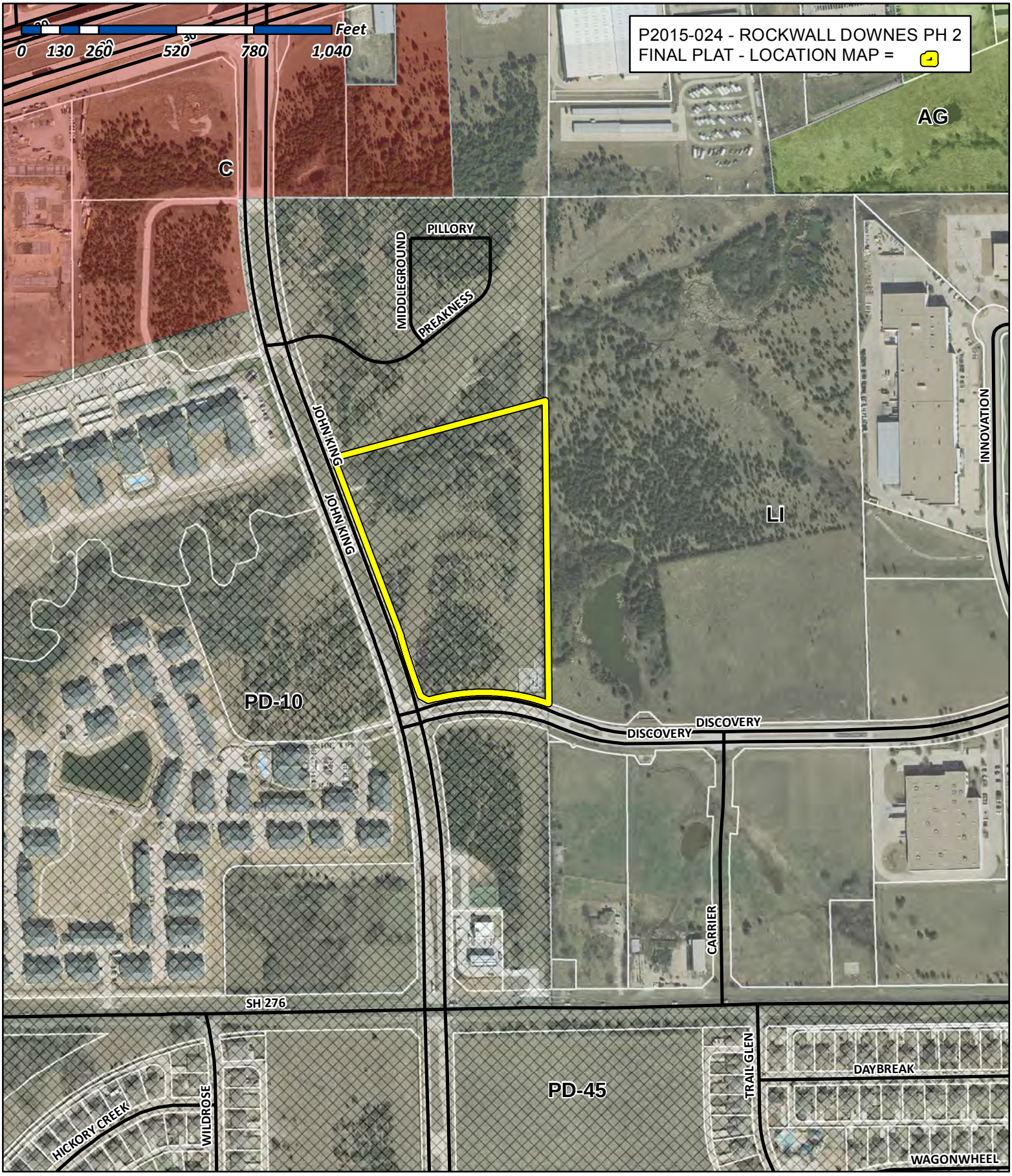
1) The *final plat* shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;

2) The final plat shall conform to the recommendations made by the Parks Board; and,

3) Any construction resulting from the approval of this *final plat* shall conform to the requirements set forth by the Unified Development Code (UDC), the 2009 International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On July 14, 2015, the Planning & Zoning Commission approved a motion to recommend approval of the final plat by a vote of 6-0, with Commissioner Lyons absent.



City of Rockwall

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

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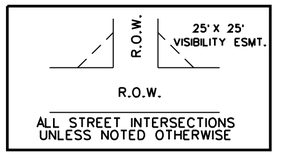
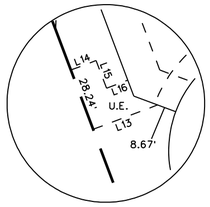
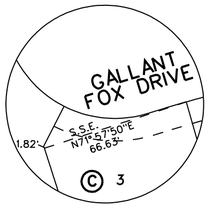


VISIBILITY & SIDEWALK EASEMENT DETAIL
N.T.S.



EASEMENT DETAIL B
SCALE: 1"=100'



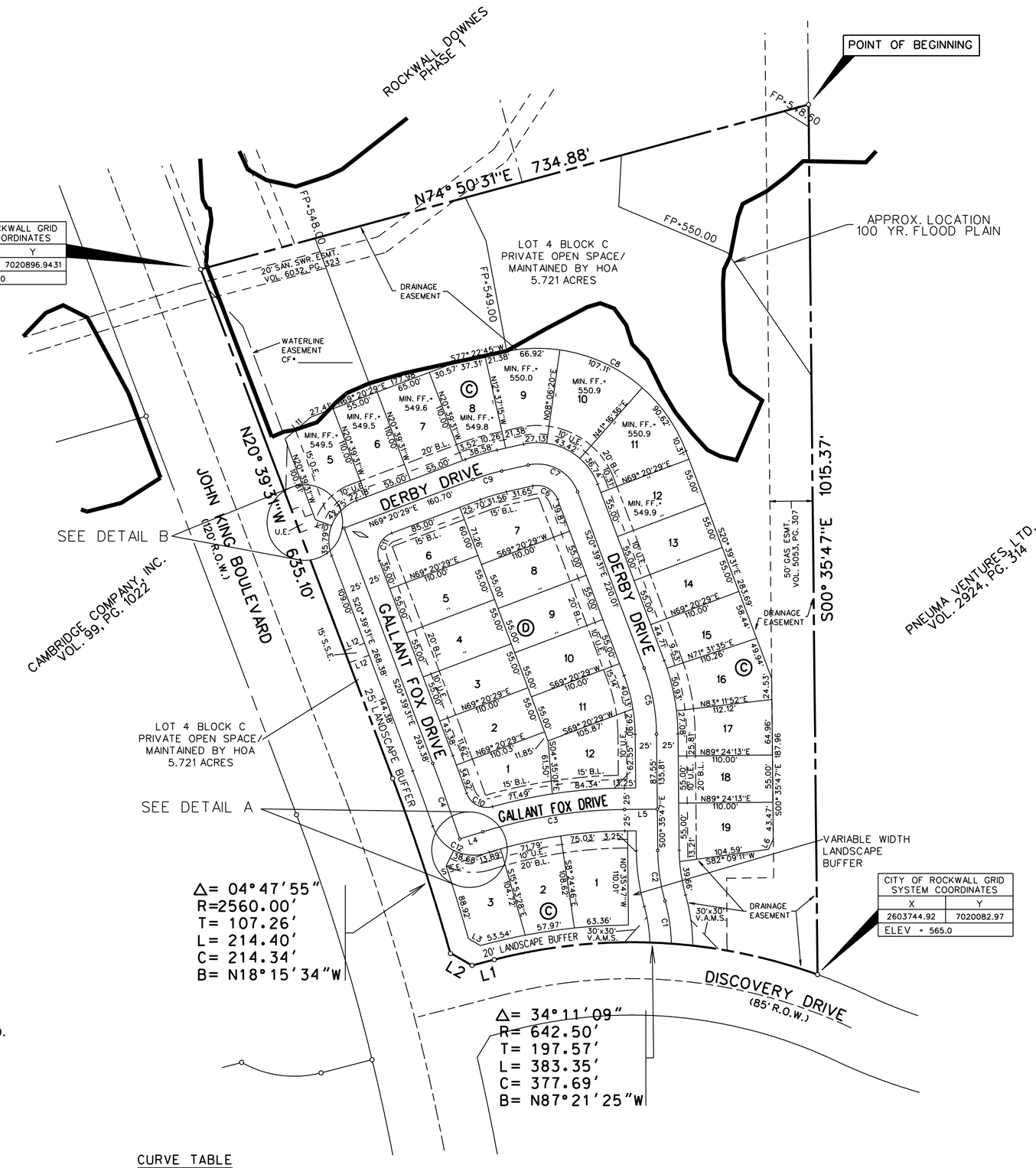
EASEMENT DETAIL A
SCALE: 1"=100'

LINE TABLE

LINE NO.	BEARING	DISTANCE
1.	S 75°33'00" W	26.84'
2.	N 60°02'18" W	29.29'
3.	N 60°02'25" W	16.25'
4.	N 72°39'44" E	28.18'
5.	N 89°24'13" E	38.25'
6.	N 26°11'48" E	12.92'
7.	S 69°20'29" W	55.00'
8.	N 58°20'17" E	60.06'
9.	N 69°20'29" E	90.28'
10.	N 69°38'44" W	20.00'
11.	N 49°55'31" E	39.86'
12.	N 69°20'29" E	25.00'
13.	N 69°20'29" E	30.73'
14.	N 69°20'29" E	12.08'
15.	N 20°39'31" W	13.24'
16.	N 69°20'29" E	10.10'

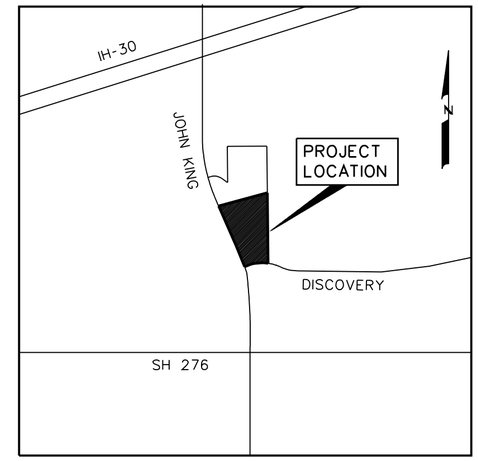
NOTES

1. Bearing are referenced to Rockwall Downes Phase I (Vol. , Pg.).
2. All lot lines are radial or perpendicular to the street unless otherwise noted by bearing.
3. ½" iron rods with "CORWIN ENGR. INC." caps set at all boundary corners, block corners, points of curvature, points of tangancy, and angle points in public right-of-way unless otherwise noted.
4. B.L. - Building Line.
   U.E. - Utility Easements.
   C.M. - Controlling Monument.
   D.E. - Drainage Easement
   S.S.E.- Sanitary Sewer Easement
   F.F. - Finish Floor
   V.A.M.S. - Visibility, Maintenence & Sidewalk Easement
   BFE - Base Flood Elevation
   S.E. - Sidewalk Easement
   FP - 100 Year Flood Plain Elevation
   ◊ - Street Name Change
5. All open spaces, drainage areas and other common areas shall be maintained by the Homeowners Association.



CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	BEARING
1.	14°32'24"	200.00'	50.75'	25.51'	50.62'	N08°28'16"W
2.	15°08'42"	225.00'	59.47'	29.91'	59.30'	N08°10'08"W
3.	16°44'30"	575.00'	168.01'	84.61'	167.42'	S81°01'58"W
4.	02°03'31"	2610.00'	93.78'	46.90'	93.78'	N19°37'46"W
5.	20°03'44"	225.00'	78.78'	39.80'	78.38'	N10°37'39"W
6.	81°57'44"	25.00'	35.76'	21.72'	32.79'	N61°38'23"W
7.	81°57'44"	50.00'	71.53'	43.44'	65.58'	N61°38'23"W
8.	81°57'44"	185.00'	264.64'	160.71'	242.65'	N61°38'23"W
9.	08°02'16"	250.00'	35.07'	17.56'	35.04'	S73°21'37"W
10.	85°49'50"	25.00'	37.45'	23.24'	34.05'	N62°33'43"W
11.	90°00'00"	25.00'	39.27'	25.00'	35.36'	N24°20'29"E
12.	88°12'22"	50.00'	76.97'	48.46'	69.60'	N63°14'05"W



LOCATION MAP
N.T.S.

0 50 100 200
SCALE: 1" = 100'

FINAL PLAT
OF
ROCKWALL DOWNES PHASE 2
OUT OF THE
J.M ALLEN SURVEY, ABSTRACT NO. 2
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER
ROCKWALL DOWNES DEVELOPMENT, LLC.
8750 NORTH CENTRAL EXPRESSWAY, SUITE 1735
DALLAS, TEXAS 75231
214-691-2556

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

TOTAL LOTS 30
TOTAL ACRES 11.923

JUNE 2015 SCALE 1" = 100' 228
CASE•P2015-024 SHEET 1 OF 2

LEGAL DESCRIPTION

WHEREAS, ROCKWALL DOWNES DEVELOPMENT, LLC., is the owner of a tract of land situated in the J.M. Allen Survey, Abstract No. 2 in the City of Rockwall, Rockwall County, Texas, being part of a tract of land in Deed to The Cambridge Companies, as described in Vol. 99, Pg. 1022 in the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING, at a ½ inch iron rod found at the southeast corner of Rockwall Downes Phase 1, an addition to the City of Rockwall, as described in Vol. Pg. in the Plat Records of Rockwall County, Texas, being in the east line of said Cambridge Companies tract of land.

THENCE, South 00° 35'47" East, along said east line, for distance of 1015.37 feet, to a ½ inch iron rod set with a yellow cap with a yellow cap stamped "Corwin Eng. Inc.", being in the north line of Discovery Drive (85' R.O.W.), being on a curve to the left, having a radius of 642.50 feet, a central angle of 34° 11'09", and a tangent of 197.57 feet;

THENCE, along the north line of said Discovery Drive and with said curve to the left for an arc distance of 383.35 feet (Chord Bearing North 87° 21'25" West - 377.69 feet), to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of tangency;

THENCE, South 75° 33'00" West, continuing along said north line, for a distance of 26.84 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE North 60° 02'18" West, departing said north line, for a distance of 29.29 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", in the east line of John King Boulevard (120' R.O.W.), being on a curve to the left, having a radius of 2560.00 feet, a central angle of 04° 47'55" , and a tangent of 107.26 feet;

THENCE, along the east line of said John King Boulevard and with said curve to the left for an arc distance of 214.40 feet (Chord Bearing North 18° 15'34" West - 214.34 feet), to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc." at the point of tangency;

THENCE, North 20° 39'31" West, continuing along said east line, for a distance of 635.10 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 74° 50'31" East, departing said east line, for a distance of 734.88 feet, to the POINT OF BEGINNING and containing 11.923 acres of land.

OWNER'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owners of the land shown on this plat, and designated herein as the ROCKWALL DOWNES PHASE 2, subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the ROCKWALL DOWNES PHASE 2, subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following:

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; we, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

Rockwall Downes Development, LLC
A Texas Limited liaility company

James J. Melino, Manager

Mortgage or Lien Interest

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared JAMES J. MELINO, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this_____day of _____, 2015.

Notary Public in and for the State of Texas My Commission Expires: _____

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared_____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this_____Day of _____, 2015.

Notary Public in and for the State of Texas My Commission Expires: _____

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

Recommended for Final Approval:

Planning & Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2015.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the Counrt Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this_____ day of_____, 2015.

Mayor, City of Rockwall City Secretary City Engineer

SURVEYOR CERTIFICATE

I, WARREN L. CORWIN, do hereby certify that the plat shown hereon accurately represents the results of an on-the-ground survey made under my direction and supervision and all corners are as shown thereon and there are no encroachments, conflicts, protrusions or visible utilities on the ground except as shown and said plat has been prepared in accordance with the platting rules and regulations of the City Plan Commission of the City of Rockwall, Texas.

DATED the this_____day of _____, 2015.

WARREN L. CORWIN
R.P.L.S. No. 4621

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared WARREN L. CORWIN, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the_____day of _____, 2015.

Notary Public in and for the State of Texas

FINAL PLAT
OF
ROCKWALL DOWNES PHASE 2
OUT OF THE
J.M ALLEN SURVEY, ABSTRACT NO. 2
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER
ROCKWALL DOWNES DEVELOPMENT, LLC.
8750 NORTH CENTRAL EXPRESSWAY, SUITE 1735
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214-691-2556

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
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JUNE 2015 SCALE 1" = 100'

CASE•P2015-024 SHEET 1 OF 2

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 07/20/2015

APPLICANT: Chase Finch, *Corwin Engineering, Inc.*

AGENDA ITEM: **P2015-025**; *Rockwall Downes, Phase 3*

SUMMARY:

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of Matt Alexander of the Cambridge Company, Inc. for the approval of a final plat for Phase 3 of the Rockwall Downes Subdivision, consisting of 26 single family lots on a 8.559-acre tract of land identified as a portion of Tract 3 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 10 (PD-10) for residential land uses, located at the northwest corner of the intersection of John King Boulevard and Discovery Boulevard, and take any action necessary.

PLAT INFORMATION:

- ✓ The purpose of the applicant's request is to final plat 26 single-family, residential lots on a 8.559-acre tract of land for the construction of *Phase 3* of the *Rockwall Downes Subdivision*. The subdivision will be composed of 90 single-family lots that will be broken down into three (3) phases with Phase 1 containing 34 lots, Phase 2 containing 30 lots, and Phase 3 containing 26 lots. Each single-family lot will have a minimum lot size of 55' x 110' (*or 6,050 SF*).

- ✓ The subject property is zoned Planned Development District 10 (PD-10), which designates the subject property for single family detached uses. According to Ordinance No. 04-25 the development standards for the subject property are as follows:

	Ordinance Requirements
Maximum Density (Dwelling Units Per Acre)	5
Minimum SF Per Dwelling Unit	1,500 SF
Minimum Lot Frontage on a Public Street	50'
Minimum Lot Width	55'
Minimum Lot Depth	100'
Minimum Front Yard Setback	20'
Minimum Rear Yard Setback	10'
Minimum Side Yard Setbacks (Internal, Street, Arterial)	5', 15', 20'
Minimum Distance Between Buildings	10'
Maximum Lot Coverage	45%
Maximum Building Height	32'
Minimum Masonry Requirement	90%

- ✓ The proposed final plat conforms to the site plan approved by the Planning and Zoning Commission on September 9, 2014 under *Case No. SP2014-014*.

- ✓ On July 7, 2015 the Parks Board reviewed the proposed final plat and approved a motion to accept the plat without further recommendation.

- ✓ The Surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for plats as stated in the *Subdivision Ordinance* in the *Municipal Code of Ordinances*, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the *final plat* for *Phase 3* of the *Rockwall Downs Subdivision* staff would recommend the following conditions:

1) The *final plat* shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;

2) The final plat shall conform to the recommendations made by the Parks Board; and,

3) Any construction resulting from the approval of this *final plat* shall conform to the requirements set forth by the Unified Development Code (UDC), the 2009 International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On July 14, 2015, the Planning & Zoning Commission approved a motion to recommend approval of the final plat by a vote of 6-0, with Commissioner Lyons absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
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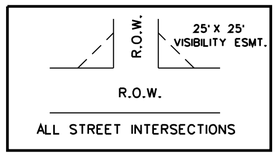
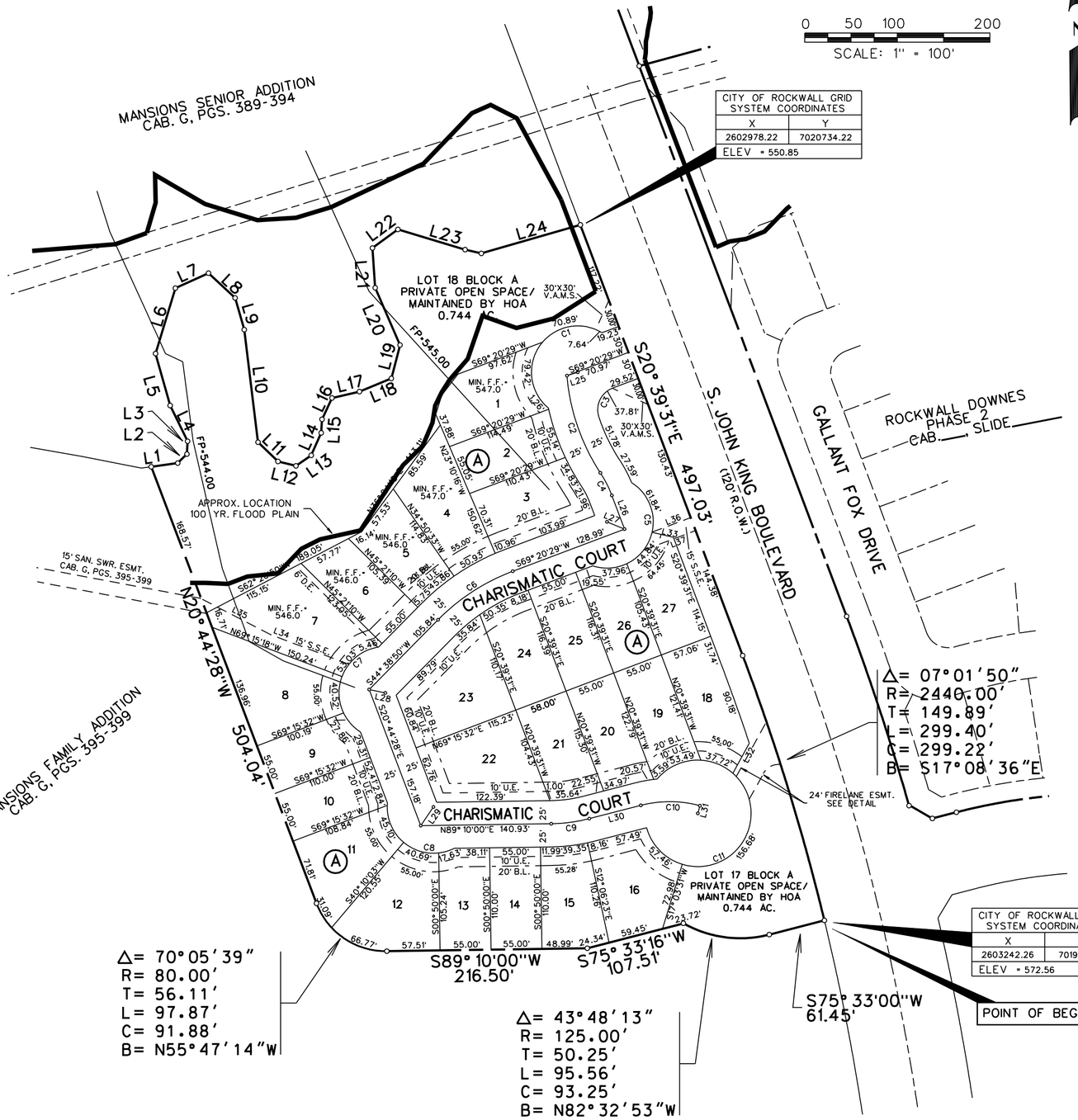
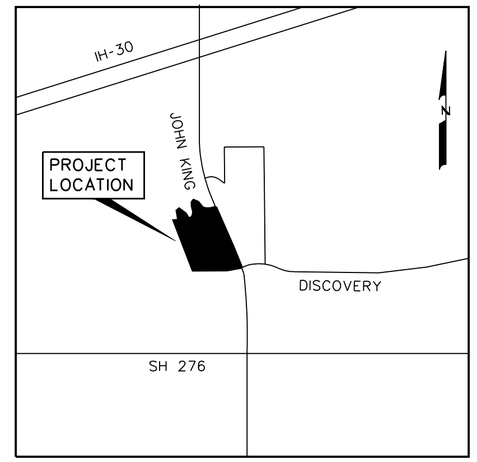
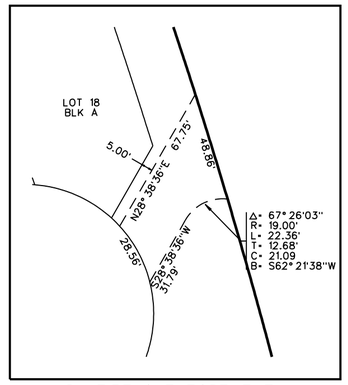


VISIBILITY & SIDEWALK EASEMENT DETAIL
N.T.S.





LOCATION MAP
N.T.S.



24' FIRELANE EASEMENT

LINE TABLE

LINE NO.	BEARING	DISTANCE
1.	N 82°08'01" E	28.88'
2.	N 45°38'11" E	13.91'
3.	N 02°44'36" E	13.91'
4.	N 25°58'17" W	42.88'
5.	N 15°43'07" W	58.28'
6.	N 16°52'17" E	73.78'
7.	N 65°36'29" E	39.28'
8.	S 47°03'26" E	39.28'
9.	S 16°00'52" E	35.67'
10.	S 06°59'49" E	122.44'
11.	S 46°09'07" E	29.88'
12.	S 76°08'29" E	20.02'
13.	N 55°23'58" E	20.02'
14.	N 23°59'08" E	26.52'
15.	N 03°31'06" E	14.68'
16.	N 25°04'52" E	25.43'
17.	N 76°56'24" E	30.42'
18.	N 67°31'04" E	37.25'
19.	N 14°38'54" E	37.25'
20.	N 23°28'03" W	67.39'
21.	N 04°00'39" W	43.03'
22.	N 53°49'58" E	34.08'
23.	S 73°58'24" E	93.78'
24.	N 73°56'42" E	111.30'
25.	N 72°21'06" E	12.26'
26.	S 20°39'31" E	38.81'
27.	N 67°35'10" W	20.53'
28.	S 78°02'49" E	17.82'
29.	N 34°12'46" E	24.43'
30.	N 75°33'16" E	57.53'
31.	S 15°07'32" W	8.59'
32.	S 28°38'36" W	37.01'
33.	S 76°50'46" E	23.72'
34.	N 69°15'18" W	90.68'
35.	N 62°41'26" W	84.19'
36.	N 69°20'29" E	44.50'
37.	N 69°20'29" E	59.95'

NOTES

1. Bearing are referenced to Rockwall Downes Phase I (Vol. , Pg.).
2. All lot lines are radial or perpendicular to the street unless otherwise noted by bearing.
3. ½" iron rods with "CORWIN ENGR. INC." caps set at all boundary corners, block corners, points of curvature, points of tangancy, and angle points in public right-of-way unless otherwise noted.
4. B.L. - Building Line.
   U.E. - Utility Easements.
   C.M. - Controlling Monument.
   D.E. - Drainage Easement
   S.S.E.- Sanitary Sewer Easement
   F.F. - Finish Floor
   V.A.M.S. - Visibility, Maintenence & Sidewalk Easement
   BFE - Base Flood Elevation
   S.E. - Sidewalk Easement
   FP - 100 Year Flood Plain Elevation
   ◊ - Street Name Change
5. All open spaces, drainage areas and other common areas shall be maintained by the Homeowners Association.

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	BEARING
1.	172°14'49"	50.00'	150.31'	----'	99.77'	S35°25'13"W
2.	28°32'42"	225.00'	112.10'	57.24'	110.94'	S18°58'02"E
3.	87°44'46"	25.00'	38.29'	24.04'	34.65'	N25°28'05"E
4.	12°34'53"	125.00'	27.45 '	13.78'	27.39'	S26°56'27"E
5.	165°44'54"	50.00'	144.64'	----'	99.23'	N25°09'51"E
6.	24°41'39"	225.00'	96.97'	49.25'	96.22'	S56°59'40"W
7.	139°07'42"	50.00'	121.41'	----'	93.71'	S11°57'11"W
8.	121°46'34"	50.00'	106.27'	----'	87.37'	S55°47'14"E
9.	13°36'44"	175.00'	41.58'	20.89'	41.48'	N82°21'38"E
10.	29°34'16"	125.00'	64.51'	32.99'	63.80'	S89°39'36"E
11.	55°44'31"	57.50'	305.34'	----'	53.76'	N12°10'57"E

TOTAL LOTS 26

TOTAL ACRES 8.559

FINAL PLAT
OF
ROCKWALL DOWNES PHASE 3
OUT OF THE
J.M ALLEN SURVEY, ABSTRACT NO. 2
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER
ROCKWALL DOWNES DEVELOPMENT, LLC.
8750 NORTH CENTRAL EXPRESSWAY, SUITE 1735
DALLAS, TEXAS 75231
214-691-2556

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

JUNE 2015 SCALE 1" = 100'

LEGAL DESCRIPTION

WHEREAS, ROCKWALL DOWNES DEVELOPMENT, LLC., is the owner of a tract of land situated in the J.M. Allen Survey, Abstract No. 2 in the City of Rockwall, Rockwall County, Texas, being part of a tract of land in Deed to The Cambridge Companies, as described in Vol. 99, Pg. 1022 in the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING, at a ½ inch iron rod set at the most easterly northeast corner of Mansions Family Addition, an addition to the City of Rockwall, as described in Cab. G Pgs. 395-399 in the Plat Records of Rockwall County, Texas, being in the west line of John King Boulevard (120' R.O.W);

THENCE, South 75° 33'00" West, along the north line of said Mansions Family Addition, for a distance of 61.45 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of a curve to the right, having a radius of 125.00 feet, a central angle of 43° 48'13", and a tangent of 50.25 feet;

THENCE, continuing along said north line and with said curve to the right for an arc distance of 95.56 feet (Chord Bearing North 82° 32'53" West - 93.25 feet), to a ½ inch iron rod set with a yellow cap stamped 7/32Corwin Eng. Inc.9/32;

THENCE, South 75° 33'16" West, continuing along said north line, for a distance of 107.51 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 89° 10'00" West, continuing along said north line, for a distance of 216.50 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of curvature of a curve to the right, having a radius of 80.00 feet, a central angle of 70° 05'39", and a tangent of 56.11 feet;

THENCE, continuing along said north line and with said curve to the right for an arc distance of 97.87 feet (Chord Bearing North 55° 47'14" West - 91.88 feet), to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of tangency;

THENCE, North 20° 44'28" West, continuing along said north line, for a distance of 504.04 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc." at the most northerly northeast corner of said Mansions Family Addition and being in the south line of the Mansions Senior Addition, an addition to the City of Rockwall, as described in Cab. G, Pgs. 389-394, in said Plat Records;

THENCE, North 82° 08'01" East, along the south line of said Mansions Senior Addition, for a distance of 28.88 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 45° 38'11" East, continuing along said south line, for a distance of 13.91 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 02° 44'36" East, continuing along said south line, for a distance of 13.91 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 25° 58'17" West, continuing along said south line, for a distance of 42.88feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 15° 43'07" West, continuing along said south line, for a distance of 58.28 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 65° 36'29" East, continuing along said south line, for a distance of 39.28 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 47° 03'26" East, continuing along said south line, for a distance of 39.28 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 16° 00'52" East, continuing along said south line, for a distance of 35.67 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 06° 59'49" East, continuing along said south line, for a distance of 122.44 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 46° 09'07" East, continuing along said south line, for a distance of 29.88 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 76° 08'29" East, continuing along said south line, for a distance of 20.02 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 55° 23'58" East, continuing along said south line, for a distance of 20.02 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 23° 59'08" East, continuing along said south line, for a distance of 26.52 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 03° 31'06" East, continuing along said south line, for a distance of 14.68 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 25° 04'52" East, continuing along said south line, for a distance of 25.43 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 76° 56'24" East, continuing along said south line, for a distance of 30.42 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 67° 31'04" East, continuing along said south line, for a distance of 37.25 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 14° 38'54" East, continuing along said south line, for a distance of 37.25 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 23° 28'03" West, continuing along said south line, for a distance of 67.39 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 04° 00'39" West, continuing along said south line, for a distance of 43.03 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 53° 49'58" East, continuing along said south line, for a distance of 34.08 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc."

THENCE, South 73° 58'24" east, continuing along said south line, for a distance of 93.78 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 73° 56'42" East, continuing along said south line, for a distance of 111.30 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the southeast corner of said Mansions Senior Addition being in the west line of said John King Boulevard;

THENCE, South 20° 39'31" East, along the west line of said John King Boulevard, for a distance of 497.03 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of curvature of a curve to the right, having a radius of 2440.00 feet, a central angle of 07° 01'50", and a tangent of 149.89 feet;

THENCE, continuing along said west line and with said curve to the right for an arc distance of 299.40 feet (Chord Bearing South 17° 08'36" East - 299.22 feet), to the POINT OF BEGINNING and containing 8.559 acres of land.

Rockwall Downes Development, LLC,
A Texas Limited liability company

_____ _____
James J. Melino, Manager Mortgage or Lien Interest

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared JAMES J. MELINO, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this_____day of _____, 2015.

Notary Public in and for the State of Texas My Commission Expires: _____

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared_____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this_____Day of _____, 2015.

Notary Public in and for the State of Texas My Commission Expires: _____

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

Recommended for Final Approval:

_____ _____
Planning & Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the_____day of _____, 2015.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the Counrt Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this_____ day of_____, 2015.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

SURVEYOR CERTIFICATE

I, WARREN L. CORWIN, do hereby certify that the plat shown hereon accurately represents the results of an on-the-ground survey made under my direction and supervision and all corners are as shown thereon and there are no encroachments, conflicts, protrusions or visible utilities on the ground except as shown and said plat has been prepared in accordance with the platting rules and regulations of the City Plan Commission of the City of Rockwall, Texas.

DATED the this_____day of _____, 2015.

_____
WARREN L. CORWIN
R.P.L.S. No. 4621

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared WARREN L. CORWIN, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the_____day of _____, 2015.

_____
Notary Public in and for the State of Texas

OWNER'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
STATE OF TEXAS
COUNTY OF ROCKWALL
I the undersigned owner of the land shown on this plat, and designated herein as the ROCKWALL DOWNES PHASE 3, subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the ROCKWALL DOWNES PHASE 3, subdivision have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equ to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

FINAL PLAT
OF
ROCKWALL DOWNES PHASE 3
OUT OF THE
J.M ALLEN SURVEY, ABSTRACT NO. 2
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER
ROCKWALL DOWNES DEVELOPMENT, LLC.
8750 NORTH CENTRAL EXPRESSWAY, SUITE 1735
DALLAS, TEXAS 75231
214-691-2556

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

JUNE 2015 SCALE 1" = 100'

CASE•P2015-025 SHEET 1 OF 2

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **July 17, 2015**

SUBJECT: **Adjustment of Tax Lien on Property in LRE**

Mr. Jim Lambeth with Linebarger, Goggan, Blair and Sampson will attend Monday's Council meeting to make a presentation regarding a property in Lake Rockwall Estates. The property, located at 464 Evans, was offered at tax sale but did not draw any bids. When this happens, the property is struck off the roll and is generally put under the RISD name. Many years ago, the taxing entities agreed that any property in LRE that is struck off would be placed under the City of Rockwall name. Further taxes are not assessed from that point. The property can remain this way until a potential buyer comes along and makes a bid on the property.

Recently the Rockwall Housing Development Corporation (RHDC) decided to make a bid on the property. The bid is less than the total taxes due to the three taxing entities. Mr. Lamberth is approaching each governing body to determine if each will agree to receive a pro-rata share the bid amount and waive the remaining taxes due at this time.

LINEBARGER GOGGAN BLAIR & SAMPSON, LLP
ATTORNEYS AT LAW
771 JUSTIN RD., #100

(972)961-0086
FAX: (903)874-5007

25324

Suit Number 3-05-17

COSTS

Publication Fees:	$648.00
Court Costs:	$3,458.75
Title Fee:	$30.00
COST OF SUIT TOTAL:	**$4,136.75**

Judgment Taxes

Rockwall ISD	$5,881.56
Rockwall County	$1,191.58
City of Rockwall	$480.78
JUDGMENT TOTAL:	**$7,553.92**

Post Judgment Taxes

Rockwall ISD	$1,096.00
Rockwall County	$263.88
City of Rockwall	$239.52
POST JUDGMENT TOTAL:	**$1,599.40**
TOTAL DUE:	**$13,290.07**

Tax Sale:

Value at Judgment:	$19,640.00
Current Value:	$19,670.00

No Bidders - Struck off to City of Rockwall

Situs:

A Bid in the amount of $6,000.00 received from: Rockwall Housing Development Corporation

5-11-17

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BID

Property Located in : Rockwall ISD, City of Rockwall, and Rockwall County

I hereby submit my bid for the purchase of Suit No. 3-05-17 Rockwall ISD, Et Al vs Ofelio Guevara, Et Al, being more particularly described as **Lot 1413, Rockwall Lake Properties Development No. 2 Subdivision, a subdivision in Rockwall County, Texas according to the map or plat thereof, recorded in Volume 1, Pages 79 and 80, Plat Records of Rockwall County, Texas (25324)** and have included a cashier's check or money order for the bid amount.

Bid Amount $6,000.00

General Conditions for Bids

Read Carefully

The land and/or improvements described above shall hereinafter be referred to as "the property".

The Deeds to these properties will contain an acknowledgment that the property is subject to the prior owner's right of redemption, if any, and that property is being purchased "as is" and "with all faults" and "The Taxing Entities" have no responsibility for the condition of the property and all sales are made without warranty, expressed or implied.

"The Taxing Entities" assume no responsibility as to the accuracy of any fact relating to the property for sale. The data reflected in the advertisement is for information only. All sales are "as is" to the successful Bidder on a **"Buyer Beware"** basis.

It is understood and agreed that my bid will be returned if my bid is not accepted. "The Taxing Entities" responsibility to return my bid to me shall extend only to depositing same in the U.S. Mail on or before 30 days from the date my bid is rejected.

"The Taxing Entities" reserve the right to reject any and all Bids.

"The Taxing Entities" will not provide title policy.

"The Taxing Entities "make no representations of any nature regarding the property, and this agreement represents the sole responsibility of the Entities regarding this property.

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If my bid is accepted, "The Taxing Entities" accept no responsibility for any misrepresentations. Failures of disclosure, errors or other neglect or wrongful acts occurring in the context of or pertaining to the closing of this transaction.

"The Taxing Entities", by advertising this property, makes no warranty concerning zoning or as to whether or not the property so advertised can be utilized for any purpose. It will, therefore, be the responsibility of the bidder to examine all applicable building codes and ordinances to determine that the property in question can be used for the purpose desired.

By entering into this agreement, I hereby waive any rights I may have either now or in the future, to undertake any legal action against "The Taxing Entities" for failure of the "The Taxing Entities" to properly advertise or notice the sale of the property or to properly conduct the sale of this property.

I certify that I have no outstanding tax judgments or tax delinquencies in Rockwall County.

SIGNATURE: Donna Allen

PRINT NAME: Donna Allen

ADDRESS: 787 Hail Drive

CITY: Rockwall STATE: TX ZIP: 75032

TELEPHONE: (972) 722-7316

Please print name (s) to appear on deed if different than above: Rockwall Housing Development Corporation

ALL BIDS MUST BE SIGNED BY HAND

For additional information call:

JJ Minyard – Linebarger, Goggan, Blair, & Sampson, LLP (972) 961-0086

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ROCKWALL CENTRAL APPRAISAL DISTRICT

PROPERTY 25324 R

Legal Description
ROCKWALL LAKE EST #2, LOT 1413 MH LABEL #
UNK0000000

OWNER ID
11146

OWNERSHIP
100.00%

PROPERTY APPRAISAL INFORMATION 2015
CITY OF ROCKWALL

00000

Entities

CAD	100%
CRW	100%
GRW	100%
SRW	100%

Values

IMPROVEMENTS		14,270
LAND MARKET	+	5,400
MARKET VALUE	=	19,670
PRODUCTIVITY LOSS	-	0
APPRAISED VALUE	=	19,670
HS CAP LOSS	-	0
ASSESSED VALUE	=	19,670

5380-0000-1413-00-0R

Ref ID2 R25324
Map ID 2-5

ACRES:
EFF. ACRES:

SITUS 464 EVANS RD

APPR VAL METHOD: Cost

GENERAL

UTILITIES	R	LAST APPR.	KP
TOPOGRAPHY		LAST APPR. YR	2014
ROAD ACCESS	G	LAST INSP. DATE	03/06/2014
ZONING		NEXT INSP. DATE	
NEXT REASON			

SKETCH for Improvement #1 (MOBILE HOME)

EXEMPTIONS

EX-XV Other Exemptions (including

REMARKS N/C 2014 GL-- N/C 2010-DB; -ANNEXED INTO THE CITY OF ROCKWALL PER RESOLUTION 06-07 FOR THE 2010 TAX YEAR-- NO CHG FOR 09 PER DB-- BLUE/WHITE

PICTURE



BUILDING PERMITS

ISSUE DT	PERMIT TYPE	PERMIT AREA	ST	PERMIT VAL

SALE DT	PRICE	GRANTOR	DEED INFO
04/01/2014	*****	GUEVARA CARDENASF DE	/ 2014 / 00000
04/21/1993	*****	ALLENDER LEROY ECD	/ 779 / 275

SUBD: S5380 100.00% NBHD:N5380 100.00%

IMPROVEMENT INFORMATION

#	TYPE	DESCRIPTION	MTHD	CLASS/SUBCL	AREA	UNIT PRICE	UNITS	BUILT	EFF YR	COND	VALUE	DEPR	PHYS	ECON	FUNC	COMP	ADJ	ADJ VALUE
	MA	MAIN AREA	M	MHMF24/	1,296 0	25 21		1980	1980	*	32,670	40%	100%	100%	100%	100%	0 40	13,070
	OP	OPEN PORCH	F	*/		0 00				*	200	100%	100%	100%	100%	100%	1 00	200
	MA	MAIN AREA	F	*/	100 0	0 00	1	2007	2007	*	800	100%	100%	100%	100%	100%	1 00	800
1	MOBILE HOME		STCD	A2	1,396.0	Homesite Y (100%)					33,670							14,070
	P/UP ADD ON FOR 2008 DB--		BLUE/WHITE															
	ST	STORAGE	F	*/		0 00				*	200	100%	100%	100%	100%	100%	1 00	200
2	FRAME STG		STCD	A2	0.0	Homesite Y (100%)					200							200

IMPROVEMENT FEATURES

SUBD: S5380 100.00% NBHD N5380 100.00%

LAND INFORMATION IRR Wells 0 Capacity 0 IRR Acres 0 Oil Wells 0

L#	DESCRIPTION	CLS	TABLE	SC	HS	METH	DIMENSIONS	UNIT PRICE	GROSS VALUE	ADJ	MASS ADJ	VAL SRC	MKT VAL	AG APPLY	AG CLASS	AG TABLE	AG UNIT PRC	AG VALUE
1	RES MH		S5380U	A2	Y (100%)	LOT	0 1650 AC	5,400 00	5,400	1 00	1 00	A	5,400	NO			0 00	0
Comment LT													5,400					0

Effective Date of Appraisal January 1 Date Printed 12/11/2014 11 50 22AM by JPRICER

True Automation Inc

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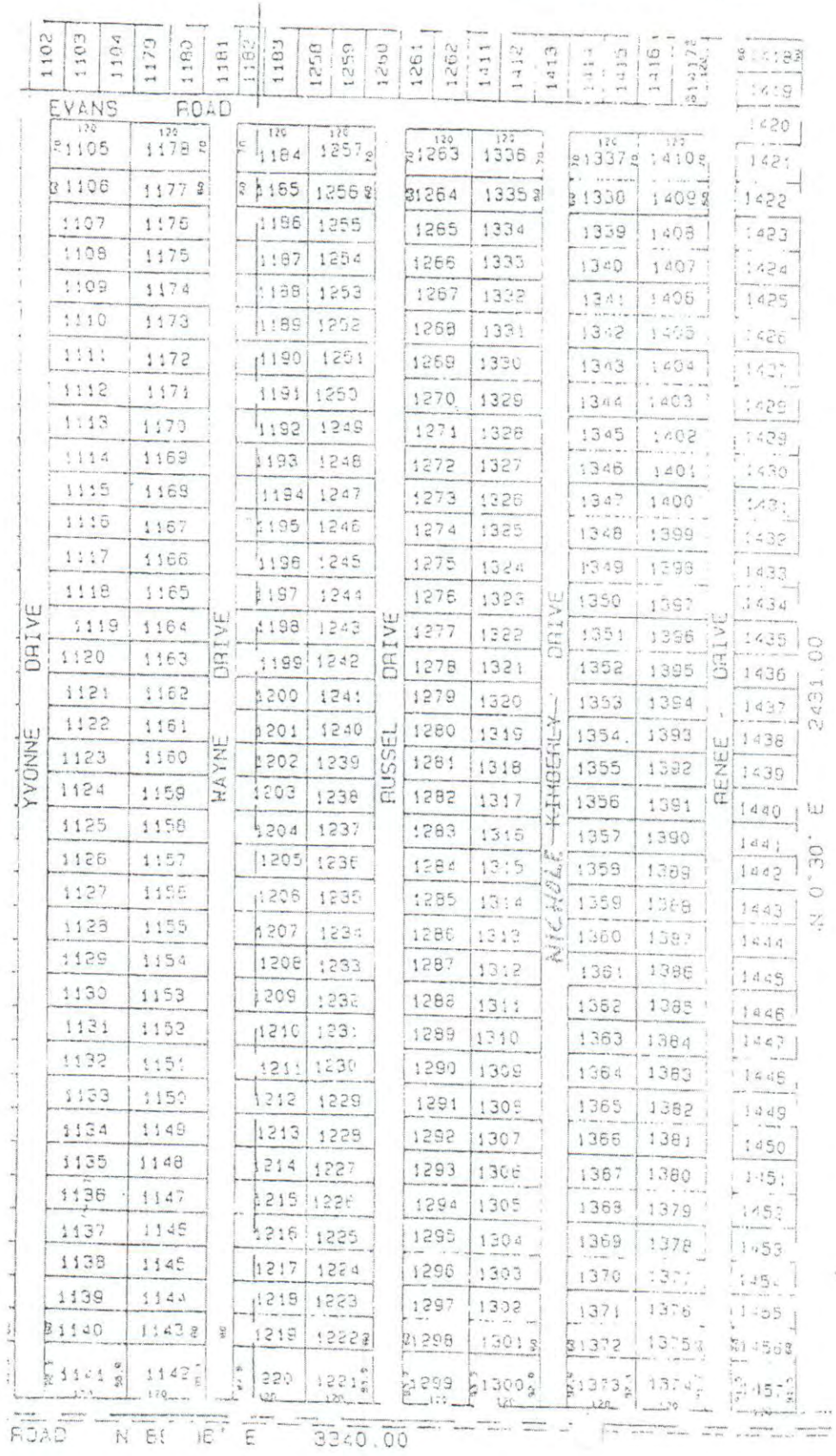
ROCKWALL LAKE ESTS 538



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CHAPTER 212 TEXAS LOCAL GOVERNMENT CODE
DEVELOPMENT AGREEMENT

This Agreement is entered into pursuant to Section 212.172 Texas Local Government Code by and between the City of Rockwall, Texas [*the 'City'*] and **TERRAVISTA INVESTORS, LLC**, [*'Owner's'*] the property owners of the hereinafter described property [*the 'Property'*] in Rockwall County, Texas, sometimes individually or collectively referred to as *Party* or *Parties*:

> That property described in a deed to **TERRAVISTA INVESTORS, LLC** which is recorded at *Volume 7283 Page 108* of the Deed Records of Rockwall County, Texas, and commonly known as *Tax Parcel No.* **0142-0000-0018-01-0R & 0142-0000-0018-00-0R**, which is attached hereto as *Exhibit 'A'*, consisting of approximately **97.2821** acres of land.

WHEREAS, *Owners* represent that the *Property* is within the *City's* existing extraterritorial jurisdiction and more particularly described on *Exhibit 'A'* and to the extent that a portion of the *Property* lies outside the *City*'s extraterritorial jurisdiction, *Owners* have voluntarily petitioned for inclusion of such land within the *City's* ETJ; and

WHEREAS, *Owners* desire that the *Property* remain in the *City's* extraterritorial jurisdiction (*'ETJ'*) for the term of this Agreement;

WHEREAS, *Owners* and the *City* acknowledge that this Agreement between them is binding upon the *City* and the *Owners* and their respective successors and assigns for the term of the Agreement;

WHEREAS, *Owners* represent that it is their intention to develop the *Property* during the term of this Agreement in accordance with the Development Plan, as set forth and described in *Exhibit 'B'* attached hereto; and

WHEREAS, this Agreement is to be recorded in the Real *Property* Records of Rockwall County;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Parties hereto agree as follows:

SECTION 1.

Continuation of ETJ Status. The *City* guarantees the continuation of the extraterritorial status of the Property and agrees not to annex the *Property* for the term of this Agreement, as hereinafter defined, and any subsequent renewals as may be agreed upon by the Parties, subject, however, to the provisions of this Agreement.

SECTION 2.

Development Plan. The *Owners* covenant and agree that use of the *Property* for the term of this Agreement and any extensions agreed to by the Parties shall be limited to those uses described on a development plan prepared by the landowner and approved

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by the *City* of Rockwall and herein attached as *Exhibit 'B'*. Such uses and activities constitute the Development Plan for the *Property* in satisfaction of Texas Local Government Code *Section 212.172(b)*. The *City* hereby approves the use and development of the *Property* in accordance with the Development Plan, and, specifically approves the land use as described and identified in the Development Plan. The Development Plan may be amended from time to time by written agreement between the Parties.

SECTION 3.

Governing Regulations

(A) To the extent not inconsistent with the approved Development Plan, the following Rockwall regulations shall apply to any development of the *Property*, as may be amended from time to time, provided that the application of such regulations does not prevent the continuation of a use established prior to the effective date of this Agreement and which remains lawful at the time the Agreement is executed:

(1) The Rockwall Unified Development Code Ordinance [*Ordinance No. 04-38*] as amended; for purposes of evaluating any proposed development of the *Property* under the Unified Development Code.

(2) The Subdivision Regulations, Chapter 24 of the Code of Ordinances and as amended, together with Standards of Design and Construction, City of Rockwall Texas, as supplemented by the North Central Texas Council of Governments Standard Specifications for Public Works Construction, North Central Texas, 3rd Ed. 1998 (NCTCOG Manual).

(3) The Building Codes, [*Ordinance No. 12-02*], adopting:

a. *International Building Code, 2009 Edition with amendments;*

b. *International residential Code, 2009 Edition with amendments;*

c. *The International Fire Code, 2009 Edition with amendments;*

d. *International Plumbing Code, 2009 Edition with amendments;*

e. *International Fuel Gas Code, 2009 Edition with amendments;*

f. *Rockwall Code of Ordinances, Property Maintenance Code, with amendments;*

g. *Uniform Swimming Pool Code, 2009 Edition with amendments; and*

h. *International Energy Conservation Code, 2009 Edition with amendments.*

i. *National Electric Code, 2008 Edition with amendments.*

j. *Rockwall Code of Ordinances, Fences, with amendments;*

k. *Rockwall Code of Ordinances, Dangerous Buildings, with amendments;*

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l. *Rockwall Code of Ordinances, Moving of Buildings, with amendments.*

(4) *The Sign Regulations, Section 15-232 (B)* [*Ordinance 10-07*].

(B) If, pursuant to this Agreement or following termination of the Agreement, portions of the *Property* are annexed to the City, the Parties further covenant and agree that the use and development of such land thereupon shall be subject to the regulations of the lowest intensity single-family residential district and the subdivision regulations then in effect. In the event any portion of the *Property* is developed in compliance with this Agreement, then following annexation the *Property* will be rezoned consistent with the City's approved Comprehensive Plan so that development pursuant to this Agreement does not result in a nonconforming use of the *Property* and the future use and development of such land shall be governed by the regulations of the zoning district to which the land is reclassified and the subdivision regulations in effect at the time of approval of such rezoning.

SECTION 4.

Agreement Deemed Void in Part; Voluntary Annexation.

(A) If an *Owner* files any application for or otherwise commences development of any portion of the *Property* inconsistent with the development plan provided in Section 2, sections 1 and 3 of this Agreement shall become null and void, except as herein expressly provided for.

(B) Thereafter the City may initiate annexation of the *Property* pursuant to Texas Local Government Code Subchapter C-1, or other such other provisions governing voluntary annexation of land as may then exist. *Owners* expressly and irrevocably consent to annexation of the *Property* under such circumstances. The *Owners* further agree that such annexation by the City shall be deemed voluntary, and not subject to the requirements and procedures for an annexation plan, as required by Texas Local Government Code Section 43.052, or successor statute.

(C) Any development application that is submitted to the City for the *Property* during the term of this Agreement or during any extension, that is inconsistent with the development plan and governing regulations, shall be denied based upon such plan and governing regulations, which collectively shall constitute regulations in effect at the time such application is submitted. The *Owners* expressly waive any vested rights that might otherwise arise under Texas Local Government Code Section 43.002 or Chapter 245, or successor statute, from the submittal of such inconsistent development application. The *Owners* further agree that no use commenced or completed on the *Property* that is inconsistent with the Development Plan shall be considered established or in existence prior to the date that the City annexes the *Property* pursuant to this section.

(D) If the City's right to annex, as of the date of this Agreement, is in any way diminished by a subsequent act by the Legislature of the State of Texas during

the one year period or any additional period, that this Agreement is in effect, then such act shall be considered as a voluntary petition to annex.

SECTION 5.

Notice of Sale. If the *Owner* sells or conveys any portion of the *Property*, prior to such sale or conveyance, *Owner* shall give 30 days written notice of this Agreement to the prospective purchaser or grantee and the prospective purchaser or grantee acknowledge the City's rights under the terms of this Agreement. A copy of said notice and acknowledgement shall be forwarded to the City at the following address:

Attn: City Manager
City of Rockwall
City Hall
305 S. Goliad Street
Rockwall, Texas 75087

SECTION 6.

Recording. This Agreement is to run with the *Property* and be recorded in the real property records, Rockwall County, Texas.

SECTION 7.

Severability. Invalidation of any provision of this Agreement by judgment or court order shall not invalidate any of the remaining provisions which shall remain in full force and effect. It is the intent of the parties that, should it be determined that any portion of the *Property* was outside of the City's then existing ETJ at the time this Agreement took effect, the provisions of this Agreement shall apply to the remainder of the *Property* located within the City's extraterritorial jurisdiction.

SECTION 8.

Remedies. This Agreement may be enforced by either *Owners* or the City by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the provisions of this Agreement thereafter. Entry into this Agreement by *Owners* waive no rights as to matters not addressed in this Agreement.

SECTION 9.

Change in Law. No subsequent change in the law regarding annexation shall affect the enforceability of this Agreement or the City's ability to annex the properties covered herein pursuant to Section 3.

SECTION 10.

Venue. Venue for this Agreement shall be in Rockwall County, Texas.

SECTION 11.

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Execution in Multiple Copies. This Agreement may be separately executed in individual counterparts and, upon execution, shall constitute one and same instrument.

SECTION 12.

Term and Extension. The initial term of this Agreement shall be for a period of fifteen (15) years from the Effective Date (*the 'Term'*). The Effective Date of the Agreement shall be the date the Agreement is executed by the City. Within 180 days prior to end of the Term of the Agreement, the City shall notify the *Owners* in writing that the Agreement is due to expire. If *Owners* desire to extend the operation of this Agreement beyond its Term, the *Owners*, at least 150 days prior to the end of the Term, shall submit a written request to the City for such an extension (*an 'Extension Request'*). The City, at least 90 days prior to the end of the Term shall notify *Owners* in writing, delivered by certified mail, with respect to its decision whether to extend this Agreement for an additional one (1) year term (*referred to as a 'Subsequent Term'*). In the event such written notice from the City of its decision is not received by the *Owners* at least 90 days prior to the end of that Term such Extension Request is deemed granted and this Agreement continues for another Subsequent Term.

SECTION 13.

Termination. If the *Owners* do not provide an Extension Request pursuant to Section 12, or upon a written decision by the City not to extend the term of this Agreement for a Subsequent Term following the Term, then *Owners* shall be deemed to have filed a petition for voluntary annexation as of the end of the Term of this Agreement. If *Owners* submitted an Extension Request, then a notice pursuant to Section 13 by the City that it has decided not to extend the Term of this Agreement shall also include a notification whether it intends, subject to the procedures required by law, to accept the petition for voluntary annexation. If *Owners* did not submit an Extension request then the City, at least 90 days prior to the end of the Initial Term, shall provide a written notification to *Owners*, by certified mail, whether it intends, subject to the procedures required by law, to accept the petition for voluntary annexation. Any annexation proceedings pursuant to this section shall be commenced within 180 days after the end of the Term.

SECTION 14.

Negotiations. Upon termination of this Agreement and the decision by the City to accept the petition for voluntary annexation by the *Owners*, as provided in Section 12 or Section 13, then *Owners* and the City will enter into good faith negotiations regarding the service plan to be implemented, provided that, unless the parties agree otherwise, the service plan for such land shall conform to, and be implemented in accordance with the City's then existing adopted comprehensive and utility master plans. Upon annexation, the zoning shall initially be a use consistent with development of the *Property* consistent with the Development Plan or if the *Property* has not been developed, the lowest intensity residential district, until an appropriate change in zoning is made pursuant to Chapter 211, Texas Local Government Code or successor statute. In connection with annexation pursuant to this section, the *Owner* hereby waives any and all vested rights and claims that he may have under Section 43.002(a)(2) and Chapter 245 Texas Local Government Code that would otherwise exist by virtue of any

actions *Owners* may take between the termination of this Agreement and the completion of annexation proceedings by the City. Unless the City declines to annex the *Property* on the petition of the property *Owner*, the Development Plan and governing regulations consistent with the Development Plan shall apply to any proposed development application prior to completion of annexation proceedings and the adoption of permanent zoning regulations for the *Property*, and the Development Plan and governing regulations consistent with the Development Plan shall be kept in effect for such purposes.

SECTION 15.

Survival of Covenants. The covenants in Sections 2, 4, 14, and 15 shall survive termination of this Agreement, together with any other provisions, as may be necessary for the implementation of those sections.

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The Parties hereto have executed this agreement as of _____.

Owners:

TERRAVISTA INVESTORS, LLC

_____
Joseph E. Howell, Manager

THE STATE OF TEXAS }

COUNTY OF }

This instrument was acknowledged before me on the _____ day of _____, 2015.

_____
Notary Public, State of Texas

THE STATE OF TEXAS }

COUNTY OF }

This instrument was acknowledged before me on the _____ day of _____, 2015.

_____
Notary Public, State of Texas

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THE CITY OF ROCKWALL, TEXAS

By: _____

_____

_____

THE STATE OF TEXAS }

COUNTY OF }

This instrument was acknowledged before me on the _____ day of _____, 2015.

_____

Notary Public, State of Texas

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TRACT 1:

Exhibit 'A'
Legal Description

PART of the S. McFadgin Survey, Abstract No. 142, situated in Rockwall County, Texas, being the same tract of land described by Substitute Trustee's deed to Meridian Bank Texas (Tract 1) recorded in Volume 6659, Page 53 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for the west corner of said Meridian tract, also for the west corner of a tract of land described by deed to Nan B. Miller recorded in Volume 7042, Page 75 of the Real Property Records of Rockwall County, Texas, also lying on the easterly line of Farm Market Road 548, an 80.00 feet wide right-of-way;

THENCE North 45 degrees 21 minutes 36 seconds East, along the northwest line of said Meridian tract and the southeast line of said Miller tract, along a wire fence, passing at a distance of 319.42 feet a 1/2 inch iron rod found for the east corner of said Miller tract and the west corner of the remainder tract to Glenn R. Robinson and wife, Gay L. Robinson recorded in Volume 532, Page 176 of the Deed Records of Rockwall County, Texas, and continuing along the northwest line of said Meridian tract and said wire fence, passing at a distance of 2,956.48 feet a 1/2 inch iron rod found for the east corner of a tract described by deed to Ronald Adley recorded in Volume 3774, Page 118 of the Real Property Records of Rockwall County, Texas, same being the most westerly corner of a 15.00 acre tract described by deed to Paul Bennett and Dorothy Alexander recorded in Volume 168, Page 711 of the Deed Records of Rockwall County, Texas, and continuing along the northwest line of said Meridian tract and a southeast line of said Bennett tract, and said wire fence, for a total distance of 3,127.32 feet to a 1/2 inch iron rod found for the north corner of said Meridian tract and an ell corner of said Bennett tract, from which a 1/2 inch iron rod found bears North 49 degrees 07 minutes 01 second West, 1.13 feet;

THENCE South 44 degrees 41 minutes 35 seconds East, along the northeast line of said Meridian tract and along a wire fence, a distance of 1,219.13 feet to a 1/2 inch iron rod found for the east corner of same, also for the north corner of a tract of land described by deed to Glenn Chadwell Turner and Kimberly Michelle Turner recorded in Volume 1676, Page 278 of the Deed Records of Rockwall County, Texas;

THENCE South 45 degrees 17 minutes 01 seconds West, along the southeast line of said Meridian tract, and the northwest line of said Turner tract, also along a wire fence, passing at a distance of 363.02 feet a 1/2 inch iron rod found for the west corner of said Turner tract, and the north corner of a tract of land described by deed to Dwane Turner recorded in Volume 1676, Page 267 of the Deed Records of Rockwall County, Texas, and continuing along the southeast line of said Meridian tract and the northwest line of said Dwane Turner tract, continuing along said wire fence, passing at a distance of 1,196.66 feet a 1/2 inch iron rod with cap stamped "R.P.L.S. 2291" found for the west corner of said Dwane Turner tract and the north corner of a tract of land described by deed to Crowell Development, Co., Inc. recorded in Volume 4417, Page 152 of the Real Property Records of Rockwall County, Texas, and continuing along the southeast line of said Meridian tract and the northwest line of said Crowell Development tract, continuing along said wire fence, for a total distance of 3,521.25 feet to a 1/2 inch iron rod with cap stamped "TIPTON" found for the south corner of said Meridian tract and the west corner of said Crowell Development tract, also lying on the northeast line of the aforementioned Farm Market Road 548;

THENCE North 44 degrees 19 minutes 08 seconds West, along the northeast line of said Farm Market Road 548, a distance of 692.70 feet to a 1/2 inch iron rod found for the beginning of a curve to the right having a radius of 533.69 feet, a central angle of 59 degrees 13 minutes 01 second, and a chord which bears North 14 degrees 43 minutes 13 seconds West, 527.36 feet;

THENCE along the northeast line of said Farm Market Road 548, and said curve to the right in a northwesterly direction, an arc distance of 551.58 feet to a 1/2 inch iron rod found at the end of said curve;

THENCE North 14 degrees 53 minutes 23 seconds East, continuing along the northeast line of said Farm Market Road 548, a distance of 146.05 feet to the PLACE OF BEGINNING and containing 4,237,610 square feet or 97.282 acres of land.

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Exhibit 'B'
Concept Plan



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Development Standards.

1. *Permitted Uses.* Unless specifically provided by this agreement, only those uses permitted within the Single Family 1 (SF-1) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.

2. *Density and Dimensional Requirements.* The maximum permissible density for the *Subject Property* shall not exceed one (1) dwelling unit per gross acre of land; however, in no case should the proposed development exceed 66 units. All lots shall conform to the standards depicted in *Table 1* below unless specifically provided for in *Table 2* below.

Table 1: Lot Dimensional Requirements

Minimum Lot Width [1]	150'
Minimum Lot Depth	250'
Minimum Lot Area [6]	43,560 SF
Minimum Front Yard Setback [2]	40'
Minimum Side Yard Setback	25'
Minimum Side Yard Setback (Adjacent to a Street)	25'
Minimum Length of Driveway Pavement (Rear and Side Yard Only)	25'
Maximum Height [3]	36'
Minimum Rear Yard Setback [4]	25'
Minimum Area/Dwelling Unit (SF) [5]	2,600 SF
Maximum Lot Coverage	45%
Minimum Number of Paved Off-Street Parking Spaces	2 Spaces
Minimum Distance Between Buildings	10'

General Notes:

1. The minimum lot width shall be measured at the *Front Yard Building Setback*. The Director of Planning or his designee may grant a reduction in the required lot width by up to 10% of the required width if deemed necessary to the design of the lot.
2. The location of the *Front Yard Building Setback* as measured from the front property line.
3. The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single family home.
4. As measured from the rear yard property line.
5. The minimum area/dwelling unit only includes air conditioned square space.
6. The minimum lot area refers to area outside of the floodplain, as defined per the City's regulations.

3. *Building Standards.* All development shall adhere to the following building standards:

   (a) Masonry Requirement. The minimum masonry requirement for the exterior façades of all primary structures (*i.e. dwelling units only*) shall be 80%. For the purposes of this agreement the masonry requirement shall be limited to full width brick, natural stone, cast stone, cementaceous fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*), and stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*). Cementaceous products (*e.g. HardiBoard, Hardy Plank, Stucco, etcetera)* shall be limited to 50% of the masonry requirement.

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

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(c) Garage Orientation. Garages shall be accessed from a traditional *'J'-Swing* or *Swing* type driveway arrangement. A second, single garage door facing the street is permitted behind the width of the required double door garage that is accessed from a traditional *'J'-Swing* or *Swing* configuration.

4. *Anti-Monotony Restrictions.* The development shall adhere to the following *Anti-Monotony* restrictions (*for spacing requirements see the illustration below*):

(1) Exterior wall materials must comply with the *Masonry Requirements* listed in *Section 3.(a)*. Additionally, all chimneys are required to utilize masonry materials.
(2) Identical brick blends or paint colors may not occur on adjacent (side-by-side) properties along any block face without at least four (4) intervening homes of differing materials on the same side of the street beginning with the adjacent property and two (2) intervening homes of differing materials on the opposite side of the street.
(3) Front building elevations shall not repeat along any block face without at least four (4) intervening homes of differing appearance on the same side of the street and two (2) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on FM-548 shall not repeat without at least two (2) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

(a) Number of Stories
(b) Garage Location
(c) Roof Type and Layout
(d) Articulation of the Front Façade

(4) Crown molding will be installed in all living and family rooms, unless vaulted or pop-up ceilings are utilized. No *Formica* countertops may be installed in kitchens and/or bathrooms, and vinyl flooring and blown acoustic ceilings are prohibited.
(5) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*). Alternatively, a tile, metal or other higher quality may be utilized as a roofing material pending it conform to the *Anti-Monotony Restrictions* stated in this section.

See the Illustrations on the following page.

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Illustration 1: Properties line up on the opposite side of the street. Where RED are the same.



Illustration 2: Properties do not line up on opposite side of the street. Where RED are the same.



5. *Fencing Standards.* Fences are not mandatory for any lot within this subdivision; however, if a property owner chooses to construct a fence it will need to adhere to the following standards:

   (a) Solid Residential Fencing. All solid residential fencing shall be cedar standard fencing material (minimum ½" thickness) or better (*spruce fencing is not allowed*). All cedar pickets shall be placed on the *public side* facing the street or neighboring property.

   (b) Wrought-Iron/Tubular Steel Fencing. Lots located along perimeter roadways (*i.e. FM-548*) and abutting open spaces, greenbelts and/or a park [*if* any] -- *however, land abutting development land or yard areas of adjacent properties/homes* -- shall be required to install tubular steel or wrought-iron fencing.

   (c) Common Area Fencing. All common areas and perimeter fencing shall be maintained by a Homeowners Association (HOA) as specified by the *Subdivision Regulations* contained in *Chapter 38* of the City's *Municipal Code of Ordinances*. Common area fencing shall be constructed of tubular steel or wrought-iron and not exceed six (6) feet in height.

6. *Landscaping.* At the time of final inspection of the finished home, all single-family lots shall be landscaped with large canopy trees as follows:

   (a) Two (2) minimum three (3) inch caliper trees, as measured six (6) inches above the root ball, shall be planted in the front yard of all interior lots.

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(b) Two (2) minimum three (3) inch caliper trees, as measured six (6) inches above the root ball, shall be planted in the front yard of all corner lots and two (2) additional trees shall be planted in the side yard facing the street.

Note. Any existing trees that are in conformance with the tree mitigation requirements stipulated by Article IX, Tree Preservation, of the Unified Development Code, which can be preserved, will be counted as credits towards all required landscaping requirements.

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

8. *Streets.* The street cross sections shall be as depicted within *Exhibit 'B'* of this agreement. The property owner (with direct adjacency) shall be responsible for maintaining the area between edge of pavement and their property line (*i.e. the bar ditches/drainage areas*).

9. *On-Site Sewage Facilities. Septic Systems* are permitted on all lots within this subdivision pending conformance to the following standards:

   (a) All *Septic Systems* shall be designed by a licensed *On-Site Sewage Facility (OSSF)* professional (*e.g. licensed engineer, sanitarian, and etcetera*).
   (b) A stamped and signed copy of the *Septic System* plans indicating the full limits of the septic field shall be submitted to the city at the time of building permit on a *lot-by-lot* basis.
   (c) All *Septic Systems* shall be inspected and approved by the City's chosen inspector.

10. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (*3-phase lines*), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The *Developer* shall not be required to relocate existing overhead power-lines along the perimeter of the *Subject Property*.

11. *Neighborhood Signage.* Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the final plat.

12. *Homeowner's Association (HOA).* A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the *Municipal Code of Ordinances* of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, screening fences associated with this development.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Robert LaCroix, *Director of Planning and Zoning*

FROM: Ryan Miller, *Planning Manager*

DATE: July 20, 2015

SUBJECT: Z2015-015; *Riggs Property (AG to PD)*

On July 16, 2015, the applicant, Rich Darragh of the Skorburg Co., requested to withdraw *Case No. Z2015-015*. According to Section 5, *Application Withdrawal*, of the Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC), any case that has been published in the paper and notifications of a public hearing sent out must be placed on the public hearing agenda and acted upon by the applicable body.

SKORBURG
COMPANY

July 15, 2015

City of Rockwall
Attn: Ryan Miller

Skorburg Company
8214 Westchester, Suite 710
Dallas, TX 75225

Dear Ryan,

Skorburg Company would respectively request to withdraw their submittal, Zoning Case Z2015-015. This case calls for the rezoning of the property located in the A-187 Strickland, J, owned by Williams Audy Riggs Sr. Estate located West of Anna Cade Rd., E of Breezy Hill Ln. and W of the Breezy Hill Subdivision.

Cordially Yours,

John Arnold
Development Partner

CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 07/20/2015

APPLICANT: Rich Darragh, *Skorburg Company*

AGENDA ITEM: **Z2015-015**; *Riggs Property (AG to PD)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Rich Darragh of the Skorburg Company on behalf of the owner William Audy Riggs, SR Estate for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 93.00-acre tract of land identified as Tract 33 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the east side of Breezy Hill Road north of FM-552, and take any action necessary.

PURPOSE:

On May 15, 2015, the applicant submitted an application requesting to rezone a 93.00-acre tract of land from an Agricultural (AG) District to a Planned Development District for a single-family, residential subdivision that will consist of 231 single-family lots, an amenities center and open space areas. The property, which was annexed into the City on February 4, 2008 by *Ordinance No. 08-12*, is located northeast of the Breezy Hill Subdivision and is currently vacant agricultural land.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is the City's corporate boundaries followed by a vacant tract of land situated within the City's Extraterritorial Jurisdiction (ETJ).

South: Directly south of the subject property is the City's corporate boundaries followed by several single-family homes situated within the City's Extraterritorial Jurisdiction (ETJ).

East: Directly east of the subject property is the City's corporate boundaries followed by a portion of Anna Cade Road, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan. Beyond this thoroughfare are several single-family homes situated within the City's Extraterritorial Jurisdiction (ETJ).

West: Directly west of the subject property is a strip of land that connects Breezy Hill Road with the property directly north of the subject property and serves as a private access drive. Beyond this is a vacant 91.011-acre tract of land, zoned Planned Development District 74 (PD-74) for single-family land uses, that is scheduled to be a future phase of the Breezy Hill Subdivision.

CHARACTERISTICS OF THE REQUEST:

Along with the application, the applicant has submitted a concept plan and development standards for the proposed residential subdivision. The concept plan shows that the subdivision will consist of 53, 80' x 125' lots; 62, 70' x 120' lots; and 116, 60' x 120', which equals an average lot size of ~7,288 SF and a gross residential density of 2.48 units/acre. Incorporated within the development will be 22.00-acres of open space and an amenities center that will serve the 231 single-family lots.

It should be pointed out that the proposed PD Ordinance has similar standards as were approved in Planned Development District 74 (PD-74) [*i.e. the Breezy Hill Subdivision*], and according to the applicant will be constructed as future phases of the adjacent subdivision. A summary of the proposed development standards is as follows:

Lot Type ►	***A***	***B***	***C***
Minimum Lot Width/Frontage	60'	70'	80'
Minimum Lot Depth	120'	120'	125'
Minimum Lot Area	7,000 SF	8,400 SF	10,000 SF
Minimum Front Yard Setback	20'	20'	20'
Minimum Side Yard Setback	5'	5'	5'
Minimum Side Yard Setback (Adjacent to a Street)	10'	10'	10'
Minimum Length of Driveway Pavement	20'	20'	20'
Maximum Height	32'	36'	36'
Minimum Rear Yard Setback	10'	10'	15'
Minimum Area/Dwelling Unit (SF) *	2,200 SF	2,400 SF	2,600 SF
Garage Orientation	*J-Swing or Front Entry*	*J-Swing or Front Entry*	*J-Swing or Front Entry*
Minimum Percentage of 3-Car Garages Required	33%	33%	80%
Maximum Lot Coverage	65%	65%	65%

Notes:

*: *A maximum of 20% of the lots may have homes of not less than 2,500 SF.*

Waivers to Code Requirements:

It should be noted that the development standards contained within the PD Ordinance deviate from the requirements of the Engineering Department's *Standards of Design and Construction* Manual in the following ways:

1) According to the Engineering Department's *Standards of Design and Construction* Manual, "(t)he City Council may waive the residential alley requirement upon determination by the Council, if it is in the best interest of the City." Currently, the applicant is requesting to allow *J-Swing* and/or *Front Entry* garages that comply with Article VI, *Parking and Loading*, of the Unified Development Code (UDC) in lieu of alleys. This requirement has been waived for other subdivisions throughout the City when the PD Ordinance conforms to the requirements stipulated by the UDC.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

In reviewing the proposed concept plan for conformance to the policies and guidelines of the Comprehensive Plan, staff made the following recommendations to the applicant:

1) Single-family lots adjacent to open space should be front loaded for the purpose of maximizing the value of the adjacent single-family homes, preserving view corridors along the streetscapes, and to better optimize the use of open space within the development.

According to the residential policies established by *Resolution 07-03* contained within the Comprehensive Plan, "(t)o ensure that the maximum value accrues to both parks and homes, adjacent homes should directly face the park, whether or not there may be an intervening street …" and that "(t)he subdivision and development process should include consideration of the way in which residential and non-residential lots are laid out – adjacency and accessibility to park and open space areas should be optimized in all types of development." [*1.d.vii & 1.d.x*] The proposed concept plan currently shows the majority of the lots backing to open space, which the applicant has stated is necessary due to several existing ponds situated on the property that limit the ability to lay lots out in a front loaded format with regard to the street layout. Additionally, the applicant has indicated a preference to allow the lots to back to open space as a selling point for the proposed subdivision. The purpose of this requirement in the Comprehensive Plan is to

increase the availability of open space and park amenities while maintaining property values. In this case, the proposed subdivision has direct proximity to the public park provided in the Breezy Hill Subdivision that could satisfy the availability to the open space requirement. As a compensatory measure staff has included a condition of approval that would require the applicant to provide direct connectivity to the park, which could be achieved through a trail system or the extension of *Street K* into the adjacent phase of the Breezy Hills subdivision.

2) *Increased street connectivity for safety and access can be achieved by removing unnecessary cul-de-sacs.*

   According to the *Transportation* section of the Comprehensive Plan, neighborhood streets should be designed to promote, "… safe, low speeds, and to encourage more walking, cycling, and social interaction…" and "(e)nhance walkability with an interconnected pattern of streets and continuous sidewalks, short blocks, and safe pedestrian crossings." (*Pages 50-55*) On the original concept plan submitted by the applicant, cul-de-sacs were utilized on Streets *'D'*, *'H'*, *'I'* & *'J'*. Since staff made this recommendation, the applicant revised the plan to remove these cul-de-sacs for the purpose of increasing street connectivity within the proposed development.

Conformance with the Future Land Use Map

The Future Land Use Map, contained within the Comprehensive Plan, designates the subject property for *Low Density Residential* land uses. According to the Comprehensive Plan, "(l)ow density residential is defined as less than two (2) units per acre; however, a density up to two and one-half (2.5) units per gross acre may be allowed within a residential Planned Development District that includes the dedication and/or development of additional amenities exceeding the minimum standards for residential Planned Developments." Additionally, the Planned Development District standards contained within the Unified Development Code (UDC) require a minimum of 20% of the gross land area be dedicated to open space.

In this case, the concept plan depicts a residential density of 2.48 units/acre, which is less than the 2.5 units/acre permitted by the *Low Density Residential* land use designation. The applicant is also showing 22.0-acres of open space, which exceeds the 20% open space requirement stipulated by the UDC and Comprehensive Plan by 3.4-acres (*18.6-acres open space required*). Additionally, the applicant has indicated that an Amenities Center will be provided. Staff has also placed a condition of approval requiring connectivity between the subject property and the adjacent public park, which should further increase the amenity being offered by the proposed development.

Conformance with the Master Thoroughfare Plan

The Master Thoroughfare Plan contained with the Comprehensive Plan shows two (2) *Minor Collectors* adjacent to the property at Breezy Hill Road and Anna Cade Road. The applicant has stated that they are requesting a waiver to the improvements of these roadways for the following reasons:

1) *Anna Cade Road*. The only portion of Anna Cade Road adjacent to the property is the north/south portion along the eastern property line. The concept plan depicts only emergency access being needed off this roadway. Additionally, the City has no plans to improve the north/south portions of Anna Cade Road since the majority of this roadway is located outside of the City's corporate boundaries in Rockwall County.

2) *Breezy Hill Road*. The concept plan shows that the applicant will not take access off Breezy Hill Road, instead opting to circulate traffic back through the adjacent Breezy Hill Subdivision. The purpose for this roadway alignment is to continue the requirements that were established with the Breezy Hill Subdivision, which limited the applicant's ability to access this roadway.

Currently, staff is in the process of reviewing and revising the Master Thoroughfare Plan, and has recommended to the applicant that they provide an east/west connector that will connect Anna Cade Road to John King Boulevard. *Street A* represents this *Minor Collector* that will carry traffic from Anna Cade Road, through the subject property and the Breezy Hill Subdivision, and down through the adjacent Life Springs Church property to John King Boulevard. It is believed that this roadway is necessary to account for future growth within the City's Extraterritorial Jurisdiction (ETJ) within Collin County.

The proposed zoning case does appear to conform to the majority of the Comprehensive Plan's policies and guidelines with the exception of the proposed front loaded lot requirement stipulated by *Resolution 07-03*. Additionally, the proposed land use does conform to the Future Land Use map. With this being said, the proposed density and conformance with the Master Thoroughfare Plan remain discretionary decisions for the City Council.

NOTIFICATION:

On June 26, 2015, staff mailed five (5) notices to property owners and residents within 500-feet of the subject property. Additionally, staff posted a sign along Anna Cade Road, and advertised the public hearings in the Rockwall Harold Banner as required by the UDC. At the time this case memo was drafted the only responses received by staff where from property owner's outside of the city limits.

The City does not show any Homeowner's Associations or Neighborhood Organizations registered under the Neighborhood Notification Program within 1,500-feet of the subject property.

RECOMMENDATIONS:

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

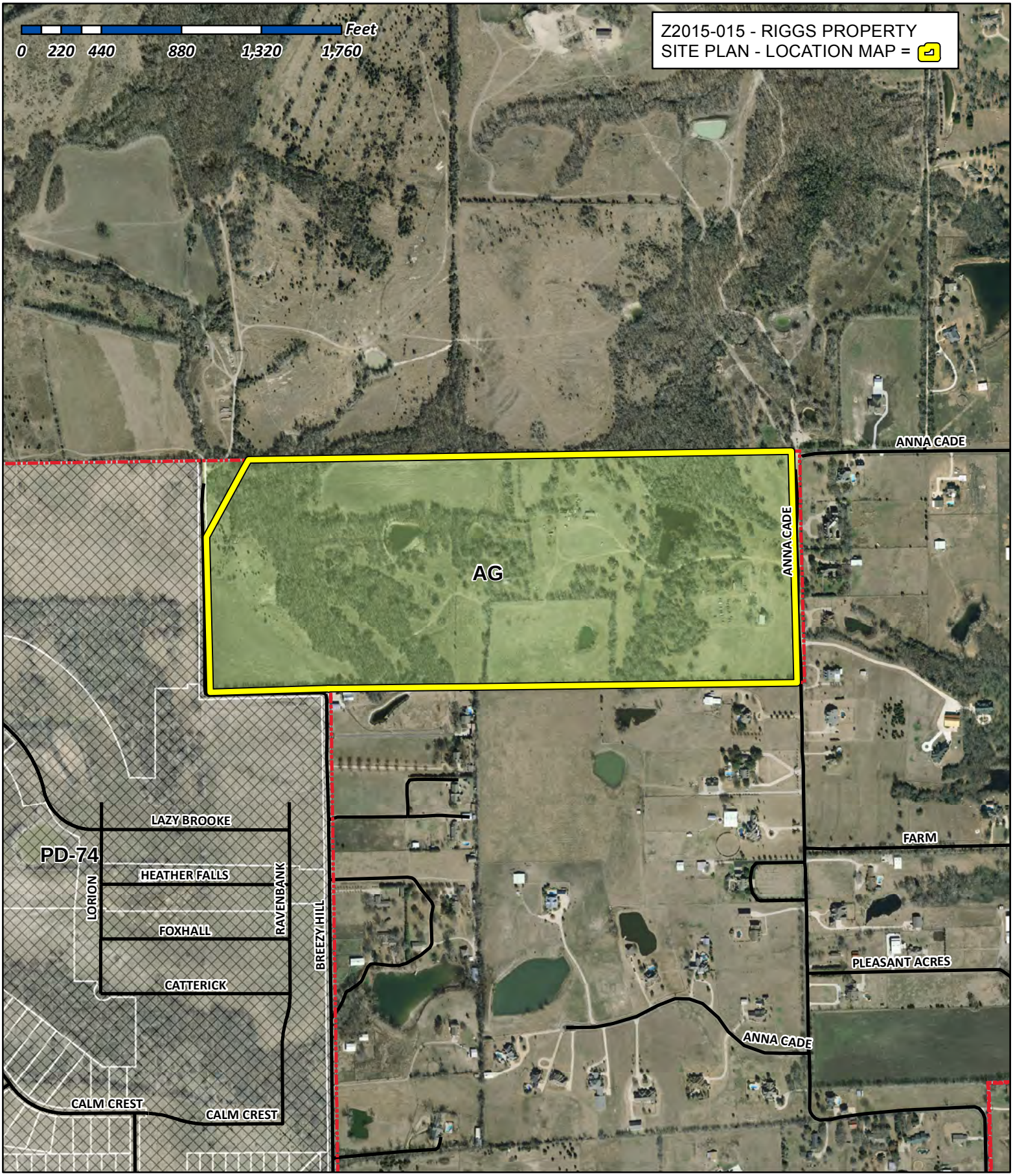
1) The applicant shall be responsible for maintaining compliance with the conditions contained within the *Planned Development District* ordinance;

2) The should provide connectivity to the adjacent public park located within the Breezy Hill Subdivision; and

3) Any construction resulting from the approval of this *zoning amendment* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On July 14, 2015, the Planning & Zoning Commission approved a motion recommending denial of the zoning change by a vote of 6-1, with Commissioner Fishman dissenting.



City of Rockwall

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

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

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City of Rockwall

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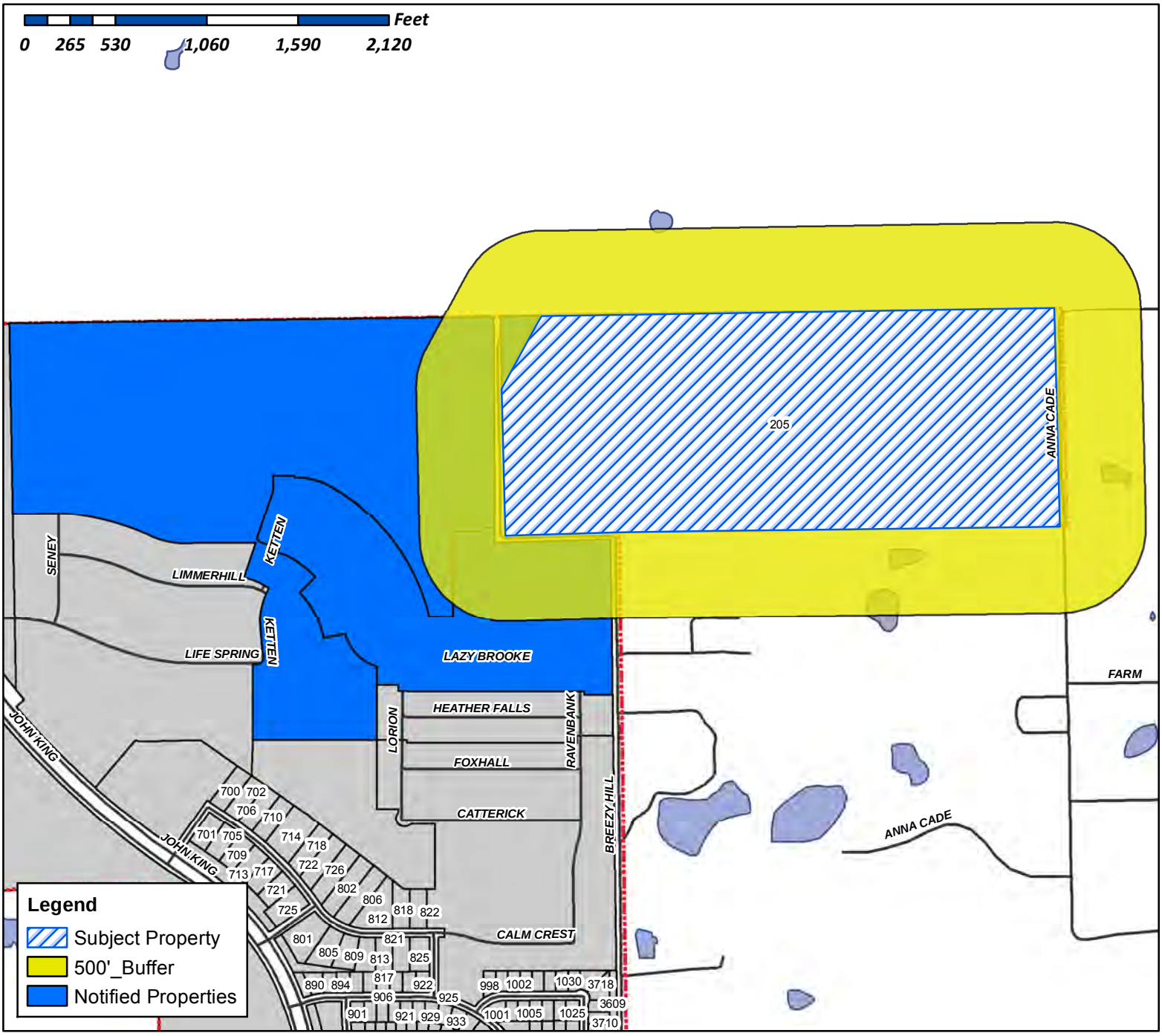
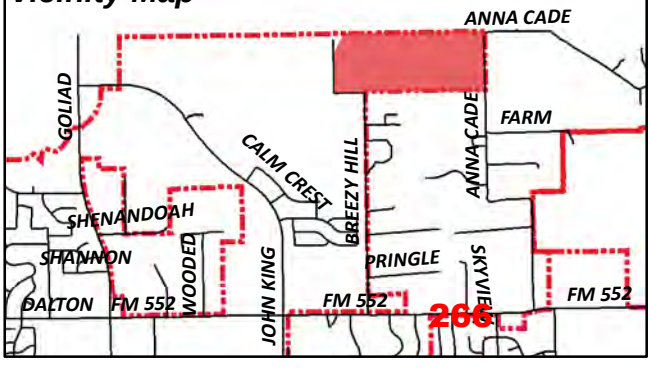


Case Number: Z2015-015
Case Name: Riggs Property
Case Type: Zoning
Zoning: PD
Case Address: 205 Rockhouse Ln.

Date Created: *06/17/2015*
For Questions on this Case Call (972) 771-7745

Vicinity Map



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

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

To Whom It May Concern:

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

Case No. Z2015-015: Riggs Property

Hold a public hearing to discuss and consider a request by Rich Darragh of the Skorburg Company on behalf of the owner William Audy Riggs, SR Estate for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 93.00-acre tract of land identified as Tract 33 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the east side of Breezy Hill Road north of FM-552, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 7/14/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 7/20/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by **7/20/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2015-015: Riggs Property

Please place a check mark on the appropriate line below:

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

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

Name:

Address:

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

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

RIGGS WILLIAM AUDY SR ESTATE
C/O JASON G SMITH P C
105 E KAUFMAN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
205 ROCKHOUSE LN
ROCKWALL, TX 75087

SINKS CHARLES WILLIAM II & SANDRA LYNN
555 SINKS ROAD
ROCKWALL, TX 75032

BH BALANCE II LLC
8214 WESTCHESTER DRIVE SUITE 710
DALLAS, TX 75225

BH BALANCE III LLC
8214 WESTCHESTER DRIVE SUITE 710
DALLAS, TX 75225

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OUTSIDE THE CITY LIMITS

From: douglas pritchard
To: Miller, Ryan
Subject: Riggs Property Planning Development
Date: Tuesday, June 30, 2015 12:09:33 PM

Ryan

I wanted to again thank you for the time that you spent with me yesterday afternoon at your office. Very informative.

You mentioned that you could not accept my concerns unless they were presented into an email. So I will share the same things that I mentioned in the document that I attempted to provide yesterday. I would appreciate it if you would include my comments into the package that is submitted to all concerned city agencies.

Anna Cade road is a very quiet road with 74 homes having direct access to it. Residents ONLY have this road to ride bicycles, walk , run, walk dogs and to get from home to home. Allowing residents from 224 additional homes to have access to the road would require it to be widened and sidewalks installed for the residents protection. Most of us moved here for a "country" type of setting. Increased traffic on Anna Cade will be very dangerous to the current residents who use the road. As you mentioned from your own experience in setting up the sign for the meeting, A truck and a passenger car cannot currently pass on Anna Cade without one of them using the shoulder. Currently using the shoulder is dangerous due to the drop off. I personally know of one vehicle rolling over due to moving over to much..

Doug Pritchard 362 Farm Lane Rockwall TX 75087 972 742 7324

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OUTSIDE THE CITY LIMITS

Miller, Ryan

From: Joan Barnes [redacted]
Sent: Monday, July 06, 2015 5:06 PM
To: Planning
Subject: Anna Cade Rd rezoning

To Whom It May Concern:
My name is Joan Barnes and I have been an Anna Cade resident for 12 years, now residing around the corner on Camp Creek Rd for the past 3. I work for Rockwall ISD and spend most of my days in and around Rockwall and my neighborhood. I am completely against the proposed zoning change to Anna Cade Rd & its surrounding neighborhood.

First and foremost, I feel the amount and type of homes planned for the 93 acres in question would be excessive and not in congruence with the other homes in the area. I would rather fewer homes on larger lots to match existing homes on Anna Cade Rd/Camp Creek Rd. Adding smaller and far greater number of homes will have a direct negative effect on property values for existing homeowners.

Another concern for established residents will be the amount of traffic that will be added to our small and close knit community. We recognize one another on our street and wave and move carefully to the side for those 154 or so, traveling by car each day. Added homes & traffic will triple that number! It will be an unsafe thoroughfare to a community already brimming with multi-car families.

I feel Rockwall doesn't have the adequate infrastructure to support an additional 224 homes. In the past few years with drought, Rockwall has suffered a lack of water for already existing homes. We continue to place our trust in a volunteer fire department.

I feel rezoning of this area would greatly impact the personality and character of our small Anna Cade community. Please help us to keep the integrity of our neighborhood by NOT rezoning.

Sincerely,
Joan Barnes
357 Camp Creek Rd
(formally 1046 Anna Cade Rd)

OUTSIDE THE CITY LIMITS

Miller, Ryan

From: Joe Wimpee <[redacted]>
Sent: Monday, June 29, 2015 10:57 AM
To: Planning
Subject: Z2015-015 Riggs

I am opposed to the request. There are so many reasons not to do this they can't all be listed here. I will be at the planning, and council meetings.

Thanks
Joe

Joe Wimpee
972-771-8051, off
972-989-9634, cell

OUTSIDE THE CITY LIMITS

Miller, Ryan

From: Mike <[redacted]>
Sent: Monday, June 29, 2015 4:36 PM
To: Planning
Cc: 'Eva Beth McGuire'
Subject: Case No Z2015-015: Riggs Property

Ryan Miller,

I am a resident of Rockwall County and I live at 150 Anna Cade Road. I am writing in regards to case Z2015-015: Riggs Property for single family use. This development plan indicates that 224 homes will be built and use both Anna Cade Rd and Breezy Hill Lane to access the development.

I am concerned that both Anna Cade and Breezy hill are not able to handle this huge increase in traffic. Anna Cade is extremely narrow and has two 90 degree turns that were probably setup for a maximum safe speed of 15 mph. A residence has been built very close to the 2nd turn and is at risk if traffic is increased to handle an additional 224 homes.

Anna Cade is narrow, there are no shoulders and there are steep banks on both sides to handle water drainage. There are no sidewalks to handle pedestrian traffic. There is no traffic control located on 552 or a turn lane to allow drivers to safely turn onto Anna Cade from 552. I recently had to drive into the ditch on 552 to avoid being rear ended by a driver heading east on 552.

If a developer wants to develop the land at the back of Anna Cade and drop the extra traffic onto Anna Cade Rd then there must be major improvements to both Anna Cade and the intersection of Anna Cade and 552 in order to keep the residents safe and to support the current use of Anna Cade by existing residents on this road.

Most evening you will find neighbors riding bikes or jogging on Anna Cade, usually after the bulk of the current residents have returned home from work. If you add 224 house which should add up to an additional 450 to 700 cars based on the number of drivers per household this will create a need for sidewalks and of course the drainage system to handle the water run-off. I am sure that Breezy Hill has these same issues.

My second issue with this plan is the density. The Rockwall development plan calls for “like” development in an area. A quick inspection of both Anna Cade and the older Breezy Hills neighborhoods will show that lots are no smaller than 1.5 acres and some of them are 5 acres or more. Most of the homes are custom homes. The new development is a much higher density and is not following a “like” development of the area. If an average lot size of 3 acres is adopted to follow the “like development of both the Anna Cade and Breezy Hill neighborhoods that this land will join then there should be a maximum of 30 home sites in this area which would reduce the demand on either road or change the look of the existing neighborhoods.

I will be out of town when the PZ takes up this open meeting so I wanted to make sure you were aware of my concerns. I know that many of my neighbors have expressed these same concerns and will be present for this meetings. I will be present at future meetings and in touch with my neighbors during my absence to follow the progress of this case.

Thank you for taking the time to read this email and to consider these issues. My telephone numbers are below if you have any questions.

Sincerely,

Mike McGuire
150 Anna Cade Rd

OUTSIDE THE CITY LIMITS

Miller, Ryan

From: Scott Justiss <[redacted]>
Sent: Saturday, July 04, 2015 8:38 AM
To: Planning
Subject: Breezy Hill Development Z2015-013

Rockwall Planning & Zoning Committee

In regards to case number **Z2015-015:** Hold a public hearing to discuss and consider a request by Rich Darragh of the Skorburg Company on behalf of the owner William Audy Riggs, SR Estate for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 93.00-acre tract of land identified as Tract 33 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the east side of Breezy Hill Road north of FM-552, and take any action necessary.

I have several concerns that I think need to be considered.

1. Street "A" connecting to Anna Cade Road; this will greatly increase the traffic load onto Anna Cade. As you know, Anna Cade is an older, narrow blacktop road that is not built for heavy traffic loads. With the quickest route to Hays Elementary & to the new High School, children will use this route. If the development is to proceed, Anna Cade Road should be upgraded to concrete surface, widened, and sidewalks installed for safety.
2. All of the homes to the immediate north, south, and east are built on acreage. To put a subdivision in with SF-10 does not keep with "comprehensive" planned development. The development should be zoned "Single Family Estate District".
3. All existing homes along Anna Cade Road face out to the road. To have the back of the houses in the proposed development facing Anna Cade Road does not make sense. At a minimum, the proposed lots and homes along Anna Cade, should have a road built parallel to Anna Cade with the proposed setbacks and screenings, and the lot sizes should be 3 acres to match existing homes sites.
4. There has also been rumors of using "condemnation" on private property or easements. This is completely wrong as Rockwall City Council recently agreed with on the proposed North Texas Gateway toll road. "Condemnation" cannot be used for the profitability of a private developer.

Any considerations given to our concerns would be greatly appreciated.

Regards,

Scott & Donna Justiss
17007 E Anna Cade Rd
Rockwall, TX. 75087

OUTSIDE THE CITY LIMITS

Glenn Mysza Janice Lynn
12000 N Anna Cade Rd
Rockwall, Tx 75087

Ryan Miller
Rockwall Planning and Zoning Dept
385 S Goliad St
Rockwall, Tx 75087

Dear Sir:

We are very much against the proposed housing addition Z2015-015 Riggs. The density of housing in this proposal is exactly opposite of existing homes in the area. To allow entry level houses in an area of larger homes on acreage would defeat the purpose of a department of planning and zoning. The people proposing this addition cite "diversity" as a reason for acceptance. This tells us that they are quite aware their proposal doesn't fit the area. If we wanted diversity, we wouldn't need a planning and zoning board.

The addition of so many families would create problems for the area. People using Anna Cade Road are already concerned about passing oncoming cars between stone mailbox monuments. Added noise and congestion defeats the reason people have built their retirement homes in the area. This proposal should not have been considered from the outset.

Sincerely,

Glenn E. Mysza

Glenn E. Mysza

Janice E. Lynn

Janice E. Lynn

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OUTSIDE THE CITY LIMITS

Miller, Ryan

From: John Tolbert [redacted]
Sent: Monday, July 13, 2015 10:18 PM
To: Miller, Ryan
Cc: Jennifer Tolbert
Subject: Z2015-15: Opposition to proposed development

Mr. Miller,

I am writing to oppose the proposed development of the Riggs Property submitted as Z2015-15. I live at 1232 Anna Cade Rd., which is the 8.98 acre parcel adjoining the Riggs Property along its southeastern boundary line. We share approx. 1,100 feet of property line. As such, our property and home will be significantly and dramatically impacted by the decisions made by the Planning and Zoning Commission and the City Council.

My email is coming to you from Durban, South Africa. As noted in my prior email requesting a postponement of the public hearings, I am traveling with a group of young people from Lake Pointe Church in Rockwall to Durban to assist our ministry partners with some community and compassion ministries until July 22nd. For this reason, I am unable to attend the public hearings in person; however, my wife and others should be in attendance to oppose the proposal.

We have lived on Anna Cade for the past two years. We previously lived in The Shores neighborhood in Rockwall. Our move was prompted by a long-held desire to move out of the highly-developed neighborhood and to seek out a more open environment to raise our family. We believe we found that perfect place on Anna Cade. The current proposal threatens to impose another highly-developed neighborhood on our boundary and steal from us of the very purpose of our move to this location.

Since our property adjoins the property on which the development is proposed, I am very concerned about the negative effects that will come. I attended the meeting on June 30th to hear the proposal from the Skorburg Company. The developer will tell you fantastic stories of what they intend to do, but they will not highlight any of the unintended consequences that will come with a 224-house development and road across the Riggs Property. I would like to highlight a few of the other consequences for you. These consequences do not change even if the developer reduces the plan to 156 homes.

First, I am concerned with the density of the proposed development. Most of the existing homes on Breezy Hill, Anna Cade, and Camp Creek sit on multiple acre lots. This helps to preserve the open nature of the area. The developer is currently proposing a density for the project that is completely counter to the nature of the existing homes in the area. In other words, the density proposed is not in keeping with any of the adjoining properties to the Riggs Property. With this density will come increased noise and light pollution to an area that is otherwise quiet and peaceful. The serenity we enjoy will be shattered by years of construction and the activity created by 224 or 156 homes and families.

Our density concerns are not just limited to noise and other encroachments on our peaceful life. Visually, this development will not be of the same standard as the existing homes on Anna Cade. It appears that these proposed new houses will be smaller and of noticeably lesser quality than the residences on Anna Cade and even the houses in the new subdivision currently under construction along John King Blvd. One of our most significant concerns in the proposed PD Development Standards is buried in the Building Standards section. The developer's proposed plan calls for the exterior materials to be 90% masonry, yet the plan allows up to 50% of that material to be a cementaceous fiberboard lap siding (HardieBoard/HardiePlank type material or stucco (see Exhibit C, Section A, paragraph 4(a)). In a typical subdivision with similar allowances, you

readily see row upon row of houses with the entire second floors consisting of nothing more than the lap board type materials. While this material may weather fine, the lower standard will be readily apparent. Nearly a dozen of these houses will be pushed up against our adjoining property line and will be staring down into our front and back yards. This would not be in keeping with any of the adjoining properties and will likely have a significant negative impact on our value, as well as our peaceful use and enjoyment of our property.

Second, none of the existing roads (Breezy Hill, Anna Cade, or Camp Creek) are designed or constructed to accommodate the increased and prolonged traffic that will undoubtedly come with this development and new road. The developer will tell you how he plans to direct traffic away from Anna Cade, but the unintended consequence of higher traffic patterns is easy to identify. Anna Cade intersects with FM 552 where Hays Elementary sits. It is not a big leap to conclude that the development will be comprised largely of families with school-aged kids who would attend Hays. The most direct route for school traffic will be down Anna Cade Rd. and families will use the most direct route available. If one has not been conducted, a traffic impact study should be performed before the development is approved to fully grasp the impact on the existing roads and intersections with FM 552. This study should be made available to the public.

In addition to density and traffic concerns, a development of this nature will create environmental changes that will affect adjoining properties. Any person who has seen the construction of a neighborhood of this type knows the developer comes in and strips the land to mold it into the shape and form he desires. During this process, run-off patterns will change and issues will be created for neighboring properties. I am concerned that changes in the run-off patterns will increase the chance of pollutants entering into the eco-system and pond maintained on my property. Run-off is not the only concern. The wildlife will be displaced creating a potential threat to people and animals in the area.

Finally, I understand that a potentially historic stone structure pre-dating the 1892 courthouse exists on the Riggs Property. The development does not consider the preservation or protection of this structure so it will be lost if approval is given. Any development should be required to preserve and protect the potentially historic structure from the earliest days of the Rockwall community.

Thank you for taking the time to consider these concerns. I urge you to deny approval of the proposed development or, at least, postpone the consideration of the same until such time as these issues can be considered, addressed, and resolved without destroying the serenity and peace the Anna Cade neighborhood presently enjoys.

John Tolbert
972-439-8219

OUTSIDE THE CITY LIMITS

CASE NO. Z2015-015: RIGGS PROPERTY

BYRON AND KELLY CASHION
967 ANNA CADE RD.
ROCKWALL, TX 75087

First and foremost, legally the matter on the agenda scheduled for the 7/14/2015 public hearing cannot be approved, Skorburg has changed the layout (several times) from what is to be voted on. If any subdivision is to have access from Anna Cade the road will need to be widened at Skorburgs expense. This added automobile traffic would discourage walking and cycling. The road is too narrow and if anyone is jogging or walking one car has to stop to let the other car pass or one of the cars will end up in the ditch to avoid hitting the pedestrians. I have lived there 4 years and have had to replace my mailboxes twice. I have seen my neighbor rebuild his stone mail box at least two times as well. The streets are way too narrow and the fall off is way too steep to support this kind of increased traffic. Also, there are numerous sharp turns. If this type of traffic is allowed sidewalks will need to be installed or the roads widened to provide a shoulder and the ability for two cars to pass without stopping or slowing traffic or endangering pedestrians (see photos at the end of this report) The pictures also show the drop off from the road in front of my home. Also, I have included picture of a telephone pole that was struck when a vehicles tire slipped off the road. It is too steep for correcting at the recommended speed limit.

In addition, the proposed development does not match the adjacent community. Rockwall has a Comprehensive Plan, which states in relevant part:

- f. Where residential uses in a Planned Development abut an existing residential development, the PD lots should be at least the same size as the existing lots or be buffered by open space, trails, walkways, natural screening or a roadway.
- h. Existing surrounding conditions such as lot size, house styles and existing development patterns should be considered in conjunction with the current comprehensive plan to determine appropriate zoning.
- i. At a minimum, new residential development shall be equal to or better than existing surrounding residential development.

I must insist that the Comprehensive Plan be followed, not waived. The lots on Anna Cade are an average of three acres in size. The proposed lots in the new development, facing Anna Cade, should be that size. In addition, all of the houses visible from Anna Cade should be on a similar size lot. All of the lots in this proposed subdivision should be of this size, but at the very minimum, should be "estate lots". Also, I should note that, at present, all houses along Anna Cade, Breezy Hill and the surrounding communities face the road. Skorburg should not be allowed to have the rear of houses face Anna Cade.

We want to also make note that we are opposed to any condemnation, especially one done solely to benefit a private developer.

Byron and Kelly Cashion

967 Anna Cade Rd., Rockwall, TX 75087

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CASE NO. Z2015-015: RIGGS PROPERTY
BYRON AND KELLY CASHION
967 ANNA CADE RD.
ROCKWALL, TX 75087



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CASE NO. Z2015-015: RIGGS PROPERTY
BYRON AND KELLY CASHION
967 ANNA CADE RD.
ROCKWALL, TX 75087



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CASE NO. Z2015-015: RIGGS PROPERTY
BYRON AND KELLY CASHION
967 ANNA CADE RD.
ROCKWALL, TX 75087



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CASE NO. Z2015-015: RIGGS PROPERTY
BYRON AND KELLY CASHION
967 ANNA CADE RD.
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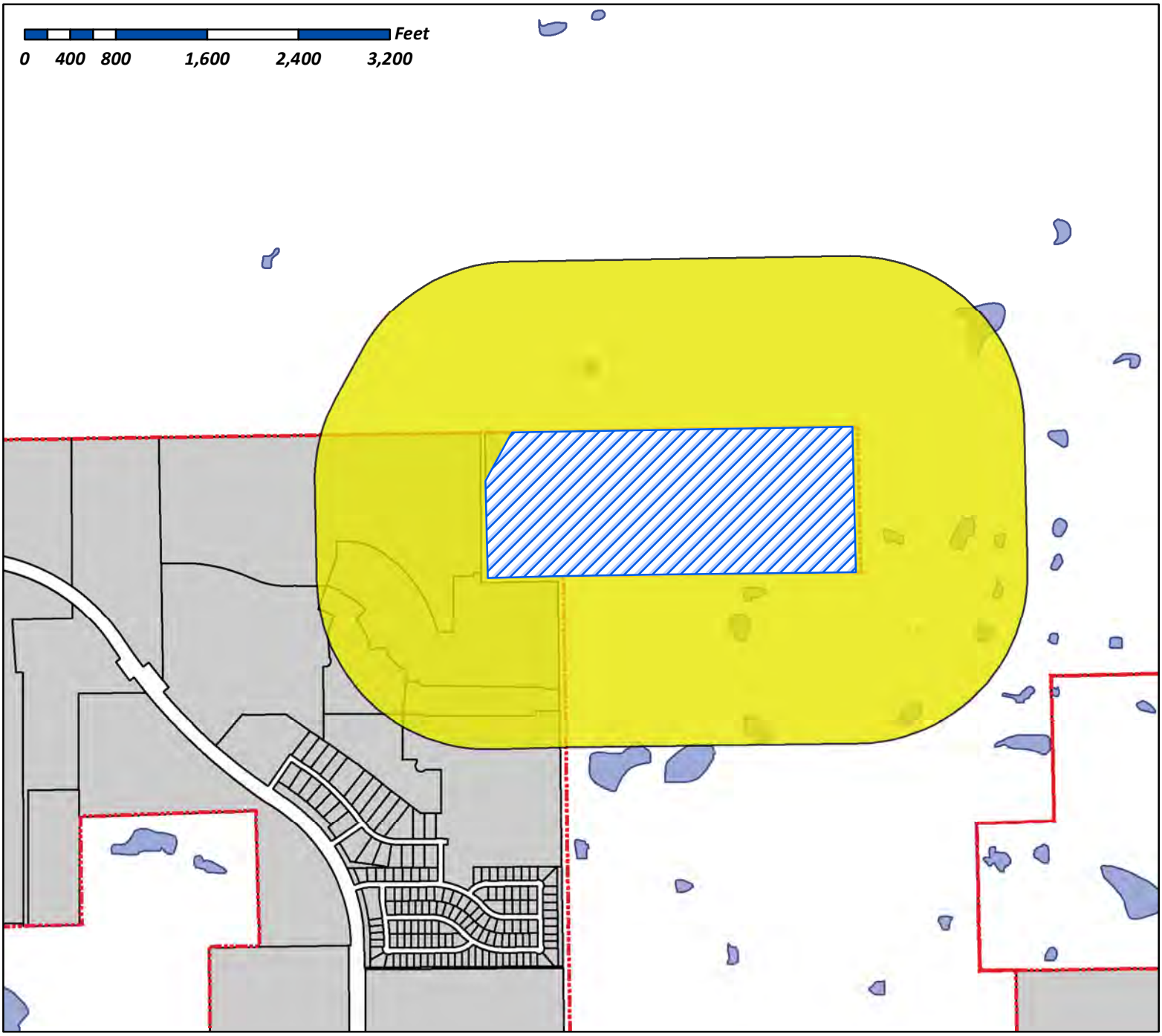
City of Rockwall

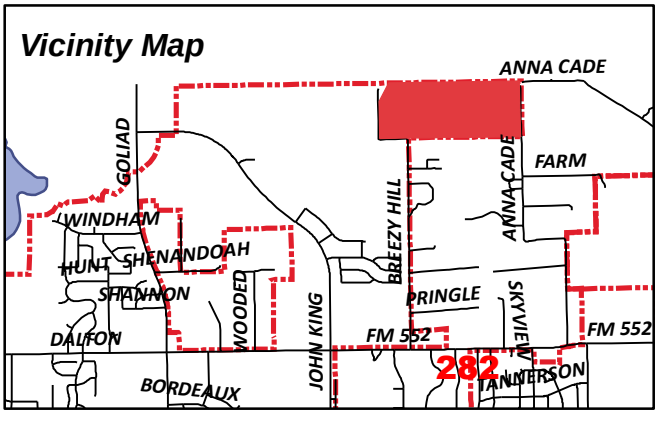
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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



Case Number: Z2015-015
Case Name: Riggs Property
Case Type: Zoning
Zoning: PD
Case Address: 205 Rockhouse Ln.

Date Created: *06/17/2015*
For Questions on this Case Call (972) 771-7745



SKORBURG
COMPANY

June 15, 2015

City of Rockwall
Attn: Ryan Miller

Skorburg Company
8214 Westchester, Suite 710
Dallas, TX 75225

Dear Ryan,

Skorburg Company is requesting that our project be taken to the June 30th Planning and Zoning Work Session. This project is the rezoning and development of 93 Acres (see "Exhibit A")of the A-187 J Strickland Survey, Tract 33, owned by William Audy Riggs Sr. Estate located West of Anna Cade Rd., E of Breezy Hill Ln. and West of the Breezy Hill subdivision (see "Exhibit B").

The property is currently zone Agricultural and we propose that the property be zoned Planned Development with Residential use for Two Hundred Twenty Four (224) Residential homes. This community will provide for a greater variety of housing that the market demands and will still reflect the beautiful aesthetic of the surrounding communities and the City of Rockwall as a whole (see "Exhibit C").

We look forward to working with the City on this project.

Cordially Yours,

Rich Darragh
Development Associate

Miller, Ryan

From: John Arnold [redacted]
Sent: Tuesday, June 30, 2015 5:55 PM
To: Miller, Ryan; Cole Franklin; Rich Darragh
Subject: Fwd: Riggs property

Sent via the Samsung Galaxy S® 5 ACTIVE™, an AT&T 4G LTE smartphone

-------- Original message --------
From: [redacted]
Date:06/30/2015 5:39 PM (GMT-06:00)
To: John Arnold [redacted]
Cc: Hot Mama [redacted]
Subject: Riggs property

Mr. John Arnold, as we discussed on the telephone, Skorberg Properties and My wife and myself are in discussion about the Riggs property for development. We are currently talking and expect to have a deal within the next 10 days at the latest
We look forward to working with your company. This includes any and all easements needed to access the Riggs property from your adjacent Breezy Hills development.

Best Regards,

Chuck Sinks
Chase, inc. Dba Sinks Excavation

Miller, Ryan

From: David Stubblefield [redacted]
Sent: Wednesday, July 15, 2015 4:14 PM
To: Miller, Ryan
Cc: Pruitt, Jim
Subject: Riggs Property
Attachments: Riggs Property western boundary survey.jpg; Right of First Ref. Filed.pdf

Ryan-

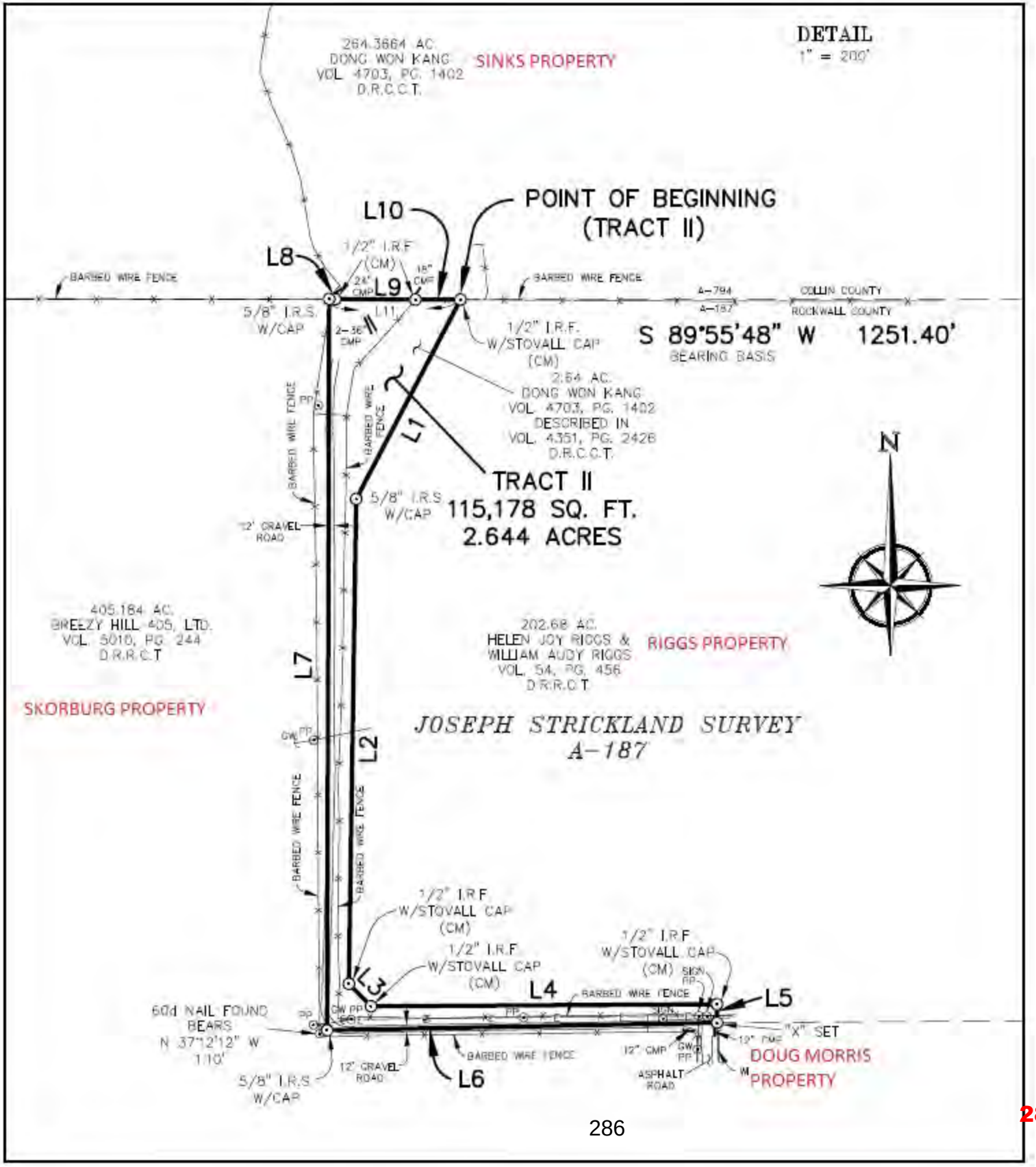
I understand that the Skorburg PD application for the Riggs property may be withdrawn prior to the Council hearing next Monday. If it is withdrawn, please let me know as soon as possible, and I will spread the word to the Anna Cade/Breezy Hill neighborhood group, so that they will not fill council chambers again.

If the application does proceed, please insert the following into the packet. This is not new evidence, but is documentation of matters discussed last night by P&Z in the denial of the application:

The Riggs Property is not contiguous to the Skorburg development known as Breezy Hill Estates, nor is the Riggs Property adjacent to Breezy Hill Road. Between these two parcels is a strip of land shown on the attached survey. This strip is owned by Charles and Sandra Sinks, and this strip is the sole means of access by the Sinks to their property. My wife and I also hold an easement across this strip to Breezy Hill Road, as well as a right of first refusal should all or any part of this strip be sold by the Sinks, a copy of which is attached.

Neither the Sinks nor the Stubblefields have agreed to sell or dedicate any portion of this property or waive any rights pertaining to it. You have made it clear that the City does not intend to utilize eminent domain to take this strip or the rights thereto, and any such action would be met with resistance. If the Skorburg Company wishes to develop the Riggs Property, all road access must be from Anna Cade Road.

David Stubblefield
709B West Rusk #520
Rockwall, Texas 75087
(972) 772-0100


DETAIL
1" = 200'
264.3664 AC.
DONG WON KANG
VOL. 4703, PG. 1402
D.R.C.C.T.
SINKS PROPERTY
POINT OF BEGINNING
(TRACT II)
L10
L8
L9
L11
L1
L2
L3
L4
L5
L6
L7
1/2" I.R.F
(CM)
24" CMP
18" CMP
BARBED WIRE FENCE
5/8" I.R.S.
W/CAP
2-36" CMP
1/2" I.R.F.
W/STOVALL CAP
(CM)
S 89°55'48" W 1251.40'
BEARING BASIS
A-794
A-187
COLLIN COUNTY
ROCKWALL COUNTY
2.64 AC.
DONG WON KANG
VOL. 4703, PG. 1402
DESCRIBED IN
VOL. 4351, PG. 2426
D.R.C.C.T.
TRACT II
115,178 SQ. FT.
2.644 ACRES
5/8" I.R.S
W/CAP
12' GRAVEL
ROAD
N
405.184 AC.
BREEZY HILL 405, LTD.
VOL. 5010, PG. 244
D.R.R.C.T
SKORBURG PROPERTY
202.68 AC.
HELEN JOY RIGGS &
WILLIAM AUDY RIGGS
VOL. 54, PG. 456
D.R.R.C.T
RIGGS PROPERTY
JOSEPH STRICKLAND SURVEY
A-187
1/2" I.R.F
W/STOVALL CAP
(CM)
1/2" I.R.F
W/STOVALL CAP
(CM)
1/2" I.R.F
W/STOVALL CAP
(CM)
SIGN
PP
GW
PP
60d NAIL FOUND
BEARS
N 37°12'12" W
1.10'
5/8" I.R.S
W/CAP
12" GRAVEL
ROAD
12" CMP
"X" SET
ASPHALT
ROAD
DOUG MORRIS
PROPERTY

286

911113005 27 CK

RIGHT OF RIRST REFUSAL AND EASEMENT AGREEMENT

This Agreement is made this date by and between David S. Stubblefield and Sacha L. Stubblefield (the "Stubblefields") and Charles William Sinks II and Sandra Lynn Sinks (the "Sinks"). On this date the Stubblefields purchased the property described in Exhibit "A" (the "Stubblefield Property") and the Sinks purchased the property described in Exhibit "B" (the "Sinks Property"). The parties agree as follows:

1. Right of First Refusal

Stubblefield agrees not to sell all or any part of the Stubblefield Property to any person other than Sinks without first giving to Sinks written notice at least 60 days before such sale will occur (a "Notice"). Sinks agrees not to sell all or any part of the Sinks Property to any person other than Stubblefield without first giving to Stubblefield written notice at least 60 days before such sale will occur (a "Notice"). Any Notice shall be given to a party at the address below, or at such other address as designated by that party, and shall be accompanied by a copy of the proposed contract of sale to a third party (the "Offer"). Within 30 days of receiving a Notice, a party may exercise this Right of First Refusal by responding with written notice that the right is exercised. If the right is exercised, the party exercising the right must complete a closing of a purchase on the same terms and times as in the Offer; however, if the Offer involves consideration other than cash, a reasonable cash equivalent shall be paid. If the right is not exercised, the property may be sold pursuant to the Offer, this Right of First Refusal shall have no future effect as the to part so sold, and the party that declined to execute the right shall sign a document releasing this Right of First Refusal as to the part so sold. If all or any part of the Stubblefield Property or the Sinks Property is transferred by gift, involuntary transfer or other method other than pursuant to this paragraph, this Right of First Refusal shall not be triggered, but shall follow the property and be binding upon any successor. This Right of First Refusal shall expire fifteen years from this date.

2. Easement

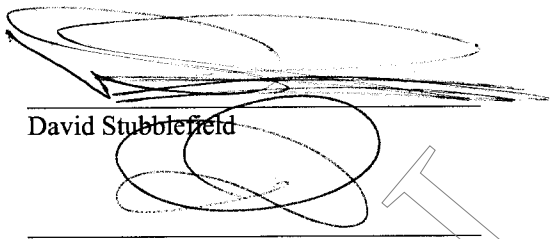
Sinks grants to Stubblefield an easement for ingress, egress and utilities across the Sinks Property from the Stubblefield Property to Breezy Hill Road. Sinks shall have the right to require that such access be via any future rock or hard-surfaced road on the Sinks Property. This easement shall be extinguished if the Stubblefield Property in the future has access to Breezy Hill Road via any other rock or hard-surfaced road extending to the Stubblefield Property, other than across the Sinks Property.

3. Miscellaneous.

This Agreement contains the entire agreement of the parties on this subject and may only be modified by a written document signed by all parties. This Agreement shall inure to the benefit of and bind the parties hereto and their respective heirs, representatives, successors and permitted assigns.

UNOFFICIAL

EXECUTED on the dates stated below.



David Stubblefield

Sacha Stubblefield

Address:

P.O. Box 2227
Rockwall, TX 75087

STATE OF TEXAS §
§
COUNTY OF Denton §

This instrument was acknowledged before me on November 8, 2013, by David S. Stubblefield.

(SEAL)

Notary Public
State of Texas

My Commission expires: Print Name of Notary: Chol Kim

CHOL YONG KIM
Notary Public, State of Texas
My Commission Expires
09-13-2016

STATE OF TEXAS §
§
COUNTY OF Denton §

This instrument was acknowledged before me on November 8, 2013, by Sacha L. Stubblefield.

(SEAL)

Notary Public
State of Texas

My Commission expires: Print Name of Notary: Chol Kim

CHOL YONG KIM
Notary Public, State of Texas
My Commission Expires
09-13-2016

UNOFFICIAL

11-8-2013

Charles William Sinks II

Sandra Lynn Sinks 11-8-13

Address:

555 Sinks Road
Rockwall, TX. 75032

STATE OF TEXAS §
§
COUNTY OF Denton §

This instrument was acknowledged before me on November 8, 2013, by Charles William Sinks II.

(SEAL)

Notary Public
State of Texas

My Commission expires:

Print Name of Notary: Chol Kim

CHOL YONG KIM
Notary Public, State of Texas
My Commission Expires
09-13-2016

STATE OF TEXAS §
§
COUNTY OF Denton §

This instrument was acknowledged before me on November 8, 2013, by Sandra Lynn Sinks.

(SEAL)

Notary Public
State of Texas

My Commission expires:

Print Name of Notary: Chol Kim

CHOL YONG KIM
Notary Public, State of Texas
My Commission Expires
09-13-2016

UNOFFICIAL

Exhibit "A"
Stubblefield Property

LEGAL DESCRIPTION
(Continued)

Commitment Number: 91111300526

GF Number: FT2CK-91111300526

NOTE: COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND/OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

TRACT III

BEING a 44.436 acre tract of land situated in the Joseph Strickland Survey, Abstract No. 794, and the Cuadrilla Irr. Co. Survey, Abstract No. 1051, Collin County, Texas and being a part of that certain called 264.3664 acre tract of land described in a deed to Dong Won Kang, recorded in Volume 4703 Page 1402, Deed Records, Collin County (D.R.C.C.T.), Texas, said 44.436 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found for the southeast corner of said 264.3664 acre tract and the southwest corner of a 147.528 acre tract of land described in deed to David S. Stubblefield and Sacha L. Stubblefield., as recorded in Instrument 20110715000734820, (D.R.C.C.T.), said corner being in the north boundary line of a 202.68 acre tract of land described in deed to Helen Joy Riggs and William Audy Riggs, as recorded in Volume 54, Page 456, Deed Records, Rockwall County, Texas;

THENCE South 89 degrees 55 minute 48 seconds West, with the common boundary line of said 264.3664 acre tract and said 202.68 acre tract, a distance of 1296.65 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;

THENCE North 00 degrees 59 minutes 34 seconds West, a distance of 1402.14 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;

THENCE North 00 degrees 14 minutes 38 seconds East, a distance of 1373.68 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;

THENCE North 00 degrees 04 minutes 12 seconds East, a distance of 842.55 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner in the north boundary line of said 264.3664 acre tract;

THENCE North 63 degrees 55 minutes 48 seconds East, with the north boundary line of said 264.3664 acre tract, a distance of 131.51 feet to a 1/2-inch iron rod found for the northeast corner of said 264.3664 acre tract;

THENCE South 00 degrees 07 minutes 34 seconds West, with an east boundary line of said 264.3664 acre tract, a distance of 888.39 feet to a 1/2-inch iron rod found for an exterior ell corner thereof, and also being an angle point in the north line of said 147.528 acre tract;

THENCE with the common boundary lines of said 147.528 acre tract and said 264.3664 acre tract, the following courses:

South 82 degrees 40 minutes 14 seconds West, a distance of 92.96 feet to a 1/2-inch iron rod found for an interior ell corner of said 264.3664 acre tract and the northwest corner of said 147.528 acre tract;

South 00 degrees 14 minutes 38 seconds West, a distance of 1373.41 feet to a 1/2-inch iron rod found at a common corner of last mentioned tracts;

South 88 degrees 43 minutes 50 seconds East, a distance of 1272.48 feet to a 1/2-inch iron rod found at a common corner of last mentioned tracts;

South 00 degrees 59 minute 33 seconds East, a distance of 1272.48 feet to the POINT OF BEGINNING AND CONTAINING 1,935,642 square feet or 44.436 acres of land.

UNOFFICIAL

LEGAL DESCRIPTION
(Continued)

Commitment Number: 91111300526 GF Number: FT2CK-91111300526

NOTE: COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND/OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

UNOFFICIAL

LEGAL DESCRIPTION

GF Number: FT2CK-91111300527 Commitment Number: 91111300527

Legal description of the land:

BEING a 44.436 acre tract of land situated in the Joseph Strickland Survey, Abstract No. 794, and the Cuadrilla Irr. Co. Survey, Abstract No. 1051, Collin County, Texas and being a part of that certain called 264.3664 acre tract of land described in a deed to Dong Won Kang, recorded in Volume 4703 Page 1402, Deed Records, Collin County (D.R.C.C.T.), Texas, said 44.436 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found for the southeast corner of said 264.3664 acre tract and the southwest corner of a 147.528 acre tract of land described in deed to David S. Stubblefield and Sacha L. Stubblefield., as recorded in Instrument 20110715000734820, (D.R.C.C.T.), said corner being in the north boundary line of a 202.68 acre tract of land described in deed to Helen Joy Riggs and William Audy Riggs, as recorded in Volume 54, Page 456, Deed Records, Rockwall County, Texas;

THENCE South 89 degrees 55 minute 48 seconds West, with the common boundary line of said 264.3664 acre tract and said 202.68 acre tract, a distance of 1296.65 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;

THENCE North 00 degrees 59 minutes 34 seconds West, a distance of 1402.14 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;

THENCE North 00 degrees 14 minutes 38 seconds East, a distance of 1373.68 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;

THENCE North 00 degrees 04 minutes 12 seconds East, a distance of 842.55 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner in the north boundary line of said 264.3664 acre tract;

THENCE North 63 degrees 55 minutes 48 seconds East, with the north boundary line of said 264.3664 acre tract, a distance of 131.51 feet to a 1/2-inch iron rod found for the northeast corner of said 264.3664 acre tract;

THENCE South 00 degrees 07 minutes 34 seconds West, with an east boundary line of said 264.3664 acre tract, a distance of 888.39 feet to a 1/2-inch iron rod found for an exterior ell corner thereof, and also being an angle point in the north line of said 147.528 acre tract;

THENCE with the common boundary lines of said 147.528 acre tract and said 264.3664 acre tract, the following courses:

South 82 degrees 40 minutes 14 seconds West, a distance of 92.96 feet to a 1/2- inch iron rod found for an interior ell corner of said 264.3664 acre tract and the northwest corner of said 147.528 acre tract;

South 00 degrees 14 minutes 38 seconds West, a distance of 1373.41 feet to a 1/2-inch iron rod found at a common corner of last mentioned tracts;

South 88 degrees 43 minutes 50 seconds East, a distance of 1272.48 feet to a 1/2-inch iron rod found at a common corner of last mentioned tracts;

South 00 degrees 59 minute 33 seconds East, a distance of 1272.48 feet to the POINT OF BEGINNING AND CONTAINING 1,935,642 square feet or 44.436 acres of land.

NOTE: COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND/OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

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Exhibit "B"
Sinks Property

LEGAL DESCRIPTION

GF Number: FT2CK-91111300526 Commitment Number: 91111300526

Legal description of the land:

TRACT I:

BEING a 219.944 acre tract of land situated in the Joseph Strickland Survey, Abstract No. 794, and the Cuadrilla Irr. Co. Survey, Abstract No. 1051, Collin County, Texas and being a part of that certain called 264.3664 acre tract of land described in a deed to Dong Won Kang, recorded in Volume 4703 Page 1402, Deed Records, Collin County (D.R.C.C.T.), Texas, said 219.944 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found for the southwest corner of said 264.3664 acre tract and an ell corner of a 637.32 acre tract of land described in deed to W.W. Caruth, Jr., as recorded in Volume 66, Page 494, Deed Records, Rockwall County, Texas (D.R.R.C.T.);

THENCE North 00 degrees 26 minute 56 seconds East, with the common boundary line of said 637.32 acre tract and said 264.3664 acre tract, a distance of 1932.08 feet to a 1/2-inch iron rod found for the northwest corner of said 264.3664 acre tract;

THENCE North 63 degrees 55 minute 48 seconds East, with the north boundary line of said 264.3664 acre tract and partly with the south lines of various tracts described in deeds to the Lumpkin Family Limited Partnership, recorded in Volume 5938, Page 360 and Volume 5145, Page 1, respectively, D.R.R.C.T., a total distance of 3836.41 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;

THENCE South 00 degrees 04 minutes 12 seconds West, a distance of 842.35 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;

THENCE South 00 degrees 14 minutes 38 seconds West, a distance of 1373.68 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;

THENCE South 00 degrees 59 minutes 33 seconds East, a distance of 1402.34 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner in the common boundary line of said 264.3664 acre tract and a 202.68 acre tract of land described in deed to Helen Joy Riggs and William Audy Riggs, as recorded in Volume 54, Page 456, D.R.R.C.T.;

THENCE South 89 degrees 55 minutes 48 seconds West, with the common boundary line of said 202.68 acre tract and said 264.3664 acre tract, a distance of 1251.40 feet to a 1/2-inch iron rod found for corner at an angle point in same;

THENCE North 89 degrees 30 minutes 20 seconds West, with the common boundary line of said 202.68 acre tract and said 264.3664 acre tract, a distance of 149.39 feet to a 1/2-inch iron rod found for corner at an angle point in same;

THENCE North 89 degrees 59 minutes 22 seconds West, with the common boundary line of said 202.68 acre tract and said 264.3664 acre tract, passing the northwest corner of said 202.68 acre tract and the northeast corner a 405.184 acre tract of land described in deed to Breezy Hill 405, Ltd., as recorded in Volume 5010, Page 244, D.R.R.C.T. at a distance of 3.29 feet and continuing with the common boundary line of said 264.3664 acre tract and said 405.184 acre tract, a total distance of 2077.85 feet to the POINT OF BEGINNING AND CONTAINING 9,580,763 square feet or 219.944 acres of land.

NOTE: COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND/OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

TRACT II:

UNOFFICIAL

LEGAL DESCRIPTION
(Continued)

Commitment Number: 91111300526 GF Number: FT2CK-91111300526

BEING a 2.644 acre tract of land situated in the Joseph Strickland Survey, Abstract No. 187, Rockwall County, Texas and being all of that certain called 2.64 acre tract of land described as "Tract Two" in a deed to Dimensions Micro, Inc., recorded in Volume 4351 Page 2426, Deed Records, Collin County (D.R.C.C.T.), Texas, said 2.644 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod with cap stamped "Stovall" found for the northeast corner of said 2.64 acre tract, said corner being in the common boundary line of a 202.68 acre tract of land described in deed to Helen Joy Riggs and William Audy Riggs, as recorded in Volume 54, Page 456, Deed Records, Rockwall County, Texas (D.R.R.C.T.) and a 264.3664 acre tract of land described in deed to Dong Won Kang, as recorded in Volume 4703, Page 1402 (D.R.C.C.T.);

THENCE South 27 degrees 37 minute 19 seconds West, with an easterly boundary line of said 2.64 acre tract, a distance of 398.35 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;

THENCE South 00 degrees 51 minute 33 seconds West, with an easterly boundary line of said 2.64 acre tract, a distance of 858.18 feet to a 1/2-inch iron rod with cap stamped "Stovall" found for corner;

THENCE South 44 degrees 44 minute 28 seconds East, continuing with an easterly boundary line of said 2.64 acre tract, a distance of 55.80 feet to a 1/2-inch iron rod with cap stamped "Stovall" found for corner;

THENCE North 89 degrees 39 minute 32 seconds East, with a lower boundary line of said 2.64 acre tract, a distance of 612.42 feet to a 1/2-inch iron rod with cap stamped "Stovall" found for a northeast corner of said 2.64 acre tract;

THENCE South 00 degrees 14 minute 38 seconds East, with an easterly boundary line of said 2.64 acre tract, a distance of 32.74 feet to an "X" set for the southeast corner of said 2.64 acre tract in the common boundary line of said 202.68 acre tract and a 405.184 acre tract of land described in deed to Breezy Hill 405, Ltd., as recorded in Volume 5010, Page 244 (D.R.R.C.T.);

THENCE South 88 degrees 53 minute 35 seconds West, with the common boundary lines of said 2.64 acre tract, said 405.184 acre tract and said 202.68 acre tract, a distance of 690.59 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for the southwest corner of said 2.64 acre tract, the southwest corner of said 202.68 acre tract and an ell corner of said 405.184 acre tract from which a 60d nail found for reference bears North 37 degrees 12 minutes 12 seconds West, a distance of 1.10 feet;

THENCE North 00 degrees 10 minute 09 seconds East, with the common boundary lines of said 2.64 acre tract, said 202.68 acre tract and said 405.184 acre tract, a distance of 1294.30 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for the northeast corner of said 405.184 acre tract and the northwest corner of said 2.64 acre tract and said 202.68 acre tract, said corner being in the south boundary line of said 264.3664 acre tract;

THENCE Easterly, with the south boundary line of said 264.3664 acre tract, the following courses:

South 89 degrees 59 minutes 22 seconds East, a distance of 3.29 feet to a 1/2-inch iron rod found for corner at an angle point in the south line of said 264.3664 acre tract;

South 89 degrees 30 minutes 20 seconds East, a distance of 149.39 feet to a 1/2-inch iron rod found for corner at an angle point in the south line of said 264.3664 acre tract;

North 89 degrees 55 minutes 48 seconds East, a distance of 79.70 feet to the POINT OF BEGINNING AND CONTAINING 115,178 square feet or 2.644 acres of land.

UNOFFICIAL

UNOFFICIAL

Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
11/11/2013 11:20:55 AM
$48.00 BVINCENT
20131111001525000

Miller, Ryan

From: Frank Garza [redacted]
Sent: Friday, July 10, 2015 6:46 PM
To: Miller, Ryan
Cc: LaCroix, Robert; Griggs, Brad; Jessie Lopez
Subject: RE: somewhat of an emergency

Ryan

Per your request, our firm has researched the question of whether a dedication of land would trigger an existing right of first refusal on a parcel of land. In short and in general, a dedication of land **would not trigger** a right of first refusal as a "dedication" of land is not considered a "sale" of the property.

A right of first refusal ripens into an option by the voluntary sale. See § 19:292.Exercise of the right of first refusal, 3 Tex. Prac. Guide Real Trans. § 19:292 citing Riley v. Campeau Homes (Texas), Inc., 808 S.W.2d 184, 188 (Tex. App.—Houston [14th Dist.] 1991, writ dism'd by agr.); see also, Williams v. State, 406 S.W.3d 273 (Tex. App.—San Antonio 2013), review denied (Jan 17, 2014) (condemnation action; Williams inherited the adjoining "West Tract" in 2006, subject to rights of first refusal held by her siblings).

The operative term is, "voluntary sale" as opposed to conveyance of the property by gift, condemnation, inheritance or dedication . For example, in the Williams v. State (cited above), the Court noted that a right of first refusal was not triggered by condemnation of property as it was not a voluntary sale of the property. I have been unable to find a Texas case finding that a "dedication" is not "sale," but court's from other jurisdiction have addressed this issue. *See e.g.,* Lakeside Park Asso. v Keithly 110 P2d 1055 (Cal. App. 1941)(conveyance of property to county government for parkland in return for assumption of balance of indebtedness did not constitute a sale). Moreover, as noted in the email string below, Texas courts have interpreted "dedication" of land to be a form of gift conveyance of property.

In an abundance of caution, I suggest your provide a copy of the, " Right of First Refusal and Easement Agreement," referenced in the original email below. This would allow us to verify that the parties did not any particular provisions that would result in a different conclusion. Absent any such surprise provisions, a gift or dedication of the property would not trigger the right of first refusal.

Hope this answers your question.

Francisco J. Garza
DAVIDSON TROILO REAM & GARZA
www.dtrglaw.com

7550 W. Interstate 10 Suite 800
San Antonio, Texas 78229
210-349-6484 Main Office
210-442-2324 Direct
210-349-0041 Fax

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From: Miller, Ryan [redacted]
Sent: Monday, July 6, 2015 4:32 PM
To: Frank Garza
Cc: LaCroix, Robert; Griggs, Brad
Subject: FW: somewhat of an emergency

Frank,

We have a zoning case going forward for public hearing on Tuesday that may have an access issue. See below for specifics, but basically the applicant of the case needs to cross an adjacent property to provide access to the proposed development; however, the owner of the adjacent property has a *right-of-first-refusal* clause under a previous contract with another party. The applicant's lawyer has provided several cases (*attached*) that establish a precedence that the dedication of the required land to the city would supersede the *right-to-first-refusal* clause in the contract. We wanted to collaborate this prior to the meeting in case this is brought out during the public hearing. Let me know if you have any questions. Thanks.

RYAN C. MILLER, AICP
PLANNING MANAGER • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

HELPFUL LINKS | CITY OF ROCKWALL WEBSITE | PLANNING & ZONING DIVISION WEBSITE | MUNICIPAL CODE WEBSITE
GIS DIVISION WEBSITE | CITY OF ROCKWALL INTERACTIVE MAPS | MAIN STREET DIVISION

From: John Arnold [mailto:jarnold@skorburgcompany.com]
Sent: Monday, July 06, 2015 3:52 PM
To: Miller, Ryan
Subject: Fwd: somewhat of an emergency

Sent from my Samsung Galaxy Note®|PRO

-------- Original message --------
From: "Anderson, Art"
Date:07/06/2015 11:38 AM (GMT-06:00)
To: John Arnold
Subject: Fw: somewhat of an emergency

Here is what our research found

From: Williams, Brad
Sent: Monday, July 06, 2015 11:02 AM
To: Anderson, Art
Subject: RE: somewhat of an emergency

Art,

See attached for some helpful cases (I have highlighted the pertinent language in each). The language that routinely presents itself in the cases comes from *City of Brownsville v. West*, 149 S.W.2d 1034 (Tex. Civ. App. – San Antonio, 1941, writ dism'd judm't cor.) and provides: "The rule is that a dedication is in the nature of a donation of one's land to the public for a public use without consideration, and therefore is never presumed but must be manifested either by a declaration or act which evinces the clearest intention on the part of the dedicator to presently set aside and appropriate a certain part of his land for a public use." *See also* Black's Law Dictionary 421 (7th ed. 1999) (defining dedication as "the donation of land or creation of an easement for public use."); *Copeland v. City of Dallas*, 454 S.W.2d 279, 282 (Tex. Civ. App. – Dallas, 1970, writ ref'd n.r.e) ("Dedication is in the nature of a donation of one's land to the public for a public use without consideration."); *Dallas v. Leake*, 300 S.W.2d 135, 141 (Tex. Civ. App. – Dallas, 1957, writ ref'd n.r.e.) (quoting *Brownsville*)); *Town of Flower Mound v. Stafford Estates LP*, 71 S.W.3d 18, 32 (Tex. App. – Fort Worth, 2002 pet. granted), *aff'd* 135 S.W.3d 620 (Tex. 2004) (citing *Copeland*).

I think these cases make clear that a dedication of land for public use is not a transfer of property in the form of a sale, but in the form of a donation or gift without consideration. As a result, I think you are correct below in that the dedication would not trigger the right of first refusal as provided in the agreement because (1) it is not a "sale" (because it is a donation) and (2) it is a gift to the public and is so excepted from the right of first refusal.

Brad R. Williams, Attorney
Winstead PC | 500 Winstead Building | 2728 N. Harwood Street | Dallas, Texas 75201
214.745.5264 *direct* | 214.745.5309 *fax* | bwilliams@winstead.com | www.winstead.com

---

From: Anderson, Art
Sent: Friday, July 03, 2015 11:18 AM
To: Williams, Brad
Cc: Paul, Paget
Subject: somewhat of an emergency

I just got off the phone with the Skorburg group on the following issue on the new file in Rockwall-Paget has the opening file information.

At issue is a Right of First Refusal and Easement Agreement. The property subject to the first refusal states that one party "agrees not to sell all or any part of the property" without giving the other party the right to purchase. It also contains the following sentence: "If all or any part of the property is transferred by gift, involuntary transfer or other method other than pursuant to this paragraph, this Right of First Refusal shall not be triggered, but shall follow the property and be binding upon any successor."

Our client wants to cross the property with a street. This would require the owner to dedicate the crossing to the city. The question is whether or not a dedication constitutes a “sale”. I need a case on this issue hopefully stating that it does not. Also, it seems to me that the dedication could also fit within the exception in the sentence in the preceding paragraph.

Time is of the essence so if you could research this and send me a brief email analyzing the issue by noon Monday it would be appreciated. Art

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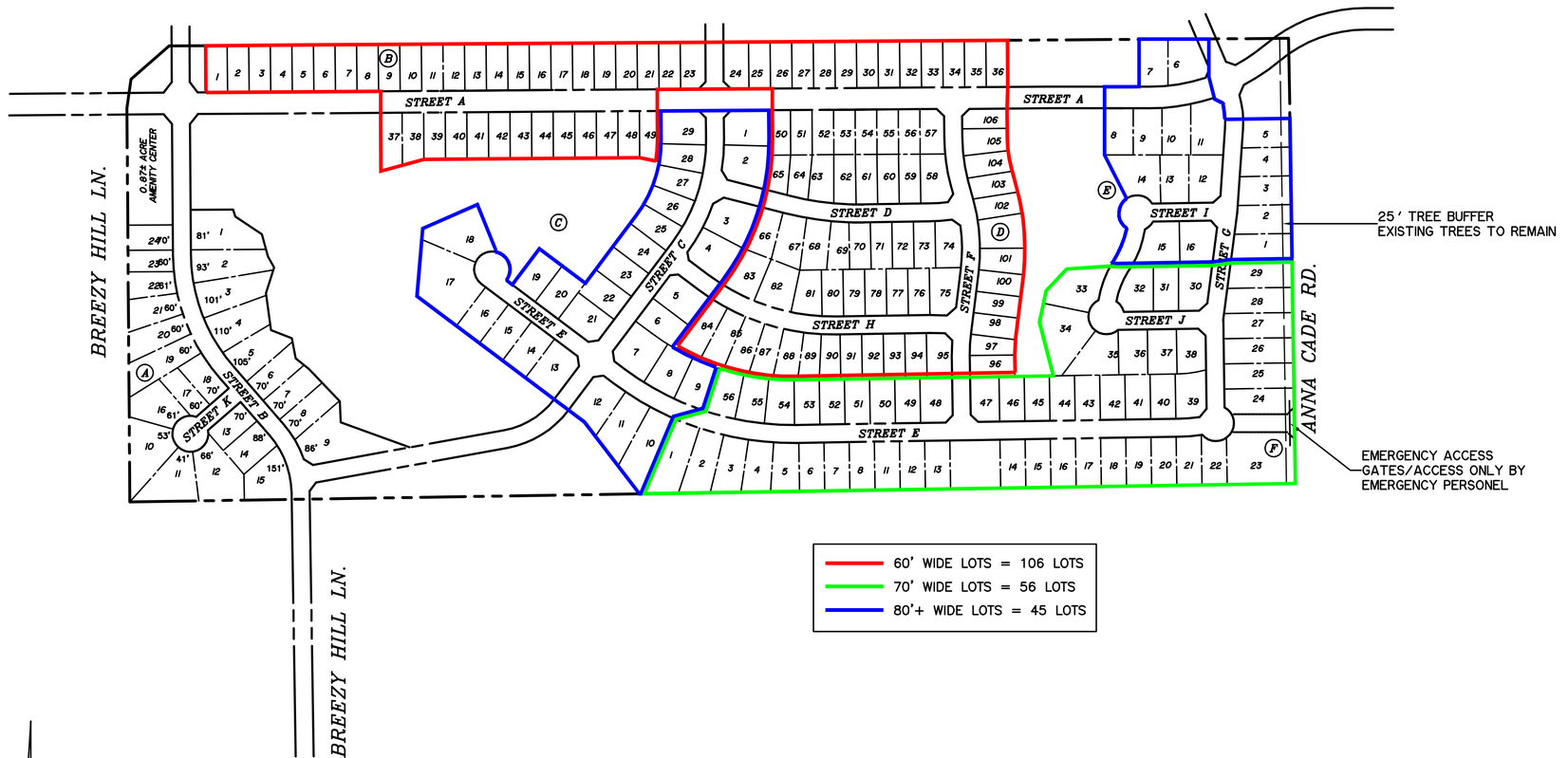
[redacted]



0 200 400 600

93 ACRES TOTAL
22 ACRES OPEN SPACE
231 LOTS

CONCEPT PLAN
RIGGS
ROCKWALL, TEXAS

PREPARED BY:
WIER & ASSOCIATES, INC.
ENGINEERS SURVEYORS LAND PLANNERS
701 HIGHLANDER BLVD., SUITE 300 ARLINGTON, TEXAS 76015 METRO (817)467-7700
Texas Firm Registration No. F-2776 www.Wierassociates.com
Texas Board of Professional Land Surveying Registration No. 10033900

SHEET 1 OF 1

DATE: 7/8/2015
W.A. No. 15005

PRINTED: 7/8/2015 STB FILE: WIER-PAVING.STB LAST SAVED: 7/8/2015 3:32 PM SAVED BY: RENEEW FILE: BASE-CONCEPT-RIGGS-REV3-15005-7-8-15.DWG

300

CITY OF ROCKWALL

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 78 (PD-78) FOR SINGLE FAMILY 10 (SF-10) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 93.00-ACRE TRACT OF LAND IDENTIFIED AS TRACT 33 OF THE J. STRICKLAND SURVEY, ABSTRACT NO. 187, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (*$2,000.00*) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by the Rich Darragh of the Skorburg Company on behalf of the owner of the property, the William Audy Riggs Sr. Estate, for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 93.00-acre tract of land identified as Tract 33 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 2. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 3. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

DRAFT ORDINANCE 07.14.2015

Section 4. That a master parks and open space plan for the Property, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan*, (*Open Space Master Plan*) shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

Section 5. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

(a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 5(b) through 5(e) below*), shall be the exclusive procedures applicable to the subdivision and platting of the Property.

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

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

(c) *PD Site Plan.* A *PD Site Plan* covering all of the *Subject Property* shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Preliminary Plat Application* for the development.

(d) *Preliminary Plat.* A *Preliminary Plat* covering all of the *Subject Property* shall be submitted and shall include a *Treescape Plan*. A *Preliminary Plat Application* may be processed by the City concurrently with a *PD Site Plan Application* for the development.

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

Section 7. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 8. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 9. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development*

Code), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 10. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF JULY, 2015.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *June 15, 2015*

2nd Reading: *July 6, 2015*

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Exhibit 'A':
Legal Description

All that certain lot, tract or parcel of land situated in the Joseph Strickland Survey, Abstract No. 187, Rockwall County, Texas, and being part of that tract of land described in Deed from W. M. Motley to Helen Joy Riggs, et al, as recorded in Volume 54, Page 456 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½ inch iron rod found for corner in Anna Cade Road at the most southerly Southwest corner of the above cited Riggs tract, said point also being the Northeast corner of that tract of land described in a Deed from Ronald H. Jones, et ux, to William Gregory Schucany, et al, as recorded in Volume 1965, Page 138 of the Real Property Records of Rockwall County, Texas;

THENCE South 89 degrees 37 minutes 22 seconds West, with the most westerly South line of said Riggs tract and the North line of said Schucany tract, a distance of 1094.75 feet to a ¥2 inch iron rod found for corner at the Northwest corner of said Schucany tract, said point also being the most northerly Northeast corner of that tract of land described in a Deed from Greg Dean to the David and Carolyn McLemore Trust as recorded in Volume 4943, Page 157 of the Official Public Records of Rockwall County, Texas;

THENCE South 89 degrees 46 minutes 34 seconds West with the most westerly South line of said Riggs tract and the most westerly North line of said McLemore Trust tract, a distance of 696.95 feet to a 3/8 inch iron rod found for corner at the Northwest corner of said McLemore Trust tract, said point also being the Northeast corner of that tract of land described in a Deed from Billy W. Peoples to Douglas D.Morris, et ux, as recorded in Volume 94, Page 318 of the Deed Records of Rockwall County, Texas;

THENCE South 89 degrees 52 minutes 13 seconds West with the most westerly South line of said Riggs tract and with the most easterly North line of said Morris tract, and with the North line of that tract of land described in a Deed from Thomas W. Bohanna n to Douglas D. Morris, et ux, as recorded in Volume 136, Page 110 of the Deed Records of Rockwall County, Texas, a distance of 804.10 feet to a 3/8 inch iron rod found for corner at the fence corner post at the Northwest corner of said Morris tract, said point also being in the most southerly East line of that tract of land described as Tract Two in a Deed from Michael L. Heine, et al, to Dimensions Micro, Inc. as recorded in Volume 1577, Page 270 of the Real Property Records of Rockwall County, Texas;

THENCE North 01 degrees 23 minutes 14 seconds East with an East line of said Dimensions Micro tract a distance of 19.96 feet to a 112 inch iron rod with plastic cap stamped "STOVALL & ASSOC" set (hereinafter called ½" iron rod set) for corner at the most Easterly Northeast corner of said Dimensions Micro tract:

THENCE North 00 degrees 52 minutes 21 seconds East with an East line of said Dimensions Micro tract, a distance of 858.18 feet to a ½ inch iron rod set for corner at an interior corner of said Dimensions Micro tract;

THENCE North 27 degrees 36 minutes 06 seconds East with a Southeast line of said Dimensions Micro tract, a distance of 398.17 feet to a ½ inch iron rod set for corner in the most westerly North line of said Riggs tract, at the most northerly Northeast corner of said Dimensions Micro tract, said point also being in the South line of that tract of land described in a Deed from Dimensions Micro, Inc. to Dong Won Kang as recorded in Volume 4703, Page 1402 of the Land Records of Collin County, Texas;

THENCE North 89 degrees 55 minutes 28 seconds East with the most westerly North line of said Riggs tract and with the Sooth line of said Kang tract, a distance of 2468.36 feet to a 1 inch iron pipe found for corner at the Southeast corner of said Kang tract, said point also being the most southerly Southwest corner of that tract of land described in a Deed from Rockwall Blue Stars, L.P. to Dong Won Kang as recorded in File No. 20080822001023 160 of the Official Public Records of Collin County, Texas;

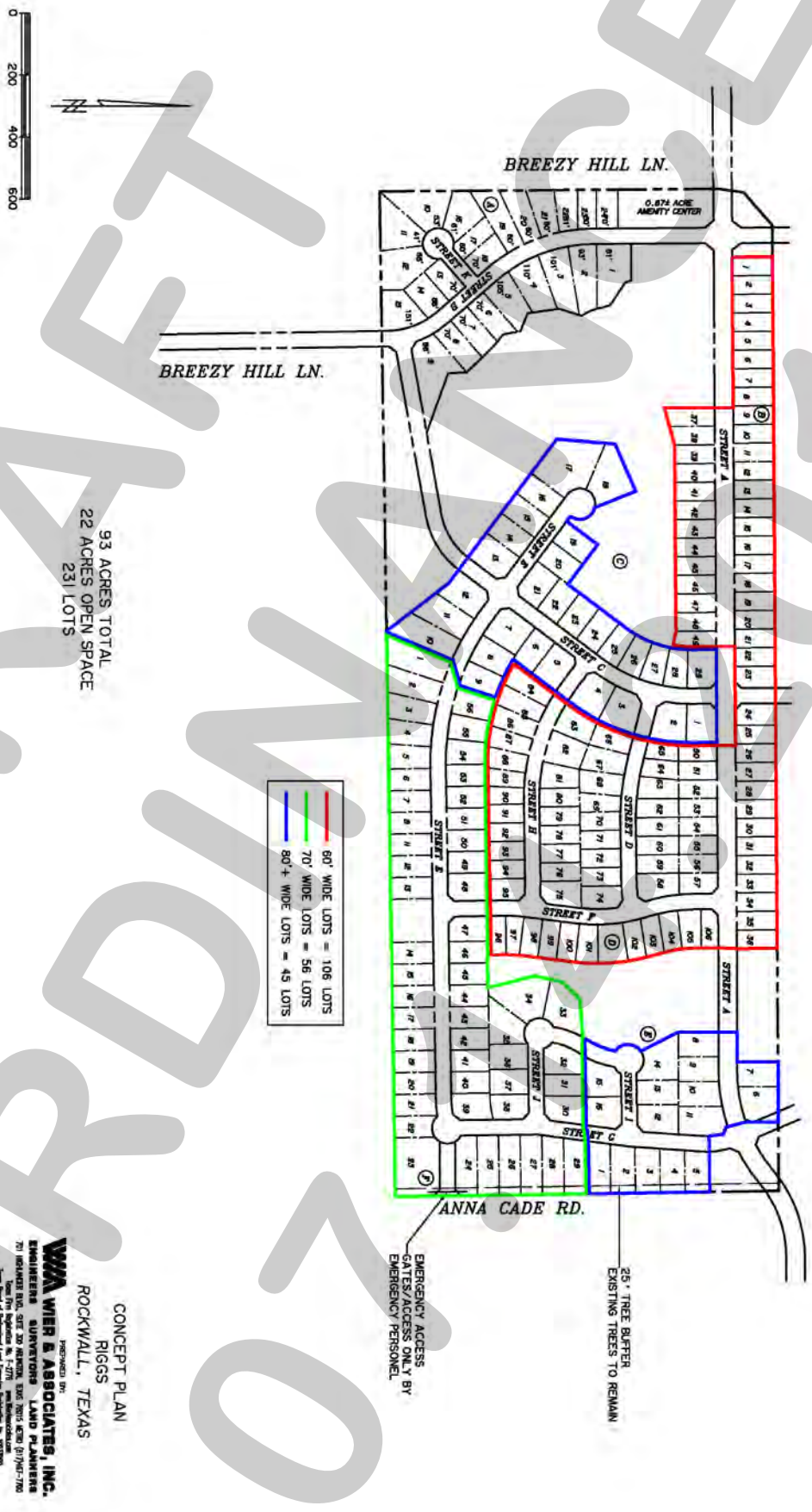
THENCE North 88 degrees 07 minutes 34 seconds East with the most easterly South line of said Kang tract, a distance of 549.32 feet to a ½ inch iron rod found (smooth) for corner;

THENCE South 79 degrees 54 minutes 40 seconds East with the most easterly South line of said Kang tract, a distance of 21.57 feet to a ½" iron rod found for corner at the projection of the center of Anna Cade Road, said point also being an interior corner of said Riggs tract;

THENCE South 00 degrees 29 minutes 09 seconds East along Anna Cade Road and with the most southerly East line of said Riggs tract, a distance of 1272.76 feet to the POINT OF BEGINNING and containing 93.00 acres of land.

The Company is prohibited from insuring the area or quantity of the land described herein. Therefore, the Company does not represent that the acreage or square footage calculations are correct. References to quantity are for informational purposes only.

Exhibit 'B':
Concept Plan



DRAFT ORDINANCE 07-2015

Exhibit 'C':
PD Development Standards

A. GENERAL REQUIREMENTS

Development Standards.

1. *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 10 (SF-10) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.

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

Table 1: Lot Composition

Lot Type	*Minimum Lot Size (FT)*	*Minimum Lot Size (SF)*	*Dwelling Units (#)*	*Dwelling Units (%)*
A	60' x 120'	7,000 SF	116	50.22%
B	70' x 120'	8,400 SF	62	26.84%
C	80' x 125'	10,000 SF	53	22.94%
	Average Lot Size:	~8,000 SF		
		Maximum Permitted Units:	*231*	*100.00%*

3. *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development ordinance, the development standards stipulated by the Single Family 10 (SF-10) District, as specified by Article V, *District Development Standards*, of the Unified Development Code are applicable to all development on the *Subject Property.* The maximum permissible density for the *Subject Property* shall not exceed *2.50* dwelling units per gross acre of land; however, in no case should the proposed development exceed *231* units. All lots shall conform to the standards depicted in *Table 2*, which is as follows:

Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ▶	***A***	***B***	***C***
Minimum Lot Width/Frontage [1]	60'	70'	80'
Minimum Lot Depth	120'	120'	125'
Minimum Lot Area	7,000 SF	8,400 SF	10,000 SF
Minimum Front Yard Setback [3]	20'	20'	20'
Minimum Side Yard Setback	5'	5'	5'
Minimum Side Yard Setback (Adjacent to a Street)	10'	10'	10'
Minimum Length of Driveway Pavement	20'	20'	20'
Maximum Height	32'	36'	36'
Minimum Rear Yard Setback	10'	10'	15'
Minimum Area/Dwelling Unit (SF) [2]	2,200 SF	2,400 SF	2,600 SF
Maximum Lot Coverage	65%	65%	65%

General Notes:

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

[2]: A maximum of 20% of the lots may have homes not less than 2,500 SF.

[3]: The Director of Planning or his designee may grant a reduction in the required 20-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 20-foot front yard building setback would create an undue hardship on the property.

DRAFT ORDINANCE

4. *Building Standards.* All development shall adhere to the following building standards:

   (a) Masonry Requirement. The minimum masonry requirement for the exterior façades of all buildings shall be 90%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementaceous fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) may be used for up to 50% of the masonry requirement.

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

   (c) Garage Orientation. Garages shall be oriented in a *traditional swing* (or *j-swing*) or in a front entry configuration. If a front entry garage configuration is utilized, that garage shall be located a minimum of 20-feet behind the front façade of the primary structure. On *traditional swing* (or *j-swing*) garages a second single garage door facing the street is permitted if it is located behind the width of the double garage door. A minimum number of three (3) car garages shall be provided for each lot type as depicted in *Table 3* below.

Table 3: Three (3) Car Garages

Lot Type	*Minimum Lot Size*	*# of 3-Car Garages [% (#)]*
A	60' x 120'	33% (35)
B	70' x 120'	33% (20)
C	80' x 125'	80% (44)

5. *Anti-Monotony Restrictions.* The development shall adhere to the *Anti-Monotony Matrix* depicted in *Table 4* below (*for spacing requirements see Illustrations 1 & 2 on the next page*).

Table 4 : Anti-Monotony Matrix

Lot Type	*Minimum Lot Size*	*Elevation Features*
A	60' x 120'	(1), (2), (3), (4)
B	70' x 120'	(1), (2), (3), (4)
C	80' x 125'	(1), (2), (3), (4)

   (1) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least four (4) intervening homes of differing materials on the same side of the street beginning with the adjacent property and two (2) intervening homes of differing materials on the opposite side of the street.

   (2) Front building elevations shall not repeat along any block face without at least four (4) intervening homes of differing appearance on the same side of the street and two (2) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on Anna Cade Road shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

   (a) Number of Stories
   (b) Permitted Encroachment Type and Layout
   (c) Roof Type and Layout
   (d) Articulation of the Front Façade

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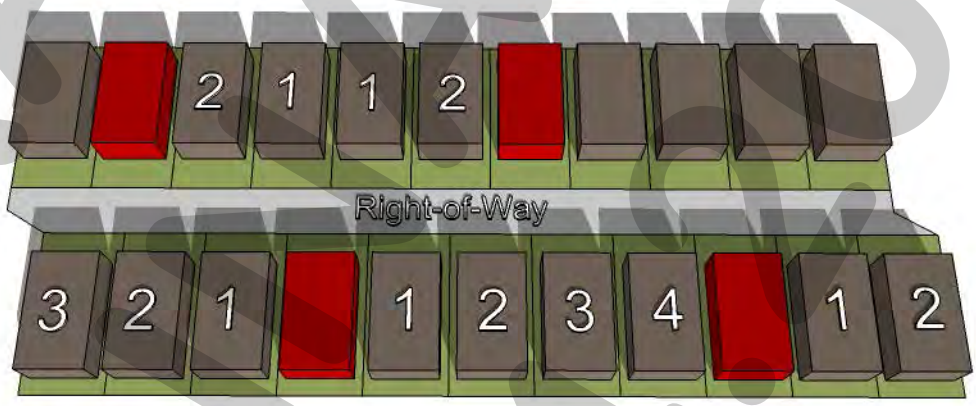
(3) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

Illustration 1: Properties line up on the opposite side of the street. Where RED are the same.



Illustration 2: Properties do not line up on opposite side of the street. Where RED are the same.



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

(a) Wood Fences. All wood fences shall be constructed of a standard fencing material (*minimum of ½" thickness or better; spruce fencing will not be allowed*), and use fasteners that are hot dipped galvanized or stainless steel. Wood fences facing onto a street shall be painted and/or stained and sealed with all pickets being placed on the *public side* facing the street. All wood fences shall be smooth-finished, free of burs and splinters, and be a maximum of six (6) feet in height.

(b) Wrought Iron/Tubular Steel. Lots located along the perimeter of roadways, abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height.

(c) Corner Lots. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

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

7. *Landscape and Hardscape Standards.*

(1) *Landscape.* Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within this development, unless specifically provided by this PD Ordinance, shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height. The following tree species are approved for planting within this subdivision:

(a) *Canopy/Shade Trees*. Bald Cyprus, Cedar Elm, Texas Red Oak, Homestead Elm, Lace Bark Elm, Alle Elm, Chinese Pistachio, Shumard Oak, Sycamore, and Burr Oak.

(b) *Accent/Ornamental/Under-Story Trees*. Texas Redbud, Eve's Necklace, Mexican Plum, Downy Hawthorn, Crepe Myrtle, Texas Mountain Laurel, Vitex, and Desert Willow.

(2) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).

(a) *Landscape Buffer (Anna Cade Road).* A minimum of a 20-foot landscape buffer shall be provided along the frontage of Anna Cade Road (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least one (1), three (3) inch canopy tree shall be planted per 50-feet of linear frontage.

(3) *Streetscape Landscaping.* Prior to the issuance of a Certificate of Occupancy (CO), all residential, single family lots situated within the proposed subdivision shall be landscaped with canopy trees from the list stipulated by *Section 7(1)* of this ordinance in the following sizes and proportions:

(i) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.
(ii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two (2), three (3) inch caliper trees shall be planted in the side yard facing the street.

Note: For the purposes of this section only [i.e. Section 7(3)], the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.

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

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

DRAFT ORDINANCE 04.20.15

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

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

10. *Sidewalks.* At a minimum, all sidewalks located on lay down curb section streets shall begin four (4) feet behind the back of curb and be five (5) feet in overall width.

11. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (*i.e. 3-phase lines*), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The *Developer* shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

12. *Open Space.* The development shall consist of a minimum of 20% open space (*or 18.6-acres; calculation below*), and generally conform to the *Concept Plan* contained in *Exhibit 'B'* of this ordinance. The Homeowner's Association (HOA) shall maintain all open space areas.

    Net Open Space = Buffer Strips + (Floodplain/2) + Open Space (Outside of Floodplain)

13. *Neighborhood Signage.* Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision and shall generally conform to the signage depicted in *Figures 1 & 2* (*depicted on the next page*). Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.

See the Illustrations on the following page.

DRAFT ORDINANCE 07.14.2015

Figure 1: *Example of Subdivision Signage Locations*

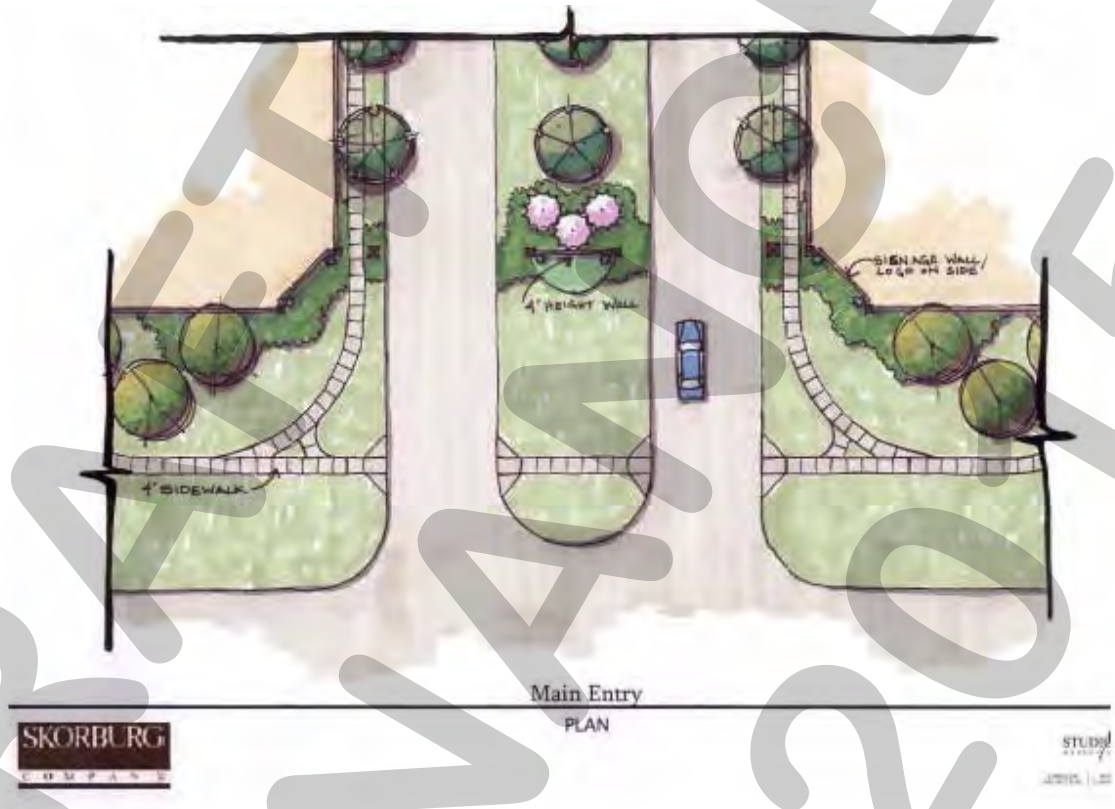
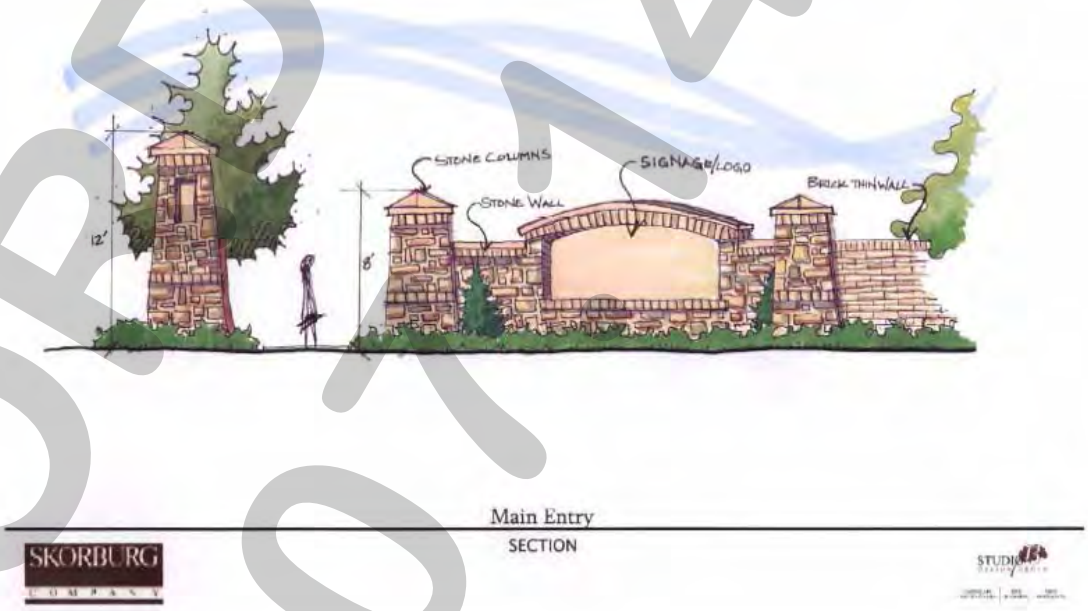


Figure 2: *Example of Subdivision Signage Design Standard*



DRAFT ORDINANCE 04.14.2015

14. *Amenity Center.* A site plan, landscape plan and building elevations for the Amenity Center shall be subject to site plan approval by the Planning and Zoning Commission prior to construction.

15. *Homeowner's Association (HOA)*. A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the *Municipal Code of Ordinances* of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, amenity centers, screening fences associated with this development.

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

DRAFT ORDINANCE 07.14.2015

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 07/20/15

APPLICANT: Wayne Mershawn of Mershawn Architects

AGENDA ITEM: **Z2015-020**; Life Springs Church - SUP

Hold a public hearing to discuss and consider a request by Wayne Mershawn of Mershawn Architects on behalf of Rex Walker of Life Springs Church for the approval of a Specific Use Permit (SUP) for a church in an Agricultural (AG) District for a seven (7) acre portion of a larger 28.881-acre tract of land identified as Tract 15-01 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Corridor Overlay (SH 205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King Boulevard and SH-205, and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Wayne Mershawn of Mershawn Architects, is requesting a Specific Use Permit (SUP) to allow for an institutional and community service use within an Agricultural (AG) District and more specifically a C*hurch* development on an approximately 7-acre portion of a larger 28.881-acre tract of land. The property is situated on the north side of John King Boulevard and is east of the intersection of SH-205 and John King Boulevard. The property is also located within the SH-205 By-Pass Corridor Overlay (SH 205 BY-OV) District. Should the SUP be approved, *Life Spring Church* intends to develop an approximately 25,000 sq. ft. facility and may expand the site in the future.

The surrounding properties to the north, west, and south are unplatted tracts of land and are zoned AG districts. The property east of this location is zoned PD-74 and is a single family residential subdivision known as the Breezy Hill Phase IV Addition. Although a *Church* on its own may be considered an appropriate land use adjacent to the primarily single-family residential uses east of this location, many of the uses permitted in non-residential zoning districts (i.e. General Retail or Commercial) may not be considered appropriate; therefore, the property should maintain its AG zoning classification supported by the SUP to allow for a C*hurch* use. This will assure consistency with the Future Land Use Plan which has the area designated for Low Density Residential (LDR) land uses.

Included in your packet is a legal description of the property and a conceptual site plan for your review. The request for the SUP does have merit based on the surrounding properties zoning classifications compatibility with a C*hurch* use; however, a request for an SUP is a discretionary act upon the Planning and Zoning Commission and City Council.

NOTIFICATION:

Staff mailed six (6) notices to property owners within 500 feet of the subject property; however, there are no HOA/Neighborhood Organization within 1500 feet participating in the notification program. Additionally, staff posted a sign on the property as required by the Unified Development Code (UDC). At the time this report was drafted, staff has received one (1) notice "opposed to" the zoning change request.

RECOMMENDATIONS:

Should the Specific Use Permit be approved, staff would offer the following conditions of approval:

1) That adherence to Engineering and Fire Department standards shall be required.

2) That the proposed conceptual site plan should be used only for the purpose of establishing a boundary that will incorporate a 7.0-acre tract of land as depicted for church purposes.

3) That future site plan submittal and approval shall be required, including Architectural Review and adherence to all standards specified in the 205 By-Pass Corridor Overlay district and other applicable sections of the Unified Development Code.

4) That submittal and approval of engineering plans, and final plat shall be required prior to issuance of a Certificate of Occupancy.

Planning and Zoning Commission Recommendation:

On July 14, 2015, the Planning and Zoning Commission recommended approval of the SUP request with staff conditions by a vote of 7 to 0.



City of Rockwall

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

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

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City of Rockwall

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

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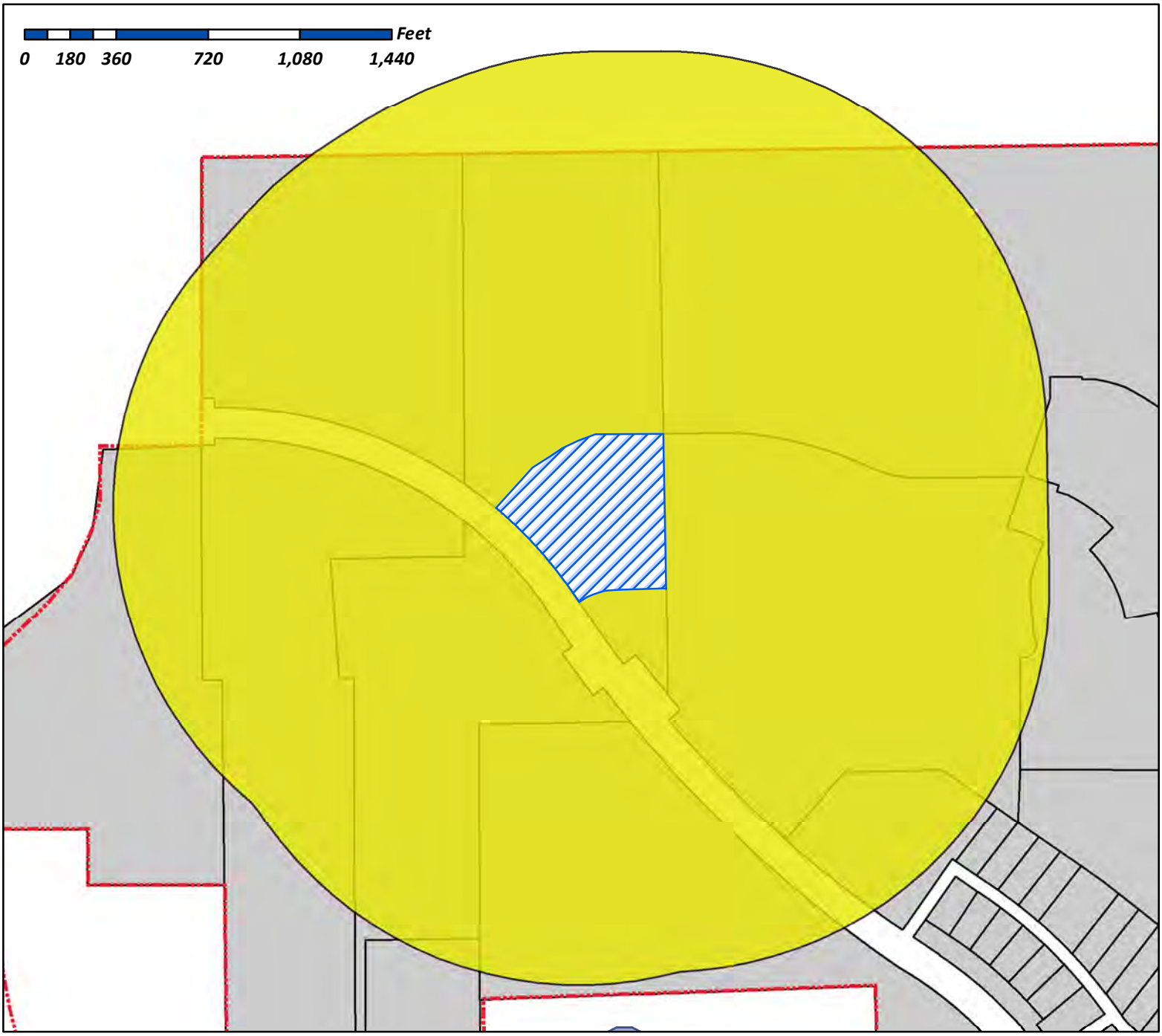
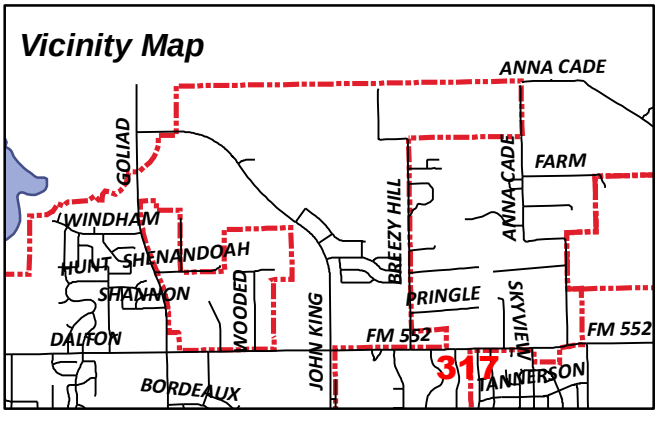


Case Number: Z2015-020
Case Name: Specific Use Permit
Case Type: What is the case type?
Zoning: AG
Case Address: NE corner of John King Blvd and Life Springs

Date Created: *06/16/2015*
For Questions on this Case Call (972) 771-7745



City of Rockwall

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

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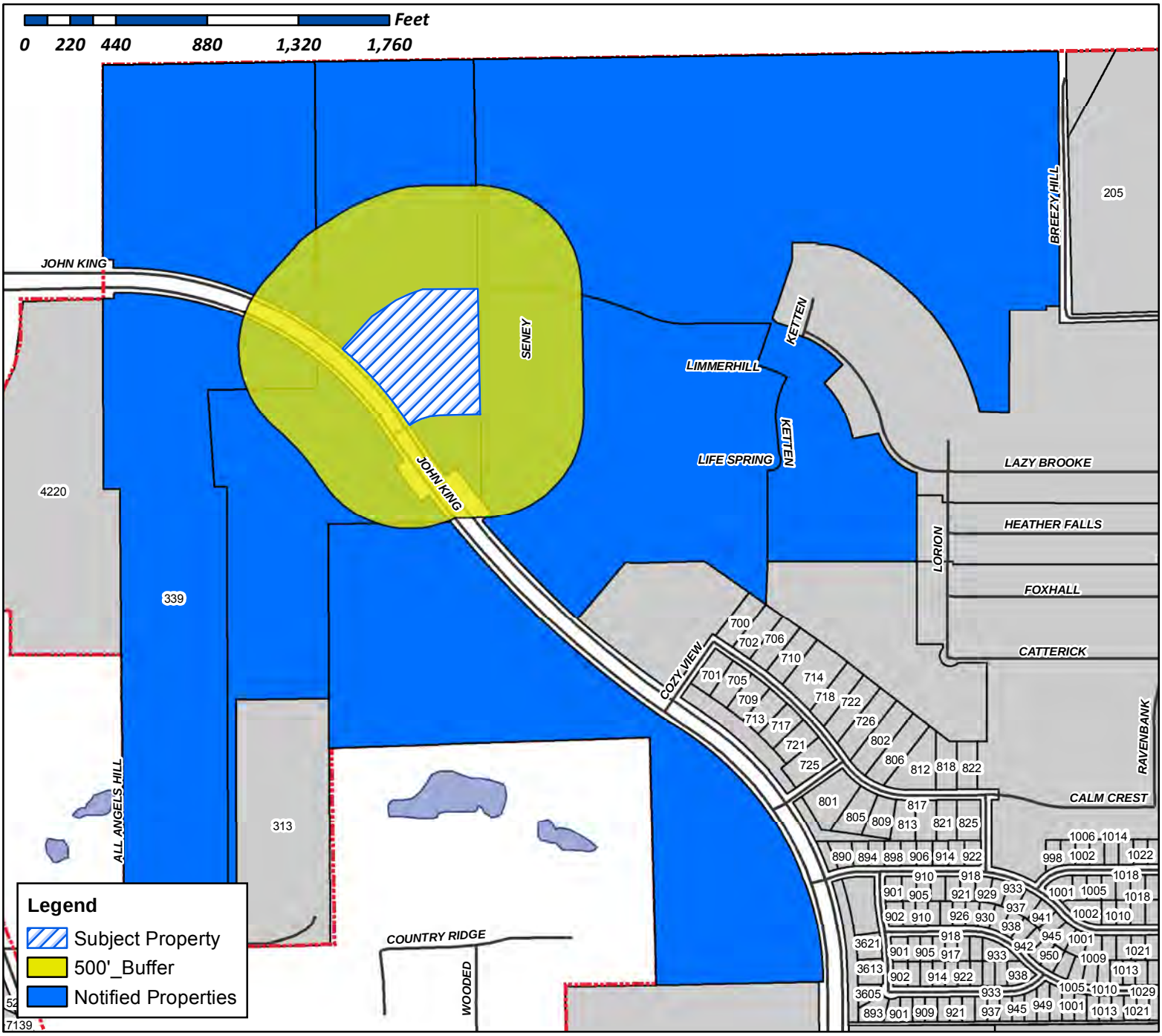
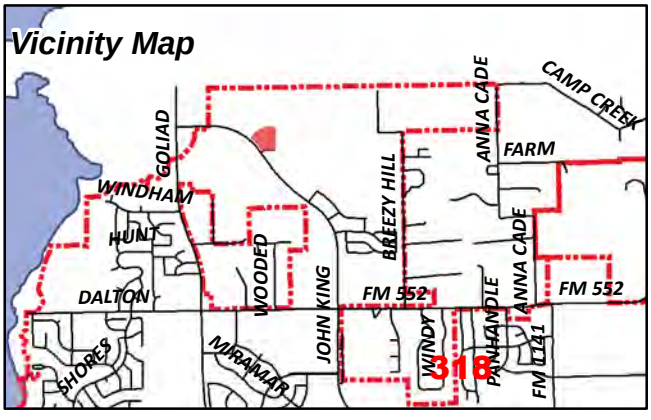


Case Number: Z2015-020
Case Name: Life Spring Church
Case Type: Specific Use Permit
Zoning: AG
Case Address: NE corner of John King Blvd and Life Spring

Date Created: *06/16/2015*
For Questions on this Case Call (972) 771-7745



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

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

To Whom It May Concern:

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

Case No. Z2015-020: Life Spring Church

Hold a public hearing to discuss and consider a request by Wayne Mershawn of Mershawn Architects on behalf of Rex Walker of Life Springs Church for the approval of a Specific Use Permit (SUP) for a church in an Agricultural (AG) District for a seven (7) acre portion of a larger 28.881-acre tract of land identified as Tract 15-01 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Corridor Overlay (SH 205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King Boulevard and SH-205, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 7/14/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 7/20/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **7/20/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2015-020: Life Spring Church

Please place a check mark on the appropriate line below:

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

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

Name:

Address:

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

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

CLARK BRUCE A & ROSE R
313 SHENNENDOAH LN
ROCKWALL, TX 75087

CURRENT RESIDENT
339 ALL ANGELS HILL
ROCKWALL, TX 75087

BH BALANCE III LLC
8214 WESTCHESTER DRIVE
SUITE 710
DALLAS, TX 75225

BH PHASE IV SF LTD
8214 WESTCHESTER DRIVE
SUITE 710
DALLAS, TX 75225

LIFE SPRING CHURCH
P O BOX 886
ROCKWALL, TX 75087

SHENNENDOAH REAL ESTATE PARTNERS
PO BOX 941428
PLANO, TX 75094

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PLEASE RETURN THE BELOW FORM

Case No. Z2015-020: Life Spring Church

Please place a check mark on the appropriate line below:

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

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

Traffic and noise problems that will interfere with our use of our property and future development, reducing the value.

Name: Mike A. Thomas Manager of Shannendoah Real Estate Partners, LP

Address: P.O. Box 941428 Plano, TX 75094

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

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

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CITY OF ROCKWALL

ORDINANCE NO. 15-___

SUP NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A "CHURCH" WITHIN AN AGRICULTURAL (AG) DISTRICT, BEING A 7.00-ACRE PORTION OF A LARGER 28.881-ACRE TRACT OF LAND IDENTIFIED AS TRACT 15-01 OF THE J. STRICKLAND SURVEY, ABSTRACT NO. 187, AND GENERALLY LOCATED ON THE NORTH SIDE OF JOHN KING BOULEVARD EAST OF THE INTERSECTION OF JOHN KING BOULEVARD AND SH-205, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Wayne Mershawn of Mershawn Architects on behalf of Rex Walker of Life Springs Church for the approval of a Specific Use Permit (SUP) allowing for a "*Church*" within an Agricultural (AG) District, being a 7.00-acre portion of a larger 28.881-acre tract of land identified as Tract 15-01 of the J. Strickland Survey, Abstract 187, and generally located on the north side of John King Boulevard and SH-205, City of Rockwall, Rockwall County, Texas, and more specifically described in Exhibit "A" of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit for a "*Church*" within the Agricultural (AG) District for the *Subject Property*; and

Section 2. That the Specific Use Permit shall be subject to the requirements as set forth in ***Article V, Section 2.1, Agricultural (AG) District*** of the City of Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions:

2.1 Operational Conditions

The following conditions pertain to the operation of a *Church* on the *Subject Property* and conformance to these stipulations is required for continued operations:

1) That adherence to Engineering and Fire Department standards shall be required, and

2) That the proposed conceptual site plan should be used only for the purpose of establishing a boundary that will incorporate a 7.0-acre tract of land as depicted in Exhibit 'B' of this ordinance, and

3) That future site plan submittal and approval shall be required, including Architectural Review and adherence to all standards specified in the 205 By-Pass Corridor Overlay district and other applicable sections of the Unified Development Code, and

4) That submittal and approval of engineering plans, and final plat shall be required prior to issuance of a Certificate of Occupancy, and

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

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

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

Section 6. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code No. 04-38 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this ___ day of _____, 2015.

Jim Pruitt*, Mayor*

ATTEST:

Kristy Ashberry*, City Secretary*

DRAFT

APPROVED AS TO FORM:

_____

Frank Garza, *City Attorney*

1st Reading: _____

2nd Reading: _____

DRAFT

Exhibit 'A' - Legal Description

DESCRIPTION OF 6.9946 ACRES

BEING a tract of land situated in the JOSEPH STRICKLAND SURVEY, ABSTRACT NO. 187, Rockwall, Rockwall County, Texas, and being part of that certain 31.012 acre tract of land conveyed from Bruce A. Clark and Rose R. Clark to Life Spring Church, a Texas nonprofit corporation, by Warranty Deed With Vendor's Lien ("LSWD") recorded in Volume 6934, Page 206 of the Official Public Records of Rockwall County, Texas ("OPRRCT"), and being more particularly described as follows:

Basis of bearings is Grid North of the Texas Coordinate System of 1983 (North Central Zone 4202, NAD83);

BEGINNING at 5/8" iron rod with yellow plastic cap set ("5/8" YCIRS") for corner in the northeasterly right-of-way line of John King Boulevard (120' R.O.W.) as described in Warranty Deed to the City of Rockwall, Texas, recorded in Volume 5364, Page 123 of the OPRRCT, and also being in a curve to the left and concave to the southwest, said curve having a central angle of 14°38'17", a radius of 1,660.00', and a chord which bears N 42°34'31" W a distance of 422.95';

THENCE northwesterly with said curve to the left and northeasterly right-of-way line an arc distance of 424.10 feet to a 5/8" YCIRS for corner;

THENCE North 45 deg. 36 min. 28 sec. West a distance of 431.07 feet to a 5/8" YCIRS for corner;

THENCE North 89 deg. 11 min. 22 sec. East a distance of 346.65 feet to a 5/8" YCIRS for corner in the east line of said 31.012 acre tract and west line of Tract 1 as described in Special Warranty Deed With Vendor's Lien to BH Balance III LLC, a Texas limited liability company, recorded in County Clerk Instrument No. 20130000498889 of the OPRRCT, and also being in the west line of Block D of Breezy Hill Phase IV, an addition to the City of Rockwall, Texas as recorded in County Clerk Instrument No. 20150000003964;

THENCE South 00 deg. 52 min. 30 sec. East with said east line of said 31.012 acre tract and west line of said Tract 1 and Block D, a distance of 597.62 feet to a 5/8" YCIRS for corner in the north right-of-way line of Life Spring Drive (variable R.O.W.) as described in Right-Of-Way Plat of Life Spring Drive, recorded in County Clerk Instrument No. 20140000004816 of the OPRRCT, said rod corner being in a curve to the left, said curve being concave to the south and having a central angle of 02°37'29", a radius of 850.00', and a chord which bears N 89°26'27" W a distance of 38.93';

THENCE westerly with said curve to the left and north right-of-way line an arc distance of 38.94 feet to a 5/8" YCIRS for corner and PT of said curve;

THENCE South 89 deg. 14 min. 49 sec. West with said north right-of-way line 152.28 feet to a 5/8" YCIRS for corner and PC of a curve to the left, said curve being concave to the south and having a central angle of 5°25'24", a radius of 275.00', and a chord which bears S 86°32'09" W a distance of 26.02';

THENCE westerly with said curve to the left and north right-of-way line an arc distance of 26.03 feet to a 5/8" YCIRS for corner and point of reverse curve to the right, said curve being concave to the north and having a central angle of 14°46'00", a radius of 90.50', and a chord which bears N 88°47'28" W a distance of 23.26';

THENCE westerly with said curve to the right and north right-of-way line an arc distance of 23.32 feet to a 5/8" YCIRS for corner and point of reverse curve to the left, said curve being concave to the southeast and having a central angle of 31°16'08", a radius of 109.50', and a chord which bears S 82°57'31" W a distance of 59.02';

THENCE southwesterly with said curve to the left and northerly right-of-way line an arc distance of 59.76 feet to a 5/8" YCIRS for corner and point of compound curve to the left, said curve being concave to the southeast and having a central angle of 08°07'31", a radius of 289.00', and a chord which bears S 63°15'40" W a distance of 40.95';

THENCE southwesterly with said curve to the left and northerly right-of-way line an arc distance of 40.98 feet to a 5/8" YCIRS for corner and easterly terminus of a northerly right-of-way clip;

THENCE North 79 deg. 14 min. 38 sec. West with the said northerly right-of-way clip 42.80 feet to the PLACE OF BEGINNING, and containing 304,687 square feet or 6.9946 acres of land, more or less.

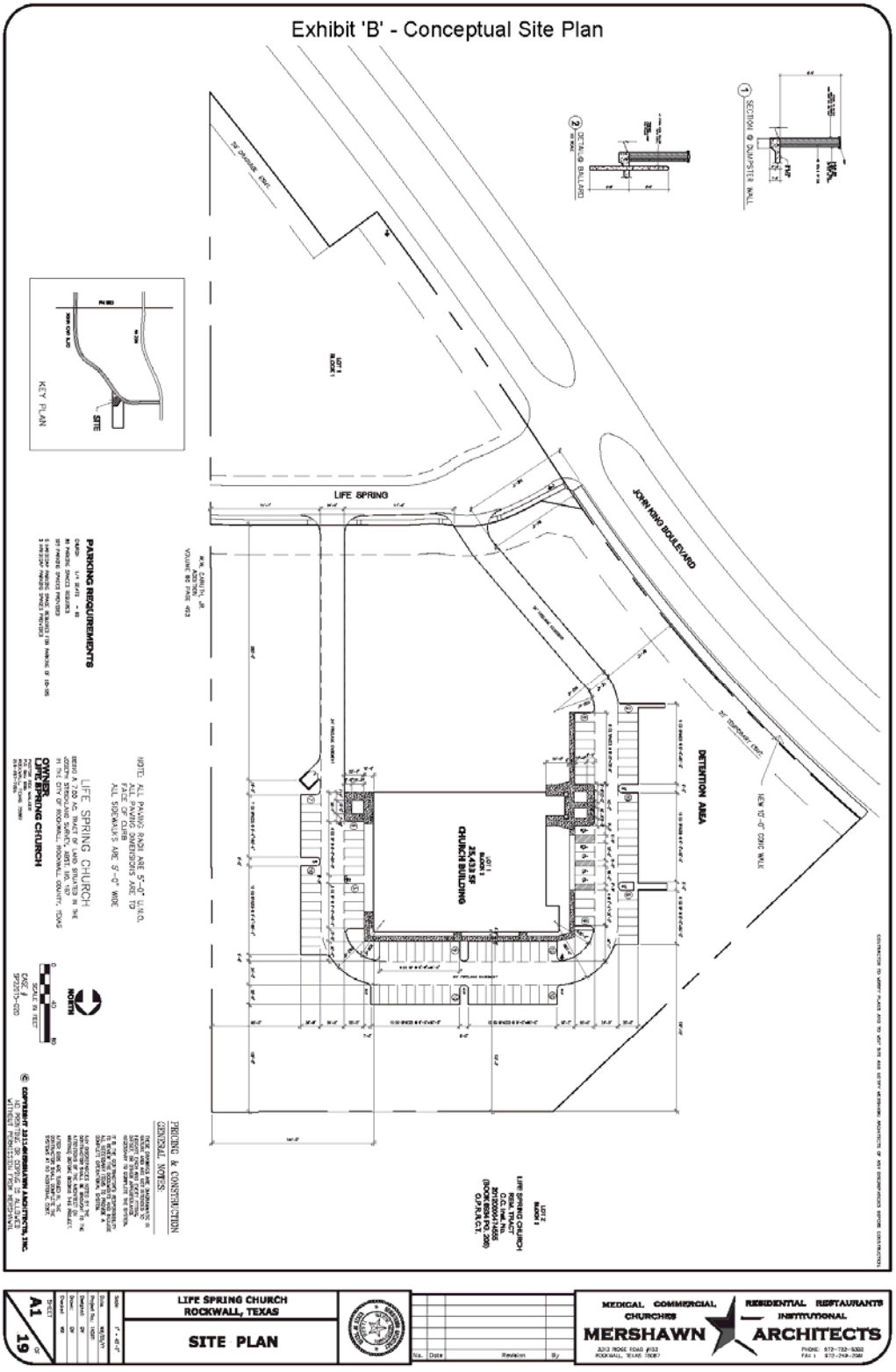
Exhibit 'B' - Conceptual Site Plan
LIFE SPRING
JOHN KING BOULEVARD
DETENTION AREA
LOT 1
BLOCK 1
25,433 SF
CHURCH BUILDING
PARKING REQUIREMENTS
LIFE SPRING CHURCH
OWNER
LIFE SPRING CHURCH
LIFE SPRING CHURCH
ROCKWALL, TEXAS
SITE PLAN
MERSHAWN
ARCHITECTS

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 07/20/15

APPLICANT: Sam Ellis of Dallas Design Build

AGENDA ITEM: **Z2015-021**; Children's Lighthouse (Daycare Facility) - SUP

Hold a public hearing to discuss and consider a request by Sam Ellis on behalf of the owner, the George Dewoody Estate, for the approval of a Specific Use Permit (SUP) for a daycare facility in an Agricultural (AG) District for a two (2) acre parcel of land identified as Lot 1 of the Dewoody Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the North SH-205 Corridor Overlay (N SH-205 OV) District, addressed as 3011 N. Goliad Street [*SH-205*], and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Sam Ellis of Dallas Design Build, is requesting a Specific Use Permit (SUP) to allow for an institutional and community service use within an Agricultural (AG) District and more specifically a *Day Care* facility on a 1.940-acre tract of land. Currently, the property has a single family residence on site that will be demolished. The property is situated on the west side of North Goliad Street, just north of the intersection of North Lakeshore at 3011 N. Goliad. The property is also located within the North SH-205 Corridor Overlay (N SH-205 OV) District. Should the SUP be approved, Children's Lighthouse intends to develop an approximately 7,641 sq. ft. facility thereby expanding their existing operation that is adjacent to this site.

The surrounding properties to the east, west, and south are primarily zoned Planned Development districts for a mix of single family residential and non-residential properties. The property north of this location is zoned SFE-1.5 and has a single family residential home on the site. Although a *Day Care* facility may on its own be considered an appropriate land use in an AG zoning district with an SUP, a commercially zoned property would allow other uses that may not be considered appropriate with regard to the adjacent land uses; therefore, the property should maintain its AG zoning classification supported by the SUP to allow for the *Day Care* facility. This will assure consistency with the Future Land Use Plan which has the area designated for Medium Density Residential (MDR) land uses.

Included in your packet is a letter requesting the SUP, a legal description of the property, a land title and improvement survey, and a concept plan for your review. The request for the SUP does have merit based on the surrounding properties zoning classifications compatibility with a *Day Care* facility use; however, a request for an SUP is a discretionary act upon the Planning and Zoning Commission and City Council.

NOTIFICATION:

Staff mailed sixty-six (66) notices to property owners within 500 feet of the subject property and has e-mailed five (5) HOA/Neighborhood Organizations (The Shores/Ray Hubbard, Random

Oaks/Shores, Stone Creek, Quail Run Valley, and Lakeview Summit) within 1500 feet that are participating in the notification program. Additionally, staff posted a sign on the property as required by the Unified Development Code (UDC). At the time this report was drafted, staff has received two (2) notices "in favor of" the zoning change request.

RECOMMENDATIONS:

Should the Specific Use Permit be approved, staff would offer the following conditions of approval:

1) That adherence to Engineering and Fire Department standards shall be required.

2) That future site plan submittal and approval shall be required, including Architectural Review and adherence to all standards specified in the North SH 205 Corridor Overlay district and other applicable sections of the Unified Development Code (UDC).

3) That the proposed conceptual site plan shall be used only for the purpose of establishing a general layout of the daycare facility as depicted on a 1.940-acre tract of land.

4) That the use for a daycare facility as requested shall allowed on the 1.940-acre tract of land.

5) That submittal and approval of engineering plans, and final plat shall be required prior to issuance of a Certificate of Occupancy.

Planning and Zoning Recommendation:

On July 14, 2015, the Planning and Zoning Commission recommended approval of the SUP request with staff conditions by a vote of 7 to 0.



City of Rockwall

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

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

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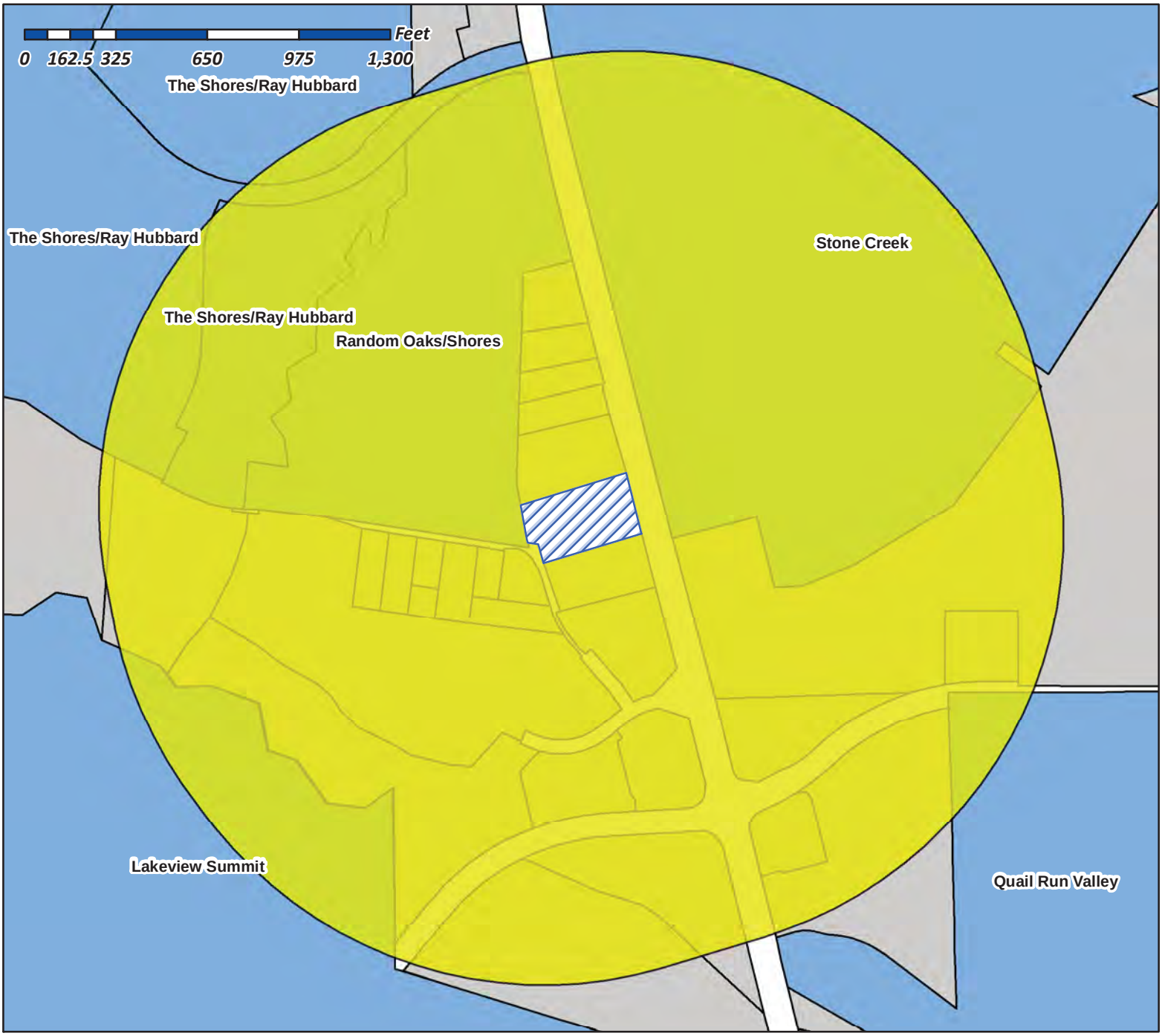
City of Rockwall

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

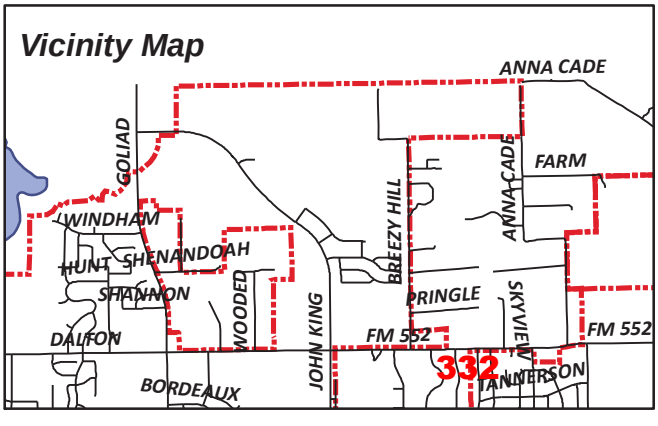
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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



Case Number: Z2015-021
Case Name: Children's Lighthouse
Case Type: Specific Use Permit
Zoning: AG
Case Address: 3011 N. Goliad

Date Created: ***06/17/2015***

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



Miller, Ryan

From: Morales, Laura
Sent: Monday, June 22, 2015 1:47 PM
To: [redacted]
Subject: Neighborhood Notification Program: Notice of Zoning Request

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that will be published in the Rockwall Herald Banner on June 26th, 2015. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at http://www.rockwall.com/planning/planningDevCases.asp.

Z2015-021 -Hold a public hearing to discuss and consider a request by Sam Ellis on behalf of the owner, the George Dewoody Estate, for the approval of a Specific Use Permit (SUP) for a daycare facility in an Agricultural (AG) District for a two (2) acre parcel of land identified as Lot 1 of the Dewoody Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the North SH-205 Corridor Overlay (N SH-205 OV) District, addressed as 3011 N. Goliad Street [SH-205], and take any action necessary

If this email is reaching you in error, please forward it to your HOA or neighborhood group representative and update the contact information at http://www.rockwall.com/planning/hoa.asp.

Sincerely,

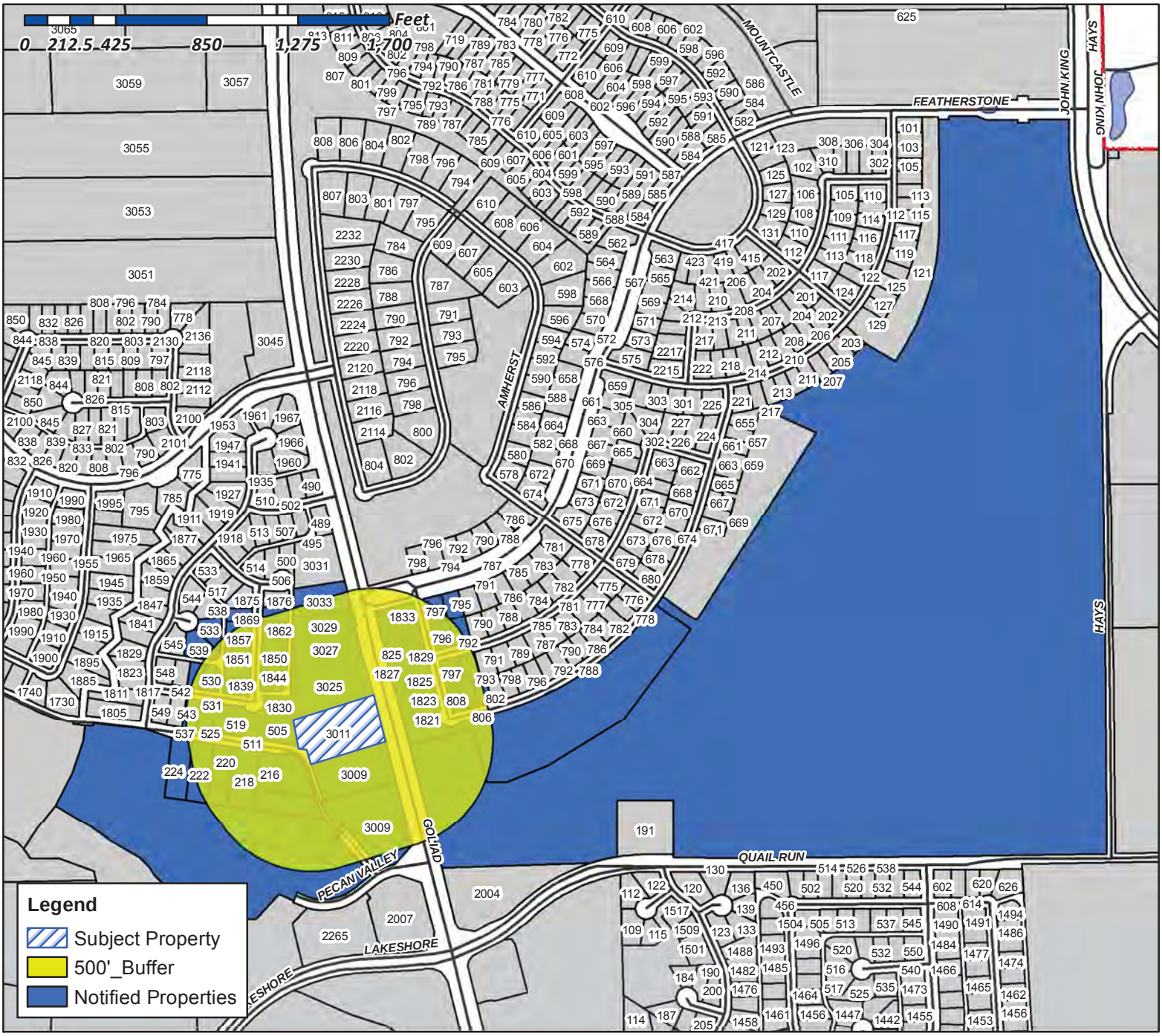
Planning Staff

City of Rockwall
Planning & Zoning Department
972.771.7745
planning@rockwall.com

City of Rockwall

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

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



Case Number: Z2015-021
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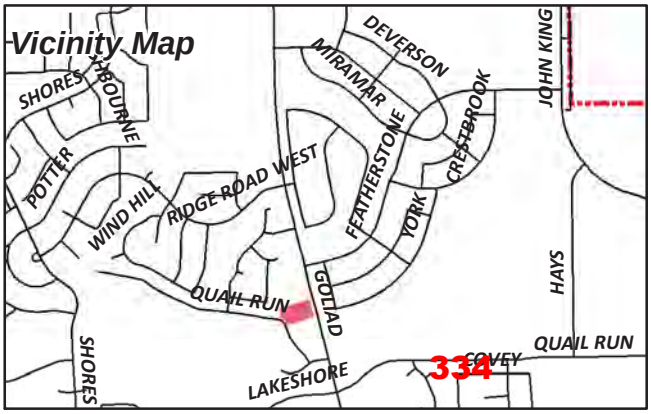

Date Created: 06/17/2015
For Questions on this Case Call (972) 771-7745

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

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

To Whom It May Concern:

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

Case No. Z2015-021: Children's Lighthouse Addition

Hold a public hearing to discuss and consider a request by Sam Ellis on behalf of the owner, the George Dewoody Estate, for the approval of a Specific Use Permit (SUP) for a daycare facility in an Agricultural (AG) District for a two (2) acre parcel of land identified as Lot 1 of the Dewoody Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the North SH-205 Corridor Overlay (N SH-205 OV) District, addressed as 3011 N. Goliad Street [SH-205], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 7/14/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 7/20/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **7/20/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2015-021: Children's Lighthouse Addition

Please place a check mark on the appropriate line below:

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

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

Name:

Address:

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

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

DEWOODY GEORGE ET UX
114 MAPLERIDGE DR
ROCKWALL, TX 75032

M REA PROPERTIES 2 LLC
1234 TRALEE LN
GARLAND, TX 75044

CHILTON ROBERT B
1440 OAKLAWN DR
CORISCANA, TX 75110

CURRENT RESIDENT
1821 HAINSWORTH DR SUITE 710
ROCKWALL, TX 75087

CURRENT RESIDENT
1823 HAINSWORTH DR SUITE 710
ROCKWALL, TX 75087

CURRENT RESIDENT
1825 HAINSWORTH DR
ROCKWALL, TX 75087

MORGAN RAYMOND L JR AND STEPHANIE L
1826 HAINSWORTH DR
ROCKWALL, TX 75087

COMPTON BRADFORD D AND REBECCA
1827 HAINSWORTH DR
ROCKWALL, TX 75087

HUA ALEXANDER AND THU THUY
1829 HAINESWORTH DR
ROCKWALL, TX 75087

SLOAN CHRISTOPHER A & MISTI D
1830 OAK BEND DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
1831 HAINSWORTH DR STE 710
ROCKWALL, TX 75087

CURRENT RESIDENT
1833 HAINSWORTH DR STE 710
ROCKWALL, TX 75087

HORNER STEPHEN R & DARLA SMITH
1838 OAK BEND DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1839 OAK BEND DR
ROCKWALL, TX 75087

MULLET STEPHEN PAUL
1844 OAK BEND DR
ROCKWALL, TX 75087

RAKOW DONALD E JR & RHONDA
1845 OAK BEND DR
ROCKWALL, TX 75087

BELL JEFFREY A & LARISSA
1850 OAK BEND DRIVE
ROCKWALL, TX 75087

DOYLE BRYAN RONALD AND SABINE
1851 OAK BEND DR
ROCKWALL, TX 75087

EUBANKS TERELL N
1856 OAK BEND DR
ROCKWALL, TX 75087

RILEY JORI
1857 OAK BEND DR
ROCKWALL, TX 75087

LEE THERESE M & GREGORY H
1862 OAK BEND DR
ROCKWALL, TX 75087

GARCIA RACHELLE N
1863 OAK BEND DR
ROCKWALL, TX 75087

BURGIN BRADLEY J & LORI E
1868 OAK BEND DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1869 OAK BEND DR SUITE 350
ROCKWALL, TX 75087

ARKOMA DEVELOPMENT LLC
203 E INTERSTATE 30
ROCKWALL, TX 75087

ARKOMA DEVELOPMENT LLC
203 E INTERSTATE 30
ROCKWALL, TX 75087

DEAN LANTY W & MARY F
216 W QUAIL RUN RD
ROCKWALL, TX 75087

DEAN LANTY W & MARY F
216 W QUAIL RUN RD
ROCKWALL, TX 75087

HYDE TRENT D & DEBRA A
218 W QUAIL RUN RD
ROCKWALL, TX 75087

HUNTER MICHAEL B & VICKIE D
220 W QUAIL RUN RD
ROCKWALL, TX 75087

336

CANADA CECILIA A
222 W QUAIL RUN RD
ROCKWALL, TX 75087

OEXMAN ALVIN H ET UX
224 W QUAIL RUN RD
ROCKWALL, TX 75087

KHATER CHARLES J
23 PRINGLE LN
ROCKWALL, TX 75087

CURRENT RESIDENT
3009 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
3011 N GOLIAD ST
ROCKWALL, TX 75087

CLARK TROY & JANICE
3025 N GOLIAD ST
ROCKWALL, TX 75087

ROSS JODY ALAN & KAREY
3027 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
3029 N GOLIAD ST
ROCKWALL, TX 75087

STORCK CORDIA
3031 N GOLIAD
ROCKWALL, TX 75087

GREER PATRICIA L
3031 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
3033 N GOLIAD ST
ROCKWALL, TX 75087

ARRIAGA HENRY
505 HIDDEN OAK LN
ROCKWALL, TX 75087

JASMAN JAMES BLAKE
511 HIDDEN OAK LN
ROCKWALL, TX 75087

MURRAY NANCY J
519 HIDDEN OAK LN
ROCKWALL, TX 75087

FITZGERALD GLORIA J MCWHIRTER & DON
525 HIDDEN OAK LANE
ROCKWALL, TX 75087

CURRENT RESIDENT
530 HIDDEN OAK LN
ROCKWALL, TX 75087

HANKINS ANGELA &
531 HIDDEN OAK LN
ROCKWALL, TX 75087

THIRION MARK P & ELIZABETH
533 TALL OAKS PL
ROCKWALL, TX 75087

SAPUTA DUANE & MONICA
536 HIDDEN OAK LN
ROCKWALL, TX 75087

COLE MARK A
537 HIDDEN OAK LN
ROCKWALL, TX 75087

WALN IRMA SUE
539 TALL OAKS PL
ROCKWALL, TX 75087

DREES CUSTOM HOMES LP
6225 N ST HWY 161 #150
IRVING, TX 75038

AMERICAN RESIDENTIAL LEASING COMPANY LLC
7047 E GREENWAY PARKWAY SUITE 350
SCOTTSDALE, AZ 85254

CURRENT RESIDENT
794 HANOVER DR STE 710
ROCKWALL, TX 75087

CURRENT RESIDENT
795 FEATHERSTONE DR
ROCKWALL, TX 75087

NURMI DOUGLAS B & LISA R
795 HANOVER DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
796 HANOVER DR STE 710
ROCKWALL, TX 75087

CURRENT RESIDENT
797 FEATHERSTONE DR SUITE 710
ROCKWALL, TX 75087

TUMULTY TIMOTHY M & KIM A
797 HANOVER DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
804 YORK DR SUITE 710
ROCKWALL, TX 75087

337

CURRENT RESIDENT
806 YORK DR SUITE 710
ROCKWALL, TX 75087

CURRENT RESIDENT
808 YORK DR SUITE 710
ROCKWALL, TX 75087

WINDSOR HOMES CUMBERLAND LLC
8214 WESTCHESTER SUITE 710
DALLAS, TX 75225

STONE CREEK SF LTD
8214 WESTCHESTER DR STE 710
DALLAS, TX 75225

STONE CREEK PHASE IV 60S POD LTD
8214 WESTCHESTER DRIVE SUITE 710
DALLAS, TX 75225

CURRENT RESIDENT
825 GOLIAD ST STE 710
ROCKWALL, TX 75087

338

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

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

To Whom It May Concern:

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David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2015-021: Children's Lighthouse Addition

Please place a check mark on the appropriate line below:

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

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

Name: Stephen Mullett

Address: 1844 Oak Bend Dr Rockwall TX 75087

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

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

PLEASE RETURN THE BELOW FORM

Case No. Z2015-021: Children's Lighthouse Addition

Please place a check mark on the appropriate line below:

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

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

1) current Childrens Lighthouse offers good educational program.
2) growth in Rockwall shows need for additional space for good educational program.

Name: Tracy Ross

Address: 3009 N. Goliad Rd Rockwall, Tx 75087

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

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

340

340

Dallas Design Build

6916 Echo Canyon
McKinney, Tx 75070
972-877-6630
Fax: 877-750-4887
E-Mail: sam@dallasdb.com

Friday, June 12, 2015

Robert La Croix
City of Rockwall
Planning Department

Re: 3011 North Goliad

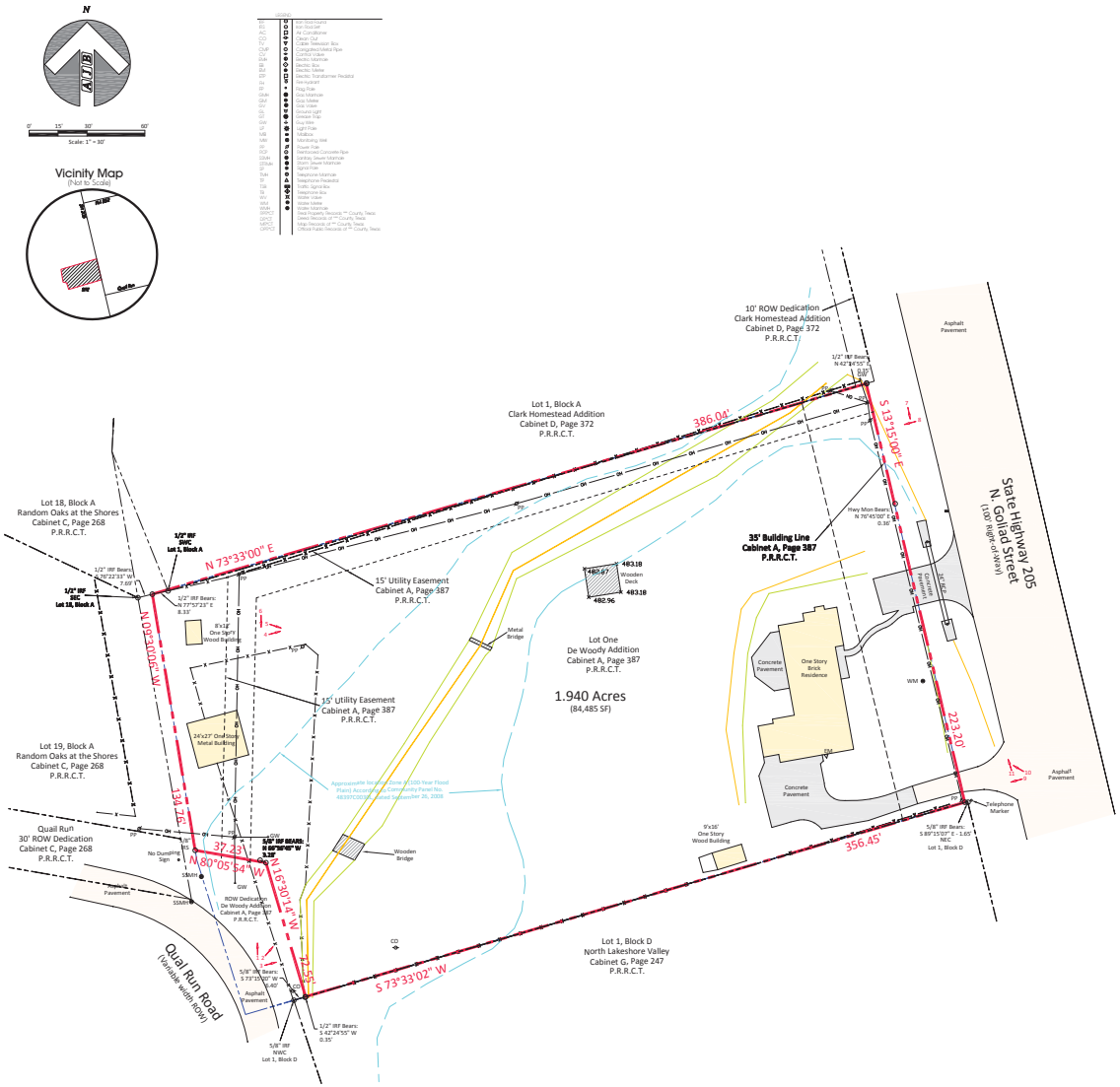
Dear Robert,

Please find the attached submittal for a requested SUP for the above tract. We are requesting modifying the existing Agricultural to include a Day School use. Please note that we be asking to join this un-platted lot with the existing Lot 1, Block 1, Children's Lighthouse Addition to the south. The ownership will be common. Please note that we are developing an accurate Metes and Bounds description and will forward as soon as it is ready.

Thank you.

Sam Ellis

341





FIELD NOTE DESCRIPTION

BEING a 1.940 acres tract of land situated in the Samuel King Survey, Abstract No. 131, Rockwall County, Texas and being all of Lot One of De Woody Addition an addition to the City of Rockwall according to the plat recorded in Cabinet A, Slide 387 of the Plat Records Rockwall County, Texas (PRRCT) and being more particularly described as follows:

Beginning at a point for corner in the west right of way line of State Highway No. 205 (North Goliad Street a 100 feet wide right of way from which a ½ inch iron rod found bears, NORTH 42°24'55" EAST a distance of 0.35 feet;

THENCE along the west line of said State Highway No. 205 (North Goliad Street), SOUTH 13°15'00" East a distance of 223.20 feet to a point for corner from which a 5/8 inch iron rod found bears SOUTH 89°15'07" EAST a distance of 1.65 feet and being in the north line of Lot 1, Block D of North Lakeshore Valley an addition to the City of Rockwall according to the plat recorded in Cabinet G, Slide 247 (PRRCT);

THENCE along the common line of said Lot One and Lot 1, Block D, SOUTH 73°33'02" West a distance of 356.45 feet to a point for corner from which a ½ inch iron rod bears SOUTH 42°24'55" WEST a distance of 0.35 feet and being in the east right of way line of Quail Run Road a variable width right of way;

THENCE along the east line of said Quail Run Road, NORTH 16°30'14" WEST a distance of 72.55 feet to a point from which a 5/8 inch iron rod found bears NORTH 66°36'45" WEST a distance of 3.28 feet and being in the north line of said Quail Run Road;

THENCE along the north line of said Quail Run Road, NORTH 80°05'54" WEST a distance of 37.23 feet to a 5/8 inch iron rod set for corner;

THENCE along the west line of said Lot One, NORTH 09°30'06" WEST a distance of 134.76 feet to a point for corner from which a ½ inch iron rod found bears SOUTH 76°22'22" WEST a distance of 7.69 feet and another ½ inch iron rod found bears NORTH 77°57'23" EAST a distance of 8.33 feet;

THENCE along the north line of said Lot One, NORTH 73°33'00" EAST a distance of 386.04 feet to the POINT OF BEGINNING;

CONTAINING 1.940 acres or 84,484.79 square feet of land more or less all according to that certain survey prepared by A. J. Bedford Group Inc.

Surveyor's Certification

To:

I, Austin J. Bedford, a Registered Professional Land Surveyor in the State of Texas do hereby certify that an on the ground survey of the property shown was made under my supervision and that this map correctly represents the facts found at the time of survey and that this survey conforms to the current Minimum Standard Detail Requirements for a Category 1A, Condition II, Land Title Survey as specified by the latest edition of the "Manual of Practice for Land Surveying in Texas" 2006 Revised Eleventh Edition prepared by the Texas Society of Professional Surveyors.

Dated the 10th day of June, 2015.

Austin J. Bedford
Registered Professional Land Surveyor No. 4132
A.J. Bedford Group, Inc.
301 North Alamo Road
Rockwall, Texas 75087

CURRENT TITLE WAS NOT AVAILABLE AT THE TIME OF THIS SURVEY; THEREFORE, IT IS POSSIBLE THAT ALL EASEMENTS OF RECORD MAY NOT BE SHOWN.

GENERAL NOTE:

THE USE OF THE WORD "CERTIFY" OR "CERTIFICATE" USED HEREON CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THOSE FACTS OF FINDINGS WHICH ARE THE SUBJECT OF THE CERTIFICATION, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESSED OR IMPLIED.

LAND TITLE AND IMPROVEMENT SURVEY
1.940 ACRES

SAMUEL KING SURVEY, ABSTRACT NO. 131
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

Client: NOVUS REALTY ADVISORS
16600 DALLAS PARKWAY, SUITE 200
DALLAS, TEXAS 75248 (214) 238-8021

Scale:	1" = 30'
Date:	June 10, 2015
Technician:	Bedford
Drawn By:	Bedford
Checked By:	A.J. Bedford
P.C.:	D. Cryer/S. Spradling
File:	2011 DOGAD 6-10-15
Job. No.	603-001
GF No.	N/A

301 N. Alamo Rd. * Rockwall, Texas 75087
(972) 722-0225 , www.ajbedfordgroup.com ajb@ajbedfordgroup.com

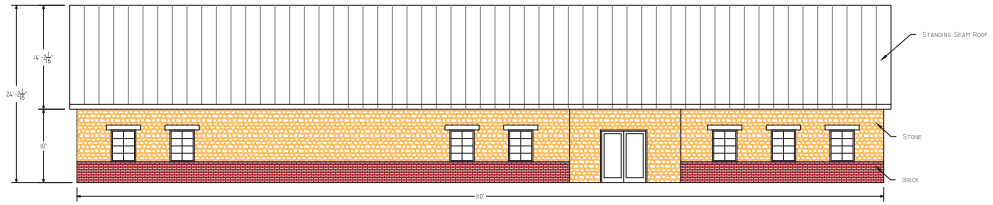
Sheet: 1 Of: 1

AJ Bedford Group, Inc.
Registered Professional Land Surveyors

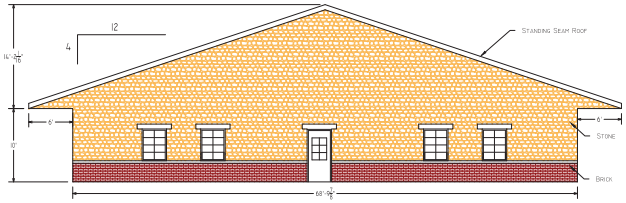
TBPLS REG#10118200

N:\ALL FILES\NOVUS\2011 GOLIAD\6-10-15.dwg, 6/16/2015 1:20:15 PM

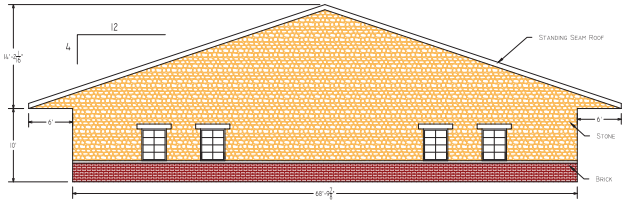
342



EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION



WEST ELEVATION

General Notes

CHILDRENS LIGHTHOUSE LEARNING CENTERS
Educational Child Care With a Purpose

Vicinity Map

Copyright

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THIS DOCUMENT IS AN INSTRUMENT OF SERVICE AND IS THE SOLE PROPERTY OF THE AUTHOR. FURTHERMORE, THE USE OF THIS DOCUMENT FOR ANY PURPOSE SHALL BE REVOKED, IF THE INTENT OF THE DESIGN OR THE CONSTRUCTION TECHNIQUES OR DETAILS SHOWN HEREIN ARE NOT ADHERED TO OR THE CONTRACTUAL AGREEMENT GOVERNING THEIR USE IS NOT STRICTLY ADHERED TO.

No.	Revision/Issue	Date

Dallas Design Build
6916 Echo Canyon
McKinney, Texas 75070
972-877-6830
sam-dallasdb.com

Project

LOT 1, BLOCK 1
CHILDREN'S LIGHTHOUSE
ADDITION
ROCKWALL, TX

Description

ELEVATION

Date 6/9/15
Drawn By ale
Scale 1/8" =1'

A-2

343

CITY OF ROCKWALL

ORDINANCE NO. 15-___

SUP NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A "DAYCARE FACILITY" WITHIN AN AGRICULTURAL (AG) DISTRICT, BEING A 2.00-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1 OF THE DEWOODY ADDITION, AND LOCATED AT 3011 NORTH GOLIAD STREET, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Sam Ellis on behalf of the owner, the George Dewoody Estate for the approval of a Specific Use Permit (SUP) allowing for a "*Daycare Facility*" within an Agricultural (AG) District, being a 2.00-acre parcel of land identified as Lot 1 of the Dewood Addition, and located at 3011 North Goliad Street, City of Rockwall, Rockwall County, Texas, and more specifically described in Exhibit "A" of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit for a "*Daycare Facility*" within the Agricultural (AG) District for the *Subject Property*; and

Section 2. That the Specific Use Permit shall be subject to the requirements as set forth in ***Article V, Section 2.1, Agricultural (AG) District*** of the City of Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions:

2.1 Operational Conditions

The following conditions pertain to the operation of a *Daycare Facility* on the *Subject Property* and conformance to these stipulations is required for continued operations:

1) That adherence to Engineering and Fire Department standards shall be required, and

2) That future site plan submittal and approval shall be required, including Architectural Review and adherence to all standards specified in the North SH 205 Corridor Overlay district and other applicable sections of the Unified Development Code (UDC), and

3) That the proposed conceptual site plan shall be used only for the purpose of establishing a general layout of the daycare facility as depicted in Exhibit 'B' of this ordinance, and

4) That the use for a daycare facility as requested shall be allowed on the 1.940-acre tract of land, and

5) That submittal and approval of engineering plans, and final plat shall be required prior to issuance of a Certificate of Occupancy.

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

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

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

Section 6. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code No. 04-38 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this ___ day of _____, 2015.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank Garza, *City Attorney*

1st Reading: _____

2nd Reading: _____

DRAFT

Exhibit 'A' - Legal Description

FIELD NOTE DESCRIPTION

BEING a 1.940 acres tract of land situated in the Samuel King Survey, Abstract No. 131, Rockwall County, Texas and being all of Lot One of De Woody Addition an addition to the City of Rockwall according to the plat recorded in Cabinet A, Slide 387 of the Plat Records Rockwall County, Texas (PRRCT) and being more particularly described as follows:

Beginning at a point for corner in the west right of way line of State Highway No. 205 (North Goliad Street a 100 feet wide right of way from which a ½ inch iron rod found bears, NORTH 42°24'55" EAST a distance of 0.35 feet;

THENCE along the west line of said State Highway No. 205 (North Goliad Street), SOUTH 13°15'00" East a distance of 223.20 feet to a point for corner from which a 5/8 inch iron rod found bears SOUTH 89°15'07" EAST a distance of 1.65 feet and being in the north line of Lot 1, Block D of North Lakeshore Valley an addition to the City of Rockwall according to the plat recorded in Cabinet G, Slide 247 (PRRCT);

THENCE along the common line of said Lot One and Lot 1, Block D, SOUTH 73°33'02" West a distance of 356.45 feet to a point for corner from which a ½ inch iron rod bears SOUTH 42°24'55" WEST a distance of 0.35 feet and being in the east right of way line of Quail Run Road a variable width right of way;

THENCE along the east line of said Quail Run Road, NORTH 16°30'14" WEST a distance of 72.55 feet to a point from which a 5/8 inch iron rod found bears NORTH 66°36'45" WEST a distance of 3.28 feet and being in the north line of said Quail Run Road;

THENCE along the north line of said Quail Run Road, NORTH 80°05'54" WEST a distance of 37.23 feet to a 5/8 inch iron rod set for corner;

THENCE along the west line of said Lot One, NORTH 09°30'06" WEST a distance of 134.76 feet to a point for corner from which a ½ inch iron rod found bears SOUTH 76°22'22" WEST a distance of 7.69 feet and another ½ inch iron rod found bears NORTH 77°57'23' EAST a distance of 8.33 feet;

THENCE along the north line of said Lot One, NORTH 73°33'00" EAST a distance of 386.04 feet to the POINT OF BEGINNING;

CONTAINING 1.940 acres or 84,484.79 square feet of land more or less all according to that certain survey prepared by A. J. Bedford Group Inc.

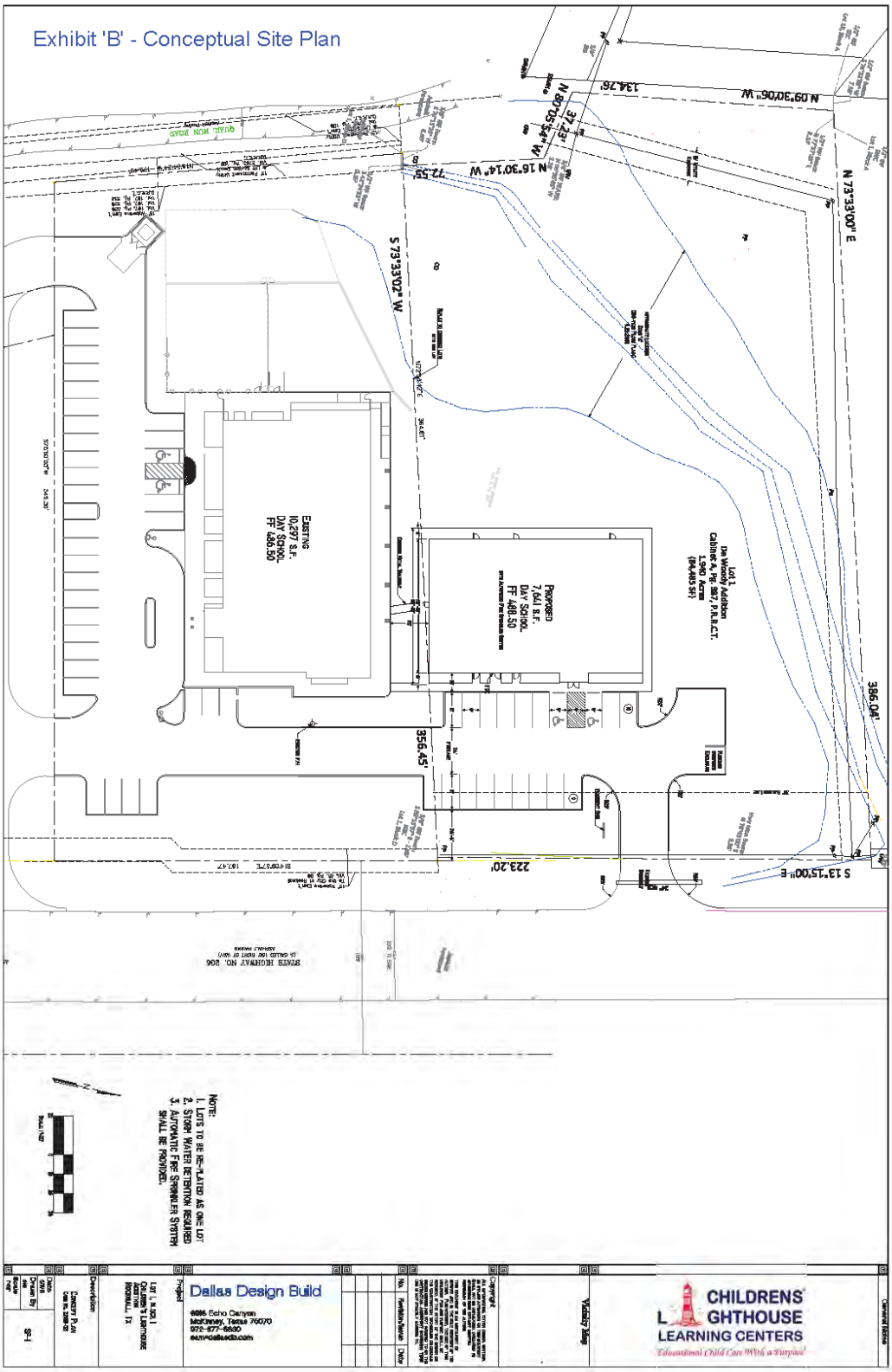
Exhibit 'B' - Conceptual Site Plan
EXISTING
10,297 S.F.
DAY SCHOOL
FF 486.50
PROPOSED
7,641 S.F.
DAY SCHOOL
FF 488.50
Lot 1
De Woody Addition
Cabinet A, Pg. 987, P.R.R.C.T.
1.940 Acres
(84,485 SF)
N 73°33'00" E
S 73°33'02" W
N 16°30'14" W
N 09°30'06" W
S 13°15'00" E
386.04'
356.45'
223.20'
72.55'
134.76'
37.23'
N 80°05'54" W
NOTE:
1. LOTS TO BE RE-PLATED AS ONE LOT
2. STORM WATER DETENTION REQUIRED
3. AUTOMATIC FIRE SPRINKLER SYSTEM SHALL BE PROVIDED.
Dallas Design Build
CHILDRENS LIGHTHOUSE
LEARNING CENTERS
Educational Child Care With a Purpose

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Robert LaCroix, *Director of Planning and Zoning*

FROM: Ryan Miller, *Planning Manager*

DATE: July 20, 2015

SUBJECT: *Z2015-022;* Amendment to Article IV and Article V of the UDC

On June 15, 2015, the City Council directed staff to initiate text amendments to Article IV, *Permissible Uses*, and Article V, *District Development Standards*, of the Unified Development Code (UDC). Specifically, the amendments address the following issues:

1) *Sec. 1.1 & 2.1.6, Art. IV, UDC*. In response to an appointment with Chris Johnson, the City Council has directed staff to draft an amendment to the UDC allowing the operation of a *Portable Beverage or Food Service Facility*. Mr. Johnson has indicated that he would like to operate a trailer that offers food and beverages at 803 N. Goliad Street. Currently, the UDC does not allow the sale of food in association with a *Portable Beverage Service Facility*, which is only allowed by a Specific Use Permit within the Downtown (DT), General Retail (GR), Commercial (C), Heavy Commercial (HC) and Light Industrial (LI) Districts. In addition, the use is permitted *by-right* in the Heavy Industrial (HI) District. The proposed amendment would expand the current use to allow the sale of food and allow the use in a Residential Office (RO) District by Specific Use Permit (*see Exhibit 'A'*).

2) *Sec. 6, Art. V, UDC.* At the direction of the City Council, the Planning and Zoning Commission reviewed the City's current stone requirements as stipulated by the *Architectural Standards* section of the overlay district requirements, and forwarded on a recommendation to the City Council. The City Council reviewed the amendment and directed staff to prepare the ordinance in conformance to the Planning and Zoning Commission's recommendation. The proposed amendment would allow the Planning and Zoning Commission to approve the use of cultured stone within the City's overlay districts (*see Exhibit 'B'*).

In accordance, with Section 4.2 of Article XI, *Zoning Related Applications*, of the UDC staff took the proposed amendments forward to the Planning and Zoning Commission for a recommendation to City Council; and, on July 14, 2015 the Planning and Zoning Commission voted 7-0 to recommend approval of the proposed amendment. Attached to this case memo is a copy of the draft ordinance containing the proposed changes/amendments to the UDC. The schedule for this text amendment is as follows:

Planning and Zoning Commission:
~~Work Session: June 30, 2015~~
~~Public Hearing: July 14, 2015~~

City Council:
Public Hearing: July 20, 2015
2nd Reading: August 3, 2015

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Article IV, Permissible Uses, of the Unified Development Code
Section 1. Land Use Schedule
Section 1.1. Use of Land and Buildings

Residential										Permitted Uses	Mixed Use			Commercial			Industrial		
AG	SF- E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14		DT	R-O	N-S	GR	C	HC	RT	LI	HI
										Antique/collectible store	S		S	P	P	P			
										Astrologer, hypnotist, or psychic art and science	S	P	P	P	P	P			
										Banquet facility	S			P	P	P			
										Beverage and ***Food*** Service Facility, Portable +	S	***S***		S	S	S		S	P
										Business school	P			P	P	P	P	P	
										Catering service	A		S	P	P	P	S	P	
										Christmas tree sales lot and similar uses, temporary +	S		S	P	P	P	S	P	P
										Copy center	P		P	P	P	P	P	P	P
										Display, incidental +	P		P	P	P	P		P	
										Garden supply/plant nursery			S	P	P	P		P	
										General personal service	P		P	P	P	P		S	
										General retail store	P	S	P	P	P	P		S	S
										Hair salon, manicurist	P	S	P	P	P	P		S	
										Laundry, dropoff/pickup	P		P	P	P	P		P	P
										Laundry, self-service	P		P	P	P	P		P	P
										Massage therapist	P	P	P	P	P	P			
										Museum or art gallery (private)	P	P	S	P	P		P	P	
										Night club, discoteque, or dance hall	S			S	P	P		S	S
										Pawn shop					S	S		P	P
										Pet shop			P	P	P	P			

Article IV, Permissible Uses, of the Unified Development Code
Section 2. Use Standards
Section 1.6. Retail and Personal Service Use Conditions

Beverage ***or food*** service facility, portable. A portable beverage ***or food*** service facility is an establishment that sells beverages ***or food*** from a structure ***or trailer*** that can be moved from place to place but that stays at one location during a normal business day; ~~***food sales are prohibited in these facilities***~~. A portable beverage ***or food*** facility shall meet the following minimum conditions:

1. The service shall be limited to snow cone stands and beverage ***or food*** stands serving nonalcoholic beverages such as coffee, juices or sodas ***and prepared food products***.

2. The maximum time limit of such temporary use shall not exceed 150 days annually ***or a time limit otherwise approved by the City Council***. At the end of the 150-day period, the structure shall be removed from the property.

3. Any temporary power poles will be removed on the date of or immediately following the termination date of the permit.

4. No additional freestanding signage shall be permitted.

5. The temporary portable structure or trailer shall meet all health and electrical codes off the city.

6. Any such temporary facility shall not reduce the number of required parking spaces of any nearby building or use.

7. Any such temporary facility shall have permanent restrooms for employees available within 300 feet of the door of the portable beverage facility. Written permission from the permanent building owner for restroom use must be submitted to the building official; no portable restroom facility is allowed.

8. Any such temporary facility shall be located on an all-weather (asphalt or concrete) parking surface with adequate space for parking and circulation, unless variance has been approved.

Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.6. IH-30 Overlay (IH-30 OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

   a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. ***Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty apply to the product;***

      - ☑ ***That the manufacturing molds should be made from actual stones and each piece should complement each other having the right shape, texture, size and detail of natural stone;***
      - ☑ ***That the overtones of color should be integrated into the stone during the molding process, while the base color of the stone is blended entirely throughout;***
      - ☑ ***That highly skilled artisans should be utilized to hand paint each piece in order to give each stone depth and variation of color;***
      - ☑ ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
      - ☑ ***That the manufactured stone product shall have a minimum warranty of 75 years.***

   b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.7. SH-205 Overlay (SH-205 OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

   a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. ***Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty apply to the product;***

      - ☑ ***That the manufacturing molds should be made from actual stones and each piece should complement each other having the right shape, texture, size and detail of natural stone;***
      - ☑ ***That the overtones of color should be integrated into the stone during the molding process, while the base color of the stone is blended entirely throughout;***
      - ☑ ***That highly skilled artisans should be utilized to hand paint each piece in order to give each stone depth and variation of color;***
      - ☑ ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
      - ☑ ***That the manufactured stone product shall have a minimum warranty of 75 years.***

   b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.8. Scenic Overlay (SOV) District

D. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

   a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. ***Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty apply to the product;***

      - ☑ ***That the manufacturing molds should be made from actual stones and each piece should complement each other having the right shape, texture, size and detail of natural stone;***
      - ☑ ***That the overtones of color should be integrated into the stone during the molding process, while the base color of the stone is blended entirely throughout;***
      - ☑ ***That highly skilled artisans should be utilized to hand paint each piece in order to give each stone depth and variation of color;***
      - ☑ ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
      - ☑ ***That the manufactured stone product shall have a minimum warranty of 75 years.***

   b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.9. SH-66 Overlay (SH-66 OV) District

D. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

   a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. ***Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty apply to the product;***

      - ☑ ***That the manufacturing molds should be made from actual stones and each piece should complement each other having the right shape, texture, size and detail of natural stone;***
      - ☑ ***That the overtones of color should be integrated into the stone during the molding process, while the base color of the stone is blended entirely throughout;***
      - ☑ ***That highly skilled artisans should be utilized to hand paint each piece in order to give each stone depth and variation of color;***
      - ☑ ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
      - ☑ ***That the manufactured stone product shall have a minimum warranty of 75 years.***

   b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.10. 205 By-Pass Corridor Overlay (205 BY-OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

   a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. ***Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty apply to the product;***

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      - ☑ ***That the overtones of color should be integrated into the stone during the molding process, while the base color of the stone is blended entirely throughout;***
      - ☑ ***That highly skilled artisans should be utilized to hand paint each piece in order to give each stone depth and variation of color;***
      - ☑ ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
      - ☑ ***That the manufactured stone product shall have a minimum warranty of 75 years.***

   b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.11. North SH-205 Corridor Overlay (N-SH 205 OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

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      - ☑ ***That highly skilled artisans should be utilized to hand paint each piece in order to give each stone depth and variation of color;***
      - ☑ ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
      - ☑ ***That the manufactured stone product shall have a minimum warranty of 75 years.***

   b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.12. East SH-66 Corridor Overlay (E-SH 66 OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

   a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. ***Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty apply to the product;***

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Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.13. FM-549 Corridor Overlay (FM-549 OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

   a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. ***Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty apply to the product;***

      - ☑ ***That the manufacturing molds should be made from actual stones and each piece should complement each other having the right shape, texture, size and detail of natural stone;***
      - ☑ ***That the overtones of color should be integrated into the stone during the molding process, while the base color of the stone is blended entirely throughout;***
      - ☑ ***That highly skilled artisans should be utilized to hand paint each piece in order to give each stone depth and variation of color;***
      - ☑ ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
      - ☑ ***That the manufactured stone product shall have a minimum warranty of 75 years.***

   b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.14. SH-276 Corridor Overlay (SH-276 OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

   a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. ***Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty apply to the product;***

      - ☑ ***That the manufacturing molds should be made from actual stones and each piece should complement each other having the right shape, texture, size and detail of natural stone;***
      - ☑ ***That the overtones of color should be integrated into the stone during the molding process, while the base color of the stone is blended entirely throughout;***
      - ☑ ***That highly skilled artisans should be utilized to hand paint each piece in order to give each stone depth and variation of color;***
      - ☑ ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
      - ☑ ***That the manufactured stone product shall have a minimum warranty of 75 years.***

   b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

CITY OF ROCKWALL

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTIONS 1.1 & 2.1.6 OF ARTICLE IV, *PERMISSIBLE USES*, AND SECTION 6 OF ARTICLE V, *DISTRICT DEVELOPMENT STANDARDS*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 04-38*] has been initiated by the City Council of the City of Rockwall to amend Section 1.1, *Use of Land and Buildings*, and Section 2.1.6, *Recreation, Entertainment and Amusement Use Conditions*, of Article IV, *Permissible Uses*, and Section 6, *Overlay Districts*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] for the purposes of creating standards for cultured stone and adding standards for a *Portable Beverage or Food Facility*; and,

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That Section 1.1, *Use of Land and Buildings*, and Section 2.1.6, *Recreation, Entertainment and Amusement Use Conditions*, of Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'A'* of this ordinance;

Section 2. That Section 6, *Overlay Districts*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'B'* of this ordinance;

Section 3. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 4. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and

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applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 5. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 3RD DAY OF AUGUST, 2015.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *July 20, 2015*

2nd Reading: *August 3, 2015*

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Article IV, Permissible Uses, of the Unified Development Code
Section 1. Land Use Schedule
Section 1.1. Use of Land and Buildings

Residential										Permitted Uses	Mixed Use			Commercial			Industrial		
AG	SF- E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14		DT	R-O	N-S	GR	C	HC	RT	LI	HI
										Antique/collectible store	S		S	P	P	P			
										Astrologer, hypnotist, or psychic art and science	S	P	P	P	P	P			
										Banquet facility	S			P	P	P			
										Beverage ***and/or Food*** Service Facility, Portable +	S	***S***		S	S	S		S	P
										Business school	P			P	P	P	P	P	
										Catering service	A		S	P	P	P	S	P	
										Christmas tree sales lot and similar uses, temporary +	S		S	P	P	P	S	P	P
										Copy center	P		P	P	P	P	P	P	P
										Display, incidental +	P		P	P	P	P		P	
										Garden supply/plant nursery			S	P	P	P		P	
										General personal service	P		P	P	P	P		S	
										General retail store	P	S	P	P	P	P		S	S
										Hair salon, manicurist	P	S	P	P	P	P		S	
										Laundry, dropoff/pickup	P		P	P	P	P		P	P
										Laundry, self-service	P		P	P	P	P		P	P
										Massage therapist	P	P	P	P	P	P			
										Museum or art gallery (private)	P	P	S	P	P		P	P	
										Night club, discoteque, or dance hall	S			S	P	P		S	S
										Pawn shop					S	S		P	P
										Pet shop			P	P	P	P			

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Article IV, Permissible Uses, of the Unified Development Code
Section 2. Use Standards
Section 1.6. Retail and Personal Service Use Conditions

Beverage ***and/or food*** service facility, portable. A portable beverage ***and/or food*** service facility is an establishment that sells beverages ***and/or food*** from a structure ***or trailer*** that can be moved from place to place but that stays at one location during a normal business day; ~~***food sales are prohibited in these facilities***~~. A portable beverage ***and/or food*** facility shall meet the following minimum conditions:

1. The service shall be limited to snow cone stands, ~~***and***~~ beverage ***and/or food*** stands serving nonalcoholic beverages such as coffee, juices or sodas ***and/or prepared food products***.

2. The maximum time limit of such temporary use shall not exceed 150 days annually ***or a time limit otherwise approved by the City Council***. At the end of the ***time period*** ~~***150-day period***~~, the structure shall be removed from the property.

3. Any temporary power poles will be removed on the date of or immediately following the termination date of the permit.

4. No additional freestanding signage shall be permitted.

5. The temporary portable structure or trailer shall meet all health and electrical codes off the city.

6. Any such temporary facility shall not reduce the number of required parking spaces of any nearby building or use.

7. Any such temporary facility shall have permanent restrooms for employees available within 300 feet of the door of the portable ~~***beverage***~~ facility. Written permission from the permanent building owner for restroom use must be submitted to the building official; no portable restroom facility is allowed.

8. Any such temporary facility shall be located on an all-weather (*asphalt or concrete*) parking surface with adequate space for parking and circulation, unless ~~***variance***~~ ***alternatively approved by the City Council.*** ~~***has been approved.***~~

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Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.6. IH-30 Overlay (IH-30 OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

    a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. ***Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty apply to the product;***

    - ☑ ***That the manufacturing molds should be made from actual stones and each piece should complement each other having the right shape, texture, size and detail of natural stone;***
    - ☑ ***That the overtones of color should be integrated into the stone during the molding process, while the base color of the stone is blended entirely throughout;***
    - ☑ ***That highly skilled artisans should be utilized to hand paint each piece in order to give each stone depth and variation of color;***
    - ☑ ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
    - ☑ ***That the manufactured stone product shall have a minimum warranty of 75 years.***

    b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

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Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.7. SH-205 Overlay (SH-205 OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

   a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. ***Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty apply to the product;***

   - ☑ ***That the manufacturing molds should be made from actual stones and each piece should complement each other having the right shape, texture, size and detail of natural stone;***
   - ☑ ***That the overtones of color should be integrated into the stone during the molding process, while the base color of the stone is blended entirely throughout;***
   - ☑ ***That highly skilled artisans should be utilized to hand paint each piece in order to give each stone depth and variation of color;***
   - ☑ ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
   - ☑ ***That the manufactured stone product shall have a minimum warranty of 75 years.***

   b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

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Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.8. Scenic Overlay (SOV) District

D. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

   a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. ***Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty apply to the product;***

   - ☑ ***That the manufacturing molds should be made from actual stones and each piece should complement each other having the right shape, texture, size and detail of natural stone;***
   - ☑ ***That the overtones of color should be integrated into the stone during the molding process, while the base color of the stone is blended entirely throughout;***
   - ☑ ***That highly skilled artisans should be utilized to hand paint each piece in order to give each stone depth and variation of color;***
   - ☑ ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
   - ☑ ***That the manufactured stone product shall have a minimum warranty of 75 years.***

   b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

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Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.9. SH-66 Overlay (SH-66 OV) District

D. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

   a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. ***Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty apply to the product;***

   - ☑ ***That the manufacturing molds should be made from actual stones and each piece should complement each other having the right shape, texture, size and detail of natural stone;***
   - ☑ ***That the overtones of color should be integrated into the stone during the molding process, while the base color of the stone is blended entirely throughout;***
   - ☑ ***That highly skilled artisans should be utilized to hand paint each piece in order to give each stone depth and variation of color;***
   - ☑ ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
   - ☑ ***That the manufactured stone product shall have a minimum warranty of 75 years.***

   b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

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Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.10. 205 By-Pass Corridor Overlay (205 BY-OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

   a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. ***Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty apply to the product;***

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   - ☑ ***That highly skilled artisans should be utilized to hand paint each piece in order to give each stone depth and variation of color;***
   - ☑ ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
   - ☑ ***That the manufactured stone product shall have a minimum warranty of 75 years.***

   b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

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Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.11. North SH-205 Corridor Overlay (N-SH 205 OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

   a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. ***Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty apply to the product;***

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   - ☑ ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
   - ☑ ***That the manufactured stone product shall have a minimum warranty of 75 years.***

   b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

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Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.12. East SH-66 Corridor Overlay (E-SH 66 OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

   a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. ***Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty apply to the product;***

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Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.13. FM-549 Corridor Overlay (FM-549 OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

   a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. ***Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty apply to the product;***

   - ☑ ***That the manufacturing molds should be made from actual stones and each piece should complement each other having the right shape, texture, size and detail of natural stone;***
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   - ☑ ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
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Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.14. SH-276 Corridor Overlay (SH-276 OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

    a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. ***Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty apply to the product;***

    - ☑ ***That the manufacturing molds should be made from actual stones and each piece should complement each other having the right shape, texture, size and detail of natural stone;***
    - ☑ ***That the overtones of color should be integrated into the stone during the molding process, while the base color of the stone is blended entirely throughout;***
    - ☑ ***That highly skilled artisans should be utilized to hand paint each piece in order to give each stone depth and variation of color;***
    - ☑ ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
    - ☑ ***That the manufactured stone product shall have a minimum warranty of 75 years.***

    b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

DRAFT ORDINANCE 07.20.15

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Robert LaCroix, *Director of Planning and Zoning*

FROM: Ryan Miller, *Planning Manager*

DATE: July 20, 2015

SUBJECT: Z2015-016; *Discovery Lakes (LI to PD)*

The applicant, Craig Carney of Carney Engineering, PLLC, has requested that the City Council postpone the public hearing for *Case No. Z2015-016* to the August 3, 2015 City Council meeting. According to Section 6.2, *Public Hearing Postponements, Recess, and Continuations*, of the Article II, *Authority and Administrative Procedures*, of the Unified Development Code, a public hearing may be postponed by announcing the postponement at the public hearing and indicating the time and place the new hearing is scheduled to begin. The announcement of a postponement shall be sufficient notice and no additional notice shall be required.

Miller, Ryan

From: T. Craig Carney <tccarney@verizon.net>
Sent: Wednesday, July 15, 2015 8:55 AM
To: Miller, Ryan
Cc: 'STACY MCVEY'; 'Kenny Huff'
Subject: Discovery Lakes Council Meeting

Ryan

We intend to appeal to the City Council the P&Z decision regarding our Discovery Lakes project. The principals will be out of town on the next regularly scheduled Council meeting date of July 20th. We request you place our item on the August 3rd Council agenda.

If you need anything from us for that meeting, please let us know.

Thanks.

Craig

T. Craig Carney, P.E.

CARNEY ENGINEERING, PLLC
TBPE Firm No. F-5033

469-443-0861 (office)
469-855-8991 (cell)

1

CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 07/20/2015

APPLICANT: Stacy McVey, *Double Eagle Properties*

AGENDA ITEM: **Z2015-016**; *Discovery Lakes (LI to PD)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Stacy McVey of Double Eagle Properties on behalf of the owner 308 ON 276 LP for the approval of a zoning change from an Light Industrial (LI) District to a Planned Development District for Single Family 10 (SF-10) and General Retail (GR) District land uses, on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the northeast corner of the intersection of Rochelle Road and SH-276, and take any action necessary.

PURPOSE:

On June 2, 2015, the applicant submitted an application requesting to rezone a 316.315-acre tract of land from a Light Industrial (LI) District to a Planned Development District for a single-family, residential subdivision and commercial/retail development. The proposed single family, residential subdivision will consist of 507 single-family homes, a 55.2-acre public park and an amenities center. The proposed nine (9) acres of commercial/retail land will be located at the northeast corner of Rochell Road and SH-276. The subject property, which was annexed into the City on June 15, 1998 by *Ordinance No. 98-20*, is currently vacant.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is the City's corporate boundaries followed by a vacant tract of land situated within the City of Fate's Extraterritorial Jurisdiction (ETJ).

South: Directly south of the subject property is SH-276, which is designated as a TxDOT 6D (*state highway, six [6] lane, divided roadway*). Beyond this state roadway is a 197.76-acre vacant tract of land zoned Planned Development District 66 (PD-66) for Single Family 16 (SF-16) District land uses.

East: Directly east of the subject property is an 85.479-acre vacant tract of land zoned Light Industrial (LI) District. Beyond this is a 212.25-acre vacant tract of land zoned Agricultural (AG) District.

West: Directly west of the subject property is Rochell Road, which is designated as a M4D (*minor arterial, four [4] lane, divided roadway*). Beyond this thoroughfare are a 60.30-acre tract of vacant land and a 57.46-acre tract of vacant land. Both properties are zoned Light Industrial (LI) District.

CHARACTERISTICS OF THE REQUEST:

Along with the application, the applicant has submitted a concept plan and development standards for the proposed residential subdivision and commercial/retail tract of land.

Commercial/Retail

The nine (9) acre commercial/retail tract of land will be subject to the General Retail (GR) District development standards and land uses contained within the Unified Development Code (UDC); however, the applicant has requested that the following uses be permitted by-right: 1) Hotel, Hotel (*Full Service*) or Motel (*with a maximum of four [4] stories*) [*limited to one (1) hotel/motel*], 2) Restaurant (*with Drive-Through or Drive-In*) [*limited to three (3) restaurants*], and 3) Retail Store (*with more than two [2] gasoline dispensers*). Typically, these uses require a Specific Use Permit within the General Retail (GR) District. Per the requirements of the PD Ordinance, any development within the area designated as *commercial/retail* will require a PD Development Plan, which is a discretionary approval process for the City Council. Additionally, the applicant has agreed to prohibit some of the land uses that are permitted within the General Retail (GR) District, but are not compatible with the proposed adjacent residential subdivision.

Single-Family, Residential Subdivision

The proposed residential subdivision will consist of 121, 80' x 120' lots; 127, 70' x 110' lots; and 259, 60' x 110' lots, which equals an average lot size of ~7,600 SF. The proposed gross residential density is limited to less than 1.70 units/acre by the PD Ordinance *(~1.65 units/acre is depicted on the concept plan*). The subdivision will also incorporate 30.9-acres of open space, a 55.2-acre public park that will serve Park District No. 31, and 65.2-acres of additional floodplain. The total open space provided will be 96.6-acres (~31.5%) [*floodplain counted at ½:1*]. Additionally, the development will include two (2) Soil Conservation Service (SCS) ponds (*one [1] of which will be in the public park*), which will be used as an additional amenity to the development. One (1) amenities center will be provided to service the 507-lot subdivision. A summary of the proposed development standards is as follows:

Lot Type ►	***A***	***B***	***C***
Minimum Lot Width/Frontage	80'	70'	60'
Minimum Lot Depth	120'	110'	110'
Minimum Lot Area	9,600 SF	7,700 SF	6,600 SF
Minimum Front Yard Setback	20'	20'	20'
Minimum Side Yard Setback	6'	5'	5'
Minimum Side Yard Setback (Adjacent to a Street)	15'	15'	15'
Minimum Length of Driveway Pavement	20'	20'	20'
Maximum Height	36'	36'	36'
Minimum Rear Yard Setback	15'	10'	10'
Minimum Area/Dwelling Unit (SF) [Air Conditioned Space]	2,800 SF	2,250 SF	2,000 SF
Garage Orientation	*J-Swing or Front Entry*	*J-Swing or Front Entry*	*J-Swing or Front Entry*
Maximum Number of Front Entry Garages	48	42	173
Maximum Lot Coverage	65%	65%	65%

General Notes:

1) *A ten (10) foot encroachment to the front building setback will be permitted for architectural elements like sunrooms, front porches, stoops, bay windows, etc.*
2) *All J-Swing or Traditional Swing Garages will require a minimum lot width of 65-feet.*

Waivers to Code Requirements

It should be noted that the development standards contained within the PD Ordinance deviate from the requirements of the UDC and the Engineering Department's *Standards of Design and Construction* Manual in the following ways:

1) According to Section 4, *Residential Parking*, of Article VI, *Parking and Loading*, of the UDC, "(i)n single-family or duplex districts, parking garages must be located at least 20-feet behind the front building façade for front entry garages, unless it is a *J-Swing* garage where the garage door is perpendicular to the street." The applicant has requested that front entry garages be permitted

to be located 20-feet from the front property line. This would create a minimum of a five (5) foot off-set between the front façade of the primary structure and the garage; however, the applicant has also included the option to allow a ten (10) foot encroachment to the front building façade for architectural elements (*e.g. front porches, sunrooms, etc.*), which if utilized would increase the off-set to 15-feet. As a compensatory measure, the applicant has agreed to limit the number of front entry garages allowed for each product type as follows: 1) *Type A* would require 60% *J-Swing* Drives/40% Front Entry Drives, 2) *Type B* would require 67% *J-Swing* Drives/33% Front Entry Drives, and 3) *Type C* would require 33% *J-Swing* Drives/67% Front Entry Drives.

2) According to the Engineering Department's *Standards of Design and Construction* Manual, "(t)he City Council may waive the residential alley requirement upon determination by the Council, if it is in the best interest of the City." Currently, the applicant is requesting to allow *J-Swing* and/or *Front Entry* garages in lieu of alleys. This requirement has been waived for other subdivisions throughout the City.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

In reviewing the original concept plan for conformance to the policies and guidelines of the Comprehensive Plan, staff recommended that the applicant incorporate the following recommendations to ensure conformance to the policies and guidelines established by *Resolution 07-03*:

1) *Single-family lots adjacent to open space should be front loaded for the purpose of maximizing the value of the adjacent single-family homes, preserving view corridors along the streetscapes, and to better optimize the use of open space within the development.*

2) *Increased street connectivity for safety and access can be achieved by removing unnecessary cul-de-sacs.*

3) *The applicant should consider incorporating a boulevard or other green space in the center of the development to provide a heightened sense of open space.*

In response to these comments and the concerns raised by the Planning and Zoning Commission at their regularly scheduled meeting on June 30, 2015, the applicant has made the requested changes, which has resulted in a reduction of the number of lots from 560 to 507. This is a decrease in the total residential density from 1.82 units/acre to 1.65 units/acre. The new plan also includes a lot mix that is more even, and incorporates more of the larger *Type A* lots and less of the smaller *Type C* lots than the original plan. Additionally, the new concept plan indicates general conformance to the "housing tree" model (*i.e. the largest lots and homes are located on the main entry or perimeter streets, and smaller lots and homes are located internal to the neighborhood*), which is a requirement of *Resolution 07-03*. With the changes to the concept plan, the applicant has demonstrated congruence to the policies and guidelines established in *Resolution 07-03* and the Comprehensive Plan.

With this being said, the Future Land Use Map, contained within the Comprehensive Plan, designates the subject property as an *Employment Center*. According to the Comprehensive Plan, the purpose of this designation is to, "…provide a variety of workplaces, including limited light manufacturing uses, research and development activities, corporate facilities, offices, and institutions." The zoning change proposed by the applicant would require this designation to be amended to a *Low Density Residential* and *Commercial* designation. This has been added as a condition of approval for this case.

NOTIFICATION:

On June 5, 2015, staff mailed 19 notices to property owners and residents within 500-feet of the subject property. Staff also emailed a notice to the Timber Creek Homeowner's Associations

(HOA's), which is the only HOA located within 1,500 feet of the subject property. Additionally, staff posted a sign at the corner of the intersection of Rochell Road and SH-276, and advertised the public hearings in the Rockwall Harold Banner as required by the UDC. At the time this case memo was drafted one (1) response in favor of the applicant's request was received by staff.

RECOMMENDATIONS:

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request to rezone the subject property from a Light Industrial (LI) District to a Planned Development District, then staff would propose the following conditions of approval:

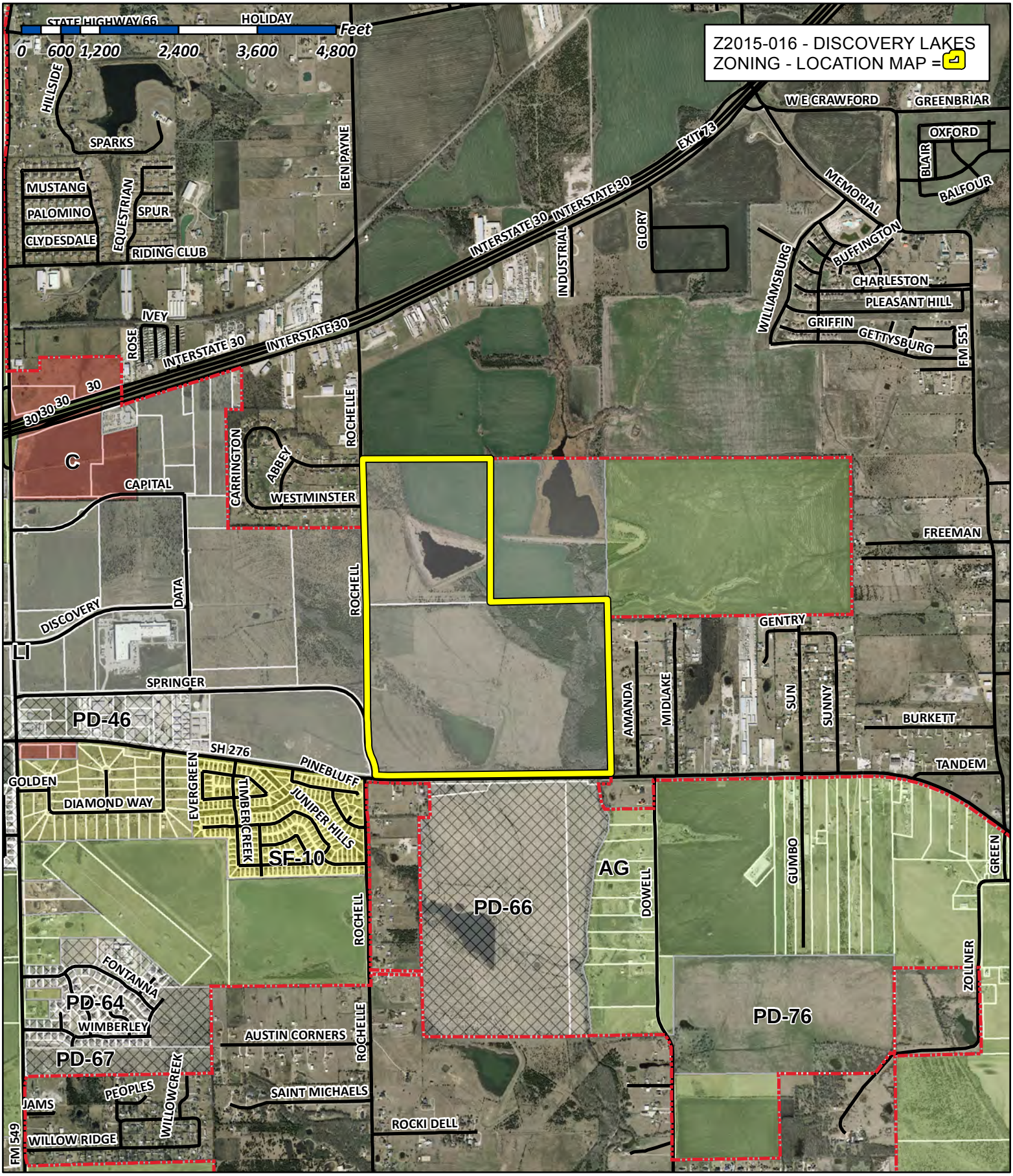
1) The applicant shall be responsible for maintaining compliance with the conditions contained within the *Planned Development District* ordinance;

2) By approving this zoning change, the City Council will effectively be approving changes to the Comprehensive Plan and Future Land Use Map. Specifically, this will change the designation of the subject property from an *Employment Center* designation to a *Low Density Residential* and *Commercial* designation; and,

3) Any construction resulting from the approval of this *zoning change* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On July 14, 2015, the Planning & Zoning Commission approved a motion to recommend denial of the zoning change by a vote of 5-2, with Commissioners Conley and Logan dissenting.



City of Rockwall

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

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

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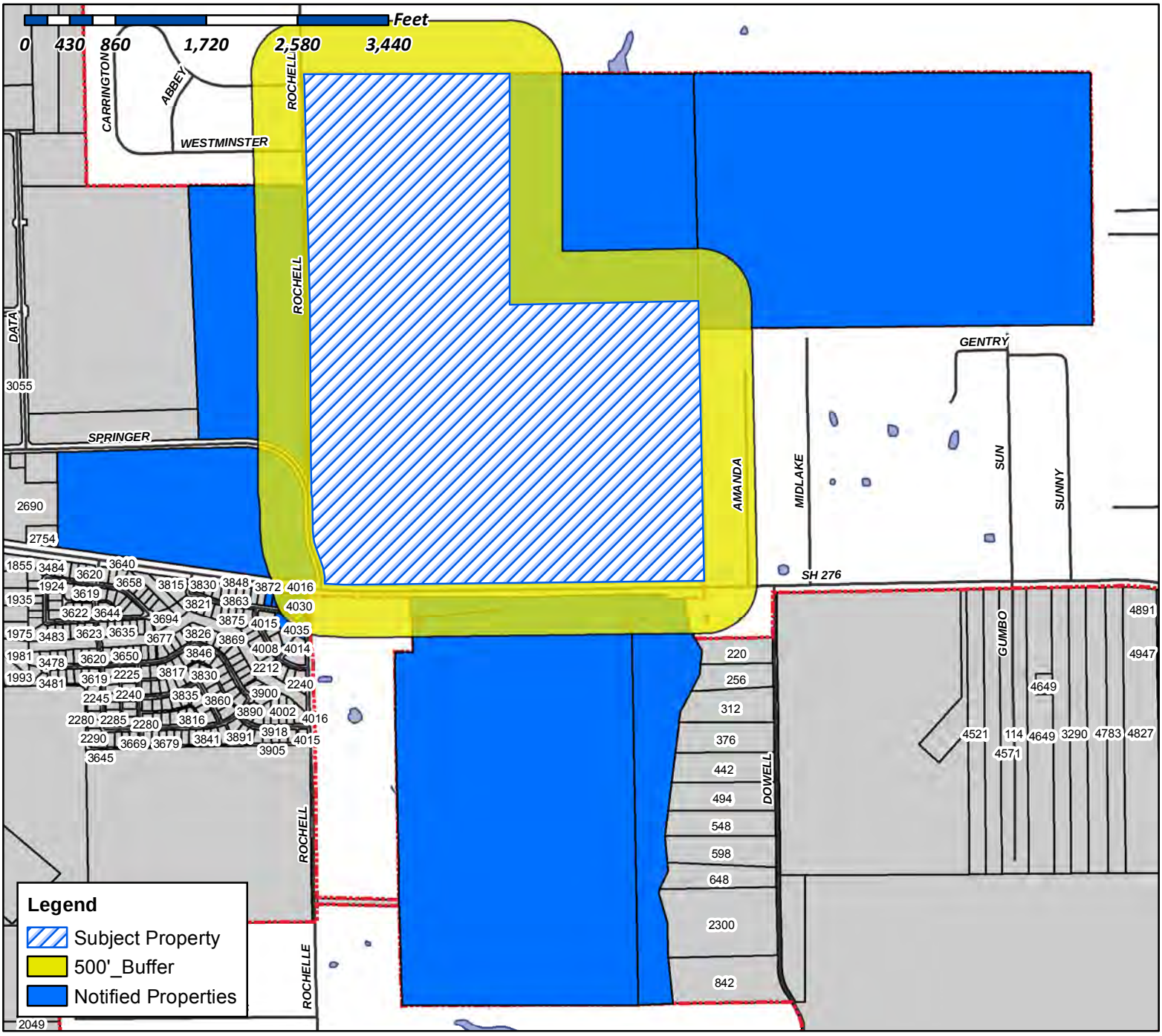
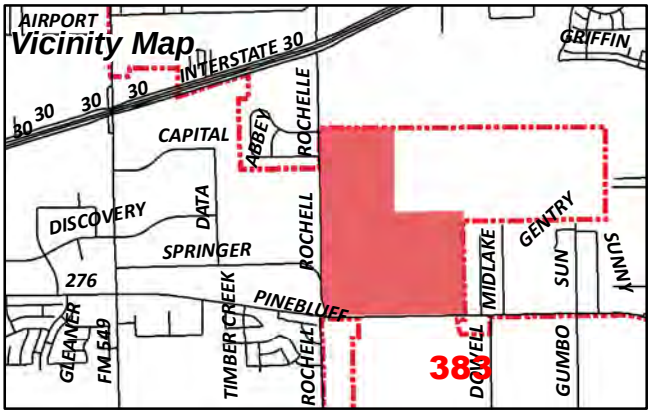


Case Number: Z2015-016
Case Name: Discovery Lakes
Case Type: Zoning
Zoning: PD
Case Address: NE corner of SH 276 and Rochell Rd.



Date Created: *05/19/2015*
For Questions on this Case Call (972) 771-7745

PACIFIC PHOENIX TRUST OF 2013
WALTER E & LINDA H MOELLER TRUSTEES
1355 CORDE LOMA
WALNUT CREEK, CA 94598

SAMUEL VARUGHESE P & REMANI V
14 COLUMBIA CT
LUFKIN, TX 75901

308 ON 276 LP
14785 PRESTON RD SUITE 690
DALLAS, TX 75254

308 ON 276 LP
14785 PRESTON RD SUITE 690
DALLAS, TX 75254

SOUTH ROCKWALL HOLDINGS LP
1601 ELM ST STE 3400
DALLAS, TX 75201

WILLIAMS BRENT C AND SUSAN RAE
AND DUSTIN STUART WILLIAMS
1902 CLYDESDALE CT
ROWLETT, TX 75088

ROCKWALL FUND I LLC
212 S PALM AVE FL 2
ALHAMBRA, CA 91801

CURRENT RESIDENT
WALTER E & LINDA H MOELLER TRUSTEES
3884 PINEBLUFF LN
ROCKWALL, TX 75032

WEAVER TIFFANY D
4010 PINEBLUFF LANE
ROCKWALL, TX 75032

NWIGWE CHARLES & VANIECY
4015 PINEBLUFF LN
ROCKWALL, TX 75032

FIELDS RUTH A
4016 PINEBLUFF LN
ROCKWALL, TX 75032

CURRENT RESIDENT
C/O MICHAELSON CONNOR & BOUL INC
4022 PINEBLUFF LN SUITE 300
ROCKWALL, TX 75032

HENDERSON ERIC
4030 PINEBLUFF LN
ROCKWALL, TX 75032

CURRENT RESIDENT
AND DUSTIN STUART WILLIAMS
4035 PINEBLUFF LN
ROCKWALL, TX 75032

THE SECRETARY OF HOUSING AND URBAN DEV.
ATTN: SF PROP DISP. BRANCH
C/O MICHAELSON CONNOR & BOUL INC
4400 WILL ROGERS PKWY SUITE 300
OKLAHOMA CITY, OK 73108

HIGHLANDS OF ROCKWALL LTD
C/O JAMES M BROWN
6750 HILLCREST PLAZA DR STE 213
DALLAS, TX 75230

HIGHLANDS OF ROCKWALL LTD
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HIGHLANDS OF ROCKWALL LTD
C/O JAMES M BROWN
6750 HILLCREST PLAZA DR STE 213
DALLAS, TX 75230

NATIVE OAKS PROPERTIES INC
ATTN ERIC CHUNG
PO BOX 59489
DALLAS, TX 75229

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

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

To Whom It May Concern:

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

Case No. Z2015-016: Discovery Lakes PD

Hold a public hearing to discuss and consider a request by Stacey McVey of Double Eagle Properties on behalf of the owner 308 ON 276 LP for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 308.52-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located at the northeast corner of the intersection of Rochelle Road and SH-276, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 6/30/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 7/06/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by **6/15/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2015-016: Discovery Lakes PD

Please place a check mark on the appropriate line below:

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

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

Name:

Address:

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

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

PLEASE RETURN THE BELOW FORM

Case No. Z2015-016: Discovery Lakes PD

Please place a check mark on the appropriate line below:

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

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

Name: NATIVE OAKS PROPERTIES, INC ERIC CHUNG

Address: P.O. BOX 59489 DALLAS, TX 75229

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

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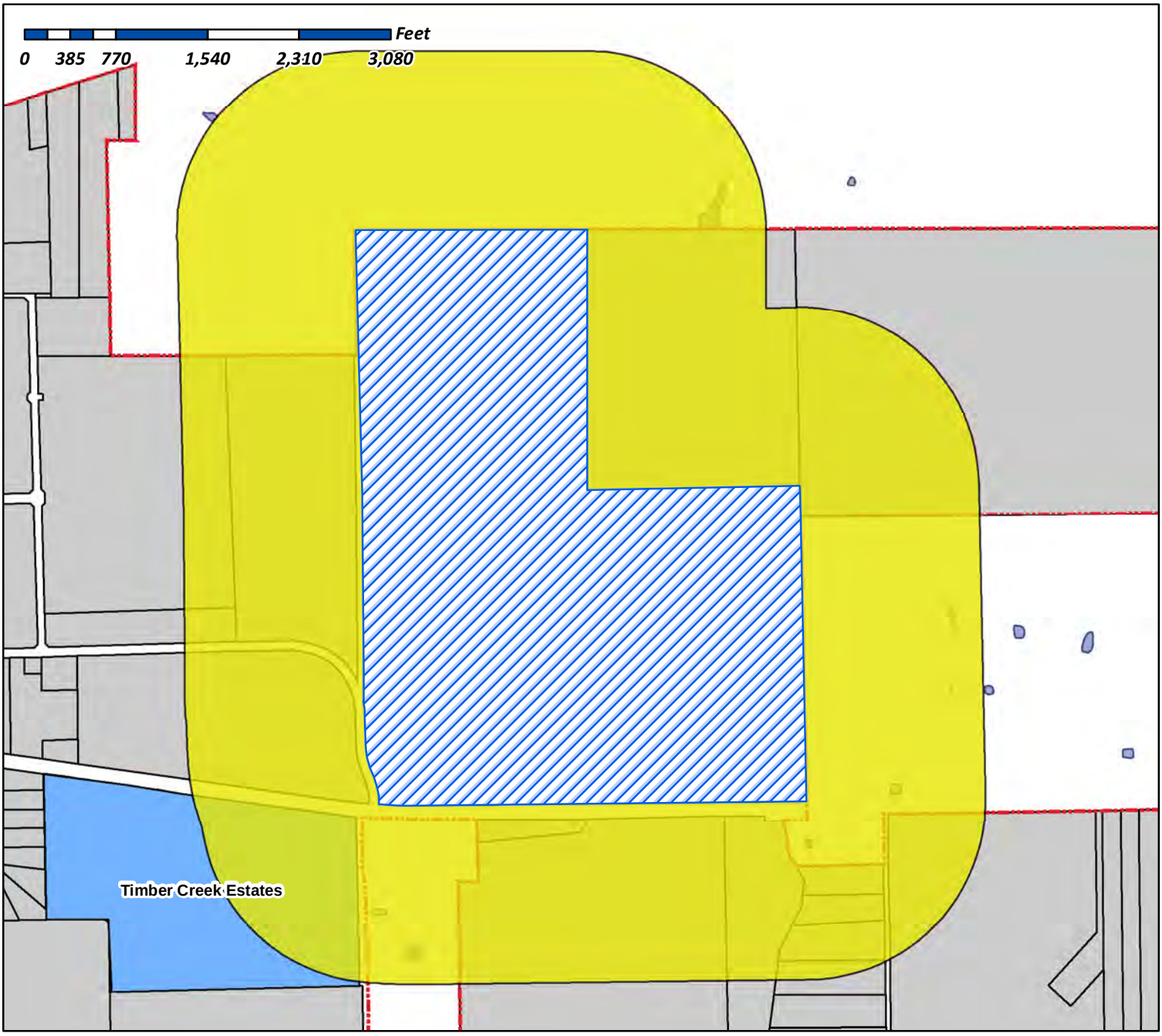

Case Number: Z2015-016
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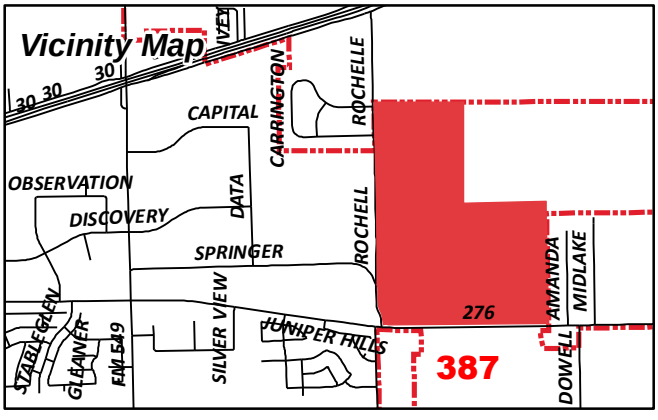


Date Created: 05/19/2015
For Questions on this Case Call (972) 771-7745

Miller, Ryan

From: Morales, Laura
Sent: Friday, June 05, 2015 8:29 AM
To: [redacted]
Subject: Neighborhood Notification Program: Notice of Zoning Request

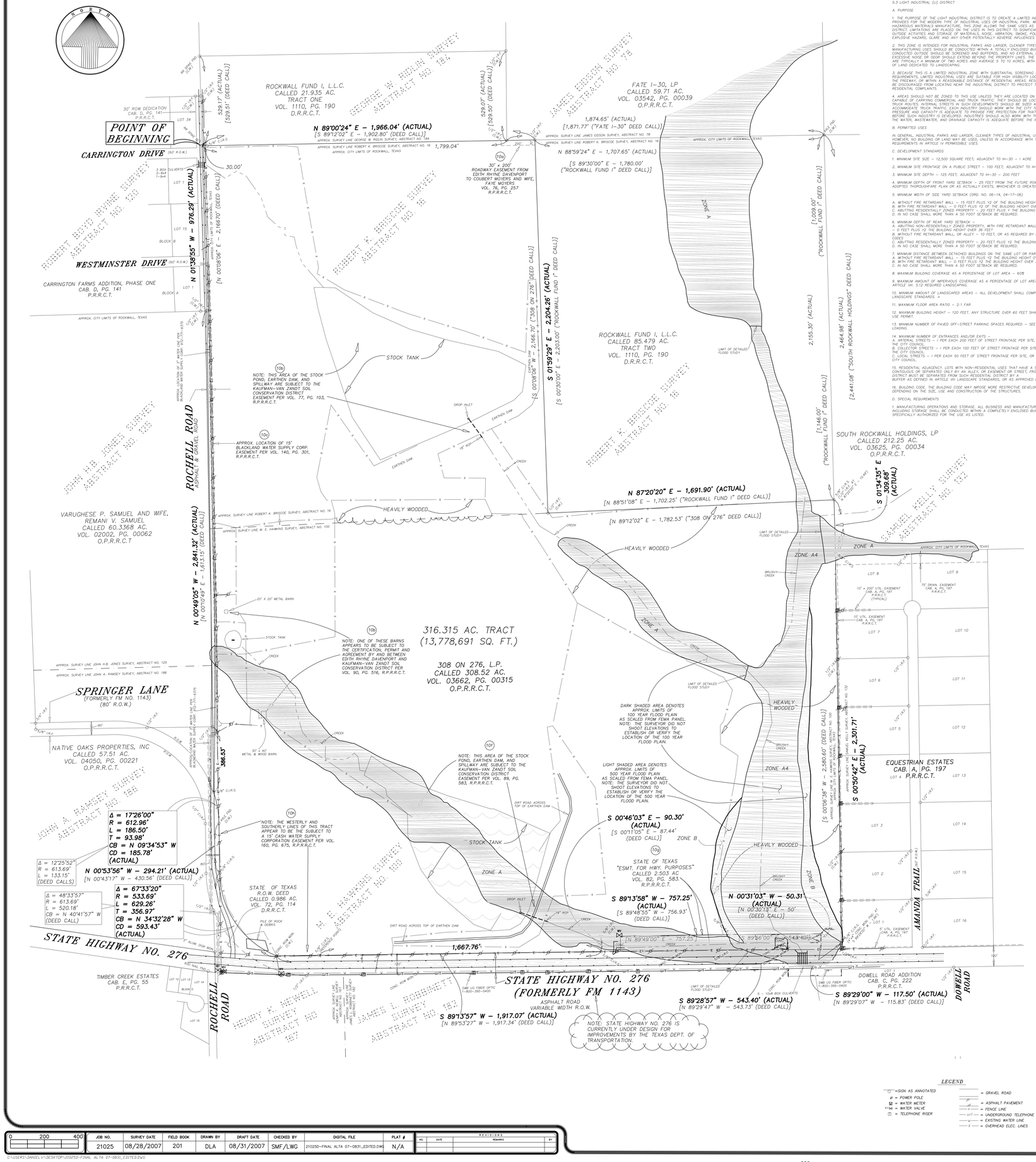
To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that will also be published in the Rockwall Herald Banner on *June 12th, 2015*. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at http://www.rockwall.com/planning/planningDevCases.asp.

Z2015-016: Discovery Lakes Subdivision
Hold a public hearing to discuss and consider a request by Stacey McVey of Double Eagle Properties on behalf of the owner 308 ON 276 LP for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located at the northeast corner of the intersection of Rochelle Road and SH-276, and take any action necessary.

Thank you,

Laura Morales
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
Lmorales@rockwall.com | http://www.rockwall.com



CITY OF ROCKWALL ZONING REGULATIONS

LIGHT INDUSTRIAL (LI)
ARTICLE V. DISTRICT DEVELOPMENT STANDARDS
5.3 LIGHT INDUSTRIAL (LI) DISTRICT

A. PURPOSE

1. THE PURPOSE OF THE LIGHT INDUSTRIAL DISTRICT IS TO CREATE A LIMITED INDUSTRIAL ZONE THAT PROVIDES FOR THE MODERN TYPE OF INDUSTRIAL USES OR INDUSTRIAL PARK WITH THE EXCEPTION OF HAZARDOUS MATERIALS MANUFACTURE. THIS ZONE ALLOWS THE SAME USES AS THE HI, HEAVY INDUSTRIAL DISTRICT. LIMITATIONS ARE PLACED ON THE USES IN THIS DISTRICT TO SIGNIFICANTLY RESTRICT THE OUTSIDE ACTIVITIES AND STORAGE OF MATERIALS THAT MAY VIBRATION, SMOKE, POLLUTION, FIRE AND EXPLOSIVE HAZARD, GLARE AND ANY OTHER POTENTIALLY ADVERSE INFLUENCES.

2. THIS ZONE IS INTENDED FOR INDUSTRIAL PARKS AND LARGER, CLEANER TYPES OF INDUSTRIES. THE MANUFACTURING USES SHOULD BE CONDUCTED WITHIN A TOTALLY ENCLOSED BUILDING. ANY ACTIVITIES CONDUCTED OUTSIDE SHOULD BE SCREENED AND BUFFERED, AND NO EXTERNAL EFFECTS SUCH AS EXCESSIVE NOISE OR ODOR SHOULD EXTEND BEYOND THE PROPERTY LINES. THE SITES FOR SUCH USES ARE TYPICALLY A MINIMUM OF TWO ACRES AND AVERAGE 5 TO 10 ACRES, WITH A SIGNIFICANT AMOUNT OF LAND DEDICATED TO LANDSCAPING.

3. BECAUSE THIS IS A LIMITED INDUSTRIAL ZONE WITH SUBSTANTIAL SCREENING AND BUFFERING REQUIREMENTS, LIMITED INDUSTRIAL USES ARE SUITABLE FOR HIGH VISIBILITY LOCATIONS SUCH AS ALONG THE FREEWAY, OR WITHIN A REASONABLE DISTANCE OF RESIDENTIAL AREAS. RESIDENTIAL USES SHOULD BE DISCOURAGED FROM LOCATING NEAR THE INDUSTRIAL DISTRICT IN ORDER TO PROTECT THE INDUSTRIES FROM RESIDENTIAL COMPLAINTS.

4. AREAS SHOULD NOT BE ZONED TO THIS USE UNLESS THEY ARE LOCATED ON OR CLOSE TO ARTERIAL STREETS TO AVOID COMMERCIAL AND TRUCK TRAFFIC. THEY SHOULD BE LOCATED CLOSE TO MAJOR TRUCK ROUTES. INTERNAL STREETS IN SUCH DEVELOPMENTS SHOULD BE DESIGNED AND STRENGTHENED TO ACCOMMODATE TRUCK TRAFFIC. EACH INDUSTRY SHOULD WORK WITH THE CITY TO INSURE THE WATER PRESSURE AND CAPACITY IS ADEQUATE TO PROVIDE FIRE PROTECTION FOR THAT PARTICULAR INDUSTRY BEFORE SUCH INDUSTRY IS DEVELOPED. INDUSTRIES SHOULD ALSO WORK WITH THE CITY TO INSURE THAT THE WATER, WASTEWATER, AND DRAINAGE CAPACITY IS ADEQUATE BEFORE THE INDUSTRY IS DEVELOPED.

B. PERMITTED USES

IN GENERAL, INDUSTRIAL PARKS AND LARGER, CLEANER TYPES OF INDUSTRIAL USES ARE ALLOWED; HOWEVER, NO BUILDING OR LAND MAY BE USED, UNLESS IN ACCORDANCE WITH THE USE TABLES AND REQUIREMENTS IN ARTICLE IV PERMISSIBLE USES.

C. DEVELOPMENT STANDARDS

1. MINIMUM SITE SIZE – 12,500 SQUARE FEET; ADJACENT TO IH–30 – 1 ACRE

2. MINIMUM SITE FRONTAGE ON A PUBLIC STREET – 100 FEET; ADJACENT TO IH–30 – 200 FEET

3. MINIMUM SITE DEPTH – 125 FEET; ADJACENT TO IH–30 – 200 FEET

4. MINIMUM DEPTH OF FRONT YARD SETBACK – 25 FEET FROM THE FUTURE ROW AS SHOWN ON THE ADOPTED THOROUGHFARE PLAN OR AS ACTUALLY EXISTS, WHICHEVER IS GREATER

5. MINIMUM WIDTH OF SIDE YARD SETBACK (ORD. NO. 06–14, 04–17–06)

A. WITHOUT FIRE RETARDANT WALL – 15 FEET PLUS Y2 OF THE BUILDING HEIGHT OVER 36 FEET
B. WITH FIRE RETARDANT WALL – 10 FEET PLUS Y2 OF THE BUILDING HEIGHT OVER 36 FEET
C. ABUTTING RESIDENTIALLY ZONED PROPERTY – 20 FEET PLUS Y2 THE BUILDING HEIGHT OVER 36 FEET
D. IN NO CASE SHALL MORE THAN A 50 FOOT SETBACK BE REQUIRED.

6. MINIMUM DEPTH OF REAR YARD SETBACK –
A. ABUTTING NON–RESIDENTIAL ZONED PROPERTY, WITH FIRE RETARDANT WALL AND ALLEY SEPARATING – 0 FEET PLUS Y2 THE BUILDING HEIGHT OVER 36 FEET.
B. WITHOUT FIRE RETARDANT WALL OR ALLEY – 10 FEET, OR AS REQUIRED BY BUILDING AND/OR FIRE CODES
C. ABUTTING RESIDENTIALLY ZONED PROPERTY – 20 FEET PLUS Y2 THE BUILDING HEIGHT OVER 36 FEET.
D. IN NO CASE SHALL MORE THAN A 50 FOOT SETBACK BE REQUIRED.

7. MINIMUM DISTANCE BETWEEN TWO BUILDINGS ON THE SAME LOT OR PARCEL OF LAND–
A. WITHOUT FIRE RETARDANT WALL – 15 FEET PLUS Y2 THE BUILDING HEIGHT OVER 36 FEET
B. WITH FIRE RETARDANT WALL – 10 FEET PLUS Y2 THE BUILDING HEIGHT OVER 36 FEET
C. IN NO CASE SHALL MORE THAN A 50 FOOT SETBACK BE REQUIRED.

8. MAXIMUM BUILDING COVERAGE AS A PERCENTAGE OF LOT AREA – 60%

9. MAXIMUM AMOUNT OF IMPERVIOUS COVERAGE AS A PERCENTAGE OF LOT AREA – 90–95% SEE ARTICLE VIII. 5.12 REQUIRED LANDSCAPING

10. MINIMUM AMOUNT OF LANDSCAPED AREAS – ALL DEVELOPMENT SHALL COMPLY WITH ARTICLE VIII LANDSCAPE STANDARDS. =

11. MAXIMUM FLOOR AREA RATIO – 2:1 FAR

12. MAXIMUM BUILDING HEIGHT – 120 FEET. ANY STRUCTURE OVER 60 FEET SHALL REQUIRE A SPECIFIC USE PERMIT.

13. MINIMUM NUMBER OF PAVED OFF–STREET PARKING SPACES REQUIRED – SEE ARTICLE VI PARKING AND LOADING.

14. MAXIMUM NUMBER OF ENTRANCES AND/OR EXITS –
A. ARTERIAL STREETS – 1 FOR EACH 200 FEET OF STREET FRONTAGE PER SITE, OR AS APPROVED BY THE CITY COUNCIL.
B. COLLECTOR STREETS – 1 PER EACH 100 FEET OF STREET FRONTAGE PER SITE, OR AS APPROVED BY THE CITY COUNCIL.
C. LOCAL STREETS – 1 PER EACH 50 FEET OF STREET FRONTAGE PER SITE, OR AS APPROVED BY THE CITY COUNCIL.

15. RESIDENTIAL ADJACENCY. LOTS WITH NON–RESIDENTIAL USES THAT HAVE A SIDE OR REAR CONTIGUOUS OR SEPARATED ONLY BY AN ALLEY, OR EASEMENT OR STREET, FROM ANY RESIDENTIAL DISTRICT MUST BE SEPARATED FROM SUCH RESIDENTIAL DISTRICT BY A BUFFER AS DEFINED IN ARTICLE VIII LANDSCAPE STANDARDS, OR AS APPROVED BY THE CITY COUNCIL.

16. BUILDING CODE. THE BUILDING CODE MAY IMPOSE MORE RESTRICTIVE DEVELOPMENT STANDARDS DEPENDING ON THE SIZE, USE AND CONSTRUCTION OF THE STRUCTURES.

D. SPECIAL REQUIREMENTS

1. MANUFACTURING OPERATIONS AND STORAGE. ALL BUSINESS AND MANUFACTURING OPERATIONS INCLUDING STORAGE SHALL BE CONDUCTED WITHIN A COMPLETELY ENCLOSED BUILDING UNLESS SPECIFICALLY AUTHORIZED FOR THE USE AS LISTED.

LEGAL DESCRIPTION

Field notes for a 316.315 acre (13,778,691 square foot) tract of land situated in the M. E. Hawkins Survey, Abstract No. 100, and the Robert K. Briscoe Survey, Abstract No. 16 in the City of Rockwall, Rockwall County, Texas, and being all of that certain called 308.52 acre tract of land described in a Special Warranty Deed to 308 on 276, L.P., as recorded in Volume 03662, Page 00315, of the Official Public Records of Rockwall County, Texas (O.P.R.R.C.T.), with said 316.315 acre (13,778,691 square feet) tract of land being more particularly described by metes and bounds as follows:

BEGINNING a railroad spike set in asphalt marking the northwest corner of said 308 on 276, L.P. tract and the common southwest corner of that certain called 21.935 acre tract of land described as Tract One in a Warranty Deed to Rockwall Fund I, L.L.C., as recorded in Volume 1110, Page 190, of the Deed Records of Rockwall County, Texas (D.R.R.C.T.), said point being in the approximate center of Rochell Road, a county road with an unspecified right–of–way (R.O.W.) width;

THENCE North 89 degrees 00 minutes 24 seconds East (South 89 degrees 12 minutes 02 seconds East – deed call), along the common northerly line of said 308 on 276, L.P. tract and the common southerly line of said Tract One, passing at a distance of 30.00 feet, a 5/8 inch iron rod set with a yellow plastic cap stamped "THE WALLACE GROUP" ("cap") for reference, continuing along said common line, passing at a distance of 1,799.04 feet, a 1/2 inch iron rod found marking the southeast corner of said Tract One, being common with the southwest corner of that certain called 59.71 acre tract of land described in a Special Warranty Deed to Fate I–30, L.P., as recorded in Volume 03542, Page 00039, O.P.R.R.C.T., continuing along the common northerly line of said 308 on 276, L.P. tract and the southerly line of said Fate I–30, L.P. tract, a total distance of 1,966.04 feet (1,902.80 feet – deed call) to a 1/2 inch iron rod found marking the common most northerly northeast corner of said 308 on 276, L.P. tract and the northwest corner of that certain called 85.479 acre tract of land described as Tract Two in the aforementioned Warranty Deed to Rockwall Fund I, L.L.C., as recorded in Volume 1110, Page 190, D.R.R.C.T.;

THENCE South 01 degrees 59 minutes 29 seconds East (South 00 degrees 08 minutes 06 seconds West – deed call), along the common easterly line of said 308 on 276, L.P. tract and the westerly line said Tract Two, a distance of 2,204.26 feet (2,166.70 feet – deed call) to a 1/2 inch iron rod found marking an ell corner of said 308 on 276, L.P. tract and the southwest corner of said Tract Two;

THENCE North 87 degrees 20 minutes 20 seconds East (North 89 degrees 12 minutes 02 seconds East – deed call), continuing along the common northerly line of said 308 on 276, L.P. tract and the southerly line said Tract Two, a distance of 1,691.90 feet (1,782.53 feet – deed call) to a 5/8 inch iron rod set with "cap" marking the common most easterly northeast corner of said 308 on 276, L.P. tract and the southeast corner of said Tract Two, from which a 1/2 inch iron rod found bears North 87 degrees 20 minutes 20 seconds East at 10.49 feet, said 5/8 inch iron rod set being on the west line of that certain called 212.25 acre tract of land described in a Special Warranty Deed to South Rockwall Holdings, L.P., as recorded in Volume 03625, Page 00034, O.P.R.R.C.T.;

THENCE South 01 degrees 34 minutes 35 seconds East, along the common easterly line of said 308 on 276, L.P. tract and the westerly line said South Rockwall Holdings tract, a distance of 309.68 feet to a 5/8 inch iron rod set with "cap" marking the southwest corner of said South Rockwall Holdings tract, being common with the northwest corner of Lot 8, Equestrian Estates, according to the plat thereof recorded in Cabinet A, Page 197, of the Plat Records of Rockwall County, Texas (P.R.R.C.T.);

THENCE South 00 degrees 50 minutes 42 seconds East, along the common easterly line of said 308 on 276, L.P. tract and the westerly line said Equestrian Estates, a distance of 2,301.71 feet (South 00 degrees 06 minutes 38 seconds West, a distance of 2,580.60 feet – overall deed call) to a 5/8 inch iron rod set with "cap" marking the common southeast corner of said 308 on 276, L.P. tract and an ell corner of the north R.O.W. line of State Highway No. 276 (having a variable width R.O.W.);

THENCE South 89 degrees 29 minutes 00 seconds West (North 89 degrees 29 minutes 07 seconds West – deed call), along the common southerly line of said 308 on 276, L.P. tract and said north R.O.W. line of State Highway No. 276, passing at a distance of 1.66 feet a found TxDOT concrete monument, continuing along said common line for a total distance of 117.50 feet (115.83 feet – deed call) to a 5/8 inch iron rod set with "cap" marking the common ell corner of said 308 on 276, L.P. tract and the most easterly southeast corner of that certain called 2.503 acre tract of land described as an Easement for Highway Purposes to the State of Texas, recorded in Volume 82, Page 583of the Real Property Records of Rockwall County, Texas (R.P.R.R.C.T.);

THENCE North 00 degrees 31 minutes 03 seconds West (North 00 degrees 30 minutes 13 seconds East – deed call), along a common interior line of said 308 on 276, L.P. tract and the easterly line of said Easement for Highway Purposes tract, a distance of 50.31 feet (50 feet – deed call) to a 5/8 inch iron rod set with "cap" marking the common ell corner of said 308 on 276, L.P. tract and the northeast corner of said Easement for Highway Purposes tract;

THENCE South 89 degrees 28 minutes 57 seconds West (North 89 degrees 29 minutes 47 seconds West – deed call), along the common southerly line of said 308 on 276, L.P. tract and the northerly line of said Easement for Highway Purposes tract, a distance of 543.40 feet (543.73 feet – deed call) to a 5/8 inch iron rod set with "cap" for corner;

THENCE South 89 degrees 13 minutes 58 seconds West (South 89 degrees 48 minutes 55 seconds West – deed call), continuing along the common southerly line of said 308 on 276, L.P. tract and the northerly line of said Easement for Highway Purposes tract, a distance of 757.25 feet (756.93 feet – deed call) to a 5/8 inch iron rod found marking a common ell corner of said 308 on 276, L.P. tract and the northwest corner of said Easement for Highway Purposes tract;

THENCE South 00 degrees 46 minutes 03 seconds East (South 00 degrees 11 minutes 05 seconds East – deed call), along a common interior line of said 308 on 276, L.P. tract and the westerly line of said Easement for Highway Purposes tract, a distance of 90.30 feet (87.44 feet – deed call) to a 5/8 inch iron rod set with "cap" marking a common ell corner of said 308 on 276, L.P. tract and the southwest corner of said Easement for Highway Purposes tract, said point being on said north R.O.W. line of State Highway No. 276;

THENCE South 89 degrees 13 minutes 57 seconds West (North 89 degrees 53 minutes 27 seconds West – deed call), along the common southerly line of said 308 on 276, L.P. tract and said north R.O.W. line of State Highway No. 276, passing at a distance of 1,667.76 feet a 5/8 inch iron rod set with "cap" for reference, continuing along said common line for a total distance of 1,917.07 feet (1,917.34 feet – deed call) to a found TxDOT concrete monument, marking the transitional R.O.W. line from said north R.O.W. line of State Highway No. 276 to the east R.O.W. line of Springer Lane, an 80 foot wide R.O.W., (formerly F.M. No. 1143), said point being the beginning of a non–tangent curve to the right, with the radius point being situated North 21 degrees 40 minutes 52 seconds East, a distance of 533.69 feet;

THENCE Northerly along the common curving westerly line of said 308 on 276, L.P. tract and said curving east R.O.W. line of Springer Lane, with said non–tangent curve to the right, through a central angle of 67 degrees 33 minutes 20 seconds (48 degrees 33 minutes 57 seconds – deed call), having a radius of 533.69 feet (613.69 feet – deed call), a tangent distance of 356.97 feet, a chord bearing North 34 degrees 32 minutes 28 seconds West (North 40 degrees 41 minutes 57 seconds West – deed call), at 593.43 feet, and an arc distance of 629.26 feet (520.18 feet – deed call) to a 5/8 inch iron rod set with "cap" at the end of said non–tangent curve;

THENCE North 00 degrees 53 minutes 56 seconds West (North 00 degrees 43 minutes 17 seconds West – deed call), continuing along the common westerly line of said 308 on 276, L.P. tract and said east R.O.W. line of Springer Lane, a distance of 294.21 feet (430.56 feet – deed call) to an axle found for the beginning of a non–tangent curve to the left, with the radius point being situated South 89 degrees 08 minutes 07 seconds West, a distance of 612.96 feet;

THENCE Northerly continuing along the common curving westerly line of said 308 on 276, L.P. tract and said curving east R.O.W. line of Springer Lane, with said non–tangent curve to the left, through a central angle of 17 degrees 26 minutes 00 seconds (12 degrees 25 minutes 52 seconds – deed call), having a radius of 612.96 feet (613.69 feet – deed call), a tangent distance of 93.98 feet, a chord bearing North 09 degrees 34 minutes 53 seconds West at 185.78 feet, and an arc distance of 186.50 feet (133.15 feet – deed call) to a 5/8 inch iron rod set with "cap" at the end of said non–tangent curve, said point marking the transition from said east R.O.W. line of Springer Lane to the approximate center of the aforementioned Rochell Road;

THENCE North 00 degrees 49 minutes 05 seconds West (North 00 degrees 10 minutes 49 seconds East – deed call), along the common westerly line of said 308 on 276, L.P. tract and said approximate center of Rochell Road, passing at a distance of 386.53 feet a 1/2 inch iron rod found marking the southeast corner of that certain called 60.3368 acre tract of land described in a Cash Warranty Deed to Varughese P. Samuel and wife, Remani V. Samuel, as recorded in Volume 02002, Page 00062, O.P.R.R.C.T., then continuing along said common line with the easterly line of said Samuel tract, a total distance of 2,841.3 feet (1,613.15 feet – deed call) to a 1/2 inch iron rod found marking the northeast corner of said Samuel tract;

THENCE North 01 degrees 38 minutes 55 seconds West (North 00 degrees 08 minutes 06 seconds East – deed call), along the common westerly line of said 308 on 276, L.P. tract and said approximate center of Rochell Road, a distance of 976.29 feet (2,166.70 feet – deed call) to the POINT OF BEGINNING.

CONTAINING within the metes recited 316.315 acres (13,778,692 square feet) of land, more or less, of which a portion lies within Rochell Road.



VICINITY MAP
(NOT TO SCALE)

NOTES CORRESPONDING TO SCHEDULE "B" ITEMS

TITLE COMMITMENT FURNISHED BY REPUBLIC TITLE OF TEXAS, INC., G.F. NO. 07924313 MK3, EFFECTIVE DATE: JULY 18, 2007, ISSUE DATE: JULY 27, 2007.

10(a, ROADWAY EASEMENT GRANTED BY EDITH RHYNE DAVENPORT TO LOUBERT MOYERS AND FAYE MOYERS, DATED 07/11/1966, FILED 07/12/1966, RECORDED IN VOLUME 76, PAGE 257, REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS. AFFECTS THE MOST NORTHEASTERLY CORNER OF THE SUBJECT TRACT AS PLOTTED HEREON.

10b. EASEMENT FOR FLOODWATER RETARDING STRUCTURE GRANTED BY EDITH RHYNE DAVENPORT TO KAUFMAN–VAN ZANDT SOIL CONSERVATION DISTRICT, DATED 09/10/1966, FILED 09/22/1966, RECORDED IN VOLUME 77, PAGE 103, REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS. AFFECTED BY INSTRUMENT RECORDED IN VOLUME 90, PAGE 516, REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS. AFFECTS EXISTING BARN LOCATED ON THE WEST SIDE OF SUBJECT TRACT. AFFECTS APPROX. 57 ACRES OF THE NORTH 100 ACRES OF THE OVERALL SUBJECT TRACT AND IS PLOTTED HEREON.

10c. EASEMENT FIFTEEN FOOT (15') WIDE FOR WATER PIPELINE GRANTED BY OSCAR M. WILSON, JR. TO BLACKLAND WATER SUPPLY CORPORATION, DATED 01/08/1979, FILED 02/20/1979, RECORDED IN VOLUME 140, PAGE 301, REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS. AFFECTS THE WESTERLY LINE OF THE SUBJECT TRACT AND IS PLOTTED HEREON.

10d. EASEMENT FOR A ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE GRANTED BY CENTRAL LIFE ASSURANCE SOCIETY TO TEXAS POWER & LIGHT COMPANY, DATED 11/11/1936, FILED 12/04/1936, RECORDED IN VOLUME 33, PAGE 168, REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS. MAY AFFECT THE SUBJECT TRACT BUT THE SURVEYOR FOUND NO PHYSICAL EVIDENCE.

10e. EASEMENT FOR AN ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE GRANTED BY J.W. REECE TO TEXAS POWER & LIGHT COMPANY, DATED 06/12/1944, FILED 08/04/1944, RECORDED IN VOLUME 35, PAGE 571, REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS. MAY AFFECT THE SUBJECT TRACT BUT THE SURVEYOR FOUND NO PHYSICAL EVIDENCE.

10f. EASEMENT FOR A FLOODWATER RETARDING STRUCTURE GRANTED BY JEWELL R. ISBELL AND FRANK A. ISBELL TO KAUFMAN–VAN ZANDT SOIL CONSERVATION DISTRICT, DATED 04/13/1968, FILED 02/13/1969, RECORDED IN VOLUME 89, PAGE 583, REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS. AFFECTS APPROXIMATELY 55 ACRES OF THE SOUTH 216 ACRES OF THE OVERALL SUBJECT TRACT.

10g. EASEMENT FOR HIGHWAY PURPOSES GRANTED BY RUBY J. ISBELL AND FRANK ISBELL TO THE STATE OF TEXAS, DATED 05/17/1968, FILED 05/17/1968, RECORDED IN VOLUME 583, PAGE 583, REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS. AFFECTS THE SUBJECT TRACT, ADJACENT TO THE SOUTH LINE OF THE SUBJECT TRACT AND IS PLOTTED HEREON.

10h. EASEMENT FOR WATER LINE GRANTED BY RICHARD H. ROACH AND HASKELL L. ROACH TO CASH WATER SUPPLY CORPORATION, DATED 10/02/1980, FILED 09/09/1981, RECORDED IN VOLUME 160, PAGE 675, REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS. APPEARS TO AFFECT THE WESTERLY AND SOUTHERLY LINE OF THE SUBJECT TRACT, BUT CAN NOT BE PLOTTED DUE TO THE VAGUENESS OF THE DESCRIPTION.

FLOOD STATEMENT:

ACCORDING TO THE FLOOD INSURANCE RATE MAP, ROCKWALL COUNTY, TEXAS (UNINCORPORATED AREAS) COMMUNITY–PANEL NUMBER 480547 0045 B, EFFECTIVE DATE SEPTEMBER 17, 1980:

A PORTION OF THIS PROPERTY IS LOCATED IN ZONE A – AREAS OF 100–YEAR FLOOD, BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS NOT DETERMINED.

A PORTION OF THIS PROPERTY IS LOCATED IN ZONE A4 – AREAS OF 100–YEAR FLOOD, BASE FLOOD ELEVATIONS AND FLOOD HAZARD



OPEN SPACE CALCULATION		
OPEN AREA / PARK AREA	1/2 FEMA FLOOD PLAIN AREA	
41.9 ACRES	54.7 ACRES	96.6 ACRES
OPEN SPACE RATIO =	96.6 / 307.0	31.5%

RESIDENTIAL PROJECT AREA = 307.0 ACRES

LOT DENSITY: 507 / 307.0 = 1.65 Lots per Acre

0 250' 500' 750' 1,000'

GRAPHIC SCALE

LEGEND

- TYPE A LOT
- TYPE B LOT
- TYPE C LOT
- COMMERCIAL ± 9.0 AC.
- OPEN AREA ± 30.9 AC
- PARK ± 11.0 AC
- OPEN AREA/FLOODPLAIN TO BE DEDICATED TO THE PUBLIC ± 44.2 AC
- COMMUNITY CENTER ±1.2 ACRES
- REMAINING FEMA FLOODPLAIN ±65.2 AC
- WALKING TRAIL ±3.8 MILES

GENERAL LOT INFORMATION

TYPE A - 121 LOTS - 80'x120' (MIN) - 9,600 SF
TYPE B - 127 LOTS - 70'x110' (MIN) - 7,700 SF
TYPE C - 259 LOTS - 60'X110' (MIN) - 6,600 SF

15' LANDSCAPE BUFFER ALONG DISCOVERY BOULEVARD
20' LANDSCAPE BUFFER ALONG ROCHELL ROAD
25' LANDSCAPE BUFFER ALONG HIGHWAY 276

507 LOTS

"THIS SITE PLAN SHOULD BE CONSIDERED PRELIMINARY AND CONCEPTUAL AND IS NOT BASED ON FINAL ALTA OR TOPOGRAPHIC SURVEY OR COMPLETE DUE DILIGENCE INFORMATION FROM THE GOVERNING JURISDICTION. LOT POSITION MAY VARY AS PLAN IS REFINED. PLAN WILL NOT EXCEED 507 LOTS. IT SHOULD NOT BE USED FOR LEASE EXHIBITS, PERMIT APPROVAL OR ANY OTHER BINDING AGREEMENTS"

DISCOVERY LAKES
PLANNED DEVELOPMENT
ROCKWALL, TEXAS

CARNEY
ENGINEERING
COMPANY
4588 Hinton Dr.
Plano, Texas 75024
PH (469) 443-0861
FAX (469) 443-0863

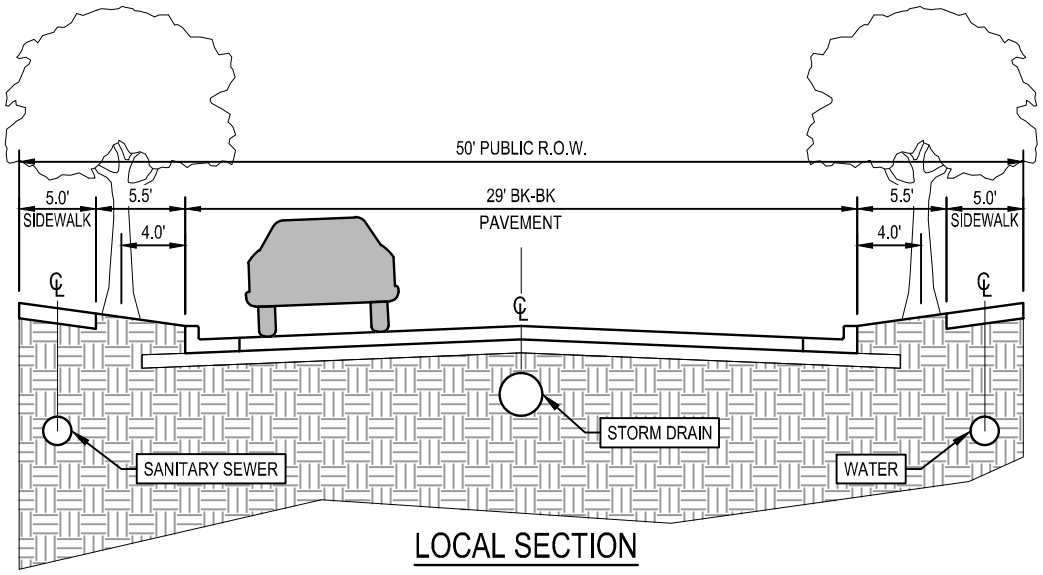
STATE OF TEXAS
T. CRAIG CARNEY
55714
REGISTERED
PROFESSIONAL ENGINEER

07/08/15

TBPE FIRM REGISTRATION NO: F-5033

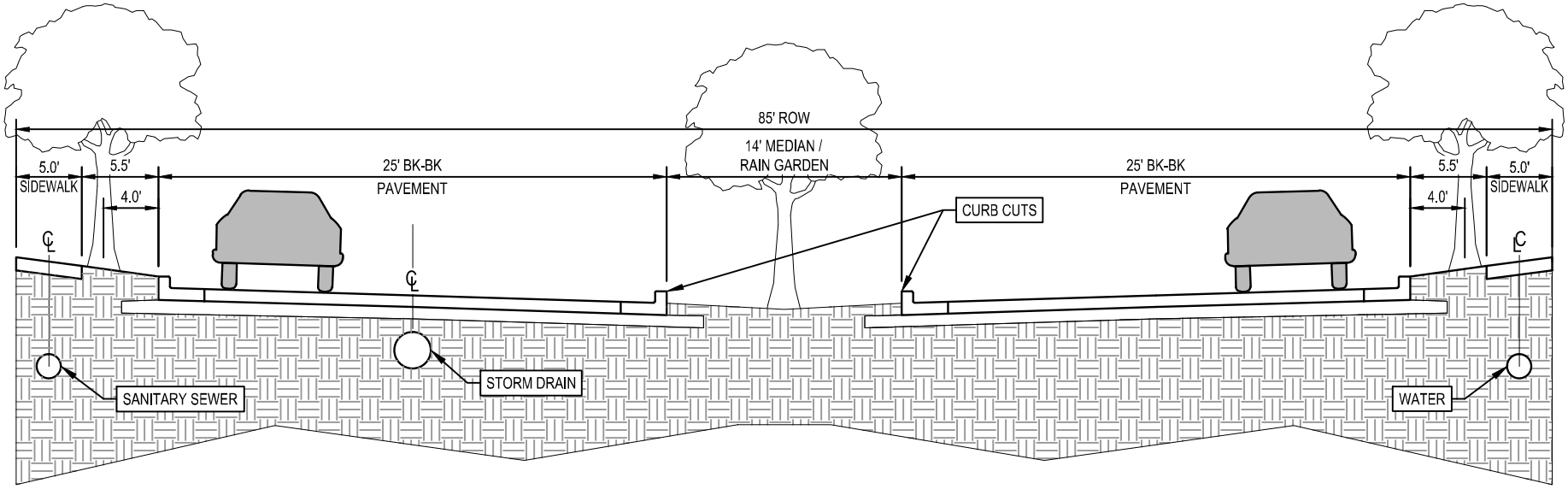
DRAWN BY :	TCP
CHECKED BY :	JAH
START DATE :	7-8-2015
SCALE :	1" = 500'
PROJECT NO. :	2068-075

Filename: F:\Land Development\2068\2068-075 Rockwall Planned Dev\CAD\LAND DEVELOPMENT\CONCEPTUAL LAYOUT #5.dwg Plotted: 7/8/2015 1:28:44 PM Plot Device: DWG To PDF.pc3 Page Setup: — Plotted by: Thurman Parsons



LOCAL SECTION

N.T.S.



BOULEVARD SECTION

N.T.S.

DISCOVERY LAKES
TYPICAL STREET SECTIONS

391





393



394

Permitted Land Uses in a General Retail (GR) District

Date: March 21, 2014

P: Permitted by Right; S: Permitted by Specific Use Permit; A: Permitted Accessory to the Primary Use; Blank: Not Permitted; [1]: Additional Requirements

Rural & Animal-Related	
Agricultural Uses on Un-Platted Land	P
Animal Boarding/Kennel without Outside Pens	S
Animal Clinic for small animals, no outdoor pens [1]	P
Animal Hospital, Clinic	S

Residential & Lodging	
Accessory Building [1]	P
Caretakers Quarters/Domestic or Security Unit	P
Convent or Monastery	P
Garage	A
Hotel or Motel	S
Hotel, Residence	S
Residential Care Facility	S

Institutional & Community Service	
Assisted Living Facility [1]	P
Blood Plasma Donor Center	P
Cemetery/ Mausoleum	P
Church/House of Worship [1]	P
Convalescent Care Facility/Nursing Home [1]	P
Day Care (7 or More Children) [1]	P
Emergency Ambulance Services, Ground	P
Group or Community Home [1]	P
Government Facility	P
Hospice	P
Hospital	P
Library, Art Gallery or Museum (Public)	P
Mortuary or Funeral Chapel	P
Post Office, Local Service	P
Public or Private School, Primary [1]	P
Public or Private School, Secondary [1]	P
Public or Private School Temporary Education Building [1]	S
Social Service Provider, except Rescue Mission or Homeless Shelter	S

Office & Professional	
Financial Institution with Drive-Through [1]	P
Financial Institution without Drive-Through	P
Office, General	P
Office Building, less than 5,000 Sq. Ft.	P
Office Building, 5,000 Sq. Ft. or more	P

Recreation, Entertainment & Amusement	
Billiard Parlor or Pool Hall [1]	S
Carnival, Circus, or Amusement Ride, Temporary [1]	P
Commercial Amusement/ Recreation (Inside) [1]	S
Commercial Amusement/ Recreation (Outside)	S
Community or Recreation Club, Public or Private (Accessory)	P
Country Club, Private	S
Golf Driving Range	S
Fund Raising Events by Non-Profit, Indoor or Outdoor, Temporary [1]	P
Gun Club, Skeet or Target Range (Indoor)	S

Permitted Land Uses in a General Retail (GR) District

Date: March 21, 2014

P: Permitted by Right; S: Permitted by Specific Use Permit; A: Permitted Accessory to the Primary Use; Blank: Not Permitted; [1]: Additional Requirements

Health Club	P
Private Club, Lodge or Fraternal Organization	P
Public Park or Playground	P
Tennis Courts (Not accessory to a public or private club)	S
Theater	S

Retail & Personal Services	
Antique/Collectible Store	P
Astrologer, Hypnotist, or Psychic Art and Science	P
Banquet Facility	P
Business School	P
Catering Service	P
Christmas Tree Sales Lot & Similar Uses, Temporary [1]	P
Copy Center	P
Display, Incidental [1]	P
Garden Supply/Plant Nursery	P
General Personal Service	P
General Retail Store	P
Hair Salon, Manicurist	P
Laundry, Drop-off/Pickup	P
Laundry, Self Service	P
Massage Therapist	P
Museum or Art Gallery (Private)	P
Night Club, Discoteque, or Dance Hall	S
Pet Shop	P
Private Club [1]	P
Real Estate Sales Office, On-site, Temporary [1]	P
Rental Store, w/o Outside Storage and Display	S
Restaurant, Less than 2000 Sq. Ft., w/ Drive-Thru or Drive-in [1]	S
Restaurant, Less than 2000 Sq. Ft., w/o Drive-Thru or Drive-in	P
Restaurant, 2000 Sq. Ft. or more, w/ Drive-Thru or Drive-in [1]	S
Restaurant, 2000 Sq. Ft. or more, w/o Drive-Thru or Drive-in	P
Restaurant with accessory Private Club or Brew Pub [1]	P
Retail store with gasoline product sales limited to 2 dispensers and 4 vehicles	P
Retail store with more than 2 dispensers	S
Secondhand Dealer	P
Studio - Art, Photography or Music	P
Tailor, Clothing or Apparel Shop	P

Commercial & Business Services	
Electrical, Watch, Clock, Jewelry & Similar Repair	P
Locksmith	P
Shoe and Boot Repair and Sales	P
Trade School	S
Temporary On-site Construction Office [1]	P

Auto & Marine-Related	
Auto Repair Garage, Minor [1]	S
Car Wash/Auto Detail [1]	S
Car Wash, Self Service	S
Parking Lot, non-commercial	P
Service Station [1]	P

Permitted Land Uses in a General Retail (GR) District

Date: March 21, 2014

P: Permitted by Right; S: Permitted by Specific Use Permit; A: Permitted Accessory to the Primary Use; Blank: Not Permitted; [1]: Additional Requirements

Industrial & Manufacturing	
Asphalt or Concrete Batch Plant, Temporary [1]	P
Mining and Extraction (Sand, Gravel Oil & other) [1]	S

Utilities, Communications & Transportation	
Antenna, Accessory [1]	P
Antenna, Commercial [1]	S
Antenna, Dish [1]	P
Antenna, Commercial, Free-Standing [1]	S
Antenna, Commercial, Mounted [1]	S
Helipad	S
Utilities (Non-Municipally owned or Controlled), including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	S
Municipally Owned or Controlled Facilities, Utilities and Uses	P
Private Streets	S
Radio Broadcasting	P
Railroad Yard or Shop	S
Recording Studio	S
Satellite Dish [1]	P
Transit Passenger Facility	S
TV Broadcasting & Other Communication Service	S
Utilities Holding a Franchise from City of Rockwall	S
Utility Installation, Other than Listed	S
Utility/ Transmission Lines	S
Wireless Communication Tower	S

CITY OF ROCKWALL

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A PLANNED DEVELOPMENT DISTRICT FOR SINGLE FAMILY 10 (SF-10) AND GENERAL RETAIL (GR) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 316.315-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE M. E. HAWKINS SURVEY, ABSTRACT NO. 100, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A' & EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by the Stacy McVey of Double Eagle Properties, LLC on behalf of the owner 308 ON 276, LP for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) and General Retail (GR) District land uses, on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A' & Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 2. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 3. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, described in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

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Section 4. That a *Master Parks and Open Space Plan* for the *Subject Property*, shall be prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan* depicted in *Exhibit 'C'* of this ordinance, and that the *Master Parks and Open Space Plan* shall be considered for approval by the City Council following a recommendation by the *Parks and Recreation Board*.

Section 5. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

(a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 5(b) through 5(f) below*), shall be the exclusive procedures applicable to the subdivision and platting of the Property.

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

(1) Open Space Master Plan
(2) Master Plat
(3) PD Development Plan (*Required for Retail Areas Only*)
(4) PD Site Plan
(5) Preliminary Plat
(6) Final Plat

(c) A *PD Development Plan* must be approved for the area designated on the *Planned Development Concept Plan* as *Retail* prior to submittal of a *PD Site Plan* application and/or preliminary plat application. No *Master Plat* is required for the area designated on the *Concept Plan* as *Retail*. A traffic impact analysis for the retail tract shall be submitted with the *PD Development Plan* to determine the extent and timing of any recommended facilities and/or improvements to the surrounding roadway network. The traffic impact analysis may be updated with each *PD Site Plan* for each retail development.

(d) *PD Site Plan.* A *PD Site Plan* covering all of the *Subject Property* shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Preliminary Plat Application* for the development.

(e) *Preliminary Plat.* A *Preliminary Plat* covering all of the *Subject Property* shall be submitted and shall include a *Treescape Plan*. A *Preliminary Plat Application* may be processed by the City concurrently with a *PD Site Plan Application* for the development.

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

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

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

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

Section 9. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 20TH DAY OF JULY, 2015.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *July 20, 2015*

2nd Reading: *August 3, 2015*

DRAFT ORDINANCE 07.14.2015

Exhibit 'A':
Legal Description

Field notes for a 316.315-acre (13,778,691 square foot) tract of land situated in the M. E. Hawkins Survey, Abstract No. 100, and the Robert K. Briscoe Survey, Abstract No. 16 in the City of Rockwall, Rockwall County, Texas, and being all of that certain called 308.52-acre tract of land described in a Special Warranty Deed to 308 ON 276, L.P., as recorded in Volume 03662, Page 00315, of the Office Public Records of Rockwall County, Texas (O.P.R.R.C.T.) with said 316.315-acre (13, 778,691 square feet) tract of land being more particularly described by metes and bounds as follows:

BEGINNING a railroad spike set in asphalt marking the northwest corner of said 308 on 276, L.P. tract and the common southwest corner of that certain called 21. 935 acre tract of land described as Tract One in a Warranty Deed to Rockwall Fund I, L.L.C., as recorded in Volume 1 110, Page 190, of the Deed Records of Rockwall County, Texas (D.R.R.C.T.) , said point being in the approximate center of Rochell Road, a county road with an unspecified right-of- way (R. O. W.) width;

THENCE North 89 degrees 00 minutes 24 seconds East (South 89 degrees 12 minutes 02 seconds East - deed call), along the common northerly line of said 308 ON 276, L.P. tract and the common southerly line of said Tract One, passing at a distance of 30. 00 feet, a 5/8 inch iron rod set with a yellow plastic cap stamped "THE WALLACE GROUP " ("cap ") for reference, continuing along said common line, passing at a distance of 1,799. 04-fee t, a ½-inch iron rod found marking the southeast corner of said Tract One, being common with the south west corner of that certain called 59.71-acre tract of land described in a Special Warranty Deed to Fate I- 30, L.P., as recorded in Volume 03542, Page 00039, O.P.R.R.C.T., continuing along the common northerly line of said 308 on 276, L.P. tract and the southerly line of said Fate I-30, L.P. tract, a total distance of 1,966.04 feet (1,902 .80 feet - deed call) to a 1/ 2 inch iron rod found marking the common most northerly northeast corner of said 308 on 276, L.P. tract and the north west corner of that certain coiled 85.479 acre tract of land described as Tract Two in the aforementioned Warranty Deed to Rockwall Fund I, L.L.C., as recorded in Volume 1 110, Page 190, O.R.R.C.T.;

THENCE South 01 degrees 59 minutes 29 seconds East (South 00 degrees 08 minutes 06 seconds West - deed call), along the common easterly line of said 308 ON 276, L.P. tract and the westerly line said Tract Two, a distance of 2,204.26-fee t (2,166.70-feet - deed call) to a 1/ 2 inch iron rod found marking an ell corner of said 308 ON 276, L.P. tract and the southwest corner of said Tract Two;

THENCE North 87 degrees 20 minutes 20 seconds East (North 89 degrees 12 minutes 02 seconds East - deed call), continuing along the common northerly line of said 308 on 276, L.P. tract an d the southerly line said Tract Two, a distance of 1,691. 90 feet (1,782.53 feet - deed call) to a 5/8 inch iron rod se t with "cap " marking the common most easterly northeast corner of said 308 on 276, L.P. tract and the southeast corner of said Tract Two, from which a ½-inch iron rod found bears North 87 degrees 20 minutes 20 seconds East at 10. 49 feet, said 5/8-inch iron rod set being on the west line of that certain called 212. 25 acre tract of land described in a Special Warranty Deed to South Rock wall Holdings, L.P., as recorded in Volume 03625, Page 00034, O.P.R.R.C.T.;

THENCE South 01 degrees 34 minutes 35 seconds East, along the common easterly line of said 308 ON 276, L.P. tract and the westerly line said South Rock wall Holdings tract, a distance of 309.68-feet to a 5/8-inch iron rod set with "cap " marking the southwest corner of said South Rock wall Holdings tract, being common with the northwest corner of Lot 8, Equestrian Estates, according to the plot thereof recorded in Cabinet A, Page 19 7, of the Plot Records of Rock wall County, Texas (P.R.R.C.T.);

THENCE South 00 degrees 50 minutes 42 seconds East, along the common easterly line of said 308 ON 276, L.P. tract and the westerly line said Equestrian Estates, a distance of 2,301.71 feet (South 00 degrees 06 minutes 38 seconds West, a distance of 2,580 . 60 feet - overall deed call) to a 5/8 inch iron rod set with "cap " marking the common southeast corner of said 308 ON 276, L.P. tract and on ell corner of the north R.O.W. line of State Highway No. 276 (having a variable width R.O.W.);

THENCE South 89 degrees 29 minutes 00 seconds West (North 89 degrees 29 minutes 07 seconds West - deed call), along the common southerly line of said 308 ON 2 76, L.P. tract and said north R.O.W. line of State Highway No. 276, passing at a distance of 1.66 feet a found TxDOT concrete monument, continuing along said common line for a tot al distance of 117.50-feet (115.83-feet - deed call) to a 5/8-inch iron rod set with "cap " marking the common ell corner of said 308 ON 276, L.P. tract and the most easterly southeast corner of that certain called 2.503-acre tract of land described as on Easement for Highway Purposes to the State of Texas, recorded in Volume 82, Page 583 of the Real Property Records of Rockwall County, Texas (R.P.R.R.C.T.);

THENCE North 00 degrees 31 minutes 03 seconds West (North 00 degrees 30 Minutes 13 seconds East - deed call), along a common interior line of said 308 on 2 76, L.P. tract and the easterly line of said Easement for Highway Purposes tract, a distance of 50.31-feet (50-feet - deed call) to a 5/8-inch iron rod set with "cap" marking the common ell corner of said 308 ON 276, L.P. tract and the north east corner of said Easement for Highway Purposes tract;

THENCE South 89 degrees 28 minutes 57 seconds West (North 89 degrees 29 minutes 47 seconds West - deed call), along the common southerly line of said 308 on 276, L.P. tract and the northerly line of said Easement for Highway Purposes tract, a distance of 543.40-feet (543.73-feet - deed call) to a 5/8-inch iron rod set with "cap " for corner;

THENCE South 89 degrees 13 minutes 58 seconds West (South 89 degrees 48 minutes 55 seconds West - deed call), continuing along the common southerly line of said 308 ON 276, L.P. tract and the northerly line of said Easement for Highway Purposes tract, a distance of 757. 25-feet (756.93-feet - deed call) to a 5/8-inch iron rod found marking a common ell corner of said 308 ON 276, L.P. tract and the northwest corner of said Easement for Highway Purposes tract;

THENCE South 00 degrees 46 minutes 03 seconds East (South 00 degrees 11 minutes 05 seconds East - deed call), along a common interior line of said 308 ON 276, L.P. tract and the westerly line of said Easement for High way Purposes tract, a distance of 90.30-feet (87.44-feet - deed call) t o a 5/8-inch iron rod set with "cap " marking a common ell corner of said 308 ON 276, L.P. tract and the southwest corner of said Easement for Highway Purposes tract, said point being on said north R.O.W. line of State Highway No. 276;

THENCE South 89 degrees 13 minutes 57 seconds West (North 89 degrees 53 minutes 27 seconds West - deed call), along the common southerly line of said 308 ON 276, L.P. tract and said north R.O.W. line of State Highway No. 276, passing at a distance of 1,66 7.76-feet a 5/8-inch iron rod set with "cap " for reference, continuing along said common line for a total distance of 1,917.07-feet (1,917.34-feet - deed call) to a found TxDOT concrete monument, marking the transitional R.O.W. line from said north R.O.W. line of State Highway No. 276 to the east R.O.W. fine of Springer Lane, on 80-foot wide R.O.W., (formerly F.M. No. 1143), said point being the beginning of a non-tangent curve to the right, with the radius point being situated North 21 degrees 40 minutes 52 seconds East, a distance of 533.69-feet;

THENCE Northerly along the common curving westerly line of said 308 ON 276, L.P. tract and said curving east R.O.W. line of Springer Lane, with said non-tangent curve to the right, through a central angle of 67 degrees 33 minutes 20 seconds (48 degrees 33 minutes 57 seconds - deed call), having a radius of 533. 69-feet (613.69-feet - deed call), a tangent distance of 356.97-feet, a chord bearing North 34 degrees 32 minutes 28 seconds West (North 40 degrees 41 minutes 57 seconds West - deed call), at 593.43-feet, and an arc distance of 629.26-feet (520.18-feet - deed call) to a 5/8-inch iron rod set with "cap" at the end of said non- tangent curve;

THENCE North 00 degrees 53 minutes 56 seconds West (North 00 degrees 43 minutes 17 seconds West - deed call), continuing along the common westerly line of said 308 on 276, L.P. tract and said east R.O.W. line of Springer Lane, a distance of 294.21-feet (430.56-feet - deed call) to an axle found for the beginning of a non-tangent curve to the left , with the radius point being situated South 89 degrees 08 minutes 07 seconds West, a distance of 612.96-feet;

THENCE Northerly continuing along the common curving westerly line of said 308 ON 276, L.P. tract and said curving east R.O.W. line of Springer Lane, with said non-tangent curve to the left, through a central angle of 17 degrees 26 minutes 00 seconds (12 degrees 25 minutes 52 seconds - deed call), having a radius of 612.96-feet (613.69-feet - deed call), a tangent distance of 93.98 feet, a chord bearing North 09 degrees 34 minutes 53 seconds West at 185.78-feet, and an arc distance of 186.50-feet (133.15 feet - deed call) to a 5/8-inch iron rod set with "cap" at the end of said non-tangent curve, said point marking the transition from said east R.O.W. line of Springer Lane to the approximate center of the aforementioned Rochell Road;

THENCE North 00 degrees 49 minutes 05 seconds West (North 00 degrees 10 minutes 49 seconds East - deed call), along the common westerly line of said 308 ON 276, L.P. tract and said approximate center of Rochell Road, passing at a distance of 386.53-feet a ½-inch iron rod found marking the southeast corner of that certain called 60.3368-acre tract of land described in a Cash Warranty Deed to Varughese P. Samuel and wife, Remoni V. Samuel, as recorded in Volume 02002, Page 00062, O.P.R.R.C.T., then continuing along said common line with the easterly line of said Samuel tract, a total distance of 2,841.3-feet (1,613.15-feet - deed call) to a ½-inch iron rod found marking the northeast corner of said Samuel tract;

THENCE North 01 degrees 38 minutes 55 seconds West (North 00 degrees 08 minutes 06 seconds East - deed call), along the common westerly line of said 308 ON 276, L.P. tract and said approximate center of Rochell Road, a distance of 976.29-feet (2,166.70-feet - deed call) to the *POINT OF BEGINNING*.

CONTAINING within the metes recited 316.315-acres (13,778,692 square feet) of land, more or less, of which a portion lies within Rochell Road.

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Exhibit 'B':
Survey

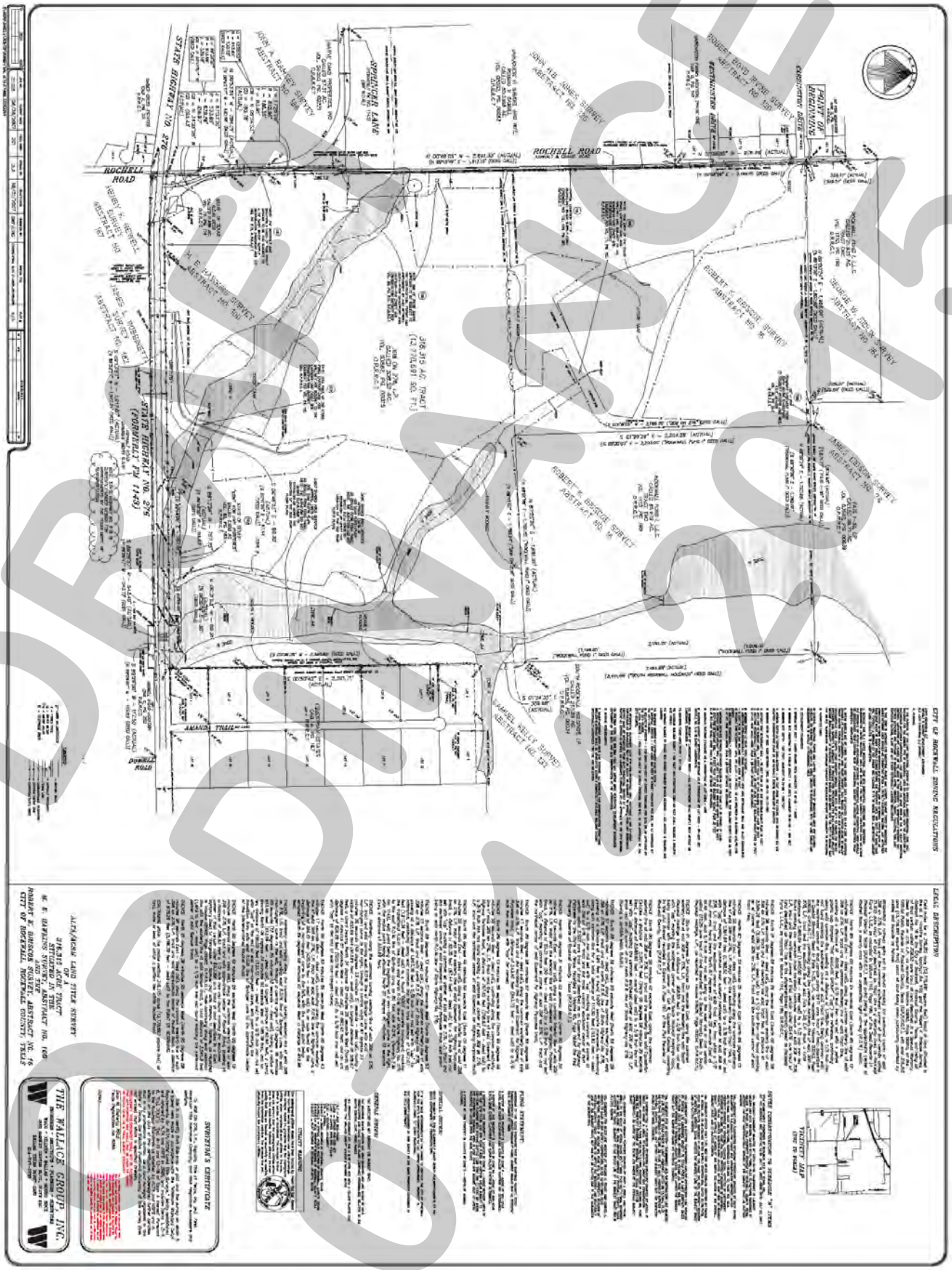

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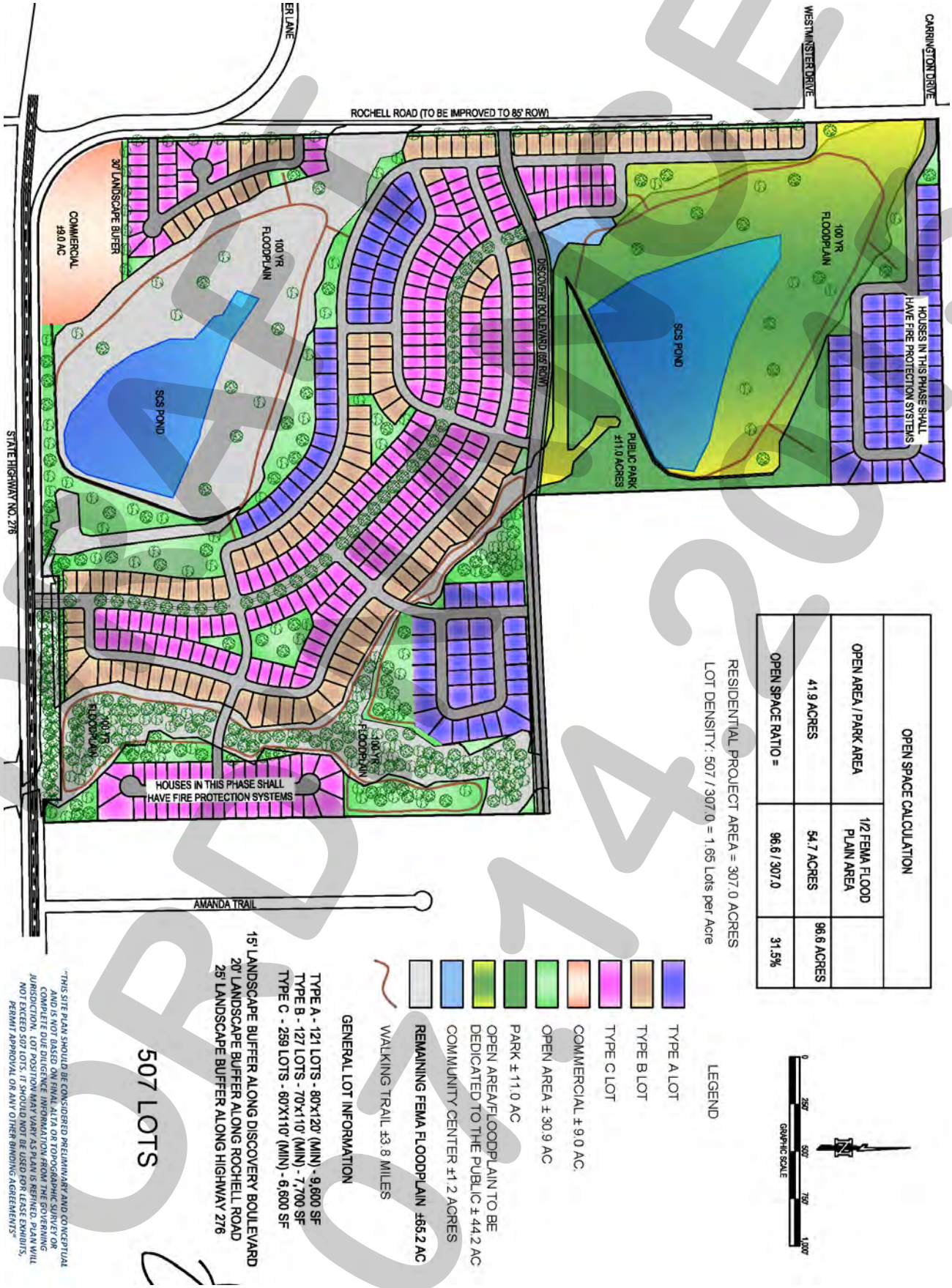
Exhibit 'C':
Concept Plan



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02/14/2015

Exhibit 'D':
PD Development Standards

A. PURPOSE

The Discovery Lakes Subdivision is located at the northeast corner of the intersection of SH-276 and Rochell Road. The *Subject Property* is a short walk or bike ride from the Rockwall Technology Park. The Discovery Lakes Subdivision will be a master planned residential neighborhood that will incorporate two (2) lakes, several acres of open space and ~3.8-miles of hiking/jogging/biking trails. The master plan calls for 507 single-family homes. There will be several view corridors strategically placed within the subdivision along with *front loaded* lots to provide for the enjoyment of the open space. A boulevard with 85-feet of right-of-way will connect SH-276 and Discovery Boulevard. The boulevard will have a 14-foot landscape median and a 25-foot travel lane on each side of the street. The residential streets will be 29-feet back-to-back, with a 10½-foot parkway on each side for a total of 50-feet of right-of-way. A *Community Center* with a pool will be provided to add increased amenity for the subdivision. Additionally, the proposed development will incorporate nine (9) acres of commercial space that will be located at the hard corner of SH-276 and Rochell Road. This area will allow for neighborhood service types of uses and eating establishments. A maximum of one (1) hotel planned to service the needs of the subdivision and the Rockwall Technology Park. A 55-acre area adjacent to the northern lake will be dedicated as public parkland to serve Park District No. 31. The Discovery Lakes Subdivision will be a benefit to the community, allowing citizens of all ages the opportunity to live, work, and play in a connected master planned community.

B. GENERAL REQUIREMENTS

Development Standards.

1. *Permitted Uses.* The following uses are permitted on the *Subject Property* in accordance with the *Concept Plan* depicted in *Exhibit 'C'* of this ordinance.

   (a) Residential Uses. Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 10 (SF-10) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), shall be allowed for areas designated as *residential* on the *Concept Plan*.

   (b) Non-Residential. Unless specifically provided by this Planned Development ordinance, only those uses permitted within the General Retail (GR) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), shall be allowed for areas designated as *commercial* on the *Concept Plan*; however, the following conditions shall apply:

   (i) The following additional uses shall be permitted as *by-right* uses on the *Subject Property*:

   - ☑ Hotel, Hotel (*Full Service*) or Motel (*With a Maximum Height of Four [4] Stories)* [1]
   - ☑ Restaurant (*with Drive-Through or Drive-In*) [2]
   - ☑ Retail Store (*with more than two [2] Gasoline Dispensers*)

   Notes:
   [1]: A maximum of one (1) hotel/motel shall be permitted with this Planned Development District. The height requirement of four (4) stories is permitted to exceed 36-feet, but in no case shall exceed 60-feet.
   [2]: A maximum of three (3) restaurants (despite the size of the restaurant) shall be permitted within this Planned Development District.

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(ii) The following uses shall be prohibited on the *Subject Property*:

- ☑ Convent or Monastery
- ☑ Hotel, Residence
- ☑ Cemetery/Mausoleum
- ☑ Mortuary of Funeral Chapel
- ☑ Social Service Provider
- ☑ Billiard Parlor or Pool Hall
- ☑ Carnival, Circus, or Amusement Ride
- ☑ Commercial Amusement/Recreation (*Outside*)
- ☑ Gun Club, Skeet or Target Range (*Indoor*)
- ☑ Astrologer, Hypnotist, or Psychic Art and Science
- ☑ Garden Supply /Plant Nursery
- ☑ Night Club, Discotheque, or Dance Hall
- ☑ Secondhand Dealer
- ☑ Car Wash, Self Service
- ☑ Mining and Extraction (Sand, Gravel, Oil and/or Other)
- ☑ Helipad
- ☑ Railroad Yard or Shop
- ☑ Transit Passenger Facility

2. *Non-Residential Development.* The area designated as *commercial* on the *Concept Plan* depicted in *Exhibit 'C'* of this ordinance shall be designed to be pedestrian-oriented, easily accessible, and integrated into the general design scheme of the adjacent neighborhood. This can be accomplished by removing the traditional barriers utilized to separate commercial and residential developments (*e.g. screening walls*) and incorporating landscape buffers/elements (*e.g. greenspace, parkways, and etcetera*) and urban design elements (*e.g. pathways, pergolas, and etcetera*) that can create compatibility with the adjacent single-family neighborhood. To better achieve this goal and in addition to the requirements of Section 4.1, *General Commercial District Standards*, and Section 6.14, *SH-276 Corridor Overlay (SH-276 OV) District*, of Article V, *District Development Standards*, of the Unified Development Code, all commercial development shall be required to adhere to the following supplemental standards:

(a) Retail Landscape. Landscaping shall be reviewed and approved with the PD Site Plan. All Canopy/Shade Trees planted within the retail development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height unless otherwise provided within this document.

(b) Retail Landscape Buffers. All landscape and plantings located within the buffers shall be maintained by the property owner.

(1) Landscape Buffer (Residential Adjacency). Where residential and retail uses share a direct adjacency, a minimum of a 30-foot landscape buffer shall be provided by the retail property adjacent to the residential property. This area shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the adjacency. This area should also incorporate pedestrian-oriented design elements (*e.g. pathways*) that allow access between the two (2) uses. Shrubbery utilized in this area shall have a minimum height of 30-inches and a maximum height of 48-inches. Additionally, trees should be incorporated in this area to break up the façades of any commercial buildings.

(2) Landscape Buffer and Sidewalks (SH-276). A minimum of a 15-foot landscape buffer shall be provided along the frontage of SH-276, and shall incorporate ground cover,

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a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. All buffer-strip planting requirements shall conform to the requirements of Section 6.14, *SH-276 Corridor Overlay (SH-276 OV) District*, of Article V, *District Development Standards*, of the Unified Development Code.

(3) *Landscape Buffer (Rochell Road Retail).* A minimum of a 20-foot landscape buffer shall be provided along the frontage of Rochell Road (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage.

(c) *Sidewalks.*

i) *Sidewalk Adjacent to Rochell Road and SH-276.* The developer shall be responsible for the construction of a five (5) foot sidewalk that meanders through the required 20-foot landscape buffer adjacent to Rochell Road and SH-276.

3. *Residential Development Standards.* Except as modified by these *Development Standards*, the residential uses depicted in *Exhibit 'C'* of this ordinance shall be subject to the development standards for a Single Family 10 (SF-10) District as stipulated by Section 3.1, *General Residential District Standards*; Section 3.4, *Single-Family Residential (SF-10) District*; and Section 6.14, *SH-276 Corridor Overlay (SH-276 OV) District*, of Article V, *District Development Standards*, of the Unified Development Code. In addition, all residential development shall adhere to the following standards:

(a) *Lot Composition and Layout.* The lot layout and composition of the *Subject Property* shall generally conform to the *Concept Plan* depicted in *Exhibit 'C'* and stated in *Table 1* below. Allowances for changes to the quantity and locations of each lot type are permitted in conformance with the requirements listed below; however, in no case shall the proposed development exceed 507 units.

Table 1: Lot Composition

Lot Type	*Minimum Lot Size (FT)*	*Minimum Lot Size (SF)*	*Dwelling Units (#)*	*Dwelling Units (%)*
A	80' x 120'	9,600 SF	121	23.87%
B	70' x 110'	7,700 SF	127	25.05%
C	60' x 110'	6,600 SF	259	51.08%
		Maximum Permitted Units:	*507*	*100.00%*

The allocation of single-family dwellings among lot types may deviate from *Table 1* provided that the proposed lot composition meets the following criteria:

(1) The total number of lots does not exceed 525 units; and,
(2) The average lot size for the total development is not less than 7,500 SF (*i.e. total square footage of all lots/total number of lots*); and,
(3) *Lot Type "A"* shall not be decrease below 115 lots; and,
(4) *Lot Type "B"* shall not be decreased below 23% of the total 507 lots; and,
(5) *Lot Type "C"* shall not be increased beyond 55% of the total 507 lots.

(b) *Density and Dimensional Requirements.* The maximum permissible density for the *Subject Property* shall not exceed 1.70 dwelling units per gross acre of land; however, in no case should the proposed development exceed 507 units. All lots shall conform to the standards depicted in *Table 2* below and generally conform to *Exhibit 'C'* of this ordinance.

Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ►	A	B	C
Minimum Lot Width [1] & [5] & [7]	80'	70'	60'
Minimum Lot Depth	120'	110'	110'
Minimum Lot Area	9,600 SF	7,700 SF	6,600 SF
Minimum Front Yard Setback [2] & [6]	20'	20'	20'
Minimum Side Yard Setback	6'	5'	5'
Minimum Side Yard Setback (Adjacent to a Street) [2]	15'	15'	15'
Minimum Length of Driveway Pavement	20'	20'	20'
Maximum Height [3]	36'	36'	36'
Minimum Rear Yard Setback [4]	15'	10'	10'
Minimum Area/Dwelling Unit (SF) [Air Conditioned Space]	2,800 SF	2,250 SF	2,000 SF
Garage Orientation	J-Swing or Front	J-Swing or Front	J-Swing or Front
Maximum Number of Front Entry Garages Permitted	48	42	173
Maximum Lot Coverage	65%	65%	65%

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.

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

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

[4]: As measured from the rear yard property line.

[5]: Lots fronting onto a curvilinear street, cul-de-sac or eyebrow may have the lot width reduced by up to 20% as measured at the front property line provided that the lot width is met at the front building line. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows maybe reduced by up to ten (10%) percent, but shall meet the minimum lot size for each lot type.

[6]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the Front Yard Building Setback by up to ten (10) feet for any property that increases the Front Yard Building Setback to 20-feet; however, the encroachment shall not exceed five (5) feet on Side Yard Setbacks (Adjacent to a Street) and shall not encroach into public right-of-way [a Sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces].

[7]: All lots with a *J-Swing* or *Traditional Swing* driveway require a minimum of a 65-foot lot width.

(c) *Building Standards.* All development shall adhere to the following building standards:

(1) *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all buildings shall be 80%. For the purposes of this ordinance the masonry requirement shall be limited to full width brick, natural stone, and cultured stone. Cementaceous fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and/or stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted to be used to meet up to 50% of the masonry requirement.

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

(3) *Garage Orientation.* Garages shall be provided as stipulated by *Table 2: Lot Dimensional Requirements*. Garages permitted for front entry maybe oriented

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toward the street; however, the front façade of the garage must be situated a minimum of 20-feet off the front property line. All front entry garages shall incorporate an architectural element or feature separating the individual garage openings. *Swing*, *Traditional Swing* or *J-Swing* garages are permitted to have a second single garage door facing the street as long as it is behind the width of the double garage door situated in the *Swing* configuration.

(d) Anti-Monotony Restrictions. The development shall adhere to the Anti-Monotony Matrix depicted in *Table 3* below (*for spacing requirements see the illustration on the following page*).

Table 3 : Anti-Monotony Matrix

Lot Type	*Minimum Lot Size*	*Elevation Features*
A	80' x 120'	(1), (2), (3)
B	70' x 110'	(1), (2), (3)
C	60' x 110'	(1), (2), (3)

(1) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least four (4) intervening homes of differing materials on the same side of the street beginning with the adjacent property and two (2) intervening homes of differing materials on the opposite side of the street.

(2) Front building elevations shall not repeat along any block face without at least four (4) intervening homes of differing appearance on the same side of the street and two (2) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on SH-276 shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

(a) Number of Stories
(b) Permitted Encroachment Type and Layout
(c) Roof Type and Layout
(d) Articulation of the Front Façade

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

See the Illustrations on the following page.

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Illustration 1: Properties line up on the opposite side of the street. Where RED are the same.



Illustration 2: Properties do not line up on opposite side of the street. Where RED are the same.



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

(1) *Wood Fences*. All wood fences shall be constructed of a standard fencing material (*minimum of ½" thickness or better; spruce fencing will not be allowed*), and use fasteners that are hot dipped galvanized or stainless steel. Wood fences facing onto a street shall be painted and/or stained and sealed with all pickets being placed on the *public side* facing the street. All wood fences shall be smooth-finished, free of burs and splinters, and be a maximum of eight (8) feet in height.

(2) *Wrought Iron/Tubular Steel*. Lots located along the perimeter of roadways, abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of eight (8) feet in height.

(3) *Corner Lots*. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of eight (8) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

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

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(f) Landscape and Hardscape Standards.

(1) *Residential Landscape.* Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within the residential development shall be a minimum of three (3) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height unless otherwise provided within this document.

(2) *Single Family Landscaping.* Prior to the issuance of a Certificate of Occupancy (CO) all single-family lots shall conform to the following:

i) Interior Lots. All interior lots shall include a minimum of two (2) trees with a diameter at breast height (dbh) [*i.e. the diameter in inches of a tree as measured through the main trunk at a point of four and one-half (4½) inches above the natural ground level*] of three (3) inches shall be planted in the front yard, and two (2) additional trees of the same caliper inch shall be planted in the side yard facing the street for corner lots.

Note: For the purposes of this section only, the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.

ii) Corner Lots. All corner lots shall include a minimum of two (2) trees with a diameter at breast height (dbh) [*i.e. the diameter in inches of a tree as measured through the main trunk at a point of four and one-half (4½) inches above the natural ground level*] of three (3) inches shall be planted in the front yard of an interior lot.

(3) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).

(a) Landscape Buffer and Sidewalks (Discovery Boulevard). A minimum of a 15-foot landscape buffer shall be provided along the frontage of Discovery Boulevard, and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least one (1) canopy tree shall be planted per 30-feet of linear frontage.

(b) Landscape Buffer (Rochell Road). A minimum of a 20-foot landscape buffer shall be provided along the frontage of Rochell Road (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The landscape buffer along Rochell Road shall general conform to the following illustration [*i.e. Illustration 3]*.

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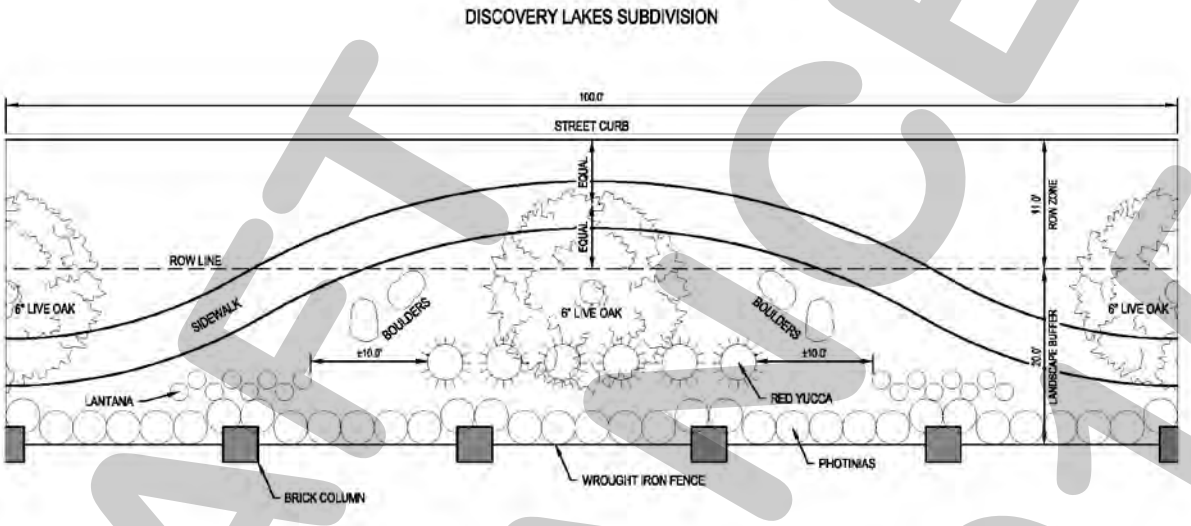
Illustration 3: Landscape Buffer along Rochell Road.



(c) *Landscape Buffer (SH-276).* A minimum of a 25-foot landscape buffer shall be provided along the frontage of SH-276, and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. In addition, all buffer-strip planting requirements shall conform to the requirements of Section 6.14, *SH-276 Corridor Overlay (SH-276 OV) District*, of Article V, *District Development Standards*, of the Unified Development Code (*i.e. minimum four [4] inch caliper trees required*).

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

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

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

(h) Sidewalks.

i) Internal Sidewalks. All sidewalks adjacent to an interior residential street shall begin 5½-feet from the back of curb and be five (5) feet in overall width.

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ii) *Sidewalks Adjacent to Rochell Road and Discovery Boulevard.* All sidewalks adjacent Rochell Road and Discovery Boulevard shall begin two (2) feet inside the right-of-way line and be five (5) feet in overall width.

(i) Open Space. The development shall consist of a minimum of 20% open space as calculated from the gross land area, and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. Existing floodplain shall be counted at a rate of ½-acre for every acre provided (*e.g., 10-acres of floodplain would count as 5-acres of open space*). The Homeowner's Association (HOA) shall maintain all open space areas.

(j) Neighborhood Signage. Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.

(k) Community Center. A site plan, landscape plan and building elevations shall be required for the proposed *Community Center* and shall be subject to site plan approval by the Planning and Zoning Commission prior to construction.

(l) Homeowner's Association (HOA). A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the Subdivision Regulations contained within the *Municipal Code of Ordinances* of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, amenity centers, screening fences associated with this development.

4. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (*3-phase lines*), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

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

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **July 17, 2015**

SUBJECT: **Request from Dr. Umar Burney**

Discuss and consider a request from Dr. Umar Burney for waiver of fees owed on a development which includes a medical office building (Ortho Specialists of Dallas) located on Summer Lee Drive behind the Aldi building. The fees for which he will request waiver include:

Road Pro-Rata	419 LF @ $95.12/LF =	$39, 855.28
Water Pro-Rata	419 LF @ $38.80/LF =	$16, 257.20
		$56, 112.48

The City paid for the construction of Summer Lee Drive based on the plan that pro-rata pay back would be charged to future development. The following developments have paid the same pro-rata development fees on Summer Lee:

Aldi	$47, 834.88
Dunkin Donuts	$7, 638.64

Mary Smith was also contacted earlier by Alma Williams requesting the doctor be allowed to pay fees out over time. Frank Garza has indicated that a pay out plan would not be legal.

The fees which he has requested for waiver are not the only fees that are due on the development project. A copy of a memorandum from Assistant City Engineer Amy Williams provides additional detail as to other fees that are/will be due.

The fees for this project are those which have been adopted and apply to all development in the city with the exception of the pro-rata fees. Had the city not built Summer Lee several years ago, any development on Summer Lee would have been responsible for building the roadway and the water line for which pro-rata is being collected.

Dr. Burney would like to address the Council to request waiver of fees and to "highlight the importance of the Orthopedic Specialists of Dallas building project to members of the City Council" as indicted in his e-mail attached.

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Crowley, Rick

From: Umar Burney <[redacted]
Sent: Friday, July 17, 2015 3:04 PM
To: Crowley, Rick
Cc: Kelly McSperitt; John Zavala

Rick,
Thanks for your time this afternoon .
As discussed in out phone conversation and if possible , I would like to highlight the importance of the Orthopedic Specialists of Dallas building project to members of the City Council this coming Monday evening , July 20th.
Looking forward to your response
Sincerely
M Umar Burney MD

Sent from my iPhone

Memo

From: Amy Williams, Assistant City Engineer

Date: July 2, 2015

Re: Orthopedic Specialists of Dallas Engineering Fees (14,150 Sq. Ft Medical Office), 1301 Summer Lee, Ridge/Summer Lee Addition, Lot 3, Block A (1.612 acres)

Listed below are the required Engineering fees:

Medical Office Site:

1. 4% Engineering Fee- $56,436 x 4.0%= **$2257.44;**
2. Siren Fee- $17.18 per acre; 1.612 acres x $17.18= **$27.69**.
3. Summer Lee Pro-Rata: **$56,112.48**

   Road: 419 LF x $95.12/LF = $39,855.28

   Water: 419 LF x $38.80/LF = $16,257.20

TOTAL ENGINEERING FEES: $58,397.61 (Not including Impact Fees and Meter Fees)

FOR BUILDING DEPARTMENT USE ONLY:

Medical Office (14,150 S.F.), 1301 Summer Lee:

1. Wastewater Impact Fee is $6,181.44 per 1 1/2" meter = $6,181.44 for 1, 1 1/2" meters (domestic); to be collected with building permit;
2. Water Impact Fees: $7,777.63 per 1 1/2" meter= $7,777.63 for 1, 1 1/2" meter (domestic); to be collected with building permit;
3. Water Impact Fees: $3,888.82 per 1" meter= $3,888.82 for 1, 1" meters (irrigation); to be collected with building permit;

4. Meter Fee: 1 1/2” Commercial, $555.39/each= $555.39 for 1, 1 1/2” meter; to be collected with building permit;

5. Meter Fee: 1” Commercial, $324.57/each= $324.57 for 1, 1” meter; to be collected with building permit;

6. Sewer Tap Fee: 1 at $50.00 per each= $50.00; to be collected with building permit

7. Roadway Impact Fee (Medical Office) - $2474.16 per 1000 SF; 14,150 SF x $2474.16/1000 SF = $35,009.36; to be collected with building permit;

SUMMARY

IMPACT FEE SUMMARY (For Building Department Use Only):

Water: **$11,666.45**

Sewer: **$6,181.44**

Roadway: **$35,009.36**

METER FEE SUMMARY (For Building Department Use Only):

1 1/2” (1): **$555.39**

1” (1): **$324.57**

SEWER TAP FEE SUMMARY (For Building Department Use Only):

6” (1): **$50.00**

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 07/20/2015

APPLICANT: Jimmy Strohmeyer; *Strohmeyer Architects, Inc.*

AGENDA ITEM: **SP2015-015**; *H&G Supply Co.*

SUMMARY:

Discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Elias Pope of 8020 Restaurants, LLC for the approval of variances to the natural stone and masonry material requirements stipulated by Article V, District Development Standards, of the UDC in conjunction with an approved site plan for a restaurant on a 0.90-acre parcel of land identified as Lot 3, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the IH-30 Frontage Road and Sunset Ridge Drive, and take any action necessary.

PURPOSE:

On June 12, 2015, the applicant submitted an application for a site plan showing the proposed layout of a 6,800 SF restaurant on a 0.90-acre parcel of land. The subject property is located directly north of Trend Tower adjacent to the IH-30 Frontage Road and Sunset Ridge Drive, and is zoned Planned Development District 32 (PD-32) [*Ordinance No. 10-21*].

DENSITY AND DIMENSIONAL REQUIREMENTS

According to Ordinance No. 10-21, the proposed use (*i.e. a restaurant, 2,000 SF or more, without a Drive-Thru or Drive-In*) is permitted *by-right* in the *Summit Office Subdistrict*. The submitted site plan, building elevations, landscape plan, and photometric plan conform to the technical requirements contained within the Unified Development Code (UDC) and Planned Development District 32 (PD-32) with the exceptions of the items listed in the *Variance* section of this case memo. A summary of the density and dimensional requirements for the subject property is as follows:

Ordinance Provisions	*Zoning District Standards*	*Conformance to the Standards*
Minimum Lot Area	*6,000 SF*	*0.90-Acres; In Conformance*
Minimum Lot Width	*60-Feet*	*217.09-Feet; In Conformance*
Minimum Lot Depth	*100-Feet*	*173.70-Feet; In Conformance*
Minimum Build-to-Line (Sunset Ridge Drive)	*10-Feet*	*17-Feet; In Conformance*
Minimum Setback (Sunset Ridge Drive)	*5-Feet*	*17-Feet; In Conformance*
Maximum Permitted Encroachment [1]	*5-Feet*	*2-Feet; In Conformance*
Maximum Height	*8 Stories or 120-Feet*	*38-Feet; In Conformance*
Maximum Mechanical Screen Height	*20-Feet*	*6½-Feet; In Conformance*
Minimum Masonry Requirement	*90%*	*25%-39%; Variance Requested*
Minimum Stone Requirement	*20% Natural or Quarried*	*0%; Variance Requested*
Minimum Parking Spaces Required	*68*	*53/15* [2]*; In Conformance*
Maximum Lot Coverage	*60%*	*17.4%; In Conformance*

Notes:
[1]: *Canopies, awnings, balconies and roof overhangs may encroach over the Build-to-Line.*
[2]: *53 surface parking spaces are provided and 15 will be located in the Trend Tower garage. This will not put surface parking over the 20% maximum.*

VARIANCES:

Based on the applicant's submittal staff has identified the following variances:

1) *Building Materials*.

   a) *Stone Requirements.* According to Section 6.6, *IH-30 Overlay (IH-30 OV) District*, of the UDC each exterior wall should incorporate a minimum of 20% natural or quarried stone. In this case, the applicant is requesting to use an even mixture of burnished block (25%-39%), tile (29.5%-37%), metal and wood (22%-28%) to provide a building that both compliments and contrasts the adjacent architecture.

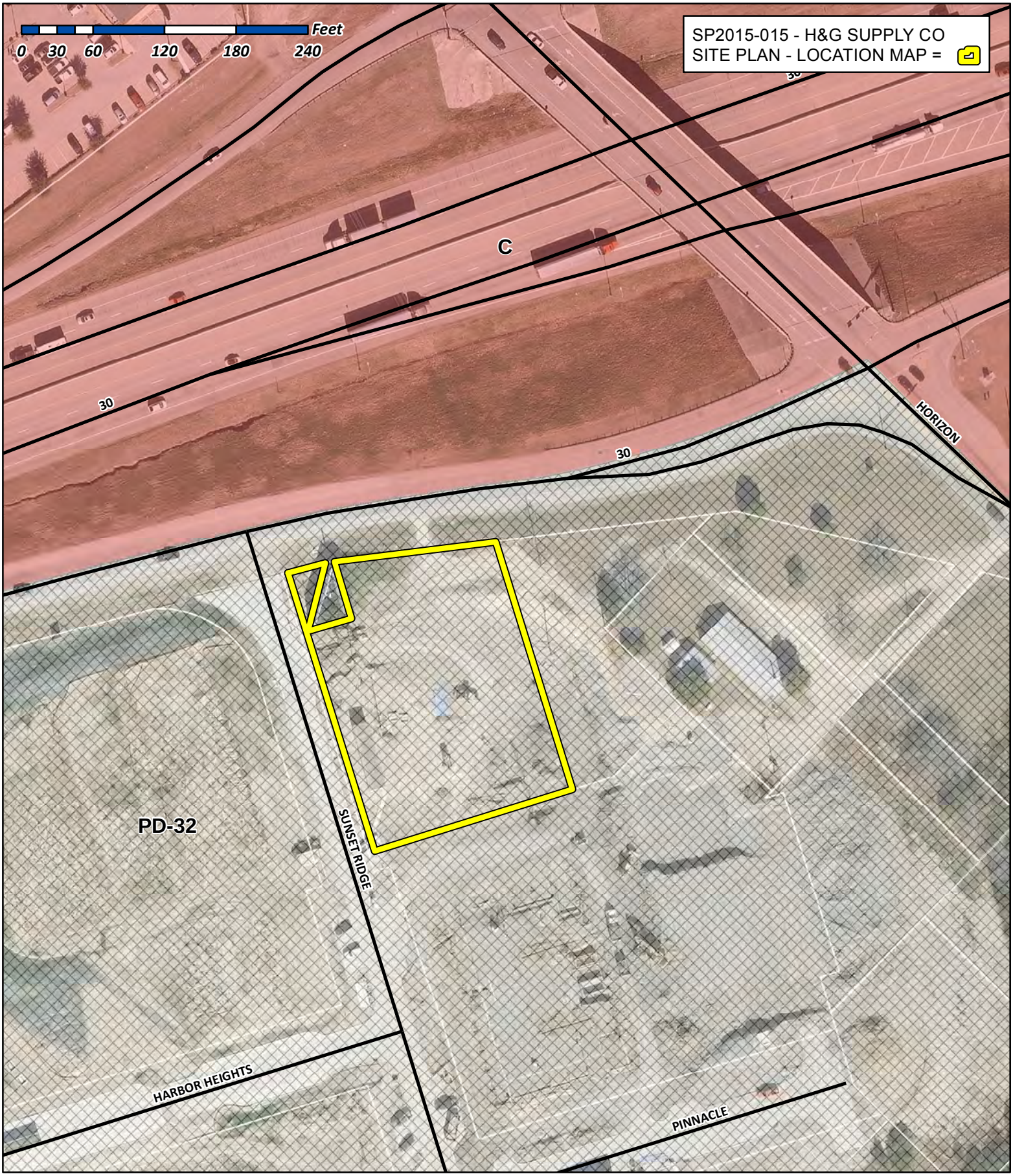
   b) *Masonry Material Requirements.* According to Section 6.6, *IH-30 Overlay (IH-30 OV) District*, of the UDC exterior walls should be constructed utilizing a minimum of 90% masonry materials and a maximum of 10% secondary materials. The applicant is requesting a variance to this standard for the purpose of utilizing a mixture of burnished block, tile, metal and wood. The burnished block is the only masonry material being proposed for this building and ranges from 25%-39% of the exterior building facades. It should be mentioned that the masonry materials have been waived on other buildings within the district (*e.g. Trend Tower, Spring Hill Suites, Hilton*) in past site plan cases.

ARCHITECTURAL REVIEW BOARD (ARB):

On June 30, 2015, the Architectural Review Board (ARB) reviewed the proposed site plan and building elevations. The ARB, stated that the proposed design of the building complimented the district and would provide a nice contrast with regard to the adjacent architecture. They did recommend that the applicant consider providing an architectural element (e.g. windows, signage band, etc.) on the second floor façade on the eastern elevation. The applicant has submitted changes showing additional windows being added to this wall that demonstrate conformance to the ARB's recommendation.

PLANNING & ZONING COMMISSION:

At the July 15, 2015, the Planning & Zoning Commission made a motion to approve the site plan and recommend approval of the requested variances by a vote of 7-0.



City of Rockwall

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

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

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MATERIAL SCHEDULE

WOOD LOUVERS -

METAL PANEL -

METAL (PAINT) -

WHITE SUBWAY TILE

GRAND BLANC
BURNISHED BLOCK
UNICORN



3 NORTH ELEVATION
SCALE: 1/8" = 1'-0"

TOTAL BUILDING WALL HARD SURFACE : 2,066.5 SF
TOTAL BURNISHED BLOCK : 521 SF = 25%
TOTAL SUBWAY TILE: 761 SF = 37%
TOTAL WOOD LOUVERS: 454 SF = 22%
TOTAL METAL PANEL: 330.5 SF = 16%



4 EAST ELEVATION
SCALE: 1/8" = 1'-0"

TOTAL BUILDING WALL HARD SURFACE : 1912 SF
TOTAL BURNISHED BLOCK: 746.5 SF = 39%
TOTAL SUBWAY TILE: 562.5 SF = 29.5%
TOTAL WOOD LOUVERS: 441 SF = 23%
TOTAL METAL PANEL: 162 SF = .8.5%



1 WEST ELEVATION - SUNSET RIDGE
SCALE: 1/8" = 1'-0"

TOTAL BUILDING WALL HARD SURFACE : 1,676 SF
TOTAL BURNISHED BLOCK: 440.5 SF = 26%
TOTAL SUBWAY TILE: 584 SF = 35%
TOTAL WOOD LOUVERS: 473.5 SF = 28%
TOTAL METAL PANEL: 178 SF = 11%



2 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

TOTAL BUILDING WALL HARD SURFACE : 2,074.5 SF
TOTAL BURNISHED BLOCK: 626 SF = 30%
TOTAL SUBWAY TILE: 685 SF = 33%
TOTAL WOOD LOUVERS: 559.5 SF = 27%
TOTAL METAL PANEL: 204 SF = 10%

SP2015

STROHMEYER ARCHITECTS INC.

Consultants:
CIVIL:
STRUCTURAL:
MEP:
FOOD SERVICE:
LANDSCAPING:

SCHEMATIC DESIGN

NOT FOR CONSTRUCTION

ROCKWALL COUNTY

8020 RESTAURANTS LLC
C/O HG SPLY CO.
ROCKWALL, TX
2008 GREENVILLE AVE
DALLAS, TX 75206

HG SPLY CO
SUNSET RIDGE
ROCKWALL, TEXAS

Project Number: 051502
Drawing Date: 06/11/2015
Drawn:
Checked:
Scale:
ACAD File: HG SPLY-061115-ELEV-201.dwg
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Revisions:

Sheet Title:
ELEVATIONS

A 201
SP2015-015

Jun 12, 2015 - 2:31am User: jimmystrohmeyer
/Users/jimmystrohmeyer/Documents/HG SPLY-061115-ELEV-201.dwg



VIEW FROM INTERSTATE 30



VIEW FROM CORNER OF SUNSET RIDGE & PRIVATE DRIVE

STROHMEYER ARCHITECTS INC.

Consultants:

CIVIL:

STRUCTURAL:

MEP:

FOOD SERVICE:

LANDSCAPING:

SCHEMATIC DESIGN

NOT FOR CONSTRUCTION

ROCKWALL COUNTY

8020 RESTAURANTS LLC
C/O HG SPLY CO.
ROCKWALL, TX
2008 GREENVILLE AVE
DALLAS, TX 75206

HG SPLY CO

SUNSET RIDGE
ROCKWALL, TEXAS

Project Number: 051502
Drawing Date: 06/11/2015
Drawn:
Checked:
Scale:
ACAD File: HG SPLY-061115-ELEV-202.dwg
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Revisions:

Sheet Title:
ELEVATIONS

A 202

Jun 12, 2015 - 3:09am User: jimmystrohmeyer
/Users/jimmystrohmeyer/Documents/HG SPLY-061115-ELEV-202.dwg

Masonry Quick Reference Pocket Guide



ANCHOR®

BUILD SOMETHING BEAUTIFUL

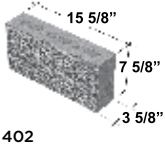
425

425

Trattino™ finish

A smooth and unfilled textured surface provides a random appearance that emulates the look of natural travertine.

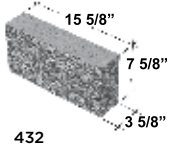
- Ideal for exterior or interior applications
- Available in veneer and structural block sizes



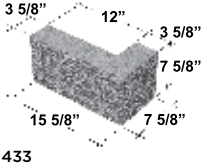
402
Double End



405
Half Long



432
Face & End



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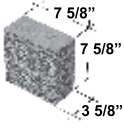
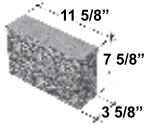
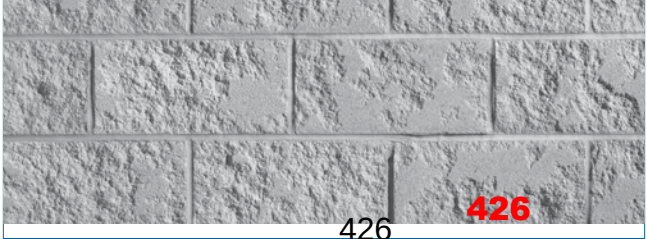
L Corner & End



435
Half Long Face & End



436
Three-Quarter Long Face & End



426

Trattino™ finish


Winter White (P)


Limestone (P)


Toffee (C)


Wheat (C)


Parchment (P)


Sahara (C)


Kasota Pink (P)


Antique White (C)


Kasota (P)


October Yellow (C)

Burnished finish


Winter White (P)


Parchment (P)


Antique White (C)


Sahara (C)


Limestone (P)


October Yellow (C)


Honey Mustard (C)


Toffee (C)


Mojave (C)



Gold Rush (P)

427

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428

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

FROM: Ryan Miller, *Planning Manager*

CC: Rick Crowley, City Manager
Robert LaCroix, Director of Planning

DATE: July 20, 2015

SUBJECT: Expiring 212 Agreement (*A2015-001*)

In December of 2008, the City Council approved actions executing a *212 Development Agreement* [*Case No. A2008-003*] with various members of the Zollner family concerning property located within the Extraterritorial Jurisdiction (ETJ) of the City (*see Exhibits 'A' & 'B'*). As part of the *212 Development Agreement,* the property owners were approved for an initial term of seven (7) years from the date the agreement was executed. With this contract due to expire in December 2015 and in accordance with *Section 12* of the approved *212 Development Agreement* staff has sent out a written notification to the Zollner family notifying them of the expiration date. This notification was sent out on May 26, 2014. According to *Section 12* of the current agreement (*see Exhibit 'D' for complete document*):

> Section 12. Term and Extension. The initial term of this Agreement shall be for a period of seven (7) years from the Effective Date (the "Term"). The Effective Date of the Agreement shall be the date the Agreement is executed by the City. At least 180 days prior to end of the Term of the Agreement, the City shall notify the Owners in writing that the Agreement is due to expire. If Owners desire to extend the operation of this Agreement beyond its Term, the Owners, at least 150 days prior to the end of the Term, shall submit a written request to the City for such an extension (an "Extension Request"). The City, at least 90 days prior to the end of the Term shall notify Owners in writing, delivered by certified mail, with respect to its decision whether to extend this Agreement for an additional term (referred to as a "Subsequent Term"). In the event such written notice from the City of its decision is not received by the Owners at least 90 days prior to the end of that Term such Extension Request is deemed granted and this Agreement continues for another Subsequent Term.

Staff has received the extension request from Zula Kay Aaron on behalf of the Zollner Brooks Family LP (*see Exhibit 'C'*). The extension request submitted by the applicant does not specify a time period for the subsequent term nor does the contract stipulate a specific time period; however, the *Texas Local Government Code* allows for the contract to be renewed for successive time periods not to exceed 15 years with the total duration of the original contact and successive renewals or extensions not to exceed 45 years. The City Council may choose to consider to continue the *212 Development Agreement* for a subsequent term or elect to annex these areas at the termination of this agreement. Regardless of the City Council's choice, staff will be required to send a letter via certified mail notifying the affected property owner of the City's choice by September 23, 2015.

Exhibit 'A'
212 Development Schedule

Case No.	Owner Name	Owner Address	City	St	Zip	Acct. No.	Legal Description	212 Term	Ag	Date Signed (Owner)	Effective Date	Expiration Date	180-day Date (City / Owner)	150-day Extension Request Deadline	90-day City Decision Deadline (Cert Mail)	Signed 212
A2008-003	Benjamin H Zollner Tr	P O Box 113	Rockwall	TX	75087	0137-0000-0001-01-OR	A0137 J Lockhart, Tract 1-1, Acres 1.275	7 years	Y	12/23/2008	12/22/2008	12/22/2015	6/25/2015	7/25/2015	9/23/2015	Y
A2008-003	Zula M Zollner Brooks Family Tr	P O Box 113	Rockwall	TX	75087	0022-0000-0006-00-OR	A0022 J H Bailey, Tract 6, Acres 40, (PT OF 485.72 AC TR)	7 years	Y	12/23/2008	12/22/2008	12/22/2015	6/25/2015	7/25/2015	9/23/2015	Y
A2008-003	Zula M Zollner Brooks Family Tr	P O Box 113	Rockwall	TX	75087	0137-0000-0017-01-OR	A0137 J Lockhart, Tract 17-01, Acres 95.2, (PT OF 485.72 AC TR)	7 years	Y	12/23/2008	12/22/2008	12/22/2015	6/25/2015	7/25/2015	9/23/2015	Y
A2008-003	Zula Maxine Zollner Brooks	P O Box 113	Rockwall	TX	75087	0137-0000-0017-00-OR	A0137 J Lockhart, Tract 17, Acres 5, (PT OF 485.72 AC TR)	7 years	Y	12/23/2008	12/22/2008	12/22/2015	6/25/2015	7/25/2015	9/23/2015	Y

430

Exhibit 'B'
Location Map



07/06/2015

Attn: Rockwall City Council or To Whom It May Concern,

The Zollner/Brooks Family Ranch are aware that our 212 agreement is expiring December 22, 2015. We are requesting to have another extension. We have no plans on selling this section of property. This is our main home place and would love to keep it under the 212 agreement extension.

We are not sure if any of you know our family situation, but there has been a lot of heartbreak has happened in the last 2 years .We lost our handicap bedridden brother, then our mothers house was lost in a fire. A couple of months later our mother went to see the Lord. It has been hard emotionally. We continue to move forward and are slowly getting things done that was not possible when our mother was alive.

We know the city is growing and slowly coming out towards us. We don't care for it, but we know its growth. Our younger generation is more prepared with these changes than what our mother was. We are just glad she isn't hurting anymore.

We are not going to beg, but we hope you would kindly consider our 212 agreement being extended. Most of the previous city council came to visit the farm. If you would like to visit or have any questions, please feel free to contact us. I am representing the Zollner/Brooks Family Ranch.

Thank You,

Zula Kay Aaron

Zula Kay Aaron , Executor

214-356-5637

Hobo Ranch - - - - - - By Kenneth Foree

Over in Rockwall County near the town of Fate is one of the most unusual farms in Texas. It is an institution of human relations.

Some people call its 1600 broad black acres the Zollner Ranch, but those who work on it label it the Hobo Ranch, for the labor is entirely white transients, or those who once were transients.

Hobo, or "Bo", the forty men now there call each other, a name they resent from the public, for the public, they hold, does not distinguish between hobo, a merely transient worker, and bum, a begging drone.

Perhaps a better name would be Zollner Haven, for many men have found it so. There, a man can always find board and room on the cuff and work in season. But others have found more—a place for a vacation via change of vocation, a new start, a spot to disappear in. Stocky, quiet, red-faced, blue-eyed Henry Zollner, 54, asks few questions, a name for his books, a slip for placing in a sealed envelope in the safe with the name of next of kin and possibly their knowledge of farming. He makes only two demands: that they behave and bathe once a week, boiling their clothes. If they want to drink, fight or be filthy they must go elsewhere.

To the great farm are numerous small and several large buildings and a dining room that will seat 200, have come the range to male society—largely farm workers but also doctors who have buried their patients, lawyers who didn't prosper, men who wanted to bury themselves, a man who had farmed at Retrieve, a future district judge, the son of a State Senator, a man who built a Houston skyscraper; and the best sermon Henry Zollner ever heard was delivered on hope by a cotton chopper. All of which has taught Humanitarian Zollner you can't get too big to be humbled.

To him come young and old but mostly the old—those whom others would not hire. Strangely, old men are preferred. They can not work like the young, but they have that which youth often lacks—dependability. They work as much or as little as they wish, turn in their own time since the farm is run on the honor system, draw their wages weekly or let them stack up. Some young men may have cheated on time, but the old ones never; and while some leave in bad seasons owing board and room (formerly $3.50 a week, now $5.25, on which Zollner loses money), the money has always come back.

Room is steel cots or bunks, but the board means biscuits, home-raised meat and vegetables at every meal at which Zollner and his family eat not with hoboes but people as close as kin and who call him Henry. Cook and dishwasher are kept the year around and the cook on Thanksgiving, Christmas and New Year's turns out turkey and trimmings, while on Christmas morning there are remembrances from Henry of tobacco, socks, handkerchiefs, fruit and candy for every person on the farm.

To feed from 40 men in cotton chopping time to 200 in picking season, Zollner buys several dozen sides of bacon at a time (when he can find them), eggs by the case and butchers his own steers. During the war and days of ration points Henry, who is normally up before dawn, almost went nuts hunting supplies with the job of feeding his men requiring twice as much work and time as running the farm.

The results of all the above are unusual. Irishman J. E. Bennett 96, and called The Kid, has been there forty-five years; R. S. Cates, 80, son of a county judge, has been there fifty-two and when ten oldsters qualified for state pensions they stayed on, rather than live with relatives, and boarded at a place they love although food prices being what they are, Zollner loses money on them.

Zollner not only feeds and boards his laborers,but he takes them to hospitals when sick and down in Hackberry Creek in a pretty place amid the trees many have found eternal rest with a preacher and the Zollners always in sorrowful attendance. Some years back when an old chap passed on Henry found $1,500 on him in a money belt. Through the little slip in the envelope in the safe, Zollner located his relatives, relatives with whom the man had broken. They came, saw the haven the disappeared man had loved and used the $1,500 to buy a Rockwall Cemetery lot for him and others from the ranch who would follow him.

Do the transients appreciate their Hobo Ranch? Zollner always has more labor than others and with whom he shares; men befriended years ago drop in for warm visits and are welcomed while some men, who became of consequence, came back to spend their vacations with the Zollners who helped them when they needed it rather than with relatives who did not. There has been only one fist fight on the ranch in five years and when two new laborers got drunk in Henry's absence others did what he would have wanted, they called the sheriff. And the only time one man tells on another is when he doesn't bathe and boil his clothes. "Henry, he ain't a boilin," they say.

The reasons for this Zollner haven are perhaps twofold. Matt (father of Henry) and Charlie Zollner once were wayfarers too. They left Germany as boys, went to Australia and in 1876 landed in Rockwall County. Transients they took in at first because they needed help, later to help others and when Matt Zollner was up in years and friends asked why didn't he sell out, retire and move to town Matt Zollner answered. "I'm not capable of preaching, which I think is the highest calling, so I want to do the next best thing."

Three times when the farm was losing money, Matt's Trinity University-educated, Presbyterian Sunday school teacher son, Henry, who hates the new deal, has asked himself questions: Should he change his system and rent his farm and make a better profit, should he sell out, move to town and retire or make an easier and better living on his money? Three times he has studied those questions. Three times he has come up with the answer: "Those men who have been with us all those years are as much a part of the place as I; I have an obligation to them."

Put in entirely different words he meant, " I am my brother's keeper."

—Reprinted from The Dallas Morning News of Sunday, April 27, 1947.

CHAPTER 212 TEXAS LOCAL GOVERNMENT CODE
DEVELOPMENT AGREEMENT

This Agreement is entered into pursuant to Section 212.172 Tex. Local Gov't Code by and between the City of Rockwall, Texas (the "City") and Zula M. Zollner Brooks, individually and as Trustee of the Benjamin H. Zollner Trust ("Owners"), the property owners of the hereinafter described property (the "Property") in Rockwall County, Texas, sometimes individually or collectively referred to as "Party" or "Parties":

> That property described as described in Exhibit A (by Tract), which is attached hereto and incorporated by reference herein, comprising ___ acres more of less, and consisting of approximately 10 Tracts of land, as depicted in Exhibit B, which is attached hereto and incorporated by reference herein.

WHEREAS, Owners represent that the Property is within the City's existing extraterritorial jurisdiction; and

WHEREAS, the City has initiated annexation proceedings for the Property in accordance with Tex. Loc. Gov't Code ch. 43; and

WHEREAS, Owners desire that portions of the Property remain in the City's extraterritorial jurisdiction ("ETJ") for the term of this Agreement, including and limited to a portion of Tract 2, and the entirety of Tracts 3, 4 and 5, but consent to the City's immediate annexation of the remaining tracts; and

WHEREAS, Owners desire that they be allowed to establish an additional two manufactured homes on Tract 2 and an additional two manufactured homes on Tract 5 at locations designated by this Agreement, which homes will not necessarily be related to farm or ranching operations on the Property, and which will not be subject to the City's development and design standards for manufactured homes; and

WHEREAS, the City desires to provide for the immediate annexation of Tract 1, a portion of Tract 2, and the entirety of Tracts 6, 7, 8, 9 and 10 lying with the City's existing ETJ, and the annexation, use and development of the Property before and after annexation, including identification of certain zoning and development standards; and

WHEREAS, Owners and the City acknowledge that this Agreement between them is binding upon the City and the Owners and their respective successors and assigns for the term of the Agreement;

WHEREAS, the Rockwall County Appraisal District records show that the Property currently is appraised for ad valorem tax purposes as land for agriculture use pursuant to Tex. Tax Code chapter 23.C; and

WHEREAS, OWNERS represent that it is their intention not to develop the Property inconsistent with this Agreement for its term; and

WHEREAS, Tex. Loc. Gov't Code section 43.035 authorizes a property owner and a municipality to enter into an agreement pursuant to Tex. Loc. Gov't Code section 212.172 for purposes of retaining land in the municipality's ETJ in exchange for the property owner's covenant not to develop the property and to authorize the municipality to apply development regulations not inconsistent with agricultural use; and

WHEREAS, Tex. Loc. Gov't Code section 212.172 authorizes the parties to a development agreement to include agreed provisions that pertain to development of land, annexation and zoning after annexation; and

WHEREAS, an agreement pursuant to section 43.035 is not a development permit for purposes of Tex. Loc. Gov't Code ch. 245; and

WHEREAS, the Parties are desirous of entering into an agreement authorized under Tex. Loc. Gov't Code sections 43.035 and 212.172; and

WHEREAS, this Agreement is to be recorded in the Real Property Records of Rockwall County;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Parties hereto agree as follows:

Section 1. Continuation of ETJ Status. The City guarantees the continuation of the extraterritorial status of the following Tracts of the Property (the "Homestead Tracts") and agrees not to annex such Tracts for the term of this Agreement, as hereinafter defined, and any subsequent renewals as may be agreed upon by the Parties, subject, however, to the provisions of this Agreement, as further depicted on Exhibit C, attached hereto and incorporated herein by reference:

(a) That portion of Tract 2 shown in cross-hatching as depicted on Exhibit C;
(b) All of Tract 3;
(c) All of Tract 4; and
(d) All of Tract 5.

Section 2. Annexation. The Owners irrevocably consent to the immediate annexation of the following Tracts of the Property, as shown on Exhibit C:

(a) All of Tract 1;
(b) That portion of Tract 2 without cross-hatching, as depicted on Exhibit C;
(c) All of Tract 6;
(d) All of Tract 7;
(e) All of Tract 8:
(f) All of Tract 9; and
(g) All of Tract 10.

Section 3. Development Plan. The Owners covenant and agree that use of the Homestead Tracts for the term of this Agreement and any extensions agreed to by the Parties shall be limited to agricultural uses, including farm-related and ranch-related uses and customary accessory uses, single-family detached farm or ranch dwellings, provided that no single-family dwelling may be located or constructed on a lot smaller than five (5) acres, and HUD-Code manufactured homes, as defined in Exhibit D, which is attached hereto and incorporated herein by reference, and as hereinafter limited. No more than four (4) additional manufactured homes may be located on the Homestead Tracts during the term of this Agreement, as hereinafter further limited in section 4: two (2) on Tract 2 and two (2) on Tract 5. The Owners may apply to the City for division of the land subject to this Agreement into parcels each of which is at least five (5) acres in size for the purposes set forth herein without being in violation of this Agreement. Such uses and activities constitute the development plan for the Homestead Tracts in satisfaction of Tex. Loc. Gov't Code section 212.172(b).

Section 4. Governing Regulations

(A) The following Rockwall regulations, as may be amended from time to time, shall apply to any future development of the Homestead Tracts, provided that the application of such regulations does not result in interference with the use of the land for agricultural purposes and does not prevent the continuation of an otherwise lawful use established prior to the effective date of this Agreement or the first reading of an annexation ordinance including the property, whichever first occurs:

(1) The Rockwall Zoning Ordinance, Ord. No. 04-38, as amended. For purposes of evaluating any proposed development of the Homestead Tracts under the Zoning Ordinance, the regulations of the lowest intensity single-family residential district shall be used, provided, however, that regulations specifically applicable to manufactured homes under the Ordinance shall not be applicable to such structures.

(2) The Subdivision Regulations, Chapter 24 of the Code of Ordinances, as amended, together with Standards of Design and Construction, City of Rockwall Texas, as supplemented by the North Central Texas Council of Governments Standard Specifications for Public Works Construction, North Central Texas, 3rd Ed. 1998 (NCTCOG Manual).

(3) The Building Codes, Ord. No. 08-03, adopting:

a. International Building Code, 2006 Edition with regional amendments;
b. International residential Code, 2006 Edition with regional amendments;
c. The International Fire Code, 2006 Edition with regional amendments;

d. International Plumbing Code, 2006 Edition with regional amendments;
e. International Fuel Gas Code, 2006 Edition with regional amendments;
f. Rockwall Code of Ordinances, Property Maintenance Code, 2003 Edition with regional amendments;
g. International Private Sewage Disposal Code, 2006 Edition with regional amendments;
h. Uniform Swimming Pool Code, 2006 Edition with regional amendments;
i. International Energy Conservation Code, 2006 Edition with regional amendments;
j. National Electric Code, 2005 Edition with regional amendments.
k. Rockwall Code of Ordinances, Fences, with amendments;
l. Rockwall Code of Ordinances, Dangerous Buildings, with amendments; and
m. Rockwall Code of Ordinances, Moving of Buildings, with amendments.

(4) The Sign Regulations, Section 1 (C); Section II, Section III (B) (2); (Ordinance 84-45).

(B) If, pursuant to this Agreement, portions of the Homestead Tracts are annexed to the City following breach of the covenants by the Owners, the Parties further covenant and agree that the use and development of such land thereafter shall be subject to the regulations of the lowest intensity single-family residential district of the zoning ordinance, any provision governing placement, development or design of manufactured homes, and the subdivision regulations then in effect. In the event any portion of the Homestead Tracts following annexation is rezoned consistent with the City's approved Comprehensive Plan, as may be amended from time to time, the use and development of such land shall be governed by the regulations of the zoning district to which the land is reclassified, and other zoning and subdivision standards in effect at the time of approval of such rezoning.

(C) Two additional manufactured homes that may be established on Tract 5 may be located only within that portion of the southeast quadrant of the tract, located within the crosshatch area shown on Exhibit E, which is attached hereto and incorporated herein by reference, and which is generally bounded by the treelines shown on Exhibit E and by the private road bordering the eastern part of Tract 5.

Section 5. Agreement Deemed Void in Part; Voluntary Annexation.

(A) If an Owner files any application for or otherwise commences development of any portion of the Homestead Tracts inconsistent with the development plan provided in Section 3, this Agreement shall become null and void, except as herein expressly provided otherwise.

(B) Thereafter the City may initiate annexation of the Homestead Tracts pursuant to Tex. Loc. Gov't Code subchapter C-1, or other such other provisions governing voluntary annexation of land as may then exist. Owners expressly and irrevocably consent to annexation of the Homestead Tracts under such circumstances. The Owners further agree that such annexation by the City shall be deemed voluntary, and not subject to the requirements and procedures for an annexation plan, as required by Tex. Loc. Gov't Code section 43.052, or successor statute.

(C) Any development application that is submitted to the City for the Homestead Tracts during the term of this Agreement or during any extension, that is inconsistent with the development plan and governing regulations, shall be denied based upon such plan and governing regulations, which collectively shall constitute regulations in effect at the time such application is submitted. The Owners expressly waive any vested rights that might otherwise arise under Tex. Loc. Gov't Code section 43.002 or Chapter 245, or successor statute, from the submittal of such inconsistent development application. The Owners further agree that no use commenced or completed on the Homestead Tracts that is inconsistent with the development plan shall be considered established or in existence prior to the date that the City annexes the Homestead Tracts pursuant to this section.

(D) The covenants in Sections 3, 4 and 5 shall remain in effect for a period of 120 days following the lawful termination of this Agreement.

Section 5. Notice of Sale. Any person who sells or conveys any portion of the Homestead Tracts shall, prior to such sale or conveyance, give 30 days written notice of this Agreement to the prospective purchaser or grantee. A copy of said notice shall be forwarded to the City at the following address:

City of Rockwall
City Hall
305 S. Goliad Street
Rockwall, Texas 75087
Attn: City Manager

Section 6. Recording. This Agreement is to run with the Homestead Tracts and be recorded in the real property records, Rockwall County, Texas.

Section 7. Severability. Invalidation of any provision of this Agreement by judgment or court order shall not invalidate any of the remaining provisions which shall remain in full force and effect. It is the intent of the parties that, should it be determined that any portion of the Homestead Tracts was outside of the City's then existing ETJ at the time this Agreement took effect, the provisions of this Agreement shall apply to the remainder of the Homestead Tracts located within the City's extraterritorial jurisdiction.

Section 8. Remedies. This Agreement may be enforced by either Owners or the City by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the provisions of this Agreement thereafter. Entry into this Agreement by Owners waive no rights as to matters not addressed in this Agreement.

Section 9. Change in Law. No subsequent change in the law regarding annexation shall affect the enforceability of this Agreement or the right of any Party to rely upon the annexation law in effect on the Effective Date of this Agreement, including but not limited to the annexation procedures contained in Tex. Loc. Gov't Code Chapter 43, subchapter C-1, sections 43.061 to 43.065.

Section 10 Venue. Venue for this Agreement shall be in Rockwall County, Texas.

Section 11. Execution in Multiple Copies. This Agreement may be separately executed in individual counterparts and, upon execution, shall constitute one and same instrument.

Section 12. Term and Extension. The initial term of this Agreement shall be for a period of seven (7) years from the Effective Date (the "Term"). The Effective Date of the Agreement shall be the date the Agreement is executed by the City. At least 180 days prior to end of the Term of the Agreement, the City shall notify the Owners in writing that the Agreement is due to expire. If Owners desire to extend the operation of this Agreement beyond its Term, the Owners, at least 150 days prior to the end of the Term, shall submit a written request to the City for such an extension (an "Extension Request"). The City, at least 90 days prior to the end of the Term shall notify Owners in writing, delivered by certified mail, with respect to its decision whether to extend this Agreement for an additional term (referred to as a "Subsequent Term"). In the event such written notice from the City of its decision is not received by the Owners at least 90 days prior to the end of that Term such Extension Request is deemed granted and this Agreement continues for another Subsequent Term.

The Parties hereto have executed this agreement as of _____..

Owners

_____

_____

The City of Rockwall, Texas

By: _____

_____

_____

THE STATE OF TEXAS }

COUNTY OF }

This instrument was acknowledged before me on the _____ day of _____, 2007, by _____.

_____
Notary Public, State of Texas

THE STATE OF TEXAS }

COUNTY OF }

This instrument was acknowledged before me on the _____ day of _____, 2007, by _____.

_____
Notary Public, State of Texas

THE STATE OF TEXAS }

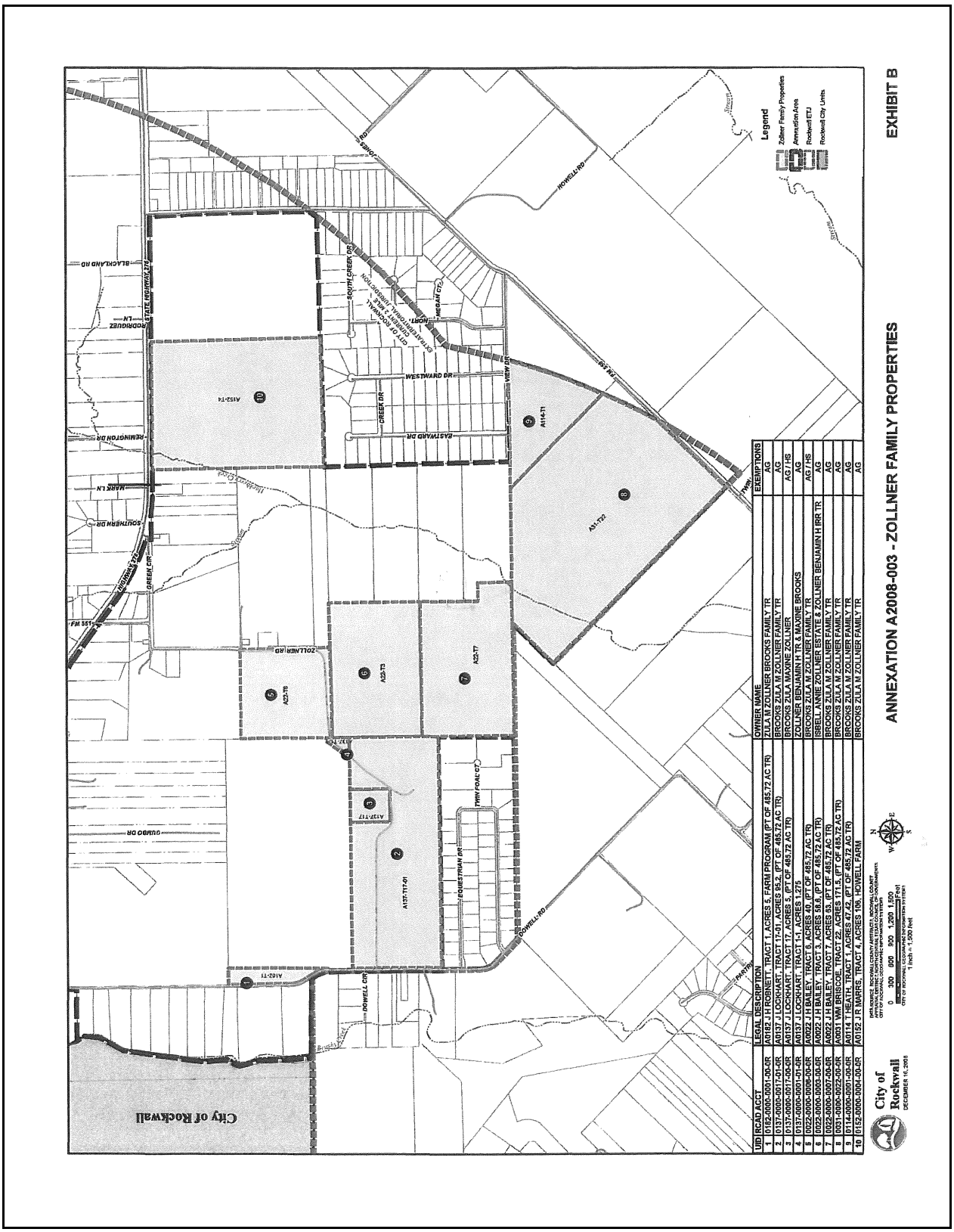
COUNTY OF }

This instrument was acknowledged before me on the _____ day of _____,2007, by _____, on behalf of the City of Rockwall, Texas.

_____
Notary Public, State of Texas

EXHIBIT A

ID	RCAD ACCT	LEGAL DESCRIPTION
1	0182-0000-0001-00-0R	A0182 J H ROBNETT, TRACT 1, ACRES 5, FARM PROGRAM (PT OF 485.72 AC TR) ZULA M ZOLLNER BROOKS FAMILY TR AG EXEMPTION
2	0137-0000-0017-01-0R	A0137 J LOCKHART, TRACT 17-01, ACRES 95.2, (PT OF 485.72 AC TR) BROOKS ZULA M ZOLLNER FAMILY TR AG EXEMPTION
3	0137-0000-0017-00-0R	A0137 J LOCKHART, TRACT 17, ACRES 5, (PT OF 485.72 AC TR) BROOKS ZULA MAXINE ZOLLNER AG & HOMESTEAD EXEMPTION
4	0137-0000-0001-01-0R	A0137 J LOCKHART, TRACT 1-1, ACRES 1.275 ZOLLNER BENJAMIN H TR & MAXINE BROOKS AG EXEMPTION
5	0022-0000-0006-00-0R	A0022 J H BAILEY, TRACT 6, ACRES 40, (PT OF 485.72 AC TR) BROOKS ZULA M ZOLLNER FAMILY TR AG & HOMESTEAD EXEMPTION
6	0022-0000-0003-00-0R	A0022 J H BAILEY, TRACT 3, ACRES 58.6, (PT OF 485.72 AC TR) ISBELL ANNIE ZOLLNER ESTATE & ZOLLNER BENJAMIN H IRR TR AG EXEMPTION
7	0022-0000-0007-00-0R	A0022 J H BAILEY, TRACT 7, ACRES 63, (PT OF 485.72 AC TR) BROOKS ZULA M ZOLLNER FAMILY TR AG EXEMPTION
8	0031-0000-0022-00-0R	A0031 WM BRISCOE, TRACT 22, ACRES 171.5, (PT OF 485.72 AC TR) BROOKS ZULA M ZOLLNER FAMILY TR AG EXEMPTION
9	0114-0000-0001-00-0R	A0114 T HEATH, TRACT 1, ACRES 47.42, (PT OF 485.72 AC TR) BROOKS ZULA M ZOLLNER FAMILY TR AG EXEMPTION
10	0152-0000-0004-00-0R	A0152 J R MARRS, TRACT 4, ACRES 106, HOWELL FARM BROOKS ZULA M ZOLLNER FAMILY TR AG EXEMPTION



UID	RCAD ACCT	LEGAL DESCRIPTION	OWNER NAME	EXEMPTIONS
1	0162-0000-0001-00-0R	A0162 J H ROBINETT, TRACT 1, ACRES 5, FARM PROGRAM, (PT OF 485.72 AC TR)	ZULA M ZOLLNER BROOKS FAMILY TR	AG
2	0137-0000-0017-00-0R	A0137 J LOCKHART, TRACT 17, ACRES 58.5, (PT OF 485.72 AC TR)	BROOKS ZULA M ZOLLNER FAMILY TR	AG
3	0137-0000-0017-01-0R	A0137 J LOCKHART, TRACT 17, ACRES 1, (PT OF 485.72 AC TR)	BROOKS ZULA MAXINE ZOLLNER	AG / HS
4	0137-0000-0001-01-0R	A0137 J LOCKHART, TRACT 1-1, ACRES 1.275	ZOLLNER BENJAMIN H TR & MAXINE BROOKS	AG
5	0022-0000-0006-00-0R	A0022 J H BAILEY, TRACT 6, ACRES 40, (PT OF 485.72 AC TR)	BROOKS ZULA M ZOLLNER FAMILY TR	AG / HS
6	0022-0000-0003-00-0R	A0022 J H BAILEY, TRACT 3, ACRES 58.8, (PT OF 485.72 AC TR)	ISBELL ANNIE ZOLLNER ESTATE & ZOLLNER BENJAMIN H IRR TR	AG
7	0022-0000-0007-00-0R	A0022 J H BAILEY, TRACT 7, ACRES 58, (PT OF 485.72 AC TR)	BROOKS ZULA M ZOLLNER FAMILY TR	AG
8	0031-0000-0022-00-0R	A0031 WM BRISCOE, TRACT 22, ACRES 171.5, (PT OF 485.72 AC TR)	BROOKS ZULA M ZOLLNER FAMILY TR	AG
9	0114-0000-0001-00-0R	A0114 T HEATH, TRACT 1, ACRES 47.42, (PT OF 485.72 AC TR)	BROOKS ZULA M ZOLLNER FAMILY TR	AG
10	0152-0000-0004-00-0R	A0152 J R MARRS, TRACT 4, ACRES 106, HOWELL FARM	BROOKS ZULA M ZOLLNER FAMILY TR	AG

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Exhibit 'D'
Copy of the Original 212 Development Agreement

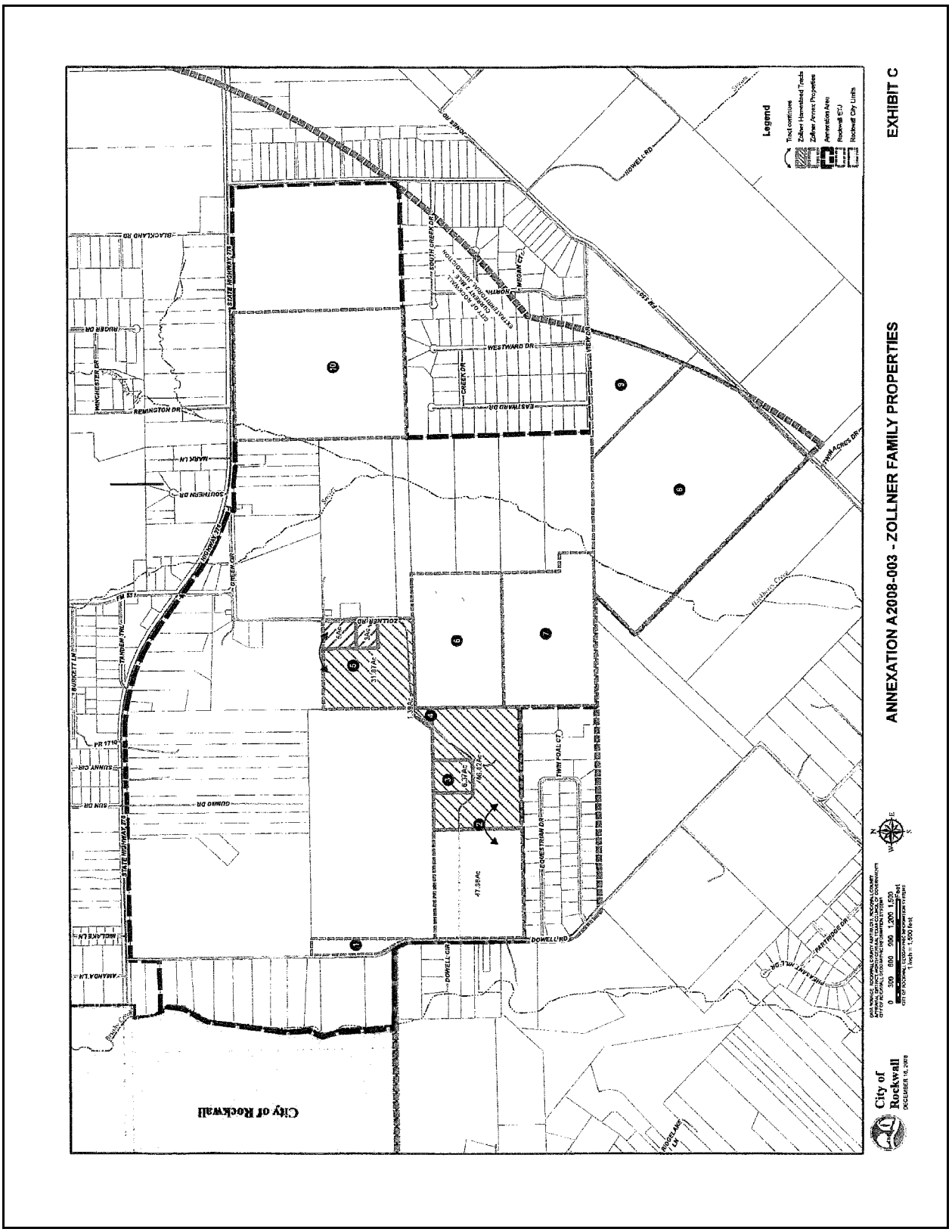

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Exhibit "D"

"HUD-code manufactured home"

(A) means a structure:

(1) constructed on or after June 15, 1976, according to the rules of the United Stated Department of Housing and Urban Development;

(2) built on a permanent chassis;

(3) designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities;

(4) transportable in one or more sections; and

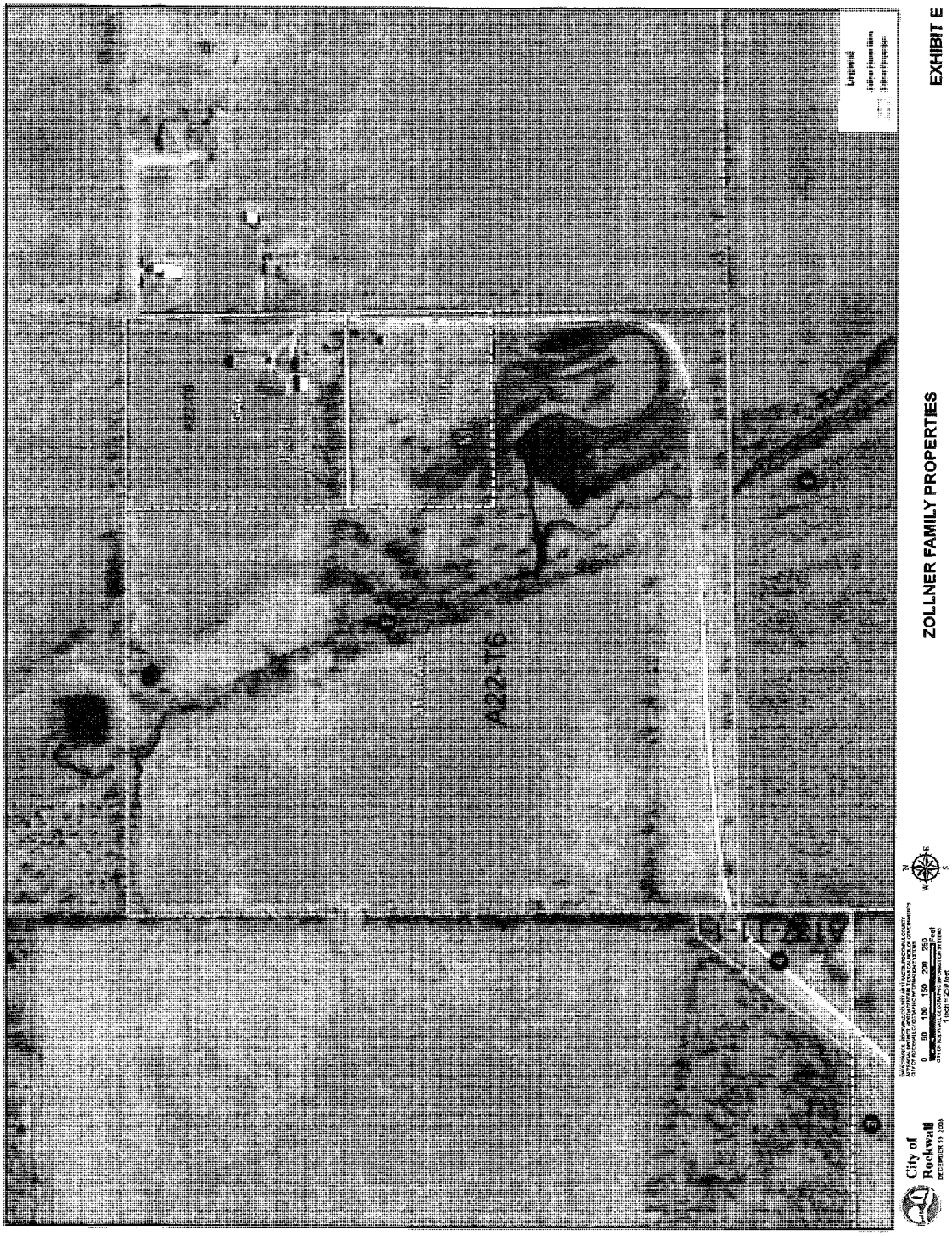
(5) in the traveling mode, at least eight body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet;

(B) includes the plumbing, heating, air conditioning, and electrical systems of the home; and

(C) does not include a recreational vehicle as defined by Title 24 of the Code of Federal Regulations, Section 3282.8 (g);

(g) Recreational vehicles. Recreational vehicles are not subject to this part, part 3280, or part 3283. A recreational vehicle is: (1) Built on a single chassis; (2) 400 Square feet or less when measured at the largest horizontal projections; (3) Self-propelled or permanently towable by a light duty truck; and (4) Designed primarily not for use a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Exhibit 'D'
Copy of the Original 212 Development Agreement



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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 1496.66 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; EXCLUDING FROM ANNEXATION THOSE PARCELS FOR WHICH A NON-ANNEXATION AGREEMENT HAS BEEN EXECUTED BY THE OWNERS AND HAS BEEN APPROVED BY THE CITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING A SAVINGS CLAUSE.

WHEREAS, Public Hearings were held before the governing body of the City of Rockwall, Texas, where all interested persons were provided with an opportunity to be heard on the proposed annexation of the following described territories:

BEING a 1496.66 acre tract of land situated in the J.H. Robinett Survey, Abstract No. 182; J.H. Bailey Survey, Abstract No. 22; J.H. Bailey Survey, Abstract No. 34; J.H. Bailey Survey, Abstract No. 45; J.H. Bailey Survey, Abstract No. 46; J. Lockhart Survey, Abstract No. 137; T. Heath Survey, Abstract No. 113; T. Heath Survey, Abstract No. 114; T. Heath Survey, Abstract No. 115; W. Briscoe Survey, Abstract No. 31; J.B. Marrs Survey, Abstract No. 152; H.K. Newell Survey, Abstract No. 167; in the County of Rockwall, Texas and being more particularly described as follows:

BEGINNING at a point at the most southern corner of Abstract 31, Tract 22 (171.5 ac) and the North Right of Way line of FM 550;

THENCE N 45° 36' 29" W following along said Tract 22 West property line for a distance of 3613.00 feet to a point;

THENCE N 45° 15' 24" E following along said Tract 22 Northwestern property line for a distance of 856.00 feet to a point;

THENCE S 89° 14' 56" W following along the South property line of Abstract 22, Tract 7 for a distance of 1677.00 feet to a point;

THENCE N 0° 15' 34.66" E following along the East boundary of the Equestrian Meadows Addition Ph. 2 for a distance of 1103.116 feet to a point;

THENCE S 89° 11' 4.67" W following along the North boundaries of the Equestrian Meadows Addition Ph. 1 & 2 for a distance of 3417.21 feet to a point on the west Right of Way of Dowell Road;

THENCE N 00° 35' 40" W continuing with the West Right of Way of Dowell Road for a distance of 1516.547 feet to a point;

THENCE N 00° 46' 09" W a distance of 185.00 feet more or less, to a point;

THENCE N 20° 54' 16" W a distance of 46.00 feet more or less, to a point;

THENCE N 20° 54' 16" W a distance of 78.00 feet more or less, to a point;

THENCE N 30° 23' 02" W a distance of 99.00 feet more or less, to a point;

THENCE N 89° 26' 53" W departing the West Right of Way of Dowell Road for a distance of 103.00 feet to a point;

THENCE N 89° 45' 55" W following the North property line of Abstract 167, Tract 3-10 for a distance of 906.00 feet to a point;

THENCE N 89° 45' 55" W following the South property line of Abstract 182, Tract 1-2 for a distance of 155.00 feet to a point;

THENCE N 04° 52' 57" W following the City of Rockwall Limits of the for a distance of 436.67 feet to a point;

THENCE in a Northerly direction along the meanders of Brushy Creek and the City of Rockwall Limits as follows:

THENCE N 01° 18' 04" W a distance of 336.00 feet to a point;

THENCE N 16° 04' 47" W a distance of 287.78 feet to a point;

THENCE N 20° 48' 51" E a distance of 39.99 feet to a point;

THENCE N 25° 06' 29" E a distance of 183.45 feet to a point;

THENCE N 04° 55' 56" W a distance of 326.62 feet to a point;

THENCE N 07° 40' 13" E a distance of 1188.15 feet to a point;

THENCE N 28° 12' 33" E a distance of 394.36 feet to a point;

THENCE N 06° 28' 58" E a distance of 228.81 feet to a point;

THENCE N 30° 35' 29" W a distance of 140.72 feet to a point;

THENCE departing said Brushy Creek and the City of Rockwall City Limits along the north property line of Lot 3, Dowell Road Addition, N 88° 58' 08" E a distance of 747.01 feet to a point in the west Right of Way line of Dowell Road;

THENCE along the west Right of Way line of Dowell Road N 0° 13' 05" W a distance of 427.57 feet to a point on the on the South Right of Way of State Highway 276;

THENCE N 89° 09' 27.88" E following the South Right of Way of State Highway 276, a distance of 3312.396 feet to the beginning of a tangent curve to the right having a radius of 2700.00 feet;

Continuing along said curve to the right, through a central angle of 36° 46' 53", a distance of 1733.28, a chord length of 1703.67, tangent of 897.68 to a point;

THENCE S 54° 03' 39.25" E a distance of 1046.74 feet to the beginning of a curve to the left having a radius of 3490.38 feet;

Continuing along said curve to the left, through a central angle of 15° 36' 54", a distance of 951.24, a chord bearing of S 64° 30' 0.00" E, chord length of 948.29, tangent of 478.58 to a point;

THENCE S 04° 58' 19.44" W a distance of 80.455 feet to a point;

THENCE N 88° 52' 36.12" E a distance of 367.075 feet to a point;

THENCE S 84° 42' 1.79" E a distance of 269.92 feet to a point;

THENCE N 89° 30' 0.00" E a distance of 4110.45 feet to the beginning of a non-tangent curve to the right having a radius of 42264.20 feet;

Continuing along said curve to the left, through a central angle of 03° 12' 04", a distance of 2361.35, a chord length of 2361.04, chord bearing of S 01° 45' 49.56" E to a point;

THENCE S 38° 47' 34" W following the City of Rockwall extraterritorial jurisdiction line, a distance of 110.49 feet to a point;

THENCE S 88° 23' 59.94" W along the North boundaries of the Westview Phase 2 and 3 Additions a distance of 3680.95 feet to a point;

THENCE S 01° 41' 21.11" E along the West boundary of the Westview Phase 2 Addition a distance of 2716.24 feet to a point on the South Right of Way of View Drive;

THENCE N 88° 43' 37.01" E along the South Right of Way of View Drive a distance of 1485.10 feet to the beginning of a non-tangent curve to the right having a radius of 10350.00 feet;

Continuing along said curve to the left, following the City of Rockwall extraterritorial jurisdiction line, through a central angle of 13° 06' 45", a distance of 2368.67, a chord bearing of S 22° 15' 32.59" E, chord length of 2363.50, tangent of 1189.53 to a point;

THENCE S 44° 17' 0.00" W along the North Right of Way of FM 550, a distance of 1387.125 feet to the Point of Beginning and containing **1496.66** acres of land (65,194,563.23 square feet) more or less, save and except the following tracts, which are subject to a Chapter 212 Development Agreement ("non-annexation agreement") between the property owner(s) and City of Rockwall:

Tract	Owner	Size of Tract in 212-Agmt
Lot 3, Dowell Road Addition	Rainey & Sonja Piearce	3.787-Acres
Lot 4, Dowell Road Addition	Steven Sexton	3.787-Acres
Lot 6R, Dowell Road Addition	David & Amanda Turner	5.98-Acres
Lot 7R, Dowell Road Addition	Ronald & Cindy Wylie	5.98-Acres
Tract 1-5, Abstract 182	Ronald & Holly Burkett	5.761-Acres
Tracts 4 & 4-1, Abstract 34	Steve Bobalik	10-Acres
Tract 1, Abstract 45	Richard Mills	5-Acres
Tract 8, Abstract 73	Timothy White	2.77-Acres
Tract 4, Abstract 22	Harry Schroeder	30.15-Acres
Tract 4-1, Abstract 22	Ho Ming-Tao & Jui-Lien Chou	30.31-Acres
Tract 4-3, Abstract 22	Ho Ming-Tao & Jui-Lien Chou	30.31-Acres
Tract 8-3, Abstract 22	Craig Jackson	1.5-Acres
Tract 17-01, Abstract 137 **(Part)**	Zula M Zollner Brooks Family Tr	46.42-Acres **(see Exhibit B-1)**
Tract 17, Abstract 137	Zula Maxine Zollner Brooks	5-Acres
Tract 1-1, Abstract 137	Benjamin H & Maxine Brooks Zollner Tr	1.275-Acres
Tract 6, Abstract 22	Zula M Zollner Brooks Family Trust	40-Acres

The above description shall follow all existing City of Rockwall City Limit boundaries where noted.

On the 2nd day of September, 2008, at 6:00 p.m. and on the 15th day of September, 2008, at 6:00 p.m. at City Hall, 385 S. Goliad, Rockwall, Texas said dates being not more than forty (40) days nor less than twenty (20) days prior to the institution of annexation proceedings; and

WHEREAS, notice of such public hearings were published in a newspaper having general circulation in the City of Rockwall, Texas and in the territory described herein on the 21st day of August, 2008 and on the 4th day of September, 2008 and posted on the City of Rockwall

Internet site on the 21st day of August, 2008 and on the 4th day of September, 2008, said dates being not more than twenty (20) days nor less than ten (10) days prior to the dates of such public hearings; and

WHEREAS, the territory lies adjacent to and adjoins the present boundaries of the City of Rockwall, Texas; and

WHEREAS, the territory above contains 1496.66 acres, save and except those 16 parcels for which non-annexations agreements have been approved by the City, containing collectively 220.7 acres more or less; and

WHEREAS, Texas Local Gov't Code section 43.035 provides that, prior to annexation of land which is appraised for ad valorem tax purposes for agricultural use, the municipality must first offer the landowner a non-annexation agreement pursuant to Texas Local Gov't Code section 212.172, and the landowner must decline the offer; and

WHEREAS, the City by letter of July 31, 2008, offered to enter into a non-annexation agreement with each **qualifying** property owner in the area to be annexed along with the notice of first public hearing, and

WHEREAS, the City by letter of October 10, 2008, offered to enter into a non-annexation agreement with **all** property owners in the area to be annexed, which offer was held open to a date certain, November 14, 2008, during which period the landowners were required to execute the proposed agreement; and

WHEREAS, the City has received executed non-annexation agreements for the parcels designated by hatching in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, all other offers to enter into non-annexation agreements which were not accepted by execution of such agreements by November 14, 2008, hereby are deemed to be declined by such date; and

WHEREAS, the non-annexation agreements for the parcels designated on Exhibit A were approved by the City on November 17, 2008, and on December 22, 2008, rendering the boundaries of land abutting such parcels as contiguous to the corporate limits of the City for all purposes;

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

Section 1. That the above recitals are hereby found to be true and correct and incorporated herein for all purposes.

Section 2. The land and territory more specifically described herein as Exhibit "A" attached hereto and made a part hereof, and containing 1496.66 acres which is adjacent to and adjoining the present boundaries of the City of Rockwall, Texas, is hereby added and annexed to the City of Rockwall, Texas and said territory as described herein shall hereafter be included within the boundary limits of the City of Rockwall, Texas and the present boundary limits of the City at the various points contiguous to the areas as described above, are altered and amended so as to include said area within the corporate limits of the City, save and except those parcels contained within such described territory, for which non-annexation agreements were timely executed by the owners of such parcels, as designated by hatching on Exhibit A hereto.

Section 3. That the official map of the City is hereby amended to reflect the addition of the property described herein.

Section 4. The above described territory and the acres so annexed shall be a part of the City of Rockwall, Texas, and the inhabitants thereof, if any, shall be entitled to all of the rights and privileges of all citizens and shall be bound by the acts, ordinances, resolutions and regulations of the City of Rockwall, Texas.

Section 5. That the Service Plan for the annexation area, which was made available for public inspection at the Public Hearings, is hereby approved with a copy of said plan being attached hereto and incorporated herein for all purposes and labeled Exhibit "B."

Section 6. That this ordinance shall take effect on December 29, 2008, in accordance with applicable law and the charter of the City of Rockwall, Texas.

Section 7. That Should this ordinance for any reason be ineffective as to any part of the area hereby annexed to the City of Rockwall, such ineffectiveness of this ordinance as to any such part or parts of any such area shall not affect the effectiveness of this ordinance as to the remainder of such area. The City Council hereby declares it to be its purpose to annex to the City of Rockwall every part of the area described in Section 2 of this ordinance. Provided, further, that if there is included within the general description of Property set out in Section 2 of this ordinance to be hereby annexed to the City of Rockwall any lands or area which are presently part of and included within the boundaries of land for which a non-annexation agreement has been approved, such parcels being as designated on Exhibit A hereto, the same is hereby excluded and excepted from the territory to be annexed hereby as fully as if such excluded and excepted area were expressly described herein. Provided further that, should the legal description of any parcel for which a non-annexation agreement has been approved fail to close or contain, or contain other defects, it is the intent of the City Council that such tracts should be excluded in accordance with the boundaries designated on Exhibit A, and that the validity of the annexation of the land not subject to such agreements shall not be affected by such defects, but rather that such land be annexed in accordance with the boundaries designated on Exhibit A.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this _____ day of _____, 2008.

_____
William R. Cecil, Mayor

ATTEST:

_____
Kristy Ashberry, Acting City Secretary

APPROVED AS TO FORM:

_____
Pete Eckert, City Attorney

1st Reading: _____

2nd Reading: _____

Exhibit 'D'
Copy of the Original 212 Development Agreement

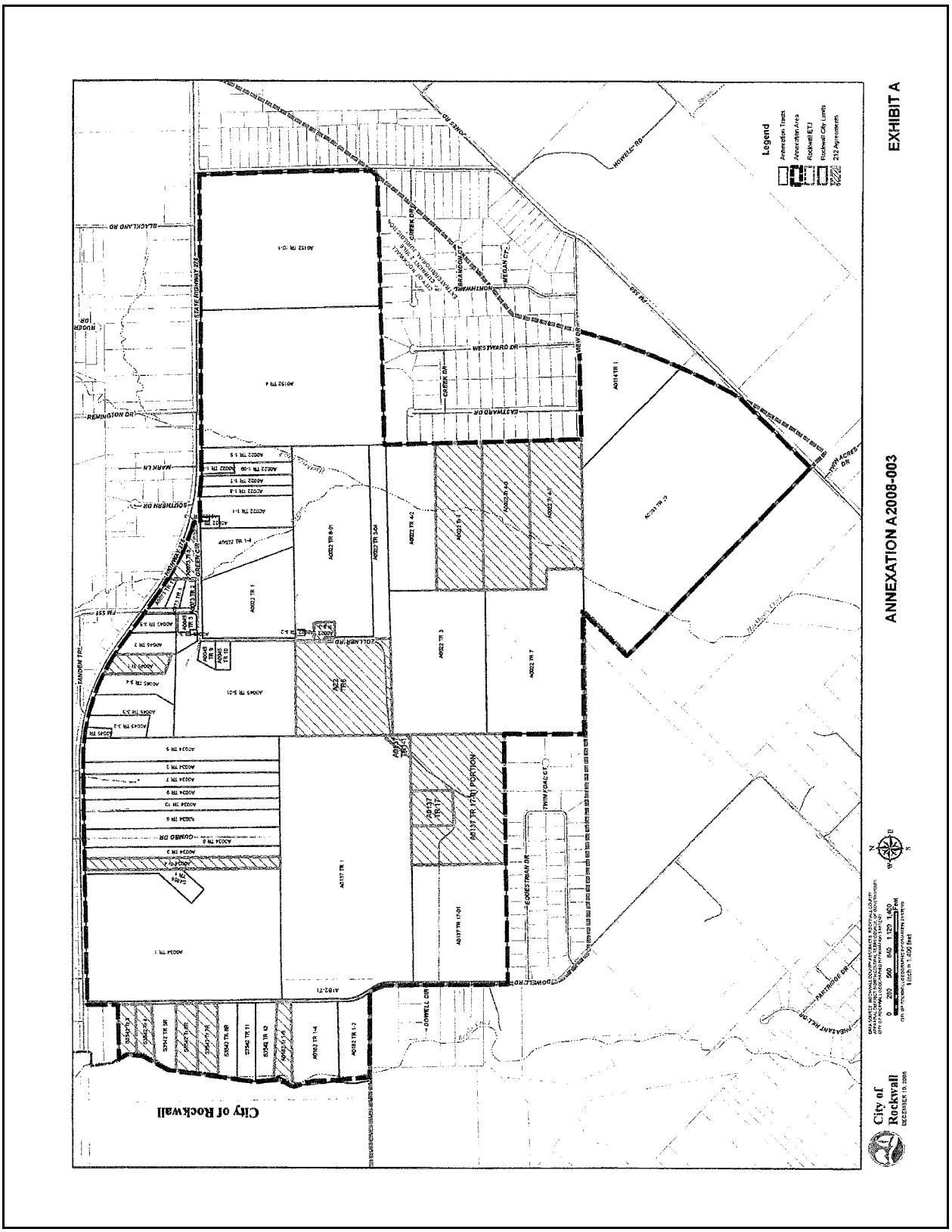

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Exhibit "B"

SERVICE PLAN FOR ANNEXED AREA

Annexation Case No. A2008-003
City and County of Rockwall, Texas

ACREAGE ANNEXED:

Area = 1496.66 acres

SURVEY ABSTRACT AND COUNTY:

BEING a 1496.66 acre tract of land situated in the J.H. Robinett Survey, Abstract No. 182; J.H. Bailey Survey, Abstract No. 22; J.H. Bailey Survey, Abstract No. 34; J.H. Bailey Survey, Abstract No. 45; J.H. Bailey Survey, Abstract No. 46; J. Lockhart Survey, Abstract No. 137; T. Heath Survey, Abstract No. 113; T. Heath Survey, Abstract No. 114; T. Heath Survey, Abstract No. 115; W. Briscoe Survey, Abstract No. 31; J.B. Marrs Survey, Abstract No. 152; H.K. Newell Survey, Abstract No. 167; in the City and County of Rockwall, Texas and being more particularly described by metes and bounds as attached.

DATE OF ADOPTION OF ANNEXATION ORDINANCE: December 22, 2008
Date

Municipal services to the acreage described above shall be furnished by or on behalf of the City of Rockwall, Texas, at the following levels and in accordance with the following schedule:

A. Police Services:

1. Patrolling, responses to calls, and other routine police services, within the limits of existing personnel and equipment, will be provided within 60 days of the effective date of annexation.
2. As development and construction commence within this area, sufficient police personnel and equipment will be provided to continue to furnish this area the level of police services consistent with police services available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

B. Fire Services

1. Fire protection by the present personnel and the present equipment of the fire Department, within the limitations of available water and distances from existing fire stations, will be provided to this area within 60 days of the effective date of annexation.
2. As development and construction commences within this area, sufficient fire personnel and equipment will be provided to continue to furnish this area the level of fire services consistent with fire service available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

Exhibit "B"

C. Health and Code Compliance Services

1. Enforcement of the City's health ordinances and regulations including, but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances, food handlers ordinances and animal control ordinances, shall be provided within this area on the effective date of the annexation ordinance. These ordinances and regulations will be enforced through the use of existing personnel.

   Complaints of ordinance or regulation violations within this area will be responded and investigated by existing personnel beginning with the effective date of the annexation ordinance.

2. The City's building, plumbing, electrical, gas heating, air conditioning and all other construction codes will be enforced within this area beginning with the effective date of the annexation ordinance. Existing personnel will be used to provide these services.

3. The City's zoning, subdivision, and other ordinances shall be enforced in this area beginning on the effective date of the annexation ordinance.

4. All inspection services furnished by the City of Rockwall, but not mentioned above, will be provided to this area beginning on the effective date of the annexation ordinance. Any property owner or his/her assigns who in good faith has a new building or structure, as defined in the Comprehensive Zoning Ordinance, under construction on the effective date of annexation shall be exempted from these inspections for that building or structure under construction for a period of one year from the effective date of annexation. For the purpose of this ordinance "under construction" shall mean any work that requires a building permit from the City of Rockwall.

5. As development and construction commence within this area, sufficient personnel will be provided to continue to furnish this area the same level of Health and Code compliance services as are furnished throughout the City.

D. Planning and Zoning Services

1. The planning and zoning jurisdiction of the City will extend to this area on the effective date of the annexation ordinance. City planning will thereafter encompass this property, and it shall be entitled to consideration for zoning in accordance with the City's Comprehensive Plan, Zoning Ordinance, Landscape Ordinance and Code of Ordinances.

E. Recreation and Leisure Services

1. Residents of this property may utilize all existing recreational and leisure services facilities and sites throughout the City beginning with the effective date of the annexation ordinance.

2. Existing parks, playgrounds, swimming pools and other recreation and leisure facilities within this property shall, upon dedication to and acceptance by the

City, be maintained and operated by the City of Rockwall.

F. Solid Waste Collection

1. Solid waste collection shall be provided to the property owner in accordance with existing City policies as to frequency and charges, beginning on the effective date of annexation except for properties that are served by a privately owned solid waste management service provider. Such properties will be allowed to continue private service for a period of two years from the effective date of annexation at which time the property will be required to begin service with a franchised solid waste contractor within the City of Rockwall.

G. Streets

1. The City of Rockwall's existing policies with regard to street maintenance, applicable throughout the entire City, shall apply to this property beginning immediately as of the effective date of the annexation ordinance.
2. As development, improvements or construction of streets to the City standards commence within this property, the policies of the City of Rockwall with regard to impact fees and participation in the cost thereof, acceptance upon completion, and maintenance after completion, shall apply.
3. The same level of maintenance shall be provided to streets within this property that have been accepted by the City of Rockwall as is provided to like City streets throughout the City.

H. Water Services

1. Connection to existing City water mains for water services for domestic, commercial and industrial use within this property will be provided in accordance with existing City policies. Upon connection to existing mains, water will be provided at rates established by City ordinance for such services throughout the City.
2. Water mains of the City will be extended in accordance with provisions of the Code of Ordinances and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise available in other parts of the City with topography, land uses, population densities similar to those reasonably contemplated or projected in the annexed area.
3. Water mains which are within the annexed area and are owned and operated by the City shall be maintained beginning with the effective date of the annexation ordinance or upon acquisition by the City.
4. Private water lines within this property shall be maintained by their owners, in accordance with existing policies applicable throughout the City.

Exhibit "B"

I. Sanitary Sewer Services

1. Connections to existing City sanitary sewer mains for sanitary sewage service in this area will be provided in accordance with the existing City policies. Upon connection, sanitary sewage service will be provided at rates established by City ordinances for such services throughout the City.
2. Sanitary sewer mains and/or lift stations which are within the annexed area and are connected to City mains shall be maintained by the City of Rockwall beginning with the effective date of the annexation ordinance or upon acquisition by the City.
3. Sanitary sewer mains of the City will be extended in accordance with the provisions of the Code of Ordinances and engineering standards and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise availably in other parts of the City with topography, land uses, and population densities similar to those reasonably contemplated or projected in the area.
4. Previously granted exceptions to the requirements of connections to the city's sanitary sewer treatment system shall be continued until such alternate systems are determined to no longer function to meet the sanitary sewer needs of the subdivision granted the exception.

J. Public Utilities

1. Other public utilities will be provided by the City's franchisee or a provider holding a certificate of convenience issued by the state to serve that area.

K. Miscellaneous

1. General municipal administration services of the City shall be available to the annexed area beginning with the effective date of the annexation ordinance.

Exhibit "B"

Annexation Schedule
A2008-003

July 7, 2008 - Annexation presented to City Council for approval to proceed

August 1, 2008 - Staff to prepare preliminary Service Plan and sample 212 Agreement that must be offered to qualifying property owners

August 1, 2008 - Notice of 1st public hearing mailed to property owners *(30 days prior to 1st public hearing)*

August 15, 2008 - Notice of 2nd public hearing mailed to property owners *(30 days prior to 2nd public hearing)*

August 15, 2008 - Notice Sent to Paper for publication (1st public hearing)

August 21, 2008 - Notification Appears in Newspaper for 1st Public Hearing **(< 20 and > 10 days before public hearing).** Obtain required affidavit of publication from paper

August 21, 2008 - Notification is posted on Internet **(< 20 & > 10 days before public hearing)**

September 2, 2008 - First Public Hearing **(< 40 and > 20 days before 1st reading)**

August 29, 2008 - Notice Sent to Paper for publication (2nd public hearing)

September 4, 2008 - Notification Appears in Newspaper for 2nd Public Hearing **(< 20 and > 10 days before public hearing).** Obtain required affidavit of publication from paper

September 4, 2008 - Notification is posted on Internet **(< 20 & > 10 days before public hearing)**

September 15, 2008 - Second Public Hearing **(< 40 and > 20 days before 1st reading)**

October 6, 2008 -City Council Approve Annexation Ordinance **(First Reading)**

December 22, 2008 - City Council Final Approval. **(Second Reading)**

January 5, 2009 - Annexation Proceedings Must Be Completed Within 90 Days of First Reading of Ordinance (10/6/08)

(Page 5 of 8)

Exhibit "B"

A2008-003
Legal Description

BEING a 1496.66 acre tract of land situated in the J.H. Robinett Survey, Abstract No. 182; J.H. Bailey Survey, Abstract No. 22; J.H. Bailey Survey, Abstract No. 34; J.H. Bailey Survey, Abstract No. 45; J.H. Bailey Survey, Abstract No. 46; J. Lockhart Survey, Abstract No. 137; T. Heath Survey, Abstract No. 113; T. Heath Survey, Abstract No. 114; T. Heath Survey, Abstract No. 115; W. Briscoe Survey, Abstract No. 31; J.B. Marrs Survey, Abstract No. 152; H.K. Newell Survey, Abstract No. 167; in the County of Rockwall, Texas and being more particularly described as follows:

BEGINNING at a point at the most southern corner of Abstract 31, Tract 22 (171.5 ac) and the North Right of Way line of FM 550;

THENCE N 45° 36' 29" W following along said Tract 22 West property line for a distance of 3613.00 feet to a point;

THENCE N 45° 15' 24" E following along said Tract 22 Northwestern property line for a distance of 856.00 feet to a point;

THENCE S 89° 14' 56" W following along the South property line of Abstract 22, Tract 7 for a distance of 1677.00 feet to a point;

THENCE N 0° 15' 34.66" E following along the East boundary of the Equestrian Meadows Addition Ph. 2 for a distance of 1103.116 feet to a point;

THENCE S 89° 11' 4.67" W following along the North boundaries of the Equestrian Meadows Addition Ph. 1 & 2 for a distance of 3417.21 feet to a point on the west Right of Way of Dowell Road;

THENCE N 00° 35' 40" W continuing with the West Right of Way of Dowell Road for a distance of 1516.547 feet to a point;

THENCE N 00° 46' 09" W a distance of 185.00 feet more or less, to a point;

THENCE N 20° 54' 16" W a distance of 46.00 feet more or less, to a point;

THENCE N 20° 54' 16" W a distance of 78.00 feet more or less, to a point;

THENCE N 30° 23' 02" W a distance of 99.00 feet more or less, to a point;

THENCE N 89° 26' 53" W departing the West Right of Way of Dowell Road for a distance of 103.00 feet to a point;

THENCE N 89° 45' 55" W following the North property line of Abstract 167, Tract 3-10 for a distance of 906.00 feet to a point;

THENCE N 89° 45' 55" W following the South property line of Abstract 182, Tract 1-2 for a distance of 155.00 feet to a point;

THENCE N 04° 52' 57" W following the City of Rockwall Limits of the for a distance of 436.67 feet to a point;

THENCE in a Northerly direction along the meanders of Brushy Creek and the City of Rockwall Limits as follows:

THENCE N 01° 18' 04" W a distance of 336.00 feet to a point;

Exhibit "B"

THENCE N 16° 04' 47" W a distance of 287.78 feet to a point;

THENCE N 20° 48' 51" E a distance of 39.99 feet to a point;

THENCE N 25° 06' 29" E a distance of 183.45 feet to a point;

THENCE N 04° 55' 56" W a distance of 326.62 feet to a point;

THENCE N 07° 40' 13" E a distance of 1188.15 feet to a point;

THENCE N 28° 12' 33" E a distance of 394.36 feet to a point;

THENCE N 06° 28' 58" E a distance of 228.81 feet to a point;

THENCE N 30° 35' 29" W a distance of 140.72 feet to a point;

THENCE departing said Brushy Creek and the City of Rockwall City Limits along the north property line of Lot 3, Dowell Road Addition, N 88° 58' 08" E a distance of 747.01 feet to a point in the west Right of Way line of Dowell Road;

THENCE along the west Right of Way line of Dowell Road N 0° 13' 05" W a distance of 427.57 feet to a point on the on the South Right of Way of State Highway 276;

THENCE N 89° 09' 27.88" E following the South Right of Way of State Highway 276, a distance of 3312.396 feet to the beginning of a tangent curve to the right having a radius of 2700.00 feet;

Continuing along said curve to the right, through a central angle of 36° 46' 53", a distance of 1733.28, a chord length of 1703.67, tangent of 897.68 to a point;

THENCE S 54° 03' 39.25" E a distance of 1046.74 feet to the beginning of a curve to the left having a radius of 3490.38 feet;

Continuing along said curve to the left, through a central angle of 15° 36' 54", a distance of 951.24, a chord bearing of S 64° 30' 0.00" E, chord length of 948.29, tangent of 478.58 to a point;

THENCE S 04° 58' 19.44" W a distance of 80.455 feet to a point;

THENCE N 88° 52' 36.12" E a distance of 367.075 feet to a point;

THENCE S 84° 42' 1.79" E a distance of 269.92 feet to a point;

THENCE N 89° 30' 0.00" E a distance of 4110.45 feet to the beginning of a non-tangent curve to the right having a radius of 42264.20 feet;

Continuing along said curve to the left, through a central angle of 03° 12' 04", a distance of 2361.35, a chord length of 2361.04, chord bearing of S 01° 45' 49.56" E to a point;

THENCE S 38° 47' 34" W following the City of Rockwall extraterritorial jurisdiction line, a distance of 110.49 feet to a point;

THENCE S 88° 23' 59.94" W along the North boundaries of the Westview Phase 2 and 3 Additions a distance of 3680.95 feet to a point;

THENCE S 01° 41' 21.11" E along the West boundary of the Westview Phase 2 Addition a distance of 2716.24 feet to a point on the South Right of Way of View Drive;

THENCE N 88° 43' 37.01" E along the South Right of Way of View Drive a distance of 1485.10 feet to the

Exhibit "B"

beginning of a non-tangent curve to the right having a radius of 10350.00 feet;

Continuing along said curve to the left, following the City of Rockwall extraterritorial jurisdiction line, through a central angle of 13° 06' 45", a distance of 2368.67, a chord bearing of S 22° 15' 32.59" E, chord length of 2363.50, tangent of 1189.53 to a point;

THENCE S 44° 17' 0.00" W along the North Right of Way of FM 550, a distance of 1387.125 feet to the Point of Beginning and containing **1496.66** acres of land (65,194,563.23 square feet) more or less, save and except the following tracts, which are subject to a Chapter 212 Development Agreement between the property owner(s) and City of Rockwall:

Tract	Owner	Size of Tract in 212-Agmt
Lot 3, Dowell Road Addition	Rainey & Sonja Piearce	3.787-Acres
Lot 4, Dowell Road Addition	Steven Sexton	3.787-Acres
Lot 6R, Dowell Road Addition	David & Amanda Turner	5.98-Acres
Lot 7R, Dowell Road Addition	Ronald & Cindy Wylie	5.98-Acres
Tract 1-5, Abstract 182	Ronald & Holly Burkett	5.761-Acres
Tracts 4 & 4-1, Abstract 34	Steve Bobalik	10-Acres
Tract 1, Abstract 45	Richard Mills	5-Acres
Tract 8, Abstract 73	Timothy White	2.77-Acres
Tract 4, Abstract 22	Harry Schroeder	30.15-Acres
Tract 4-1, Abstract 22	Ho Ming-Tao & Jui-Lien Chou	30.31-Acres
Tract 4-3, Abstract 22	Ho Ming-Tao & Jui-Lien Chou	30.31-Acres
Tract 8-3, Abstract 22	Craig Jackson	1.5-Acres
Tract 17-01, Abstract 137 **(Part)**	Zula M Zollner Brooks Family Tr	46.42-Acres
Tract 17, Abstract 137	Zula Maxine Zollner Brooks	5-Acres
Tract 1-1, Abstract 137	Benjamin H & Maxine Brooks Zollner Tr	1.275-Acres
Tract 6, Abstract 22	Zula M Zollner Brooks Family Trust	40-Acres

The above description to follow all existing City of Rockwall City Limit boundaries where noted.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **July 15, 2015**

SUBJECT: **FRANCHISE AGREEMENT WITH LEGENDS BATTING CAGES**

At the April 1, 2014 Park Board meeting, Park Board heard a presentation from Leo Rodriguez of Legends Batting Cages proposing to install and operate three outdoor batting cages located within Leon Tuttle Athletic Complex. At that time, Mr. Rodriguez proposed to obtain approximately $38,000 for pitching machines, concrete pad, poles, nets, lighting and signage contingent on Council approval. According to Mr. Rodriguez, the Rockwall Baseball Association (RBA) had committed to providing the funds to cover the cost of the three pitching machines.

Park Board voted unanimously to recommend to City Council that the city enter into a two year agreement that would automatically renew annually for one year periods for a maximum of three years with Legends Batting Cages. City Council approved the Franchise Agreement in May of 2014.

At the January 6, 2015 meeting, Park Board requested an appointment with Mr. Rodriguez to hear an update on the progress of the batting cages. At the time of the meeting no progress had been seen on site nor had any drawings been submitted for approval, per the agreement. According to Mr. Rodriguez, the pitching machines had been purchased and were in storage. He was also waiting on drawings and encountered several obstacles that have impeded progress.

Park Board voted unanimously to recommend to staff that January 16, 2015 be established as a deadline to submit and have plans approved for the batting cages. If he failed to meet that deadline, Park Board would be prepared to recommend to City Council that proper notice be given to Legends Batting Cages to terminate the agreement. Mr. Rodriguez successfully submitted plans and were approved by that deadline.

Seeing no further progress, Park Board again requested an appointment with Mr. Rodriguez for a status update at the July 7, 2015 meeting. Mr. Rodriguez stated that he was having difficulty getting a concrete contractor to provide pricing and commit to a timeline. He had however, purchased poles and netting.

The initial two year term of the contract expires May 30, 2016. According to the contract, the City must provide 30 days written notice if the Service Provider fails to meet the terms of the agreement. Park Board voted unanimously to recommend to City Council that the contract be terminated if substantial progress had not been made on site by September 1, 2015 and that the 30 day written notice is given concurrently to correspond with the September 1st deadline. A copy of the agreement and Park Board minutes are provided in your packet.

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MINUTES
PARKS AND RECREATION BOARD
City Hall, 385 S. Goliad, Rockwall, TX 75087
January 6, 2015
6:00 PM

Call To Order

The meeting was called to order in the Council Chambers at 6:00pm by Chairman Brad Bassett with the following Board Members present: Bob Lewis, Charles Johnson, and Wayne Larson. Board Members Ray Harton and Kevin Moffatt were absent. Also present were Parks and Recreation Manager Andy Hesser, Administrative Secretary Wendy Young, Recreation Superintendent, Andrew Ainsworth, Parks Superintendent Aaron Dobson, and Recreation Coordinator, Sarah Hurst.

Consider approval of amended minutes from the December 2, 2014 Park Board meeting and take any action necessary.

The minutes from the December 2, 2014 Park Board meeting were provided to the Board for their review and approval. Board Member Charles Johnson made a motion to approve the minutes. Board Member Larry Denny seconded the motion which passed by a vote of 5-0 (2 absent, Moffatt and Harton).

Discuss and consider Castle Ridge Estates Phase III final plat and take any action necessary.

Parks & Recreation Manager Andy Hesser explained that Castle Ridge Phase III is a 19.521 acre subdivision with 62 lots located west of SH 205 and north of Dalton Rd. Castle Ridge Phase III is a 19.521 acre subdivision with 62 lots located Castle Ridge is located within Park District #1. Jewel Park is the designated neighborhood park for district #1 and is already developed. Since Jewel Park does not connect to Castle Ridge, City Council approved Park Board's recommendation to accept cash-in-lieu of land fees in 2008 for phases I and II. The developer provided approximately 5.22 acres of open space to be maintained by the HOA. Within that open space the developer also proposed to provide amenities that meet or exceed the required pro-rata equipment fees. At the time of phase 1 & 2 final plats, the equipment fees required equaled $131,120. The developer proposed building and maintaining an amenity shelter with stone and iron fence, concrete jogging trail, site furniture, landscaping and irrigation along the trail and shelter. The total value of these amenities equaled $311,220, which clearly exceeded the minimum. Park Board made a recommendation to accept the developer's proposal and was approved by City Council. The minutes from previous meetings are included in your packet. After a brief discussion Chairman Bassett made a motion to accept cash-in-lieu of land fees for 62 lots at $493 per lot with a total of $30,566 including the 15 ft access right-of-way to be maintained by the HOA for the City to have access to future park land development within the City of Dallas takeline property on the west end of the property located between lots 30 and 31. Bob Lewis seconded the motion which passed by a vote of 5-0 (2 absent, Moffatt and Harton).

Discuss and consider Eagle Scout Project proposal by Caleb Davis and take any action necessary.

Mr. Hesser announced that Caleb Davis is an Eagle Scout candidate who has proposed an educational sign project along the Squabble Creek Mountain Bike Trail. His signs will include pictures and information of native tree species that can be found along the mountain bike trail. He has worked with an arborist to identify the trees. Caleb will be responsible for raising the funds, printing the signs and installing them according to agreed upon guidelines. Installation will be coordinated with City staff and Dallas Off-road Bicycle Association (DORBA), who maintains the trail. The company he plans on using to the print the signs is i-Zone. This is the same company that the Parks Department uses on the City's way finders, park maps and interpretive signs. They are full color high definition pictures and text and have a 10 year warranty. Caleb Davis came forth and presented a powerpoint that depicted is project in full detail. Mr. Larson suggested that he get a letter from Mr. Hesser in support of his fundraising efforts so that Caleb can present the letter when requesting funding. Park Board members expressed their support and excitement in seeing this project come together. Board Member Bob Lewis made a motion to accept this Eagle Scout proposal. Board Member Larry Denny seconded the motion which passed by a vote of 5-0.

Discuss and consider Eagle Scout Project final presentation by Nick Bowyer and take any action necessary.

Mr. Hesser introduced Nick Bowyer to the Board again. Mr. Hesser explained that Nick Bowyer made an Eagle Scout project proposal to Park Board at the April 2014 meeting. His project was approved to design and install a pedestrian bridge on the disc golf course on hole number nine. This bridge is intended to better assist disc golfers in crossing the creek at the tee box that may be using strollers or rolling bags/coolers. Nick Bowyer came forth and presented his final project presentation to the Board that explained some hurdles along the way, the safety guidelines he followed. A total of 238 volunteer hours worked on this project. The Board expressed their appreciation and a job well done. No action taken.

Hear report from Leo Rodriguez regarding update on proposed batting cages at Leon Tuttle Sports Complex and take any action necessary.

Mr. Hesser stated that Park Board has requested an update on the status of this project. At the April 2014 meeting, Park Board approved a recommendation to the City Council to enter into a concession agreement with Leo Rodriguez for the purposes of providing, installing and operating batting cages at the Leon Tuttle Athletic Complex. City Council approved the agreement in May of 2014 and was subsequently executed between the City and Mr. Rodriguez. As part of the agreement, the concessionaire is required to submit drawings and information regarding the proposed equipment, supplies, dimensions and materials to be used in the batting cage for City approval prior to beginning construction and operation. To date this has not been submitted to the City staff for review. The Rockwall Baseball Softball League is scheduled to begin games on February 16th. Staff requests that Park Board consider a firm date for submission of drawings and for construction to be completed. Staff also requests Park Board to consider recommending that the contract be terminated if these dates are not met. A copy of the April 2014 Park

Board minutes and executed agreement are included in your packet. Leo Rodriguez came forth and gave an update on the progress of the batting cages. Mr. Rodriguez stated that he has been waiting on architectural drawings but they didn't come through as promised and has overcome several obstacles after getting approval to begin work on the batting cages. After much discussion Chairman Bassett made a motion requesting Mr. Rodriguez to submit plans no later than Friday, Jan 16 at 5pm and approved by the City on Wednesday, Jan 21. If these deadlines are not met, the Board recommends termination of the contract. Board Member Denny seconded the motion which passed by a vote of 4-1 (Larson against).

Discuss and consider Dick's Sporting Goods sponsorship and take any action necessary.

Parks Superintendent Andrew Ainsworth explained that our agreement with Dick's Sporting Goods contract will be a 3 year contract. Dick's would be our exclusive sporting goods sponsor. The contract will include new dugout screens, coaches kits, coupons, general in store marketing support exclusive sporting goods sponsor. Board Member Denny made a motion to recommend that Staff move forward with this 3 year exclusive sponsorship.

Staff updates on upcoming programs and events and take any action necessary.

Parks Superintendent gave an update on Phelps Lake improvements and showed photos of the finished project of the fishing pier and kayak launch. Construction is under way at Tuttle with the parking lot being re-paved and a new fence going up around the complex. Staff is preparing a volunteer calendar for the coming year that will be included in the Fun Guide coming out next month. The Daddy Daughter Dance will be on Saturday, Jan 31st at The Hilton.

Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 7:48 p.m.

PASSED AND APPROVED BY THE PARK BOARD OF THE CITY OF ROCKWALL, TEXAS, this 3rd day of February 2015.

Brad Bassett
Chairman, Park Board

ATTEST:

Wendy Young
Administrative Secretary

MINUTES
PARKS AND RECREATION BOARD
City Hall, 385 S. Goliad, Rockwall, TX 75087
April 1, 2014
6:00 PM

Call To Order

The meeting was called to order in the Council Chambers at 6:00pm by Board Member Chairman Marcus Yarbrough with the following Board Members present: Charles Johnson, Bob Lewis, Kevin Moffatt, Ray Harton, and Larry Denny. Brad Bassett was absent. Also present were Parks and Recreation Manager Andy Hesser, Administrative Secretary Wendy Young and Recreation Superintendent Aaron Dobson.

Consider approval of minutes from the February 4, 2014 Park Board meeting and take any action necessary.

The minutes from the February 4, 2014 Park Board meeting were provided to the Board for their review and approval. Board member Bob Lewis made a motion to approve the minutes. Board member Ray Harton seconded the motion which passed by a vote of 5-0, 1 abstain (Denny) and 1 absent (Bassett).

Discuss and consider a facility use agreement proposal at Leon Tuttle Athletic Complex for the purposes of installing and operating batting cages and take any action necessary.

Parks and Recreation Manager Andy Hesser explained Leo Rodriguez has approached the City about the possibility of installing and operating batting cages at Leon Tuttle Athletic Complex. Mr. Rodriguez currently has an agreement with the City to operate the concession stand at Tuttle. He has also previously operated Legends Batting Cages located off of Ralph Hall Pkwy. Mr. Rodriguez is proposing to obtain funding for the pitching machines, concrete, poles, lighting netting and signage required to operate three separate batting tunnels. The facility will be by reservation only. Staff recommends considering the following terms be included in the agreement:

- Provide necessary insurance and covers the City of Rockwall as additionally insured.
- Operator is responsible for maintenance of all equipment, signage, poles and netting.
- Include severability terms at the end of the agreement period or that if the operator is unable to perform to the terms of the agreement that the City may have first rights of refusal to acquire the equipment or it has to be removed at the operator's expense.
- Any modifications to the facility, pricing and operating hours must be approved by the Parks and Recreation Department.
- If batting cage facility is open outside of hours that Tuttle is operated by City Staff, i.e. in-season practice and game nights, the operator is responsible for closing and locking the facility.
- Operator will pay the City 30% of gross revenue receipts.

Mr. Hesser introduced Leo Rodriguez who presented a powerpoint. Mr. Rodriguez explained that he would like to propose and operate three batting cages at Leon Tuttle that would include lights, sound system, coaching area, full turf mats, windscreen for shade and other additional features. The estimated total for the cages would be $38,000. The cages would be fully staffed at all times. Board Member Ray Harton asked what the timeline would be for this project. Mr. Hesser stated that it would take the longest to pour the concrete and get netting and holes finished. It would take an estimated 30 days as long as funding was in place. Mr. Hesser stated that these cages would be a huge amenity to our RBSL program, providing more practice time to RBSL teams than they ever had. He stated that some tournament awards will require or show favoritism to facilities that have batting cages, bullpens, etc. and that is not an amenity all facilities have. Mr. Rodriguez explained that there would be training opportunities and clinics and people could play every day all year long without regard to maintenance or weather. These would be available during the off-season when fields at Tuttle are resting. Park Board Member Kevin Moffatt made a motion recommend City Council/City Manager to consider batting cages proposal as presented. Board Member Lewis seconded the motion which passed by a vote of 6-0.

Staff Updates

Mr. Hesser presented a news release from North Texas Municipal Water District stating that we are under Stage 4 water restrictions and can only water once every 2 weeks through the end of April. NTMWD will meet every month to evaluate the water situation. The City will not be able to put out perennials or annuals that require frequent water. Recreation Superintendent Aaron Dobson spoke about the latest Parks and Recreation events. The Eater Egg Hunt will take place on Saturday, April 12th at Harry Myers Park. We have 25,000 pieces of candy for kids, bounces houses and petting zoo and some games. Concert lineup sent out tonight through constant contact and raving fan club. There will be 12 concerts from May 8 through July 24. Rockwall Ford and Rockwall Dodge are presenting sponsors and this is their 10th year to be presenting sponsors. The Founders Day Festival will be moved to Harry Myers Park this year due to the construction close to downtown square. The headliner for this year is Charlie Daniels Band. The RBSL League ended at 797 registered in baseball and 46 girls in softball., 9 adult softball teams just played over the weekend and we have a co-ed division and a men's league. Our first USSSA tournament will be held April 26-April 27 and is open to 8u, 10u, 12u boys divisions.

Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 7:32 p.m.

PASSED AND APPROVED BY THE PARK BOARD OF THE CITY OF ROCKWALL, TEXAS, this 6th day of May 2014.

Marcus Yarbrough
Chairman, Park Board

ATTEST:

Wendy Young
Administrative Secretary

STATE OF TEXAS §
COUNTY OF ROCKWALL §
CITY OF ROCKWALL §

FRANCHISE AGREEMENT

THIS FRANCHISE AGREEMENT ("Agreement") is made and entered into by and between **Legends Batting Cages** ("Service Provider"), and the City of Rockwall, Texas ("City").

WHEREAS, the City, subject to the terms and conditions set forth herein, desires to grant to the Service Provider the non-exclusive franchise, license and privilege to provide, install, maintain and operate three (3) batting cages with pitching machines.

NOW THEREFORE, in consideration of the premises and the mutual promises, covenants and agreements set forth herein, the Service Provider and the City hereby agree as follows:

Section 1. Award of Concession Agreement. The City hereby grants to the Service Provider the non-exclusive franchise, license and privilege to provide, install, maintain and operate three (3) batting cages with pitching machines located at Leon Tuttle Athletic Complex 1550 Airport Rd. The layout and location of the batting cages must be approved by the City and may not be installed until the City has given written approval.

Section 2. Insurance. The Service Provider shall carry and maintain at all times during the term of this Agreement, or any extensions thereof, at a minimum, comprehensive liability insurance for bodily injury, including death, and property damage in the amounts of $2,000,000 per person, and $500,000 per occurrence, with the City being named as an additional insured. Such certificates of insurance shall be submitted annually to the Director of Parks and Recreation or his/her designee. Before commencement of services hereunder, the Service Provider agrees to furnish the City certificates of insurance or other evidence satisfactory to the City to the effect that such insurance has been procured and is in force. Such certificates of insurance shall be filed with the Parks and Recreation Director for its records. The City its officers, servants, and employees shall be named as additional insureds during the initial term and any renewals. The certificates shall contain the following express obligation:

> "This is to certify that the policies of insurance described herein have been issued to the insured for whom this certificate is executed and are in force at this time. In the event of cancellation or material change in a policy affecting the certificate holder, thirty (30) days prior written notice will be given to the City of Rockwall certificate holder."

Section 3. Maintenance. The Service Provider is solely responsible for maintenance of the batting cages, pitching machines and all improvements including but not limited to structures, supplies, equipment, signage, lighting, netting and support poles. All pitching machines shall be maintained and operated according to manufacturers recommendations.

Section 4. Operating hours and Fees charged. The Service Provider shall provide to the City's Park and Recreation Department a schedule of fees to be charged for the use of the batting cages. Service provider must give thirty (30) days written notice of any proposed

increase in fees from those established as of the date of this Agreement and such increase shall first be approved by the City's Park and Recreation Director and Park Board, whose approval shall not be unreasonably withheld. In addition, a schedule of the hours of operation shall be approved by the City's Parks and Recreation Department. Any signage advertising the cages shall be in conformance with the City's sign ordinance. Any time the batting cages are not being used on a rental or fee basis during normal park hours, the Service Provider shall make the batting cages available to the public to use as manual pitching tunnels without use of the Service Provider's pitching machines unless the pitching machines are under repair or maintenance. The City shall not be liable or responsible for any loss of revenue because of suspension or inability to provide the service due to causes beyond the reasonable control of either the City or Service Provider. Such causes shall include, but not be limited to, acts of God, acts of war, accident, explosion, fire, flood, riot, sabotage, or unusually severe weather conditions

Section 5. Concession Fee. The Service Provider agrees to remit to the City, on a monthly basis, a concession fee of 30% of all fees collected from patrons using the batting cage services. The Service Provider shall maintain at his respective place of business adequate books and records relating to the fees collected for batting cage rental or use. Such books and records shall be available at any time during normal business hours for inspection review and possible audit by the City, at the City's expense, upon reasonable advance notice.

Section 6. Modifications. The Service Provider and the City agree that should any additions, modification or alteration of the batting cages, signage, lighting, netting or other equipment be necessary to accommodate the service provided herein, such modification or alteration shall be done at the sole expense of the Service Provider, contingent upon the plans and specifications being reviewed and approved by the City. Any modification or alteration of the batting cages shall be ADA compliant.

Section 7. Terms. The term for this Agreement shall be for a period of two (2) years from the date hereof, with the ability to automatically renew annually for one (1) year periods for a maximum of three (3) additional years. Any failure by the Service Provider, or his successors and assigns, to observe the terms and conditions of this Agreement shall, if continuing or persisting without remedy for more than thirty (30) days after the receipt of due written notice from the City, constitute grounds for forfeiture and immediate termination of all the Service Provider's rights under this Agreement, and all such rights shall become null and void.

In the event of contract termination, The Service Provider shall remove all equipment and improvements and return the site to its original condition at the Service Provider's expense within 30 days of termination or give the City first rights of refusal to take possession of all equipment and improvements with mutually agreed upon terms.

Section 8. The Service Provider shall not deny employment to any person on the basis of race, creed, gender, or religion, and will insure that all federal and state laws pertaining to salaries, wages and operating requirements are met or exceeded.

Section 9. **THE SERVICE PROVIDER ASSUMES ALL RISKS OF LOSS OR INJURY TO PROPERTY OR PERSONS CAUSED BY ITS PERFORMANCE OF THE SERVICES. THE SERVICE PROVIDER AGREES TO INDEMNIFY AND HOLD HARMLESS THE CITY AND ITS AGENTS, DIRECTORS, EMPLOYEES, OFFICERS AND SERVANTS FROM AND AGAINST ANY AND ALL SUITS, ACTIONS, LEGAL PROCEEDINGS, CLAIMS, DEMANDS, DAMAGES, COSTS, LIABILITIES, LOSSES OR EXPENSES (INCLUDING, BUT NOT LIMITED TO, REASONABLE ATTORNEYS' FEES) INCIDENT TO**

ITS PERFORMANCE OF THE SERVICES CAUSED BY A WILLFUL OR NEGLIGENT ACT OR OMISSION OF THE SERVICE PROVIDER, ITS OFFICERS AND EMPLOYEES.

Section 11. Notices under this Agreement shall be deemed sufficient if sent to the following:

Service Provider:	City of Rockwall:
Legends Batting Cages 801 E. Interstate 30 Rockwall, TX 75087	Rick Crowley, City Manager 385 S. Goliad Rockwall, Texas 75087

Section 12. This Agreement shall be governed by the laws of the State of Texas, and venue for this Agreement shall be in Rockwall County, Texas.

Section 13. The City shall not be liable or responsible for any loss of revenue because of suspension or inability to provide the service at the docking area due to causes beyond the reasonable control of either the City or Service Provider. Such causes shall include, but not be limited to, acts of God, acts of war, accident, explosion, fire, flood, riot, sabotage, or unusually severe weather conditions.

Section 14: This **FRANCHISE AGREEMENT** is not assignable or transferable to any other party.

Section 15. Severability – If any section, sentence, clause, or paragraph of this ordinance is for any reason held to be illegal or invalid, such invalidity shall not affect the validity of the remaining portions of this ordinance.

This Agreement shall be effective as of the last date signed by either party below.

Legends Batting Cages

By: _____
Leo Rodriguez
Title: Owner
Its Authorized Representative
Date: 5/22/14

CITY OF ROCKWALL

By: _____
Rick Crowley, City Manager
Date: 5/30/14

ATTEST:

_____
Kristy Ashberry, City Secretary

ACKNOWLEDGEMENTS

STATE OF TEXAS)
COUNTY OF ROCKWALL)
CITY OF ROCKWALL)

BEFORE ME, a notary public in and for said county and state, personally appeared Leo Rodriguez, of Legends Batting Cages, and acknowledged to me that he executed the within and foregoing document as his free and voluntary act and deed; and the free and voluntary act deed of Legends Batting Cages, for the uses and purposes set forth therein.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 30 day of May, 2014.

LAURA PEREZ
Notary Public State of Texas
Comm. Exp. 07-22-2017

_____
Notary Public in and for the State of Texas

My Commission Expires:

_____
[SEAL]

STATE OF TEXAS)
COUNTY OF ROCKWALL)
CITY OF ROCKWALL)

BEFORE ME, a notary public in and for said county and state, personally appeared Leo Rodriguez, of Legends Batting Cages, and acknowledged to me that he executed the within and foregoing document as his free and voluntary act and deed, and the free and voluntary act deed of Legends Batting Cages, for the uses and purposes set forth therein.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 30th day of May, 2014.

Notary Public in and for the State of Texas

My Commission Expires:

WENDY ANN YOUNG
Notary Public, State of Texas
My Commission Expires
March 23, 2016

[SEAL]

STATE OF TEXAS)
COUNTY OF ROCKWALL)
CITY OF ROCKWALL)

BEFORE ME, a notary public in and for said county and state, personally appeared Rick Crowley, City Manager of the City of Rockwall, and acknowledged to me that he executed the within and foregoing document as his free and voluntary act and deed, and the free and voluntary act deed of the City of Rockwall, for the uses and purposes set forth therein.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 30th day of May, 2014.

Notary Public in and for the State of Texas

My ~~Commission Expires~~.

LAURA PEREZ
Notary Public, State of Texas
My Comm. Exp. 07-22-2017

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Robert LaCroix, Director of Planning & Zoning

DATE: July 20, 2015

SUBJECT: Policy for constructing boat related structures including dock decks, fixed piers and boathouses in Lake Ray Hubbard

At the July 6, 2015 City Council Meeting, the Council directed staff to prepare a policy procedure for the construction of boat related structures in Lake Ray Hubbard and bring that formal policy back to Council for their consideration and approval. Staff has attached a policy outlining a procedure for property owners to obtain building permits for boat related structures and which allows the City to considered adjustments to projected setback lines in certain cases. We have included an email from the City of Dallas stating that the "Modification of subleased property boundaries and general layout locations of take area structures is a City of Rockwall responsibility. Structure dimensions and building materials must adhere to standards approved in the Interlocal Agreement."



City of Rockwall
City of Rockwall
Geographic Information Systems
385 S. Goliad St.
Rockwall, TX 75087
P. 972-771-7745
F. 972-771-7748
www.rockwall.com/gis

N W E S

0 50 Feet

Date: 7/2/2015 1 inch = 100 feet

City of Rockwall Geographic Information Systems

Policy for Constructing Boat Related Structures in Lake Ray Hubbard

1. Only those properties eligible to lease and that have leased in the Lake Ray Hubbard Take Line Area may apply for a building permit to construct a boat related structure as allowed by the Lake Ray Hubbard Takeline Overlay District within the City of Rockwall.

2. An application for a boathouse, dock/deck, fixed pier or a combination there of shall require building plans and survey information indicating the proposed location of the structure in addition to both adjoining properties with dimensioned information indicating any existing boat related structures.

3. Should the projected setbacks lines into the 40’ build area of the lake limit or prohibit the applicant from constructing a boat related structure, the City may adjust the projected setback lines to allow for such construction only if such adjustment does not impede the adjoining properties from the ability to construct a boat related structure meeting the requirements of the Interlocal Agreement with the City of Dallas.

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Hold work session to discuss and consider the city budget, and take any action necessary.

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Consider approval of the minutes from the July 20, 2015 regular city council meeting, and take any action necessary.

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Z2015-020 - Consider approval of an ordinance for a request by Wayne Mershawn of Mershawn architects on behalf of Rex Walker of Life Springs Church for a Specific Use Permit (SUP) for a church in an Agricultural (AG) District for a seven (7) acre portion of a larger 28.881-acre tract of land identified as Tract 15-01 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Corridor Overlay (SH 205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King Boulevard and SH-205, and take any action necessary. (2nd Reading)

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Z2015-022 - Consider approval of an ordinance for modifications to Article IV, Permissible Uses, and Article V, District Development Standards, of the Unified Development Code for the purposes of creating a standard for cultured stone, and adding standards for a Portable Beverage or Food Facility, and take any action necessary. (2nd Reading)

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AGENDA
ROCKWALL CITY COUNCIL
Monday, August 03, 2015
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

p.10 **1.** Hold a work session to hear a presentation by Doug Duffie LLC representing First Texas Homes to request consideration of a 380 Agreement for Use Taxes, and take any action necessary.

p.25 **2.** Hold work session to discuss and consider the city budget, and take any action necessary.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)

2. Discussion regarding purchase or lease of real property / land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).

3. Discussion regarding possible settlement of City of Rockwall v. Temunovic Partnership, LTD., Case No. 1-14-878; 382nd District Court of Rockwall, Texas pursuant to Section 551.071 (Consultation with Attorney).

4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Planning & Zoning Commission, and Board of Adjustments pursuant to Section 551.074 (personnel matters)

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, August 03, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM LEWIS

VIII. OPEN FORUM

IX. CONSENT AGENDA

p.31 **1.** Consider approval of the minutes from the July 20, 2015 regular city council meeting, and take any action necessary.

p.51 **2.** **Z2015-020** - Consider approval of an **ordinance** for a request by Wayne Mershawn of Mershawn architects on behalf of Rex Walker of Life Springs Church for a Specific Use Permit (SUP) for a church in an Agricultural (AG) District for a seven (7) acre portion of a larger 28.881-acre tract of land identified as Tract 15-01 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Corridor Overlay (SH 205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King Boulevard and SH-205, and take any action necessary. **(2nd Reading)**

p.57 **3.** **Z2015-021** - Consider approval of an **ordinance** for a request by Sam Ellis on behalf of the owner, the George Dewoody Estate, for a Specific Use Permit (SUP) for a daycare facility in an Agricultural (AG) District for a two (2) acre parcel of land identified as Lot 1 of the Dewoody Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the North SH-205 Corridor Overlay (N SH-205 OV) District, addressed as 3011 N. Goliad Street [SH-205], and take any action necessary. **(2nd Reading)**

p.62 **4.** **Z2015-022** - Consider approval of an **ordinance** for modifications to Article IV, Permissible Uses, and Article V, District Development Standards, of the Unified Development Code for the purposes of creating a standard for cultured stone, and adding standards for a Portable Beverage or Food Facility, and take any action necessary. **(2nd Reading)**

p.76 **5.** **P2015-029** - Consider approval of a request by Maria Bonilla of Winkelmann & Associates on behalf of Mark Matise of Makko Goliad I, LP for the approval of a replat for Lots 1, 2 & 3, Block A, Kroger 205 Addition being a replat of 11.236-acre tract of land identified as Lots 2 & 3, Block A, Quail Run Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the southeast corner of E. Quail Run Road and SH-205, and take any action necessary.

p.88 **6.** **P2015-031** - Consider approval of a request by Mike Whittle on behalf of Rockwall Rental Properties, LP for the approval of a replat for Lot 13, Block 2, Alliance Addition, Phase 2 being a 0.571-acre parcel of land identified as Lot 4, Block 2, Alliance Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, addressed as 6540 Alliance Drive, and take any action necessary.

p.94 **7.** **P2015-032** - Consider approval of a request by Cameron Slown of FC Cuny Corporation on behalf of Lowdent LLC, Hall and Lee Land Company LLC, and Temunovic Partnership LTD for the approval of a replat for Lots 4, 5 & 6, Block A, Temonovic Addition being a 2.582-acre tract of land currently identified as Lots 1, 2 & 3, Block A, Temunovic Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 1320 & 1350 Summer Lee Drive, and take any action necessary.

p.103 **8.** **P2015-033** - Consider approval of a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Lakefront Trail Rockwall Hotel, LP for the approval of a replat for Lot 1, Block A, Marriott Addition being a 2.968-acre tract of land identified as a portion of Lot 3A, Block A, Shoreline Plaza Addition and all of Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary.

p.111 **9.** Consider authorizing the City Manager to execute a purchase order with Freedom CDJR for the purchase of a 2015 Dodge Charger for Police Traffic Division in the amount not to exceed $36,000 to be funded by General Fund Reverses, and take any action necessary.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

p.113 **2.** Appointment with Jim Lambeth of Linebarger, Goggan, Blair & Sampson LLP to present information regarding a bid received for delinquent property taxes at 464 Evans at an amount less than the outstanding taxes, and take any action necessary.

p.120 **3.** Appointment to hear presentation from Mark Spencer of MHS Planning and Design regarding The Park at Stone Creek development plan, and take any action necessary.

XI. PUBLIC HEARING ITEMS

p.131 **1.** Z2015-016 - Hold a public hearing to discuss and consider approval of an ordinance for a request by Stacey McVey of Double Eagle Properties on behalf of the owner 308 ON 276 LP for a zoning change from an Light Industrial (LI) District to a Planned Development District for Single Family 10 (SF-10) and General Retail (GR) District land uses, on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the northeast corner of the intersection of Rochelle Road and SH-276, and take any action necessary. (1st Reading)

XII. ACTION ITEMS

p.168 **1.** Discuss and consider Construction Manager at Risk process for The Park at Stone Creek development, and take any action necessary.

p.170 **2.** **A2015-002** - Discuss and consider initiating a development agreement with Joey Howell, in accordance with Chapter 212 of the Texas Local Government Code, for a property identified as Tract 18 & 18-01 of the S. McFadgin Survey, Abstract No. 142, Rockwall County, Texas, being a ~98-acre tract of land situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), located south of SH-276 on the east side of FM-548, and take any action necessary.

p.190 **3.** Discuss and consider the provisions of Chapter 12. Businesses & Sales, Article XII. Ambulance Service of the Code of Ordinances, and take any action necessary.

p.202 **4.** Discuss and consider (re)appointments to city advisory boards, including the Animal Adoption Center/Shelter Advisory Committee, the Architectural Review Board, the ART Commission, the Historic Preservation Advisory Board and the Park Board, and take any action necessary.

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

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Fire Dept. Monthly Report - June 2015 p.224
p.240 Harbor PD Monthly Report - June 2015
Internal Operations Department Monthly Report - June 2015 p.242
p.246 Meals on Wheels Senior Services Third Quarter Report
Police Department Monthly Report - June 2015 p.248
p.251 Recreation Monthly Report - June 2015
Rockwall Animal Adoption Center Monthly Report - June 2015 p.253

2. City Manager's Report

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)
2. Discussion regarding purchase or lease of real property / land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).
3. Discussion regarding possible settlement of City of Rockwall v. Temunovic Partnership, LTD., Case No. 1-14-878; 382nd District Court of Rockwall, Texas pursuant to Section 551.071 (Consultation with Attorney).
4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Planning & Zoning Commission, and Board of Adjustments pursuant to Section 551.074 (personnel matters)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVI. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 31st day of July, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **July 31, 2015**

SUBJECT: **Proposed 380 Agreement for Sales/Use Tax**

First Texas Homes, an area home builder, through their representative, Doug Duffie has approached the City regarding the possibility of entering into a 380 agreement. Mr. Duffie will make a presentation at the work session regarding the proposal.

Briefly, First Texas Homes and their construction subs currently pay sales tax on home building materials at the point of sale – not at point of use. For example, if First Texas Homes purchases Acme Brick the sales tax is paid either to Dallas or to Denton where their sales offices are located rather than Rockwall where the home is being built. Mr. Duffie has said that he has researched their suppliers and none of them are located in Rockwall.

First Texas Homes proposed to change this by altering their accounting systems and paying Use Tax rather than sales tax. For the effort and expense to alter their systems and processes, they are asking for 40% of the Use tax paid to the City. Several area cities have entered into this kind of agreement, Rowlett several years ago with DR Horton and Frisco has agreements with several builders. Frisco is considering an agreement with First Texas Homes at this time.

First Texas Homes Chapter 380 Agreement Summary

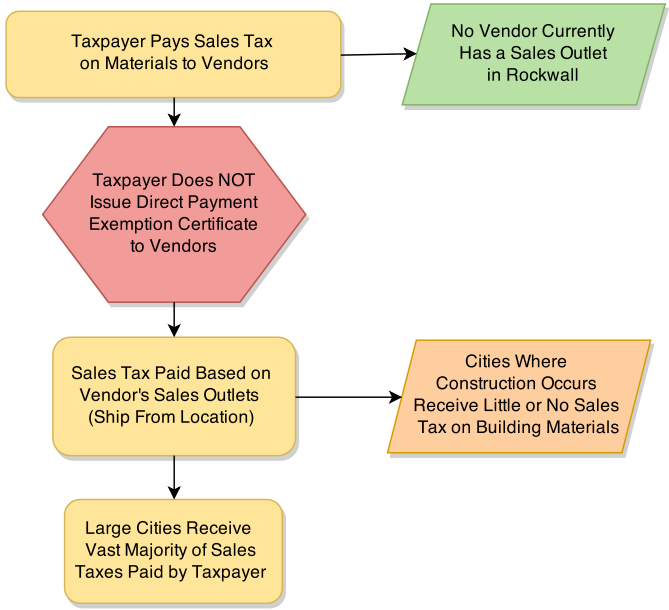
City Chapter 380 Agreements	Legal Entity	First Texas Homes
	Individual	Mtg. on April 23 1:00
		Rick Crowley/Mary Smith
		2.000%
City Name		Rockwall
Contact Name		Rick Crowley
Contact Title		City Manager
Street Address		385 S. Goliad
City, State, Zip Code		Rockwall, TX 75087
Phone Number		(972) 771-7700
Email Address		rcrowley@rockwall.com
Contact Name		
Contact Title		Director of Finance
Contact Name		
Contact Title		Econ Devel Director
Est. # of Undeveloped Lots		126
Ave Sales Price - 2014 YTD		$373,614
Direct Materials (%of sales)		17.70%
Ave Dir Mat Purch / House (today)		$66,130
Ave Local City Use Tax/House		$1,322.59
Ave Use Tax Grant / House		$529
Ave Use Tax Rcvd City / House		$794
Agreement Term / Length		10 Years
Grant Amount / Percentage of 1% City Use Tax for Future Direct Payment Permit Purchases		80.00%

Estimated Benefits for the Agreement - First Texas	0.8% Total	FTH Est Sav - thru Buildout
Existing Undev. Lots / Current Mat. Prices		$66,658.72
Existing Undev. Lots/Mat. Price Incr 5% Annually		$88,034.70
Existing Undev. Lots/Mat. Price Incr 8% Annually		$104,290.89

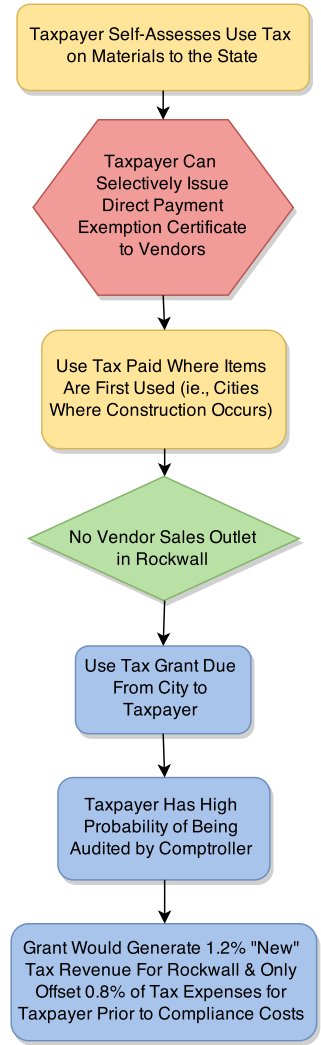
Estimated Benefits for the Agreement - City	1.2% Total	City Est. Sav thru Build-out	.2% Gen. City Tax	.5% 4A Tax	.5% 4B Tax
Existing Undev. Lots / Current Mat. Prices		$99,988.07	$16,664.68	$41,661.70	$41,661.70
Existing Undev. Lots/Mat. Price Incr 5% Annually		$132,052.05	$22,008.67	$55,021.69	$55,021.69
Existing Undev. Lots/Mat. Price Incr 8% Annually		$156,436.34	$26,072.72	$65,181.81	$65,181.81

Note: Based on NO future undeveloped lot purchases/development during 10-year 380 Agreement (ie: most conservative)

Texas Sales Tax Paid to Vendor



Texas Use Tax Paid by Purchaser



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CHAPTER 380 GRANT AGREEMENT BY
AND BETWEEN THE CITY OF ROCKWALL, TEXAS
AND FIRST TEXAS HOMES, INC.

This **CHAPTER 380 GRANT AGREEMENT** ("Agreement") is made by and between The City of Rockwall, Texas ("City", also referred to as "Grantor") and First Texas Homes, Inc. (the "Company"), acting by and through their respective authorized officers and representatives.

WHEREAS, the City Council of the City of Rockwall, Texas ("City Council") has investigated and determined that it is in the best interest of the City and its citizens to encourage programs, including programs for making loans and grants of public money to promote local economic development and stimulate business and commercial activity in the City pursuant to Chapter 380, Texas Local Government Code, as amended ("Chapter 380"); and

WHEREAS, the Company will be engaged in the business of purchasing building materials for its use on construction projects within the City; and

WHEREAS, the Company has advised that it would like to partner with the City, and that a contributing factor that would induce the Company to purchase items using a Texas Direct Payment Permit and generate economic development and local use tax revenue for the City, that would otherwise not be available to the City, would be an agreement by the Grantor to provide an economic development grant to the Company; and

WHEREAS, the Company desires to purchase and use new building materials within the City that will generate additional economic development and use tax revenue for the City; and

WHEREAS, the City Council has investigated and determined that the Company meets the criteria for providing the grants (hereinafter defined), pursuant to Chapter 380, based on, among other things, the Company: (i) acquiring properties for development, and constructing improvements; (ii) adding taxable improvements to real property in the City; and (iii) creating employment opportunities for the citizens of Rockwall ("Approved Project"); and

WHEREAS, the City has concluded that the Approved Project qualifies for a Grant under Chapter 380; and

WHEREAS, with the approval of this Agreement, the City hereby establishes a program authorized by Chapter 380 of the Texas Local Government Code to encourage and induce the generation of local use tax; and

WHEREAS, the Grantor has determined that making an economic development grant to the Company in accordance with this Agreement will further the objectives of the Grantor, will benefit the City and the City's inhabitants and will promote local economic development and stimulate business and commercial activity in the City;

NOW THEREFORE, in consideration of the foregoing, and on the terms and conditions hereinafter set forth, the sufficiency of which is hereby acknowledged, the parties agree as follows:

ARTICLE I
DEFINITIONS

1.01 For purposes of this Agreement, each of the following terms shall have the meaning set forth herein unless the context clearly indicates otherwise:

"City" and "Grantor" shall mean The City of Rockwall, Texas.

"Company" shall mean First Texas Homes, Inc.

"Commencement Date" shall mean August 1, 2015.

"Effective Date" shall mean August 1, 2015.

"Direct Payment Permit" also referred to herein as a "Texas Direct Payment Permit" shall mean that permit issued by the State of Texas authorizing Company to self-assess and pay applicable state and local use taxes directly to the State of Texas related to selected portions of Company's taxable purchases. Texas Rule 3.288 of the Texas Administrative Code defines the requirements and responsibilities of Texas Direct Payment Permit holders along with any amendments, permutations, or recodifications of such Code or Rules whether renaming such permits or otherwise modifying such provisions.

"Event of Bankruptcy or Insolvency" shall mean the dissolution or termination (other than a dissolution or termination by reason of a party merging with an affiliate) of a party's existence as a going business, insolvency, appointment of receiver for any part of a party's property and such appointment is not terminated within ninety (90) business days after such appointment is initially made, any general assignment for the benefit of creditors, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against a party and in the event such proceeding is not voluntarily commenced by the party, such proceeding is not dismissed within ninety (90) business days after the filing thereof.

"Force Majeure" shall mean any delays due to strikes, riots, acts of God, shortages of labor or materials, war, terrorism, governmental approvals, laws, regulations, or restrictions, or any other cause of any kind whatsoever which is beyond the reasonable control of the party.

"Program" shall mean the economic incentive program established by the City pursuant to Chapter 380 of the Texas Local Government Code together with any amendments, permutations, or recodifications of such Code provisions whether renaming such economic incentive or other modifications thereof.

"Program Grant" shall mean the periodic payments paid by the City to the Company in accordance with Section 3 of this Agreement.

"Grant Period" shall mean consecutive six (6) month periods during the term of this Agreement, except that the first Grant Period shall begin on the Effective Date and continue through and include the last day of December 2015 following the Effective Date. For illustration purposes, assume the Effective Date is August 1, 2015 then the first Grant Period would begin on August 1, 2015 and continue through and include December 31, 2015. The next Grant Period would begin on January 1, 2016 and continue through and include June 30, 2016. The final Grant Period for the initial 10-year term of the Agreement would be from July 1, 2025 and end on July 31, 2025.

"Taxable Items" shall have the same meaning assigned by Sections 151.010 and 151.0101, TEX. TAX CODE, as amended.

"Impositions" shall mean all use taxes that may be imposed by public or governmental authority on the Company or any taxable items purchased and used by Company within the City.

"Use Tax Receipts" shall mean the Grantor's receipts from the State of Texas from the collection of one percent (1%) general City use tax imposed by the City pursuant to Chapter 321 of the Texas Tax Code, attributed to the collection of use tax by Company associated with the issuance of Company's Texas Direct Payment for Taxable Items used or consumed in the City.

"Use Tax Certificate" shall mean a certificate or other statement in a form reasonably acceptable to the Grantor setting forth the Company's collection of use tax imposed by and received by the Grantor from the State of Texas, for the use of Taxable Items by Company in the City for the applicable calendar month during a Grant Period which are to be used to determine Company's eligibility for a Grant, together with such supporting documentation required herein, and as Grantor may reasonably request.

ARTICLE II
TERM

2.01 Term. The term of this Agreement shall begin on the Effective Date and continue for a ten (10) year period.

2.02 This Agreement shall remain in effect until Grantor has made the Program Grants set forth in Section 3 of the Agreement, or until otherwise terminated under the provisions of this Agreement.

2.03 This Agreement may be extended for an additional period of time on terms mutually acceptable to both parties by a written agreement executed by both parties.

ARTICLE III
ECONOMIC DEVELOPMENT GRANT

3.01 Grant. Subject to the Company's continued compliance of all the terms and conditions of this Agreement, the Grantor agrees to provide Company with an economic development grant from lawful available funds payable as provided herein in an amount equal to 80% of the Use Tax Receipts, as previously defined herein (the "Grant"). The Grant will be paid semi-annually at the end of June and the end of December with the potential exception of the final Grant Period during the ten (10) year period following the execution of the Agreement, commencing August 1, 2015. The Grant will never include any monies the Company pays or owes to the State of Texas for any penalties for late payments, failures to report in a timely manner, and the like, related to the Use Tax Receipts.

3.02 Grant Payment. Grantor shall pay the Grant for the applicable Grant Period within forty-five (45) days after receipt of a Use Tax Certificate from Company following the end of each Grant Period, pursuant to Section 4.01. Company shall submit Use Tax Certificates to Grantor within thirty (30) days following the end of the applicable Grant Period, beginning with the first Grant Period. For illustration purposes, assume the first Grant Period begins on August 1, 2015 and continues through and includes December 31, 2015. Company would submit a Use Tax Certificate to Grantor for the first Grant Period by January 30, 2016 and Grantor would pay the first Grant within forty-five (45) days after receipt of the Use Tax Certificate. Further assume that the Use Tax Receipts for the first Grant Period equal Five Thousand Dollars ($5,000.00), then the amount of the first Grant would be Four Thousand Dollars ($4,000.00).

3.03 Amended Returns and Audits. In the event the Company files an amended use tax return, or report, or if additional use tax is due and owing, as a result of an audit conducted by the State of Texas that increases the Use Tax Receipts for a previous period covered within the term of this agreement, the Grant payment for the Grant Period immediately following such State approved amendment shall be adjusted accordingly, provided the Grantor must have received the Use Tax Receipts attributed to such adjustment. As a condition precedent to payment of such adjustment, Company shall provide Grantor with a copy of such amended use tax report, tax return or audit adjustment, and the approval thereof by the State of Texas.

3.04 Refunds. In the event the State of Texas determines that the City erroneously received Use Tax Receipts, or that the amount of use tax paid to the City exceeds the correct amount of use tax for a previous Grant paid to the Company, the Company shall, within thirty (30) days after receipt of notification thereof from the City specifying the amount by which such Grant exceeded the amount to which the Company was entitled pursuant to such State of Texas determination, pay such amount to the Grantor. The Grantor may at its option adjust the Grant payment for the Grant Period immediately following such State of Texas determination to deduct there from the amount of the overpayment. As a condition precedent to payment of such refund, the City shall provide Company with a copy of such determination by the State of Texas.

ARTICLE IV
DOCUMENTATION SUPPORTING THE ECONOMIC DEVELOPMENT GRANT

The conditions contained in this Article IV are conditions precedent to the Grantor's obligation to make any Grant payment.

4.01 Use Tax Certificate. During the term of this Agreement, the Company shall within thirty (30) days after the end of each Grant Period, provide the Grantor with a Use Tax Certificate relating to Use Tax Receipts paid during the Grant Period. The Grantor shall have no duty to calculate the Use Tax Receipts or determine Company's entitlement to any Grant for a Grant Period, or pay any Grant during the term of this Agreement until such time as Company has provided the Grantor a Use Tax Certificate for such Grant Period and the Grantor has received the actual Use Tax Receipts from the State of Texas attributable to such calendar months within the Grant Period. Company shall provide such additional documentation as may be reasonably requested by Grantor to evidence, support and establish the use tax paid directly to the State of Texas pursuant to Company's Direct Payment Permit. The Use Tax Certificate for each Grant Period shall at a minimum contain, include or be accompanied by the following:

a. A copy of all Texas Direct Payment Permit and self-assessment use tax returns and reports during the applicable Grant Period, use tax audit assessments or credits, including amended use tax returns or reports, filed by the Company during the Grant Period showing use tax paid directly to the State of Texas related to Company's operations for the Grant Period; and

b. Information concerning any refund or credit received by the Company of use tax paid by the Company which has previously been reported by the Company as use tax paid for a previous Grant Period within the term of this agreement.

Company will provide to Grantor the Use Tax Certificates from time to time pursuant to the terms of the Agreement, which are confidential ("Confidential Information") and, except as otherwise provided herein, may not be disclosed to a third party without the Company's consent. To the extent that any disclosure of the Confidential Information may be required by law, Grantor will use reasonable efforts to inform Company of the request in sufficient time for Company to assert any objection it may have to such disclosure to an appropriate judicial or administrative body.

4.02 Grantor must have received a Use Tax Certificate for the months within the Grant Period for which payment of a Grant is requested, and Grantor must have received the actual Use Tax Receipts for all calendar months within the Grant Period.

4.03 The Company intends to issue its Texas Direct Payment Permit to specific suppliers or vendors that provide large quantities of building materials or other tangible personal property.

4.04 The Company shall provide the Grantor with a true and correct copy of its Texas Direct Payment Permit, which permit shall be kept in full force and effect throughout the term of the Agreement.

4.05 Company or the City shall not have an uncured material breach or default of this Agreement.

ARTICLE V
TERMINATION

5.01 This Agreement may be terminated upon any one of the following:

(a) by mutual written agreement of the parties;

(b) by Grantor or Company, respectively, if the other party defaults or breaches any of the terms or conditions of this Agreement in any material respect and such default or breach is not cured within thirty (30) days after written notice thereof by the Grantor or Company, as the case may be;

(c) by Grantor, if any Impositions owed to the Grantor or the State of Texas by Company shall have become delinquent (provided, however, Company retains the right to timely and properly protest and contest any such Impositions);

(d) by Grantor, if Company suffers an Event of Bankruptcy or Insolvency;

(e) by Grantor or Company, respectively, if any subsequent Federal or State legislation or any decision of a court of competent jurisdiction declares or renders this Agreement invalid, illegal or unenforceable; or

(f) by Company, if the City does not pay the applicable Grant amount within 45 days of receipt of the Use Tax Receipts as required herein covered by a valid Use Tax Certificate issued by Company or fails to cure this breach within an additional 30 days and so long as the Company is not in default, or;

(g) expiration of the term, or any subsequent renewal of the term.

The rights, responsibilities and liabilities of the parties under this Agreement shall be extinguished upon the termination of this Agreement except for any rights, responsibilities and/or liabilities that accrued prior to such termination.

ARTICLE VI
MISCELLANEOUS

6.01 Binding Agreement. The terms and conditions of this Agreement are binding upon the parties to this agreement and their respective successors and permitted assigns. This Agreement may not be assigned without the express written consent of Grantor, which consent shall not be unreasonably withheld or delayed.

6.02 Limitation on Liability. It is understood and agreed between the parties that the Company and Grantor, in satisfying the conditions of this Agreement, have acted independently, and Grantor assumes no responsibilities or liabilities to third parties in connection with these actions. The Company agrees to indemnify and hold harmless the Grantor from all such claims, suits, and causes of actions, liabilities and expenses, including reasonable attorney's fees, of any nature whatsoever by a third party arising out of the Company's performance of the conditions under this Agreement.

6.03 No Joint Venture. It is acknowledged and agreed by the parties that the terms hereof are not intended to and shall not be deemed to create a partnership or joint venture between the parties.

6.04 Authorization. Each party represents that it has full capacity and authority to grant all rights and assume all obligations that are granted and assumed under this Agreement.

6.05 Notice. Any notice required or permitted to be delivered hereunder shall be deemed received three (3) days thereafter sent by United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the party at the address set forth below (or such other address as such party may subsequently designate in writing) or on the day actually received if sent by courier or otherwise hand delivered sent via fax.

If intended for City, to:

Attn: Rick Crowley
Rockwall City Manager
385 S. Goliad
Rockwall, TX 75087

With a copy to:

Attn:

If intended for the Company:

Attn: Kristy Murday
Controller
First Texas Homes, Inc.
500 Crescent Court, Suite 350
Dallas, TX 75201

With a copy to:

Attn: John D. Sloan, Jr.
Sloan Matney, LLP
Two Turtle Creek
3838 Oak Lawn, Suite 1200
Dallas, TX 75219

6.06 Entire Agreement. This Agreement is the entire Agreement between the parties with respect to the subject matter covered in this Agreement. There is no other collateral oral or written Agreement between the parties that in any manner relates to the subject matter of this Agreement.

6.07 Governing Law. The laws of the State of Texas shall govern the Agreement; and this Agreement is fully performable in Rockwall, Rockwall County, Texas with exclusive venue for any action concerning this Agreement being in a court of competent jurisdiction in Rockwall County, Texas.

6.08 Amendment. This Agreement may only be amended by the mutual written agreement of the parties.

6.09 Legal Construction. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

6.10 Recitals. The recitals to this Agreement are incorporated herein.

6.11 Counterparts. This Agreement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall constitute one and the same instrument and any such counterparts shall be deemed to be incorporated herein.

6.12 Survival of Covenants. Any of the representations, warranties, covenants, and obligations of the parties, as well as any rights and benefits of the parties, pertaining to a period of time following the termination of this Agreement shall survive termination.

6.13 Sovereign Immunity. The parties agree that the City has not waived its sovereign immunity by entering into and performing its obligations under this Agreement.

6.14 Dispute Resolution. Any controversy or claim arising from or relating to this Agreement, or a breach thereof shall be subject to non-binding mediation, as a condition precedent to the institution of legal or equitable proceedings by any party unless the institution of such legal or equitable proceeding is necessary to avoid the running of an applicable statute of limitation. The parties shall endeavor to resolve their claims by mediation. Grantor and Company shall share the costs of mediation equally. The mediation shall be held in Rockwall, Texas, unless another location is mutually agreed upon. Agreements reached in mediation shall be enforceable as settlement agreements in any court having jurisdiction thereof.

[SIGNATURE PAGES FOLLOW]

EXECUTED as of the ____ day of _____, 2015.

THE CITY OF ROCKWALL, TEXAS

By: _____
Rick Crowley, City Manager

ATTEST:

_____
City Secretary

By: _____

EXECUTED as of the ____ day of _____, 2015.

By: First Texas Homes, Inc.
a Texas corporation

By:_____
Name: Kristy Murday
Title: Controller

ACKNOWLEDGMENTS

STATE OF TEXAS §
§
CITY OF ROCKWALL §

This instrument was acknowledged before me on the _____ day of _____, 2015 by Rick Crowley, City Manager of The City of Rockwall, Texas, on behalf of said city.

_____

Name: _____

Notary Public, State of Texas

My commission expires: _____

STATE OF TEXAS §
§
CITY OF DALLAS §

This instrument was acknowledged before me on the _____ day of _____, 2015 by Kristy Murday, Controller of First Texas Homes, Inc., a Texas corporation, on behalf of said company.

_____

Name:_____

Notary Public - State of Texas

My commission expires: _____

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **July 31, 2015**

SUBJECT: **Budget Planning Overview**

Tax Rate Overview

The City has received certified property tax information from the Rockwall Central Appraisal District (RCAD). We expect to receive the effective and rollback tax rate calculations on Monday.

Assessed Value	$ 4,314,158,274
Senior Property Values	379,063,284
New Values	105,331,475 (New Construction)

Percentage Increase:

From New Values	2.57%
From Existing Properties	2.62%
Overall	5.19%

Effective Tax Rate Estimate	47.66 cents per hundred
2016 Debt Service Payments	11,256,417
Estimated Debt Service Tax Rate	25.60 cents per hundred (current rate is 27.48 cents)
Rollback Rate Estimate	52.76 cents per hundred
Current Tax Rate	49.55 cents per hundred

Debt Projections

We will again propose to take advantage of the opportunity to do a debt refinancing for savings in the next couple of months. Preliminary evaluation of our current debt shows approximately $40,000,000 which is eligible for refinancing and for which savings are estimated to be in the 8-9% range over the remaining life of the debt. In addition, we will propose issuing $8.78million of new voter approved debt with first payments in FY 2016. This will provide funds for engineering and other costs associated with beginning the street rehabilitation projects approved in 2012. This will also provide the funds for the new I-30 on ramp.

We will also have a proposed water and sewer debt issue but are still finalizing the sizing of that issue.

We have previously discussed the potential to restructure the TIF debt to better align the debt service payments. The values have not grown as expected but with the new restaurant, hotel and condominium project starting this year, values should increase significantly in the next couple of years. The original TIF debt was issued in 2005 and 2006 when interest rates were significantly higher and the issues are therefore on the list that First Southwest is recommending for refinancing for interest savings as well.

Equipment

The City has deferred equipment purchases for the last couple of budgets and therefore find several pieces of equipment including dump trucks, backhoes, and vehicles that will need to be replaced soon. In addition, fire trucks have a front line lifespan followed by number of years as a reserve unit. The Chief is proposing we replace a 1999 pumper in the new budget. Due to the size and expense associated with large vehicles like fire trucks and other equipment being considered we will propose a shorter-term debt issuance for equipment as well. The size of that issue will be firmed up over the next couple of weeks as well.

Water and Sewer Fund

While rates were increased for fiscal year 2015, water consumption has still not returned to previous levels. The report issued by NTWMD for June 30 showed our consumption down 43% year to date. We expect to be able to pay water and sewer debt from system revenues next year but do not plan to reinstate the transfer to the General Fund. The district has notified the City of the intent to increase by 10% as well as increases in all sewer systems. In a meeting with member city managers, the district previewed their proposed budget, which included 78 new positions and more than $203million of capital purchases.

Revenue Projections

Staff has estimated total General Fund revenues for fiscal year 2016 to be at least $30,491,550.

The assessed value growth is due primarily to the value of new housing starts in 2014, which are adding in excess of $105,000,000 to the tax rolls. By comparison – new growth for previous tax year was more than $195,000,000 though.

We are carefully considering the estimation of sales tax revenue for fiscal year 2016. The 2015 revenues were projected to increase by 2% but instead are in the 6% range. Looking back at increases for the last five, ten and fifteen year period shows average growth of 6 – 7% each of those periods. We are working through the budget process with projections of a 4% increase.

An additional major source of revenues for the City – Building Permits, and other construction related revenues, are expected to increase in fiscal year 2016 due to increased interest and activity among developers and builders.

Total Requested Expenditures

Department budget requests were submitted and the total is $33,715,150. The department heads were instructed to complete their budgets asking for those items or personnel they feel are needed for next year without regard to the potential for funding. This allows Council to see the full impact of items that may be deferred due to a lack of available funding.

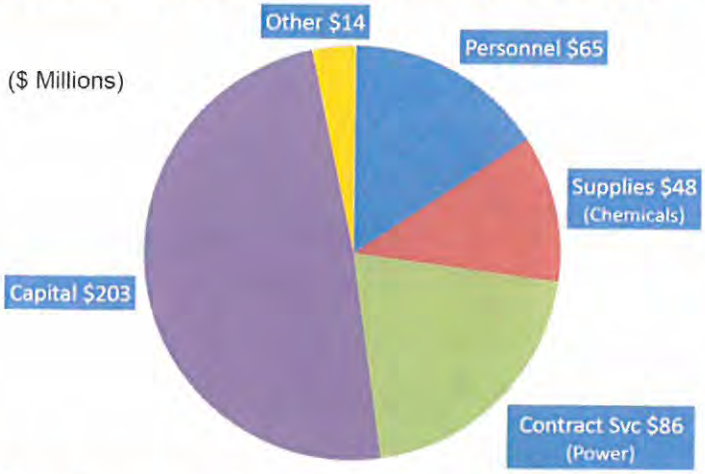
Meetings with department heads have been completed and the process of building the proposed budget is nearing completion. We will meet with Council on August 31st to review the proposed balanced budget in its entirety that day. We intend to have budget workbooks ready by August 19th.

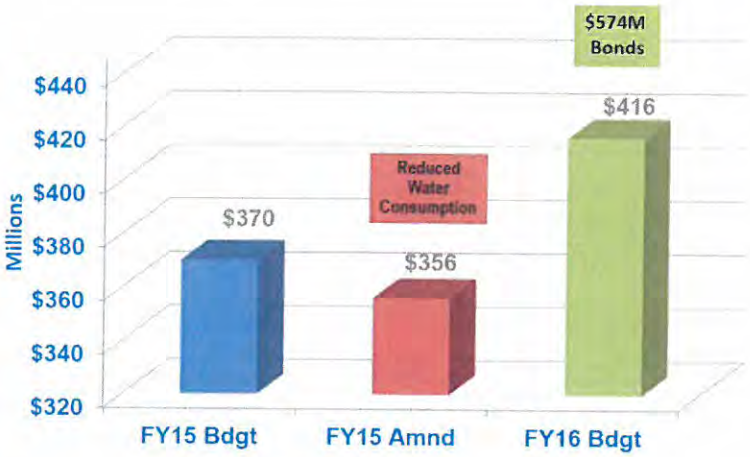
FY2016 Budget Summary

Overview

The North Texas Municipal Water District (NTMWD) serves approximately 1.6 million residents in the north Texas counties of Collin, Dallas, Denton, Fannin, Hopkins, Hunt, Kaufman, Rains, and Rockwall – a service area covering 2,200 square miles. **The NTMWD must responsibly plan and fund programs today to ensure continued reliable water, wastewater and solid waste services for our growing region.** Large capital projects take years to plan, permit and construct and are essential to support increasing needs over the next several decades. Additionally, current NTMWD systems and infrastructure require ongoing maintenance and improvements to meet existing and future customer needs, as well as regulatory requirements to maintain public health and safety. Effective management of increasingly complex and expansive systems requires an appropriate level of resources to ensure efficiency and compliance. The NTMWD proposed FY2016 budget was developed to address these challenges and responsibilities.

Overall FY2016 Proposed Budget = $416M





Key Components

- $574M Bond Issues = $28M debt service in FY16
  - **Water**: Wylie Water Treatment Plant expansion and improvements, Trinity River Main Stem Water Supply, Lower Bois d'Arc Creek Reservoir
  - **Wastewater**: Expansions at Stewart Creek West and Wilson Creek Regional Treatment Plants, as well as interceptor and overall system improvements.
  - **Solid Waste**: Lookout Drive Transfer Station expansion
- 78 personnel additions – $4.5M (75% of positions recommended by engineering and operations assessments)
- Implementation of Engineering Project Delivery Improvements Evaluation – $1M
- Continue to address U.S. EPA compliance initiative in wastewater system – $1M
- Reduction due to expiration of Dallas Water Utilities contract – ($3M)

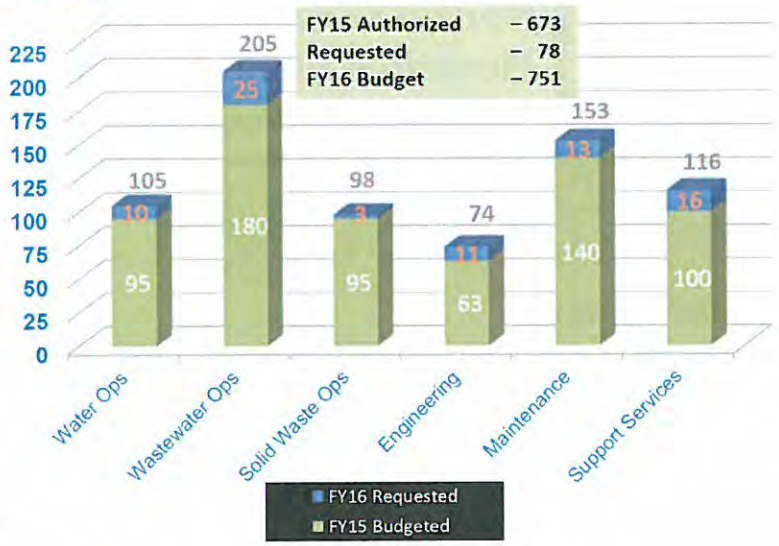
Reduced water consumption in FY15 was due to drought conditions and water management strategies. However, growth and increasing demands are expected based on modeling projections, and the NTMWD must continue advancing critical projects in water, wastewater and solid waste services to be in a solid position to meet those needs.

Personnel Additions ~ 1% of Proposed FY16 Budget

When compared to similar service providers, the NTMWD has been operating below industry staffing levels in all systems. With the **CIP program expected to double in the next five years**, additional resources are required to effectively manage:

- planned system expansions to meet projected demands;
- new large capital projects;
- improvements and maintenance on existing systems; and
- regulatory requirements.

Additionally, **of the 642 active NTMWD employees, 63 have a high probability of retiring between now and 2020 – nearly 10% of the current workforce and primarily in management/supervisory roles**. It is critical that we continue succession planning now.



NTMWD Systems and Operations Stats

Water

- 370 million gallons per day (MGD) average raw water supply
- 6 water treatment plants – 806+ MGD capacity
- 566 miles of transmission pipelines
- 9 raw water pump stations
- 8 treated water pump stations
- 77 City delivery points

Wastewater

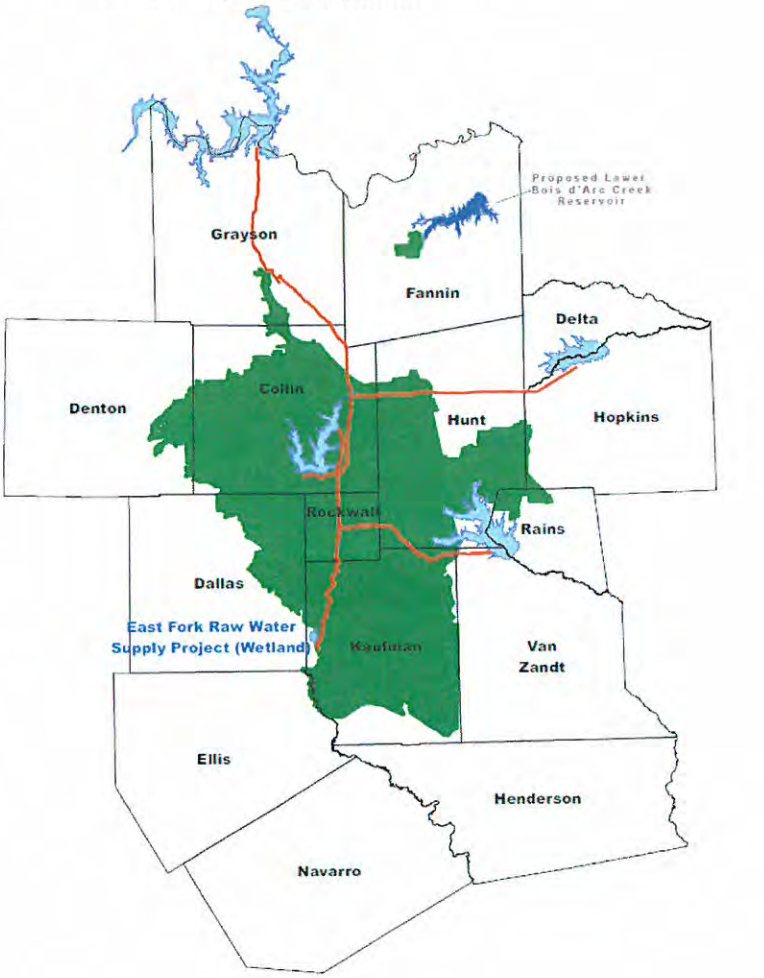
- Operate 17 wastewater treatment plants (11 owned by NTMWD, including 4 regional plants)
- 151+ MGD treatment capacity
- 8 interceptor systems with 250+ miles of large-diameter pipelines and 23 lift stations

Solid Waste

- 3 transfer stations, 3,295 combined permitted tons per day
- 800,000+ tons/year accepted at landfill

Environmental Services

- ~260,000 tests performed each year (NTMWD facilities, 60 public water systems, 59 industries)
- Monthly water source sample collections
- Manage 7 industrial pre-treatment programs, permitting for 59 industries in 11 cities
- Oversee permit applications, renewals, monitoring and compliance for all systems and capital programs
- Coordinate with multiple state/federal regulatory agencies
- Workload: ~ 10% increase per year over last 5 years



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MINUTES
ROCKWALL CITY COUNCIL
Monday, July 20, 2015
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pro Tem Lewis called the meeting to order at 4:00 p.m. Present were Mayor Pro Tem Dennis Lewis and Council Members David White, Mike Townsend, John Hohenshelt and Kevin Fowler. Mayor Jim Pruitt and Councilmember Scott Milder were absent from the meeting. Staff present at the meeting included City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs, and City Attorney Frank Garza.

II. WORK SESSION

1. Hold work session with city's appointee to Rockwall County Open Space Alliance (RCOA) to hear update on the RCOA Master Plan and related board activities, and take any action necessary.

Ken Dickson
205 Meadowdale
Rockwall, TX

Mr. Dickson came forth and indicated that a community survey was recently conducted and a community work shop was held this past week in order to obtain citizen feedback. He indicated that, as the city's representative on this committee, he personally has some concerns. He shared that over fifty percent of respondents were residents currently living in the City of Rockwall, yet over 95% of the "wants" expressed in the survey are things that the City of Rockwall already provides. So, perhaps the citizens do not really have knowledge of what amenities the city offers as far as parks and open space are concerned. Mr. Dickson conveyed that some residents would like to have jogging/walking trails along the lake. He went on to explain that years ago, the city decided that it did not want Rockwall's Lake Ray Hubbard to be like White Rock Lake in Dallas. Instead, the city wanted lakefront, waterside lots with homes. He expressed that citizens need to be well informed about the fact that the city will likely never have jogging trails along the lake because such trails would go through homeowners' back yards, and this is not feasible.

The council generally asked that Mr. Dickson return to the RCOA and convey to them that the City of Rockwall does not have any plans (or ability) to construct jogging/walking trails along the lakefront.

Nell Welborn
Vice Chair of the RCOA
810 Lake Meadows Circle
Rockwall, TX 75087

Mrs. Welborn came forth and made it clear that the RCOA understands the arrangements pertaining to takeline leases along the lake and the impossibility of having walking/jogging trails along the lake. She shared that the consultant and others have indicated that there may be a future opportunity to connect by walking/jogging trails the Harbor and the SH66 boat ramp (by other means / other routes).

Mr. Dickson expressed that the City of Dallas and/or the Soil Conservation owns all of the lakes or ponds that are over one acre throughout the county. If the city or county were to try and take over any of these, doing so would come with a lot of responsibility regarding maintenance and upkeep of those lakes. After brief, additional comments, the council took no formal action as a result of Mr. Dickson's comments.

2. Hold work session to discuss and consider the provisions of Chapter 12. Businesses & Sales, Article XII. Ambulance Service of the Code of Ordinances, and take any action necessary.

Alma Williams Howard
219 Rush Creek Drive
Heath, TX

Mrs. Howard came forth indicating she represents Presbyterian Hospital of Rockwall. She thanked Medic Rescue for the services they have provided to the community over the years, especially early on when the city was growing and before a hospital was located within the City of Rockwall. Although she was a part of developing what is now the city's 'exclusivity ordinance' years ago, she now feels that lifting its provisions is prudent. She believes that competition and provider options will result in better patient care.

Cindy Paris
762 Black Oak Lane
Rockwall, TX 75032

Mrs. Paris spoke on behalf of Presbyterian Hospital Rockwall. She indicated that the hospital has been working diligently over the last eight years or so to be a good partner with Rockwall County EMS/Medic Rescue. She explained that the hospital has concerns related to delays in response times associated with patient transfers and patient care. Mrs. Paris had a heightened level of concern when, this past winter, Rockwall County EMS expressed during the ice days that they would not be helping the hospital with any transports in/out of the city. She feels the current EMS provider does not have the resources needed to adequately and sufficiently meet the demands of growth, both within the city and within the hospital.

Tammy Hawkins
103 Dunford Drive
Rockwall, TX 75032

Mrs. Hawkins came forth and generally indicated that she has worked for the hospital since 2007 before it opened. Over the years, delays associated with Medic Rescue's response times related to transports have become concerning, especially with regards to ensuring optimal patient care. She indicated that the ER staff has been told by the EMS

company that the hospital is not allowed to call another provider for transport because they will be fined.

Gorman Warren
CFO for Presbyterian Hospital Rockwall
10211 W. Dublin
Forney, TX 75126

Mr. Warren came forth and provided the city council with documents related to billing issues they've encountered with Medic Rescue. He shared that the hospital has been encountering billing-related issues with Rockwall County EMS since he came on board in 2012. Meetings were held in June and August of 2012 to try and work out the issues and provide information to Medic Rescue to resolve the billing concerns. In August, the hospital was presented with a bill that was close to $200,000 from Rockwall County EMS. He explained that bills, even recent ones, often do not contain a lot of detail beyond just the patient's name and dollar amount. By about March, after working closely with Martin Ramirez of Medic Rescue, the bill was worked down to about $74,000. He went on to explain different kinds of patient transfers that may occur and who pays for those (i.e. the hospital or the patient's insurance). He shared a lot of detail related to emails exchanged in the past related to billing-related issues.

Councilmember Townsend engaged the Presbyterian Hospital reps in dialogue related to the billing issues and how changing the city's ordinance may or may not really aid in remedying those types of concerns that apparently exist between the hospital and the provider. He generally expressed that he does not believe the city revoking its ordinance will result in these sorts of issues being resolved. Mr. Warren went on to reiterate that additional bills have been arriving, and the hospital does not understand why or what the bills are for. They expect that the patients' insurance companies will be billed, and whatever collections result, that is what the ambulance company gets paid.

Mrs. Hawkins again came forth, and she expressed the belief that allowing for options related to ambulance service providers will provide for more choices, more competition, more collaboration, and better customer service and care for residents.

Councilmember Hohenshelt expressed that he believes the billing-related concerns are business related concerns, rather than concerns that would warrant the city council getting involved by changing its exclusivity ordinance.

Mrs. Paris came forth and explained that they have been working to resolve issues for eight years. Furthermore, only having one option for an EMS provider and associated transport limits the options for ensuring optimal customer service and patient care. She went on to share that nurses and ER physicians have had instances of arguing with the ambulance provider's staff in the parking lot of the hospital, even at times screaming.

Councilmember White asked questions concerning which entity in the County ultimately oversees ambulance service provision and the quality of that service that the EMS provider on contract provides within our city and the county. Mr. Crowley indicated that the Emergency Services Corporation (ES Corp.) is the body that is ultimately responsible for oversight of ambulance service and its provision, emergency calls or transports, within the County. He suggested that the ES Corp. should have an opportunity to receive

complaints like these from EMS customers, investigate those and make decisions related to management of the EMS provider that is under contract. Mr. Crowley indicated that there is a complaint handling process in place to receive, look into and resolve EMS related complaints. He explained that there have been some complaints over the years, but not many. Councilmember White expressed concern that none of these issues have been taken through the proper channels via the ES Corporation. Mrs. Hawkins explained that, if the city's ordinance were lifted, the hospital would still use Rockwall County EMS; however, the hospital would have more choices if the level of service that is being provided is subpar. She believes that, in turn, Rockwall County EMS might then be more receptive to meeting the hospital's and patient's needs. After various comments, Councilmember White went on to suggest that perhaps a compromise would be to still grant exclusivity to the EMS provider on contract in the county, but allow that provider a "first right of refusal" related to transports if they are tied up and unable to respond in an acceptable amount of time. He stressed that he believes the reason the hospital is not getting good service is because they have not taken their concerns to the ES Corp. Furthermore, he does not believe the reason they're not getting good service is attributed to the city's exclusivity ordinance.

Mayor Pro Tem Lewis indicated that he agrees a lot of these issues should be directed to and handled by the Emergency Services Corporation. Lewis explained that a lot of past complaints have been addressed by the ES Corporation, but some of these issues expressed today could be taken to the ES Corporation.

Dr. Gary Bonacquisti
1114 Cambridge Court
Rockwall, TX 75032

He came forth and indicated he believe that the 911 system is currently overwhelming to the EMS provider, especially as the city grows. He believes that competition breeds better service. He wants the same freedom that Lakepointe Medical Center has with regards to calling whatever provider they want to call for patient transfers. He feels that patient care is suffering due to delays in transport response times. He expressed that he has concerns about 'patient diversion' to other facilities. He explained that just because a certain hospital in the county provides certain equipment or services does not mean that particular hospital is the best place for patients to go. He is concerned about patients being transported, through what he views as "diversion," to other medical centers when they exhibit certain symptoms. He believes clinical decisions like this should not be being made by the ambulance provider. He feels patients are being convinced by the ambulance crew to go elsewhere rather than to the facility of their choice or to the nearest facility.

Councilmember White expressed that he would like the ES Corp. to evaluate and report back to the city on what it thinks, as a body, about Rockwall's 'exclusivity ordinance.' Also, he would like these complaints and concerns reviewed and some sort of formal opinion issued related to these matters. Mayor Pro Tem Lewis indicated that he will take these thoughts to the ES Corp. at its board meeting this Wednesday.

Councilmember Fowler inquired as to why the ambulance service provider may be diverting patients away from certain facilities in favor of taking them to others.

Councilmember Hohenshelt suggested that perhaps the existing 'service agreements' between the ES Corp. and the ambulance service provider could be revisited to add some language that addresses, in more detail, things like billing expectations (i.e. all billing shall be issued to the payee within 90 days).

Mitch Ownby
Rockwall County EMS / Medic Rescue
255 Country Club Drive
Heath, TX 75032

Mr. Ownby came forth and expressed that the EMS system was designed back in 2002 in order to provide the most economical service to the citizens. Half or so of the EMS budget is provided for by non-emergency transport business. He explained that essentially, exclusivity allows for the ability to keep the subsidy paid to the ambulance company as economical (low) as possible. He explained that the County pays fifty percent of the 911 subsidy to the company, and the other member cities pay the remaining 50% on a pro rata basis (according to population). So, the City of Rockwall currently pays about $150,000 per year for its 911 ambulance service (emergencies), and next year it is slated to drop to just under $130,000. Other cities, he explained, may run their own ambulance services through their fire department, a service, in those instances, that is generally fully subsidized by public finds. He explained that his company remains in compliance with the contract it has in place with the ES Corporation, and it is in compliance with the contract it has with Presbyterian Hospital (which, he explained, was made in an effort to be a good partner). He shared that the purpose of an exclusivity ordinance, over all, is to save tax dollars and allow for a more consistent vetting process. General discussion took place related to the number of ambulances Medic Rescue has and how many staff it employs and when. Also, brief comments were exchanged related to any contracts that Medic Rescue has in place with facilities, be they nursing homes, hospitals or otherwise.

At the request of Councilmember Townsend, Mr. Ownby explained how the process of patient transport works, including triage, emergency vs. non-emergency, and response times.

Councilmember Townsend asked Mr. Ownby to address why patients would be diverted to one facility or another. Mr. Ownby explained that patient transport destinations are based on the best equipped, nearest hospital, and his company does have a 'destination protocol' in place. Townsend asked if the patient has an ability to express a preference. Mr. Ownby indicated that, yes, they do have an ability to express a preference; however, in certain instances, when there is a high acuity, certain hospitals are preferred. For example, burn patients go to Parkland. He asserted that the goal is to ensure the patient gets to the facility where he/she can be treated.

Councilmember Fowler asked what would happen if the city revokes its existing exclusivity ordinance. Mr. Ownby indicated that nothing would change with regards to 911 / emergency calls; however, most likely it would result in the EMS company having to approach the ES Corp. to renegotiate its contract because its subsidy costs would likely go up, being that funds generated from non-emergency transports would presumably go down. If every non-emergency call for transport out of Presby alone went away entirely, it would cost Medic Rescue about $600,000 annually.

Councilmember Hohenshelt asked how the company arrives at the amount of subsidy it is going to request from the ES Corporation annually. Mr. Ownby generally indicated that it is based on a three page spreadsheet that reflects estimated growth, system demand and volume and the associated cost (based on an extrapolation of cost per trip). The annual projection is based on actual costs from the previous year.

Mayor Pro Tem Lewis requested that an agenda item be placed on the next city council meeting agenda for the city council to decide on repealing the exclusivity ordinance, leaving it in place or amending it. In the meantime, at this week's ES Corp. board meeting, he will solicit feedback from the board concerning Rockwall's exclusivity ordinance and its possible revocation.

3. Hold work session to hear from representative(s) of the Rockwall Area Chamber of Commerce concerning the "I Shop Rockwall Campaign," and take any action necessary.

Robin Chouteau
166 Elm Hollow Court
Sherman, TX 75092

Mrs. Chouteau came forth and indicated that she is on the Board of Directors of the Chamber of Commerce, and she is one of the owners of Honda Cars of Rockwall. Also, she is currently in the process of moving to Rockwall.

Mrs. Chouteau asked if she would be allowed, as part of this campaign, to place an "I Shop Rockwall" magnet on city vehicles in order to help promote the program and encourage people to shop locally in Rockwall. She explained that this program will begin to be advertised on Facebook and other social media sites

Richard Redig
Blue Ribbon News
Box 967
Rockwall, TX 75087

Mr. Redig came forth and provided some additional information related to how this campaign will be marketed, including a Honda CRV that will be driven around and will reflect sponsorships for the program. He explained that he would like the city's help in allowing some additional signage around the city, including on city vehicles, that say "I Shop Rockwall" to help promote the program. They also have plans to conduct a contest to help promote the program as well.

Mrs. Chouteau explained that, as part of the program, they also hope to be able to purchase additional Christmas decorations that would benefit the city.

Mr. Crowley clarified that, if the city does allow for magnetic signage to be placed on city vehicles, those signs would only reflect "I Shop Rockwall" and would not reflect any names or information related to business sponsorships participating in the campaign. Mr. Crowley expressed that any additional signage around town would need to conform to the city's sign ordinance.

4. Hold a work session to discuss and consider animal surrender policies at the Rockwall Animal Adoption Center, and take any action necessary.

Mr. Griggs indicated that staff would like to propose that this issue be discussed at this week's Rockwall Animal Adoption Center / Shelter Advisory Committee meeting, and then have a proposed ordinance placed on the August 3 city council meeting for consideration.

At 5:27 p.m. Mayor Pro Tem Lewis read the below listed discussion items into the record before recessing the public meeting into Executive Session.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding status of Rockwall Harbor Landing, Inc. vs. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding the city's concession agreement with Suntex Marina / Suntex RHCL Marina, LLC pursuant to Section § 551.071 Consultation with Attorney)
3. Discussion regarding possible legal claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Planning & Zoning Commission, and Board of Adjustments pursuant to Section 551.074 (personnel matters)

IV. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:45 p.m.

V. RECONVENE PUBLIC MEETING

The meeting was reconvened at 6:00 p.m. with all council members except for Mayor Pruitt and Councilmember Milder present.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER FOWLER

Councilmember Fowler delivered the invocation and led the Pledge of Allegiance

VIII. OPEN FORUM

Brenda Cross
1287 Standford
Rockwall, TX 75087

Mrs. Cross came forward and indicated that she is speaking on behalf of the Rubber Duck Regatta. She thanked the Council for all of its support over the years. She handed out several rubber ducks, encouraging various city departments to have a fun challenge among themselves to see who can decorate the best duck. She thanked various city council members for taking part in the event since 2012, and she encouraged the ones who have not yet been involved to come out and join in the activities.

Alma Williams Howard
219 Rush Creek Drive
Heath, TX 75032

Mrs. Howard came forth and spoke in favor of Dr. Burney and his request for waiver of certain city assessed fees as he relocates his practice to the City of Rockwall. She believes his practice will bring to the community very high end, high volume benefits to the city and its citizens.

Lance Holmes
Senior Director of Business Development
Presbyterian Hospital of Rockwall

Mr. Holmes came forth to encourage the Council to consider granting waivers to Dr. Burney and his practice related to what seems to be an exorbitant amount of fees. He indicated that the closer to home a patient is able to receive care, the faster he/she heals. He believes Dr. Burney's practice will be of great benefit to the community.

Mr. Bob Wacker
806 Miramar Drive
Rockwall, TX 75087

Mr. Wacker indicated that he is a patient of Dr. Burney, and he believes him to be a great orthopedic surgeon. He went on to express that he is aware of a fire that somewhat recently occurred in Heath, and he had heard there was not an adequate water supply. He wonders if there is any similar type of danger within the City of Rockwall (related to inadequate water supply).

Allison Haft
2323 N. Houston Street #308
Dallas, TX 75219

She indicated that she is now a Dallas County resident, formerly a Rockwall County resident. She came forth and offered brief comments related to lakefront property values as well as lake views and lake access for residents who own homes and property along the takeline (Action Item #5). She generally encouraged the city council to not make any

modifications to the takeline provisions that have been in place pertaining to boat houses since the takeline was first established years ago.

Mr. Bill Swisher
4422 Scenic Circle
Garland, TX

Mr. Swisher came forth and indicated that he is a Garland resident and is a lakefront homeowner in that city. He was a member of the Lakeside Coalition some years ago. He explained that the intent of the coalition was to reduce, prevent and eliminate erosion along the Lake Ray Hubbard shoreline through quality, uniformity and consistency. The hope was to allow lakefront property owners access to the lake via lake houses/boat houses. He generally expressed that the extension of property lines out into the water has never been mentioned pertaining to properties along the lake in any of the lakeside cities. He believes that passing a policy that does call for extending property lines out into the lake would be contrary to the Lakeside Coalition's intentions to encourage lake access for property owners living along the lakeshore.

Mr. Charlie Shearer
431 W. Main Street
Denison, TX 75020

Mr. Shearer indicated that he served on the Lakeside Coalition that initially took a look at construction of boathouses and boat docks along the lake for all cities involved. He generally believes that the boathouse that would be constructed would enhance the property and its value. He expressed that passing the proposed policy with regards to extending property lines out into the lake would go against the Lakeside Coalition's original intent for lakeside properties.

Jannie Cullin
1604 S. Lakeshore Drive
Rockwall, TX 75087

Mrs. Cullin indicated that the policy being considered tonight under Action Item #5 affects her property and Mrs. Foster's property, who is her neighbor. She explained that Mr. Foster knew when he bought the property that he had a very small amount of lake frontage. She explained that Mr. Foster has only become concerned about the building of a boathouse as he is attempting to sell the home. In April of 2012, she explained that Mr. Foster had previously approached the Cullin's asking for a 10' waiver to allow Mr. Foster to build a boat dock, not a boat house. Mrs. Cullins indicated that Mr. Foster then took that letter that the Cullins had signed and presented it to the City of Rockwall. He was subsequently granted a boathouse permit. She requested that the council consider allowing the Cullins' letter to be rescinded since they were under the impression that the waiver granted would be associated with building a boat dock, not a boat house.

Mr. Mike Foster
1600 S. Lakeshore Drive
Rockwall, TX 75087

Mr. Foster indicated that when he purchased the property, there was no such thing in place as a 'takeline area.' He had been under the impression that this property had lake access of about 120' until the year 2012 when he began looking into getting a boathouse permit. Mr. Foster indicated that the waiver he requested from the Cullins property owner was to ask for a boat house because a waiver was not needed for a boat dock or a pier. Mr. Foster went on to display a series of photographs showing the boat house that the Cullins constructed a number of years ago. He also shared photos of the view of the lake and lakeside structures from another piece of property that the Cullins own in Chandlers Landing. He generally encouraged the council to allow him to build the boat house he would like to construct, as he does not believe property values will be adversely affected.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the July 6, 2015 regular city council meeting, and take any action necessary.

2. Consider approval of a resolution authorizing the City Manager to execute an Interlocal Purchasing Agreement with the City of Midlothian, and take any action necessary

3. Consider approval of a resolution allowing a temporary partial closure of FM 552 (John King Boulevard to the Rockwall East City Limits), FM 549 (FM 3097 to SH 205) and SH 205 (FM 549 to South John King Boulevard) for the Hot Rocks Bike Ride on Saturday, August 8, 2015 from 6:30 AM to 3:00 PM, and take any action necessary.

4. Consider approval of a resolution authorizing the City Manager to execute an Interlocal Purchasing Agreement with the City of Frisco, and take any action necessary.

5. **P2015-023** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH 60's Pod, LTD for the approval of a final plat for Phase IXA of the Breezy Hill Subdivision, consisting of 55 single family lots on a 16.805-acre tract of land identified as Tract 7-13 of the T. R. Bailey Survey, Abstract No. 30 and J. Simmons Survey, Abstract No. 190, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, located at the northwest corner of the intersection of FM-552 and Breezy Hill Lane, and take any action necessary.

6. **P2015-024** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of Matt Alexander of the Cambridge Company, Inc. for the approval of a final plat for Phase 2 of the Rockwall Downes Subdivision, consisting of 30 single family lots on a 11.923-acre tract of land identified as a portion of Tract 3 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 10 (PD-10) for residential land uses, located at the northeast corner of the intersection of John King Boulevard and Discovery Boulevard, and take any action necessary.

7. **P2015-025** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of Matt Alexander of the Cambridge Company, Inc. for the

approval of a final plat for Phase 3 of the Rockwall Downes Subdivision, consisting of 26 single family lots on a 8.559-acre tract of land identified as a portion of Tract 3 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 10 (PD-10) for residential land uses, located at the northwest corner of the intersection of John King Boulevard and Discovery Boulevard, and take any action necessary.

Councilmember Townsend made a motion to approve the entire Consent Agenda. Councilmember Hohenshelt seconded the motion, which passed by a vote of 5 in favor with 2 absent (Pruitt and Milder).

Mayor Pro Tem Lewis indicated that the agenda would be reordered to address Action Item #1 next on the council agenda.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Mr. Renfro, Chair of the P&Z Commission, came forth and briefed the board on recommendations of the Commission relative to items on tonight's city council agenda. No action was taken at this time.

2. Appointment with Jim Lambeth of Linebarger, Goggan, Blair & Sampson LLP to present information regarding a bid received for delinquent property taxes at 464 Evans at an amount less than the outstanding taxes, and take any action necessary.

Representatives for this appointment item did not show up at the meeting. Therefore, this item was not addressed, and no action was taken.

3. Appointment with Joey Howell to discuss and consider initiating a development agreement, in accordance with Chapter 212 of the Texas Local Government Code, for a property identified as Tract 18 & 18-01 of the S. McFadgin Survey, Abstract No. 142, Rockwall County, Texas, being a ~98-acre tract of land situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), located south of SH-276 on the east side of FM-548, and take any action necessary.

Councilmember Hohenshelt indicated that he will be recusing himself from this agenda item (he owns this property), and he has filed an affidavit with the City Secretary.

Planning Director Robert LaCroix provided brief background information related to this agenda item.

Mr. Howell came forth and indicated that he has been developing properties in the area for about the last thirty years. He recently was a partner in developing the Trend Tower, but he has also been a part of developing residential subdivisions (i.e. Hillcrest Shores). Regarding this particular property, he would like to build one acre lots and utilize septic tank systems on these properties. He explained that he has been working with staff on

how this project may be able to come to fruition because the County, where the property is currently located, requires 1.5 acre lots for septic systems. He shared that, although this area is not currently located within the city limits, it will eventually be in the city, as it is located in the city's ETJ (extraterritorial jurisdiction). In working with staff and in speaking with the Commissioners Court at the County, he believes that proceeding with the 212 development agreement will be the most agreeable, viable option since annexing into the city at this time is not possible.

Mr. LaCroix indicated that the county's main concern is related to the proposed septic systems and the lot coverage that they fear may limit an adequate septic area to ensure the systems run efficiently.

Mr. Howell went on to clarify that these lots will actually very likely end up being 1.5 acre lots anyway, because essentially the portions of the lots that are located in the floodplain will not 'count' towards the required 1.0 acre needed for the septic systems. He explained that this issue has in fact been discussed with Ron Merritt, the county's health-related authority that oversees septic tank systems.

Mr. Crowley asked how future homeowners would be informed of the fact that someday their home will be annexed into and located within the City of Rockwall city limits. He stressed a desire to have Mr. Howell and his developers / builders to ensure that people purchasing homes in this area are clearly and certainly informed that they will be annexed into the city at some point.

Councilmember Fowler made a motion to initiate this agreement. Mr. LaCroix indicated that staff would like to have some additional time for the city attorney to review the terms of this contractual agreement (the 212) before bringing it back to the city council for actual approval at the next city council meeting. Fowler subsequently withdrew his motion.

Council generally indicated they would like to have staff and the city attorney work with Mr. Howell to have an agreement brought back to Council for consideration at the next council meeting, indicating that some legal and contractual related items need to be worked out first. Also, the city would like to see a draft document that shows how future home buyers will be made aware that, at some point, their property will be annexed into and become part of the City of Rockwall. Therefore, no formal action was taken at this time related to this agenda item.

XI. PUBLIC HEARING ITEMS

1. **Z2015-015** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Rich Darragh of the Skorburg Company on behalf of the owner William Audy Riggs, SR Estate for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 93.00-acre tract of land identified as Tract 33 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the east side of Breezy Hill Road north of FM-552, and take any action necessary.**(1st Reading)** ***(Applicant has requested to withdraw)***

Mayor Pro Tem Lewis indicated that the applicant has withdrawn this case at this time. So, he would have to go back through the process from the beginning if he wishes to bring it forth again.

2. **Z2015-020** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Wayne Mershawn of Mershawn Architects on behalf of Rex Walker of Life Springs Church for a Specific Use Permit (SUP) for a church in an Agricultural (AG) District for a seven (7) acre portion of a larger 28.881-acre tract of land identified as Tract 15-01 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Corridor Overlay (SH 205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King Boulevard and SH-205, and take any action necessary. **(1st Reading)**

After brief comments from Mr. LaCroix, Mayor Pro Tem Lewis opened the public hearing. There being no one wishing to come forth and speak, he then closed the public hearing. Councilmember Townsend made a motion to approve Z2015-020. Councilmember White seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 15-___

SUP NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A "CHURCH" WITHIN AN AGRICULTURAL (AG) DISTRICT, BEING A 7.00-ACRE PORTION OF A LARGER 28.881-ACRE TRACT OF LAND IDENTIFIED AS TRACT 15-01 OF THE J. STRICKLAND SURVEY, ABSTRACT NO. 187, AND GENERALLY LOCATED ON THE NORTH SIDE OF JOHN KING BOULEVARD EAST OF THE INTERSECTION OF JOHN KING BOULEVARD AND SH-205, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of Council present (2 absent – Pruitt and Milder).

3. **Z2015-021** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Sam Ellis on behalf of the owner, the George Dewoody Estate, for a Specific Use Permit (SUP) for a daycare facility in an Agricultural (AG) District for a two (2) acre parcel of land identified as Lot 1 of the Dewoody Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the North SH-205 Corridor Overlay (N SH-205 OV) District, addressed as 3011 N. Goliad Street [SH-205], and take any action necessary. **(1st Reading)**

Planning Director Robert LaCroix provided background information related to this agenda item. Notices were sent out to adjacent property owners (total of 66) located within 500' of the subject property. Nearby HOAs were notified as well, and two notices

were received back expressing support of this request. The applicant would need to come at a later date and submit a detailed site plan and go through an architectural review. The P&Z Commission has recommended approval of this case.

Sam Ellis, the applicant, came forth and offered brief comments, generally explaining the purpose of his request and asking the council for approval.

Mayor Pro Tem Lewis opened the public hearing and asked if anyone would like to come forth and speak.

Bob Wacker
806 Miramar Drive
Rockwall, TX 75087

Mr. Wacker indicated that he was involved in the townhome development behind CVS. He explained that he is concerned about traffic ingress and egress, suggesting that another entrance/exit be added on the north side.

Troy Clark
3025 N. Goliad
Rockwall, TX

Mr. Clark indicated that he is the property owner located immediately to the north of this location. He expressed support for approval of this item.

Mr. LaCroix clarified that the owner could replat the property, but the zoning of this property would stay in place.

Councilmember White made a motion to approve Z2015-021. Councilmember Townsend seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-___
SUP NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A "DAYCARE FACILITY" WITHIN AN AGRICULTURAL (AG) DISTRICT, BEING A 2.00-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1 OF THE DEWOODY ADDITION, AND LOCATED AT 3011 NORTH GOLIAD STREET, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of those present (2 absent – Pruitt and Milder).

4. **Z2015-022** - Hold a public hearing to discuss and consider approval of an **ordinance** for modifications to Article IV, Permissible Uses, and Article V, District Development Standards, of the Unified Development Code for the purposes of creating a standard for cultured stone, and adding standards for a Portable Beverage or Food Facility, and take any action necessary. **(1st Reading)**

Planning Director Robert LaCroix provided background information related to this agenda item. P&Z has recommended approval of this item. Mayor Pro Tem Lewis opened the public hearing and asked if anyone would like to come forth and speak. There being no one, the public hearing was closed. Councilmember White made a motion to approve Z2015-022. Councilmember Townsend seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTIONS 1.1 & 2.1.6 OF ARTICLE IV, PERMISSIBLE USES, AND SECTION 6 OF ARTICLE V, DISTRICT DEVELOPMENT STANDARDS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of Council present (2 absent – Pruitt and Milder).

5. **Z2015-016** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Stacey McVey of Double Eagle Properties on behalf of the owner 308 ON 276 LP for a zoning change from an Light Industrial (LI) District to a Planned Development District for Single Family 10 (SF-10) and General Retail (GR) District land uses, on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the northeast corner of the intersection of Rochelle Road and SH-276, and take any action necessary. **(1st Reading)** ***(Applicant has requested to postpone to the Aug. 3, 2015 regular cc mtg.)***

Mayor Pro Tem Lewis announced that this item has been postponed until the August 3, 2015 city council meeting.

XII. ACTION ITEMS

1. Discuss and consider a request from Dr. Umar Burney for waiver of fees owed on a development which includes a medical office building (Ortho Specialists of Dallas) located on Summer Lee Drive behind the Aldi building, and take any action necessary.

Mr. Crowley indicated that Mr. Burney has contacted the city to ask for consideration of waiver of pro rata fees associated roadway and water line impact fees.

Dr. Umar Burney
825 Roth Avenue
Richardson, TX

Mr. Burney came forth and thanked those who have expressed support today for this new facility that is slated to be opened in Rockwall. He explained that the impact fees that are being presented to him equate to nearly six figures. He went on to explain the various advantages and services that his business will provide to the citizens of Rockwall. He generally indicated that he has been surprised by these fees. Furthermore, based in the services his business will bring that will benefit the community, he requested that the city council consider reviewing the proposed impact fees and waive them at this time.

Councilmember Hohenshelt asked if any other business that would otherwise be moving in at this particular location would be faced with the same fees. Mr. Crowley explained that the larger cost of the roadway in front of the city was paid for by the city up front as well as the water line in as an effort to attract the hospital. However, pro rata shares associated with these expenses have since been paid for by the other businesses that have since located along this particular roadway. Dr. Burney is now requesting special consideration from Council concerning his pro rata fees.

City Engineer Tim Tumulty clarified that impact fees are discussed upfront when a business first sits down in pre-meetings with staff members. So, while he understands that this is contrary to what Dr. Burney has shared (that they just very recently found out about these fees), it is normal practice to present these fees upfront when development is forthcoming.

It was stated that impact fees are normal practice, and other cities commonly impose such fees as well.

After brief comments, the item received no motions, so no action was taken by the Council concerning this agenda item.

Following this item, Mayor Pro Tem Lewis went on to address Appointment Item #1 (with P&Z Commission Chairman).

2. **SP2015-015** - Discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Elias Pope of 8020 Restaurants, LLC for the approval of variances to the natural stone and masonry material requirements stipulated by Article V, District Development Standards, of the UDC in conjunction with an approved site plan for a restaurant on a 0.90-acre parcel of land identified as Lot 3, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the IH-30 Frontage Road and Sunset Ridge Drive, and take any action necessary.

Mr. LaCroix explained that this request is associated with a restaurant that would be located next to the Trend Tower down near The Harbor. He explained that H&G Supply is a restaurant that also has a location on Lower Greenville Avenue in Dallas. He described the various building materials that the applicant is proposing to use. He shared that all of the rooftop equipment would be screened, so people in the Trend Tower who might look down on the building would not see it. He explained that the Architectural Review Board did review these concept plans, and they generally agree that this is a nice design that, although it is a little modern, will fit in well with the existing, surrounding area. After some, slight revisions were made by the applicant at the request of the ARB, the P&Z did recommend approval of this item.

Cameron Sloan
F. C. Cuny Corporation
Civil engineer firm
4316 Belmar Avenue
Dallas, TX

Mr. Sloan explained he is with the Cuny Corporation and is representing the applicant on this case. His office is very near the existing restaurant location on Greenville Avenue, and he believes this will be a great addition to this area in Rockwall.

Mayor Pro Tem Lewis made a motion to approve SP2015-015. Councilmember White seconded the motion, which passed unanimously of council present (2 absent – Pruitt and Milder).

3. **A2015-001** - Discuss and consider the expiration of an existing 212 Development Agreement for four (4) tracts of land contiguous with the City of Rockwall's city limits and being identified as approximately 94.05-acres of land situated within the City's Extraterritorial Jurisdiction (ETJ), generally located south of SH-276 along Zollner Road, and take any action necessary.

Mr. LaCroix indicated that this item is related to a 212 agreement that the city entered into with the property owners, the Zolner family, about 6.5 years ago. The initial term was for a period of seven years. The state law allows for these agreements to be for a term up to fifteen years. If the Council does not wish to sign a new 212 agreement, then the city would proceed with annexation.

Councilmember White made a motion to approve A2015-001, extension of a 212 agreement, for a period of seven years. Councilmember Townsend seconded the motion, which passed unanimously of council present.

4. Discuss and consider status of Franchise Agreement with Legends Batting Cages, and take any action necessary.

Andy Hesser, Parks Manager, came forth and provided brief background information related to this agenda item. He explained that in May of 2014, the city council approved entering into this franchise agreement at the recommendation of the Park Board. In January of 2015, the Park Board asked for a status update from Legends. An update was given, and the Park Board requested to see progress, in the form of drawings, within ten days. Legends did provide said drawings. This past meeting, July 7, the Park Board did

hear from the representative of the Legends Batting cages, who indicated that he is having delays getting a concrete contractor out to pour concrete. However, some progress has been made, for example with poles, nets and machines. Park Board is now recommending that the contract be terminated if substantial progress had not been made on site by September 1, 2015 and that the 30 day written notice be given concurrently to correspond with the September 1st deadline. Councilmember Townsend made a motion to accept this Park Board recommendation as conveyed. Mayor Pro Tem Lewis seconded the motion, which passed by a vote of 4 in favor, 1 against (White), and 2 absent (Pruitt and Milder).

5. Discuss and consider approval of a policy for the construction of structures, including a dock deck, fixed pier or boathouse within Lake Ray Hubbard for properties eligible to lease the Lake Ray Hubbard Takeline adjacent to the property, and take any action necessary.

Robert LaCroix provided background information related to this agenda item. He indicated that staff received an email from the City of Dallas indicating that modifications to sublease property boundaries and general layout locations of takeline subleases are the responsibility of the City of Rockwall. Structure dimensions and building materials must adhere to the interlocal agreement with the City of Dallas. He explained that Dallas is only concerned with water quality. He went on to explain the process associated with those property owners who sublease for applying to build a boat dock or a bout house structure. He indicated that plans have to be submitted to the City, and the City has to review those plans and approve them prior to issuing a building permit. He explained that any imaginary property lines extending out into the lake are currently not part of any takeline leases; however, the policy being proposed tonight would allow staff to extend those imaginary lines into the water in order to make considerations for setbacks before issuing any related building permits.

Councilmember White clarified that when a property owner subleases the takeline, he/she only leases the dirt and not the water. Mr. LaCroix concurred. Assistant City Manager Brad Griggs explained that staff has attempted to determine with certainty where a particular boat house is going to be built in order to ensure there is ample room for maneuvering a boat so as to not encroach on a neighbor's boat house or other, adjacent boats being backed out.

Mayor Pro Tem Lewis clarified that the City of Dallas allows for those who sublease to build boathouses that extend 40' into the water as long as they go through the City of Rockwall to obtain a permit.

After extensive discussion, Councilmember White made a motion to approve the policy with the understanding that item #3 will be changed to remove the language about imaginary lines that do not exist that extend into the water. Councilmember Townsend seconded the motion, which passed by a vote of 5 in favor with 2 absent (Pruitt and Milder).

The Council did not reconvene in Executive Session following the close of the public meeting.

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding status of Rockwall Harbor Landing, Inc. vs. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)
2. Discussion regarding the city's concession agreement with Suntex Marina / Suntex RHCL Marina, LLC pursuant to Section § 551.071 Consultation with Attorney)
3. Discussion regarding possible legal claim related to Oncor pursuant to Section 551.071 (Consultation with Attorney)
4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Planning & Zoning Commission, and Board of Adjustments pursuant to Section 551.074 (personnel matters)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The Council did not reconvene in Executive Session following the close of the public meeting.

XV. ADJOURNMENT

The meeting was adjourned at 7:59 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 3rd DAY OF AUGUST, 2015.

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Ashberry, City Secretary

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 15-21

SUP NO. 139

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A "CHURCH" WITHIN AN AGRICULTURAL (AG) DISTRICT, BEING A 7.00-ACRE PORTION OF A LARGER 28.881-ACRE TRACT OF LAND IDENTIFIED AS TRACT 15-01 OF THE J. STRICKLAND SURVEY, ABSTRACT NO. 187, AND GENERALLY LOCATED ON THE NORTH SIDE OF JOHN KING BOULEVARD EAST OF THE INTERSECTION OF JOHN KING BOULEVARD AND SH-205, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Wayne Mershawn of Mershawn Architects on behalf of Rex Walker of Life Springs Church for the approval of a Specific Use Permit (SUP) allowing for a "*Church*" within an Agricultural (AG) District, being a 7.00-acre portion of a larger 28.881-acre tract of land identified as Tract 15-01 of the J. Strickland Survey, Abstract 187, and generally located on the north side of John King Boulevard and SH-205, City of Rockwall, Rockwall County, Texas, and more specifically described in Exhibit "A" of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit for a "*Church*" within the Agricultural (AG) District for the *Subject Property*; and

Section 2. That the Specific Use Permit shall be subject to the requirements as set forth in ***Article V, Section 2.1, Agricultural (AG) District*** of the City of Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions:

2.1 Operational Conditions

The following conditions pertain to the operation of a *Church* on the *Subject Property* and conformance to these stipulations is required for continued operations:

1) That adherence to Engineering and Fire Department standards shall be required, and
2) That the proposed conceptual site plan should be used only for the purpose of establishing a boundary that will incorporate a 7.0-acre tract of land as depicted in Exhibit 'B' of this ordinance, and
3) That future site plan submittal and approval shall be required, including Architectural Review and adherence to all standards specified in the 205 By-Pass Corridor Overlay district and other applicable sections of the Unified Development Code, and
4) That submittal and approval of engineering plans, and final plat shall be required prior to issuance of a Certificate of Occupancy, and

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

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

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

Section 6. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code No. 04-38 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 3rd day of August, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank Garza, City Attorney

1st Reading: **07-20-15**
2nd Reading: **08-03-15**

DESCRIPTION OF 6.9946 ACRES

BEING a tract of land situated in the JOSEPH STRICKLAND SURVEY, ABSTRACT NO. 187, Rockwall, Rockwall County, Texas, and being part of that certain 31.012 acre tract of land conveyed from Bruce A. Clark and Rose R. Clark to Life Spring Church, a Texas nonprofit corporation, by Warranty Deed With Vendor's Lien ("LSWD") recorded in Volume 6934, Page 206 of the Official Public Records of Rockwall County, Texas ("OPRRCT"), and being more particularly described as follows:

Basis of bearings is Grid North of the Texas Coordinate System of 1983 (North Central Zone 4202, NAD83);

BEGINNING at 5/8" iron rod with yellow plastic cap set ("5/8" YCIRS") for corner in the northeasterly right-of-way line of John King Boulevard (120' R.O.W.) as described in Warranty Deed to the City of Rockwall, Texas, recorded in Volume 5364, Page 123 of the OPRRCT, and also being in a curve to the left and concave to the southwest, said curve having a central angle of 14°38'17", a radius of 1,660.00', and a chord which bears N 42°34'31" W a distance of 422.95';

THENCE northwesterly with said curve to the left and northeasterly right-of-way line an arc distance of 424.10 feet to a 5/8" YCIRS for corner;

THENCE North 45 deg. 36 min. 28 sec. West a distance of 431.07 feet to a 5/8" YCIRS for corner;

THENCE North 89 deg. 11 min. 22 sec. East a distance of 346.65 feet to a 5/8" YCIRS for corner in the east line of said 31.012 acre tract and west line of Tract 1 as described in Special Warranty Deed With Vendor's Lien to BH Balance III LLC, a Texas limited liability company, recorded in County Clerk Instrument No. 20130000498889 of the OPRRCT, and also being in the west line of Block D of Breezy Hill Phase IV, an addition to the City of Rockwall, Texas as recorded in County Clerk Instrument No. 20150000003964;

THENCE South 00 deg. 52 min. 30 sec. East with said east line of said 31.012 acre tract and west line of said Tract 1 and Block D, a distance of 597.62 feet to a 5/8" YCIRS for corner in the north right-of-way line of Life Spring Drive (variable R.O.W.) as described in Right-Of-Way Plat of Life Spring Drive, recorded in County Clerk Instrument No. 20140000004816 of the OPRRCT, said rod corner being in a curve to the left, said curve being concave to the south and having a central angle of 02°37'29", a radius of 850.00', and a chord which bears N 89°26'27" W a distance of 38.93';

THENCE westerly with said curve to the left and north right-of-way line an arc distance of 38.94 feet to a 5/8" YCIRS for corner and PT of said curve;

THENCE South 89 deg. 14 min. 49 sec. West with said north right-of-way line 152.28 feet to a 5/8" YCIRS for corner and PC of a curve to the left, said curve being concave to the south and having a central angle of 5°25'24", a radius of 275.00', and a chord which bears S 86°32'09" W a distance of 26.02';

THENCE westerly with said curve to the left and north right-of-way line an arc distance of 26.03 feet to a 5/8" YCIRS for corner and point of reverse curve to the right, said curve being concave to the north and having a central angle of 14°46'00", a radius of 90.50', and a chord which bears N 88°47'28" W a distance of 23.26';

THENCE westerly with said curve to the right and north right-of-way line an arc distance of 23.32 feet to a 5/8" YCIRS for corner and point of reverse curve to the left, said curve being concave to the southeast and having a central angle of 31°16'08", a radius of 109.50', and a chord which bears S 82°57'31" W a distance of 59.02';

THENCE southwesterly with said curve to the left and northerly right-of-way line an arc distance of 59.76 feet to a 5/8" YCIRS for corner and point of compound curve to the left, said curve being concave to the southeast and having a central angle of 08°07'31", a radius of 289.00', and a chord which bears S 63°15'40" W a distance of 40.95';

THENCE southwesterly with said curve to the left and northerly right-of-way line an arc distance of 40.98 feet to a 5/8" YCIRS for corner and easterly terminus of a northerly right-of-way clip;

THENCE North 79 deg. 14 min. 38 sec. West with the said northerly right-of-way clip 42.80 feet to the PLACE OF BEGINNING, and containing 304,687 square feet or 6.9946 acres of land, more or less.

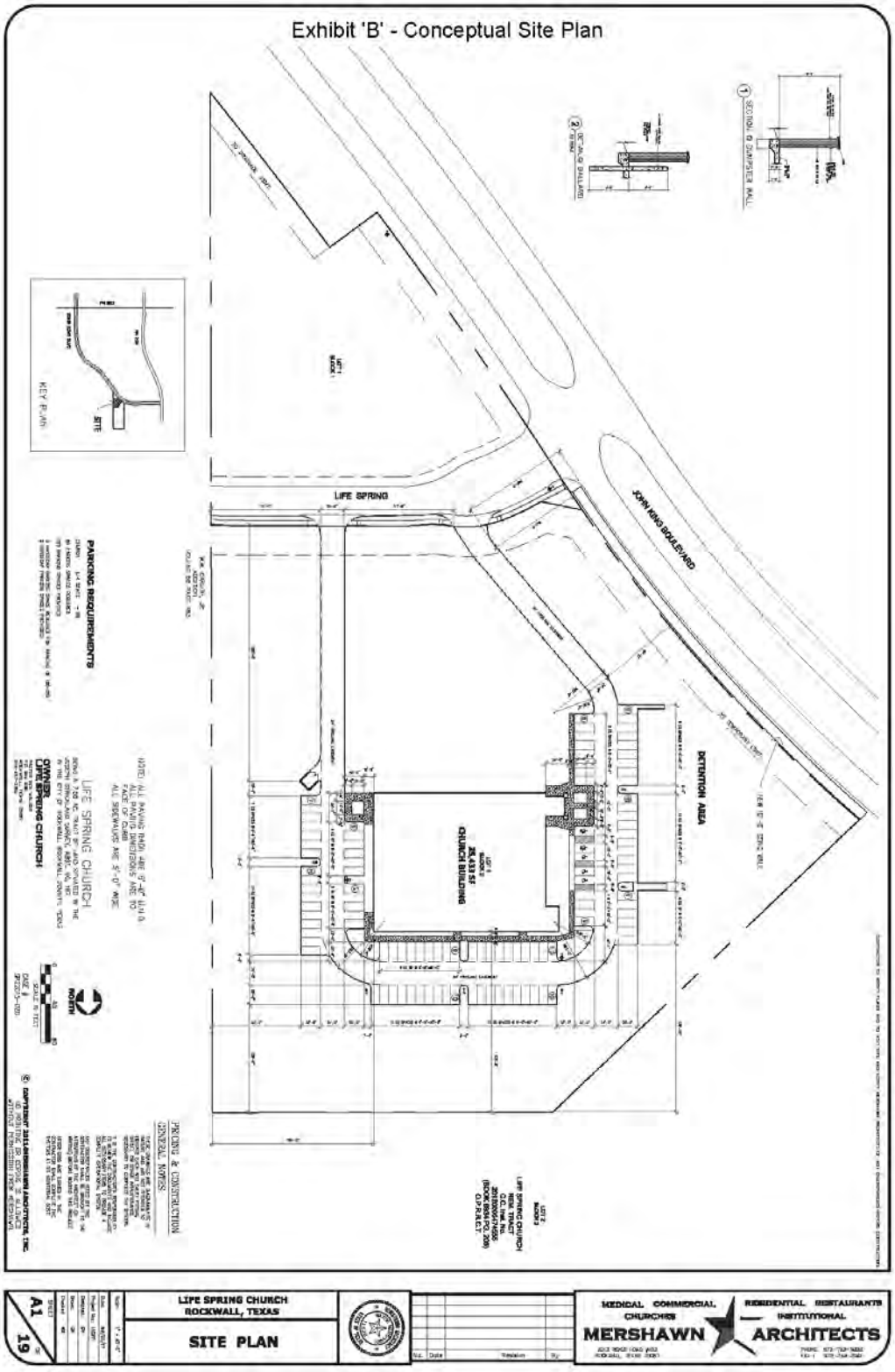
Exhibit 'B' - Conceptual Site Plan
LIFE SPRING
JOHN KING BOULEVARD
DETENTION AREA
LOT 1
BLOCK A
25,433 SF
CHURCH BUILDING
LOT 2
BLOCK A
LIFE SPRING CHURCH
REAL TRACT
LOT 1
BLOCK A
PARKING REQUIREMENTS
LIFE SPRING CHURCH
LIFE SPRING CHURCH
ROCKWALL, TEXAS
SITE PLAN
A1
19
MERSHAWN
ARCHITECTS
MEDICAL COMMERCIAL
CHURCHES
RESIDENTIAL RESTAURANTS
INSTITUTIONAL

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 15-22

SUP NO. 140

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A "DAYCARE FACILITY" WITHIN AN AGRICULTURAL (AG) DISTRICT, BEING A 2.00-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1 OF THE DEWOODY ADDITION, AND LOCATED AT 3011 NORTH GOLIAD STREET, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Sam Ellis on behalf of the owner, the George Dewoody Estate for the approval of a Specific Use Permit (SUP) allowing for a "*Daycare Facility*" within an Agricultural (AG) District, being a 2.00-acre parcel of land identified as Lot 1 of the Dewood Addition, and located at 3011 North Goliad Street, City of Rockwall, Rockwall County, Texas, and more specifically described in Exhibit "A" of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit for a "*Daycare Facility*" within the Agricultural (AG) District for the *Subject Property*; and

Section 2. That the Specific Use Permit shall be subject to the requirements as set forth in ***Article V, Section 2.1, Agricultural (AG) District*** of the City of Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions:

2.1 Operational Conditions

The following conditions pertain to the operation of a *Daycare Facility* on the *Subject Property* and conformance to these stipulations is required for continued operations:

1) That adherence to Engineering and Fire Department standards shall be required, and
2) That future site plan submittal and approval shall be required, including Architectural Review and adherence to all standards specified in the North SH 205 Corridor Overlay district and other applicable sections of the Unified Development Code (UDC), and
3) That the proposed conceptual site plan shall be used only for the purpose of establishing a general layout of the daycare facility as depicted in Exhibit 'B' of this ordinance, and
4) That the use for a daycare facility as requested shall be allowed on the 1.940-acre tract of land, and
5) That submittal and approval of engineering plans, and final plat shall be required prior to issuance of a Certificate of Occupancy.

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

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

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

Section 6. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code No. 04-38 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 3rd day of August, 2015.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

1st Reading: **07-20-15**

2nd Reading: **08-03-15**

Frank Garza, City Attorney

Exhibit 'A' - Legal Description

FIELD NOTE DESCRIPTION

BEING a 1.940 acres tract of land situated in the Samuel King Survey, Abstract No. 131, Rockwall County, Texas and being all of Lot One of De Woody Addition an addition to the City of Rockwall according to the plat recorded in Cabinet A, Slide 387 of the Plat Records Rockwall County, Texas (PRRCT) and being more particularly described as follows:

Beginning at a point for corner in the west right of way line of State Highway No. 205 (North Goliad Street a 100 feet wide right of way from which a ½ inch iron rod found bears, NORTH 42°24'55" EAST a distance of 0.35 feet;

THENCE along the west line of said State Highway No. 205 (North Goliad Street), SOUTH 13°15'00" East a distance of 223.20 feet to a point for corner from which a 5/8 inch iron rod found bears SOUTH 89°15'07" EAST a distance of 1.65 feet and being in the north line of Lot 1, Block D of North Lakeshore Valley an addition to the City of Rockwall according to the plat recorded in Cabinet G, Slide 247 (PRRCT);

THENCE along the common line of said Lot One and Lot 1, Block D, SOUTH 73°33'02" West a distance of 356.45 feet to a point for corner from which a ½ inch iron rod bears SOUTH 42°24'55" WEST a distance of 0.35 feet and being in the east right of way line of Quail Run Road a variable width right of way;

THENCE along the east line of said Quail Run Road, NORTH 16°30'14" WEST a distance of 72.55 feet to a point from which a 5/8 inch iron rod found bears NORTH 66°36'45" WEST a distance of 3.28 feet and being in the north line of said Quail Run Road;

THENCE along the north line of said Quail Run Road, NORTH 80°05'54" WEST a distance of 37.23 feet to a 5/8 inch iron rod set for corner;

THENCE along the west line of said Lot One, NORTH 09°30'06" WEST a distance of 134.76 feet to a point for corner from which a ½ inch iron rod found bears SOUTH 76°22'22" WEST a distance of 7.69 feet and another ½ inch iron rod found bears NORTH 77°57'23' EAST a distance of 8.33 feet;

THENCE along the north line of said Lot One, NORTH 73°33'00" EAST a distance of 386.04 feet to the POINT OF BEGINNING;

CONTAINING 1.940 acres or 84,484.79 square feet of land more or less all according to that certain survey prepared by A. J. Bedford Group Inc.

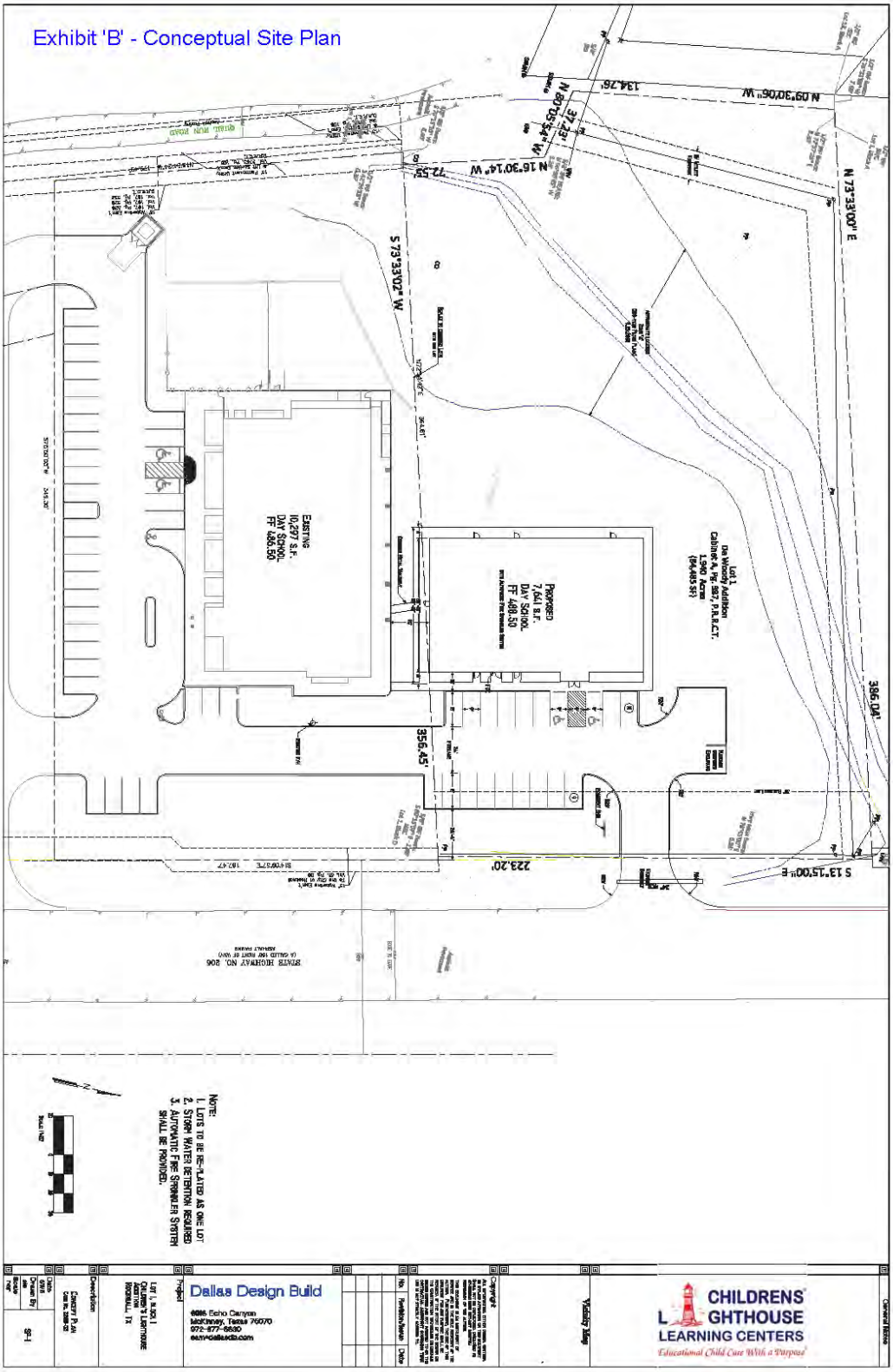
Exhibit 'B' - Conceptual Site Plan
EXISTING
10,297 S.F.
DAY SCHOOL
FF 486.50
PROPOSED
7,641 S.F.
DAY SCHOOL
FF 488.50
Lot 1
De Woody Addition
Cabinet A, Pg. 987, P.R.R.C.T.
1.940 Acres
(84,485 SF)
N 73°33'00" E
S 73°33'02" W
N 16°30'14" W
N 09°30'06" W
S 13°15'00" E
386.04'
356.45'
223.20'
134.76'
72.55'
37.23'
N 80°05'34" W
STATE HIGHWAY NO. 206
NOTE:
1. LOTS TO BE RE-PLATED AS ONE LOT
2. STORM WATER DETENTION REQUIRED
3. AUTOMATIC FIRE SPRINKLER SYSTEM SHALL BE PROVIDED.
Dallas Design Build
CHILDRENS LIGHTHOUSE
LEARNING CENTERS
Educational Child Care With a Purpose

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 15-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTIONS 1.1 & 2.1.6 OF ARTICLE IV, *PERMISSIBLE USES*, AND SECTION 6 OF ARTICLE V, *DISTRICT DEVELOPMENT STANDARDS*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 04-38*] has been initiated by the City Council of the City of Rockwall to amend Section 1.1, *Use of Land and Buildings*, and Section 2.1.6, *Recreation, Entertainment and Amusement Use Conditions*, of Article IV, *Permissible Uses*, and Section 6, *Overlay Districts*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] for the purposes of creating standards for cultured stone and adding standards for a *Portable Beverage or Food Facility*; and,

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

Section 1. That Section 1.1, *Use of Land and Buildings*, and Section 2.1.6, *Recreation, Entertainment and Amusement Use Conditions*, of Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'A'* of this ordinance;

Section 2. That Section 6, *Overlay Districts*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'B'* of this ordinance;

Section 3. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 4. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm,

corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 5. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 3RD DAY OF AUGUST, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: **07-20-15**

2nd Reading: **08-03-15**

Article IV, Permissible Uses, of the Unified Development Code
Section 1. Land Use Schedule
Section 1.1. Use of Land and Buildings

Residential										Permitted Uses	Mixed Use			Commercial			Industrial		
AG	SF- E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14		DT	R-O	N-S	GR	C	HC	RT	LI	HI
										Antique/collectible store	S		S	P	P	P			
										Astrologer, hypnotist, or psychic art and science	S	P	P	P	P	P			
										Banquet facility	S			P	P	P			
										Beverage ***and/or Food*** Service Facility, Portable +	S	***S***		S	S	S		S	P
										Business school	P			P	P	P	P	P	
										Catering service	A		S	P	P	P	S	P	
										Christmas tree sales lot and similar uses, temporary +	S		S	P	P	P	S	P	P
										Copy center	P		P	P	P	P	P	P	P
										Display, incidental +	P		P	P	P	P		P	
										Garden supply/plant nursery			S	P	P	P		P	
										General personal service	P		P	P	P	P		S	
										General retail store	P	S	P	P	P	P		S	S
										Hair salon, manicurist	P	S	P	P	P	P		S	
										Laundry, dropoff/pickup	P		P	P	P	P		P	P
										Laundry, self-service	P		P	P	P	P		P	P
										Massage therapist	P	P	P	P	P	P			
										Museum or art gallery (private)	P	P	S	P	P		P	P	
										Night club, discoteque, or dance hall	S			S	P	P		S	S
										Pawn shop					S	S		P	P
										Pet shop			P	P	P	P			

Article IV, Permissible Uses, of the Unified Development Code
Section 2. Use Standards
Section 1.6. Retail and Personal Service Use Conditions

Beverage ***and/or food*** service facility, portable. A portable beverage ***and/or food*** service facility is an establishment that sells beverages ***and/or food*** from a structure ***or trailer*** that can be moved from place to place but that stays at one location during a normal business day; ~~***food sales are prohibited in these facilities***~~. A portable beverage ***and/or food*** facility shall meet the following minimum conditions:

1. The service shall be limited to snow cone stands, ~~***and***~~ beverage ***and/or food*** stands serving nonalcoholic beverages such as coffee, juices or sodas ***and/or prepared food products***.

2. The maximum time limit of such temporary use shall not exceed 150 days annually ***or a time limit otherwise approved by the City Council***. At the end of the ***time period*** ~~***150-day period***~~, the structure shall be removed from the property.

3. Any temporary power poles will be removed on the date of or immediately following the termination date of the permit.

4. No additional freestanding signage shall be permitted.

5. The temporary portable structure or trailer shall meet all health and electrical codes off the city.

6. Any such temporary facility shall not reduce the number of required parking spaces of any nearby building or use.

7. Any such temporary facility shall have permanent restrooms for employees available within 300 feet of the door of the portable ~~***beverage***~~ facility. Written permission from the permanent building owner for restroom use must be submitted to the building official; no portable restroom facility is allowed.

8. Any such temporary facility shall be located on an all-weather (*asphalt or concrete*) parking surface with adequate space for parking and circulation, unless ~~***variance***~~ ***alternatively approved by the City Council.*** ~~***has been approved.***~~

Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.6. IH-30 Overlay (IH-30 OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

    a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. ***Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty apply to the product;***

    - ☑ ***That the manufacturing molds should be made from actual stones and each piece should complement each other having the right shape, texture, size and detail of natural stone;***
    - ☑ ***That the overtones of color should be integrated into the stone during the molding process, while the base color of the stone is blended entirely throughout;***
    - ☑ ***That highly skilled artisans should be utilized to hand paint each piece in order to give each stone depth and variation of color;***
    - ☑ ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
    - ☑ ***That the manufactured stone product shall have a minimum warranty of 75 years.***

    b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.7. SH-205 Overlay (SH-205 OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

    a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. ***Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty apply to the product;***

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    - ☑ ***That the overtones of color should be integrated into the stone during the molding process, while the base color of the stone is blended entirely throughout;***
    - ☑ ***That highly skilled artisans should be utilized to hand paint each piece in order to give each stone depth and variation of color;***
    - ☑ ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
    - ☑ ***That the manufactured stone product shall have a minimum warranty of 75 years.***

    b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.8. Scenic Overlay (SOV) District

D. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

    a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. ***Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty apply to the product;***

    - ☑ ***That the manufacturing molds should be made from actual stones and each piece should complement each other having the right shape, texture, size and detail of natural stone;***
    - ☑ ***That the overtones of color should be integrated into the stone during the molding process, while the base color of the stone is blended entirely throughout;***
    - ☑ ***That highly skilled artisans should be utilized to hand paint each piece in order to give each stone depth and variation of color;***
    - ☑ ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
    - ☑ ***That the manufactured stone product shall have a minimum warranty of 75 years.***

    b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.9. SH-66 Overlay (SH-66 OV) District

D. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

    a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. ***Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty apply to the product;***

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    - ☑ ***That the overtones of color should be integrated into the stone during the molding process, while the base color of the stone is blended entirely throughout;***
    - ☑ ***That highly skilled artisans should be utilized to hand paint each piece in order to give each stone depth and variation of color;***
    - ☑ ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
    - ☑ ***That the manufactured stone product shall have a minimum warranty of 75 years.***

    b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.10. 205 By-Pass Corridor Overlay (205 BY-OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

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      - ☑ ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
      - ☑ ***That the manufactured stone product shall have a minimum warranty of 75 years.***

   b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.11. North SH-205 Corridor Overlay (N-SH 205 OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

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      - ☑ ***That the manufactured stone product shall have a minimum warranty of 75 years.***

   b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.12. East SH-66 Corridor Overlay (E-SH 66 OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

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    - ☑ ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
    - ☑ ***That the manufactured stone product shall have a minimum warranty of 75 years.***

    b. Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.13. FM-549 Corridor Overlay (FM-549 OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

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    - ☑ ***That the use of the highest quality synthetic mineral oxides should be used to infuse the surface with rich, authentic tones; and***
    - ☑ ***That the manufactured stone product shall have a minimum warranty of 75 years.***

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Article V, District Development Standards, of the Unified Development Code
Section 6. Overlay Districts
Section 6.14. SH-276 Corridor Overlay (SH-276 OV) District

C. Architectural standards.

1. *Masonry requirements.* Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, including a minimum of 20 percent natural or quarried stone.

    a. Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation. ***Additionally, the Planning and Zoning Commission may consider the use of high quality manufactured or cultured stone if the following standards of manufacturing and warranty apply to the product;***

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 08/03/2015

APPLICANT: Maria Bonilla, *Winkelmann & Associates*

AGENDA ITEM: **P2015-029**; *Lots 1, 2 & 3, Block A, Kroger 205 Addition*

SUMMARY:

Discuss and consider a request by Maria Bonilla of Winkelmann & Associates on behalf of Mark Matise of Makko Goliad I, LP for the approval of a replat for Lots 1, 2 & 3, Block A, Kroger 205 Addition being a replat of 11.236-acre tract of land identified as Lots 2 & 3, Block A, Quail Run Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the southeast corner of E. Quail Run Road and SH-205, and take any action necessary.

PLAT COMMENTS:

- ✓ The objective of this request is to replat two (2) parcels of land into three (3) parcels of land for the purpose of constructing a grocery store and gas station. The grocery store will be situated on a 9.754-acre parcel of land identified as *Lot 1* and the gas station will be situated on a 0.550-acre parcel of land identified as *Lot 2*. The remaining 0.859-acre parcel of land is identified as *Lot 3* and will remain vacant.
- ✓ On April 20, 2015, the City Council approved a site plan request [*Case No. SP2015-007*] for the grocery store and gas station. The proposed plat layout conforms to the approved site plan.
- ✓ The surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for replats as stated in the *Subdivision Ordinance* in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

RECOMMENDATIONS:

Staff recommends approval of the final plat for *Lots 1, 2 & 3, Block A, Kroger 205 Addition* in conformance with the following conditions of approval:

1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;
2) Any construction resulting from the approval of this *replat* shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On July 28, 2015, the Planning & Zoning Commission approved a motion to recommend approval off the replat by a vote of 6-0, with Commissioner Conley absent.

City of Rockwall

Project Plan Review History

				Applied	7/7/2015	LM
Project Number	P2015-029	**Owner**	MAKKO, GOLIAD I LP	**Approved**		
Project Name	Kroger SH 205 & Quail Run	**Applicant**	WINKELMANN & ASSOC.	**Closed**		
Type	PLAT			**Expired**		
Subtype	REPLAT			**Status**	7/7/2015	LM
Status	STAFF REVIEW					

Site Address	**City, State Zip**	**Zoning**
QUAIL RUN	,	

Subdivision	**Tract**	**Block**	**Lot No**	**Parcel No**	**General Plan**
QUAIL RUN RETAIL	2	A	2	4717-000A-0002-00-0R	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	7/7/2015	7/14/2015	7/8/2015	1	APPROVED	
ENGINEERING	Amy Williams	7/7/2015	7/14/2015	7/9/2015	2	COMMENTS	See Markups
(7/9/2015 7:20 AM AW) See markups							
FIRE	Ariana Hargrove	7/7/2015	7/14/2015	7/8/2015	1	COMMENTS	see comment
(7/8/2015 3:54 PM AA) see Engineering comment on the labeling of the fire lane easement.							
GIS	Lance Singleton	7/7/2015	7/14/2015				See Comments
(7/22/2015 3:14 PM LS) 1. Please tie two corners to TX State Plane Coordinates - NAD83 North Central TX 4202 or tie to City Monumentation by Bearing/Distance. Note: R009 is missing or damaged. 2. Provide closure report and cad file in .dwg, .dxf. or .shp format 3. Addressing will be: Kroger Store - 1950 N Goliad St, Rockwall, TX 75087 Fuel Station - 1980 N Goliad St, Rockwall, TX 75087 Please contact GISGroup@rockwall.com with any questions.							
PLANNING	Ryan Miller	7/7/2015	7/14/2015	7/22/2015	15	COMMENTS	See Comments

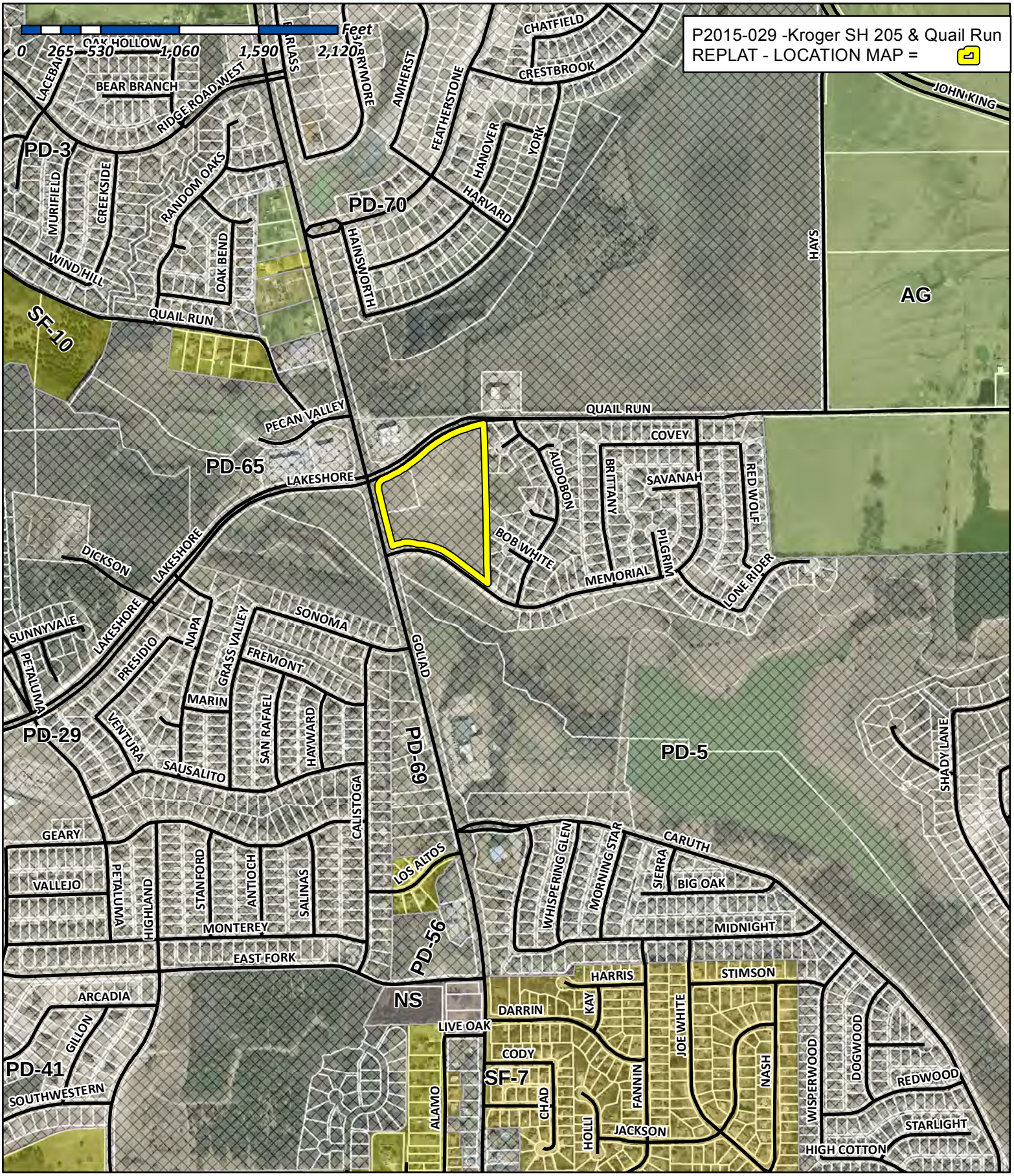
Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks

P2015-029 (Lots 1, 2 & 3, Block A, Kroger 205 Addition): Please address the following comments (M= Mandatory Comments; I = Informational Comments).

I.1 This is a request for the approval of a replat of 11.236-acre tract of land identified as Lots 2 & 3, Block A, Quail Run Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, and located at the southeast corner of E. Quail Run Road and SH-205.
I.2 For questions or comments concerning this case please contact Ryan Miller in the Planning Department at (972) 772-6441 or email rcmiller@rockwall.com.
M.3 For reference, include the case number (P2015-029) in the lower right hand corner of all pages on future submittals.
M.4 Please change the title block as follows:

Replat
Kroger 205 Addition
Lots 1, 2, & 3, Block A
Being a Replat of
Lots 2 & 3, Block A
Quail Run Retail Addition
Being 11.236-acres
Situated Within the S. S. McCurry Survey, Abstract No. 146 and
The J. H. B. Jones Survey, Abstract No. 124
City of Rockwall, Rockwall County, Texas

M.5 Change the Lot and Block designation of each lot to reflect Lots 1, 2, & 3, Block A.
M.6 Indicate the centerline of all adjacent streets.
M.7 In the dedication language select I or we/my or our not both.
M.8 Provide the appropriate statement indicating that no building permits will be issued until all public improvements are accepted by the City as provided in the development packet.
M.9 Move all text impairing the visibility of the boundaries of the easements.
I.10 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections, and provide any additional information that is requested. The Planning & Zoning meeting date for this case will be July 28, 2015.
I.11 The projected City Council meeting date and subsequent approvalfor this plat is August 3, 2015.



City of Rockwall

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

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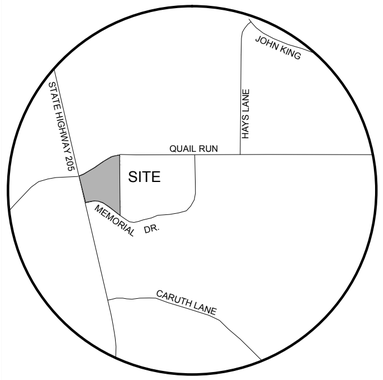
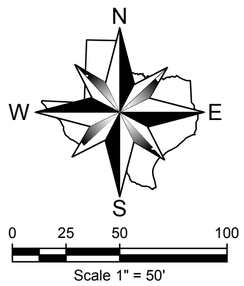


VICINITY MAP
NOT TO SCALE



CITY OF ROCKWALL, TEXAS - CONTROL MONUMENTATION
NAD-83 TX STATE PLANE, NORTH CENTRAL ZONE

MONUMENT NAME:	R008
NORTHING:	7,004,275.230
EASTING:	2,592,504.070
CONVERGENCE:	+1 06' 35.1745"
SCALE FACTOR:	0.999873743848

MONUMENT NAME:	R009
NORTHING:	7,036,908.399
EASTING:	2,592,046.946
CONVERGENCE:	+1 06' 31.8314"
SCALE FACTOR:	0.999873997269

MATCHLINE ~ SEE SHEET 2

ABBREVIATION LEGEND

ABBR.	DEFINITION
IRF	IRON ROD FOUND
CIRF	IRON ROD FOUND w/CAP
CIRS	1/2" IRON ROD w/ RED PLASTIC CAP "W.A.I."
XCS	"X" CUT IN CONCRETE SET
XCF	"X" CUT IN CONCRETE FOUND
PKS	PK NAIL SET
PKF	PK NAIL FOUND
CC#	COUNTY CLERK'S INSTRUMENT No.
CM	CONTROLLING MONUMENT
B. L.	BUILDING LINE

SHEET INDEX

NO.	DESCRIPTION
1	PROPOSED LOT AND EASEMENT CONFIGURATION
2	PROPOSED LOT AND EASEMENT CONFIGURATION; LINE AND CURVE TABLES
3	EXISTING LOT CONFIGURATION; EXISTING EASEMENTS ABANDONED BY THIS PLAT
4	EXISTING EASEMENTS ABANDONED BY THIS PLAT CONTINUED
5	OWNERS CERTIFICATE AND DEDICATION; SIGNATURE AND APPROVAL BLOCKS

CONSULTING ENGINEERS:
Winkelmann & Associates Inc.
6750 Hillcrest Plaza Drive
Suite 325
Dallas, TX 75230
(972) 490-7090

OWNER:
Kroger Texas L.P.
1331 E. Airport Frwy.
Irving, Texas 75602

REPLAT
KROGER 205 ADDITION
LOTS 1R, 2R, & 3R, BLOCK A
BEING A REPLAT OF LOTS 2 and 3, BLOCK A,
QUAIL RUN RETAIL
BEING 11.236 ACRES
S. S. MCCURRY SURVEY, ABSTRACT NO. 146 and
the J. H. B. JONES SURVEY, ABSTRACT NO. 124
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
CASE NUMBER #_____

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineer Registration No. 86
Texas Surveyor Registration No. 100566-00 (expires 12/31/2015

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S. S. MCCURRY, ABSTRACT NO. 146 and the J. H. B. JONES SURVEY, ABSTRACT NO. 124
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

KROGER TEXAS L.P.
1331 E. AIRPORT FRWY.
ROCKWALL COUNTY, TEXAS

REPLAT
KROGER 205 ADDITION
LOTS 1R, 2R, & 3R, BLOCK A
11.236 ACRES

Date : 07.02.15
Scale : 1" = 50'
File : 31585-PPLT
Project No. : 31585

SHEET 1 OF 6

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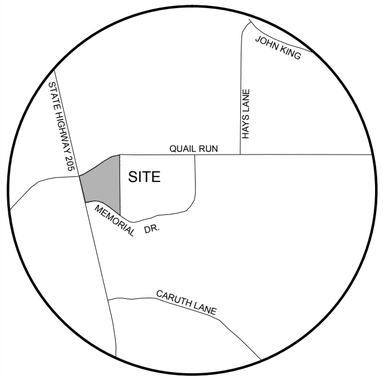
81



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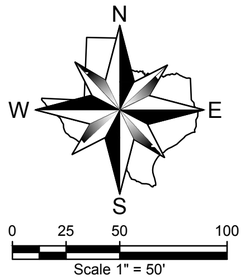
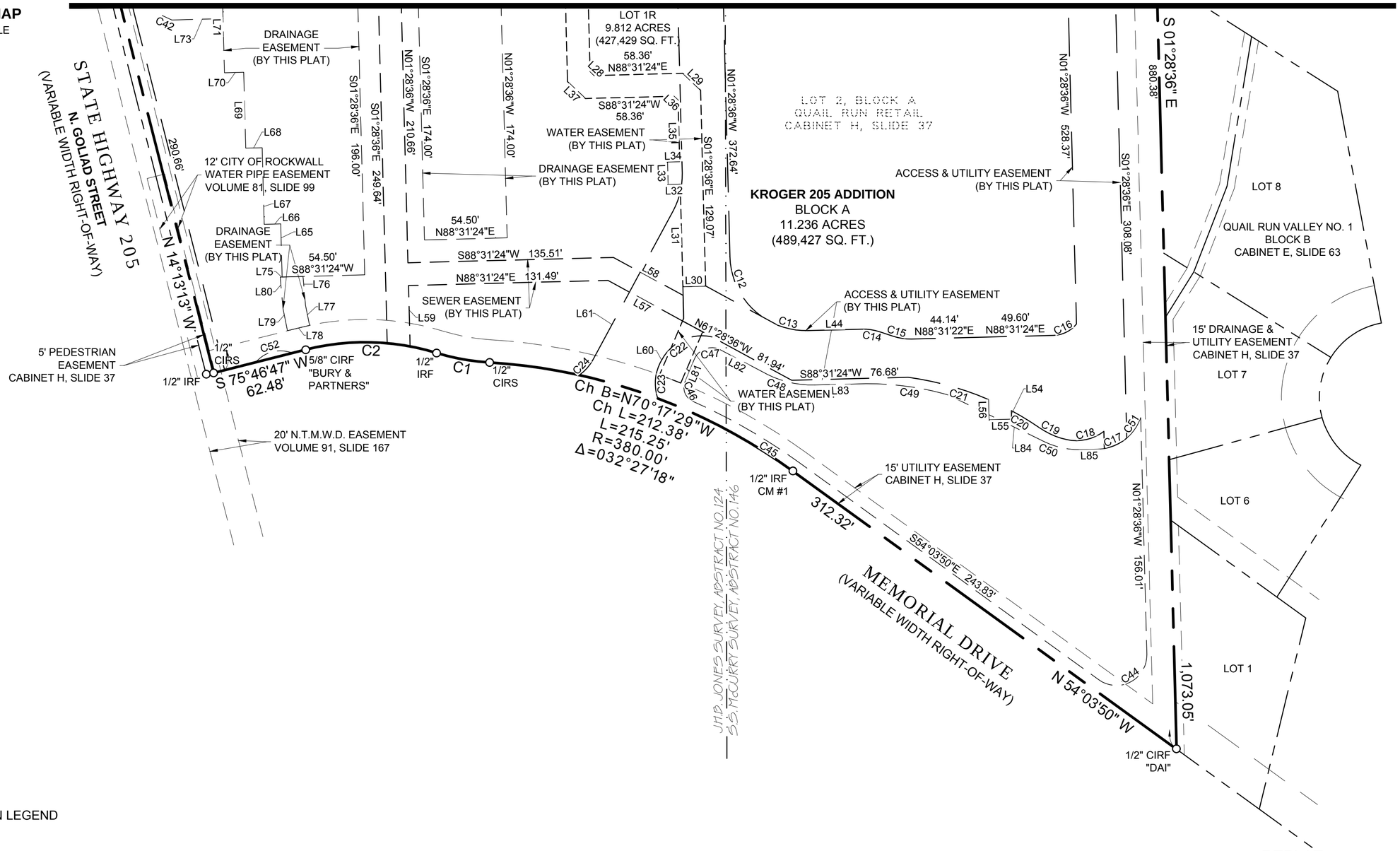


MATCHLINE ~ SEE SHEET 1



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Texas Engineers Registration No. 98
Texas Surveyors Registration No. 100805-00

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SHEET 2 OF 6

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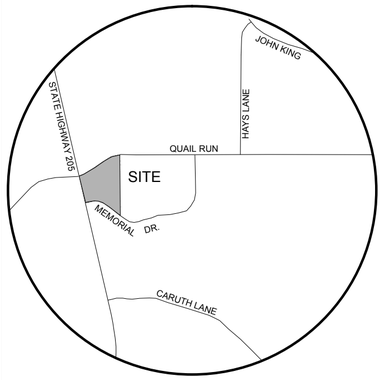

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NAD-83 TX STATE PLANE, NORTH CENTRAL ZONE

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MONUMENT NAME: R009
NORTHING: 7,036,908.399
EASTING: 2,592,046.946
CONVERGENCE: +1 06' 31.8314"
SCALE FACTOR: 0.999873997269

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N75°46'47"E	22.70'
L2	N88°50'49"E	18.00'
L3	N75°48'05"E	33.21'
L4	N14°13'11"W	9.50'
L5	S30°33'22"E	48.64'
L6	N88°31'24"E	9.65'
L7	S31°28'36"E	33.71'
L8	S88°31'24"W	11.55'
L9	S31°28'36"E	33.73'
L10	S88°31'24"W	20.64'
L11	S14°13'13"E	48.60'
L12	S01°28'36"E	11.00'
L13	S33°23'46"E	20.90'
L14	S33°23'46"E	47.90'
L15	N56°36'14"E	9.51'
L16	N88°31'28"E	58.33'
L17	N25°33'17"E	19.25'
L18	S88°31'28"W	21.04'
L19	S02°14'11"E	32.90'
L20	S87°45'49"W	15.00'

LINE TABLE		
LINE #	BEARING	DISTANCE
L21	N02°14'11"W	33.10'
L22	S88°31'28"W	14.39'
L23	S56°36'14"W	5.22'
L24	S33°23'46"E	19.20'
L25	S43°31'24"W	16.21'
L26	S43°31'24"W	3.79'
L27	S01°26'18"E	15.00'
L28	S46°28'36"E	3.79'
L29	S46°28'36"E	16.21'
L30	N88°31'24"E	15.00'
L31	N01°28'36"W	67.40'
L32	S88°34'58"W	8.12'
L33	N01°25'02"W	15.00'
L34	N88°34'58"E	8.10'
L35	N01°28'36"W	40.46'
L36	N46°28'36"W	3.79'
L37	N46°28'36"W	16.21'
L38	N43°31'24"E	16.21'
L39	N43°31'24"E	3.79'
L40	N01°28'36"W	66.78'

LINE TABLE		
LINE #	BEARING	DISTANCE
L41	N33°23'46"W	76.71'
L42	S36°28'25"E	3.31'
L43	N88°31'24"E	12.63'
L44	N88°31'24"E	35.61'
L45	N01°28'27"W	75.02'
L46	N88°31'23"E	22.50'
L47	S01°28'36"E	90.64'
L48	S64°26'43"E	13.04'
L49	S25°33'17"W	15.00'
L50	N64°26'43"W	5.39'
L51	N88°31'22"E	8.45'
L52	S01°28'38"E	15.00'
L53	S88°31'22"W	8.45'
L54	S01°28'36"E	5.74'
L55	S88°31'24"W	15.00'
L56	N01°28'36"W	13.47'
L57	S61°28'36"E	55.98'
L58	N61°28'36"W	52.24'
L59	N01°28'36"W	40.13'
L60	S28°19'18"W	2.55'

LINE TABLE		
LINE #	BEARING	DISTANCE
L61	S28°19'18"W	111.34'
L62	S23°56'27"W	20.71'
L63	S14°11'55"E	24.35'
L64	S36°28'25"E	43.79'
L65	N01°28'36"W	35.00'
L66	S88°31'24"W	10.90'
L67	N01°28'36"W	50.50'
L68	S88°31'24"W	10.90'
L69	N01°28'36"W	50.00'
L70	S88°31'24"W	12.70'
L71	N01°28'36"W	60.50'
L72	N88°31'24"E	89.00'
L73	N88°31'24"E	33.77'
L74	N88°31'24"E	30.40'
L75	S88°31'24"W	15.03'
L76	N05°03'58"W	19.19'
L77	N11°21'57"W	13.37'
L78	N75°46'47"E	8.46'
L79	S11°21'57"E	14.82'
L80	S05°03'58"E	20.96'

LINE TABLE		
LINE #	BEARING	DISTANCE
L81	S22°13'10"W	16.05'
L82	N62°29'04"W	31.64'
L83	S88°34'45"W	33.68'
L84	N64°01'31"W	67.91'
L85	S88°31'24"W	10.93'
L86	N29°58'29"W	16.16'
L87	N14°13'11"W	32.95'
L88	S75°46'49"W	57.67'
L89	N14°13'11"W	15.00'
L90	N75°46'49"E	72.67'
L91	S14°13'11"E	45.87'
L92	S29°58'29"E	14.08'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CH. L	CH. B
C1	13°33'50"	150.00'	35.51'	35.43'	N79°44'12"W
C2	31°16'05"	160.50'	87.59'	86.51'	N88°35'08"W
C3	58°17'36"	64.50'	65.62'	62.83'	N37°38'05"E
C4	5°55'49"	944.00'	97.71'	97.66'	N62°23'39"E
C5	44°21'10"	30.00'	23.22'	22.65'	S14°17'50"E
C6	56°57'39"	30.08'	29.90'	28.69'	S64°59'19"E
C7	27°01'54"	100.00'	47.18'	46.74'	N77°57'40"W
C8	124°45'56"	20.00'	43.56'	35.45'	S48°23'45"W
C9	11°20'29"	125.87'	24.92'	24.87'	N07°33'42"W
C10	25°25'44"	50.00'	22.19'	22.01'	N11°13'35"E
C11	25°25'44"	50.00'	22.19'	22.01'	S11°13'35"W
C12	52°51'04"	50.00'	46.12'	44.50'	S27°54'08"E
C13	22°51'04"	50.00'	19.94'	19.81'	S80°03'05"E
C14	19°53'21"	35.00'	12.15'	12.09'	N81°31'56"W
C15	19°53'23"	35.00'	12.15'	12.09'	S81°31'57"E
C16	49°41'06"	20.00'	17.34'	16.81'	N63°40'50"E
C17	30°37'56"	31.00'	16.57'	16.38'	N64°51'38"E
C18	49°27'54"	30.00'	25.90'	25.10'	N77°34'13"E
C19	22°12'01"	50.00'	19.37'	19.25'	S66°35'49"E
C20	6°18'10"	200.00'	22.00'	21.99'	N58°38'54"W

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CH. L	CH. B
C21	15°46'22"	200.00'	55.06'	54.88'	N74°31'18"W
C22	74°18'34"	30.00'	38.91'	36.24'	S65°28'37"W
C23	45°47'33"	29.98'	23.96'	23.33'	S03°41'56"W
C24	26°13'00"	30.00'	13.73'	13.61'	N41°25'48"E
C25	25°25'44"	80.00'	35.51'	35.21'	S11°13'35"W
C26	88°52'54"	20.00'	31.03'	28.01'	N47°02'09"W
C27	37°01'33"	20.00'	12.92'	12.70'	S70°00'37"W
C28	6°40'13"	959.00'	111.65'	111.58'	N54°49'57"E
C29	20°59'50"	50.00'	18.32'	18.22'	N68°39'59"E
C30	18°57'00"	50.00'	16.54'	16.46'	S69°41'24"W
C31	6°00'06"	953.00'	99.83'	99.78'	N63°12'57"E
C32	3°21'57"	929.00'	54.58'	54.57'	N64°17'01"E
C33	105°35'58"	20.00'	36.86'	31.86'	N09°48'03"E
C34	24°37'50"	29.92'	12.86'	12.76'	N55°52'20"W
C35	23°17'44"	30.00'	12.20'	12.11'	S02°41'42"E
C36	107°30'52"	20.00'	37.53'	32.26'	S68°06'01"E
C37	6°38'43"	929.00'	107.75'	107.69'	N54°49'12"E
C38	37°01'33"	50.00'	32.31'	31.75'	S70°00'37"W
C39	104°09'41"	20.00'	36.36'	31.56'	N36°26'33"E
C40	23°09'31"	102.89'	41.59'	41.30'	N27°21'51"W

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CH. L	CH. B
C41	41°44'28"	30.00'	21.86'	21.38'	N57°20'39"W
C42	4°53'04"	83.15'	7.09'	7.09'	N64°59'29"W
C43	14°52'04"	68.15'	17.68'	17.63'	N57°26'29"W
C44	127°24'46"	20.00'	44.48'	35.86'	N62°13'47"E
C45	11°59'18"	387.00'	80.97'	80.83'	N60°03'29"W
C46	83°24'52"	10.01'	14.58'	13.33'	S24°18'45"E
C47	91°53'13"	12.58'	20.17'	18.08'	S65°23'48"W
C48	31°12'36"	67.67'	36.86'	36.41'	S75°27'42"E
C49	15°24'13"	194.00'	52.16'	52.00'	N82°43'09"W
C50	27°27'05"	52.00'	24.91'	24.68'	S77°45'04"E
C51	30°19'40"	31.00'	16.41'	16.22'	N34°22'50"E
C52	52°52'23"	21.13'	19.49'	18.81'	S75°46'47"W
C53	15°48'01"	33.00'	9.10'	9.07'	N65°20'24"E
C54	25°40'45"	147.00'	65.88'	65.33'	N60°24'02"E
C55	15°47'59"	33.00'	9.10'	9.07'	N55°27'39"E
C57	1°08'24"	807.50'	16.07'	16.07'	N55°01'39"E

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SHEET
3
OF
6

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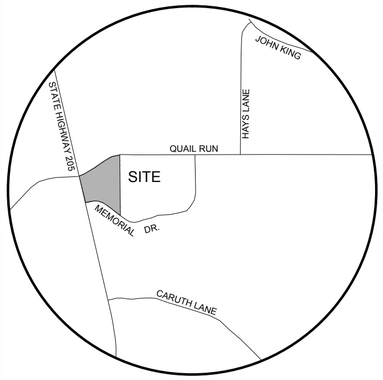
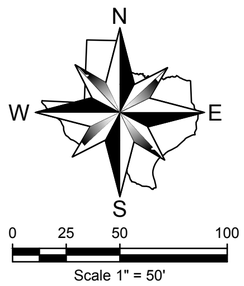


VICINITY MAP
NOT TO SCALE

CITY OF ROCKWALL, TEXAS - CONTROL MONUMENTATION
NAD-83 TX STATE PLANE, NORTH CENTRAL ZONE

MONUMENT NAME:	R008
NORTHING:	7,004,275.230
EASTING:	2,592,504.070
CONVERGENCE:	+1 06' 35.1745"
SCALE FACTOR:	0.999873743848

MONUMENT NAME:	R009
NORTHING:	7,036,908.399
EASTING:	2,592,046.946
CONVERGENCE:	+1 06' 31.8314"
SCALE FACTOR:	0.999873997269



MATCHLINE ~ SEE SHEET 4

ABBREVIATION LEGEND

ABBR.	DEFINITION
IRF	IRON ROD FOUND
CIRF	IRON ROD FOUND w/CAP
CIRS	1/2" IRON ROD w/ RED PLASTIC CAP "W.A.I."
XCS	"X" CUT IN CONCRETE SET
XCF	"X" CUT IN CONCRETE FOUND
PKS	PK NAIL SET
PKF	PK NAIL FOUND
CC#	COUNTY CLERK'S INSTRUMENT No.
CM	CONTROLLING MONUMENT
B. L.	BUILDING LINE

EASEMENT DIMENSIONS, DETAILS AND BOUNDARY TIES WILL BE ADDED TO THE PLAT ONCE THE FINAL LOCATIONS HAVE BEEN APPROVED BUT BEFORE THE PLAT IS FILED WITH THE COUNTY CLERK'S OFFICE.

CONSULTING ENGINEERS:
Winkelmann & Associates Inc.
6750 Hillcrest Plaza Drive
Suite 325
Dallas, TX 75230
(972) 490-7090

OWNER:
Kroger Texas L.P.
1331 E. Airport Frwy.
Irving, Texas 75602

REPLAT
KROGER 205 ADDITION
LOTS 1R, 2R, & 3R, BLOCK A
BEING A REPLAT OF LOTS 2 and 3, BLOCK A,
QUAIL RUN RETAIL
BEING 11.236 ACRES
S. S. MCCURRY SURVEY, ABSTRACT NO. 146 and
the J. H. B. JONES SURVEY, ABSTRACT NO. 124
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
CASE NUMBER #_____

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 98
Texas Surveyors Registration No. 100806-00
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S. S. MCCURRY, ABSTRACT NO. 146 and the J. H. B. JONES SURVEY, ABSTRACT NO. 124
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

KROGER TEXAS L.P.
1331 E. AIRPORT FRWY.
ROCKWALL COUNTY, TEXAS

REPLAT
KROGER 205 ADDITION
LOTS 1R, 2R, & 3R, BLOCK A
11.236 ACRES

Date : 07.02.15
Scale : 1" = 50'
File : 31585-PPLT
Project No. : 31585

SHEET 4 OF 6

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84

CITY OF ROCKWALL, TEXAS - CONTROL MONUMENTATION
NAD-83 TX STATE PLANE, NORTH CENTRAL ZONE

MONUMENT NAME:	R008
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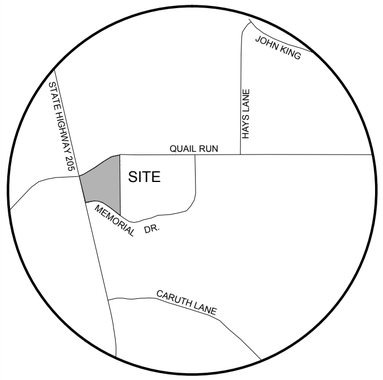
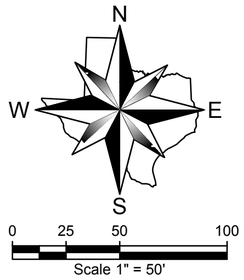
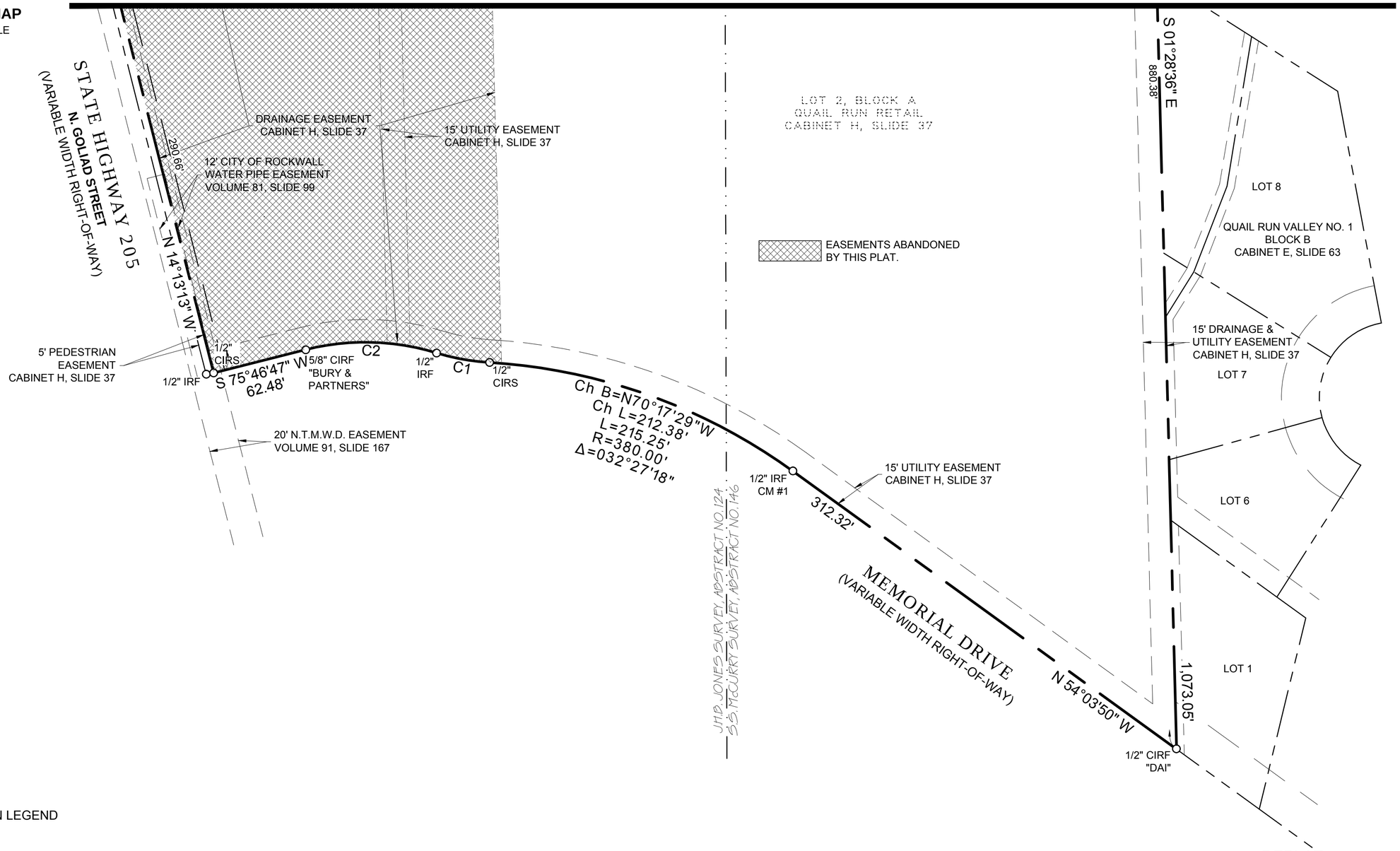


VICINITY MAP
NOT TO SCALE





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Winkelmann & Associates, Inc.
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6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12/31/2015
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S. S. MCCURRY, ABSTRACT NO. 146 and the J. H. B. JONES SURVEY, ABSTRACT NO. 124
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

KROGER TEXAS L.P.
1331 E. AIRPORT FRWY.
ROCKWALL COUNTY, TEXAS

REPLAT
KROGER 205 ADDITION
LOTS 1R, 2R, & 3R, BLOCK A
11.236 ACRES

Date : 07.02.15
Scale : 1" = 50'
File : 31585-PPLT
Project No. : 31585

SHEET 5 OF 6

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OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS Ä
COUNTY OF ROCKWALL Ä

WHEREAS, Kroger Texas L.P., being the owner of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING a tract of land situated in the S. S. MCCURRY SURVEY, ABSTRACT NO. 146 and the J. H. B. JONES SURVEY, ABSTRACT NO. 124, in the City of Rockwall, Rockwall County, Texas, being all of Lots 2 and 3, Block A, Quail Run Retail, an addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet H, Slide 37, Official Public Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red plastic cap stamped "W.A.I." set for corner at the Northeast end of a radial corner clip at the intersection of the Northeasterly right-of-way of State Highway 205 (N. Goliad Street), a variable width right-of-way with the Southeasterly right-of-way of Quail Run, a variable width rigaht-of-way, said point being the beginning of a curve to the left having a radius of 892.50 feet, a central angle of 19 deg 44 min 33 sec, a chord bearing of North 56 deg 54 min 23 sec East, and a chord length of 306.01 feet;

THENCE along said curve to the left, the Southeasterly right-of-way of said Quail Run, and the Northwesterly line of said Lot 2, an arc distance of 307.53 feet to a 1/2-inch iron rod found for corner, said point being the beginning of a curve to the right having a radius of 807.50 feet, a central angle of 33 deg 16 min 22 sec, a chord bearing of North 63 deg 40 min 17 sec East, and a chord length of 462.37 feet;

THENCE along said curve to the right, continuing along the Southeast right-of-way of said Quail Run and the Northwesterly line of said Lot 2, an arc distance of 468.93 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I." set for the Northwest corner of Lot 24, Block B, Quail Run Valley No. 1, an addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet E, Page 63, Official Public Records, Rockwall County, Texas, said point also being the Northeast corner of said Lot 2;

THENCE South 01 deg 28 min 36 sec East, departing the Southeast right-of-way of said Quail Run, along the West line of said Quail Run Valley No. 1 and the East line of said Lot 2, a distance of 1,073.05 feet to a 1/2-inch iron rod with plastic cap stamped "DAI" found for corner on the Northerly right-of-way of Memorial Drive, a variable width right-of-way, said point being the Southwest corner of Lot 1, Block B, of said Quail Valley Run No. 1 and the Southeast corner of said Lot 2;

THENCE North 54 deg 03 min 50 sec West, along the Northerly right-of-way of said Memorial Drive and the Southerly line of said Lot 2, a distance of 312.32 feet to a 1/2-inch iron rod found for corner, said point being the beginning of a curve to the left having a radius of 380.00 feet, a central angle of 32 deg 27 min 18 sec, a chord bearing of North 70 deg 17 min 29 sec West, and a chord length of 212.38 feet;

THENCE along said curve to the left, continuing along the Northerly right-of-way of said Memorial Drive and the Southerly line of said Lot 2,, an arc distance of 215.25 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I." set for corner and the beginning of a curve to the right having a radius of 150.00, a central angle of 13 deg 33 min 50 sec, a chord bearing of North 79 deg 44 min 12 sec West and a chord length of 35.43 feet;

THENCE along said curve to the right, continuing along Northerly right-of-way said Memorial Drive and the Southerly line of said Lot 2, an arc distance of 35.51 feet to a 1/2-inch iron rod found for corner, said point being the beginning of a curve to the left having a radius of 160.50 feet, a central angle of 31 deg 16 min 05 sec, a chord bearing of North 88 deg 35 min 08 sec West and a chord length of 86.51 feet;

THENCE along said curve to the left, continuing along the Northerly right-of-way of said Memorial Drive and the Southerly line of said Lot 2, an arc distance of 87.59 feet to a 5/8-inch iron rod with plastic cap stamped "BURY & PARTNERS" found for corner;

THENCE South 75 deg 46 min 47 sec West, continuing along Northerly right-of-way of said Memorial Drive and the Southerly line of said Lot 2, a distance of 62.48 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I." set for the Southwest corner of said Lot 2, said point being intersection of the Northerly right-of-way of said Memorial Drive with the Northeasterly right-of-way of said State Highway 205 as established by right-of-way dedication shown on said Quail Run Retail;

THENCE North 14 deg 13 min 13 sec West, departing the Northerly right-of-way of said Memorial Drive and along the Northeasterly right-of-way of said State Highway 205, a distance of 415.50 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I." set for corner, said point being the beginning of a non-tangent curve to the right (radial corner clip), having a radius of 64.50 feet, a central angle of 58 deg 17 min 36 sec, a chord bearing of North 37 deg 38 min 05 sec East and a chord length of 62.83 feet;

THENCE along said non-tangent curve to the right and said radial corner clip, an arc distance of 65.62 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 489,427 square feet or 11.236 acres of land, more or less.

Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 10th day of March, 2015, utilizing a G.P.S. measurement (NAD 83) from the GeoShack VRS Network.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS Ä
COUNTY OF ROCKWALL Ä

I (we) the undersigned owner(s) of the land shown on this plat, and designated herein as the **KROGER 205 ADDITION**, Lots 1R, 2R, & 3R, Block A, subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I (we) further certify that all other parties who have a mortgage or lien interest in the Kroger 205 Addition subdivision have been notified and signed this plat.

I (we) understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I (we) also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I (we) further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I (we), my (our) successors and assigns hereby waive any claim, damage, or cause of action that I (we) may have as a result of the dedication of exactions made herein.

KROGER TEXAS L.P., an Ohio limited partnership
By: KRGP INC., an Ohio corporation, its general partner

By:_____
Rick J. Landrum
Vice President of KRGP Inc.

STATE OF OHIO Ä
COUNTY OF HAMILTON Ä

Before me, the undersigned Notary Public in and for said county and state on this day personally appeared Rick J. Landrum, Vice President of KRGP Inc., an Ohio corporation and the general partner of Kroger Texas L.P., an Ohio limited partnership, and acknowledge that he executed this instrument on behalf of the corporation, which acted for the partnership.

Given upon my hand and seal of office this _____day of _____, 2015.

_____ _____
Notary Public in and for the State of Ohio My Commission Expires:

SURVEYOR'S CERTIFICATION

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS :

THAT I, Leonard J. Lueker, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

PRELIMINARY, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

_____
Leonard J. Lueker
Registered Professional Land Surveyor
Texas Registration No. 5714
Winkelmann & Associates, Inc.
6750 Hillcrest Plaza Drive, Suite 325
Dallas, Texas 75230
(972) 490-7090
l.lueker@winkelmann.com

Please note that the use of the word "CERTIFY" or "CERTIFICATE" used hereon constitutes an expression of professional opinion regarding those facts or findings which are the subject of the certification, and does not constitute a warranty or guarantee, either expressed or implied.

STATE OF TEXAS
COUNTY OF DALLAS

Before me, the undersigned authority, on this day personally appeared Leonard J. Lueker, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, 2015.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2015.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, _____.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

CONSULTING ENGINEERS:
Winkelmann & Associates Inc.
6750 Hillcrest Plaza Drive
Suite 325
Dallas, TX 75230
(972) 490-7090

OWNER:
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1331 E. Airport Frwy.
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REPLAT
KROGER 205 ADDITION
LOTS 1R, 2R, & 3R, BLOCK A,
BEING A REPLAT OF LOTS 2 and 3, BLOCK A,
QUAIL RUN RETAIL
BEING 11.236 ACRES
S. S. MCCURRY SURVEY, ABSTRACT NO. 146 and
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CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
CASE NUMBER #_____

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DALLAS, TEXAS 75230
(972) 490-7090
(972) 490-7099 FAX
Texas Engineers Registration No. 86
Texas Surveyors Registration No. 100805-00

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CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

KROGER TEXAS L.P.
1331 E. AIRPORT FRWY.
ROCKWALL COUNTY, TEXAS

REPLAT
KROGER 205 ADDITION
LOTS 1R, 2R, & 3R, BLOCK A
11.236 ACRES

Date : 07.02.15
Scale : N/A
File : 31585-PPLT
Project No. : 31585

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OF
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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 08/03/2015

APPLICANT: Mike Whittle on behalf of Rockwall Rental Properties, LP

AGENDA ITEM: **P2015-031** (Alliance Addition – Replat)

SUMMARY:

Discuss and consider a request by Mike Whittle on behalf of Rockwall Rental Properties, LP for the approval of a replat for Lot 13, Block 2, Alliance Addition, Phase 2 being a 0.571-acre parcel of land identified as Lot 4, Block 2, Alliance Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, addressed as 6540 Alliance Drive, and take any action necessary.

COMMENTS:

- The objective of the request is to replat a 0.571-acre parcel of land containing one lot. The replat is being proposed to establish the necessary easements in order to accommodate the development of this site. A site plan was approved in April of this year for a 4,918 sq. ft. single story office building.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions listed in the Recommendations section below.

- With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the request for final plat, staff would recommend the following conditions of approval:

A) All the technical comments from the Planning, Engineering and Fire Departments shall be addressed prior to the filing of this plat, including the following comments;

1. Adherence to Engineering and Fire Department standards.
2. Address all staff comments as listed in the Project Plan Review (see attached).

B) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning Commission Recommendation:

On July 28, 2015, the Planning and Zoning Commission recommended approval of the replat by a vote of 6 to 0 [Conley – absent].

City of Rockwall

Project Plan Review History

				Applied	7/17/2015	LM
Project Number	P2015-031	**Owner**	ROCKWALL, RENTAL PROPERTIES LP	**Approved**		
Project Name	Alliance Addition Ph 2 Lot 13, Blk 2	**Applicant**	MIKE WHITTLE	**Closed**		
Type	PLAT			**Expired**		
Subtype	FINAL			**Status**	7/17/2015	LM
Status	STAFF REVIEW					

Site Address	**City, State Zip**	
ALLIANCE DR	,	**Zoning**

Subdivision	**Tract**	**Block**	**Lot No**	**Parcel No**	**General Plan**
ALLIANCE ADDITION PH 2	4	2	4	3039-0002-0004-00-0R	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	7/17/2015	7/24/2015	7/20/2015	3	APPROVED	
ENGINEERING	Amy Williams	7/17/2015	7/24/2015	7/17/2015		COMMENTS	See Comment
(7/17/2015 12:56 PM AW) Add easement info to plat (see markup)							
FIRE	Ariana Hargrove	7/17/2015	7/24/2015				
GIS	Lance Singleton	7/17/2015	7/24/2015				
PLANNING	David Gonzales	7/17/2015	7/24/2015	7/23/2015	6	COMMENTS	See comments

Discuss and consider a request by Mike Whittle on behalf of Rockwall Rental Properties, LP for the approval of a replat for Lot 13, Block 2, Alliance Addition, Phase 2 being a 0.571-acre parcel of land identified as Lot 4, Block 2, Alliance Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, addressed as 6540 Alliance Drive, and take any action necessary.

The following staff comments are to be addressed and resubmitted no later than Tuesday, August 4, 2015 (four large copies [18" X 24" FOLDED] and one PDF version) for a subsequent review by staff.

1. Adherence to all Engineering and Fire Department standards shall be required.
2. Label as "Case No. P2015-031" on the lower right corner on all pages of the plat.
3. Tie two (2) corners to city monumentation.
4. Verify distance for bearing S 45.31.27 W along the eastern property line to legal description (discrepancy).

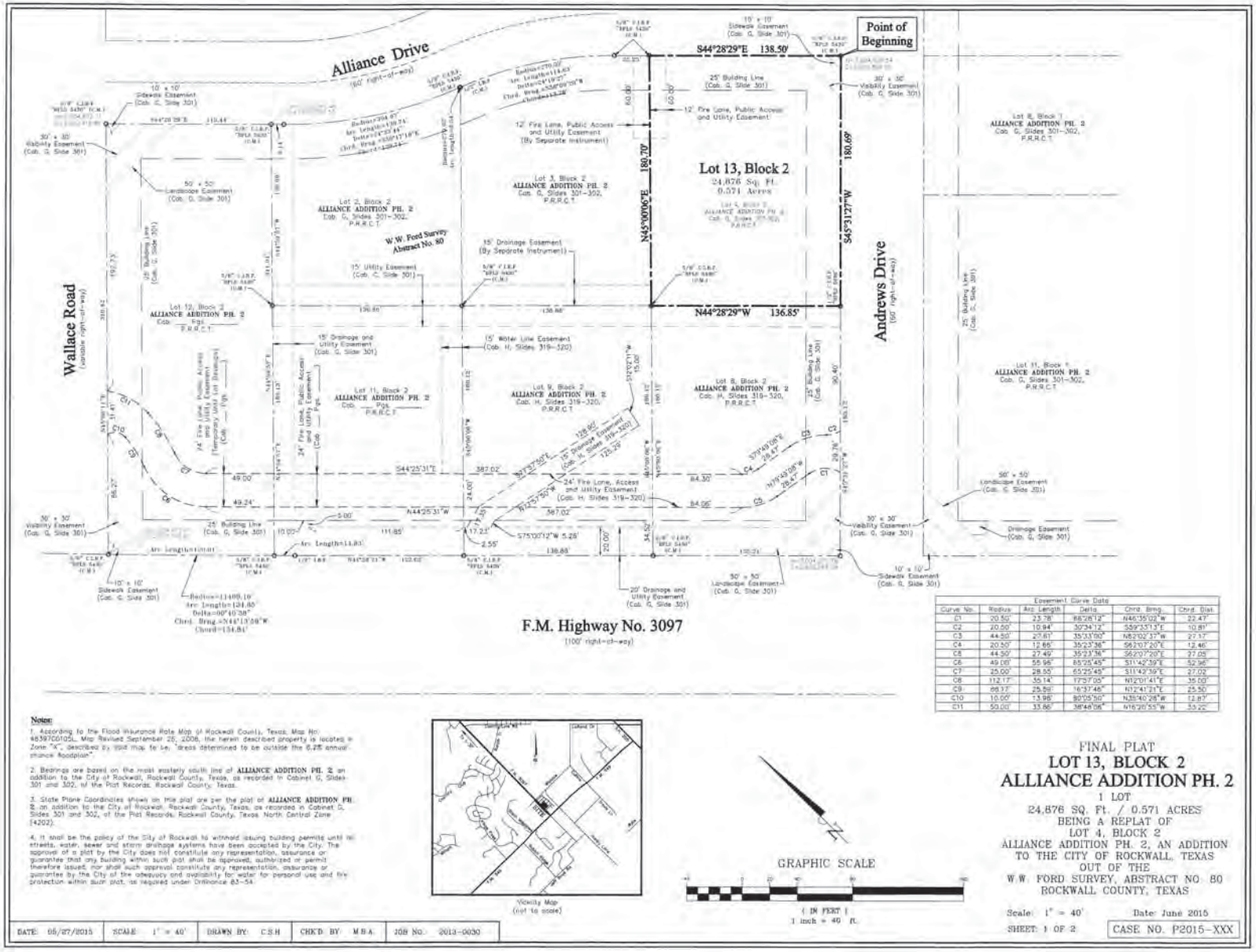
** As a note, this case will be placed on the Consent Agenda for approval by the Planning Commission and City Council; however, staff comments are to be addressed and all revisions resubmitted and approved by staff prior to plat submittal on mylar for filing purposes. **



City of Rockwall

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

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



Easement Curve Data					
Curve No.	Radius	Arc Length	Delta	Chrd. Brng.	Chrd. Dist.
C1	20.50'	23.78'	66°28'12"	N46°35'02"W	22.47'
C2	20.00'	10.94'	30°34'12"	S59°25'13"E	10.81'
C3	44.50'	27.61'	35°33'00"	N62°02'37"W	27.17'
C4	20.50'	12.66'	35°23'36"	S62°07'20"E	12.46'
C5	44.50'	27.49'	35°23'36"	S62°07'20"E	27.05'
C6	49.00'	55.95'	65°25'45"	S31°42'39"E	52.96'
C7	25.00'	28.55'	65°25'45"	S31°42'39"E	27.02'
C8	112.17'	35.14'	17°57'05"	N12°01'41"E	35.00'
C9	88.17'	25.59'	16°37'46"	N12°41'21"E	25.50'
C10	10.00'	13.96'	80°05'50"	N38°40'28"W	12.87'
C11	50.00'	33.86'	38°48'08"	N16°20'55"W	33.22'

Notes:

1. According to the Flood Insurance Rate Map of Rockwall County, Texas, Map No. 48397C0105L, Map Revised September 26, 2008, the herein described property is located in Zone "X", described by said map to be, "areas determined to be outside the 0.2% annual chance floodplain".

2. Bearings are based on the most easterly south line of **ALLIANCE ADDITION PH. 2** an addition to the City of Rockwall, Rockwall County, Texas, as recorded in Cabinet G, Slides 301 and 302, of the Plat Records, Rockwall County, Texas.

3. State Plane Coordinates shown on this plat are per the plat of **ALLIANCE ADDITION PH. 2**, an addition to the City of Rockwall, Rockwall County, Texas, as recorded in Cabinet G, Slides 301 and 302, of the Plat Records, Rockwall County, Texas. North Central Zone (4202).

4. It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

FINAL PLAT
LOT 13, BLOCK 2
ALLIANCE ADDITION PH. 2
1 LOT
24,876 SQ. Ft. / 0.571 ACRES
BEING A REPLAT OF
LOT 4, BLOCK 2
ALLIANCE ADDITION PH. 2, AN ADDITION
TO THE CITY OF ROCKWALL, TEXAS
OUT OF THE
W.W. FORD SURVEY, ABSTRACT NO. 80
ROCKWALL COUNTY, TEXAS

Scale: 1" = 40' Date: June 2015
SHEET: 1 OF 2 CASE NO. P2015-XXX

DATE: 06/27/2015	SCALE: 1" = 40'	DRAWN BY: C.S.H	CHK'D BY: M.B.A.	JOB NO.: 2013-0030

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NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We, ROCKWALL RENTAL PROPERTIES, L.P., the undersigned owners of the land shown on this plat, and designated herein as **LOT 13, BLOCK 2 – ALLIANCE ADDITION PH. 2** subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in **LOT 13, BLOCK 2 – ALLIANCE ADDITION PH. 2**, of this subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following:

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from an occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall, or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

Rockwall Rental Properties, L.P.

_____
Randall Noe – Owner

STATE OF TEXAS:
COUNTY OF ROCKWALL:

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Randall Noe, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this the ____ day of _____, 2015.

_____
Notary Public in and for the STATE OF TEXAS

OWNER:
Rockwall Rental Properties, L.P.
Contact: Mike Whittle
P.O. Box 369
Rockwall, Texas 75087
Phone (972) 771-5253

ENGINEER:
HELMBERGER ASSOCIATES, INC.
1525 Bozman Road
Wylie, Texas 75098
Contact: Stephen A. Helmberger, P.E.
Phone (972) 442-1459

SURVEYOR:
North Texas Surveying, LLC
1815 South McDonald St., Suite 110
McKinney, Texas 75069
Ph. (469) 424-2074
Fax (469) 424-1997
www.northtexassurveying.com

DATE: 05/27/2015	SCALE: 1" = 40'	DRAWN BY: C.S.H.	CHK'D BY: M.B.A.	JOB NO: 2013-0000

OWNER'S CERTIFICATION:

LEGAL DESCRIPTION:

BEING a tract of land situated in the City of Rockwall, Rockwall County, Texas, being in the W.W. Ford Survey, Abstract No. 80 and being all of Lot 4, Block 2, of **ALLIANCE ADDITION PH. 2**, an addition to the City of Rockwall, Rockwall County, Texas, as recorded in Cabinet G, Slides 301 and 302, of the Plat Records of Rockwall County, Texas (P.R.R.C.T.), said tract being more particularly described as follows:

BEGINNING at a 5/8" iron rod with a yellow plastic cap stamped "RPLS 5430" found (herein after referred to as a capped iron rod found) at the intersection of the northwesterly monumented line of Andrews Drive and the southwesterly monumented line of Alliance Drive, same being the most easterly corner of said Lot 4;

THENCE South 45°31'27" West, along the southeasterly line of said Lot 4, same being the northwesterly monumented line of Andrews Drive, a distance of 180.89', to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5686" found for the most southerly corner of said Lot 4, same being the most easterly corner of Lot 8, Block 2, of **ALLIANCE ADDITION PH. 2**, an addition to the City of Rockwall, as recorded in Cabinet H, Slides 319-320, P.R.R.C.T.;

THENCE North 44°28'29" West, along the common line between said Lot 4 and Lot 8, a distance of 136.85' to a capped iron rod found for the most westerly corner of said Lot 4, same being the most northerly corner of said Lot 8, said corner also being the most easterly corner of Lot 9, of said addition (H/319-320), and also being the most southerly corner of Lot 5, of said addition (G/301-302);

THENCE North 45°00'06" East, along the common line between said Lots 3 and 4, a distance of 180.70' to a capped iron rod found in the aforementioned southeasterly monumented line of Alliance Drive, same being the most northerly corner of said Lot 4, same being the most easterly corner of said Lot 3;

THENCE South 44°28'29" East, along said southwesterly monumented line of Alliance Drive, same being the northeasterly line of said Lot 4, a distance of 138.50' to the **POINT OF BEGINNING** and containing 24,876 square feet or 0.571 of one acre of land, more or less.

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Michael B. Arthur, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

_____
Michael B. Arthur
Registered Professional Land Surveyor
Texas Registration No. 5686

STATE OF TEXAS
REGISTERED
MICHAEL B. ARTHUR
5686
PROFESSIONAL
LAND SURVEYOR

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 2015.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this ____ day of _____, 2015.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

FINAL PLAT
LOT 13, BLOCK 2
ALLIANCE ADDITION PH. 2
1 LOT
24,876 SQ. FT. / 0.571 ACRES
BEING A REPLAT OF
LOT 4, BLOCK 2
ALLIANCE ADDITION PH. 2, AN ADDITION
TO THE CITY OF ROCKWALL, TEXAS
OUT OF THE
W.W. FORD SURVEY, ABSTRACT NO. 80
ROCKWALL COUNTY, TEXAS

Scale: 1" = 40' Date: June 2015
SHEET: 2 OF 2 CASE NO. P2015-XXX

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 08/03/2015

APPLICANT: Cameron Slown of FC Cuny Corporation

AGENDA ITEM: **P2015-032** (Temunovic Addition – Replat)

SUMMARY:

Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Lowdent LLC, Hall and Lee Land Company LLC, and Temunovic Partnership LTD for the approval of a replat for Lots 4, 5 & 6, Block A, Temonovic Addition being a 2.582-acre tract of land currently identified as Lots 1, 2 & 3, Block A, Temunovic Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 1320 & 1350 Summer Lee Drive, and take any action necessary.

COMMENTS:

- The objective of the request is to replat a 2.582-acre tract of land containing three (3) lots. The replat is being proposed to establish the necessary easements in order to accommodate the development of Lots 4 & 5. A site plan was approved in May of this year for single story medical office facilities for Lots 4 & 5.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions listed in the Recommendations section below.

- With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the request for final plat, staff would recommend the following conditions of approval:

A) All the technical comments from the Planning, Engineering and Fire Departments shall be addressed prior to the filing of this plat, including the following comments;

1. Adherence to Engineering and Fire Department standards.
2. Address all staff comments as listed in the Project Plan Review (see attached).

B) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning Commission Recommendation:

On July 28, 2015, the Planning and Zoning Commission recommended approval of the replat with staff conditions by a vote of 6 to 0 [Conley – absent].

City of Rockwall

Project Plan Review History

				Applied	7/20/2015	LM
Project Number	P2015-032	**Owner**	TEMUNOVIC, PARTNERSHIP LTD	**Approved**		
Project Name	Temunovic Addition	**Applicant**	FC CUNY CORPORATION	**Closed**		
Type	PLAT			**Expired**		
Subtype	REPLAT			**Status**	7/20/2015	LM
Status	STAFF REVIEW					

Site Address	**City, State Zip**	**Zoning**
3035 RIDGE RD	ROCKWALL, TX	

Subdivision	**Tract**	**Block**	**Lot No**	**Parcel No**	**General Plan**
HORIZON RIDGE ADDITION	4-9		4-9	0207-0000-0004-09-0R	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	7/20/2015	7/27/2015	7/21/2015	1	APPROVED	
ENGINEERING	Amy Williams	7/20/2015	7/27/2015	7/21/2015	1	COMMENTS	See markups and comments
(7/21/2015 11:23 AM AW) Need to have all dimensions labels on one sheet. Plat doesn't match engineering site plan Revise the utility easement for the sewer to match revisions requested on engineering markups Make sure you show all existing easements on all sheets. FYI (again from site plan approval) Summer Lee sidewalk assessment=$19.33/lf 12" water line assessement along Summer Lee=$38.80/lf Summer Lee roadway assessment=$95.12/lf 4% engineering fees							
FIRE	Ariana Hargrove	7/20/2015	7/27/2015				
GIS	Lance Singleton	7/20/2015	7/27/2015				
PLANNING	David Gonzales	7/20/2015	7/27/2015	7/23/2015	3	COMMENTS	See comments

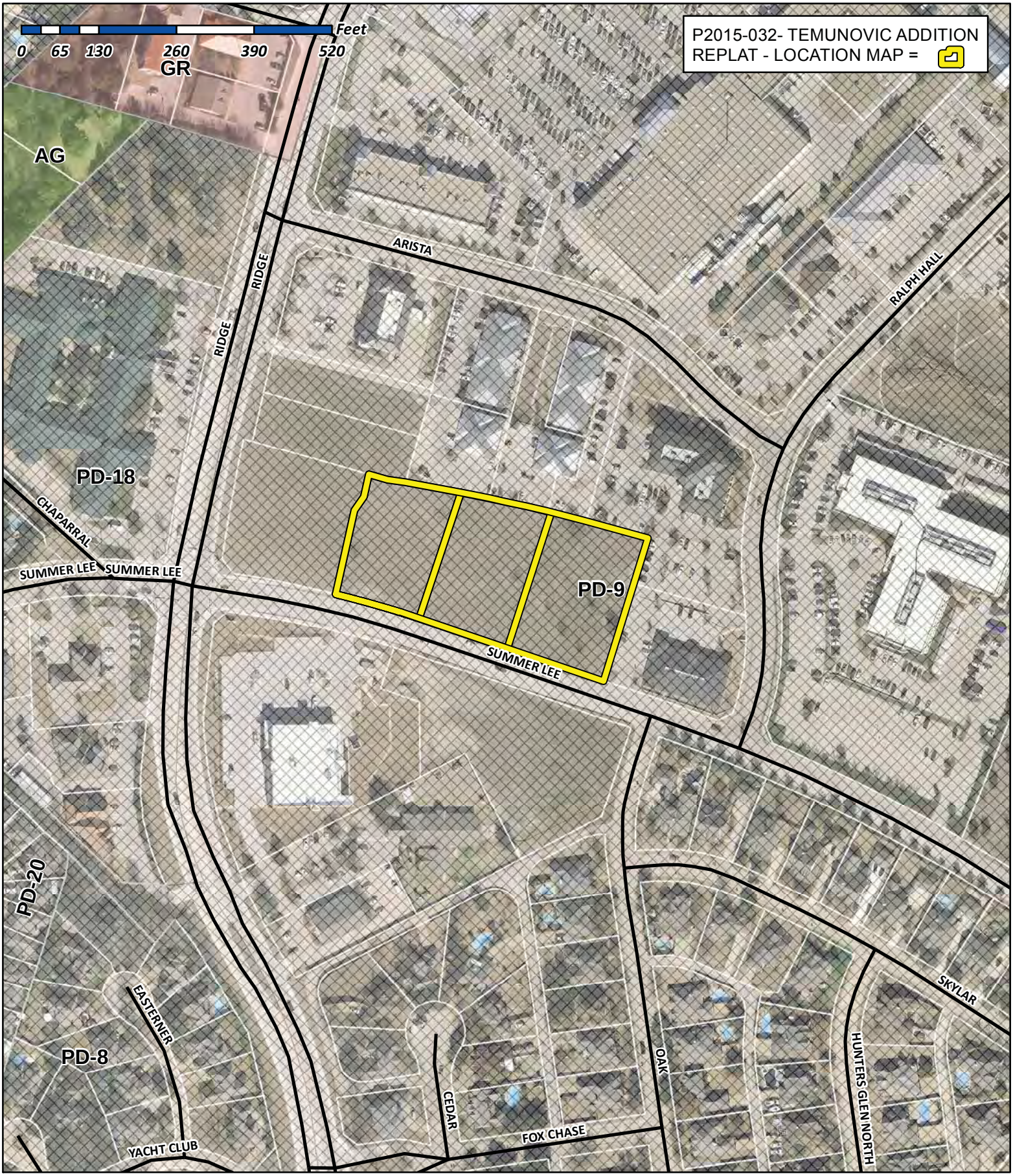
Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks

Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Lowdent LLC, Hall and Lee Land Company LLC, and Temunovic Partnership LTD for the approval of a replat for Lots 4, 5 & 6, Block A, Temonovic Addition being a 2.582-acre tract of land currently identified as Lots 1, 2 & 3, Block A, Temunovic Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 1320 & 1350 Summer Lee Drive, and take any action necessary.

The following staff comments are to be addressed and resubmitted no later than Tuesday, August 4, 2015 (four large copies [18" X 24" FOLDED] and one PDF version) for a subsequent review by staff.

1. Adherence to all Engineering and Fire Department standards shall be required.
2. Provide a label indicating "Case No. P2015-032" on the lower right corner on all pages of the plat.
3. Change Title Block from Replat to "Final Plat" and have it read as follows: Final Plat, Temunovic Addition, Lot 4, 5, and 6 Block A, Being a replat of all of Lots 1, 2, and 3 Block A of the Temunovic Addition,...P.R.R.C.T...
4. Lot numbers on plat are to reflect new lot numbers; relabel as Lot 4 Block A, Lot 5 Block A, and Lot 6 Block A.
5. Relabel all access easements where indicated to read "Public Access Easement" on plat.
6. Page 2 is essentially the same as page 1 with the exception of the call outs data table. Reduce to a two (2) page plat and relocate data table.
7. Use the Standard City Signature Block (P&Z, City Council, Mayor, City Engineer, and City Secretary signatures) and not the administrative approval block as indicated.

** As a note, this case will be placed on the Consent Agenda for approval by the Planning Commission and City Council; however, staff comments are to be addressed and all revisions resubmitted and approved by staff prior to plat submittal on mylar for filing purposes. **



City of Rockwall

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

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

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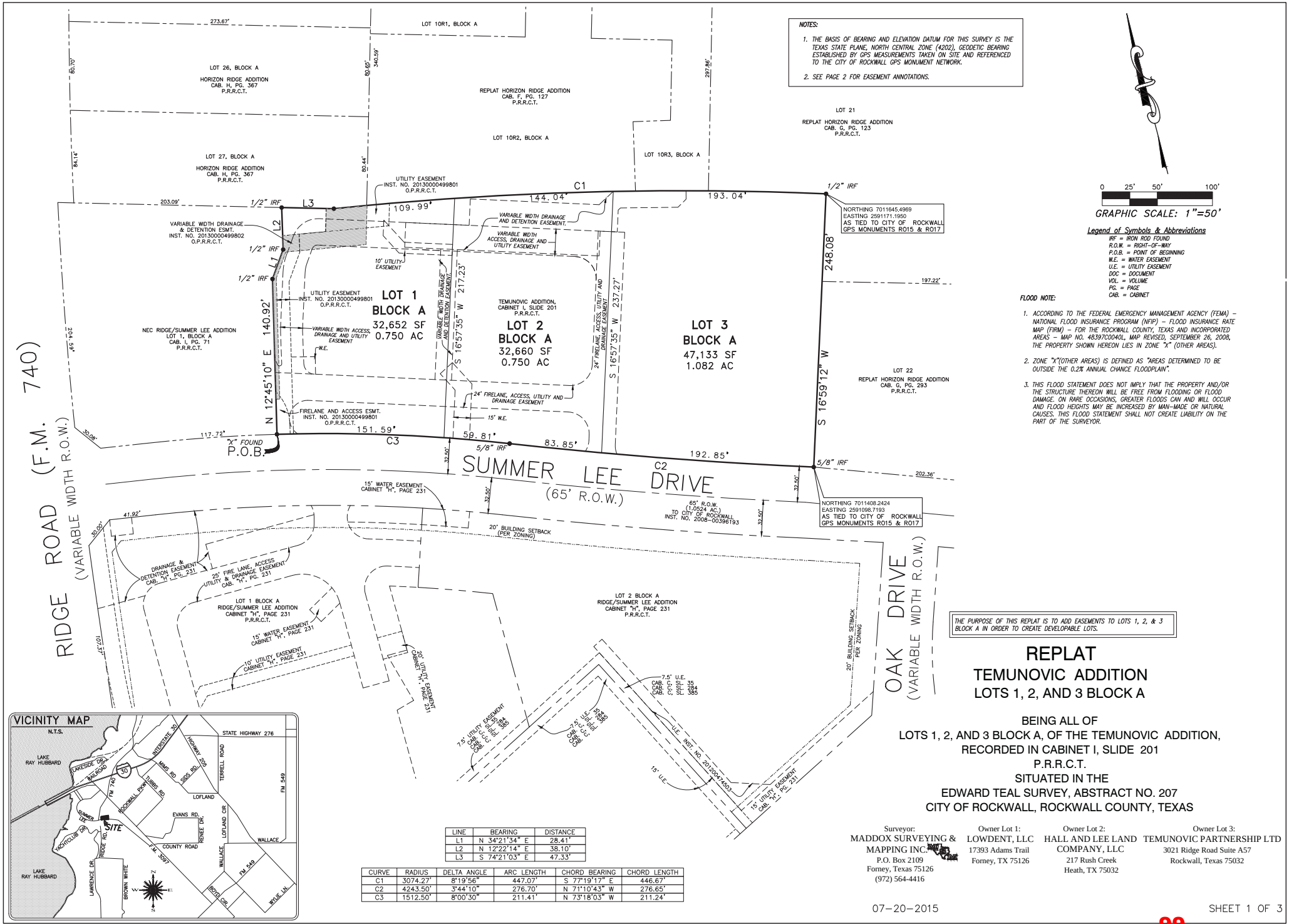

LINE	BEARING	DISTANCE
L1	N 34°21'34" E	28.41'
L2	N 12°22'14" E	38.10'
L3	S 74°21'03" E	47.33'

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	3074.27'	8°19'56"	447.07'	S 77°19'17" E	446.67'
C2	4243.50'	3°44'10"	276.70'	N 71°10'43" W	276.65'
C3	1512.50'	8°00'30"	211.41'	N 73°18'03" W	211.24'

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0 15 30 60

GRAPHIC SCALE: 1"=30'

Legend of Symbols & Abbreviations

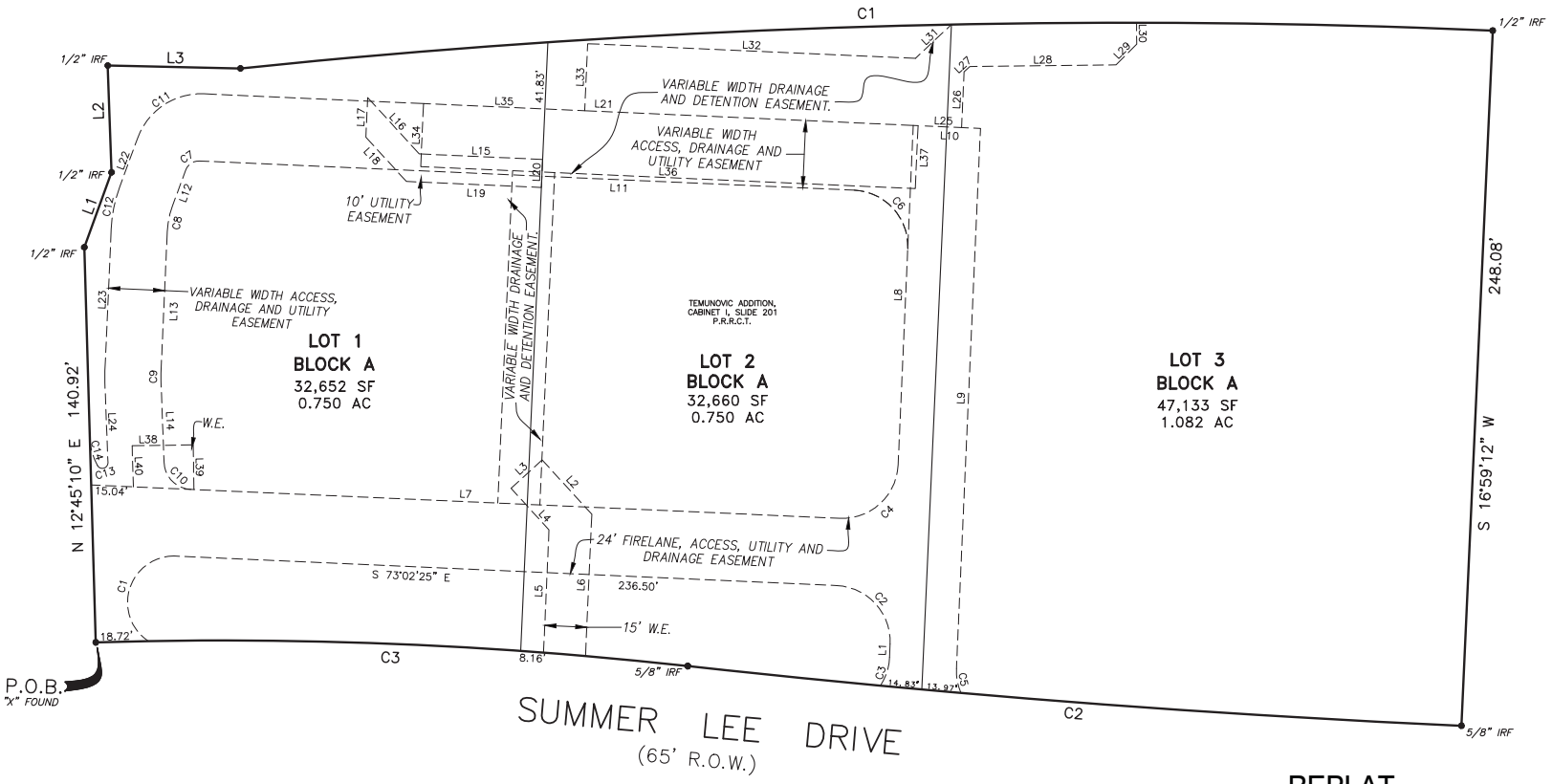
IRF = IRON ROD FOUND
R.O.W. = RIGHT-OF-WAY
P.O.B. = POINT OF BEGINNING
U.E. = UTILITY EASEMENT
DOC = DOCUMENT
VOL. = VOLUME
PG. = PAGE
CAB. = CABINET

BOUNDARY LINE TABLE

LINE	BEARING	DISTANCE
L1	N 34°21'34" E	28.41'
L2	N 12°22'14" E	38.10'
L3	S 74°21'03" E	47.33'

BOUNDARY CURVE TABLE

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	3074.27'	8°19'56"	447.07'	S 77°19'17" E	446.67'
C2	4243.50'	3°44'10"	276.70'	N 71°10'43" W	276.65'
C3	1512.55'	8°00'30"	211.41'	N 73°18'03" W	211.24'



LINE	BEARING	DISTANCE
L1	S 16°57'35" W	4.73'
L2	N 28°02'25" W	26.25'
L3	S 61°57'35" W	15.00'
L4	S 28°02'25" E	20.04'
L5	S 16°57'35" W	43.83'
L6	S 16°57'35" W	50.58'
L7	S 73°02'25" E	267.07'
L8	N 16°57'35" E	121.10'
L9	N 16°57'35" E	192.75'
L10	N 73°02'25" W	24.00'
L11	N 73°02'25" W	233.68'
L12	S 34°36'17" W	13.71'
L13	S 16°57'35" W	50.58'
L14	S 12°13'21" W	29.33'
L15	N 73°02'25" W	44.02'
L16	N 28°02'25" W	27.24'
L17	S 16°57'35" W	14.14'
L18	S 28°02'25" E	21.38'
L19	S 73°02'25" E	48.16'
L20	N 16°57'35" E	10.00'
L21	N 73°02'25" W	253.13'
L22	S 34°36'17" W	18.64'
L23	S 16°57'35" W	50.58'
L24	S 12°13'21" W	28.61'
L25	S 73°02'25" E	13.02'
L26	N 16°57'35" E	19.89'
L27	N 61°57'35" E	2.80'
L28	S 76°13'43" E	52.15'
L29	N 59°15'15" E	10.39'
L30	N 14°15'15" E	7.63'
L31	N 61°13'00" E	17.58'
L32	S 73°02'25" E	117.00'
L33	N 16°57'35" E	23.93'
L34	N 16°57'35" E	22.50'
L35	S 73°02'25" E	57.50'
L36	N 73°02'25" W	176.50'
L37	S 16°57'35" W	22.50'
L38	S 76°26'09" E	21.77'
L39	S 13°33'51" W	15.92'
L40	S 12°45'10" W	14.64'

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	16.54'	146°24'55"	42.28'	N 31°10'01" E	31.68'
C2	20.00'	90°00'00"	31.42'	S 28°02'25" E	28.28'
C3	20.00'	30°44'51"	10.73'	S 32°20'01" W	10.60'
C4	19.92'	90°26'52"	31.45'	N 61°57'35" E	28.28'
C5	20.00'	25°31'22"	8.91'	N 04°11'54" E	8.84'
C6	20.00'	90°00'00"	31.42'	N 28°02'25" W	28.28'
C7	5.00'	72°21'18"	6.31'	S 70°46'56" W	5.90'
C8	30.00'	17°38'42"	9.24'	S 25°46'56" W	9.20'
C9	30.00'	4°44'14"	2.48'	S 14°35'28" W	2.48'
C10	10.00'	85°15'46"	14.88'	S 30°24'32" E	13.55'
C11	24.00'	72°21'18"	30.31'	S 70°46'56" W	28.33'
C12	50.00'	17°38'42"	15.40'	S 25°46'56" W	15.34'
C13	2.00'	152°59'04"	5.34'	N 88°42'53" E	3.89'
C14	21.36'	26°17'21"	9.80'	S 01°38'55" E	9.72'

REPLAT

TEMUNOVIC ADDITION

LOTS 1, 2, AND 3 BLOCK A

BEING ALL OF
LOTS 1, 2, AND 3 BLOCK A, OF THE TEMUNOVIC ADDITION,
RECORDED IN CABINET I, SLIDE 201
P.R.R.C.T.
SITUATED IN THE
EDWARD TEAL SURVEY, ABSTRACT NO. 207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Surveyor:
MADDOX SURVEYING & MAPPING INC.
P.O. Box 2109
Forney, Texas 75126
(972) 564-4416

Owner Lot 1:
LOWDENT, LLC
17393 Adams Trail
Forney, TX 75126

Owner Lot 2:
HALL AND LEE LAND COMPANY, LLC
217 Rush Creek
Heath, TX 75032

Owner Lot 3:
TEMUNOVIC PARTNERSHIP LTD
3021 Ridge Road Suite A57
Rockwall, Texas 75032

NOTES:

THE BASIS OF BEARING AND ELEVATION DATUM FOR THIS SURVEY IS THE TEXAS STATE PLANE, NORTH CENTRAL ZONE (4202), GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS TAKEN ON SITE AND REFERENCED TO THE CITY OF ROCKWALL GPS MONUMENT NETWORK.

THE PURPOSE OF THIS REPLAT IS TO ADD EASEMENTS TO LOTS 1, 2, & 3 BLOCK A IN ORDER TO CREATE DEVELOPABLE LOTS.

07-20-2015

OWNERS DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS}
COUNTY OF ROCKWALL}

That we the undersigned owner's of the land shown on this plat, and designated herein as the TEMUNOVIC ADDITION to the City of Rockwall, Texas, and whose name's are subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. we further certify that all other parties who have a mortgage or lien interest in the TEMUNOVIC ADDITION have been notified

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwalls West regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall, or until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We and our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

_____
LOWDENT, LLC
LOT 1 OWNER

_____
HALL AND LEE LAND COMPANY, LLC
LOT 2 OWNER

_____
TEMUNOVIC PARTNERSHIP LTD
LOT 3 OWNER

NOTES:

THE BASIS OF BEARING AND ELEVATION DATUM FOR THIS SURVEY IS THE TEXAS STATE PLANE, NORTH CENTRAL ZONE (4202), GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS TAKEN ON SITE AND REFERENCED TO THE CITY OF ROCKWALL GPS MONUMENT NETWORK.

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.
Given upon my hand and seal of office this _____day of _____, 2015.

_____
Notary Public in and for the State of Texas

_____
My Commission Expires:

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.
Given upon my hand and seal of office this _____day of _____, 2015.

_____
Notary Public in and for the State of Texas

_____
My Commission Expires:

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.
Given upon my hand and seal of office this _____day of _____, 2015.

_____
Notary Public in and for the State of Texas

_____
My Commission Expires:

APPROVED

I hereby certify that the above and foregoing replat of TEMUNOVIC ADDITION to the City of Rockwall, Texas was approved by the City Council of the City of Rockwall on the _____ day of _____, 2015.

This approval shall be invalid unless the approved Plat for such Addition is recorded in the office of the County Clerk of Rockwall County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

_____ _____
Director of Planning *City Engineer*

SURVEYORS CERTIFICATE

I, HEREBY CERTIFY, THAT I PREPARED THIS SURVEY PLAT SHOWN HEREON FROM AN ACTUAL SURVEY ON THE GROUND BY ME AND THAT ALL CORNERS ARE MARKED, AND THAT ALL DIMENSIONS SHOWN THEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND FURTHERMORE THERE ARE NO ENCROACHMENTS, PROTRUSIONS, IMPROVEMENTS, EASEMENTS, RIGHT-OF- WAY, OR 100 YEAR FLOOD PLAIN AFFECTING THE PROPERTY EXCEPT AS SHOWN THEREON.

WITNESS UNDER MY HAND THIS THE _____ DAY OF _____, 2015.

_____
BRIAN J. MADDOX, R.P.L.S. NO. 5430

OWNERS CERTIFICATE

STATE OF TEXAS}
COUNTY OF ROCKWALL}

WHEREAS, Lowdent, LLC . Lee Land Company, LLC, and Temunovic Partnership, LTD, Hall are the owners of three tracts of land in the Edward Teal Survey, Abstract No. 207, situated in the City of Rockwall, in Rockwall County, recorded as lots 1, 2, and 3 of The Temunovic Addition, an addition to The City of Rockwall, Texas as recorded in Cabinet I Slide 201 of the Plat Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING at an "X" cut found for the south corner of NEC Ridge/Summer Lee addition, an addition to The City of Rockwall, Texas recorded in Cabinet I, Slide 71, Plat Records Rockwall County, Texas, said point also lying on the northerly line of Summer Lee Drive, (a called 65' right-of-way);

THENCE North 12 degrees 45 minutes 10 seconds East along the easterly line of said NEC addition, a distance of 140.92 feet to a 1/2 inch iron rod found for corner;

THENCE North 34 degrees 21 minutes 34 seconds East continuing along the easterly line of said NEC addition a distance of 28.41 feet to a 1/2 inch iron rod found for corner;

THENCE North 12 degrees 22 minutes 14 seconds East continuing along the easterly line of said NEC addition a distance of 38.10 feet to a 1/2 inch iron rod with cap stamped "KAZ" found for the east corner of said NEC addition, same lying on the southerly line of Lot 27, Block A, of the replat of lot 13R called Lots 26 & 27, Block A, Horizon Ridge Addition, an addition to The City of Rockwall, Texas recorded in Cabinet H, Slide 367, Plat Records Rockwall County, Texas ;

THENCE South 74 degrees 21 minutes 03 seconds East along the southerly line of said Lot 27 a distance of 47.33 feet to a 1/2 inch iron rod found for corner at the beginning of a curve to the right;

THENCE with said curve to the right having a radius of 3074.27 feet, a central angle of 08 degrees 19 minutes 56 seconds, an arc length of 447.07 feet, a chord bearing of South 77 degrees 19 minutes 17 seconds East a distance of 446.67 feet to a 1/2 inch iron rod found for an inner ell corner of Lot 21 of Replat Horizon Ridge Addition, an addition to The City of Rockwall, Texas recorded in Cabinet G, Slide 123, Plat Records Rockwall County, Texas;

THENCE South 16 degrees 59 minutes 12 seconds West a distance of 248.08 feet to a 5/8 inch iron rod found for the west corner of Lot 22 of Replat Horizon Ridge Addition, an addition to The City of Rockwall, Texas recorded in Cabinet G, Slide 293, Plat Records Rockwall County, Texas, said point also lying on the aforementioned northerly line of Summer Lee Drive and at the beginning of a curve to the right;

THENCE with said curve to the right and along the northerly line of said Summer Lee Drive having a radius of 4243.50 feet, a central angle of 03 degrees 44 minutes 10 seconds, an arc length of 276.70 feet, a chord bearing of North 71 degrees 10 minutes 43 seconds West a distance of 276.65 feet to a 5/8 inch iron rod found for corner at the beginning of a reverse curve to the left;

THENCE with said reverse curve to the left and continuing along the northerly line of said Summer Lee Drive having a radius of 1512.55 feet, a central angle of 08 degrees 00 minutes 30 seconds, an arc length of 211.41 feet, a chord bearing of North 73 degrees 18 minutes 03 seconds West a distance of 211.24 feet to the POINT OF BEGINNING containing 112,445 square Feet, or 2.581 acres of land.

THE PURPOSE OF THIS REPLAT IS TO ADD EASEMENTS TO LOTS 1, 2, & 3 BLOCK A IN ORDER TO CREATE DEVELOPABLE LOTS.

REPLAT
TEMUNOVIC ADDITION
LOTS 1, 2, AND 3 BLOCK A

BEING ALL OF
LOTS 1, 2, AND 3 BLOCK A, OF THE TEMUNOVIC ADDITION,
RECORDED IN CABINET I, SLIDE 201
P.R.R.C.T.
SITUATED IN THE
EDWARD TEAL SURVEY, ABSTRACT NO. 207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Surveyor:
MADDOX SURVEYING & MAPPING INC.
P.O. Box 2109
Forney, Texas 75126
(972) 564-4416

Owner Lot 1:
LOWDENT, LLC
17393 Adams Trail
Forney, TX 75126

Owner Lot 2:
HALL AND LEE LAND COMPANY, LLC
217 Rush Creek
Heath, TX 75032

Owner Lot 3:
TEMUNOVIC PARTNERSHIP LTD
3021 Ridge Road Suite A57
Rockwall, Texas 75032

07-20-2015

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 08/03/2015

APPLICANT: Cameron Slown, *FC Cuny Corporation*

AGENDA ITEM: **P2015-033**; *Lot 1, Block A, Marriott Addition*

SUMMARY:

Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Lakefront Trail Rockwall Hotel, LP for the approval of a replat for Lot 1, Block A, Marriott Addition being a 2.968-acre tract of land identified as a portion of Lot 3A, Block A, Shoreline Plaza Addition and all of Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary.

PLAT COMMENTS:

- ✓ The objective of this request is to replat two (2) existing parcels of land into one (1), 2.968-acre parcel of land for the purpose of constructing a Marriott Springhill Suites hotel. The proposed plat conforms to the site plan that was approved by the Planning & Zoning Commission on February 10, 2015 under *Case No. SP2014-034*.
- ✓ As part of this replat the applicant will be dedicating the remainder of the right-of-way needed for Lakefront Trail and Harbor Heights Drive.
- ✓ The surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for replats as stated in the *Subdivision Ordinance* in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

RECOMMENDATIONS:

Staff recommends approval of the final plat for *Lot 1, Block A, Marriott Addition* in conformance with the following conditions of approval:

1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

2) Any construction resulting from the approval of this *replat* shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On July 28, 2015, the Planning & Zoning Commission approved a motion to recommend approval of the replat by a vote of 6-0, with Commissioner Conley absent.

City of Rockwall

Project Plan Review History

				Applied	7/22/2015	LM
Project Number	P2015-033	**Owner**	LAKEFRONT TRAIL ROCKWALL HOTEL, LP	**Approved**		
Project Name	Marriott Addition	**Applicant**	FC CUNY CORPORATION	**Closed**		
Type	PLAT			**Expired**		
Subtype	REPLAT			**Status**	7/22/2015	LM
Status	STAFF REVIEW					

Site Address	**City, State Zip**	**Zoning**
2601 LAKEFRONT TRL	Rockwall, TX 75032	

Subdivision	**Tract**	**Block**	**Lot No**	**Parcel No**	**General Plan**
HENRY AFRICA SUBD	3A	A	3A	4941-000A-0003-A0-0R	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	7/22/2015	7/29/2015	7/23/2015	1	APPROVED	
ENGINEERING	Amy Williams	7/22/2015	7/29/2015	7/23/2015	1	COMMENTS	See Comment
(7/23/2015 3:21 PM AW) Make a detail to enlarge the SE corner...hard to see easements							
FIRE	Ariana Hargrove	7/22/2015	7/29/2015				
GIS	Lance Singleton	7/22/2015	7/29/2015	7/24/2015	2	APPROVED	
(7/24/2015 8:50 AM LS) Address wil be: 2601 LAKEFRONT TRL, ROCKWALL, TX 75032							
PLANNING	Ryan Miller	7/22/2015	7/29/2015	7/23/2015	1	APPROVED W/ CONDITIONS	See Comments

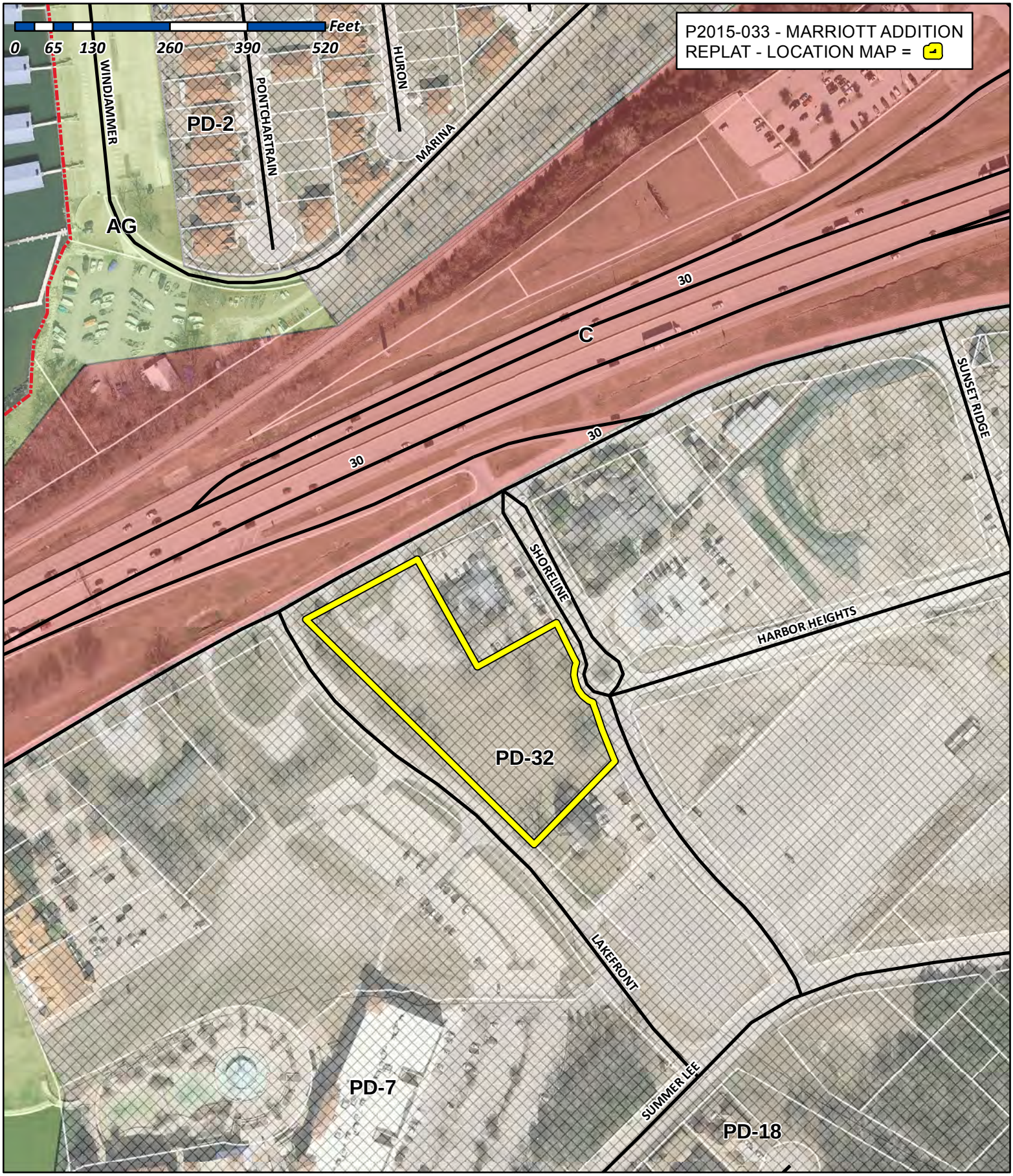
Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks

P2015-033 (Lots 1, Block A, Marriott Addition): Please address the following comments (M= Mandatory Comments; I = Informational Comments).

I.1 This is a request for the approval of a replat for Lot 1, Block A, Marriott Addition being a 2.968-acre tract of land identified as a portion of Lot 3A, Block A, Shoreline Plaza Addition and all of Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary.
I.2 For questions or comments concerning this case please contact Ryan Miller in the Planning Department at (972) 772-6441 or email rcmiller@rockwall.com.
M.3 For reference, include the case number (P2015-033) in the lower right hand corner of all pages on future submittals.
M.4 Please change the title block as follows:

Replat
Marriott Addition
Lots 1, Block A
Being a Replat of a Portion of Lot 3, Block A, Shoreline Plaza Addition
Recorded in Cabinet D, Page 289, P.R.R.C.T
And All of a Tract of Land to Lakefront Trail Rockwall Hotel, LP
Recorded in Instrument Number 20150000009497 O.P.R.R.C.T
Being 2.968-acres
Situated Within the M. J. Barksdale Survey, Abstract No. 11
City of Rockwall, Rockwall County, Texas

M.5 Label Harbor Heights Drive and indicate the width of the dedicated right-of-way.
M.6 Indicate the centerline of all adjacent streets.
M.7 Indicate the width of all right-of-ways.
M.8 Provide the appropriate statement indicating that no building permits will be issued until all public improvements are accepted by the City as provided in the development packet.
M.9 Move all text impairing the visibility of the boundaries of the easements.
M.10 Change the signature block from the administrative approval signature block to the standard city signature block.
I.11 Staff has identified theaforementioned items necessary to continue the submittal process. Please make these revisions and corrections, and provide any additional information that is requested. The Planning & Zoning meeting date for this case will be July 28, 2015.
I.12 The projected City Council meeting date and subsequent approval for this plat is August 3, 2015.



City of Rockwall

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

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

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FLOOD NOTE: By graphic plotting only, this property is in Zone X of the Flood Insurance Rate Map, Community Panel No. 48397C004 L, which bears an effective date of September 26, 2008, no portion of the property lies within a Special Flood Hazard Area. No field surveying was performed to determine this zone, and this statemant shall not create liability on part of the surveyor.

BASIS OF BEARING:

THE BASIS OF BEARING FOR THIS SURVEY IS THE TEXAS STATE PLANE, NORTH CENTRAL ZONE, GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS TAKEN ON THE GROUND AND TIED TO THE CITY OF ROCKWALL GPS MONUMENT NETWORK.

EASEMENT CURVE TABLE

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	20.00'	34°33'40"	12.06'	S 79°39'19" W	11.88'
C2	39.00'	49°12'55"	33.50'	S 43°07'05" W	32.48'
C3	39.10'	63°43'38"	43.49'	N 77°48'07" W	41.29'
C4	63.00'	71°46'56"	78.93'	N 81°44'03" W	73.87'
C5	39.00'	54°12'42"	36.90'	N 79°25'51" W	35.54'
C6	10.08'	117°48'51"	20.72'	S 13°48'38" W	17.26'
C7	34.00'	90°10'32"	53.51'	S 01°29'44" E	48.16'
C8	34.00'	73°19'13"	43.51'	S 80°49'04" W	40.60'
C9	6.00'	159°28'48"	16.70'	S 37°44'17" W	11.81'
C10	31.00'	85°23'09"	46.20'	N 74°47'06" E	42.04'
C11	9.00'	73°19'13"	11.52'	N 80°49'08" E	10.75'
C12	9.00'	90°20'35"	14.19'	N 02°06'45" W	12.77'
C13	10.00'	66°26'00"	11.59'	N 79°03'28" W	10.96'
C14	63.10'	64°18'10"	70.82'	N 78°04'10" W	67.16'
C15	39.00'	71°46'56"	48.86'	N 81°44'03" W	45.73'
C16	20.00'	54°50'08"	19.14'	S 34°53'04" W	18.42'
C17	5.00'	18°31'50"	1.62'	N 46°22'56" W	1.61'
C18	5.00'	25°32'22"	2.23'	N 68°25'02" W	2.21'
C19	625.74'	0°53'34"	9.75'	N 53°48'48" W	9.75'
C20	669.71'	10°03'32"	117.57'	N 53°08'46" W	117.42'
C21	625.74'	0°43'08"	7.85'	N 57°44'44" W	7.85'
C22	33.50'	94°21'06"	55.17'	N 88°40'02" W	49.14'

EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
L1	S 67°43'32" W	99.10'
L2	N 45°50'35" W	82.59'
L3	S 62°22'29" W	113.58'
L4	S 45°50'35" E	0.89'
L5	S 45°50'28" E	85.03'
L6	S 44°09'25" W	149.08'
L7	N 44°09'25" E	148.91'
L8	N 45°50'28" W	105.93'
L9	S 67°43'32" W	41.73'
L10	N 45°50'35" W	82.61'
L11	S 62°18'08" W	102.04'
L12	N 45°32'14" W	5.65'
L13	S 88°51'05" W	9.94'
L14	N 45°32'14" W	71.94'
L15	N 00°32'14" W	12.25'
L16	N 45°32'14" W	201.84'
L17	N 43°32'59" E	18.20'
L18	N 46°27'01" W	15.00'
L19	S 43°32'59" W	17.96'
L20	N 45°32'14" W	119.19'
L21	S 45°32'14" E	329.47'
L22	S 00°32'14" E	12.25'
L23	S 45°32'14" W	12.35'
L24	N 45°32'14" W	15.71'
L25	N 44°14'50" E	11.56'
L26	N 45°45'10" W	17.02'
L27	N 45°32'14" W	26.50'
L28	N 45°32'14" W	27.86'
L29	N 45°50'35" W	15.00'
L30	S 44°09'25" W	15.00'
L31	S 45°50'35" E	15.00'
L32	N 44°09'25" E	15.00'
L33	S 28°21'15" E	13.19'
L34	N 61°38'45" E	15.00'
L35	N 28°21'15" W	2.30'
L36	S 61°38'45" W	92.45'
L37	S 45°52'20" E	4.21'
L38	N 37°07'01" W	7.19'
L39	N 55°38'51" W	19.06'
L40	N 81°11'13" W	5.01'
L41	N 45°37'00" W	6.87'
L42	N 46°03'56" W	12.08'

Legend of Symbols & Abbreviations

- IRF = IRON ROD FOUND
- R.O.W. = RIGHT-OF-WAY
- P.O.B. = POINT OF BEGINNING
- W/ = WITH
- W.E. = WATER EASEMENT
- U.E. = UTILITY EASEMENT
- A.S.E. = ACCESS & SIDEWALK EASEMENT
- ESMT. = EASEMENT
- B.T.P. = BY THIS PLAT
- DOC = DOCUMENT
- VOL. = VOLUME
- PG. = PAGE
- CAB. = CABINET

INTERSTATE HIGHWAY NO. 30 (VARIABLE WIDTH R.O.W.)

POINT OF BEGINNING

1/2" IRF W/YELLOW-CAP

R=11309.20
L=207.50
Δ=01°03'04"
CH=207.49
CB=N 62°22'29" E

15' UTILITY ESMT. CAB. D, SLD. 289

15' UTILITY ESMT. CAB. D, SLD. 289

25' B.L. CAB. B, SLD. 304

15' ESMT. TO RCH WATER VOL. 64, PG. 215

APPARENT GAP IN DEEDS NO DOCUMENT FOUND

15' B.L.

LOT 2, BLOCK A

SHORELINE PLAZA ADDITION
CABINET D, SLIDE 289
P.R.R.C.T.

SHORELINE TRAIL
VARIABLE WIDTH R.O.W.

N 59°28'06" E
35.50

N 29°38'23" W
8.19

"X"CUT

24.17'

S 28°54'59" E
213.34'

N 60°51'04" E
157.81'

8.72'

R=1285.31
L=65.17
Δ=02°54'18"
CH=65.16
CB=S 26°51'59" E

TEXAS S.P. ZONE 4202
NORTHING 7013853.3656
EASTING 2588835.0249

R=50.00
L=78.06
Δ=89°26'47"
CH=70.37
CB=S 23°26'49" E

R.O.W. DEDICATION

24' FIRELANE ACCESS, DRAINAGE AND UTILITY ESMT.

LAKEFRONT TRAIL ROCKWALL HOTEL, LP.
INST. NO. 20150000009497
O.P.R.R.C.T.

LOT 1, BLOCK A
2.968 ACRES
2.481 NET ACRES

VARIABLE WIDTH W.E.

15' T.U. ELECTRIC CO. EASEMENT VOL. 522, PG. 63 TO BE PARTIALLY ABANDONED B.T.P.

24' FIRE LN & UTILITY ESMT. CAB. G, SLD. 111 P.R.R.C.T. TO BE ABANDONED B.T.P.

15' SEWER ESMT. VOL. 250, PG. 215 TO BE ABANDONED B.T.P.

15' UTILITY ESMT. CAB. D, SLD. 289 P.R.R.C.T. TO BE ABANDONED B.T.P.

R=649.91
L=322.90
Δ=28°28'00"
CH=319.59
CB=N 43°52'22" W

S 47°09'46" E
110.88'

R.O.W. DEDICATION

VARIABLE WIDTH UTILITY, FIRELANE & ACCESS EASEMENT VOLUME 5203, PAGE 230 D.R.R.C.T. TO BE ABANDONED B.T.P.

LAKEFRONT TRAIL
VARIABLE WIDTH R.O.W.

15' T.U. ELECTRIC CO. EASEMENT VOL. 522, PG. 63

PART LOT 3, BLOCK A
SHORELINE PLAZA ADDITION
CABINET D, SLIDE 289
P.R.R.C.T.

24' FIRE LN & UTILITY ESMT. CAB. G, SLD. 111 P.R.R.C.T. TO BE ABANDONED B.T.P.

15'x15' ONCOR ELECTRIC ESMT.

25' FIRELANE ACCESS, DRAINAGE AND UTILITY ESMT.

VARIABLE WIDTH UTILITY, FIRELANE & ACCESS EASEMENT VOLUME 5203, PAGE 237 D.R.R.C.T. TO BE ABANDONED B.T.P.

R=645.54
L=142.77
Δ=12°40'19"
CH=142.48
CB=N 51°50'29" W

N 45°32'24" W
49.53'

N 45°32'24" W
79.64'

"X"CUT

1/2" IRF W/YELLOW-CAP

R.O.W. DEDICATION

S 44°09'25" W 199.65'

S 44°09'30" W 224.98'

194.30'

24' FIRE LN & UTILITY ESMT. CAB. G, SLD. 111 P.R.R.C.T.

15' UTILITY ESMT. CAB. G, SLD. 111 P.R.R.C.T.

LOT 5, BLOCK A
SHORELINE PLAZA ADDITION
CABINET G, SLIDE 111
P.R.R.C.T.

10' UTILITY ESMT. CAB. G, SLD. 111 P.R.R.C.T.

"X"CUT

1.85'

25' B.L. CAB. B, SLD. 304

R=779.60
L=108.67
Δ=07°59'12"
CH=108.58
CB=S 20°39'36" E

50.67'

1/2" IRF W/YELLOW-CAP

TEXAS S.P. ZONE 4202
NORTHING 7013687.2091
EASTING 2588901.3347

0 20' 40' 80'

GRAPHIC SCALE: 1"=40'

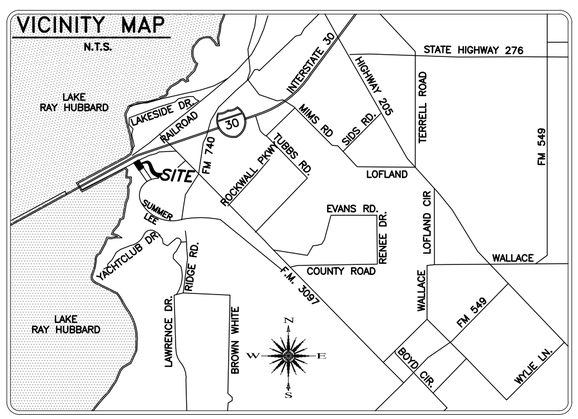
LOT LINE TABLE

LINE	BEARING	DISTANCE
L1	N 29°38'23" W	8.57'
L2	S 13°46'30" W	13.10'
L3	N 13°46'30" E	24.32'
L4	S 14°54'53" E	85.77'

LOT CURVE TABLE

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	625.74'	12°27'27"	136.05'	S 35°52'05" E	135.79'
C2	5.50'	120°00'00"	11.52'	S 73°46'30" W	9.53'
C3	5.50'	60°56'16"	5.85'	N 16°41'38" W	5.58'
C4	631.74'	4°30'32"	49.72'	S 55°51'02" E	49.70'
C5	663.71'	12°40'15"	146.78'	N 51°50'27" W	146.48'
C6	30.00'	63°29'13"	33.24'	N 12°24'49" E	31.57'
C7	52.98'	52°00'58"	48.09'	S 43°10'41" E	46.46'

VICINITY MAP
N.T.S.



THE PURPOSE OF THIS REPLAT IS TO DEDICATE RIGHT-OF-WAY AND REMOVE/ADD EASEMENTS TO CREATE A DEVELOPABLE LOT.

REPLAT
LOT 1, BLOCK A
MARRIOTT ADDITION

BEING A PORTION OF LOT 3, BLOCK A, SHORELINE PLAZA ADDITION, RECORDED IN CABINET D, PAGE 289, P.R.R.C.T., AND ALL OF A TRACT OF LAND TO LAKEFRONT TRAIL ROCKWALL HOTEL, LP. RECORDED IN INSTRUMENT NUMBER 20150000009497 O.P.R.R.C.T.

SITUATED IN THE M.J. BARKSDALE SURVEY, ABSTRACT NO. 11, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER:

LAKEFRONT TRAIL ROCKWALL HOTEL, LP.
10000 N. CENTRAL EXPRESSWAY
SUITE 400
DALLAS, TEXAS 75231
(972) 564-4416

SURVEYOR:

MADDOX SURVEYING & MAPPING INC.
P.O. BOX 2109
FORNEY, TEXAS 75126
(972) 564-4416

07-22-2015

SHEET 1 OF 2

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OWNERS CERTIFICATE

STATE OF TEXAS}
COUNTY OF ROCKWALL}

WHEREAS, Lakefront Trail Rockwall Hotel, LP., being the owner of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING a tract of land situated in the M.J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, also being a portion of Lot 3, Block A, Shoreline Plaza Addition, an addition to the City of Rockwall, Rockwall County, Texas according to the Plat recorded in Cabinet D, Page 289, of the Plat Records of Rockwall County, Texas, and being all of a tract of land described by deed to Lakefront Trail Rockwall Hotel, LP. recorded in Instrument Number 20150000009497 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with yellow cap found for the most northerly northeast corner of said Lakefront Trail tract, said rod also lying on the southerly line of Interstate Highway No. 30, a variable width right-of-way, also lying 7.75 feet southwest of the northwest corner of Lot 2, Block A of said Shoreline Plaza Addition;

THENCE South 28 degrees 54 minutes 59 seconds East, along the most northerly northeast line of said Lakefront Trail tract and lying parallel and 7.75 feet from the westerly line of said Lot 2, Block A, a distance of 213.34 feet to a 1/2 inch iron rod with yellow cap found for an ell corner of said Lakefront Trail tract;

THENCE North 60 degrees 51 minutes 04 seconds East, along a northwest line of said Lakefront Trail tract and lying 17.60 feet south of and parallel from the southerly line of said Lot 2, Block A, a distance of 157.81 feet to a 1/2 inch iron rod with yellow cap found for the most easterly north corner of said Lakefront Trail tract, also lying on the southwest line of Shoreline Trail a variable width right-of-way and lying in a curve to the right;

THENCE with said curve to the right and said Shoreline trail with a radius of 1285.31 feet, a central angle of 02 degrees 54 minutes 18 seconds, an arc length of 65.17 feet, and a chord which bears South 26 degrees 51 minutes 59 seconds East, a chord length of 65.16 feet to a 1/2 inch iron rod with yellow cap found for the beginning of a reverse curve to the left,

THENCE with said reverse curve to the left continuing along said Shoreline Trail with a radius of 50.00 feet, a central angle of 89 degrees 26 minutes 47 seconds, an arc length of 78.06 feet, and a chord which bears South 23 degrees 26 minutes 49 seconds East, a chord length of 70.37 feet to an "X" cut found in a concrete sidewalk for the beginning of a compound curve to the left,

THENCE with said compound curve continuing to the left continuing along said Shoreline Trail with a radius of 779.60 feet, a central angle of 07 degrees 59 minutes 12 seconds , an arc length of 108.67 feet, and a chord which bears South 20 degrees 39 minutes 36 seconds East, a chord length of 108.58 feet to a 1/2 inch iron rod with yellow cap found for the southeast corner of said Lakefront Trail tract, also for the northeast corner of Lot 5, Block A, Shoreline Plaza Addition, an addition to the City of Rockwall recorded in Cabinet G, Slide 111 of the Plat Records of Rockwall County, Texas,

THENCE South 44 degrees 09 minutes 30 seconds West, along the southeast line of said Lakefront Trail tract and the northwest line of said Lot 5, Block A, passing a 1/2 inch iron rod with yellow cap found for the northwest corner of said Lot 5, Block A at a distance of 194.30 feet, and continuing a total distance of 224.98 feet to an "X" cut in concrete set for the southwest corner of said Lakefront Trail tract, also lying in the center of Lakefront Trail, a variable width right-of-way;

THENCE North 45 degrees 32 minutes 24 seconds West, along the westerly line of said Lakefront Trail tract and the center of said Lakefront Trail, a distance of 79.64 feet to an "X" cut in concrete for the beginning of a curve to the left;

THENCE with said curve to the left continuing along the westerly line of said Lakefront Trail tract and said Lakefront Trail with a radius of 645.54 feet, a central angle of 12 degrees 40 minutes 19 seconds, an arc length of 142.77 feet, and a chord which bears North 51 degrees 50 minutes 29 seconds West, a chord length of 142.48 feet to an "X" cut in concrete set for the beginning of a reverse curve to the right,

THENCE with said reverse curve to the right continuing along the westerly line of said Lakefront Trail tract and said Lakefront Trail with a radius of 649.91 feet, a central angle of 28 degrees 28 minutes 00 seconds, an arc length of 322.90 feet, and a chord which bears North 43 degrees 52 minutes 22 seconds West, a chord length of 319.59 feet to an "X" cut in concrete set at an angle point in same,

THENCE North 29 degrees 38 minutes 23 seconds West, continuing along the westerly line of said Lakefront Trail tract and said Lakefront Trail, a distance of 8.19 feet to a an "X" cut in concrete set for the northwest corner of same, also lying on the southerly right-of-way line of the aforementioned Interstate Highway No. 30;

THENCE North 59 degrees 28 minutes 06 seconds East, along the southerly line of said Interstate Highway No. 30 and the northerly line of said Lakefront Trail tract, a distance of 35.50 feet to a 1/2 inch iron rod found for the beginning of a curve to the right;

THENCE with said curve to the right, the southerly line of said Interstate Highway No. 30, and the northerly line of said Lakefront Trail tract with a radius of 11309.20 feet, a central angle of 01 degrees 03 minutes 04 seconds, an arc length of 207.50 feet, and a chord which bears North 62 degrees 22 minutes 29 seconds East, a chord length of 207.49 feet to the POINT OF BEGINNING, containing 129,265 square feet, or 2.968 acres of land.

SURVEYORS CERTIFICATE

I, HEREBY CERTIFY, THAT I PREPARED THIS SURVEY PLAT SHOWN HEREON FROM AN ACTUAL SURVEY ON THE GROUND BY ME AND THAT ALL CORNERS ARE MARKED, AND THAT ALL DIMENSIONS SHOWN THEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND FURTHERMORE THERE ARE NO ENCROACHMENTS, PROTRUSIONS, IMPROVEMENTS, EASEMENTS, RIGHT-OF- WAY, OR 100 YEAR FLOOD PLAIN AFFECTING THE PROPERTY EXCEPT AS SHOWN THEREON.

WITNESS UNDER MY HAND THIS THE _____ DAY OF _____, 2015.

_____
BRIAN J. MADDOX, R.P.L.S. NO. 5430

STATE OF TEXAS:
COUNTY OF KAUFMAN:

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED, BRIAN J. MADDOX, KNOWN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 2015.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Chairman, Planning & Zoning Commission *Date*

I hereby certify that the above and foregoing plat of Marriott Addition, Lot 1, Block A to the City of Rockwall, Texas was approved by the Mayor of the City of Rockwall on the _____ day of _____, 2015.

This approval shall be invalid unless the approved Plat for such Addition is recorded in the office of the County Clerk of Rockwall County, Texas, within one year from said date of final approval. An extension may be granted by the City Council.

Said Addition shall be subject to all the requirements of the Platting Ordinance of the City of Rockwall.

Witness my hand this the _____ day of _____, 2015.

_____ _____ _____ _____
Mayor, City of Rockwall *Date* *City Secretary, City of Rockwall* *Date*

_____ _____
City Engineer, City of Rockwall *Date*

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS}
COUNTY OF ROCKWALL}

We, Lakefront Trail Rockwall Hotel, LP., the owners of the land shown on this plat, and designated herein as Lot 1, Block A, Marriott Addition, an addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Addition upon the public services required in order that the development will comport with the present and future growth needs of the City; we, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

Lakefront Trail Rockwall Hotel, LP.

_____
Representative

STATE OF TEXAS
COUNTY OF ROCKWALL
Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, 2015.

_____
Notary Public in and for the State of Texas

_____
My Commission Expires:

THE PURPOSE OF THIS REPLAT IS TO DEDICATE RIGHT-OF-WAY AND REMOVE/ADD EASEMENTS TO CREATE A DEVELOPABLE LOT.

REPLAT
LOT 1, BLOCK A
MARRIOTT ADDITION

BEING A PORTION OF LOT 3, BLOCK A, SHORELINE PLAZA ADDITION, RECORDED IN CABINET D, PAGE 289, P.R.R.C.T., AND ALL OF A TRACT OF LAND TO LAKEFRONT TRAIL ROCKWALL HOTEL, LP. RECORDED IN INSTRUMENT NUMBER 20150000009497 O.P.R.R.C.T.

SITUATED IN THE
M.J. BARKSDALE SURVEY, ABSTRACT NO. 11,
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER:

LAKEFRONT TRAIL ROCKWALL HOTEL, LP.
10000 N. CENTRAL EXPRESSWAY
SUITE 400
DALLAS, TEXAS 75231
(972) 564-4416

SURVEYOR:

MADDOX SURVEYING & MAPPING INC.
P.O. BOX 2109
FORNEY, TEXAS 75126
(972) 564-4416

07-22-2015

SHEET 2 OF 2

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**
CC: **Kirk Riggs, Police Chief**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **July 29, 2015**

SUBJECT: **Purchase of 2015 Model Dodge Charger Police Pursuit Vehicle for Traffic Division**

A 2008 Traffic Division Dodge Charger blew an engine. In lieu of repairs because of age and condition, Police staff would like to purchase a new 2015 Dodge Charger. We will also incur some safety and communication equipment costs for this new 2015 model as most of the equipment on the 2008 model is not compatible.

Funds to buy the new vehicle and equipment would come from General Fund Reserves.

The Dodge Charger is available from Freedom CDJR through Houston-Galveston Area COG purchasing cooperative contract #VE11-13. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to the purchase of this new car.

For Council consideration the total cost of this new car, including equipment, should not exceed $36,000 and authorize the City Manager to execute a Purchase Order.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **July 29, 2015**

SUBJECT: **Adjustment of Tax Lien on Property in LRE**

Mr. Jim Lambeth with Linebarger, Goggan, Blair and Sampson will attend Monday's Council meeting to make a presentation regarding a property in Lake Rockwall Estates. The property, located at 464 Evans, was offered at tax sale but did not draw any bids. When this happens, the property is struck off the roll and is generally put under the RISD name. Many years ago, the taxing entities agreed that any property in LRE that is struck off would be placed under the City of Rockwall name. Further taxes are not assessed from that point. The property can remain this way until a potential buyer comes along and makes a bid on the property.

Recently the Rockwall Housing Development Corporation (RHDC) decided to make a bid on the property. The bid is less than the total taxes due to the three taxing entities. Mr. Lamberth is approaching each governing body to determine if each will agree to receive a pro-rata share the bid amount and waive the remaining taxes due at this time.

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LINEBARGER GOGGAN BLAIR & SAMPSON, LLP
ATTORNEYS AT LAW
771 JUSTIN RD., #100

(972)961-0086
FAX: (903)874-5007

25324

Suit Number 3-05-17

COSTS

Publication Fees:	$648.00
Court Costs:	$3,458.75
Title Fee:	$30.00
COST OF SUIT TOTAL:	**$4,136.75**

Judgment Taxes

Rockwall ISD	$5,881.56
Rockwall County	$1,191.58
City of Rockwall	$480.78
JUDGMENT TOTAL:	**$7,553.92**

Post Judgment Taxes

Rockwall ISD	$1,096.00
Rockwall County	$263.88
City of Rockwall	$239.52
POST JUDGMENT TOTAL:	**$1,599.40**
TOTAL DUE:	**$13,290.07**

Tax Sale:

Value at Judgment:	$19,640.00
Current Value:	$19,670.00

No Bidders - Struck off to City of Rockwall

Situs:

A Bid in the amount of $6,000.00 received from: Rockwall Housing Development Corporation

5-11-17

BID

Property Located in : Rockwall ISD, City of Rockwall, and Rockwall County

I hereby submit my bid for the purchase of Suit No. 3-05-17 Rockwall ISD, Et Al vs Ofelio Guevara, Et Al, being more particularly described as **Lot 1413, Rockwall Lake Properties Development No. 2 Subdivision, a subdivision in Rockwall County, Texas according to the map or plat thereof, recorded in Volume 1, Pages 79 and 80, Plat Records of Rockwall County, Texas (25324)** and have included a cashier's check or money order for the bid amount.

Bid Amount $6,000.00

General Conditions for Bids

Read Carefully

The land and/or improvements described above shall hereinafter be referred to as "the property".

The Deeds to these properties will contain an acknowledgment that the property is subject to the prior owner's right of redemption, if any, and that property is being purchased "as is" and "with all faults" and "The Taxing Entities" have no responsibility for the condition of the property and all sales are made without warranty, expressed or implied.

"The Taxing Entities" assume no responsibility as to the accuracy of any fact relating to the property for sale. The data reflected in the advertisement is for information only. All sales are "as is" to the successful Bidder on a **"Buyer Beware"** basis.

It is understood and agreed that my bid will be returned if my bid is not accepted. "The Taxing Entities" responsibility to return my bid to me shall extend only to depositing same in the U.S. Mail on or before 30 days from the date my bid is rejected.

"The Taxing Entities" reserve the right to reject any and all Bids.

"The Taxing Entities" will not provide title policy.

"The Taxing Entities "make no representations of any nature regarding the property, and this agreement represents the sole responsibility of the Entities regarding this property.

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If my bid is accepted, "The Taxing Entities" accept no responsibility for any misrepresentations. Failures of disclosure, errors or other neglect or wrongful acts occurring in the context of or pertaining to the closing of this transaction.

"The Taxing Entities", by advertising this property, makes no warranty concerning zoning or as to whether or not the property so advertised can be utilized for any purpose. It will, therefore, be the responsibility of the bidder to examine all applicable building codes and ordinances to determine that the property in question can be used for the purpose desired.

By entering into this agreement, I hereby waive any rights I may have either now or in the future, to undertake any legal action against "The Taxing Entities" for failure of the "The Taxing Entities" to properly advertise or notice the sale of the property or to properly conduct the sale of this property.

I certify that I have no outstanding tax judgments or tax delinquencies in Rockwall County.

SIGNATURE: Donna Allen

PRINT NAME: Donna Allen

ADDRESS: 787 Hail Drive

CITY: Rockwall STATE: TX ZIP: 75032

TELEPHONE: (972) 722-7316

Please print name (s) to appear on deed if different than above: Rockwall Housing Development Corporation

ALL BIDS MUST BE SIGNED BY HAND

For additional information call:

JJ Minyard – Linebarger, Goggan, Blair, & Sampson, LLP (972) 961-0086

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ROCKWALL CENTRAL APPRAISAL DISTRICT
PROPERTY 25324 R
Legal Description
ROCKWALL LAKE EST #2, LOT 1413 MH LABEL #
UNK0000000

OWNER ID
11146

OWNERSHIP
100.00%

PROPERTY APPRAISAL INFORMATION 2015
CITY OF ROCKWALL

00000

Entities
CAD 100%
CRW 100%
GRW 100%
SRW 100%

Values
IMPROVEMENTS 14,270
LAND MARKET + 5,400
MARKET VALUE = 19,670
PRODUCTIVITY LOSS - 0
APPRAISED VALUE = 19,670
HS CAP LOSS - 0
ASSESSED VALUE = 19,670

5380-0000-1413-00-0R

Ref ID2, R25324
Map ID 2-5

ACRES:
EFF. ACRES:

SITUS 464 EVANS RD

APPR VAL METHOD: Cost

GENERAL

UTILITIES	R	LAST APPR.	KP
TOPOGRAPHY		LAST APPR. YR	2014
ROAD ACCESS	G	LAST INSP. DATE	03/06/2014
ZONING		NEXT INSP. DATE	
NEXT REASON			

SKETCH for Improvement #1 (MOBILE HOME)

EXEMPTIONS
EX-XV Other Exemptions (including

REMARKS N/C 2014 GL-- N/C 2010-DB; -ANNEXED INTO THE CITY OF ROCKWALL PER RESOLUTION 06-07 FOR THE 2010 TAX YEAR-- NO CHG FOR 09 PER DB-- BLUE/WHITE

PICTURE



BUILDING PERMITS

ISSUE DT	PERMIT TYPE	PERMIT AREA	ST	PERMIT VAL

SALE DT	PRICE	GRANTOR	DEED INFO
04/01/2014	*****	GUEVARA CARDENASF DE	/ 2014 / 00000
04/21/1993	*****	ALLENDER LEROY ECD	/ 779 / 275

SUBD: S5380 100.00% NBHD:N5380 100.00%

IMPROVEMENT INFORMATION

I#	TYPE	DESCRIPTION	MTHD	CLASS/SUBCL	AREA	UNIT PRICE	UNITS	BUILT	EFF YR	COND	VALUE	DEPR	PHYS	ECON	FUNC	COMP	ADJ	ADJ VALUE
	MA	MAIN AREA	M	MHMF24/	1,296 0	25 21		1980	1980	*	32,670	40%	100%	100%	100%	100%	0 40	13,070
	OP	OPEN PORCH	F	*/		0 00				*	200	100%	100%	100%	100%	100%	1 00	200
	MA	MAIN AREA	F	*/	100 0	0 00	1	2007	2007	*	800	100%	100%	100%	100%	100%	1 00	800
1	MOBILE HOME		STCD	A2	1,396.0	Homesite Y (100%)					33,670							14,070
	P/UP ADD ON FOR 2008 DB--		BLUE/WHITE															
	ST	STORAGE	F	*/		0 00				*	200	100%	100%	100%	100%	100%	1 00	200
2	FRAME STG		STCD	A2	0.0	Homesite Y (100%)					200							200

IMPROVEMENT FEATURES

SUBD: S5380 100.00% NBHD N5380 100.00%

LAND INFORMATION IRR Wells 0 Capacity 0 IRR Acres 0 Oil Wells 0

L#	DESCRIPTION	CLS	TABLE	SC	HS	METH	DIMENSIONS	UNIT PRICE	GROSS VALUE	ADJ	MASS ADJ	VAL SRC	MKT VAL	AG APPLY	AG CLASS	AG TABLE	AG UNIT PRC	AG VALUE
1	RES MH		S5380U	A2	Y (100%)	LOT	0 1650 AC	5,400 00	5,400	1 00	1 00	A	5,400	NO			0 00	0
Comment LT													5,400					0

Effective Date of Appraisal January 1 Date Printed 12/11/2014 11 50 22AM by JPRICER

True Automation Inc

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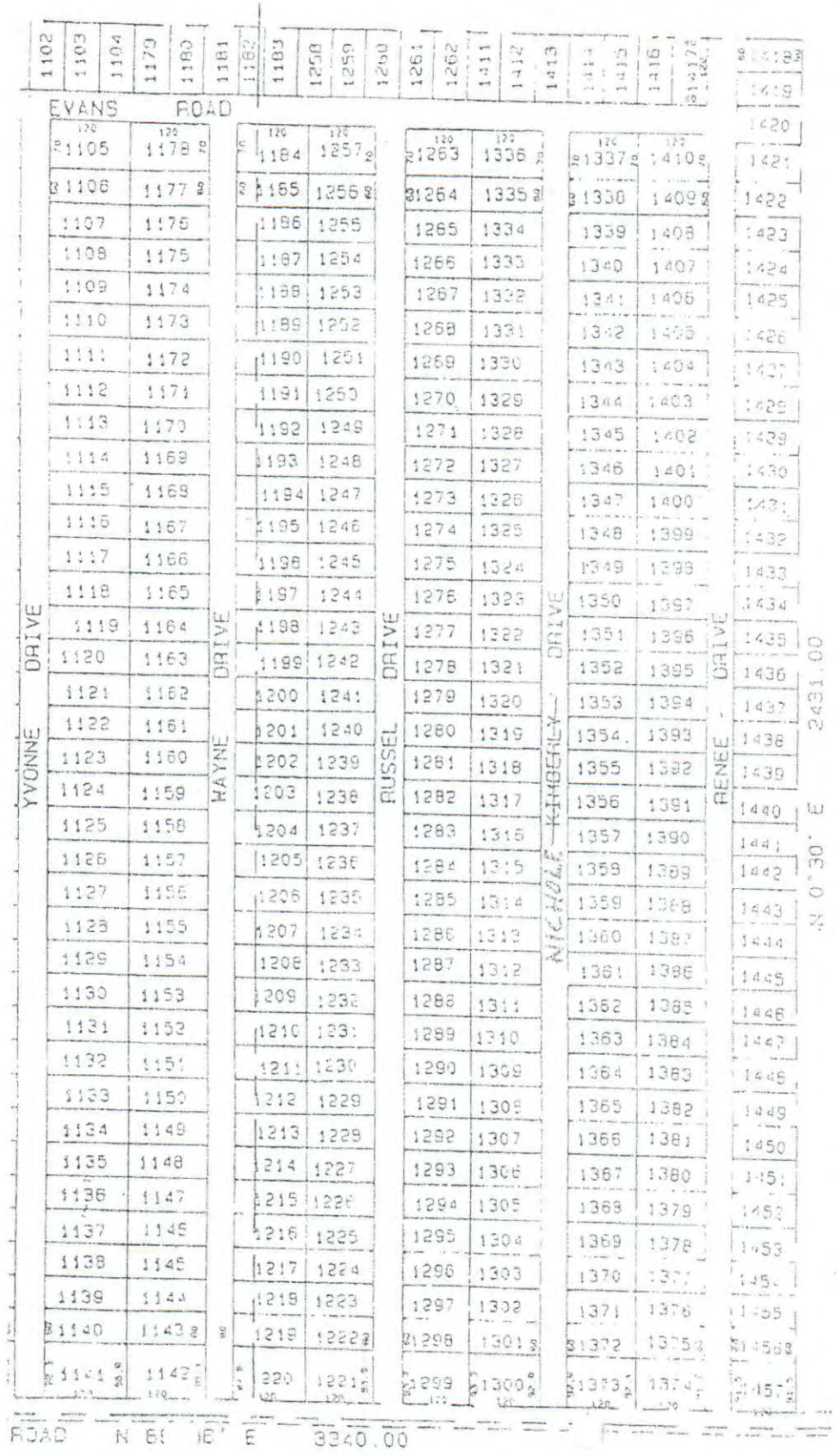
ROCKWALL LAKE ESTS 538



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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **July 29, 2015**

SUBJECT: **THE PARK AT STONE CREEK FINAL DESIGN**

Mark Spencer with MHS Planning and Design will present the site plan for the Park at Stone Creek. This final draft includes input from the preliminary public meeting held on August 5, 2014 and July 7, 2015. The minutes are included in your packet.

Total Project budget is $647,800 including design fees. Of that amount, Texas Parks and Wildlife (TPWD) will contribute $400,000 and the remaining funds of $247,800 come from the developer's contributions collected in accordance with the Mandatory Park Land Dedication Ordinance.

At the August 5, 2014 meeting, the preliminary design presentation was met with favorable comments from the public. The general consensus was that a covered picnic area and playground were the highest priorities. At the July 7, 2015 meeting, Mark Spencer brought back the revised draft that concentrated the funds and amenities to the west side of the pond to address the playground and pavilion priorities. The design also includes an 8' wide concrete trail approximately 1/3 mile long, irrigated open play area, off-street parking, 9-hole disc golf course, small fishing pier and drinking fountain. Additional trees are proposed to be planted on site for shade and aesthetics. The funds for the trees are proposed to come from the tree mitigation fund contingent on budget request approval.

Contingent on Council approval, MHS Planning and Design would proceed with construction and bid documents for the approved design. This is typically a 3 to 6 month process. Depending on how quickly Texas Parks and Wildlife can review and approve the plan and bid documents, construction could potentially begin as early as spring 2016.

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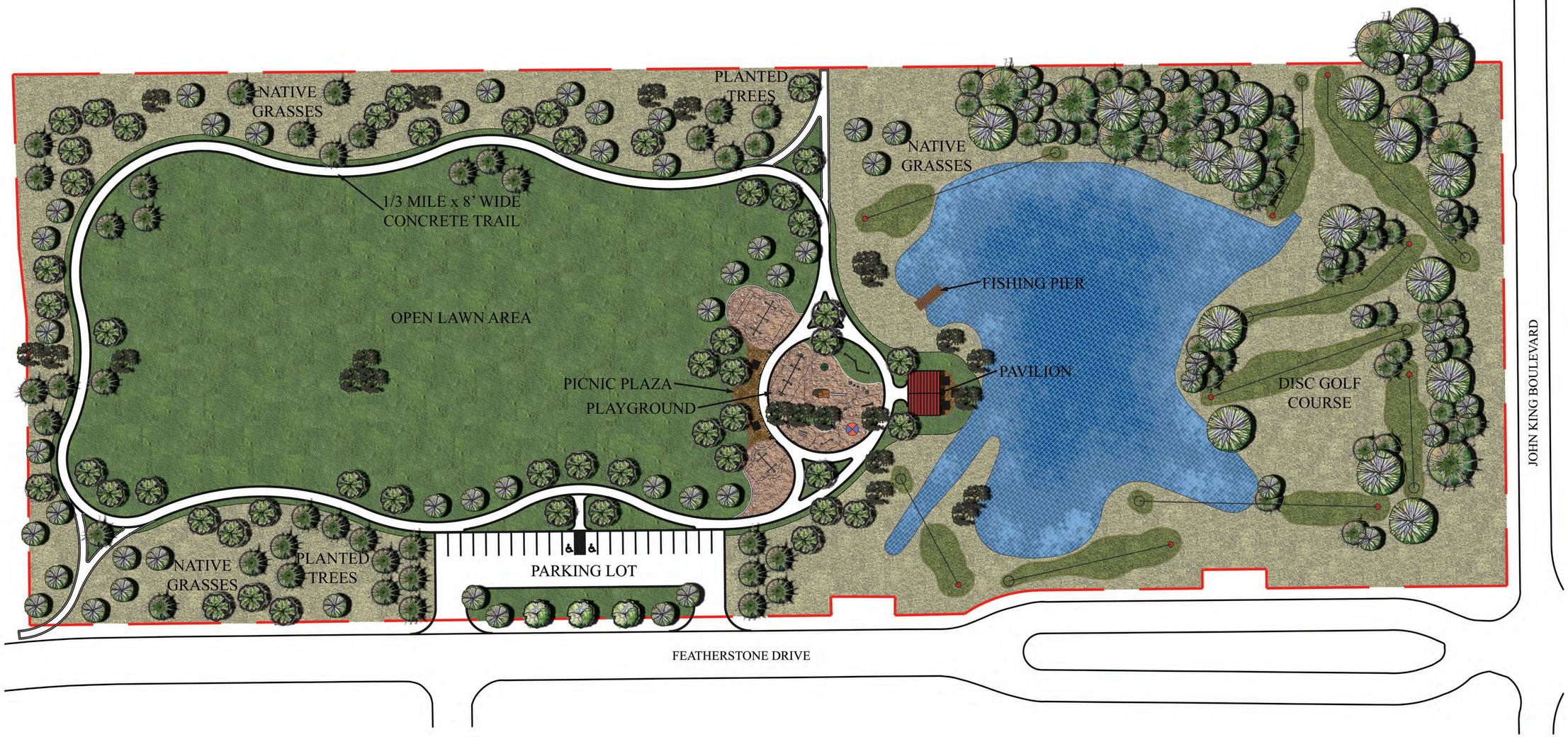
PARK AT STONE CREEK

CITY OF ROCKWALL, TEXAS



NORTH

40' 0' 40' 80'

GRAPHIC SCALE

MHS
PLANNING & DESIGN, LLC
212 WEST NINTH STREET
TYLER, TEXAS 75701
PHONE: 903.597.6606
WWW.MHSPLANNING.COM

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MINUTES
PARKS AND RECREATION BOARD
City Hall, 385 S. Goliad, Rockwall, TX 75087
August 5, 2014
6:00 PM

Call To Order

The meeting was called to order in the Council Chambers at 6:00pm by Board Member Chairman Marcus Yarbrough with the following Board Members present: Kevin Moffatt, Charles Johnson, Brad Bassett, Ray Harton and Bob Lewis. Larry Denny was absent. Also present were Parks and Recreation Manager Andy Hesser and Administrative Secretary Wendy Young.

Consider approval of minutes from the July 1, 2014 Park Board meeting and take any action necessary.

The minutes from the July 1, 2014 Park Board meeting were provided to the Board for their review and approval. Board member Brad Bassett made a motion to approve the minutes. Board member Bob Lewis seconded the motion which passed by a vote of 6-0.

Discuss and consider public input related to The Park at Stone Creek site plan and take any action necessary.

Parks and Recreation Manager Andy Hesser explained that phase 6 final plat of the Stone Creek development is expected to be submitted within the next 30-60 days and will contain approximately 11.85 acres of dedicated park land. This parcel will serve as the neighborhood park for district #5 located west of John King Blvd south of FM 552 and east of SH 205. The proposed park is immediately south of Williams Middle School. The City will have collected upon the final plat of phase 6 approximately $218,000 in pro-rata equipment fees. The ultimate build out of the development is tentatively planned to include 918 residential lots. Based on current adopted pro-rata equipment fees, the total equipment fees collected could be approximately $380,000. There is no timeline for the final phases, as this is driven primarily by economic demand. These fees must be used within park district #5. There is a 50/50 matching grant opportunity through the Texas Parks and Wildlife Department (TPWD) to provide an additional $400,000 of matching funds. The value of the dedicated park land can be counted toward the City's $400,000 matching portion. The remaining amount not covered by the land value, would be matched with the pro-rata equipment fees from developer contributions. The balance pro-rata equipment fees for district #5 can be used toward park development as well. The City has contracted with Mark Spencer of MHS Planning and Design to complete the grant application and provide a site plan with phasing for the proposed park in Stone Creek. The site plan is a necessary step to guide the future development of the park regardless of the grant application outcome. According to the Mandatory Park Land Dedication Ordinance, the adopted cost to develop a typical 11 acre neighborhood park is $1,050,000. The phasing for the park will be determined by available funding. In order to achieve the $1,050,000 ultimate build out, a bond initiative is often necessary. The TPWD grant will get us much closer to achieving that goal. Mr. Hesser introduced Mark Spencer with MHS Planning and Design.

Mr. Spencer presented a power point depicting the location of the pond, playground, trails, benches, etc. Mr. Spencer explained that the pond is an existing pond with a small tree line that leads east and west with trail connections in every direction. The green area is 160 feet in diameter that is an area less than an acre. The park amenities will include a playground, 1.3 mile loop trail, trail connections, a plaza area with pavilions, basketball court, playground pavilion, 9 hole disc golf course, open lawn area, fishing pier, nature areas, mature woodlands, native grasses, trail rest stop, bike repair station, 50 parking spaces. Board Member Ray Horton asked if the park would be fenced. Mr. Hesser explained that he was going to try and coordinate something with the RISD Science coordinator to walk science class there from an environmental standpoint.

Open Forum

Bob Wacker
806 Miramar

Mr. Wacker came forth and stated that people that have moved into this community have children and have been told for years that a park would be built eventually. A pavilion is great but would like for it to be covered with picnic tables.

Shirley Smith
609 Amherst

Ms. Smith came forth and explained that this was a great plan that is being presented and is very impressed.

BJ Finney
605 Deverson

Mr. Finney came forth and stated that parking was key and would like to have more parking spaces at the park.

Jeff Dodson
570 Featherstone

Mr. Dodson came forth and suggested that a fountain be put where the pond is located.

Charles Johnson made a motion to approve The Park at Stone Creek site plan. Brad Bassett seconded the motion which passed unanimously.

Discuss and consider Caruth Lakes 1B Final Plat and take any action necessary

Mr. Hesser explained that the final plat of two lots within Caruth Lakes 1B has been submitted. It is located within park district #9, which is east of SH 205, west of John King Blvd. and between SH 66 and Quail Run Rd. Staff recommends collecting cash in lieu of land fees of $202 per lot for a total of $404 and the pro-rata equipment fees of $344 per lot for a total of $688. After some discussion Brad Basset made a motion to accept Caruth 1B final plat and collect a total of $404 for cash in lieu of land fees and

$688 for the pro-rata equipment fees. Ray Harton seconded the motion which passed by a vote of 6-0.

Staff updates on upcoming programs and events and take any action necessary.

Mr. Hesser introduced Parks and Recreation intern Brittany Harness. Brittany is a Recreation major from Henderson State University in Arkadelphia, Arkansas. Brittany has been involved in various projects during her internship. One of the projects is the Concert by the Lake surveys. The data is based on a random survey of 400 people who attended the concert between May 8 – July 31, 2014. Brittany's survey presentation showed that 48% of attendees are non-local residents while 52% are local within the Rockwall and Heath zip codes. The results reflect that the highest percentage of attendees attend in groups of 3 – 5 or 1 – 2. When asked how the attendees were informed of the concerts, 63% came by tradition, 17% heard by worth of mouth, 12% were informed through the website, 6% came because of proximity of residence and 2% were informed through an advertisement. When asked if survey participants visit Harbor businesses, 76% said yes and 24% said no.

Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 7:16 p.m.

PASSED AND APPROVED BY THE PARK BOARD OF THE CITY OF ROCKWALL, TEXAS, this 3rd day of September 2014.

Brad Bassett
Chairman, Park Board

ATTEST:

Wendy Young
Administrative Secretary

MINUTES
PARKS AND RECREATION BOARD
City Hall, 385 S. Goliad, Rockwall, TX 75087
July 7, 2015
6:00 PM

Call To Order

The meeting was called to order in the Council Chambers at 6:00pm by Chairman Brad Bassett with the following Board Members present: Kevin Moffatt, Charles Johnson, Bob Lewis, Ray Harton and Larry Denny. Wayne Larson was absent. Also present were Parks and Recreation Manager Andy Hesser, Administrative Secretary Wendy Young, Parks Superintendent Aaron Dobson and Recreation Superintendent Andrew Ainsworth.

Consider approval of the minutes from the June 2, 2015 Park Board meeting and take any action necessary

The minutes from the June 2, 2015 Park Board meeting were provided to the Board for their review and approval. Board Member Charles Johnson made a motion to approve the minutes. Board Member Kevin Moffatt seconded the motion which passed by a vote of 6-0 (Larson absent).

Open Forum

Chairman Bassett explained how Open Forum is conducted and asked if anyone in the audience would like to come forth and speak during this time.

Bruce Foith
1087 Shady Lane Drive
Rockwall, TX 75087

Mr. Foith indicated that he did some research about 5 years go and saw the master plan and the Caruth Lakes and saw the lots that backed the park and liked it so he and his wife built there. In 2014, there were big plans for the park, feels disappointed none of that has happened. Mr. Foith would like to name the 165 acre park around Raymond Cameron Lake and Phelps Lake after the Caruth Lakes subdivision that surrounds it. Recently parks were named for other subdivisions and feels it is time that this large, special purpose park get an official name like "Park at Caruth Lakes" or "Central Park at Caruth Lakes." The wetlands should be named "Squabble Creek Wetlands." Squabble Creek and two tributaries provide water for beavers, coyotes, birds, ducks and other wildlife.

Board Member Moffatt asked if that particular area was part of the wetlands. Mr. Hesser that it was in fact part of the wetlands.

Mr. Foith feels like the retention pond behind his house is a hazard and eyesore with trash and beavers nearby, a clean up would be an asset to this park. Mr. Foith also feels like the City should establish and enforce catch and release at park lakes.

Chairman Bassett asked if anyone would like to come forth and speak at this time. There being no one to indicate such, Chairman Bassett then closed the Open Forum.

Discuss and consider Breezy Hill Phase IX-A final plat and take any action necessary.

Parks & Recreation Manager Andy Hesser indicated that Breezy Hill Phase IX-A is in Park District #7 and is located at north of FM 552 and west of Breezy Hill Rd. The 11 acre park within Breezy Hill has already been dedicated along with approximately 30 acres of open space. Phase IX-A proposes 55 lots on 16.805 acres. In accordance with the Mandatory Park Land Dedication Ordinance, the developer owes pro-rata equipment fees for each lot. The current adopted equipment fee per lot for district #7 is $214 per lot for a total of $11,700. Lot 1, Block 3 is labeled as .974 acres of open space. Chairman Bassett made a motion to accept the Breezy Hill Phase IX-A (9) final plat in park district #7 that includes 55 lots at $214 per lot for a total of $11,700 and lot 1 block 7 to be maintained by the HOA. Denny seconded the motion which passed by a vote of 6-0 (Larson absent).

Discuss and consider Rockwall Downes Phase II final plat and take any action necessary.

Mr. Hesser explained that Rockwall Downes is generally located south of I-30 and east of John King Blvd. Phase II would be required to continue the 10' trail adjacent to the east side of John King Blvd. connecting the Phase I trail to Discovery Blvd. and be dedicated as public trail and maintained by the HOA. Johnson made a motion to accept Rockwall Downes Phase II final plat and continue the trail 10' trail adjacent to the east side of John King Blvd. connecting the Phase I trail to Discovery Blvd. and be dedicated as public trail and maintained by the HOA. Moffatt seconded the motion which passed by a vote of 6-0 (Larson absent).

Discuss and consider Rockwall Downes Phase III final plat and take any action necessary.

Mr. Hesser stated that Phase III already contains the concrete trail along the west side of John King and connects to the trail in front of The Mansions. Phase III can be accepted as presented by the developer by providing that Phase III trail requirements are met. Johnson made a motion to accept Rockwall Downes Phase III final plat providing that Phase II trail requirements are met. Moffatt seconded the motion which passed by a vote of 6-0 (Larson absent).

Hear public input concerning The Park at Stone Creek final site plan and take any action necessary.

Mark Spencer with MHS Planning & Design came forth and presented a powerpoint that depicted the site plan for the park. He stated that this final draft includes input from the preliminary plat input meeting held on August 5, 2014. The consensus from that meeting was that everyone would like to focus on a playground. In order to have a great playground we would do a high quality job in a small area so all amenities are focused on the west side of the pond. The design encompasses about 3 acres in the interior of the trail. At the far-east end is the playground, picnic and pavilion area. The concept of this

project is to irrigate the area inside of the trail and the outside is native grasses with a mowed edge on either side of the trail. There is an old fence row down the middle of the project running east and west. We will keep some of those trees and some of those are undesirable and will be taken out. With the credits in the City's tree mitigation fund more trees will be planted outside the oval trail pretty heavily. There will be a small fishing pier located in the deeper portion of the pond, a 25x35 pavilion with 2 picnic tables surrounded by 18 inch high retaining wall, swing set and toddler swing The playground area encompasses about 6500 square feet. The Shores park pavilion is about 4500-5000 square feet. There will also be a water fountain near the pavilion, a disc golf course. Board Member Denny asked about the basketball court stating that it was proposed in the original plan. Mr. Spencer stated there is not a basketball court in this phase but could possibly come at a later phase and there is simply not enough money in the budget.

Chairman Bassett opened the hearing.

Shirley Smith
609 Amherst Drive
Rockwall, Texas 75087

Ms. Smith expressed that she was pleased with the plans and drawings brought forth and indicated that she would love to see a basketball court and Frisbee golf. Ms. Smith stated that a lot of people that live in Stone Creek also have pets and would love to see a dog park there.

Bob Wacker
806 Miramar Drive
Rockwall, Texas 75087

Mr. Wacker came forth and expressed concerns about the lack of certain elements and what all is actually included in the park. Mark Spencer addressed these questions directly and clarified.

Jim Smith
609 Amherst Drive
Rockwall, TX 75087

Mr. Smith came forth and seconded Bob Wacker's comments. He stated that there was a lot of money being spent here for not a lot of park.

Chairman Bassett read emails from people that were not able to attend the meeting. Some of the emails requested the following:

- Access to Williams Middle School
- Basketball court (6)
- Dog park

- Shaded picnic area
- Climbing wall
- Water fountain
- Splash pad

Board Member Moffatt asked what the cost was to install a basketball court with turf. Mr. Spencer along with Mr. Hesser stated it would cost around $67,000.

Mr. Hesser provided some more background on the scope of this project in comparison to other parks in the city. Fox Chase, Shores Park, Hickory Ridge, 66 Boat Ramp and Emerald Bay Park are all similar footprints in terms of a 10 acre park. Our citizen surveys have consistently shown over the last 15 years that the top priority for our citizens are playground, picnic areas, trails and open play areas. This design continues to carry that theme. All of these parks fall into the same price category. All of these parks are similar in nature and price point.

After some discussion, Johnson made a motion to accent the final site plan and move forward with the plans presented. Denny seconded the motion which passed by a vote of 6-0 (Larson absent).

Discuss and consider Eagle Scout Project proposal by Drew Hargrove and take any action necessary.

Eagle Scout Candidate Drew Hargrove came forth and showed a powerpoint of his project. He will be replacing the fence at Gloria Williams Pool.

Hear update from Legends Batting Cages regarding batting cage franchise agreement located within Tuttle Athletic Complex and take any action necessary.

Mr. Leo Rodriguez came forth and presented a powerpoint that showed the plans for the batting cages. Chairman Bassett state that we initially had a conversation in April 2014 and this was supposed to take 30 days and then in January 2015 there was a deadline given of January 16, 2015 and we still have not had anything done. Mr. Rodriguez stated that there have been huge delays because of the rain and many other things. After some discussion, Moffatt made a motion to continue with this project with concrete poured and posts in the ground by September 1st. Mr. Rodriguez will give an update at the next Park Board Meeting on September 1, 2015. If the agreement is not met, this agreement will be voided. Lewis seconded the motion and passed unanimously.

Hear staff monthly report and updates on programs and events and take any action necessary.

Recreation Superintendent Andrew Ainsworth gave a brief update. Family Fun Friday will be on July 24 at Northshore Park, featuring Toy Story. Swim lessons are in full swing and the lifeguards have done a great job this summer and he has been happy with their performance so far. Parks Superintendent Aaron Dobson showed photos of Yellowjacket Park and says it is looking good and we are set to schedule a ribbon cutting the first part of August. There has been lots of storm clean up from the rain and flooding.

We've had some volunteers help plant flowers and put out mulch at Shores, Emerald Bay and Northshore Park.

Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 8:21 p.m.

PASSED AND APPROVED BY THE PARK BOARD OF THE CITY OF ROCKWALL, TEXAS, this 4th day of August 2015.

_____
Brad Bassett
Chairman, Park Board

ATTEST:

_____
Wendy Young
Administrative Secretary

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 08/03/2015

APPLICANT: Stacy McVey, *Double Eagle Properties*

AGENDA ITEM: **Z2015-016**; *Discovery Lakes (LI to PD)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Stacy McVey of Double Eagle Properties on behalf of the owner 308 ON 276 LP for the approval of a zoning change from an Light Industrial (LI) District to a Planned Development District for Single Family 10 (SF-10) and General Retail (GR) District land uses, on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the northeast corner of the intersection of Rochelle Road and SH-276, and take any action necessary.

PURPOSE:

On June 2, 2015, the applicant submitted an application requesting to rezone a 316.315-acre tract of land from a Light Industrial (LI) District to a Planned Development District for a single-family, residential subdivision and commercial/retail development. The proposed single family, residential subdivision will consist of 507 single-family homes, a 55.2-acre public park and an amenities center. The proposed nine (9) acres of commercial/retail land will be located at the northeast corner of Rochell Road and SH-276. The subject property, which was annexed into the City on June 15, 1998 by *Ordinance No. 98-20*, is currently vacant.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is the City's corporate boundaries followed by a vacant tract of land situated within the City of Fate's Extraterritorial Jurisdiction (ETJ).

South: Directly south of the subject property is SH-276, which is designated as a TxDOT 6D (*state highway, six [6] lane, divided roadway*). Beyond this state roadway is a 197.76-acre vacant tract of land zoned Planned Development District 66 (PD-66) for Single Family 16 (SF-16) District land uses.

East: Directly east of the subject property is an 85.479-acre vacant tract of land zoned Light Industrial (LI) District. Beyond this is a 212.25-acre vacant tract of land zoned Agricultural (AG) District.

West: Directly west of the subject property is Rochell Road, which is designated as a M4D (*minor arterial, four [4] lane, divided roadway*). Beyond this thoroughfare are a 60.30-acre tract of vacant land and a 57.46-acre tract of vacant land. Both properties are zoned Light Industrial (LI) District.

CHARACTERISTICS OF THE REQUEST:

Along with the application, the applicant has submitted a concept plan and development standards for the proposed residential subdivision and commercial/retail tract of land.

Commercial/Retail

The nine (9) acre commercial/retail tract of land will be subject to the General Retail (GR) District development standards and land uses contained within the Unified Development Code (UDC); however, the applicant has requested that the following uses be permitted by-right: 1) Hotel, Hotel (*Full Service*) or Motel (*with a maximum of four [4] stories*) [*limited to one (1) hotel/motel*], 2) Restaurant (*with Drive-Through or Drive-In*) [*limited to three (3) restaurants*], and 3) Retail Store (*with more than two [2] gasoline dispensers*). Typically, these uses require a Specific Use Permit within the General Retail (GR) District. Per the requirements of the PD Ordinance, any development within the area designated as *commercial/retail* will require a PD Development Plan, which is a discretionary approval process for the City Council. Additionally, the applicant has agreed to prohibit some of the land uses that are permitted within the General Retail (GR) District, but are not compatible with the proposed adjacent residential subdivision.

Single-Family, Residential Subdivision

The proposed residential subdivision will consist of 121, 80' x 120' lots; 127, 70' x 110' lots; and 259, 60' x 110' lots, which equals an average lot size of ~7,600 SF. The proposed gross residential density is limited to less than 1.70 units/acre by the PD Ordinance *(~1.65 units/acre is depicted on the concept plan*). The subdivision will also incorporate 30.9-acres of open space, a 55.2-acre public park that will serve Park District No. 31, and 65.2-acres of additional floodplain. The total open space provided will be 96.6-acres (~31.5%) [*floodplain counted at ½:1*]. Additionally, the development will include two (2) Soil Conservation Service (SCS) ponds (*one [1] of which will be in the public park*), which will be used as an additional amenity to the development. One (1) amenities center will be provided to service the 507-lot subdivision. A summary of the proposed development standards is as follows:

Lot Type ►	***A***	***B***	***C***
Minimum Lot Width/Frontage	80'	70'	60'
Minimum Lot Depth	120'	110'	110'
Minimum Lot Area	9,600 SF	7,700 SF	6,600 SF
Minimum Front Yard Setback	20'	20'	20'
Minimum Side Yard Setback	6'	5'	5'
Minimum Side Yard Setback (Adjacent to a Street)	15'	15'	15'
Minimum Length of Driveway Pavement	20'	20'	20'
Maximum Height	36'	36'	36'
Minimum Rear Yard Setback	15'	10'	10'
Minimum Area/Dwelling Unit (SF) [Air Conditioned Space]	2,800 SF	2,250 SF	2,000 SF
Garage Orientation	*J-Swing or Front Entry*	*J-Swing or Front Entry*	*J-Swing or Front Entry*
Maximum Number of Front Entry Garages	48	42	173
Maximum Lot Coverage	65%	65%	65%

General Notes:

1) *A ten (10) foot encroachment to the front building setback will be permitted for architectural elements like sunrooms, front porches, stoops, bay windows, etc.*
2) *All J-Swing or Traditional Swing Garages will require a minimum lot width of 65-feet.*

Waivers to Code Requirements

It should be noted that the development standards contained within the PD Ordinance deviate from the requirements of the UDC and the Engineering Department's *Standards of Design and Construction* Manual in the following ways:

1) According to Section 4, *Residential Parking*, of Article VI, *Parking and Loading*, of the UDC, "(i)n single-family or duplex districts, parking garages must be located at least 20-feet behind the front building façade for front entry garages, unless it is a *J-Swing* garage where the garage door is perpendicular to the street." The applicant has requested that front entry garages be permitted

to be located 20-feet from the front property line. This would create a minimum of a five (5) foot off-set between the front façade of the primary structure and the garage; however, the applicant has also included the option to allow a ten (10) foot encroachment to the front building façade for architectural elements (*e.g. front porches, sunrooms, etc.*), which if utilized would increase the off-set to 15-feet. As a compensatory measure, the applicant has agreed to limit the number of front entry garages allowed for each product type as follows: 1) *Type A* would require 60% *J-Swing* Drives/40% Front Entry Drives, 2) *Type B* would require 67% *J-Swing* Drives/33% Front Entry Drives, and 3) *Type C* would require 33% *J-Swing* Drives/67% Front Entry Drives.

2) According to the Engineering Department's *Standards of Design and Construction* Manual, "(t)he City Council may waive the residential alley requirement upon determination by the Council, if it is in the best interest of the City." Currently, the applicant is requesting to allow *J-Swing* and/or *Front Entry* garages in lieu of alleys. This requirement has been waived for other subdivisions throughout the City.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

In reviewing the original concept plan for conformance to the policies and guidelines of the Comprehensive Plan, staff recommended that the applicant incorporate the following recommendations to ensure conformance to the policies and guidelines established by *Resolution 07-03*:

1) *Single-family lots adjacent to open space should be front loaded for the purpose of maximizing the value of the adjacent single-family homes, preserving view corridors along the streetscapes, and to better optimize the use of open space within the development.*

2) *Increased street connectivity for safety and access can be achieved by removing unnecessary cul-de-sacs.*

3) *The applicant should consider incorporating a boulevard or other green space in the center of the development to provide a heightened sense of open space.*

In response to these comments and the concerns raised by the Planning and Zoning Commission at their regularly scheduled meeting on June 30, 2015, the applicant has made the requested changes, which has resulted in a reduction of the number of lots from 560 to 507. This is a decrease in the total residential density from 1.82 units/acre to 1.65 units/acre. The new plan also includes a lot mix that is more even, and incorporates more of the larger *Type A* lots and less of the smaller *Type C* lots than the original plan. Additionally, the new concept plan indicates general conformance to the "housing tree" model (*i.e. the largest lots and homes are located on the main entry or perimeter streets, and smaller lots and homes are located internal to the neighborhood*), which is a requirement of *Resolution 07-03*. With the changes to the concept plan, the applicant has demonstrated congruence to the policies and guidelines established in *Resolution 07-03* and the Comprehensive Plan.

With this being said, the Future Land Use Map, contained within the Comprehensive Plan, designates the subject property as an *Employment Center*. According to the Comprehensive Plan, the purpose of this designation is to, "…provide a variety of workplaces, including limited light manufacturing uses, research and development activities, corporate facilities, offices, and institutions." The zoning change proposed by the applicant would require this designation to be amended to a *Low Density Residential* and *Commercial* designation. This has been added as a condition of approval for this case.

NOTIFICATION:

On June 5, 2015, staff mailed 19 notices to property owners and residents within 500-feet of the subject property. Staff also emailed a notice to the Timber Creek Homeowner's Associations

(HOA's), which is the only HOA located within 1,500 feet of the subject property. Additionally, staff posted a sign at the corner of the intersection of Rochell Road and SH-276, and advertised the public hearings in the Rockwall Harold Banner as required by the UDC. At the time this case memo was drafted one (1) response in favor of the applicant's request was received by staff.

RECOMMENDATIONS:

If the City Council chooses to approve the applicant's request to rezone the subject property from a Light Industrial (LI) District to a Planned Development District, then staff would propose the following conditions of approval:

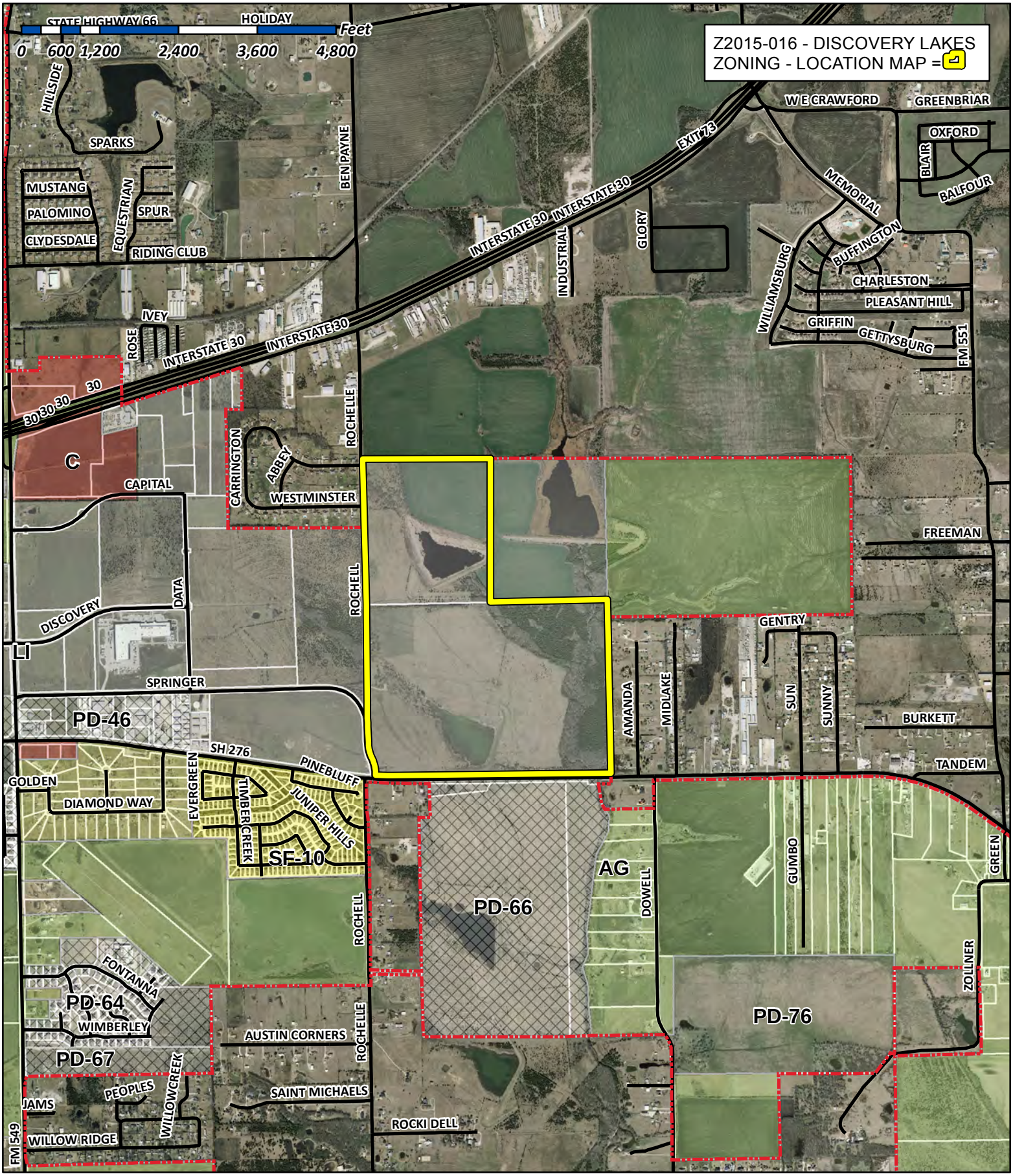
1) The applicant shall be responsible for maintaining compliance with the conditions contained within the *Planned Development District* ordinance;

2) By approving this zoning change, the City Council will effectively be approving changes to the Comprehensive Plan and Future Land Use Map. Specifically, this will change the designation of the subject property from an *Employment Center* designation to a *Low Density Residential* and *Commercial* designation; and,

3) Any construction resulting from the approval of this *zoning change* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING & ZONING COMMISSION:

On July 14, 2015, the Planning & Zoning Commission approved a motion to recommend denial of the zoning change by a vote of 5-2, with Commissioners Conley and Logan dissenting.



City of Rockwall

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

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

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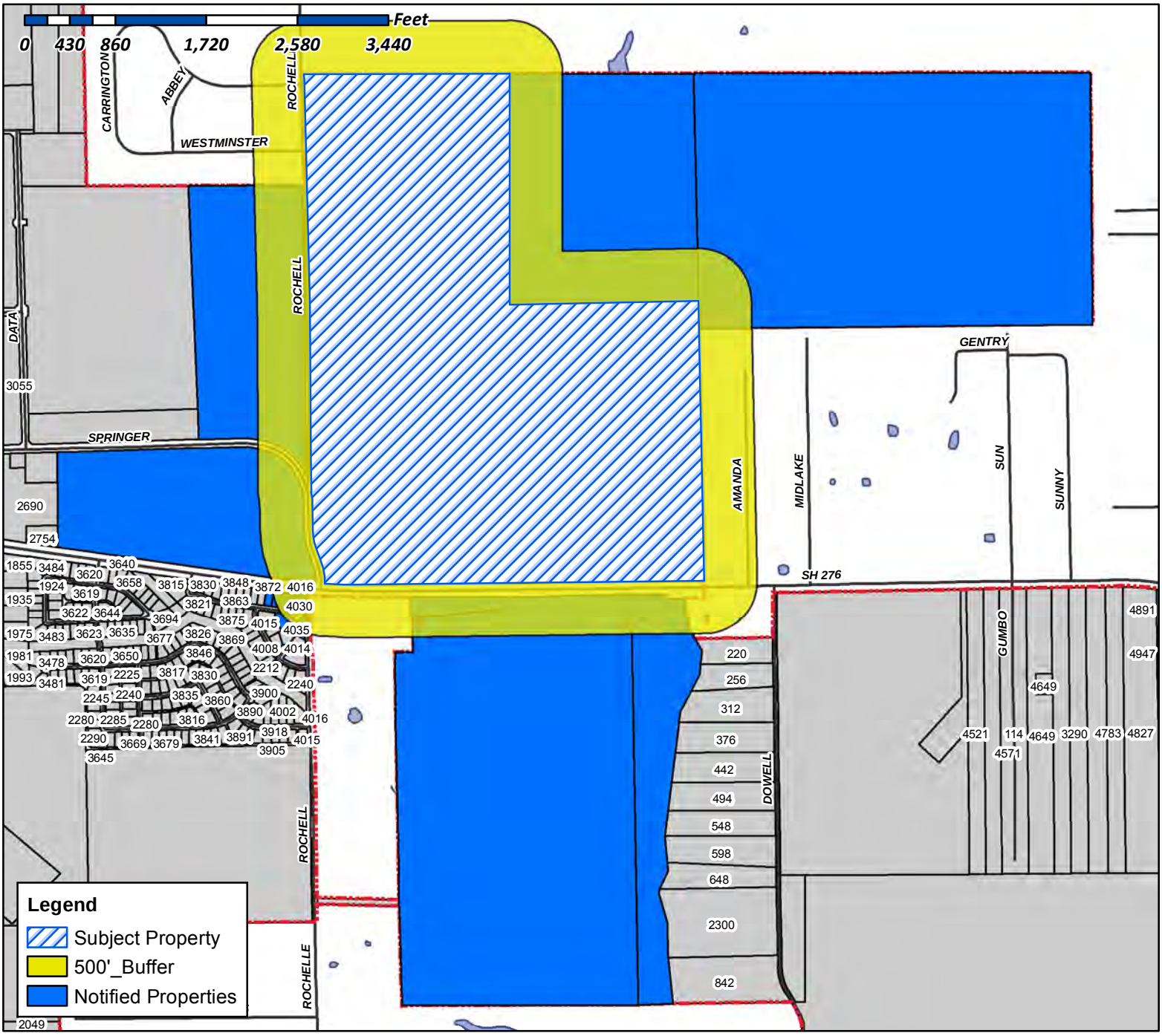
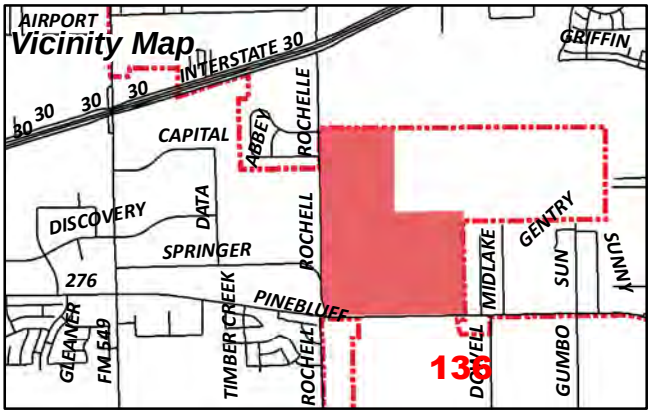


Case Number: Z2015-016
Case Name: Discovery Lakes
Case Type: Zoning
Zoning: PD
Case Address: NE corner of SH 276 and Rochell Rd.



Date Created: 05/19/2015
For Questions on this Case Call (972) 771-7745

PACIFIC PHOENIX TRUST OF 2013
WALTER E & LINDA H MOELLER TRUSTEES
1355 CORDE LOMA
WALNUT CREEK, CA 94598

SAMUEL VARUGHESE P & REMANI V
14 COLUMBIA CT
LUFKIN, TX 75901

308 ON 276 LP
14785 PRESTON RD SUITE 690
DALLAS, TX 75254

308 ON 276 LP
14785 PRESTON RD SUITE 690
DALLAS, TX 75254

SOUTH ROCKWALL HOLDINGS LP
1601 ELM ST STE 3400
DALLAS, TX 75201

WILLIAMS BRENT C AND SUSAN RAE
AND DUSTIN STUART WILLIAMS
1902 CLYDESDALE CT
ROWLETT, TX 75088

ROCKWALL FUND I LLC
212 S PALM AVE FL 2
ALHAMBRA, CA 91801

CURRENT RESIDENT
WALTER E & LINDA H MOELLER TRUSTEES
3884 PINEBLUFF LN
ROCKWALL, TX 75032

WEAVER TIFFANY D
4010 PINEBLUFF LANE
ROCKWALL, TX 75032

NWIGWE CHARLES & VANIECY
4015 PINEBLUFF LN
ROCKWALL, TX 75032

FIELDS RUTH A
4016 PINEBLUFF LN
ROCKWALL, TX 75032

CURRENT RESIDENT
C/O MICHAELSON CONNOR & BOUL INC
4022 PINEBLUFF LN SUITE 300
ROCKWALL, TX 75032

HENDERSON ERIC
4030 PINEBLUFF LN
ROCKWALL, TX 75032

CURRENT RESIDENT
AND DUSTIN STUART WILLIAMS
4035 PINEBLUFF LN
ROCKWALL, TX 75032

THE SECRETARY OF HOUSING AND URBAN DEV.
ATTN: SF PROP DISP. BRANCH
C/O MICHAELSON CONNOR & BOUL INC
4400 WILL ROGERS PKWY SUITE 300
OKLAHOMA CITY, OK 73108

HIGHLANDS OF ROCKWALL LTD
C/O JAMES M BROWN
6750 HILLCREST PLAZA DR STE 213
DALLAS, TX 75230

HIGHLANDS OF ROCKWALL LTD
C/O JAMES M BROWN
6750 HILLCREST PLAZA DR STE 213
DALLAS, TX 75230

HIGHLANDS OF ROCKWALL LTD
C/O JAMES M BROWN
6750 HILLCREST PLAZA DR STE 213
DALLAS, TX 75230

NATIVE OAKS PROPERTIES INC
ATTN ERIC CHUNG
PO BOX 59489
DALLAS, TX 75229

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

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

To Whom It May Concern:

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

Case No. Z2015-016: Discovery Lakes PD

Hold a public hearing to discuss and consider a request by Stacey McVey of Double Eagle Properties on behalf of the owner 308 ON 276 LP for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 308.52-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located at the northeast corner of the intersection of Rochelle Road and SH-276, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 6/30/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 7/06/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by **6/15/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2015-016: Discovery Lakes PD

Please place a check mark on the appropriate line below:

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

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

Name:

Address:

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

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

PLEASE RETURN THE BELOW FORM

Case No. Z2015-016: Discovery Lakes PD

Please place a check mark on the appropriate line below:

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

☐ I am opposed to the request for the reasons listed below.

Name: NATIVE OAKS PROPERTIES, INC ERIC CHUNG

Address: P.O. BOX 59489 DALLAS, TX 75229

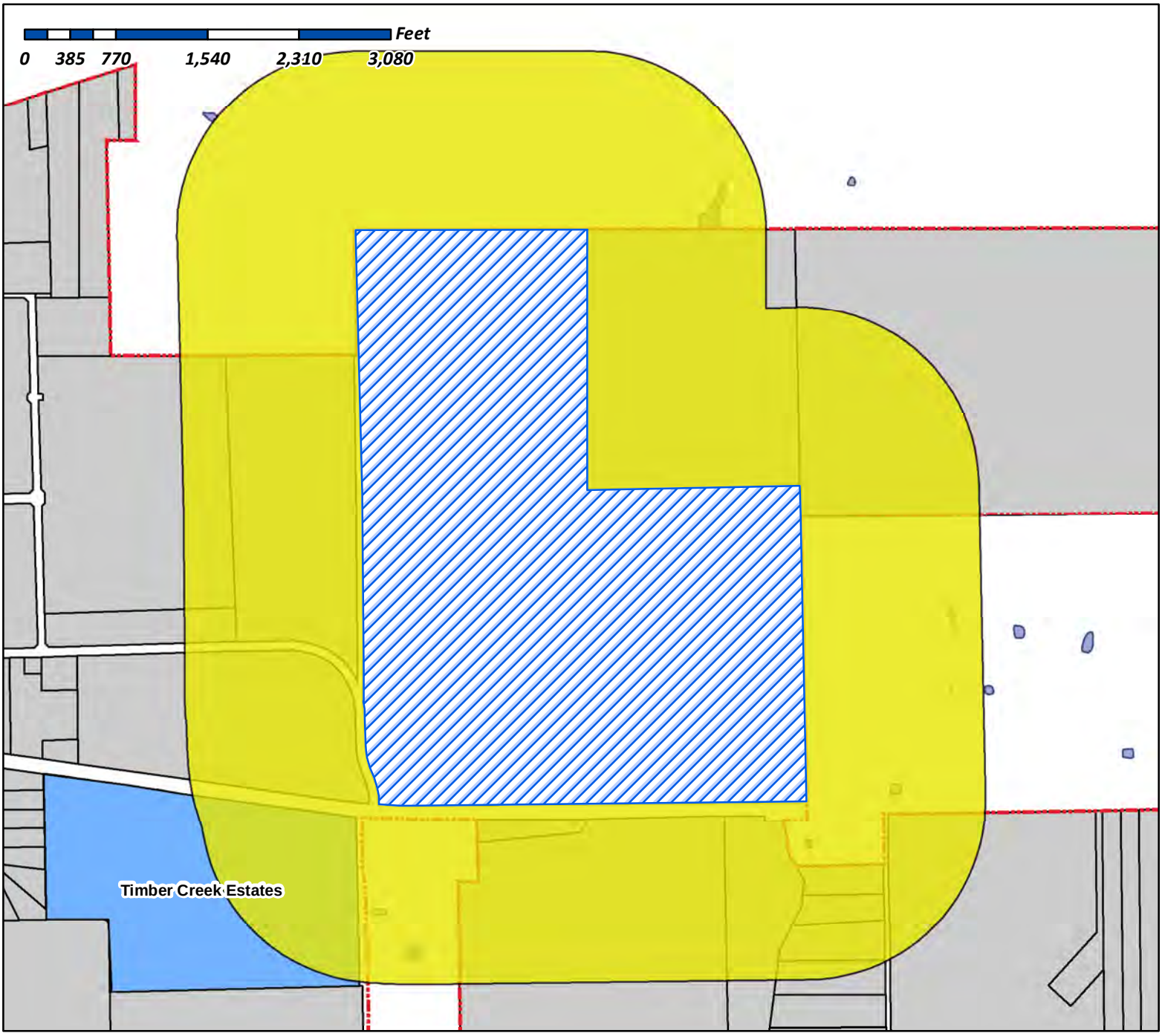
Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

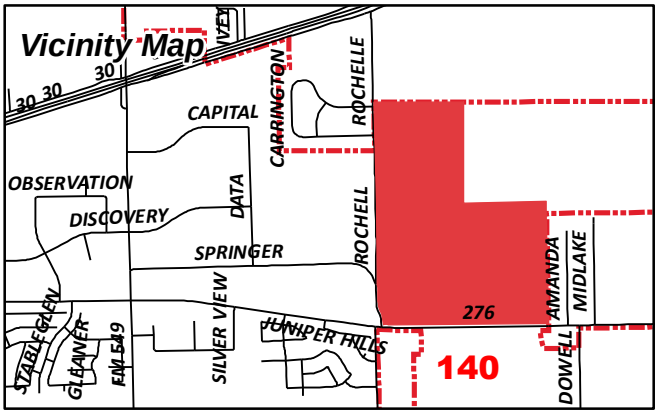
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



Case Number: Z2015-016
Case Name: Discovery Lakes
Case Type: Zoning
Zoning: PD
Case Address: NE corner of SH 276 and Rochell Rd.



Date Created: 05/19/2015
For Questions on this Case Call (972) 771-7745

Miller, Ryan

From: Morales, Laura
Sent: Friday, June 05, 2015 8:29 AM
To: [redacted]
Subject: Neighborhood Notification Program: Notice of Zoning Request

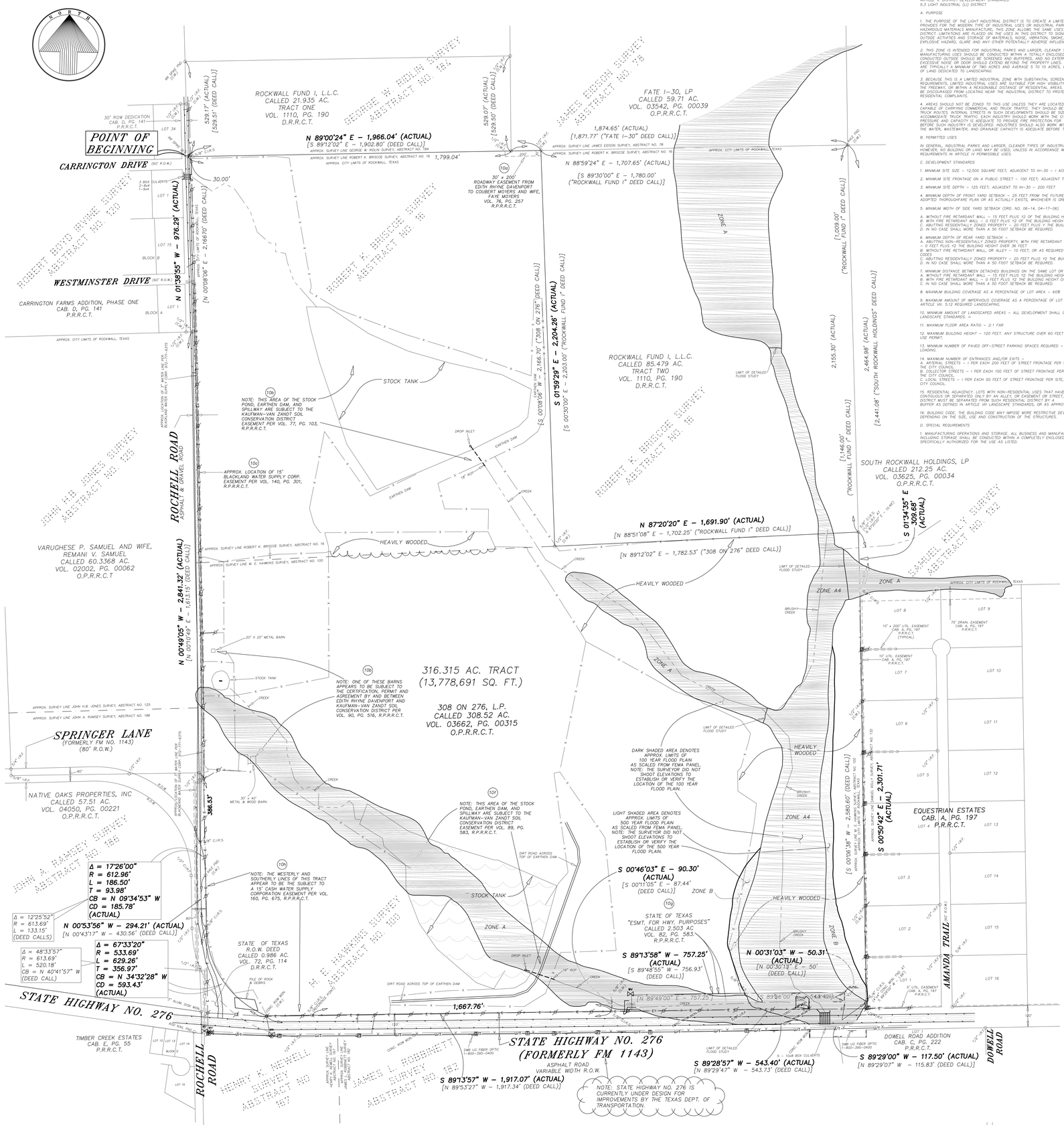
To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that will also be published in the Rockwall Herald Banner on *June 12th, 2015*. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at http://www.rockwall.com/planning/planningDevCases.asp.

Z2015-016: Discovery Lakes Subdivision
Hold a public hearing to discuss and consider a request by Stacey McVey of Double Eagle Properties on behalf of the owner 308 ON 276 LP for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located at the northeast corner of the intersection of Rochelle Road and SH-276, and take any action necessary.

Thank you,

Laura Morales
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
Lmorales@rockwall.com | http://www.rockwall.com



CITY OF ROCKWALL ZONING REGULATIONS

LIGHT INDUSTRIAL (LI)
ARTICLE V. DISTRICT DEVELOPMENT STANDARDS
5.3 LIGHT INDUSTRIAL (LI) DISTRICT

A. PURPOSE

1. THE PURPOSE OF THE LIGHT INDUSTRIAL DISTRICT IS TO CREATE A LIMITED INDUSTRIAL ZONE THAT PROVIDES FOR THE MODERN TYPE OF INDUSTRIAL USES OR INDUSTRIAL PARK WITH THE EXCEPTION OF HAZARDOUS MATERIALS MANUFACTURE; THIS ZONE ALLOWS THE SAME USES AS THE HI, HEAVY INDUSTRIAL DISTRICT, LIMITATIONS ARE PLACED ON THE USES IN THIS DISTRICT TO SIGNIFICANTLY RESTRICT THE OUTSIDE ACTIVITIES AND STORAGE OF MATERIALS THAT MAY VIBRATION, SMOKE, POLLUTION, FIRE AND EXPLOSIVE HAZARD, GLARE AND ANY OTHER POTENTIALLY ADVERSE INFLUENCES.

2. THIS ZONE IS INTENDED FOR INDUSTRIAL PARKS AND LARGER, CLEANER TYPES OF INDUSTRIES. THE MANUFACTURING USES SHOULD BE CONDUCTED WITHIN A TOTALLY ENCLOSED BUILDING. ANY ACTIVITIES CONDUCTED OUTSIDE SHOULD BE SCREENED AND BUFFERED, AND NO EXTERNAL EFFECTS SUCH AS EXCESSIVE NOISE OR ODOR SHOULD EXTEND BEYOND THE PROPERTY LINES. THE SITES FOR SUCH USES ARE TYPICALLY A MINIMUM OF TWO ACRES AND AVERAGE 5 TO 10 ACRES, WITH A SIGNIFICANT AMOUNT OF LAND DEDICATED TO LANDSCAPING.

3. BECAUSE THIS IS A LIMITED INDUSTRIAL ZONE WITH SUBSTANTIAL SCREENING AND BUFFERING REQUIREMENTS, LIMITED INDUSTRIAL USES ARE SUITABLE FOR HIGH VISIBILITY LOCATIONS SUCH AS ALONG THE FREEWAY, OR WITHIN A REASONABLE DISTANCE OF RESIDENTIAL AREAS. RESIDENTIAL USES SHOULD BE DISCOURAGED FROM LOCATING NEAR THE INDUSTRIAL DISTRICT IN ORDER TO PROTECT THE INDUSTRIES FROM RESIDENTIAL COMPLAINTS.

4. AREAS SHOULD NOT BE ZONED TO THIS USE UNLESS THEY ARE LOCATED ON OR CLOSE TO ARTERIAL STREETS WHICH HAVE COMMERCIAL AND TRUCK TRAFFIC. THEY SHOULD BE LOCATED CLOSE TO MAJOR TRUCK ROUTES. INTERNAL STREETS IN SUCH DEVELOPMENTS SHOULD BE DESIGNED AND STRENGTHENED TO ACCOMMODATE TRUCK TRAFFIC. EACH INDUSTRY SHOULD WORK WITH THE CITY TO INSURE THE WATER PRESSURE AND CAPACITY IS ADEQUATE TO PROVIDE FIRE PROTECTION FOR THAT PARTICULAR INDUSTRY BEFORE SUCH INDUSTRY IS DEVELOPED. INDUSTRIES SHOULD ALSO WORK WITH THE CITY TO INSURE THAT THE WATER, WASTEWATER, AND DRAINAGE CAPACITY IS ADEQUATE BEFORE THE INDUSTRY IS DEVELOPED.

B. PERMITTED USES

IN GENERAL, INDUSTRIAL PARKS AND LARGER, CLEANER TYPES OF INDUSTRIAL USES ARE ALLOWED; HOWEVER, NO BUILDING OR LAND MAY BE USED, UNLESS IN ACCORDANCE WITH THE USE TABLES AND REQUIREMENTS IN ARTICLE IV PERMISSIBLE USES.

C. DEVELOPMENT STANDARDS

1. MINIMUM SITE SIZE – 12,500 SQUARE FEET; ADJACENT TO IH–30 – 1 ACRE

2. MINIMUM SITE FRONTAGE ON A PUBLIC STREET – 100 FEET; ADJACENT TO IH–30 – 200 FEET

3. MINIMUM SITE DEPTH – 125 FEET; ADJACENT TO IH–30 – 200 FEET

4. MINIMUM DEPTH OF FRONT YARD SETBACK – 25 FEET FROM THE FUTURE ROW AS SHOWN ON THE ADOPTED THOROUGHFARE PLAN OR AS ACTUALLY EXISTS, WHICHEVER IS GREATER

5. MINIMUM WIDTH OF SIDE YARD SETBACK (ORD. NO. 06–14, 04–17–06)

A. WITHOUT FIRE RETARDANT WALL – 15 FEET PLUS Y2 OF THE BUILDING HEIGHT OVER 36 FEET
B. WITH FIRE RETARDANT WALL – 15 FEET PLUS Y2 THE BUILDING HEIGHT OVER 36 FEET
C. ABUTTING RESIDENTIALLY ZONED PROPERTY – 20 FEET PLUS Y2 THE BUILDING HEIGHT OVER 36 FEET
D. IN NO CASE SHALL MORE THAN A 50 FOOT SETBACK BE REQUIRED.

6. MINIMUM DEPTH OF REAR YARD SETBACK –
A. ABUTTING NON–RESIDENTIAL ZONED PROPERTY, WITH FIRE RETARDANT WALL AND ALLEY SEPARATING – 0 FEET PLUS Y2 THE BUILDING HEIGHT OVER 36 FEET.
B. WITHOUT FIRE RETARDANT WALL OR ALLEY – 10 FEET, OR AS REQUIRED BY BUILDING AND/OR FIRE CODES
C. ABUTTING RESIDENTIALLY ZONED PROPERTY – 20 FEET PLUS Y2 THE BUILDING HEIGHT OVER 36 FEET.
D. IN NO CASE SHALL MORE THAN A 50 FOOT SETBACK BE REQUIRED.

7. MINIMUM DISTANCE BETWEEN TWO BUILDINGS ON THE SAME LOT OR PARCEL OF LAND–
A. WITHOUT FIRE RETARDANT WALL – 15 FEET PLUS Y2 THE BUILDING HEIGHT OVER 36 FEET
B. WITH FIRE RETARDANT WALL – 10 FEET PLUS Y2 THE BUILDING HEIGHT OVER 36 FEET
C. IN NO CASE SHALL MORE THAN A 50 FOOT SETBACK BE REQUIRED.

8. MAXIMUM BUILDING COVERAGE AS A PERCENTAGE OF LOT AREA – 60%

9. MAXIMUM AMOUNT OF IMPERVIOUS COVERAGE AS A PERCENTAGE OF LOT AREA – 90–95% SEE ARTICLE VIII. 5.12 REQUIRED LANDSCAPING

10. MINIMUM AMOUNT OF LANDSCAPED AREAS – ALL DEVELOPMENT SHALL COMPLY WITH ARTICLE VIII LANDSCAPE STANDARDS. =

11. MAXIMUM FLOOR AREA RATIO – 2:1 FAR

12. MAXIMUM BUILDING HEIGHT – 120 FEET. ANY STRUCTURE OVER 60 FEET SHALL REQUIRE A SPECIFIC USE PERMIT.

13. MINIMUM NUMBER OF PAVED OFF–STREET PARKING SPACES REQUIRED – SEE ARTICLE VI PARKING AND LOADING.

14. MAXIMUM NUMBER OF ENTRANCES AND/OR EXITS –
A. ARTERIAL STREETS – 1 FOR EACH 200 FEET OF STREET FRONTAGE PER SITE, OR AS APPROVED BY THE CITY COUNCIL.
B. COLLECTOR STREETS – 1 PER EACH 100 FEET OF STREET FRONTAGE PER SITE, OR AS APPROVED BY THE CITY COUNCIL.
C. LOCAL STREETS – 1 PER EACH 50 FEET OF STREET FRONTAGE PER SITE, OR AS APPROVED BY THE CITY COUNCIL.

15. RESIDENTIAL ADJACENCY: LOTS WITH NON–RESIDENTIAL USES THAT HAVE A SIDE OR REAR CONTIGUOUS OR SEPARATED ONLY BY AN ALLEY, OR EASEMENT OR STREET, FROM ANY RESIDENTIAL DISTRICT MUST BE SEPARATED FROM SUCH RESIDENTIAL DISTRICT BY A BUFFER AS DEFINED IN ARTICLE VIII LANDSCAPE STANDARDS, OR AS APPROVED BY THE CITY COUNCIL.

16. BUILDING CODE: THE BUILDING CODE MAY IMPOSE MORE RESTRICTIVE DEVELOPMENT STANDARDS DEPENDING ON THE SIZE, USE AND CONSTRUCTION OF THE STRUCTURES.

D. SPECIAL REQUIREMENTS

1. MANUFACTURING OPERATIONS AND STORAGE. ALL BUSINESS AND MANUFACTURING OPERATIONS INCLUDING STORAGE SHALL BE CONDUCTED WITHIN A COMPLETELY ENCLOSED BUILDING UNLESS SPECIFICALLY AUTHORIZED FOR THE USE AS LISTED.

LEGAL DESCRIPTION

Field notes for a 316.315 acre (13,778,691 square foot) tract of land situated in the M. E. Hawkins Survey, Abstract No. 100, and the Robert K. Briscoe Survey, Abstract No. 16 in the City of Rockwall, Rockwall County, Texas, and being all of that certain called 308.52 acre tract of land described in a Special Warranty Deed to 308 on 276, L.P., as recorded in Volume 03662, Page 00315, of the Official Public Records of Rockwall County, Texas (O.P.R.R.C.T.), with said 316.315 acre (13,778,691 square feet) tract of land being more particularly described by metes and bounds as follows:

BEGINNING a railroad spike set in asphalt marking the northwest corner of said 308 on 276, L.P. tract and the common southwest corner of that certain called 21.935 acre tract of land described as Tract One in a Warranty Deed to Rockwall Fund I, L.L.C., as recorded in Volume 1110, Page 190, of the Deed Records of Rockwall County, Texas (D.R.R.C.T.), said point being in the approximate center of Rochell Road, a county road with an unspecified right–of–way (R.O.W.) width;

THENCE North 89 degrees 00 minutes 24 seconds East (South 89 degrees 12 minutes 02 seconds East – deed call), along the common northerly line of said 308 on 276, L.P. tract and the common southerly line of said Tract One, passing at a distance of 30.00 feet, a 5/8 inch iron rod set with a yellow plastic cap stamped "THE WALLACE GROUP" ("cap") for reference, continuing along said common line, passing at a distance of 1,799.04 feet, a 1/2 inch iron rod found marking the southeast corner of said Tract One, being common with the southwest corner of that certain called 59.71 acre tract of land described in a Special Warranty Deed to Fate I–30, L.P., as recorded in Volume 03542, Page 00039, O.P.R.R.C.T., continuing along the common northerly line of said 308 on 276, L.P. tract and the southerly line of said Fate I–30, L.P. tract, a total distance of 1,966.04 feet (1,902.80 feet – deed call) to a 1/2 inch iron rod found marking the common most northerly northeast corner of said 308 on 276, L.P. tract and the northwest corner of that certain called 85.479 acre tract of land described as Tract Two in the aforementioned Warranty Deed to Rockwall Fund I, L.L.C., as recorded in Volume 1110, Page 190, D.R.R.C.T.;

THENCE South 01 degrees 59 minutes 29 seconds East (South 00 degrees 08 minutes 06 seconds West – deed call), along the common easterly line of said 308 on 276, L.P. tract and the westerly line said Tract Two, a distance of 2,204.26 feet (2,166.70 feet – deed call) to a 1/2 inch iron rod found marking an ell corner of said 308 on 276, L.P. tract and the southwest corner of said Tract Two;

THENCE North 87 degrees 20 minutes 20 seconds East (North 89 degrees 12 minutes 02 seconds East – deed call), continuing along the common northerly line of said 308 on 276, L.P. tract and the southerly line said Tract Two, a distance of 1,691.90 feet (1,782.53 feet – deed call) to a 5/8 inch iron rod set with "cap" marking the common most easterly northeast corner of said 308 on 276, L.P. tract and the southeast corner of said Tract Two, from which a 1/2 inch iron rod found bears North 87 degrees 20 minutes 20 seconds East at 10.49 feet, said 5/8 inch iron rod set being on the west line of that certain called 212.25 acre tract of land described in a Special Warranty Deed to South Rockwall Holdings, L.P., as recorded in Volume 03625, Page 00034, O.P.R.R.C.T.;

THENCE South 01 degrees 34 minutes 35 seconds East, along the common easterly line of said 308 on 276, L.P. tract and the westerly line said South Rockwall Holdings tract, a distance of 309.68 feet to a 5/8 inch iron rod set with "cap" marking the southwest corner of said South Rockwall Holdings tract, being common with the northwest corner of Lot 8, Equestrian Estates, according to the plat thereof recorded in Cabinet A, Page 197, of the Plat Records of Rockwall County, Texas (P.R.R.C.T.);

THENCE South 00 degrees 50 minutes 42 seconds East, along the common easterly line of said 308 on 276, L.P. tract and the westerly line said Equestrian Estates, a distance of 2,301.71 feet (South 00 degrees 06 minutes 38 seconds West, a distance of 2,580.60 feet – overall deed call) to a 5/8 inch iron rod set with "cap" marking the common southeast corner of said 308 on 276, L.P. tract and an ell corner of the north R.O.W. line of State Highway No. 276 (having a variable width R.O.W.);

THENCE South 89 degrees 29 minutes 00 seconds West (North 89 degrees 29 minutes 07 seconds West – deed call), along the common southerly line of said 308 on 276, L.P. tract and said north R.O.W. line of State Highway No. 276, passing at a distance of 1.66 feet a found TxDOT concrete monument, continuing along said common line for a total distance of 117.50 feet (115.83 feet – deed call) to a 5/8 inch iron rod set with "cap" marking the common ell corner of said 308 on 276, L.P. tract and the most easterly southeast corner of that certain called 2.503 acre tract of land described as an Easement for Highway Purposes to the State of Texas, recorded in Volume 82, Page 583of the Real Property Records of Rockwall County, Texas (R.P.R.R.C.T.);

THENCE North 00 degrees 31 minutes 03 seconds West (North 00 degrees 30 minutes 13 seconds East – deed call), along a common interior line of said 308 on 276, L.P. tract and the easterly line of said Easement for Highway Purposes tract, a distance of 50.31 feet (50 feet – deed call) to a 5/8 inch iron rod set with "cap" marking the common ell corner of said 308 on 276, L.P. tract and the northeast corner of said Easement for Highway Purposes tract;

THENCE South 89 degrees 28 minutes 57 seconds West (North 89 degrees 29 minutes 47 seconds West – deed call), along the common southerly line of said 308 on 276, L.P. tract and the northerly line of said Easement for Highway Purposes tract, a distance of 543.40 feet (543.73 feet – deed call) to a 5/8 inch iron rod set with "cap" for corner;

THENCE South 89 degrees 13 minutes 58 seconds West (South 89 degrees 48 minutes 55 seconds West – deed call), continuing along the common southerly line of said 308 on 276, L.P. tract and the northerly line of said Easement for Highway Purposes tract, a distance of 757.25 feet (756.93 feet – deed call) to a 5/8 inch iron rod found marking a common ell corner of said 308 on 276, L.P. tract and the northwest corner of said Easement for Highway Purposes tract;

THENCE South 00 degrees 46 minutes 03 seconds East (South 00 degrees 11 minutes 05 seconds East – deed call), along a common interior line of said 308 on 276, L.P. tract and the westerly line of said Easement for Highway Purposes tract, a distance of 90.30 feet (87.44 feet – deed call) to a 5/8 inch iron rod set with "cap" marking a common ell corner of said 308 on 276, L.P. tract and the southwest corner of said Easement for Highway Purposes tract, said point being on said north R.O.W. line of State Highway No. 276;

THENCE South 89 degrees 13 minutes 57 seconds West (North 89 degrees 53 minutes 27 seconds West – deed call), along the common southerly line of said 308 on 276, L.P. tract and said north R.O.W. line of State Highway No. 276, passing at a distance of 1,667.76 feet a 5/8 inch iron rod set with "cap" for reference, continuing along said common line for a total distance of 1,917.07 feet (1,917.34 feet – deed call) to a found TxDOT concrete monument, marking the transitional R.O.W. line from said north R.O.W. line of State Highway No. 276 to the east R.O.W. line of Springer Lane, an 80 foot wide R.O.W., (formerly F.M. No. 1143), said point being the beginning of a non–tangent curve to the right, with the radius point being situated North 21 degrees 40 minutes 52 seconds East, a distance of 533.69 feet;

THENCE Northerly along the common curving westerly line of said 308 on 276, L.P. tract and said curving east R.O.W. line of Springer Lane, with said non–tangent curve to the right, through a central angle of 67 degrees 33 minutes 20 seconds (48 degrees 33 minutes 57 seconds – deed call), having a radius of 533.69 feet (613.69 feet – deed call), a tangent distance of 356.97 feet, a chord bearing North 34 degrees 32 minutes 28 seconds West (North 40 degrees 41 minutes 57 seconds West – deed call), at 593.43 feet, and an arc distance of 629.26 feet (520.18 feet – deed call) to a 5/8 inch iron rod set with "cap" at the end of said non–tangent curve;

THENCE North 00 degrees 53 minutes 56 seconds West (North 00 degrees 43 minutes 17 seconds West – deed call), continuing along the common westerly line of said 308 on 276, L.P. tract and said east R.O.W. line of Springer Lane, a distance of 294.21 feet (430.56 feet – deed call) to an axle found for the beginning of a non–tangent curve to the left, with the radius point being situated South 89 degrees 08 minutes 07 seconds West, a distance of 612.96 feet;

THENCE Northerly continuing along the common curving westerly line of said 308 on 276, L.P. tract and said curving east R.O.W. line of Springer Lane, with said non–tangent curve to the left, through a central angle of 17 degrees 26 minutes 00 seconds (12 degrees 25 minutes 52 seconds – deed call), having a radius of 612.96 feet (613.69 feet – deed call), a tangent distance of 93.98 feet, a chord bearing North 09 degrees 34 minutes 53 seconds West at 185.78 feet, and an arc distance of 186.50 feet (133.15 feet – deed call) to a 5/8 inch iron rod set with "cap" at the end of said non–tangent curve, said point marking the transition from said east R.O.W. line of Springer Lane to the approximate center of the aforementioned Rochell Road;

THENCE North 00 degrees 49 minutes 05 seconds West (North 00 degrees 10 minutes 49 seconds East – deed call), along the common westerly line of said 308 on 276, L.P. tract and said approximate center of Rochell Road, passing at a distance of 386.53 feet a 1/2 inch iron rod found marking the southeast corner of that certain called 60.3368 acre tract of land described in a Cash Warranty Deed to Varughese P. Samuel and wife, Remani V. Samuel, as recorded in Volume 02002, Page 00062, O.P.R.R.C.T., then continuing along said common line with the easterly line of said Samuel tract, a total distance of 2,841.3 feet (1,613.15 feet – deed call) to a 1/2 inch iron rod found marking the northeast corner of said Samuel tract;

THENCE North 01 degrees 38 minutes 55 seconds West (North 00 degrees 08 minutes 06 seconds East – deed call), along the common westerly line of said 308 on 276, L.P. tract and said approximate center of Rochell Road, a distance of 976.29 feet (2,166.70 feet – deed call) to the POINT OF BEGINNING.

CONTAINING within the metes recited 316.315 acres (13,778,692 square feet) of land, more or less, of which a portion lies within Rochell Road.



VICINITY MAP
(NOT TO SCALE)

NOTES CORRESPONDING TO SCHEDULE "B" ITEMS

TITLE COMMITMENT FURNISHED BY REPUBLIC TITLE OF TEXAS, INC., G.F. NO. 07824313 MK3, EFFECTIVE DATE: JULY 18, 2007, ISSUE DATE: JULY 27, 2007.

10b. ROADWAY EASEMENT GRANTED BY EDITH RHYNE DAVENPORT TO LOUBERT MOYERS AND FAYE MOYERS, DATED 07/11/1966, FILED 07/12/1966, RECORDED IN VOLUME 76, PAGE 257, REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS. AFFECTS THE MOST NORTHEASTERLY CORNER OF THE SUBJECT TRACT AS PLOTTED HEREON.

10c. EASEMENT FOR FLOODWATER RETARDING STRUCTURE GRANTED BY EDITH RHYNE DAVENPORT TO KAUFMAN–VAN ZANDT SOIL CONSERVATION DISTRICT, DATED 09/10/1966, FILED 09/22/1966, RECORDED IN VOLUME 77, PAGE 103, REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS. AFFECTED BY INSTRUMENT RECORDED IN VOLUME 90, PAGE 516, REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS. AFFECTS EXISTING BARN LOCATED ON THE WEST SIDE OF SUBJECT TRACT. AFFECTS APPROX. 57 ACRES OF THE NORTH 100 ACRES OF THE OVERALL SUBJECT TRACT AND IS PLOTTED HEREON.

10h. EASEMENT FIFTEEN FOOT (15') WIDE FOR WATER PIPELINE GRANTED BY OSCAR M. WILSON, JR. TO BLACKLAND WATER SUPPLY CORPORATION, DATED 01/08/1979, FILED 02/20/1979, RECORDED IN VOLUME 160, PAGE 301, REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS. AFFECTS THE WESTERLY LINE OF THE SUBJECT TRACT AND IS PLOTTED HEREON.

10d. EASEMENT FOR A ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE GRANTED BY CENTRAL LIFE ASSURANCE SOCIETY TO TEXAS POWER & LIGHT COMPANY, DATED 11/11/1936, FILED 12/04/1936, RECORDED IN VOLUME 33, PAGE 168, REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS. MAY AFFECT THE SUBJECT TRACT BUT THE SURVEYOR FOUND NO PHYSICAL EVIDENCE.

10e. EASEMENT FOR AN ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE GRANTED BY J.W. REECE TO TEXAS POWER & LIGHT COMPANY, DATED 06/12/1944, FILED 08/04/1944, RECORDED IN VOLUME 35, PAGE 571, REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS. MAY AFFECT THE SUBJECT TRACT BUT THE SURVEYOR FOUND NO PHYSICAL EVIDENCE.

10f. EASEMENT FOR A FLOODWATER RETARDING STRUCTURE GRANTED BY JEWELL R. ISBELL AND FRANK A. ISBELL TO KAUFMAN–VAN ZANDT SOIL CONSERVATION DISTRICT, DATED 04/13/1968, FILED 02/13/1969, RECORDED IN VOLUME 89, PAGE 583, REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS. AFFECTS APPROXIMATELY 55 ACRES OF THE SOUTH 216 ACRES OF THE OVERALL SUBJECT TRACT.

10g. EASEMENT FOR HIGHWAY PURPOSES GRANTED BY RUBY J. ISBELL AND FRANK ISBELL TO THE STATE OF TEXAS, DATED 05/17/1968, FILED 05/17/1968, RECORDED IN VOLUME 583, PAGE 583, REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS. AFFECTS THE SUBJECT TRACT, ADJACENT TO THE SOUTH LINE OF THE SUBJECT TRACT AND IS PLOTTED HEREON.

10h. EASEMENT FOR WATER LINE GRANTED BY RICHARD H. ROACH AND HASKELL L. ROACH TO CASH WATER SUPPLY CORPORATION, DATED 10/02/1980, FILED 09/09/1981, RECORDED IN VOLUME 160, PAGE 675, REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS. APPEARS TO AFFECT THE WESTERLY AND SOUTHERLY LINE OF THE SUBJECT TRACT, BUT CAN NOT BE PLOTTED DUE TO THE VAGUENESS OF THE DESCRIPTION.

FLOOD STATEMENT:

ACCORDING TO THE FLOOD INSURANCE RATE MAP, ROCKWALL COUNTY, TEXAS (UNINCORPORATED AREAS) COMMUNITY–PANEL NUMBER 480547 0045 B, EFFECTIVE DATE SEPTEMBER 17, 1980:

A PORTION OF THIS PROPERTY IS LOCATED IN ZONE A – AREAS OF 100–YEAR FLOOD, BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS NOT DETERMINED.

A PORTION OF THIS PROPERTY IS LOCATED IN ZONE A4 – AREAS OF 100–YEAR FLOOD, BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS DETERMINED.

A PORTION OF THIS PROPERTY IS LOCATED IN ZONE B – AREAS BETWEEN LIMITS OF THE 100–YEAR FLOOD AND 500–YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100–YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD.

A PORTION OF THIS PROPERTY IS LOCATED IN ZONE C – AREAS OF MINIMAL FLOODING.

SPECIAL NOTES:

STATE HIGHWAY NO. 276 IS CURRENTLY UNDER DESIGN FOR IMPROVEMENTS BY THE TEXAS DEPARTMENT OF TRANSPORTATION.

IT IS THE SOLE RESPONSIBILITY OF THE OWNER TO CONTACT THE CITY OF ROCKWALL FOR THE CITY'S INTERPRETATION OF ALL ZONING ORDINANCES. PROPERTY IS CURRENTLY Z



OPEN SPACE CALCULATION		
OPEN AREA / PARK AREA	1/2 FEMA FLOOD PLAIN AREA	
41.9 ACRES	54.7 ACRES	96.6 ACRES
OPEN SPACE RATIO =	96.6 / 307.0	31.5%

RESIDENTIAL PROJECT AREA = 307.0 ACRES

LOT DENSITY: 507 / 307.0 = 1.65 Lots per Acre

0 250' 500' 750' 1,000'

GRAPHIC SCALE

LEGEND

- TYPE A LOT
- TYPE B LOT
- TYPE C LOT
- COMMERCIAL ± 9.0 AC.
- OPEN AREA ± 30.9 AC
- PARK ± 11.0 AC
- OPEN AREA/FLOODPLAIN TO BE DEDICATED TO THE PUBLIC ± 44.2 AC
- COMMUNITY CENTER ±1.2 ACRES
- REMAINING FEMA FLOODPLAIN ±65.2 AC
- WALKING TRAIL ±3.8 MILES

GENERAL LOT INFORMATION

TYPE A - 121 LOTS - 80'x120' (MIN) - 9,600 SF
TYPE B - 127 LOTS - 70'x110' (MIN) - 7,700 SF
TYPE C - 259 LOTS - 60'X110' (MIN) - 6,600 SF

15' LANDSCAPE BUFFER ALONG DISCOVERY BOULEVARD
20' LANDSCAPE BUFFER ALONG ROCHELL ROAD
25' LANDSCAPE BUFFER ALONG HIGHWAY 276

507 LOTS

"THIS SITE PLAN SHOULD BE CONSIDERED PRELIMINARY AND CONCEPTUAL AND IS NOT BASED ON FINAL ALTA OR TOPOGRAPHIC SURVEY OR COMPLETE DUE DILIGENCE INFORMATION FROM THE GOVERNING JURISDICTION. LOT POSITION MAY VARY AS PLAN IS REFINED. PLAN WILL NOT EXCEED 507 LOTS. IT SHOULD NOT BE USED FOR LEASE EXHIBITS, PERMIT APPROVAL OR ANY OTHER BINDING AGREEMENTS"

DISCOVERY LAKES
PLANNED DEVELOPMENT
ROCKWALL, TEXAS

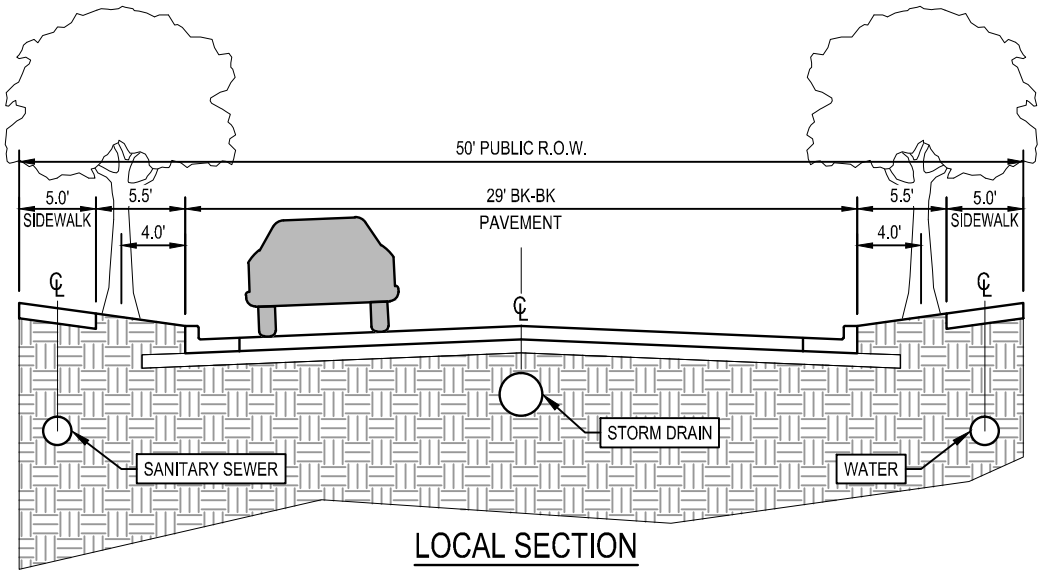
CARNEY
ENGINEERING
COMPANY
4588 Hinton Dr.
Plano, Texas 75024
PH (469) 443-0861
FAX (469) 443-0863

STATE OF TEXAS
T. CRAIG CARNEY
55714
REGISTERED
PROFESSIONAL ENGINEER
07/08/15

TBPE FIRM REGISTRATION NO: F-5033

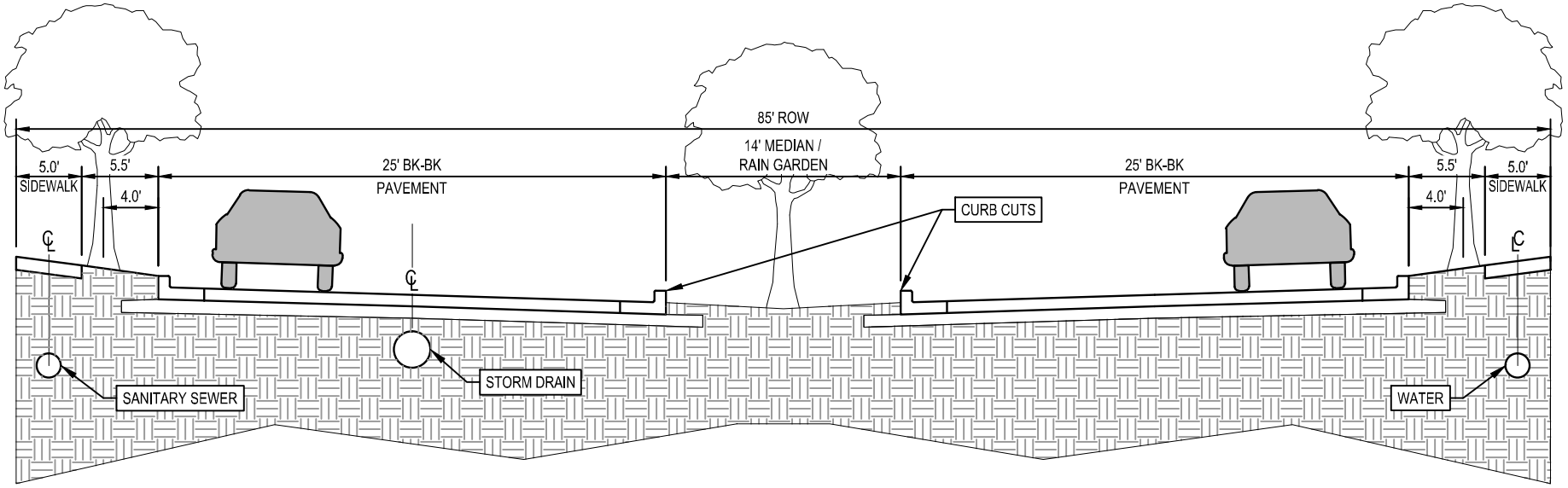
DRAWN BY :	TCP
CHECKED BY :	JAH
START DATE :	7-8-2015
SCALE :	1" = 500'
PROJECT NO. :	2068-075

Filename: F:\Land Development\2068\2068-075 Rockwall Planned Dev\CAD\LAND DEVELOPMENT\CONCEPTUAL LAYOUT #5.dwg Plotted: 7/8/2015 1:28:44 PM Plot Device: DWG To PDF.pc3 Page Setup: — Plotted by: Thurman Parsons



LOCAL SECTION

N.T.S.



BOULEVARD SECTION

N.T.S.

DISCOVERY LAKES
TYPICAL STREET SECTIONS

144



145



146



147

Permitted Land Uses in a General Retail (GR) District

Date: March 21, 2014

P: Permitted by Right; S: Permitted by Specific Use Permit; A: Permitted Accessory to the Primary Use; Blank: Not Permitted; [1]: Additional Requirements

Rural & Animal-Related	
Agricultural Uses on Un-Platted Land	P
Animal Boarding/Kennel without Outside Pens	S
Animal Clinic for small animals, no outdoor pens [1]	P
Animal Hospital, Clinic	S

Residential & Lodging	
Accessory Building [1]	P
Caretakers Quarters/Domestic or Security Unit	P
Convent or Monastery	P
Garage	A
Hotel or Motel	S
Hotel, Residence	S
Residential Care Facility	S

Institutional & Community Service	
Assisted Living Facility [1]	P
Blood Plasma Donor Center	P
Cemetery/ Mausoleum	P
Church/House of Worship [1]	P
Convalescent Care Facility/Nursing Home [1]	P
Day Care (7 or More Children) [1]	P
Emergency Ambulance Services, Ground	P
Group or Community Home [1]	P
Government Facility	P
Hospice	P
Hospital	P
Library, Art Gallery or Museum (Public)	P
Mortuary or Funeral Chapel	P
Post Office, Local Service	P
Public or Private School, Primary [1]	P
Public or Private School, Secondary [1]	P
Public or Private School Temporary Education Building [1]	S
Social Service Provider, except Rescue Mission or Homeless Shelter	S

Office & Professional	
Financial Institution with Drive-Through [1]	P
Financial Institution without Drive-Through	P
Office, General	P
Office Building, less than 5,000 Sq. Ft.	P
Office Building, 5,000 Sq. Ft. or more	P

Recreation, Entertainment & Amusement	
Billiard Parlor or Pool Hall [1]	S
Carnival, Circus, or Amusement Ride, Temporary [1]	P
Commercial Amusement/ Recreation (Inside) [1]	S
Commercial Amusement/ Recreation (Outside)	S
Community or Recreation Club, Public or Private (Accessory)	P
Country Club, Private	S
Golf Driving Range	S
Fund Raising Events by Non-Profit, Indoor or Outdoor, Temporary [1]	P
Gun Club, Skeet or Target Range (Indoor)	S

Permitted Land Uses in a General Retail (GR) District

Date: March 21, 2014

P: Permitted by Right; S: Permitted by Specific Use Permit; A: Permitted Accessory to the Primary Use; Blank: Not Permitted; [1]: Additional Requirements

Health Club	P
Private Club, Lodge or Fraternal Organization	P
Public Park or Playground	P
Tennis Courts (Not accessory to a public or private club)	S
Theater	S

Retail & Personal Services	
Antique/Collectible Store	P
Astrologer, Hypnotist, or Psychic Art and Science	P
Banquet Facility	P
Business School	P
Catering Service	P
Christmas Tree Sales Lot & Similar Uses, Temporary [1]	P
Copy Center	P
Display, Incidental [1]	P
Garden Supply/Plant Nursery	P
General Personal Service	P
General Retail Store	P
Hair Salon, Manicurist	P
Laundry, Drop-off/Pickup	P
Laundry, Self Service	P
Massage Therapist	P
Museum or Art Gallery (Private)	P
Night Club, Discoteque, or Dance Hall	S
Pet Shop	P
Private Club [1]	P
Real Estate Sales Office, On-site, Temporary [1]	P
Rental Store, w/o Outside Storage and Display	S
Restaurant, Less than 2000 Sq. Ft., w/ Drive-Thru or Drive-in [1]	S
Restaurant, Less than 2000 Sq. Ft., w/o Drive-Thru or Drive-in	P
Restaurant, 2000 Sq. Ft. or more, w/ Drive-Thru or Drive-in [1]	S
Restaurant, 2000 Sq. Ft. or more, w/o Drive-Thru or Drive-in	P
Restaurant with accessory Private Club or Brew Pub [1]	P
Retail store with gasoline product sales limited to 2 dispensers and 4 vehicles	P
Retail store with more than 2 dispensers	S
Secondhand Dealer	P
Studio - Art, Photography or Music	P
Tailor, Clothing or Apparel Shop	P

Commercial & Business Services	
Electrical, Watch, Clock, Jewelry & Similar Repair	P
Locksmith	P
Shoe and Boot Repair and Sales	P
Trade School	S
Temporary On-site Construction Office [1]	P

Auto & Marine-Related	
Auto Repair Garage, Minor [1]	S
Car Wash/Auto Detail [1]	S
Car Wash, Self Service	S
Parking Lot, non-commercial	P
Service Station [1]	P

Permitted Land Uses in a General Retail (GR) District

Date: March 21, 2014

P: Permitted by Right; S: Permitted by Specific Use Permit; A: Permitted Accessory to the Primary Use; Blank: Not Permitted; [1]: Additional Requirements

Industrial & Manufacturing	
Asphalt or Concrete Batch Plant, Temporary [1]	P
Mining and Extraction (Sand, Gravel Oil & other) [1]	S

Utilities, Communications & Transportation	
Antenna, Accessory [1]	P
Antenna, Commercial [1]	S
Antenna, Dish [1]	P
Antenna, Commercial, Free-Standing [1]	S
Antenna, Commercial, Mounted [1]	S
Helipad	S
Utilities (Non-Municipally owned or Controlled), including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	S
Municipally Owned or Controlled Facilities, Utilities and Uses	P
Private Streets	S
Radio Broadcasting	P
Railroad Yard or Shop	S
Recording Studio	S
Satellite Dish [1]	P
Transit Passenger Facility	S
TV Broadcasting & Other Communication Service	S
Utilities Holding a Franchise from City of Rockwall	S
Utility Installation, Other than Listed	S
Utility/ Transmission Lines	S
Wireless Communication Tower	S

CITY OF ROCKWALL

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A PLANNED DEVELOPMENT DISTRICT FOR SINGLE FAMILY 10 (SF-10) AND GENERAL RETAIL (GR) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 316.315-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE M. E. HAWKINS SURVEY, ABSTRACT NO. 100, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A' & EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by the Stacy McVey of Double Eagle Properties, LLC on behalf of the owner 308 ON 276, LP for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) and General Retail (GR) District land uses, on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A' & Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 2. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 3. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, described in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

DRAFT ORDINANCE 07.21.2015

Section 4. That a *Master Parks and Open Space Plan* for the *Subject Property*, shall be prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan* depicted in *Exhibit 'C'* of this ordinance, and that the *Master Parks and Open Space Plan* shall be considered for approval by the City Council following a recommendation by the *Parks and Recreation Board*.

Section 5. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

(a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 5(b) through 5(f) below*), shall be the exclusive procedures applicable to the subdivision and platting of the Property.

(b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for an *Open Space Master Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.

(1) Open Space Master Plan
(2) Master Plat
(3) PD Development Plan (*Required for Retail Areas Only*)
(4) PD Site Plan
(5) Preliminary Plat
(6) Final Plat

(c) A *PD Development Plan* must be approved for the area designated on the *Planned Development Concept Plan* as *Retail* prior to submittal of a *PD Site Plan* application and/or preliminary plat application. No *Master Plat* is required for the area designated on the *Concept Plan* as *Retail*. A traffic impact analysis for the retail tract shall be submitted with the *PD Development Plan* to determine the extent and timing of any recommended facilities and/or improvements to the surrounding roadway network. The traffic impact analysis may be updated with each *PD Site Plan* for each retail development.

(d) *PD Site Plan.* A *PD Site Plan* covering all of the *Subject Property* shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Preliminary Plat Application* for the development.

(e) *Preliminary Plat.* A *Preliminary Plat* covering all of the *Subject Property* shall be submitted and shall include a *Treescape Plan*. A *Preliminary Plat Application* may be processed by the City concurrently with a *PD Site Plan Application* for the development.

(f) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, for all of the *Subject Property* shall be submitted for approval.

Section 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

DRAFT ORDINANCE 07-14-2015

Section 7. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 8. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 9. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 20TH DAY OF JULY, 2015.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *July 20, 2015*

2nd Reading: *August 3, 2015*

DRAFT ORDINANCE 07.14.2015

Exhibit 'A':
Legal Description

Field notes for a 316.315-acre (13,778,691 square foot) tract of land situated in the M. E. Hawkins Survey, Abstract No. 100, and the Robert K. Briscoe Survey, Abstract No. 16 in the City of Rockwall, Rockwall County, Texas, and being all of that certain called 308.52-acre tract of land described in a Special Warranty Deed to 308 ON 276, L.P., as recorded in Volume 03662, Page 00315, of the Office Public Records of Rockwall County, Texas (O.P.R.R.C.T.) with said 316.315-acre (13, 778,691 square feet) tract of land being more particularly described by metes and bounds as follows:

BEGINNING a railroad spike set in asphalt marking the northwest corner of said 308 on 276, L.P. tract and the common southwest corner of that certain called 21. 935 acre tract of land described as Tract One in a Warranty Deed to Rockwall Fund I, L.L.C., as recorded in Volume 1 110, Page 190, of the Deed Records of Rockwall County, Texas (D.R.R.C.T.) , said point being in the approximate center of Rochell Road, a county road with an unspecified right-of- way (R. O. W.) width;

THENCE North 89 degrees 00 minutes 24 seconds East (South 89 degrees 12 minutes 02 seconds East - deed call), along the common northerly line of said 308 ON 276, L.P. tract and the common southerly line of said Tract One, passing at a distance of 30. 00 feet, a 5/8 inch iron rod set with a yellow plastic cap stamped "THE WALLACE GROUP " ("cap ") for reference, continuing along said common line, passing at a distance of 1,799. 04-fee t, a ½-inch iron rod found marking the southeast corner of said Tract One, being common with the south west corner of that certain called 59.71-acre tract of land described in a Special Warranty Deed to Fate I- 30, L.P., as recorded in Volume 03542, Page 00039, O.P.R.R.C.T., continuing along the common northerly line of said 308 on 276, L.P. tract and the southerly line of said Fate I-30, L.P. tract, a total distance of 1,966.04 feet (1,902 .80 feet - deed call) to a 1/ 2 inch iron rod found marking the common most northerly northeast corner of said 308 on 276, L.P. tract and the north west corner of that certain coiled 85.479 acre tract of land described as Tract Two in the aforementioned Warranty Deed to Rockwall Fund I, L.L.C., as recorded in Volume 1 110, Page 190, O.R.R.C.T.;

THENCE South 01 degrees 59 minutes 29 seconds East (South 00 degrees 08 minutes 06 seconds West - deed call), along the common easterly line of said 308 ON 276, L.P. tract and the westerly line said Tract Two, a distance of 2,204.26-fee t (2,166.70-feet - deed call) to a 1/ 2 inch iron rod found marking an ell corner of said 308 ON 276, L.P. tract and the southwest corner of said Tract Two;

THENCE North 87 degrees 20 minutes 20 seconds East (North 89 degrees 12 minutes 02 seconds East - deed call), continuing along the common northerly line of said 308 on 276, L.P. tract an d the southerly line said Tract Two, a distance of 1,691. 90 feet (1,782.53 feet - deed call) to a 5/8 inch iron rod se t with "cap " marking the common most easterly northeast corner of said 308 on 276, L.P. tract and the southeast corner of said Tract Two, from which a ½-inch iron rod found bears North 87 degrees 20 minutes 20 seconds East at 10. 49 feet, said 5/8-inch iron rod set being on the west line of that certain called 212. 25 acre tract of land described in a Special Warranty Deed to South Rock wall Holdings, L.P., as recorded in Volume 03625, Page 00034, O.P.R.R.C.T.;

THENCE South 01 degrees 34 minutes 35 seconds East, along the common easterly line of said 308 ON 276, L.P. tract and the westerly line said South Rock wall Holdings tract, a distance of 309.68-feet to a 5/8-inch iron rod set with "cap " marking the southwest corner of said South Rock wall Holdings tract, being common with the northwest corner of Lot 8, Equestrian Estates, according to the plot thereof recorded in Cabinet A, Page 19 7, of the Plot Records of Rock wall County, Texas (P.R.R.C.T.);

THENCE South 00 degrees 50 minutes 42 seconds East, along the common easterly line of said 308 ON 276, L.P. tract and the westerly line said Equestrian Estates, a distance of 2,301.71 feet (South 00 degrees 06 minutes 38 seconds West, a distance of 2,580 . 60 feet - overall deed call) to a 5/8 inch iron rod set with "cap " marking the common southeast corner of said 308 ON 276, L.P. tract and on ell corner of the north R.O.W. line of State Highway No. 276 (having a variable width R.O.W.);

THENCE South 89 degrees 29 minutes 00 seconds West (North 89 degrees 29 minutes 07 seconds West - deed call), along the common southerly line of said 308 ON 2 76, L.P. tract and said north R.O.W. line of State Highway No. 276, passing at a distance of 1.66 feet a found TxDOT concrete monument, continuing along said common line for a tot al distance of 117.50-feet (115.83-feet - deed call) to a 5/8-inch iron rod set with "cap " marking the common ell corner of said 308 ON 276, L.P. tract and the most easterly southeast corner of that certain called 2.503-acre tract of land described as on Easement for Highway Purposes to the State of Texas, recorded in Volume 82, Page 583 of the Real Property Records of Rockwall County, Texas (R.P.R.R.C.T.);

THENCE North 00 degrees 31 minutes 03 seconds West (North 00 degrees 30 Minutes 13 seconds East - deed call), along a common interior line of said 308 on 2 76, L.P. tract and the easterly line of said Easement for Highway Purposes tract, a distance of 50.31-feet (50-feet - deed call) to a 5/8-inch iron rod set with "cap" marking the common ell corner of said 308 ON 276, L.P. tract and the north east corner of said Easement for Highway Purposes tract;

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THENCE South 89 degrees 28 minutes 57 seconds West (North 89 degrees 29 minutes 47 seconds West - deed call), along the common southerly line of said 308 on 276, L.P. tract and the northerly line of said Easement for Highway Purposes tract, a distance of 543.40-feet (543.73-feet - deed call) to a 5/8-inch iron rod set with "cap " for corner;

THENCE South 89 degrees 13 minutes 58 seconds West (South 89 degrees 48 minutes 55 seconds West - deed call), continuing along the common southerly line of said 308 ON 276, L.P. tract and the northerly line of said Easement for Highway Purposes tract, a distance of 757. 25-feet (756.93-feet - deed call) to a 5/8-inch iron rod found marking a common ell corner of said 308 ON 276, L.P. tract and the northwest corner of said Easement for Highway Purposes tract;

THENCE South 00 degrees 46 minutes 03 seconds East (South 00 degrees 11 minutes 05 seconds East - deed call), along a common interior line of said 308 ON 276, L.P. tract and the westerly line of said Easement for High way Purposes tract, a distance of 90.30-feet (87.44-feet - deed call) t o a 5/8-inch iron rod set with "cap " marking a common ell corner of said 308 ON 276, L.P. tract and the southwest corner of said Easement for Highway Purposes tract, said point being on said north R.O.W. line of State Highway No. 276;

THENCE South 89 degrees 13 minutes 57 seconds West (North 89 degrees 53 minutes 27 seconds West - deed call), along the common southerly line of said 308 ON 276, L.P. tract and said north R.O.W. line of State Highway No. 276, passing at a distance of 1,66 7.76-feet a 5/8-inch iron rod set with "cap " for reference, continuing along said common line for a total distance of 1,917.07-feet (1,917.34-feet - deed call) to a found TxDOT concrete monument, marking the transitional R.O.W. line from said north R.O.W. line of State Highway No. 276 to the east R.O.W. fine of Springer Lane, on 80-foot wide R.O.W., (formerly F.M. No. 1143), said point being the beginning of a non-tangent curve to the right, with the radius point being situated North 21 degrees 40 minutes 52 seconds East, a distance of 533.69-feet;

THENCE Northerly along the common curving westerly line of said 308 ON 276, L.P. tract and said curving east R.O.W. line of Springer Lane, with said non-tangent curve to the right, through a central angle of 67 degrees 33 minutes 20 seconds (48 degrees 33 minutes 57 seconds - deed call), having a radius of 533. 69-feet (613.69-feet - deed call), a tangent distance of 356.97-feet, a chord bearing North 34 degrees 32 minutes 28 seconds West (North 40 degrees 41 minutes 57 seconds West - deed call), at 593.43-feet, and an arc distance of 629.26-feet (520.18-feet - deed call) to a 5/8-inch iron rod set with "cap" at the end of said non- tangent curve;

THENCE North 00 degrees 53 minutes 56 seconds West (North 00 degrees 43 minutes 17 seconds West - deed call), continuing along the common westerly line of said 308 on 276, L.P. tract and said east R.O.W. line of Springer Lane, a distance of 294.21-feet (430.56-feet - deed call) to an axle found for the beginning of a non-tangent curve to the left , with the radius point being situated South 89 degrees 08 minutes 07 seconds West, a distance of 612.96-feet;

THENCE Northerly continuing along the common curving westerly line of said 308 ON 276, L.P. tract and said curving east R.O.W. line of Springer Lane, with said non-tangent curve to the left, through a central angle of 17 degrees 26 minutes 00 seconds (12 degrees 25 minutes 52 seconds - deed call), having a radius of 612.96-feet (613.69-feet - deed call), a tangent distance of 93.98 feet, a chord bearing North 09 degrees 34 minutes 53 seconds West at 185.78-feet, and an arc distance of 186.50-feet (133.15 feet - deed call) to a 5/8-inch iron rod set with "cap" at the end of said non-tangent curve, said point marking the transition from said east R.O.W. line of Springer Lane to the approximate center of the aforementioned Rochell Road;

THENCE North 00 degrees 49 minutes 05 seconds West (North 00 degrees 10 minutes 49 seconds East - deed call), along the common westerly line of said 308 ON 276, L.P. tract and said approximate center of Rochell Road, passing at a distance of 386.53-feet a ½-inch iron rod found marking the southeast corner of that certain called 60.3368-acre tract of land described in a Cash Warranty Deed to Varughese P. Samuel and wife, Remoni V. Samuel, as recorded in Volume 02002, Page 00062, O.P.R.R.C.T., then continuing along said common line with the easterly line of said Samuel tract, a total distance of 2,841.3-feet (1,613.15-feet - deed call) to a ½-inch iron rod found marking the northeast corner of said Samuel tract;

THENCE North 01 degrees 38 minutes 55 seconds West (North 00 degrees 08 minutes 06 seconds East - deed call), along the common westerly line of said 308 ON 276, L.P. tract and said approximate center of Rochell Road, a distance of 976.29-feet (2,166.70-feet - deed call) to the *POINT OF BEGINNING*.

CONTAINING within the metes recited 316.315-acres (13,778,692 square feet) of land, more or less, of which a portion lies within Rochell Road.

Exhibit 'B':
Survey

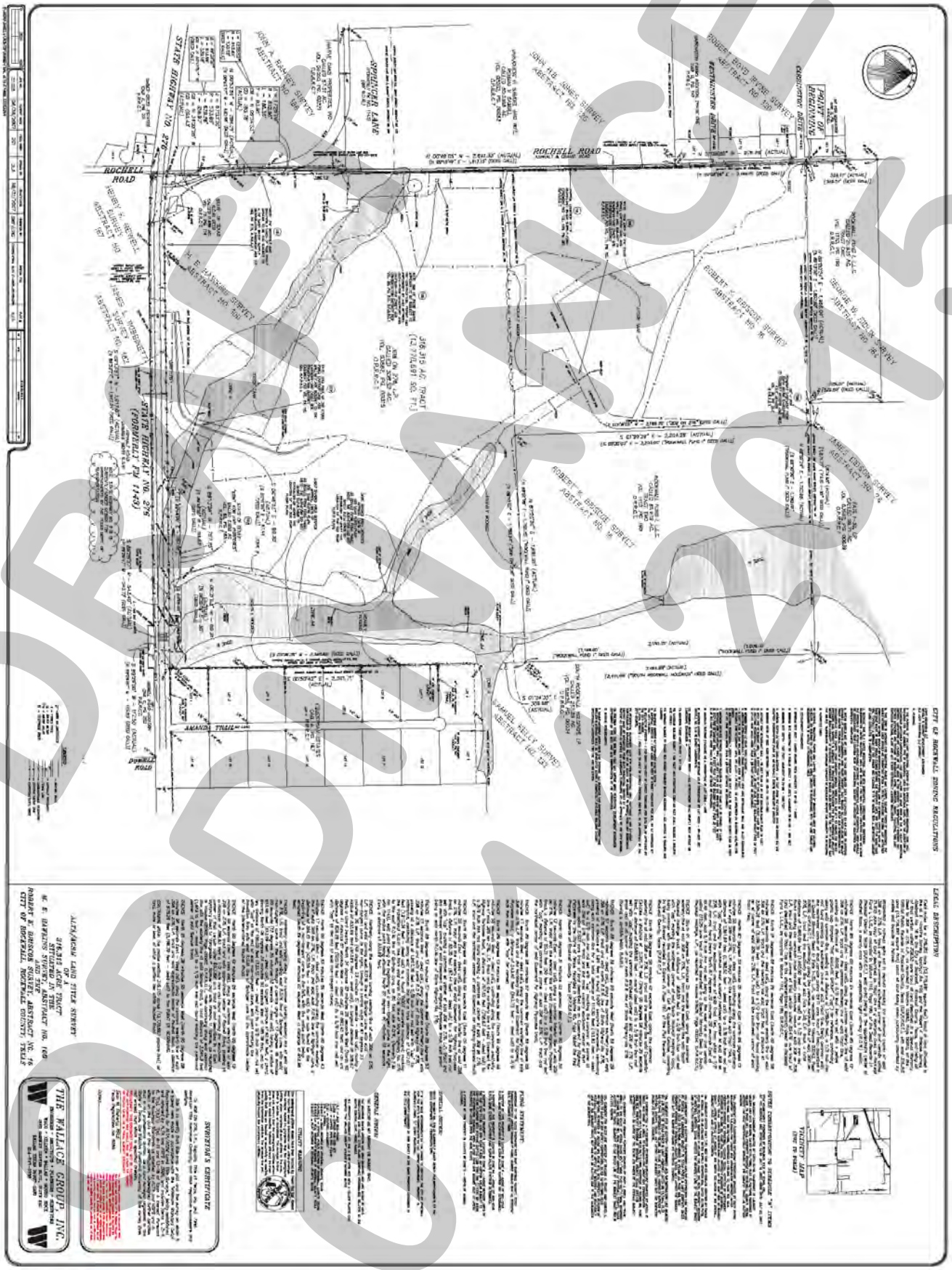

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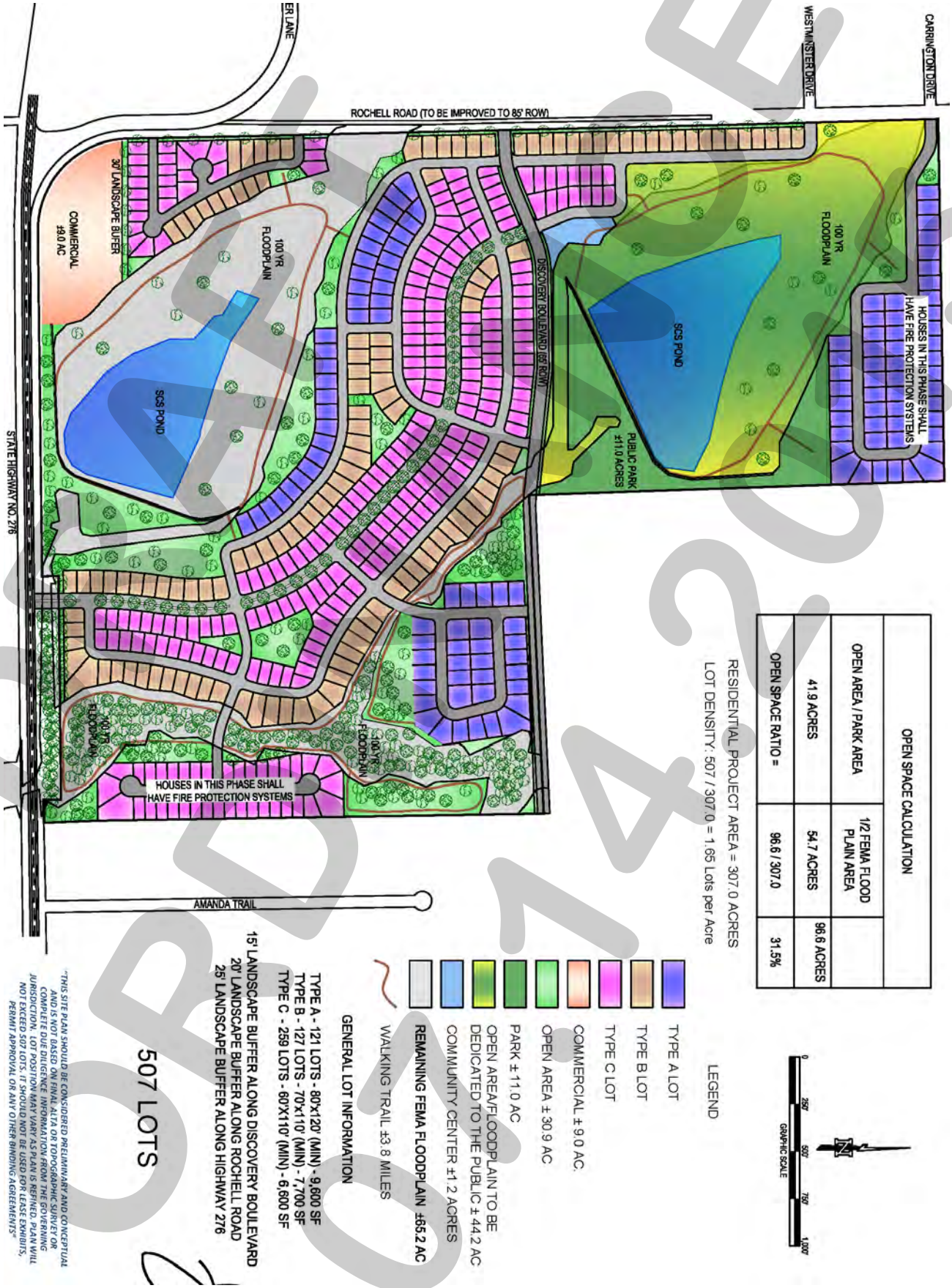
Exhibit 'C':
Concept Plan



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02/14/2015

Exhibit 'D':
PD Development Standards

A. PURPOSE

The Discovery Lakes Subdivision is located at the northeast corner of the intersection of SH-276 and Rochell Road. The *Subject Property* is a short walk or bike ride from the Rockwall Technology Park. The Discovery Lakes Subdivision will be a master planned residential neighborhood that will incorporate two (2) lakes, several acres of open space and ~3.8-miles of hiking/jogging/biking trails. The master plan calls for 507 single-family homes. There will be several view corridors strategically placed within the subdivision along with *front loaded* lots to provide for the enjoyment of the open space. A boulevard with 85-feet of right-of-way will connect SH-276 and Discovery Boulevard. The boulevard will have a 14-foot landscape median and a 25-foot travel lane on each side of the street. The residential streets will be 29-feet back-to-back, with a 10½-foot parkway on each side for a total of 50-feet of right-of-way. A *Community Center* with a pool will be provided to add increased amenity for the subdivision. Additionally, the proposed development will incorporate nine (9) acres of commercial space that will be located at the hard corner of SH-276 and Rochell Road. This area will allow for neighborhood service types of uses and eating establishments. A maximum of one (1) hotel planned to service the needs of the subdivision and the Rockwall Technology Park. A 55-acre area adjacent to the northern lake will be dedicated as public parkland to serve Park District No. 31. The Discovery Lakes Subdivision will be a benefit to the community, allowing citizens of all ages the opportunity to live, work, and play in a connected master planned community.

B. GENERAL REQUIREMENTS

Development Standards.

1. *Permitted Uses.* The following uses are permitted on the *Subject Property* in accordance with the *Concept Plan* depicted in *Exhibit 'C'* of this ordinance.

   (a) Residential Uses. Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 10 (SF-10) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), shall be allowed for areas designated as *residential* on the *Concept Plan*.

   (b) Non-Residential. Unless specifically provided by this Planned Development ordinance, only those uses permitted within the General Retail (GR) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), shall be allowed for areas designated as *commercial* on the *Concept Plan*; however, the following conditions shall apply:

   (i) The following additional uses shall be permitted as *by-right* uses on the *Subject Property*:

   - ☑ Hotel, Hotel (*Full Service*) or Motel (*With a Maximum Height of Four [4] Stories)* [1]
   - ☑ Restaurant (*with Drive-Through or Drive-In*) [2]
   - ☑ Retail Store (*with more than two [2] Gasoline Dispensers*)

   Notes:
   [1]: A maximum of one (1) hotel/motel shall be permitted with this Planned Development District. The height requirement of four (4) stories is permitted to exceed 36-feet, but in no case shall exceed 60-feet.
   [2]: A maximum of three (3) restaurants (despite the size of the restaurant) shall be permitted within this Planned Development District.

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(ii) The following uses shall be prohibited on the *Subject Property*:

- ☑ Convent or Monastery
- ☑ Hotel, Residence
- ☑ Cemetery/Mausoleum
- ☑ Mortuary of Funeral Chapel
- ☑ Social Service Provider
- ☑ Billiard Parlor or Pool Hall
- ☑ Carnival, Circus, or Amusement Ride
- ☑ Commercial Amusement/Recreation (*Outside*)
- ☑ Gun Club, Skeet or Target Range (*Indoor*)
- ☑ Astrologer, Hypnotist, or Psychic Art and Science
- ☑ Garden Supply /Plant Nursery
- ☑ Night Club, Discotheque, or Dance Hall
- ☑ Secondhand Dealer
- ☑ Car Wash, Self Service
- ☑ Mining and Extraction (Sand, Gravel, Oil and/or Other)
- ☑ Helipad
- ☑ Railroad Yard or Shop
- ☑ Transit Passenger Facility

2. *Non-Residential Development.* The area designated as *commercial* on the *Concept Plan* depicted in *Exhibit 'C'* of this ordinance shall be designed to be pedestrian-oriented, easily accessible, and integrated into the general design scheme of the adjacent neighborhood. This can be accomplished by removing the traditional barriers utilized to separate commercial and residential developments (*e.g. screening walls*) and incorporating landscape buffers/elements (*e.g. greenspace, parkways, and etcetera*) and urban design elements (*e.g. pathways, pergolas, and etcetera*) that can create compatibility with the adjacent single-family neighborhood. To better achieve this goal and in addition to the requirements of Section 4.1, *General Commercial District Standards*, and Section 6.14, *SH-276 Corridor Overlay (SH-276 OV) District*, of Article V, *District Development Standards*, of the Unified Development Code, all commercial development shall be required to adhere to the following supplemental standards:

(a) Retail Landscape. Landscaping shall be reviewed and approved with the PD Site Plan. All Canopy/Shade Trees planted within the retail development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height unless otherwise provided within this document.

(b) Retail Landscape Buffers. All landscape and plantings located within the buffers shall be maintained by the property owner.

(1) Landscape Buffer (Residential Adjacency). Where residential and retail uses share a direct adjacency, a minimum of a 30-foot landscape buffer shall be provided by the retail property adjacent to the residential property. This area shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the adjacency. This area should also incorporate pedestrian-oriented design elements (*e.g. pathways*) that allow access between the two (2) uses. Shrubbery utilized in this area shall have a minimum height of 30-inches and a maximum height of 48-inches. Additionally, trees should be incorporated in this area to break up the façades of any commercial buildings.

(2) Landscape Buffer and Sidewalks (SH-276). A minimum of a 15-foot landscape buffer shall be provided along the frontage of SH-276, and shall incorporate ground cover,

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a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. All buffer-strip planting requirements shall conform to the requirements of Section 6.14, *SH-276 Corridor Overlay (SH-276 OV) District*, of Article V, *District Development Standards*, of the Unified Development Code.

(3) *Landscape Buffer (Rochell Road Retail).* A minimum of a 20-foot landscape buffer shall be provided along the frontage of Rochell Road (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage.

(c) *Sidewalks.*

i) *Sidewalk Adjacent to Rochell Road and SH-276.* The developer shall be responsible for the construction of a five (5) foot sidewalk that meanders through the required 20-foot landscape buffer adjacent to Rochell Road and SH-276.

3. *Residential Development Standards.* Except as modified by these *Development Standards*, the residential uses depicted in *Exhibit 'C'* of this ordinance shall be subject to the development standards for a Single Family 10 (SF-10) District as stipulated by Section 3.1, *General Residential District Standards*; Section 3.4, *Single-Family Residential (SF-10) District*; and Section 6.14, *SH-276 Corridor Overlay (SH-276 OV) District*, of Article V, *District Development Standards*, of the Unified Development Code. In addition, all residential development shall adhere to the following standards:

(a) *Lot Composition and Layout.* The lot layout and composition of the *Subject Property* shall generally conform to the *Concept Plan* depicted in *Exhibit 'C'* and stated in *Table 1* below. Allowances for changes to the quantity and locations of each lot type are permitted in conformance with the requirements listed below; however, in no case shall the proposed development exceed 507 units.

Table 1: Lot Composition

Lot Type	*Minimum Lot Size (FT)*	*Minimum Lot Size (SF)*	*Dwelling Units (#)*	*Dwelling Units (%)*
A	80' x 120'	9,600 SF	121	23.87%
B	70' x 110'	7,700 SF	127	25.05%
C	60' x 110'	6,600 SF	259	51.08%
		Maximum Permitted Units:	*507*	*100.00%*

The allocation of single-family dwellings among lot types may deviate from *Table 1* provided that the proposed lot composition meets the following criteria:

(1) The total number of lots does not exceed 525 units; and,
(2) The average lot size for the total development is not less than 7,500 SF (*i.e. total square footage of all lots/total number of lots*); and,
(3) *Lot Type "A"* shall not be decrease below 115 lots; and,
(4) *Lot Type "B"* shall not be decreased below 23% of the total 507 lots; and,
(5) *Lot Type "C"* shall not be increased beyond 55% of the total 507 lots.

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(b) *Density and Dimensional Requirements.* The maximum permissible density for the *Subject Property* shall not exceed 1.70 dwelling units per gross acre of land; however, in no case should the proposed development exceed 507 units. All lots shall conform to the standards depicted in *Table 2* below and generally conform to *Exhibit 'C'* of this ordinance.

Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ►	***A***	***B***	***C***
Minimum Lot Width [1] & [5] & [7]	80'	70'	60'
Minimum Lot Depth	120'	110'	110'
Minimum Lot Area	9,600 SF	7,700 SF	6,600 SF
Minimum Front Yard Setback [2] & [6]	20'	20'	20'
Minimum Side Yard Setback	6'	5'	5'
Minimum Side Yard Setback (Adjacent to a Street) [2]	15'	15'	15'
Minimum Length of Driveway Pavement	20'	20'	20'
Maximum Height [3]	36'	36'	36'
Minimum Rear Yard Setback [4]	15'	10'	10'
Minimum Area/Dwelling Unit (SF) [Air Conditioned Space]	2,800 SF	2,250 SF	2,000 SF
Garage Orientation	*J-Swing or Front*	*J-Swing or Front*	*J-Swing or Front*
Maximum Number of Front Entry Garages Permitted	48	42	173
Maximum Lot Coverage	65%	65%	65%

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.

[2]: The location of the *Front Yard Building Setback* as measured from the front property line.

[3]: The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single family home.

[4]: As measured from the rear yard property line.

[5]: Lots fronting onto a curvilinear street, cul-de-sac or eyebrow may have the lot width reduced by up to 20% as measured at the front property line provided that the lot width is met at the front building line. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows maybe reduced by up to ten (10%) percent, but shall meet the minimum lot size for each lot type.

[6]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the Front Yard Building Setback by up to ten (10) feet for any property that increases the Front Yard Building Setback to 20-feet; however, the encroachment shall not exceed five (5) feet on Side Yard Setbacks (Adjacent to a Street) and shall not encroach into public right-of-way [a Sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces].

[7]: All lots with a *J-Swing* or *Traditional Swing* driveway require a minimum of a 65-foot lot width.

(c) *Building Standards.* All development shall adhere to the following building standards:

(1) *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all buildings shall be 80%. For the purposes of this ordinance the masonry requirement shall be limited to full width brick, natural stone, and cultured stone. Cementaceous fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and/or stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted to be used to meet up to 50% of the masonry requirement.

(2) *Roof Pitch.* A minimum of an *8:12* roof pitch is required on all structures with the exception of porches, which shall have a minimum of a *4:12* roof pitch.

(3) *Garage Orientation.* Garages shall be provided as stipulated by *Table 2: Lot Dimensional Requirements*. Garages permitted for front entry maybe oriented

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toward the street; however, the front façade of the garage must be situated a minimum of 20-feet off the front property line. All front entry garages shall incorporate an architectural element or feature separating the individual garage openings. *Swing*, *Traditional Swing* or *J-Swing* garages are permitted to have a second single garage door facing the street as long as it is behind the width of the double garage door situated in the *Swing* configuration.

(d) Anti-Monotony Restrictions. The development shall adhere to the Anti-Monotony Matrix depicted in *Table 3* below (*for spacing requirements see the illustration on the following page*).

Table 3 : Anti-Monotony Matrix

Lot Type	*Minimum Lot Size*	*Elevation Features*
A	80' x 120'	(1), (2), (3)
B	70' x 110'	(1), (2), (3)
C	60' x 110'	(1), (2), (3)

(1) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least four (4) intervening homes of differing materials on the same side of the street beginning with the adjacent property and two (2) intervening homes of differing materials on the opposite side of the street.

(2) Front building elevations shall not repeat along any block face without at least four (4) intervening homes of differing appearance on the same side of the street and two (2) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on SH-276 shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

(a) Number of Stories
(b) Permitted Encroachment Type and Layout
(c) Roof Type and Layout
(d) Articulation of the Front Façade

(3) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

See the Illustrations on the following page.

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Illustration 1: Properties line up on the opposite side of the street. Where RED are the same.



Illustration 2: Properties do not line up on opposite side of the street. Where RED are the same.



(e) *Fencing Standards.* All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:

(1) *Wood Fences*. All wood fences shall be constructed of a standard fencing material (*minimum of ½" thickness or better; spruce fencing will not be allowed*), and use fasteners that are hot dipped galvanized or stainless steel. Wood fences facing onto a street shall be painted and/or stained and sealed with all pickets being placed on the *public side* facing the street. All wood fences shall be smooth-finished, free of burs and splinters, and be a maximum of eight (8) feet in height.

(2) *Wrought Iron/Tubular Steel*. Lots located along the perimeter of roadways, abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of eight (8) feet in height.

(3) *Corner Lots*. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of eight (8) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(4) *Solid Fences (including Wood Fences)*. All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

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(f) Landscape and Hardscape Standards.

(1) *Residential Landscape.* Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within the residential development shall be a minimum of three (3) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height unless otherwise provided within this document.

(2) *Single Family Landscaping.* Prior to the issuance of a Certificate of Occupancy (CO) all single-family lots shall conform to the following:

i) Interior Lots. All interior lots shall include a minimum of two (2) trees with a diameter at breast height (dbh) [*i.e. the diameter in inches of a tree as measured through the main trunk at a point of four and one-half (4½) inches above the natural ground level*] of three (3) inches shall be planted in the front yard, and two (2) additional trees of the same caliper inch shall be planted in the side yard facing the street for corner lots.

Note: For the purposes of this section only, the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.

ii) Corner Lots. All corner lots shall include a minimum of two (2) trees with a diameter at breast height (dbh) [*i.e. the diameter in inches of a tree as measured through the main trunk at a point of four and one-half (4½) inches above the natural ground level*] of three (3) inches shall be planted in the front yard of an interior lot.

(3) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).

(a) Landscape Buffer and Sidewalks (Discovery Boulevard). A minimum of a 15-foot landscape buffer shall be provided along the frontage of Discovery Boulevard, and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least one (1) canopy tree shall be planted per 30-feet of linear frontage.

(b) Landscape Buffer (Rochell Road). A minimum of a 20-foot landscape buffer shall be provided along the frontage of Rochell Road (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The landscape buffer along Rochell Road shall general conform to the following illustration [*i.e. Illustration 3]*.

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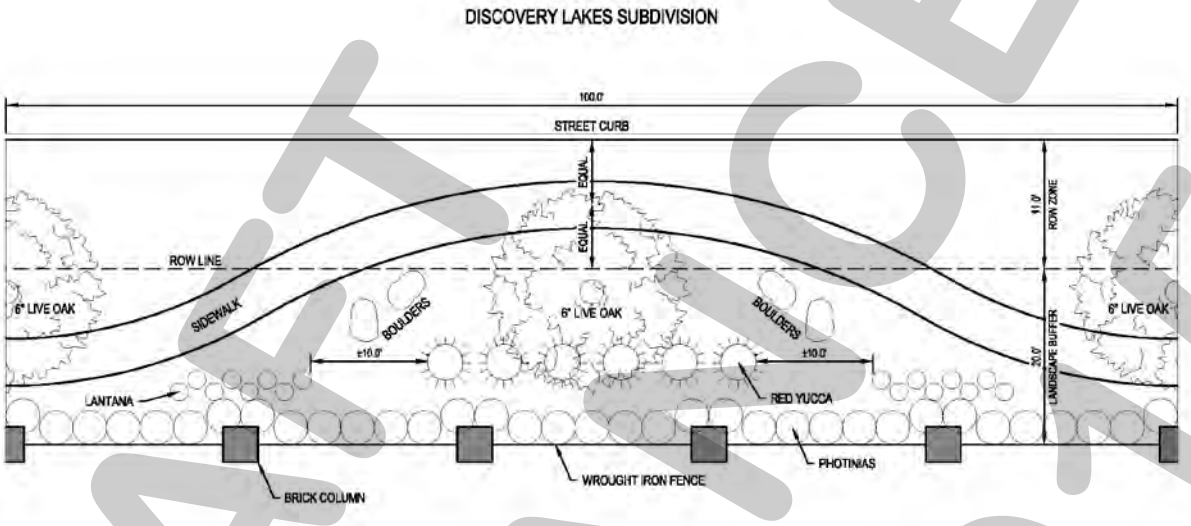
Illustration 3: Landscape Buffer along Rochell Road.



ROCHELL ROW / LANDSCAPE BUFFER
EXHIBIT
FOR ILLUSTRATION PURPOSES ONLY

(c) *Landscape Buffer (SH-276).* A minimum of a 25-foot landscape buffer shall be provided along the frontage of SH-276, and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. In addition, all buffer-strip planting requirements shall conform to the requirements of Section 6.14, *SH-276 Corridor Overlay (SH-276 OV) District*, of Article V, *District Development Standards*, of the Unified Development Code (*i.e. minimum four [4] inch caliper trees required*).

(4) *Irrigation Requirements*. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association (HOA).

(5) *Hardscape.* Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the PD Site Plan.

(g) *Lighting.* Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.

(h) *Sidewalks.*

i) *Internal Sidewalks.* All sidewalks adjacent to an interior residential street shall begin 5½-feet from the back of curb and be five (5) feet in overall width.

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ii) *Sidewalks Adjacent to Rochell Road and Discovery Boulevard.* All sidewalks adjacent Rochell Road and Discovery Boulevard shall begin two (2) feet inside the right-of-way line and be five (5) feet in overall width.

(i) Open Space. The development shall consist of a minimum of 20% open space as calculated from the gross land area, and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. Existing floodplain shall be counted at a rate of ½-acre for every acre provided (*e.g., 10-acres of floodplain would count as 5-acres of open space*). The Homeowner's Association (HOA) shall maintain all open space areas.

(j) Neighborhood Signage. Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.

(k) Community Center. A site plan, landscape plan and building elevations shall be required for the proposed *Community Center* and shall be subject to site plan approval by the Planning and Zoning Commission prior to construction.

(l) Homeowner's Association (HOA). A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the Subdivision Regulations contained within the *Municipal Code of Ordinances* of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, amenity centers, screening fences associated with this development.

4. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (*3-phase lines*), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

5. *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **July 29, 2015**

SUBJECT: **Park at Stone Creek Construction Method**

Contingent on the Council approval of the design plans for the Park at Stone Creek, MHS Design will begin putting together the plans and construction documents. Prior to the plans being completed, the staff would like direction from the Council in regards to the method of construction contract to be used. There are three options available according to State law.

We have the ability to use a "Design/Build" type contract where the design team would also accept responsibility for the construction serving as the general contractor or self-perform the work. In this situation, MHS Planning and Design does not have the capability to enter into this type of arrangement.

A second option is the typical 'general contractor" low bid model. Using this option, a GC submits a bid to complete the project and all bids are in tabulated and the contract is awarded to the low bidder.

A third option is the Construction Manager at Risk method. With this option, each trade is bid in compliance with State law, any work that is self-performed by the CM at Risk must be bid in accordance with State law and when all bids are received, the CM at Risk provides the City with a guaranteed maximum price (GMP). The actual cost may come in lower than the GMP and the City will receive a portion of that amount but the cost cannot be higher. We have used this type of contract for the downtown project, the construction of City Hall, Myers Park Phase III, four neighborhood parks and a few other projects.

Staff recommends that we use a CM at Risk contract for the development of the Park at Stone Creek. Contingent on Council approval, we will advertise for proposals for CM at Risk services and upon the review of those proposals, we will return to the Council with a contract for services.

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City of Rockwall
The New Horizon

MEMORANDUM

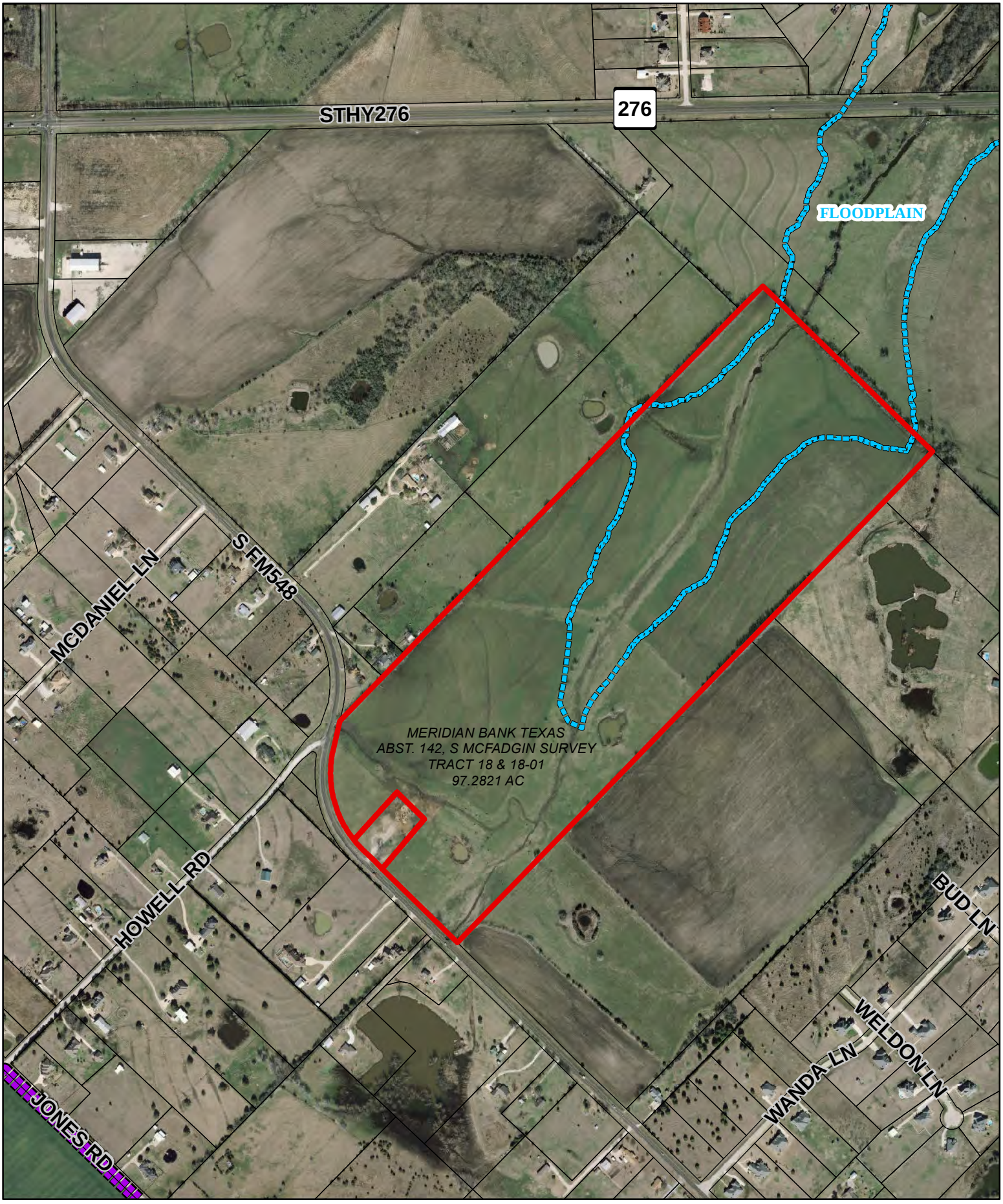
TO: City Council

FROM: Robert LaCroix, Director of Planning & Zoning

DATE: August 3, 2015

SUBJECT: Chapter 212 Development Agreement

Joey Howell, representing Meridian Bank Texas, is requesting the City Council to consider a Chapter 212 Development Agreement for a tract of land consisting of approximately 98 acres located along the east side of FM 548 and south of SH 276. The agreement is providing that the property, which is located in the City's ETJ (Extraterritorial Jurisdiction), would be developed with the standards and requirements contained in the residential Planned Development Districts of the City's Unified Development. The agreement would also require the any development of the property would be required to adhere to the building, engineering and fire codes standards and requirements of the City. The agreement allows the property to continue its ETJ status for a limited term and at the termination of the term the property would be voluntarily annexed into the City. The location of this property in the far eastern area of the City's ETJ is not contiguous to the city limits which may warrant providing an extended term for the agreement. Staff would suggest a term of 15 years as provided in Chapter 212 of Texas Local Government Code. The proposed development is for large minimum one (1) acre estate sized lots. Mr. Howell will be providing details of the proposed development to Council at the July 20th meeting. He has also met with the County Commissioners on this matter informing them of his intent to enter the Chapter 212 Agreement with the City. Staff has included additional information and the proposed 212 Agreement in the Council packet for your review.



City of Rockwall

City of Rockwall
Geographic Information Systems
385 S. Goliad St.
Rockwall, TX 75087
P. 972-771-7745
F. 972-771-7748
www.rockwall.com/gis

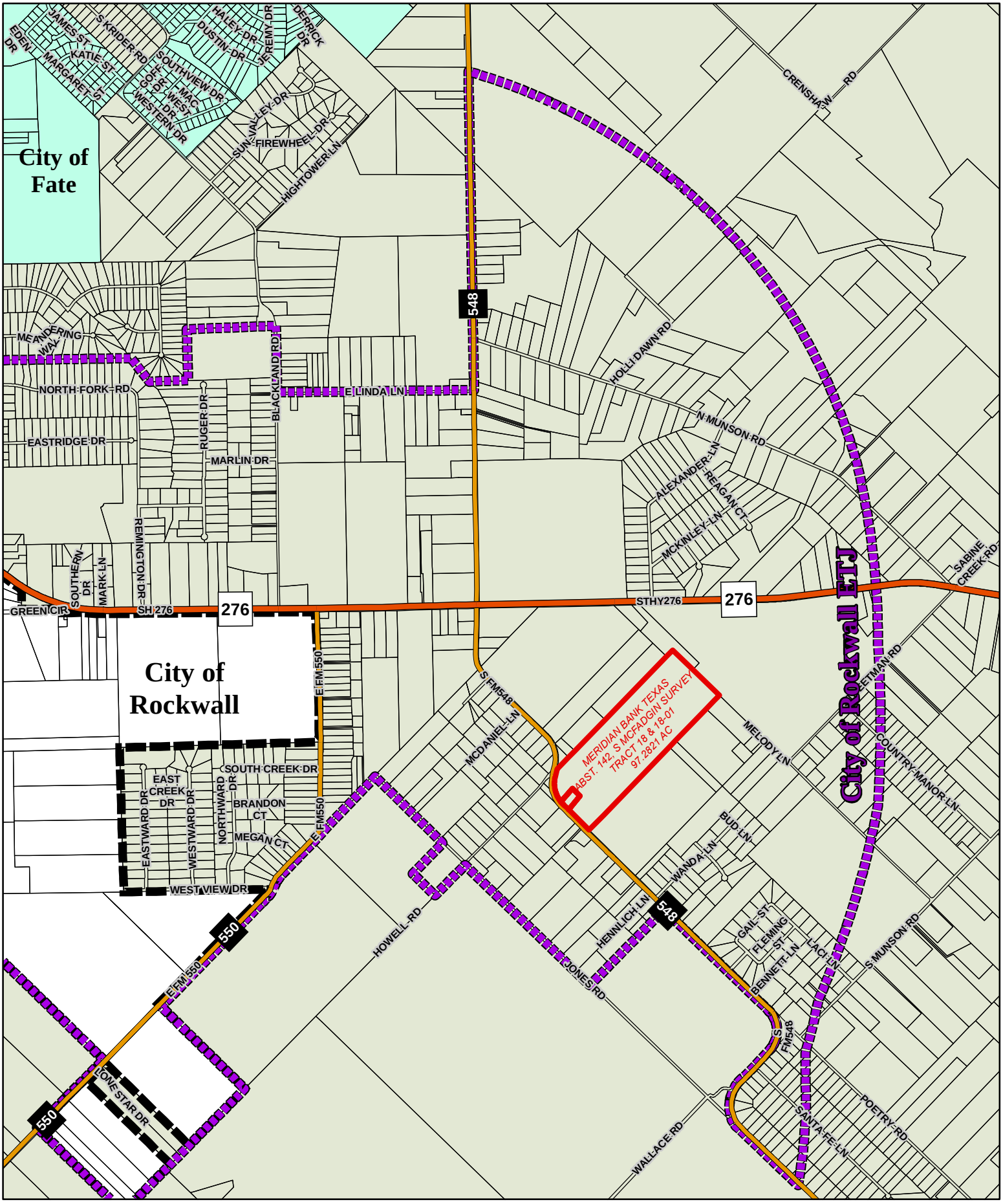
N W E S

0 1,000 Feet

Date: 7/16/2015 1 inch = 639 feet

City of Rockwall Geographic Information Systems

LOCATION MAP



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Rockwall, TX 75087
P. 972-771-7745
F. 972-771-7748
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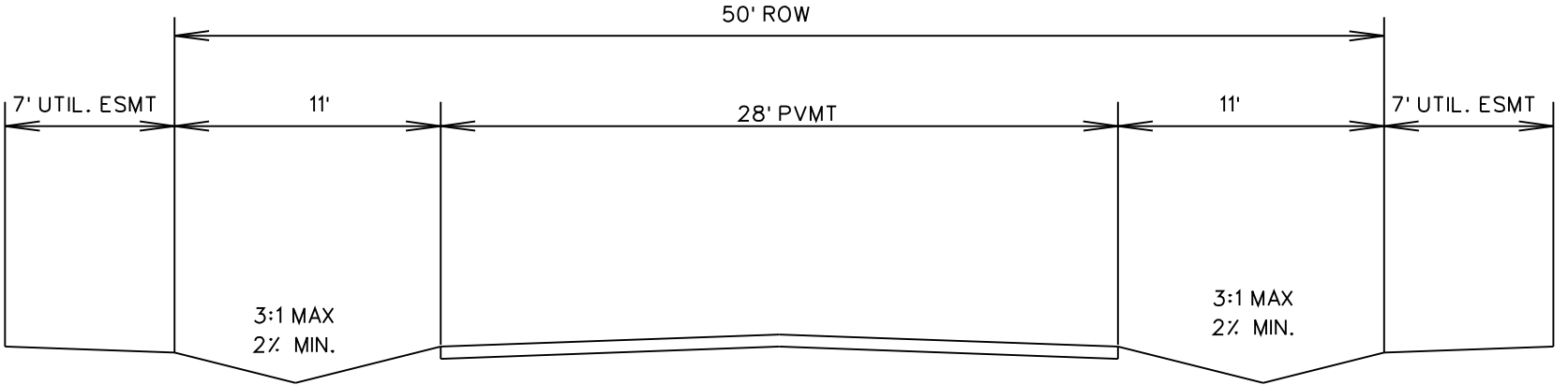
N W E S

0 1,000 Feet

Date: 7/16/2015 1 inch = 2,333 feet

City of Rockwall Geographic Information Systems

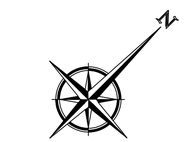
ETJ MAP

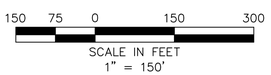


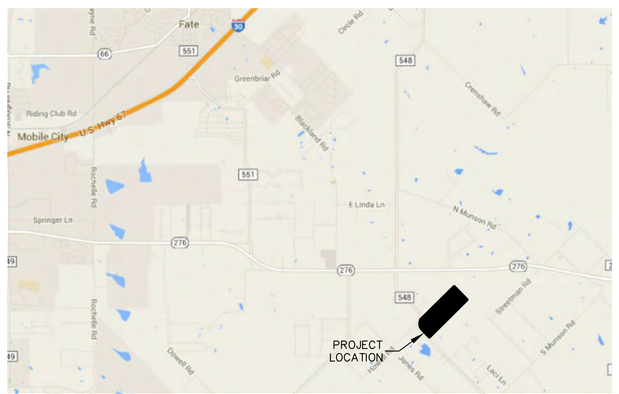
RURAL STREET SECTION

N.T.S.









LAYOUT EXHIBIT

97 ACRE TRACT

ADJACENT TO FM 548
ROCKWALL COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001145
201 WINDCO CIRCLE, SUITE 200, WYLIE TEXAS 75098
(972) 941-8400 FAX (972) 941-8401

DATE: 2015-07-02

Z:\PROJECTS\02701\dwg\Layout 4.dwg

CHAPTER 212 TEXAS LOCAL GOVERNMENT CODE
DEVELOPMENT AGREEMENT

This Agreement is entered into pursuant to Section 212.172 Texas Local Government Code by and between the City of Rockwall, Texas [*the 'City'*] and **TERRAVISTA INVESTORS, LLC**, [*'Owner's'*] the property owners of the hereinafter described property [*the 'Property'*] in Rockwall County, Texas, sometimes individually or collectively referred to as *Party* or *Parties*:

> That property described in a deed to **TERRAVISTA INVESTORS, LLC** which is recorded at *Volume 7283 Page 108* of the Deed Records of Rockwall County, Texas, and commonly known as *Tax Parcel No.* **0142-0000-0018-01-0R & 0142-0000-0018-00-0R**, which is attached hereto as *Exhibit 'A'*, consisting of approximately **97.2821** acres of land.

WHEREAS, *Owners* represent that the *Property* is within the *City's* existing extraterritorial jurisdiction ("ETJ") and more particularly described on ***Exhibit 'A'*** and to the extent that a portion of the *Property* lies outside the *City*'s extraterritorial jurisdiction, *Owners* have voluntarily petitioned for inclusion of such land within the *City's* ETJ; and

WHEREAS, *Owners* desire that the *Property* remain in the *City's* extraterritorial jurisdiction for the term of this Agreement;

WHEREAS, *Owners* and the *City* acknowledge that this Agreement between them is binding upon the *City* and the *Owners* and their respective successors and assigns for the term of the Agreement;

WHEREAS, *Owners* represent that it is their intention to develop the *Property* during the term of this Agreement in accordance with the Development Plan, as set forth and described in *Exhibit 'B'* attached hereto; and

WHEREAS, this Agreement is to be recorded in the Real *Property* Records of Rockwall County;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Parties hereto agree as follows:

SECTION 1.

Continuation of ETJ Status. The *City* guarantees the continuation of the ETJ status of the Property and agrees not to annex the *Property* for the term of this Agreement, as hereinafter defined, and any subsequent renewals as may be agreed upon by the Parties, subject, however, to the provisions of this Agreement.

SECTION 2.

Development Plan. The *Owners* covenant and agree that use of the *Property* for the term of this Agreement and any extensions agreed to by the Parties shall be limited to those uses described on a development plan prepared by the landowner and approved

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by the *City* of Rockwall and herein attached as ***Exhibit 'B'***. Such uses and activities constitute the Development Plan for the *Property* in satisfaction of Texas Local Government Code *Section 212.172(b)*. The *City* hereby approves the use and development of the *Property* in accordance with the Development Plan, and, specifically approves the land use as described and identified in the Development Plan. The Development Plan may be amended from time to time by written agreement between the Parties.

SECTION 3.

Governing Regulations

(A) To the extent not inconsistent with the approved Development Plan, the following Rockwall regulations shall apply to any development of the *Property*, as may be amended from time to time, provided that the application of such regulations does not prevent the continuation of a use established prior to the effective date of this Agreement and which remains lawful at the time the Agreement is executed:

(1) The Rockwall Unified Development Code Ordinance [*Ordinance No. 04-38*] as amended; for purposes of evaluating any proposed development of the *Property* under the Unified Development Code.

(2) The Subdivision Regulations, Chapter 24 of the Code of Ordinances and as amended, together with Standards of Design and Construction, City of Rockwall Texas, as supplemented by the North Central Texas Council of Governments Standard Specifications for Public Works Construction, North Central Texas, 3rd Ed. 1998 (NCTCOG Manual).

(3) The Building Codes, [*Ordinance No. 12-02*], adopting:

a. *International Building Code, 2009 Edition with amendments;*

b. *International residential Code, 2009 Edition with amendments;*

c. *The International Fire Code, 2009 Edition with amendments;*

d. *International Plumbing Code, 2009 Edition with amendments;*

e. *International Fuel Gas Code, 2009 Edition with amendments;*

f. *Rockwall Code of Ordinances, Property Maintenance Code, with amendments;*

g. *Uniform Swimming Pool Code, 2009 Edition with amendments; and*

h. *International Energy Conservation Code, 2009 Edition with amendments.*

i. *National Electric Code, 2008 Edition with amendments.*

j. *Rockwall Code of Ordinances, Fences, with amendments;*

k. *Rockwall Code of Ordinances, Dangerous Buildings, with amendments;*

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l. *Rockwall Code of Ordinances, Moving of Buildings, with amendments.*

(4) *The Sign Regulations, Section 15-232 (B)* [*Ordinance 10-07*].

(B) If, pursuant to this Agreement or following termination of the Agreement, portions of the *Property* are annexed to the City, the Parties further covenant and agree that the use and development of such land thereupon shall be subject to the regulations of the lowest intensity single-family residential district and the subdivision regulations then in effect. In the event any portion of the *Property* is developed in compliance with this Agreement, then following annexation the *Property* will be rezoned consistent with the City's approved Comprehensive Plan so that development pursuant to this Agreement does not result in a nonconforming use of the *Property* and the future use and development of such land shall be governed by the regulations of the zoning district to which the land is reclassified and the subdivision regulations in effect at the time of approval of such rezoning.

SECTION 4.

Agreement Deemed Void in Part; Voluntary Annexation.

(A) If an *Owner* files any application for or otherwise commences development of any portion of the *Property* inconsistent with the development plan provided in Section 2, sections 1 and 3 of this Agreement shall become null and void, except as herein expressly provided for.

(B) Thereafter the City may initiate annexation of the *Property* pursuant to Texas Local Government Code Subchapter C-1, or other such other provisions governing voluntary annexation of land as may then exist. *Owners* expressly and irrevocably consent to annexation of the *Property* under such circumstances. The *Owners* further agree that such annexation by the City shall be deemed voluntary, and not subject to the requirements and procedures for an annexation plan, as required by Texas Local Government Code Section 43.052, or successor statute.

(C) Any development application that is submitted to the City for the *Property* during the term of this Agreement or during any extension, that is inconsistent with the development plan and governing regulations, shall be denied based upon such plan and governing regulations, which collectively shall constitute regulations in effect at the time such application is submitted. The *Owners* expressly waive any vested rights that might otherwise arise under Texas Local Government Code Section 43.002 or Chapter 245 of the Texas Local Government Code, or successor statute, from the submittal of such inconsistent development application. The *Owners* further agree that no use commenced or completed on the *Property* that is inconsistent with the Development Plan shall be considered established or in existence prior to the date that the City annexes the *Property* pursuant to this section.

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(D) If the City's right to annex, as of the date of this Agreement, is in any way diminished by a subsequent act by the Legislature of the State of Texas during the one year period or any additional period, that this Agreement is in effect, then such act shall be considered as a voluntary petition to annex.

SECTION 5.

Notice of Sale. If the *Owner* sells or conveys any portion of the *Property*, prior to such sale or conveyance, *Owner* shall give 30 days written notice of this Agreement to the prospective purchaser or grantee and the prospective purchaser or grantee acknowledge the City's rights under the terms of this Agreement. A copy of said notice and acknowledgement shall be forwarded to the City at the following address:

Attn: City Manager
City of Rockwall
City Hall
305 S. Goliad Street
Rockwall, Texas 75087

SECTION 6.

Recording. This Agreement is to run with the *Property* and be recorded in the real property records, Rockwall County, Texas.

SECTION 7.

Severability. Invalidation of any provision of this Agreement by judgment or court order shall not invalidate any of the remaining provisions which shall remain in full force and effect. It is the intent of the parties that, should it be determined that any portion of the *Property* was outside of the City's then existing ETJ at the time this Agreement took effect, the provisions of this Agreement shall apply to the remainder of the *Property* located within the City's extraterritorial jurisdiction.

SECTION 8.

Remedies. This Agreement may be enforced by either *Owners* or the City by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the provisions of this Agreement thereafter. Entry into this Agreement by *Owners* waive no rights as to matters not addressed in this Agreement.

SECTION 9.

Change in Law. No subsequent change in the law regarding annexation shall affect the enforceability of this Agreement or the City's ability to annex the properties covered herein pursuant to Section 3.

SECTION 10.

Venue. Venue for this Agreement shall be in Rockwall County, Texas.

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SECTION 11.

Execution in Multiple Copies. This Agreement may be separately executed in individual counterparts and, upon execution, shall constitute one and same instrument.

SECTION 12.

Term and Extension. The initial term of this Agreement shall be for a period of fifteen (15) years from the Effective Date (*the 'Term'*). The Effective Date of the Agreement shall be the date the Agreement is executed by the City. Within 180 days prior to end of the Term of the Agreement, the City shall notify the *Owners* in writing that the Agreement is due to expire. If *Owners* desire to extend the operation of this Agreement beyond its Term, the *Owners*, at least 150 days prior to the end of the Term, shall submit a written request to the City for such an extension (*an 'Extension Request'*). The City, at least 90 days prior to the end of the Term shall notify *Owners* in writing, delivered by certified mail, with respect to its decision whether to extend this Agreement for an additional one (1) year term (*referred to as a 'Subsequent Term'*). In the event such written notice from the City of its decision is not received by the *Owners* at least 90 days prior to the end of that Term such Extension Request is deemed granted and this Agreement continues for another Subsequent Term.

SECTION 13.

Termination. If the *Owners* do not provide an Extension Request pursuant to Section 12, or upon a written decision by the City not to extend the term of this Agreement for a Subsequent Term following the Term, then *Owners* shall be deemed to have filed a petition for voluntary annexation as of the end of the Term of this Agreement. If *Owners* submitted an Extension Request, then a notice pursuant to Section 13 by the City that it has decided not to extend the Term of this Agreement shall also include a notification whether it intends, subject to the procedures required by law, to accept the petition for voluntary annexation. If *Owners* did not submit an Extension request then the City, at least 90 days prior to the end of the Initial Term, shall provide a written notification to *Owners*, by certified mail, whether it intends, subject to the procedures required by law, to accept the petition for voluntary annexation. Any annexation proceedings pursuant to this section shall be commenced within 180 days after the end of the Term.

SECTION 14.

Negotiations. Upon termination of this Agreement and the decision by the City to accept the petition for voluntary annexation by the *Owners*, as provided in Section 12 or Section 13, then *Owners* and the City will enter into good faith negotiations regarding the service plan to be implemented, provided that, unless the parties agree otherwise, the service plan for such land shall conform to, and be implemented in accordance with the City's then existing adopted comprehensive and utility master plans. Upon annexation, the zoning shall initially be a use consistent with development of the *Property* consistent with the Development Plan or if the *Property* has not been developed, the lowest intensity residential district, until an appropriate change in zoning is made pursuant to Chapter 211, Texas Local Government Code or successor statute. In connection with annexation pursuant to this section, the *Owner* hereby waives any

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and all vested rights and claims that he may have under Section 43.002(a)(2) and Chapter 245 Texas Local Government Code that would otherwise exist by virtue of any actions *Owners* may take between the termination of this Agreement and the completion of annexation proceedings by the City. Unless the City declines to annex the *Property* on the petition of the property *Owner*, the Development Plan and governing regulations consistent with the Development Plan shall apply to any proposed development application prior to completion of annexation proceedings and the adoption of permanent zoning regulations for the *Property*, and the Development Plan and governing regulations consistent with the Development Plan shall be kept in effect for such purposes.

SECTION 15.

Survival of Covenants. The covenants in Sections 2, 4, 14, and 15 shall survive termination of this Agreement, together with any other provisions, as may be necessary for the implementation of those sections.

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The Parties hereto have executed this agreement as of _____.

Owners:

TERRAVISTA INVESTORS, LLC

_____
Joseph E. Howell, Manager

THE STATE OF TEXAS }

COUNTY OF }

This instrument was acknowledged before me on the _____ day of _____, 2015.

_____
Notary Public, State of Texas

THE STATE OF TEXAS }

COUNTY OF }

This instrument was acknowledged before me on the _____ day of _____, 2015.

_____
Notary Public, State of Texas

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THE CITY OF ROCKWALL, TEXAS

By: _____

_____

_____

THE STATE OF TEXAS }

COUNTY OF }

This instrument was acknowledged before me on the _____ day of _____, 2015.

_____

Notary Public, State of Texas

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TRACT 1:

Exhibit 'A'
Legal Description

PART of the S. McFadgin Survey, Abstract No. 142, situated in Rockwall County, Texas, being the same tract of land described by Substitute Trustee's deed to Meridian Bank Texas (Tract 1) recorded in Volume 6659, Page 53 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for the west corner of said Meridian tract, also for the west corner of a tract of land described by deed to Nan B. Miller recorded in Volume 7042, Page 75 of the Real Property Records of Rockwall County, Texas, also lying on the easterly line of Farm Market Road 548, an 80.00 feet wide right-of-way;

THENCE North 45 degrees 21 minutes 36 seconds East, along the northwest line of said Meridian tract and the southeast line of said Miller tract, along a wire fence, passing at a distance of 319.42 feet a 1/2 inch iron rod found for the east corner of said Miller tract and the west corner of the remainder tract to Glenn R. Robinson and wife, Gay L. Robinson recorded in Volume 532, Page 176 of the Deed Records of Rockwall County, Texas, and continuing along the northwest line of said Meridian tract and said wire fence, passing at a distance of 2,956.48 feet a 1/2 inch iron rod found for the east corner of a tract described by deed to Ronald Adley recorded in Volume 3774, Page 118 of the Real Property Records of Rockwall County, Texas, same being the most westerly corner of a 15.00 acre tract described by deed to Paul Bennett and Dorothy Alexander recorded in Volume 168, Page 711 of the Deed Records of Rockwall County, Texas, and continuing along the northwest line of said Meridian tract and a southeast line of said Bennett tract, and said wire fence, for a total distance of 3,127.32 feet to a 1/2 inch iron rod found for the north corner of said Meridian tract and an ell corner of said Bennett tract, from which a 1/2 inch iron rod found bears North 49 degrees 07 minutes 01 second West, 1.13 feet;

THENCE South 44 degrees 41 minutes 35 seconds East, along the northeast line of said Meridian tract and along a wire fence, a distance of 1,219.13 feet to a 1/2 inch iron rod found for the east corner of same, also for the north corner of a tract of land described by deed to Glenn Chadwell Turner and Kimberly Michelle Turner recorded in Volume 1676, Page 278 of the Deed Records of Rockwall County, Texas;

THENCE South 45 degrees 17 minutes 01 seconds West, along the southeast line of said Meridian tract, and the northwest line of said Turner tract, also along a wire fence, passing at a distance of 363.02 feet a 1/2 inch iron rod found for the west corner of said Turner tract, and the north corner of a tract of land described by deed to Dwane Turner recorded in Volume 1676, Page 267 of the Deed Records of Rockwall County, Texas, and continuing along the southeast line of said Meridian tract and the northwest line of said Dwane Turner tract, continuing along said wire fence, passing at a distance of 1,196.66 feet a 1/2 inch iron rod with cap stamped "R.P.L.S. 2291" found for the west corner of said Dwane Turner tract and the north corner of a tract of land described by deed to Crowell Development, Co., Inc. recorded in Volume 4417, Page 152 of the Real Property Records of Rockwall County, Texas, and continuing along the southeast line of said Meridian tract and the northwest line of said Crowell Development tract, continuing along said wire fence, for a total distance of 3,521.25 feet to a 1/2 inch iron rod with cap stamped "TIPTON" found for the south corner of said Meridian tract and the west corner of said Crowell Development tract, also lying on the northeast line of the aforementioned Farm Market Road 548;

THENCE North 44 degrees 19 minutes 08 seconds West, along the northeast line of said Farm Market Road 548, a distance of 692.70 feet to a 1/2 inch iron rod found for the beginning of a curve to the right having a radius of 533.69 feet, a central angle of 59 degrees 13 minutes 01 second, and a chord which bears North 14 degrees 43 minutes 13 seconds West, 527.36 feet;

THENCE along the northeast line of said Farm Market Road 548, and said curve to the right in a northwesterly direction, an arc distance of 551.58 feet to a 1/2 inch iron rod found at the end of said curve;

THENCE North 14 degrees 53 minutes 23 seconds East, continuing along the northeast line of said Farm Market Road 548, a distance of 146.05 feet to the PLACE OF BEGINNING and containing 4,237,610 square feet or 97.282 acres of land.

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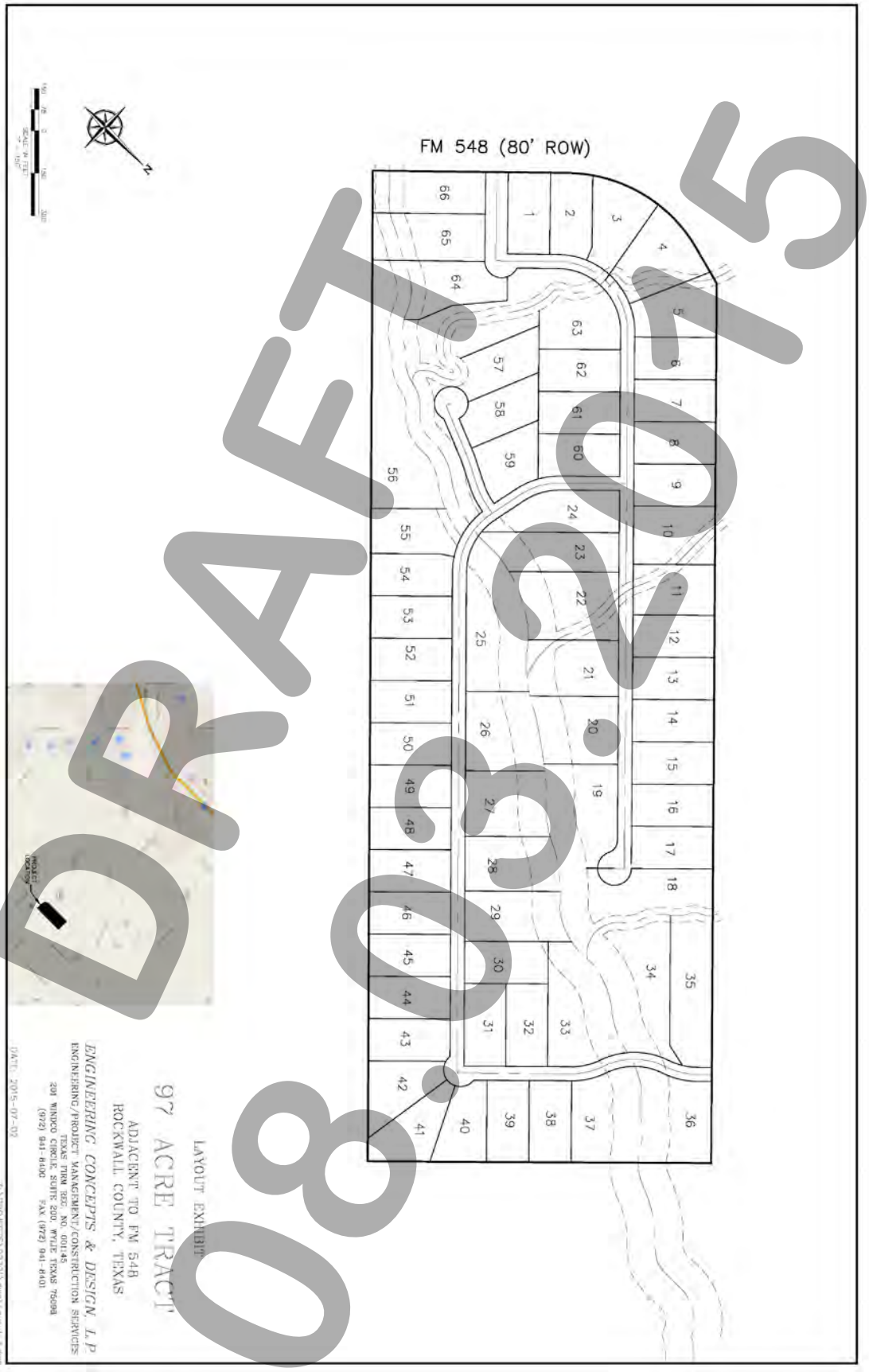

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Development Standards.

1. *Permitted Uses.* Unless specifically provided by this agreement, only those uses permitted within the Single Family 1 (SF-1) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.

2. *Density and Dimensional Requirements.* The maximum permissible density for the *Subject Property* shall not exceed one (1) dwelling unit per gross acre of land; however, in no case should the proposed development exceed 66 units. All lots shall conform to the standards depicted in *Table 1* below unless specifically provided for in *Table 2* below.

Table 1: Lot Dimensional Requirements

Minimum Lot Width [1]	150'
Minimum Lot Depth	250'
Minimum Lot Area [6]	43,560 SF
Minimum Front Yard Setback [2]	40'
Minimum Side Yard Setback	25'
Minimum Side Yard Setback (Adjacent to a Street)	25'
Minimum Length of Driveway Pavement (Rear and Side Yard Only)	25'
Maximum Height [3]	36'
Minimum Rear Yard Setback [4]	25'
Minimum Area/Dwelling Unit (SF) [5]	2,600 SF
Maximum Lot Coverage	45%
Minimum Number of Paved Off-Street Parking Spaces	2 Spaces
Minimum Distance Between Buildings	10'

General Notes:

1: The minimum lot width shall be measured at the *Front Yard Building Setback*. The Director of Planning or his designee may grant a reduction in the required lot width by up to 10% of the required width if deemed necessary to the design of the lot.
2: The location of the *Front Yard Building Setback* as measured from the front property line.
3: The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single family home.
4: As measured from the rear yard property line.
5: The minimum area/dwelling unit only includes air conditioned square space.
6: The minimum lot area refers to area outside of the floodplain, as defined per the City's regulations.

3. *Building Standards.* All development shall adhere to the following building standards:

(a) *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all primary structures (*i.e. dwelling units only*) shall be 80%. For the purposes of this agreement the masonry requirement shall be limited to full width brick, natural stone, cast stone, cementaceous fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*), and stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*). Cementaceous products (*e.g. HardiBoard, Hardy Plank, Stucco, etcetera)* shall be limited to 50% of the masonry requirement.

(b) *Roof Pitch.* A minimum of an *8:12* roof pitch is required on all structures with the exception of porches, which shall have a minimum of a *4:12* roof pitch.

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(c) Garage Orientation. Garages shall be accessed from a traditional *'J'-Swing* or *Swing* type driveway arrangement. A second, single garage door facing the street is permitted behind the width of the required double door garage that is accessed from a traditional *'J'-Swing* or *Swing* configuration.

4. *Anti-Monotony Restrictions.* The development shall adhere to the following *Anti-Monotony* restrictions (*for spacing requirements see the illustration below*):

(1) Exterior wall materials must comply with the *Masonry Requirements* listed in *Section 3.(a)*. Additionally, all chimneys are required to utilize masonry materials.
(2) Identical brick blends or paint colors may not occur on adjacent (side-by-side) properties along any block face without at least four (4) intervening homes of differing materials on the same side of the street beginning with the adjacent property and two (2) intervening homes of differing materials on the opposite side of the street.
(3) Front building elevations shall not repeat along any block face without at least four (4) intervening homes of differing appearance on the same side of the street and two (2) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on FM-548 shall not repeat without at least two (2) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

(a) Number of Stories
(b) Garage Location
(c) Roof Type and Layout
(d) Articulation of the Front Façade

(4) Crown molding will be installed in all living and family rooms, unless vaulted or pop-up ceilings are utilized. No *Formica* countertops may be installed in kitchens and/or bathrooms, and vinyl flooring and blown acoustic ceilings are prohibited.
(5) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*). Alternatively, a tile, metal or other higher quality may be utilized as a roofing material pending it conform to the *Anti-Monotony Restrictions* stated in this section.

See the Illustrations on the following page.

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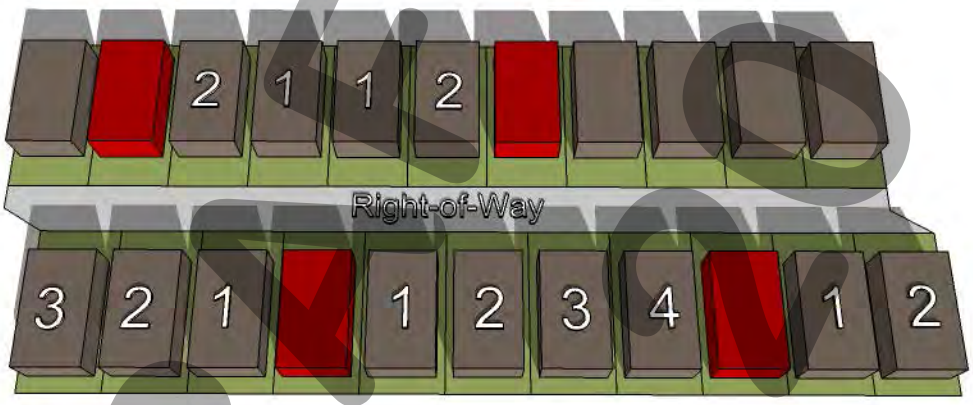
Illustration 1: Properties line up on the opposite side of the street. Where RED are the same.



Illustration 2: Properties do not line up on opposite side of the street. Where RED are the same.



5. *Fencing Standards.* Fences are not mandatory for any lot within this subdivision; however, if a property owner chooses to construct a fence it will need to adhere to the following standards:

   (a) Solid Residential Fencing. All solid residential fencing shall be cedar standard fencing material (minimum ½" thickness) or better (*spruce fencing is not allowed*). All cedar pickets shall be placed on the *public side* facing the street or neighboring property.

   (b) Wrought-Iron/Tubular Steel Fencing. Lots located along perimeter roadways (*i.e. FM-548*) and abutting open spaces, greenbelts and/or a park [*if* any] -- *however, land abutting development land or yard areas of adjacent properties/homes* -- shall be required to install tubular steel or wrought-iron fencing.

   (c) Common Area Fencing. All common areas and perimeter fencing shall be maintained by a Homeowners Association (HOA) as specified by the *Subdivision Regulations* contained in *Chapter 38* of the City's *Municipal Code of Ordinances*. Common area fencing shall be constructed of tubular steel or wrought-iron and not exceed six (6) feet in height.

6. *Landscaping.* At the time of final inspection of the finished home, all single-family lots shall be landscaped with large canopy trees as follows:

   (a) Two (2) minimum three (3) inch caliper trees, as measured six (6) inches above the root ball, shall be planted in the front yard of all interior lots.

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(b) Two (2) minimum three (3) inch caliper trees, as measured six (6) inches above the root ball, shall be planted in the front yard of all corner lots and two (2) additional trees shall be planted in the side yard facing the street.

Note. Any existing trees that are in conformance with the tree mitigation requirements stipulated by Article IX, Tree Preservation, of the Unified Development Code, which can be preserved, will be counted as credits towards all required landscaping requirements.

7. *Lighting.* Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.

8. *Streets.* The street cross sections shall be as depicted within *Exhibit 'B'* of this agreement. The property owner (with direct adjacency) shall be responsible for maintaining the area between edge of pavement and their property line (*i.e. the bar ditches/drainage areas*).

9. *On-Site Sewage Facilities. Septic Systems* are permitted on all lots within this subdivision pending conformance to the following standards:

   (a) All *Septic Systems* shall be designed by a licensed *On-Site Sewage Facility (OSSF)* professional (*e.g. licensed engineer, sanitarian, and etcetera*).
   (b) A stamped and signed copy of the *Septic System* plans indicating the full limits of the septic field shall be submitted to the city at the time of building permit on a *lot-by-lot* basis.
   (c) All *Septic Systems* shall be inspected and approved by the City's chosen inspector.

10. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (*3-phase lines*), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The *Developer* shall not be required to relocate existing overhead power-lines along the perimeter of the *Subject Property*.

11. *Neighborhood Signage.* Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the final plat.

12. *Homeowner's Association (HOA).* A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the *Municipal Code of Ordinances* of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, screening fences associated with this development.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Ashberry, City Secretary / Assistant to the City Manager**

SUBJECT: **Action item re: ambulance exclusivity ordinance provision**

DATE: **July 31, 2015**

The topic of the city's current ordinance that essential creates "exclusivity" of ambulance service provision within the City of Rockwall was discussed at a work session held at the July 20 regular city council meeting. Representatives from Presbyterian Hospital of Rockwall as well as Medic Rescue ("Rockwall County EMS") spoke during the work session. A request was made by the city council that input from the Rockwall County Emergency Services Corporation be solicited during the July 22 ESC board meeting. Draft minutes of that board meeting have been included in city council members' 8/3 meeting packet for review. Also included in the packet are letters from Alma Williams Howard and Dr. Crowley who represent Presby Rockwall as well as financial related information from Mr. Ownby of Medic Rescue, as requested by Mayor Pruitt. The Council has asked staff to include an Action Item on the August 3 meeting agenda to discuss either repealing the exclusivity ordinance, leaving it in place or amending it.

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ARTICLE XII. - AMBULANCE SERVICE

Sec. 12-1251. - Contract required.

No person shall operate or cause to be operated a vehicle for ambulance purposes nor furnish, conduct, maintain, advertise or otherwise be engaged in the business or service of the transportation of ambulance patients within the city unless such person is the ambulance service provider currently under contract with the County of Rockwall Emergency Services Corporation to provide ambulance service within the county. No person shall knowingly solicit ambulance services regulated in this article except from the ambulance service provider.

(Code 1982, § 18-51; Ord. No. 93-41, § 1, 10-18-1993)

Sec. 12-1252. - Applicability.

The provisions of section 18-166 shall not apply to:

(1) Rendering assistance to patients in the case of a major catastrophe or emergency with which the contractor's ambulances are insufficient or unable to cope;
(2) Transporting a patient from outside of the county to a point within the city; or
(3) Transporting a patient picked up outside of the county, traveling through the city to a destination outside of the county.

(Code 1982, § 18-52; Ord. No. 93-41, § 2, 10-18-1993)

Sec. 12-1253. - Violations.

Violations of this article are hereby declared to be public nuisances and shall be prohibited and abated in actions at law or in equity.

(Code 1982, § 18-53; Ord. No. 93-41, § 3, 10-18-1993)

July 29, 2015

Rockwall City Council Members,

I am writing to you regarding the City Ordinance of Exclusivity for Ambulance Service.

When we first created this ordinance, there was no ambulance service for our community, and there were no local hospitals. This ordinance provided assurance that our citizens would have emergency assistance to hospitals in the Dallas area.

Currently we have two acute care hospitals, two emergency hospitals, and numerous healthcare providers in our community. Because of this current growth, and future growth of our medical community, we continue to serve citizens by providing ever expanding healthcare locally. All of these providers want only to provide the highest level of compassionate skilled care to all citizens. This includes emergency services to local hospitals as well as transport to higher skilled care facilities when needed. It also includes non-emergent transport to other facilities in the metroplex.

To limit healthcare facilities to one service can easily become burdensome, create longer time lapses in service to patients, and create greater chances of harm to a patient. To have access to all possibilities for patient transport, whether emergent or non-emergent is in the best interest of the individual patient and consequently our community as a whole.

Would you as a private businessman, and a leader in this community committed to promoting quality thriving business, not find it hard to conduct your business at its highest level if only given one choice in how to do it or to maintain a competitive free market atmosphere? Please consider these thoughts regarding this ordinance. Does this ordinance serve this community as it is today? Would the community be better served without it?

I thank you for your service to our community. Having been in your position in service to our city, I appreciate that we must remain vigilant in striving to grow and provide citizens with the absolute highest quality of safety and services.

Sincerely,

Alma

Alma Williams Howard

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July 31, 2015

To the Rockwall City Council and all those concerned:

My name is Sam Crowley. I have been the Emergency Medical Director for Texas Health Presbyterian Rockwall since the day it opened in 2007. I treated the first patient and delivered the first baby here. When I say that Presbyterian Rockwall runs deep in my blood, it is not hyperbole. I love everything my hospital stands for and I love the service we provide the citizens of Rockwall. While it has been only 8 years, we have grown along with Rockwall to become an integral part of the community and its safety structure. It is from that perspective that I bring my concerns about the current EMS ordinance.

Here is what concerns me about the current set up with Rockwall County EMS (RCEMS). They do not act like a ***partner*** in providing care for our patients. I do not wish this to be confused with thinking they do not provide quality care for the patients they see. Quite the contrary, as I have said on several occasions I am glad to have such wonderful EMS providers in the county. I would be the first in line to defend them against anyone who questions the quality of their emergency care. That being said, my worries stem from our business relationship with them which is strained due to the delays in care that occur for two reasons: untimely transport from our hospital and ignoring our North Campus ED.

Let me start with the first reason – untimely non-emergent transport. While these are "non-emergent" patients, they actually have conditions that require urgent attention. When I stabilize a patient and decide they need to go to another hospital for a service we do not have, I call for an ambulance to take them to the other facility. If the EMS group gets another 911 call in the meantime, it pushes back the transport of my patient until that call is done or another ambulance is available. At other facilities we could choose a different service and would be able to get a firm estimated time of arrival and tell both the family and the accepting hospital an accurate time for transfer. This allows us to keep the patients happy and safe, and keeps our receiving partners happy and informed. Sadly, in Rockwall we are forced to abide by this Ordinance, which does not allow us the full capacity to meet those goals.

The second reason I am concerned is that they routinely fail to utilize our North Rockwall location for emergent care. That facility is fully capable of stabilizing and caring for folks just like our main ED. Currently they pass this facility delaying care to go to a competing facility. I have been told this is a decision by their physician medical director, as that individual is responsible for their care and transport behavior. I would happily discuss this with him, but in the 8 years that Presby has been open, he has not met with me or actually come to the facilities to evaluate our capabilities! We are perhaps their biggest client and their medical director had made no effort to get to know their main client?? I pressed the RCEMS managers on this in a meeting with several council members, the judge, and the mayor present, and I still have not met the man. A client should not have to ask for a service provider to come and get to know them! That is not how business is done unless one of the partners has no choice except to be in the relationship.

I am glad we can compete against other hospitals because it pushes us to be the best and compete on quality and cost. As of today however, we are at a disadvantage because our EMS service does not have to compete against anyone else. Our main competitor has no restrictions on its transport ambulance selections. We get what we get and Rockwall EMS has no real incentive to be a great partner. We have worked for almost 8 years to get help with these issues and have had little change. I do not know if this is because they are not keeping up with the pace of growth of Rockwall, or if they to feel transporting our patients is not a priority. I know when they are running emergency calls our patients get bumped for transport and that does not happen at our other 18 facilities across North Texas.

Ultimately my concern stems from the fear that we are all exposed to a possible catastrophic outcome due to delay in transport or from passing by the closest facility. I worry that these issues will expose our patients to undue risk, and thus put the reputation of Rockwall at risk. Please let me know if I can add any further information. Thanks for your time.

Samuel R Crowley, MD,
Emergency Medical Director & Chief of Staff at Texas Health Presbyterian Rockwall

Rockwall County EMS
809 South Goliad
Rockwall, Texas 75087

Date: July 31, 2015

To: Mary Smith, Assistant City Manager
City of Rockwall

Re: Fiscal Impact of Non-911 Transports

Mrs. Smith:

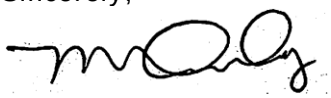
In response to your request for further information related to the fiscal impact of non-911 transports, please find below the total payments received on transports that were picked up at the corresponding facilities during the associated time frames.

Facility	Address	2014 (totals)	2015 YTD/Q1-2 (totals)
Texas Health Presbyterian Hospital Rockwall	3150 Horizon Rd	$428,025*	$186,055*
TH North Rockwall Emergency Room	2265 N Lakeshore Dr	$165,848	$70,614
Baylor Emergency Medical Center	1975 Alpha Dr #100	$82,318	$51,195
Rockwall Nursing Care Center	206 Storrs	$56,173	$23,336
Broadmoore Medical Lodge	5242 Medical Dr	$73,149	$43,115
Arbor House	5250 Medical Dr	$37,551	$23,619
Rock Ridge Assisted Living and Memory Care	720 E Ralph Hall Pkwy	$13,430	$22,933
Autumn Leaves of Rockwall	225 E Ralph Hall Pkwy	$14,637	$9,774
Emeritus at Summer Ridge	3020 Ridge Rd	$13,540	$4,408
MedPost Urgent Care	3090 N Goliad St		
MedPost Urgent Care	2951 Ridge Rd		
Rockwall Urgent Care	810 E Ralph Hall Pkwy		
Rockwall Surgery Center	825 East Yellow Jacket	$1,200	$1,645
DaVita Dialysis	2455 Ridge Rd #101	$5,552	$1,303
Liberty Dialysis	2850 Ridge Rd	$6,539	$8,085
	Total:	$897,962	$446,082

The Urgent Care centers are billed as if a doctor's office, therefore accurate totals were not available, due to the way they are coded in our billing system. *These figures are actual cash receipts and do not include any billings for which payment has not been received. Additionally, we are experiencing a 13.4% trip-per-month increase annually (2012-2014).

Thank you for the thoroughness in which these matters have been addressed. I hope you find this information adequate and it adds sufficient clarity to aid in this very important decision. If any additional questions should exist, I welcome the opportunity to further discuss it at your convenience.

Sincerely,



Mitch Ownby, EMS Chief

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MINUTES

COUNTY OF ROCKWALL EMERGENCY SERVICES CORPORATION

ROCKWALL HISTORIC COURTHOUSE 101 EAST RUSK ROCKWALL, TEXAS 75087 972-882-2840

Regular Board Meeting
Wednesday, July 22, 2015 5:00 p.m.

GENERAL BOARD MEETING

Board Members Present:	**Board Members Absent:**
Barry Brooks (Heath)	**Debby Bobbitt (Rowlett)**
Steve Hatfield (McLendon Chisholm)	**Dana Lawson (Mobile City)**
Dennis Lewis (Rockwall)	**Jim Pruitt (Rockwall)**
Lorne Megyesi (Fate)	
Janet Nichol (Royse City)	
Cliff Sevier (Rck. County)	
David Sweet (Rck. County)	

GENERAL BOARD MEETING

1. Call to order

President of the board, David Sweet, called the meeting to order at 5:01 p.m. with the above listed board members being present and absent.

2. Discuss / act on approval of the minutes from the June 24, 2015 regular ES Corporation Board meeting

Board Member Megyesi of Fate made a motion to approve the minutes. Board Member Sevier seconded the motion, which passed unanimously of those present (Bobbitt, Lawson and Pruitt absent).

3. Discuss / act on Emergency Management Program Report

Joe DeLane, County Emergency Management Coordinator, came forth and provided a brief verbal update to the board concerning recent Emergency Management related activities. He indicated that in August and September, he will begin meeting with various jurisdictions to begin planning a tabletop exercise for some time in the coming months. The radio system project is ongoing. No action was taken as a result of Mr. DeLane's report.

4. Discuss / act on the ES Corp. Treasurer's Report

ES Corp. Treasurer, David Peek, provided a verbal update to the board concerning his monthly report. He indicated that a large, principal and interest payment is coming due mid-August on the gun range training facility, and this will significantly draw down the bank account balance.

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He shared that all bills of the Corporation have been paid, all member entities are current, and they have been timely on their payments to the Corporation. Board Member Lewis made a motion to accept the Treasurer's report. Board Member Hatfield seconded the motion, which passed unanimously of those present (Bobbitt, Lawson and Pruitt absent).

5. Hear update from jurisdictions regarding the following preliminary budgets for Fiscal Year 2016 for the ES Corporation:
   a) Administrative / Operating Budget
   b) Law Enforcement Training Facility Operating Budget
   c) Law Enforcement Training Facility Debt Service Budget
   d) Emergency Management Program Budget
   e) Ambulance (EMS) Budget

Mary Smith, Finance Director and Assistant City Manager for Rockwall, came forth and indicated that the preliminary, proposed budgets have been distributed to each member entity for review and incorporation into each of their own jurisdiction's budgets. She explained that this item is an opportunity for any of the member entities to express any sort of concerns related to the proposed budgets. There being no one expressing any, no action was taken concerning this item. Mrs. Smith indicated that the board would take action to formally adopt the budgets at its September board meeting.

6. Adjournment

The regular board meeting was adjourned at 5:08 p.m.

AMBULANCE SERVICES BOARD MEETING

Board Members Present:	**Board Members Absent:**
Barry Brooks (Heath)	**Dana Lawson (Mobile City)**
Steve Hatfield (McLendon Chisholm)	
Dennis Lewis (Rockwall)	
Lorne Megyesi (Fate)	
Janet Nichol (Royse City)	
Jim Pruitt (Rockwall)	
Cliff Sevier (Rck. County)	
David Sweet (Rck. County)	

1. Call to order

The meeting was called to order at 5:08 p.m. with the above noted board members being present and absent.

2. Discuss / act on update related to ambulance service related exclusivity provisions in place among member cities

Board Member Lewis provided an update to the board related to the Rockwall City Council's recent discussion of this topic at their city council meeting this past Monday evening. He explained that the Council heard comments from Presbyterian Hospital Rockwall as well as Medic Rescue and that they both had submitted some material to the council for review. He indicated that the Rockwall City Council would like some input from the ES Corp. regarding its

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thoughts on Rockwall's current "exclusivity" ordinance related to ambulance service provision. President Sweet and Board Member Sevier both generally indicated that the ES Corp. is not in the business of writing or repealing city ordinances, so they do not have a formal opinion to express in this regard. Board Member Brooks indicated that the City of Heath does have an 'exclusivity' ordinance in place, but they are considering the possibility of putting it on a city council agenda for possible revocation. Board Member Hatfield of McLendon Chisholm expressed that he has concerns about the overall financial impact that may result regarding subsidy cost increases if the City of Rockwall repeals its exclusivity ordinance. EMS consultant to the board, Steve Athey of Healthcare Visions, indicated that he has already advised the board that he believes the best thing is to keep exclusivity ordinances in place, and he stands by that previously expressed opinion. Mr. Athey went on to explain that revocation of such ordinance(s) would have an unknown financial impact – it could be very little financial impact, or it could be quite large. He shared that, certainly if Rockwall does repeal its ordinance, Medic Rescue would need to begin very closely monitoring any financial impact. Board Member Lewis of Rockwall clarified that if Rockwall's ordinance is revoked, it would only affect non-emergency transports and would not affect 911 emergency calls.

President Sweet asked Medic Rescue if it had anything to say concerning the matter. Mitch Ownby of Medic Rescue came forth and indicated that when the system was originally designed in 2003 and a subsequent contract was signed in 2007, it was predicated on non-emergency transports being factored into the equation as far as subsidy cost is concerned. The goal in doing so was always to keep the cost low and make the best use of taxpayer dollars. He explained that roughly $900,000 of Medic Rescue's $3 million dollar budget is money generated from non-emergency transfers from hospitals, nursing homes and other indigent care facilities. He expressed the belief that Presbyterian Hospital has not been a good partner and that business-related matters have been immediately escalated to the entities and to ES Corp. board members without first coming to the table with Medic Rescue to discuss those matters and try to work them out. He shared that his company has offered to park an ambulance at the door of the hospital, but they have not accepted this offer. They instead have chosen to escalate complaints to cities and ESC board members. President Sweet indicated that perhaps an offer to place an ambulance at their door was 'too little, too late' at that point. At the request of Board Member Brooks, Ownby went on to explain that about $600,000 annually is attributed to funds coming in as a result of non-emergency transports out of Presby (about 100 calls / month on average). Mr. Crowley, City Manager of Rockwall, spoke, indicating that these problems are not ones which have just recently arisen. Instead, they are problems that have been ongoing now for a number of years. He suggested that perhaps the service contract between the EMS provider and the ESC board could be evaluated to incorporate language that would help keep "big customers" such as Presbyterian Hospital satisfied. Mr. Ownby went on to explain that Medic Rescue responds 90% of the time, on average, within the time expectations delineated in its private contract with Presby and that one out of four calls gets passed on, via Medic Rescue's coordination, to an alternate ambulance service provider.

Board Member Lewis clarified that Rockwall's ordinance makes it a criminal offense right now for Presby to call someone else to perform non-emergency transfers. Right now, 'exclusivity' related to Rockwall's ordinance means that the City of Rockwall is essentially handing Medic Rescue all of its non-emergency transports as opposed to Medic Rescue having to go out and secure contracts itself with those type of facilities.

Ownby restated that about $600,000 annually is generated through Presby transfers, and about $250,000 annually comes from other, non-emergency facilities. He indicated that his company does not currently have a contract with Baylor Rockwall.

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Discussion ensued related to Medic Rescue calling upon other ambulance service companies to respond to non-emergency transfer requests when Medic Rescue is tied up and unable to provide those services. Ownby generally expressed that Medic Rescue performs this service on behalf of Presby so that Presby does not have to worry with it, something that he feels is of benefit to Presby staff.

Ed Thatcher, City Manager of Heath, shared that a few years ago, he personally had a bad experience waiting to be transported out of Presby Hospital to another hospital in Dallas, a wait that lasted more than three long hours. Mr. Ownby shared that essentially what had occurred in that instance was that Medic Rescue was never called until about 20 minutes before they arrived at the hospital to transfer Mr. Thatcher. He explained that before a patient can be transferred, the receiving hospital has to have a lot of coordination with the transferring hospital to ensure they have a bed/room available for the patient being received, that the patient's medical records and test results have been successfully transferred, etc. So, all of those things apparently took place before the EMS company (Medic Rescue) was ever even called by Presby Hospital to conduct the patient transfer. Mr. Ownby explained that it is unfortunate that, in a situation like that one, the patient had no knowledge of the fact that EMS was only called twenty minutes before, even though he or she has been "waiting on an ambulance transfer for three plus hours."

Mr. Crowley explained that he is unsure if the City of Rockwall will end up repealing its ordinance or not. However, the ES Corporation needs to do everything it can to ensure that Medic Rescue is getting as much non-emergency transport business as possible so as to keep costs low. Having said that, he knows that everyone wants to be sure that service is good and that "big customers" such as hospitals are satisfied with the provider's service.

Board Member Hatfield pointed out that, even if Rockwall rescinds its ordinance, Presby still has a contract in place with Medic Rescue. Mr. Ownby indicated that if Rockwall repeals its ordinance, he suspects that Presbyterian Hospital will in turn immediately cancel its contract with Medic Rescue. At the request of Board Member Brooks, Mr. Ownby went on to explain that either party can cancel the contract at any time with, in some cases thirty days' notice, and, in other cases, more like 60 or 90 days' notice. Mr. Ownby stressed that Medic Rescue entered into the contract with Presby in an effort to be a good partner, and that the contract allows Presby Hospital to have "prime vendor" (reduced) pricing. Furthermore, he explained, that the contact was also established because it was in the best interest of the ES Corporation. Mr. Ownby shared that the contract was entered into about one-and-a-half to two years ago, and it is a year-to-year contract.

Michael Kovacs, City Manager of Fate, shared that he believes ambulance provision in the county is a great deal because Fate pays about $45,000 annually to give 10,000 people a twelve minute response time. He believes that this is a phenomenal value considering the services provided.

President Sweet asked Mr. Ownby how he thinks these problems may be able to be fixed. Mr. Ownby shared that he is hoping that once Rockwall makes its decision on the ordinance, the political presence will be removed from the situation, and hopefully both parties can then come to the table to try and resolve the concerns. He shared that once Rockwall's decision is made regarding its ordinance, Medic Rescue will go back to Presby to try and speak to them to resolve their concerns and do whatever is needed to satisfy them.

The board took no action concerning this discussion item.

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3. Discuss / act on reports from Medic Rescue related to EMS contract compliance, including road construction impacts

Medic Rescue provided an update to the board concerning its monthly reports. Mr. Ownby provided brief comments related to recent involvement in community-related events, billing and response times (which he reported are both doing ok and are as expected), and upcoming construction. No action was taken by the board as a result of this agenda item.

4. Adjournment

The meeting was adjourned at 5:48 p.m.

PASSED AND APPROVED BY THE BOARD OF DIRECTORS OF THE COUNTY OF ROCKWALL EMERGENCY SERVICES CORPORATION ON THIS THE 26th DAY OF August, 2015.

_____

David Sweet
County Judge and President, County of Rockwall ESC Board of Directors

ATTEST:

_____

Kristy Ashberry
Assistant Secretary, Board of Directors - County of Rockwall ESC

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Status of Boards & Commissions

(for August 3, 2015 cc. mtg.)

Animal Advisory Board (Fowler)

= Need to be reappointed

Animal Adoption Center/ Shelter Advisory Committee	FIRST NAME	LAST NAME	Appointed/Re Appointed	CURRENT 2 YR. TERM EXPIRES
Member 1 [Citizen]	Ken	Dickson	Sept.3,2013	Aug. 2015
Member 2 [Licenced Vet]	Dr. David	Loftis	April. 2006 Dec. 2011	Aug 2013
Member 3 [Citizen]	Dr. Kurt	Avery	Nov. 2009 Dec. 2011	Aug. 2013
~~Member 4 [Animal Welfare Org]~~	~~Judy~~	~~Schoeneman~~	~~April. 2006~~	~~Aug 2012~~
Member 5 [Citizen]	Sandra	Solomon	April. 2006 Dec. 2011	Aug 2013
Member 6 (Municipal Official)	Brad	Griggs	n/a	n/a
Ex-Officio Member [Operates Shelter]	Molly	Petterson		

Sec. 6-51. Established; Composition

An animal adoption center/advisory committee shall hereby be established & comprised of:

- a licensed local veterinarian,
- one municipal official,
- one representative from an animal welfare organization,
- three city citizens to be appointed by the city council, and
- one person whose duties include the operation of the city's animal adoption center to be appointed by the city manager, and who shall serve as an ex officio member.

State Law Composition Requirements

- One licensed vet
- One county or municipal official
- One person who runs daily shelter operations
- One representative from an animal welfare organization

Architectural Review Board (Fowler)

= Needs to be reappointed or replaced

Architectural Review Board	FIRST NAME	LAST NAME	Appointed/Re Appointed	CURRENT 2 YR. TERM EXPIRES
Engineer (electrical)	Engiell	Tomaj	8/5/2013	Aug.2015
Residential Property Owner (interior design)	Ashlei	Neill	3/3/2014	Aug. 2015
Residential Property Owner	Kristi	Mase	07/16/12 Sept.2,2014	Aug. 2016
Interested Citizen	Adan	Tovar		Aug. 2016
Interested Citizen	Enid	Reyes	Jan.20, 2015	Aug. 2015
Building Designer	Mr. Julien	Meyrat	1/19/2010 Sept.4,2012 Sept.2,2014	Aug. 2016
Architect	Jimmy	Strohmeyer	6/3/2013	Aug. 2015

ATTENDANCE HISTORY

Architectural Review Board										
Meeting Dates	01.29.2014	02.25.2014	03.25.2014	04.29.2014	05.27.2014	06.24.2014	07.29.2014	08.26.2014	09.30.2014	10.28.2014
Members										
Julien Meyrat	P	P		P	P	A	P	P	P	P
Kristi Mase	P	P		P	P	P	P	P	P	A
Engiell Tomaj	P	A		P	P	A	A	P	A	A
Jimmy Strohmeyer	A	A		A	P	P	P	P	P	P
Ashlei Neill				P	P	A	P	P	P	A
Enid Reyes										
Adan Tovar										

ATTENDANCE HISTORY (cont'd)

Architectural Review Board										
Meeting Dates	11.25.2014	12.30.2014	01.13.2015	01.27.2015	02.24.2015	04.28.2015	05.26.2015	06.30.2015	07.28.15	Total Missed
Members										
Julien Meyrat	A	P	P	P	P	P	P	A	P	3
Kristi Mase	P	P	P	A	A	P	A	P	P	4
Engiell Tomaj	A	P	P	A	A	A	P	A	A	11
Jimmy Strohmeyer	P	A	A	P	P	A	A	P	P	7
Ashlei Neill	A	A	A	P	A	A	P	P	P	7
Enid Reyes					P	P	P	A	P	1
Adan Tovar				P	A	P	P	P	P	1

ARB INFO

Term. The members shall be appointed for a term of two years with staggered terms and shall be removable for cause by the city council. Their terms of office shall expire on the last day of July or when their successor has been appointed. In the event that a vacancy occurs prior to the expiration of a full term the city council shall appoint a new member to complete the unexpired term. Any member may be reappointed by the city council upon completion of a term to which he has been appointed.

Qualifications. At least one member shall be a registered architect in the State of Texas. Other members are chosen for qualifications and training in related fields such as landscape architecture, interior or exterior design, municipal planning, municipal government and other professions with related disciplines or civic interest.

Attendance. If a member has three consecutive absences that are not excused by the architectural review board, or is absent from more than 25 percent of the meetings, he may be removed from the board; however, if absent from 50 percent of the meetings in any calendar year, the member will automatically be removed from the architectural review board.

Art Review Team / Art Commission (White)

Art Review Team Commission	FIRST	LAST	1st Appointed	CURRENT 2 YR. TERM EXPIRES
interested citizen	David	Sweet	Jan.1,2015	unknown
interested citizen	Kathleen	Morrow	Jan.1,2015	unknown
interested citizen	VACANT			
interested citizen	VACANT			
interested citizen	VACANT			
staff liaison	Brad	Griggs		

The art review team (ART) commission shall consist of five members, who shall all be "interested citizens" appointed by the city council. All team members should possess knowledge of, or have an interest in contemporary, visual art, artistic principles and art media.

a) The art review team (ART) commission shall consist of five regular members appointed by a majority of the city council. A staff liaison will be appointed by the city manager.
b) In the case of a vacancy of the commission, the city council, by a majority vote, may appoint a replacement member to the commission. Any person appointed shall serve until the expiration of the term of office of the vacated position.
c) Each member of the commission shall be a resident citizen and qualified voter of the city.
d) Upon the initial appointment of the commission by the city council, members shall draw lots for three two-year terms and two one-year terms of service. Thereafter, the term of office of members of the commission shall be for two years. Members may be removed, as determined by the city council.
e) Members shall serve without compensation.

Park Board (Townsend)

= Needs to be reappointed

Park Board	FIRST NAME	LAST NAME	Appointed/Re-Appointed	CURRENT 2 YR. TERM EXPIRES
Member 1	Brad	Bassett	07/16/12 Sept.2,2014	Aug. 2016
Member 2	Wayne	Larson	Oct.20,2014	Aug.2016
Member 3	Kevin	Moffatt	10/6/2008 Sept.2012 Sept.2,2014	Aug 2016
Member 4	Charles	Johnson	July. 2013 (partial term) Sept.2,2014	Aug. 2016
Member 5	Ray	Harton	Oct.2013	Aug. 2015
Member 6	Larry	Denny	3/17/2014	Aug.2015
Member 7	Bob	Lewis	8/15/2011 09/03/13	Aug.2015

ATTENDANCE HISTORY

Park Board								
Meeting Dates	7/1/14	08/05/14	09/03/14	10/07/14	11/04/14	12/02/14	01/06/15	02/03/15
Members								
Bob Lewis	P	P	P	P	P	P	P	P
Wayne Larson					P	P	P	P
Kevin Moffatt	P	P	P	P	P	P	A	P
Brad Bassett	P	P	P	A	P	P	P	P
Ray Harton	P	P	P	P	P	P	A	P
Larry Denny	A	A	P	P	A	A	P	A
Charles Johnson	P	P	P	P	P	P	P	P

ATTENDANCE HISTORY (cont'd)

Park Board						
Meeting Dates	02/25/15	04/07/15	05/05/15	06/02/15	7/7/2015	Total Missed
Members						
Bob Lewis	P	P	P	P	P	0
Wayne Larson	P	P	P	P	A	1
Kevin Moffatt	P	P	P	P	P	1
Brad Bassett	P	P	A	P	P	2
Ray Harton	P	P	P	P	P	1
Larry Denny	A	P	A	P	P	7
Charles Johnson	P	P	P	P	P	0

Historic Preservation Advisory Board (Pruitt)

= Needs to be reappointed or replaced

Historic Preservation Advisory Board	FIRST NAME	LAST NAME	Appointed/ Re-Appointed	CURRENT 2 YR. TERM EXPIRES
Interested Citizen	Dick	Clark	Nov.2012 Aug.4,2014	Aug. 2016
Property Owner in Downtown Area	Tina	Rowe	June.3, 2013 Aug.4,2014	Aug. 2016
Historic Foundation Member	Carolyn	Francisco	Aug.4,2014 (partial term)	Aug. 2015
Architect	Michael	Keegan	Dec.2012	Aug. 2015
Interested Citizen	Glen	Turbyfill	April 7,2014	Aug. 2015
General Contractor	Mike	Mishler	July 15,2013	Aug. 2015
Interested Citizen	Enid	Reyes	Sept.16, 2013 Aug.4,2014	Aug. 2016

ATTENDANCE HISTORY

Historic Preservation Advisory Board									
Meeting Dates	07.17.2014	08.21.2014	09.18.2014	10.16.2014	02.19.2015	04.16.2015	06.18.2015		Total Missed
Members									
Glen Turbyfill	A	P	A	A	A	A	A		5
Tina Rowe	P	A	P	P	P	P	P		1
Micheal Keegan	A	A	P	P	A	A	A		4
Dick Clark	P	P	P	P	P	P	P		0
Enid Reyes	A	P	P	P	A	P	P		1
Carolyn Francisco		P	P	P	P	P	P		0
Mike Mishler	P	P	P	P	P	A	A		2

Building & Standards Commission (Full Council)

= Needs to be reappointed or replaced

A	B	C	M	N	O
Building & Standards Commission	FIRST NAME	LAST NAME	Appointed/ Re-Appointed	CURRENT 2 YR. TERM EXPIRES	WANT REAPPOINTMENT?
Member 1	Tobye	Kernan	Dec.1, 2014	Aug. 2016	
Member 2	Glenn	Carr	Aug. 2009 Dec. 2011 July 15,2013	Aug.2015	* 6 Yr. Policy re: terming out
Member 3	Dennis	Dayman	1/3/2012 July 15,2013	Aug. 2015	
Member 4	Freddie	Jackson	1/3/2012 July 15,2013	Aug. 2015	
Member 5	Jim	Turner	Dec.1, 2014	Aug. 2016	
Member 6	Eric	Chodun	Aug. 2011 Sept.2012 Sept.2,2014	Aug. 2016	
Member 7	Bryan	Oney	Dec.1, 2014	Aug. 2016	

ATTENDANCE HISTORY

Building & Standards Commission						
Meeting Dates						
Members						Total Missed
Tobye Kernan						
Tim Turner						
Bryan Oney	*NO MEETING WITHIN LAST YEAR					
Glenn Carr						
Freddie Jackson						
Eric Chodin						
Dennis Dayman						

Note: This board has no special 'position' or 'skills' related requirements (any citizen who is a registered / qualified voter may serve); however, the commission has the quasi-judicial authority to enforce the Property Maintenance Code

Purpose.

The building and standards commission has been created to:

- Provide a reasonable interpretation of the provisions of article XII of this chapter, pertaining to the property maintenance code;
- Mitigate specific provisions of article XII of this chapter, pertaining to the property maintenance code, which create practical difficulties in their enforcement;
- Hear cases and make determinations; and
- Make recommendations

Board of Adjustments (Full Council)

= Needs to be reappointed

Board of Adjustments	FIRST NAME	LAST NAME	Appointed/Re-Appointed	CURRENT 2 YR. TERM EXPIRES
Member 1	Alan	Dennard	April 6,2015	Aug. 2015
Vice Chair (as of 12/11/14)	Stephen	Geiger	1/3/2012 July 15,2013	Aug.2015
Member 3	Martin	Musser	6/18/2012 July 15,2013	Aug.2015
Member 4	G. David	Smith	Dec.2014	Aug.2016
Chair (as of 12/11/14)	Todd	White	7/16/2012 Sept.2012 Sept.2,2014	Aug. 2016
Alternate 1	Peter	Flores	April 6,2015	Aug.2016
Alternate 2				Aug.2015
Alternate 3				Aug.2016
Alternate 4				Aug. 2016

ATTENDANCE HISTORY

Board of Adjustments						
Meeting Dates	08/14/14	12/11/14	01/08/15	02/08/15	04/09/15	Total Missed
Alan Dennard					P	0
Stephen Geiger	P	P	P	P	P	0
Martin Musser	P	P	P	P	P	0
G. David Smith		P	P	P	P	0
Todd White	P	P	P	P	P	0
Peter Flores					P	0

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City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

June 2015

Permits

Total Permits Issued: 315
Building Permits: 97 Contractor Permits: 218

Total Permit Values: $ 26,401,748.73
Building Permits: $ 24,837,008.50 Contractor Permits: $ 1,564,740.23

Total Fees Collected: $ 618,061.51
Building Permits: $ 599,637.01 Contractor Permits: $ 18,424.50

Board of Adjustment

Board of Adjustment Cases 0

211

City of Rockwall

PERMITS ISSUED - Summary by Type and Subtype

For the Period 6/1/2015 thru 6/30/2015

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	4	$0.00	$151.50
30 DAY BANNER	4	$0.00	$151.50
CO	5	$0.00	$381.00
BUSINESS	5	$0.00	$381.00
COMM	25	$11,378,664.84	$231,542.17
CONCRETE	3	$66,750.00	$1,036.99
DEMO	2	$11,275.00	$100.00
ELECTRICAL	5	$83,900.00	$1,166.16
FENCE	1	$3,000.00	$36.50
INTERIOR COMP	1	$100,000.00	$1,025.36
IRRIGATION	1	$4,000.00	$36.50
MECHANICAL	1	$6,800.00	$153.77
NEW	2	$10,900,000.00	$226,811.01
PLUMBING	1	$5,600.00	$136.75
REMODEL	4	$57,550.00	$898.43
ROOF	4	$139,789.84	$140.70
NONPROFIT SIGN	1	$0.00	$0.00
	1	$0.00	$0.00
SIGNAGE	18	$3,000.00	$1,806.00
DEVELOPMENT	1	$0.00	$75.00
MONUMENT	1	$0.00	$75.00
PROJECTION	1	$0.00	$76.50
SIGN	1	$0.00	$75.00
TEMP REAL ESTATE	1		$75.00
WALL	13	$3,000.00	$1,429.50
SINGLE FAMILY	249	$15,020,083.89	$383,872.84
ACC BLDG	6	$71,899.00	$1,250.14
ADDITION	3	$113,750.00	$1,490.65
ALTERATION	1	$500.00	$36.50
CONCRETE	6	$25,800.00	$654.69
DECK	2	$16,500.00	$333.51
ELECTRICAL	9	$69,548.00	$630.95
FENCE	34	$109,639.50	$1,199.60
IRRIGATION	15	$39,000.00	$526.50
MECHANICAL	22	$230,288.00	$4,460.18
MISCELLANEOUS	1	$2,321.17	$35.00
NEW	73	$13,489,179.50	$366,384.59
PATIO COVER	3	$41,149.00	$728.93
PERGOLA	3	$12,981.00	$356.15
PLUMBING	34	$61,431.00	$2,704.05
REMODEL	1	$50,000.00	$655.25
RETAINING WALL	2	$4,700.00	$71.35
ROOF	19	$220,386.11	$679.80
SWIM POOL	10	$402,067.00	$1,500.00
WINDOWS	5	$58,944.61	$175.00
SPECIAL EVENT	12	$0.00	$233.00
	12	$0.00	$233.00
TCO	1	$0.00	$75.00
	1	$0.00	$75.00

CRW SYSTEMS

City of Rockwall

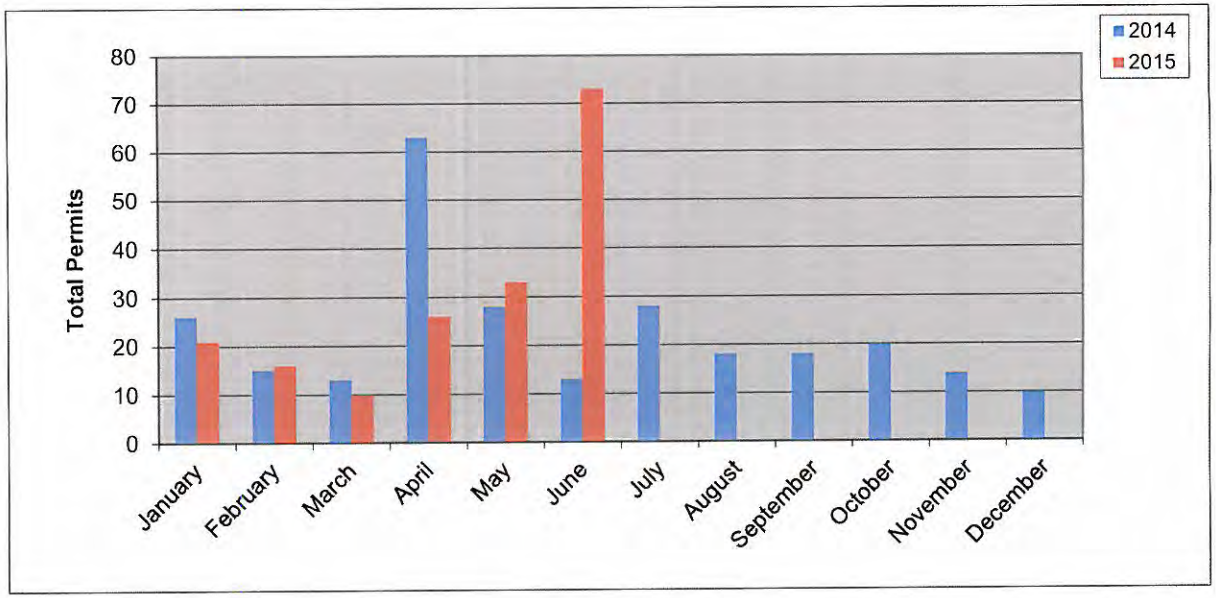
PERMITS ISSUED - Summary by Type and Subtype

For the Period 6/1/2015 thru 6/30/2015

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
Totals:	315	$26,401,748.73	$618,061.51

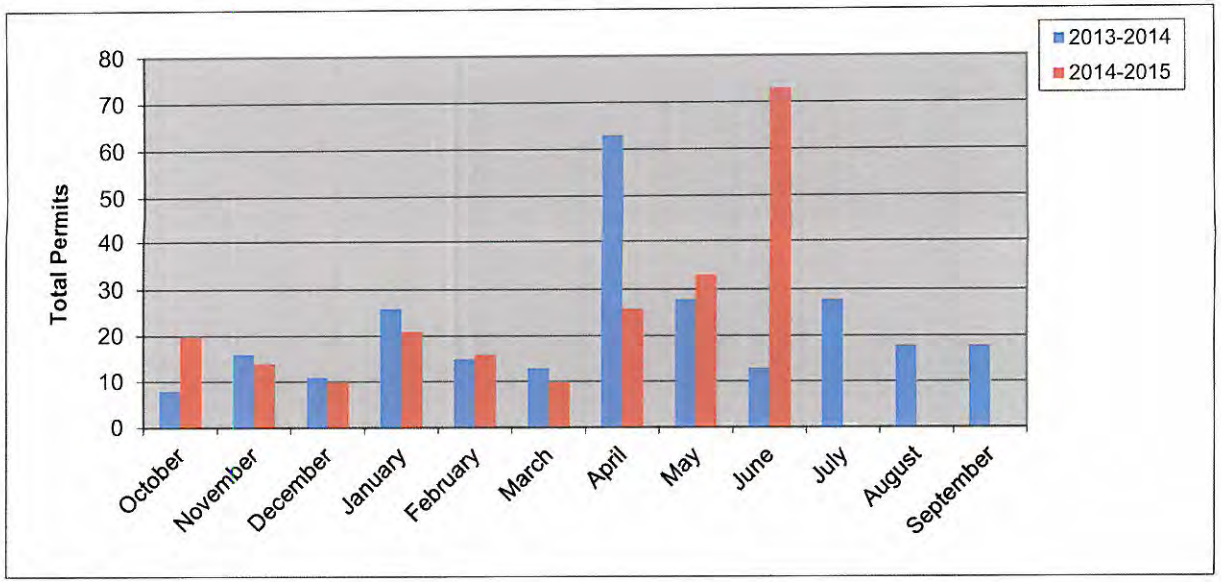
New Residential Permits Calendar Year

	Year	
	2014	2015
January	26	21
February	15	16
March	13	10
April	63	26
May	28	33
June	13	73
July	28	
August	18	
September	18	
October	20	
November	14	
December	10	
Totals	**266**	**179**



New Residential Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	8	20
November	16	14
December	11	10
January	26	21
February	15	16
March	13	10
April	63	26
May	28	33
June	13	73
July	28	
August	18	
September	18	
Totals	**257**	**223**



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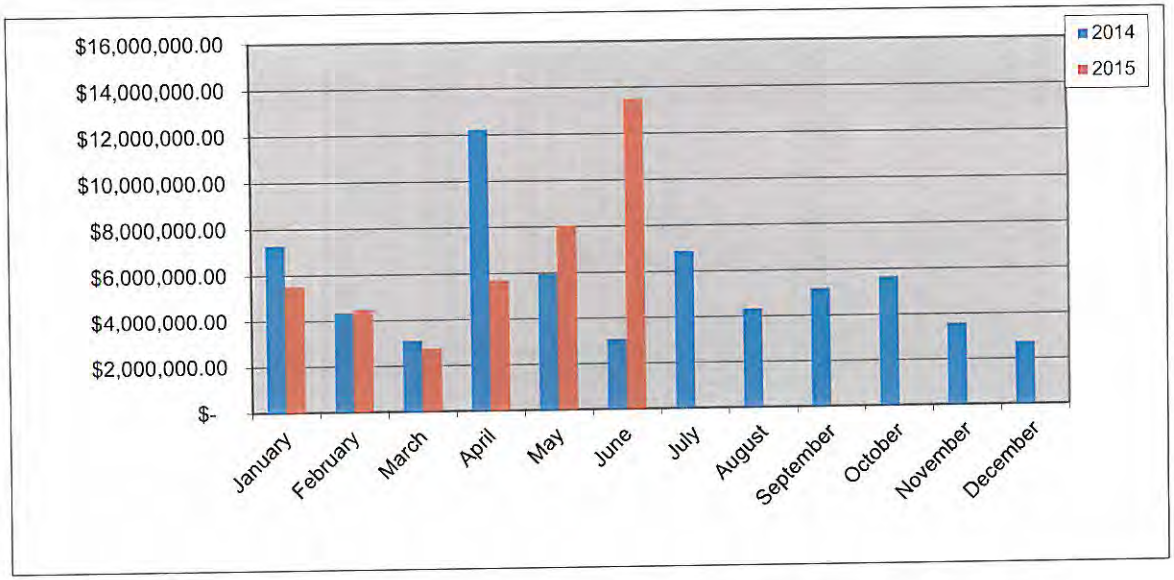
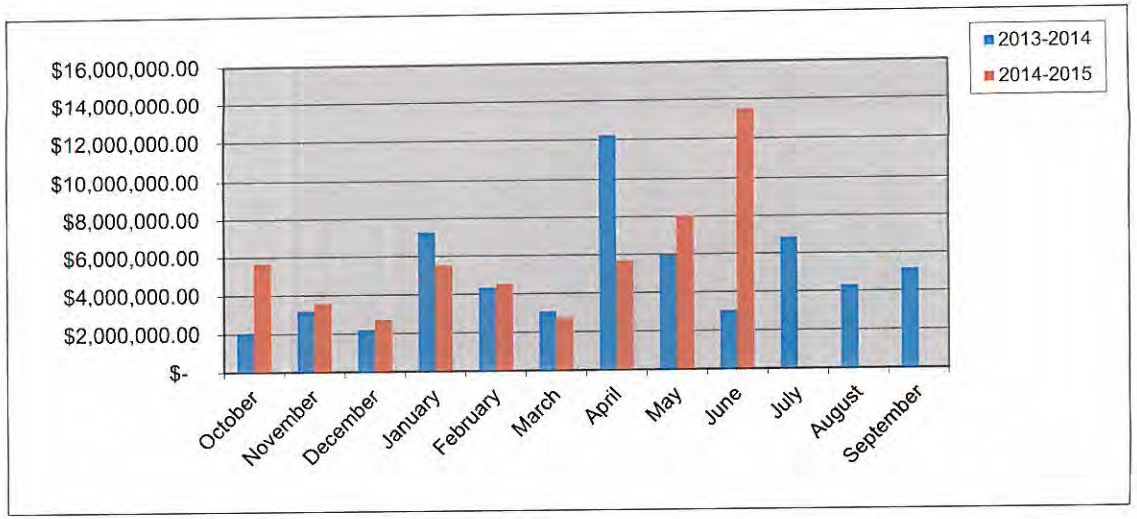
New Residential Value — Calendar Year

Year	2014	2015
January	$ 7,288,000.00	$ 5,509,932.00
February	$ 4,353,427.00	$ 4,518,552.00
March	$ 3,094,927.74	$ 2,742,324.00
April	$ 12,228,936.33	$ 5,703,968.00
May	$ 5,960,240.00	$ 8,039,718.52
June	$ 3,048,536.00	$ 13,489,179.50
July	$ 6,883,062.87	
August	$ 4,330,100.19	
September	$ 5,184,201.79	
October	$ 5,661,792.00	
November	$ 3,581,756.00	
December	$ 2,712,503.00	
Totals	**$64,327,482.92**	**$ 40,003,674.02**



New Residential Value — Fiscal Year

Year	2013-2014	2014-2015
October	$ 2,078,584.00	$ 5,661,792.00
November	$ 3,202,067.00	$ 3,581,756.00
December	$ 2,215,924.00	$ 2,712,503.00
January	$ 7,288,000.00	$ 5,509,932.00
February	$ 4,353,427.00	$ 4,518,552.00
March	$ 3,094,927.74	$ 2,742,324.00
April	$ 12,228,936.33	$ 5,703,968.00
May	$ 5,960,240.00	$ 8,039,718.52
June	$ 3,048,536.00	$ 13,489,179.50
July	$ 6,883,062.87	
August	$ 4,330,100.19	
September	$ 5,184,201.79	
Totals	**$59,868,006.92**	**$ 51,959,725.02**



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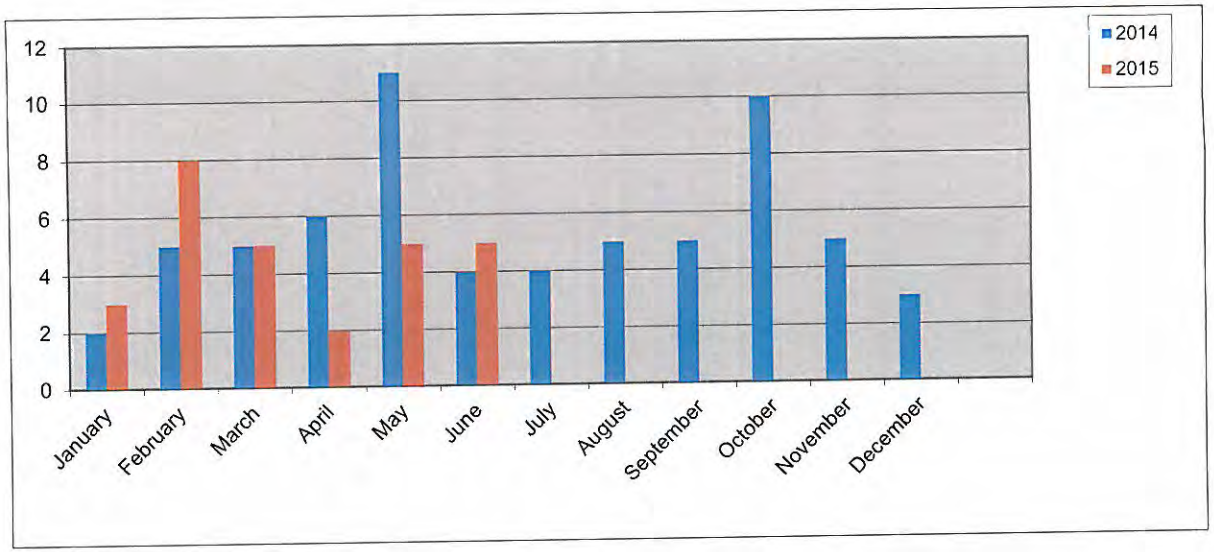
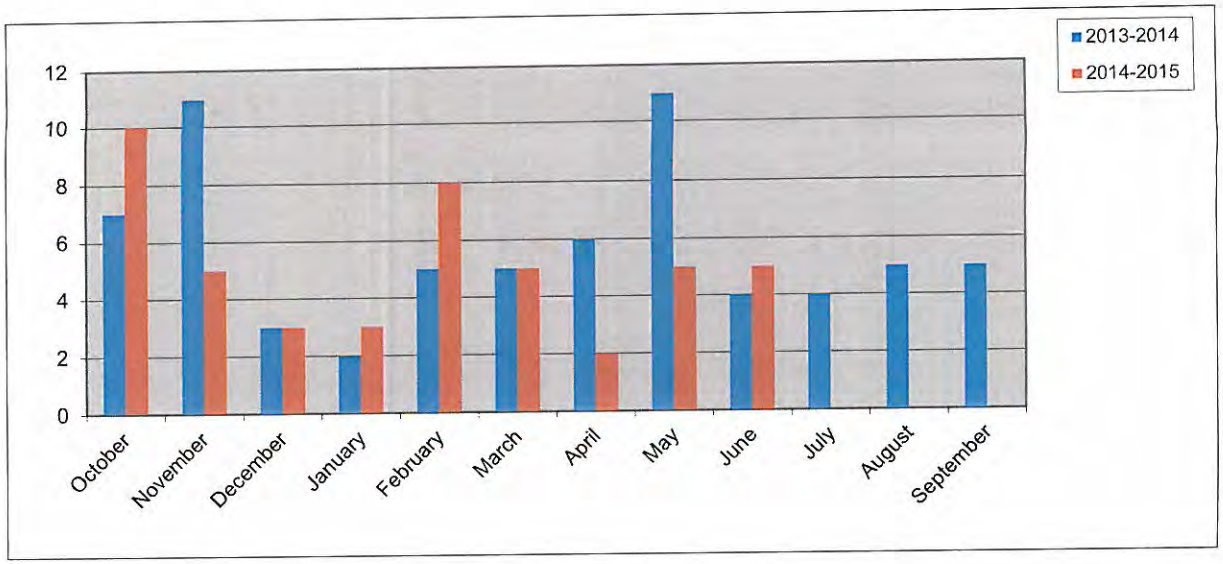
Residential Remodel Permits Calendar Year

Year	2014	2015
January	2	3
February	5	8
March	5	5
April	6	2
May	11	5
June	4	5
July	4	
August	5	
September	5	
October	10	
November	5	
December	3	
Totals	**65**	28



Residential Remodel Permits Fiscal Year

Year	2013-2014	2014-2015
October	7	10
November	11	5
December	3	3
January	2	3
February	5	8
March	5	5
April	6	2
May	11	5
June	4	5
July	4	
August	5	
September	5	
Totals	**68**	**46**



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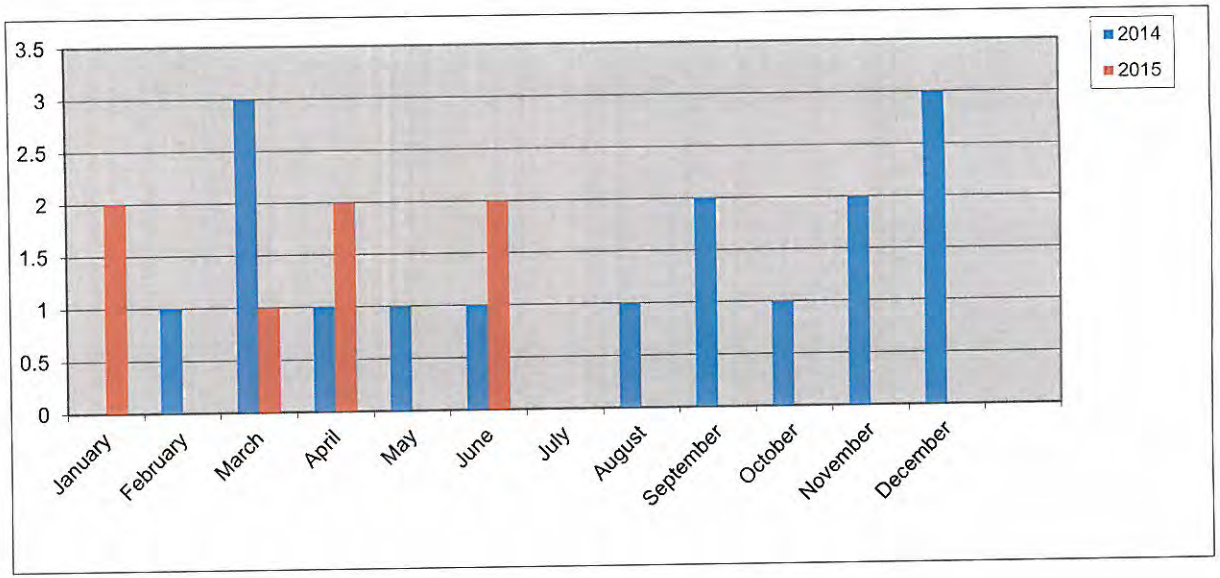
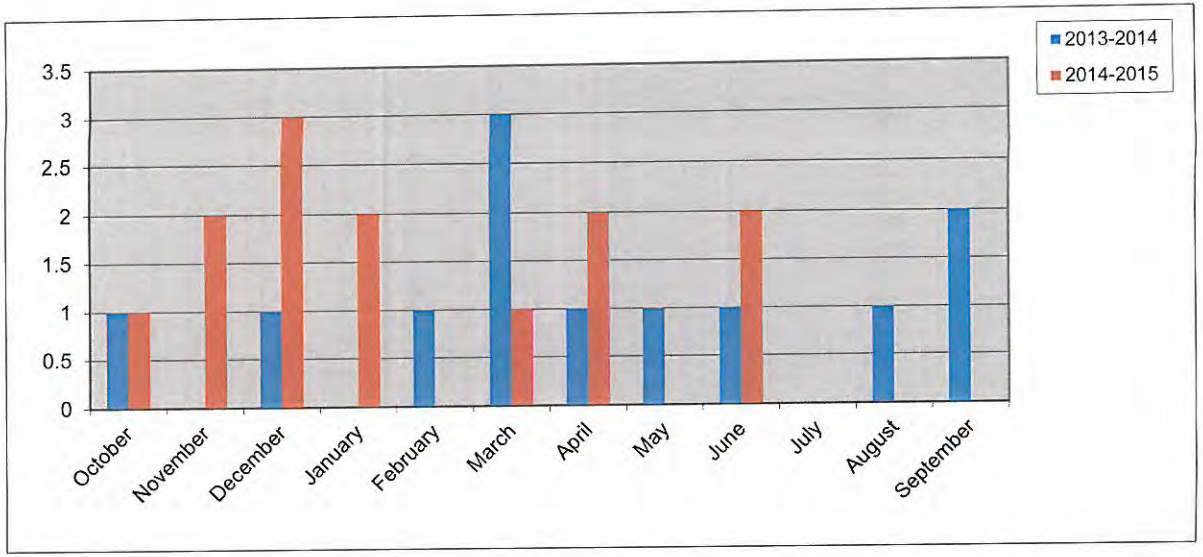
New Commercial Permits Calendar Year

	Year	
	2014	2015
January	0	2
February	1	0
March	3	1
April	1	2
May	1	0
June	1	2
July	0	
August	1	
September	2	
October	1	
November	2	
December	3	
Totals	**16**	**7**



New Commercial Permits Fiscal Year

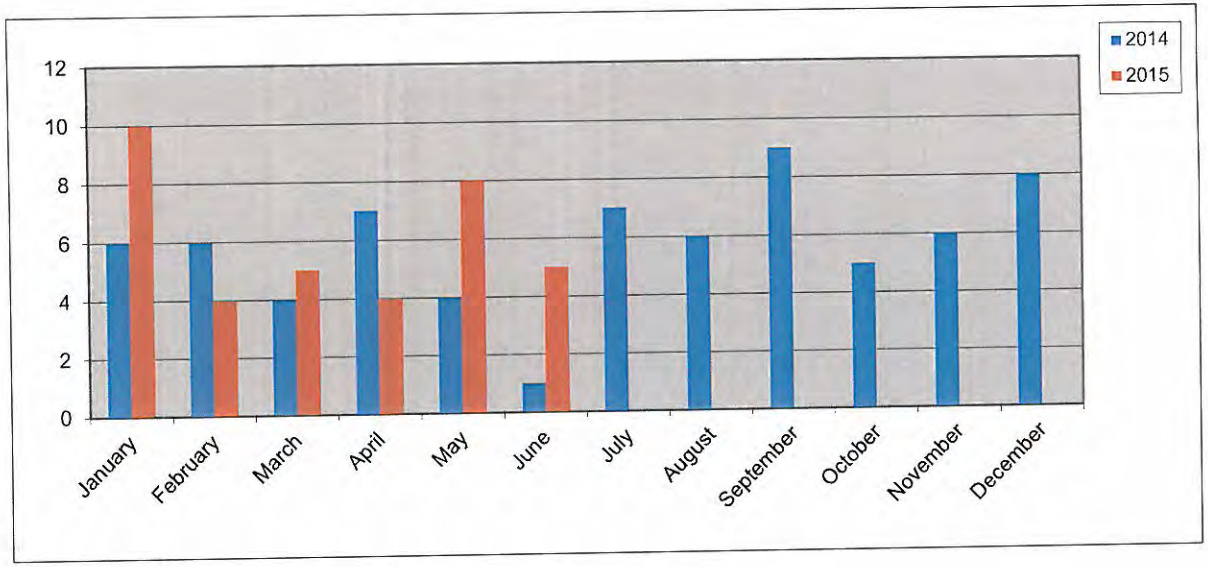
	Year	
	2013-2014	2014-2015
October	1	1
November	0	2
December	1	3
January	0	2
February	1	0
March	3	1
April	1	2
May	1	0
June	1	2
July	0	
August	1	
September	2	
Totals	**12**	**13**



217

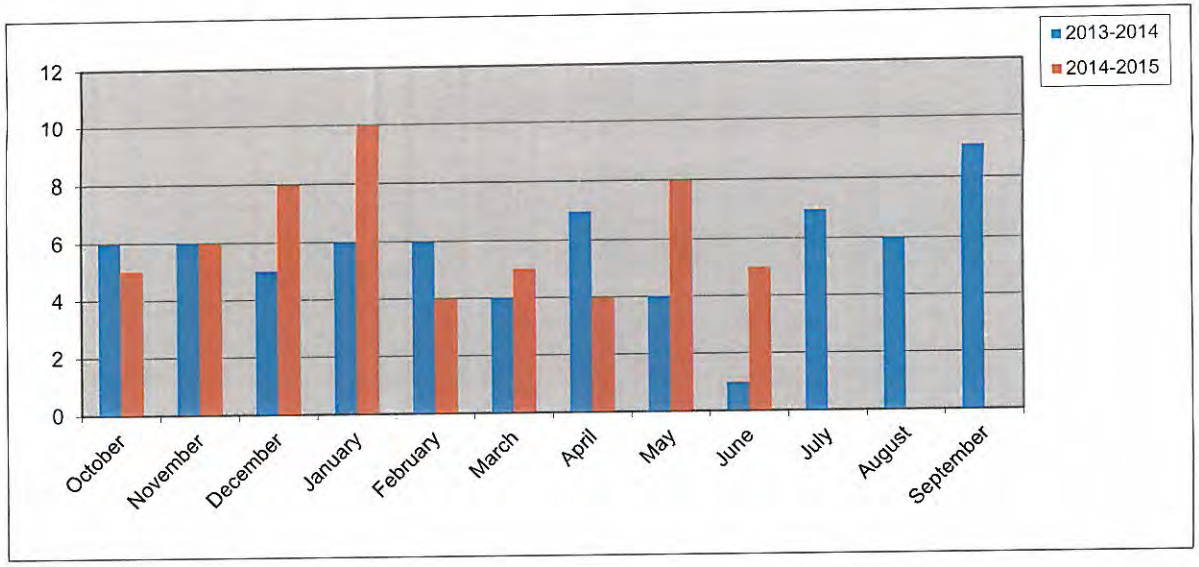
Commercial Remodel Permits Calendar Year

	Year	
	2014	2015
January	6	10
February	6	4
March	4	5
April	7	4
May	4	8
June	1	5
July	7	
August	6	
September	9	
October	5	
November	6	
December	8	
Totals	**69**	**36**



Commercial Remodel Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	6	5
November	6	6
December	5	8
January	6	10
February	**6**	**4**
March	4	5
April	7	4
May	4	8
June	1	5
July	7	
August	6	
September	9	
Totals	**67**	**55**



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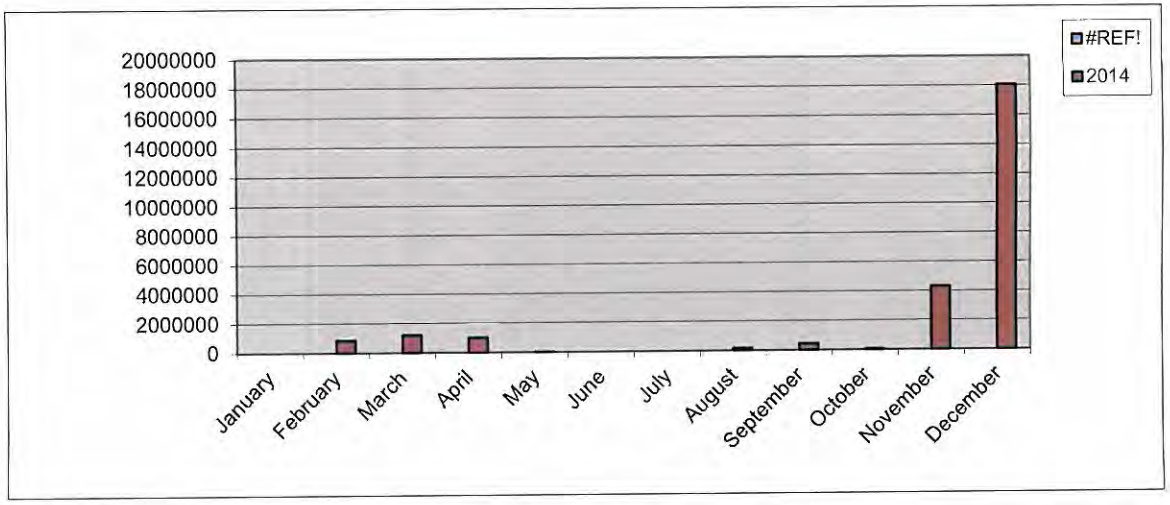
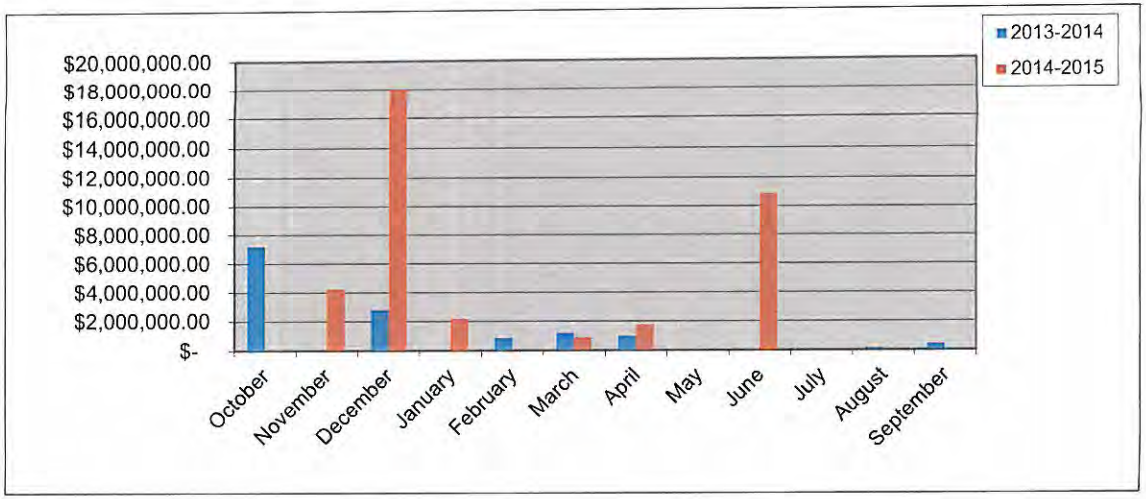
New Commercial Value Calendar Year

Year	2014	2015
January	$ -	$ 2,200,000.00
February	$ 850,000.00	$ -
March	$ 1,185,000.00	$ 930,000.00
April	$ 1,000,000.00	$ 1,780,000.00
May	$ 5,000.00	$ -
June	$ -	$ 10,900,000.00
July		
August	$ 150,000.00	
September	$ 430,795.00	
October	$ 49,000.00	
November	$ 4,300,000.00	
December	$ 18,050,000.00	
Totals	**$ 26,019,795.00**	**$ 15,810,000.00**



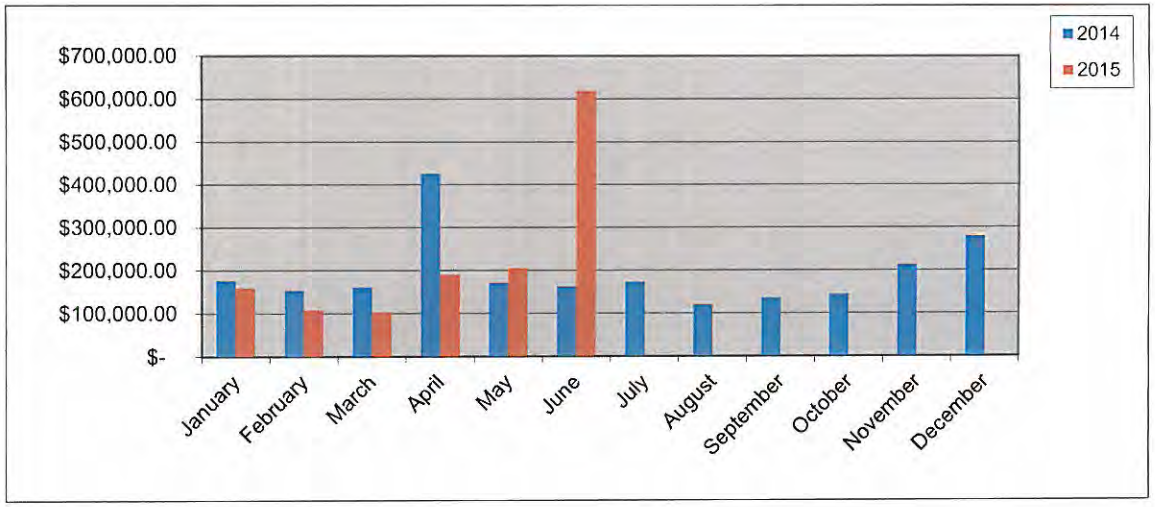
New Commercial Value Fiscal Year

Year	2013-2014	2014-2015
October	$ 7,225,000.00	$ 49,000.00
November	$ -	$ 4,300,000.00
December	$ 2,800,000.00	$ 18,050,000.00
January	$ -	$ 2,200,000.00
February	$ 850,000.00	$ -
March	$ 1,185,000.00	$ 930,000.00
April	$ 1,000,000.00	$ 1,780,000.00
May	$ 5,000.00	$ -
June	$ -	$ 10,900,000.00
July		
August	$ 150,000.00	
September	$ 430,795.00	
Totals	**$ 13,645,795.00**	**$ 38,209,000.00**



Total Fees Collected Calendar Year

Year	2014	2015
January	$ 176,162.63	$ 159,026.65
February	$ 153,458.98	$ 106,693.21
March	$ 160,530.91	$ 103,029.95
April	$ 425,003.86	$ 189,684.37
May	$ 170,849.07	$ 204,062.18
June	$ 161,690.82	$ 618,061.51
July	$ 172,232.70	
August	$ 120,790.39	
September	$ 135,478.13	
October	$ 143,153.00	
November	$ 212,222.54	
December	$ 277,864.58	
Totals	**$ 2,309,437.61**	**$ 1,380,557.87**



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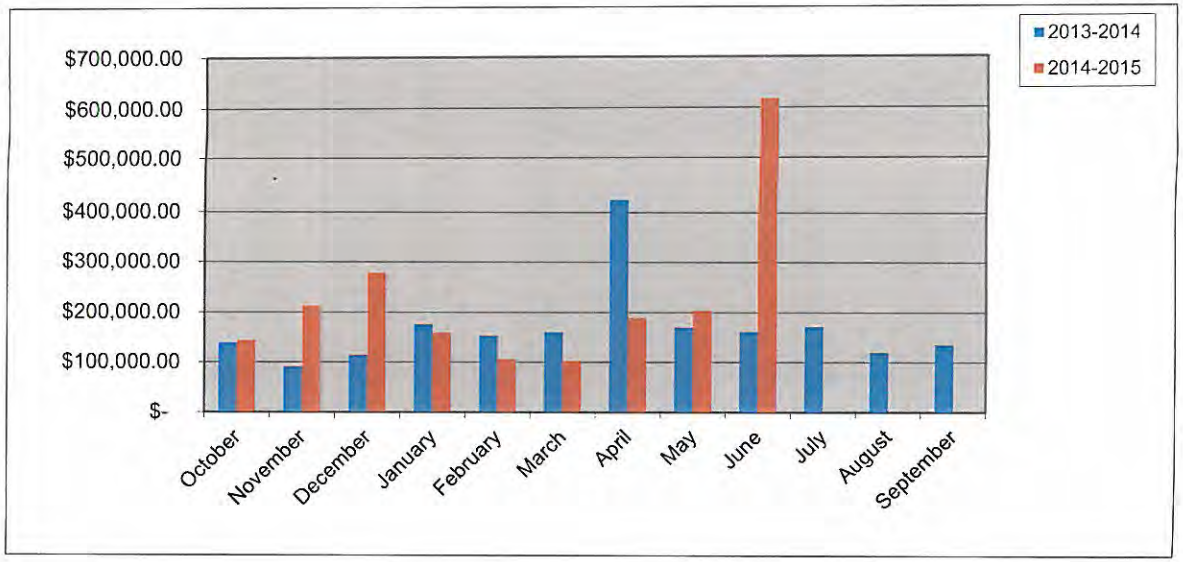
Total Fees Collected Fiscal Year

Year	2013-2014	2014-2015
October	$ 138,771.53	$ 143,153.00
November	$ 91,778.83	$ 212,222.54
December	$ 114,645.28	$ 277,864.58
January	$ 176,162.63	$ 159,026.65
February	$ 153,458.98	$ 106,693.21
March	$ 160,530.91	$ 103,029.95
April	$ 425,003.86	$ 189,684.37
May	$ 170,849.07	$ 204,062.18
June	$ 161,829.08	$ 618,061.51
July	$ 172,232.70	
August	$ 120,790.39	
September	$ 135,478.13	
Totals	**$ 2,021,531.39**	**$ 2,013,797.99**



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City of Rockwall
PERMITS ISSUED
For the Period 6/1/2015 thru 6/30/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0039 4/16/2015 6/2/2015	CO BUSINESS ACTIVE	1657 Airport Rd. B1 4845-0000-0001-00-0R ROCKWALL MUNICIPAL AIRPORT Rockwall Flite Center LLC	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	CITY, OF ROCKWALL				0	
BUS OWNER	Eddie Walkowicz	3610 Syracuse	Garland	TX	75043	(972) 489-9100

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0042 5/4/2015 6/22/2015	CO BUSINESS ACTIVE	1655 SCIENCE PLACE 4816-000D-0001-00-0R ROCKWALL TECHNOLOGY PARK L-3 Communications	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	BELLE, HAV/TEX LP		REDWOOD CITY	CA	94061	
APPLICANT	JOSEPH SUERAK					
INSP RPT EMAIL	MILESTONE CONSTRUCTION	1406 HALSEY WAY #124	Carrollton	TX	75007	(972) 446-0918
CONTRACTOR	MILESTONE CONSTRUCTION	1406 HALSEY WAY #124	Carrollton	TX	75007	(972) 446-0918
MECH CONTR	National Network Services	2219 E. Grauwyler Ste. 100	Irving	TX	75061	(972) 438-7339
PLB CONTR	RPS Plumbing	35856 Miller Park Dr.	Garland	TX	75042	(214) 503-1773
ELEC CONTR	K THOMPSON ELECTRIC	670 INTERNATIONAL PKWY, STE	RICHARDSON	TX	75081	(972) 744-0771
BUS OWNER	L-3 Communications	600 3rd Ave.	Greenville	TX	10016	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0052 5/29/2015 6/4/2015	CO BUSINESS ACTIVE	489 BENDING OAKS TRL 4722-000A-0001-00-0R RANDOM OAKS AT THE SHORES ESSENTIAL LIVING RESIDENTIAL CARE	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	LORI COPE	5967 FM 36 SOUTH	Quinlan	TX	75474	(817) 371-5566
APPLICANT	LORI COPE	5967 FM 36 SOUTH	Quinlan	TX	75474	(817) 371-5566
INSP RPT EMAIL	LORI COPE	5967 FM 36 SOUTH	Quinlan	TX	75474	(817) 371-5566
BUS OWNER	LORI COPE	5967 FM 36 SOUTH	Quinlan	TX	75474	(817) 371-5566
BUSINESS	ESSENTIAL LIVING RESIDENT	489 BENDING OAKS TRAIL	ROCKWALL	TX	75087	(972) 722-2958
PERMIT TECH	Brenda Crane	385 S Goliad St.	ROCKWALL	TX	75087	(972) 771-7709
PERMIT TECH 2	Vicky Morton	385 S Goliad St.	ROCKWALL	TX	75087	(972) 771-7709

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0053 6/10/2015 6/29/2015	CO BUSINESS ACTIVE	705 S GOLIAD 4900-000E-0002-A0-0R SANGER Carlton Greer State Farm	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
BUS OWNER	Carlton Greer		ROCKWALL	TX	75087	

City of Rockwall

PERMITS ISSUED

For the Period 6/1/2015 thru 6/30/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number			Valuation	Total Fees / Total SQFT	Fees Paid
OWNER	BARNHILL, BARNEY		ROCKWALL	TX 75087			
APPLICANT	Carlton Greer State Farm						
CO2015-0055	CO	5451 FM 3097 0080-0000-0020-06-0R			0.00	$ 76.50	$ 76.50
6/17/2015 6/28/2015	BUSINESS ACTIVE	FIRM FITNESS CENTER				0	

Contact Type	Contact Name	Contact Address			Phone Number
OWNER	BUFFALO, CREEK BUSINESS I		ROYSE CITY	TX 75189	
APPLICANT	SAMANTHA ASHBY	5451 FM 3097	Rockwall	TX 75032	(972) 722-9950
BUS OWNER	SAMANTHA ASHBY	3656 Juniper Hills	Rockwall	TX 75032	
BUSINESS	FIRM FITNESS CENTER	5451 FM 3097	Rockwall	TX 75032	

5 **Permits Issued from: 6/1/2015** **Thru: 6/30/2015**

Total Valuation: $ 0.00
Total Fees: $ 381.00
Total Fees Paid: $ 381.00

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CALLS BY TYPE
JUNE 2015

City of Rockwall
The New Horizon

CITY CALLS

Situation Type	#
113 Cooking fire, confined to container	1
118 Trash or rubbish fire, contained	1
131 Passenger vehicle fire (cars, pickups, SUV's)	1
143 Grass fire	1
150 OTHER Outside rubbish fire	1
151 Outside rubbish, trash or waste fire	1
311 Medical assist, assist EMS crew	3
322 Motor vehicle accident with injuries	1
324 Motor vehicle accident with no injuries.	2
331 Lock-in (if lock out , use 511)	1
352 Extrication of victim(s) from vehicle	2
411 Gasoline or other flammable liquid spill	2
412 Gas leak (natural gas or LPG)	3
422 Chemical spill or leak	1
440 Electrical wiring/equipment problem, other	2
444 Power line down	2
445 Arcing, shorted electrical equipment	2
511 Lock-out	1
551 Assist police or other governmental agency	8
553 Public service	6
556 Public service - Non paged	9
611 Dispatched & canceled en route	3
622 No incident found on arrival at dispatch address	3
651 Smoke scare, odor of smoke	1
671 HazMat release investigation w/no HazMat	1
700 False alarm or false call, other	6
730 System malfunction, other	1
731 Sprinkler activation due to malfunction	3
733 Smoke detector activation due to malfunction	4
735 Alarm system sounded due to malfunction	3
742 Extinguishing system activation	1
743 Smoke detector activation, no fire - unintentional	1
745 Alarm system activation, no fire - unintentional	11
746 Carbon monoxide detector activation, no CO	1
Totals:	90

COUNTY CALLS

Situation Type	#
363 Swift water rescue	1
412 Gas leak (natural gas or LPG)	1
444 Power line down	2
551 Assist police or other governmental agency	1
631 Authorized controlled burning	1
Totals:	6

FATE

Situation Type	#
551 Assist police or other governmental agency	1
Totals:	1

HEATH

	June
Situation Type	#
111 Building fire	1
551 Assist police or other governmental agency	1
Totals:	2
MCLENDON CHISHOLM	0
ROYSE CITY	0

TOTAL ALL COUNTY AND MUTUAL AID	9

CITY RESPONSE
JUNE 2015

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes		0- 1 1/2 MINUTES	
CRITERIA MET %	29 of 29	CRITERIA MET %	
CRITERIA -ACHIEVE RESPONSE TIME	100.00%	CRITERIA -ACHIEVE RESPONSE TIME	3 of 3
90% OF TIME IN BOXES WITH	criteria met	60% OF TIME IN BOXES WITH	100%
STATIONS		STATIONS	criteria met
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES		0-6 MINUTES	
CRITERIA MET %	25 of 29	CRITERIA MET %	0 of 3
CRITERIA -ACHIEVE RESPONSE TIME	0.86%	CRITERIA -ACHIEVE RESPONSE TIME	0.00%
90% OF TIME IN BOXES WITH	criteria not met	60% OF TIME IN BOXES WITH	Criteria not met
STATIONS		STATIONS	
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES		0-7 1/2 MINUTES	
CRITERIA MET%	26 of 29	CRITERIA MET%	1 of 3
CRITERIA -ACHIEVE RESPONSE TIME	0.90%	CRITERIA -ACHIEVE RESPONSE TIME	0.33%
90% OF TIME IN BOXES WITH	criteria met	60% OF TIME IN BOXES WITH	Criteria not met
STATIONS		STATIONS	

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CITY CALLS
ARRIVAL OVERAGES
June 2015

Venue Name	alarm date	Enroute	Arrival	Enroute to Arrival	Fire Incident Station	Lights and Sirens	Apparatus	Incident Number	REASON FOR OVERAGES
Rockwall	06/02/2015	11:27:54	11:33:59	0:06:05	Rockwall 4	Code 3	BT4	2015-00000442	drive to area without station
Rockwall	06/07/2015	07:53:50	08:01:19	0:07:29	Rockwall 4	Code 3	E4	2015-00000449	drive to area without station
Rockwall	06/10/2015	14:20:05	14:26:10	0:06:05	Rockwall 2	Code 3	E5	2015-00000465	multiple calls coming in at same time due to weather
Rockwall	06/10/2015	22:40:30	22:46:42	0:06:12	Rockwall 1	Code 3	LAD2	2015-00000468	multiple calls coming in at same time due to weather
Rockwall	06/11/2015	13:14:09	13:20:23	0:06:14	Rockwall 2	Code 3	Mar1	2015-00000469	time it takes to get Marine 1 boat to scene
Rockwall	06/14/2015	21:37:05	21:44:45	0:07:40	Rockwall 4	Code 3	BT4	2015-00000479	drive to area without station
Rockwall	06/21/2015	18:29:13	18:37:05	0:07:52	Rockwall 3	Code 3	E3	2015-00000524	multiple calls coming in at same time due to weather

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RESPONSE OVERAGES

CITY CALLS

June 2015

Venue Name	alarm date	Alarm Time	Arrival	Response	Fire Incident Station	Lights and Sirens	Apparatus	Incident Number	REASON FOR OVERAGES
Rockwall	06/07/2015	07:52:38	08:01:19	0:08:41	Rockwall 4	Code 3	E4	2015-00000449	drive to area without station
Rockwall	06/14/2015	21:35:52	21:44:45	0:08:53	Rockwall 4	Code 3	BT4	2015-00000479	drive to area without station
Rockwall	06/21/2015	18:28:01	18:37:05	0:09:04	Rockwall 3	Code 3	E3	2015-00000524	multiple calls coming in at same time due to weather

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COUNTY AND MUTUAL AID
RESPONSE
JUNE 2015

COUNTY/MUTUAL	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	3 of 4 75% criteria met
CRITERIA -ACHIEVE RESPONSE TIME	
60% OF TIME IN BOXES WITH	
STATIONS	
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	4 o 4 100% Criteria Met
CRITERIA -ACHIEVE RESPONSE TIME	
60% OF TIME IN BOXES WITH	
STATIONS	
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	
CRITERIA MET%	4 of 4 100% Criteria Met
CRITERIA -ACHIEVE RESPONSE TIME	
60% OF TIME IN BOXES WITH	
STATIONS	

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COUNTY OVERAGES
JUNE 2015

PAGED TO ENROUTE									
Rockwall County	06/01/2015	13:14:24	13:16:01	0:01:37	Rockwall 4	Code 3	BT4	2015-00000438	Multiple Calls at same time

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Total Dollar Losses

June 2015

City of Rockwall
The Next Horizon

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$6,554.24	$4,500.00	$0.00	$251,842.24	$257,560.00
Total Content Loss:	$0.00	$0.00	$0.00	$179,292.80	$61,846.00
Total Property Pre-Incident Value:	$128,012.50	$168,975.00	$0.00	$1,079,602.50	$315,730.00
Total Contents Pre-Incident Value	$0.00	$101,385.00	$0.00	$705,682.00	$187,944.00
Total Losses:	$6,554.24	$4,500.00	$.00	$431,135.04	$6,554.24
Total Value:	$128,012.50	$270,360.00	$.00	$1,785,284.50	$503,674.00

CITY FIRE ALARMS	June 2015
700 False alarm or false call, other	6
730 System malfunction, other	1
731 Sprinkler activation due to malfunction	3
733 Smoke detector activation due to malfunction	4
735 Alarm system sounded due to malfunction	3
742 Extinguishing system activation	1
743 Smoke detector activation, no fire - unintentional	1
745 Alarm system activation, no fire - unintentional	11
746 Carbon monoxide detector activation, no CO	1
	31

Inspection Status Summary Report

City of Rockwall
The New Horizon

Print Date/Time: 07/17/2015 07:56
Login ID: rck\ahargrove
Inspection Type: *All

From Date: 06/01/2015
To Date: 06/30/2015
Inspection Status: *All

Rockwall Fire Department
FDID Number: TX504
Inspected By: *All

Status	Inspection Type	Total Number of Inspections
Finaled	Access Control Gates	2
	Annual	3
	Certificate of Occupancy	8
	Construction Final	2
	Courtesy	3
	Fire Alarm System	1
	Fire Spinkler System	1
	Flow Test	2
	Follow Up	3
	Open Burn	1
	Total Finaled :	**26**
Pending	Access Control Gates	1
	Annual	2
	Certificate of Occupancy	5
	Construction Final	2
	Fire Alarm System	3
	Fire Spinkler System	8
	Follow Up	1
	Foster Care / Adoption	1
	Underground Fire Line	2
	Total Pending :	**25**
	Total :	**51**

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City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 6/1/2015 thru 6/30/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2015-072	06/01/15 COMM	46	316 S GOLIAD 207 Commercial Remodel -interior remodel	WHITE, DENNIS L	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/01/15	06/11/15	06/04/15
ELE2015-002	06/02/15 COMM	45	1689 Airport Rd Airport N. Hanger - panel upgrade, lighting & recepticles	CITY, OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431		06/02/15	06/12/15	
PLB2015-017	06/02/15 COMM	45	1200 HORIZON RD GAS REGULATIONS, - CHANGING OUT PIPING SYSTEM/INSTALLATION O	SONG, CORPORATION	Ariana Hargrove	FIRE 972-772-6431		06/02/15	06/12/15	
TCO2015-000	06/03/15 TCO	44	1127 Ridge Rd. A Richard Krecek		Ariana Hargrove	FIRE CO	APPROVED	06/03/15	06/06/15	06/03/15
ELE2015-002	06/04/15 COMM	43	2777 RIDGE Rd Steger Town Crossing - repair to meter base & hook up	STEGER, DUNHILL LLC	Ariana Hargrove	FIRE 972-772-6431		06/04/15	06/14/15	
SPEC2015-01	06/04/15 SPECIAL EVENT	43	990 W RALPH HALL PKWY OPEN HOUSE	ROCKWALL PEDIATRIC DENTISTRY	Ariana Hargrove	FIRE 972-772-6431	APPROVED	06/04/15	06/11/15	06/04/15
BLD2015-072	06/01/15 COMM	46	316 S GOLIAD 207 Commercial Remodel -interior remodel	WHITE, DENNIS L	Ariana Hargrove	FIRE 972-772-6431	APPROVED	06/05/15	06/15/15	06/05/15
BLD2015-075	06/05/15 COMM	42	108 E RUSK Alteration	SWIERCINSKY, MICHAEL P AND	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/05/15	06/15/15	06/05/15
BLD2015-075	06/05/15 COMM	42	3018 RIDGE RD 130 COLDWELL BANKER INTERIOR FINISH OUT	AJ, SQUARED LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/05/15	06/15/15	06/17/15
SPEC2015-01	06/05/15 SPECIAL EVENT	42	102 KENWAY DR PARKING LOT GARAGE SALE	KNIGHTSBRIDGE, HOLDING CO PROFIT	Ariana Hargrove	FIRE 972-772-6431	APPROVED	06/05/15	06/15/15	06/08/15
BLD2015-076	06/08/15 COMM	39	630 IH 30 RE-ROOFING	GOODYEAR	Ariana Hargrove	FIRE 972-772-6431		06/08/15	06/18/15	
BLD2015-076	06/08/15 COMM	39	1408 Goliad St S HCA - lower level Restroom & sump pump relocate	HERITAGE, CHRISTIAN ACADEMY	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/08/15	06/18/15	06/17/15
BLD2015-076	06/08/15 COMM	39	1408 Goliad St S HCA - Classroom remodel & site Drianage improvements	HERITAGE, CHRISTIAN ACADEMY	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/09/15		06/17/15
ELE2015-002	06/09/15 COMM	38	202 E RUSK Zanata's - replace elec. Main svc Feeder	RDT, ENTERPRISES INC	Ariana Hargrove	FIRE 972-772-6431		06/09/15	06/19/15	
CO2015-0053	06/10/15 CO	37	705 S GOLIAD Carlton Greer State Farm	BARNHILL, BARNEY	Ariana Hargrove	FIRE CO	APPROVED	06/10/15	06/13/15	06/15/15
PLB2015-018	06/12/15 COMM	35	206 E WASHINGTON ST INSTALL DOUBLE CHECK VALVE FOR SCHOOL OF ROCK	WALKER, TOM	Ariana Hargrove	FIRE 972-772-6431		06/12/15	06/22/15	
BLD2015-075	06/05/15 COMM	42	108 E RUSK Alteration	SWIERCINSKY, MICHAEL P AND	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/15/15	06/25/15	06/15/15

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 6/1/2015 thru 6/30/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
CO2015-0054	06/15/15	32	206 E Washington St	WALKER, TOM	Ariana Hargrove	FIRE CO	APPROVED	06/15/15	06/18/15	06/17/15
	CO		School of Rock							
BLD2015-053	04/24/15	84	1700 IH 30	NESBO, LIMITED PARNERSHIP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	06/17/15	06/27/15	06/17/15
	COMM		Nissan of Rockwall - New Bldg							
BLD2015-064	05/14/15	64	1801 S Goliad St	WILLIAMS, HORACE LEE JR AND	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/17/15	06/27/15	06/17/15
	COMM		Dairy Queen - New Construction							
BLD2015-075	06/05/15	42	108 E RUSK	SWIERCINSKY, MICHAEL P AND	Ariana Hargrove	FIRE 972-772-6431	APPROVED	06/17/15	06/27/15	06/17/15
	COMM		Alteration							
CO2015-0055	06/17/15	30	5451 FM 3097	BUFFALO, CREEK BUSINESS PARK LTD	Ariana Hargrove	FIRE CO	APPROVED	06/17/15	06/20/15	06/17/15
	CO		FIRM FITNESS CENTER							
DEM2015-00(	06/17/15	30	2255 RIDGE RD 100	DAKIER, PARTNERS LTD	Ariana Hargrove	FIRE 972-772-6431		06/17/15	06/27/15	
	COMM		Interior Demo work for suite# 100							
BLD2015-018	02/06/15	161	537 IH 30 E	SABRE REALTY	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/18/15	06/28/15	06/18/15
	COMM		Sleep Train - REMODEL (was Sleep Experts)							
BLD2015-038	03/25/15	114	689 IH 30	STJ, INVESTMENTS LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	06/18/15	06/28/15	06/18/15
	COMM		LaQuinta Inn - lobby /mtg/ breakfast area remodel							
BLD2015-059	05/06/15	72	1861 SH 276	SIMMONS, ANGKANA	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/18/15	06/28/15	06/18/15
	COMM		Peak Pedi							
BLD2015-084	06/17/15	30	2255 RIDGE RD 100	DAKIER, PARTNERS LTD	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/18/15	06/18/15	06/18/15
	COMM		Interior remodel for suite# 100 - Guaranty Bank & Trust							
BLD2015-086	06/18/15	29	911 N GOLIAD	RD Vanderslice	Ariana Hargrove	FIRE 972-772-6431		06/18/15	06/28/15	
	COMM		6' wood fence - Commercial Property							
PLB2015-018'	06/18/15	29	1209 RIDGE RD.	BENBROOKE, RIDGE PARTNERS LP	Ariana Hargrove	FIRE 972-772-6431		06/18/15	06/28/15	
	COMM		REPLACE 50 FEET OF SEWER LINE OUTSIDE OF BUILDING							
BLD2015-084	06/17/15	30	2255 RIDGE RD 100	DAKIER, PARTNERS LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	06/19/15	06/29/15	06/19/15
	COMM		Interior remodel for suite# 100 - Guaranty Bank & Trust							
BLD2015-086	06/19/15	28	1211 N GOLIAD	KERN, ALLAN S & DEBRA L	Ariana Hargrove	FIRE 972-772-6431		06/19/15	06/29/15	
	COMM		RE-ROOFING (SHINGLES ONLY)							
BLD2015-087	06/19/15	28	1106 IH 30	IN-N-OUT, BURGERS	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/19/15	06/29/15	06/23/15
	COMM		Demo & repour concrete sidewalk							
BLD2015-087	06/19/15	28	1207 BETA CT	HEATH, DEVELOPERS CORP #1	Ariana Hargrove	FIRE 972-772-6431		06/19/15	06/29/15	
	COMM		RE-ROOFING (SHINGLES ONLY)							
BLD2015-087	06/22/15	25	2850 SHORELINE TRL 101-102	LAKE, FRONT TRAIL LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	06/22/15	07/02/15	06/23/15
	COMM		Remax interior remodel of #101-102							
BLD2015-088	06/22/15	25	1037 IH 30 100	EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/22/15	07/02/15	06/25/15
	COMM		James Avery Jewelry - Interior Completion							

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 6/1/2015 thru 6/30/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2015-087	06/22/15	25	2850 SHORELINE TRL 100	LAKE, FRONT TRAIL LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/23/15	06/30/15	06/23/15
	COMM		Remax interior remodel of #100							
BLD2015-089	06/23/15	24	1975 ALPHA	ELLIS, RICHARD M	Ariana Hargrove	FIRE 972-772-6431	APPROVED	06/23/15	07/03/15	06/23/15
	COMM		install new steps outside mob & handrail							
DEM2015-000	06/23/15	24	1010 RIDGE RD CT	HAISTEN, DENNIS A & KRISTINA C	Ariana Hargrove	FIRE 972-772-6431		06/23/15	07/03/15	
	COMM		Pregnancy Resource Cntr - Asbestos removal only							
MODEL2015	06/23/15	24	ALPHA DR	ELLIS, RICHARD M	Ariana Hargrove	FIRE CO		06/23/15	06/26/15	
	CO									
BLD2015-064	05/14/15	64	1801 S Goliad St	WILLIAMS, HORACE LEE JR AND	Ariana Hargrove	FIRE 972-772-6431	APPROVED	06/24/15	07/04/15	06/24/15
	COMM		Dairy Queen - New Construction							
BLD2015-089	06/24/15	23	982 Shady Ln	D, R HORTON TEXAS LTD	Ariana Hargrove	FIRE 972-772-6431		06/24/15	07/04/15	
	COMM		Irrigation for common area Caruth lakes ph 8b							
BLD2015-018	02/06/15	161	537 IH 30 E	SABRE REALTY	Ariana Hargrove	FIRE 972-772-6431	APPROVED	06/25/15	07/05/15	06/25/15
	COMM		Sleep Train - REMODEL (was Sleep Experts)							
BLD2015-059	05/06/15	72	1861 SH 276	SIMMONS, ANGKANA	Ariana Hargrove	FIRE 972-772-6431	APPROVED	06/25/15	07/05/15	06/25/15
	COMM		Peak Pedi							
BLD2015-075	06/05/15	42	3018 RIDGE RD 130	AJ, SQUARED LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	06/25/15	07/05/15	06/25/15
	COMM		COLDWELL BANKER INTERIIOR FINISH OUT							
CO2015-0056	06/25/15	22	216 Ranch Trail	JERRY, KISICK CUSTOM HOMES INC	Ariana Hargrove	FIRE CO	APPROVED	06/25/15	06/28/15	06/25/15
	CO		Covenant M&A, LLC							
BLD2015-092	06/26/15	21	2313 RIDGE RD 101	GLOBAL, ADVANCE INC	Ariana Hargrove	FIRE 972-772-6431		06/26/15	07/06/15	
	COMM		RE-ROOFING (SHINGLES ONLY) FOR GLOBAL INTERNATIONAL							
BLD2015-092	06/26/15	21	3013 Ridge Rd. 102	PS5, PROPERTIES LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/26/15	07/06/15	07/06/15
	COMM		Integrity Mortgage							
CO2015-0057	06/29/15	18	919 IH 30 126	ROCKWALL, CROSSING LTD	Ariana Hargrove	FIRE CO	APPROVED	06/29/15	07/02/15	06/30/15
	CO		Floor It							
BLD2015-076	06/08/15	39	1408 Goliad St S	HERITAGE, CHRISTIAN ACADEMY	Ariana Hargrove	FIRE 972-772-6431	APPROVED	06/30/15	07/10/15	06/30/15
	COMM		HCA - Classroom remodel & site Drianage improvements							
BLD2015-093	06/30/15	17	1010 RIDGE RD	Joanne Vuckovic	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	06/30/15	07/10/15	06/30/15
	COMM		Pregnancy Resource Center - Remodel							

CRW SYSTEMS

City of Rockwall
Project Routing Report By Date Sent (then by project)
For the Period 6/1/2015 thru 6/30/2015

Project #	Appl. Date / Project Type	Aging	Address / Description	Status / Owner Name	Plan Review Detail: Contact / Review Type	Date Sent / Date Due	Completed / Status
E2015-010	04/15/2015 ENGINEERING	93	1301 SUMMER LEE DR		Ariana Hargrove Engineering: Fire	06/05/2015 06/19/2015	06/05/2015 APPROVED
E2015-011	04/17/2015 ENGINEERING	91	6540 Alliance		Ariana Hargrove Engineering: Fire	06/25/2015 07/10/2015	06/26/2015 APPROVED
E2015-012	04/20/2015 ENGINEERING	88	1530 S I30		Ariana Hargrove Engineering: Fire	06/01/2015 06/12/2015	06/05/2015 APPROVED
E2015-015	05/06/2015 ENGINEERING	72			Ariana Hargrove Engineering: Fire	06/09/2015 06/22/2015	06/17/2015 APPROVED
E2015-016	05/07/2015 ENGINEERING	71	1950 N GOLIAD ST		Ariana Hargrove Engineering: Fire	06/19/2015 07/02/2015	06/19/2015 COMMENTS
E2015-019	06/01/2015 ENGINEERING	46	1415 S GOLIAD		Ariana Hargrove ENG - FIRE	06/01/2015 06/15/2015	06/05/2015 APPROVED
E2015-020	06/12/2015 ENGINEERING	35	1350 SUMMER LEE DR		Ariana Hargrove ENG - FIRE	06/15/2015 06/29/2015	06/18/2015 COMMENTS
E2015-021	06/12/2015 ENGINEERING	35			Ariana Hargrove ENG - FIRE	06/15/2015 06/29/2015	06/18/2015 APPROVED
E2015-022	06/16/2015 ENGINEERING	31	2601 SHORELINE TRL		Ariana Hargrove ENG - FIRE	06/16/2015 06/30/2015	06/18/2015 APPROVED
E2015-023	06/29/2015 ENGINEERING	18	1010 S RIDGE RD		Ariana Hargrove ENG - FIRE	06/29/2015 07/13/2015	06/30/2015 APPROVED

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CRW SYSTEMS

City of Rockwall
Project Routing Report By Date Sent (then by project)
For the Period 6/1/2015 thru 6/30/2015

Project #	Appl. Date / Project Type	Aging	Address / Description	Status / Owner Name	Plan Review Detail: Contact / Review Type	Date Sent / Date Due	Completed / Status
P2015-020	05/15/2015 PLAT	63	406 N GOLIAD		Ariana Hargrove FIRE	06/04/2015 06/11/2015	06/04/2015 APPROVED
P2015-023	06/15/2015 PLAT	32	BREEZY HILLS RD		Ariana Hargrove FIRE	06/15/2015 06/22/2015	06/19/2015 APPROVED
P2015-024	06/15/2015 PLAT	32	HWY276		Ariana Hargrove FIRE	06/15/2015 06/22/2015	06/19/2015 APPROVED
P2015-025	06/15/2015 PLAT	32	HWY276		Ariana Hargrove FIRE	06/15/2015 06/22/2015	06/19/2015 APPROVED
P2015-026	06/17/2015 PLAT	30	3035 RIDGE RD		Ariana Hargrove FIRE	06/17/2015 06/24/2015	06/19/2015 APPROVED
P2015-027	06/17/2015 PLAT	30	SUMMER LEE DR		Ariana Hargrove FIRE	06/22/2015 06/29/2015	06/22/2015 APPROVED
P2015-027	06/17/2015 PLAT	30	SUMMER LEE DR		Ariana Hargrove FIRE	06/17/2015 06/24/2015	06/19/2015 APPROVED
P2015-028	06/23/2015 PLAT	24	503 N GOLIAD ST		Ariana Hargrove FIRE	06/23/2015 06/30/2015	06/23/2015 APPROVED
SP2015-015	06/15/2015 SITE PLAN	32	2651 SUNSET RIDGE DR		Ariana Hargrove FIRE	06/15/2015 06/22/2015	06/19/2015 COMMENTS
Z2015-020	06/15/2015 ZONING	32	JOHN KING BLVD		Ariana Hargrove FIRE	06/15/2015 06/22/2015	06/19/2015 COMMENTS
Z2015-021	06/15/2015 ZONING	32	3011 N GOLIAD ST		Ariana Hargrove FIRE	06/15/2015 06/22/2015	06/18/2015 COMMENTS

CRW SYSTEMS

City of Rockwall
Project Routing Report By Date Sent (then by project)
For the Period 6/1/2015 thru 6/30/2015

Project #	Appl. Date / Project Type	Aging	Address / Description	Status / Owner Name	Plan Review Detail: Contact / Review Type	Date Sent / Date Due	Completed / Status
Z2015-022	06/16/2015 ZONING	31			Ariana Hargrove FIRE	06/16/2015 06/23/2015	

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CRW SYSTEMS

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Rockwall Police Department
Harbor District Calls For Service
June 2015

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2015-00018970	06/16/2015	07:37:35	Cinemark	Alarm-BUSN	False Alarm
2015-00018787	06/14/2015	18:57:32	Cinemark	Vehicle Unlock	No Report
2015-00018538	06/12/2015	19:31:17	Cinemark	Criminal Mischief	Report
2015-00020475	06/28/2015	17:58:00	Dodies	Disturbance	Arrest
2015-00019442	06/20/2015	00:29:33	Dodies	Intoxicated	Arrest
2015-00019400	06/19/2015	20:30:22	Dodies	Disturbance	No Report
2015-00019919	06/23/2015	22:03:44	Dodies	Disturbance	No Report
2015-00017622	06/06/2015	00:27:39	En Fuego	Suspicious Activity	Arrest
2015-00019151	06/18/2015	00:01:09	Glorias	Alarm-BUSN	No Report
2015-00017209	06/02/2015	23:15:17	Glorias	Criminal Mischief	No Report
2015-00019570	06/21/2015	00:50:17	Hilton	Investigation	Arrest
2015-00019574	06/21/2015	01:26:03	Hilton	Investigation	Arrest
2015-00019608	06/21/2015	12:01:54	Hilton	911 Hang Up	False 911
2015-00017490	06/05/2015	09:48:26	Hilton	911 Hang Up	False Alarm
2015-00017237	06/03/2015	10:08:51	Hilton	BMV	No Report
2015-00019546	06/20/2015	22:09:39	Hilton	Intoxicated	No Report
2015-00019581	06/21/2015	02:23:08	Hilton	Investigation	No Report
2015-00017602	06/05/2015	22:57:26	Hilton	Investigation	No Report
2015-00017086	06/01/2015	23:11:26	Hilton	Motor Vehicle Theft	No Report
2015-00019301	06/19/2015	05:47:31	Hilton	Suspicious Activity	No Report
2015-00017689	06/06/2015	13:58:25	Hilton	Suspicious Activity	No Report
2015-00019831	06/23/2015	05:32:37	Hilton	Investigation	Report
2015-00017776	06/07/2015	01:40:18	Hilton	Investigation	Report
2015-00020743	06/30/2015	17:52:37	Hilton	Theft	Report
2015-00017949	06/08/2015	13:46:14	Hilton	Theft	Report
2015-00017646	06/06/2015	06:28:54	Luna De Noche	Alarm-BUSN	No Report
2015-00020485	06/28/2015	20:32:47	The Harbor	Assault	No Report
2015-00020287	06/27/2015	10:32:55	The Harbor	Assault	No Report
2015-00020203	06/26/2015	16:08:18	The Harbor	General Complaint	No Report
2015-00018949	06/16/2015	00:50:14	The Harbor	Investigation	No Report
2015-00018043	06/09/2015	02:11:48	The Harbor	Investigation	No Report
2015-00018391	06/11/2015	20:04:19	The Harbor	Missing Person	No Report
2015-00019493	06/20/2015	16:01:36	The Harbor	Suspicious Activity	No Report
2015-00018517	06/12/2015	17:56:12	The Harbor	Suspicious Activity	No Report
2015-00018636	06/13/2015	16:38:25	The Harbor	Accident - Minor	Report
2015-00018231	06/10/2015	12:42:41	Willis Estates Jewelry	911 Hang Up	False 911
			Common Name		
			Hilton	15	
			The Harbor	9	
			Dodies	4	
			Cinemark	3	
			Glorias	2	
			En Fuego	1	
			Luna De Noche	1	
			Willis Estates Jewelry	1	
			Total	**36**	

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
JUNE 2015

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	1	1	0	100%
ADMINISTRATIVE SERVICES	0	0	0	0%
AIRPORT	0	0	0	0%
ANIMAL SERVICES	1	1	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	1	1	0	100%
ENGINEERING	1	1	0	100%
FINANCE	0	0	0	0%
FIRE DEPARTMENT	48	45	3	94%
INTERNAL OPERATIONS	108	107	1	99%
MUNICIPAL COURT	16	15	1	94%
PARKS & RECREATION	21	21	0	100%
PLANNING & ZONING	0	0	0	0%
POLICE DEPARTMENT	29	27	2	93%
PUBLIC WORKS	4	4	0	100%
UTILITY BILLING	1	1	0	100%
TOTAL	231	224	7	97%

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
RADIO SYSTEM
REQUESTS FOR SERVICE
JUNE 2015

DEPARTMENT	# OF REQUESTS	# OF REQUESTS RESPONDED TO W / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ANIMAL SERVICES	0	0	0	100%
CODE ENFORCEMENT	0	0	0	100%
FIRE DEPARTMENT	2	2	0	100%
EMS	1	1	0	100%
INTERNAL OPERATIONS	1	1	0	100%
PARKS & RECREATION	0	0	0	100%
POLICE DEPARTMENT	3	3	0	100%
PUBLIC WORKS	0	0	0	100%
UTILITY BILLING	0	0	0	100%
HEATH DEPT. PUBLIC SAFETY	3	3	0	100%
HOSPITAL CONTROL STATIONS	0	0	0	100%
SYSTEM ISSUES	1	1	0	100%
TOTAL	11	11	0	100%

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Airport Operations Report

For Month of June 2015

FUEL SALES

	GALLONS SOLD	GROSS SALES
Jet - A Sales	1,439.00	$5,162.20
Av-Gas Sales	2,480.90	$10,783.51
TOTAL FUEL SALES	**3,919.90**	**$15,945.71**

HANGAR RENTAL REVENUE

Open T Hangar Rental Revenue	$3,598.30
Transient Covered Hgr - Nightly	$75.00
Enclosed Hangar Rental Revenue	$120.00
Nightly Tiedown Fees	$42.00
North Community Hangar Rental Revenue	$725.00
TOTAL HANGAR RENTALS	**$4,560.30**

HANGAR OCCUPANCY RATES

	TOTAL HANGARS	QTY RENTABLE	QUANTITY LEASED	OCCUPANCY RATE
Open T Hangars	45	40	34	85.00%
Closed Hangar Rentals	2	2	1	50%
Open Hangar Cap Rentals	2	1	1	100%
TOTAL HANGAR OCCUPANCY	**49**	**43**	**36**	**84%**

Of the forty five hangars only forty can actually be rented. Most of these forty should be considered substandard and not easily marketed due to pad slope and width, electrical, and drainage issues.

CITY FEES DUE	FEE RATE	FRANCHISE FEE DUE	FUEL FLOWAGE FEES DUE	TOTAL FEES DUE
Fuel Sales (Gallons Sold)	$0.10	$0.00	$391.99	$391.99
City Owned Hangar Rentals	5.00%	$228.02	$0.00	$0.00
TOTAL FEES DUE		**$228.02**	**$391.99**	**$620.01**

I certify the information and amounts submitted on this form are true and correct.

Todd Parks
Managing Director - Texas Air Center, LLC

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2014/15 City of Rockwall In kind values /Meals 3rd Quarter
Meals on Wheels Senior Services

Apr-15 — 22 Days served

ROUTES	MILES	$
C	308	$172.48
B	220	$123.20
C	748	$418.88
E	682	$381.92
F & K	440	$246.40
H	276	$154.56
I&J	1320	$739.20
RM & R	332	$185.92
	4326	$2,422.56

	HOURS	$
A	22	$323.40
B	32	$470.40
C	22	$323.40
E	22	$323.40
F & K	40	$588.00
H	22	$323.40
I&J	32	$470.40
RM & R	32	$470.40
	224	$3,292.80

$ Value in kind volunteer services $5,715.36

Good Friday Holiday Meal
Sabine Creek Church Jose Arellello & Irma Arelleno
$750

Miles & Hours $225

Total April inkind value $6,690.36

ROCKWALL PROGRAM MEALS
1,995 Home Delivered and Disabled
387 Congregate Centers
575 Holiday Meal & Emergency Meals

Total purchased Meals 2,957

May-15 — 20 Days served

ROUTES	MILES	$
A	100	$56.00
B	200	$112.00
C	680	$380.80
E	620	$347.20
F& K	400	$224.00
H	250	$140.00
I&J	1200	$672.00
RM & R	301	$168.56
	3751	$2,100.56

	HOURS	$
A	20	$294.00
B	30	$441.00
C	20	$294.00
E	20	$294.00
F & K	42	$617.40
H	20	$294.00
I&J	25	$367.50
RM & R	30	$441.00
	207	$3,042.90

$ Value in kind volunteer services $5,143.46

Memorial Day Holiday Meal
Arbor House, Broadmoor Medical Lodge, RC Health and Rehab and Housewarmers $750.00
Miles & Hrs $225.00

Total May inkind value $6,118.46

ROCKWALL PROGRAM MEALS
1,802 Home Delivered and Disabled
367 Congregate Centers
175 Holiday Meals

Total purchased Meals 2,344

Jun-15 — 20 Days served

ROUTES	MILES	$
A	100	$56.00
B	200	$112.00
C	680	$380.80
E	620	$347.20
F& K	400	$224.00
H	250	$140.00
I&J	1200	$672.00
RM & R	301	$168.56
	3751	$2,100.56

	HOURS	$
A	20	$294.00
B	30	$441.00
C	20	$294.00
E	20	$294.00
F & K	42	$617.40
H	20	$294.00
I&J	25	$367.50
RM & R	30	$441.00
	207	$3,042.90

$ Value in kind volunteer services $ 5,143.46

Total June inkind value $5,143.46

ROCKWALL PROGRAM MEALS
1,929 Home Delivered and Disabled
445 Congregate Centers

Total Purchased Meals 2,374

THANK YOU FOR YOUR SUPPORT

Sincerely, Margie VerHagen E.D.

Total meals Program Purchased 7,675

In-kind VALUE Donated 3rd Quarter 2014/15
$6,690.36 April Total $ 17,952.28
$6,118.46 May
$5,143.46 June

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Rockwall Police Department

Monthly Activity Report
June-2015

ACTIVITY	CURRENT MONTH JUNE	PREVIOUS MONTH MAY	YTD 2015	YTD 2014	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	0	**0.00%**
Sexual Assault	1	2	5	0	**500.00%**
Robbery	0	1	5	1	**400.00%**
Aggravated Assault	2	4	19	16	**18.75%**
Burglary	8	4	23	34	**-32.35%**
Larceny	61	62	287	313	**-8.31%**
Motor Vehicle Theft	3	2	22	25	**-12.00%**
TOTAL PART I	**75**	**75**	**361**	**389**	**-7.20%**
TOTAL PART II	**171**	**185**	**916**	**821**	**11.57%**
TOTAL OFFENSES	**246**	**260**	**1277**	**1210**	**5.54%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	16	11	85	100	**-15.00%**
D.W.I.	21	9	84	112	**-25.00%**
TEEN CURFEW	0	0	2	7	**-71.43%**
ARRESTS					
FELONY	14	19	103	105	**-1.90%**
MISDEMEANOR	83	80	419	456	**-8.11%**
WARRANT ARREST	40	24	191	186	**2.69%**
JUVENILE	12	1	16	42	**-61.90%**
TOTAL ARRESTS	**149**	**124**	**729**	**789**	**-7.60%**
DISPATCH					
CALLS FOR SERVICE	1731	1690	8982	8531	**5.29%**
ACCIDENTS					
INJURY	12	7	55	62	**-11.29%**
(INJURIES)	15	13	80	80	**0.00%**
NON-INJURY	54	49	319	240	**32.92%**
FATALITY	0	1	1	0	**100.00%**
(FATALITIES)	0	1	1	0	**100.00%**
TOTAL	**66**	**57**	**375**	**302**	**24.17%**
FALSE ALARMS					
RESIDENT ALARMS	75	54	379	358	**5.87%**
BUSINESS ALARMS	180	134	749	726	**3.17%**
TOTAL FALSE ALARMS	**255**	**188**	**1128**	**1084**	**4.06%**
Estimated Lost Hours	**168.3**	**124.08**	**744.48**	**715.44**	**4.06%**
Estimated Cost	**$4,003.50**	**$2,951.60**	**$17,709.60**	**$17,018.80**	**4.06%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**7**
Arrests	**2**
Arrest Warrants	**2**
Search Warrants	**0**
Seized	
Methamphetamine	121.1 grams

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Rockwall Police Department
Dispatch and Response Times
June 2015

Police Department

	Average Response Time	
Priority 1		Number of Calls **136**
Call to Dispatch	0:00:52	
Call to Arrival	0:05:40	
% over 7 minutes	27%	
	Average Response Time	
Priority 2		Number of Calls **278**
Call to Dispatch	0:01:29	
Call to Arrival	0:07:09	
% over 7 minutes	38%	
	Average Response Time	
Priority 3		Number of Calls **6**
Call to Dispatch	0:06:51	
Call to Arrival	0:11:53	
% over 7 minutes	50%	
***Priority 4**		Number of Calls **1307**
****Priority 5**		Number of Calls **4**

*Priority 4 call averages are not given because they are calls that do not require an immediate response by police.
**Priority 5 calls are incidents that officers initiate themselves therefore response times are not calculated.

Average dispatch response time goals are as follows:
Priority 1: 30 Seconds
Priority 2: 45 Seconds
Priority 3: 1 Minute

Fire Department

	Average Response Time	
Call to Dispatch	0:00:13	Number of Calls **73**
Call to Arrival	0:05:41	

Overages

Incident No.	Date	Time Rec'd	Call Type	Time Disp	Resp Time	Reason
2015-525	6/21/2015	18:28:56	Fire Alarm Commercial	18:33:49	0:04:53	E1 was resonding to 2 alarms and cleared other alarm 1st.

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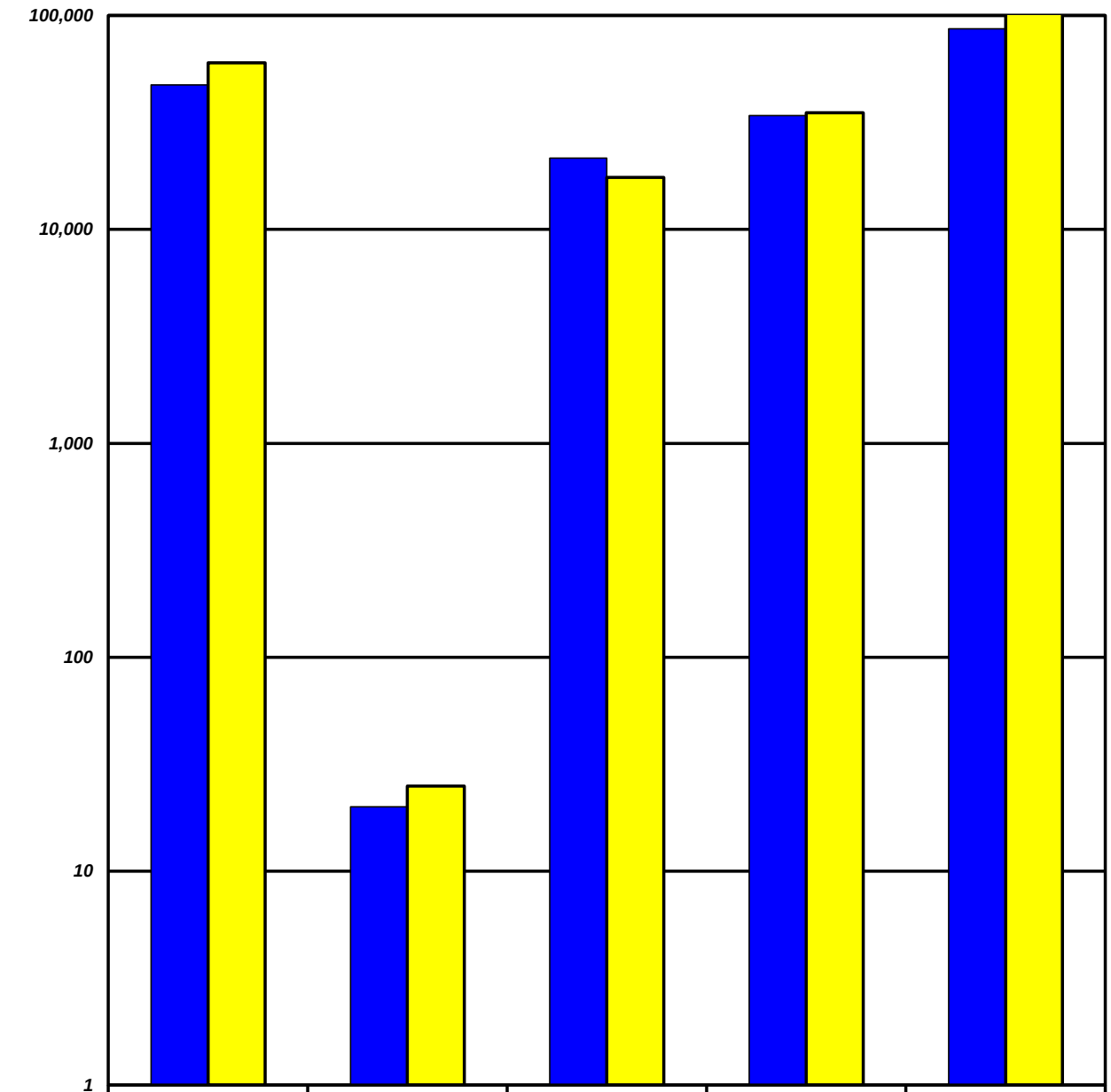
City of Rockwall
Parks and Recreation Department
FY15 June Report



	The Center Facility Usage	Average Participation per Hour	Ongoing Activities Attendance	The Center Facility Rental Revenue	Program Revenue
FY15 YTD	47,387	20	21,521	$34,047	$86,648
FY14 YTD	60,078	25	17,482	$35,073	$116,899

The Center Facility Usage - Total number of visitors and participants that come thru The Center - includes Ongoing Activities.
Average Participation per Hour - The Center Facility Usage divided by the number of hours the facility is open.
Ongoing Activities Attendance - Non fee based activities conducted on a routine basis (Bingo, Exercise with Anita, etc).

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Rockwall Animal Adoption Center Monthly Report
CCHS at Rockwall
June 2015

DISPOSITION REPORT

	June
Intakes	173
1045	1
Adopted	118
Returned to Owner	34
Rescued	18
Euthanized	12
Live Outcome %	**93%**
Number of Animals in Foster	0

FINANCIAL REPORT

Income	**June**
City of Rockwall	$0
Adoption Fee Income	$8,420
Impound Fee Income	$800
Owner Surrender	$1,040
General Donations	$4,736
Medical	$370
Quarantine Fee	$240
Total Income	**$15,606**

Expenses	**June**
Administrative Expenses (Payroll, etc)	$44,641
Shelter Expenses (Microchips, Drugs, etc)	$4,335
Veterinary Expenses	$4,511
Total Expenses	**$53,486**
Balance	**-$37,880**

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Agenda 5

Hold work session with representative(s) of STAR Transit to hear annual report of services provided to the Citizens of Rockwall, industry updates, and funding, and take any action necessary.

- Memo_STAR 9
- PowerPoint 10
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Hold work session to discuss the June 21, 2015 flooding event, including impacts on homes and roadways, and take any action necessary.

- City Manager Report 56
- Blank page 57

Consider approval of the minutes from the August 3, 2015 regular city council meeting, and take any action necessary.

- Aug 3 cc mtg mins 58
- Blank Page 74

Consider approval of an interlocal cooperation agreement for governmental services relating to a school resource officer program between the City of Rockwall and The Rockwall Independent School District, and take any action necessary.

- staff memo 75
- SRO agreement 76
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Consider authorizing the City Manager to enter into an agreement with the Texas Department of Transportation (TxDOT) under the City Pride Program for installation of signage at the intersection of SH-205 and Yellow Jacket Lane, and take any action necessary.

- Memorandum 86
- Blank Page 102

Consider approval of a resolution authorizing signatories for financial transactions, and take any action necessary.

- staff memo 103
- Resolution 104
- Blank Page 105

Consider authorizing the City Manager to execute an Interlocal Purchasing Agreement with the City of Allen for the purchase of materials, supplies and services and take any action necessary.

- Memo 106
- Agreement 107
- Resolution (Allen interl purch) 110
- Blank Page 112

Consider approval of the additional expense ($33,005.56 to be funded out of Engineering Dept. General Fund Budget) associated with providing higher level of protection from roadway inundation during storm event greater than a 25-year storm associated with the design and construction of a 100-year storm sewer system for FM 549 from SH 205 to SH 276, and take the necessary action.

City Manager Memo . . . 113
Consultant Cost Breakdown . . . 114
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Consider awarding a contract for unit pricing for road marking material and striping services to Road Master Striping LLC through the City of Midlothian Cooperative Agreement to be funded through the General Fund Street Department Operating Budget, Street Repair and Maintenance, and take any action necessary.

Memo . . . 116
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Consider approval of a resolution allowing a temporary partial closure of FM 740 from Summer Lee Drive to the south City limits to facilitate the U.S. Open Triathlon on Sunday, October 18, 2015 from 6:00 AM to 1:00 PM, and take any action necessary.

City Manager Memo . . . 122
Resolution . . . 123
TxDOT Temporary Road Closure Agreement . . . 124
Route Map . . . 132
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P2015-034 - Consider approval of a request by Joanne Vuckovic of the Pregnancy Resource Center for the approval of a replat for Lot 1, Block A, Pregnancy Resource Center being a 0.32-acre tract of land currently identified as Tract 21 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 53 (PD-53) for Residential-Office (RO) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 1010 Ridge Road, and take any action necessary.

P2015-034 . . . 134
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Appointment with Casey Kelly representing the Rockwall Girls Softball Association (RGSA) to hear proposal concerning partnering with the city, and take any action necessary.

Appt request (RGSA) . . . 142
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Z2015-016 - Discuss and consider approval of an ordinance for a request by Stacey McVey of Double Eagle Properties on behalf of the owner 308 ON 276 LP for a zoning change from an Light Industrial (LI) District to a Planned Development District for Single Family 10 (SF-10) and General Retail (GR) District land uses, on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the northeast corner of the intersection of Rochelle Road and SH-276, and take any action necessary. (2nd Reading) (requires 3/4 majority vote)

Ordinance (2nd reading) 144

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MIS2015-004 - Discuss and consider the approval of a special request by David Smith on behalf of the owner Jose Contreras for a waiver to the Manufactured Home Replacement Minimum Standards as set forth in Exhibit 'C' of Planned Development District 75 (PD-75) [Ordinance No. 09-37] to allow a new manufactured home to be located within the floodplain on a 0.17-acre property identified as Lot 1376, Rockwall Lake Estates #2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 142 Rene Drive, and take any action necessary.

MIS2015-004 161

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Discuss and consider authorizing the city manager to execute a 380 Agreement with First Texas Homes for Use Taxes, and take any action necessary.

Staff memo 181

Presentation 182

Agreement 183

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SP2015-016 - Discuss and consider a request by Wayne Mershawn of Mershawn Architects on behalf of Rex Walker of Life Springs Church for the approval of variances to the articulation and residential screening requirements as stipulated by the Unified Development Code in conjunction with an approved site plan for a church on a seven (7) acre portion of a larger 28.881-acre tract of land identified as Tract 15-01 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Corridor Overlay (SH 205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King Boulevard and SH-205, and take any action necessary.

SP2015-016 195

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Discuss and consider adding a staff position and vehicle in the Street Department Budget to provide additional roadway cleanup services, and take any action necessary.

Milder Request 202

Photo 203

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Discuss and consider (re)appointments to city advisory boards, including the Animal Adoption Center/Shelter Advisory Committee, the Architectural Review Board, the ART Commission, the Historic Preservation Advisory Board and the Park Board, and take any action necessary.

Memo (Boards) 205

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Discuss and consider continuation and oversight associated with the annual 4th of July parade, and take any action necessary.

Memo (July 4 parade) 207

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AGENDA
ROCKWALL CITY COUNCIL
Monday, August 17, 2015
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

p.9 **1.** Hold work session with representative(s) of STAR Transit to hear annual report of services provided to the Citizens of Rockwall, industry updates, and funding, and take any action necessary.

p.56 **2.** Hold work session to discuss the June 21, 2015 flooding event, including impacts on homes and roadways, and take any action necessary.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding purchase or lease of real property / land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).

2. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Planning & Zoning Commission, and Board of Adjustments pursuant to Section 551.074 (personnel matters)

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, August 17, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER WHITE

VIII. OPEN FORUM

IX. CONSENT AGENDA

p.58 **1.** Consider approval of the minutes from the August 3, 2015 regular city council meeting, and take any action necessary.

p.75 **2.** Consider approval of an interlocal cooperation agreement for governmental services relating to a school resource officer program between the City of Rockwall and The Rockwall Independent School District, and take any action necessary.

p.86 **3.** Consider authorizing the City Manager to enter into an agreement with the Texas Department of Transportation (TxDOT) under the City Pride Program for installation of signage at the intersection of SH-205 and Yellow Jacket Lane, and take any action necessary.

p.103 **4.** Consider approval of a resolution authorizing signatories for financial transactions, and take any action necessary.

p.106 **5.** Consider authorizing the City Manager to execute an interlocal Purchasing Agreement with the City of Allen for the purchase of materials, supplies and services and take any action necessary.

p.113 **6.** Consider approval of the additional expense ($33,005.56 to be funded out of Engineering Dept. General Fund Budget) associated with providing higher level of protection from roadway inundation during storm event greater than a 25-year storm associated with the design and construction of a 100-year storm sewer system for FM 549 from SH 205 to SH 276, and take the necessary action.

p.116 **7.** Consider awarding a contract for unit pricing for road marking material and striping services to Road Master Striping LLC through the City of Midlothian Cooperative Agreement to be funded through the General Fund Street Department Operating Budget, Street Repair and Maintenance, and take any action necessary.

p.122 **8.** Consider approval of a resolution allowing a temporary partial closure of FM 740 from Summer Lee Drive to the south City limits to facilitate the U.S. Open Triathlon on Sunday, October 18, 2015 from 6:00 AM to 1:00 PM, and take any action necessary.

p.134 **9.** **P2015-034** - Consider approval of a request by Joanne Vuckovic of the Pregnancy Resource Center for the approval of a replat for Lot 1, Block A, Pregnancy Resource Center being a 0.32-acre tract of land currently identified as Tract 21 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 53 (PD-53) for Residential-Office (RO) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 1010 Ridge Road, and take any action necessary.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

p.142 **2.** Appointment with Casey Kelly representing the Rockwall Girls Softball Association (RGSA) to hear proposal concerning partnering with the city, and take any action necessary.

XI. ACTION ITEMS

p.144 ***1.*** **Z2015-016** - Discuss and consider approval of an **ordinance** for a request by Stacey McVey of Double Eagle Properties on behalf of the owner 308 ON 276 LP for a zoning change from an Light Industrial (LI) District to a Planned Development District for Single Family 10 (SF-10) and General Retail (GR) District land uses, on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the northeast corner of the intersection of Rochelle Road and SH-276, and take any action necessary. **(2nd Reading)** ***(requires 3/4 majority vote)***

p.161 **2.** **MIS2015-004** - Discuss and consider the approval of a special request by David Smith on behalf of the owner Jose Contreras for a waiver to the Manufactured Home Replacement Minimum Standards as set forth in Exhibit 'C' of Planned Development District 75 (PD-75) [Ordinance No. 09-37] to allow a new manufactured home to be located within the floodplain on a 0.17-acre property identified as Lot 1376, Rockwall Lake Estates #2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 142 Rene Drive, and take any action necessary.

p.181 **3.** Discuss and consider authorizing the city manager to execute a 380 Agreement with First Texas Homes for Use Taxes, and take any action necessary.

p.195 **4.** **SP2015-016** - Discuss and consider a request by Wayne Mershawn of Mershawn Architects on behalf of Rex Walker of Life Springs Church for the approval of variances to the articulation and residential screening requirements as stipulated by the Unified Development Code in conjunction with an approved site plan for a church on a seven (7) acre portion of a larger 28.881-acre tract of land identified as Tract 15-01 of

the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Corridor Overlay (SH 205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King Boulevard and SH-205, and take any action necessary.

p.202 **5.** Discuss and consider adding a staff position and vehicle in the Street Department Budget to provide additional roadway cleanup services, and take any action necessary.

p.205 **6.** Discuss and consider (re)appointments to city advisory boards, including the Animal Adoption Center/Shelter Advisory Committee, the Architectural Review Board, the ART Commission, the Historic Preservation Advisory Board and the Park Board, and take any action necessary.

p.207 **7.** Discuss and consider continuation and oversight associated with the annual 4th of July parade, and take any action necessary.

XII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding purchase or lease of real property / land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).

2. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Planning & Zoning Commission, and Board of Adjustments pursuant to Section 551.074 (personnel matters)

XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XIV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 14th day of Aug., 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary Date Removed

CITY OF ROCKWALL, TEXAS

MEMORANDUM

TO: **Mayor and Council**

FROM: **Joey Boyd, Director of Internal Operations**

DATE: **August 14, 2015**

SUBJECT: **STAR Transit Report**

Omega Hawkins, General Manager of STAR Transit, has requested an appointment with the City Council to give a report on STAR's activities and to discuss funding.

Included for your review is a presentation from STAR Transit that they will discuss at the Monday work session. Mr. Townsend and City Staff met with STAR on Thursday afternoon to discuss their report. As a result, the City requested additional information including: a breakdown of age for each purpose of ride, the total revenues and expenditures for Rockwall County, and specifics on STAR's private contracts with the Boys & Girls Club and the RISE.

STAR representatives indicated they would compile that information and provide it to the City Council on Monday, but notified the City on Friday afternoon that they would not have the information ready for the work session.

City staff and Council member Townsend will be at the work session and can answer any questions.

STAR TRANSIT

Catch the STAR!

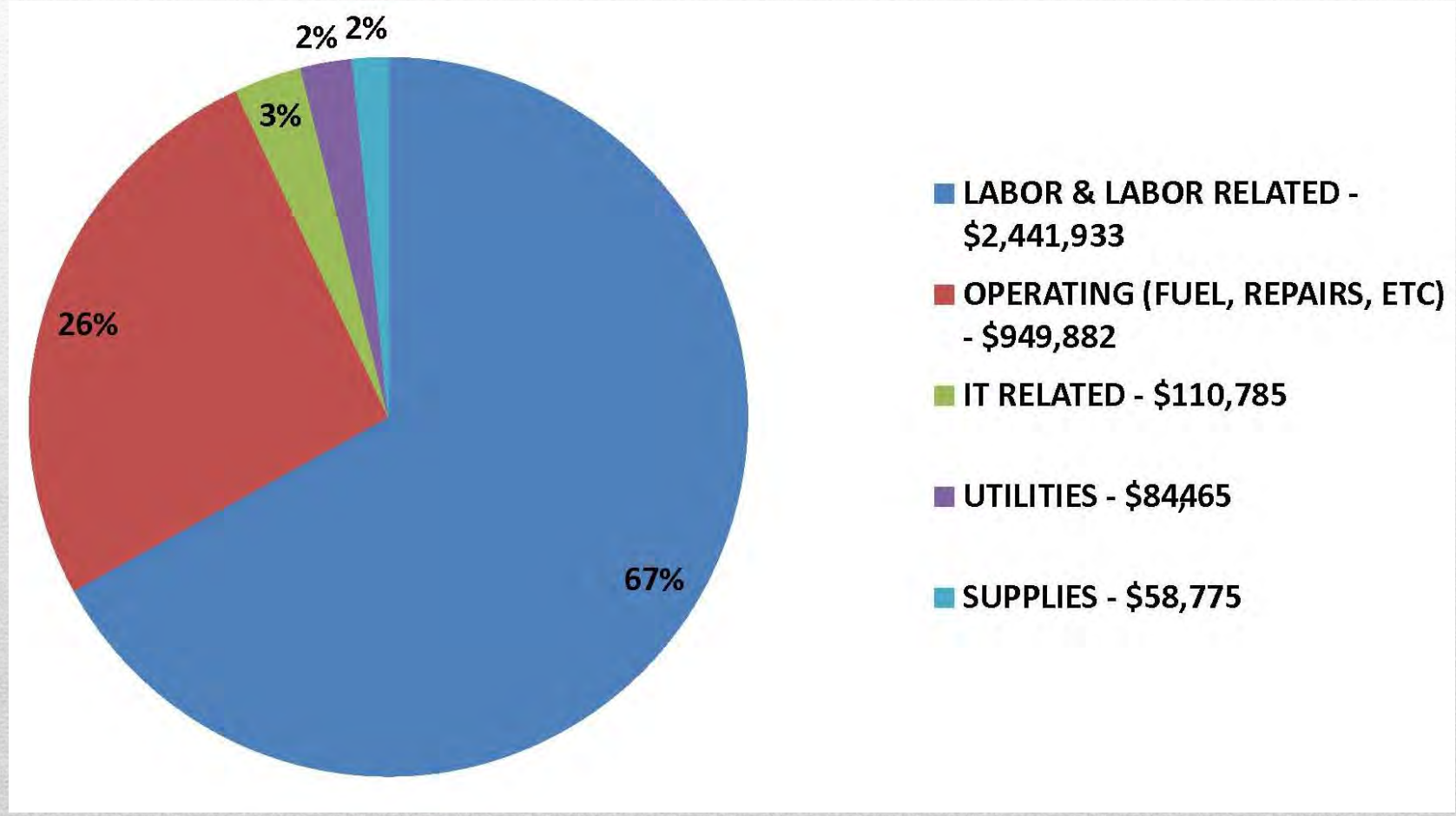
Presented: 8/17/15

Agency Overview

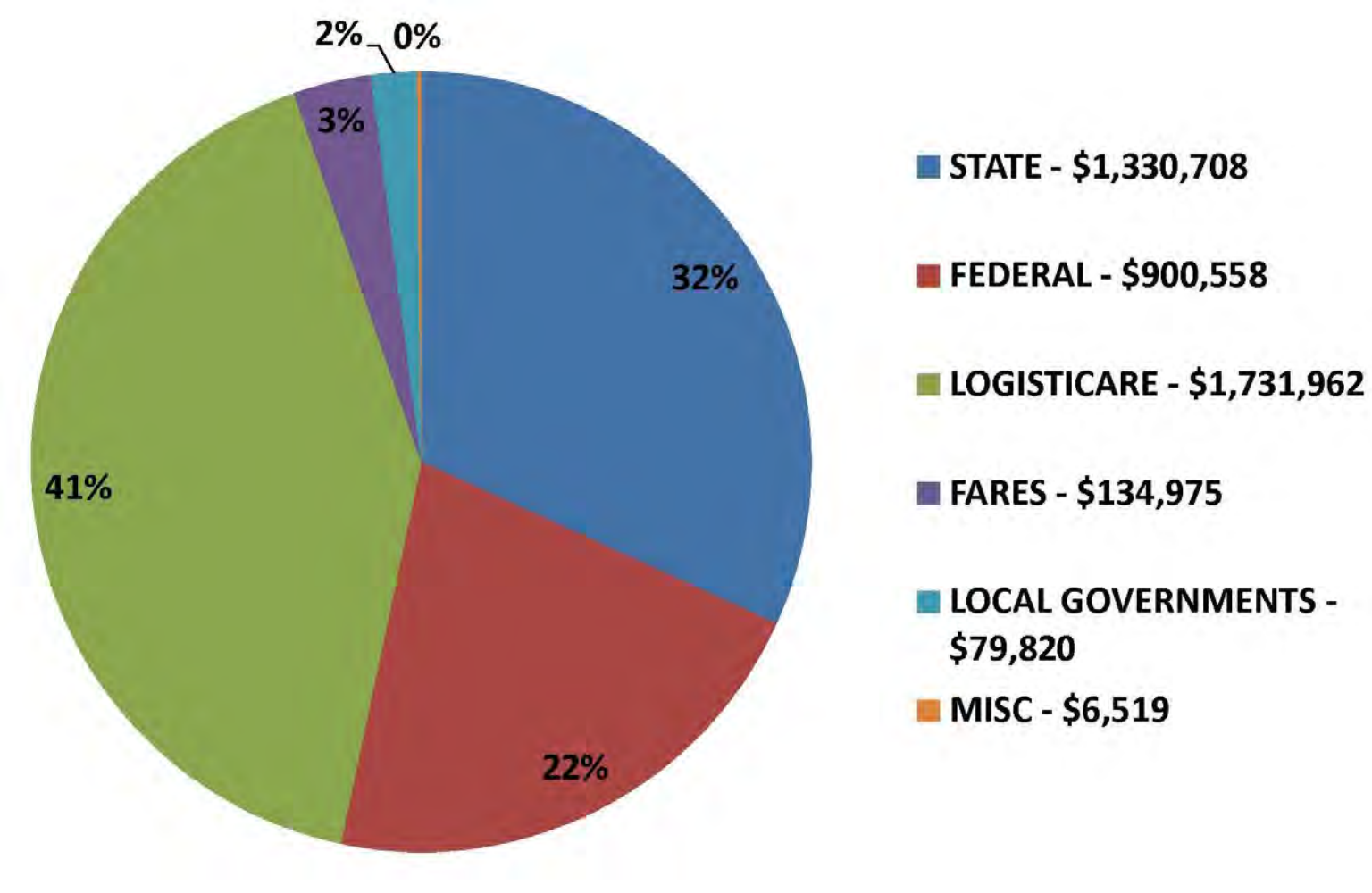
- STAR Transit is a public transportation agency
- Providing service since 1980
- Management has over 100 years in combined transportation experience
- Over 150,000 rides per year
- Stellar safety record
- Operate 65 buses and employ 110 people
- Kaufman County, Rockwall County, Seagoville, Balch Springs and Mesquite
- **2014 Rural Transit Agency of the Year**



FY14 Agency Expenses



FY14 Agency Sources of Revenue



FY15 Agency Budget

Description	Total
Budget Revenue	$6,052,796
Budget Expenses	$5,608,942

Total STAR Transit Capital Expense Projects	Federal Contribution	STAR Transit Contribution
$1,732,721.00	$1,496,257.80	$236,463.20

- $93,568.85 of the Federal Contribution was Transportation Development Credits

CURRENT SERVICE IN ROCKWALL COUNTY

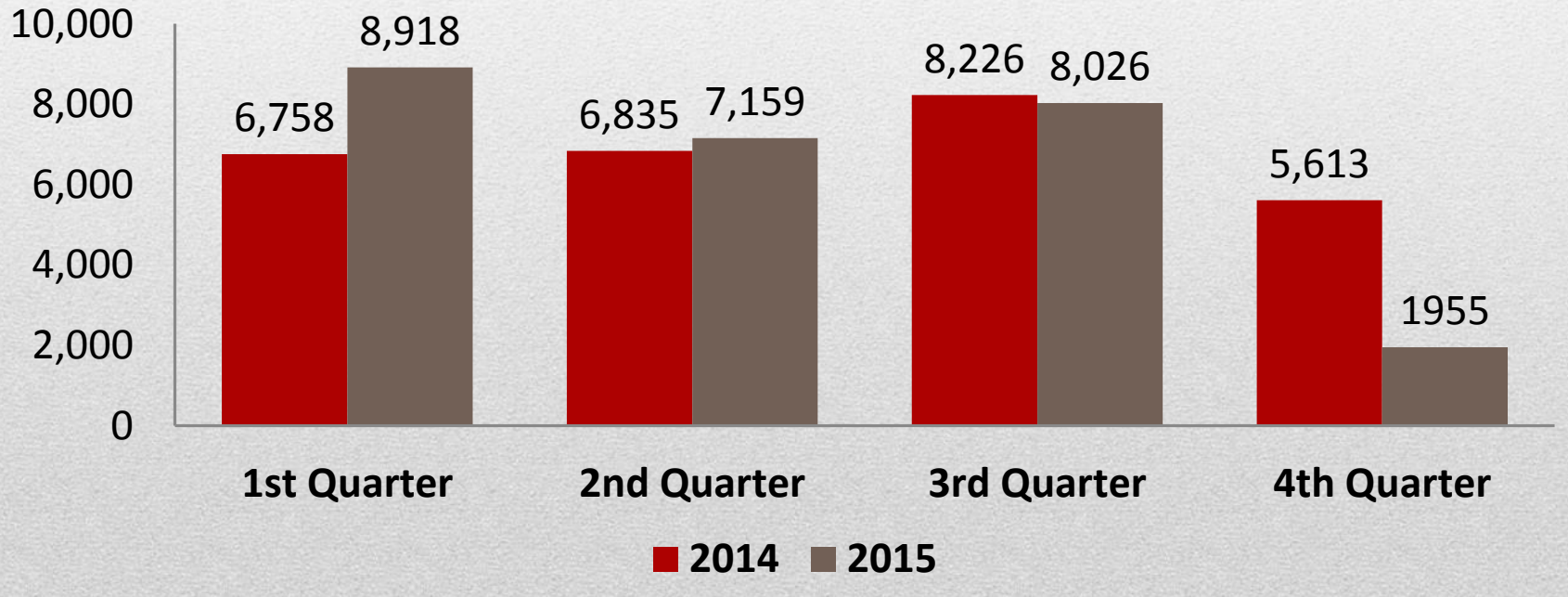
Current Service in Rockwall County

- Demand Response, Curb to Curb
- Launched under 2005 federal/state funding formulas
- 7 buses, 7 drivers
- 8 Hours per Bus per Day
- Monday through Friday
- County Service: 8:00 am – 4:00 pm
- City of Rockwall Service: 6:00 am – 6:00 pm
- 56 hours of transit service per day
- Fares range from $1.00 - $15.00

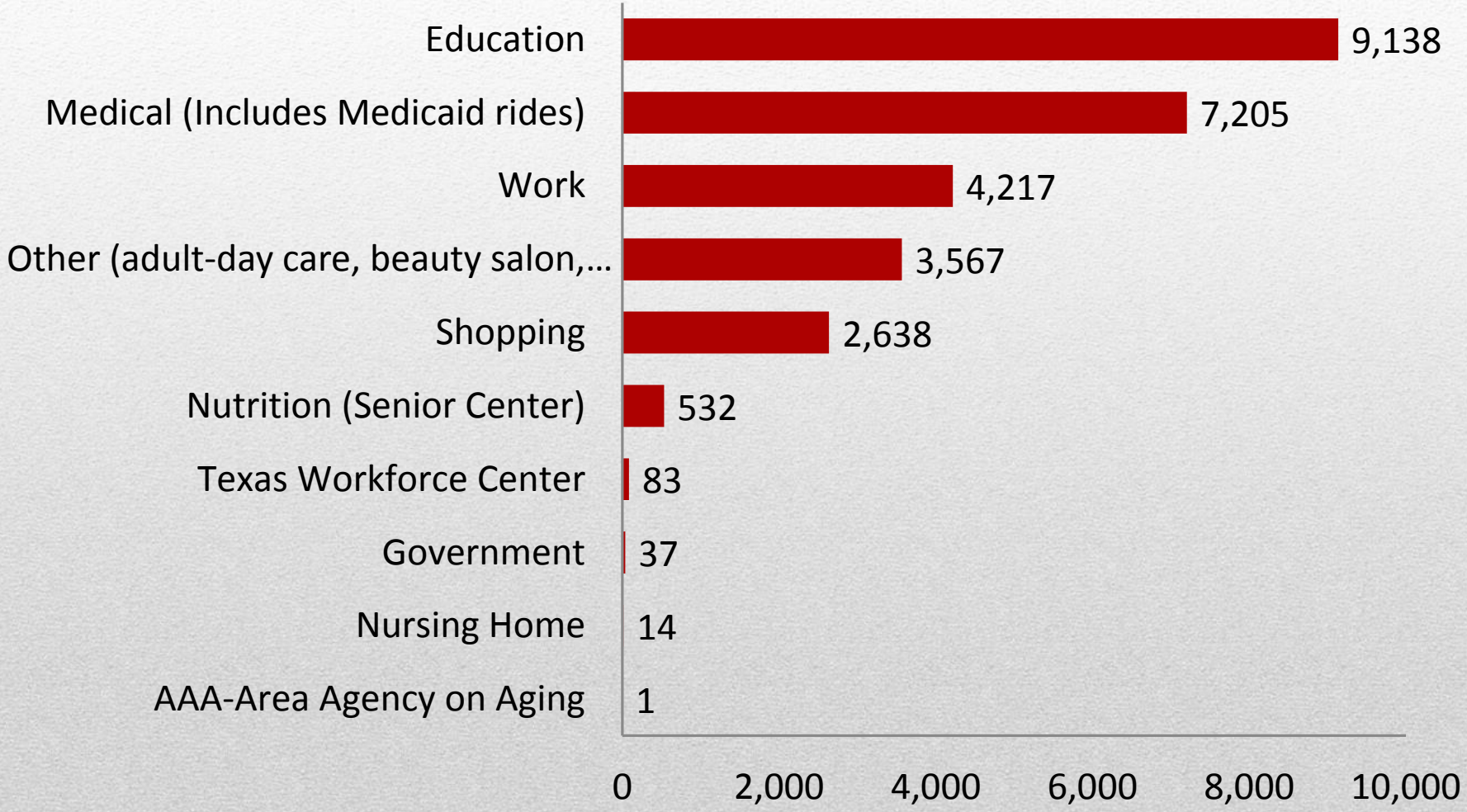


Rockwall County Rides

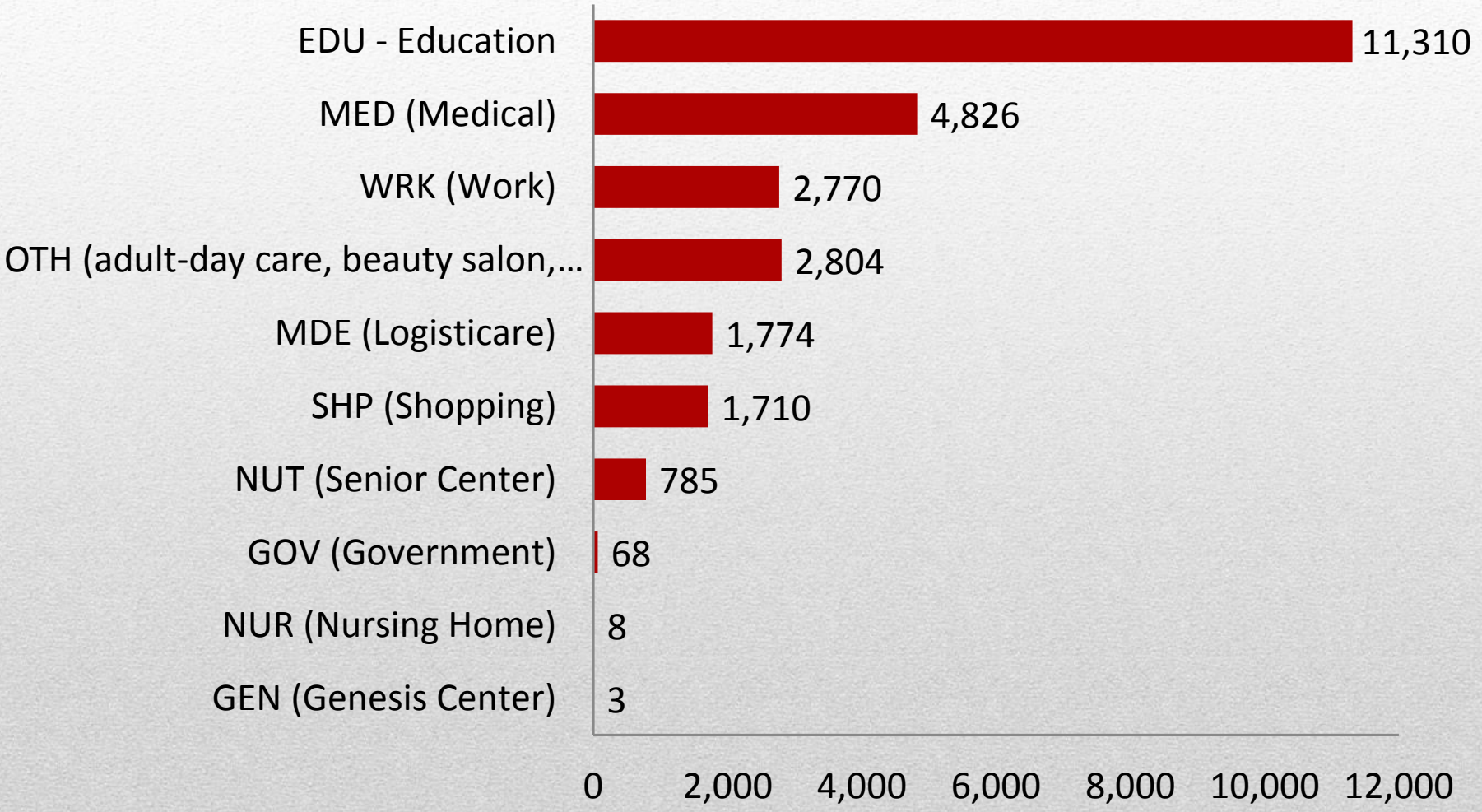
- 27,432 – FY14 total trips
- 26,058 – FY15 trips to date; projects to 30,000 trips



FY14 Purpose of Rockwall County Rides



FY15 (YTD) Purpose of Rockwall County Rides



STAR Transit in Rockwall County

- Provides transportation for children, allowing parents to finish their work day commitments.
- Provides job access to working Rockwall residents; preventing unemployment due to the lack of reliable transportation.
- Provides one-of-kind access to preventative medical attention; giving the elderly independence and reducing medical expenses.
- $15,000 Rockwall County contribution; no current year contributions from municipalities in Rockwall County.
- Critical Rockwall County public services – services that save taxpayer dollars on other public services – are dependent on STAR Transit local funds and a combination of diminishing grant sources.

FREQUENTLY ASKED QUESTIONS

Rockwall County Funding FAQ's

- Q: How was STAR Transit's first service in Rockwall County funded?
- A: No local match was strictly required for Rural Transit Service from counties and municipalities in the mid-2000's; the non-federal portion was covered by a combination of STAR Transit, regional and state sources.

- Q: When did this change and why?
- A: Both the 2010 Census redefinition of land area in Rockwall from Rural to Urban and changes in Federal Transit formulas meant that local funds became crucial in FY13.

Rockwall County **Funding FAQ's**

- Q: Why wasn't Rockwall County asked to cover the local match at the time of the change?
- A: The Regional Transportation Council managed the match issue with a combination of financial strategies.

- Q: Why is this changing now?
- A: STAR Transit was informed in April of 2015 that these regional strategies would expire in 2016.



Rockwall County Funding FAQ's

- Q: What does the future hold?
- A: All STAR Transit area Counties and Municipalities will be asked to partner to cover this local match issue in an equitable manner; be aware the match issue varies by entity due to federal rules that segment the STAR Transit service area.

- Q: Will other counties and cities be asked to cover the gap between their local funding and their state/federal allocation?
- A: Yes. This discussion with Rockwall County is one of many for STAR Transit. Rockwall County local match stays in Rockwall County.

Rockwall County Funding FAQ's

- Q: Is this change caused by STAR Transit's expansion into Mesquite?
- A: No, the Mesquite expansion is 100% fully funded by Mesquite. Use of STAR Transit's Federal/State allocations in Mesquite is illegal; nor does STAR Transit "flex" any local source funds to Mesquite.

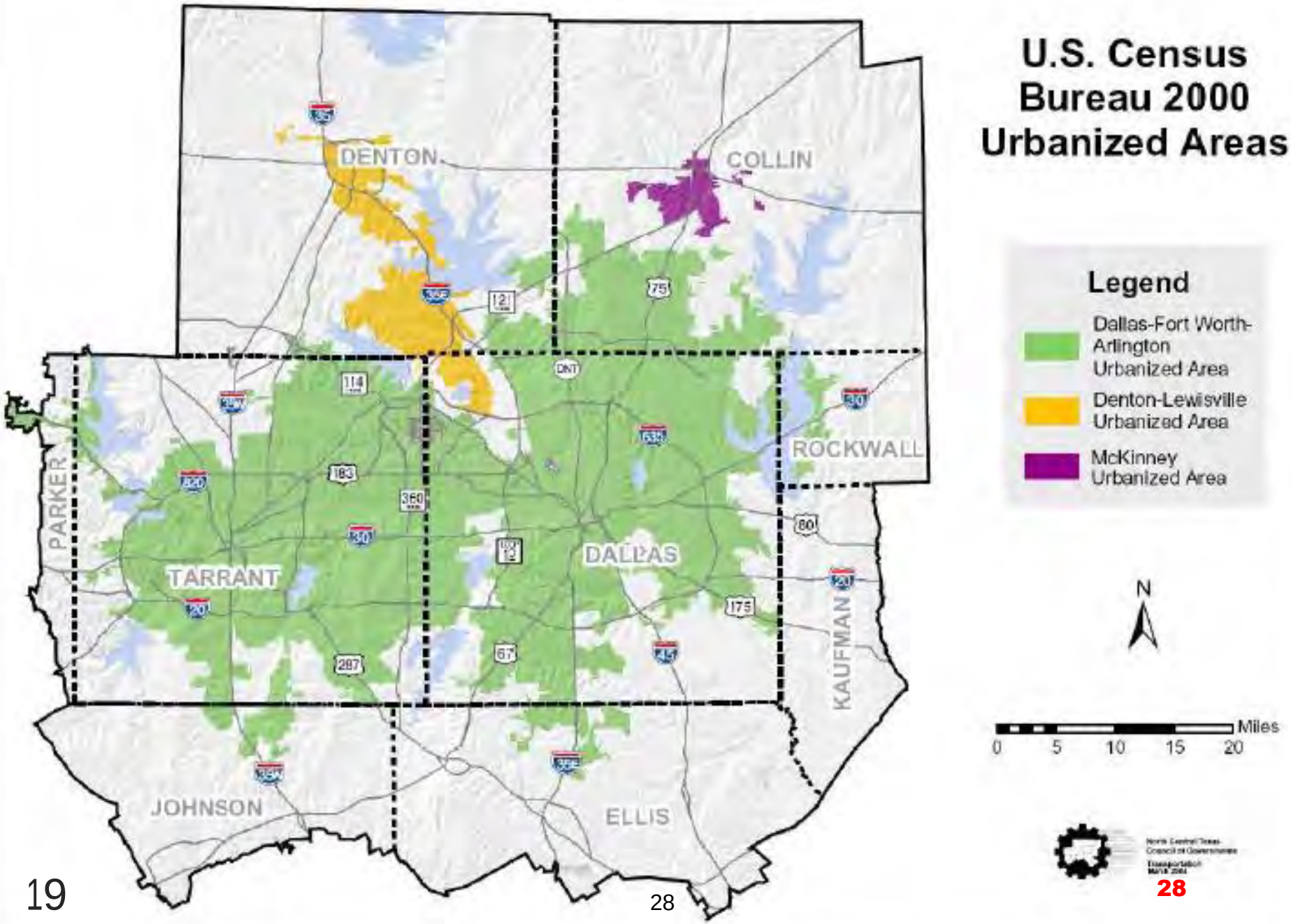
- Q: Is STAR Transit leaving Rockwall?
- A: No, that's a rumor caused by the fact that an Adult Day Care/Rehab facility recently ended their bus service. STAR Transit continues to serve that facility and STAR Transit is here to stay.

REALITY CHECK

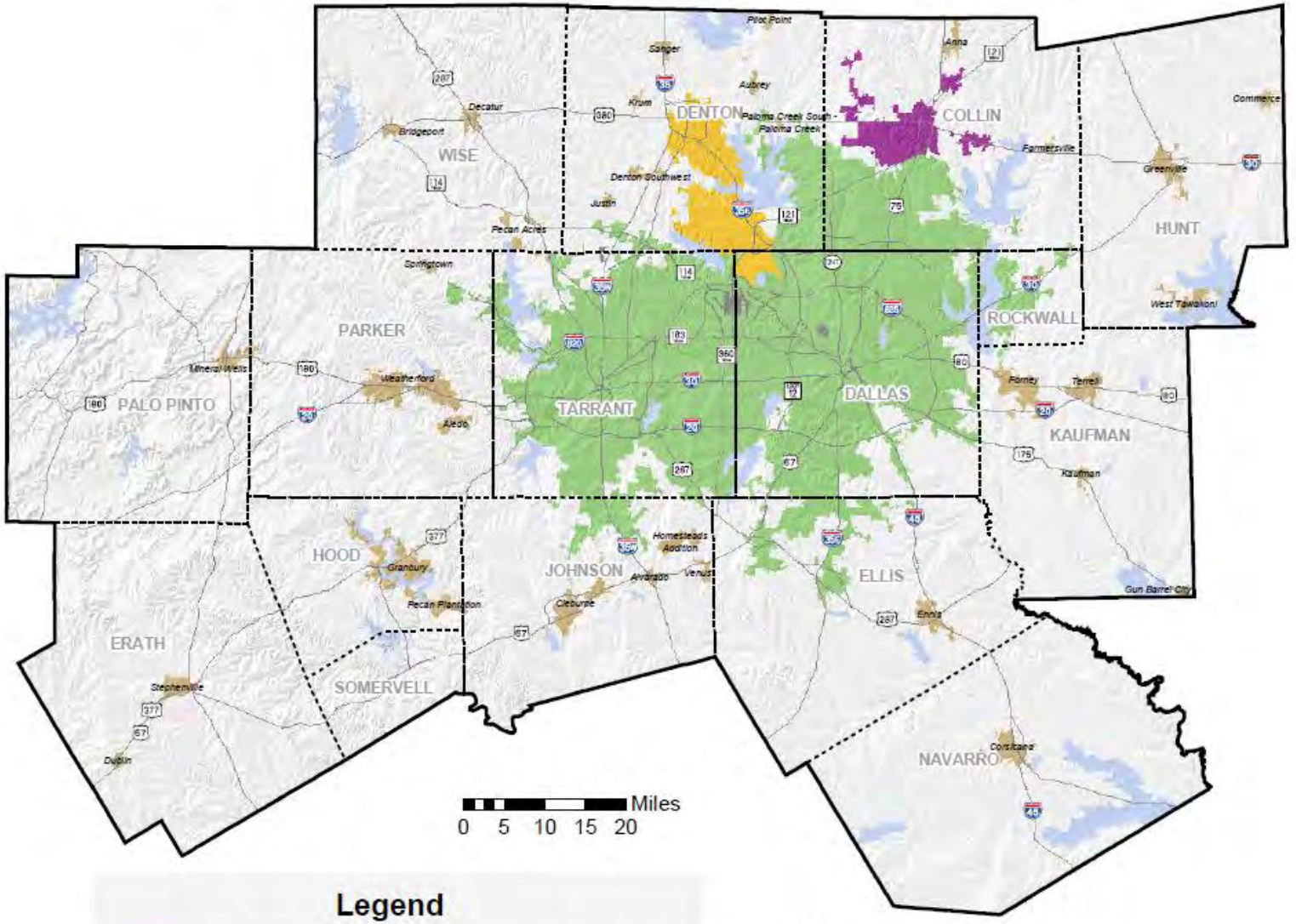
Reality Check

- Eligibility Changes
- Funding Changes
- Demographic Changes
- Partnership Changes
- Service Change




U.S. Census Bureau 2000 Urbanized Areas
Legend
Dallas-Fort Worth-Arlington Urbanized Area
Denton-Lewisville Urbanized Area
McKinney Urbanized Area
DENTON
COLLIN
ROCKWALL
PARKER
TARRANT
DALLAS
KAUFMAN
JOHNSON
ELLIS
N
Miles
0 5 10 15 20

U.S. Census Bureau
Urbanized Areas and Urban Clusters (2010)



Funding Sources

CLIENT	AREA	SERVICE	FUNDING AVAILABLE FOR CAPITAL	FUNDING AVAILABLE FOR OPERATING	LOCAL MATCHING FUNDS NEEDED	AMOUNT AVAILABLE OVER TIME
General Public	Rural Areas	Demand Response	$$	$$	$	
General Public	Urban Areas	Demand Response	$$$$		$$$	
General Public	Urban Areas	Fixed Route	$$$$	$	$$	
Specialized Seniors, Disabled & Workers	Anywhere	Any type	$	$	$	

Old Federal Protocol

Medicaid Funding



Human Services Trips

Rural Transit Funding



Service in Rockwall County and Kaufman County

New Federal Protocol

Medicaid Funding



Human Services Trips

Rural Formula Transit Funding



Service in Kaufman County

Urban Formula Transit Funding



Service such as Rockwall, Seagoville and Balch Springs

Urban Contract Transit Funding



Service such as MTED and COMPASS

STAR TRANSIT

WHAT'S NEXT?

Rockwall County Service Options

Current: 7 buses; 56 hours per day
Approaching 30,000 trips per year

FY16: 8 buses; 64 hours per day
Aim for 34,000 trips per year

Future: Modify some Demand Response to Fixed Route
Add a job access express service



Demand Response and Fixed Routes

- Demand Response provides a high service with scheduled rides and curb to curb service; in some settings Demand Response offers the lowest cost per rider.

- Fixed Routes require the rider to come to the bus but offer a regular routine for access; in some settings Fixed Routes can offer the lowest cost per rider.

- Federal funding programs now encourage Fixed Routes when feasible and often provide a better operating match; even for systems that simply mix Fixed Routes and Demand Response service.

Demand Response and Fixed Routes

- Current Demand Response data provides a guide to effective route planning.
- Fixed routes need time to mature and attract riders.
- Fixed routes can be designed and marketed as historic trolley car services to fit local tastes and set a brand name identity.
- Transitioning one or two buses to a fixed route or routes may be an improvement in service and an improvement in funding for Rockwall County.

STAR Transit Partnership Program

Introduction:

- DART and Fort Worth “The T” provide services primarily only after membership is established through a local sales tax election.
- STAR Transit has no current area-wide membership/partnership program whereby the provision of transit services to a geography is based on the requirement to first join the agency.
- STAR Transit provides services to some communities as a Texas Rural Transit District, service subsidized by 5311 funds.
- STAR Transit provides services to some communities based on Interlocal Cooperative Agreements, fees based on cost of service.
- This makes STAR Transit cash flow subject to Regional, State and Federal delays and requirements.

STAR Transit Partnership Program

Partnership and Cost of Service:

- Currently STAR Transit is flexing funds to support service areas with diminishing formula/grant funds.
- STAR Transit currently anticipates FY16 cost of service will average $50.76 per hour.
- This equates to roughly $68 per year for each transit favorable resident.
- STAR Transit anticipates that by April 2016; a 50% operating local match will be needed from a source or sources within Rockwall County.
- STAR Transit expects capital costs associated with Rockwall County will be covered in FY16.
- As service expectations grow, the need for a local match will increase.

STAR Transit Partnership Approach

- Equity process can be applied to sharing transit costs in Rockwall County.
- Transit Favorable Residents are distributed throughout Rockwall County unincorporated areas, non-DART municipalities and the DART service area.
- Full cost of operating an 8 bus service in FY16 in Rockwall County will be $812,160 (without operating grants and prior to capital expenses); shares for each partner can be calculated.
- Planning for change begins now; the transition will begin in FY16.
- STAR Transit will need full implementation in FY17.



STAR TRANSIT

WHY PROVIDE TRANSIT?

Why transit in the City of Rockwall?

Transit in a community like Rockwall is not mass transit for the general population. It is niche transportation serving special populations, purposes and needs.

Sample niche transit needs:

- Job Access and Individuals Transitioning to Work
- Child Disabled Dependents of Commuters
- Adult Disabled Dependents of Commuters
- Kids of Working Parents
- Individuals with Temporary Medical Issues
- Individuals with Long-Term Medical Issues
- Elderly Past the Driving Years



Who uses transit in the City of Rockwall?

The "Go-Getter":



- Over 65; fiercely independent
- Active in the community/family/ church/business
- Suffers a medical episode that leaves him/her capable of participating in all the same functions but robs him/her of the ability to drive
- Wants to utilize transit to re-establish independence and participation after the medical episode
- Uses the system frequently

Who uses transit in the City of Rockwall?

The "Determined ":

- Over 18 years of age; dependent on parent(s) due to physical and/or mental health issues
- Has the ability to have a day to day independent routine
- Requires frequent trips to medical and/or mental health providers
- Needs the sense of independence and responsibility that comes from getting out, contributing and/or receiving needed care
- Not qualified to drive
- The primary care giver needs the support of a transit system so they can continue to maintain employment



Who uses transit in the City of Rockwall?

The "Sandwich Generation":

- Midcareer professional
- A single individual with family requirements to drive both the younger generation and the older generation
- Kids at home
- Parents living in home or independently
- Needs the freedom to assign some care giving trips to a transit partner



REQUESTED DATA

City of Rockwall Destinations by Purpose			City of Rockwall Destinations by Purpose		
September 2014 through June 2015			September 2014 through June 2015		
Purpose	**Rockwall**	**Percentage**	**Purpose**	**Rockwall**	**Percentage**
EDU	260	1.09%	EDU	260	2.02%
Boys/Girls Club	10,919	45.91%			
GEN	3	0.01%	GEN	3	0.02%
GOV	59	0.25%	GOV	59	0.46%
HOS	1	0.00%	HOS	1	0.01%
Logisticare	1,028	4.32%	Logisticare	1,028	7.99%
MED	4,141	17.41%	MED	4,141	32.19%
MEL	3	0.01%	MEL	3	0.02%
NUR	3	0.01%	NUR	3	0.02%
NUT	714	3.00%	NUT	714	5.55%
OTH	2,471	10.39%	OTH	2,471	19.21%
SHP	1,579	6.64%	SHP	1,579	12.27%
TST	5	0.02%	TST	5	0.04%
WRK	2,594	10.91%	WRK	2,594	20.16%
Uncoded	5	0.02%	Uncoded	5	0.04%
Total	**23,785**	**100.00%**	**Total**	**12,866**	**100.00%**

Note: Current Mapping System tends to assign some unincorporated areas and small city edges to the City of Rockwall; on-going mapping system update is designed to correct this issue.

Popular Individual Destinations

Sample Rockwall County

September 2014 through June 2015

	Total Annual Trips
Boys and Girls Clubs	10,919
Destinations Outside Rockwall County	2,259
WalMart	660
YMCA	491
Lakes Regional MHMR	371
Day Hab	226
Kroger	191
Pharmacy	69

Unduplicated Riders by Month

City	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Average	Percent
Fate	7	4	7	8	7	8	5	4	4	4	6	2%
Heath	5	7	22	18	6	4	5	4	4	6	8	3%
McClendon	1	0	0	0	0	0	0	0	0	0	0	0%
Mobile City	0	0	1	0	0	0	0	0	0	0	0	0%
Rockwall	215	178	194	222	184	192	192	206	186	121	189	81%
Rowlett	6	5	7	7	5	5	5	4	2	3	5	2%
Royse City	25	6	24	26	26	30	35	25	23	28	25	11%
Total	**259**	**200**	**255**	**281**	**228**	**239**	**242**	**243**	**219**	**162**	**233**	

Unduplicated Riders by Year

	Annual Total	Percent
Fate	26	5%
Heath	26	5%
McClendon	1	0%
Mobile City	1	0%
Rockwall	423	75%
Rowlett	14	2%
Royse City	74	13%
Total	**565**	

Summary of Originations

Rockwall County

City	No. of Originations	%
Fate	156	1.03%
Heath	445	2.94%
McLendon - Chisholm	1	0.01%
Mobile City	1	0.01%
Rockwall	12,866	84.96%
Rowlett	590	3.90%
Royse City	1,075	7.10%
Wylie	9	0.06%
Total Originations	**15,143**	**100.00%**

Boys and Girls Club (All City of Rockwall) Excluded

ESTIMATED ANNUAL COST

Estimated Annual Cost

Expenditure Description	Local Portion	Required Grant Funding	Total
FY16 Operations (8 Bus Option)	$406,080	$406,080	$812,160
Capital Requirements	Assume Grant Funding	T.B.D.	T.B.D.

Cost Share Considerations:

- STAR Transit will cover the 1st six months (Sept '15–April '16) of the local portion in FY16 only - $203,040
- STAR Transit needs partners from Rockwall County to provide the 2nd six months (May '16–Aug '17) of FY16 - $203,040
- City of Rockwall share of current trip originations - 84.96%
- If Rockwall County partners allocate shares by trip origin, the city of Rockwall's share in FY16 would be $172,502.78.
- STAR Transit needs partners from Rockwall County to provide 12 months of local match in FY17 and beyond.

Next steps for Rockwall County Partners

- Consider policies and procedures for STAR Transit in Rockwall County.
- Consider funding allocations/funding partnerships for STAR Transit in Rockwall County.
- Find a solution that continues high quality, niche public transit for the City of Rockwall and Rockwall County residents who rely on STAR Transit for their transportation needs.



STAR TRANSIT

Questions?



Thank You!

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **August 12, 2015**

SUBJECT: **Drainage Report – June 21, 2015 Flooding Report Update**

On Sunday, June 21, 2015, the City of Rockwall received heavy amounts of rainfall with the heaviest amounts occurring north of IH 30. The rain storm sat over the northern portion of the City for almost two hours and created several road closures and flooding of residential structures. Staff has visited each flood complaint site. We visited various property owners to obtain information related to each situation. Staff has put the information on a City Base Map and continues to determine causes for the flooding and potential solutions.

Staff wishes to provide City Council an update during the August 17th Council Work Session to show the flooding issues and obtain direction to work towards a resolution.

If you have any questions, please advise.

TMT:em

Cc:

Amy Williams, Assistant City Engineer
Jeremy White, Civil Engineer
File

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MINUTES
ROCKWALL CITY COUNCIL
Monday, August 03, 2015
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dennis Lewis and City Council Members David White, John Hohenshelt, Scott Milder and Kevin Fowler. Also present were City Manager Rick Crowley and Assistant City Managers Mary Smith and Brad Griggs, as well as City Attorney Frank Garza. Council Member Mike Townsend was absent from the meeting.

II. WORK SESSION

1. Hold a work session to hear a presentation by Doug Duffie LLC representing First Texas Homes to request consideration of a 380 Agreement for Use Taxes, and take any action necessary.

Doug Duffie
1816 Grosvenor Green
Colleyville, TX 76034

Mr. Duffie came forth and shared details pertaining to a proposed 380 agreement regarding use taxes. Briefly, he explained that First Texas Homes and their construction subs currently pay sales tax on home building materials at the point of sale rather than at point of use. For example, if First Texas Homes purchases Acme Brick the sales tax is paid either to Dallas or to Denton where their sales offices are located instead of in Rockwall where the home is being built. Mr. Duffie has said that he has researched their suppliers and none of them are located in Rockwall. First Texas Homes proposed to change this by altering their accounting systems and paying Use Tax rather than sales tax. For the effort and expense to alter their systems and processes, they are asking for 40% of the Use tax paid to the City. Several area cities have entered into this kind of agreement, Rowlett several years ago with DR Horton, and Frisco has agreements with several builders. Frisco is considering an agreement with First Texas Homes at this time.

Mayor Pro Tem Lewis asked Mrs. Smith, Finance Director / Assistant City Manager, what disadvantages may exist concerning such arrangement. Mrs. Smith indicated that so far she has not been able to identify any. Mr. Crowley, City Manager, shared that the city attorney has advised that entering into this 380 agreement with First Texas Homes does not set a precedence that would mean the council has to enter into a similar agreement with any and all future builders who may request such. Instead, the council may pick and choose with which builders it would like to enter such agreements.

Regarding the terms of the agreement, Mr. Duffie indicated that his company tries to utilize the same terms regardless of the city with which they're entering into such agreement.

Council generally indicated that it would like staff to check into this further to ensure all is okay with such agreement and then bring an Action Item back to the council for consideration at the next city council meeting.

2. Hold work session to discuss and consider the city budget, and take any action necessary.

City Manager Rick Crowley and Assistant City Manager Mary Smith provided background information related to this agenda item. He indicated that he would like direction from Council regarding if they would like to see him present a budget that is based on future adoption of the current effective rate or the current tax rate. Mayor Pro Tem Lewis indicated that he would like to see a budget presented by staff at the upcoming budgets retreat that reflects the current "effective tax rate." Councilmember Hohenshelt indicated that he is unsure what direction to provide to staff regarding which rate he would like to see associated with the budget proposal that is brought forth. He indicated he is inclined to suggest we should spend less, so he is not prepared to provide a firm answer on the matter at this time. Mayor Pruitt indicated that he is fine with staff presenting a budget that reflects the "effective tax rate." Councilmember Milder expressed concern about continually adopting the 'effective tax rate' in lieu of raising the proposal to reflect the current 'tax rate' solely because funds generated year by year have increased. Generally, he feels that this could eventually prove to be a dangerous practice. Milder expressed he would like to see both budget proposal options presented – a budget reflecting the "effective tax rate" and one reflecting the "current tax rate." Mr. Crowley acknowledged having received sufficient direction from the Council at this time. No action was taken following discussion of this item.

At 4:38 p.m. Mayor Pruitt read the below listed items into the public record before recessing the meeting into Executive Session.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)

2. Discussion regarding purchase or lease of real property / land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).

3. Discussion regarding possible settlement of City of Rockwall v. Temunovic Partnership, LTD., Case No. 1-14-878; 382nd District Court of Rockwall, Texas pursuant to Section 551.071 (Consultation with Attorney).

4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Planning & Zoning Commission, and Board of Adjustments pursuant to Section 551.074 (personnel matters)

IV. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:35 p.m.

V. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all city council members except Councilmember Townsend present.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Lewis made a motion to settle the City of Rockwall v. Temunovic Partnership Condemnation litigation case (Case No. 1-14-878; 382nd District Court of Rockwall), for $120,000.00 and to authorize execution of all documents necessary to settle the case and transfer ownership of the Justin Road right-of-way to the city. Councilmember White seconded the motion, which passed by a vote of 6 ayes with 1 absent (Townsend).

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM LEWIS

Mayor Pro Tem Lewis delivered the invocation and led the Pledge of Allegiance.

VIII. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted and asked if anyone in the audience would like to come forth and speak at this time.

Martin Ramirez
Rockwall County EMS
809 South Goliad
Rockwall, TX 75087

Mr. Ramirez came forth and provided comments related to the issue of 'ambulance exclusivity.' He stated he is a Rockwall native and most of his family and friends live here. He generally indicated a willingness and proactive effort to work with Presbyterian Hospital of Rockwall to work out any differences that exist between Rockwall County EMS and the hospital. He indicated that his company has offered to park an ambulance at the hospital, but the offer has not been accepted. He again offered that his company is willing to do so. He spoke to allegations that have been previously made regarding "bypassing" Presby Rockwall (patient diversion), offering various reasons why an ambulance crew may elect to do so. He went on to state that in 2014, 2,020 patients were transported to Presby, while 1,461 were taken to Lakepointe Hospital. He further indicated a willingness to sit down with Presbyterian Hospital of Rockwall to try and address their concerns.

Cindy Paris
762 Black Oak Lane
Rockwall, TX 75032

Mrs. Paris came forth and indicated that she is the President and CEO of Presbyterian Hospital of Rockwall. She spoke regarding the 'exclusivity of ambulance service' in the city. She explained that she is an RN and she arrived to work at the hospital here in Rockwall before it was officially opened. She indicated a desire to have safe medical care in the community, and she has ongoing concerns regarding Rockwall County EMS' ability to meet the demands associated with rapid growth. She shared that the hospital

has met with Rockwall County EMS many times in the past, but the hospital has seen no improvement regarding concerns that have been expressed. Also, the hospital has never denied Rockwall County EMS' offer to park an ambulance on their hospital campus. She explained that this issue was placed on a 'future follow up' action plan but that it has not yet been followed up on. She explained that everyone at the hospital would agree that Rockwall County EMS provides quality care to members of the community, and she indicated that the hospital will continue to call Rockwall County EMS first simply because they are the closest and they are known to provide good care to their patients. The hospital's main concerns center around patient transports to higher level care facilities in both urgent and emergent situations. She generally urged the council to make a very informed decision before acting upon the exclusivity ordinance at hand.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the July 20, 2015 regular city council meeting, and take any action necessary.

2. **Z2015-020** - Consider approval of an **ordinance** for a request by Wayne Mershawn of Mershawn architects on behalf of Rex Walker of Life Springs Church for a Specific Use Permit (SUP) for a church in an Agricultural (AG) District for a seven (7) acre portion of a larger 28.881-acre tract of land identified as Tract 15-01 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Corridor Overlay (SH 205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King Boulevard and SH-205, and take any action necessary. **(2nd Reading)**

3. **Z2015-021** - Consider approval of an **ordinance** for a request by Sam Ellis on behalf of the owner, the George Dewoody Estate, for a Specific Use Permit (SUP) for a daycare facility in an Agricultural (AG) District for a two (2) acre parcel of land identified as Lot 1 of the Dewoody Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the North SH-205 Corridor Overlay (N SH-205 OV) District, addressed as 3011 N. Goliad Street [SH-205], and take any action necessary. **(2nd Reading)**

4. **Z2015-022** - Consider approval of an **ordinance** for modifications to Article IV, Permissible Uses, and Article V, District Development Standards, of the Unified Development Code for the purposes of creating a standard for cultured stone, and adding standards for a Portable Beverage or Food Facility, and take any action necessary. **(2nd Reading)**

5. **P2015-029** - Consider approval of a request by Maria Bonilla of Winkelmann & Associates on behalf of Mark Matise of Makko Goliad I, LP for the approval of a replat for Lots 1, 2 & 3, Block A, Kroger 205 Addition being a replat of 11.236-acre tract of land identified as Lots 2 & 3, Block A, Quail Run Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the southeast corner of E. Quail Run Road and SH-205, and take any action necessary.

6. **P2015-031** - Consider approval of a request by Mike Whittle on behalf of Rockwall Rental Properties, LP for the approval of a replat for Lot 13, Block 2, Alliance Addition, Phase 2 being a 0.571-acre parcel of land identified as Lot 4, Block 2, Alliance Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, addressed as 6540 Alliance Drive, and take any action necessary.

7. **P2015-032** - Consider approval of a request by Cameron Slown of FC Cuny Corporation on behalf of Lowdent LLC, Hall and Lee Land Company LLC, and Temunovic Partnership LTD for the approval of a replat for Lots 4, 5 & 6, Block A, Temonovic Addition being a 2.582-acre tract of land currently identified as Lots 1, 2 & 3, Block A, Temunovic Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 1320 & 1350 Summer Lee Drive, and take any action necessary.

8. **P2015-033** - Consider approval of a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Lakefront Trail Rockwall Hotel, LP for the approval of a replat for Lot 1, Block A, Marriott Addition being a 2.968-acre tract of land identified as a portion of Lot 3A, Block A, Shoreline Plaza Addition and all of Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary.

9. Consider authorizing the City Manager to execute a purchase order with Freedom CDJR for the purchase of a 2015 Dodge Charger for Police Traffic Division in the amount not to exceed $36,000 to be funded by General Fund Reverses, and take any action necessary.

Councilmember Milder pulled item #9 for further discussion.

Mayor Pro Tem Lewis made a motion to approve the remaining consent agenda items (#1, 2, 3, 4, 5, 6. 7 and 8). Councilmember White seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 15-21
SUP NO. 139

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A "CHURCH" WITHIN AN AGRICULTURAL (AG) DISTRICT, BEING A 7.00-ACRE PORTION OF A LARGER 28.881-ACRE TRACT OF LAND IDENTIFIED AS TRACT 15-01 OF THE J. STRICKLAND SURVEY, ABSTRACT NO. 187, AND GENERALLY LOCATED ON THE NORTH SIDE OF JOHN KING BOULEVARD EAST OF THE INTERSECTION OF JOHN KING BOULEVARD AND SH-205, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR

A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 15-22
SUP NO. 140

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A "DAYCARE FACILITY" WITHIN AN AGRICULTURAL (AG) DISTRICT, BEING A 2.00-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1 OF THE DEWOODY ADDITION, AND LOCATED AT 3011 NORTH GOLIAD STREET, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 15-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTIONS 1.1 & 2.1.6 OF ARTICLE IV, PERMISSIBLE USES, AND SECTION 6 OF ARTICLE V, DISTRICT DEVELOPMENT STANDARDS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 in favor with 1 absent (Townsend).

Regarding Consent Agenda item #9, Councilmember Milder expressed concern regarding purchase of a police vehicle now in lieu of waiting to address this need during the upcoming budget discussions for next fiscal year. Mr. Crowley explained that this particular item is related to replacement of a vehicle that the department had that has become unusable. However, if the council would prefer to hold off on this item until during the budget process, Mr. Crowley indicated that doing so is certainly understandable and doable. Mr. Crowley indicated that last year, the Police Department neither requested nor received any funding for new vehicles.

After brief comments from Chief Riggs, Mayor Pruitt made a motion to authorize the City Manager to execute a purchase order with Freedom CDJR for the purchase of a 2015 Dodge Charger for Police Traffic Division in the amount not to exceed $36,000 to be funded by General Fund Reverses. Councilmember White seconded the motion, which passed by a vote of 5 in favor, 1 against (Milder), and 1 absent (Townsend).

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Mr. Renfro briefed the council on recommendations of the Commission relative to Public Hearing Item #1 (Double Eagle Properties). He generally pointed out that the P&Z Commission initially recommended that this case be voted down (they voted against it). However, the developer has since gone back and reworked the plans and is now bringing back a revised plan for the council to consider at this meeting. He pointed out that the revised plans do seem to have taken into account the P&Z's comments, and the applicant has made what appear to be 'significant changes' to the plan. After brief, additional comments, the Council took no action related to this agenda item.

2. Appointment with Jim Lambeth of Linebarger, Goggan, Blair & Sampson LLP to present information regarding a bid received for delinquent property taxes at 464 Evans at an amount less than the outstanding taxes, and take any action necessary.

Mr. Lambeth came forth and briefed the Council on this agenda item. He indicated that this property was recently involved in a judicial foreclosure procedure. A recent judgement on this property took place, and the property was struck off the tax rolls to the City of Rockwall. The Rockwall Housing Development Corporation has submitted a bid for $6,000 to try and rehabilitee the property. The total judgement was for $13,290.00, and the adjudged value of the property is $19,670.00. He explained that the County had this item on its agenda last week, and they approved it. Furthermore, it is expected that the RISD will vote on the item next week as well.

Mayor Pruitt made a motion to accept/approve the proposed $6,000.00 bid. Councilmember White seconded the motion, which passed unanimously of those present (6 ayes with Townsend absent).

3. Appointment to hear presentation from Mark Spencer of MHS Planning and Design regarding The Park at Stone Creek development plan, and take any action necessary.

Mr. Spencer came forth and showed conceptual plans to the City Council concerning proposed design associated with the Park at Stone Creek. Assistant City Manager Brad Griggs indicated that if the council agrees to approve this item, then staff and Mr. Spencer and staff would move forward with construction plans and associated bid documents. Mayor Pro Tem Lewis made a motion to approve the design plan, as presented, for the Park at Stone Creek. Councilmember White seconded the motion. After brief comments, the motion passed by a vote of 6 in favor with 1 absent (Townsend).

XI. PUBLIC HEARING ITEMS

1. **Z2015-016** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Stacey McVey of Double Eagle Properties on behalf of the owner 308 ON 276 LP for a zoning change from an Light Industrial (LI) District to a Planned Development District for Single Family 10 (SF-10) and General Retail (GR) District land uses, on a 316.315-acre

tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the northeast corner of the intersection of Rochelle Road and SH-276, and take any action necessary. (1st Reading)

Ryan Miller, Planning & Zoning Director, provided Council with background information related to this agenda item. The applicant is proposing 507 single family lots with 1.65 units per acre on a 316 acre tract of land near the intersection of SH-276 at Rochelle Road. Nine acres of commercial retail would be included in addition to the residential lots. Along with the commercial / retail, the applicant is asking for Hotel/motel, restaurant with drive-in/drive-thru service and a retail store with gasoline sales to be permitted by right. He explained that the council would have the ability to review those developments before they are actually submitted for site plans due to this being a proposed PD (planned development district) development. He went on to explain that the development would include an amenity center and a 55 acre park, which would include a Soil Conservation Commission pond. The 507 single family lots will consist of a mixture of 60', 70' and 80' lot sizes and an overall, average lot size of about 7,600 square feet. A mix of j-swing and front-entry products is being proposed, so the applicant is asking for a waiver to the city's rear entry / alleyway requirement, and they are requesting a setback variance associated with how far back the garage doors would be placed from the front property line (versus the front most part of the structure). He generally indicated that the applicant has pretty much addressed all of the Planning & Zoning Commission's previously expressed concerns when the plan was first brought forth, including infrastructure improvements to Rochelle Road and Discovery Boulevard. He explained that the city's future land use map currently shows this property to be slated for an 'employment office.' However, if the council approves the applicant's request this evening, the future land use map would need to be updated to designate it for low density residential / commercial. Nineteen notices were sent out to adjacent property owners and residents located within 500' of the subject property. One notice was received back in favor of the request. In addition, two Rockwall citizens (outside of the notification area) also wrote e-mails expressing support of this item. The P&Z Commission did previously make a recommendation to deny the case by a vote of 5 to 2; however, that was before numerous changes were made to the proposed plan. In addition, approval of this item will require a ¾ majority vote of the Council for approval this evening (five out of the six council members currently present this evening).

Joel Steed, who indicated he represents the applicant, came forward and addressed the council at this time. He explained that he and his wife have owned property in Rockwall for about twenty-three years. They also live here and moved his law firm from Dallas to Rockwall some years ago. After thanking members of Council, the P&Z Commission, and staff, Mr. Steed went on to briefly explain the plans that the applicant is now proposing associated with this requested zoning change.

Craig Carney
Carney Engineering
4588 Hinton Drive
Plano, TX

Mr. Carney came forth and briefed the Council on various, proposed aspects of the project, should the zoning change be approved by the Council this evening. He explained that the details of the plan presented this evening really do reflect changes

that were made as a result of taking into account concerns expressed by the Planning & Zoning Commission. He shared details concerning things such as the park/open space, streets, lot sizes, and commercial aspect of the proposed project.

Mr. Steed again came forth and shared a lot of details related to the history of this piece of land as well as the proposed zoning change. He expressed that he understands that if the council changes the zoning on this property, it means that the overall amount of Light Industrial zoned land will be decreased. However, he believes that the land that is 'lost,' so-to-speak, can be easily replaced. He shared that the land has been zoned "LI" for about ten years, and it was zoned "AG" prior to that time period. He does not believe this piece of property is conducive to "light industrial" because of the flood plain.

Mr. Byron Prescott
1935 Creekside Drive
Rockwall, TX

Mr. Prescott indicated that he is from a law firm out of Dallas (Sheef and Stone), and he represents the applicant. He explained that about three potential buyers have expressed interest in purchasing this property over the years, but none of those potential buyers have been interested in developing it for light industrial. So, the owner hired David English (realtor) to try and market the property for its highest and best use.

David English
Ridgepointe Commercial Realty
2255 Ridge Road, #208
Rockwall, TX

Mr. English provided comments pertaining to the real estate aspects of the property. He indicated that some time ago, the REDC was approached about possibly purchasing this land; however, they indicated a disinterest in purchasing it due to the flood plain that is present on the property. He also asked some other potential buyers about their interest in the property; however, those individuals were not interested either. He believes this project may be the 'highest and best use' for the property given the past history and circumstances surrounding this property (including the flood plain) and the length of time it's been sitting vacant.

Mr. Joel Steed
1010 Ralph Hall Parkway
Rockwall, TX

Mr. Steed again came forth and offered extensive comments and information regarding various aspects of the applicant's request.

Mayor Pro Tem Lewis offered brief comments related to 'big truck' traffic on Discovery for trucks delivering into/out of the Tech Park. He expressed concerns about how the developer may be able to ensure that initial and future home buyers know, with certainty, that there will very likely be a warehouse located adjacent to their homes/neighborhood and associated truck traffic. Mr. Steed indicated that information would be included in the new homeowner packets as well as written into the DCRs (deeds covenants and restrictions).

Mayor Pruitt asked if the 9 acres of proposed "commercial" area is included in the density calculations of the residential lots. The applicant indicated that the residential density calculation did not include the 9 acres of commercial.

Councilmember Hohenshelt asked what sort of future notifications might take place someday in the future if and when someone wants to construct a warehouse adjacent to this residential area. Mr. Miller indicated that there would be no notifications as long as there was no change in zoning taking place. The developer, in that case, would just need to meet requirements associated with residential adjacency (i.e. buffers, landscape screening).

Councilmember Milder asked for clarification regarding which fire station would service this neighborhood. Chief Poindexter indicated that Fire Station #4 and #1 would serve this area until the station that would ultimately serve this area could be built. He explained that the REDC previously dedicated some land to the city on Springer Road near Rochelle Road for use as a future fire station.

Mayor Pruitt opened the public hearing and asked if anyone would like to come forward and speak at this time.

Matthew Nielsen
676 St. Johns Place
Rockwall, TX 75087

Mr. Nielsen came forth indicating that he is speaking on behalf of the REDC, as he is currently a member of the REDC board. He indicated that he used to serve on the Planning & Zoning Commission in years past. He offered comments in favor of keeping this property zoned light industrial, as it makes the most sense since it is already located contiguous to the existing "LI" land located in the Tech Park. He expressed skepticism that someone would be willing to spend $700,000+ on a home that is located so near warehouses and industrial type facilities. He acknowledged that the existing flood plain does present a bit of a hurdle for warehouse type facilities; however, he believes that "Class A office space" could likely be placed nicely on this property. He believes that if the Council changes the zoning, it will cut off the ability for that area to continue to be developed as an economic development corridor. He explained that he believes the developer has likely put a lot of thought into this proposal. He has no animosity towards the applicant and believes this development may work out well somewhere else in the city; however, from a zoning standpoint, he explained that the REDC is strongly opposed to this zoning change request on this particular piece of property. Councilmember White asked if Mr. Nielsen's comments are representative of the 'official position' of the REDC. Mr. Nielsen indicated that, yes, his comments do represent the sentiments of the full REDC board. Councilmember Hohenshelt asked for clarification regarding any vote that took place on the part of the full REDC board. Mrs. Franza, REDC President/CEO, came forth and generally indicated that a vote was taken at a May 14, 2015 REDC board meeting in which the board expressed opposition to the proposed zoning change. She explained that this action was taken following a May 6 Planning Committee meeting. Mr. Nielsen expressed large concern, again, regarding future residents being admittedly opposed to "light industrial" (i.e. warehouses) being constructed right next door to their homes.

Councilmember Milder expressed concern about him not having had knowledge that the REDC was officially opposed to the zoning change, while all along the developer was going back and making a lot of changes to the plan and investing a lot of time and effort in doing so after a June work session was held between the developer and the City Council.

After various comments, Mrs. Franza indicated that a "corporate campus" might be a good use of this property as a transitional use prior to the introduction of nearby residentially zoned land. Councilmember White asked for clarification regarding if the REDC does or does not wish to purchase this land. Mr. Nielsen clarified that the REDC does not wish to personally purchase this land; however, he does not believe that whether or not the REDC wishes to purchase this particular "LI" land should determine the appropriate zoning.

Mayor Pruitt called for a break at 7:42 p.m., indicating that the public hearing will continue after the meeting reconvenes.

Mayor Pruitt called the meeting back to order at 7:55 p.m.

Stacy McVey
7218 Lakewood
Dallas, TX 75214

Mr. McVey, applicant, came forth and provided comments, generally indicating that in the research they have done, the property owner did not ever have a desire for the property to be zoned "LI." The three past purchase inquiries were all from potential buyers expressing 'residentially zoned' desired uses for this property.

Craig Renfro of the Planning & Zoning Commission came forth and asked how many buyers have approached the property owners to date. The developer indicated that no buyers have approached the owners expressing a desire to buy it for the purpose of developing it as "light industrial." Mr. Renfro went on to comment that the economy has seen a notable slump and downturn over the last ten years; however, it seems as though the economy is now on an 'up tick.' He suggested that if the council approves this zoning change request, it could possibly inhibit the Tech Park from ultimately becoming what it could possibly be in future years. He also questioned why the developer could not take his residential/commercial development somewhere else in the city.

Mr. English, the realtor associated with the project, indicated that no commercial campuses have been brought forth from any potential buyers associated with this property. He indicated that they did try to market the land as 'light industrial;' however, there was never any interest at all from buyers it when it was marketed as "LI."

Mr. John White
1929 S. Lakeshore Drive
Rockwall, TX

Mr. White indicated that he does not believe how long a property has sat on the market should be a driving factor as to what its zoning should be. He expressed general support of the REDC, indicating that the REDC is a viable representation of the citizens of

Rockwall, as the citizens voted on establishing the REDC years ago. He stated that he is opposed to rezoning the land and he agrees with the REDC's sentiments.

Mr. Joel Steed
3065 N. Goliad Street
1010 W. Ralph Hall Parkway
Rockwall, TX

Mr. Steed came forth again and pointed out that there are existing residential homes east and south of this property. He stated that the homes that are proposed to be built will be nice homes. He generally encouraged the city to be good stewards of tax payer dollars, and he pointed out that this particular property has not made any money for the city as it has been sitting vacant for thirteen years. He shared that the owner would really like to sell this piece of property, and he has been trying to do so for a number of years as it has sat in trust.

Councilmember Hohenshelt made a motion to table Z2015-016 until the city council has an opportunity to complete its strategic plan. Councilmember Milder seconded the motion. Council commented that the estimated timeframe for completing this plan is approximately six weeks. Councilmember White offered comments, expressing full support for this zoning change.

Councilmember Milder expressed support for delaying action on this item until the council has time to consider it further.

The motion failed by a vote of three in favor with three against (Pruitt, Fowler, Lewis).

Councilmember White made a motion to approve Z2015-016. Mayor Pruitt seconded the motion. Councilmember Milder expressed that he believes allowing six weeks for the council to finish its strategic plan and be better prepared to make an informed decision is not too much to ask. After the comments, the motion to approve the zoning change passed by a vote of 5 in favor with 1 against (Milder) and one absent (Townsend). The ordinance was read into the record as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A PLANNED DEVELOPMENT DISTRICT FOR SINGLE FAMILY 10 (SF-10) AND GENERAL RETAIL (GR) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 316.315-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE M. E. HAWKINS SURVEY, ABSTRACT NO. 100, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' & EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

XII. ACTION ITEMS

1. Discuss and consider Construction Manager at Risk process for The Park at Stone Creek development, and take any action necessary.

Assistant City Manager Brad Griggs provided background information related to this agenda item. Councilmember Milder made a motion to approve the Construction Manager at Risk process as recommended by staff. Councilmember White seconded the motion, which passed by a vote of 6 ayes with 1 absent (Townsend).

2. **A2015-002** - Discuss and consider initiating a development agreement with Joey Howell, in accordance with Chapter 212 of the Texas Local Government Code, for a property identified as Tract 18 & 18-01 of the S. McFadgin Survey, Abstract No. 142, Rockwall County, Texas, being a ~98-acre tract of land situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), located south of SH-276 on the east side of FM-548, and take any action necessary.

Mayor Pruitt expressed that Councilmember Hohenshelt has recused himself from this item and has filed an affidavit with the City Secretary accordingly.

Planning Director Ryan Miller provided background information related to this agenda item. He explained that the city attorney and the applicant, Joey Howell, have worked on revising the agreement that was included in the council members' meeting packet. An updated version, which reflects some revised setbacks, has been provided to the city council in paper form this evening. Discussion took place between Mr. Crowley, Mr. Miller and Mr. Howell regarding future inspections of septic tanks, as this development would, in the immediate future, be located out in the county (within the city's ETJ). Mayor Pruitt asked what the development standard will be for this property. Mr. Howell indicated that these homes will meet the city's most recently adopted developments standards, which were put in place about six months ago.

Councilmember White made a motion to approve the 212 development agreement associated with A2015-002. Councilmember Milder seconded the motion, which passed by a vote of 5 in favor, 1 abstention (Hohenshelt), and 1 absent (Townsend).

3. Discuss and consider the provisions of Chapter 12. Businesses & Sales, Article XII. Ambulance Service of the Code of Ordinances, and take any action necessary.

City Manager Rick Crowley provided brief background information related to this agenda item. Mayor Pro Tem Lewis followed Mr. Crowley's comments with some additional information, specifically concerning the ES Corporation's position concerning Rockwall revoking or keeping its "exclusivity" ordinance in place. He indicated that the ESC essentially declined to take an official position, indicating the ordinance falls under the city's purview.

Mr. Crowley explained that accurately predicting the financial impact associated with repealing this ordinance as far as how it might financially affect Medic Rescue is difficult to determine. However, Medic Rescue has provided some financial information in a memo provided to the city council in their packets.

Councilmember White expressed that, at this time, he is not in support of repealing the ordinance. He is generally "fifty / fifty" as far as a decision regarding leaving it in place

or repealing it. He would like to see a true, documented effort between the hospital and Rockwall County EMS, to resolve their differences. He would like to see a work plan on what the issues are, how they might be resolved and how they ultimately got resolved thereafter. He would like for this documented effort to take place very quickly on the part of both parties. Then, if the issues are not able to be worked out, he would not be opposed to possible revocation of the ordinance.

Mayor Pruitt expressed concern about turning Presby representatives into 'criminals' when they want to call a provider to help them perform their duties most efficiently. Mayor Pro Tem Lewis generally indicated that he believes these sorts of "fix the problems" efforts have been ongoing for a number of years, and the issues have been unable to be resolved.

Councilmember White shared an excerpt from the 1993 city council meeting minutes back when this ordinance provision was first adopted and put into place.

Councilmember Fowler asked for more information regarding Mr. Steve Athey of Healthcare Visions, who is evidently an EMS consultant to the Emergency Services Corporation (ESC) board. Mayor Pro Tem Lewis briefly indicated that he is an advisory consultant to the board, and he has indicated an opinion that 'exclusivity' ordinances are a good idea.

At the request of Mayor Pro Tem Lewis, Mr. Garza clarified that most cities he provides legal services to do have 'exclusivity' ordinances in place for emergency ambulance services. However, most do NOT have 'exclusivity' ordinances in place for non-emergency ambulance service transfers.

Mayor Pruitt generally expressed that both Presby and Rockwall County EMS have been "contracting around" the city's exclusivity ordinance.

Mayor Pro Tem Lewis made a motion to repeal the exclusivity ordinance provisions (only related to non-emergency transports), to authorize the city attorney to draft an ordinance accordingly, and to delay implementation of said repeal until November 1, 2015. Mayor Pruitt seconded the motion.

Indication was given that the current ambulance service contract that is in place through the ESC expires in 2017.

The motion passed by a vote of five in favor with two against (White and Fowler) and one absent (Townsend).

4. Discuss and consider (re)appointments to city advisory boards, including the Animal Adoption Center/Shelter Advisory Committee, the Architectural Review Board, the ART Commission, the Historic Preservation Advisory Board and the Park Board, and take any action necessary.

Mayor Pruitt indicated that the council is not prepared to make any (re)appointments this evening. Staff liaisons will be contacted regarding these appointments, and council action will be taken at a future meeting.

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections Monthly Report - June 2015
Fire Dept. Monthly Report - June 2015
Harbor PD Monthly Report - June 2015
Internal Operations Department Monthly Report - June 2015
Meals on Wheels Senior Services Third Quarter Report
Police Department Monthly Report - June 2015
Recreation Monthly Report - June 2015
Rockwall Animal Adoption Center Monthly Report - June 2015

2. City Manager's Report

Mr. Crowley updated the Council on various items. He indicated that the grand opening of the new Yellow Jacket Park is scheduled for this Saturday. He shared that the Police Department is holding an upcoming National Night Out event tomorrow evening at Home Depot, which is in addition to the Texas Night Out, which will be held in a couple of months. Staff will be bringing this item to council for consideration at the next meeting. He then congratulated Mr. Widmer on recently achieving a "Certified Building Official" designation. Regarding planning for improvements to FM-549, the state has approached the city with a viable drainage improvement option. He indicated that a fire recently occurred in the downtown area, and our fire department responded very quickly. Also, staff is trying to track down the party(ies) who reported the fire. Once they find out who it was, staff will likely be coming before the council so that the person(s) may be formally recognized for this act.

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)

2. Discussion regarding purchase or lease of real property / land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).

3. Discussion regarding possible settlement of City of Rockwall v. Temunovic Partnership, LTD., Case No. 1-14-878; 382nd District Court of Rockwall, Texas pursuant to Section 551.071 (Consultation with Attorney).

4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Planning & Zoning Commission, and Board of Adjustments pursuant to Section 551.074 (personnel matters)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The Council did not reconvene in Executive Session following the conclusion of the public meeting agenda.

XVI. ADJOURNMENT

Mayor Pruitt adjourned the public meeting at 8:47 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 17th DAY OF AUGUST, 2015.

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Cole, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **August 13, 2015**

SUBJECT: **RISD Interlocal Agreement for School Resource Officers (SRO)**

Rockwall Independent School District's Board of Trustees has adopted the accompanying Interlocal Agreement for SRO services for the 2014-15 school year. The district reimburses the City for about 75% of the salary and benefits for the officers assigned to the school campuses.

Chief Riggs can answer any questions the Council may have regarding the SRO duties and the school's reimbursement methodology. This year's agreement reflects an increase of $20,500 over the previous school year.

Council is asked to consider authorizing the City Manager to execute the agreement with RISD.

INTERLOCAL COOPERATION AGREEMENT FOR GOVERNMENTAL SERVICES RELATING TO A SCHOOL RESOURCE OFFICER PROGRAM BETWEEN THE CITY OF ROCKWALL AND THE ROCKWALL INDEPENDENT SCHOOL DISTRICT

THE STATE OF TEXAS §
§ **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF ROCKWALL §

THIS AGREEMENT (the "**Agreement**"), entered into this ____ day of _____, 2015, by and between the **CITY OF ROCKWALL** (hereinafter called **"CITY"**) and the **ROCKWALL INDEPENDENT SCHOOL DISTRICT** (hereinafter called **"RISD"**).

WITNESSETH:

WHEREAS, the CITY desires to enter into an agreement relating to providing certain professional police services to RISD in accordance with the program description and details as provided herein; and

WHEREAS, this Agreement is made pursuant to the authority granted to the parties pursuant to the Interlocal Cooperation Act, V.T.C.A. Government Code, Chapter 791 (the "Act").

WHEREAS, the primary purpose of the School Resource Officer (SRO) Program is the reduction and prevention of crime committed by juveniles and young adults and to promote the safety of children. This is accomplished by assigning six (6) fully outfitted and equipped police officers to school facilities on a semi-permanent basis while school is in session. The SRO Program accomplishes this purpose by achieving the established goals and objectives. Goals and objectives are designed to develop and enhance rapport between youth, police officers and school administrators. Officers who are chosen for this program are responsible for establishing the communication links and creating a free flow of information between all parties involved.

WHEREAS, the goals of the SRO Program are as follows:

1. Reduction of criminal offenses committed by juveniles and young adults.

2. Establish rapport with the students.

3. Establish rapport with the parents, faculty, staff, administrators and other adults.

4. Create and expand programs with vision and creativity to increase student participation, which will benefit the students, the school district, the police department, and the community.

5. Present a positive role image for students and adults.

6. Provide safety for students, faculty, staff and all persons involved with the school district.

NOW, THEREFORE, the parties hereby do mutually agree as follows:

I.

Scope of Agreement; Duties and Responsibilities: CITY shall provide six (6) licensed police officers for the RISD School Resource Officer Program ("SRO") for the 2015-2016 school year. The effective date of this Agreement shall be the first day of instruction for the current school year, beginning with the first day of instruction for the 2015-2016 school year ("Effective Date"). The duties of the SROs and each party are described herein.

II.

Term of Agreement: The term of this Agreement shall be for a period beginning upon the Effective Date and ending on the last day of instruction for the current school year. This Agreement may be renewed for one (1) year periods beginning on the Effective Date, upon written consent of the parties, for five (5) years.

III.

Payment for Services: The RISD agrees to reimburse the CITY for certain costs associated with the City's placement of Police Officers on the School Grounds from the Effective Date of this Agreement. The parties have heretofore agreed that RISD shall remit payment to the CITY in the amount of Thirty Eight Thousand Five Hundred Seventy Three and 54/100s ($38,541.54) per month for the months of September 2015 through May 2016 ("Payment"). This amount reflects the SROs salary, benefits and any equipment or materials and supplies required by the SROs in the performance of their duties. These Payments shall satisfy the RISD's obligation for payment of SRO services for the entire school year to the CITY. The first monthly Payment shall be made by RISD to CITY on the15th day of the first month Payment is due.

RISD shall not be relieved of its obligation to pay the entire amount described in this Agreement in the event that CITY exercises its right to temporarily reassign the resource officer for a period not to exceed fifteen (15) business days when, in the sole judgment of CITY, their service is required in response to a CITY wide or major emergency, or in the event that the resource officer is absent due to sickness, injury,

training or court appearances. However, CITY is required to furnish replacement officers on days when regular SROs are absent for any period exceeding thirty (30) business days. Replacement Officers must meet the selection requirements of SRO Applicants as stated herein. RISD shall be relieved of its obligation to pay if an absence exceeds fifteen (15) business days.

From time to time the RISD has need of police officers to perform security services at extracurricular activities. It is understood and agreed that the District will engage Police Officers to perform such security services on a contract labor basis and this agreement does not address the District's arrangements for these independent security services in any manner whatsoever.

IV.

Organizational Structure:

1. Six (6) uniformed police officers designated as School Resource Officers will be assigned to RISD campuses, and will directly report to the Chief of Police, or his designee. All requests from RISD personnel regarding new SRO assignments or temporary reassignments with exception of requests pertaining to emergencies shall be made through the RISD Superintendent or his designee. The SROs shall have properly equipped police vehicles and other necessary equipment available for their use in performing their duties and responsibilities.
2. The SRO Program shall utilize the SRO Triad concept as set forth by NASRO (National Association of School Resource Officers). The SRO concept reflects the philosophy of the School Resource Officer Program and adheres to the roles of Law Enforcement Officer, Counselor, and Teacher. The SROs are first and foremost Law Enforcement Officers for the CITY Police Department and shall be responsible for carrying out all duties and responsibilities of a police officer and shall remain at all times under the control, through the chain of command, of the CITY Police Department. All acts of commission or omission shall conform to the guidelines of the CITY Police Department Policies and Procedures Manual
3. The SROs report directly to the Chief of Police, or his designee, regarding all matters pertinent to their position and function. The SROs are enforcement officers in regards to criminal matters only. Presence of an SRO is expected on his/her assigned campus on most school days before classes start in the morning, between most class changes, during most lunch periods, on most school days immediately after school and during most any other time during the school day when students assemble in large groups. The purpose of that presence is to deter criminal behavior and not perform school duty.
4. RISD campus principals shall have operational oversight to coordinate efforts for the needs of their respective campuses.
5. In the case of any unresolved conflict, the Chief of Police and the RISD Director of Safety and Security shall consult on the best course of action. The

Chief of Police shall have final authority and final responsibility for operational control of the SRO Program.

6. Local, State and Federal law will prevail over RISD policies and procedures.
7. Conflicts involving violence or other dangerous situations should be reported immediately to the Chief of Police and RISD Director of Safety and Security.

V.

Independent Contractor Relationship: CITY is and at all times shall be deemed to be an independent contractor and shall be wholly responsible for the manner in which the SROs are assigned to the SRO Program and the way CITY performs the services required by the terms of this Agreement. Nothing herein shall be construed as creating the relationship of employer and employee, or principal and agent, between RISD and CITY or any of CITY's agents or employees. CITY assumes responsibility for the acts of its employees as they relate to the services provided during the course and scope of their employment. CITY, its agents and employees, shall not be entitled to any rights or privileges of RISD employees and shall not be considered in any manner to be RISD employees. RISD may or may not desire to evaluate the services provided to RISD by the SRO Program. Any such evaluation should be presented to the CITY on a prescribed form.

VI.

Selection of SRO: CITY affirms that it has complied or will comply prior to the performance of any work for RISD, with the requirements regarding criminal background checks as provided under Texas Education Code, Chapter 22. This law requires the independent contractor to obtain all criminal history record information on all persons to whom the law applies through the Texas Department of Public Safety (DPS) clearinghouse. This process includes fingerprinting in order to submit the individuals to a national check. CITY must certify to RISD that the CITY has received all criminal history record information on all SROs, and that there were no positive hits. The cost of this requirement is to be paid by the CITY.

VII.

SRO Duties and Responsibilities: Basic responsibilities of the SROs will include but will not be limited to:

- General duties and responsibilities set forth by the Chief of Police through standard operating procedures ("S.O.P.").
- Planning and presentation of programs requested by the RISD or CITY Police personnel.

Any additional duties agreed upon the Chief of Police and the RISD Director of Safety and Security.

VIII.

Student Consultation:

The SROs are not formal counselors, and will not conduct or offer any formal or clinical psychological counseling, however they are to be used as a resource to assist students, faculty, staff and all persons involved with the RISD.

The SROs will advise students on responsibilities and procedures concerning criminal matters.

The SROs will give advice to help resolve issues between students that involve matters that may result in criminal violations, disturbances or disruptions.

Student confidentiality must be maintained in compliance with the Family Education Rights and Privacy Act ("FERPA").

IX.

Transporting Students:

The SROs shall not transport students in their vehicles except:

1. When the students are victims of a crime, under arrest, or some other emergency circumstance exists;
2. When the students are participants in a CITY Police Department program with parental consent;
3. When the students are suspended from school pursuant to school disciplinary action and the student's parents or guardian has refused or is unable to pick-up the student within a reasonable time period and the student is disruptive/disorderly and his/her continued presence on campus is a threat to the safety and welfare of other students and school personnel, as determined by the SRO or the SRO supervisor

   If the student to be transported off campus is not under arrest, a victim of a crime or violent/disruptive, the RISD shall provide transportation for the student and an SRO may accompany the school official in transporting the student.

   SROs shall not transport students, excluding students who are participants in a CITY Police Department program including but not limited to the Police Explorer Program and the Campus Crime Stoppers Program, to any location other than the CITY Police Building, County Juvenile Detention Center, and or hospital unless it is determined that the student's parent, guardian or other responsible adult is at the location to which the student is being transported.

SROs shall not transport students, excluding students who are participants in a CITY Police Department program including but not limited to the Police Explorer Program and the Campus Crime Stoppers Program, in their personal vehicles.

SROs shall notify the school principal before removing a student from campus.

X.

Enforcement:

Although the SROs have has been placed in a formal education environment, they are not relieved of their official duties as enforcement officers. Decisions to intervene normally will be made when it is necessary to prevent violence, a breach of the peace, personal injury or loss of property. Citations should be issued and arrests made when appropriate and in accordance with CITY Police Department policies and procedures. When immediate action is needed and an SRO is not available, another officer may be dispatched to the school.

The SROs, when on duty, should investigate and prepare reports on all criminal offenses committed at the schools. Other CITY Police Department personnel may be summoned by the SROs as they deem necessary and or by RISD during the SROs absence.

XI.

Scheduling:

Hours - The SROs will work a forty (40) hour work week, and will coordinate their hours with school hours Monday through Friday. However, there may be occasions when this schedule is altered because of court appearances, sickness, injury, training and special assignments. The SROs are still considered non-exempt employees under the Fair Labor Standards Act and are subject to its provisions as well as CITY Police Department and CITY policy relating to overtime. All overtime requests from the District will be reviewed and approved by the Chief of Police or his designee.

Holidays and vacation – The SROs will accrue holidays and vacation at the rate allowed by CITY policy. However, holidays and vacations may be scheduled to coincide with school holidays or when schools are closed. The SROs should accomplish as much of the required training as possible during these periods or during the summer when school is not in session, if reasonably practical. The Chief of Police in his sole discretion, shall have the power and authority to schedule all leave and training for the SROs as he deems necessary.

Substitution - Substitution for the SROs by other officers will only be considered through a request to the Chief of Police and only on the joint written approval of the Chief of Police and RISD. Typically, this will only be considered for an extended leave as discussed in Section III.

XII.

Availability of Funds: Each party shall make payments required hereunder from current revenues, as required by the Agreement.

XIII.

Insurance: CITY is insured, and upon request by RISD, shall provide RISD documentation of its coverage, said coverage to meet the reasonable approval of RISD. CITY shall also provide, during the term of this Agreement, worker's compensation insurance, including liability coverage, in the amounts required by Texas state law, for any employee engaged in work under this Agreement. As to all insurance provided by CITY, it shall provide RISD with documentation, upon request, indicating such coverage prior to the beginning of any activities under this Agreement.

XIV.

Termination: This Agreement may be terminated by either party at its sole option and without prejudice by giving thirty (30) days written notice of termination to the other party. Upon termination of this Agreement, the CITY will assume any and all fiscal responsibilities for the officer from and after the effective date of termination.

Replacement: RISD may, for cause, request a replacement of the SRO. Such a request shall be made through the CITY Chief of Police, shall be in writing and shall set forth the basis for the request. A replacement SRO shall be provided as soon as possible giving due consideration for the CITY's staffing level and time required to complete the outside hiring process as necessary.

XV.

Assignment of Agreement: Neither party shall assign, transfer, or sub-contract any of its rights, burdens, duties or obligations under this Agreement without the prior written permission of the other party to this Agreement.

XVI.

Waiver: No waiver of a breach or any provision of this Agreement by either party shall constitute a waiver of any subsequent breach of such provision. Failure of either

party to enforce at any time, or from time to time, any provisions of this Agreement shall not be construed as a waiver thereof.

XVII

Place of Performance; Venue: Venue shall be in Rockwall County, Texas. The laws of the State of Texas shall govern the interpretation, validity, performance, and enforcement of this Agreement and the exclusive venue for any legal proceedings involving this Agreement shall be Rockwall County, Texas.

XVIII.

Notices: Notices to RISD shall be deemed given when delivered in person to the Superintendent of Schools of RISD, or on the next business day after the mailing of said notice addressed to said RISD by United States mail certified or registered mail, return receipt requested, and postage paid at 1050 Williams Street, Rockwall, Texas 75087.

Notices to CITY shall be deemed given when delivered in person to the CITY Manager or on the next business day after the mailing of said notice addressed to said CITY by United States mail, certified or registered mail, return receipt requested, and postage paid a 385 South Goliad, Rockwall, Texas 75087.

XIX.

Severability Provisions: If any provisions of this Agreement are held to be illegal, invalid or unenforceable under present or future laws, (1) such provision shall be fully severable; (2) this Agreement shall be construed and enforced as if such illegal, invalid or unenforceable provisions had never been a part of this Agreement; and (3) the remaining provisions of this Agreement shall remain in full force and effect and shall not be affected by the illegal, invalid or unenforceable provision or by its severance from this Agreement.

XX.

Entire Agreement of Parties: This Agreement and all exhibits shall be binding upon the parties hereto, their successors and assigns, and constitutes the entire agreement between the parties. No other agreements, oral or written, pertaining to the performance of the Agreement exists between the parties. This Agreement can be modified only by an agreement in writing, signed by both parties.

XXI.

Immunity: CITY and RISD agree that neither party has waived its respective sovereign immunity by entering into and performing the obligations under this Agreement.

XXII.

Liability:

Any claims by third parties arising as a result of the enforcement of Local, State or Federal law, including employment claims, shall be handled by, and be the responsibility of, the CITY. Any claims by third parties arising as a result of the enforcement of RISD policy or procedure shall be handled by, and be the responsibility of RISD.

IN WITNESS WHEREOF, the parties have executed this Agreement in the year and day first above written.

Attest:

_____

Rockwall Independent School District

By:_____
Jeff Bailey, Superintendent
Rockwall Independent School District

Attest:

_____

City of Rockwall

By:_____
Rick Crowley, City Manager
City of Rockwall

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Brad Griggs, *Assistant City Manager*
Tim Tumulty, *Director of Public Works/City Engineer*

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: April 17, 2015

SUBJECT: City Pride Agreement with TxDOT

Earlier this year Rockwall County received permission to move two Historical Markers (*Marker #'s 6136 and 6147*) to the new County Courthouse. As a result, Michael Donegan with the Rockwall County Historical Foundation contacted city staff requesting that directional signs indicating the location of the markers be installed along SH-205 at the intersection of SH-205 and Yellow Jacket Lane. In order to install the requested signage the City will need to enter into an agreement with the Texas Department of Transportation (TxDOT) through the City Pride Program. As part of this agreement, it will be the responsibility of the City to provide and install the signage once the proposed locations have been approved. Attached to this memorandum is Mr. Donegan's email, a copy of the City Pride Program agreement, a map showing the proposed locations for the new signs, and TxDOT's standard signage plans.

The Engineering Department estimates the cost of fabricating and installing the signs at approximately $800.00 (~$400.00 per sign). Should the City Council consider authorizing the City Manager to enter into an agreement with TxDOT under the City Pride Program, staff will complete and submit the attached agreement to the state for consideration.

From: Mike Donegan
To: Gonzales, David; Miller, Ryan
Subject: Fwd: Historical Markers in Rockwall County
Date: Wednesday, August 05, 2015 12:56:06 PM

David/Ryan

Carolyn Francisco gave me your names to contact about getting Historical Marker Direction signs for the Historical Markers that were moved to the new County Courthouse. These markers were moved early this year.

We contacted the State and they told us that any Historical Markers or directional signs within city limits needed to be handled by the appropriate city.

Please advise me how to assist in having the signs installed to direct people to the Markers

Thanks

Mike Donegan
Rockwall County Historical Foundation
214-226-8944

---------- Forwarded message ----------
From: **Roxanne Cortez** [redacted]
Date: Mon, Jun 8, 2015 at 11:00 AM
Subject: RE: Historical Markers in Rockwall County
To: Mike Donegan [redacted]
Cc: Angela Green [redacted]

Mike,

I spoke with our Austin Division concerning this and what I had mentioned in our conversation was correct. TxDOT only installs Historical Markers for locations outside the city limits. The city can install these signs under the City Pride Program. There is an agreement that will need to be executed prior to the signs being installed. I've copied Angela Green on this email. She handles all of our agreements. Please have someone from the city contact her to begin the agreement process.

Thanks
Roxanne

From: Mike Donegan [redacted]
Sent: Saturday, May 30, 2015 1:24 PM
To: Roxanne Cortez
Subject: Historical Markers in Rockwall County

Roxanne:

Thanks for your help this morning in regards to the directional signs for Historical Markers.

Rockwall County received permission to move two Historical Markers(marker mnumber 6136 and 6147) to the new County Courthouse. We would like to request a directional sign for the markers to be installed. The new location for the markers is in the City Limits of Rockwall.

Please advise the proper procedure to request the directional sign.

Thanks

Michael Donegan

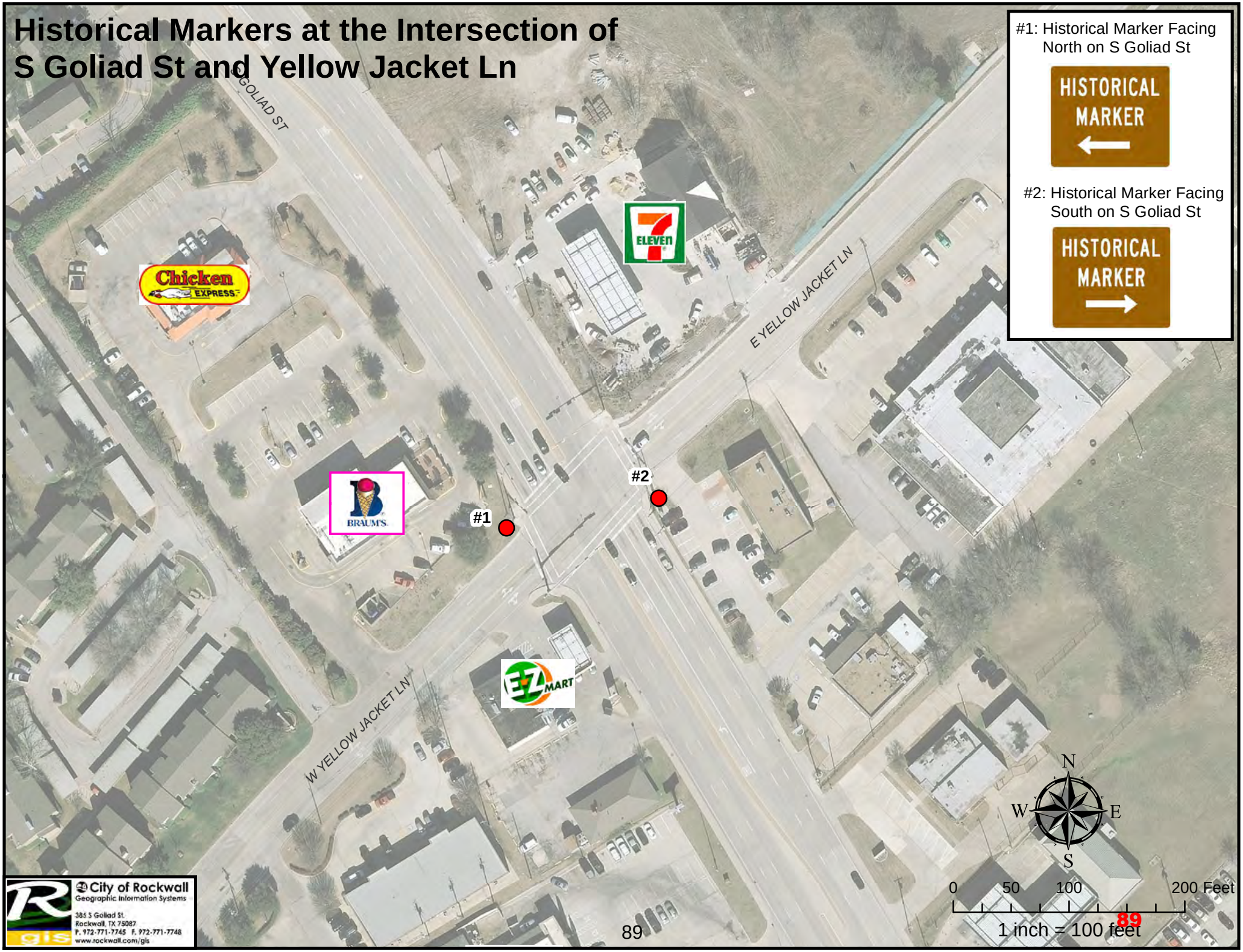
Commissioner, Texas Historical Commission

Rockwall, TX

214-226-8944



Historical Markers at the Intersection of S Goliad St and Yellow Jacket Ln



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Texas Department of Transportation

Form 2020
(4/2000)
(GSD-EPC Word 97)
Page 1 of 2

Application for Participation In the City Pride Sign Program

Date: _____

To the Texas Department of Transportation, c/o District Engineer, _____, Texas.

This form must be received at least 14 days prior to the requested date of placement.

Formal notice is hereby given that the city of _____ proposes to place a City Pride sign within the right of way of _____

_____

in _____ County, Texas.

☐ Check here for placement of multiple signs and submit the information requested on the Supplemental Sheet (Page 2).

The City Pride sign will be placed _____ feet from the edge of the roadway.

NOTE: All City Pride signs shall conform to TxDOT standards and specifications.

The City Pride sign will have the following characteristics:

Mounting Height: _____ Sign Height: _____ Sign Width: _____

Thickness: _____ Sign Material: _____

Dimensions of Sign Support: _____ Material of Sign Support: _____

Proposed Text: _____

_____

Background Color: _____ Legend Color: _____

Provide sketch here or on an attached sheet:

By (print): _____

Signature: _____

Address: _____

_____

Phone: ( ) -

Supplemental Sheet

Application for Participation in the City Pride Sign Program

The sign will be placed _____ feet from the edge of the roadway and have the following characteristics:

Mounting Height: _____ Sign Height: _____ Sign Width: _____

Thickness: _____ Sign Material: _____

Dimensions of Sign Support: _____ Material of Sign Support: _____

Proposed Text: _____

_____

Background Color: _____ Legend Color: _____

The sign will be placed _____ feet from the edge of the roadway and have the following characteristics:

Mounting Height: _____ Sign Height: _____ Sign Width: _____

Thickness: _____ Sign Material: _____

Dimensions of Sign Support: _____ Material of Sign Support: _____

Proposed Text: _____

_____

Background Color: _____ Legend Color: _____

The sign will be placed _____ feet from the edge of the roadway and have the following characteristics:

Mounting Height: _____ Sign Height: _____ Sign Width: _____

Thickness: _____ Sign Material: _____

Dimensions of Sign Support: _____ Material of Sign Support: _____

Proposed Text: _____

_____

Background Color: _____ Legend Color: _____

The sign will be placed _____ feet from the edge of the roadway and have the following characteristics:

Mounting Height: _____ Sign Height: _____ Sign Width: _____

Thickness: _____ Sign Material: _____

Dimensions of Sign Support: _____ Material of Sign Support: _____

Proposed Text: _____

_____

Background Color: _____ Legend Color: _____

The sign will be placed _____ feet from the edge of the roadway and have the following characteristics:

Mounting Height: _____ Sign Height: _____ Sign Width: _____

Thickness: _____ Sign Material: _____

Dimensions of Sign Support: _____ Material of Sign Support: _____

Proposed Text: _____

_____

Background Color: _____ Legend Color: _____

Agreement No._____

STATE OF TEXAS §

COUNTY OF TRAVIS §

CITY PRIDE SIGN AGREEMENT

THIS AGREEMENT, made on the dates hereinafter shown, by and between the State of Texas, hereinafter called the "State," represented by the Executive Director of the Texas Department of Transportation, acting for and in behalf of the Texas Transportation Commission, and the City of _____, hereinafter called the "City."

W I T N E S S E T H

WHEREAS, the State owns, operates, and maintains a system of highways for public use and benefit, in the City of _____; and

WHEREAS, the City desires and has requested authority to construct or have reconstructed the City Pride Sign along the roadway(s) of:

_____,
_____,
_____,
_____,
_____, and
_____

at the location(s) shown on construction plans, attached hereto and made part of this Agreement.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, to be by them respectively kept and performed as hereinafter set forth, and in accordance with Title 43, Texas Administrative Code, Chapter 25, Subchapter H, it is agreed as follows:

A G R E E M E N T

Article 1. General

The State grants to the City permission to construct or to have reconstructed, the City Pride Sign(s) within the right-of-way as shown on construction plans and to be maintained by the City as stipulated in the Municipal Maintenance Agreement with the City of _____, dated _____, 20____.

Article 2. Plans, Specifications and Construction Procedures

A. The City, at no cost to the State, shall prepare or have prepared, complete construction drawings, plans and specifications for the proposed City Pride Sign(s), State approved breakaway sign supports, foundations, appurtenances, and incidental items. No construction work shall be performed on highway right-of-way until these plans and specifications have been approved in writing by the State. After such approval has been given, no changes or alterations shall be made without the written approval of the State.

B. The plans and specifications shall be submitted to the District Engineer, Texas Department of Transportation, (TxDOT District), Texas for approval. Any changes or alterations which become necessary during the course of the work shall also be submitted to the District Engineer for approval.

C. The City, its contractor(s), or agents shall submit a traffic control plan as required and in accordance with the Texas Manual on Uniform Traffic Control Devices to direct and

protect vehicular and pedestrian traffic while construction work, including related activities, is in progress. Details and descriptions of these traffic handling measures shall be included in the plans and specifications when submitted for approval. If, during construction, it becomes necessary or desirable to modify the traffic control measures as specified, prior approval must be obtained from the State's District Engineer in (TxDOT District).

D. The City shall construct, or have constructed, at its entire cost and expense, the proposed City Pride Sign(s) and incidental items referred to in paragraph 1 and 2 above. The State shall have the right to inspect the work on highway right-of-way at any time during the progress of the work, and to make final inspection upon completion. Construction operations will be conducted in a manner acceptable to the District Engineer or their authorized representative. The City, its contractor(s) or agents shall correct any deficiencies revealed by the State's inspection of the work or of the traffic control and protection measures, where such deficiencies could have an adverse affect on public use of the highway or the safety and convenience of the traveling public.

E. Upon completion of the work authorized herein, the City shall submit copies of the as-built plans and specifications, including any changes or alterations, showing the City Pride Sign(s) in their completed state within 45 days to the State's District Engineer in (TxDOT District) for permanent records of the State.

F. The City agrees to pay all damages accruing to the State, by reason of injuries to the right-of-way, roadbed, pavement, and/or bridge owned by the State, when such damages are caused by the city's construction, operations, maintenance or rehabilitation on said roadway. Whenever funds are paid by the City to the State under this Agreement, the City shall remit a check or warrant made payable to the "Texas Department of Transportation Trust Fund." To the extent allowed by law, the City also agrees to indemnify and save harmless the State from any and all claims, demands, actions or causes of action, due to damage to property or injury to or death of persons arising from or growing out of or in any manner connected with work on said roadway project including, but not limited to, all court costs, attorney fees and other expenses incurred in connection with suits for such damage and shall, if so requested in writing, assist or relieve the State from defending any such suits brought against it. In addition, the City shall require its contractor(s) and subcontractor(s) to secure a policy of insurance in the maximum statutory limits for tort liability, naming the State as an additional insured under its terms, and maintain the required insurance coverages in full force and effect during any period that work is performed on the State right-of-way. Adequate insurance, as a minimum, shall mean the City contractor(s) shall furnish the State with the Texas Department of Transportation's Certificate of Insurance covering the below listed insurance coverages.

1) Worker's Compensation Insurance Amount – Statutory
2) Comprehensive General Liability Insurance

Amounts	Bodily Injury Property Damage	$600,000 combined single limit each occurrence and in the aggregate

OR

Commercial General Liability Insurance

Amounts	Bodily Injury	$250,000 each person
	Property Damage	$100,000 each occurrence

3) Texas Business Automobile Policy

Amounts	Bodily Injury	$250,000 each person
	Property Damage	$100,000 each occurrence

The State shall be included as an "Additional Insured" by Endorsement to policies issued for coverages listed in B and C above. A "Waiver of Subrogation Endorsement" in favor of the State shall be a part of each policy for coverages listed in A, B, and C above. A certified copy of these endorsements shall be submitted to the State with the evidence of coverage. The City and/or its contractor(s) shall be responsible for any deductions stated in the policy.

Article 3. Location

A. One City Pride and/or a Texas Commission on Environmental Quality (TCEQ), Texas Historical Commission (THC), Keep Texas Beautiful (KTB) Sign shall be allowed per eligible highway entrance to the City. A City Pride Sign shall be located on the right-hand side of the roadway unless otherwise approved in writing by the State. A City Pride Sign shall be located between 300 and 800 feet of the city limits at a location approved by the State. A City Pride Sign shall take advantage of the natural terrain, have the least impact on the scenic environment, avoid visual conflict within the State highway right-of-way, have a lateral offset greater than existing guide signs, not block the motorist's view of existing traffic control signs, and be placed in locations other than hanging above the highway.

B. A City Pride Sign shall not be located adjacent to the main lanes of full controlled access highway; however, a City Pride Sign may be located on the right-hand side of the access road.

C. The city may landscape the area adjacent to the City Pride Sign(s) upon written approval of the plans by the State's District Engineer in the (TxDOT District) District. Only small plants, flowers, and shrubbery will be allowed. Permanent structures or items such as large stones, masonry, berms, landscape timbers, etc. shall not be allowed. The State assumes no responsibility for watering, maintenance or damage due to State maintenance and construction activities, fire, theft or vandalism.

Article 4. City Pride Sign

A. The sign face of a City Pride Sign or the combined total area of the attachment signs displayed shall not exceed 80 square feet total. A City Pride Sign shall not contain words, symbols, or messages that:

1) May be construed as advertising, including, but not limited to, the offering of products and services.
2) Contain notification of municipal ordinances or regulations, or
3) Resemble official traffic control devices.

B. Banners, flags, streamers, flashing lights, or other appurtenances shall not be attached to a City Pride Sign or sign supports. Sign supports shall be galvanized metal or painted solid white.

C. A City Pride Sign shall not be illuminated internally or externally.

D. A City pride Sign may contain the name of the city, message, or slogan no greater than eight inches in height. The City may include a seal or symbol that is commonly used to represent the City.

E. If a City Pride Sign requires background material, it shall be painted brown (Sherwin Williams #2315 or equivalent) or have brown reflective material affixed to the sign face meeting State specifications. Lettering upon the brown background shall be white and may be any script or font. A white 2 inch border is optional. Lettering and border shall be

painted white (Sherwin Williams #2130 or equivalent) or have white reflective material affixed to the sign face meeting State specifications.

Article 5. Attachment Signs

A. Attachment signs or civic information signs are provided by a non-profit civic organization or governmental entity that display points of interest or geographical, recreational, cultural, or civic information. A civic organization must be located within or have a member who resides in the City, and complies with all applicable law concerning the provisions of public accommodation without regard to race, religion, color, sex, or national origin.

B. Attachment signs may be any color or combination of colors and may be in any design or shape. Attachment signs shall not be greater than 48 inches in width and 36 inches in height, and shall not consist of text, symbols, trademarks or a legend message identifying the name or abbreviation of a commercial establishment, service or product, or contain supplemental address or directional information such as meeting dates or locations.

C. A civic organization shall apply to the City for permission to display an attachment sign upon the City Pride Sign. The City shall notify/contact the civic organization in writing if the civic organization does not meet the requirements of eligibility as stated herein. The civic organization shall have 30 calendar days after written notification to meet the requirements herein.

D. The City shall approve all attachment signs and determine the order, arrangement, and duration of display. Attachment signs shall be placed upon a City Pride Sign and shall not overlap.

E. A civic organization shall have only one attachment sign per City Pride Sign unless the City and civic organization agree to said organization's multiple attachment signs upon a City Pride Sign.

F. The City shall remove an attachment sign of a participating civic organization if the civic organization ceases to exist, does not meet the requirements stated herein, or has not provided a replacement sign after 60 days of the City or State's written notification that the attachment sign is damaged, broken, faded, or has become a hazard due to failure to build to specifications, inclement weather, inadequate maintenance, accidental damage, or other cause.

Article 6. Miscellaneous

A. Signs from the TCEQ, THC, or KTB, Proud Community Program signs, shall be erected and maintained to State specifications at the sole expense of the City. Signs shall not be allowed as attachments to State signs or sign supports.

B. Attachment signs not relocated to a City Pride Sign, TCEQ, THC, or KTB signs or other approved locations will be removed by the State at the expense of the City.

C. The State shall not require fees from the City for participating in the City Pride Sign Program. The city shall not require fees from the civic organizations or governmental entities for display upon a City Pride Sign.

D. While installing or maintaining a City Pride Sign, the City shall cooperate with any State contractor working on the State highway system at that location.

E. In the event that the State determines that it is necessary to repair, construct, reconstruct and/or make any changes in the highway facility for reasons other than those specified herein, the City shall be responsible for all costs necessary for removal and relocation of the City Pride Sign.

F. The City shall remove a City Pride Sign if it has not provided a replacement sign within 60 calendar days of written notification from the State that the sign is damaged, broken, faded or has become a hazard due to failure to build to specifications, inclement weather, inadequate maintenance, accidental or other cause. After 60 days, the City Pride Sign not removed or replaced will be removed by the State at the expense of the city. The State may terminate this agreement upon default of the city.

G. This Agreement shall bind, and shall be for the sole and exclusive benefit of the respective parties and their legal successors.

IN TESTIMONY WHEREOF, the parties hereto have affixed their signatures, the City of _____ on the ____ day of _____, 20____, and the State on the ____ day of _____, 20____.

THE CITY OF _____
Executed on behalf of the City by:

By_____ Date_____

Typed or Printed Name and Title _____

_____

ATTEST:

By_____ Date_____

Typed or Printed Name and Title _____

_____

THE STATE OF TEXAS
Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By_____ Date_____
_____ District Engineer

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LEVELS DISPLAYED

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32
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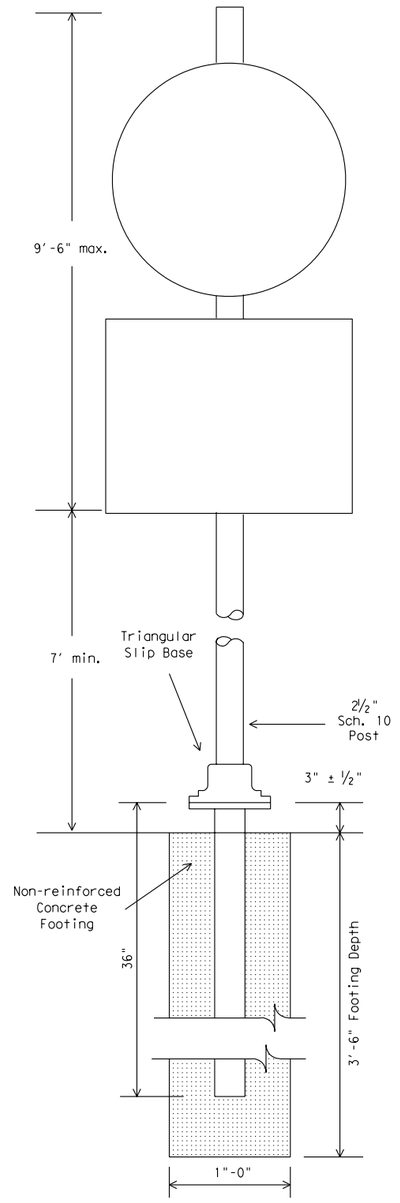
49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	

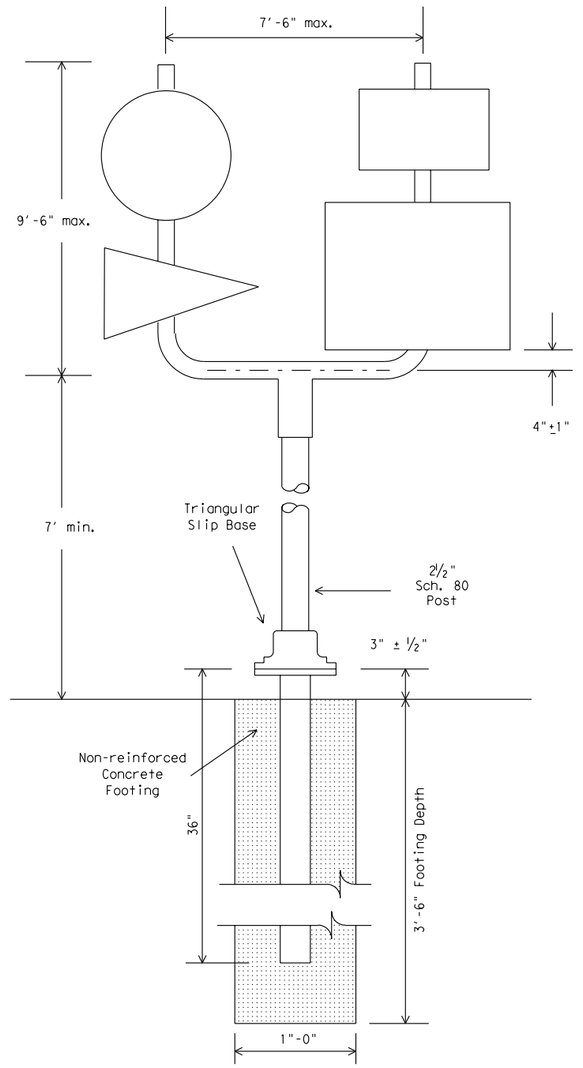
ACC:

Option A
Single Post
Max. 16 sq.ft. of sign(s)



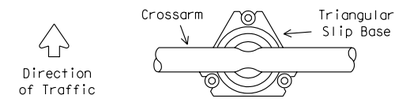
Triangular Slip Base
or other approved fittings

Option B
Single Post with Horn
Max. 32 sq.ft. of sign(s)

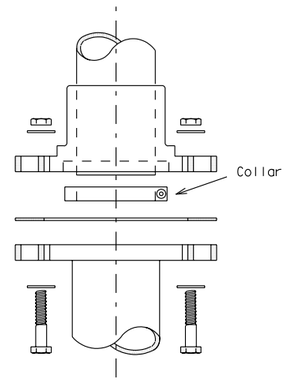


Triangular Slip Base

Texas Universal
Triangular Slip Base



The crossarm should be parallel to one side of the triangular slip base.



For additional information refer to SMD(1-3)

GENERAL NOTES

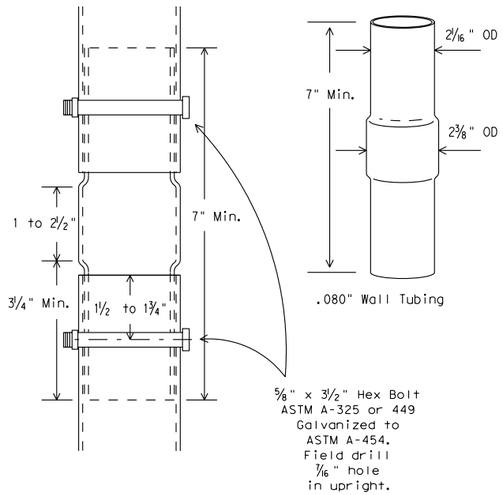
OPTIONS A and B

1. A City Pride Sign shall not contain words, symbols, or messages that may be construed as advertising, including, but not limited to, the offering of products and services, notification of municipal ordinances or regulations, or resemble official traffic control devices.
2. Banners, flags, streamers, flashing lights, or other appurtenances shall not be attached to a City Pride Sign or sign supports.
3. City name, symbol, slogan or combination thereof may be an attachment sign.
4. Attachment signs may be any color or combination of colors and may be of any design or shape. Attachment signs shall not be greater than 48 inches in width and 36 inches in height, and shall not consist of text, symbols, trademarks or a legend message identifying the name or abbreviation of a commercial establishment, service or product, or contain supplemental address or directional information such as meeting dates or locations.
5. A City Pride Sign shall not be illuminated internally or externally.
6. Support and design shall conform with AASHTO Standard Specifications for structural supports of Highway signs, luminaires and traffic signals with a design wind speed of 60 mph.
7. Steel pipe sign supports shall be galvanized in accordance to ASTM Designation A123.
8. The minimum sign height from the ground shall be 7 feet.
9. Where solid rock is encountered at ground level the foundation shall be a minimum depth of 18 inches. When solid rock is encountered below ground level the foundation shall extend into the solid rock a minimum depth of 18 inches or provide a minimum foundation depth of 30 inches. Only concrete foundations shall be used in rock.

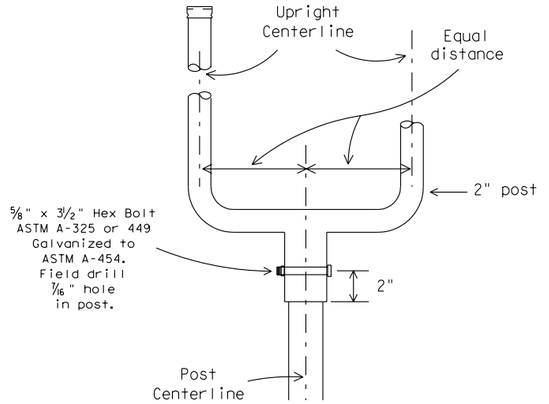
OPTION C

Refer to SMD(CPS-2)

SPLICE



SIGN SUPPORTS WILL ONLY BE SPLICED BEHIND THE SIGN SUBSTRATE



STANDARD PLANS
TEXAS DEPARTMENT OF TRANSPORTATION
Traffic Operations Division

CITY PRIDE SIGN

SHEET 1 OF 3 **SMD(CPS-1)-98**

©TxDOT January 1997	DN: GRB	CK: JDM	DW: FDN	CK: DTN
REVISIONS 12-98	STATE DISTRICT	FEDERAL REGION	FEDERAL AID PROJECT	SHEET
		6		
COUNTY		CONTROL	SECTION	JOB / HIGHWAY
			97	

28A

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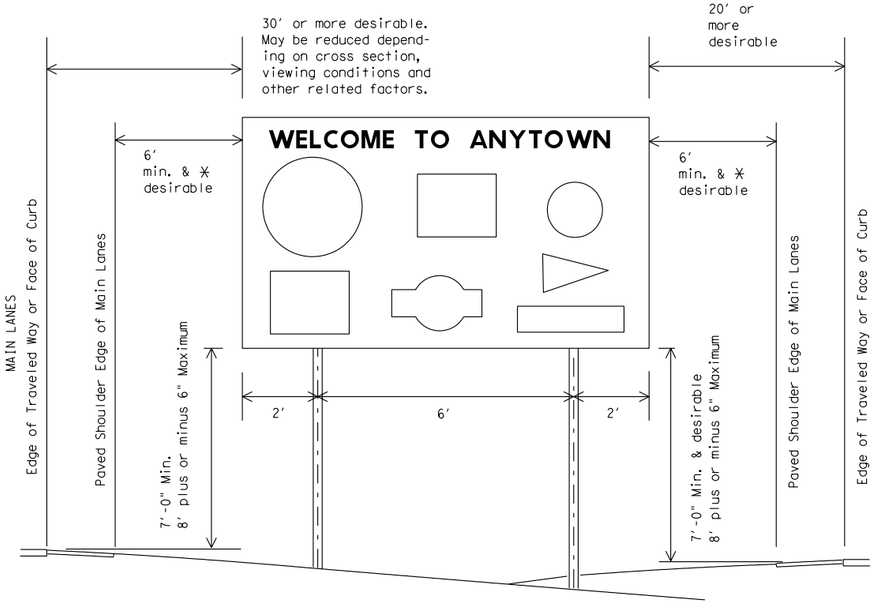
49	50	51	52	53	54	55	56	57	58	59	60	61	62	63		

ACC:

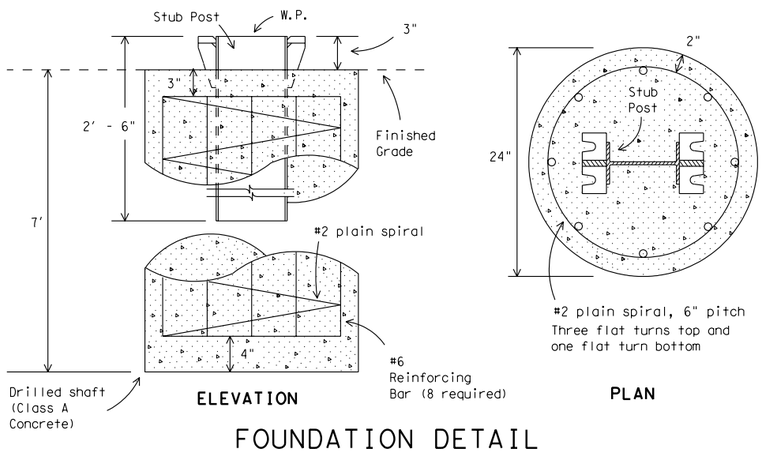
Option C
Two Post/Solid Background
Max. 80 sq. ft.



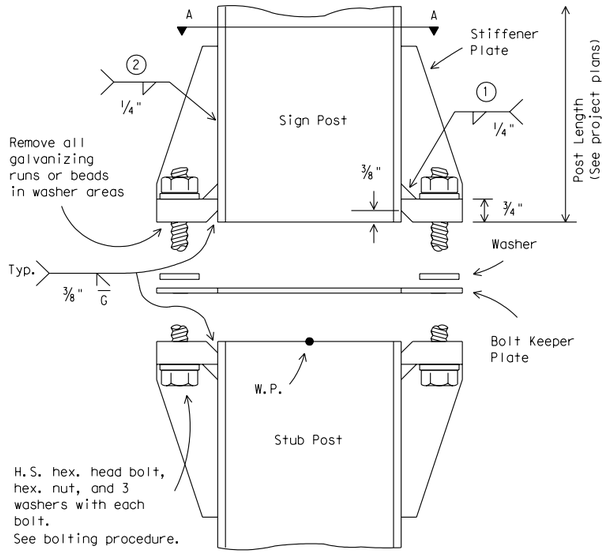
TYPICAL SIGN INSTALLATION AND LOCATION

OPTION C (Two Post)

10. Lateral clearances of signs mounted on median side of main lanes are the same as shown above where space will permit.
11. Where a sign is to be located behind guardrail, an allowable minimum clearance of two feet may be used, measured from the face of the guardrail to the near edge of sign.
12. 6 foot minimum and desirable may be used only in areas of limited lateral clearance and when approved by the Engineer.
13. Post spacing on a two post sign may vary a maximum of plus or minus 10% of total sign width to fit field conditions.
14. Typical maximum dimensions are 10 foot width by 8 foot height, however, TxDOT will consider other shapes and designs upon request. Maximum size of sign face shall not exceed 80 square feet.
15. Background shall be brown in color. If painted it shall match Sherwin Williams #2315 (or equivalent). If reflective sheeting is used it shall meet TxDOT Material Specification D-9-8300.
16. Optional City name, symbols, slogan or combination thereof may be an attachment sign or lettering on the sign face. Lettering may be any style or font, but shall not be greater than 8 inches in height. Lettering and or optional 2 inch border shall be white in color. Paint shall match Sherwin Williams #2130 (or equivalent), if sheeting is used it shall meet TxDOT Material Specification D-9-8300.



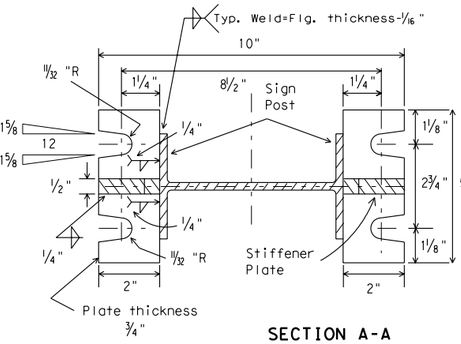
FOUNDATION DETAIL



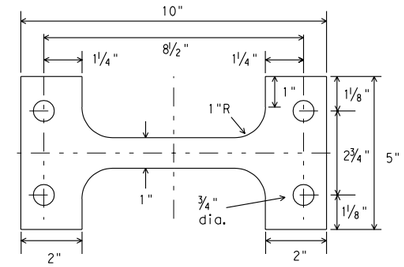
(1) Back up weld to be made before installing stiffener plate

(2) Weld W may be continued across clips to seal joint

W6x15 SIGN POST AND STUB POST



SECTION A-A

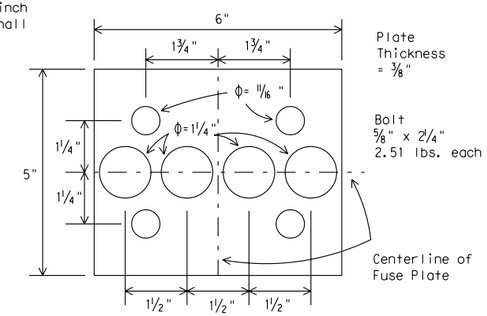


BOLT KEEPER PLATE

30 Ga galv. sheet steel

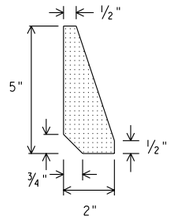
BOLTING PROCEDURE FOR ASSEMBLY OF BASE CONNECTION:

1. Assemble sign post, BOLT KEEPER PLATE and stub post with bolts and three flat washers per bolt as shown.
2. Shim as required to plumb post.
3. Tighten all bolts the maximum possible with a 12 to 15 inch wrench to blean bolt threads and to bed washers and shims.
4. Loosen each bolt in sequence and retighten bolts in a systematic order to the prescribed torque. Do not overtighten.
5. To prevent nut loosening, burr threads of bolt at junction with nut using a center punch.



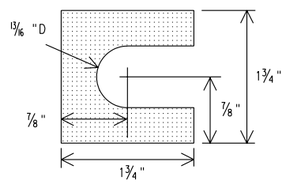
PERFORATED FUSE PLATE DETAIL

Use H.S. hex head bolts, hex head nut and bevel or flat washer (where req'd) under nut. All holes shall be drilled. All plate cuts shall preferably be saw cuts. However; flame cutting will be permitted provided all edges are ground. Metal projecting beyond the plane of the plate face will not be permitted. Steel fuse plates shall conform to the requirements of ASTM A36. ASTM A572 Grade 50 or ASTM A588 may be substituted for A36 at the option of the fabricator. Mill test reports shall be submitted for Fuse Plates. Steel used shall have an ultimate tensile strength not to exceed 80 KSI.



STIFFENER PLATE DETAIL

Steel Plate (thickness = 1/2")



SHIM DETAIL

Furnish two .012"+ thick and two .032"+ thick shims per post. Shims shall be fabricated from brass shim stock or strip conforming to ASTM B36.

SIGN SUPPORTS WILL ONLY BE SPLICED BEHIND THE SIGN SUBSTRATE

STANDARD PLANS
TEXAS DEPARTMENT OF TRANSPORTATION
Traffic Operations Division

CITY PRIDE SIGN

SHEET 2 OF 3 **SMD(CPS-2)-98**

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		6		
	COUNTY	CONTROL	SECTION	JOB / HIGHWAY
			98	

28B

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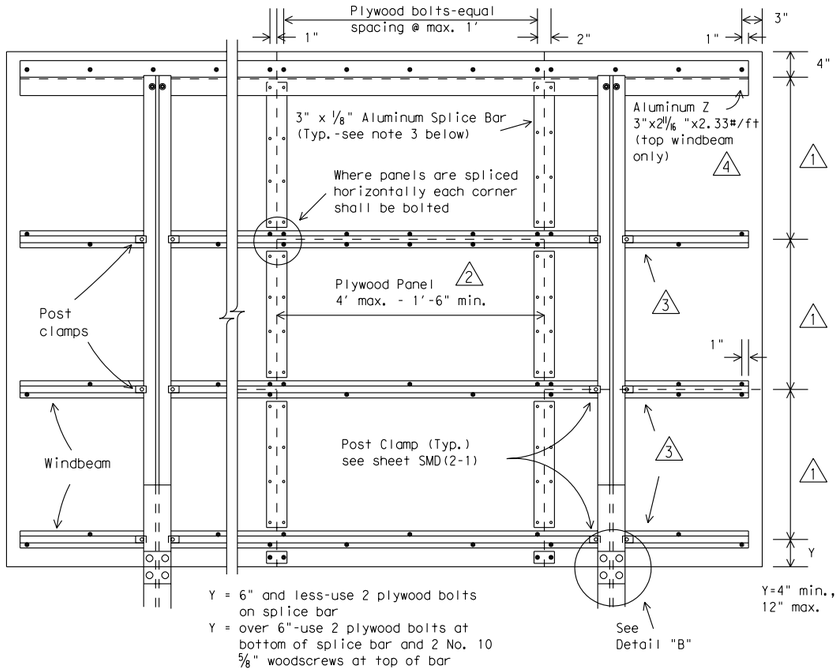
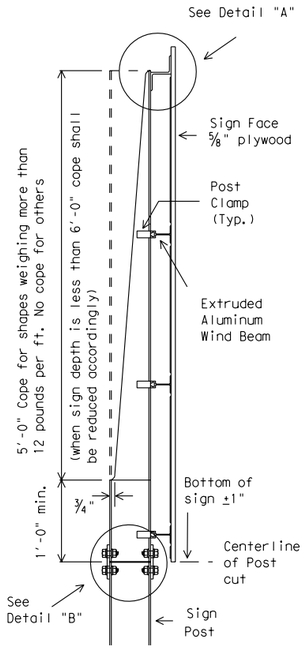
DISCLAIMER

TYPICAL PLYWOOD SIGN ASSEMBLY DETAILS



REAR VIEW

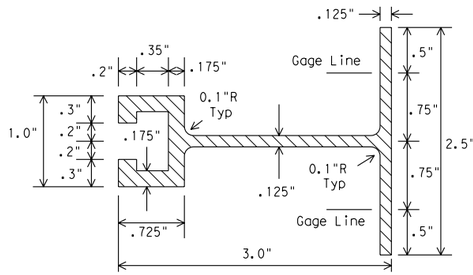


SIDE VIEW

NOTES:

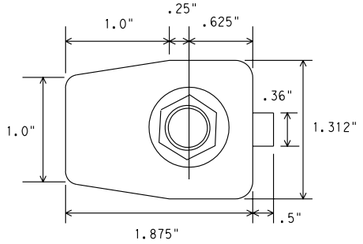
1. A tolerance of plus or minus 1/4 inch will be permitted in the plan dimensions for fabrication of each single increment sign panel when necessary for squaring. A tolerance of plus or minus 1/4 inch will be permitted for each increment of a multi-increment sign panel where necessary to secure square, tight-fitting joints.
2. Plywood bolts shall be 5/16" x 1 1/2" elevator type steel with flat or slightly hemispherical head and 3/4" minimum thread length. The head shall have a minimum diameter of 11/16" and a minimum of two fins on the underside. Each bolt shall be provided with one 5/16" steel hex nut, one 5/16" steel flat washer, and one 5/16" steel lock washer. Bolts, nuts and washers shall be galvanized in accordance with ASTM Designation: B695, Class 50, or A153 Class C or D.
3. Splice bars shall be secured with 5/8" long x #10 round head, stainless steel wood screws spaced at 6" maximum along double row spacing with the exception at extreme ends of splice bars, along outside edge of sign, where plywood bolts shall be used as shown. A maximum of one horizontal joint per vertical section will be permitted using a 1/8" gap between panels.
4. Splices shall be kept to a minimum. Panels 4'x8' or larger shall be used to the maximum extent possible in the fabrication of any sign. Signs or sign sections which cannot be fabricated from at least a 4'x8' panel shall be of one piece construction.

1. Approximately equal spacing, fabricator may vary spacing for least interference with message and to utilize wind beam for horizontal splice. Wind beam spacing will not exceed the maximum shown in table on sheet SMD(2-1). Staggered arrangement of horizontal splices as shown is preferred. However, a single horizontal joint across the sign face is permissible.
2. For signs 4'-0" or less in height the plywood panel may exceed 4'-0" in width.
3. Extruded aluminum wind beams shall be continuous with no splices. (see sheet SMD(2-1).
4. Aluminum Z will be provided unless stated otherwise in the plans. If noted elsewhere in the plans, 1.175 lb/ft extruded aluminum windbeam may be used.



Windbeam to be extruded aluminum (1.175 lbs/ft)

WINDBEAM CROSS SECTION



PLAN

ELEVATION

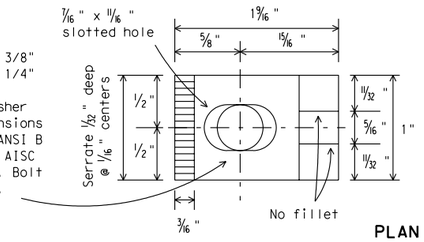
ALTERNATE POST CLAMP DETAIL

SPECIFICATION REFERENCE TABLE MATERIALS AND TESTS DIVISION SPECIFICATIONS SIGN HARDWARE	D-9-7120

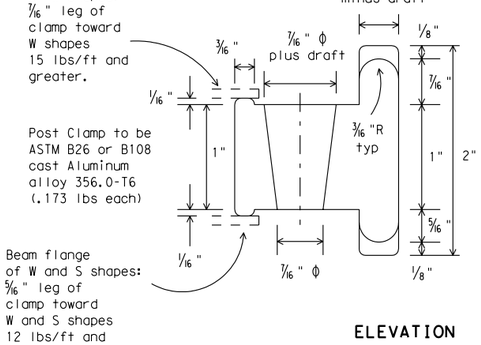
GENERAL NOTES:

1. Design conforms with AASHTO Specifications for the design and construction of structural supports for highway signs.
2. Materials and fabrication shall conform to the requirements of the Department material specifications.
3. Structural steel shall be high strength steel (HS) in accordance with the Item 442, "Metal For Structures."
4. Parts shall be saw cut either before galvanizing and the galvanized cut cleaned of zinc build-up, or saw cut after galvanizing and the cut surface treated with zinc-based solder or zinc-rich paint in accordance with ASTM A780. (Cut surface will not be treated until plate is installed and all bolts fully tightened.)

NOTE: centerline of hole for 3/8" diameter squarehead bolt x 2 1/4" long with a flat washer and self-locking nut, or lock washer and hex. nut. Bolt head dimensions shall be in accordance with ANSI B 18.2.1 as referred to in the AISC Manual of steel construction. Bolt assembly shall be galvanized.

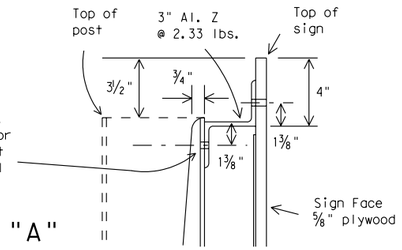


PLAN

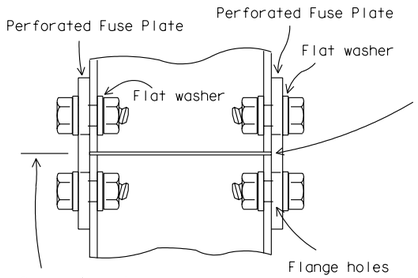


ELEVATION

POST CLAMP DETAIL



DETAIL "A"



See SMD(CPS-2) for Fuse Plate Detail

DETAIL "B"

Parts shall be saw cut either before galvanizing and the galvanized cut cleaned of zinc build-up, or saw cut after galvanizing and the cut surface treated with zinc-based solder or zinc-rich paint in accordance with ASTM A780. (Cut surface will not be treated until plate is installed and all bolts fully tightened.)

POST CLAMP BOLT DETAIL

SIGN SUPPORTS WILL ONLY BE SPLICED BEHIND THE SIGN SUBSTRATE

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ACC:

STANDARD PLANS
TEXAS DEPARTMENT OF TRANSPORTATION
Traffic Operations Division

CITY PRIDE SIGN

SHEET 3 OF 3 **SMD(CPS-3)-98**

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	COUNTY	CONTROL	SECTION	JOB / HIGHWAY
			99	

28C

Estimate

08/13/2015

Centerline Supply, LTD

Centerline Supply, Ltd.
530 JESSE STREET
GRAND PRAIRIE, TX 75051-1141
Phone: (972) 647-8300
Fax: (972) 641-1221
Email: sales@centerlinesupply.com

122674

Bill To:

ROCKWALL, CITY OF
385 SOUTH GOLIAD
ROCKWALL, TX 75087

Ship To:

ROCKWALL, CITY OF
1600 AIRPORT RD
ATTN LISA 972-772-6338
ROCKWALL, TX 75087

Contact: ROCKWALL, CITY OF

Customer: ROCKWALL, CITY OF

Seller	Payment Terms	FOB Point	Carrier	Ship Service	Requested Ship Date
cmurchison	Net 30	Origin	BEST WAY		08/13/2015

Item #	Type	Number / Description	Unit Price	Qty Ordered	Total Price
1	Sale	90900-QUOTE - 90A QUOTE 48X48 HISTORIC MARKER A3 HIP SHEETING (ARROW RIGHT-ARROW LEFT)	$ 152.00	2 ea	$ 304.00
2	Kit	30980-TA10K - 30U TY A SIGN SUPPORT 10' POST (SCH 10) SDHPT	$ 185.90	2 ea	$ 371.80
3	Sale	30981-210 - 35U [P] SIGN POST GALVANIZED 2 7/8" X 10' (SCH 10)	$ 0.00	2 ea	$ 0.00
4	Sale	30981-701 - 35U [P] FRICTION CAPS 2 1/2" FOR 2 7/8" POST	$ 0.00	2 ea	$ 0.00
5	Sale	30981-520 - 35U [P] GROUND STUB-TRIANGULAR	$ 0.00	2 ea	$ 0.00
6	Sale	30981-530 - 35U [P] COLLAR ASSEMBLY-ROUND POST (SET SCREWS)	$ 0.00	2 ea	$ 0.00
7	Sale	30981-600 - 35U [P] T-SIGN SUPPORT	$ 49.95	2 ea	$ 99.90
8	Sale	30602-000 - 30L [P] SIGN CLAMP-2 3/8" U-BOLT SET (PR)	$ 6.50	2 ea	$ 13.00
9	Sale	30606-000 - 30L [P] SIGN CLAMP-2 7/8" U-BOLT SET (PR)	$ 6.50	1 ea	$ 6.50
10	Sale	30981-721 - 35U [P] BOLT SET-BRACKET 1/2"X4" GALVANIZED	$ 3.00	2 ea	$ 6.00
11	Shipping	90900-FRT - 90A Shipping and Handling	$ 0.00	1 ea	$ 0.00

Estimate

08/13/2015

Centerline Supply, LTD

Centerline Supply, Ltd.
530 JESSE STREET
GRAND PRAIRIE, TX 75051-1141
Phone: (972) 647-8300
Fax: (972) 641-1221
Email: sales@centerlinesupply.com

122674



Subtotal:	$ 801.20
Sales Tax:	$ 0.00
Total:	$ 801.20

Signature:_____ Date:_____

Print Name:_____

Claims against this invoice for price or quantity must be filed in writing within 30 days of invoice date.
1-1/2% interest charged per month on past due balance. Collection charges apply

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **August 13, 2015**

SUBJECT: **Banking Authorizations**

The City Council is asked to consider adoption of the attached resolution to document changes in the City's banking authorizations with the City's depository, American National Bank. The bank's signatures cards will need to be updated to reflect personnel changes due to Chief Moeller's retirement. Your name will remain as the primary signature but we will substitute Joey Boyd's name for Chief Moeller. Brad Griggs will remain the primary backup in your absence.

Procedures remain in place which dictate when Brad or Joey would be called upon to sign checks and preclude them from signing checks for their own departmental expenses. We use a facsimile signature on all checks under $5,000 but ANB requires a manual signature for checks over $5,000. This results in the need for a manual signature on an average of 5 accounts payable checks per week.

Brad and Joey would not have the ability to authorize electronic transactions or transfer funds between city accounts.

With Council's approval of the attached resolution we can execute bank signature cards to document this change.

CITY OF ROCKWALL

RESOLUTION NO. 15-23

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AUTHORIZING EXECUTION OF DOCUMENTS WITH AMERICAN NATIONAL BANK FOR CHECK WRITING, ACH TRANSACTIONS, CASH MANAGEMENT SERVICES, WIRE TRANSFER SERVICES AND ONLINE BANKING BILL PAYMENT; PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the City Council hereby authorizes the following city employees to execute signature cards on behalf of the City with American National Bank for check writing purposes to include Richard Crowley, Bradley Griggs and Joey Boyd.

Section 2. That the City Council hereby authorizes the following city employees to execute ACH transaction, cash management services, wire transfer services and online banking bill payment documents and establish authorization levels to include Richard Crowley and Mary Smith.

Section 2. That this Resolution shall become effective immediately upon approval and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 17th day of August, 2015.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **August 12, 2015**

SUBJECT: **Interlocal Purchasing Agreement with City of Allen**

The Police Department would like to utilize the City of Allen's bid/pricing for purchase of public safety vehicle equipment and installation of. Allen's contract with Pursuit Safety provides a cost savings of 20% and is one of the most inclusive public safety equipment contracts available through a cooperative. A Resolution and Agreement for participation in Allen's purchasing cooperative are attached for City Council consideration.

This Interlocal agreement provides for local cooperative purchasing endeavors between Rockwall and Allen. Should this cooperative agreement be approved, any City of Allen contract that was bid and includes the cooperative clause may be used by Rockwall and vice versa. The cooperative agreement shall remain in effect until terminated by either City.

STATE OF TEXAS §
§
COUNTY OF COLLIN §

INTERLOCAL COOPERATION AGREEMENT

This Interlocal Cooperation Agreement ("Agreement") is by and between the City of Allen, Texas ("Allen"), and the City of Rockwall, Texas, acting by and through their authorized officers.

RECITALS:

WHEREAS, this Agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code; and

WHEREAS, Section 271.102 of the TEX. LOC. GOV'T CODE authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization; and

WHEREAS, a local government that purchases goods and services pursuant to a Cooperative Purchasing Program with another local government satisfies the requirement of the local government to seek competitive bids for the purchase of the goods and materials; and

WHEREAS, each party has and will on an annual basis obtain competitive bids for the purchase of goods and services; and

WHEREAS, the parties desire to enter into a cooperative purchasing program which will allow each party to purchase goods and services under each other's competitively bid contracts pursuant to Subchapter F, Chapter 271 of the TEX. LOC. GOV'T CODE;

NOW THEREFORE, in consideration of the mutual covenants and promises contained herein, the parties agree as follows:

ARTICLE I
PURPOSE

The purpose of this Agreement is to establish a cooperative purchasing program between the parties, which will allow each party to purchase goods and services under each other's competitively bid contracts pursuant to Subchapter F, Chapter 271 of the TEX. LOC. GOV'T CODE.

ARTICLE II
TERM

The term of this Agreement shall be for a period of one (1) year commencing on the last date of execution hereof ("Effective Date"). Thereafter this Agreement shall automatically renew for successive periods of one (1) year each under the terms and conditions stated herein, unless sooner terminated as provided herein.

ARTICLE III
TERMINATION

Either party may terminate this Agreement by providing thirty (30) days prior written notice to the other party.

ARTICLE IV
PURCHASING

The City Manager or designee for each of party is authorized to act on behalf of the respective party in all matters relating to this cooperative purchasing program. Each party shall make payments to the other party or directly to the vendor under the contract made pursuant to Subchapter F, Chapter 271 of the TEX. LOC. GOV'T CODE. Each party shall be responsible for the respective vendor's compliance with provisions relating to the quality of items and terms of delivery.

ARTICLE V
MISCELLANEOUS

5.1 **Relationship of Parties**: This Agreement is not intended to create, nor should it be construed as creating, a partnership, association, joint venture or trust.

5.2 **Notice**: Any notice required or permitted to be delivered hereunder shall be deemed received when sent in the United States Mail, Postage Prepaid, Certified Mail, Return Receipt Requested, or by hand-delivery or facsimile transmission addressed to the respective party at the address set forth below the signature of the party.

5.3 **Amendment**: This Agreement may be amended by the mutual written agreement of both parties hereto.

5.4 **Severability**: In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect the other provisions, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in this Agreement.

5.5 **Governing Law**: The validity of this Agreement and any of its terms and provisions as well as the rights and duties of the parties, shall be governed by the laws of the State of Texas; and venue for any action concerning this Agreement shall be in the State District Court of Collin County, Texas.

5.6 **Entire Agreement**: This Agreement represents the entire agreement among the parties with respect to the subject matter covered by this Agreement. There is no other collateral, oral or written agreement between the parties that in any manner relates to the subject matter of this Agreement.

5.7 **Recitals**: The recitals to this Agreement are incorporated herein.

5.8 **Counterparts**: This Agreement may be executed in any number of counterparts, each of whom shall be deemed an original and constitute one and the same instrument.

EXECUTED this _____ day of _____, 2015.

CITY OF ALLEN, TEXAS

By: _____
PETER H. VARGAS, CITY MANAGER

305 Century Parkway
Allen, TX 75013

ATTEST:

By: _____
SHELLEY B. GEORGE, CITY SECRETARY

EXECUTED this _____ day of _____, 2015.

CITY OF ROCKWALL, TEXAS

By: _____
RICHARD CROWLEY, CITY MANAGER

ATTEST:

By: _____
KRISTY COLE, CITY SECRETARY

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 15-21

Cooperative Member

WHEREAS, the City of Rockwall, Texas, (hereinafter "Cooperative Member") pursuant to the authority granted by Article 791 et seq. of the Interlocal Cooperation Act, as amended, desires to participate in the statewide purchasing program of the Cooperative;

WHEREAS, the City of Rockwall, Texas, has elected to be a Cooperative Member in the Texas Local Government Purchasing Cooperative (hereinafter "Cooperative"), a program created by local governments in accordance with and pursuant to the Interlocal Cooperation Act ("Act"), Chapter 791, Texas Government Code;

WHEREAS, the Cooperative Member, is of the opinion that participation in the Cooperative's purchasing program will be highly beneficial to the taxpayers of the City of Rockwall (local government) through the efficiencies and potential savings to be realized; and

WHEREAS, the Cooperative Member desires to participate and join with other local governments in a cooperative Interlocal agreement ("Agreement") for the purpose of fulfilling and implementing their respective public and governmental purposes, needs, objectives, programs, functions and services.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Cooperative Member does request that the Cooperative include its stated needs for all categories, including but not limited to, instructional, maintenance, custodial, and food service goods and services, on the Cooperative's Purchasing Program and award contracts for those items, whereby the Cooperative Members may be allowed to purchase those items from the Cooperative's contracts; and that Cooperative is authorized to sign and deliver all necessary requests and other documents in connection therewith for and on behalf of the Cooperative Members that have elected to participate;

Section 2. That the City Council of the City of Rockwall does hereby authorize its City Manager to execute the Interlocal Participation Agreement that includes the adoption and approval of the City of Allen Interlocal Agreement previously executed and adopted by two or more local governments.

Section 3. That the execution of this Resolution shall evidence the election of Cooperative Member and eligible local governments to become members of the Cooperative upon the terms and conditions stated. The City Council has, and at the time of adoption of this Resolution had, full power and lawful authority to adopt the foregoing Resolution and to confer the obligations, powers, and authority to the persons named, who are hereby granted the power to exercise the same.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS and reflected in the official minutes of the regular city council meeting on this the 17TH day of August, 2015.

City of Rockwall, Texas, Cooperative Member

Jim Pruitt
Mayor of Rockwall, Texas

ATTEST

Kristy Ashberry
City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **August 12, 2015**

SUBJECT: **FM 549 Roadway Reconstruction Project**

Rockwall County and the Texas Department of Transportation (TxDOT) are partnering on the engineering design and construction of FM 549 from SH 205 to SH 276. The existing roadway is a two-lane asphalt roadway that will be expanded to a six-lane divided concrete reinforced roadway. The roadway will be designed and constructed to TxDOT standards including the drainage improvements.

The design engineer is working on preliminary drainage information for the project. TxDOT requires the engineer to design all cross culverts to a 25-year storm event. The City of Rockwall requires all City roadways to comply to a 100-year storm event. If the City desires the engineer to design the drainage culverts to a 100-year storm, then the City will have to pay the cost difference between the construction of a 25-year and a 100-year system. TxDOT has provided a cost for this difference and it is estimated at $33,005.56.

Staff supports the design and construction of a 100-year storm sewer system and request City Council consideration to approve the additional expense to provide the higher level of protection from roadway inundation during storm event greater than a 25-year storm. This additional cost will be due prior to the project being bid for construction.

If you have any questions, please advise.

TMT:em

Attachment

Cc:
Amy Williams, Assistant City Engineer
Jeremy White, Civil Engineer
File

DANNENBAUM
ENGINEERING CORPORATION
4141 Blue Lake Circle, Suite 240
Dallas, Texas 75244
972 239 2002

Memo

To: Nancy Peron, P.E.

CC: Buz Elsom, P.E.

From: Danny Everett, P.E.

Date: 4/1/2015

Re: FM 549 Culverts

Nancy,

As requested below is the estimate of the cost difference for upsizing the culverts to accommodate the request from the City of Rockwall. Dannenbaum upsized all of the culverts to pass the 100-year storm. This resulted in four culverts changing. There is no significant difference in the headwalls. The chart below details the difference.

NEW CULVERTS TO PASS 100-YR STORM

Culvert	Station	Barrels	Size	LF	Unit Price	Cost
1	21+20.32	2	4X4	165.1	$ 175.12	$ 57,824.62
2	57+17.37	1	5X3	118.1	$ 209.12	$ 24,697.07
3	69+40.28	4	4X2	130.5	$ 139.98	$ 73,069.56
4	76+17.62	4	4X2	121.0	$ 139.98	$ 67,750.32
5	85+86.10	3	4X2	124.1	$ 139.98	$ 52,114.55
6	103+96.48	2	5X3	128.6	$ 209.12	$ 53,785.66
7	116+80.01	1	5X4	55.8	$ 224.70	$ 12,538.26
8	126+79.71	1	5X5	142.6	$ 308.57	$ 44,002.08

TxDOT 25-YR DESIGN CULVERTS

		Barrels	Size	LF	Unit Price	Cost	Cost Difference
1	21+20.32	2	5X2	165.1	$ 168.30	$ 55,572.66	$ 2,251.96
2	57+17.37	1	4X3	118.1	$ 188.52	$ 22,264.21	$ 2,432.86
3	69+40.28	3	4X2	130.5	$ 151.42	$ 59,280.93	$ 13,788.63
4	76+17.62	4	4X2	121.0	$ 151.42	$ 73,287.28	$ -
5	85+86.10	2	4X2	124.1	$ 151.42	$ 37,582.44	$ 14,532.11
6	103+96.48	2	5X3	128.6	$ 234.74	$ 60,375.13	$ -
7	116+80.01	1	5X4	55.8	$ 224.70	$ 12,538.26	$ -
8	126+79.71	1	5X5	142.6	$ 308.57	$ 44,002.08	$ -
				TOTAL COST DIFFERENCE			**$ 33,005.56**

Please let me know if you have any questions.

Sincerely,

Daniel W. Everett, P.E.

Daniel W. Everett, P.E.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **August 12, 2015**

SUBJECT: **Road Master Striping Contract Award**

Recently the City entered into an Interlocal Purchasing Agreement with the City of Midlothian. This agreement provides for local cooperative purchasing between Cities for contracted goods, materials and services. By participating in this program, we may realize additional savings through economies of scale when utilizing the coop contracts. Another benefit is we would meet all formal bidding requirements pertaining to large contract purchases and eliminate the cost of the competitive bidding process for some materials, supplies and services. The Interlocal agreement remains in effect until terminated by either City.

Midlothian currently has a Pavement Marking and Striping contract with Road Masters Striping LLC that is available to us. The contract includes the application of marking materials and raised pavement markers. The Pavement Marking Services Bid is attached.

Staff would like City Council to consider awarding this unit price contract. Funds are available in General Fund, Street Department Construction Supply budget.

GENERAL SPECIFICATIONS

Pavement Marking Services

Purpose:
The purpose of this bid solicitation is to secure an annual services agreement for installing and maintaining various types of pavement markings. The successful bidder shall provide all materials, equipment and labor necessary for layout, surface preparation and installation or removal of specified pavement marking applications.

Quality of Work:
All work shall be done in accordance with the City of Midlothian's Standard Construction Details and Items 666, 672, 677 and 678 contained within the Texas Department of Transportation's "*Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges*," 2004 edition, as amended.

All markings shall meet the requirements of the most recent version of the Texas Manual on Uniform Traffic Control Devices (Texas MUTCD).

Traffic Control:
All traffic control measures shall be in accordance with the most recent version of the Texas MUTCD. It shall be the contractor's responsibility to ensure that proper safety practices and procedures are in place at all times during the work, including but not limited to the use of proper signage, barricades, cones, and flaggers. In addition, all vehicular equipment utilized in the work shall be equipped with proper flashers/lights/strobes that must be in operation during the work.

Warranties:
Markings that are not properly applied due to faulty application methods or being placed in the wrong position or alignment shall be removed and replaced by the contractor at their expense. All defective materials shall be removed and replaced at the contractor's expense. All replacement shall be completed by the contractor within 30 calendar days of receiving written notice from the City.

Type of Pavement Marking Applications:

1. Type I Marking Materials (Hot Applied Thermoplastic) w/ Type II Marking as Sealer (concrete roadway surfaces only) and Type III drop-on glass beads
2. Type II Marking Materials (Traffic Paint) w/ Type III drop-on glass beads
3. Raised Pavement Markers

Pavement Marking and Marker Removal

Concrete Roadway Surfaces:

Type I Reflective Pavement Markings (100 mil) w/ Type II Sealer & Type III Drop-On Glass Beads		Unit	Qty	Unit Price	Extended Price
1.	4" solid white	LF	3,000	.75	2250.
2.	4" broken white - skips	LF	2,000	.75	1500.
3.	8" solid white	LF	1,000	1.50	1500.
4.	24" solid white	LF	400	7.50	3000.
5.	4" solid yellow	LF	5,000	.75	3750.
6.	4" broken yellow	LF	1,500	.75	1125.
7.	8" solid yellow	LF	500	1.50	750.
8.	White "ONLY" word marking	EA	4	145.00	580.
9.	White direction arrow	EA	4	135.00	540.
				Total:	14,995.-

Asphalt Roadway Surfaces:

Type I Reflective Pavement Markings (100 mil) w/ Type III Drop-On Glass Beads		Unit	Quantity	Unit Price	Extended Price
1.	4" solid white	LF	3,000	.60	1800.
2.	4" broken white - skips	LF	2,000	.60	1200.
3.	8" solid white	LF	1,000	1.20	1200.
4.	24" solid white	LF	400	6.00	2400.
5.	4" solid yellow	LF	5,000	.60	3000.
6.	4" broken yellow	LF	1,500	.60	900.
7.	8" solid yellow	LF	500	1.20	600.
8.	White "ONLY" word marking	EA	4	110.00	440.
9.	White direction arrow	EA	4	100.00	400.
				Total:	11,940.-

Concrete and Asphalt Roadway Surfaces:

Type II Reflective Pavement Markings:		Unit	Quantity	Unit Price	Extended Price
1.	4" solid white	LF	5,000	.40	2000.
2.	4" broken white - skips	LF	3,000	.40	1200.
3.	8" solid white	LF	1,500	.80	1200.
4.	24" solid white	LF	1,000	3.00	3000.
5.	4" solid yellow	LF	8,000	.40	3200.
6.	4" broken yellow	LF	2,500	.40	1000.
7.	8" solid yellow	LF	1,000	.80	800.
8.	White "ONLY" word marking	EA	10	50.	500.
9.	White direction arrow	EA	10	45.	450.
				Total:	13,350.-

Raised Pavement Markers:		Unit	Quantity	Unit Price	Extended Price
1.	Type II -A-A	EA	250	3.25	812.50
2.	Type II-C-R	EA	250	3.25	812.50
3.	Type II-B-B	EA	20	5.00	100.00
4.	Type W	EA	100	2.75	275.00
5.	Type Y	EA	100	2.75	275.00
				Total:	2,275.-

Pavement Marking and Marker Removal:		Unit	Quantity	Unit Price	Extended Price
1.	Eliminate 4" marking	LF	10,000	.50	5,000.
2.	Eliminate 8" marking	LF	2,500	1.00	2500.
3.	Eliminate 24" marking	LF	1,000	3.00	3000.
4.	Eliminate word marking	EA	10	25.00	250.
5.	Eliminate direction arrow	EA	10	35.00	350.
				Total:	11,100.-

Notes:

1. Quantities are approximate and may increase or decrease in the field. Payment will be based on final quantities determined by using the unit price bid.
2. Pricing to include mobilization and insurance.

CITY OF MIDLOTHIAN

COOPERATIVE PURCHASING FORM

BID NUMBER 2013-07

Should other Government Entities decide to participate in this contract, would you, the Vendor, agree that all terms, conditions, specifications, and pricing would apply?

Yes X No_____

If you, the Vendor checked yes, the following will apply: Government entities utilizing Inter-Governmental Contracts with the City of Midlothian will be eligible, but not obligated, to purchase materials/services under this contract(s) awarded as a result of this bid. All purchases by Governmental Entities other than the City of Midlothian will be billed directly to that Governmental Entity and paid by that Governmental Entity. The City of Midlothian will not be responsible for another Governmental Entity's debts. Each governmental entity will purchase materials and services as needed.

BY SIGNING BELOW YOU UNDERSTAND THAT YOU HAVE READ THE ABOVE COOPERATIVE PURCHASING GUIEDELINES AND AGREE TO THE ENCLOSED TERMS AND CONDITIONS.

Company Name and Address	Company's Authorized Agent
Road Master Striping LLC 1301 SE McKinney Rice TX 75155	Signature DINO VASQUEZ Name and Title (Typed or Printed)
Federal ID Number (TIN) or SSN and Name 41-2163160	President
Telephone No. 903-326-4530	Date 5-16-13
Fax No. 903-326-4671	Email address: dve roadmasterstriping.com

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Timothy M. Tumulty, Director of Public Works/City Engineer

DATE: August 5, 2015

SUBJECT: U.S. Open Triathlon – City Council Resolution

The U.S. Open Triathlon is scheduled for Sunday, October 18, 2015 from 7:00 AM to 1:00 PM. This is the sixth year for this event to be held in the City of Rockwall. A portion of the triathlon course will utilize a section of FM 740 from Summer Lee Drive to the South City limits. The Rockwall Police Department will assist in the partial closure of various lanes of FM 740 as well as furnish traffic control at other intersections along the race route. The Texas Department of Transportation (TxDOT) will require a City Council resolution supporting a request to allow the partial closure of FM 740 from Summer Lee Drive to the City of Rockwall south City limits.

Staff request City Council consideration to approve the attached resolution allowing a temporary partial closure of FM 740 from Summer Lee Drive to the south City limits to facilitate the U.S. Open Triathlon on Sunday, October 18, 2015 from 6:00 AM to 1:00 PM.

TMT:tt

Attachments

Cc:
Mary Smith, Assistant City Manager
Brad Griggs, Assistant City Manager
Amy Williams, Assistant City Engineer
Billy Chaffin, Superintendent of Streets & Drainage
File

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 15-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,TEXAS, FINDING THAT A NECESSITY EXISTS TO TEMPORARILY CLOSE A PORTION OF A CERTAIN STATE ROADWAYS TO FACILITATE THE US OPEN TRIATHLON; HEREBY REQUESTING THAT THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) GRANT PERMISSION TO THE CITY OF ROCKWALL FOR SAID EVENT AND AUTHORIZE THE CITY OF ROCKWALL TO PARTIALLY CLOSE FM 740 FROM SUMMER LEE DRIVE TO THE SOUTH CITY LIMITS BETWEEN THE HOURS OF 6:00 A.M. AND 1:00 P.M. ON SUNDAY, OCTOBER 18, 2015 PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Rockwall City Council recognizes the value of physical fitness and the benefits of a healthy community; and

WHEREAS, the Rockwall City Council wants to promote healthy lifestyles in our community by providing fitness opportunities and encouraging athletes to compete in the US Open Triathlon in Rockwall, Texas; and

WHEREAS, the Rockwall City Council hereby finds that necessity exists to temporarily partially close FM 740 from Summer Lee Dr. to the South City limits, for the US Open Triathlon; and

WHEREAS, the Rockwall City Council supports submission of a temporary partial closure request for State maintained roadways, for FM 740 from Summer Lee Drive to the South City limits, to the Texas Department of Transportation to facilitate the US Open Triathlon on Sunday, October 18, 2015 between the hours of 6:00 a.m. and 1:00 p.m.; and

WHEREAS, the Rockwall City Council hereby agrees to support said request by providing traffic control for the event; and

WHEREAS, the temporary partial closing of this section of FM 740 will create a safer environment for event participants and spectators;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That a formal request is hereby made to TXDOT to approve the request of the Rockwall City Council to temporarily partial close the aforementioned section of FM 740 at the above stated date and time; and

Section 2. That this resolution shall be in full force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 17th day of August, 2015.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

Agreement No._____

STATE OF TEXAS §

COUNTY OF TRAVIS §

AGREEMENT FOR THE TEMPORARY CLOSURE OF STATE RIGHT OF WAY

THIS AGREEMENT is made by and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter called the "State," and the City of Rockwall, a municipal corporation, acting by and through its duly authorized officers, hereinafter called the "local government."

W I T N E S S E T H

WHEREAS, the State owns and operates a system of highways for public use and benefit, including FM 740, in THE City of Rockwall, Rockwall County; and

WHEREAS, the local government has requested the temporary closure of FM 740 from Summer Lee Drive to the South City limits for the purpose of U.S. Open Triathlon on October 18, 2015, from 6:00 A.M. to 1:00 P.M. as described in the attached "Exhibit A," hereinafter identified as the "Event;" and

WHEREAS, the Event will be located within the local government's incorporated area; and

WHEREAS, the State, in recognition of the public purpose of the Event, wishes to cooperate with the City so long as the safety and convenience of the traveling public is ensured and that the closure of the State's right of way will be performed within the State's requirements; and

WHEREAS, on the 17th day of August, 2015, the Rockwall City Council passed Resolution No. 15-, attached hereto and identified as "Exhibit B," establishing that the Event serves a public purpose and authorizing the local government to enter into this agreement with the State; and

WHEREAS, 43 TAC, Section 22.12 establishes the rules and procedures for the temporary closure of a segment of the State highway system; and

WHEREAS, this agreement has been developed in accordance with the rules and procedures of 43 TAC, Section 22.12;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

A G R E E M E N T

Article 1. CONTRACT PERIOD

This agreement becomes effective upon final execution by the State and shall terminate upon completion of the Event or unless terminated or modified as hereinafter provided.

Article 2. EVENT DESCRIPTION

The physical description of the limits of the Event, including county names and highway numbers, the number of lanes the highway has and the number of lanes to be used, the proposed schedule of start and stop times and dates at each location, a brief description of the proposed activities involved, approximate number of people attending the Event, the number and types of animals and equipment, planned physical modifications of any man-made or natural features in or adjacent to the right of way involved shall be attached hereto along with a location map and identified as “Exhibit C.”

Article 3. OPERATIONS OF THE EVENT

A. The local government shall assume all costs for the operations associated with the Event, to include but not limited to, plan development, materials, labor, public notification, providing protective barriers and barricades, protection of highway traffic and highway facilities, and all traffic control and temporary signing.

B. The local government shall submit to the State for review and approval the construction plans, if construction or modifications to the State’s right of way is required, the traffic control and signing plans, traffic enforcement plans, and all other plans deemed necessary by the State. The State may require that any traffic control plans of sufficient complexity be signed, sealed and dated by a registered professional engineer. The traffic control plan shall be in accordance with the latest edition of the Texas Manual on Uniform Traffic Control Devices. All temporary traffic control devices used on state highway right of way must be included in the State’s Compliant Work Zone Traffic Control Devices List. The State reserves the right to inspect the implementation of the traffic control plan and if it is found to be inadequate, the local government will bring the traffic control into compliance with the originally submitted plan, upon written notice from the State noting the required changes, prior to the event. The State may request changes to the traffic control plan in order to ensure public safety due to changing or unforeseen circumstances regarding the closure.

C. The local government will ensure that the appropriate law enforcement agency has reviewed the traffic control for the closures and that the agency has deemed them to be adequate. If the law enforcement agency is unsure as to the adequacy of the traffic control, it will contact the State for consultation no less than 10 workdays prior to the closure.

D. The local government will complete all revisions to the traffic control plan as requested by the State within the required timeframe or that the agreement will be terminated upon written notice from the State to the local government. The local government hereby agrees that any failure to cooperate with the State may constitute reckless endangerment of the public and that the Texas Department of Public Safety may be notified of the situation as soon as possible for the appropriate action, and failing to follow the traffic control plan or State instructions may result in a denial of future use of the right of way for three years.

E. The local government will not initiate closure prior to 24 hours before the scheduled Event and all barriers and barricades will be removed and the highway reopened to traffic within 24 hours after the completion of the Event.

F. The local government will provide adequate enforcement personnel to prevent vehicles from stopping and parking along the main lanes of highway right of way and otherwise prevent interference with the main lane traffic by both vehicles and pedestrians. The local government will prepare a traffic enforcement plan, to be approved by the State in writing at least 48 hours prior to the scheduled Event. Additionally, the local government shall provide to the State a letter of certification from the law enforcement agency that will be providing traffic control for the Event, certifying that they agree with the enforcement plan and will be able to meet its requirements.

G. The local government hereby assures the State that there will be appropriate passage

allowance for emergency vehicle travel and adequate access for abutting property owners during construction and closure of the highway facility. These allowances and accesses will be included in the local government's traffic control plan.

H. The local government will avoid or minimize damage, and will, at its own expense, restore or repair damage occurring outside the State's right of way and restore or repair the State's right of way, including, but not limited to, roadway and drainage structures, signs, overhead signs, pavement markings, traffic signals, power poles and pavement, etc. to a condition equal to that existing before the closure, and, to the extent practicable, restore the natural and cultural environment in accordance with federal and state law, including landscape and historical features.

Article 4. OWNERSHIP OF DOCUMENTS

Upon completion or termination of this agreement, all documents prepared by the local government will remain the property of the local government. All data prepared under this agreement shall be made available to the State without restriction or limitation on their further use. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

Article 5. TERMINATION

A. This agreement may be terminated by any of the following conditions:

(1) By mutual written agreement and consent of both parties.

(2) By the State upon determination that use of the State's right of way is not feasible or is not in the best interest of the State and the traveling public.

(3) By either party, upon the failure of the other party to fulfill the obligations as set forth herein.

(4) By satisfactory completion of all services and obligations as set forth herein.

B. The termination of this agreement shall extinguish all rights, duties, obligations, and liabilities of the State and local government under this agreement. If the potential termination of this agreement is due to the failure of the local government to fulfill its contractual obligations as set forth herein, the State will notify the local government that possible breach of contract has occurred. The local government must remedy the breach as outlined by the State within ten (10) days from receipt of the State's notification. In the event the local government does not remedy the breach to the satisfaction of the State, the local government shall be liable to the State for the costs of remedying the breach and any additional costs occasioned by the State.

Article 6. DISPUTES

Should disputes arise as to the parties' responsibilities or additional work under this agreement, the State's decision shall be final and binding.

Article 7. RESPONSIBILITIES OF THE PARTIES

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

Article 8. INSURANCE

A. Prior to beginning any work upon the State's right of way, the local government and/or its contractors shall furnish to the State a completed "Certificate of Insurance" (TxDOT Form 1560, latest edition) and shall maintain the insurance in full force and effect during the period

that the local government and/or its contractors are encroaching upon the State right of way.
B. In the event the local government is a self-insured entity, the local government shall provide the State proof of its self-insurance. The local government agrees to pay any and all claims and damages that may occur during the period of this closing of the highway in accordance with the terms of this agreement.

Article 9. AMENDMENTS
Any changes in the time frame, character, agreement provisions or obligations of the parties hereto shall be enacted by written amendment executed by both the local government and the State.

Article 10. COMPLIANCE WITH LAWS
The local government shall comply with all applicable federal, state and local environmental laws, regulations, ordinances and any conditions or restrictions required by the State to protect the natural environment and cultural resources of the State's right of way.

Article 11. LEGAL CONSTRUCTION
In case one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions hereof and this agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

Article 12. NOTICES
All notices to either party by the other required under this agreement shall be delivered personally or sent by certified U.S. mail, postage prepaid, addressed to such party at the following respective addresses:

Local Government:	**State:**
City of Rockwall 385 S. Goliad Rockwall, Texas 75087 Attn: City Manager	Texas Department of Transportation 4777 U.S. Highway 80 East Mesquite, TX 75150-6643 Attn: Kelly Selman, P.E.

All notices shall be deemed given on the date so delivered or so deposited in the mail, unless otherwise provided herein. Either party hereto may change the above address by sending written notice of such change to the other in the manner provided herein.

Article 13. SOLE AGREEMENT
This agreement constitutes the sole and only agreement between the parties hereto and supersedes any prior understandings or written or oral agreements respecting the within subject matter.

IN TESTIMONY WHEREOF, the parties hereto have caused these presents to be executed in duplicate counterparts.

THE CITY OF ROCKWALL
Executed on behalf of the local government by:

By_____ Date_____
City Official

Typed or Printed Name and Title Rick Crowley_____

City Manager_____

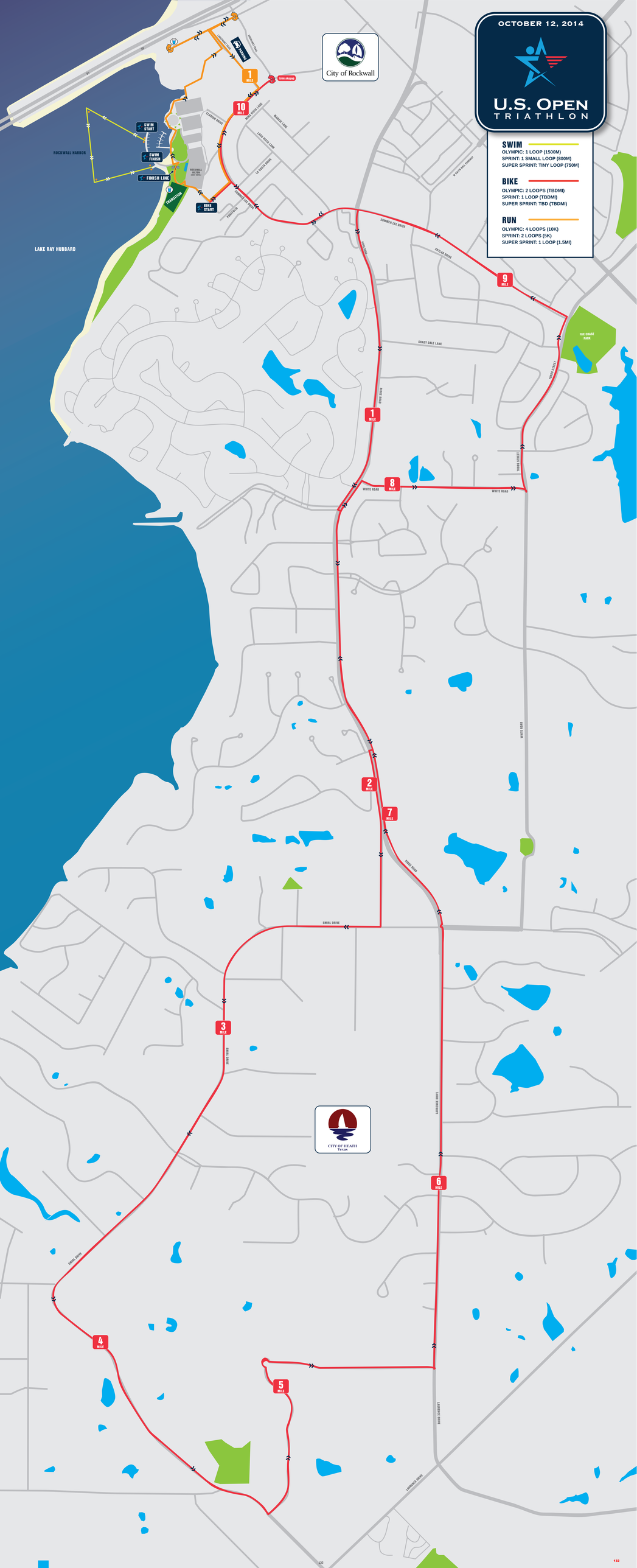
THE STATE OF TEXAS
Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By_____ Date_____
Kelly Selman, P.E.
District Engineer

Exhibit A

Exhibit B

Exhibit C


OCTOBER 12, 2014
U.S. OPEN TRIATHLON
SWIM
OLYMPIC: 1 LOOP (1500M)
SPRINT: 1 SMALL LOOP (800M)
SUPER SPRINT: TINY LOOP (750M)
BIKE
OLYMPIC: 2 LOOPS (TBDMI)
SPRINT: 1 LOOP (TBDMI)
SUPER SPRINT: TBD (TBDMI)
RUN
OLYMPIC: 4 LOOPS (10K)
SPRINT: 2 LOOPS (5K)
SUPER SPRINT: 1 LOOP (1.5MI)
City of Rockwall
CITY OF HEATH
Texas
ROCKWALL HARBOR
LAKE RAY HUBBARD
SWIM START
SWIM FINISH
FINISH LINE
TRANSITION
BIKE START
TURN AROUND
FOX CHASE PARK
SUMMER LEE DRIVE
SKYLAR DRIVE
SHADY DALE LANE
WHITE ROAD
SMIRL DRIVE
LAWRENCE DRIVE
1 MILE
2 MILE
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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 08/17/2015

APPLICANT: Joanne Vuckovic of the Pregnancy Resource Center

AGENDA ITEM: **P2015-034** (1010 Ridge Road – Replat)

SUMMARY:

Discuss and consider a request by Joanne Vuckovic of the Pregnancy Resource Center for the approval of a replat for Lot 1, Block A, Pregnancy Resource Center being a 0.32-acre tract of land currently identified as Tract 21 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 53 (PD-53) for Residential-Office (RO) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 1010 Ridge Road, and take any action necessary.

COMMENTS:

- The objective of the request is to replat a 0.32-acre tract of land for the purpose of establishing a public access, drainage, and detention easements. The 908 sq. ft. structure will be converted for use as an office facility. A site plan was approved in June of this year for a single story office building.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions listed in the Recommendations section below.

- With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the request for final plat, staff would recommend the following conditions of approval:

A) All the technical comments from the Planning, Engineering and Fire Departments shall be addressed prior to the filing of this plat, including the following comments;

1. Adherence to Engineering and Fire Department standards.
2. Address all staff comments as listed in the Project Plan Review (see attached).

B) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On August 11, 2015, the Planning and Zoning Commission recommended approval of the request by a vote of 5 to 0 [Lyons and Fishman – absent].

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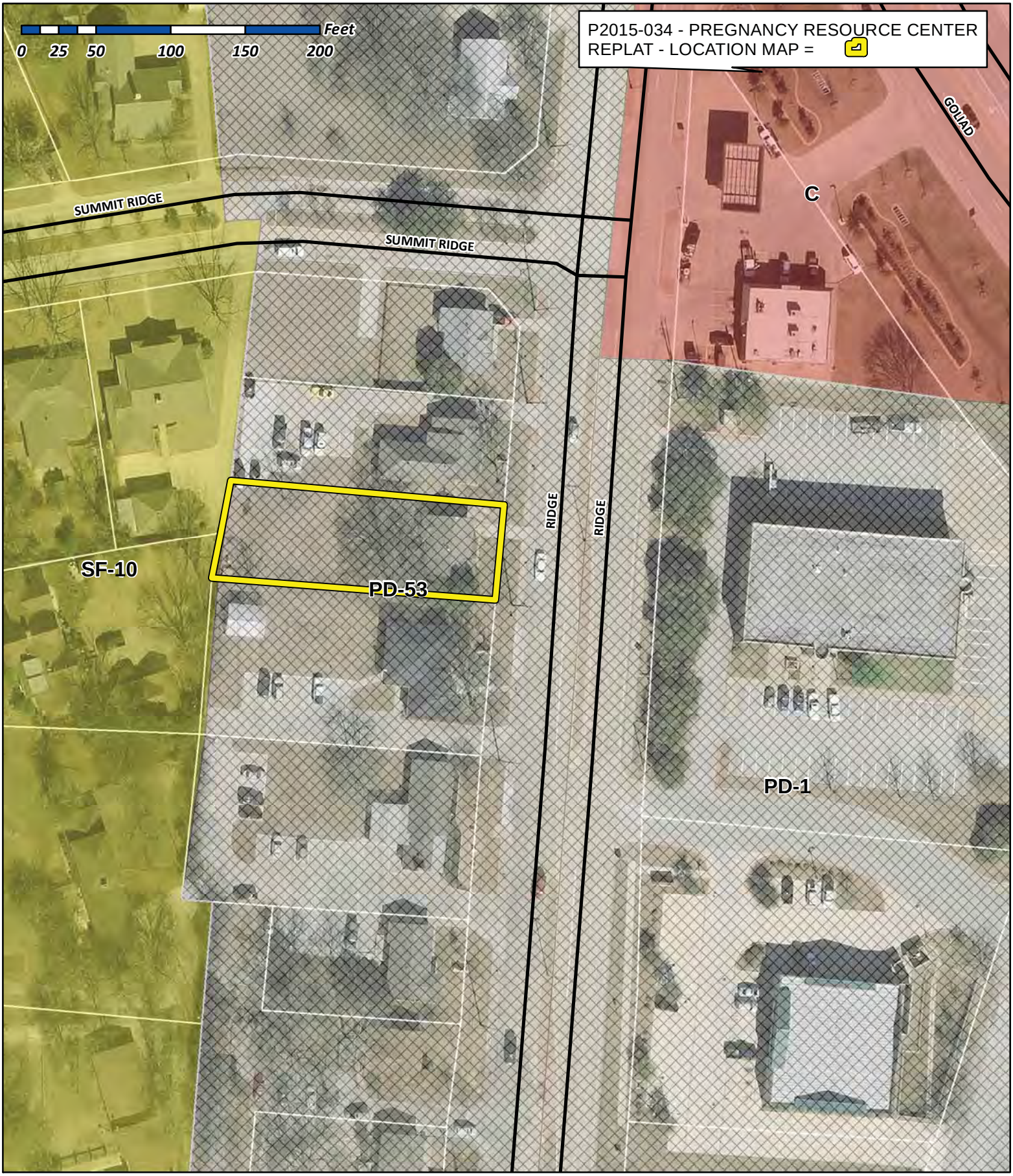

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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City of Rockwall

Project Plan Review History

				Applied	8/4/2015	LM
Project Number	P2015-034	**Owner**	PREGNANCY RESOURCE CENTER	**Approved**		
Project Name	Pregnancy Resource Center	**Applicant**	PREGNANCY RESOURCE CENTER	**Closed**		
Type	PLAT			**Expired**		
Subtype	REPLAT			**Status**	8/4/2015	LM
Status	STAFF REVIEW					

Site Address	**City, State Zip**	
1010 S RIDGE RD	,	**Zoning**

Subdivision	**Tract**	**Block**	**Lot No**	**Parcel No**	**General Plan**
GUSSIO ADDITION	21		21	0255-0000-0021-00-0R	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	8/4/2015	8/11/2015	8/5/2015	1	APPROVED	
ENGINEERING	Amy Williams	8/4/2015	8/11/2015	8/7/2015	3	APPROVED W/ CONDITIONS	See Comment
(8/7/2015 8:28 AM AW) Need to make sure the detention/drainage easement matches the engineering.							
FIRE	Ariana Hargrove	8/4/2015	8/11/2015	8/7/2015	3	APPROVED	
GIS	Lance Singleton	8/4/2015	8/11/2015				
PLANNING	David Gonzales	8/4/2015	8/11/2015	8/5/2015	1	COMMENTS	See comments

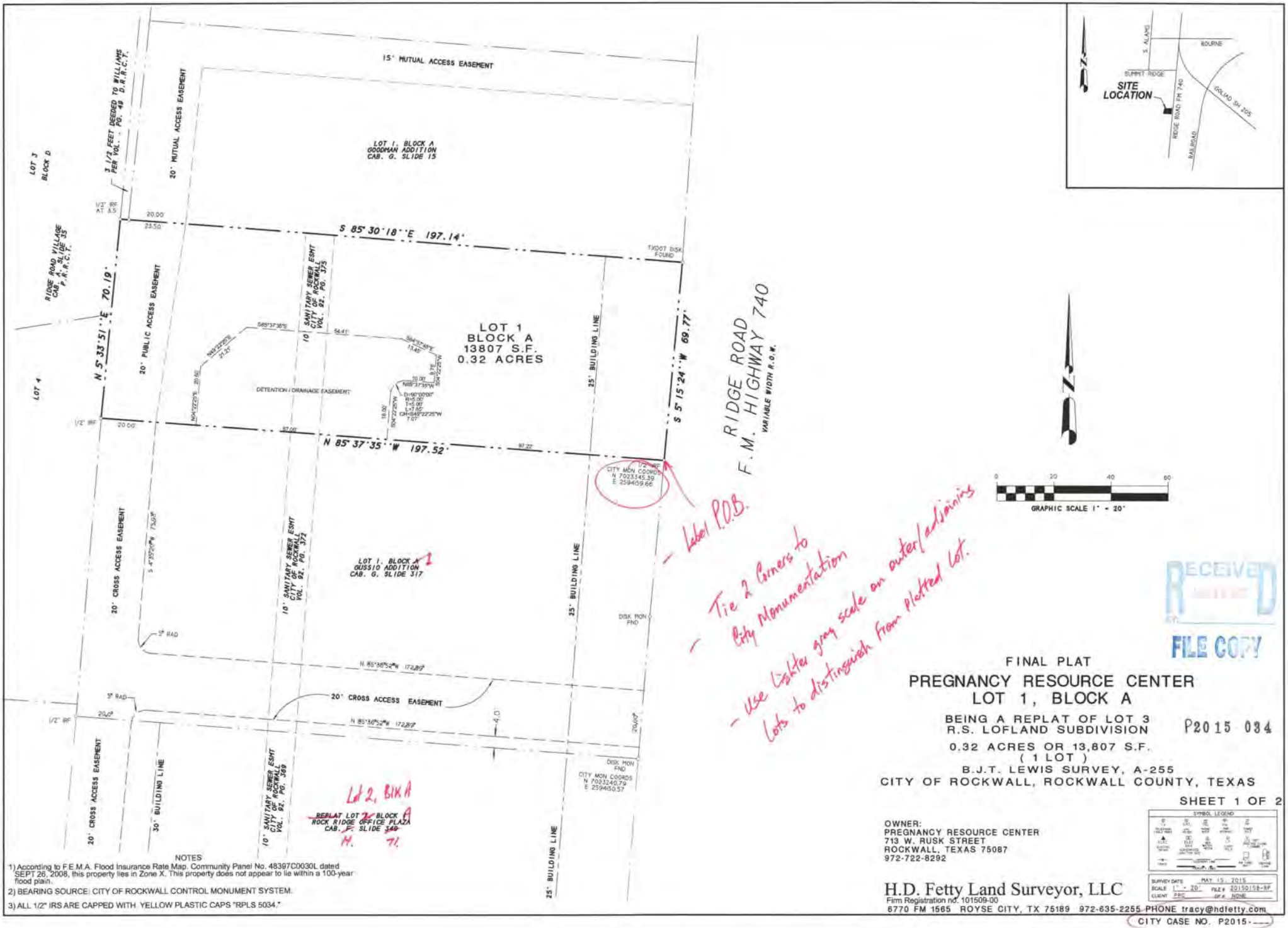
Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks

Discuss and consider a request by Joanne Vuckovic of the Pregnancy Resource Center for the approval of a replat for Lot 1, Block A, Pregnancy Resource Center being a 0.32-acre tract of land currently identified as Tract 21 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 53 (PD-53) for Residential-Office (RO) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 1010 Ridge Road, and take any action necessary.

The following staff comments are to be addressed and resubmitted no later than Wednesday, August 12, 2015 (four large copies [18" X 24" FOLDED] and one PDF version) for a subsequent review by staff.

1. Adherence to all Engineering and Fire Department standards shall be required.
2. Provide a label indicating "Case No. P2015-034" on the lower right corner on all pages of the plat.
3. Change Lot & Block on the two adjacent lots south of the Pregnancy Resource Center lot to reflect the correct numbers for each: a) Lot 1, Block 1 Gussio Additon & Lot 2, Block A Rock Ridge Office Plaza Cab. F. Slide 71.
4. Label the Point of Beginning (POB) on plat.
5. Tie at least two (2) corners to City monumentation.
6. Use a lighter line (gray scale) on adjoining lots to distinguish from platted lot.

** As a note, this case will be placed on the Consent Agenda for approval by the Planning Commission and City Council; however, staff comments are to be addressed and all revisions resubmitted and approved by staff prior to plat submittal on mylar for filing purposes. **



NOTES

1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0030L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

RECEIVED

FILE COPY

FINAL PLAT

PREGNANCY RESOURCE CENTER
LOT 1, BLOCK A

BEING A REPLAT OF LOT 3
R.S. LOFLAND SUBDIVISION

P2015 034

0.32 ACRES OR 13,807 S.F.
(1 LOT)
B.J.T. LEWIS SURVEY, A-255
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER:
PREGNANCY RESOURCE CENTER
713 W. RUSK STREET
ROCKWALL, TEXAS 75087
972-722-8292

SYMBOL LEGEND

SURVEY DATE MAY 15, 2015
SCALE 1" = 20' FILE # 20150158-RP
CLIENT PRC DR.# NONE

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CITY CASE NO. P2015-___

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OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS PREGNANCY RESOURCE CENTER OF LAKE RAY HUBBARD, BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the B.J.T. LEWIS SURVEY, ABSTRACT NO. 255, City of Rockwall, Rockwall County, Texas, and being the remainder of Lot 3, R.S. LOFLAND SUBDIVISION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Volume 48, Page 447 of the Deed Records of Rockwall County, Texas, and being that tract of land as described in a Deed to Pregnancy Resource Center of Lake Ray Hubbard, as recorded in Document Number 20150000007520, of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the northeast corner of Lot 1, Block A of GUSSIO ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet G, Slide 317, of the Plat Records of Rockwall County, Texas, and at the southeast corner of the above cited tract and being in the West right-of-way line of Ridge Road F.M. 740;

THENCE N. 85 deg. 37 min. 35 sec. W. along the South line of the above cited tract and the North line of said Addition, a distance of 197.52 feet to a 1/2" iron rod found for corner at the southwest corner of said Lot 3;

THENCE N. 05 deg. 33 min. 51 sec. E. a distance of 70.19 feet to a point in concrete drive for corner at the northwest corner of said Lot 3;

THENCE S. 85 deg. 30 min. 18 sec. E., at 3.50 feet pass a 1/2" iron rod found for corner at the southwest corner of Lot 1, Block A, GOODMAN ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet G, Slide 15 of the Plat Records of Rockwall County, Texas, and continuing for a total distance of 197.14 feet to a TXDOTdisk monument found for corner in the west right-of-way line of Ridge Road F.M. 740 and at the southeast corner of Lot 1, Block A;

THENCE S. 05 deg. 15 min. 24 sec. W. along said right-of-way line, a distance of 69.77 feet to the POINT OF BEGINNING and containing 13,807 square feet or 0.32 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as PREGNANCY RECOURCE CENTER, LOT 1, BLOCK A, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of th air respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maint aining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Roc kwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer an d/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as p rogress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exaction's made herein.

JOANNE VUCKOVIC, Executive Director
for PREGNANCY RECOURCE CENTER OF LAKE RAY HUBBARD

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared JOANNE VUCKOVIC known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, _____

Notary Public in and for the State of Texas My Commission Expires:

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of PREGNANCY RESOURCE CENTER, LOT 1, BLOCK A, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ___ day of _____, _____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____, _____

Mayor, City of Rockwall City Secretary City of Rockwall

City Engineer Date

FINAL PLAT
PREGNANCY RESOURCE CENTER
LOT 1, BLOCK A

BEING A REPLAT OF LOT 3
R.S. LOFLAND SUBDIVISION
0.32 ACRES OR 13,807 S.F.
(1 LOT)
B.J.T. LEWIS SURVEY, A-255
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER:
PREGNANCY RESOURCE CENTER
713 W. RUSK STREET
ROCKWALL, TEXAS 75087
972-722-8292

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

CITY CASE NO. P2015-___

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Cole, Kristy

From: Casey Kelly
Sent: Wednesday, August 12, 2015 3:50 PM
To: Cole, Kristy
Subject: Girls Softball

I would like to talk with the city council about the parks department teaming up with the Rockwall Girls Softball association to strengthen the girls softball program. I coached 8U softball in the spring and we had 4 teams and no teams for summer and none in the fall, while the RGSA had multiple teams but played no games in the city of Rockwall. I would like to see them join together to bring back what was once a strong program to Rockwall.

Casey Kelly
Sales Manager
Four Brothers Outdoor Power
972.636.2963 Phone
972.408.0763 Fax



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motion to approve passed by a vote of 5 in favor with 1 against (Milder) and one absent (Townsend) at 08/03/15 cc mtg.

CITY OF ROCKWALL

ORDINANCE NO. 15-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A PLANNED DEVELOPMENT DISTRICT FOR SINGLE FAMILY 10 (SF-10) AND GENERAL RETAIL (GR) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 316.315-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE M. E. HAWKINS SURVEY, ABSTRACT NO. 100, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A' & EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by the Stacy McVey of Double Eagle Properties, LLC on behalf of the owner 308 ON 276, LP for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) and General Retail (GR) District land uses, on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A' & Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

Section 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 2. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 3. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, described in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 4. That a *Master Parks and Open Space Plan* for the *Subject Property*, shall be prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan* depicted in *Exhibit 'C'* of this ordinance, and that the *Master Parks and Open Space Plan* shall be considered for approval by the City Council following a recommendation by the *Parks and Recreation Board*.

Section 5. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

(a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 5(b) through 5(f) below*), shall be the exclusive procedures applicable to the subdivision and platting of the Property.

(b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for an *Open Space Master Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.

(1) Open Space Master Plan
(2) Master Plat
(3) PD Development Plan (*Required for Retail Areas Only*)
(4) PD Site Plan
(5) Preliminary Plat
(6) Final Plat

(c) A *PD Development Plan* must be approved for the area designated on the *Planned Development Concept Plan* as *Retail* prior to submittal of a *PD Site Plan* application and/or preliminary plat application. No *Master Plat* is required for the area designated on the *Concept Plan* as *Retail*. A traffic impact analysis for the retail tract shall be submitted with the *PD Development Plan* to determine the extent and timing of any recommended facilities and/or improvements to the surrounding roadway network. The traffic impact analysis may be updated with each *PD Site Plan* for each retail development.

(d) *PD Site Plan.* A *PD Site Plan* covering all of the *Subject Property* shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Preliminary Plat Application* for the development.

(e) *Preliminary Plat.* A *Preliminary Plat* covering all of the *Subject Property* shall be submitted and shall include a *Treescape Plan*. A *Preliminary Plat Application* may be processed by the City concurrently with a *PD Site Plan Application* for the development.

(f) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, for all of the *Subject Property* shall be submitted for approval.

Section 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 7. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 8. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 9. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 17TH DAY OF AUGUST, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 08-03-2015

2nd Reading: 08-17-2015

Exhibit 'A':
Legal Description

Field notes for a 316.315-acre (13,778,691 square foot) tract of land situated in the M. E. Hawkins Survey, Abstract No. 100, and the Robert K. Briscoe Survey, Abstract No. 16 in the City of Rockwall, Rockwall County, Texas, and being all of that certain called 308.52-acre tract of land described in a Special Warranty Deed to 308 ON 276, L.P., as recorded in Volume 03662, Page 00315, of the Office Public Records of Rockwall County, Texas (O.P.R.R.C.T.) with said 316.315-acre (13, 778,691 square feet) tract of land being more particularly described by metes and bounds as follows:

BEGINNING a railroad spike set in asphalt marking the northwest corner of said 308 on 276, L.P. tract and the common southwest corner of that certain called 21. 935 acre tract of land described as Tract One in a Warranty Deed to Rockwall Fund I, L.L.C., as recorded in Volume 1 110, Page 190, of the Deed Records of Rockwall County, Texas (D.R.R.C.T.) , said point being in the approximate center of Rochell Road, a county road with an unspecified right-of- way (R. O. W.) width;

THENCE North 89 degrees 00 minutes 24 seconds East (South 89 degrees 12 minutes 02 seconds East - deed call), along the common northerly line of said 308 ON 276, L.P. tract and the common southerly line of said Tract One, passing at a distance of 30. 00 feet, a 5/8 inch iron rod set with a yellow plastic cap stamped "THE WALLACE GROUP " ("cap ") for reference, continuing along said common line, passing at a distance of 1,799. 04-fee t, a ½-inch iron rod found marking the southeast corner of said Tract One, being common with the south west corner of that certain called 59.71-acre tract of land described in a Special Warranty Deed to Fate I- 30, L.P., as recorded in Volume 03542, Page 00039, O.P.R.R.C.T., continuing along the common northerly line of said 308 on 276, L.P. tract and the southerly line of said Fate I-30, L.P. tract, a total distance of 1,966.04 feet (1,902 .80 feet - deed call) to a 1/ 2 inch iron rod found marking the common most northerly northeast corner of said 308 on 276, L.P. tract and the north west corner of that certain coiled 85.479 acre tract of land described as Tract Two in the aforementioned Warranty Deed to Rockwall Fund I, L.L.C., as recorded in Volume 1 110, Page 190, O.R.R.C.T.;

THENCE South 01 degrees 59 minutes 29 seconds East (South 00 degrees 08 minutes 06 seconds West - deed call), along the common easterly line of said 308 ON 276, L.P. tract and the westerly line said Tract Two, a distance of 2,204.26-fee t (2,166.70-feet - deed call) to a 1/ 2 inch iron rod found marking an ell corner of said 308 ON 276, L.P. tract and the southwest corner of said Tract Two;

THENCE North 87 degrees 20 minutes 20 seconds East (North 89 degrees 12 minutes 02 seconds East - deed call), continuing along the common northerly line of said 308 on 276, L.P. tract an d the southerly line said Tract Two, a distance of 1,691. 90 feet (1,782.53 feet - deed call) to a 5/8 inch iron rod se t with "cap " marking the common most easterly northeast corner of said 308 on 276, L.P. tract and the southeast corner of said Tract Two, from which a ½-inch iron rod found bears North 87 degrees 20 minutes 20 seconds East at 10. 49 feet, said 5/8-inch iron rod set being on the west line of that certain called 212. 25 acre tract of land described in a Special Warranty Deed to South Rock wall Holdings, L.P., as recorded in Volume 03625, Page 00034, O.P.R.R.C.T.;

THENCE South 01 degrees 34 minutes 35 seconds East, along the common easterly line of said 308 ON 276, L.P. tract and the westerly line said South Rock wall Holdings tract, a distance of 309.68-feet to a 5/8-inch iron rod set with "cap " marking the southwest corner of said South Rock wall Holdings tract, being common with the northwest corner of Lot 8, Equestrian Estates, according to the plot thereof recorded in Cabinet A, Page 19 7, of the Plot Records of Rock wall County, Texas (P.R.R.C.T.);

THENCE South 00 degrees 50 minutes 42 seconds East, along the common easterly line of said 308 ON 276, L.P. tract and the westerly line said Equestrian Estates, a distance of 2,301.71 feet (South 00 degrees 06 minutes 38 seconds West, a distance of 2,580 . 60 feet - overall deed call) to a 5/8 inch iron rod set with "cap " marking the common southeast corner of said 308 ON 276, L.P. tract and on ell corner of the north R.O.W. line of State Highway No. 276 (having a variable width R.O.W.);

THENCE South 89 degrees 29 minutes 00 seconds West (North 89 degrees 29 minutes 07 seconds West - deed call), along the common southerly line of said 308 ON 2 76, L.P. tract and said north R.O.W. line of State Highway No. 276, passing at a distance of 1.66 feet a found TxDOT concrete monument, continuing along said common line for a tot al distance of 117.50-feet (115.83-feet - deed call) to a 5/8-inch iron rod set with "cap " marking the common ell corner of said 308 ON 276, L.P. tract and the most easterly southeast corner of that certain called 2.503-acre tract of land described as on Easement for Highway Purposes to the State of Texas, recorded in Volume 82, Page 583 of the Real Property Records of Rockwall County, Texas (R.P.R.R.C.T.);

THENCE North 00 degrees 31 minutes 03 seconds West (North 00 degrees 30 Minutes 13 seconds East - deed call), along a common interior line of said 308 on 2 76, L.P. tract and the easterly line of said Easement for Highway Purposes tract, a distance of 50.31-feet (50-feet - deed call) to a 5/8-inch iron rod set with "cap" marking the common ell corner of said 308 ON 276, L.P. tract and the north east corner of said Easement for Highway Purposes tract;

THENCE South 89 degrees 28 minutes 57 seconds West (North 89 degrees 29 minutes 47 seconds West - deed call), along the common southerly line of said 308 on 276, L.P. tract and the northerly line of said Easement for Highway Purposes tract, a distance of 543.40-feet (543.73-feet - deed call) to a 5/8-inch iron rod set with "cap " for corner;

THENCE South 89 degrees 13 minutes 58 seconds West (South 89 degrees 48 minutes 55 seconds West - deed call), continuing along the common southerly line of said 308 ON 276, L.P. tract and the northerly line of said Easement for Highway Purposes tract, a distance of 757. 25-feet (756.93-feet - deed call) to a 5/8-inch iron rod found marking a common ell corner of said 308 ON 276, L.P. tract and the northwest corner of said Easement for Highway Purposes tract;

THENCE South 00 degrees 46 minutes 03 seconds East (South 00 degrees 11 minutes 05 seconds East - deed call), along a common interior line of said 308 ON 276, L.P. tract and the westerly line of said Easement for High way Purposes tract, a distance of 90.30-feet (87.44-feet - deed call) t o a 5/8-inch iron rod set with "cap " marking a common ell corner of said 308 ON 276, L.P. tract and the southwest corner of said Easement for Highway Purposes tract, said point being on said north R.O.W. line of State Highway No. 276;

THENCE South 89 degrees 13 minutes 57 seconds West (North 89 degrees 53 minutes 27 seconds West - deed call), along the common southerly line of said 308 ON 276, L.P. tract and said north R.O.W. line of State Highway No. 276, passing at a distance of 1,66 7.76-feet a 5/8-inch iron rod set with "cap " for reference, continuing along said common line for a total distance of 1,917.07-feet (1,917.34-feet - deed call) to a found TxDOT concrete monument, marking the transitional R.O.W. line from said north R.O.W. line of State Highway No. 276 to the east R.O.W. fine of Springer Lane, on 80-foot wide R.O.W., (formerly F.M. No. 1143), said point being the beginning of a non-tangent curve to the right, with the radius point being situated North 21 degrees 40 minutes 52 seconds East, a distance of 533.69-feet;

THENCE Northerly along the common curving westerly line of said 308 ON 276, L.P. tract and said curving east R.O.W. line of Springer Lane, with said non-tangent curve to the right, through a central angle of 67 degrees 33 minutes 20 seconds (48 degrees 33 minutes 57 seconds - deed call), having a radius of 533. 69-feet (613.69-feet - deed call), a tangent distance of 356.97-feet, a chord bearing North 34 degrees 32 minutes 28 seconds West (North 40 degrees 41 minutes 57 seconds West - deed call), at 593.43-feet, and an arc distance of 629.26-feet (520.18-feet - deed call) to a 5/8-inch iron rod set with "cap" at the end of said non- tangent curve;

THENCE North 00 degrees 53 minutes 56 seconds West (North 00 degrees 43 minutes 17 seconds West - deed call), continuing along the common westerly line of said 308 on 276, L.P. tract and said east R.O.W. line of Springer Lane, a distance of 294.21-feet (430.56-feet - deed call) to an axle found for the beginning of a non-tangent curve to the left , with the radius point being situated South 89 degrees 08 minutes 07 seconds West, a distance of 612.96-feet;

THENCE Northerly continuing along the common curving westerly line of said 308 ON 276, L.P. tract and said curving east R.O.W. line of Springer Lane, with said non-tangent curve to the left, through a central angle of 17 degrees 26 minutes 00 seconds (12 degrees 25 minutes 52 seconds - deed call), having a radius of 612.96-feet (613.69-feet - deed call), a tangent distance of 93.98 feet, a chord bearing North 09 degrees 34 minutes 53 seconds West at 185.78-feet, and an arc distance of 186.50-feet (133.15 feet - deed call) to a 5/8-inch iron rod set with "cap" at the end of said non-tangent curve, said point marking the transition from said east R.O.W. line of Springer Lane to the approximate center of the aforementioned Rochell Road;

THENCE North 00 degrees 49 minutes 05 seconds West (North 00 degrees 10 minutes 49 seconds East - deed call), along the common westerly line of said 308 ON 276, L.P. tract and said approximate center of Rochell Road, passing at a distance of 386.53-feet a ½-inch iron rod found marking the southeast corner of that certain called 60.3368-acre tract of land described in a Cash Warranty Deed to Varughese P. Samuel and wife, Remoni V. Samuel, as recorded in Volume 02002, Page 00062, O.P.R.R.C.T., then continuing along said common line with the easterly line of said Samuel tract, a total distance of 2,841.3-feet (1,613.15-feet - deed call) to a ½-inch iron rod found marking the northeast corner of said Samuel tract;

THENCE North 01 degrees 38 minutes 55 seconds West (North 00 degrees 08 minutes 06 seconds East - deed call), along the common westerly line of said 308 ON 276, L.P. tract and said approximate center of Rochell Road, a distance of 976.29-feet (2,166.70-feet - deed call) to the *POINT OF BEGINNING*.

CONTAINING within the metes recited 316.315-acres (13,778,692 square feet) of land, more or less, of which a portion lies within Rochell Road.

Exhibit 'B':
Survey

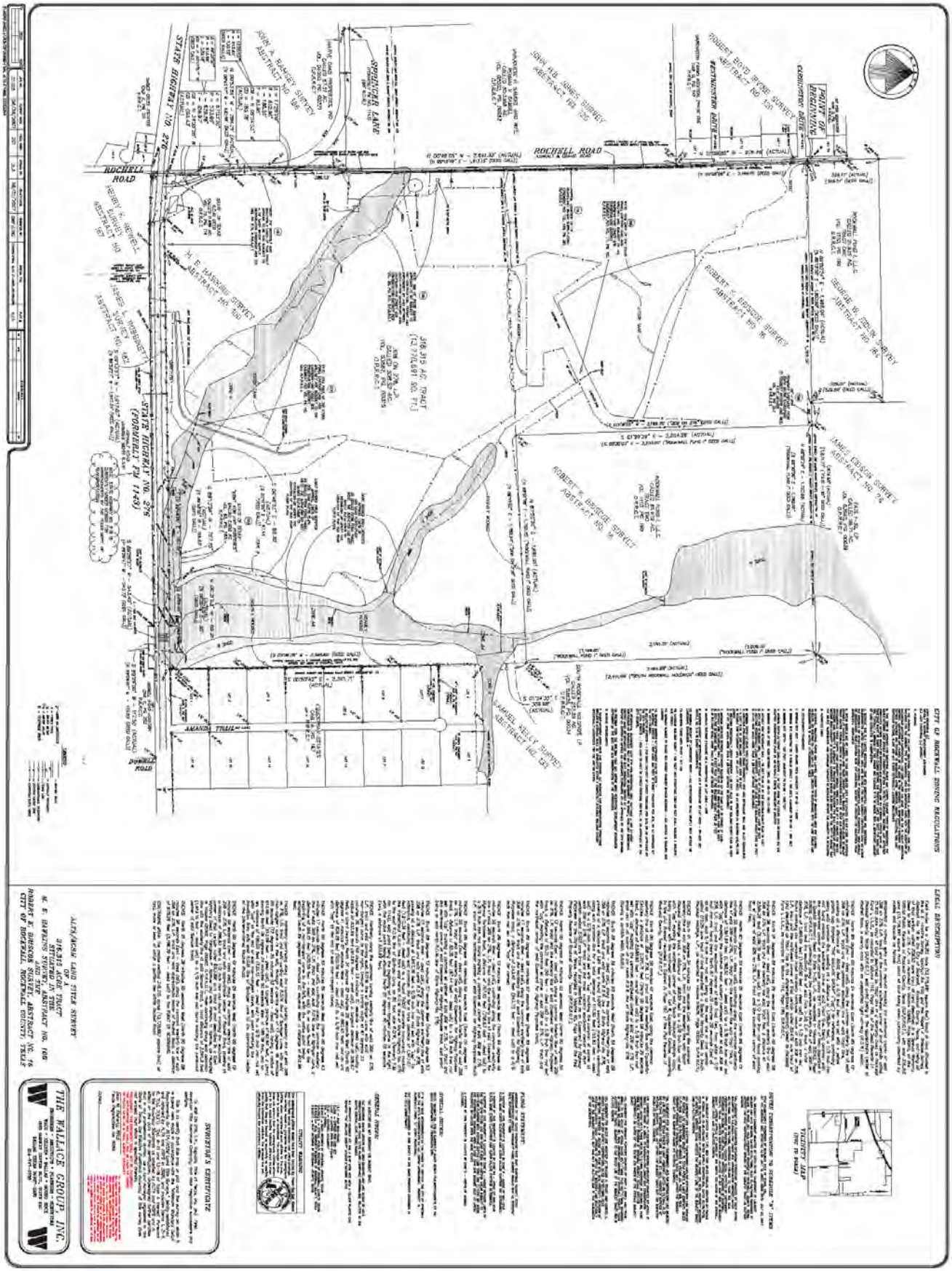


Exhibit 'C':
Concept Plan



Exhibit 'D':
PD Development Standards

A. PURPOSE

The Discovery Lakes Subdivision is located at the northeast corner of the intersection of SH-276 and Rochell Road. The *Subject Property* is a short walk or bike ride from the Rockwall Technology Park. The Discovery Lakes Subdivision will be a master planned residential neighborhood that will incorporate two (2) lakes, several acres of open space and ~3.8-miles of hiking/jogging/biking trails. The master plan calls for 507 single-family homes. There will be several view corridors strategically placed within the subdivision along with *front loaded* lots to provide for the enjoyment of the open space. A boulevard with 85-feet of right-of-way will connect SH-276 and Discovery Boulevard. The boulevard will have a 14-foot landscape median and a 25-foot travel lane on each side of the street. The residential streets will be 29-feet back-to-back, with a 10½-foot parkway on each side for a total of 50-feet of right-of-way. A *Community Center* with a pool will be provided to add increased amenity for the subdivision. Additionally, the proposed development will incorporate nine (9) acres of commercial space that will be located at the hard corner of SH-276 and Rochell Road. This area will allow for neighborhood service types of uses and eating establishments. A maximum of one (1) hotel planned to service the needs of the subdivision and the Rockwall Technology Park. A 55-acre area adjacent to the northern lake will be dedicated as public parkland to serve Park District No. 31. The Discovery Lakes Subdivision will be a benefit to the community, allowing citizens of all ages the opportunity to live, work, and play in a connected master planned community.

B. GENERAL REQUIREMENTS

Development Standards.

1. *Permitted Uses.* The following uses are permitted on the *Subject Property* in accordance with the *Concept Plan* depicted in *Exhibit 'C'* of this ordinance.

    (a) Residential Uses. Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 10 (SF-10) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), shall be allowed for areas designated as *residential* on the *Concept Plan*.

    (b) Non-Residential. Unless specifically provided by this Planned Development ordinance, only those uses permitted within the General Retail (GR) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), shall be allowed for areas designated as *commercial* on the *Concept Plan*; however, the following conditions shall apply:

        (i) The following additional uses shall be permitted as *by-right* uses on the *Subject Property*:

        ☑ Hotel, Hotel (*Full Service*) or Motel (*With a Maximum Height of Four [4] Stories)* [1]
        ☑ Restaurant (*with Drive-Through or Drive-In*) [2]
        ☑ Retail Store (*with more than two [2] Gasoline Dispensers*)

        Notes:
        [1]: A maximum of one (1) hotel/motel shall be permitted with this Planned Development District. The height requirement of four (4) stories is permitted to exceed 36-feet, but in no case shall exceed 60-feet.
        [2]: A maximum of three (3) restaurants (despite the size of the restaurant) shall be permitted within this Planned Development District.

(ii) The following uses shall be prohibited on the *Subject Property*:

- ☑ Convent or Monastery
- ☑ Hotel, Residence
- ☑ Cemetery/Mausoleum
- ☑ Mortuary of Funeral Chapel
- ☑ Social Service Provider
- ☑ Billiard Parlor or Pool Hall
- ☑ Carnival, Circus, or Amusement Ride
- ☑ Commercial Amusement/Recreation (*Outside*)
- ☑ Gun Club, Skeet or Target Range (*Indoor*)
- ☑ Astrologer, Hypnotist, or Psychic Art and Science
- ☑ Garden Supply /Plant Nursery
- ☑ Night Club, Discotheque, or Dance Hall
- ☑ Secondhand Dealer
- ☑ Car Wash, Self Service
- ☑ Mining and Extraction (Sand, Gravel, Oil and/or Other)
- ☑ Helipad
- ☑ Railroad Yard or Shop
- ☑ Transit Passenger Facility

2. *Non-Residential Development.* The area designated as *commercial* on the *Concept Plan* depicted in *Exhibit 'C'* of this ordinance shall be designed to be pedestrian-oriented, easily accessible, and integrated into the general design scheme of the adjacent neighborhood. This can be accomplished by removing the traditional barriers utilized to separate commercial and residential developments (*e.g. screening walls*) and incorporating landscape buffers/elements (*e.g. greenspace, parkways, and etcetera*) and urban design elements (*e.g. pathways, pergolas, and etcetera*) that can create compatibility with the adjacent single-family neighborhood. To better achieve this goal and in addition to the requirements of Section 4.1, *General Commercial District Standards*, and Section 6.14, *SH-276 Corridor Overlay (SH-276 OV) District*, of Article V, *District Development Standards*, of the Unified Development Code, all commercial development shall be required to adhere to the following supplemental standards:

   (a) Retail Landscape. Landscaping shall be reviewed and approved with the PD Site Plan. All Canopy/Shade Trees planted within the retail development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height unless otherwise provided within this document.

   (b) Retail Landscape Buffers. All landscape and plantings located within the buffers shall be maintained by the property owner.

      (1) Landscape Buffer (Residential Adjacency). Where residential and retail uses share a direct adjacency, a minimum of a 30-foot landscape buffer shall be provided by the retail property adjacent to the residential property. This area shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the adjacency. This area should also incorporate pedestrian-oriented design elements (*e.g. pathways*) that allow access between the two (2) uses. Shrubbery utilized in this area shall have a minimum height of 30-inches and a maximum height of 48-inches. Additionally, trees should be incorporated in this area to break up the façades of any commercial buildings.

      (2) Landscape Buffer and Sidewalks (SH-276). A minimum of a 15-foot landscape buffer shall be provided along the frontage of SH-276, and shall incorporate ground cover,

a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. All buffer-strip planting requirements shall conform to the requirements of Section 6.14, *SH-276 Corridor Overlay (SH-276 OV) District*, of Article V, *District Development Standards*, of the Unified Development Code.

(3) *Landscape Buffer (Rochell Road Retail).* A minimum of a 20-foot landscape buffer shall be provided along the frontage of Rochell Road (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage.

(c) *Sidewalks.*

i) *Sidewalk Adjacent to Rochell Road and SH-276.* The developer shall be responsible for the construction of a five (5) foot sidewalk that meanders through the required 20-foot landscape buffer adjacent to Rochell Road and SH-276.

3. *Residential Development Standards.* Except as modified by these *Development Standards*, the residential uses depicted in *Exhibit 'C'* of this ordinance shall be subject to the development standards for a Single Family 10 (SF-10) District as stipulated by Section 3.1, *General Residential District Standards*; Section 3.4, *Single-Family Residential (SF-10) District*; and Section 6.14, *SH-276 Corridor Overlay (SH-276 OV) District*, of Article V, *District Development Standards*, of the Unified Development Code. In addition, all residential development shall adhere to the following standards:

(a) *Lot Composition and Layout.* The lot layout and composition of the *Subject Property* shall generally conform to the *Concept Plan* depicted in *Exhibit 'C'* and stated in *Table 1* below. Allowances for changes to the quantity and locations of each lot type are permitted in conformance with the requirements listed below; however, in no case shall the proposed development exceed 507 units.

Table 1: Lot Composition

Lot Type	*Minimum Lot Size (FT)*	*Minimum Lot Size (SF)*	*Dwelling Units (#)*	*Dwelling Units (%)*
A	80' x 120'	9,600 SF	121	23.87%
B	70' x 110'	7,700 SF	127	25.05%
C	60' x 110'	6,600 SF	259	51.08%
		Maximum Permitted Units:	*507*	*100.00%*

The allocation of single-family dwellings among lot types may deviate from *Table 1* provided that the proposed lot composition meets the following criteria:

(1) The total number of lots does not exceed 525 units; and,
(2) The average lot size for the total development is not less than 7,500 SF (*i.e. total square footage of all lots/total number of lots*); and,
(3) *Lot Type "A"* shall not be decrease below 115 lots; and,
(4) *Lot Type "B"* shall not be decreased below 23% of the total 507 lots; and,
(5) *Lot Type "C"* shall not be increased beyond 55% of the total 507 lots.

(b) *Density and Dimensional Requirements.* The maximum permissible density for the *Subject Property* shall not exceed 1.70 dwelling units per gross acre of land; however, in no case should the proposed development exceed 507 units. All lots shall conform to the standards depicted in *Table 2* below and generally conform to *Exhibit 'C'* of this ordinance.

Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ►	A	B	C
Minimum Lot Width [1] & [5] & [7]	80'	70'	60'
Minimum Lot Depth	120'	110'	110'
Minimum Lot Area	9,600 SF	7,700 SF	6,600 SF
Minimum Front Yard Setback [2] & [6]	20'	20'	20'
Minimum Side Yard Setback	6'	5'	5'
Minimum Side Yard Setback (Adjacent to a Street) [2]	15'	15'	15'
Minimum Length of Driveway Pavement	20'	20'	20'
Maximum Height [3]	36'	36'	36'
Minimum Rear Yard Setback [4]	15'	10'	10'
Minimum Area/Dwelling Unit (SF) [Air Conditioned Space]	2,800 SF	2,250 SF	2,000 SF
Garage Orientation	J-Swing or Front	J-Swing or Front	J-Swing or Front
Maximum Number of Front Entry Garages Permitted	48	42	173
Maximum Lot Coverage	65%	65%	65%

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.

[2]: The location of the *Front Yard Building Setback* as measured from the front property line.

[3]: The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single family home.

[4]: As measured from the rear yard property line.

[5]: Lots fronting onto a curvilinear street, cul-de-sac or eyebrow may have the lot width reduced by up to 20% as measured at the front property line provided that the lot width is met at the front building line. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows maybe reduced by up to ten (10%) percent, but shall meet the minimum lot size for each lot type.

[6]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the Front Yard Building Setback by up to ten (10) feet for any property that increases the Front Yard Building Setback to 20-feet; however, the encroachment shall not exceed five (5) feet on Side Yard Setbacks (Adjacent to a Street) and shall not encroach into public right-of-way [a Sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces].

[7]: All lots with a *J-Swing* or *Traditional Swing* driveway require a minimum of a 65-foot lot width.

(c) *Building Standards.* All development shall adhere to the following building standards:

(1) *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all buildings shall be 80%. For the purposes of this ordinance the masonry requirement shall be limited to full width brick, natural stone, and cultured stone. Cementaceous fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and/or stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted to be used to meet up to 50% of the masonry requirement.

(2) *Roof Pitch.* A minimum of an *8:12* roof pitch is required on all structures with the exception of porches, which shall have a minimum of a *4:12* roof pitch.

(3) *Garage Orientation.* Garages shall be provided as stipulated by *Table 2: Lot Dimensional Requirements*. Garages permitted for front entry maybe oriented

toward the street; however, the front façade of the garage must be situated a minimum of 20-feet off the front property line. All front entry garages shall incorporate an architectural element or feature separating the individual garage openings. *Swing*, *Traditional Swing* or *J-Swing* garages are permitted to have a second single garage door facing the street as long as it is behind the width of the double garage door situated in the *Swing* configuration.

(d) Anti-Monotony Restrictions. The development shall adhere to the Anti-Monotony Matrix depicted in *Table 3* below (*for spacing requirements see the illustration on the following page*).

Table 3 : Anti-Monotony Matrix

Lot Type	*Minimum Lot Size*	*Elevation Features*
A	80' x 120'	(1), (2), (3)
B	70' x 110'	(1), (2), (3)
C	60' x 110'	(1), (2), (3)

(1) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least four (4) intervening homes of differing materials on the same side of the street beginning with the adjacent property and two (2) intervening homes of differing materials on the opposite side of the street.

(2) Front building elevations shall not repeat along any block face without at least four (4) intervening homes of differing appearance on the same side of the street and two (2) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on SH-276 shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

(a) Number of Stories
(b) Permitted Encroachment Type and Layout
(c) Roof Type and Layout
(d) Articulation of the Front Façade

(3) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

See the Illustrations on the following page.

Illustration 1: Properties line up on the opposite side of the street. Where RED are the same.



Illustration 2: Properties do not line up on opposite side of the street. Where RED are the same.



(e) *Fencing Standards.* All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:

(1) *Wood Fences*. All wood fences shall be constructed of a standard fencing material (*minimum of ½" thickness or better; spruce fencing will not be allowed*), and use fasteners that are hot dipped galvanized or stainless steel. Wood fences facing onto a street shall be painted and/or stained and sealed with all pickets being placed on the *public side* facing the street. All wood fences shall be smooth-finished, free of burs and splinters, and be a maximum of eight (8) feet in height.

(2) *Wrought Iron/Tubular Steel*. Lots located along the perimeter of roadways, abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of eight (8) feet in height.

(3) *Corner Lots*. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of eight (8) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(4) *Solid Fences (including Wood Fences)*. All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

(f) Landscape and Hardscape Standards.

(1) *Residential Landscape.* Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within the residential development shall be a minimum of three (3) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height unless otherwise provided within this document.

(2) *Single Family Landscaping.* Prior to the issuance of a Certificate of Occupancy (CO) all single-family lots shall conform to the following:

i) Interior Lots. All interior lots shall include a minimum of two (2) trees with a diameter at breast height (dbh) [*i.e. the diameter in inches of a tree as measured through the main trunk at a point of four and one-half (4½) inches above the natural ground level*] of three (3) inches shall be planted in the front yard, and two (2) additional trees of the same caliper inch shall be planted in the side yard facing the street for corner lots.

Note: For the purposes of this section only, the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.

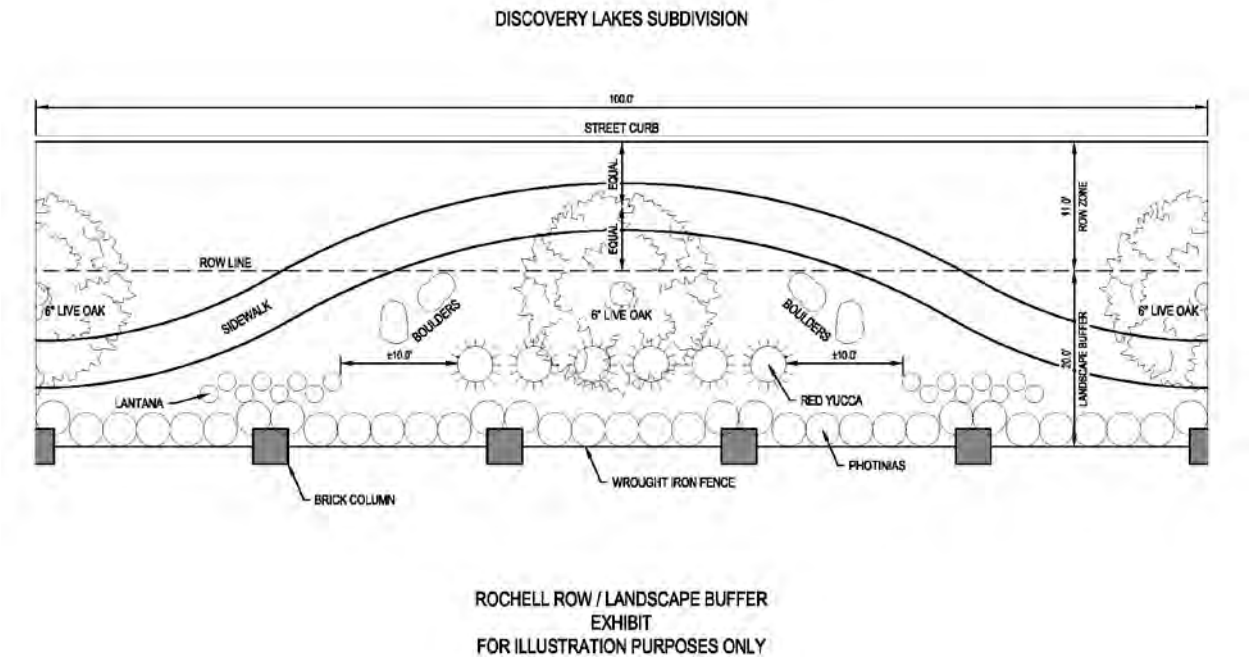
ii) Corner Lots. All corner lots shall include a minimum of two (2) trees with a diameter at breast height (dbh) [*i.e. the diameter in inches of a tree as measured through the main trunk at a point of four and one-half (4½) inches above the natural ground level*] of three (3) inches shall be planted in the front yard of an interior lot.

(3) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).

(a) Landscape Buffer and Sidewalks (Discovery Boulevard). A minimum of a 15-foot landscape buffer shall be provided along the frontage of Discovery Boulevard, and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least one (1) canopy tree shall be planted per 30-feet of linear frontage.

(b) Landscape Buffer (Rochell Road). A minimum of a 20-foot landscape buffer shall be provided along the frontage of Rochell Road (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The landscape buffer along Rochell Road shall general conform to the following illustration [*i.e. Illustration 3]*.

Illustration 3: Landscape Buffer along Rochell Road.



(c) *Landscape Buffer (SH-276).* A minimum of a 25-foot landscape buffer shall be provided along the frontage of SH-276, and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. In addition, all buffer-strip planting requirements shall conform to the requirements of Section 6.14, *SH-276 Corridor Overlay (SH-276 OV) District*, of Article V, *District Development Standards*, of the Unified Development Code (*i.e. minimum four [4] inch caliper trees required*).

(4) *Irrigation Requirements*. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association (HOA).

(5) *Hardscape.* Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the PD Site Plan.

(g) Lighting. Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.

(h) Sidewalks.

i) Internal Sidewalks. All sidewalks adjacent to an interior residential street shall begin 5½-feet from the back of curb and be five (5) feet in overall width.

ii) *Sidewalks Adjacent to Rochell Road and Discovery Boulevard.* All sidewalks adjacent Rochell Road and Discovery Boulevard shall begin two (2) feet inside the right-of-way line and be five (5) feet in overall width.

(i) Open Space. The development shall consist of a minimum of 20% open space as calculated from the gross land area, and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. Existing floodplain shall be counted at a rate of ½-acre for every acre provided (*e.g., 10-acres of floodplain would count as 5-acres of open space*). The Homeowner's Association (HOA) shall maintain all open space areas.

(j) Neighborhood Signage. Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.

(k) Community Center. A site plan, landscape plan and building elevations shall be required for the proposed *Community Center* and shall be subject to site plan approval by the Planning and Zoning Commission prior to construction.

(l) Homeowner's Association (HOA). A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the Subdivision Regulations contained within the *Municipal Code of Ordinances* of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, amenity centers, screening fences associated with this development.

4. Buried Utilities. New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (*3-phase lines*), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

5. *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 08/17/2015

APPLICANT: David Smith, *Rockwall Housing Development Corporation*

AGENDA ITEM: **MIS2015-004**; *Manufactured Home Replacement (142 Rene Drive)*

SUMMARY:

Discuss and consider the approval of a special request by David Smith on behalf of the owner Jose Contreras for a waiver to the Manufactured Home Replacement Minimum Standards as set forth in Exhibit 'C' of Planned Development District 75 (PD-75) [*Ordinance No. 09-37*] to allow a new manufactured home to be located within the floodplain on a 0.17-acre property identified as Lot 1376, Rockwall Lake Estates #2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 142 Rene Drive, and take any action necessary.

CHARACTERISTICS OF REQUEST:

On behalf of the owner the applicant, David Smith with the Rockwall Housing Development Corporation (RHDC), has submitted a special request to the requirements stipulated for *Manufactured Home Replacement Minimum Standards* outline in *Exhibit 'C'* of Planned Development District 75 (PD-75) [*Ordinance No. 09-37*]. According to this section, if an existing property has a manufactured home situated on it then the property owner is eligible for a one (1) time replacement of said manufactured home pending the replacement home meets the following criteria:

1) The replacement manufactured home shall be permanently affixed to a concrete foundation.
2) The replacement manufactured home shall have a minimum of a 3:12 roof pitch.
3) The replacement manufactured home shall be constructed of a minimum of 90% masonry materials on the exterior of the structure (excluding windows and doors; including the skirting material). This includes Hardiboard lap siding, "Cemplank" lap siding, or a similar cementaceous durable lap siding material that has a minimum width of 6¼-inches.
4) The replacement manufactured home shall be a newer manufactured home and contain at least the same living space/square footage as the previous manufactured home.

The property at 142 Rene Drive currently has an older manufactured home on the subject property that sustained considerable damage with the flooding in Lake Rockwall Estates earlier this spring (*see attached Inspection Report in the attached packet*). The RHDC did attempt to allow the applicant to build on land owned by the RHDC, but according to Mr. Smith's email this proved to be economically infeasible. At this point, the property at 142 Rene Drive is eligible for a one (1) time replacement subject to the requirements listed above; however, the property is located within the 100-year floodplain and does not meet the fire hydrant coverage requirements (*see staff's comments in the attached packet*). Mr. Smith has indicated that the RHDC is willing to assist the owner of the property in removing the existing manufactured home and securing a new manufactured home that will meet all the above mentioned criteria with the exception of the masonry requirements; however, in doing this he is asking that the City Council grant the following waivers/variances: 1) waiver of the masonry requirements, 2) allow construction within a 100-year floodplain, and 3) grant a variance to the fire hydrant coverage requirements. To off-

set construction within the floodplain Mr. Smith has stated that the new manufactured home will be on a 24-inch engineered manufactured home foundation (the flooding was measured at 18-20 inches). The finished floor elevation of the property is estimated to be around 516'-518', approximately four (4) to six (6) feet below the 100-year floodplain elevation (~522'). With this being said it should be mentioned that the applicant does have the ability to rehabilitate the current structure, which would exempt him from all the waivers and variances requested.

According to Section C, *Consideration of Special Request*, of *Exhibit 'C'* of PD-75, the City Council may consider special requests on a case-by-case basis for properties located within the Lake Rockwall Estates subdivision pending a recommendation from the Planning and Zoning Commission. The approval of any special request shall preempt any other underlying zoning restrictions stipulated by the zoning ordinance. Additionally, City Council does have the authority to grant a waiver/variance for allowing a manufactured home to be placed on the subject property.

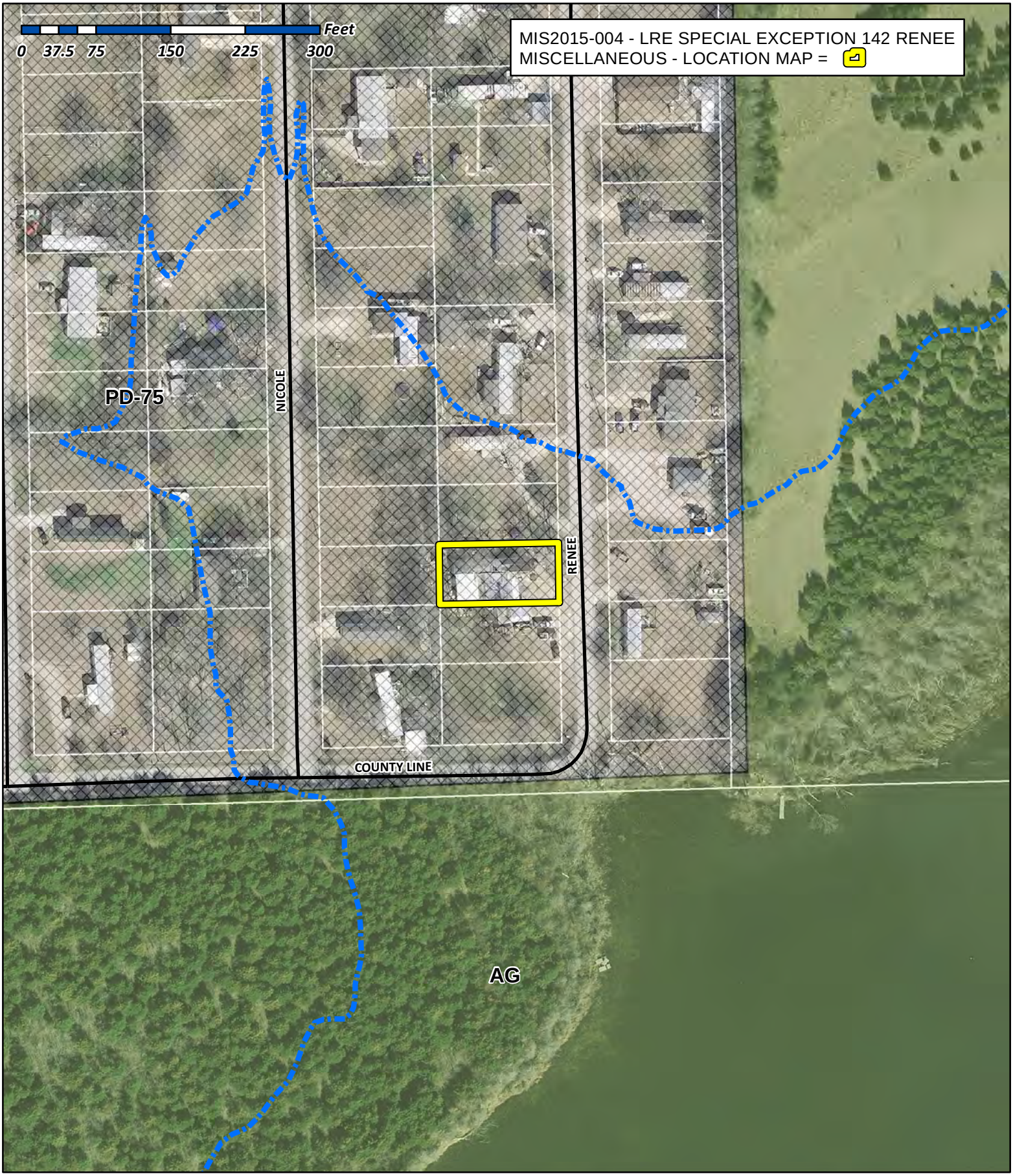
RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the applicant's request staff would recommend the following conditions:

1) Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On August 11, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the special request by a vote of 4-2, with Commissioners Logan and Jusko dissenting and Commissioner Fishman absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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City of Rockwall

Project Plan Review History

Project Number	MIS2015-004	**Owner**	CONTRERAS, JOSE A	**Applied**	8/4/2015	LM
Project Name	Special Exception	**Applicant**		**Approved**		
Type	MISCELLANEOUS			**Closed**		
Subtype	EXCEPTION OR WAIVER			**Expired**		
Status	STAFF REVIEW			**Status**	8/4/2015	LM

Site Address	**City, State Zip**	**Zoning**
142 RENEE DR	,	

Subdivision	**Tract**	**Block**	**Lot No**	**Parcel No**	**General Plan**
ROCKWALL LAKE ESTATES PH2	1376		1376	5380-0000-1376-00-0R	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
Building Inspections D	John Shannon	8/5/2015		8/5/2015		APPROVED	
Engineering Departme	Amy Williams	8/6/2015		8/7/2015	1	COMMENTS	See Comment

(8/7/2015 10:45 AM AW)
The appeals board (i.e. City Council) has the authority to hear the request to allow removal and replacement of a mobile home in the existing floodplain of the Little Buffalo Creek floodplain on Renee Drive. It is Staff's understanding that the applicant is requesting to remove the existing structure and place a new mobile home at the same location below the 100 year water surface elevation. To be in compliance with the City's Floodplain and Stormwater Ordinance, this structure would need to be raised approximately eight feet from the current structure elevation.

Staff cannot support the request due to its non-compliance with our ordinance. When the City joined the National Flood Insurance Program, requirements were established to prevent developments and structures from being placed in a designated floodplain. The purpose is to reduce/eliminate repetitive losses and potential loss of life caused by flood events throughout the year.

FIRE	Ariana Hargrove	8/5/2015	8/12/2015	8/5/2015		COMMENTS	See comments

(8/5/2015 12:24 PM AA)
An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official .

From: G. David Smith
To: Miller, Ryan
Subject: FW: Request for Approval of Trailer Exchange in Lake Rockwall Estates
Date: Friday, July 31, 2015 3:18:47 PM
Attachments: image001.png

Dear Mr. Miller:

In case Robert has flown the coop early, please see below.

G. David Smith
702 N. Goliad
Rockwall, Texas 75087
p. 972.771.2579
f. 972.771.0513

SMITH & LEE, LAWYERS
www.smithandlee.com

Board Certified in Personal Injury Trial Law
Texas Board of Legal Specialization

The information contained in this communication is a transmission from Smith & Lee, Lawyers, P.C., and may be information protected by the attorney/client and/or attorney/work product privilege. It and any attachments hereto are also covered by the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2512, and are intended only for the personal and confidential use of the recipient(s) named in the communication, and the privileges are not waived by virtue of this having been sent by electronic mail. If the person actually receiving this communication or any other reader of the communication is not the named recipient, any use, dissemination, distribution or copying of the communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and delete the original message from your system. Thank you.

From: G. David Smith [mailto:]
Sent: Friday, July 31, 2015 3:17 PM
To: 'rlacroix@rockwall.com'
Subject: Request for Approval of Trailer Exchange in Lake Rockwall Estates

Dear Robert:

Didn't want you to cancel your email before getting on more action item prior to your retirement!

As we discussed, the Rockwall Housing Development Corporation is seeking to assist Jose Contreras and his wife with the replacement of their home that was flooded this spring. The home was and

still is located at 142 Rene Drive, Rockwall, Texas. Mr. and Mrs. Contreras need to replace the home that was flooded. It is an old 1980 mobile home, 75 x 15.

We have discussed various solutions with them. They own the property on Rene. He has a shop there where he keeps his equipment for his lawn mowing business. He has slept there in his truck to prevent theft of any of his personal property.

The trailer they lived in would require new interior walls, new floors, new insulation, new paint, probably new a/c and much more. We have talked about them building on RHDC land, but that is not economically feasible. We need to do the one time replacement the city conditionally allows for these structures.

We propose that the trailer be torn out by the city's contractor who has done such services in the past. It is my understanding the board of RHDC will help with the costs in this regard. Next, we will assist the Contreras' in obtaining a replacement trailer, newer and larger. Here is where we will need a variance from the Council:

a. The property is in flood plain. The flood water came up 18" in the home. We can raise the foundation of the new structure by 24" on an engineered mobile home foundation, but need approval to proceed.
b. The new home will be larger and younger that the old one; but it will not have Hardee Board siding. We will need a variance for that.

These are the two primary areas where we will need city approval before commencing. I ask that the Planning and Zoning Committee take note that, but for the flooding, the old trailer would still be there. Also, the Contreras' technically have the option to renovate the old trailer, which in my opinion will result in a much less desirable situation that what we propose.

Could you please put this on the agenda for the August 11 work session for the Committee so we can start the process of getting this to council?

Thank you for your efforts. I hope I timed this to be your last act before retirement. Best of luck and know you will be missed.

Yours truly,

G. David Smith
702 N. Goliad
Rockwall, Texas 75087
p. 972.771.2579
f. 972.771.0513
SMITH & LEE, LAWYERS
www.smithandlee.com



This confidential report is prepared exclusively for:

City of Rockwall

142 Renee Dr.

Rockwall, Texas 75032

I=Inspected NI=Not Inspected NP=Not Present D=Deficiency

I	NI	NP	D	Inspection Item

_____ Check # _X_ To be Invoiced __ Cash Cost $ 200.00

Rockwall Home Inspections
101 Oakridge Drive, Rockwall, TX 75032
www.rockwallhomeinspections.com 972-772-6050

PROPERTY INSPECTION REPORT

Prepared For: City of Rockwall, jwidmer@rockwall.com

Concerning: 142 Renee Dr, Rockwall, TX 75032

By: Uriah Shockley TREC # 9413 06/10/2015
(Name and License Number of Inspector) (Date)

PURPOSE, LIMITATIONS AND INSPECTOR / CLIENT RESPONSIBILITIES

This property inspection report may include an inspection agreement (contract), addenda, and other information related to property conditions. If any item or comment is unclear, you should ask the inspector to clarify the findings. It is important that you carefully read ALL of this information.

This inspection is subject to the rules ("Rules") of the Texas Real Estate Commission ("TREC"), which can be found at www.trec.texas.gov.

The TREC Standards of Practice (Sections 535.227-535.233 of the Rules) are the minimum standards for inspections by TREC licensed inspectors. An inspection addresses only those components and conditions that are present, visible, and accessible at the time of the inspection. While there may be other parts, components or systems present, only those items specifically noted as being inspected were inspected. The inspector is NOT required to turn on decommissioned equipment, systems, utility services or apply an open flame or light a pilot to operate any appliance. The inspector is NOT required to climb over obstacles, move furnishings or stored items. The inspection report may address issues that are code-based or may refer to a particular code; however, this is NOT a code compliance inspection and does NOT verify compliance with manufacturer's installation instructions. The inspection does NOT imply insurability or warrantability of the structure or its components. Although some safety issues may be addressed in this report, this inspection is NOT a safety/code inspection, and the inspector is NOT required to identify all potential hazards.

In this report, the inspector shall indicate, by checking the appropriate boxes on the form, whether each item was inspected, not inspected, not present or deficient and explain the findings in the corresponding section in the body of the report form. The inspector must check the Deficient (D) box if a condition exists that adversely and materially affects the performance of a system or component or constitutes a hazard to life, limb or property as specified by the TREC Standards of Practice. General deficiencies include inoperability, material distress, water penetration, damage, deterioration, missing components, and unsuitable installation. Comments may be provided by the inspector whether or not an item is deemed deficient. The inspector is not required to prioritize or emphasize the importance of one deficiency over another.

Some items reported may be considered life-safety upgrades to the property. For more information, refer to Texas Real Estate Consumer Notice Concerning Recognized Hazards or Deficiencies below.

THIS PROPERTY INSPECTION IS NOT A TECHNICALLY EXHAUSTIVE INSPECTION OF THE STRUCTURE, SYSTEMS OR COMPONENTS. The inspection may not reveal all deficiencies. A real estate inspection helps to reduce some of the risk involved in purchasing a home, but it cannot eliminate these risks, nor can the inspection anticipate future events or changes in performance due to changes in use or occupancy. It is recommended that you obtain as much information as is available about this property, including any seller's disclosures, previous inspection reports, engineering reports, building/remodeling permits, and reports performed for or by relocation companies, municipal inspection departments, lenders, insurers, and appraisers. You should also attempt to determine whether repairs, renovation, remodeling, additions, or other such activities have taken place at this property. It is not the inspector's responsibility to confirm that information obtained from these sources is complete or accurate or that this inspection is consistent with the opinions expressed in previous or future reports.

ITEMS IDENTIFIED IN THE REPORT DO NOT OBLIGATE ANY PARTY TO MAKE REPAIRS OR TAKE OTHER ACTIONS, NOR IS THE PURCHASER REQUIRED TO REQUEST THAT THE SELLER TAKE ANY ACTION. When a deficiency is reported, it is the client's responsibility to obtain further evaluations and/or cost estimates from qualified service professionals. Any such follow-up should take place prior to the expiration of any time limitations such as option periods

I	NI	NP	D	Inspection Item

Evaluations by qualified tradesmen may lead to the discovery of additional deficiencies which may involve additional repair costs. Failure to address deficiencies or comments noted in this report may lead to further damage of the structure or systems and add to the original repair costs. The inspector is not required to provide follow-up services to verify that proper repairs have been made.

Property conditions change with time and use. For example, mechanical devices can fail at any time, plumbing gaskets and seals may crack if the appliance or plumbing fixture is not used often, roof leaks can occur at any time regardless of the apparent condition of the roof, and the performance of the structure and the systems may change due to changes in use or occupancy, effects of weather, etc. These changes or repairs made to the structure after the inspection may render information contained herein obsolete or invalid. This report is provided for the specific benefit of the client named above and is based on observations at the time of the inspection. If you did not hire the inspector yourself, reliance on this report may provide incomplete or outdated information. Repairs, professional opinions or additional inspection reports may affect the meaning of the information in this report. It is recommended that you hire a licensed inspector to perform an inspection to meet your specific needs and to provide you with current information concerning this property.

TEXAS REAL ESTATE CONSUMER NOTICE CONCERNING HAZARDS OR DEFICIENCIES

Each year, Texans sustain property damage and are injured by accidents in the home. While some accidents may not be avoidable, many other accidents, injuries, and deaths may be avoided through the identification and repair of certain hazardous conditions. Examples of such hazards include:

- malfunctioning, improperly installed, or missing ground fault circuit protection (GFCI) devices for electrical receptacles in garages, bathrooms, kitchens, and exterior areas;
- Malfunctioning arc fault protection (AFCI) devices;
- Ordinary glass in locations where modern construction techniques call for safety glass;
- Malfunctioning or lack of fire safety features such as smoke alarms, fire-rated doors in certain locations, and functional emergency escape and rescue openings in bedrooms;
- Malfunctioning carbon monoxide alarms;
- Excessive spacing between balusters on stairways and porches;
- Improperly installed appliances;
- Improperly installed or defective safety devices; and
- Lack of electrical bonding and grounding.

To ensure that consumers are informed of hazards such as these, the Texas Real Estate Commission (TREC) has adopted Standards of Practice requiring licensed inspectors to report these conditions as “Deficient” when performing an inspection for a buyer or seller, if they can be reasonably determined.

These conditions may not have violated building codes or common practices at the time of the construction of the home, or they may have been “grandfathered” because they were present prior to the adoption of codes prohibiting such conditions. While the TREC Standards of Practice do not require inspectors to perform a code compliance inspection, TREC considers the potential for injury or property loss from the hazards addressed in the Standards of Practice to be significant enough to warrant this notice.

Contract forms developed by TREC for use by its real estate licensees also inform the buyer of the right to have the home inspected and can provide an option clause permitting the buyer to terminate the contract within a specified time. Neither the Standards of Practice nor the TREC contract forms require a seller to remedy conditions revealed by an inspection. The decision to correct a hazard or any deficiency identified in an inspection report is left to the parties to the contract for the sale or purchase of the home.

INFORMATION INCLUDED UNDER "ADDITIONAL INFORMATION PROVIDED BY INSPECTOR", OR PROVIDED AS AN ATTACHMENT WITH THE STANDARD FORM, IS NOT REQUIRED BY THE COMMISSION AND MAY CONTAIN CONTRACTUAL TERMS BETWEEN THE INSPECTOR AND YOU, AS THE CLIENT. THE COMMISSION DOES NOT REGULATE CONTRACTUAL TERMS BETWEEN PARTIES. IF YOU DO NOT UNDERSTAND THE EFFECT OF ANY CONTRACTUAL TERM CONTAINED IN THIS SECTION OR ANY ATTACHMENTS, CONSULT AN ATTORNEY

Promulgated by the Texas Real Estate Commission (TREC) P.O. Box 12188, Austin, TX 78711-2188 (512) 936-3000
http://www.trec.texas.gov

I	NI	NP	D	Inspection Item

ADDITIONAL INFORMATION PROVIDED BY INSPECTOR

Flood inspection for manufactured home, single wide, 3 bedroom, 1 bath (2nd bathroom converted into closet)fireplace, detached garage and garage port, sunny, 93 degrees, standing water on two side of house and under house.

Home and garage appear to have been fully furnished, occupied, and all utilities on during time of flood with all family belonging in house and garage damaged or lost. Water mark for exterior wall from grade was 48" inches, water mark inside was measured from floor 21" inches with moisture wicked from walls to ceiling due to the duration structure was submerged under water. Water entered structure as high as 4" inches above windows ceils. Total replacement of floors, sub-floors, all interior wall sheetrock, insulation, ceiling sheet rock, appliances, Parts of HVAC system, and sink cabinets should be anticipated due to water damage.

Due to location (appears to be in a flood plain), age, construction and amount of water/flood damage the replacement of entire structure may be less expensive than taking on repairs. Any attempted replacement should be consulted with a structural engineer with an emphasis on grading and drainage for current location.

Correction: Grounding wire for interior breaker panel is not connected to grounding wire. Fix or repair by a licensed electrician,

I=Inspected NI=Not Inspected NP=Not Present D=Deficiency

I	NI	NP	D	Inspection Item

I. STRUCTURAL SYSTEMS

☑ ☐ ☐ ☑ **A. Foundations**

Type of Foundation(s): Metal trailer frame with wheels removed. Existing axle and bearings appear non functional due to age, rust and corrosion.

Comments:

The foundation is performing as intended at time of inspection, however;

Number and spacing of metal tie down straps are marginal with several missing, unsecured, and excessive slack in existing metal tie downs. Trailer frame should be leveled and tie down straps re-tightened by a qualified licensed manufacturer home installer. Fix or repair

Some piers visible under structure are sinking or leaning. Further investigation and repair needed.

Insulation under trailer frame is water damaged and falling off and needs to be removed. Fix or repair.

Some minor slopping of floors observed throughout house is common for structures of similar, age location and construction. Condition is not uncommon. Fix or repair,

Doors are out of square and can't close and lock properly. Fix or repair

Ventilation of the crawl space is insufficient for the amount of water damage and water contact with structure; a minimum one (1) square foot of free vent area should be provided for every five hundred (500) square feet of crawl space. Proper ventilation will help to control humidity and reduce the potential for rot. Recommend removing all siding so that crawl space can air out due to the amount of moisture (water) around and under house.

Note: Not all parts of crawl space were accessible due to high water underneath structure and large amount of personal belonging and debris around sides of home.

☑ ☐ ☐ ☑ **B. Grading & Drainage** *Comments:*

The lot appears to be at the bottom of a hill in a flood prone area. The general topography of the area is such that it will be difficult to control storm water from rising lake. Recommend a qualified licensed engineer evaluate property and remedies for repair to prevent future flood damage.

I	NI	NP	D	Inspection Item

Excessive amount of debris and personal belonging should be removed from sides of house to prevent the harboring of pests and vermin. Condition is also conducive to several varieties of venomous snakes.

Trees in contact with structure, leaning towards structure, or hanging over structure should be removed to prevent any further damage to structure due to the perils of nature.

☑ ☐ ☐ ☑ **C. Roof Covering Materials**

Type(s) of Roof Covering: Metal Roofing Material with several past repairs.
Viewed From: Inspected from drip edge with ladder.
Comments:

Roofing material is considered to be in poor condition.
Roofing material has signs of past repairs with temporary solutions. Further investigation warranted by a manufacturer home certified and/or licensed roofer for remedies for repair due to past water stains and recent water stains/mold on ceilings.
Roof appears to be leaking. Fix or repair.

☑ ☐ ☐ ☑ **D. Roof Structure & Attic**

Viewed From: Attic was not accessible.
Approximate Average Depth of Attic Insulation: Undetermined
Approximate Average Thickness of Vertical Insulation: 3"-4" inches rolled insulation severely water damaged should be removed to prevent rot and structural support wall damage as soon as possible. Fix or repair.
Crawl space insulation under house needs replacement due to water damage. Fix or repair
Comments:
Due to water damage it is wise to remove insulation from inside exterior wall and ceiling attic space to prevent mold, rot and ultimate structural damage to exterior support walls and rafters.
Note: attic could not be evaluated since no attic access was available. Inspector suspects that there are several water leaks in roof structure due to evidence of past ceiling stains, recent stains and mold.
Roofing material should be evaluated along with remedies for repair by a manufacture home repair professional.
Debris on roof needs to be removed

☑ ☐ ☐ ☑ **E. Walls (Interior & Exterior)** *Comments:*

Water damaged interior walls need total sheet rock and insulation replacement to prevent mold, rot and structural wall problems Fix or repair.

☑ ☐ ☐ ☑ **F. Ceilings & Floors** *Comments:*

Signs of new and past water stains observed on ceiling along with mold due water penetration and high level of moisture inside home. Ceiling sheet rock will need replacement for a large majority of ceiling.

Plywood sub-floors are saturated and replacement should be anticipated due to warping from moisture damage.

Carpet and laminate floors need total replacement due to moisture damage.

☑ ☐ ☐ ☑ **G. Doors (Interior & Exterior)** *Comments:*

Doors are warped due to moisture damage and do not close, total replacement should be anticipated due to moisture damage.

I	NI	NP	D	Inspection Item

☑ ☐ ☐ ☐ **H. Windows** *Comments:*
Single pane windows are performing as intended.

☑ ☐ ☐ ☑ **I. Stairways (Interior & Exterior)** *Comments:*
Steps for side patio needs to be secured to deck.

☑ ☐ ☐ ☑ **J. Fireplace/Chimney** *Comments:*
Fire box is dirty with debris from flood water. Fix or repair.

☑ ☐ ☐ ☑ **K. Porches, Balconies, Decks, and Carports** *Comments:*
Carport/garage was submerged under 48" inches of water. Due to the amount of equipment in garage not all parts of garage could be inspected.

II. ELECTRICAL SYSTEMS

☑ ☐ ☐ ☑ **A. Service Entrance and Panels** *Comments:*
Overhead electrical service lines are in contact with trees. Fix or repair by a current licensed electrician.
Correction: Grounding wire for interior breaker panel is not connected to grounding rod. Fix or repair by a licensed electrician.
Missing Arc Fault Circuit Interrupter (AFCI) breakers for bedrooms. Not required when home was built. Fix or repair.
Missing GFCI outlets for bathrooms, kitchen and garage. Fix or repair.
Exterior disconnect breaker (located on outside meter pole)was submerged under flood water and should be replaced by a current licensed electrician to assure safe and reliable working order. Fix or repair.
Interior branch circuit breaker panel is located in master bedroom and considered a hazard by today's standards. Recommend relocating breaker panel.
Interior branch circuit breaker panel was not submerged by water, however, breaker panel is extremity dirty inside and should be professionally cleaned by a qualified licensed electrician to assure safe and proper working order.

☑ ☐ ☐ ☑ **B. Branch Circuits, Connected Devices, and Fixtures**
Type of Wiring: Copper
Comments:
All plug outlets for house and garage should be replaced to assure safe and proper working order since they all were submerged under water.
Improper wiring was observed on water heater, further investigation and repair required by a licensed electrician or qualified plumber

III. HEATING, VENTILATION AND AIR CONDITIONING SYSTEMS

☑ ☐ ☐ ☐ **A. Heating Equipment**
Type of System: Central Forced Air Furnace
Energy Source: Electricity
Comments:

I	NI	NP	D	Inspection Item

Blower and heating elements were submerged under water. Repair or replacement should be anticipated due to water damage. Further investigation warranted by a licensed HVAC professional when power is turned on.

☑ ☐ ☐ ☑ **B. Cooling Equipment**
Type of System: Central Forced Air System
Comments: AC coils are old with signs of heavy rust buildup
Condenser was completely submerged under water warranting further investigation by a current licensed HVAC professional when power is on
Due to water damage it is recommended that a licensed HVAC professional evaluate entire HVAC l system further to assure proper working order. Repairs should be anticipated.

☑ ☐ ☐ ☑ **C. Duct System, Chases, and Vents** *Comments:*
Metal ducts were submerged under water. Replacement should be anticipated due to health concerns of mold inside ducts.

IV. PLUMBING SYSTEM

☑ ☐ ☐ ☐ **A. Water Supply System and Fixtures**
Location of water meter: Right side of driveway.
Location of main water supply valve: Emergency main water shutoff valve was not present, recommend that main water shut off valve be installed next to house for emergency access.
Static water pressure reading: 65 psi (acceptable range 40-80psi)
Comments:
Missing water shutoff valves under all sinks. Fix or repair.

☑ ☐ ☐ ☑ **B. Drains, Wastes, and Vents** *Comments:*
It appears that toilet drain line has been disconnected allowing toilet waste water to terminate under house. Fix or repair (note: this may indicate that there was some movement of entire structure due to rising flood water).
Waste drains under kitchen sink are held together with duct tape. Further investigation and repair required by a licensed plumber

☑ ☐ ☐ ☑ **C. Water Heating Equipment**
Energy Source: Electricity
Capacity: 50gls.
Comments:
Water heater is at or exceeded estimated life expectancy with evidence of severe rust on unit.
Improper wiring should be evaluated by a qualified plumber or licensed electrician.

V. APPLIANCES

☑ ☐ ☐ ☐ **A Dishwasher** *Comments:* N/A

☐ ☐ ☑ ☐ **B. Food Waste Disposer** *Comments:* N/A

☐ ☑ ☐ ☐ **C. Range Exhaust Vent** *Comments:* performance could not be determined since power was off

☐ ☑ ☐ ☐ **D. Ranges, Cooktops, and Ovens** *Comments:*

I	NI	NP	D	Inspection Item

Oven range was removed, condition is undetermined. Unit was in the street

☐ ☐ ☑ ☐ **E. Microwave Oven** *Comments:* N/A

☐ ☐ ☑ ☐ **F. Trash Compactor** *Comments:* N/A

☐ ☐ ☑ ☐ **G. Mechanical Exhaust Vents and Bathroom Heaters** *Comments:*
Performance undetermined since electricity was off

☐ ☐ ☑ ☐ **H. Garage Door Operator(s)** *Comments:* N/A

☐ ☐ ☑ ☐ **I. Doorbell and Chimes** *Comments:* N/A

☐ ☐ ☑ ☐ **J. Dryer Vents** *Comments:* undetermined. Appears dryer vent terminates underneath house

☐ ☐ ☑ ☐ **K. Washer and Dryer** *Comments* Washer and dryer were totally submerged under water:

☐ ☐ ☑ ☐ **L. Refrigerator:** Refrigerator was removed and in street. Condition undetermined.

VI. OPTIONAL SYSTEMS

☑ ☐ ☐ ☑ **A. Private Sewage Disposal (Septic) Systems**
Type of System: Conventional Drip Septic System
Location of Drain Field: In back of house
Comments:
Septic system and drain field were still submerged under water, recommend a licensed septic representative evaluate system when water recedes.

☐ ☐ ☑ ☐ **B. Smoke Detectors** *Comments:* Smoke detectors not present

I	NI	NP	D	Inspection Item

ADDENDUM: REPORT SUMMARY

The following is a synopsis of the potentially significant improvements that should be budgeted for over the short term. Other significant improvements, outside the scope of this inspection, may also be necessary. Please refer to the body of this report for further details on these and other recommendations.

For your convenience, the following conventions have been used in this summary addendum.

Major Concerns: *a system or component which is considered significantly deficient or is unsafe. Significant deficiencies need to be corrected and, except for some safety items, are likely to involve significant expense.*

Safety Issues: *denotes a condition that is unsafe and in need of prompt attention.*

Repair Items: *denotes a system or component which is missing or which needs corrective action to assure proper and reliable function.*

Improvement Items: *denotes improvements which are recommended but not required.*

Items To Monitor: *denotes a system or component needing further investigation and/or monitoring in order to determine if repairs are necessary.*

Deferred Cost Items: *denotes items that have reached or are reaching their normal life expectancy or show indications that they may require repair or replacement anytime during the next five (5) years.*

MAJOR CONCERNS

The inspection of the property listed above must be performed in compliance with the rules of the Texas Real Estate Commission (TREC).

SAFETY ISSUES

Smoke detectors not present

Overhead electrical service lines are in contact with trees. Fix or repair by a current licensed electrician.

REPAIR ITEMS

Number and spacing of metal tie down straps are marginal with several missing, unsecured, and excessive slack in existing metal tie downs. Trailer frame should be leveled and tie down straps re-tightened by a qualified licensed manufacturer home installer. Fix or repair

Some piers visible under structure are sinking or leaning. Further investigation and repair needed.

Insulation under trailer frame is water damaged and falling off and needs to be removed. Fix or repair

Excessive amount of debris and personal belonging should be removed from sides of house to prevent the harboring of pests and vermin. Condition is also conducive to several varieties of venomous snakes.

Trees in contact with structure, leaning towards structure, or hanging over structure should be removed to prevent any further damage to structure due to the perils of nature.

Roofing material has signs of past repairs with temporary solutions. Further investigation warranted by a manufacturer home certified and/or licensed roofer for remedies for repair due to past water stains and recent water stains/mold on ceilings

3”-4” inches rolled insulation severely water damaged should be removed to prevent rot and structural support wall damage as soon as possible. Fix or repair.

Crawl space insulation under house needs replacement due to water damage. Fix or repair

I	NI	NP	D	Inspection Item

Due to water damage it is wise to remove insulation from inside exterior wall and ceiling attic space to prevent mold, rot and ultimate structural damage to exterior support walls and rafters.

Water damaged interior walls need total sheet rock and insulation replacement to prevent mold, rot and structural wall problems Fix or repair

Signs of new and past water stains observed on ceiling along with mold due water penetration and high level of moisture inside home. Ceiling sheet rock will need replacement for a large majority of ceiling.

Plywood sub-floors are saturated and replacement should be anticipated due to warping from moisture damage.

Carpet and laminate floors need total replacement due to moisture damage.

Doors are warped due to moisture damage and do not close, total replacement should be anticipated due to moisture damage

Main disconnect breaker was submerged under flood water and should be replaced by a current licensed electrician to assure safe and reliable working order. Fix or repair.

Main disconnect breaker was submerged under flood water and should be replaced by a current licensed electrician to assure safe and reliable working order. Fix or repair.

All plug outlets for house and garage should be replaced to assure safe and proper working order since they all were submerged under water.

Improper wiring was observed on water heater, further investigation and repair required by a licensed electrician or qualified plumber

Blower and heating elements were submerged under water. Repair or replacement should be anticipated due to water damage. Further investigation warranted by a licensed HVAC professional when power is turned on.

Condenser was completely submerged under water warranting further investigation by a current licensed HVAC professional

Metal ducts were submerged under water. Replacement should be anticipated due to health concerns of mold inside ducts.

Missing water shutoff valves under all sinks. Fix or repair.

It appears that toilet drain line has been disconnected allowing toilet waste water to terminate under house. Fix or repair (note: this may indicate that there was some movement of entire structure due to rising flood water).

Waste drains under kitchen sink are held together with duct tape. Further investigation and repair required by a licensed plumber

Water heater is at or exceeded estimated life expectancy with evidence of severe rust on unit.

Improper wiring should be evaluated by a qualified plumber or licensed electrician.

Large amount of cleaning and debris removal due to flood water is needed.

IMPROVEMENT ITEMS

Missing Arc Fault Circuit Interrupter (AFCI) breakers for bedrooms. Not required when home was built. Fix or repair.

Missing GFCI outlets for bathrooms, kitchen and garage. Fix or repair.

Main breaker panel is located in master bedroom and considered a hazard by today's standards. Recommend relocating breaker panel.

Main breaker panel was not submerged by water, however, breaker panel is extremity dirty inside and should be professionally cleaned by a qualified licensed electrician to assure safe and proper working order.

Emergency main water shutoff valve was not present

ITEMS TO MONITOR

Oven range was removed, condition is undetermined. Unit was in the street
Refrigerator was removed and in street. Condition undetermined.
Washer and dryer were totally submerged under water:
Past repairs to drain lines under house were observed by inspector.

DEFERRED COST ITEMS

Condenser was completely submerged under water warranting further investigation by a current licensed HVAC professional when power is on

I=Inspected NI=Not Inspected NP=Not Present D=Deficiency

I	NI	NP	D	Inspection Item

Due to water damage it is recommended that a licensed HVAC professional evaluate entire HVAC l system further to assure proper working order. Repairs should be anticipated.
Oven range was removed, condition is undetermined. Unit was in the street
Septic system and drain field were still submerged under water, recommend a licensed septic representative evaluate system when water recedes.

I	NI	NP	D	Inspection Item

ADDENDUM: PHOTO SUMMARY



Water mark on screen from flood



water mark over condenser



Missing tie down and damaged insulation



water mark on exterior disconnect



Rusted floor duct



water heater is very old with improper wiring

I	NI	NP	D	Inspection Item

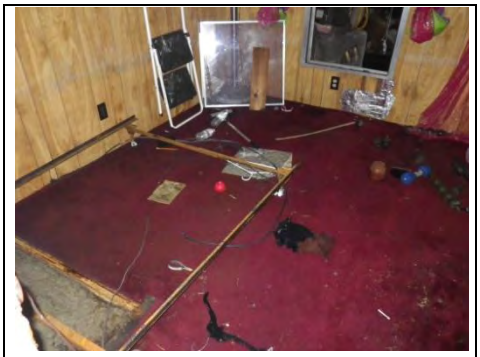
ADDENDUM: PHOTO SUMMARY



Very old past roof repairs



Sample of one of several leaning piers



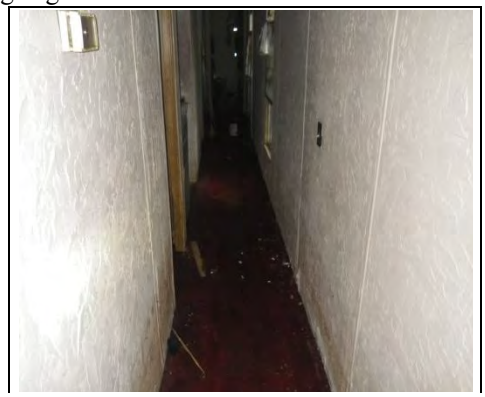
Saturated floors



garage after 48 inches of flood water



Water stain and mold on ceiling



water was 20 inches high throughout house

(Note :Water can wick up to ceiling over a period of time)

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **August 13, 2015**

SUBJECT: **Proposed 380 Agreement for Sales/Use Tax**

First Texas Homes, an area home builder, through their representative, Doug Duffie approached the City regarding the possibility of entering into a 380 agreement and made his presentation in work session regarding the proposal.

First Texas Homes will convert their accounting system to become a Use Tax payer rather than paying sales tax at the point of sale. Their suppliers are all selling materials from locations outside of Rockwall. For example, if First Texas Homes purchases Acme Brick the sales tax is paid either to Dallas or to Denton where their sales offices are located rather than Rockwall where the home is being built. Mr. Duffie's research shows none of their suppliers are located in Rockwall and staff has confirmed that to the extent possible.

For the effort and expense associated with First Texas Homes changing their accounting systems and paying Use Tax rather than sales tax they would receive 40% of the local sales tax. They would pay the Use tax each month and seek the appropriate rebate once each six months. Several area cities have entered into this kind of agreement.

Council is asked to consider approval of the accompanying 380 agreement.

First Texas Homes Chapter 380 Agreement Summary

City Chapter 380 Agreements	Legal Entity	First Texas Homes
	Individual	Mtg. on April 23 1:00
		Rick Crowley/Mary Smith
		2.000%
City Name		Rockwall
Contact Name		Rick Crowley
Contact Title		City Manager
Street Address		385 S. Goliad
City, State, Zip Code		Rockwall, TX 75087
Phone Number		(972) 771-7700
Email Address		rcrowley@rockwall.com
Contact Name		
Contact Title		Director of Finance
Contact Name		
Contact Title		Econ Devel Director
Est. # of Undeveloped Lots		126
Ave Sales Price - 2014 YTD		$373,614
Direct Materials (%of sales)		17.70%
Ave Dir Mat Purch / House (today)		$66,130
Ave Local City Use Tax/House		$1,322.59
Ave Use Tax Grant / House		$529
Ave Use Tax Rcvd City / House		$794
Agreement Term / Length		10 Years
Grant Amount / Percentage of 1% City Use Tax for Future Direct Payment Permit Purchases		80.00%

Estimated Benefits for the Agreement - First Texas	0.8% Total	FTH Est Sav - thru Buildout
Existing Undev. Lots / Current Mat. Prices		$66,658.72
Existing Undev. Lots/Mat. Price Incr 5% Annually		$88,034.70
Existing Undev. Lots/Mat. Price Incr 8% Annually		$104,290.89

Estimated Benefits for the Agreement - City	1.2% Total	City Est. Sav thru Build-out	.2% Gen. City Tax	.5% 4A Tax	.5% 4B Tax
Existing Undev. Lots / Current Mat. Prices		$99,988.07	$16,664.68	$41,661.70	$41,661.70
Existing Undev. Lots/Mat. Price Incr 5% Annually		$132,052.05	$22,008.67	$55,021.69	$55,021.69
Existing Undev. Lots/Mat. Price Incr 8% Annually		$156,436.34	$26,072.72	$65,181.81	$65,181.81

Note: Based on NO future undeveloped lot purchases/development during 10-year 380 Agreement (ie: most conservative)

CHAPTER 380 GRANT AGREEMENT BY
AND BETWEEN THE CITY OF ROCKWALL, TEXAS
AND FIRST TEXAS HOMES, INC.

This **CHAPTER 380 GRANT AGREEMENT** ("Agreement") is made by and between The City of Rockwall, Texas ("City", also referred to as "Grantor") and First Texas Homes, Inc. (the "Company"), acting by and through their respective authorized officers and representatives.

WHEREAS, the City Council of the City of Rockwall, Texas ("City Council") has investigated and determined that it is in the best interest of the City and its citizens to encourage programs, including programs for making loans and grants of public money to promote local economic development and stimulate business and commercial activity in the City pursuant to Chapter 380, Texas Local Government Code, as amended ("Chapter 380"); and

WHEREAS, the Company will be engaged in the business of purchasing building materials for its use on construction projects within the City; and

WHEREAS, the Company has advised that it would like to partner with the City, and that a contributing factor that would induce the Company to purchase items using a Texas Direct Payment Permit and generate economic development and local use tax revenue for the City, that would otherwise not be available to the City, would be an agreement by the Grantor to provide an economic development grant to the Company; and

WHEREAS, the Company desires to purchase and use new building materials within the City that will generate additional economic development and use tax revenue for the City; and

WHEREAS, the City Council has investigated and determined that the Company meets the criteria for providing the grants (hereinafter defined), pursuant to Chapter 380, based on, among other things, the Company: (i) acquiring properties for development, and constructing improvements; (ii) adding taxable improvements to real property in the City; and (iii) creating employment opportunities for the citizens of Rockwall ("Approved Project"); and

WHEREAS, the City has concluded that the Approved Project qualifies for a Grant under Chapter 380; and

WHEREAS, with the approval of this Agreement, the City hereby establishes a program authorized by Chapter 380 of the Texas Local Government Code to encourage and induce the generation of local use tax; and

WHEREAS, the Grantor has determined that making an economic development grant to the Company in accordance with this Agreement will further the objectives of the Grantor, will benefit the City and the City's inhabitants and will promote local economic development and stimulate business and commercial activity in the City;

NOW THEREFORE, in consideration of the foregoing, and on the terms and conditions hereinafter set forth, the sufficiency of which is hereby acknowledged, the parties agree as follows:

ARTICLE I
DEFINITIONS

1.01 For purposes of this Agreement, each of the following terms shall have the meaning set forth herein unless the context clearly indicates otherwise:

"City" and "Grantor" shall mean The City of Rockwall, Texas.

"Company" shall mean First Texas Homes, Inc.

"Commencement Date" shall mean August 1, 2015.

"Effective Date" shall mean August 1, 2015.

"Direct Payment Permit" also referred to herein as a "Texas Direct Payment Permit" shall mean that permit issued by the State of Texas authorizing Company to self-assess and pay applicable state and local use taxes directly to the State of Texas related to selected portions of Company's taxable purchases. Texas Rule 3.288 of the Texas Administrative Code defines the requirements and responsibilities of Texas Direct Payment Permit holders along with any amendments, permutations, or recodifications of such Code or Rules whether renaming such permits or otherwise modifying such provisions.

"Event of Bankruptcy or Insolvency" shall mean the dissolution or termination (other than a dissolution or termination by reason of a party merging with an affiliate) of a party's existence as a going business, insolvency, appointment of receiver for any part of a party's property and such appointment is not terminated within ninety (90) business days after such appointment is initially made, any general assignment for the benefit of creditors, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against a party and in the event such proceeding is not voluntarily commenced by the party, such proceeding is not dismissed within ninety (90) business days after the filing thereof.

"Force Majeure" shall mean any delays due to strikes, riots, acts of God, shortages of labor or materials, war, terrorism, governmental approvals, laws, regulations, or restrictions, or any other cause of any kind whatsoever which is beyond the reasonable control of the party.

"Program" shall mean the economic incentive program established by the City pursuant to Chapter 380 of the Texas Local Government Code together with any amendments, permutations, or recodifications of such Code provisions whether renaming such economic incentive or other modifications thereof.

"Program Grant" shall mean the periodic payments paid by the City to the Company in accordance with Section 3 of this Agreement.

"Grant Period" shall mean consecutive six (6) month periods during the term of this Agreement, except that the first Grant Period shall begin on the Effective Date and continue through and include the last day of December 2015 following the Effective Date. For illustration purposes, assume the Effective Date is August 1, 2015 then the first Grant Period would begin on August 1, 2015 and continue through and include December 31, 2015. The next Grant Period would begin on January 1, 2016 and continue through and include June 30, 2016. The final Grant Period for the initial 10-year term of the Agreement would be from July 1, 2025 and end on July 31, 2025.

"Taxable Items" shall have the same meaning assigned by Sections 151.010 and 151.0101, TEX. TAX CODE, as amended.

"Impositions" shall mean all use taxes that may be imposed by public or governmental authority on the Company or any taxable items purchased and used by Company within the City.

"Use Tax Receipts" shall mean the Grantor's receipts from the State of Texas from the collection of one percent (1%) general City use tax imposed by the City pursuant to Chapter 321 of the Texas Tax Code, attributed to the collection of use tax by Company associated with the issuance of Company's Texas Direct Payment for Taxable Items used or consumed in the City.

"Use Tax Certificate" shall mean a certificate or other statement in a form reasonably acceptable to the Grantor setting forth the Company's collection of use tax imposed by and received by the Grantor from the State of Texas, for the use of Taxable Items by Company in the City for the applicable calendar month during a Grant Period which are to be used to determine Company's eligibility for a Grant, together with such supporting documentation required herein, and as Grantor may reasonably request.

ARTICLE II
TERM

2.01 Term. The term of this Agreement shall begin on the Effective Date and continue for a ten (10) year period.

2.02 This Agreement shall remain in effect until Grantor has made the Program Grants set forth in Section 3 of the Agreement, or until otherwise terminated under the provisions of this Agreement.

2.03 This Agreement may be extended for an additional period of time on terms mutually acceptable to both parties by a written agreement executed by both parties.

ARTICLE III
ECONOMIC DEVELOPMENT GRANT

3.01 Grant. Subject to the Company's continued compliance of all the terms and conditions of this Agreement, the Grantor agrees to provide Company with an economic development grant from lawful available funds payable as provided herein in an amount equal to 80% of the Use Tax Receipts, as previously defined herein (the "Grant"). The Grant will be paid semi-annually at the end of June and the end of December with the potential exception of the final Grant Period during the ten (10) year period following the execution of the Agreement, commencing August 1, 2015. The Grant will never include any monies the Company pays or owes to the State of Texas for any penalties for late payments, failures to report in a timely manner, and the like, related to the Use Tax Receipts.

3.02 Grant Payment. Grantor shall pay the Grant for the applicable Grant Period within forty-five (45) days after receipt of a Use Tax Certificate from Company following the end of each Grant Period, pursuant to Section 4.01. Company shall submit Use Tax Certificates to Grantor within thirty (30) days following the end of the applicable Grant Period, beginning with the first Grant Period. For illustration purposes, assume the first Grant Period begins on August 1, 2015 and continues through and includes December 31, 2015. Company would submit a Use Tax Certificate to Grantor for the first Grant Period by January 30, 2016 and Grantor would pay the first Grant within forty-five (45) days after receipt of the Use Tax Certificate. Further assume that the Use Tax Receipts for the first Grant Period equal Five Thousand Dollars ($5,000.00), then the amount of the first Grant would be Four Thousand Dollars ($4,000.00).

3.03 Amended Returns and Audits. In the event the Company files an amended use tax return, or report, or if additional use tax is due and owing, as a result of an audit conducted by the State of Texas that increases the Use Tax Receipts for a previous period covered within the term of this agreement, the Grant payment for the Grant Period immediately following such State approved amendment shall be adjusted accordingly, provided the Grantor must have received the Use Tax Receipts attributed to such adjustment. As a condition precedent to payment of such adjustment, Company shall provide Grantor with a copy of such amended use tax report, tax return or audit adjustment, and the approval thereof by the State of Texas.

3.04 Refunds. In the event the State of Texas determines that the City erroneously received Use Tax Receipts, or that the amount of use tax paid to the City exceeds the correct amount of use tax for a previous Grant paid to the Company, the Company shall, within thirty (30) days after receipt of notification thereof from the City specifying the amount by which such Grant exceeded the amount to which the Company was entitled pursuant to such State of Texas determination, pay such amount to the Grantor. The Grantor may at its option adjust the Grant payment for the Grant Period immediately following such State of Texas determination to deduct there from the amount of the overpayment. As a condition precedent to payment of such refund, the City shall provide Company with a copy of such determination by the State of Texas.

ARTICLE IV
DOCUMENTATION SUPPORTING THE ECONOMIC DEVELOPMENT GRANT

The conditions contained in this Article IV are conditions precedent to the Grantor's obligation to make any Grant payment.

4.01 Use Tax Certificate. During the term of this Agreement, the Company shall within thirty (30) days after the end of each Grant Period, provide the Grantor with a Use Tax Certificate relating to Use Tax Receipts paid during the Grant Period. The Grantor shall have no duty to calculate the Use Tax Receipts or determine Company's entitlement to any Grant for a Grant Period, or pay any Grant during the term of this Agreement until such time as Company has provided the Grantor a Use Tax Certificate for such Grant Period and the Grantor has received the actual Use Tax Receipts from the State of Texas attributable to such calendar months within the Grant Period. Company shall provide such additional documentation as may be reasonably requested by Grantor to evidence, support and establish the use tax paid directly to the State of Texas pursuant to Company's Direct Payment Permit. The Use Tax Certificate for each Grant Period shall at a minimum contain, include or be accompanied by the following:

a. A copy of all Texas Direct Payment Permit and self-assessment use tax returns and reports during the applicable Grant Period, use tax audit assessments or credits, including amended use tax returns or reports, filed by the Company during the Grant Period showing use tax paid directly to the State of Texas related to Company's operations for the Grant Period; and

b. Information concerning any refund or credit received by the Company of use tax paid by the Company which has previously been reported by the Company as use tax paid for a previous Grant Period within the term of this agreement.

Company will provide to Grantor the Use Tax Certificates from time to time pursuant to the terms of the Agreement, which are confidential ("Confidential Information") and, except as otherwise provided herein, may not be disclosed to a third party without the Company's consent. To the extent that any disclosure of the Confidential Information may be required by law, Grantor will use reasonable efforts to inform Company of the request in sufficient time for Company to assert any objection it may have to such disclosure to an appropriate judicial or administrative body.

4.02 Grantor must have received a Use Tax Certificate for the months within the Grant Period for which payment of a Grant is requested, and Grantor must have received the actual Use Tax Receipts for all calendar months within the Grant Period.

4.03 The Company intends to issue its Texas Direct Payment Permit to specific suppliers or vendors that provide large quantities of building materials or other tangible personal property.

4.04 The Company shall provide the Grantor with a true and correct copy of its Texas Direct Payment Permit, which permit shall be kept in full force and effect throughout the term of the Agreement.

4.05 Company or the City shall not have an uncured material breach or default of this Agreement.

ARTICLE V
TERMINATION

5.01 This Agreement may be terminated upon any one of the following:

(a) by mutual written agreement of the parties;

(b) by Grantor or Company, respectively, if the other party defaults or breaches any of the terms or conditions of this Agreement in any material respect and such default or breach is not cured within thirty (30) days after written notice thereof by the Grantor or Company, as the case may be;

(c) by Grantor, if any Impositions owed to the Grantor or the State of Texas by Company shall have become delinquent (provided, however, Company retains the right to timely and properly protest and contest any such Impositions);

(d) by Grantor, if Company suffers an Event of Bankruptcy or Insolvency;

(e) by Grantor or Company, respectively, if any subsequent Federal or State legislation or any decision of a court of competent jurisdiction declares or renders this Agreement invalid, illegal or unenforceable; or

(f) by Company, if the City does not pay the applicable Grant amount within 45 days of receipt of the Use Tax Receipts as required herein covered by a valid Use Tax Certificate issued by Company or fails to cure this breach within an additional 30 days and so long as the Company is not in default, or;

(g) expiration of the term, or any subsequent renewal of the term.

The rights, responsibilities and liabilities of the parties under this Agreement shall be extinguished upon the termination of this Agreement except for any rights, responsibilities and/or liabilities that accrued prior to such termination.

ARTICLE VI
MISCELLANEOUS

6.01 Binding Agreement. The terms and conditions of this Agreement are binding upon the parties to this agreement and their respective successors and permitted assigns. This Agreement may not be assigned without the express written consent of Grantor, which consent shall not be unreasonably withheld or delayed.

6.02 Limitation on Liability. It is understood and agreed between the parties that the Company and Grantor, in satisfying the conditions of this Agreement, have acted independently, and Grantor assumes no responsibilities or liabilities to third parties in connection with these actions. The Company agrees to indemnify and hold harmless the Grantor from all such claims, suits, and causes of actions, liabilities and expenses, including reasonable attorney's fees, of any nature whatsoever by a third party arising out of the Company's performance of the conditions under this Agreement.

6.03 No Joint Venture. It is acknowledged and agreed by the parties that the terms hereof are not intended to and shall not be deemed to create a partnership or joint venture between the parties.

6.04 Authorization. Each party represents that it has full capacity and authority to grant all rights and assume all obligations that are granted and assumed under this Agreement.

6.05 Notice. Any notice required or permitted to be delivered hereunder shall be deemed received three (3) days thereafter sent by United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the party at the address set forth below (or such other address as such party may subsequently designate in writing) or on the day actually received if sent by courier or otherwise hand delivered sent via fax.

If intended for City, to:

Attn: Rick Crowley
Rockwall City Manager
385 S. Goliad
Rockwall, TX 75087

With a copy to:

Attn:

If intended for the Company:

Attn: Kristy Murday
Controller
First Texas Homes, Inc.
500 Crescent Court, Suite 350
Dallas, TX 75201

With a copy to:

Attn: John D. Sloan, Jr.
Sloan Matney, LLP
Two Turtle Creek
3838 Oak Lawn, Suite 1200
Dallas, TX 75219

6.06 Entire Agreement. This Agreement is the entire Agreement between the parties with respect to the subject matter covered in this Agreement. There is no other collateral oral or written Agreement between the parties that in any manner relates to the subject matter of this Agreement.

6.07 Governing Law. The laws of the State of Texas shall govern the Agreement; and this Agreement is fully performable in Rockwall, Rockwall County, Texas with exclusive venue for any action concerning this Agreement being in a court of competent jurisdiction in Rockwall County, Texas.

6.08 Amendment. This Agreement may only be amended by the mutual written agreement of the parties.

6.09 Legal Construction. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

6.10 Recitals. The recitals to this Agreement are incorporated herein.

6.11 Counterparts. This Agreement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall constitute one and the same instrument and any such counterparts shall be deemed to be incorporated herein.

6.12 Survival of Covenants. Any of the representations, warranties, covenants, and obligations of the parties, as well as any rights and benefits of the parties, pertaining to a period of time following the termination of this Agreement shall survive termination.

6.13 Sovereign Immunity. The parties agree that the City has not waived its sovereign immunity by entering into and performing its obligations under this Agreement.

6.14 Dispute Resolution. Any controversy or claim arising from or relating to this Agreement, or a breach thereof shall be subject to non-binding mediation, as a condition precedent to the institution of legal or equitable proceedings by any party unless the institution of such legal or equitable proceeding is necessary to avoid the running of an applicable statute of limitation. The parties shall endeavor to resolve their claims by mediation. Grantor and Company shall share the costs of mediation equally. The mediation shall be held in Rockwall, Texas, unless another location is mutually agreed upon. Agreements reached in mediation shall be enforceable as settlement agreements in any court having jurisdiction thereof.

[SIGNATURE PAGES FOLLOW]

EXECUTED as of the ____ day of _____, 2015.

THE CITY OF ROCKWALL, TEXAS

By: _____
Rick Crowley, City Manager

ATTEST:

_____
City Secretary

By: _____

EXECUTED as of the ____ day of _____, 2015.

By: First Texas Homes, Inc.
a Texas corporation

By:_____
Name: Kristy Murday
Title: Controller

ACKNOWLEDGMENTS

STATE OF TEXAS §
§
CITY OF ROCKWALL §

This instrument was acknowledged before me on the _____ day of _____, 2015 by Rick Crowley, City Manager of The City of Rockwall, Texas, on behalf of said city.

_____

Name: _____

Notary Public, State of Texas

My commission expires: _____

STATE OF TEXAS §
§
CITY OF DALLAS §

This instrument was acknowledged before me on the _____ day of _____, 2015 by Kristy Murday, Controller of First Texas Homes, Inc., a Texas corporation, on behalf of said company.

_____

Name:_____

Notary Public - State of Texas

My commission expires: _____

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 08/17/2015

APPLICANT: Wayne Mershawn of Mershawn Architects

AGENDA ITEM: **SP2015-016;** Life Spring Church

SUMMARY:

Discuss and consider a request by Wayne Mershawn of Mershawn Architects on behalf of Rex Walker of Life Springs Church for the approval of variances to the articulation and residential screening requirements as stipulated by the Unified Development Code in conjunction with an approved site plan for a church on a seven (7) acre portion of a larger 28.881-acre tract of land identified as Tract 15-01 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Corridor Overlay (SH 205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King Boulevard and SH-205, and take any action necessary.

PURPOSE:

The applicant is requesting approval of a Site Plan for the purpose of new construction of an approximately 25,433 sq. ft. C*hurch* facility. The property is zoned *Agricultural (AG) District* and has been granted a Specific Use Permit [*SUP Ord. No. 15-21*] on August 3, 2015 to allow for a *Church* development on the seven (7) acre portion of the larger 28.811-acre tract of land. The property is also within the *SH-205 By-Pass Corridor Overlay* (SH205 BY-OV) *District* and is generally located on the north side of John King Boulevard, east of the intersection of John King Boulevard and SH-205.

VARIANCE REQUESTS:

1. The applicant is requesting a variance to the *Unified Development Code*, *Article V, Section 4.1 General Commercial District Standards*, to allow for not meeting the Horizontal Articulation requirements as established in *Art. V, Sec. 4.1, C.1.a*. and as depicted in the Building Elevations as submitted. The code reads as follows:

C. *Building articulation.*

1. *Requirements.* Facades shall meet the following minimum standards for articulation:

a) *Horizontal articulation.* No building wall shall extend for a distance equal to three times the wall's height without having an offset of 25 percent of the wall's height, and that new plane shall extend for a distance equal to at least 25 percent of the maximum length of the first plane.

Although the applicant has provided contrasting elements depicting offsets for the north and south elevations, the offsets do not meet the technical definition for horizontal articulation. The variance requested by the applicant for not meeting the horizontal articulation requires a simple majority vote in the affirmative of all council members present for approval.

2. The applicant is also requesting a variance to Article VIII, Landscape Standards of the Unified Development Code (UDC) as indicated below.

    a) To allow for not meeting the screening standards as established in *Art. VIII, Sec. 5.6 Screening from Residential Uses* which requires a minimum 6-ft high masonry screening fence. The applicant is requesting to allow a 6-ft cedar fence along the perimeter of the property to provide screening from the Breezy Hill Phase IV subdivision. It should be noted that there is an approximately 12-ft downward slope towards the development and that the parking spaces are approximately 90-ft from the property line adjacent to the residential development.

ARCHITECTURAL REVIEW BOARD RECOMMENDATION:

On August 28, 2015, the Architectural Review Board (ARB) reviewed the proposed building elevations for the site. General discussion concerning the agenda item took place between the Board Members and city staff. The board expressed concern with the lack of horizontal and vertical articulation of the building and the colors presenting no contrast based on the stone/stucco combination in the color rendering.

To address these concerns the board recommended that the applicant increase the horizontal and vertical projections and more particularly, the north and south elevations in order to provide relief. Furthermore, the board recommended the applicant reduce the amount of stone and incorporate brick that would provide a contrasting element to the visual appearance of the building. Finally, the board recommended the applicant incorporate window treatments and canopies in the projecting elements of the primary entrance to the church.

The applicant has revised the elevations by incorporating window treatments and canopies with tie backs in the tower elements of the primary entrance (west elevation) and has increased the vertical projections of the north and south facing elevations. In order to break up the linear appearance of the north and south elevations, the applicant has incorporated pilaster elements that provide massing, and canopies with tie backs as an architectural feature (south elevation), while using a stacked stone rather than brick to provide contrast and the appearance of depth.

Based on the applicant's revised plans, the pilaster elements do not meet the technical definition for horizontal articulation of the north and south elevations, therefore, a variance will be required.

The ARB requested a subsequent review of the revised elevations via e-mail. At the time of this report, staff has received one (1) e-mail from an ARB member expressing a concern with the building having a flat façade with only a change in materials.

RECOMMENDATIONS:

The site plan submitted by the applicant meets all the technical criteria stipulated by the UDC and SH205 BY-OV, with the exception of the variances requested and the items listed below. Should the Planning and Zoning Commission choose to approve the applicant's request, then the following conditions of approval should be adopted with this case:

1) All comments provided by the Planning, Engineering and Fire Department must be addressed prior to the submittal of a building permit and to include the following Planning comments;

    a. All exterior signage requires submittal and approval of a separate permit through the Building Inspections Department.

b. Submittal, approval, and filing of a final plat prior to the issuance of a Certificate of Occupancy.

c. Approval of the variances requested from the City Council for not meeting the horizontal articulation standards and requirements for screening from residential uses of the *Unified Development Code* as noted in this report.

2) Any construction or building necessary to complete this *Site Plan* request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On August 11, 2015, the Planning and Zoning Commission approved the Site Plan request with staff conditions and also recommended approval of the variances requested for not meeting the horizontal articulation and residential screening standards by a vote of 6 to 0 [Fishman – absent]. It should be noted that Mr. Rex Walker of Life Spring Church requested to use the existing trees along the east property line for screening purposes from the future residential development rather than a six foot masonry or the *requested* six foot *cedar fence* due to the 12 to 14 foot downward slope that exists on the property. The Commission's recommendation for a variance to the residential screening standards includes live screening with the existing trees and any additional trees necessary to provide proper screening of the eastern property line.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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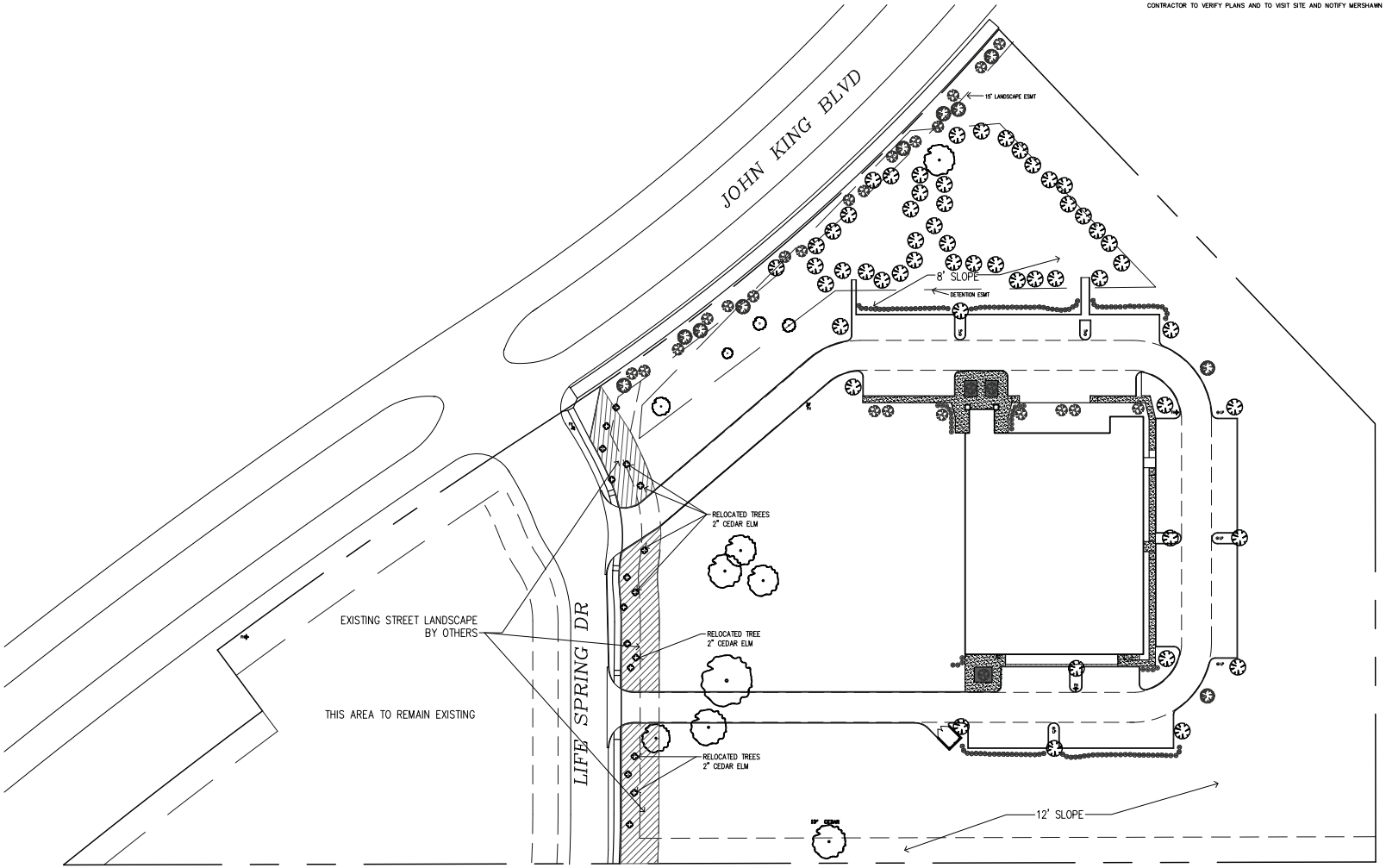
CONTRACTOR TO VERIFY PLANS AND TO VISIT SITE AND NOTIFY MERSHAWN ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION.



INCLUDED IN ADDITION TO THE REQUIRED TREES FOR THE LANDSCAPE DESIGN IS 4 TREES TOTALING 16" OF CALIPER TO COVER THE REQUIREMENT FOR MITIGATED TREES. REFER TO L2 EXISTING TREE PLAN

LOT 1 BLOCK 2 OF THE JOSEPH STRICKLAND SURVEY
1. PROPOSED USE:- CHURCH
2. PROPERTY AREA: 304,687 SF OR 6.995 ACRES
3. BUILDING AREA: 25,433 SF
4. BUILDING HEIGHT: SINGLE STORY - 33'-7 1/2"
5. LOT COVERAGE : 8.35%
F.A.R. = 0.08:1
6. PARKING REQUIRED: 320 SEATS @ 1 SPACE PER 4 = 80
80 SPACES REQUIRED
7. HANDICAP REQUIRED 5 ACCESSIBLE FOR 100-125 SPACES = 5 ACCESSIBLE
8. TOTAL PARKING PROVIDED: 109 SPACES
9. LANDSCAPE AREA REQUIRED: 45,703 SF
LANDSCAPE AREA PROVIDED: 228,364 SF
10. TOTAL SQUARE FOOTAGE OF IMPERVIOUS SURFACE: 75,323 SF

- EXISTING CEDAR TO REMAIN
- RED BUD (26) 4' HIGH @ INSTALLATION
- BURR OAK (10) 4" MIN. CALIPER
- LIVE OAK (56) 4" MIN. CALIPER
- ASIAN JASMINE PLANTS SHALL BE A MINIMUM OF 6" TALL @ PLANTING SHALL BE PLANTED @ 18" O.C.
- INDIAN HAWTHORNE (116) PLANTS SHALL BE A MINIMUM OF 30" TALL @ PLANTING SHALL BE PLANTED @ 36" O.C.
- BOXWOOD BUSH (25) PLANTS SHALL BE A MINIMUM OF 30" TALL @ PLANTING. SHALL BE PLANTED @ 36" O.C.

NORTH

0 40 80
SCALE IN FEET

CASE # SP215-016

GENERAL NOTES:

1. VERIFY ALL UTILITIES BEFORE CONSTRUCTION.
2. EA. SUB-CONTRACTOR SHALL COORDINATE AND CALL FOR ALL INSPECTIONS W/TESTING LAB. OWNER WILL PAY FOR TESTING LABS.
3. ALL BUILDING ENTRANCES AND EXITS SHALL BE HANDICAP ACCESSIBLE; SIDEWALK AND RAMP SLOPES SHALL NOT EXCEED THE MAXIMUM REQUIRED SLOPE NOT REQUIRING HANDRAILS. SEE TAS NOTES & DETAILS.
4. LANDSCAPE SUBCONTRACTOR SHALL PROVIDE STABILIZATION OF ALL DISTURBED AREAS.
5. ALL AREAS NOT SHOWN AS SPECIFIC PLANT MATERIAL SHALL BE HYDROMULCHED BERMUDA, EXCEPT FOR UNDISTURBED SITE AREA.
6. NO TREES SHALL BE PLANTED WITHIN 5'-0" OF ANY UTILITIES.
7. NO SHRUBS SHALL BE PLANTED CLOSER THAN 4'-0" FROM CURB @ 18" DEEP PARKING SPACES

PRICING & CONSTRUCTION GENERAL NOTES:

THESE DRAWINGS ARE DIAGRAMMATIC IN NATURE AND ARE NOT INTENDED TO INDICATE EACH AND EVERY FITTING, OFFSET, OR OTHER APPURTENANCE NECESSARY TO COMPLETE THE SYSTEM.

IT IS THE CONTRACTOR'S RESPONSIBILITY TO REVIEW THE DOCUMENTS AND INCLUDE ALL NECESSARY ITEMS TO PROVIDE A COMPLETE OPERATIONAL SYSTEM.

ANY DISCREPANCIES NOTED BY THE CONTRACTOR SHALL BE BROUGHT TO THE ATTENTIONS OF THE ARCHITECT (IN WRITING) BEFORE BIDDING THIS PROJECT.

AFTER BIDS ARE TURNED IN, THE CONTRACTOR SHALL COMPLETE THE SYSTEMS AT NO ADDITIONAL COST.

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MERSHAWN ARCHITECTS
RESIDENTIAL RESTAURANTS INSTITUTIONAL
MEDICAL COMMERCIAL CHURCHES
2313 RIDGE ROAD #103
ROCKWALL, TEXAS 75087
PHONE: 972-722-9302
FAX: 972-249-3381

No.	Date	Revision	By

WAYNE MERSHAWN 11628 REGISTERED ARCHITECT STATE OF TEXAS

LIFE SPRING CHURCH
ROCKWALL, TEXAS

LANDSCAPE PLAN

Scale:	1" = 40'-0"
Date:	MM/DD/YY
Project No.:	140311
Designed:	GW
Drawn:	GW
Checked:	WM

SHEET L1 OF 2

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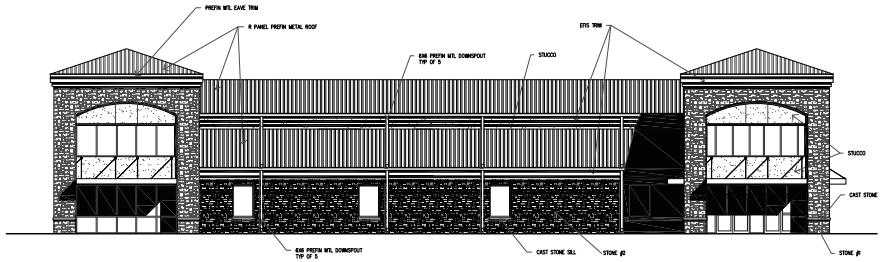
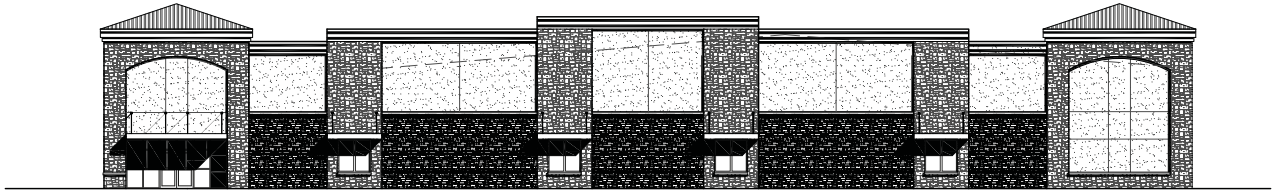
CONTRACTOR TO VERIFY PLANS AND TO VISIT SITE AND NOTIFY MERSHAWN ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION.



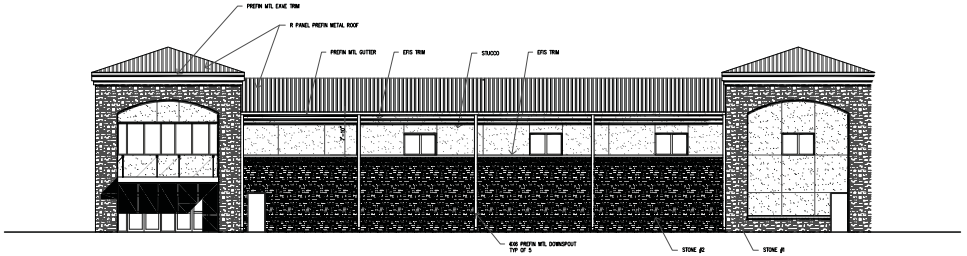
WEST ELEVATION

93% STONE MASONRY
7% EFIS TRIM



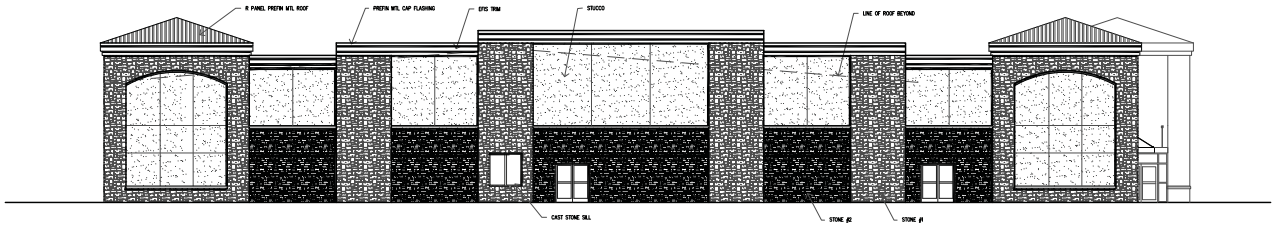
SOUTH ELEVATION

57% STONE MASONRY
37% STUCCO MASONRY
6% EFIS TRIM



EAST ELEVATION

61% STONE MASONRY
30% STUCCO MASONRY
9% EFIS TRIM



NORTH ELEVATION

53% STONE MASONRY
39% STUCCO MASONRY
8% EFIS TRIM

PRICING & CONSTRUCTION GENERAL NOTES:

1. THESE DRAWINGS ARE DIAGRAMMATIC IN NATURE AND ARE NOT INTENDED TO INDICATE EACH AND EVERY FITTING, OFFSET, OR OTHER APPURTENANCE NECESSARY TO COMPLETE THE SYSTEM.
2. IT IS THE CONTRACTOR'S RESPONSIBILITY TO REVIEW THE DOCUMENTS AND INCLUDE ALL NECESSARY ITEMS TO PROVIDE A COMPLETE OPERATIONAL SYSTEM.
3. ANY DISCREPANCIES NOTED BY THE CONTRACTOR SHALL BE BROUGHT TO THE ATTENTIONS OF THE ARCHITECT (IN WRITING) BEFORE BIDDING THIS PROJECT.
4. AFTER BIDS ARE TURNED IN, THE CONTRACTOR SHALL COMPLETE THE SYSTEMS AT NO ADDITIONAL COST.
5. PLUMBING, MECHANICAL, AND ELECTRICAL SUBCONTRACTORS ARE RESPONSIBLE FOR COORDINATING ALL COMPONENTS TO INSURE COMPLETE AND WORKING SYSTEMS EACH SUBCONTRACTOR SHALL REVIEW ALL DRAWINGS FOR COMPLIANCE.
6. THE ARCHITECT WILL BE RESPONSIBLE TO DETERMINE WHICH TRADE SHALL PROVIDE AND INSTALL ANY COMPONENTS MISSED FOR WORKING SYSTEMS AS NEEDED.

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RESIDENTIAL RESTAURANTS
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MEDICAL COMMERCIAL
CHURCHES
MERSHAWN ARCHITECTS
2313 RIDGE ROAD #103
ROCKWALL, TEXAS 75087
PHONE: 972-722-9302
FAX: 972-249-2381

No.	Date	Revision	By

LIFE SPRING CHURCH
ROCKWALL, TEXAS

EXTERIOR ELEVATIONS

Scale:	
Date:	MM/DD/YY
Project No.:	140311
Designed:	GW
Drawn:	GW
Checked:	WM

SHEET A4 OF 19

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Cole, Kristy

From: Crowley, Rick
Sent: Wednesday, August 12, 2015 3:52 PM
To: Cole, Kristy
Subject: FW: Street debris
Attachments: IMG_5417.JPG; ATT00001.txt

Please include this along with the item that has been added to the agenda at Council member Milder's request.

-----Original Message-----
From: Milder, Scott
Sent: Saturday, August 01, 2015 1:15 PM
To: Crowley, Rick
Cc: Council Group
Subject: Street debris

Rick, this drives me nuts. These roof shingles have been in road all summer. Do we have someone in streets department responsible for debris clean up? Especially at crash sites? I'm guessing not because crash debris doesn't get cleaned up. Please place discussion item on agenda and plan to add one person and one truck to budget discussion to have a dedicated person full time to street clean up. Not talking about a street sweeper.

We are not a trashy city.

Thank you,



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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, Assistant to the City Manager / City Secretary**

DATE: **August 14, 2015**

SUBJECT: **Boards & Commissions (Re)Appointments**

Staff has e-mailed the city council additional information concerning (re)appointment considerations and will be speaking with individual council members more about this at the meeting on Monday.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **August 12, 2015**

SUBJECT: **July 4th Parade**

Several Council members have suggested that the City should discuss the possibility of assuming the responsibility for organizing, conducting, and producing the July 4 parade next year. This item is placed on the agenda for that purpose. The discussion can include any specifics about the parade that may be applicable.

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AGENDA
ROCKWALL CITY COUNCIL
Monday, August 31, 2015
8:00 a.m. Budget Work Session
Municipal Court Building, 2860 SH-66 Rockwall, TX 75087

1. **CALL TO ORDER**

2. **HOLD BUDGET WORK SESSION TO DISCUSS AND CONSIDER THE CITY OF ROCKWALL'S FISCAL YEAR 2016 BUDGET, AND TAKE ANY ACTION NECESSARY.**

3. **ADJOURNMENT**

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

I, Kristy Ashberry, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 26th day of August, 2015 at 12:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

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Agenda 6

Hold work session to hear and discuss presentation by AECOM regarding public transportation study findings, and take any action necessary.

- Memo_AECOM (STAR) 11
- presentation 12
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Hold work session to discuss the current solid waste collection contract renewal negotiations with Republic Waste (Allied Waste) and take any action necessary

- staff cover memo 29
- Republic Proposal 30
- blank page 34

Hold work session to discuss and consider local regulations regarding non-emergency ambulance services and associated transports, and take any action necessary.

- memo 35
- Blank Page 36

Constitution Week

- Proclamation - Constitution Week 37
- blank page 38

Recognition of Mr. Jeffrey McLeod, Rockwall Police Officer Gary North, and Rockwall Fire Department staff and volunteers regarding July fire in downtown Rockwall

- Fire Reports 39
- Proclamation - McLeod 43
- Proclamation - North and FD 44
- Blank Page 45

Recognition of Sikder Rahman and Jackson Ikechukwn regarding August fire at Rockwall Nursing Care Center

- Fire Reports 46
- Proclamation - Sikder 49
- Proclamation - Jackson 50
- Blank Page 51

Consider approval of the minutes from the August 17, 2015 regular city council meeting, and taken any action necessary.

- 08/17 CC mtg Mins 52
- Blank Page 60

Consider approval of the minutes from the August 31, 2015 budget work session, and taken any action necessary.

- 08/31 Budget WkS Minutes 61
- Blank Page 63

Consider awarding the Lake Forest Erosion Control Improvements project construction contract to Environmental Safety Services, Inc. in the amount of $348,650.00 and take any necessary action.

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City Manager Memo . . . 64
Bid Tabulations . . . 65
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Consider authorizing the city manager to execute a professional engineering services contract with Teague, Nall and Perkins, Inc. to perform the engineering design plans and specifications for the Stonebridge Drive Sanitary Sewer Lift Station Rehabilitation project in the amount of $67,800.00 to be funded out of 2015 Water and Sewer Revenue Bonds, and take any action necessary.
City Manager Memo . . . 67
Professional Engineering Services Contract . . . 68
Blank Page . . . 90
Consider authorizing the city manager to execute an amendment to the professional services contract with LaTerra Studio, Inc. related to professional services associated with the downtown project regarding a change order in the amount of $33,538 to be funded out of 2012 downtown bond proceeds, and take any action necessary.
Memo - La Terra . . . 91
Blank Page . . . 92
Consider authorizing the city manager to execute a Memorandum of Understanding with the cities of Allen, Forney, Frisco, Heath, McKinney, Mesquite, Plano, Princeton, Richardson, Seagoville and the Town of Prosper, regarding development of a regional capacity, management, operations and maintenance program (CMOM) pertaining to North TX Municipal Water District (NTMWD) wastewater treatment systems, and take any action necessary.
City Manager Memo . . . 93
MOU agreement . . . 94
FAQs re CMOM . . . 97
blank page . . . 99
Consider approval of a resolution related to a grant through the Texas Parks and Wildlife Department pertaining to construction of a boating access facility on Lake Ray Hubbard near SH-66 and N. Lakeshore Drive, and authorize the city manager to execute associated project agreement, and take any action necessary.
Memo . . . 100
Resolution (boat ramp grant) . . . 101
Blank Page . . . 102
Consider authorizing the city manager to execute a professional services contract with for EJES, Inc. to perform the engineering design services and specifications for the East Boydstun Avenue Reconstruction Project from South Goliad St. to Clark Street in the amount not to exceed $440,228.40 to be funded out of the 2012 bond proceeds, and take any action necessary.
City Manager Memo . . . 103
Engineering Services Contract . . . 104
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Consider authorizing the city manager to execute a professional services contract with Freese and Nichols, Inc. to perform the engineering design services and specifications for the County Line Roadway Reconstruction Project from Horizon Road (FM 3097) to Renee Drive in an amount not to exceed $580,440 to be funded out of 2012 bond proceeds, and take any action necessary.

City Manager Memo . . . 122
Engineering Services Contract . . . 124
Blank Page . . . 149

Consider authorizing the city manager to execute a professional services contract for Cobb, Fendley & Associates, Inc. to perform the engineering design services and specifications for the Throckmorton Street Reconstruction Project from East Boydstun Avenue to East Bourn Street in an amount not to exceed $187,695.00 to be funded out of 2012 bond proceeds, and take any action necessary.

City Manager Memo . . . 150
Engineering Services Contract . . . 151
Blank Page . . . 173

P2015-035 - Consider approval of a request by Archie Underwood and Dan Walker for the approval of a replat for Lots 1 & 2, Block A, Lakeside Veterinary Clinic Addition being a replat of two (2) parcels being 2.43-acres of land identified as Lot 1, Block A, Bernice Addition and Lakeside Batting Park Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 801 & 801B E. IH-30, and take any action necessary.

P2015-035 . . . 174
Blank Page . . . 181

Consider authorizing the Mayor to execute an interlocal agreement with Rockwall County to provide fire protection services within unincorporated areas of the county for the year 2015-2016, and take any action necessary.

Memo (fire interlocal) . . . 182
Fire Agreement . . . 183
Blank Page . . . 188

Appointment with Todd Parks, Fixed Based Operator of the Ralph M. Hall / Rockwall Municipal Airport, to consider a request regarding modification of operating hours, and take any action necessary.

Todd Parks . . . 189
Blank Page . . . 192

Appointment with Rockwall resident Jim Smith to hear concerns related to drones, and take any action necessary.

email request . . . 193
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Hold a public hearing to receive comments regarding the proposed FY 2015-2016 City of Rockwall budget, and take any action necessary.

Public Hearing cover memo . . . 195

Memo - Fire Call Volume . . . 197
Blank Page . . . 213
Discuss and consider a recommendation of the City Council's Naming Sub-Committee regarding approval of a resolution renaming Camelot Court to Lynch Court, and take any action necessary.
Memo_street rename . . . 214
bio (Lynch) . . . 215
map . . . 216
resolution (renaming) . . . 217
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Discuss and consider possible options for the solid waste contract, and take any action necessary.
memo . . . 219
blank page . . . 220
MIS2015-006 - Discuss and consider a request by Elias Pope of 8020 Restaurants, LLC for the approval of a variance to the parking requirements in conjunction with an approved site plan for a restaurant on a 0.90-acre parcel of land identified as Lot 3, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the IH-30 Frontage Road and Sunset Ridge Drive, and take any action necessary.
MIS2015-006 . . . 221
Blank Page . . . 225
MIS2015-005 - Discuss and consider a request by Duane and Jennifer Piercy for the approval of an exception to the minimum masonry requirements stipulated in Section 3.1, General Residential District Standards, of Article V, District Development Standards, of the Unified Development Code, for a 1.21-acre tract of land identified as Lot 1, Block A, Piercy Place Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, addressed as 713 Hartman Street, and take any action necessary.
MIS2015-005 . . . 226
Blank Page . . . 235
Discuss and consider a motion for reconsideration regarding the Chapter 212 Development Agreement approved with Joey Howell on August 3, 2015 for the property within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), located south of SH-276 on the east side of FM-548, being a ~98-acre tract of land, and take any action necessary.
memo . . . 236
Joey Howell e-mail . . . 238
Blank Page . . . 240

Discuss and consider terminating the authorization to approve the Chapter 212 Development Agreement with Joey Howell for a property identified as Tract 18 & 18-01 of the S. McFadgin Survey, Abstract No. 142, Rockwall County, Texas, being a ~98-acre tract of land situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), located south of SH-276 on the east side of FM-548, and take any action necessary.
212 Agreement . . . 241
Blank Page . . . 255
Discuss and consider (re)appointments to city advisory boards, including the Animal Adoption Center/Shelter Advisory Committee, the Architectural Review Board, the Historic Preservation Advisory Board, and the Youth Advisory Council, and take any action necessary.
Memo (Boards) . . . 256
Blank Page . . . 259
Building Inspections Monthly Report - July & Aug. 2015
July 2015 Monthly Building Report . . . 260
August 2015 Bldg Insp Rpt . . . 274
Blank Page . . . 288
Fire Dept. Monthly Reports - July 2015
Fire Dept. Monthly Reports - July 2015 . . . 289
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GIS Department Monthly Report - July 2015
GIS Monthly Report (July 2015) . . . 310
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Harbor PD Monthly Report - July 2015
July 2015 . . . 312
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Internal Operations Department Monthly Report - July 2015
IO Report . . . 315
Airport update . . . 318
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Police Department Monthly Report - July 2015
Rockwall Police Monthly Activity Report July-2105 . . . 320
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Recreation Monthly Report - July 2015
Recreation Graph - July 2015 . . . 322
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Rockwall Animal Adoption Center Monthly Report - July 2015
RAAC - July 2015 . . . 324
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AGENDA
ROCKWALL CITY COUNCIL
Tuesday, September 08, 2015
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

p11 **1. HOLD WORK SESSION TO HEAR AND DISCUSS PRESENTATION BY AECOM REGARDING PUBLIC TRANSPORTATION STUDY FINDINGS, AND TAKE ANY ACTION NECESSARY.**

p29 **2. HOLD WORK SESSION TO DISCUSS THE CURRENT SOLID WASTE COLLECTION CONTRACT RENEWAL NEGOTIATIONS WITH REPUBLIC WASTE (ALLIED WASTE) AND TAKE ANY ACTION NECESSARY**

p35 **3. HOLD WORK SESSION TO DISCUSS AND CONSIDER LOCAL REGULATIONS REGARDING NON-EMERGENCY AMBULANCE SERVICES AND ASSOCIATED TRANSPORTS, AND TAKE ANY ACTION NECESSARY.**

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding legal claim: Larena Gail Boyd v. City of Rockwall and Rockwall Harbor Corporation pursuant to Sec. 551.071 (Consultation with Attorney)

2. Discussion regarding dangerous dog claim legal pursuant to Section 551.071 (Consultation with Attorney)

3. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Planning & Zoning Commission, and Board of Adjustments pursuant to Section 551.074 (personnel matters)

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Tuesday, September 08, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TOWNSEND

VIII. PROCLAMATIONS / AWARDS

p37 **1.** Constitution Week

2. Recognition of Mr. Jeffrey McLeod, Rockwall Police Officer Gary North, p39 and Rockwall Fire Department staff and volunteers regarding July fire in downtown Rockwall

p46 **3.** Recognition of Sikder Rahman and Jackson Ikechukwn regarding August fire at Rockwall Nursing Care Center

IX. OPEN FORUM

X. CONSENT AGENDA

p52 **1.** Consider approval of the minutes from the August 17, 2015 regular city council meeting, and taken any action necessary.

p61 **2.** Consider approval of the minutes from the August 31, 2015 budget work session, and taken any action necessary.

p64 **3.** Consider awarding the Lake Forest Erosion Control Improvements project construction contract to Environmental Safety Services, Inc. in the amount of $348,650.00 and take any necessary action.

p67 **4.** Consider authorizing the city manager to execute a professional engineering services contract with Teague, Nall and Perkins, Inc. to perform the engineering design plans and specifications for the Stonebridge Drive Sanitary Sewer Lift Station Rehabilitation project in the amount of $67,800.00 to be funded out of 2015 Water and Sewer Revenue Bonds, and take any action necessary.

p91 **5.** Consider authorizing the city manager to execute an amendment to the professional services contract with LaTerra Studio, Inc. related to professional services associated with the downtown project regarding a change order in the amount of $33,538 to be funded out of 2012 downtown bond proceeds, and take any action necessary.

p93 **6.** Consider authorizing the city manager to execute a Memorandum of Understanding with the cities of Allen, Forney, Frisco, Heath, McKinney, Mesquite, Plano, Princeton, Richardson, Seagoville and the Town of Prosper, regarding development of a regional capacity, management, operations and maintenance program (CMOM) pertaining to North TX

Municipal Water District (NTMWD) wastewater treatment systems, and take any action necessary.

p100 **7.** Consider approval of a resolution related to a grant through the Texas Parks and Wildlife Department pertaining to construction of a boating access facility on Lake Ray Hubbard near SH-66 and N. Lakeshore Drive, and authorize the city manager to execute associated project agreement, and take any action necessary.

p103 **8.** Consider authorizing the city manager to execute a professional services contract with for EJES, Inc. to perform the engineering design services and specifications for the East Boydstun Avenue Reconstruction Project from South Goliad St. to Clark Street in the amount not to exceed $440,228.40 to be funded out of the 2012 bond proceeds, and take any action necessary.

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p174 **11.** P2015-035 - Consider approval of a request by Archie Underwood and Dan Walker for the approval of a replat for Lots 1 & 2, Block A, Lakeside Veterinary Clinic Addition being a replat of two (2) parcels being 2.43-acres of land identified as Lot 1, Block A, Bernice Addition and Lakeside Batting Park Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 801 & 801B E. IH-30, and take any action necessary.

p182 **12.** Consider authorizing the Mayor to execute an interlocal agreement with Rockwall County to provide fire protection services within unincorporated areas of the county for the year 2015-2016, and take any action necessary.

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

p189 **2.** Appointment with Todd Parks, Fixed Based Operator of the Ralph M. Hall / Rockwall Municipal Airport, to consider a request regarding modification of operating hours, and take any action necessary.

p193 **3.** Appointment with Rockwall resident Jim Smith to hear concerns related to drones, and take any action necessary.

XII. PUBLIC HEARING ITEMS

p195 **1.** Hold a public hearing to receive comments regarding the proposed FY 2015-2016 City of Rockwall budget, and take any action necessary.

XIII. ACTION ITEMS

p214 **1.** Discuss and consider a recommendation of the City Council's Naming Sub-Committee regarding approval of a resolution renaming Camelot Court to Lynch Court, and take any action necessary.

p219 **2.** Discuss and consider possible options for the solid waste contract, and take any action necessary.

p221 **3.** MIS2015-006 - Discuss and consider a request by Elias Pope of 8020 Restaurants, LLC for the approval of a variance to the parking requirements in conjunction with an approved site plan for a restaurant on a 0.90-acre parcel of land identified as Lot 3, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the IH-30 Frontage Road and Sunset Ridge Drive, and take any action necessary.

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p256 **7.** Discuss and consider (re)appointments to city advisory boards, including the Animal Adoption Center/Shelter Advisory Committee, the Architectural Review Board, the Historic Preservation Advisory Board, and the Youth Advisory Council, and take any action necessary.

XIV. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

p260 Building Inspections Monthly Report - July & Aug. 2015

Fire Dept. Monthly Reports - July 2015 p289

p310 GIS Department Monthly Report - July 2015

Harbor PD Monthly Report - July 2015 p312

p315 Internal Operations Department Monthly Report - July 2015

Police Department Monthly Report - July 2015 p320

p322 Recreation Monthly Report - July 2015

Rockwall Animal Adoption Center Monthly Report - July 2015 p324

2. City Manager's Report

XV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding legal claim: Larena Gail Boyd v. City of Rockwall and Rockwall Harbor Corporation pursuant to Sec. 551.071 (Consultation with Attorney)

2. Discussion regarding dangerous dog legal claim pursuant to Section 551.071 (Consultation with Attorney).

3. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Planning & Zoning Commission, and Board of Adjustments pursuant to Section 551.074 (personnel matters)

XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVII. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 4th day of September, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary Date Removed

Jacky Casey, Assistant Secretary

City of Rockwall
The New Horizon

MEMORANDUM

TO: **City Council**

FROM: **Joey Boyd, Director of Internal Operations**

DATE: **September 2, 2015**

SUBJECT: **Transportation Study**

The City of Rockwall hired Aecom's Transit Division to review the information provided by STAR Transit related to their request for funding for the next fiscal year. Aecom has been collecting data from STAR itself and from the North Central Texas Council of Governments and conducting an analysis of STAR's operations and funding. A stakeholder's meeting was held on September 2nd with Rockwall staff, Councilmembers Townsend and Fowler, and Judge Sweet and Commissioner Magness from Rockwall County.

Representatives from Aecom will be at the work session on Tuesday to provide an update on their evaluation of STAR Transit.

More work to determine long-term alternatives beyond FY16 will be needed. We will have FY16 funding alternatives for discussion at the work session.

City of Rockwall
Transit Service Review

September 8, 2015





AECOM

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Objectives of Study

- Review of existing transit service
- Stakeholder outreach
- Peer review
- Service data analysis
  - National Transit Database (NTD) and STAR
- Recommendations

AECOM

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Schedule

8/17 STAR Transit presentation to council	8/18	8/19	8/20 NCTCOG Interview	8/21
	Analysis of NTD peer service metrics			
8/24 Received STAR's April service data	8/25	8/26 Briefing to city staff	8/27	8/28 Request for additional data
	Analysis of April service data			
8/31	9/1	9/2 City/county and board stakeholder meeting	9/3	9/4
NTD operating expense analysis and peer contract review				

AECOM

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Overview of Funding Changes

- 2000 Census - Rockwall & Heath designated part of the DFW-Arlington urbanized area
- 2013 - MAP-21 shifts funding to formula-driven allocation
- Rural funding is tied directly to level of service provided in rural areas
- 2016 - STAR Transit's share of rural funding expected to decrease

AECOM

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Peer Comparison
2011-2013 National Transit Database

Agency	Distinguishing Features
Handitran Special Transit Division - City of Arlington	Smaller but more dense service area. Available only to seniors and persons with a disability
Corpus Christi RTA (The B)*	Similarly sized, but more dense service area. Operates more fixed route service. Majority of demand-response trips are contracted out.
The Gulf Coast Center (Connect Transit)	Larger service area operating more fixed route service.
Cleveland Area Rapid Transit (CART)	Smaller but more dense service area. OK agency governed by different state regulations and funding allocations.
Texoma Area Paratransit System, Inc. (TAPS)	Much larger service area, primarily rural.
City of Cleburne (CCT/Cletran)	Similarly sized service area
STAR Transit	
Public Transit Services (PTS)*	Larger, more rural service area
Special Programs for Aging Needs (SPAN)	Similarly sized, but more dense service area. Only serves rural areas not served by DCTA.

AECOM

Peer Comparison

2013 National Transit Database Service Metrics

Agency	Service Area	Service Area Pop.	Unlinked Trips*	Rev. Hrs. *	Rev. Mi. *	Avg. Trip Length	O&M Cost *	Cost per Trip *	Cost per Hour *	Cost per Mile *	Trips per Hour*	Trips per Mile*
Handitran Special Transit Division - City of Arlington	199	368,216	57,331	26,659	349,419	11.9 mi.	$1,587,144	$ 27.68	$ 59.54	$ 4.54	2.15	0.16
Corpus Christi RTA (The B)*	841	342,412	4,727	2,616	49,404	32.2 mi.	$ 183,947	$ 38.91	$ 70.32	$ 3.72	1.81	0.10
The Gulf Coast Center (Connect Transit)	1,784	437,155	35,860	15,220	328,144	17.8 mi.	$1,420,512	$ 39.61	$ 93.33	$ 4.33	2.36	0.11
Cleveland Area Rapid Transit (CART)	27	52,826	17,256	6,312	69,258	N/A	$ 307,830	$ 17.84	$ 48.77	$ 4.44	2.73	0.25
Texoma Area Paratransit System, Inc. (TAPS)	6,295	804,455	317,431	113,214	2,121,289	13.9 mi.	$4,357,694	$ 13.73	$ 38.49	$ 2.05	2.80	0.15
City of Cleburne (CCT/Cletran)	725	153,441	37,139	22,460	332,489	N/A	$1,036,681	$ 27.91	$ 46.16	$ 3.12	1.65	0.11
STAR Transit	908	184,648	139,094	59,047	985,510	7.3 mi.	$3,008,399	$ 21.63	$ 50.95	$ 3.05	2.36	0.14
Public Transit Services (PTS)*	1,855	147,568	72,913	37,495	709,576	N/A	$1,674,898	$ 22.97	$ 44.67	$ 2.36	1.94	0.10
Special Programs for Aging Needs (SPAN)	878	707,304	71,559	33,637	615,695	N/A	$1,628,463	$ 22.76	$ 48.41	$ 2.64	2.13	0.12
Average							**$1,524,646**	**$ 26.43**	**$ 56.21**	**$ 3.40**	**$ 2.20**	**$ 0.14**

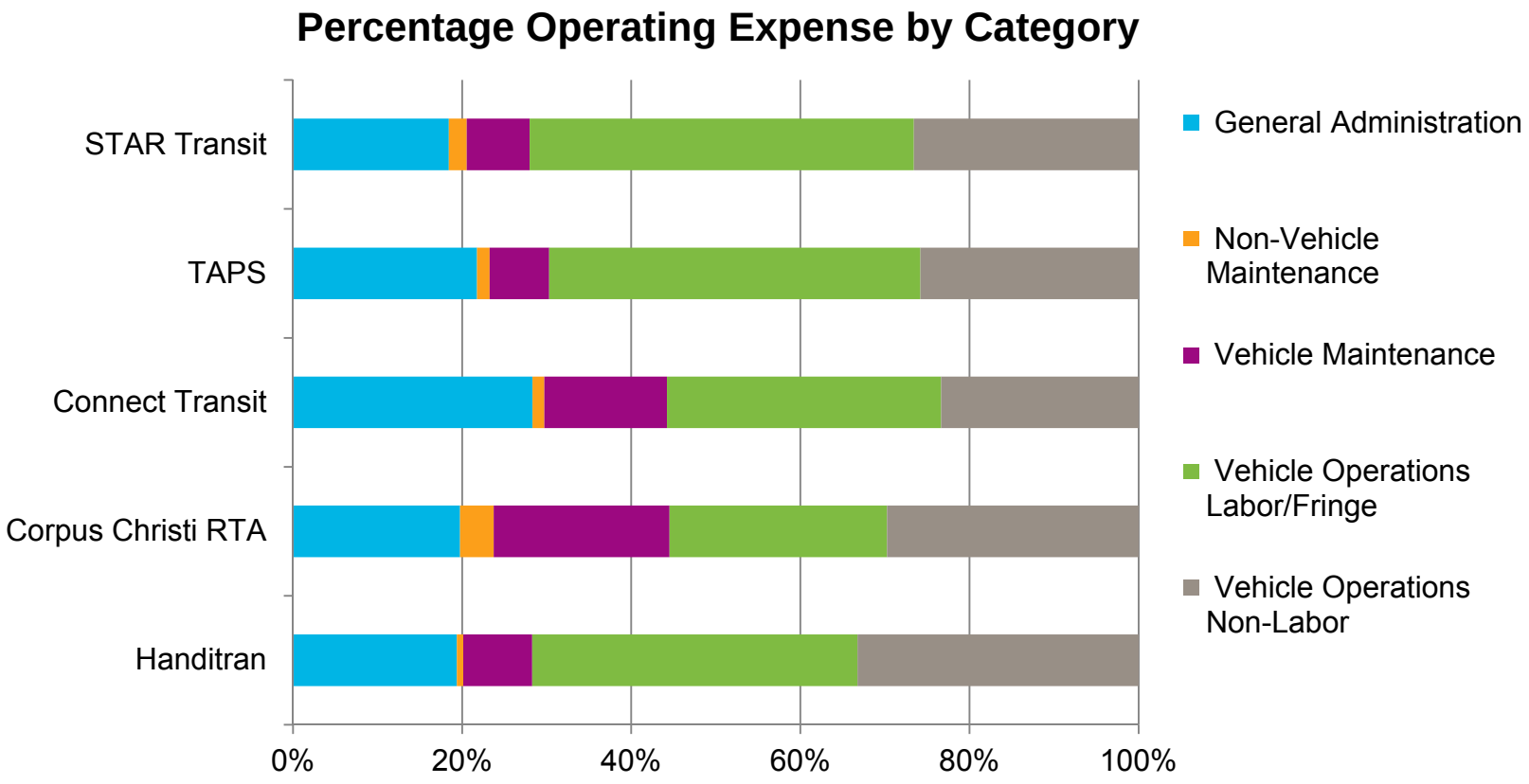
* For comparison purposes, only directly-operated demand response services are included in the measures above.

Source: NTD 2013 Data Tables

AECOM

Peer Comparison

2011-2013 National Transit Database Average Expenses



Source: Average of 2011-2013 NTD
Note: Not all peer agencies reported this level of detail

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Transit in Rockwall County - Level of Service

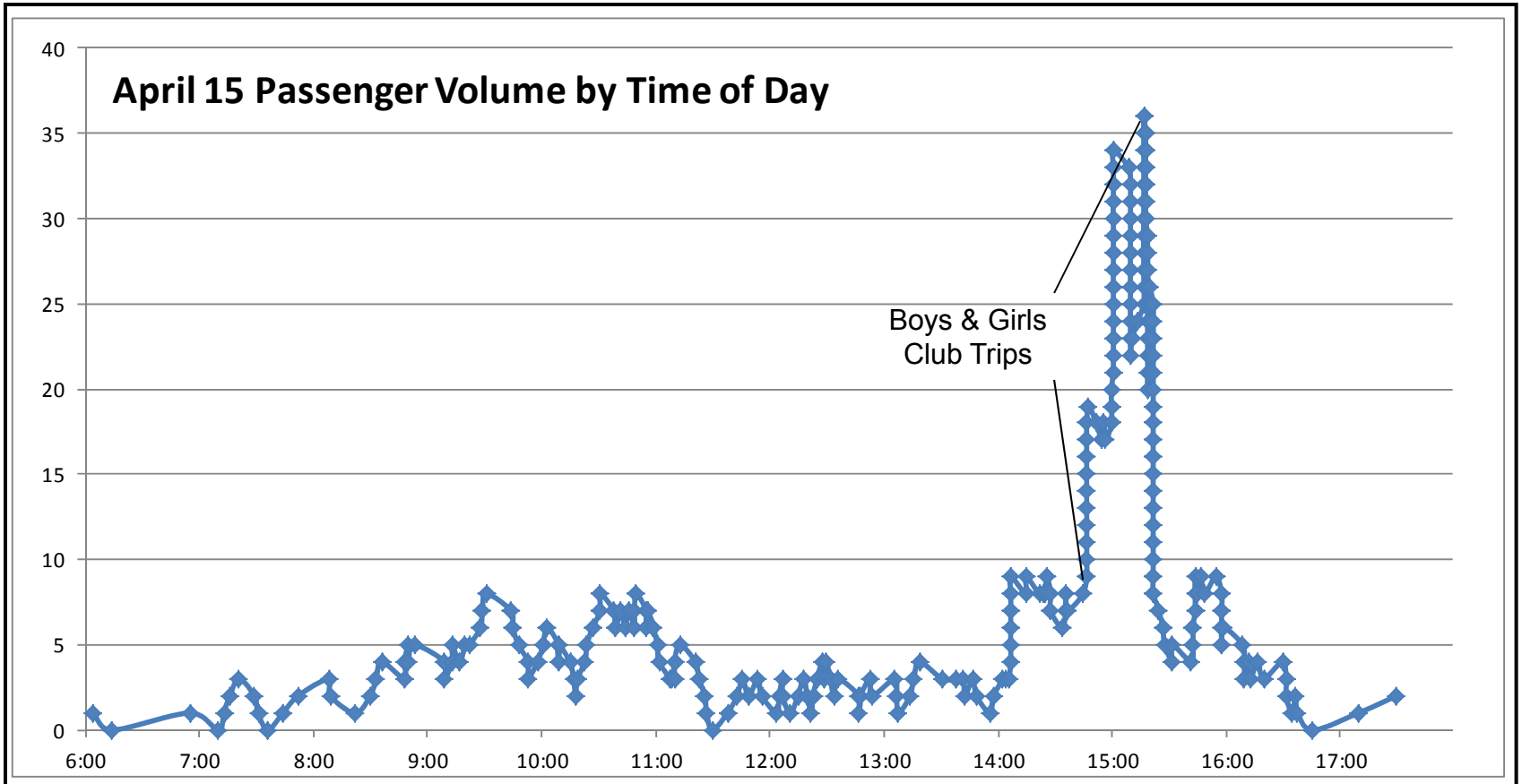
Day of Week	Schedule Trips	Appointment Trips	Late Appt. Trips	Appointment Trips On-time %	Total Trips
Mon	125.8	8.0	2.0	75%	133.8
Tue	127.8	9.0	0.5	94%	136.8
Wed	143.8	11.4	4.0	65%	155.2
Thu	122.2	11.4	2.2	81%	133.6
Fri	105.5	8.3	2.3	73%	113.8
Weekday Avg.	**125.7**	**9.8**	**2.3**	**77%**	**135.5**

Source: STAR Transit, On-time performance Reports Month of April 2015

- Average of 135.5 trips/weekday. Estimated 30-40% of these are to Boys and Girls Club.
- April average weekday trip length under 10 miles and under 10 minutes.

AECOM

Rockwall County Level of Service



Source: Based on Trapeze Manifest data for all six routes indicated on April 15, 2015

Note: Annual Summary Level data not yet available, April 15 was selected for detailed analysis as it represents the highest volume day in April

Note: Trapeze data does not include actual pick up or drop off times, above graphic is based on scheduled times

Note: Trapeze data does not include no-show information. This analysis estimates 4 no-shows based on scheduled pick up with no corresponding drop-off. No-shows are not included in total volume.

AECOM

Additional Data Requested from STAR Transit

- Annual Vehicle hours, vehicle miles, unlinked trips, and operating costs specific to Rockwall County for FY 12, FY 13 and FY 14
- Medicaid-eligible trips and Medicaid-eligible expenses in Rockwall county for the above years
- 2014 STAR system-wide NTD submittal
- Driver manifests including no-shows and actual pick-up and drop-off times.
- Trip volume by time of day in Rockwall County (annual or monthly average)

AECOM

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Summary of Findings to Date

- STAR Transit's cost effectiveness metrics are in line with peers
  - Cost per hour
  - Cost per mile
- Spike in the afternoon due to Boys and Girls Club trips increases bus needs
- Service is made up of primarily short trips
- Average trips per hour less than 10

AECOM

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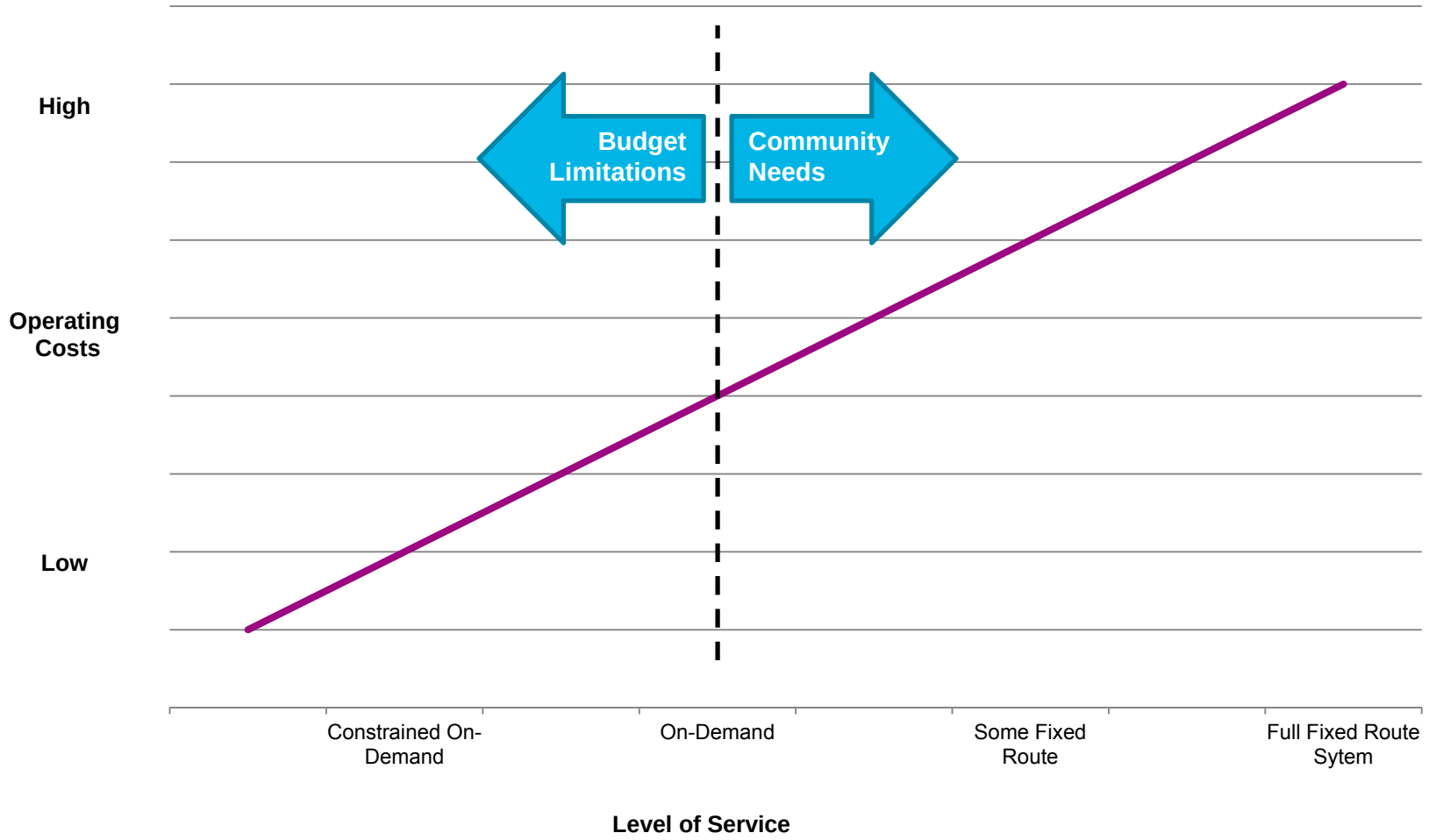
What are Rockwall's Service Expectations?



AECOM

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Considerations

- Who is the service for?
- What are the needs of the transit market?
- What are the most cost effective ways of meeting those needs?
  - Bundled trips (longer travel time)
  - First-come, first-served
  - Limited-day special purpose shuttles
  - Limit access to schools/chartered services
  - Taper number of buses running during slow periods
  - Service delivery options (flex, fixed route, demand-response, taxi)

AECOM

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Contracting Recommendations

- Specify minimum service hours to be provided for agreed upon cost
- Establish performance measures and minimum service standards
- Include role for City/County to monitor service metrics and costs
- Identify the specific responsibilities, powers, and liabilities of each party

AECOM

Next Steps

AECOM

- Schedule a stakeholder meeting with STAR representatives
- Analyze STAR data specific to Rockwall County to help inform service needs
- Provide report and recommendations

City and County of Rockwall

- Assess level of service and efficiency of current system
- Develop short-term transit service plan
- Determine designated service provider

AECOM

Contact:

Andrew Ittigson, Project Manager – andrew.ittigson@aecom.com

Kristen Lueken, Transit Planner – kristen.lueken@aecom.com

Jerry Smiley, Principal – jerry.smiley@aecom.com





AECOM

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **September 3, 2015**

SUBJECT: **Solid Waste Services Contract**

The City Council discussed the City's solid waste contract with Republic (Allied) Waste in work session on June 1 and on the action agenda on June 15. At that time, the City Manager was authorized to enter into negotiations with Republic for a contract extension with the provision that Council could still approve going out to bid if the results were not satisfactory. We've met with Republic management personnel on several occasions and they have offered the attached terms for a contract extension.

The City has been under our present contract addendum with Allied Waste (Republic Waste) for solid waste collection services since January 2010, which references the 2006 contract. Republic, under previous names has served the City since 1991. During this period, the City has at different times chosen to extend the contract and has last received sealed proposals in 2001. The contract states the City must give notice within 180 days of the expiration of the contract (by July 3, 2015) whether or not we intend to renew and extend the contract. City staff sent a letter to Republic letting them know we had until August 15 to negotiate and then Council would be asked to make the decision to renew or bid at the first September meeting.

The attached letter from Republic lays out the contract terms under which they would like to move forward with renewal. The letter also lays out safety practices, which they feel differentiates them from their competitors and provides for a better service level for our citizens.

To summarize:

- A five-year extension term with the future Council's option to extend another five years in 2020
- A fixed CPI increase of 2% for 2016 and 3% each year thereafter – first year increase would be .29 cents per month per residence.
- Addition of a "force majeure" clause which is absent in our current contract
- The addition of a second truck to add efficiency for brush pickup and modifications to garbage routes to better even out the loads
- Discontinuation of the $20 per ton recycling rebate due to changes in market conditions

Council is asked to decide whether to renew with Republic for a five-year term or immediately begin the process to solicit bids. The current contract runs through December 31, 2015. If the renewal is granted the rates would be considered by Resolution later this year.

Mr. Rick Crowley
City of Rockwall, TX
385 S. Goliad
Rockwall, TX 75087

Re: Extension of Solid Waste Contract

Dear Mr. Crowley,

Republic Services is pleased to be the provider of solid waste and recycling services in the City of Rockwall. We are proud of our capabilities, the service we provide and professionalism we uphold while servicing the residents and businesses of Rockwall. We understand the expectations of the Rockwall way and are very proud to be a part of your City.

I would like to point out a few facts about Republic Services that some may not be aware of. Republic Services has been the safest refuse company in America for the past five consecutive years, this is so vital when we are around the citizens of Rockwall every day Monday through Friday. We are very proud of our record and feel that it is important that you know safety is no accident. We do extensive background checks on all our employees and a detailed Motor Vehicle History report before anyone can join our team. We also have an extensive 10-week boarding process that includes behind the wheel instruction, skills course and assessment, route conditioning and classroom sessions. This is all conducted on site at our Hutchins division by our certified driver trainer.

In today's market, taking care or your employees is a vital aspect and we are proud that Republic Services is becoming the employer of choice in our industry. We provide great pay, benefits, and retirement packages for our employees. This is evident in the tenure of our entire team. Our average length of service at our Hutchins division is 8.6 years. We have employees that have been with us from 1 year to 30 years. We know this is a critical component in providing industry leading service and we work very hard to keep the same drivers on the same routes day in and day out. In an industry known for high turnover, we are proud of the tenure we have with our employees.

Another hidden aspect that we do is control hours of service and weight compliance with our loads. Although Texas allows a 70-hour workweek, we do not believe in this philosophy and have found safety issues arise from hours 55 or greater. We have strict guidelines to keep all hours under 60 and actually strive for a 52-hour workweek. We believe in a home life beyond Republic Services and this is just one way for us to protect both our employees and the citizens that we serve. This is just one more example of how we go the extra mile compared to our competition. One additional fact is we control the weight of our loads so we stay in compliance with law and the payload of our vehicles.

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We actually set where we will break off routes to control the overall weight of the vehicles. The benefit is less wear and tear on your streets and parking lots.

Our overall goal is consistent services that exceed our customer expectations. We are measured on our service commitments daily and are ranked against other Republic Companies across the United States. Our company is ranked and graded on how we perform day in and day out. Our ultimate goal is for your citizens to be able to set their clocks to our services. We have seen this starting to take shape as we receive calls when we run behind in some cases and citizens call to make sure our drivers are ok. Our measurements are strict and unwavering. An example of this is if a citizen or business calls in and states your driver is usually here at 10 a.m. and it is now 10:30 we consider this call a missed pickup. We should have communicated the delay. We also have the ability to send a message to all business locations throughout Rockwall to let them know if we are running behind. We now have a phone app that allows our customers to order services, request a call from customer service center and even pay invoices. Simply download My Resource and the app is available for free.

These are just a few facts on what Republic Services is really about. Below are the details of our proposal. We have requested an increase of two percent from current pricing. Please note that we did not request a CPI increase in 2015, which means pricing, has been the same since January of 2014. The new rates would go into effect January 1, 2016.

PROPOSAL

Republic Services will be adding additional equipment with our proposal.

No services have changed you will still receive two time a week trash, one time a week recycle and every other week brush / bulk.

Currently you have 6 trash routes and 2 recycle routes on average. We also run 1 grapple / boom truck for brush volumes.

The new proposal has 7 trash routes and 2 recycle routes. This will allow us to be flexible with the continued growth of the city as well as the past growth our current route structure has absorbed. We will actually be working with staff and a slight reroute will take effect to help evenly balance the work across our routes each day.

As the City matures, so does the vegetation throughout. More than ever, this has really become apparent this year. On average we are seeing 100 additional tons a month in brush and bulk from 2014. We have proposed a second unit to run with our brush/bulk unit. This will allow the grapple unit to stay in the city and not have to run to the landfill, which takes approximately 1.5 hours per round trip. This addition increases our capacity for the increased volume and our ability to overcome spikes in volume or inclement weather challenges in a timely manner.

We will continue to support the downtown beautification project with a $10,000 donation annually. We are also proud that we will continue our $2,000 donation for Rockwall ISD scholarships. Being a great corporate sponsor is important to us and we are proud to be part of this community not only as a corporate partner but also citizens.

The Current recycling rebate would no longer be in effect. The current state of recycling rebates has changed dramatically over the past few years. What was a minimal cost to a hauling company has increased in tipping fees. An example of this is single stream residential recycling is actually charged to Republic Services and no rebate is granted back to Republic Services due to low commodity pricing and contamination factors.

We have requested to change the yearly increase process from your current CPI structure to a fixed increase of three percent years two through five. The Consumer / Municipal price index factors do not reflect the true costs of our industry over the past years. CPI does not take into account benefit costs, yearly wage increases, steel costs, plastics, tire expenses as some examples. Just over the past few years, we have seen new vehicles rise in price from $165,000 to $235,000. The cost of business is rising which is why we are looking for a set increase to offset cost factors. We have not included a fuel surcharge as we have seen numerous companies do.

We have also included a Force Majeure clause in the new agreement. The definition of Force Majeure is as follows, this is protection in the event that a segment of the contract cannot be performed due to causes that are outside the control of the parties, such as a natural disaster, that could not be avoided through the exercise of due care.

With our proposal, everything stays the same as it is today. We have not increased pricing since January of 2014 and believe a two percent increase is a solid and fair proposal for the amount of services provided throughout this contract. Republic Services has donated over $100,000 over the past years and we are proud of our partnership with The City of Rockwall. This proposal has an additional $100,000 in donations throughout the full term. We have proposed a 5-year extension with a 5-year option.

I thank you for your support throughout this process, I believe that after your due diligence with our competitor's performance records in the area that you will find this to be a great proposal for your citizens.

Rick Bernas

Republic Services
4200 E 14th Street
Plano, TX. 75047
(972) 880-0276

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Rick Bernas

Republic Services
4200 E 14th Street
Plano, TX. 75047

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **September 4, 2015**

SUBJECT: **Non-Emergency Ambulance Transport Work Session**

In preparation for the ordinance change regarding the non-emergency ambulance transports, additional information regarding the process to be used, any fees to be charged and the required documentation for consideration need to be reviewed. Staff will be prepared to present a list of issues that may require council direction prior to the preparation of the ordinance. Consultation with the City Attorney regarding the language within the City Charter and any potential impact on the type of licensing and/or franchise agreement will be necessary.

Although City Attorney Frank Garza has submitted a draft ordinance for consideration, the implementation of the draft needs to be discussed. The effective date for the change of service is November 1, 2015 so all process and ordinance amendments need to be in effect by that time.

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PROCLAMATION
Constitution Week 2015

Whereas, September 17, 2015 marks the two hundred and twenty-eighth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

Whereas, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

Whereas, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

Whereas, public law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as constitution week;

NOW, THEREFORE, I, Mayor of the City of Rockwall, Texas, do hereby proclaim September 17 through 23, 2015 to be

CONSTITUTION WEEK

In Rockwall, Texas, and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787.

PLACE STATE OR CITY SEAL HERE

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the City of Rockwall on this seventeenth day of September in the year of our Lord two thousand fifteen and of the Independence of the United States of America the two hundred and thirty ninth.

Mayor of Rockwall, TX_____

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Rockwall Police Department
Case# 2015-23927
Date: July 25, 2015
Offense: Information-Building Fire
Beat: 2012
Vehicle 12-4; DVR Yes
Reporting Officer: G. North #1001

The following is a summary of events that occurred on Saturday, July 25, 2015 at approximately 11:13 PM. I, Officer G. North #1001, while on patrol crossing through downtown Rockwall (100 Block N. Goliad) observed smoke bellowing from a rooftop. I was also flagged down by a passerby at the intersection of N. Goliad and Kaufman St. The passerby's driver's license number and phone number was forwarded to the Rockwall Fire Department for informational purposes.

I checked out with Rockwall PD Dispatch and informed them that I would be investigating a possible building fire. Upon further investigation, I could feel a significant temperature increase in the front of the business located at 109 N. Goliad. I could not see inside of the business due to dark windows.

From the factors surrounding the investigation I notified Dispatch to start Rockwall Fire to the location for a building fire. I did not observe anything else out of the ordinary.

Rockwall PD Case Number 2015-23927
Rockwall FD Incident Number 2015-637

Officer G. North #1001
Rockwall Police Department
Patrol Division

109 N. Goliad

We responded to a report of a possible structure fire on July 26, 2015. Upon arrival, Ladder 1 checked on scene with nothing showing from the front of the building. A police officer met Ladder 1 personnel to advise them the building was full of smoke and the glass storefront was hot to the touch. Ladder 1 Officer (Monty Gibson) along with 2 other firefighters (Michael Caffey & Nathan Dower) made a forced entry into the building and were met with heavy smoke conditions. Upon my arrival I quickly made the decision to have firefighters make entry into the building to the South of the fire building, which is 107 S. Goliad, and take a hose line to check to see if the fire had spread to that location and if it had not make sure that it did not get into that building. One of the ladder trucks was raised and ready to operate at this point also. My major goal at this incident was to ensure that the fire was contained to as small of an area as possible and minimize damage to the downtown area. The firefighters on the initial attack were able to locate and extinguish the fire quickly. Due to their being no back door in the fire building we had to cut a hole in the roof in order to assist in removing the smoke and heat from the building. It appeared that the fire inside the location had been burning for quite a while and had pretty much burned itself out by the time we arrived. The interior of the building sustained major damage from heat, smoke and water. The interior of the building at 107 had a significant amount of smoke inside but received no fire or water damage. There was a potential for a large fire on this incident but thanks to an alert citizen and police officer and a quick interior attack by our firefighters this did not happen.

There were no civilian injuries and no firefighter injuries on this incident.

Dispatch time: 23:17.11
Enroute time: 23:18.34
On scene time: 23:21.46
Clear time: 02:25.34

We had a total of 2 Engines, 2 Ladders, 7 Full time, 2 off duty, 13 volunteers, 2 Investigators and 2 Chiefs on this incident.

Rockwall Fire Department
Fire Marshal's Office

Fire Behavior Analysis

K's Advertising
109 N. Goliad Street
Rockwall, TX 75087

Incident #: 2015-0637

In my opinion, as a fire investigator, the fire in question was a ventilation-limited fire based on observable burn patterns that indicated intensity and movement of the fire. Below, I have listed the fire dynamics that I believe limited fire spread on the night of 07/25/2015:

- Early Discovery
  - Early discovery of the fire by Jeffrey Mcleod and Officer Gary North allowed the fire department to suppress the fire before it reached a fully involved state.
- Building Construction
  - Non-combustible gypsum board ceilings and walls contained the fire below the attic space until firefighters arrived on scene. Only a few wooden joists were charred in the attic space where the gypsum board began to deteriorate under fire conditions.
  - Many of our downtown buildings have multiple ceiling and roof structures, but K's Advertising did not. It is possible that the open attic space at K's Advertising aided in the discovery of the fire by allowing the smoke to vent out of the roof vents instead of becoming trapped under layers of void spaces. This also improved firefighting conditions, including visibility and ability to locate the fire, by making vertical ventilation (cutting a hole in the roof), pulling down the ceiling, and using a Positive Pressure Ventilation Fan an effective tactic.
- Ventilation
  - As the fire developed, it appears that the smoke volume increased enough to limit the oxygen available for fire growth. There were no exterior windows or doors at the rear of the structure, which eliminated any options for natural ventilation and kept the fire from venting in the early stages of development. If the fire had enough time to breach the gypsum board ceiling or store-front windows, the fire would have rapidly grown.
- Compartment Geometry
  - The cubic volume of the office space contained within the gypsum board walls and ceiling limited the heat and smoke plume generated by the fire. The heat and smoke had less space to dissipate into. Initially, there was a rapid increase in the rate of radiant and convective heat transfer in the compartment. Once the compartment filled completely with the by-products of combustion, effective entrainment (pulling in oxygen for the fire to use) was disrupted. As a result, firefighters encountered a very hot environment, filled with large amounts of smoke, and limited visible flames.

Report By:
Paul Ayres #842
Fire/Arson Investigator

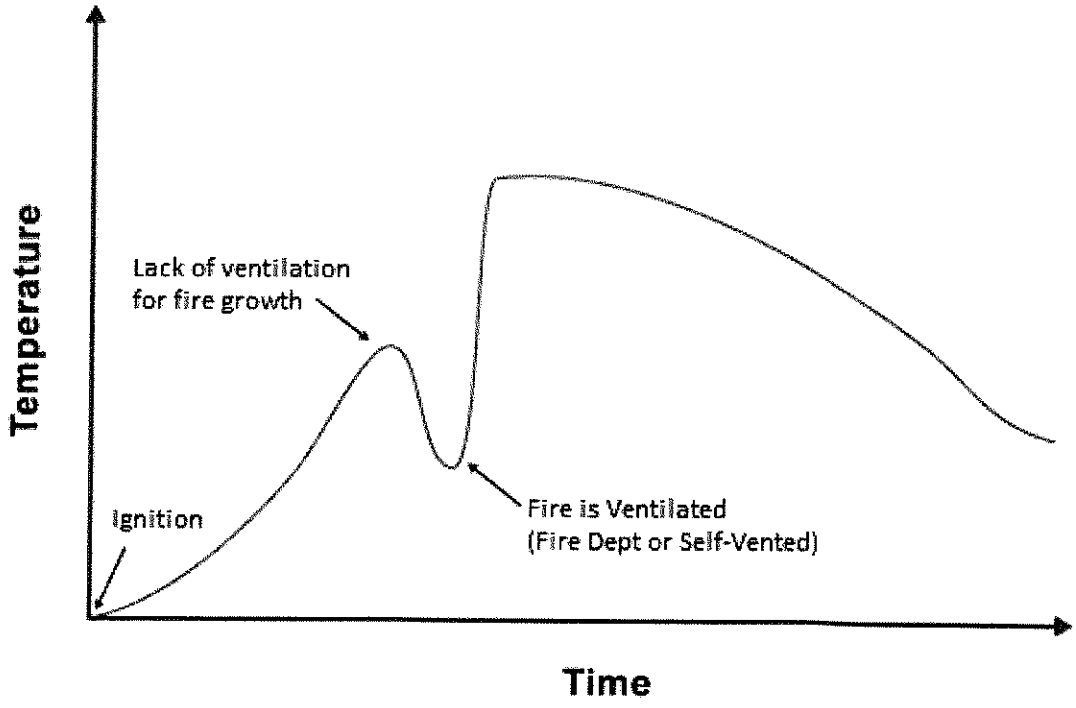
8/12/2015

Summary:

In this case the fire started in a structure which had the doors and windows closed. Early in the fire growth stage there was adequate oxygen to mix with the heated gases, which resulted in flaming combustion. As the oxygen level within the structure was depleted, the fire decayed, and the heat release rate (HRR) from the fire decreased, limiting the fire growth.

Had the fire breached the storefront windows or found an alternative means of ventilation, oxygen would have been introduced. The oxygen would mix with the heated gases in the structure and the energy level would increase. This change in ventilation could have resulted in a rapid increase in fire growth potentially leading to a flashover (fully developed compartment fire).

The Fire Behavior in this Structure is represented by this curve diagram, demonstrating the time history of a ventilation-limited fire.



Report By:
Paul Ayres #842
Fire/Arson Investigator

Rockwall, Texas

Proclamation

Whereas, on Saturday, July 25, 2015, Mr. Jeffrey Michael McLeod suspected there was a fire at one of the buildings in historic downtown Rockwall, so he flagged down a police officer at the intersection of N. Goliad and Kaufman Street; and

Whereas, as a result of Mr. McLeod's actions, Rockwall Police Officer Gary North contacted dispatch to get the Fire Department in route to the location; and

Whereas, upon entry into the building, it was determined with certainty that there was indeed a fire at the location; and

Whereas, because of Mr. McLeod taking action instead of merely shrugging off his suspicions, the Rockwall Fire Department was able to extinguish the fire, minimize the damage, and avoid a more large scale fire incident; and

Whereas, some buildings in Rockwall's downtown area date back to as early as the late 1800s; and

Whereas, the City of Rockwall values its historic downtown area, always desiring to protect and preserve the safety and integrity of its buildings, business owner/operators, and patrons; and

Whereas, Mr. McLeod helped the city accomplish these things on July 25th.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim September 8, 2015 as the

JEFFREY MICHAEL MCLEOD RECOGNITION DAY

in the City of Rockwall and urge all citizens to recognize and applaud Mr. McLeod for exercising quick thinking and effective actions which led to protecting our downtown square and ensuring the safety and protection of our citizens and visitors.

In Witness Whereof, I hereunto set my hand and official seal this 8th day of September, 2015.

Jim Pruitt, Mayor

Rockwall, Texas

Proclamation

Whereas, on Saturday, July 25, 2015, a passerby suspected there was a fire at one of the buildings in historic downtown Rockwall, so he flagged down a police officer at the intersection of N. Goliad and Kaufman Street to report his suspicions; and

Whereas, Rockwall Police Officer Gary North then inspected the building, feeling a significant increase in temperature in the front of the business and noting that the glass storefront was hot to the touch; and

Whereas, Officer North then requested that the Rockwall Fire Department be dispatched to the location for response; and

Whereas, after making entry into the building, Rockwall volunteer firefighters along with "A Shift" on-duty personnel were able to locate and extinguish the fire quickly; and

Whereas, as a result of the teamwork involved on the part of the reporting citizen, the quick acting police officer, and the city's volunteer and personnel firefighters, a more serious, larger-scale fire was averted, and no injuries were sustained; and

Whereas, the City of Rockwall values its historic downtown area, always desiring to protect and preserve the safety and integrity of its buildings, businesses, and patrons.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby formally recognize and express gratitude towards Rockwall Police Officer Gary North, the Rockwall Fire Department Volunteers, and members of the RFD's "A shift" for their quick thinking and quick response which protected life and property during this incident.

In Witness Whereof, I hereunto set my hand and official seal this 8th day of September, 2015.

Jim Pruitt, Mayor

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CITY OF ROCKWALL, TEXAS
FIRE DEPARTMENT

City of Rockwall
The New Horizon

Date: August 6, 2015

To: Rick Crowley, City Manager

From: M. Poindexter, Fire Chief

Re: Rockwall Nursing Care Center
206 Storrs Street

We responded to a report of a commercial fire on August 04, 2015. The first unit on scene was met by a staff member outside and was directed to the affected room and told that a T/V inside the room was on fire. Upon entry into the room, the firefighter found that the T/V had been extinguished by a staff member with the use of two fire extinguishers; however there was a significant amount of smoke throughout a majority of the building. All patients in the building, with the exception of the 34 patients in the Alzheimer's wing and approximately 30 patients in the front three wings off of the nurse's station area, were evacuated from the building due to the smoke which had spread throughout the majority of the building. Approximately 63 patients and about 90% of the staff members were evacuated from the building. The building has 91 resident patient rooms and had 127 residents in house at the time of the fire. Working with the facility management staff, we were able to move two beds into non-effected areas and lesson the 60 displaced patients to 15. Arrangements were made by facility management to transport 15 of the 16 displaced patients to Lake Pointe Nursing Care Facility in Rowlett. We worked with the Police Department and transported one patient from the facility to Green Oaks for mental evaluation for his safety and other patient's safety.

Below is a timeline of events that were recorded by dispatch and on the radio:

Dispatch time:		21:56.32		
Enroute time:		21:57.45		1 min. 13 sec.
On Scene time:	L-1 -	21:59.44	(2 - Firemen)	3 min. 11 sec.
	817 -	22:01.39	(1 - Chief)	5 min. 17 sec.
	E-3 -	22:02.00	(1 – Fireman)	5 min. 32 sec.
	810 -	22:02.52	(1 – Chief)	6 min. 20 sec.
	E-4 -	22:03.00	(2-Firemen)	6 min. 28 sec.
	L-2 -	22.03 59	(2 – Firemen)	8 min. 27 sec.

Three ambulances requested:	22:02:39
Fire Investigator requested:	22:06.15
All occupants out of wing closest to fire and wing north of fire:	22:08.58
Decision made to evacuate 300 wing:	22:10.54
All patients evacuated:	22:15.44
64 patients were left sheltered in place:	22:34.24
840 on scene:	22:35.03
841 on scene:	23:12.11
15 patients relocated to Lake Pointe:	00:47.44

One Chief was interior Command and one chief was exterior Command. The scene was very busy. Trucks were placed on all four sides of the building and firefighters were told to report to those trucks for accountability. Due to those two factors, the 4, 8, and 12 men on scene times were not reported. Total personnel on scene: 2 Chiefs, 7 on duty personnel, 1 full time off duty, 13 Volunteers, 2 Fire Investigators.

Rockwall Fire Department will present Medal of Heroism

On August 4th, 2015 at approximately 9:30 pm, the fire alarm activated within the Rockwall Nursing Home located 206 Storrs Street. Nurse's aides noticed heavy smoke quickly filling the hallways of the Station 2 wing of the Rockwall Nursing Home. It was discovered that the heavy smoke was coming from behind the closed door to Room 223. Knowing that the room's occupant was confined to a wheelchair and blind, staff members, Sikder Rahman and Jackson Ikechukwn, grabbed fire extinguishers and ran to Room 223 in an effort to locate the room's occupant and extinguish the fire. Without regard for their own safety, Mr. Rahman and Mr. Ikechukwn, made entry into Room 223, extinguished the fire and pulled the room's occupant to safety.

The actions of Sikder Rahman and Jackson Ikechukwn were instrumental in rescuing and saving another by their quick thinking and courage in an emergency situation. They demonstrated extraordinary courage and composure while responding to the fire and rescuing the room occupant.

The Rockwall Fire Department credits Sikder Rahman and Jackson Ikechukwn with saving the life of the room's occupant and potentially many more lives that August night. On behalf of the citizens of Rockwall and the Rockwall Fire Department, for their conspicuous act of valor under life threatening conditions, we will present to Sikder Rahman and Jackson Ikechukwn the Citizens Medal of Heroism.

The award ceremony will be September 8th, 2015 at 6:00 pm at the City of Rockwall City Hall during the City Council meeting

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Rockwall, Texas

Proclamation

Whereas, on Tuesday, August 4, 2015 at 9:30 p.m., the fire alarm at the Rockwall Nursing Care Center on Storrs Street was activated; and

Whereas, nursing aides had noticed heavy smoke quickly filling the hallways of one wing of the nursing home, and heavy smoke was coming from behind the closed door of one of the resident's rooms; and

Whereas, knowing that the room's occupant was confined to a wheelchair and blind, two staff members grabbed fire extinguishers, ran to the room, made entry and extinguished the fire, pulling the room's occupant to safety; and

Whereas, without regard for their own safety, the actions of these two staff members resulted in saving this individual, and perhaps others, as well as putting an end to what might have otherwise been a much larger scale fire.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim September 8, 2015 as

SIKDER RAHMAN RECOGNITION DAY

in the City of Rockwall and urge all citizens to applaud this lifesaving act of valor and thank Mr. Rahman for his selfless, brave actions.

In Witness Whereof, I hereunto set my hand and official seal this 8th day of September, 2015.

Jim Pruitt, Mayor

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Rockwall, Texas

Proclamation

Whereas, on Tuesday, August 4, 2015 at 9:30 p.m., the fire alarm at the Rockwall Nursing Care Center on Storrs Street was activated; and

Whereas, nursing aides had noticed heavy smoke quickly filling the hallways of one wing of the nursing home, and heavy smoke was coming from behind the closed door of one of the resident's rooms; and

Whereas, knowing that the room's occupant was confined to a wheelchair and blind, two staff members grabbed fire extinguishers, ran to the room, made entry and extinguished the fire, pulling the room's occupant to safety; and

Whereas, without regard for their own safety, the actions of these two staff members resulted in saving this individual, and perhaps others, as well as putting an end to what might have otherwise been a much larger scale fire.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim September 8, 2015 as

JACKSON IKECHUCKWN RECOGNITION DAY

in the City of Rockwall and urge all citizens to applaud this lifesaving act of valor and thank Mr. Ikechuckwn for his selfless, brave actions.

In Witness Whereof, I hereunto set my hand and official seal this 8th day of September, 2015.

Jim Pruitt, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, August 17, 2015
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dennis Lewis and Council Members David White, Mike Townsend, Scott Milder, and Kevin Fowler. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and City Manager Frank Garza. Councilmember John Hohenshelt was absent from the meeting.

II. WORK SESSION

1. Hold work session with representative(s) of STAR Transit to hear annual report of services provided to the Citizens of Rockwall, industry updates, and funding, and take any action necessary.

Councilmember Townsend, who is the city's representative on the STAR Transit board, briefed the council on this agenda item. He indicated that the county is the entity that actually holds the contract with STAR transit, and the City of Rockwall has traditionally provided some level of funding to the organization in the past for public transportation. He shared that there were some recent changes in Federal funding.

Omega Hawkins, Executive Director, Kim Britton, and Ashley Ando with Stat Transit made a presentation to the City Council. They stated that STAR has been providing transportation services in Rockwall since 2005. She stated that about 4,000 rides were provided in 2005. Approximately 18,000 rides were provided in 2010, and 29,000+ rides were provided in 2014. She anticipates that over 30,000 rides will be provided in the year 2015. The presentation gave an overview of STAR Transit's operations, number of rides in Rockwall County, and the current funding levels. STAR representatives further discussed the funding changes that the Federal government is implementing in April 2016 and how it will affect transportation service. Based on the 2010 census, Rockwall County's designation has changed from rural to urban. They then discussed the levels of funding under an urban designation and stated that there is still an abundance of funding for capital expenditures, but funding for operation of transit providers has changed under the new urban designation to a 50/50 match.

Additional information was provided for the next fiscal year. STAR proposes adding an 8th bus to the operation in Rockwall County. STAR Transit currently anticipates FY16 cost of service will average $50.76 per hour or $812,160.00 to provide transportation services in Rockwall County. STAR Transit will cover the 1st six months (Sept '15–April '16) of the local portion in FY16 only - $203,040 and stated that by April 2016; a 50% operating local match will be needed from a source or sources within Rockwall County. It was estimated that based on ridership, the City of Rockwall share would be 84.96% or in $172,502 in FY2016. STAR Transit needs partners from Rockwall County to provide 12 months of local match in FY17 and beyond. Following the presentation, a there was a series of questions and answers between their staff and council members.

The Council took no action following this work session item.

2. Hold work session to discuss the June 21, 2015 flooding event, including impacts on homes and roadways, and take any action necessary.

Mayor Pruitt called for a brief break at 5:07 p.m. The meeting was called back to order at 5:13 p.m.

City Engineer Tim Tumulty and Civil Engineer Jeremy White came forth and provided a presentation to Council recapping this flood event. They provided details related to twenty-three houses that flooded, nineteen roadway closures, and 5 other flood related issues. The council took no action concerning this work session item.

Mayor Pruitt then read the below listed discussion items into the public record before recessing the public meeting into Executive Session at 5:40 p.m.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding purchase or lease of real property / land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).

2. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Planning & Zoning Commission, and Board of Adjustments pursuant to Section 551.074 (personnel matters)

3. From Public Meeting Agenda: Action Item 2. MIS2015-004 - Discuss and consider the approval of a special request by David Smith on behalf of the owner Jose Contreras for a waiver to the Manufactured Home Replacement Minimum Standards as set forth in Exhibit 'C' of Planned Development District 75 (PD-75) [Ordinance No. 09-37] to allow a new manufactured home to be located within the floodplain on a 0.17-acre property identified as Lot 1376, Rockwall Lake Estates #2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 142 Rene Drive, and take any action necessary.

IV. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 6:00 p.m.

V. RECONVENE PUBLIC MEETING

Mayor Pruitt reconvened the public meeting at 6:03 p.m.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER WHITE

Councilmember White delivered the invocation and led the Pledge of Allegiance.

VIII. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth and speak. There being no one, he then closed the Open Forum.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the August 3, 2015 regular city council meeting, and take any action necessary.
2. Consider approval of an interlocal cooperation agreement for governmental services relating to a school resource officer program between the City of Rockwall and The Rockwall Independent School District, and take any action necessary.
3. Consider authorizing the City Manager to enter into an agreement with the Texas Department of Transportation (TxDOT) under the City Pride Program for installation of signage at the intersection of SH-205 and Yellow Jacket Lane, and take any action necessary.
4. Consider approval of a resolution authorizing signatories for financial transactions, and take any action necessary.
5. Consider authorizing the City Manager to execute an interlocal Purchasing Agreement with the City of Allen for the purchase of materials, supplies and services and take any action necessary.
6. Consider approval of the additional expense ($33,005.56 to be funded out of Engineering Dept. General Fund Budget) associated with providing higher level of protection from roadway inundation during storm event greater than a 25-year storm associated with the design and construction of a 100-year storm sewer system for FM 549 from SH 205 to SH 276, and take the necessary action.
7. Consider awarding a contract for unit pricing for road marking material and striping services to Road Master Striping LLC through the City of Midlothian Cooperative Agreement to be funded through the General Fund Street Department Operating Budget, Street Repair and Maintenance, and take any action necessary.
8. Consider approval of a resolution allowing a temporary partial closure of FM 740 from Summer Lee Drive to the south City limits to facilitate the U.S. Open Triathlon on Sunday, October 18, 2015 from 6:00 AM to 1:00 PM, and take any action necessary.
9. **P2015-034** - Consider approval of a request by Joanne Vuckovic of the Pregnancy Resource Center for the approval of a replat for Lot 1, Block A, Pregnancy Resource Center being a 0.32-acre tract of land currently identified as Tract 21 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 53 (PD-53) for Residential-Office (RO) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 1010 Ridge Road, and take any action necessary.

Councilmember Milder made a motion to approve the entire Consent Agenda (#1, 2, 3, 4, 5, 6, 7, 8, and 9). Councilmember White seconded the motion, which passed by a vote of 6 ayes with 1 absent (Hohenshelt).

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Chairman of the Planning & Zoning Commission, Craig Renfro, came forth and briefed the Council on recommendations of the Commission relative to planning-related items on tonight's city council meeting agenda.

2. Appointment with Casey Kelly representing the Rockwall Girls Softball Association (RGSA) to hear proposal concerning partnering with the city, and take any action necessary.

Casey Kelly
7136 Harlan Drive
Rockwall, TX

Mr. Kelly came forth and clarified that he does not actually represent the RGSA. Instead, he is a concerned parent. He expressed that Andy and his staff who work for the city on the softball program do a wonderful job. However, he is concerned that kids are missing out on opportunities to play, generally indicating that these opportunities are fewer than perhaps they could otherwise be at this point if the city and RGSA were partnered in some way.

Councilmember Townsend offered a brief history of past discussions regarding RGSA partnering with the city regarding girls' softball. He indicated that RGSA previously refused to partner with the city even after having participated in lengthy discussions with the city council's youth sports subcommittee and with staff. However, Councilmember Townsend indicated that the city's offer still stands, and he and the council subcommittee are still willing to sit down with RGSA's representatives to again discuss this possibility.

Mr. Kelly expressed concern about non-Rockwall kids having to pay $95 / season compared to $55 / season for Rockwall residents' kids. He shared that umpires not showing up coupled with scheduling problems posed a lot of concerns last season. He personally would like to see girls from other cities come into Rockwall to play with Rockwall teams regardless of who pays the taxes to provide for them to play on fields.

Mayor Pruitt encouraged Mr. Kelly to have RGSA representatives schedule an appointment with city representatives to further discuss these issues if they so desire. The council took no action on this item.

XI. ACTION ITEMS

1. **Z2015-016** - Discuss and consider approval of an **ordinance** for a request by Stacey McVey of Double Eagle Properties on behalf of the owner 308 ON 276 LP for a zoning change from an Light Industrial (LI) District to a Planned Development District for Single Family 10 (SF-10) and General Retail (GR) District land uses, on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the northeast corner of the intersection of Rochelle Road and SH-276, and take any action necessary. **(2nd Reading)** ***(requires 3/4 majority vote)***

Councilmember White made a motion to approve Z2015-016. Mayor Pro Tem Lewis seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A PLANNED DEVELOPMENT DISTRICT FOR SINGLE FAMILY 10 (SF-10) AND GENERAL RETAIL (GR) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 316.315-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE M. E. HAWKINS SURVEY, ABSTRACT NO. 100, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' & EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 in favor with 1 absent (Hohenshelt).

2. **MIS2015-004** - Discuss and consider the approval of a special request by David Smith on behalf of the owner Jose Contreras for a waiver to the Manufactured Home Replacement Minimum Standards as set forth in Exhibit 'C' of Planned Development District 75 (PD-75) [Ordinance No. 09-37] to allow a new manufactured home to be located within the floodplain on a 0.17-acre property identified as Lot 1376, Rockwall Lake Estates #2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 142 Rene Drive, and take any action necessary.

Mayor Pruitt made a motion to table this item until the next council meeting. Councilmember Townsend seconded the motion, which passed unanimously of those present (Hohenshelt absent).

3. Discuss and consider authorizing the city manager to execute a 380 Agreement with First Texas Homes for Use Taxes, and take any action necessary.

Councilmember White made a motion to approve the agreement as presented. Councilmember Milder seconded the motion, which passed by a vote of 6 in favor with 1 absent (Hohenshelt).

4. **SP2015-016** - Discuss and consider a request by Wayne Mershawn of Mershawn Architects on behalf of Rex Walker of Life Springs Church for the approval of variances to the articulation and residential screening requirements as stipulated by the Unified Development Code in conjunction with an approved site plan for a church on a seven (7) acre portion of a larger 28.881-acre tract of land identified as Tract 15-01 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Corridor Overlay (SH 205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King Boulevard and SH-205, and take any action necessary.

Planning Director Ryan Miller provided background information related to this agenda item, explaining that both of these variances will require a simple majority vote of Council. The Architectural Review Board did desire for the applicant to make some modifications to the horizontal articulation. The applicant made some adjustments, and a revised rendering was emailed out to ARB members. One ARB member did e-mail back to provide input on the updated articulations, indicating that he/she was not satisfied with the adjustments that were made. He explained that the church property has about 90' of separation from the adjacent residential area. In lieu of a 6' masonry wall requirement, the applicant is asking for a variance to plant about 17 live oak trees for screening instead at the rear of the property. Mr. Miller stated that the P&Z Commission did recommend approval of the proposed variances.

Mike Mershawn
Mershawn Associates
2313 Ridge Road

Mr. Mershawn came forth, indicating he is happy to answer any questions of Council.

Councilmember Milder asked for clarification regarding P&Z's recommendation. Mr. Miller indicated that P&Z did unanimously recommend approval of this item.

Councilmember Milder made a motion to approve the variance related to residential screening as presented. Councilmember White seconded the motion, which passed unanimously of those present (Hohenshelt absent).

Regarding the horizontal articulations, Councilmember White made a motion to approve those variances. Mayor Pruitt seconded the motion, which passed by a vote of 5 in favor, 1 against (Milder) and 1 absent (Hohenshelt). Councilmember Milder expressed some concern about the ARB seemingly not being on board with this particular variance request.

5. Discuss and consider adding a staff position and vehicle in the Street Department Budget to provide additional roadway cleanup services, and take any action necessary.

Indication was given that Councilmember Milder requested this agenda item. He generally expressed concerns about the overall cleanliness of streets and roadways within the city, including post-crash debris cleanup, which he recently learned is supposed to be the responsibility of the responding wrecker service. Brief comments were made related to streets/roadway clean up after weather/storm events.

At the request of Councilman Milder, Mr. Crowley indicated that the city has been operating with the same number of Street Department employees since 1998, clarifying, however, that the budget for that department has increased over time, and a lot of contractual work has taken place.

Councilman Milder suggested that the Council consider adding a new staff position and truck in the Streets Department during the upcoming budget work session discussions.

6. Discuss and consider (re)appointments to city advisory boards, including the Animal Adoption Center/Shelter Advisory Committee, the Architectural

Review Board, the ART Commission, the Historic Preservation Advisory Board and the Park Board, and take any action necessary.

After brief comments from Mr. Crowley, Councilmember White made a motion to appoint the following individuals to serve on the city's ART Commission: Jane Braddock, Betty Hoaglund, and Doug Agee (Kathleen Morrow and David Sweet were previously appointed in January of 2015). Councilmember Townsend seconded the motion, which passed by a vote of 6 in favor with 1 absent (Hohenshelt).

Councilmember Townsend made a motion to re-appoint to the Park Board (through August 2017) Mr. Ray Harton, Mr. Larry Denny and Mr. Bob Lewis. Councilmember Milder seconded the motion, which passed by a vote of 6 in favor with 1 absent (Hohenshelt).

Councilmember Milder made a motion to reappoint Alan Dennard to the Board of Adjustments (BOA) (through August of 2017). Councilmember White seconded the motion, which passed unanimously of Council (Hohenshelt absent).

7. Discuss and consider continuation and oversight associated with the annual 4th of July parade, and take any action necessary.

Mr. Crowley provided brief comments on this item. Councilmember Townsend made a motion to direct the Parks & Recreation Department to provide oversight to the annual Fourth of July Parade. Mayor Pro Tem Lewis seconded the motion, which passed by a vote of 6 in favor with 1 absent (Hohenshelt).

Mr. Crowley indicated that, although there is not a City Manager's report on tonight's agenda, at the approval of City Attorney Frank Garza, Assistant City Manager Mrs. Smith will provide a brief statement regarding concerns associated with the City of Rockwall providing water to the RCH Water Supply Corporation for residents of McLendon Chisholm. Mrs. Smith went onto explain, in general, that the City of Rockwall supplies wholesale water to the RCH Water Supply Corporation. Through that agreement, Rockwall can provide 2.1 million gallons per day; however, RCH's single 8" pipe is not adequate to bring that much water into their system. After lengthy investigating, it was determined that a 16" pipe will need to be designed and constructed before these supply issues can sufficiently be remedied. Unfortunately, there is no short-term fix to help address these problems sooner.

XII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding purchase or lease of real property / land acquisition in the vicinity of the downtown area for municipal purposes pursuant to Section § 551.072 (Real Property).

2. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Planning & Zoning Commission, and Board of Adjustments pursuant to Section 551.074 (personnel matters)

XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Council did not go back into Executive Session following the close of the public meeting.

XIV. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 6:47 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 8th DAY OF SEPTEMBER, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

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AGENDA
ROCKWALL CITY COUNCIL
Monday, August 31, 2015
8:00 a.m. Budget Work Session
Municipal Court Building, 2860 SH-66 Rockwall, TX 75087

1. CALL TO ORDER

Mayor Pruitt called the meeting to order at 8:00 a.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dennis Lewis and City Council Members David White, Mike Townsend, John Hohenshelt, Scott Milder, and Kevin Fowler. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs, department directors, and the city secretary.

2. HOLD BUDGET WORK SESSION TO DISCUSS AND CONSIDER THE CITY OF ROCKWALL'S FISCAL YEAR 2016 BUDGET, AND TAKE ANY ACTION NECESSARY.

Councilmember Hohenshelt shared information he assembled related to budget and tax rate related strategic planning data and information. After the discussion, it was decided that further dialogue related to these ideas would be scheduled for a separate meeting so that potential implementation strategies could be developed.

Councilmember Milder requested to have an in depth discussion pertaining to the Fire Department including staffing and the condition of Fire Station 1. Chief Poindexter indicated that funding to hire a consultant to study needs pertaining to Station 1 and its potential expansion or replacement is being proposed in this budget. Extensive discussion took place related to staffing of the department as a whole, at each of the various fire stations and on scene during structure fires. Discussion ensued regarding fire department volunteer recruitment efforts as well as volunteer training and experience. The need for goal setting pertaining to the fire department on the part of the city council was discussed. Councilmember Milder indicated that he would like the council to consider adopting the current tax rate instead of the effective tax rate this budget year, and he would like the council to consider funding six new, full-time firefighters.

Following the discussion, council and staff discussed the Water/Sewer Fund, Debt Service, and the General Fund and General Government budget proposals. Staff indicated that Animal Services will begin reporting to Andy Hesser starting October 1st, and Lieutenant Valliant in the Police Department will serve as an advisor. The Finance Department budget was discussed, followed by additional discussion related to the Fire Department and the proposed Police Department budget.

Mayor Pruitt recessed the meeting at 11:46 for a brief break. At 12:05 a.m. discussion took place related to a park grant to expand the SH-66 boat ramp, including the required local funding match. General discussion took place related to improvements to some sidewalks, including ADA accessibility of those sidewalks, in the downtown area (a portion not included in bond related improvements). Beginning at 12:30 p.m., the

Community Development, Parks, Public Works/Engineering, Special Revenue Fund, and Internal Services Fund budget proposals were discussed.

At 1:40 p.m., wrap up comments were made. Brief comments were offered regarding adoption of the effective rate versus the current tax rate. Assistant City Manager, Mary Smith, provided an explanation of the remainder of the budget process, including required public notices, upcoming public hearings, and city council votes needed for ultimate adoption of the budget.

3. ADJOURNMENT

The meeting was adjourned at 1:55 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 8th DAY OF SEPTEMBER, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **September 3, 2015**

SUBJECT: **Construction Contract Award – Lake Forest Erosion Control Improvements**

Background:
Staff received a letter from the citizen at 2065 Lake Forrest Drive concerned about the stream erosion occurring directly behind their home. Staff had a consulting engineer visit the site to evaluate the erosion condition along the stream from Emerald Bay Park to Lake Ray Hubbard. The erosion situation behind 2065 Lake Forest Drive will negatively impact the back yard/fence of this lot and possibly the adjacent lots if not addressed in the near future.

City Council hired Walter P. Moore Consulting Engineers to provide the engineering design services for this erosion control project. Their services consisted of the design of erosion protection behind 2065 Lake Forest Drive. The proposed structure is a large, modular concrete block retaining wall stabilized with rock anchors. Engineering plans were completed and put out to bidders.

The City received and opened two bids on August 20, 2015. The bidders are as follows:

1. Environmental Safety Services, Inc. $348,650.00
2. Arc Contracting Services $450,300.00

The experience and references provided with the low bidder demonstrate Environmental Safety Services, Inc. has the ability to satisfactorily completing similar projects. This company constructed a similar retaining wall in the creekbed adjacent to the City's cemetery.

Financial Implications:
Funding for this project will be taken from the General Reserves Fund.

Action Desired/Recommendation:
Staff recommends City Council consideration to award the Lake Forest Erosion Control Improvements project construction contract to Environmental Safety Services, Inc. in the amount of $348,650.00 and take any necessary action.

TMT: tt
Attachments

Cc:
Mary Smith, Assistant City Manager
Rick Sherer, Manager of Water/Wastewater
Amy Williams, Assistant City Engineer
Jeremy White, Civil Engineer
File

Bid Summary
Lake Forest Erosion Control - City of Rockwall

Item No.	Item Description	Units	Quantity	Walter P Moore Opinion of Probable Construction Cost		Environmental Safety Services, Inc.		Arc Contracting Services	
				Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount
101	Mobilization	LS	1	$17,000.00	$17,000.00	$74,200.00	$74,200.00	$30,000.00	$30,000.00
102	Clearing and Grubbing	SY	500	$5.00	$2,500.00	$9.25	$4,625.00	$60.00	$30,000.00
103	Tree Removal	EA	8	$800.00	$6,400.00	$500.00	$4,000.00	$1,200.00	$9,600.00
104	General Excavation	CY	700	$20.00	$14,000.00	$48.00	$33,600.00	$35.00	$24,500.00
105	Site Excavated Fill	CY	80	$20.00	$1,600.00	$28.75	$2,300.00	$45.00	$3,600.00
106	Imported Top Soil	CY	40	$20.00	$800.00	$80.00	$3,200.00	$45.00	$1,800.00
107	Existing Wall Remediation Including Drain	LS	1	$4,000.00	$4,000.00	$3,670.00	$3,670.00	$24,000.00	$24,000.00
108	Erosion Mat Including Seeding	SY	250	$20.00	$5,000.00	$5.00	$1,250.00	$40.00	$10,000.00
109	Big Block Precast Concrete Wall	SF	1800	$30.00	$54,000.00	$51.50	$92,700.00	$76.00	$136,800.00
110	Articulated Concrete Block Mattress	SF	850	$15.00	$12,750.00	$33.50	$28,475.00	$28.00	$23,800.00
111	Concrete Beam	CY	35	$500.00	$17,500.00	$760.00	$26,600.00	$800.00	$28,000.00
112	Concrete Leveling Pad	CY	50	$500.00	$25,000.00	$425.00	$21,250.00	$900.00	$45,000.00
113	Active Rock Anchors	EA	26	$1,200.00	$31,200.00	$2,030.00	$52,780.00	$3,200.00	$83,200.00
	SubTotal				**$191,750.00**				
	Construction Contingnecy (10%)				**$19,175.00**				
	Project Total				**$210,925.00**		**$348,650.00**		**$450,300.00**

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Timothy M. Tumulty, Director of Public Works/City Engineer

DATE: September 3, 2015

SUBJECT: Stonebridge Drive Sanitary Sewer Lift Station Rehabilitation

The Stonebridge Drive Sanitary Sewer Lift Station is located in the 800 block of Stonebridge Drive just north of Agape Street in the Stonebridge Meadows, Phase One Subdivision. It was constructed in the late 1970s. The lift station structure is in need of rehabilitation to continue functioning as originally designed. Attached is Professional Engineering Service Contract from Teague, Nall and Perkins, Inc. to prepare the engineering plans and specifications for this rehabilitation project. The project consists of converting an existing wet well/dry well lift station to a wet well submergible lift station and abandoning the existing dry well in place. Other improvements include adding a new valve vault, new electrical and controls equipment, SCADA controls, back-up electrical generator and new perimeter fence.

The engineering design contract is in the amount of $67,800.00. Funding for this contract is available in current 2015 Water and Sewer Revenue Bonds.

Staff requests City Council consideration to approve a Professional Engineering Services Contract with Teague, Nall and Perkins, Inc. to perform the engineering design plans and specifications for the Stonebridge Drive Sanitary Sewer Lift Station Rehabilitation project in the amount of $67,800.00.

TMT:em
Attachment

Cc:
Mary Smith, Assistant City Engineer
Rick Sherer, Water/Wastewater Manager
Amy Williams, Assistant City Engineer
Jeremy White, Civil Engineer
File

AGREEMENT FOR ENGINEERING SERVICES BETWEEN THE CITY OF ROCKWALL, TEXAS AND TEAGUE NALL AND PERKINS, INC.

I. INTRODUCTION

This Agreement is executed by and between The City of Rockwall, Texas, a municipal corporation located in Rockwall County, Texas, (hereinafter called "OWNER"), and Teague Nall and Perkins, Inc., a Texas corporation, (hereinafter called "ENGINEER").

WITNESSETH, that OWNER desires professional engineering and surveying services in connection with sanitary sewer capital improvement projects.

NOW, THEREFORE, OWNER and ENGINEER, in consideration of the mutual covenants and agreements herein contained, do mutually agree as follows:

II. PROJECT

In this Agreement, the "PROJECT" means the surveying, analysis and engineering design for the Stonebridge Lift Station Replacement in accordance with the applicable OWNER codes, regulations and standards. The PROJECT includes replacing an aging existing wet well/dry pit lift station with a new submersible-pump lift station. The existing wet well will be utilized for the new lift station. The existing dry pit will be abandoned in place/filled in with flowable fill/partially-demolished. A new valve vault will designed, along with new isolation valves, check valves, and air-release valves. New pumps will be provided, along with base elbows, rails, hatches, wet well lining system, vent, level transducer, backup alarm float, and associated appurtenances. The PROJECT will also include all new electrical and controls equipment, including SCADA equipment and a backup electrical generator. Site improvements will include new fencing, gate, site light, and parking pad.

III. BASIC AGREEMENT

OWNER agrees to employ ENGINEER and ENGINEER agrees to perform professional engineering services in connection with the PROJECT, as stated in the sections to follow. All engineering services shall be performed with diligence and in accordance with professional standards customarily obtained for such services in the State of Texas. For rendering such services OWNER agrees to pay ENGINEER as set forth in Section VII and Exhibit F: "Compensation".

IV. SCOPE OF ENGINEER'S SERVICES

ENGINEER shall render the professional services necessary for development of the PROJECT, in accordance with the schedule in Exhibit A: "Project Schedule" and as detailed in Exhibit B: "Basic Engineering Services", said exhibits being attached hereto and incorporated herein for all purposes. ENGINEER shall be responsible, to the level of competency presently maintained by other practicing professional engineers in the same type of work in the Dallas/Fort Worth Metroplex area, for professional and technical soundness, accuracy, and adequacy of all designs, drawings, specifications, and other work and materials furnished under this Agreement.

V. SPECIAL ENGINEERING SERVICES

The OWNER will pay the ENGINEER for Special Engineering Services as indicated in Exhibit C: "Special Engineering Services", attached hereto and made a part of this Agreement.

VI. SCOPE OF OWNER SERVICES

The OWNER will furnish items and perform those services as identified in Exhibit E: "Services to be provided by the OWNER", attached hereto and made a part of this Agreement.

VII. COMPENSATION

A. In consideration of the services described herein, OWNER shall pay and ENGINEER shall receive compensation in accordance with Exhibit F: "Compensation".

B. Total payments including without limitation salary and reimbursable expenses, to ENGINEER by OWNER for the Basic Engineering and Special Engineering Services stated in Section IV and Section V above shall not exceed Sixty-Seven Thousand, Eight Hundred and No/100 Dollars ($67,800.00).

C. OWNER may authorize additional services to be provided by ENGINEER as mutually agreed upon by the parties. Any authorization for additional services shall be given to ENGINEER by OWNER in writing.

D. OWNER and ENGINEER understand that the variables in ENGINEER's cost of performance may fluctuate. The parties agree that any fluctuation in ENGINEER's costs will in no way alter ENGINEER's obligations under this Agreement nor excuse performance or delay on ENGINEER's part.

VIII. OWNERSHIP OF DOCUMENTS

All completed or partially completed evaluations, reports, surveys, designs, drawings and specifications prepared or developed by ENGINEER under this Agreement, including any original drawings, computer disks, mylars or blue lines, shall become the property of OWNER when the Agreement is concluded or terminated, and may be used by OWNER in any manner it desires; provided, however, that ENGINEER shall not be liable for the use of such drawings for any project other than the PROJECT described in this Agreement.

IX. INDEMNITY

ENGINEER SHALL INDEMNIFY AND HOLD HARMLESS OWNER AND ITS OFFICERS, AGENTS, SERVANTS AND EMPLOYEES FROM ANY LIABILITY ON ACCOUNT OF ANY INJURIES OR DAMAGES RECEIVED OR SUSTAINED BY ANY PERSON OR PROPERTY, INCLUDING COURT COSTS AND REASONABLE ATTORNEYS' FEES INCURRED BY OWNER, CAUSED BY THE NEGLIGENT ACTS OR OMISSIONS OF ENGINEER OR ITS OFFICERS, AGENTS, SERVANTS, CONTRACTORS, OR EMPLOYEES IN THE EXECUTION, OPERATION, OR PERFORMANCE OF THIS AGREEMENT.

Approval by OWNER of contract documents shall not constitute or be deemed to be a release of the responsibility and liability of ENGINEER, its officers, agents, employees and subconsultants, for the accuracy and competency of the services performed under this Agreement, including but not limited to evaluations, reports, surveys, designs, working drawings and specifications, and other engineering documents.

Approval by OWNER shall not be deemed to be an assumption of such responsibility and liability by OWNER for any error, omission, defect, deficiency or negligence in the performance of ENGINEER's professional services or in the preparation of the evaluations, reports, surveys, designs, working drawings and specifications or other engineering documents by ENGINEER, its officers, agents, employees and subconsultants, it being the intent of the parties that approval by OWNER signifies OWNER=s approval of only the general design concept of the improvements to be constructed.

In this connection, ENGINEER and its subconsultants shall indemnify and hold OWNER and all of its officers, agents, servants, and employees harmless from any loss, damage, liability or expenses, on account of damage to property and injuries, including death, to any and all persons, including but not limited to officers, agents or employees of ENGINEER or its subconsultants, and all other persons performing any part of the work and improvements, which may arise out of any negligent act, error, or omission in the performance of ENGINEER's professional services or in the preparation of evaluations, reports, surveys, designs, working drawings, specifications and other engineering documents incorporated into any improvements constructed in accordance therewith. This

indemnification provision shall not be construed as requiring ENGINEER to indemnify or hold OWNER or any of its officers, agents, servants or employees harmless from any loss, damages, liability or expense, on account of damage to property or injuries to persons caused by defects or deficiencies in design criteria and information furnished to ENGINEER by OWNER, or any deviation in construction from ENGINEER's designs, working drawings, specifications or other engineering documents.

X. INSURANCE

For the duration of this Agreement, ENGINEER shall maintain the following minimum public liability and property damage insurance which shall protect the ENGINEER, its subcontractors, its subconsultants and OWNER from claims for injuries, including accidental death, as well as from claims for property damage which may arise from the performance of work under this Agreement. ENGINEER shall provide a Certificate of Insurance verifying that the following minimum limits of coverage are provided:

A.	Worker's Compensation Insurance: Statutory requirements	($ 300,000 minimum)
B.	Comprehensive General Liability and Bodily Injury: Bodily Injury	$ 500,000 per person, or $ 1,000,000 per occurrence; and
	Property Damage Combined Single Limit	$ 100,000 each occurrence; or $ 1,000,000 aggregate
C.	Comprehensive Automobile Liability: Bodily Injury	$ 500,000 per person, or $ 1,000,000 per occurrence; and
	Property Damage Combined Single Limit	$ 100,000 each occurrence; or $ 1,000,000 aggregate
D.	Professional Liability: Errors and Omissions	$ 1,000,000

The Certificate of Insurance shall contain a provision that such insurance cannot be canceled or modified without thirty (30) days prior written notice to OWNER.

XI. ARBITRATION

No arbitration arising out of or relating to this Agreement shall occur without both parties' written approval.

XII. TERMINATION AND SUSPENSION

A. OWNER may terminate this Agreement at any time for convenience or for any cause by a notice in writing to ENGINEER. Either OWNER or ENGINEER may terminate this Agreement in the event the other party fails to perform in accordance with the provisions of this Agreement. Upon receipt of such notice, ENGINEER shall immediately discontinue all services and work and the placing of all orders or the entering into contracts for supplies, assistance, facilities, and materials, in connection with the performance of this Agreement and shall proceed to cancel promptly all existing contracts insofar as they are chargeable to this Agreement.

B. If OWNER terminates this Agreement under the foregoing Paragraph A, OWNER shall pay ENGINEER a reasonable amount for services performed prior to such termination, which payment shall be based upon the payroll cost of employees engaged on the work by ENGINEER up to the date of termination of this Agreement and for subcontract and reproduction in accordance with the method of compensation stated in Section VII hereof. In the event of termination, the amount paid shall not exceed the amount appropriate for the percentage of work completed.

XIII. SUCCESSORS AND ASSIGNS

OWNER and ENGINEER each bind themselves and their successors, executors, administrators and assigns to the other party of this Agreement and to the successors, executors, administrators and assigns of such other party in respect to all covenants of this Agreement; except as above, neither OWNER nor ENGINEER shall assign, sublet or transfer its interest in this Agreement without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer or agent of OWNER.

XIV. AUTHORIZATION, PROGRESS, AND COMPLETION

OWNER and ENGINEER agree that the PROJECT is planned to be completed in accordance with the Exhibit A: "Project Schedule" which is attached hereto and made a part hereof. ENGINEER shall employ manpower and other resources and use professional skill and diligence to meet the schedule; however, ENGINEER shall not be responsible for schedule delays resulting from conditions beyond ENGINEER's control. With mutual agreement, OWNER and ENGINEER may modify the Project Schedule during the course of the PROJECT and if such modifications affect ENGINEER's compensation, it shall be modified accordingly, subject to OWNER approval.

For Additional Engineering Services, the authorization by OWNER shall be in writing and shall include the definition of the services to be provided, the schedule for commencing and completing the services and the basis for compensation as agreed upon by OWNER and ENGINEER.

It is understood that this Agreement contemplates the full and complete Engineering services for this PROJECT including any and all services necessary to complete the work as outlined in Exhibit B: "Basic Engineering Services". Nothing contained herein shall be construed as authorizing additional fees for services to provide complete services necessary for the successful completion of this PROJECT.

XV. SUBCONTRACTS

ENGINEER shall be entitled, only if approved by OWNER, to subcontract a portion of the services to be performed by ENGINEER under this Agreement.

XVI. RIGHT TO AUDIT

ENGINEER agrees that OWNER shall, until the expiration of three (3) years after final payment under this Agreement, have access to and the right to examine and photocopy any directly pertinent books, design calculations, quantity take-offs, documents, papers and records of ENGINEER involving transactions relating to this Agreement. ENGINEER agrees that OWNER shall have access during normal working hours to all necessary ENGINEER facilities and shall be provided adequate and appropriate work space in order to conduct audits in compliance with the provisions of this section. OWNER shall give ENGINEER reasonable advance notice of intended audits.

ENGINEER further agrees to include in all its subconsultant agreements hereunder a provision to the effect that the subconsultant agrees that OWNER shall, until the expiration of three (3) years after final payment under the subcontract, have access to and the right to examine and photocopy any directly pertinent books, design calculations, quantity take-offs, documents, papers and records of such subconsultant, involving transactions to the subcontract, and further, that OWNER shall have access during normal working hours to all subconsultant facilities, and shall be provided adequate and appropriate work space, in order to conduct audits in compliance with the provisions of this article. OWNER shall give subconsultant reasonable advance notice of intended audits.

XVII. EXHIBITS

Both parties agree to the following exhibits and as such, the following exhibits are made a part of this Agreement:

Exhibit "A"	Project Schedule
Exhibit "B"	Basic Engineering Services
Exhibit "C"	Special Engineering Services
Exhibit "D"	Additional Engineering Services
Exhibit "E"	Compensation

XVIII. MISCELLANEOUS

A. Authorization to Proceed. Signing this Agreement shall be construed as authorization by OWNER for ENGINEER to proceed with the PROJECT.

B. Legal Expenses. In the event legal action is brought by OWNER or ENGINEER against the other to enforce any of the obligations hereunder or arising out of any dispute concerning the terms and conditions of this Agreement, the losing party shall pay the prevailing party such reasonable amounts for fees, costs and expenses as may be set by the court.

C. Notices. Any notice or correspondence required under this Agreement shall be sent by certified mail, return receipt requested, or by personal delivery and shall be effective upon receipt, if addressed to the party receiving the notice or correspondence at the following address:

If to ENGINEER: Teague Nall and Perkins, Inc.
Attn: Michael G. DeMotte, P.E.
17304 Preston Road, Suite 1340
Dallas, Texas 75252

If to OWNER: City of Rockwall
Attn: Tim Tumulty, P.E.
385 South Goliad Street
Rockwall, Texas 75087

D. Independent Contractor. ENGINEER shall perform services hereunder as an independent contractor, and not as an officer, agent, servant or employee of the OWNER and ENGINEER shall have the exclusive right to control services performed hereunder by ENGINEER, and all persons performing same, and shall be responsible for the negligent acts and omissions of its officers, agents, employees, and subconsultants. Nothing herewith shall be construed as creating a partnership or joint venture between OWNER and ENGINEER, its officers, agents, employees and subconsultants; and the doctrine of respondent superior has no application as between OWNER and ENGINEER.

E. Venue. This Agreement shall be governed by the laws of the State of Texas, and venue in any proceeding relating to this Agreement shall be in Rockwall County, Texas.

F. Entire Agreement. This Agreement represents the entire and integrated agreement between OWNER and ENGINEER and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both OWNER and ENGINEER.

G. Severability. If any provision in this Agreement shall be held illegal by a valid final judgment of a court of competent jurisdiction, the remaining provisions shall remain valid and enforceable.

H. Assignment. OWNER and ENGINEER each bind themselves, their heirs, successors and assigns, to the other party to this Agreement and to the successors and assigns of each other party in respect to all covenants of this Agreement. This Agreement is not to be assigned, sublet or transferred, in whole or in part, by either OWNER or ENGINEER without the prior written consent of the other party.

This Agreement is executed in two (2) counterparts.

IN TESTIMONY WHEREOF, the parties hereto have executed this Agreement this the ____day of _____

CITY OF ROCKWALL, TEXAS (OWNER)	TEAGUE NALL AND PERKINS, INC. (ENGINEER)
By: _____	By: _____ Michael G. DeMotte, P.E., Team Leader
Date: _____	Date:_____

EXHIBIT A

PROJECT SCHEDULE
FOR

Stonebridge Lift Station Replacement

The following is a breakdown of the project into separate phases with the contract time for engineering services through final design for each phase. Signing this Agreement shall be construed as authorization by OWNER for ENGINEER to proceed with the PROJECT.

		Engineering
Phase 1	Design Phase Services	90 Calendar Days
Phase 2	Bidding Phase Services	20 Calendar Days
Phase 3	Construction Phase Services	240 Calendar Days*

* Anticipated construction schedule is beyond the control of the ENGINEER, and is provided for informational purposes only.

EXHIBIT B

BASIC ENGINEERING SERVICES FOR

Stonebridge Lift Station Replacement

The scope of work for BASIC Engineering Services involves Design, Bidding, and Construction Phase services.

I. GENERAL

A. Project Management

1. The ENGINEER will meet with the OWNER on an as needed basis during the development of the preliminary and final design phases of the PROJECT.

2. The ENGINEER will establish and maintain PROJECT schedules and budgets, develop monthly progress reports, prepare invoices, and meet with other entities on an as needed basis for the duration of the PROJECT's design.

B. Data Collection

1. The ENGINEER will collect, compile and evaluate existing data collected from the OWNER, or other entities that provide information for the design of the PROJECT.

2. A location map/schematic will be provided to the affected utility companies. These schematics will be used by the utility companies to show approximate locations of their facilities which are or may be affected by the PROJECT.

3. The ENGINEER will attempt to obtain Record Drawings and future plans for the following facilities in the PROJECT area including:
   - Roadways/Alleys
   - Water lines
   - Sanitary Sewer Lines
   - Storm Drain Lines

4. The ENGINEER will contact Dig-Tess and/or franchise utility companies (directly) to attempt to have franchise utilities in the PROJECT area horizontally-located including:

- Underground and/or Overhead Telephone Lines and Cables
- Electric Underground and/or Overhead Lines
- Gas Lines
- Other Utilities Known to Serve the PROJECT Area

Location information obtained above will be tied by the surveyor. The locations of utilities tied from field surveys will be shown on PROJECT plans.

II. DESIGN PHASE:

1. The ENGINEER will develop base maps to show existing topographic features in the PROJECT area. Base maps will include the approximate location of existing utilities as provided by utility companies.

2. The ENGINEER will size the lift station wet well and establish control elevations.

3. The ENGINEER will evaluate the potential for water hammer.

4. The ENGINEER will calculate pump Total Dynamic Head (TDH) based upon system hydraulics.

5. The ENGINEER will select new pumps based upon Client-designated design flow, calculated TDH, desired flow characteristics, pump efficiency, hydraulic factors, and ease of maintenance.

6. The ENGINEER will develop pump and system hydraulic curves and confirm pump selection.

7. The ENGINEER will select check valves, isolation valves, air release valves, hatches, pipe supports, wet well lining system, and appurtenances.

8. The ENGINEER will layout/design the wet well, valve vault, and size the wet well vent.

9. The ENGINEER will confirm typical alley section and review City paving specifications and details.

10. The ENGINEER will design pavement improvements, including driveway within lift station fence, and adjustments to grading in immediate vicinity of site as necessary to positively direct drainage away from site to existing drainage flume.

11. The ENGINEER will layout the lift station site, including wet well, valve vault, controls, emergency generator, etc.

12. The ENGINEER will select fencing, gate, and landscaping (as necessary).

13. The ENGINEER's SUBCONSULTANT will design the lift station electrical and controls, including SCADA equipment, emergency generator, automatic transfer switch, and associated appurtenances.

14. The ENGINEER will develop preliminary plans of the proposed improvements. Plan sheets will be at a 1" = 40' or larger scale and contain topographic information, existing right of way lines, locations of driveways, roadways/alleys, pavement edges, limits of drainage structures, and other existing features affecting construction, if any. The plan set is anticipated to include the following (exact sheets may vary somewhat based upon design):
    a. Cover
    b. General Notes
    c. Project Layout Control Plan
    d. Site Plan
    e. Paving, Grading, and Drainage Plan
    f. Paving Details
    g. Plan and Base Section
    h. Elevation and Base Section
    i. Pump Curves and Lift Station Details
    j. Gravity Sewer and Force Main Connections Details
    k. Demolition Plan
    l. Structural Plan and Notes/Details
    m. SWPPP/Erosion Control Plan
    n. SWPPP Narrative Sheet
    o. Electrical and Controls Plans and Details (by SUBCONSULTANT)

15. The ENGINEER will prepare technical specifications for the PROJECT, to include:
    a. Pumps
    b. Isolation Valves
    c. Check Valves
    d. Air Release Valves
    e. Pipe, Manholes
    f. Wet Well Lining System
    g. Painting
    h. General (Submittals, Mobilization, etc. not covered under City standards)

16. The ENGINEER will prepare/organize front-end documents (base files to be provided by OWNER). These documents will be included in the Project Manual, and will include:
    a. Cover
    b. Table of Contents
    c. Notice to Bidders
    d. Instruction to Bidders

e. Bid Form
f. Standard Form of Agreement
g. Bonds
h. General Conditions
i. Supplementary Conditions
j. Prevailing Wage Rates

17. The ENGINEER will meet with the OWNER at regular intervals during the preparation of preliminary plans to present work-to-date and receive input.

18. The ENGINEER will develop preliminary contract documents and specifications.

19. The ENGINEER will develop Preliminary Probable Opinion of Costs for the project.

20. The ENGINEER will submit two (2) sets of preliminary design plans and cost opinions for OWNER review.

21. The ENGINEER will meet with the OWNER to review comments.

22. The ENGINEER will prepare and submit easement documents for temporary construction easements as an Additional Service, if necessary, after the OWNER's preliminary plan review comments are received.

23. The ENGINEER will transmit preliminary plans to utility companies to identify potential conflicts, as necessary.

24. The ENGINEER will incorporate OWNER review comments and directives from the preliminary design plans, in the preparation of final construction plans.

25. The ENGINEER will revise contract documents and specifications per review comments received.

26. The ENGINEER will revise the preliminary quantities and opinion of probable costs per changes in the final design and review comments.

27. The ENGINEER will submit final construction plans to applicable agencies, utility companies and the OWNER for final review. A letter of notice will be prepared and submitted to the Texas Commission on Environmental Quality (TCEQ) notifying the agency of the PROJECT and requesting notification if plans and specifications are required to be submitted. If required by TCEQ, the ENGINEER will submit the required documents to TCEQ for review.

28. The ENGINEER will address final OWNER review comments and prepare

project for bidding.

IV. BIDDING PHASE:

1. The ENGINEER will assist the OWNER in the advertisement of the PROJECT for bid. The OWNER shall bear the cost of advertisement. The ENGINEER shall provide all necessary printing of construction plans, specifications and contract documents for use in obtaining bids, awarding contracts, and constructing the PROJECT. The ENGINEER shall be responsible for dispersing all plans and specifications from its office to prospective bidders.

2. The ENGINEER will assist the OWNER in conducting a Pre-Bid Conference.

3. The ENGINEER will prepare and distribute Addenda to Bid Documents as necessary.

4. The ENGINEER will assist the OWNER in the opening and tabulation of the construction bids for the PROJECT and recommend to the OWNER as to the proper action on all proposals received.

5. The ENGINEER will check references for the lowest and second lowest bidders and prepare a Letter of Recommendation of Award.

6. The ENGINEER will assist in the preparation of formal Contract Documents and in coordinating their execution by the respective parties.

V. CONSTRUCTION PHASE:

1. The ENGINEER will represent the OWNER in the non-resident administration of the PROJECT. In this capacity, the ENGINEER shall have the authority to exercise whatever rights the OWNER may have to disapprove work and materials that fail to conform to the Contract Documents when such failures are brought to the ENGINEER's attention. (This function of ENGINEER shall not be construed as supervision of the PROJECT and does not include on-site activities other than occasional site visits to observe overall PROJECT conditions or when specifically requested by OWNER to visit on site for a particular matter. It particularly does not involve exhaustive or continuous on-site inspection to check the quality or quantity of the work or material; nor does it place any responsibility on the ENGINEER for the techniques and sequences of construction or the safety precaution incident thereto, and ENGINEER will not be responsible or liable in any degree for the Contractor's failure to perform the construction work in accordance with the Contract Documents.)

2. The ENGINEER will consult and advise the OWNER; issue such instructions to the Contractor as in the judgment of the ENGINEER are necessary; and prepare routine change orders as required.

3. The ENGINEER will review samples, catalog data, schedules, shop drawings, laboratory, shop and mill tests of material and equipment and other data which the Contractor is required to submit, only for conformance with the design concept of the PROJECT and compliance with the information given by the Contract Documents; and assemble written guarantees which are required by the Contract Documents.

4. The ENGINEER will prepare or review monthly and final estimates for payments to Contractor, and furnish to the OWNER any necessary certifications provided by the Contractor, as to payments to subcontractors and suppliers.

5. The ENGINEER will conduct, in company with the Contractor, a final inspection of the PROJECT for conformance with the design concept of the PROJECT and compliance with the Contract Documents; and approve in writing final payment to the Contractors.

6. The ENGINEER will revise contract drawings, with the assistance of the OWNER's Resident PROJECT Representative to reflect available information as to how the work was constructed. The OWNER's Resident PROJECT Representative will provide the ENGINEER a red-lined set of drawings depicting changes during construction. The ENGINEER shall revise original design drawings, noting changes during construction, and submit a set of Record Drawings to the OWNER.

EXHIBIT C

SPECIAL ENGINEERING SERVICES FOR

Stonebridge Lift Station Replacement

The scope of work for the Special Engineering Services is more generally described as follows:

I. SURVEYING

A. Design Surveys

1. Establish survey control for the PROJECT. These control points will be established from and tied to the Texas State Plane Coordinate System (NAD '83/93 Texas North Central Zone). Control points will be established using 5/8" iron rods, 18" long. These control points will be established using GPS and conventional surveying methods.

2. Benchmark Loop. A benchmark circuit will be established, based on NAV 88 vertical control. These benchmarks will be located outside of the construction limits and put in such a place so that they may be easily found for future use. Benchmarks shall be looped in accordance with good surveying practice prior to field surveys.

3. Existing Underground and/or Overhead Utilities. Utility owner's will be contacted, on an as-needed basis, and requested to assist in locating existing utilities identified for the PROJECT. Above ground features of existing utilities within 20 feet of proposed center lines will be field located, including elevations of sanitary and storm sewer manhole flowlines and water/gas valve stems. The location of utilities between above ground features will be determined from visual inspection, utility records, and/or from locations determined by the respective utility companies. The utilities will be tied to the PROJECT control points and depths determined in sufficient detail to identify potential conflicts with proposed construction. The excavation and other costs required to expose or probe the underground utilities will be the responsibility of others.

B. Direct Costs

1. Printing, reproduction, plots, copies and other costs directly attributable to the project shall be reimbursed per Exhibit F: Compensation.

EXHIBIT D

ADDITIONAL ENGINEERING SERVICES

FOR

Stonebridge Lift Station Replacement

1. Additional Services, not included in the scope of work, include those that may result from significant changes in the general scope, extent or character of the PROJECT or its design including, but not limited to, changes in size, complexity, OWNER's schedule, character of construction or method of financing; and revising previously accepted studies, reports design documents or Contract Documents when such revisions are required by changes in laws, rules, regulations, ordinances, codes or orders enacted subsequent to the preparation of such studies, reports or documents, or are due to any other causes beyond ENGINEER's control.

2. Additional Services not included in the scope of work, also include assistance to the OWNER in connection with bid protests, rebidding or renegotiating contracts for construction, materials, equipment or service, or preparing to serve or serving as a consultant or witness for OWNER in any litigation, arbitration or other legal proceeding involving the PROJECT.

3. Additional Services not included in the scope of work also include route and or site changes occurring after commencement of the preliminary design phase.

4. Additional services not included in the scope of work also include right-of-way and property surveys, easement document preparation and construction staking.

5. Additional services in connection with the PROJECT, including services which are to be furnished by the OWNER and services not otherwise provided for in this Agreement will be at the following rates:

   Staff Member and Resident Project Representative - Salary Cost Times Multiplier of 2.50.

   Salary Cost is defined as the cost of payroll of ENGINEER's, draftsmen, stenographers, survey men, clerks, laborers, etc., for the time directly chargeable to the PROJECT, plus social security contributions, unemployment compensation insurance, retirement benefits, medical and insurance benefits, longevity payments, sick leave, vacation and holiday pay applicable thereto.

EXHIBIT E

SERVICES TO BE PROVIDED BY THE OWNER

The OWNER will provide the following to the ENGINEER in the performance of the PROJECT upon request:

1. Provide any existing data the OWNER has on file concerning the PROJECT, if available.

2. Provide any available record drawings and maps of existing infrastructure.

3. Assist the ENGINEER, as necessary, in obtaining any required data and information from utility companies.

4. Assist the ENGINEER by requiring appropriate utility companies to expose underground utilities within the Right-Of-Way, when required.

5. Give prompt written notice to ENGINEER whenever OWNER observes or otherwise becomes aware of any development that affects the scope or timing of the ENGINEER's services.

EXHIBIT F

COMPENSATION

I. COMPENSATION

The applicable fees for Basic and Special Engineering Services shall remain in effect through the year 2016. Thereafter, the fees for services not completed will be subject to a 5% increase for each year after 2016.

For and in consideration of the services to be rendered by the ENGINEER, the OWNER shall pay, and the ENGINEER shall receive the compensation hereinafter set forth for Basic Engineering Services and additionally for Special Engineering Services that are in addition to the Basic Engineering Services. All remittances by OWNER of such compensation shall either be mailed or delivered to the ENGINEER's home office as identified in the work authorization.

"Salary Cost" used herein is defined as the cost of salaries of ENGINEER's, draftsmen, stenographers, survey men, clerks, laborers, etc. for time directly chargeable to the PROJECT plus social security contributions, unemployment, excise and payroll taxes, employment compensation insurance, retirement benefits, medical and insurance benefits, sick leave, bonuses, vacation, and holiday pay applicable thereto.

A. Compensation for the Basic Engineering Services (Design, Bidding, and Construction phases) shall be a lump sum fee of $ 62,300.00, inclusive of Direct Expenses.

Payment for the Design phase portion of the Basic Services shall be due in monthly installments in the proportion to that part of the services in the Design phase which have been accomplished. Final payment for services authorized in the Design phase shall be due at the completion of these services.

Payment for the Bidding phase portion of the Basic Services shall be due in monthly installments in the proportion to that part of the services in the Design phase which have been accomplished. Final payment for services authorized in the Design phase shall be due at the completion of these services.

Payment for the Construction phase of the Basic Service shall be due in monthly installments in proportion to the construction work completed on the basis of the Contractor's monthly payment estimates. Upon completion of all

work authorized in the Construction phase, the ENGINEER will be paid the remainder of the charge for this phase.

The following is a breakdown of the project into separate phases with the applicable engineering design fee for each phase.

Basic Engineering Services

Phase 1	Design Phase Services	$ 45,900.00
Phase 2	Bidding Phase Services	$ 6,800.00
Phase 3	Construction Phase Services	$ 9,600.00
		Total: $ 62,300.00

B. Compensation for Special Engineering Services not covered by the Basic Services provided herein above shall be as follows:

Design Surveys — Lump Sum Fee of $ 5,500.00

C. Compensation for Additional Services not covered by Basic or Special Services provided herein shall be as follows:

For all of ENGINEER's personnel time applied to the Additional Services, Salary Cost times a multiplier of 2.50.

For all direct non-labor and/or subcontract expense, including mileage, travel and living expenses at invoice or internal office cost times a multiplier of 1.10.

Payments to the ENGINEER for authorized Additional Services will be due monthly, upon presentation of monthly statement by the ENGINEER for such services.

II. AUDIT AND SCOPE CHANGE

Cost budgets are set forth above and are subject to the audit provisions of this Agreement, Section XVI. It is also understood that the cost budgets are based upon ENGINEER's best estimate of work and level of effort required for the proposed scope of services. As the PROJECT progresses, it is possible that the level of effort and/or scope may differ up or down from that assumed. If there are no scope changes, the ENGINEER shall receive the full amount of lump sum and unit price fees, regardless of the cost. If at any time it appears that the cost budget may be exceeded, the ENGINEER shall notify the OWNER as soon a possible in writing.

If there is a scope change, the ENGINEER shall notify the OWNER as soon as possible in writing and shall include a revised scope of services, estimated cost, revised fee schedule, and a revised time of completion. Upon negotiation and agreement via a signed amendment by both parties, the cost budget, fee schedule, and total budget will be adjusted accordingly.

OWNER shall not be obligated to reimburse the ENGINEER for costs incurred in excess of the cost budget. The ENGINEER shall not be obligated to perform on any change in scope of work or otherwise incur costs unless and until the OWNER has notified the ENGINEER in writing that the total budget for Engineering services has been increased and shall have specified in such notice a revised total budget which shall thereupon constitute a total budget for engineering services for performance under this Agreement.

A detailed scope of work, total budget, and schedule will be prepared by the ENGINEER and executed by the OWNER if the ENGINEER is authorized to perform any Additional Service(s).

III. PAYMENT

Payments to the ENGINEER will be made as follows:

A. Invoice and Time of Payment

Monthly invoices will be issued by the ENGINEER for all work performed under this Agreement. Invoices are due and payable on receipt. Invoices will be prepared in a format approved by the OWNER prior to submission of the first monthly invoice. Once approved, the OWNER agrees not to require changes in the invoice format, but reserves the right to audit. Monthly payment of the fee will be in proportion to the percent completion of the total work (as indicated in Exhibit B: "Basic Engineering Services" and Exhibit C: "Special Engineering Services").

B. Upon completion of services enumerated in Exhibit B: "Scope of Engineering Services", the final payment of any balance will be due upon receipt of the final invoice.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **August 21, 2015**

SUBJECT: **La Terra Studio Contract Amendment**

For the past several months, the staff has been working with La Terra Studio representatives to settle a dispute regarding pre-construction services. La Terra Studio is the design firm selected to complete the design and construction documents for the downtown project. We originally contracted with La Terra prior to the project being approved by the voters so that conceptual drawings and cost estimates could be generated. At the heart of the matter is an outstanding invoice in the amount of $34,077.25.

Mary Smith, Frank Garza and Kris Brown from La Terra met a few weeks ago and discussed the item in detail. Although both parties believe that there was a clear understanding of what was to be paid, the contract language is ambiguous and leaves room in either side of the disagreement for interpretation.

I contacted Michael Black with La Terra and attempted to reach a compromise in the dispute. During those conversations, I was informed that La Terra's contract was expected to be complete in August of this year and the project is expected to not be finished until January of 2016 which is an additional five months of project supervision. The time for the construction overrun is primarily due to the heavy and constant rains that we experienced in the early Spring. La Terra's cost for the monthly project oversite is $3,300 a month which calculates to an additional $16,500 of work that they will be requesting compensation.

I offered and Michael accepted, that contingent of City Council approval, we would split the amount of the original discrepancy, $34,077.25 and pay him 50% of that amount and amend the agreement to pay for the additional five months of project supervision. This action will result in a change order to the contract with La Terra Studio's contract in the amount of $33,538.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Timothy M. Tumulty, Director of Public Works/City Engineer

DATE: September 3, 2015

SUBJECT: Memorandum of Understanding for North Texas Municipal Water District

The North Texas Municipal Water District (NTMWD) is requesting its Member Cities to execute a Memorandum of Understanding regarding a development of a Regional Capacity, Management, Operation and Maintenance (CMOM) Program. The CMOM term is used to describe the detailed system of operations and maintenance of a wastewater collection system. The Environmental Protection Agency (EPA) has an interest in all of the NTMWD Member Cities participating in such activities.

In January of 2014, NTMWD received a wastewater system compliance inspection that was performed by representatives of the EPA from the Washington D.C. office. The inspection evaluated the District's compliance with its wastewater operating permit related to the Clean Water Act. All areas of the wastewater operations were inspected to assure elimination of potential sewer overflows. Upon completion of their inspection, the EPA then inspected all Member Cities sending effluent to a NTMWD wastewater treatment facility. The City of Rockwall was inspected on March 5, 2015 and findings were received from EPA on August 5, 2015. Staff will brief City Council on their findings in a future City Council meeting.

In a meeting held between NTMWD and EPA on June 6, 2015, the EPA indicated that all Member City inspections were complete. They will start the process of working with NTMWD and Member Cities to work towards corrective actions. Per the meeting, EPA believes the findings are serious enough that some form of enforcement action is warranted. It is desirable for NTMWD and the Member Cities to receive the lowest level of enforcement action by the EPA. NTMWD and the Member Cities believe that to achieve this lowest level of enforcement action, it will require everyone working together showing a good faith effort towards the completion of the Regional CMOM program .

Staff requests City Council authorization for the City Manager to sign the attached Memorandum of Understanding with NTMWD regarding the development of a Regional Capacity, Management, Operations and Maintenance Program.

TMT:em

Attachments

Cc:

Mary Smith, Assistant City Manager
Rick Sherer, Manager of Water/Wastewater
Amy Williams, Assistant City Engineer
Jeremy White, Civil Engineer
file

NORTH TEXAS MUNICIPAL WATER DISTRICT

MEMORANDUM OF UNDERSTANDING REGARDING DEVELOPMENT OF A REGIONAL CAPACITY, MANAGEMENT, OPERATIONS, AND MAINTENANCE (CMOM) PROGRAM

WHEREAS, the City of Allen, the City of Forney, the City of Frisco, the City of Heath, the City of McKinney, the City of Mesquite, the City of Plano, the City of Princeton, the Town of Prosper, the City of Richardson, the City of Rockwall and the City of Seagoville, (individually and collectively the "Communities"), have entered into various contracts (the "Contracts") for the collection, conveyance, and treatment of wastewater from their various systems (the "Systems"); and

WHEREAS, the Contracts do not include explicit provisions related to maintenance, management, and operation of the Systems; and

WHEREAS, each entity has its own unique collection system and appropriations approval by their respective governing body, the program will be implemented consistent with the needs and appropriated funding of each entity; and

WHEREAS, North Texas Municipal Water District ("NTMWD") and the Communities have a goal to improve wastewater collection capacity, management, operations, and maintenance programs of the Systems; and

NOW THEREFORE, NTMWD and the Communities agree to the following:

NTMWD and the Communities shall work together in good faith to establish a model written Regional Capacity, Management, Operations, and Maintenance (CMOM) program related to the following aspects of NTMWD's and Communities' practices, assets, and programs.

a. Emergency response and mitigation plan,
b. Collection system cleaning program,
c. Comprehensive Fats, Roots, Oil, and Grease (FROG) program,
d. Condition assessment: Force mains, lift stations, manholes, gravity sewers, and service laterals,
e. Hydraulic modeling capacity assessment,
f. Formalized operation and maintenance ("O&M") training program including standard operating procedures and classroom training,
g. Point of entry and flow metering program,
h. Maintenance management system, and
i. Framework for identification and implementation of NTMWD and Community capital project needs resulting from condition and capacity assessments.

This Memorandum of Understanding will be effective the date of the last signature with an awareness all Communities may not participate.

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AGREED:

_____ _____
Thomas W. Kula Date
Executive Director, NTMWD

_____ _____
Peter H. Vargas Date
City Manager, City of Allen

_____ _____
Brian Brooks Date
City Manager, City of Forney

_____ _____
George Purefoy Date
City Manager, City of Frisco

_____ _____
Ed Thatcher Date
City Manager, City of Heath

_____ _____
Tom Muehlenbeck Date
Interim City Manager, City of McKinney

_____ _____
Ted Barron Date
City Manager, City of Mesquite

_____ _____

Bruce D. Glasscock — Date
City Manager, City of Plano

_____ _____

Derek F. Borg — Date
City Manager, City of Princeton

_____ _____

Harlan Jefferson — Date
Town Manager, Town of Prosper

_____ _____

Dan Johnson — Date
City Manager, City of Richardson

_____ _____

Rick Crowley — Date
City Manager, City of Rockwall

_____ _____

Pat Stallings — Date
Acting City Manager, City of Seagoville

FAQ: Regional CMOM Program Development

Introduction/Overview

The U.S. Environmental Protection Agency has inspected North Texas Municipal Water District (NTMWD) and its member cities regarding a possible Clean Water Act enforcement action relating to the sewer collection system and sanitary sewer overflows. It is expected that NTMWD and its member cities will face EPA enforcement, but the extent and details of such enforcement action are unknown at present. Based upon discussions with EPA, NTMWD believes that the development of a formal CMOM program will help NTMWD and its member cities meet regulators' expectations, so that any enforcement action will implement the ongoing efforts of NTMWD and member cities (including a CMOM program), as opposed to mandating more stringent requirements.

1. What is a CMOM program?

CMOM stands for Capacity, Management, Operations, and Maintenance. It is a framework to identify and incorporate industry accepted practices to better manage, operate, and maintain collection systems, investigate collection system capacity, and respond to sanitary sewer overflows. The CMOM components are provided in greater detail in the MOU, but include such activities as cleaning, capacity evaluations, and regular maintenance, among others.

2. Why do we need to develop a Regional CMOM program?

In collaboration with the wastewater member cities, we agreed that the development of a Regional CMOM program will provide our best opportunity to determine our collective desired outcomes and work toward incorporating those desired outcomes into our ongoing dialogue with EPA.

As noted above, the Environmental Protection Agency (EPA) has conducted inspections of NTMWD and Regional Wastewater System member cities. NTMWD and its member cities continue to demonstrate compliance with applicable EPA and TCEQ requirements, and the development of a formalized CMOM program will support that effort, so as to show regulators a consistent record of compliance and proactive management. Although discussions with EPA are ongoing, the development of a formal CMOM program is important to meet regulators' expectations. They have indicated there will be an enforcement action and their expectation of NTMWD and cities is full CMOM compliance. They utilize the CMOM framework to shift collection system practices from reactive to preventive and predictive.

3. What if our City elects not to participate?

The District and remaining cities will continue in the development of the Regional CMOM program. However, in the context of enforcement, EPA is likely to seek more stringent CMOM-related requirements for cities without CMOM participation. Accordingly, if a City elects to not participate, their ability to influence the CMOM requirements in any enforcement action will be reduced significantly.

4. Why do we need to execute a memorandum of understanding (MOU)?

The MOU will demonstrate to peer Cities, NTMWD, and to EPA that we are working collaboratively to develop a regional plan to properly manage, operate, and maintain our collection systems.

5. When does NTMWD want to receive the executed MOU back?

We are targeting all MOUs to be executed and returned by September 16th. Please execute and return an original to: Jenna Covington, NTMWD; and a scanned copy via e-mail (jcovington@ntmwd.com). The final executed version will have duplicate pages with unique signatures. For example, there will be seven copies of page two included in the final document.

6. Which cities are invited to participate in the MOU and Regional CMOM program development?

The cities include: Allen, Forney, Frisco, Heath, McKinney, Mesquite, Plano, Princeton, Prosper, Richardson, Rockwall, and Seagoville. EPA has conducted inspections of each of these cities.

7. What does this MOU commit us to?

The MOU indicates the cities and NTMWD will work together in good faith to establish a model written Regional Capacity, Management, Operations, and Maintenance (CMOM) program.

8. When will Regional CMOM program become effective?

The effective date has not yet been established, although NTMWD expects to begin developing the regional CMOM with cities in agreement starting this fall.

9. Does EPA support the development of the Regional CMOM program?

At NTMWD's most recent discussions with EPA, the EPA supported the concept of a Regional CMOM program. By working together to develop the Regional CMOM program, we can have the best opportunity to influence outcomes consistent with the vision of NTMWD and cities, rather than a top-down approach from outside.

10. Will all the cities and District have to agree on how we manage our collection systems?

The intent is for the Regional CMOM program to provide the baseline standard. Some cities may elect to exceed the requirements of the program. The intent is also to develop the program in a manner that may be easily adopted by cities if they so choose without the need to develop their own program and incorporate the requirements of the Regional program.

11. What will the Regional CMOM program provide to us?

The Regional CMOM program will provide written and clearly defined baseline expectations for proactive management of your collection system and the baseline expectations will be common across participating Cities.

12. We already participate in the Texas Commission on Environmental Quality (TCEQ) Sanitary Sewer Overflow Initiative (SSOI), how will this impact our current agreement?

It is anticipated that the requirements of the SSOI will continue, barring any EPA enforcement. The District will coordinate with TCEQ to clarify the status of SSOI agreements.

13. How will implementation of the Regional CMOM program help the Cities and region?

Ultimately, we all desire the same outcomes. Protect public health and the environment, sustain economic development, be compliant with regulatory requirements, meet or exceed the needs of the public we serve, and proactively manage our infrastructure. Execution of the Regional CMOM program will assist us in meeting those goals.

14. Is EPA looking at other cities and utilities?

Yes, the EPA has a national enforcement initiative to assess all sanitary sewer systems who produce more than 10-million gallons per day of wastewater by end of FY 2016. EPA Region 6 has indicated we are one of the last systems to be evaluated as part of the national enforcement initiative. At the time their website was updated, there were 1103 systems identified and 888 had been addressed, 92 had enforcement actions initiated, and 128 were outstanding (http://www2.epa.gov/enforcement/national-enforcement-initiative-keeping-raw-sewage-and-contaminated-stormwater-out-our).

15. What resources are available for us to better understand CMOM programs?

There are a number of resources available to assist you all in learning more about EPA enforcement, CMOM programs, etc. We have posted those documents and links in the Member and Customer City portal on our website.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **September 2, 2015**

SUBJECT: **TPWD GRANT RESOLUTION AND APPLICATION**

As discussed at the Council budget work session, we have an opportunity to submit an application for assistance to the Texas Parks and Wildlife Department (TPWD) Boating Access Grant program for improvements to the SH 66 Public Boat Ramp.

This is a matching grant where TPWD 75% percent of the funding and the City would provide 25%. The deadline for the application is October 1, 2015.

The scope of the project includes additional parking, an additional ramp, additional courtesy docking locations, security lighting and potential dredging if needed. The estimated cost of the project would not exceed $625,000. TPWD's portion would be $500,000 and the City's match would be $125,000. The funding source proposed is from general fund reserves, contingent on Council approval and award of the grant funds.

Staff requests that Council consider authorizing the City Manager to contract with MHS Planning and Design to prepare the concept plan and application for assistance to the TPWD grant program for matching funds for improvements to the SH 66 Boat Ramp. MHS has proposed a cost of $9,000 plus expenses to prepare the grant application and concept plan.

TPWD requires a resolution from the governing body from the applicant that certifies that funds are available for the matching portion of the project and the dedication of the site is for a permanent recreational boating access and uses. A copy of the resolution is attached for Council's consideration.
recreational

CITY OF ROCKWALL
RESOLUTION NO. 15-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AFFIRMING APPLICATION FOR GRANT FUNDING THROUGH THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR CONSTRUCTION OF A BOATING ACCESS FACILITY ON LAKE RAY HUBBARD NEAR SH-66 AND N. LAKESHORE DRIVE; PROVIDING FOR APPROPRIATIONS AND MATCHING FUNDS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall, Texas (hereinafter the "Sponsor"), is desirous of providing for the construction of a boating access facility on Lake Ray Hubbard at a location near SH-66 and N. Lakeshore Drive; and

WHEREAS, the State of Texas, acting through the Texas Parks and Wildlife Department (hereinafter the "Department"), under the authority of Section 11.033 and 31.141 of the Parks & Wildlife Code, would provide funding for such construction, and;

WHEREAS, construction of such a facility would be of benefit to the citizens of the City of Rockwall, Rockwall County as well as transient recreational boaters from the State and other states:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THAT:

Section 1. the Rockwall City Council, in meeting this 8th day of September, 2015, is hereby eligible for assistance and will enter into a project agreement with the Department to provide for said construction on a reimbursement basis, with the Sponsor providing 25% by appropriations or in-kind services, and the Department providing 75% matching funds for work accomplished; and

Section 2. the undersigned is herewith authorized to sign any or all documents pertaining to the construction; and

Section 3. the Sponsor has matching funds available; and

Section 4. the Sponsor will operate said facility; perform all necessary maintenance and repairs to ensure public use, health and safety; and provide security surveillance to eliminate creations of nuisance or hazard to the public or adjacent property owners for the life of the facility (minimum 25 years); and

Section 5. said facility will be open at all reasonable times to the public, and that revenue from any user fees will only be used to offset operation and maintenance costs of any supported facilities.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 8th DAY OF September, 2015.

ATTEST: **Jim Pruitt, Mayor**

Kristy Cole, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **August 27, 2015**

SUBJECT: **East Boydstun Avenue Reconstruction Project**

East Boydstun Avenue is currently an existing 37' wide curb and gutter roadway approximately 1,800 linear feet from South Goliad St. to Clark Street. East Boydstun Avenue is one of four Roadway Capital Improvement Projects passed in the 2012 Bond Election. East Boydstun Avenue will be reconstructed to a 41' concrete curb and gutter roadway with a 5-foot concrete sidewalk on each side. The reconstruction will also include re-configuring of the Goliad intersection to enhance the northbound to eastbound turning movement. Additional improvements for the project will include improved storm sewer capacity along with the replacement of the existing sanitary sewer and water lines.

Staff requested a proposal from EJES, Inc. to provide the engineering design and specifications for this project. The preliminary cost estimate to reconstruct East Boydstun Avenue is $2,248,210.51 with an engineering fee of $440,228.80. Funding will be provided by the sale of bonds approved by the voters in the 2012 Bond Election. Staff recommends City Council consideration to approve a professional services contract for EJES, Inc. to perform the engineering design services and specifications for the East Boydstun Avenue Reconstruction Project from South Goliad St. to Clark Street in an amount not to exceed $440,228.80.

If you have any questions, please advise.

TMT:tt

Attachments

Cc:
Amy Williams, Assistant City Engineer
Jeremy White, Civil Engineer
File

STATE OF TEXAS ♦

♦

COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and EJES, Incorporated, ("ENGINEER"), located at 12655 N. Central Expressway, Suite 500, Dallas, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for the Boydstun Street Reconstruction.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Exhibit "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and detailed in Exhibit "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an annual amount not to exceed 440,228.80 dollars and billed as an hourly basis per rates provided in Attachment "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Exhibit "C". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business that has an agreement or is in negotiations of an agreement with CITY. CITY may waive this conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding,

Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000 General aggregate limit

$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS

CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
Tim Tumulty, City Engineer
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

ENGINEER
EJES, Incorporated
Paul E. Williams, PE, Vice President of Transportation
12655 N. Central Expressway, Suite 500
Dallas, Tx 785243

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract

without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Contractor.

13. Reports and Information

Engineer, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Exhibits and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any

other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 27th day of August 2015.

_____

By: _____
Name: EDWIN B. JONES.
Title: PRESIDENT

EXECUTED in triplicate originals on this ____ day of _____ 201_.

ATTEST:

City of Rockwall, Texas

_____
Richard Crowley
City Manager

ATTACHMENT "A"

Scope of Services

1. **Project** Boydstun Street Reconstruction – S. Goliad Street (SH 205) to Clark Street
Existing Boydstun Street within the project limit is a 37' wide roadway section from back to back of curbs and consists of 24" curb and gutters and asphalt pavement. There are continuous 3' wide sidewalks on the north side with intermittent 3' sidewalk on the south side. There are brick pavers at two intersections between Boydstun Street and S Fannin Street and Clark Street. Boydstun Street lies within 60' right of way.

2. **General Scope of Services**
The scope of services for this project includes re-constructing Boydstun Street, from Goliad Street to Clark Street. It is anticipated that the minor collector will be upgraded to a 41' wide roadway section from back to back of curbs and consist of reinforced concrete pavement (pavement design based on geotechnical recommendation and traffic study) and will include specialty pavement (pavers), concrete sidewalk, inlets, storm sewers, signing, signals, and pavement marking upgrades, water and wastewater reconstruction. The reconstruction will also include re-configuring of the Goliad intersection to enhance the northbound to eastbound turning movement.

3. **Services to Be Provided by the City**
The City of Rockwall will provide EJES with the following:
3.1. All available as-builts pertinent to the project.
3.2. Copies of preferred City Details, Standards, and sample plans to be used.
3.3. Developing construction contract documents including front end contract documents such as City
Standard Construction Contract Forms, Notice to Bidders, Performance Bond, Payment Bond, etc.
3.4. Advertising project (See 4.3).
3.5. Prompt Review of Deliverables.

4. **Services to Be Provided by EJES, Inc.**
4.1. Coordination & Data Gathering Phase
This phase consists of coordination with City staff and stake holders and the gathering of necessary data including survey, as-built, geotechnical and constraints identification in order to establish the basis of design for this project.
4.1.1. **City Staff and Stake Holder Coordination:** Upon receipt of Notice to Proceed, EJES will arrange for a kick-off meeting between City staff and EJES staff along with its sub-consulting staff. The purpose of the meeting is to introduce consultants' staff to the City staff, to establish communication protocol and to review project scope and the City's expectation. In addition, EJES will coordinate with affected franchise utility companies throughout design phase to avoid or minimize utility conflicts and any conflicts will be resolved before the start of construction of this project.
4.1.2. **Existing Data Collection and Site Reconnaissance:** EJES staff will collect existing data including as-builts of various disciplines including roadway, storm sewer, water and wastewater, etc. For drainage, digital contour information and aerials will be provided either by the City of Rockwall and/ or from the North Central Texas Council of Governments (NCTCOG) in order to determine the drainage area of the watershed. Throughout various design phases, EJES will conduct field visits to verify as-built and survey data against actual field conditions to ensure data accuracy.
4.1.3. **Topographic Survey, SUE & Parcel Maps**: EJES and its sub-consultant will conduct topographic survey, SUE and prepare parcel maps for design and right of way acquisition, if needed, of this project in accordance with any available City's survey

requirements and in accordance with acceptable survey practices in the State of Texas. Refer to the attached Survey Scope for more details.

4.1.4. **Traffic Counts/Study**: Traffic counts and traffic study will be conducted and a report will be prepared for recommendation and design for the reconfiguration of turning movements at Boydstun Street and SH 205 intersection. Referred to attached Traffic Study Scope for more details.

4.1.5. **Geotechnical:** Geotechnical investigation will be conducted and a report for geotechnical findings and pavement design recommendation will be prepared for the City. Refer to the attached Geotechnical Study and Pavement Design Scope for more details.

4.1.6. **Basis of Design:** EJES will develop design criteria to be used as a basis of design specific for this project based on the City standards and design manuals. This document will be submitted to the City for review and approval before proceeding to design phase.

4.2. Design Phase

The design and development of plans, specifications and estimates (PS&E) for this project in this phase will consist of the following submittals and milestones: 30%, 60%, 90% and 100%.

4.2.1. 30% PS&E Submittal

EJES will design and prepare the following plans and documents as part of 30% PS&E submittal package:

4.2.1.1. **Title Sheet:** Will be prepared per City of Rockwall standards or other standards as suggested and approved by the City.

4.2.1.2. **Typical Sections:** EJES will develop proposed typical sections to incorporate design elements such as number of travel lanes and lane widths, curb or curb and gutter and sidewalks and sidewalk width within available right of way. Pavement structures will be based on geotechnical and pavement design report.

4.2.1.3. **Removal Plans:** Limits and features of roadway to be removed will be clearly identified to provide sufficient opportunity for City staff to review and provide inputs.

4.2.1.4. **Plan and Profile:** EJES will also layout proposed design elements as mentioned on typical sections above and driveways on plan view. EJES will also analyze existing roadway profile to ensure the profile will provide a balance among competing elements of serving longitudinal traffic and drainage and turning traffic movements to side streets and driveways. If necessary, the profile will be modified or redesigned to meet the objective while complying with the design criteria.

4.2.1.5. **Cross Sections:** Cross sections will be generated at every 25' increment and at every driveway. Proposed driveway profiles will be designed and shown on cross sections to ensure they provide safe ingress/egress while meeting the approved design criteria.

4.2.1.6. **Drainage Analysis:** The drainage analysis will include evaluation of the following:

- The existing enclosed storm sewer system within the limits of Boystun Street from S. Goliad Street (SH 205) to Clark Street
- Culvert system located on Boystun Street just east Clark Street. The triple parallel pipe system is located within the FEMA Zone A regulated stream South Prong Squabble Creek.

4.2.1.6.1 **Existing Enclosed Storm Sewer System along Boystun Street from S. Goliad Street (SH 205) to Clark Street**

Task will include the following:

- Perform data collection and field reconnaissance to evaluate the existing conditions of the project site, upstream, and downstream areas. This includes As-Built plans, environmental documents, drainage reports, and drainage easements.
- Coordinate with the Floodplain Manager and other applicable agencies to determine historical flooding issues (if any) that occur near or adjacent to the project site.
- A drainage area map and delineations will be developed
- Hydrologic analysis will be evaluated whether the existing storm sewer system meets the current City design criteria and regulations. The design frequency will be for the 100 year full watershed development storm event. EJES will verify that one lane of traffic is open during the 100 year storm event. (The 100 year event is based on the City of Rockwall Standard of Design and Construction dated August 2003 on page 15 Drainage, E. Permissible Spread)
- Hydraulic analysis will be computed to evaluate whether the existing storm sewer system meets the current City design criteria and regulations.
- Preliminary drainage plan/ profiles sheets
- A drainage report will be provided to the City to include the computation of the hydrologic and hydraulic analysis, recommendation for drainage improvement and preliminary layouts of the recommended measure will be prepared.

4.2.1.6.2 **Culvert system located under Boystun Street just east Clark Street**

The existing culvert system includes a triple parallel pipe system located within the FEMA Zone A regulated stream South Prong Squabble Creek.

Task will include the following:

- A Drainage Report will be composed containing a hydrologic analysis using the latest version of HEC-HMS and a steady flow hydraulic analysis will be performed using the latest version of HEC-RAS. The report shall explain the methodology and document the engineering judgments used to develop the hydrologic and hydraulic models. The report shall provide results, exhibits, tables, and backup data related to the analysis. The report shall include a section summarizing the Scour Analysis methodology and results (as applicable). The Engineer shall submit all hydrologic calculations and hydraulic models to the City for review prior to proceeding with the design or the preliminary drainage report. The final report shall be signed, sealed, and dated by a registered/licensed engineer in the State of Texas and shall include the final hydrologic and hydraulic models in a format similar to the example provided by the City. A copy of the final report shall be provided to the local Floodplain Administrator and shall include the hydraulic analysis information, results, and mapping necessary for them to include in a submittal to FEMA should they so choose. The report shall not include the completion of the forms required for a FEMA submittal. The Engineer shall:
    - Perform data collection and field reconnaissance to evaluate the existing conditions of the project site, upstream,

and downstream areas. This includes As-Built plans, environmental documents, drainage reports, and drainage easements.

- Hydrologic analysis will be evaluated whether the existing storm sewer system meets the current City design criteria and regulations. The design frequency will be for the 100 year full watershed development storm event. EJES will compute the 100 year storm event to verify that one lane of traffic is open during this storm event.
- Prepare a Pre-Project hydraulic model created from survey data. Include any additional cross sections, updated topographic information, survey data, aerial photographs, and any man-made physical changes to the floodplain as necessary. The Pre-Project hydraulic model shall serve as the basis of comparison for determining adverse impacts.
- Prepare Proposed Condition hydraulic models, as necessary.
- Perform a Proposed Condition hydraulic model analysis. The analysis shall be an iterative evaluation process comparing Proposed Condition hydraulic models against the Pre-Project hydraulic model. The comparisons shall consider the fully developed 100-year peak discharges and water surface elevation results. Evaluate upstream and downstream adverse impacts and make adjustments to the proposed configuration as necessary in order to meet the City and FEMA design criteria. For the purposes of a FEMA Zone A analysis, impacts to structures upstream or downstream of the crossing are considered adverse.
- Impact analysis will be performed on the culvert outfalls and channel both upstream and downstream.
- Preliminary recommendations will be provided to state any drainage improvements.

4.2.1.7. **Water and Wastewater Plans:** Preliminary plans consisting of layouts (plan view, no profile views) of proposed water and wastewater lines will be developed and submitted as part of 30% PS&E.

4.2.1.8. **Construction Cost Estimate:** A cost estimate will be submitted in Excel and .pdf format at the schematic, preliminary design and final design phase. Cost of ROW acquisition will not be included.

4.2.1.9. **QA/QC Markups:** A copy of internal QA/QC markup set will be submitted to the City.

4.2.2. **60% PS&E Submittal**

4.2.2.1. Address 30% PS&E Review Comments and advance plans to 60% PS&E submittal.

4.2.2.2. **General Notes Sheets:** General notes will be developed and plan sheets will be generated to include in the PS&E package.

4.2.2.3. **Horizontal and Vertical Alignment Data sheets:** Plan sheets for horizontal and vertical alignment data will be developed and included in the PS&E package.

4.2.2.4. **Traffic Control Plans:** EJES will develop a suggested construction sequence and prepare traffic control plans for the construction of the project. If any detour plan is required, EJES will prepare a detour plan to be approved by

the City of Rockwall. It is anticipated that a two phase, one-lane/two way traffic control plan will be utilized during construction. It is also anticipated that the Contractor, in coordination with TxDOT, will be providing all temporary signals associated with any traffic control at the Goliad intersection.

4.2.2.5. **Traffic Signals, Signing and Striping:** Signal design and plans will be provided at the Goliad intersection, per TxDOT and/or City of Rockwall standards. Signing and striping plans will be developed to show all the permanent signing and striping for the project limits. Temporary striping will be shown in the Traffic Control plans. The City of Rockwall will provide the details for any permanent traffic signs or street names.

4.2.2.6. **Drainage Design:** Once the City approves drainage analysis and recommendation as outlined in 4.2.1.6., above, EJES will design and prepare profiles and include any necessary details. The plan submittals will include the following:

- Drainage Area Map Sheet
- Drainage Calculations Sheet
- Plan and Profile Sheets
- Preliminary Drainage Report (This will include the final recommended design)

4.2.2.7. **Water/Waste Water:** EJES will prepare plans and profiles for replacing/upgrading water and waste water lines per the City's requirements. Alternative construction methods for the utilities (i.e. pipe bursting) will be analyzed. All water lines within the project limits will be replaced per the most updated City Master Plan. Waste water lines will be designed to allow the elimination of the lift station at the intersection of Boydstun Street and Throckmorton Street. Sub-surface Utility Investigation will be recommended to be carried out as needed to determine the current conditions of the existing utility lines.

4.2.2.8. **TDLR Submittal:** If pedestrian and sidewalk requires TDLR submittal, EJES will coordinate and submit plans to TDLR for review and approval.

4.2.2.9. Update Construction Cost Estimate.

4.2.2.10. **Plans-In-Hand:** EJES will schedule a plans-in-hand with the City's staff to conduct field walk. The purpose of the walk is allow an opportunity for the City and EJES staff to check and verify that all removals have been correctly identified and proposed design elements will work with field conditions.

4.2.2.11. **QA/QC Markups:** A copy of internal QA/QC markup set will be submitted to the City.

4.2.3. **90% PS&E Submittal**

4.2.3.1. Address 60% PS&E Review Comments and advance plans to 90% PS&E submittal.

4.2.3.2. **Technical Specifications:** EJES will compile all applicable specifications per the latest Standard Specifications for Public Works Construction, North Central Texas Council of Governments and provide it to the City for incorporation into proposal package.

4.2.3.3. **SW3P:** Erosion control plans will be developed and included in the plan. An SW3P report will also be submitted to the City.

4.2.3.4. Update Construction Cost Estimate.

4.2.3.5. **QA/QC Markups:** A copy of internal QA/QC markup set will be submitted to the City.

4.2.4. **100% PS&E Submittal**

4.2.4.1. Address 90% PS&E Review Comments and sign and seal final plans.

4.2.4.2. Update Construction Cost Estimate.

4.2.4.3. **QA/QC Markups:** A copy of internal QA/QC markup set will be submitted to the City.

4.3. Bidding Phase

4.3.1. The City will be responsible for advertising project. Plans and specs will be made available at EJES'S office. EJES is to post the project to CivCast or other bid document distribution website. EJES will assist the City in the following:

4.3.2. Respond to contractor questions and provide design clarification.

4.3.3. Attend pre-bid conference.

4.3.4. Assist the City with production of addenda items.

4.3.5. Tabulating bids.

4.3.6. Check references and the qualifications for low bidder and write letter of recommendation.

4.4. Construction Phase

EJES will assist the City in the following:

4.4.1. **Attend Pre-construction Meeting**.

4.4.2. **Request for Information (RFI):** EJES shall answer all requests for information (RFIs) from the Contractor, revise plan sheets as necessary and provide additional details, as necessary, to facilitate construction.

4.4.3. **Shop Drawing Review:** EJES shall review shop drawings submitted by the contractor.

4.4.4. **As-built drawing:** EJES shall prepare as-built plans.

4.4.5. **Project Close-out:** EJES shall conduct project close-out including punch list.

5. Schedule

5.1. Coordination & Data Gathering Phase*

5.1.1. Kick-off meeting: 1 Week

5.1.2. Survey: 6 Weeks

5.2. Design Phase*

***Note:** Time not included City's review time.

5.2.1. 30% Submittal: 10 Weeks

5.2.2. 60% Submittal: 10 Weeks

5.2.3. 90% Submittal: 8 Weeks

5.2.4. 100% Submittal: 4 Weeks

5.3. Construction Phase

5.3.1. Advertise/Bid Phase: Per City's process

5.3.2. Construction Phase: 6 Months

6. Plan Preparation & Submittal Requirements

6.1. All drawing base files and sheets will be submitted to the City in AutoCAD format.

6.2. All submittal: All submittal shall be in hard copies, two (2) 36" x 24" plan sets.

6.3. Drawing paper size and scales:

-Plans will be printed on:	36" x 24" paper
-Scale: Roadway Plan & Profile:	1" = 20' H, 1" = 5' V
Water & Waste Water Plans:	1" = 20' H, 1" = 5' V
Drainage Plan & Profile:	1" = 20' H, 1" = 5' V
Cross Sections Sheets:	1" = 10' H, 1" = 5' V
SW3P Plan Sheets:	1" = 40'
Striping & Signing Sheets:	1" = 40'

Traffic Control Plans: 1" = 100'

7. Special Services

7.1. Survey

7.2. SUE

7.3. Geotechnical

7.4. Traffic Study

7.5. Existing culvert crossing located on Clark Street just north of Boystun Street

The existing culvert system includes a triple parallel box culvert system located within the FEMA Zone A regulated stream South Prong Squabble Creek Tributary 7.

Task will include the following:

- A Drainage Report will be composed containing a hydrologic analysis using the latest version of HEC-HMS and a steady flow hydraulic analysis will be performed using the latest version of HEC-RAS. The report shall explain the methodology and document the engineering judgments used to develop the hydrologic and hydraulic models. The report shall provide results, exhibits, tables, and backup data related to the analysis. The report shall include a section summarizing the Scour Analysis methodology and results (as applicable). The Engineer shall submit all hydrologic calculations and hydraulic models to the City for review prior to proceeding with the design or the preliminary drainage report. The final report shall be signed, sealed, and dated by a registered/licensed engineer in the State of Texas and shall include the final hydrologic and hydraulic models in a format similar to the example provided by the State. A copy of the final report shall be provided to the local Floodplain Administrator and shall include the hydraulic analysis information, results, and mapping necessary for them to include in a submittal to FEMA should they so choose. The report shall not include the completion of the forms required for a FEMA submittal. The Engineer shall:

    - Perform data collection and field reconnaissance to evaluate the existing conditions of the project site, upstream, and downstream areas. This includes As-Built plans, environmental documents, drainage reports, and drainage easements.
      Hydrologic analysis will be evaluated whether the existing storm sewer system meets the current City design criteria and regulations. The design frequency will be for the 100 year full watershed development storm event. EJES will compute the 100 year storm event to verify that one lane of traffic is open during this storm event (The 100 year event is based on the City of Rockwall Standard of Design and Construction dated August 2003 on page 15 Drainage, E. Permissible Spread)
    - .
    - Prepare a Pre-Project hydraulic model created from survey data. Include any additional cross sections, updated topographic information, survey data, aerial photographs, and any man-made physical changes to the floodplain as necessary. The Pre-Project hydraulic model shall serve as the basis of comparison for determining adverse impacts.
    - Prepare Proposed Condition hydraulic models, as necessary.
    - Perform a Proposed Condition hydraulic model analysis. The analysis shall be an iterative evaluation process comparing Proposed Condition hydraulic models against the Pre-Project hydraulic model. The comparisons shall consider the City's design year and 100-year peak discharges and water surface elevation results. Evaluate upstream and downstream adverse impacts and make adjustments to the proposed configuration as necessary in order to meet the City and FEMA design criteria. For the purposes of a FEMA Zone A analysis, impacts to structures upstream or downstream of the crossing are considered adverse.

- Impact analysis will be performed on the culvert outfalls and channel both upstream and downstream.
- Preliminary recommendations will be provided to state any drainage improvements.

8. Additional Services

8.1. Right of Way Acquisition

8.2. CLOMR permitting is not included with the scope of work

ATTACHMENT "B"

Compensation

Boydstun Street Reconstruction
S. Goliad Street (SH 205) to Clark Street
Rockwall, Texas

Prepared By: EJES, Inc. Date:8/28/2015

ID	SERVICE DESCRIPTION	Fee
1.	**BASIC DESIGN SERVICE……**	**$281,761.25**
1.1.	Roadway Design (ATTACHMENT B, Tasks 1 thru 5)	$164,329.52
1.2.	Drainage Design (ATTACHMENT B, Tasks 2 thru 5)	$54,598.59
1.3.	Water and Wastewater (ATTACHMENT B, Tasks 2 thru 5)	$62,833.14
2.	**BID PHASE SERVICE (ATTACHMENT B, Task 6) ……**	**$6,976.53**
3.	**CONSTRUCTION SERVICE (ATTACHMENT B, Task 7) ……**	**$25,087.32**
4.	**SPECIAL SERVICES……**	**$121,403.70**
4.1.	Field Survey (ATTACHMENT B)	$53,930.10
4.2.	SUE Level A (Est. 4 Potholes @ an average of $2,000 Each)(ATTACHMENT B)	$8,400.00
4.3.	SUE Level B (Est. 4,000 LF @ $1.55/LF) (ATTACHMENT B)	$6,510.00
4.4.	Prepare Individual Parcel Maps (Est. 4 @ $1500 Each) (ATTACHMENT B)	$6,300.00
4.5.	Geotechnical Service (ATTACHMENT B)	$14,473.20
4.6.	Traffic Study (ATTACHMENT B)	$18,375.00
4.7.	Right of Way Acquisition to be provided by the City of Rockwall	
4.8.	Existing culvert crossing located on Clark Street just north of Boystun Street	$13,415.40
5.	**DIRECT EXPENSES……**	**$5,000.00**
5.1.	Mileage	$1,200.00
5.2.	Printing	$800.00
5.3.	TDLR Review Fee	$1,500.00
5.4.	TDLR Inspection Fee	$1,500.00
6.	**GRAND TOTAL……..**	**$440,228.80**

Attachment "C" - Schedule

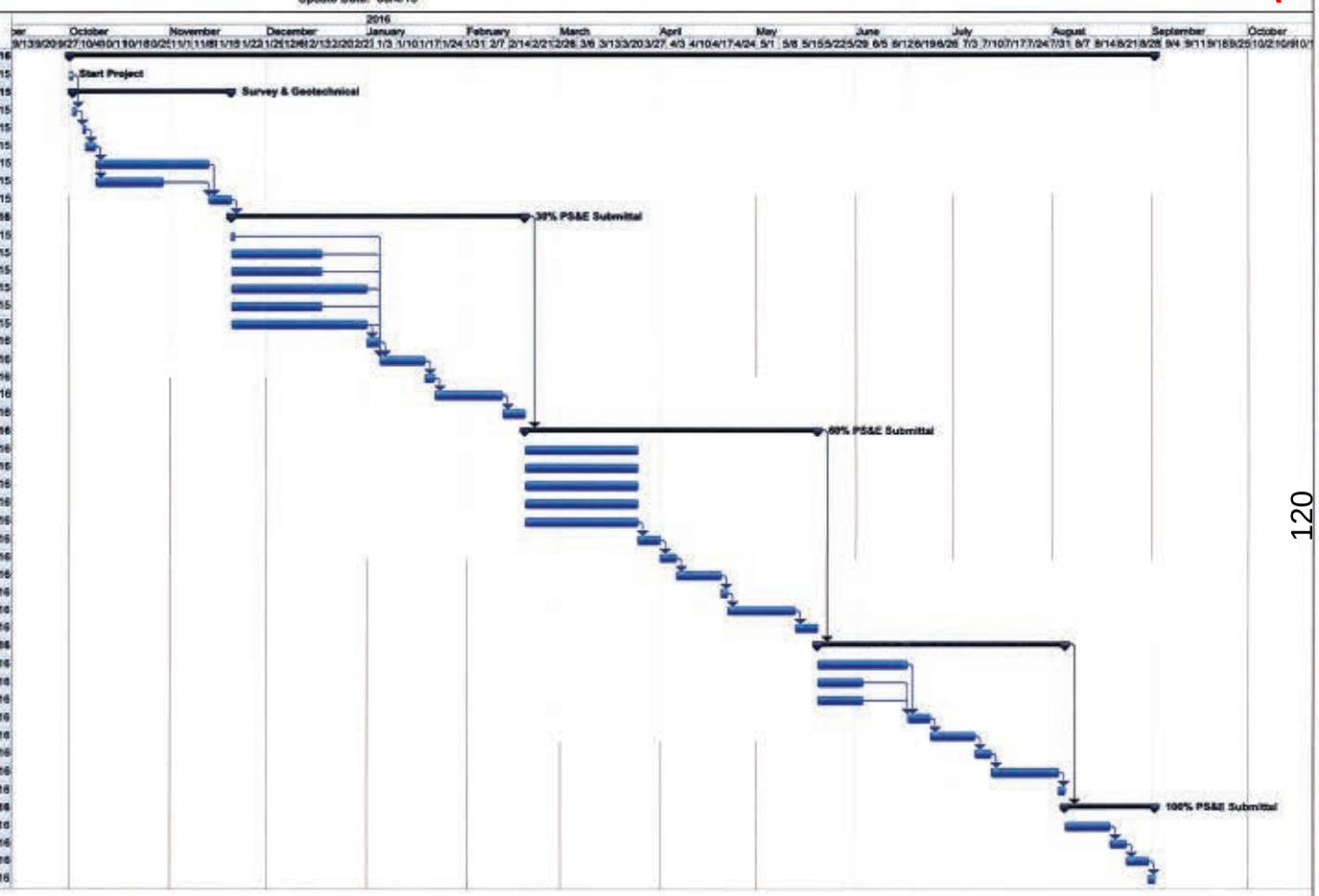
EJES, Inc.
Proj Name: Boydstun St - S. Goliad St to Clark St

DESIGN SCHEDULE

Update Date: 08/4/15

Contract No. _____

ID	Task Name	Duration	Start	Finish
1	**Boydstun Street Recon - Management and Administration**	**241 days**	**Thu 10/1/15**	**Thu 9/1/16**
2	1. Notice To Poceed (NTP)	1 day	Thu 10/1/15	Thu 10/1/15
3	**2. Coordination & Data Garthering Phase**	**35 days**	**Fri 10/2/15**	**Thu 11/19/15**
4	2.1 Kick-off Meeting	1 day	Fri 10/2/15	Fri 10/2/15
5	2.2 Existing Data Collection & Site Reconnaissance	1 day	Mon 10/5/15	Mon 10/5/15
6	2.3 Right of Entry and Coordination	3 days	Tue 10/6/15	Thu 10/8/15
7	2.4 Start Survey	25 days	Fri 10/9/15	Thu 11/12/15
8	2.5 Start Geotechnical	15 days	Fri 10/9/15	Thu 10/29/15
9	2.6 Prepare Design Criteria	5 days	Fri 11/13/15	Thu 11/19/15
10	**3. 30% PS&E Submittal**	**65 days**	**Fri 11/20/15**	**Thu 2/18/16**
11	3.1 Title Sheet	1 day	Fri 11/20/15	Fri 11/20/15
12	3.2 Typical Sections	20 days	Fri 11/20/15	Thu 12/17/15
13	3.3 Removal Plans	20 days	Fri 11/20/15	Thu 12/17/15
14	3.4 Plan & Profile	30 days	Fri 11/20/15	Thu 12/31/15
15	3.5 Cross Sections	20 days	Fri 11/20/15	Thu 12/17/15
16	3.6 Drainage Analysis	30 days	Fri 11/20/15	Thu 12/31/15
17	3.7 Prepare Construction Cost Estimate	2 days	Fri 1/1/16	Mon 1/4/16
18	3.8 Internal QA/QC	10 days	Tue 1/5/16	Mon 1/18/16
19	3.9 Submit PS&E Package to the City	3 days	Tue 1/19/16	Thu 1/21/16
20	3.10 City Reviews and Returns Comments	15 days	Fri 1/22/16	Thu 2/11/16
21	3.11 Comment Resolution Meeting	5 days	Fri 2/12/16	Thu 2/18/16
22	**4. 60% PS&E Submittal**	**65 days**	**Fri 2/19/16**	**Thu 5/19/16**
23	4.1 Address Previous Submittal Comments	25 days	Fri 2/19/16	Thu 3/24/16
24	4.2 Prepare TCP	25 days	Fri 2/19/16	Thu 3/24/16
25	4.3 Signal, Signing & Striping	25 days	Fri 2/19/16	Thu 3/24/16
26	4.4 Drainage Design	25 days	Fri 2/19/16	Thu 3/24/16
27	4.5 Water/Waste Water	25 days	Fri 2/19/16	Thu 3/24/16
28	4.6 Update Construction Cost Estimate	5 days	Fri 3/25/16	Thu 3/31/16
29	4.7 Plans-in-Hand	3 days	Fri 4/1/16	Tue 4/5/16
30	4.8 QA/QC	10 days	Wed 4/6/16	Tue 4/19/16
31	4.9 Submit PS&E Package to the City	2 days	Wed 4/20/16	Thu 4/21/16
32	4.10 City Reviews and Returns Comments	15 days	Fri 4/22/16	Thu 5/12/16
33	4.11 Comment Resolution Meeting	5 days	Fri 5/13/16	Thu 5/19/16
34	**5. 90% PS&E Submittal**	**55 days**	**Fri 5/20/16**	**Thu 8/4/16**
35	5.1 Address Previous Submittal Comments	20 days	Fri 5/20/16	Thu 6/16/16
36	5.2 General Notes	10 days	Fri 5/20/16	Thu 6/2/16
37	5.3 SW3P	10 days	Fri 5/20/16	Thu 6/2/16
38	5.4 Update Construction Cost Estimate	5 days	Fri 6/17/16	Thu 6/23/16
39	5.5 QA/QC	10 days	Fri 6/24/16	Thu 7/7/16
40	5.6 Submit PS&E Package to the City	3 days	Fri 7/8/16	Tue 7/12/16
41	5.7 City Reviews and Returns Comments	15 days	Wed 7/13/16	Tue 8/2/16
42	5.8 Comment Resolution Meeting	2 days	Wed 8/3/16	Thu 8/4/16
43	**6. 100% Submittal & Review & Approval**	**20 days**	**Fri 8/5/16**	**Thu 9/1/16**
44	6.1 Address Previous Submittal Comments	10 days	Fri 8/5/16	Thu 8/18/16
45	6.2 Update Construction Cost Estimate & other req'd docs	3 days	Fri 8/19/16	Tue 8/23/16
46	6.3 Internal QA/QC	5 days	Wed 8/24/16	Tue 8/30/16
47	6.4 Sign/seal Plans & Submit PS&E Package to State	2 days	Wed 8/31/16	Thu 9/1/16



Project: Boydstun Street Reconstructio
Date: Tue 8/4/15

Task		Summary		External Milestone		Inactive Summary		Manual Summary Rollup		Finish-only	
Split		Project Summary		Inactive Task		Manual Task		Manual Summary		Progress	
Milestone		External Tasks		Inactive Milestone		Duration-only		Start-only		Deadline	

Page 1 of 1

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **August 25, 2015**

SUBJECT: **County Line Road Reconstruction Project**

County Line Road from Horizon Road (FM 3097) to Renee Drive is an existing 2-lane asphalt roadway with open roadside drainage ditches. The roadway segment is approximately 4,000 linear feet, and the existing right of way is variable in width with the majority being 55 to 60 feet. County Line Road is one of four Roadway Capital Improvement Projects passed in the 2012 Bond Election. County Line Road will be reconstructed to an undivided concrete curb and gutter roadway on stabilized subgrade with a 5-foot concrete sidewalk on each side. The number of travel lanes and roadway typical section will be determined by traffic counts and traffic capacity analysis pe4rformed with this project. Additional improvements for the project will include storm sewer, and potential upgrades/relocations to the water and wastewater lines.

In May of this year, a portion of County Line Road at Renee Drive adjacent to Wallace Lake was inundated with flood waters from Wallace Lake. These inundated areas are located within 100-yr ultimate developed floodplain per the City of Rockwall's Master Drainage Study. The County Line Reconstruction Project will be designed to the City of Rockwall's Current Standards of Design and Construction as well as the adopted Flood Damage Prevention Ordinance in order to raise it above the 100-yr ultimate developed floodplain.

Staff requested a proposal from Freese and Nichols, Inc. to provide the engineering design and specifications for this project. The preliminary cost estimate to reconstruct County Line Road is $5,147,810 with an engineering fee of $580,440.00. Funding will be provided through the sale of bonds approved by the voters in the 2012 Bond Election. Staff recommends City Council consideration to approve a professional services contract with Freese and Nichols, Inc. to perform the engineering design services and specifications for the County Line Roadway Reconstruction Project from Horizon Road (FM 3097) to Renee Drive in an amount not to exceed $580,440.

If you have any questions, please advise.

TMT:tt

Attachments

Cc:
Amy Williams, Assistant City Engineer

Jeremy White, Civil Engineer
File

123

STATE OF TEXAS ♦
♦
COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Freese and Nichols, Inc.), ("ENGINEER"), located at 4055 International Plaza, Suite 200, Fort Worth, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for County Line Road Reconstruction Project (Horizon Road to Renee Drive).

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Exhibit "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and detailed in Exhibit "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for Basic Services will be a lump sum amount of Four Hundred Three Thousand Nine Hundred Forty-Nine Dollars ($403,949) and the cost for Special Services is a not to exceed fee of One Hundred Seventy-Six Thousand Four Hundred Ninety-One Dollars ($176,491) billed as an hourly basis per rates provided in Exhibit "B". Engineer is not authorized to perform any work beyond the lump sum or the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Exhibit "C". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business that has an agreement or is in negotiations of an agreement with CITY. CITY may waive this conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the

Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000 General aggregate limit

$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is

executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
Tim Tumulty, City Engineer
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

ENGINEER
Kevin Johnson, Principal
Freese and Nichols, Inc.

2711 N. Haskell, Suite 3300
Dallas, Texas 75204

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Contractor.

13. Reports and Information

Engineer, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations

incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Exhibits and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 18 day of August 2015.

Freese and Nichols, Inc.

By:_____
Name: Kevin Johnson, P.E.
Title: Vice-President/Principal

EXECUTED in triplicate originals on this ____ day of _____ 2015.

ATTEST:

City of Rockwall, Texas

_____
Richard Crowley
City Manager

Exhibit "A" – Professional Services
County Line Road Reconstruction Project (Horizon Road to Renee Drive)
For
City of Rockwall

Freese and Nichols, Inc. (FNI)
Scope of Services

Project Understanding

County Line Road from Horizon Road to Renee Drive is an existing 2-lane asphalt roadway with open roadside drainage ditches. The roadway segment is approximately 4,000 linear feet, and the existing right of way is variable in width with the majority being 55 to 60 feet. The City of Rockwall desires for County Line Road to be improved to a concrete roadway on stabilized subgrade (typical section to be determined by geotechnical investigation) with the number of lanes and typical sections to be determined following traffic counts and traffic capacity analysis. The improved roadway will connect to residential areas to the north and commercial outlets on the south side. County Line Road connects with Horizon Road (FM 3097) on the west end which is a Texas Department of Transportation (TxDOT) roadway, and the intersection is controlled by a traffic signal. Coordination with TxDOT will be required to modify the traffic signal and potentially realign the intersection.

Improvements to the storm drainage system will be required, as well as, potential upgrades to/or relocations of the water and wastewater lines. There is no existing underground storm drainage system for the roadway; however, there is an open drainage channel on the north side near Horizon Road, and the east end of County Line Road is flanked by Wallace Lake. County Line Road, Renee Drive, and Nicole Drive flooded in May 2015; therefore, drainage and floodplain issues will need to be addressed along with the roadway drainage system. Existing City utilities include 12 and 6-inch water lines that will remain in service on the north side of the roadway, and a 12-inch sanitary sewer along the south side of the roadway.

Other design components will include street lighting, utility coordination, subsurface utility exploration, geotechnical evaluation, topographic and boundary surveys (which may include preparation of right of way documents and/or easements), structural design, construction sequencing and phasing, access coordination with Texas Department of Licensing and Regulation, and archeological coordination with the State Historic Preservation Office.

Basic Services

1. **Conceptual Design (30%)**
   - 1.1 Project Management
     - 1.1.1. Develop project communication plan
       - Conduct progress meetings to monitor the development of the project. During this phase of the project, conduct up to three (3) meetings with:
       - The City staff, including Public Works representatives, regarding project status and coordination issues. The first meeting will be the project kick-off meeting, and the second meeting will be the conceptual design presentation and review.
   - 1.2 Traffic Capacity Analysis
     - 1.2.1 Traffic data collected in Section 1.5 of Special Services will be analyzed and used to project the total future volume of traffic on County Line Road. This analysis will assume County Line Road will not extend east of Renee Drive in the future.
     - 1.2.2 Projected traffic volumes will be analyzed to determine the number of lanes required in each direction on County Line Road and to determine the locations to begin and end the various lanes.

1.2.3 Existing and projected traffic data will be used to determine reconfiguration requirements for the existing traffic signal at Horizon.

1.3 Conceptual Plan and Graphics

1.3.1 Schematic rendering of proposed County Line Road Plan

- Provide up to two (2) alternatives for proposed cross-section of the roadway.
- Provide up to two (2) alternatives for proposed storm drain locations
- Preliminary analysis of up to eight (8) spot adjustments of existing water and sewer lines and six (6) manholes adjustments as needed. A spot adjustment is defined as a maximum of 300 linear feet of waterline and 500 linear feet of sewer line.
- Submittal shall include a scroll plot in PDF format and scroll plot

2. Construction Documents – Preliminary Design (60%)

2.1. Project Management

2.1.1. Develop project communication plan

- Develop project contact list
- Conduct progress meetings to monitor the development of the project. During this phase of the project, conduct up to five (5) meetings with: City staff, including Public Works representatives, regarding project status and coordination issues.
  - City's traffic staff to discuss traffic signal adjustments, crosswalks, and pedestrian improvements at County Line Road intersection with Horizon Road
  - Coordinate with sub-consultants
  - Coordinate with other utilities, (electric power, cable TV, phone, gas, optic fiber, etc.)
  - Prepare and e-mail monthly progress reports to the project team (City of Rockwall and FNI Staff)

2.1.2 Develop project production plan

- Document design criteria (coordinate with City staff at the project kick-off meeting)
  - Pavement design parameters
  - Horizontal and vertical alignment design criteria
  - Typical section requirements
  - Crosswalk design guidelines
  - Driveway crossing design guidelines
  - Drainage Design Criteria
  - Signal Design Criteria
  - Prepare Design Criteria Document and submit to City for reference
- Develop project schedule and interim milestones (coordinate with City staff at the project kick-off meeting)

2.1.3 Project Administration

- Prepare project correspondence and invoicing documents

2.2 Design Criteria Data Collection (City to provide hard copy and electronic format if available)

2.2.1 Drainage

- City drainage manual and/or ordinances
- Existing storm drainage facilities / record drawings
- Existing hydrologic or hydraulic models for Little Buffalo Creek and Buffalo Creek and for the two NRCS lakes.
- Existing and future land use data

2.2.2 Utilities

- Existing water line locations / record drawings
- Existing sanitary sewer line locations / record drawings
- City utility relocation requirements (if applicable)

2.2.3 Roadway

- City standards regarding horizontal and vertical curvature, medians, crosswalks, street lighting, etc.

2.2.4 Traffic

- City and TxDOT signal design criteria, standard details, and specifications
- Record drawings for existing signals from TxDOT

2.3 Roadway Design

2.3.1 Prepare preliminary roadway alignment upon approval of the conceptual plan

- Prepare typical sections
  - Existing and proposed
  - Preliminary subgrade and pavement design
- Preliminary Plan items to be prepared:
  - Control data
  - Existing / Proposed ROW
  - Existing topography
  - Existing pavement
  - Proposed centerline alignment and horizontal curve data
  - Proposed transition pavement tie-ins to existing pavement
  - Proposed drainage structures
  - Proposed retaining walls
  - Proposed lighting along County Line Road
  - Existing trees to remain
  - Existing trees to be removed
  - Existing driveway locations
  - Existing storm drain locations
  - Existing water line locations
  - Existing sanitary sewer line locations
  - Existing franchise utility locations
- Preliminary Profile items to be prepared:
  - Existing Ground Profile and Preliminary Vertical Alignment
- Preliminary Detail
  - Retaining Walls
  - Paving
  - Drainage

2.4 Drainage

2.4.1 Compile the hydrologic and hydraulic data

- Create Drainage Area Maps
- Create Drainage Calculation Sheets

2.4.2 Identify the need for additional drainage easements to accommodate the proposed offsite drainage improvements (if required).

2.4.3 Hydraulic Design of Culverts (to be completed at 30% of Preliminary Design):

- Convert existing hydraulic models to HEC-RAS format.
- Determine if provided HEC-1 hydrologic model adequately represents ultimate conditions. Update the hydrologic model to represent ultimate conditions. FNI will use the existing HEC-1 model to represent existing or FEMA conditions.
- Update existing conditions hydraulic models for Buffalo Creek and Little Buffalo Creek based on survey for this project.
- FNI will develop existing conditions hydrologic and hydraulic models for Little Buffalo Creek to County Line Road and for Buffalo Creek to approximately 500 feet downstream of Horizon Road.

- FNI will map the 100-year FEMA floodplains for both Buffalo Creek and Little Buffalo Creek at the locations described in this section.
- Establish the existing conditions flood elevations for NRCS Site 5c (Wallace Lake) and NRCS Site 5b (Rockwall Lake).
- FNI will perform a proposed conditions study to determine up to two alternatives at Horizon Road and two alternatives at Renee Drive/Wallace Lake to reduce flooding along County Line Road.
- FNI will submit a flood study report to summarize existing conditions and proposed alternatives.

2.4.4 Determine proposed conditions floodplains based on 60% roadway design.

2.4.5 Determine if FEMA notification would be required. FEMA coordination, such as a CLOMR or LOMR is considered an additional service.

2.5 Utilities

2.5.1 Public

- Establish the location of existing public utilities based upon information provided by the City, SUE and field survey information.
- Determine criteria for relocation limits of existing water and sanitary sewer lines.
  - If deemed necessary, design spot adjustments and relocations of the current water and sanitary sewer lines from Horizon Road to Renee Drive.

2.5.2 Franchise Utility Coordination

- Identify franchise utility contacts
- Send one set of plans to each franchise utility for their review. Request each franchise utility to mark up the plans to show the size, type, and location of their utilities.
- Attend up to two (2) meetings with Franchise Utility representatives, and City staff
- Notify the City if any relocations are required
- The City shall perform the coordination with the franchise utilities if any relocations are required.

2.6 Structural

2.6.1 Preliminary structural design for the associated improvements, as listed below.

- Structural design and layout for retaining walls along County Line Road
- Culvert and headwall structures

2.7 Traffic

2.7.1 Traffic Signals

- Until Horizon Road (FM 3097) is widened, the City desires for the traffic signal at County Line Road to be replaced with a span-wire system with ground boxes, conduit, and signal controller.
  - Identify pedestrian accommodations (crosswalks, ADA barrier free ramps, pedestrian signals and push buttons).
  - Prepare list of applicable City and TxDOT design details and standard sheets for inclusion in the plans.

2.7.2 Pavement Marking and Signing Plans

- Prepare preliminary crosswalk pavement marking and signing layouts in accordance with City design standards and the Texas Manual on Uniform Traffic Control Devices (TMUTCD). Signing layouts will only be provided along County Line Road.
- Determine potential conflicts with existing signs and propose sign relocations.

2.8 Compile and prepare a preliminary opinion of probable construction cost (OPCC) for the entire project, including alternative design options, using recent average unit bid prices which are representative of similar types of construction in the local area.

2.9 Preliminary design submittal (60% design level)

2.9.1 Provide two hard copies and an electronic submittal to the City for review and comment.

2.9.2 Submittal shall be provided with plan / profile sheets (as noted) (24"x36" plan sheets at a scale of 1"=20' horizontal, and 1"=4' vertical) and will include the following:

- Cover Sheet
- General Notes Sheet/Summary
- Horizontal and Vertical Layout Sheet
- Typical Sections
- Demolition Sheets
- Roadway Plan/Profiles
- Drainage Area Map
- Drainage Calculations
- Drainage Plan/Profile
- Traffic signal adjustments, crosswalks, and ground box relocations
- Traffic control plan narrative
- Structural Layout sheets (including retaining walls and other applicable structures)
- Lighting Plan
- Roadway Cross-Sections
- Details
- Preliminary opinion of probable construction cost

2.10 Project site visits (up to three (3) trips)

3. Construction Documents – Final Design

3.1. Project Management

3.1.1. Project Communication

- Conduct progress meetings to monitor the development of the project. During this phase of the project, conduct up to three (3) project meetings with the City staff.
- Prepare and email monthly progress reports to the project team (City and FNI staff).

3.1.2. Project Administration

- Prepare project correspondence and invoicing documents

3.2 Roadway

3.2.1 Incorporate the preliminary design submittal review comments

3.2.2 Prepare plan / profile sheets (24"x36" plan sheets at a scale of 1"= 20' horizontal, and 1"= 5' vertical).

3.2.3 Analyze all driveways within the project and develop driveway adjustment and crosswalk profiles as needed. Driveways will be defined vertically by profiles and cross sections.

3.2.4 Develop design cross-sections

- Develop on 50' station intervals and at driveway centerlines
- Show pavement and subgrade, right-of-way limits, side slopes, pavement cross slopes, curbs, and retaining walls (if applicable)
- Cross-sections will be provided in the bid documents

3.2.5 In locations where the elevation difference between the sidewalk and adjacent property warrants, provide design details necessary to construct retaining walls.

3.2.6 Prepare roadway details to clarify intent of design

3.2.7 Modify standard details as needed.

3.3 Drainage

3.3.1 Incorporate the preliminary design submittal review comments

3.3.2 Perform final storm sewer sizing and alignment design. Prepare final inlet design sheets and hydraulic design sheets for inclusion in the plans.

3.3.3 Prepare storm sewer plan / profile sheets depicting storm sewer lines, inlets, junction boxes, connections, manholes, utility crossing, and the hydraulic grade lines.

3.3.4 Prepare profiles for the proposed storm drain laterals (if needed)

3.3.5 Prepare drainage details to clarify intent of design. Modify standard details as needed.
3.3.6 Prepare erosion control plan and coordinate water quality elements with traffic control during construction stages. The Storm Water Pollution Prevention Plan (SWPPP) will not be prepared as part of this task but will be prepared by the Contractor.
3.3.7 Update the final hydraulic models with 90% roadway design.
3.3.8 Update the culvert layout and drainage area maps for 90% Roadway design.

3.4 Utilities

3.4.1 Utility Coordination

- Submit one set of final design plans and the project schedule to each affected utility for their review and comment.
- The City shall perform the coordination with the franchise utilities if any relocations are required.

3.5 Traffic

3.5.1 Traffic Signals

- Adjustments to the traffic signal at County Line Road and Horizon Road to provide pedestrian crosswalks and pedestrian signals.
  - Finalize adjustments of ground boxes to meet proposed grade.
  - Finalize pedestrian accommodations (crosswalks, ADA barrier free ramps, pedestrian signals, and push-buttons).
  - Incorporate the preliminary design submittal review comments.
  - Finalize the applicable City and TxDOT design details.
  - Finalize the traffic signal sheets for inclusion in the plans.

3.5.2 Traffic Control Plans

- Develop construction sequencing plan showing:
  - Construction area for each phase of construction and closure of existing travel lanes (if needed).
  - Temporary signing and striping, barricades, and other channelization devices.
  - Narrative of the sequence of work.
  - Storm sewer construction phasing.
  - Public utilities relocation phasing.
- Develop typical cross sections showing lane widths, edge conditions, channelization and proposed construction area.
- Prepare traffic control details to clarify intent of design.
- Modify standard details as needed.

3.5.3 Pavement Marking and Signing Plans

- Prepare crosswalk pavement marking and signing layouts in accordance with City design standards and the Texas Manual on Uniform Traffic Control Devices (TMUTCD).
- Prepare details to clarify intent of design
- Modify standard details as needed.
- Determine potential conflicts with existing signs and finalize relocations.

3.6 Structural Design

3.6.1 Structural design and detailing will be provided for the improvements, as listed below.

- Structural design for retaining walls along County Line Road.

3.7 Prepare general notes, specification data, and final Bid Book in accordance with City of Rockwall requirements. Identify and prepare special specifications and/or special provisions applicable to the project. Prepare Bid-Tab sheets of applicable items for Contractor to fill/present bid prices.

3.8 Compile and update the overall opinion of probable construction cost.

3.9 Prepare a construction duration estimate using anticipated production rates applicable to the local area.

3.10 Final design submittal (90%)

3.10.1 Submit two (2) copies to the City for review and comment
3.10.2 Submittal shall include the following:
- Final design plans
- Contract documents, including the following:
  - Rockwall standard construction contract forms
  - Notice to bidders
  - Special instructions to bidders
  - Bid form (Bid-Tab)
  - Standard construction contract
  - Performance bond
  - Payment bond
  - Maintenance bond
  - Certificate of insurance
  - General conditions
  - Special provisions
  - Technical specifications
- Opinion of probable construction cost
- Provide a completed application for the City to submit to the Texas Department of Licensing and Regulation (along with one of the plan sets) for review in accordance with the Elimination of Architectural Barriers Act. The application fees will be paid directly by the City.

3.11 Accessibility Review
3.11.1 Prepare a completed application for submittal to the Texas Department of Licensing and Regulation for review in accordance with Elimination of Architectural Barriers Act.
3.11.2 Submit to the City a completed application and set of final plans for the City to transmit to a Registered Accessibility Specialist (RAS) for review and TDLR project registration.
3.11.3 While accessibility revisions are not anticipated to be required, FNI will address minor revisions to the plans based on review comments from the RAS.
3.12 Incorporate the final design submittal review comments.
3.13 Prepare the final opinion of probable construction cost.
3.14 Final design submittal (100%).
3.14.1 Submit two (2) full-size and five (5) half-size sets of plans and Contract Documents and Proposal Documents to the City (reprint only the revised sheets from the 90% submittal).
3.14.2 Submit the final opinion of probable construction cost to City
3.14.3 Submit a letter of notification to the City stating completion of the design of the project.

4. Bidding Phase Services

4.1. Furnishing additional copies of bidding documents in excess of the number of the same identified above will be considered as Additional Services.
4.1.1. Services to be provided:
- Respond to contractor questions and provide design clarifications.
- Attendance at the pre-bid conference
- Assist the City of Rockwall with production of Addenda items and design changes
- Tabulating Bids
- Checking references and other qualification information for the low bidder and writing a letter of recommendation concerning award of the contract.

5. Construction Phase Services

5.1. Construction Phase Services
5.1.1. Coordinate with City on needs during the construction phase. The services available are listed below, and may be provided upon the request of the City of Rockwall.

5.2. *Pre-Construction Conference.* Prepare for and attend the Pre-Construction Conference prior to commencement of Work at the Site.

5.3. Visits in Site and Observation of Construction. If required by City, provide on-site construction observation services to clarify design concepts or assist with solutions needed to overcome obstacles in construction or to study and evaluate possible practical alternative solutions. Make visits to the Site at intervals as directed by City in order to observe the progress of the Work. Such visits and observations by FNI are not intended to be exhaustive or to extend to every aspect of Contractor's work in progress. Observations are to be limited to spot checking, selective measurement, and similar methods of general observation of the Work based on FNI's exercise of professional judgement. Based on information obtained during such visits and such observations, FNI will determine if Contractor's work is generally proceeding in accordance with the Contract Documents, and FNI shall keep City informed of the general progress of the Work.

5.3.1. The purpose of FNI's visits to the site will be to enable FNI to better carry out the duties and responsibilities assigned in the Agreement to FNI during the construction phase by City, and in addition, by the exercise of FNI's efforts, to provide City a greater degree of confidence that the completed Work will confirm in general to the Contract Documents and that the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents has been implemented and preserved by Contractor. FNI shall not, during such visits or as a result of such observations of Contractor's work in progress, supervise, direct, or have control over Contractor's work, nor shall FNI have authority over or responsibility for the means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction selected by Contractor, for safety precautions and programs incident to Contractor's work, nor for any failure of Contractor to comply with laws and regulations applicable to Contractor's furnishing and performing the Work. Accordingly, FNI neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work in accordance with the Contract Documents.

5.4. Clarifications and Interpretations. Issue clarifications and interpretations of the Contract and Documents to City as appropriate to the orderly completion of Contractor's work. Such clarifications and interpretations will be consistent with the intent of the Contract Documents. Field Orders authorizing variations from the requirements of the Contract Documents will be made by City.

5.5. Shop Drawings and Samples. Review and approve or take other appropriate action in respect to Shop Drawings and Samples and other data which Contractor is required to submit, but only for conformance with the information given in the Contract Documents and compatibility with the design concept of the completed Project as a functioning whole as indicated in the Contract Documents. Such review and approvals or other action will not extend to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs.

5.6. Substitutes and "or-equal." Evaluate and determine the acceptability of substitute or "or-equal" materials and equipment proposed by Contractor in accordance with the Contract Documents, but subject to the provisions of applicable standards of state or local government entities.

5.7. Limitation of Responsibilities. FNI shall not be responsible for the acts or omissions of any Contractor, or of any of their subcontractors, suppliers, or of any other individual or entity performing or furnishing the Work. FNI shall not have the authority or responsibility to stop the work of any Contractor.

5.8. Record Drawings. Prepare project "Record Drawings" based on information provided by the Contractor, and/or City as to the actual field placement of the work including any changes or

deletions. FNI is not responsible for all accuracy of the information provided by the Contractor and/or the City. FNI will provide the following deliverable:

5.8.1. Electronic copy of the record drawings shall be submitted on CD/DVD or flash drive in all of the following formats:
- AutoCAD format (.dwg)
- Adobe Portable Document (.pdf) 400 dpi (min) (24"x36")

5.8.2. Electronic copy of geotechnical reports, survey data, photographs, and exhibits used for the project, in .pdf or jpg format.

5.8.3. Electronic copy of the project specifications in Microsoft Word (.doc) format

5.8.4. Record drawings shall be sealed by the engineer of record in accordance with the Texas Board of Professional Engineers Policy Advisory Opinion Regarding Record Drawings.

5.8.5. All field changes and revisions shall be shown and noted in the revision block.

5.8.6. Revisions shall be drawn using accepted drafting standards and shall be clear and legible.

5.8.7. Line work and notes related to work deleted or changed shall be omitted from the Record Drawing.

Special Services

1. Utility and ROW Information Gathering

1.1. Data Collection and Property Research

1.1.1 Gather existing plat information

1.1.2 Collect property owner and record information

1.1.3 Gather existing ROW and easement information. Identify easements available through typical research methodologies (i.e. plats, court house filings, etc). Undocumented easements may not be identified.

1.1.4 Provide S.U.E. Services, through a sub-consultant, for the purposes of locating horizontal and vertical locations of underground city and franchise utilities, in conjunction with and/or prior to the field survey.

- S.U.E. Level 'B' Services will be provided to determine horizontal location of utilities along County Line Road up to 4000 linear feet.
- S.U.E. Level 'A' Services will be provided as follows.
  - Up to four (4) test holes of 4-8 ft. depth will be provided
  - Up to six (6) test holes of 8-12 ft. depth will be provided
  - Test holes in addition to those listed above will be provided at the rate per test hole agreed to by the City of Rockwall.

1.1.5 The City shall arrange and make all provisions for access to perform the services specified within this scope. The surveyor shall provide the City with the name and address of the property owners.

1.1.6 The City shall be responsible for acquisition of all ROW and easements. FNI will provide survey information and easement/ROW documents (sketch and legal description) to the City. Additional ROW and easement documentation services are detailed in Section 2 of Special Services.

1.2. Design Survey

1.2.1. The limits of the survey shall be from the intersection of Horizon Road and County Line Road, to the intersection of Renee Drive and County Line Road. The survey shall be from ROW line to ROW line (85 foot ROW) of County Line Rd. Survey will include intersecting roadways extending 100 feet along each leg of the intersection for minor intersections and 250 feet for major intersections. For Nicole Drive, Renee Drive, and FM 3097 (Horizon), the survey will extend 100 feet beyond the current 100 year floodplain elevation as determined by the City of Rockwall Master Drainage Study.

1.2.2. Establish horizontal control points at 500' maximum spacing.

1.2.3. Establish a vertical control benchmark circuit as needed throughout the project. City to provide established monument information for the area.

1.2.4. Set control points, which shall be based on NAD-83, on both sides of the roadway, as required to maintain horizontal control throughout the project limits. Surveyor shall set control points based on existing City monuments.

1.2.5. Perform a field survey to identify and locate existing topographic elements within the roadway corridor including, but not limited to the following:

- Property corner monumentation
- Existing pavement, curbs, sidewalks, barrier free ramps, etc.
- Roadways and lane striping
- Driveways
- Existing storm sewer inlets, manholes, junction boxes (including culvert sizes and all invert elevations)
- Outfalls, bridges, and erosion control improvements
- Existing driveway culverts and swales

- Guardrail
- Utility manholes, vaults, water valves, water meters, cleanouts, sprinkler heads, telephone poles, power poles, utility markers, other public and franchise utilities
- Traffic Signal poles, cabinets, and other signal equipment
- Signs (excluding temporary signs)
- Trees, including species and caliper (for 6" caliper and up)
- Buildings and permanent structures
- Retaining walls
- Fence limits and material types (excluding temporary fences)
- Other applicable physical features that could impact design

1.2.6. Prepare cross-sections throughout project limits at 50-foot intervals and at grade breaks.
- Prepare cross-section field notes

1.2.7. Prepare a final topographic drawing in digital format (including contours and break lines) showing the features located in the field, an ASCII file of the points located in the field, and a hard copy of the coordinates and feature descriptions.

1.2.8. FNI will perform one (1) site visit, for the purposes of reviewing the provided survey in the field and making notes for additional survey needs and design considerations.

1.3. Geotechnical

1.3.1. Task 1 – Field Exploration
- Select appropriate locations along the proposed roadway alignment for exploratory borings. The Engineer will coordinate with the City of Rockwall and Texas 811 regarding underground utilities within the vicinity of the planned boring locations and obtain relevant right-of-way permit(s) prior to commencement of the field exploration activities.
- Subcontract with a drilling contractor to drill a total of six (6) borings (approximate spacing of 650 feet) to a depth 15 feet at the selected locations. The borings will be drilled through the existing asphalt pavement within alternate travel lanes, when possible.
  - Subsurface samples will be collected using 3-inch diameter Shelby tubes for cohesive soils and a 2-inch diameter split-spoon sampler in conjunction with the Standard Penetration Test (SPT) for intermediate and non-cohesive soils. Rock and rock-like materials will be tested in-situ using the TxDOT Cone Penetration Test or the SPT, as appropriate for the material.
  - Groundwater observations within the borings will be recorded at the time of drilling and at the completion of drilling and sampling.
  - At completion of drilling and sampling, the borings will be backfilled with auger cuttings and/or sand, and the pavement section will be patched to match the existing pavement surface.
  - Traffic control consisting of flagmen, cones, and signs will be provided. Temporary and partial lane closures may be required during drilling.
- Provide an Engineer or Geologist experienced in logging borings to direct the drilling, log the borings, and handle and transport the samples. Visual classification of the subsurface stratigraphy shall be provided according to ASTM D2488 and the Unified Soil Classification System (USCS) during drilling and sampling.

1.3.2. Task 2 – Laboratory Testing
- Testing shall be performed on samples obtained from the borings to determine soil classification and pertinent engineering properties of the subsurface materials.
- The Engineer will select samples for laboratory testing, assign tests, and review the test results.
- Laboratory tests will be appropriately assigned for the specific subsurface materials encountered during exploration, but are expected to include:

- Classification tests (liquid and plastic limits and percent passing the no. 200 sieve or gradation)
- Moisture content
- Dry unit weight
- Unconfined compressive strength
- One-dimensional swell (restrained)
- Soluble sulfate content (Tex-145-E)
- Lime series pH (Eades and Grim Procedure) for soil/lime proportioning

1.3.3. Task 3 – Engineering Analysis

- Prepare a Geotechnical Investigation Report summarizing the field exploration, laboratory testing, and engineering analysis to include the following:
  - Appendix with the boring locations, boring logs, laboratory test results, and a key to the symbols used.
  - Discussion of subsurface conditions and soil properties indicated by the field and laboratory work and the implications for design.
  - Recommendations for pavement design including subgrade treatment (lime treated and cement treated), preparation, and thickness. Pavement design calculations will be performed using traffic data collected for County Line Road and projected traffic volumes (see Section 1.5 Traffic Counts in Special Services and Section 1.2 Traffic Capacity Analysis in Basic Services) and applicable design parameters according to the thoroughfare classification and City standards. All assumptions and pavement design parameters will be documented in the report (e.g., traffic volumes, vehicle distribution, design life, terminal serviceability, annual growth rate, etc.).
  - General discussion of expected construction related issues.
  - Earthwork related recommendations for use during development of plans and specifications.
- Submittals will include one (1) paper copy and one (1) electronic PDF copy of the Geotechnical Investigation Report.

1.4. Environmental Permitting

Based on an initial desktop review of project area, at least two waterbodies are located in the vicinity of the proposed improvements: Buffalo Creek and Wallace Lake. FNI assumes that Section 404 permit authorization from the U.S. Army Corps of Engineers (USACE) will be required to authorize impacts to these waterbodies associated with the proposed improvements. Additionally, Horizon Road is a TxDOT facility and FNI assumes that the proposed project will trigger additional environmental review by TxDOT. Given this information, FNI proposes the following environmental permitting and clearance tasks:

1.4.1. Conduct Literature Review

FNI will obtain and review information for the project vicinity such as soils maps, National Wetland Inventory maps, topographic maps, floodplain maps, TPWD Natural Diversity Data, and other readily available, pertinent data. This information will be evaluated to guide the waters of the U.S. delineation described in Task 1.4.2, identify any potential environmental issues present in the project area, develop the description of the area surrounding the project, and assist in the preparation of the Texas Department of Transportation (TxDOT) Categorical Exclusion (CE).

1.4.2. Perform Waters of the U.S. Delineation

FNI environmental scientists will delineate the boundaries of potential waters of the U.S. within the limits of investigation, including streams, open water, and wetlands. Feature boundaries will be documented using a mapping-grade GPS survey. The Ordinary High

Water Mark (OHWM) of the unnamed tributary will be marked with pin flags or stakes for surveyors to tie-in. This scope does not include surveyor costs, but a surveyor can be provided as an additional service.

1.4.3. Prepare a Preliminary Jurisdictional Determination (PJD) Report.
FNI will prepare a PJD Report in accordance with USACE's guidance to document the presence/absence of waters of the U.S., including wetlands. The PJD Report will include preparation of the required data forms and relevant site maps.

1.4.4. Prepare Documentation for Section 404 Permit Authorization under a Nationwide Permit (NWP).

Based upon the available project data, FNI assumes impacts to waters of the U.S. required for the proposed project can be authorized under a Nationwide General Permit (NWP), most likely NWP 14 *Linear Transportation Projects*, with a pre-construction notification (PCN). FNI will prepare a PCN in accordance with requirements of Nationwide Permit (NWP) General Condition 27 for coverage of the proposed activities. This scope assumes that any required mitigation will be covered by negotiating with the Corps for the purchase of mitigation bank credits. Therefore, development of a mitigation plan is not included in this scope of services.

A draft PCN will be prepared for the CITY's review and comment. The PCN will include the PJD Report and appropriate maps and engineering drawings of the proposed work. The final PCN will be prepared by incorporating the CITY's comments and will be submitted to the USACE.

1.4.5. Follow Up with USACE.
After submitting the PCN, FNI will address the USACE's requests, if any, for additional information or clarification. If the USACE requests a site visit, preparation of a compensatory mitigation plan, consultation with other resource agencies, or excessive requests for additional information resulting in expenditures beyond FNI's project budget, such effort will be considered as an additional service that can be provided, upon the CITY's written approval, and will be billed on an hourly basis at FNI's current rates.

1.4.6. Phase 1 Environmental Site Assessment (ESA).
If needed for the purchase of property, easements or additional ROW, FNI will conduct a Phase 1 ESA in accordance with ASTM International Standard E-1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (2013) and Environmental Protection Agency Standards and Practices for All Appropriate Inquiries (AAI), Final Rule. FNI will provide the CITY with a Phase 1 ESA Report characterizing environmental conditions in the project area by evaluating factors such as land use, site history, obvious indicators of environmental contamination, and the presence of adjacent or nearby properties that could pose environmental concerns. Reconnaissance for the Phase 1 Site Assessment will be conducted concurrently with Task 2 above. This task includes a detailed records search and database report.

1.4.7. Consult with Texas Historical Commission (THC).
In accordance with the Antiquities Code of Texas and NWP General Condition 20 (Historic Properties), a letter outlining the details of the proposed project will be sent to the THC requesting their review. Any additional services required by the THC will be an additional cost.

1.4.8. Project Coordination and Meetings.
FNI will coordinate with the Project Team (CITY and FNI) to provide environmental input into the design of the project. FNI will attend up to five (5) coordination meetings with the CITY, the Design Engineer, and/or the public to discuss the draft PCN, CE document, comments, and the USACE or TxDOT permitting process.

1.4.9. Prepare the CE Document (if required by TxDOT)
Based on previous TxDOT project experience, FNI assumes a (c) list CE in TxDOT's current resource report format will be required for improvements at the intersection of County Line Road and Horizon Road. The preparation of any other level environmental document is not included in this scope of services. FNI will submit the CE for review by TxDOT Fort Worth District. Upon receipt of comments, FNI will make any required revisions. Documents that may be required for preparation of the CE include:

- Scoping Document, Risk Assessment, and Environmental Information Document
- Archeological Project Coordination Request and Historical Project Coordination Request (A historical and/or archeological survey will not be performed under this scope of services)
- Hazardous Materials Initial Site Assessment
- Biological Evaluation Form and Natural Resource Technical Report
- Water Resources Technical Report
- Community Impacts Analysis and Socioeconomics Technical Report
- Noise Modeling and Report
- Indirect and Cumulative Impact Technical Report

FNI will prepare the CE documents using information gathered as part of Tasks 1.4.1-1.4.8 above, as well as other data as required. FNI assumes that an Air Quality Technical Report will not be required. FNI will prepare the required Environmental Permits, Issues and Commitments Form. The CITY will provide electronic copies of any available information concerning the proposed project including agency correspondence.

1.5 Traffic Counts
FNI will collect peak hour turning movement counts at critical intersections and 24-hour bi-directional traffic volumes at strategic locations along County Line Road.

2. Right-of-Way / Easement Instruments of Conveyance

2.1 Prepare ROW instruments (narrative and graphic exhibits of ROW takes) and setting new property corners (for new ROW only) in the field.
2.1.1 Up to six (6) parcels

2.2 Prepare easement instruments (narrative and graphic exhibits of easements required for drainage. City utilities, temporary construction, etc.)
2.2.1 Up to two (6) parcels

2.3 Individual parcel exhibits shall be on 8.5" x 11" paper and pdf copy shall be sealed, dated, and signed by a Registered Professional Land Surveyor and shall contain the following:
2.3.1 Parcel number
2.3.2 Area required
2.3.3 Area remaining
2.3.4 Legal description
2.3.5 Current owner
2.3.6 Any existing platted easements or easements filed by separate instrument including easements provided by utility companies.
2.3.7 All physical features
2.3.8 Metes and bounds description of parcel to be acquired. The description shall be provided on a separate sheet from the exhibit. Each type of easement shall be described separately.

2.4 Upon written notification by the City of acceptance of the ROW exhibits and instruments, and as directed by the City, the surveyor shall set all corners and points of curvature for the proposed ROW and submit final sealed plans and exhibits, including location of the control points and their NAD-83 reference.

2.5 FNI will provide the information listed in Section 2 to the City and/or their selected ROW and easement acquisition agent. This task will include the following:
2.5.1 Transmittal of survey and existing property information.

3. Utility Spot Adjustments

3.4.1 60% Plan Adjustments: Water
- Incorporate the conceptual design submittal review comments and prepare plan sheets
- Prepare Preliminary Opinion of Probable Construction Cost

3.4.2 60% Plan Adjustments: Sewer
- Incorporate the conceptual design submittal review comments and prepare plan sheets
- Prepare Preliminary Opinion of Probable Construction Cost

3.5.1 90% Plan Adjustments: Water
- Incorporate the 60% design submittal review comments
- Prepare all water lateral profiles
- Prepare water details to clarify intent of design. Compile applicable City Standard details.
- Modify standard details as needed.
- Update the Opinion of Probable Construction Cost

3.5.2 90% Plan Adjustments: Sewer
- Incorporate the 60% design submittal review comments
- Prepare all sanitary sewer lateral profiles
- Prepare sanitary sewer details to clarify intent of design. Compile applicable City Standards details.
- Modify standard details as needed.
- Update the Opinion of Probable Construction Cost

3.6.1 Prepare Final Plan sheets for Water and Sewer adjustments
- Incorporate the 90% design submittal review comments
- Update the Opinion of Probable Construction Cost

Additional Services

Services not specifically identified in the Scope of Services above shall be considered additional and shall be performed on an individual basis upon authorization by the City of Rockwall. Such services shall include, but are not limited to, the following:

1. Construction staking
2. Design of any offsite drainage improvements beyond the improvements identified in the scope.
3. Design of specialized inlets, or gabion mattress erosion control systems.
4. Preparation for and attendance at additional public meetings.
5. Furnish additional copies of review documents and/or bid documents in excess of the number of the same identified above.
6. Assist the City as an expert witness in litigation in connection with the project or in hearings before approving and regulatory agencies.
7. Redesign to reflect project scope changes requested by the City.

8. Additional easement / ROW documents, encroachment agreement documents, re-platting of any tracts for easement addition.
9. Revisions to the Schematic Color Rendering to reflect design modifications at the Preliminary Design, Final Design, and Construction Phases.
10. Full traffic control plan design.
11. Traffic signal timing modifications.
12. Coordination with FEMA or any other regulatory agencies will be additional services.
13. CLOMR and LOMR submittals will be additional services.
14. Additional drainage reporting or modelling of the creeks will be additional services.

- End of Scope of Services

EXHIBIT B - Rate Schedule

Compensation to FNI for the Basic Services described in Exhibit A shall be the lump sum of Four Hundred Three Thousand Nine Hundred Forty Nine Dollars ($403,949). Compensation to FNI for Special Services in Exhibit A shall be computed on the basis of the Schedule of Charges, but shall not exceed One Hundred Seventy Six Thousand Four Hundred Ninety One Dollars ($176,491). The Special Services fee is comprised of Utility & ROW Information Gathering & Design Survey $74,347, Geotechnical Services $15,480, Environmental Services $58,219, and Utilities $28,445 If FNI sees the Scope of Services changing so that Additional Services are needed, including but not limited to those services described as Additional Services in Exhibit A, FNI will notify OWNER for OWNER's approval before proceeding. Additional Services shall be computed based on the Schedule of Charges.

Schedule of Charges:

Position	Min	Max
Professional - 1	68	116
Professional - 2	88	148
Professional - 3	94	181
Professional - 4	138	221
Professional - 5	175	243
Professional - 6	166	442
Construction Manager - 1	86	198
Construction Manager - 2	104	150
Construction Manager - 3	129	161
Construction Manager - 4	162	220
CAD Technician/Designer - 1	57	99
CAD Technician/Designer - 2	90	129
CAD Technician/Designer - 3	116	166
Corporate Project Support - 1	42	96
Corporate Project Support - 2	70	173
Corporate Project Support - 3	76	335
Intern/ Coop	35	64

Rates for In-House Services

Travel

Standard IRS Rates

Bulk Printing and Reproduction

Black and White	$0.10 per copy
Color	$0.25 per copy
Plot - Bond	$2.50 per plot
Plot - Color	$5.75 per plot
Plot - Other	$5.00 per plot
Binding	$0.25 per binding

OTHER DIRECT EXPENSES:

Other direct expenses are reimbursed at actual cost times a multiplier of 1.10. They include outside printing and reproduction expense, communication expense, travel, transportation and subsistence away from the FNI office and other miscellaneous expenses directly related to the work, including costs of laboratory analysis, test, and other work required to be done by independent persons other than staff members. For Resident Representative services performed by non-FNI employees and CAD services performed In-house by non-FNI employees where FNI provides workspace and equipment to perform such services, these services will be billed at cost times a multiplier of 2.0. This markup approximates the cost to FNI if an FNI employee was performing the same or similar services.

These ranges and rates will be adjusted annually in February.

340-22015

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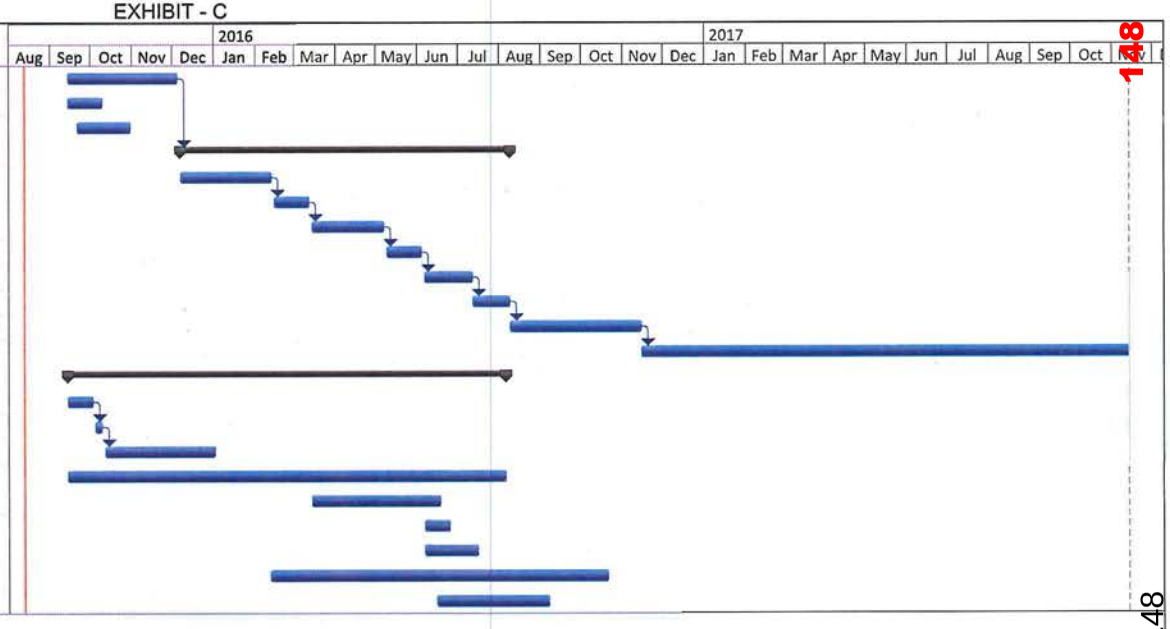
EXHIBIT - C

ID	Task Name	Duration	Start	Finish
1	**Survey (Topo and Boundary)**	60 days	Mon 9/14/15	Fri 12/4/15
2	**Traffic Study**	20 days	Mon 9/14/15	Fri 10/9/15
3	**Geotech**	30 days	Mon 9/21/15	Fri 10/30/15
4	**Design**	**176 days**	**Mon 12/7/15**	**Mon 8/8/16**
5	**Conceptual Design (30%)**	50 days	Mon 12/7/15	Fri 2/12/16
6	30% - City Review	20 days	Mon 2/15/16	Fri 3/11/16
7	**Preliminary Design (60%)**	40 days	Mon 3/14/16	Fri 5/6/16
8	60% - City Review	20 days	Mon 5/9/16	Fri 6/3/16
9	**Final Design**	26 days	Mon 6/6/16	Mon 7/11/16
10	Final - City Review	20 days	Tue 7/12/16	Mon 8/8/16
11	**Advertise/ Award**	70 days	Tue 8/9/16	Mon 11/14/16
12	**Construction**	260 days	Tue 11/15/16	Mon 11/13/17
13	**Enviromental Permit**	**235 days**	**Mon 9/14/15**	**Fri 8/5/16**
14	Literature Review	15 days	Mon 9/14/15	Fri 10/2/15
15	Water of the U.S. Delineation	5 days	Mon 10/5/15	Fri 10/9/15
16	Preliminary Jurisdictional Determination Report	60 days	Mon 10/12/15	Fri 1/1/16
17	CE Document	235 days	Mon 9/14/15	Fri 8/5/16
18	Sect. 404 Permit	70 days	Mon 3/14/16	Fri 6/17/16
19	Phase 1 Environmental Site Assessment	15 days	Mon 6/6/16	Fri 6/24/16
20	Consult with Texas Historical Commision	30 days	Mon 6/6/16	Fri 7/15/16
21	**ROW Acquisition**	180 days	Fri 2/12/16	Thu 10/20/16
22	**Franchise Relocation**	60 days	Wed 6/15/16	Tue 9/6/16



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Project: Rockwall
Date: Thu 8/13/15

Task	Project Summary	Inactive Milestone	Manual Summary Rollup	Deadline
Split	External Tasks	Inactive Summary	Manual Summary	Progress
Milestone	External Milestone	Manual Task	Start-only	
Summary	Inactive Task	Duration-only	Finish-only	

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **August 25, 2015**

SUBJECT: **Throckmorton Street Reconstruction Project**

Throckmorton Street is currently an existing two lane asphalt roadway from East Boydstun Avenue to East Bourn Street. This section of roadway is approximately 900 linear feet in length and lies within the Sanger subdivision. Throckmorton Street is one of four Roadway Capital Improvement Projects passed in the 2012 Bond Election. Throckmorton Street will be reconstructed to a two lane (29' back of curb to back of curb) concrete curb and gutter roadway with a 5-foot concrete sidewalk on each side. These improvements will be placed within the existing 50' right of way. Additional improvements for the project will include improved storm sewer capacity along with the replacement of the existing sanitary sewer and water lines.

Staff requested a proposal from Cobb, Fendley & Associates, Inc. to provide the engineering design and specifications for this project. The preliminary cost estimate to reconstruct Throckmorton Street is $936,960 with an engineering fee of $187,695.00. Funding will be provided by the sale of bonds approved by the voters in the 2012 Bond Election. Staff recommends City Council consideration to approve a professional services contract for Cobb, Fendley & Associates, Inc. to perform the engineering design services and specifications for the Throckmorton Street Reconstruction Project from East Boydstun Avenue to East Bourn Street in an amount not to exceed $187,695.00.

If you have any questions, please advise.

TMT:tt

Attachments

Cc:
Amy Williams, Assistant City Engineer
Jeremy White, Civil Engineer
File

STATE OF TEXAS ♦
♦
COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Cobb, Fendley & Associates, Inc. ("ENGINEER"), located at 6801 Gaylord Parkway Suite 302, Frisco, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for Throckmorton Street Reconstruction Project (Boydstun Avenue to Bourn Street)

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Attachment "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and detailed in Attachment "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an amount not to exceed One Hundred Eighty-Seven Thousand, Six Hundred Ninety-Five dollars ($187,695.00) and billed as a lump sum basis for Basic Services and on a reimbursable basis for Special Services as provided in Attachment "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Attachment "D". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business that has an agreement or is in negotiations of an agreement with CITY. CITY may waive this conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However,

such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000 General aggregate limit

$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full

force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM CAUSES INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
Tim Tumulty, City Engineer
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

ENGINEER
Cobb, Fendley & Associates, Inc.
6801 Gaylord Parkway Suite 302
Frisco TX 75034

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Contractor.

13. Reports and Information

Engineer, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Exhibits, Attachments and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this ____ day of _____ 201_.

_____

By:_____
Name: _____.
Title: _____

EXECUTED in triplicate originals on this ____ day of _____ 201_.

ATTEST:

City of Rockwall, Texas

_____
Richard Crowley
City Manager

Attachment "A"
Throckmorton Street Reconstruction Project (Boydstun Avenue to Bourn Street)
For
City of Rockwall

Scope of Services

Project Understanding

The City of Rockwall (City) wishes to reconstruct Throckmorton Street, an existing two lane asphalt roadway, from Boydstun Avenue to Bourn Street, approximately 900 feet in length. The roadway lies within the Sanger subdivision of the City of Rockwall. Reconstruction will be two lane undivided: one vehicle lane (29' B-B) in each direction, concrete curb and gutter, with a 5-foot concrete sidewalk on each side. These improvements will be within the existing 50' Right of Way (ROW); however, the contract will include a provision for 2 parcel takes or easements in the event that they are required.

Additional design will include storm sewer, sanitary sewer and water improvements. The existing storm sewer will be analyzed using current City drainage criteria and improvements will be designed where the existing system is inadequate. Sanitary sewer will be evaluated for capacity and for physical condition, and will be replaced or augmented based upon the capacity and condition analysis. Water lines will be replaced under the parkway when possible.

Other design components utility coordination, TDLR compliance with ADA, traffic control plans, and retaining walls along Throckmorton Street.

CobbFendley will provide plans, specifications, and estimates for the project and will support the City of Rockwall's bidding and construction phase services.

BASIC SERVICES

1. Schematic Conceptual Design (30%)

1.1. Project Management

1.1.1. Develop project communication plan

- Develop project stakeholder contact list
- Conduct progress meetings to monitor the development of the project. During this phase of the project, conduct up to three (3) meetings with the City staff regarding project status and coordination issues. The first meeting will be the project kick-off meeting, and the second meeting will be the conceptual design presentation and review.
- Conduct Site Investigation
- Initiate Geotechnical Investigation

1.1.2. Develop project schedule and interim milestones (coordinate with City staff at the project kick-off meeting)

1.2. Conceptual Plan and Graphics

1.2.1. Schematic Color Rendering of proposed Throckmorton Cross Section and Plan

- Provide up to two (2) alternatives for proposed cross-section and plan of roadway
- Provide up to two (2) alternatives for proposed utility locations (water, wastewater and drainage)
- Provide two (2) full size copies of the concept plans.

1.3. Property Owners Meeting

1.3.1. Present City approved Roadway and Cross-section alternatives

1.3.2. Collect and incorporate property owners' comments into 60% submittal.

2. Construction Documents – Preliminary Design (60%)

2.1. Project Management

2.1.1. Update project communication plan

- Update project contact list
- Conduct progress meetings to monitor the development of the project regarding project status and coordination issues
    - City staff to discuss crosswalks, and pedestrian improvements at Boydstun Avenue, Ross Street, and Bourn Street intersection with Throckmorton Street
    - Coordinate with subconsultants
    - Coordinate with other utilities, (electric power, cable TV, phone, gas, fiber optic, etc.)
    - Prepare and e-mail monthly progress reports to the project team (City of Rockwall and CobbFendley staff)

2.1.2. Update project schedule

2.1.3. Develop project production plan

- Document design criteria

2.1.4. Project Administration

- Prepare project correspondence and invoicing documents

2.2. Roadway Design

2.2.1. Prepare preliminary roadway alignment upon approval of the conceptual plan

- Prepare typical sections
    - Existing and proposed
    - Preliminary subgrade and pavement design
- Prepare preliminary plan and profiles items to be included:
- Preliminary Plan:
    - Control data
    - Existing/Proposed ROW
    - Existing topography
    - Existing pavement
    - Proposed centerline alignment and horizontal curve data
    - Proposed transition pavement tie-ins to existing pavement
    - Proposed drainage structures
    - Proposed retaining walls
    - Existing trees to remain
    - Existing trees to be removed
    - Existing driveway locations
    - Existing storm drain locations
    - Existing water line locations
    - Existing waste water line locations
    - Existing franchise utility locations
- Preliminary Profile:
    - Existing Ground Profile and Preliminary Vertical Alignment
- Preliminary Details
    - Retaining Walls
    - Paving
    - Drainage

2.3. Drainage

2.3.1. Compile the hydrological and hydraulic data

- Create Drainage Area Maps
- Create Drainage Calculation Sheets

2.3.2. Identify the need for additional drainage easements to accommodate the proposed offsite drainage improvements (if required)

2.4. Utilities

2.4.1. Public

- Establish the location of existing public utilities based upon information provided by the City, SUE and field survey information

2.4.2. Franchise Utility Coordination

- Identify franchise utility contacts
- Send one set of plans to each franchise utility for their review. Request each franchise utility to mark up the plans to show the size, type and location of their utilities.
- Notify the City if any relocations are required
- CobbFendley shall perform the coordination with the franchise utilities if any relocations are required

2.5. Structural

2.5.1. Preliminary structural design for the associated improvements, as listed below.

- Structural design and layout of retaining wall
- Structural design and layout for Junction Boxes

2.6. Traffic

2.6.1. Pavement Marking and Signing Plans

- Prepare preliminary crosswalk pavement marking and signing layouts in accordance with City design standards and the Texas Manual on Uniform Traffic Control Devices (TMUTCD).
- Determine potential conflicts with existing signs and propose sign relocations

2.7. Prepare a preliminary opinion of probable construction cost for the entire project, including alternative design options, using recent average unit bid process which are representative of similar types of construction in the local area

2.8. Preliminary design submittal (60% design level)

2.8.1. Provide two (2) full size hard copies and an electronic submittal to the City for review and comment

2.8.2. Submittal shall be provided with plan/profile sheets (as noted) 24”x36” plan sheets at a scale of 1”=20’ horizontal, and 1”=5’ vertical) and will include the following:

- Cover Sheet
- General Notes Sheet
- Summary of Quantities
- Horizontal and Vertical Layout Sheet
- Typical Sections
- Demolition Sheets
- Roadway Plan/Profiles
- Drainage Area Map
- Drainage Calculations
- Drainage Plan/Profile
- Water & Sanitary Sewer Plan
- Traffic control plan narrative
- Structural (Retaining Wall) Layout sheets
- Structural (Retaining Wall) Details

- Roadway Cross Sections
- Details
- Preliminary opinion of probable construction cost

2.9. Project site visits (up to three (3) trips)

3. Construction Documents – Pre-Final Design (90%)

3.1. Project Management

3.1.1. Project Communication

- Conduct progress meetings to monitor the development of the project. During this phase of the project, conduct up to : Up to three (3) project meetings with the City staff
- Prepare and e-mail monthly progress reports to the project team

3.1.2. Update project schedule

3.2. Roadway

3.2.1. Incorporate the preliminary design submittal review comments

3.2.2. Prepare plan / profile sheets (24"x36" plan sheets at a scale of 1"=20' horizontal, and 1"=5' Vertical).

3.2.3. Analyze all driveways within the project and develop driveway adjustment and crosswalk profiles as needed. Typically driveways will be defined vertically by profiles.

3.2.4. Develop design cross-sections

- Develop on 25-ft station intervals and at driveway centerlines
- Show pavement and subgrade, right-of-way limits, sides slopes, pavement cross slopes, curbs, and retaining walls (if applicable)
- Cross-sections will be provided in the bid documents

3.2.5. Prepare roadway details to clarify intent of design

3.2.6. Modify standard details as needed and include

3.3. Drainage

3.3.1. Incorporate the preliminary design submittal review comments.

3.3.2. Perform final storm sewer sizing and alignment design. Prepare final inlet design sheets and hydraulic design sheets for inclusion in the plans.

3.3.3. Prepare storm sewer plan/profile sheets depicting storm sewer lines, inlets, junction boxes, connections, manholes, stubouts, utility crossings and the hydraulic grade lines.

3.3.4. Prepare profiles for the proposed storm drain laterals (if needed).

3.3.5. Prepare drainage details to clarify intent of design. Compile applicable City standard details. Modify standard details as needed.

3.3.6. Prepare erosion control plan.

3.4. Utilities

3.4.1. Water

- Incorporate the preliminary design submittal review comments.
- Prepare all water lateral profiles (if required).
- Check coverage of Fire Hydrants to meet City Standard.
- Prepare water details to clarify intent of design. Compile applicable City Standard details.
- Modify standard details as needed.

3.4.2. Wastewater

- Incorporate the preliminary design submittal review comments.
- Prepare all wastewater lateral profiles.
- Prepare wastewater details to clarify intent of design. Compile applicable City Standard details.
- Modify standard details as needed.

3.4.3. Utility Coordination

- Submit one set of final design plans and the project schedule to each affected utility for their review and comment to include the normal power, cable TV, gas, and phone utilities.
- The City shall perform the coordination with the franchise utilities if any relocations are required.

3.4.4. Traffic Control Plans

- Develop construction sequence plan showing:
  - Construction area for each phase of construction and closure of existing travel lanes (if needed).
  - Temporary signing and striping, barricades, and other channelization devices Narrative of the sequence of work.
  - Storm sewer construction phasing.
  - Public utilities relocation phasing.
  - Pedestrian routing during construction.
- Develop typical cross section showing lane widths, edge conditions, channelization and proposed construction area.
- Develop typical driveway staging plans for similar driveways. Develop custom driveway staging layouts for special conditions.
- Prepare traffic control details to clarify intent of design.

3.4.5. Pavement Marking and Signing Plans

- Prepare crosswalk pavement marking and signing layouts in accordance with City design standards and the Texas Manual on Uniform Traffic Control Devices (TMUTCD).
- Prepare details to clarify intent design
- Compile applicable City standard details. Modify standard details as needed.
- Determine potential conflicts with existing signs and finalize relocations.

3.5. Structural Design

3.5.1. Structural design and detailing will be provided for the improvements, as listed below.

- Structural design for retaining walls along Throckmorton Street.

3.6. Prepare general notes, specification data, and final Bid Book in accordance with City of Rockwall requirements. Identify and prepare special specifications and/or special provisions applicable to the project. Prepare Bid-Tab sheets of applicable items for Contractor to fill/present bid prices.

3.7. Update the overall opinion of probable construction cost.

3.8. Prepare a construction duration estimate using anticipated production rates applicable to the local area.

3.9. Final design submittal (90%).

3.9.1. Submit two (2) full size hard copies to the City for review and comment

3.9.2. Submittal shall include the following:

- Final design plans
- Contract documents, including the following:
  - City of Rockwall standard construction contract forms
  - Notice to bidders
  - Special instructions to bidders
  - Bid form (Bid-Tab)
  - Standard construction contract
  - Performance bond
  - Payment bond
  - Maintenance bond
  - Certificate of insurance

- General conditions
- Special provisions
- Technical specifications
- Opinion of probable construction cost

3.9.3. Conduct one (1) neighborhood meeting to present the project and answer community questions.

3.10. Accessibility Review

3.10.1. Prepare a completed application for submittal to the Texas Department of Licensing and Regulation for review in accordance with the Elimination of Architectural Barriers Act

3.10.2. While we do not anticipate accessibility revisions to be required, we will address minor revisions to the plans based on review comments from the RAS.

4. Final Engineering

4.1. Incorporate the final design submittal review comments

4.2. Prepare the final opinion of probable construction cost

4.3. Final design submittal (100%)

4.3.1. Submit two (2) full-size and five (5) half-size sets and one (1) electronic set of plans and Contract Documents and Proposal Documents to the City.

4.3.2. Submit the final opinion of probable construction cost to City.

4.3.3. Submit a letter of notification to the City stating completion of the design of the project.

5. Bidding Phase Services

5.1. Furnishing additional copies of bidding documents in excess of the number of the same identified above will be considered as Additional Services.

5.2. City will be responsible for advertising the project; plans and specifications will be made available at CobbFendley's office; post the project to CivCast.

5.3. Service to be provided:

5.3.1. Furnish the City one (1) full size hard copy and one (1) electronic set of plans and specifications.

5.3.2. Respond to contractor questions and provide design clarifications

5.3.3. Attend the pre-bid conference

5.3.4. Assist the City of Rockwall with production of Addenda items and design changes

5.3.5. Tabulate Bids

5.3.6. Check references and other qualification information for the low bidder and write a letter of recommendation concerning award of the contract.

6. Construction Phase Services

6.1. Construction Phase Services

6.1.1. Coordinate with City on needs during the construction phase. The services available are listed below, and may be provided upon the request of the City of Rockwall.

6.2. *Pre-Construction Meeting*, Prepare for and attend the Pre-Construction Meeting prior to commencement of Work at the Site.

6.3. *Visits to Site and Observation of Construction*. If required by City, provide on-site construction observation services to clarify design concepts or assist with solutions needed to overcome obstacles in construction or to study and evaluate possible practical alternative solutions. Makes visits to the Site at intervals as directed by City in order to observe the progress of the Work. Such visits and observations by CobbFendley are not intended to be exhaustive or to extend to every aspect of Contractor's work in progress. Observations are to be limited to spot checking, selective measurement, and similar methods of general observation of the Work based on CobbFendley's exercise of professional judgment. Based on information obtained during such visits and such observations, CobbFendley will determine if Contractor's work is generally

proceeding in accordance with the Contract Documents, and CobbFendley shall keep City informed of the general progress of the Work.

6.3.1. The purpose of CobbFendley's visit to the site will be to enable CobbFendley to better carry out the duties and responsibilities assigned in this Agreement to CobbFendley during the construction phase by City, and, in addition, by the exercise of CobbFendley efforts, to provide City a greater degree of confidence that the completed Work will conform in general to the Contract Documents and that the integrity of the design concept of the completed Project as a functioning whole as in CobbFendley indicated in the Contract documents has been implemented and preserved by Contractor. CobbFendley shall not, during such visits or as a result of such observation of Contractor's work in progress, supervise, direct, or have control over Contractor's work, nor shall CobbFendley have authority over or responsibility for the means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction selected by Contractor, for safety precautions and programs incident to Contractor's work, nor for any failure of Contractor to comply with laws and regulations applicable to Contractor's furnishing and performing the Work. Accordingly, CobbFendley neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work in accordance with the Contract Documents.

6.4. Clarifications and Interpretations. Issue clarifications and interpretations of the Contract documents to City as appropriate to the orderly completion of contractor's work. Such clarifications and interpretations will be consistent with the intent of the Contract Documents. Field Orders authorizing variations from the requirements of the Contract Documents will be made by City.

6.5. Shop Drawings and Samples. Review and approve or take other appropriate action in respect to Shop Drawings and Samples and other data which Contract is required to Submit, but only for conformance with the information given in the Contract Document and compatibility with the design concept of the completed Project as a functioning whole as indicated in the Contract Documents. Such review and approvals or other action will not extend to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs.

6.6. Substitutes and "or-equal". Evaluate and determine the acceptability of substitute or "or-equal" materials and equipment proposed by Contractor in accordance with the Contract documents, but subject to the provisions of applicable standards of state or local government entities.

6.7. Limitation of Responsibilities. CobbFendley shall not be responsible for the acts or omissions of any Contractor, or of any of their subcontractors, suppliers, or of any other individual or entity performing or furnishing the Work, CobbFendley shall not have the authority or responsibility to stop the work of any Contractor.

6.8. *Final Construction Walk Through*. CobbFendley shall be present at the final construction walk through and develop a final "punch/checklist" for the contractor to use to achieve final project acceptance.

6.9. Record Drawings, Prepare project "Record Drawing" based on information provided by the Contractor, and/or City as to the actual field placement of the work including any changes or deletions. CobbFendley will provide the following deliverables:

6.9.1. Electronic copy of the record drawings shall be submitted on CD/DVD or flash drive in all of the following formats.

- AutoCAD (.dwg) format
- Adobe Portable Document (.pdf) 400 dpi (min) (24"x36")

6.9.2. Electronic copy of geotechnical reports, survey data, photographs, and exhibits used for the project, in .pdf or jpg format.

6.9.3. Electronic copy of project specifications in Microsoft Word (.doc) and PDF format.

6.9.4. Record drawings shall be sealed by the engineer of record in accordance with the Texas Board of Professional Engineers Policy Advisory Opinion Regarding Record Drawings.
6.9.5. All field changes and revisions shall be shown and noted in the revision block.
6.9.6. Revisions shall be drawn using accepted drafting standards and shall be clear and legible.
6.9.7. Line work and notes related to work deleted or changed shall be omitted from the Record Drawing.

SPECIAL SERVICES

1. Subsurface Utility Engineering (S.U.E.)

1.1.1. Provide S.U.E. Services for the purpose of locating horizontal and vertical locations of underground city and franchise utilities, in conjunction with and /or prior to the field survey.

- S.U.E. Level 'B' Services will be provided to determine horizontal location of utilities up to 5000 linear feet.
- S.U.E. Level 'A' Services will be provided as follows:
  - Up to five(5) test holes of 0-5 ft depth will be provided
  - Up to five(5) test holes of 5-10 ft depth will be provided
  - Test holes in addition to those listed above will be provided at the rate per test hole agreed to by the City of Rockwall.

1.1.2. The City shall assist with provisions for access to perform the services specified within this scope. CobbFendley shall provide the City with the name and address of the property owners.

2. Design Survey

2.1 The limits of the survey shall be from the intersection of Throckmorton Street and Boydstun Avenue to the intersection of Throckmorton Street and Bourn Street. The survey shall be from ROW line to ROW line (50 foot ROW) of Throckmorton Street. Survey will include intersecting roadways extending 250 feet along each leg of the major intersections and 100 feet along each leg of the minor intersections.

2.2 Data Collection and Property Research

2.2.1 Gather existing plat information
2.2.2 Collect property owner and record information
2.2.3 Gather existing ROW and easement information, Identify easements available through typical research methodologies (i.e. plats, court house filings, etc.).

2.3 Project Control

2.3.1.1 Horizontal and Vertical control will be tied to the WDS VRS Control Network.
2.3.1.2 Establish horizontal control points at 500' maximum spacing.
2.3.1.3 Establish a vertical control benchmark circuit as needed throughout the project. City to provide established monument information for the area.
2.3.1.4 Grid coordinates will be converted to Surface using the TxDOT Combined Surface Adjustment Factor shown for Rockwall County.
2.3.1.5 Three Secondary Control Points will be set for the project. Secondary Control will be mag nails set in asphalt or crosses cut in concrete.
2.3.1.6 A differential level loop will be run through all Secondary Control Points to verify elevations.
2.3.1.7 Establish temporary benchmark / control on site for construction use.

2.4 Right of Entry

2.4.1.1 Property ownership will be determined for the adjacent properties by obtaining data from the Rockwall County Appraisal District.

2.4.1.2 Right-of-Entry request letters will be prepared. Upon approval by the City of Rockwall the letters will be mailed to the individual property owners.

2.4.1.3 A spreadsheet will be prepared to monitor the status of each right-of-entry request.

2.5 Topographic Survey

2.5.1.1 Perform a field survey to identify and locate existing topographic elements within the roadway corridor including, but not limited to the following:

- Visible evidence of existing pavement, curbs, sidewalks, barrier free ramps, etc.
- Roadway and lane striping
- Driveways
- Visible evidence of existing storm sewer inlets, manholes, junction boxes, headwalls (including culvert sizes and invert elevations, if accessible)
- Outfalls, bridges and erosion control
- Existing driveway culverts and swales
- Guardrail
- Visible evidence of utility manholes, vaults, water valves, water meters, sprinkler heads, telephone poles, power poles, utility markers, other public utilities and franchise utilities
- Traffic Signal poles, cabinets, pull boxes and other signal equipment
- Signs (excluding temporary signs)
- Trees, including species and caliper (for 4" caliper and up)
- Buildings and permanent structures
- Retaining walls
- Fencing/screening walls
- Fence limits and material types (excluding temporary fences)
- Rockwall County Appraisal District Records will be researched to determine the individual property owners of each lot adjacent to the proposed Topo Area. Lot and block numbers, addition name(s), and owner information will be included in AutoCAD drawing.
- Property corner monumentation sufficient to define the R.O.W. lines
- Perform cross-sections throughout project limits at 25-foot intervals and at grade breaks
- Prepare cross-section field notes
- Other applicable physical features that could impact design

2.5.1.2 Prepare a final topographic drawing in digital format (including one-foot contours and breaklines) showing the features located in the field, an ASCII coordinate file of the points located in the field, and a hard copy of the coordinates and feature descriptions.

2.5.1.3 CobbFendley will perform a site visit for the purpose of reviewing the provided survey in the field and making notes for additional survey needs and design considerations.

2.6 Exclusions: The following items are excluded from the Design Survey scope of services:

2.6.1.1 The resolution of any boundary conflicts observed during the course of the survey.

2.6.1.2 The location of test holes performed during S.U.E. operations other than as described in Section 1 above.

2.6.1.3 Performing a title search or abstracting any properties or easements.

2.6.1.4 Full construction staking services.

3. Right-of-Way / Easement Instruments of Conveyance

3.1 Prepare ROW instruments (narrative and graphic exhibits of ROW takes) and setting new property corners (for new ROW only) in the field

3.1.1 Up to two (2) parcels

3.2 Prepare easement instruments (narrative and graphic exhibits of easements required for drainage, City utilities, temporary construction, etc.)

3.2.1 Up to two (2) parcels

3.3 Individual parcel exhibits shall be on 8"x11" paper and PDF copy shall be sealed, dated, and signed by a Registered Professional Land Surveyor and shall contain the following:

3.3.1 Parcel number
3.3.2 Area required
3.3.3 Area remaining
3.3.4 Legal description
3.3.5 Current owner
3.3.6 Any existing platted easements or easements filed by separate instrument including easements provided by utility companies
3.3.7 All physical features
3.3.8 Metes and bounds description of parcel to be acquired. The description shall be provided on a separate sheet from the exhibit. Each type of easement shall be described separately.

3.4 Upon written notification by the City of acceptance of the ROW exhibits and instruments, and as directed by the City, the surveyor shall set all corners and points of curvature for the proposed ROW and submit final sealed plans and exhibits, including location of the control points and their NAD-83 reference

3.5 The City shall be responsible for the coordination of all ROW and easement acquisitions. CobbFendley will provide the information listed above to the City and/or their selected ROW and easement acquisition agent. This task will include the following:

3.5.1 Transmittal of survey and existing property information.

4. Geotechnical

4.1. Subsurface Exploration

4.1.1. Eight (8) borings are planned for this project. The borings and report will be through a subconsultant.

The locations are as follows:

- Three (3) borings will be performed across the width of Throckmorton Street near the intersection with Boydstun Avenue.
- Three (3) borings will be performed across the width of Throckmorton Street near the intersection with Bourn Street.
- Two (2) borings will be located outside the edge of pavement to determine soil properties used for retaining wall design.

4.1.2. Boring Services – Proposed retaining walls will be sampled to 25 feet. Pavement borings will be sampled to 15 feet. A total of 140 feet for drilling is planned.

- Check samples for consistency with a hand penetrometer
- Stake the boring locations using normal taping procedures
- Backfill bore holes and plug at the surface

4.2. Laboratory Services

4.2.1. Considering the planned facilities, anticipated soil conditions, and geology, the following laboratory test will be required for classification purpose and to determine strength characteristics:

- Visual Classification
- Moisture content and soil identification
- Liquid and plastic limit determinations
- Minus 200 sieve analysis
- Dry Unit Weight
- Unconfined compression
- Calibrated hand penetrometer tests
- Swell test

- Lime/pH series tests
- Soluble sulfate tests (to determine lime-induced heaving potential)

4.3. Engineering Services

4.3.1. Prepare an engineering report presenting the following:

- Sample boring location map
- Boring logs and laboratory results
- General soil and ground-water conditions
- The moisture profile of the subgrade soils will be plotted with depth to better understand the existing conditions and moisture relationship in the soils
- Subgrade design recommendations for lime treated, cement treated, and alternate methods of subgrade stabilization
- Pavement design recommendation for reinforced concrete, asphalt or combination of concrete and asphalt system (including pavement strength, reinforcement size, and joint spacing based on applicable concrete codes and standards). Pavement thickness recommendation will be based on traffic counts provided by City, with appropriate growth factors applied.
- Comments on the presence and effect of expansive soils on pavement construction will be provided. Alternative methods of reducing any anticipated shrink/swell movements associated with expansive clays will be included for pavement construction, if required.
- Recommendations for short to moderate retaining walls
- Earthwork recommendations

4.3.2. The geotechnical engineer's design recommendations shall be relied upon by the civil and structural engineers for their design.

4.3.3. Submit one (1) paper copy and one PDF file copy of the report to the City

DELIVERABLES

1. Project deliverables shall be as stated in the previous sections. All plans, field notes, plats, maps, legal descriptions, or other specified documents prepared in conjunction with the requested services shall be provided in a digital format compatible with the electronic data collection and computer aided design and drafting software currently in use by the City. All text data such as plan and profile, legal descriptions, coordinate files, cut sheets, etc., shall be provided in the American Standard Code for Information Interchange (ASCII) format, and all drawing files shall be provided in AutoCAD (DWG or DXF) format, or as otherwise approved in writing by the City, and all data collected and generated during the course of the Project shall become the property of the City.

CITY RESPONSIBILITIES

1. The City will provide the following information in a timely manner so as not to delay the services of CobbFendley:

1.1. The City will provide any available design plans, drainage studies, surveys, property information, utility locations, CAD files or any other pertinent information.

1.2. The City shall attend review meetings and make final decisions on design issues such that questionable matters may be resolved and the Project progress as scheduled.

1.3. The City shall provide CobbFendley access to the site and allow interviews with personnel that have a working knowledge of the facilities within the Project area. The City shall make available personnel to assist in the locating of water and wastewater lines, which cannot be identified by other means.

1.4. The City will be responsible for providing construction inspection on the Project. CobbFendley will only provide general Project representation based on the number of site visits provided in this proposal.

ADDITIONAL SERVICES

1. Services not specifically identified in the Scope of Services above shall be considered additional and shall be performed on an individual basis upon authorization by the City of Rockwall. Such services shall include, but are not limited to the following:
   1.1. Construction staking.
   1.2. Environmental support services

SCHEDULE

CobbFendley is authorized to immediately begin work on this project upon Notice to Proceed. An example schedule is outline in Attachment C.

-End of Scope of Service-

ATTACHMENT B to Agreement between the City of Rockwall and ENGINEER for Professional Services.

COMPENSATION AND METHOD OF PAYMENT

For all professional engineering services included in ATTACHMENT "A", Scope of Services, the City of Rockwall agrees to pay the ENGINEER on a lump sum basis for design services for an amount not to exceed $122,590 and on a reimbursable basis for Special Services for an amount not to exceed $65,105 for a total contract amount not to exceed $187,695. We recommend that the City of Rockwall budget the following:

BASIC SERVICES	
Design & Bid Phase Services	$ 112,620
Construction Phase	$ 9,970
Basic Services Sub-Total	$ 122,590
SPECIAL SERVICES	
Topographic Design Survey	$ 10,800
ROW & Easement Metes and Bounds (4 at $3,220/Ea)	$ 12,880
Subsurface Utility Engineering Level B	$ 5,800
Subsurface Utility Engineering Level A	
Test Holes 0' to 5' (5 at $2210/Ea, includes survey & traffic control)	$ 11,050
Test Holes 5' to 10' (5 at $2665/Ea, includes survey & traffic control)	$ 13,325
Geotechnical	$ 11,250
Special Services Sub-Total	$ 65,105
PROJECT TOTAL	**$ 187,695**

Monthly statements for reimbursable services performed by sub-consultants will be based upon the actual cost to the ENGINEER.

City of Rockwall, Texas
2015 Street Reconstruction
Throckmorton Street

CobbFendley

Prepared By: SM
Date: 7/30/2015

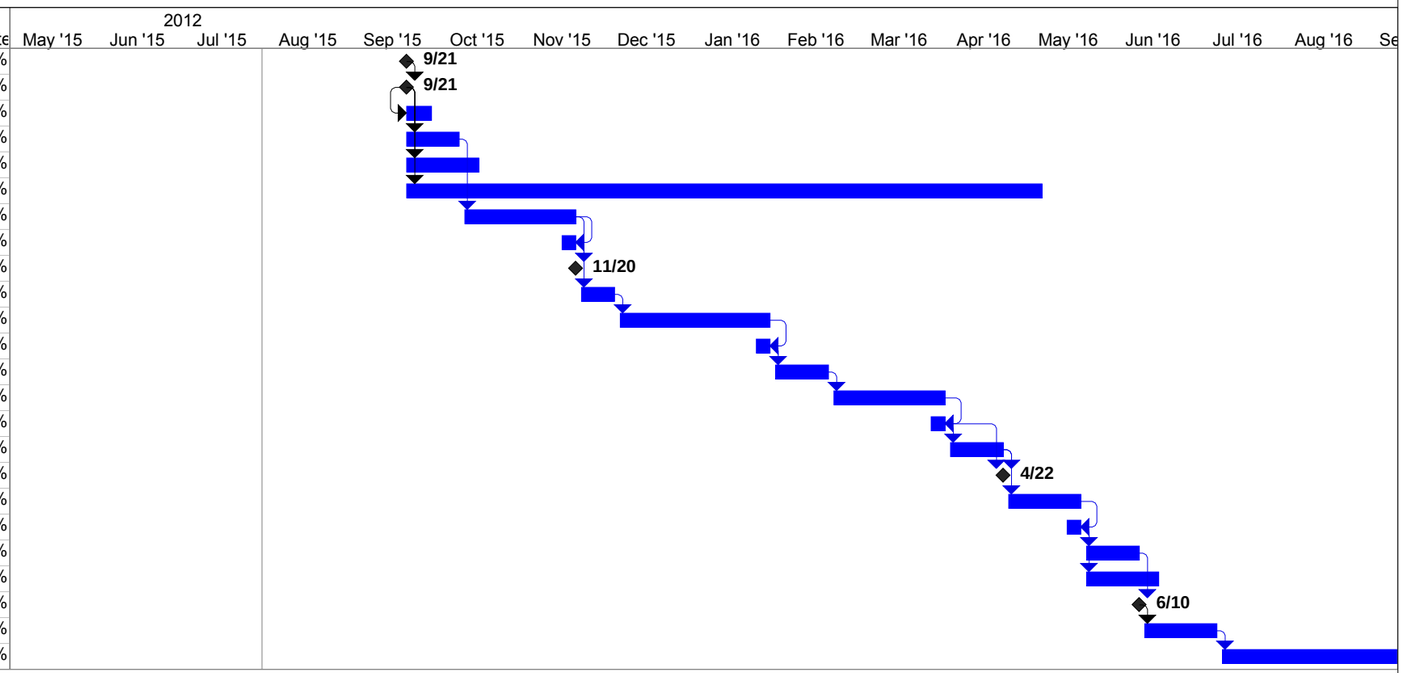
STREET RECONSTRUCTION

	Description	Unit	Est. Qty.	Unit Price	Total
1	Mobilization	LS	1	$ 10,000	$ 10,000
2	Preparation of Right-Of-Way	STA	9	$ 1,200	$ 10,800
3	Sawcut, Remove, & Dispose of Existing Pavement (All Depths, All Types, Including Curb & Gutter where present)	SY	2000	$ 10	$ 20,000
4	Remove Existing, Provide Temporary, & Install New Standard Mailboxes & Posts	EA	3	$ 200	$ 600
5	Remove Existing, Provide Temporary, & Install New Brick Mailboxes	EA	1	$ 1,500	$ 1,500
6	Remove and Replace Street Signs	EA	4	$ 500	$ 2,000
7	Unclassified Street Excavation	CY	1500	$ 20	$ 30,000
8	Install Reinforced Concrete Paving with 6" Monolithic Curb (6" for estimate)	SY	3250	$ 60	$ 195,000
9	Install Lime Treated Subgrade (8" for estimate)	SY	4000	$ 10	$ 40,000
10	Hydrated Lime (54 lb/sy for estimate)	TON	110	$ 175	$ 19,250
11	Install 6" Reinforced Concrete Paving for Driveways	SY	315	$ 50	$ 15,750
12	Install 4" Reinforced Concrete Sidewalk (5' Typical)	SF	8000	$ 4	$ 32,000
13	Install Barrier Free Ramp	EA	4	$ 1,500	$ 6,000
14	Install 4' Sanitary Sewer Manhole	EA	4	$ 3,500	$ 14,000
15	Install 8" PVC Sanitary Sewer Pipe	LF	1000	$ 40	$ 40,000
16	Trench Safety	LF	1200	$ 2	$ 2,400
17	Install 8" Water Main	LF	200	$ 40	$ 8,000
18	Install 8" Water Valve	EA	2	$ 3,500	$ 7,000
19	Install Fire Hydrant Assembly	EA	4	$ 7,500	$ 30,000
20	Adjust Existing Water Valve Covers and Pads	EA	8	$ 150	$ 1,200
21	Adjust Existing Water Meter Boxes	EA	2	$ 100	$ 200
22	Adjust Existing Fire Hydrant	EA	2	$ 550	$ 1,100
23	Remove Existing Wye Inlet	EA	2	$ 500	$ 1,000
24	Install 10' Curb Inlet	EA	4	$ 5,000	$ 20,000
25	Install 18" RCP Storm Sewer Pipe	LF	200	$ 35	$ 7,000
26	Adjust/replace Existing Steel Fence w/ Masonry Columns	LF	500	$ 100	$ 50,000
27	Adjust/replace Existing Stairs	EA	3	$ 500	$ 1,500
28	Install Retaining Wall	SF	3500	$ 40	$ 140,000
29	Handrail on Retaining Wall	LF	1000	$ 30	$ 30,000
29	Install Solid Sod	SY	1500	$ 7	$ 10,500
30	Landscape Removal & Replacement	LS	1	$ 5,000	$ 5,000
31	Root Barrier	LF	900	$ 25	$ 22,500
32	Traffic Control	LS	1	$ 5,000	$ 5,000
33	SWPPP	LS	1	$ 1,500	$ 1,500
				Subtotal	$ 780,800
				20% Contingency	$ 156,160
				Total	**$ 936,960**

CobbFendley

CITY OF ROCKWALL
2015 STREET RECONSTRUCTION
THROCKMORTON STREET

ID	Task Name	Duration	Start	Finish	% Complete
1	Approved By Council	0 days	Mon 9/21/15	Mon 9/21/15	0%
2	Notice to Proceed	0 days	Mon 9/21/15	Mon 9/21/15	0%
3	Subsurface Utility Engineering	7 days	Mon 9/21/15	Tue 9/29/15	0%
4	Topographic Survey	3 wks	Mon 9/21/15	Fri 10/9/15	0%
5	Geotechnical Investigation & Report	4 wks	Mon 9/21/15	Fri 10/16/15	0%
6	Utility Coordination	33 wks	Mon 9/21/15	Fri 5/6/16	0%
7	Conceptual Design (30%)	6 wks	Mon 10/12/15	Fri 11/20/15	0%
8	QA/QC	1 wk	Mon 11/16/15	Fri 11/20/15	0%
9	Neighborhood Meeting	0 days	Fri 11/20/15	Fri 11/20/15	0%
10	City Review & Review Meeting	2 wks	Mon 11/23/15	Fri 12/4/15	0%
11	Preliminary Engineering (60%)	8 wks	Mon 12/7/15	Fri 1/29/16	0%
12	QA/QC	1 wk	Mon 1/25/16	Fri 1/29/16	0%
13	City Review & Meeting	3 wks	Mon 2/1/16	Fri 2/19/16	0%
14	Pre-Final Engineering (90%)	6 wks	Mon 2/22/16	Fri 4/1/16	0%
15	QA/QC	1 wk	Mon 3/28/16	Fri 4/1/16	0%
16	City Review & Review Meeting	3 wks	Mon 4/4/16	Fri 4/22/16	0%
17	Neighborhood Meeting	0 days	Fri 4/22/16	Fri 4/22/16	0%
18	Final Engineering (100%)	4 wks	Mon 4/25/16	Fri 5/20/16	0%
19	QA/QC	1 wk	Mon 5/16/16	Fri 5/20/16	0%
20	Advertise for Bids	3 wks	Mon 5/23/16	Fri 6/10/16	0%
21	TDLR Review	4 wks	Mon 5/23/16	Fri 6/17/16	0%
22	Bid Opening	0 days	Fri 6/10/16	Fri 6/10/16	0%
23	Project Award	4 wks	Mon 6/13/16	Fri 7/8/16	0%
24	Construction	6 mons	Mon 7/11/16	Fri 12/23/16	0%



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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 09/08/2015

APPLICANT: Archie Underwood and Dan Walker

AGENDA ITEM: **P2015-035** (Lot 1 & 2, Block A, Lakeside Veterinary Clinic Add.)

SUMMARY:

Discuss and consider a request by Archie Underwood and Dan Walker for the approval of a replat for Lots 1 & 2, Block A, Lakeside Veterinary Clinic Addition being a replat of two (2) parcels being 2.43-acres of land identified as Lot 1, Block A, Bernice Addition and Lakeside Batting Park Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 801 & 801B E. IH-30, and take any action necessary.

COMMENTS:

- The objective of the request is to replat two existing subdivisions by creating one 2.43-acre subdivision and two lots for the purpose of establishing a 30-ft cross access easement that will allow traffic to flow from IH-30 and Tubbs Road and vice-versa. The replat will relocate the original lot line between the properties establishing a 1.15-acre lot (Lot 1) and a 1.28-acre (Lot 2).

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions listed in the Recommendations section below.

- With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the request for final plat, staff would recommend the following conditions of approval:

A) All the technical comments from the Planning, Engineering and Fire Departments shall be addressed prior to the filing of this plat, including the following comments;

1. Adherence to Engineering and Fire Department standards.
2. Address all staff comments as listed in the Project Plan Review (see attached).

B) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Commission:

On August 25, 2015, the Planning and Zoning Commission recommended approval of the request by with staff conditions by a vote of 6 to 0 [One Vacancy].

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City of Rockwall

Project Plan Review History

				Applied	8/14/2015	LM
Project Number	P2015-035	**Owner**	ARCHIE UNDERWOO/DAN WALKER	**Approved**		
Project Name	Lakeside Veterinary Clinic	**Applicant**	ARCHIE UNDERWOOD	**Closed**		
Type	PLAT			**Expired**		
Subtype	REPLAT			**Status**	8/14/2015	LM
Status	STAFF REVIEW					

Site Address	**City, State Zip**	**Zoning**
801 E I30	ROCKWALL, TX	

Subdivision	**Tract**	**Block**	**Lot No**	**Parcel No**	**General Plan**
BERNICE	1	A	1	3100-000A-0001-00-0R	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	8/14/2015	8/21/2015	8/19/2015	5	APPROVED	
ENGINEERING	Amy Williams	8/14/2015	8/21/2015	8/14/2015		APPROVED	
FIRE	Ariana Hargrove	8/14/2015	8/21/2015	8/19/2015	5	APPROVED	
GIS	Lance Singleton	8/14/2015	8/21/2015				
PLANNING	David Gonzales	8/14/2015	8/21/2015	8/17/2015	3	COMMENTS	See comments

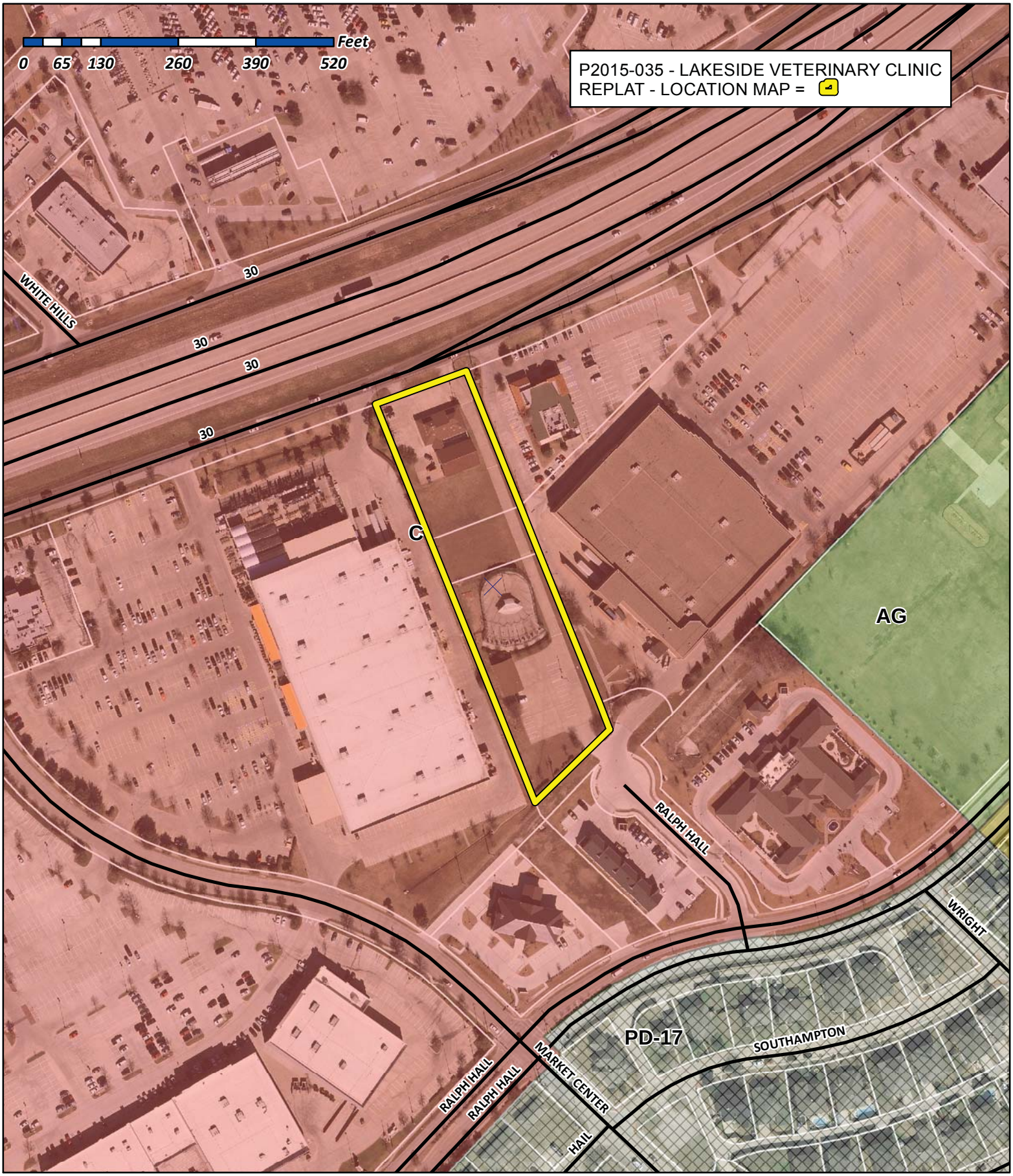
Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks

Discuss and consider a request by Archie Underwood and Dan Walker for the approval of a replat for Lots 1 & 2, Block A, Lakeside Veterinary Clinic Addition being a replat of two (2) parcels being 2.43-acres of land identified as Lot 1, Block A, Bernice Addition and Lakeside Batting Park Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 801 & 801B E. IH-30, and take any action necessary.

The following staff comments are to be addressed and resubmitted no later than Wednesday, September 2, 2015 (four large copies [18" X 24" FOLDED] and one PDF version) for a subsequent review by staff.

1. Adherence to all Engineering and Fire Department standards shall be required.
2. Provide a label indicating "Case No. P2015-035" on the lower right corner on all pages of the plat.
3. Change the Lot numbers to reflect the correct numbers for the new subdivision as Lot 1, Block A & Lot 2, Block A
4. Provide a label for the Point of Beginning (POB) on plat.
5. Exterior signage easement not to be within any easements - remove from plat.
6. Cabinet and Slide information adjacent to label "Original Lot Line" needs to be reprinted & legible.
7. Change title block to read as follows: Final Plat,....,Lot 1 and Lot 2, Block A,..., Being a replat of,...,2.43 Acres or 105,747 S.F. (2 Lots) - Verify the acerage total, application states 2.44.
8. Correct Owners Certificate on page 2 to indicate Lakeside Veterinary Clinic, Lot 1 and Lot 2, Block A,....
9. Correct Approved Signature Block on page 2 to indicate Lakeside Veterinary Clinic, Lot 1 and Lot 2, Block A,....
10. Correct Notary Certificate at top right corner of page 2 to indicate "Charles Walker." (both certs indicate Archie Underwood)

** As a note, this case will be placed on the Consent Agenda for approval by the Planning Commission and City Council; however, staff comments are to be addressed and all revisions resubmitted and approved by staff prior to plat submittalon mylar for filing purposes. **



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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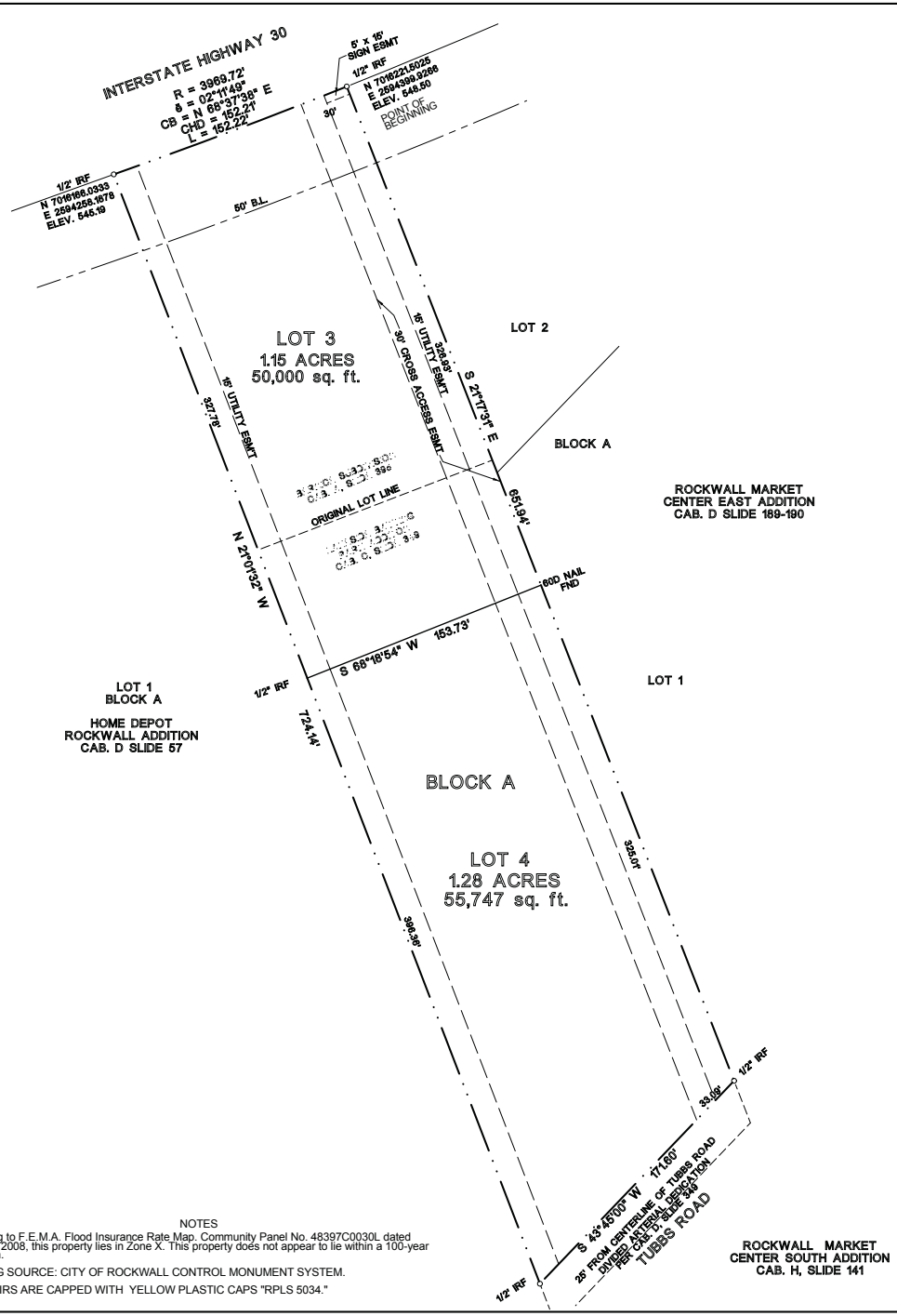

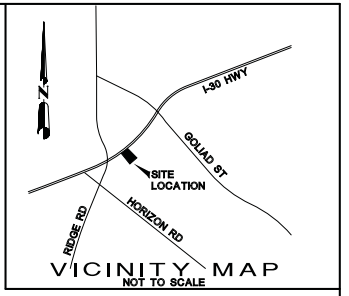

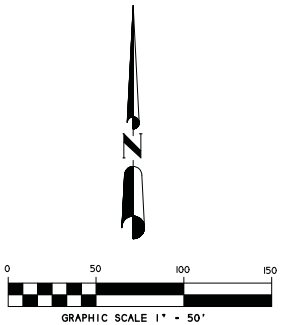

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0030L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

FINAL PLAT

LAKESIDE VETERINARY CLINIC ADDITION
LOT 3 AND LOT 4, BLOCK A

BEING A REPLAT OF
BERNICE SUBDIVISION AND
LAKESIDE BATTING PARK ADDITION
0.34 ACRES OR 14,740 S.F.
(1 LOT)

CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
SITUATED IN THE E.P. GAINES CHISUM SURVEY,
ABSTRACT NO. 64

SHEET 1 OF 2

SYMBOL LEGEND

OWNER/DEVELOPER:
ARCHIE H. UNDERWOOD
CHARLES WALKER
801 E. I-30, SUITE
ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE AUGUST 14, 2015
SCALE 1" = 50' FILE # 20001484-RP
CLIENT UNDERWOOD

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OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS ARCHIE UNDERWOOD and CHARLES WALKER, BEING THE OWNERS OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the E.P. GAINES CHISUM SURVEY, ABSTRACT NO. 64, City of Rockwall, Rockwall County, Texas, and being all of Lot 1, Block A of BERNICE SUBDIVISION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet A, Slide 395 of the Plat Records of Rockwall County, Texas, and being Lot 1, Block A of LAKESIDE BATTING PARK ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet C, Slide 349 of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the South right-of-way line of Interstate Highway 30, at the Northeast corner of said Bernice Subdivision, and also being at the Northwest corner of ROCKWALL MARKET CENTER EAST, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet D, Slide 189-190 of the Plat Records of Rockwall County, Texas;

THENCE S. 21 deg. 17 min. 31 sec. E. along the common line between said additions, at 245.00 feet pass a 1/2" iron rod found at the Southeast corner of said Bernice Subdivision, and at the Northeast corner of said Lakeside Batting Park Addition, and continuing for a distance of 651.94 feet to a 60d nail found for corner in the Northwest right-of-way line of Tubbs Road;

THENCE S. 43 deg. 45 min. 00 sec. W. along said right-of-way line, a distance of 171.60 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner in the Southwest line of said Lakeside Batting Park Addition;

THENCE N. 21 deg. 01 min. 32 sec. W., at 478.3 feet pass a 1/2" iron rod found for corner at the Northwest corner of said Lakeside Batting Park Addition, and the Southwest corner of said Bernice Subdivision, and continuing for a total distance of 724.14 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner in the Southeast right-of-way line of Interstate Highway 30;

THENCE in a Northeasterly direction along a curve to the left having a central angle of 02 deg. 11 min. 49 sec., a radius of 3969.72 feet, a tangent of 76.12 feet, a chord of N. 68 deg. 37 min. 38 sec. E., 152.21 feet, along said right-of-way line, an arc distance of 152.22 feet to the POINT OF BEGINNING and containing 2.43 acres of land or 105,747 square feet of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as LAKESIDE VETERINARY CLINIC ADDITION, LOT 3 AND LOT 4, BLOCK A, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains,easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of th eir respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maint aining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Roc kwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer an d/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as p rogress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City. We , our successors and assigns hereby waive any claim, damage, or cause of action that We may have as a result of the dedication of exaction's made herein.

_____
ARCHIE UNDERWOOD

_____
CHARLES WALKER

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared ARCHIE UNDERWOOD known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representa tion, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared ARCHIE UNDERWOOD known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, _____.

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

STATE OF TEXAS · REGISTERED · HAROLD D FETTY III · 5034 · PROFESSIONAL · LAND SURVEYOR

_____
Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of LAKESIDE VETERINARY CLINIC ADDITION LOT 3 AND LOT 4, BLOCK A, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ___ day of _____, ___.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____ ,_____.

_____ _____
Mayor, City of Rockwall City Secretary City of Rockwall

_____ _____
City Engineer Date

FINAL PLAT

LAKESIDE VETERINARY CLINIC ADDITION

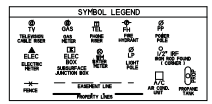
BEING A REPLAT OF
BERNICE SUBDIVISION AND
LAKESIDE BATTING PARK ADDITION

0.34 ACRES OR 14,740 S.F.
(1 LOT)

CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
SITUATED IN THE E.P. GAINES CHISUM SURVEY,
ABSTRACT NO. 64

SHEET 2 OF 2

SYMBOL LEGEND



OWNER/DEVELOPER:
ARCHIE H. UNDERWOOD
CHARLES WALKER
801 E. I-30, SUITE
ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE AUGUST 14, 2015
SCALE 1" = 50' FILE # 20001484-RP
CLIENT UNDERWOOD

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CITY OF ROCKWALL, TEXAS
FIRE DEPARTMENT
MEMORANDUM

DATE: **August 18, 2015**

TO: **Mayor & City Council Members**

FROM: **Mark Poindexter, Fire Chief**

SUBJECT: **Inter-local Agreement with Rockwall County for Fire Protection Service**

Background:

Attached you will find the Inter-local Agreement with Rockwall County for fire protection. The agreement covers fires and emergency calls for service within the unincorporated portions of the County. The attached agreement is exactly the same as our current approved agreement for 2014-2015. The amount of revenue provided under this agreement is $58,250.00.

Request:

Staff is available to answer any questions you may have.

STATE OF TEXAS §
COUNTY OF ROCKWALL §
CITY OF ROCKWALL §

INTERLOCAL AGREEMENT FOR FIRE PROTECTION SERVICES

THIS AGREEMENT is made and entered into by and between the County of Rockwall, Texas, hereinafter referred to as "County" and the City of Rockwall, Texas, hereinafter referred to as "City" or "Rockwall".

WITNESSETH:

WHEREAS, pursuant to §352.001(b)(3) of the Texas Local Government Code, a county is authorized to execute interlocal agreements with any city, town or village within such county to provide fire protection services to the citizens of any such county residing outside the corporate limits of any city, town or village; and

WHEREAS, pursuant to Chapter 791 of the Texas Government Code, the City is authorized to execute interlocal agreements with a county to provide governmental services and functions such as fire protection; and

WHEREAS, the City is the owner of certain trucks and other equipment designed for and capable of being used in the protection of persons and property from and in the suppression and fighting of fires; and

WHEREAS, the County desires to obtain such services for its citizens residing in unincorporated areas of the County, and the City is willing to provide such services as hereinafter set forth and provided.

NOW, THEREFORE, it is mutually agreed by and between the parties hereto as follows:

Section 1. That the recitals set forth above are true and correct and incorporated herein.

Section 2. Definitions. The following words shall have the following meanings when used in this Agreement:

a) "Call" means each response by the City of Rockwall Fire Department to rescues, auto accidents, actual fire, false alarms, fires to be found extinguished on arrival of the City's fire unit or units, potential fire situations or emergencies.

b) "Chief Administrative Officer" means the Mayor or City Manager of the City.

c) "District" means the area within the boundaries of Rockwall County, Texas, for which the City of Rockwall Fire Department has permanent responsibility for first alarm response to fires in such district. This includes Public Protected Classification, outside protected areas, and Fire Districts defined by the Texas Department of Insurance.

d) "Employed" means a fire fighter who is paid a salary by the City, or volunteer fire fighter.

e) "Fire Chief" means the Fire Chief of the City or his duly authorized designees.

f) "Fire Fighter" means a fire fighter of the City.

g) "Requesting Party" means the entity requesting fire protection assistance from the City for fire services for residents of the County, but not living within any city's incorporated limit.

Section 3. The parties hereto hereby agree that the City will provide fire equipment and services to points in the County which are outside the corporate limits of any city in the County, but inside the boundary limits known as First Alarm County District for the City. Areas outside such boundary shall be known as the Second Alarm County District for the City, and a closer fire department shall be notified for first response.

Section 4. In consideration of such service, the County will pay to the City the sum of Fifty-Eight Thousand Two Hundred and Fifty (58,250.00) dollars for calls outside the corporate limits of any city in the County subject to annual funding approval by the Rockwall County Commissioner's Court during the regular budget process. Said payment shall be made on an annual basis upon written request from the City to the Rockwall County Auditor and will be payable within thirty (30) days after receipt of such, by the Auditor's Office.

Section 5. County hereby gives and grants to the City full and complete authority to operate its fire fighting vehicles on and over public roads, highways, and other thoroughfares of the County and other public places.

Section 6. City shall, at its own cost and expense, purchase and keep in force at all times insurance for the minimum amount of liability under the Texas Tort Claims Act. City agrees to provide copies of such policy or policies of insurance and/or other evidence satisfactory to the County Auditor of Rockwall County, Texas.

Section 7. The Fire Chief shall be the sole judge of the amount and type of equipment and number of personnel dispatched to calls made pursuant to this Agreement. Said Fire Chief, or his designee, shall be in charge of the firefighting techniques used in response to any calls.

For each call made pursuant to this Agreement, the Fire Chief shall prepare a report showing the date, location, and description of the call. True copies of such reports shall be on file with the Fire Chief and available for review by the County Auditor or Commissioner's Court of the County.

Section 8. City hereby agrees to render services to other Fire Districts within the County if backup emergency assistance is requested. The City's fire fighters shall report to the Requesting Party's Officer In Control at the location to which they have been assigned, and shall be under the command of the Requesting Party's Fire Chief and will be released when their services are no longer required.

Calls for assistance may be aborted only by (1) another Fire Department at the scene; (2) an officer of the Sheriff's Department at the scene; (3) a State Department of Public Safety Officer at the scene; (4) the responding department's Fire Chief or designee; (5) or Dispatch.

Section 9. While any fire fighter, regularly employed as such by the City, is in the service of the Requesting Party, such fire fighter shall be a fire fighter of the Requesting Party and be under the command of the Requesting Party's Chief, with all the powers of a regular fire fighter of the Requesting Party, as fully as if such fire fighter were within the territorial limits of the governmental entity where such fire fighter is regularly employed. A fire fighter's qualifications for employment by the governmental entity by which he or she is regularly employed shall constitute such fire fighter's qualifications for such position within the territorial limits of the Requesting Party, and no other oath, bond or compensation need be made.

Section 10. Each party to this Agreement expressly waives the right to recovery from the other party for reimbursement of wages, disability, pension payments, damages to equipment and clothing, medical expenses, travel, food and lodging expenses.

Section 11. Any fire fighter or other person who is assigned, designated or ordered by the Fire Chief of the party which regularly employs such, to perform duties pursuant to this Agreement, shall receive the same wages, salary, pension, compensation and all other rights for such service, including injury benefits, death benefits, and worker's compensation benefits, as if the service had been rendered within the territorial limits of the party where such fire fighter is regularly employed. Moreover, all wage and disability payments, including worker's compensation benefits, pension payments, damage to equipment and clothing, medical expenses, and expenses of travel, food and lodging, shall be paid by the party which regularly employs such person in the same manner as if the service had been rendered within the territorial limits of the party where such fire fighter is regularly employed.

Section 12. In the event that any person performing fire fighting services pursuant to this Agreement shall be cited as a party to any civil lawsuit, state or federal, arising out of the performance of those services, such fire fighter shall be entitled to the same benefits that he or she would be entitled to receive if such civil action had arisen out of the performance of such person's

duties as a member of the department where and in the jurisdiction of the party where such person is regularly employed.

Section 13. Each party to this Agreement expressly waives all claims against the other party for compensation arising from loss, damage, personal injury or death occurring as a consequence of the performance of this Agreement.

Section 14. Third party claims against parties hereto shall be governed by the Texas Tort Claims Act or other appropriate statutes, charters and ordinances of the parties.

Section 15. It is expressly understood and agreed that by executing this Agreement, neither party waives, nor shall be deemed hereby to waive, any immunity or defense that would otherwise by available to it, against claims arising in the exercise of governmental powers and functions.

Section 16. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors and assigns.

Section 17. This Agreement shall be governed by and constructed in accordance with the laws of the State of Texas. Venue shall be in Rockwall County, Texas.

Section 18. If any one or more of the provisions contained in this Agreement shall, for any reason, be held to be invalid, illegal or unenforceable in any respect, such invalidity or illegality shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein, and shall not render the entire Agreement invalid.

Section 19. This Agreement constitutes the entire Agreement and understanding between parties. Any modification, change or amendment to this Agreement shall be in writing and approved by both parties.

Section 20. This Agreement shall become effective as of October 1, 2015 and shall continue through September 30, 2016

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed under authority of appropriate action taken by their respective governing bodies.

COUNTY OF ROCKWALL, TEXAS

~~David Sweet~~ J. David Magness
County Judge pro tem

CITY OF ROCKWALL, TEXAS

_____
Jim Pruitt, Mayor

_____
Fire Chief

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Texas Air Center

1701 Airport Road
Rockwall, Texas 75087
Ph: 972.771.0151
E-Mail: tparks@texasaircenter.com

Council Members and Mayor;

On August 17th I met with the airport advisory committee to discuss Texas Air Center's request to modify the operating hours of the FBO. It is my understanding that each of you have been provided fuel sales data detailing fuel sales for each Sunday dating back to April 1st of 2014. The data depicts gross margin dollars and labor costs for each Sunday and highlights a loss of approximately $8300.00 directly attributable to historical and present day demand for services provided on Sundays. Additionally it should be noted that the airport faces low demand for line services in general as detailed in the annual report submitted to council in April of 2015. GIven the low demand for line services we are requesting that you approve changes to the FBO operating hours as follows;

Monday through Friday - change opening time from 7:00 AM to 8:00 AM and closing time from 7:00 PM to 5:00 PM

Saturday - Change opening time from 7:00 AM to 8:00 AM and closing time from 7:00 PM to 4:00 PM.

Sunday - We currently open at 7:00 AM and close at 7:00 PM. We are requesting that the FBO be closed on Sundays.

The airport will remain open to air traffic and, if the council wishes, we can also provide access to the terminal on a 24 hour basis through the installation of coded locks. This would actually increase based and transient user's access to the terminal lobby, restrooms and flight planning facilities. Security would continue to be provided by the Rockwall police department and our recommendation would be to request additional drive through patrols of the airport at random times during the evening. To date we have not had problems with theft or vandalism at the airport. The cost to the city for the proposed changes to the FBO operating hours would be minimal and within budgeted amounts for airport facility repairs. These costs would include the installation of the coded locks which run anywhere from $125.00 to $200.00 each plus installation. Higher end commercial locks are available as well but at substantially more cost.

Texas Air Center's staff have worked diligently to provide the flying public with the best possible support. Based on current demand the changes we are proposing will have substantially no impact on user's ability to operate into and out of the airport. If approved the changes will be announced to airport tenants by e-mail and mailed correspondence detailing the new hours. Customers will be encouraged to make

Texas Air Center

arrangements for fuel before hand if they anticipate departing outside the proposed operating hours. For those needing fuel after hours we will provide call out services on a fee basis.

Our business and the general aviation industry as a whole face significant challenges. A relatively flat economy, low oil prices, weather, and operating costs all play a role in the industry's profitability. We will survive by insuring that our operating expenses are kept as low as possible while maintaining the highest levels of service possible. Your approval of this request will help insure that Texas Air Center remains financially stable and able to meet the expectations of airport users and city management for the remainder of the FBO contract. If I can answer any questions or address any concerns please let me know. We are eager to provide each council member the information they need to make decisions regarding the airports operation and future use.

Bets Regards,

Todd Parks
Managing Partner

Texas Air Center, LLC
Sunday Sales Data
Apr 2014 - July 2015

Date	Gross Profit	Lost Profit (If Closed On Sunday)	Labor Cost	Daily Profit/ (Loss)
April 6, 2014	$82.58	$36.08	$144.00	(107.92)
April 13, 2014	$0.00	$0.00	$144.00	(144.00)
April 20, 2014	$0.00	$0.00	$144.00	(144.00)
April 27, 2014	$28.28	$0.00	$144.00	(144.00)
May 4, 2014	$34.34	$34.34	$144.00	(109.66)
May 11, 2014	$48.18	$0.00	$144.00	(144.00)
May 18, 2014	$86.36	$25.96	$144.00	(118.04)
May 25, 2014	$100.70	$16.36	$144.00	(127.64)
June 1, 2014	$157.97	$107.07	$144.00	(36.93)
June 8, 2014	$63.33	$14.14	$144.00	(129.86)
June 15, 2014	$49.69	$49.69	$144.00	(94.31)
June 22, 2014	$108.12	$33.89	$144.00	(110.11)
June 29, 2014	$46.36	$46.36	$144.00	(97.64)
July 6, 2014	$152.93	$0.00	$144.00	(144.00)
July 13, 2014	$80.43	$18.38	$144.00	(125.62)
July 20, 2014	$91.67	$14.70	$144.00	(129.30)
July 27, 2014	$78.54	$28.98	$144.00	(115.02)
August 3, 2014	$76.34	$64.79	$144.00	(79.21)
August 10, 2014	$0.00	$0.00	$144.00	(144.00)
August 17, 2014	$134.93	$110.67	$144.00	(33.33)
August 24, 2014	$60.59	$37.28	$144.00	(106.72)
August 31, 2014	$148.71	$93.06	$144.00	(50.94)
September 7, 2014	$49.77	$49.77	$144.00	(94.23)
September 14, 2014	$16.80	$0.00	$144.00	(144.00)
September 21, 2014	$19.53	$0.00	$144.00	(144.00)
September 28, 2014	$39.06	$0.00	$144.00	(144.00)
October 5, 2014	$57.54	$42.74	$144.00	(101.26)
October 12, 2014	$64.58	$42.11	$144.00	(101.89)
October 19, 2014	$89.04	$0.00	$144.00	(144.00)
October 26, 2014	$131.88	$0.00	$144.00	(144.00)
November 2, 2014	$55.55	$0.00	$144.00	(144.00)
November 9, 2014	$60.38	$0.00	$144.00	(144.00)
November 16, 2014	$76.02	$0.00	$144.00	(144.00)
November 23, 2014	$0.00	$0.00	$144.00	(144.00)
November 30, 2014	$0.00	$0.00	$144.00	(144.00)
December 7, 2014	$160.00	$17.70	$144.00	(126.30)
December 14, 2014	$0.00	$0.00	$144.00	(144.00)
December 21, 2014	$139.50	$0.00	$144.00	(144.00)
December 28, 2014	$69.09	$19.64	$144.00	(124.36)
January 4, 2015	$128.15	$53.38	$144.00	(90.62)
January 11, 2015	$0.00	$0.00	$144.00	(144.00)
January 18, 2015	$87.79	$21.11	$144.00	(122.89)
January 25, 2015	$98.28	$0.00	$144.00	(144.00)
February 1, 2015	$0.00	$0.00	$144.00	(144.00)
February 8, 2015	$130.39	$68.36	$144.00	(75.64)
February 15, 2015	$85.54	$39.78	$144.00	(104.22)
February 22, 2015	$0.00	$0.00	$144.00	(144.00)
March 1, 2015	$0.00	$0.00	$144.00	(144.00)
March 8, 2015	$0.00	$0.00	$144.00	(144.00)
March 15, 2015	$113.91	$43.43	$144.00	(100.57)
March 22, 2015	$96.90	$10.32	$144.00	(133.68)
March 29, 2015	$150.10	$105.00	$144.00	(39.00)
April 5, 2015	$44.36	$44.36	$144.00	(99.64)
May 12, 2015	$0.00	$0.00	$144.00	(144.00)
April 19, 2015	$89.27	$58.30	$144.00	(85.70)
April 26, 2015	$88.70	$0.00	$144.00	(144.00)
May 3, 2015	$211.35	$74.59	$144.00	(69.41)
May 10, 2015	$0.00	$0.00	$144.00	(144.00)
May 17, 2015	$0.00	$0.00	$144.00	(144.00)
May 24, 2015	$34.71	$0.00	$144.00	(144.00)
May 31, 2015	$70.47	$0.00	$144.00	(144.00)
June 7, 2015	$71.43	$16.88	$144.00	(127.12)
June 14, 2015	$18.27	$18.27	$144.00	(125.73)
June 21, 2015	$0.00	$0.00	$144.00	(144.00)
June 28, 2015	$37.53	$0.00	$144.00	(144.00)
July 5, 2015	$175.05	$125.46	$144.00	(18.54)
July 12, 2015	$46.62	$21.87	$144.00	(122.13)
July 19, 2015	$93.96	$93.96	$144.00	(50.04)
July 26, 2015	$67.95	$0.00	$144.00	(144.00)
Totals	$4,599.53	$1,698.78	$9,936.00	(8,237.22)

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Casey, Jacky

Subject: FW: Meeting Request

-----Original Message-----
From: Jim Smith
Sent: Friday, September 04, 2015 11:27 AM
To: Crowley, Rick
Cc: Smith, Mary; Griggs, Brad; Cole, Kristy; Perez, Laura
Subject: Re: Meeting Request

Yes, please setup the "appointment" for the council meeting.

Sent from my iPhone

> On Sep 4, 2015, at 11:11 AM, Crowley, Rick <RCrowley@rockwall.com> wrote:
>
> Mr. Smith
>
> Mayor Pruitt indicated that you may want an appointment item on the City Council agenda to discuss drones. If so, do you want that to be at the meeting next Tuesday evening? Since I am out if the office today, if you want an appointment item please let us know by "reply all". So that we can get it on the agenda.
>
> Thanks,
> Rick

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **September 3, 2015**

SUBJECT: **Fiscal Year 2016 Ad Valorem Taxes and Proposed Budget**

The Council held the budget work session on August 31 and reviewed the Proposed FY16 Budget in detail. The Proposed budget includes the following highlighted items, which will be covered in the staff commentary prior to the Public Hearing.

- 4 additional personnel including Public Relations/Marketing Manager, a Dispatcher, part-time Bailiff and a part time AP Clerk.
- $1million dollars in street repair materials
- Equipment used for Street Maintenance totaling more than $400,000
- Fire Department equipment including full replacement of SCBA airpacks and replacement of a Pumper
- Youth Explorer Program in the Police Department and other organizational changes in the department which will enhance community connections

Prior to adoption of the budget, the Charter requires a public hearing. The budget is based on the Effective Tax rate so additional public hearings are not required although the tax rate itself is certainly a subject that may be discussed during the Public Hearing.

STAR Transit

Funding for STAR Transit is still left to be determined in the proposed budget. We were told as much as $177,000 would be needed from City of Rockwall during the second 6 months of the budget year but after further talks with our consultants and the County having had discussions with STAR this may significantly lower. That information is still being developed and will be presented at the work session on Tuesday.

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Fire Department

At the close of the budget work session, management staff was asked to consider how the Fire Department overtime might be impacted by the addition of 1 – 2 – 3 additional firefighters as were requested and disapproved in the budget. As proposed, the additional firefighters would increase the minimum staffing in a fire station and cause an increase in overtime in order to cover shifts when one of them was off duty for any reason. Current firefighter shifts, which are all considered in minimum staffing, are filled with either part time or full time staff on overtime when someone is off for a day

After review and meeting with Chief Poindexter and Battalion Chief Merritt, we were able to determine that 3 new firefighters could be added with a corresponding reduction of overtime of approximately $130,000. We can achieve overtime savings if we do not add to the new firefighters to minimum staffing and assume each new firefighter is assigned to A-B-C shifts to then cover days off for other firefighters who are included in minimum staff and for which we currently pay overtime to cover their days off. Each new firefighter would not be assigned to a particular station but would instead float between stations to fill open shifts. On those days when no other firefighters were off then the new person would be an additional firefighter on duty. Best case scenario this could be as much as 1/3 of the time. The budget proposal was $295,614 and the calculated best-case reduction of overtime is $130,000 leaving a net cost to be funded of $165,000 for 3 firefighters, which includes $27,000 of first year cost such as recruiting and equipment.

Conclusions

As the proposed budget was prepared, we left approximately $240,000 of current revenues unallocated in order to address any proposals, which might merit funding and arise during the process of budget consideration.

Council will need to hold the Public Hearing and provide staff direction on the above Fire Department and STAR Transit items.

The proposed budget will be considered for adoption at the September 21st meeting.

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **September 4, 2015**

SUBJECT: **Fire Department Call Volume**

In an effort to provide the City Council with additional information that may be considered with the adoption of the FY 15-16 budget, the following data was collected from the CAD (Computer Aided Dispatch) system regarding the number and type of call runs made from each of the four fire stations. The time period for the data collected was June 24, 2014 through June 24, 2015.

Call Runs:

The fire department responded to close to 1,000 calls per year and approximately 50% of the calls have more than one station responding. During the period from which the data was collected, the call volume corresponded to 1,475 station runs. Copies of the Station Runs by Incident Type has been attached for each station and the total for all stations

Station 1: Station 1 made the most runs of the four stations with 540 station runs. This equates to 1.48 runs per 24 hour shift.

Station 2: Station 2 made 424 runs for the 12 month period and is the second busiest station. Station 2 personnel responded to an average of 1.16 calls per 24 hour shift.

Station 3: Station 3 made 253 runs between June 2014 and June of 2015. On average, Station 2 personnel made .69 runs per 24 hour shift or roughly 2 runs every three 24 shifts.

Station 4: Station 4 numbers are equal to Station 3 numbers with 253 runs during the same time period. Station personnel can expect to make two runs every three 24 hour shifts.

Total: Between the four stations, there were 1,475 station runs based on roughly 1,000 calls averaging 4 runs per day between the four stations.

Call Types:

When examining the Station Runs by Incident Type data, of the 1,475 station runs, a sampling of the type of calls and the number during the 12 month period are reflected below:

Public Service/Non-Paged	130
No Incident Found on Arrival	58
Dispatched and cancelled Enroute	51
Alarm System Activated/No Fire	120
Detector Activated/No Fire	20
Smoke Detector Activated/No Fire	79
Smoke Detector Activation Malfunction	58
False Alarm/False Call	29
Building Fire	24
Grass Fire	29

It is important to remember that the fire department's value cannot be judged solely on the type and volume of calls that are directed towards them. The value must include the "readiness factor" which is the ability to handle a situation with the available resources such as manpower and equipment and other factors such as communication tools, water availability and mutual aid agreements. We are very fortunate to have a well trained group of volunteers/part time firefighters that provide assistance to our full time staff when the need arises.

Station Runs By Incident Type

City of Rockwall
The New Horizon

Print Date/Time: 06/24/2015 09:23
Login ID: rck\fdunlop
Station: *All

From Year: 2014
To Year: 2015
Incident Type: *All

Rockwall Fire Department
FDID Number: TX504

Type of Situation Found	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Invalid or No Value Entered	0	1	1	0	1	2	2	3	0	0	2	1	13
Public service - Non paged	16	15	10	10	16	13	7	3	4	10	19	7	130
No incident found on arrival	12	8	3	6	4	8	3	1	2	5	2	4	58
Motor vehicle acc with no	0	0	1	0	1	4	0	0	0	0	0	0	6
Authorized controlled burning	2	2	2	1	2	0	2	0	0	1	0	1	13
Dispatched & canceled enroute	3	8	9	5	7	7	1	3	4	1	1	2	51
Good intent call, other	0	0	1	0	0	0	0	0	0	0	1	0	2
Unauthorized burning	1	0	0	0	2	1	2	0	0	1	0	0	7
Public service	10	6	7	9	15	9	2	6	1	3	1	2	71
Police matter	0	1	0	0	0	0	0	0	0	0	0	0	1
Assist police or oth gov agncy	14	20	23	15	14	15	5	8	5	4	4	9	136
Public service assistance, oth	4	0	2	1	5	1	0	0	0	0	3	1	17
Smoke or odor removal	2	0	1	0	0	0	1	0	0	0	1	0	5
Water evacuation	0	0	0	0	0	0	0	1	0	0	0	0	1
Lock-out	0	2	0	0	0	1	0	0	0	0	0	0	3
Person in distress, other	0	0	0	0	0	0	0	0	0	0	1	0	1
Vehicle acc, general cleanup	0	0	0	0	0	0	0	0	0	0	1	0	1
Aircraft standby	0	0	0	0	0	1	0	0	0	0	0	0	1
Arcing, shorted elect equip	4	1	2	1	0	2	0	0	2	5	0	1	18
Power line down	4	2	3	11	9	6	3	2	0	12	2	0	54
Overheated motor	2	2	0	1	1	0	1	0	0	0	0	2	9
Heat from short circuit wiring	0	1	0	0	0	0	1	0	1	0	0	0	3
Electrical wiring/equipment pr	1	0	0	1	2	1	0	1	0	1	1	0	8
Radioactive condition, other	0	0	0	0	0	0	0	0	1	0	0	0	1
Carbon monoxide incident	0	1	0	0	0	0	0	0	0	2	0	0	3
Chemical spill or leak	0	0	0	0	0	1	0	0	0	0	0	0	1

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Station Runs By Incident Type

City of Rockwall
The New Horizon

Print Date/Time: 06/24/2015 09:23
Login ID: rck\fdunlop
Station: *All

From Year: 2014
To Year: 2015
Incident Type: *All

Rockwall Fire Department
FDID Number: TX504

Oil or other combustible liq	0	0	0	0	0	0	0	0	0	0	1	0	1
Carbon monoxide detector act	0	1	1	2	2	2	0	1	0	0	0	0	9
Alarm sys act, no fire Uninten	12	6	10	13	24	16	2	5	5	10	9	8	120
Detector act, no fire -uni	3	2	3	2	0	2	1	1	1	3	2	0	20
Smoke detector activate, no fi	12	13	10	6	9	3	4	0	3	6	4	9	79
Extinguishing system act.	0	1	0	0	0	1	0	0	0	0	1	1	4
Sprinkler activate, no fire -	2	4	3	0	1	0	1	0	1	2	1	0	15
Unintentional trans. of alarm	8	1	3	1	4	3	4	2	1	2	1	2	32
CO detector act due to malf	3	3	3	3	2	0	1	1	0	1	0	0	17
Alarm system sounded malfun	9	7	5	6	15	10	7	5	3	3	5	1	76
Heat detector activation malf	0	0	0	0	0	1	0	0	0	0	0	1	2
Smoke detector act. malf.	24	5	3	4	8	5	1	0	4	3	1	0	58
Extinguishing system malf.	0	0	0	1	0	1	0	0	0	0	0	0	2
Sprinkler action due to malf	9	2	3	0	0	5	0	0	0	0	0	1	20
System malfunction, other	1	2	0	1	0	1	0	0	0	0	0	1	6
Local alm sys, mal false alm	0	0	0	1	0	0	0	0	0	0	0	0	1
Central station, mal false alm	0	0	0	1	1	0	0	0	0	1	0	0	3
Municipal alarm system, malic	0	0	0	0	0	0	0	0	0	0	0	1	1
False alarm or false call,othe	2	1	3	4	6	6	1	2	1	2	0	1	29
HazMat release investigation	2	2	10	5	1	1	3	1	1	1	0	0	27
EMS party trans by non fire	0	0	0	0	0	0	0	1	0	0	0	0	1
Smoke from BBQ, tar kettle	0	2	0	0	0	0	0	0	1	1	0	0	4
Steam, vapor, fog or dust thou	1	5	1	2	5	1	1	1	2	0	1	1	21
Smoke scare, odor of smoke	8	8	3	9	4	1	4	2	4	1	4	4	52
Steam, oth gas mistak for smk	1	0	0	0	1	0	0	0	0	0	0	0	2
Prescribed fire	1	0	0	0	0	0	0	0	0	0	0	0	1
Special type of incident, oth	0	0	0	1	0	0	0	0	0	0	1	0	2

200

200

Station Runs By Incident Type

City of Rockwall
The New Horizon

Print Date/Time: 06/24/2015 09:23
Login ID: rck\fdunlop
Station: *All

From Year: 2014
To Year: 2015
Incident Type: *All

Rockwall Fire Department
FDID Number: TX504

Lightning strike (no fire)	0	0	0	1	1	0	1	0	0	0	0	0	3
Medical assist,assist EMS crew	4	2	2	2	1	3	0	2	1	0	1	2	20
Rescue, EMS incident, other	0	0	0	0	0	0	0	0	0	1	0	0	1
Fireworks explosion (no fire)	0	1	0	0	0	0	0	0	0	0	0	0	1
Dumpster or oth outside trash	2	2	2	0	0	0	0	0	0	1	0	1	8
Outside rubbish, trash ,waste	1	0	1	0	1	0	0	0	1	1	0	0	5
OTHER Outside rubbish fire	2	0	1	0	1	1	0	0	0	0	1	0	6
Grass fire	5	4	2	2	2	3	2	2	2	2	2	1	29
Brush or brush-and-grass mix	2	0	0	2	1	0	1	0	0	0	1	1	8
Self-propelled mtr home or rec	1	0	0	0	0	0	0	0	0	0	0	0	1
Water vehicle fire	0	0	0	0	0	0	0	0	1	0	0	0	1
Road freight transprt veh fire	0	0	1	0	0	0	0	0	0	0	0	0	1
Passenger vehicle fire	3	1	2	0	2	2	1	1	1	1	0	0	14
Fire mobile home fixed resd	1	0	0	0	0	0	0	0	0	0	0	0	1
Other-Fire mobile prop fixed str	0	0	0	1	0	0	0	0	0	0	0	0	1
Trash or rubbish fire, contain	0	0	0	0	0	1	0	0	0	0	0	0	1
Fuel burner/boiler malf conf.	0	0	0	0	0	1	0	0	0	0	1	0	2
Cooking fire,confined	2	1	1	0	0	0	0	0	1	0	1	1	7
Fires struct oth than in bldg	0	0	0	1	0	0	0	0	1	1	0	0	3
Building fire	5	3	4	1	4	2	0	1	1	1	0	2	24
Gas leak natural gas or LPG	7	4	6	7	6	7	3	6	1	1	6	6	60
Gasoline or oth flammable liqu	0	1	1	1	1	1	2	1	2	1	2	1	14
Watercraft rescue	0	0	1	0	0	0	0	0	0	0	0	0	1
Swift water rescue	0	0	0	0	0	1	0	0	0	0	0	0	1
Water & ice-related rescue,oth	0	0	0	0	3	1	0	1	0	0	0	0	5
Reml of vic(s) stalled elev	2	0	3	0	1	0	0	1	2	2	0	0	11
Extrication of vict from veh	0	1	0	0	2	2	1	0	0	0	0	0	6

201

201

Station Runs By Incident Type

City of Rockwall
The New Horizon

Print Date/Time: 06/24/2015 09:23
Login ID: rck\fdunlop
Station: *All

From Year: 2014
To Year: 2015
Incident Type: *All

Rockwall Fire Department
FDID Number: TX504

Extrication, rescue, other	0	1	0	0	0	0	0	1	0	0	1	0	3
Search for lost person, other	0	0	0	0	0	0	0	0	0	0	1	0	1
Lock-in (if lock out use 511)	0	0	0	1	0	2	0	0	0	0	0	0	3
Motor vehicle acc with inj	3	0	0	2	1	1	1	0	1	2	2	0	13
EMS call excluding vehicle acc	0	0	1	0	0	0	0	0	0	0	0	0	1
GRAND TOTALS	213	156	154	144	189	159	72	66	62	95	89	76	1475

202

202

Station Runs By Incident Type

City of Rockwall
The New Horizon

Print Date/Time: 06/24/2015 09:29
Login ID: rck\fdunlop
Station: Rockwall 1

From Year: 2014
To Year: 2015
Incident Type: *All

Rockwall Fire Department
FDID Number: TX504

Type of Situation Found	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Invalid or No Value Entered	0	1	0	0	1	1	0	0	0	0	0	0	3
Public service - Non paged	7	6	4	4	3	4	4	1	0	5	10	3	51
No incident found on arrival	5	4	1	1	2	5	1	0	1	2	1	1	24
Motor vehicle acc with no	0	0	0	0	0	3	0	0	0	0	0	0	3
Authorized controlled burning	0	0	2	0	0	0	0	0	0	1	0	0	3
Dispatched & canceled enroute	0	3	2	3	3	3	0	0	1	1	0	1	17
Good intent call, other	0	0	0	0	0	0	0	0	0	0	1	0	1
Unauthorized burning	0	0	0	0	1	1	1	0	0	0	0	0	3
Public service	2	1	5	4	6	3	1	2	0	2	1	0	27
Police matter	0	1	0	0	0	0	0	0	0	0	0	0	1
Assist police or oth gov agncy	4	13	11	4	3	4	2	3	2	1	2	5	54
Public service assistance, oth	0	0	0	0	0	0	0	0	0	0	1	0	1
Smoke or odor removal	1	0	0	0	0	0	1	0	0	0	0	0	2
Lock-out	0	1	0	0	0	0	0	0	0	0	0	0	1
Person in distress, other	0	0	0	0	0	0	0	0	0	0	1	0	1
Aircraft standby	0	0	0	0	0	1	0	0	0	0	0	0	1
Arcing, shorted elect equip	2	0	1	1	0	1	0	0	1	1	0	1	8
Power line down	2	1	2	2	5	3	2	1	0	3	1	0	22
Overheated motor	1	0	0	0	0	0	0	0	0	0	0	1	2
Heat from short circuit wiring	0	0	0	0	0	0	1	0	0	0	0	0	1
Electrical wiring/equipment pr	0	0	0	1	1	0	0	1	0	0	0	0	3
Carbon monoxide incident	0	1	0	0	0	0	0	0	0	0	0	0	1
Chemical spill or leak	0	0	0	0	0	1	0	0	0	0	0	0	1
Oil or other combustible liq	0	0	0	0	0	0	0	0	0	0	1	0	1
Carbon monoxide detector act	0	0	0	0	0	1	0	0	0	0	0	0	1
Alarm sys act, no fire Uninten	5	1	3	6	12	11	1	0	1	4	3	2	49

203

Station Runs By Incident Type

City of Rockwall
The New Horizon

Print Date/Time: 06/24/2015 09:29
Login ID: rck\fdunlop
Station: Rockwall 1

From Year: 2014
To Year: 2015
Incident Type: *All

Rockwall Fire Department
FDID Number: TX504

Detector act, no fire -uni	0	1	0	0	0	0	1	0	1	3	0	0	6
Smoke detector activate, no fi	5	6	3	2	1	1	0	0	0	1	3	4	26
Extinguishing system act.	0	0	0	0	0	0	0	0	0	0	0	1	1
Sprinkler activate, no fire -	0	1	1	0	1	0	0	0	0	0	1	0	4
Unintentional trans. of alarm	1	0	1	0	1	1	1	0	0	1	1	0	7
CO detector act due to malf	2	3	2	2	0	0	0	0	0	0	0	0	9
Alarm system sounded malfun	4	2	4	1	4	4	4	2	1	3	2	0	31
Heat detector activation malf	0	0	0	0	0	1	0	0	0	0	0	0	1
Smoke detector act. malf.	6	1	2	0	0	0	1	0	0	2	1	0	13
Sprinkler action due to malf	2	2	1	0	0	1	0	0	0	0	0	0	6
System malfunction, other	0	0	0	1	0	1	0	0	0	0	0	1	3
Central station, mal false alm	0	0	0	1	0	0	0	0	0	1	0	0	2
False alarm or false call,othe	1	1	1	1	3	3	1	1	1	1	0	0	14
HazMat release investigation	0	1	6	3	1	0	0	0	0	1	0	0	12
Smoke from BBQ, tar kettle	0	0	0	0	0	0	0	0	1	1	0	0	2
Steam, vapor, fog or dust thou	0	1	0	1	3	0	1	0	0	0	1	0	7
Smoke scare, odor of smoke	4	2	2	3	2	1	1	2	1	0	2	1	21
Medical assist,assist EMS crew	3	2	2	1	1	1	0	0	1	0	1	0	12
Fireworks explosion (no fire)	0	1	0	0	0	0	0	0	0	0	0	0	1
Dumpster or oth outside trash	0	0	1	0	0	0	0	0	0	1	0	0	2
Grass fire	1	1	0	0	0	1	1	0	0	0	0	0	4
Brush or brush-and-grass mix	1	0	0	0	0	0	0	0	0	0	1	0	2
Passenger vehicle fire	2	0	1	0	0	1	0	0	1	0	0	0	5
Other-Fire mobile prop fixed str	0	0	0	1	0	0	0	0	0	0	0	0	1
Trash or rubbish fire, contain	0	0	0	0	0	1	0	0	0	0	0	0	1
Fuel burner/boiler malf conf.	0	0	0	0	0	1	0	0	0	0	1	0	2
Building fire	3	1	3	0	1	1	0	1	1	1	0	0	12

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Station Runs By Incident Type

City of Rockwall
The New Horizon

Print Date/Time: 06/24/2015 09:29
Login ID: rck\fdunlop
Station: Rockwall 1

From Year: 2014
To Year: 2015
Incident Type: *All

Rockwall Fire Department
FDID Number: TX504

Gas leak natural gas or LPG	3	3	2	3	1	4	2	4	1	0	2	3	28
Gasoline or oth flammable liqu	0	1	1	1	0	0	1	1	2	1	0	0	8
Water & ice-related rescue,oth	0	0	0	0	0	0	0	1	0	0	0	0	1
Reml of vic(s) stalled elev	2	0	2	0	0	0	0	0	2	0	0	0	6
Extrication of vict from veh	0	1	0	0	1	2	0	0	0	0	0	0	4
Extrication, rescue, other	0	0	0	0	0	0	0	0	0	0	1	0	1
Motor vehicle acc with inj	1	0	0	0	0	0	0	0	1	0	0	0	2
EMS call excluding vehicle acc	0	0	1	0	0	0	0	0	0	0	0	0	1
GRAND TOTALS	70	64	67	47	57	67	28	20	20	37	39	24	540

205

Station Runs By Incident Type

City of Rockwall
The New Horizon

Print Date/Time: 06/24/2015 09:30
Login ID: rck\fdunlop
Station: Rockwall 2

From Year: 2014
To Year: 2015
Incident Type: *All

Rockwall Fire Department
FDID Number: TX504

Type of Situation Found	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Invalid or No Value Entered	0	0	0	0	0	0	1	1	0	0	0	1	3
Public service - Non paged	6	5	2	5	8	7	0	2	4	4	5	2	50
No incident found on arrival	0	1	1	4	1	1	2	1	1	2	1	1	16
Motor vehicle acc with no	0	0	0	0	1	1	0	0	0	0	0	0	2
Authorized controlled burning	0	0	0	0	1	0	0	0	0	0	0	1	2
Dispatched & canceled enroute	2	3	3	2	2	2	1	2	1	0	0	0	18
Good intent call, other	0	0	1	0	0	0	0	0	0	0	0	0	1
Public service	3	2	1	1	5	2	0	0	1	0	0	1	16
Assist police or oth gov agncy	5	3	5	3	7	10	0	2	2	1	1	2	41
Public service assistance, oth	0	0	1	0	1	1	0	0	0	0	0	0	3
Smoke or odor removal	1	0	0	0	0	0	0	0	0	0	1	0	2
Water evacuation	0	0	0	0	0	0	0	1	0	0	0	0	1
Lock-out	0	0	0	0	0	1	0	0	0	0	0	0	1
Vehicle acc, general cleanup	0	0	0	0	0	0	0	0	0	0	1	0	1
Arcing, shorted elect equip	2	1	1	0	0	1	0	0	1	4	0	0	10
Power line down	0	1	0	5	1	1	0	0	0	6	1	0	15
Overheated motor	0	1	0	1	1	0	1	0	0	0	0	1	5
Heat from short circuit wiring	0	1	0	0	0	0	0	0	0	0	0	0	1
Electrical wiring/equipment pr	0	0	0	0	0	1	0	0	0	1	1	0	3
Radioactive condition, other	0	0	0	0	0	0	0	0	1	0	0	0	1
Carbon monoxide incident	0	0	0	0	0	0	0	0	0	1	0	0	1
Carbon monoxide detector act	0	0	0	0	0	0	0	1	0	0	0	0	1
Alarm sys act, no fire Uninten	2	1	4	4	4	2	1	2	4	0	0	4	28
Detector act, no fire -uni	3	0	2	1	0	1	0	1	0	0	0	0	8
Smoke detector activate, no fi	3	3	4	1	4	1	2	0	0	1	1	3	23
Extinguishing system act.	0	0	0	0	0	1	0	0	0	0	1	0	2

206

Station Runs By Incident Type

City of Rockwall
The New Horizon

Print Date/Time: 06/24/2015 09:30
Login ID: rck\fdunlop
Station: Rockwall 2

From Year: 2014
To Year: 2015
Incident Type: *All

Rockwall Fire Department
FDID Number: TX504

Sprinkler activate, no fire -	0	2	1	0	0	0	1	0	1	1	0	0	6
Unintentional trans. of alarm	5	1	2	0	1	1	3	2	1	0	0	2	18
CO detector act due to malf	0	0	1	0	0	0	1	0	0	0	0	0	2
Alarm system sounded malfun	1	0	1	1	6	3	2	1	2	0	1	0	18
Smoke detector act. malf.	6	1	0	0	4	2	0	0	1	0	0	0	14
Extinguishing system malf.	0	0	0	0	0	1	0	0	0	0	0	0	1
Sprinkler action due to malf	5	0	2	0	0	2	0	0	0	0	0	1	10
System malfunction, other	1	2	0	0	0	0	0	0	0	0	0	0	3
Central station, mal false alm	0	0	0	0	1	0	0	0	0	0	0	0	1
False alarm or false call,othe	0	0	1	1	1	0	0	1	0	1	0	0	5
HazMat release investigation	0	0	1	2	0	1	1	1	1	0	0	0	7
Steam, vapor, fog or dust thou	0	1	1	0	0	0	0	0	0	0	0	1	3
Smoke scare, odor of smoke	2	3	0	1	1	0	1	0	1	0	1	2	12
Steam, oth gas mistak for smk	1	0	0	0	1	0	0	0	0	0	0	0	2
Prescribed fire	1	0	0	0	0	0	0	0	0	0	0	0	1
Special type of incident, oth	0	0	0	0	0	0	0	0	0	0	1	0	1
Lightning strike (no fire)	0	0	0	0	0	0	1	0	0	0	0	0	1
Medical assist,assist EMS crew	1	0	0	0	0	1	0	0	0	0	0	1	3
Dumpster or oth outside trash	1	0	1	0	0	0	0	0	0	0	0	1	3
OTHER Outside rubbish fire	1	0	0	0	0	0	0	0	0	0	1	0	2
Grass fire	0	1	0	1	2	0	1	1	2	1	1	0	10
Brush or brush-and-grass mix	0	0	0	0	0	0	0	0	0	0	0	1	1
Water vehicle fire	0	0	0	0	0	0	0	0	1	0	0	0	1
Passenger vehicle fire	1	0	0	0	1	1	0	0	0	0	0	0	3
Fire mobile home fixed resd	1	0	0	0	0	0	0	0	0	0	0	0	1
Cooking fire,confined	0	0	0	0	0	0	0	0	1	0	0	1	2
Fires struct oth than in bldg	0	0	0	1	0	0	0	0	0	1	0	0	2

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Station Runs By Incident Type

City of Rockwall
The New Horizon

Print Date/Time: 06/24/2015 09:30
Login ID: rck\fdunlop
Station: Rockwall 2

From Year: 2014
To Year: 2015
Incident Type: *All

Rockwall Fire Department
FDID Number: TX504

Building fire	0	1	0	1	2	1	0	0	0	0	0	1	6
Gas leak natural gas or LPG	0	0	1	1	2	1	0	0	0	0	1	1	7
Gasoline or oth flammable liqu	0	0	0	0	0	0	0	0	0	0	0	1	1
Watercraft rescue	0	0	1	0	0	0	0	0	0	0	0	0	1
Swift water rescue	0	0	0	0	0	1	0	0	0	0	0	0	1
Water & ice-related rescue,oth	0	0	0	0	3	1	0	0	0	0	0	0	4
Reml of vic(s) stalled elev	0	0	1	0	1	0	0	1	0	2	0	0	5
Extrication of vict from veh	0	0	0	0	0	0	1	0	0	0	0	0	1
Extrication, rescue, other	0	1	0	0	0	0	0	1	0	0	0	0	2
Lock-in (if lock out use 511)	0	0	0	0	0	1	0	0	0	0	0	0	1
Motor vehicle acc with inj	0	0	0	1	0	1	1	0	0	2	2	0	7
GRAND TOTALS	54	35	39	37	62	51	21	21	26	28	21	29	424

Station Runs By Incident Type

City of Rockwall
The New Horizon

Print Date/Time: 06/24/2015 09:30
Login ID: rck\fdunlop
Station: Rockwall 3

From Year: 2014
To Year: 2015
Incident Type: *All

Rockwall Fire Department
FDID Number: TX504

Type of Situation Found	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Public service - Non paged	2	3	2	1	4	2	1	0	0	1	3	2	21
No incident found on arrival	2	1	1	0	0	0	0	0	0	1	0	0	5
Motor vehicle acc with no	0	0	1	0	0	0	0	0	0	0	0	0	1
Authorized controlled burning	2	2	0	1	1	0	2	0	0	0	0	0	8
Dispatched & canceled enroute	1	1	2	0	1	1	0	1	1	0	1	1	10
Unauthorized burning	1	0	0	0	1	0	1	0	0	1	0	0	4
Public service	2	2	0	3	3	2	1	2	0	1	0	1	17
Assist police or oth gov agncy	1	0	1	1	2	1	2	1	1	2	0	0	12
Public service assistance, oth	0	0	1	1	1	0	0	0	0	0	0	0	3
Smoke or odor removal	0	0	1	0	0	0	0	0	0	0	0	0	1
Power line down	0	0	1	1	2	2	0	1	0	3	0	0	10
Heat from short circuit wiring	0	0	0	0	0	0	0	0	1	0	0	0	1
Electrical wiring/equipment pr	0	0	0	0	1	0	0	0	0	0	0	0	1
Carbon monoxide detector act	0	1	0	2	2	0	0	0	0	0	0	0	5
Alarm sys act, no fire Uninten	1	2	3	3	4	2	0	1	0	6	0	1	23
Detector act, no fire -uni	0	0	0	0	0	1	0	0	0	0	1	0	2
Smoke detector activate, no fi	0	2	0	2	1	0	1	0	2	3	0	2	13
Sprinkler activate, no fire -	0	0	0	0	0	0	0	0	0	1	0	0	1
Unintentional trans. of alarm	1	0	0	1	1	0	0	0	0	0	0	0	3
CO detector act due to malf	0	0	0	1	2	0	0	0	0	1	0	0	4
Alarm system sounded malfun	2	0	0	2	3	3	0	0	0	0	1	0	11
Heat detector activation malf	0	0	0	0	0	0	0	0	0	0	0	1	1
Smoke detector act. malf.	4	1	0	2	1	1	0	0	3	1	0	0	13
Extinguishing system malf.	0	0	0	1	0	0	0	0	0	0	0	0	1
Sprinkler action due to malf	1	0	0	0	0	1	0	0	0	0	0	0	2
Municipal alarm system, malic	0	0	0	0	0	0	0	0	0	0	0	1	1

209

Station Runs By Incident Type

City of Rockwall
The New Horizon

Print Date/Time: 06/24/2015 09:30
Login ID: rck\fdunlop
Station: Rockwall 3

From Year: 2014
To Year: 2015
Incident Type: *All

Rockwall Fire Department
FDID Number: TX504

False alarm or false call,othe	1	0	0	2	2	1	0	0	0	0	0	1	7
HazMat release investigation	0	0	1	0	0	0	1	0	0	0	0	0	2
EMS party trans by non fire	0	0	0	0	0	0	0	1	0	0	0	0	1
Smoke from BBQ, tar kettle	0	1	0	0	0	0	0	0	0	0	0	0	1
Steam, vapor, fog or dust thou	0	1	0	0	1	1	0	1	2	0	0	0	6
Smoke scare, odor of smoke	0	2	1	1	1	0	1	0	1	1	1	1	10
Special type of incident, oth	0	0	0	1	0	0	0	0	0	0	0	0	1
Medical assist,assist EMS crew	0	0	0	0	0	1	0	2	0	0	0	1	4
Rescue, EMS incident, other	0	0	0	0	0	0	0	0	0	1	0	0	1
Dumpster or oth outside trash	0	2	0	0	0	0	0	0	0	0	0	0	2
Outside rubbish, trash ,waste	0	0	1	0	1	0	0	0	0	1	0	0	3
OTHER Outside rubbish fire	1	0	0	0	1	0	0	0	0	0	0	0	2
Grass fire	2	1	2	1	0	0	0	0	0	1	0	1	8
Brush or brush-and-grass mix	0	0	0	1	1	0	0	0	0	0	0	0	2
Passenger vehicle fire	0	0	0	0	0	0	0	1	0	1	0	0	2
Cooking fire,confined	1	0	0	0	0	0	0	0	0	0	1	0	2
Fires struct oth than in bldg	0	0	0	0	0	0	0	0	1	0	0	0	1
Building fire	1	1	0	0	0	0	0	0	0	0	0	1	3
Gas leak natural gas or LPG	2	1	2	2	1	1	1	0	0	1	1	2	14
Gasoline or oth flammable liqu	0	0	0	0	1	0	1	0	0	0	1	0	3
Lock-in (if lock out use 511)	0	0	0	1	0	0	0	0	0	0	0	0	1
Motor vehicle acc with inj	2	0	0	1	0	0	0	0	0	0	0	0	3
GRAND TOTALS	30	24	20	32	39	20	12	11	12	27	10	16	253

210

210

Station Runs By Incident Type

City of Rockwall
The New Horizon

Print Date/Time: 06/24/2015 09:31
Login ID: rck\fdunlop
Station: Rockwall 4

From Year: 2014
To Year: 2015
Incident Type: *All

Rockwall Fire Department
FDID Number: TX504

Type of Situation Found	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Invalid or No Value Entered	0	0	1	0	0	0	1	0	0	0	1	0	3
Public service - Non paged	1	1	2	0	1	0	2	0	0	0	1	0	8
No incident found on arrival	5	2	0	1	1	2	0	0	0	0	0	2	13
Dispatched & canceled enroute	0	1	2	0	1	1	0	0	1	0	0	0	6
Public service	3	1	1	1	1	2	0	2	0	0	0	0	11
Assist police or oth gov agncy	4	4	6	7	2	0	1	2	0	0	1	2	29
Public service assistance, oth	4	0	0	0	3	0	0	0	0	0	2	1	10
Lock-out	0	1	0	0	0	0	0	0	0	0	0	0	1
Power line down	2	0	0	3	1	0	1	0	0	0	0	0	7
Overheated motor	1	1	0	0	0	0	0	0	0	0	0	0	2
Electrical wiring/equipment pr	1	0	0	0	0	0	0	0	0	0	0	0	1
Carbon monoxide incident	0	0	0	0	0	0	0	0	0	1	0	0	1
Carbon monoxide detector act	0	0	1	0	0	1	0	0	0	0	0	0	2
Alarm sys act, no fire Uninten	4	2	0	0	4	1	0	2	0	0	6	1	20
Detector act, no fire -uni	0	1	1	1	0	0	0	0	0	0	1	0	4
Smoke detector activate, no fi	4	2	3	1	3	1	1	0	1	1	0	0	17
Extinguishing system act.	0	1	0	0	0	0	0	0	0	0	0	0	1
Sprinkler activate, no fire -	2	1	1	0	0	0	0	0	0	0	0	0	4
Unintentional trans. of alarm	1	0	0	0	1	1	0	0	0	1	0	0	4
CO detector act due to malf	1	0	0	0	0	0	0	1	0	0	0	0	2
Alarm system sounded malfun	2	5	0	2	2	0	1	2	0	0	1	1	16
Smoke detector act. malf.	8	2	1	2	3	2	0	0	0	0	0	0	18
Sprinkler action due to malf	1	0	0	0	0	1	0	0	0	0	0	0	2
Local alm sys, mal false alm	0	0	0	1	0	0	0	0	0	0	0	0	1
False alarm or false call,othe	0	0	1	0	0	2	0	0	0	0	0	0	3
HazMat release investigation	2	1	2	0	0	0	1	0	0	0	0	0	6

211

211

Station Runs By Incident Type

City of Rockwall
The New Horizon

Print Date/Time: 06/24/2015 09:31
Login ID: rck\fdunlop
Station: Rockwall 4

From Year: 2014
To Year: 2015
Incident Type: *All

Rockwall Fire Department
FDID Number: TX504

Smoke from BBQ, tar kettle	0	1	0	0	0	0	0	0	0	0	0	0	1
Steam, vapor, fog or dust thou	1	2	0	1	1	0	0	0	0	0	0	0	5
Smoke scare, odor of smoke	2	1	0	4	0	0	1	0	1	0	0	0	9
Lightning strike (no fire)	0	0	0	1	1	0	0	0	0	0	0	0	2
Medical assist,assist EMS crew	0	0	0	1	0	0	0	0	0	0	0	0	1
Dumpster or oth outside trash	1	0	0	0	0	0	0	0	0	0	0	0	1
Outside rubbish, trash ,waste	1	0	0	0	0	0	0	0	1	0	0	0	2
OTHER Outside rubbish fire	0	0	1	0	0	1	0	0	0	0	0	0	2
Grass fire	2	1	0	0	0	2	0	1	0	0	1	0	7
Brush or brush-and-grass mix	1	0	0	1	0	0	1	0	0	0	0	0	3
Self-propelled mtr home or rec	1	0	0	0	0	0	0	0	0	0	0	0	1
Road freight transprt veh fire	0	0	1	0	0	0	0	0	0	0	0	0	1
Passenger vehicle fire	0	1	1	0	1	0	1	0	0	0	0	0	4
Cooking fire,confined	1	1	1	0	0	0	0	0	0	0	0	0	3
Building fire	1	0	1	0	1	0	0	0	0	0	0	0	3
Gas leak natural gas or LPG	2	0	1	1	2	1	0	2	0	0	2	0	11
Gasoline or oth flammable liqu	0	0	0	0	0	1	0	0	0	0	1	0	2
Extrication of vict from veh	0	0	0	0	1	0	0	0	0	0	0	0	1
Lock-in (if lock out use 511)	0	0	0	0	0	1	0	0	0	0	0	0	1
Motor vehicle acc with inj	0	0	0	0	1	0	0	0	0	0	0	0	1
GRAND TOTALS	59	33	28	28	31	20	11	12	4	3	17	7	253

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **City Council**

FROM: **Joey Boyd, Director of Internal Operations**

DATE: **August 10, 2015**

SUBJECT: **Renaming of Camelot Court**

The Council Naming Subcommittee (Councilmen White, Hohenshelt, and Milder) recently discussed the renaming of the residential street, Camelot Court, to Lynch Court in honor of Joseph P. Lynch, Sr. Mr. Lynch is one of four homeowners on this street.

Joseph P. Lynch was born in Boston, Massachusetts in 1949. He is the second oldest of fifteen children (three boys, twelve girls). He went to South Boston High School. Mr. Lynch enlisted in the U.S. Army in 1966 and served in Vietnam from 1967-1969 as a Helicopter Machine Gunner (SP5 E-5).

He spent seven month in 1969 at Chelsea Naval Hospital recovering from wounds. Mr. Lynch remained in the Army Reserve from 1969-1971 when he reentered the Army, 82nd Airborne Division, 1971-1979. In 1978, he received a Direct Commission to Warrant Officer one (W-1) and was stationed in both the United States and Germany until his retirement at the rank of Chief Warrant Officer in 1989.

Mr. Lynch moved his family to Rockwall in 2004. He has been married to his wife Connie for 46 years, has 4 sons, and 7 grandchildren. Mr. Lynch's volunteerism includes:

- Volunteer at Lake Point Hospital for two years, Radiology Department
- Volunteer at Dallas Veterans Court for four years, Mentor Coordinator
- Presently Volunteering at the Rockwall Veterans Court as a Mentor

Military Decorations include: Silver Star, Legion of Merit, Purple Heart, Air Medal with Combat V for Heroism, Army Commendation with Combat V for Heroism, Master Parachutist & Air Crew Member Badge

The Subcommittee members and city staff will be available to discuss this request at the meeting. A Resolution formally renaming this roadway is attached for the City Council's consideration as well as a map showing the street is included as an exhibit.

Joseph P. Lynch, Sr.

Joseph P. Lynch was born in Boston, Massachusetts in 1949. He is the second oldest of fifteen children (three boys, twelve girls). He went to South Boston High School. Mr. Lynch enlisted in the U.S. Army in 1966 and served in Vietnam from 1967-1969 as a Helicopter Machine Gunner (SP5 E-5).

He spent seven month in 1969 at Chelsea Naval Hospital recovering from wounds. Mr. Lynch remained in the Army Reserve from 1969-1971 when he reentered the Army, 82nd Airborne Division, 1971-1979. In 1978, he received a Direct Commission to Warrant Officer one (W-1) and was stationed in both the United States and Germany until his retirement in at Chief Warrant Officer in 1989.

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- Presently Volunteering at the Rockwall Veterans Court as Mentor

Military Decorations include: Silver Star, Legion of Merit, Purple Heart, Air Medal with Combat V for Heroism, Army Commendation with Combat V for Heroism, Master Parachutist & Air Crew Member Badge

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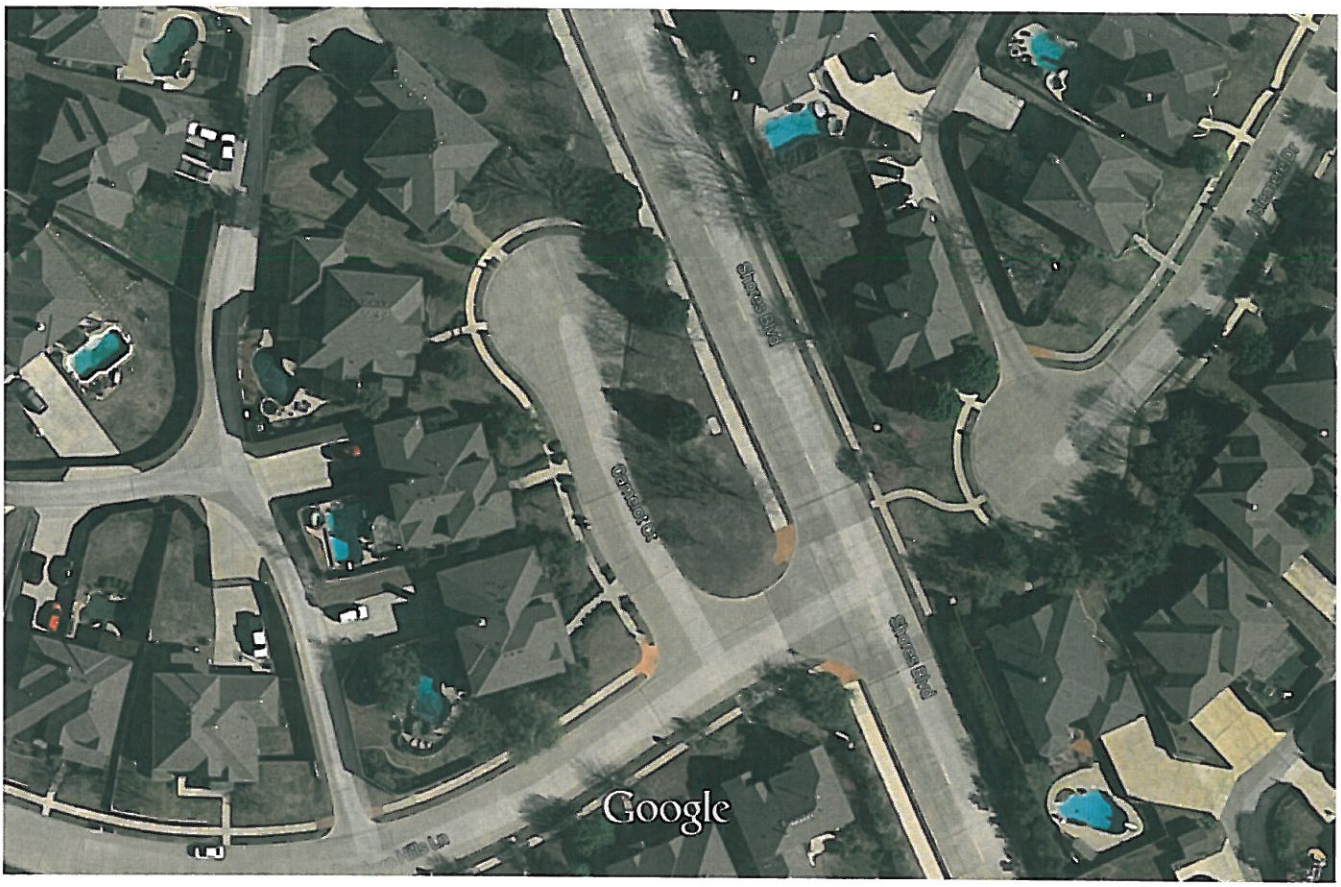
Google Camelot Ct



Imagery ©2015 Google, Map data ©2015 Google 50 ft

CITY OF ROCKWALL, TEXAS
RESOLUTION NO. 15-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, RENAMING A CERTAIN ROADWAY WITHIN THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, the City of Rockwall has received a request to consider the renaming of Camelot Court; and

WHEREAS, Specialist Five Joseph P. Lynch, Sr. was awarded the Silver Star for gallantry in action while engaged in military operations involving conflict with an armed hostile force in the Republic of Vietnam during the Vietnam War; and

WHEREAS, on April 17, 1968, while serving as a crew chief of an armed helicopter during a combat mission near Khe Sanh, Republic of Vietnam, Specialist Lynch distinguished himself with exceptionally valorous action; and

WHEREAS, upon receiving a request for the evacuation of a wounded comrade in enemy controlled terrain, Specialist Lynch exposed himself to intense hostile ground fire as he placed accurate suppression fire on the insurgent's emplacements; and

WHEREAS, with enemy positions within close proximity, Specialist Lynch left the aircraft to aid the injured Marine to the helicopter; and

WHEREAS, Lynch's actions were directly responsible for saving the life of the Marine, and his gallant action was in keeping with the highest tradition of the military service, reflecting great credit upon himself, his unit, and the United States Army; and

WHEREAS, the Rockwall City Council wishes to honor Joseph P. Lynch, Sr., who is currently a resident of the City of Rockwall, by renaming a particular residential street; and

WHEREAS, the Rockwall City Council believes said street renaming to be a fitting and honorary recognition of Specialist Five Joseph P. Lynch, Sr. for this act of valor and for his military service to our country.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. Beginning September 18, 2015, the residential roadway currently known as Camelot Court shall become known as Lynch Court, a map of which is attached hereto as "Exhibit A;" and

Section 2. That adoption of this resolution shall take effect immediately from and after its passage and it is so resolved.

PASSED AND APPROVED by the City Council of Rockwall, Texas, this 8th day of September, 2015.

APPROVED:

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **September 3, 2015**

SUBJECT: **Solid Waste Services Contract Action Item**

The City Council will hear Republic Waste proposal for contract renewal during work session on September 8th. Following that discussion the City Council will have an item on the 6pm agenda to allow actions to be taken on the proposal and approaching contract expiration date of December 31, 2015.

Council is asked to consider taking one of the following actions:

Authorize the City Manager to execute contract renewal documents with Republic Waste and bring the corresponding Rate Resolution back for Council action at a later date.

Authorize the City Manager to continue negotiations with Republic Waste with corresponding direction from the Council as to goals of the negotiation. Please note this would not allow time to go out to bid if this action is taken although we could perhaps work out a month-to-month contract to bridge the time gap.

Authorize the City Manager to seek bids from solid waste providers with the contract term to begin January 1.

Staff is prepared to answer any questions the Council may have and representatives from Republic Waste will be present at both the work session and during the action agenda.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manger*
Brad Griggs, *Assistant City Manager*

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: September 8, 2015

SUBJECT: MIS2015-006; *H&G Supply Co. Parking Variance*

On July 15, 2015, the Planning and Zoning Commission approved a site plan (*Case No. SP2015*-015) for a 6,800 SF restaurant facility on the subject property at 2651 Sunset Ridge Drive (*i.e. the southeast corner of the IH-30 Frontage Road and Sunset Ridge Drive*). The subject property is zoned Planned Development District 32 (PD-32) and situated within the *Summit Office Subdistrict* of the Harbor District, which requires a minimum of one (1) parking space per 100 SF of building area for restaurants. To satisfy the requirement the site plan indicated that 68 parking spaces would be provided (*i.e. 53 surface parking spaces and 15 parking spaces in the Trend Tower parking garage*). Since this approval the applicant, Elias Pope of 8020 Restaurants, LLC, has submitted a request for the approval of a variance to the required number of parking spaces for the purpose of waiving the 15 parking spaces proposed to be located within the Trend Tower parking garage. Mr. Pope has indicated to staff that he is requesting relief to the parking requirements on the grounds that sufficient public parking has been provided. Currently, within the *Summit Office Subdistrict* ~37 on-street/surface parking spaces and a portion of the 441 parking spaces in the Trend Tower parking garage have been dedicated to public parking.

Provided in the attached packet is a copy of the applicant's email requesting the variance, a location map, and the approved site plan. Staff will be available to answer any questions.

Miller, Ryan

From: Elias Pope [redacted]
Sent: Monday, August 31, 2015 9:15 AM
To: Miller, Ryan
Subject: Request Relief

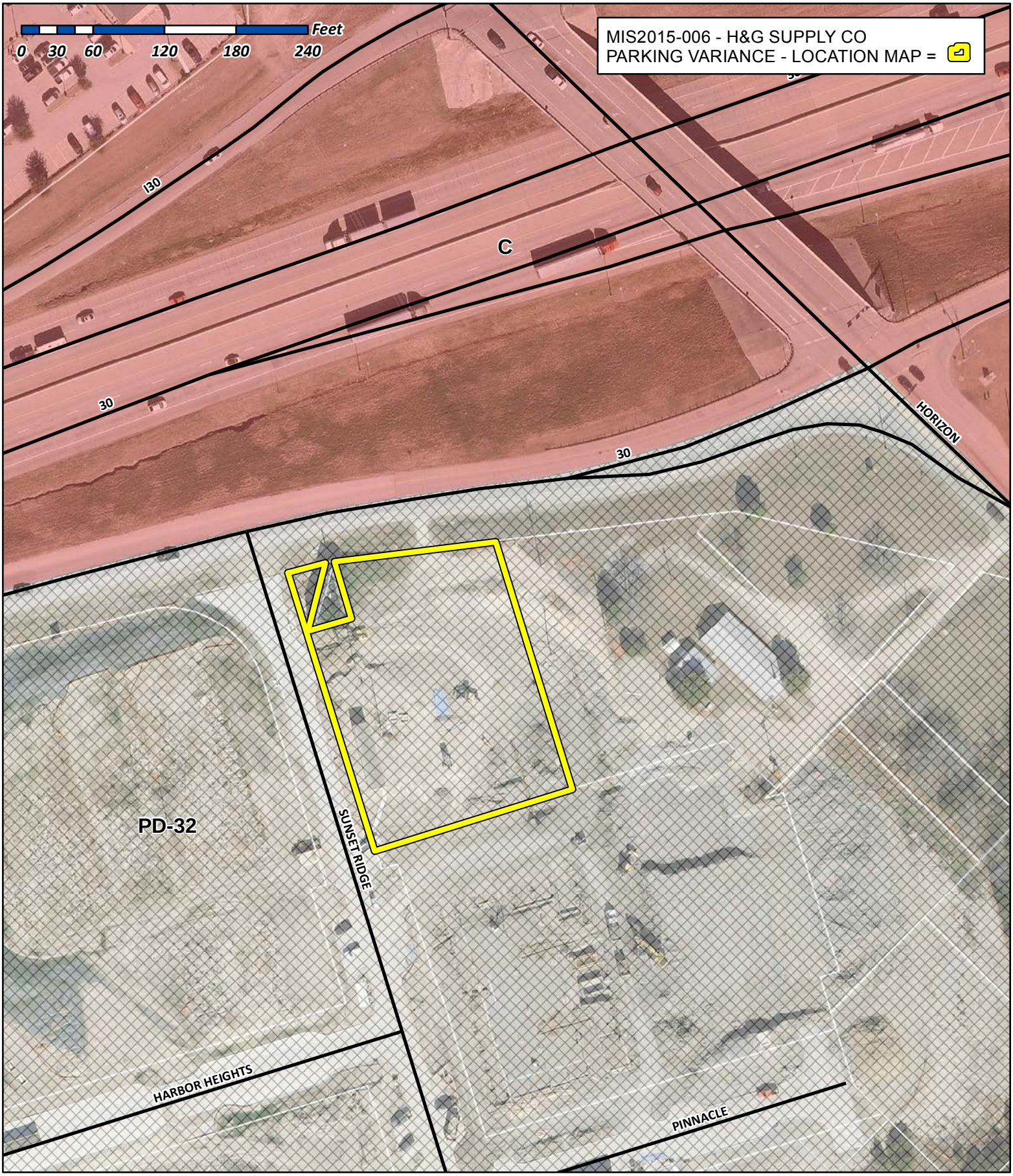
Follow Up Flag: FollowUp
Flag Status: Flagged

Ryan,

Thanks again for meeting with us. I am reaching out to request relief by reducing the required parking by 15 spaces in regards to our proposed restaurant next to Trend Tower. We are excited to bring out concepts to Rockwall and can't wait to get started.

Elias Pope
972-979-9934
hgsplyco.com
remedydallas.com
social-mechanics.com

1



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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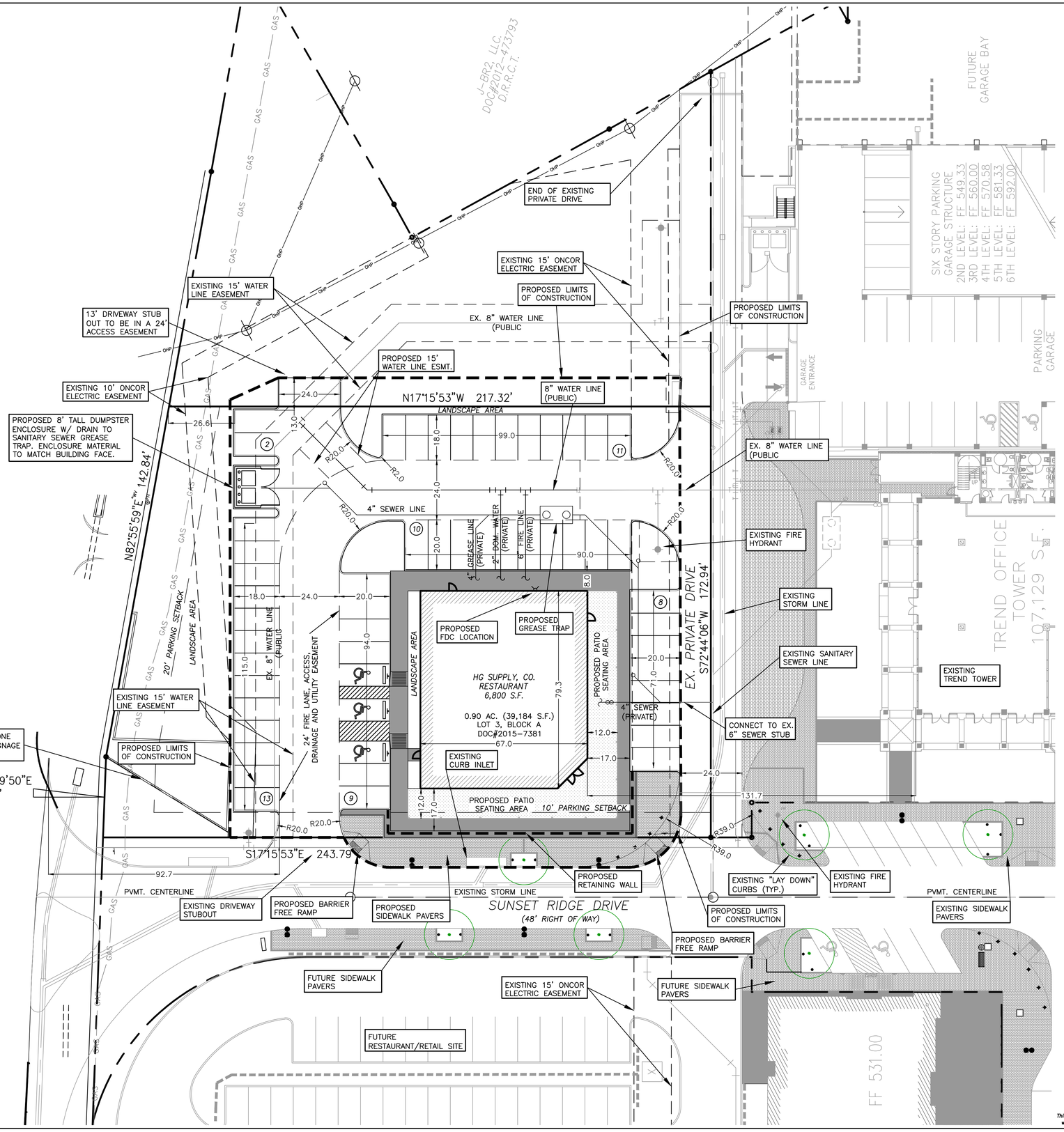
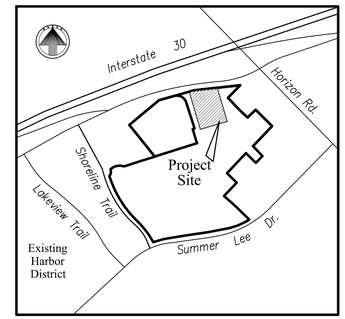
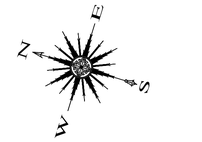




LOCATION MAP



20 10 0 20 40

1" = 20'

NOTE:

– DUMPSTER ENCLOSURE MATERIAL AND FINISH TO MATCH THAT OF THE RESTAURANT EXTERIOR.

– A FINAL GEOTECHNICAL REPORT HAS NOT BEEN PROVIDED. A REINFORCED CONCRETE PAVEMENT SECTION WITH DETAILS WILL BE PROVIDED IN THE ENGINEERING PLANS SUBMITTAL.

SITE INFORMATION

LAND AREA:	0.90 ACRES (39,184 S.F.)
CURRENT ZONING:	PD-32
EXISTING USE:	UNUSED
PROPOSED USE:	RESTAURANT
BUILDING AREA:	6,800 S.F
BUILDING TO LOT COVERAGE:	6,800/39,184=.174 –> 17.4%
BUILDING HEIGHT:	38 FEET
BUILDING REQUIRED PARKING:	68 SPACES (SEE BREAKDOWN BELOW)
BUILDING PARKING PROVIDED:	68 TOTAL (*15 TREND TOWER GARAGE, 53 PARKING LOT) (INCLUDES 3 HANDICAP SPACES)
IMPERVIOUS AREA:	30,655 S.F.
LANDSCAPE AREA REQUIRED:	0 S.F.
LANDSCAPE AREA PROVIDED:	9,551 S.F.

PARKING REQUIREMENT BREAKDOWN:

RESTAURANT SPACE AT 1 SPACE/100 S.F. –> 6,800/100 = 68 SPACES

* TREND TOWER PARKING REQUIREMENT:
OFFICE SPACE AT 1 SPACE/300 S.F. –> 107,129/300 = 357 SPACES
TREND TOWER PARKING GARAGE CURRENTLY PROVIDES 441 PARKING SPACES SO PER THE SHARED PARKING AGREEMENT, A PORTION OF THIS PARKING MAY BE USED BY LOT 3 BLOCK A, THEREFORE 15 PARKING STALLS FROM THE TREND TOWER PARKING GARAGE WILL BE AVAILABLE FOR USE ON LOT 3 BLOCK A.

CASE NUMBER: SP2015-015

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NOT FOR CONSTRUCTION

Revision	Date	Description

Owner:
8020 Restaurants, LLC.
2008 Greenville Ave. • Dallas, TX 75206

HG SUPPLY COMPANY
RESTAURANT
2651 Sunset Ridge Dr.
Rockwall, Texas 75032

~ Civil Engineer ~
F.C. CUNY CORPORATION
#2 Horizon Court • Heath, Texas 75032 • (469) 402-7700
Texas Registered Engineering Firm F-7449

07/06/2015

STATE OF TEXAS
CAMERON A. SLOWN
106317
LICENSED PROFESSIONAL ENGINEER

Drawn By:	Checked By:
F.C. CUNY	F.C. CUNY
Date: 06/15	Project No.: –

Sheet Title: Site Plan

Scale:	Sheet No.:
1"=20'	4 of 11

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 09/08/2015

APPLICANT: Duane and Jennifer Piercy

AGENDA ITEM: **MIS2015-005**; *Masonry Exception (713 Hartman Street)*

SUMMARY:

Discuss and consider a request by Duane and Jennifer Piercy for the approval of an exception to the minimum masonry requirements stipulated in Section 3.1, *General Residential District Standards*, of Article V, *District Development Standards*, of the Unified Development Code, for a 1.21-acre tract of land identified as Lot 1, Block A, Piercy Place Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, addressed as 713 Hartman Street, and take any action necessary.

CHARACTERISTICS OF REQUEST:

The applicants, Duane and Jennifer Piercy, are requesting an exception to the masonry requirements for the purpose of constructing a residential home that will have an exterior cladding of 100% cementaceous lap siding. According to Section 3.1, *General Residential District Standards*, of Article V, *District Development Standards*, of the Unified Development Code the minimum masonry (*i.e. brick, stone -- natural, cast or cultured -- glass block, tile and/or CMU*) requirement for exterior walls on structures that are 120 square feet or greater is 80%; with a maximum of 50% of this masonry requirement being permitted to be Hardy Plank®, stucco or a similar cementaceous material. Additionally, the code states that, "(e)xceptions to these requirements … may be permitted on a case-by-case basis by the [*city*] council upon submission and approval of elevation drawings of the subject structure, and materials samples." The applicants have submitted building elevations and renderings showing the proposed single family home, and state in a letter submitted to staff that the purpose of requesting the masonry exception is to match the materials and architectural style of the adjacent properties. The subject property is directly adjacent to the Old Town Rockwall Historic District, which has several properties that have utilized cementaceous, vinyl or wood siding in excess of 50%.

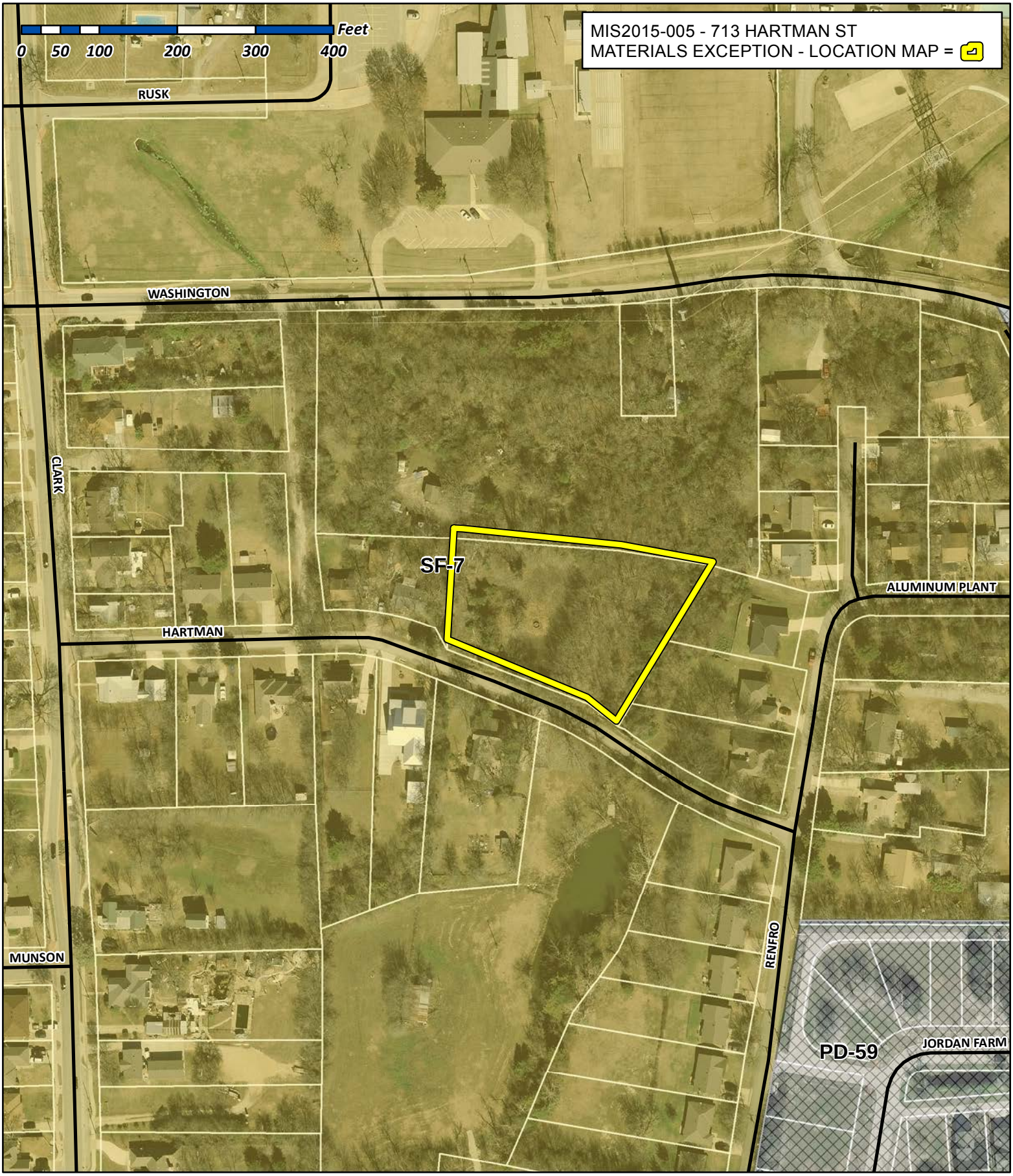
RECOMMENDATIONS:

If the City Council choose to approve the applicant's request staff would recommend the following conditions:

1) Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On August 25, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the exception to the minimum masonry requirements by a vote of 6-0, with one vacancy on the Commission.



City of Rockwall

Planning & Zoning Department
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Rockwall Variance Request
713 Hartman St.

Duane and Jennifer Piercy are respectfully requesting a variance to the SF7 code requirement for 80% Masonry requirement.

We are building an early century Craftsman style house to be covered in Hardie-board style siding to be painted with early century paint scheme.

Our intention is to build a house that blends in well with the local architecture already in place. Our lot is Historic District Adjacent, and our house will be located directly across the street from one of the oldest houses in Rockwall. The house next to the aforementioned is located in the historic district and is also sided with Hardie board and is painted with and early century color scheme.

There are four other houses on Hartman St. that are sided, and only three that are bricked.
Additionally, we are less than a block as the crow flies from Park Place, which is 100% craftsman style.

Renfro St. and Clark St. bookend Hartman St, and those houses are a majority Sided houses.

Please see the pictures below to get an idea of the look of our house:





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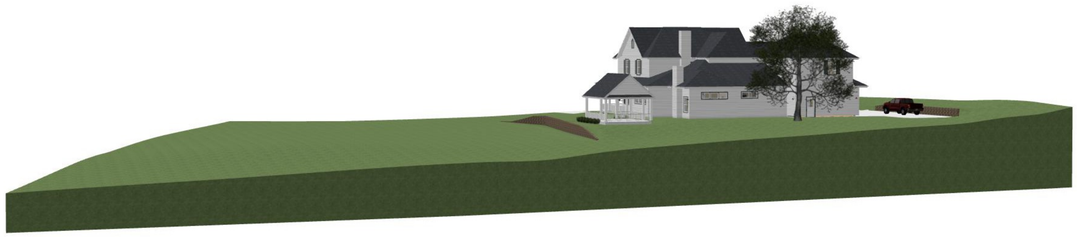
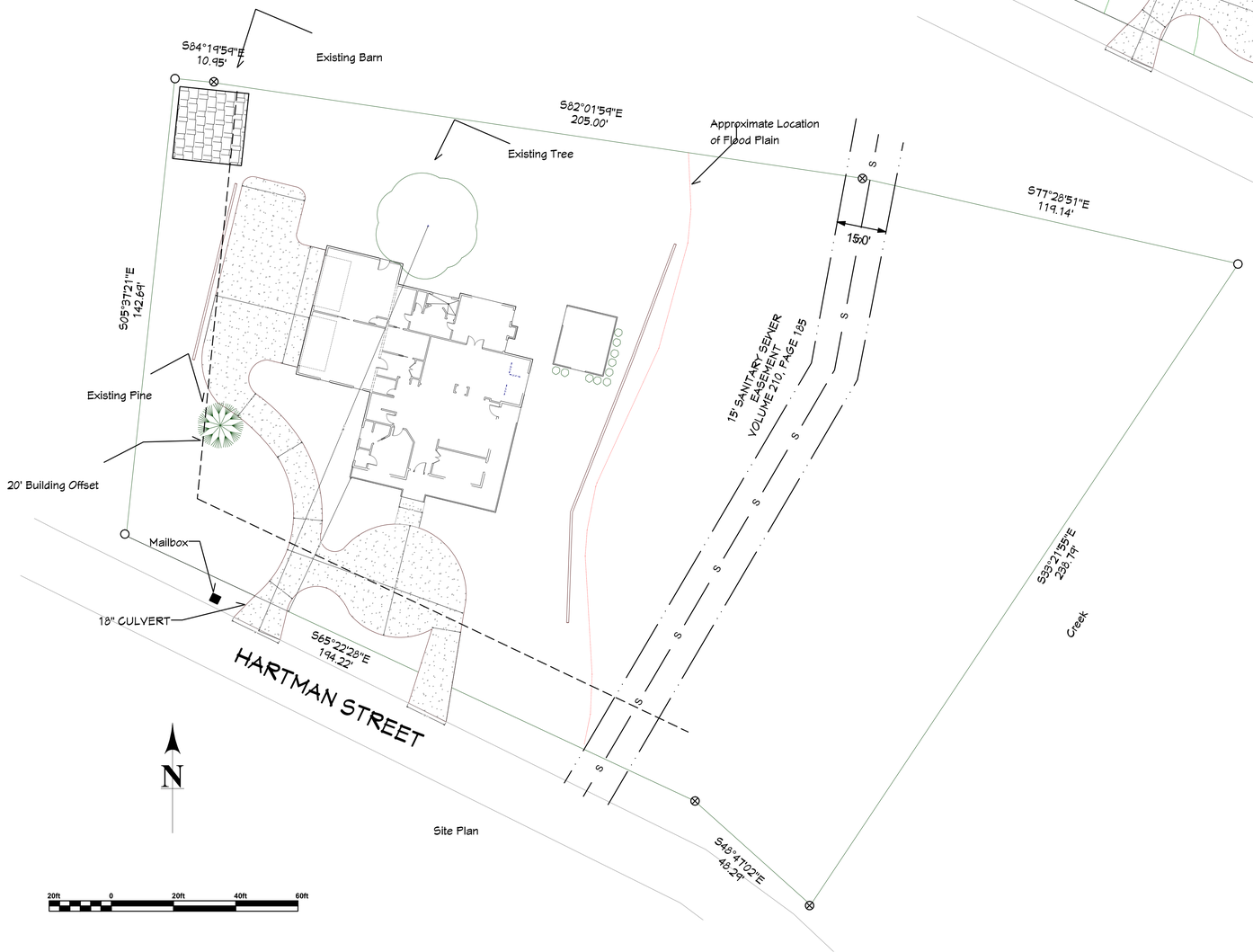
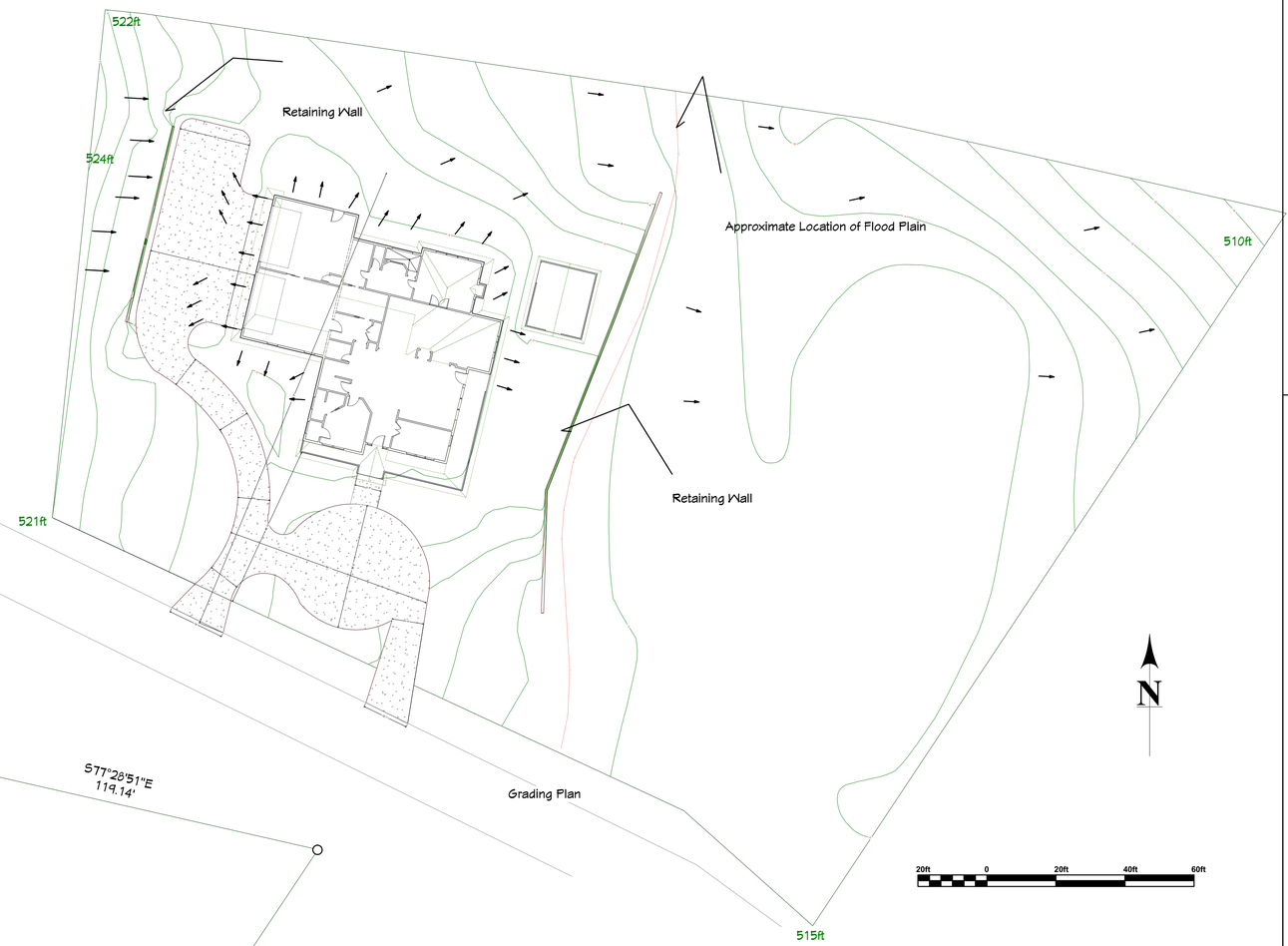






Site Plan



LEGAL DESCRIPTION:
PIERCYPLACE ADDITION
A0029 R BALLARD, TRACT 21, ACRES 1.21

SITE ADDRESS:
713 HARTMAN ST.
ROCKWALL, TX 75087

OWNERS: DUANE AND JENNIFER PIERCY

BUILDER: JIM JOYCE HOMES

GENERAL NOTES:

1. FINISHED FLOOR ELEVATIONS INDICATED FOR THIS LOT TO BE 12" ABOVE PAD HEIGHT
2. DRIVEWAYS NOT TO EXCEED A SLOPE OF 14%
3. SLOPE FROM FOUNDATION WILL BE A MINIMUM OF 1.5% OVER 10FT.
4. DRIVEWAY DIRECT FROM GARAGE WILL BE GRADED AND CHANNELED TO DIRECT WATER TO BOTH SIDES OF THE DRIVEWAY AWAY FROM THE HOUSE

RETAINING WALL NOTES:
MAX 3' ABOVE GRADE HEIGHT, TAPERED AT END TO MEET GRADE
DESIGNED TO ALLOW PAD TO REMAIN OVER 3' ABOVE FLOOD PLAIN
MATERIAL TO BE ENGINEERED STACKED BLOCK WITH MESH REINFORCEMENT NEAR TOP COURSE
BACK FILL WITH SELECT FILL
DRAINAGE TROUGH WITH DRAINAGE HOLES TO BE INSTALLED EVERY 10 FEET

PAGE DESCRIPTION:
SITE & GRADING PLAN

PROJECT DESCRIPTION:
713 Hartman, Rockwall, TX

JIM JOYCE HOMES LLC

DRAWN BY:
DUKE P.

DATE:	REV:
2015/07/02	A

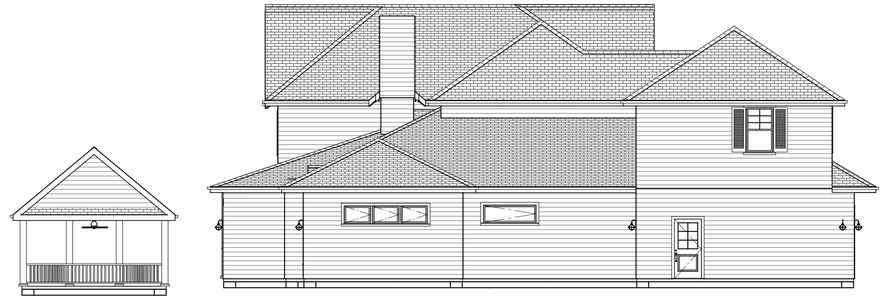
SCALE:

PAGE SIZE: 15" x 20"
ARCH D (24" x 36")

SHEET:
1 of 6
~~229~~



Exterior Elevation Front



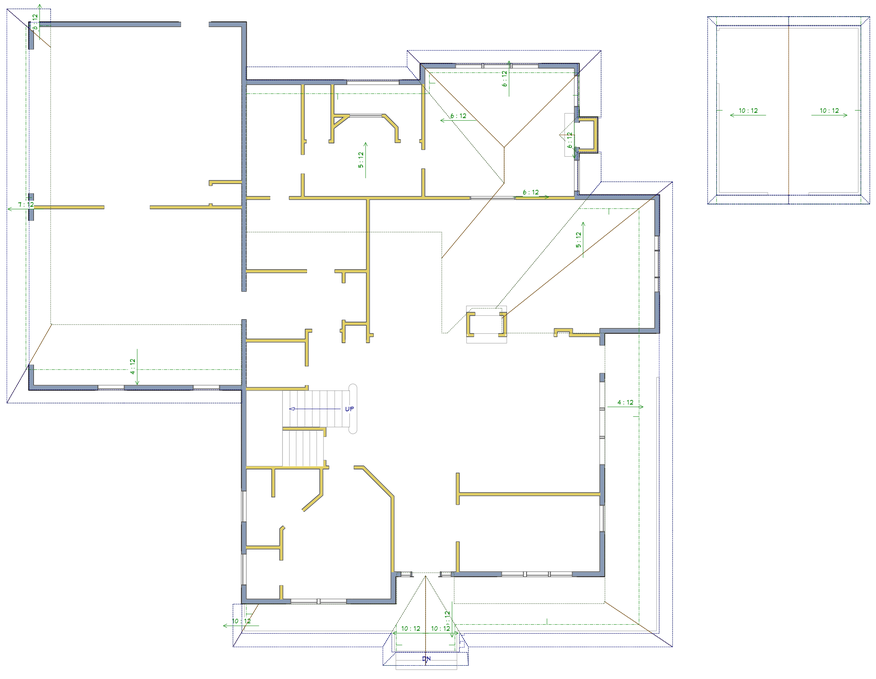
Exterior Elevation Rear



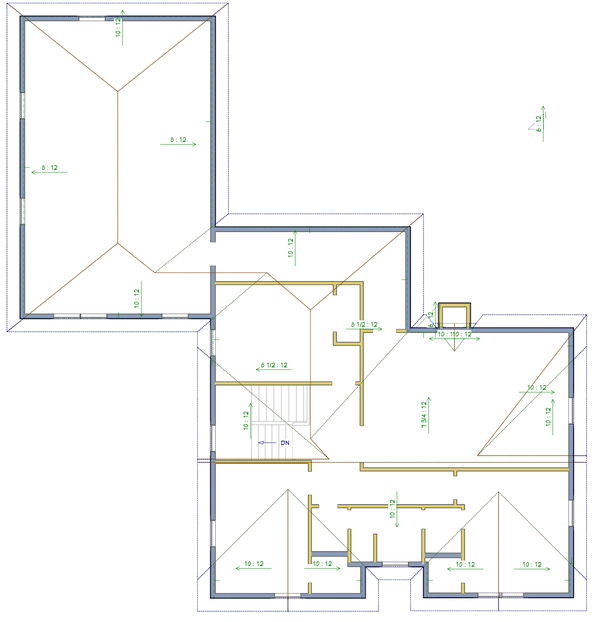
Exterior Elevation Right



Exterior Elevation Left



1st Floor



2nd Floor

PAGE DESCRIPTION:
Elevations and Roof Detail

PROJECT DESCRIPTION:
713 Hartman, Rockwall, TX

JIM JOYCE HOMES LLC

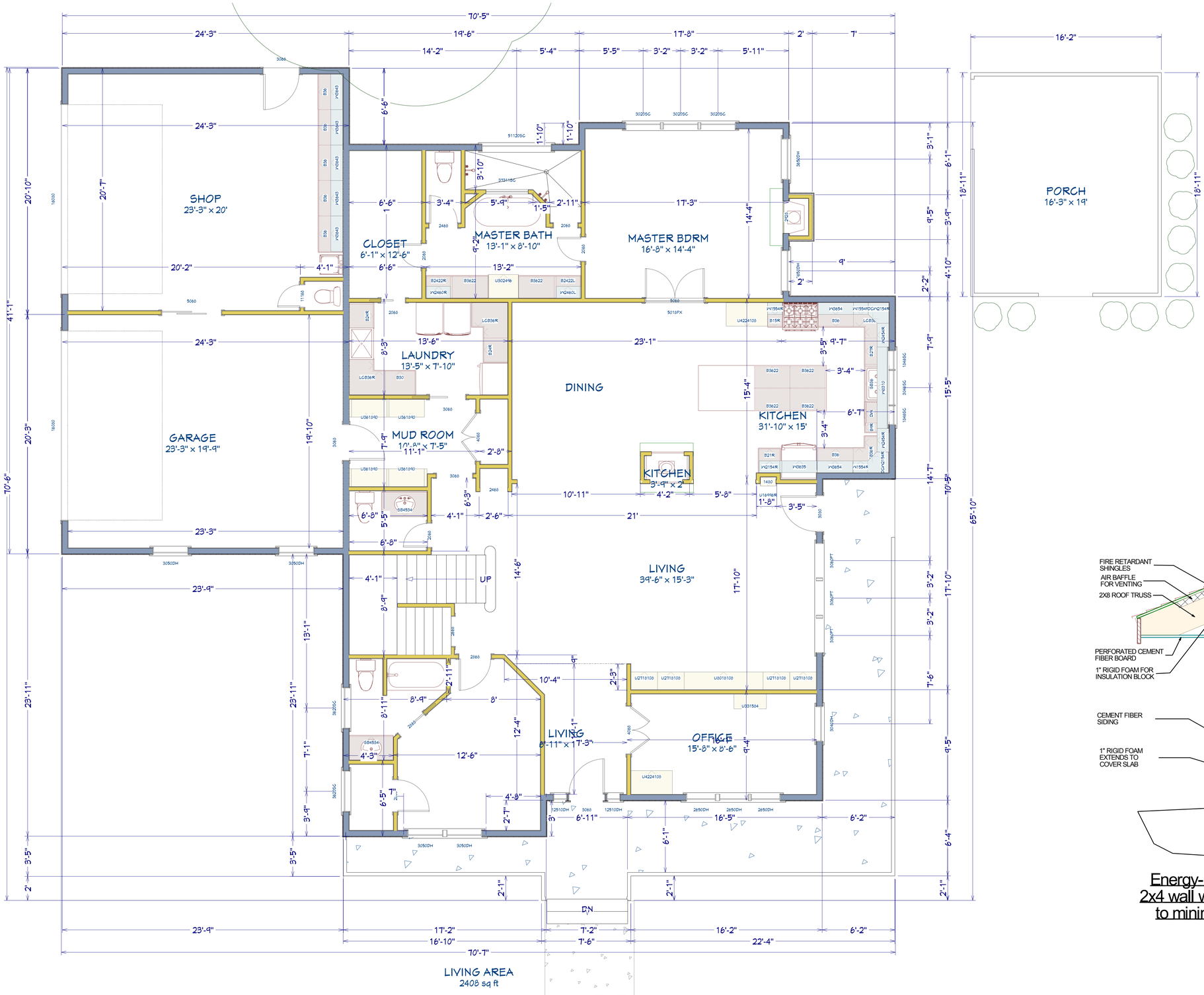
DRAWN BY:
DUKE P.

DATE:	REV:
2015/07/02	A

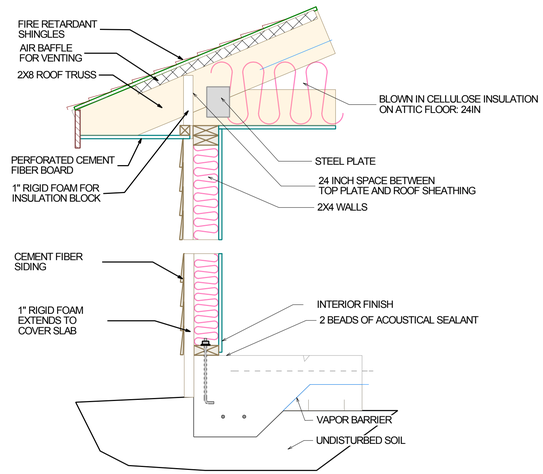
SCALE:

PAGE SIZE: 1/8" = 1'-0"
ARCH D (24" x 36")

SHEET:
4 of ~~230~~ 6



1st Floor



Energy-Efficient Wall Section:
2x4 wall with 1" EPS Rigid Foam
to minimize thermal bridging

PAGE DESCRIPTION:
FLOORPLAN - 1ST FL

PROJECT DESCRIPTION:
713 Hartman, Rockwall, TX

JIM JOYCE HOMES LLC

DRAWN BY:
DUKE P.

DATE:	REV:
2015/07/02	A

SCALE:
1/4 in = 1 ft
PAGE SIZE:
ARCH D (24" x 36")

SHEET:
2 of 6
~~231~~

2nd Floor

PAGE DESCRIPTION:
FLOORPLAN - 2ND FL

PROJECT DESCRIPTION:
713 Hartman, Rockwall, TX

JIM JOYCE HOMES LLC

DRAWN BY:
DUKE P.

DATE: REV:
2015/07/02 A

SCALE:

PAGE SIZE:
ARCH D (24" x 36")

SHEET:
3 of 6
~~232~~

1st Floor

PAGE DESCRIPTION:
Electrical Layout - 1st Floor

PROJECT DESCRIPTION:
713 Hartman, Rockwall, TX

JIM JOYCE HOMES LLC

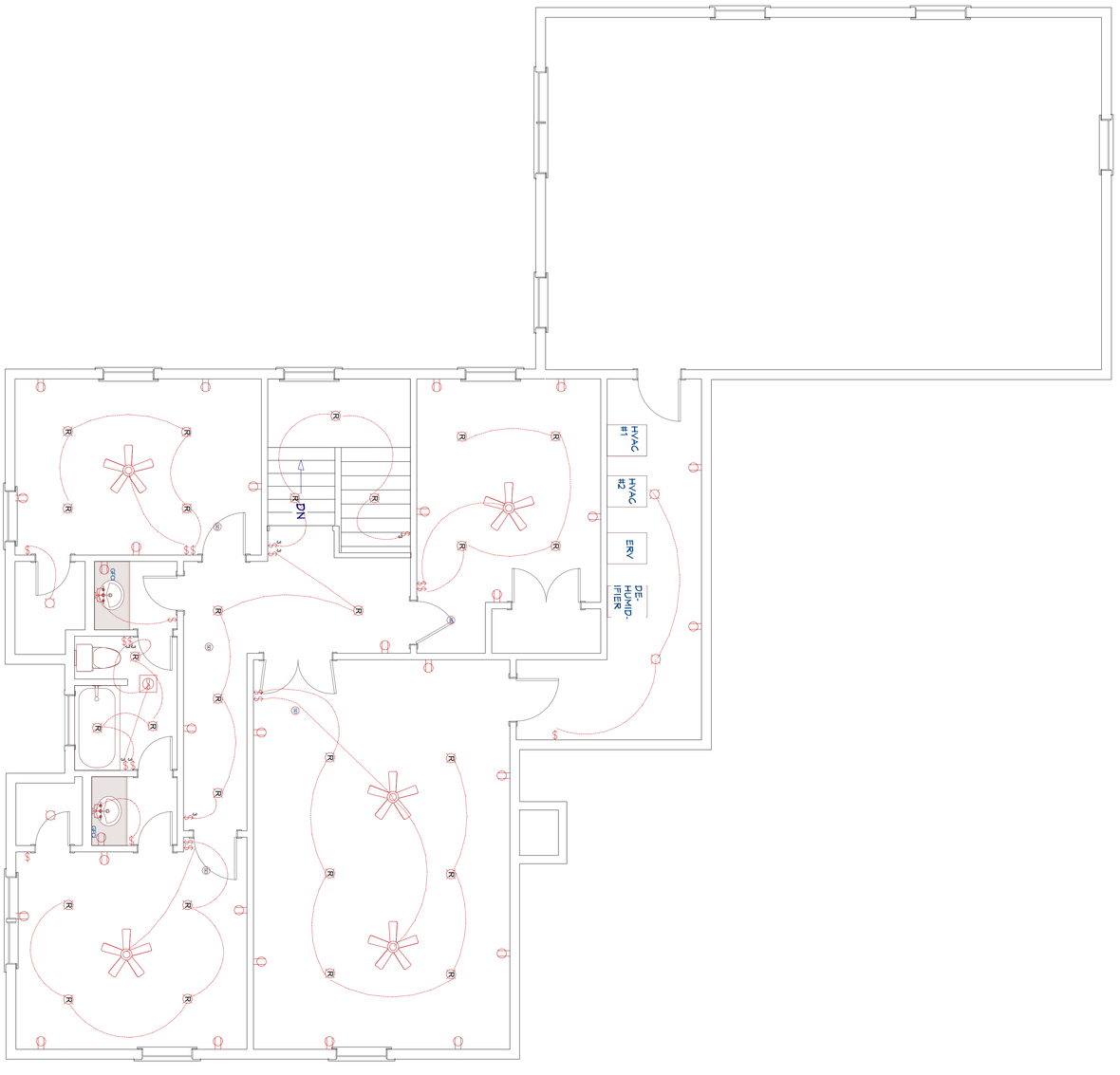
DRAWN BY:
DUKE P.

DATE:	REV:
2015/07/02	A

SCALE:
1/4 in = 1 ft

PAGE SIZE:
ARCH D (24" x 36")

SHEET:
5 of 6
~~233~~



2nd Floor

234

DRAWN BY: DUKE P.	PROJECT DESCRIPTION: 713 Hartman, Rockwall, TX	PAGE DESCRIPTION: Electrical Layout - 2nd Floor	
DATE: 2015/07/02 REV.: A			
SCALE:			
PAGE SIZE: ARCH D (24" x 36")			
SHEET: 6 of 6			
234			

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **September 3, 2015**

SUBJECT: **212 Agreement**

At the August 3 City Council meeting the staff presented and the Council approved and authorized my signature on a 212 Agreement with Joey Howell related to property east of the current city limit and in the city's ETJ.

The 212 Agreement obligated Mr. Howell and his development group to construct homes on the property which essentially meet the same construction standards as those currently being built in Stone Creek on one acre lots.

The County's development standards require 1.5 acre lots – a standard that the City is obligated to the County by Interlocal Agreement to enforce at the time of platting unless the 1.5 acre standard is waived by Rockwall County. Robert LaCroix and Mr. Howell had met with the Commissioners Court to discuss the 212 Agreement prior to that agreement coming before the City Council for consideration.

Quite honestly (based on discussions after that first Commissioners Court meeting with Robert LaCroix), I was under the impression that the County was "on board" with this development proposal, and, thus, the 212 Agreement was placed on the Council agenda. After that agreement was approved, it has become clear that the County was/is not "on board".

Mayor Pruitt and I met with County representatives after the 212 Agreement approval at which time it became clear that the Commissioners Court had taken no official action on the matter and that there was some likelihood that the variance to the 1.5 acre lot standard would not be approved by the Court. Given our Interlocal Agreement with Rockwall County (attached), if no such variance to lot size is granted by the County, an ETJ plat could not be approved by the City at the time of platting for lots of less than 1.5 acres without a County variance. The 212 Agreement would then have no practical relevance in that circumstance. Mayor Pruitt and I advised County officials that we would await their determination as to the lot size variance and return the 212 Agreement to the Council for consideration.

The Council had no way of knowing (at the time that the 212 Agreement came before you) that the County had requested that the agreement be drafted and returned to them for consideration before it was approved by the City. Having since spoken to both Mr. Howell and Mr. LaCroix, they both indicate that they left the County meeting with the impression that they should get the 212 Agreement approved at the City and then take it back to the County. Since the County

representatives were at the meeting and have reviewed recordings of the meeting, they have indicated that it is clear that both Mr. LaCroix and Mr. Howell must have misunderstood.

The week following the meeting that Mayor Pruitt and I had with County officials, the Commissioners Court took action to NOT approve the lot size variance (3-2) for this development. As indicated above, the lack of an approved lot size variance would preclude any significant materiality of the other standards outlined in the 212 Agreement. This all being the case, the reconsideration of the 212 Agreement and an item to rescind my authority to sign the 212 Agreement is on the agenda for the meeting Tuesday evening.

While I typically execute any agreement authorized by the Council as soon as practicable, I did not move quickly for several reasons to execute this particular agreement, and since the issue related to County concurrence has arisen, I have not since executed the agreement on behalf of the City due to the possibility that the Council might reconsider the matter.

Mr. Howell has submitted the attached email related to the Council's consideration of the two related items on the agenda for Tuesday. He is requesting to address the Council at the meeting for the purpose of asking the Council to table reconsideration of the 212 Agreement pending his future request that the Commissions Court reconsider the lot size variance. Mr. Howell has also requested copy of this packet memorandum and related materials which I will provide to him.

My view is that it appears that a misunderstanding from the first County Commissions Court meeting led us to put the 212 Agreement on the City Council agenda before it should have been placed on that agenda. It was approved; however, it has not been executed. Since that time the relevance of the agreement has been nullified by the Commissions Court action to NOT approve the lot size variance. That action stands unless it is changed by the Commissioners Court. This all being the case, it appears to me that reconsideration of the 212 Agreement should occur – this time with the Council having the information that was not available to you at the last meeting.

To be clear Rockwall County is in the position to determine whether a lot size variance is to be granted, and, thus, whether a 212 Agreement involving the city has any significance. Further, the Staff should have been clear in our understanding of the outcome of the first Commissioners Court meeting before we put the Council in the position of considering the 212 Agreement at the last meeting.

Cole, Kristy

From: Crowley, Rick
Sent: Wednesday, September 02, 2015 4:51 PM
To: Smith, Mary; Cole, Kristy
Subject: Fwd: Agenda item - 212 Agreement on 98 acres

This will be included in the packet along with the memo that I will write tomorrow.

Sent from my iPhone

Begin forwarded message:

> **From:** Joey Howell < >
> **Date:** September 2, 2015 at 3:53:30 PM CDT
> **To:** "Crowley, Rick" <RCrowley@rockwall.com>
> **Cc:** "Pruitt, Jim" <JimPruitt@rockwall.com>, Jim Benson ,
> Todd Winters Cell
>
> **Subject: RE: Agenda item - 212 Agreement on 98 acres**
>
> Thank you very much for letting me know Rick and for all that you all have done in working with us on this project.
>
> As I said in our call, I'd appreciate the City giving us the opportunity to have the time to work with the County to obtain the variance request and pending that, to not take action that would change the status of the 212 agreement, as that could be detrimental to obtaining the approval from the County. When I first heard about this from the City staff, they didn't have the details on this agenda item but thought that it might be just to authorize you to not sign the 212 agreement, pending a resolution of this with the County; and I'd appreciate any action just being along that line, so that we are able to effectively move forward on the variance request by the County.
>
> Both Judge Sweet and Commissioner Bailey voted for the variance from the minimum 1.5 acre lot rule because of the City's 212 agreement, and they both encouraged us to get with Commissioners Sevier and Gilbert to bring it back to the Commissioners Court for reconsideration, as they had expected at least one of them to vote for it. We and some City Councilmen are requesting that such Commissioners do that and that one of them put this back on the agenda, which we are hopeful that they will do on this coming Tuesday (but it might get delayed to the next meeting, 2 weeks thereafter).
>
> The City Council voted for the 212 agreement unanimously for this and many of them are working with us to have the variance approved by the County, so we'd appreciate the City Council either tabling this until we work this back through the County or only taking action that allows us to proceed to obtain the variance. Please send this request to the City Councilmen as part of their meeting package for next Tuesday's meeting.
> We would also appreciate you sending me anything that is sent out to the City Council for review with this agenda item and to have the opportunity to address the Council in connection with whatever action is being considered.

Thank you very much all for the consideration of this request.

-----Original Message-----
From: Crowley, Rick [mailto:RCrowley@rockwall.com]
Sent: Wednesday, September 2, 2015 1:23 PM
To:
Cc: Pruitt, Jim <JimPruitt@rockwall.com>
Subject: Agenda item

Joey

Follow up from your call yesterday:

Mayor Pruitt has requested that the 212 agreement discussion should be returned for reconsideration by the Council. I concur that the recent action by Rockwall County warrants that reconsideration. It will be on the Council agenda for the meeting this coming Tuesday.

If you have any questions which we did not discuss yesterday, please let me know.

Thanks,
Rick

Sent from my iPhone

This email contains the thoughts and opinions of the sender and does not reflect official City of Rockwall policies.

Other than the intended recipient, any confidential information contained in this email is prohibited from disclosure or use.

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CHAPTER 212 TEXAS LOCAL GOVERNMENT CODE
DEVELOPMENT AGREEMENT

This Agreement is entered into pursuant to Section 212.172 Texas Local Government Code by and between the City of Rockwall, Texas [*the 'City'*] and **TERRAVISTA INVESTORS, LLC**, [*'Owner's'*] the property owners of the hereinafter described property [*the 'Property'*] in Rockwall County, Texas, sometimes individually or collectively referred to as *Party* or *Parties*:

> That property described in a deed to **TERRAVISTA INVESTORS, LLC** which is recorded at *Volume 7283 Page 108* of the Deed Records of Rockwall County, Texas, and commonly known as *Tax Parcel No.* **0142-0000-0018-01-0R & 0142-0000-0018-00-0R**, which is attached hereto as *Exhibit 'A'*, consisting of approximately **97.2821** acres of land.

WHEREAS, *Owners* represent that the *Property* is within the *City's* existing extraterritorial jurisdiction ("ETJ") and more particularly described in ***Exhibit 'A'***; and

WHEREAS, *Owners* desire that the *Property* remain in the *City's* extraterritorial jurisdiction for the term of this Agreement;

WHEREAS, *Owners* and the *City* acknowledge that this Agreement between them is binding upon the *City* and the *Owners* and their respective successors and assigns for the term of the Agreement;

WHEREAS, *Owners* represent that it is their intention to develop the *Property* during the term of this Agreement in accordance with the Concept Plan, as set forth and described in *Exhibit 'B'* attached hereto; and

WHEREAS, this Agreement is to be recorded in the Real *Property* Records of Rockwall County;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Parties hereto agree as follows:

SECTION 1.

Continuation of ETJ Status. The *City* guarantees the continuation of the ETJ status of the Property and agrees not to annex the *Property* for the term of this Agreement, as hereinafter defined, and any subsequent renewals as may be agreed upon by the Parties, subject, however, to the provisions of this Agreement.

SECTION 2.

Concept Plan. The *Owners* covenant and agree that use of the *Property* for the term of this Agreement and any extensions agreed to by the Parties shall be limited to those uses described on a concept plan prepared by the landowner and approved by the *City* of Rockwall and herein attached as ***Exhibit 'B'***. Such uses and activities constitute the Concept Plan for the *Property* in satisfaction of Texas Local Government Code *Section*

212.172(b). The *City* hereby approves the use and development of the *Property* in accordance with the Concept Plan, and, specifically approves the land use as described and identified in the Concept Plan. The Concept Plan may be amended from time to time by written agreement between the Parties.

SECTION 3.

Governing Regulations

(A) To the extent not inconsistent with the approved Concept Plan, the following Rockwall regulations shall apply to any development of the *Property*, as may be amended from time to time, provided that the application of such regulations does not prevent the continuation of a use established prior to the effective date of this Agreement and which remains lawful at the time the Agreement is executed:

(1) The Rockwall Unified Development Code Ordinance [*Ordinance No. 04-38*] as amended; for purposes of evaluating any proposed development of the *Property* under the Unified Development Code.

(2) The Subdivision Regulations, Chapter 24 of the Code of Ordinances and as amended, together with Standards of Design and Construction, City of Rockwall Texas, as supplemented by the North Central Texas Council of Governments Standard Specifications for Public Works Construction, North Central Texas, 3rd Ed. 1998 (NCTCOG Manual).

(3) The Building Codes, [*Ordinance No. 12-02*], adopting:

a. *International Building Code, 2009 Edition with amendments;*

b. *International Residential Code, 2009 Edition with amendments;*

c. *The International Fire Code, 2009 Edition with amendments;*

d. *International Plumbing Code, 2009 Edition with amendments;*

e. *International Fuel Gas Code, 2009 Edition with amendments;*

f. *Rockwall Code of Ordinances, Property Maintenance Code, with amendments;*

g. *Uniform Swimming Pool Code, 2009 Edition with amendments; and*

h. *International Energy Conservation Code, 2009 Edition with amendments.*

i. *National Electric Code, 2008 Edition with amendments.*

j. *Rockwall Code of Ordinances, Fences, with amendments;*

k. *Rockwall Code of Ordinances, Dangerous Buildings, with amendments;*

l. *Rockwall Code of Ordinances, Moving of Buildings, with amendments.*

(4) *The Sign Regulations, Section 15-232 (B)* [*Ordinance 10-07*].

(B) If, pursuant to this Agreement or following termination of the Agreement, portions of the *Property* are annexed to the City, the Parties further covenant and agree that the use and development of such land thereupon shall be subject to the regulations of the lowest intensity single-family residential district and the subdivision regulations then in effect. In the event any portion of the *Property* is developed in compliance with this Agreement, then following annexation the *Property* will be rezoned consistent with the City's approved Comprehensive Plan so that development pursuant to this Agreement does not result in a nonconforming use of the *Property* and the future use and development of such land shall be governed by the regulations of the zoning district to which the land is reclassified and the subdivision regulations in effect at the time of approval of such rezoning.

SECTION 4.

Agreement Deemed Void in Part; Voluntary Annexation.

(A) If an *Owner* files any application for or otherwise commences development of any portion of the *Property* inconsistent with the concept plan provided in Section 2, Sections 1 and 3 of this Agreement shall become null and void, except as herein expressly provided for.

(B) Thereafter the City may initiate annexation of the *Property* pursuant to Texas Local Government Code Subchapter C-1, or other such other provisions governing voluntary annexation of land as may then exist. *Owners* expressly and irrevocably consent to annexation of the *Property* under such circumstances. The *Owners* further agree that such annexation by the City shall be deemed voluntary, and not subject to the requirements and procedures for an annexation plan, as required by Texas Local Government Code Section 43.052, or successor statute.

(C) Any development application that is submitted to the City for the *Property* during the term of this Agreement or during any extension, that is inconsistent with the concept plan and governing regulations, shall be denied based upon such plan and governing regulations, which collectively shall constitute regulations in effect at the time such application is submitted. The *Owners* expressly waive any vested rights that might otherwise arise under Texas Local Government Code Section 43.002 or Chapter 245 of the Texas Local Government Code, or successor statute, from the submittal of such inconsistent development application. The *Owners* further agree that no use commenced or completed on the *Property* that is inconsistent with the Concept Plan shall be considered established or in existence prior to the date that the City annexes the *Property* pursuant to this section.

(D) If the City's right to annex, as of the date of this Agreement, is in any way diminished by a subsequent act by the Legislature of the State of Texas during the one year period or any additional period, that this Agreement is in effect, then such act shall be considered as a voluntary petition to annex.

SECTION 5.

Notice of Sale. If the *Owner* sells or conveys any portion of the *Property*, prior to such sale or conveyance, *Owner* shall give 30 days written notice of this Agreement to the prospective purchaser or grantee and the prospective purchaser or grantee acknowledge the City's rights under the terms of this Agreement. A copy of said notice and acknowledgement shall be forwarded to the City at the following address:

Attn: City Manager
City of Rockwall
City Hall
305 S. Goliad Street
Rockwall, Texas 75087

SECTION 6.

Recording. This Agreement is to run with the *Property* and be recorded in the real property records, Rockwall County, Texas.

SECTION 7.

Severability. Invalidation of any provision of this Agreement by judgment or court order shall not invalidate any of the remaining provisions which shall remain in full force and effect. It is the intent of the parties that, should it be determined that any portion of the *Property* was outside of the City's then existing ETJ at the time this Agreement took effect, the provisions of this Agreement shall apply to the remainder of the *Property* located within the City's extraterritorial jurisdiction.

SECTION 8.

Remedies. This Agreement may be enforced by either *Owners* or the City by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the provisions of this Agreement thereafter. Entry into this Agreement by *Owners* waive no rights as to matters not addressed in this Agreement.

SECTION 9.

Change in Law. No subsequent change in the law regarding annexation shall affect the enforceability of this Agreement or the City's ability to annex the properties covered herein pursuant to Section 3.

SECTION 10.

Venue. Venue for this Agreement shall be in Rockwall County, Texas.

SECTION 11.

Execution in Multiple Copies. This Agreement may be separately executed in individual counterparts and, upon execution, shall constitute one and same instrument.

SECTION 12.

Term and Extension. The initial term of this Agreement shall be for a period of fifteen (15) years from the Effective Date (*the 'Term'*). The Effective Date of the Agreement shall be the date the Agreement is executed by the City. Within 180 days prior to end of the Term of the Agreement, the City shall notify the *Owners* in writing that the Agreement is due to expire. If *Owners* desire to extend the operation of this Agreement beyond its Term, the *Owners*, at least 150 days prior to the end of the Term, shall submit a written request to the City for such an extension (*an 'Extension Request'*). The City, at least 90 days prior to the end of the Term shall notify *Owners* in writing, delivered by certified mail, with respect to its decision whether to extend this Agreement for an additional one (1) year term (*referred to as a 'Subsequent Term'*). In the event such written notice from the City of its decision is not received by the *Owners* at least 90 days prior to the end of that Term such Extension Request is deemed granted and this Agreement continues for another Subsequent Term.

SECTION 13.

Termination. If the *Owners* do not provide an Extension Request pursuant to Section 12, or upon a written decision by the City not to extend the term of this Agreement for a Subsequent Term following the Term, then *Owners* shall be deemed to have filed a petition for voluntary annexation as of the end of the Term of this Agreement. If *Owners* submitted an Extension Request, then a notice pursuant to Section 13 by the City that it has decided not to extend the Term of this Agreement shall also include a notification whether it intends, subject to the procedures required by law, to accept the petition for voluntary annexation. If *Owners* did not submit an Extension request then the City, at least 90 days prior to the end of the Initial Term, shall provide a written notification to *Owners*, by certified mail, whether it intends, subject to the procedures required by law, to accept the petition for voluntary annexation. Any annexation proceedings pursuant to this section shall be commenced within 180 days after the end of the Term.

SECTION 14.

Negotiations. Upon termination of this Agreement and the decision by the City to accept the petition for voluntary annexation by the *Owners*, as provided in Section 12 or Section 13, then *Owners* and the City will enter into good faith negotiations regarding the service plan to be implemented, provided that, unless the parties agree otherwise, the service plan for such land shall conform to, and be implemented in accordance with the City's then existing adopted comprehensive and utility master plans. Upon annexation, the zoning shall initially be a use consistent with development of the *Property* consistent with the Concept Plan or if the *Property* has not been developed, the lowest intensity residential district, until an appropriate change in zoning is made pursuant to Chapter 211, Texas Local Government Code or successor statute. In connection with annexation pursuant to this section, the *Owner* hereby waives any and all vested rights and claims that he may have under Section 43.002(a)(2) and Chapter 245 Texas Local Government Code that would otherwise exist by virtue of any actions *Owners* may take between the termination of this Agreement and the completion of annexation proceedings by the City. Unless the City declines to annex the *Property* on the petition of the property *Owner*, the Concept Plan and governing regulations

consistent with the Concept Plan shall apply to any proposed development application prior to completion of annexation proceedings and the adoption of permanent zoning regulations for the *Property*, and the Concept Plan and governing regulations consistent with the Concept Plan shall be kept in effect for such purposes.

SECTION 15.

Survival of Covenants. The covenants in Sections 2, 4, 14, and 15 shall survive termination of this Agreement, together with any other provisions, as may be necessary for the implementation of those sections.

The Parties hereto have executed this agreement as of _____.

Owners:

TERRAVISTA INVESTORS, LLC

_____
Joseph E. Howell, Manager

THE STATE OF TEXAS }

COUNTY OF }

This instrument was acknowledged before me on the _____ day of _____, 2015.

_____
Notary Public, State of Texas

THE CITY OF ROCKWALL, TEXAS

By: _____

_____

_____

THE STATE OF TEXAS }

COUNTY OF }

This instrument was acknowledged before me on the _____ day of _____, 2015.

_____
Notary Public, State of Texas

Exhibit 'A'
Legal Description

TRACT 1:

PART of the S. McFadgin Survey, Abstract No. 142, situated in Rockwall County, Texas, being the same tract of land described by Substitute Trustee's deed to Meridian Bank Texas (Tract 1) recorded in Volume 6659, Page 53 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for the west corner of said Meridian tract, also for the west corner of a tract of land described by deed to Nan B. Miller recorded in Volume 7042, Page 75 of the Real Property Records of Rockwall County, Texas, also lying on the easterly line of Farm Market Road 548, an 80.00 feet wide right-of-way;

THENCE North 45 degrees 21 minutes 36 seconds East, along the northwest line of said Meridian tract and the southeast line of said Miller tract, along a wire fence, passing at a distance of 319.42 feet a 1/2 inch iron rod found for the east corner of said Miller tract and the west corner of the remainder tract to Glenn R. Robinson and wife, Gay L. Robinson recorded in Volume 532, Page 176 of the Deed Records of Rockwall County, Texas, and continuing along the northwest line of said Meridian tract and said wire fence, passing at a distance of 2,956.48 feet a 1/2 inch iron rod found for the east corner of a tract described by deed to Ronald Adley recorded in Volume 3774, Page 118 of the Real Property Records of Rockwall County, Texas, same being the most westerly corner of a 15.00 acre tract described by deed to Paul Bennett and Dorothy Alexander recorded in Volume 168, Page 711 of the Deed Records of Rockwall County, Texas, and continuing along the northwest line of said Meridian tract and a southeast line of said Bennett tract, and said wire fence, for a total distance of 3,127.32 feet to a 1/2 inch iron rod found for the north corner of said Meridian tract and an ell corner of said Bennett tract, from which a 1/2 inch iron rod found bears North 49 degrees 07 minutes 01 second West, 1.13 feet;

THENCE South 44 degrees 41 minutes 35 seconds East, along the northeast line of said Meridian tract and along a wire fence, a distance of 1,219.13 feet to a 1/2 inch iron rod found for the east corner of same, also for the north corner of a tract of land described by deed to Glenn Chadwell Turner and Kimberly Michelle Turner recorded in Volume 1676, Page 278 of the Deed Records of Rockwall County, Texas;

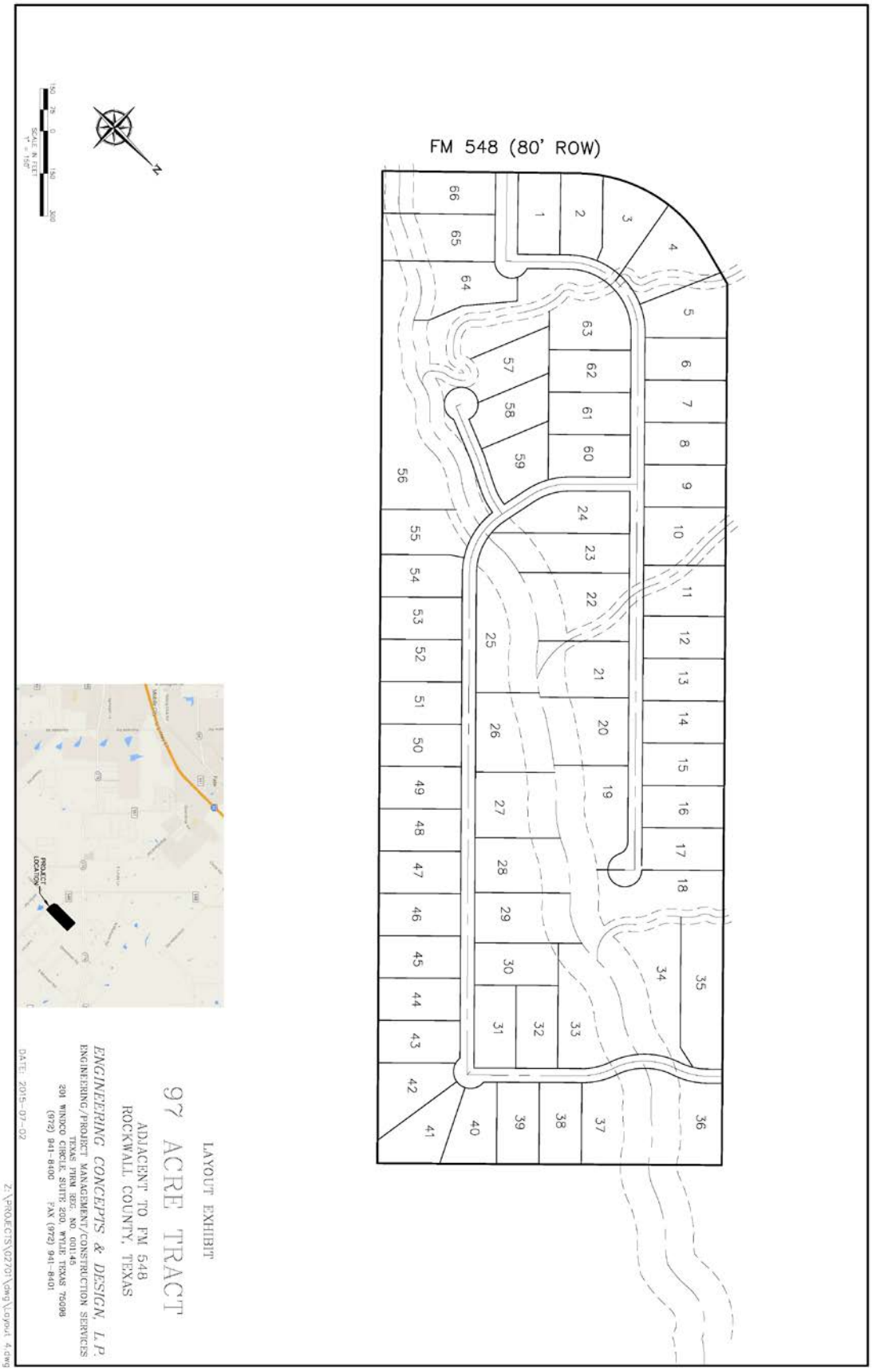
THENCE South 45 degrees 17 minutes 01 seconds West, along the southeast line of said Meridian tract, and the northwest line of said Turner tract, also along a wire fence, passing at a distance of 363.02 feet a 1/2 inch iron rod found for the west corner of said Turner tract, and the north corner of a tract of land described by deed to Dwane Turner recorded in Volume 1676, Page 267 of the Deed Records of Rockwall County, Texas, and continuing along the southeast line of said Meridian tract and the northwest line of said Dwane Turner tract, continuing along said wire fence, passing at a distance of 1,196.66 feet a 1/2 inch iron rod with cap stamped "R.P.L.S. 2291" found for the west corner of said Dwane Turner tract and the north corner of a tract of land described by deed to Crowell Development, Co., Inc. recorded in Volume 4417, Page 152 of the Real Property Records of Rockwall County, Texas, and continuing along the southeast line of said Meridian tract and the northwest line of said Crowell Development tract, continuing along said wire fence, for a total distance of 3,521.25 feet to a 1/2 inch iron rod with cap stamped "TIPTON" found for the south corner of said Meridian tract and the west corner of said Crowell Development tract, also lying on the northeast line of the aforementioned Farm Market Road 548;

THENCE North 44 degrees 19 minutes 08 seconds West, along the northeast line of said Farm Market Road 548, a distance of 692.70 feet to a 1/2 inch iron rod found for the beginning of a curve to the right having a radius of 533.69 feet, a central angle of 59 degrees 13 minutes 01 second, and a chord which bears North 14 degrees 43 minutes 13 seconds West, 527.36 feet;

THENCE along the northeast line of said Farm Market Road 548, and said curve to the right in a northwesterly direction, an arc distance of 551.58 feet to a 1/2 inch iron rod found at the end of said curve;

THENCE North 14 degrees 53 minutes 23 seconds East, continuing along the northeast line of said Farm Market Road 548, a distance of 146.05 feet to the PLACE OF BEGINNING and containing 4,237,610 square feet or 97.282 acres of land.

Exhibit 'B'
Concept Plan



Development Standards.

1. *Permitted Uses.* Unless specifically provided by this agreement, only those uses permitted within the Single Family 1 (SF-1) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.

2. *Density and Dimensional Requirements.* The maximum permissible density for the *Subject Property* shall not exceed one (1) dwelling unit per gross acre of land; however, in no case should the proposed development exceed 66 units. All lots shall conform to the standards depicted in *Table 1* below unless specifically provided for in *Table 2* below.

Table 1: Lot Dimensional Requirements

Minimum Lot Width [1]	150'
Minimum Lot Depth	250'
Minimum Lot Area [6]	43,560 SF
Minimum Front Yard Setback [2]	40'
Minimum Side Yard Setback [7]	15'
Minimum Side Yard Setback (Adjacent to a Street) [7]	20'
Minimum Length of Driveway Pavement (Rear and Side Yard Only)	25'
Maximum Height [3]	36'
Minimum Rear Yard Setback [4]	20'
Minimum Area/Dwelling Unit (SF) [5]	2,600 SF
Maximum Lot Coverage	45%
Minimum Number of Paved Off-Street Parking Spaces	2 Spaces
Minimum Distance Between Buildings	10'

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*. The Director of Planning or his designee may grant a reduction in the required lot width by up to 10% of the required width if deemed necessary to the design of the lot.

[2]: The location of the *Front Yard Building Setback* as measured from the front property line.

[3]: The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single family home.

[4]: As measured from the rear yard property line.

[5]: The minimum area/dwelling unit only includes air conditioned square space.

[6]: The minimum lot area refers to area outside of the floodplain, as defined per the City's regulations.

[7]: Masonry wing walls may extend five (5) feet beyond the applicable side yard setback.

3. *Building Standards.* All development shall adhere to the following building standards:

(a) *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all primary structures (*i.e. dwelling units only*) shall be 80%. For the purposes of this agreement the masonry requirement shall be limited to full width brick, natural stone, cast stone, cementaceous fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*), and stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*). Cementaceous products (*e.g. HardiBoard, Hardy Plank, Stucco, etcetera)* shall be limited to 50% of the masonry requirement.

(b) *Roof Pitch.* A minimum of an *8:12* roof pitch is required on all structures with the exception of porches, which shall have a minimum of a *4:12* roof pitch.

(c) Garage Orientation. Garages shall be accessed from a traditional *'J'-Swing* or *Swing* type driveway arrangement. A second, single garage door facing the street is permitted behind the width of the required double door garage that is accessed from a traditional *'J'-Swing* or *Swing* configuration.

4. Anti-Monotony Restrictions. The development shall adhere to the following *Anti-Monotony* restrictions (*for spacing requirements see the illustration below*):

(1) Exterior wall materials must comply with the *Masonry Requirements* listed in *Section 3.(a)*. Additionally, all chimneys are required to utilize masonry materials.
(2) Identical brick blends or paint colors may not occur on adjacent (side-by-side) properties along any block face without at least four (4) intervening homes of differing materials on the same side of the street beginning with the adjacent property and two (2) intervening homes of differing materials on the opposite side of the street.
(3) Front building elevations shall not repeat along any block face without at least four (4) intervening homes of differing appearance on the same side of the street and two (2) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on FM-548 shall not repeat without at least two (2) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

(a) Number of Stories
(b) Garage Location
(c) Roof Type and Layout
(d) Articulation of the Front Façade

(4) Crown molding will be installed in all living and family rooms, unless vaulted or pop-up ceilings are utilized. No *Formica* countertops may be installed in kitchens and/or bathrooms, and vinyl flooring and blown acoustic ceilings are prohibited.
(5) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*). Alternatively, a tile, metal or other higher quality may be utilized as a roofing material pending it conform to the *Anti-Monotony Restrictions* stated in this section.

See the Illustrations on the following page.

Illustration 1: Properties line up on the opposite side of the street. Where RED are the same.

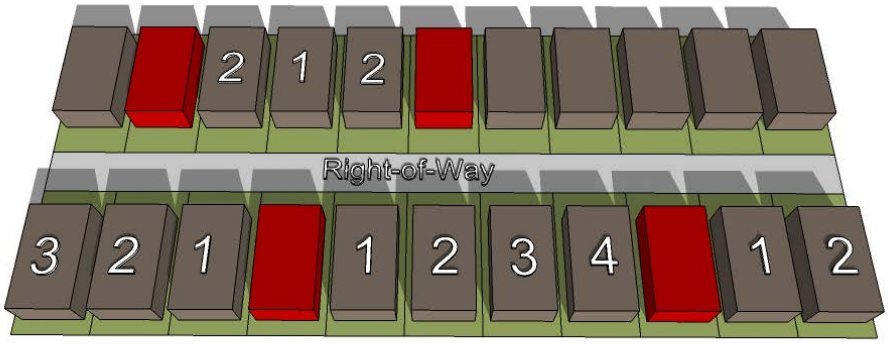
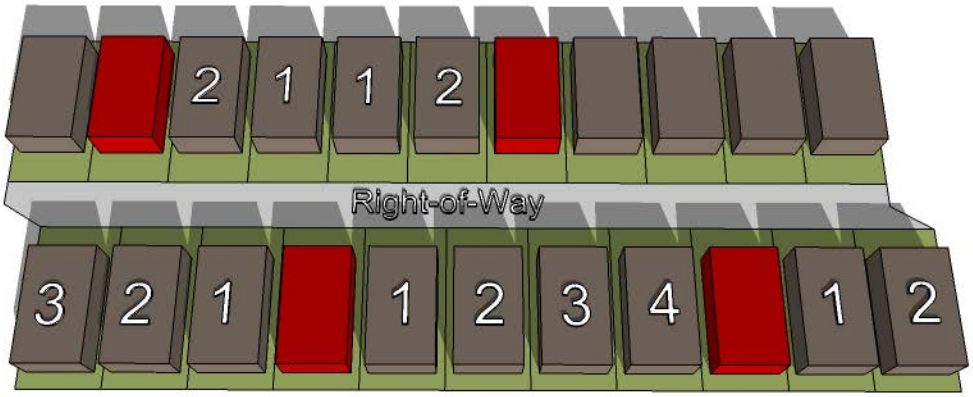


Illustration 2: Properties do not line up on opposite side of the street. Where RED are the same.



5. *Fencing Standards.* Fences are not mandatory for any lot within this subdivision; however, if a property owner chooses to construct a fence it will need to adhere to the following standards:

   (a) Solid Residential Fencing. All solid residential fencing shall be cedar standard fencing material (minimum ½" thickness) or better (*spruce fencing is not allowed*). All cedar pickets shall be placed on the *public side* facing the street or neighboring property.
   (b) Wrought-Iron/Tubular Steel Fencing. Lots located along perimeter roadways (*i.e. FM-548*) and abutting open spaces, greenbelts and/or a park [*if* any] -- *excluding, land abutting development land or yard areas of adjacent properties/homes* -- shall be required to install tubular steel or wrought-iron fencing.
   (c) Common Area Fencing. All common areas and perimeter fencing shall be maintained by a Homeowners Association (HOA) as specified by the *Subdivision Regulations* contained in *Chapter 38* of the City's *Municipal Code of Ordinances*. Common area fencing shall be constructed of tubular steel or wrought-iron and not exceed six (6) feet in height.

6. *Landscaping.* At the time of final inspection of the finished home, all single-family lots shall be landscaped with large canopy trees as follows:

   (a) Two (2) minimum three (3) inch caliper trees, as measured six (6) inches above the root ball, shall be planted in the front yard of all interior lots.

(b) Two (2) minimum three (3) inch caliper trees, as measured six (6) inches above the root ball, shall be planted in the front yard of all corner lots and two (2) additional trees shall be planted in the side yard facing the street.

Note. Any existing trees that are in conformance with the tree mitigation requirements stipulated by Article IX, Tree Preservation, of the Unified Development Code, which can be preserved, will be counted as credits towards all required landscaping requirements.

7. *Lighting.* Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.

8. *Streets.* The street cross sections shall be as depicted within *Exhibit 'B'* of this agreement. The property owner (with direct adjacency) shall be responsible for maintaining the area between edge of pavement and their property line (*i.e. the bar ditches/drainage areas*).

9. *On-Site Sewage Facilities. Septic Systems* are permitted on all lots within this subdivision pending conformance to the following standards:

   (a) All *Septic Systems* shall be designed by a licensed *On-Site Sewage Facility (OSSF)* professional (*e.g. licensed engineer, sanitarian, and etcetera*).
   (b) A stamped and signed copy of the *Septic System* plans indicating the full limits of the septic field shall be submitted to the city at the time of construction on a *lot-by-lot* basis.
   (c) All *Septic Systems* shall be inspected and approved by the City's chosen inspector.

10. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (*3-phase lines*), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The *Developer* shall not be required to relocate existing overhead power-lines along the perimeter of the *Subject Property*.

11. *Neighborhood Signage.* Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the final plat.

12. *Homeowner's Association (HOA).* A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the *Municipal Code of Ordinances* of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, screening fences associated with this development.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, Assistant to the City Manager / City Secretary**

DATE: **September 3, 2015**

SUBJECT: **Boards & Commissions (Re)Appointments**

Since the last council meeting, staff has received feedback from various council members concerning board & commission appointments.

Regarding the **Animal Adoption Center/Shelter Advisory Committee**, Councilmember Fowler is recommending reappointment of the following board members:

- **Ken Dickson**
- **Dr. Kurt Avery and**
- **Sandra Solomon**

Regarding the **Architectural Review Board**, Councilmember Fowler is recommending that the council consider replacing current board member Engiell Tomaj with new appointee, **Ralph Chizzonite**. Councilman Fowler is also recommending reappointment of the following board members through August 2017:

- **Enid Reyes**
- **Ashlei Neil and**
- **Jimmy Strohmeyer**

Regarding the **Historic Preservation Advisory Board**, Mayor Pruitt is recommending that the Council consider reappointing the following board members through August 2017:

- **Mike Mishler** and
- **Carolyn Francisco**

Furthermore, he recommends replacing current board members Glen Turbyfill and Michael Keegan with new appointees, **Daniel Nichols** and **Gabriel Castro.**

Regarding the **Board of Adjustments**, Council is asked to consider reappointing:

- **Stephen Geiger** and
- **Martin Musser**

Regarding the **Building & Standards Commission**, Council is asked to consider reappointing:

- **Dennis Dayman** and
- **Freddie Jackson**

One new, 'outright' appointment/appointee is still needed for this board (BSC), as an existing member (Glenn Carr) is 'termed out.'

Regarding the **Youth Advisory Council (YAC),** Councilmembers White and Fowler, along with three existing YAC students, City Secretary Kristy Cole and RHS Geography Teacher Brandy Glover met September 2 to interview twelve applicants to fill vacancies for this school year's program. The interview panel is recommending that Council consider appointing the following slate of students to YAC for the 2015-16 school year:

1. Beth Naylor (re-appointment) – Senior, homeschool
2. Isabella Burzair (re-appointment) – Senior, RHHS
3. Baldwin Bakkal (re-appointment) – Senior, RHHS
4. Derek "Gunner" Avenetti (re-appointment) – Senior, RHS
5. Cate Ghormley (re-appointment) – Senior, RHS
6. Logan Peet (re-appointment) – Senior, RHHS

7. Jake Mirelez (re-appointment) – Senior, RHS
8. Reid Rakow (re-appointment) – Junior, RHS
9. Bethany Villalobos (re-appointment) – Sophomore, RHS
10. Lanson Bennett (new appointment) – Senior, Heritage Christian Academy
11. Avery Dalfrey (new appointment) – Junior, RHHS
12. Zully Zavala (new appointment) – Junior, RHS
13. Caleb Davis (new appointment) – Freshman, homeschool

All of the above students are Rockwall residents except Caleb Davis and Jake Mirelez. Fate City Manager, Michael Kovacs, has agreed to financially sponsor both of these students to participate in Rockwall's YAC program this school year.

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City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

July 2015

Permits

Total Permits Issued: 319

Building Permits: 76 Contractor Permits: 243

Total Permit Values: $ 14,344,521.41

Building Permits: $ 13,033,240.31 Contractor Permits: $ 1,311,281.10

Total Fees Collected: $ 303,359.40

Building Permits: $ 273,592.32 Contractor Permits: $ 29,767.08

Board of Adjustment

Board of Adjustment Cases 1

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City of Rockwall

PERMITS ISSUED - Summary by Type and Subtype

For the Period 7/1/2015 thru 7/31/2015

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	10	$0.00	$504.50
30 DAY BANNER	9	$0.00	$454.50
COMING SOON	1	$0.00	$50.00
CLEAN SHOW	1	$0.00	$75.00
	1	$0.00	$75.00
CO	12	$0.00	$832.50
BUSINESS	10	$0.00	$681.00
NEW CONSTRUCTION	2	$0.00	$151.50
COMM	35	$2,418,322.31	$48,010.70
ADDITION	1	$6,000.00	$139.48
ALTERATION	1	$15,000.00	$262.75
CONCRETE	2	$2,168.00	$116.45
DECK	1	$3,500.00	$110.93
ELECTRICAL	5	$21,860.00	$227.80
FENCE	2	$38,000.00	$171.50
INTERIOR COMP	3	$427,078.00	$4,014.15
IRRIGATION	4	$22,037.00	$7,572.80
MECHANICAL	2	$35,600.00	$598.05
NEW	1	$282,279.31	$16,913.42
PLUMBING	3	$8,300.00	$5,849.31
REMODEL	8	$1,553,500.00	$11,962.56
ROOF	2	$3,000.00	$71.50
NONPROFIT SIGN	1	$0.00	$0.00
	1	$0.00	$0.00
SIGNAGE	18	$0.00	$2,254.50
DIRECTORY	1	$0.00	$75.00
MONUMENT	2	$0.00	$151.50
POLE	2	$0.00	$150.00
WALL	13	$0.00	$1,878.00
SINGLE FAMILY	223	$11,926,199.10	$251,300.70
ACC BLDG	5	$13,656.00	$447.18
ADDITION	1	$20,361.00	$353.69
ALTERATION	1	$0.00	$35.00
BALCONY	1	$34,000.00	$493.65
BOAT DOCK	1	$30,000.00	$453.25
CONCRETE	8	$29,900.00	$826.22
ELECTRICAL	3	$19,345.00	$137.00
FENCE	48	$177,500.00	$1,732.70
IRRIGATION	15	$32,100.00	$526.50
MECHANICAL	25	$172,632.00	$3,841.78
MISCELLANEOUS	1	$4,000.00	$108.75
NEW	47	$10,619,616.00	$237,772.14
PATIO COVER	2	$6,800.00	$175.99
PERGOLA	2	$4,450.00	$161.56
PLUMBING	19	$25,489.00	$1,610.09
REMODEL	1	$17,000.00	$296.57
RETAINING WALL	2	$14,000.00	$71.50
ROOF	21	$181,497.65	$746.20
SEAWALL	1	$6,000.00	$35.03
SWIM POOL	8	$447,265.00	$1,088.00

City of Rockwall

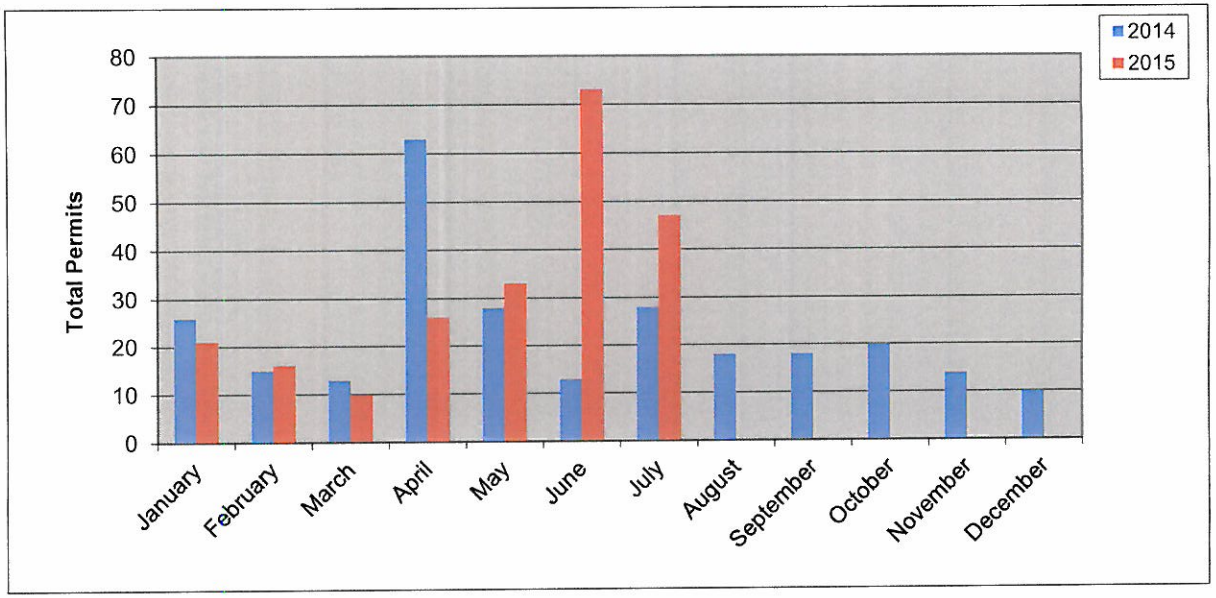
PERMITS ISSUED - Summary by Type and Subtype

For the Period 7/1/2015 thru 7/31/2015

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
WINDOWS	11	$70,587.45	$387.90
SPECIAL EVENT	19	$0.00	$381.50
	19	$0.00	$381.50
Totals:	319	$14,344,521.41	$303,359.40

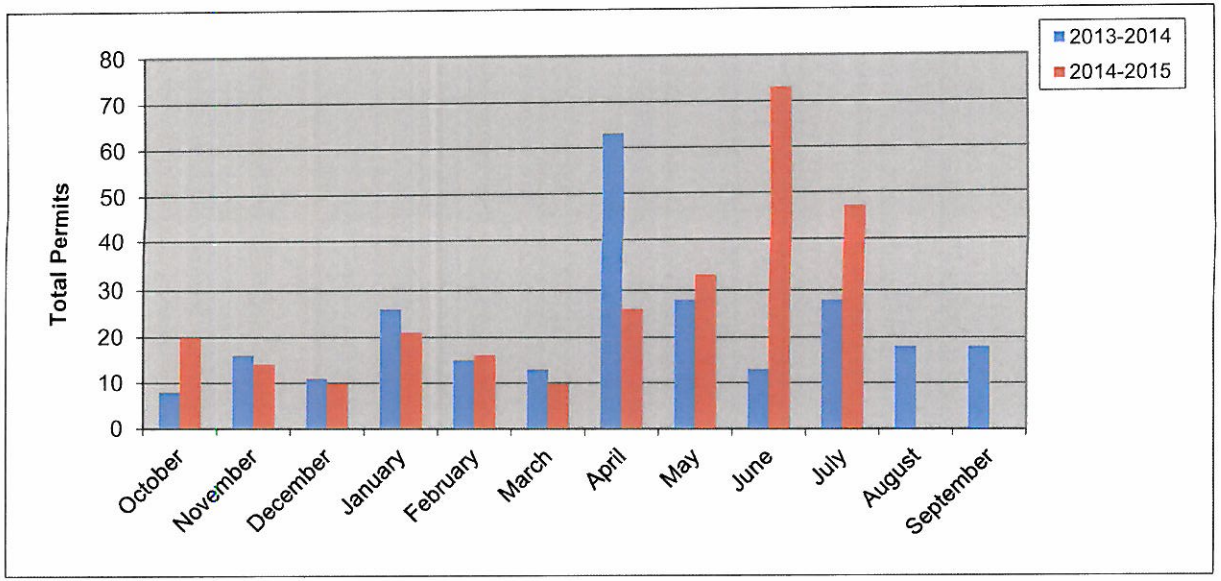
New Residential Permits Calendar Year

	Year	
	2014	2015
January	26	21
February	15	16
March	13	10
April	63	26
May	28	33
June	13	73
July	28	47
August	18	
September	18	
October	20	
November	14	
December	10	
Totals	**266**	**226**



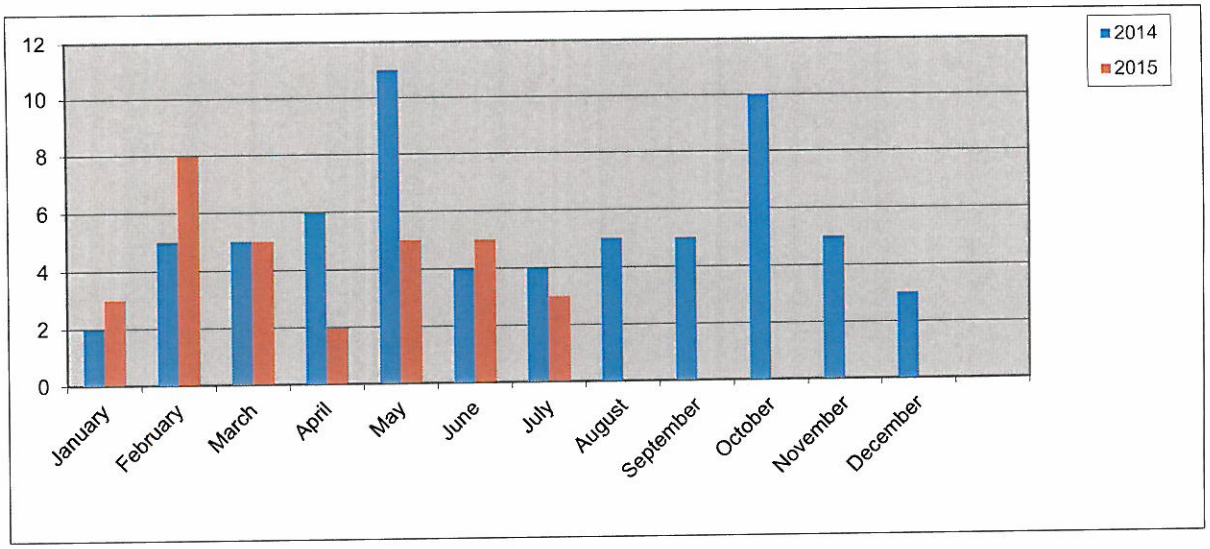
New Residential Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	8	20
November	16	14
December	11	10
January	26	21
February	15	16
March	13	10
April	63	26
May	28	33
June	13	73
July	28	47
August	18	
September	18	
Totals	**257**	**270**



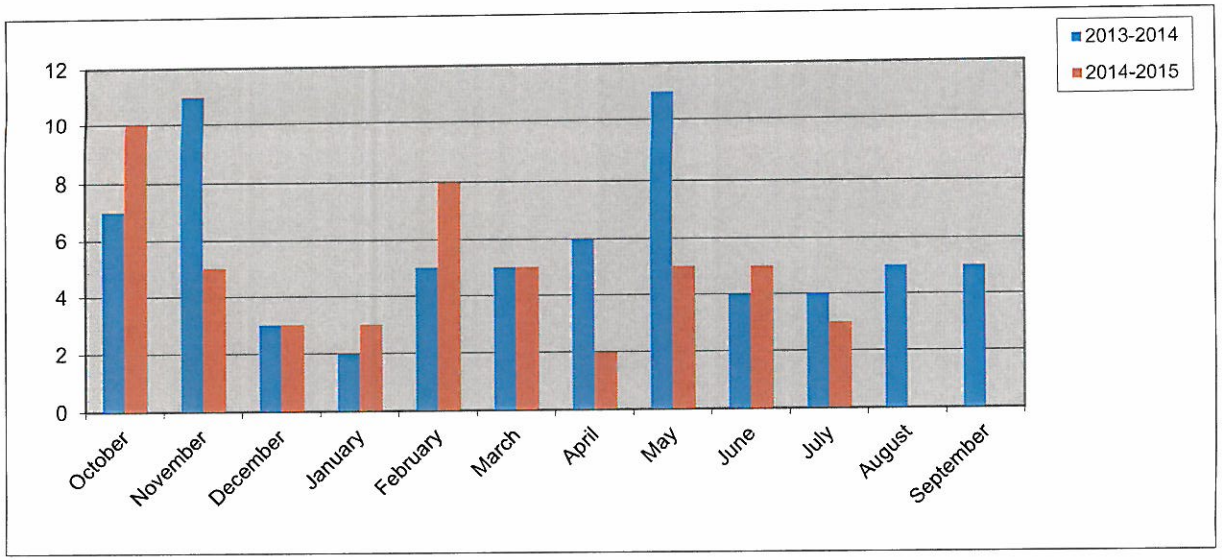
Residential Remodel Permits Calendar Year

Year	2014	2015
January	2	3
February	5	8
March	5	5
April	6	2
May	11	5
June	4	5
July	4	3
August	5	
September	5	
October	10	
November	5	
December	3	
Totals	**65**	31



Residential Remodel Permits Fiscal Year

Year	2013-2014	2014-2015
October	7	10
November	11	5
December	3	3
January	2	3
February	5	8
March	5	5
April	6	2
May	11	5
June	4	5
July	4	3
August	5	
September	5	
Totals	**68**	**49**



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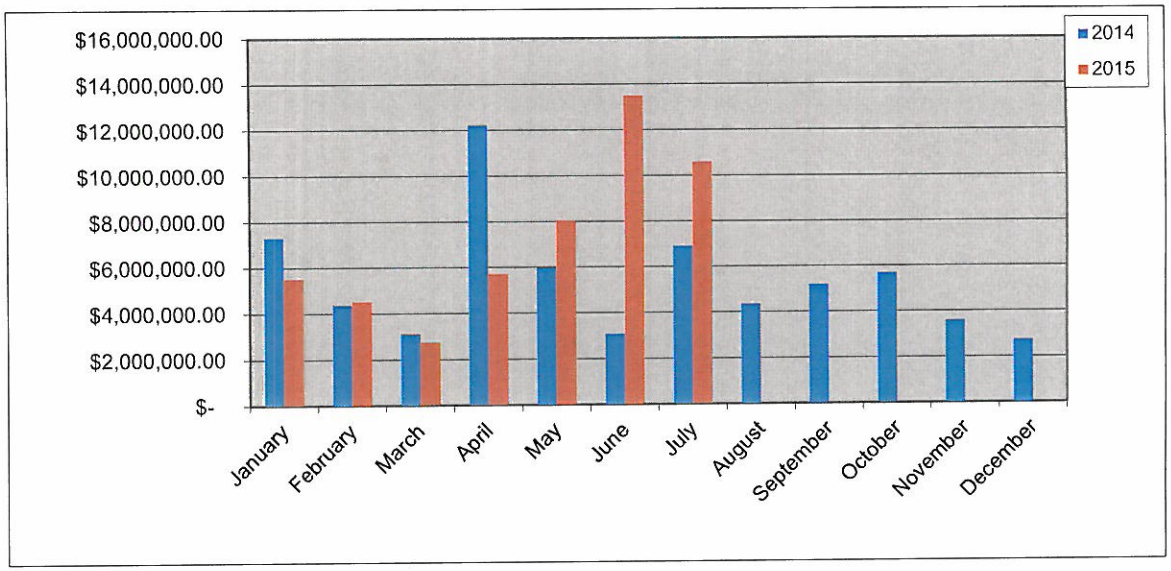
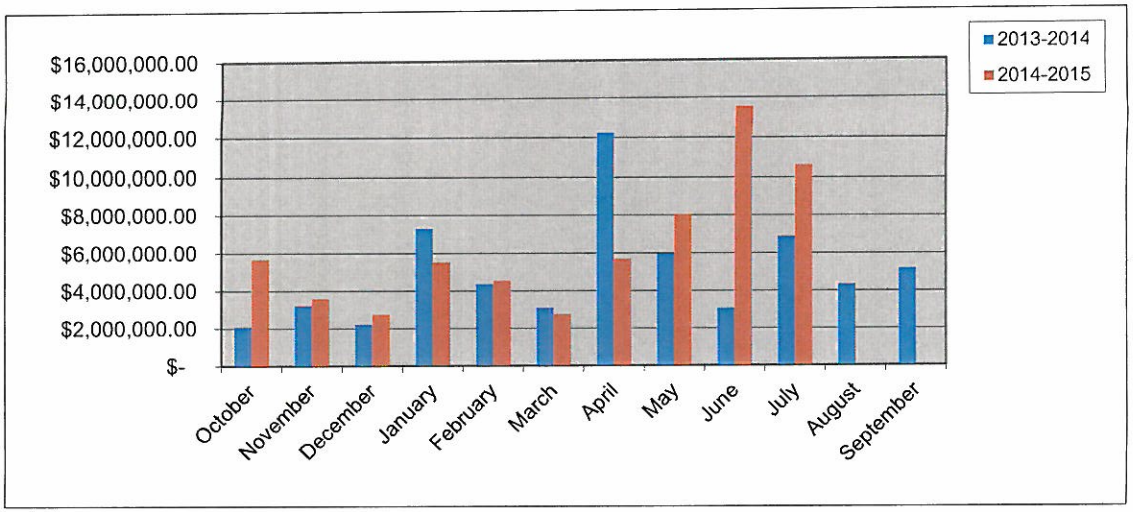
New Residential Value Calendar Year

Year	2014	2015
January	$ 7,288,000.00	$ 5,509,932.00
February	$ 4,353,427.00	$ 4,518,552.00
March	$ 3,094,927.74	$ 2,742,324.00
April	$ 12,228,936.33	$ 5,703,968.00
May	$ 5,960,240.00	$ 8,039,718.52
June	$ 3,048,536.00	$ 13,489,179.50
July	$ 6,883,062.87	$ 10,619,616.00
August	$ 4,330,100.19	
September	$ 5,184,201.79	
October	$ 5,661,792.00	
November	$ 3,581,756.00	
December	$ 2,712,503.00	
Totals	**$64,327,482.92**	**$ 50,623,290.02**



New Residential Value Fiscal Year

Year	2013-2014	2014-2015
October	$ 2,078,584.00	$ 5,661,792.00
November	$ 3,202,067.00	$ 3,581,756.00
December	$ 2,215,924.00	$ 2,712,503.00
January	$ 7,288,000.00	$ 5,509,932.00
February	$ 4,353,427.00	$ 4,518,552.00
March	$ 3,094,927.74	$ 2,742,324.00
April	$ 12,228,936.33	$ 5,703,968.00
May	$ 5,960,240.00	$ 8,039,718.52
June	$ 3,048,536.00	$ 13,489,179.50
July	$ 6,883,062.87	$ 10,619,616.00
August	$ 4,330,100.19	
September	$ 5,184,201.79	
Totals	**$59,868,006.92**	**$ 62,579,341.02**



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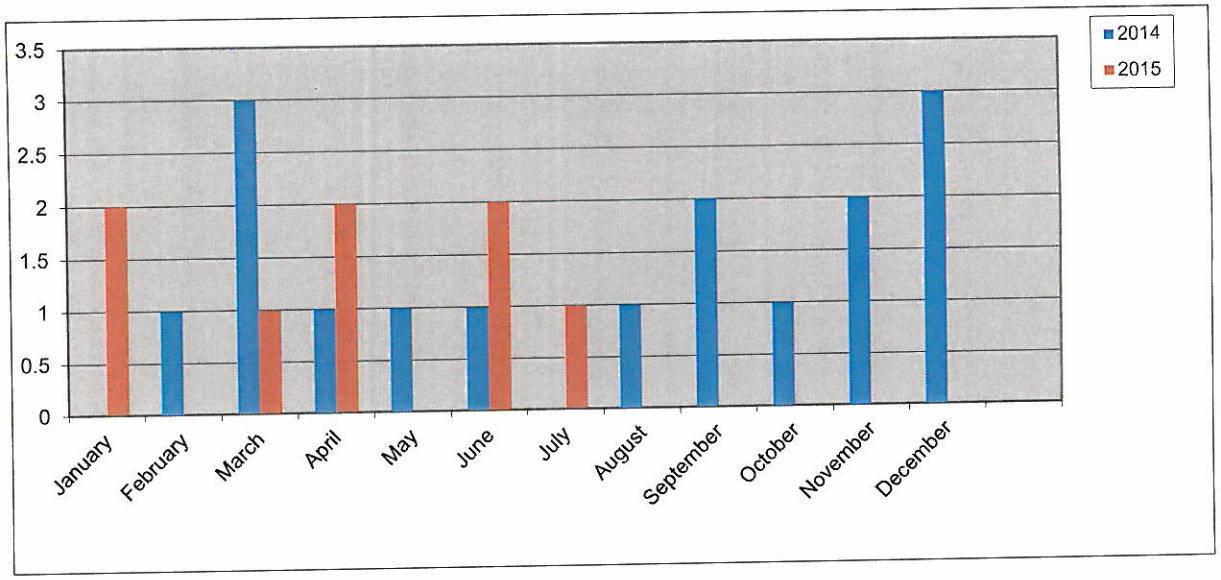
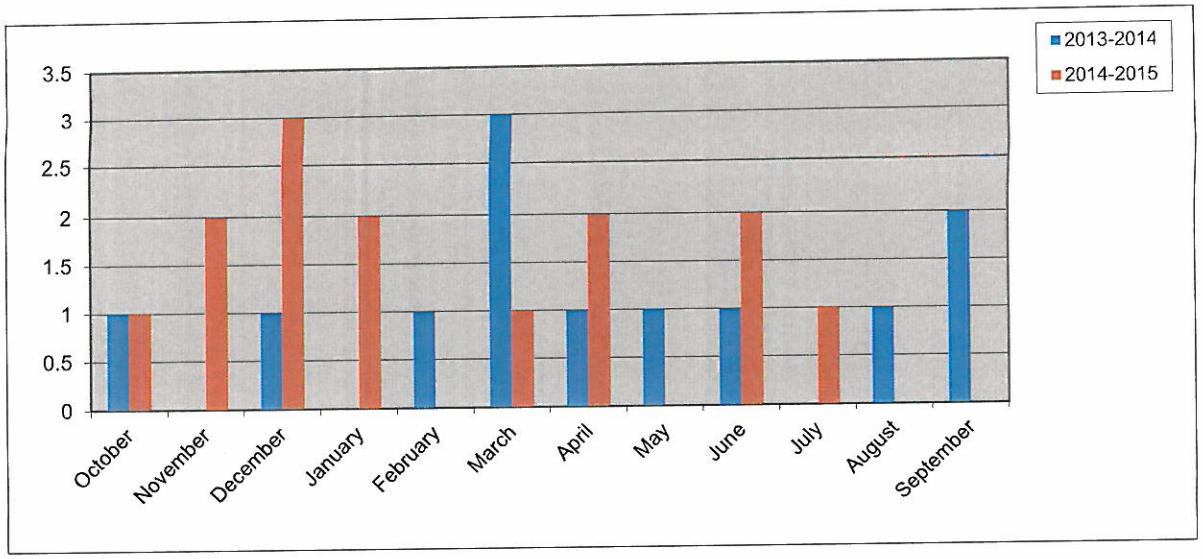
New Commercial Permits Calendar Year

	Year	
	2014	2015
January	0	2
February	1	0
March	3	1
April	1	2
May	1	0
June	1	2
July	0	1
August	1	
September	2	
October	1	
November	2	
December	3	
Totals	**16**	**8**



New Commercial Permits Fiscal Year

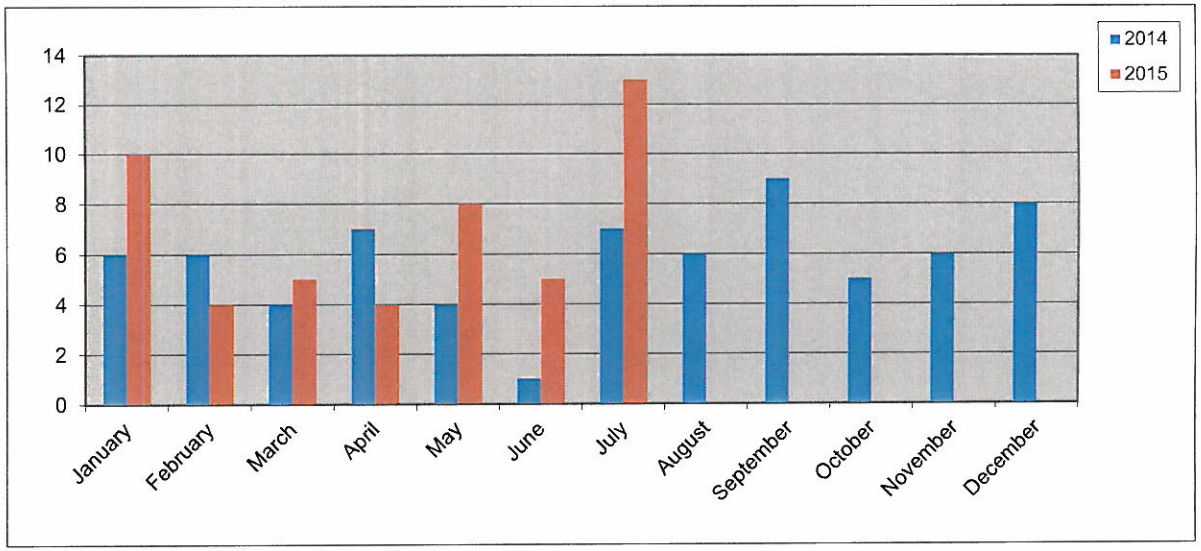
	Year	
	2013-2014	2014-2015
October	1	1
November	0	2
December	1	3
January	0	2
February	1	0
March	3	1
April	1	2
May	1	0
June	1	2
July	0	1
August	1	
September	2	
Totals	**12**	**14**



266

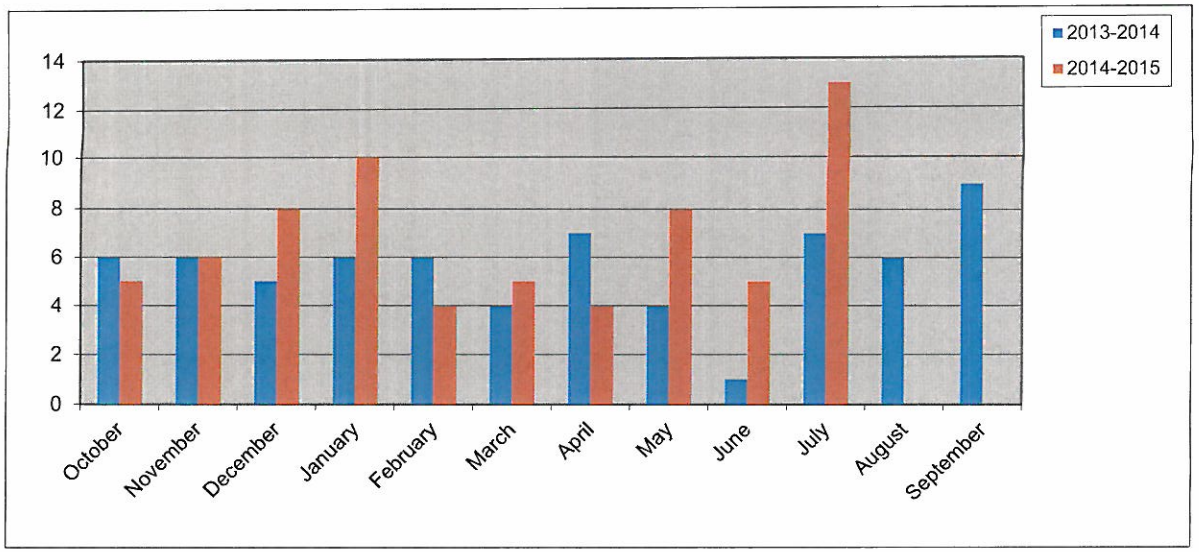
Commercial Remodel Permits Calendar Year

	Year	
	2014	2015
January	6	10
February	6	4
March	4	5
April	7	4
May	4	8
June	1	5
July	7	13
August	6	
September	9	
October	5	
November	6	
December	8	
Totals	**69**	**49**



Commercial Remodel Permits Fiscal Year

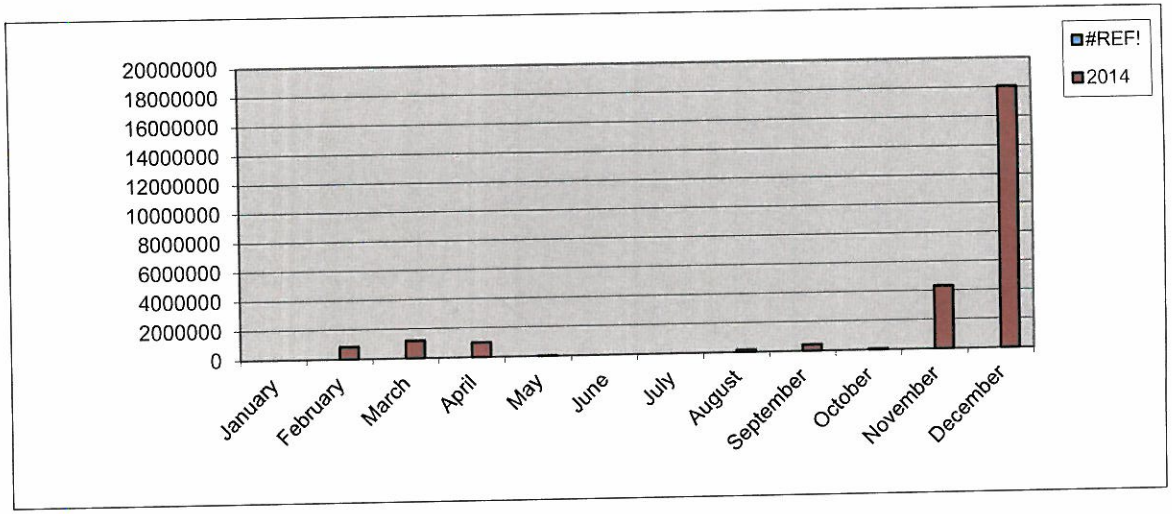
	Year	
	2013-2014	2014-2015
October	6	5
November	6	6
December	5	8
January	6	10
February	**6**	**4**
March	4	5
April	7	4
May	4	8
June	1	5
July	7	13
August	6	
September	9	
Totals	**67**	**68**



267

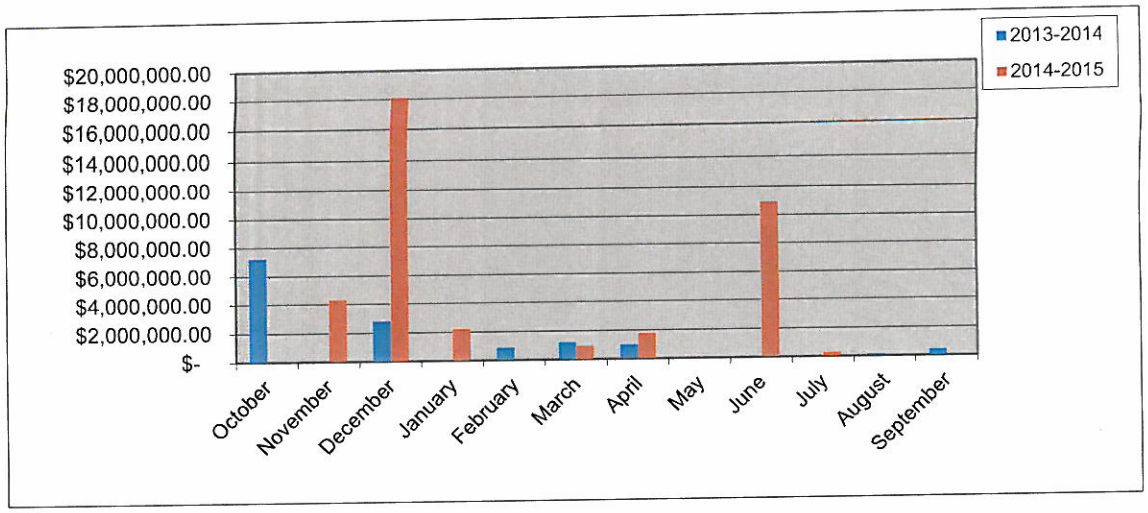
New Commercial Value Calendar Year

Year	2014	2015
January	$ -	$ 2,200,000.00
February	$ 850,000.00	$ -
March	$ 1,185,000.00	$ 930,000.00
April	$ 1,000,000.00	$ 1,780,000.00
May	$ 5,000.00	$ -
June	$ -	$ 10,900,000.00
July		282279.31
August	$ 150,000.00	
September	$ 430,795.00	
October	$ 49,000.00	
November	$ 4,300,000.00	
December	$ 18,050,000.00	
Totals	**$ 26,019,795.00**	**$ 16,092,279.31**



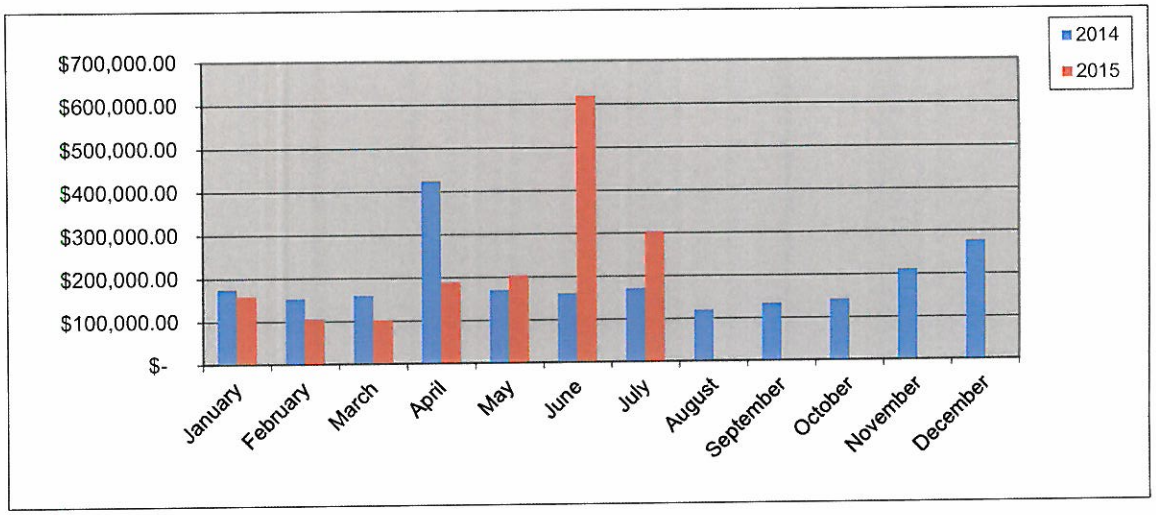
New Commercial Value Fiscal Year

Year	2013-2014	2014-2015
October	$ 7,225,000.00	$ 49,000.00
November	$ -	$ 4,300,000.00
December	$ 2,800,000.00	$ 18,050,000.00
January	$ -	$ 2,200,000.00
February	$ 850,000.00	$ -
March	$ 1,185,000.00	$ 930,000.00
April	$ 1,000,000.00	$ 1,780,000.00
May	$ 5,000.00	$ -
June	$ -	$ 10,900,000.00
July		282279.31
August	$ 150,000.00	
September	$ 430,795.00	
Totals	**$ 13,645,795.00**	**$ 38,491,279.31**



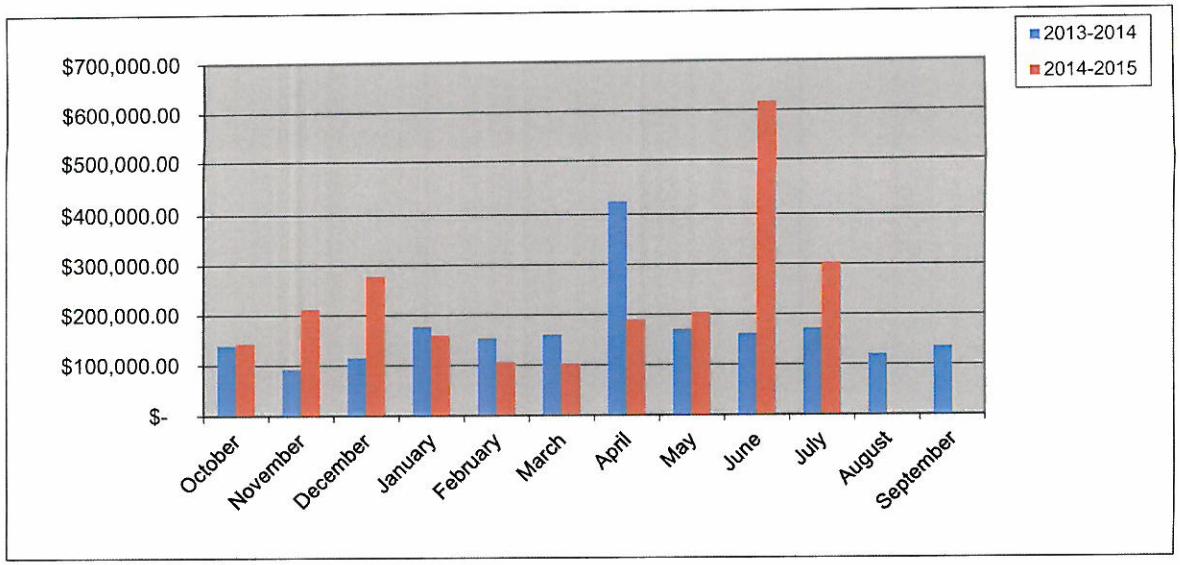
Total Fees Collected Calendar Year

Year	2014	2015
January	$ 176,162.63	$ 159,026.65
February	$ 153,458.98	$ 106,693.21
March	$ 160,530.91	$ 103,029.95
April	$ 425,003.86	$ 189,684.37
May	$ 170,849.07	$ 204,062.18
June	$ 161,690.82	$ 618,061.51
July	$ 172,232.70	$ 303,359.40
August	$ 120,790.39	
September	$ 135,478.13	
October	$ 143,153.00	
November	$ 212,222.54	
December	$ 277,864.58	
Totals	**$ 2,309,437.61**	**$ 1,683,917.27**



Total Fees Collected Fiscal Year

Year	2013-2014	2014-2015
October	$ 138,771.53	$ 143,153.00
November	$ 91,778.83	$ 212,222.54
December	$ 114,645.28	$ 277,864.58
January	$ 176,162.63	$ 159,026.65
February	$ 153,458.98	$ 106,693.21
March	$ 160,530.91	$ 103,029.95
April	$ 425,003.86	$ 189,684.37
May	$ 170,849.07	$ 204,062.18
June	$ 161,829.08	$ 618,061.51
July	$ 172,232.70	$ 303,359.40
August	$ 120,790.39	
September	$ 135,478.13	
Totals	**$ 2,021,531.39**	**$ 2,317,157.39**



City of Rockwall

PERMITS ISSUED

For the Period 7/1/2015 thru 7/31/2015

Permit Number	Permit Type	Site Address					
Application Date	Subtype	Parcel Number				Total Fees	
Issue Date	Status of Permit	Subdivision Name	Plan Number		Valuation	Total SQFT	Fees Paid
CO2015-0033	CO	5445 Horizon Rd			0.00	$ 75.00	$ 75.00
		0080-0000-0020-06-0R					
4/7/2015	BUSINESS						
7/7/2015	ACTIVE	Corey & Lary Knowlton				0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	BUFFALO, CREEK BUSINESS I		ROYSE CITY	TX	75189	
APPLICANT	Corey Knowlton	324 Myers	Heath	TX	75032	(214) 417-0111
BUS OWNER	Corey & Lary Knowlton	5445 Horizon Rd	Rockwall	TX	75032	(214) 417-0111
BUSINESS	Corey & Lary Knowlton					

CO2015-0038	CO	898 Steger Town Dr.			0.00	$ 75.00	$ 75.00
		5067-000A-0003-00-0R					
4/15/2015	BUSINESS	STEGER TOWNE CROSSING PH 1					
7/13/2015	ACTIVE	Avis Budget Car Rental				0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	STEGER, DUNHILL LLC		DALLAS	TX	75205	
APPLICANT	Jeff Wagner	P.O. Box 612707			75261	(972) 453-4051
BUS OWNER	Jeff Wagner	898 Steger Towne Dr	Rockwall	TX	75032	(972) 453-4051

CO2015-0044	CO	105 St Mary's St			0.00	$ 75.00	$ 75.00
		3140-0117-000D-00-0R					
5/11/2015	NEW CONSTRUCTION	B F BOYDSTON					
7/10/2015	ACTIVE	Albright, Hill & Sumpter, PC				0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	BOND, DAVID L AND LOUIS A		DALLAS	TX	75243	
APPLICANT	Jennifer Hill	974 Starlight Pl.	ROCKWALL	TX	75087	(972) 270-5452
INSP RPT EMAIL	Jennifer Hill	974 Starlight Pl.	ROCKWALL	TX	75087	(972) 270-5452
BUS OWNER	Jennifer Hill	105 St. Mary	Rockwall	TX	75087	(972) 270-5452
BUSINESS	Albright, Hill & Sumpter, PC					

CO2015-0048	CO	1405 Goliad St S D			0.00	$ 75.00	$ 75.00
		0255-0000-0034-00-0R					
5/22/2015	BUSINESS	LOFLAND INDUSTRIAL PARK					
7/9/2015	ACTIVE	I fix phone Repair				0	

Contact Type	Contact Name	Contact Address				Phone Number
BUS OWNER	Paul Aube	P.O. Box 868	Rockwall	TX	75087	(972) 279-0409
BUSINESS	I Fix Phone Repair					
OWNER	WHITFORD, D R		PALMER	TX	75152	
APPLICANT	Paul Aube					

City of Rockwall
PERMITS ISSUED
For the Period 7/1/2015 thru 7/31/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0051	CO	108 E RUSK ST 4820-000M-0003-A0-0R	0.00	$ 76.50	$ 76.50
5/28/2015	BUSINESS	ROCKWALL ORIGINAL TOWN			
7/10/2015	ACTIVE	EMBELLISHED ON THE SQUARE		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	SWIERCINSKY, MICHAEL P Al	RDT ENTERPRISES INC	ROCKWALL	TX	75087	
APPLICANT	PRISCILLA WILLESS	108 E RUSK ST.	ROCKWALL	TX	75087	(972) 741-3156
CONTRACTOR	PRISCILLA WILLESS	108 E RUSK ST.	ROCKWALL	TX	75087	(972) 741-3156
BUS OWNER	PRISCILLA WILLESS	108 E RUSK ST.	ROCKWALL	TX	75087	(972) 741-3156
BUSINESS	EMBELLISHED ON THE SQUA	108 E RUSK ST.	ROCKWALL	TX	75087	(972) 741-3156
PERMIT TECH	Brenda Crane	385 S Goliad St.	ROCKWALL	TX	75087	(972) 771-7709
PERMIT TECH 2	Vicky Morton	385 S Goliad St.	ROCKWALL	TX	75087	(972) 771-7709

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0054	CO	206 E Washington St 4820-000S-0002-00-0R	0.00	$ 0.00	$ 0.00
6/15/2015	BUSINESS	ROCKWALL ORIGINAL TOWN			
7/9/2015	ACTIVE	School of Rock		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	WALKER, TOM		ROCKWALL	TX	75087	
APPLICANT	Stuart Smith	206 E Washington	ROCKWALL	TX	75087	(214) 906-2347
PLB CONTR	n/a					
ELEC CONTR	ALAN ELECTRIC	1101 ELM GROVE	ALLEN	TX	75002	(214) 620-4478
INSP RPT EMAIL	Stuart Smith	206 E Washington	ROCKWALL	TX	75087	(214) 906-2347
CONTRACTOR	Stuart Smith	206 E Washington	ROCKWALL	TX	75087	(214) 906-2347
MECH CONTR	Paradise Air Inc.	3505 Robin Road	Plano	TX	75075	(972) 612-5555
BUS OWNER	Stuart C smith	206 E Washington St	Rockwall	TX	75087	149062347

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0056	CO	216 Ranch Trail 4720-0000-0003-00-0R	0.00	$ 75.00	$ 75.00
6/25/2015	BUSINESS	RAINBOW ACRES			
7/23/2015	ACTIVE	Covenant M&A, LLC		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	JERRY, KISICK CUSTOM HOM	PROFIT SHARING TRUST	DALLAS	TX	75252	
APPLICANT	Covenant M&A, LLC					
BUS OWNER	Bob Hawley					

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0057	CO	919 IH 30 126 4799-000A-0009-00-0R	0.00	$ 76.50	$ 76.50
6/29/2015	BUSINESS	ROCKWALL CROSSING			
7/9/2015	ACTIVE	Floor It		0	

Contact Type	Contact Name	Contact Address				Phone Number
BUS OWNER	Alaa Mahmoud	201 Lakefield	Wylie	TX	75098	

Permit Number	Permit Type	Site Address				Total Fees	
Application Date	Subtype	Parcel Number					
Issue Date	Status of Permit	Subdivision Name	Plan Number		Valuation	Total SQFT	Fees Paid
OWNER	ROCKWALL, CROSSING LTD		FORT WORTH	TX 76107			
CO2015-0060	CO	3045 N GOLIAD ST 106			0.00	$ 76.50	$ 76.50
		4938-0001-0001-00-0R					
7/2/2015	BUSINESS	SHOPS AT RIDGE CREEK					
7/14/2015	ACTIVE	Payless Cleaners				0	

Contact Type	Contact Name	Contact Address				Phone Number
BUS OWNER	Muhammed Polani	1210 E Parker Rd	Plano	TX	75074	(214) 334-8165
BUSINESS	PAYLESS CLEANERS	3045 N. GOLIAD ST. # 106	ROCKWALL	TX	75087	
OWNER	PCB, PROPERTIES LLC	ABDUL RAHMAN KHAN AND MA	BATON ROUGE	LA	70816	
APPLICANT	Muhammed Polani	1210 E Parker Rd	Plano	TX	75074	(214) 334-8165
MECH CONTR	Quality 1 Energy Systems	10870 PLANO RD., #A	Dallas	TX	75238	(214) 348-9588
PLB CONTR	Washburn Plumbing ""REG""					
ELEC CONTR	Electra Plus	321 N. Rogers	Irving	TX	75061	(972) 254-1166
CONTRACTOR	Rais & Wise Inc.	1210 E Parker Rd, #600	Plano	TX	75074	(214) 334-8165

CO2015-0062	CO	2582 SH 276			0.00	$ 76.50	$ 76.50
		4929-000A-0002-00-0R					
7/8/2015	BUSINESS	SHARP ADDITION					
7/22/2015	ACTIVE	Sunbelt Rentals				0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	TKC CLXXXVI, LLC	5935 Carnegie Blvd, #200	Charlotte	NC	28209	(704) 365-6000
PLB CONTR 2	UNITED MECHANICAL	P. O. BOX 551206	Dallas	TX	75355	(214) 341-9300
APPLICANT	Derek Free					
BUS OWNER	Mike Godoy	P.O. Box 410928	Charlotte	NC	28241	(214) 906-2302

CO2015-0066	CO	1400 IH 30			0.00	$ 75.00	$ 75.00
		3130-0000-0003-B0-0R					
7/20/2015	BUSINESS	BODIN INDUSTRIAL					
7/30/2015	ACTIVE	Woodcreek Brewing Company				0	

Contact Type	Contact Name	Contact Address				Phone Number
MECH CONTR	N/A					
PLB CONTR	PRECISION PLUMBING	3625 PRADER CRT.	Dallas	TX	75228	(469) 248-2136
ELEC CONTR	Hardaway Electric Inc.	7904 Traders Cr.	Greenville	TX	75402	(903) 454-0331
OWNER	CSIHAR, JAMES J		ROCKWALL	TX	75032	
APPLICANT	Longhorn Brewing Company	1400 E IH 30	Rockwall	TX	75087	(972) 589-0048
INSP RPT EMAIL	Longhorn Brewing Company	1400 E IH 30	Rockwall	TX	75087	(972) 589-0048
CONTRACTOR	Longhorn Brewing Company	1400 E IH 30	Rockwall	TX	75087	(972) 589-0048
BUS OWNER	Noah Cutshall	308 McKinney Trail	Rockwall	TX	75087	(972) 589-0048

City of Rockwall

PERMITS ISSUED

For the Period 7/1/2015 thru 7/31/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0069 7/27/2015 7/30/2015	CO BUSINESS ACTIVE	2109 SUMMER LEE DR 103 3809-000A-0002-00-0R HARBOR - ROCKWALL THE City Salon Suites & Spa CO	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
BUS OWNER	CHET & BECCA WILSON	2109 SUMMER LEE DR., STE 103	Rockwall	TX	75032	(972) 989-4222
BUSINESS	CITY SALONS	2109 SUMMER LEE DR., STE 103	Rockwall	TX	75032	(972) 989-4222
OWNER	VCR	2109 SUMMER LEE DR.	Rockwall	TX	75032	(469) 232-3462
APPLICANT	Russell Raper					

CO2015-0070 7/27/2015 7/31/2015	CO NEW CONSTRUCTION ACTIVE	760 Ralph Hall Pkwy W 110 4011-0001-0006-00-0R HORIZON VILLAGE ADDITION CROSSFIT HEATH	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	FLEMING, INVESTMENTS INC		ROCKWALL	TX	75032	
APPLICANT	CLIFF LEWIS	760 W RALPH H ALL PKWY # 110	Rockwall	TX	75032	(972) 948-9396
CONTRACTOR	CLIFF LEWIS	760 W RALPH H ALL PKWY # 110	Rockwall	TX	75032	(972) 948-9396
PLB CONTR	B & M PLUMBING	7551 CR 2829	Mabank	TX	75156	(903) 288-2750
INSP RPT EMAIL	CLIFF LEWIS	760 W RALPH H ALL PKWY # 110	Rockwall	TX	75032	(972) 948-9396
MECH CONTR	1st Source Restaurant Services	111 gotcher Ave.	Lake Dallas	TX	75065	(214) 551-5338
BUSINESS	CROSSFIT HEATH	760 W RALPH HALL PKWY, # 110	Rockwall	TX	75032	(972) 948-9396
BUS OWNER	Cliff Lewis	10 Center Ct.	Rockwall	TX	75032	

13 **Permits Issued from: 7/1/2015** **Thru: 7/31/2015**

Total Valuation: $ 0.00
Total Fees: $ 907.50
Total Fees Paid: $ 907.50

City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

August 2015

Permits

Total Permits Issued: 262

Building Permits: 53 Contractor Permits: 209

Total Permit Values: $ 12,046,511.02

Building Permits: $ 10,982,790.67 Contractor Permits: $ 1,063,720.35

Total Fees Collected: $ 210,598.47

Building Permits: $ 188,972.08 Contractor Permits: $ 21,626.39

Board of Adjustment

Board of Adjustment Cases 0

274

City of Rockwall

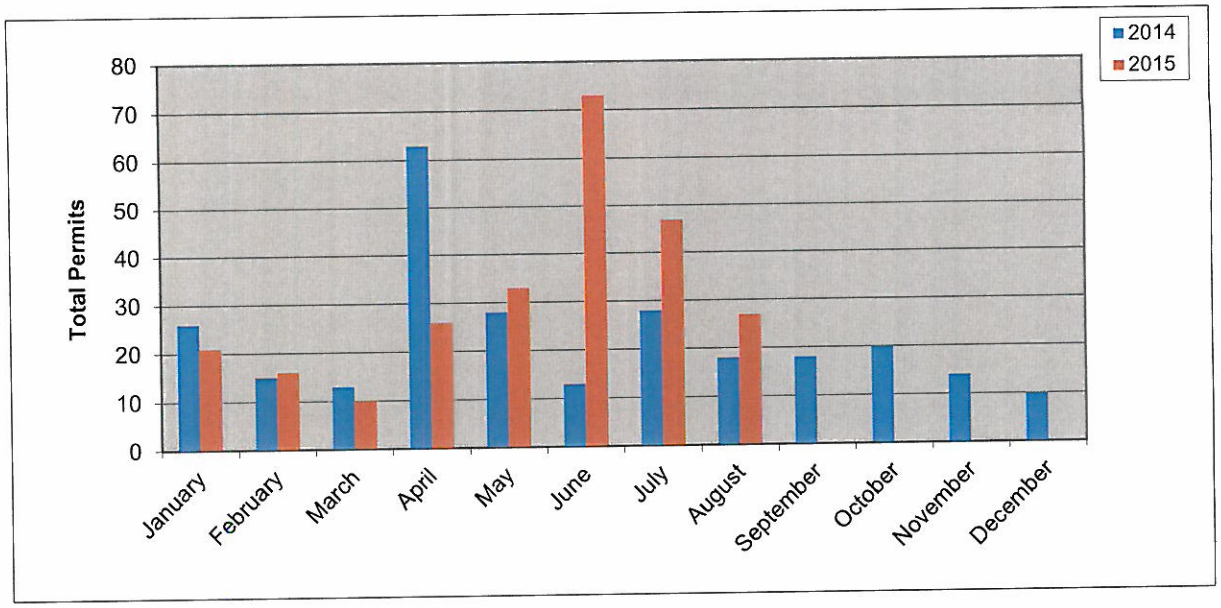
PERMITS ISSUED - Summary by Type and Subtype

For the Period 8/1/2015 thru 8/31/2015

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	5	$0.00	$254.50
30 DAY BANNER	2	$0.00	$101.50
COMING SOON	3	$0.00	$153.00
CLEAN SHOW	1	$0.00	$76.50
	1	$0.00	$76.50
CO	15	$0.00	$1,135.50
BUSINESS	11	$0.00	$831.00
INTERIOR	2	$0.00	$151.50
SHELL	2	$0.00	$153.00
COMM	25	$4,724,960.00	$60,862.79
DEMO	1	$1,000.00	$50.00
ELECTRICAL	4	$107,071.00	$1,234.27
FENCE	2	$2,800.00	$71.50
INTERIOR COMP	1	$330,000.00	$2,382.00
IRRIGATION	4	$50,000.00	$4,532.50
MISCELLANEOUS	1	$10,500.00	$35.00
NEW	2	$3,903,000.00	$46,550.76
PLUMBING	4	$6,184.00	$2,621.84
REMODEL	5	$294,405.00	$3,052.17
REPAIR	1	$20,000.00	$332.75
MULTI FAMILY	1	$1,000.00	$50.25
PLUMBING	1	$1,000.00	$50.25
SIGNAGE	9	$0.00	$1,335.50
DIRECTORY	1	$0.00	$75.00
MONUMENT	1	$0.00	$76.50
WALL	7	$0.00	$1,184.00
SINGLE FAMILY	191	$7,320,551.02	$146,325.43
ACC BLDG	4	$6,279.67	$272.65
ADDITION	2	$5,700.00	$205.68
BALCONY	1	$2,500.00	$96.65
CONCRETE	3	$4,000.00	$181.50
DECK	2	$7,000.00	$205.96
ELECTRICAL	5	$16,038.75	$448.10
FENCE	31	$119,010.00	$1,123.70
IRRIGATION	16	$37,200.00	$562.20
MECHANICAL	14	$88,219.00	$2,052.45
NEW	27	$6,369,414.00	$134,834.07
PATIO COVER	6	$30,000.00	$747.73
PERGOLA	3	$5,992.00	$233.47
PLUMBING	36	$51,240.00	$2,584.77
REMODEL	2	$18,000.00	$360.80
RETAINING WALL	9	$54,698.00	$318.00
ROOF	17	$147,531.74	$604.70
SWIM POOL	9	$323,000.00	$1,353.00
WINDOWS	4	$34,727.86	$140.00
SPECIAL EVENT	15	$0.00	$558.00
	15	$0.00	$558.00
Totals:	262	$12,046,511.02	$210,598.47

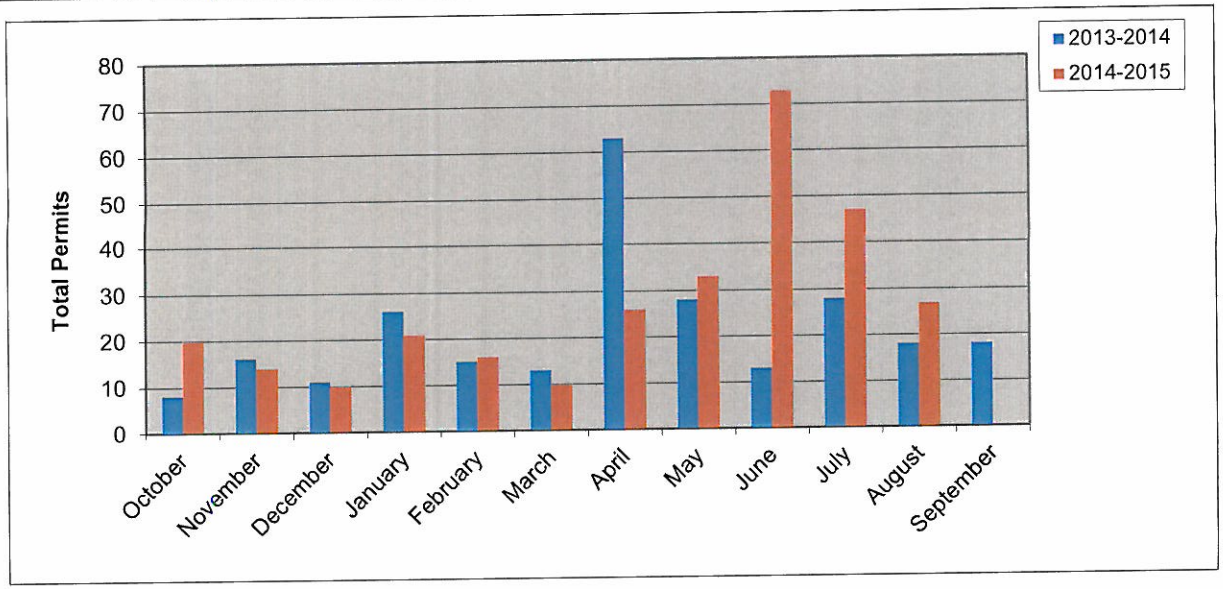
New Residential Permits Calendar Year

	Year	
	2014	2015
January	26	21
February	15	16
March	13	10
April	63	26
May	28	33
June	13	73
July	28	47
August	18	27
September	18	
October	20	
November	14	
December	10	
Totals	**266**	**253**



New Residential Permits Fiscal Year

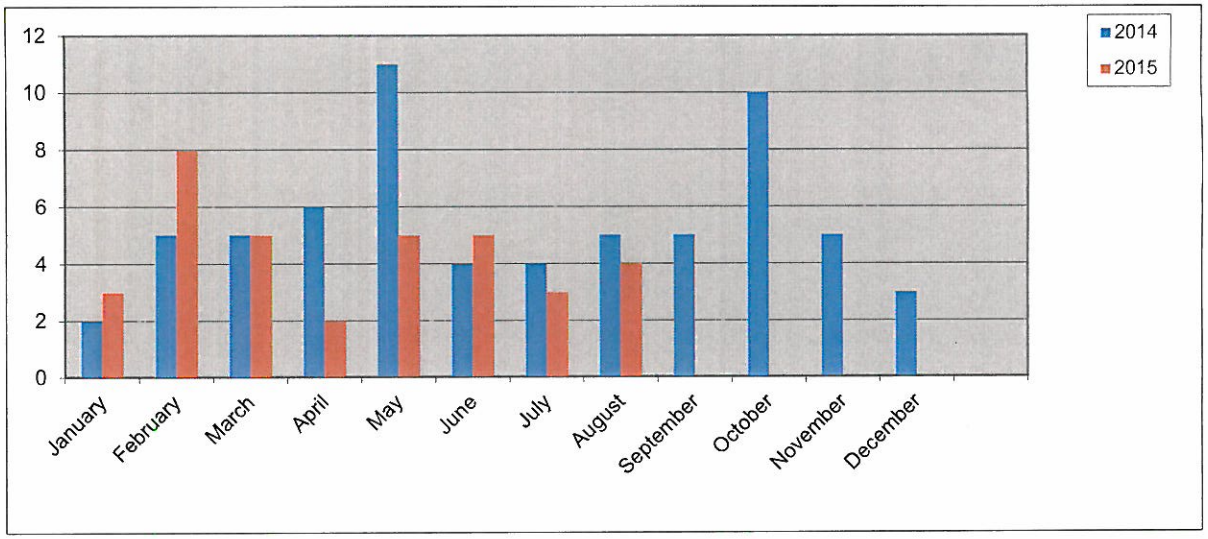
	Year	
	2013-2014	2014-2015
October	8	20
November	16	14
December	11	10
January	26	21
February	15	16
March	13	10
April	63	26
May	28	33
June	13	73
July	28	47
August	18	27
September	18	
Totals	**257**	**297**



276

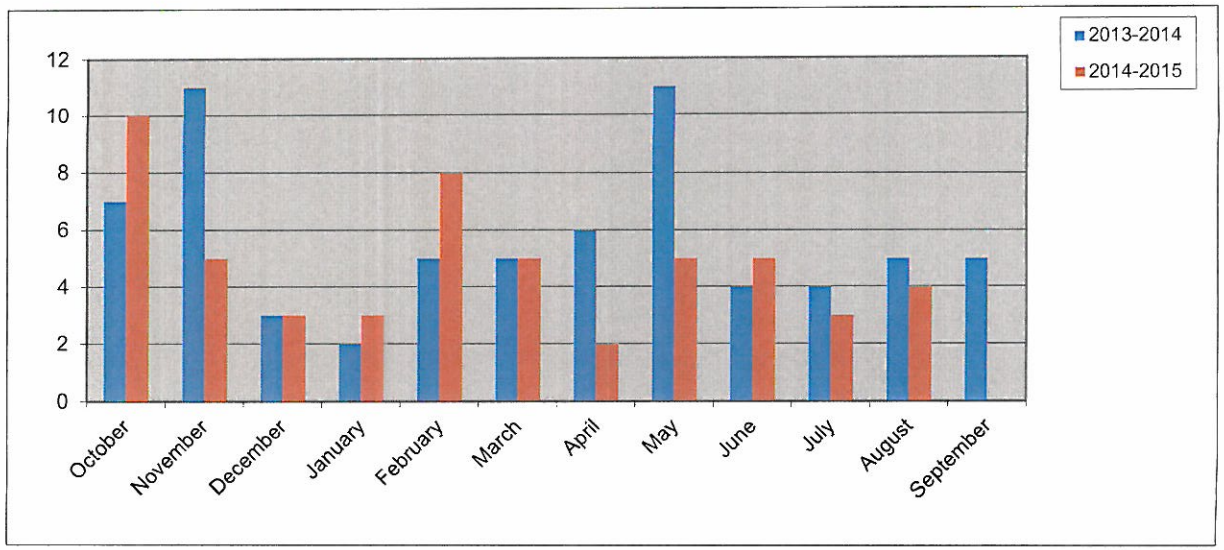
Residential Remodel Permits Calendar Year

	Year	
	2014	**2015**
January	**2**	**3**
February	5	8
March	5	5
April	6	2
May	11	5
June	4	5
July	4	3
August	5	4
September	5	
October	10	
November	5	
December	3	
Totals	**65**	35



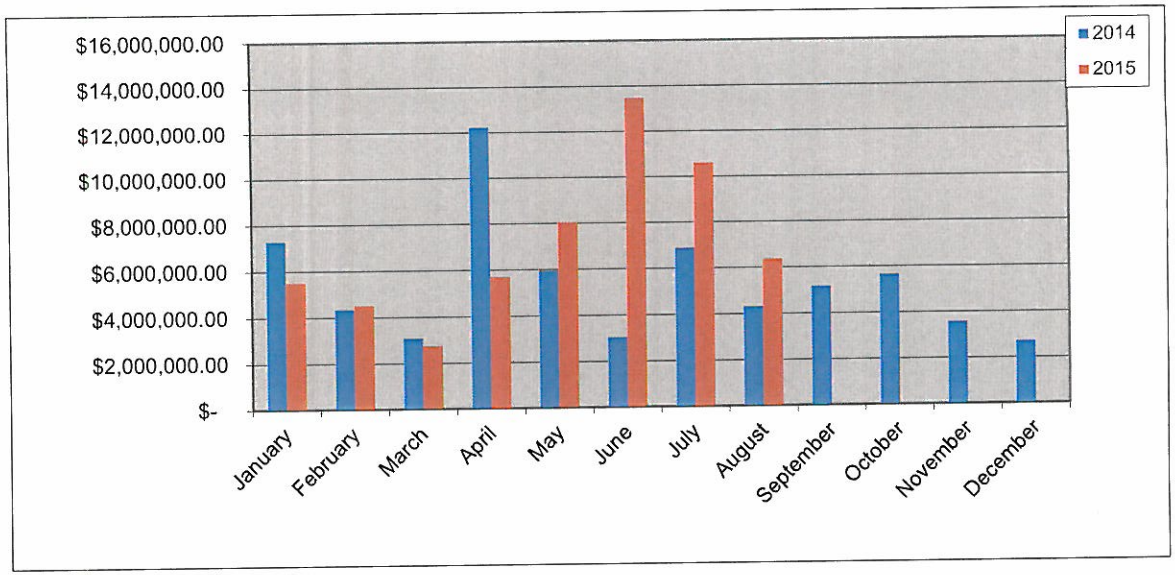
Residential Remodel Permits Fiscal Year

	Year	
	2013-2014	**2014-2015**
October	7	10
November	11	5
December	3	3
January	2	3
February	5	8
March	5	5
April	6	2
May	11	5
June	4	5
July	4	3
August	5	4
September	5	
Totals	**68**	**53**



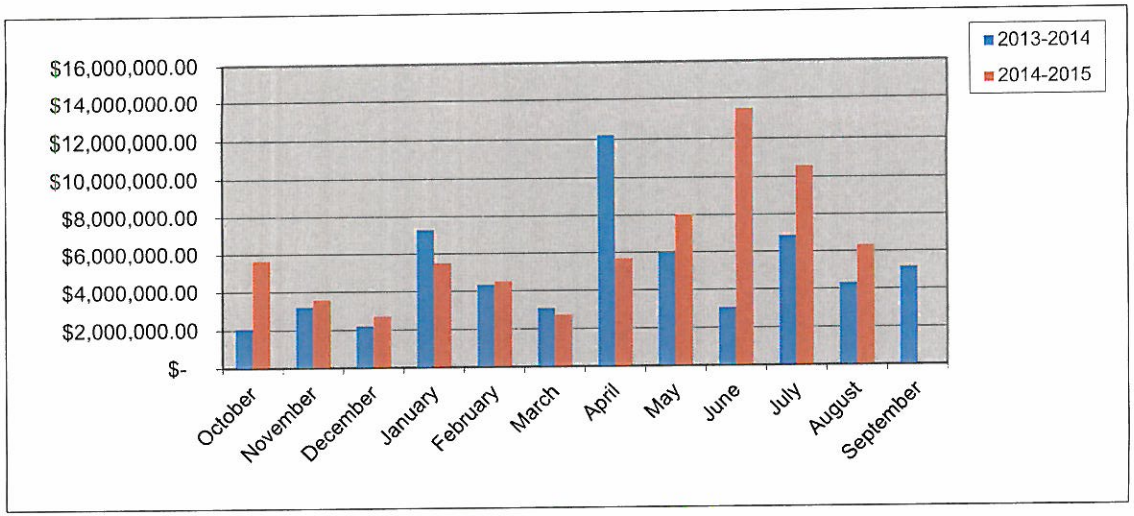
New Residential Value Calendar Year

Year	2014	2015
January	$ 7,288,000.00	$ 5,509,932.00
February	$ 4,353,427.00	$ 4,518,552.00
March	$ 3,094,927.74	$ 2,742,324.00
April	$ 12,228,936.33	$ 5,703,968.00
May	$ 5,960,240.00	$ 8,039,718.52
June	$ 3,048,536.00	$ 13,489,179.50
July	$ 6,883,062.87	$ 10,619,616.00
August	$ 4,330,100.19	$ 6,369,414.00
September	$ 5,184,201.79	
October	$ 5,661,792.00	
November	$ 3,581,756.00	
December	$ 2,712,503.00	
Totals	**$64,327,482.92**	**$ 56,992,704.02**



New Residential Value Fiscal Year

Year	2013-2014	2014-2015
October	$ 2,078,584.00	$ 5,661,792.00
November	$ 3,202,067.00	$ 3,581,756.00
December	$ 2,215,924.00	$ 2,712,503.00
January	$ 7,288,000.00	$ 5,509,932.00
February	$ 4,353,427.00	$ 4,518,552.00
March	$ 3,094,927.74	$ 2,742,324.00
April	$ 12,228,936.33	$ 5,703,968.00
May	$ 5,960,240.00	$ 8,039,718.52
June	$ 3,048,536.00	$ 13,489,179.50
July	$ 6,883,062.87	$ 10,619,616.00
August	$ 4,330,100.19	$ 6,369,414.00
September	$ 5,184,201.79	
Totals	**$59,868,006.92**	**$ 68,948,755.02**



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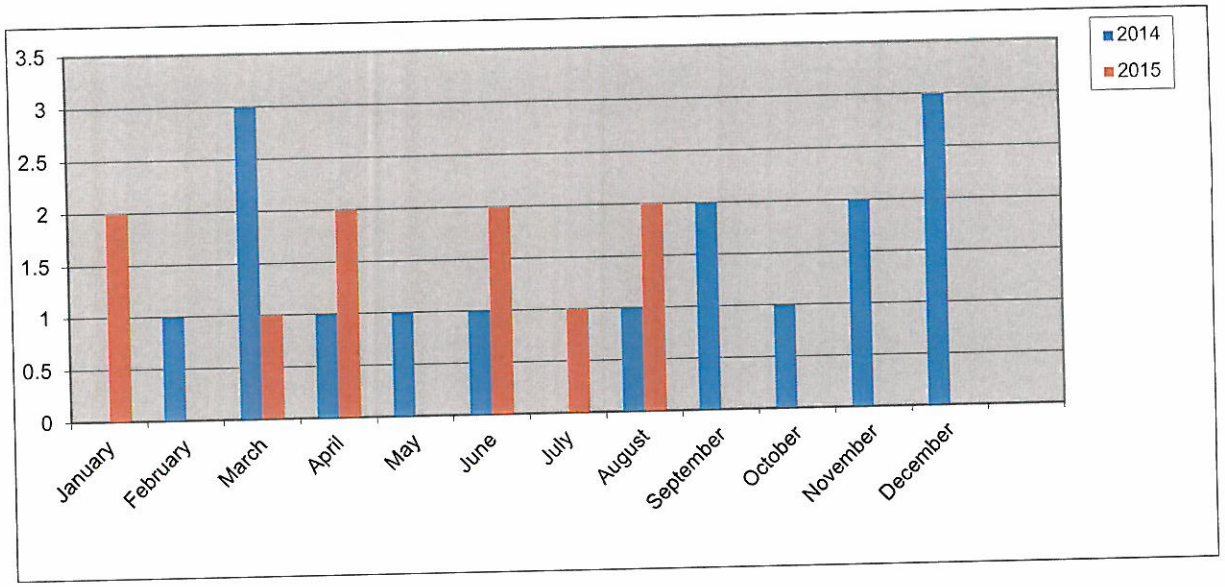
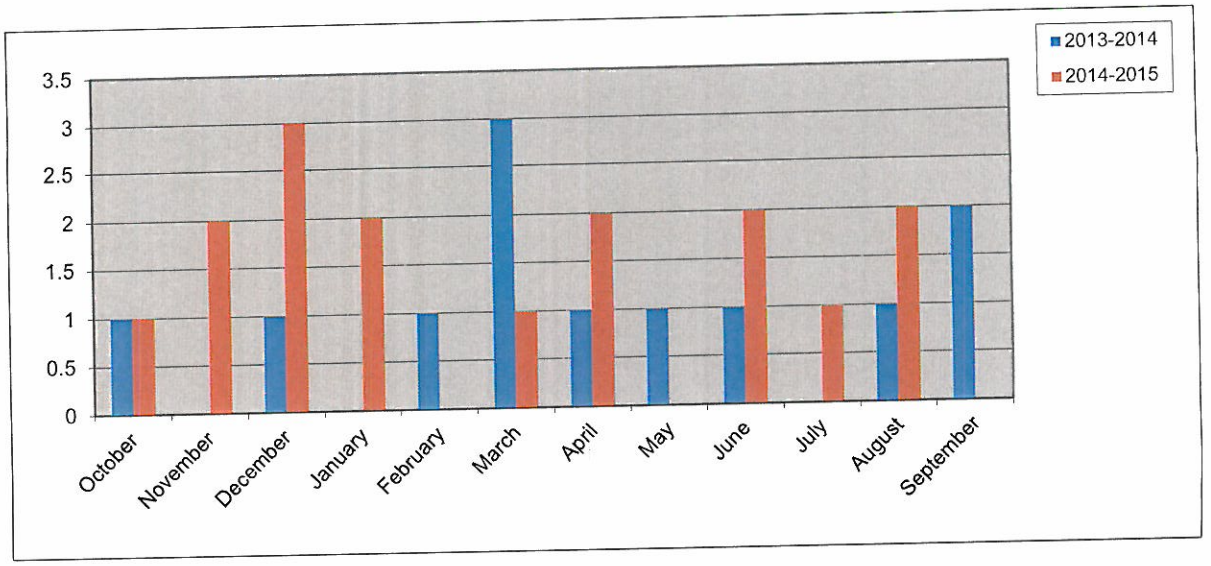
New Commercial Permits Calendar Year

	Year	
	2014	2015
January	0	2
February	1	0
March	3	1
April	1	2
May	1	0
June	1	2
July	0	1
August	1	2
September	2	
October	1	
November	2	
December	3	
Totals	**16**	**10**



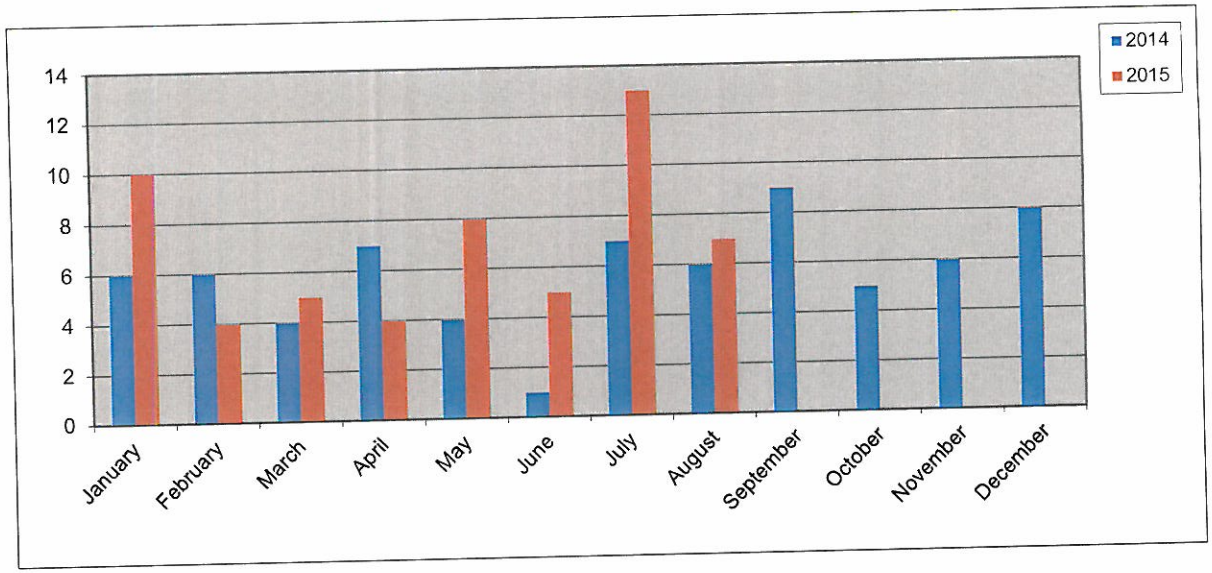
New Commercial Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	1	1
November	0	2
December	1	3
January	0	2
February	1	0
March	3	1
April	1	2
May	1	0
June	1	2
July	0	1
August	1	2
September	2	
Totals	**12**	**16**



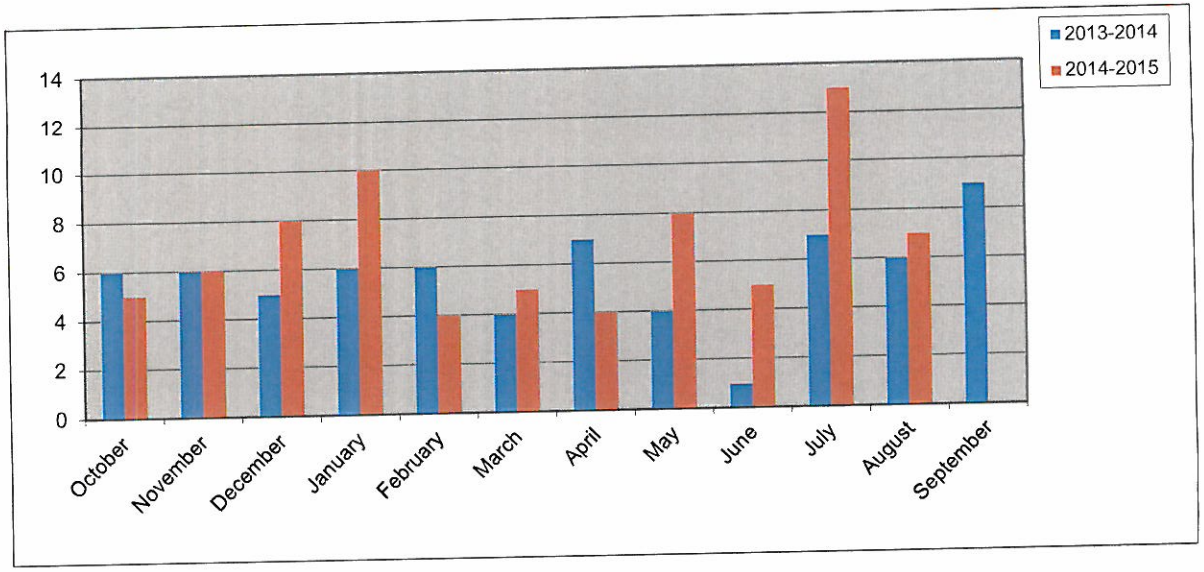
Commercial Remodel Permits Calendar Year

	Year	
	2014	2015
January	6	10
February	6	4
March	4	5
April	7	4
May	4	8
June	1	5
July	7	13
August	6	7
September	9	
October	5	
November	6	
December	8	
Totals	**69**	**56**



Commercial Remodel Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	6	5
November	6	6
December	5	8
January	6	10
February	**6**	**4**
March	4	5
April	7	4
May	4	8
June	1	5
July	7	13
August	6	7
September	9	
Totals	**67**	**75**



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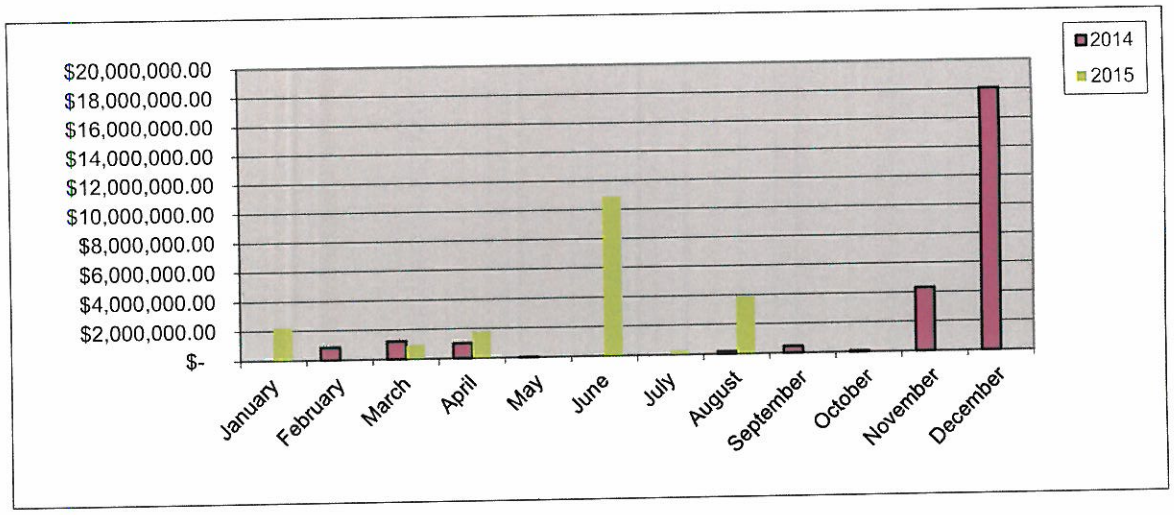
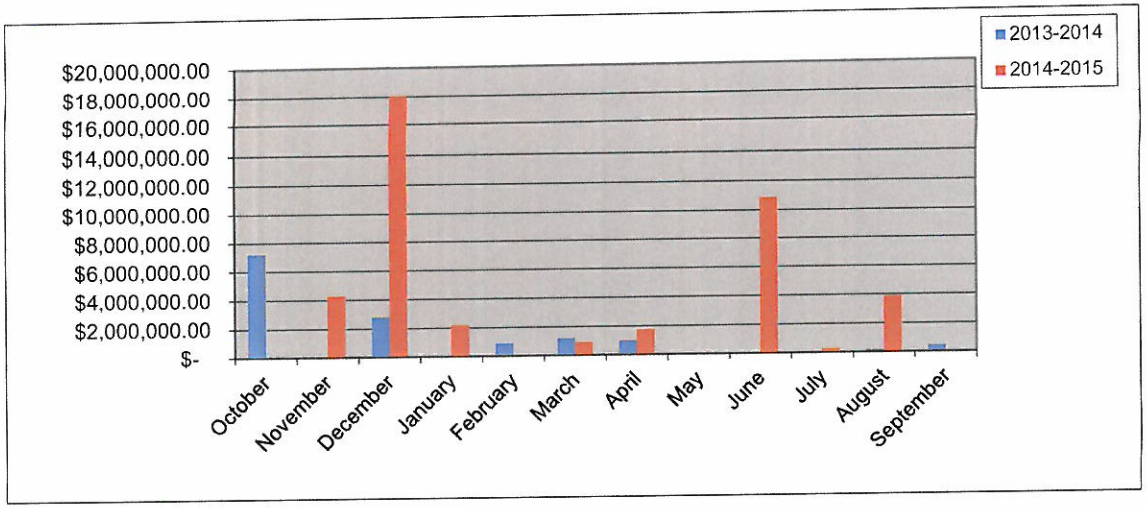
New Commercial Value Calendar Year

Year	2014	2015
January	$ -	$ 2,200,000.00
February	$ 850,000.00	$ -
March	$ 1,185,000.00	$ 930,000.00
April	$ 1,000,000.00	$ 1,780,000.00
May	$ 5,000.00	$ -
June	$ -	$ 10,900,000.00
July		$ 282,279.31
August	$ 150,000.00	$ 3,903,000.00
September	$ 430,795.00	
October	$ 49,000.00	
November	$ 4,300,000.00	
December	$ 18,050,000.00	
Totals	**$ 26,019,795.00**	**$ 19,995,279.31**



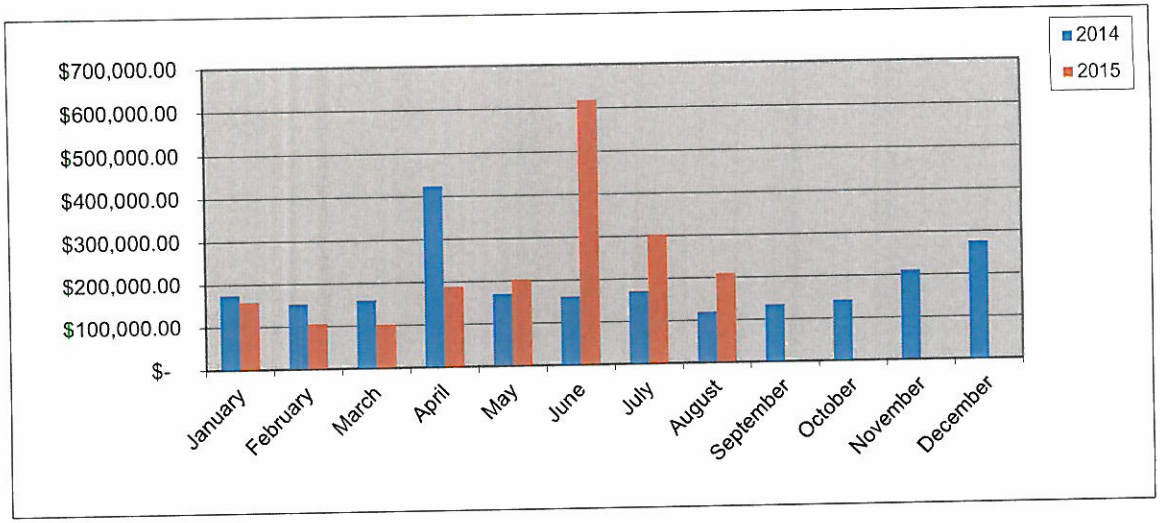
New Commercial Value Fiscal Year

Year	2013-2014	2014-2015
October	$ 7,225,000.00	$ 49,000.00
November	$ -	$ 4,300,000.00
December	$ 2,800,000.00	$ 18,050,000.00
January	$ -	$ 2,200,000.00
February	$ 850,000.00	$ -
March	$ 1,185,000.00	$ 930,000.00
April	$ 1,000,000.00	$ 1,780,000.00
May	$ 5,000.00	$ -
June	$ -	$ 10,900,000.00
July		282279.31
August	$ 150,000.00	$ 3,903,000.00
September	$ 430,795.00	
Totals	**$ 13,645,795.00**	**$ 42,394,279.31**



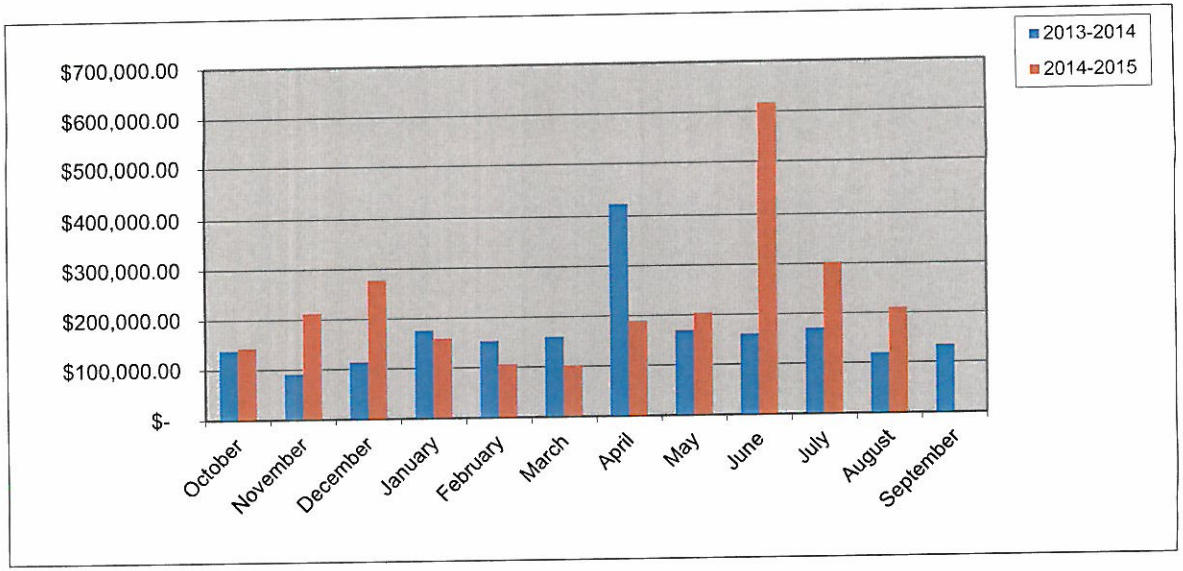
Total Fees Collected Calendar Year

	Year	
	2014	2015
January	$ 176,162.63	$ 159,026.65
February	$ 153,458.98	$ 106,693.21
March	$ 160,530.91	$ 103,029.95
April	$ 425,003.86	$ 189,684.37
May	$ 170,849.07	$ 204,062.18
June	$ 161,690.82	$ 618,061.51
July	$ 172,232.70	$ 303,359.40
August	$ 120,790.39	$ 210,598.47
September	$ 135,478.13	
October	$ 143,153.00	
November	$ 212,222.54	
December	$ 277,864.58	
Totals	**$ 2,309,437.61**	**$ 1,894,515.74**



Total Fees Collected Fiscal Year

	Year	
	2013-2014	2014-2015
October	$ 138,771.53	$ 143,153.00
November	$ 91,778.83	$ 212,222.54
December	$ 114,645.28	$ 277,864.58
January	$ 176,162.63	$ 159,026.65
February	$ 153,458.98	$ 106,693.21
March	$ 160,530.91	$ 103,029.95
April	$ 425,003.86	$ 189,684.37
May	$ 170,849.07	$ 204,062.18
June	$ 161,829.08	$ 618,061.51
July	$ 172,232.70	$ 303,359.40
August	$ 120,790.39	$ 210,598.47
September	$ 135,478.13	
Totals	**$ 2,021,531.39**	**$ 2,527,755.86**



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City of Rockwall
PERMITS ISSUED
For the Period 8/1/2015 thru 8/31/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0047 5/21/2015 8/3/2015	CO BUSINESS ACTIVE	493 IH 30 3245-0000-0003-00-0R CARLISLE PLAZA ADDN Bubble Bubble	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	BENT, TREE REALTY CO		ADDISON	TX	75001	(972) 931-7400
APPLICANT	Duong Nguyen	11727 Flushing Meadows	Houston	TX	77089	(832) 620-1472
INSP RPT EMAIL	Duong Nguyen	11727 Flushing Meadows	Houston	TX	77089	(832) 620-1472
BUS OWNER	Duong Nguyen	11727 Flushing Meadows	Houston	TX	77089	(832) 620-1472
BUSINESS	Bubble Bubble					

CO2015-0049 5/22/2015 8/18/2015	CO BUSINESS ACTIVE	911 N Goliad St. 3005-000A-0001-00-0R MISTY ADDITION Behavioral Transformations	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
BUS OWNER	Angie & Ben Klutts	911 N Goliad St	Rockwall	TX	75087	(469) 458-9021
BUSINESS	office					
OWNER	R.D. VANDERSLICE	1408 S LAKESHORE DR.	ROCKWALL	TX	75087	(972) 989-1069
APPLICANT	Ben Klutts	1255 Bayline Dr.	Rockwall	TX	75087	(469) 458-9021

CO2015-0050 5/22/2015 8/18/2015	CO BUSINESS ACTIVE	911 N Goliad St 3005-000A-0001-00-0R MISTY ADDITION RD Vanderslice - Shell Bldg.	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	R.D. VANDERSLICE	1408 S LAKESHORE DR.	ROCKWALL	TX	75087	(972) 989-1069
APPLICANT	R.D. VANDERSLICE	1408 S LAKESHORE DR.	ROCKWALL	TX	75087	(972) 989-1069
BUS OWNER	R.D. Vanderslice	1408 S Lakeshore Dr.	Rockwall	TX	75087	(972) 989-1069

CO2015-0058 7/1/2015 8/13/2015	CO BUSINESS ACTIVE	627 NATIONAL DR 0128-0000-0002-17-0R CANTRELL WEATHERSTRIPPING, LTD.	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	D, & A REAL ESTATE PARTNE		ROCKWALL	TX	75087	
APPLICANT	ROBERT D CANTRELL					
BUSINESS	CANTRELL WEATHERSTRIPPI	627 National Dr.	ROCKWALL	TX	75087	
BUS OWNER	Robert D. Cantrell	P.O. Box 1231	ROCKWALL	TX	75087	

City of Rockwall

PERMITS ISSUED

For the Period 8/1/2015 thru 8/31/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0059	CO	3018 RIDGE RD 4818-000A-0002-00-0R	0.00	$ 76.50	$ 76.50
7/2/2015	SHELL	ROCKWALL ASSISTED LIVING ADDITION			
8/14/2015	ACTIVE	Medical Office Building - Shell		0	

Contact Type	Contact Name	Contact Address				Phone Number
BUS OWNER	AJ, SQUARED LLC	271 RABBIT RIDGE	HEATH	TX	75032	(469) 338-2397
BUSINESS	SHELL	3018 RIDGE ROAD	ROCKWALL	TX	75087	
OWNER	AJ, SQUARED LLC	271 RABBIT RIDGE	HEATH	TX	75032	(469) 338-2397
APPLICANT	Z CONSTRUCTORS NATIONW	11886 GREENVILLE AVE. STE 12:	Dallas	TX	75243	(972) 682-1435
INSP RPT EMAIL	Z CONSTRUCTORS NATIONW	11886 GREENVILLE AVE. STE 12:	Dallas	TX	75243	(972) 682-1435
CONTRACTOR	Z CONSTRUCTORS NATIONW	11886 GREENVILLE AVE. STE 12:	Dallas	TX	75243	(972) 682-1435

CO2015-0061	CO	113 KENWAY DR 4800-0000-0000-00-0R	0.00	$ 75.00	$ 75.00
7/8/2015	BUSINESS	B F BOYDSTON			
8/20/2015	ACTIVE	BIG BOOK GROUP		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	NBN, COMMERCIAL GROUP L		MESQUITE	TX	75150	
APPLICANT	BIG BOOK GROUP	113 Kenway Dr	Rockwall	TX	75032	(972) 722-6366
BUS OWNER	BIG BOOK GROUP	113 Kenway Dr	Rockwall	TX	75032	(972) 722-6366

CO2015-0063	CO	104 BOYDSTUN AVE E 4900-000E-0001-B0-0R	0.00	$ 76.50	$ 76.50
7/9/2015	BUSINESS	SANGER			
8/14/2015	ACTIVE	T3 Chiropractic		0	

Contact Type	Contact Name	Contact Address				Phone Number
BUSINESS	T3 Chiropractic	104 E. Boydstun	ROCKWALL	TX	75087	
OWNER	PARKS, TODD & DENISE		ROCKWALL	TX	75032	
APPLICANT	Cassidie Marzluff	7102 Tartan Trail	Garland	TX	75044	(214) 606-3980
INSP RPT EMAIL	Cassidie Marzluff					
CONTRACTOR	Cassidie Marzluff					
BUS OWNER	Cassidie Marzluff	7102 Tartan Trail	Garland	TX	75044	

CO2015-0067	CO	203 N Alamo Rd 4820-000H-0001-00-0R	0.00	$ 75.00	$ 75.00
7/23/2015	BUSINESS	ROCKWALL ORIGINAL TOWN			
8/17/2015	ACTIVE	N-Balance Physical Therapy		0	

Contact Type	Contact Name	Contact Address				Phone Number
BUSINESS	N-BALANCE PHYSICAL THER	203 N ALAMO RD.	ROCKWALL	TX	75087	
OWNER	Oscar & Nancy Cano	1445 Fairlakes Pointe Dr.	Rockwall	TX	75087	(972) 722-1212
APPLICANT	Oscar & Nancy Cano	1445 Fairlakes Pointe Dr.	Rockwall	TX	75087	(972) 722-1212
BUS OWNER	Nancy Cano, PT	1445 Fairlakes Pointe Dr.	ROCKWALL	TX	75087	(972) 722-1212

City of Rockwall

PERMITS ISSUED

For the Period 8/1/2015 thru 8/31/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0068 7/24/2015 8/28/2015	CO BUSINESS Active	2045 KRISTY LN 3130-0000-0001-C0-0R BODIN INDUSTRIAL 2731 MCPROPERTIES CORP	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	IRT, CONSTRUCTION INC		FATE	TX	75087	
APPLICANT	JOHN MCNEIL					(972) 772-2790
BUS OWNER	John McNeill	2731 McPherson	Dallas	TX		
BUSINESS	2731 McProperties Corp.	2045 Kristy	Rockwall	TX	75032	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0071 7/27/2015 8/6/2015	CO BUSINESS ACTIVE	811 Yellow Jacket 106 4830-0000-0001-C0-0R GARLAND FEDERAL SAVINGS & LOAN ADDN Go Pro Massage	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	LANDLOW, LLC		ROCKWALL	TX	75087	
APPLICANT	Debra Ray	1377 Stewart Dr.	Rockwall	TX	75032	
BUS OWNER	Debra Ray	811 Yellow Jacket Ln #106	Rockwall	TX	75087	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0073 7/30/2015 8/7/2015	CO BUSINESS ACTIVE	2951 Ridge Rd 101 4009-000A-0017-00-0R HORIZON RIDGE ADDITION Massage Envy Spa	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	REGENCY, CENTERS LP		CINCINNATI	OH	45202	
BUS OWNER	Thai Nguyen	5041	Houston	TX	77265	(972) 722-9595

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0074 7/31/2015 8/4/2015	CO BUSINESS ACTIVE	2380 S Goliad St. 120 4831-0000-0008-00-0R ROCKWALL BUSINESS PARK EAST Texas Retina Associates	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	CNLRS, ROCKWALL LP	(MR)	HEATH	TX	75032	
CONTRACTOR	Farris Walker Company	P.O. Box 821177	DALLAS	TX	75382	(214) 837-2410
PLB CONTR	Ron Stanley & Sons Plumbing	1213 S Akard	Dallas	TX	75215	(214) 426-2252
ELEC CONTR	John Junkin Inc. Electrical (J J I)	P.O. BOX 348	Fate	TX	75132	(972) 771-4855
INSP RPT EMAIL	Farris Walker Company	P.O. Box 821177	DALLAS	TX	75382	(214) 837-2410
BUS OWNER	Texas Retina associates	9600 N. Central Expwy#100	Dallas	TX	75231	(214) 706-0430

City of Rockwall
PERMITS ISSUED
For the Period 8/1/2015 thru 8/31/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0079	CO	3018 Ridge Rd 100 4818-000A-0002-00-0R	0.00	$ 75.00	$ 75.00
8/18/2015	INTERIOR	ROCKWALL ASSISTED LIVING ADDITION			
8/28/2015	ACTIVE	Rockwall Heath Endodontics		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	AJ, SQUARED LLC	271 RABBIT RIDGE	HEATH	TX	75032	(469) 338-2397
APPLICANT	Ajay Gulati	271 Rabbit Ridge	Heath	TX	75032	
INSP RPT EMAIL	Z Constructors Nationwide	11886 GreenvileAve., # 122 D	Dallas	TX	75243	(972) 682-1435
CONTRACTOR	Z Constructors Nationwide	11886 GreenvileAve., # 122 D	Dallas	TX	75243	(972) 682-1435
MECH CONTR	All American HVAC					
PLB CONTR	Meador Plumbing					
ELEC CONTR	Big Sky Electric	P. O. BOX 2558	Rockwall	TX	75032	(214) 729-4080
BUS OWNER	Ajay Gulati	3018 Ridge Rd	Rockwall	TX	75032	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0086	CO	3140 Horizon Rd. 4703-000A-0003-00-0R	0.00	$ 76.50	$ 76.50
8/24/2015	SHELL	PRESBYTERIAN HOSPITAL OF ROCKWALL ADDITION			
8/31/2015	ACTIVE	Spine Team-SHELL		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	ROCKWALL, REGIONAL HOSF		ADDISON	TX	75001	
APPLICANT	Med Core Parnters					(214) 443-8302
CONTRACTOR	Structures and Interiors	1594 Hart St	Southlake	TX	76092	(817) 329-4241
MECH CONTR	n/a					
PLB CONTR	RODEO PLUMBING LP	2231 Ridge Road, Ste 202	ROCKWALL	TX	75087	(214) 975-3888
ELEC CONTR	CABLE ELECTRIC INC.	3716 RUFE SNOW DR.	North Richland Hills	TX	76180	(817) 595-1055
BUS OWNER	Spine Team Texas	1545 Southlake Blvd	Southlake	TX	76092	(817) 442-9300

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0088	CO	3140 Horizon Rd. 100 4703-000A-0003-00-0R	0.00	$ 76.50	$ 76.50
8/27/2015	INTERIOR	PRESBYTERIAN HOSPITAL OF ROCKWALL ADDITION			
8/31/2015	ACTIVE	Spine Team		0	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	ROCKWALL, REGIONAL HOSF		ADDISON	TX	75001	
APPLICANT	Med Core Parnters					(214) 443-8302
CONTRACTOR	Structures and Interiors	1594 Hart St	Southlake	TX	76092	(817) 329-4241
MECH CONTR	n/a					
PLB CONTR	RODEO PLUMBING LP	2231 Ridge Road, Ste 202	ROCKWALL	TX	75087	(214) 975-3888
ELEC CONTR	CABLE ELECTRIC INC.	3716 RUFE SNOW DR.	North Richland Hills	TX	76180	(817) 595-1055
BUS OWNER	Spine Team Texas	1545 Southlake Blvd	Southlake	TX	76092	(817) 442-9300

City of Rockwall

PERMITS ISSUED

For the Period 8/1/2015 thru 8/31/2015

Permit Number	Permit Type	Site Address			
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Subdivision Name	Plan Number	Valuation	Total Fees / Total SQFT / Fees Paid
15	Permits Issued from: 8/1/2015	Thru: 8/31/2015	Total Valuation:	$ 0.00	
			Total Fees:	$ 1,135.50	
			Total Fees Paid:	$ 1,135.50	

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CALLS BY TYPE JULY 2015

CITY Situation Type	July #
111 Building fire	3
118 Trash or rubbish fire, contained	2
132 Road freight or transport vehicle fire (Commercial Vehicles)	1
134 Water vehicle fire	1
140 OTHER Natural vegetation fire	1
143 Grass fire	3
151 Outside rubbish, trash or waste fire	1
311 Medical assist, assist EMS crew	3
353 Removal of victim(s) from stalled elevator	1
365 Watercraft rescue	2
412 Gas leak (natural gas or LPG)	1
413 Oil or other combustible liquid spill	1
444 Power line down	1
445 Arcing, shorted electrical equipment	3
550 Public service assistance, other	2
551 Assist police or other governmental agency	6
554 Assist invalid	1
556 Public service - Non paged	13
561 Unauthorized burning	1
611 Dispatched & canceled en route	1
622 No incident found on arrival at dispatch address	3
651 Smoke scare, odor of smoke	2
652 Steam, vapor, fog or dust thought to be smoke	1
671 HazMat release investigation w/no HazMat	2
700 False alarm or false call, other	6
730 System malfunction, other	1
731 Sprinkler activation due to malfunction	1
733 Smoke detector activation due to malfunction	2
735 Alarm system sounded due to malfunction	4
740 Unintentional transmission of alarm, other	1
743 Smoke detector activation, no fire - unintentional	2
744 Detector activation, no fire - unintentional	1
745 Alarm system activation, no fire - unintentional	6
Unknown	1
Totals:	81

COUNTY Situation Type	July #
442 Overheated motor	1
561 Unauthorized burning	1
651 Smoke scare, odor of smoke	1
743 Smoke detector activation, no fire - unintentional	1
Totals:	4

mutual aid other	none

CITY RESPONSE
July 2015

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes		0- 1 1/2 MINUTES	
CRITERIA MET %	26 of 26	CRITERIA MET %	6 of 6
CRITERIA -ACHIEVE RESPONSE TIME	100.00%	CRITERIA -ACHIEVE RESPONSE TIME	100%
90% OF TIME IN BOXES WITH	criteria met	60% OF TIME IN BOXES WITH	Criteria Met
STATIONS		STATIONS	
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES		0-6 MINUTES	
CRITERIA MET %	26 of 26	CRITERIA MET %	4 of 6
CRITERIA -ACHIEVE RESPONSE TIME	100.00%	CRITERIA -ACHIEVE RESPONSE TIME	67.00%
90% OF TIME IN BOXES WITH	criteria met	60% OF TIME IN BOXES WITH	Criteria met
STATIONS		STATIONS	
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES		0-7 1/2 MINUTES	
CRITERIA MET%	26 of 26	CRITERIA MET%	4 of 6
CRITERIA -ACHIEVE RESPONSE TIME	100.00%	CRITERIA -ACHIEVE RESPONSE TIME	67.00%
90% OF TIME IN BOXES WITH	criteria met	60% OF TIME IN BOXES WITH	Criteria met
STATIONS		STATIONS	

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ARRIVAL OVERAGES
CITY CALLS

Venue Name	Alarm Date	Enroute time	Arrival time	Enroute to Arrival	Incident Number	Fire Incident Station	Lights and Sirens	Apparatus	REASON FOR OVEARGES
Rockwall	07/19/2015	00:19:12	00:25:52	0:06:40	2015-00000615	Rockwall 4	Code 3	E4	Response to area without station
Rockwall	07/18/2015	23:22:15	23:28:45	0:06:30	2015-00000614	Rockwall 4	Code 3	E4	Response to area without station

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RESPONSE OVERAGES

CITY CALLS

Venue Name	Alarm Date	Alarm Time	Arrival time	Response	Incident Number	Fire Incident Station	Lights and Sirens	Apparatus	REASON FOR OVEARGES
Rockwall	07/19/2015	00:18:22	00:25:52	0:07:30	2015-00000615	Rockwall 4	Code 3	E4	Response to area without station
Rockwall	07/18/2015	23:21:22	23:28:45	0:07:23	2015-00000614	Rockwall 4	Code 3	E4	Response to area without station

292

To: Chief Poindexter
From: BC Merritt
Re: July Structure fire report
Date: August 18, 2015

109 N. Goliad

We responded to a report of a possible structure fire on July 26, 2015. Upon arrival, Ladder 1 checked on scene with nothing showing from the front of the building. A police officer met Ladder 1 personnel to advise them the building was full of smoke and the glass storefront was hot to the touch. Ladder 1 Officer along with 2 other firefighters made a forced entry into the building and were met with heavy smoke conditions. Upon my arrival I quickly made the decision to have firefighters make entry into the building to the South of the fire building, which is 107 S. Goliad, and take a hose line to check to see if the fire had spread to that location and if it had not make sure that it did not get into that building. One of the ladder trucks was raised and ready to operate at this point also. My major goal at this incident was to ensure that the fire was contained to as small of an area as possible and minimize damage to the downtown area. The firefighters on the initial attack were able to locate and extinguish the fire quickly. Due to their being no back door in the fire building we had to cut a hole in the roof in order to assist in removing the smoke and heat from the building. It appeared that the fire inside the location had been burning for quite a while and had pretty much burned itself out by the time we arrived. The interior of the building sustained major damage from heat, smoke and water. The interior of the building at 107 had a significant amount of smoke inside but received no fire or water damage. There was a potential for a large fire on this incident but thanks to an alert citizen and police officer and a quick interior attack by our firefighters this did not happen.

There were no civilian injuries and no firefighter injuries on this incident.

Dispatch time: 23:17.11
Enroute time: 23:18.34
On scene time: 23:21.46
Clear time: 02:25.34

We had a total of 2 Engines, 2 Ladders, 7 Full time, 2 off duty, 13 volunteers, 2 Investigators and 2 Chiefs on this incident.

206 Storrs

We responded to a report of an unknown fire at 206 Storrs on July 24, 2015. The first unit on scene reported no smoke showing from the outside. They were met by employees that advised them that a patient had been smoking in their room and put a cigarette in drawer and caught the drawer on fire. Staff removed the drawer and extinguished the fire prior to FD arrival. Firefighters removed the remainder of the dresser from the building and helped removed a small amount of smoke from the room. No damage was done to the structure.

Dispatch time: 16:30.21
Enroute time: 16:31.38
On scene time: 16:33.25
Clear time: 17:12.01

We had 2 Engines, 2 Ladders, 7 full time, 7 volunteers respond to this incident.

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COUNTY AND MUTUAL AID
RESPONSE
JULY 2015

COUNTY/MUTUAL	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	2 of 2 100.00% Criteria Met
CRITERIA -ACHIEVE RESPONSE TIME	
60% OF TIME IN BOXES WITH	
STATIONS	
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	
CRITERIA -ACHIEVE RESPONSE TIME	2 of 2 100.00% Criteria Met
60% OF TIME IN BOXES WITH	
STATIONS	
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	
CRITERIA MET%	2 of 2 100.00% Criteria Met
CRITERIA -ACHIEVE RESPONSE TIME	
60% OF TIME IN BOXES WITH	
STATIONS	

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ALARM CALLS
JULY 2015

ALARM CALLS	# CITY CALLS
730 System malfunction, other	1
731 Sprinkler activation due to malfunction	1
733 Smoke detector activation due to malfunction	2
735 Alarm system sounded due to malfunction	4
740 Unintentional transmission of alarm, other	1
743 Smoke detector activation, no fire - unintentional	2
744 Detector activation, no fire - unintentional	1
745 Alarm system activation, no fire - unintentional	6

Total Dollar Losses

July 2015

City of Rockwall

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$0.00	$6,554.24	$0.00	$36,554.24	$123,140.00
Total Content Loss:	$50.00	$0.00	$0.00	$60,050.00	$61,846.00
Total Property Pre-Incident Value:	$0.00	$128,012.50	$0.00	$666,267.50	$185,310.00
Total Contents Pre-Incident Value	$0.00	$0.00	$0.00	$457,681.00	$109,692.00
Total Losses:	$50.00	$6,554.24	$.00	$96,604.24	$50.00
Total Value:	$.00	$128,012.50	$.00	$1,123,948.50	$295,002.00

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 7/1/2015 thru 7/31/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2015-095	07/01/15	48	john king & preakness Dr	Rockwall Downes Dev. LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	07/01/15	07/11/15	07/06/15
	COMM		Covered Rest Stop Structure & Sidewalk 1500lft							
CO2015-0058	07/01/15	48	627 NATIONAL DR	D, & A REAL ESTATE PARTNERS LTD	Ariana Hargrove	FIRE CO	APPROVED	07/01/15	07/04/15	07/01/15
	CO		CANTRELL WEATHERSTRIPPING, LTD.							
CO2015-0059	07/02/15	47	3018 RIDGE RD	AJ, SQUARED LLC	Ariana Hargrove	FIRE CO	APPROVED	07/02/15	07/05/15	08/12/15
	CO		Medical Office Building - Shell							
CO2015-0060	07/02/15	47	3045 N GOLIAD ST 106	PCB, PROPERTIES LLC	Ariana Hargrove	FIRE CO	APPROVED	07/02/15	07/05/15	07/06/15
	CO		Payless Cleaners							
PLB2015-020	07/02/15	47	203 N ALAMO	BOWEN, PERRY	Ariana Hargrove	FIRE 972-772-6431		07/02/15	07/12/15	
	COMM		Replace water line servie and adding double check and exp ta							
BLD2015-087	06/22/15	57	2850 SHORELINE TRL 100	LAKE, FRONT TRAIL LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	07/06/15	07/16/15	07/06/15
	COMM		Remax interior remodel of #100							
BLD2015-092	06/26/15	53	3013 Ridge Rd. 102	PS5, PROPERTIES LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	07/06/15	07/16/15	07/06/15
	COMM		Integrity Mortgage							
BLD2015-028	03/03/15	168	1037 IH 30 103	EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	07/07/15	07/17/15	07/07/15
	COMM		Soma - New interior Completion							
BLD2015-028	03/03/15	168	1037 IH 30 104	EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	07/07/15	07/17/15	07/07/15
	COMM		Chico - New interior Completion							
BLD2015-093	06/30/15	49	1010 RIDGE RD	Joanne Vuckovic	Ariana Hargrove	FIRE 972-772-6431	APPROVED	07/07/15	07/17/15	07/07/15
	COMM		Pregnancy Resource Center - Remodel							
BLD2015-097	07/07/15	42	2020 INDUSTRIAL 607	ROCKWALL, STEEL CO	Ariana Hargrove	FIRE 972-772-6431		07/07/15	07/17/15	
	COMM		ALTERATION - ADD 2 DOORS BETWEEN 2 SPACES FOR PATRON MANUFAC							
BLD2015-076	06/08/15	71	1408 Goliad St S	HERITAGE, CHRISTIAN ACADEMY	Ariana Hargrove	FIRE 972-772-6431	APPROVED	07/08/15	07/18/15	07/08/15
	COMM		HCA - lower level Restroom & sump pump relocate							
CO2015-0061	07/08/15	41	113 KENWAY DR	NBN, COMMERCIAL GROUP LLC	Ariana Hargrove	FIRE CO	APPROVED	07/08/15	07/11/15	07/08/15
	CO		BIG BOOK GROUP							
CO2015-0062	07/08/15	41	2582 SH 276	TKC CLXXXVI, LLC	Ariana Hargrove	FIRE CO	APPROVED	07/08/15	07/11/15	07/08/15
	CO		Sunbelt Rentals							
BLD2015-097	07/09/15	40	5335 Horizon Rd.	BUFFALO, CREEK BUSINESS PARK LTD	Ariana Hargrove	FIRE 972-772-6431		07/09/15	07/19/15	
	COMM		Horizon Auto - add concrete slab to eliminate mud							
CO2015-0063	07/09/15	40	104 BOYDSTUN AVE E	PARKS, TODD & DENISE	Ariana Hargrove	FIRE CO	APPROVED	07/09/15	07/12/15	07/09/15
	CO		T3 Chiropractic							
BLD2015-098	07/10/15	39	1638 MANNHEIM DR.	CHARTER CABLE TX	Ariana Hargrove	FIRE 972-772-6431		07/10/15	07/20/15	
	COMM		40 AMP SERVICE FOR CALBLE TV- NOT A HOUSE(FEC RLS)							

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 7/1/2015 thru 7/31/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail: Contact	Review Type	Status	Date Sent	Date Due	Completed
CO2015-0064	07/10/15 CO	39	1207 ARISTA RD 101 J Michael Putman, MD, PA	REALTY, CAPITAL ROCKWALL, LTD	Ariana Hargrove	FIRE CO	APPROVED	07/10/15	07/13/15	07/13/15
ELE2015-003	07/10/15 COMM	39	214 E RUSK RELOCATE SERVICE CHANGE	TURNER, V H	Ariana Hargrove	FIRE 972-772-6431		07/10/15	07/20/15	
BLD2015-076	06/08/15 COMM	71	1408 Goliad St S HCA - Classroom remodel & site Drianage improvements	HERITAGE, CHRISTIAN ACADEMY	Ariana Hargrove	FIRE 972-772-6431	APPROVED	07/13/15	07/23/15	07/13/15
BLD2015-100	07/14/15 COMM	35	3045 N GOLIAD RD 109 Alliance Bank - interior demo / remodel	PCB, PROPERTIES LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	07/14/15	07/24/15	07/17/15
BLD2015-088	06/22/15 COMM	57	1037 IH 30 100 James Avery Jewelry - Interior Completion	EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	07/15/15	07/25/15	07/15/15
ELE2015-003	07/15/15 COMM	34	911 N GOLIAD INSTALL 100AMP SUBPANEL	HILL, LES & SHARON ANN	Ariana Hargrove	FIRE 972-772-6431		07/15/15	07/25/15	
MEC2015-011	07/15/15 COMM	34	1207 BETA CT Rowe International	HEATH, DEVELOPERS CORP #1	Ariana Hargrove	FIRE 972-772-6431		07/15/15	07/25/15	
BLD2015-102	07/16/15 COMM	33	810 Rockwall Pkwy Holly Britt Eye care & Laser Management rockwall	BRITT HOLLY FISHER	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	07/16/15	07/26/15	07/17/15
CO2015-0065	07/16/15 CO	33	2065 Summer Lee Dr. 107 Hollywood nail/spa	MARIAH, BAY DEVELOPMENT INC	Ariana Hargrove	FIRE CO	APPROVED	07/16/15	07/19/15	07/16/15
BLD2015-103	07/17/15 COMM	32	203 N ALAMO Concrete sidewalk	Oscar Cano	Ariana Hargrove	FIRE 972-772-6431		07/17/15	07/27/15	
BLD2015-103	07/17/15 COMM	32	550 W RALPH HALL PKWY Buffington expanding - combining two spaces	DRAKE, BUSINESS PROPERTIES LTD	Ariana Hargrove	FIRE 972-772-6431	DENIED	07/17/15	07/27/15	07/27/15
BLD2015-104	07/17/15 COMM	32	503 Goliad N Hazel & Olive - New Construction	DATAR, CORPORATION	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	07/17/15	07/27/15	07/27/15
BLD2015-105	07/20/15 COMM	29	1141 MIMS RD TXDOT - Temp lot	STAGLLANO, VINCENT J	Mark Poindexter	FIRE 972-772-6431	APPROVED	07/20/15	07/30/15	07/20/15
CO2015-0066	07/20/15 CO	29	1400 IH 30 Woodcreek Brewing Company	CSIHAR, JAMES J	Ariana Hargrove	FIRE CO	APPROVED	07/20/15	07/23/15	07/27/15
BLD2015-107	07/22/15 COMM	27	1655 Science Place L-3 RE-ROOFING (SHINGLES ONLY)	L-3 COMMUNICATIONS	Ariana Hargrove	FIRE 972-772-6431		07/22/15	08/01/15	
BLD2015-107	07/23/15 COMM	26	1301 Summer Lee Dr. Orthopedic Specialists of Dallas	North Dallas Rockwall Land Investors, llc	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	07/23/15	08/02/15	07/28/15
BLD2015-108	07/23/15 COMM	26	1695 Science Place L-3 Irrigation installation	BELLE, HAV/TEX LP	Ariana Hargrove	FIRE 972-772-6431		07/23/15	08/02/15	
CO2015-0067	07/23/15 CO	26	203 N Alamo Rd N-Balance Physical Therapy	Oscar & Nancy Cano	Ariana Hargrove	FIRE CO	APPROVED	07/23/15	07/26/15	07/27/15
BLD2015-109	07/24/15 COMM	25	6525 FM 3097 NEW ALLIANCE ADDITION PHASE 2 OFFICE BUILDING	ROCKWALL, RENTAL PROPERTIES LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	07/24/15	08/03/15	07/27/15

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 7/1/2015 thru 7/31/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail: Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2015-110	07/24/15 COMM	25	107 E KAUFMAN PERFORM REPAIR TO BRICK COLUMNS AND FRONT FACADE OF BUILDING	ARISTA KAUFMAN LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	07/24/15	08/03/15	07/27/15
CO2015-0068	07/24/15 CO	25	2045 KRISTY LN 2731 MCPROPERTIES CORP	IRT, CONSTRUCTION INC	Ariana Hargrove	FIRE CO	APPROVED	07/24/15	07/27/15	07/27/15
BLD2015-053	04/24/15 COMM	116	1700 IH 30 Nissan of Rockwall - New Bldg	NESBO, LIMITED PARNERSHIP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	07/27/15	08/06/15	07/27/15
BLD2015-100	07/14/15 COMM	35	3045 N GOLIAD RD 109 Alliance Bank - interior demo / remodel	PCB, PROPERTIES LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	07/27/15	08/06/15	07/27/15
CO2015-0069	07/27/15 CO	22	2109 SUMMER LEE DR 103 City Salon Suites & Spa CO	VCR	Ariana Hargrove	FIRE CO		07/27/15	07/30/15	
CO2015-0070	07/27/15 CO	22	760 Ralph Hall Pkwy W 110 CROSSFIT HEATH	FLEMING, INVESTMENTS INC	Ariana Hargrove	FIRE CO	APPROVED	07/27/15	07/30/15	07/27/15
CO2015-0071	07/27/15 CO	22	811 Yellow Jacket 106 Go Pro Massage	LANDLOW, LLC	Ariana Hargrove	FIRE CO	APPROVED	07/27/15	07/30/15	07/30/15
BLD2015-103	07/17/15 COMM	32	550 W RALPH HALL PKWY Buffington expanding - combining two spaces	DRAKE, BUSINESS PROPERTIES LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	07/28/15	08/07/15	07/28/15
BLD2015-111	07/28/15 SCHOOL	21	ROCKWALL PLAZA ADDING IRRIGATION ZONES	EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE 972-772-6431		07/28/15	08/07/15	
SPEC2015-01	07/23/15 SPECIAL EVENT	26	1400 I30 WOODCREEK BREWING CO GRAND OPENING	CSIHAR, JAMES J	Bryan Patrick	FIRE 972-772-6431	APPROVED	07/28/15	07/30/15	07/28/15
PLB2015-022	07/29/15 COMM	20	2055 SUMMER LEE DR REPLACE IRRIGATION BACKFLOW	BELLA HARBOR HOTEL VENTURE LLC	Ariana Hargrove	FIRE 972-772-6431		07/29/15	08/08/15	
PLB2015-022	07/29/15 COMM	20	1450 IH 30 E CONNECT TO CITY SEWER FOR RITE CO COLLISION	BENTLEY, RICK	Ariana Hargrove	FIRE 972-772-6431		07/29/15	08/08/15	
BLD2015-112	07/30/15 COMM	19	140 FEATHERSTONE DR Irrigation at entrance of stone creek	Stone Creek	Ariana Hargrove	FIRE 972-772-6431		07/30/15	08/09/15	
CO2015-0072	07/30/15 CO	19	832 STEGER TOWNE DR Woof Gang Bakery & Grooming	STEGER, DUNHILL LLC	Ariana Hargrove	FIRE CO	APPROVED	07/30/15	08/02/15	07/30/15
CO2015-0073	07/30/15 CO	19	2951 Ridge Rd 101 Massage Envy Spa	REGENCY, CENTERS LP	Ariana Hargrove	FIRE CO	APPROVED	07/30/15	08/02/15	07/30/15
ELE2015-003	07/30/15 COMM	19	2009 INDUSTRIAL B INSTALLING ADDITIONAL PANEL - CIRCUITS FOR 4 A/C UNITS	ROCKWALL, STEEL CO	Ariana Hargrove	FIRE 972-772-6431		07/30/15	08/09/15	
BLD2015-111	07/29/15 COMM	20	102 S FIRST Rockwall Helping hands - remodel	ROCKWALL, COUNTY HELPING HANDS INC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	07/31/15	08/10/15	07/31/15
CO2015-0074	07/31/15 CO	18	2380 S Goliad St. 120 Texas Retina Associates	CNLRS, ROCKWALL LP	Ariana Hargrove	FIRE CO	APPROVED	07/31/15	08/03/15	07/31/15

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 7/1/2015 thru 7/31/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
MEC2015-01	07/31/15	18	2009 INDUSTRIAL B	ROCKWALL, STEEL CO	Ariana Hargrove	FIRE 972-772-6431		07/31/15	08/10/15	
	COMM		REPLACING FOUR EXSITING A/C UNITS							

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CRW SYSTEMS

City of Rockwall
Project Routing Report By Date Sent (then by project)
For the Period 7/1/2015 thru 7/31/2015

Project #	Appl. Date / Project Type	Aging	Address / Description	Status / Owner Name	Plan Review Detail: Contact / Review Type	Date Sent / Date Due	Completed / Status
Z2015-020	06/15/2015 ZONING	64	JOHN KING BLVD		Ariana Hargrove FIRE	07/01/2015 07/08/2015	07/01/2015 APPROVED
P2015-028	06/23/2015 PLAT	56	503 N GOLIAD ST		Ariana Hargrove FIRE	07/16/2015 07/23/2015	07/16/2015 APPROVED
Z2015-021	06/15/2015 ZONING	64	3011 N GOLIAD ST		Ariana Hargrove FIRE	07/16/2015 07/23/2015	07/16/2015 APPROVED W/ CON
P2015-030	07/15/2015 PLAT	34			Ariana Hargrove FIRE	07/15/2015 07/22/2015	
E2005-016	07/06/2015 ENGINEERING	43	LAKESHORE N DR		Ariana Hargrove FIRE	07/06/2015 07/20/2015	07/20/2015 COMMENTS
E2015-020	06/12/2015 ENGINEERING	67	1350 SUMMER LEE DR		Ariana Hargrove Engineering: Fire	07/15/2015 07/29/2015	07/17/2015 APPROVED
P2015-029	07/07/2015 PLAT	42	QUAIL RUN		Ariana Hargrove FIRE	07/07/2015 07/14/2015	07/08/2015 COMMENTS
SP2015-017	07/17/2015 SITE PLAN	32	2604 RIDGE RD		Ariana Hargrove FIRE	07/17/2015 07/24/2015	07/27/2015 COMMENTS
Z2015-023	07/17/2015 ZONING	32	RIDGE RD		Ariana Hargrove FIRE	07/17/2015 07/24/2015	 APPROVED W/ CON
P2015-031	07/17/2015 PLAT	32	ALLIANCE DR		Ariana Hargrove FIRE	07/17/2015 07/24/2015	07/27/2015 APPROVED

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CRW SYSTEMS

City of Rockwall
Project Routing Report By Date Sent (then by project)
For the Period 7/1/2015 thru 7/31/2015

Project #	Appl. Date / Project Type	Aging	Address / Description	Status / Owner Name	Plan Review Detail: Contact / Review Type	Date Sent / Date Due	Completed / Status
SP2015-016	07/17/2015 SITE PLAN	32	JOHN KING BLVD		Ariana Hargrove FIRE	07/17/2015 07/24/2015	07/27/2015 APPROVED
P2015-032	07/20/2015 PLAT	29	3035 RIDGE RD		Ariana Hargrove FIRE	07/20/2015 07/27/2015	07/27/2015 APPROVED
SP2015-018	07/20/2015 SITE PLAN	29	YELLOW JACKET LANE		Ariana Hargrove FIRE	07/20/2015 07/27/2015	07/27/2015 COMMENTS
Z2015-024	07/20/2015 ZONING	29	205 ROCKHOUSE LN		Ariana Hargrove FIRE	07/20/2015 07/27/2015	07/27/2015 APPROVED
P2015-033	07/22/2015 PLAT	27	2601 LAKEFRONT TRL		Ariana Hargrove FIRE	07/22/2015 07/29/2015	07/27/2015 APPROVED

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CRW SYSTEMS

Inspection Status Summary Report

City of Rockwall
The New Horizon

Print Date/Time: 08/18/2015 10:47
Login ID: rck\ahargrove
Inspection Type: *All

From Date: 07/01/2015
To Date: 07/31/2015
Inspection Status: *All

Rockwall Fire Department
FDID Number: TX504
Inspected By: *All

Status	Inspection Type	Total Number of Inspections
Finaled	Access Control Doors	1
	Annual	1
	Certificate of Occupancy	13
	Construction Final	6
	Courtesy	5
	Fire Alarm System	1
	Fire Spinkler System	2
	Flow Test	1
	Follow Up	5
	Foster Care / Adoption	2
	Generator	1
	Go Vertical	1
	Knox Box	3
	Other	1
	Tanks-UST	1
	Total Finaled :	**44**

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Inspection Status Summary Report

City of Rockwall
The New Horizon

Print Date/Time: 08/18/2015 10:47
Login ID: rck\ahargrove
Inspection Type: *All

From Date: 07/01/2015
To Date: 07/31/2015
Inspection Status: *All

Rockwall Fire Department
FDID Number: TX504
Inspected By: *All

Status	Inspection Type	Total Number of Inspections
Pending	Annual	4
	Certificate of Occupancy	7
	Construction Final	13
	Fire Alarm System	2
	Fire Spinkler System	5
	Follow Up	8
	Foster Care / Adoption	1
	Go Vertical	1
	Underground Fire Line	2
	Total Pending :	**43**
	Total :	**87**

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Fire Investigation Status Summary

City of Rockwall
The New Horizon

Print Date/Time: 08/18/2015 10:48
Login ID: rck\ahargrove
Status: All

From Date: 07/01/2015
To Date: 07/31/2015
Investigation Type: All

Rockwall Fire Department
FDID Number: TX504

Status	Investigation Type		Total Number of Investigations
Admin Closed/Invest Suspended	No Investigations Exist For This Status		
		Total Admin Closed/Invest Suspended :	**0**
Active (Open)	Incendiary		1
		Total Active (Open) :	**1**
Admin Closed- no crimel incident	Undetermined		1
	Accidental		1
		Total Admin Closed- no crimel incident :	**2**
Closed - by arrest/case to DA	No Investigations Exist For This Status		
		Total Closed - by arrest/case to DA :	**0**
Pending Final Report	No Investigations Exist For This Status		
		Total Pending Final Report :	**0**
		Total :	**3**

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Fire Permit Listing

City of Rockwall
The New Horizon

Print Date/Time: 08/18/2015 10:48
Login ID: rck\ahargrove
Permit Type: All
Permit Number From/To: All

From Application Date: 7/1/2015
Thru Application Date: 7/31/2015
Permit Status: All

Rockwall Fire Department
FDID Number: TX504
Inspector: All

Permit Number	Application Date	Applicant	Location	Permit Type	Status	Status Date
1672	07/01/2015	Shell Building Plaza Rockwall Builidng 16	,	Overhead-Sprinkler	Approved	07/08/2015
1673	07/09/2015	Texas Retina Associates	2380 S GOLIAD ST 120 ROCKWALL, TX 75032	Fire Alarm	Approved	07/09/2015
1675	07/13/2015	Dr. Chou	3018 RIDGE RD 120 ROCKWALL, TX 75032	Overhead-Sprinkler	Approved	07/31/2015
1676	07/14/2015	Lowder, Paul M	1667 N LAKESHORE DR ROCKWALL, TX 75087	Aboveground Tank	Approved	07/14/2015
1679	07/17/2015	James Avery	1037 E I30 100 ROCKWALL, TX 75032	Overhead-Sprinkler	Approved	07/30/2015
1680	07/15/2015	Nissan of Rockwall	1700 E I 30 ROCKWALL, TX 75087	Underground-Sprinkler	Approved	07/15/2015
1681	07/21/2015	Stewart, Trey	OAKHURTS AND WINDHAM Rockwall, TX	Temp Aboveground tank	Approved	07/21/2015
1682	07/24/2015	Horizon Village Shell Building	760 E RALPH HALL PKWY ROCKWALL, TX 75032	Underground Tank	Approved	07/24/2015
1684	07/23/2015	2951 Ridge Road Shell Building	2951 RIDGE RD ROCKWALL, TX 75032	Fire Alarm	Submitted	07/23/2015
1685	07/27/2015	Nissan of Rockwall	1700 E I 30 ROCKWALL, TX 75087	Overhead-Sprinkler	Re-Submit Needed	08/05/2015
1686	07/28/2015	L3 Communications Shell Building	1695 SCIENCE PL ROCKWALL, TX 75032	Fire Alarm	Approved	08/04/2015
1687	07/28/2015	City Salon Suites & Spa	2109 SUMMER LEE DR 103 ROCKWALL, TX 75032	Doors-Access Control	Approved	07/28/2015

Fire Permit Listing

City of Rockwall
The New Horizon

Print Date/Time: 08/18/2015 10:48
Login ID: rck\ahargrove
Permit Type: All
Permit Number From/To: All

From Application Date: 7/1/2015
Thru Application Date: 7/31/2015
Permit Status: All

Rockwall Fire Department
FDID Number: TX504
Inspector: All

Permit Number	Application Date	Applicant	Location	Permit Type	Status	Status Date
1689	07/29/2015	Coldwell Banker	,	Overhead-Sprinkler	Approved	07/30/2015
1690	07/30/2015	soma	,	Overhead-Sprinkler	Approved	08/04/2015
1691	07/30/2015	Chico	,	Overhead-Sprinkler	Approved	08/04/2015
1692	07/30/2015	breezy hill	,	Temp Aboveground tank	Approved	08/03/2015
1694	07/30/2015	ROCKWALL NURSING CENTER	206 STORRS ST ROCKWALL, TX 75087	Doors-Access Control	Approved	07/30/2015

Total Number of Permits: 17

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City of Rockwall
GIS Department Report
July 2015

GIS Project Requests.

Month	2007	2008	2009	2010	2011	2012	2013	2014	2015	*% Change from 2014*	2015 Trend
January	5	14	19	24	31	21	26	28	38	35.71%	↑
February	13	16	26	28	28	25	26	27	33	22.22%	↑
March	4	6	32	23	36	22	23	28	30	7.14%	↑
April	9	25	17	22	29	37	23	30	35	16.67%	↑
May	16	25	18	30	32	33	38	24	31	29.17%	↑
June	11	9	27	22	38	35	28	15	34	126.67%	↑
July	15	24	15	32	23	27	21	31	41	32.26%	↑
August	15	7	23	24	38	35	36	34			
September	9	7	28	31	37	27	20	39			
October	10	33	32	39	40	39	27	44			
November	35	6	15	27	22	13	29	34			
December	10	13	13	28	22	17	28	19			
Total:	152	185	265	330	376	331	325	353	242		

Key Projects.

(1) ***New Internet Maps***. Assist in building new suite of internet maps with connection to the City's work order system (*85% Complete*).

(2) ***911 Addressing***. Regular 911 address assignment/changes for all new city developments and residents.

(3) ***GPS Signage Project.*** Completed GPS location of all city signage and input into the city GIS (*100% Complete*).

(4) ***Takeline Properties.*** GIS created online application to track takeline leased properties and surveys.

(5) ***New World Systems.*** Regular GIS maintenance and updates to dispatch mapping system.

Year to Date Project Request by Department.

Admin / HR /Internal Ops	8
Building Inspections	4
Citizen Request	4
City Council	2
City Manager's Office	9
Neighborhood Improvement Services	2
Engineering / Public Works	49
Finance / Utilities	2
Fire Department	5
GIS (Citywide Projects)	61
IT	1
Main Street Program	5
Outside Agencies	7
Parks & Recreation	33
Planning	29
Police Department	17
REDC	4
Total	*242*

(6) ***Parks And Recreation Maps.*** GIS created Parks amenities, facility and rent area maps and applications.

(7) ***Mosquito Fogging Maps.*** Fog / No Fog or Treatment Zones. Identify all water bodies include 300' buffers (*On-Going*).

(8) ***Airport FAA Requirements.*** Tree hazard identification for future removal plan (*used Lidar data to identify penetrations of 20:1 approach zone slope*).

(9) ***Engineering Scans.*** Input hyperlinks to open appropriate construction drawings from GIS mapping.

(10) ***Flooding Maps and Apps.*** Input flooding data into the GIS and create mapping. (*Post May-June 2015 events*).

(11) ***Master Thoroughfare Plan.*** Proposed changes for thoroughfare maps.

(12) ***Various Calculations.*** Performed various parcel, zoning, and trail calculations for city projects. Also studies for proposed roadway alignments.

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Rockwall Police Department

Harbor District Calls For Service

July 2015

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2015-00022067	7/10/2015	20:18:11	Campisi's	Disturbance	No Report
2015-00020862	7/1/2015	16:35:00	Cinemark	Suspicious Activity	No Report
2015-00021345	7/4/2015	22:43:45	Cinemark	Disturbance	No Report
2015-00021359	7/4/2015	23:15:02	Cinemark	Investigation	No Report
2015-00021374	7/4/2015	23:54:31	Cinemark	Traffic Stop	Arrest
2015-00022573	7/15/2015	0:13:51	Cinemark	Disturbance	No Report
2015-00023024	7/18/2015	21:06:12	Cinemark	Accident - Minor	No Report
2015-00023631	7/23/2015	21:17:06	Cinemark	Tow	Tow
2015-00023643	7/23/2015	23:11:39	Cinemark	Traffic Stop	Citation
2015-00023739	7/24/2015	20:14:55	Cinemark	Vehicle Unlock	No Report
2015-00023946	7/26/2015	1:32:23	Dodie's	Investigation	Arrest
2015-00020876	7/1/2015	18:06:02	Gloria's	Intoxicated	No Report
2015-00023800	7/25/2015	0:21:03	Gloria's	Intoxicated	Arrest
2015-00021316	7/4/2015	21:48:42	Hilton	Disturbance	No Report
2015-00021338	7/4/2015	22:27:05	Hilton	Parking Violations	Citation
2015-00021351	7/4/2015	23:02:15	Hilton	Disturbance	No Report
2015-00021906	7/9/2015	13:08:07	Hilton	Traffic Stop	Warning
2015-00022324	7/12/2015	21:20:01	Hilton	Animal	No Report
2015-00023044	7/18/2015	22:30:11	Hilton	Accident - Minor	Report
2015-00023892	7/25/2015	21:04:52	Hilton	Vehicle Unlock	No Report
2015-00024078	7/27/2015	11:17:44	Hilton	911 Hang Up	Flase 911
2015-00024162	7/28/2015	2:56:44	Hilton	Suspicious Activity	No Report
2015-00024511	7/30/2015	19:26:08	Hilton	Civil Matter	No Report
2015-00021193	7/3/2015	21:58:40	The Harbor	Disturbance	Arrest
2015-00021202	7/3/2015	22:57:00	The Harbor	Traffic Stop	Arrest
2015-00021738	7/7/2015	22:41:10	The Harbor	Investigation	Unable To Locate
2015-00021954	7/9/2015	20:24:02	The Harbor	Investigation	No Report
2015-00021970	7/9/2015	22:12:59	The Harbor	Disturbance	Arrest
2015-00021978	7/9/2015	23:12:30	The Harbor	Intoxicated	Arrest
2015-00022080	7/10/2015	21:46:16	The Harbor	Traffic Stop	Warning
2015-00022249	7/12/2015	1:26:37	The Harbor	Assist Motorist	No Report
2015-00022786	7/16/2015	22:06:41	The Harbor	Investigation	Arrest
2015-00022805	7/17/2015	0:02:06	The Harbor	Disturbance	Report
2015-00023837	7/25/2015	13:01:08	The Harbor	Traffic Stop	Warning
2015-00023918	7/25/2015	22:38:48	The Harbor	Parking Violations	No Report
2015-00024374	7/29/2015	18:56:51	The Harbor	Meet Complainant	No Report
2015-00024494	7/30/2015	17:21:33	The Harbor	Vehicle Unlock	No Report
2015-00021078	7/2/2015	23:08:31	Three Sheets	Theft	Arrest
2015-00021082	7/2/2015	23:24:52	Three Sheets	Investigation	No Report

			Common Name		
			The Harbor	14	
			Hilton	10	
			Cinemark	9	
			Glorias	2	
			Three Sheets	2	
			Campisi's	1	
			Dodie's	1	
			Total	39	

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
JULY 2015

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	4	4	0	100%
ADMINISTRATIVE SERVICES	2	2	0	100%
AIRPORT	0	0	0	0%
ANIMAL SERVICES	4	4	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	0	0	0	0%
ENGINEERING	1	1	0	100%
FINANCE	0	0	0	0%
FIRE DEPARTMENT	31	31	0	100%
INTERNAL OPERATIONS	124	124	0	100%
MUNICIPAL COURT	8	8	0	100%
PARKS & RECREATION	18	17	1	94%
PLANNING & ZONING	0	0	0	0%
POLICE DEPARTMENT	43	41	2	95%
PUBLIC WORKS	4	4	0	100%
UTILITY BILLING	0	0	0	0%
TOTAL	239	236	3	99%

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
RADIO SYSTEM
REQUESTS FOR SERVICE
JULY 2015

DEPARTMENT	# OF REQUESTS	# OF REQUESTS RESPONDED TO W / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ANIMAL SERVICES	0	0	0	100%
CODE ENFORCEMENT	0	0	0	100%
FIRE DEPARTMENT	3	3	0	100%
EMS	0	0	0	100%
INTERNAL OPERATIONS	0	0	0	100%
PARKS & RECREATION	0	0	0	100%
POLICE DEPARTMENT	10	10	0	100%
PUBLIC WORKS	0	0	0	100%
UTILITY BILLING	0	0	0	100%
HEATH DEPT. PUBLIC SAFETY	2	2	0	100%
HOSPITAL CONTROL STATIONS	0	0	0	100%
SYSTEM ISSUES	0	0	0	100%
TOTAL	15	15	0	100%

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Airport Operations Report

For Month of July 2015

FUEL SALES

	GALLONS SOLD	GROSS SALES
Jet - A Sales	372.00	$1,436.90
Av-Gas Sales	2,188.00	$9,727.73
TOTAL FUEL SALES	2,560.00	$11,164.63

HANGAR RENTAL REVENUE

Open T Hangar Rental Revenue	$2,690.25
Transient Covered Hgr - Nightly	$75.00
Enclosed Hangar Rental Revenue	$120.00
Nightly Tiedown Fees	$14.00
North Community Hangar Rental Revenue	$650.00
TOTAL HANGAR RENTALS	$3,549.25

HANGAR OCCUPANCY RATES

	TOTAL HANGARS	QTY RENTABLE	QUANTITY LEASED	OCCUPANCY RATE
Open T Hangars	45	40	36	90.00%
Closed Hangar Rentals	2	2	2	100%
Open Hangar Cap Rentals	2	1	1	100%
TOTAL HANGAR OCCUPANCY	49	43	39	91%

Of the forty five hangars only forty can actually be rented. Most of these forty should be considered substandard and not easily marketed due to pad slope and width, electrical, and drainage issues.

CITY FEES DUE	FEE RATE	FRANCHISE FEE DUE	FUEL FLOWAGE FEES DUE	TOTAL FEES DUE
Fuel Sales (Gallons Sold)	$0.10	$0.00	$256.00	$256.00
City Owned Hangar Rentals	5.00%	$177.46	$0.00	$0.00
TOTAL FEES DUE		$177.46	$256.00	$433.46

I certify the information and amounts submitted on this form are true and correct.

Todd Parks
Managing Director - Texas Air Center, LLC

City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Joey Boyd, Director of Internal Operations

DATE: September 1, 2015

SUBJECT: **Ralph M. Hall / Rockwall Municipal Airport**
Airport Development Plan Update

The City of Rockwall was notified in August 2015 that TXDOT Aviation has finalized their review of the Airport Development Plan and has indicated that the final draft of the Airport Development Plan report can be published; however, the new Airport Layout Plan is still pending airspace analysis review at the FAA.

The City's consultant, Garver, submitted the ALP for review on August 13, 2015 and indicated that the City should expect a response from the FAA within the following 45-90 days.

Links to the Airport Development Plan is on the city management page of the City's website.

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July-2015

ACTIVITY	CURRENT MONTH JULY	PREVIOUS MONTH JUNE	YTD 2015	YTD 2014	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	0	**0.00%**
Sexual Assault	2	1	8	1	**700.00%**
Robbery	1	0	6	2	**200.00%**
Aggravated Assault	0	2	19	19	**0.00%**
Burglary	3	8	26	40	**-35.00%**
Larceny	56	61	343	355	**-3.38%**
Motor Vehicle Theft	3	3	25	29	**-13.79%**
TOTAL PART I	**65**	**75**	**427**	**446**	**-4.26%**
TOTAL PART II	**178**	**171**	**1094**	**959**	**14.08%**
TOTAL OFFENSES	**243**	**246**	**1521**	**1405**	**8.26%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	18	16	103	114	**-9.65%**
D.W.I.	30	21	114	138	**-17.39%**
TEEN CURFEW	0	0	2	7	**-71.43%**
ARRESTS					
FELONY	14	14	117	120	**-2.50%**
MISDEMEANOR	46	83	465	547	**-14.99%**
WARRANT ARREST	54	40	245	225	**8.89%**
JUVENILE	4	12	20	44	**-54.55%**
TOTAL ARRESTS	**118**	**149**	**847**	**936**	**-9.51%**
DISPATCH					
CALLS FOR SERVICE	1496	1731	10478	10227	**2.45%**
ACCIDENTS					
INJURY	7	12	62	74	**-16.22%**
(INJURIES)	12	15	92	99	**-7.07%**
NON-INJURY	53	54	372	296	**25.68%**
FATALITY	0	0	1	0	**100.00%**
(FATALITIES)	0	0	1	0	**100.00%**
TOTAL	**60**	**66**	**435**	**370**	**17.57%**
FALSE ALARMS					
RESIDENT ALARMS	65	75	444	426	**4.23%**
BUSINESS ALARMS	127	180	876	894	**-2.01%**
TOTAL FALSE ALARMS	**192**	**255**	**1320**	**1320**	**0.00%**
Estimated Lost Hours	**126.72**	**168.3**	**871.2**	**871.2**	**0.00%**
Estimated Cost	**$3,014.40**	**$4,003.50**	**$20,724.00**	**$20,724.00**	**0.00%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**4**
Arrests	
Arrest Warrants	**3**
Search Warrants	
Seized	
1 Kilo	Methamphetamine
Cash	$196,000

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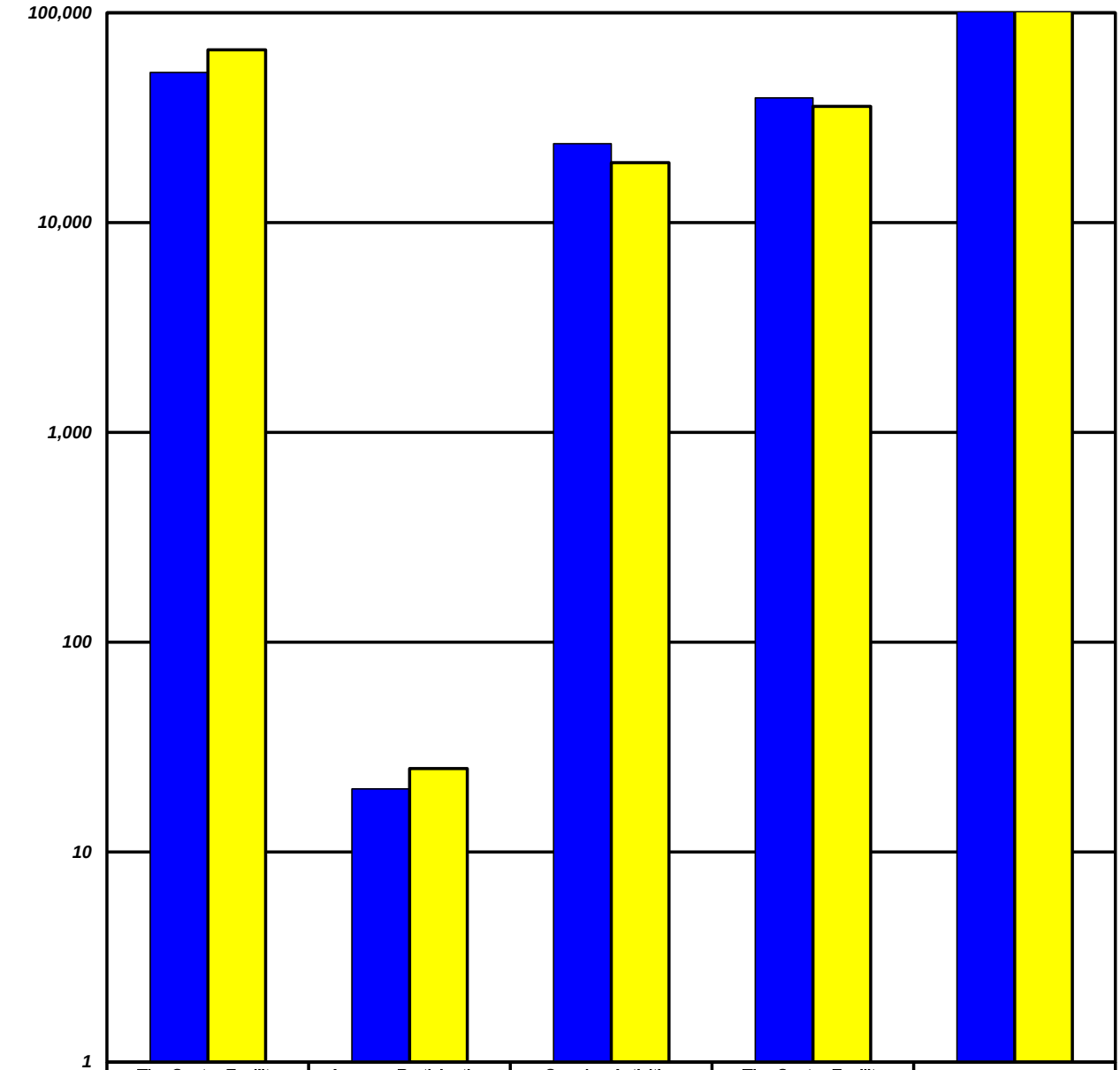
City of Rockwall
Parks and Recreation Department
FY15 July Report



	The Center Facility Usage	Average Participation per Hour	Ongoing Activities Attendance	The Center Facility Rental Revenue	Program Revenue
FY15 YTD	51,910	20	23,723	$39,306	$130,986
FY14 YTD	66,515	25	19,289	$35,748	$140,151

The Center Facility Usage - Total number of visitors and participants that come thru The Center - includes Ongoing Activities.
Average Participation per Hour - The Center Facility Usage divided by the number of hours the facility is open.
Ongoing Activities Attendance - Non fee based activities conducted on a routine basis (Bingo, Exercise with Anita, etc).

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Rockwall Animal Adoption Center Monthly Report
CCHS at Rockwall
July 2015

DISPOSITION REPORT

	July
Intakes	159
1045	3
Adopted	114
Returned to Owner	25
Rescued	9
Euthanized	3
Live Outcome %	**96%**
Number of Animals in Foster	12

FINANCIAL REPORT

Income	**July**
City of Rockwall	$95,951
Adoption Fee Income	$8,590
Impound Fee Income	$710
Owner Surrender	$1,360
General Donations	$2,192
Medical	$570
Quarantine Fee	$270
Total Income	**$109,643**

Expenses	**July**
Administrative Expenses (Payroll, etc)	$53,037
Shelter Expenses (Microchips, Drugs, etc)	$4,338
Veterinary Expenses	$6,463
Total Expenses	**$63,536**
Balance	**$46,107**

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Table of Contents

Agenda 5

Hold work session to discuss the United States Environmental Protection Agency's (EPA) Sanitary Sewer System compliance inspection report, including addressing any areas of concern, and take any action necessary.

- City Manager Memo 9
- EPA Report 10
- Blank Page 27

Hold work session to discuss and consider local regulations regarding non-emergency ambulance services and associated transports, and take any action necessary.

- Memo - Council Packet Item - Ambulance 9_21_2015 (2) 28
- Blank Page 29

Shon Bellah Recognition

- Shon Bellah Proclamation 30
- Blank Page 31

Consider approval of the minutes from the September 8, 2015 regular city council meeting, and take any action necessary.

- 09/08 CC mtg Mins 32
- Blank Page 44

Consider approval of a resolution related to a grant through the Texas Parks and Wildlife Department pertaining to construction of a boating access facility on Lake Ray Hubbard near SH-66 and N. Lakeshore Drive, and authorize the city manager to execute associated project agreement, and take any action necessary.

- Parks and Rec Grant re SH66 Boat Ramp 45
- blank page 48

Consider approval of the engineering services contract with Hydrological Support Services, LLC to perform flood study reviews for developments within the City in an amount not to exceed $40,000.00 provided from the FY 2015-16 Department Operations Budget and developer reimbursement, and take any action necessary.

- City Manager Memo 49
- Professional Engineering Services Contract 50
- blank page 60

Consider authorizing the City Manager to enter into an agreement with the Texas Department of Transportation (TxDOT) under the City Pride Program for installation of signage along W. Rusk Street [SH-66] west of S. Lakeshore Drive, and take any action necessary.

- Memorandum 61
- Blank Page 73

Consider approval of a resolution for an easement abandonment associated with an existing 608 square foot utility easement generally located at the southeastern building corner of what is currently Honda of Rockwall, and take any action necessary.

City Manager Memo . . . 74
Franchise Company Approval Letters . . . 75
Quitclaim . . . 79
Easement Exhibit and Description . . . 80
Resolution . . . 82
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Consider award of a professional services contract to Grantham & Associates, Inc. and authorize the city manager to execute associated documents for performing the engineering design services and specifications for the Signal Ridge Sanitary Sewer Pipe Bursting Project in an amount of $27,480.00 to be funded by 2016 water and sewer revenue bonds, and take any action necessary.

City Manager Memo . . . 84
Professional Services Contract . . . 85
Blank Page . . . 100

Consider approval of American National Bank as the City's depository and take any action necessary.

depository memo . . . 101
blank page . . . 102

Discuss and consider extending the existing Facilities Agreement associated with reimbursement for the construction of Damascus Road to the Roman Catholic Diocese for ten years, and take any necessary action.

City Manager Memo . . . 103
Letter From Heritage Christian Academy . . . 104
Existing Facilities Agreement . . . 105
Revised Facilities Agreement . . . 110
Blank Page . . . 115

SP2015-020 - Discuss and consider a request by Sam Ellis of Dallas Design Build on behalf of the owner Amalraj Fernando of MREA Properties-2, LLC for the approval of variances associated with articulation, screening and landscape buffers as stipulated by Articles V & VIII of the Unified Development Code (UDC) in conjunction with an approved site plan for a daycare facility on a two (2) acre parcel of land identified as Lot 1 of the Dewoody Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the North SH-205 Corridor Overlay (N SH-205 OV) District, addressed as 3011 N. Goliad Street [SH-205], and take any action necessary.

SP2015-020 . . . 116
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Discuss and consider Wal-Mart Supercenter temporary storage of merchandise, and take any action necessary.

Wal-Mart . . . 131
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Discuss and consider recommendations by the Landscape Review Committee for code amendments to the Unified Development Code and Municipal Code of Ordinances that relate to water conservation and drought management, and take any action necessary.
Memorandum . . . 138
Blank Page . . . 167
Discuss and consider approval of the Rockwall Economic Development Corporation (REDC) budget for fiscal year 2016 and amended budget for fiscal year 2015, and take any action necessary.
redc memo . . . 168
EDC worksheets . . . 169
Blank Page . . . 176
Discuss and consider approval of the Rockwall Technology Park Association budget for fiscal year 2016 and amended budget for fiscal year 2015, and take any action necessary.
RTPA memo . . . 177
RTPA worksheets . . . 178
Blank Page . . . 183
Discuss and consider the Hotel tax subcommittee recommendations for supplemental funding allocations in fiscal year 2015 and proposed funding allocations in fiscal year 2016, including authorizing the City Manager to execute associated funding agreements, and take any action necessary.
supplemental memo . . . 184
supplemental applications . . . 185
chamber supplemental request . . . 205
Proposed budget recommendation memo . . . 211
Recommendations Worksheet . . . 212
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Discuss and consider approval of an ordinance amending the budget for fiscal year 2015, and take any action necessary.
amending memo . . . 214
amending Ordinance . . . 215
blank page . . . 216
Discuss and consider the proposed budget for fiscal year 2016 and approval of an ordinance adopting the proposed budget, and take any action necessary.
budget adoption memo . . . 217
budget Ordinance . . . 218
budget worksheets . . . 219
Blank page . . . 224
Discuss and consider approval of an ordinance levying ad valorem taxes for the tax year 2015, and take any action necessary.
tax levy memo . . . 225
tax levy ordinance . . . 226
blank page . . . 228

Discuss and consider approval of an ordinance amending the provisions of Chapter 12. Businesses & Sales, Article XII. Ambulance Service of the Code of Ordinances, specifically pertaining to exclusivity provisions expressed in Sec. 12-1251 , and take any action necessary. (1st reading)

Memo - Council Packet Item - Ambulance 9_21_2015 (2) 229
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AGENDA
ROCKWALL CITY COUNCIL
Monday, September 21, 2015
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

p9 **1. HOLD WORK SESSION TO DISCUSS THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY'S (EPA) SANITARY SEWER SYSTEM COMPLIANCE INSPECTION REPORT, INCLUDING ADDRESSING ANY AREAS OF CONCERN, AND TAKE ANY ACTION NECESSARY.**

p28 **2. HOLD WORK SESSION TO DISCUSS AND CONSIDER LOCAL REGULATIONS REGARDING NON-EMERGENCY AMBULANCE SERVICES AND ASSOCIATED TRANSPORTS, AND TAKE ANY ACTION NECESSARY.**

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding (re)appointments to city regulatory boards, commissions, or committees - Planning & Zoning Commission vacancy- pursuant to Section 551.074 (personnel matters)

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, September 21, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER HOHENSHELT

VIII. PROCLAMATIONS / AWARDS

p30 **1.** Shon Bellah Recognition
2. Retirement Service Recognition – Ken Keeton

IX. OPEN FORUM

X. CONSENT AGENDA

p32 **1.** Consider approval of the minutes from the September 8, 2015 regular city council meeting, and take any action necessary.

p45 **2.** Consider approval of a resolution related to a grant through the Texas Parks and Wildlife Department pertaining to construction of a boating access facility on Lake Ray Hubbard near SH-66 and N. Lakeshore Drive, and authorize the city manager to execute associated project agreement, and take any action necessary.

p49 **3.** Consider approval of the engineering services contract with Hydrological Support Services, LLC to perform flood study reviews for developments within the City in an amount not to exceed $40,000.00 provided from the FY 2015-16 Department Operations Budget and developer reimbursement, and take any action necessary.

p61 **4.** Consider authorizing the City Manager to enter into an agreement with the Texas Department of Transportation (TxDOT) under the City Pride Program for installation of signage along W. Rusk Street [SH-66] west of S. Lakeshore Drive, and take any action necessary.

p74 **5.** Consider approval of a resolution for an easement abandonment associated with an existing 608 square foot utility easement generally located at the southeastern building corner of what is currently Honda of Rockwall, and take any action necessary.

p84 **6.** Consider award of a professional services contract to Grantham & Associates, Inc. and authorize the city manager to execute associated documents for performing the engineering design services and specifications for the Signal Ridge Sanitary Sewer Pipe Bursting Project in an amount of $27,480.00 to be funded by 2016 water and sewer revenue bonds, and take any action necessary.

p101 **7.** Consider approval of American National Bank as the City's depository and take any action necessary.

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

XII. ACTION ITEMS

p103 **1.** Discuss and consider extending the existing Facilities Agreement associated with reimbursement for the construction of Damascus Road to the Roman Catholic Diocese for ten years, and take any necessary action.

p116 **2.** SP2015-020 - Discuss and consider a request by Sam Ellis of Dallas Design Build on behalf of the owner Amalraj Fernando of MREA Properties-2, LLC for the approval of variances associated with articulation, screening and landscape buffers as stipulated by Articles V & VIII of the Unified Development Code (UDC) in conjunction with an approved site plan for a daycare facility on a two (2) acre parcel of land identified as Lot 1 of the Dewoody Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the North SH-205 Corridor Overlay (N SH-205 OV) District, addressed as 3011 N. Goliad Street [SH-205], and take any action necessary.

p131 **3.** Discuss and consider Wal-Mart Supercenter temporary storage of merchandise, and take any action necessary.

p138 **4.** Discuss and consider recommendations by the Landscape Review Committee for code amendments to the Unified Development Code and Municipal Code of Ordinances that relate to water conservation and drought management, and take any action necessary.

p168 **5.** Discuss and consider approval of the Rockwall Economic Development Corporation (REDC) budget for fiscal year 2016 and amended budget for fiscal year 2015, and take any action necessary.

p177 **6.** Discuss and consider approval of the Rockwall Technology Park Association budget for fiscal year 2016 and amended budget for fiscal year 2015, and take any action necessary.

p184 **7.** Discuss and consider the Hotel tax subcommittee recommendations for supplemental funding allocations in fiscal year 2015 and proposed funding allocations in fiscal year 2016, including authorizing the City Manager to execute associated funding agreements, and take any action necessary.

p214 **8.** Discuss and consider approval of an ordinance amending the budget for fiscal year 2015, and take any action necessary.

p217 **9.** Discuss and consider the proposed budget for fiscal year 2016 and approval of an ordinance adopting the proposed budget, and take any action necessary.

p225 **10.** Discuss and consider approval of an ordinance levying ad valorem taxes for the tax year 2015, and take any action necessary.

p229 **11.** Discuss and consider approval of an ordinance amending the provisions of Chapter 12. Businesses & Sales, Article XII. Ambulance Service of the Code of Ordinances, specifically pertaining to exclusivity provisions expressed in Sec. 12-1251 , and take any action necessary. (1st reading)

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding (re)appointments to city regulatory boards, commissions, or committees - Planning & Zoning Commission vacancy- pursuant to Section 551.074 (personnel matters)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 18th day of September, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **September 16, 2015**

SUBJECT: **Environmental Protection Agency Site Review**

The United States Environmental Protection Agency (USEPA) Reconnaissance Sanitary Sewer System Compliance Inspection was performed at the City of Rockwall, Texas on March 5, 2015. The inspection was conducted in the guidance established by the USEPA under the National Pollutant Discharge Elimination System. The purpose of this targeted site visit was to evaluate the City of Rockwall's operations and maintenance of their wastewater collection system and their reporting procedures as implemented under the Texas Water Code, Texas Administrative Code, the Clean Water Act, and the Code of Federal Regulations.

The results of the site visit were provided to staff via email dated August 5, 2015. Attached is a copy of the EPA's finding without the attachments.

Staff will discuss the report during the September 21, 2015 City Council Work Session and the actions taken to date to address the EPA's areas of concerns.

If you have any questions, please advise.

TMT:em

Attachment

Cc:
Mary Smith, Assistant City Manager
Rick Sherer, Manager of Water/Wastewater
Amy Williams, P.E., Assistant City Engineer
File

EPA United States Environmental Protection Agency

Region 6 Compliance Assurance and Enforcement Division
INSPECTION REPORT

Inspection Date(s):	03/05/2015		
Media:	Water		
Regulatory Program(s)	NPDES – CWA Section 308 (a) & (b)		
Company Name:	City of Rockwall		
NTMWD Facilities Names:	Buffalo Creek WWTP (TX0078565) - FRS: 110033536706 South Mesquite Creek WWTP (TX0047431) - FRS: 110000914663 Squabble Creek WWTP (TX0022241) - FRS: 110002044252		
Facility Name:	**City of Rockwall**		
Facility Physical Location:	1600 Airport Road		
(city, state, zip code)	Rockwall, TX 75087		
Mailing address:	385 S. Goliad St.		
(city, state, zip code)	Rockwall, TX 75087		
County/Parish:	Rockwall County		
Facility Contact:	Timothy Tumulty ttumulty@rockwall.com	Director of Public Works	
FRS Number:	Multiple – reference above		
Permit Number:	Multiple – reference above		
Media Number:	N/A		
NAICS:	221320		
SIC:	4952		
Facility Representatives:	Timothy Tumulty	Director of Public Works	972-771-7746
	Rick Sherer	Water/Wastewater Manager	972-771-7730
	Jerry Strouse	Field Operations Supervisor	972-771-7730
	Steve Clawson	Field Operations Supervisor	972-771-7730
EPA Inspector	James Zimny	EPA HQ	202-564-6551
State Inspector(s):	None	NA	NA
Contractor Inspector(s):	Danny O'Connell	PG Environmental, LLC	303-279-1778
	Jake Albright	PG Environmental, LLC	303-279-1778
Metadata: Title:	North Texas MWD – City of Rockwall, Rockwall County, Texas SSO Inspection Report		
Metadata: Author:	US EPA Region 6 Compliance Assurance and Enforcement Division, Dallas TX		
Metadata: Subject:	Collection System Sanitary Sewer Overflow (SSO) inspection		
Metadata: Keywords:	SSO Compliance, City of Rockwall, Texas, NTMWD Member		
EPA Lead Inspector Signature/Date	[signature] for James Zimny {Inspector name}		7/29/15 Date
Supervisor Signature/Date	Tony [signature] for Carol Peters {Supervisor name}		7/29/15 Date

Section I - INTRODUCTION

PURPOSE OF THE INSPECTION

A U.S. Environmental Protection Agency (USEPA) reconnaissance Sanitary Sewer System Compliance Inspection, in conjunction with PG Environmental, LLC, a USEPA contractor, was performed at the City of Rockwall, Texas on March 5, 2015. The inspection was conducted in the guidance established by the USEPA under the National Pollutant Discharge Elimination System (NPDES). The purpose of this targeted site visit was to evaluate the City of Rockwall's operations and maintenance of their collection system and their reporting procedures as implemented under the Texas Water Code (TWC), Texas Administrative Code (TAC), the Clean Water Act (CWA), and the Code of Federal Regulations (CFR). An entry briefing was conducted by EPA inspector James Zimny, an the inspector met with various City of Rockwall personnel including Timothy Tumulty - Director of Public Works, Rich Sherer - Water/Wastewater Manager, Jerry Strouse - Field Operations Supervisor, and Steve Clawson - Field Operations Manager.

BACKGROUND

The City of Rockwall's collection system services approximately 40,000 residents. The collection system is primarily operated and maintained by the Water and Wastewater Division and the Production Tech Division of the City's Public Works Department. The City is divided into two main sewer drainage basins. All City sewage eventually flows into the NTMWD interceptor system and to one of the three NTMWD-owned and operated WWTP's, two of which, the Squabble Creek and Buffalo Creek WWTP's, are located in the City limits. The third WWTP is the South Mesquite Creek Regional WWTP, located in Mesquite.

Section II - OBSERVATION

Reference Appendix 1- Sanitary Sewer System Compliance Inspection - City of Forney, Texas

Section III – AREAS OF CONCERN

As a result of this inspection, and as detailed in "Appendix 1", the following observations are noted:

1. Findings of potential noncompliance

    a. Failure to implement proper O&M of the collection system as stipulated in Title 30 of TAC § 291.94 (C)(1); Title 30 of TAC § 305.125(5); and 40 CFR § 122.41(e).

    b. Failure to prevent unauthorized/unpermitted discharges as stipulated in TWC § 26.121(a); TWC § 26.039(b); Section 301 of the CWA; and 40 CFR § 122.1(b).

2. Additional Concerns

   a. SSO reporting and documentation

      i. The EPA Inspection Team reviewed sewer-related work orders provided by the City. Several of the comments from the work order appear to identify sewage releases from sewer manholes, private cleanouts, and into homes due to blockages within the City's sewer main. These SSO's were not reported to TCEQ. The City's lack of standard field and documentation practices made it difficult to determine whether an overflow occurred, root cause(s), immediate corrective actions, and if proper reporting had taken place for SSO's, when applicable.

Section IV – FOLLOW UP

See Appendix 1

Section V – LIST OF APPENDICES

Appendix 1- Sanitary Sewer System Compliance Inspection - City of Rockwall, Texas

Appendix 1- City of Rockwall, Texas
Inspection Report

U.S. Environmental Protection Agency
Office of Compliance and Enforcement
1200 Pennsylvania Avenue, NW
Washington, DC 20460

U.S. Environmental Protection Agency, Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202

SANITARY SEWER SYSTEM COMPLIANCE INSPECTION

CITY OF ROCKWALL, TEXAS

INSPECTION REPORT

Inspection Date:
March 5, 2015

Report Date:
June 2, 2015

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LIST OF ATTACHED MATERIALS

Exhibit Log

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1. INTRODUCTION

On March 5, 2015, the U.S. Environmental Protection Agency (EPA), with assistance from PG Environmental, LLC, an EPA contractor (collectively the EPA Inspection Team), evaluated the City of Rockwall's (City's) compliance as it relates to the operation and maintenance of the City's collection system, as well as reporting procedures. The compliance inspection consisted of the following:

- Discussions with representatives from the City regarding the operation and maintenance (O&M) of the collection system, reporting procedures, the collection system plans and manuals, and the capital improvement program (CIP).
- Examination of the City's collection system operation, maintenance, and reporting records.
- Review of the City's data warehousing systems and collection of datasets and documents relevant to the inspection.

The City's wastewater collection system is regulated under the *Texas Water Code* (TWC), *Texas Administrative Code* (TAC), the *Texas Health and Safety Code*, the *Clean Water Act* (CWA), and the *Code of Federal Regulations* (CFR). Flows from the City are discharged to the North Texas Municipal Water District (NTMWD) interceptor system, and eventually to the Buffalo Creek Wastewater Treatment Plant (WWTP), the Squabble Creek WWTP, or the South Mesquite Creek Regional WWTP. The Buffalo Creek WWTP is regulated under National Pollutant Discharge Elimination System (NPDES) Permit No. TX0078565, Squabble Creek WWTP is regulated under NPDES Permit No. TX0022241, and the South Mesquite Creek Regional WWTP is regulated under NPDES Permit No. TX0047431.

The following personnel were involved in the inspection of the City's sewer collection and conveyance system:

City Representatives:	Timothy Tumulty, Director of Public Works/City Engineer Rick Sherer, Water/Wastewater Manager Jerry Strouse, Field Operations Supervisor Steve Clawson, Field Operations Supervisor
EPA Inspection Team:	James Zimny, EPA Water Enforcement Division Danny O'Connell, PG Environmental, LLC Jake Albright, PG Environmental, LLC

The EPA Inspection Team identified two findings of potential noncompliance with Federal and State regulations. Table 1 provides a summary of these findings of potential noncompliance. Table 2 provides a summary of one additional concern identified during the inspection.

Table 1. Findings of Potential Noncompliance

Requirement	Potential Noncompliance
Finding 1. Failure to implement proper O&M of the collection system	Title 30 of TAC § 291.94(C)(1) Title 30 of the TAC § 305.125(5) 40 CFR § 122.41(e)
Finding 2. Failure to prevent unauthorized/unpermitted discharges	TWC § 26.121(a) TWC § 26.039(b) Section 301of the CWA 40 CFR § 122.1(b)

Table 2. Additional Concern Identified During the Inspection

Additional Concern	Comment
SSO reporting and documentation	The EPA Inspection Team reviewed sewer-related work orders provided by the City. Several of the comments from the work order appear to identify sewage releases from sewer manholes, private cleanouts, and into homes due to blockages within the City's sewer main. These SSOs were not reported to TCEQ. The City's lack of standard field and documentation practices made it difficult to determine whether an overflow occurred, root cause(s), immediate corrective actions, and if proper reporting had taken place for SSOs when applicable.

II. OVERVIEW OF WASTEWATER SYSTEM

The information presented below is based on documents and presentations provided by the City. The EPA Inspection Team was unable to conduct outdoor field activities due to inclement weather (i.e., an ice and snow storm) encountered on the day of the inspection. The weather conditions created traffic and general safety hazards due to the ice and snow on roads and City assets.

A. Wastewater System Background

The City's service area is approximately 29.8 square miles; the collection system services approximately 40,000 residents. The collection system is primarily operated and maintained by the Water and Wastewater Division and the Production Tech Division of the City's Public Works Department. The collection system is composed of approximately 234 miles of sewer pipe, which includes 6.4 miles of sewer in the recently acquired Lake Rockwall Estates development (previously serviced by Aqua–Texas). Approximately 24 miles of the collection system is force mains, and the rest is gravity. Approximately 11 miles of the sewer pipes are vitrified clay and the majority of the rest (approximately 93 percent) are polyvinyl chloride (PVC). More than 50 percent of the sewer lines in the City were installed after the year 2000. The City operates and maintains 39 lift stations; all are linked to the City's supervisory control and data acquisition (SCADA) system. One NTMWD lift station (i.e., the Turtle Cove Lift Station) and eight privately owned and operated lift stations are located within the City's limits and discharge into the City's collection system.

The City is divided into two main sewer drainage basins. All City sewage eventually flows into the NTMWD interceptor system and to one of three NTMWD-owned and operated WWTPs, two of which, the Squabble Creek and Buffalo Creek WWTPs, are located in the City limits. The third WWTP is the South Mesquite Creek Regional WWTP, located in Mesquite. The City has seven separate agreements with NTMWD for the conveyance and treatment of wastewater. The City also has an agreement with the City of McLendon-Chisholm to allow flow from McLendon-Chisholm to pass through the City's system to the NTMWD interceptor system, and eventually to the South Mesquite Regional WWTP. Flow entering the NTMWD interceptor system is monitored by NTMWD at several locations near the City's connections. Refer to Exhibit 1 for maps of the City's drainage basins, sewer lines, and NTMWD connections and interceptors.

City representatives stated that the City had not developed a flow/capacity model for the collection systems; they added the City was close to initiating a flow study at the time of the inspection. They stated that the City Council had approved $300,000 in funding on March 2, 2015 for a flow monitoring study. The study will help the City to develop a calibrated system model to identify areas where sewer capacity may be an issue due to increased flow volume attributed to development and/or inflow and infiltration. At the time of the inspection, the City was using an estimated model based on another city with similar size/characteristics.

B. Collection System Mapping and Work Order System

The City had a geographic information system-based (GIS-based) map, which depicted assets such as sewer lines, manholes, and lift stations. The GIS included information on asset age, material (in the case of pipes and manholes), size, and related equipment (e.g., number and types of pumps installed at a lift station). The GIS also included the location of NTMWD interceptors, connections, and the Turtle Cove Lift Station.

The City was utilizing an electronic work order system at the time of the inspection. The work order system primarily tracked assets by address, not by asset identification number. Further, the City's work order system was primarily used for tracking employee time and specific materials needed to complete a task rather than the unique work history for a specific asset. City representatives stated that they populate some information in the system, including the category label for each issue, using drop-down menus to promote consistency. The drop-down menus included numerous labels, including one for "preventive maintenance." Relevant details concerning the City's work order system are discussed where applicable throughout this report.

C. Receiving and Responding to Service Requests

The EPA Inspection Team reviewed the City's system for receiving and responding to customer service requests. During business hours (i.e., 8:00 a.m. to 5:00 p.m., Monday through Friday) the City receives calls at its service center on Airport Road. After normal business hours, calls come in to the police department and are forwarded to on-call personnel. There is always one employee on call to cover any emergency calls for the Water and Wastewater Division, as well as one staff member from the Production Tech Division. The on-call staff members are responsible for generating work orders related to after-hours calls.

A possible wastewater overflow called in by a customer or an overflow detected by the City's personnel is supposed to be reported immediately to the wastewater field supervisor and the production tech field supervisor. The Production Tech Division is mobilized for any pump failures, power outages, or high-level alarms through the City's SCADA system. Operators are notified by pagers of any possible problem. If the initial page is not answered, the SCADA system continues to page other production tech employees until the alarm is addressed. The wastewater team is dispatched to mitigate overflows.

The City provided the EPA Inspection Team with its *Sanitary Sewer Overflow Response Plan* (SSORP), which was dated March 2015 (refer to Exhibit 2). The City had not implemented the document or provided SSORP training to personnel as of the date of the inspection.

D. Collection System Maintenance

City representatives stated that the City had one jet truck, one trailer-mounted jetting unit, and one 1,000-gallon trailer-mounted vacuum unit (used for sewer work and hydroexcavation). City representatives stated that operators typically jet lines during routine cleaning and use the vacuum unit only as needed. The City does not own a closed circuit television (CCTV) truck, but does have a push camera for televising laterals when needed. The City does not have a routine CCTV program. The collection system is televised by a contractor as needed.

City representatives stated that the City has a "hot spot" cleaning program, with approximately 11 locations receiving weekly flushing and 4 locations receiving monthly flushing. A review of the data provided by the City at the time of the inspection indicated that the City had added some locations and had removed others from the program between 2012 and the date of the inspection. City representatives stated that most hot spots are areas where the line is flat or settled, causing grease and debris to accumulate. They added that if operators are not conducting hot spot cleaning, they are responding to

customer calls. The City did not have a maintenance program in place with the goal of cleaning or televising the entire collection system. City representatives stated that they hope to move to a preventive program in the near future.

Collection system operation and maintenance is described in more detail in section III, Finding 1 of this report.

E. Lift Stations

At the time of the inspection, the City had 39 lift stations. All lift stations were linked to the City's SCADA system for wet-well monitoring and pump-runtime trending. The SCADA system polls the lift stations every seven minutes. It alerts operators of alarms, but does not allow for remote adjustment of operations. All of the operational control activities needed to be done onsite. Notification of alarms at the lift stations were sent to operators' pagers or cellular phones. City representatives stated that 35 lift stations had redundant pumping capacity, and the remaining 4 only had one pump each. They stated that the City had two small backup pumps that could be installed during an emergency. City representatives stated that most of the lift stations are can-style stations, which require confined space entry permits for entry.

City representatives stated that two teams of two operators each conducted 3–4 general lift station inspections per day per team. The City did not have a formal preventive maintenance process for lift stations or standard operating procedures (SOPs) for lift station-related O&M tasks. City representatives stated that operators looked for grease accumulation during inspections and cleaned the wet wells as needed. Most lift station maintenance was reactive. The City did not have onsite backup power capability for 30 of the 39 lift stations. The City does have two trailer generators rated at 200 kilowatts each to cover outages for the 30 lift stations without onsite backup power. City representatives stated that they had estimated the detention time for some wet wells in order to determine how much response time they had in an emergency, but they had not performed these calculations for all lift stations. Lift station maintenance and backup power is described in more detail in section III, Finding 1 of this report.

City representatives stated that the City-owned Squabble Creek Lift Station is used to divert high flows from the Squabble Creek WWTP into the NTMWD-owned Rockwall/Heath Regional Trunk Sewer, which conveys flow to the South Mesquite Regional WWTP. City representatives stated that NTMWD operators have access to the lift station and are the ones who manually activate the diversion mechanism based on flows to the NTMWD-owned Squabble Creek WWTP. The Squabble Creek WWTP has an average daily flow of 1 million gallons per day (mgd), with peaks of up to 4 mgd. The lift station can pump approximately 7 mgd into the trunk sewer. Literature provided by the City (refer to Exhibit 3) indicates that peak wet-weather flows to the WWTP may reach 14 mgd when the service area is fully developed. Further, the City is planning construction of a second lift station in the area, as the Squabble Creek WWTP may be decommissioned in the future. The status of the project was unclear at the time of the inspection.

III. ASSESSMENT OF COMPLIANCE

Based on discussions conducted during the inspection, and a review of documents and data collected during the inspection, the EPA Inspection Team noted the following findings of potential noncompliance:

Finding 1. Failure to implement proper O&M of the collection system

Specifically, Title 30 of TAC § 291.94(C)(1) states:

> *The retail public utility shall maintain its collection system and appurtenances to minimize blockages.*

Title 30 of the TAC § 305.125(5) states:

> *The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) installed or used by the permittee to achieve compliance with the permit conditions. For Underground Injection Control permits proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the permit conditions.*

Similar language is also included in 40 CFR § 122.41(e).

At the time of the inspection, the City's collection system O&M activities were not structured or managed to minimize blockages. Efforts needed to minimize blockages (partial or total) include a regular review of maintenance activities and management practices. For this to occur, management systems must be employed and must be properly populated with maintenance activities and findings. Regular reviews allow personnel to determine proactive cleaning and maintenance frequencies. This structured approach needs to be applied to the decision-making process for determining which assets should be rehabilitated or replaced. The City did not have a formalized maintenance approach to ensure the entire collection system was operating properly. City representatives stated that the City performs high frequency (i.e., hot spot) cleaning in certain areas; however, the City does not have a set cycle for cleaning or televising the entire sewer system. City representatives stated that when operators are not performing hot spot cleaning, they are responding to customer complaints. City representatives stated that a contractor conducts CCTV inspections as the City needs them.

Proper operation and maintenance of a collection system also relies, in part, on maintaining accurate, up-to-date information in an accessible format. This information includes collection system data, field documentation, and task-specific written SOPs to ensure that maintenance activities are properly conducted, verified, and populated into the City's information custodian system. Field observations are critical to the proper operation and maintenance of the collection system and should document the uniqueness of the field activity performed. This includes recording detailed and complete observations, such as how much and what type of debris was removed from a sewer segment or wet well during cleaning, and the specific observed condition of an asset at the time of inspection or maintenance activities.

The City had an electronic work order system, but it was mainly used to track employee hours and cost of materials for work completed in order to support budget and financial needs, not for facilitating a preventive maintenance approach. The City was not tracking the total linear footage of sewer cleaned or inspected, making it impossible to determine how much of the system had been cleaned. City representatives stated that operators may report the presence of grease and debris observed while performing maintenance and repairs; however, the City did not quantify or classify the amount of debris encountered during sewer cleaning in order to benchmark normal conditions and to identify potential problems upstream. The City did not have an SOP for sewer cleaning.

Keeping detailed datasets in a centralized database (the custodian of O&M records) enables operators to refine maintenance frequencies and to better employ predictive maintenance strategies, not just preventive strategies. The proper application of an O&M plan requires evaluating pertinent, validated field documentation so that maintenance activities can be budgeted and scheduled s to ensure proper operation of assets and prevent sewer backup issues. The documentation process also supports proper planning, budgeting, and scheduling for CIP projects.

The City had 39 lift stations at the time of the inspection. City representatives stated that a formal preventive maintenance schedule had not been established for critical components of the City's lift stations. Further, they stated that the only routine maintenance performed at City lift stations was monthly wet well inspections for grease; if the inspection results indicated a need the wet wells were cleaned.

Thirty of the City's 39 lift stations did not have onsite backup power, and the City only had two portable 200-kilowatt generators. City representatives stated that the lift stations without onsite backup power did not have quick-connect sockets for the portable generators, and the portable generators would need to be hard-wired into the stations' breaker panels. Texas wastewater system design requirements included in Chapter 217 of the TAC require lift stations without onsite backup power to be equipped with a tested quick-connect mechanism or a transfer switch properly sized to connect to a portable generator. Further, the retention capacity in a lift station's wet well and incoming gravity pipes must prevent discharges of untreated wastewater at the lift station or any point upstream for a period of time equal to the longest electrical outage recorded during the past 24 months, but not less than 20 minutes. Failure to pump a lift station's wet well at the proper frequency can lead to overflows.

City representatives stated that they had recently estimated the detention times (i.e., time a station could go without pumping before overflowing the wet well or points upstream) for 18 of the City's lift station wet wells. Holding times for some stations without onsite backup power were estimated as low as 20 minutes, meaning it would be difficult for two portable generators to be effectively used at multiple stations during widespread simultaneous outages/failures. The City should determine detention times for the other 21 lift stations. A list of City lift stations along with detention time information is included in Exhibit 4. City representatives stated that all stations are connected to a SCADA system for monitoring levels and alarms. They stated that all lift stations have a 30-minute backup battery for the SCADA system telemetry. After a 30-minute power failure, 30 of the 39 lift stations would have to be manually checked for operational variables (e.g., wet well level).

The City provided a list of work orders generated between April 5, 2010 and July 22, 2014 (refer to Exhibit 5). The list contained 166 work order references categorized as "pump failure" and 148 labeled as "power loss." The work order entries had been sorted in such a way that the issue category did not match the correct date, location, and problem description. This made it impossible for the EPA Inspection Team to determine the exact nature and date of each event or the impacts of the events on the environment or human health.

Finding 2. Failure to prevent unauthorized/unpermitted discharges

Specifically, TWC section 26.121(a) states:

> *Except as authorized by the commission, no person may:*
>
> *(1) discharge sewage, municipal waste, recreational waste, agricultural waste, or industrial waste into or adjacent to any water in the state;*
>
> *(2) discharge other waste into or adjacent to any water in the state which in itself or in conjunction with any other discharge or activity causes, continues to cause, or will cause pollution of any of the water in the state.*

In addition, section 301 of the CWA states:

> *a. Except as in compliance with this section and sections 302, 306, 307, 318, 402, and 404 of this Act, the discharge of any pollutant by any person shall be unlawful.*

Further, 40 CFR section 122.1(b) states:

> *(1) The NPDES program requires permits for the discharge of "pollutants" from any "point source" into "waters of the United States."*

It should be noted that TWC section 26.039(b) states:

> *Whenever an accidental discharge or spill occurs at or from any activity or facility which causes or may cause pollution, the individual operating, in charge of, or responsible for the activity or facility shall notify the commission as soon as possible and not later than 24 hours after the occurrence. The individual's notice to the commission must include the location, volume, and content of the discharge or spill.*

The City provided the EPA Inspection Team with records of 19 SSO events reported to the Texas Commission of Environmental Quality (TCEQ) between 2011 and the date of the inspection (refer to Exhibit 6) as well as a map showing the locations of those SSOs (refer to Exhibit 7). SSOs were reported to have been caused by such issues as pump failure, grease/debris, and construction material in the sewer. At least 4 events in the 19 reports were caused by failures at the Turtle Cove Lift Station, which is owned and operated by NTMWD. All four events happened in 2012. Three separate SSOs were reported for March 20, 2012, and one was reported for January 26, 2012. In each case, the pumps at the station clogged during a heavy rain event, causing sewage to spill out of a manhole and ultimately end up in Lake Ray Hubbard. It was unclear whether NTMWD also reported these events to TCEQ or if any other SSO events linked to the Turtle Cove Lift Station had occurred and been reported by NTMWD (i.e., events that may not have shown up in City records). In addition to the issues linked to the Turtle Cove Lift Station, the City also reported six SSOs linked to failures and grease buildup at City-owned and operated lift stations. For example, an SSO was reported at 501 Quail Run Road (the address of the Quail Run Lift Station) on May 9, 2012 as a result of a "lift station getting caught on grease causing manhole to overflow." It was unclear if cleaning had ever been conducted in the area.

The City provided a list of all work orders generated between April 5, 2010 and July 22, 2014 (refer to Exhibit 5). The list contained 24 work order references labeled "manhole overflow." The entries had been sorted in such a way that the issue category did not match the correct date, location, and problem description. This made it impossible for the EPA Inspection Team to determine the nature of each overflow event, and if any of the entries corresponded to the 19 SSOs (mentioned above) that had been reported to TCEQ.

The City does not report private sewer backups to TCEQ; however, a sewage release occurring on private property that is caused by an issue or failure in the City-owned portion of the collection system is an SSO. The City provided a map of "sewer stop" work orders issued between 2010 and 2014 (refer to Exhibit 8). The map indicated numerous sewer stoppages had occurred in the time period; however, the dataset did not indicate any details other than location. The EPA Inspection Team could not determine which entity, the City or the property owner, was responsible for any of the events. The EPA Inspection Team also could not determine the exact number of events represented on the map, based on the information provided.

After the inspection, the City provided a list of sewer-related work orders for 2012 and 2013 (refer to Exhibit 9). The dataset indicated 144 work orders labeled as "sewer stop" and 11 work orders labeled as "sewer manhole overflow" in 2012. The 2013 data indicated 249 "sewer stop" and 4 "sewer manhole overflow" work orders. All of the 2012 SSOs reported to TCEQ (see above) appeared to be categorized as either sewer stops or manhole overflows; however, neither of the 2013 events appeared to be included in the dataset provided. Further, the dataset indicated numerous other occurrences of either backups or overflows in the collection system or sewage releases to private property. In some cases, the provided data made it clear which entity, the City or a private property owner, was at fault; however, many times there was too little detail to diagnose the exact nature of the event, who was responsible for the

overflow/backup (i.e., public or private), or the extent of the release of raw sewage. Refer to section IV.A for additional details about the City's SSO reporting and documentation.

City representatives stated that when operators respond to calls for homeowner backups, they typically jet the lateral from the customer's cleanout and calculate the approximate distance of the blockage from the house/property based on the length of hose used. City representatives stated that some properties have a cleanout at the property line, making it easier to determine who has responsibility for the backup (the City or the private owner). They stated that if the City side of the cleanout was clear, the City most likely would not jet the lateral.

As mentioned previously, the City had an SSORP, which was dated in March 2015 (refer to Exhibit 2); however, the SSORP had not been implemented and personnel had not been trained on it as of the date of the inspection.

IV. ADDITIONAL CONCERNS

In addition to the findings described above, the EPA Inspection Team also identified one area of concern based on conversations with City staff and observations made during document review and field activities.

A. SSO Reporting and Documentation

As stated in Finding 2, Failure to prevent unauthorized/unpermitted discharges, the EPA Inspection Team was unable to verify whether or not some callout records and work orders indicated the occurrence of SSOs. The City's field and documentation practices made it difficult or impossible to determine whether and overflow occurred, root cause(s), immediate corrective actions, modifications of maintenance approaches and frequencies, and if proper reporting had taken place for SSOs when applicable.

The City provided a list of sewer-related work orders for 2012 and 2013 (refer to Exhibit 9). The dataset indicated a total of 393 work orders labeled as "sewer stop" and 15 work orders labeled as "sewer manhole overflow." In most cases, it was difficult to determine the exact nature of the event included in each entry (e.g., cause, responsibility, and corrective action); however, there were several entries that indicated an SSO had occurred as a result of an issue/failure in a City-owned asset. Further, the data seemed to indicate there were multiple occasions where SSOs had occurred and not been reported to TCEQ. The list below describes four examples from the City-provided data where an SSO appeared to have occurred, but was not reported to TCEQ (Note: There may be other instances not identified as of the date of this report):

1. **June 25, 2013 at 1954 Signal Ridge Place** – The main was stopped up with grease and sewage was coming out of the cleanout. The City cleared the blockage.
2. **April 6, 2013 at Pompeii Court and Mediterranean Drive** –Manhole was overflowing. Tried to unblock it with the big hose and got the hose stuck, then got the little hose stuck. Got everything unstuck and then unblocked the sewer line. Had to use the Vac Trailer.
3. **December 3, 2012 at Rusk Street and Ross** – Main line was stopped up. The driveway off of Clark on Rusk going into Dobbs Elementary was overflowing. The City unstopped the line and called in to report the work was completed.
4. **May 24, 2012 at East IH 30** – The manhole in front of Joe Willies had grease in the main line. That made the four manholes up stream to back up and the manhole at Rockwall Dodge was overflowing. Did clean up when finished.

V. RECOMMENDED REFERENCE MATERIALS

The EPA Inspection Team emphasizes the need for a more structured preventive sewer maintenance and cleaning program. The City's preventive sewer maintenance and cleaning program should be supported by field observations and documentation. Observations and documentation should be reviewed with appropriate satellite communities so coordinated activities and resources can be maximized. The EPA Inspection Team recommends the City develop and implement structured, written SOPs for any sewer maintenance and cleaning performed by the City and its contractors.

The SOPs should include detailed, step-by-step procedures for conducting the maintenance and cleaning activities, including the following pipe maintenance activities: (1) preventive maintenance cleaning and blockage removal; (2) types of equipment to be used ("tiger tails," nozzles, screens/rakes, etc.); (3) guidelines and/or reference tables for appropriate jetting pressures and flows based on the type of jetting activity, type of pipe, size of pipe, age of pipe, and known condition of pipe; and (4) requirements for formally documenting pipe conditions, materials removed during cleaning, and other findings so the results can be reviewed, and if needed, evaluated by managerial staff. Maintenance activities and frequencies may need to be modified based on the review and evaluation of findings. The operation of high pressure sewer equipment without formal training and without SOPs can create serious safety issues and may significantly damage the structural integrity of the sewer pipe. Reference materials to support the development of the SOPs are available from various sources (equipment manufacturers, equipment vendors, professional associations, etc.), including references such as the National Association of Sewer Service Companies' *Jetter Code of Practices* (http://nassco.org/publications/p_techman.html), which provides guidelines for the proper operation of sewer jetter equipment.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **September 18, 2015**

SUBJECT: **Ambulance Ordinance - Exclusivity Repeal**

This item has been placed on the agenda for action Monday evening. As of the time of packet distribution, the draft ordinance is not available. My being out of town has contributed to the delay in preparation, and Frank is researching several legal questions that the Mayor has requested.

Frank will want to discuss direction from the Council, so this item will be read for consideration first in Executive Session. Based on the direction that I think I heard from the Council at the last meeting, I have asked that Frank not prepare a Franchise Ordinance, but that the Ordinance be prepared to:

1. Repeal the exclusivity aspect of the current ordinance
2. Require that ambulance companies desiring to do business in the City, as a single requirement, register with the City and provide proof that they are licensed by the State of Texas to operate their business in Texas.

I understand that there may still be discussion on the matter Monday evening. Frank will provide legal consultation first in Executive Session.

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Rockwall, Texas

Proclamation

Whereas, the City of Rockwall Water Department employees provide safe clean drinking water that define the quality of life for residents and commercial organizations in the community; and

Whereas, water utility professionals must undergo extensive training and testing to ensure that proper procedures, testing, and methodology are used to ensure the water systems in our community are safe and have no threat to human life; and

Whereas, committed professionals in the water industry help in the establishment of a participatory, collaborative organization dedicated to continual learning and improvement; and

Whereas, committed employees such as Shon Bellah continually seek to improve their knowledge, helping to maintain a workforce that is competent, motivated, adaptive, and safe; and

Whereas, the State of Texas currently has 9,315 licensed operators to perform various water quality functions, with only 1,023 individuals having achieved a Class A certification.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby recognize

SHON BELLAH

Crew Leader in the City of Rockwall's Water Operations Division for his noteworthy accomplishment in attaining his "Class A" license and urge all citizens to applaud Mr. Bellah for his hard work and dedication to our citizens and our city.

In Witness Whereof, I hereunto set my hand and official seal this 21th day of September, 2015.

_____

Jim Pruitt, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Tuesday, September 08, 2015
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dennis Lewis and City Council Members David White, Mike Townsend, Scott Milder and Kevin Fowler. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs, and City Attorney (fill-in) Patrick Lindner. Councilmember Hohenshelt joined the meeting at 4:06 p.m. as reflected during Work Session item #1 noted below.

II. WORK SESSION

1. HOLD WORK SESSION TO HEAR AND DISCUSS PRESENTATION BY AECOM REGARDING PUBLIC TRANSPORTATION STUDY FINDINGS, AND TAKE ANY ACTION NECESSARY.

Jerry Smiley
AECOM
1950 N. Stemmons Freeway
Dallas, Texas

Mr. Smiley explained that he is Vice President of AECOM and Business Unit Leader for Transit and Environmental Services and is out of the Dallas office. He introduced Kristen Lucan, Senior Planner, with AECOM and Andrew Idickson, Department Manager for Transit Planning with AECOM, who also spoke during the presentation.

John Hohenshelt arrived to the meeting at 4:06 p.m.

Ms. Lucan came forth and shared data concerning a peer comparison of seven other transportation service providers in Texas and one in Oklahoma. Consultant speakers from AECOM went on to share information on ridership and trending for Rockwall County as well as various service level and service type considerations. They also briefly touched on recommendations related to contracting for public transit services and monitoring said services. They indicated that AECOM representatives plan to hold a stakeholder meeting with STAR representatives and gather more data that is specific to Rockwall County to help the city make more informed decisions moving forward.

After brief comments by council members, Mr. Crowley indicated that it appears as though further analysis of STAR transit will not be able to conclude before it is time for both the city and county to adopt their upcoming fiscal year budgets. However, he indicated that the City of Rockwall will need to make some sort of cost-related budget decisions either this evening or at the September 21 council meeting before the fiscal year budget can be approved.

2. HOLD WORK SESSION TO DISCUSS THE CURRENT SOLID WASTE COLLECTION CONTRACT RENEWAL NEGOTIATIONS WITH REPUBLIC WASTE (ALLIED WASTE) AND TAKE ANY ACTION NECESSARY

Rick Burnis with Republic Waste came forth and briefed the council on a proposal currently being put forth regarding renewing the contract with his company for a period of an additional five years. Various comments were made regarding the city's current recycling program, including the more than 50% of residents who participate in recycling as well as current costs associated with the program. Discussion took place concerning the additional tonnage of garbage that might result if the recycling program went away entirely, as well as the need to consider associated cost implications that may result.

3. HOLD WORK SESSION TO DISCUSS AND CONSIDER LOCAL REGULATIONS REGARDING NON-EMERGENCY AMBULANCE SERVICES AND ASSOCIATED TRANSPORTS, AND TAKE ANY ACTION NECESSARY.

City Manager Rick Crowley indicated that the council had previously instructed staff to come back with an ordinance to become effective November 1, 2015 to essentially do away with exclusivity of non-emergency EMS transfer services in the city. He went on to explain that the city council may or may not wish to consider also adopting an ordinance to establish a franchise agreement with non-emergency transport service EMS providers doing business in the city. He explained that the council must find that a public necessity exists in order to enter into those sorts of ordinance-based franchise agreements. Crowley indicated that associated with these sorts of franchise agreements would be payment to the city from ambulance providers that equates to about 3.5-3.6% of their gross revenue. This amount is somewhat of an industry standard, and would be owed to the city for the purpose of utilizing streets and roadways. The council may or may not have an interest in these sorts of franchise agreements and may or may not wish to regulate these providers. Staff is seeking direction from the council at this time.

Mayor Pro Tem Lewis indicated that he is not necessarily interested in entering into franchise agreements; however, he does wish to ensure that providers that may be operating in the city are qualified. Mr. Crowley indicated that the State already regulates EMS service providers; however, the Council may or may not wish to do some sort of regulating of its own. Brief discussion took place related to how and to what extent providers may be regulated.

Councilmember White indicated that he is against any sort of franchise fee, and he does not feel that the city should get involved in regulating ambulances since the state already licenses and regulates them.

Councilmember Hohenshelt asked if the city would take any steps, as far as regulation is concerned, beyond that which the state would already take to regulate such companies. Mr. Crowley indicated that all that a franchise agreement would do is to allow the city to keep track of those companies doing business in our city, and a fee would be collected. Mayor Pruitt also indicated that the companies that would be performing non-emergency transport services in our city will also potentially impact the amount of annual funding the city will end up paying to the County of Rockwall Emergency Services Corporation (ESC) for the annual 'emergency transport' services contract in place and managed through the ESC.

Mayor Pro Tem Lewis indicated that he would like to hear some additional information from city attorney, Frank Garza, before making any sort of definitive decision on this topic. Councilmember Hohenshelt indicated that he would also like to better understand the cost implications, if possible.

Councilmember Fowler indicated that he believes the council should care, to some extent, which providers are operating in our city, so he would like some additional information before making any decisions as well.

Mr. Crowley briefly explained the potential cost implications on annual subsidy paid to the ESC and ultimately passed on to the ambulance provider on contract with the ESC. He shared that it will be difficult to determine cost implications, explaining that it will depend on how often and to what extent businesses, such as the local hospitals and nursing homes, continue to call the existing contractor to perform non-emergency transports versus how often and to what extent they start calling other providers to perform those services. He cautioned that if the council chooses to initiate a franchise agreement type of ordinance, then the previously expressed November 1 deadline for implementation may need to be delayed. The council took no action related to this work session item at this time, indicating they have a desire to hear more input from the city attorney concerning what other cities have done, and to receive more information overall.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding legal claim: Larena Gail Boyd v. City of Rockwall and Rockwall Harbor Corporation pursuant to Sec. 551.071 (Consultation with Attorney)
2. Discussion regarding dangerous dog claim legal pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Planning & Zoning Commission, and Board of Adjustments pursuant to Section 551.074 (personnel matters)

IV. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:42 p.m.

V. RECONVENE PUBLIC MEETING

Mayor Pruitt reconvened the public meeting at 6:01 p.m.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pruitt indicated that no action is needed at this time.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TOWNSEND

Councilmember Townsend delivered the invocation and led the Pledge of Allegiance.

VIII. PROCLAMATIONS / AWARDS

1. Constitution Week

The Mayor called forth two representatives of the Daughters of the American Revolution, who spoke a few moments about the U.S. Constitution, including some facts about it and its importance. Mayor Pruitt then read and presented the proclamation for Constitution Week.

2. Recognition of Mr. Jeffrey McLeod, Rockwall Police Officer Gary North, and Rockwall Fire Department staff and volunteers regarding July fire in downtown Rockwall

Mayor Pruitt read and presented a proclamation to Mr. McLeod to recognize and thank him for his efforts in helping alert a Rockwall police officer of a fire in the downtown area back in July. He then called Police Officer North and members of the Rockwall Fire Department forward to recognize them for their efforts related to the fire as well.

3. Recognition of Sikder Rahman and Jackson Ikechukwn regarding August fire at Rockwall Nursing Care Center

Fire Chief Mark Poindexter explained that these two gentleman work at the nursing home, and they were instrumental in extinguishing a fire that had started in a resident's room. Mayor Pruitt read and presented an honorary proclamation to each of them, expressing gratitude for their life-saving efforts.

IX. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth to speak. There being no one, Mayor Pruitt then closed the Open Forum.

X. CONSENT AGENDA

1. Consider approval of the minutes from the August 17, 2015 regular city council meeting, and taken any action necessary.

2. Consider approval of the minutes from the August 31, 2015 budget work session, and taken any action necessary.

3. Consider awarding the Lake Forest Erosion Control Improvements project construction contract to Environmental Safety Services, Inc. in the amount of $348,650.00 and take any necessary action.

4. Consider authorizing the city manager to execute a professional engineering services contract with Teague, Nall and Perkins, Inc. to perform the engineering design plans and specifications for the Stonebridge Drive Sanitary Sewer Lift Station Rehabilitation project in the

amount of $67,800.00 to be funded out of 2015 Water and Sewer Revenue Bonds, and take any action necessary.

5. Consider authorizing the city manager to execute an amendment to the professional services contract with LaTerra Studio, Inc. related to professional services associated with the downtown project regarding a change order in the amount of $33,538 to be funded out of 2012 downtown bond proceeds, and take any action necessary.

6. Consider authorizing the city manager to execute a Memorandum of Understanding with the cities of Allen, Forney, Frisco, Heath, McKinney, Mesquite, Plano, Princeton, Richardson, Seagoville and the Town of Prosper, regarding development of a regional capacity, management, operations and maintenance program (CMOM) pertaining to North TX Municipal Water District (NTMWD) wastewater treatment systems, and take any action necessary.

7. Consider approval of a resolution related to a grant through the Texas Parks and Wildlife Department pertaining to construction of a boating access facility on Lake Ray Hubbard near SH-66 and N. Lakeshore Drive, and authorize the city manager to execute associated project agreement, and take any action necessary.

8. Consider authorizing the city manager to execute a professional services contract with for EJES, Inc. to perform the engineering design services and specifications for the East Boydstun Avenue Reconstruction Project from South Goliad St. to Clark Street in the amount not to exceed $440,228.40 to be funded out of the 2012 bond proceeds, and take any action necessary.

9. Consider authorizing the city manager to execute a professional services contract with Freese and Nichols, Inc. to perform the engineering design services and specifications for the County Line Roadway Reconstruction Project from Horizon Road (FM 3097) to Renee Drive in an amount not to exceed $580,440 to be funded out of 2012 bond proceeds, and take any action necessary.

10. Consider authorizing the city manager to execute a professional services contract for Cobb, Fendley & Associates, Inc. to perform the engineering design services and specifications for the Throckmorton Street Reconstruction Project from East Boydstun Avenue to East Bourn Street in an amount not to exceed $187,695.00 to be funded out of 2012 bond proceeds, and take any action necessary.

11. P2015-035 - Consider approval of a request by Archie Underwood and Dan Walker for the approval of a replat for Lots 1 & 2, Block A, Lakeside Veterinary Clinic Addition being a replat of two (2) parcels being 2.43-acres of land identified as Lot 1, Block A, Bernice Addition and Lakeside Batting Park Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 801 & 801B E. IH-30, and take any action necessary.

12. Consider authorizing the Mayor to execute an interlocal agreement with Rockwall County to provide fire protection services within unincorporated areas of the county for the year 2015-2016, and take any action necessary.

Councilmember Lewis pulled item #5 for further discussion. Councilmember Milder then made a motion to approve all remaining consent agenda items (except item #5) (#1, 2, 3, 4, 6, 7, 8, 9, 10, 11, and 12). Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Regarding Consent Agenda item #5, Councilmember Lewis asked if LaTerra has had any delays in responding to the city throughout the course of the project. Mr. Tumulty, City Engineer, indicated that he is not aware of any such delays, noting that the only delays he is aware of have been related to bad weather. Councilmember Lewis questioned if it is necessary to pay LaTerra a continued monthly fee for an additional five month period, or if perhaps staff may be able to handle the architectural oversight instead for that period. Lewis generally indicated that he is not in favor of extending the oversight period.

Mayor Pro Tem Lewis made a motion to instruct staff to handle the disputed claim and settle it; however, he does not wish to authorize continuation of $3,300 / month for FIVE additional months. Councilmember Townsend seconded the motion. After various comments by council and staff, Councilmember Lewis repeated his motion – to offer La Terra Studio the amount of $17,038.63 to settle the disputed amount due caused by ambiguous language in the existing contract and to not pay the additional $16,500 ($3,300 for five additional months) for monthly, architectural oversight of the project.

After brief comments, the motion passed by a vote of 6 in favor with 1 against (Fowler).

Open Forum was addressed next by the Mayor and Council.

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Chairman, Craig Renfro, came forth and briefed the council on Planning-related items on tonight's agenda, including recommendations of the Commission relative to those items. He mentioned that P&Z board member, Wendi Conley, recently resigned. After his remarks, the council took no action concerning this appointment item.

2. Appointment with Todd Parks, Fixed Based Operator of the Ralph M. Hall / Rockwall Municipal Airport, to consider a request regarding modification of operating hours, and take any action necessary.

Mr. Parks came forth and indicated that he is requesting that the council consider allowing him to adjust airport operating hours to be more in line with when demand for use of the airport is actually present versus when demand is negligible. If the adjusted hours are approved this evening, Mayor Pruitt encouraged Mr. Parks to come back to the council to further adjust the hours of operation should trends in demand change over time. Mr. Parks' written request to the Council indicated that he would like consideration to change the operating hours as follows:

Monday through Friday - change opening time from 7:00 AM to 8:00 AM and closing time from 7:00 PM to 5:00 PM

Saturday - Change opening time from 7:00 AM to 8:00 AM and closing time from 7:00 PM to 4:00 PM.

Sunday - We currently open at 7:00 AM and close at 7:00 PM. We are requesting that the FBO be closed on Sundays.

Mayor Pruitt made a motion to approve the request to adjust operating hours as presented. Councilmember White seconded the motion, which, after brief comments, passed by a vote of 7 in favor with 0 against.

3. Appointment with Rockwall resident Jim Smith to hear concerns related to drones, and take any action necessary.

Mr. Smith came forth and thanked the council for their tireless work on behalf of citizens. He went on to share that he was sitting on his back porch recently, and a drone flew into the air space over his back yard. He expressed that he wishes to not address or attempt to have the city regulate government or commercial drone use, but rather drones used for hobby or recreational purposes (aka 'model aircraft'). He spoke to some of the existing Federal Aviation Administration (FAA) 'guidelines' he has researched and found to be in place, sharing that they are guidelines rather than regulations and that they seem to still be evolving. He also has concerns about people using recreational drones (unmanned aircraft) for the purpose of taking photos without someone's permission and perhaps distributing those photos. He wants to maintain serenity and peacefulness in Rockwall resident's back yards. He pointed out an existing section of the city's Code of Ordinances (Chapter 8. Aviation, Article II. Airport) that he feels could be used to prohibit the use of recreational drones (aircraft). He also believes that Ch. 16 (Environment), Article IV. (Noise) of the Code might also have some provisions that could be applied to help regulate drones and maintain quite, peace and serenity in residents' back yards, for example. Mr. Smith asked the council, staff and city attorney a series of questions, including inquiries regarding if these sections of the Code of Ordinances mean that the city already regulates drones, or if additional regulations should be established.

Following Mr. Smith's presentation, Mayor Pruitt thanked him for his comments, and the city council took no action concerning this appointment item.

XII. PUBLIC HEARING ITEMS

1. Hold a public hearing to receive comments regarding the proposed FY 2015-2016 City of Rockwall budget, and take any action necessary.

Mr. Crowley provided the Council with a broad overview of some of the various recurring and one-time expenses that are proposed to be funded in this upcoming budget, including staff, programs and equipment. He explained that the proposed budget assumes adoption of the effective tax rate. Mrs. Smith provided a brief overview of a meeting recently held with staff, including herself, Brad Griggs, (Fire) Chief Poindexter and Battalion Chief Merritt. She shared some information concerning how it may be

possible to lower the Fire Department's overtime budget to free up some funds to hire some additional, full-time, paid staff. After lengthy discussion, Mayor Pruitt opened the public hearing and asked if anyone would like to come forth and speak at this time. There being no one, Mayor Pruitt then closed the public hearing. He indicated that Council will take formal action to adopt the budget at its September 21st meeting.

XIII. ACTION ITEMS

1. Discuss and consider a recommendation of the City Council's Naming Sub-Committee regarding approval of a resolution renaming Camelot Court to Lynch Court, and take any action necessary.

Mayor Pruitt addressed this agenda item next, following the Proclamations portion of the public meeting agenda. He called forth Mr. Lynch and his wife, introducing them and sharing a detailed history of both Mr. Lynch's current volunteer involvement in the community and to veterans, as well as his past military service to our country while serving in the U.S. Army. He shared that there are four homes located on what is now known as Camelot Court, and all of the residents who live on that street have indicated support for changing the name of the street to Lynch Court to honor Specialist Five Joseph P. Lynch, Sr.

Councilmember Lewis made a motion to move forward with changing the name of Camelot Court to Lynch Court. Councilmember Milder seconded the motion, which passed unanimously of council (7 ayes to 0 nays).

2. Discuss and consider possible options for the solid waste contract, and take any action necessary.

Mr. Crowley provided background information related to this agenda item, reminding the Council and the public that this agenda item was discussed at greater length during a work session that was held earlier this afternoon.

Councilmember Milder indicated that he does not personally have any problem with the current service provider; however, he does feel that it is prudent to periodically go out for bid to explore other options in order to compare and ensure we are getting the best value for our dollars spent.

Mayor Pro Tem Lewis shared that he has heard only one or two complaints about bulk trash pick-up; however, he believes these issues have been addressed. He shared that fuel costs and costs of things like tires are 'up' quite significantly lately.

Mayor Pro Tem Lewis then made a motion to authorize the City Manager to execute contract renewal documents with Republic Waste and bring back a corresponding rate resolution for Council action at a later date. Councilmember Townsend seconded the motion, which passed by a vote of 6 in favor with 1 against (Milder).

3. MIS2015-006 - Discuss and consider a request by Elias Pope of 8020 Restaurants, LLC for the approval of a variance to the parking requirements in conjunction with an approved site plan for a restaurant on a 0.90-acre parcel of land identified as Lot 3, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30

OV) District, located at the southeast corner of the IH-30 Frontage Road and Sunset Ridge Drive, and take any action necessary.

Planning Director Ryan Miller provided a brief synopsis of this agenda item and the associated request. He stated that this item is associated with a 6,800 square foot restaurant facility just north of Trend Tower. The applicant is showing 68 parking spaces being provided with 53 being provided on site and an additional fifteen being provided offsite in the Trend Tower parking garage. The applicant is now requesting that the council consider waiving the additional 15, off-site parking spaces at Trend Tower, citing that sufficient public parking is available within the sub-district. Councilmember Lewis asked when public access to spaces located in Trend Tower begins. Mr. Crowley clarified that it starts at 5:00 p.m. Mr. Crowley clarified that the applicant is requesting to be able to count "on street" and other public parking spaces towards his required number of spaces. After brief comments, Councilmember White made a motion to approve the variance request for MIS2015-006. Mayor Pro Tem Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

4. MIS2015-005 - Discuss and consider a request by Duane and Jennifer Piercy for the approval of an exception to the minimum masonry requirements stipulated in Section 3.1, General Residential District Standards, of Article V, District Development Standards, of the Unified Development Code, for a 1.21-acre tract of land identified as Lot 1, Block A, Piercy Place Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, addressed as 713 Hartman Street, and take any action necessary.

Mr. Miller provided brief background information related to this agenda item, indicating that the applicant would like to request a variance to allow him/her to utilize 100% hardy plank material instead of the city's current masonry standards (required to use 80% masonry with a maximum of 50% being dedicated to hardy plank, stucco or other cement-like materials). However, the code does allow for the council to grant variances at its discretion. He explained that this home is located near the adjacent historic district, so it would be in line with some of the other homes in the area. The P&Z Commission has recommended approval of this agenda item. Councilmember White made a motion to approve the variance request for MIS2015-005. Mayor Pro Tem Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Regarding the next two agenda items (Action item #5 and #6), Mayor Pruitt announced that Councilmember Hohenshelt has recused himself and has filed an affidavit, as required, with the City Secretary.

5. Discuss and consider a motion for reconsideration regarding the Chapter 212 Development Agreement approved with Joey Howell on August 3, 2015 for the property within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), located south of SH-276 on the east side of FM-548, being a ~98-acre tract of land, and take any action necessary.

Mr. Crowley, City Manager, provided some background information related to this agenda item, generally summarizing his memo and pointing out that Mr. Howell submitted an e-mail that has been included in council members' informational meeting packet. He summarized that the County has expressed some opposition to approval of this 212 Development Agreement on the part of the city. He further indicated that the County recently disapproved Mr. Howell's variance request. As such, City Manager

Crowley explained that, although the council had authorized him to execute the 212 agreement at a previous council meeting, he did not yet move forward with signing said document. At this point, since there seems to be some opposition from the County, as well as some unknown eventual outcomes at the county level concerning this topic, Mr. Howell came forth and indicated that he is in support of the city council rescinding its previous action whereby it authorized the city manager to execute the 212 agreement.

Councilmember White made a motion for reconsideration of the 212 agreement. Councilmember Townsend seconded the motion, which, after brief comments, passed by a vote of 6 in favor with 1 recusal (Hohenshelt).

6. Discuss and consider terminating the authorization to approve the Chapter 212 Development Agreement with Joey Howell for a property identified as Tract 18 & 18-01 of the S. McFadgin Survey, Abstract No. 142, Rockwall County, Texas, being a ~98-acre tract of land situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), located south of SH-276 on the east side of FM-548, and take any action necessary.

Councilmember Townsend made a motion to terminate the previously granted authorization associated with the city manager executing the 212 development agreement with Joey Howell. Councilmember Milder seconded the motion, which passed by a vote of 6 ayes with 1 recusal (Hohenshelt).

7. Discuss and consider (re)appointments to city advisory boards, including the Animal Adoption Center/Shelter Advisory Committee, the Architectural Review Board, the Historic Preservation Advisory Board, and the Youth Advisory Council, and take any action necessary.

Councilmember White made a motion to reappoint the following students to serve on the the YAC this school year:

1. **Beth Naylor (re-appointment) – Senior, homeschool**
2. **Isabella Burzair (re-appointment) – Senior, RHHS**
3. **Baldwin Bakkal (re-appointment) – Senior, RHHS**
4. **Derek "Gunner" Avenetti (re-appointment) – Senior, RHS**
5. **Cate Ghormley (re-appointment) – Senior, RHS**
6. **Logan Peet (re-appointment) – Senior, RHHS**
7. **Jake Mirelez (re-appointment) – Senior, RHS**
8. **Reid Rakow (re-appointment) – Junior, RHS**
9. **Bethany Villalobos (re-appointment) – Sophomore, RHS**

and to newly appoint the following students:

10. **Lanson Bennett (new appointment) – Senior, Heritage Christian Academy**
11. **Avery Dalfrey (new appointment) – Junior, RHHS**
12. **Zully Zavala (new appointment) – Junior, RHS**
13. **Caleb Davis (new appointment) – Freshman, homeschool**

Councilmember Fowler seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Regarding the Animal Adoption Center / Shelter Advisory Committee, Councilmember Fowler made a motion to reappoint Ken Dickson, Dr. Kurt Avery and Sandra Solomon to continue serving. Mayor Pro Tem Lewis seconded the motion, which passed unanimously (7 ayes to 0 nays).

Regarding the Architectural Review Board, Councilmember Folwer made a motion to replace Engiell Tomaj with new board member Ralph Chizzonite and to reappoint Enid Reyes, Ashlei Neil and Jimmy Strohmeyer to serve an additional term (thru August of 2017). Councilmember White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Regarding the Historic Preservation Advisory Board, Mayor Pruitt made a motion to reappoint Mike Mishler and Carolyn Francisco (to serve through August 2017) and to newly appoint Daniel Nichols and Gabriel Castro (replacing former members, Keegan and Turbyfill). Mayor Pro Tem Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Mayor Pro Tem Lewis made a motion to reappoint Stephen Geiger and Martin Musser to the Board of Adjustments (through August of 2017). Councilmember White seconded the motion, which passed unanimously of those present (7 ayes to 0 nays).

Mayor Pro Tem Lewis made a motion to reappoint Dennis Dayman and Freddie Jackson to the Building and Standards Commission (through August of 2017). Councilmember White seconded the motion, which passed unanimously of council (7 ayes to 0 nays).

Mayor Pro Tem Lewis made a motion to appoint a new member, Jerry Welch, to serve on the Building and Standards Commission (through August of 2017). Councilmember White seconded the motion, which passed unanimously (7 ayes to 0 nays).

XIV. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections Monthly Report - July & Aug. 2015
Fire Dept. Monthly Reports - July 2015
GIS Department Monthly Report - July 2015
Harbor PD Monthly Report - July 2015
Internal Operations Department Monthly Report - July 2015
Police Department Monthly Report - July 2015
Recreation Monthly Report - July 2015
Rockwall Animal Adoption Center Monthly Report - July 2015

2. City Manager's Report

Mr. Crowley attempted to clarify a few, budget-related topics, specifically related to STAR Transit and the potential of adding firefighter positions. Councilmember White requested that, if STAR Transit is included in the budget, he would like the ability to vote on it as a separate item, apart from the budget as a whole, because he has no intention of voting "for" it. Regarding the firefighter positions, Councilmember Milder requested the ability to also vote on this expense separately from the rest of the budget as a whole, as he

does not support a budget that does not include increased staffing in the Fire Department.

Mr. Crowley indicated that the city has been trapping and testing mosquitos for the West Nile Virus for number of years. Recently, a mosquito that was trapped tested positive for the virus. As a result and in accordance with the recommendation of the city's health official, staff will be spraying within a one mile radius of where this mosquito was recently trapped.

XV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding legal claim: Larena Gail Boyd v. City of Rockwall and Rockwall Harbor Corporation pursuant to Sec. 551.071 (Consultation with Attorney)
2. Discussion regarding dangerous dog legal claim pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees including the Building and Standards Commission, Planning & Zoning Commission, and Board of Adjustments pursuant to Section 551.074 (personnel matters)

XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The city council did not return to Executive Session following the close of the public meeting agenda.

XVII. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 7:51 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 21st DAY OF SEPTEMBER, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **September 18, 2015**

SUBJECT: **TPWD Grant Resolution and Application**

Staff requests an amendment to resolution 15-25 that was approved by City Council at the September 8th meeting. The amended language clarifies that the resolution authorizes the City Manager to act on behalf of the City in dealing with the Texas and Parks and Wildlife Department regarding the program assurances and grant contracts. This amendment is necessary to ensure that signature authorities are appropriately delegated and authorized going forward regarding the grant program process.

CITY OF ROCKWALL
RESOLUTION NO. 15-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AFFIRMING APPLICATION FOR GRANT FUNDING THROUGH THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR CONSTRUCTION OF A BOATING ACCESS FACILITY ON LAKE RAY HUBBARD NEAR SH-66 AND N. LAKESHORE DRIVE; DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE "SPONSOR" IN DEALING WITH THE TEXAS PARKS & WILDLIFE DEPARTMENT; PROVIDING FOR APPROPRIATIONS AND MATCHING FUNDS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall, Texas (hereinafter the "Sponsor"), is desirous of providing for the construction of a boating access facility on Lake Ray Hubbard at a location near SH-66 and N. Lakeshore Drive; and

WHEREAS, the State of Texas, acting through the Texas Parks and Wildlife Department (hereinafter the "Department"), under the authority of Section 11.033 and 31.141 of the Parks & Wildlife Code, would provide funding for such construction, and;

WHEREAS, construction of such a facility would be of benefit to the citizens of the City of Rockwall, Rockwall County as well as transient recreational boaters from the State and other states; and

WHEREAS, the "Sponsor" is desirous of authorizing an official to represent and act for the "Sponsor" in dealing with the "Department" concerning the "Program."

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THAT:

Section 1. the Rockwall City Council, in meeting this 8th day of September, 2015, is hereby eligible for assistance and will enter into a project agreement with the Department to provide for said construction on a reimbursement basis, with the Sponsor providing 25% by appropriations or in-kind services, and the Department providing 75% matching funds for work accomplished; and

Section 2. that the "Sponsor" hereby authorizes and directs its City Manager, Rick Crowley, to act for the "Sponsor" in dealing with the "Department" for the purpose of the "Program," and Rick Crowley is hereby officially designated as the representative in this regard; and

Section 3. the Sponsor has matching funds available; and

Section 4. the Sponsor will operate said facility; perform all necessary maintenance and repairs to ensure public use, health and safety; and provide security surveillance to eliminate creations of nuisance or hazard to the public or adjacent property owners for the life of the facility (minimum 25 years); and

Section 5. said facility will be open at all reasonable times to the public, and that revenue from any user fees will only be used to offset operation and maintenance costs of any supported facilities.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 21st DAY OF September, 2015.

ATTEST:

Jim Pruitt, Mayor

Kristy Cole, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Timothy M. Tumulty, Director of Public Works/City Engineer

DATE: September 18, 2015

SUBJECT: Engineering Flood Study Review Contract Extension

The City of Rockwall's storm drainage system encompasses 14 separate watersheds (52 stream miles) located totally or partially within the corporate limits of the City. These watersheds have been analyzed for existing and fully developed conditions. Whenever a development occurs that potentially impacts any floodplain area, development standards requires a registered engineer to perform a flood study to determine the impacts to the floodplain and an engineering solution that minimizes the increase of water surface elevations and velocities. A flood study review fee was implemented in 2013 by the City for developments requiring a flood study to recoup our review cost. The City uses Hydrological Support Services, LLC. to perform reviews to verify City drainage requirement compliance. Their contract expires on September 30, 2015. Staff has been satisfied with their service and recommends extending the contract another year.

Staff requests consideration of approval of the engineering services contract with Hydrological Support Services, LLC to perform flood study reviews for developments within the City in an amount not to exceed $40,000.00. Funding will be provided from the FY 2015-16 Department Operations Budget and developer reimbursement. If you have any questions, please advise.

TMT:em

Attachment

Cc: Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
Jeremy White, Civil Engineer
File

STATE OF TEXAS ♦

♦

COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and HydroLogical Support Services, LLC, ("ENGINEER"), located at 97 Old Turkey Farm Rd, Denison, Texas, Engineer duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for Miscellaneous Consulting Services.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Exhibit "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and detailed in Exhibit "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an annual amount not to exceed forty thousand dollars ($40,000.00) and billed as an hourly basis per rates provided in Exhibit "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Exhibit "C". In the event of termination, Engineer will assist the CITY in

arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business that has an agreement or is in negotiations of an agreement with CITY. CITY may waive this conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination; however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will

be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000.00
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000.00 General aggregate limit

$1,000,000.00 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000.00 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis for a period of two years after termination of this contract, as long as reasonably available under standard policies.

7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR EMPLOYEES OR ANYONE FOR WHOM THE ENGINEER IS LEGALLY LIABLE FOR, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000.00). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
City Manager
City of Rockwall
City Hall
385 S. Goliad
Rockwall, TX 75087

Engineer
HydroLogical Support Services, LLC
Attn: Dwayne Stubblefield

P.O. Box 976
Denison, TX 75021
Deliveries:
HydroLogical Support Services, LLC
Attn: Dwayne Stubblefield, President
97 Old Turkey Farm Rd
Denison, TX 75021

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Contractor.

13. Reports and Information

Engineer, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Exhibits and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this _____ day of _____ 2015.

By:_____
Name: Dwayne Stubblefield, P.E.
Title: President, HydroLogical Support Services, LLC.

EXECUTED in triplicate originals on this _____ day of _____ 2015.

ATTEST:

City of Rockwall, Texas

_____
Richard Crowley, City Manager

EXHIBIT "A"

HydroLogical Support Services, LLC

Scope of Services

Miscellaneous Consulting Services

The scope of services for this contract is for HydroLogical Support Services, LLC (HSS) to provide miscellaneous consulting services on an as-needed basis for issues related to stormwater and other water resources matters, which may be requested from time to time by, or approved by, the City of Rockwall's City Engineer/Public Works Director, or by the City Engineer's/Public Works Director's representative(s) or assistant(s). Such services are anticipated to typically consist of the following:

1. Review of proposed development projects and other proposed construction within the City on issues related to drainage, flood hazard potential, and regulatory issues, and provide review comments to the City.

2. Consultation or coordination with project owners and their representatives, and provide readily-available City data and other information pertinent to general location of their proposed or existing projects.

3. Provide opinions, advice, recommendations and other miscellaneous assistance to the City regarding drainage, flood hazard protection, and regulatory issues related to water resources.

4. Other miscellaneous services as requested by the City and agreed by HSS provided that such services are within the field of expertise of HSS.

Exclusions: Engineering design, design plans, construction plans, construction inspection, construction administration, surveying, geotechnical services, environmental services, groundwater services, water quality services, and any other services which are not within the field of expertise or services offered by HSS are specifically excluded from this scope of services.

This scope of services is to be provided on a time and materials cost basis in accordance with attached rate schedule (Exhibit "B"). The termination date of this contract is September 30, 2016, unless agreed in writing by both parties to extend this contract, or unless either party gives notice to other party to terminate this contract prior to this termination date.

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EXHIBIT "B"

HydroLogical Support Services, LLC

Special Rate Schedule and Compensation for Miscellaneous Consulting Services for the City of Rockwall, Texas

Personnel costs for time-and-materials services will be invoiced on an hourly basis in accordance with the following rate schedule:

Principal Engineer	$158 - 195/hr
Senior Engineer	$135 - 175/hr
Project Engineer	$ 85 - 145/hr
Engineer-in-Training	$ 55 - 95/hr
CADD Support/Technician	$ 45 – 95/hr
Clerical/Administrative Support	$ 28 – 55/hr

Rates for expert consulting, witness, and/or testimony services related to depositions, court, hearings, arbitration dispute negotiations, meetings with opposing parties, and preparation with legal representation for deposition and/or trial are billed at personnel costs plus 35% and include all time away from the office on the date(s) of such services on behalf of the client. Personnel rates are effective through September 30, 2016, and may be renegotiated for services performed thereafter.

Non-labor expenses (including sub-contractual services, if any) will be invoiced at cost plus 8%. Mileage costs will be at the same rate as established by the Internal Revenue Service at the time of occurrence. In-office black-and-white photocopies directly related to a project or task and exceeding more than 50 pages will be at a cost of 10 cents each. Color copies will be at a cost of 25 cents each for 8.5x11 size and 50 cents each for 11x17 size.

Invoices will be submitted to the City typically at the end of the month and on a monthly basis.. However, the final invoice will be submitted upon termination of this contract. Payment for each invoice is due "net 30" days following date of the invoice. Delayed payment of any invoice may result in delays of the contracted services (Exhibit "A").

Unless otherwise agreed in writing to extend this contract, or unless either party to this contract gives notice to terminate, this contract will terminate on September 30, 2016.

EXHIBIT "C"

HydroLogical Support Services, LLC

Term of Agreement and

Schedule for

Miscellaneous Consulting Services

The term of this agreement shall commence upon execution of the agreement by both parties and will extend through September 30, 2016, unless otherwise terminated or extended as agreed in writing. Consulting services listed in Exhibit A will be scheduled on an as-needed basis during the term of contract and any extension as agreed. Consulting services will end immediately upon termination of the contract.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Brad Griggs, *Assistant City Manager*
Tim Tumulty, *Director of Public Works/City Engineer*

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: September 21, 2015

SUBJECT: City Pride Agreement with TxDOT

Earlier this year the City of Rockwall was approved as a *Preserve America Community* by the *Advisory Council on Historic Preservation*, which administers the *Preserve America* program for the Department of the Interior. In recognition of this achievement, the City of Rockwall received an official roadway sign indicating this designation. In order to install the signage along SH-66 [*W. Rusk Street*] the City will need to enter into an agreement with the Texas Department of Transportation (TxDOT) through the City Pride Program. As part of this agreement, it will be the responsibility of the City to provide and install the signage, pole and base once the proposed locations have been approved by TxDOT. Attached to this email is a copy of the City Pride Program agreement, a map showing the proposed location for the new signage, and TxDOT's standard signage plans.

The Engineering Department estimates the cost of installing the sign at approximately ~$250.00. Should the City Council consider authorizing the City Manager to enter into an agreement with TxDOT under the City Pride Program, staff will complete and submit the attached agreement to the state for consideration.

Preserve America Marker on SH 66/ W Rusk St West of N Lakeshore Dr

#1: Preserve America Marker Facing West on SH 66/W Rusk St



City of Rockwall
Geographic Information Systems
385 S Goliad St.
Rockwall, TX 75087
P. 972-771-7745 F. 972-771-7748
www.rockwall.com/gis

Texas Department of Transportation

Form 2020
(4/2000)
(GSD-EPC Word 97)
Page 1 of 2

Application for Participation In the City Pride Sign Program

Date: _____

To the Texas Department of Transportation, c/o District Engineer, _____, Texas.

This form must be received at least 14 days prior to the requested date of placement.

Formal notice is hereby given that the city of _____ proposes to place a City Pride sign within the right of way of _____

_____

in _____ County, Texas.

☐ Check here for placement of multiple signs and submit the information requested on the Supplemental Sheet (Page 2).

The City Pride sign will be placed _____ feet from the edge of the roadway.

NOTE: All City Pride signs shall conform to TxDOT standards and specifications.

The City Pride sign will have the following characteristics:

Mounting Height: _____ Sign Height: _____ Sign Width: _____

Thickness: _____ Sign Material: _____

Dimensions of Sign Support: _____ Material of Sign Support: _____

Proposed Text: _____

_____

Background Color: _____ Legend Color: _____

Provide sketch here or on an attached sheet:

By (print): _____

Signature: _____

Address: _____

_____

Phone: ( ) -

Supplemental Sheet

Application for Participation in the City Pride Sign Program

The sign will be placed _____ feet from the edge of the roadway and have the following characteristics:

Mounting Height: _____ Sign Height: _____ Sign Width: _____

Thickness: _____ Sign Material: _____

Dimensions of Sign Support: _____ Material of Sign Support: _____

Proposed Text: _____

_____

Background Color: _____ Legend Color: _____

The sign will be placed _____ feet from the edge of the roadway and have the following characteristics:

Mounting Height: _____ Sign Height: _____ Sign Width: _____

Thickness: _____ Sign Material: _____

Dimensions of Sign Support: _____ Material of Sign Support: _____

Proposed Text: _____

_____

Background Color: _____ Legend Color: _____

The sign will be placed _____ feet from the edge of the roadway and have the following characteristics:

Mounting Height: _____ Sign Height: _____ Sign Width: _____

Thickness: _____ Sign Material: _____

Dimensions of Sign Support: _____ Material of Sign Support: _____

Proposed Text: _____

_____

Background Color: _____ Legend Color: _____

The sign will be placed _____ feet from the edge of the roadway and have the following characteristics:

Mounting Height: _____ Sign Height: _____ Sign Width: _____

Thickness: _____ Sign Material: _____

Dimensions of Sign Support: _____ Material of Sign Support: _____

Proposed Text: _____

_____

Background Color: _____ Legend Color: _____

The sign will be placed _____ feet from the edge of the roadway and have the following characteristics:

Mounting Height: _____ Sign Height: _____ Sign Width: _____

Thickness: _____ Sign Material: _____

Dimensions of Sign Support: _____ Material of Sign Support: _____

Proposed Text: _____

_____

Background Color: _____ Legend Color: _____

Agreement No._____

STATE OF TEXAS §

COUNTY OF TRAVIS §

CITY PRIDE SIGN AGREEMENT

THIS AGREEMENT, made on the dates hereinafter shown, by and between the State of Texas, hereinafter called the "State," represented by the Executive Director of the Texas Department of Transportation, acting for and in behalf of the Texas Transportation Commission, and the City of _____, hereinafter called the "City."

W I T N E S S E T H

WHEREAS, the State owns, operates, and maintains a system of highways for public use and benefit, in the City of _____; and

WHEREAS, the City desires and has requested authority to construct or have reconstructed the City Pride Sign along the roadway(s) of:

_____,
_____,
_____,
_____,
_____, and
_____

at the location(s) shown on construction plans, attached hereto and made part of this Agreement.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, to be by them respectively kept and performed as hereinafter set forth, and in accordance with Title 43, Texas Administrative Code, Chapter 25, Subchapter H, it is agreed as follows:

A G R E E M E N T

Article 1. General

The State grants to the City permission to construct or to have reconstructed, the City Pride Sign(s) within the right-of-way as shown on construction plans and to be maintained by the City as stipulated in the Municipal Maintenance Agreement with the City of _____, dated _____, 20____.

Article 2. Plans, Specifications and Construction Procedures

A. The City, at no cost to the State, shall prepare or have prepared, complete construction drawings, plans and specifications for the proposed City Pride Sign(s), State approved breakaway sign supports, foundations, appurtenances, and incidental items. No construction work shall be performed on highway right-of-way until these plans and specifications have been approved in writing by the State. After such approval has been given, no changes or alterations shall be made without the written approval of the State.

B. The plans and specifications shall be submitted to the District Engineer, Texas Department of Transportation, (TxDOT District), Texas for approval. Any changes or alterations which become necessary during the course of the work shall also be submitted to the District Engineer for approval.

C. The City, its contractor(s), or agents shall submit a traffic control plan as required and in accordance with the Texas Manual on Uniform Traffic Control Devices to direct and

protect vehicular and pedestrian traffic while construction work, including related activities, is in progress. Details and descriptions of these traffic handling measures shall be included in the plans and specifications when submitted for approval. If, during construction, it becomes necessary or desirable to modify the traffic control measures as specified, prior approval must be obtained from the State's District Engineer in (TxDOT District).

D. The City shall construct, or have constructed, at its entire cost and expense, the proposed City Pride Sign(s) and incidental items referred to in paragraph 1 and 2 above. The State shall have the right to inspect the work on highway right-of-way at any time during the progress of the work, and to make final inspection upon completion. Construction operations will be conducted in a manner acceptable to the District Engineer or their authorized representative. The City, its contractor(s) or agents shall correct any deficiencies revealed by the State's inspection of the work or of the traffic control and protection measures, where such deficiencies could have an adverse affect on public use of the highway or the safety and convenience of the traveling public.

E. Upon completion of the work authorized herein, the City shall submit copies of the as-built plans and specifications, including any changes or alterations, showing the City Pride Sign(s) in their completed state within 45 days to the State's District Engineer in (TxDOT District) for permanent records of the State.

F. The City agrees to pay all damages accruing to the State, by reason of injuries to the right-of-way, roadbed, pavement, and/or bridge owned by the State, when such damages are caused by the city's construction, operations, maintenance or rehabilitation on said roadway. Whenever funds are paid by the City to the State under this Agreement, the City shall remit a check or warrant made payable to the "Texas Department of Transportation Trust Fund." To the extent allowed by law, the City also agrees to indemnify and save harmless the State from any and all claims, demands, actions or causes of action, due to damage to property or injury to or death of persons arising from or growing out of or in any manner connected with work on said roadway project including, but not limited to, all court costs, attorney fees and other expenses incurred in connection with suits for such damage and shall, if so requested in writing, assist or relieve the State from defending any such suits brought against it. In addition, the City shall require its contractor(s) and subcontractor(s) to secure a policy of insurance in the maximum statutory limits for tort liability, naming the State as an additional insured under its terms, and maintain the required insurance coverages in full force and effect during any period that work is performed on the State right-of-way. Adequate insurance, as a minimum, shall mean the City contractor(s) shall furnish the State with the Texas Department of Transportation's Certificate of Insurance covering the below listed insurance coverages.

1) Worker's Compensation Insurance Amount – Statutory
2) Comprehensive General Liability Insurance

Amounts	Bodily Injury Property Damage	$600,000 combined single limit each occurrence and in the aggregate

OR

Commercial General Liability Insurance

Amounts	Bodily Injury	$250,000 each person
	Property Damage	$100,000 each occurrence

3) Texas Business Automobile Policy

Amounts	Bodily Injury	$250,000 each person
	Property Damage	$100,000 each occurrence

The State shall be included as an "Additional Insured" by Endorsement to policies issued for coverages listed in B and C above. A "Waiver of Subrogation Endorsement" in favor of the State shall be a part of each policy for coverages listed in A, B, and C above. A certified copy of these endorsements shall be submitted to the State with the evidence of coverage. The City and/or its contractor(s) shall be responsible for any deductions stated in the policy.

Article 3. Location

A. One City Pride and/or a Texas Commission on Environmental Quality (TCEQ), Texas Historical Commission (THC), Keep Texas Beautiful (KTB) Sign shall be allowed per eligible highway entrance to the City. A City Pride Sign shall be located on the right-hand side of the roadway unless otherwise approved in writing by the State. A City Pride Sign shall be located between 300 and 800 feet of the city limits at a location approved by the State. A City Pride Sign shall take advantage of the natural terrain, have the least impact on the scenic environment, avoid visual conflict within the State highway right-of-way, have a lateral offset greater than existing guide signs, not block the motorist's view of existing traffic control signs, and be placed in locations other than hanging above the highway.

B. A City Pride Sign shall not be located adjacent to the main lanes of full controlled access highway; however, a City Pride Sign may be located on the right-hand side of the access road.

C. The city may landscape the area adjacent to the City Pride Sign(s) upon written approval of the plans by the State's District Engineer in the (TxDOT District) District. Only small plants, flowers, and shrubbery will be allowed. Permanent structures or items such as large stones, masonry, berms, landscape timbers, etc. shall not be allowed. The State assumes no responsibility for watering, maintenance or damage due to State maintenance and construction activities, fire, theft or vandalism.

Article 4. City Pride Sign

A. The sign face of a City Pride Sign or the combined total area of the attachment signs displayed shall not exceed 80 square feet total. A City Pride Sign shall not contain words, symbols, or messages that:

1) May be construed as advertising, including, but not limited to, the offering of products and services.
2) Contain notification of municipal ordinances or regulations, or
3) Resemble official traffic control devices.

B. Banners, flags, streamers, flashing lights, or other appurtenances shall not be attached to a City Pride Sign or sign supports. Sign supports shall be galvanized metal or painted solid white.

C. A City Pride Sign shall not be illuminated internally or externally.

D. A City pride Sign may contain the name of the city, message, or slogan no greater than eight inches in height. The City may include a seal or symbol that is commonly used to represent the City.

E. If a City Pride Sign requires background material, it shall be painted brown (Sherwin Williams #2315 or equivalent) or have brown reflective material affixed to the sign face meeting State specifications. Lettering upon the brown background shall be white and may be any script or font. A white 2 inch border is optional. Lettering and border shall be

painted white (Sherwin Williams #2130 or equivalent) or have white reflective material affixed to the sign face meeting State specifications.

Article 5. Attachment Signs

A. Attachment signs or civic information signs are provided by a non-profit civic organization or governmental entity that display points of interest or geographical, recreational, cultural, or civic information. A civic organization must be located within or have a member who resides in the City, and complies with all applicable law concerning the provisions of public accommodation without regard to race, religion, color, sex, or national origin.

B. Attachment signs may be any color or combination of colors and may be in any design or shape. Attachment signs shall not be greater than 48 inches in width and 36 inches in height, and shall not consist of text, symbols, trademarks or a legend message identifying the name or abbreviation of a commercial establishment, service or product, or contain supplemental address or directional information such as meeting dates or locations.

C. A civic organization shall apply to the City for permission to display an attachment sign upon the City Pride Sign. The City shall notify/contact the civic organization in writing if the civic organization does not meet the requirements of eligibility as stated herein. The civic organization shall have 30 calendar days after written notification to meet the requirements herein.

D. The City shall approve all attachment signs and determine the order, arrangement, and duration of display. Attachment signs shall be placed upon a City Pride Sign and shall not overlap.

E. A civic organization shall have only one attachment sign per City Pride Sign unless the City and civic organization agree to said organization's multiple attachment signs upon a City Pride Sign.

F. The City shall remove an attachment sign of a participating civic organization if the civic organization ceases to exist, does not meet the requirements stated herein, or has not provided a replacement sign after 60 days of the City or State's written notification that the attachment sign is damaged, broken, faded, or has become a hazard due to failure to build to specifications, inclement weather, inadequate maintenance, accidental damage, or other cause.

Article 6. Miscellaneous

A. Signs from the TCEQ, THC, or KTB, Proud Community Program signs, shall be erected and maintained to State specifications at the sole expense of the City. Signs shall not be allowed as attachments to State signs or sign supports.

B. Attachment signs not relocated to a City Pride Sign, TCEQ, THC, or KTB signs or other approved locations will be removed by the State at the expense of the City.

C. The State shall not require fees from the City for participating in the City Pride Sign Program. The city shall not require fees from the civic organizations or governmental entities for display upon a City Pride Sign.

D. While installing or maintaining a City Pride Sign, the City shall cooperate with any State contractor working on the State highway system at that location.

E. In the event that the State determines that it is necessary to repair, construct, reconstruct and/or make any changes in the highway facility for reasons other than those specified herein, the City shall be responsible for all costs necessary for removal and relocation of the City Pride Sign.

F. The City shall remove a City Pride Sign if it has not provided a replacement sign within 60 calendar days of written notification from the State that the sign is damaged, broken, faded or has become a hazard due to failure to build to specifications, inclement weather, inadequate maintenance, accidental or other cause. After 60 days, the City Pride Sign not removed or replaced will be removed by the State at the expense of the city. The State may terminate this agreement upon default of the city.

G. This Agreement shall bind, and shall be for the sole and exclusive benefit of the respective parties and their legal successors.

IN TESTIMONY WHEREOF, the parties hereto have affixed their signatures, the City of _____ on the ____ day of _____, 20____, and the State on the ____ day of _____, 20____.

THE CITY OF _____
Executed on behalf of the City by:

By_____ Date_____

Typed or Printed Name and Title _____

_____

ATTEST:

By_____ Date_____

Typed or Printed Name and Title _____

_____

THE STATE OF TEXAS
Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By_____ Date_____
_____ District Engineer

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LEVELS DISPLAYED

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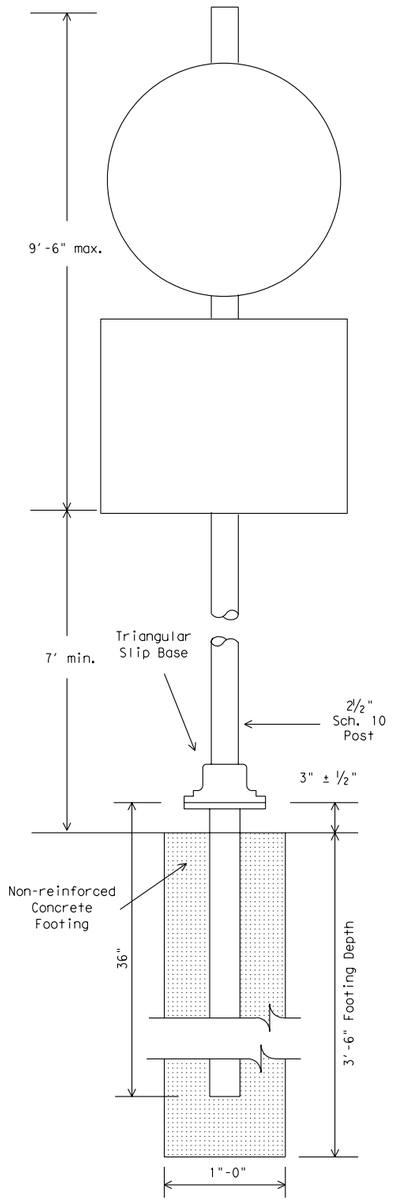
33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	

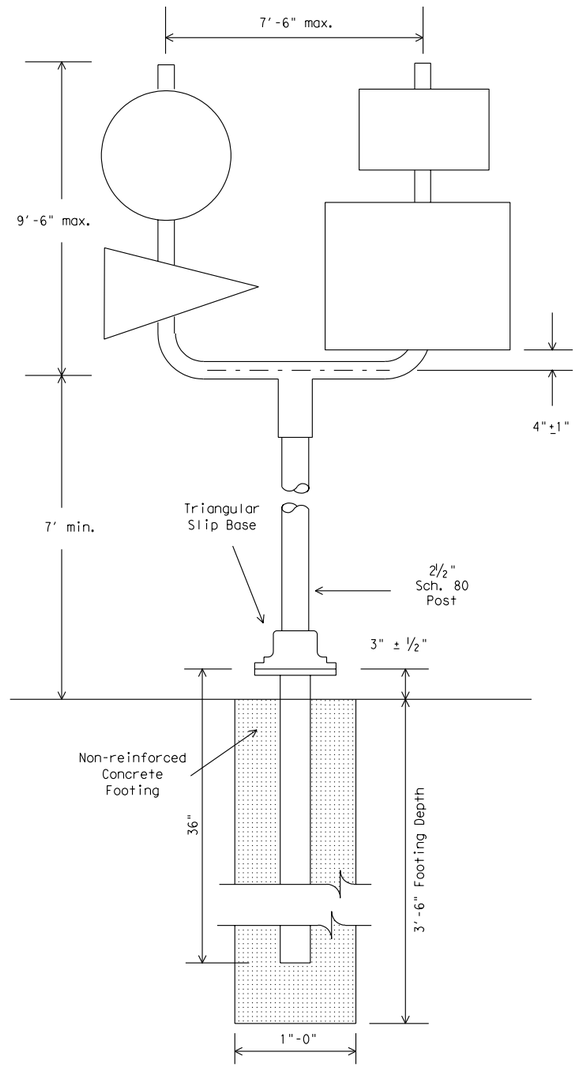
ACC:

Option A
Single Post
Max. 16 sq.ft. of sign(s)



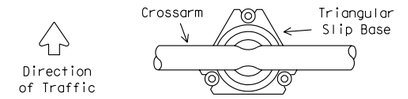
Triangular Slip Base
or other approved fittings

Option B
Single Post with Horn
Max. 32 sq.ft. of sign(s)

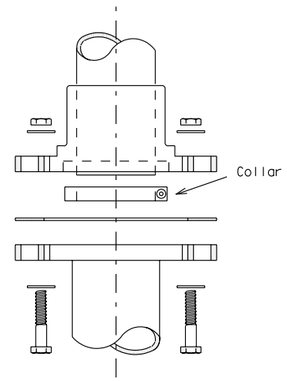


Triangular Slip Base

Texas Universal
Triangular Slip Base



The crossarm should be parallel to one side of the triangular slip base.



For additional information refer to SMD(1-3)

GENERAL NOTES

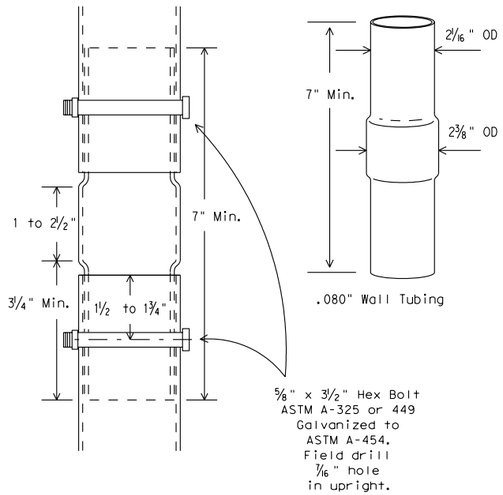
OPTIONS A and B

1. A City Pride Sign shall not contain words, symbols, or messages that may be construed as advertising, including, but not limited to, the offering of products and services, notification of municipal ordinances or regulations, or resemble official traffic control devices.
2. Banners, flags, streamers, flashing lights, or other appurtenances shall not be attached to a City Pride Sign or sign supports.
3. City name, symbol, slogan or combination thereof may be an attachment sign.
4. Attachment signs may be any color or combination of colors and may be of any design or shape. Attachment signs shall not be greater than 48 inches in width and 36 inches in height, and shall not consist of text, symbols, trademarks or a legend message identifying the name or abbreviation of a commercial establishment, service or product, or contain supplemental address or directional information such as meeting dates or locations.
5. A City Pride Sign shall not be illuminated internally or externally.
6. Support and design shall conform with AASHTO Standard Specifications for structural supports of Highway signs, luminaires and traffic signals with a design wind speed of 60 mph.
7. Steel pipe sign supports shall be galvanized in accordance to ASTM Designation A123.
8. The minimum sign height from the ground shall be 7 feet.
9. Where solid rock is encountered at ground level the foundation shall be a minimum depth of 18 inches. When solid rock is encountered below ground level the foundation shall extend into the solid rock a minimum depth of 18 inches or provide a minimum foundation depth of 30 inches. Only concrete foundations shall be used in rock.

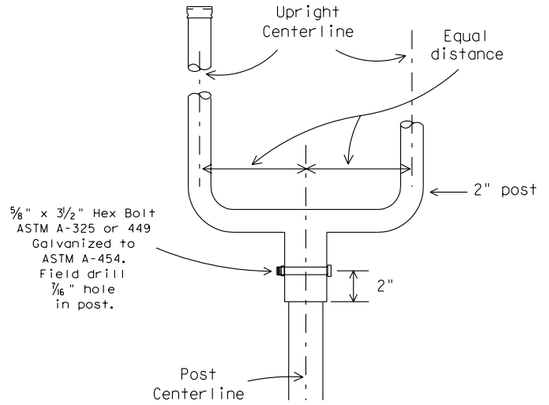
OPTION C

Refer to SMD(CPS-2)

SPLICE



SIGN SUPPORTS WILL ONLY BE SPLICED BEHIND THE SIGN SUBSTRATE



STANDARD PLANS
TEXAS DEPARTMENT OF TRANSPORTATION
Traffic Operations Division

CITY PRIDE SIGN

SHEET 1 OF 3 **SMD(CPS-1)-98**

©TxDOT January 1997	DN: GRB	CK: JDM	DW: FDN	CK: DTN
REVISIONS 12-98	STATE DISTRICT: 6	FEDERAL REGION	FEDERAL AID PROJECT	SHEET
COUNTY		CONTROL	SECTION	JOB / HIGHWAY

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LEVELS DISPLAYED

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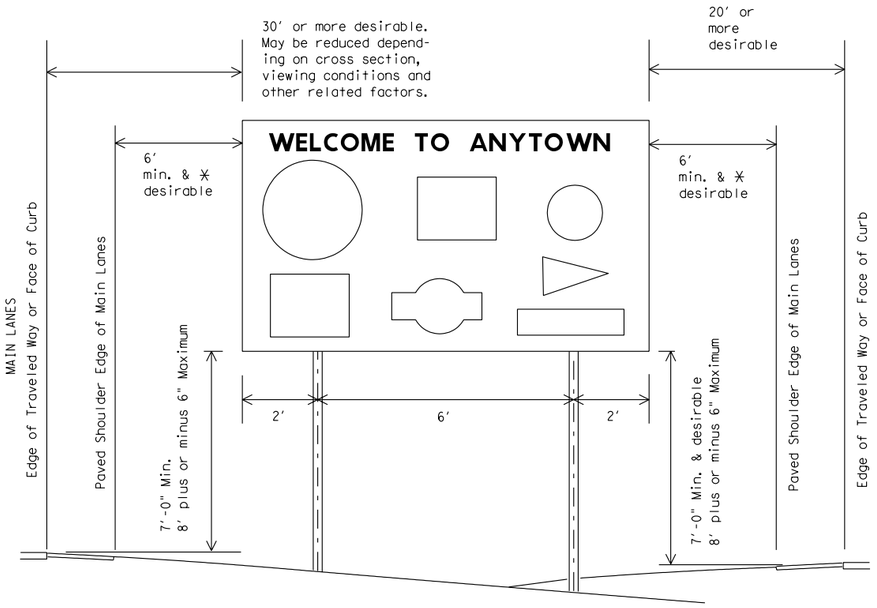
ACC:	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32
	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48
	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	

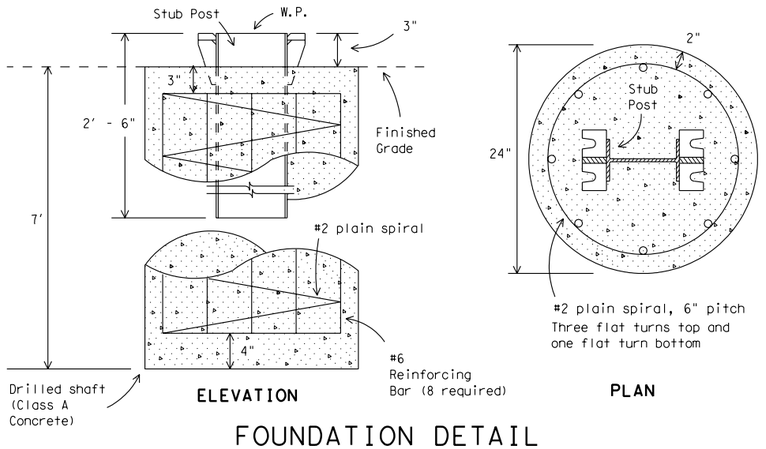
Option C
Two Post/Solid Background
Max. 80 sq. ft.



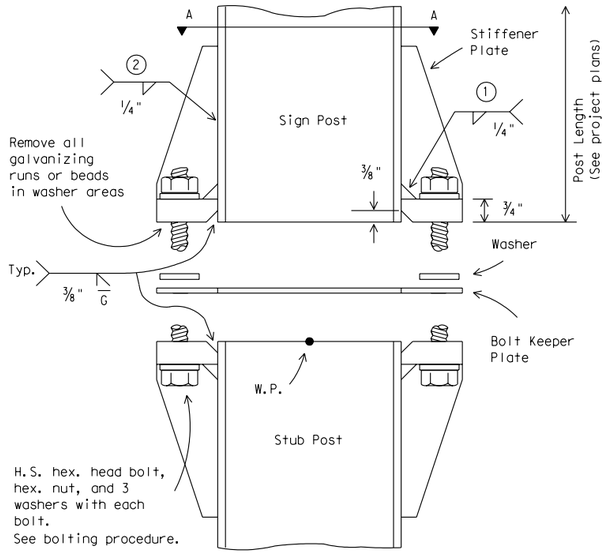
TYPICAL SIGN INSTALLATION AND LOCATION

OPTION C (Two Post)

10. Lateral clearances of signs mounted on median side of main lanes are the same as shown above where space will permit.
11. Where a sign is to be located behind guardrail, an allowable minimum clearance of two feet may be used, measured from the face of the guardrail to the near edge of sign.
12. 6 foot minimum and desirable may be used only in areas of limited lateral clearance and when approved by the Engineer.
13. Post spacing on a two post sign may vary a maximum of plus or minus 10% of total sign width to fit field conditions.
14. Typical maximum dimensions are 10 foot width by 8 foot height, however, TxDOT will consider other shapes and designs upon request. Maximum size of sign face shall not exceed 80 square feet.
15. Background shall be brown in color. If painted it shall match Sherwin Williams #2315 (or equivalent). If reflective sheeting is used it shall meet TxDOT Material Specification D-9-8300.
16. Optional City name, symbols, slogan or combination thereof may be an attachment sign or lettering on the sign face. Lettering may be any style or font, but shall not be greater than 8 inches in height. Lettering and or optional 2 inch border shall be white in color. Paint shall match Sherwin Williams #2130 (or equivalent), if sheeting is used it shall meet TxDOT Material Specification D-9-8300.



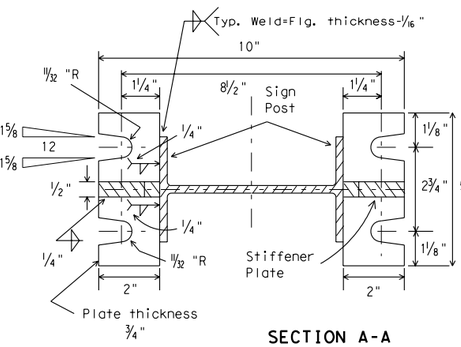
FOUNDATION DETAIL



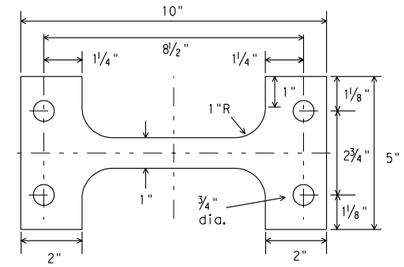
(1) Back up weld to be made before installing stiffener plate

(2) Weld W may be continued across clips to seal joint

W6x15 SIGN POST AND STUB POST



SECTION A-A

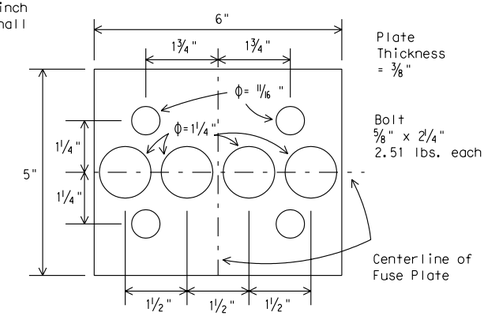


BOLT KEEPER PLATE

30 Ga galv. sheet steel

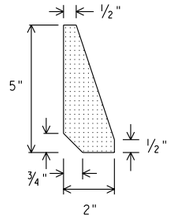
BOLTING PROCEDURE FOR ASSEMBLY OF BASE CONNECTION:

1. Assemble sign post, BOLT KEEPER PLATE and stub post with bolts and three flat washers per bolt as shown.
2. Shim as required to plumb post.
3. Tighten all bolts the maximum possible with a 12 to 15 inch wrench to blean bolt threads and to bed washers and shims.
4. Loosen each bolt in sequence and retighten bolts in a systematic order to the prescribed torque. Do not overtighten.
5. To prevent nut loosening, burr threads of bolt at junction with nut using a center punch.



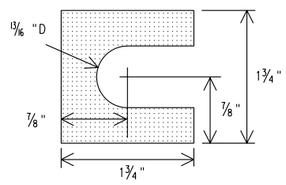
PERFORATED FUSE PLATE DETAIL

Use H.S. hex head bolts, hex head nut and bevel or flat washer (where req'd) under nut. All holes shall be drilled. All plate cuts shall preferably be saw cuts. However; flame cutting will be permitted provided all edges are ground. Metal projecting beyond the plane of the plate face will not be permitted. Steel fuse plates shall conform to the requirements of ASTM A36. ASTM A572 Grade 50 or ASTM A588 may be substituted for A36 at the option of the fabricator. Mill test reports shall be submitted for Fuse Plates. Steel used shall have an ultimate tensile strength not to exceed 80 KSI.



STIFFENER PLATE DETAIL

Steel Plate (thickness = 1/2")



SHIM DETAIL

Furnish two .012"+ thick and two .032"+ thick shims per post. Shims shall be fabricated from brass shim stock or strip conforming to ASTM B36.

SIGN SUPPORTS WILL ONLY BE SPLICED BEHIND THE SIGN SUBSTRATE

STANDARD PLANS
TEXAS DEPARTMENT OF TRANSPORTATION
Traffic Operations Division

CITY PRIDE SIGN

SHEET 2 OF 3 **SMD(CPS-2)-98**

© TxDOT December 1998	DN: GRB	CK: JDM	DW: FDN	CK: DTN
REVISIONS	STATE DISTRICT	FEDERAL REGION	FEDERAL AID PROJECT	SHEET
		6		
	COUNTY	CONTROL	SECTION	JOB / HIGHWAY
			71	

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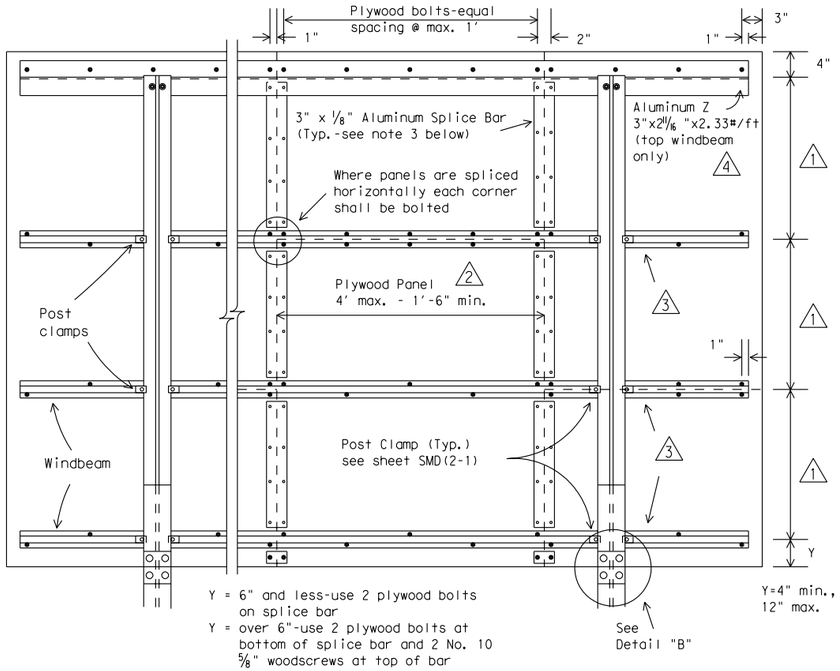
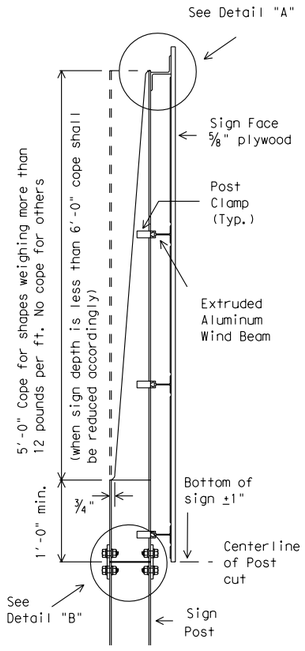
TYPICAL PLYWOOD SIGN ASSEMBLY DETAILS



REAR VIEW

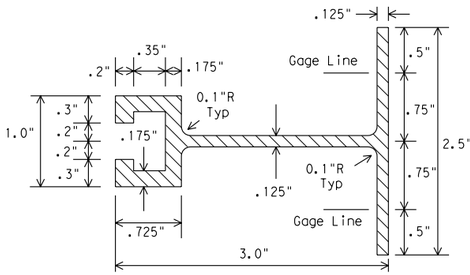


SIDE VIEW

NOTES:

1. A tolerance of plus or minus 1/4 inch will be permitted in the plan dimensions for fabrication of each single increment sign panel when necessary for squaring. A tolerance of plus or minus 1/4 inch will be permitted for each increment of a multi-increment sign panel where necessary to secure square, tight-fitting joints.
2. Plywood bolts shall be 5/16" x 1 1/2" elevator type steel with flat or slightly hemispherical head and 3/4" minimum thread length. The head shall have a minimum diameter of 11/16" and a minimum of two fins on the underside. Each bolt shall be provided with one 5/16" steel hex nut, one 5/16" steel flat washer, and one 5/16" steel lock washer. Bolts, nuts and washers shall be galvanized in accordance with ASTM Designation: B695, Class 50, or A153 Class C or D.
3. Splice bars shall be secured with 5/8" long x #10 round head, stainless steel wood screws spaced at 6" maximum along double row spacing with the exception at extreme ends of splice bars, along outside edge of sign, where plywood bolts shall be used as shown. A maximum of one horizontal joint per vertical section will be permitted using a 1/8" gap between panels.
4. Splices shall be kept to a minimum. Panels 4'x8' or larger shall be used to the maximum extent possible in the fabrication of any sign. Signs or sign sections which cannot be fabricated from at least a 4'x8' panel shall be of one piece construction.

1. Approximately equal spacing, fabricator may vary spacing for least interference with message and to utilize wind beam for horizontal splice. Wind beam spacing will not exceed the maximum shown in table on sheet SMD(2-1). Staggered arrangement of horizontal splices as shown is preferred. However, a single horizontal joint across the sign face is permissible.
2. For signs 4'-0" or less in height the plywood panel may exceed 4'-0" in width.
3. Extruded aluminum wind beams shall be continuous with no splices. (see sheet SMD(2-1).
4. Aluminum Z will be provided unless stated otherwise in the plans. If noted elsewhere in the plans, 1.175 lb/ft extruded aluminum windbeam may be used.



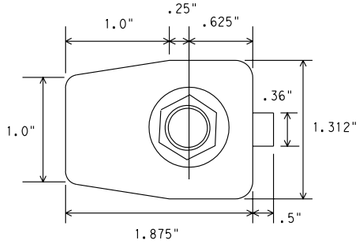
Windbeam to be extruded aluminum (1.175 lbs/ft)

WINDBEAM CROSS SECTION

SPECIFICATION REFERENCE TABLE MATERIALS AND TESTS DIVISION SPECIFICATIONS SIGN HARDWARE	D-9-7120

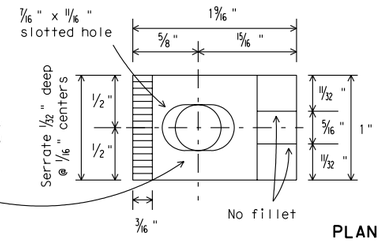
GENERAL NOTES:

1. Design conforms with AASHTO Specifications for the design and construction of structural supports for highway signs.
2. Materials and fabrication shall conform to the requirements of the Department material specifications.
3. Structural steel shall be high strength steel (HS) in accordance with the Item 442, "Metal For Structures."
4. Parts shall be saw cut either before galvanizing and the galvanized cut cleaned of zinc build-up, or saw cut after galvanizing and the cut surface treated with zinc-based solder or zinc-rich paint in accordance with ASTM A780. (Cut surface will not be treated until plate is installed and all bolts fully tightened.)

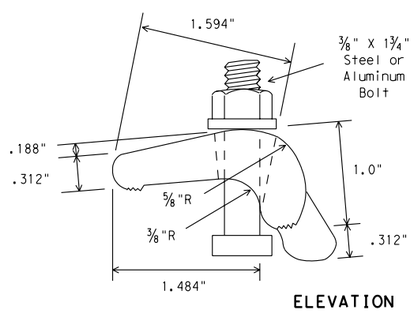


PLAN

NOTE: centerline of hole for 3/8" diameter squarehead bolt x 2 1/4" long with a flat washer and self-locking nut, or lock washer and hex. nut. Bolt head dimensions shall be in accordance with ANSI B 18.2.1 as referred to in the AISC Manual of steel construction. Bolt assembly shall be galvanized.

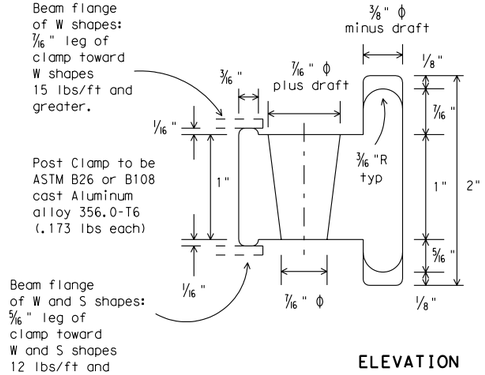


PLAN



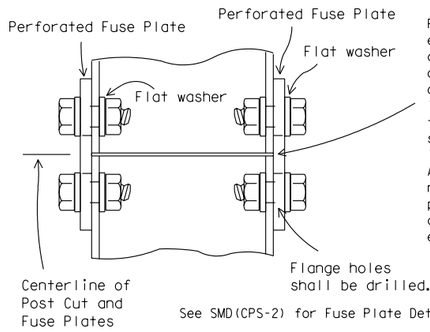
ELEVATION

ALTERNATE POST CLAMP DETAIL



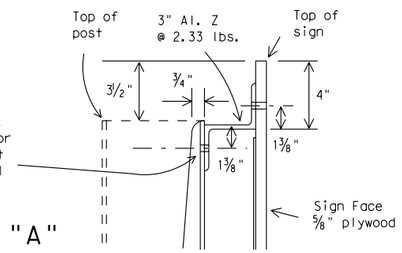
ELEVATION

POST CLAMP DETAIL

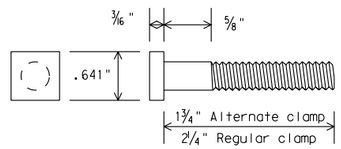


See SMD(CPS-2) for Fuse Plate Detail

DETAIL "B"



DETAIL "A"



POST CLAMP BOLT DETAIL

SIGN SUPPORTS WILL ONLY BE SPLICED BEHIND THE SIGN SUBSTRATE

STANDARD PLANS
TEXAS DEPARTMENT OF TRANSPORTATION
Traffic Operations Division

CITY PRIDE SIGN

SHEET 3 OF 3 **SMD(CPS-3)-98**

©TxDOT December 1998	DN: GRB	CK: JDM	DW: FDN	CK: DTN

REVISIONS	STATE DISTRICT	FEDERAL REGION	FEDERAL AID PROJECT	SHEET
		6		
	COUNTY	CONTROL	SECTION JOB	HIGHWAY
			72	

LEVELS DISPLAYED
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16
17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32
33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48
49 50 51 52 53 54 55 56 57 58 59 60 61 62 63

ACC:

28C

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73

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **September 14, 2015**

SUBJECT: **Honda of Rockwall Easement Abandonment**

Honda of Rockwall has requested that a 608 square foot utility easement located at the southeastern corner of the building be abandoned. The abandonment request is due to the electrical transformer and service being relocated to a different location during construction and this easement was not adjusted to the new transformer location on the final plat. Honda has provided a different easement on this site for the electrical equipment. Staff has received letters of abandonment approval from Atmos, ONCOR, AT&T, and Charter. This abandonment of this easement will not impact City facilities.

Staff supports the abandonment of this utility easement. If you have any questions, please advise.

AJW
Attachments

Cc:
Amy Williams, Assistant City Engineer
Jeremy White, Civil Engineer
File

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Scott Ulrich
Manager – Engineering Design
Greenville, Texas Engineering Design Center

AT&T-Texas
2702 Wesley St., Bsmt
Greenville, Texas, 75401
Phone: (903) 457-2303
E-mail: SU6782@att.com

September 15, 2015

Re: Honda of Rockwall easement abandonment

Per our records, at&t shows to be clear of the easement in question at the southeast corner of the building. Our records indicate that we access the property via a customer owned conduit that was placed by the customer. This conduit runs from the north end of the building and goes directly across the north parking lot and out to the TXDOT Right of Way.

Please call or email me, should you have any questions.

Sincerely,

Scott Ulrich

Scott Ulrich
Manager - Engineering Design

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ATMOS energy

August 25, 2015

Tyler D. Barnett, E.I.T.
Spiars Engineering
765 Custer Road
Suite #100
Plano, Texas 75075

Re: Utility Easement Abandonment at Honda of Rockwall

Dear Mr. Barnett,

Please be advised that Atmos Energy has no objection to the abandonment of a 20'x20' utility easement located at the Honda of Rockwall in Rockwall, Texas.

If additional information is required please contact me at 972-485-6277.

Sincerely,

Dinah Wood

Dinah Wood
Project Specialist

9/15/2015

Tyler D. Barnett, E.I.T.
Spiars Engineering
765 Custer Road / Suite# 100
Plano, Texas 75075

RE: Abandon Easement –Honda of Rockwall, 1550 Interstate -30, Lot 1, Block 1- Project located on the south side of I-30, west of John King Blvd.

Dear Tyler D. Barnett:

Charter Communications has no conflict, or objection with the application to abandon the easement at the location mentioned above.

Sincerely,
Jim

Jim Friske
Construction Coordinator
15100 Trinity Blvd. Suite 500
Fort Worth, Texas 76155

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Randy Voight
New Construction Manager
New Construction Management

Oncor Electric Delivery
310 Hwy. 205 North
Terrell, TX 75160

Tel 972 551 7233
Fax 972 551 7239
Cell 214 681 3020
randy.voight@oncor.com

September 11, 2015

Tyler D. Barnett
Spiars Engineering
765 Custer Rd Suite# 100
Plano, Texas 75075

Re: Honda of Rockwall Addition – Utility Easement Abandonment

To Whom It May Concern:

This letter is to confirm that Oncor Electric Delivery Company has no objection to the abandonment of the portion of the Utility Easement that is located in the building footprint. Oncor has no facilities that are located in this area.

Sincerely,

Randy Voight

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QUITCLAIM DEED

THE STATE OF TEXAS §
COUNTY OF ROCKWALL § **KNOW ALL MEN BY THESE PRESENTS:**
CITY OF ROCKWALL §

That the City of Rockwall Texas, a municipal corporation ("Grantor"), has quitclaimed, and by these presents does quitclaim unto Realty Holdings of Rockwall, LLC (Grantee"), its heirs and assigns, all of its rights, title and interest in and to the following described real property situated in Rockwall County, Texas:

SEE **EXHIBITS** ATTACHED HERETO

TO HAVE AND TO HOLD all of its rights, title and interest in and to said premises, together with all and singular the rights, privileges, and appurtenances hereto in any manner belonging unto the said Grantee, its heirs and assigns forever, so that neither the City of Rockwall, Texas, nor any person or persons claiming under the City of Rockwall, Texas, shall at any time hereafter have claim, or demand any right or title to the aforesaid property, premises, or appurtenances or any part thereof.

EXECUTED this _____ day of _____ 2015.

GRANTOR

By: _____
Jim Pruitt, Mayor

STATE OF TEXAS §
COUNTY OF ROCKWALL §

BEFORE ME, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL this _____ day of _____ 2015

_____
My Commission Expires: Notary Public in and for the State of Texas

_____

EASEMENT ABANDONMENT
LOT 1, BLOCK 1
HONDA OF ROCKWALL ADDITION
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

BEING a tract of land situated in the J.M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, the subject tract being a portion of Lot 1, Block 1, Honda of Rockwall Addition according to the plat recorded in Cabinet H, Page 277 of the Plat Records, Rockwall County, Texas (PRRCT), and being a portion of a 10 foot utility easement created by said plat, with the subject tract being more particularly described as follows:

BEGINNING at a point for an inset corner of said easement, and from which a 1/2" iron rod with plastic cap found for the northeast corner of said Lot 1 and for the northwest corner of a tract conveyed to The Cambridge Companies, Inc., Trustee, recorded in Volume 99, Page 1022, Deed Records, Rockwall County, Texas, bears N 00°41'03" E, 539.83 feet;

THENCE S 00°22'38" E, 10.00 feet through said easement to the easterly south line thereof, and from which a 1/2" iron rod with plastic cap found for the southeast corner of said Lot 1 bears S 01°50'51" E, 389.73 feet;

THENCE S 89°37'22" W, 20.77 feet along the easterly south line of said easement;

THENCE S 00°22'38" E, 5.00 feet along the southerly east line of said easement;

THENCE S 89°37'22" W, 20.00 feet along the westerly south line of said easement;

THENCE N 00°22'38" W, 20.00 feet along the southerly west line of said easement;

THENCE N 89°37'22" E, 20.00 feet along the westerly north line of said easement;

THENCE S 00°22'38" E, 5.00 feet along the westerly east line of said easement;

THENCE N 89°37'22" E, 20.77 feet along the westerly north line of said easement to the POINT OF BEGINNING with the subject tract containing 608 square feet or 0.014 acres of land.

piars ENGINEERING
765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

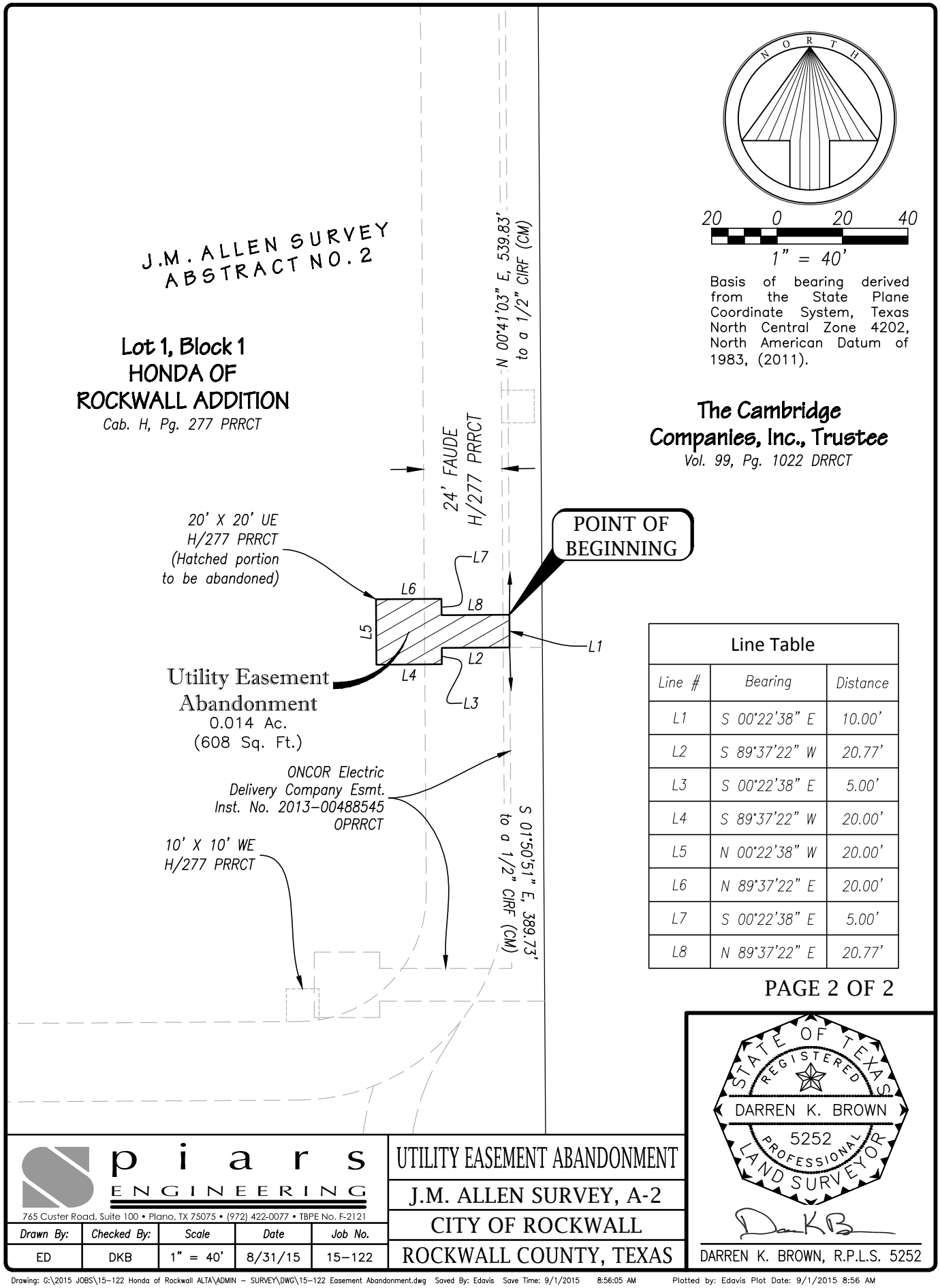
Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB		8/31/15	15-122

UTILITY EASEMENT ABANDONMENT
J.M. ALLEN SURVEY, A-2
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

STATE OF TEXAS
REGISTERED
DARREN K. BROWN
5252
PROFESSIONAL
LAND SURVEYOR

DARREN K. BROWN, R.P.L.S. 5252

Drawing: G:\2015 JOBS\15-122 Honda of Rockwall ALTA\ADMIN - SURVEY\DWG\15-122 Easement Abandonment.dwg Saved By: Edavis Save Time: 9/1/2015 8:56:05 AM Plotted by: Edavis Plot Date: 9/1/2015 8:56 AM



Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).

Line Table		
Line #	Bearing	Distance
L1	S 00°22'38" E	10.00'
L2	S 89°37'22" W	20.77'
L3	S 00°22'38" E	5.00'
L4	S 89°37'22" W	20.00'
L5	N 00°22'38" W	20.00'
L6	N 89°37'22" E	20.00'
L7	S 00°22'38" E	5.00'
L8	N 89°37'22" E	20.77'

STATE OF TEXAS
REGISTERED
DARREN K. BROWN
5252
PROFESSIONAL
LAND SURVEYOR

DARREN K. BROWN, R.P.L.S. 5252

piars ENGINEERING
765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 40'	8/31/15	15-122

UTILITY EASEMENT ABANDONMENT

J.M. ALLEN SURVEY, A-2
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

Drawing: G:\2015 JOBS\15-122 Honda of Rockwall ALTA\ADMIN - SURVEY\DWG\15-122 Easement Abandonment.dwg Saved By: Edavis Save Time: 9/1/2015 8:56:05 AM Plotted by: Edavis Plot Date: 9/1/2015 8:56 AM

CITY OF ROCKWALL, TEXAS
RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ABANDONING A UTILITY EASEMENT AS MORE SPECIFICALLY DESCRIBED ON THE EXHIBIT ATTACHED HERETO; AUTHORIZING THE MAYOR TO ISSUE A QUITCLAIM DEED TO THE LANDOWNERS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 272.001 Texas Local Government Code provides for the release of easements to the abutting owners; and

WHEREAS, the City Council of the City of Rockwall has been requested to abandon a Utility Easement (608 Square Feet), more specifically described and shown on the exhibit attached hereto for all purposes;

WHEREAS, Realty Holdings of Rockwall, LLC has provided another easement to place the electric transformer and appurtenances in; and

WHEREAS, this portion of the easement is no longer needed for utilities by the City or other private utilities, and the City Council has determined that the provision of Section 272.001 Texas Local Government Code requiring an appraisal shall not be necessary;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the above recitals have been found to be true and correct.

Section 2. That the City Council does hereby authorize the abandonment of a utility easement to the abutting landowner, Realty Holdings of Rockwall, LLC, the Utility Easement more specifically shown on the exhibit attached hereto and made a part hereof for all purposes.

Section 3. That the Mayor is hereby authorized to issue and sign a quitclaim deed to the abutting landowner who last appears on the current tax rolls of the City.

Section 4. That this resolution shall take effect immediately after its passage and approval and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this _____ of _____, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank Garza, City Attorney

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **September 10, 2015**

SUBJECT: **Signal Ridge Sanitary Sewer Pipe-Bursting Project**

Signal Ridge sanitary sewer line carries flow from the PD-32 development to the Buffalo Creek Sanitary Sewer Trunk Main. As a part of the Wastewater Impact Fee Update Process and the Master Wastewater Study, a 1075 linear foot section of the Signal Ridge 10 inch diameter sanitary sewer line requires upsizing to a 14 inch diameter line to handle future flows. With the improvements occurring to the Signal Ridge Lift Station in the very near future to meet future development, this line needs to be increased at this time.

Staff requested a proposal from Grantham & Associates, Inc. to provide the engineering design and specifications for the replacement of this sanitary sewer line. The method of replacement to increase line capacity will be the pipe-bursting method. This method is considered a trenchless form of construction and should expedite construction if the existing line is on-grade and has limited number of sanitary sewer service connections.

The preliminary cost estimate to reconstruct this section of sanitary sewer line is $229,500 with an engineering fee of $27,480. Funds are available from the 2016 water and sewer revenue bonds. Staff recommends City Council consideration to award a professional services contract to Grantham & Associates, Inc. to perform the engineering design services and specifications for the Signal Ridge Sanitary Sewer Pipe Bursting Project in an amount of $27,480.00 and take any action necessary. If you have any questions, please advise.

TMT:tt

Attachments

Cc:

Rick Sherer, Manager of Water/Wastewater
Amy Williams, Assistant City Engineer
Jeremy White, Civil Engineer
File

STATE OF TEXAS ♦

♦

COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Grantham & Associates, Inc., ("ENGINEER"), located at 6570 Naaman Forest Boulevard, Suite 200, LB 2, Garland, Texas 75044, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for SIGNAL RIDGE SANITARY SEWER PIPE BURSTING

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Exhibit "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and detailed in Attachment "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an annual amount not to exceed twenty nine thousand, nine hundred and twenty dollars ($29,920.00) and billed as an hourly basis per rates provided in Attachment "A". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the

schedule described in Attachment "B". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business that has an agreement or is in negotiations of an agreement with CITY. CITY may waive this conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the

Project or on any other project. Any reuse without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000.00
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000.00 General aggregate limit

$1,000,000.00 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000.00 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000.00). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
City Manager
City of Rockwall
385 S. Goliad Street
Rockwall, TX 75087

Engineer
Bruce Grantham, P.E.
Grantham & Associates, Inc.
6570 Naaman Forest Boulevard, Suite 200, LB 2,
Garland, Texas 75044

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Contractor.

13. Reports and Information

Engineer, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Exhibits and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 20 day of July, 2015.

Grantham & Associates, Inc.

By:_____
Name: Bruce Grantham, P.E.
Title: President

EXECUTED in triplicate originals on this ____ day of _____ 2013.

ATTEST:

City of Rockwall, Texas

_____
Richard Crowley, City Manager

ATTACHMENT "A"

Scope of Services & Fee Schedule

See attached G&A proposal dated July 20, 2015 and Standard Rate Schedule

ATTACHMENT "B"

Work Schedule

Surveying & Engineering:	3 months (exclusive of City review time)
Bidding & Construction:	7 months (estimated)

Grantham & Associates, Inc.
Civil Engineering & Surveying
www.gra-ce.net

6570 Naaman Forest Blvd.
Suite 200, LB 2
Garland, TX 75044

Tel: 972-864-2333
Fax: 972-864-2334

July 20, 2015

Mr. Tim Timulty, P.E.
City Engineer
City of Rockwall
385 S. Goliad Street
Rockwall, TX 75087

Re: Proposal for Engineering and Surveying Services – Signal Ridge Sanitary Sewer Pipe Burst

Dear Tim:

Grantham & Associates, Inc. (G&A) is pleased to provide this proposal for engineering and surveying services for the pipe bursting of a 10" sanitary sewer line to a 14" pipe. This line begins at the lift station on the south side of the Water's Edge Condominiums and extends approximately 1,075 feet to just north of the Harbor Hotel and Conference Center. G&A's scope of services is summarized below.

BASIC SERVICES

Surveying

- Establish survey control for design and construction.
- Perform a limited topographic survey of around manholes and along the pipe centerline.
- Tie property corners and utility markings. DIGTESS will be called to locate underground utilities in serviced locations where excavation may occur during construction.

Engineering

- Coordinate with the City and franchise utility companies regarding the location of underground utilities in the vicinity of each excavation location.
- Review the design improvements and construction specifications with City staff.
- Prepare 30%, 90% and 100% submittals including any special construction details.
- Prepare an Engineer's Opinion of Probable Cost based upon the final design.

Bidding and Construction

- Distribute drawings and contract documents for bidding purposes from G&A's office.
- Respond to contractor questions during bidding by issuing addenda.
- Attend a prebid conference.
- Assist the City in opening, tabulating, and analyzing of bids, check references for the low bidder, and prepare a recommendation of award letter.
- Attend a preconstruction conference and furnish ten (10) sets of conformed drawings that include any addenda revisions.
- Make two (2) site visits during construction and perform a final walk through with the City.
- Respond to contractor questions during construction.
- Review contractor pay requests for mathematical correctness.
- Furnish the City with Record Drawings in digital format based on Contractor and City inspector markups.

SPECIAL SERVICES

Geotechnical Boring

- Obtain one test hole from GME Consulting Services, Inc. to determine the soil conditions and whether or not there is rock present at the pipe bursting depth.

Clean and Television Inspection

- Clean and television inspection of the existing 10" sanitary sewer by Acme Television Company, Inc. to determine the pipe condition and whether or not there is any joint separation.

FEE

G&A's proposed fee schedule is provided below. Attachment A contains an engineering cost based on a summary of sheets and a comparison with TSPE Curve A. Attachment B contains an Opinion of Probable Construction Cost (OPCC) of $229,650. Attachment C contains a manhour spreadsheet fee for the surveying, bidding and construction, and temporary construction easement services.

BASIC SERVICES		
• Topographic Survey/Control	$	3,650 (Fixed Fee)
• Engineering (includes 1 plan sheet @ 1" = 30' scale, no profile)	$	11,500 (Fixed Fee)
• Bidding and Construction Services	$	4,380 (Fixed Fee)
• Reimbursable Expenses	$	250 (Fixed Fee)
SUBTOTAL – Basic Services	$	19,780
SPECIAL SERVICES		
• Add pipe profile to plan (add 1 sheet @ 1"= 30' scale)	$	2,200 (Fixed Fee)
• Geotechnical Boring Allowance	$	1,700 (Cost Plus)
• Cleaning & Television Inspection Allowance	$	3,800 (Cost Plus)
SUBTOTAL – Special Services	$	7,700
Total Fee	**$**	**27,480**

We have assumed that the City will coordinate with the affected property owners for access to the site during design and construction, and with the City of Dallas regarding their requirements if any. The cleaning allowance assumes that the City will furnish a meter to the contractor if one is required and that there is no heavy pipe cleaning.

If you have any questions or would like to discuss this proposal further, please do not hesitate to call.

Very truly yours,

Bruce Grantham, P.E.
President

Attachments

Attachment A

City of Rockwall - Signal Ridge Sanitary Sewer Pipe Burst

DATE: July 20, 2015

SUMMARY OF SHEETS

Sheet Index	No. Sheets	Unit Cost	Total
Cover	1	$1,500	$1,500
General Notes & Quantities	1	$2,500	$2,500
Erosion Control Plan (30 scale)	1	$2,500	$2,500
Pipe Bursting Plan (30 scale)	1	$5,000	$5,000
Basic Services Total - plan view only	4		$11,500
Special Services - add profile	1	$2,200	$2,200

NOTES:

1. Applicable City details have not been included.
2. TSPE Curve A = 10.0% of $229,650 = $22,965. Engineering = 90% of $22,965 = $20,669.

Attachment B - Opinion of Probable Construction Cost

City of Rockwall - Signal Ridge Sanitary Sewer Pipe Burst

DATE: July 20, 2015

Item No.	Quantity	Unit	Item Description	Unit Price	Item Price
1	1	LS	Mobilization	$ 10,000.00	$ 10,000.00
2	1,075	LF	10" Pipe Burst to 14" Sanitary Sewer	$ 120.00	$ 129,000.00
3	2	EA	Point Repair	$ 1,500.00	$ 3,000.00
4	3	EA	Remove and Replace 4' Dia. Manhole	$ 6,000.00	$ 18,000.00
5	3	EA	Connect to Existing Manhole	$ 1,000.00	$ 3,000.00
6	1	EA	Connect to Existing Lift Station	$ 2,500.00	$ 2,500.00
7	2	EA	External Lateral Reconnection	$ 1,500.00	$ 3,000.00
8	1	LS	Erosion Control	$ 2,000.00	$ 2,000.00
9	200	SY	Sodding	$ 5.00	$ 1,000.00
10	1,075	LF	Post-Construction TV Inspection	$ 5.00	$ 5,375.00
11	300	LF	Temporary Construction Fencing	$ 10.00	$ 3,000.00
12	50	LF	Trench Safety	$ 30.00	$ 1,500.00
13	1	LS	Bypass Pumping	$ 10,000.00	$ 10,000.00

SUBTOTAL:	$	191,375.00
CONTINGENCY (20%):	$	38,275.00
TOTAL:	**$**	**229,650.00**

Attachment C - Manhours

City of Rockwall - Signal Ridge Sanitary Sewer Pipe Burst

DATE: July 20, 2015

TASK	DISCIPLINE / HOURLY RATE					FEE
	Principal	Project Manager	Cadd Tech	Survey Manager	Survey Crew	
	$200	$130	$60	$110	$120	
Surveying Services						
Obtain & review relevant plats/deeds				2		$220
Establish survey control				1	3	$470
Locate and tie property corners				1	3	$470
Set down R.O.W. and property lines in CADD file			4	1		$350
Contact and track DIGTESS				1		$110
Topographic survey		1		1	8	$1,200
Locate and tie utility markers					2	$240
Prepare CADD topographic base sheet			8	1		$590
TOTAL SURVEYING HOURS	0	1	12	8	16	37
TOTAL SURVEYING COST	$0	$130	$720	$880	$1,920	**$3,650**
Bidding and Construction Services						
Copy & issue bid documents to contractors			4			$240
Respond to contractor bid questions & issue addenda	1	2				$460
Attend bid opening		2				$260
Prepare bid tabulation and recommendation for award		3				$390
Prepare contract documents and for-construction plans		1	4			$370
Attend preconstruction conference		2				$260
Review construction submittals	1	2				$460
Respond to construction questions & make 3 site visits	1	6				$980
Review monthly pay requests		3				$390
Perform final walk through		2				$260
Prepare record drawings		1	3			$310
TOTAL BIDDING & CONSTRUCTION HOURS	3	24	11	0	0	38
TOTAL BIDDING & CONSTRUCTION COST	$600	$3,120	$660	$0	$0	**$4,380**

FEE SUMMARY

Surveying Services	$3,650
Bidding and Construction Services	$4,380

2015 STANDARD RATE SCHEDULE
Grantham & Associates, Inc.

Personnel:

Personnel cost is calculated using a multiplier of 2.483 applied to salary cost. Salary cost is calculated by using a multiplier of 1.3325 for employee benefits applied to the actual hourly wage. Ranges of salary cost for various personnel classifications are provided below:

	Salary Cost Ranges
Principal	$55.00 to $82.00
Management Staff	$30.00 to $65.00
Professional Staff	$35.00 to $50.00
Project Staff	$15.00 to $27.00
Technical Support	$10.00 to $24.00
Administrative Support	$10.00 to $36.00

The multiplier will be reviewed and updated if necessary on January 1st of each year.

Surveying services performed on a time and materials basis are billed at the hourly crew rates shown below:

Survey Crew (One Man)	$ 115.00
Survey Crew (Two Man)	$ 145.00

The hourly crew rates will be reviewed and updated if necessary on January 1st of each year.

Travel and Subsistence:

A 10% handling charge will be added to all travel and subsistence expenses. The prevailing rate designated by the U.S. Internal Revenue Service will be used in determining the cost of mileage for all private vehicles.

Purchased Services:

A 10% handling charge will be added to all purchased services including but not limited to reproduction, long distance and cellular telephone, rented or leased equipment, and expendable supplies. No handling charge will be added to subcontract service; these services will be billed at actual cost.

Terms:

Invoices for services rendered will be submitted on a monthly basis and are payable within 30 days.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **September 17, 2015**

SUBJECT: **Approve City Depository**

As required by State Statutes, the City must designate a City Depository. Local Government Code Section 105.017 allows the depository services contract to extend up to five years. The City has had a long-standing depository relationship with American National Bank spanning more than 29 years.

The City requested proposals for depository services and received only one response; American National Bank. The RFP document required the bank to have at least one branch in the corporate limits of Rockwall and each of the 14 banks fitting that criteria s was sent a request for proposal package.

ANB meets all requirements of the state statute and offers a wide range of beneficial services to the City. All of the current online banking and branch services are continued in the proposal. ANB is required to ensure that all funds are fully collateralized at all times. City accounts are monitored daily by the bank to ensure full collateralization. The designation of ANB as the City depository does not preclude city management from using the services of other entities or advisors for financial services.

The depository arrangement with ANB is being prepared by ANB staff and the proposal terms were favorable to the city; staff therefore requests Council consider authorizing the City Manager to execute a contract agreement with ANB for the five-year period.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **September 16, 2015**

SUBJECT: **Damascus Road Pro-Rata Facility Agreement Extension**

Our Lady of the Lake Catholic Church widened Damascus Road back in 2010 to improve access to the Church and Heritage Christian Academy. The City Subdivision Ordinance required that adjacent properties along an unimproved road construct the road to City Standards at the time of development. These improvements would have been the responsibility of the Heritage Christian Academy and the undeveloped property owner along Damascus Road. The City approved a Pro-Rata Facility Agreement with the church on October 4, 2010 to address the future reimbursement.

The original agreement was for a term of five-years. This agreement will expire later this year and the church has requested the City to extend the agreement. Attached is a revised Facility Agreement for the Damascus Road Pro-Rata agreement extending the reimbursement period for consideration.

If you have any questions, please advise.

TMT:em

Attachment

Cc:
Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
Jeremy White, Civil Engineer
File

HERITAGE CHRISTIAN ACADEMY

College Preparatory • Christ Centered • Family Focused

August 24, 2015

Mr. David Gonzales, Senior Planner
Planning & Zoning Department
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

Hand-Delivered

Re: Heritage Christian Academy, 1408 S. Goliad Street, Rockwall, Texas

Dear Mr. Gonzales:

Thank you for visiting with me recently about our discovery of the "Facility Agreement" between the City of Rockwall and Our Lady of the Lake Catholic Church, dated October 18, 2010, regarding improvements to Damascus Road. As I had stated to you, we were unaware of the existence of the Agreement until it came up in a pre-planning meeting our contractor, Matt Mulliken, was having with your department regarding a possible parking lot project on our property in the future. Thank you for providing him with a copy.

We still do not understand how an Agreement that encumbered our property and imposed financial obligations on us was entered into and filed of record without us being a party to the agreement, or receiving any notice. We had no opportunity to oppose it or protect the rights that exist on our property.

According to the "Agreement" it has a term of 5 years, but can be extended by the parties. You said that we would be notified if that was being considered.

Please be advised that Heritage Christian Academy opposes the existence, and possible extension, of the "Agreement". If any such extension is requested or considered, we request that we be given Notice of the time and place, as well as an opportunity to appear and be heard at any such meeting or hearing.

Please forward this request to all relevant departments and persons within the City of Rockwall to ensure that we will be notified as requested above. Feel free to contact us should you have any questions or need any additional information.

Once again, thank you for your assistance and professionalism in helping us with these issues.

Respectfully,

Robert Huckabee
Assistant Headmaster

1408 S. Goliad, Rockwall, Texas 75087
Telephone (972) 772-3003 • Fax (972) 772-3770
www.hcarockwall.org

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STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

FACILITY AGREEMENT
DAMASCUS ROAD PRO-RATA

This Agreement is entered into on the 18th day of October, 2010, by and between the City of Rockwall, Texas ("City") and Our Lady of the Lake Catholic Church ("Church").

Whereas, Damascus Road currently provides sole access to Our Lady of the Lake Church, Heritage Christian Academy and an undeveloped 8.85 acre tract;

Whereas, Our Lady of the Lake Church is building a portion of Damascus Road;

Whereas, the City of Rockwall is to put forth a good faith effort to collect and pay to the Church the funds collected;

WITNESSETH:

That in consideration of the Damascus Road construction adjacent to the property owned by the Heritage Christian Academy (HCA), located in Rockwall, Texas, the parties agree as follows:

Section 1. Church agrees to the following:

1. Church agrees to construct the approximately 1000 foot portion of Damascus Road that is not currently constructed (18' wide with 6" curb); including the 40-foot radius cul-de-sac, as shown on the plans prepared by Helmberger and Associates dated July 29, 2009 (Area "D" on the attached Exhibit A).

2. The cost of the above referenced Damascus Improvements, including design, construction and City inspection (2% of construction cost) totals $173,024.45.

Section 2. The City agrees to the following:

1. City will collect, from the developer, or owners, of the property adjacent to the section of Damascus Road constructed by the Church ("B" on the attached Exhibit A), the "proportional" share of the cost of the

above improvements (as determined by the appropriate sections of the City of Rockwall Subdivision Regulations), up to $118,146.80. These funds will be collected when the undeveloped land adjacent to the improved Damascus Road is platted and prior to start of improvements on the property (and after the Damascus Road improvements are completed and accepted by the City).

2. The City will collect from HCA ("A" on the attached Exhibit A) the cost of 4-feet of the 18-feet of pavement, constructed by the Church (Section 1.1, above), and not paid by the adjacent property owner per Section 2.1, above, up to $25,281.89. These funds will be collected when HCA expands its existing facility.

3. The City will pay the monies collected for the improvements as outlined in Sections 2.1 and 2.2 above, to the Church, within 15 business days of the receipt of the funds.

4. The City will not charge Heritage Christian Academy or Our Lady of the Lake Catholic Church, any pro-rata for the construction costs for the relocation of the Damascus and SH-205 intersection (which provides access to the Church and HCA), paid by the City.

5. Nothing in this agreement shall obligate the City to pay any monies other than those collected pursuit to this agreement in satisfaction of obligations herein stated. Failure of the City, for whatever reason, to collect associated fees shall not obligate the City to pay any monies to Our Lady of the Lake Catholic Church from any other City funding source.

Section 3. The City agrees that along with the widening of Damascus Road (to a minimum of 24-feet face of curb to face of curb, at this time), one additional point of access or emergency access, constructed in accordance with City Standards, will meet the City's requirement for the Church to obtain secondary access for current and future site development (as it relates to church expansion) for Lot 1, Block A, Our Lady of the Lake Catholic Church Addition ("C" on the attached Exhibit A).

Section 4. Nothing contained herein shall be considered as a waiver of the provisions of the City's Comprehensive Zoning Ordinance and Subdivision Regulations as the case may be.

Section 5. This Agreement shall remain in effect for a period of 5 years from the date of execution by both parties. If no payment is received from HCA or the owner of the undeveloped property by 180 days before the 5 years, the parties may by mutual written consent, extend the term for an additional period of time to be determined by the parties.

Section 6. Venue for this Agreement shall be in Rockwall County, Texas.

Section 7. Notice of this Agreement shall be in writing and addressed to the following:

City of Rockwall

385 S. Goliad
Rockwall, Texas 75087
Attn: City Manager

Our Lady of the Lake Catholic Church
1305 Damascus Road
Rockwall, TX 75087

SIGNED ON THE DATE FIRST ABOVE WRITTEN.

CITY OF ROCKWALL

By: _____
City Manager

CHURCH

By: Rev. George P. Monaghan
Pastor

ACKNOWLEDGEMENTS

STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

BEFORE ME, the undersigned authority, on this day Personally appeared, Rev. George P. Monaghan, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said Church,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 28th day of September, 2010.

Maria Dempsey
Notary Public in and for the State of Texas

My Commission Expires:

(seal)

MARIA DEMPSEY
MY COMMISSION EXPIRES
July 10, 2012

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STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

BEFORE ME, the undersigned authority, on this day Personally appeared, Julie Couch, City of Rockwall City Manager, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said City,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 18th day of October, 2010.

Kristy Ashberry
Notary Public in and for the State of Texas

My Commission Expires:
05/01/12
(seal)

KRISTY ASHBERRY
Notary Public
State of Texas
My Comm. Exp 05-01-2012

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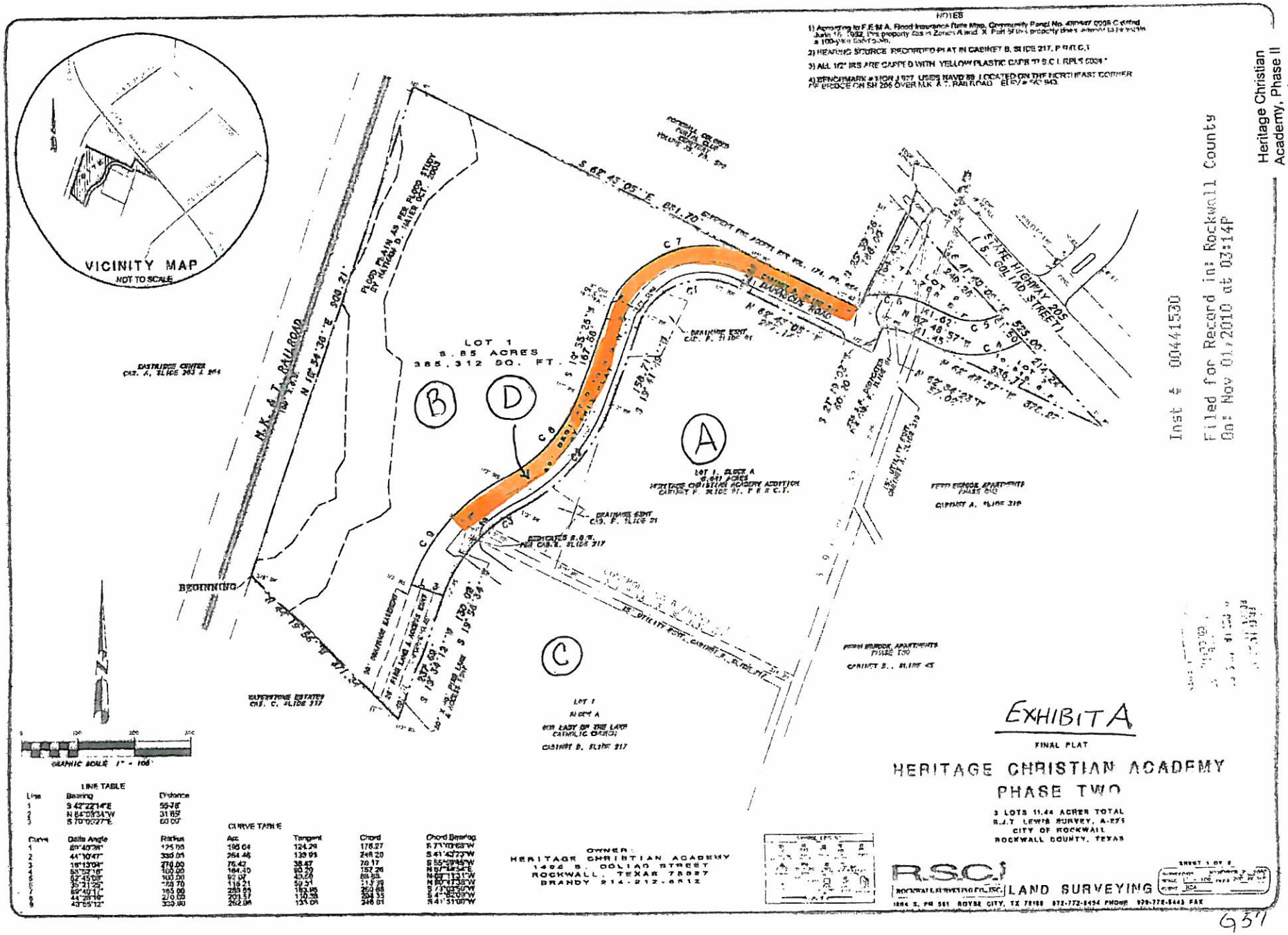

Heritage Christian Academy, Phase II
Page 1

Inst # 00441530

Filed for Record in Rockwall County
On: Nov 01, 2010 at 03:14P

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STATE OF TEXAS)

COUNTY OF ROCKWALL)
CITY OF ROCKWALL)

FACILITY AGREEMENT
DAMASCUS ROAD PRO-RATA

This Agreement is entered into on the _____ day of _____, 2015, by and between the City of Rockwall, Texas ("City") and Most Reverend Kevin J. Farrell, D.D., Bishop of the Roman Catholic Diocese of Dallas, and his successors in office, for the exclusive benefit of Our Lady of the Lake Parish (Rockwall) ("Church").

Whereas, Damascus Road currently provides sole access to the Church, Heritage Christian Academy (HCA) and an undeveloped 8.85 acre tract;

Whereas, The Church built a portion of Damascus Road described more particularly as paragraph 1 of Section 1, below;

Whereas, the City of Rockwall is to put forth a good faith effort to collect and pay to the Church the funds collected pursuant to Section 2, below;

WITNESSETH:

That in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

Section 1. Church agrees to the following:

1. Church constructed the approximately 1000 foot portion of Damascus Road (18' wide with 6" curb); including the 40-foot radius cul-de-sac, as shown on the plans prepared by Helmberger and Associates dated July 29, 2009 (Area "D" on the attached Exhibit A the "Road Segment").

2. The cost of the above referenced Damascus Improvements, including design, construction and City inspection (2% of construction cost) totals $173,024.45.

Section 2. The City agrees to the following:

1. City will collect, from each developer, or owners, of the property adjacent to the Road Segment ("B" on the attached Exhibit A), the "proportional" share of the cost of the Road Segment (as determined by the appropriate sections of the City of Rockwall Subdivision

Regulations), up to $118,146.80. These funds will be collected when the undeveloped land adjacent to the Road Segment is platted and prior to start of improvements on the adjacent property.

2. The City will collect from HCA ("A" on the attached Exhibit A) the cost of 4-feet of the 18-feet of pavement, constructed by the Church (Section 1.1, above), and not paid by the adjacent property owner per Section 2.1, above, up to $25,281.89. These funds will be collected when HCA expands its existing facility.

3. The City will pay the monies collected as outlined in Sections 2.1 and 2.2 above, to the Church, within 15 business days of the receipt of the funds.

4. The City will not charge Heritage Christian Academy or the Church, any pro-rata for the construction costs for the relocation of the Damascus and SH-205 intersection (which provides access to the Church and HCA), paid by the City.

5. Nothing in this agreement shall obligate the City to pay any monies other than those collected pursuant to this agreement in satisfaction of obligations herein stated. After diligent effort to collect payments, failure of the City, for whatever reason, to collect funds pursuant to sections 2.1 and 2.2 shall not obligate the City to pay any monies to the Church from any other City funding source.

Section 3. The City agrees that along with the widening of Damascus Road (to a minimum of 24-feet face of curb to face of curb, at this time), one additional point of access or emergency access, constructed in accordance with City Standards, will meet the City's requirement for the Church to obtain secondary access for current and future site development (as it relates to church expansion) for Lot 1, Block A, Our Lady of the Lake Catholic Church Addition ("C" on the attached Exhibit A).

Section 4. Nothing contained herein shall be considered as a waiver of the provisions of the City's Comprehensive Zoning Ordinance and Subdivision Regulations as the case may be.

Section 5. This Agreement replaces the orginal Facilities Agreement dated October 18, 2010 and shall remain in effect for a period of ten (10) years from the date of execution by both parties. If no payment is received from HCA or the owner of the undeveloped property by 180 days before the ten (10) years, the parties may by mutual written consent, extend the term for an additional period of time to be determined by the parties.

Section 6. Venue for this Agreement shall be in Rockwall County, Texas.

Section 7. Notice of this Agreement shall be in writing and addressed to the following:

City of Rockwall
385 S. Goliad
Rockwall, Texas 75087
Attn: City Manager

Our Lady of the Lake Catholic Church
1305 Damascus Road
Rockwall, TX 75087

Catholic Diocese of Dallas
CFO
P.O. Box 190507
Dallas, TX 75219

SIGNED ON THE DATE FIRST ABOVE WRITTEN.

CITY OF ROCKWALL

By: _____
Rick Crowley
City Manager

CHURCH

By: _____
Pastor

By: _____
Bishop

ACKNOWLEDGEMENTS

STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

BEFORE ME, the undersigned authority, on this day Personally appeared, _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said Church,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ day of _____, 2015.

_____

Notary Public in and for the State of Texas

My Commission Expires:

_____

(seal)

STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

BEFORE ME, the undersigned authority, on this day Personally appeared, Rick Crowley, City of Rockwall City Manager, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said City,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ day of _____, 2015.

_____

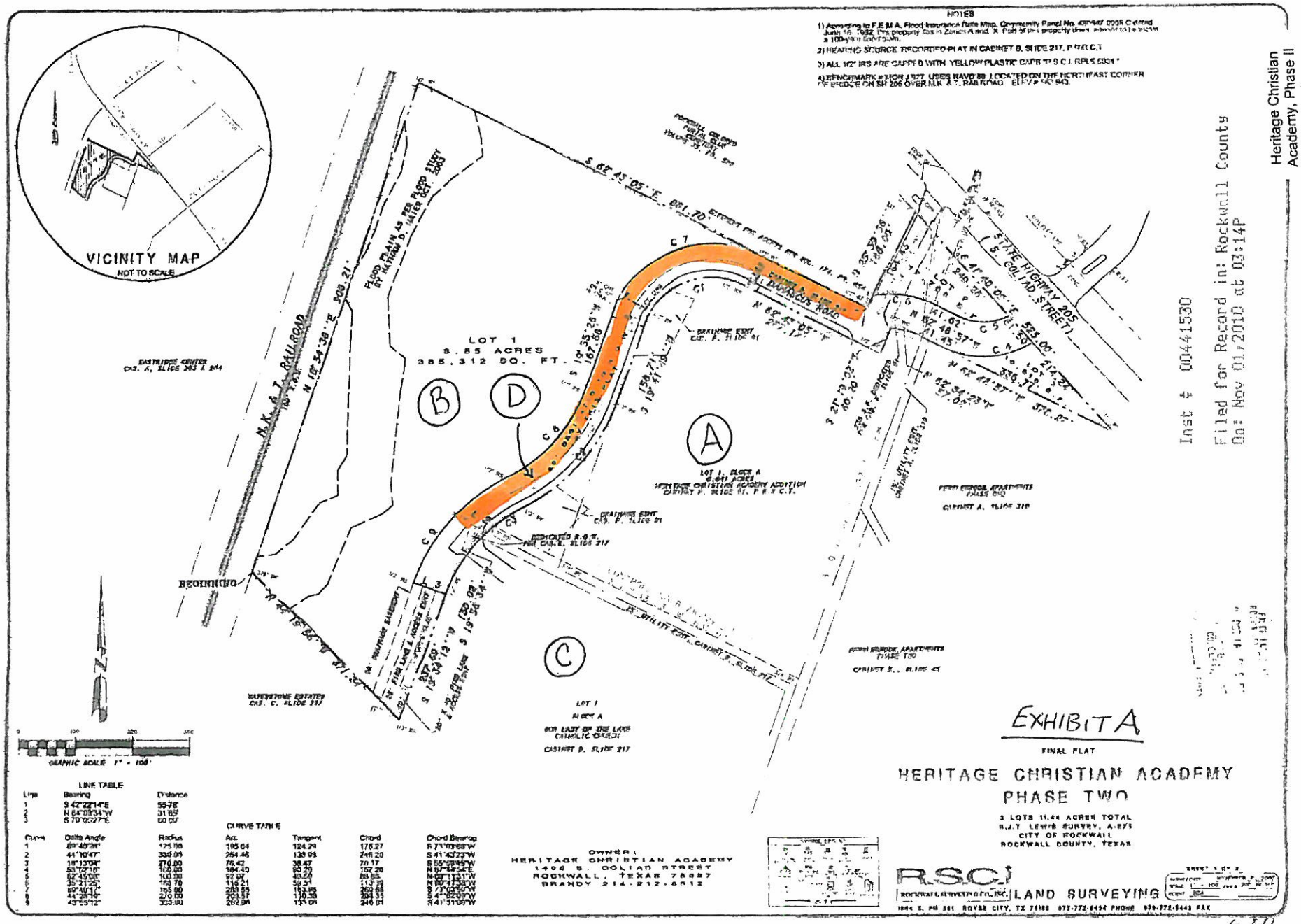
Notary Public in and for the State of Texas

My Commission Expires:

_____

(seal)

Heritage Christian Academy, Phase II
Page 1



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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 09/21/2015

APPLICANT: Sam Ellis of Dallas Design Build

AGENDA ITEM: **SP2015-020;** Children's Lighthouse Daycare – Certain Variances

---

SUMMARY:

Discuss and consider a request by Sam Ellis of Dallas Design Build on behalf of the owner Amalraj Fernando of MREA Properties-2, LLC for the approval of variances associated with articulation, screening and landscape buffers as stipulated by Articles V & VIII of the Unified Development Code (UDC) in conjunction with an approved site plan for a daycare facility on a two (2) acre parcel of land identified as Lot 1 of the Dewoody Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the North SH-205 Corridor Overlay (N SH-205 OV) District, addressed as 3011 N. Goliad Street [SH-205], and take any action necessary.

PURPOSE:

The applicant is requesting approval of certain variances as outlined below in conjunction with an approved site plan for the purpose of new construction of an approximately 7,828 sq. ft. daycare facility on a two (2) acre parcel of land. The applicant intends to combine the proposed two (2) acre property and the existing Children's Lighthouse that is adjacent (south) for the purpose of expanding the business operations. The property is zoned *Agricultural (AG) District* and has been granted a Specific Use Permit [*SUP Ord. No. 15-22*] on August 3, 2015 to allow for a daycare development. The property is also within the *North SH-205 Corridor Overlay* (N SH-205 OV) *District* and is generally located on the west side of North Goliad Street, north of the intersection of Pecan Valley Drive and North Goliad Street.

VARIANCE REQUESTS:

The applicant is requesting variances to the *Unified Development Code* (UDC) for certain sections as outlined below. As a note, a variance request to the UDC requires passage of a simple majority vote of Council for approval; however, a variance to the *North SH-205 Corridor Overlay (N SH-205 OV) District* requires passage by a ¾ majority vote of those council members present. The requests are as follows:

a) *Article V, Section 4.1 General Commercial District Standards* - to allow for not meeting the Horizontal Articulation requirements as established in *Art. V, Sec. 4.1, C.1.a*. and as depicted in the Building Elevations as submitted. ***(Simple majority vote)***

b) *Article VIII, Landscape Standards* - to allow for not meeting the screening standards as established in *Art. VIII, Sec. 5.6 Screening from Residential Uses* which requires a minimum 6-ft high masonry screening fence. The applicant is requesting a 6-ft wrought iron fence that will be constructed atop the retaining wall at the rear of the property, but will not provide the required screening; however, the property is considered to be heavily treed and is screened by the existing trees**. *(Simple majority vote)***

c) *Article V, Sec. 6.11 North SH-205 Corridor Overlay District* – to allow for not meeting the minimum 20-ft landscape buffer strip as established in Art. V, Sec. 6.11, E., 1 by

allowing nine (9) parking spaces to encroach the landscape buffer strip. ***(¾ majority vote)***

ARCHITECTURAL REVIEW BOARD RECOMMENDATION:

On August 25, 2015, the Architectural Review Board (ARB) reviewed the proposed building elevations for the site. The board expressed concern with the lack of horizontal articulation at the rear of the building, the gabled roof of the north and south elevations being highly visible and having no additional elements or interest, and the amount of stucco proposed compared to the existing buildings' use of primarily stone. The board suggested the building have more of a "campus" feel.

To address these concerns the board recommended that the applicant use hip roof elements and dormers on the north and south elevations to match the existing structure or to provide an overhang creating a "porch" effect as an additional architectural feature. The board also requested the use of more stone to match the existing building and wanted to see columns incorporated supporting the overhang at the rear of the property.

The applicant has revised the elevations and has incorporated stone columns along the rear, the addition of standing seam metal roof elements supported by cedar columns on the north and south elevations that project 8-ft from the building and create a covered area, increased the stone for the north and south elevation replacing the stucco, and incorporate a second stone product used as a wainscot around the building. The stone and stucco applied to the new building will match the existing Children's Lighthouse per the revised plans.

On September 15, 2015, the ARB reviewed the changes and requested the applicant change the north elevations' projecting element and provide articulation similar to the quality presented on the front (east facing) elevation. The ARB also included a recommendation of approval of the variance to the horizontal articulation standards.

RECOMMENDATIONS:

The site plan submitted by the applicant meets all the technical criteria stipulated by the *UDC* and *N SH-205 OV*, with the exception of the variances requested and the items listed below. Should the Planning and Zoning Commission choose to approve the applicant's request, then the following conditions of approval should be adopted with this case:

1) All staff comments (*Project Plan Review History)* provided by the Planning, Engineering and Fire Department must be addressed prior to the submittal of a building permit and to include the following additional Planning comments;

   a. Adherence to Engineering and Fire Department standards shall be required.

   b. All exterior signage requires submittal and approval of a separate permit through the Building Inspections Department

   c. Submittal, approval, and filing of a final plat incorporating the existing Children's Lighthouse located adjacent to the property identified in this request prior to the issuance of a Certificate of Occupancy.

   d. All exterior light sources are not to exceed 0.2-FC along the property line. The readings along the front property line (SH-205) as per the submitted plan exceed 0.2-FC at the property line. Make necessary adjustments and provide an updated plan indicating compliance.

e. Approval of the variances requested from the City Council for not meeting the standards established in the *Unified Development Code* as noted in this report as follows:

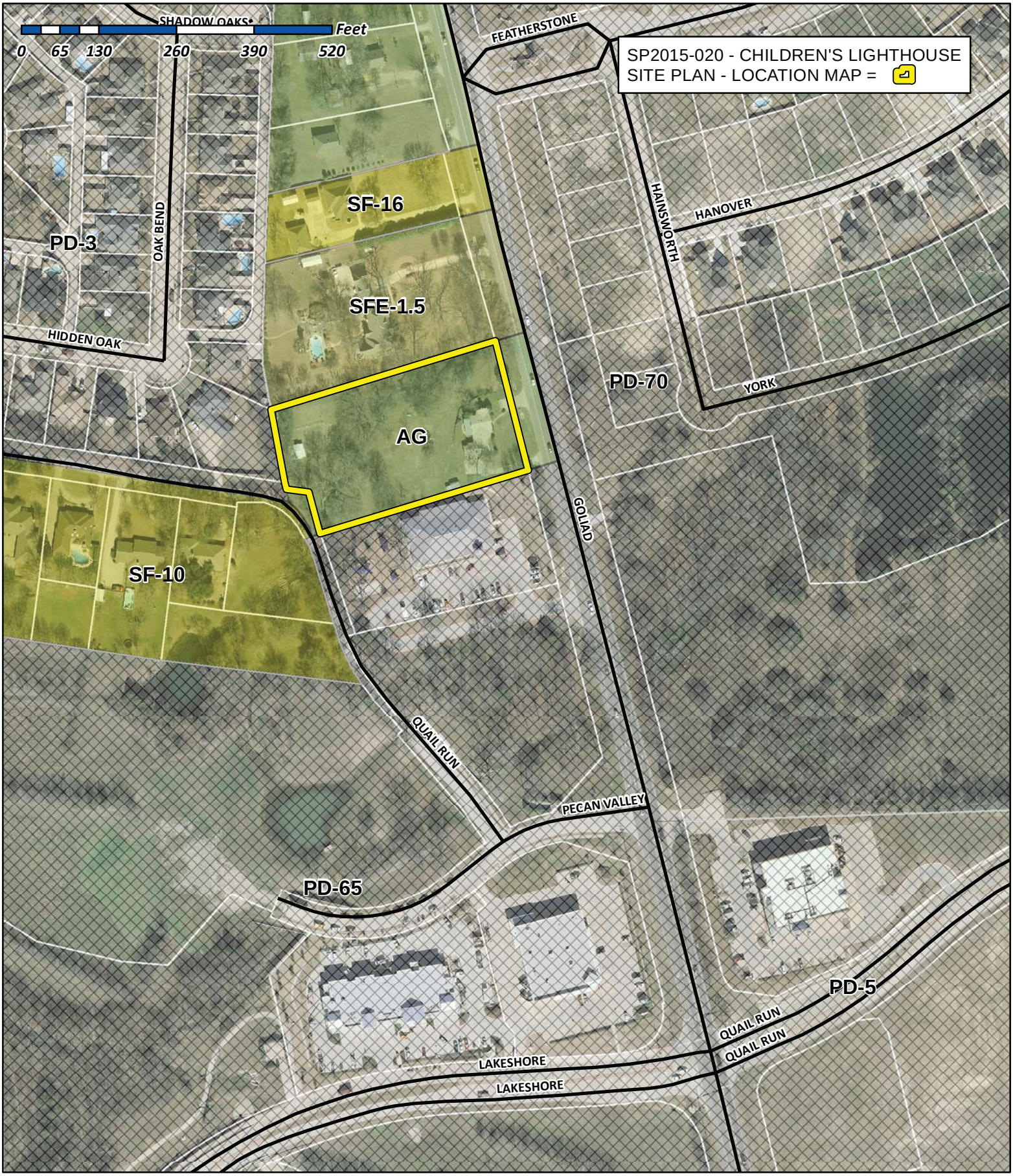
a) the horizontal articulation standards,
b) the requirements for screening from residential uses,
c) by allowing parking spaces to encroach into the landscape buffer.

2) Any construction or building necessary to complete this *Site Plan* request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On September 15, 2015, the Planning and Zoning Commission approved the site plan with staff conditions by a vote of 4 to 0 with Commissioners Renfro and Logan absent and one vacancy. The Planning Commission also recommended approval of the following variances by a vote of 4 to 0:

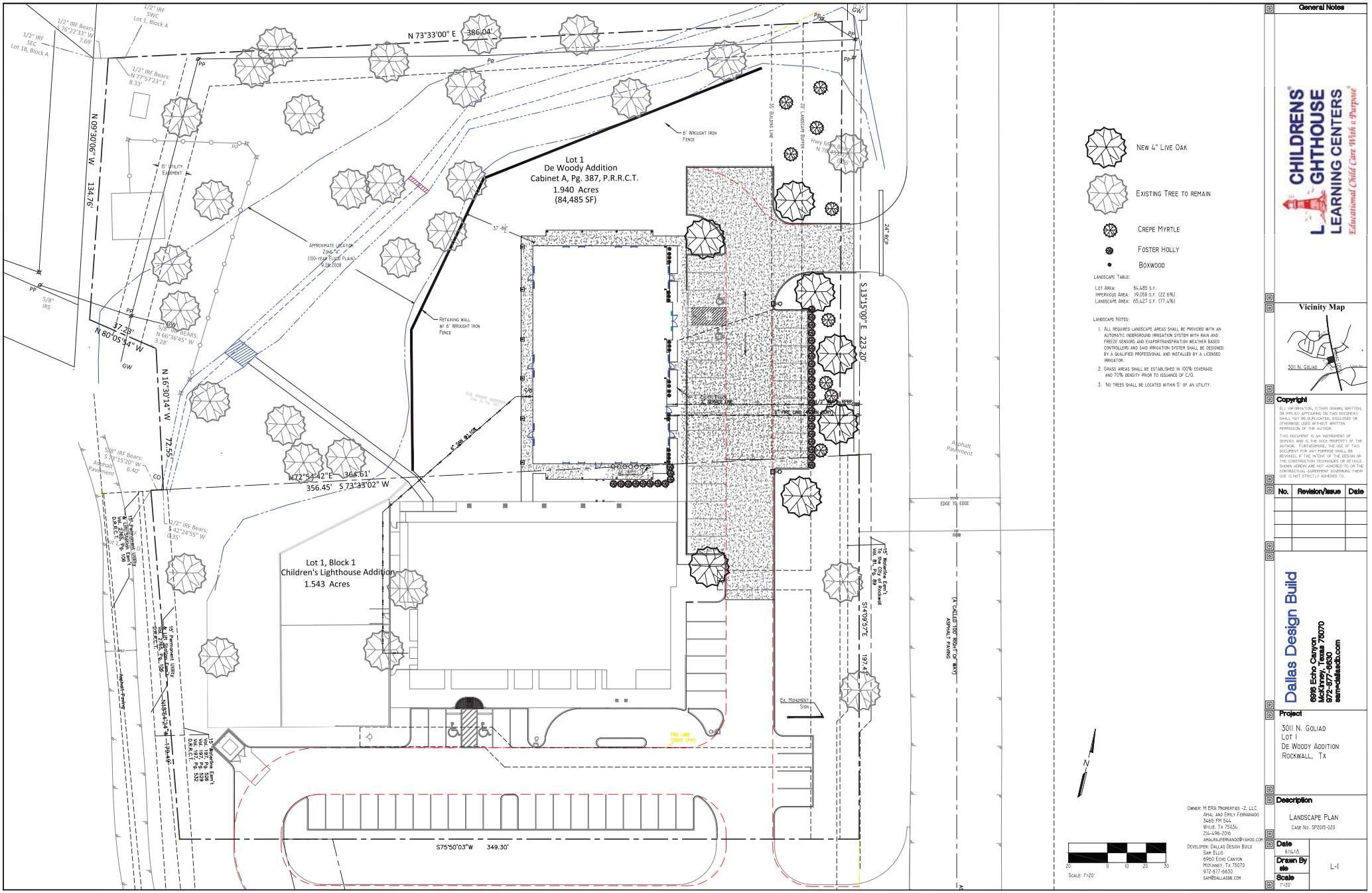
a) A variance to the horizontal articulation standards as outlined in staff's report, including ARB's recommendation; and,
b) A variance to the 6-ft masonry screening wall requirements as outlined in staff's report; and,
c) A variance to allow for parking spaces in the landscape buffer as outlined in staff's report.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



General Notes

CHILDRENS LIGHTHOUSE LEARNING CENTERS
Educational Child Care With a Purpose

Vicinity Map

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No.	Revision/Issue	Date

Dallas Design Build
6916 Echo Canyon
McKinney, Texas 75070
972-877-6630
sam@dallasdb.com

Project

3011 N. Goliad
Lot 1
De Woody Addition
Rockwall, Tx

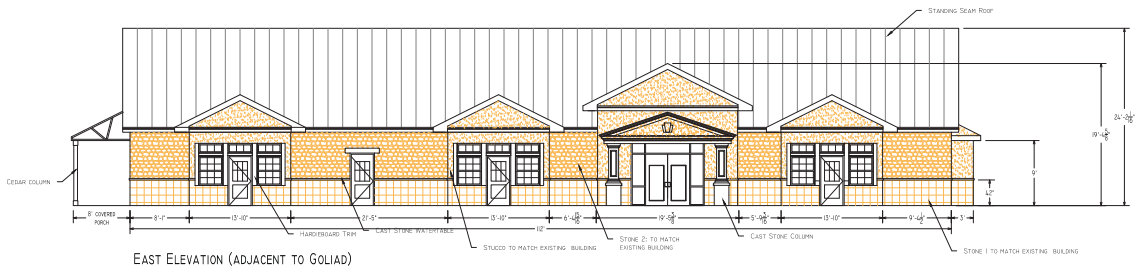
Description

Landscape Plan
Case No. SP2015-020

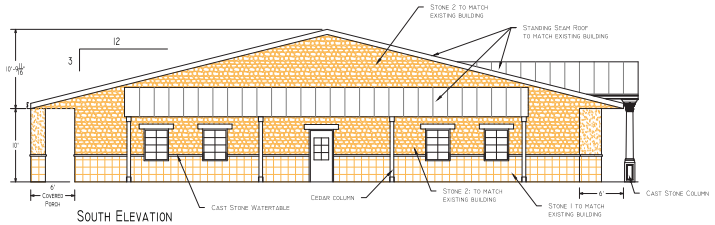
Date 8/14/15
Drawn By sle
Scale 1"=20'

L-1

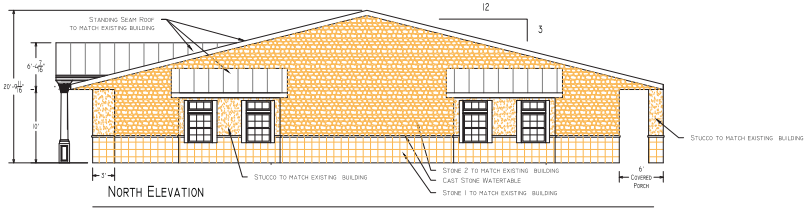
120



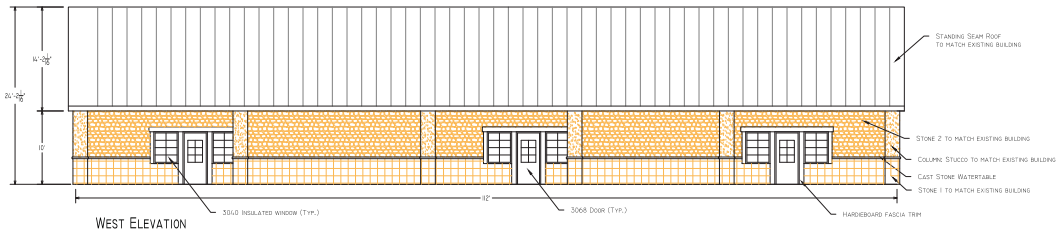
EAST ELEVATION (ADJACENT TO GOLIAD)



SOUTH ELEVATION



NORTH ELEVATION



WEST ELEVATION

ELEVATION FINISH MATERIAL TABLE:

EAST ELEVATION (ADJ TO GOLIAD)
- STONE: 582 S.F 70.8%
- STUCCO: 240 S.F. 29.2%

SOUTH ELEVATION
- STONE: 1015 S.F 100%

NORTH ELEVATION
- STONE: 835 S.F 93.2%
- STUCCO: 60 S.F. 6.8%

WEST ELEVATION
- STONE: 878 S.F 100.0%

NOTE:
1. NO MECHANICAL EQUIPMENT SHALL LOCATED ON THE ROOF.
2. WINDOWS SHALL HAVE A MAXIMUM EXTERIOR VISIBLE REFLECTIVITY OF 20%

STONE 1: 12"X12" CUT SEA SHELLSTONE
STONE 2: 8" AUSTIN CAULK

General Notes

CHILDRENS LIGHTHOUSE LEARNING CENTERS
Educational Child Care With a Purpose

Vicinity Map

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No.	Revision/Issue	Date

Dallas Design Build
6915 Echo Canyon
McKinney, Texas 75070
972-877-8630
sam@dallasdb.com

Project

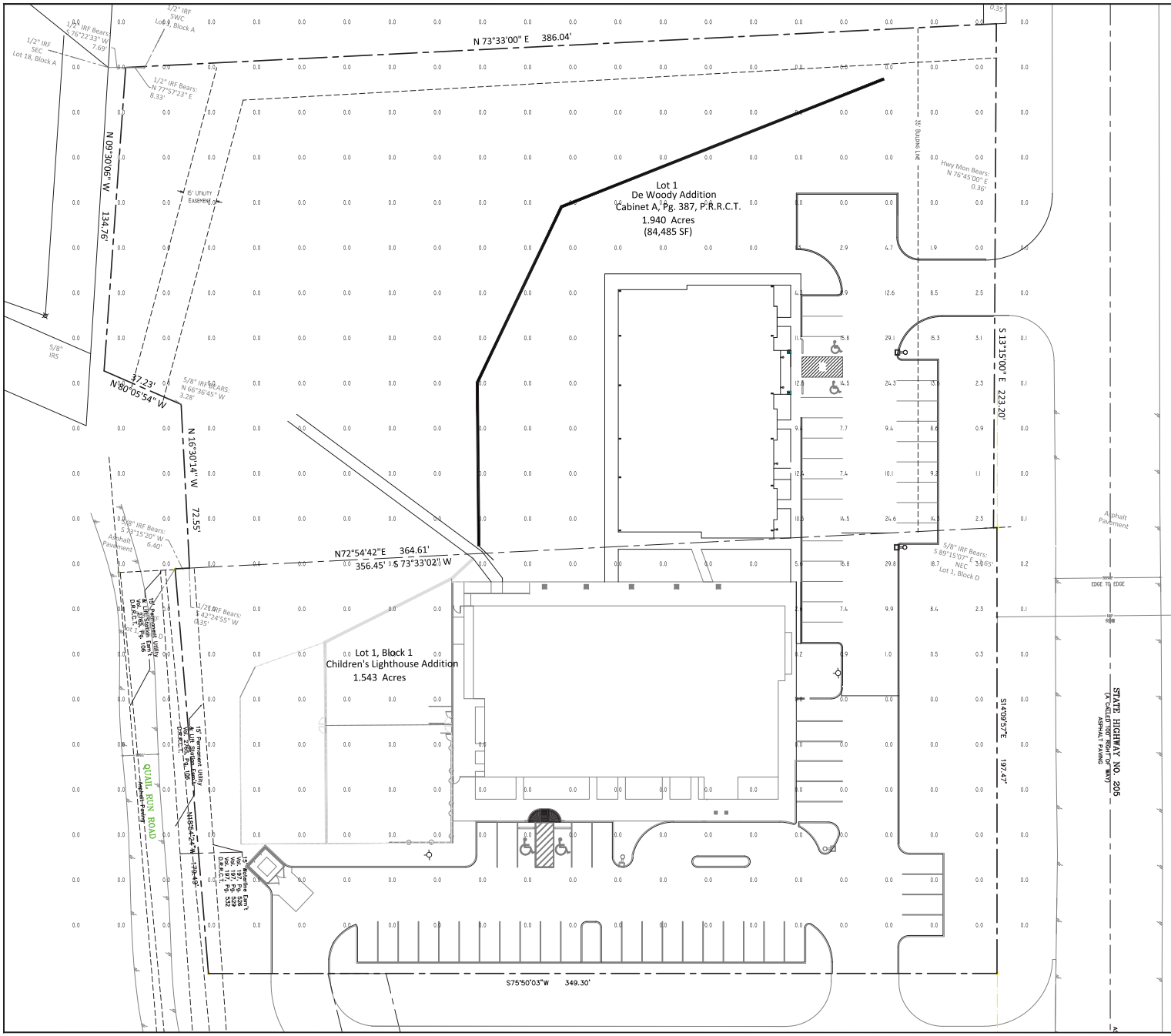
LOT 1, BLOCK 1
CHILDREN'S LIGHTHOUSE ADDITION
ROCKWALL, TX

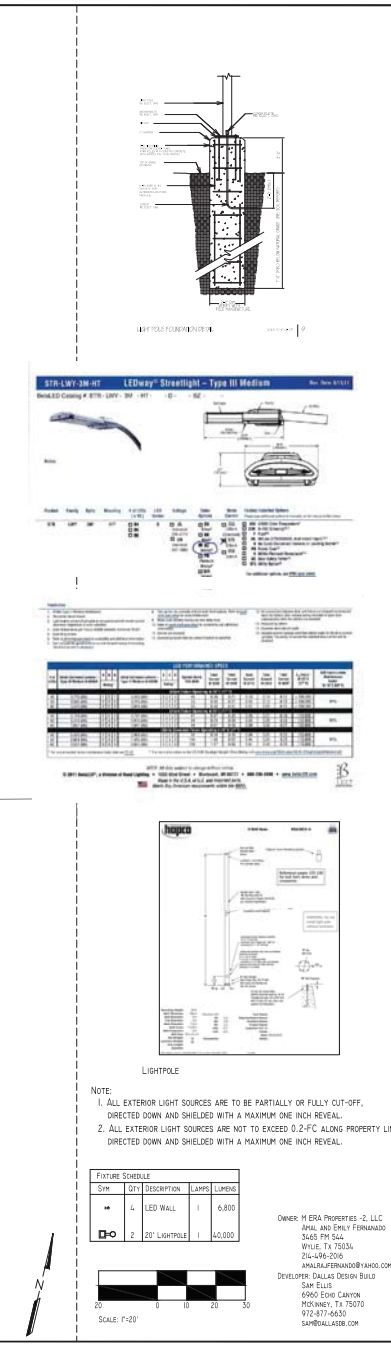
Description

ELEVATION
CASE NO. SP2015-020

Date 6/9/15	A-2
Drawn By sle	
Scale	

121

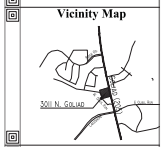




General Notes

CHILDRENS LIGHTHOUSE LEARNING CENTERS
Educational Child Care With a Purpose

Vicinity Map



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No.	Revision/Issue	Date

Dallas Design Build
6916 Echo Canyon
McKinney, Texas 75070
972-877-6630
sam@dallasdb.com

Project

3011 N. GOLIAD
LOT 1
DE WOODY ADDITION
ROCKWALL, TX

Description

PHOTOMETIC PLAN
CASE NO. SP2015-020

Date 8/14/15
Drawn By sle
Scale 1"=20'
SP-2

122

Dallas Design Build

6916 Echo Canyon
McKinney, Tx 75070
972-877-6630
Fax: 877-750-4887
E-Mail: sam@dallasdb.com

Tuesday, August 18, 2015

David Gonzales
City of Rockwall
Planning Department

Re: Childrens Lighthouse Addition

David,

Thank you your help with this project. In regard to the Material Board, please be advise that we will be matching the same stone, stucco, roof and colors of the existing facility. If you need anything further, please advise.

Thanks

Sam Ellis
972-8776630
sam@dallasdb.com\

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **September 17, 2015**

SUBJECT: **Temporary Outdoor Storage**

The Wal-Mart located on the north side of I-30 between FM 740 and SH 205 has requested additional outdoor storage of goods in preparation for the Christmas season. In 2012, Wal-Mart requested permission for additional semi-trailers to be parked on their grounds for the storage of merchandise and was granted permission to use a maximum of eight semi-trailers between the first week of November and December 10 plus an additional seven storage containers which could be used between the first week of November and January 10.

For the upcoming Christmas season, Wal-Mart has requested permission to use 26 semi-trailers for merchandise storage between October 1 and January 1. A layout of the proposed location is attached for your review. Although this is significantly above what they have used in the past, the manager has informed us that they ran out of merchandise and had customer complaints.

With this request being brought to the City Council, the staff also requests direction in handling these requests in the future. If the Council desires, similar future requests may be handled administratively or we can continue to present them to the City Council.

Perez, Laura

Subject: FW:

From: Jason Kelley - jrkelle.s00259 <jrkelle.s00259.us@wal-mart.com>
Date: September 17, 2015 at 3:10:47 PM CDT
To: "Griggs, Brad" <BGriggs@rockwall.com>

Brad,

The trailers will be used for storage during our Holiday peak season, specifically our "Event" (Black Friday). These trailers are crucial for ensuring we have storage space for the amount of product we will need to have on hand to serve the Rockwall community throughout the holiday season. The dates we will need these trailers will be October 1st through December 1st for side parking lot trailers, which will hold all our our sale merchandise, and October 1st through January 1st for the trailers in the back of the store which will be used to hold our layaway and DOT COM orders that we receive through the holidays. This request is relatively the same as a few years ago when we went through a remodel. Last year we had issues with supply and our customers were unable to get what they wanted, which is why we requested more trailers this year to make sure we take strides to take care of our customers and community.

Thank you,

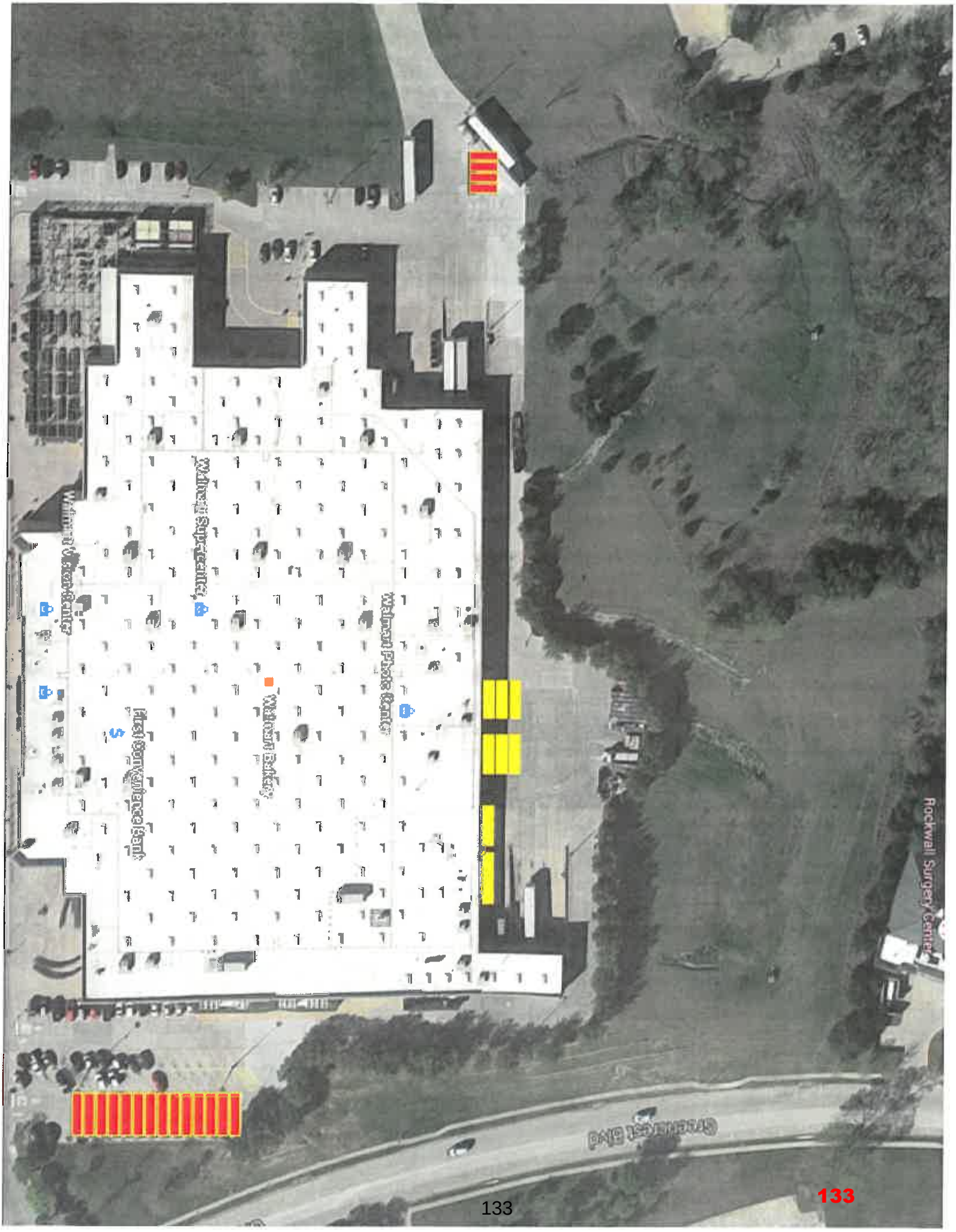
Jason Kelley

Store Manager

Walmart #259

jrkelle.s00259.us@wal-mart.com<mailto:jrkelle.s00259.us@wal-mart.com>

This email and any files transmitted with it are confidential and intended solely for the individual or entity to whom they are addressed. If you have received this email in error destroy it immediately. *** Walmart Confidential ***


Walmart Photo Center
Walmart Supercenter
Walmart Vision Center
Walmart Bakery
First Convenience Bank
Rockwall Surgery Center
Greenwood Blvd

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City of Rockwall
The New Horizon

November 12, 2012

Carol Shaikh
Store Manager, Walmart #259
782 I-30
Rockwall, TX 75087

RE: Storage of semi-trailers and storage containers

Ms. Shaikh:

Following our meeting on site with you, the City of Rockwall can grant permission for the following:

1. **Beginning the first week in November, semi-trailers for storage use on the premises (8 maximum) are allowed and shall be removed by December 10th and;**
2. **Storage containers (7 maximum) located behind the building for layaway and Christmas storage are allowed and shall be removed by January 10th.**

Please contact the City of Rockwall Planning staff at (972) 771-7745 or at the address below with any questions or concerns regarding this matter.

Sincerely yours,

Robert LaCroix
Director of Planning & Zoning

Walmart
Save money. Live better.

782 I-30
Rockwall, TX 75187
972.771.8309
972.722.3165
www.walmart.com

November 8th, 2012

Robert LaCroy
City of Rockwall Planning Director

Rockwall Walmart Supercenter 0259 would like to request permission for the following :

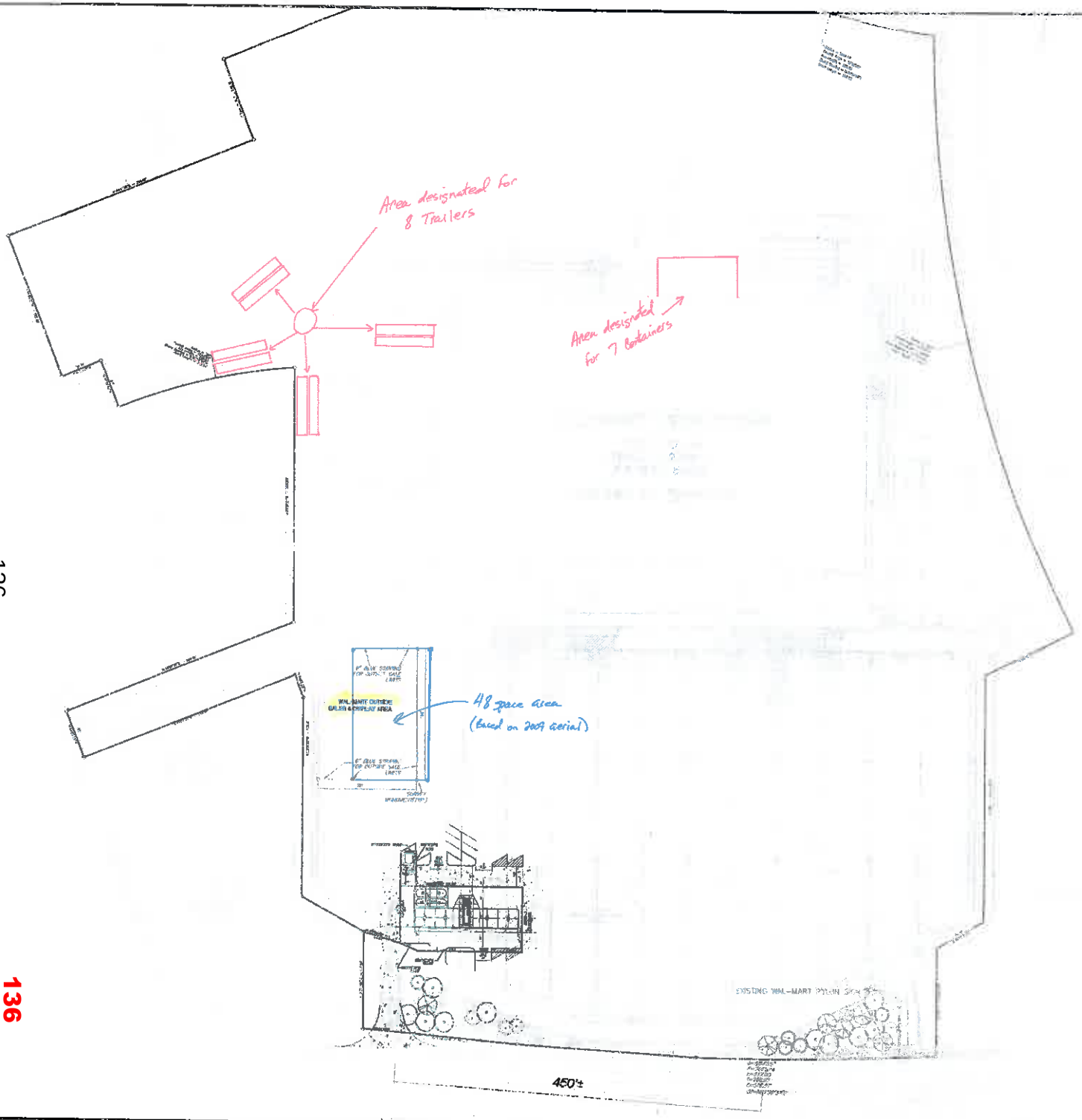
Semi-trailers for storage use on the premises through first week of December.

Storage containers located behind the building for Layaway and Christmas storage through January 1st, 2013.

The storage trailers will be off the premises by the first week of December while the storage containers will be off the premises by the first week of January.

Sincerely,

Carol Shaikh
Store Manager, Walmart #259
Walmart Stores, Inc.



SITE PLAN NOTES
1. NOT OUTSIDE SALES DISPLAY OR SALES WITHIN MURPHY LEASE LOT AREA
2. WAL-MART OUTSIDE SALE LIMITS TO BE DEMARCATED WITH 6" BLUE STRIPING
3. MURPHY SIGNAGE SHALL COMPLY WITH CITY OF ROCKWALL SIGN ORDINANCE AND NO FREE STANDING SIGN.
4. ALL EXISTING PAVEMENT FOR THE TRUCK ROUTE TO BE ADJUSTED TO ACCOMODATE FUEL TRUCK TRAFFIC PER GEOTECH RECOMMENDATION
5. LANDSCAPE ALONG I-30 FRONTAGE TO COMPLY WITH SECTION 2.2.4 I-30 CH I-30 CORRIDOR OVERLAY DISTRICT AS OF NOV 16, 2004

4	12/07/2004	REVISED PER WAL-MART & CITY'S COMMENTS
3	10/27/2004	REVISED PER WAL-MART & MURPHY'S COMMENTS
2	09/16/2004	REVISED PER CITY ENGINEER & CITY'S COMMENTS
1	07/28/2004	REVISED PER CITY ENGINEER & CITY COMMENTS
NO.	DATE	DESCRIPTION

REVISIONS:

NOTES

1. PROPOSED LOCATION IS AT
(1) EXISTING LEASE LOT
1 UNIT PAD(S).
45 EXISTING PARKING AREA
(1) GRASS AREA

2. 268/318 NUMBER OF PARKING SPACES ON WAL-MART PARCEL/PATH
80 TOTAL NUMBER OF SPACES TO BE REMOVED FROM WAL-MART PARCEL
282/318 TOTAL NUMBER OF SPACES REMAINING ON WAL-MART PARCEL/PATH
200,888 WAL-MART BUILDING SQUARE FOOTAGE

3. NO OF STATION OPERATORS
___ C-STORE ___ MPD ___ JIFFY LUBE
365 MURPHY ___ OTHER

4. PROPOSED CANOPY FOOTAGE OF LEASE AREA:
5,001 SF 1200 SF/LANE
100% MPD

5. ZONING REQUIREMENTS:
___ EXISTING ZONING
___ ZONING REQUIREMENTS FOR STATION.
NO PROPOSED ZONING CHANGES
NO RE-PLAT

6. PROPOSED UTILITY EASEMENTS: ANSWER "YES" OR "NO" AND WHERE INVOLVED
YES WATER
ID PUBLIC W. WITH WAL-MART AND CITY
NO PRIVATE WITH WAL-MART
N/A PRIVATE WITH 3rd PARTY
YES SEWER
N/A PUBLIC WITH
ID PRIVATE WITH WAL-MART AND MURPHY
N/A PRIVATE WITH 3rd PARTY
YES UNDERGROUND ELECTRIC
N/A PUBLIC WITH
ID PRIVATE WITH WAL-MART AND MURPHY
N/A PRIVATE WITH 3rd PARTY
YES UNDERGROUND TELEPHONE
N/A PUBLIC WITH
ID PRIVATE WITH WAL-MART AND MURPHY
N/A PRIVATE WITH 3rd PARTY

OTHER NOTES:
1. TOC HAS NOT BEEN PROVIDED BY WAL-MART.
2. CONTRACTOR TO INC FOR INSTALLATION FROM MURPHY LEASE TO WAL-MART COMBO UNDER SEPARATE BID AND CONTRACT WITH WAL-MART
3. CONTRACTOR IS TO VERIFY ALL ELEVATIONS PRIOR TO CONSTRUCTION
4. OVERLAY OPTION TO BE DETERMINED.
5. FPC TO PENETRATE INTO WAL-MART BUILDING PER JOB PLANS.
6. MURPHY LEASE LOCATION HAS BEEN CHANGED SINCE THIS SITE IS CONFIRED

FILE COPY

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manger*
Brad Griggs, *Assistant City Manager*

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: September 21, 2015

SUBJECT: Landscape Ordinance Review Committee

As part of the *New Volunteer Opportunity Program* initiated by the City Manager's office, the Planning Department was tasked with leading a group of citizens through a comprehensive review of the City's landscape ordinances. The purpose of this exercise was to use local experts and interested citizens to make recommendations to ensure that the ordinances were conservation minded with regard to water usage requirements and policies. Committee members included Tim Nichols, Jan Self, John Thomas and Marcus Yarborough and City Staff members Andy Hesser and Ryan Miller. Through this process, the *Landscape Ordinance Review Committee* identified the following recommendations that could improve water usage with regard to landscaping throughout the City:

1) Smart irrigation meters should be required for all new commercial developments.

2) The planting requirements for the City's Overlay Districts should be reduced from three (3) canopy trees and four (4) accent trees per 100-linear feet to two (2) canopy trees and four (4) accent trees per 100-linear feet.

3) The City's list of acceptable trees, trees to be planted within the landscape buffers of the City's Overlay Districts, and as replacement trees for tree preservation should be changed as stated in the attached packet.

4) An appendix should be added to the Unified Development Code that includes recommended planting lists for trees, shrubs, grasses etc.

5) Xeriscaping standards should be established as an alternative to conventional landscaping standards for the purpose of incorporating low water use plants and/or pervious hardscapes. Additionally, xeriscaping should be incentivized by allowing a 2.5% reduction in the overall required landscaping percentage for the purpose of making it a more attractive option to developers.

6) The screening required of a commercial development when adjacent to a residential development should be changed to include an option to allow a wrought iron fence with landscape screening where applicable.

In addition, City staff would recommend adding the following additional recommendation to address the installation of commercial landscaping during drought conditions:

7) During drought or water emergency response stages the Director of Planning and Zoning or his designee can grant an applicant permission to delay the installation of required landscaping to a specified time and date.

In response to the *Landscape Ordinance Review Committee's* recommendations, staff has prepared code amendments showing the proposed changes for the City Council's review. If the City Council chooses to accept the *Landscape Ordinance Review Committee's* recommendations staff will prepare a zoning case in conformance to the procedures stipulated by Section 4, *Unified Development Code Text Amendments*, of Article XI, *Zoning Related Applications*, of the Unified Development Code.

Recommendation 1: Smart irrigation meters should be required for all new commercial developments.

Municipal Code of Ordinances
Chapter 10. Buildings and Buildings Regulations
Article XVI. Irrigation Code

Division 1. Generally

Section 10-673: Definitions.

Smart irrigation controller means a signal based device that is capable of automatically adjusting irrigation patterns in response to weather data by monitoring moisture, temperature, humidity and other various environmental conditions.

Division 2. Design, Use and Compliance Standards

Section 10-699: Minimum Standards-Irrigation Plan Design.

(c) All irrigation plans used for construction must be drawn to scale. The plan must include, at a minimum, the following information:
  (1) The irrigator's seal, signature, and date of signing;
  (2) All major physical features and the boundaries of the areas to be watered;
  (3) A north arrow;
  (4) A legend;
  (5) The zone flow measurement for each zone;
  (6) The location and type of each:
    a. ***Smart Irrigation/Irrigation*** Controller; and
    b. Sensor, including, but not limited to, rain, moisture, wind, flow, or freeze;
  (7) The location, type, and size of each:
    a. Water source, such as, but not limited to, a water meter and point of connection;
    b. Backflow prevention device;
    c. Water emission device, including, but not limited to, spray heads, rotary sprinkler heads, quick-couplers, bubblers, drip, or micro-sprays;
    d. Valve, including, but not limited to, zone valves, master valves, and isolation valves;
    e. Pressure regulation component; and
    f. Main line and lateral piping;
  (8) The scale used; and
  (9) The design pressure.

Section 10-700: Minimum Standards-Design and Installation.

(A) All new commercial irrigation systems must include a smart irrigation controller that is capable of monitoring weather patterns and adjusting the frequency and/or duration of watering in response to changing weather conditions.

Recommendation 2: The planting requirements for the City's Overlay Districts should be reduced from three (3) canopy trees and four (4) accent trees per 100-linear feet to two (2) canopy trees and four (4) accent trees per 100-linear feet.

Unified Development Code
Article V. District Development Standards

Section 6.6. IH-30 Overlay (IH-30 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the IH-30 right-of-way as set out below.

Section 6.7. SH-205 Overlay (SH-205 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the SH 205 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in subsections E.3 and E.4.

Section 6.8. Scenic Overlay (SOV) District

F.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the FM 740 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in subsections F.3 and F.4.

Section 6.9. SH-66 Overlay (SH-66 OV) District

F.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the SH 66 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in subsections F.3 and F.4.

Section 6.10. 205 By-Pass Corridor Overlay (205 BY-OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the John King Blvd. right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4). The area of John King Blvd. from Quail Run Road to SH 205 North shall include an average of one cedar tree for each 100 feet of frontage planted in clusters of three to five trees.

Section 6.11. North SH-205 Corridor Overlay (N-SH 205 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the SH 205 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4).

Section 6.12. East SH-66 Corridor Overlay (E-SH 66 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the East SH 66 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4). The East SH 66 Corridor Overlay shall include an average of one cedar tree for each 100 feet of frontage planted in clusters of three to five trees.

Section 6.13. FM-549 Corridor Overlay (FM-549 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the FM 549 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4). The area of the FM 549 Corridor Overlay from Airport Road to SH 66 shall include an average of one cedar tree for each 100 feet of frontage planted in clusters of three to five trees.

Section 6.14. SH-276 Corridor Overlay (SH-276 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the SH 276 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4).

Recommendation 3: The City's list of acceptable trees, trees to be planted within the landscape buffers of the City's Overlay Districts and as replacement trees for tree preservation should be changed as follows:

Unified Development Code
Article V. District Development Standards

Section 6.6. IH-30 Overlay (IH-30 OV) District

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine, Bald Cypress,*** Bur Oak, Cedar Elm, ***Eastern Red Cedar, Homestead Elm, Lacebark Elm, Little Gem Magnolia,*** Live Oak, ***October Glory Maple,*** Red Oak, ***Texas Ash, Texas Red Oak ~~Leyland Cypress~~***.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly. ~~Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.~~***

Section 6.7. SH-205 Overlay (SH-205 OV) District

E.3 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, Lacebark Elm, Leyland Cypress, ***Little Gem Magnolia,*** Live Oak, ***October Glory Maple ~~Red Oak~~***.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly. ~~Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.~~***

Section 6.8. Scenic Overlay (SOV) District

F.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, Lacebark Elm, Leyland Cypress, ***Little Gem Magnolia***, Live Oak, ***October Glory Maple ~~Red Oak~~***.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly. ~~Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.~~***

Section 6.9. SH-66 Overlay (SH-66 OV) District

F.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine,*** Bur Oak, Cedar Elm, Lacebark Elm, ***~~Leyland Cypress,~~ Little Gem Magnolia,*** Live Oak, ***October Glory Maple,*** Red Oak, ***Texas Ash, Texas Red Oak***.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.10. 205 By-Pass Corridor Overlay (205 BY-OV) District

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine, Bald Cypress,*** Bur Oak, Cedar Elm, ***Eastern Red Cedar, Homestead Elm,*** Lacebark Elm, ~~***Leyland Cypress,***~~ ***Little Gem Magnolia,*** Live Oak, ***October Glory Maple***, Red Oak, ***Texas Ash, Texas Red Oak***.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.11. North SH-205 Corridor Overlay (N-SH 205 OV) District

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, Lacebark Elm, Leyland Cypress, ***Little Gem Magnolia,*** Live Oak, ***October Glory Maple*** ~~***Red Oak***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.12. East SH-66 Corridor Overlay (E-SH 66 OV) District

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, Lacebark Elm, Leyland Cypress, ***Little Gem Magnolia,*** Live Oak, ***October Glory Maple*** ~~***Red Oak***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.13. FM-549 Corridor Overlay (FM-549 OV) District

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine, Bald Cypress,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, ***Lacebark Elm, Leyland Cypress, Little Gem Magnolia,*** Live Oak, ***October Glory Maple,*** Red Oak, ***Texas Ash, Texas Red Oak***.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.14. SH-276 Corridor Overlay (SH-276 OV) District

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine, Bald Cypress,*** Bur Oak, Cedar Elm, ***Eastern Red Cedar, Homestead Elm, Lacebark Elm, Little Gem Magnolia,*** Live Oak, ***October Glory Maple,*** Red Oak, ~~***Leyland Cypress***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Article VIII. Landscape Standards
Section 5.3. Acceptable Landscape Materials

E. Trees allowed in street landscape buffer areas. The following trees are allowed within the street landscape buffers along public streets:

1. Afghan Pine.
2. Bald Cypress.
3. Burr Oak.
4. Caddo Maple.
5. Cedar Elm.
6. Chinquapin Oak.
7. Eastern Red Cedar.
8. Homestead Elm.
9. Lace Bark Elm.
10. Leyland Cypress.
11. Little Gem Magnolia.
12. Live Oak.
13. October Glory Maple.
14. Pecan.
15. Red Oak.
16. Texas Ash.
17. Texas Red Oak.
~~***18. Chinese Pistachio.***~~

and various native understory trees such as:

1. Desert Willow
2. Downy Hawthorn.
3. Eastern Redbud
4. Eve's Necklace
5. Mexican Buckeye
6. Possumhaw Holly
7. Shantung Maple
8. Yaupon Holly
~~***9. Texas Redbud.***~~
~~***10. Mexican Plum.***~~
~~***11. Wax Myrtle.***~~
~~***12. Yaupon.***~~

~~***13. Deciduous Yaupon.***~~

Article IX. Tree Preservation
Section 7. Tree Replacement Credits

D. Types of trees. Replacement trees shall be selected from the following list and shall be a minimum of three caliper inches as measured six inches above the root ball.

Canopy Trees:

1. ***Afghan Pine.***
2. ***Bald Cypress.***
3. ***Burr Oak.***
4. ***Caddo Maple.***
5. ***Cedar Elm.***
6. ***Chinquapin Oak.***
7. ***Eastern Red Cedar.***
8. ***Homestead Elm.***
9. ***Lace Bark Elm.***
10. ***Leyland Cypress.***
11. ***Little Gem Magnolia.***
12. ***Live Oak.***
13. ***October Glory Maple.***
14. ***Pecan.***
15. ***Red Oak.***
16. ***Texas Ash.***
17. ***Texas Red Oak.***

Accent Trees:

1. ***Desert Willow***
2. Downy Hawthorn.
3. ***Eastern Redbud***
4. ***Eve's Necklace***
5. ***Mexican Buckeye***
6. ***Possumhaw Holly***
7. ***Shantung Maple***
8. ***Yaupon Holly***

~~***Evergreen.***~~
- ~~***Afghan Pine.***~~
- ~~***Eastern Red Cedar.***~~
- ~~***Japanese Black Pine.***~~
- ~~***Live Oak.***~~
- ~~***Magnolia.***~~

~~***Deciduous.***~~
- ~~***Bald Cypress.***~~
- ~~***Burr Oak.***~~
- ~~***Cedar Elm.***~~
- ~~***Chinese Pistachio.***~~

~~*Chinquapin Oak.*~~
~~*Eve's Necklace.*~~
~~*Lace Bark Elm.*~~
~~*Aristocrat Pear.*~~
~~*Pecan.*~~
~~*Sweet Gum.*~~
~~*Sycamore.*~~
~~*Texas Ash.*~~
~~*Texas Red Oak.*~~
~~*Possumhaw Holly.*~~

Recommendation 4: An appendix should be added to the Unified Development Code that includes recommended planting lists for trees, shrubs, grasses etc.

(See Appendix F, Landscape Guidelines and Requirements, of the UDC attached to this Memorandum)

Recommendation 5: Xeriscaping standards should be established as an alternative to conventional landscaping standards for the purpose of incorporating low water use plants and/or pervious hardscapes. Additionally, xeriscaping should be incentivize by allowing a 2.5% reduction in the overall required landscaping percentage for the purpose of making it a more attractive option to developers.

Unified Development Code
Article VIII. Landscape Standards

Section 3. Definitions

Xeriscaping **means type of landscaping design that uses a combination of native plants and grasses, approved hardscapes and drought tolerant ground covers and planting materials for the purpose of conserving water and protecting the local environment.**

Section 5.3 Acceptable Landscape Materials

A. Plant materials used to satisfy the requirements of this article must comply with the following minimum size requirements at the time of installation:

- ☑ Large trees must have a minimum caliper of three inches, or a minimum height of six feet, depending on the standard measuring technique for the species.
- ☑ **Shrubs shall be a minimum of three (3) gallons in size.**

E. As an alternative, the xeriscaping standards in Section 5.10 of this Article have been adopted to encourage new and existing developments to implement landscaping standards targeted at reducing water usage by using drought tolerant plantings and plans.

Section 5.10 ***~~Deleted.~~ Xeriscaping Standards.***

A. *Purpose.* The purpose of this section is to promote the establishment of water conscious landscaping through the implementation of xeriscaping principles. Additionally, this section is intended to provide an alternative to the typical landscape requirements for commercial properties.

B. *Principles*. All xeriscaping plans submitted to the city should demonstrate conformance with the following principles:

1. ***Planning and Design.*** **Landscape designs and plans should take into account the regional and microclimatic conditions of the site, its existing vegetation and topographical conditions, the intended use, and the zoning (*i.e. vegetation zone*) of plant materials according to their unique water needs. Plans should take into account the various heights of landscaping materials. If the landscape plan is proposed in phases, to account for optimum planting times, all future phases should be included on the submitted landscape plan. In reviewing plans to ensure proper site planning and design, staff shall ensure that the plan: 1) preserves and protects existing vegetation, 2) preserves and protects topsoil, 3) stabilizes and covers all bare soil areas, and 4) incorporates energy/water conservation.**
2. ***Soil Improvement.*** **Since soil tends to vary from site to site all soil should be analyzed to determine what plants are suitable to include on the landscape plan and if any soil amendments are required. Soil may require additional organic material be added to ensure the continued health of plants.**
3. ***Appropriate Plant Selection.*** **Plant selection should be based on the plant's adaptability to the existing site conditions and need for supplemental watering. Most xeriscape plants**

will not require supplemental watering. In selecting plant materials, mature plants and shrubs should be used to ensure establishment after installation. A list of plants that are native and acceptable within the City of Rockwall has been provided in Appendix F, ***Recommended Plantings***, of the Unified Development Code; however, staff may approve alternate plantings if they are deemed appropriate for the site. In reviewing plans for conformance to this principle staff will consider the: 1) diversity of the plant species being proposed, 2) size, maturity and water requirements of the selected plantings, and 3) variation of height, spread and color.

4. ***Practical Turf Areas.*** The type and location of turf areas are considered to be a major design element in xeriscape plans. Turf in this case involves typical varieties of Bermuda, St. Augustine, Ryegrass blends, etc. The maintenance needs of turf can be minimized by the shape, area, irrigation equipment, and turf type selected. Drainage areas and sloped areas are especially suited to the use of native grasses as opposed to turf. In reviewing plans to ensure that the turf areas being proposed are practical staff will review: 1) the design of the turf areas [***with rounded, compact turf areas being more efficient***], 2) turf areas should be designed to be on a separate zone from other landscaping, 3) turf should be appropriate for the selected location, 4) turf should be avoided on slopes and drainage areas in favor of native grasses, and 5) minimize turf areas by using native grasses, hardscape elements and alternatives.
5. ***Efficient Irrigation.*** All landscaping is required to have an irrigation system that is designed by a licensed irrigator. Additionally, all irrigation systems should be designed to be water efficient utilizing low-flow irrigation equipment. The plan should show that turf areas should be watered separately, and plants should be grouped in separate zones based on water need. Finally, all irrigation systems are required to be maintained in proper working order.
6. ***Use of Mulches.*** Mulches minimize evaporation, reduce weed growth, slow erosion and help maintain soil temperature. In reviewing the use of mulches in xeriscape plans staff shall ensure: 1) the use of a deep layer of mulch in planting beds [***typically 3-4 inches***] is utilized, and 2) mulches should be locally or regionally derived materials. Additionally, mulches may include the use of pea gravel, crushed granite, rock or pebbles in unplanted areas.
7. ***Appropriate Maintenance.*** Proper pruning, weeding and fertilization as required with all landscape plans shall be required. Typically, xeriscape plans require less maintenance, fertilizer and other chemicals and pesticides.

C. ***Standards***.

1. If approved with a Landscape Plan native grasses shall be exempt from the rules and requirements of Section 16-43, ***Weeds, Brush and Grass***; however, the grass should be maintained to a height typical for the particular native grass.
2. Drainage or detention areas that utilize native grasses in lieu of turf shall be exempt from the requirements stipulated by Section 5.12.C (***i.e. one [1] tree per every 750 square feet of dry land area***). Instead, a shrub or ornamental grass per every 1,500 square feet of dry land area shall be required to be planted on the site or around the detention area.
3. A maximum of 30% mulches or hardscape is permitted to be incorporated into all xeriscape plans. This may be increased by the Planning & Zoning Commission if deemed appropriate and necessary for the proposed plan.

D. ***Approval of Xeriscape Plans***. All xeriscape plans shall require approval by the Planning & Zoning Commission, upon a recommendation by staff concerning conformance to the requirements of this section, at the time of site plan approval.

~~*(Ord. No. 06-14, 4-17-2006)*~~

Section 6.4 Credit for Xeriscaping.

The overall landscaping requirement may be reduced by 2.5 percent when the Planning Director or his/her designee determines that the standards stipulated by Section 5.10, *Xeriscaping Standards*, of this Article have been satisfied.

Recommendation 6: The screening required of a commercial development when adjacent to a residential development should be changed to include an option to allow a wrought iron fence and landscape screening where applicable.

Unified Development Code
Article VIII. Landscape Standards
Section 5. Mandatory Provisions

Section 5.6. Screening from Residential Uses

A. Any commercial or industrial use or parking lot that has a side or rear contiguous to any residential district, or any multi-family use with more than five dwelling units or parking lot that has a side or rear contiguous to any single-family, townhouse, or duplex district, shall be screened with a masonry fence (~~***excluding***~~ tilt wall or concrete block ***are prohibited; however, precast walls may be approved by the Planning and Zoning Commission~~ ***unless approved by the city council***~~***~~), six ***(6)*** feet in height~~***, unless otherwise approved by the city council***~~. As an alternative, berms in conjunction with a ***minimum of a six (6) foot wrought fence*** and a combination of trees and shrubs can be utilized to meet ~~***this***~~ the screening requirement***s if the Planning & Zoning Commission determines that the proposed alternative will provide sufficient screening***. The screen shall be located no closer to the street than the property line. Any ordinances concerning sight obstructions of intersections shall be applicable to the screen where it is intersected by a street or driveway.

B. Prior to construction of any required screens, complete plans showing type of material, depth of beam, and structural support shall be analyzed by the building permit office to determine whether or not:

   1. The screen will withstand the pressures of time and nature;
   2. The screen adequately accomplishes the purpose for which it was intended;
   3. Plans shall be sealed by a registered engineer or they shall conform to the city's standard design for screening walls.

C. Such screen shall be constructed prior to the issuance of a certificate of occupancy for any building or portion thereof.

D. The areas adjacent to the required screening wall, or areas adjacent to a public street or right-of-way, shall be maintained by the property owner in a clean and orderly condition, free of debris and trash in accordance with the applicable codes of the city.

Recommendation 7: During drought or water emergency response stages the Director of Planning and Zoning or his designee can grant an applicant permission to delay the installation of required landscaping to a specified time and date.

Unified Development Code
Article VIII. Landscape Standards
Section 7. Completion of Landscaping

Section 7.1. In Accordance with Approved Plans.

Except as otherwise provided in Subsection 7.2, all landscaping must be completed in accordance with the approved landscape plan before a Certificate of Occupancy may be issued for any building on the lot. ***; however, during drought or water emergency response stages the Director of Planning and Zoning or his designee can grant an applicant permission to delay the installation of required landscaping (independent of Subsection 7.2) upon receipt of a letter from the applicant stating that the landscaping will be installed by a specific date that is within a reasonable time period not to exceed six (6) months. The Director of Planning and Zoning may extend the agreement for successive terms if the City is still under drought or water emergency response stages.***

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Section. F.2. District Landscaping Requirements.
Section. F.3. Tree Planting Guidelines & Requirements.
Section. F.4. Recommended Tree Varieties (*Canopy and Accent*)
Section. F.5. Recommended Shrub Varieties
Section. F.6. Recommended Grass Varieties

F.1. INTRODUCTION.

These guidelines were drafted by the citizens and local experts for the purpose of outlining the requirements of Article VIII, *Landscape Standards*, of the Unified Development Code, and to provide guidelines for plantings that are appropriate within the City of Rockwall.

F.2. PURPOSE.

The purpose of the following appendix is to provide a general reference guide for meeting the requirements of Article VIII, *Landscape Standards*, of the Unified Development Code. This appendix is not intended to be a comprehensive list of all plant materials that can be utilized for development within the City of Rockwall. The Director of Planning or his designee can approve a landscape plan that includes tree, shrub, and grass varieties not indicated in this appendix upon a finding that the proposed planting is appropriate for the development.

F.3. DISTRICT LANDSCAPING REQUIREMENTS

		Overlay Districts									
		IH-30	SH-205	SOV	SH-66	205-BY	N-205	E-66	FM-549	SH-276	NON
Landscape Buffer Requirement	10' Landscape Buffer										X
	20' Berm and/or Shrubbery Row (30"-48")	X	X	X	X		X				
	15' Berm and/or Shrubbery Row (30"-48") [*Retail/Commercial*]					X		X	X	X	
	25' Berm and/or Shrubbery Row (30"-48") [*Residential*]					X		X	X	X	
	50' Berm and/or Shrubbery Row (30"-48") [*Industrial/Research/Technology*]					X		X	X	X	
Tree Planting Requirements	1 Canopy Tree for Each 50-Linear Feet of Street Frontage										X
	3, 4" Caliper Canopy Trees for Each 100-Linear Feet of Street Frontage	X	X	X	X	X	X	X	X	X	
	4, 4' Tall Accent Trees for Each 100-Linear Feet of Street Frontage	X	X	X	X	X	X	X	X	X	
	1 Cedar Tree for Each 100-Linear Feet of Street Frontage Planted in Clusters of 3-5 Trees					X		X	X		

References:
- ☑ IH-30: *Section 6.6, Article V, UDC*
- ☑ SH-205: *Section 6.7, Article V, UDC*
- ☑ SOV: *Section 6.8, Article V, UDC*
- ☑ SH-66: *Section 6.9, Article V, UDC*
- ☑ 205-BY: *Section 6.10, Article V, UDC*
- ☑ N-205: *Section 6.11, Article V, UDC*
- ☑ E-66: *Section 6.12, Article V, UDC*

References (Continued):
- ☑ FM-549: *Section 6.13, Article V, UDC*
- ☑ SH-276: *Section 6.14, Article V, UDC*

Abbreviations:
- ☑ NON: *Non-Overlay Districts*

TREE PLANTING GUIDELINES & REQUIREMENTS.

The following table and guidelines are a summary of the required tree planting requirements stipulated by Article VIII, *Landscape Standards*, of the Unified Development Code.

Table 1.1: Required Trees by District.

		Overlay Districts											
		IH-30	SH-205	SOV	SH-66	205-BY	N-205	E-66	FM-549	SH-276	NON	XERI	REC
Canopy Trees	Afghan Pine	X	X	X	X	X	X	X	X	X	X	X	X
	Bald Cypress	X				X			X	X	X		X
	Burr Oak	X	X	X	X	X	X	X	X	X	X	X	X
	Caddo Maple		X	X			X	X	X		X		X
	Cedar Elm	X	X	X	X	X	X	X	X	X	X		X
	Chinquapin Oak										X	X	X
	Eastern Red Cedar	X				X				X	X		X
	Homestead Elm	X				X				X	X		X
	Lacebark Elm	X	X	X	X	X	X	X	X	X	X		X
	Leyland Cypress		X	X			X	X	X		X		X
	Little Gem Magnolia	X	X	X	X	X	X	X	X	X	X		X
	Live Oak	X	X	X	X	X	X	X	X	X	X		X
	October Glory Maple	X	X	X	X	X	X	X	X	X	X		X
	Pecan										X		X
	Red Oak	X			X	X			X	X	X		X
	Texas Ash	X			X	X			X	X	X		X
	Texas Red Oak	X			X	X			X	X	X		X
Accent Trees	Desert Willow	X	X	X	X	X	X	X	X	X	X	X	X
	Downy Hawthorn										X		X
	Eastern Redbud	X	X	X	X	X	X	X	X	X	X		X
	Eves Necklace	X	X	X	X	X	X	X	X	X	X	X	X
	Mexican Buckeye	X	X	X	X	X	X	X	X	X	X		X
	Possumhaw Holly	X	X	X	X	X	X	X	X	X	X	X	X
	Shantung Maple	X	X	X	X	X	X	X	X	X	X		X
	Flame Leaf Sumac	X	X	X	X	X	X	X	X	X	X		X
	Yaupon Holly	X	X	X	X	X	X	X	X	X	X		X

Abbreviations & References:

- ☑ IH-30: *Section 6.6, Article V, UDC*
- ☑ SH-205: *Section 6.7, Article V, UDC*
- ☑ SOV: *Section 6.8, Article V, UDC*
- ☑ SH-66: *Section 6.9, Article V, UDC*
- ☑ 205-BY: *Section 6.10, Article V, UDC*
- ☑ N-205: *Section 6.11, Article V, UDC*
- ☑ E-66: *Section 6.12, Article V, UDC*
- ☑ FM-549: *Section 6.13, Article V, UDC*
- ☑ SH-276: *Section 6.14, Article V, UDC*
- ☑ NON: Non-Overlay Districts
- ☑ XERI: Xeriscaping
- ☑ REC: Reclamation/Tree Preservation

Prohibited Trees:

- ☑ Silver maple (acer saccharinum).
- ☑ Box Elder (Acer Negundo).
- ☑ Mimosa (Albizia Julibrissin).
- ☑ Catalpa (Catalpa sp.).

Prohibited Trees (Continued):

- ☑ Catalpa (Catalpa sp.).
- ☑ Hackberry, Sugarberry (Celtis sp.).
- ☑ Honeylocust (Gleditsia Triacanthos).
- ☑ Tulip tree (Liriodendron Tulipifera).
- ☑ Chinaberry (Melia Azedarach).
- ☑ Sycamore (Platanus Occidentalis).
- ☑ Cottonwood, Poplar (Populus sp.).
- ☑ Willows (Salix sp.).
- ☑ American Elm (Ulmus Americana).
- ☑ Siberian Elm (Ulmus Pumilia).
- ☑ Jerusalem Thorn/Petuma (Parkinsonia Aculeata).
- ☑ Bois D'Arc (Maclura Pomifera).
- ☑ Flowering Crabapple varieties (Malus sp.).
- ☑ Ginko Tree (Ginko Biloba).
- ☑ Peach/Plum varieties.
- ☑ Mulberry varieties (Morus sp.).
- ☑ Texas Mountain Laurel (Sophora Secundiflora).
- ☑ Lilac Chaste Tree (Vitex Agnuscastus).
- ☑ Pine Tree Varieties (Pinus So.)

F.4. RECOMMENDED TREE VARIETIES (CANOPY AND ACCENT TREES).

The following information concerning the City's recommended trees was obtained from the Texas A&M Forest Service, *Texas Tree Planting Guide* and all illustrations were provided courtesy of Texas A&M Forest Service *Copyright by Robert O'Brien*.

Afghan Pine

Latin Name: Pinus Eldarica
Secondary Names: Eldarica Pine, Mondel Pine

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *35' to 50'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Rapid
- ✓ Native: Afghanistan and Central Asia
- ✓ Soil Needs: Requires Well Drained, Dry Soils
- ✓ Tolerances: Salty Soil, Drought, Alkaline Soils [*PH > 7.5*]
- ✓ Features: Soft, Green Needles form a Dense Canopy
- ✓ Uses: Screening and Windbreaks
- ✓ Firewise: No
- ✓ Issues: The pine tip moth can kill new shoots and ruin the shape of the tree. The tree is not tolerant of wet sites.
- ✓ Similar Species: Aleppo Pine (*Pinus Halapensis*)





Bald Cypress

Latin Name: Taxodium Distichum
Secondary Names: Baldcypress

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *50' to 70'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Will Grow in a Variety of Soils
- ✓ Tolerances: Drought and Poorly Drained Sites
- ✓ Features: Deciduous Conifer with Feather-Like Leaves, Round Seed Balls, and Fibrous Bark
- ✓ Uses: Detention Areas and Poorly Drained Areas
- ✓ Firewise: Yes
- ✓ Issues: Woody 'Knees' and Bagworms
- ✓ Similar Species: Montezuma Balcypress (*Taxodium Mucronatum*)

Bur Oak

Latin Name: Quercus Macrocarpa
Secondary Names: Mossy Cup Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *40' to 60'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate to Rapid
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Prefers Deeper Soil
- ✓ Tolerances: Salty Soil, Drought, Alkaline Soils [*PH > 7.5*]
- ✓ Features: Unique Leaf Shape, Largest Acorn of any Oak
- ✓ Uses: Drought Tolerant Tree
- ✓ Firewise: Yes
- ✓ Issues: Acorns and leaves can create significant clean-up.
- ✓ Similar Species: White Oak (Quercus Alba)



Caddo Maple

Latin Name: Acer saccharum 'Caddo'
Secondary Names: Eldarica Pine, Mondel Pine

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *50' to 60'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow to Medium
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Rocky & Alkaline Soils and Drought Tolerant
- ✓ Features: Medium tree with a rounded appearance, dark green foliage that changes to a golden color in the fall.
- ✓ Firewise: Yes
- ✓ Issues: Availability
- ✓ Similar Species: Sugar Maple (A. saccharum)





Cedar Elm

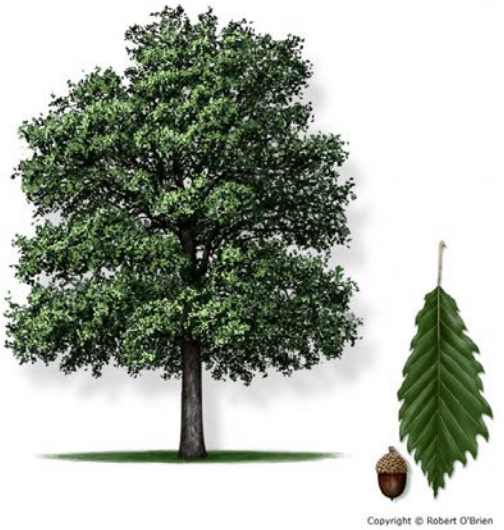
Latin Name: Ulmus Crassifolia
Secondary Names: Texas Elm

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *70' to 90'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Alkaline Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Lustrous Dark Green Leaves that are Stiff and Rough to the Touch
- ✓ Uses: Generally a Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids, Minor Leaf Beetle & Dutch Elm Disease
- ✓ Similar Species: Winged Elm (*Ulmus Alata*)

Chinquapin Oak

Latin Name: Quercus Muehlenbergii
Secondary Names: Chinkapin Oak

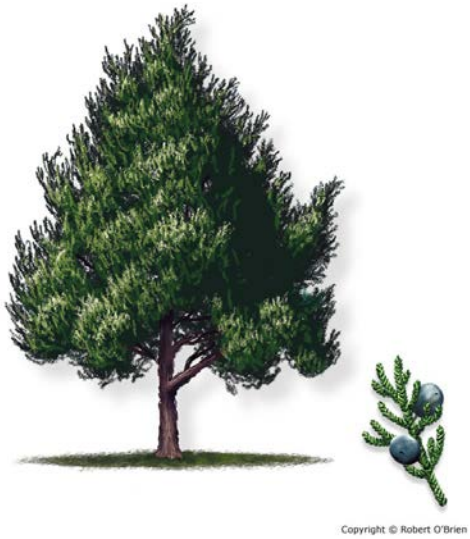
- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow to Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Alkaline Soils
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Yellow-Green Leaves w/ Small Acorns (~3/4" Long)
- ✓ Uses: Shade Tree
- ✓ Firewise: Yes
- ✓ Issues: Sensitive root system; as little as 1" of fill dirt can hurt the tree.
- ✓ Similar Species: Swamp Chestnut Oak (Quercus Michauxii)



Eastern Red Cedar

Latin Name: Juniperus virginiana var. virginiana
Secondary Names: Pencil Cedar

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *30' to 50'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Medium
- ✓ Native: Eastern North America
- ✓ Soil Needs: Acidic, Alkaline, Loamy, Well-Drained and Clay
- ✓ Tolerances: Drought, Erosion, Dry Soil, Shallow Rocky Areas
- ✓ Features: Scale-like evergreen leaves compacted to form rounded 4-sided branclets.
- ✓ Uses: Windbreaks and Fence Rows
- ✓ Firewise: No
- ✓ Issues: Cedar apple rust and bagworms.
- ✓ Similar Species: Southern redcedar (Juniperus virginiana var. silicicola) and Rocky Mountain juniper (J. scopulorum)





Homestead Elm

Latin Name: Ulmus 'Homestead'
Secondary Names: N/A

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *50' to 60'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Dark green leaves that turn bleach yellow in the fall and greenish tiny multi flowered pendulous racemes in spring.
- ✓ Uses: Shade Tree
- ✓ Firewise: Yes
- ✓ Issues: Resistant to Dutch Elm Disease but Susceptible to Elm Leaf Beatle.
- ✓ Similar Species: N/A. The Homestead Elm is a Hybrid.

Lacebark Elm

Latin Name: Ulmus Parvifolia
Secondary Names:

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *35' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: China, Japan and Korea
- ✓ Soil Needs: Adaptable, Prefers Well Drained Soils
- ✓ Tolerances: Drought, Alkaline Soils [*PH > 7.5*]
- ✓ Features: Variable fall color; interesting bark texture.
- ✓ Firewise: Yes
- ✓ Issues: Requires pruning to develop a strong branch structure.
- ✓ Similar Species: Siberian Elm (*Ulmus Pumila*) and Japanese Zelkova (*Zelkova Serrata*)



Leyland Cypress

Latin Name: x Cupressocyparis leylandii
Secondary Names: Cypress

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *60' to 70'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Rapid
- ✓ Native: England and Europe
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought and Poor Soil
- ✓ Features: Deciduous Conifer with Feather-Like Leaves, Round Seed Balls, and Fibrous Bark
- ✓ Uses: Screening, Windbreaks, and Non-Residential Landscaping
- ✓ Firewise: No
- ✓ Issues: Bagworms and Spider mites
- ✓ Similar Species: Montezuma baldcypress (Taxodium mucronatum)





Little Gem Magnolia

Latin Name: Magnolia grandiflora 'Little Gem'
Secondary Names: Large-Flowered Magnolia

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *15' to 20'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Moderate
- ✓ Native: Southeast United States
- ✓ Soil Needs: Well Drained Soil
- ✓ Tolerances: Moderate Drought, Salt and Soil Variation
- ✓ Features: Large leathery, dark green and glossy leaves with cup shaped, white flowers and oval aggregation of seed pods 3"-4" long.
- ✓ Uses: Shade and Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: No Major Problems
- ✓ Similar Species: Sweetbay magnolia (Magnolia virginiana)

Live Oak

Latin Name: Quercus Virginiana
Secondary Names: Coast Live Oak, Southern Live Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Evergreen/Semi Evergreen*
- ✓ Growth Rate: Moderately Fast
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Acidic, Alkaline, Clay, Loamy and Well Drained
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Green to dark green leaves with small acorns about ¾-inch long and borne singly or in clusters up to five.
- ✓ Firewise: Yes
- ✓ Issues: Leaf Blister and Fungal Gall
- ✓ Similar Species: Texas live oak (Quercus fusiformis)



October Glory Maple

Latin Name: Acer rubrum 'October Glory'
Secondary Names:

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate to Rapid
- ✓ Native: North America
- ✓ Soil Needs: Adaptable; Prefers Slightly Acidic Soil
- ✓ Tolerances: Moderate Drought Tolerance
- ✓ Features: Soft, Green Needles form a Dense Canopy
- ✓ Uses: Shade Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids and Leaf Scorch
- ✓ Similar Species: Chalk maple (Acer leucoderme)





Pecan

Latin Name: Carya Illinoinensis
Secondary Names: Pecan Hickory

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *50' to 70'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Prefers Deep Moist Soil
- ✓ Tolerances: Drought, Salty Soil, Poorly Drained Soil, Alkaline Soils [*PH>7.5*]
- ✓ Features: Nuts are in important wildlife food; mature crown is open and airy.
- ✓ Uses: Generally a Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids, Brittle Wood; Susceptible to Insects
- ✓ Similar Species: Water hickory (Carya aquatica) & black walnut (Juglans nigra)

Red Oak

Latin Name: Quercus Falcata
Secondary Names: Southern Red Oak

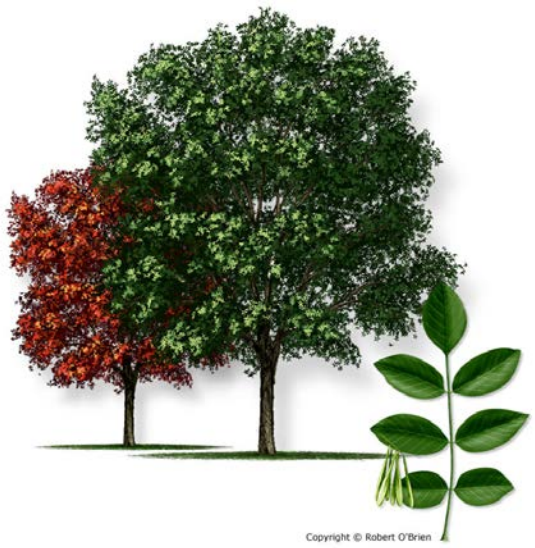
- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *30' to 55'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Texas
- ✓ Soil Needs: Avoid PH>7.5; Any Texture; Prefers Good Drainage
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Young Trees Have 'Candleabra' Shape; Fall Color is Organge to Deep Red
- ✓ Firewise: Yes
- ✓ Issues: Oak Wilt
- ✓ Similar Species: Black oak (Quercus velutina)

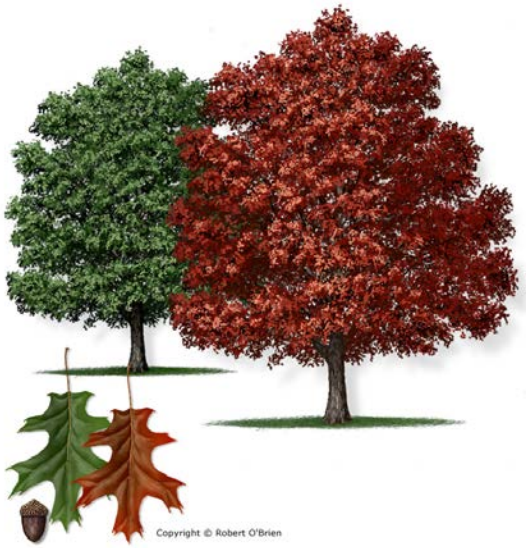


Texas Ash

Latin Name: Fraxinus texensis
Secondary Names: Mountain Ash

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *35' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid (but Variable)
- ✓ Native: East and Central Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Medium sized tree with green or purple flowers and small woody winged samara in long panicles.
- ✓ Firewise: Yes
- ✓ Issues: Poor Drainage Leads to Root Diseases
- ✓ Similar Species: Carolina ash (Fraxinus caroliniana) and Gregg ash (F. greggii)





Texas Red Oak

Latin Name: Quercus buckleyi
Secondary Names: Buckley Oak, Texas Red Oak, Spanish Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *30' to 55'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Central Texas
- ✓ Soil Needs: Alkaline Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Medium tree with reddish-brown catkins/acorns and slender, dark green leaves that turn red in the fall.
- ✓ Firewise: Yes
- ✓ Issues: Oak Wilt
- ✓ Similar Species: Shumard oak (Quercus shumardii)

Desert Williow

Latin Name: Chilopsis Linearis
Secondary Names: Desert-Willow

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *15' to 20'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Medium
- ✓ Native: West Texas
- ✓ Soil Needs: Adaptable, Acidic, Loamy and Well Drained Soil
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Multi-Trunked, Well Branched and Thick Growth
- ✓ Uses: Primarily a Landscape Tree; Xeriscaping
- ✓ Firewise: Yes
- ✓ Issues: Susceptible to Alterneria Leaf Spot
- ✓ Similar Species: Flowering Willow, Willowleaf Catalpa, Desert Catalpa, Flor de Mimbre, Mimbre, Bow Willow

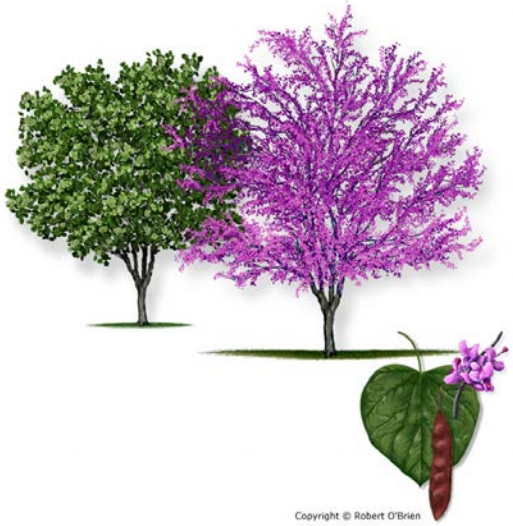


Downy Hawthorn

Latin Name: Crataegus mollis
Secondary Names: A Variety Of Common Names Often Ending In "Haw" – Are Used For the Individual Hawthorn Species

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *20' to 30'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow
- ✓ Native: Eastern and Central United States and Canada
- ✓ Soil Needs: Requires Well Drained, Dry Soils
- ✓ Tolerances: Dry Soil and Drought
- ✓ Features: Small tree with clusters of white flowers and bright red berry fruit.
- ✓ Uses: Landscaping
- ✓ Firewise: Yes
- ✓ Issues: Susceptible to Several Leaf Diseases
- ✓ Similar Species: River birch (Betula nigra) & Gum Bully (Sideroxylon lanuginosum)





Eastern Redbud

Latin Name: Cercis canadensis var. canadensis
Secondary Names: Judas-Tree

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *20' to 30'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Medium
- ✓ Native: East Texas
- ✓ Soil Needs: Alkaline, Acidic, Loamy, Sandy and Well Drained
- ✓ Tolerances: Clay Soils and Very High Heat
- ✓ Features: Small tree with pink and purple, rose-purple or white blooms and small flattened pods with brown seeds.
- ✓ Uses: Wildlife and Landscaping
- ✓ Firewise: Yes
- ✓ Issues: Leaf Spots, Dieback/Canker, and Verticillium Wilt
- ✓ Similar Species: Redbud

Eve's Necklace

Latin Name: Sophora affinis
Secondary Names: Texas Sophora, Eve's-Necklacepod

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *15' to 35'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Fast (*Generally Slows at 15'*)
- ✓ Native: Central Texas
- ✓ Soil Needs: Alkaline Adaptable
- ✓ Tolerances: Very High Heat
- ✓ Features: Small tree with pale to rosy pink flowers that bloom in the spring and long black segmented seedpods.
- ✓ Uses: Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: No Problems Reported
- ✓ Similar Species: Black locust (Robinia pseudoacacia)



Mexican Buckeye

Latin Name: Ungnadia Speciosa
Secondary Names:

- ✓ City Tree Classification: *AccentTree*
- ✓ Mature Height: *15' to 30'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Neutral Alkaline
- ✓ Tolerances: Drought, Alkaline Soils [*PH > 7.5*]
- ✓ Features: Pink flowers appear with new leaves; brown fruit husks remain through winter.
- ✓ Uses: Generally a Landscape or Specimen Tree
- ✓ Firewise: Yes
- ✓ Issues: Requires pruning to develop one or more trunks.
- ✓ Similar Species: Monillo, Mona, Texas Buckeye, Spanish Buckeye, False Buckeye, Canyon Buckeye





Possumhaw Holly

Latin Name: Ilex Decidua
Secondary Names: Possumhaw (Deciduous Holly)

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *8' to 10' (Occasionally 20')*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought, Poorly Drained Sites, Alkaline Soils [*PH>7.5*]
- ✓ Features: Orange or red berries on gray branches.
- ✓ Uses: Generally a Landscape Tree and Detention Tree
- ✓ Firewise: Yes
- ✓ Issues: Thin Bark Susceptible to Injury
- ✓ Similar Species: Bearberry, Meadow Holly, Prairie Holly, Swamp Holly, Welk Holly, Winterberry

Shantung Maple

Latin Name: Acer truncatum
Secondary Names: Shandong Maple, Purpleblow Maple

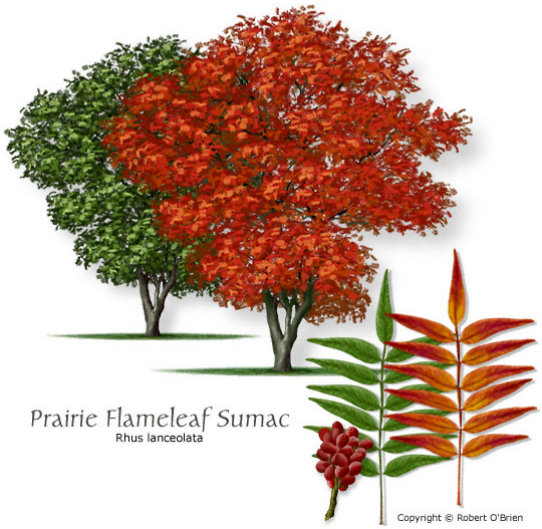
- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *25' to 35'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Northern China
- ✓ Soil Needs: Loam, Sandy and Clay (Adaptable)
- ✓ Tolerances: Moderate Drought
- ✓ Features: Medium sized tree with dark green, glossy leaves that change to yellow orange/bright red in the fall.
- ✓ Firewise: No
- ✓ Issues: Leaf Spot and Leaf Scorch
- ✓ Similar Species: Japanese Maples



Flameleaf Sumac

Latin Name: Rhus lanceolata
Secondary Names: Prairie Sumac, Prairie Flameleaf Sumac

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Neutral Alkaline
- ✓ Tolerances: Drought, Alkaline Soils [*PH > 7.5*]
- ✓ Features: Compound leaves turn bright red in fall; white flower spikes bear red clusters of berries.
- ✓ Uses: Generally a Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: Requries pruning to develop one or more trunks.
- ✓ Similar Species: Texas Sumac, Lance-Leaved Sumac, Limestone Sumac and Prairie Shining Sumac





Yapon Holly

Latin Name: Ilex vomitoria
Secondary Names: Yaupon, Cassina

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *10' to 20'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Slow
- ✓ Native: Southeast United States (Texas)
- ✓ Soil Needs: Well Drained, Sandy, Loamy, Clay and Limestone
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Small tree with inconspicuous light green blooms and red berry like drupe.
- ✓ Uses: Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids, Minor Leaf Beetle & Dutch Elm Disease
- ✓ Similar Species: Evergreen Cassena, Emetic Holly, Indian Black Drink

F.5. RECOMMENDED SHRUB VARIETIES

The following are the City of Rockwall's recommended shrub varieties.

	Shrub	Scientific Name	SCR	XERI
1	Agarita	Mahonia Trifoliolata		X
2	Barberry	Berberis Atropurpurea 'Rose Glow'		
3	Barberry	Berberis Thumbergii 'Crimson Pygmy'		
4	Bridal Wreath Spirea	Spiraea Cantoniensis	X	X
5	Cenizo (Texas Sage)	Leucophyllum Sp.	X	X
6	Chinese Fringe	Loropetalum Chinense	X	
7	Dwarf Burford Holly	Ilex Cornuta 'Burfordii Nana'	X	
8	Dwarf Yaupon Holly	Ilex Vomitoria 'Nana'		
9	Elaegnus	Elaeagnus x Ebbingei	X	
10	Elbow Bush	Forestiera		
11	Evergreen Sumac	Rhus Virens		
12	Forsythia	Forsythia Intermedia 'Spectabilis'		
13	Glossy Abelia	Abelia x Gradiflora		
14	Hogplum	Colubrina Texensis		
15	Indian Hawthorn	Raphiolepis Indica		
16	Juniper	Juniperus Sp.		
17	Japanese Boxwood	Buxus Japonica		
18	Japanese Cleyera	Cleyera Ternstroemia Gymnanthera		
19	Japanese Quince	Chaenomeles Japonica		
20	Mexican Oregano	Poliomentha Longiflora		
21	Nellie Stevens Holly	Ilex 'Nellie R. Stevens'	X	
22	Oleander	Nerium Oledander	X	
23	Pearl Bush	Exochorda Giraldii Wilsonii		
24	Red Yucca	Hesperaloe Parvifolia		X
25	Rock Rose	Pavonia Lasiopetala		X
26	Rose of Sharon	Hibiscus Syriacus	X	
27	Rosemary	Rosmarinus Officinalis		X
28	Virginia Sweetspire	Itea Virginica		
29	Yucca	Yucca Sp.		X

Abbreviations:
- ☑ SCR: Screening Shrub
- ☑ XERI: Xeriscaping











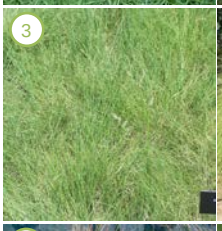
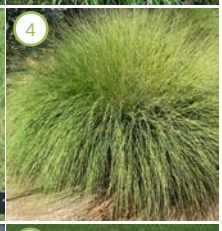
Abbreviations:
☑ XERI: Xeriscaping

F.6. RECOMMENDED GRASSES

The following are the City of Rockwall's recommended shrub varieties.

	Shrub	Scientific Name	XERI
1	Bermuda Grass	Cynodon Dactylon	
2	Big Bluestem	Andropogon Gerardii	X
3	Buffalo Grass	Buchloe Dactyloides	X
4	Deer Muhly	Muhlenbergia Rigens	
5	Eastern Gamagrass	Tripsacum Dactyloides	X
6	Fountain Grass	Pennisetum Alopercuroides 'Hamelin'	
7	Feather Reed Grass	Calamagrostis Acutiflora 'Karl Foerster'	
8	Inland Seaoats	Chasmanthium Latifolium	X
9	Japanses Blood Grass	Imperata Cylindrica 'Red Baron'	
10	Little Bluestem	Schixachyrium Scoparium	X
11	Maiden Grass	Adagio, Cabaret, Gracillimus, Morining Light, Varigatus, Zebra Grass	X
12	Mexican Feather Grass	Stipa Tenuissima 'Pony Tails'	X
13	Muhly Grass	Muehelenbergia Lindheimeri	X
14	Prairie Mix	N/A	X
15	Prairie Dropseed	Sporobolus Heterolepsis	
16	St. Augustine Grass	Stenotaphrum Secundatum	X
17	Switch Grass	Panicum Virgatum	X
18	Weeping Love Grass	Eragrostis Curvula	X

















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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **September 18, 2015**

SUBJECT: **REDC Budget**

The Rockwall Economic Development Corporation Board approved the attached budget at their Board meeting on September 17, 2015.

The budget is largely unchanged from this fiscal year's base budget. The EDC having completed the infrastructure and Justin Road projects this summer did not include any major projects in the budget. About $1million of bond proceeds from 2013 remain which can be used for similar projects. A number of previously contracted incentives are due to be paid in fiscal year 2016. The EDC's unallocated operating reserves will remain $2.4 million dollars after those payments and operating expenses.

REDC President, Sheri Franza, will be available at the Council meeting to present aspects of the budget and answer any questions.

SUMMARY OF OPERATIONS

Fund
21 Economic Development

	Actual 13-14	Budgeted 14-15	Amended 14-15	Proposed 15-16
Total Revenues	4,843,135	4,710,150	4,959,800	5,151,400
Total Expenditures	7,874,165	10,996,900	9,883,350	6,203,250
Excess Revenues Over (Under) Expenditures	(3,031,030)	(6,286,750)	(4,923,550)	(1,051,850)
Net Other Financing Sources (Uses)	-	-	-	-
Net Gain (Loss)	(3,031,030)	(6,286,750)	(4,923,550)	(1,051,850)
Fund Balance - Beginning	12,553,464	12,874,952	9,523,498	4,599,948
Fund Balance - Ending	9,523,498	6,588,202	4,599,948	3,548,098

SUMMARY OF REVENUES

Fund

21 Economic Development 71 EDC Administration

Account	Description	Actual 13-14	Budgeted 14-15	Amended 14-15	Proposed 15-16
4150	Sales Tax	4,600,423	4,539,100	4,788,750	4,980,350
4001	Interest Earnings	1,918	2,500	2,500	2,500
4019	Misc. Revenue	498	-	-	
4020	Interest/Reserve Fund	3,067	1,000	1,000	1,000
4160	Harbor Tax Rebates	160,000	167,550	167,550	167,550
4450	Technology Park Sales	100	-	-	-
4500	Grant Proceeds-TxDOT	77,129	-	-	-
	Total Revenues	4,843,135	4,710,150	4,959,800	5,151,400

SUMMARY OF EXPENDITURES

Fund
21 Economic Development

	Actual 13-14	Budgeted 14-15	Amended 14-15	Proposed 15-16
REDC Administration	1,073,561	2,711,450	3,144,350	2,963,500
Promotions & Marketing	239,288	252,500	252,500	252,500
Capital Projects	3,361,846	4,833,500	3,287,050	-
Debt Service	3,199,470	3,199,450	3,199,450	2,987,250
Total Expenditures	7,874,165	10,996,900	9,883,350	6,203,250

Marketing Cap Allowable Carryover per Statute	$	1,977,384

DIVISION SUMMARY

Fund	Department	Division
21 Economic Development	70 Economic Development	71 Economic Develop.

Expenditure Summary

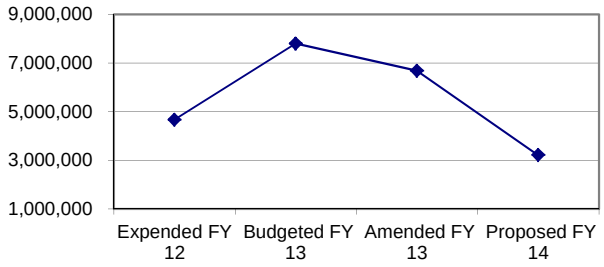
	Actual 13-14	Budgeted 14-15	Amended 14-15	Proposed 15-16
Personnel	457,011	559,400	608,150	544,300
Contractual	408,204	390,400	390,400	390,400
Supplies	10,490	13,800	17,800	13,800
Operational	132,655	176,950	173,700	191,600
Utilities	7,587	8,500	8,500	8,500
Capital	3,361,846	4,833,500	3,287,050	-
Incentive Grants	296,902	1,814,900	2,198,300	2,067,400
Total	4,674,695	7,797,450	6,683,900	3,216,000

Personnel Schedule

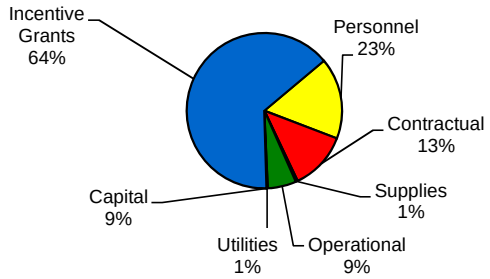
Position	FY 15 Approved	FY 16 Proposed
Economic Development Corporation President	1	1
Director of Business & Project Development	1	1
Director of Marketing	1	1
Executive Assistant	1	1

Activity Trends

Financial History



FY 2016 Expenditures by Category



ECONOMIC DEVELOPMENT

Fund	Department	Division
21 Economic Development	70 Economic Develop.	71 Economic Develop.

Account Description	Actual 13-14	Budgeted 14-15	Amended 14-15	Proposed 15-16
Personnel				
Salaries - Wages & Incentives	350,157	433,550	468,500	414,150
Total Salaries - Wages Incentives	350,157	433,550	468,500	414,150
120 FICA & Medicare	23,778	31,350	35,850	31,700
122 Retirement	56,053	67,600	76,900	67,950
128 Ins. Unemployment	523	400	400	2,000
224 Workers Comp.	500	500	500	500
230 Health Insurance	26,000	26,000	26,000	28,000
Total Benefits	106,854	125,850	139,650	130,150
Total Personnel Costs	457,011	559,400	608,150	544,300
Contractual				
210 Auditing	1,500	1,500	1,500	1,500
211 Legal	47,970	60,000	60,000	60,000
213 Consulting Fees	75,161	60,000	60,000	60,000
217 IT Services	11,967	13,000	13,000	13,000
223 Insurance - Blanket Surety Bond	100	100	100	100
227 Insurance - Property	1,800	1,800	1,800	1,800
229 Insurance - Liability	500	500	500	500
232 Temporary Labor	1,988	5,200	5,200	5,200
234 Marketing Expenses	203,811	180,000	180,000	180,000
242 Equipment Rental & Lease	8,326	8,500	8,500	8,500
243 Building Lease	43,081	44,800	44,800	44,800
244 Building Repairs	-	3,000	3,000	3,000
299 Administrative Services	12,000	12,000	12,000	12,000
Total Contractual	408,204	390,400	390,400	390,400

Account Description	Actual 13-14	Budgeted 14-15	Amended 14-15	Proposed 15-16
Supplies				
301 Office Supplies	6,444	6,500	6,500	6,500
307 Postage	1,685	3,000	7,000	3,000
310 Printing & Binding	1,948	4,000	4,000	4,000
347 Gen. Maint. Supplies	413	300	300	300
Total Supplies	10,490	13,800	17,800	13,800
Operational				
410 Dues & Subscriptions	2,624	2,000	2,000	2,000
428 Meeting Expenses - Other	6,911	7,000	7,000	7,000
430 Tuition & Training	3,643	2,500	2,500	2,500
436 Travel	10,619	30,000	30,000	30,000
437 Marketing Conferences	12,552	12,500	12,500	12,500
438 Prospect Visits	12,306	30,000	30,000	30,000
439 Common Area Maintenance-Park	84,000	92,950	89,700	107,600
Total Operational	132,655	176,950	173,700	191,600
Utilities				
507 Telephone	7,587	8,500	8,500	8,500
Total Utilities	7,587	8,500	8,500	8,500
Capital				
612 Computer Equipment	2,153	-	5,000	-
678 Phase IV Eng/Construction	2,873,573	1,823,000	1,007,050	-
698 Justin Rd. Extension	486,120	3,010,500	2,275,000	-
Total Capital	3,361,846	4,833,500	3,287,050	-
Incentives				
660 Due Diligence	652	2,000	2,000	2,000
661 Contracted Incentives	296,250	1,812,900	2,196,300	2,065,400
Total Incentives	296,902	1,814,900	2,198,300	2,067,400
Division Total	4,674,695	7,797,450	6,683,900	3,216,000

ECONOMIC DEVELOPMENT

Fund	Department	Division
21 Economic Development	70 Economic Develop.	71 Economic Develop.

Account	Description	Actual 13-14	Budgeted 14-15	Amended 14-15	Proposed 15-16
Debt Service					
750	Administration Fees	4,500	4,500	4,500	4,500
752	Principal - Bonds	1,785,000	1,785,000	1,785,000	1,685,000
754	Interest - Bonds	1,409,970	1,409,950	1,409,950	1,297,750
Total Debt Service		3,199,470	3,199,450	3,199,450	2,987,250

Detail	Principal	Interest
2006-Hospital	155,000	95,625
2006-Justin Road	105,000	63,969
2008-Land Purchase	180,000	248,500
2008-Infrastructure	260,000	214,488
2011-HH Project	190,000	159,125
2012-Ref. Bonds (1999)	345,000	28,300
2013- Infrastructure	285,000	277,988
2013 Land Purchase	165,000	209,760
	1,685,000	1,297,755

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **September 18, 2015**

SUBJECT: **RTPA Budget**

The Rockwall Technology Park Association Board met Thursday September 18, 2015 to approve the budget for maintenance of the Tech Park. The budget includes a slight increase in the park maintenance budget to reflect more frequent mowing intervals on the former Hitt property and a reserve for irrigation system repairs.

REDC President, Sheri Franza, will be available at the Council meeting to answer any questions about the proposed budget.

SUMMARY OF OPERATIONS

Fund
22 Tech Park Association

	Actual 13-14	Budgeted 14-15	Amended 14-15	Proposed 15-16
Total Revenues	138,355	168,100	159,100	185,100
Total Expenditures	141,545	168,100	159,100	185,100
Excess Revenues Over (Under) Expenditures	(3,189)	-	-	-
Net Other Financing Sources (Uses)	-	-	-	-
Net Gain (Loss)	(3,189)	-	-	-
Fund Balance - Beginning	37,415	37,415	34,226	34,226
Fund Balance - Ending	34,226	37,415	34,226	34,226

SUMMARY OF REVENUES

Fund

22 Tech Park Association RTPA

Account	Description	Actual 13-14	Budgeted 14-15	Amended 14-15	Proposed 15-16
4470	RTP Dues - Tenants	84,000	79,150	69,400	77,500
	REDC Cam Dues	54,345	88,950	89,700	107,600
	Total Revenues	138,355	168,100	159,100	185,100

DIVISION SUMMARY

Fund	Department	Division
22 Tech Park Association	70 Economic Development	RTPA

Expenditure Summary

	Actual 13-14	Budgeted 14-15	Amended 14-15	Proposed 15-16
Contractual	120,953	124,300	124,300	141,300
Supplies	8,101	10,300	10,300	10,300
Utilities	12,491	33,500	24,500	33,500
Total	141,545	168,100	159,100	185,100

ECONOMIC DEVELOPMENT

Fund	Department	Division 75
22 Tech Park Association	70 Economic Develop.	RTPA Developed Phases

Account	Description	Actual 13-14	Budgeted 14-15	Amended 14-15	Proposed 15-16
Contractual					
210	Auditing	500	500	500	500
227	Insurance - Property	900	900	900	900
247	Landscape/Irrig Maint	105,813	104,000	104,000	110,000
299	Administrative Svcs	2,000	2,000	2,000	2,000
	Total Contractual	109,213	107,400	107,400	113,400
Supplies					
329	Flag Replacements	6,000	6,000	6,000	6,000
347	Gen. Maint. Supplies	-	1,000	1,000	1,000
	Total Supplies	6,000	7,000	7,000	7,000
Utilities					
501	Electric	728	2,000	2,000	2,000
513	Water	6,247	20,000	11,000	20,000
	Total Utilities	6,975	22,000	13,000	22,000
Division Total		122,188	136,400	127,400	142,400

ECONOMIC DEVELOPMENT

Fund	Department	Division 77
22 Tech Park Association	70 Economic Develop.	RTPA Undeveloped Phases

Account	Description	Actual 13-14	Budgeted 14-15	Amended 14-15	Proposed 15-16
Contractual					
227	Insurance - Property	900	900	900	900
247	Landscape/Irrig Main incl. mowing EDC owned lots	10,840	16,000	16,000	27,000
	Total Contractual	11,740	16,900	16,900	27,900
Supplies					
329	Flag Replacements	2,101	3,000	3,000	3,000
347	Gen. Maint. Supplies	-	300	300	300
	Total Supplies	2,101	3,300	3,300	3,300
Utilities					
501	Electric	1,872	1,500	1,500	1,500
513	Water	3,644	10,000	10,000	10,000
	Total Utilities	5,516	11,500	11,500	11,500
Division Total		19,357	31,700	31,700	42,700

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Hotel Occupancy Tax Sub-committee Members

FROM: Mary Smith, Assistant City Manager

DATE: September 2, 2015

SUBJECT: Request for Funding Allocation – Multiple Projects

The City received a supplemental funding request for hotel occupancy tax revenues from The Colbert Project. Copies of the Funding Request Questionnaire and supporting narrative is attached for your review. Their request totals $40,000 for promotion of their fourth annual Firefighters Ball, which was held at the Hilton on August 29. The subcommittee recommends $6,700 award for promotional expenses.

In addition, Musicfest requested more funds for the 2015 Labor Day concert. The original application was for $18,000 and the Council awarded $8,000. The City Recreation staff has been asked to assist with coordination of the event – in a similar manner as they did for the Memorial Day concert. A supplemental request for an additional $4,860 has been submitted and is recommended for funding.

Also, in 2014 the City hosted "Rib, Rub and Run" received hotel tax funding. This event was in transition from the Mainstreet program to the Recreation department at the time and a request for 2015 hotel tax funding was inadvertently not prepared. The event brings many people to the downtown area and to area hotels. Funding is requested in the amount of $10,000 and is recommended by the subcommittee. In addition, the City is hosting the TAAF conference at the Hilton next week. Having originally allocated $6,000, the committee is recommending an additional $3,000 for conference expenses.

Included in the Chamber of Commerce report for fiscal year 2015, which is attached in the Council packet, is a request to reallocate $37,590 of previously allocated funding for the Chamber's boat show, which had to be cancelled for 2014 due to low lake levels. The Chamber has been paid the funds, has retained them, and is now asking to be allowed to use the funds for the purpose to support, produce, publish and distribute three Rockwall-centric magazines. The subcommittee is not recommending funding and instead is requesting the funds be netted against the payment to be allocated for fiscal year 2016.

Prior to Council action on the above, the Hotel Occupancy Tax budget is as follows:

Fund Balance carried forward	**$ 144,140**
Amended Revenues	**325,000**
Previously Allocated Funding	**(333,765)**
Projected Fund Balance	**$ 135,375**

City of Rockwall
The New Horizon

Hotel Occupancy Tax

Program Year 2015

Application

MUST BE TYPED or PRINTED

DELIVER TO:
City of Rockwall Finance Office
Attn: Lea Ann Ewing
385 S. Goliad St., Rockwall, TX 75087
972-771-7700 lewing@rockwall.com

Organization Name: The Colbert Project
Name of Event: 2015 Firefighter's Ball
Date(s) of Event: August 29, 2015
Funding Request $: *41,427.71*
Website Address: www.thecolbertproject.org
Mailing Address: P.O. Box 818 Rockwall, Tx 75087
Physical Address:
Telephone: 469-338-6387 Fax:

Primary Contact Name: Emily Colbert
(Project Director)
Mailing Address: 2020 W FM 550 Rockwall, Tx 75032

Email Address: emily@thecolbertproject.org
Telephone: 469-338-6387 Fax:

Secondary Contact Name: Devon Colbert
(President/Board Chairman)
Mailing Address: 2020 W FM 550 Rockwall, Tx 75032

Email Address: devon@thecolbertproject.org
Telephone: 214-923-4189 Fax:

- COMPLETE AN APPLICATION FOR EACH EVENT/PROGRAM/EXHIBIT REQUESTING FUNDS
- INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE COUNCIL SUBCOMMITTEE

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1. Mark an "X" next to the category or categories that your organization is requesting funds in the attached budget request.

X **Advertising/Tourism** **Requested funding amount** *$41,437.71*

Conducting solicitation or promotional programs that encourage tourists and delegates to come to the City of Rockwall.

Arts **Requested funding amount $**
Providing encouragement, promotion, improvement and application of the arts as it relates to the presentation, performance execution or exhibition of the major art forms in the City of Rockwall.

Historical **Requested funding amount $**
Providing historical restoration, preservation, programs and encouragement to visit preserved historic sites or museums located in the City of Rockwall.

2. Briefly state the purpose of your organization/mission statement:
Our mission is to provide financial assistance to fire families who have found themselves facing financial strife brought on by illness or off duty injury.

3. Does your organization have paid staff? *No*
Full-Time # Part-Time

4. Does your organization use volunteers? *Yes*
Approximately how many? ***25-50***

5. Is the event/program that the organization is requesting Hotel Tax funds held in/on City-owned property? Yes
Name location: ***Hilton Bella Harbor in Rockwall off of Lake Ray Hubbard***

If you are holding your event in/on city-owned property, the City may, in lieu of funds, donate the cost of the facility/property rental for that event.

6. Will your event be held in *"The Downtown"* or adjacent to *Lake Ray Hubbard*?
Name location: ***adjacent to Lake Ray Hubbard***

7. Will your organization provide special event insurance coverage for the event/ program if held on City property?
Name of Insurance Company:

8. List all other sources of funding your organization receives for this event. Include event budget (use the required budget form attached). ***We currently receive funding to hold our event through multi level sponsorship opportunities.***

9. List the programs, activities, exhibits, or event for the upcoming fiscal year (Oct. 1, 2014-Sept. 30, 2015) that the requested Hotel funding will support partially or in full. ***At this time we have put our main focus to our annual event, the Firefighter's Ball. As more departments and individuals become aware of our foundation and***

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mission it is our hope to add additional fundraising events. We have discussed adding a department chili cook off. However, there are no dates for this at this time as location will be key in planning such endeavor.

10. Provide 3 years attendance history for the above listed programs, activities, exhibits or event in #9 above.

Event	Year	Event Duration (in Days)	Audience Size	# of Attendees in hotel rooms
2013 Firefighter's Ball	2013	1	589	200
2014 Firefighter's Ball	2014	1	568	200
2015 Firefighter's Ball August 29, 2015	2015	1	650	200

11. How do the requested budget expenditures meet the definition of the categories marked in #1? Advertising/Tourism, Arts, Historical

Funding will be utilized for a multitude of ways to advertise and promote our event. In doing this we continue to host an annual sold out event in the city of Rockwall. *Advertisement is our direct tool for our guests to know information pertaining to our event as well as date. Because we host the event at the Hilton majority of our guests attending will not only be present for our fundraising efforts but will also be booking rooms to stay overnight following event.*

12. What specific market will you target with the event/program's marketing plan? Attach up to 3 examples and evidence of marketing area and readership (Label Exhibit C). *Local and surrounding fire departments along with non fire service attendees through use of print media, social media and new to us this year our website*

13. Describe in detail how your event/program will promote tourism and the hotel industry in Rockwall. *During our event we average 550-650 guests in one day. We see this as a direct way for individuals who may not otherwise come to the Rockwall area to see the wonderful amenities within our community. In hosting such a large and diverse event in Rockwall our guests get the exposure of our wonderful community, shops and restaurants. Many of these local shops and restaurants continue to be supporters in our efforts by providing items to our live*

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and silent auctions. It is our goal in hosting this event to not only raise funds for our recipient but promote to buy from small business and purchase local.

14. Describe the organization's long-term plan (3-5 year) in regard to the program/ event that funds are being requested. *To be able to continue growing awareness of our foundation, its mission and services provided.*

15. The City of Rockwall must require segregated accounting of its Hotel funds. Organizations must maintain and account for revenue provided from the tax authorized by section 351.101(a) within one of the two options listed below.

a) Separate checking account without combining with any other revenues or maintained in any other bank account or

b) Maintain a line item accounting, whereby the Hotel revenues may not be combined with any other revenues or expenditures. The funds may be maintained in the same bank account, provided they are reported as a separate line item in the organization's budget. Interest earned on the Hotel revenues must be used to support the event/program as well.

Will the organization be able to segregate the accounting process in either a) or b) above? *YES*

16. Provide all of the following documentation with this application and label each as outlined below.

Exhibit A	Proposed budget for each event/program using attached form
Exhibit B	Letter of determination certifying federal tax exempt 501(c)(3) status
Exhibit C	Examples and evidence of marketing area and readership (limit 3)
Exhibit D	List members of the governing body including name, position, mailing address and phone number

We certify, to the best of our ability, that the information in this application, including all exhibits and supporting documentation is true and correct to the best of our knowledge. It is understood and agreed that any funds awarded as a result of this application will be used for the purpose set for herein and the program guidelines.

President/Board Chairman:

Print Name Emily Gilbert

Signature

Date 7-14-15

Event/Program Director:

Print Name Michael Gilbert

7-14-15

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Signature

Date

Both signatures are required for application to be considered complete.

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EXHIBIT A

Hotel Occupancy Tax Funding Request

Event/Program Budget - Program Year 2015

Financial information (round to the nearest dollar). Include a completed copy of this budget with funding request.

Organization Name: The Colbert Project

Event/Program Name: Firefighter's Ball 2015

Requested Funding: $ $41,437.71

Expenses (for this project only)		Funding Request a	Cash from all other sources b	In-Kind, no cash Paid (value of volunteered services or goods c	Total a + b + c = d
1. Personnel		0			
Administrative		0			
Artistic		0			
Technical		0			
Other personnel		0			
2. Fees for outside professional service		0			
Administrative		0			
Artistic		$1,000.00			
Technical		$5,162.00			
3. Space Rental		$22,750.00			
4. Equipment Rental		$4,814.00			
5. Travel/Transportation		0			
6. Promotion/Printing		$6,667.55			
7. Costumes/Royalties		0			
8. Other (supplies, postage etc.)		$1,044.16			
9. Sub -Totals		$41,,437.71			
10. Total Expenses					$41,437.71

Revenues (for this project only)		
1. Total Amount of funding request		$40,873.71
2. Admissions (ticket and concessions)		$75.00

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3. Donations		$2,950.00			
4. Organizational funds budgeted					
5. Grants (State)		0			
6. Other (list):		0			
7. Other (list):		0			
8. Other (list):		0			
9. Other (list):		0			
10. Total income and contributions					
11. Total In-Kind					
12. Total Revenues					

Financial Information (for this project only)

Fiscal Year		2011	2012	2013	2014
Total Revenues		0	0		
Total Expenses		0	0		
Total Prior Year Hotel funds awarded		0	0		

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INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: JUN 30 2015

COLBERT PROJECT
C/O EMILY COLBERT
2020 W FM 550
ROCKWALL, TX 75032

Employer Identification Number:
47-1548459
DLN:
17053148316005
Contact Person:
SARA S REPENNING ID# 31797
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
June 23, 2015
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 947

COLBERT PROJECT

We have sent a copy of this letter to your representative as indicated in your power of attorney.

Sincerely,

Tamera Ripperda

Director, Exempt Organizations

Letter 947

EXHIBIT A SUMMARY

Yes/No	Description	Amount
	2. Artistic:	
✓	-DJ	$1,000.00
✓	-Technical (PSAV Sound & Audio)	$5,162.00
✓	3. Space Rental (Hilton Bella Harbor)	$22,750.00
	4. Equipment Rental:	
✓	-Casino	$4,200.00
✓	-Photobooth	$500.00
✓	-Card Readers	$114.00
	6. Promotion/Printing	
✓	-Alpha Graphics Printing (Posters, flyers, business cards, BID sheets, auction form, sponsorship form, return address stamp)	$899.38
✓	-Geiger Printing (Koozie's, Kraft Bag w/logo, poker chips)	$1,491.32
✓	-Website (Monthly Fee)	$82.95
✓	-Jeff Loyd (T-Shirts)	$4,000.00
✓	-Tickets (event tickets printing fees)	$193.90
	8. Other (Supplies, Postage, etc.)	
✓	-Post Office (P.O. Box and stamps)	$296.68
✓	-Staples	$299.39
✓	-Hobby Lobby	$252.02
✓	-Business Starter kit checking account	$196.07
		$41,437.71



Your cart
0 items

2015 FIREFIGHTERS BALL

This event benefits The Colbert Project - No Brother Battles Alone Fund, which provides support to fellow firefighters and their families during times of financial strife, brought on by illness, injury or other circumstances.

Join us for an evening of dinner, dancing, live and silent auction, casino gaming, and music!

AUGUST 29TH, 2015 @ HILTON DALLAS / ROCKWALL LAKEFRONT

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NO BROTHER
FIRE FIGHTERS
2012
FOUNDATION
BATTLES ALONE
THE COLBERT PROJECT
Firefighters' Ball
Join us and show your support
for your firefighters!
Saturday, August 29th
at Hilton Lakefront @ The Harbor
5:30 pm TIL 12:00 am
Dress Code is Black Tie
DINNER ◆ DANCING ◆ CASH BAR ◆ LIVE AUCTION
SILENT AUCTION ◆ CASINO GAMING
Event Cost: $75 per person
(Tickets available at www.thecolbertproject.org)
For ticket and sponsorship information email: info@thecolbertproject.org
Or visit the website: www.thecolbertproject.org
Special Room Rates Available at the Hilton Rockwall (214) 771-3700
Use Promo Code #RTE
The Colbert Project offers relief from financial strife brought on by illness or injury
to our brothers and sisters who serve as firefighters to the surrounding areas.

Board Member Addresses:

Emily Colbert:
2020 W FM 550
Rockwall, TX 75032

Marcie Pickard:
1709 Crescent Oak Street
Wylie, TX 75098

Jane Braddock:
1980 Club Lake Circle
Rockwall, TX 75087

Jerry Click:
7087 CR 3219
Lone Oak, TX 75453

Ariana Hargrove:
1004 Colonial
Royse City, TX 75189



Proposed Budget

Annual Pops Concert at the Harbor

September 5, 2015

LABOR DAY WEEKEND

MUSIC SCORES AND SUPPLIES		
	Purchase of Scores	$ 680.00
	Copying Scores & Parts	60.00
INSURANCE		
	Weather for Concert	480.00
	Event Liability	350.00
MUSICIANS		
	Contracting Local Professional Musicians (30)	12,200.00
	Community Musicians (6)	900.00
	Student Musicians (10)	750.00
EQUIPMENT MOVE AND SET-UP		
	Personnel and Truck	300.00
SOUND AND LIGHTING		
	ASA Concert Services	2,000.00
HARBOR RENTAL & CITY CREW		
	City of Rockwall	1,140.00
	TOTAL	$ 18,860.00

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City of Rockwall
The New Horizon

Hotel Occupancy Tax

Program Year 2015

Application

MUST BE TYPED or PRINTED

DELIVER TO:

City of Rockwall Finance Office
Attn: Lea Ann Ewing
385 S. Goliad St., Rockwall, TX 75087
972-771-7700 lewing@rockwall.com

COMPLETED APPLICATIONS ARE DUE JUNE 28, 2014 BY 5:00 PM – NO EXCEPTIONS

Organization Name:	City of Rockwall
Name of Event:	6th Rockwall Rib Rub & Run
Date of Event:	
Funding Request $:	10,500.00
Website Address:	http://www.rockwall.com
Mailing Address:	385 S. Goliad, Rockwall TX 75087
Physical Address:	385 S. Goliad, Rockwall TX 75087
Telephone:	972-772-6400 Fax: 972-771-7762
Primary Contact Name:	Andy Hesser
(Project Director)	
Mailing Address:	385 S. Goliad Rockwall TX 75087
Email Address:	ahesser@rockwall.com
Telephone:	972-771-7761 Fax: 972-771-7762
Secondary Contact Name:	
(President/Board Chairman)	
Mailing Address:	
Email Address:	
Telephone:	Fax:

- ► COMPLETE AN APPLICATION FOR EACH EVENT/PROGRAM/EXHIBIT REQUESTING FUNDS
- ► INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE COUNCIL SUBCOMMITTEE

1. Mark an "X" next to the category or categories that your organization is requesting funds in the attached budget request.

☒ **Advertising/Tourism** **Requested funding amount $ 10,500.00**
Conducting solicitation or promotional programs that encourage tourists and delegates to come to the City of Rockwall.

☐ **Arts** **Requested funding amount $**
Providing encouragement, promotion, improvement and application of the arts as it relates to the presentation, performance execution or exhibition of the major art forms in the City of Rockwall.

☐ **Historical** **Requested funding amount $**
Providing historical restoration, preservation, programs and encouragement to visit preserved historic sites or museums located in the City of Rockwall.

2. Briefly state the purpose of your organization/mission statement:
Vision Statement
We envision historic downtown Rockwall as a safe, attractive and thriving business, retail, residential, entertainment and community celebration district.

Mission Statement
The mission of the Rockwall Main Street is to create an inviting, historic downtown district that serves as a center for recreational, economic and cultural activity for residents and visitors of downtown Rockwall utilizing the four point approach of organization, promotions, design and economic restructuring.

3. Does your organization have paid staff?
Yes 1 # Full-Time # Part-Time

4. Does your organization use volunteers?
Yes Approximately how many? 50

5. Is the event/program that the organization is requesting Hotel Tax funds held in/on City-owned property?
No Name location: *"The Downtown"*

If you are holding your event in/on city-owned property, the City may, in lieu of funds, donate the cost of the facility/property rental for that event.

6. Will your event be held in *"The Downtown"* or adjacent to *Lake Ray Hubbard*?
Yes Name location: *"The Downtown"*

7. Will your organization provide special event insurance coverage for the event/program if held on City property?
Yes Name of Insurance Company: TML

8. List all other sources of funding your organization receives for this event. Include event budget (use the required budget form attached).
Sponsorships, sales and budgeted promotions

9. List the programs, activities, exhibits, or event for the upcoming fiscal year (Oct. 1, 2013-Sept. 30, 2014) that the requested Hotel funding will support partially or in full.
6th Annual Rockwall Rib Rub & Run

200

10. Provide 3 years attendance history for the above listed programs, activities, exhibits or event in #9 above.

Event	Year	Event Duration (in Days)	Audience Size	# of Attendees in hotel rooms
Rib Rub BBQ Comp & 5k Run 14 BBQ Teams/100 Runners	2009	1	1000	2
Rib Rub BBQ Comp & 5k Run 53 BBQ Teams/150 Runners	2010	1	3000	16
Rib Rub BBQ Comp & 5k Run 35 BBQ Teams/200 Runners	2011	1	3000	16
Rib Rub BBQ Comp & 5k Run 35 BBQ Teams/225 Runners	2012	1	4000	20
Rib Rub BBQ Comp & 5k Run 35 BBQ Teams/200 Runners	2014	1	4000	20

11. How do the requested budget expenditures meet the definition of the categories marked in #1?
Advertising/Tourism, Arts, Historical

BBQ competitions are a huge draw for barbecue enthusiasts, backyard amateurs and foodies. This event is successful because a) people love food and b) people love talking about food. While the competition is serious business for competitors they also enjoy "cooking for the crowd" with 90% participating in the People's Choice Wing Tasting Competition. The crowd purchases taste tickets and vote for their favorite. With their elaborate rigs and their festive spirit, the cook's engage the crowd.

12. What specific market will you target with the event/program's marketing plan?
Attach up to 3 examples and evidence of marketing area and readership (Label Exhibit C).

Barbecue competitors travel all over the country to compete in events. The competition is sanctioned by the International Barbecue Cookers Association and they advertise the event on their website as well as BBQ forums and blogs.

The 5k run and car show will provide two different attractions that are intended to draw individuals to event throughout the day.

We also plan to advertise the Rib Rub in: 3 web based outlets, 4 regional newspapers, and Facebook (paid). Other media outlets include Facebook, downtown merchant websites, public websites and Snap Retail.

13. Describe in detail how your event/program will promote tourism and the hotel industry in Rockwall.

Barbecue competitors, runners and visitors will stay in Rockwall hotels/motels.

14. Describe the organization's long-term plan (3-5 year) in regard to the program/ event that funds are being requested.

The 3-5 year plan is to grow the attendance and the quality of the event as well as showcase Downtown Rockwall as a destination center. In addition the special events committee plans to:

1. introduce car show as additional draw
2. include more "tasting events" or "people's choice"
3. increase our BBQ teams from 35 to 45
4. step up downtown restaurant participation regarding food/beverage sales
5. increase crowd from 4k to 10k (increase overnight guests)
6. gain name/event recognition for "best bbq contest"
7. continue to obtain sponsorships and increase ticket sales to offset expenses

15. The City of Rockwall must require segregated accounting of its Hotel funds. Organizations must maintain and account for revenue provided from the tax authorized by section 351.101(a) within one of the two options listed below.

a) Separate checking account without combining with any other revenues or maintained in any other bank account or

b) Maintain a line item accounting, whereby the Hotel revenues may not be combined with any other revenues or expenditures. The funds may be maintained in the same bank account, provided they are reported as a separate line item in the organization's budget. Interest earned on the Hotel revenues must be used to support the event/program as well.

Will the organization be able to segregate the accounting process in either a) or b) above?
Yes

16. Provide all of the following documentation with this application and label each as outlined below.

Exhibit A	Proposed budget for each event/program using attached form
Exhibit B	Letter of determination certifying federal tax exempt 501(c)(3) status
Exhibit C	Examples and evidence of marketing area and readership (limit 3)
Exhibit D	List members of the governing body including name, position, mailing address and phone number

We certify, to the best of our ability, that the information in this application, including all exhibits and supporting documentation is true and correct to the best of our knowledge. It is understood and agreed that any funds awarded as a result of this application will be used for the purpose set for herein and the program guidelines.

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President/Board Chairman:

Print Name

ANDY HESSER

Signature

Event/Program Director:

Andy Hesser
Print Name

Signature

June 30, 2015
Date

Both signatures are required for application to be considered complete.

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EXHIBIT A

Hotel Occupancy Tax Funding Request
Event/Program Budget - Program Year 2015

Financial information (round to the nearest dollar). Include a completed copy of this budget with funding request.

Organization Name: Rockwall Main Street
Event/Program Name: 6th Annual Rockwall Rib Rub and Run
Requested Funding: $ $10,500

Expenses (for this project only)		Funding Request a	Cash from all other sources b	In-Kind, no cash Paid (value of volunteered services or goods c	Total a + b + c = d
1. Personnel					
Administrative					
Artistic					
Technical					
Other personnel					
2. Fees for outside professional service					
Administrative			13,375 event revenue		
Artistic		3500			
Technical		1400			
3. Space Rental					
4. Equipment Rental		1500			
5. Travel/Transportation					
6. Promotion/Printing		4100			
7. Costumes/Royalties					
8. Other (supplies, include prize $)					
9. Sub -Totals		10500			
10. Total Expenses					23875.00

Revenues (for this project only)					
1. Total Amount of funding request		10500.00			
2. Admissions (ticket and concessions)					
3. Donations		4000.00			
4. Organizational funds budgeted					
5. Grants (State)					
6. Other (t-shirt sales):		2000.00			
7. Other (people's choice contest):		1500.00			
8. Other (barbecue entry fees):		3375.00			
9. Other (list): 5k race		2500.00			
10. Total income and contributions					
11. Total In-Kind					
12. Total Revenues		23875.00			

Financial Information (for this project only)		2011	2012	2013	2014
Fiscal Year		~~2010~~	~~2011~~	~~2012~~	~~2013~~
Total Revenues					
Total Expenses					
Hot funds		-0-	-0-	-0-	$13,350

EXHIBIT B

Detailed Reporting of HOT Expenditures

Organization Name:	Rockwall Area Chamber of Commerce/Visitors Center
Event/Program Name:	Boat Show -
Event/Program Date/Location:	September 2014- **Cancelled DUE to lack of water in lake**
	www.VisitRockwall.com / www.Rockwallchamber.org

Profit & Loss Detail	**Date:**	**Type**	**Name**	**Amount**
Income	10/1/13	check	HOT	$28,000
	2/1/14	check	HOT	$20,000
Total Income				**$48,000**
Expenses	1/1/14-7/10/14 7 mo. @ $560/mo	Staff	Admin Coordinator	$3,920
	3 mo @ $1100/mo	Staff	Director	$3,300
	Same time period 7 mo @ $125	Check	Contractor/ Website	$ 875
	Mkt/Promotion 7 mo @ $220	check	Contractor/	$1,540
	Advertising 7 mo @$175	Staff	multiple sites	$1,225
	Other/Supplies/Postage			$ 425
Total Expenses				**$10,410**
	OUTSTANDING BALANCE OWED			**$37,590**

See next page for funding recommendation

Recommendation:

Move outstanding funds and transfer to a new program for the purpose to support, produce, publish and distribute (3) three high-gloss, expertly written lifestyle Rockwall-centric magazines. (see attached samples) This print media publication would be used to inform visitors, potential residents about our community. The benefits would be:

- Building a strong community brand
  Each publication would include the following:
  1) City of Rockwall
  2) REDC
  3) Pull-out Map
  4) Listing of community events, tourism and Shop Local messages
- Creating a relationship with visitors and residents alike; utilizing visitor request- mailings
- Communicating the excellence of Rockwall and the reasons to visit and relocate
- Merging content and commerce
- Inform, inspire, educate and entertain

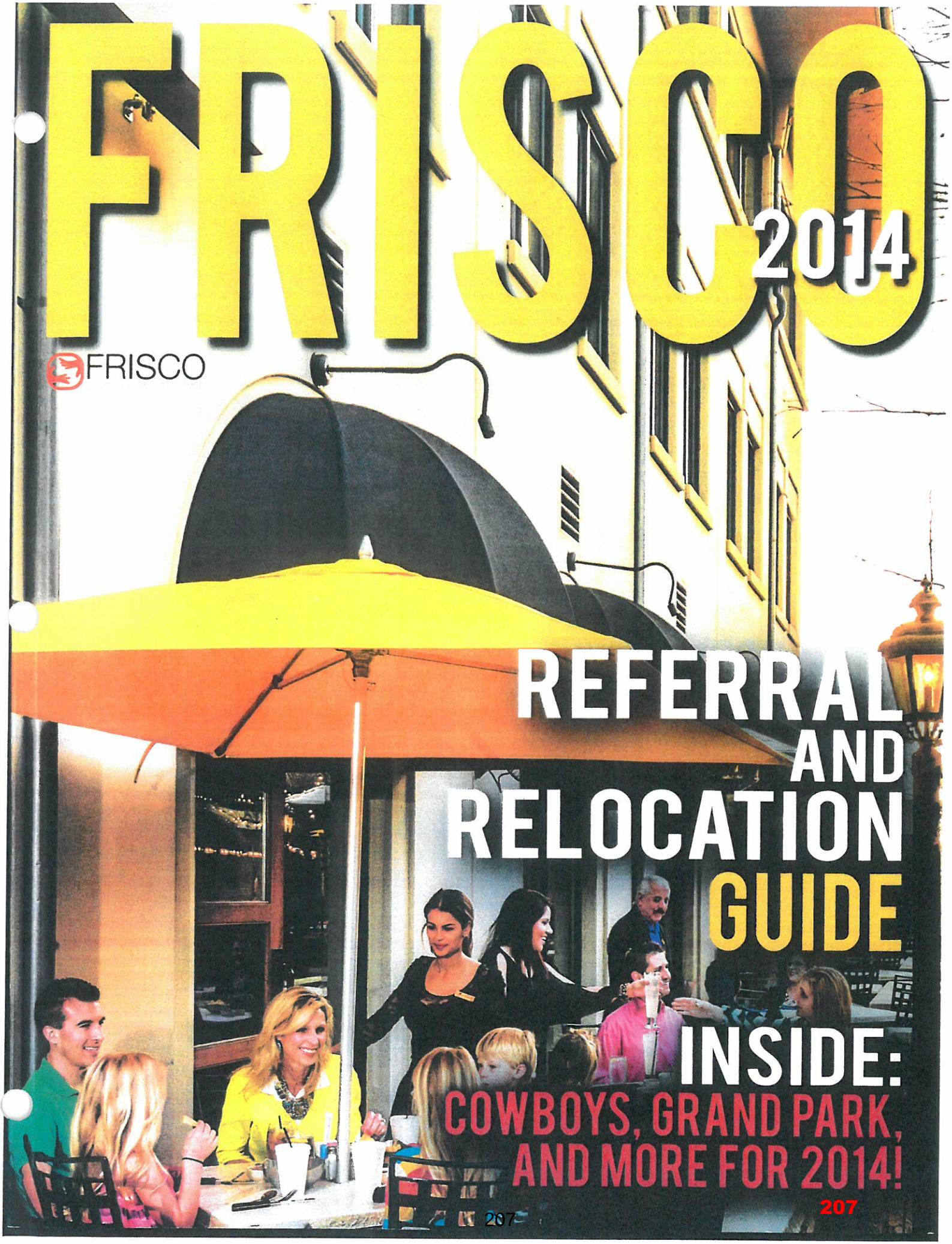
Income:	Advertising- (unknown) Per magazine- conservatively	$7,000-10,000
Expense:	Administrative (per magazine)	$ 2,097
	Staff Support (per magazine)	$ 779
	Professional Services (per magazine)	$ 4,061
	Production/Promotion (per magazine)	$ 7,890
	Circulation (per magazine)	$ 1,775
	Sub-total- per magazine	**$16,602**
	Total for all 3 magazines	**$49,806**

Distributed 5000 per
December 2015
March 2016
August 2016

It is the intent and belief of the Chamber that the difference of $12,216 would be met by the reflected advertising income and we're comfortable with taking this risk.
Added Notes:
The Frisco Chamber and others I've met with who've utilized this type of advertising medium have positive comments about this vehicle within their community and as it relates to tourism and community awareness. Research has shown that people are more focused when reading print than when listening to radio or watching TV. Communications are the cornerstone of the Visitor Center and the Chamber and we want to continue to deliver a product of excellence that supports our community.

FRISCO 2014

FRISCO



REFERRAL AND RELOCATION GUIDE

INSIDE:

COWBOYS, GRAND PARK, AND MORE FOR 2014!

Conejo View

Fall 2013

THE BUSINESS MAGAZINE SERVING THE CITIES OF THOUSAND OAKS, WESTLAKE VILLAGE & AGOURA HILLS



5th Annual

TASTE OF CONEJO *Preview*

Facebook Marketing Strategies

Meal Campaign Benefits FOOD Share

Updating the Iconic Whizin Market Square

GREATER CONEJO VALLEY CHAMBER OF COMMERCE

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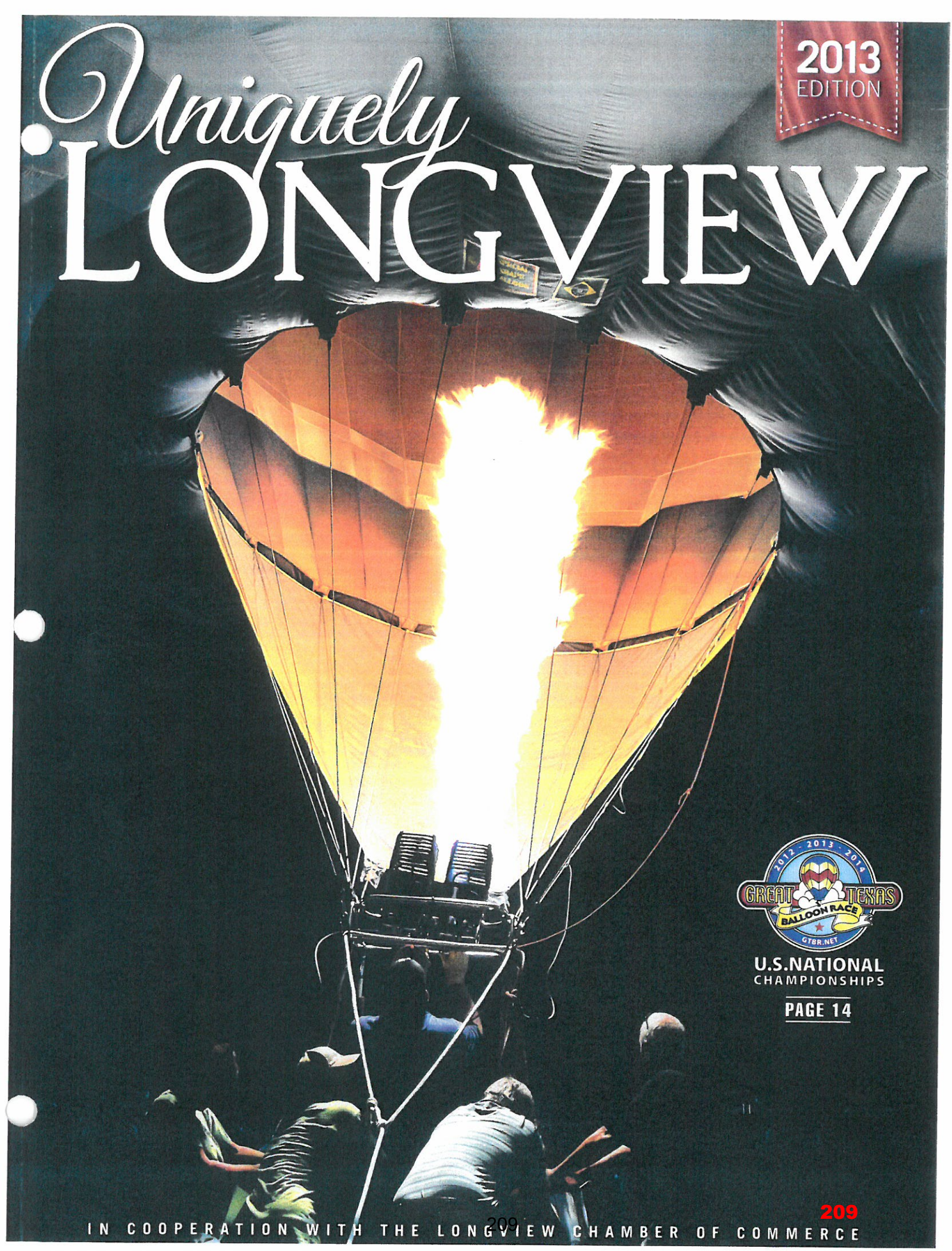
Uniquely LONGVIEW

2013 EDITION



GREAT TEXAS BALLOON RACE 2012 · 2013 · 2014 GTBR.NET

U.S.NATIONAL CHAMPIONSHIPS

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IN COOPERATION WITH THE LONGVIEW CHAMBER OF COMMERCE

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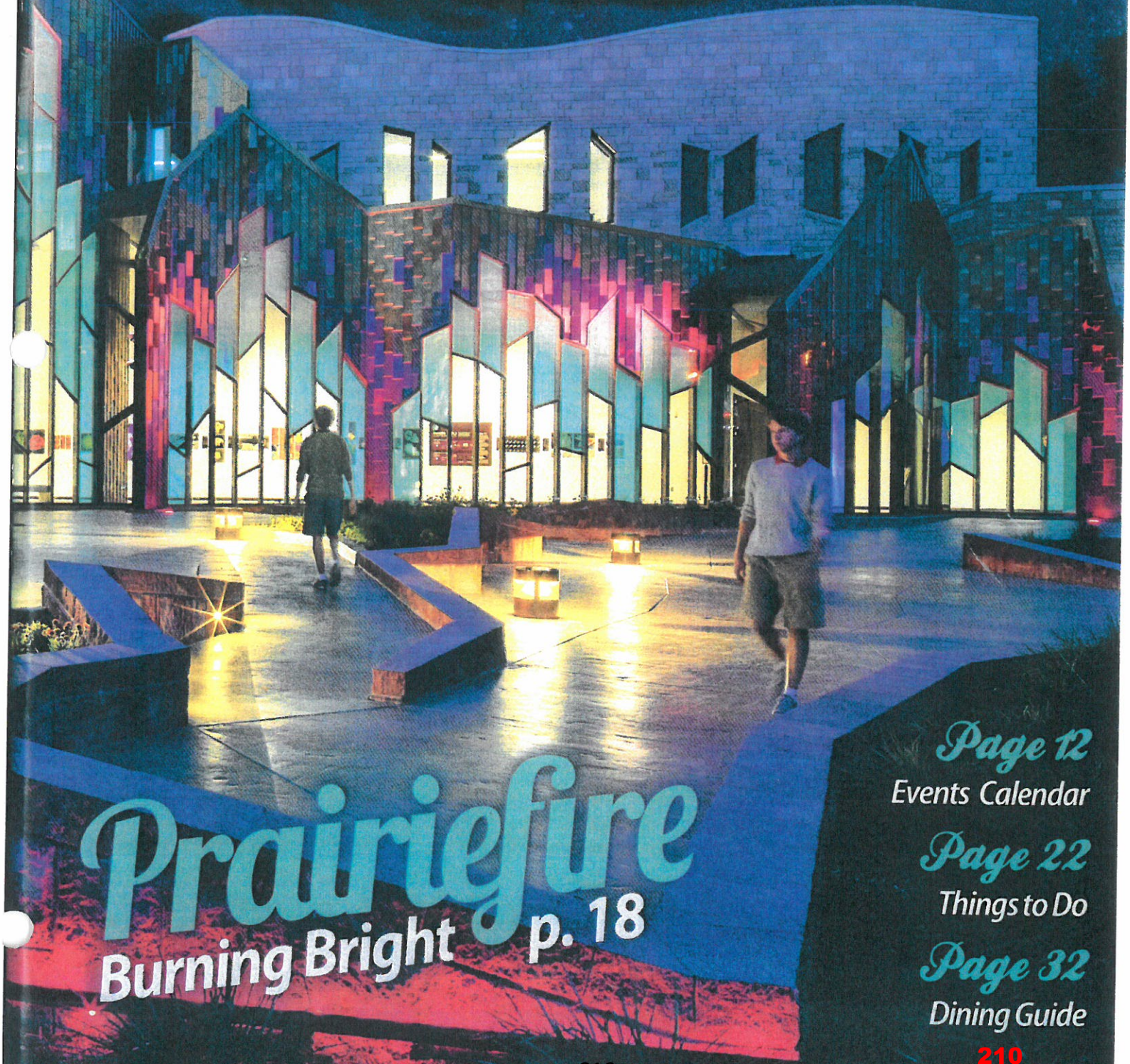
WWW.VISITOVERLANDPARK.COM

OVERLAND PARK KANSAS

2015 Official Visitors Guide



Prairiefire

Burning Bright p. 18

Page 12
Events Calendar

Page 22
Things to Do

Page 32
Dining Guide

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **September 16, 2015**

SUBJECT: **Hotel/Motel Funding Recommendation**

The Hotel / Motel subcommittee comprised of Council members White, Lewis and Milder met to discuss funding requests for budget year 2015-2016. The Council received a notebook including the organization's requests along with their required reporting for this year's funded events. Attached is a summary of the requests with the previous year's allocations to the organizations. This summary also includes the subcommittee recommendations as to funding for the coming budget year.

Revenues and Fund Balance

Staff continues to be conservative in the projection of revenues. With that said, revenues increased by 6.5% during the current year and are expected to maintain that level for fiscal year 2016. We expect to receive $350,000 in hotel tax revenues and to finish fiscal year 2015 with a fund balance of $110,000. The committee chose to maintain a healthy fund balance in order to allow flexibility in meeting supplemental requests during the year.

Funding Levels

Funding requests for fiscal year 2015 totaled $483,170 which is a 10% increase from the current year's requests. Each specific application was discussed and whether they met our stated purposes and the state statute's requirement for "heads in beds". The subcommittee's recommendations for funding are attached. The subcommittee chose to fund events as funding allowed with most organizations receiving less than they requested due to a lack of sufficient revenues. One program request from the Chamber of Commerce for monument signage was specifically not recommended for funding and is are noted on the accompanying spreadsheet.

Contract Language/Documentation

Each organization will continue to be required to provide documentation such as a log, guestbook, registration list or other documentation that specifically notes if each person is spending the night in a hotel establishment. The City provides a link which must be included in each printed ad or event website with contact information for the hotels.

Staff will be available at the Council meeting to answer any questions.

Hotel Occupancy Tax Funding Requests for FY 2016

	2014 Actual	2015 Budget	2016 Request	Variance	Council Subcommittee Recommendation	
Tourism						
Alliance for the Arts	6,500	6,500	-	(6,500)	**-**	
Artist's League	-	3,500	9,800	6,300	**6,100**	
Aspasians	2,000	2,000	13,950	11,950	**2,500**	
Chamber of Commerce	116,450	114,865	158,700	43,835	**131,500**	no funding -monument sign
Dodies	1,000	-	-	-	**-**	
Duck Regatta	13,600	20,000	-	(20,000)	**-**	
Friends of the Library	comp space	comp space	comp space	-	comp space	
Kiwanis	5,000	9,500	9,500	-	**9,500**	
Lone Star CASA	5,000	5,000	23,500	18,500	**6,500**	
Pumpkin Patch	2,000	-	-	-	**-**	
Rotary Breakfast	5,000	-	-	-	**-**	
Rotary Noon	5,000	9,500	10,000	500	**10,000**	
Soroptimists	2,000	2,500	20,000	17,500	**3,000**	
Triathlon (Pacific Sports)	-	17,400	18,500	1,100	**18,500**	
Colbert Project		6,700	-	(6,700)	**-**	
Sail with Scott			16,000	16,000	**16,000**	
SubTotals	163,550	197,465	279,950	73,185	**203,600**	
Cultural	-		-			
Community Playhouse	4,000	4,000	10,350	6,350	**5,000**	
Music Fest	8,000	12,500	16,200	3,700	**13,000**	
Summer Musicals	3,500	3,500	7,000	3,500	**4,000**	
SubTotals	15,500	20,000	33,550	13,550	**22,000**	
Historical	-		-			
Historical Foundation	2,000	4,000	8,500	4,500	**4,000**	
City						
Concert by the Lake	31,800	32,000	32,000	-	**32,000**	
Downtown Music Series		12,000	12,000	-	**12,000**	
Founders Day	56,640	60,500	69,500	9,000	**79,500**	
Mainstreet (Old Town Shoppes)	13,046	11,450	17,170	5,720	**17,170**	
TAAF Conference		9,000	-	(9,000)	**-**	
YAC Conference	25,000	-	-	-	**-**	
Memorial Day Concert	-	5,000	5,000	-	**5,000**	
Rib Rub	6,350	10,000	10,500	500	**10,000**	
Harbor 10th Anniversary			15,000	15,000	**15,000**	
SubTotals	126,486	139,950	161,170	21,220	**170,670**	
Totals	307,536	361,415	483,170	121,755	**400,270**	

Fund Summary

Fund Balance 10-01-15	**110,995**	
Projected Revenue FY16	**350,000**	
Less Cultural		**22,000**
Less City Events		**170,670**
Less Tourism/Historical		**207,600**
Sub Total		**400,270**
Fund Balance 09-30-16		**60,725**

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **September 15, 2015**

SUBJECT: **Amending the Fiscal Year 2015 Budget**

The final General fund budget summary sheets for the fiscal year 2015 amended and fiscal year 2016 proposed budget are included in the Council packet with the budget adoption agenda item. The amended budget was not changed during budget discussions.

CITY OF ROCKWALL, TEXAS

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE BUDGET OF THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2014 THROUGH SEPTEMBER 30, 2015; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the budget of the City Council of the City of Rockwall for the fiscal year October 1, 2014, through September 30, 2015, be and the same is hereby amended and such amendments are indicated and shown on **Exhibit "A"** attached hereto and made a part hereof for all purposes.

Section 2. This ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 21st day of September, 2015.

ATTEST: **Jim Pruitt, Mayor**

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **September 16, 2015**

SUBJECT: **Adopting the Fiscal Year 2016 Budget**

Notebook. It is included by reference only, rather than presented again in its entirety.

General Fund

The General Fund as adopted will anticipate tax collections based on a 48.53 cent tax rate with expenditures adjusted as discussed at the previous Council meetings.

The budget as included in the Council packet includes funding for Meals on Wheels Senior Services in the amount of $30,000. Council member White has requested a separate vote on this funding from which he will recuse himself. STAR Transit is included in the amount of $55,201.50 as discussed at the September 8th Council meeting. Councilmember White requested a separate vote on that funding as well.

If further discussion of any specific appropriation is needed it should take place prior to the vote on the budget ordinance.

Water – Sewer Fund

The budget as proposed reflected increased sales revenue from a rate increase. The associated rate resolution will be presented to Council shortly with the new rates to be effective on January 1st.

Budget Cover Wording

Senate Bill 656 effective for budgets adopted after September 1, 2013 requires specific wording is included in the adopted budget document. The following statement will appear on the cover of the document and be published on the City's website for one year:

"This budget will raise the same amount of revenue from property taxes as last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is $511,174."

Staff proposes Council have the statement read into the record prior to the Council's vote on the ordinance adopting the budget.

CITY OF ROCKWALL

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2015, THROUGH SEPTEMBER 30, 2016; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH THE SAID BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Rockwall, Texas has heretofore filed with the City Secretary a proposed General Budget for the City covering the fiscal year aforesaid, and

WHEREAS, the governing body of the City has concluded its public hearing on said budget,

WHEREAS, in accordance with Section 7.06 of the City Charter, the budget for fiscal year 2015-16 is being adopted in a timely manner,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That said budget for the fiscal year October 1, 2015, through September 30, 2016, be and the same is hereby attached to this ordinance and made a part hereof for all purposes and marked **"Exhibit A".**

Section 2. That said budget attached hereto and marked **"Exhibit A"** be, and the same hereby is, approved and adopted by the City Council as the official budget for the City for the fiscal year aforesaid.

Section 3. That expenditures during the fiscal year shall be made in accordance with the budget approved by this ordinance unless otherwise amended by a duly enacted ordinance of the city.

Section 4. This ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 21st day of September, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

_____
Frank Garza, City Attorney

SUMMARY OF OPERATIONS

Fund
01 General

	Actual 13-14	Budgeted 14-15	Amended 14-15	Proposed 15-16
Total Revenues	28,503,081	28,864,250	30,002,750	31,589,800
Total Operating Expenditures	25,482,029	26,252,550	26,767,650	28,624,250
Capital Reserve Expenditures	1,323,950	860,100	900,950	1,203,000
Excess Revenues Over (Under) Expenditures	1,697,102	1,751,600	2,334,150	1,762,550
Net Other Financing Sources (Uses)	(2,667,442)	(2,584,500)	(2,616,500)	(2,816,500)
Net Gain (Loss)	(970,340)	(832,900)	(282,350)	(1,053,950)
Fund Balance - Beginning	11,275,984	9,045,234	10,305,644	10,023,294
Fund Balance - Ending	10,305,644	8,212,334	10,023,294	8,969,344

SUMMARY OF REVENUES

Fund
01 General

Account	Description	Actual 13-14	Budgeted 14-15	Amended 14-15	Proposed 15-16
4100	Current Taxes	8,301,522	8,580,100	8,580,100	9,588,000
4105	Delinquent Taxes	61,979	60,000	60,000	60,000
4110	Penalty & Interest	50,054	60,000	60,000	60,000
	Total Property Taxes	8,413,555	8,700,100	8,700,100	9,708,000
4150	Sales Taxes	13,515,016	13,617,300	14,366,300	14,941,000
4155	Beverage Taxes	214,951	210,000	210,000	210,000
	Total Sales Taxes	13,729,967	13,827,300	14,576,300	15,151,000
4201	Electrical Franchise	1,675,912	1,680,000	1,680,000	1,725,000
4203	Telephone Franchise	147,542	150,000	150,000	150,000
4205	Gas Franchise	402,664	388,000	538,000	440,000
4207	Cable TV Franchise	561,956	500,000	643,000	600,000
4209	Garbage Franchise	228,371	208,000	208,000	218,000
	Total Franchise	3,016,445	2,926,000	3,219,000	3,133,000
4250	Park & Recreation Fees	35,892	35,000	35,000	35,000
4251	Municipal Pool Fees	11,821	17,000	17,000	17,000
4253	Center Rentals	39,428	38,000	38,000	38,000
4255	Harbor Rentals	4,710	10,000	3,000	10,000
4260	Tax Certificate Fees	216	250	250	250
4270	Code Enforcement Fees	42,954	5,000	12,000	5,000
4280	Zoning Request Fees	43,849	35,000	49,000	35,000
4283	Construction Inspection	242,205	280,000	250,000	280,000
4295	Fire - Plans	20,750	20,000	15,000	20,000
	Total Fees	441,825	440,250	419,250	440,250

Summary of Revenues, Cont'd.

Account	Description	Actual 13-14	Budgeted 14-15	Amended 14-15	Proposed 15-16
4300	Building Permits	723,095	710,000	875,000	775,000
4302	Fence Permits	20,757	20,000	20,000	20,000
4304	Electrical Permits	31,883	30,000	21,000	30,000
4306	Plumbing Permits	41,443	38,000	38,000	38,000
4308	Mechanical Permits	40,487	35,000	39,000	39,000
4310	Daycare Center Permits	2,410	2,000	2,000	2,000
4312	Health Permits	84,180	86,000	86,000	88,000
4314	Sign Permits	25,560	26,000	26,000	26,000
4288	Beverage Permits	6,370	10,000	7,000	10,000
4320	Miscellaneous Permits	42,944	41,000	48,000	41,000
	Total Permits	1,019,129	998,000	1,162,000	1,069,000
4400	Court Fines	483,439	500,000	500,000	500,000
4402	Court Fees	173,078	165,000	165,000	165,000
4404	Warrant Fees	76,227	70,000	76,000	90,000
4406	Court Deferral Fees	310,546	285,000	285,000	285,000
4408	Animal Registration Fees	7,199	7,000	7,000	7,000
4414	Alarm Fees and Fines	48,970	45,000	45,000	45,000
	Total Municipal Court	1,099,459	1,072,000	1,078,000	1,092,000
4001	Interest Earnings	25,209	20,000	25,000	25,000
4007	Sale of Supplies	638	500	1,000	500
4010	Auction/Scrap Proceeds	48,263	20,000	40,000	40,000
4019	Other	72,292	58,000	20,000	20,000
	Developer Contributions	-	-	-	77,000
4480	Tower Leases	55,920	70,000	70,000	70,000
	Total Miscellaneous	202,322	168,500	156,000	232,500
4500	Grant Proceeds	4,257	106,000	66,000	66,000
4510	School Patrol	326,131	306,100	306,100	346,850
4520	County Contracts	1,040	1,000	1,000	1,000
4530	City Contracts	248,951	319,000	319,000	350,200
	Total Intergovernmental	580,379	732,100	692,100	764,050
Total Revenues		28,503,081	28,864,250	30,002,750	31,589,800

SUMMARY OF OPERATING TRANSFERS

Fund
01 General

	Actual 13-14	Budgeted 14-15	Amended 14-15	Proposed 15-16
Other Financing Sources				
Operating Transfers In:				
From Water & Sewer	-	-	-	-
From Recreational Development	110,000	60,000	60,000	60,000
From Court Security/Tech Fees	25,000	30,500	30,500	30,500
From Narcotics	176,782	-	-	-
Total Other Financing Sources	311,782	90,500	90,500	90,500
Other Financing Uses				
Operating Transfers Out:				
To Airport Fund	11,000	15,000	15,000	15,000
To Rec. Dev. Fund	40,500	-	-	-
To Radio Fund	185,000	160,000	185,000	160,000
To Employee Benefit Fund (Ins.)	2,500,000	2,300,000	2,300,000	2,500,000
To Workers Compensation Fund	-	50,000	50,000	75,000
To Tech. Replacement Fund	157,000	150,000	157,000	157,000
To Bond Projects	126,224	-	-	-
Total Other Financing Uses	3,019,724	2,675,000	2,707,000	2,907,000
Less Capital Reserve	40,500	-	-	-
Net Other Financing Sources (Uses)	(2,667,442)	(2,584,500)	(2,616,500)	(2,816,500)

SUMMARY OF EXPENDITURES

Fund
01 General

Dept.	Div.		Actual 13-14	Budgeted 14-15	Amended 14-15	Proposed 15-16
10	01	Mayor/Council	94,747	112,250	113,550	117,450
10	05	Administration	1,684,508	1,709,900	1,725,000	1,811,150
10	06	Administrative Services	512,985	532,150	556,150	555,100
10	09	Internal Operations	1,931,276	1,670,250	1,702,150	1,823,800
15	11	Finance	678,197	699,650	652,450	734,700
15	15	Municipal Court	415,220	436,350	436,450	437,600
20	25	Fire Operations	2,394,837	2,841,250	2,934,250	3,355,300
20	29	Fire Marshal	503,151	534,400	526,250	443,750
30	31	Police Administration	1,078,725	1,102,350	1,145,650	996,700
30	32	Communications	984,639	1,057,600	1,115,500	1,196,150
30	33	Patrol	5,540,051	5,097,050	5,161,150	5,598,750
30	34	CID	1,046,806	1,090,000	1,139,350	1,167,450
30	35	Community Services	791,395	810,450	785,700	950,600
30	36	Warrants	180,498	198,750	198,250	231,250
30	37	Records	321,449	338,950	336,300	426,550
40	41	Planning	576,227	595,450	670,600	600,850
40	42	Neighborhood Improv.	455,652	462,350	448,900	517,850
40	43	Building Inspections	667,549	687,950	686,750	727,650
45	45	Parks	1,779,140	1,855,600	1,989,350	2,000,050
45	46	Harbor O&M	410,238	374,150	359,600	395,650
45	47	Recreation	799,466	835,750	769,400	831,850
45	48	Animal Services	617,543	625,650	618,450	632,650
50	53	Engineering	1,074,669	1,105,000	1,086,500	1,122,350
50	59	Streets	2,226,511	2,339,400	2,510,900	3,152,050
			26,765,479	27,112,650	27,668,600	29,827,250
Less Capital Reserve			1,283,450	860,100	900,950	1,203,000
Total Operating Expenditures			25,482,029	26,252,550	26,767,650	28,624,250

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **September 15, 2015**

SUBJECT: **Tax Rate Adoption**

The Council agenda for Monday September 21, 2015 includes the ordinance to adopt the Ad Valorem tax rate of 48.53 cents per one hundred dollars of assessed value. Specific language in the motion is not required this year since we are adopting the Effective tax rate.

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, LEVYING THE AD VALOREM TAXES FOR THE YEAR 2015 AT A RATE OF $.4853 PER ONE HUNDRED DOLLARS ($100.00) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY AS OF JANUARY 1, 2015 TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT EXPENSES AND TO PROVIDE AN INTEREST AND SINKING FUND ON ALL OUTSTANDING DEBTS OF THE CITY; PROVIDING FOR DUE AND DELINQUENT DATES, TOGETHER WITH PENALTIES AND INTEREST; APPROVING THE 2015 TAX ROLL; PROVIDING FOR EXEMPTIONS OF PERSONS OVER SIXTY-FIVE (65) YEARS; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That there be and is hereby levied for the year 2015 on all taxable property, real, personal and mixed, situated within the limits of the City of Rockwall, Texas, and not exempt by the Constitution of the state and valid State Laws, a tax of $.4853 on each **ONE HUNDRED DOLLARS** ($100.00) assessed value of taxable property and shall be apportioned and distributed as follows:

a. For the purpose of defraying the current expenses of municipal government of the City, a tax of $..2342 each ONE HUNDRED DOLLARS ($100.00) assessed value of all taxable property.

b. For the purpose of creating a sinking fund to pay the interest and principal on all outstanding bonds of the City not otherwise provided for, a tax of $.2511 each ONE HUNDRED DOLLARS ($100.00) assessed value of all taxable property, within the city which shall be applied to the payment of such interest and maturities of all outstanding bonds.

Section 2. That all ad valorem taxes shall become due and payable on October 1, 2015, and all ad valorem taxes for the year shall become delinquent after January 31, 2016. If any person fails to pay the ad valorem taxes on or before the 31st of January, 2016, the following penalties shall be payable thereon, to wit:

During the month of February, six percent (6%); during the month of March, seven percent (7%); during the month of April, eight percent (8%); during the month of May, nine percent (9%); during the month of June, ten percent (10%); and on or after the first day of July, twelve percent (12%).

Section 3. Taxes are payable in Rockwall, Texas, at the office of the designated Tax Collector. The City shall have available all rights and remedies provided by law for the enforcement of the collection of taxes levied under this ordinance.

Section 4. All delinquent taxes shall bear the maximum rate of interest per annum as provided by law, in addition to the penalties provided herein.

Section 5. All taxes for the year 2015 which remain delinquent on July 1, 2016 shall incur an additional penalty of twenty percent (20%) of the amount of taxes, penalty and interest due to defray cost of collection.

Section 6. That pursuant to Article VIII-1b of the Constitution of Texas, $60,000 of the appraised value of residence homesteads of any married or unmarried persons, including those living alone, who were sixty-five (65) years of age or older on January 1, 2005, shall be exempt from ad valorem taxes.

Section 7. This ordinance is enacted in order to authorize the collection of ad valorem taxes for the year 2015 and shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 21st day of September, 2015.

Jim Pruitt, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **September 18, 2015**

SUBJECT: **Ambulance Ordinance - Exclusivity Repeal**

This item has been placed on the agenda for action Monday evening. As of the time of packet distribution, the draft ordinance is not available. My being out of town has contributed to the delay in preparation, and Frank is researching several legal questions that the Mayor has requested.

Frank will want to discuss direction from the Council, so this item will be read for consideration first in Executive Session. Based on the direction that I think I heard from the Council at the last meeting, I have asked that Frank not prepare a Franchise Ordinance, but that the Ordinance be prepared to:

1. Repeal the exclusivity aspect of the current ordinance
2. Require that ambulance companies desiring to do business in the City, as a single requirement, register with the City and provide proof that they are licensed by the State of Texas to operate their business in Texas.

I understand that there may still be discussion on the matter Monday evening. Frank will provide legal consultation first in Executive Session.

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Agenda 5

Hold work session to discuss preliminary planning associated with the design of S. Lakeshore / Summit Ridge roadway improvements, and take any action necessary.

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Proclamation - Hispanic Heritage Month

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Consider approval of the September 21, 2015 City Council minutes, and take any action necessary.

- 09/21 cc mtg mins 13
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Consider awarding the bid and authorizing the city manager to execute a Purchase Order to Professional Turf Products for the purchase of a Toro Infield Groomer in the amount of $28,721.32 to be funded out of the General Fund - Parks Operations Budget, and take any action necessary.

- memo 25
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Consider authorizing the city manager to execute a professional services contract with Birkhoff, Hendricks and Carter, LLP to perform engineering design services for the Quail Run Gravity Flow Line and the Squabble Creek Lift Station Improvements in an amount of $220,500.00 to be funded with 2015 Water and Sewer Revenue Bonds, and take anyaction necessary.

- City Manager Memo 27
- Professional Engineering Services Contract 29
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Consider authorizing the city manager to execute a professional services contract with Kimley-Horn and Associates, Inc. Consulting Engineers to perform the traffic signal design at the intersection of North Lakeshore Drive and Masters Boulevard in an amount not to exceed $36,500 to be funded out of the FY2015-16 Street Operations Budget, and take action necessary.

- City Manager Memo 46
- Professional Engineering Services Contract 47
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Consider authorizing the City Manager to execute a contract with the Texas Department of Transportation, Aviation Division for participation in the Routine Airport Maintenance Program (RAMP) at the Ralph M. Hall / Rockwall Municipal Airport, with matching funds for the grant to be provided by the Airport Operating Budget, and take any action necessary.

- RAMP 61
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P2015-037 - Consider approval of a request by Jennifer Garcia of KBGE on behalf of Collins Hartzog of Rockwall Texas 2015, LLC for the approval of a replat for Lot 3, Block 1, HJG Plaza Addition being a 0.91-acre tract of land identified as Lot 2, Block 1, HJG Plaza Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of SH-205 [S. Goliad Street] north of the intersection of SH-205 and Yellow Jacket Lane, and take any action necessary.

Case Memo (P2015-037) 77

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Consider, accept and authorize the Mayor to execute the Citizen Corps Trailer Grant Agreement, and take any action necessary.

Memo and Grant Agreement 82

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Discuss and consider extending the existing Facilities Agreement with the Roman Catholic Diocese of Dallas for a period of ten years regarding pro-rata reimbursement for the construction of Damascus Road, and take any necessary action.

City Manager Memo 93

Facility Agreement 94

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MIS2015-007 - Discuss and consider the approval of a special request by Michael Hunter of the Rockwall Housing Development Corporation (RHDC) on behalf of the owner Jacquelyn W. Coleman for an exception to the masonry requirements and a waiver to building setback requirements for the purpose of constructing a duplex on a 0.09-acre parcel of land identified as Lot 1B, Block H, Sanger Addition, City of Rockwall, Rockwall County, Texas, being zoned Multi-Family 14 (MF-14) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, located at the southwest corner of the intersection of Ross Street and Peters Colony, and take any action necessary.

Case Memo (MIS2015-007) 100

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MIS2015-008 - Discuss and consider the approval of a special request by Michael Hunter on behalf of the Rockwall Housing Development Corporation (RHDC) for waivers to the requirements stipulated in Exhibit ‘C’ of Planned Development District 75 (PD-75) [Ordinance No. 09-37] to allow the construction of two (2) single-family attached homes on a 0.27-acre parcel of land identified as Lot 984A of the Rockwall Lake Estates #2 Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 112 Chris Street, and take any action necessary.

Case Memo (MIS2015-008) 109

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P2015-036 - Discuss and consider approval of a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of the owners Scott and Leslie Milder for the approval of a replat for Lot 1, Block A, Our House Addition being a 0.75-acre tract of land currently identified as Blocks 24A & 24C, Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, addressed as 803 N. Goliad Street, and take any action necessary.

Case Memo (P2015-036) . . . 121
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Discuss and consider delaying the construction of Harbor Heights Drive between Shoreline Drive and Lakefront Trail as a part of the Springhill Suites Development in accordance with the conditions established in the Facilities Agreement, and take necessary action.

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Facilities Agreement . . . 129
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Discuss and consider authorizing the city manager to execute a contract with Meals on Wheels Senior Services for certain nutritional and senior service programs in the amount of $30,000.00 to be funded from the Administration Department Operating Budget, and take any action necessary.

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Discuss and consider approval of an ordinance amending the Code of Ordinances in Chapter 12. Businesses & Sales, Article XII. Ambulance Service by adding and amending Sections 12-1250 through 12-1253 regulating ambulance services and providers in the City, and take any action necessary. (1st reading)

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Fire Dept. Monthly Reports - August 2015

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GIS Department Monthly Report - August 2015

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Harbor PD Monthly Report - August 2015

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Rockwall Animal Adoption Center Monthly Report - August 2015
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AGENDA
ROCKWALL CITY COUNCIL
Monday, October 05, 2015
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

p.9 **1.** Hold work session to discuss preliminary planning associated with the design of S. Lakeshore / Summit Ridge roadway improvements, and take any action necessary.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding process and appointment to Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)

2. Discussion regarding appointments to city regulatory boards, commissions, or committees - interview candidates: Planning & Zoning Commission vacancy - pursuant to Section 551.074 (personnel matters)

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, October 05, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRUITT

VIII. PROCLAMATIONS / AWARDS

p.11 **1.** Proclamation - Hispanic Heritage Month

IX. OPEN FORUM

X. CONSENT AGENDA

p.13 **1.** Consider approval of the September 21, 2015 City Council minutes, and take any action necessary.

p.25 **2.** Consider awarding the bid and authorizing the city manager to execute a Purchase Order to Professional Turf Products for the purchase of a Toro Infield Groomer in the amount of $28,721.32 to be funded out of the General Fund - Parks Operations Budget, and take any action necessary.

p.27 **3.** Consider authorizing the city manager to execute a professional services contract with Birkhoff, Hendricks and Carter, LLP to perform engineering design services for the Quail Run Gravity Flow Line and the Squabble Creek Lift Station Improvements in an amount of $220,500.00 to be funded with 2015 Water and Sewer Revenue Bonds, and take anyaction necessary.

p.46 **4.** Consider authorizing the city manager to execute a professional services contract with Kimley-Horn and Associates, Inc. Consulting Engineers to perform the traffic signal design at the intersection of North Lakeshore Drive and Masters Boulevard in an amount not to exceed $36,500 to be funded out of the FY2015-16 Street Operations Budget, and take action necessary.

p.61 **5.** Consider authorizing the City Manager to execute a contract with the Texas Department of Transportation, Aviation Division for participation in the Routine Airport Maintenance Program (RAMP) at the Ralph M. Hall / Rockwall Municipal Airport, with matching funds for the grant to be provided by the Airport Operating Budget, and take any action necessary.

p.77 **6.** **P2015-037** - Consider approval of a request by Jennifer Garcia of KBGE on behalf of Collins Hartzog of Rockwall Texas 2015, LLC for the approval of a replat for Lot 3, Block 1, HJG Plaza Addition being a 0.91-acre tract of land identified as Lot 2, Block 1, HJG Plaza Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of SH-205 [S. Goliad Street] north of the intersection of SH-205 and Yellow Jacket Lane, and take any action necessary.

p.82 **7.** Consider, accept and authorize the Mayor to execute the Citizen Corps Trailer Grant Agreement, and take any action necessary.

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

XII. ACTION ITEMS

p.93 **1.** Discuss and consider extending the existing Facilities Agreement with the Roman Catholic Diocese of Dallas for a period of ten years regarding pro-rata reimbursement for the construction of Damascus Road, and take any necessary action.

p.100 **2.** **MIS2015-007** - Discuss and consider the approval of a special request by Michael Hunter of the Rockwall Housing Development Corporation (RHDC) on behalf of the owner Jacquelyn W. Coleman for an exception to the masonry requirements and a waiver to building setback requirements for the purpose of constructing a duplex on a 0.09-acre parcel of land identified as Lot 1B, Block H, Sanger Addition, City of Rockwall, Rockwall County, Texas, being zoned Multi-Family 14 (MF-14) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, located at the southwest corner of the intersection of Ross Street and Peters Colony, and take any action necessary.

p.109 **3.** **MIS2015-008** - Discuss and consider the approval of a special request by Michael Hunter on behalf of the Rockwall Housing Development Corporation (RHDC) for waivers to the requirements stipulated in Exhibit 'C' of Planned Development District 75 (PD-75) [Ordinance No. 09-37] to allow the construction of two (2) single-family attached homes on a 0.27-acre parcel of land identified as Lot 984A of the Rockwall Lake Estates #2 Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 112 Chris Street, and take any action necessary.

p.121 **4.** **P2015-036** - Discuss and consider approval of a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of the owners Scott and Leslie Milder for the approval of a replat for Lot 1, Block A, Our House Addition being a 0.75-acre tract of land currently identified as Blocks 24A & 24C, Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, addressed as 803 N. Goliad Street, and take any action necessary.

p.128 **5.** Discuss and consider delaying the construction of Harbor Heights Drive between Shoreline Drive and Lakefront Trail as a part of the Springhill Suites Development in accordance with the conditions established in the Facilities Agreement, and take necessary action.

p.136 **6.** Discuss and consider authorizing the city manager to execute a contract with Meals on Wheels Senior Services for certain nutritional and senior service programs in the amount of $30,000.00 to be funded from the Administration Department Operating Budget, and take any action necessary.

p.144 **7.** Discuss and consider approval of an **ordinance** amending the Code of Ordinances in Chapter 12. Businesses & Sales, Article XII. Ambulance Service by adding and amending Sections 12-1250 through 12-1253 regulating ambulance services and providers in the City, and take any action necessary. **(1st reading)**

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
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Internal Operations Department Monthly Report - August 2015 p.171
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Recreation Monthly Report - August 2015 p.178
p.180 Rockwall Animal Adoption Center Monthly Report - August 2015

2. City Manager's Report

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding process and appointment to Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)

2. Discussion regarding appointments to city regulatory boards, commissions, or committees - interview candidates: Planning & Zoning Commission vacancy - pursuant to Section 551.074 (personnel matters)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVI. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.
The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)
I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 2nd day of October, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____
Kristy Cole, City Secretary Date Removed

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, Assistant to the City Manager / City Secretary**

DATE: **October 2, 2015**

SUBJECT: **S. Lakeshore / Summit Ridge roadway improvements project**

The city manager would like to have an additional, brief discussion with the Council on Monday regarding preliminary planning for the design of the S. Lakeshore / Summit Ridge roadway improvements project. Narrowing the roadway and the potential for including sidewalks has been previously discussed with Council concerning this project. In addition, the importance of gleaning input from affected property owners/residents living along the roadway and within the neighborhood has also been a part of past discussions. Additional input from council is prudent before staff begins gathering citizen input and prior to other, preliminary work beginning on this project.

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Proclamation

Rockwall, Texas

Whereas, Hispanics have been present throughout the History of the Continent, Country and State, Hispanics and their descendants have had a profound and lasting influence on American history, values, and culture and

Whereas, Hispanic people have come to the United States from Mexico, Panama, Cuba, Columbia, Puerto Rico among others in search of opportunity, freedom, and a more prosperous future bringing with them a rich heritage, a deep commitment to family and community, a strong work ethic, and unwavering belief in the American Dream; and

Whereas, this month, as we acknowledge with gratitude the many gifts that Hispanic Americans bring to so many aspects of our daily lives, let us reaffirm our mutual respect and support for Hispanic American families so that they are afforded opportunities in achieving the American Dream and make the most of their lives; and

Whereas, working together, we can meet the needs of the 21st century in a way that will celebrate our differences and unite us around our common values.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim the month of September 15th – October 15th, 2015 as

HISPANIC HERITAGE MONTH

in the City of Rockwall and encourage all citizens to celebrate the history and heritage of the Hispanic people and recognize their lasting contributions to the growth and development of this community, state and country.

In Witness Whereof, I hereunto set my hand and official seal this 5th day of October, 2015.

_____

Jim Pruitt, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, September 21, 2015
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dennis Lewis and City Council Members David White, Mike Townsend, John Hohenshelt, Scott Milder and Kevin Fowler. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs, and City Attorney Frank Garza.

II. WORK SESSION

1. Hold work session to discuss the United States Environmental Protection Agency's (EPA) Sanitary Sewer System compliance inspection report, including addressing any areas of concern, and take any action necessary.

City Engineer Tim Tumulty explained that on March 5, 2015, the EPA made a site visit to Rockwall to conduct a compliance inspection report on the city's wastewater system and associated maintenance. He indicated that the report was received by the city in early August, and it was dated June 2nd. He explained that the report indicates some relatively minor areas of possible non-compliance and/or areas of concern. He went on to explain what the EPA's expectations are as well as what steps the city plans to take in order to address any noted areas of concern.

2. Hold work session to discuss and consider local regulations regarding non-emergency ambulance services and associated transports, and take any action necessary.

City Manager Rick Crowley provided brief background information concerning this item, recapping what was discussed at the last council meeting concerning this topic. Based on those discussions, he asked the city attorney to draft a new ordinance to repeal exclusivity of the current ordinance provisions related to non-emergency transport services and to implement a simple registration and permitting process for ambulance providers who would potentially operate in our city in the future to provide non-emergency transport services. Mr. Garza, the city attorney, then went on to briefly explain the ordinance he drafted for this purpose.

Councilmember Hohenshelt indicated that he is generally not in favor of instituting franchise agreements/ordinances. However, he remains concerned about the impact that the potential loss of revenue may have on the ES Corporation, and ultimately the city, after exclusivity is revoked. It was explained that this revocation could fiscally impact the current EMS service provider due to potential loss of non-emergency transport business and associated revenue that previously went entirely to them. However, Mr. Crowley explained that the exact financial impact is impossible to determine at this time. Mayor Pruitt followed up by explaining that EMS related subsidy funding requests have already been submitted and the ES Corporation board recently approved its upcoming fiscal year budget. In addition, the current EMS contract is only in place for about

another year to year-and-a-half. So, any subsidy impact would only potentially affect one service year that is left under the existing EMS contract.

Various comments were made concerning the EMS subsidy and how it is arrived at year-by-year as well as the interest or non-interest the council members may have regarding regulating non-emergency transport service providers operating in the city. Following these discussions, the council took no formal action concerning this work session item.

Mayor Pruitt the read the below listed discussion items into the record before recessing the public meeting into Executive Session at 4:43 p.m.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding (re)appointments to city regulatory boards, commissions, or committees - Planning & Zoning Commission vacancy- pursuant to Section 551.074 (personnel matters)

Action Item 11 on public meeting agenda: Discuss and consider approval of an ordinance amending the provisions of Chapter 12. Businesses & Sales, Article XII. Ambulance Service of the Code of Ordinances, specifically pertaining to exclusivity provisions expressed in Sec. 12-1251, and take any action necessary. (1st reading)

IV. ADJOURN EXECUTIVE SESSION

Executive session was adjourned at 5:45 p.m.

V. RECONVENE PUBLIC MEETING

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all seven city councilmembers present.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

It was announced that no action would be taken as a result of Executive Session.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER HOHENSHELT

Councilmember Hohenshelt delivered the invocation and led the Pledge of Allegiance.

VIII. PROCLAMATIONS / AWARDS

1. Shon Bellah Recognition

City Engineer Tim Tumulty provided brief details about Shon Bellah, City of Rockwall Water Department employee, who recently earned his Class A license, which is something that is not easy to achieve and is very valuable to the city and its residents.

Mayor Pruitt then read and presented a proclamation to Mr. Bellah, recognizing him for this accomplishment.

2. Retirement Service Recognition – Ken Keeton

Mr. Keeton came forward and introduced his wife. Mayor Pruitt read and presented Mr. Keeton with a proclamation to recognize his fourteen years of service to the residents and business of Rockwall while working at the Rockwall Economic Development Corporation (REDC).

IX. OPEN FORUM

Robert Huckabee
Assistant Head Master and High School Principal at Heritage Christian Academy
1408 South Goliad
Rockwall, TX

Mr. Huckabee explained that he has been a Rockwall resident for over twenty years, and HCA has been at its current location for twelve years. He spoke regarding Action Item #1 regarding extending an agreement with Our Lady of the Lake Catholic Church that was entered into five years ago. He explained that the agreement made at that time affected HCA's property, but HCA had no knowledge of it until recently. He explained that previously the church had asked HCA if it could expand Damascus Road at no cost to HCA. Subsequently, after the expansion and addition to Damascus Road, the City of Rockwall entered into an agreement with the Catholic Church that essentially obligated HCA to pay back a portion of that road expense if HCA ever does any sort of expansion of its own on its property. He explained that HCA was not a party to that agreement, it had no knowledge of it, and it only learned of the agreement six weeks ago when its builders approached the city about a potential parking lot expansion project next year. He explained that HCA has serious concerns about the agreement and have sought legal counsel. He is concerned about having his property unknowingly being encumbered with $143,000 in obligations and believes it is inexcusable. He expressed that he did not even know renewal of the agreement was on tonight's agenda for consideration until this morning. He asked that the Council take no action on Action Item #1 this evening to allow an opportunity for all parties involved to sit down and work through some of the concerns.

Michael Wagoner came forth explaining that he is a legal advisor and serves on Board of Directors for the Rockwall Habitat for Humanity. He expressed that the organization has had significant cooperation from various city staff members associated with a project they are working on to find some additional land. He thanked the city for this cooperation.

Jim Dula
9018 Lakepointe Avenue
Rowlett, TX 75088

Mr. Dula came forth and indicated that he is speaking as a representative of Our Lady of the Lake Catholic Church and that several members of the parish are here this evening. He stressed the importance of the agreement renewal associated with Action Item #1 on tonight's agenda. He understands HCA's position with regards to no notification or slow

notification about the matter. He explained that the facilities agreement is important to the church's long term financial success. He explained that at the time, public safety and access was important. The church had approached HCA to ask them to partner with them on the project; however, when they declined, the church worked with the city to secure the facilities agreement. He again stressed the importance of this agreement and its financial implications, as the church is a non-profit organization.

John White
1929 S. Lakeshore
Rockwall, TX

Mr. White came forth and expressed his appreciation for City Engineer Tim Tumulty and his staff. He explained that recently he was out for a morning walk when he noticed a small piece of rebar poking out from the concrete. He took a photo and sent it to Tim, and, within twenty-four hours, staff replied back to him, letting him know that the rebar had been cut out and the concrete had been patched. He thanked Tim and the city staff.

There being no one else wishing to come forth, Mayor Pruitt then closed Open Forum.

X. CONSENT AGENDA

1. Consider approval of the minutes from the September 8, 2015 regular city council meeting, and take any action necessary.
2. Consider approval of a resolution related to a grant through the Texas Parks and Wildlife Department pertaining to construction of a boating access facility on Lake Ray Hubbard near SH-66 and N. Lakeshore Drive, and authorize the city manager to execute associated project agreement, and take any action necessary.
3. Consider approval of the engineering services contract with Hydrological Support Services, LLC to perform flood study reviews for developments within the City in an amount not to exceed $40,000.00 provided from the FY 2015-16 Department Operations Budget and developer reimbursement, and take any action necessary.
4. Consider authorizing the City Manager to enter into an agreement with the Texas Department of Transportation (TxDOT) under the City Pride Program for installation of signage along W. Rusk Street [SH-66] west of S. Lakeshore Drive, and take any action necessary.
5. Consider approval of a resolution for an easement abandonment associated with an existing 608 square foot utility easement generally located at the southeastern building corner of what is currently Honda of Rockwall, and take any action necessary.
6. Consider award of a professional services contract to Grantham & Associates, Inc. and authorize the city manager to execute associated documents for performing the engineering design services and specifications for the Signal Ridge Sanitary Sewer Pipe Bursting Project in an amount of $27,480.00 to be funded by 2016 water and sewer revenue bonds, and take any action necessary.
7. Consider approval of American National Bank as the City's depository and take any action necessary.

Mayor Pro Tem Lewis made a motion to approve the entire Consent Agenda (#1, 2, 3, 4, 5, 6, and 7). Councilmember White seconded the motion, which passed unanimously.

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

The Chairman was not present, so this item was not discussed / addressed.

XII. ACTION ITEMS

1. Discuss and consider extending the existing Facilities Agreement associated with reimbursement for the construction of Damascus Road to the Roman Catholic Diocese for ten years, and take any necessary action.

City Engineer Tim Tumulty provided background information concerning this agenda item, indicating that this is a pro rata facilities agreement that deals with costs associated with building a portion of Damascus Road. He explained that it was originally put in place after it was adopted by the Council in October 2010. He was informed by the Catholic church earlier this year, around April, that it was set to expire in October, and he has since learned that HCA is not in support of the agreement, as expressed in a recent letter sent to the city. He shared that he is personally to blame for the late notification to HCA because he did not call them until this morning even though he believes their letter clearly explained that they wanted an opportunity to speak about the agreement. He agreed that staff is willing to do whatever is needed to work through this.

Mayor Pruitt asked if the road were being built today, would this same type of agreement be the type of agreement that would be entered into now like it was five years ago. Mr. Tumulty indicated that he believes so, as it is very similar to a more recent roadway project on Summer Lee that dealt with property owners paying their pro rata share.

Councilmember White expressed concern about HCA being made a party to the facilities agreement when the only party that signed it five years ago was the Catholic church. City Manager Rick Crowley indicated that he is happy to go back and research the city's files to try and better determine what process took place five years ago that led to the agreement being put into place.

Mayor Pruitt asked the city attorney if there is anything wrong, legally, with these types of agreements. Mr. Garza explained that there is nothing wrong with these types of agreements and that they are allowed under the law. He expressed that typically these types of agreements are commonly created when a city wants to expand or rebuild a street, so they do, and then the put provisions into an agreement that stipulate that adjacent property owners must pay a pro rata share of those costs to pay back the city. In this instance, the circumstances were a little different, though, in that the city had no plans to extend the street. Instead, the Catholic church requested the street expansion, and it paid for that expansion. Mr. Garza went on to explain that, although all adjacent property owners are generally not part of executing an actual agreement like this (re: pro rata repayment of expansion of improvement of a street), they are usually at least made aware that the agreement is going to be executed prior to it actually being signed (not for their approval, but, rather, only so that they have been notified and are aware). It was explained that if HCA had never wished to make any improvements to their own property, then they would have never had to (re)pay a portion of the development costs associated

with the road and described in this agreement. However, if HCA had at some point come forward wanting to make improvements to their property, then the roadway would have been a development cost to them. General discussion took place with it being expressed that the ultimate outcome associated with HCA having to pay a portion of the roadway improvement will not change in the end. However, staff is willing to sit down with HCA to better explain and go over the details and issues.

Councilmember Townsend made a motion to delay action on this item for two weeks. Mayor Pro Tem Lewis seconded the motion, which passed unanimously.

2. SP2015-020 - Discuss and consider a request by Sam Ellis of Dallas Design Build on behalf of the owner Amalraj Fernando of MREA Properties-2, LLC for the approval of variances associated with articulation, screening and landscape buffers as stipulated by Articles V & VIII of the Unified Development Code (UDC) in conjunction with an approved site plan for a daycare facility on a two (2) acre parcel of land identified as Lot 1 of the Dewoody Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the North SH-205 Corridor Overlay (N SH-205 OV) District, addressed as 3011 N. Goliad Street [SH-205], and take any action necessary.

Ryan Miller, Planning Director, provided information concerning this agenda item, indicating that the applicant is requesting three variances as follows:

a) *Article V, Section 4.1 General Commercial District Standards* - to allow for not meeting the Horizontal Articulation requirements as established in *Art. V, Sec. 4.1, C.1.a*. and as depicted in the Building Elevations as submitted. (*Simple majority vote of council is required)*

b) *Article VIII, Landscape Standards* - to allow for not meeting the screening standards as established in *Art. VIII, Sec. 5.6 Screening from Residential Uses* which requires a minimum 6-ft high masonry screening fence. The applicant is requesting a 6-ft wrought iron fence that will be constructed atop the retaining wall at the rear of the property, but will not provide the required screening; however, the property is considered to be heavily treed and is screened by the existing trees. (*Simple majority vote of council is required)*

c) *Article V, Sec. 6.11 North SH-205 Corridor Overlay District* – to allow for not meeting the minimum 20-ft landscape buffer strip as established in Art. V, Sec. 6.11, E., 1 by allowing nine allowing nine (9) parking spaces to encroach the landscape buffer strip. (¾ majority vote of council is required).

Councilmember White made a motion to approve the variance for SP2015-020 related to the horizontal articulation requirements. Mayor Pro Tem Lewis seconded the motion, which passed unanimously.

Councilmember White made a motion to approve the variance request regarding not meeting the 6' masonry screening requirement. Mayor Pro Tem Lewis seconded the

motion. After clarifying comments, the motion passed by a vote of 7 in favor with 0 against.

Councilmember White made a motion to approve the variance associated with allowing 9 parking spaces that encroach on the landscape buffer. Mayor Pro Tem Lewis seconded them motion, which passed by a unanimous vote of council.

3. Discuss and consider Wal-Mart Supercenter temporary storage of merchandise, and take any action necessary.

Councilmember White made a motion to approve the temporary storage request for Wal-Mart Supercenter. Councilmember Milder seconded the motion, which passed by a vote of 6 in favor with 1 against (Fowler).

Staff asked council members if they prefer that staff handle these sorts of requests administratively in the future, or if the council would prefer these sorts of requests to be brought before them for consideration each time they arise. Mr. Crowley indicated that, generally speaking, retailers have indicated that they have a need about five months out of the year for seasonal or temporary outside display of merchandise. Indication was given that Council would like staff to bring back a policy to review related to temporary or seasonal outside storage.

4. Discuss and consider recommendations by the Landscape Review Committee for code amendments to the Unified Development Code (UDC) and Municipal Code of Ordinances that relate to water conservation and drought management, and take any action necessary.

Mr. Miller, Planning Director, indicated that City volunteers recently went through a process with staff to review the city's landscape ordinance to ensure the provisions were conservation conscious and "water wise." After explaining the various recommendations of the committee, Mr. Miller indicated that if council would like to move forward, staff will proceed with advertising this proposed change in the city's UDC and Code of Ordinances and take this issue through the Planning & Zoning Commission process for review and consideration. Mr. Miller thanked members of the citizen review committee including Tim Nichols, Jan Self, John Thomas, Marcus Yarborough and city staff member, Andy Hesser, for their work and efforts.

During the discussion, indication was given that White and Pruitt are not in favor of requiring smart meters. Assistant City Manager Brad Griggs shared that smart meters cost about $100 for a typical, average size residential irrigation / sprinkler system and that the price increases as the size of the system increases (i.e. with larger commercial irrigation systems, smart meters become more costly).

Indication was given that Council does not mind 'encouraging' smart meters, but they do not want to require them. Regarding the planting requirements for the City's Overlay Districts being reduced from three (3) canopy trees and four (4) accent trees per 100-linear feet to two (2) canopy trees and four (4) accent trees per 100-linear feet, council indicated they are ok with this adjustment.

Council gave indication that they are generally ok with the following recommendations:

- **The City's list of acceptable trees, trees to be planted within the landscape buffers of the City's Overlay Districts, and as replacement trees for tree preservation should be changed.**
  An appendix should be added to the Unified Development Code that includes recommended planting lists for trees, shrubs, grasses etc.
- **Xeriscaping standards should be established as an alternative to conventional landscaping standards for the purpose of incorporating low water use plants and/or pervious hardscapes. Additionally, xeriscaping should be incentivized by allowing a 2.5% reduction in the overall required landscaping percentage for the purpose of making it a more attractive option to developers.**
- **The screening required of a commercial development when adjacent to a residential development should be changed to include an option to allow a wrought iron fence with landscape screening where applicable.**
- **During drought or water emergency response stages the Director of Planning and Zoning or his designee can grant an applicant permission to delay the installation of required landscaping to a specified time and date.**

The Council took no formal action related to this agenda item.

5. Discuss and consider approval of the Rockwall Economic Development Corporation (REDC) budget for fiscal year 2016 and amended budget for fiscal year 2015, and take any action necessary.

Sheri Franza, CEO and President of the REDC, came forth and briefly summarized for Council the amended budget for FY15 and the proposed budget for FY16. Mayor Pro Tem Lewis made a motion to approve the REDC amended budget for FY15 and the proposed budget for FY16. Councilmember White seconded the motion, which passed unanimously of Council.

6. Discuss and consider approval of the Rockwall Technology Park Association budget for fiscal year 2016 and amended budget for fiscal year 2015, and take any action necessary.

Mrs. Franza briefed the Council on the FY16 proposed budget as well as the amended budget for FY15. Mayor Pro Tem Lewis made a motion to approve the FY15 amended budget and the proposed FY16 budget. Councilmember White seconded the motion, which passed by a vote of 7 ayes to 0 nays.

7. Discuss and consider the Hotel tax subcommittee recommendations for supplemental funding allocations in fiscal year 2015 and proposed funding allocations in fiscal year 2016, including authorizing the City Manager to execute associated funding agreements, and take any action necessary.

Assistant City Manager Mary Smith provided brief information concerning this agenda item. Councilmember Fowler indicated that he will be recusing himself from the vote on the Lonestar CASA, Music Fest and Summer Musicals funding requests because he serves on those boards. Mayor Pruitt made a motion to approve the funding requests for CASA, Music Fest and Summer Musicals. Councilmember White seconded the motion, which passed by a vote of 6 in favor with 1 abstention (Fowler).

Councilmember Townsend made a motion to approve the subcommittee's recommendations associated with the remainder of the funding allocation requests. Mayor Pro Tem Lewis seconded the motion. Mayor Pruitt indicated that, within the next two years or so, the council may not be funding these organizations to the extent that they have been funded in past years, so he wants them to be aware of this and be cognizant of it when planning future year's events. After brief comments, the motion passed by a vote of 7 ayes to 0 nays.

8. Discuss and consider approval of an ordinance amending the budget for fiscal year 2015, and take any action necessary.

City Manager Rick Crowley provided brief comments related to this agenda item. Mayor Pro Tem Lewis made a motion to approve the ordinance amending the FY15 budget. Councilmember Milder seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 15-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE BUDGET OF THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2014 THROUGH SEPTEMBER 30, 2015; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of Council present (7 ayes to 0 nays).

9. Discuss and consider the proposed budget for fiscal year 2016 and approval of an ordinance adopting the proposed budget, and take any action necessary.

Regarding the funding request associated with STAR Transit, Councilmember White requested that funding for STAR Transit be voted on separately. Councilmember Townsend made a motion to approve the funding allocation for STAR Transit for FY2016. Mayor Pro Tem Lewis seconded the motion. Councilmember White indicated that he is very strongly opposed to approving this funding request and will be voting "no." Mayor Pruitt clarified that this particular vote is in no way an indication of how much the city might fund for this organization in the future on a permanent basis. The motion passed by a vote of 5 in favor with 2 against (Milder and White).

Councilmember White recused himself from the Meals on Wheels funding allocation included in the proposed budget because he serves on the organization's board. Mayor Pro Tem Lewis made a motion to approve this funding in the budget. Mayor Pruitt seconded the motion, which passed by a vote of 6 ayes with 1 recusal (White).

Mayor Pro Tem Lewis made a motion to accept the budget proposal and approve the ordinance adopting the proposed budget. Mayor Pruitt seconded the motion. Councilmember Milder clarified that this budget proposal does not include any funding for additional, full-time paid firefighter positions. He strongly believes that additional paid fire staff is prudent and necessary. Councilmember Hohenshelt indicated that he is willing to discuss the possibility of additional paid firefighters in the future but that the discussion must be focused on strategic goals associated with possibly adding new staff. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2015, THROUGH SEPTEMBER 30, 2016; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH THE SAID BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes on 0 nays.

10. Discuss and consider approval of an ordinance levying ad valorem taxes for the tax year 2015, and take any action necessary.

Mayor Pro Tem Lewis made a motion to approve the ordinance as presented. Councilmember White seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 15-27

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, LEVYING THE AD VALOREM TAXES FOR THE YEAR 2015 AT A RATE OF $.4853 PER ONE HUNDRED DOLLARS ($100.00) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY AS OF JANUARY 1, 2015 TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT EXPENSES AND TO PROVIDE AN INTEREST AND SINKING FUND ON ALL OUTSTANDING DEBTS OF THE CITY; PROVIDING FOR DUE AND DELINQUENT DATES, TOGETHER WITH PENALTIES AND INTEREST; APPROVING THE 2015 TAX ROLL; PROVIDING FOR EXEMPTIONS OF PERSONS OVER SIXTY-FIVE (65) YEARS; PROVIDING AN EFFECTIVE DATE.

The motion passed unanimously (7 ayes to 0 nays).

11. Discuss and consider approval of an ordinance amending the provisions of Chapter 12. Businesses & Sales, Article XII. Ambulance Service of the Code of Ordinances, specifically pertaining to exclusivity provisions expressed in Sec. 12-1251, and take any action necessary. (1st reading)

Mayor Pro Tem Lewis made a motion to authorize the city attorney to prepare an ordinance concerning non-emergency ambulance service providers operating within the city limits of Rockwall, stipulating that they must meet all State requirements but that no city permit will be required. Councilmember White seconded the motion, which passed unanimously of council (7 ayes to 0 nays).

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding (re)appointments to city regulatory boards, commissions, or committees - Planning & Zoning Commission vacancy- pursuant to Section 551.074 (personnel matters)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Council did not recess into Executive Session at the end of the public meeting agenda.

XV. ADJOURNMENT

The meeting was adjourned at 7:29 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 5th DAY OF OCTOBER, 2015.

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Cole, City Secretary

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **October 1, 2015**

SUBJECT: **Purchase of a New Toro Sand Pro Infield Groomer for Ballfield Maintenance**

Approved in the General Fund, Parks Operations budget is $28,750 to purchase a new Infield Groomer. This equipment will aid in maintaining a safe and attractive infield by utilizing its grass lip edge, rotary broom and rear mounted leveling box blade.

Funds to buy the new Groomer will come from General Fund Reserves.

This equipment is available from Professional Turf Products through the BuyBoard purchasing cooperative contract #447-14. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to the purchase of this new Groomer.

For Council consideration is the bid award to Professional Turf Products for $28,721.32 and authorizes the City Manager to execute a purchase order for this new Groomer.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **September 29, 2015**

SUBJECT: **Quail Run/Squabble Creek Lift Station Improvements**

Quail Run Lift Station receives sanitary sewer flow from upstream developments from Stone Creek, Breezy Hill, Castle Ridge and other developments north of SH 205/Quail Run Drive/North Lakeshore Drive. The flow from this lift station is pumped into the Squabble Creek Wastewater Treatment Plant (WWTP) maintained by North Texas Municipal Water District (NTMWD). The Squabble Creek WWTP has a limited treatment capacity. The current capacity is 1.8 million gallons per day (mgd). Any flow above that amount is diverted to the Squabble Creek Lift Station and sent to NTMWD's South Mesquite WWTP. As the northern portion of the City continues to grow, more flow will be diverted to the Squabble Creek Lift Station and eventually to the South Mesquite WWTP. With the Lakeview Summit Phase 4 development currently underway and being adjacent to the Squabble Creek WWTP, staff anticipates that odor complaints will begin to occur as new homeowners occupy their new homes in this subdivision.

Staff has evaluated the existing sanitary sewer system against future demands. With the Squabble Creek drainage basin proposed build-out capacity of 18.38 mgd, staff recommends that the Squabble Creek WWTP be de-commissioned and all flows be diverted to the South Mesquite WWTP. In this same area, the existing Quail Run Lift Station can be taken out of service once a gravity flow line is constructed between the Quail Run Lift Station and the Squabble Creek Lift Station. The Squabble Creek Lift Station will require major rehabilitation to handle the additional sanitary sewer flows created by the existing and proposed developments.

Staff requested our wastewater consultant, Birkhoff, Hendricks and Carter, LLP to provide a scope of services for the gravity line and the Squabble Creek Lift Station improvements. The cost to complete the engineering design for these improvements is $220,500.00. Staff request City Council consideration to approve a professional services contract with Birkhoff, Hendricks and Carter, LLP to perform engineering design services for the Quail Run Gravity Flow Line and the Squabble Creek Lift Station Improvements in an amount of $220,500.00 and funded with 2015 Water and Sewer Bonds.

TMT:em

Attachment

Cc: Mary Smith, Assistant City Manager
Amy Williams, P.E., Assistant City Engineer
Rick Sherer, Manager of Water/Wastewater
Jeremy White, Civil Engineer
File

28

STATE OF TEXAS ♦

♦

COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

Squabble Creek Wastewater Treatment Plant Improvements

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Birkhoff, Hendricks & Carter, LLP, ("ENGINEER"), located at 11910 Greenville Ave, Suite 600 Dallas, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for Squabble Creek Lift Station Improvements and Quail Run Bypass Trunk Sewer.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Exhibit "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and detailed in Exhibit "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an annual amount not to exceed Two Hundred Twenty Thousand Five Hundred dollars ($220,500.00) and billed on a lump sum basis for Basic Services and on an hourly basis per rates for Special Services provided in Attachment "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Exhibit "C". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business that has an agreement or is in negotiations of an agreement with CITY. CITY may waive this conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the

Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000.00
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000.00 General aggregate limit

$1,000,000.00 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000.00 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full

force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000.00). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
Mary Smith
City of Rockwall
385 S. Goliad
Rockwall, Texas 75087

Engineer
Matt Hickey, P.E.
Birkhoff, Hendricks & Carter, LLP
11910 Greenville Ave. Suite 600
Dallas, Texas 75243

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Contractor.

13. Reports and Information

Engineer, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Exhibits and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 29th day of September 2015.

Birkhoff, Hendricks & Carter, LLP

By: _____
Name: Matt Hickey, P.E.
Title: Partner

EXECUTED in triplicate originals on this ____ day of _____ 2015.

ATTEST:

City of Rockwall, Texas

_____
Mary Smith, Assistant City Manager

EXHIBIT "A"

GENERAL PROJECT DESCRIPTION

The proposed Squabble Creek Lift Station Rehabilitation project includes replacement of the existing Pump 2 and Pump 3 (160-hp) and empty Pump Slot 1 with three (3) 300-hp submersible lift station pumps, new pump starters and electrical room, upgrade of the existing transformer and a new 750-kw generator. The existing Squabble Creek Lift Station 500-kw generator will be relocated to the Heath Street Pump Station to replace the existing generator. The project also includes the design of 2,225-LF of a 30-inch to 36-inch bypass trunk sewer from the Quail Run Lift Station to the Squabble Creek Lift Station. The project will include details to abandon the existing Quail Run Lift Station once the bypass trunk sewer and lift station improvements are in service.

PART A PRELIMINARY DESIGN

1. Two site visits. One at the Squabble Creek Lift Station (LS) and one at the Heath Street Pump Station to review existing utility and electrical systems.
2. Develop preliminary site plan showing location of proposed improvements at both the Squabble Creek LS and the Heath Street Pump Station. The preliminary design submittal shall include:

   A. Squabble Creek Lift Station upgrade preliminary design:

      i. Obtain existing Squabble Creek LS record drawings

      ii. Prepare report that includes the Squabble Creek LS system curve, pump and motor selection, calculated cycle times, calculated float on/off settings and TCEQ lift station requirements.

      iii. Preliminary electrical one line diagrams, controls and details

      iv. Size soft starter for new pump and motors

      v. Size switchgear and confirm size of proposed emergency generator

      vi. Coordinate and define City SCADA upgrades required for the lift station with the City's integrator Kimark.

      vii. Lay out of new skid mounted prefabricated electrical building.

      viii. Coordinate with Oncor to upgrade the existing transformer

   B. Relocation of existing Squabble LS generator to Heath Street Pump Station

      i. This will be bid as an additive alternate to the lift station improvements

      ii. Coordinate with the City and TXDOT on a preferred oversized truck route from the Squabble LS to the Heath Street Pump Station.

C. Quail Run Bypass Trunk Sewer preliminary design

i. Incorporate additional topographical survey to the surveys completed with the bypass trunk sewer feasibility study

ii. Prepare preliminary plan profile for the bypass trunk sewer

iii. Review aerial crossing option of Squabble Creek with the City

iv. Complete a Tree Survey through the City's park land

D. Prepare preliminary plans, details, phasing and specifications to abandon the Quail Run Lift Station

3. Prepare a preliminary opinion of probable construction cost for proposed improvements.

4. Meet with the City to review preliminary design and budget

PART B **FINAL DESIGN**

1. Prepare construction plan cover sheet, location map and sheet index sheet for two bid packages. Bid package 1 will include the Squabble Creek LS, the Heath Street Pump Station generator and the abandonment of the Quail Run Lift Station. Bid Package 2 will include the Quail Run Bypass Trunk Sewer.

2. Prepare final site plan sheets for both the Squabble Creek LS and Heath Street Pump Station generator modifications

3. Prepare section of existing wet well and valve vault piping.

4. Prepare section of proposed valve vault piping improvements.

5. Prepare final electrical drawings for the Squabble Creek LS and Heath Street Pump Station generator improvements. Electrical drawings shall include:

a. One Line Diagrams

b. Motor Control Center Sections

c. Electrical Schedules

d. Control Schematics

e. Lift Station Electrical Room Plan

f. Control Block Diagram

g. Electrical Standard Details Related to Project

6. Structural design a foundation for a prefabricated electrical room and Squabble Creek LS generator foundation and Heath Street Pump Station generator foundation by our sub-consultant Ronald A. Roberts Associates, Inc.

7. Coordinate with electric service provider on transformer requirements.
8. Preparation of construction Plan-Profile sheets prepared at a scale of not less than 1" = 40' for 2,225-LF of 30 to 36-inch gravity sewer from S.H. 205 at the Quail Run lift station to the manhole upstream of the Squabble Creek LS.
9. Prepare final plans, details, phasing and specifications to abandon the Quail Run Lift Station
10. Prepare bid schedule and technical specifications for inclusion into City construction contract and specifications.
11. Submit two sets of 90% preliminary plans (11" x 17" maximum sheet size), bid schedule and technical specifications for the City review.
12. Meet with the City of Rockwall to discuss the City's comments.
13. Revise and finalize 90% plan sheets and technical specifications, incorporating City comments.
14. Formulate opinion of probable construction cost based on final plans.
15. Prepare final bid documents including bid proposal forms, construction plans and technical specifications. Contract documents, general conditions and special conditions will be provided by City of Rockwall.
16. Conduct an interoffice quality assurance and quality control review of the construction plans and specifications prior to advertising the project for bidding.

PART C BIDDING PHASE

Two projects will be bid. One bid for the Squabble Lift Station Improvement, relocation of the existing Squabble LS generator and abandonment of the Quail Run Lift Station. The second bid is for the Quail Run Bypass Trunk Sewer. For each of the bids, the following scope applies:

1. Assist the City of Rockwall staff in advertising for bids. This will include providing City with Notice to Contractors for their use in publicly advertising project. Birkhoff, Hendricks & Carter L.L.P. will e-mail notices to Publishers and to Contractors experienced in lift station and utility construction.

2. Sell bidding documents to potential proposers, suppliers and other parties. Maintain a log of the plan holders.

3. Attend City's Pre-bid Conference at City facilities for the Squabble Creek LS improvements.

4. Assist City of Rockwall during opening of proposals and provide bid tabulation summary sheets.

5. Provide bid tabulation to City and contractors (by email) who submit bids.

6. Check references provided for apparent low bidder.

PART D CONSTRUCTION PHASE

Construction contract administration will apply to the Squabble LS improvements and the Quail Run Bypass Trunk Sewer projects.

1. Attend City's Pre-Construction Conference at City facilities.

2. Attend up to twelve coordination meetings, six for the lift station and six for the bypass trunk sewer, with the contractor, quality control personnel and City representatives to discuss strategy, problem areas, progress, and any required coordination.

3. Review shop drawings and other submittal information which the Contractor submits. This review is for the benefit of the Owner and covers only general conformance with information given by the Contract Documents. The contractor is to review and stamp their approval on submittals prior to submitting to the Engineer. Review of shop drawing submissions is solely for their conformance with the design intent and conformance with information given in the construction documents. Birkhoff, Hendricks & Carter L.L.P. shall not be responsible for any aspects of a shop drawing submission that affect or are affected by the means, methods, techniques, sequences and operation of construction, safety precautions and programs incidental thereto, all of which are the Contractors responsibility. Electronic pdf copies of acceptable shop drawings will be provided to the City.

4. Provide written responses to requests for information or clarification.

5. Prepare routine change orders.

6. Accompany the City during their final inspection of each project.

7. Recommend acceptance of work based on information from City's on-site representative for each project.

8. Prepare record drawings utilizing City and Contractor construction record information. Provide record drawings to the City in pdf format and two 11"X17" black line paper copies.

PART E SPECIAL SERVICES

1. Field Survey for Design and Construction

   a. Establish a horizontal and vertical control network and project control baseline for the project. Field surveys will be completed with GPS and Total Station equipment.

   b. Horizontal and vertical location of the existing facilities, including existing pavement, fences, and utility appurtenances such as water valves, fire hydrants and manholes

   c. Field survey for the Quail Run Bypass Trunk Sewer will include trees with calipers 6-inches and greater for a 75-ft width along the proposed route. Surveyed trees will appear on the trunk sewer plan and profile sheets.

   d. Recipients of professional land surveying services under this agreement may direct complaints regarding such services to the Texas Board of Professional Land Surveying, 12100 Park 35 Circle, Building A, Suite 156, MC 230, Austin, TX 78753, Phone (512) 239-5263, Fax (512) 239-5253.

2. Reproduction

   a. Furnish 2-sets of 60% and 2-sets of 90% preliminary plans and 3-sets of final plans (11" X 17") and specifications for review by the City (5 Sets Total) for each project.

   b. After award of a construction contract by the City, furnish 10-sets of (11" X 17") conformed plans and specifications to the City for each project. Five sets for the City's use during construction and five sets for the contractor during construction.

3. Easement Plat & Field Note Descriptions

   c. Two easement plat and field note descriptions for the proposed Quail Run Bypass Trunk Sewer.

4. Geotechnical (Henley-Johnston & Associates, Inc.)

   The geotechnical analysis shall include the following:

   (a) Subsurface exploration, including one (1) boring at the general location of the proposed lift station for the foundations of the proposed electrical room and proposed generator and one (1) soil boring in the vicinity of the aerial crossing on the Quail Run Bypass Trunk Sewer.

   (b) Laboratory tests for classification purposes and strength characteristics.

   A geotechnical report will be furnished, by the geotechnical engineer, summarizing the results of the field and laboratory data. The report will contain analyses and recommendations. The data contained in the geotechnical report will be made available to contractors during the bidding process for information purposes.

PART F EXCLUSIONS

Services specifically excluded from the scope of services include, but are not necessarily limited to the following:

1. Providing an on-site representative.
2. Environmental impact statements and assessments.
3. Fees for permits or advertising.
4. Certification that work is in accordance with plans and specifications.
5. Environmental cleanup.
6. Quality control and testing services during construction.
7. Phasing of Contractors work.
8. On-site safety precautions, programs and responsibility.
9. Fiduciary responsibility to the City.

Exhibit "B" to Agreement between the City of Rockwall, Texas (CITY) and Birkhoff, Hendricks & Carter, L.L.P, (ENGINEER) for Professional Services: Dated _____, 2015

EXHIBIT "B"

PAYMENT SCHEDULE FOR BASIC SERVICES

Compensation for basic engineering services under Exhibit A, Part A, B, C and D, shall be on a lump sum basis. The tabulation below establishes the not to exceed amount for each category of contract service:

	Squabble LS, Heath St Generator & Abandon Quail Run LS	Quail Run Bypass Trunk Sewer	Total
BASIC SERVICES			
Part A. Preliminary Design	$55,400	$12,400	$67,800
Part B. Final Design	$50,000	$17,300	$67,300
Part C. Bidding Phase	$6,000	$4,300	$10,300
Part D. Construction Administration	$34,600	$13,200	$47,800
Subtotal (Basic Services)	**$146,000**	**$47,200**	**$193,200**

PAYMENT SCHEDULE FOR SPECIAL SERVICES

Compensation for engineering services under Exhibit A, Part E, Special Services, shall be at salary cost times 2.40, with expenses at actual invoice amount times 1.15. Field Survey Crew rate is $165.00 per hour and mileage is charged at current IRS rates.

	Squabble LS, Heath St Generator & Abandon Quail Run LS	Quail Run Bypass Trunk Sewer	Total
SPECIAL SERVICES			
Survey (Design, Boundary and Construction Surveys)	$ 4,900.00	$ 9,800.00	$ 14,700.00
Preparation of ROW Documents (2)	$ -	$ 6,100.00	$ 6,100.00
Printing of Plans and Specifications	$ 750.00	$ 750.00	$ 1,500.00
Geotechnical Evaluation, Pavement Design & Report	$ 2,500.00	$ 2,500.00	$ 5,000.00
Subtotal (Special Services)	**$ 8,150.00**	**$ 19,150.00**	**$ 27,300.00**

Invoices will be posted monthly based upon estimate of work complete for Lump Sum and hourly for Special Services plus expenses. Payment is due upon receipt of invoice.

Not to exceed amount for Basic and Special Services is $220,500.00.

EXHIBIT "C"

PROJECT SCHEDULE

Notice to Proceed	October 26, 2015
Permission to Survey Request	November 9, 2015
Begin Field Surveys	November 23, 2015
Complete Field Surveys	December 14, 2015
Submit 60% Plans; Plats & Field Notes:	February 22, 2016
Receive City Review and Comments:	February 29, 2016
Submit Preliminary Plans (90%):	March 21, 2016
Receive City Review Comments:	March 28, 2016
Submit Final Plans and Bidding Documents:	April 11, 2016
Review Comments from City	April 18, 2016
Easement Acquisition (By others)	Feb. 22, 2016- April 18, 2016
Advertise Project	May 4, 2016
Receive Bids	June 1, 2016
City Award Construction Contract	June 20, 2016
Notice to Proceed with Construction	July 20, 2016
Construction Complete (12 Mo)	August 2017

EXHIBIT "D"

SUB-CONSULTANTS

1. Ronald A. Roberts Associates, Inc. - Structural
2. Henley-Johnston & Associates, Inc. - Geotechnical

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Timothy M. Tumulty, Director of Public Works/City Engineer

DATE: September 28, 2015

SUBJECT: North Lakeshore Drive/Masters Boulevard Traffic Signal

Staff received a complaint from a resident on May 21, 2015 regarding a visibility issue at the intersection of North Lakeshore Drive and Masters Boulevard. The complainant stated the northbound left turn movement from North Lakeshore Drive onto Master Boulevard was difficult to make safely due to the horizontal and vertical curvature of the existing roadway. Upon receiving the complaint, staff obtained the services of Kimley-Horn and Associates, Inc. Consulting Engineers to perform a traffic signal warrant study for this intersection. The Texas Manual on Uniform Traffic Control Devices provides guidelines for performing a signal warrant analysis. A traffic signal may be warranted based on traffic volumes, school crossing, vehicle progression, crash history, roadway network or nearby grade crossings. This study evaluated all signal warrant criteria. The intersection was observed to have insufficient sight and stopping sight distance along with meeting three other warrants.

During the FY 2015-16 budget discussion with the City Council, the staff was directed to proceed with the design and construction of a new traffic signal at the intersection of North Lakeshore Drive and Masters Boulevard. Staff has negotiated a professional services contract with Kimley-Horn and Associates, Inc. Consulting Engineers to perform the traffic signal design. Staff request City Council consideration to approve a professional services contract with Kimley-Horn and Associates, Inc. Consulting Engineers to perform the traffic signal design at the intersection of North Lakeshore Drive and Masters Boulevard in an amount not to exceed $36,500.

TMT:em

Cc:
Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
Jeremy White, Civil Engineer
Billy Chaffin, Superintendent of Streets & Drainage
File

STATE OF TEXAS ♦

♦

COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Kimley-Horn and Associates, Inc. ("ENGINEER"), Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for the Traffic Signal Design at the Intersection of Lakeshore Drive and Masters Boulevard project.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Exhibit "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and detailed in Exhibit "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Engineer will perform the tasks identified in Exhibit "A" on a lump sum and reimbursable/hourly basis for a total fee not to exceed thirty-six thousand five hundred dollars ($36,500.00), inclusive of expenses, as specifically defined in this Contract as Exhibit "B". Lump sum fees will be invoiced monthly based upon the overall percentage of services performed. Reimbursable fees will be invoiced monthly based on the actual amount of services performed and expenses incurred. Engineer is not authorized to perform any work beyond the total not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement. In the

event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business that has an agreement or is in negotiations of an agreement with CITY. CITY may waive this conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written

consent of the Engineer will be at re-user's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000.00
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000.00 General aggregate limit

$1,000,000.00 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000.00 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insured on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis for a period of two years after termination of this contract, as long as reasonably

available under standard policies.

7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR EMPLOYEES OR ANYONE FOR WHOM THE ENGINEER IS LEGALLY LIABLE FOR, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000.00). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
City Manager
City of Rockwall
City Hall
385 S. Goliad
Rockwall, TX 75087
972-771-7700

Engineer
Tom Grant, P.E.
Kimley-Horn and Associates, Inc.
2201 West Royal Lane, Suite 275
Irving, TX 75063
214-420-5600

All notices and communications under this Contract shall be mailed or delivered to CITY and Engineer at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of Engineer to be performed hereunder. Such changes, including any increase or decrease in the amount of Engineer's compensation, or time for performance, which are mutually agreed upon by and between CITY and Engineer, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment in writing executed by both CITY and Contractor.

13. Reports and Information

Engineer, at such times and in such forms as CITY may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish CITY periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Exhibits and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 1ST day of OCTOBER 2015.

By: _____
Name: G. Brad Tribble, P.E.
Title: Senior Vice President

EXECUTED in triplicate originals on this _____ day of _____ 2015.

ATTEST:

City of Rockwall, Texas

_____
Richard Crowley, City Manager

Kimley»Horn

EXHIBIT A – SCOPE OF SERVICES

PROJECT OVERVIEW

CITY has requested the ENGINEER to prepare design plans for a new traffic signal at the intersection of Lakeshore Drive and Masters Boulevard. Below is the detailed description of the tasks:

Task 1: Basic Services – Survey, Meetings, and Construction Plans

This task includes the design of a new traffic signal installation at the intersection of Lakeshore Drive and Masters Boulevard. This design will consist of plans and specifications related to the installation of the traffic signal, required pedestrian curb ramps/sidewalk modifications if necessary, and revised pavement markings. This task includes the following:

a.) Project meetings
- The ENGINEER will meet with CITY staff to discuss CITY design preferences, identify the proposed controller location, and identify potential design issues.
- The ENGINEER will coordinate with the local electric service provider to determine a service location to power the proposed traffic signal. The ENGINEER will fill out the service provider load forms if requested.
- If requested, the ENGINEER will prepare for and attend a meeting with the CITY after the preliminary submittal to discuss the plans and CITY comments.

b.) Base Map and Specifications Assembly
- The ENGINEER will assemble applicable design standards and specifications from the CITY and TxDOT.
- ENGINEER will perform field survey to collect information needed by the ENGINEER for design and preparation of plans for the project. Information gathered during the survey shall include topographic data, structures, utilities, pavement curb lines, driveways, trees, right-of-way and easements, and other features relevant to the final plan sheets. The survey will rely on field locates by 1-800-Dig-Tess and underground utility record drawings provided by the CITY for utility information prior to field survey. If ENGINEER is requested to provide horizontal and vertical subsurface utility engineering, it will be provided as an additional service.

c.) Preliminary Plans
- The ENGINEER will prepare the traffic signal design for the project intersection. The basic design parameters will be based on discussions with the CITY. The ENGINEER will produce, provide internal quality control/quality assurance for, and submit preliminary plans and specifications. Existing utility information will be addressed on the plans, in the general notes, and specifications. The plans will require that the Contractor call the utility-locate phone number to have the utilities field-located prior to construction to assure the surveyed locations.
- It is assumed that the plan set for this construction contract will contain a title sheet; quantity summary sheet; two layout sheets showing the traffic signal improvements and signing improvements with the appropriate conduit/cable schedule, signal sequence chart, signal cable termination chart; traffic signal foundation and hardware

detail sheets; curb ramp design and pavement markings sheet; and standard detail sheets. Design assumptions are as follows for the intersection:

- Three legged intersection
- TxDOT standard steel pole/mast arm assemblies
- Internally illuminated street signs
- Opticom system
- Video vehicle detection (VIVDS)
- Pedestrian countdown heads (but not audible system)
- New ADA compliant curb ramps
- Revised pavement markings to reflect the proposed stop bars and crosswalks
- Record drawings provided by the CITY for existing utility information

- The ENGINEER will submit preliminary plans to the CITY for review and comment.

d.) Final Plans

- The ENGINEER will incorporate one round of CITY comments and produce the final plans, specifications, and ENGINEER's opinion of probable construction cost.
- The ENGINEER will create a timing plan and basic signal timing parameters for the traffic signal for up to three (3) time periods. The contractor will be responsible for implementing the traffic signal timing plan during construction. Additional timing plans and field modifications are included under Task 3.
- The ENGINEER will furnish up to 10 hard copies of the final 11"x17" plans and specifications to the CITY for their use along with electronic copy in .pdf format.

e.) The deliverables will include:

- Final Signed and Sealed Plan Sets (11X17);
- Project Manual if project is public bid (to be prepared under Task Two)
- Opinion of Probable Construction Costs.

Task 2: Special Services – Bidding Phase Services

This task includes up to 35 hours, and may include the following as requested by the CITY.

- ENGINEER will prepare a Project Manual for public bidding.
- ENGINEER will print sets for bidder distribution. A non-refundable deposit will be collected from plan holders to pay for printing costs.
- ENGINEER will issue bid documents to prospective bidders and maintain a list of bidders to whom bidding documents have been issued.
- Issue addenda as appropriate to interpret, clarify, or expand the bidding document
- Attend the Bid Opening
- Tabulate the bids received and evaluate the compliance of the bids received with the bidding document
- Prepare a written summary of this tabulation and evaluation together with a letter addressing the award of the construction contract
- The ENGINEER will coordinate with the low bidder and prepare the contract documents for execution (including printing up to six (6) plan sets)
- Attend the Pre-Construction meeting and review Shop Drawings for conformance to the contract requirements.

Task 3: Special Services – Construction Phase Services

This task includes up to 25 hours, and may include the following as requested by the CITY.

- ***Visits to Site and Observation of Construction.*** ENGINEER will provide on-site construction observation services during the construction phase. ENGINEER will make visits at intervals as directed by CITY in order to observe the progress of the Work. Such visits and observations by ENGINEER are not intended to be exhaustive or to extend to every aspect of Contractor's work in progress. Observations are to be limited to spot checking, selective measurement, and similar methods of general observation of the Work based on ENGINEER's exercise of professional judgment. Based on information obtained during such visits and such observations, ENGINEER will evaluate whether Contractor's work is generally proceeding in accordance with the Contract Documents, and ENGINEER will keep CITY informed of the general progress of the Work. The purpose of ENGINEER's site visits will be to enable ENGINEER to better carry out the duties and responsibilities specifically assigned in this Agreement to ENGINEER, and to provide CITY a greater degree of confidence that the completed Work will conform in general to the Contract Documents. ENGINEER shall not, during such visits or as a result of such observations of Contractor's work in progress, supervise, direct, or have control over Contractor's work, nor shall Kimley-Horn have authority over or responsibility for the means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction selected by Contractor, for safety precautions and programs incident to Contractor's work, nor for any failure of Contractor to comply with laws and regulations applicable to Contractor's furnishing and performing the Work. Accordingly, ENGINEER neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work in accordance with the Contract Documents.
- ***Visits to Site and Observation and Modification of Signal Timings.*** ENGINEER will provide initial signal timings for three time periods based on traffic counts previously collected for the traffic signal warrant under Task 1. Additional site visits and/or signal timing modifications are included in this task.
- ***Recommendations with Respect to Defective Work.*** ENGINEER will recommend to CITY that Contractor's work be disapproved and rejected while it is in progress if, on the basis of such observations, ENGINEER believes that such work will not produce a completed Project that conforms generally to Contract Documents.
- ***Clarifications and Interpretations.*** ENGINEER will respond to reasonable and appropriate Contractor requests for information and issue necessary clarifications and interpretations of the Contract Documents to CITY as appropriate to the orderly completion of Contractor's work. Any orders authorizing variations from the Contract Documents will be made by CITY.
- ***Change Orders.*** ENGINEER may recommend Change Orders to CITY, and will review and make recommendations related to Change Orders submitted or proposed by the Contractor.
- ***Shop Drawings and Samples.*** ENGINEER will review and approve or take other appropriate action in respect to Shop Drawings and Samples and other data which Contractor is required

to submit, but only for conformance with the information given in the Contract Documents. Such review and approvals or other action will not extend to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs.

- ***Substitutes and "or-equal."*** Evaluate and determine the acceptability of substitute or "or-equal" materials and equipment proposed by Contractor in accordance with the Contract Documents, but subject to the provisions of applicable standards of state or local government entities.
- ***Inspections and Tests.*** ENGINEER may require special inspections or tests of Contractor's work as ENGINEER deems appropriate, and may receive and review certificates of inspections within ENGINEER's area of responsibility or of tests and approvals required by laws and regulations or the Contract Documents. ENGINEER's review of such certificates will be for the purpose of determining that the results certified indicate compliance with the Contract Documents and will not constitute an independent evaluation that the content or procedures of such inspections, tests, or approvals comply with the requirements of the Contract Documents. ENGINEER shall be entitled to rely on the results of such tests and the facts being certified.
- ***Disagreements between CITY and Contractor***. ENGINEER will, if requested by CITY, render written decision on all claims of CITY and Contractor relating to the acceptability of Contractor's work or the interpretation of the requirements of the Contract Documents pertaining to the progress of Contractor's work. In rendering such decisions, ENGINEER shall be fair and not show partiality to CITY or Contractor and shall not be liable in connection with any decision rendered in good faith in such capacity.
- ***Applications for Payment***. Based on its observations and on review of applications for payment and accompanying supporting documentation, ENGINEER will determine the amounts that ENGINEER recommends Contractor be paid. Such recommendations of payment will be in writing and will constitute ENGINEER's representation to CITY, based on such observations and review, that, to the best of ENGINEER's knowledge, information and belief, Contractor's work has progressed to the point indicated and that such work-in-progress is generally in accordance with the Contract Documents subject to any qualifications stated in the recommendation. In the case of unit price work, ENGINEER's recommendations of payment will include determinations of quantities and classifications of Contractor's work, based on observations and measurements of quantities provided with pay requests. By recommending any payment, ENGINEER shall not thereby be deemed to have represented that its observations to check Contractor's work have been exhaustive, extended to every aspect of Contractor's work in progress, or involved detailed inspections of the Work beyond the responsibilities specifically assigned to ENGINEER in this Agreement. It will also not impose responsibility on ENGINEER to make any examination to ascertain how or for what purposes Contractor has used the moneys paid on account of the Contract Price, nor to determine that title to any portion of the work in progress, materials, or equipment has passed to CITY free and clear of any liens, claims, security interests, or encumbrances, nor that there may not be other matters at issue between CITY and Contractor that might affect the amount that should be paid.

- ***Substantial Completion***. ENGINEER will, promptly after notice from Contractor that it considers the entire Work ready for its intended use, in company with CITY and Contractor, conduct a site visit to determine if the Work is substantially complete. Work will be considered substantially complete following satisfactory completion of all items with the exception of those identified on a final punch list. If after considering any objections of CITY, ENGINEER considers the Work substantially complete, ENGINEER will notify CITY and Contractor.
- ***Final Notice of Acceptability of the Work***. ENGINEER will conduct a final site visit to determine if the completed Work of Contractor is generally in accordance with the Contract Documents and the final punch list so that ENGINEER may recommend, in writing, final payment to Contractor. Accompanying the recommendation for final payment, ENGINEER shall also provide a notice that the Work is generally in accordance with the Contract Documents to the best of ENGINEER's knowledge, information, and belief based on the extent of its services and based upon information provided to ENGINEER upon which it is entitled to rely.
- ***Limitation of Responsibilities*.** ENGINEER shall not be responsible for the acts or omissions of any Contractor, or of any of their subcontractors, suppliers, or of any other individual or entity performing or furnishing the Work. ENGINEER shall not have the authority or responsibility to stop the work or direct Contractor.

Information provided by the CITY: Record drawings for existing utility information.

Kimley»Horn

EXHIBIT B – COMPENSATION and SCHEDULE

Method of Compensation:

Task 1: Survey, Meetings, and Construction Plans	$24,000
Lump sum fee of	$24,000
Task 2: Bidding Phase Services	$7,500
Task 3: Construction Phase Services	$5,000
Reimbursable/Hourly	$12,500

ENGINEER will provide the Lump Sum task identified in the Scope of Services for Task 1 for the total lump sum fee listed above. All permitting, application, and similar project fees will be paid directly by the CITY. Lump Sum fees will be invoiced monthly based upon the percentage of services performed as of the invoice date.

ENGINEER will provide the Reimbursable/Hourly tasks identified in the Scope of Services for Task 2 and Task 3 on a labor fee plus expense basis. For your budgeting purposes, we recommend allocating $12,500 for the Reimbursable/Hourly task. The budget fee indicated in Task 2 and Task 3 includes up to 60 hours of ENGINEER effort. The budgeted amount, inclusive of allocation and direct expenses, will not be exceeded without the CITY's prior written approval. Labor fees will be billed in accordance with our then current hourly rates. For the Reimbursable/Hourly task, direct reimbursable expenses such as express delivery services, fees, and other direct expenses will be billed at 1.15 times cost and 6% of labor fee will be added to each invoice to cover certain other expenses such as telecommunications, in-house reproduction, postage, supplies, project related computer time, and local mileage.

All permitting, application, and similar project fees will be paid directly by the CITY. Reimbursable fees will be invoiced monthly based on the actual amount of services performed and expenses incurred.

Schedule

We will provide our services as expeditiously as possible with the goal of meeting the following schedule:

Task 1: Survey, preliminary plans, and final plans	3 months
Tasks 2 and 3: Bidding and Construction Phase	Dependent on others

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and Council

FROM: Joey Boyd, Director of Internal Operations

DATE: October 1, 2015

SUBJECT: Routine Airport Maintenance Program Grant Agreement

As part of the budget process, the City Council approved funds for maintenance and improvements at the Ralph M. Hall / Rockwall Municipal Airport. The Routine Airport Maintenance Program grant funds up to $100,000.00 per year for each general aviation airport and reimburses local governments 50% of the cost of these smaller projects.

The approved budget includes maintenance of the AWOS - Automated Weather Observation System, silt fencing, asphalt repair, and any other smaller projects that may be necessary.

Attached is the FY 2016 RAMP grant agreement for the Ralph M. Hall / Rockwall Municipal Airport for consideration. The City Council is asked to consider the proposed contract and authorize the City Manager to enter into an agreement with the Texas Department of Transportation – Aviation Division for the City of Rockwall to participate in the Routine Airport Maintenance Program.

Texas Department of Transportation

AVIATION DIVISION
125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • 512/416-4500 • FAX 512/416-4510

September 1, 2015

Mr. Joey Boyd, Assistant City Manager
The City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

TxDOT CSJ No.: M1618RCKW
Fund Source: 36300

Dear Mr. Boyd:

A FY2016 Routine Airport Maintenance Grant is enclosed for the Ralph M Hall/Rockwall Municipal Airport. The City of Rockwall has participated in the Routine Airport Maintenance Program in past years, and the 2016 grant is provided to continue your maintenance efforts.

The TxDOT CSJ No. M1618RCKW grant for airport maintenance between the City of Rockwall, as airport sponsor, and the Texas Department of Transportation is attached as an Adobe Acrobat document.

The amount of the FY2016 grant is based on previous year grant expenditures - if the amount needs to be adjusted, please let me know. An airport General Maintenance description has been included on Attachment-A Scope of Services so that grant funds can be used for these types of items without having to amend the grant as projects come up. Amendments can be done at your request any time after execution to add special projects or to increase the grant amount.

Please print out the grant and however many additional copies the City of Rockwall may need for retained paper records and execute the Agreement, complete the Certifications, and return the accepted grant as soon as possible. It will be necessary for your attorney to endorse your acceptance of the Agreement to assure that it has been accepted in accordance with local laws. The Grant Agreement and Certifications should have original signatures for acceptance.

TxDOT will be retaining the grant file electronically and will not retain a paper record copy of your executed grant.

If you **do not need a paper copy** of the executed grant returned to you, please scan the fully signed and witnessed grant document and e-mail it to me at megan.caffall@txdot.gov. I will have the grant executed by the state and return an electronic copy of the executed grant to you by e-mail.

If you **need a paper copy(ies)** of the executed grant, please return **all** copies of the fully signed and witnessed documents to:

Mailing Address - ***TxDOT Aviation Division***
125 E. 11th Street
Austin, Texas 78701-2483.

Overnight Address - ***TxDOT Aviation Division***
200 E. Riverside Drive
Austin TX 78704

If you have any questions, or need additional information please contact me at 1-800-687-4568 or megan.caffall@txdot.gov. The Texas Department of Transportation Aviation Division appreciates your participation in preserving and improving the Texas Airport System, and looks forward to working with you at the Ralph M Hall/Rockwall Municipal Airport.

Sincerely,

Megan Caffall

Megan Caffall
RAMP Program Manager

cc: Russell Emerson, Dallas District
Enclosures

TEXAS DEPARTMENT OF TRANSPORTATION
GRANT FOR ROUTINE AIRPORT MAINTENANCE PROGRAM

(State Assisted Airport Routine Maintenance)

TxDOT CSJ No.: M1618RCKW

Part I - Identification of the Project

TO: The City of Rockwall, Texas

FROM: The State of Texas, acting through the Texas Department of Transportation

This Grant is made between the Texas Department of Transportation, (hereinafter referred to as the "State"), on behalf of the State of Texas, and the City of Rockwall, Texas, (hereinafter referred to as the "Sponsor").

This Grant Agreement is entered into between the State and Sponsor shown above, under the authority granted and in compliance with the provisions of the Transportation Code Chapter 21.

The project is for **airport maintenance** at the Ralph M Hall/Rockwall Municipal Airport.

Part II - Offer of Financial Assistance

1. For the purposes of this Grant, the annual routine maintenance project cost, Amount A, is estimated as found on Attachment A, Scope of Services, attached hereto and made a part of this grant agreement.

   State financial assistance granted will be used solely and exclusively for airport maintenance and other incidental items as approved by the State. Actual work to be performed under this agreement is found on Attachment A, Scope of Services. State financial assistance, Amount B, will be for fifty percent (50%) of the eligible project costs for this project or $50,000.00, whichever is less, per fiscal year and subject to availability of state appropriations.

   Scope of Services, Attachment A, of this Grant, may be amended, subject to availability of state funds, to include additional approved airport maintenance work. Scope amendments require submittal of an Amended Scope of Services, Attachment A.

   Services will not be accomplished by the State until receipt of Sponsor's share of project costs.

Only work items as described in Attachment A, Scope of Services of this Grant are reimbursable under this grant.

Work shall be accomplished by August 31, 2016, unless otherwise approved by the State.

2. The State shall determine fair and eligible project costs for work scope. Sponsor's share of estimated project costs, Amount C, shall be as found on Attachment A and any amendments.

It is mutually understood and agreed that if, during the term of this agreement, the State determines that there is an overrun in the estimated annual routine maintenance costs, the State may increase the grant to cover the amount of the overrun within the above stated percentages and subject to the maximum amount of state funding.

The State will not authorize expenditures in excess of the dollar amounts identified in this Agreement and any amendments, without the consent of the Sponsor.

3. Sponsor, by accepting this Grant certifies and, upon request, shall furnish proof to the State that it has sufficient funds to meet its share of the costs. The Sponsor grants to the State the right to audit any books and records of the Sponsor to verify expended funds.

Upon execution of this Agreement and written demand by the State, the Sponsor's financial obligation (Amount C) shall be due in cash and payable in full to the State. State may request the Sponsor's financial obligation in partial payments. Should the Sponsor fail to pay their obligation, either in whole or in part, within 30 days of written demand, the State may exercise its rights under Paragraph V-3. Likewise, should the State be unwilling or unable to pay its obligation in a timely manner, the failure to pay shall be considered a breach and the Sponsor may exercise any rights and remedies it has at law or equity.

The State shall reimburse or credit the Sponsor, at the financial closure of the project, any excess funds provided by the Sponsor which exceed Sponsor's share (Amount C).

4. The Sponsor specifically agrees that it shall pay any project costs which exceed the amount of financial participation agreed to by the State. It is further agreed that the Sponsor will reimburse the State for any payment or payments made by the State which are in excess of the percentage of financial assistance (Amount B) as stated in Paragraph II-1.

5. Scope of Services may be accomplished by State contracts or through local contracts of the Sponsor as determined appropriate by the State. All locally contracted work must be approved by the State for scope and reasonable cost. Reimbursement requests for locally contracted work shall be submitted on forms provided by the State and shall include copies of the invoices for materials or services. Payment shall be made for no more than 50% of allowable charges.

The State will not participate in funding for force account work conducted by the Sponsor.

6. This Grant shall terminate upon completion of the scope of services.

Part III - Sponsor Responsibilities

1. In accepting this Grant, if applicable, the Sponsor guarantees that:

a. it will, in the operation of the facility, comply with all applicable state and federal laws, rules, regulations, procedures, covenants and assurances required by the State in connection with this Grant; and

b. the Airport or navigational facility which is the subject of this Grant shall be controlled by the Sponsor for a period of at least 20 years; and

c. consistent with safety and security requirements, it shall make the airport or air navigational facility available to all types, kinds and classes of aeronautical use without discrimination between such types, kinds and classes and shall provide adequate public access during the period of this Grant; and

d. it shall not grant or permit anyone to exercise an exclusive right for the conduct of aeronautical activity on or about an airport landing area. Aeronautical activities include, but are not limited to scheduled airline flights, charter flights, flight instruction, aircraft sales, rental and repair, sale of aviation petroleum products and aerial applications. The landing area consists of runways or landing strips, taxiways, parking aprons, roads, airport lighting and navigational aids; and

e. it shall not enter into any agreement nor permit any aircraft to gain direct ground access to the sponsor's airport from private property adjacent to or in the immediate area of the airport. Further, Sponsor shall not allow aircraft direct ground access to private property. Sponsor shall be subject to this prohibition, commonly known as a "through-the-fence operation," unless an exception is granted in writing by the State due to extreme circumstances; and

f. it shall not permit non-aeronautical use of airport facilities without prior approval of the State; and

g. the Sponsor shall submit to the State annual statements of airport revenues and expenses when requested; and

h. all fees collected for the use of the airport shall be reasonable and nondiscriminatory. The proceeds from such fees shall be used solely for the development, operation and maintenance of the airport or navigational facility; and

i. an Airport Fund shall be established by resolution, order or ordinance in the treasury of the Sponsor, or evidence of the prior creation of an existing airport fund or a properly executed copy of the resolution, order, or ordinance creating such a fund, shall be submitted to the State. The fund may be an account as part of another fund, but must be accounted for in such a manner that all revenues, expenses, retained earnings, and balances in the account are discernible from other types of moneys identified in the fund as a whole. All fees, charges, rents, and money from any source derived from airport operations must be deposited in the Airport Fund and shall not be diverted to the general revenue fund or any other revenue fund of the Sponsor. All expenditures from the Airport Fund shall be solely for airport purposes. Sponsor shall be ineligible for a subsequent grant or loan by the State unless, prior to such subsequent approval of a grant or loan, Sponsor has complied with the requirements of this subparagraph; and

j. the Sponsor shall operate runway lighting at least at low intensity from sunset to sunrise; and

k. insofar as it is reasonable and within its power, Sponsor shall adopt and enforce zoning regulations to restrict the height of structures and use of land adjacent to or in the immediate vicinity of the airport to heights and activities compatible with normal airport operations as provided in Tex. Loc. Govt. Code Ann. Sections 241.001 et seq. (Vernon and Vernon Supp.). Sponsor shall also acquire and retain aviation easements or other property interests in or rights to use of land or airspace, unless sponsor can show that acquisition and retention of such interest will be impractical or will result in undue hardship to Sponsor. Sponsor shall be ineligible for a subsequent grant or loan by the State unless Sponsor has, prior to subsequent approval of a grant or loan, adopted and passed an airport hazard zoning ordinance or order approved by the State.

l. mowing services will not be eligible for state financial assistance. Sponsor will be responsible for 100% of any mowing services.

2. The Sponsor, to the extent of its legal authority to do so, shall save harmless the State, the State's agents, employees or contractors from all claims and liability due to activities of the Sponsor, the Sponsor's agents or employees performed under this agreement. The Sponsor, to the extent of its legal authority to do so, shall also save harmless the State, the State's agents, employees or contractors from any and all expenses, including attorney fees which might be incurred by the State in litigation or otherwise resisting claim or liabilities which might be imposed on the State as the result of those activities by the Sponsor, the Sponsor's agents or employees.

3. The Sponsor's acceptance of this Offer and ratification and adoption of this Grant shall be evidenced by execution of this Grant by the Sponsor. The Grant shall comprise a contract, constituting the obligations and rights of the State of Texas and the Sponsor with respect to the accomplishment of the project and the operation and maintenance of the airport.

If it becomes unreasonable or impractical to complete the project, the State may void this agreement and release the Sponsor from any further obligation of project costs.

4. Upon entering into this Grant, Sponsor agrees to name an individual, as the Sponsor's Authorized Representative, who shall be the State's contact with regard to this project. The Representative shall receive all correspondence and documents associated with this grant and shall make or shall acquire approvals and disapprovals for this grant as required on behalf of the Sponsor, and coordinate schedule for work items as required.

5. By the acceptance of grant funds for the maintenance of eligible airport buildings, the Sponsor certifies that the buildings are owned by the Sponsor. The buildings may be leased but if the lease agreement specifies that the lessee is responsible for the upkeep and repairs of the building no state funds shall be used for that purpose.

6. Sponsor shall request reimbursement of eligible project costs on forms provided by the State. All reimbursement requests are required to include a copy of the invoices for the materials or services. The reimbursement request will be submitted no more than once a month.

7. The Sponsor's acceptance of this Agreement shall comprise a Grant Agreement, as provided by the Transportation Code, Chapter 21, constituting the contractual obligations and rights of the State of Texas and the Sponsor with respect to the accomplishment of the airport maintenance and compliance with the assurances and conditions as provided. Such Grant Agreement shall become effective upon the State's written Notice to Proceed issued following execution of this agreement.

PART IV - Nomination of the Agent

1. The Sponsor designates the State as the party to receive and disburse all funds used, or to be used, in payment of the costs of the project, or in reimbursement to either of the parties for costs incurred.

2. The State shall, for all purposes in connection with the project identified above, be the Agent of the Sponsor. The Sponsor grants the State a power of attorney to act as its agent to perform the following services:

   a. accept, receive, and deposit with the State any and all project funds granted, allowed, and paid or made available by the Sponsor, the State of Texas, or any other entity;

   b. enter into contracts as necessary for execution of scope of services;

   c. if State enters into a contract as Agent: exercise supervision and direction of the

project work as the State reasonably finds appropriate. Where there is an irreconcilable conflict or difference of opinion, judgment, order or direction between the State and the Sponsor or any service provider, the State shall issue a written order which shall prevail and be controlling;

d. receive, review, approve and pay invoices and payment requests for services and materials supplied in accordance with the State approved contracts;

e. obtain an audit as may be required by state regulations; the State Auditor may conduct an audit or investigation of any entity receiving funds from TxDOT directly under this contract or indirectly through a subcontract under this contract. Acceptance of funds directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the State Auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

f. reimburse sponsor for approved contract maintenance costs no more than once a month.

PART V - Recitals

1. This Grant is executed for the sole benefit of the contracting parties and is not intended or executed for the direct or incidental benefit of any third party.

2. It is the intent of this grant to not supplant local funds normally utilized for airport maintenance, and that any state financial assistance offered under this grant be in addition to those local funds normally dedicated for airport maintenance.

3. This Grant is subject to the applicable provisions of the Transportation Code, Chapters 21 and 22, and the Airport Zoning Act, Tex. Loc. Govt. Code Ann. Sections 241.001 et seq. (Vernon and Vernon Supp.). Failure to comply with the terms of this Grant or with the rules and statutes shall be considered a breach of this contract and will allow the State to pursue the remedies for breach as stated below.

   a. Of primary importance to the State is compliance with the terms and conditions of this Grant. If, however, after all reasonable attempts to require compliance have failed, the State finds that the Sponsor is unwilling and/or unable to comply with any of the terms of this Grant, the State, may pursue any of the following remedies: (1) require a refund of any financial assistance money expended pursuant to this Grant, (2) deny Sponsor's future requests for aid, (3) request the Attorney General to bring suit seeking reimbursement of any financial assistance money expended on the project pursuant to this Grant, provided however, these

remedies shall not limit the State's authority to enforce its rules, regulations or orders as otherwise provided by law, (4) declare this Grant null and void, or (5) any other remedy available at law or in equity.

b. Venue for resolution by a court of competent jurisdiction of any dispute arising under the terms of this Grant, or for enforcement of any of the provisions of this Grant, is specifically set by Grant of the parties in Travis County, Texas.

4. The State reserves the right to amend or withdraw this Grant at any time prior to acceptance by the Sponsor. The acceptance period cannot be greater than 30 days after issuance unless extended by the State.

5. This Grant constitutes the full and total understanding of the parties concerning their rights and responsibilities in regard to this project and shall not be modified, amended, rescinded or revoked unless such modification, amendment, rescission or revocation is agreed to by both parties in writing and executed by both parties.

6. All commitments by the Sponsor and the State are subject to constitutional and statutory limitations and restrictions binding upon the Sponsor and the State (including Sections 5 and 7 of Article 11 of the Texas Constitution, if applicable) and to the availability of funds which lawfully may be applied.

Part VI - Acceptances

Sponsor

The City of Rockwall, Texas, does ratify and adopt all statements, representations, warranties, covenants, agreements, and all terms and conditions of this Grant.

Executed this _____ day of _____, 20___.

The City of Rockwall, Texas
Sponsor

_____ _____
Witness Signature Sponsor Signature

_____ _____
Witness Title Sponsor Title

Certificate of Attorney

I, _____, acting as attorney for the City of Rockwall, Texas, do certify that I have fully examined the Grant and the proceedings taken by the Sponsor relating to the acceptance of the Grant, and find that the manner of acceptance and execution of the Grant by the Sponsor, is in accordance with the laws of the State of Texas.

Dated at _____, Texas, this _____ day of _____, 20___.

_____ _____
Witness Signature Attorney's Signature

_____
Witness Title

Acceptance of the State

Executed by and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs and grants heretofore approved and authorized by the Texas Transportation Commission.

STATE OF TEXAS
TEXAS DEPARTMENT OF TRANSPORTATION

By:_____

Date:_____

Attachment A
Scope of Services
TxDOT CSJ No.:M1618RCKW

Eligible Scope Item:	Estimated Costs Amount A	State Share Amount B	Sponsor Share Amount C
GENERAL MAINTENANCE	$30,000.00	$15,000.00	$15,000.00
Special Project	$0.00	$0.00	$0.00
Special Project	$0.00	$0.00	$0.00
Special Project	$0.00	$0.00	$0.00
Special Project	$0.00	$0.00	$0.00
Special Project	$0.00	$0.00	$0.00
TOTAL	$30,000.00	$15,000.00	$15,000.00

Accepted by: The City of Rockwall, Texas

_____
Signature

Title: _____

Date: _____

GENERAL MAINTENANCE: As needed, Sponsor may contract for services/purchase materials for routine maintenance/improvement of airport pavements, signage, drainage, AWOS systems, approach aids, lighting systems, utility infrastructure, fencing, herbicide/application, sponsor owned and operated fuel systems, hangars, terminal buildings and security systems; professional services for environmental compliance, approved project design. Special projects to be determined and added by amendment.

Only work items as described in Attachment A, Scope of Services of this Grant are reimbursable under this grant.

CERTIFICATION OF AIRPORT FUND

TxDOT CSJ No.: M1618RCKW

The City of Rockwall does certify that an Airport Fund has been established for the Sponsor, and that all fees, charges, rents, and money from any source derived from airport operations will be deposited for the benefit of the Airport Fund and will not be diverted for other general revenue fund expenditures or any other special fund of the Sponsor and that all expenditures from the Fund will be solely for airport purposes. The fund may be an account as part of another fund, but must be accounted for in such a manner that all revenues, expenses, retained earnings, and balances in the account are discernible from other types of moneys identified in the fund as a whole.

The City of Rockwall, Texas
(Sponsor)

By: _____

Title: _____

Date: _____

Certification of State Single Audit Requirements

I, _____, do certify that the City of Rockwall will comply with all
(Designated Representative)
requirements of the State of Texas Single Audit Act if the City of Rockwall spends or receives more than the threshold amount in any grant funding sources during the most recently audited fiscal year. And in following those requirements, the City of Rockwall will submit the report to the audit division of the Texas Department of Transportation. If your entity did not meet the threshold in grant receivables or expenditures, please submit a letter indicating that your entity is not required to have a State Single Audit performed for the most recent audited fiscal year.

_____
Signature

_____
Title

_____
Date

DESIGNATION OF SPONSOR'S AUTHORIZED REPRESENTATIVE

TxDOT CSJ Number: M1618RCKW

The City of Rockwall designates, _____
(Name, Title)
as the Sponsor`s authorized representative, who shall receive all correspondence and documents associated with this grant and who shall make or shall acquire approvals and disapprovals for this grant as required on behalf of the Sponsor.

The City of Rockwall, Texas
(Sponsor)

By:_____

Title:_____

Date:_____

DESIGNATED REPRESENTATIVE

Mailing Address:_____

_____

_____

Overnight Mailing Address:_____

_____

_____

Telephone/Fax Number:_____

_____

Email address: _____

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 10/05/2015

APPLICANT: Jennifer Garcia

AGENDA ITEM: **P2015-037** (HJG Plaza Addition – Replat)

SUMMARY:

Discuss and consider a request by Jennifer Garcia of KBGE on behalf of Collins Hartzog of Rockwall Texas 2015, LLC for the approval of a replat for Lot 3, Block 1, HJG Plaza Addition being a 0.91-acre tract of land identified as Lot 2, Block 1, HJG Plaza Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of SH-205 [*S. Goliad Street*] north of the intersection of SH-205 and Yellow Jacket Lane, and take any action necessary.

COMMENTS:

- The objective of the request is to replat a 0.91-acre tract of land for the purpose of constructing a 6,889 sq. ft. general retail facility and to establish easements that are necessary for fire lane, access and drainage/detention for the property. A site plan was approved in May of this year for an Advance Auto Care facility.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions listed in the Recommendations section below.

- With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

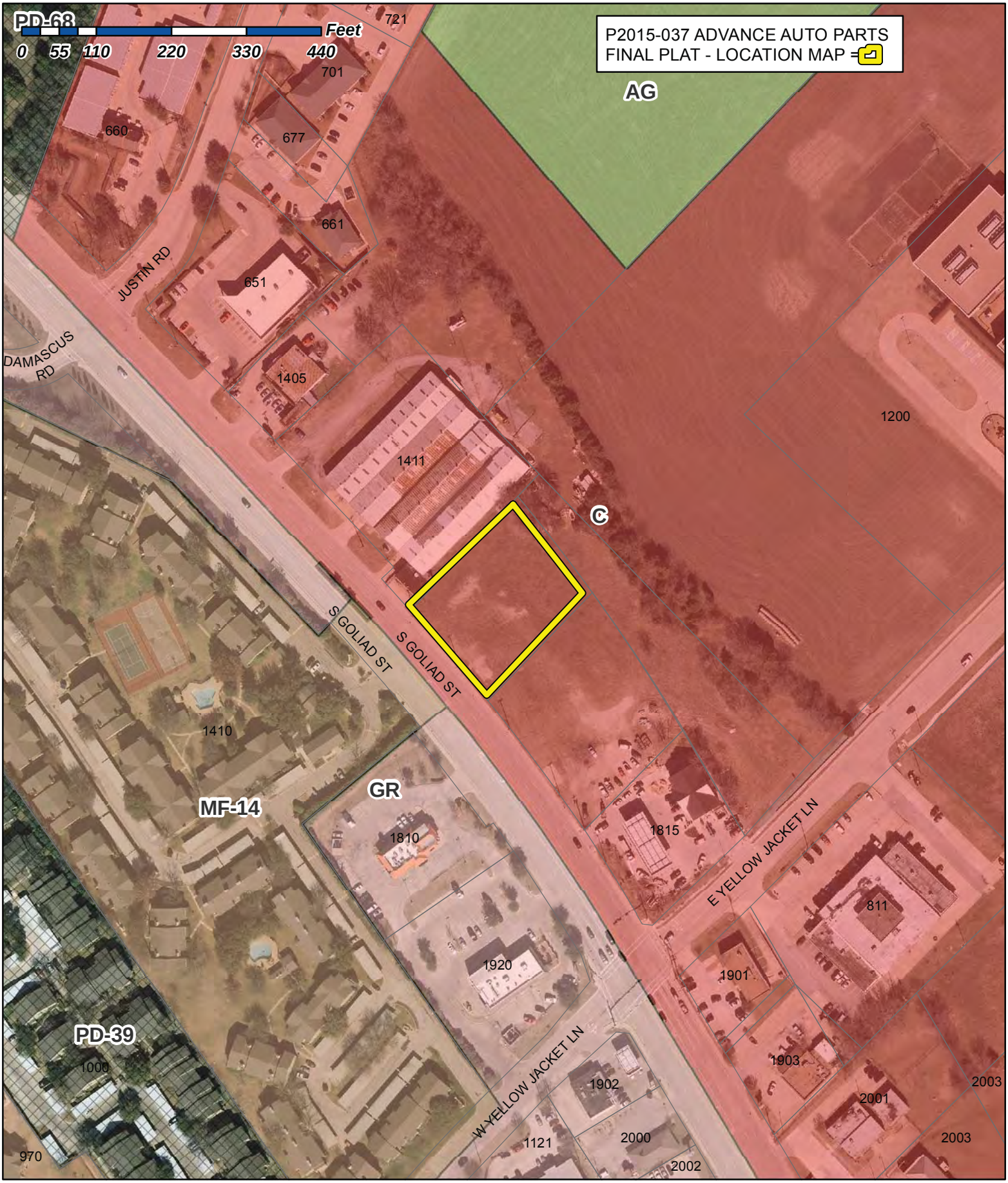
If the Planning & Zoning Commission and City Council choose to approve the request for final plat, staff would recommend the following conditions of approval:

A) All the technical comments from the Planning, Engineering and Fire Departments shall be addressed prior to the filing of this plat, including the following comments;

1. Adherence to Engineering and Fire Department standards.

B) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

On September 29, 2015, the Planning and Zoning Commission recommended approval of the plat with staff conditions by a vote of 4 to 0 with Commissioners Renfro and McCutcheon absent and one vacancy.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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1:2,180

LEGEND

- = Concrete
- = Water Meter
- = Power Pole
- = Fire Hydrant
- WL = Water Line
- SL = Sewer Line
- OHE = Over Head Electric
- = Fire Lane
- = 1/2" Iron Rod Found
- = 1/2" Iron Rod Set

50 0 50
Scale: 1" = 50'

B. J. T. LEWIS
A-225

Point of Beginning
N: 7021820.2250
E: 2596609.6610
3/8" IRF

Bayview Loan Servicing LLC
Called 1.922 Acres
Doc. No.: 2013-490955
Exhibit A

State of Texas
Called 0.0045 Acres
Doc. No.: 2007-381301

230.55'
N 43°17'39" E
C1
15' Drainage/ Detention Easement (B)
Lot 3 - Block 1
HJG Plaza Addition
Surveyed 0.910 Acres
Drainage/ Detention Easement (C)
1/2" IRF
N: 7021679.1222
E: 2596719.0961
1/2" IRF
15' Utility Easement (A)
24' Firelane & Public Access Easement (D)
C2
220.96
S 43°55'20" W
Storm Sewer Connection
1/2" IRF

Lot 6 - Block 1
First United Methodist Church Addition
Cabinet G Slide 345

Lot 1 - Block 1
HJG Plaza Addition
Doc. No: 2015-0000009779

South Goliad Street (S.H. 205)
(Variable Width R.O.W.)

Lot 1 - Block 1
7-Eleven/Goliad Addition
Cabinet H Slide 243

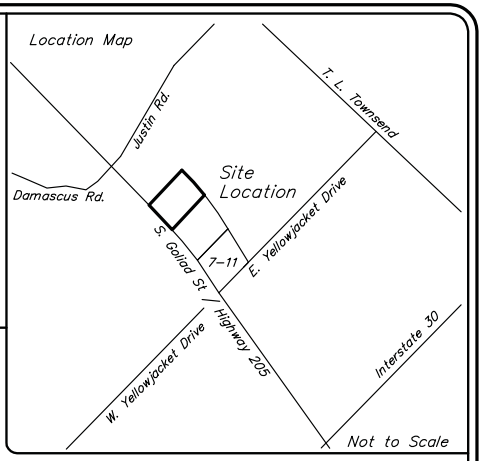
R.O.W.
R.O.W.
Yellow Jacket Ln.

C1 Curve Information	
Radius	2864.79'
Chord Bearing	S 37°47'46" E
Chord Distance	178.56'
Arc Distance	178.60'
C2 Curve Information	
Radius	2928.97'
Chord Bearing	N 40°46'54" W
Chord Distance	174.92'
Arc Distance	174.95'

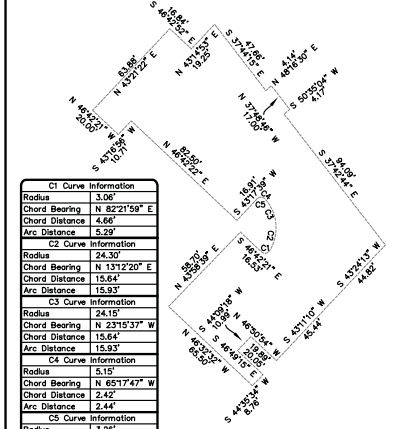
24' Firelane & Public Access Easement (D)

D1 Curve Information	
Radius	45.00'
Chord Bearing	N 89°25'45" E
Chord Distance	62.37'
Arc Distance	68.90'
D2 Curve Information	
Radius	25.50'
Chord Bearing	N 88°17'39" E
Chord Distance	36.06'
Arc Distance	40.06'
D3 Curve Information	
Radius	21.09'
Chord Bearing	S 01°09'07" W
Chord Distance	27.24'
Arc Distance	29.91'
D4 Curve Information	
Radius	21.09'
Chord Bearing	S 84°51'04" W
Chord Distance	31.44'
Arc Distance	35.48'

Location Map

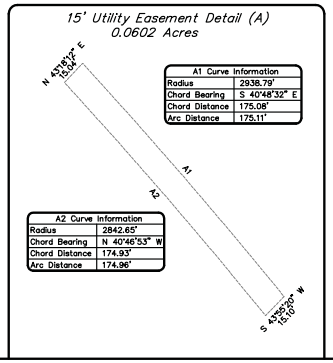


Drainage/Detention Easement Detail (C)
0.3209 Acres



C1 Curve Information	
Radius	3.06'
Chord Bearing	N 82°21'59" E
Chord Distance	4.66'
Arc Distance	5.29'
C2 Curve Information	
Radius	24.30'
Chord Bearing	N 13°12'20" E
Chord Distance	15.64'
Arc Distance	15.93'
C3 Curve Information	
Radius	24.15'
Chord Bearing	N 23°15'37" W
Chord Distance	15.64'
Arc Distance	15.93'
C4 Curve Information	
Radius	5.15'
Chord Bearing	N 65°17'47" W
Chord Distance	2.42'
Arc Distance	2.44'
C5 Curve Information	
Radius	3.26'
Chord Bearing	S 67°05'50" W
Chord Distance	2.42'
Arc Distance	2.48'

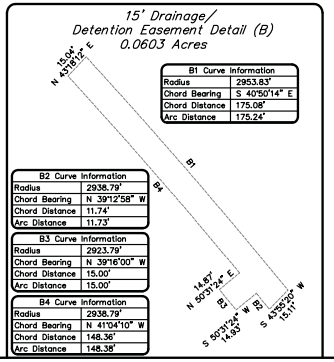
15' Utility Easement Detail (A)
0.0602 Acres



A1 Curve Information	
Radius	2938.79'
Chord Bearing	S 40°48'32" E
Chord Distance	175.08'
Arc Distance	175.11'

A2 Curve Information	
Radius	2842.65'
Chord Bearing	N 40°46'53" W
Chord Distance	174.93'
Arc Distance	174.96'

15' Drainage/ Detention Easement Detail (B)
0.0603 Acres



B1 Curve Information	
Radius	2953.83'
Chord Bearing	S 40°50'14" E
Chord Distance	175.08'
Arc Distance	175.24'

B2 Curve Information	
Radius	2938.79'
Chord Bearing	N 39°12'58" W
Chord Distance	11.74'
Arc Distance	11.73'

B3 Curve Information	
Radius	2923.79'
Chord Bearing	N 39°16'00" W
Chord Distance	15.00'
Arc Distance	15.00'

B4 Curve Information	
Radius	2938.79'
Chord Bearing	N 41°04'10" W
Chord Distance	148.36'
Arc Distance	148.38'

WALKER & ASSOCIATES SURVEYING INC.
10819 HWY 69 N. - TYLER, TEXAS 75706
PHONE: 903-534-9000 - FAX: 903-534-9616
www.walkersurvey.com - TBPLS Firm No.: 10025300

FINAL PLAT

HJG Plaza Addition

LOT 3, BLOCK 1 - BEING A REPLAT OF LOT 2,
0.910 ACRES OUT OF THE B.J.T. LEWIS A-225
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

DRAWN BY: C.H.J.	DATE: AUGUST 6, 2015
SHEET 1 OF 2	JOB NO.: J10951
J10951\REPLAT & EASEMENT	CASE NO.: P2015-037

STATE OF TEXAS}
COUNTY OF ROCKWALL}

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS.

We _____ the undersigned owners of the land shown on this plat, and designated herein as the HJG Plaza subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the HJG PLAZA ADDITION subdivision have been notified and signed this plat. We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement stripes for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner had complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to the pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence or work done; or

Until the developer and/or owner files a corporate surety bond with the city of secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exactions made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; My successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exactions made herein.

_____ _____
Rockwall Texas 2015, LLC Date

STATE OF TEXAS }
COUNTY OF ROCKWALL }

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the forgoing instrument, and acknowledged to me that he/she executed the same for the purpose and consideration therein stated

GIVEN MY HAND SEAL OF OFFICE this the _____ of _____, 2015.

_____ _____
Notary Public, State of Texas My commission expires:

GENERAL NOTES

1) It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

2) Property owner is responsible for maintenance and repair of all detention facilities.

OWNERS CERTIFICATE

STATE OF TEXAS}
COUNTY OF ROCKWALL}

WHEREAS, Rockwall Texas 2015, LLC, is the owner of a tract located in the B.J.T. LEWIS Survey A-225, in the City of Rockwall, being all of the same land being called Lot 2 of the HJG Plaza Addition as recorded in Document Number 2015-0000009779 of the Plat Records of Rockwall County, Texas, said 0.910 acre tract to be more particularly described as follows;

Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, N.A.D. 1983.

BEGINNING at a ¾" iron rod found for the Northwest corner of herein described tract, same point also being the Northeast corner of a called 1.922 acre tract conveyed to Bayview Loan Servicing LLC described as Exhibit A and recorded in Document Number 2013-490955 of the Deed Records of Rockwall County, Texas, same point also being on the Southwest line of Lot 6, Block 1 of the First United Methodist Church Addition as recorded in Cabinet G, Slide 345 of the Plat Records of Rockwall County, Texas;

THENCE along and with the West line of said Lot 6, Block 1 of the First United Methodist Church Addition, also being said curve to the right having a radius of 2864.79 feet, said curve also having a chord bearing of South 37°47'46" East and having a chord distance of 178.56 feet, and having an arc distance of 178.60 feet to a ½" iron rod found for corner, same point being on the West line of said Lot 6;

THENCE South 43°55'20" West along and with the Northwest line of Lot 1 Block 1 of the said HJG Plaza Addition a distance of 220.96 feet to a ½" iron rod found for corner, same point being the Southwest corner of said Lot 1, Block 1, same point also being on the Northeast line of South Goliad Street, also known as S.H. 205 having a variable width R.O.W., same point also being the beginning of a curve to the left;

THENCE along and with the Northeast line of South Goliad Street, also being said curve to the left having a radius of 2928.97 feet, said curve also having a chord bearing of North 40°46'54" West and having a chord distance of 174.92 feet, and having an arc distance of 174.95 feet to a ½" iron rod found for corner, same point being on the Northeast line of South Goliad Street, same point also being the Southeast corner of said called 1.922 acre tract;

THENCE North 43°17'39" East along and with the Southeast line of said called 1.922 acre tract a distance of 230.55 feet back to the PLACE OF BEGINNING and containing 0.910 acres of land.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Dennis H. Walker, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly places under my supervision.

Dated this the _____ day of _____, 2015

_____
Dennis H. Walker
State of Texas
R.P.L.S. No: 2117
Walker & Associates Surveying, Inc.
903-534-9000

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning & Zoning Commission, Chairman Date

APPROVED:

I hereby certify that the above and forgoing plat of an addition to the City of Rockwall, Texas was approved by the City Council of the City of Rockwall on the

_____ day of _____, 2015.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within on hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this the _____ day of _____, 2015

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

WALKER & ASSOCIATES
SURVEYING INC.
10819 HWY 69 N. - TYLER, TEXAS 75706
PHONE: 903-534-9000 - FAX: 903-534-9616
www.walkersurvey.com - TBPLS Firm No.: 10025300

FINAL PLAT
HJG Plaza Addition
LOT 3, BLOCK 1 - BEING A REPLAT OF LOT 2,
0.910 ACRES OUT OF THE B.J.T. LEWIS A-225
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

DRAWN BY: C.H.J.	DATE: AUGUST 6, 2015
SHEET 2 OF 2	JOB NO.: J10951
G:\J10951\REPLAT.DWG	CASE NO.: P2015-037

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CITY OF ROCKWALL, TEXAS
FIRE DEPARTMENT
MEMORANDUM

DATE: **September 24, 2015**

TO: **Mayor and City Council**

FROM: **Paul Ayres, CERT Program Manager**

SUBJECT: **Citizen Corps Trailer Grant**

In June of 2015, Rockwall CERT applied for a grant from Texas Association of Regional Councils for a Citizen Corps Trailer. I am pleased to announce that we were selected as the recipient of one of two trailers available in the State of Texas. The grant is for a 6x10 Cargomate trailer with custom Citizen Corps wrap. As you can see from the photos below, the trailers are not only useful for storing and hauling equipment and supplies, but will also offer great visibility for our CERT program.

BACKGROUND

Since 2013, the Rockwall CERT program has been growing non-stop. We have doubled our membership since 2013 and more than doubled the number of emergency responses in 2014. These deployments are in addition to over forty (40) community events planned throughout the year. In the first three quarters of 2015 alone, our members have volunteered nearly 750 hours, which, according to Independent Sector's *Value of Volunteer Time*, totals over $17,000.

As the program grows and we respond to more requests for assistance from public service agencies, we are consistently finding better ways to operate and discovering equipment that will help us provide services with more efficiency. The leadership committee of Rockwall CERT recognized the need for additional space for equipment and the ability for the equipment to be mobile and accessible. As a result, the leadership committee decided to move forward with applying for the Citizen Corps Trailer Grant.

GRANT DESCRIPTION

Trailer Specifications:

- 6x10 trailer, single axel with rear ramp door and side door
- (1) Spare tire mount
- (1) E-Track and E-Track tie-down clips
- (1) Trailer coupler lock
- (1) Coupler lock
- (3) disk storage locks
- Floor coating
- Custom Citizen Corps graphic vinyl wrap
- (1) Standard Texas Exempt License Plate registered in Travis County

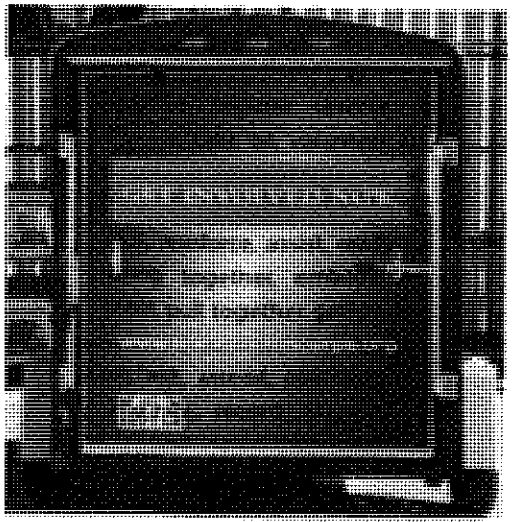
If we choose to accept the grant, the City of Rockwall will be required to:

1. Obtain and maintain full coverage insurance or present proper documentation claiming exemption from the compulsory Liability Insurance Law for the life of the trailer. Proof of that insurance or exemption must be provided when receiving awarded trailer and upon request following initial proof;
2. Maintain all license plates and inspections required by the Texas Department of Public Safety and the local jurisdiction of record;
3. Maintain the trailer in good working order;
4. Use the trailer only for permitted purposes, including all Citizen Corps programs, other permitted homeland security trainings, exercises, approved community events and CCP activations by the local jurisdiction's Emergency Management Authority or the State of Texas;
5. Return the trailer to the Texas Association of Regional Councils if deemed no longer needed or no longer being used according to FY2011 Citizen Corps Program Grant Guidance.

IMPLEMENTATION PLAN

The Rockwall CERT program's current vehicle, a Ford F150, has been a great asset for the team to respond to various incidents in the community; however, it has limited space for equipment. As a result, our team has had to select which equipment to bring to an incident and which equipment to leave behind. Our plan for the trailer is to re-organize our inventory, placing long-term incident equipment in the trailer and utilizing the Ford F-150 without the trailer for smaller incidents such as blocking roads during recent flooding. When Rockwall CERT is deployed to an incident that has potential to be long-lasting, such as large structure fires or wide-area searches, the trailer will be brought to the scene. The trailer will be a better location to store a temporary shelter/tent, chairs and fans for firefighter rehab, and a generator to power rehab fans and scene lighting. In addition, all of this equipment will be mobilized easily when it needs to be deployed.





TEXAS ASSOCIATION OF REGIONAL COUNCILS

701 Brazos Street • Suite 780 • Austin, TX 78701 • 512-478-4715 • FAX 512-275-9910 • *www.txregionalcouncil.org*

September 22, 2015

The Honorable Jim Pruitt
Rockwall City Hall
385 South Goliad
Rockwall, Texas 75087

Dear Mayor Pruitt,

On behalf of the Texas Association of Regional Councils and the State Citizen Corps Council, I want to offer my sincere congratulations to the City of Rockwall for being selected as the recipient of a Texas Citizen Corps Custom Trailer. The City of Rockwall has been recognized by the Texas Citizen Corps Council as having outstanding programs and for their Citizen Corps and CERT service and outreach efforts.

Please take a few moments to review and sign the enclosed packet of information regarding the trailer and its use. Enclosed you will find a Memorandum of Understanding, SAA Information Bulletin No. 11-001, the Property Transfer Record Agreement and the Property Permanent Loan Form that will need to be signed by the authorized persons. Once all the paperwork is signed, please return the original signed copy to our office. Please arrange to pick up the awarded trailer by contacting Uryan Nelson, Texas Citizen Corps Manager at 512-478-4715.

Sincerely,

Penny Redington
Executive Director

Enclosures

cc: Mike Eastland, Executive Director, North Central Texas Council of Governments
Paul Ayers, Rockwall Fire Department

MEMORANDUM OF UNDERSTANDING (MOU)

AGREEMENT FOR LOAN OF TRAILER PURCHASED WITH HOMELAND SECURITY FUNDS

This Loan Agreement (the "Agreement") is entered into by and between the Texas Association of Regional Councils ("TARC") and the City of Rockwall and the City of Rockwall Community Emergency Response Team ("City of Rockwall or City of Rockwall CERT") (also, individually, a "Party" or, collectively, the "Parties"). The purpose of this Agreement is to set out the terms and conditions under which TARC will loan the Trailer to the City of Rockwall CERT.

RECITALS

TARC has procured the trailer, accessories, and the Standard Texas Exempt License Plates described below (both individually and collectively, the "Trailer") with FY 2011, Texas Homeland Security funds:

1 CargoMate Blazer, 6' X 10' trailer

Accessories include:

1 Spare Tire Mount
1 E-track Installed
1 Rear Ramp Door
8 E-Track Tie Down Clips
1 Trailer Coupler Lock
1 Tri Max Univ. Coupler Lock
3 Master Lock Solid Disk
1 Line-X Floor Coating

1 Standard Texas Exempt License Plates registered in Travis County

Item Control Number
Serial Number/VIN: 5NHUBL016FY069869
Model Number: TXBL610SA
Acquisition Date: 08/21/2014
Total Retail Value of Trailer with Accessories and Graphics: $4,242.14

ARTICLE I
TERM

1.01 The term of this Agreement shall begin when the Agreement is fully executed and will be indefinite, unless terminated earlier pursuant to 1.02 below.

1.02 TARC may terminate this Agreement at any time with express 30-day notice to the City of Rockwall.

ARTICLE II
LICENSE TO USE TRAILER GRANTED

2.01 TARC will loan the Trailer to the City of Rockwall for the purpose of furthering the goals of Rockwall CERT, Texas CERT and Texas Homeland Security Strategy. In consideration for the loan of the Trailer, the City of Rockwall will:

A. Obtain and maintain full coverage insurance for the life of the Trailer, and provide proof of that insurance at time of receiving awarded trailer and upon request following initial proof;

B. Maintain all license plates and inspections required by the Texas Department of Public Safety and the local jurisdiction of record;

C. Maintain the Trailer in good working order;

D. Use the Trailer only for permitted purposes, including all Community Emergency Response Team programs, other permitted homeland security trainings, exercises, approved community events, and any CERT activation(s) by the local jurisdiction's Emergency Management Authority or the State of Texas;

E. Return the Trailer to TARC if deemed no longer needed or no longer being used according to FY 2011 Homeland Security Grant Program Guidance; and

F. Comply with all terms of this Agreement.

ARTICLE III
COMPLIANCE WITH LAW

3.01.1 The City of Rockwall certifies that it will comply with the Permanent Loan Guidelines promulgated by the State Administrative Agency (SAA), Information Bulletin No.11-001, March 02, 2011(*Attached*).

ARTICLE IV
INSPECTION OF TRAILER AND PERFORMANCE REPORTS

4.01.1 TARC, along with the designated State Administrative Agency (SAA), reserves the right to perform periodic on-site monitoring and inspection of the trailer. The City of Rockwall shall make the trailer available for inspection by the SAA and/or TARC or any of its authorized representatives and shall make available any performance records as deemed pertinent by the

SAA and/or TARC.

ARTICLE V
WAIVER AND HOLD HARMLESS AGREEMENT

5.01 In consideration of the permanently loaned trailer, the City of Rockwall waives, releases, and discharges TARC and any of its officers and/or employees from any claims, demands, and causes of action arising from use of the trailer. The City of Rockwall shall maintain financial liability for loss or damage to grant funded assets. The City of Rockwall must exercise reasonable care to safeguard assets from negligence and abuse, while providing proper maintenance as required.

ARTICLE VI
OTHER TERMS AND CONDITIONS

6.01 **Entire Agreement**. This Agreement and its attachments constitute the entire agreement between the Parties and contain all of the terms and conditions agreed upon. No other agreement, oral or otherwise, regarding the subject matter of this Agreement shall bind the Parties unless it is in writing, dated subsequent to the date hereof and duly executed by the Parties.

6.02 **Interpretation**. In the event any disagreement or dispute should arise between the Parties pertaining to the interpretation or meaning of any part of this Agreement or its governing rules, regulations, laws, codes or ordinances, TARC, as the Party responsible for compliance with the requirements of the State Homeland Security Grant Program, shall have the final authority to render or secure an interpretation.

6.03 **Notices**. For purposes of this Agreement, all official communications and notices among the Parties shall be deemed sufficient if in writing and mailed, registered or certified mail, postage prepaid, to the following addresses:

City of Rockwall:
The Honorable Jim Pruitt
City of Rockwall, Mayor
Rockwall City Hall
385 South Goliad
Rockwall, Texas, 75087

TARC:
Penny Redington
Executive Director
Texas Association of Regional Councils
701 Brazos, Suite 780
Austin, TX 78701

Notice of changes of address by either Party must be made in writing delivered to the other party's last known address within five (5) business days of such change.

6.04 **Parties Bound**. This Agreement shall be binding on the Parties of the agreement and their respective, administrators, legal representatives, successors and assigns, except as otherwise expressly provided herein.

6.05 **Relationship of Parties**. Nothing contained herein shall be deemed or construed by the Parties, or by any third party, as creating the relationship of principle and agent, partners, joint ventures or any other similar such relationship between the Parties.

6.06 **Texas Law to Apply**. This Agreement shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the Parties created hereunder are performable in the City of Rockwall, Texas.

6.07.1 **Captions**. The captions contained in this Agreement are for convenience of reference only, and in no way limit or enlarge the terms and/or conditions of this Agreement.

6.07.2 **Recitals**. The Recitals at the beginning of this Agreement are incorporated into the Agreement and shall be binding on the Parties.

EXECUTED this the 23rd day of September, 2015.

TARC

By: _____
Penny Redington
TARC Executive Director

City of Rockwall:

By: _____
Honorable Jim Pruitt
City of Rockwall, Mayor

Governor's Division of Emergency Management
State Administrative Agency
Homeland Security Grant Program
Property Transfer Record Agreement

Transferred From: Texas Association of Regional Councils
(Name of Organization) (Homeland Security Grant Sub-Recipient)

701 Brazos, Suite 780, Austin, TX 78701
(Street/Mailing Address, City, County, Zip)

Penny Redington, Executive Director
Printed Name and Title

_____ 9/23/15
Signature **Date**

Transferred To: City of Rockwall CERT
(Name of Organization) (Homeland Security Grant Sub-Recipient)

Rockwall City Hall, 385 South Goliad, Rockwall, Texas, 75087
Street/Mailing Address, City, County, Zip

The Honorable Jim Pruitt, Mayor, City of Rockwall
Printed Name and Title

_____ _____ Sign Here
Signature **Date**

This is to certify that the property described below was acquired by the expenditure of 2011 State Homeland Security Program grant funds awarded to the above named Homeland Security Grant Sub-Recipient (TARC). The jurisdiction/organization receiving the property (Rockwall, TX) certifies they have knowledge of the laws, rules and regulations of the aforementioned grant for the year of the award. The Grantee further certifies that they agree to be bound by all the contract covenants and exhibits to the Grantor's Sub-Recipient agreement and any modifications or amendments to that agreement as if they were written here. The Grantor and Grantee further certify that they are duly authorized and empowered by their governing body to enter into this agreement. The Grantor further certifies that the Grantee has complied with all State and Federal eligibility requirements.

Property being Transferred:

Item description: CargoMate 6X10 Blazer w/accessories outlined in MOU
Item Control Number
Serial Number/VIN: 5NHUBL016FY069869
Model Number: TXBL610SA
Acquisition Date: 8/20/2014
Unit Cost: $4,242.14

PROPERTY PERMANENT LOAN FORM

GRANT YEAR OF ITEM	ITEM CONTROL/SERIAL NUMBER	ITEM DESCRIPTION	ORIGINAL SUBRECIPIENT	ORIGINAL SUBRECIPIENT PERSONNEL NAME/SIGNATURE	DATE LOANED	RECEIVING JURISDICTION	RECEIVING PERSONNEL NAME/SIGNATURE
2011	5NHUBL016FY069869	1 CargoMate 6X10 Blazer	Texas Association of Regional Councils	Penny Redington	9/22/2015	City of Rockwall	Honorable Jim Pruitt
		1 Spare Tire w/Mount		Executive Director			Mayor, City of Rockwall
		1 E-Track Installed					
		Custom Citizen Corps Graphics Vinyl Wrap					
		1 Rear Ramp Door					
		8 E-Track Tie Down Clips					
		1 Trailer Coupler Lock					
		1 Redline Coupler Lock					
		3 Master Lock Solid Disk					
		1 Line-X Floor Coating					

Sign Here

The original subrecipient maintains financial liability for loss or damage to grant funded assets. Subrecipients must exercise reasonable care to safeguard assets from negligence and abuse, while providing proper maintenance as required. It is the original subrecipient's responsibility to complete the paperwork for the permanent loan and to follow the grant's disposal procedures. Receiving agencies acknowledge compliance with Texas Department of Public Safety, Homeland Security, State Adminstrative Agency and Department of Homeland Security grant and eligibility requirements as noted in the Sub-Recipient Agreement. It is the responsibility of the subrecipient of grant funds to ensure the receiving agency has met those eligilibility requirements before loan of equipment.

USE OF EQUIPMENT MUST FALL WITHIN THE PARAMETERS OF THE GRANT

TEXAS DEPARTMENT OF PUBLIC SAFETY

5805 N. LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001
512/424-2000

www.txdps.state.tx.us

STEVEN C. McCRAW
DIRECTOR
LAMAR BECKWORTH
CHERYL MacBRIDE
DEPUTY DIRECTORS

COMMISSION
ALLAN B. POLUNSKY, CHAIR
ADA BROWN
JOHN STEEN
CARIN MARCY BARTH
A. CYNTHIA LEON

SAA Information Bulletin
No. 11-001, March 02 2011

To: Texas Regional Councils
Texas Association of Regional Councils

From: Machelle Pharr
Deputy Assistant Director

Subject: Guidance for Non-governmental Entity Receipt of HSGP Funded Equipment

Attachment: (1) Property Permanent Loan Form
(2) Property Temporary Loan Form

Purpose: This information bulletin is to replace GDEM –SAA Information bulletin No. 8 issued June 9, 2008. Some governmental agencies in the State of Texas find it necessary in the furtherance of their Emergency Operations Plan to loan equipment to other non-governmental responding entities. In consultation with Department of Homeland Security, the following guidance is provided.

"In accordance with HSPD-5, Management of Domestic Incidents, the adoption of the National Incident Management system (NIMS) is a requirement to receive Federal preparedness assistance through grants, contracts, and other activities. The NIMS provides a consistent nationwide template to enable all levels of government, tribal nations, nongovernmental organizations, and private sector partners to work together to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location or complexity."

Because the spirit of the NIMS Program is not meant to be punitive, it is allowable for a NIMS compliant organization to purchase equipment which is then used by others via a Memorandum of Understanding. Such an arrangement would be appropriate when a governmental entity wants to ensure that its organizations, included in their Emergency Operations Plan, with fewer resources can still effectively respond. The entities receiving property should have a plan showing how they will meet the NIMS requirements, if they have not already done so.

In addition to the information provided above, the Property Permanent Loan Form and the Property Temporary Loan Form have been updated to reflect the State Administrative Agency (SAA) as the compliance entity for the State.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **September 30, 2015**

SUBJECT: **Damascus Road Pro-Rata Facility Agreement Extension**

Our Lady of the Lake Catholic Church widened Damascus Road back in 2010 to improve access to the Church and Heritage Christian Academy. The City Subdivision Ordinance required that adjacent properties along an unimproved road construct the road to City Standards at the time of development. These improvements would have been the responsibility of the Heritage Christian Academy and the undeveloped property owner along Damascus Road. The City approved a Pro-Rata Facility Agreement with the church on October 4, 2010 to address the future reimbursement.

The original agreement was for a term of five-years. This agreement will expire later this year and the church has requested the City to extend the agreement. Attached is a revised Facility Agreement for the Damascus Road Pro-Rata agreement extending the reimbursement period for consideration.

If you have any questions, please advise.

TMT:em

Attachment

Cc:
Mary Smith, Assistant City Manager
Amy Williams, Assistant City Engineer
Jeremy White, Civil Engineer
File

STATE OF TEXAS)

COUNTY OF ROCKWALL)
CITY OF ROCKWALL)

FACILITY AGREEMENT
DAMASCUS ROAD PRO-RATA

This Agreement is entered into on the _____ day of _____, 2015, by and between the City of Rockwall, Texas ("City") and Most Reverend Kevin J. Farrell, D.D., Bishop of the Roman Catholic Diocese of Dallas, and his successors in office, for the exclusive benefit of Our Lady of the Lake Parish (Rockwall) ("Church").

Whereas, Damascus Road currently provides sole access to the Church, Heritage Christian Academy (HCA) and an undeveloped 8.85 acre tract;

Whereas, The Church built a portion of Damascus Road described more particularly as paragraph 1 of Section 1, below;

Whereas, the City of Rockwall is to put forth a good faith effort to collect and pay to the Church the funds collected pursuant to Section 2, below;

WITNESSETH:

That in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

Section 1. Church agrees to the following:

1. Church constructed the approximately 1000 foot portion of Damascus Road (18' wide with 6" curb); including the 40-foot radius cul-de-sac, as shown on the plans prepared by Helmberger and Associates dated July 29, 2009 (Area "D" on the attached Exhibit A the "Road Segment").

2. The cost of the above referenced Damascus Improvements, including design, construction and City inspection (2% of construction cost) totals $173,024.45.

Section 2. The City agrees to the following:

1. City will collect, from each developer, or owners, of the property adjacent to the Road Segment ("B" on the attached Exhibit A), the "proportional" share of the cost of the Road Segment (as determined by the appropriate sections of the City of Rockwall Subdivision

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Regulations), up to $118,146.80. These funds will be collected when the undeveloped land adjacent to the Road Segment is platted and prior to start of improvements on the adjacent property.

2. The City will collect from HCA ("A" on the attached Exhibit A) the cost of 4-feet of the 18-feet of pavement, constructed by the Church (Section 1.1, above), and not paid by the adjacent property owner per Section 2.1, above, up to $25,281.89. These funds will be collected when HCA expands its existing facility.

3. The City will pay the monies collected as outlined in Sections 2.1 and 2.2 above, to the Church, within 15 business days of the receipt of the funds.

4. The City will not charge Heritage Christian Academy or the Church, any pro-rata for the construction costs for the relocation of the Damascus and SH-205 intersection (which provides access to the Church and HCA), paid by the City.

5. Nothing in this agreement shall obligate the City to pay any monies other than those collected pursuant to this agreement in satisfaction of obligations herein stated. After diligent effort to collect payments, failure of the City, for whatever reason, to collect funds pursuant to sections 2.1 and 2.2 shall not obligate the City to pay any monies to the Church from any other City funding source.

Section 3. The City agrees that along with the widening of Damascus Road (to a minimum of 24-feet face of curb to face of curb, at this time), one additional point of access or emergency access, constructed in accordance with City Standards, will meet the City's requirement for the Church to obtain secondary access for current and future site development (as it relates to church expansion) for Lot 1, Block A, Our Lady of the Lake Catholic Church Addition ("C" on the attached Exhibit A).

Section 4. Nothing contained herein shall be considered as a waiver of the provisions of the City's Comprehensive Zoning Ordinance and Subdivision Regulations as the case may be.

Section 5. This Agreement replaces the orginal Facilities Agreement dated October 18, 2010 and shall remain in effect for a period of ten (10) years from the date of execution by both parties. If no payment is received from HCA or the owner of the undeveloped property by 180 days before the ten (10) years, the parties may by mutual written consent, extend the term for an additional period of time to be determined by the parties.

Section 6. Venue for this Agreement shall be in Rockwall County, Texas.

Section 7. Notice of this Agreement shall be in writing and addressed to the following:

City of Rockwall
385 S. Goliad
Rockwall, Texas 75087
Attn: City Manager

Our Lady of the Lake Catholic Church
1305 Damascus Road
Rockwall, TX 75087

Catholic Diocese of Dallas
CFO
P.O. Box 190507
Dallas, TX 75219

SIGNED ON THE DATE FIRST ABOVE WRITTEN.

CITY OF ROCKWALL

By: _____
Rick Crowley
City Manager

CHURCH

By: _____
Pastor

By: _____
Bishop

ACKNOWLEDGEMENTS

STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

BEFORE ME, the undersigned authority, on this day Personally appeared, _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said Church,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ day of _____, 2015.

_____

Notary Public in and for the State of Texas

My Commission Expires:

_____

(seal)

STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

BEFORE ME, the undersigned authority, on this day Personally appeared, Rick Crowley, City of Rockwall City Manager, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said City,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ day of _____, 2015.

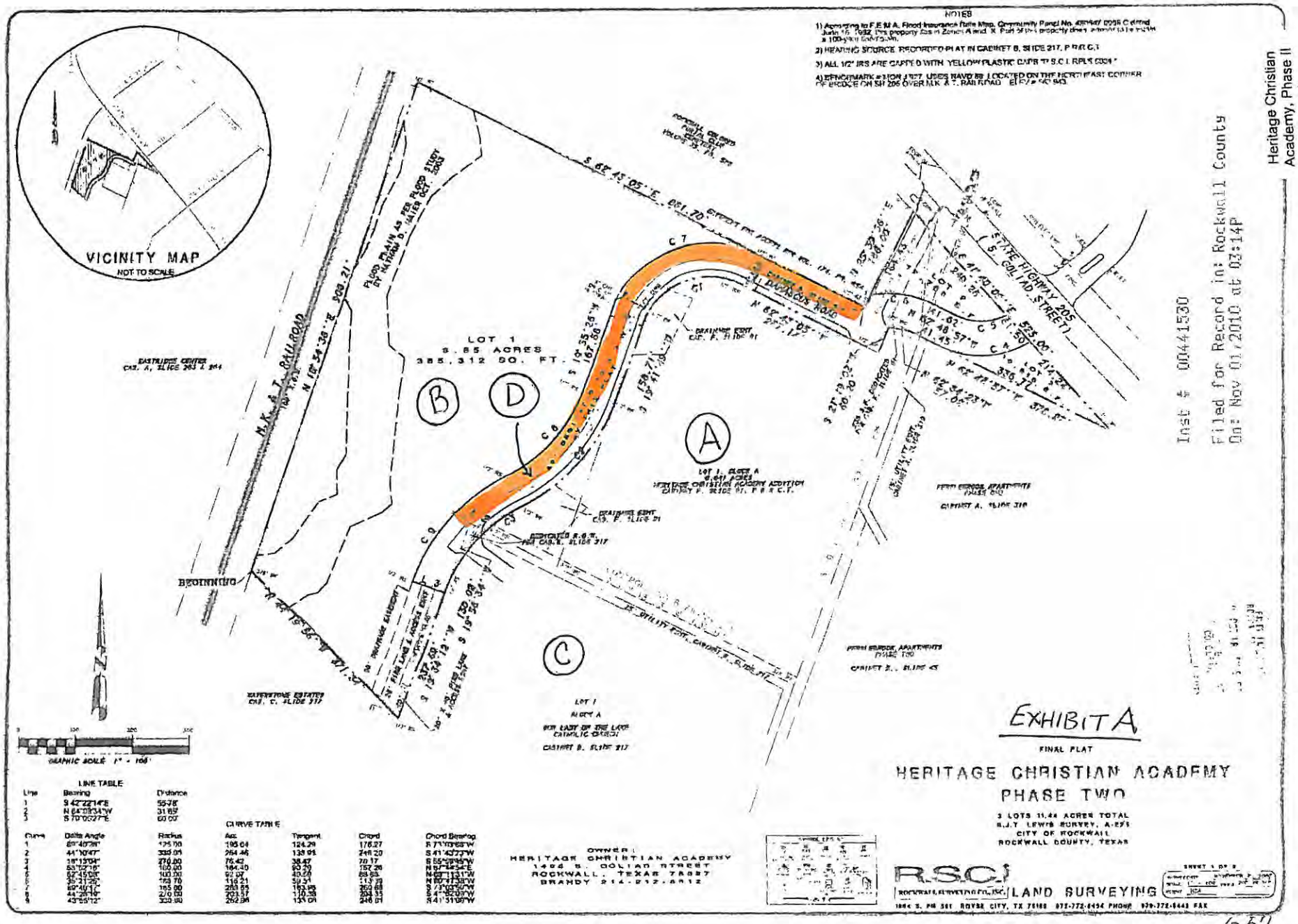
_____

Notary Public in and for the State of Texas

My Commission Expires:

_____

(seal)



Inst # 00441530
Filed for Record in: Rockwall County
On: Nov 01, 2010 at 03:14P

Heritage Christian Academy, Phase II
Page 1

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 10/05/2015

APPLICANT: Michael Hunter, *Rockwall Housing Development Corporation*

AGENDA ITEM: **MIS2015-007**; *Special Request (Ross Street @ Peters Colony)*

SUMMARY:

Discuss and consider the approval of a special request by Michael Hunter of the Rockwall Housing Development Corporation (RHDC) on behalf of the owner Jacquelyn W. Coleman for an exception to the masonry requirements and a waiver to building setback requirements for the purpose of constructing a duplex on a 0.09-acre parcel of land identified as Lot 1B, Block H, Sanger Addition, City of Rockwall, Rockwall County, Texas, being zoned Multi-Family 14 (MF-14) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, located at the southwest corner of the intersection of Ross Street and Peters Colony, and take any action necessary.

CHARACTERISTICS OF REQUEST:

Michael Hunter of the Rockwall Housing Development Corporation (RHCD) has submitted a special request concerning the property at the corner of the intersection of Peters Colony and Ross Street. The property is zoned Multi-Family 14 (MF-14) District and is located within the Southside Residential Neighborhood Overlay (SRO) District. Mr. Hunter is proposing to construct a two (2) story duplex on the subject property, which is permitted by-right within the Multi-Family 14 (MF-14) District; however, the property being 40-feet wide and on a corner lot, (*i.e. increased side yard setback of 15-feet*) has a reduced building envelop of 19-feet by 70-feet. Due to the limited width of the building envelop the applicant is requesting to reduce the building setback adjacent to Ross Street to ten (10) feet, which will increase the building envelop to 24-feet by 70-feet. Section 6.4, *Southside Residential Neighborhood Overly (SRO) District*, of Article V, *District Development Standards*, of the Unified Development Code (UDC) grants the City Council the ability to consider special requests within the district -- *including the ability to vary setbacks* -- "…in [the] furtherance of neighborhood preservation and enhancement …" Typically, properties within the Southside Residential Neighborhood Overlay (SRO) District require a minimum of 50-feet of street frontage; however, the subject property being annexed prior to 1959 and being platted prior to 1983 is consider to be a *Lot of Record*, "…or a parcel of land not a part of an urban or town lot subdivision, the deed of which has been recorded in the office of the county clerk of Rockwall County prior to the adoption date of the ordinance [*1983*] from which this [*the*] Unified Development Code (UDC) is derived which has not been divided since recording."

In addition, the applicant is requesting an exception to clad the proposed duplex in 100% hardieplank lap-siding. According to Section 3.1 of Article V, *District Development Standards*, of the UDC, all residential structures 120 SF or greater shall be constructed of 80% masonry materials with 50% of the masonry requirement permitted to be hardieplank or a similar cemetaceous material. The code goes on to state that the City Council can grant exceptions to this requirement on a case-by-case basis after reviewing the building elevations of the proposed structure. *The applicant has submitted building elevations and a site plan for the proposed property that staff has included in the attached packet.*

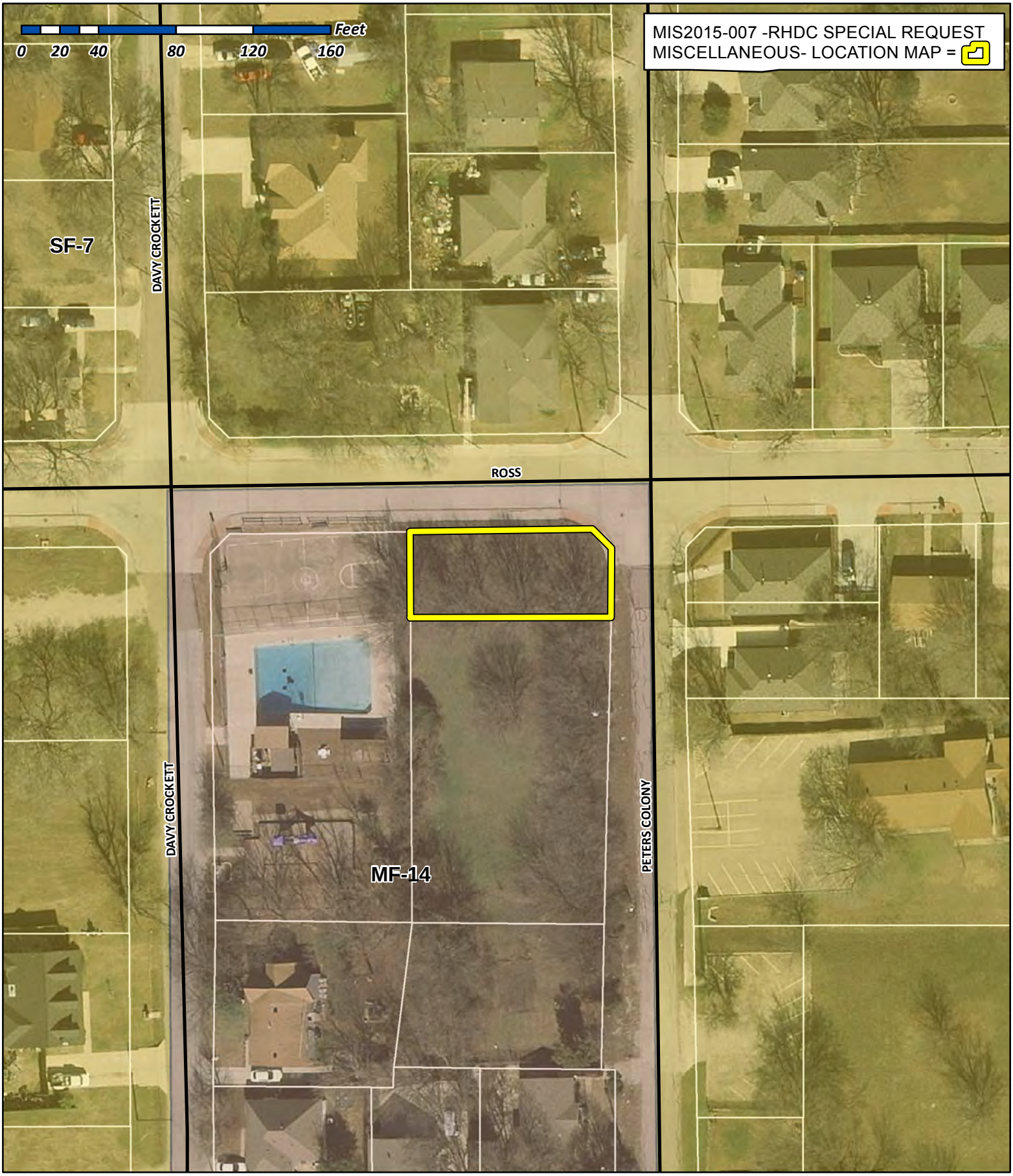
RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the applicant's request staff would recommend the following conditions:

1) Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On September 29, 2015, the Planning and Zoning Commission passed a motion to recommend approval of the applicant's request for an exception to the masonry requirements and a waiver to building setback requirements by a vote of 4-0, with Commissioners Renfro and McCuthcheon absent and one vacant seat.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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Rockwall Housing Development Corporation
787 Hail Dr
Rockwall, TX 75032
972-722-7316; (214) 728-0023
Rhdc787@att.net

August 19, 2015

Ryan Miller
Director
City of Rockwall
Planning and Zoning
Rockwall, Texas 75087

RE: Request for variances on a Property Identified as Sanger, Block H, Lot 1B Located within the Southside Overlay District

Mr. Miller:

The Rockwall Housing Development Corporation is representing Ms. Jacqueline Coleman, owner of the above identified property, in a request for variances on lot size and setbacks and an exception to the masonry requirements incorporated in the Southside Overlay District in order to construct a duplex housing structure on the above mentioned property.

I have attached a rough site plan, elevations and floor plans for the structure we are intending to build. The requests we are making will enable the lot to be placed back into use providing housing to families living in the Southside neighborhood. The structure we are proposing will allow us to provide housing to two families. Each unit will include a spacious living room and kitchen, 3 bedrooms, 1 full bath, 1 three quarter bath and 1 half bath.

Rockwall housing Development Corporation currently has over 150 families looking for rental housing on its waiting list. The need for additional, well-constructed and well-maintained, affordable rental housing in Rockwall is acute. Approving this request will help us continue to meet the growing need for affordable housing for our working class Rockwall residents.

Please call me if you need any additional information.

Thank you,

Michael Hunter
Executive Director

40'
10'
5'
275'
10'
20'
ROSS
100'
52'
20'
PETERS
COLONY

familyhomeplans
Better Living by Good Design

Plan Number 99955 | Order Code: 00WEB
FamilyHomePlans.com
U.S. customers call 1-800-482-0464 | Canadian customers call 1-800-361-7526
Click Here to Mirror Reverse Plan



Plan Number: 99955

- 1800 Total Living Area
- 400 Main Level
- 500 Upper Level
- 6 Bedrooms
- 2 Full Bath(s)
- 2 3/4 Bath(s)
- 2 Half Bath(s)
- 21' Wide x 52' Deep

Available Foundation Types:

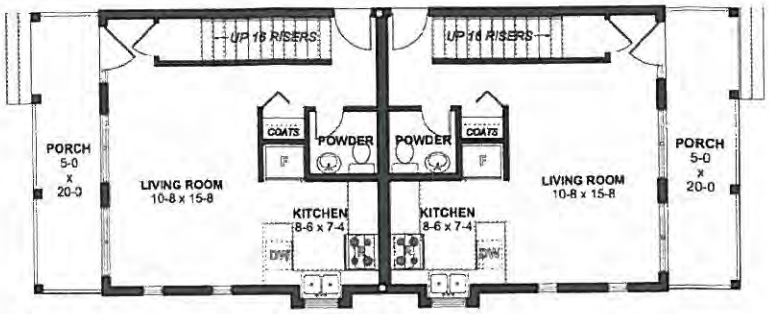
- Crawlspace

Order Code: 00WEB

- 1 Set: $575.00
- 4 Sets: $645.00
- 8 Sets: $745.00
- Reproducible Set: $825.00
- PDF File: $825.00
- CAD File: $1,325.00
- Materials List: $75.00
- Mirror Reverse: $50.00 per order
- Right Reading (True) Reverse: $150.00
  All sets will be Readable Reverse copies. Turn around time is usually 3 to 5 business days.
- Additional Sets: $45.00



Plan Number 99955 | Order Code 00WEB | Front Elevation
FamilyHomePlans.com
U.S. customers call 1-800-482-0464 | Canadian customers call 1-800-361-7526
Click Here to Mirror Reverse



MAIN FLOOR PLAN

Plan Number 99955 | Order Code 00WEB | First Floor Plan
FamilyHomePlans.com
U.S. customers call 1-800-482-0464 | Canadian customers call 1-800-361-7526
Click Here to Mirror Reverse



SECOND FLOOR PLAN

Plan Number 99955 | Order Code 00WEB | Second Floor Plan
FamilyHomePlans.com
U.S. customers call 1-800-482-0464 | Canadian customers call 1-800-361-7526
Click Here to Mirror Reverse

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 10/05/2015

APPLICANT: Michael Hunter, *Rockwall Housing Development Corporation*

AGENDA ITEM: **MIS2015-008**; *Special Request (112 Chris Drive)*

SUMMARY:

Discuss and consider the approval of a special request by Michael Hunter on behalf of the Rockwall Housing Development Corporation (RHDC) for waivers to the requirements stipulated in *Exhibit 'C'* of Planned Development District 75 (PD-75) [*Ordinance No. 09-37*] to allow the construction of two (2) single-family attached homes on a 0.27-acre parcel of land identified as Lot 984A of the Rockwall Lake Estates #2 Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 112 Chris Street, and take any action necessary.

CHARACTERISTICS OF REQUEST:

On behalf of the Rockwall Housing Development Corporation (RHDC), Michael Hunter, *RHDC Executive Director* has submitted a special request to the standards of Planned Development District 75 (PD-75) for the purpose of constructing a single-family attached structure on two (2) lots within *Area 2* of the Lake Rockwall Estates subdivision. The subject property at 112 Chris Street will be subdivided creating two (2), ~5,400 SF (*i.e. 45' x 120'*) lots. A two (2) story, 2,724 SF single-family attached unit will be constructed on each lot and share an adjoining wall with the adjacent property. Additionally, the lot at the corner of the intersection of Chris Drive and County Line Road will incorporate a 900 SF metal garage that will be accessible from County Line Road. As part of this proposal the applicant is requesting the following waivers and exception to the development and land use standards stipulated by *Ordinance No. 09-37*:

1) *Single-Family Attached*. The development standards for *Area 2* contained in *Exhibit 'C'* of *Ordinance No. 09-37* require that all property within *Area 2* be subject to the land uses permitted for a Single-Family 7 (SF-7) District. According to Article IV, *Permissible Uses*, of the Unified Development Code (UDC) a single-family attached structure is not a permitted land use within a Single-Family 7 (SF-7) District.

2) *Lot Frontage.* The development standards for *Area 2* contained in *Exhibit 'C'* of *Ordinance No. 09-37* stipulate a minimum lot frontage of 50-feet on a public street. In this case the applicant is requesting to reduce this to 45-feet.

3) *Side Yard Setback.* The development standards for *Area 2* contained in *Exhibit 'C'* of *Ordinance No. 09-37* require a minimum side yard setback of five (5) feet. Since the structures will share a common wall the minimum side yard setback will be required to be reduced to zero along the property line containing the common wall.

4) *Masonry Requirement*. According to Section B, *Exterior Wall Materials*, of *Exhibit 'C'* of *Ordinance No. 09-37* all residential buildings 120 SF or more and over ten (10) feet in height shall have a minimum of 80% masonry exterior walls, with up to 50% of the masonry requirements permitted to be Hardie Board or a similar cementaceous material. The applicant is requesting an exception to the masonry requirements for the purpose of utilizing

100% hardieplank lap-siding on both single-family attached structures. Additionally, the garage will require an exception since the materials being proposed (*i.e. metal*) does not match the materials utilized on the primary structure. *The applicant has submitted building elevations of the proposed structure for the Planning and Zoning Commission and City Council's review.*

According to Section C, *Consideration of Special* Request, of *Exhibit 'C'* of Planned Development District 75 (PD-75) [*Ordinance No. 09-37*], "(t)he City Council may consider special requests … (s)uch requests may include, but not necessarily be limited to the use of building materials not otherwise allowed, authorization of specific land uses not otherwise allowed, or other requests submitted for consideration." The approval of any special request shall preempt any other underlying zoning restrictions stipulated by the zoning ordinance. With the exception of the abovementioned waivers and exception the proposed development meets the requirements of *Ordinance No. 09-37*.

It should be noted that if the City Council chooses to approve the applicant's request, Mr. Hunter has submitted a letter stating that the RHDC will withdraw *Case No. MIS2015-004*. This case -- *requesting the replacement of a manufactured home within a floodplain* -- was submitted by the RHDC on behalf of Jose Contreras (*i.e. the property owner of 142 Rene Drive*) after his property sustain considerable damage due to flooding in the Lake Rockwall Estates subdivision. It is the RHDC's intent to offer one of the proposed single-family attached units to Mr. Contreras, in exchange for the property at 142 Rene Drive. This would guarantee that no new structure could be placed on 142 Rene Drive, and that the existing mobile home would not be rehabilitated/repurposed; effectively removing a structure within the 100-year floodplain. Additionally, Mr. Hunter's letter states that the remaining unit will be offered to a family that is currently living in a sub-standard structure in the Lake Rockwall Estates subdivision. *A copy of Staff's case memo for Case No. MIS2015-004 has been provided in the attached packet.*

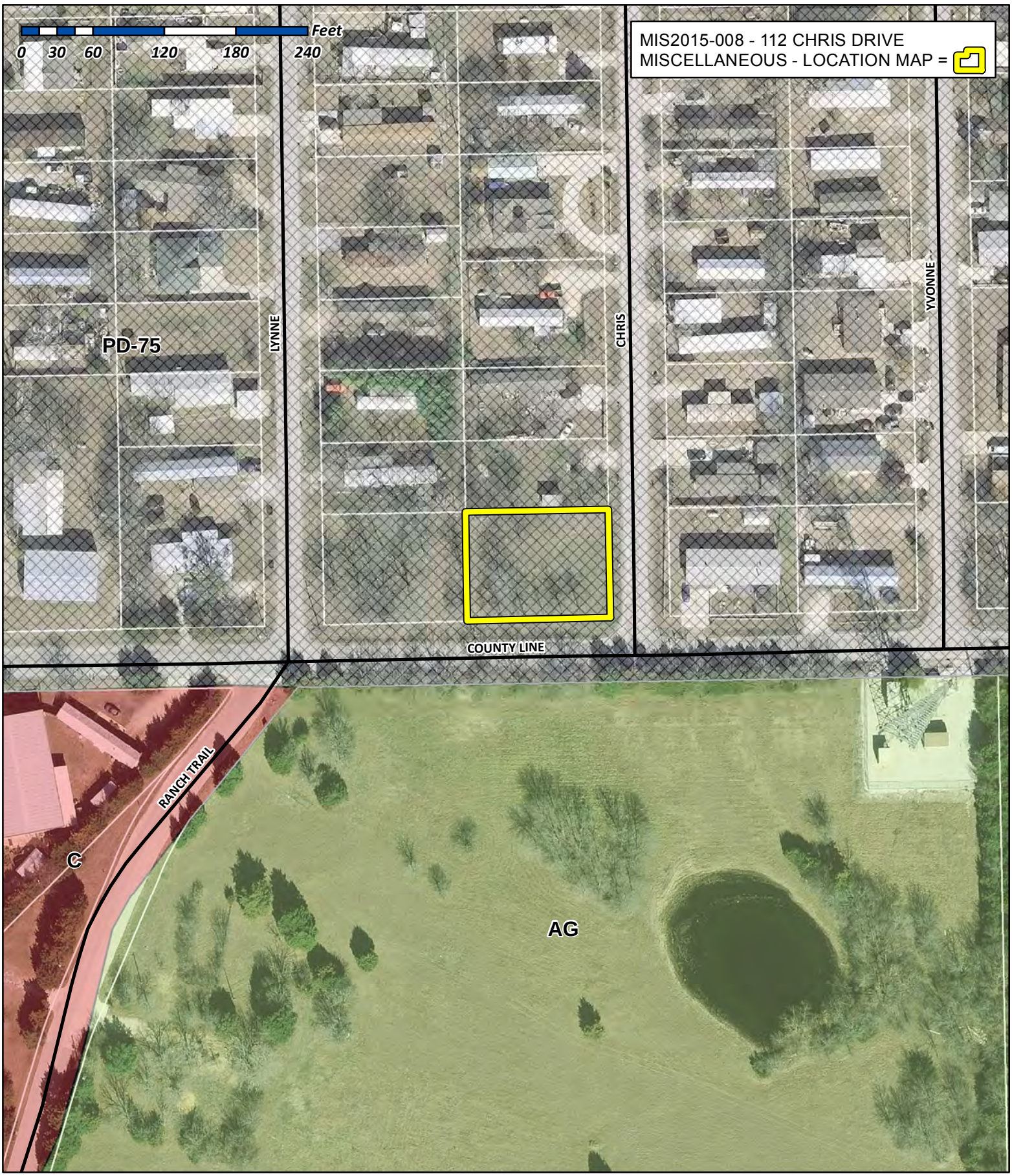
RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the applicant's request staff would recommend the following conditions:

1) Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On September 29, 2015, the Planning and Zoning Commission passed a motion to recommend approval of the applicant's request for waivers to the requirements stipulated in Planned Development District 75 (PD-75) by a vote of 4-0, with Commissioners Renfro and McCuthcheon absent and one vacant seat.



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Rockwall Housing Development Corporation
787 Hail Dr
Rockwall, TX 75032
972-722-7316; (214) 728-0023
Rhdc787@att.net

August 19, 2015

Ryan Miller
Director
City of Rockwall Planning and Zoning
Rockwall, Texas 75087

RE: Special Request Sub-Divide Lot at 112 Chris Located Within PD 75

Mr. Miller:

The Rockwall Housing Development Corporation ("the Corporation") owns 112 Chris Drive, Rockwall Texas 75032 which is located in Lake Rockwall Estates ("LRE") and is part of PD 75. The Corporation in its efforts to assist those Rockwall families affected by this year's flooding of Lake Wallace is requesting to build two (2) single family attached houses on the identified lot.

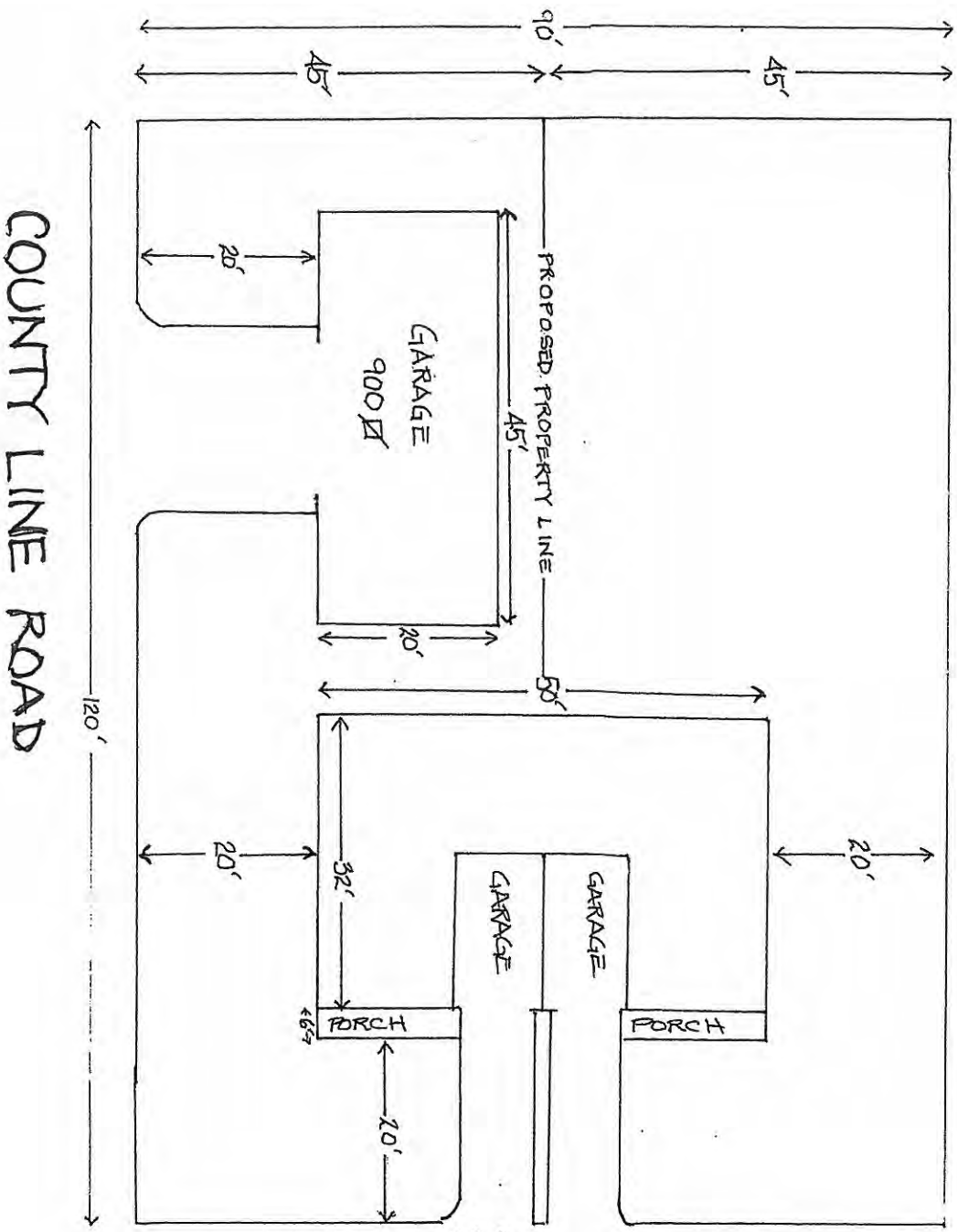
By allowing the Corporation to build two single family attached houses on the above identified property, the Corporation will be able to assist two families already living in Lake Rockwall Estates (the mobile home side) one of whom was living in property located in the flood plain which was severely damage as a result of the flood. Building these houses would provide a permanent solution to the flood plain issue for one family and, for another, move them out of a mobile home that is critically substandard. Each house we are proposing to build will include a spacious living room and kitchen, 3 bedrooms, 2 1/2 baths and an enclosed 1 car garage. In order to ensure the houses are affordable for the very low income families we wish to assist, we are also asking for an exemption to masonry requirements.

If this request is approved, we plan on withdrawing request MIS 2015-004, previously submitted. I have attached a rough site plan, elevations and floor plans for the attached single family houses we are intending to build. Approval of this request will enable the Corporation to help two families significantly improve their living conditions while improving the LRE area.

Please call me if you need any additional information.

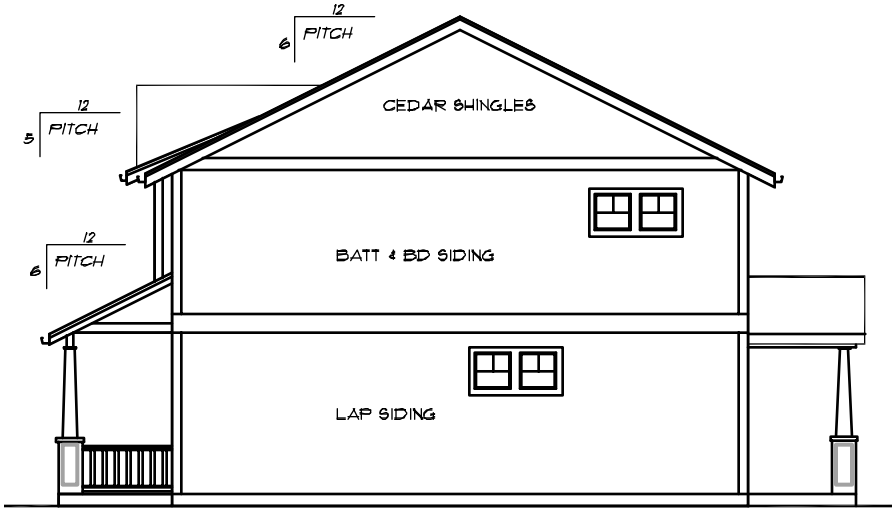
Thank you,

Michael Hunter
Executive Director

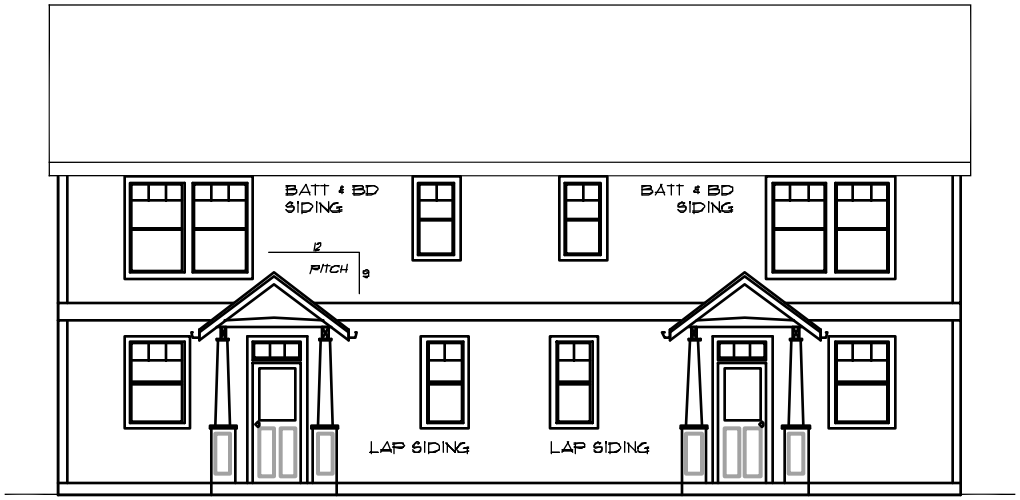


112

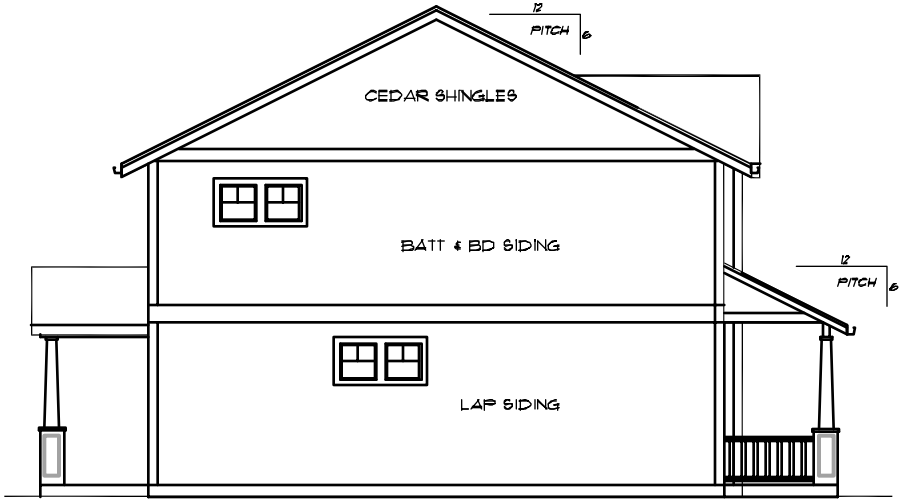
CHRIS DRIVE



RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION

114

53' wide 32' deep

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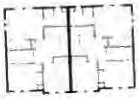
PLAN #423-7









Plan #423-7

(mailto:?subject=House Plan 423-7&body=http://www.houseplans.com/plan/2724-square-feet-3-bedrooms-2-5-bathroom-craftsman-home-plans-1-garage-30172) (/plan/print/30172) (http://www.facebook.com/sharer.php?u=http://www.houseplans.com/plan/2724-square-feet-3-bedrooms-2-5-bathroom-craftsman-home-plans-1-garage-30172&t=) (http://twitter.com/share?url=http://www.houseplans.com/plan/2724-square-feet-3-bedrooms-2-5-bathroom-craftsman-home-plans-1-garage-30172&text=House Plan 423-7&via=houseplansllc) (http://pinterest.com/pin/create/button/?url=http://www.houseplans.com/plan/2724-square-feet-3-bedrooms-2-5-bathroom-craftsman-home-plans-1-garage-30172&media=http%3A%2F%2Fcdn.houseplans.com%2Fproduct%2Flov2kgig72dcuhvtpkfaohqn88%2Fw560x373.jpg%3Fv%3D8&description=House Plan 423-7) (https://plus.google.com/share?url=http://www.houseplans.com/plan/2724-square-feet-3-bedrooms-2-5-bathroom-craftsman-home-plans-1-garage-30172)

Select Plan Set Options What's included?

PDF Set $695.00

Select Foundation Options

Crawlspace $0.00

SUBTOTAL $695.00

Best Price Guaranteed*

ADD TO CART

Or order by phone: 1-800-913-2350

KEY SPECS

2724 sq ft	3 Bedrooms	2.5 Bathrooms	2 Floors	1 Garage

How much will this cost to build?

This report will provide you cost estimates based on location and building materials.

GET COST-TO-BUILD REPORT (/PLAN/COST-TO-BUILD

This plan can be customized!

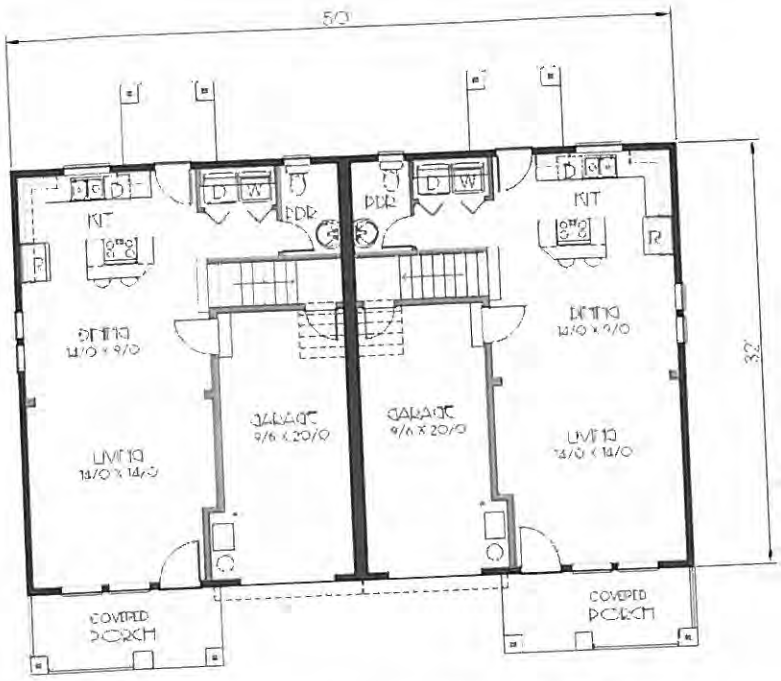
MODIFY THIS PLAN (/PLAN/MODIFY/30172)

Let us know your desired changes and get a free quote.
Click the button or call us now at 1-800-913-2350

FLOOR PLANS

Floor Plan - Main Floor Plan

Have a Question?



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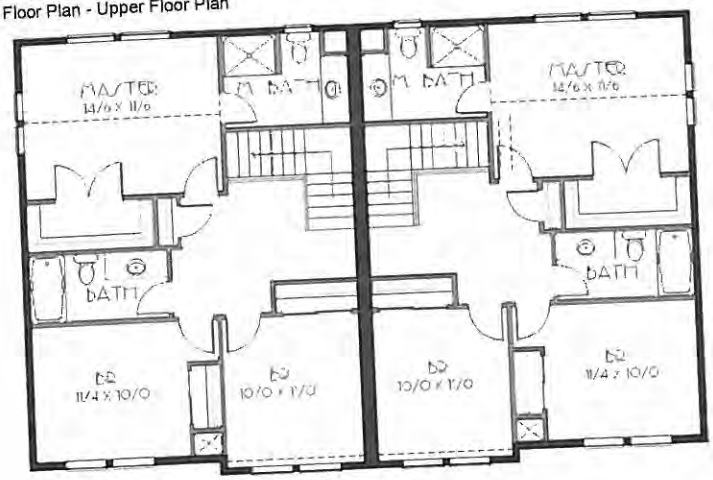
Floor Plan - Upper Floor Plan



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FULL SPECS & FEATURES

Basic Features	Bedrooms : 3 Potential Bedrooms : 0 Baths : 2.5	Garage Stalls : 1 Stories : 2
Dimension	Depth : 32' Height : 27'	Width : 50'
Area	Garage Sq Ft : 400 sq ft Porch Sq Ft : 180 sq ft Upper Floor Sq Ft : 1622 sq ft	Main Floor Sq Ft : 1102 sq ft Total Sq Ft : 2724 sq ft *

**Total Square Footage only includes conditioned space and does not include garages, porches, bonus rooms, or decks*

Have a Question?



117

CITY OF ROCKWALL
PLANNING AND ZONING COMMISSION MEMO

AGENDA DATE: 08/11/2015

APPLICANT: David Smith, *Rockwall Housing Development Corporation*

AGENDA ITEM: **MIS2015-004**; *Manufactured Home Replacement (142 Rene Drive)*

SUMMARY:

Discuss and consider the approval of a special request by David Smith on behalf of the owner Jose Contreras for a waiver to the Manufactured Home Replacement Minimum Standards as set forth in Exhibit 'C' of Planned Development District 75 (PD-75) [*Ordinance No. 09-37*] to allow a new manufactured home to be located within the floodplain on a 0.17-acre property identified as Lot 1376, Rockwall Lake Estates #2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 142 Rene Drive, and take any action necessary.

CHARACTERISTICS OF REQUEST:

On behalf of the owner the applicant, David Smith with the Rockwall Housing Development Corporation (RHDC), has submitted a special request to the requirements stipulated for *Manufactured Home Replacement Minimum Standards* outline in *Exhibit 'C'* of Planned Development District 75 (PD-75) [*Ordinance No. 09-37*]. According to this section, if an existing property has a manufactured home situated on it then the property owner is eligible for a one (1) time replacement of said manufactured home pending the replacement home meets the following criteria:

1) The replacement manufactured home shall be permanently affixed to a concrete foundation.
2) The replacement manufactured home shall have a minimum of a 3:12 roof pitch.
3) The replacement manufactured home shall be constructed of a minimum of 90% masonry materials on the exterior of the structure (excluding windows and doors; including the skirting material). This includes Hardiboard lap siding, "Cemplank" lap siding, or a similar cementaceous durable lap siding material that has a minimum width of 6¼-inches.
4) The replacement manufactured home shall be a newer manufactured home and contain at least the same living space/square footage as the previous manufactured home.

The property at 142 Rene Drive currently has an older manufactured home on the subject property that sustained considerable damage with the flooding in Lake Rockwall Estates earlier this spring (*see attached Inspection Report in the attached packet*). The RHDC did attempt to allow the applicant to build on land owned by the RHDC, but according to Mr. Smith's email this proved to be economically infeasible. At this point, the property at 142 Rene Drive is eligible for a one (1) time replacement subject to the requirements listed above; however, the property is located within the 100-year floodplain and does not meet the fire hydrant coverage requirements (*see staff's comments in the attached packet*). Mr. Smith has indicated that the RHDC is willing to assist the owner of the property in removing the existing manufactured home and securing a new manufactured home that will meet all the above mentioned criteria with the exception of the masonry requirements; however, in doing this he is asking that the City Council grant the following waivers/variances: 1) waiver of the masonry requirements, 2) allow construction within a 100-year floodplain, and 3) grant a variance to the fire hydrant coverage requirements. To off-

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set construction within the floodplain Mr. Smith has stated that the new manufactured home will be on a 24-inch engineered manufactured home foundation (the flooding was measured at 18-20 inches). The finished floor elevation of the property is estimated to be around 516'-518', approximately four (4) to six (6) feet below the 100-year floodplain elevation (~522'). With this being said it should be mentioned that the applicant does have the ability to rehabilitate the current structure, which would exempt him from all the waivers and variances requested.

According to Section C, *Consideration of Special Request*, of *Exhibit 'C'* of PD-75, the City Council may consider special requests on a case-by-case basis for properties located within the Lake Rockwall Estates subdivision pending a recommendation from the Planning and Zoning Commission. The approval of any special request shall preempt any other underlying zoning restrictions stipulated by the zoning ordinance. Additionally, City Council does have the authority to grant a waiver/variance for allowing a manufactured home to be placed on the subject property.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the applicant's request staff would recommend the following conditions:

1) Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

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08.06.2015

119

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 10/05/2015

APPLICANT: Dub Douphrate, *Douphrate & Associates, Inc.*

AGENDA ITEM: **P2015-036**; *Lot 1, Block A, Our House Addition*

SUMMARY:

Discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of the owners Scott and Leslie Milder for the approval of a replat for Lot 1, Block A, Our House Addition being a 0.75-acre tract of land currently identified as Blocks 24A & 24C, Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, addressed as 803 N. Goliad Street, and take any action necessary.

PLAT COMMENTS:

- ✓ The objective of this request is to replat two (2) existing parcels of land into one (1), 0.75-acre parcel of land for the purpose of rehabilitating an existing 1,738 SF single-family home and converting it into a banquet facility with office space. The proposed plat conforms to the site plan that was approved by the Planning & Zoning Commission on October 14, 2014 under *Case No. SP2014-026*.
- ✓ As part of this replat the applicant will be dedicating the remainder of the right-of-way needed for Lakefront Trail and Harbor Heights Drive.
- ✓ The surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for replats as stated in the *Subdivision Ordinance* in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

RECOMMENDATIONS:

Staff recommends approval of the final plat for *Lot 1, Block A, Our House Addition* in conformance with the following conditions of approval:

1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;
2) Any construction resulting from the approval of this *replat* shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On September 29, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the replat by a vote of 4-0, with Commissioners Renfro and McCuthcheon absent and one seat vacant.

City of Rockwall

Project Plan Review History

Project Number	P2015-036	**Owner**	MILDER, SCOTT & LESLIE	**Applied**	9/14/2015	LM
Project Name	803 N. Goliad	**Applicant**	DUPHRATE & ASSOC. INC	**Approved**		
Type	PLAT			**Closed**		
Subtype	REPLAT			**Expired**		
Status	STAFF REVIEW			**Status**	9/14/2015	LM

Site Address	**City, State Zip**	**Zoning**
803 N GOLIAD	ROCKWALL, TX	

Subdivision	**Tract**	**Block**	**Lot No**	**Parcel No**	**General Plan**
WAGNER CHRISTENSEN		23A		3050-023A-0034-00-0R	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	9/14/2015	9/21/2015	9/22/2015	8	APPROVED	
ENGINEERING	Amy Williams	9/14/2015	9/21/2015	9/21/2015	7	COMMENTS	See Comment
(9/21/2015 11:49 AM AW) Add 24' access easement from SH 205 to proposed 24' cross access easement							
FIRE	Ariana Hargrove	9/14/2015	9/21/2015	9/21/2015	7	APPROVED	
GIS	Lance Singleton	9/14/2015	9/21/2015	9/22/2015	8	APPROVED	
PLANNING	Ryan Miller	9/14/2015	9/21/2015	9/22/2015	8	APPROVED W/ CONDITIONS	See Comment

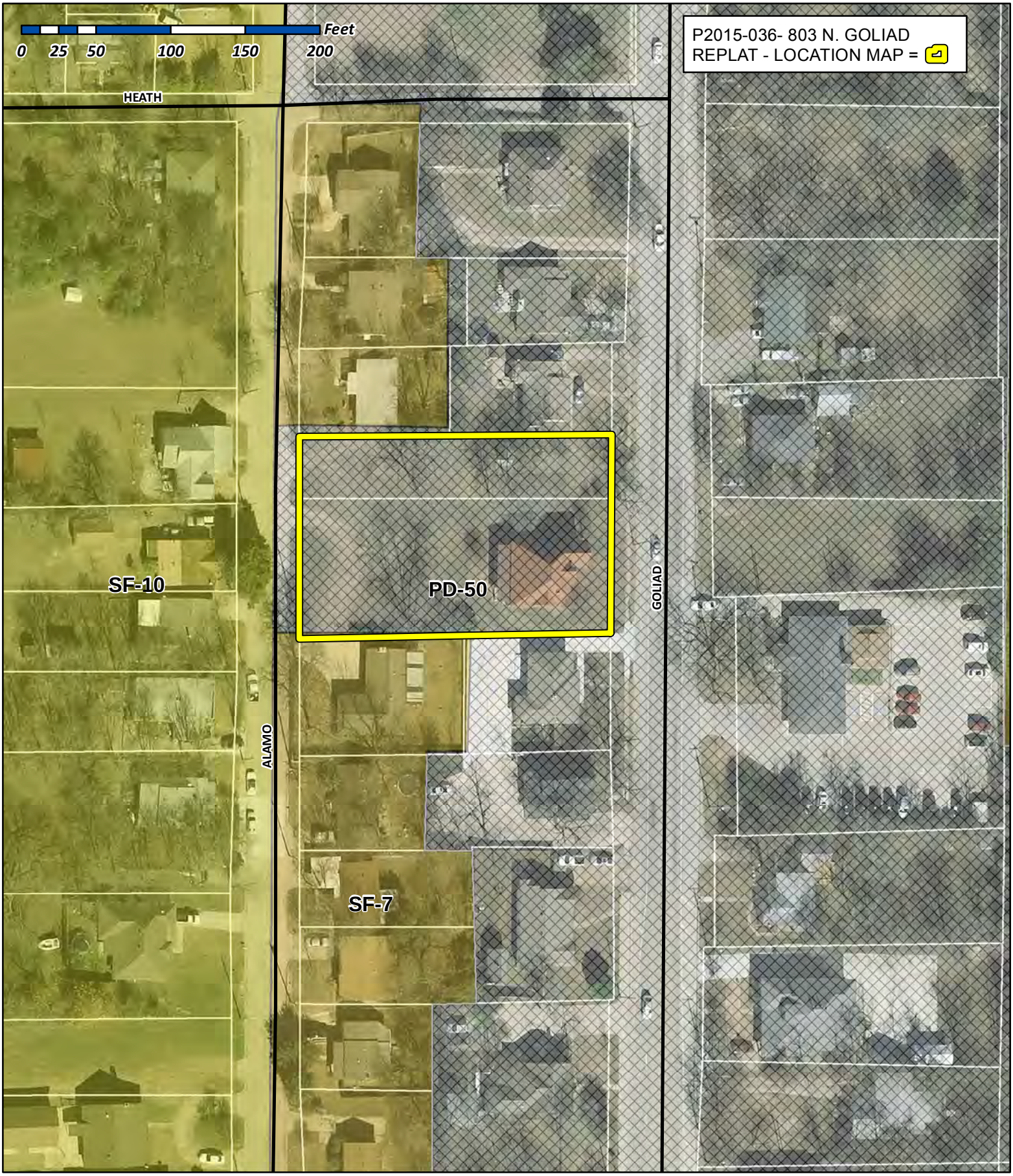
Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks

P2015-036 (Lots 1, Block A, Our House Addition): Please address the following comments (M= Mandatory Comments; I = Informational Comments).

I.1 This is a request for the approval of a replat for Lot 1, Block A, Our House Addition being a 0.75-acre tract of land currently identified as Blocks 24A & 24C, Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, and addressed as 803 N. Goliad Street.
I.2 For questions or comments concerning this case please contact Ryan Miller in the Planning Department at (972) 772-6441 or email rcmiller@rockwall.com.
M.3 For reference, include the case number (P2015-036) in the lower right hand corner of all pages on future submittals.
M.4 Please change the title block as follows:

Replat
Our House Addition
Lots 1, Block A
Being a Replat of Blocks 24A & 24C, Amick Addition
Being 0.75-acres
Situated Within the Benjamin F. Boydston Survey, Abstract No. 14
City of Rockwall, Rockwall County, Texas

I.5 The minimum depth of the front yard setback shall be 25-feet (from future right-of-way as shown on the adopted thoroughfare plan or as actually exists, whichever is greater) in those instances where an existing structure is converted into an office use.
M.6 Please indicate the front yard building setback.
M.7 Please indicate a rear yard of 30-feet per the Residential-Office (RO) District requirements.
M.8 Please indicate and label the street centerlines for N. Alamo Street and N. Goliad Street (State Highway 205 [SH-205]).
M.9 The acreage in the legal description does not match the acreage indicated on the plat diagram.
M.10 Please provide staff with a digital/PDF copy of the plat.
I.11 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections, and provide any additional information that is requested. The Planning & Zoning meeting date for this case will be September 29, 2015.
I.12 The projected City Council meeting date and subsequent approval for this plat is October 5, 2015.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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OWNERS CERTIFICATE

STATE OF TEXAS}
COUNTY OF ROCKWALL}

WHEREAS, Scott Milder and Leslie Milder, being the owner's of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

Part of the Benjamin F. Boydston Survey Abstract NO. 14, situated in the City of Rockwall, Rockwall County, Texas, being all of a tract of land to Scott Milder and Leslie Milder as recorded in Volume 7120, Page 228 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with cap stamped "R.P.L.S. 5034" found for the northeast corner of said Milder tract, and lying on the west right–of–way line of North Goliad Street, also called State Highway Number 205, (a variable width right–of–way);

THENCE South 00 degrees 02 minutes 42 seconds West along the west right–of–way of said North Goliad Street and the east line of said Milder tract, a distance of 133.04 feet to a 5/8 inch iron rod stamped "R.P.L.S. 5430" set for the southeast corner of said Milder tract;

THENCE South 88 degrees 37 minutes 48 seconds West departing the west line of said North Goliad Street and along the south line of said Milder tract, passing a 1/2 inch iron rod stamped "R.P.L.S. 5034" at a distance of 7.50 feet found for the northeast corner of Lot 1, Block A of the Wagner Christensen Addition, an addition to The City of Rockwall as recorded in Cabinet H, Slide 229, Plat Records Rockwall County, Texas, and continuing a total distance of 105.47 feet to a 1/2 inch iron rod stamped "R.P.L.S. 5034" found for the northwest corner of said Wagner Addition, the northeast corner of a tract of land to Carlos Guevara and Monica A. Guevara recorded in Volume 5484, Page 187 Deed Records Rockwall County, Texas and at an angle point on the south line of said Milder tract;

THENCE South 89 degrees 15 minutes 53 seconds West along the north line of said Guevara tract and the south line of said Milder tract, a distance of 110.14 feet to a 3/8 inch iron rod found for the northwest corner of said Guevara tract, the southwest corner of said Milder tract and lying on the east line of North Alamo Street (a called 45 feet wide right–of–way);

THENCE North 00 degrees 14 minutes 21 seconds East along the east line of said Alamo Street and the west line of said Milder tract, a distance of 138.19 feet to 1/2 inch iron rod found for the northwest corner of said Milder tract and for the southwest corner of a tract of land to Kimberlee Wylie recorded in Volume 3324, Page 196 Deed Records Rockwall County, Texas ;

THENCE South 89 degrees 13 minutes 43 seconds East departing said Alamo Street and along the south line of said Wylie tract a distance of 99.09 feet to 1/2 inch iron rod stamped "R.P.L.S. 5034" found for the southeast corner of said Wylie tract, same being the southwest corner of Lot 1, Block A Double T Ventures Addition, an addition to The City of Rockwall as recorded in Instrument Number 20140000009401 Official Public Records Rockwall County, Texas;

THENCE North 89 degrees 57 minutes 10 seconds East along the south line of said Double T Ventures Addition a distance of 116.02 feet to the POINT OF BEGINNING containing 29,182 square Feet, or 0.670 of an acre of land.

SURVEYORS CERTIFICATE

I, HEREBY CERTIFY, THAT I PREPARED THIS SURVEY PLAT SHOWN HEREON FROM AN ACTUAL SURVEY ON THE GROUND BY ME AND THAT ALL CORNERS ARE MARKED, AND THAT ALL DIMENSIONS SHOWN THEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND FURTHERMORE THERE ARE NO ENCROACHMENTS, PROTRUSIONS, IMPROVEMENTS, EASEMENTS, RIGHT–OF– WAY, OR 100 YEAR FLOOD PLAIN AFFECTING THE PROPERTY EXCEPT AS SHOWN THEREON.

WITNESS UNDER MY HAND THIS THE _____ DAY OF _____, 2015.

_____
BRIAN J. MADDOX, R.P.L.S. NO. 5430

STATE OF TEXAS:
COUNTY OF KAUFMAN:

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED, BRIAN J. MADDOX, KNOWN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

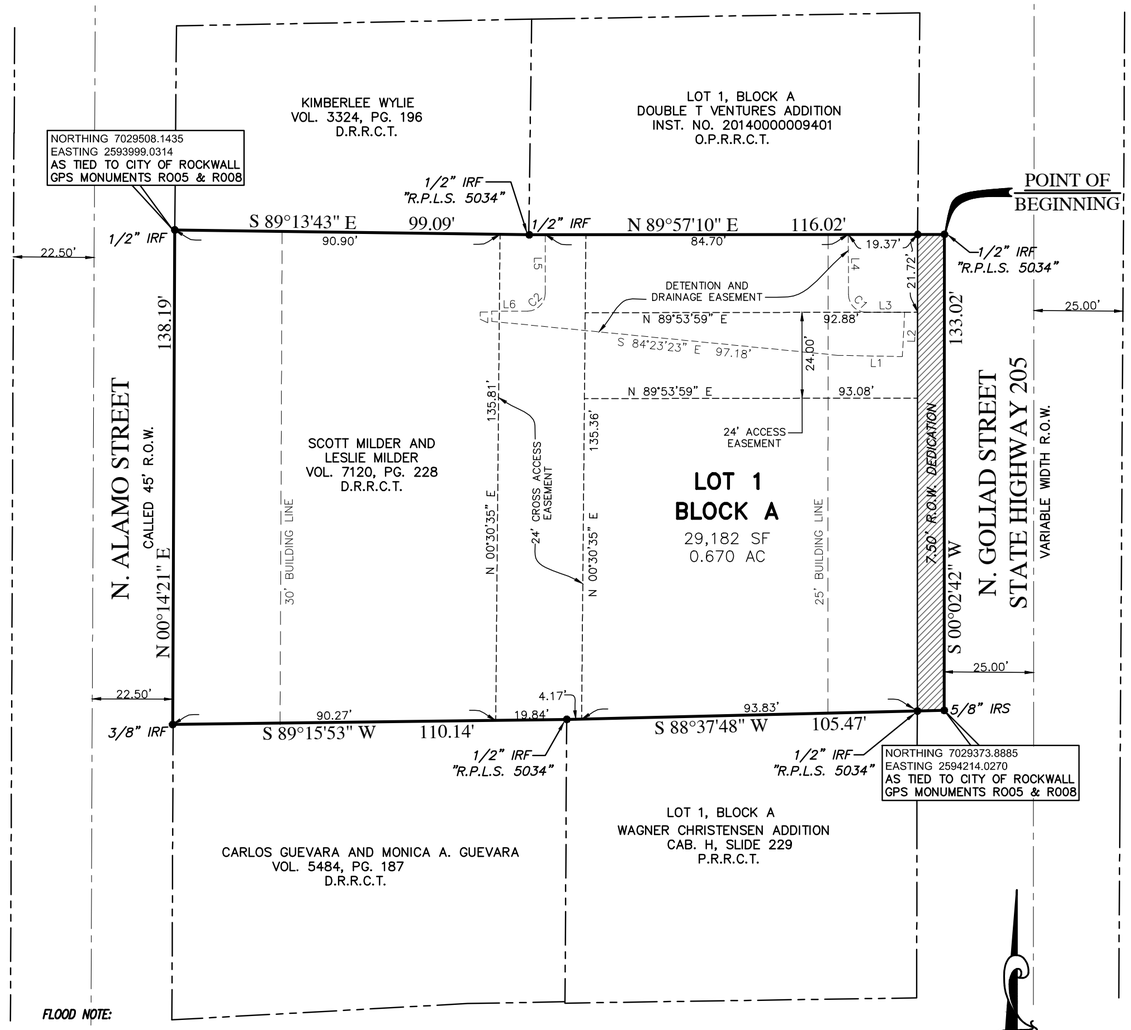
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 2015.

_____ NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

LINE	BEARING	DISTANCE
L1	S 88°55'26" E	18.05'
L2	N 02°53'38" E	12.41'
L3	S 89°53'59" W	10.70'
L4	N 00°06'01" W	16.74'
L5	S 00°06'01" E	16.32'
L6	S 89°53'59" W	10.00'
L7	S 00°06'01" E	2.85'

NOTES:

1. *THE BASIS OF BEARING AND ELEVATION DATUM FOR THIS SURVEY IS THE TEXAS STATE PLANE, NORTH CENTRAL ZONE (4202), GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS TAKEN ON SITE AND REFERENCED TO THE CITY OF ROCKWALL GPS MONUMENT NETWORK.*
2. *ALL CORNERS ARE 5/8" IRON RODS WITH CAP STAMPED "R.P.L.S. 5430" UNLESS OTHERWISE SHOWN.*



FLOOD NOTE:

1. *ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) – NATIONAL FLOOD INSURANCE PROGRAM (NFIP) – FLOOD INSURANCE RATE MAP (FIRM) – FOR THE ROCKWALL COUNTY, TEXAS AND INCORPORATED AREAS – MAP NO. 48397C0030 L, MAP REVISED, SEPTEMBER 26, 2008, THE PROPERTY SHOWN HEREON LIES IN ZONE "X" (OTHER AREAS).*
2. *ZONE "X"(OTHER AREAS) IS DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".*
3. *THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURE THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN–MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.*

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	5.00'	90°00'00"	7.85'	N 45°06'01" W	7.07'
C2	5.00'	90°00'00"	7.85'	S 44°53'59" W	7.07'

Legend of Symbols & Abbreviations

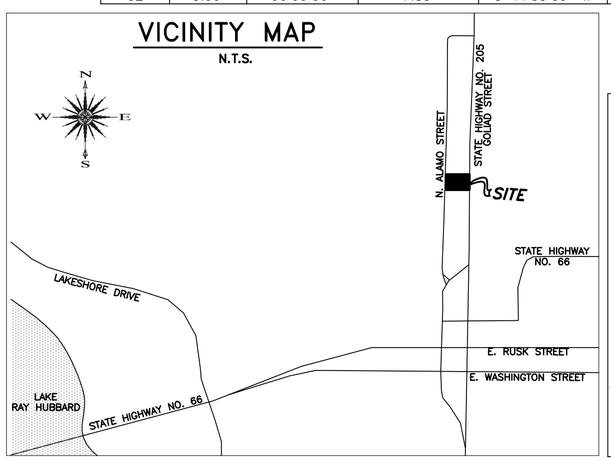
IRF = IRON ROD FOUND
IRS = IRON ROD SET
R.O.W. = RIGHT–OF–WAY
P.O.B. = POINT OF BEGINNING
U.E. = UTILITY EASEMENT
DOC = DOCUMENT
VOL. = VOLUME
PG. = PAGE
CAB. = CABINET

0 15' 30' 60'

GRAPHIC SCALE: 1"=30'

VICINITY MAP

N.T.S.



RECOMMENDED FOR FINAL APPROVAL

_____ _____
Chairman, Planning & Zoning Commission *Date*

I hereby certify that the above and foregoing plat of Our House Addition, Lot 1, Block A to the City of Rockwall, Texas was approved by the Mayor of the City of Rockwall on the _____ day of _____, 2015.

This approval shall be invalid unless the approved Plat for such Addition is recorded in the office of the County Clerk of Rockwall County, Texas, within one year from said date of final approval. An extension may be granted by the City Council.

Said Addition shall be subject to all the requirements of the Platting Ordinance of the City of Rockwall.

Witness my hand this the _____ day of _____, 2015.

_____ _____ _____ _____
Mayor, City of Rockwall *Date* *City Secretary, City of Rockwall* *Date*

_____ _____
City Engineer, City of Rockwall *Date*

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS}
COUNTY OF ROCKWALL}

We, Scott Milder and Leslie Milder, the owners of the land shown on this plat, and designated herein as Lot 1, Block A, Our House Addition, an addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Addition upon the public services required in order that the development will comport with the present and future growth needs of the City; we, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

_____ _____
Scott Milder Date

_____ _____
Leslie Milder Date

STATE OF TEXAS
COUNTY OF ROCKWALL
Before me, the undersigned authority, on this day personally appeared Scott Milder , known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, 2015.

_____
Notary Public in and for the State of Texas

_____
My Commission Expires:

STATE OF TEXAS
COUNTY OF ROCKWALL
Before me, the undersigned authority, on this day personally appeared Leslie Milder , known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____, 2015.

_____
Notary Public in and for the State of Texas

_____
My Commission Expires:

REPLAT

OUR HOUSE ADDITION

LOT 1, BLOCK A

BEING A REPLAT OF BLOCKS 24A & 24C, AMMICK ADDITION
BEING 0.75 ACRES
SITUATED IN THE
BENJAMIN F. BOYDSTON SURVEY ABSTRACT NO. 14
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER:
SCOTT MILDER AND
LESLIE MILDER
830 Shores Blvd.
Rockwall, Texas 75087

SURVEYOR:
MADDOX SURVEYING
& MAPPING INC.
P.O. BOX 2109
FORNEY, TEXAS 75126
(972) 564-4416

ENGINEER:
DOUPHRATE & ASSOCIATES, INC.
ENGINEERING • PROJECT MANAGEMENT
2235 RIDGE RD., # 200
ROCKWALL, TEXAS 75087
PHONE: (972)771-9004
FAX: (972)771-9005

August 31, 2015 1"=30' Sheet 1 of 1 (P2015-036)

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **October 2, 2015**

SUBJECT: **Facilities Agreement – Springhill Suites Development**

Staff received a request from Mr. Tom Kirkland of Tekmak Development Company to delay the construction of Harbor Heights Drive between Shoreline Drive and Lakefront Trail. The construction of this roadway is a requirement of this development.

Mr. Kirkland has requested the delay due to the cost of construction at this time. The attached Facilities Agreement has been prepared to allow the requested delay with restrictions. The construction could be delayed until the commencement of any construction/development of the property adjacent to the Cinemark Theater (known as Lot 7, Block A, Harbor-Rockwall Addition) or 36 months from the date of execution of this Facilities Agreement whichever occurs first. Should the Developer fail to comply with those restrictions, the Hotel Motel Tax Rebate could be denied and eliminated.

Staff requests City Council consideration to delay the construction of Harbor Heights Drive between Shoreline Drive and Lakefront Trail as a part of the Springhill Suites Development in accordance with the conditions established in the Facilities Agreement.

TMT:em

Attachment

Cc:
Mary Smith, Assistant City Manager
Brad Griggs, Assistant City Manager
Ryan Miller, Director of Planning
Amy Williams, P.E., Assistant City Engineer
File

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STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

FACILITY AGREEMENT

This Agreement is entered into on the *5th* day of *October, 2015*, by and between the ***City of Rockwall, Texas*** (the *City*) and ***Tekmak Development Company***, (the *Developer*).

WITNESSETH:

Section 1. That in consideration of the delay for the construction of a 24-foot reinforced, concrete roadway (*Harbor Heights Drive*) -- which is depicted in *Exhibit 'A'* of this agreement -- to serve the property along 2601 Lakefront Trail located in Rockwall, Texas, the *City* and the *Developer* agree to the following:

The *Developer* agrees to the following:

(a) The *Developer* agrees to construct the 24-foot reinforced concrete roadway (*Harbor Heights Drive*) between *Shoreline Drive* and *Lakefront Trail*.
(b) The *Developer* agrees to fund the entire construction of this roadway.
(c) Failure to comply with the established timeframes stated in *Section 2(a.)* of this agreement will result in the loss of the *Hotel/Motel Tax Rebate*.

Section 2. The *City* agrees to the following:

(a) The *City* agrees to allow the construction of the 24-foot reinforced, concrete roadway (*Harbor Heights Drive*) to be delayed until either:

1) The commencement of any construction/development on the property identified as *Lot 7, Block A, The Harbor – Rockwall Addition* (depicted in *Exhibit 'B'* of this ordinance), or
2) The expiration of 36 months from the date of execution of this *Facilities Agreement* (i.e. October 4, 2018), whichever occurs first.

Section 3. Nothing contained herein shall be considered as a waiver of the provisions of the City's Comprehensive Zoning Ordinance and subdivision regulations as the case may be.

Section 4. Severability Clause. If any section or provisions of this Ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation, or circumstance, and the City Council

declares that it would have adopted the valid portions and applications of the Ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 5. Venue for this agreement shall be in Rockwall County, Texas.

Section 6. Notice of this Agreement shall be in writing and addressed to the following:

ATTN: City Manager
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

ATTN: Tom Kirkland
10000 N. Central Expressway
Dallas, Texas 75231

SIGNED ON THE DATE FIRST ABOVE WRITTEN.

CITY OF ROCKWALL

By: _____
Rick Crowley
City Manager

DEVELOPER

By: _____
Tom Kirkland
Tekmak Development Company

ACKNOWLEDGEMENTS

STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

BEFORE ME, the undersigned authority, on this day Personally appeared, Tom Kirkland, the _____ of the Tekmak Development Company, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ day of _____, 2015.

_____
Notary Public in and for the State of Texas

My Commission Expires:

_____

STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

BEFORE ME, the undersigned authority, on this day Personally appeared, Rick Crowley, City of Rockwall City Manager, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ day of _____, 2015.

_____
Notary Public in and for the State of Texas

My Commission Expires:

_____

Exhibit 'A'
Harbor Heights Drive
(Depicted in RED)

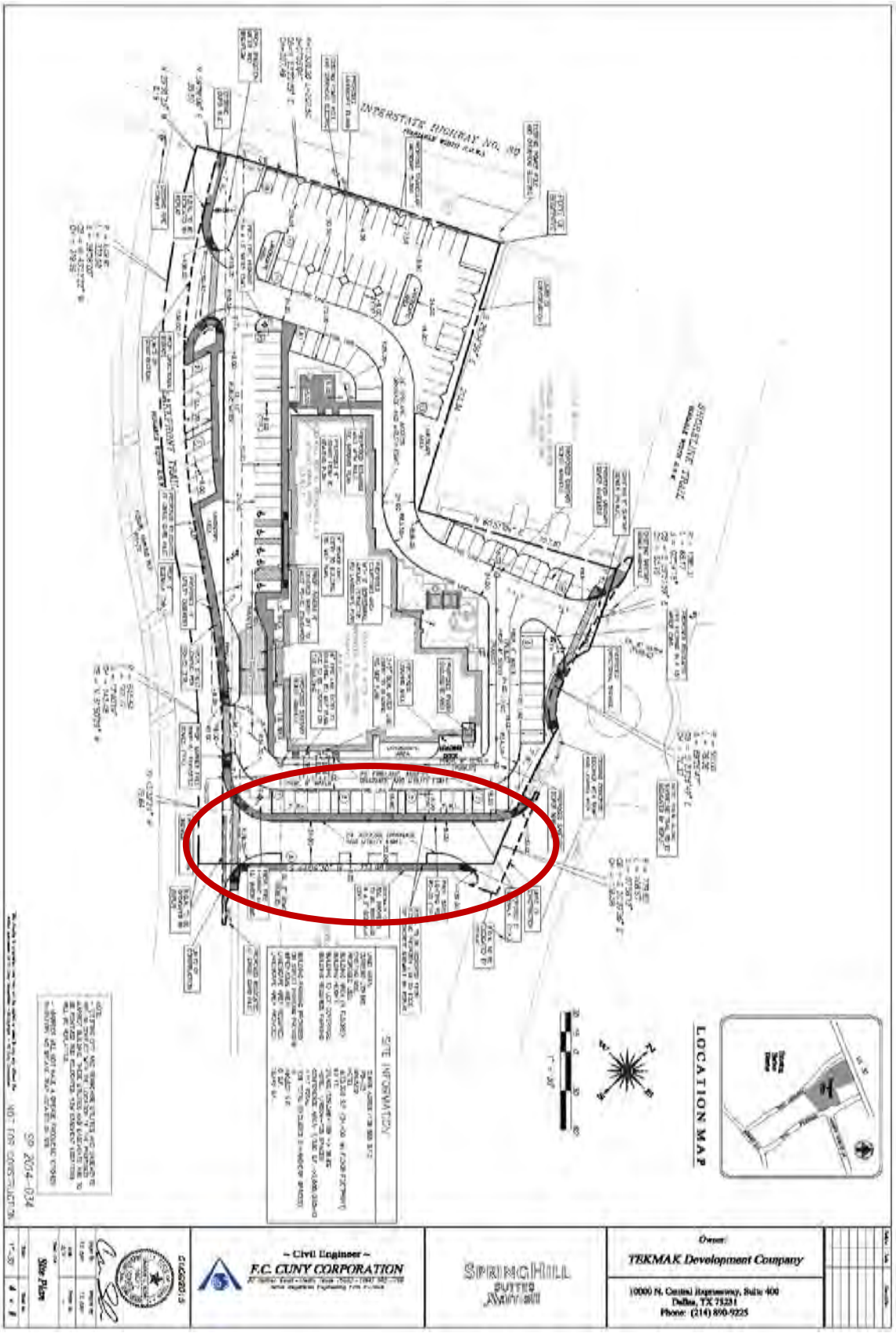
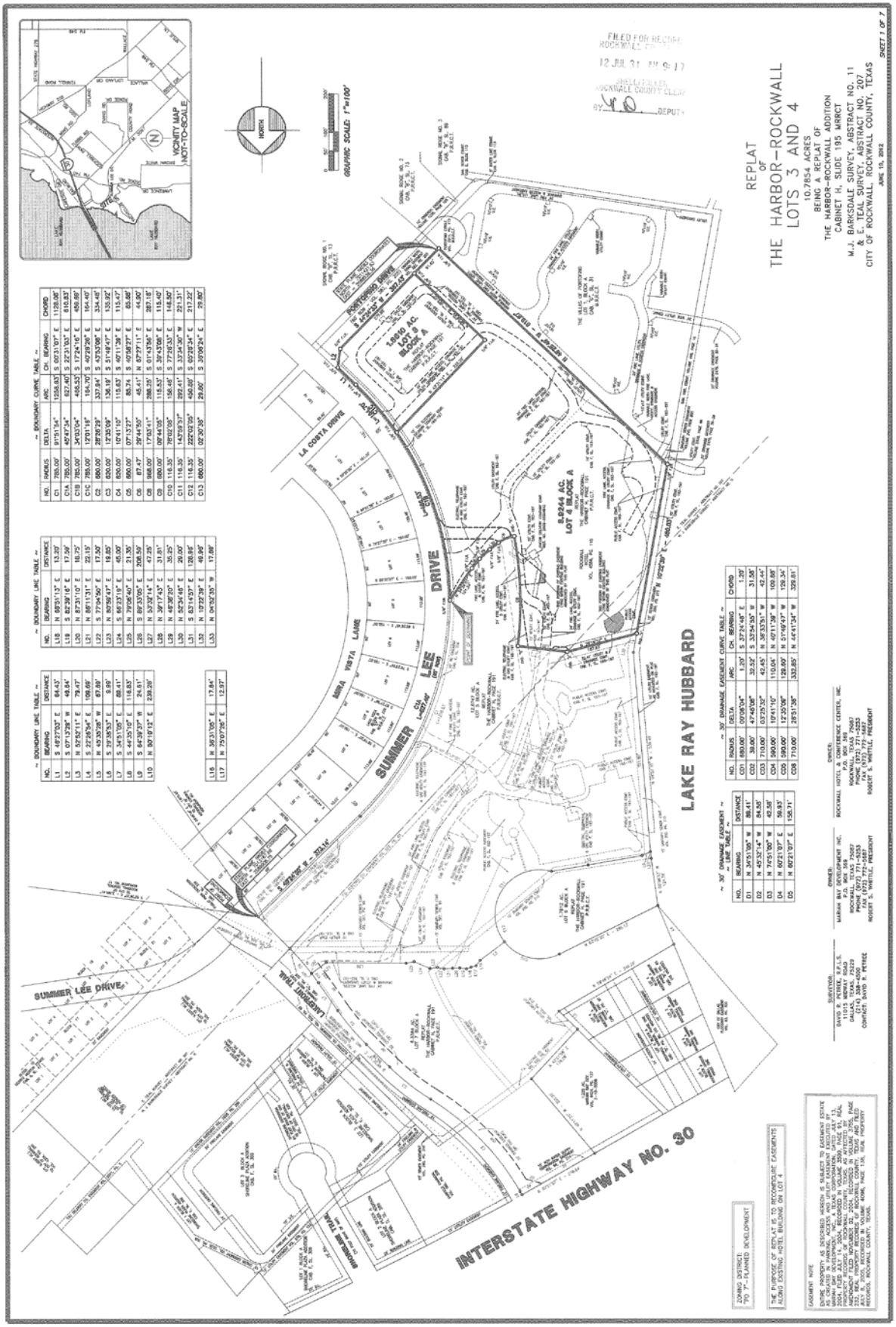


Exhibit 'B'
Lot 7, Block A, The Harbor - Rockwall



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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and Council**

FROM: **Joey Boyd, Director of Internal Operations**

DATE: **October 1, 2015**

SUBJECT: **Contract with Meals On Wheels Senior Services**

As part of the budget process, Margie VerHagen, Executive Director of Meals On Wheels Senior Services, requested funding for nutritional / senior service programs provided in Rockwall.

Meals On Wheel's request of $30,000 was approved in the operating budget for this fiscal year. Attached for the Council's review is a contract with Meals On Wheels for 2015-2016.

The City Council is asked to consider the proposed contract and authorize the City Manager to enter into an agreement with Meals On Wheels Senior Services for nutritional and senior service programs in the City of Rockwall.

AGREEMENT FOR NUTRITIONAL PROGRAMS FOR THE ELDERLY AND DISABLED

STATE OF TEXAS §
COUNTY OF ROCKWALL § **KNOW ALL MEN BY THESE PRESENTS:**

THIS AGREEMENT is entered into by the **CITY OF ROCKWALL, COUNTY OF ROCKWALL, TEXAS (hereinafter referred to as "City"),** a municipal corporation, acting by and through Rick Crowley, City Manager, its duly authorized representative and **MEALS ON WHEELS SENIOR SERVICES, a nonprofit Texas corporation**, acting by and through Margie VerHagen, its duly authorized representative. The parties do hereby covenant and agree as follows:

Section 1. **Grant**. For and in consideration of compliance by Meals On Wheels Senior Services with covenants and conditions herein set forth, and the ordinances and regulations of the City, the City hereby contracts with Meals On Wheels Senior Services to provide certain nutritional programs to the elderly and disabled within the corporate limits of the City.

Meals On Wheels Senior Services shall conduct operations in accordance with all federal, state and local laws that exist at the time of the execution of this agreement and any additional laws, regulations, or requirements that may become effective during the term of this agreement. In addition, Meals On Wheels Senior Services agrees to conduct operations in accordance with the description of services outlined in Attachment "A" attached hereto and made a part hereof for all purposes. Meals On Wheels Senior Services shall be responsible for obtaining any permits or licenses required to fulfill its obligations under this agreement.

Section 2. **Payment.** City agrees to pay Meals On Wheels Senior Services the sum of **Thirty Thousand Dollars and No/Cents ($30,000.00)** for the provision of certain nutritional / service programs to the elderly and disabled. Said payments shall be made on the following dates: **December 31, 2015 for 1st Quarter, March 31, 2016 for 2nd Quarter, June 30, 2016 for 3rd Quarter, and September 30, 2016 for 4th Quarter Upon Receiving a Quarterly Report and Invoice.**

Section 3. **Term**. This agreement is to take effect and continue and remain in full force and effect for a period to expire on September 30, 2016.

Section 4. **Scope and Nature of Operation.** It is expressly agreed and understood that Meals On Wheels Senior Services shall provide the services as outlined in Attachment "A" continuously during the contract period.

Section 5. **Surety and Cancellation.** If at any time, the City Council determines that Meals On Wheels Senior Services has failed to perform, or performed in an unacceptable manner, any of the terms, covenants or conditions herein set forth, the City may revoke and cancel this agreement. The City Council shall be the sole judge of whether Meals On Wheels Senior Services has failed to perform. Meals On Wheels Senior Services shall be given written notice at least 10 days prior to consideration by the City Council of such action. Should the City Council revoke this agreement, Meals On Wheels Senior Services shall be responsible for reimbursing the City on a pro-rata basis any unearned funds paid by the City.

Section 6. **Complaint Handling by Meals On Wheels Senior Services.** Meals On Wheels Senior Services shall, at its own expense, provide a locally accessible telephone number and will answer calls from 8:00 a.m. until 5:00 p.m. daily, Monday through Friday, excluding such holidays as may be approved by the City, for the purpose of handling complaints and other calls regarding services provided by Meals On Wheels Senior Services. Meals On Wheels Senior Services shall maintain a log of all complaints and disposition of the complaints. This log shall be submitted to the City on a monthly basis. All complaints shall be given prompt and courteous attention and when possible, shall be resolved within a 24-hour period.

Section 7. **Vehicular Identification.** There are no vehicle identification requirements at this time. Provided that such markings or identification becomes necessary during the term of this agreement, the parties agree to implement such markings, and if so, will be the responsibility of Meals On Wheels Senior Services.

Section 8. **Reporting.** Meals On Wheels Senior Services shall provide quarterly reports to the City detailing the following:

Nutritional Programs for the Elderly and Disabled

a. Number of users – average daily and monthly totals

b. Type of services provided

c. Complaint logs

Section 9. **Books and Records.** Meals On Wheels Senior Services agrees to maintain adequate books and records relating to their performance under the provisions of the Agreement. The City may request from Meals On Wheels Senior Services specific periodic reports containing information deemed necessary by the City. The records of Meals On Wheels Senior Services applicable to the performance of this agreement shall and will be available when wanted for inspection by the City at any time during normal working hours upon 10 days written request.

Section 10. **Indemnification Insurance.** Meals On Wheels Senior Services assumes risk of loss or injury to property or persons arising from any of its operations under this agreement and agrees to indemnify and hold harmless the City from all claims, demands, suits, judgments, costs or expenses, including expenses of litigation and attorney's fees, arising from any such loss or injury. It is expressly understood that the foregoing provisions shall not in any way limit the liability of Meals On Wheels Senior Services. Meals On Wheels Senior Services shall require that all drivers carry at all times, in the vehicle, insurance certificates of financial responsibility.

Section 11. **Assignment.** No assignment, transfer, subletting, conveyance or disposition of this agreement or any right occurring under it shall be made in whole or in party by Meals On Wheels Senior Services without the prior written consent of the City Council. In the event Meals On Wheels Senior Services assigns, transfers, sublets, conveys, or disposes of this agreement without the prior consent of the City Council, the City may, at its discretion, terminate this agreement.

Section 12. **Venue.** This agreement shall be considered consummated in Rockwall County, Texas. All actions brought hereunder shall be brought in Rockwall County, Texas.

Section 13. **Modification.** This agreement constitutes the entire agreement and understanding between the parties hereto, and it shall not be considered modified, altered, changed, or amended in any respect unless modified by approval of the City Council as provided herein.

Section 14. **Right to Require Performance.** The failure of the City at any time to require performance by Meals On Wheels Senior Services of any provisions hereof shall in no way affect the rights of the City thereafter to enforce the same. No waiver by the City of any breach of any provisions hereof shall be taken or held to be a waiver of any provision itself.

Section 15. **Illegal Provisions.** If any provision of this agreement shall be declared illegal, void or unenforceable, the other provisions shall not be affected and shall remain in full force and effect.

Section 16. **Notices.** Any notice required or permitted to be delivered hereunder shall be in writing and shall be deemed to be delivered, whether or not actually received, when deposited in the United States Mail, postage prepaid, certified mail, return receipt requested, addressed to a respective party at the addresses set forth below:

If intended for the City:

City of Rockwall
Attention: City Secretary
385 S. Goliad
Rockwall, Texas 75087

If intended for Committee:

Meals On Wheels Senior Services
Attention: Executive Director
950 Williams Street, Suite 200
Rockwall, Texas 75087

Section 17. **Approval by the City.** This agreement shall not be considered fully executed, nor binding on the City, until the same shall have been executed by Meals On Wheels Senior Services, the City Manager and the City Secretary.

Section 18. **Effective Date.** This contract shall be effective on the ____ day of

_____, 2015.

CITY OF ROCKWALL, TEXAS

_____
Richard Crowley, City Manager

_____
Date

ATTEST:

_____
Kristy Cole, City Secretary

[S E A L]

MEALS ON WHEELS SENIOR SERVICES

_____

Marge VerHagen, Executive Director

_____

Date

ATTACHMENT A
Nutritional / Service Programs

Nutritional Programs

Title III

C-1 Congregate Meals

- Clients over 60 years old receive nutritious meals at a Senior Center.
- Meals should provide 1/3 of the RDA nutrition requirements.
- Meals are served a minimum of 250 days a year.

C-2 Home Delivered Meals

- Meals delivered to eligible homebound seniors due to physical or health reasons.
- Meals should provide 1/3 of the RDA nutrition requirements.
- Meals are delivered a minimum of 250 days a year.

Title IXX and XX

To provide nutritious meals to those who are handicapped or disabled (of any age) and home bound.

- Meals should provide 1/3 of the RDA nutrition requirements.
- Meals are delivered a minimum of 250 days a year as needed.

General Senior Services

Information and educational seminars and symposiums will be sponsored by Meals On Wheels Senior Services concerning benefits counseling, prescription drugs, senior health, training sessions, caregiver support and information, referrals, social events as venues for information and education exchange, ombudsman services, entitlement programs and senior issues, i.e. Medicare/Medicaid information and pharmaceutical assistance, and emergency food bags in the winter.

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ATTACHMENT B
Holidays

The following are closure days for which Meals On Wheels Senior Services will not be providing services but will render services the following working day:

Thanksgiving Day

Christmas Day

New Year's Day

Martin Luther King, Jr. Holiday

Memorial Day

July 4th

Labor Day

Bad Weather days as determined by Meals On Wheels Senior Services pending weather reports and street conditions.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, Assistant to the City Manager / City Secretary**

DATE: **October 2, 2015**

SUBJECT: **Ambulance-related ordinance**

In recent weeks, Council has had extensive discussions concerning what is essentially an "exclusivity" ordinance provision that has been in place in the City of Rockwall for some time now and is related to non-emergency ambulance transports. After lengthy discussion at the Sept. 21st meeting, Council provided direction to the city attorney to draft an ordinance for consideration to essentially repeal the (non-emergency transport) exclusivity provisions, effective Nov. 1st, while, at the same time not placing additional regulations on non-emergency ambulance service providers operating in the city beyond those which the State of Texas already imposes via state licensing. Included in your informational packet for consideration is a draft of this ordinance, which staff believes accomplishes the expressed desires of Council.

CITY OF ROCKWALL

ORDINANCE NO. 15-___

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING CHAPTER 12, ARTICLE XII, SECTION 12 BY ADDING AND AMENDING SECTIONS 12-1250 THROUGH 12-1253 OF THE CODE OF ORDINANCES, REGULATING AMBULANCE SERVICES IN THE CITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Rockwall (the "City"), a Home Rule City and by State law and City Charter is permitted to establish ordinances to protect the health, safety and general welfare of its residents; and

WHEREAS, the City is a member of the "Sponsoring Local Governments" that established the County of Rockwall Emergency Services Corporation ("ESC") to contract with a provider to provide exclusive emergency ambulance service; and

WHEREAS, the City's current ordinance also provides for exclusive use by the ESC contractor for non-emergency ambulance transports, even though most of the other Sponsoring Local Governments do not require exclusive use of the ESC contractor for non-emergency ambulance transports; and

WHEREAS, the City Council continues to encourage the use of ESC contractor for non-emergency ambulance transports but the Council has determined that allowing residents and health care businesses to utilize their choice for non-emergency transports is necessary to protect the health, safety and general welfare of its residents;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THAT;

SECTION 1. FINDINGS. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. AMENDMENT. Chapter 12, ArticleXII, Sections 12-1250 to 12-1253 are hereby amended to Chapter 12 and should read as follows:

ARTICLE XII. AMBULANCE SERVICE

- **Sec. 12-1250. - Definitions.**

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- ***Ambulance***. Any privately or publicly owned motor vehicle that is specially designed, constructed, or modified and equipped; and is intended to be used for and is maintained or operated, for the transportation, on the streets or highways of this state; of persons who are sick, injured, wounded, or otherwise incapacitated or helpless.

- ***Emergency Ambulance Services.*** The operation of an ambulance for transportation in response to a 9-1-1 call to transport a sick or injured person in an ambulance after the sudden onset of a medical condition manifesting itself by acute symptoms of such severity that the absence of immediate medical attention could reasonably be expected to result in placing the patient's health in serious jeopardy, serious impairment to bodily functions, or serious dysfunction of any bodily organ.

- ***Non-Emergency Ambulance Services.*** The operation of an ambulance for any purpose other than providing emergency ambulance services.

Sec. 12-1251. - Contract required.

A. No person shall operate or cause to be operated a vehicle for emergency ambulance purposes nor furnish, conduct, maintain, advertise or otherwise be engaged in the business or service of the transportation of emergency ambulance patients within the city unless such person is the emergency ambulance service provider currently under contract with the County of Rockwall Emergency Services Corporation to provide emergency ambulance service within Rockwall County.

B. No person shall knowingly solicit ambulance services contrary to the regulations in this article.

Sec. 12-1252. - Applicability.

The provisions of section 12-1251 shall not apply to:

A. Rendering assistance to patients in the case of a major catastrophe or emergency with which the contractor's ambulances or approved franchises are insufficient or unable to cope with the major catastrophe or emergency;

B. Transporting a patient picked up outside of the county, traveling through the city to a destination outside of the county.

Sec. 12-1253. Non-Emergency Ambulance Service.

It shall be unlawful for any person to furnish, operate or otherwise engage in the operation of non-emergency ambulance transfer service from a point originating and ending within the streets of the City without a license or certification as an emergency medical services provider issued by the State of Texas.

SECTION 3 REPEALING ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4 SEVERABILITY.
If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

SECTION 5 SAVINGS CLAUSE.
All ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal.

SECTION 6. EFFECTIVE DATE. The Ordinance shall become effective on November 1, 2015 following its publication in the local newspaper as required by the Texas Local Government Code.

PASSED AND APPROVED BY THE CITY COUNCIL OF ROCKWALL TEXAS, this ___ _____ day of September, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy A Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading:

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2nd Reading:

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City of Rockwall
The New Horizon

CALLS BY TYPE
AUGUST 2015

CITY	AUGUST
Situation Type	
111 Building fire	1
118 Trash or rubbish fire, contained	2
130 OTHER-Mobile property (vehicle) fire	1
131 Passenger vehicle fire (cars, pickups, SUV's)	1
132 Road freight or transport vehicle fire (Commercial Vehicles)	1
143 Grass fire	4
150 OTHER Outside rubbish fire	0
151 Outside rubbish, trash or waste fire	2
251 Excessive heat, scorch burns with no ignition	1
321 EMS call, excluding vehicle accident with injury	1
322 Motor vehicle accident with injuries	5
324 Motor vehicle accident with no injuries.	4
342 Search for person in water	1
352 Extrication of victim(s) from vehicle	1
365 Watercraft rescue	1
411 Gasoline or other flammable liquid spill	1
412 Gas leak (natural gas or LPG)	6
440 Electrical wiring/equipment problem, other	2
442 Overheated motor	1
445 Arcing, shorted electrical equipment	3
511 Lock-out	1
550 Public service assistance, other	1
551 Assist police or other governmental agency	5
553 Public service	4
556 Public service - Non paged	10
600 Good intent call, other	3
611 Dispatched & canceled en route	2
622 No incident found on arrival at dispatch address	3
651 Smoke scare, odor of smoke	1
671 HazMat release investigation w/no HazMat	1
733 Smoke detector activation due to malfunction	1
735 Alarm system sounded due to malfunction	3
740 Unintentional transmission of alarm, other	1
743 Smoke detector activation, no fire - unintentional	4
744 Detector activation, no fire - unintentional	1
745 Alarm system activation, no fire - unintentional	12
746 Carbon monoxide detector activation, no CO	1
Totals:	93

COUNTY/MUTUAL AID	AUGUST
Situation Type	#
111 Building fire	1
Total	1

CITY RESPONSE
AUGUST 2015

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes		0- 1 1/2 MINUTES	
CRITERIA MET %	32 of 34	CRITERIA MET %	2 of 3
CRITERIA -ACHIEVE RESPONSE TIME	94.12%	CRITERIA -ACHIEVE RESPONSE TIME	67.00%
90% OF TIME IN BOXES WITH	criteria met	60% OF TIME IN BOXES WITH	crcriteria met
STATIONS		STATIONS	
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES		0-6 MINUTES	
CRITERIA MET %	33 of 34	CRITERIA MET %	3 of 3
CRITERIA -ACHIEVE RESPONSE TIME	97.00%	CRITERIA -ACHIEVE RESPONSE TIME	100%
90% OF TIME IN BOXES WITH	criteria met	60% OF TIME IN BOXES WITH	criteria met
STATIONS		STATIONS	
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES		0-7 1/2 MINUTES	
CRITERIA MET%	33 of 34	CRITERIA MET%	3 of 3
CRITERIA -ACHIEVE RESPONSE TIME	97.00%	CRITERIA -ACHIEVE RESPONSE TIME	100%
90% OF TIME IN BOXES WITH	criteria met	60% OF TIME IN BOXES WITH	criteria met
STATIONS		STATIONS	

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CITY CALLS WITH OVERAGES
AUGUST 2015
PAGED TO ENROUTE

Venue	Alarm Date	Alarm Time	Enroute Time	paged to enroute	Arrival Time	enroute to arrival	Response Time	Inc. Number	Fire Incident Station	Lights and Sirens	Apparatus	REASON FOR OVERAGES
Rockwall	08/23/2015	09:06:48	09:08:38	0:01:50	09:11:40	0:03:02	0:04:52	2015-00000734	Rockwall 3	Code 3	E3	CAD times don't match radio times
Rockwall	08/17/2015	18:10:44	18:12:23	0:01:39	18:14:10	0:01:47	0:03:26	2015-00000716	Rockwall 1	Code 3	E4	Response to area without station
Rockwall	08/03/2015	17:22:42	17:24:16	0:01:34	17:27:18	0:03:02	0:04:36	2015-00000664	Rockwall 3	Code 3	BT4	CAD times don't match radio times

CITY CALLS WITH OVERAGES
ARRIVAL
AUGUST 2015

Venue	Alarm Date	Alarm Time	Enroute Time	Arrival Time	enroute to arrival	Inc. Number	Fire Incident Station	Lights and Sirens	Apparatus	REASON FOR OVERAGES
Rockwall	08/21/2015	09:45:33	9:45:37	9:55:28	0:09:51	2015-00000731	Rockwall 4	Code 3	BT4	unable to locate

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CITY CALLS WITH OVERAGES
RESPONSE TIMES
AUGUST 2015

Venue	Alarm Date	Alarm Time	Enroute Time	Arrival Time	Response Time	Inc. Number	Fire Incident Station	Lights and Sirens	Apparatus	REASON FOR OVERAGES
Rockwall	08/21/2015	09:45:33	9:45:37	9:55:28	0:09:55	2015-00000731	Rockwall 4	Code 3	BT4	unable to locate

COUNTY AND MUTUAL AID
RESPONSE
AUGUST 2015

COUNTY/MUTUAL	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	1 of 1 100.00% criteria met
CRITERIA -ACHIEVE RESPONSE TIME	
60% OF TIME IN BOXES WITH	
STATIONS	
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	1 of 1 100.00% criteria met
CRITERIA -ACHIEVE RESPONSE TIME	
60% OF TIME IN BOXES WITH	
STATIONS	
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	
CRITERIA MET%	1 of 1 100.00% criteria met
CRITERIA -ACHIEVE RESPONSE TIME	
60% OF TIME IN BOXES WITH	
STATIONS	

To: Chief Poindexter
From: BC Merritt
Re: 206 Storrs Rockwall Nursing Care Center
Date: August 6, 2015

We responded to a report of a fire on August 04, 2015. The first unit on scene was met by a staff member outside and was directed to the affected room and told that a TV inside the room was on fire. Upon entry into the room the firefighter found that the TV had been extinguished by a staff member with a fire extinguisher however there was a significant amount of smoke throughout a majority of the building. All patients in the building with the exception of the Alzheimer's wing were evacuated from the building due to the smoke which had spread throughout the building. Below is a timeline of events that were recorded by dispatch and on the radio:

Dispatch time:	21:56.32
Enroute time:	21:57.45
On Scene time:	L-1 21:59.44
	817 22:01.39
	E-3 22:02.00
	810 22:02.52
	E-4 22:03.00
	L-2 22.03 59

Fire Investigator requested:	22:06.15
All occupants out of wing closest to fire and wing North of fire:	22:08.58
Decision made to evacuate 300 wing:	22:10.54
All patients evacuated:	22:15.44
27 patients evacuated:	22:19.16
35 patients were left sheltered in place:	22:34.24
840 on scene:	22:35.03
841 on scene:	23:12.11
17 patients relocated to Lake Pointe	00:47.44

Total personnel on scene: 2 Chiefs, 7 on duty personnel, 1 full time off duty, 13 Volunteers, 2 Fire Investigators.

Total Dollar Losses

August 2015

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$3,000.00	$293,088.00	$0.00	$547,930.24	$257,560.00
Total Content Loss:	$1,500.00	$175,902.80	$30,000.00	$356,695.60	$91,846.00
Total Property Pre-Incident Value:	$7,965,432.90	$172,290.00	$0.00	$9,217,325.40	$315,730.00
Total Contents Pre-Incident Value	$4,779,259.70	$103,374.00	$0.00	$5,588,315.70	$187,944.00
Total Losses:	$4,500.00	$468,990.80	$30,000.00	$904,625.84	$4,500.00
Total Value:	$12,744,692.60	$275,664.00	$.00	$14,805,641.10	$503,674.00

City of Rockwall

CALLS BY TYPE - AUGUST 2015

Alarm Calls	August
733 Smoke detector activation due to malfunction	1
735 Alarm system sounded due to malfunction	3
740 Unintentional transmission of alarm, other	1
743 Smoke detector activation, no fire - unintentional	4
744 Detector activation, no fire - unintentional	1
745 Alarm system activation, no fire - unintentional	12
746 Carbon monoxide detector activation, no CO	1
Total:	23

Fire Permit Listing

City of Rockwall
The Texas Horizon

Print Date/Time: 09/21/2015 08:59
Login ID: rck\lbrewer
Permit Type: All
Permit Number From/To: All

From Application Date: 8/1/2015
Thru Application Date: 8/31/2015
Permit Status: All

Rockwall Fire Department
FDID Number: TX504
Inspector: All

Permit Number	Application Date	Applicant	Location	Permit Type	Status	Status Date
1695	08/04/2015	Platinum Storage	1245 SH276 , TX	Temp Aboveground tank	Approved	08/04/2015
1696	08/04/2015	Remax Landmark	2850 SHORELINE TRL 101 ROCKWALL, TX 75032	Overhead-Sprinkler	Approved	08/05/2015
1697	08/10/2015	Spine Team Texas Surgery Center	3140 HORIZON RD 100 ROCKWALL, TX 75032	Doors-Access Control	Approved	08/19/2015
1698	08/12/2015	Coldwell Banker	3018 RIDGE RD 130 ROCKWALL, TX 75032	Fire Alarm	Approved	08/20/2015
1699	08/14/2015	Lakepointe Church	701 E I 30 ROCKWALL, TX 75087	Doors-Access Control	Approved	08/20/2015
1700	08/24/2015	Platinum Storage	1245 SH276 , TX	Underground-Sprinkler	Approved	08/26/2015
1701	08/24/2015	Raceway	2003 S GOLIAD ST ROCKWALL, TX 75087	UST Removal	Approved	08/25/2015
1705	08/31/2015	Eyecare and Laser Management of Rockwall	810 ROCKWALL PKWY ROCKWALL, TX 75032	Underground-Sprinkler	Submitted	09/17/2015

Total Number of Permits: 8

Fire Investigation Status Summary

City of Rockwall
The New Horizon

Print Date/Time: 09/21/2015 08:57
Login ID: rck\lbrewer
Status: All

From Date: 08/01/2015
To Date: 08/31/2015
Investigation Type: All

Rockwall Fire Department
FDID Number: TX504

Status	Investigation Type		Total Number of Investigations
Admin Closed/Invest Suspended	No Investigations Exist For This Status		
		Total Admin Closed/Invest Suspended :	0
Active (Open)	Incendiary		1
		Total Active (Open) :	1
Admin Closed- no crimel incident			1
		Total Admin Closed- no crimel incident :	1
Closed - by arrest/case to DA	No Investigations Exist For This Status		
		Total Closed - by arrest/case to DA :	0
Pending Final Report	No Investigations Exist For This Status		
		Total Pending Final Report :	0
		Total :	2

Inspection Status Summary Report

City of Rockwall
The New Horizon

Print Date/Time: 09/21/2015 08:55
Login ID: rck\lbrewer
Inspection Type: *All

From Date: 08/01/2015
To Date: 08/31/2015
Inspection Status: *All

Rockwall Fire Department
FDID Number: TX504
Inspected By: *All

Status	Inspection Type	Total Number of Inspections
Finaled	Access Control Doors	2
	Annual	2
	Certificate of Occupancy	14
	Construction Final	6
	Courtesy	10
	Fire Alarm System	5
	Fire Spinkler System	2
	Follow Up	5
	Foster Care / Adoption	1
	Knox Box	1
	Tanks-AST	2
	Total Finaled :	**50**
Pending	Annual	5
	Certificate of Occupancy	7
	Construction Final	11
	Fire Alarm System	9
	Fire Spinkler System	9
	Follow Up	2
	Underground Fire Line	2
	Total Pending :	**45**
	Total :	**95**

City of Rockwall
Project Routing Report By Date Sent (then by project)
For the Period 8/1/2015 thru 8/31/2015

Project #	Appl. Date / Project Type	Aging	Address / Description	Status / Owner Name	Plan Review Detail: Contact / Review Type	Date Sent / Date Due	Completed / Status
SP2015-016	07/17/2015 SITE PLAN	66	JOHN KING BLVD		Ariana Hargrove FIRE	08/04/2015 08/11/2015	08/04/2015 APPROVED
MIS2015-004	08/04/2015 MISCELLANEOUS	48	142 RENEE DR		Ariana Hargrove FIRE	08/05/2015 08/12/2015	08/05/2015 COMMENTS
E2015-016	05/07/2015 ENGINEERING	137	1950 N GOLIAD ST		Ariana Hargrove Engineering: Fire	08/20/2015 09/03/2015	08/20/2015 APPROVED
MIS2015-005	08/19/2015 MISCELLANEOUS	33	713 Hartman Street		Ariana Hargrove Fire Department	08/19/2015 08/24/2015	08/19/2015 APPROVED
E2015-024	08/11/2015 ENGINEERING	41	803 N GOLIAD		Ariana Hargrove ENG - FIRE	08/11/2015 08/25/2015	08/17/2015 APPROVED
E2015-025	08/24/2015 ENGINEERING	28	JOHN KING BLVD		Ariana Hargrove ENG - FIRE	08/24/2015 09/07/2015	08/26/2015 APPROVED
P2015-034	08/04/2015 PLAT	48	1010 S RIDGE RD		Ariana Hargrove FIRE	08/04/2015 08/11/2015	08/07/2015 APPROVED
SP2015-019	08/14/2015 SITE PLAN	38	715 W RUSK		Ariana Hargrove FIRE	08/14/2015 08/21/2015	08/19/2015 APPROVED
SP2015-020	08/14/2015 SITE PLAN	38	3011 N GOLIAD ST		Ariana Hargrove FIRE	08/14/2015 08/21/2015	08/19/2015 COMMENTS
P2015-035	08/14/2015 PLAT	38	801 E I30		Ariana Hargrove FIRE	08/14/2015 08/21/2015	08/19/2015 APPROVED

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 8/1/2015 thru 8/31/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2015-113	08/03/15 COMM	49	104 S GOLIAD MASSONIC LODGE 6' WROGUHT IRON FENCE TO BLOCK A/C UNIT	MASONIC, LODGE	Ariana Hargrove	FIRE 972-772-6431		08/03/15	08/13/15	
BLD2015-115	08/04/15 COMM	48	2601 Lakefront Trail Springhill Suites Marriott	ROCKWALL, RENTAL PROPERTIES LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	08/04/15	08/14/15	08/14/15
ELE2015-003	08/04/15 COMM	48	1615 SCIENCE PLACE L-3 Communications - Replacement Genrator & emergency power	BELLE, HAV/TEX LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	08/05/15	08/15/15	08/07/15
BLD2015-068	05/22/15 COMM	122	1245 SH 276 Platinum Storage	ROCKWALL, SH205 VENTURE LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	08/06/15	08/16/15	08/06/15
BLD2015-111	07/29/15 COMM	54	102 S FIRST Rockwall Helping hands - remodel	ROCKWALL, COUNTY HELPING HANDS INC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/07/15	08/17/15	08/07/15
CO2015-0076	08/07/15 CO	45	2255 Ridge Rd. 150 Guaranty Bank	DAKIER, PARTNERS LTD	Ariana Hargrove	FIRE CO	APPROVED	08/07/15	08/10/15	08/11/15
DEM2015-000	08/07/15 COMM	45	301 N FANNIN ST Interior Demo Only	MORROW, TREVA L	Ariana Hargrove	FIRE 972-772-6431		08/07/15	08/17/15	
BLD2015-118	08/11/15 COMM	41	1320 Summer Lee Dr Lakeside Allergy, ENT -Gregory Young - NEW	TEMUNOVIC, PARTNERSHIP LTD	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	08/11/15	08/21/15	08/17/15
ELE2015-004	08/12/15 COMM	40	1320 PALASADES CT Power Supply for Cable TV	TOMPSETT, GREGORY	Ariana Hargrove	FIRE 972-772-6431		08/12/15	08/22/15	
CO2015-0077	08/13/15 CO	39	2010 INDUSTRIAL 601 ULTRASOUND FLUID TECH SOLUTIONS	ROCKWALL, STEEL CO	Ariana Hargrove	FIRE CO	APPROVED	08/13/15	08/16/15	08/14/15
BLD2015-120	08/14/15 COMM	38	1350 E WASHINGTON INSTALL 36 NEW WINDOWS AT THE SOROPTI8MIST HOSUE	SOROPTIMIST, INT'L OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431		08/14/15	08/24/15	
BLD2015-109	07/24/15 COMM	59	6525 FM 3097 NEW ALLIANCE ADDITION PHASE 2 OFFICE BUILDING	ROCKWALL, RENTAL PROPERTIES LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	08/17/15	08/27/15	08/17/15
BLD2015-121	08/17/15 COMM	35	1005 MOUNTAIN LAKES DR Caruth Lakes - Amenity Center, pavillion & sidewalks	D R HORTON HOMES	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	08/17/15	08/27/15	08/19/15
BLD2015-122	08/17/15 COMM	35	1010 W RALPH HALL PKWY 103 American Bank Remodel	ARISTA, OFFICE LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/17/15	08/27/15	08/19/15
BLD2015-122	08/18/15 COMM	34	2006 S GOLIAD 228 Audible Hearing Aid Center	ROCKWALL, CENTRAL SHOP/CNTR JV	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	08/18/15	08/28/15	08/19/15
BLD2015-122	08/18/15 COMM	34	2670 S GOLIAD TransAm Trucking - Guard Shack	TRANSAM, TRUCKING	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/18/15	08/28/15	08/19/15
BLD2015-122	08/18/15 COMM	34	3045 N GOLIAD RD 107 Expert Cuts - New Interior finishout	PCB, PROPERTIES LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	08/18/15	08/28/15	08/19/15

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 8/1/2015 thru 8/31/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail: Contact	Review Type	Status	Date Sent	Date Due	Completed
CO2015-0078	08/18/15 CO	34	2006 S GOLIAD 228 Audible Hearing Aid Center	ROCKWALL, CENTRAL SHOP/CNTR JV	Ariana Hargrove	FIRE CO	APPROVED	08/18/15	08/21/15	08/18/15
CO2015-0079	08/18/15 CO	34	3018 Ridge Rd 100 Rockwall Heath Endodontics	AJ, SQUARED LLC	Ariana Hargrove	FIRE CO	APPROVED	08/18/15	08/21/15	08/19/15
ELE2015-004	08/18/15 COMM	34	602 WHITE HILLS DR First Presbyterian Church - Elec. permit	FIRST, PRESBYTERIAN CHURCH	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/18/15	08/28/15	08/19/15
BLD2015-068	05/22/15 COMM	122	1245 SH 276 Platinum Storage	ROCKWALL, SH205 VENTURE LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/19/15	08/29/15	08/19/15
BLD2015-104	07/17/15 COMM	66	503 Goliad N Hazel & Olive - New Construction	DATAR, CORPORATION	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	08/19/15	08/29/15	08/19/15
BLD2015-118	08/11/15 COMM	41	1350 Summer Lee Dr Lowrence Dental - New	TEMUNOVIC, PARTNERSHIP LTD	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	08/19/15		08/19/15
CO2015-0080	08/19/15 CO	33	3018 Ridge Rd 130 Coldwell Banker Residential Sales	AJ, SQUARED LLC	Ariana Hargrove	FIRE CO	APPROVED	08/19/15	08/22/15	08/19/15
CO2015-0081	08/19/15 CO	33	103 KENWAY DR MARY LUZ BEAUTY SALON	KNIGHTSBRIDGE, HOLDING CO PROFIT	Ariana Hargrove	FIRE CO	APPROVED	08/19/15	08/22/15	08/19/15
TCO2015-000	08/18/15 TCO	34	975 IH 30 103 Spirit Halloween -	ROCKWALL, CROSSING LTD	Ariana Hargrove	FIRE CO	APPROVED	08/19/15		08/19/15
BLD2013-190	12/12/13 COMM	648	2650 Champions Dr Shores HOA Clubhouse	SHORES, COUNTRY CLUB LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/20/15	08/30/15	08/20/15
CO2015-0082	08/20/15 CO	32	254 Ranch Trail Patriot Paws Service Dogs	JERRY, KISICK CUSTOM HOMES INC	Ariana Hargrove	FIRE CO	APPROVED	08/20/15	08/23/15	08/20/15
CO2015-0083	08/20/15 CO	32	272 Ranch Trail Patriot Paws Service Dogs	JERRY, KISICK CUSTOM HOMES INC	Ariana Hargrove	FIRE CO	APPROVED	08/20/15	08/23/15	08/20/15
CO2015-0084	08/20/15 CO	32	2740 SH 276 200 Allstate	LYNSTAR, LLC	Ariana Hargrove	FIRE CO	APPROVED	08/20/15	08/23/15	08/20/15
CO2015-0085	08/20/15 CO	32	2455 RIDGE RD 115 Buffet City	ROCKWALL, OCEANHILL LLC	Ariana Hargrove	FIRE CO	APPROVED	08/20/15	08/23/15	08/20/15
BLD2015-125	08/21/15 COMM	31	6540 ALLIANCE DR Alliance Addition ph2 lot 4	ROCKWALL, RENTAL PROPERTIES LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	08/21/15	08/31/15	08/27/15
BLD2015-122	08/18/15 COMM	34	2006 S GOLIAD 228 Audible Hearing Aid Center	ROCKWALL, CENTRAL SHOP/CNTR JV	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/24/15	09/03/15	08/24/15
BLD2015-122	08/18/15 COMM	34	3045 N GOLIAD RD 107 Expert Cuts - New Interior finishout	PCB, PROPERTIES LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/24/15	09/03/15	08/24/15
CO2015-0086	08/24/15 CO	28	3140 Horizon Rd. Spine Team-SHELL	ROCKWALL, REGIONAL HOSPITAL LLP	Ariana Hargrove	FIRE CO	APPROVED	08/24/15	08/27/15	08/24/15
ELE2015-004	09/03/15 SINGLE FAMILY	18	322 ELM DR REPLACING 150 AMP PANEL & SURGE, RELOCATING PANELS	EVANS, SHARON	Ariana Hargrove	FIRE 972-772-6431		08/24/15	09/03/15	
CO2015-0087	08/25/15 CO	27	2009 INDUSTRIAL ALPHAGRAPHICS	ROCKWALL, STEEL CO	Ariana Hargrove	FIRE CO		08/25/15	08/28/15	

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 8/1/2015 thru 8/31/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
ELE2015-004	08/25/15	27	1699 LAGUNA DR	M, & S MCGRATH TRUST AND MARY P M	Ariana Hargrove	FIRE 972-772-6431		08/25/15	09/04/15	
	COMM		ADD ELECTRICAL RECEPTICLE FOR STARBUCKS							
BLD2015-102	07/16/15	67	810 Rockwall Pkwy	BRITT HOLLY FISHER	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/26/15	09/05/15	08/26/15
	COMM		Holly Britt Eye care & Laser Management rockwall							
BLD2015-121	08/17/15	35	1005 MOUNTAIN LAKE DR	D R HORTON HOMES	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/26/15		08/26/15
	COMM		Caruth Lakes -Spray pad/ Kiddie pool & fence							
BLD2015-125	08/24/15	28	2670 S GOLIAD	TRANSAM, TRUCKING	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/26/15		08/26/15
	COMM		TransAM Trucking -saw cut driveway for elec line to gate.							
BLD2015-125	08/26/15	26	3021 Ridge Rd. 102	PS5, PROPERTIES LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/26/15	09/05/15	08/26/15
	COMM		Rockwall Gold & Silver Exchange - remodel							
PLB2015-026	08/26/15	26	815 WASHINGTON ST. E	CITY, OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431		08/26/15	09/05/15	
	COMM		RE-CONNECTING GAS LINE TO HARRY MYERS PARK							
CO2015-0088	08/27/15	25	3140 Horizon Rd. 100	ROCKWALL, REGIONAL HOSPITAL LLP	Ariana Hargrove	FIRE CO	APPROVED	08/27/15		08/27/15
	CO		Spine Team							
ELE2015-003	08/04/15	48	1615 SCIENCE PLACE	BELLE, HAVTEX LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	08/27/15	09/06/15	08/27/15
	COMM		L-3 Communications - Replacement Genrator & emergency power							
ELE2015-004	08/27/15	25	850 STEGER TOWNE DR	DAYTON, HUDSON CORP/TARGET	Ariana Hargrove	FIRE 972-772-6431		08/27/15	09/06/15	
	COMM		ADDING A NEW 60 AMP PANEL WITH CIRUITS TO POWER ROOM							
CO2015-0089	08/28/15	24	606 S CLARK ST	MOORE, JAMES L	Ariana Hargrove	FIRE CO	APPROVED	08/28/15	08/31/15	09/08/15
	CO		Mike Hogue							
PLB2015-027	08/28/15	24	610 Limmerhill	BREEZY, HILL 405 LTD	Ariana Hargrove	FIRE 972-772-6431		08/28/15	09/07/15	
	COMM		running irrigation line							
BLD2015-128	08/31/15	21	832 Steger Towne Dr.	STEGER, DUNHILL LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	08/31/15	09/10/15	09/01/15
	COMM		Woof Gang Bakery & grooming							
CO2015-0090	08/31/15	21	104 W KAUFMAN	JESSICA HARGIS	Ariana Hargrove	FIRE CO	APPROVED	08/31/15	09/03/15	08/31/15
	CO		THE JESSICA HARGIS GROUP - KW							
CO2015-0091	08/31/15	21	481 IH 30	BENT, TREE REALTY CO	Ariana Hargrove	FIRE CO	APPROVED	08/31/15	09/03/15	09/02/15
	CO		Cricket Wireless							

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City of Rockwall
GIS Department Report
August 2015

GIS Project Request.

Month	2007	2008	2009	2010	2011	2012	2013	2014	2015	*% Change from 2014*	2015 Trend
January	5	14	19	24	31	21	26	28	38	35.71%	↑
February	13	16	26	28	28	25	26	27	33	22.22%	↑
March	4	6	32	23	36	22	23	28	30	7.14%	↑
April	9	25	17	22	29	37	23	30	35	16.67%	↑
May	16	25	18	30	32	33	38	24	31	29.17%	↑
June	11	9	27	22	38	35	28	15	34	126.67%	↑
July	15	24	15	32	23	27	21	31	41	32.26%	↑
August	15	7	23	24	38	35	36	34	27	-20.59%	↓
September	9	7	28	31	37	27	20	39			
October	10	33	32	39	40	39	27	44			
November	35	6	15	27	22	13	29	34			
December	10	13	13	28	22	17	28	19			
Total:	152	185	265	330	376	331	325	353	269		

Key Projects.

(1) ***New Internet Maps***. Continue development of new suite of internet maps. (90%)

(2) ***911 Addressing***. Assigned addresses to new homes, businesses, and parks.

(3) ***Screening Wall Project***. Began new GPS project locating all screening walls and collecting their condition, materials, and photos.

(4) ***Utility Network Update***. Updated all new development projects utilities via GPS location and input into GIS.

(5) ***Habitat for Humanity***. Developed 3D exhibits for elevation study for proposed home sites.

(6) ***NCTCOG Next Generation 911***. Quality checked GIS data for migration to new NG911 mapping system.

(7) ***Storm Shelter Registry***. Developed database and online application to allow citizens to register their storm shelters or safe rooms.

Year to Date Project Request by Department.

Admin / HR / Internal Ops	1
Building Inspections	0
Citizen Request	1
City Council	0
City Manager's Office	0
Neighborhood Improvement Services	0
Engineering / Public Works	6
Finance / Utilities	0
Fire Department	2
GIS (Citywide Projects)	1
IT	0
Main Street Program	1
Outside Agencies	3
Parks and Recreation	5
Planning	6
Police Department	0
REDC	1
Total	27

(8) ***Parks Tree Location Maps***. Created maps for identifying the health of planted trees within city parks.

(9) ***REDC Marketing Maps and Brochure***. Created various rail, industrial site, and retail marketing planning maps for REDC use.

(10) ***Event Maps.*** Created various event maps for city event planning.

(11) ***Water Network Calculations.*** Created citywide water network EPA calculations breakdown for pipe age, material, and size.

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Rockwall Police Department

Harbor District Calls For Service

August 2015

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2015-00025410	08/06/2015	16:49:46	Campisi's, Scooters Coffee House	Theft	No Report
2015-00024803	08/02/2015	01:06:26	Cinemark Movies 12	Intoxicated	No Report
2015-00025642	08/08/2015	02:14:07	Cinemark Movies 12	Investigation	No Report
2015-00027641	08/23/2015	22:41:16	Cinemark Movies 12	Vehicle Unlock	No Report
2015-00024866	08/02/2015	17:22:37	Cold Stone Creamery	Medical Emergency	EMS
2015-00026396	08/14/2015	00:12:49	Dodie's Seafood	Investigation	Arrest
2015-00025855	08/09/2015	18:19:09	En Fuego	Accident - Minor	No Report
2015-00024885	08/02/2015	20:31:55	Glorias Restaurant	Ordinance Violation	No Report
2015-00025964	08/10/2015	14:19:24	Glorias Restaurant	Tow	No Report
2015-00026719	08/16/2015	21:49:30	Glorias Restaurant	Welfare Concern	No Report
2015-00025771	08/08/2015	23:09:00	The Harbor	Assault	No Report
2015-00028460	08/30/2015	00:03:36	The Harbor	Investigation	No Report
2015-00027459	08/22/2015	17:53:50	The Harbor	Ordinance Violation	No Report
2015-00025016	08/03/2015	18:09:48	The Harbor	Property	Report
2015-00026080	08/11/2015	12:57:00	Hilton	911 Hang Up	No Report
2015-00027224	08/20/2015	17:24:00	Hilton	Accident - Minor	Report
2015-00027643	08/23/2015	23:01:15	Hilton	Accident - Minor	Report
2015-00026232	08/12/2015	20:54:00	Hilton	Criminal Trespass	No Report
2015-00026133	08/11/2015	22:09:37	Hilton	Criminal Trespass	No Report
2015-00026687	08/16/2015	17:16:30	Hilton	Disturbance	No Report
2015-00025322	08/06/2015	00:01:01	Hilton	Disturbance	No Report
2015-00000752	08/28/2015	18:47:21	Hilton	Fire Alarm	False Alarm
2015-00028065	08/27/2015	00:24:12	Hilton	Intoxicated	No Report
2015-00026397	08/14/2015	00:25:06	Hilton	Investigation	Arrest
2015-00025763	08/08/2015	22:56:36	Hilton	Investigation	No Report
2015-00025205	08/05/2015	00:40:38	Hilton	Investigation	No Report
2015-00024801	08/02/2015	00:49:56	Hilton	Suspicious Activity	No Report
2015-00024879	08/02/2015	19:14:37	Hilton	Suspicious Activity	No Report
2015-00025405	08/06/2015	15:58:47	Hilton	Suspicious Activity	No Report
2015-00028236	08/28/2015	09:11:41	Hilton	Theft	Report
2015-00027190	08/20/2015	13:21:08	Hilton	Theft	No Report
2015-00027953	08/26/2015	08:39:41	Whittle Developement	Alarm-BUSN	False Alarm
2015-00027764	08/24/2015	21:34:59	Whittle Developement	Alarm-BUSN	No Report
			Common Name		
			Campisi's, Scooters Coffee House	1	
			Cinemark Movies 12	3	
			Cold Stone Creamery	1	
			Dodie's Seafood	1	
			En Fuego	1	
			Glorias Restaurant	3	
			The Harbor	4	
			Hilton	17	
			Whittle Developement	2	
			Total	33	

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
AUGUST 2015

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	3	3	0	100%
ADMINISTRATIVE SERVICES	1	1	0	100%
AIRPORT	1	1	0	100%
ANIMAL SERVICES	1	1	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	1	1	0	100%
ENGINEERING	2	2	0	100%
FINANCE	8	8	0	100%
FIRE DEPARTMENT	37	35	2	95%
INTERNAL OPERATIONS	137	136	1	99%
MUNICIPAL COURT	10	8	2	75%
PARKS & RECREATION	15	14	1	93%
PLANNING & ZONING	6	6	0	0%
POLICE DEPARTMENT	31	31	0	100%
PUBLIC WORKS	9	9	0	100%
UTILITY BILLING	2	2	0	100%
TOTAL	264	258	6	98%

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
RADIO SYSTEM
REQUESTS FOR SERVICE
AUGUST 2015

DEPARTMENT	# OF REQUESTS	# OF REQUESTS RESPONDED TO W / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ANIMAL SERVICES	0	0	0	100%
CODE ENFORCEMENT			0	100%
FIRE DEPARTMENT	4	4	0	100%
EMS	0	0	0	100%
INTERNAL OPERATIONS	1	1	0	100%
PARKS & RECREATION	0	0	0	100%
POLICE DEPARTMENT	4	4	0	100%
PUBLIC WORKS	0	0	0	100%
UTILITY BILLING	0	0	0	100%
HEATH DEPT. PUBLIC SAFETY	3	3	0	100%
HOSPITAL CONTROL STATIONS	0	0	0	100%
SYSTEM ISSUES	0	0	0	100%
TOTAL	12	12	0	100%

Airport Operations Report

For Month of August 2015

FUEL SALES

	GALLONS SOLD	GROSS SALES
Jet - A Sales	288.00	$1,436.90
Av-Gas Sales	2,013.60	$9,727.73
TOTAL FUEL SALES	2,301.60	$11,164.63

HANGAR RENTAL REVENUE

Open T Hangar Rental Revenue	$2,720.00
Transient Covered Hgr - Nightly	$0.00
Enclosed Hangar Rental Revenue	$120.00
Nightly Tiedown Fees	$64.00
North Community Hangar Rental Revenue	$650.00
TOTAL HANGAR RENTALS	$3,554.00

HANGAR OCCUPANCY RATES

	TOTAL HANGARS	QTY RENTABLE	QUANTITY LEASED	OCCUPANCY RATE
Open T Hangars	45	40	32	80.00%
Closed Hangar Rentals	2	2	2	100%
Open Hangar Cap Rentals	2	1	1	100%
TOTAL HANGAR OCCUPANCY	49	43	35	81%

Of the forty five hangars only forty can actually be rented. Most of these forty should be considered substandard and not easily marketed due to pad slope and width, electrical, and drainage issues.

CITY FEES DUE	FEE RATE	FRANCHISE FEE DUE	FUEL FLOWAGE FEES DUE	TOTAL FEES DUE
Fuel Sales (Gallons Sold)	$0.10	$0.00	$230.16	$230.16
City Owned Hangar Rentals	5.00%	$177.70	$0.00	$0.00
TOTAL FEES DUE		$177.70	$230.16	$407.86

I certify the information and amounts submitted on this form are true and correct.

Todd Parks
Managing Director - Texas Air Center, LLC

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Rockwall Police Department

Monthly Activity Report

August 2015

ACTIVITY	CURRENT MONTH AUGUST	PREVIOUS MONTH JULY	YTD 2015	YTD 2014	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	0	**0.00%**
Sexual Assault	2	2	10	4	**150.00%**
Robbery	1	1	7	3	**133.33%**
Aggravated Assault	6	0	25	19	**31.58%**
Burglary	9	3	35	52	**-32.69%**
Larceny	70	56	413	408	**1.23%**
Motor Vehicle Theft	3	3	28	32	**-12.50%**
TOTAL PART I	**91**	**65**	**518**	**518**	**0.00%**
TOTAL PART II	**195**	**178**	**1289**	**1087**	**18.58%**
TOTAL OFFENSES	**286**	**243**	**1807**	**1605**	**12.59%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	28	18	131	135	**-2.96%**
D.W.I.	25	30	139	153	**-9.15%**
TEEN CURFEW	3	0	5	9	**-44.44%**
ARRESTS					
FELONY	20	14	137	151	**-9.27%**
MISDEMEANOR	70	46	535	625	**-14.40%**
WARRANT ARREST	53	54	298	256	**16.41%**
JUVENILE	2	4	22	51	**-56.86%**
TOTAL ARRESTS	**145**	**118**	**992**	**1083**	**-8.40%**
DISPATCH					
CALLS FOR SERVICE	1614	1496	12092	11716	**3.21%**
ACCIDENTS					
INJURY	8	7	70	86	**-18.60%**
(INJURIES)	14	12	106	115	**-7.83%**
NON-INJURY	56	53	428	344	**24.42%**
FATALITY	0	0	1	0	**100.00%**
(FATALITIES)	0	0	1	0	**100.00%**
TOTAL	**64**	**60**	**499**	**430**	**16.05%**
FALSE ALARMS					
RESIDENT ALARMS	83	65	527	482	**9.34%**
BUSINESS ALARMS	124	127	1000	1051	**-4.85%**
TOTAL FALSE ALARMS	**207**	**192**	**1527**	**1533**	**-0.39%**
Estimated Lost Hours	**136.62**	**126.72**	**1007.82**	**1011.78**	**-0.39%**
Estimated Cost	**$3,249.90**	**$3,014.40**	**$23,973.90**	**$24,068.10**	**-0.39%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**4**
Arrests	**9**
Arrest Warrants	**3**
Search Warrants	**4**
Seized	
COCAINE	1 LB
HEROIN	1 LB
METH	60 LBS / 2.9 GM

Rockwall Police Department
Dispatch and Response Times
August 2015

Police Department

	Average Response Time		
Priority 1		Number of Calls	**110**
Call to Dispatch	0:00:51		
Call to Arrival	0:05:39		
% over 7 minutes	29%		

	Average Response Time		
Priority 2		Number of Calls	**299**
Call to Dispatch	0:01:08		
Call to Arrival	0:06:52		
% over 7 minutes	37%		

	Average Response Time		
Priority 3		Number of Calls	**10**
Call to Dispatch	0:00:22		
Call to Arrival	0:04:30		
% over 7 minutes	20%		

***Priority 4**		Number of Calls	**1239**

****Priority 5**		Number of Calls	**8**

*Priority 4 call averages are not given because they are calls that do not require an immediate response by police.
**Priority 5 calls are incidents that officers initiate themselves therefore response times are not calculated.

Average dispatch response time goals are as follows:
Priority 1: 30 Seconds
Priority 2: 45 Seconds
Priority 3: 1 Minute

Fire Department

	Average Response Time		
Call to Dispatch	0:00:15	Number of Calls	**85**
Call to Arrival	0:05:27		

Overages

Incident No.	Date	Time Rec'd	Call Type	Time Disp	Resp Time	Reason
2015-682	8/8/2015	11:02:01	Water Rescue	11:03:03	0:01:02	waiting on Marine 1
2015-729	8/20/2015	19:41:18	Accident EMS	19:42:48	0:01:30	PD / EMS sent first
2015-736	8/23/2015	14:53:46	Water Rescue	14:55:48	0:02:02	non-page call / dallas jurisdiction
2015-698	8/11/2015	23:19:55	Wire Down/Arc Trnsfrmrs	23:22:08	0:02:13	non-page call / unk reason

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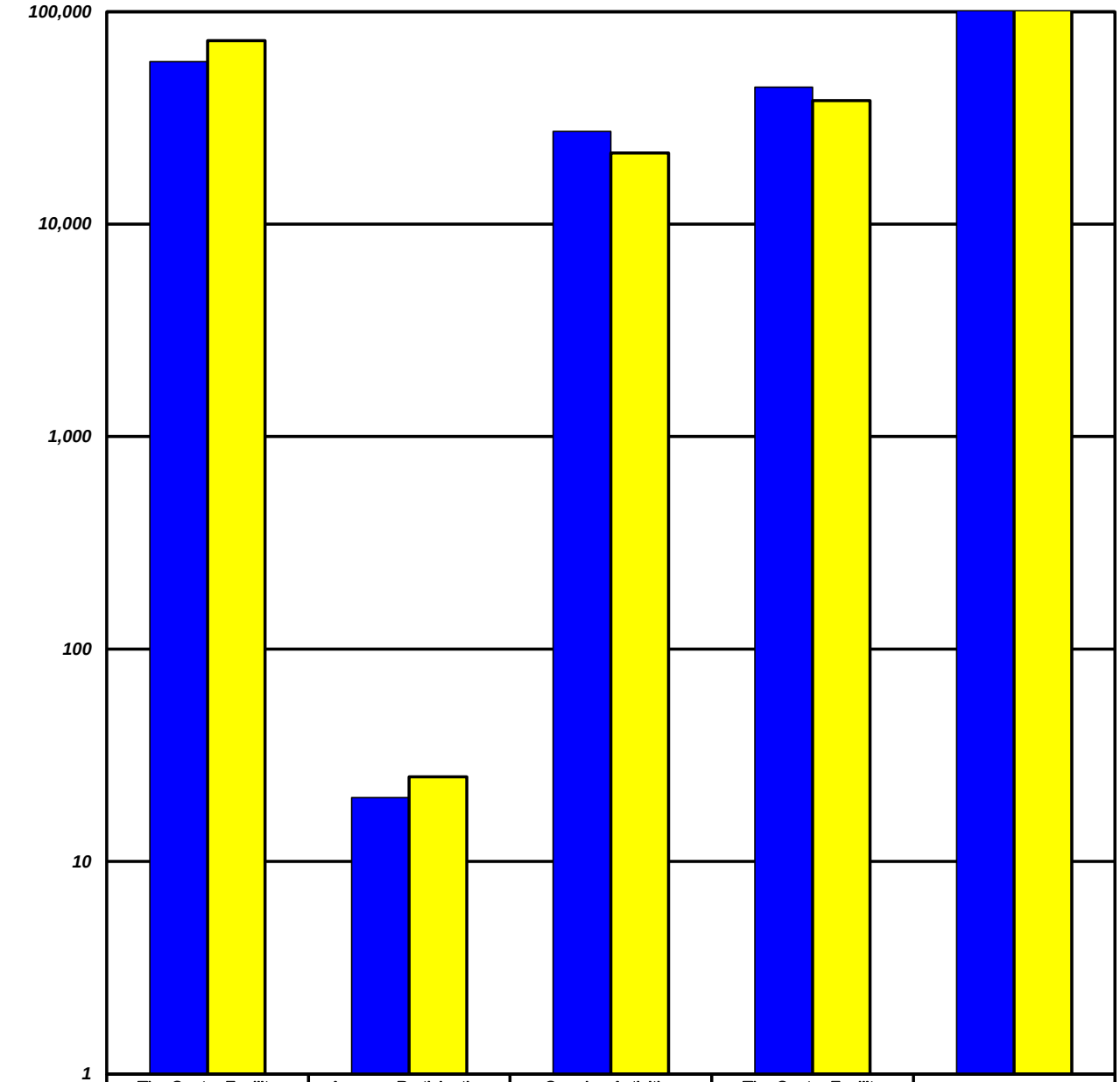
City of Rockwall
Parks and Recreation Department
FY15 August Report



	The Center Facility Usage	Average Participation per Hour	Ongoing Activities Attendance	The Center Facility Rental Revenue	Program Revenue
FY15 YTD	58,133	20	27,288	$44,061	$157,776
FY14 YTD	73,081	25	21,588	$38,176	$153,920

The Center Facility Usage - Total number of visitors and participants that come thru The Center - includes Ongoing Activities.
Average Participation per Hour - The Center Facility Usage divided by the number of hours the facility is open.
Ongoing Activities Attendance - Non fee based activities conducted on a routine basis (Bingo, Exercise with Anita, etc).

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Rockwall Animal Adoption Center Monthly Report
CCHS at Rockwall
August 2015

DISPOSITION REPORT

	August
Intakes	153
1045	3
Adopted	106
Returned to Owner	29
Rescued	13
Euthanized	6
Live Outcome %	**94%**
Number of Animals in Foster	2

FINANCIAL REPORT

Income	**August**
City of Rockwall	$95,952
Adoption Fee Income	$9,480
Impound Fee Income	$885
Owner Surrender	$685
General Donations	$2,342
Medical	$503
Quarantine Fee	$360
Total Income	**$110,207**

Expenses	**August**
Administrative Expenses (Payroll, etc)	$19,167
Shelter Expenses (Microchips, Drugs, etc)	$12,349
Veterinary Expenses	$2,844
Professional Services	$785
Depreciation Expenses	$4,568
Total Expenses	**$39,713**
Balance	**$70,494**

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Bullying Prevention Month Proclamation

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Consider approval of the minutes from the October 5, 2015 regular city council meeting, and take any action necessary.

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Consider authorizing a change order to Hill & Wilkinson Construction Group in the amount of $75,587.79 to be funded from the 2008 water and Sewer Revenue bonds to replace the sanitary sewer line along Kaufman Street from San Jacinto Street to Fannin Street, and take any action necessary.

City Manager Memo 23

Change Order Number Two 24

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Consider awarding a bid to Holt CAT and authorizing the City Manager to execute a Purchase Order for a new Backhoe in the amount of $127,320 to be funded out of the Water and Sewer Fund, Water Operations Budget, and take any action necessary.

memo 26

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Consider awarding a bid to Holt CAT and authorizing the City Manager to execute a Purchase Order for a new Skid Steer Loader in the amount of $37,568 to be funded out of the General Fund Streets Operations Budget, and take any action necessary.

memo 28

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Consider awarding a bid to CUES and Caldwell Country Chevrolet and authorizing the City Manager to execute Purchase Orders for a new CCTV Inspection Van totaling $219,855 to be funded out of the Water and Sewer Fund, Sewer Operations Budget, and take any action necessary.

memo 30

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Consider award a bid to Freightliner/CLS and authorizing the City Manager to execute a Purchase Order for a new VACCON Truck in the amount of $317,257.75 to be funded out of the Water and Sewer Fund, Sewer Operations Budget, and take any action necessary.

memo 32

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Consider authorizing the city manager to execute a Construction Manager at Risk contract with Dean Construction for construction associated with the Park at Stone Creek, with grant matching funds being provided by developer contributions in that park district, and take any action necessary.

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Consider approval of a resolution supporting Statewide Proposition 7 for increased state funding for transportation in Texas, and take any action necessary.

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Appointment with Kim Lovett, Marketing Director, and Silvana Garcia, Property Manager, for The Harbor Rockwall to hear request concerning hosting of a Fox 4 Toys For Tots televised donation event at The Harbor on December 4th, and take any action necessary.

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Z2015-025 - Hold a public hearing to discuss and consider a request by Bill K. Ryan for the approval of an ordinance for a zoning change from an Agricultural (AG) District to a Single Family One (SF-1) District for a 1.02-acre tract of land identified as Tract 11-2 of the D. Harr Survey Abstract, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 770 Davis Drive, and take any action necessary (1st Reading).

Z2015-025 . . . 91
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Z2015-026 - Hold a public hearing to discuss and consider a request by Randy Kopplin of Stone Creek Real Estate Partners, LLC on behalf of the owner Arkoma Development, LLC for the approval of an ordinance amending Planned Development District 65 (PD-65) [Ordinance No. 08-02] to allow for a ~74,000 SF Assisted Living Facility to be established on a 5.507-acre portion of a larger 11.723-acre tract of land identified as Tract 5 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, located west of the intersection of N. Goliad Street [SH-205] and Pecan Valley Drive, and take any action necessary (1st Reading).

Z2015-026 . . . 105
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Discuss and consider authorizing the city manager to execute an agreement with Paul Davis for through-the-fence access from private property onto the Ralph M. Hall / Rockwall Municipal Airport, and take any action necessary.

Memo and agreement . . . 132
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SP2015-022 - Discuss and consider a request by Jonathan Hake of Cross Engineering on behalf of the owner Kenneth R. Smith of K. R. Smith Holdings, LLC for the approval of an exception to allow tilt-wall construction and variances to the articulation, architectural and material requirements for an approved site plan for an indoor/outdoor baseball training facility on a six (6) acre tract of land identified as Tract 4-07 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 By-Pass Corridor Overlay (SH-205 BY-OV) District, located on the north side of Airport Road west of the intersection of Airport Road and John King Boulevard, and take any action necessary.

SP2015-022 . . . 142
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Discuss and consider a request by Michael M. Caffey for the approval of a structure preservation tax exemption application seeking to have the assessed value for ad valorem taxation fixed for a period of seven (7) years on the subject property at 311 S. Fannin Street, further identified as Lot 9 & 10, Block C of the Eppstein Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, located within the Old Town Rockwall (OTR) Historic District, and take any action necessary.

Memorandum . . . 153
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Discuss and consider various zoning provisions pertaining to Planned Development District 75 (PD-75) including sections dealing with consideration of special requests, and take any action necessary.

Memo (PD 75) . . . 176
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Discuss and consider potential regulation of non-emergency ambulance (transport) service providers operating within the city, and take any action necessary.

Memo_Townsend request . . . 191
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Discuss and consider approval of an ordinance amending the Code of Ordinances in Chapter 12. Businesses & Sales, Article XII. Ambulance Service by adding and amending Sections 12-1250 through 12-1253 regulating ambulance services and providers in the City, and take any action necessary. (2nd reading)

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Discuss and consider approval of a policy for seasonal outside storage of shipping containers and/or similar storage containers for commercial land uses, and take any action necessary.

Memorandum . . . 197

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AGENDA
ROCKWALL CITY COUNCIL
Monday, October 19, 2015
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

1. Hold work session with the Rockwall Housing Development Corporation (RHDC) to discuss development-related issues in Planned Development 75 (PD-75), and take any action necessary.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)
2. Discussion regarding legal matters related to land lease operations at Ralph Hall Municipal Airport pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding appointments to city regulatory boards, commissions, or committees - interview candidates: Planning & Zoning Commission vacancy - pursuant to Section 551.074 (personnel matters)
4. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, October 19, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER MILDER

VIII. PROCLAMATIONS / AWARDS

p.10 **1.** Bullying Prevention Month Proclamation

IX. OPEN FORUM

X. CONSENT AGENDA

p.12 **1.** Consider approval of the minutes from the October 5, 2015 regular city council meeting, and take any action necessary.

p.23 **2.** Consider authorizing a change order to Hill & Wilkinson Construction Group in the amount of $75,587.79 to be funded from the 2008 water and Sewer Revenue bonds to replace the sanitary sewer line along Kaufman Street from San Jacinto Street to Fannin Street, and take any action necessary.

p.26 **3.** Consider awarding a bid to Holt CAT and authorizing the City Manager to execute a Purchase Order for a new Backhoe in the amount of $127,320 to be funded out of the Water and Sewer Fund, Water Operations Budget, and take any action necessary.

p.28 **4.** Consider awarding a bid to Holt CAT and authorizing the City Manager to execute a Purchase Order for a new Skid Steer Loader in the amount of $37,568 to be funded out of the General Fund Streets Operations Budget, and take any action necessary.

p.30 **5.** Consider awarding a bid to CUES and Caldwell Country Chevrolet and authorizing the City Manager to execute Purchase Orders for a new CCTV Inspection Van totaling $219,855 to be funded out of the Water and Sewer Fund, Sewer Operations Budget, and take any action necessary.

p.32 **6.** Consider award a bid to Freightliner/CLS and authorizing the City Manager to execute a Purchase Order for a new VACCON Truck in the amount of $317,257.75 to be funded out of the Water and Sewer Fund, Sewer Operations Budget, and take any action necessary.

p.34 **7.** Consider authorizing the city manager to execute a Construction Manager at Risk contract with Dean Construction for construction associated with the Park at Stone Creek, with grant matching funds being provided by developer contributions in that park district, and take any action necessary.

p.82 **8.** Consider approval of a resolution supporting Statewide Proposition 7 for increased state funding for transportation in Texas, and take any action necessary.

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

p.87 **2.** Appointment with Kim Lovett, Marketing Director, and Silvana Garcia, Property Manager, for The Harbor Rockwall to hear request concerning hosting of a Fox 4 Toys For Tots televised donation event at The Harbor on December 4th, and take any action necessary.

XII. PUBLIC HEARING ITEMS

p.91 **1.** **Z2015-025** - Hold a public hearing to discuss and consider a request by Bill K. Ryan for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Single Family One (SF-1) District for a 1.02-acre tract of land identified as Tract 11-2 of the D. Harr Survey Abstract, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 770 Davis Drive, and take any action necessary **(1st Reading).**

p.105 **2.** **Z2015-026** - Hold a public hearing to discuss and consider a request by Randy Kopplin of Stone Creek Real Estate Partners, LLC on behalf of the owner Arkoma Development, LLC for the approval of an **ordinance** amending Planned Development District 65 (PD-65) [Ordinance No. 08-02] to allow for a ~74,000 SF Assisted Living Facility to be established on a 5.507-acre portion of a larger 11.723-acre tract of land identified as Tract 5 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, located west of the intersection of N. Goliad Street [SH-205] and Pecan Valley Drive, and take any action necessary **(1st Reading)**.

XIII. ACTION ITEMS

p.132 **1.** Discuss and consider authorizing the city manager to execute an agreement with Paul Davis for through-the-fence access from private property onto the Ralph M. Hall / Rockwall Municipal Airport, and take any action necessary.

p.142 **2.** **SP2015-022** - Discuss and consider a request by Jonathan Hake of Cross Engineering on behalf of the owner Kenneth R. Smith of K. R. Smith Holdings, LLC for the approval of an exception to allow tilt-wall construction and variances to the articulation, architectural and material requirements for an approved site plan for an indoor/outdoor baseball training facility on a six (6) acre tract of land identified as Tract 4-07 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 By-Pass Corridor Overlay (SH-205 BY-OV) District, located on the north side of Airport Road west of the intersection of Airport Road and John King Boulevard, and take any action necessary.

p.153 **3.** Discuss and consider a request by Michael M. Caffey for the approval of a structure preservation tax exemption application seeking to have the assessed value for ad valorem taxation fixed for a period of seven (7) years on the subject property at 311 S. Fannin Street, further identified as Lot 9 & 10, Block C of the Eppstein Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, located within the Old Town Rockwall (OTR) Historic District, and take any action necessary.

p.176 **4.** Discuss and consider various zoning provisions pertaining to Planned Development District 75 (PD-75) including sections dealing with consideration of special requests, and take any action necessary.

p.191 **5.** Discuss and consider potential regulation of non-emergency ambulance (transport) service providers operating within the city, and take any action necessary.

p.193 **6.** Discuss and consider approval of an **ordinance** amending the Code of Ordinances in Chapter 12. Businesses & Sales, Article XII. Ambulance Service by adding and amending Sections 12-1250 through 12-1253 regulating ambulance services and providers in the City, and take any action necessary. **(2nd reading)**

p.197 **7.** Discuss and consider approval of a policy for seasonal outside storage of shipping containers and/or similar storage containers for commercial land uses, and take any action necessary.

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)
2. Discussion regarding legal matters related to land lease operations at Ralph Hall Municipal Airport pursuant to Section 551.071 (Consultation with Attorney).

3. Discussion regarding appointments to city regulatory boards, commissions, or committees - interview candidates: Planning & Zoning Commission vacancy - pursuant to Section 551.074 (personnel matters)

4. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVI. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 16th day of October, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

Rockwall, Texas

Proclamation

Whereas, bullying is physical, verbal, sexual, or emotional harm or intimidation intentionally directed at a person or group of people; and

Whereas, bullying may occur in neighborhoods, playgrounds, schools, and through technology, such as the internet and cell phones; and

Whereas, various researchers have concluded that bullying is the most common form of violence, affecting millions of American children and adolescents annually, including many living right here in Rockwall; and

Whereas, studies show that targets of bullying are more likely to acquire physical, emotional, and learning problems, and students who are repeatedly bullied often fear activities such as riding the bus, going to school, and attending community activities; and

Whereas, children who bully are at greater risk of engaging in more serious violent behaviors, and those whom they bully often feel less secure, more fearful, and intimated.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim the month of October, 2015 as

BULLYING PREVENTION MONTH

in the City of Rockwall and urge all citizens to support awareness and prevention activities designed to make our city safer for all children and adolescents and to join our city's Youth Advisory Council and me in encouraging kindness and respect towards others.

In Witness Whereof, I hereunto set my hand and official seal this 19th day of October, 2015.

Jim Pruitt, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, October 05, 2015
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dennis Lewis and City Council Members David White, Mike Townsend, and Scott Milder. Also present were City Manager Rick Crowley, Assistant City Manager Brad Griggs and City Attorney Frank Garza. Council Members Kevin Fowler and John Hohenshelt, as well as Assistant City Manager Mary Smith, were absent from the meeting.

II. WORK SESSION

1. Hold work session to discuss preliminary planning associated with the design of S. Lakeshore / Summit Ridge roadway improvements, and take any action necessary.

Mr. Crowley began discussion of this work session item. This particular, upcoming project will involve improvements to S. Lakeshore and Summit Ridge from SH-66 to FM-740. He indicated that traffic calming devices such as road humps and other pavement markings and signage have been added over the years in an effort to slow traffic and reduce the volume of traffic in these areas. He explained that gleaning feedback, first from those who live along the roadway and then perhaps broadening the scope of input sought, is likely a viable place to start before moving forward with preliminary design of the roadway. He explained that staff will begin with mailing a survey to those who live along the roadway. Also, he indicated that he may employ an engineer to evaluate some aspects of how sidewalks may be worked in with a narrowed roadway and what the costs would be, as well as what affect it would have on 'traffic calming' through the neighborhood. He understands that this stretch of road is often utilized as a cut through from Ridge Road over to SH-66 for many drivers, including those who do not live on this road or within the neighborhood at all. Mr. Crowley explained that the possibility of narrowing the roadway and adding sidewalks has been discussed in the past.

City Engineer Tim Tumulty indicated that over the years, some residents have been in favor of the traffic humps, while others have wanted them to be removed. General discussion took place regarding what options may be possible regarding re-doing this stretch of road and what the associated goals may be (i.e. discouraging its utilization as a 'cut through,' making it safe, slowing driving speeds down, and making the roadway look good). Mayor Pruitt expressed concern about school buses currently having to stop on the road itself to let out children, who then walk in the street because there are no sidewalks.

Mr. Crowley expressed that he would like to know if city council members have any negative feelings regarding the possibility of reducing the width of the roadway and adding sidewalks. It was clarified that it is possible that S. Lakeshore would be narrowed to be the same width as Summit Ridge. Mayor Pro Tem Lewis indicated that he likes the idea of narrowing the roadway and putting in sidewalks. No one on Council seemed to express any opposition to this idea at this time.

Mr. Crowley shared that attendance at city council meetings held years ago when road humps were discussed was in the 100's.

Mayor Pruitt then read the below listed items into the public record before recessing the meeting into Executive Session at 4:21 p.m.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding process and appointment to Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)
2. Discussion regarding appointments to city regulatory boards, commissions, or committees - interview candidates: Planning & Zoning Commission vacancy - pursuant to Section 551.074 (personnel matters)
3. **From Public Meeting Agenda – Action Item #7:** Discuss and consider approval of an ordinance amending the Code of Ordinances in Chapter 12. Businesses & Sales, Article XII. Ambulance Service by adding and amending Sections 12-1250 through 12-1253 regulating ambulance services and providers in the City, and take any action necessary. (1st reading)

IV. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:55 p.m.

V. RECONVENE PUBLIC MEETING

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with five of the seven council members being present. Kevin Fowler and John Hohenshelt were absent.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Lewis made a motion to approve Resolution #15-27 concerning submission of names for board member nominations to the Rockwall Central Appraisal District Board for 2016. Councilmember White seconded the motion, which passed by a vote of 5 ayes to 0 nays with 2 absent (Fowler and Hohenshelt).

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRUITT

Mayor Pruitt delivered the invocation and led the Pledge of Allegiance.

VIII. PROCLAMATIONS / AWARDS

1. Proclamation - Hispanic Heritage Month

Mayor Pruitt called a few citizens forward. He then read and presented a proclamation declaring October 2015 as Hispanic Heritage Month.

IX. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth and speak at this time.

Pastor Joe Robbins
St. Paul AME Church
805 Peters Colony
Rockwall, TX

Pastor Robbins came forth and indicated that he would like the city council to not approve a waiver to the masonry requirements being requested in Action Item #2. He explained that notice was not given by the city concerning this agenda item, but he is opposed to it. Planning Director Ryan Miller indicated that it is not a zoning case, so no public notice was required.

Mitch Ownby
Rockwall County EMS
809 S. Goliad
Rockwall, TX

Mr. Ownby came forth and briefly updated staff and council on the previously "rocky" relations with Presbyterian Hospital of Rockwall, generally indicating that he believes relations have been improving on an ongoing basis through a series of meetings between the two parties.

Reverend George P. Monaghan
1423 Murphy Road
Our Lady of the Lake Catholic Church
1305 Damascus Road
Rockwall, TX

Father Monaghan came forth and indicated that he represents 3,800 families and over 14,000 individuals in the parish. In addition, he has over 1,000 students in the school, mostly 1st through 12th graders. There are five weekend masses and eight during the week, and these do not include other ceremonies such as weddings, funerals, etc. They are currently working with an architect to reconfigure the church's space and add between 15,000-20,000 square feet. He proceeded to shared comments with the City Council concerning the pro rata facilities agreement regarding past improvements the church made to Damascus Road. He shared that if the church had not made improvements to the roadway when they did, the costs today for the same improvements could have been 50-60% more than it cost then. He went on to explain some of the specific terms outlined in the existing facilities agreement. He understands that recently there have been some discussions, ones he has not been privy to, concerning reassessing the proportional share currently mentioned in Section 2 within the facilities agreement. He encouraged the city council to move forward with granting an additional five year extension.

Richard Archibald
(no address given)

Mr. Archibald came forth and indicated that he represents the interests of Heritage Christian Academy (HCA). He shared that he recently met with city staff to discuss some of the

issues surrounding the pro rata facilities agreement. He expressed a desire to approach the matter fairly. He explained that the archdiocese constructed the road in accordance with city standards at the time. He explained that an easement that goes through what is now Damascus Road was granted and that the party granting that easement was to not have any associated responsibility. He explained that HCA was operating under that premise when they were asked by the Catholic Church to participate in widening the road, and since they did not have funds at the time to do so, they declined. He understood that there were no conditions as related to any project development. He explained that an exaction was placed upon HCA without a rough proportionality study, which he has come to understand is required under Texas Supreme Court authority. He shared that the study should not be based upon how much property frontage abuts the roadway but rather the impact involved. He said that one was not required, to his knowledge, five years ago, but that a requirement for conducting such study has arisen since that time. He generally encouraged the city to conduct such a study before moving forward with any extension of the pro rata facilities agreement.

Mayor Pruitt asked if anyone else would like to come forth and speak. There being no such indication, he then closed Open Forum.

X. CONSENT AGENDA

1. Consider approval of the September 21, 2015 City Council minutes, and take any action necessary.

2. Consider awarding the bid and authorizing the city manager to execute a Purchase Order to Professional Turf Products for the purchase of a Toro Infield Groomer in the amount of $28,721.32 to be funded out of the General Fund - Parks Operations Budget, and take any action necessary.

3. Consider authorizing the city manager to execute a professional services contract with Birkhoff, Hendricks and Carter, LLP to perform engineering design services for the Quail Run Gravity Flow Line and the Squabble Creek Lift Station Improvements in an amount of $220,500.00 to be funded with 2015 Water and Sewer Revenue Bonds, and take any action necessary.

4. Consider authorizing the city manager to execute a professional services contract with Kimley-Horn and Associates, Inc. Consulting Engineers to perform the traffic signal design at the intersection of North Lakeshore Drive and Masters Boulevard in an amount not to exceed $36,500 to be funded out of the FY2015-16 Street Operations Budget, and take action necessary.

5. Consider authorizing the City Manager to execute a contract with the Texas Department of Transportation, Aviation Division for participation in the Routine Airport Maintenance Program (RAMP) at the Ralph M. Hall / Rockwall Municipal Airport, with matching funds for the grant to be provided by the Airport Operating Budget, and take any action necessary.

6. **P2015-037** - Consider approval of a request by Jennifer Garcia of KBGE on behalf of Collins Hartzog of Rockwall Texas 2015, LLC for the approval of a replat for Lot 3, Block 1, HJG Plaza Addition being a 0.91-acre tract of land identified as Lot 2, Block 1, HJG Plaza Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of SH-205 [S. Goliad Street] north of the intersection of SH-205 and Yellow Jacket Lane, and take any action necessary.

7. Consider, accept and authorize the Mayor to execute the Citizen Corps Trailer Grant Agreement, and take any action necessary.

Councilmember White made a motion to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6 and 7). Councilmember Townsend seconded the motion, which passed by a vote of 5 ayes with 2 absent (Fowler and Hohenshelt).

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Mayor Pruitt indicated that this item would not be discussed since Chairman Renfro is not present and was unable to attend this evening.

XII. ACTION ITEMS

1. Discuss and consider extending the existing Facilities Agreement with the Roman Catholic Diocese of Dallas for a period of ten years regarding pro-rata reimbursement for the construction of Damascus Road, and take any necessary action.

City Engineer Tim Tumulty generally indicated that the issue of proportionality was recently brought up during a meeting between Heritage Christian Academy representatives and the city attorney, Frank Garza. The City Attorney has advised that a proportionality study is now in order, under the circumstances, and considering that one was not conducted back in 2009. It was also explained that a Supreme Court case pertaining to the City of Flower Mound is applicable to this particular circumstance, and that court case transpired after the time that the original facilities agreement was established. Also, after the Flower Mound case, state law changed, so currently, if this same situation were to transpire today, a proportionality analysis would be required. As such, staff, including the city attorney, is recommending this evening that the city council consider extending the existing facilities agreement for a period of 90 days to allow time for a proportionality study to be performed. Mr. Garza further explained that proportionality should be tied to 'usage,' and, since one was never performed prior to the facilities agreement being put in place, it is prudent to conduct one now in order to determine appropriate costs. Mr. Garza went on to explain that these sorts of pro rata facilities agreements are more often than not put in place when a developer needs to build a roadway and additional development is expected to occur along that roadway fairly soon afterwards. Typically, in those situations, these funds are repaid very quickly. However, this case is unique because if HCA never decided to do any improvements on its property such as expanding its parking lot, then HCA would never end up having to repay the funds associated with the roadway improvements. He suggested moving forward with a proportionality study to determine usage and then sit down with both parties to go over it and discuss it.

Councilmember Townsend made a motion to extend the existing facilities agreement for a period of 90 days to allow staff time needed to have a proportionality study performed. Councilmember Milder seconded the motion.

General discussion took place regarding a large piece of the roadway that has abutting property that is not yet developed and how that piece of property would be accounted for in the proportionality analysis. Mr. Crowley explained that the undeveloped property is still

zoned, so that zoning classification would be a driving factor. When asked, indication was given that existing city engineering staff will be conducting the study.

The motion passed by a vote of 5 ayes with 2 absent (Fowler and Hohenshelt).

2. **MIS2015-007** - Discuss and consider the approval of a special request by Michael Hunter of the Rockwall Housing Development Corporation (RHDC) on behalf of the owner Jacquelyn W. Coleman for an exception to the masonry requirements and a waiver to building setback requirements for the purpose of constructing a duplex on a 0.09-acre parcel of land identified as Lot 1B, Block H, Sanger Addition, City of Rockwall, Rockwall County, Texas, being zoned Multi-Family 14 (MF-14) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, located at the southwest corner of the intersection of Ross Street and Peters Colony, and take any action necessary.

Mr. Miller explained that the property is located on the southwest corner of Peters Colony and Ross Street and is zoned multi-family 14 district and is located in the Southside Residential Overlay district. Mr. Hunter is proposing to construct a two story duplex structure, which is a use that is permitted 'by right' under this zoning. However, he generally explained that the lot size is smaller, so the applicant is asking for an exception to be granted concerning the 5' side yard setback requirement on Ross Street. He went on to explain that the applicant would also like to request a waiver that would essentially allow him to utilize 100% hardie plank on the structure in lieu of adding any masonry that would otherwise be required. The code does allow waivers to be granted by city council for these two issues on a case-by-case basis. He explained that the Planning & Zoning Commission recently voted to recommend approval of the waivers by a vote of 4 in favor with 0 against (two commissioners absent and one vacant seat).

Mr. Michael Hunter
Resides at: 220 W. Quail Run Road
Executive Director of the Rockwall Housing Development Corporation
(501 c-3 corporation housed at 787 Hail Drive)
Rockwall, TX

Mr. Hunter came forth and provided various comments related to the proposed design of this structure, sharing that whether you look at it from Ross Street or from Peters Colony, it will be designed as though the person is viewing the front of the house. He briefly mentioned the desired waiver that is being requested related to the side yard setback. Furthermore, concerning the masonry waiver, he generally explained that this request is being made in an effort to keep the building costs minimal to allow for whoever may rent this property in the future to be able to afford to live there by keeping it within their budget.

After additional comments, Councilmember White made a motion to approve MIS2015-007 related to the setback requirements waiver. Mayor Pro Tem Lewis seconded the motion, which passed by a vote of 4 in favor, 1 against (Milder) and 2 absent (Fowler and Hohenshelt).

Councilmember White made a motion to approve MIS2015-007 in regards to the masonry requirement waiver. There being no second to the motion, the motion died. No further motions or action took place concerning this agenda item.

3. **MIS2015-008** - Discuss and consider the approval of a special request by Michael Hunter on behalf of the Rockwall Housing Development Corporation (RHDC) for waivers to the requirements stipulated in Exhibit 'C' of Planned Development District 75 (PD-75) [Ordinance No. 09-37] to allow the construction of two (2) single-family attached homes on a 0.27-acre parcel of land identified as Lot 984A of the Rockwall Lake Estates #2 Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 112 Chris Street, and take any action necessary.

Planning Director Ryan Miller indicated that this property is located with Planned Development District 75 within Lake Rockwall Estates. The applicant is requesting to subdivide the property into two roughly 5,400 square foot lots and construct two single-family, attached units. It is similar to a duplex; however, each lot will be an individual lot, they would share a common wall and have single ownership. He indicated that the applicant is asking the city council to grant various special exceptions to PD-75 as follows:

1) **Single-Family Attached. The development standards for Area 2 contained in Exhibit 'C' of Ordinance No. 09-37 require that all property within Area 2 be subject to the land uses permitted for a Single-Family 7 (SF-7) District. According to Article IV, Permissible Uses, of the Unified Development Code (UDC) a single-family attached structure is not a permitted land use within a Single-Family 7 (SF-7) District.**

2) **Lot Frontage. The development standards for Area 2 contained in Exhibit 'C' of Ordinance No. 09-37 stipulates a minimum lot frontage of 50-feet on a public street. In this case the applicant is requesting to reduce this to 45-feet.**

3) **Side Yard Setback. The development standards for Area 2 contained in Exhibit 'C' of Ordinance No. 09-37 require a minimum side yard setback of five (5) feet. Since the structures will share a common wall the minimum side yard setback will be required to be reduced to zero along the property line containing the common wall.**

4) **Masonry Requirement. According to Section B, Exterior Wall Materials, of Exhibit 'C' of Ordinance No. 09-37 all residential buildings 120 SF or more and over ten (10) feet in height shall have a minimum of 80% masonry exterior walls, with up to 50% of the masonry requirements permitted to be Hardie Board or a similar cementaceous material. The applicant is requesting an exception to the masonry requirements for the purpose of utilizing**

The mayor confirmed with the applicant that this structure would not be a pre-manufactured home but, rather, it would be built from the ground up. Also, he confirmed with Mr. Hunter that approval of this item would go along with the city council's goal to avoid having structures rebuilt within this area after they have previously been flooded (due to heavy rainfall). Mayor Pruitt then made a motion to approve MIS2015-008 concerning exception #1 pertaining to the land use. Mayor Pro Tem Lewis seconded the motion. Councilmember Lewis asked some questions related to the two garages that are being proposed. Councilmember White shared that he would like to remind the city council that this request goes against the intention of the zoning, which is to not turn Lake Rockwall Estates into multi-family zoning. He expressed that past public meetings were well attended with residents from the neighborhood who expressed opposition to multi-family housing. After various comments, the motion failed by a vote of 2 in favor, 3 against (White, Townsend and Milder) and 2 absent (Fowler and Hohenshelt).

Mayor Pruitt made a motion to approve the special requests associated with lot frontage, side yard setback and masonry standards. The motion passed by a vote of 3 in favor, 2 against (Townsend and Milder) and 2 absent (Fowler and Hohenshelt).

4. **P2015-036** - Discuss and consider approval of a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of the owners Scott and Leslie Milder for the approval of a replat for Lot 1, Block A, Our House Addition being a 0.75-acre tract of land currently identified as Blocks 24A & 24C, Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, addressed as 803 N. Goliad Street, and take any action necessary.

Mayor Pruitt indicated that Councilman Milder has recused himself from this item and has filed appropriate paperwork with the City Secretary since he is the property owner associated with this case.

Mayor Pro Tem Lewis made a motion to approve P2015-036. Councilmember White seconded the motion, which passed by a vote of 4 ayes, 1 recusal (Milder) and 2 absent (Fowler and Hohenshelt).

5. Discuss and consider delaying the construction of Harbor Heights Drive between Shoreline Drive and Lakefront Trail as a part of the Springhill Suites Development in accordance with the conditions established in the Facilities Agreement, and take necessary action.

Mr. Crowley explained that the applicant, Mr. Kirkland recently visited with city staff concerning the possibility of delaying construction of this roadway. City Engineer Tim Tumulty went on to explain that construction costs have been increasing quite a bit lately. So, the applicant has asked the city if it would consider allowing construction of the roadway to be delayed for a period of time. Indication was given that staff does not foresee any issue with granting said request.

Mayor Pruitt made a motion to approve delay of the construction as requested in accordance with the conditions outlined in the facilities agreement. Councilmember White seconded the motion, which passed by a vote of 5 ayes with 2 absent (Fowler and Hohenshelt).

6. Discuss and consider authorizing the city manager to execute a contract with Meals on Wheels Senior Services for certain nutritional and senior service programs in the amount of $30,000.00 to be funded from the Administration Department Operating Budget, and take any action necessary.

Mayor Pruitt indicated that Councilmember White will be recusing himself from this agenda item, as he is currently the Chairman of the Meals on Wheels organization.

Councilmember Townsend made a motion to authorize the city manager to execute the contract as requested. Mayor Pro Tem Lewis seconded the motion, which passed by a vote of 4 ayes, 1 abstention (White) and 2 absent (Fowler and Hohenshelt).

At 7:05 p.m. Mayor Pruitt then read Action Item #7 below into the public record before recessing the meeting into Executive Session as authorized by Texas Government Code § 551.071 (Consultation with Attorney).

7. Discuss and consider approval of an **ordinance** amending the Code of Ordinances in Chapter 12. Businesses & Sales, Article XII. Ambulance Service by adding and amending Sections 12-1250 through 12-1253 regulating ambulance services and providers in the City, and take any action necessary. **(1st reading)**

Mayor Pruitt reconvened the public meeting at 7:33 p.m. Mayor Pro Tem Lewis made a motion to approve the ordinance. Councilmember Milder seconded the motion. City Attorney Frank Garza clarified that this ordinance formally repeals exclusivity of non-emergency ambulance transport services in the city and stipulates that providers of non-emergency transports must meet all state requirements. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-28

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING CHAPTER 12, ARTICLE XII, SECTION 12 BY ADDING AND AMENDING SECTIONS 12-1250 THROUGH 12-1253 OF THE CODE OF ORDINANCES, REGULATING AMBULANCE SERVICES IN THE CITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR RELATED MATTERS.

The motion passed by a vote of 5 ayes with 2 absent (Fowler and Hohenshelt).

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Fire Dept. Monthly Reports - August 2015
GIS Department Monthly Report - August 2015
Harbor PD Monthly Report - August 2015
Internal Operations Department Monthly Report - August 2015
Police Department Monthly Reports - August 2015
Recreation Monthly Report - August 2015
Rockwall Animal Adoption Center Monthly Report - August 2015

2. City Manager's Report

Mayor Pruitt thanked the city's Parks & Recreation Department for hosting a successful Rib, Rub and Run event this past Saturday. Also, over 950 hamburgers were served at the Fire Department Open House that took place over the weekend, an event that was also a large success. Mr. Crowley reminded everyone that the police department's Texas Night Out is scheduled in neighborhoods all around the city tomorrow night.

The city council did not recess into Executive Session following the conclusion of the public meeting agenda.

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding process and appointment to Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)

2. Discussion regarding appointments to city regulatory boards, commissions, or committees - interview candidates: Planning & Zoning Commission vacancy - pursuant to Section 551.074 (personnel matters)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The city council did not recess into Executive Session following the conclusion of the public meeting agenda.

XVI. ADJOURNMENT

The meeting was adjourned at 7:38 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 19th DAY OF OCTOBER, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **October 16, 2015**

SUBJECT: **Rockwall Downtown Project Change Order Request**

As the reconstruction of the Downtown Project nears completion, the Contractor is working on the section of Kaufman Street between San Jacinto Street and Fannin Street. While the engineering/architectural plans do not include replacement of City utilities in this area, the sanitary sewer line is in bad condition and needs to be replaced prior to replacing the concrete pavement over it.

Hill & Wilkinson Construction Group is the contractor for this project. There sub-contractor has quoted a cost of $75,587.79 to replace this section of sanitary sewer line. Staff requests City Council consideration to approve the charge order in the amount of $75,587.79 to Hill & Wilkinson Construction Group to replace the sanitary sewer line along Kaufman Street from San Jacinto Street to Fannin Street and take any action necessary. Funding will be taken from the 2008 water and Sewer Revenue bonds.

TMT:em

Attachment

Cc: Mary Smith, Assistant City Manager
Amy Williams, P.E., Assistant City Engineer
File

HILL & WILKINSON
GENERAL CONTRACTORS

Hill & Wilkinson Construction Group
2703 Telecom Parkway, Suite 120
Richardson, TX 75082

Proposed Change Order

Number: Two

Project: Rockwall Downtown
1010 East Rusk
Rockwall, TX 75087

Contract Number: 1036. Rockwall Downtown

Proposed Change Order #: 46-Sanitary Service in Kaufman Crossing Fannin

To (Contractor): Hill & Wilkinson Construction Group
2703 Telecom Parkway, Suite 120
Richardson, TX 75082

Change Order Date : 09/09/15

You are directed to make the following changes in this Contract:

C.O. Item	Change in Days	UM	Description	Unit Price	Amount
1		LS	Sanitary Service in Kaufman Crossing Fannin		67,682.00
			Total For Change Order before Add Ons:		67,682.00
			Subcontractor Default Ins.		1,015.23
			Genral Liability Insurance		643.01
			Builders Risk Ins		45.76
			Association Dues		69.39
			Maintenance After Completion		114.60
			Payroll Burden		0.00
			Fee		4,174.20
			P&P Bond		1,843.60
			Total For Change Order:		75,587.79

Authorized By Owner:
City of Rockwall Texas
385 S. Goliad
Rockwall, TX 75087

By: _____

Date: _____

Authorized by Architect:
La Terra Studio, Inc.
2109 Commerce Street
Dallas, TX 75201

By: _____

Date: _____

Authorized by Contractor:
Hill & Wilkinson Construction Group
2703 Telecom Parkway, Suite 120
Richardson, TX 75082

By: _____

Date: _____

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **October 12, 2015**

SUBJECT: **Purchase of a New Backhoe Loader for Water Department**

Approved in the Water and Sewer Fund, Water Operating budget, is $148,510 to purchase a new backhoe and trailer.

Budget is adequate to cover the cost of the Caterpillar Backhoe for a total price of $127,320. Once the Backhoe is delivered, the remaining budget will be used to buy the trailer to haul it.

This equipment is available from Holt CAT through the BuyBoard purchasing cooperative contract #424-13. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to the purchase of this new equipment.

For Council consideration is the Backhoe bid award to Holt CAT for $127,320 and authorizes the City Manager to execute a purchase order for this new equipment.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **October 12, 2015**

SUBJECT: **Purchase of a New Skid Steer for Streets Department**

Approved in the General Fund Streets Operating budget, is $38,870 to purchase a new Skid Steer Loader.

Budget is adequate to cover the cost of the Caterpillar Skid Steer for a total price of $37,568. This equipment is available from Holt CAT through the BuyBoard purchasing cooperative contract #424-13. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to the purchase of this new equipment.

For Council consideration is the Skid Steer bid award to Holt CAT for $37,568 and authorizes the City Manager to execute a purchase order for this new equipment.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **October 12, 2015**

SUBJECT: **Purchase of a New CCTV Inspection Van for Sewer Department**

Approved in the Water and Sewer Fund, Sewer Operations budget is $220,000 to purchase a new CCTV Inspection Van. This vehicle/equipment will be used to video and record inside sewer lines to determine pipe condition allowing a preventative maintenance approach.

The Hi-Cube CCTV equipment is available from CUES and the Van from Caldwell Country Chevrolet through the H-GAC purchasing cooperative contracts SC01-15 and VE11-13 respectively. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to this purchase.

For Council consideration are bid awards to CUES at $191,255 and Caldwell Country Chevrolet at $28,600; total bid award of $219,855 for the CCTV Van and authorizes the City Manager to execute the purchase orders.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **October 12, 2015**

SUBJECT: **Purchase of a New VAC-CON Truck for Sewer Department**

Approved in the Water and Sewer Fund, Sewer Operations budget is $317,260 to purchase a new VAC Truck. This vehicle/equipment unit will be used to clean lift station pumps, perform hydro excavation and unclog lines and drains.

The unit is available from Freightliner/CLS Equipment Company, VAC-CON dealer through the H-GAC purchasing cooperative contract SC01-15. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to this purchase.

For Council consideration is the total bid award to Freightliner/CLS of $317,257.75 for this unit and authorizes the City Manager to execute the purchase order.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Brad Griggs, Assistant City Manager

FROM: Andy Hesser, Parks and Recreation Manager

DATE: October 14, 2015

SUBJECT: CONSTRUCTION MANAGER AT RISK CONTRACT FOR THE PARK AT STONE CREEK

On August 27, 2015, the City issued a public notice for a Request for Qualifications (RFQ) for qualified general contractors to provide Construction Manager at Risk (CMAR) services for the construction of The Park at Stone Creek. The CMAR process is a one that the City has used on many facility and park construction projects and has been very successful.

The total project budget is $647,800, of which $400,000 will be reimbursed from the Texas Parks and Wildlife Local Parks Grant funds. The remaining portion is funded by developer contributions in that park district.

The deadline for receiving RFQ responses was on September 11, 2015. The City also sent specific notices or invitations to contractors that we have worked with in the past or that were recommended by the project designer, MHS Planning and Design. At the deadline, the City received one qualified response from Dean Construction. Dean Construction has been in business over 24 years and has an impeccable reputation throughout Texas in the parks and recreation industry.

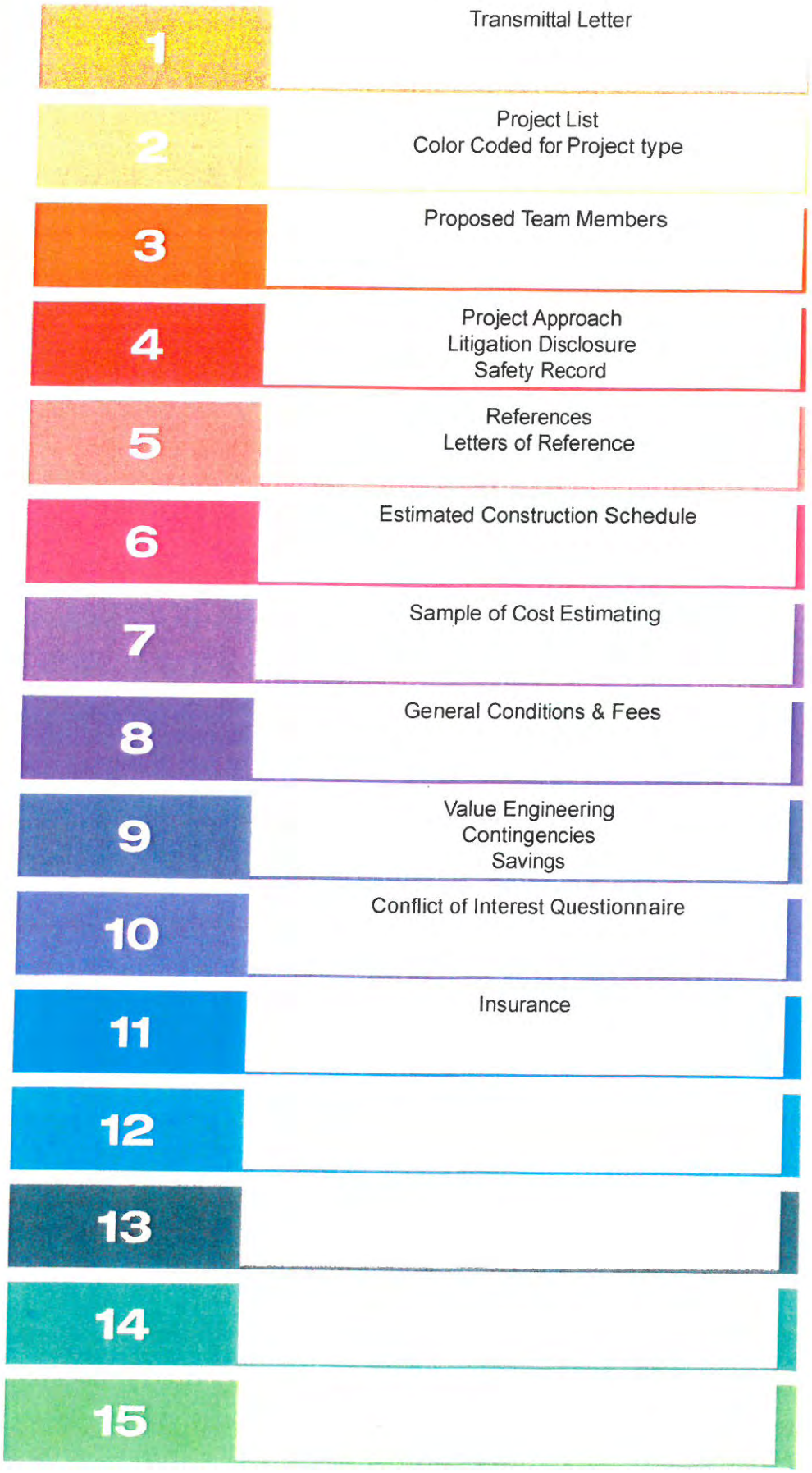
A copy of the RFQ, project budget and Dean Construction's proposal is included in your packet for review. The RFQ asks for experience on similar projects, references, as well as experience and approach to estimating and scheduling. It also asks for a proposed preconstruction services fee and General Conditions cost.

The Dean Construction proposed a 6% preconstruction services fee that provides scheduling, design and constructability recommendations during the design process and a guaranteed maximum price (GMP) to construct. The proposed general conditions cost is $42,800. Once a GMP is agreed upon, the contractor will proceed as scheduled.

The City Attorney is currently reviewing a draft of the CMAR contract. If the contractor successfully completes The Park at Stone Creek, the RFQ and contract includes a provision to award future similar projects such as The Park at Breezy Hill under the CMAR format. The timing of the completion of Stone Creek could coincide well with the beginning of The Park at Breezy Hill construction, thereby possibly minimizing mobilization and general conditions costs.

At the October 6th meeting, Park Board voted unanimously to recommend to City Council that they consider authorizing the City Manager to negotiate a Construction Manager at Risk contract with Dean Construction for the construction of The Park at Stone Creek.

Contingent on Council approval, the construction schedule would begin in December and be completed in May or June of 2016, weather permitting.


1
Transmittal Letter
2
Project List
Color Coded for Project type
3
Proposed Team Members
4
Project Approach
Litigation Disclosure
Safety Record
5
References
Letters of Reference
6
Estimated Construction Schedule
7
Sample of Cost Estimating
8
General Conditions & Fees
9
Value Engineering
Contingencies
Savings
10
Conflict of Interest Questionnaire
11
Insurance
12
13
14
15

September 18, 2015

Lea Ann Ewing

Purchasing Agent

City of Rockwall

385 S. Goliad

Rockwall, TX 75087

Dear Ms. Ewing,

We are honored to be considered for Construction Manager at Risk for Neighborhood Park Conctruction.

The proposal and statement of qualifications is offered for your consideration. We are certain you will find Dean Construction meets and exceeds your criteria for selection.

The proposal enclosed will remain in effect for a period of 90 days from September 18, 2015. I am looking forward to the opportunity of working with the City of Rockwall.

Sincerely,

Gregory Firebaugh

Gregory Firebaugh

President of Dean Electric INC. dba Dean Construction
701 Hall St.
Cedar Hill, TX 75104
Ph: 972-291-7153
Fax: 972-291-7172
Cell: 214-212-6328

Project's in Red font are CMR w/GMP by RFP
Blue font are Design/Build by RFP
Black font are Bid

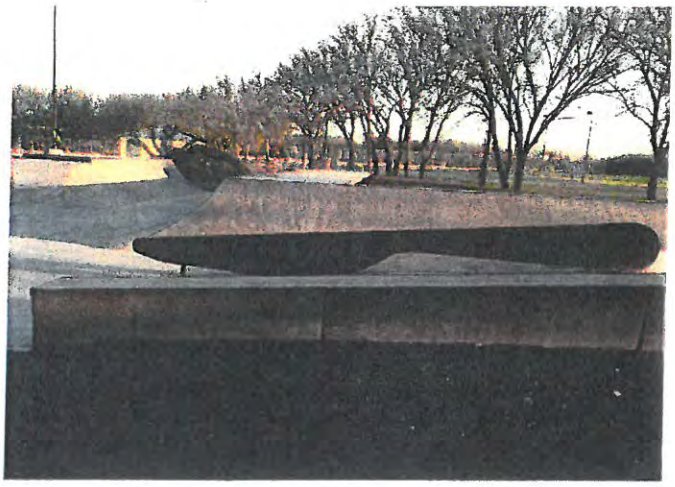
Bartlett Soccer Complex
550 Summercrest
Burleson, TX 76028
Project under Construction
City of Burleson
141 W. Renfro Dr.
Burleson, TX 76028
Contact: Peter Krause
817-295-8168
Architect: GSBS
817-589-1722
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
Construction cost - $4,652,414.14

Bicentennial Park Phase II
450 W. Southlake Blvd.
Southlake, TX
Project Completed August 2015
City of Southlake
400 N. White Chapel Blvd.
Southlake, TX
Contact: Peter Kao
817-748-8607
Architect: Schrickel Rollins & Associates
817-640-8212
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
Construction cost - $12,320,196.00



Project's in Red font are CMR w/GMP by RFP
Blue font are Design/Build by RFP
Black font are Bid

Roanoke Skate Park
750 Cannon Parkway
Roanoke, TX 76262
Project Completed January 2015
Skate Board Park
City of Roanoke
108 S. Oak St
Roanoke, Tx 76262
Contact: Ronnie Angel
817-491-2411
Architect: Dunkin Sims
214-553-5778
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - $1,851,869.00



Murphy Community Park Phase I
510 N. Murphy Road
Murphy, TX
Project Completed
Community Park
City of Murphy
206 N. Murphy Road
Murphy TX
Contact: Kim Lenoir
972-468-4068
Architect: Dunkin Sims Stoffels, Inc.
Contact: Bob Stoffels
214-553-5778
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction Cost - $3,500,000.00

Project's in Red font are CMR w/GMP by RFP
Blue font are Design/Build by RFP
Black font are Bid

High Point/Carpenter Park
6500 Alma Drive, 6701 Coit Road
Plano, TX
Project Completed August 2013
Community Park
City of Plano
1709 K Avenue
Plano, TX 75074
Contact: Kevin Murray
972-941-7168
Architect: LaTerra Studio
Contact: Kris Brown
214-749-0333
General Contractor (bid), Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction Cost - $2,734,185.00

Gabe Nesbitt
7001 El Dorado Pkwy.
McKinney, Tx
Project Completed May 2013
Skate Park & Ball Fields
City of McKinney
222 N. Tennessee St.
McKinney, Tx
Contact: Patricia Jackson, P.E.
972-547-7439
Architect: LanArc Design, INC
214-733-8805
Design/Build Contractor by RFP: Dean Construction
701 Hall St.
Cedar Hill, Tx
Construction cost – $3,729,500.00

Project's in Red font are CMR w/GMP by RFP
Blue font are Design/Build by RFP
Black font are Bid

Rockwall Technology Park
2600 Observation Trail
Rockwall, TX
Project Completed February 2013
Linear Park
Rockwall Economic Development Corp.
697 East Interstate 30
Rockwall, TX
Contact: Ken Keeton, Project Manager
972-772-0025
Architect: MHS Planning & Design, LLC
903-597-6606
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - $198,000.00

Chase Oaks Trail Connector at Rowlett Creek
7300 Central Expressway
Plano, TX
Project completed January 2013
Pedestrian Trail
City of Plano
1520 K Avenue
Plano, TX
Contact: Renee Burke Jordan, Project Manager
972-941-7000
Architect: BW2 Engineers, Inc.
972-864-8200
General Contractor (bid), Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - $468,243.03



Project's in Red font are CMR w/GMP by RFP
Blue font are Design/Build by RFP
Black font are Bid

Whites Branch Park and Trail
500 Western Center Blvd.
Haltom City, TX
Project completed August 2012
Park and trail
City of Haltom City
5024 Broadway Blvd.
Haltom City, TX
Contact: Tom Henry, Director of Parks & Recreation
817-831-6710
Architect: MHS Planning & Design LLC
903-597-6606
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - $881,580.76

Hillsboro City Park
200 Milford Road
Hillsboro, TX
Project completed August 2012
Linear Park
City of Hillsboro
214 E. Elm Street
Hillsboro, TX
Contact: John Graham, Parks/Public Works/Streets
254-582-3478
Architect: MHS Planning & Design LLC
903-597-6606
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - $979,900.00

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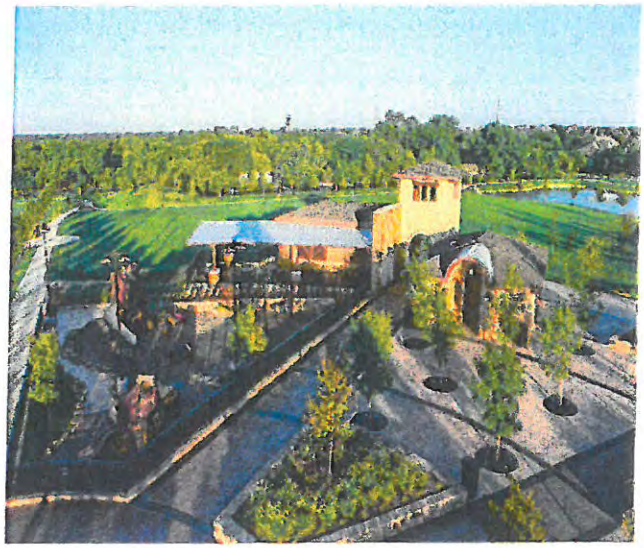
Project's in Red font are CMR w/GMP by RFP
Blue font are Design/Build by RFP
Black font are Bid

North Park
200 E. Dove Road
Southlake, TX
Project completed July 2012
Community Park
City of Southlake
400 N. White Chapel Blvd.
Southlake, TX
Contact: Peter Kao
817-748-8607
Architect: Schrickel Rollins & Associates
817-640-8212
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Selection by RFP
Construction cost - $6,631,811.66



Forney Community Amphitheater
241 S. FM 548
Forney, TX
Project completed June 2012
Amphitheater
City of Forney
715 Mulberry
Forney, TX
Contact: Richard Curry, Director of Parks & Recreation
972-564-7300
Architect: Schrickel Rollins & Associates
817-640-8212
General Contractor, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
Design/Build Contractor by RFP
Construction cost - $2,390,462.00



Project's in Red font are CMR w/GMP by RFP
Blue font are Design/Build by RFP
Black font are Bid

Meadowmere Boat Ramp
3013 Meadowmere Lane
Grapevine, TX
Project completed October 2011
City Park
City of Grapevine
501 Shady Brook Drive
Grapevine, TX
Contact: Doug Evans, Director Parks & Recreation
817-410-3120
Architect: MHS Planning & Design
903-597-6606
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Selection by RFP
Construction cost - $387,053.55

Rush/Sublett Creek Linear Park
2310 W. Sublett Rd./6727 Big Springs Dr.
Arlington, TX
Project completed October 2011
Linear Park
City of Arlington
717 W. Main Street
Arlington, TX
Contact: Kurt Beilharz, ASLA
817-459-5478
Architect: Schrickel Rollins & Associates
817-649-3216
General Contractor (bid), Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Selection by bid
Construction cost - $767,952.00

44

Project's in Red font are CMR w/GMP by RFP
Blue font are Design/Build by RFP
Black font are Bid

B.F. Phillips Community Park Phase 3
3345 4th Army Memorial
Frisco, TX
Project completed September 2011
Dog Park
City of Frisco
6101 Frisco Square Blvd.
Frisco, TX
Contact: Wes Hicks, Parks Project Coordinator
972-292-6516
Architect: Land Design Partners
972-386-0630
General Contractor (bid), Dean Construction
701 Hall Street
Cedar Hill, TX 75101
972-291-7153
Selection by bid
Construction cost - $520,631.80

Bicentennial Park
450 W. Southlake Blvd.
Southlake, TX
Project completed September 2011
Restroom/concession/tennis courts
City of Southlake
400 N. White Chapel Blvd.
Southlake, TX
Contact: Peter Kao
817-748-8607
Architect: Schrickel Rollins & Associates
817-640-8212
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Selection by RFP
Construction cost - $10,531,808.27

45

Project's in Red font are CMR w/GMP by RFP
Blue font are Design/Build by RFP
Black font are Bid

Joshua City Park
831 N. Main Street
Joshua, TX
Project completed October 2010
Community Park
City of Joshua
Contact: Mike Peacock
817-558-7447
Architect: MHS Planning & Design
903-597-6606
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - $2,336,822.00



Chisenhall Farm Sports Complex
500 Chisenhall Park Lane
Burleson, TX
Project completed August 2010
Sports complex
City of Burleson
Contact: Peter Krause
817-295-8168
Architect: HNTB
214-748-8400
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost – $13,500,000.00



Project's in Red font are CMR w/GMP by RFP
Blue font are Design/Build by RFP
Black font are Bid

Roanoke Soccer Complex
505 Roanoke Road
Roanoke, TX
Project completed July 2010
Soccer Complex
City of Roanoke
Contact: Ronnie Angel
817-837-9930
Architect: Dunkin Sims Stoffels
214-553-5778
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - $1,934,987.30

Pecan Grove Park Phase II
Canyon Creek Drive
Sherman, TX
Project completed June 2010
Community Park
City of Sherman
Contact: Kevin Winkler
903-892-7313
Architect: Dunkin Sims Stoffels, Inc.
214-553-5778
General Contractor (bid), Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - $2,168,268.00

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Project's in Red font are CMR w/GMP by RFP
Blue font are Design/Build by RFP
Black font are Bid

Forney Community Park
241 FM 548
Forney, TX
Project completed February 2009
Community Park
City of Forney
Contact: Richard Curry
972-552-2823
Architect: Schrickel Rollins & Associates
817-640-8212
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - $14,399,287.00



McPherson Park Final Phase
240 McDonwell School Road
Colleyville, TX
Project completed April 2009
Community Park
City of Colleyville
Contact: Monica Walsh
817-503-1182
Architect: Newman Jackson Bieberstein
972-233-2033
General Contractor (bid), Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - $1,600,000.00



Project's in Red font are CMR w/GMP by RFP
Blue font are Design/Build by RFP
Black font are Bid

West Lawther Hike & Bike Trail
3800 Garland Road
Dallas, TX
Project completed July 2009
Public trail for bikes & hikers
City of Dallas
Contact: Richard Stauffer
214-670-4105
Architect: Carter Burgess
214-638-0145
General Contractor (bid), Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - $4,900,000.00

B.F. Phillips Community Park
3335 Fourth Army Memorial
Frisco, TX
Project completed 2008
Sports complex
City of Frisco
Contact: Dudley Raymond
972-335-5517
Architect: Jacobs Carter Burgess
469-287-5364
General Contractor (bid), Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - $6,500,000.00

49

Project's in Red font are CMR w/GMP by RFP
Blue font are Design/Build by RFP
Black font are Bid

Russell Creek Park & Cheyenne Park
2401 Mission Ridge & 3500 McDermot
Plano, TX
Project completed August 2008
Baseball/soccer complex
City of Plano
Contact: Kevin Murray
972-841-7265
Architect: LaTerra Studios
214-749-0333
General Contractor (bid), Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - $1,600,000.00

Wattley Park
1098 Charleston Street
McKinney, TX
Project completed February 2008
Soccer Refurbish
City of McKinney
Contact: Steve Brainerd
972-542-2675
Architect: LandArc Design
214-733-8805
General Contractor (bid), Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - $161,000.00

50

Project's in Red font are CMR w/GMP by RFP
Blue font are Design/Build by RFP
Black font are Bid

Archgate Park
6700 Archgate
Plano, TX
Project completed March 2008
Softball Complex
City of Plano
Contact: Bill Dakin
972-941-7000
Architect: Schrickel Rollins & Associates
817-640-8212
General Contractor (bid), Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - $7,536,177.00

McPherson Park
240 McDonwell School Road
Colleyville, TX
Project completed February 2008
Community Park
City of Colleyville
Contact: Monica Walsh
817-503-1182
Architect: Newman Jackson Bieberstein
972-233-2033
General Contractor (bid), Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - $1,926,253.00

Gregory "Greg" Firebaugh
5428 CR 206
Grandview, TX 76050

Professional Experience

President, Estimator, Project Manager – Dean Construction, Cedar Hill, Texas (1993 to Present)

- Off and on-site management from inception to completion for city parks, related facilities and buildings.
- Assist with daily coordination and communication with city representative, architect and all subcontractors.
- Assist with submittals, change orders, subcontracts, schedules and budgets.
- Perform plan take-offs and pricing calculations, bid presentation for approval.
- Identify and recommend time and cost savings options.

Owner, Manager – Fireball Construction, The Colony, Texas (1983 to 1993)

- Owner, Manager of residential and commercial fence installation business.
- Develop company policies and procedures for field and administration. Fully accountable for all management and activities of the business.

Manager, Operator – Panora Ready Mix, Panora, Iowa (1973 to 1983)

- Manage and eventually own family business.
- Drive and operate ready mix concrete trucks.

Professional Qualifications

- Master Electrician, 1999
- Tarrant County Junior College, various construction related classes including Blue Print Reading.
- Graduate, Panora High School, Panora, Iowa

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Joseph L. Yentes
2401 Conveyor Dr
Burleson, TX 76028
469-658-2568
joe@dean-construction.com

SURVEYOR • SUPERVISOR

Professionally trained and experienced land surveyor. Provide all land surveying services relating to boundaries, design, construction, and mapping. Typical services include corner searches, parcel maps, subdivisions, lot line adjustments, line staking, easement surveys/analysis, boundary agreements, boundary surveys, topographic mapping, commercial/ industrial surveys, global positioning surveys (GPS), and watercourse boundaries. Interprets blueprints and schematics; maintains impeccable records.

Skilled at supervising and assuring quality work of field surveyors; excellent employee relations.

Computer expertise includes Microsoft Office Suite, TDS Foresight, and Trimble software.

WORK EXPERIENCE

Dean Construction – Cedar Hill, Texas 2007 to Present

Supervisor/Construction Lay-out

Supervise projects on-site; coordinate work assignments with surveyor and subcontractors. Assure accurate measurements and accurate construction work.

Nathan D. Maier Consulting Engineers, Inc. – Dallas, Texas 1997 to 2007

Field Supervisor

Supervised three crews for new construction and addition projects; demonstrated and operated all GPS equipment; set up jobs; coordinated construction site requirements with contractors. Monitor plan preparation and specifications for approximately 30 water Treatment Plants and City Parks projects in Frisco, McKinney, Duncanville, Waxahachie and Colleyville.

Conducted all major boundary work, topographical surveys and construction layouts; monitored plan preparation and specifications for subdivisions, schools and parks.

TRAINING AND CERTIFICATION

Tyler Junior College – Surveyor Course

53

Victor Del Rio
1508 Lilac LN
Plano, TX 75074

Professional Experience

Construction Supervisor – Dean Construction, Cedar Hill, Texas (2014 to present)

- Schedule and assign personnel to projects.
- Responsible for company policy enforcement and safety procedure implementation.
- Direct and operate as required all construction equipment (backhoes, motor graders, box blades, trackhoe, scrapers, etc…).
- Schedule and order equipment rentals and materials.
- Conduct initial site assessments.
- Coordinate project management meetings.

Foreman – Dean Construction, Cedar Hill, Texas (2006 to 2014)

- Manage construction crews of up to 10 finishers, form setters, concrete place and finishers and other labor personnel.
- Performed all duties of crew supervisor and equipment operation
- Scheduling, instruction and training of all field personnel
- Responsible for company policy enforcement and safety procedure implementation.

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Project Approach, Litigation disclosure & Safety record

Dean Construction has over 24 years of experience. Our philosophy is to deliver the highest level of quality within the industry both on-time and within budget, and to assure that the standards of today's construction meet the stringent requirements set forth by the company's founder.

Our pre-construction staff provides clients with a wide variety of services from the earliest design stages through completed project design and beyond. An up-to-date cost database allows our preconstruction staff to develop an accurate project budget early in the design phase and maintain the given budget through design completion. Once plans have reached 50%, 75% and 100% we will provide a detail budget, at those times we will provide any cost saving construction solutions. Utilizing our own in-house expertise, we can also provide systems analysis, value engineering, and detailed document review/coordination to ensure the most cost-efficient and timely design.

Once plans are 100% with an agreeable budget, the next phase will commence. Design team or Dean will draft a bid form for subcontractors to bid on. Dean will advertise with local newspaper for two weeks before distributing plans for a bid. We will also be bidding on portions of the bid items ourselves. This process can save cities thousands of dollars and keep pricing competitive. We prefer and encourage clients to host bid opening at their facility. Once bids are in, the design team & Dean will work together to achieve GMP.

Dean has implemented this same process over 20 times in municipalities in the DFW area with very successful outcomes. We have never failed to reach a GMP or complete a project. We are a recognized leader in park construction and enjoy repeat invitations from the cities where we have previously worked. The municipalities in the DFW area realize building parks is our only business, and welcome our bids and/or proposals.

Dean Construction has never been involved in any litigation, debarment, suits or claims.

Dean Construction's accident frequency rate and modifier is .78 for the past five years. We have not been cited by OSHA or had any deaths.

References

Roanoke Skate Park
Owner: Ronnie Angel
Ph: 817-491-2411
Fax: 817-491-5411
LA: Bob Stoffels
Ph: 214-553-5778
Fax: 214-553-5781

Bicentennial Park Ph. 2
Owner: Peter Kao
Ph: 817-748-8607
Fax: 817-748-8027
LA: James Williams
Ph: 817-640-8212
Fax: 817-649-7645

Please see attached letter

Rush Creek Mitigation
Owner: Kurt Beilharz
Ph: 817-459-5478
Fax: 817-459-5495
LA: Henry Parker
Ph: 817-640-8212
Fax: 817-649-7645

Twin Coves Park Boat Ramp
Owner: David Bauer
Ph: 972-874-6308
Fax: 972-874-6460
LA: William Spencer
Ph: 903-597-6606
Fax: 903-597-0517

Murphy Community Park
Owner: Steven Ventura
Ph: 972-468-4068
Fax: 972-468-4168
LA: Dennis Sims
Ph: 214-553-5778
Fax: 214-553-5781

Bartlett Park Soccer Complex
Owner: Dalan Walker
Ph: 817-295-8168
Fax: 817-447-5338
LA: Sam Jones
Ph: 817-589-1722
Fax: 817-595-2916

Bonding Company – Southwest Assurance Group, INC.
Contact: Steve Rickenbacher
Ph: 214-691-5721
Fax: 214-691-4961

Please see attached letter

CITY OF
SOUTHLAKE

Department of Community Services

September 10, 2015

To Whom It May Concern:

The City of Southlake prides itself on quality throughout all its development projects. That quality starts with the people it employs and the contractors with which it works. I have the utmost respect for Dean Construction. The character of the staff is exceptional. The caliber of their people and thoroughness of the construction crews are outstanding. Dean Construction is very diligent and conscientious in all the work it does. Even when design firms ignore owner recommendations, make serious mistakes, or omit important details, I have confidence the project will be completed successfully when Dean Construction is involved.

Dean Construction has worked on several projects within Southlake and each has resulted in many accolades from the residents. Dean Construction responded quickly to many concerns and provided unique solutions to any issues that arose.

Dean Construction works extremely well with engineers and cooperates very professionally with owners to achieve an excellent project that is within budget.

If you should have any questions regarding the qualifications of Dean Construction, I would be happy to ensure you that they will provide the best work possible.

Sincerely,

Peter Kao, P.E.
Construction Project Manager
City of Southlake
817-748-8607: Office
214-457-9649: Mobile

SOUTHWEST ASSURANCE GROUP, INC.

K & S Group, Member

September 1, 2015

To whom it may concern:

We have serviced the bonding requirements of Dean Construction for over 30 years. The company has a well-earned reputation for integrity and quality and has received praise from municipalities, architects and subcontractors for taking the high road in all relationships.

Needless to say, we certainly recommend positive consideration of Dean Construction for your upcoming project.

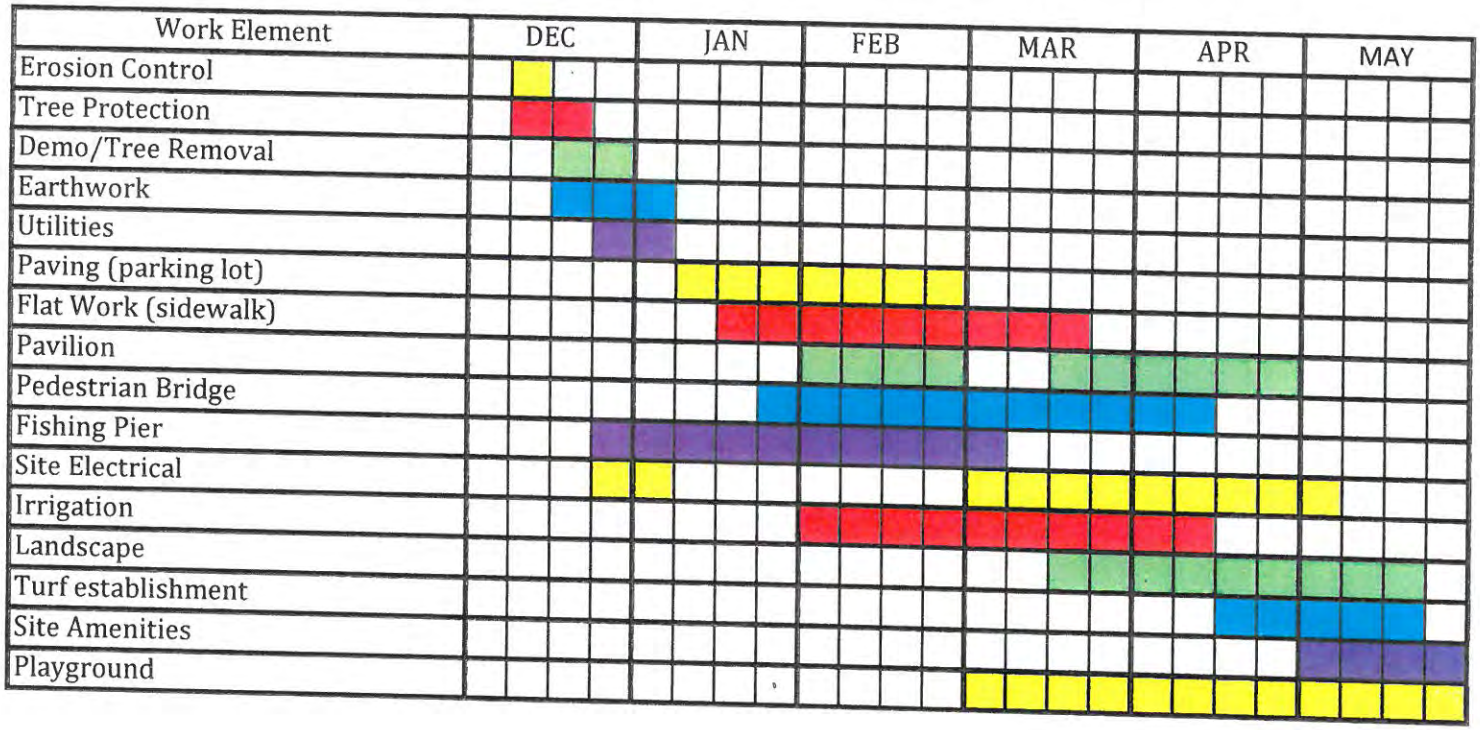
Very truly yours,

Steve Rickenbacher

12201 Merit Drive, Suite 220, Dallas, Texas 75251 • 214-691-5721 Fax 214-691-4961

Park at Stone Creek, City of Rockwall, TX

Estimated Schedule



59

95% Budget for Twin Coves Park

Demo, tree removal & earthwork	$80,000.00
Asphalt removal	$120,000.00
Utilities	$845,000.00
Erosion control	$12,400.00
Cement treated base	$97,200.00
Street / RV parking	$475,000.00
Concrete trail	$28,500.00
Day use parking	$41,200.00
Striping	$20,000.00
Trailer pads	$30,000.00
Masonry retaining walls	$78,047.00
Irrigation, landscape & turf	$260,000.00
Stairs	$27,050.00
Decks	$2,500.00
H/C Ramps	$13,975.00
Trash can pads	$8,824.00
RV patio area / amenities	$54,000.00
RV underpinning	$24,900.00
Signage	$10,000.00
Vinyl coated chain link fence	$14,000.00
Flexbase yard	$20,000.00
Hand clearing	$25,000.00
Turf maintenance	$25,000.00
Tree protestion	$10,000.00
electrical	$285,000.00
Power company charges	$30,000.00
Sub Total	$2,637,596.00
contingency 5%	$131,880.00
Sub Total	$2,769,476.00
General conditions / Fee	$319,874.00
Total	$3,089,350.00

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Construction Manager A-Risk

Bid Proposal

RFP# Park @ Stone Creek

Item #	Item/Description – Fees	Notes	Total
	Contracting Consultant		
1	Pre-Construction Fee		-0-
2	Construction Services Percentage:		-0-
	- Percentage		6%
	- Amount		$36,420.00
3	Field & Office Stage		$33,000.00
4	General Conditions – Lump Sum (from line 53 below)		$42,800.00
5	Total Cost = (Pre-Construction = Construction Services + Field & Office Staff + General Conditions) =		$112,220.00
	On-Site Field Staff		
6	Project Manager		$5,000.00
7	Superintendent		$22,000.00
8	Project Engineer		$6,000.00
9	Admin		
10	Other Field Office Staff		
11	Other Field Office Staff		
12	Subtotal – On-site Field Office Staff		$33,000.00
13	Percentage of time Personnel Dedicated to this Project:		
	Project Manager:		25%
	Superintendent:		100%
	General Conditions		
14	Field Engineer Labor		$5,000.00
15	Field Engineering Equipment & Supplies		$3,000.00
16	Field Project Office		$2,500.00
17	Temporary Fire Extinguishers, Safety Equipment & Labor		$500.00
18	Office Furniture		-0-
19	Office Supplies		$500.00
20	Postage/Fed Ex Courier Services		$150.00
21	Miscellaneous Documents		$600.00
22	Copy Machine & Paper		-0-
23	Office Equipment		-0-
24	Telephone & Fax Service		$500.00
25	Janitorial Services		-0-
26	Construction Clean Up		$4,200.00
27	Miscellaneous Small Tools and Consumables		-0-
28	Vehicle Rental		$3,000.00
29	Vehicle Fuel, Maintenance and Repair		$2,000.00

Item #	Item/Description – Fees	Notes	Total
30	Vehicle Insurance		$500.00
31	All Risk Builders Insurance		-0-
32	General Commercial Liability Insurance		$300.00
33	All Other Insurance in Addition to CGL Required		$1,600.00
34	Building Permit Fee		FBO
35	Construction, Equipment Freight & Insurance Charges		-0-
36	Independent Testing & Inspection		FBO
37	Final Clean Up		$2,800.00
38	Special Testing Equipment		-0-
39	Travel		-0-
40	Temporary Sanitary Facilities		$800.00
41	Barricades, Protection, Runs, Safety Rails		-0-
42	A & P Equipment Trailer		-0-
43	General Handling & Hoisting, Fuel & Maintenance		-0-
44	Dumpsters (excludes Demo, Masonry, Drywall)		$2,800.00
45	Computers		-0-
46	Contractor Bond		$10,650.00
47	Contractor Insurance		$600.00
48	Other: Job Site Utilities		-0-
49	Other: Scheduling		-0-
50	Other: Securities		-0-
51	Other: Ice/Water		-0-
52	Other: Project Sign		$800.00
53	**Total of General Conditions**		$42,800.00
54	Insurance Rate Modifier		.87
55	Amount of Commercial General Liability		$2,000,000.00

Value Engineering, Contingencies & Savings

While Dean reviews the plans for budgeting, we will also identify and propose removal of any unnecessary expenditures. Thereby increasing the value for city and/ or the citizens. One of the most common examples of cutting expense is adding two inches of concrete to parking lot in lieu of cement or lime stabilization. By accepting this design change the client general finds themselves saving half the cost of stabilization.

Contingencies are for additional work or changes to the plans only. Any unused contingencies are returned to the Owner.

If any saving is realized during the construction phase of this project, Dean will notify design team and city. We will return any and all funds to the owner.

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CONFLICT OF INTEREST QUESTIONNAIRE — FORM CIQ

For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. *See* Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of person who has a business relationship with local governmental entity.

N/A

2 ☐ Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3 Name of local government officer with whom filer has employment or business relationship.

N/A

Name of Officer

This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

☐ Yes ☐ No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

☐ Yes ☐ No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

☐ Yes ☐ No

D. Describe each employment or business relationship with the local government officer named in this section.

4

Gregory Finberg

Signature of person doing business with the governmental entity

9-18-15

Date

Adopted 06/29/2007

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 8/31/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Sherrel Breazeale
Southwest Assurance Group, Inc. 12201 Merit Drive, Ste 795 Dallas TX 75251	PHONE (A/C, No, Ext): 214-691-5721 X-105 FAX (A/C, No): 214-691-4961 E-MAIL ADDRESS: sowston@southwestassurance.com

INSURED	INSURER(S) AFFORDING COVERAGE	NAIC #
Dean Electric, Inc. dba Dean Construction 701 Hall Street Cedar Hill TX 75104	INSURER A: Employers Mutual Casualty Co	21415
	INSURER B: Great American Insurance Co.	16691
	INSURER C: Texas Mutual Insurance Co.	22945
	INSURER D: Continental Casualty Insurance	20443
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:2015/2016** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY [X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [ ] POLICY [X] PRO-JECT [ ] LOC			4D17101-16	3/31/2015	3/31/2016	EACH OCCURRENCE	$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 300,000
							MED EXP (Any one person)	$ 10,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
							PRODUCTS - COMP/OP AGG	$ 2,000,000
								$
	AUTOMOBILE LIABILITY [X] ANY AUTO [ ] ALL OWNED AUTOS [ ] SCHEDULED AUTOS [X] HIRED AUTOS [X] NON-OWNED AUTOS [X] HCPD			4E17101-16 $1,000 Collision Ded. $1,000 Comprehensive Ded.	3/31/2015	3/31/2016	COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
							PIP-Basic	$ 5,000
B	[ ] UMBRELLA LIAB [X] OCCUR [ ] EXCESS LIAB [ ] CLAIMS-MADE [ ] DED [X] RETENTION $ 10,000			SBU596585609	3/31/2015	3/31/2016	EACH OCCURRENCE	$ 3,000,000
							AGGREGATE	$ 3,000,000
								$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N [N] (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		TSF0001178134	3/31/2015	3/31/2016	[x] WC STATU-TORY LIMITS [ ] OTH-ER	
							E.L. EACH ACCIDENT	$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000
D	Builders' Risk Rented/Leased Equip			5084274505	3/31/2015	3/31/2016	Builders' Risk - Limit	$13,000,000
							R&L Equip - Each Occurrence	$200,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Blanket Certificate good for all work performed by the named insured. See attached for details regarding additional insured/waiver of subrogation and special forms/coverage.

CERTIFICATE HOLDER

City of Rockwall
Purchasing Department
385 S. Goliad
Rockwall, TX 75087-3737

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

S Rickenbacher/SHEREL

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COMMENTS/REMARKS

NAMED INSURED: Dean Electric, Inc. dba Dean Construction
POLICY TERM: March 31, 2015 to March 31, 2016

ADDITIONAL INSURED -
The policies include a blanket automatic additional insured endorsement that provides additional insured status only when there is a written contract that requires such status. The additional insured status is provided to those parties listed in the contract requiring such. Listed are the forms that are attached to the named insured's policies. Additional Insured coverage is provided per the terms and conditions of these forms.
•General Liability - #CG7482.3 1-08
•Auto Liability - #CA7270 3-07
•Umbrella Liability - #GAI 6079 10 98

WAIVER OF SUBROGATION -
The policies include a blanket automatic waiver of subrogation endorsement that affords a waiver of subrogation only when there is a written contract that requires such status. A waiver of subrogation is afforded to those parties listed in the contract requiring such. Listed are the forms that are attached to the named insured's policies. Waiver of subrogation coverage is provided per the terms and conditions of these forms.
•Workers' Compensation - #WC 42 03 04 A
•General Liability - #CG7555 11-04
•Auto Liability - #CA7218 8-99
•Umbrella Liability - Follow Form

OTHER COVERAGES must be required by a written contract -
•PRIMARY/NONCONTRIBUTORY COVERAGE for ongoing and completed operations per the terms and conditions of #CG7482.3 1-08.
•PER PROJECT GENERAL AGGREGATE LIMIT is provided per the terms and conditions of Form #CG7429 11-98.
•X,C & U (EXPLOSION, COLLAPSE & UNDERGROUND) is not excluded from the General Liability policy and is per the terms and conditions of General Liability Coverage Form #CG 00 01 12 07.
CONTRACTUAL LIABILITY coverage is standard and may not cover all liabilities assumed by the named insured under its contract with you and is per the terms and conditions of General Liability Coverage Form #CG 00 01 12 07.

When contract documents are provided for review, only the insurance requirements contained in the contract are reviewed. The scope of our review is to determine if the current insurance program in place for the named insured addresses the types and amounts of insurance coverage referenced by the contract. We identified the significant insurance obligations. Our agency is not providing legal advice or a legal opinion concerning any portion of the contract. In addition, our agency is not undertaking to identify all potential liabilities that may arise under this contract. The review is provided for the information of the named insured and should not be relied upon by third parties. Any descriptions of insurance coverages are subject to the terms, conditions, exclusions and other provisions of the policy and any applicable regulations, rating rules or plans.

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CITY OF ROCKWALL
REQUEST FOR QUALIFICATIONS

Construction Manager at Risk for Neighborhood Park Construction

Response Submittal Deadline: September 18, 2015
Prior to 4:00 PM CST

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SECTION 1 – Request for Qualifications

PURPOSE

The City of Rockwall ("The City") a local City of the State of Texas, established under Chapter 379B of the Texas Local Government Code is soliciting Requests for Qualifications (RFQ) under both the Texas Professional Services Procurement Act "TPSPA", Government Code Chapter 2254 and Texas Government Code Chapter 2269, to qualify contractors for the construction of neighborhood park facilities is being used as the basis for the selection of the Construction Manager at Risk (CM at Risk).

This will be a **"one-step"** procurement pursuant to Texas Government Code Chapter 2269, Sections 2269.253 and 2269.254. It is the sole initial intent of this RFQ to determine only the most qualified construction firm to which the City could then negotiate with to contract for these varied construction manager-at-risk services for current and future like projects. Qualifications Proposals shall be accepted until September 18, 2015 at the following: City Hall 385 S. Goliad St. Rockwall Texas 75087.

1.1 General Instructions

Request for Qualifications for Construction Manager at Risk for neighborhood park construction services.

The City is requesting responses from qualified General Contractors to provide pre-construction services (i.e., budget estimates, constructability and value engineering suggestions, construction schedules, etc.) during the design phase and, upon completion of the design, provide a Guaranteed Maximum Price (GMP) and act as General Contractor for the construction of an 11 acre neighborhood park.

The awarded firm/team may be required to coordinate with the City and/or its consultants for all project related activities during the various assignments associated with this contract.

A Pre-proposal Conference is scheduled for September 11, 2015, 9:00 AM CST in the Council Conference Room at 385 S. Goliad St. Rockwall Texas. A related site visit will follow the Pre-proposal Conference. Interested Contractors are encouraged to attend.

Responses to this RFQ must be received by the City, Attn: Lea Ann Ewing, PRIOR TO 4:00 PM CST, September 18, 2015. Any Response received after this time shall not be considered and will not be opened. The mailing address is as follows:

Attn: Lea Ann Ewing, Purchasing Agent
City of Rockwall
385 S. Goliad St.
Rockwall TX, 75087

Please submit one (1) original and six (6) copies of the RFQ response, and identify each as an original or copy accordingly. Responses sent to the City are subject to disclosure pursuant to the Open Records Act, Government Code, Chapter 552. All timely responses become the property of the City upon receipt and shall not be returned. Any information deemed to be confidential by Respondent should be clearly noted on the page(s) where the confidential information is contained. The City, however, cannot guarantee that it will not be compelled to disclose all or part of any public record under the Texas Public Information Act, since information deemed to be confidential by the Respondent may not be considered confidential under Texas law, or pursuant to a Court Order. The materials submitted must be enclosed in a sealed envelope box or container; the package must show clearly the submittal deadline; and the name and the return address of the Respondent must be clearly visible.

Respondents submitting qualifying responses, including their agents and representatives, shall not lobby or contact any member of the City Council or City Staff except in the course of the City-sponsored inquiries, briefing, interviews and presentations between the qualification statement submission date and award by the City Board of Directors. Questions regarding this solicitation will be directed, in writing only, to the Purchasing Department, and may be submitted by email to: Lewing@rockwall.com; or by Fax to: 972-771-7728. Include the title of this RFQ (Neighborhood Park Construction). Verbal questions are not permitted other than during City-sponsored inquiries, briefings, interviews and presentations. Any violation of this provision may result in disqualification of the submitting firm. Questions concerning the projects included in this RFP are to be submitted in writing no later than 4:00PM CST, September 18, 2015.

Entities submitting qualifying responses shall execute by signature the attached Non-Conflict of Interest and return the signed affidavit with their response.

The selected Firm/Team will be required to execute a Construction Manager at Risk services agreement with the City.

The selected Firm shall carry insurance in the types and amounts specified by the City for the duration of the Agreement, and furnish certificates of insurance along with copies of policy declaration pages and policy endorsements as evidence thereof.

Respondent understands and agrees that this RFQ is issued predicated on anticipated requirements for the *Neighborhood Park Construction,* and that the City has made no representation, written or oral, that any such requirements be furnished under a Contract arising from this RFP. Furthermore, Respondent recognizes and understands that any cost borne by the Respondent which arises from Respondent's performance hereunder shall be at the sole risk and responsibility of Respondent.

1.2 City Rights

A. If only one or no submittal is received by "submission date", the City has the right to reject, re-propose, accept and/or extend the RFQ by up to an additional two (2) weeks from original submission date.
B. The right to reject any/or all submittals and to make award as they may appear to be advantageous to the City.

C. The right to hold any submittals for 90 days from submission date without action, and to waive all formalities in RFQ, and any submittal irregularities.
D. The right to extend the time for award beyond the original 90-day period, if agreed upon in writing by both parties and if Proposal is held firm.
E. The right, in any resulting contract, to terminate all or any part of the unfinished portion of any awarded work resulting from this solicitation with advanced thirty (30) days written notice; upon default by the firm, for delay or non-performance by the firm, or if it is deemed in the best interest of City for convenience.
F. The City reserves the right to request additional information, clarification of information submitted or to meet with representatives from responding organizations to discuss Qualifications after submission, any and all of which may be used in forming a staff recommendation to the Board for selection.

1.3 Addendum

Any City interpretation, correction, or change of the RFQ will be made by ADDENDUM. Changes or corrections will be issued by the Purchasing Agent. Addenda will be emailed to all who have returned the RFQ Acknowledgement Form. Addenda will be issued as expeditiously as possible. It is the responsibility of the proposers to determine whether all addenda have been received. It will be the responsibility of all respondents to contact the City prior to submitting a response to the RFQ to ascertain if any addenda have been issued, and to obtain any and or all addenda(s), execute them, and return addenda with the response to the RFQ.

Section 1.4 The City's Approach

The Neighborhood Park Construction project is being used as the basis for the selection of the CM @ Risk. However, it is the City's intention to give the selected CM @ Risk the opportunity to participate in a similar role on similar types of projects.

The following steps will be taken if the CM @ Risk is selected based upon the criteria stated in Section 4:

1. The initial project budget will be established using the funds available for each neighborhood park construction project.
2. The CM @ Risk will continue to provide preconstruction services (i.e., budget estimates, value engineering, constructability reviews, etc.) through the Design Development and Construction Document Phases to keep the project within the established budget.
3. Upon completion of the bid documents, the CM @ Risk will bid out, with the City's oversight, the costs of the work to subcontractors in accordance with Government Code Section 2269.255.
4. Upon identification of the qualified bidder for each trade package, the CM@R will total up the costs of the work, add in the predetermined general conditions costs and apply the CM@R's predetermined fee.
5. Exhibit A – Site Plan
6. Exhibit B – Project Budget

SECTION 2 - Notice to Respondents

City is accepting proposals from qualified firms in accordance with the terms, conditions and requirements set forth in this Request for Qualifications ("RFQ"). This RFQ provides sufficient information for interested parties to prepare and submit responses for consideration by the City. All provisions in Respondent's qualifications statement, shall remain valid for ninety (90) days following the deadline for submissions or, if a response is accepted, throughout the entire term of the contract.

RESPONDENTS ARE CAUTIONED TO READ THE INFORMATION CONTAINED IN THIS RFP CAREFULLY AND TO SUBMIT A COMPLETE RESPONSE TO ALL REQUIREMENTS AND QUESTIONS AS DIRECTED.

SECTION 3 – Commitment

Respondent understands and agrees that this RFQ is issued predicated on anticipated requirements for the CM @ Risk and that the City has made no representation, written or oral, that any such requirements be furnished under a Contract arising from this RFQ. Furthermore, Respondent recognizes and understands that any cost borne by the Respondent which arises from Respondent's performance hereunder shall be at the sole risk and responsibility of Respondent.

SECTION 4 – Selection Criteria

4.1 Selection Criteria

The City will conduct a comprehensive, fair and impartial evaluation of all responses received in response to this RFP. Responses will be evaluated by the appropriate City staff for the purpose of seeking the proposal that provides the best overall value to the City. The criteria for evaluation of responses, and selection of the qualified respondent(s), will be based on the factors listed below. If the City elects to conduct interviews, Respondents may be interviewed and re-scored based upon these same criteria. The City may also request additional information from Respondents at any time prior to final approval of a selected Respondent. Respondents are requested to submit a complete response to each of the following Criteria. Responses requiring additional space should be brief and submitted as an attachment to your submittal package. Please reference each response by its corresponding item number. ***City reserves the right to select one or more, or none of the Respondents to provide the services.*** **Final approval of a selected Respondent is subject to the action of the City Council.**

Note: Please divide your proposal into the following sections.

No. 1 - CRITERION: Qualifications and Experience (maximum points – 50)

a. Within the last seven (7) years, provide list of similar types of projects (i.e. public park construction that generally includes site grading, concrete trails, electrical, picnic structures, playground installation, electrical, irrigation, turf grass, trees and native plant establishment, etc.). Include references with complete contact information of owners, architects, engineers, and size of project.
b. Provide list of projects in which similar types of Construction Manager at Risk with a Guaranteed Maximum Price service were provided (i.e., estimating, value engineering, constructability reviews, scheduling, etc.). Include references with complete contact information.
c. Provide list of the proposed Team Members, resumes and length of service with firm. City will evaluate the FIRM's personnel experience of the key management staffing that will be used on this Project as it relates to the FIRM's understanding and capability of successfully staffing and managing the project to completion.
d. Summarize the project approach used to provide cost effective construction solutions.
e. Litigation and debarment disclosure.
f. Safety record.
g. References. FIRM's submitting a Response shall provide a list of Owner references complete with names and telephone numbers where CM@Risk projects similar to that described herein have been completed. At least five (5) of the Owner references should be from projects listed in the "Past Performance" section of the RFQ. City intends to call some or all of the references submitted.

No. 2 - CRITERION: Estimating and Scheduling Expertise (maximum points – 50)

1. In order to demonstrate the Contractor's expertise in providing cost effective construction of this type of project the following items should be prepared based upon schematic design plans for the Park at Stone Creek:
    a. Sample of Construction Schedule.
    b. Sample of Cost Estimates – the intent is to see the nature and format of the cost information provided to the Owner.
        i. Cost Estimates – provide an example of cost estimates typically prepared during the design phase of a project and the construction phase.
            1. Labor costs should be based upon prevailing wages.
            2. Material costs should exclude sales tax.
        ii. General Conditions costs based upon project scope and schedule.
        iii. Fees as a % of total estimated costs.
        iv. Value Engineering approach including examples proposed for this project or on prior similar projects.
        v. Contingencies – describe your FIRM's approach for cost contingencies during design and during construction. What is your approach for the disposition of contingency funds after project completion?
    c. Savings – describe your FIRM's concept for the disposition of savings realized during construction.

A City Selection Review Committee intends to use the qualifications submitted by interested companies to initially pre-qualify not more than five (5) companies for the next interview phase of the Procurement. Based on the submittals and Interviews, the City staff will make a recommendation to the City Council.

City of Rockwall
Minimum Insurance Requirements

Requirements

Contractors performing work on City property or public right-of-way for the City of Rockwall shall provide the City a certificate of insurance evidencing the coverages and coverage provisions identified herein. Contractors shall provide the City evidence that all subcontractors performing work on the project have the same types and amounts of coverages as required herein or that the subcontractors are included under the contractor's policy. The City, at its own discretion, may require a certified copy of the policy.

All insurance companies and coverages must be authorized by the Texas Department of Insurance to transact business in the State of Texas and must be acceptable to the City of Rockwall.

Listed below are the types and amounts of insurance required. The City reserves the right to amend or require additional types and amounts of coverages or provisions depending on the nature of the work.

Type of Insurance	Amount of Insurance	Provisions
1. Commercial General (Public) Liability to include coverage for: a) Premises/Operations b) Products/Completed Operations c) Independent Contractors d) Personal Injury e) Contractual Liability	$500,000 each occurrence, $1,000,000 general aggregate; Or $1,000,000 combined single limits	City to be listed as additional insured and provided 30-day notice of cancellation or material change in coverage. City prefers that insurer be rated B+VI or higher by A.M. Best or A or higher by Standard & Poors
1. Business Auto Liability	As required by State of Texas	
Workers' Compensation & Employers' Liability	Statutory Limits $100,000 each accident	City to be provided a waiver of subrogation

Questions regarding this insurance should be directed to the City of Rockwall Purchasing Department at (972) 772-6418.

A PURCHASE ORDER WILL NOT BE ISSUED OR CONTRACT EXECUTED WITHOUT EVIDENCE OF INSURANCE.

INSURANCE REQUIREMENT AFFIDAVIT
(SUPPLEMENTAL INFORMATION)

(To be completed by appropriate Insurance Agent)

I, the undersigned agent, certify that the insurance requirements contained in this proposal document have been reviewed by me with the below identified vendor. If the below identified vendor is awarded this contract by the City of Rockwall, I will be able, within ten (10) working days after being notified of such potential award, to furnish a valid insurance certificate to the City meeting all of the requirements contained in this proposal.

_____ _____
Agent's Signature Agent's Name Printed

_____
Name of Insurance Carrier

_____
Address of Agency

_____
City, State, Zip

_____
Phone number where Agent may be contacted

_____
Vendor's Name (please print or type)

SUBSCRIBED AND SWORN to before me by the above named _____

on this the _____day of _____, 20____.

_____
Notary Public in and for the State of _____.

NOTE TO AGENT:
IF THIS TIME REQUIREMENT IS NOT MET, THE CITY HAS THE RIGHT TO DECLARE THIS VENDOR NON-RESPONSIVE AND AWARD THE CONTRACT TO THE NEXT LOWEST PROPOSER MEETING THE SPECIFICATIONS. IF YOU HAVE ANY QUESTIONS CONCERNING THESE REQUIREMENTS, PLEASE CONTACT THE CITY OF ROCKWALL PURCHASING OFFICE AT 972-772-6418.

City of Rockwall
Minimum Bonding Requirements

Contracts for construction work must be accompanied by an approved Bond(s) underwritten by a surety name in the current list of "Surety Companies Acceptable on Federal Bonds" as published in the Federal Register by the Audit Staff Bureau of Accounts, U.S. Treasury Department. Contractor when entering into a Contract will execute Performance, Payment and Maintenance Bonds in 100% of the contract total amount. Contractor shall furnish such bonds as security for the faithful performance, payment and maintenance of all his obligations under the Contract Documents. These Bonds shall be in amounts at least equal to the Contract Price, in such form as set forth in the Contract Documents and with such corporate sureties as are licensed to conduct business in the state where the work is located and are named in the current list of "Surety Companies Acceptable on Federal Bonds" as published in the Federal Register by the Audit Staff Bureau of Accounts, U.S. Treasury Department. The performance, payment and maintenance bonds shall be extended to include any contract extension.

Prior to delivery of the executed Agreement by City to the Contractor, City may require the Contractor to furnish such other Bonds and such additional insurance, in such form and with such sureties or insurers as the City may require.

CONFLICTS OF INTEREST

DISCLOSURE OF CERTAIN RELATIONSHIPS (HB 914). Chapter 176 of the Texas Local Government Code requires that any vendor or person considering doing business with a local government entity disclose in the Questionnaire Form CIQ, the vendor or person's affiliation or business relationship that might cause a conflict of interest with a local government entity. By law, this questionnaire must be filed with the records administrator of the City of Rockwall not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code. A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. *See* Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

OFFICE USE ONLY

Date Received

1 **Name of person who has a business relationship with local governmental entity.**

2 ☐ **Check this box if you are filing an update to a previously filed questionnaire.**

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3 **Name of local government officer with whom filer has employment or business relationship.**

_____

Name of Officer

This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

☐ Yes ☐ No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

☐ Yes ☐ No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

☐ Yes ☐ No

D. Describe each employment or business relationship with the local government officer named in this section.

4

_____ _____

Signature of person doing business with the governmental entity Date

Adopted 06/29/2007

Exhibit A – Site Plan



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Exhibit B – Project Budget

MHS
PLANNING & DESIGN, LLC

City of Rockwall
The Park at Stone Creek
Preliminary Budget

1.	Site Grading (±8,000 cy @ $5.00 cy)	$ 40,000
2.	Concrete Trail (8' wide - 3,350' long @ $4.50/sq. ft.)	120,600
3.	Site Electrical (allowance)	12,000
4.	Playground	100,000
5.	Pedestrian Bridge (8' x 30')	7,200
6.	Fishing Pier (200 sq. ft.)	12,000
7.	Pavilion/Picnic Area	65,000
8.	Open Lawn Area (3.4 acres @ $.50/sq. ft.)	75,000
9.	Native Grasses	10,000
10.	Parking Lot (10,500 sq. ft. @ $6.50/sq. ft.)	68,250
11.	General Conditions/Erosion Control	60,100
12.	Contingency	6,450
13.	Design Fees	71,200
	Total	$ 647,800

212 W. 9th Street Tyler, Texas 75701 903.597.6606 mhs@mhsplanning.com

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, Assistant to the City Manager / City Secretary**

DATE: **October 16, 2015**

SUBJECT: **Agenda item – resolution of support of Prop. 7 for statewide transportation funding**

Mayor Pruitt has requested this agenda item and consideration of the proposed resolution for the October 19th city council meeting.

Regional Transportation Council

The Transportation Policy Body for the North Central Texas Council of Governments
(Metropolitan Planning Organization for the Dallas-Fort Worth Region)

TO: County Judges and Commissioners
City Mayors, Administrators, and Managers

DATE: October 9, 2015

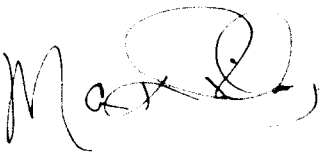
FROM: Mark Riley
Chair, Regional Transportation Council
County Judge, Parker County

SUBJECT: Regional Transportation Council Position Statement on Statewide Proposition 7

Senate Joint Resolution 5, approved by the 84th Texas Legislature, proposes a constitutional amendment that will appear on the November 3, 2015, ballot for voter approval. The proposed amendment, Proposition 7, would result in an additional $3 billion per year for the State Highway Fund by 2020. Although this would not fully fund the State's overall transportation needs, it would be a key step toward securing critical funding for transportation projects in Texas.

In advance of this election, the Regional Transportation Council (RTC) adopted a position statement expressing support for Proposition 7. A copy of the position statement is enclosed. On behalf of the RTC, please encourage your City Council or Commissioners Court to pass a resolution supporting Proposition 7; a template resolution is enclosed.

On behalf of the RTC, thank you for being involved with this important transportation issue. If you have any questions or concerns, please feel free to call Michael Morris, P.E., Director of Transportation for the North Central Texas Council of Governments, at (817) 695-9241.



Mark Riley

RH:ch
Enclosures

cc: Michael Morris, P.E., Director of Transportation, North Central Texas Council of Governments

P.O. Box 5888 • Arlington, Texas 76005-5888 • (817) 695-9240 • FAX (817) 640-3028
http://www.nctcog.org/trans

September 2015

NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS
Regional Transportation Council

November 3, 2015
Constitutional Amendment Election
Regional Transportation Council Position Statement

Statewide Proposition 7

The constitutional amendment dedicating certain sales and use tax revenue and motor vehicle sales, use, and rental tax revenue to the state highway fund to provide funding for nontolled roads and the reduction of certain transportation-related debt.

The Regional Transportation Council **supports** Proposition 7. If approved by voters, Proposition 7 would require the Comptroller of Public Accounts to deposit portions of the State sales tax revenue and the motor vehicle sales tax revenue that exceed certain amounts to the State Highway Fund to be used for non-tolled roadway projects and to repay principal and interest on general obligation bonds issued by the State. Although this would not fully fund the State's overall transportation needs, it represents a key step toward securing funding for transportation projects in Texas.

RTC
Regional Transportation Council

North Central Texas
Council of Governments

CITY OF ROCKWALL
RESOLUTION NO. 15-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, EXPRESSING SUPPORT FOR INCREASED STATE FUNDING FOR TRANSPORTATION PROJECTS IN TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the 84TH Texas Legislature authorized a constitutional amendment for increased transportation funding to be on the November 3, 2015, statewide ballot; and

WHEREAS, Proposition 7 is "the constitutional amendment dedicating certain sales and use tax revenue and motor vehicle sales, use and rental tax revenue to the state highway fund to provide funding for non-tolled roads and the reduction of certain transportation-related debt;" and

WHEREAS, if approved by voters, Proposition 7 would result in increased state funding for transportation to be used for non-tolled roadway projects and to replay principal and interest on general obligation bonds issued by the State; and

WHEREAS, although this would not fully fund the state's overall transportation needs, it would be a key step towards securing funding for transportation projects in Texas.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THAT:

Section 1. the City of Rockwall supports Proposition 7, the proposed amendment to the November 3, 2015 ballot to address Texas' transportation needs; and

Section 2. this Resolution shall become effective from and after its adoption and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 19th DAY OF October, 2015.

ATTEST: **Jim Pruitt, Mayor**

Jacky Casey, Assistant to City Secretary

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Cole, Kristy

From: Kim Lovett
Sent: Friday, October 16, 2015 8:56 AM
To: Cole, Kristy
Cc: sgarcia@ ; Madeline Haddad; Smith, Mary
Subject: RE: Council Presentation

Importance: High

Thanks for getting back to me Kristy.

Basically, we would want to include just general information/key points about the annual Fox 4 Toys For Tots event which includes:

Fox 4's 5th Annual Toys For Tots Donation Drive at The Harbor Rockwall
This is one of Fox 4's most successful stops for their Toys For Tots Drive
It typically runs from 4 pm - 10 pm with broadcasting and interviews during applicable live broadcasts throughout the evening with Heather Hays

This year we would like to increase holiday attractions to make the event more interesting for the broadcast and give Fox 4 some festive items as a backdrop and to talk about. Plus, give patrons holiday fun to enjoy as they come by to drop of their donated items. We want to strive to represent The Harbor in a great way as the broadcast happens, and allow for viewers to see the beauty of the area and get a snapshot of the family friendly atmosphere.

We'd like to include:

Santa on property
Live holiday entertainment, ie. musical entertainment, holiday characters, and Holiday Express train rides, as we've incorporated at Harbor holiday events in the past.

Please let me know if you need any information from me for Monday.

Thanks,

Kim

Kim Lovett

> From: KCole@rockwall.com
> To: kim
> CC: sgarcia ; mhaddad ; MSmith@rockwall.com
> Date: Fri, 16 Oct 2015 08:37:09 -0500
> Subject: Re: Council Presentation
>

> Kim
>
> I was given indication that you do need to appear before city council. I'm happy to place you on the agenda today for Monday's mtg. What, if anything, will you be submitting to me for inclusion today in the council member's informational packet? I'll need it by about noon-1PM if you have anything.
>
> Thanks
> Kristy
>
> Sent from my iPhone
>
> On Oct 16, 2015, at 8:29 AM, Kim Lovett <kim. <mailto:kim. >> wrote:
>
> Hi Kristy ~
>
> I didn't hear back from you yesterday on the email below. I wanted to make sure you'd received it.
>
> Please confirm & advise.
>
> Thanks,
>
> Kim
>
>
> _____
> From: kim
> To: kashberry@rockwall.com<mailto:kashberry@rockwall.com>
> CC: sgarcia ; mhaddad
> Subject: Council Presentation
> Date: Thu, 15 Oct 2015 07:52:25 -0500
>
> Good Morning Kristy ~
>
> This is Kim Lovett, Marketing Director for The Harbor Rockwall. I'm reaching out to you to inquire about us getting with the council about additional items that we'd like to add to the annual Fox 4 Toys For Tots televised donation event that is held at The Harbor. This year is it will be held on December 4th.
>
> We want to add more holiday entertainment and attractions to the existing event. It will be a better back drop and a more aesthetically pleasing representation of The Harbor, as Fox 4 broadcasts throughout the evening and it will provide fun family holiday activities as patrons drop off their donations...And we of course want their Rockwall donation point to be their best and look great for viewers! Fox 4 has expressed to us in past years that they prefer that we have additional attractions going on as it allows for a more interesting and entertaining broadcast.
>
> We'd like to have Santa on property, holiday themed entertainment and possibly the Choo Choo Express train running as we've had at past holiday events.
>
> In 2014, we had to appear in front of council at a the council meeting to get approval for Harbor events. So,

my question is, given that this is a Fox 4 event that we are complimenting with additional holiday themed activities & entertainment, would we still indeed need to appear & then proceed through the typical permit process? And if we are required to appear before applying for the permit, we'd like to request to be added to the upcoming Monday's agenda.
>
> Thanks so much for your assistance,
>
> Kim
>
>
> Kim Lovett
> 214-793-6121
>
> _____
> This email contains the thoughts and opinions of the sender and does not reflect official City of Rockwall policies.
>
> Other than the intended recipient, any confidential information contained in this email is prohibited from disclosure or use.

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 10/19/2015

APPLICANT: Bill K. Ryan

AGENDA ITEM: **Z2015-025**; *770 Davis Drive (AG to SF-1)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Bill K. Ryan for the approval of a zoning change from an Agricultural (AG) District to a Single Family One (SF-1) District for a 1.02-acre tract of land identified as Tract 11-2 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 770 Davis Drive, and take any action necessary.

PURPOSE:

The subject property is a 1.02-acre tract of land identified as Tract 11-2 of the D. Harr Survey, Abstract No. 102. The applicant, Bill K. Ryan, is requesting to rezone the property from an Agricultural (AG) District to a Single-Family One (SF-1) District for the purpose of allowing a horse to be fenced on the property. According to Section 6-162, *Keeping, Confining and Breeding Regulations*, of Article VI, *Livestock and Other Farm Animals*, of the *Municipal Code of Ordinances*, "(n)o person shall engage in keeping livestock within the corporate limits of the city except on tracts of land five [*5*] acres and larger, on property zoned agricultural or in accordance with Article IV [*Permissible Uses*], Section 3 of the Unified Development Code," which allows properties within a SF-1 District to keep "… grazing animals 500 pounds or greater including horses and cattle … [*as long as they*] have a minimum fenced area of 40,000 SF per animal." In this case, the applicant's property would allow them to have one (1) horse or other grazing animal if approved for Single-Family One (SF-1) District zoning. Currently, the subject property has an existing single-family home constructed on it that was annexed into the City on March 16, 1998 by *Ordinance No. 98-10*.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is SH-66, which is identified as a M4D (*minor arterial, four [4] lane, divided* roadway) according to the City's Master Thoroughfare Plan. Beyond this roadway is a 4.07-acre tract of land zoned Agricultural (AG) District that has a single-family home constructed on it.

South: Directly south of the subject property are several tracts of land adjacent to Davis Drive with single-family homes constructed on them. All these properties are zoned Agricultural (AG) District.

East: Directly east of the subject property is a 25.87-acre portion of a larger 66.406-acre tract of land that is vacant and zoned Agricultural (AG) District. Beyond this are several parcels of land zoned Agricultural (AG) District, which front on to FM-3549.

West: Directly west of the subject property is the remainder of the single-family homes that front onto Davis Drive. All these properties are zoned Agricultural (AG) District.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The Future Land Use Map, adopted with the Comprehensive Plan, designates the subject property for *Low Density Residential* land uses, which is defined as less than two (2) single-family units per acre. This designation is in conformance with the applicant's request to rezone the subject property to a Single-Family One (SF-1) District.

NOTIFICATION:

On October 29, 2015, staff mailed 25 notices to property owners and residents within 500-feet of the subject property. Additionally, staff posted a sign along *SH-66*, and advertised the public hearings in the Rockwall Harold Banner as required by the Unified Development Code (UDC). At the time this case memo was drafted no responses were received by staff.

PLANNING AND ZONING COMMISSION:

On October 13, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the applicant's request by a vote of 6-0, with one (1) seat vacant.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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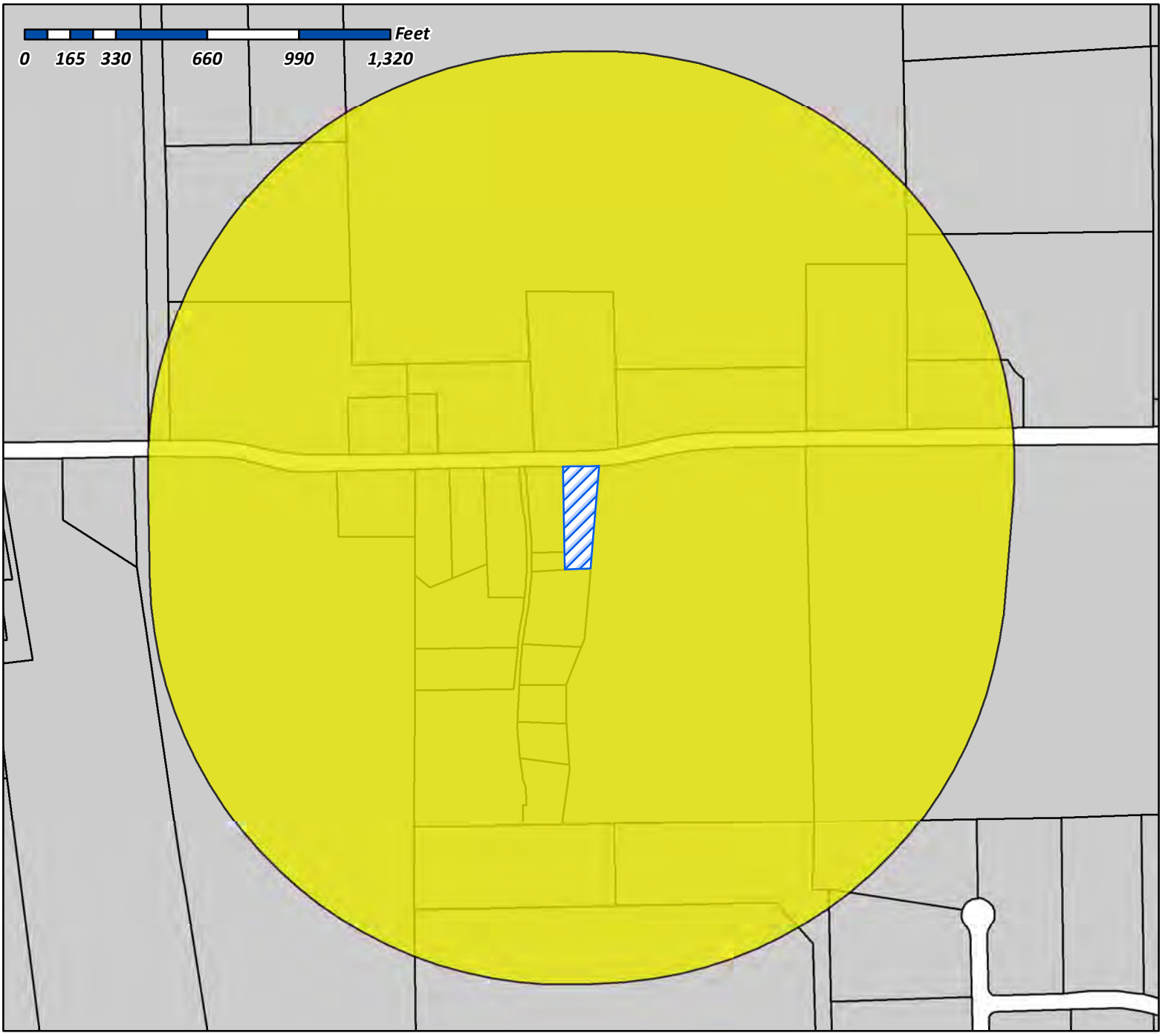
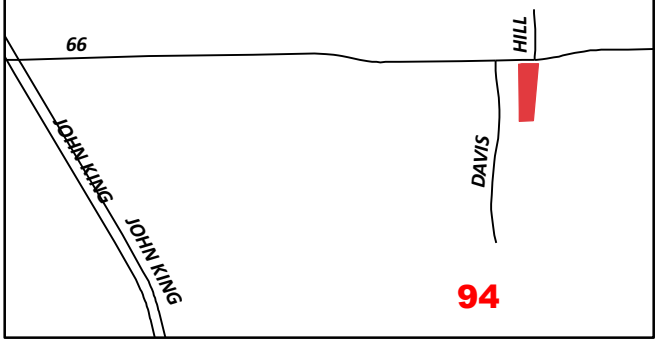


Case Number: Z2015-025
Case Name: 770 Davis Dr.
Case Type: Zoning
Zoning: AG to SFE-1
Case Address: 770 Davis Dr.

Date Created: ***09/29/2015***
For Questions on this Case Call (972) 771-7745

Vicinity Map



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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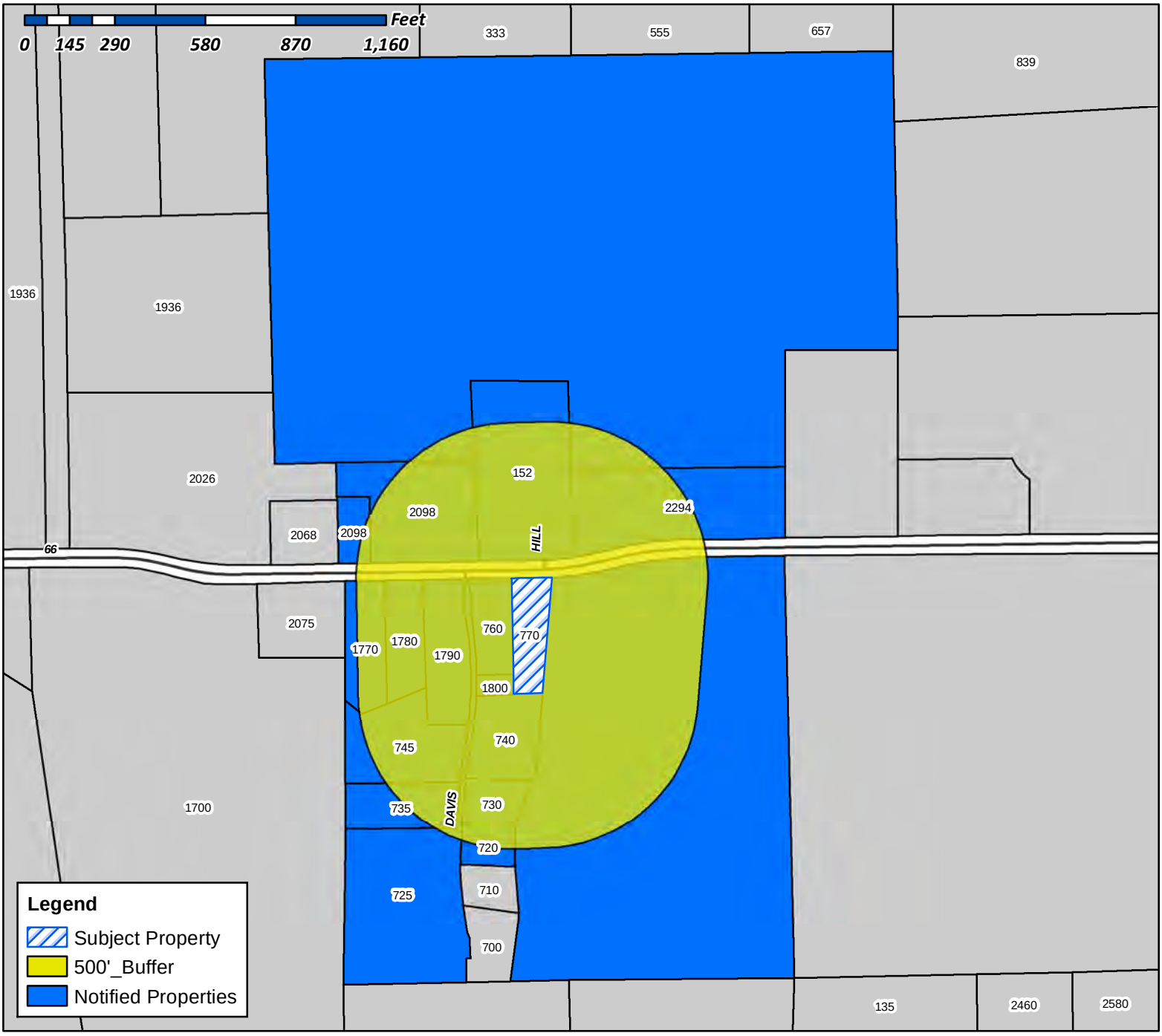

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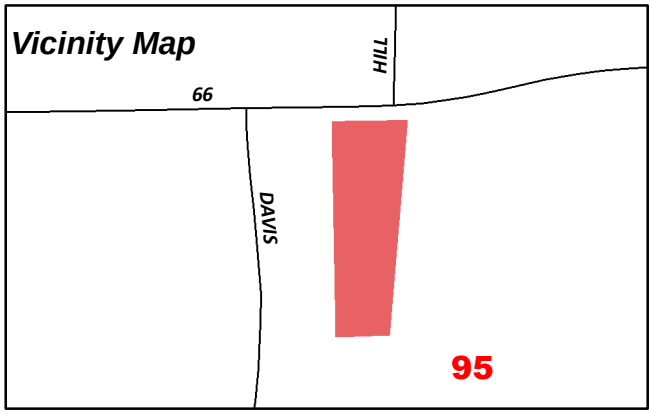

Date Created: 09/29/2015
For Questions on this Case Call (972) 771-7745

CONFIDENTIAL
152 HILL LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1770 HWY66
ROCKWALL, TX 75087

COLLIER MICHAEL & THERESA ROBBINS
& JUDY KAY COLLIER
1780 WILLIAMS ST
ROCKWALL, TX 75087

CURRENT RESIDENT
1790 WILLIAMS ST
ROCKWALL, TX 75087

CURRENT RESIDENT
1800 WILLIAMS ST
ROCKWALL, TX 75087

CURRENT RESIDENT
2098 HWY66
ROCKWALL, TX 75087

BROWNING CAROLYN ESTATE
RITA EDWARDS INDEPENDENT EXECUTOR
2098 S HWY 66
ROCKWALL, TX 75087

CURRENT RESIDENT
2294 HWY66
ROCKWALL, TX 75087

CLARK TROY AND JANICE
3025 N GOLIAD ST
ROCKWALL, TX 75087

RYAN WILLIAM K
330 VZ CR 2207
CANTON, TX 75103

RYAN BILL K
330 VZ CR 2207
CANTON, TX 75103

HOLLIMAN ANDREA J
332 SHEPARDS HILL
ROCKWALL, TX 75087

MURPHY DENNIS AND KAY
440 LONE STAR LN
HIDEAWAY, TX 75771

MOVE IN & ON LLC
609 BELHAVEN DR
ALLEN, TX 75013

MOCK BRUCE W & MARILYN J
720 DAVIS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
725 DAVIS DR
ROCKWALL, TX 75087

DAILEY MARK L
730 DAVIS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
735 DAVIS DR
ROCKWALL, TX 75087

RINKEVICH JOSEPH W & MARY ANN C TRUSTEES
740 DAVIS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
745 DAVIS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
760 DAVIS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
770 DAVIS DR
ROCKWALL, TX 75087

CAIN REVOCABLE FAMILY TRUST AND
CREDIT SHELTER TRUST AND SURVIVORS TRUST
DEWAYNE CAIN TRUSTEE PO BOX 1119
ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD
PO BOX 1119
ROCKWALL, TX 75087

RAINES SHERYL
PO BOX 412
ROCKWALL, TX 75087

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NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2015-025:

(9/30/2015 11:13 AM LM)
Z2015-025 Change zoning from AG to SF-1
Hold a public hearing to discuss and consider a request by Bill K. Ryan for the approval of a zoning change from an Agricultural (AG) District to a Single Family One (SF-1) District for a 1.02-acre tract of land identified as Tract 11-2 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 770 Davis Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 10/13/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 10/19/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **10/19/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2015-025:

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name: CAIN FAMILY PARTNERSHIP LTD

Address: PO BOX 119 ROCKWALL, TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

DESCRIPTION

BEING a tract of land situated in the David Harr Survey, Abstract No. 102, Rockwall County, Texas, and being part of a 43.16 acre tract as recorded in Volume 55, Page 325, Deed Records, Rockwall County, Texas, and being more particularly described as follows;

BEGINNING at a point on the South right-of-way line of State Highway No. 66, said point being N. 88 deg. 38 min. 09 sec. E., 405.00 feet from the Northwest corner of said tract recorded in Volume 55, Page 325, Deed Records, Rockwall County, Texas, a ½ inch iron stake set for corner;

THENCE, N. 88 deg. 38 min. 09 sec. E., along the South right-of-way line of State Highway No. 66, a distance of 149.97 feet to a ½ inch iron stake found for corner;

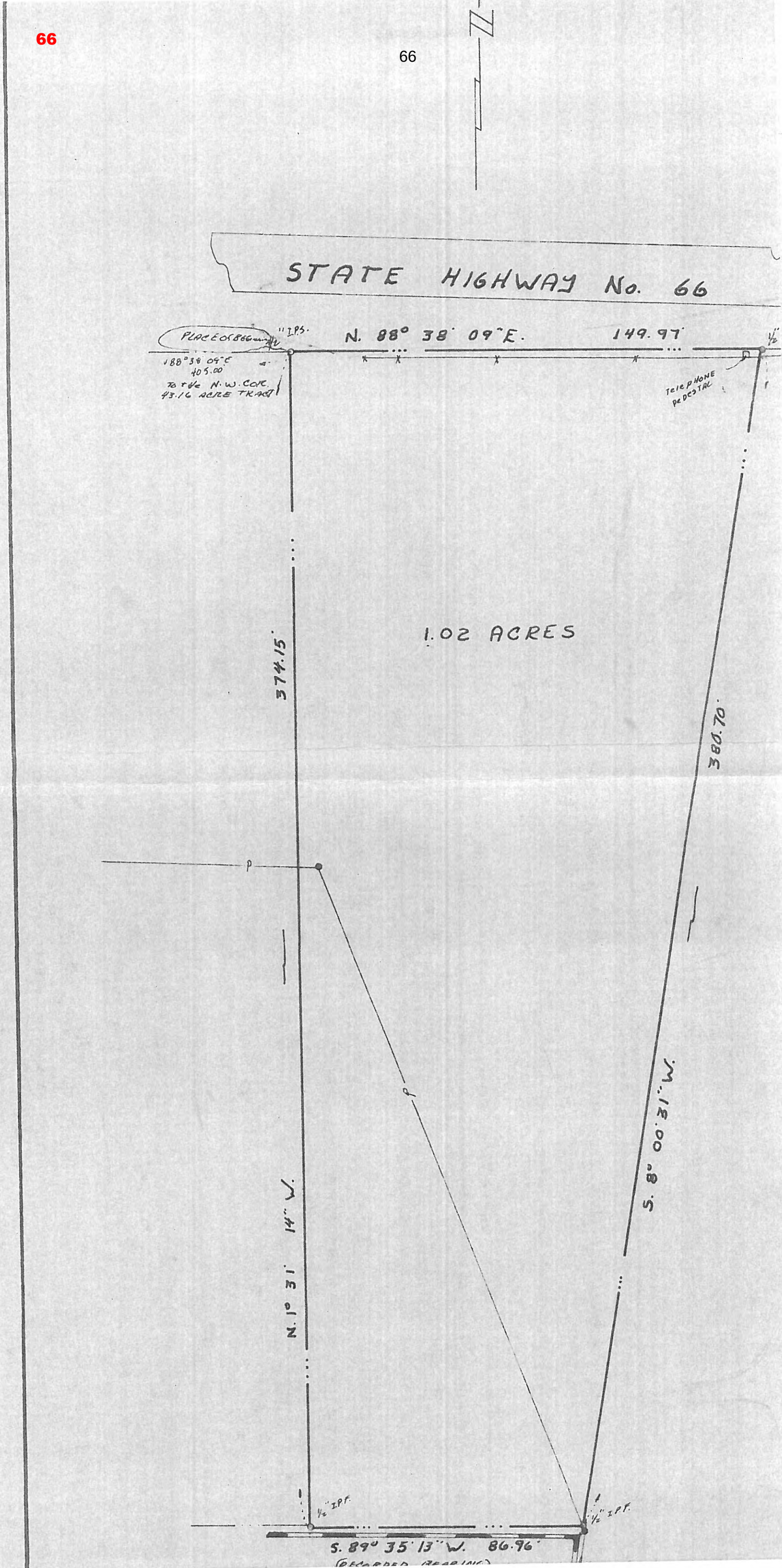
THENCE, S. 8 deg. 00 min. 31 sec. W., leaving the South right-of-way line of State Highway No. 66, a distance of 380.70 feet to a ½ inch iron stake found for corner;

THENCE, S.89 deg. 35 min. 13 sec. W., a distance of 86.96 feet to a ½ inch iron stake found for corner;

THENCE, N. 1 deg. 31 min. 14 sec. W., a distance of 374.15 feet to the PLACE OF BEGINNING and containing 1.02 acres of land. This description is based on the Land Title Survey and Plat made by Bob O. Brown, Registered Public Surveyor on March 6,1980.

98

66


STATE HIGHWAY No. 66
PLACE OF BEGINNING
1" I.P.S.
N. 88° 38' 09" E.
149.97'
1/2"
88° 38' 09" E
405.00
To the N.W. COR.
43.16 ACRE TRACT
Telephone pedestal
1.02 ACRES
374.15'
380.70'
S. 8° 00' 31" W.
N. 1° 31' 14" W.
1/2" I.P.F.
1/2" I.P.F.
S. 89° 35' 13" W. 86.96'
(RECORDED BEARING)

CITY OF ROCKWALL

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ONE (SF-1) DISTRICT FOR A 1.02-ACRE TRACT OF LAND IDENTIFIED AS TRACT 11-2 OF THE D. HARR SURVEY, ABSTRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Bill K. Ryan for the approval of an amendment to the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall to adopt a change in zoning from an Agricultural (AG) District to a Single-Family One (SF-1) District for a 1.02-acre tract of land identified as Tract 11-2 of the David Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, and more specifically described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agriculture (AG) District to a Single-Family One (SF-1) District; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family One (SF-1) District* in *Section 1.1, "Use of Land and Buildings,"* of *Article IV, "Permissible Uses"* and *Section 3.2-1, "Single-Family One (SF-1) District",* of *Article V, "District Development Standards",* of the *Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future;

Section 3. That the official zoning map of the City be corrected to reflect the changes in the zoning described herein.

DRAFT ORDINANCE 10-13-15

Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of two thousand dollars ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 2ND DAY OF NOVEMBER, 2015.

_____

Jim Pruitt, *Mayor*

ATTEST:

_____

Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____

Frank J. Garza, *City Attorney*

1st Reading: *October 19, 2015*

2nd Reading: *November 2, 2015*

DRAFT
ORDINANCE
10.13.2015

Exhibit 'A':
Legal Description

DESCRIPTION

BEING a tract of land situated in the David Harr Survey, Abstract No. 102, Rockwall County, Texas, and being part of a 43.16 acre tract as recorded in Volume 55, Page 325, Deed Records, Rockwall County, Texas, and being more particularly described as follows;

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THENCE, S. 8 deg. 00 min. 31 sec. W., leaving the South right-of-way line of State Highway No. 66, a distance of 380.70 feet to a ½ inch iron stake found for corner;

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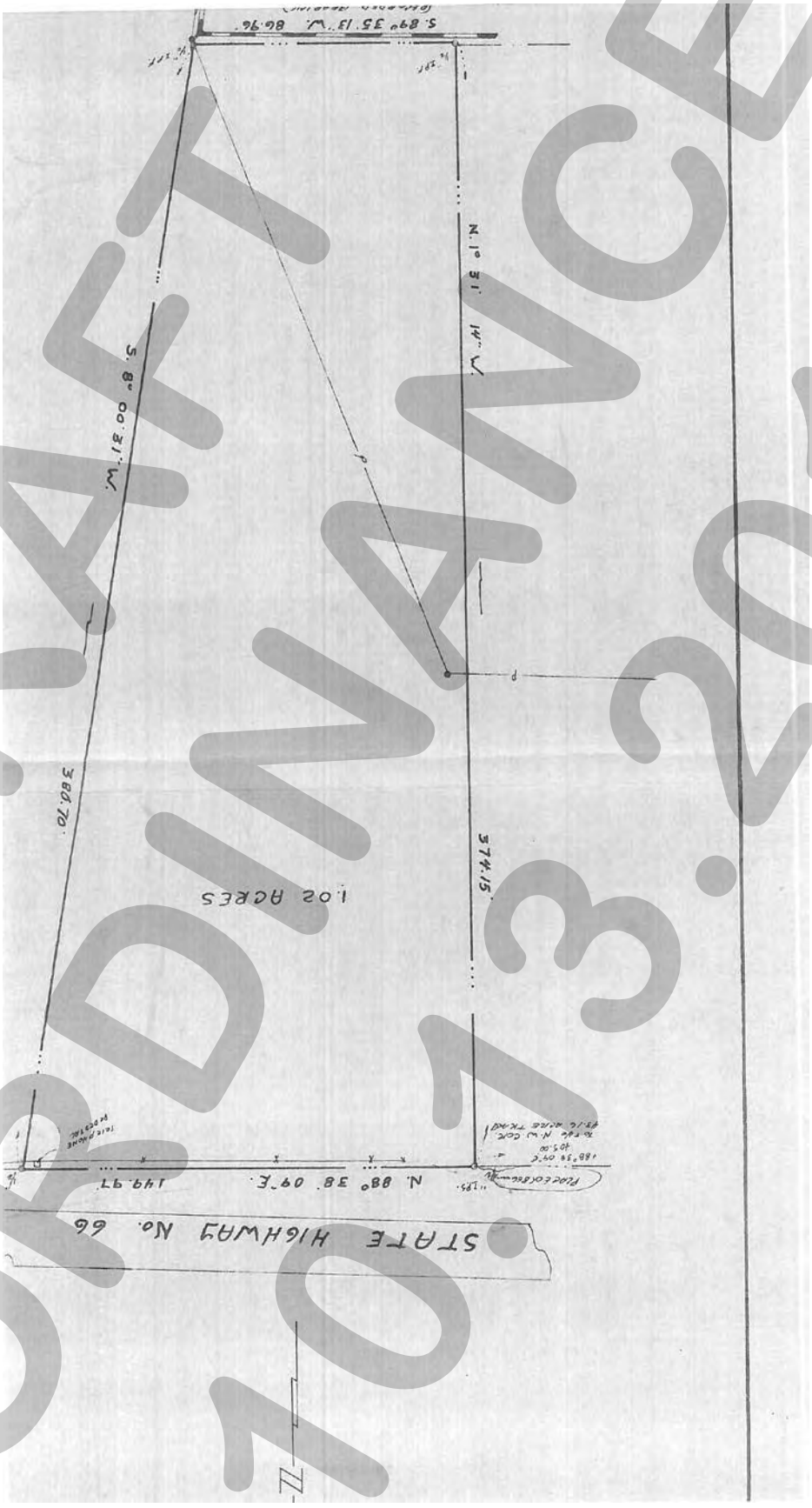
THENCE, N. 1 deg. 31 min. 14 sec. W., a distance of 374.15 feet to the PLACE OF BEGINNING and containing 1.02 acres of land. This description is based on the Land Title Survey and Plat made by Bob G. Brown, Registered Public Surveyor on March 6,1980.

DRAFT ORDINANCE 10.13.2015

Exhibit 'B':
Zoning Exhibit



DRAFT ORDINANCE 10.13.2015

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Brad Griggs, *Assistant City Manager*

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: October 19, 2015

SUBJECT: Z2015-026; *Stonecreek Assisted Living Facility*

On October 15, 2015, the applicant, Randy Kopplin of StoneCreek Retal Estate Partners, LLC, requested to withdraw *Case No. Z2015-026*. According to Section 5, *Application Withdrawal*, of the Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC), any case that has been published in the paper and notifications of a public hearing sent out must be placed on the public hearing agenda and acted upon by the applicable body.

Miller, Ryan

To: Randy Kopplin
Subject: RE: Project Comments: Z2015-026

From: Randy Kopplin [redacted]
Sent: Wednesday, October 14, 2015 8:46 PM
To: Miller, Ryan
Cc: Nick Craig
Subject: Re: Project Comments: Z2015-026

Ryan,

Unfortunately, we made the decision today not proceed with the Oaks at Rockwall Assisting Living Facility. We therefore withdraw our request for the Zoning Change amendment to PD – 65.

We wish to thank you and your staff for all of your help and assistance that you have provided through this process. We hope we are able to work with the City of Rockwall on future projects.

Regards,

Randy Kopplin, AIA
StoneCreek Real Estate Partners, LLC

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 10/19/2015

APPLICANT: Randy Kopplin, *StoneCreek Real Estate Partners, LLC*

AGENDA ITEM: **Z2015-026**; *Stonecreek Assisted Living Facility*

SUMMARY:

Hold a public hearing to discuss and consider a request by Randy Kopplin of StoneCreek Real Estate Partners, LLC on behalf of the owner Arkoma Development, LLC for the approval of amendments to Planned Development District 65 (PD-65) [*Ordinance No. 08-02*] to allow for a ~74,000 SF Assisted Living Facility to be established on a 5.507-acre portion of a larger 11.723-acre tract of land identified as Tract 5 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, located west of the intersection of N. Goliad Street [SH-205] and Pecan Valley Drive, and take any action necessary.

PURPOSE AND CHARACTERISTICS OF THE REQUEST:

The applicant, Randy Kopplin of StoneCreek Real Estate Partners, LLC, is requesting to amend Planned Development District 65 (PD-65) [*Ordinance No. 08-02*] to accommodate the construction of a ~74,000 SF *Assisted Living Facility*. Currently, *Ordinance No. 08-02* allows for the development of a 50,000 SF *Assisted Living Facility* (*40,000 SF if the structure exceeds 28-feet*) *by-right* on the subject property. In addition, the concept plan submitted by the applicant shows that Pecan Valley Drive -- which is currently identified as a *Minor Collector* on the City's Master Thoroughfare Plan -- would terminate into a cul-de-sac in front of the subject property. The current concept plan in *Ordinance No. 08-02* shows Pecan Valley Drive extending through the site and connecting with the future extension of Random Oaks Drive (*also identified as a Minor Collector on the City's Master Thoroughfare Plan*). If the applicant's request is approved, Pecan Valley Drive and Random Oaks Drive would need to be removed from the City's Master Thoroughfare Plan. This has been added as a condition of approval of this request.

The building elevations submitted with the concept plan show conformance to the requirements of the Unified Development Code and have been included within the Planned Development District Ordinance. Additionally, conformance to these elevations is a condition of approval for this case. With the exception of the increased building footprint, the use and the building generally meet the intent of the zoning district; however, approval of this request is discretionary to the City Council. *Staff has included a copy of the current concept plan in the attached packet for review in comparison to the concept plan being proposed by the applicant.*

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are five (5) single-family homes facing onto W. Quail Run Road and zoned Single Family-10 (SF-10) District. Beyond this is the Random Oaks Subdivision, which is composed of 75 lots on 25.46-acres. The property is zoned Planned Development District 3 (PD-3) for single-family residential land uses.

South: Directly south of the subject property is 8.93-acre vacant tract of land, owned by the City of Rockwall, and zoned Planned Development District 65 (PD-65). Beyond this is a 31.656-acre vacant tract of land zoned Planned Development District 29 (PD-29), which is also owned by the City of Rockwall.

East: Directly east of the subject property is the regional detention pond for the Planned Development District 65 (PD-65) development area. Beyond this are three (3) parcels of land, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses.

West: Directly west of the subject property is a 25.6-acre vacant tract of land zoned Single Family 10 (SF-10) District.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The Future Land Use Map contained within the Comprehensive Plan designates the subject property for *Commercial* land uses. The current zoning -- which allows for an *Assisted Living Facility* on the subject property -- is considered to be conforming with regard to this land use designation. If approved the applicant's request will not change the use or the conformity of the property with the Comprehensive Plan.

NOTIFICATION:

On September 25, 2015, staff mailed 26 notices to property owners and residents within 500-feet of the subject property. Staff also emailed notices to the Stone Creek, Lakeview Summit, Shores at Lake Ray Hubbard and Random Oaks/Shores Homeowner's Associations (HOA's), which are the only HOA's located within 1,500 feet of the subject property. Additionally, staff posted a sign in front of the subject property at the end of Pecan Valley Drive, and advertised the public hearings in the Rockwall Harold Banner as required by the Unified Development Code (UDC). At the time this case memo was drafted no responses were received by staff.

RECOMMENDATIONS:

If the Planning and Zoning Commission recommends approval of the applicant's request to amend Planned Development District 65 (PD-65) [*Ordinance No. 08*-02] then staff would propose the following conditions of approval:

1) The applicant shall be responsible for maintaining compliance with the conditions contained within the Planned Development District ordinance;

2) The proposed development shall generally be in accordance with the *Planned Development Concept Plan* and the *Concept Building Elevations* contained within the Planned Development District ordinance;

3) The City's Master Thoroughfare Plan should be revised to reflect the changes proposed by the *Planned Development District Concept Plan* (*i.e. remove Pecan Valley Drive and Random Oaks Drive*);

4) That any development of the subject property shall first require approval of a *PD Site Plan* that is reviewed by the Architectural Review Board (ARB), Planning and Zoning Commission and City Council [*if necessary*]; and

5) Any construction resulting from the approval of this *zoning amendment* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On October 13, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the applicant's request per staff's recommendations by a vote of 6-0, with one (1) seat vacant.

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City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

110

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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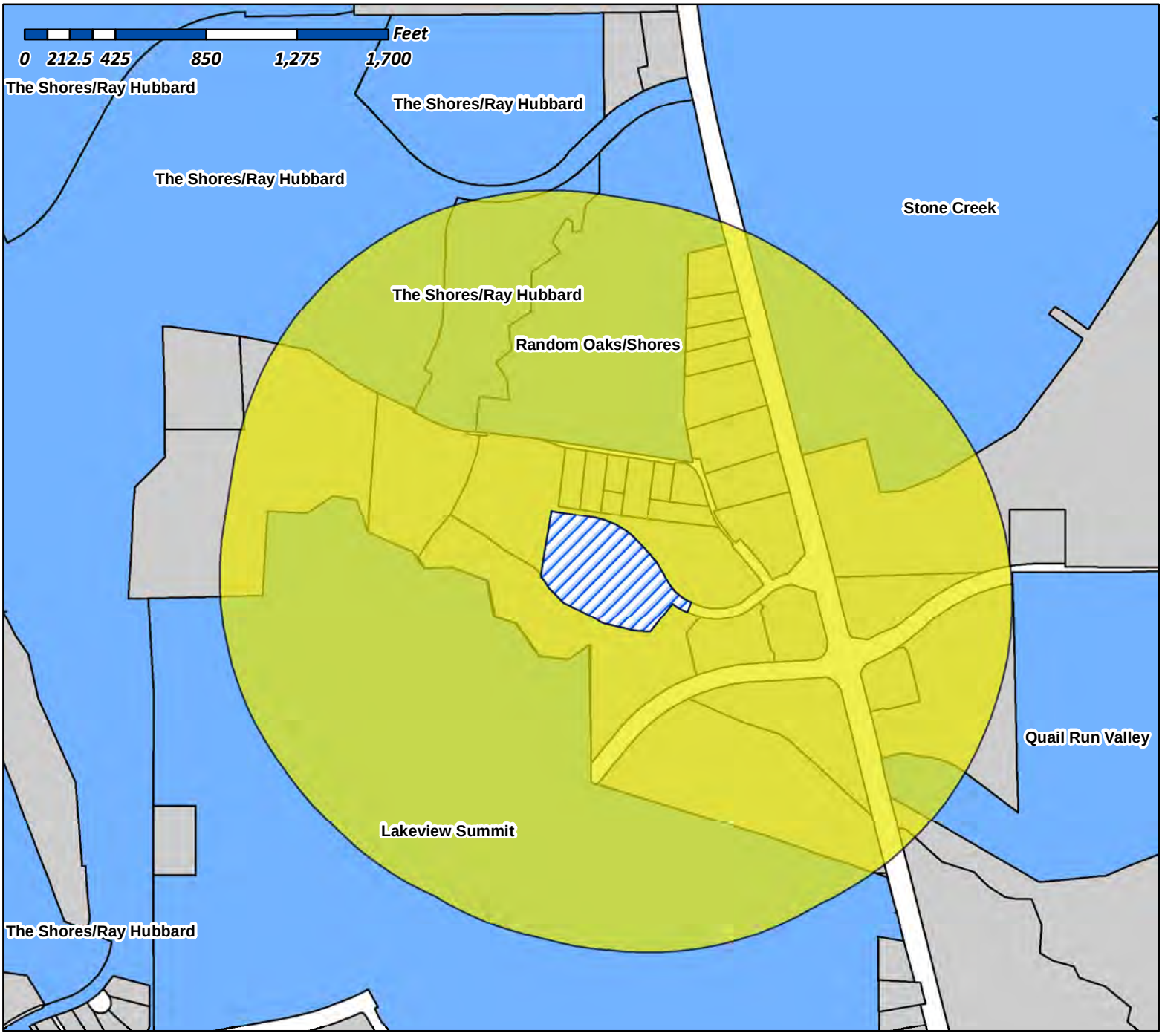
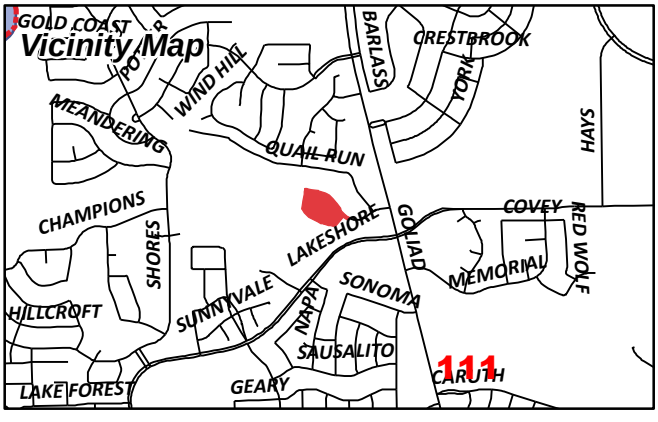


Case Number: Z2015-026
Case Name: Stonecreek Assisted Living
Case Type: Zoning
Zoning: PD-65 Amended
Case Address: NW of Quail Run and Pecan Valley Dr



Date Created: 09/23/2015
For Questions on this Case Call (972) 771-7745

City of Rockwall

Planning & Zoning Department
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Rockwall, Texas 75087
(P): (972) 771-7745
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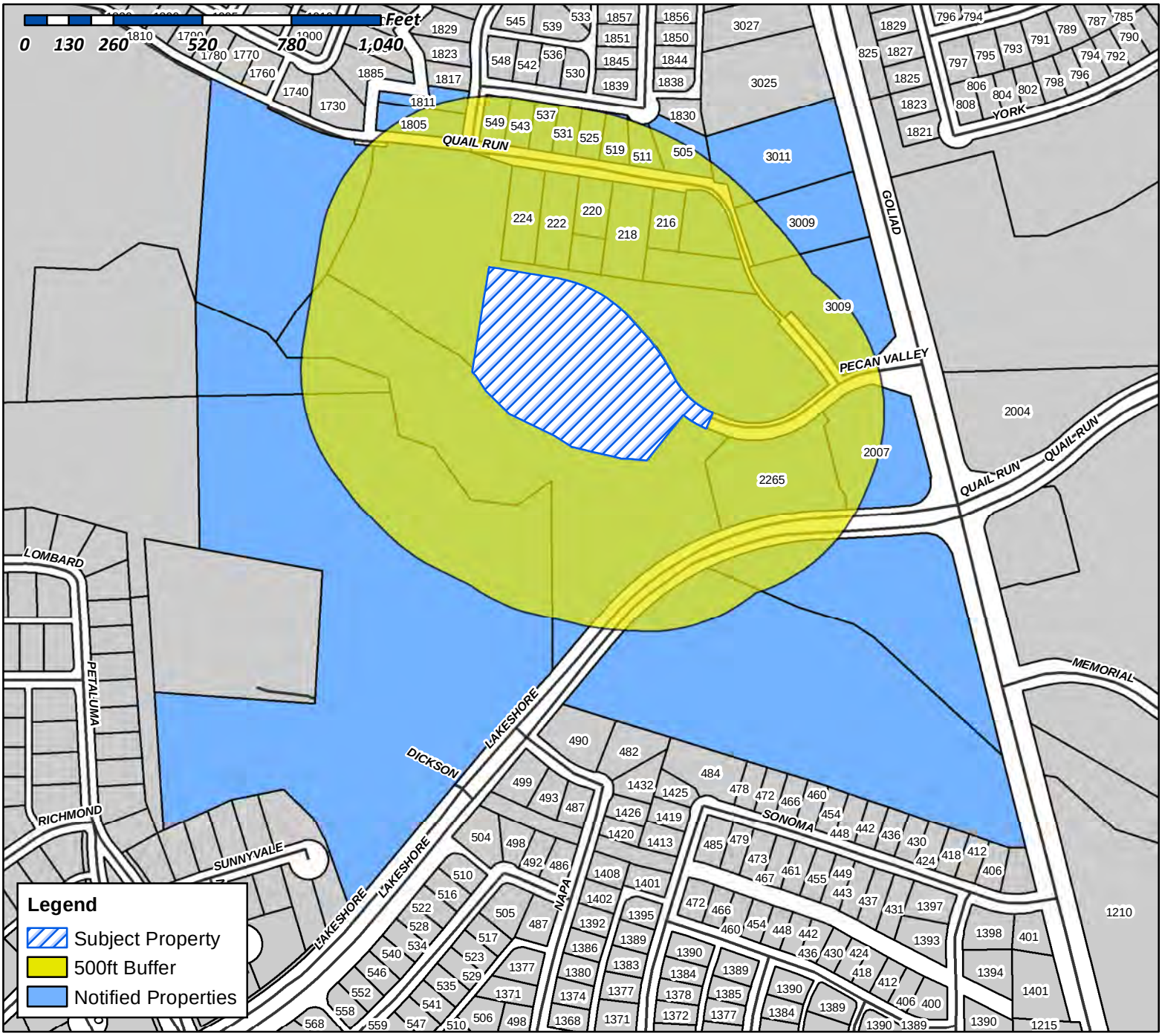

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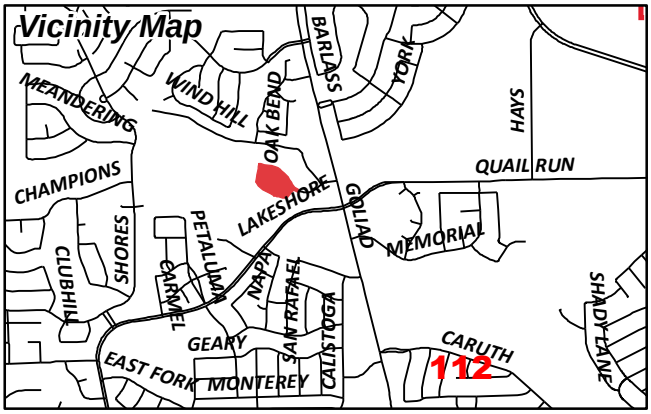


Date Created: 09/23/2015
For Questions on this Case Call (972) 771-7745

M REA PROPERTIES 2 LLC
1234 TRALEE LN
GARLAND, TX

PETTINGER WESLEY & HEDWIG A
1501 BANBURY CT
RICHARDSON, TX

WRIGHT MELINDA M
1805 RANDOM OAKS DR
ROCKWALL, TX

MORRELL NEELEY A
1811 RANDOM OAKS DR
ROCKWALL, TX

CURRENT RESIDENT
2007 N GOLIAD
ROCKWALL, TX 75087

ARKOMA DEVELOPMENT LLC
203 E INTERSTATE 30
ROCKWALL, TX

DEAN LANTY W & MARY F
216 W QUAIL RUN RD
ROCKWALL, TX

HYDE TRENT D & DEBRA A
218 W QUAIL RUN RD
ROCKWALL, TX

HUNTER MICHAEL B & VICKIE D
220 W QUAIL RUN RD
ROCKWALL, TX

CANADA CECILIA A
222 W QUAIL RUN RD
ROCKWALL, TX

OEXMAN ALVIN H ET UX
224 W QUAIL RUN RD
ROCKWALL, TX

CURRENT RESIDENT
2265 NORTH LAKESHORE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
3009 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
3011 N GOLIAD ST
ROCKWALL, TX 75087

COLE HC ROCKWALL TX LLC
3150 HORIZON RD
ROCKWALL, TX 0

DEWOODY GEORGE ESTATE
411 BUCKINGHAM RD #1316
RICHARDSON, TX 0

ARRIAGA HENRY
505 HIDDEN OAK LN
ROCKWALL, TX

JASMAN JAMES BLAKE
511 HIDDEN OAK LN
ROCKWALL, TX

MURRAY NANCY J
519 HIDDEN OAK LN
ROCKWALL, TX

FITZGERALD GLORIA J MCWHIRTER & DON
525 HIDDEN OAK LANE
ROCKWALL, TX 0

HANKINS ANGELA &
531 HIDDEN OAK LN
ROCKWALL, TX

COLE MARK A
537 HIDDEN OAK LN
ROCKWALL, TX

CURRENT RESIDENT
543 HIDDEN OAK LN
ROCKWALL, TX 75087

GURSS JACK AND TAMERA
549 HIDDEN OAK LN
ROCKWALL, TX 0

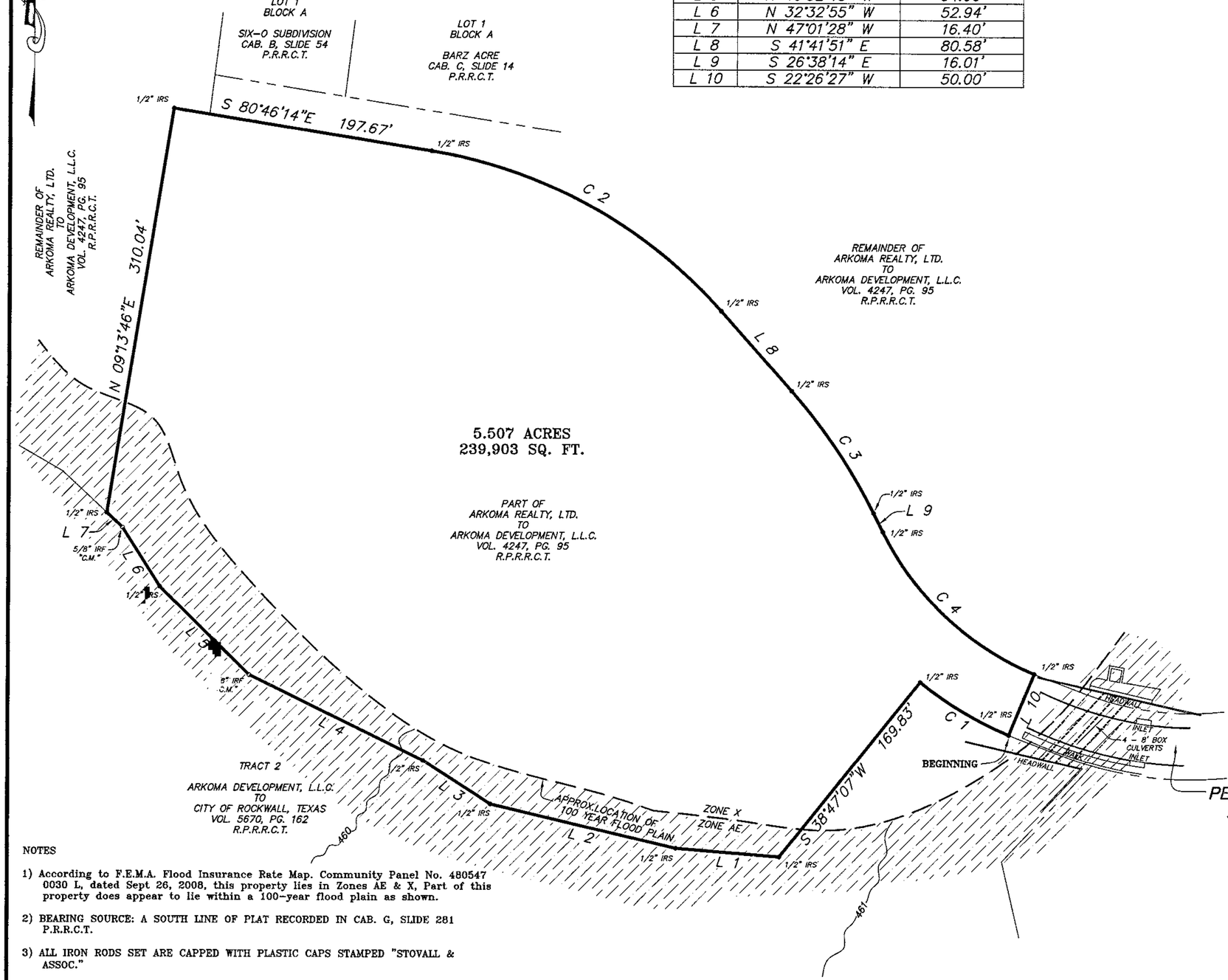
REBAC OF ROCKWALL, LLC
6000 UNIVERSITY AVE 0
WEST DES MOINES, IA

JENKINS BENJAMIN M & ANGELA K
P O BOX 2172
ROCKWALL, TX

113

Curve	Radius	Length	Delta	Chord	Chord Bear.
C 1	275.00'	78.45'	16°20'41"	78.18'	N 59°23'12" W
C 2	375.00'	255.73'	39°04'23"	250.81'	S 61°14'03" E
C 3	425.00'	111.71'	15°03'37"	111.39'	S 34°10'03" E
C 4	225.00'	160.70'	40°55'19"	157.31'	S 47°05'53" E

Course	Bearing	Distance
L 1	N 85°27'52" W	78.82'
L 2	N 76°44'54" W	144.35'
L 3	N 57°21'09" W	60.80'
L 4	N 63°58'26" W	146.84'
L 5	N 45°32'48" W	94.99'
L 6	N 32°32'55" W	52.94'
L 7	N 47°01'28" W	16.40'
L 8	S 41°41'51" E	80.58'
L 9	S 26°38'14" E	16.01'
L 10	S 22°26'27" W	50.00'



NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 480547 0030 L, dated Sept 26, 2008, this property lies in Zones AE & X, Part of this property does appear to lie within a 100-year flood plain as shown.

2) BEARING SOURCE: A SOUTH LINE OF PLAT RECORDED IN CAB. G, SLIDE 281 P.R.R.C.T.

3) ALL IRON RODS SET ARE CAPPED WITH PLASTIC CAPS STAMPED "STOVALL & ASSOC."

4) SURVEY PREPARED WITH BENEFIT OF TITLE COMMITMENT, G.F. NO. 1002-151716-RTT EFFECTIVE DATE JUNE 18, 2015, PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY.

5) "C.M." = CONTROL MONUMENT

6) THE FOLLOWING EASEMENTS DO NOT LIE ON THIS TRACT: (i) VOL. 38, PG. 98, D.R.R.C.T. (ii) VOL. 33, PG. 611, D.R.R.C.T. (iii) VOL. 45, PG. 167, D.R.R.C.T. (iv) VOL. 197, PG. 526, R.P.R.R.C.T. (v) VOL. 63, PG. 263, D.R.R.C.T. (vi) VOL. 66, PG. 612, D.R.R.C.T. (vii) VOL. 81, PG. 89, D.R.R.C.T. (viii) VOL. 197, PG. 529 (ix) VOL. 197, PG. 532 (x) VOL. 358, PG. 62, R.P.R.R.C.T. (xi) VOL. 360, PG. 314, R.P.R.R.C.T. (xii) VOL. 258, PG. 820, R.P.R.R.C.T. (xiii) VOL. 5090, PG. 233, O.P.R.R.C.T. (xiv) VOL. 5162, PG. 182, O.P.R.R.C.T. (xv) VOL. 5199, PG. 158, O.P.R.R.C.T. (xvi) VOL. 5318, PG. 89, O.P.R.H.C.T. (xvii) VOL. 5368, PG. 8, O.P.R.R.C.T. (xviii) VOL. 5368, PG. 13, O.P.R.R.C.T. (xix) VOL. 5368, PG. 23, O.P.R.R.C.T. (xx) VOL. 5368, PG. 28, O.P.R.R.C.T. (xxi) VOL. 5368, PG. 38, O.P.R.R.C.T. (xxii) VOL. 5368, PG. 43, O.P.R.R.C.T. (xxiii) VOL. 5583, PG. 183, O.P.R.R.C.T. (xxiv) VOL. 2765, PG. 106, R.P.R.R.C.T. (xxv) VOL. 3828, PG. 49 R.P.R.R.C.T. (xxvi) VOL. 3228, PG. 31 D.R.R.C.T. (xxvii) VOL. 2817 PG. 70, D.R.R.C.T. (xxviii) VOL. 2563, PG. 37 D.R.R.C.T. (xix) VOL. 45, PG. 516 D.R.R.C.T. (xxx) VOL. 81, PG. 97 D.R.R.C.T.

DESCRIPTION

All that certain lot, tract or parcel of land situated in the J.H.B. Jones Survey, Abstract No. 124 and the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, and being part of that tract of land described in a Deed from Arkoma Realty, Ltd., to Arkoma Development, L.L.C., as recorded in Volume 4247, Page 95 of the Real Property Records of Rockwall County, Texas (hereinafter called Subject Tract), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "STOVALL & ASSOC." set (hereinafter called 1/2" iron rod set) for corner in a North line of that tract of land described as Tract 2 in a Deed from Arkoma Development, L.L.C., to the City of Rockwall, Texas, as recorded in Volume 5670, Page 162 of the Real Property Records of Rockwall County, Texas (hereinafter called The City Tract), at a West corner of the Final Plat of North Lakeshore Valley, Lots 1 & 2, Block B, an Addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet G, Slide 281 of the Plat Records of Rockwall County, Texas, said point also being at the beginning of a curve to the right, said point also being at the Southwest corner of Pecan Valley Drive (50' right-of-way per plat recorded in Cabinet G, Slide 281, Plat Records of Rockwall County, Texas);

THENCE in a Northwesterly direction with a North line of The City Tract and with said curve to the right having a central angle of 16 deg. 20 min. 41 sec., a radius of 275.00 feet, a chord bearing of N. 59 deg. 23 min. 12 sec. W., a chord distance of 78.18 feet and an arc length of 78.45 feet to a 1/2" iron rod set for corner at a North corner of The City Tract;

THENCE in a Westerly direction with the North line of The City Tract the following:

S. 38 deg. 47 min. 07 sec. W. a distance of 169.83 feet to a 1/2" iron rod set for corner;
N. 85 deg. 27 min. 52 sec. W. a distance of 78.82 feet to a 1/2" iron rod set for corner;
N. 76 deg. 44 min. 54 sec. W. a distance of 144.35 feet to a 1/2" iron rod set for corner;
N. 57 deg. 21 min. 09 sec. W. a distance of 60.80 feet to a 1/2" iron rod set for corner;
N. 63 deg. 58 min. 26 sec. W. a distance of 146.84 feet to a 5/8" iron rod found for corner;
N. 45 deg. 32 min. 48 sec. W. a distance of 94.99 feet to a 1/2" iron rod set for corner;
N. 32 deg. 32 min. 55 sec. W. a distance of 52.94 feet to a 5/8" iron rod found;
N. 47 deg. 01 min. 28 sec. W. a distance of 16.40 feet to a 1/2" iron rod set for corner;

THENCE N. 09 deg. 13 min. 46 sec. E. leaving the North line of The City Tract, a distance of 310.04 feet to a 1/2" iron rod set for corner;

THENCE S. 80 deg. 46 min. 14 sec. E. a distance of 197.67 feet to a 1/2" iron rod set for corner at the beginning of a curve to the right;

THENCE in a Southeasterly direction with said curve to the right having a central angle of 39 deg. 04 min. 23 sec., a radius of 375.00 feet, a chord bearing of S. 61 deg. 14 min. 03 sec. E., a chord distance of 250.81 feet and an arc length of 255.73 feet to a 1/2" iron rod set for corner;

THENCE S. 41 deg. 41 min. 51 sec. E. a distance of 80.58 feet to a 1/2" iron rod set for corner at the beginning of a curve to the right;

THENCE in a Southeasterly direction with said curve to the right having a central angle of 15 deg. 03 min. 37 sec., a radius of 425.00 feet, a chord bearing of S. 34 deg. 10 min. 03 sec. E., a chord distance of 111.39 feet and an arc length of 111.71 feet to a 1/2" iron rod set for corner;

THENCE S. 26 deg. 38 min. 14 sec. E. a distance of 16.01 feet to a 1/2" iron rod set for corner at the beginning of a curve to the left;

THENCE in a Southeasterly direction with said curve to the left having a central angle of 40 deg. 55 min. 19 sec., a radius of 225.00 feet, a chord bearing of S. 47 deg. 05 min. 53 sec. E., a chord distance of 157.31 feet and an arc length of 160.70 feet to a 1/2" iron rod set for corner at a Northwest corner of Pecan Valley Drive;

THENCE S. 22 deg. 26 min. 27 sec. W. with the West line of Pecan Valley Drive a distance of 50.00 feet to the POINT OF BEGINNING and containing 5.507 acres or 239,903 square feet of land.

To BT Investments, LLC, First American Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTSA and NSPS, and includes Items 1, 2, 3, 4, 7(a), 8, 9 and 11 of Table A thereof. The fieldwork was completed on August 31, 2015.

Date of Plat or Map: August 31, 2015

"PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE"

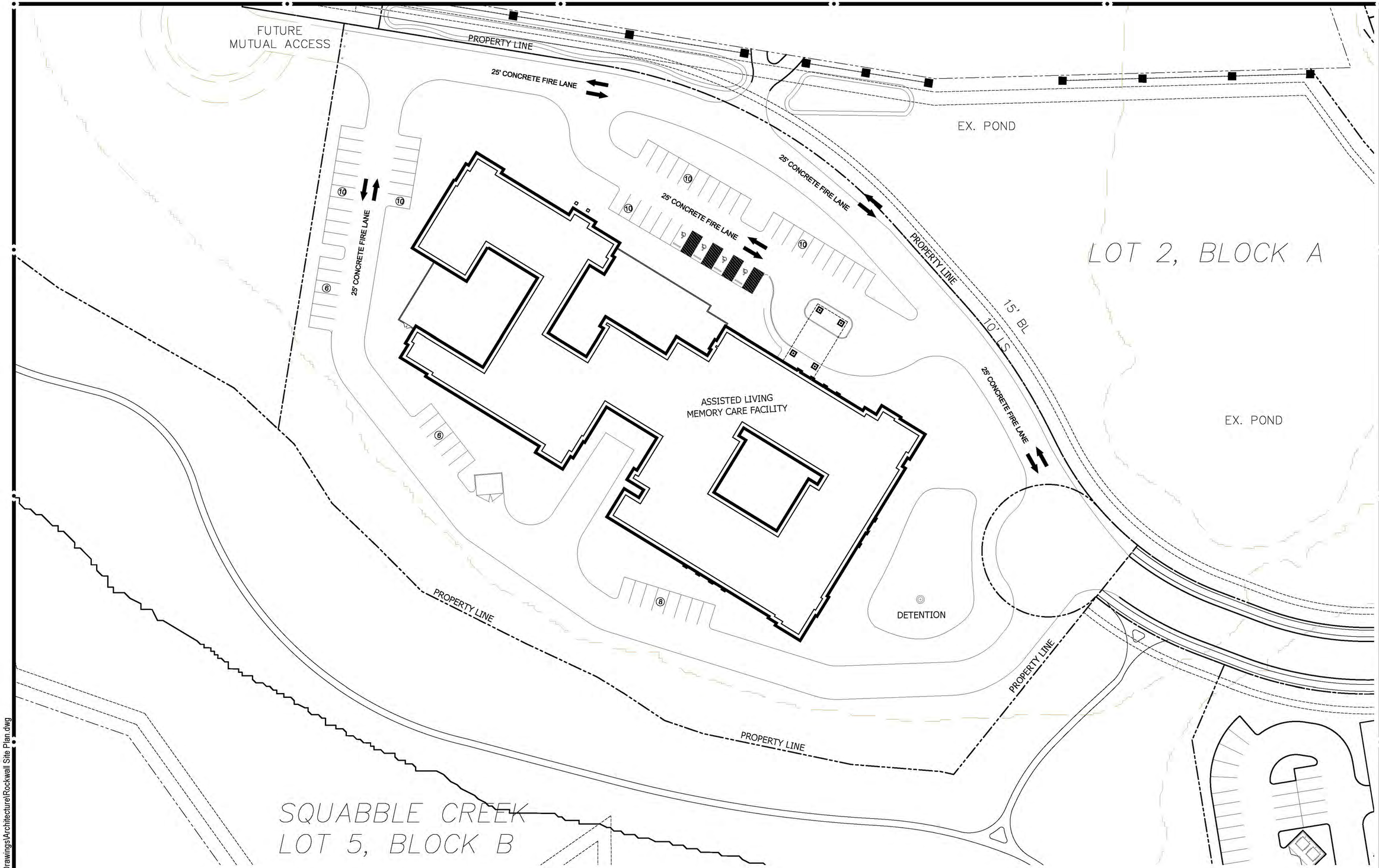
Bobby W. Stovall, R.P.L.S. No. 3703

STOVALL & ASSOCIATES SURVEYORS
FIRM LICENSE NO. 10079000

LEGEND
GAS METER | IRF IRON ROD FOUND | FENCE | BRICK WALL | BOUNDARY LINE | CONCRETE
ELEC ELECTRIC METER | IRS IRON ROD SET | ELEC. SERVICE | CROSS TIE WALL | ROCK WALL | ASPHALT

SCALE: 1" = 60' DATE: AUG. 31, 2015
JOB NO. 150270-B OF NO.
I.N.T. A.R. B.W.S.

P.O. BOX 202 ● GREENVILLE, TEXAS 75403 ● PHONE (903) 450-1120 ● FAX (903) 450-1119 ● info@stovallassociates.com



CONCEPTUAL SITE PLAN #7

0 10 100
5 50 200

Stonecreek Assisted Living & Memory Care

ROCKWALL, TX

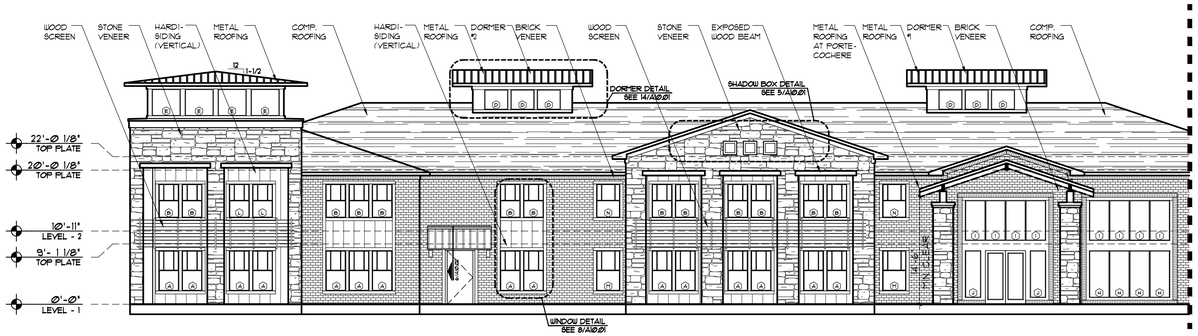
ARRIVE ARCHITECTURE GROUP
Architecture
Planning
Project Management
2344 Highway 121 · Suite 100 · Bedford, Texas 76021 · www.ArriveAC.com
Ph 817.514.0584 · Fx 817.514.0694

SEAL

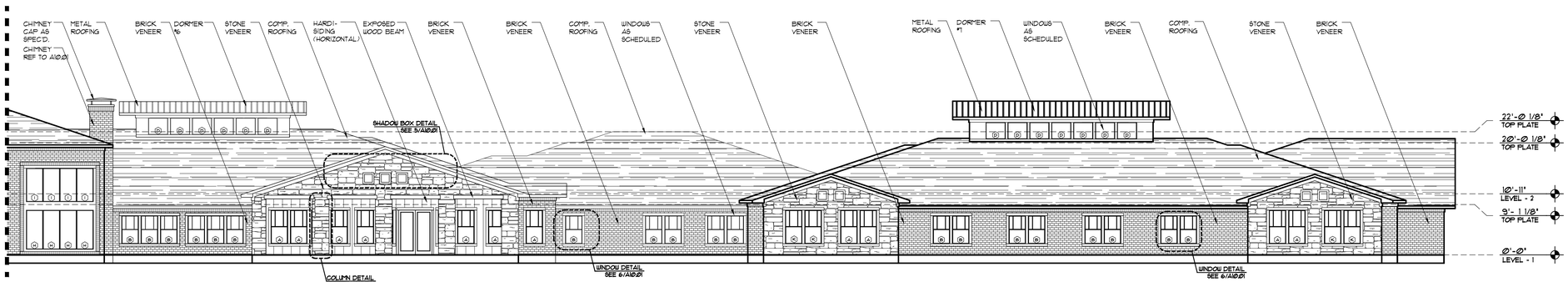
REVISION

DRAWN BY: ARRIVE	CHECKED BY: JMT
PLOT DATE: 07-2015	REV. DATE: ---
SUBMITTAL DATE:	PROJECT NUMBER:
ISSUED FOR: REVIEW	SHEET NO:
SCALE: 0'-0"	

---- SITE PLAN #6
X:\Archangel Capital\Rockwall, TX\Drawings\Architecture\Rockwall Site Plan.dwg

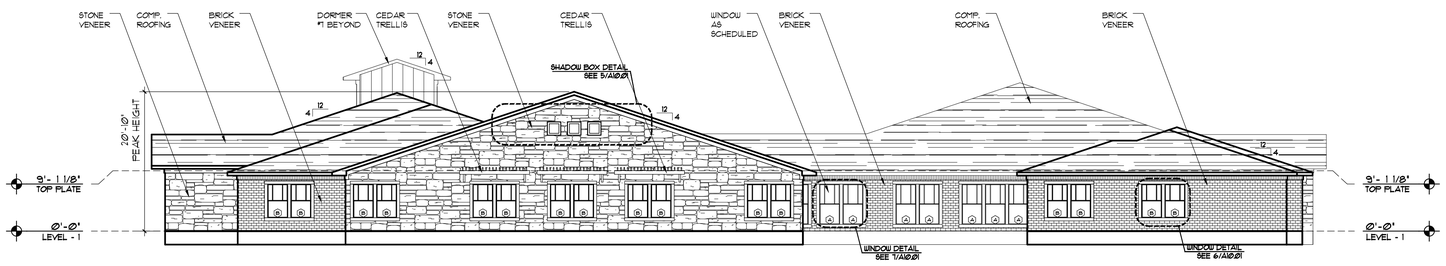


1 CONCEPTUAL NORTH ELEVATION
SCALE 3/32" = 1'-0"

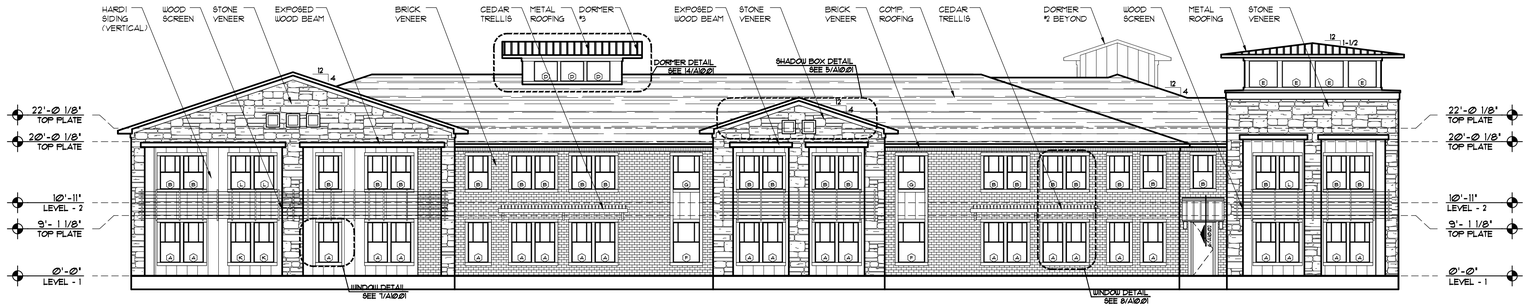


2 CONCEPTUAL NORTH ELEVATION
SCALE 3/32" = 1'-0"

NOTE: ALL COVERED PORCHES, RECESSED EXIT DOORS, AND ANY AREAS WHERE THE EXTERIOR ROOF EXTENDS 4'-0" OR MORE (OR WHERE THERE ARE SPRINKLERS OUTSIDE THE EXTERIOR LOAD BEARING WALL FOR ANY OTHER REASON) REQUIRE THE LISTED GYPSUM BOARD TO EXTEND TO THE LOAD BEARING POINT ON BOTH THE INTERIOR AND EXTERIOR SIDE OF THE WALL.



3 CONCEPTUAL WEST ELEVATION
SCALE 3/32" = 1'-0"



4 CONCEPTUAL EAST ELEVATION
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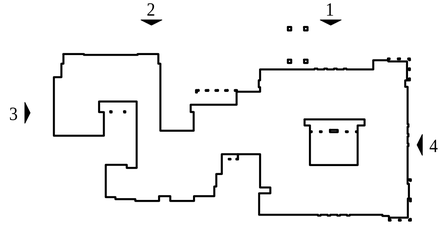


KEY PLAN
SCALE NTS

The Oaks at Rockwall

Rockwall, Texas

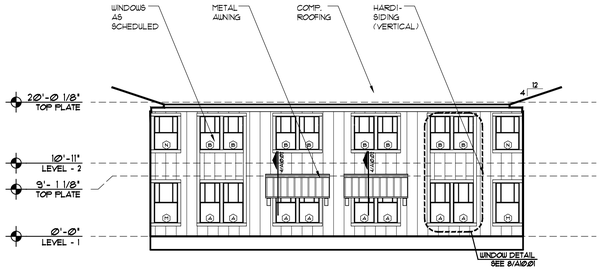
ARRIVE1 ARCHITECTURE GROUP
Architecture
Planning
Project Management
2344 Highway 121 · Suite 100 · Bedford, Texas 76021 · www.ArriveAC.com
Ph 817.514.0584 · Fx 817.514.0694

SEAL

REVISION

DRAWN BY:	CHECKED BY:
SUBMITTAL DATE:	
ISSUED FOR:	SHEET NO.
SCALE:	A5.01

---- A5.01 EXTERIOR ELEVATIONS
X:\Archangel Capital\Flower Mound\Drawings\Architecture\Flower Mound\SC Flower Mound Senior Living\Sheets\A5.00 Exterior Elevations\A5.01 Exterior Elevations.dwg



1 CONCEPTUAL COURTYARD ELEVATION
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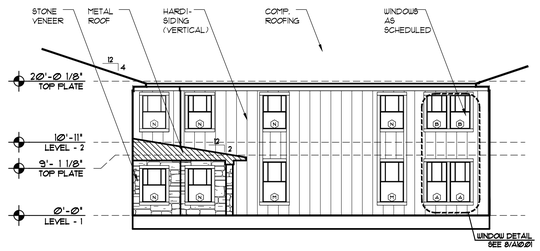
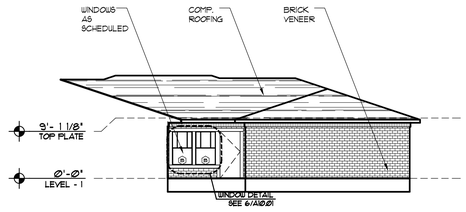


2 CONCEPTUAL COURTYARD ELEVATION
SCALE 3/32" = 1'-0"



3 CONCEPTUAL SOUTH ELEVATION
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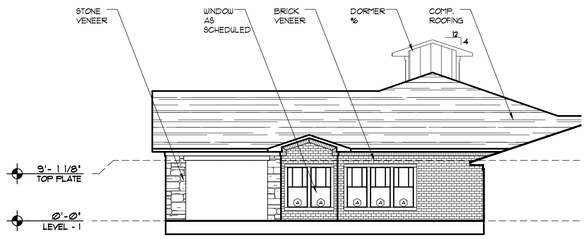

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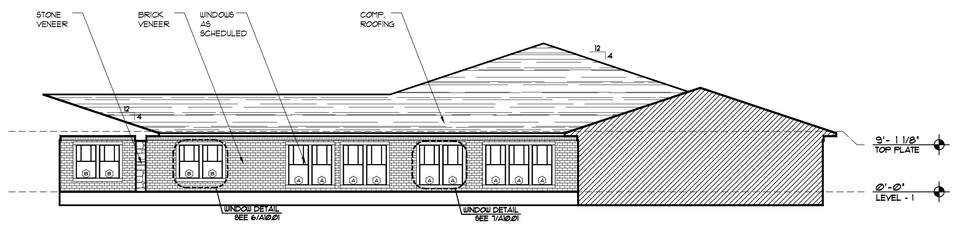
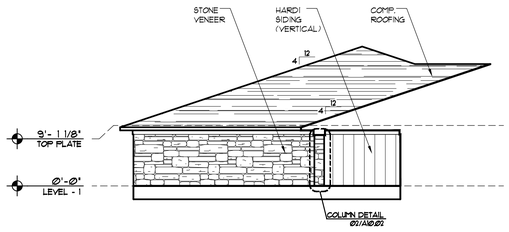
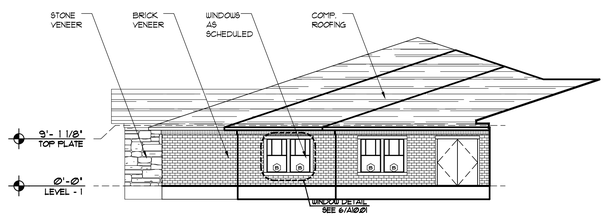


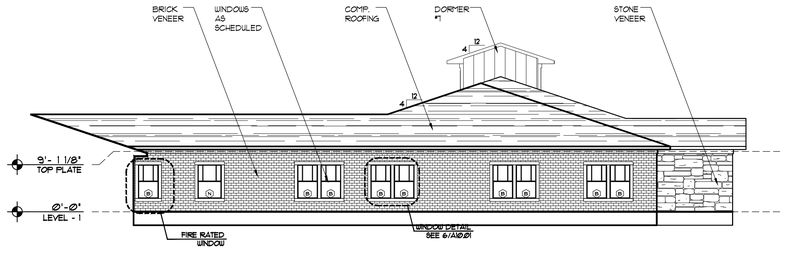
5 CONCEPTUAL WEST ELEVATION
SCALE 3/32" = 1'-0"



6 CONCEPTUAL EAST ELEVATION
SCALE 3/32" = 1'-0"

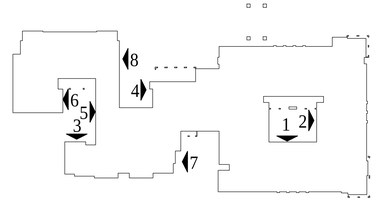


7 CONCEPTUAL EAST ELEVATION
SCALE 3/32" = 1'-0"



8 CONCEPTUAL EAST ELEVATION
SCALE 3/32" = 1'-0"

NOTE: ALL COVERED PORCHES, RECESSED EXIT DOORS, AND ANY AREAS WHERE THE EXTERIOR ROOF EXTENDS 4'-0" OR MORE (OR WHERE THERE ARE SPRINKLERS OUTSIDE THE EXTERIOR LOAD BEARING WALL FOR ANY OTHER REASON) REQUIRE THE LISTED GYPSUM BOARD TO EXTEND TO THE LOAD BEARING POINT ON BOTH THE INTERIOR AND EXTERIOR SIDE OF THE WALL.



KEY PLAN
SCALE N.T.S

The Oaks at Rockwall

Rockwall, Texas

Architecture
Planning
Project Management

ARRIVE 1
ARCHITECTURE GROUP

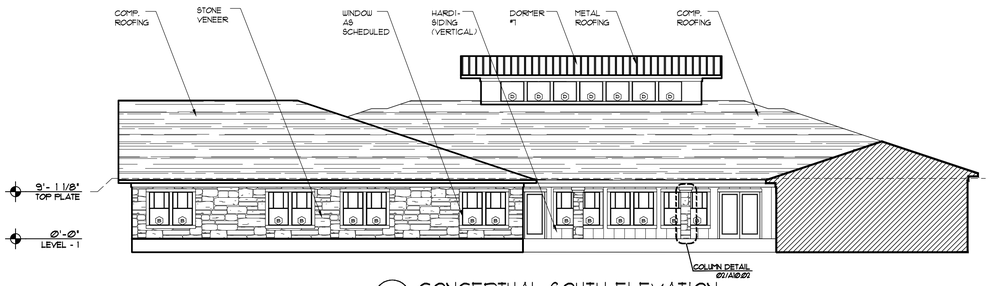
2344 Highway 121 · Suite 100 · Bedford, Texas 76021 · www.ArriveAC.com
Ph 817.514.0584 · Fx 817.514.0694

SEAL

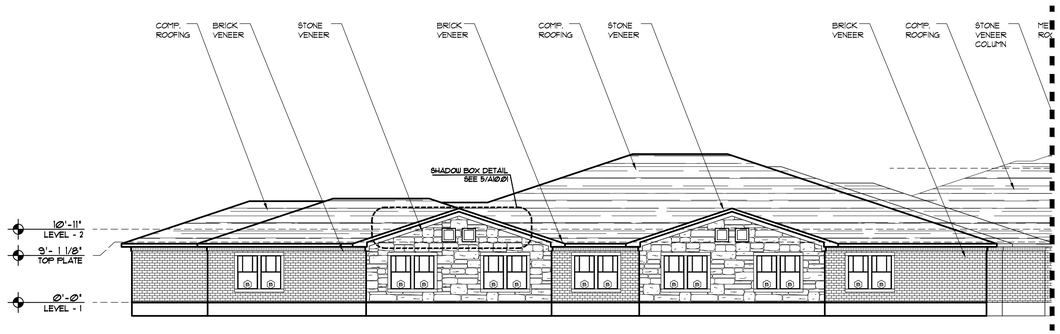
REVISION

DRAWN BY:	CHECKED BY:
SUBMITTAL DATE:	
ISSUED FOR:	SHEET NO.
SCALE:	A5.03

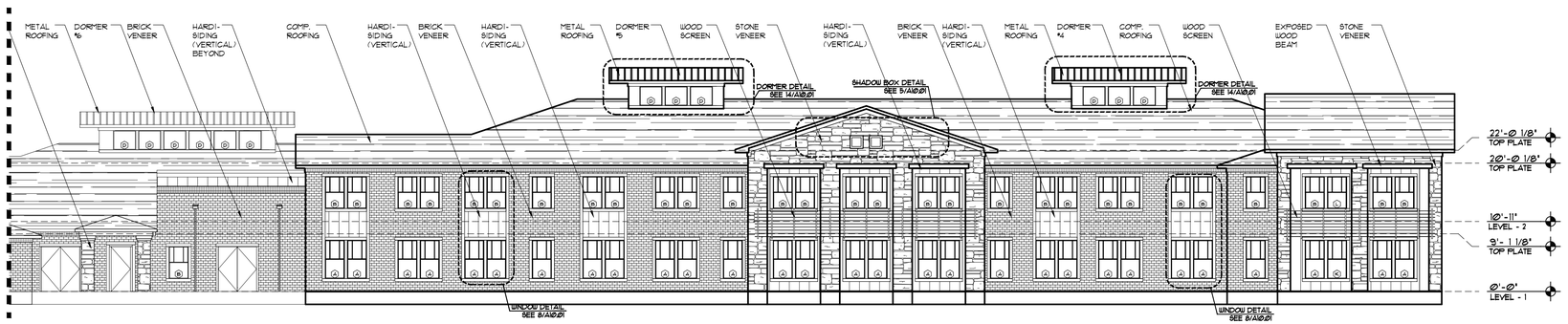
---- A5.03 EXTERIOR ELEVATIONS
X:\Archangel Capital\Flower Mound\Drawings\Architecture\Flower Mound\SC Flower Mound Senior Living\Sheets\A5.00 Exterior Elevations\A5.03 Exterior Elevations.dwg



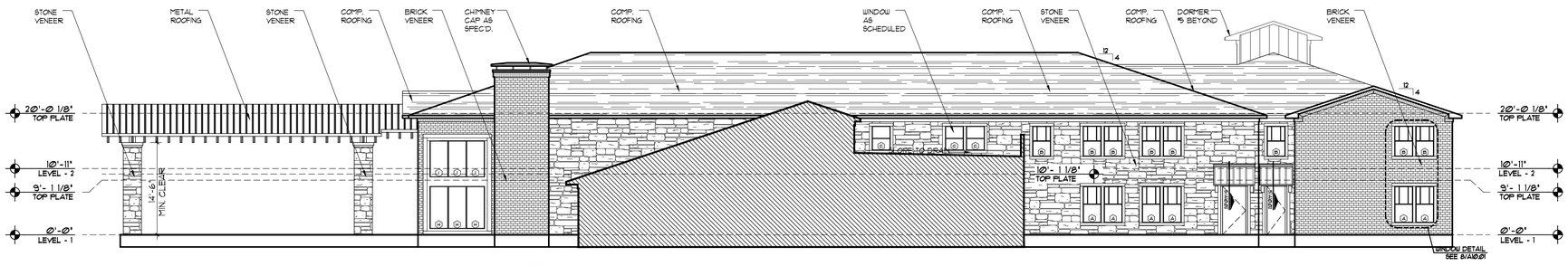
1 CONCEPTUAL SOUTH ELEVATION
SCALE 3/32" = 1'-0"



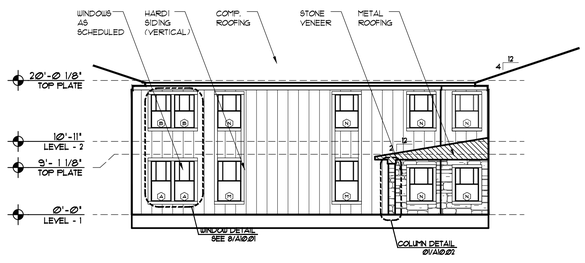
2 CONCEPTUAL SOUTH ELEVATION
SCALE 3/32" = 1'-0"



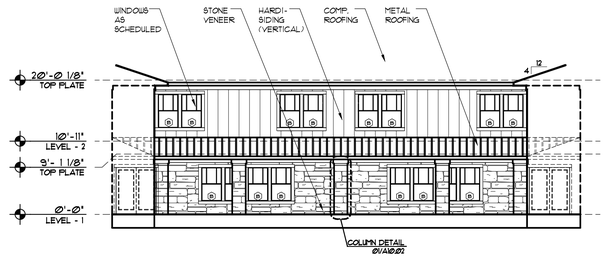
3 CONCEPTUAL SOUTH ELEVATION
SCALE 3/32" = 1'-0"



4 CONCEPTUAL WEST ELEVATION
SCALE 3/32" = 1'-0"

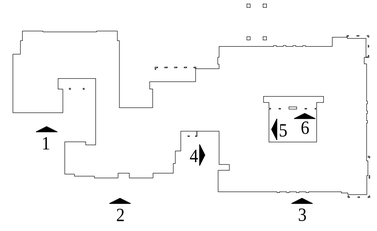


5 CONCEPTUAL COURTYARD ELEVATION
SCALE 3/32" = 1'-0"



6 CONCEPTUAL COURTYARD ELEVATION
SCALE 3/32" = 1'-0"

NOTE: ALL COVERED PORCHES, RECESSED EXIT DOORS, AND ANY AREAS WHERE THE EXTERIOR ROOF EXTENDS 4'-Ø" OR MORE (OR WHERE THERE ARE SPRINKLERS OUTSIDE THE EXTERIOR LOAD BEARING WALL FOR ANY OTHER REASON) REQUIRE THE LISTED GYPSUM BOARD TO EXTEND TO THE LOAD BEARING POINT ON BOTH THE INTERIOR AND EXTERIOR SIDE OF THE WALL.



KEY PLAN
SCALE N.T.S

The Oaks at Rockwall

Rockwall, Texas

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SEAL

REVISION

DRAWN BY:	CHECKED BY:
SUBMITTAL DATE:	
ISSUED FOR:	SHEET NO.
SCALE:	A5.02

---- A5.02 EXTERIOR ELEVATIONS
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Stone Creek

The Oaks at Rockwall

The Oaks
Assisted Living and Memory Care

Rockwall, TX





119

Renderings

Stone Creek



Renderings

Stone Creek



CITY OF ROCKWALL

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] AND PLANNED DEVELOPMENT DISTRICT 65 (PD-65) OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO AMEND PLANNED DEVELOPMENT DISTRICT 65 (PD-65) [*ORDINANCE NO. 08-20*] TO ALLOW A 74,000 SF ASSISTED LIVING AND MEMORY CARE FACILITY ON A 5.507-ACRE PORTION OF THE LARGER 11.723-ACRE TRACT OF LAND IDENTIFIED AS TRACT 5 OF THE S. KING SURVEY, ABSTRACT NO. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A' & EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by the Randy Kopplin of Stone Creek Real Estate Partners, LLC on behalf of the owner Arkoma Development, LLC for an amendment to Planned Development District 65 (PD-65) [*Ordinance No. 08-20*] to allow for a 74,000 SF Assisted Living and Memory Care Facility on a 5.507-acre portion of a larger 11.723-acre tract of land identified as Tract 5 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, further identified as *Parcel 2* in Ordinance No. 08-20, and more fully described in *Exhibits 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 65 (PD-65) [*Ordinance No. 08-20*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

Section 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance, Planned Development District 65 (PD-65) [*Ordinance No. 08-20*], and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 2. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan* and the *Concept Building Elevation*, described in *Exhibit 'B' & 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B' & 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

DRAFT ORDINANCE 10.13.2015

Section 3. That the development of the *Subject Property* shall require a *PD Site Plan* to be approved by the Planning and Zoning Commission upon recommendation by the Architectural Review Board (ARB). All variances, waivers and exceptions will require approval by the City Council upon recommendation by the Planning and Zoning Commission.

Section 4. That the *Subject Property* shall be developed in accordance to the standards provided for in *Section 4.1, "General Commercial District Standards," Section 4.4, "General Retail (GR) District,"* and *Section 6.11, "North SH-205 Corridor Overlay (SH-205 BY-OV) District,"* of *Article V, "District Development Standards,"* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

Section 5. That the official zoning map of the City be corrected to reflect the changes in zoning described in this Planned Development District Ordinance.

Section 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 7. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 8. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 9. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 2ND DAY OF NOVEMBER, 2015.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

DRAFT ORDINANCE 10.16.15

APPROVED AS TO FORM:

_____

Frank J. Garza, *City Attorney*

1st Reading: *October 19, 2015*

2nd Reading: *November 2, 2015*

DRAFT ORDINANCE 10.13.2015

Exhibit 'A':
Legal Description & Survey

All that certain lot, tract or parcel of land situated in the J.H.B. Jones Survey, Abstract No. 124 and the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, and being part of that tract of land described in a Deed from Arkoma Realty, Ltd., to Arkoma Development, L.L.C., as recorded in Volume 4247, Page 95 of the Real Property Records of Rockwall County, Texas (hereinafter called Subject Tract),and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "STOVALL &: ASSOC." set (hereinafter called 1/2" iron rod set) for corner in a North line of that tract of land described as Tract 2 in a Deed from Arkoma Development, LL.C., to the City of Rockwall, Texas, as recorded in Volume 5670, Page 162 of the Real Property Records of Rockwall County, Texas (hereinafter called The City Tract), at a West corner of the Final Plat of North Lakeshore Valley, Lots 1 &: 2, Block B, an Addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet G, Slide 281 of the Plat Records of Rockwall County, Texas, said point also being at the beginning of a curve to the right, said point also being at the Southwest corner of Pecan Valley Drive (50' right-of-way per plat recorded in Cabinet G, Slide 281, Plat Records of Rockwall County, Texas);

THENCE in a Northwesterly direction with a North line of The City Tract and with said curve to the right having a central angle of 16 deg. 20 min. 41 sec., a radius of 275.00 feet, a chord bearing of N. 59 deg. 23 min. 12 sec. W., a chord distance of 78.18 feet and an arc length of 78.45 feet to a 1/2" iron rod set for corner at a North corner of The City Tract;

THENCE in a Westerly direction with the North line of The City Tract the following:

S. 38 deg. 47 min. 07 sec. W. a distance of 169.83 feet to a 1/2" iron rod set for corner;
N. 85 deg. 27 min. 52 sec. w. a distance of 78.82 feet to a 1/2" iron rod set for corner;
N. 76 deg. 44 min. 54 sec. w. a distance of 144.35 feet to a 1/2" iron rod set for corner;
N. 57 deg. 21 min. 09 sec. w. a distance of 60.80 feet to a 1/2" iron rod set for corner;
N. 63 deg. 58 min. 26 sec. w. a distance of 146.84 feet to a 5/8" iron rod found for corner;
N. 45 deg. 32 min. 48 sec. w. a distance of 94.99 feet to a 1/2" iron rod set for corner;
N. 32 deg. 32 min. 55 sec. w. a distance of 52.94 feet to a 5/8" iron rod found;
N. 47 deg. 01 min. 28 sec. w. a distance of 16.40 feet to a 1/2" iron rod set for corner;

THENCE N. 09 de1. 13 min. 46 sec. E. leaving the North line of The City Tract, a distance of 310.04 feet to a 1/2" iron rod set for corner;

THENCE S. 80 deg. 46 min. 14 sec. E. a distance of 197.67 feet to a 1/2" iron rod set for corner at the beginning of a curve to the right;

THENCE in a Southeasterly direction with said curve to the right having a central angle of 39 deg. 04 min. 23 sec., a radius of 375.00 feet, a chord bearing of S. 61 deg. 14 min. 03 sec. E., a chord distance of 250.81 feet and an arc length of 255.73 feet to a 1/2" iron rod set for corner;

THENCE S. 41 deg. 41 min. 51 sec. E. a distance of 80.58 feet to a 1/2" iron rod set for corner at the beginning of a curve to the right;

THENCE in a Southeasterly direction with said curve to the right having a central angle of 15 deg. 03 min. 37 sec., a radius of 425.00 feet, a chord bearing of S. 34 deg. 10 min. 03 sec. E., a chord distance of 111.39 feet and an arc length of 111.71 feet to a 1/2" iron rod set for corner;

THENCE S. 26 deg. 38 min. 14 sec. E. a distance of 16.01 feet to a 1/2" iron rod set for corner at the beginning of a curve to the left;

THENCE in a Southeasterly direction with said curve to the left having a central angle of 40 deg. 55 min. 19 sec., a radius of 225.00 feet, a chord bearing of S. 4 7 deg. 05 min. 53 sec. E., a chord distance of 157.31 feet and an arc length of 160.70 feet to a 1/2" iron rod set for corner at a Northwest corner of Pecan Valley Drive;

THENCE S. 22 deg. 26 min. 27 sec. W. with the West line of Pecan Valley Drive a distance of 50.00 feet to the POINT OF BEGINNING and containing 5.507 acres or 239,903 square feet of land.

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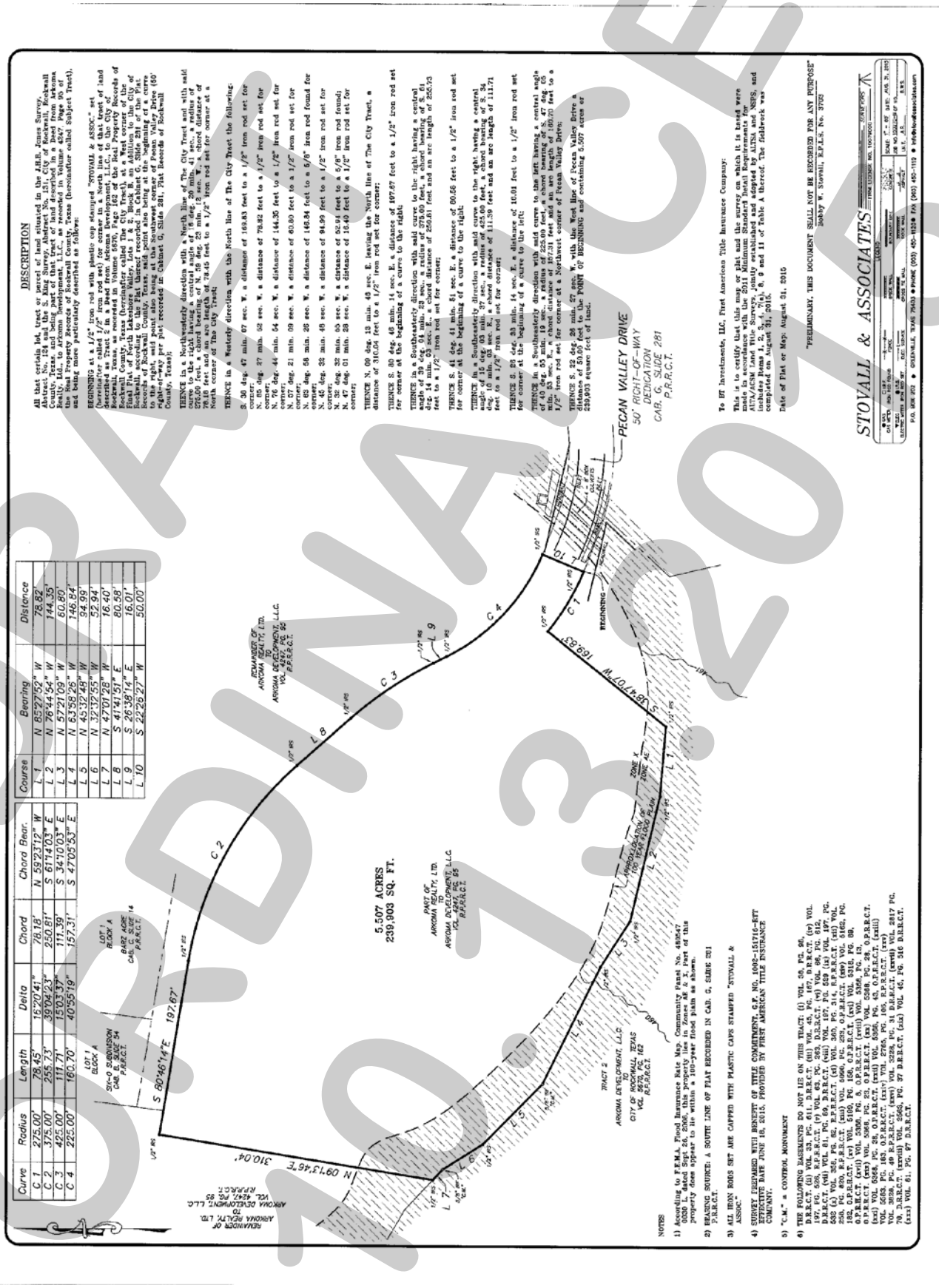

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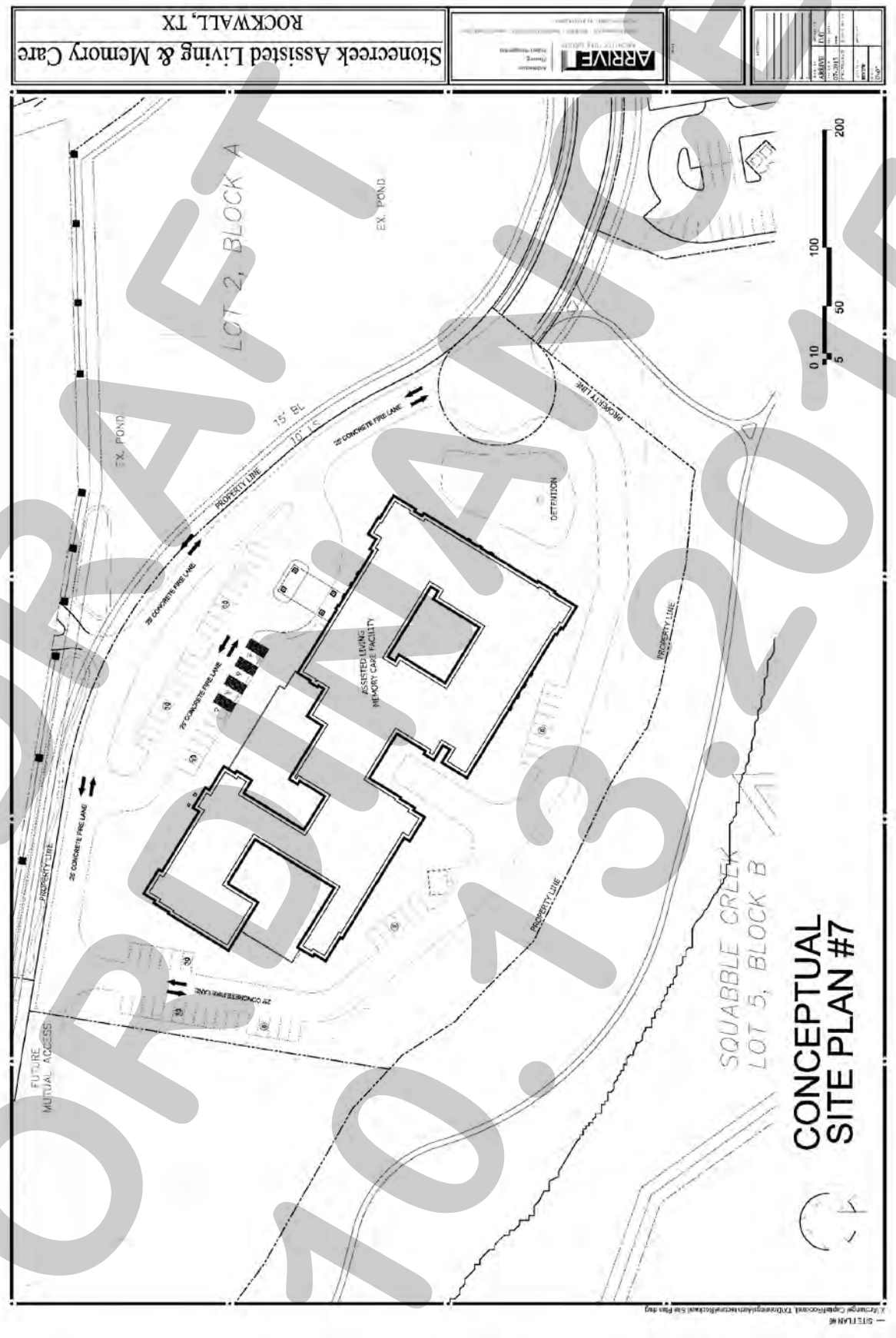
10.13.2015

Exhibit 'B':
Planned Development Concept Plan



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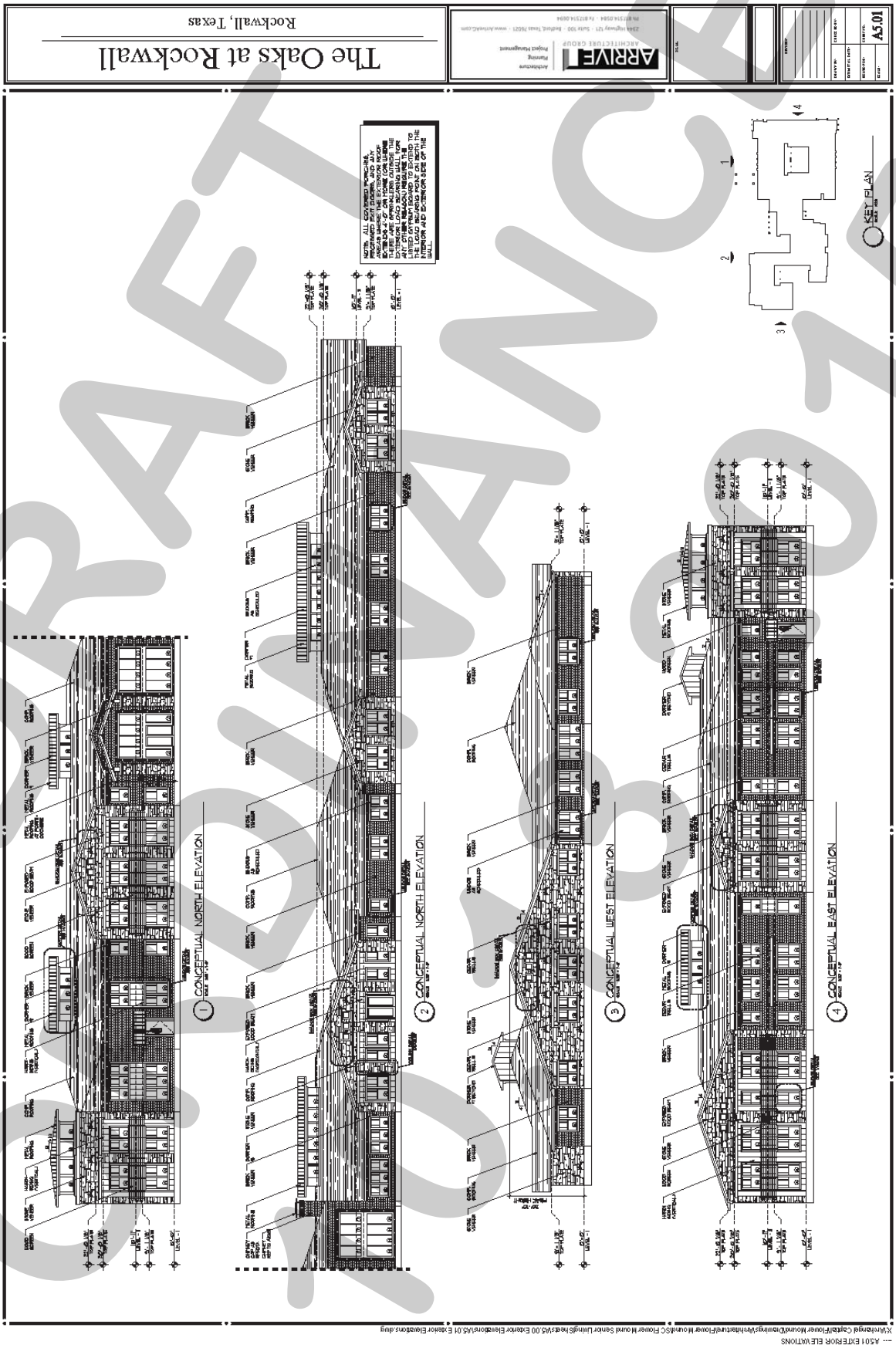
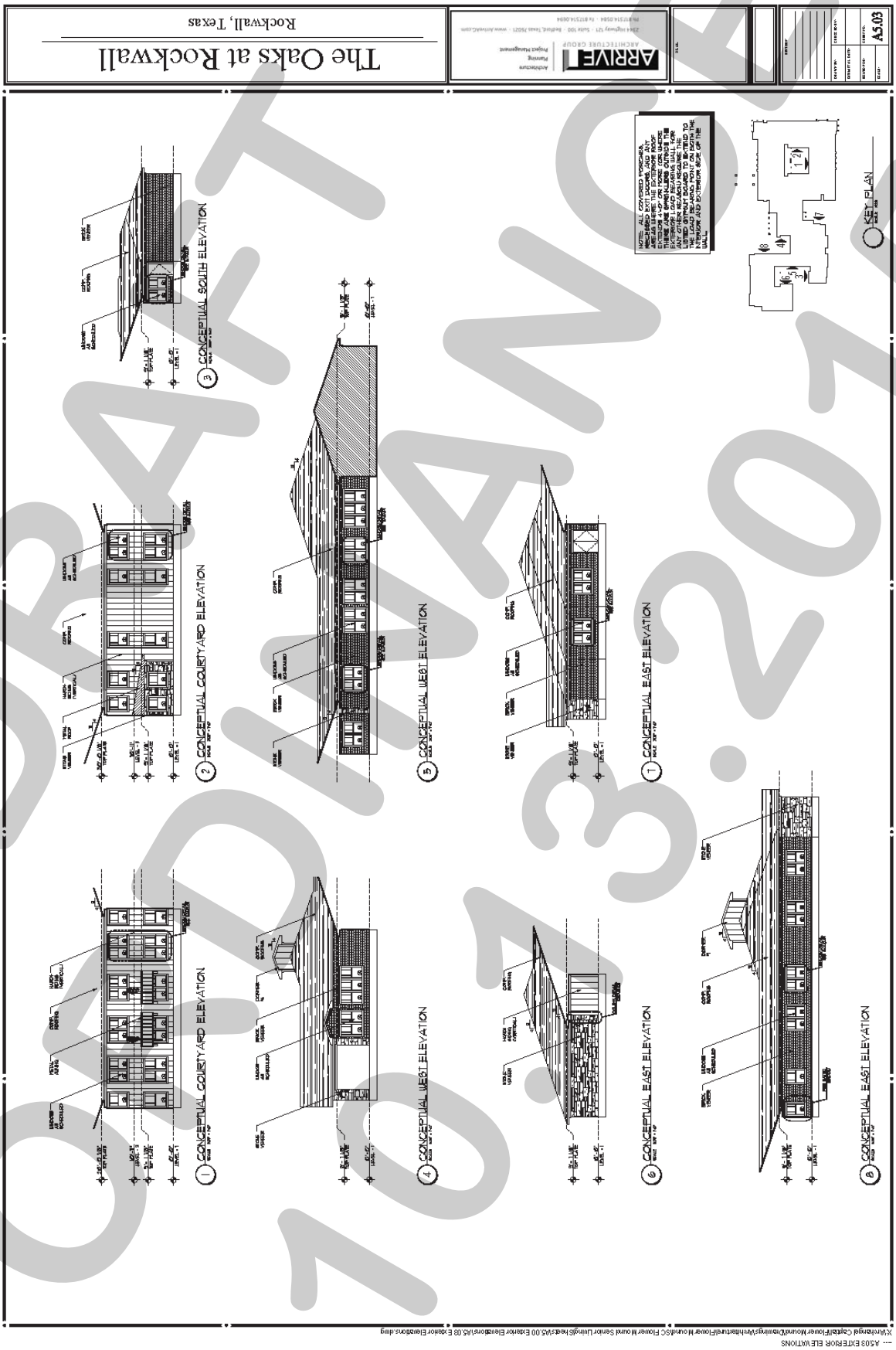
ORDINANCE
10.13.2015

Exhibit 'C':
Concept Building Elevations



DRAFT ORDINANCE 10-15

Exhibit 'C':
Concept Building Elevations



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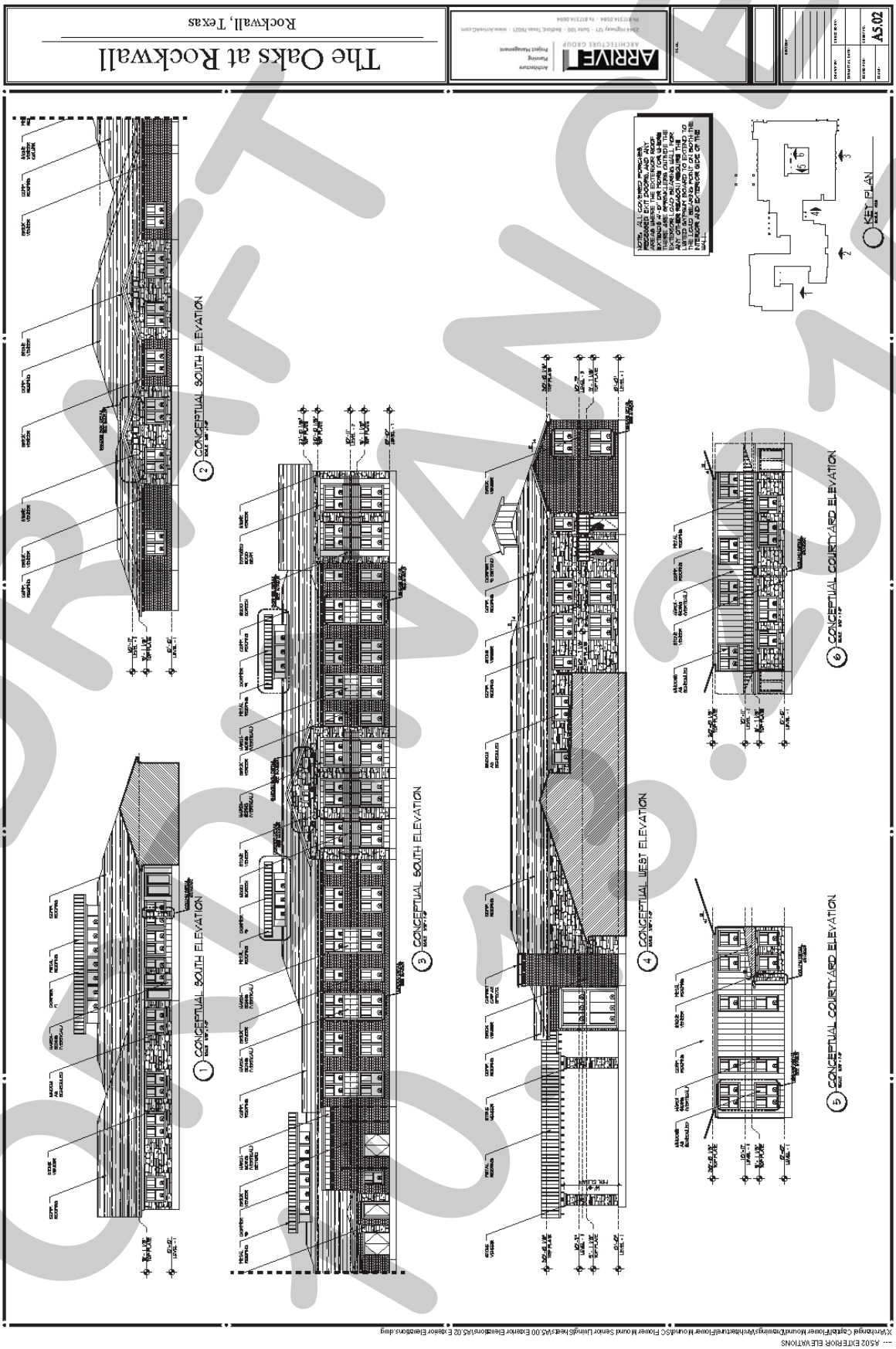
ORDINANCE
10.13.2015

Exhibit 'C':
Concept Building Elevations



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131

City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Joey Boyd, Director of Internal Operations

DATE: October 16, 2015

SUBJECT: Through The Fence Agreement

Paul Davis has privately owned the property adjacent to the Ralph M. Hall / Rockwall Municipal Airport on the northwest corner for many years. (two north buildings with white roofs). See attached aerial.

Mr. Davis' hangars have access from a common taxiway onto the runway. David Block has the same access point from his two hangars (silver roof and blue roof). Mr. Block has a formal through-the-fence agreement with the City but a review of our records shows that no formal access agreement exists between the City and Mr. Davis, nor the previous owner of the property to use this access point to get onto public property.

Attached for the City Council's consideration is a through-the-fence agreement that formalizes the access between the two parties. The City Council is asked to authorize the City Manager to execute the agreement between the City of Rockwall and Paul Davis.

Through The Fence Agreement

This agreement is for a through-the-fence taxiway access from private property to the Rockwall Municipal Airport.

STATE OF TEXAS)
) KNOW ALL PERSONS BY THESE PRESENTS:
CITY OF ROCKWALL)

This agreement is entered into this 14th day of October, 2015, between the City of Rockwall, which is the owner of the Rockwall Municipal Airport, hereinafter referred to as the "Owner", hereinafter referred to as "Airport" and Texas Specialty Underwriters, Inc., Paul Davis and/or PSB Family Trust and/or it's assignee (a corporation, partnership, or sole proprietor), hereinafter referred to as "User" who covenant and agree as follows:

WHEREAS, Owner and User are committed to the proper operation, improvement, and continued development of the airport; and

WHEREAS, User is the owner of real property immediately adjacent to the physical property of the Airport and has owned and operated that property for aviation purposes since September 1994 (and before that time by the previous owners) with full agreement of the Owner for a total of more than thirty-five years on which basis the User is declared to be and remain a "Grandfathered" User; and further that User agrees to future annual "Use" payments as indicated below of $600.00.

WHEREAS, User has, with full knowledge and agreement of the Owner, made taxiway improvements for ingress and egress to the Airport and continues to be one of the largest purchasers of fuel and services from the Airport; and

WHEREAS, Owner deems it advantageous to itself and to the operation of the Airport to continue to allow User certain taxiway access;

NOW THEREFORE, in consideration of the terms, considerations, and privileges listed herein, Owner and User covenant and agree as follows:

Definitions.

Taxiway Access – means an aircraft taxiway, further described and defined below as the Land, located on private property owned by Owner adjacent to the Rockwall Municipal Airport that connects or feeds into a taxiway on the Airport and that is constructed for or intended use for the principal purpose of allowing aircraft to taxi between the Airport and one or more private properties owned by User off site, and is approved as an existing and continuing access taxiway by the City of Rockwall.

Airport – means the area known as the Ralph Hall, Rockwall Municipal Airport.

Section 1. USED Area

Owner does hereby enter into formal agreement to acknowledge and continue the Grandfathered lease or rights of use to User, effective on the date above stated, the existing Taxiway between the current property owned by User adjacent to the Airport for the sole purposes of aircraft taxi "through-the-fence" to the Airport and to the runways and taxiway system of the Airport.

Section 2. Term

This agreement shall be for the term of thirty (30) years, and may be extended for additional thirty year terms after the initial term upon giving of written notice by User to Owner not more than one hundred eighty (180) nor less than sixty (60) days prior to the expiration of the preceding 30 (thirty) year lease term under the terms specified in the next section of this agreement.

Section 3. Consideration

A. In consideration for the lease or use of the Land as referenced herein, Owner acknowledges the substantial revenue that User has and will continue to generate to the Owner in the form of purchased fuel, property taxes, and further that User agrees to future annual "Use" payments of $600.00. The first of these annual payments will be due within five (5) days of the effective date of this agreement and thereafter on the yearly anniversary of the effective date of this agreement.

B. User agrees that he will at all times refrain from littering on or wasting the premises of the taxiway access and will not place trash, litter, junked automobiles, or scrap aircraft parts on the taxiway access. User shall abide by all applicable rules and recommendations of the Environmental Protection Agency, the Texas Commission on Environmental Quality, the Texas Department of Agriculture, the Texas Department of Transportation, and any other public agency concerning the use, storage, and disposal of hazardous chemicals, fuel, and/or oil on the Land. User further agrees to abide by the manufacturer's directions in regards to the use, storage, and disposal of all pesticides, herbicides, and other chemicals plus their containers used at the airport on the land. Should User fail to keep the leased area free of hazards caused or created by User, Owner may, after 30 days written notice, arrange for the cleanup of the littered of hazardous area. Such cleanup, to the extent caused or created by User, shall be charged to User and payable on demand. Failure to render proper payment for such cleanup and/or general disregard for the considerations and restrictions listed in this lease agreement are grounds for Owner to terminate this lease as provided herein.

C. Taxes, Fees, Insurance, and Bond – User shall be liable for all taxes and fees owed on or by his personal business or himself. Under no circumstances shall Owner be liable for or be required to pay any tax or fee owned by User, nor shall User be liable for taxes or fees relating to the Land or Airport. User should provide his own insurance coverage for any personal property located in or on the leased area.

D. All improvements made by the User on the Airport property shall become property of the City of Rockwall at the time of expiration or termination of this agreement unless otherwise approved in writing by the City Manager. The City shall not be required to pay the User for any such improvements made unless specifically stated in writing by the City Manager.

Section 4. Permitted Use

All uses otherwise permitted by existing zoning ordinances within the boundaries of the existing airport Overlay District and as it may be amended in the future, except where there is a conflict between the Airport Overlay District and existing zoning ordinances. Where the provisions of the Airport Overlay district are more restrictive, the provisions of the Airport Overlay District shall govern.

Section 5. Restricted Use

A. User agrees that he/she will not store or permit the storage of any fuel or hazardous, volatile, and/or dangerous chemicals on the taxiway access except as generally allowed for and/or associated with the uses of the Land and Airport authorized herein without the written consent of Owner.

B. User agrees not to make any additions or modifications to the taxiway access except as agreed upon by both parties in writing. In the case of such consent and unless agreed to the contrary in writing, all improvements or modifications shall be made at the expense of User and, at the expiration of this Lease and any extensions to this lease, shall become the property of the Owner.

C. User agrees that he will access any and all hangers located on his private property from public access from Williams Road off of Airport Road.

Section 6. Unrestricted Uses

The following uses of the Land and User's adjacent property shall be unrestricted by Owner: personal aeronautical use; flight school training; fly for hire; fuel storage for personal use; purchase, sale and/or lease of aircraft and aeronautical equipment; maintenance on aircraft and/or aeronautical equipment owned, leased or leasing space from User; sale or lease of User property and/or improvements; constructions, improvement and/or maintenance to the property owned, leased or controlled by the User; and all uses not exclusively reserved by and for the benefit of the Fixed Base Operator for the Airport pursuant to the terms of that FBO/Airport Management Agreement dated March 20, 2014 so long as said agreement is in force and effect and is binding on Owner and after the expiration and/or termination of said FBO/Airport Management Agreement said uses previously exclusively reserved shall also be unrestricted uses hereunder. However, pursuant to the above listed FBO Agreement provisions set forth in in SECTION 1, subsection B.; the property that is the subject matter of this Agreement also falls within the Exhibit B designation and has no less rights and uses than those provided to David Block and referenced in above referenced Section 1 and as referring to Exhibit B in that Agreement.

Section 7. Sublease, Assignment, or Sale

The User may sublease, assign, sell or transfer User's property adjacent to the taxiway access and/or User's rights and obligations given by this agreement upon 15 days written notice to Owner and in such case the assignor shall be relieved of liability for the obligations assumed; provided that User may sublease, assign and/or transfer without notice to any entity owned or controlled by User, a family member, an heir, or a trust created for the benefit of an heir or family member.

Section 8. Termination

A. This contract agreement may be terminated, prior to its term, by Owner or User if either fails to abide by the material terms and conditions expressed herein and due the complainant and so decreed by a court of competent jurisdiction. In the event User fails to make timely payment as required herein, uses the Airport property or permits the Airport to be used for any illegal or unauthorized purpose, abandons or leaves the property vacant or unoccupied for 180 consecutive days, or violates any of the material terms and conditions of this contract agreement, Owner has the right to terminate this contract agreement and retake possession of any Airport property leased to or under the control of User upon ten (10) days written notice delivered to User; provided that notwithstanding any other provision to the contrary, prior to notice of default and right to termination or exercise of other remedy, Owner shall deliver written notice to User stating with reasonable particularity the facts supporting the claimed

default and actions necessary to cure same and User shall have thirty (30) days opportunity to cure said default. In the event that said default cannot reasonably be cured within said cure period but User is acting with reasonable diligence to accomplish such said cure, said cure period shall be extended another thirty (30) days.

B. User agrees and understands that Owner reserves the right to further expand, develop, or improve the airport, including the termination or modification of this lease agreement, in such instance that the continued leasing of the taxiway access would prevent any proposed development or improvements at the Airport; provided that in determining whether this lease agreement would prevent any proposed development or improvements at the Airport, all development and improvement alternatives shall be taken into consideration; and further provided that in any event this Lease Agreement may not be terminated for the cause outlined in this sentence prior to the thirtieth year after this lease agreement is signed. In the event that termination is authorized by the proceeding sentence, this contract agreement may be terminated regardless of the desires, wishes, or views of User and without interference or hindrance from User, but only so long as such expansion, development, or improvements are shown on a Texas Department of Transportation and/or FAA approved Airport Layout Plan or Master Plan and in a manner consistent with the preceding sentence and upon reasonable written notice given the circumstances and investment of User.

C. This contract may be prematurely terminated by mutual agreement and consent of both parties in writing. Such termination by mutual agreement shall cause both Owner and User to be free of any and all requirements of this contract, and neither Owner nor User shall have any derogatory remarks or entries made upon their resumes or upon any public or private records, which would indicate failure to successfully fulfill the conditions of this contract.

D. At the termination of this contract agreement consistent with the provisions herein, either by normal expiration, premature termination, or mutual agreement, User shall peaceably surrender this agreement.

Section 9. Hold Harmless

User agrees to save, hold harmless and indemnify Owner and its agents, servants, and employees of and from any and all liabilities, expenses, causes of action, or damages, resulting from any negligent act or omission of User or User's agents, servants, or employees on the Land as defined herein.

Section 10. Maintenance of Landing Area

User understands and agrees that Owner reserves the right, but not the obligation, to maintain the Airport to at least the minimum standards as recommended by the FAA and/or the Texas Department of Transportation. Such right includes the right to maintain and keep in repair all

public use areas at the Airport and the right to direct and control all activities as necessary at the Airport.

Section 11. Miscellaneous

A. This contract agreement and the exhibits referenced herein embraces the entire lease agreement of the parties mentioned herein pertaining to the taxiway access and no statement, remark, agreement, or understanding, either oral or written, not contained herein or in an exhibit hereto shall be recognized or enforced as it pertains to the lease or use of the taxiway access, except that this contract agreement may be modified by written addendum agreed to and signed by all pertinent parties and attached hereto.
B. For the purpose of this contract agreement, the singular number shall include the plural and the masculine shall include the feminine and vise-versa, whenever the context so admits or requires.
C. The "Section" captions and headings are inserted solely for the convenience of reference and are not part of nor intended to govern, limit, or aid in the construction of any provision hereof.
D. The parties to this contract agreement hereby acknowledge and agree that they are the principals to the contract agreement and have the power, right, and authority to enter into this contract agreement and are not acting as an agent for the benefit of any third party, except that the Owner is acting on behalf of the City of Rockwall.
E. This contract agreement shall be governed by the laws of the State of Texas and construed thereunder and venue of any action brought under this contract agreement shall be in Rockwall County, Texas.
F. If any section, paragraph, sentence, or phrase entered in this contract agreement is held to be illegal or unenforceable by a court of competent jurisdiction, such illegality or unenforceability shall not affect the remainder of this contract agreement and, to this end, the provisions of this contract agreement are declared to be severable.
G. User also understands that this lease does not obligate the Owner to continue operating the Airport as an airport. Further, User understands and agrees that if the Owner decides to close the Airport then User will not be entitled to any damages or monies or other compensation from the Owner as a result of this Agreement.

Section 12. Notification

Any notice given by one party to the other in connection with this agreement shall be in writing and shall be delivered (and shall be deemed delivered three days after deposit with the U.S. Mail service with proper postage if sent certified mail, return receipt requested) to:

Owner:
Rockwall City Hall
Attn: City Manager
385 S. Goliad Street
Rockwall, Texas 75087

User:
Texas Specialty Underwriters, Inc., Paul Davis and/or PSB Family Trust
510 Turtle Cove Blvd., Suite 200
Rockwall, Texas 75087

Section 13. Effective Date

This agreement is executed by the parties on the dates indicated below to be EFFECTIVE on the 14th day of October, 2015.

Owner:
City of Rockwall

_____
City Manager

Date: _____

User:
Texas Specialty Underwriters, Inc., Paul Davis and/or PSB Family Trust

_____
President, Individually, and as Trustor

Date: October 14, 2015



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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 10/19/2015

APPLICANT: Jonathan Hake of Cross Engineering

AGENDA ITEM: **SP2015-022;** Crush It Sport, *Airport Road*

SUMMARY:

Discuss and consider a request by Jonathan Hake of Cross Engineering on behalf of the owner Kenneth R. Smith of K. R. Smith Holdings, LLC for the approval of an exception to allow tilt-wall construction and variances to the articulation, architectural and material requirements for an approved site plan for an indoor/outdoor baseball training facility on a six (6) acre tract of land identified as Tract 4-07 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 By-Pass Corridor Overlay (SH-205 BY-OV) District, located on the north side of Airport Road west of the intersection of Airport Road and John King Boulevard, and take any action necessary.

PURPOSE:

The applicant is requesting approval of a certain variances as outlined below in conjunction with an approved site plan for the purpose of constructing a 2-story indoor baseball facility that will be approximately 42,077 sq. ft. of gross building area on a six (6) acre tract of land. The site will include an indoor baseball facility, a practice field, and a full sized baseball field that will provide consumer based recreational activities for the public. The indoor facility will be generally equipped with batting cages, practice cages, virtual video cages, concessions, arcade games, a workout facility, a meeting room, a pro shop and business office. The baseball field and practice fields will be available for rental, select team use, and tournament play.

The property is zoned *Commercial (C) District* and has been granted a Specific Use Permit [*SUP Ord. No. 15-18*] on July 6, 2015 to allow for the development of an indoor/outdoor baseball training facility. The property is also within the *205 By-Pass Corridor Overlay (205 BY-OV) District* and is generally located on the north side of Airport Road, west of the intersection of Airport Road and John King Boulevard, across from the Leon Tuttle Athletic Complex.

VARIANCES AND EXCEPTIONS REQUESTS:

The applicant is requesting variances to the *Unified Development Code* (UDC) for the sections outlined below. As a note, a variance request to the UDC requires passage of a simple majority vote by the City Council for approval; however, a variance to the *205 BY-Pass Corridor Overlay (205 BY-OV) District* requires passage by a ¾ majority vote of those City Council members present. The requests are as follows:

a) *Article V, Section 4.1 General Commercial District Standards* – According to *Art. V, Sec. 4.1, A* the City Council can grant an exception to allow concerte tilt-up walls on a case-by-case basis after reviewing the building elevations and material samples. In this case the applicant is proposing concrete tilt wall panels that will be visible on all four (4) sides of the structure (*i.e. East: 70%; South: 33%; West: 64%; North: 94%*). ***[Simple Majority Vote]***

b) *Article V, Section 4.1 General Commercial District Standards* – A variance to allow for not meeting the Building Articulation requirements for horizontal and vertical articulation as established in *Art. V, Sec. 4.1, C.1.a*. & b. ***[Simple Majority Vote]***

c) *Article V, Sec. 6.10 205 By-Pass Corridor Overlay District* – A variance to allow for not meeting the minimum 20% natural or quarried stone requirement for the north and east elevation as established in *Art. V, Sec. 6.10, C.1* (i.e. (*i.e. East: 17%; South: 35%; West: 35%; North: 3.8%*). ***[¾ Majority Vote]***

d) *Article V, Sec. 6.10 205 By-Pass Corridor Overlay District* – A variance to allow for exceeding the maximum 10% secondary materials requirement as established in *Art. V, Sec. 6.10, C.1.b* for the elevations as generally submitted (*i.e. MBCI [Metal Panel] East: 13%; South: 20%; West: 0%; North: 0%*). ***(¾ majority vote)***

e) *Article V, Sec. 6.10 205 By-Pass Corridor Overlay District* – A variance to allow for not meeting the architectural finishing of all four (4) sides with same materials, detailing, and features as established in *Art. V, Sec. 6.10, C.5* by allowing the elevations as generally submitted. ***[¾ majority vote]***

ARCHITECTURAL REVIEW BOARD RECOMMENDATION:

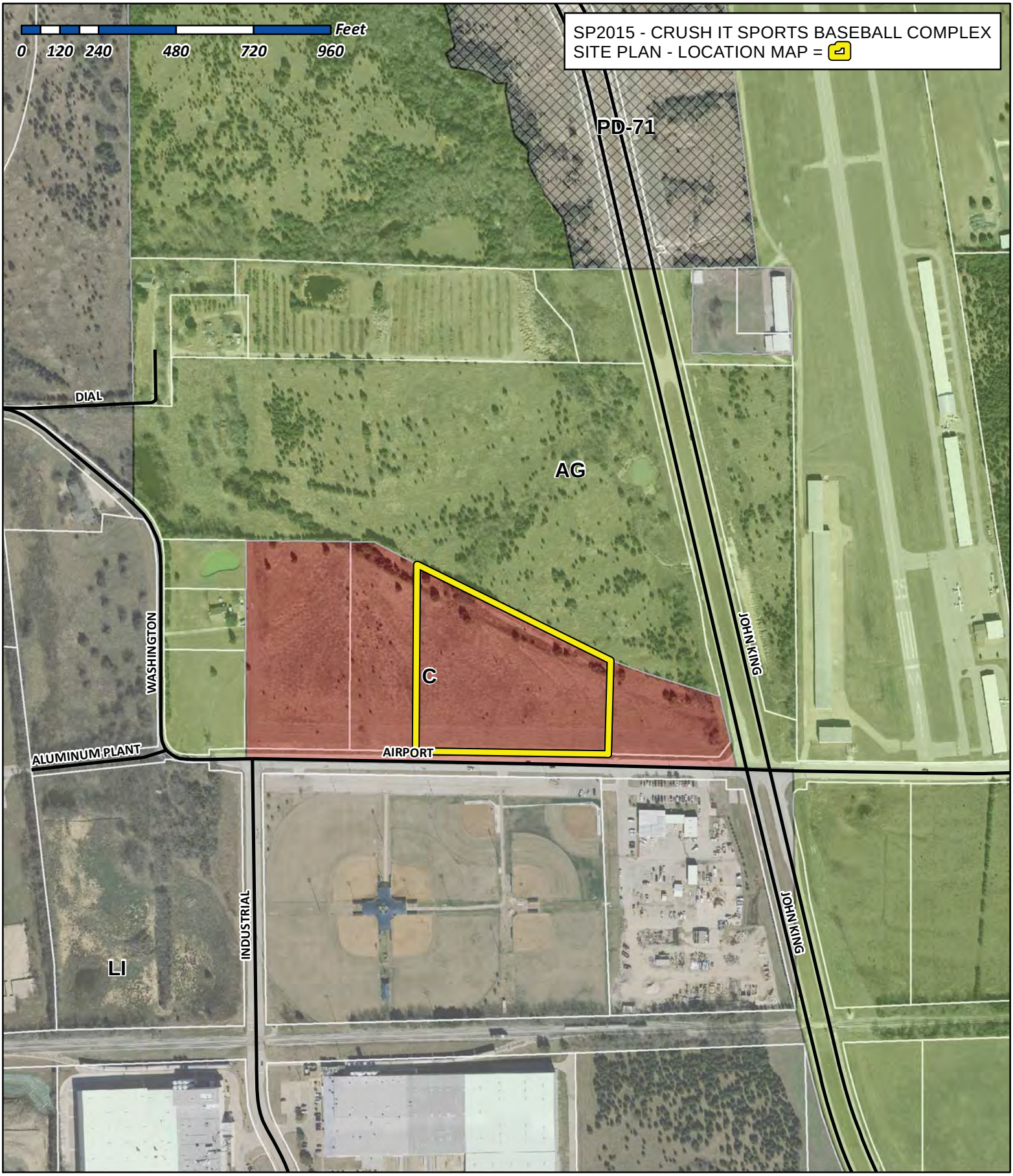
On September 29, 2015, the Architectural Review Board (ARB) reviewed the proposed building elevations for the site. The board expressed concern with the thematic appearance of the structure and site by using "baseball bats" as structural supports for the overhang and large "baseballs" near the entrance. The ARB also requested the applicant include windows or a clerestory for the west elevation along the portion of the building closest to Airport Road. Finally, the ARB recommended the applicant include additional architectural elements for the rear (north) elevation.

The applicant has submitted updated building elevations that show the incorporation of the clerestory along the western elevation and window elements along the northern elevation; however, the revised elevations do not address the boards concerns with regard to the thematic appearance of the structure.

On October 13, 2015, the ARB revisited the appearance of the "baseball bat" supports. After discussing the weathering and maintenance of the supports, the ARB recommended approval of the elevations as presented.

PLANNING AND ZONING RECOMMENDATION:

On October 13, 2015, the Planning and Zoning Commission approved the site plan with ARB recommendations and staff conditions by a vote of 6 to 0 with one vacancy. During the same motion, the Planning Commission also recommended approval of the variances requested to allow for concrete tilt-up wall construction, and for not meeting the architectural and material requirements as outlined in staff's report.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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PA

City of Rockwall

Planning & Zoning

Project Number:	SP2015-022
Project Name:	Crush It Baseball Complex
Owner:	K. R. Smith Holdings, LLC
Site Address:	1551 Airport Road, Rockwall, TX 75087
Subdivision:	Columbia Park
Tract:	4-6
Lot No.:	4-6
Parcel No.:	0020-0000-0004-06-0R

Response to P & Z and Architectural Review Board Comments

Partners In Architecture will address those items that pertain to the architectural comments only.

Site Plan:

1. *Based on Buildings footprint, the horizontal articulation is not meeting the standards established in the UDC* and requires a variance as indicated above.
   Response: Refer to Request for Variance below.
2. *Remove label "Construction Type 2B" from proposed building. Construction type to be approved by the Building Inspection Department at the time of building permit.*
   Response: This label has been removed.
3. *Ground mounted units (HVAC) located on the north elevation require screening from adjacent properties. Provide detail of screening mechanism to be used.*
   Response: Refer to Landscape Plan L1.01
4. *What is the dashed line with X's along the north boundary? This is not identified on the legend and not labeled.*
   Response: Refer to Cross Engineering Site Plan Documents.
5. *Label 24-ft Firelane as "24-ft Firelane and Public Access Easement." Also, where applicable include "Utility Easement."*
   Response: Refer to Cross Engineering Site Plan Documents.
6. *Dumpster enclosure wall are to be a minimum of 8-ft with materials to match the primary structure. Provide detail. Also, change label to indicate 8-ft Masonry Dumpster Screen.*
   Response: Refer to corrected Site plans provided by Cross Engineering and details attached.

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7. *Dumpster to include self-latching mechanism, please indicate on plans.*
   Response: Refer to attached detail.

8. *Unwritten suggestion by the Architectural Review Committee (9/29/2015). The proposed GFRP (Glass Fiber Reinforced Polymer) "baseball bat" column covers over the tube steel columns are two "thememe"*

Response:

The owner K. R. Smith Holdings, LLC, requested this unique architectural design feature and believes that it represents what his baseball training facility is all about and will bring success to the project as well as recognition for his brand.

Request for Variance

On behalf of the owner K. R. Smith Holdings, LLC, Partners In Architecture request considering for variances to the Architectural Standards as noted below.

1. Variance to the Vertical & Horizontal Articulation Standards – *based on the building's foot print and elevations as submitted are not meeting the minimum standard established in the General Commercial District Standards for articulation.*

Response:

South Wall: Because the wall varies in height from 36' to 40' at the high wall the average height used in the wall calculation is 38'. The total allowable length of wall allowed is 38' x 3 = 114'. The total wall length is 91'-5" with 16'-8" portion being at a lower roof level of 24'-0". This elevation complies with the intents of the Standards.

West Wall: The total wall length for this elevation is 189'. Based on the wall height of 38', the total allowable length before an off set is 114'-0". However, a portion of this elevation has a reduced wall height of 24'-0" and is 56'-9" long. The balance of the wall length is 132'-5". While wall length is greater than the allowable length, at the recommendation of the Architectural Review Board, we have added additional stone pilasters at the corners of the high wall and added additional window fenestration on the upper wall above the low wall creating a clear story.

East Wall: The total wall length is 152'-7". The height of the wall is 40'. The total allowable length before an off set is 120'-0". While the length of wall exceeds the allowable, the wall has been broken up with a second story balcony, and a portion of wall that frames a second balcony at the entrance and varies 8' to 11' from the main wall plane. This secondary wall also has a void opening 11'-6" high x 8'-0" wide creating interest and additional views from the entrance balcony. The pairs of diagonal columns supporting the large roof overhand also help break up the expanse of wall.

North Wall: The north wall height is an average of 38'-0" and length is 158'-0". Therefore the allowable length to height ratio is 114'-0". While this wall exceeds the allowable length, at the recommendation of the Architectural Review Board we added the stone pilaster at the corners.

After reviewing the criteria for Vertical and Horizontal Building Articulation and the examples given in the Standards for Commercial Districts, the intent is to break up large expanses of wall that are normally found in "Big Box" and "Life Style" shopping centers where there are multiple tenants. Because Crush It Sports is a single tenant, in the opinion of Partners In Architecture, the spirit and intent of the standard has been met by creating interest in the fenestration, balcony projections, large roof overhangs, diagonal columns, materials and textures.

2. Variance to the Architectural Standards of the 205 By-Pass Corridor Overlay (205 BY-OV) District for the building's design as follows:

a. *For the building not meeting the masonry requirements as follows:*

1. to allow for tilt wall construction, and

Response:

The concept of Crush It Sports is to provide a baseball training facility for youth baseball and potentially other sports. As such, the activities provided inside and outside of the building are focused on the training of the youth in their sport. In door batting cages, pro shop, concession stand and restrooms are on the first floor. Second floor provides for pitching cages, video cages, party rooms, dressing rooms, restrooms a trainer/rehab office and weight, cardio rooms and a coffee area for waiting parents. It is the developer/owner's desire to provide a facility that was high tech in appearance and visually pleasing by using a variety of materials. The tilt wall construction was chosen as the primary construction method due to its economy of scale, reduced labor costs, lower capital costs, reduced energy costs and lower maintenance costs. With the inclusion of the stone veneer over the concrete panels, the reveals placed in the panels to complement the horizontal storefront mullions and other building projections such as the balconies, the diagonal columns supporting a large roof overhang, the tilt panels are sufficiently broken up to create the interest and high tech appearance desired.

2. to allow for the east elevation to have less than 20% stone.

Response:

The east elevation has 17% stone veneer. The height of the stone is 7'-2 ½" with correlates with the horizontal mullions of the storefront and the reveals in the tilt wall panels. The south and west elevations exceed with 20% criteria with 35% stone veneer which is due to the correlation of the existing wall height and added stone pilasters at the corners discussed in the West Elevation above.

3. to allow for secondary materials to exceed 10% of the masonry standards (i.e. corrugated metal)

Response:

The corrugated metal panels on the south elevation, over the main entrance balcony and the east entrance balcony facing the game field represent percentages of 20% on the south elevation and 13% on the east elevation. The south elevations % was reduced by 5% from the previous submittal due to inclusion of the material in both the south and east elevations.

The use of the corrugated metal is to provide an architectural feature high tech in appearance to correspond to the exposed painted steel structure supporting the roof overhang. The metal panels also help provide a contrast between the stone and tilt wall materials.

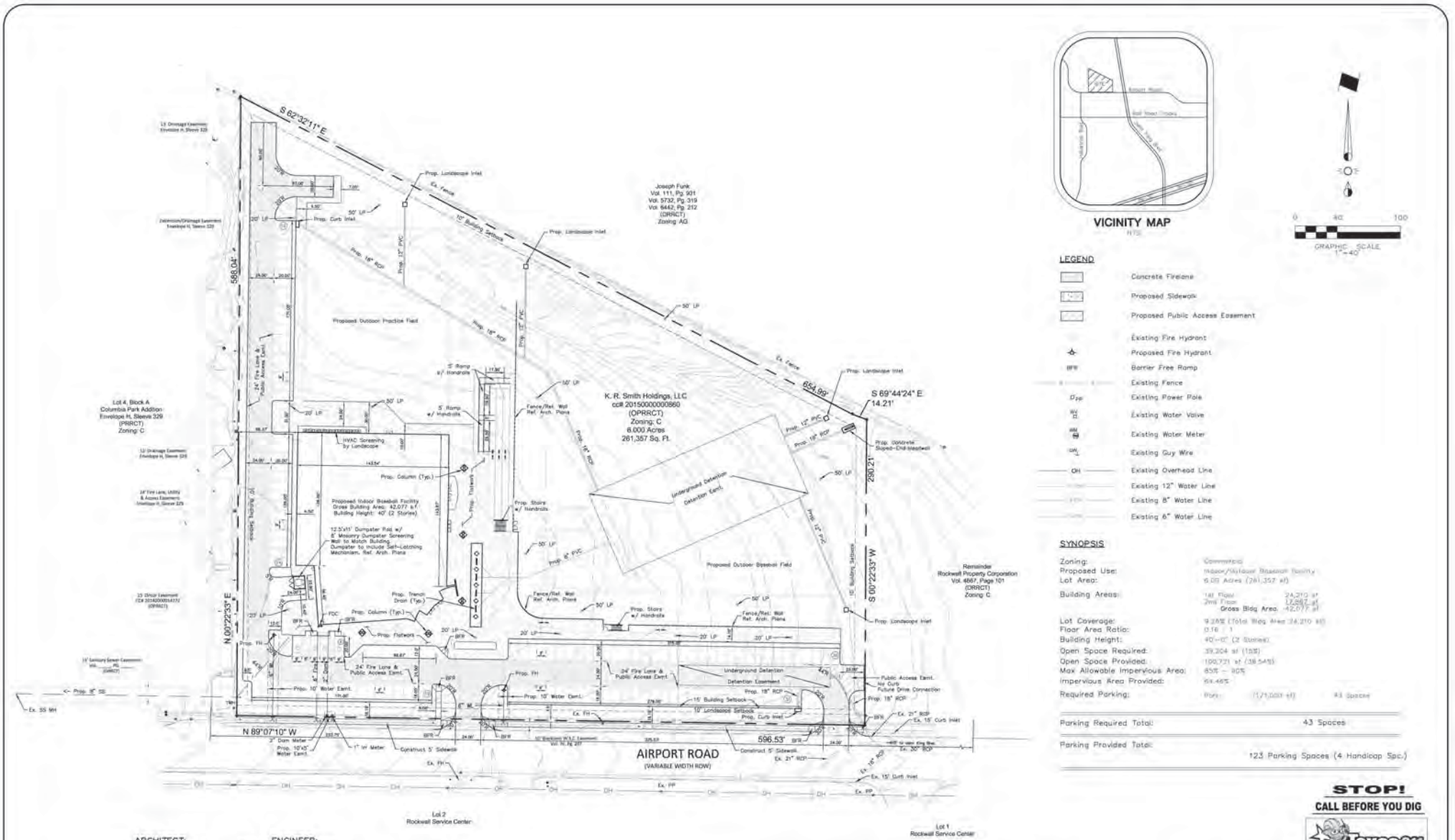
b. *For the building not being architecturally finished on all four sides with the same materials, detailing and features.*

Response:

The north elevation is not finished the same as the other three sides because there are only two north facing windows and they did not require a large expanse of roof overhang to protect from the sun. Therefore the pairs of supporting diagonal columns were not necessary. The north wall has a small percentage of stone veneer and fronts the proposed soccer practice field. A stone pilaster was added at the northwest corner as part of the articulation to compliment the west elevation.

John McConnell, AIA
Principal

PARTNERS IN ARCHITECTURE
9601 WHITE ROCK TR.,STE.109M
D A L L A S, T E X A S 7 5 2 3 8
214 340 1274 214 340 1729 fax



LEGEND

- Concrete Firelane
- Proposed Sidewalk
- Proposed Public Access Easement
- Existing Fire Hydrant
- Proposed Fire Hydrant
- BFR — Barrier Free Ramp
- Existing Fence
- Existing Power Pole
- Existing Water Valve
- Existing Water Meter
- Existing Guy Wire
- OH — Existing Overhead Line
- Existing 12" Water Line
- Existing 8" Water Line
- Existing 6" Water Line

SYNOPSIS

Zoning:	Commercial
Proposed Use:	Indoor/Outdoor Baseball Facility
Lot Area:	6.00 Acres (261,357 sf)
Building Areas:	1st Floor 24,210 sf 2nd Floor 17,867 sf Gross Bldg Area: 42,077 sf
Lot Coverage:	9.26% (Total Bldg Area 24,210 sf)
Floor Area Ratio:	0.16 : 1
Building Height:	40'-0" (2 Stories)
Open Space Required:	39,204 sf (15%)
Open Space Provided:	100,721 sf (38.54%)
Max Allowable Impervious Area:	85% – 90%
Impervious Area Provided:	61.46%
Required Parking:	Retail: (1,719,001 sf) 43 Spaces
Parking Required Total:	43 Spaces
Parking Provided Total:	123 Parking Spaces (4 Handicap Spc.)

STOP!
CALL BEFORE YOU DIG
Texas 811 Know what's below.
(@ least 72 hours prior to digging)

ARCHITECT:
Partners In Architecture
9601 Whiter Rock Trail, #109M
Dallas, Texas 75238
Phone (214) 340-1274
Contact: John McConnell

ENGINEER:
Cross Engineering Consultants, Inc
131 S. Tennessee St.
McKinney, Texas 75069
Phone (972) 562-4409
Fax (972) 562-4471
Contact: Jonathan Hoke, P.E.

OWNER:
K R Smith Holdings, LLC
601 Development Drive
Plano, Texas 75074
Phone (972) 578-0505
Contact: Kenneth Smith

NOTE: THIS IS NOT A CONSTRUCTION DOCUMENT.
THIS DOCUMENT IS FOR CONCEPTUAL PLANNING PURPOSES ONLY. CASE NO. SP2015-022

Issue Dates:	Revisions:	Date:
1 09-18-2015	1	
2	2	
3	3	
4	4	
5	5	
6	6	

CROSS ENGINEERING CONSULTANTS
131 S. Tennessee St. McKinney, Texas 75069
972.562.4409 Texas P.E. Firm No. F-8959

Drawn By:	Checked By:	Scale:
C.E.C.I.	C.E.C.I.	1=40

SITE PLAN
CRUSH IT BASEBALL COMPLEX
KR SMITH, HOLDINGS LLC
CITY OF ROCKWALL, TEXAS

Sheet No: SP
Project No. 15038

CRUSH IT SPORTS

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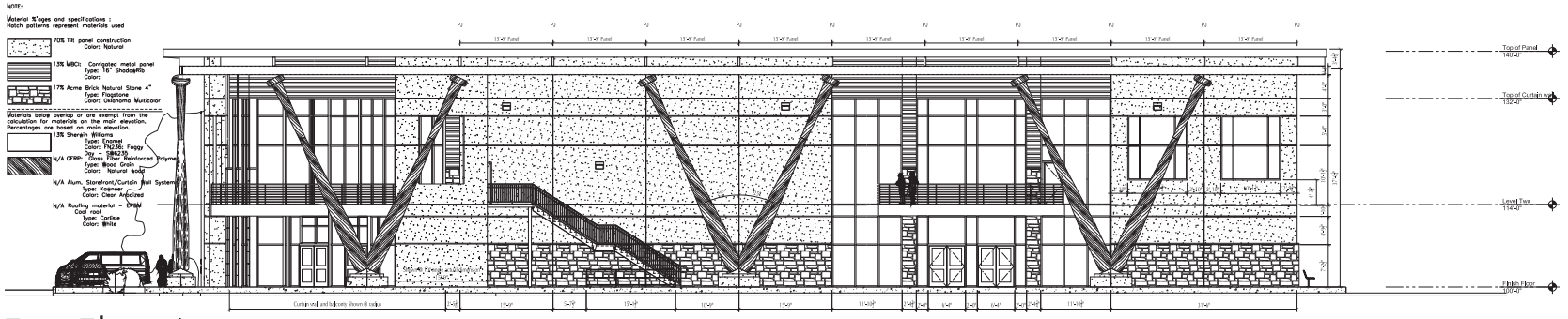
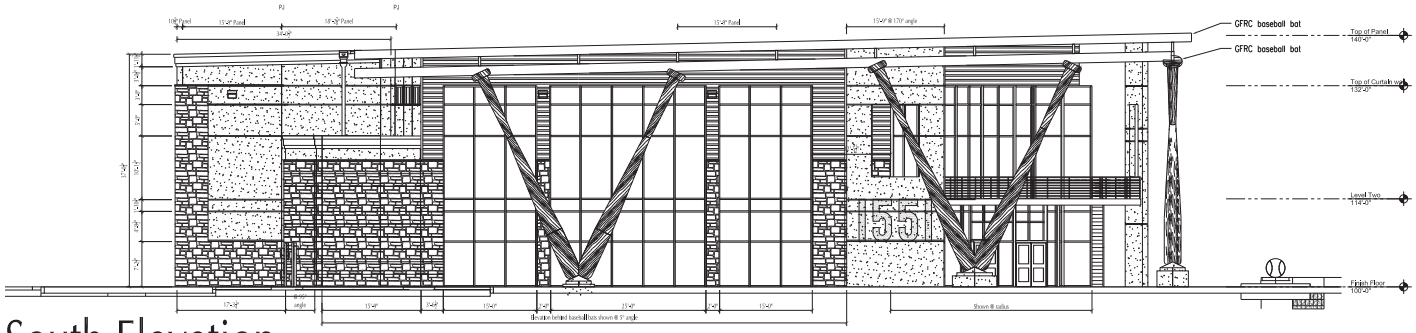
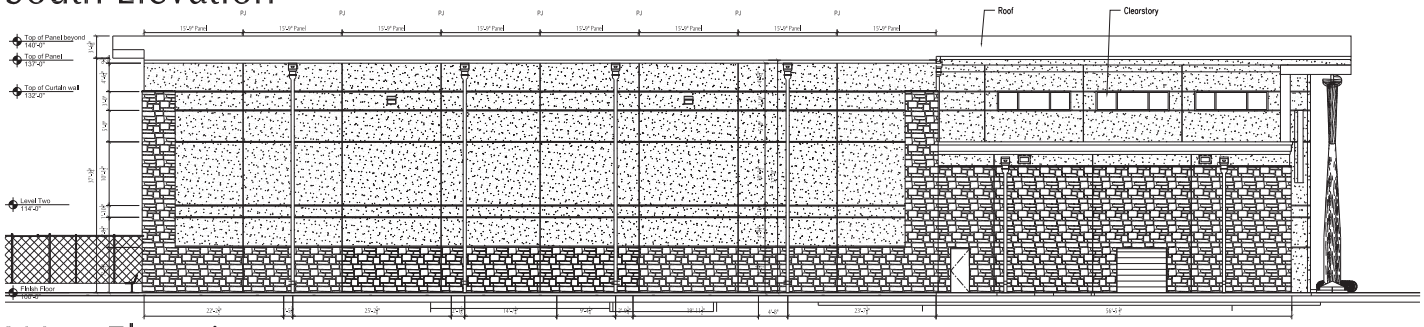


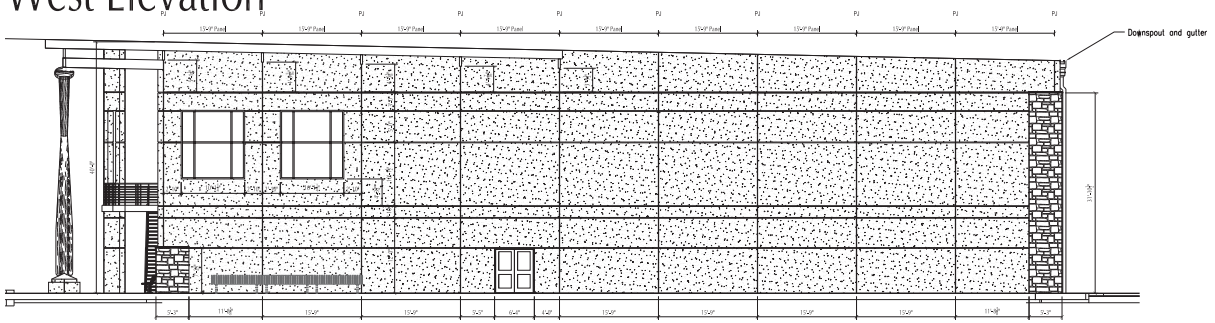
East Elevation



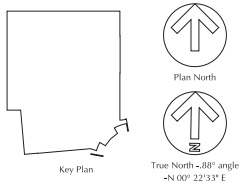
South Elevation



West Elevation



North Elevation



Key Plan

Plan North

True North - .88° angle
-N 00° 22'33" E

201505 - Rockwall, Tx - CI Sports Indoor Baseball Facility

Kenneth Smith
601 Development Dr., Ste. 100
Plano, Texas 75074

Structural Engineer
RTP Stuctural, PLLC
R.Trent Perkins, PE
3910 Gatewick Drive
Rockwall, Texas 75087
214.293.2503

M.E.P. Engineer
R-Squared Consult. Eng'rs
Richard L. Norris, P.E.
4720 Worchester Lane
McKinney, Texas 75070
214.548.5118

Civil
Cross Engineering Consultants, Inc.
Jonathan Hake
131 S. Tennessee Street
McKinney, Texas 75069
972.562.4409

Landscape
CDG Landscape Architects & Planners
Gregory Craig
325 N. St. Paul St. Ste.300
Dallas, Texas 75201
972.463.4251

PARTNERS IN ARCHITECTURE
Crush-it Sports
email: mail@partnersinarchitecture.com http://www.partnersinarchitecture.com

Project: 201505
File: A2.01
Date: 2015.09.05
Scale:
Revisions:

Seal
Not for regulatory approval, permitting, or Construction.

Sheet Name
Exterior Elevations

Sheet Number
A2.01

Preliminary - Not for Construction


Crush-It Sports
1551 Airport Road
Rockwall, Texas
Partners In Architecture
Dallas, Texas

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Brad Griggs, *Assistant City Manager*

FROM: Ryan Miller, *Director of Planning and Zoning*

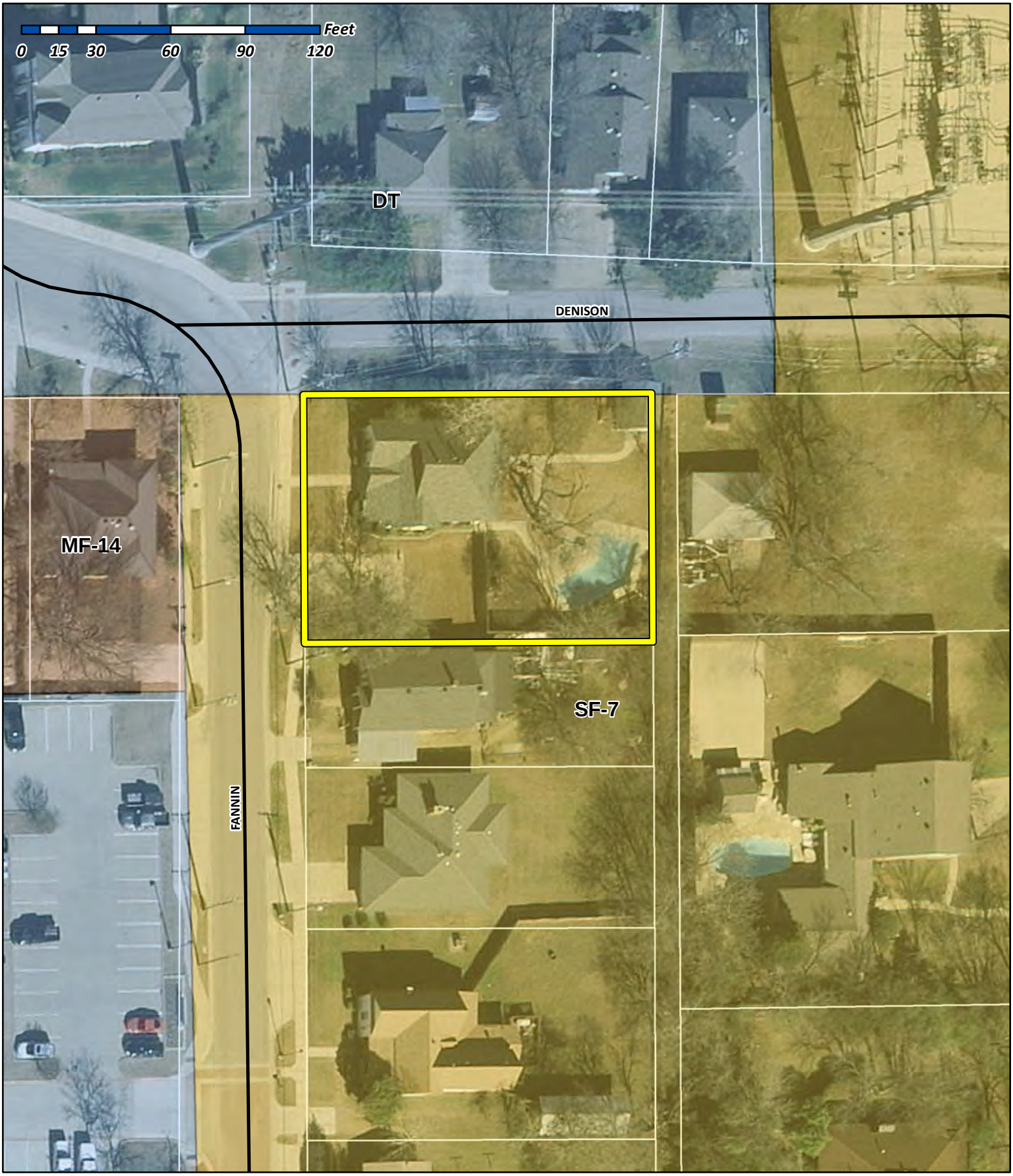
DATE: October 19, 2015

SUBJECT: Structure Preservation Tax Exemption (*311 S. Fannin Street*)

Ordinance No. 03-28 was drafted in 2003 with the intent of providing an incentive program for redevelopment within the *"Old Town" Rockwall (OTR) Historic District*, *Southside Residential Neighborhood Overlay (SRO) District* and designated *Landmark* properties. In accordance with this ordinance the applicant, Michael M. Caffey, is requesting to have the assessed value for ad valorem taxation "frozen" for a period of seven (7) years on the subject property at 311 S. Fannin Street for the purpose of renovating/rehabilitating the existing single-family home and constructing an addition to the structure. Specifically, the applicant has submitted paper work indicating that an investment of ~$127,848.73 (*i.e. exterior renovations of ~$71,774.75 and interior renovations of ~$56,073.98; plus additional undefined costs*) into the property in order to make the following improvements: 1) renovations to the floors, ceilings, kitchen, bath, electrical and plumbing of the existing single-family home, and 2) construct an ~924 SF addition to the (southern) side of the home (*a complete set of plans has been provided in the attached packet*). On June 18, 2015, the applicant received approval from the Historic Preservation Advisory Board (HPAB) for a Certificate of Appropriateness (COA) [*Case No. H2015-005*] for the proposed rehabilitation and addition to the home. The board approved the request finding that the proposed scope of work would not have an adverse impact on the essential character of the neighborhood, nor would it have a negative impact on the historic nature of the subject property or its adjacent properties.

According to Ordinance No. 03-28 a tax abatement of seven (7) years can be approved, "…if the amount of the increment project is equal to or exceeds 25% of the assessed value of the improvement on January 1st of the year the increment project was completed." In this case, the current taxable value of the subject property is $122,940.00 for which the proposed investment represents greater than 100% of this value. If the City Council chooses to approve the applicants' request then the effective tax rate for the subject property would be fixed at $122,940.00 for a period of seven (7) years. The applicant has provided all required supporting information stipulated by the ordinance including a legal description, proof of title, an owner's affidavit, and a tax certificate verifying that all current taxes have been paid. Should the request be approved the applicant would be required to submit a sworn statement of completion, at the conclusion of the proposed work, acknowledging that the property has been restored in compliance with the plans submitted to staff. Additionally, the applicant shall be required to provide staff with documentation verifying the total cost of all improvements. All information will be verified prior to staff notifying the Rockwall County Central Appraisal District's (RCAD's) Chief Appraiser of the applicable ad valorem tax exemption. In the event of default, the applicant will be required to fill out and sign a "Repay Certificate."

Should the City Council have any questions concerning the scope of work the applicant will be present at the meeting. Staff will also be available to answer any technical questions concerning the request.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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STRUCTURE PRESERVATION TAX EXEMPTION

PLANNING AND ZONING DEPARTMENT
CITY OF ROCKWALL, TEXAS
385 S. GOLIAD STREET
ROCKWALL, TEXAS 75087
PHONE: (972) 771-7748

1.1 PROPERTY OWNER INFORMATION [PLEASE PRINT]

OWNER(S) NAME: Michael M. Caffey
ADDRESS: 311 S. Fannin
Rockwall, TX 75087
PHONE: 214-802-2361
E-MAIL ADDRESS: mcaffey@worksafetrainers.com

1.2 ADDRESS OF PROPERTY BEING CONSIDERED [PLEASE PRINT]

ADDRESS: 311 S. Fannin
Rockwall, TX 75087

1.3 HISTORIC DISTRICT

- [x] OLD TOWN ROCKWALL HISTORIC DISTRICT
- [ ] SOUTHSIDE OVERLAY DISTRICT
- [ ] DESIGNATED LANDMARKED PROPERTY

1.4 STATEMENT OF COST

TOTAL COST FOR THE RESTORATION OR REHABILITATION WORK $ 110,000.00

NOTE: DOCUMENTATION OF COST SHALL BE SUBMITTED WITH THE SWORN COMPLETION.

1.5 SUBMITTAL CRITERIA CHECKLIST

- [x] ~~LEGAL DESCRIPTION~~
- [x] ~~PROOF OF TITLE~~
- [x] ~~TAX CERTIFICATE~~
- [x] ~~CONSTRUCTION PLANS~~
- [x] ~~OWNER'S AFFIDAVIT~~ *

* FOR MORE INFORMATION ON THE OWNER'S AFFIDAVIT PLEASE REFER TO THE BACK OF THIS APPLICATION.

1.6 STATEMENT OF TIME FOR THE RESTORATION OR REHABILITATION

CONSTRUCTION WILL BEGIN ON: 11-15-15
CONSTRUCTION WILL BE COMPLETED ON (ESTIMATED): 6-15-16

1.7 SCOPE OF WORK

IF THE PROPERTY WILL BE USED FOR COMMERCIAL, USES PROVIDE A DETAILED STATEMENT OF THE PROPOSED USE FOR THE PROPERTY. OTHERWISE, INDICATE THAT THE PROPERTY WILL BE USED FOR RESIDENTIAL, SINGLE FAMILY USES. IN ADDITION PLEASE PROVIDE ANY ADDITIONAL INFORMATION THAT MAYBE HELPFUL TO STAFF IN EVALUATING THIS REQUEST.

See attached letter.

1.8 OWNER'S ACKNOWLEDGEMENTS [INITIAL AND SIGN BELOW]

MC I AUTHORIZE REPRESENTATIVES OF THE CITY OF ROCKWALL TO VISIT AND INSPECT THE PROPERTY AND THE RECORDS AND BOOKS OF THE OWNER AS NECESSARY TO CERTIFY THAT THE PROPERTY IN QUESTION IS IN SUBSTANTIAL NEED OF RESTORATION OR REHABILITATION.

MC I ACKNOWLEDGE MY FUTURE OBLIGATION TO NOTIFY THE DIRECTOR OF PLANNING & ZONING UPON THE COMPLETION OF THE PROPOSED PROJECT, AND PROVIDE A SWORN STATEMENT OF COMPLETION. THIS WILL BEGIN THE VERIFICATION PROCESS NOTED IN SECTION 25.4 OF ORDINANCE 03-28, WHICH IS STATED ON THE BACK OF THIS APPLICATION.

I HEREBY ATTEST THAT THE INFORMATION THAT I HAVE PROVIDED IS, TO THE BEST OF MY KNOWLEDGE, CORRECT AND TRUE, AND THAT I OWN THE PROPERTY DESCRIBED ABOVE OR THAT I AM LEGALLY THE AUTHORITY IN CHARGE OF THE PROPERTY. I ALSO UNDERSTAND THAT, IF THE REQUESTED EXEMPTION IS GRANTED, I HAVE ENTERED INTO A COVENANT WITH THE CITY OF ROCKWALL IN WHICH I MUST AGREE TO MAINTAIN THE CHARACTER OF THE PROPERTY AND THE QUALIFYING IMPROVEMENTS FOR THE TERM OF THE EXEMPTION.

OWNER'S SIGNATURE: Michael M. Caffey
DATE: 9-23-15

October 1, 2015

Structure Preservation Tax Exemption
Planning and Zoning Department
City of Rockwall, TX
385 S. Goliad
Rockwall, TX 75087

To Whom It May Concern:

I, Michael M. Caffey, are respectfully requesting consideration for structure preservation tax exemption for my property at 311 S. Fannin, Rockwall, TX 75087, Block C, Lot 9 and 10 of the Eppstein Addition. The house in question is considered a high contributing property within the historic district of the City of Rockwall. In order to preserve the integrity of the house and its history, it needs a significant financial commitment to renovation including, floors, ceiling, kitchen, bath, plumbing and electrical. The existing house will undergo upgrades and renovation consistent with the age of the house. We also plan to add an additional 914 square feet as well. The house appearance will be consistent as the addition will not take away from it's appearance. The plan has been approved for construction by the historical advisory board of the city. The project will cost at least $100,000, and most likely more.

We are ready to break ground upon approval of our tax exempt request. The completion date should be 3-6 months from the beginning of the remodel. Thus, I expect a completion date no later than June 15, 2016. We will be informing the City of Rockwall upon completion and will turn in a signed completion affidavit.

Upon completion of the project, we will be using this property as our primary residence with no intent of selling or moving.

Thank you for your consideration. Feel free to contact me directly if you have any questions or would like more information.

Sincerely,

Michael M. Caffey
311 S. Fannin, Rockwall TX 75087
214-802-2361

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Page 2 of Letter to :

Structure Preservation Tax Exemption

Planning & Zoning Department

State of Texas

County of Rockwall

Before me, Cindy A. Kindred, on this day personally appeared Michael M. Caffey, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 9th day of October, 2015.



Cindy Ann Kindred

Notary Public's Signature

SPECIAL WARRANTY DEED

DATE: June 1st, 2004

GRANTOR: Regina Kay Caffey

GRANTOR'S MAILING ADDRESS (INCLUDING COUNTY): 1124 Signal Ridge Place, Rockwall, Rockwall County, Texas 75032

GRANTEE: Michael Mapes Caffey

GRANTEE'S MAILING ADDRESS (INCLUDING COUNTY): 311 S. Fannin, Rockwall, Rockwall County, Texas 75087

CONSIDERATION:

The division of property and confirmation of separate property in Cause No.1-04-237, styled "In the Matter of the Marriage of Michael Mapes Caffey, Petitioner, and Regina Kay Caffey, Respondent ," entered in the 382nd Judicial District Court of Rockwall County, Texas, and ten dollars and other valuable consideration paid by Grantee. Grantor assigns to Grantee the casualty insurance policy on the property, all utility deposits for utility service at the property, and all funds held in escrow for payment of taxes and insurance premiums.

PROPERTY (INCLUDING ANY IMPROVEMENTS):

The Property located at 311 S. Fannin, Rockwall County, Rockwall, Texas 75087, known more formally as:

BEING LOT 9, AND LOT 10, BLOCK C, OF EPPSTEIN ADDITION, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME L, PAGE 386, DEED RECORDS OF ROCKWALL COUNTY, TEXAS.

RESERVATION FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

This deed is subject to all easements, restrictions, conditions, covenants, and other instruments of record.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee all of Grantor's interest in the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors,

administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through, or under Grantor but not otherwise.

When the context requires, singular nouns and pronouns include the plural.

Grantee assumes all ad valorem taxes due on the property for the current year.

Regina K. Caffey

This instrument was prepared based on information furnished by the parties, and no independent title search has been made.

STATE OF TEXAS §
COUNTY OF ROCKWALL §

This instrument was acknowledged before me on this 4th day of June, 2004 by Regina K. Caffey.

SUZETTE HARTBERG
NOTARY PUBLIC
STATE OF TEXAS
My Comm. Expires 06-30-2007

Notary Public, State of Texas

Please Return After Filing to:

Michael Mapes Caffey
311 S. Fannin
Rockwall, Texas 75087

00305421

OR 03545 00072

Filed for Record in:
Rockwall County

On: Jun 04,2004 at 10:13A

As a
Recordings

Document Number: 00305421

Amount 18.00

Receipt Number - 118107
By,
PEGGY

STATE OF TEXAS COUNTY OF ROCKWALL

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the named records of:
Rockwall County
as stamped hereon by me.

Jun 04, 2004

Honorable Paulette Burks, County Clerk
Rockwall County

This Document has been received by this Office for Recording into the Official Public Records. We do hereby swear that we do not discriminate due to Race, Creed, Color, Sex or National Origin.

Through Tax Year
2015

TAX CERTIFICATE

Certificate #
2257

Issued By:
ROCKWALL CENTRAL APPRAISAL DISTRICT
841 JUSTIN RD
ROCKWALL, TX 75087

Property Information

Property ID: 16297 Geo ID: 3600-000C-0009-00-0R
Legal Acres: 0.0000
Legal Desc: EPPSTEIN, BLOCK C, LOT 9,10
Situs: 311 S FANNIN ST
DBA:
Exemptions: HS

Owner ID: 87739 100.00%
CAFFEY MICHAEL M
311 S FANNIN ST
ROCKWALL, TX 75087-3745

For Entities

CITY OF ROCKWALL
ROCKWALL COUNTY
ROCKWALL ISD

Value Information

Improvement HS:	97,940
Improvement NHS:	0
Land HS:	25,000
Land NHS:	0
Productivity Market:	0
Productivity Use:	0
Assessed Value	122,940

Current/Delinquent Taxes

This is to certify that, after a careful check of the tax records of this office, the following delinquent taxes, penalties, interest and any known costs and expenses as provided by Tax Code §33.48, are due on the described property for the following taxing unit(s):

Year	Entity	Taxable	Tax Due	Disc./P&I	Attorney Fee	Total Due
2015	ROCKWALL ISD	97,940	1,410.34	0.00	0.00	1,410.34
2015	ROCKWALL COUNTY	122,940	486.72	0.00	0.00	486.72
2015	CITY OF ROCKWALL	122,940	596.63	0.00	0.00	596.63
Totals:			**2,493.69**	**0.00**	**0.00**	**2,493.69**

Effective Date: 10/09/2015 Total Due if paid by: 10/31/2015 2,493.69

Tax Certificate Issued for:	Taxes Paid in 2015
CITY OF ROCKWALL	0.00
ROCKWALL COUNTY	0.00
ROCKWALL ISD	0.00

If applicable, the above-described property has/is receiving special appraisal based on its use, and additional rollback taxes may become due based on the provisions of the special appraisal (Comptroller Rule 9.3040) or property omitted from the appraisal roll as described under Tax Code Section 25.21 is not included in this certificate [Tax Code Section 31.08(b)].

Pursuant to Tax Code Section 31.08, if a person transfers property accompanied by a tax certificate that erroneously indicates that no delinquent taxes, penalties or interest are due a taxing unit on the property or that fails to include property because of its omission from an appraisal roll, the unit's tax lien on the property is extinguished and the purchaser of the property is absolved of liability to the unit for delinquent taxes, penalties or interest on the property or for taxes based on omitted property. The person who was liable for the tax for the year the tax was imposed or the property was omitted remains personally liable for the tax and for any penalties or interest.

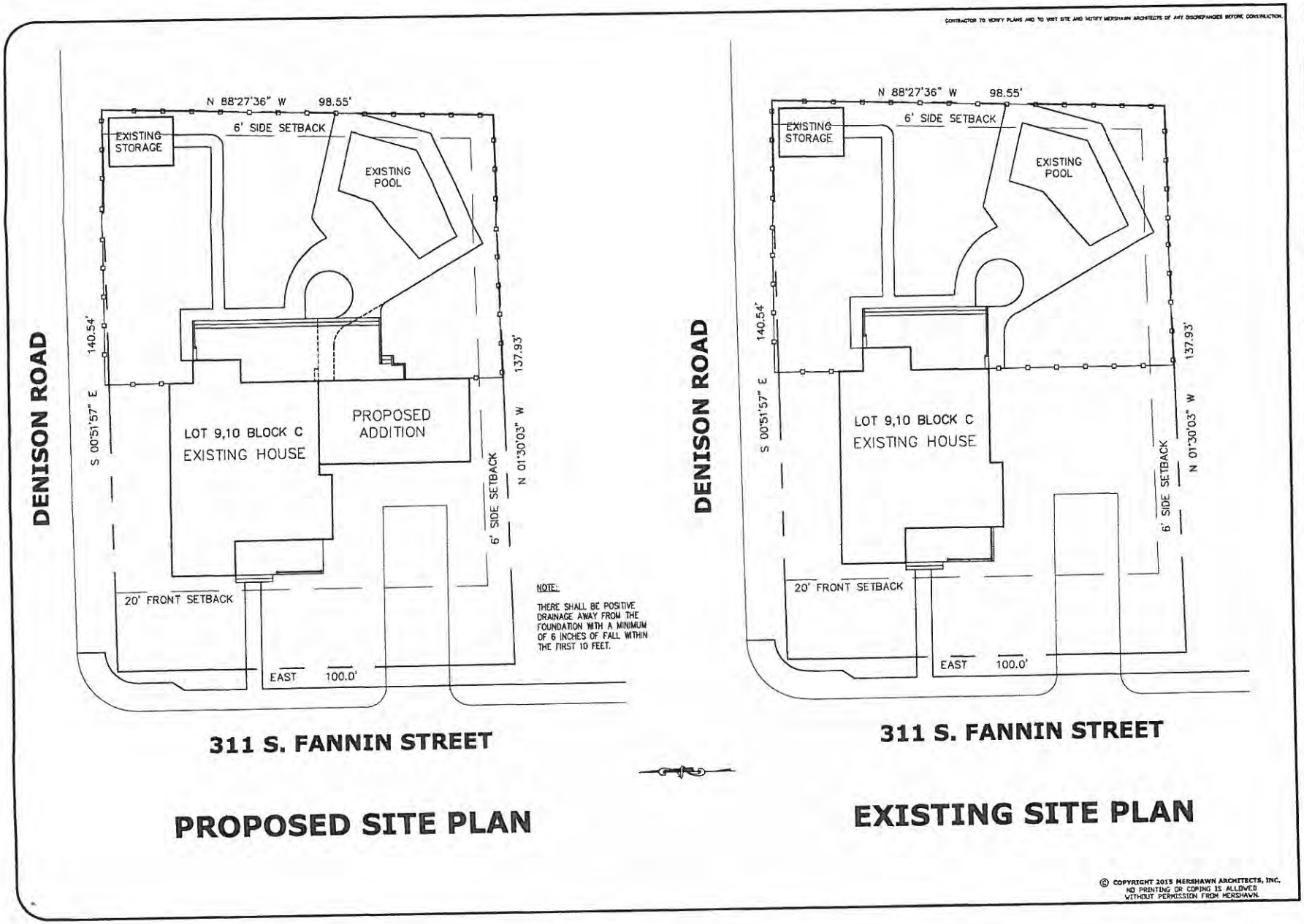
A tax certificate issued through fraud or collusion is void.

This certificate does not clear abuse of granted exemptions as defined in Section 11.43 Paragraph(1) of the Texas Property Tax Code.

May Be Subject to Court Costs if Suit is Pending

Signature of Authorized Officer of Collecting Office

Date of Issue: 10/09/2015
Requested By: CAFFEY MICHAEL
Fee Amount: 10.00
Reference #:


CONTRACTOR TO VERIFY PLANS AND TO VISIT SITE AND NOTIFY MERSHAWN ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION.
DENISON ROAD
N 88°27'36" W
98.55'
6' SIDE SETBACK
EXISTING STORAGE
EXISTING POOL
140.54'
S 00°51'57" E
137.93'
N 01°30'03" W
LOT 9,10 BLOCK C
EXISTING HOUSE
PROPOSED ADDITION
6' SIDE SETBACK
20' FRONT SETBACK
EAST
100.0'
NOTE:
THERE SHALL BE POSITIVE DRAINAGE AWAY FROM THE FOUNDATION WITH A MINIMUM OF 6 INCHES OF FALL WITHIN THE FIRST 10 FEET.
311 S. FANNIN STREET
PROPOSED SITE PLAN
DENISON ROAD
N 88°27'36" W
98.55'
6' SIDE SETBACK
EXISTING STORAGE
EXISTING POOL
140.54'
S 00°51'57" E
137.93'
N 01°30'03" W
LOT 9,10 BLOCK C
EXISTING HOUSE
6' SIDE SETBACK
20' FRONT SETBACK
EAST
100.0'
311 S. FANNIN STREET
EXISTING SITE PLAN
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MEDICAL COMMERCIAL CHURCHES
MERSHAWN
RESIDENTIAL RESTAURANTS INSTITUTIONAL
ARCHITECTS
No. Date Revision By
CAFFEY ADDITION
311 S FANNIN ROCKWALL, TX
SITE PLANS
SHEET
A1

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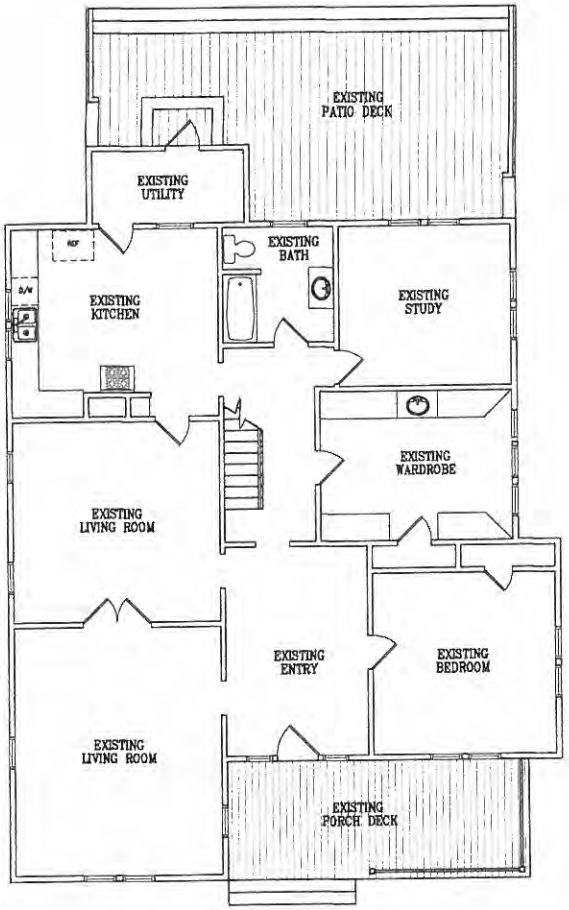
CONTRACTOR TO VERIFY PLANS AND TO VISIT SITE AND NOTIFY MERSHAWN ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION.



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MEDICAL COMMERCIAL CHURCHES
MERSHAWN ARCHITECTS
RESIDENTIAL RESTAURANTS INSTITUTIONAL
2313 ROCK ROAD #103
ROCKWALL, TEXAS 75087
PHONE: 972-722-5322
FAX: 972-246-2001

No.	Date	Revision	By

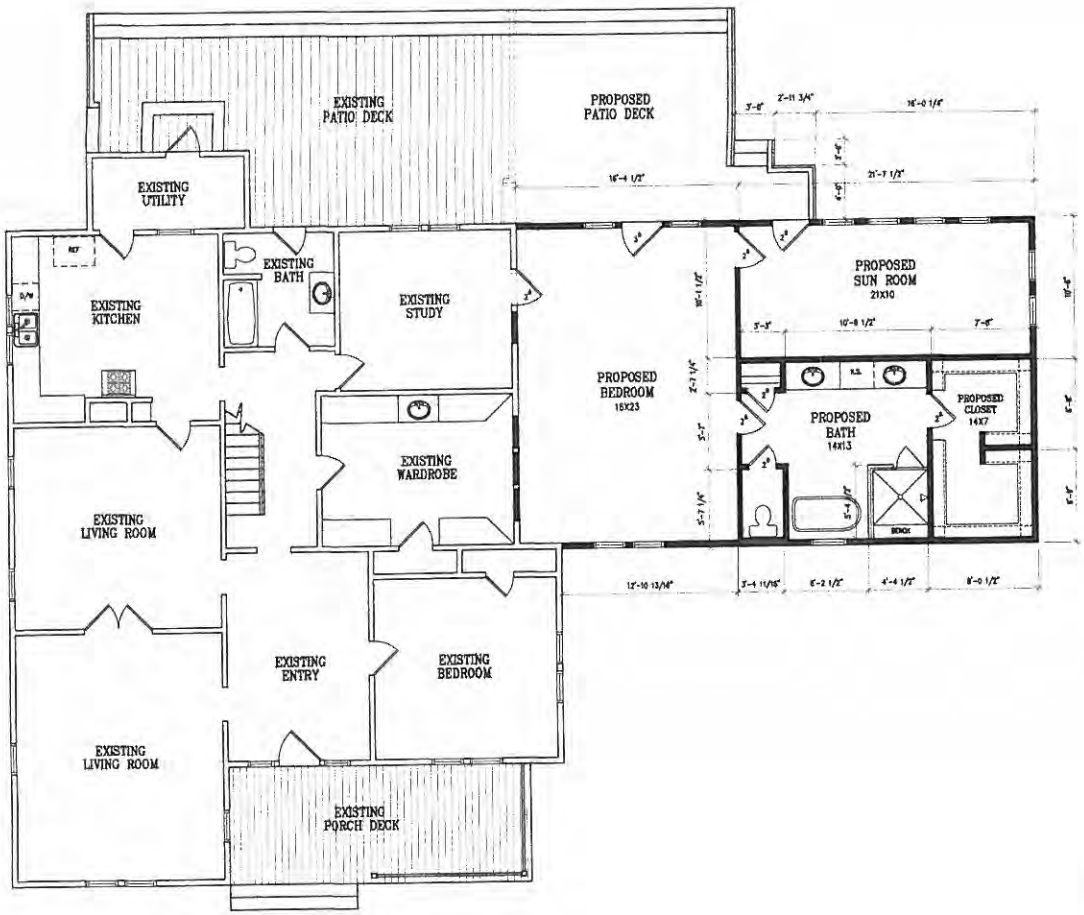
CAFFEY ADDITION
311 S FANNIN ROCKWALL, TX

EXISTING FLOOR PLAN

Scale: 1/4" = 1'-0"
Date: MM/DD/YY
Project No.: 150003
Designed: gp
Drawn: dd
Checked: mm

SHEET A2 OF

163



SQUARE FOOTAGE

EXISTING 1ST FLR	1742
PROPOSED ADDITION	914
TOTAL 1ST FLR	2656
DECK ADDITION	249
EXISTING PORCH	192
TOTAL UNDER ROOF	2848

LEGEND

EXISTING TO REMAIN
EXISTING TO BE REMOVED
PROPOSED

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ARCHITECTS

CAFFEY ADDITION
311 S FANNIN ROCKWALL, TX

PROPOSED FLOOR PLAN

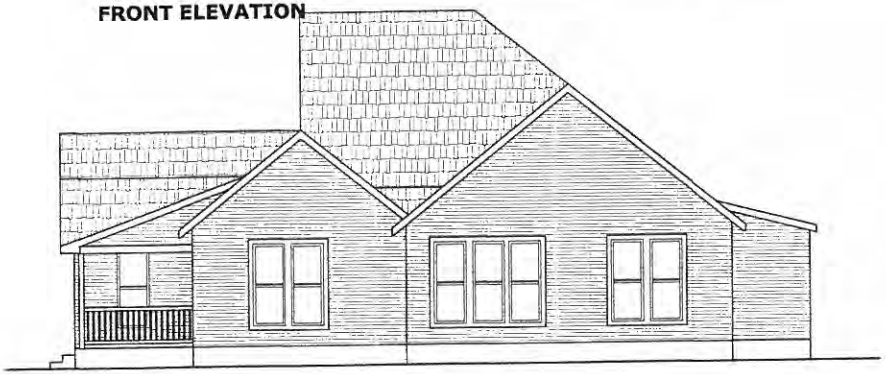
SHEET A3 OF

164

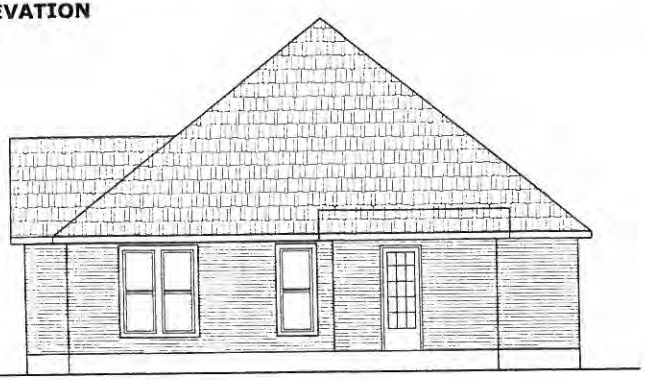
CONTRACTOR TO VERIFY PLANS AND TO VISIT SITE AND NOTIFY MERSHAWN ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION.



FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

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MEDICAL COMMERCIAL CHURCHES
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ARCHITECTS
PHONE: 972-722-9332
FAX: 972-248-2081
2313 RIDGE ROAD #103
ROCKWALL, TEXAS 75087

No.	Date	Revision	By

CAFFEY ADDITION
311 S FANNIN ROCKWALL, TX

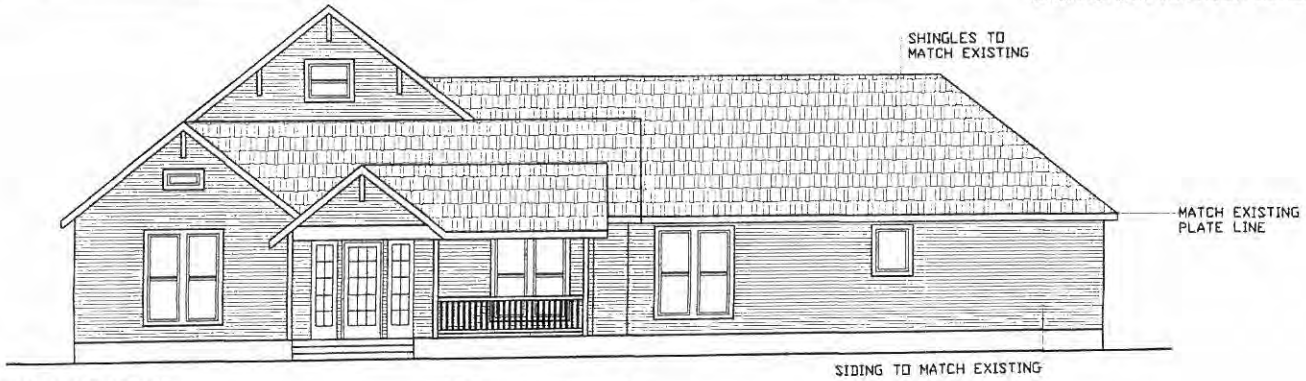
EXISTING ELEVATIONS

Scale: 1/4" = 1'-0"
Date: MM/DD/YY
Project No.: 150003
Designed: pr
Drawn: ss
Checked: ss

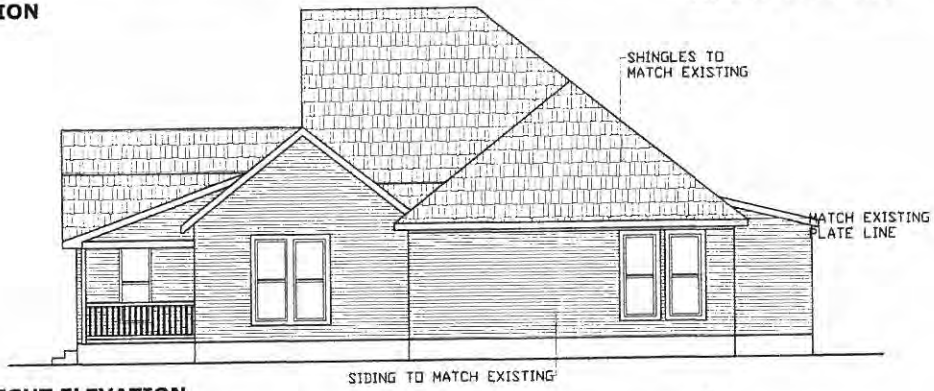
SHEET A4 OF

165

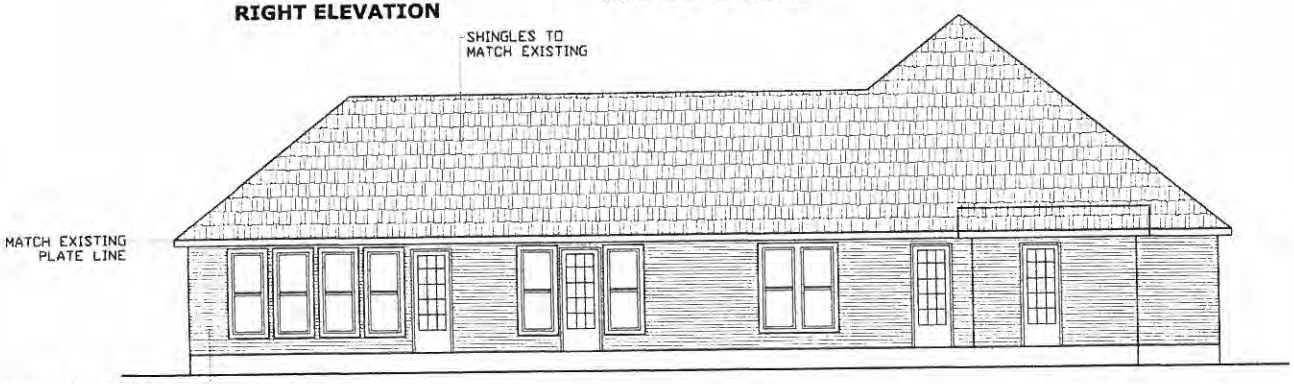
CONTRACTOR TO VERIFY PLANS AND TO VISIT SITE AND NOTIFY MERSHAWN ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION.



FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

PRICING & CONSTRUCTION

GENERAL NOTES:

1. THESE DRAWINGS ARE DIAGRAMMATIC IN NATURE AND ARE NOT INTENDED TO INDICATE EACH AND EVERY FITTING, OFFSET, OR OTHER APPURTENANCE NECESSARY TO COMPLETE THE SYSTEM.
2. IT IS THE CONTRACTOR'S RESPONSIBILITY TO REVIEW THE DOCUMENTS AND INCLUDE ALL NECESSARY ITEMS TO PROVIDE A COMPLETE OPERATIONAL SYSTEM.
3. ANY DISCREPANCIES NOTED BY THE CONTRACTOR SHALL BE BROUGHT TO THE ATTENTIONS OF THE ARCHITECT (IN WRITING) BEFORE BIDDING THIS PROJECT.
4. AFTER BIDS ARE TURNED IN, THE CONTRACTOR SHALL COMPLETE THE SYSTEMS AT NO ADDITIONAL COST.

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MEDICAL COMMERCIAL CHURCHES
MERSHAWN
RESIDENTIAL RESTAURANTS INSTITUTIONAL
ARCHITECTS

No.	Date	Revision	By

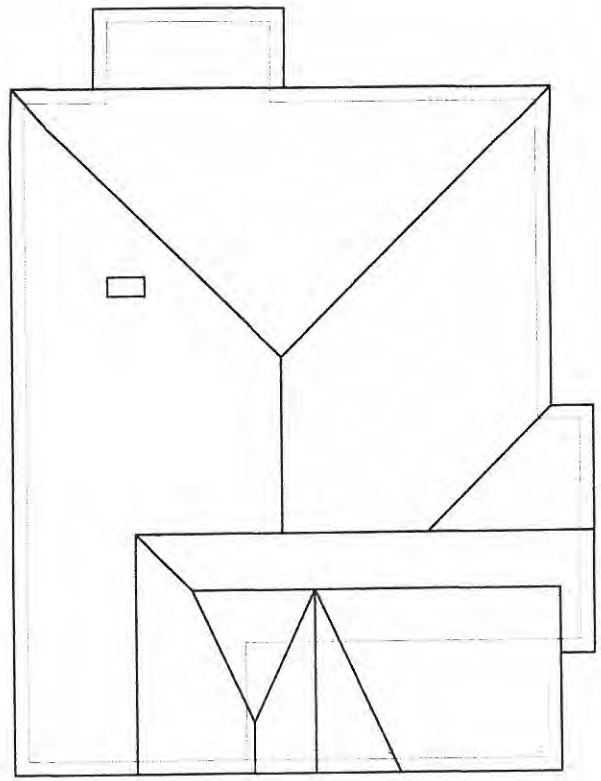
CAFFEY ADDITION
311 S FANNIN ROCKWALL, TX

PROPOSED ELEVATIONS

Scale: 1/4" = 1'-0"
Date: 06/20/17
Project No.: 150263
Designed: gw
Drawn: as
Checked: mw

SHEET A5 OF

CONTRACTOR TO VERIFY PLANS AND TO VISIT SITE AND NOTIFY MERSHAWN ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION.



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MERSHAWN ARCHITECTS
2313 ROCK ROAD #103
ROCKWALL, TEXAS 75087
PHONE: 972-722-8302
FAX: 972-246-2081

No.	Date	Revision	By

CAFFEY ADDITION
311 S FANNIN ROCKWALL, TX

EXISTING ROOF PLAN

Scale: 1/4" = 1'-0"
Date: MM/DD/YY
Project No.: 150303
Designed: gw
Drawn: ss
Checked: ss

SHEET A6 OF

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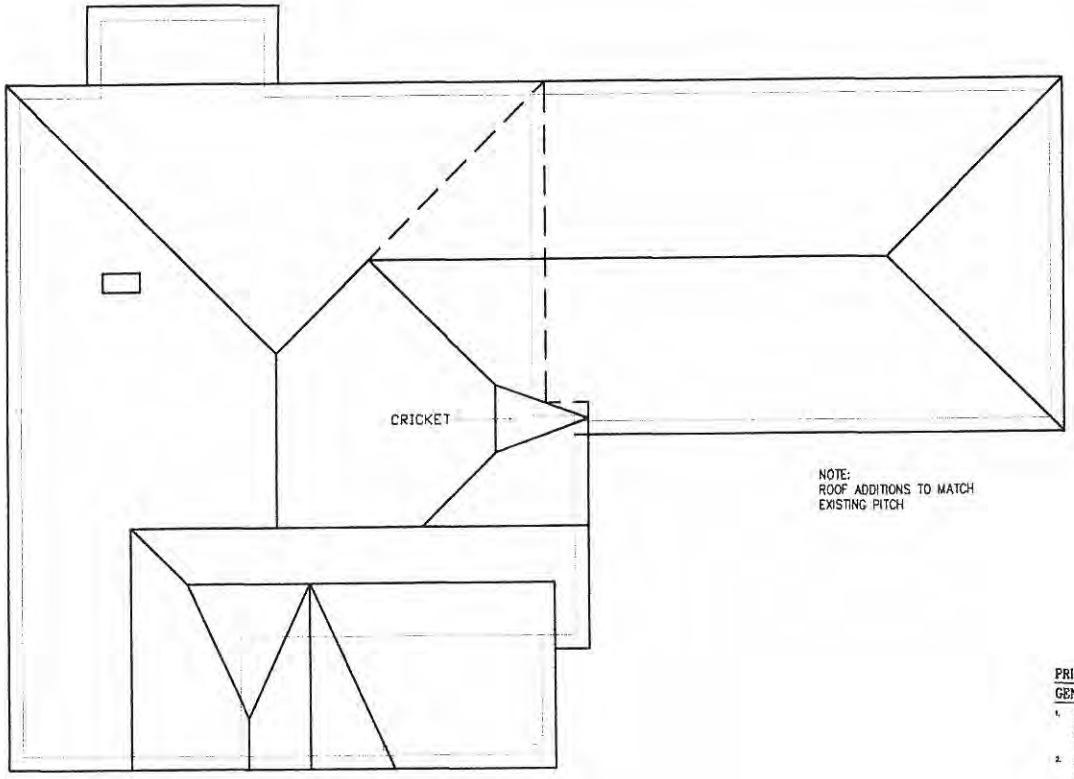
CONTRACTOR TO VERIFY PLANS AND TO VISIT SITE AND NOTIFY MERSHAWN ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION.



NOTE:
ROOF ADDITIONS TO MATCH
EXISTING PITCH

PRICING & CONSTRUCTION

GENERAL NOTES:

1. THESE DRAWINGS ARE DIAGRAMMATIC IN NATURE AND ARE NOT INTENDED TO INDICATE EACH AND EVERY FITTING, OFFSET, OR OTHER APPURTENANCE NECESSARY TO COMPLETE THE SYSTEM.
2. IT IS THE CONTRACTOR'S RESPONSIBILITY TO REVIEW THE DOCUMENTS AND INCLUDE ALL NECESSARY ITEMS TO PROVIDE A COMPLETE OPERATIONAL SYSTEM.
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4. AFTER BIDS ARE TURNED IN, THE CONTRACTOR SHALL COMPLETE THE SYSTEMS AT NO ADDITIONAL COST.

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MERSHAWN ARCHITECTS
2313 RIDGE ROAD #185
ROCKWALL, TEXAS 75087
PHONE: 972-722-9322
FAX: 972-240-2081

No.	Date	Revision	By

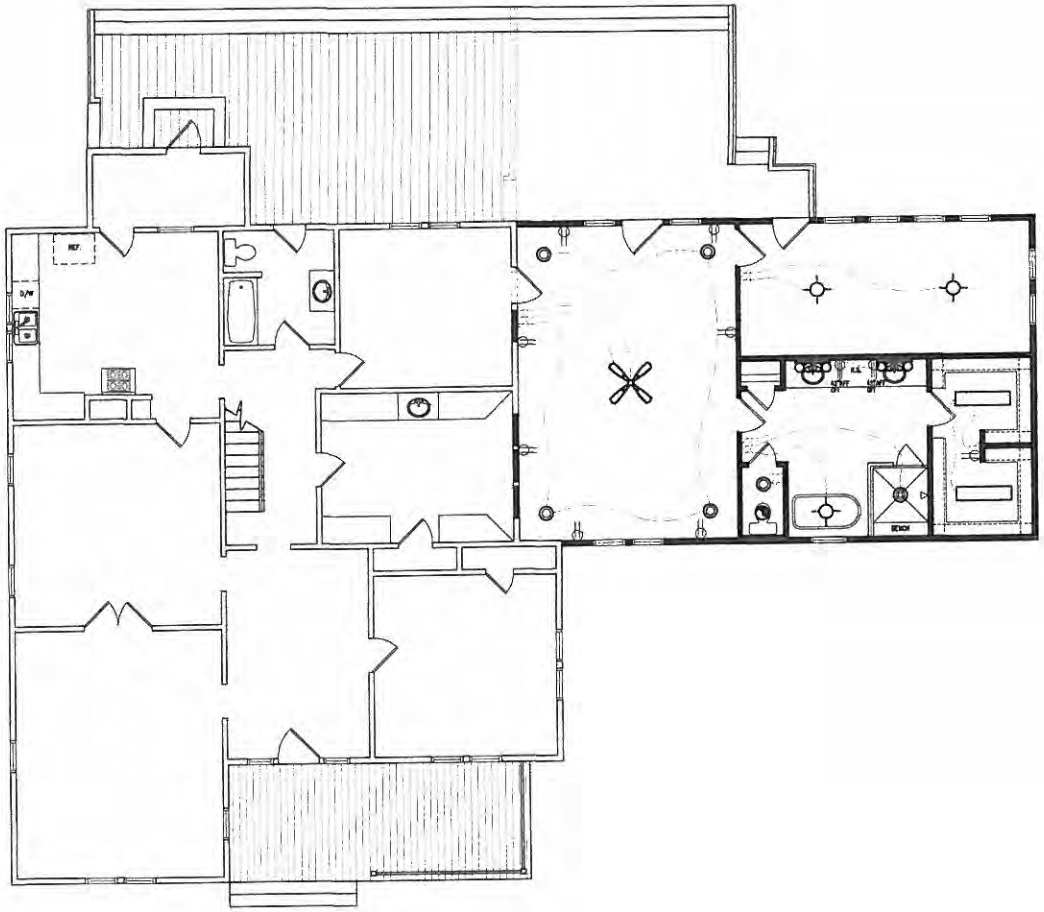
CAFFEY ADDITION
311 S FANNIN ROCKWALL, TX

PROPOSED ROOF PLAN

Scale:	1/4" = 1'-0"
Date:	MM/DD/YY
Project No.:	150503
Designed:	gv
Drawn:	ss
Checked:	ws

SHEET A7 OF

CONTRACTOR TO VERIFY PLANS AND TO VISIT SITE AND NOTIFY MERSHAWN ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION.



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MEDICAL COMMERCIAL CHURCHES
MERSHAWN
RESIDENTIAL RESTAURANTS INSTITUTIONAL
ARCHITECTS
2313 RIDGE ROAD #110
ROCKWALL, TEXAS 75087
PHONE: 972-722-5302
FAX: 972-248-2281

No.	Date	Revision	By

CAFFEY ADDITION
311 S FANNIN ROCKWALL, TX

POWER & LIGHTING PLAN

Scale: 1/8" = 1'-0"
Date: MM/DD/YY
Project No.: 152003
Designed: gr
Drawn: ss
Checked: ss

SHEET A8 OF

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CITY OF ROCKWALL

ORDINANCE NO. 03-28

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS AMENDING THE ROCKWALL CODE OF ORDINANCES TO PROVIDE AN AD VALOREM TAX EXEMPTION FOR STRUCTURES IN NEED OF TAX RELIEF TO ENCOURAGE THEIR ENHANCEMENT AS HEREIN DEFINED; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING A PENALTY OF A FINE OF $500.00 FOR EACH OFFENSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the 65th Legislature in June 1977 passed S.B. 595 amending Title 122, Revised Civil Statues of Texas (1925), by adding Article 7150i authorizing the governing body of a political subdivision to exempt historic sites from certain property taxation; and

WHEREAS, Article 7150i was made effective upon adoption of Section 1-f to Article VIII of the Texas Constitution which authorized the State Legislature to allow political subdivisions to exempt historical sites from certain property taxation; and

WHEREAS, Texas voters on November 7, 1977, amended Article VIII of the Texas Constitution by adding Section 1-f; and

WHEREAS, effective January 1, 1980, the 66th Legislature codified Section 7150i as Section 11.24 of the Property Tax Code (1979); and

WHEREAS, there has been adopted in the City of Rockwall certain historic overlay districts which are in need of tax relief to encourage enhancement of structures as herein defined;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. Chapter 25 of the Code of Ordinances is amended to add a new Article III to read as follows:

"ARTICLE III

EXEMPTION FOR HISTORICALLY SIGNIFICANT SITES

SECTION 25 - 38: DEFINITIONS

As used in this Article, the following terms shall have the meanings described herein:

A. "Assessed Value Prior to Preservation" means the value assessed by the Rockwall County Appraisal District for the tax year of verification.

B. "Certification" means the attestation by the Director of Community Development that the structure in question is a

structure located in the boundaries of the Old Town Rockwall Historic District or a Landmark Property as defined herein, in need of tax relief to encourage enhancement of structures and that the plans submitted will meet the definition of enhancement of a structure as defined herein.

C. "Enhancement of a Structure" means the completion of a building project to improve a structure and the certifiable expenditure of at least $5,000 for that project which has occurred after the adoption of this ordinance.

D. "Historic District" includes the Old Town Rockwall Historic District, the Southside Overlay District, designated Landmark Properties, and such historic districts that may be adopted by the City in the future.

E. "Increment Project" shall mean the monetary amount invested by the property owner in enhancing the subject structure (i.e. improvement) located within an official Historic Overlay District, which shall include the Old Town Rockwall Historic District, Southside Overlay District, designated Landmark Properties, and such historic districts that may be adopted by the City subsequent to the adoption of this ordinance.

F. "The Improvement" shall mean the monetary value of the property minus the value of the land upon which property taxes are levied by the City.

G. "Landmark Property" shall mean a property or structure(s), not contiguous to or part of an existing historic district, that is deemed worthy of preserving.

H. "Property in need of tax relief to encourage enhancement of a structure" shall mean any structure located in the Old Town Rockwall Historic District, Southside Overlay District, designated Landmark Properties, and any such historic districts that may be adopted by the City subsequent to the adoption of this ordinance.

I. "Property" shall mean the monetary value of the land plus the value of the improvement.

J. "Structure" is defined herein as a building located in an official historic district, which shall include the Old Town Rockwall Historic District, Southside Overlay District, designated Landmark Properties, and such historic districts that may be adopted by the City subsequent to the adoption of this ordinance within the City of Rockwall.

SECTION 25 - 39: STRUCTURE PRESERVATION TAX EXEMPTION

A residential building or designated landmark property which meets the requirements of this ordinance shall be certified by the Director of Community Development to have the assessed value for ad valorem taxation "frozen" as described and listed below in order to qualify for ad valorem tax exemption. The assessed value shall be frozen at the value for the tax year in which the increment project was completed. The assessed value of the improvement shall be so "frozen" in accordance with the schedule below:

The period of the tax abatement shall be five (5) years if the amount of the increment project is $5,000 or greater; or

The period of the tax abatement shall be seven (7) years if the amount of the increment project is equal to or exceeds 25% of the assessed value of the improvement on January 1st of the year the increment project was completed.

Furthermore, this exemption shall begin on the first day of the next tax year after verification of completion of the preservation required for certification; provided that: The building shall comply with the applicable zoning regulations for its use and location; and

SECTION 25 - 40: APPLICATION PROCESS

Applications for an ad valorem tax exemption pursuant to this ordinance are to be filed with the Community Development Department. Each application shall be signed and sworn to by the owner of the property and shall:

A. State the legal description of the property proposed for certification;

B. Provide proof of title in the applicant to the property proposed for certification;

C. Include an affidavit by the owner describing the structure in need of tax relief and its compliance with the requirements of Section 25 - 39 herein;

D. Provide proof that taxes or other assessments are not delinquent on the property;

E. Include a final complete set of plans for the structure's enhancement as required to secure a building permit;

F. Include a statement of costs for the restoration or rehabilitation work;

G. Include a projection of the estimated construction time and predicted completion date of the restoration or rehabilitation;

H. Authorize representatives of the City of Rockwall to visit and inspect the property and the records and books of the owner as necessary to certify that the property in question is in substantial need of restoration or rehabilitation;

I. Include a detailed statement of the proposed use for the property; and

J. Provide any additional information that the owner deems relevant.

K. Provide such other information as may be required by the Director of Community Development to properly consider certification of the project.

L. Provide a written acknowledgement by the property owner acknowledging the owners future obligation to notify the Director of Community Development upon completion of the increment project. This will begin the verification process noted in Section 25 - 42 below.

Each application shall contain documentation confirming or supporting the information submitted.

SECTION 25 - 41: CERTIFICATION PROCESS

Within 30 days after receipt of the properly completed application, the City shall make an investigation of the property and shall certify the facts to the Director of Community Development along with the documentation and recommendation for approval or disapproval.

Upon receipt of a recommendation, the Director of Community Development shall immediately forward the application to the Rockwall City Council and, within thirty (30) days, the Council shall consider approval or disapproval eligibility of the property for tax relief pursuant to this ordinance. In determining eligibility, the City Council shall first determine that all the requirements of this ordinance have been met and that only the structure is to be provided favorable tax relief as provided in Section II herein. Written notice of the determination shall be sent to the applicant.

SECTION 25 - 42: VERIFICATION PROCESS

Upon completion of the enhancement of a structure, the certified applicant shall submit a sworn statement of completion acknowledging that the property has been substantially rehabilitated or restored. Within (30) days after receipt of the sworn statement of completion, the Director of Community Development shall make an investigation of the property and shall determine if the enhancement has been completed as required for certification. If the enhancement is deemed incomplete, the applicant shall be required to complete the enhancement in order to secure the tax exemption. If the enhancement is determined to be complete, the Director of Community Development shall notify the Chief Appraiser of the

Rockwall County Central Appraisal District in writing that the applicable ad valorem tax exemption shall apply.

Thereafter, the Chief Appraiser of the Rockwall County Central Appraisal District shall provide the property with the tax exemption provided in Section 25 - 39 herein."

Section 2. That any person who violates any provision of this ordinance shall, upon conviction, be subject to a fine in accordance with the general provisions of the Code of Ordinances, and that each day in violation shall constitute a separate offence.

Section 3. The provisions of this ordinance are severable. If any provision of this ordinance or the application thereof to any person or circumstances shall be held to be invalid or unconstitutional, the remainder of this ordinance shall nevertheless be valid.

Section 4. That all ordinances or part of ordinances in conflict herewith are repealed to the extent of the conflict only.

Section 5. This ordinance shall become effective from and after its adoption, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 2nd day of September, 2003.

Ken Jones, Mayor

ATTEST:

Dorothy Brooks, City Secretary

CITY OF ROCKWALL TEXAS
SEAL

APPROVED AS TO FORM:

Pete Eckert, City Attorney

1st Reading: August 18, 2003

2nd Reading: September 2, 2003

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **October 14, 2015**

SUBJECT: **Proposed Recommendation to P & Z regarding PD-75**

Councilmember White has submitted an agenda item regarding a potential amendment to PD-75 concerning the "Consideration of Special Request" allowed by the ordinance for properties within the Lake Rockwall Estates subdivision. When the Lake Rockwall Estates area was annexed, a Planned Development district was created after considerable public input. The PD language is based on Single Family detached zoning as SF-7. The public input records clearly demonstrate that the residents had very little, if any interest in any form of MF zoning, single family attached or similar land uses.

When the PD ordinance was passed, there was a section in the zoning that reads as follows:

> ***C. Consideration of Special Request***
> *The City Council may consider special requests in the Lake Rockwall Planned Development District in Areas 1 and 2. Such requests may include, but not necessarily be limited to, the use of building materials not otherwise allowed, authorization of specific land uses not otherwise allowed, or other requests submitted for consideration.*
>
> *Upon receipt of such special requests, the Planning and Zoning Commission shall review the same and forward its recommendation to the City Council for consideration. The City Council may approve special requests and any such approval shall preempt any other underlying zoning restrictions in the Zoning Ordinance. Such special requests may be denied by the City Council by passage of a motion to deny.*

Councilmember White desires to remove the section so that no other land uses can be permitted other than what was intended with the underlying zoning, which is SF-7. If the recommendation is approved by the City Council, staff will prepare an ordinance and forward the recommendation to the Planning and Zoning Commission for public input and a recommendation back to the City Council. The Council would then conduct a public hearing and vote on the proposed changes.

History of LRE Zoning.

Prior to annexation the city of Rockwall formed an Annexation Task Force to address many issues that city would be challenged with once LRE was integrated into city. It was comprised of about 50 people from around the community. The group was divided into various subcommittees, one of which was one to address future zoning.

I along with another resident (James Merkel) served on the zoning subcommittee with about 10 others. The majority of the committee kept pushing for the inclusion of multifamily housing (duplex, triplex, and quadplex). Jim Merkel and I, along with one other member opposed multifamily being considered. Renters and slumlords have not had a good reputation as good neighbors and good stewards. Despite objections, the subcommittee and task force recommended that multifamily be an allowed use.

The city did a series of "town halls" to address annexation concerns. During these meetings, residents objected to multifamily being an allowed use. No resident ever spoke in favor. These meetings attracted 50+ each time.

During a work session on 7-28-09 at Planning and Zoning, The Director of Planning and zoning echoed the concerns of residents and stated residents only wanted single family homes. One commissioner stated support for multifamily.

At the Public Hearing on 8-11-09 the Planning Director noted the opposition by residents to anything other than single family detached. Staff kept multifamily in proposed zoning because the council subcommittee (absent public input) and task force recommended it.

During public comment, citizens spoke in opposition to any multifamily housing.

After discussion among commissioners, the ordinance was approved 7-0 with the provision to "Remove all other housing types" other than single family detached.

On 9-9-2009, City Council held final public hearing. The Director of Planning explained the process and feedback of the zoning, but still staff recommended allowing multifamily housing "with approval of a Specific Use Permit (SUP)". Again, multiple residents again spoke in opposition to multifamily.

During discussion it was stated by council that "multifamily zoning is not wanted in LRE." The motion to approve with "all staff and P&Z recommendations and with no multifamily components to zoning" passed 7-0. ***A provision to grant council authority to grant any type of land use without public input was never openly discussed.***

The adopted ordinance was either intentionally or erroneously passed with a loophole allowing for multifamily housing. At best, staff recommendation requiring an SUP (and public hearing) was left out of ordinance. In the interest of open, transparent and ethical government, the ordinance should be changed to reflect the will of the people who live there with the expectation of maintaining LRE as a single family detached housing neighborhood.

David White, Councilman Place 1

P+Z work session

***Discuss* and consider a request by Heritage Christian Academy for approval of a Specific Use Permit (SUP) to allow for "Private School Temporary Education Buildings" within the (MF-14) Multi-Family Residential district on Lot 1, Block A, Heritage Christian Academy Addition, being 6.64-acres and located at 1408 South Goliad.**

Hampton gave a brief outline of the request, and explained the previous Conditional Use Permits that were approved for the property for the existing temporary portable buildings. The applicant was not present at the work session, and the Commission directed staff to communicate to the school that they would like information about their school's long-range plans. Hampton stated he would contact the applicant and let them know to be prepared to address the Commission's questions at the August 11th public hearing.

5. **P2009-015**
Discuss and consider a request by Austin J. Bedford of AJ Bedford Group, Inc., for approval of a replat of Lots 5 and 6, Block 1, Rockwall Centre Corners Addition, being 3.734-acres zoned (C) Commercial district and situated at the southeast corner of SH 205 and IH-30.

Spencer briefly discussed that staff had forwarded comments to the applicant, primarily relating to technical corrections to the plat. The Commission has approved a site plan for this site earlier this year.

6. **P2009-016**
Discuss and consider a request by Adam Crump of Douphrate & Associates, Inc., for approval of a replat of Lot 1, Block A, Quail Run Retail Addition, being 11.2825-acres zoned (PD-5) Planned Development No. 5 district and situated along the east side of SH 205 (North Goliad), south of Quail Run Road and north of Memorial Drive.

Spencer briefly discussed that staff had forwarded comments to the applicant, and also discussed the facilities agreement that will be required for the detention structures and tree mitigation requirements affiliated with the project. The Commission approved a site plan for a 10,000-sf medical facility on this property earlier this year.

7. **P2009-017**
Discuss and consider a request by Todd Wintters of Engineering Concepts & Design for approval of a replat of Lots 4 and 5, Block A, Presbyterian Hospital of Rockwall Addition, being 2.253-acres zoned (PD-9) Planned Development No. 9 District and situated along the southwest side of FM 3097 (Horizon Road) north of Tubbs Road.

Gonzales briefly outlined the replat request and discussed the needed revisions that the applicant will be making before the next meeting on August 11th.

8. **Z2009-008**
***Discuss* and consider a City-initiated request for a change in zoning from (Ag) Agricultural district to (PD) Planned Development district on approximately 329.53-acres known as "Lake Rockwall Estates," located along the south side of Tubbs Road, east side of Horizon Road (FM 3097), and north side of County Line Road.**

LaCroix gave the background of the subcommittee meetings and the public meetings that have taken place regarding the rezoning of Lake Rockwall Estates. He stated that one of the biggest issues for the residents is their water bill through Aqua Source. LaCroix further stated that multi-family housing is a big concern for the residents. He stated that the impact on density and parking that multi-family housing would bring is a concern to the residents. LaCroix stated that the residents would like only to see single-family housing allowed.

LaCroix discussed the lot size that would be needed for multi-family housing. He stated the way it is now, density is an issue because there are multiple structures or homes on single lots.

LaCroix further stated that with the way the city zoning is now it may create less density with multi-family homes due to the requirement of the lot size.

LaCroix listed the zoning requirements in Lake Rockwall Estates for the new Planning and Zoning Commission members that were present. He described, using a map, where Areas I, II and III are located. LaCroix discussed Phase II and the proposal from the subcommittee and staff for the proposed requirements or multi-family homes. LaCroix stated Area I is proposed to be single-family zoning. LaCroix further explained that Area III is floodplain and cannot be built in.

LaCroix stated that Area II is predominantly mobile homes or manufactured homes. LaCroix discussed a previous case that came in requesting the replacement of a manufactured home. He discussed the special exception that the applicant was allowed to request to the masonry requirements and other standards that went along with that case. LaCroix discussed in detail the requirements for replacing a manufactured home. LaCroix discussed the front yard fence requirements.

Bricker inquired about a traffic-impact study. LaCroix stated that it is not warranted and it would not be informative for the area. There was discussion regarding cementious siding versus vinyl siding. There was discussion regarding a garage requirement on multi-family homes. Bricker stated that he is in favor of the multi-family units because he feels that it would be an upgrade to the community. LaCroix stated that anything larger than a duplex would require fire protection to be installed.

There was discussion regarding the floodplain and commercial zoning. Hunter clarified that there is commercial use in the area now. LaCroix stated that that came in prior to the annexation into the city and that they will become nonconforming uses. Hunter inquired whether there could be manufactured housing duplexes. LaCroix stated if they meet the requirements they can. There was further discussion regarding the zoning for duplexes and triplexes with manufactured buildings. There was discussion regarding the population in Area I, Area II and Area III.

Milner commented on the water situation with Aqua Source and inquired how long it will take for the city to take over the water service. LaCroix stated that that is a negotiation situation. He stated that it could take years to resolve. Milner stated if a developer comes in, the city needs to hold them to a standard and make sure that they build to a standard that Rockwall requires. He encouraged the board to hold the developer to a certain standard and to do it right.

Hunter inquired whether there is a maximum size house that can be built. LaCroix stated the house size can take up to 45% of the lot size. Hunter inquired whether a two-story manufactured home is okay. LaCroix stated if it met the height requirements, yes. There was discussion on the fence requirement. LaCroix stated if there is a repair made to a fence, it can be repaired with the same material. He further stated if they replace the fence, it has to meet the fence standard for the city. LaCroix discussed the other standards and other exceptions for front yard fences.

There was discussion regarding drainage issues and the maintenance of the streets. LaCroix stated that the streets will be maintained like any other street in Rockwall. He stated that there are other places in the city with older streets and those streets are patched when there is an issue with the road.

Hunter inquired whether Aqua Source has to meet city standards for water pressure and the other standards that the city has. LaCroix stated that they do not have to meet any city standards, but they do have to meet whatever state standards are in place. There was discussion regarding fire protection.

Buchanan inquired about code enforcement and the area coming into compliance. He inquired whether anyone has contacted other cities to find out how they were successful with transition with an annexation of this kind. LaCroix stated that he has not contacted any other cities. He

stated that this area has a multitude of challenges with the density of the area and the floodplain that he has never dealt with before. He stated that they are just going to work through it.

Milner inquired about the insurance rating for the city with the challenges for fire protection. LaCroix stated he does not know how it will impact our rating as a city. He stated that the Fire Chief would have to be asked that question.

Bricker stated that other cities have duplexes and single family homes coexisting. He stated the conditions in the code that would make it difficult to have a manufactured duplex or triplex and meet the code. Bricker stated that, under those circumstances, he thinks bringing in duplexes and triplexes into the area would increase its value. He stated that he is in favor of multi-family living. Bricker discussed the impact fees that will come into the city with new development versus replacement of existing homes.

LaCroix clarified that the Commission is asking for attached garages to be required on any multi-family structures. Bricker stated that, yes that is what they are suggesting.

Milner said good-bye.

Bricker said good-bye.

ADJOURNMENT

The meeting adjourned at 8:59 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 25th day of August, 2009.

Michael Hunter, Chairman

ATTEST:

Aug 11 PdZ Public Hearing

3. All building and fire code requirements shall be met prior to occupancy of the portable buildings.

Dean Cathey, 3066 Rochelle Rd (applicant representative), was present to answer questions.

Herbst asked what the school's plans were for finishing out the existing building. Mr. Cathey replied that the plan is basically year-to-year. He stated that one of the buildings was on the property when the school bought the property, but was moved to the back to get it out of the firelane.

Hunter opened the public hearing at 6:17 pm.

There being no public input, the public hearing was closed at 6:17 pm.

Herbst stated he was still uncomfortable with uncertainty of the school's future plans.

Minth asked if and how the requirement for the skirting can be tied to permit. Hampton replied that it would be a requirement that staff or building inspectors would look for before the building was approved for occupancy.

Buchanan asked if the SUP could be tied to the occupancy of the 2-story building. That is, the SUP be good for 3 years or upon completion of the 2nd floor, whichever were to occur first. LaCroix stated it would be better to include the time frame in the SUP, and hopefully that would be incentive enough for the school to work towards finishing out the 2nd floor.

Jackson stated that most of the public school sites in the community have these types of buildings, and that the current economy is tough, so she is in favor of the three year SUP.

Mr. Cathey stated they have estimated that finishing out the 2nd floor would be around $600,000, which the school simply does not have available. However, there is a need for extra classroom space to accommodate a new learning lab.

After further discussion, Commissioner Herbst made a motion to approve Z2009-015, a request by Heritage Christian Academy for approval of a Specific Use Permit (SUP) to allow for "Private School Temporary Education Buildings" within the (MF-14) Multi-Family Residential district on Lot 1, Block A, Heritage Christian Academy Addition, being 6.64-acres and located at 1408 South Goliad, with staff recommendations.

Commissioner Jackson seconded the motion.

It was voted on and passed 7 to 0.

5. **Z2009-008**

Hold a public hearing and consider a City-initiated request for a change in zoning from (Ag) Agricultural district to (PD) Planned Development district on approximately 329.53-acres known as "Lake Rockwall Estates," located along the south side of Tubbs Road, east side of Horizon Road (FM 3097), and north side of County Line Road, and take any action necessary.

Note: Enid Reyes (from Lakepointe / Lake Rockwall Estates Community Center) was present to translate the staff's presentation for Spanish-speaking members in the audience.

LaCroix outlined that the City has drafted a Planned Development district ordinance as a zoning proposal for the area commonly known as Lake Rockwall Estates. A copy of the proposed zoning map exhibit was shown. The PD is divided into Area 1 (west side of Lake Rockwall comprised mostly of "stick-built" SF housing); Area 2 (east side of Lake Rockwall comprised of mixture of housing types including manufactured and mobile homes); and Area 3 (open space and drainage

areas). The proposed plan for the area is for a Single-Family residential zoning. No Commercial zoning is proposed for the PD.

The underlying zoning for the area is the (SF-7) Single Family Residential district. Staff has proposed that a minimum lot size of 5,000-sf be utilized to accommodate the typical lot patterns that exist in both Areas 1 and 2. The masonry standards for Areas 1 and 2 are proposed to be the same as the rest of the City, including a minimum 80% masonry requirement and a maximum 50% of cementaceous materials (e.g. stucco, Hardiboard, etc). The staff has proposed that the PD include provisions for front yard fences that would not require City Council approval unless an exception is requested. There is also a provision for owners to make an exception request to City Council about such things as building setbacks, lot frontage or depth requirements, use of building materials not otherwise allowed, and other special requests.

The proposed PD standards also include special provisions for Area 2. First, the PD proposal allows for up to 250 overall units of alternative housing types – including duplex, triplex, fourplex, townhomes and zero-lot line development. A builder/developer would have to seek approval of a Specific Use Permit (SUP) from the Planning Commission and City Council to construct these units. Additionally, there are higher standards for these types of units such as larger lot size requirements, minimum garage requirements, minimum unit sizes and masonry construction requirements.

An additional proposal for Area 2 is the one-time replacement clause for manufactured housing. Under the proposal, existing mobile homes or manufactured homes in Area 2 could be replaced one time provided that the following conditions are met:

- Home must be permanently attached to an engineered, concrete foundation
- Primary roof pitch must be at least 3:12 inches.
- Minimum 90% masonry requirement, which can be met with Hardiboard lap siding, "Cemplank" lap siding or a similar cementaceous lap siding material
- Replacement home shall be a HUD-code manufactured home that is newer and at least as large in living space as the prior home

Area 3 is restricted to open space, and because of floodplain this area

Lacroix also reported that during public meetings held at both City Hall and the Lake Rockwall Estates Community Center, many residents have voiced various concerns about allowing for additional housing types beyond detached single-family housing. However, staff has kept the proposal intact since the subcommittee and task force recommended it. We also feel consideration of some (if not all) of these housing types should be given to allow for some flexibility and potential incentives for redevelopment of vacant or abandoned properties. The controls are in the PD standards that would ensure that these housing types – if approved by an SUP – are of high quality. We also feel like the proposal fits the guidelines of the City's Comprehensive Plan, particularly those that call for a mixture of housing types.

In accordance with State law, staff has mailed notices of the P&Z public hearing to property owners both within the proposed PD (1085 owners) and within 200-ft of the proposed PD (73 owners). As of the meeting, staff has received the following responses:

<u>Within proposed PD</u>
13 "in favor"
5 notices "in opposition"

<u>Within 200-ft of proposed PD</u>
4 "in favor"
0 "in opposition"

Buchanan inquired about how the other housing types were counted – for example, if a fourplex counted as four units or one unit. LaCroix stated a fourplex would count as four (4) units.

Herbst inquired about the availability of sewer in Area 2. LaCroix stated there are some streets (e.g. Renee, Nicole, etc) that do not have sewer service. Herbst asked for clarification on the restrictions against new development on lots without sewer. LaCroix stated new septic systems are not being permitted on vacant, single lots. LaCroix stated the County is doing the inspections/permitting for septic systems. Buchanan asked about the State requirements for septic systems. LaCroix believes the state requirement is 1/2-acre, and the County and City requires 1 ½ acres. Two lots in this area do not typically result in ½ acre, but he believes the County has approved these in the past.

Hunter asked for clarification on the 250-unit maximum. LaCroix stated all of the proposed housing types would count towards the 250 count. He added that since the last work session a requirement for garages has also been added for duplexes, triplexes and quadplexes. Hunter clarified that garages are not required for single-family housing, which LaCroix replied is correct.

Hunter clarified that if any other housing types were requested, there would be another public hearing required. LaCroix stated that with the SUP requirement, there are public hearings required for the P&Z and City Council.

Minth asked how many units were in the area now. LaCroix stated staff estimates there are 639 units in Area 2, but we do not know exactly what types of units all of these lots have, or how many existing duplexes, etc there are. Herbst stated that his notes from previous meetings showed 640 lots, 429 property owners and 181 vacant lots. In Area 1, there are 443 lots and 68 vacant lots.

LaCroix stated that when you figure in the land area, staff determined there is enough land for almost 1000 single-family lots. Ultimately, staff estimated that 12 to 15% of the total land area could be utilized for the alternative housing types using the 250 maximum count. He further stated that the subcommittee who came up with the 250-unit provision recognized that this could be an incentive for developers to bring in more fire protection, water or sewer service into the area.

Hayes asked for clarification on the 1000 lots. LaCroix stated that staff has calculated there is enough land area in Area 2 to accommodate up to 940 single-family lots, based on an average 6000-sf lot size. This is essentially an increase of 300 of what is out there today, so an increase in density is potential even without the alternative housing types. Staff saw the 250-unit provision as an incentive for more redevelopment to occur.

Hunter opened the public hearing at 7:13 pm.

Norm Mastalarz, 514 Lakeside Dr, addressed the Commission and asked about the floodplain shown on the map. His home is in the floodplain now, but apparently was not at the time it was built. LaCroix stated the Corps of Engineers has adopted the City's recent flood study, which is where these floodplains came from. Mr. Mastalarz also stated concerns about taxes and the need for a special permit for setbacks.

Gigi James, 445 Lakeside Drive, addressed the Commission and stated concerns about her property within Area 3. She owns the property at the corner of Tubbs and Horizon, and pays a lot annually in taxes and maintenance. She is in favor of the proposal overall, but is worried about the no development being allowed on her property shown in Area 3.

James Merkel, 420 Wayne, addressed the Commission and stated he was on the masterplanning task force, during which time he was opposed to the multi-family housing types. He believes the area should be single-family dwellings, and that any existing duplexes were built prior to annexation. Mr. Merkel also stated there are deed restrictions for the neighborhood that are being ignored. He stated he was concerned about the front yard fence restrictions, and would prefer that chain linked fences be considered. Stubbs asked which part of the deed restrictions are in conflict with the proposed requirements.

Mr. Merkel stated the primary thing is that only single-family dwellings are allowed in the Deed restrictions, though it has not been enforced in the past.

John White, 1929 S. Lakeshore Drive, and who owns a company in the area, addressed the Commission and stated he felt like to this point the opposition to multi-family has been unanimous in previous meetings. He stated that chain link is the dominant fence type in the community. The City has done some things to help the community continue its self-renewal such as animal control, code enforcement, etc. He outlined his concerns about the duplexes and other multi-family dwellings such as small unit sizes, impacts on schools, etc.

Mary Garza, 482 Eva Place, addressed the Commission and stated she is also opposed to the multi-family dwellings. The roads are too narrow to accommodate the extra density.

Joan Stanley, 298 Wayne Drive, addressed the Commission and stated she was glad to be annexed, but is opposed to the multi-family units. She said the owners have not been able to enforce the deed restriction because of funding issues. She witnessed a bunch of duplexes being built right before annexation, and hoped that after the annexation the City would put a stop to it.

Stubbs asked if there was any clarifications necessary on the fencing questions posed earlier in the hearing.

Gigi James reappeared and stated she believes the chain-linked fences are used by the residents for safety reasons and to contain their dogs. LaCroix stated the Commission can propose a different requirement for fencing if they see fit.

LaCroix also commented on the proposed alternative housing types, and that the proposal is based on recommendations of the overall Task Force that met and discussed the future land use planning efforts for 12-18 months.

Randolph Sullivan, 186 Chris Drive, addressed the Commission and asked for more clarifications on the fence requirements, specifically what the height and materials requirements are for back yards. LaCroix stated the maximum height for fences is 8-ft.

With no further input, the public hearing was closed at 7:59 pm.

Minth asked if existing fences that do not meet current City requirements would be grandfathered, which LaCroix stated they would be. They could be repaired, but would have to be replaced with a fence that meets City standards.

Herbst stated he believes the multi-family housing types would encourage more investors and rental units, and cannot support this provision.

Hunter called for a 10-minute break at 8:01 pm.

The meeting reconvened at 8:11 pm.

Buchanan clarified if the current proposal was an all or nothing deal. LaCroix stated the Commission and Council can adjust as they see fit. Buchanan stated he was in favor of the annexation from the beginning, and that his idea about what the annexation meant was to improve the area. He feels the multi-family provisions may provide a short-term improvement, but do not offer long term improvements. He is also not in favor of the one-time replacement clause proposed in the PD.

Minth asked if the one-time replacement is a State requirement. LaCroix stated the proposal is based on a State requirement. She also clarified if the parking and driveway requirements, and why a

garage is not required on a single-family home in the proposal. LaCroix stated a garage is not required for any of our single-family districts throughout the City, though some of the newer Planned Developments and/or deed restrictions require garages.

Minth also asked about exterior wall materials and for clarification on the 120-sf and 10-ft height requirements. Is this a loophole for an owner to construct a small dwelling unit? Hampton stated all single-family lots in the City are allowed to have one portable building less than 120-sf, which does not have to be masonry construction. Anything larger – such as an accessory building, detached garage, etc – must meet the masonry standards. But the minimum housing size is still 1100-sf in the SF-7 zoning district, so any new homes would have to comply with that.

Hunter clarified that the City could require a garage for any new single-family district, which LaCroix stated the Commission could recommend that. On the multi-family piece, Hunter stated there are a couple of things that bother him. One, even if the approved PD for this area does not allow multi-family, it does not mean there will not be any rental property. If multi-family were allowed, does the City have any rights to inspect rental property to make sure it meets health and safety codes? In other cities, inspectors go out on an annual basis and inspect multi-family properties. Very few however inspect single-family rental house. LaCroix stated that the City had never done this to his knowledge.

Stubbs asked about what options there are for fence requirements. He stated he thinks that chain linked fences are fairly common in the area, and that it may be worthwhile to consider allowing for these by right instead of having to set them off all property lines 10-ft or install landscaping to screen them.

Buchanan stated the SUP provision would result in some multi-family being approved, and he is simply against it. Minth agreed, and stated that while she sees some value in having different opportunities available, the City has already heard the outcry from residents opposing such units and questioned why we would want to have future zoning cases to hear it again if they've already stated their position.

Hayes stated he agrees on the Commission's statements thus far about not allowing for the other housing types. He proposed that a time limit be added to the PD that would allow for replacement of fences for a specific time, and then subsequently everyone must follow current City standards.

LaCroix outlined some of staff's concerns about potential issues with businesses and storage yards that would crop up if we were to be too permissive on the fence requirements, especially in the front yards.

Herbst asked if there is a way to differentiate between businesses and residential fences. LaCroix stated it will be difficult. Herbst clarified at what point you would have to comply with the new standards. LaCroix stated that staff would have to work with residents or contractors to determine what is considered a repair job versus a replacement, but typically if the entire fence is being removed and replaced they would have to comply with current city standards.

Hunter stated that the area has come in, is already developed, and that one of the things we are trying to do is ensure they have some of the same standards used elsewhere in the City.

Herbst stated he is prepared to offer a motion. Hunter asked if the Commission is prepared to vote tonight. Each of the members stated they were prepared to vote on the proposal.

Commissioner Herbst made a motion to approve Z2009-008, a request for a change in zoning from (Ag) Agricultural district to (PD) Planned Development district on approximately 329.53-acres known as "Lake Rockwall Estates," located along the south side of Tubbs Road, east side of Horizon Road (FM 3097), and north side of County Line Road, with staff recommendations except for the following changes:

1. **Remove all other housing types**
2. **Add a provision that would allow chain link fencing along the side and rear property lines.**

Commissioner Hayes seconded the motion.

It was voted on and passed 7 to 0.

ADDITIONAL DISCUSSION ITEMS

- Planning Director's Report on the following Planning and Zoning Commission matters that have been recently acted on by City Council:
  a) **MIS2009-002:** Planned Development (PD) Review

  LaCroix updated the Commission about the Council's approval to proceed with a PD amendment to PD-14 and PD-35. These zoning cases will be reviewed over the next cycle.

ADJOURNMENT

The meeting adjourned at 8:54 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 25th day of August, 2009.

Michael Hunter, Chairman

ATTEST:

Ag to P-H

2. Z2009-008 - Hold a public hearing and consider approval of an **ordinance** for a City-initiated request for a change in zoning from (Ag) Agricultural district to (PD) Planned Development district on approximately 329.53-acres known as "Lake Rockwall Estates," located along the south side of Tubbs Road, east side of Horizon Road (FM 3097), and on the north side of County Line Road, and take any action necessary. (1st Reading)

Mayor Cecil offered information to those present related to how the public hearing will be conducted. He also indicated that the purpose of this particular public hearing is to hear commentary related specifically to the zoning of Lake Rockwall Estates (LRE). Planning Director Robert LaCroix then began the discussion by offering background information related to this item. He explained that the area was automatically zoned "Agricultural" when it was annexed into the City. It is now time to establish more specific zoning in LRE. He expressed that LRE has been divided into 3 different areas for the purpose of establishing zoning. LaCroix stated that Single Family Residential zoning is being proposed for LRE at this time and that no commercial zoning is being proposed for this PD. LaCroix indicated that city staff has identified potential businesses in the area that would be considered legal non-conforming uses (will be "Grandfathered") once the zoning is established for the area. LaCroix then offered information related to the requirements associated with minimum lot sizes, set backs, and masonry requirements. He also offered information related to proposed fence requirements for LRE. The Planning & Zoning Commission has recommended that chain link fences be allowed along the side and rear property lines. LaCroix then shared information related to the proposed minimum standards for replacement of manufactured homes. He expressed that staff recommends consideration of allowing additional housing types including zero lot lines, duplexes, triplexes, fourplexes and townhome/single-family attached homes with approval of a Specific Use Permit (SUP) issued by the City Council. Notices were mailed out to property owners within 200 feet of the proposed PD. At the time this report was written, within the PD, 41 responses were received back "in favor" of the zoning change and 10 responses were received back expressing they are "opposed" to the zoning change. Outside of the property but within 200 feet of the proposed PD, 6 notices were returned 'in favor' and 0 were returned 'in opposition.' LaCroix then offered a history of the various meetings, work sessions and public hearings that have taken place related to the proposed zoning of LRE.

Mayor Cecil then moved to open the Public Hearing to receive comments from those present.

Joan Stanley
298 Wayne Drive

Ms. Stanley indicated that she moved to LRE in 1969. In general, she expressed that she is not in favor of multifamily housing in the LRE neighborhood. She indicated that allowing multifamily developments would bring more crime and fire related concerns. She encouraged the Council to vote 'no' to multifamily housing in LRE.

Jim Shields
3212 Cantura Drive
Mesquite, TX 75181

Mr. Shields indicated that his property is located in "Area 2," which is mostly mobile homes. Mr. Shields indicated that he is renting his mobile home to a tenant who has lived there since 1986. He asked if there will be any 'special assessments' such as those associated with putting in driveways. Planning Director Robert LaCroix indicated that no assessments are being proposed by the city at this time.

Mary Garza
482 Eva Place
"Area 2" in LRE

Ms. Garza expressed that she was in favor of the City annexing LRE. However, she expressed that she is not favor of allowing multifamily housing in LRE and would like the Council to only allow single family housing in the area.

Debbie Adams
485 Eva Place

Ms. Adams expressed that she believes the mobile homes in the area are dilapidated and need to be removed or renovated. In general, she expressed that she is not in favor of allowing multifamily housing in LRE. She is only in favor of single family housing.

Marilyn Hays
303 Tubbs Road
"Area 1"

Ms. Hays indicated that she resides in the housing side of LRE and that she moved to the area from New York City. She expressed that she would like the city to only allow single family housing in the area.

Maria Gallegos
552 Russell Drive

Ms. Gallegos moved to LRE nine years ago. She expressed that she would like only single family housing in the area. She believes that multifamily housing would result in more cars and more people living in one unit.

There being no one else to come forth and speak at the public hearing, Mayor Cecil then closed the public hearing.

Councilmember Scott expressed that there has been a lot of misinformation going around about this process, including some people stating that there is a 'push' for multifamily housing in Lake Rockwall Estates. Scott then offered some general background information related to the history of annexation of the area and to the Council's desires regarding multifamily and single family development in LRE. Scott indicated that he is personally not in favor of multifamily zoning; however, he may be willing to vote for multifamily zoning in LRE if it is needed and wanted by those who reside there. Scott indicated that he has clearly heard that multifamily zoning is not wanted in LRE.

Councilmember Scott made a motion to approve Z2009-008 with all staff recommendations and P&Z recommendations and with no multifamily components to the

zoning. After some additional, brief comments, Mayor Pro Tem Sweet seconded the motion.

Councilmember Russo then offered commentary, indicating that he is in support of the LRE area and wants the best for all LRE residents, residents who are now part of the City of Rockwall.

Councilmember Sevier thanked Margo Nielsen for taking him on a tour to look at multifamily housing throughout the City of Rockwall. Sevier indicated that Nielsen wanted to show him areas of the city where multifamily units fit very well and make sense. Sevier then asked staff for some general clarification related to the recommended masonry requirements.

Councilmember Farris then offered brief commentary and expressed that he is in support of the motion.

The ordinance was read as follows:

CITY OF ROCKWALL

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL AS PREVIOUSLY AMENDED SO AS TO APPROVE A CHANGE IN ZONING FROM (AG) AGRICULTURAL DISTRICT TO (PD-75) PLANNED DEVELOPMENT DISTRICT NO. 75, ON A TRACT OF LAND CONTAINING APPROXIMATELY 329.53-ACRE AND KNOWN AS LAKE ROCKWALL ESTATES, LOCATED ALONG THE SOUTH SIDE OF TUBBS ROAD, EAST SIDE OF HORIZON ROAD (FM 3097) AND NORTH SIDE OF COUNTY LINE ROAD ACRES AND MORE SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT "A"; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

The Mayor then addressed Public Hearing item #1.

VIII. ACTION ITEMS

1. Discuss and consider approval of a setback variance request for a new monument sign to be located at 1005 Ralph Hall Parkway and take any action necessary.

Building Official Jeffrey Widmer provided background information related to this item. He described the monument sign and the proposed location of the sign.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, Assistant to the City Manager / City Secretary**

DATE: **October 16, 2015**

SUBJECT: **Agenda item re: Regulation of non-emergency ambulance service providers**

Councilmember Townsend has requested that this discussion item be placed on the meeting agenda prior the city council taking action on 2nd reading of the ambulance-related ordinance on the 10/19 agenda.

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CITY OF ROCKWALL

ORDINANCE NO. 15-28

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING CHAPTER 12, ARTICLE XII, SECTION 12 BY ADDING AND AMENDING SECTIONS 12-1250 THROUGH 12-1253 OF THE CODE OF ORDINANCES, REGULATING AMBULANCE SERVICES IN THE CITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Rockwall (the "City"), a Home Rule City and by State law and City Charter is permitted to establish ordinances to protect the health, safety and general welfare of its residents; and

WHEREAS, the City is a member of the "Sponsoring Local Governments" that established the County of Rockwall Emergency Services Corporation ("ESC") to contract with a provider to provide exclusive emergency ambulance service; and

WHEREAS, the City's current ordinance also provides for exclusive use by the ESC contractor for non-emergency ambulance transports, even though most of the other Sponsoring Local Governments do not require exclusive use of the ESC contractor for non-emergency ambulance transports; and

WHEREAS, the City Council continues to encourage the use of ESC contractor for non-emergency ambulance transports but the Council has determined that allowing residents and health care businesses to utilize their choice for non-emergency transports is necessary to protect the health, safety and general welfare of its residents;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THAT;

SECTION 1. FINDINGS. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. **AMENDMENT.** Chapter 12, ArticleXII, Sections 12-1250 to 12-1253 are hereby amended to Chapter 12 and should read as follows:

ARTICLE XII. AMBULANCE SERVICE

- **Sec. 12-1250. - Definitions.**

  - ***Ambulance***. Any privately or publicly owned motor vehicle that is specially designed, constructed, or modified and equipped; and is intended to be used for and is maintained or operated, for the transportation, on the streets or highways of this state; of persons who are sick, injured, wounded, or otherwise incapacitated or helpless.

  - ***Emergency Ambulance Services.*** The operation of an ambulance for transportation in response to a 9-1-1 call to transport a sick or injured person in an ambulance after the sudden onset of a medical condition manifesting itself by acute symptoms of such severity that the absence of immediate medical attention could reasonably be expected to result in placing the patient's health in serious jeopardy, serious impairment to bodily functions, or serious dysfunction of any bodily organ.

  - ***Non-Emergency Ambulance Services.*** The operation of an ambulance for any purpose other than providing emergency ambulance services.

- **Sec. 12-1251. - Contract required.**

  A. No person shall operate or cause to be operated a vehicle for emergency ambulance purposes nor furnish, conduct, maintain, advertise or otherwise be engaged in the business or service of the transportation of emergency ambulance patients within the city unless such person is the emergency ambulance service provider currently under contract with the County of Rockwall Emergency Services Corporation to provide emergency ambulance service within Rockwall County.

  B. No person shall knowingly solicit ambulance services contrary to the regulations in this article.

- **Sec. 12-1252. - Applicability.**

The provisions of section 12-1251 shall not apply to:

A. Rendering assistance to patients in the case of a major catastrophe or emergency with which the contractor's ambulances or approved franchises are insufficient or unable to cope with the major catastrophe or emergency;

B. Transporting a patient picked up outside of the county, traveling through the city to a destination outside of the county.

Sec. 12-1253. Non-Emergency Ambulance Service.

It shall be unlawful for any person to furnish, operate or otherwise engage in the operation of non-emergency ambulance transfer service from a point originating and ending within the streets of the City without a license or certification as an emergency medical services provider issued by the State of Texas.

SECTION 3 REPEALING ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4 SEVERABILITY.
If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

SECTION 5 SAVINGS CLAUSE.
All ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal.

SECTION 6. EFFECTIVE DATE. The Ordinance shall become effective on November 1, 2015 following its publication in the local newspaper as required by the Texas Local Government Code.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL TEXAS, THIS THE 19th DAY OF October, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 10-05-2015
2nd Reading: 10-19-2015

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Brad Griggs, *Assistant City Manager*

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: October 19, 2015

SUBJECT: Policy for the Seasonal Outside Storage of Shipping Containers and/or Similar Storage Containers for Commercial Uses

At the last City Council meeting on September 21, 2015, the City Council directed staff to prepare a policy to address seasonal outside storage of shipping containers and/or similar storage containers. This was in response to a request by the Wal-Mart Supercenter (*on the north side of HI-30 between FM-740 & SH-205*) for the storage of 26 shipping containers between October 1st and January 1st. In response to Council's directive staff has prepared the following policy to address *Seasonal Outside Storage*:

Seasonal Outside Storage Policy

The Director of Planning & Zoning or his designee can grant temporary seasonal outside storage on a case-by-case basis upon the submission and approval of a letter and site plan from the applicant outlining the time period and location for the temporary outside storage. In approving these requests, the Director of Planning & Zoning or his designee shall consider the following:

1) *The proposed location of the outside storage. All outside storage should be as visibly screened as possible from public rights-of-way and adjacent properties, and should generally be located behind the building unless approved otherwise. Additionally, the storage containers should not be situated on existing utility lines or disrupt the flow of drainage on the site.*
2) *The time-period of the proposed outside storage. Requests for seasonal outside storage should be of a reasonable time-period not to exceed 75 days.*
3) *The amount of outside storage being requested. Outside storage shall be limited to 7.5% of the total building area divided by 424 SF (i.e. 53-foot by 8-feet which is the typical SF of a standard truck trailer).*

Should the proposed request not meet the above guidelines or if a request is denied by the Director of Planning & Zoning or his designee the applicant may appeal the decision to the City Council for approval of a waiver to allow the storage to exceed the time-period or quantity allowed by the aforementioned policy.

Considering this policy, staff would be able to administratively approve the Wal-Mart Supercenter for 35 shipping containers (*see formula below*) for a time-period of November 1, 2015 through January 15, 2016.

Formula:

(Building SF x 7.5%)/424 SF = Number of Shipping Containers
202,607 SF x 7.5% = 15,195.525 SF / 424 SF = 35.8385 or 35 Shipping Containers

Staff will be available at the meeting to answer any questions or receive further direction from the City Council concerning the proposed policy.

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Hold a work session to discuss and consider a resolution regarding the power of the city council to appoint and remove its board and commission member appointees, including those to the North Texas Municipal Water District Board (NTMWD), and take any action necessary.

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GIS Day Proclamation

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Consider approval of the minutes from the October 19, 2015 regular city council meeting, and take any action necessary.

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Consider awarding a bid to Bergkamp Pavement Solutions and authorizing the City Manager to execute a Purchase Order for a new Pothole Patcher in the amount of $152,640 to be funded out of the General Fund, Streets Operating Budget, and take any action necessary.

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Consider awarding a bid to Caldwell Country Chevrolet and authorizing the City Manager to execute a Purchase Order for 2016 model year Police Pursuit Tahoes in the amount of $107,355 to be funded out of the General Fund, Patrol Budget, and take any action necessary.

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P2015-039 - Consider approval of a request by John Arnold of the Skorburg Company (BH Phase IIB SF, LTD) for the approval of a replat of Lots 51-57, Block D, Breezy Hill, Phases IIA & IIB, being a 2.722-acre portion of land that is currently identified as Lots 24-26 & 50, Block D, Breezy Hill, Phases IIA & IIB, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally located north of the intersection of FM-552 and John King Boulevard, and take any action necessary.
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AGENDA
ROCKWALL CITY COUNCIL
Monday, November 02, 2015
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

p.8 **1.** Hold a work session to hear an update from the GIS Department concerning the release of the City's new suite of interactive maps, and take any action necessary.

p.10 **2.** Hold a work session to discuss and consider a resolution regarding the power of the city council to appoint and remove its board and commission member appointees, including those to the North Texas Municipal Water District Board (NTMWD), and take any action necessary.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)

2. Discussion regarding legal claim: Timothy Headley v. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)

3. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - Rockwall Economic Development Corporation (REDC) Board - pursuant to Section 551.074 (personnel matters)

4. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, November 02, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER FOWLER

VIII. PROCLAMATIONS / AWARDS

p.14 **1.** GIS Day Proclamation

IX. OPEN FORUM

X. CONSENT AGENDA

p.16 **1.** Consider approval of the minutes from the October 19, 2015 regular city council meeting, and take any action necessary.

p.26 **2.** Consider awarding the bid to Morrow Construction Company and authorizing the city manager to execute a contract for the Rockwall Police Driveway Project in the amount of $72,056.00 to be funded out of General Fund Reserves, and take any action necessary.

p.29 **3.** Consider authorizing the city manager to execute a contract with Great Midwest Insurance Company to secure reinsurance/stop loss coverage for the City's health insurance plans, applying to claims exceeding $100,000, and take any action necessary.

p.31 **4.** Consider awarding a bid to Bergkamp Pavement Solutions and authorizing the City Manager to execute a Purchase Order for a new Pothole Patcher in the amount of $152,640 to be funded out of the General Fund, Streets Operating Budget, and take any action necessary.

p.33 **5.** Consider awarding a bid to Caldwell Country Chevrolet and authorizing the City Manager to execute a Purchase Order for 2016 model year Police Pursuit Tahoes in the amount of $107,355 to be funded out of the General Fund, Patrol Budget, and take any action necessary.

p.35 **6.** Consider awarding a bid to Holt CAT and authorizing the City Manager to execute a Purchase Order for a new Compact Excavator in the amount of $65,904 to be funded out of the Water and Sewer Fund, Water Operating Budget, and take any action necessary.

p.37 **7.** Consider awarding a bid to Holt CAT and authorizing the City Manager to execute a Purchase Order for a new Backhoe in the amount of $128,388 to be funded out of the General Fund, Streets Operating Budget, and take any action necessary.

p.39 **8.** **P2015-039** - Consider approval of a request by John Arnold of the Skorburg Company (BH Phase IIB SF, LTD) for the approval of a replat of Lots 51-57, Block D, Breezy Hill, Phases IIA & IIB, being a 2.722-acre portion of land that is currently identified as Lots 24-26 & 50, Block D, Breezy Hill, Phases IIA & IIB, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally located north of the intersection of FM-552 and John King Boulevard, and take any action necessary.

p.46 **9.** **P2015-038** - Consider approval of a request by Pastor Rex Walker on behalf of Life Spring Church for the approval of a final plat for Lot 1, Block 1 and Lots 1 & 2, Block 2, Life Spring Church Addition being a 30.3403-acre tract of land currently identified 15-01 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated with the SH-205 By Pass Corridor Overlay (SH-205 BY OV) District, located on the north side of John King Boulevard east of the intersection of SH-205 and John King Boulevard, and take any action necessary.

p.55 **10.** **Z2015-025** - Consider approval of request by Bill K. Ryan for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Single Family One (SF-1) District for a 1.02-acre tract of land identified as Tract 11-2 of the D. Harr Survey Abstract, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 770 Davis Drive, and take any action necessary **(2nd Reading)**.

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

p.60 **2.** Appointment with Tammy Sharp of the Downtown Merchants' Association to discuss and consider partnering with the city for an upcoming Downtown Grand Opening Celebration, and take any action necessary.

XII. ACTION ITEMS

p.62 **1.** Discuss and consider appointing members of the city's Art Review Team to also serve on the Art Committee, and take any action necessary.

p.86 **2.** Hear update from Emergency Services Corporation (ESC) representatives concerning the countywide contract for Emergency Medical Services (EMS), and take any action necessary.

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections Monthly Report - September 2015

Fire Department Monthly Report - September 2015
GIS Department Monthly Report - September 2015
Harbor PD Monthly Report - September 2015
Internal Operations Department Monthly Report - September 2015
Police Department Monthly Reports - September 2015
Recreation Monthly Report - Sep 2015
Rockwall Animal Adoption Center Monthly Report - September 2015

2. City Manager's Report

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)
2. Discussion regarding legal claim: Timothy Headley v. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - Rockwall Economic Development Corporation (REDC) Board - pursuant to Section 551.074 (personnel matters)
4. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVI. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 30th day of October, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Brad Griggs, *Assistant City Manager*

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: November 2, 2015

SUBJECT: Internet Mapping Demonstration (*GIS Department*)

The GIS Department's current interactive mapping site was developed *in-house* in 2010 based off the open-source framework Adobe Flex. This mapping tool has served the city well over the years, but in 2014 our software provider, Environmental Systems Research Institute (ESRI), dropped support for the software in favor of newer, mobile compliant technology. As a result, the GIS Department began to seek new alternatives for an internet map. Coincidently, the City's EPA wastewater inspection recommended that the online map be tied to the City's utility work order system. In order to achieve this the GIS Department contracted with Alexander Open Systems (AOS) for assistance with the MapAnalytix application. Utilizing AOS's expertise and ESRI's new mobile compliant mapping software, the GIS Department has developed a new suite of internet maps. This includes several maps that range from an all-inclusive format to a simpler design aimed at achieving a particular task (*e.g. property owners, zoning, etc.*). By utilizing this format, it should be easier for the general public to utilize the potential of the City's GIS data.

The following is a summary of the achievements of this project:

- ☑ The GIS Department created a new interactive map solution for our current outdated online map.
- ☑ The new map is completely mobile device compliant (*our current version is not*).
- ☑ The new map meets the EPA's requirements for work order system GIS connection.
- ☑ The new map is built with new Java/HTML5 code, which is much faster and has greater performance than the previous online map.
- ☑ There was a significant ROI savings, as staff does not have to program the maps from scratch.
- ☑ There is built in security features.
- ☑ The maps are more robust and user-friendly.
- ☑ The new maps can be installed on our GIS server and allow staff full control and customization.
- ☑ There are now 15 new interactive maps that can be accessed from one portal location.
- ☑ The new maps include an administration system health dashboard and use analytics information.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **October 30, 2015**

SUBJECT: **North Texas Municipal Water District**

The attached resolution has been drafted to closely follow a resolution prepared and distributed by the City of Plano related to a current issue among member cities of the NTMWD. At a recent meeting hosted by the Mayor of Garland, attended by ten of the thirteen member cities, this "governance issue" (among others) was discussed. Although none of the member cities Councils had considered or adopted the resolution it did appear from the discussion that there was considerable interest in favor of such a resolution. Since that meeting, I have been told that Plano, Garland, and McKinney will consider similar resolutions in the month of November. Again, if the discussion at the meeting is any indication, I would expect that many or all of the other cities present at the meeting will also consider the matter.

The resolution supports the concept that a City Council of a member city that appoints members to the NTMWD Board of Directors should have the ability to replace its appointed members at the "will" of the appointing City Council in advance of the expiration of an appointed NTMWD Board Member's two-year term without have to establish "cause." In essence the resolution supports the idea that the appointees should serve at the will of the City Council.

While there has been NO indication that the City of Rockwall has ANY disappointment with Rockwall's appointed NTMWD Board members, the matter became an issue when the City Council of Plano attempted to replace one of its appointed NTMWD Board Members prior to the expiration of that member's two-year term. NTMWD cited the enabling legislator that created the district and several other legal arguments (including a prior Texas Attorney General Opinion) that indicated that such an action by the Plano City Council could not be taken unless the City of Plano established "cause" for the removal of the sitting Board member.

Plano sought legislation in the last Legislative session which would have changed the ability of a City Council to make such a replacement without cause. Partially due to the late start that Plano got in proposing the legislation, no such legislation was passed. For the upcoming

session, the City of Plano has been successful in getting this issue included as a part of the Texas Municipal League's Legislature Agenda.

Although likely an over simplification, the resolution supports the idea that a City Council should have the ability to replace an appointed board member without specific cause in advance of the expiration of the member's appointed term and that the board member's primary responsibility should be to represent the City that made the appointment. Those who have indicated concern about the resolution seem to indicate that, once appointed, a board member's primary responsibility is to the district. Arguments have also included that of "at least a two year" continuity of service of value to the district.

The Mayor, Mary Smith, Tim Tumulty and I attended the meeting by invitation of the Mayor of Garland and would be pleased to answer any questions that you may have.

CITY OF ROCKWALL
RESOLUTION NO. 15-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS RELATING TO THE POWER OF THE CITY OF ROCKWALL CITY COUNCIL TO APPOINT AND REMOVE ITS BOARD AND COMMISSION APPOINTEES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, cities regularly appoint community representatives to serve on boards and commissions, both internal and external to the City; and

WHEREAS, the power to appoint representatives assists City Councils in their ability to effectively govern their communities; and

WHEREAS, the power to appoint and remove board or commission members appointed by the Rockwall City Council is specifically provided in Article VIII of the City of Rockwall home rule charter; and

WHEREAS, situations arise occasionally where it is in the best interest of the City for the City Council to remove its appointed representatives from boards and commissions whether serving as internal or external representatives; and

WHEREAS, it is in the best interest of the City of Rockwall, as a Member City of North Texas Municipal Water District (NTMWD), to clarify the governance issue by and between Rockwall, the NTMWD and other NTMWD Member Cities; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THAT:

Section I. The recitals set forth above are adopted herein as if fully set forth at length.

Section II. The City of Rockwall City Council proclaims that all board and commission appointees of the Rockwall City Council, including its appointees to the North Texas Municipal Water District Board of Directors, serve at the will of the City Council; and

Section III. The City of Rockwall City Council requests that the North Texas Municipal Water District Board (the NTMWD Board) place an item on their agenda for consideration and approval at their December 2015 regular meeting acknowledging that the NTMWD Board Members serve at the will of their respective appointing Member Cities.

Section IV. This Resolution shall become effective immediately after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS THE 2ND DAY OF NOVEMBER, 2015.

ATTEST: Jim Pruitt, Mayor

Kristy Cole, City Secretary

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Rockwall, Texas

Proclamation

Whereas, Geographic Information Systems (GIS) is designed to capture, store, manipulate, analyze, manage, and present all types of spatial or geographical data; and

Whereas, the City of Rockwall's GIS Department will soon be hosting its 2nd Annual GIS Day event; and

Whereas, GIS Day is an international event that showcases how GIS is used and what the technology offers; and

Whereas, Rockwall's event coincides with National Geography Awareness Week, a geographic literacy initiative sponsored by the National Geographic Society; and

Whereas, at this event, Rockwall's GIS Department will display a map gallery, educational videos, GIS technology, and GPS equipment.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim **WEDNESDAY, NOVEMBER 18, 2015** as

GIS DAY

in the City of Rockwall and urge all citizens to come out and enjoy this event, which will be open to the public in the Council Chambers of City Hall from 1:00 p.m. to 6:00 p.m. on that day.

In Witness Whereof, I hereunto set my hand and official seal this 2nd day of November, 2015.

_____

Jim Pruitt, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, October 19, 2015
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dennis Lewis and City Council Members David White, Mike Townsend, Scott Milder, Kevin Fowler, and John Hohenshelt. Also present were City Manager Rick Crowley, Assistant City Manager Brad Griggs, Assistant City Manager Mary Smith and City Attorney Frank Garza.

II. WORK SESSION

1. Hold work session with the Rockwall Housing Development Corporation (RHDC) to discuss development-related issues in Planned Development 75 (PD-75), and take any action necessary.

City Manager Rick Crowley explained that David Smith with the Rockwall Housing Development Corporation (RHDC) would like to visit with council to talk about what the options might be moving forward regarding this item.

David Smith came forth to address council regarding this item. He briefly explained that after speaking with P&Z and staff that he had another option for the families affected by the recent flooding in LRE. Mr. Smith explained that the utilities on a large lot could be split and that two potential homes could be placed on one lot. He could work within all abilities to come up with a plan to build a single family attached dwelling at a much cheaper cost and that both homes would be attached by a joining wall and that the structure would be more appealing than the trailer homes.

City Manager Rick Crowley stated that there was a provision in the ordinance which gives council the wide latitude with considering land use without it having to go back through the planning and zoning commission.

Councilmember David White stated that several years ago council held public hearings regarding the zoning of PD-75 and many citizens showed up in opposition of this type of housing. The city council and P&Z members voted to not have that language in the final draft, however, there was a provision added at some point that gave council the ability to approve various land uses without public input. He would like to have public input regarding whether or not they would like to have this type of housing structure in this neighborhood. When the zoning was passed it was not passed to allow for single family-attached structures.

City Manager Rick Crowley reconfirmed that council's direction would be to bring back Mr. Smith's request but advertise the case in the same manner as required for zoning cases. Planning Director Ryan Miller stated that notices for a public hearing could be sent out and the public hearing could take place at the November 10th Planning and

Zoning meeting and on the council agenda for the 2nd meeting in December. No further action was taken.

Mayor Pruitt then read the below listed items into the public record before recessing the meeting into Executive Session at 4:40 p.m.

III. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)
2. Discussion regarding legal matters related to land lease operations at Ralph Hall Municipal Airport pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding appointments to city regulatory boards, commissions, or committees - interview candidates: Planning & Zoning Commission vacancy - pursuant to Section 551.074 (personnel matters)
4. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

IV. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 6:00 p.m.

V. RECONVENE PUBLIC MEETING

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all councilmembers present.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Lewis made a motion to appoint Patrick Trowbridge to the Planning and Zoning Commission to fill an unexpired term. Councilmember White seconded the motion. Motion passed unanimously of council.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER MILDER

Councilmember Milder delivered the invocation and led the Pledge of Allegiance. Mayor Pruitt then announced that members of the city's Youth Advisory Council (YAC) are present to observe the council meeting this evening, and each of them introduced themselves.

VIII. PROCLAMATIONS / AWARDS

1. Bullying Prevention Month Proclamation

Mayor Pruitt called a few members of the Rockwall Youth Advisory Council forth. He then read and presented a proclamation declaring October 2015 as Bullying Prevention Month.

IX. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth and speak. There being no one, he then closed the Open Forum.

X. CONSENT AGENDA

1. Consider approval of the minutes from the October 5, 2015 regular city council meeting, and take any action necessary.

2. Consider authorizing a change order to Hill & Wilkinson Construction Group in the amount of $75,587.79 to be funded from the 2008 water and Sewer Revenue bonds to replace the sanitary sewer line along Kaufman Street from San Jacinto Street to Fannin Street, and take any action necessary.

3. Consider awarding a bid to Holt CAT and authorizing the City Manager to execute a Purchase Order for a new Backhoe in the amount of $127,320 to be funded out of the Water and Sewer Fund, Water Operations Budget, and take any action necessary.

4. Consider awarding a bid to Holt CAT and authorizing the City Manager to execute a Purchase Order for a new Skid Steer Loader in the amount of $37,568 to be funded out of the General Fund Streets Operations Budget, and take any action necessary.

5. Consider awarding a bid to CUES and Caldwell Country Chevrolet and authorizing the City Manager to execute Purchase Orders for a new CCTV Inspection Van totaling $219,855 to be funded out of the Water and Sewer Fund, Sewer Operations Budget, and take any action necessary.

6. Consider award a bid to Freightliner/CLS and authorizing the City Manager to execute a Purchase Order for a new VACCON Truck in the amount of $317,257.75 to be funded out of the Water and Sewer Fund, Sewer Operations Budget, and take any action necessary.

7. Consider authorizing the city manager to execute a Construction Manager at Risk contract with Dean Construction for construction associated with the Park at Stone Creek, with grant matching funds being provided by developer contributions in that park district, and take any action necessary.

8. Consider approval of a resolution supporting Statewide Proposition 7 for increased state funding for transportation in Texas, and take any action necessary.

Mayor Pro Tem Lewis made a motion to approve the entire Consent Agenda (#1, 2, 3, 4, 5, 6, 7, and 8). Councilmember Milder seconded the motion, which passed unanimously of council.

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Chairman of the Planning & Zoning Commission, Craig Renfro, came forth and briefed the Council on recommendations of the Commission relative to planning-related items on tonight's city council meeting agenda.

2. Appointment with Kim Lovett, Marketing Director, and Silvana Garcia, Property Manager, for The Harbor Rockwall to hear request concerning hosting of a Fox 4 Toys For Tots televised donation event at The Harbor on December 4th, and take any action necessary.

Property Manager Silvana Garcia came forward and gave a brief description and some background information related to the event.

Mayor Pruitt explained that he was at the Harbor the weekend prior for an event and noticed that there were several areas of concern regarding the landscaping and overall condition of the common areas. Mayor Pruitt also had several photographs to show Ms. Garcia that revealed several areas that needed to be addressed and stated that these conditions are not something that the city would be proud to showcase with a camera crew present.

Ms. Garcia explained that the plants at the Harbor were taken out because fall plants will be going in. Ms. Garcia stated that she would be more than happy to speak with the Mayor at another time regarding the plans for the landscaping at the Harbor, but was unprepared to do so at this time. Mayor Pruitt responded and asked why his numerous letters and phone calls had gone unanswered and not returned regarding these issues. Ms. Garcia explained that she has never gotten a message or letter from anyone at the city and would be willing to talk with them if necessary. She further went on to say that the landscaping at the Harbor was under irrigation repairs for some time delaying the planting of new landscaping. Mayor Pruitt stated that he would be willing to send her copies of the multiple letters that were sent to the property management company.

Mayor Pruitt made a motion to deny the request. The motion failed for a lack of a second.

Mayor Pro Tem Lewis corrected Ms. Garcia by reminding her that he too has made phone calls and left messages that went unreturned. Mayor Pro Tem Lewis made a motion to approve the event request. Councilmember White seconded. The motion passed by a vote of 6 in favor, 1 against (Pruitt).

Mayor Pruitt added that he would like to contact the Fox 4 new station to see if Downtown Rockwall would be a location option for the Toys for Tots event.

XII. PUBLIC HEARING ITEMS

1. **Z2015-025** - Hold a public hearing to discuss and consider a request by Bill K. Ryan for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Single Family One (SF-1) District for a 1.02-acre tract of land identified as Tract 11-2 of the D. Harr Survey Abstract, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG)

District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 770 Davis Drive, and take any action necessary **(1st Reading).**

Planning Director Ryan Miller gave brief background on this item. He explained that, in this case, the applicant is requesting to change the zoning from Agricultural to Single Family One, which requires a minimum lot size of 1 acre and allows one grazing animal per 40,000 sf. Mr. Miller stated that the request does conform to the future land use map. Notifications were sent out to 25 property owners and residents. One notice was received back in favor of the request. The Planning and Zoning Commission did approve the request by a unanimous vote.

The applicant, Bill Ryan, came forward to address council and gave background information on the history of his property and his horse.

Mayor Pruitt opened the public hearing and asked if anyone would like to come forth and speak. There being no one, the public hearing was closed. Councilmember Milder made a motion to approve the ordinance. Councilmember White seconded the motion. The ordinance was read as follows:

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ONE (SF-1) DISTRICT FOR A 1.02-ACRE TRACT OF LAND IDENTIFIED AS TRACT 11-2 OF THE D. HARR SURVEY, ABSTRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of council.

2. **Z2015-026** - Hold a public hearing to discuss and consider a request by Randy Kopplin of Stone Creek Real Estate Partners, LLC on behalf of the owner Arkoma Development, LLC for the approval of an **ordinance** amending Planned Development District 65 (PD-65) [Ordinance No. 08-02] to allow for a ~74,000 SF Assisted Living Facility to be established on a 5.507-acre portion of a larger 11.723-acre tract of land identified as Tract 5 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, located west of the intersection of N. Goliad Street [SH-205] and Pecan Valley Drive, and take any action necessary **(1st Reading)**.

Planning Director Ryan Miller explained that the applicant had requested to withdraw this case, but because it was published already, the public hearing must still be acted upon.

Mayor Pruitt opened the public hearing and asked if anyone would like to come forth and speak. There being no one, the public hearing was closed. Mayor Pruitt made a motion to

withdraw the request. Mayor Pro Tem Lewis seconded the motion. The motion passed unanimously of council.

XIII. ACTION ITEMS

1. Discuss and consider authorizing the city manager to execute an agreement with Paul Davis for through-the-fence access from private property onto the Ralph M. Hall / Rockwall Municipal Airport, and take any action necessary.

Internal Operations Director Joey Boyd gave brief background information regarding this action item.

Mayor Pro Tem Lewis made a motion to authorize the city manager to execute the agreement with Paul Davis. Councilmember Townsend seconded the motion. The motion passed unanimously of council.

2. **SP2015-022** - Discuss and consider a request by Jonathan Hake of Cross Engineering on behalf of the owner Kenneth R. Smith of K. R. Smith Holdings, LLC for the approval of an exception to allow tilt-wall construction and variances to the articulation, architectural and material requirements for an approved site plan for an indoor/outdoor baseball training facility on a six (6) acre tract of land identified as Tract 4-07 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 By-Pass Corridor Overlay (SH-205 BY-OV) District, located on the north side of Airport Road west of the intersection of Airport Road and John King Boulevard, and take any action necessary.

Planning Director Ryan Miller gave brief background information on this item. All of the requested variances relate to the exterior of the building itself related to tilt wall construction, horizontal and vertical building articulation, the 20% natural stone requirement and secondary materials, and the four sided building requirement of the overlay district. The ARB Board and P&Z Board did recommend full approval of the variances.

Councilmember White made a motion to approve the 1st variance for the tilt wall construction. Councilmember Fowler seconded the motion. The motion passed unanimously of council.

Councilmember Milder made a motion to approve the 2nd variance for horizontal and vertical articulation requirements. Mayor Pro Tem Lewis seconded the motion. The motion passed unanimously of council.

Councilmember White made a motion to approve the 3rd variance for less than 20% natural stone. Mayor Pruitt seconded the motion. The motion passed unanimously of council.

Councilmember White made a motion to approve the 4th variance for an excess of 10% secondary materials. Mayor Pro Tem seconded the motion. The motion passed unanimously of council.

Councilmember Townsend made a motion to approve the 5th variance for not meeting the four sided architectural requirements. Councilmember White seconded the motion. The motion failed to get a ¾ majority vote by 5 ayes and 2 nays (Milder and Fowler).

3. Discuss and consider a request by Michael M. Caffey for the approval of a structure preservation tax exemption application seeking to have the assessed value for ad valorem taxation fixed for a period of seven (7) years on the subject property at 311 S. Fannin Street, further identified as Lot 9 & 10, Block C of the Eppstein Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, located within the Old Town Rockwall (OTR) Historic District, and take any action necessary.

Planning Director Ryan Miller gave brief background on this agenda item. He explained that the request was reviewed and approved by the Historic Preservation Board and that the recommendation to the Rockwall Central Appraisal District would only be sent after the improvements to the home have been completed.

Councilmember White made a motion to approve the request. Mayor Pro Tem Lewis seconded the motion. The motion passed unanimously of council.

4. Discuss and consider various zoning provisions pertaining to Planned Development District 75 (PD-75) including sections dealing with consideration of special requests, and take any action necessary.

Councilmember White gave a brief history of this item stating that the area was annexed in February of 2009 and that a few months later the city began zoning of the Lake Rockwall Estates neighborhood. There were several town hall meetings that took place with the surrounding citizens, and there was an overwhelming objection to multifamily type uses. He explained that the city council and the P&Z commission both voted against allowing multifamily zoning, however the ordinance was written to allow it at council's discretion. Councilmember White stated that he would like for the P&Z commission to take under advisement the opinions of the citizens that spoke out against this zoning change many years prior, and consider changing the current provisions of the ordinance as it reads today.

Mayor Pruitt stated that he would like to hear citizen input concerning the proposed changes.

Councilmember White made a motion to direct staff to initiate a zoning case to amend PD-75 to remove the clause that allows council to consider allowing land uses other than those allowed by the current zoning without public input. This will require notification of all property owners within the Lake Rockwall Estates subdivision. Mayor Pruitt seconded the motion. The motion passed unanimously of council.

5. Discuss and consider potential regulation of non-emergency ambulance (transport) service providers operating within the city, and take any action necessary.

Councilmember Townsend spoke regarding concern with the way the current proposed ordinance is written. His concern is that anyone can get the license and file the appropriate paperwork and operate in the city no matter what tier of service they provide. He went on to say that, although the state issues the licenses, they aren't as strict as the city might be, and he feels the city could be taking a risk to allow several ambulance providers.

Councilmember White asked the City Manager and the City Attorney what the risk might be for allowing other ambulance services to transport in the City of Rockwall. City

Manager Rick Crowley explained that there wasn't necessarily a legal risk for the city. However, deciding on the extent of regulating them is necessary to meet an obligation to the residents that want other transport options and to clarify what the city is willing to allow. Councilmember White explained that he didn't think the city is qualified to regulate ambulances services and still thinks that it's the responsibility of the facilities using other ambulance services that would need to answer to the patients. Rick Crowley stated that if the council would like to pass an ordinance stating that they would like for outside ambulance companies to be regulated, the City of Rockwall would be contracting outside for those inspection purposes.

General discussion took place, and no formal action was taken on this item.

6. Discuss and consider approval of an **ordinance** amending the Code of Ordinances in Chapter 12. Businesses & Sales, Article XII. Ambulance Service by adding and amending Sections 12-1250 through 12-1253 regulating ambulance services and providers in the City, and take any action necessary. **(2nd reading)**

Mayor Pro Tem Lewis made a motion to approve the ordinance. Mayor Pruitt seconded the motion. The ordinance was read as follows:

ORDINANCE NO. 15-28

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING CHAPTER 12, ARTICLE XII, SECTION 12 BY ADDING AND AMENDING SECTIONS 12-1250 THROUGH 12-1253 OF THE CODE OF ORDINANCES, REGULATING AMBULANCE SERVICES IN THE CITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR RELATED MATTERS.

Mayor Pruitt stated for the record that, although a vote is being taken at this time, further discussion regarding a change from this ordinance can take place at any time.

The motion passed by a vote of 5 ayes and 2 nays (Fowler and Townsend).

7. Discuss and consider approval of a policy for seasonal outside storage of shipping containers and/or similar storage containers for commercial land uses, and take any action necessary.

Planning Director Ryan Miller gave brief background on this item.

Councilmember Hohenshelt stated that he would like this policy to state that this type of temporary storage may only be approved for retail facilities.

Councilmember White made a motion to approve the policy as written with the exception of adding that it would only be for retail facilities during seasonal months. Councilmember Hohenshelt seconded the motion. The motion passed unanimously of council.

Mayor Pruitt read all items into the record before recessing the meeting into Executive Session at 8:00 p.m.

XIV. EXECUTIVE SESSION (8PM)

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)
2. Discussion regarding legal matters related to land lease operations at Ralph Hall Municipal Airport pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding appointments to city regulatory boards, commissions, or committees - interview candidates: Planning & Zoning Commission vacancy - pursuant to Section 551.074 (personnel matters)
4. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Mayor Pruitt reconvened the public meeting at 8:22 p.m. and there was no action taken.

XVI. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 8:22 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,

THIS 2nd DAY OF November, 2015.

_____

Jim Pruitt, Mayor

ATTEST:

_____

Jacky Casey, Assistant City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **October 30, 2015**

SUBJECT: **Police Department Driveway Access**

The existing parking lot for the Police Department has ingress/egress onto Washington Street (SH 66). The existing driveway is located in the near vicinity of the Washington Street/South Alamo Street intersection. It is difficult to exit the parking lot due to the traffic back-up on Washington Street throughout the entire day.

Staff has discussed and evaluated the construction of an additional access point to the parking lot from South Alamo Street. The access drive can be constructed in the old Houston Street right-of-way and provide a secondary ingress/egress point to this parking lot.

The City received two bids on October 22, 2015 for the construction of the Rockwall Police Driveway project. The low bid was submitted by Morrow Construction Company in the amount of $72,056.00. Morrow Construction Company has performed work for the City of Rockwall previously and completed the work on time and as per plan. Funding is available in General Fund Reserves.

Staff requests City Council consideration to award the bid for the Rockwall Police Driveway Project to Morrow Construction Company in an amount of $72,056.00 and take any action necessary.

TMT:em

Attachment

Cc:
Mary Smith, Assistant City Manager
Amy Williams, P.E., Assistant City Engineer
Kirk Riggs, Police Chief
File

Police Parking Lot Driveway

Bid Opening: 10/22/2015

Item No.	Description	Quantity	Unit	ENGINEER'S ESTIMATE Price	ENGINEER'S ESTIMATE Amount		MORROW CONSTRUCTION Price	MORROW CONSTRUCTION Amount	BARSON UTILITIES Price	BARSON UTILITIES Amount
101	Mobilization	1.0	L.S.	$4,200.00	$ 4,200.00		$3,500.00	$3,500.00	$4,500.00	$4,500.00
102	Clearing and Grubbing	1.0	L.S.	$2,500.00	$ 2,500.00		$4,500.00	$4,500.00	$2,500.00	$2,500.00
103	Unclassified Street Excavation (Cut)	101.0	C.Y.	$15.00	$ 1,515.00		$12.00	$1,212.00	$35.00	$3,535.00
104	Unclassified Street Excavation (Fill)	57.00	C.Y.	$65.00	$ 3,705.00		$20.00	$1,140.00	$27.00	$1,539.00
105	8" Thk 3600 P.S.I. Reinf. Concrete Paving	363.00	S.Y.	$45.00	$ 16,335.00		$55.00	$19,965.00	$85.00	$30,855.00
106	Construct ADA Ramp Complete in Place	2.0	Ea.	$1,200.00	$ 2,400.00		$2,000.00	$4,000.00	$3,625.00	$7,250.00
107	Longitudinal Butt Joint	88.0	Ea.	$7.50	$ 660.00		$15.00	$1,320.00	$9.50	$836.00
108	Saw-Cut, Remove & Replace 6" Concrete Curb & Gutter	112.0	L.F.	$25.00	$ 2,800.00		$60.00	$6,720.00	$40.00	$4,480.00
109	Remove & Relocate Existing 15' Curb Inlet (Type II)	1.0	L.S.	$5,000.00	$ 5,000.00		$12,675.00	$12,675.00	$14,500.00	$14,500.00
110	Install 24" RCP & Connect to Existing 24"RCP	15.0	L.F.	$65.00	$ 975.00		$155.00	$2,325.00	$150.00	$2,250.00
111	Complete Erosion Control Measures & Protection	1.0	L.S.	$1,500.00	$ 1,500.00		$1,000.00	$1,000.00	$1,500.00	$1,500.00
112	Resod of Existing Parkways	67.0	S.Y.	$12.50	$ 837.50		$35.00	$2,345.00	$35.00	$2,345.00
113	Saw-Cut, Remove & Replace 6' Concrete Sidewalk	672.0	S.F.	$6.50	$ 4,368.00		$7.00	$4,704.00	$20.00	$13,440.00
114	Exist. 16"Water Valve to be Raised to Proposed Grade	1.0	Ea.	$750.00	$ 750.00		$650.00	$650.00	$1,500.00	$1,500.00
115	Furnish & Install Traffic Control Plan as per TXDOT - TCP (1-4)-12 complete in place	1.0	L.S.	$1,500.00	$ 1,500.00		$6,000.00	$6,000.00	$4,000.00	$4,000.00
	TOTAL:				**$ 49,045.50**			**$ 72,056.00**		**$ 95,030.00**

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**
Mary Smith, Asst. City Manager

FROM: **Cheryl Dunlop**
Director, Administrative Services

DATE: **October 29, 2015**

SUBJECT: **City's Employee Health Stop Loss Insurance Renewal**

The City self-insures employee health coverage which provides an opportunity for cost and benefit management of this important program. One element of the management plan is the *reinsurance/stop loss coverage* which the City has secured since 1987. Bids for this coverage have been received, and the staff and the City's consultant are asking the Council to consider authorizing the City Manager to execute a contract with **Great Midwest Insurance Company** to secure this coverage. Their bid was 5% under our current rate and maintains our *individual stop loss* (ISL) coverage applied to claims exceeding $100,000.

Holmes Murphy, the City's consultant, requested bids from 12 different vendors (including the current provider) with various stop loss levels for this coverage. Only 2 vendors out of the 12 provided offers, with the remaining 10 declining to quote stating that they could not be competitive vs the current rates so they did not offer a bid at all. Renewal with the current provider **Transamerica Life Insurance Company** would result in a *total annual fixed cost* increase of 1% above our current rate and an increase in our ISL to $110,000. The **Great Midwest Insurance Company** bid provides for the most competitive overall cost and least liability to the City.

The plan cost projections that are made by the stop loss insurance companies are made up of the following items:

- the actual paid claim experience results for the medical plan during the past 24 months;
- the current enrollment of employees and dependents in each of the two (2) health plan choices (Standard and Premium plans);
- the changes in the average age and gender mix of the enrollment this year compared to the prior year;
- any potential large claims that are considered to be ongoing in nature;
- the anticipated health care cost inflationary trend (the estimated charges by health care providers to provide services over the next 12 months compared to those costs for the same services over the previous 12 months).

Council is asked to consider authorizing the City Manager to execute the appropriate contract documents to secure the stop-loss coverage.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **October 22, 2015**

SUBJECT: **Purchase of a New Pothole Patcher for Streets Department**

Approved in the General Fund Streets Operating budget, is $152,650 to purchase a new Pothole Patcher.

Budget is adequate to cover the cost of the Bergkamp FP5 Patcher unit for a total price of $152,640. This equipment is available from Bergkamp Pavement Solutions through the BuyBoard purchasing cooperative contract #424-13. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to the purchase of this new equipment.

For Council consideration is the Pothole Patcher bid award to Bergkamp for $152,640 and authorize the City Manager to execute a purchase order for this new equipment.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **October 26, 2015**

SUBJECT: **Purchase of 2016 Model Police Pursuit Tahoes for Patrol**

Three (3) SUV's are approved in the General Fund, Police Patrol budget. The total budget for these vehicles including safety and communication equipment is $153,000. The Tahoe with pursuit package (PPV) is available from Caldwell County Chevrolet through the Texas Association of School Boards (Buy Board) purchasing cooperative contract #430-13. The Tahoe cost is $35,785 each and total bid award for three (3) is $107,355.

As a member and participant in the BuyBoard cooperative program, the City has met all formal bidding requirements pertaining to the purchase of these new vehicles.

The remaining budget dollars would be used to buy an equipment package costing approximately $15,000 for each Tahoe. Equipment includes the purchase of lights, decals, console, microphones, gun racks, power pack, mounting brackets and installation of these items as well as wiring for and install of the radio, audio video system and computer. Total cost of equipment is estimated to be $45,000. This equipment will be purchased and installed once we receive the vehicles.

For Council consideration is the Tahoe PPV bid award to Caldwell Country Chevrolet for $107,355 and authorize the City Manager to execute a purchase order for these new vehicles.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **October 26, 2015**

SUBJECT: **Purchase of a New Compact Excavator for Water Department**

Approved in the Water and Sewer Fund, Water Operating budget is $81,790 to purchase a new Compact Excavator.

Budget is adequate to cover the cost of the Caterpillar Compact Excavator 305E for a total price of $65,904. Once the equipment is delivered, the remaining budget will be used to buy the trailer to haul it.

This equipment is available from Holt CAT through the BuyBoard purchasing cooperative contract #424-13. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to the purchase of this new equipment.

For Council consideration is the Compact Excavator bid award to Holt CAT for $65,904 and authorize the City Manager to execute a purchase order for this new equipment.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **October 26, 2015**

SUBJECT: **Purchase of a New Backhoe for Streets Department**

Approved in the General Fund, Streets Operating budget is $149,000 to purchase a new backhoe and trailer.

Funded with General Fund reserves, budget is adequate to cover the cost of the Caterpillar Backhoe 420F2 for a total price of $128,388. Once the Backhoe is delivered, the remaining budget will be used to buy the trailer to haul it.

This equipment is available from Holt CAT through the BuyBoard purchasing cooperative contract #424-13. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to the purchase of this new equipment.

For Council consideration is the Backhoe bid award to Holt CAT for $128,388 and authorize the City Manager to execute a purchase order for this new equipment.

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 11/02/2015

APPLICANT: John Arnold, *Skorburg Company (BH Phase IIB SF, LTD)*

AGENDA ITEM: **P2015-039**; *Lots 51-57, Block D, Breezy Hill, PH IIA & IIB*

SUMMARY:

Discuss and consider a request by John Arnold of the Skorburg Company (BH Phase IIB SF, LTD) for the approval of a replat of Lots 51-57, Block D, Breezy Hill, Phases IIA & IIB, being a 2.722-acre portion of land that is currently identified as Lots 24-26 & 50, Block D, Breezy Hill, Phases IIA & IIB, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally located north of the intersection of FM-552 and John King Boulevard, and take any action necessary.

PLAT COMMENTS:

- ✓ The objective of this request is to replat Lots 24-26 & 50 of Block D to establish Kitts Drive, which will serve as a connecting roadway between Phase IIA & IIB and Phase 9B. This plat involves replatting a 2.722-acre portion of Phase IIA & IIB, and will result in reducing the phases' lot count by one (1).
- ✓ The surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for replats as stated in the *Subdivision Ordinance* in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

RECOMMENDATIONS:

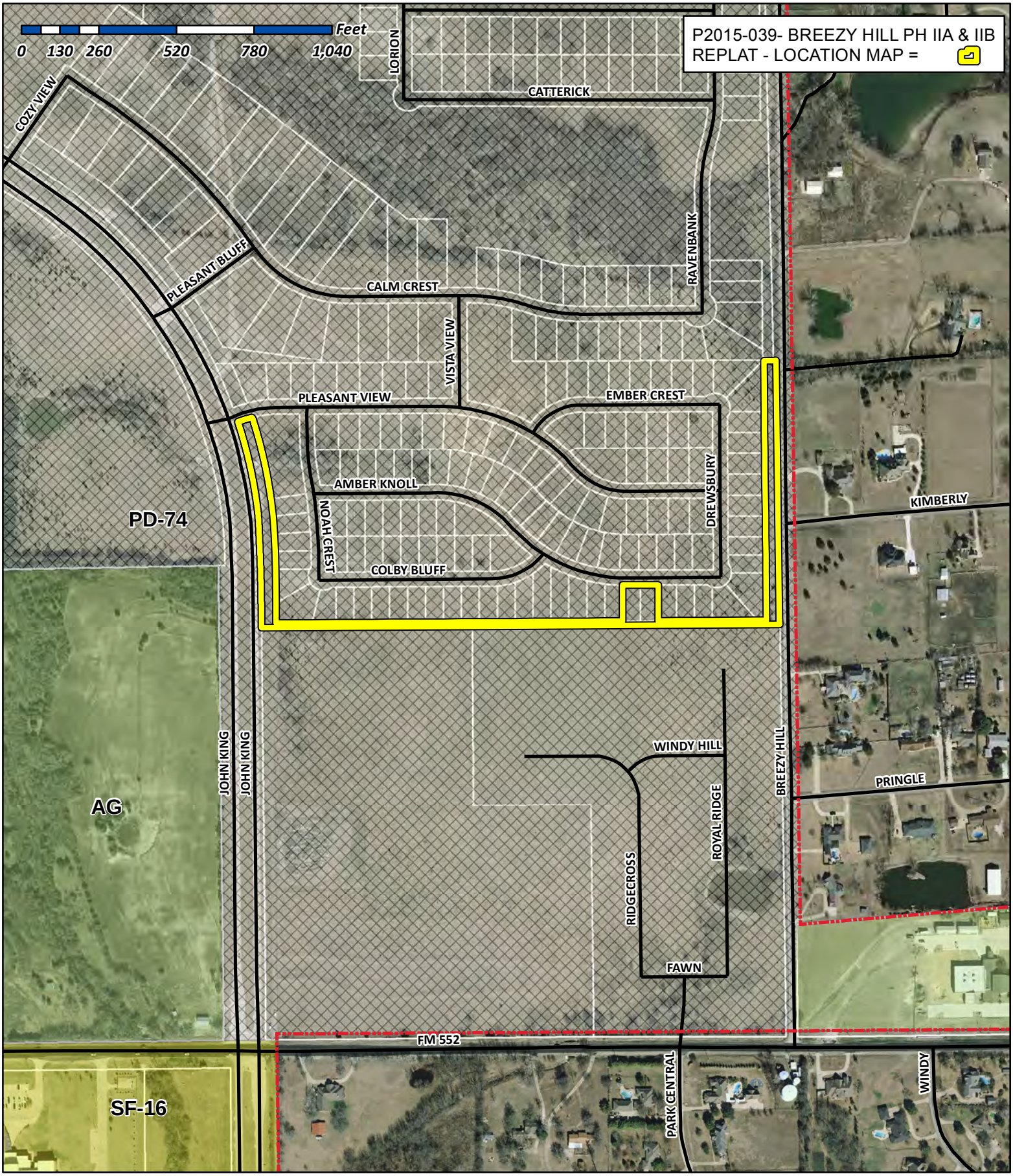
Staff recommends approval of the final plat for *Lot 51-57, Block D, Breezy Hill, Phase IIA & IIB Addition* in conformance with the following conditions of approval:

1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

2) Any construction resulting from the approval of this *replat* shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On October 27, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the final plat by a vote of 6-0, with Commissioner McCutcheon absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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Project Details

Project Number P2015-039
As of 10/23/2015

Type / Subtype
PLAT / REPLAT

Project Name
Breezy Hill Ph IIA & IIB

Planner
Ryan Miller

Status
STAFF REVIEW

Site Address
BREEZY HILLS RD

City, State Zip
, TX

Application Date 10/21/2015 LM
Approval Date
Date Closed
Expiration Date
Status Date 10/21/2015 LM

Site APN
0187-0000-0007-00-0R

Description
Discuss and consider a request by John Arnold of the Skorburg Company (BH Phase IIB SF, LTD) for the approval of a replat of Lots 51-57, Block D, Breezy Hill, Phases IIA & IIB, being a 2.722-acre portion of land that is currently identified as Lots 24-26 & 50, Block D, Breezy Hill, Phases IIA & IIB, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally located north of the intersection of FM-552 and John King Boulevard, and take any action necessary.

Conditions
STAFF RECOMMENDATIONS:

Staff recommends approval of the final plat for Lot 51-57, Block D, Breezy Hill, Phase IIA & IIB Addition in conformance with the following conditions of approval:

1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

2) Any construction resulting from the approval of this replat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Additional Sites

APN	Address
No Additional Sites	

Chronology Actions

Type of Action	Action Date	Action By
No Activity		

Contacts

Contact Type / Name	Address	City, State, Zip	Phone	Fax	Email
OWNER BREEZY, HILL 405 LTD		DALLAS TX 75225			
APPLICANT					

Fees

Description of Fee Quantity	Date Paid Amount	Paid By	Pay Method	Account
PLATTING	10/21/2015			
	$150	BHPHASE IIB SF, LTD	CHECK	01-4280

Inspections

Type of Inspection Inspector	Scheduled Date Result	Completed Date Remarks
No Activity		

Reviews

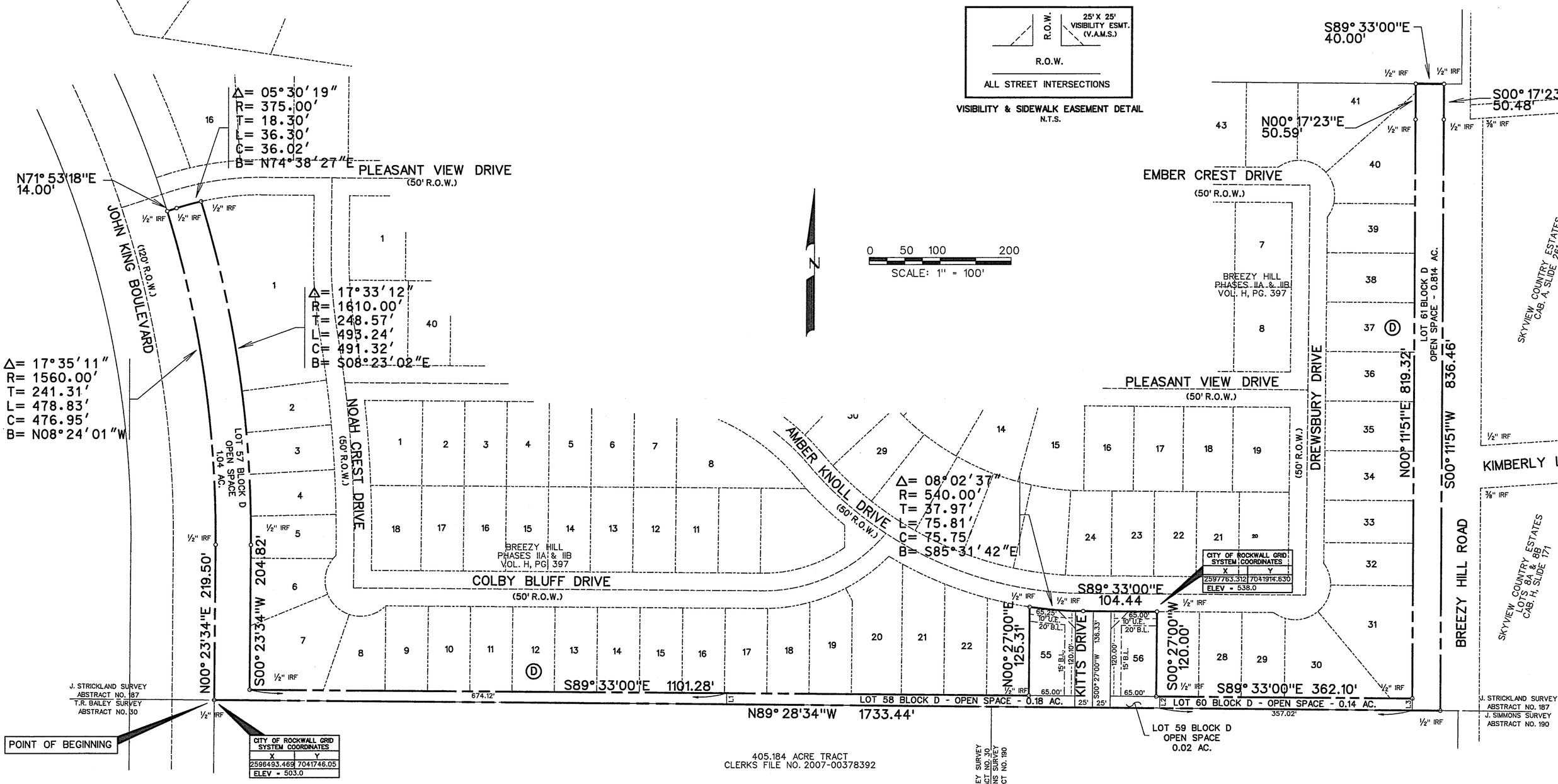
Type of Review Contact	Date Sent Status	Date Due Remarks	Date Received
BUILDING	10/21/2015	10/28/2015	10/22/2015
John Shannon	APPROVED		
PLANNING	10/21/2015	10/28/2015	10/23/2015
Ryan Miller	APPROVED W/ CONDITIO	See Comment	

Notes: P2015-039 (Lots 51-57, Block D, Breezy Hill, Phases IIA &IIB): Please address the following comments (M= Mandatory Comments; I = Informational Comments).

I.1 This is a request for the approval of a replat of Lots 51-57, Block D, Breezy Hill, Phases IIA & IIB, being a 2.722-acre portion of land that is currently identified as Lots 24-26 & 50, Block D, Breezy Hill, Phases IIA & IIB, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, and generally located north of the intersection of FM-552 and John King Boulevard.
I.2 For questions or comments concerning this case please contact Ryan Miller in the Planning Department at (972) 772-6441 or email rcmiller@rockwall.com.
M.3 For reference, please include the case number (P2015-039) in the lower right hand corner of all pages on future submittals.
M.4 Please change the lot and block information to be the next sequential lot (i.e. Lot 51). Additionally, correct the lot information for all the proposed lots (i.e. Lots 51-57).
M.5 Change the title block to reference all the newly created lots.
I.6 Please resubmit one (1) digital copy with the resubmittal.
I.7 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections, and provide any additional information that is requested. Revisions for this case will be due as soon as possible to give staff ample time to review the case prior to the October 27, 2015 Planning & Zoning Meeting.
I.8 The projected City Council Meeting date and subsequent approval for this plat is November 2, 2015.

ENGINEERING	10/21/2015	10/28/2015	10/22/2015
Amy Williams	APPROVED		
FIRE	10/21/2015	10/28/2015	
Ariana Hargrove			
GIS	10/21/2015	10/28/2015	10/23/2015
Lance Singleton	APPROVED	See Comment	

Notes: (10/23/2015 11:22 AM LS)
The old lot 25 address of 1017 Amber Knoll Dr will not be used. All other addresses will stay the same.



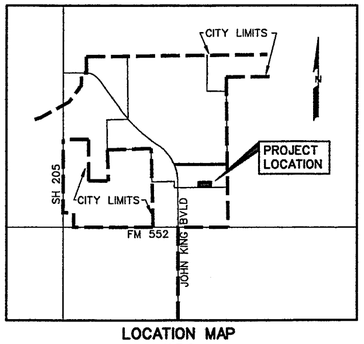
LINE TABLE

LINE NO.	BEARING	DISTANCE
1.	S 00°31'26" W	15.67'
2.	S 00°31'26" W	16.46'
3.	S 00°11'51" W	16.92'

NOTE:
THE PURPOSE OF THIS REPLAT IS ADD KITTS DRIVE AND TO REVISE THE LOT LINES.

NOTES

1. Bearing are referenced to 21.857 acre tract, as described in Clerks File No. 2012-467951, in the Deed Records of Rockwall County, Texas.
2. All lot lines are radial or perpendicular to the street unless otherwise noted by bearing.
3. ½" iron rods with "CORWIN ENGR. INC." caps set at all boundary corners, block corners, points of curvature, points of tangancy, and angle points in public right-of-way unless otherwise noted.
4. B.L. - Building Line.
   U.E. - Utility Easements.
   C.M. - Controlling Monument.
   V.A.M.S. - Visibility, Maintenence & Sidewalk Easement
5. No building permits will be issued until all public improvments are accepted by the City.



LOCATION MAP
N.T.S.

TOTAL LOTS 2
TOTAL ACRES 2.722

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FINAL PLAT
OF
LOTS 55 & 56, BLOCK D
BREEZY HILL PHASES IIA & IIB
BEING A REPLAT OF
LOTS 24-26 & 50, BLOCK D
BREEZY HILL PHASE IIA & IIB
2 LOTS, BEING 2.722 ACRES
SITUATED IN THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER
BH PHASE IIB SF, LTD.
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75225
214-522-4945

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

FEBRUARY 2015 SCALE 1" = 100'
CASE *P2014-026

LEGAL DESCRIPTION

WHEREAS, BH PHASE IIB SF, LTD., is the owner of a tract of land situated in the J. Strickland Survey, Abstract No. 187 in the City of Rockwall, Rockwall County, Texas, being all of Lots 24-26 & 50 Block D out of Breezy Hill Phases IIA & IIB, an addition to the City of Rockwall, as described in Vol. H, Pg. 397 in the Plat Records of Rockwall County, Texas being more particularly described as follows:

BEGINNING, at a ½ inch iron rod found at the southwest corner of said Breezy Hill Phase IIA & IIB, being in the east line of John King Boulevard (120' R.O.W.);

THENCE, North 00° 23'34" East, along the west line of said Breezy Hill Phases IIA & IIB and being in east line of said John King Boulevard, for a distance of 219.50 feet, to a ½ inch iron rod found at the point of curvature of a curve to the left, having a radius of 1560.00 feet, a central angle of 17° 35'11", and a tangent of 241.31 feet;

THENCE, continuing along said east and west lines and with said curve to the left, for an arc distance of 478.83 feet (Chord Bearing North 08° 24'01" West - 476.95 feet), to a ½ inch iron rod found at the northwest corner of said Lot 50;

THENCE, North 71° 53'18" East, departing said east and west lines and along the north line of said Lot 50, for a distance of 14.00 feet, to a ½ inch iron rod found at the point of curvature of a curve to the right, having a radius of 375.00 feet, a central angle of 05° 30'19", and a tangent of 18.30 feet;

THENCE, continuing along said north line and with said curve to the right for an arc distance of 36.30 feet (Chord Bearing North 74° 38'27" East - 36.02 feet), to a ½ inch iron rod found at the northeast corner of said Lot 50 and being the northwest corner of Lot 1 Block D out of said Breezy Hill Phases IIA & IIB, same being on a curve to the right, having a radius of 1610.00 feet, a central angle of 17° 33'12", and a tangent of 248.57 feet;

THENCE, along the east line of said Lot 50 and with said curve to the right for an arc distance of 493.24 feet (Chord Bearing South 08° 23'02" East - 491.32 feet), to a ½ inch iron rod found at the point of tangency;

THENCE, South 00° 23'34" West, continuing along said east line, for a distance of 204.82 feet, to a ½ inch iron rod found at the most southerly southwest corner of Lot 7 Block D, out of said Breezy Hill Phases IIA & IIB;

THENCE, South 89° 33'00" East, along the north line of said Lot 50, for a distance of 1101.28 feet, to a ½ inch iron rod found at the southeast corner of Lot 23 Block D out of said Breezy Hill Phases IIA & IIB;

THENCE, North 00° 27'00" East, departing the north line of said Lot 50 and with the west line of said Lot 23, for a distance of 125.31 feet, to a ½ inch iron rod found at the northeast corner of said Lot 23, being in the south line of Amber Knoll Drive (50' R.O.W.), being on a curve to the left, having a radius of 540.00 feet, a central angle of 08° 02'37", and a tangent of 37.97 feet;

THENCE, along the south line of said Amber Knoll Drive with said curve to the left for an arc distance of 75.81 feet (Chord Bearing South 85° 31'42" East - 75.75 feet), to a ½ inch iron rod found at the point of tangency;

THENCE, South 89° 33'00" East, continuing along said south line, for a distance of 104.44 feet, to a ½ inch iron rod found at the northwest corner of Lot 27 Block B out of said Breezy Hill Phases IIA & IIB;

THENCE, South 00° 27'00" West, departing the south line of said Amber Knoll Drive and along the west line of said Lot 27, for a distance of 120.00 feet, to a ½ inch iron rod found at the southwest corner of said Lot 27 and being in the north line of said Lot 50;

THENCE, South 89° 33'00" East, along the north line of said Lot 50, for a distance of 362.10 feet, to a ½ inch iron rod found at the most easterly southeast corner of Lot 31 Block D out of said Breezy Hill Phases IIA & IIB;

THENCE, North 00° 11'51" East, along a west line of said Lot 50, for a distance of 819.32 feet, to a ½ inch iron rod found;

THENCE, North 00° 17'23" East, continuing along said west line, for a distance of 50.59 feet, to a ½ inch iron rod found at the most northerly northeast corner of Lot 41 Block D out of said Breezy Hill Phases IIA & IIB, being in the north line of said Breezy Hill Phase IIA & IIB;

THENCE, South 89° 33'00" East, along the north line of said Breezy Hill Phases IIA & IIB, for a distance of 40.00 feet, to a ½ inch iron rod found at the most easterly northeast corner of said Lot 50;

THENCE, South 00° 17'23" West, along the east line of said Lot 50, for a distance of 50.48 feet, to a ½ inch iron rod found;

THENCE, South 00° 11'51" West, continuing along the east line of said Lot 50, for a distance of 836.46 feet, to a ½ inch iron rod found at the most easterly southeast corner of said Lot 50 also being the south line of said Breezy Hill Phases IIA & IIB;

THENCE, North 89° 28'34" West, along the south line of said Lot 50 and the south line of said Breezy Hill Phases IIA & IIB, for a distance of 1733.44 feet, to the POINT OF BEGINNING and containing 2.722 acres of land.

OWNER'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
STATE OF TEXAS
COUNTY OF ROCKWALL
We the undersigned owner"s" of the land shown on this replat, and designated herein as the LOTS 55 & 56 BLOCK D out of BREEZY HILL PHASES IIA & IIB, subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the LOTS 55 & 56 BLOCK D out of BREEZY HILL PHASE IIA & IIB, subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; we, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

BH PHASE IIB, SF, LTD.
a Texas limited partnership
By: BH PHASE IIB SF, GP Corporation,
a Texas corporation, its General Partner

_____ _____
Richard M. Skorburg — Mortgage or Lien Interest
President

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared RICHARD M. SKORBURG, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this_____day of_____, 2015.

Notary Public in and for the State of Texas My Commission Expires: _____

STATE OF TEXAS
COUNTY OF DALLAS
Before me, the undersigned authority, on this day personally appeared_____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this_____day of_____, 2015.

Notary Public in and for the State of Texas My Commission Expires: _____

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

STATE OF TEXAS
REGISTERED
WARREN L. CORWIN
4621
PROFESSIONAL
LAND SURVEYOR

SURVEYOR CERTIFICATE

I, WARREN L. CORWIN, do hereby certify that the plat shown hereon accurately represents the results of an on-the-ground survey made under my direction and supervision and all corners are as shown thereon and there are no encroachments, conflicts, protrusions or visible utilities on the ground except as shown and said plat has been prepared in accordance with the platting rules and regulations of the City Plan Commission of the City of Rockwall, Texas.

DATED the this_____day of_____, 2015.

_____
WARREN L. CORWIN
R.P.L.S. No. 4621

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared WARREN L. CORWIN, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the_____day of_____, 2015.

_____
Notary Public in and for the State of Texas

Recommended for Final Approval:

_____ _____
Planning & Zoning Commission — Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the_____day of_____, 2015.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the Counrt Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this_____day of_____, 2015.

_____ _____ _____
Mayor, City of Rockwall — City Secretary — City Engineer

CASE #P2014-026
SHEET 2 OF 2

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 11/02/2015

APPLICANT: Pastor Rex Walker

AGENDA ITEM: **P2015-038** (Life Spring Church – Final Plat)

SUMMARY:

Discuss and consider a request by Pastor Rex Walker on behalf of Life Spring Church for the approval of a final plat for Lot 1, Block 1 and Lots 1 & 2, Block 2, Life Spring Church Addition being a 30.3403-acre tract of land currently identified 15-01 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated with the SH-205 By Pass Corridor Overlay (SH-205 BY OV) District, located on the north side of John King Boulevard east of the intersection of SH-205 and John King Boulevard, and take any action necessary.

COMMENTS:

- The objective of the request is to subdivide a 30.34-acre tract of land into three separate lots and prepare a final plat. The final plat will establish the necessary fire lane, access, detention and drainage easements for new development of the Life Springs Church on Lot 1, Block 2. A site plan was approved in August of this year for a 25,433 sq. ft. church facility.

- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions listed in the *Recommendations* section below.

- With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the request for final plat, staff would recommend the following conditions of approval:

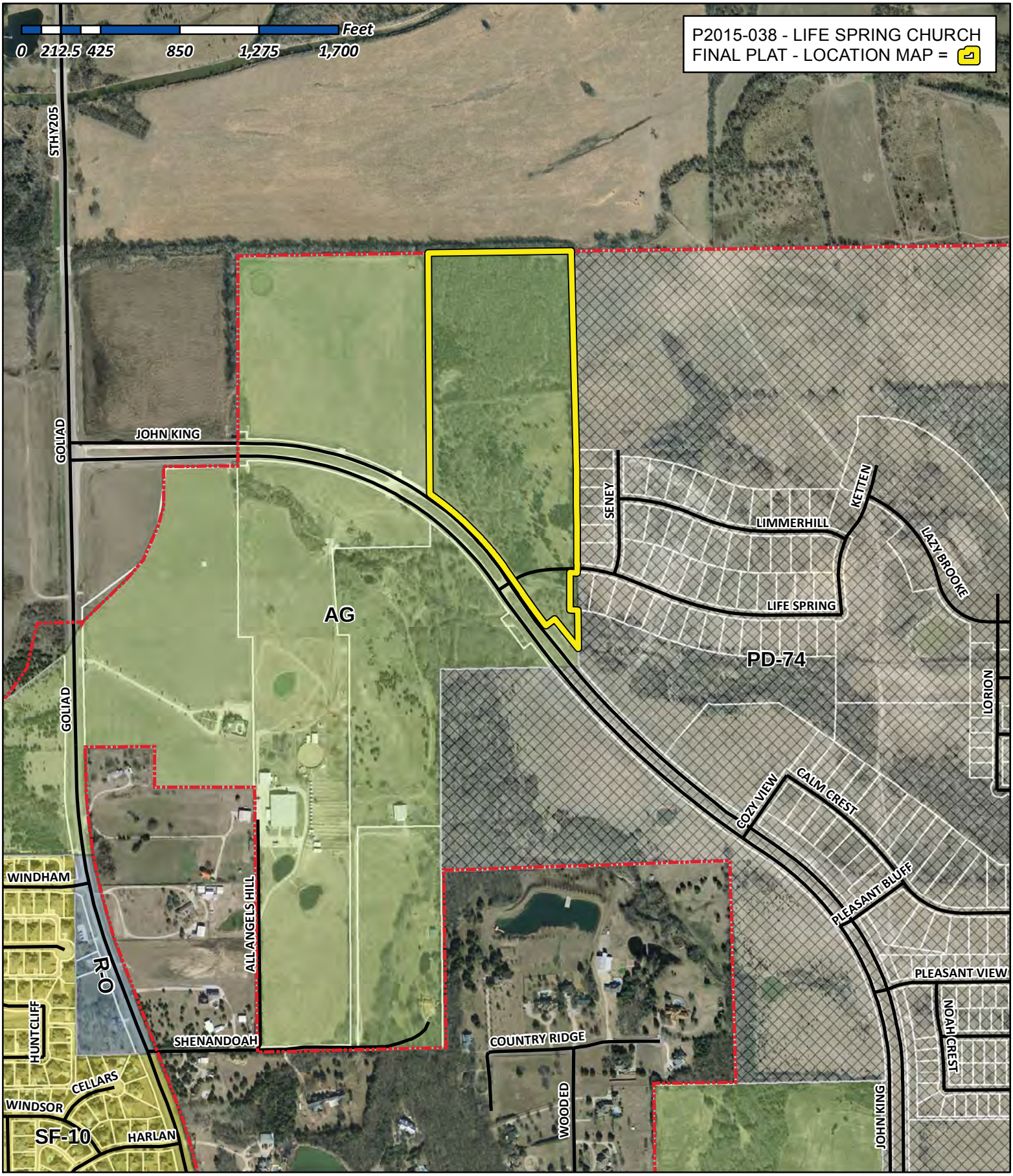
A) All the technical comments from the Planning, Engineering and Fire Departments shall be addressed prior to the filing of this plat, including the following comments;

1. Adherence to Engineering and Fire Department standards.
2. Address all staff comments as listed in the *Project Plan Review* (see attached).

B) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On October 27, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the final plat by a vote of 6-0, with Commissioner McCutcheon absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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City of Rockwall

Project Plan Review History

Project Number	P2015-038	**Owner**	CLARK, BRUCE A & ROSE R	**Applied**	10/13/2015 LM
Project Name	Life Spring Church	**Applicant**	PASTOR REX WALKER	**Approved**	
Type	PLAT			**Closed**	
Subtype	FINAL			**Expired**	
Status	STAFF REVIEW			**Status**	10/13/2015 LM

Site Address	**City, State Zip**	**Zoning**
JOHN KING BLVD	,	

Subdivision	**Tract**	**Block**	**Lot No**	**Parcel No**	**General Plan**
LIFE SPRING DR (ROW)	15-02		15-02	0187-0000-0015-02-0R	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	10/13/2015	10/20/2015	10/20/2015	7	APPROVED	
ENGINEERING	Amy Williams	10/13/2015	10/20/2015	10/20/2015	7	COMMENTS	See Comments

(10/20/2015 11:22 AM AW)
Update the drainage/detention easement to match approved engineering plans
Need to show 8' pedestrian access easement on Lot 1, Block 1
Need to show the flood plain on Lot 2, Block 2
See markups
Add "access" to 24' fire lane and utility easement
Add verbiage to signature page (see markup)

FIRE	Brian Patrick	10/13/2015	10/20/2015				

(10/22/2015 7:48 AM BP)
1. 2nd Fire Lane Access is required to be 1/2 the diagonal distance of the lot apart if:
   Building is greater than 124,000 square feet
   Building exceeds 30 feet or three stories
2. Ensure proper Radius uf turns in Fire Lane.

GIS	Lance Singleton	10/13/2015	10/20/2015				
PLANNING	David Gonzales	10/13/2015	10/20/2015	10/21/2015	8	COMMENTS	See comments

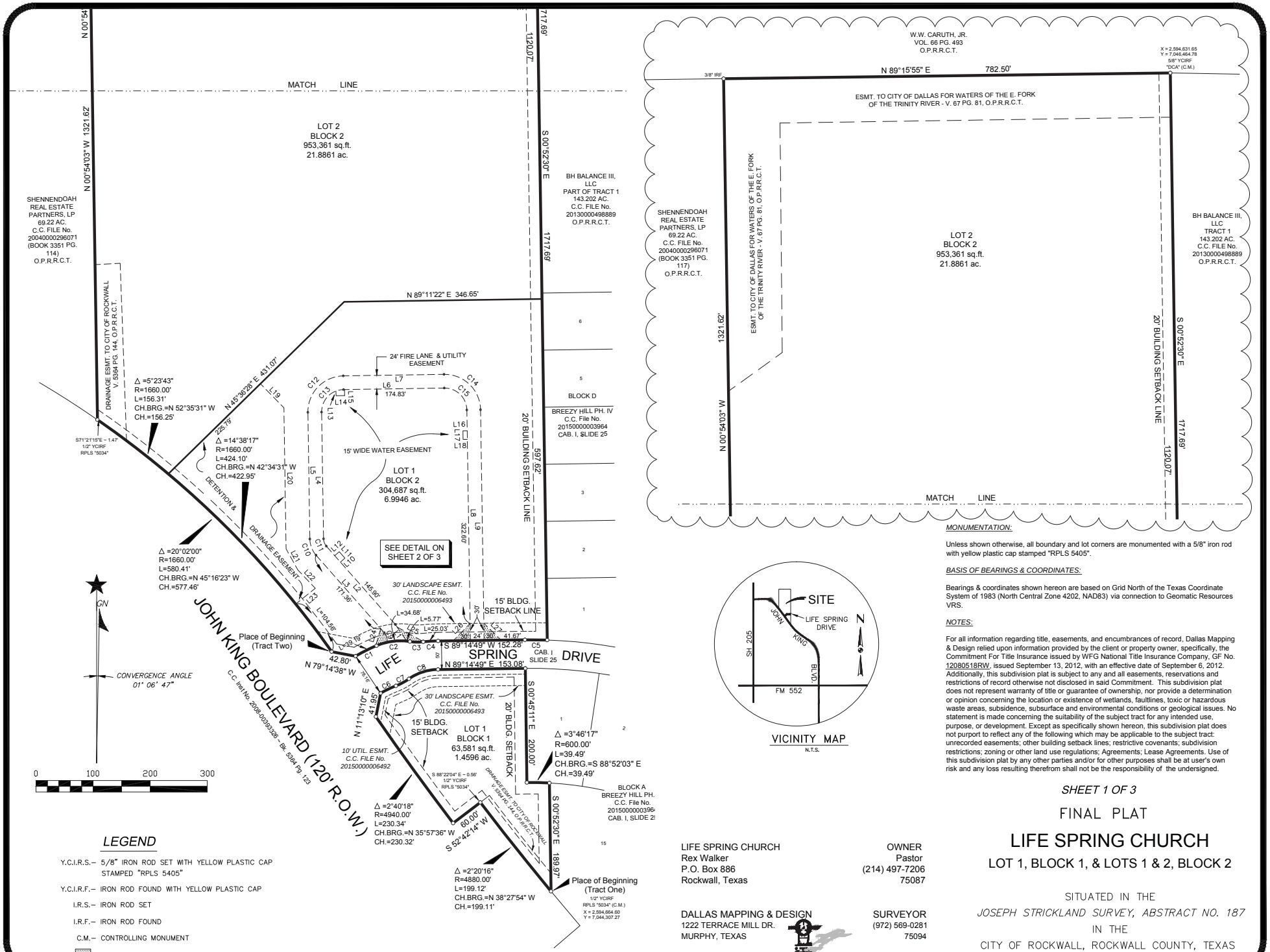
Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks

Discuss and consider a request by Pastor Rex Walker on behalf of Life Spring Church for the approval of a final plat for Lot 1, Block 1 and Lots 1 & 2, Block 2, Life Spring Church Addition being a 30.3403-acre tract of land currently identified 15-01 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated with the SH-205 By Pass Corridor Overlay (SH-205 BY OV) District, located on the north side of John King Boulevard east of the intersection of SH-205 and John King Boulevard, and take any action necessary.

The following staff comments are to be addressed and resubmitted no later than Tuesday, November 3rd, 2015. Please provide three large copies [18" X 24" FOLDED] and one PDF version for a subsequent review by staff:

1. Adherence to all Engineering and Fire Department standards shall be required.
2. Provide a label indicating "Case No. P2015-038" on the lower right corner on all pages of the plat.
3. Change title block to include the total number of acres being platted to read similarly as follows: "...& Lots 1 & 2, Block 2, being a total of 30.34-acrs and,..."
4. Remove the setbacks indicated on Lot 1, Block 1 (1.4596-acre tract). This tract remains AG zoned, therefore does not have setbacks established for the lot.
5. Verify and correct the distance for bearing S 00.52.30 E along the west line of tract 1 in the Owners Certificate vs. Plat. Indicates distances of 1,109.65 (cert) & 1,120.07 (plat) that do not match.
6. Verify and correct chord bearing direction to table for Curve Data C3.
7. Surveyor's Certificate - Notary not necessary when stamped by surveyor.

** As a note, this case will be placed on the Consent Agenda for approval by the Planning Commission and City Council; however, staff comments are to be addressed and all revisions resubmitted and approved by staff prior to plat submitlon on mylar for filing purposes. **



LEGEND

- Y.C.I.R.S.– 5/8" IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED "RPLS 5405"
- Y.C.I.R.F.– IRON ROD FOUND WITH YELLOW PLASTIC CAP
- I.R.S.– IRON ROD SET
- I.R.F.– IRON ROD FOUND
- C.M.– CONTROLLING MONUMENT
- VISIBILITY EASEMENT

MONUMENTATION:

Unless shown otherwise, all boundary and lot corners are monumented with a 5/8" iron rod with yellow plastic cap stamped "RPLS 5405".

BASIS OF BEARINGS & COORDINATES:

Bearings & coordinates shown hereon are based on Grid North of the Texas Coordinate System of 1983 (North Central Zone 4202, NAD83) via connection to Geomatic Resources VRS.

NOTES:

For all information regarding title, easements, and encumbrances of record, Dallas Mapping & Design relied upon information provided by the client or property owner, specifically, the Commitment For Title Insurance issued by WFG National Title Insurance Company, GF No. 12080518RW, issued September 13, 2012, with an effective date of September 6, 2012. Additionally, this subdivision plat is subject to any and all easements, reservations and restrictions of record otherwise not disclosed in said Commitment. This subdivision plat does not represent warranty of title or guarantee of ownership, nor provide a determination or opinion concerning the location or existence of wetlands, faultlines, toxic or hazardous waste areas, subsidence, subsurface and environmental conditions or geological issues. No statement is made concerning the suitability of the subject tract for any intended use, purpose, or development. Except as specifically shown hereon, this subdivision plat does not purport to reflect any of the following which may be applicable to the subject tract: unrecorded easements; other building setback lines; restrictive covenants; subdivision restrictions; zoning or other land use regulations; Agreements; Lease Agreements. Use of this subdivision plat by any other parties and/or for other purposes shall be at user's own risk and any loss resulting therefrom shall not be the responsibility of the undersigned.

SHEET 1 OF 3

FINAL PLAT

LIFE SPRING CHURCH

LOT 1, BLOCK 1, & LOTS 1 & 2, BLOCK 2

SITUATED IN THE
JOSEPH STRICKLAND SURVEY, ABSTRACT NO. 187
IN THE
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

CITY CASE No. _____

LIFE SPRING CHURCH
Rex Walker
P.O. Box 886
Rockwall, Texas

OWNER
Pastor
(214) 497-7206
75087

DALLAS MAPPING & DESIGN
1222 TERRACE MILL DR.
MURPHY, TEXAS

SURVEYOR
(972) 569-0281
75094

T.B.P.L.S. FIRM # 10093100

Oct. 3, 2015

OWNER'S CERTIFICATE

State of Texas
County of Rockwall

WHEREAS LIFE SPRING CHURCH, a Texas nonprofit corporation, is the owner of a tract of land situated in the JOSEPH STRICKLAND SURVEY, ABSTRACT NO. 187, Rockwall, Rockwall County, Texas, and being part of that certain 31.012 acre tract of land conveyed from Bruce A. Clark and Rose R. Clark to Life Spring Church, a Texas nonprofit corporation, by Warranty Deed With Vendor's Lien ("LSWD") recorded in Volume 6934, Page 206 of the Official Public Records of Rockwall County, Texas ("OPRRCT"), and being more particularly described as follows:

TRACT ONE

BEGINNING at a 1/2 inch iron rod with yellow plastic cap stamped "RPLS 5034" found for the most southerly corner of said 31.012 acre tract as described in said LSWD, said rod being in the northeasterly right-of-way line of John King Boulevard (120' R.O.W.) as described in Warranty Deed to the City of Rockwall, Texas, recorded in Volume 5364, Page 123 of the OPRRCT, and also being in a curve to the right and concave to the northeast, said curve having a central angle of 02°20'16", a radius of 4,880.00', and a chord which bears N 38°27'54" W a distance of 199.11';

THENCE northwesterly with said curve to the right and northeasterly right-of-way line an arc distance of 199.12 feet to point for corner from which a 1/2 inch iron rod with yellow plastic cap stamped "RPLS 5034" found bears S 88°22'04" E a distance of 0.56';

THENCE South 52 deg. 42 min. 14 sec. West with a northwesterly right-of-way line of John King Boulevard (120' R.O.W.) a distance of 60.00 feet to a 5/8" iron rod with yellow plastic cap stamped "RPLS 5405" ("5/8" YCIRS") set for corner, said rod being in the northeasterly right-of-way line of John King Boulevard (120' R.O.W.), and being in a curve to the right and concave to the northeast, said curve having a central angle of 02°40'18", a radius of 4940.00', and a chord which bears N 35°57'36" W a distance of 230.32';

THENCE with said curve to the right and northeasterly right-of-way line an arc distance of 230.34 feet to a 5/8" YCIRS at the southerly terminus of a right-of-way clip of Life Spring Drive (variable R.O.W.) as described in Right-Of-Way Plat of Life Spring Drive, recorded in County Clerk Instrument No. 20140000004816 of the OPRRCT;

THENCE North 11 deg. 13 min. 10 sec. East with said right-of-way clip of Life Spring Drive 41.95 feet to a 5/8" YCIRS for corner, said corner being the beginning of a curve to the right, said curve having a central angle of 08°09'12", a radius of 211.00', and a chord which bears N 64°25'58" E a distance of 30.00';

THENCE northeasterly with said curve to the right and right-of-way of Life Spring Drive an arc distance of 30.03 feet to a 5/8" YCIRS for corner and point of a reverse curve to the left, said curve being concave to the northwest and having a central angle of 13°33'08", a radius of 109.50', and a chord which bears N 61°43'57" E a distance of 25.84 feet;

THENCE northeasterly with said curve to the left and right-of-way of Life Spring Drive an arc distance of 25.90 feet to a 5/8" YCIRS for corner and point of reverse curve to the right, said curve being concave to the southeast and having a central angle of 34°17'31", a radius of 90.50, and a chord which bears N 72°06'04" E a distance of 53.36';

THENCE northeasterly with said curve to the right and right-of-way of Life Spring Drive an arc distance of 54.16 feet to a 5/8" YCIRS and PT of curve;

THENCE North 89 deg. 14 min. 49 sec. East with the south right-of-way line of Life Spring Drive (50' R.O.W. at this point) a distance of 153.08 feet to a 5/8" YCIRS for corner in the west line of Breezy Hill Phase IV, an addition to the City of Rockwall, Texas, as recorded in County Clerk File No. 20150000003964 of the OPRRCT, and also being the northwest corner of a 0.180 acre tract of land conveyed from Life Spring Church, a Texas nonprofit corporation, to BH Phase IV SF, Ltd., a Texas limited partnership, by Special Warranty Deed recorded in County Clerk Instrument No. 20140000004551 of the OPRRCT;

THENCE South 00 deg. 45 min. 11 sec. East with the west line of said 0.180 acre tract and Breezy Hill Phase IV a distance of 200.00 feet to a 5/8" YCIRS for corner and being in a curve to the right, said curve being concave to the south and having a central angle of 03°46'17", a radius of 600.00', and a chord which bears S 88°52'03" E a distance of 39.49;

THENCE easterly with said curve to the right and southerly line of said 0.180 acre tract and Breezy HIII Phase IV an arc distance of 39.49 feet to a 5/8" YCIRS for southeast corner of same;

THENCE South 00 deg. 52 min. 30 sec. with the east line of said 31.012 acre tract and Breezy Hill Phase IV a distance of 189.97 to the PLACE OF BEGINNING, and containing 63,581 square feet or 1.4596 acres of land, more or less.

TRACT TWO

BEGINNING at 5/8" iron rod with yellow plastic cap set ("5/8" YCIRS") for corner in the northeasterly right-of-way line of John King Boulevard (120' R.O.W.) as described in Warranty Deed to the City of Rockwall, Texas, recorded in Volume 5364, Page 123 of the OPRRCT, and also being in a curve to the left and concave to the southwest, said curve having a central angle of 20°02'00", a radius of 1,660.00', and a chord which bears N 45°16'23" W a distance of 577.46';

THENCE northwesterly with said curve to the left and northeasterly right-of-way line an arc distance of 580.41 feet to a 5/8" YCIRS for corner, from which a 1/2 inch iron rod with yellow plastic cap stamped "RPLS 5034" found bears S 71°21'15" E a distance of 1.47';

THENCE North 00 deg. 54 min. 03 sec. West with the west line of said 31.012 acre tract 1321.62 feet to a 3/8" iron rod found in barbed-wire fence line for the northwest corner of same as described in LSWD, as described in the Deed In Lieu Of Foreclosure to Bruce A. Clark and wife Rose R. Clark, recorded in Volume 5667, Page 135, and as described in Warranty Deed to Shennendoah Real Estate Partners, LP, a Texas limited partnership, recorded in Volume 3351, Page 114, of the OPRRCT;

THENCE North 89 deg. 15 min. 55 sec. East with the north line of said 31.012 acre tract 782.50 feet to a leaning 5/8" iron rod with yellow plastic cap stamped "DCA" found for the northeast corner, taken to be the same rod described in said LSWD, and being that same rod described as the northwest corner of Tract 1 in Special Warranty Deed With Vendor's Lien to BH Balance III LLC, a Texas limited liability company, recorded in County Clerk Instrument No. 20130000498889 of the OPRRCT;

THENCE South 00 deg. 52 min. 30 sec. East with the east line of said 31.012 acre tract and west line of said Tract 1, at a distance of 1,109.65 pass the northwest corner of Block D of Breezy Hill Phase IV, an addition to the City of Rockwall, Texas as recorded in County Clerk Instrument No. 20150000003964, and continuing with same for a total distance of 1,717.69 feet to a 5/8" YCIRS for corner in the north right-of-way line of Life Spring Drive (variable R.O.W.) as described in Right-Of-Way Plat of Life Spring Drive, recorded in County Clerk Instrument No. 20140000004816 of the OPRRCT, said rod corner being in a curve to the left, said curve being concave to the south and having a central angle of 02°37'29", a radius of 850.00', and a chord which bears N 89°26'27" W a distance of 38.93';

THENCE westerly with said curve to the left and north right-of-way line an arc distance of 38.94 feet to a 5/8" YCIRS for corner and PT of said curve;

THENCE South 89 deg. 14 min. 49 sec. West with said north right-of-way line 152.28 feet to a 5/8" YCIRS for corner and PC of a curve to the left, said curve being concave to the south and having a central angle of 5°25'24", a radius of 275.00', and a chord which bears S 86°32'09" W a distance of 26.02';

THENCE westerly with said curve to the left and north right-of-way line an arc distance of 26.03 feet to a 5/8" YCIRS for corner and point of reverse curve to the right, said curve being concave to the north and having a central angle of 14°46'00", a radius of 90.50', and a chord which bears N 88°47'28" W a distance of 23.26';

THENCE westerly with said curve to the right and north right-of-way line an arc distance of 23.32 feet to a 5/8" YCIRS for corner and point of reverse curve to the left, said curve being concave to the southeast and having a central angle of 31°16'08", a radius of 109.50', and a chord which bears S 82°57'31" W a distance of 59.02';

THENCE southwesterly with said curve to the left and northerly right-of-way line an arc distance of 59.76 feet to a 5/8" YCIRS for corner and point of compound curve to the left, said curve being concave to the southeast and having a central angle of 08°07'31", a radius of 289.00', and a chord which bears S 63°15'40" W a distance of 40.95';

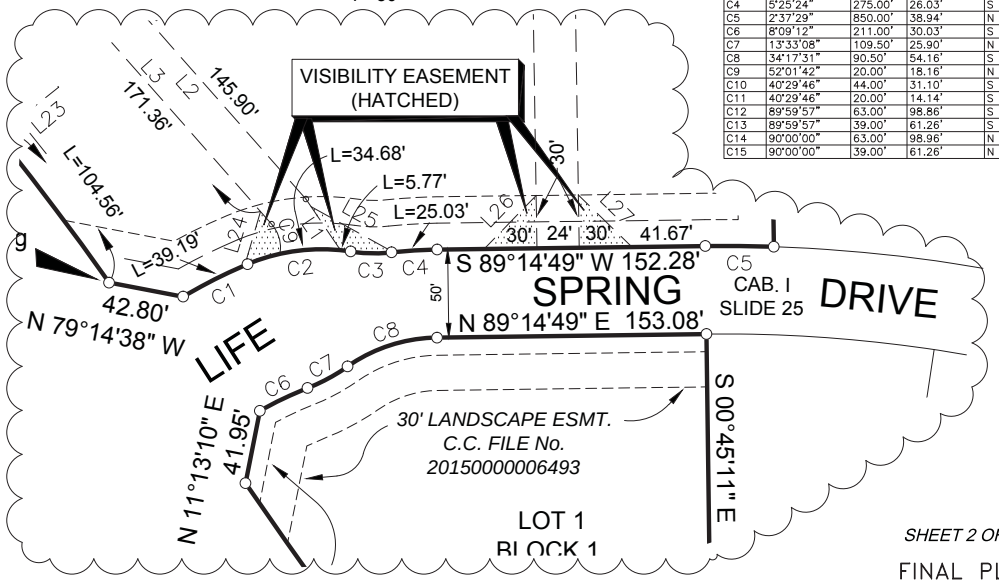
THENCE southwesterly with said curve to the left and northerly right-of-way line an arc distance of 40.98 feet to a 5/8" YCIRS for corner and easterly terminus of a northerly right-of-way clip;

THENCE North 79 deg. 14 min. 38 sec. West with the said northerly right-of-way clip 42.80 feet to the PLACE OF BEGINNING, and containing 1,258,048 square feet or 28.8808 acres of land, more or less.

LINE	BEARING	DISTANCE
L1	S 34°07'28" E	35.11'
L2	S 41°22'16" E	183.08'
L3	S 41°22'16" E	180.95'
L4	S 00°52'30" E	240.89'
L5	S 00°52'30" E	240.89'
L6	N 89°07'30" E	214.50'
L7	S 89°07'30" W	214.50'
L8	S 00°52'30" E	423.06'
L9	S 00°52'30" E	423.11'
L10	S 48°37'44" W	10.50'
L11	S 41°22'16" E	15.00'
L12	S 48°37'44" W	10.50'
L13	N 00°52'30" W	10.50'
L14	N 89°07'30" E	15.00'
L15	N 00°52'30" W	10.50'
L16	N 89°07'30" E	7.50'
L17	S 00°52'30" E	15.00'
L18	N 89°07'30" E	7.50'
L19	S 44°23'32" E	58.84'
L20	S 00°52'30" E	247.15'
L21	S 29°09'47" E	42.58'
L22	S 43°32'29" E	44.14'
L23	S 51°08'05" W	44.04'
L24	S 16°27'04" W	31.95'
L25	S 61°00'53" E	53.51'
L26	S 44°11'10" W	42.38'
L27	S 45°48'50" E	42.47'

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	8°07'31"	289.00'	40.98'	S 63°15'40" W	40.95'
C2	31°16'08"	109.50'	59.76'	S 82°57'31" W	59.02'
C3	14°46'00"	90.50'	23.32'	S 88°47'28" E	23.26'
C4	5°25'24"	275.00'	26.03'	S 86°32'09" W	26.02'
C5	2°37'29"	850.00'	38.94'	N 89°26'27" W	38.93'
C6	8°09'12"	211.00'	30.03'	S 64°25'58" W	30.00'
C7	13°33'08"	109.50'	25.90'	N 61°43'57" E	25.84'
C8	34°17'31"	90.50'	54.16'	S 72°06'04" W	53.36'
C9	52°01'42"	20.00'	18.16'	N 15°21'25" W	17.54'
C10	40°29'46"	44.00'	31.10'	S 21°07'23" E	30.46'
C11	40°29'46"	20.00'	14.14'	S 21°07'23" E	13.84'
C12	89°59'57"	63.00'	98.86'	S 44°07'30" W	89.09'
C13	89°59'57"	39.00'	61.26'	S 44°07'30" W	55.15'
C14	90°00'00"	63.00'	98.96'	N 45°52'30" W	89.10'
C15	90°00'00"	39.00'	61.26'	N 45°52'30" W	55.15'

VISIBILITY EASEMENT DETAIL
1"=50'



LIFE SPRING CHURCH
Rex Walker
P.O. Box 886
Rockwall, Texas

OWNER
Pastor
(214) 497-7206
75087

DALLAS MAPPING & DESIGN
1222 TERRACE MILL DR.
MURPHY, TEXAS

SURVEYOR
(972) 569-0281
75094

T.B.P.L.S. FIRM # 10093100 Oct. 3, 2015

SHEET 2 OF 3

FINAL PLAT

LIFE SPRING CHURCH

LOT 1, BLOCK 1, & LOTS 1 & 2, BLOCK 2

SITUATED IN THE
JOSEPH STRICKLAND SURVEY, ABSTRACT NO. 187
IN THE
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

CITY CASE No. _____

OWNER'S DEDICATION

NOW, THEREFORE, KNOW ALL BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I, the undersigned owner of the land shown on this plat, and designated herein as the LIFE SPRING CHURCH subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the LIFE SPRING CHURCH subdivision have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exactions made herein.

_____
Owner: Rex Walker, Lead Pastor
Life Spring Church, a Texas nonprofit corporation

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ Day of _____, 20____

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL BY THESE PRESENTS:

THAT I, Glenn S. Breysacher, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed or found under my personal supervision.

PRELIMINARY PLAT FOR REVIEW ONLY
NOT TO BE RECORDED FOR ANY PURPOSE Registered Professional Land Surveyor No. 5405

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Glenn S. Breysacher, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ Day of _____, 20____

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

RECOMMENDED FOR FINAL APPROVAL

_____ . _____
Planning and Zoning Commission Date.

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 20____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 20____.

_____ _____ _____
Mayor, City of Rockwall City Secretary City Engineer

THIS SPACE RESERVED
FOR ROCKWALL COUNTY
RECORDING LABEL

LIFE SPRING CHURCH
Rex Walker
P.O. Box 886
Rockwall, Texas

OWNER
Pastor
(214) 497-7206
75087

DALLAS MAPPING & DESIGN
1222 TERRACE MILL DR.
MURPHY, TEXAS

SURVEYOR
(972) 569-0281
75094

T.B.P.L.S. FIRM # 10093100 Oct. 3, 2015

SHEET 3 OF 3

FINAL PLAT

LIFE SPRING CHURCH

LOT 1, BLOCK 1, & LOTS 1 & 2, BLOCK 2

SITUATED IN THE
JOSEPH STRICKLAND SURVEY, ABSTRACT NO. 187
IN THE
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
CITY CASE No. _____

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CITY OF ROCKWALL

ORDINANCE NO. 15-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ONE (SF-1) DISTRICT FOR A 1.02-ACRE TRACT OF LAND IDENTIFIED AS TRACT 11-2 OF THE D. HARR SURVEY, ABSTRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Bill K. Ryan for the approval of an amendment to the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall to adopt a change in zoning from an Agricultural (AG) District to a Single-Family One (SF-1) District for a 1.02-acre tract of land identified as Tract 11-2 of the David Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, and more specifically described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

Section 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agriculture (AG) District to a Single-Family One (SF-1) District; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family One (SF-1) District* in *Section 1.1, "Use of Land and Buildings,"* of *Article IV, "Permissible Uses"* and *Section 3.2-1, "Single-Family One (SF-1) District",* of *Article V, "District Development Standards",* of the *Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future;

Section 3. That the official zoning map of the City be corrected to reflect the changes in the zoning described herein.

Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of two thousand dollars ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 2ND DAY OF NOVEMBER, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: *10-19-2015*

2nd Reading: *11-02-2015*

Exhibit 'A':
Legal Description

DESCRIPTION

BEING a tract of land situated in the David Harr Survey, Abstract No. 102, Rockwall County, Texas, and being part of a 43.16 acre tract as recorded in Volume 55, Page 325, Deed Records, Rockwall County, Texas, and being more particularly described as follows;

BEGINNING at a point on the South right-of-way line of State Highway No. 66, said point being N. 88 deg. 38 min. 09 sec. E., 405.00 feet from the Northwest corner of said tract recorded in Volume 55, Page 325, Deed Records, Rockwall County, Texas, a ½ inch iron stake set for corner;

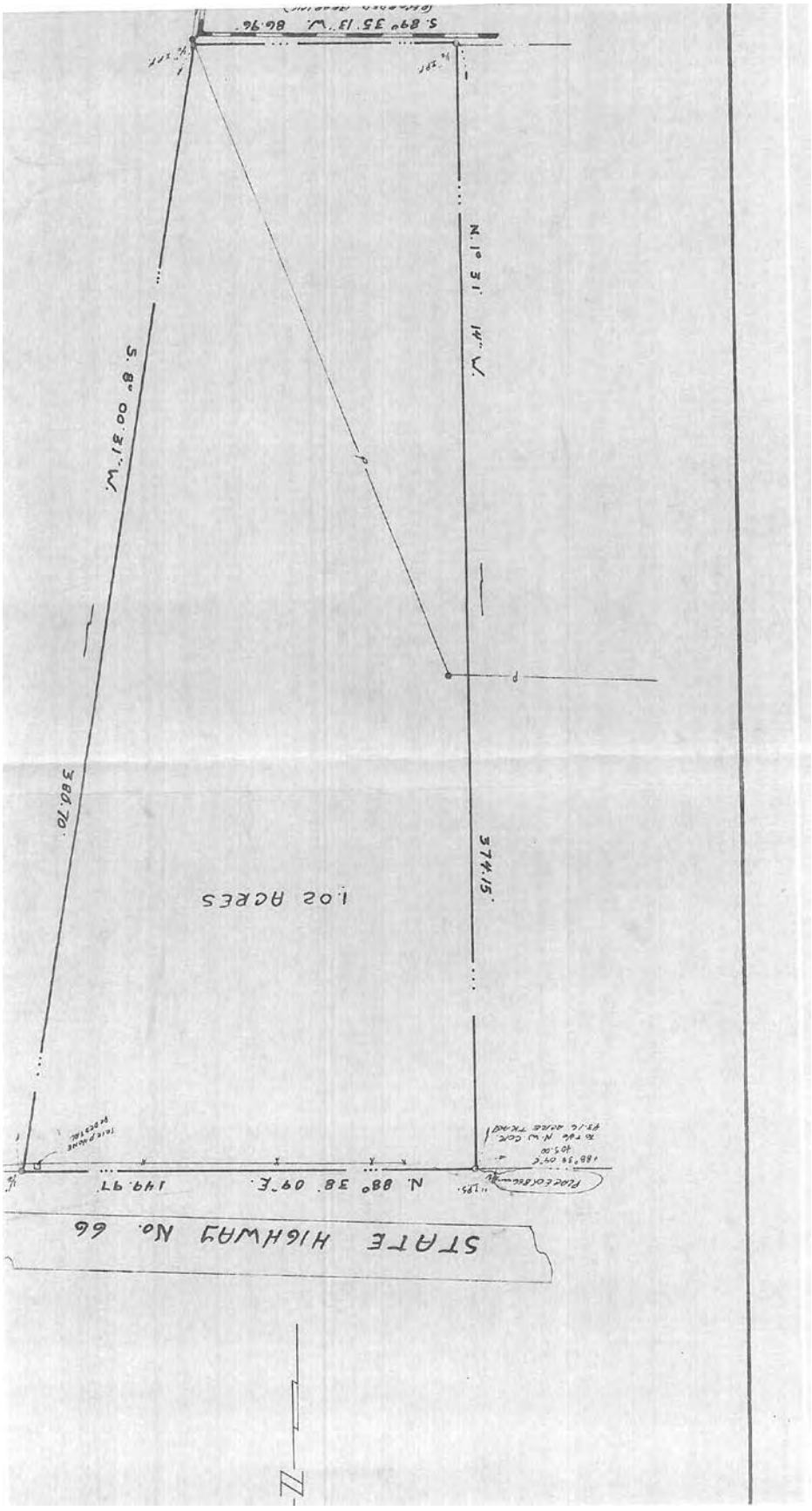
THENCE, N. 88 deg. 38 min. 09 sec. E., along the South right-of-way line of State Highway No. 66, a distance of 149.97 feet to a ½ inch iron stake found for corner;

THENCE, S. 8 deg. 00 min. 31 sec. W., leaving the South right-of-way line of State Highway No. 66, a distance of 380.70 feet to a ½ inch iron stake found for corner;

THENCE, S.89 deg. 35 min. 13 sec. W., a distance of 86.96 feet to a ½ inch iron stake found for corner;

THENCE, N. 1 deg. 31 min. 14 sec. W., a distance of 374.15 feet to the PLACE OF BEGINNING and containing 1.02 acres of land. This description is based on the Land Title Survey and Plat made by Bob G. Brown, Registered Public Surveyor on March 6,1980.

Exhibit 'B':
Zoning Exhibit



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Cole, Kristy

From:
Sent: Wednesday, October 28, 2015 1:33 PM
To: Cole, Kristy
Subject: City Council Agenda

Good afternoon!

My name is Tammy Sharp (T&T Color Supply) and I am coordinating the Downtown Grand Opening Celebration. I met with Rick, Brad, Andy and Bethany last week. Rick asked that I get on the next agenda to present my plans to the Mayor and Council. I am hoping to coordinate an event together with the City (like I did last year at Christmas). Rick is excited about it and would like me to present.

Please let me know what I need to do. I only need 5 minutes. I have left Jim a message to give him a heads up as well.

Thanks in advance!
Tammy

Sent from Windows Mail

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **October 30, 2015**

SUBJECT: **Art Review Team Appointments**

The City Council recently appointed the remaining members of the Art Review Team and they will meet in the very near future. In reviewing the ordinance that creates the committee, it references a second group called the Art Committee. The sole purpose of the Art Committee is to create the Art in Public Places Master Plan which has been completed.

In the review of the Art in Public Places Master Plan, there is an opportunity to update the Master Plan. According to the ordinance, the updating on the Master Plan would require the appointment of the Art Committee. In lieu of appointing five members to a committee that will sunset within a few months, the staff would like the City Council to consider appointing the members of the Art Review Team to the Art Committee.

Contingent of the above referenced action, the Art Review Team will meet within the next two weeks and begin the procedures outlined in the ordinance. The first actions to address will be appointing a Chair and Vice Chair, setting meeting dates, review of the Art in Public Places Master Plan, reviews of the ordinances and charges to the Team, etc. Bethany Browning has been assigned to be the staff liaison to the committee.

The committee has approximately $74,000 to work with related to the downtown project that was collected following the 2012 CIP program. The committee will have roughly $175,000 - $190,000 for public art related to the street project items approved by the voters in the same election. According to our ordinance, 1% of the CIP project costs excluding land acquisition and utilities will be designated to provide public art.

<u>Current Members of the ART Commission:</u>

David Sweet
Kathleen Morrow
Betty Jean Hoaglund
Jane Braddock
Doug Agee

CITY OF ROCKWALL

ORDINANCE NO. 14-48

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CH. 36. STREETS, SIDEWALKS AND PUBLIC PLACES; ARTICLE IV. ART IN PUBLIC PLACES MASTER PLAN; DIVISION 2. ART REVIEW TEAM (ART) COMMISSION; SECTION 33-77. ESTABLISHED, SUBSECTION (a)(1). COMPOSITION TO CHANGE THE REQUIRED COMPOSITION OF THE FIVE (5) MEMBER COMMISSION; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Rockwall City Council, in order to facilitate more inclusionary participation by members of the public who may wish to serve, has determined that the following composition for the city's Art Review Team (ART) Commission is in the best interest of the public;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Code of Ordinances in Chapter 36. Streets, Sidewalks, and Public Places; Article IV. Art in Public Places Master Plan; Division 2. Art Review Team (ART) Commission; Section 33-77. Established; Subsection (a)(1). Composition is hereby amended to henceforth read in its entirety as follows:

(a) (1) The art review team (ART) commission shall consist of five members, who shall all be "interested citizens" appointed by the city council. ~~The team members will include two visual arts professionals, two members of the business community who will be representative of the environmental design fields (architecture, landscape architecture, urban planning/design), and one resident of the community. Selection of the team will reflect ethnic, artistic, economic and demographic diversity of the community.~~ All team members ~~must~~ should possess knowledge of, or have an interest in contemporary, visual art, artistic principles and art media. ~~A board member of the Rockwall Alliance for the Arts and the director of parks and recreation or his designee will serve as ex officio (nonvoting) members.~~

a. The art review team (ART) commission shall consist of five regular members appointed by a majority of the city council. ~~The ex officio member from the Rockwall Alliance for the Arts will also be appointed by the city council. The ex officio member from the parks and recreation department~~ A staff liaison will be appointed by the city manager.

b. In the case of a vacancy of the commission, the city council, by a majority vote, may appoint a replacement member to the commission. Any person appointed shall serve until the expiration of the term of office of the vacated position.

c. Each member of the commission shall be a resident citizen and qualified voter of the city.

d. Upon the initial appointment of the commission by the city council, members shall draw lots for three two-year terms and ~~three~~ two one-year terms of service. Thereafter, the term of office of members of the commission shall be for two years. Members may be removed, as determined by the city council.

e. Members shall serve without compensation.

Section 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict;

Section 3. That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void;

Section 4. That all ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal;

Section 5. That this Ordinance shall become effective immediately upon passage and approval and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 17th day of November, 2014.

David Sweet, Mayor

ATTEST:

Kristy Ashberry, City Secretary

CITY OF ROCKWALL TEXAS SEAL

APPROVED AS TO FORM:

Frank Garza, City Attorney

1st Reading: 11-03-14

2nd Reading: 11-17-14

ARTICLE IV. - ART IN PUBLIC PLACES MASTER PLAN
DIVISION 1. - GENERALLY
Sec. 36-56. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Art committee means five members, appointed by the city council, to conduct an analysis of the concept of the art in public places program and develop a comprehensive master plan.

Art review team (ART) commission means the commission responsible for the review and approval of public art applications and/or projects according to the process outlined in this master plan.

Artist means a practitioner in the visual arts generally recognized by critics and peers as a professional possessing serious intent and ability.

Construction project means any capital project paid for wholly, or in part, by the city to construct or remodel any building, park or parking facility.

Coordinator means the staff person appointed by the city manager to coordinate and facilitate the implementation of this article and the master plan as adopted by the city council.

Eligible project means a construction or remodeling project, as defined in this section, for which the source of funds is not restricted by law or regulation as to its use for artworks.

Project consultant means an individual working for the artist, the city, or the construction company.

Visual arts professional means an artist, arts educator, art critic, arts administrator, arts dealer, designer, art historian, curator, fine art collector, architect, urban planner or landscape architect who is well respected in his field, knowledgeable with regards to multiple disciplines and styles of visual art and willing to participate effectively in a review process without conflict of interest.

Work of art means tangible creations by artists exhibiting the highest quality of skill and aesthetic principles including, but not limited to, paintings, sculptures, stained glass, engravings, mosaics, carvings, etchings, frescoes, mobiles, murals, collages, tapestries, memorials, environmental, photographs, drawings, monuments, fountains, or utilitarian/functional works.

(Ord. No. 06-17, § 1(23-32), 6-5-2006)

Sec. 36-57. - Purpose; established.

(a) It is the intention of the city to contribute to the cultural and artistic nature of this area by establishing a public art program which will:
  (1) Foster development of cultural awareness and enrich the public environment for both residents and visitors through the visual arts;
  (2) Celebrate the cultural, topographic and historical aspects of the area as well as the quality of life, lifestyle and diverse character of our community;
  (3) Integrate the work and thinking of artists into the planning, design and construction of public buildings and spaces;
  (4) Contribute a sense of ownership and civic pride in public facilities and spaces to citizens;

(5) Support, educate and assist citizens with their community activities in which public art plays a part; and

(6) Support a variety of artistic expressions and the visual arts.

(b) In an effort to accomplish the goals of the public art program, the council-appointed arts committee has developed a master plan to establish a process, which could include the selection, purchase, commission, placement, funding, maintenance and insurance of works of art on city-owned or city-controlled property.

(Ord. No. 06-17, § 1(23-31), 6-5-2006)

Sec. 36-58. - Appropriate forms of public art.

(a) The following are considered appropriate forms of public art:

(1) Works of art that reflect the purposes of the art in public places program, always aiming to achieve the highest aesthetic quality.

(2) Works of art that give due consideration to the proposed design in terms of scale, form and content with respect to its immediate and general, social and physical environment.

(3) Works of art that give due consideration to materials and construction for questions of durability, maintenance, public access, appropriateness, safety and security.

(4) Works of art that seek to reflect enduring artistic concepts, not transitory ones.

(b) Items not to be considered as works of art:

(1) Directional elements such as signage, except where these elements are integral parts of the original works of art.

(2) Art objects which are mass produced from a standard design, such as playground equipment or fountains.

(3) Reproductions of original art works.

(4) Decorative, ornamental or functional elements, including signage, which are designed by the building architect as opposed to an artist commissioned for the purpose of creating the art work.

(5) Landscape architecture and landscape gardening except where these elements are designed for and recognized by the ART commission as an integral part of the work of art.

(Ord. No. 06-17, § 1(23-33), 6-5-2006)

Sec. 36-59. - Appropriation; allocation and management of funds.

(a) Potential sources of funding to be considered:

(1) City-budgeted funds;

(2) Individual donations;

(3) Receiving grant monies; and

(4) Sale of tiles or plaques for recognition purposes.

(b) Recognition for sizable donations could be given by placing plaques in conjunction with the artwork.

(c) Management of the art in public places fund will be administered by the city manager or his designee.

(Ord. No. 06-17, § 1(23-34), 6-5-2006)

Sec. 36-60. - Funding of the public art program.

(a) *Appropriations.* Beginning with the 2011-12 fiscal year, all appropriations for city capital improvement projects, whether financed with city bond proceeds or city monies from any other source, shall include an amount equal to 1.0 percent of the total capital improvement project appropriation, to be used for design services of artists, for the selection, acquisition, commissioning, and display of artworks, and for administration of the public art projects. Such appropriations shall apply to a capital improvement project financed with proceeds from general obligation bonds authorized by the voters beginning with the 2011-12 fiscal year; or revenue bonds, certificates, notes, or other obligations authorized by the city council beginning with the 2011-12 fiscal year. Monies appropriated as part of one project, but not deemed necessary by the city council in total or in part for

the project, may be expended on other projects approved under the annual public art projects plan; provided that proceeds from bonds issued and authorized for a particular use or purpose shall not be used or diverted for a different use or purpose.

(b) *Grants and contributions from non-city sources.* Beginning with the 2011-12 fiscal year, each city department shall include in every application to a granting authority for a capital improvement project grant an amount for artists' services and artworks in accordance with this article. The public art appropriation shall apply to all capital improvement projects financed with grants or contributions from private persons or governmental or public agencies, subject to conditions of the granting or contributing person or agency. If the public art appropriation is not allowed as a reimbursable expense, only the city-funded portion of the project is subject to the public art appropriation.

(c) *Method of calculation.* The minimum amount to be appropriated for artists' services and artworks is equal to the total city capital improvement project appropriation multiplied by 0.010; provided that amounts budgeted for real property acquisition costs, demolition costs, equipment costs, normal major maintenance costs, financing costs, costs paid for from the contingency reserve fund, capital reserve funds, or interest earnings on city bond proceeds, costs of any below-grade water or wastewater improvements, and costs of resurfacing or repair of existing streets, sidewalks, and appurtenant drainage improvements are not subject to the calculation.

(d) *Public art accounts.* Amounts appropriated pursuant to this article shall be established by the city manager, or his designee, in a public art account within each capital improvement project fund.

(e) *City bond proceeds.*

(1) If a city capital improvement project is financed with city bond proceeds, the use of any amounts appropriated for artists' services and works of art in accordance with this article must be consistent with any voted proposition approved by the voters of the city, any resolution or ordinance adopted by the city council authorizing issuance of the bonds, and applicable state or federal law. In no event shall city bond proceeds be used for public art maintenance purposes.

(2) This section shall not apply to any refunding bond proceeds.

(3) This section shall not apply to any capital improvement project financed with water utility revenues that is located outside the city limits; or any below-grade capital improvement financed with water utility revenues, whether or not the below-grade improvement is part of a city capital improvement project that involves at-grade or above grade improvements.

(f) *City council exclusions.* When considering the capital improvements plan, or any amendment thereto, the city council may exclude individual city capital improvement projects from the application of this section.

(Ord. No. 11-10, § 1(23-45), 3-7-2011)

Secs. 36-61—36-76. - Reserved.

DIVISION 2. - ART REVIEW TEAM (ART) COMMISSION

Sec. 36-77. - Established.

(a) *Composition; appointment of members; term; compensation.* There is hereby created a commission known as the art review team (ART) commission. The commission shall be organized as follows:

(1) The art review team (ART) commission shall consist of five members, who shall all be "interested citizens" appointed by the city council. All team members should possess knowledge of, or have an interest in contemporary, visual art, artistic principles and art media.

a. The art review team (ART) commission shall consist of five regular members appointed by a majority of the city council. A staff liaison will be appointed by the city manager.

b.

In the case of a vacancy of the commission, the city council, by a majority vote, may appoint a replacement member to the commission. Any person appointed shall serve until the expiration of the term of office of the vacated position.

c. Each member of the commission shall be a resident citizen and qualified voter of the city.

d. Upon the initial appointment of the commission by the city council, members shall draw lots for three two-year terms and two one-year terms of service. Thereafter, the term of office of members of the commission shall be for two years. Members may be removed, as determined by the city council.

e. Members shall serve without compensation.

(b) *Meetings.* The commission shall hold its meetings on the call of the chairperson, or at such other times as the commission may determine. All meetings shall be open to the public.

(c) *Quorum.* All cases to be heard by the commission must be heard by at least four members.

(d) *Chairperson and vice-chairperson.* A chairperson and vice-chairperson shall be elected by the members of the commission at the first meeting following the annual appointment of the new members.

(e) *Records.* The commission shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the commission and shall be a public record.

(f) *Vote.* The concurring vote of four members of the commission shall be necessary for the approval of any application. Only the members of the commission present shall have voting privileges.

(g) *Rules and regulations.* The commission shall adopt rules in accordance with this article.

(Ord. No. 06-17, § 1(23-35), 6-5-2006; Ord. No. 14-48, § 1, 11-17-2014)

Sec. 36-78. - Duties and responsibilities regarding education and public relations.

(a) The art review team (ART) commission shall promote the art in public places master plan.

(b) The art review team (ART) commission shall develop, evaluate and recommend projects in accordance with these guidelines:

(1) Press releases to all applicable news sources;

(2) Presentations to local civic organizations and area schools;

(3) Fundraising efforts for the art in public places fund;

(4) Grant applications for the art in public places program or its proposed projects; and

(5) Public forum.

(c) The art review team (ART) commission shall promote the art in public places master plan by various means, including:

(1) Acquiring suitable speakers to make presentations;

(2) Scheduling presentations; and

(3) Providing a copy of the information to outside sources wishing to use it to promote and further the art in public places master plan.

(d) The art review team (ART) commission, on an ongoing basis, shall actively explore potential sites for art in public places projects. In this, the commission shall seek the input of various city departments, as well as the community at large, to identify both future planned and existing sites. Upon development of an art project, information will be disseminated, as appropriate, through various mediums well in advance of the selection process to provide adequate time for applicants to prepare submissions. The coordinator will promote communication between the artist, art review team (ART) commission, city departments and any contractor or consultant involved with the project.

(Ord. No. 06-17, § 1(23-36), 6-5-2006)

Secs. 36-79—36-99. - Reserved.

DIVISION 3. - APPLICATIONS

Sec. 36-100. - Development of an art in public places project.

An art in public places project may originate from a number of sources:

(1) *City initiated.* City-initiated projects shall be given due consideration and the $150.00 application fee shall be waived. All other requirements of the application process shall apply.

(2) *Externally initiated.* Individuals, businesses and/or organizations wishing to submit a proposal for a project.

(Ord. No. 06-17, § 1(23-37), 6-5-2006)

Sec. 36-101. - Procedure; eligibility requirements.

(a) When the idea for placing a work of art is developed, the idea should be submitted in a "letter of intent" to the commission for consideration.

(b) The city will provide the following to all applicants for the art in public places program:

(1) A copy of the art in public places master plan; and

(2) An application form, which (at a minimum) will request the following information (if available at the time of submittal of the application):

a. Artist's name and resume;

b. Photos, slides, renderings, scaled models or other illustrations of work;

c. Requested location;

d. Processing fee of $150.00;

e. Size and material specifications;

f. Scope and schedule of work;

g. Lighting specifications, if applicable;

h. Estimated cost; and

i. Any additional information deemed necessary.

(c) The application, along with any other pertinent information, must be submitted to the coordinator for consultation by the commission.

(d) In order to foster community awareness of the art in public places master plan, appreciation of the visual arts, its potential for the enhancement of the public environment and to maximize its positive effect on the community, applications must include educational information as to the nature of the project. Information will include, but not be limited to, the following:

(1) The artistic intention or goal of the project;

(2) The artist's statement;

(3) The artist's background information;

(4) Information on the artistic discipline, style, medium, technique and creative process, including their relative historical information; and

(5) Any other informative document relative to the educational aspect of the project.

(Ord. No. 06-17, § 1(23-38), 6-5-2006)

Sec. 36-102. - Approval.

(a) *Criteria.* The art review team (ART) commission will evaluate the project based on the following criteria:

(1) Health, safety and public welfare.

(2) Appropriateness to the site:

a. Size and scale;

b. Color scheme;
c. Theme; and
d. Materials.

(3) Size relative to the site and surroundings.
(4) Potential longevity:
a. Resistance to elements; and
b. Theme.
(5) Maintenance requirements.
(6) Aesthetic value.

(b) *Review and hearing.* After their review and approval, the art review team (ART) commission will then forward the application and its recommendations to the city council for review. If appropriate, the city council will hold a public hearing to assess public opinion of a proposal, deny the request, or approve the application. The council may give direction to and ask the art review team (ART) commission to continue to work with the applicant and/or project.

(c) *Denial; appeals made to council.* In the event the art review team (ART) commission determines a project is not suitable, the applicant may appeal their decision to the city council within 30 days of the denial. The appeal must be made through the coordinator and placed on the city council agenda.

(Ord. No. 06-17, § 1(23-39), 6-5-2006)

Secs. 36-103—36-132. - Reserved.

DIVISION 4. - PROCEDURE FOLLOWING APPROVAL

Sec. 36-133. - Project implementation and coordination.

(a) Once a project is approved, the art review team (ART) commission, in conjunction with the coordinator, shall make recommendations to the city council regarding the details of completion, which could include the following methods of implementation:

(1) *Open entry competition.* Any artist is eligible to enter. The site proposal will be appropriately advertised. Artists may be asked to submit slides of their past work, resumes and letters of intent related to the specific project or specific proposals for the project under review.
(2) *Limited entry competition.* The art review team (ART) commission invites a limited number of artists to participate in the selection process. The artists selected may be asked to submit slides of past work or proposals based on the proposed project. The names of the artists invited to participate shall be publicly announced upon receipt of written acceptance of the invitation.
(3) *Direct selection of artist.* An artist is invited to participate in the project and may be asked to develop a proposal for the project. If desired, a team of several artists may be put together.
(4) *Direct purchase of existing artwork.* A completed work of art is purchased.

(b) Upon approval of the art review team (ART) commission's recommendation by the city council, the city shall contract with the artist for services or for the purchase and installation of a specific artwork. In general, art in public places project contracts shall require the artist to produce, deliver, and install a work of art for a guaranteed maximum cost and by a predetermined time. Depending on the nature of the project, performance by the artist may be contractually ensured through phased payment for work completed and/or professional liability coverage. The coordinator shall work with the artist to determine the appropriate budget for each project to ensure that all necessary costs are met. Council approval of the budget for an art in public places project is a prerequisite for the project's final approval. In addition, the artist may be asked to make a public presentation at an appropriate time and in an appropriate forum in the community, possibly where the work is to be sited.

(c)

In the case of an artist who has contracted with the city to produce a specific work of art, approval of the design prior to the signing of that contract shall be considered sufficient. If, however, the design changes substantially from that which was initially approved, the artist must return to the art review team (ART) commission for subsequent review. Any design changes approved by the art review team (ART) commission must be presented to the city manager or his designee for approval.

(d) In the case of a design team approach, it shall be the primary responsibility of the artist and the project consultant to collaborate on the design of the artwork and its relationship with the site. They shall be required to bring the design, in its formative stages, back to the art review team (ART) commission for review. The stage at which final approval of the design occurs will vary from project to project, as specifically stated in the artist's contractual agreement with the city.

(e) All project consultants expressing interest in an eligible construction or renovation project shall be advised of the art in public places program requirements and guidelines. The selected consultant and appropriate city representatives shall work closely with the coordinator in the development of the artwork project and with the art review team (ART) commission in selection of the artist/artwork. The project consultant shall incorporate the requirements of the work of art into the construction documents, including time of delivery and installation.

(f) On-site activity in connection with installation of artwork shall be handled by the artist, coordinator, and appropriate city representatives within the departments having jurisdiction over the site and/or construction.

(g) The coordinator shall function as a liaison between the artist and the various city departments involved in the completion of each artwork project. In instances where construction matters cannot be resolved between the artist and the consultant, the city shall have final authority.

(h) The coordinator shall establish and maintain appropriate records of each project, which shall include the contract with the artist, records of the art commission and council's actions, interdepartmental agreements, all billings made in connection with the project and all related correspondence. In addition, the coordinator shall maintain records particular to the project to ensure adequate standards of documentation, registration, care, and installation of the artwork.

(Ord. No. 06-17, § 1(23-40), 6-5-2006)

Sec. 36-134. - Maintenance, insurance and repair of public art.

(a) The art review team (ART) commission shall make an annual review of the city's art in public places collection for the purposes of a maintenance needs assessment. The art review team (ART) commission shall communicate those needs and the appropriate actions to the coordinator.

(b) The works of art acquired through the art in public places program become the property of the city and are held in trust by the city. Therefore, the expenses associated with the routine maintenance and operation of each artwork shall be incurred by the city. Routine maintenance shall be understood to include such things as the periodic cleaning and the operational costs of a work. Any substantive repair of the work, such as structural repair, or major maintenance, shall be considered to be an expense of the related art in public places fund.

(c) So far as is practical, in the event repair of the artwork is required, the city shall give the artist the opportunity to do that work for a reasonable fee. Disputes concerning what constitutes a reasonable fee shall be settled by a panel of three visual art professionals with knowledge of curatorial concerns, to be appointed by the art review team (ART) commission. If the artist declines to perform the needed repairs for such a fee, the city may solicit proposals from qualified conservators.

(Ord. No. 06-17, § 1(23-41), 6-5-2006)

Sec. 36-135. - Eligible costs for art in public places funds.

(a)

All art in public places contracts shall require the artist to design, produce, deliver and install a work of art for a guaranteed maximum cost. This cost may include the cost of the work itself and any associated costs which may be required by the city or inherently related to the implementation of the project. Therefore, the following costs are eligible expenditures for the monies included in the total project commission:

(1) The work of art itself including, but not limited to:
   a. The artist's design fee;
   b. Additional labor, materials and contracted services required for the production and installation of the work;
   c. Transportation of the work to the site; and
   d. Installation of the work.

(2) Identification plaques and labels.

(3) Frames, mats, mountings, anchorages, containments, pedestals, or materials necessary for the installation, location or security of the work of art.

(4) Photographs or slides of the completed work for the purposes of routine documentation of the project.

(5) Permits or fees necessary for the installation of the work of art.

(6) Legal costs incurred by the city, directly related to the project.

(7) Associated administrative costs incurred by the city.

(8) Other types of expenses specifically provided for in the contract and approved by the council.

(b) In addition to the actual costs associated with an art in public places project, the monies are to be used for the selection, acquisition, and substantive maintenance of the work of art commissioned or purchased through the art in public places program. Therefore, the following items are eligible expenditures of the monies:

(1) The project specific costs of the art in public places program associated with the selection and acquisition of the artwork.

(2) Substantive structural repair and maintenance of the works of art commissioned through the art in public places program.

(Ord. No. 06-17, § 1(23-42), 6-5-2006)

Sec. 36-136. - Ineligible costs for art in public places funds.

The following are ineligible costs for art in public places funding:

(1) Services or utilities needed to routinely operate or maintain the artwork.

(2) Modifications in or improvements to building surfaces or structural elements of the building.

(Ord. No. 06-17, § 1(23-43), 6-5-2006)

Sec. 36-137. - Relocation and removal of art.

(a) The following policy has been included to provide a consistent method for determining if a work has remained relevant and/or useful in the context of its original purpose. It also provides a mechanism for the proper removal of a work of art that has deteriorated or has been damaged beyond repair. In this document, the term "removal" means permanent removal of a work of art, and relocation means reinstallation of a work of art at a new site. Works of art may be considered for removal only after five years have passed from the date of the acquisition, unless the installation site has been substantially altered, or the work has deteriorated or been damaged, or the council otherwise determines that circumstances warrant the need for removal or relocation.

(b) Requests for removal or relocation shall be acted on through the following process:

(1) Requests for removal or relocation may be city or externally initiated (i.e., by a recognized civic group with evidence of community support). These requests must be submitted through the coordinator.

(2) The coordinator shall review the request and forward it to the art review team (ART) commission. The art review team (ART) commission will evaluate the request and make a formal recommendation to the council. In evaluating a relocation or removal request, the art review team (ART) commission shall apply the following criteria:

a. Visual record of alteration, damage to, or deterioration of the site or work of art;

b. Cost estimates for repair, relocation or disposal; and

c. A new site plan for relocation.

(3) The city council will ultimately determine if an art in public places piece should be relocated.

(4) The city council will not generally consider removing an art in public places piece before five years unless there are extenuating circumstances involved.

(Ord. No. 06-17, § 1(23-44), 6-5-2006)

Secs. 36-138—36-157. - Reserved.

Art in Public Places Master Plan Outline

Submitted by the Arts Committee

Purpose of the Public Art Master Plan

It is the intention of the City of Rockwall to contribute to the cultural and artistic nature of this area by establishing a Public Art Program which will:

- Foster development of cultural awareness and enrich the public environment for both residents and visitors through the visual arts;
- Celebrate the cultural, topographic and historical aspects of the area as well as the quality of life, lifestyle and diverse character of our community;
- Integrate the work and thinking of artists into planning, design and construction of public buildings and spaces;
- Mitigate adverse impacts of construction;
- Contribute a sense of ownership and civic pride in public facilities and spaces to citizens;
- Support, educate and assist citizens with their community activities in which public art plays a part; and
- Support a variety of artistic expressions and the visual arts.

In an effort to accomplish the goals of the Public Art Program, The Council-appointed Arts Committee has developed a Master Plan to establish a process for the selection, purchase, commission, placement, funding, maintenance and insurance of works of art on City-owned or City-controlled property.

I. Definitions

A. Art Assessment Fee – Fees determined by City Council and placed on construction projects to help fund the Art in Public Places Program.

B. Artist - A practitioner in the visual arts generally recognized by critics and peers as a professional possessing serious intent and ability.

C. Art Review Tear (ART) Commission – The commission responsible for the review and approval of public art applications and/or projects according to the process outlined in this Master Plan.

D. Art Commission - Five (5) members, appointed by the City Council, to conduct an analysis of the concept of the Art in Public Places Program and develop a Comprehensive Master Plan.

E. Construction Project – Any capital project paid for wholly, or in part, by the City of Rockwall to construct or remodel any building, park or parking facility.

F. Coordinator – The staff person appointed by the City of Rockwall to coordinate and facilitate the implementation of the Art in Public Places Ordinance and its Master Plan as adopted by the City Council.

G. Eligible Project – A construction or remodeling project, as defined above, for which the source of funds is not restricted by law or regulation as to its use for artworks.

H. Project Consultant – Individual working for the artist, the City or the construction company.

I. Visual Arts Professional – An artist, arts educator, art critic, arts administrator, arts dealer, designer, art historian, curator, fine art collector, architect, urban planner or landscape architect who is well respected in his/her field, knowledgeable with regards to multiple disciplines and styles of visual art and willing to participate effectively in a review process without conflict of interest.

J. Work of Art – Tangible creations by artists exhibiting the highest quality of skill and aesthetic principles, including, but not limited to: paintings, sculptures, stained glass, engravings, mosaics, carvings, etchings, frescoes, mobiles, murals, collages, tapestries, memorials, environmental, photographs, drawings, monuments, fountains, or utilitarian/functional works.

II. Appropriate Forms of Public Art

A. Works of art that reflect the purposes of the Art in Public Places Program, always aiming to achieve the highest aesthetic quality.

B. Works of art that give due consideration to the proposed design in terms of scale, form, content and design with respect to its immediate and general, social and physical environment.

C. Works of art that give due consideration to materials and construction for questions of durability, maintenance, public access, appropriateness, safety and security.

D. Works of art that seek to reflect enduring artistic concept, not transitory ones.

Items not to be considered as works of art:

1. Art objects which are mass produced from a standard design.

2. Reproductions of original art works.

3. Decorative, ornamental or functional elements, including signage, which are designed by the building architect as opposed to an artist commissioned for the purpose of creating the art work.

4. Landscape architecture and landscape gardening expect where these elements are designed or approved by the artist and are an integral part of the work of art.

III. Appropriation, Allocation and Management of Funds

Potential sources of funding to be considered:

1. Hotel/Motel Tax;
2. City budgeted funds;
3. Individual donations;
4. Receiving grant monies;
5. Sale of tiles or plaques for recognition purposes; and
6. Working in conjunction with our Tree Preservation Ordinance. Once the ordinance requirements are met, monies otherwise spent on tree replacement could be re-directed to the Public Art Fund.

Recognition for sizable donations could be given by placing plaques in conjunction with the artwork.

Management of the Art in Public Places Fund will be administered by the City Manager or his/her designee.

IV. Composition of Art Review Team (ART)

A. The ART Commission shall consist of five (5) members, appointed by the City Council. The Team Members will include two (2) visual arts professionals, two (2) members of the business community who will be representative of the environmental design fields (architecture, landscape architecture, urban planning/design), and one (1) resident of the community. Selection of the team will reflect ethnic, artistic, economic and demographic diversity of the community. All Team Members must possess knowledge of, or have an interest in contemporary, visual art, artistic principles and art media. A Board Member of the Rockwall Alliance for the Arts and the Director of Parks and Recreation (or his designee) will serve as ex-officio (non-voting) members. Of the two ex-officio members, only one may be from the Rockwall Alliance of the Arts.

1. Creation and Organization

There is hereby created a commission knows as the ART Commission. The rules shall be organized as follows:

a. The ART Commission shall consist of five (5) regular members appointed by a majority of the City Council.

b. In the case of a vacancy of the Commission, the City Council, by a majority vote, may appoint a replacement member to the Commission. Any person appointed shall serve until the expiration of the term of office of the vacated position.

c. Each member of the Commission shall be a resident citizen and qualified voter of the City of Rockwall, Texas.

d. Upon the initial appoint of the Commission by the City Council, members shall draw lots for three (3) two-year terms and two (2) one-year terms of service. Therefore, the term of office of members of the Commission shall be for two (2) years. Members may be removed before their terms of office expire as provided herein.

e. Members shall serve without compensation.

f. Council may remove a member for cause on a written charge. Before a decision regarding a removal is made, the Council must hold a public hearing on the matter if requested by the Commission member subject to the removal action.

2. Meetings

The Commission shall hold meetings on the call of the Chairman, or at such other times as the Board may determine. All meetings shall be open to the public.

3. Quorum

All cases to be heard by the Commission must be heard by at least four (4) members.

4. Chairman and Vice-Chairman

A Chairman and a Vice-Chairman shall be elected by the members of the Commission at the first meeting following the annual appointment of the new members.

5. Records

The Commission shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Commission and shall be a blic record.

6. Vote

The concurring vote of four (4) members of the Commission shall be necessary for the approval of any application. Only the members of the Commission present shall have voting privileges.

7. Rules and Regulations

The Commission shall adopt rules in accordance with this article.

V. Application Process and Eligibility Requirements

A. When the idea for placing a work of art originates from a source other than the City, the idea should be submitted in a "Letter of Intent" to the City for consideration.

B. The City will provide the following to all applicants for the Art in Public Places Program:

1. Copy of the Art in Public Places Master Plan; and

2. Application Form, which will request a minimum of the following:

   a. Artist's name and resume;
   b. Photos, slides, renderings, scaled models or other illustrations of work;
   c. Requested location;
   d. Processing fee - $150.00;
   e. Size and material specifications;
   f. Scope and schedule of work;
   g. Lightning specs (if applicable);
   h. Estimated cost; and
   i. Any additional information deemed necessary.

VI. Education and Public Relations

In order to foster community awareness of the Art in Public Places Master Plan, appreciation of the visual arts, its potential for the enhancement of the public environment and to maximize its positive effect on the community, applications must include educational information as to the nature of the project. Information included, but not limited to, the following:

1. The artistic intention or goal of the project;
2. The artist's statement;
3. The artist's background information;
4. Information on the artistic discipline, style, medium, technique and creative process, including their relative historical information; and
5. Any other informative document relative to the educational aspect of the project.

The ART Commission, or their designee(s), will use the information provided to create a presentation to be used for educational and public relations purposes in, but not limited to, the following ways:

1. Press releases to all applicable news sources;
2. Presentations to local civic organizations and area schools;
3. Fund Raising efforts for the Art in Public Places Fund;
4. Grant applications for the Art in Public Places Master Plan or its proposed projects; and
5. Public forum.

The ART Commission should make a diligent and timely effort in completion of the Art Project Presentation and will be responsible for its use including:

1. Acquiring suitable speakers to make presentations;
2. Scheduling presentations; and
3. Providing a copy of the information to outside sources wishing to use it to promote and further the Art in Public Places Master Plan.

VII. Development of an Art in Public Places Project

A. The ART Commission, on an ongoing basis, will actively explore potential sites for Art in Public Places Projects. In this, the Commission shall seek the input of various City Departments, as well as the community at large, to identify both future planned and existing sites. Upon development of an art project, information will be disseminated, as appropriate, through various mediums well in advance of the selection process to provide adequate time for applicants to prepare submissions. The Coordinator will promote communication between the artist, ART Commission, City Departments and any contractor or consultant involved with the project.

B. Art in Public Places Projects may originate from a number of sources:

1. City Initiated – City initiated projects shall be given due consideration and the $150 application fee shall be waived. All other requirements of the application process shall apply.

2. New Construction – For sites under development, it is preferable to involve the designated artist in the earliest phases of the design process to ensure a totally integrated solution. Therefore, the Project Coordinator will be informed of any and all considerations of this process. The City Department responsible for an eligible construction project shall subsequently keep the Project Coordinator apprised of the selection of the Construction Consultant. Additionally, provisions of the artwork project shall be appropriately included in the design process of the construction project.

3. Externally Initiated – Individuals, businesses and/or organizations wishing to submit a proposal for a project.

C. Once a project is identified, the ART Commission, in conjunction with the Coordinator, shall make recommendations to the City Council regarding the details of the project. This proposal can provide for:

1. Open Entry Competition – Any artist is eligible to enter. The site proposal will be appropriately advertised. Artists may be asked to submit slides of their past work, resumes and letters of intent related to the specific project or specific proposals for the project under review.

2. Limited Entry Competition – The ART Commission invites a limited number of artists to participate in the selection process. The artists selected may be asked to submit slides of past work or proposals based on the proposed project. The names of the artists invited to participate shall be publicly announced upon receipt of written acceptance of the invitation.

3. Direct Selection of the Artist – An artist is invited to participate in the project and may be asked to develop a proposal for the project. If desired, a team of several artists may be put together.

4. Direct Purchase of an Existing Artwork – A completed work of art is purchased.

VIII. Approval Process

The City will provide the ART Commission with the required data for analysis and recommendations. The ART Commission will evaluate the project based on the following criteria:

A. Health, Safety and the Public Welfare.

B. Appropriateness to the Site:

1. Size and scale;
2. Color scheme;
3. Theme; and
4. Materials.

C. Size relative to the site and surroundings.

D. Potential Longevity:

1. Resistance to elements; and
2. Theme.

E. Maintenance Requirements.

F. Aesthetic Value.

After their review and approval, the ART Commission will then forward the application and its recommendations to the City Council for review. If appropriate, the City Council will hold a public hearing to assess public opinion of a proposal, deny the request, or approve the application. The Council may give direction to and ask the ART Commission to continue to work with the applicant and/or project.

In the event the ART Commission determines a project is not suitable, the applicant may appeal their decision to the City Council. The appeal must be made through the Coordinator and placed on the City Council agenda.

IX. Project Implementation and Coordination

A. Upon approval of the ART Commission's recommendation by the City Council, the City of Rockwall shall contract with the artist(s) for services or for the purchase and installation of a specific artwork. In general, Art in Public Places Project contracts shall require the artist(s) to produce, deliver, and install a work of art for a guaranteed maximum cost and by a predetermined time, which is in keeping with the construction project schedule. Depending on the nature of the project, performance by the artist may be contractually ensured through phased payment for work completed and/or professional liability coverage. The Coordinator shall work with the artist to determine the appropriate budget for each project to ensure that all necessary costs are met. Council approval of the budget for an Art in Public Places Project is a prerequisite for the project's final approval. In addition, the artist may be asked to make a public presentation at an appropriate time and in an appropriate forum in the community where the work is to be sited.

B. In the case of an artist who has contracted with the City of Rockwall to produce a specific work of art, approval of the design prior to the signing of that contract shall be considered sufficient. If, however, the design changes substantially from that which was initially approved, the artist must return to the ART Commission for subsequent review. Any design changes approved by the ART Commission must be presented to the City Manager or his/her designee for approval.

C. In the case of a design team approach, it shall be the primary responsibility of the artist and the project consultant to collaborate on the design of the artwork and its relationship with the site. They shall be required to bring the design, in its formative stages, back to the ART Commission for review. The stage at which final approval of the design occurs will vary from project to project, as specifically stated in the artist's contractual agreement with the City of Rockwall.

D. All project consultants expressing interest in an eligible construction or renovation project shall be advised of the Art in Public Places Program requirements and guidelines. The consultant selected and appropriate City representatives shall work closely with the Coordinator in the development of the artwork project and with the ART Commission in selection of the artist/artwork. The consultant shall incorporate the requirements of the work of art into the construction documents, including time of delivery and installation.

E. On site activity in connection with installation of artwork shall be handled by the artist, Coordinator, and appropriate City representatives within the departments having jurisdiction over the site and/or construction.

F. The Coordinator shall function as a liaison between the artist and the various City Departments involved in the completion of each artwork project. In instances where construction matters cannot be resolved between the artist and the consultant, the City of Rockwall shall have final authority.

G. The Coordinator shall establish and maintain appropriate records of each project, which shall include the contract with the artist, records of the Art Commission and Council's actions, interdepartmental agreements, all billings made in connection with the project and all related correspondence. In addition, the Coordinator shall maintain records particular to the project to ensure adequate standards of documentation, registration, care, and installation of the artwork.

Maintenance, Insurance and Repair of Public Art

A. The ART Commission shall make an annual review of the City's Public Art Collection for the purposes of a maintenance needs assessment. The ART Commission shall communicate those needs and the appropriate actions to the Coordinator.

B. The works of art acquired through the Art in Public Places Program become the property of the City of Rockwall and are held in trust by the City of Rockwall. Therefore, the expenses associated with the routine maintenance and operation of each artwork shall be incurred by the City of Rockwall. Routine maintenance shall be understood to include such things as the periodic cleaning and the operational costs of a work. Any substantive repair of the work, such as structural repair, shall be considered to be an expense of the related Art in Public Places Fund. Additionally,

the City shall not move any work of art from the site for which it was selected, nor remove it from display, without the prior written consent of the ART Commission and in conformance with legal restrictions regarding the source of funds for that work of art.

C. So far as is practical, in the event repair of the artwork is required, the City shall give the artist the opportunity to do that work for a reasonable fee. Disputes concerning what constitutes a reasonable fee shall be settled by a panel of three (3) visual art professionals with knowledge of curatorial concerns, to be appointed by the ART Commission. If the artist declines to perform the needed repairs for such a fee, the City may solicit bids from qualified conservators and award a contract to the conservator presenting the lowest and most responsible bid, if the fee is in excess of Five Thousand Dollars ($5,000.00).

XI. Eligible Costs for Art in Public Places Funds

A. All Art in Public Places contracts shall require the artist to design, produce, deliver and install a work of art for a guaranteed maximum cost. This cost may include the cost of the work itself and any associated costs which may be required by the City of Rockwall or inherently related to the implementation of the project. Therefore, the following costs are eligible expenditures for the monies included in the total project commission:

1. The work of art itself including, but not limited to:

    a. Artist's design fee;
    b. Additional labor, materials and contracted services required for the production and installation of the work;
    c. Transportation of the work to the site; and
    d. Installation of the work.

2. Identification plaques and labels.

3. Frames, mats, mountings, anchorages, containments, pedestals, or materials necessary for the installation, location or security of the work of art.

4. Photographs or slides of the completed work for the purposes of routine documentation of the project.

5. Permits or fees necessary for the installation of the work of art.

6. Legal costs incurred by the City, directly related to the project.

7. Associated administrative costs incurred by the City.

8. Other types of expenses specifically provided for in the contract and approved by the Council.

B. In addition to the actual costs associated with an Art in Public Places Project, the monies are to be used for the selection, acquisition, and maintenance of the work of art commissioned or purchased through the Art in Public Places Program. Therefore, the following items are eligible expenditures of the monies:

1. The project specific costs of the Art in Public Places Program associated with the selection and acquisition of the artwork.

2. Substantive structural repair and maintenance of the works of art commissioned through the Art in Public Places Program.

XII. Ineligible Costs for art in Public Places Funds

A. Directional elements such as signage, except where these elements are integral parts of the original works of art.

B. Art objects which are mass-produced of standard design such as playground equipment or fountains.

C. Decorative, ornamental, or functional elements which are designed by the building consultant, as opposed to an artist commissioned for the purpose.

D. Landscape architecture and landscape gardening except where these elements are designed by the artist and recognized by the ART Commission as an integral part of the work of art.

E. Services or utilities needed to routinely operate or maintain the artwork over time.

F. Modifications in or improvements to building surfaces or structural elements of the building.

XIII. Relocation and Removal of Art

A. Adjunct to the acquisition of works of art is the deaccession and relocation of such works. The following policy has been included to provide a consistent method for determining if a work has remained relevant and/or useful in the context of its original purpose. It also provides a mechanism for the proper removal of a work of art that has deteriorated or has been damaged beyond repair. In this document, deaccession means permanent removal of a work of art, and relocation means reinstallation of a work of art at a new site. Works of art may be considered for deaccession only after five (5) years have passed from the date of the acquisition, unless the installation site has been substantially altered, or the work has deteriorated or been damaged.

B. Requests for deaccession or relocation shall be acted on through the following process:

1. Requests for deaccession or relocation may be City or externally initiated (i.e. – by a recognized civic group with evidence of community support). These requests must be submitted through the Coordinator.

2. The Coordinator shall review the request and forward it to the ART Commission. The ART Commission will evaluate the request and make a formal recommendation to the Council. In evaluating a relocation or deaccession request, the ART Commission shall apply the following criteria:

   A. Visual record of alteration, damage to, or deterioration of the site or work of art;
   B. Cost estimates for repair, relocation or disposal; and
   C. A new site plan for relocation.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Rick Crowley, City Manager**

DATE: **October 30, 2015**

SUBJECT: **Emergency Services Corporation Status Report**

Mayor Pruitt and Mayor Pro Tem Lewis serve as the City's representatives to the Rockwall County Emergency Services Board. This item has been placed on the agenda so that the Council can be briefed on information provided to the Board at its meeting this week. The presentation provided to the Board will be scanned and provided to you under separate cover by email.

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City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

September 2015

Permits

Total Permits Issued: 294
Building Permits: 79 Contractor Permits: 215

Total Permit Values: $ 14,671,433.82
Building Permits: $ 13,232,040.66 Contractor Permits: $ 1,439,393.16

Total Fees Collected: $ 373,210.63
Building Permits: $ 355,472.83 Contractor Permits: $ 17,737.80

Board of Adjustment

Board of Adjustment Cases 0

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City of Rockwall

PERMITS ISSUED - Summary by Type and Subtype

For the Period 9/1/2015 thru 9/30/2015

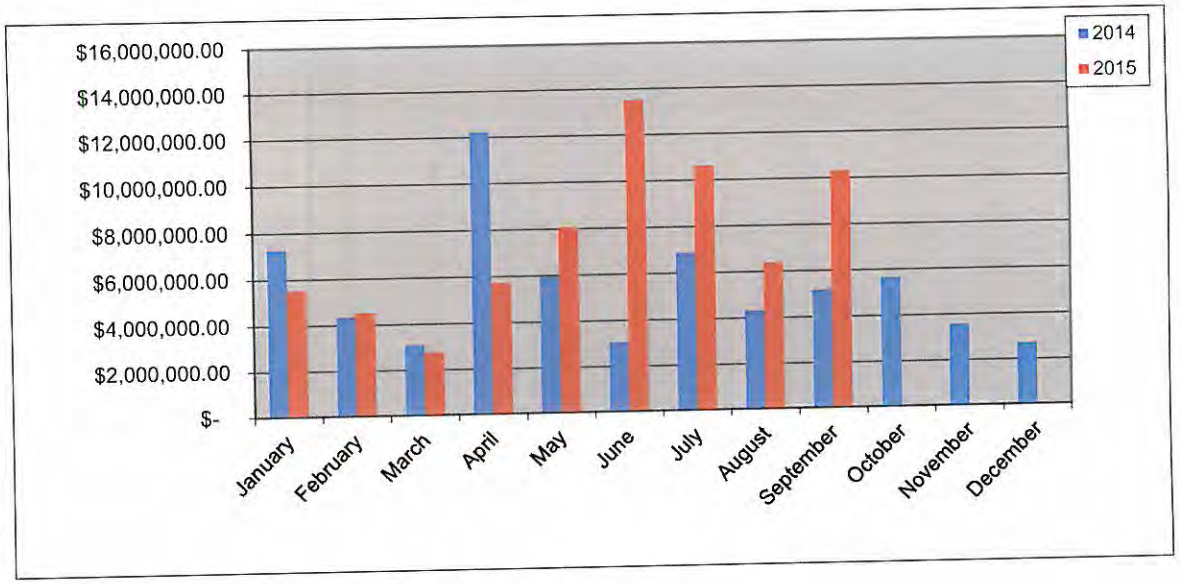
Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	5	$0.00	$251.50
30 DAY BANNER	5	$0.00	$251.50
CLEAN SHOW	2	$0.00	$150.00
	2	$0.00	$150.00
CO	19	$0.00	$1,437.00
BUSINESS	14	$0.00	$1,057.50
INTERIOR	4	$0.00	$304.50
SHELL	1	$0.00	$75.00
COMM	25	$2,705,903.79	$97,821.93
DEMO	3	$2,300.00	$150.00
ELECTRICAL	7	$105,125.00	$1,487.56
INTERIOR COMP	1	$35,000.00	$513.75
MECHANICAL	2	$92,316.00	$900.25
NEW	3	$2,370,000.00	$91,913.38
PLUMBING	2	$1,550.00	$1,377.64
PORT BLDG	1	$11,360.00	$220.75
REMODEL	4	$48,280.66	$890.90
REPAIR	1	$20,000.00	$332.00
ROOF	1	$19,972.13	$35.70
NONPROFIT SIGN	1	$0.00	$0.00
	1	$0.00	$0.00
NONPROFIT SIGN PERMI	1	$0.00	$0.00
	1	$0.00	$0.00
SIGNAGE	8	$0.00	$676.50
DEVELOPMENT	1	$0.00	$75.00
MONUMENT	4	$0.00	$301.50
WALL	3	$0.00	$300.00
SINGLE FAMILY	210	$11,965,530.03	$272,079.70
ACC BLDG	5	$18,573.00	$472.12
ADDITION	3	$95,000.00	$1,324.61
ALTERATION	2	$57,575.00	$837.58
BALCONY	1	$5,000.00	$122.75
BOAT DOCK	1	$40,000.00	$554.25
BOAT HOUSE	1	$40,000.00	$554.25
CONCRETE	4	$13,050.00	$383.04
DECK	1	$7,000.00	$153.77
ELECTRICAL	2	$12,531.00	$213.75
FENCE	33	$83,351.00	$1,167.30
IRRIGATION	14	$26,050.00	$490.70
MECHANICAL	16	$111,079.00	$2,464.41
MISCELLANEOUS	2	$6,700.00	$71.50
NEW	49	$10,314,177.00	$255,970.32
PATIO COVER	4	$36,200.00	$716.79
PERGOLA	2	$11,375.00	$273.50
PLUMBING	35	$41,677.00	$2,000.78
REMODEL	2	$19,500.00	$375.13
REPAIR	1	$190,000.00	$1,509.25
RETAINING WALL	4	$23,500.00	$141.50
ROOF	15	$159,692.03	$529.40
SEAWALL	2	$10,500.00	$100.00

City of Rockwall
PERMITS ISSUED - Summary by Type and Subtype
For the Period 9/1/2015 thru 9/30/2015

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
SWIM POOL	11	$643,000.00	$1,653.00
SPECIAL EVENT	22	$0.00	$717.50
	22	$0.00	$717.50
TCO	1	$0.00	$76.50
BUSINESS	1	$0.00	$76.50
Totals:	294	$14,671,433.82	$373,210.63

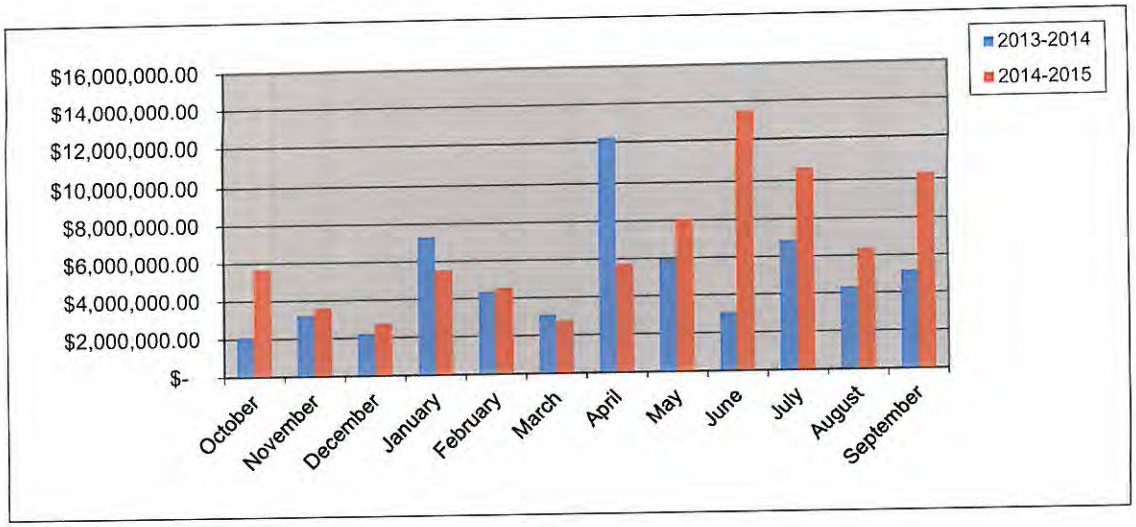
New Residential Value Calendar Year

Year	2014	2015
January	$ 7,288,000.00	$ 5,509,932.00
February	$ 4,353,427.00	$ 4,518,552.00
March	$ 3,094,927.74	$ 2,742,324.00
April	$ 12,228,936.33	$ 5,703,968.00
May	$ 5,960,240.00	$ 8,039,718.52
June	$ 3,048,536.00	$ 13,489,179.50
July	$ 6,883,062.87	$ 10,619,616.00
August	$ 4,330,100.19	$ 6,369,414.00
September	$ 5,184,201.79	$ 10,314,177.00
October	$ 5,661,792.00	
November	$ 3,581,756.00	
December	$ 2,712,503.00	
Totals	**$64,327,482.92**	**$ 67,306,881.02**



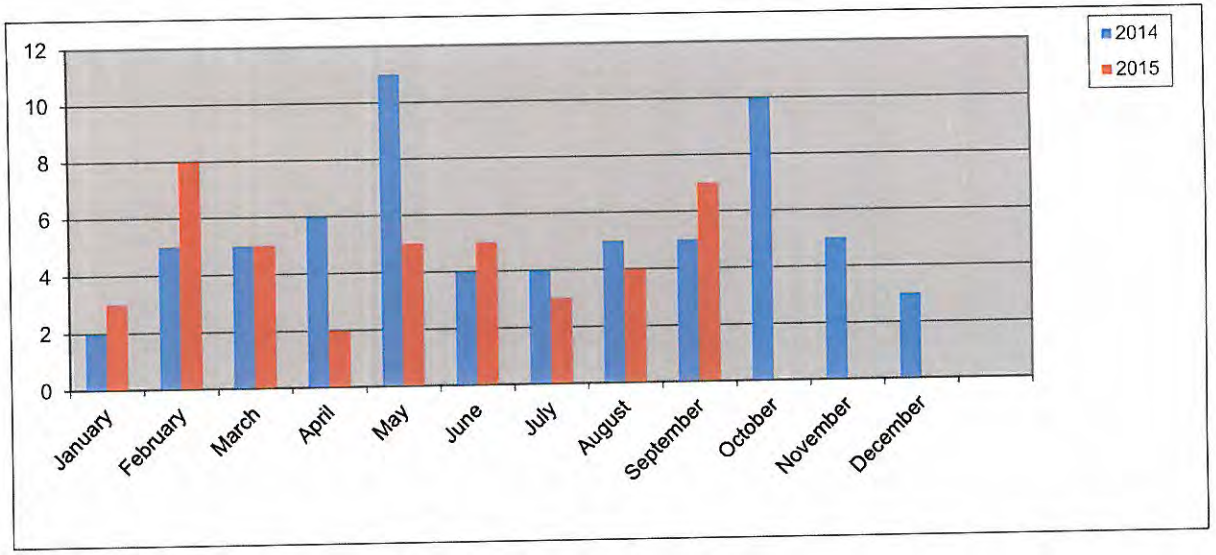
New Residential Value Fiscal Year

Year	2013-2014	2014-2015
October	$ 2,078,584.00	$ 5,661,792.00
November	$ 3,202,067.00	$ 3,581,756.00
December	$ 2,215,924.00	$ 2,712,503.00
January	$ 7,288,000.00	$ 5,509,932.00
February	$ 4,353,427.00	$ 4,518,552.00
March	$ 3,094,927.74	$ 2,742,324.00
April	$ 12,228,936.33	$ 5,703,968.00
May	$ 5,960,240.00	$ 8,039,718.52
June	$ 3,048,536.00	$ 13,489,179.50
July	$ 6,883,062.87	$ 10,619,616.00
August	$ 4,330,100.19	$ 6,369,414.00
September	$ 5,184,201.79	$ 10,314,177.00
Totals	**$59,868,006.92**	**$ 79,262,932.02**



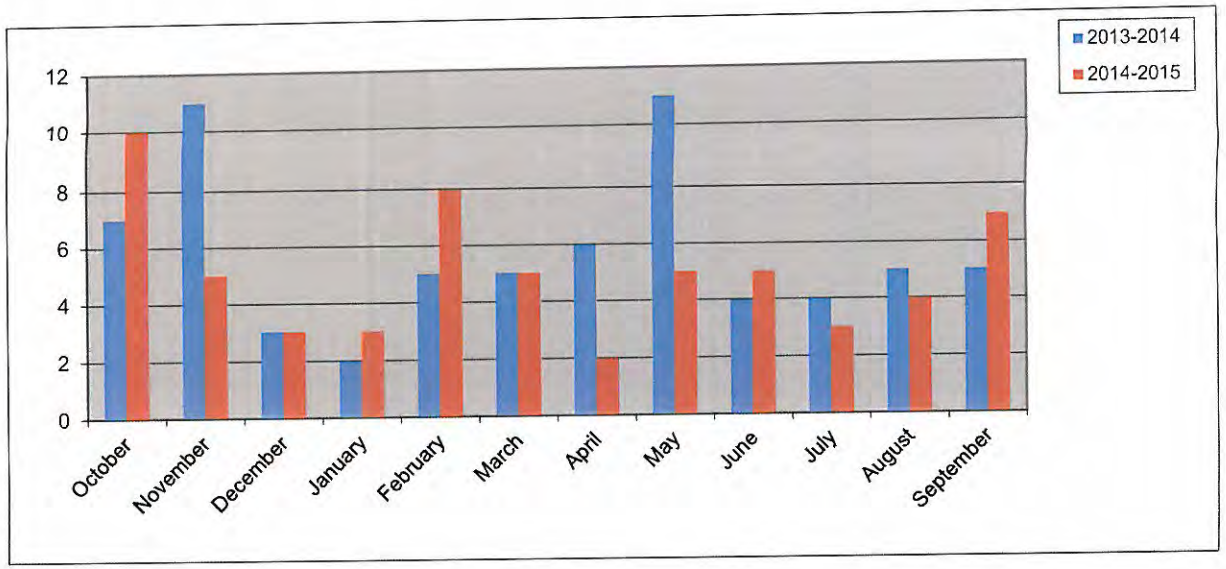
Residential Remodel Permits Calendar Year

	Year	
	2014	2015
January	2	3
February	5	8
March	5	5
April	6	2
May	11	5
June	4	5
July	4	3
August	5	4
September	5	7
October	10	
November	5	
December	3	
Totals	**65**	42



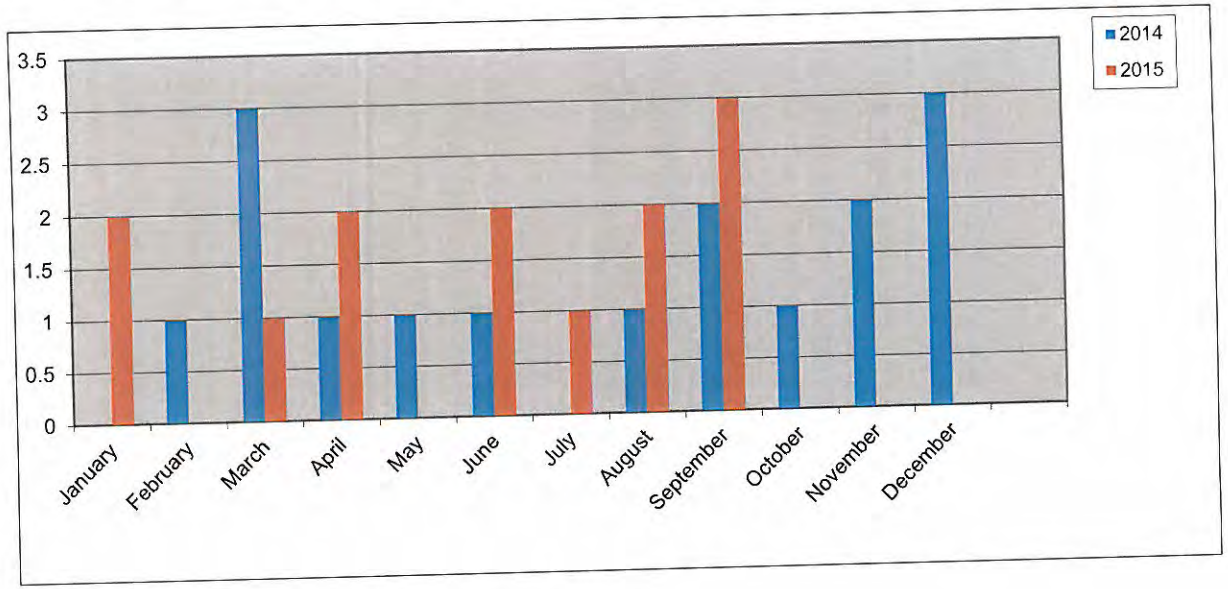
Residential Remodel Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	7	10
November	11	5
December	3	3
January	2	3
February	5	8
March	5	5
April	6	2
May	11	5
June	4	5
July	4	3
August	5	4
September	5	7
Totals	**68**	**60**



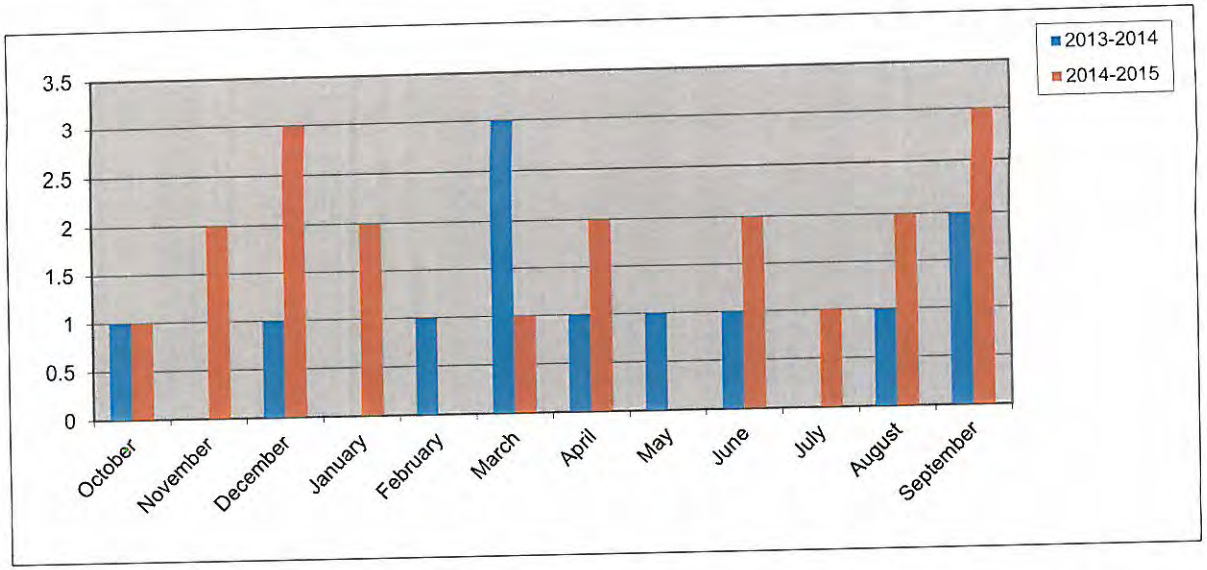
New Commercial Permits Calendar Year

	Year	
	2014	2015
January	0	2
February	1	0
March	3	1
April	1	2
May	1	0
June	1	2
July	0	1
August	1	2
September	2	3
October	1	
November	2	
December	3	
Totals	**16**	**13**



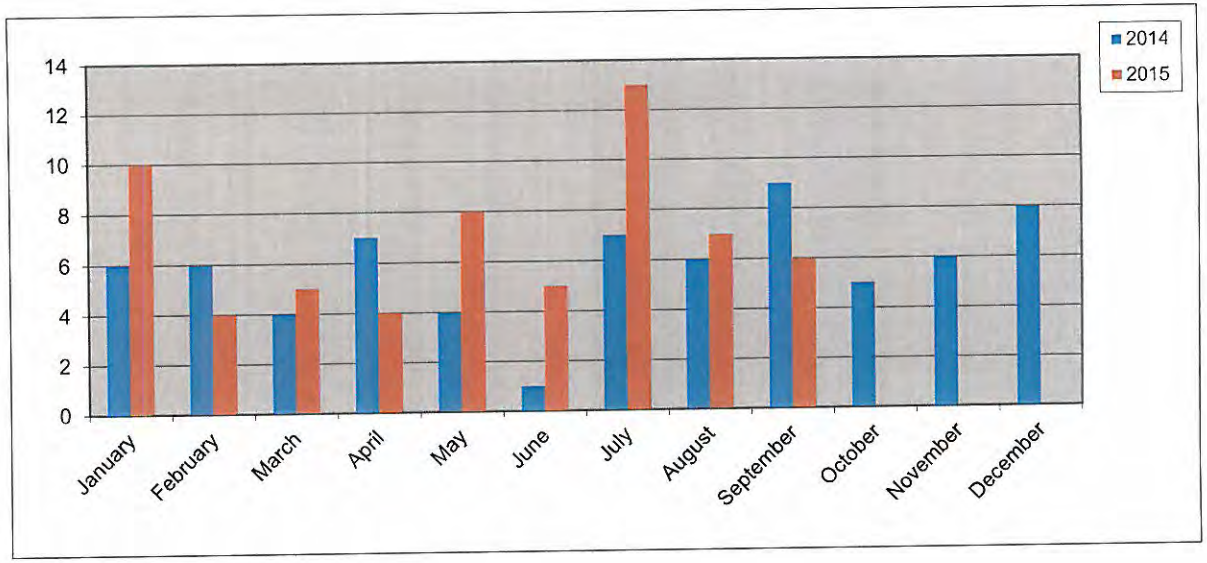
New Commercial Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	1	1
November	0	2
December	1	3
January	0	2
February	1	0
March	3	1
April	1	2
May	1	0
June	1	2
July	0	1
August	1	2
September	2	3
Totals	**12**	**19**



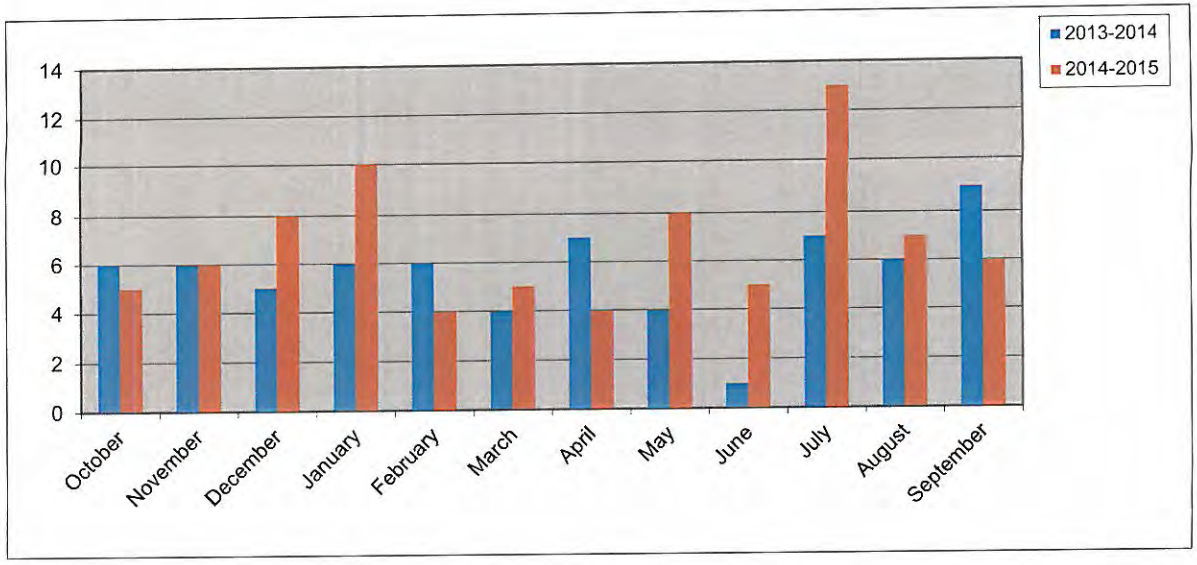
Commercial Remodel Permits Calendar Year

	Year	
	2014	2015
January	6	10
February	6	4
March	4	5
April	7	4
May	4	8
June	1	5
July	7	13
August	6	7
September	9	6
October	5	
November	6	
December	8	
Totals	**69**	**62**



Commercial Remodel Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	6	5
November	6	6
December	5	8
January	6	10
February	**6**	**4**
March	4	5
April	7	4
May	4	8
June	1	5
July	7	13
August	6	7
September	9	6
Totals	**67**	**81**



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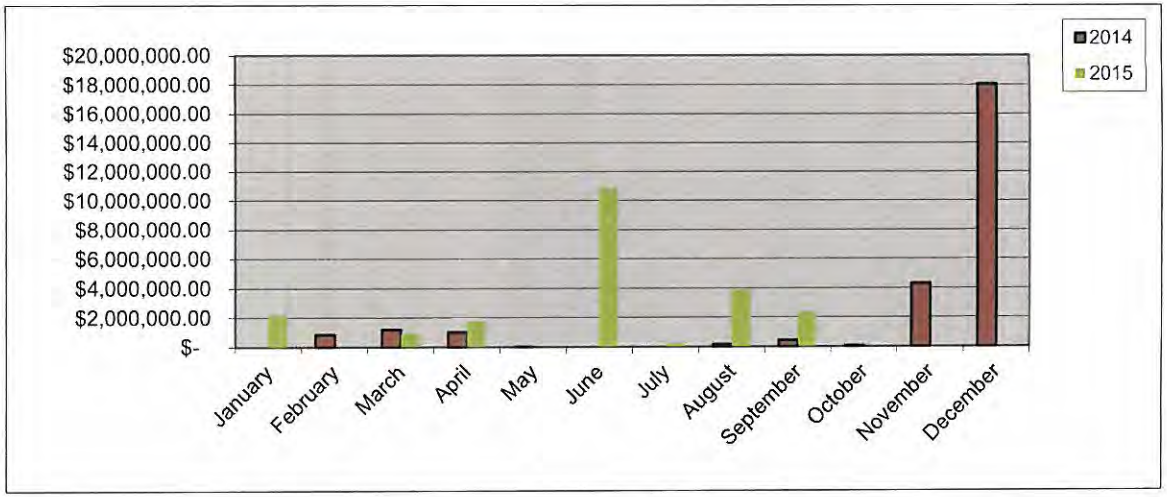
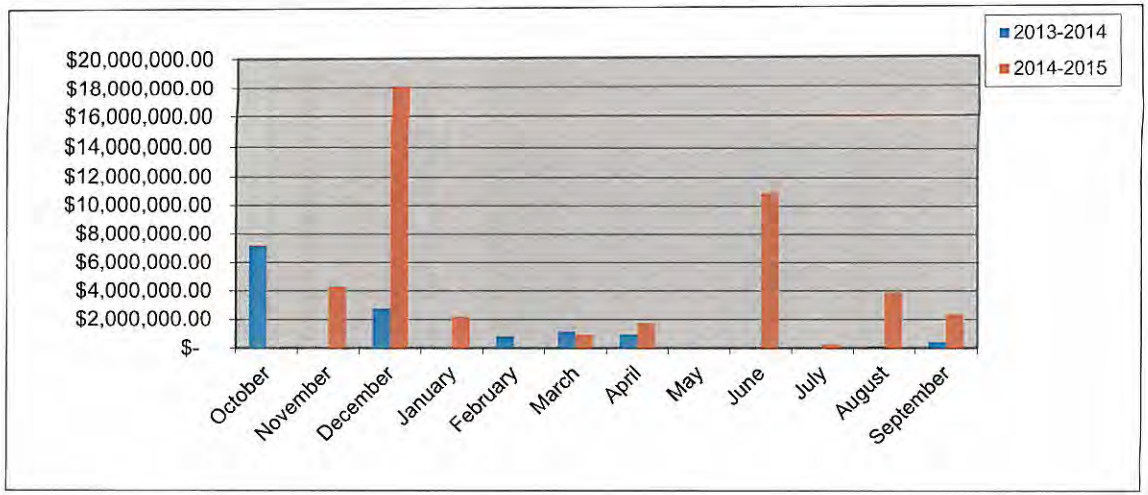
New Commercial Value Calendar Year

Year	2014	2015
January	$ -	$ 2,200,000.00
February	$ 850,000.00	$ -
March	$ 1,185,000.00	$ 930,000.00
April	$ 1,000,000.00	$ 1,780,000.00
May	$ 5,000.00	$ -
June	$ -	$ 10,900,000.00
July		$ 282,279.31
August	$ 150,000.00	$ 3,903,000.00
September	$ 430,795.00	$ 2,370,000.00
October	$ 49,000.00	
November	$ 4,300,000.00	
December	$ 18,050,000.00	
Totals	**$ 26,019,795.00**	**$ 22,365,279.31**



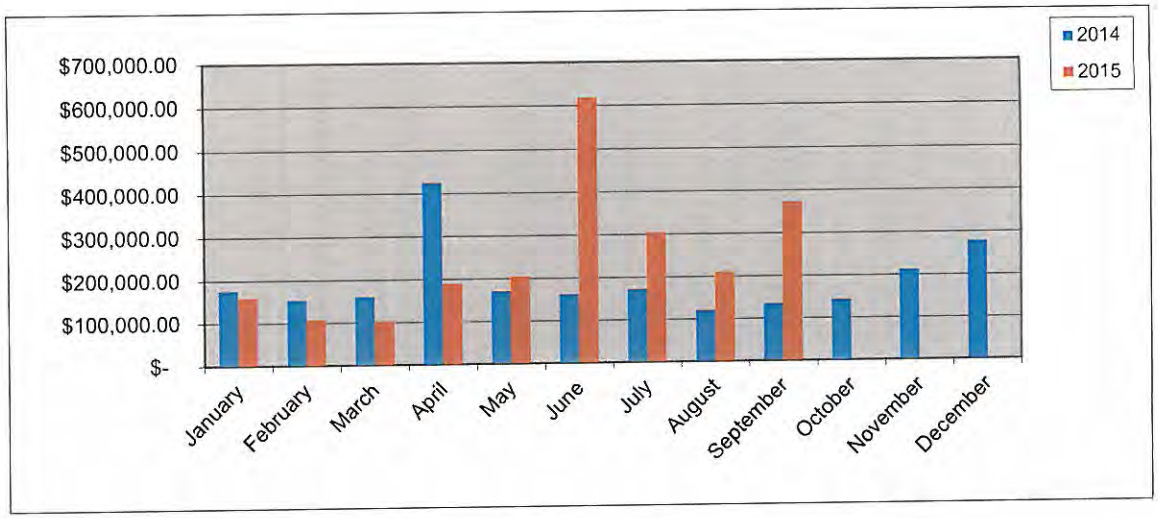
New Commercial Value Fiscal Year

Year	2013-2014	2014-2015
October	$ 7,225,000.00	$ 49,000.00
November	$ -	$ 4,300,000.00
December	$ 2,800,000.00	$ 18,050,000.00
January	$ -	$ 2,200,000.00
February	$ 850,000.00	$ -
March	$ 1,185,000.00	$ 930,000.00
April	$ 1,000,000.00	$ 1,780,000.00
May	$ 5,000.00	$ -
June	$ -	$ 10,900,000.00
July		282279.31
August	$ 150,000.00	$ 3,903,000.00
September	$ 430,795.00	$ 2,370,000.00
Totals	**$ 13,645,795.00**	**$ 44,764,279.31**



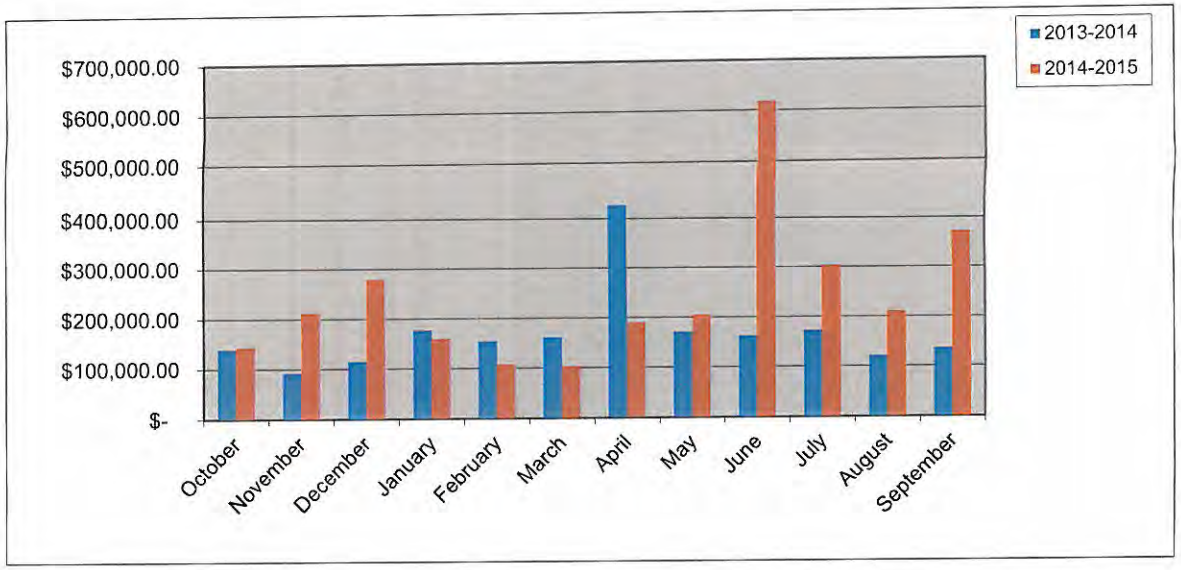
Total Fees Collected Calendar Year

Year	2014	2015
January	$ 176,162.63	$ 159,026.65
February	$ 153,458.98	$ 106,693.21
March	$ 160,530.91	$ 103,029.95
April	$ 425,003.86	$ 189,684.37
May	$ 170,849.07	$ 204,062.18
June	$ 161,690.82	$ 618,061.51
July	$ 172,232.70	$ 303,359.40
August	$ 120,790.39	$ 210,598.47
September	$ 135,478.13	$ 373,210.63
October	$ 143,153.00	
November	$ 212,222.54	
December	$ 277,864.58	
Totals	**$ 2,309,437.61**	**$ 2,267,726.37**



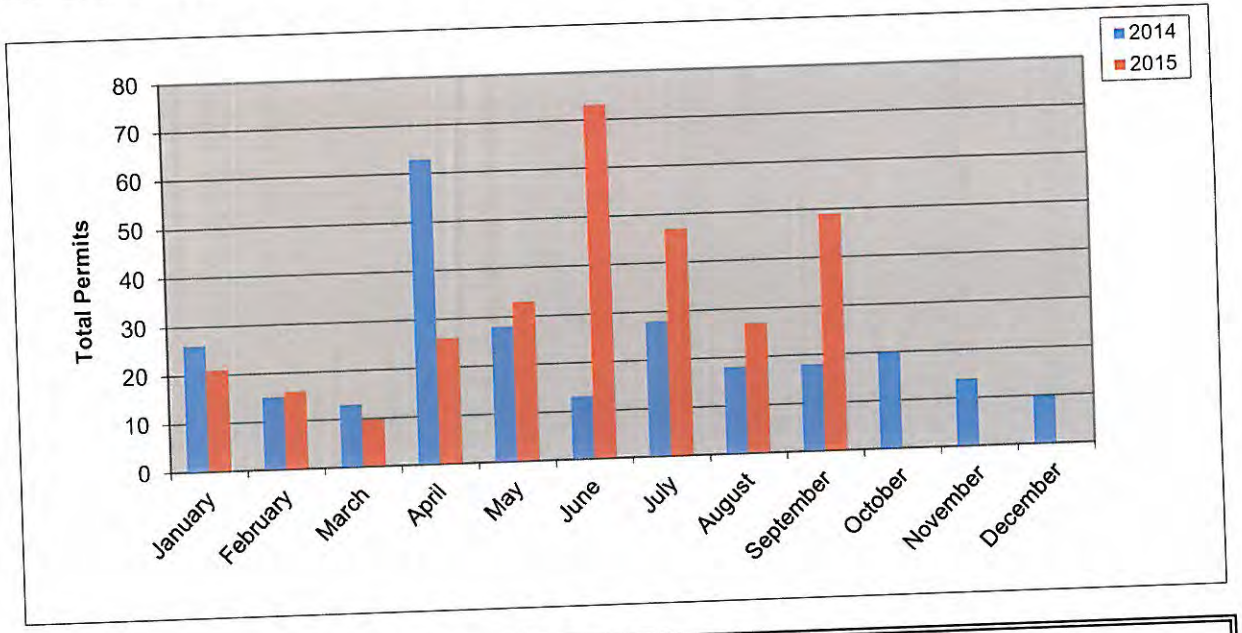
Total Fees Collected Fiscal Year

Year	2013-2014	2014-2015
October	$ 138,771.53	$ 143,153.00
November	$ 91,778.83	$ 212,222.54
December	$ 114,645.28	$ 277,864.58
January	$ 176,162.63	$ 159,026.65
February	$ 153,458.98	$ 106,693.21
March	$ 160,530.91	$ 103,029.95
April	$ 425,003.86	$ 189,684.37
May	$ 170,849.07	$ 204,062.18
June	$ 161,829.08	$ 618,061.51
July	$ 172,232.70	$ 303,359.40
August	$ 120,790.39	$ 210,598.47
September	$ 135,478.13	$ 373,210.63
Totals	**$ 2,021,531.39**	**$ 2,900,966.49**



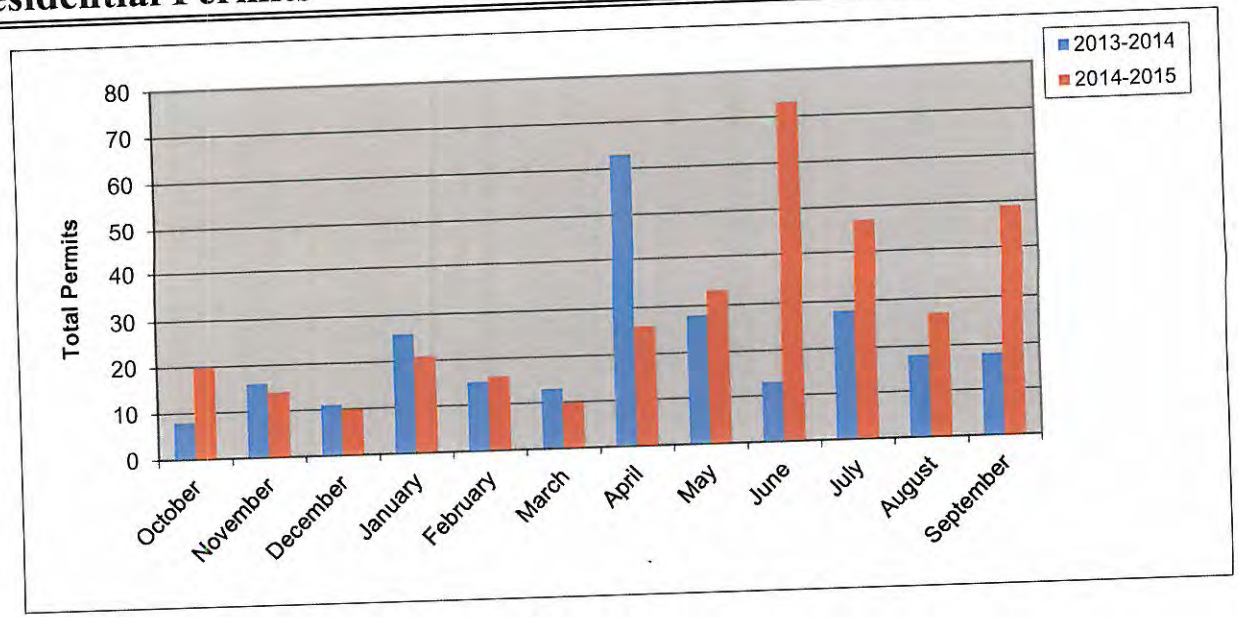
New Residential Permits — Calendar Year

Year	2014	2015
January	26	21
February	15	16
March	13	10
April	63	26
May	28	33
June	13	73
July	28	47
August	18	27
September	18	49
October	20	
November	14	
December	10	
Totals	**266**	**302**



New Residential Permits — Fiscal Year

Year	2013-2014	2014-2015
October	8	20
November	16	14
December	11	10
January	26	21
February	15	16
March	13	10
April	63	26
May	28	33
June	13	73
July	28	47
August	18	27
September	18	49
Totals	**257**	**346**



City of Rockwall

PERMITS ISSUED

For the Period 9/1/2015 thru 9/30/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0064 7/10/2015 9/1/2015	CO BUSINESS ACTIVE	1207 Arista Rd. 101 4009-000A-0010-02-0R HORIZON RIDGE ADDITION J Michael Putman, MD, PA	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address				Phone Number
PLB CONTR	2-B Plumbing	6004 CR 2516	Royse City	TX	75189	(972) 636-2674
APPLICANT	MARGO FOSTER	4135 BLACKHAWK	DANVILLE	CA	94506	(925) 473-1550
ELEC CONTR	Alpha Star Electric	301 Rabbit Ridge Rd.	Heath	TX	75032	(972) 772-0002
OWNER	REALTY, CAPITAL ROCKWAL	ATTN RICHARD MYERS	COLLEYVILLE	TX	76034	(817) 488-4200
BUS OWNER	J Michael Putman MD,PA	1207 Arista Rd. # 101	Rockwall	TX	75032	

CO2015-0076 8/7/2015 9/8/2015	CO BUSINESS Active	2255 Ridge Rd. 150 4300-000A-0003-00-0R LAKEWOOD PARK Guaranty Bank	0.00	$ 75.00 0	$ 75.00	

Contact Type	Contact Name	Contact Address				Phone Number
BUS OWNER	Guaranty Bank	2255 Ridge Rd #150	Rockwall	TX	75087	(972) 722-3001
OWNER	DAKIER, PARTNERS LTD		ROCKWALL	TX	75087	
APPLICANT	FAST-TRAK CONSTRUCTION,	1150 EMPIRE CENTRAL PL. #124	Dallas	TX	75247-431	(214) 638-0525
INSP RPT EMAIL	FAST-TRAK CONSTRUCTION,	1150 EMPIRE CENTRAL PL. #124	Dallas	TX	75247-431	(214) 638-0525
CONTRACTOR	FAST-TRAK CONSTRUCTION,	1150 EMPIRE CENTRAL PL. #124	Dallas	TX	75247-431	(214) 638-0525
MECH CONTR	n/a					
PLB CONTR	n/a					
ELEC CONTR	HIGHLAND VILLAGE ELECTR	2 HILLVIEW CRT.	HICKORY CREEK	TX	75065	(862) 741-0176

CO2015-0077 8/13/2015 9/28/2015	CO BUSINESS ACTIVE	2010 INDUSTRIAL 601 4824-0000-0002-00-0R INDUSTRIAL ADDITION ULTRASOUND FLUID TECH SOLUTIONS	0.00	$ 75.00 0	$ 75.00	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	ROCKWALL, STEEL CO	503 BRIARCREST CIR.	HEATH	TX	75032	
APPLICANT	BLAKE BUCHANAN	2010 INDUSTRIAL BLVD. # 601	ROCKWALL	TX	75087	(972) 772-4487
BUS OWNER	BLAKE BUCHANAN	2010 INDUSTRIAL BLVD. # 601	ROCKWALL	TX	75087	
BUSINESS	ULTRASOUND FLUID TECH					

CO2015-0080 8/19/2015 9/1/2015	CO INTERIOR ACTIVE	3018 Ridge Rd 130 4818-000A-0002-00-0R ROCKWALL ASSISTED LIVING ADDITION Coldwell Banker Residential Sales	0.00	$ 76.50 0	$ 76.50	

Contact Type	Contact Name	Contact Address				Phone Number
OWNER	AJ, SQUARED LLC	271 RABBIT RIDGE	HEATH	TX	75087	(469) 338-2397

City of Rockwall
PERMITS ISSUED
For the Period 9/1/2015 thru 9/30/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number			Valuation	Total Fees / Total SQFT	Fees Paid
APPLICANT	Ken Morris	3614 Long Parairie Road	FLOWER MOUND	TX 75022			(972) 771-9001
BUS OWNER	Coldwell Banker NRT	3614 Long Prairie Road	Flower Mound	TX 75022			(972) 711-9001
CO2015-0081	CO	103 KENWAY DR 4098-000A-0001-00-0R			0.00	$ 76.50	$ 76.50
8/19/2015 9/28/2015	BUSINESS ACTIVE	KENWAY HILL ADDN MARY LUZ BEAUTY SALON				0	
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	KNIGHTSBRIDGE, HOLDING C	116 KENWAY ST.	ROCKWALL	TX 75087			(214) 803-3108
BUS OWNER	PEDRO BARRIOS & BANIA CU	103 KENWAY ST.	ROCKWALL	TX 75087			(903) 407-1054
BUSINESS	MARU LUZ BEAUTY SALON	103 KENWAY ST.	ROCKWALL	TX 75087			(972) 722-2281
CO2015-0082	CO	254 Ranch Trail 4720-0000-0013-00-0R			0.00	$ 75.00	$ 75.00
8/20/2015 9/8/2015	BUSINESS ACTIVE	RAINBOW ACRES Patriot Paws Service Dogs				0	
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	JERRY, KISICK CUSTOM HOM	PROFIT SHARING TRUST	DALLAS	TX 75252			
APPLICANT	Adam Cunningham	254 Ranch Trail	Rockwall	TX 75032			(972) 772-3282
BUS OWNER	Lori Stevens	254 Ranch Trail	Rockwall	TX 75032			(972) 772-3282
BUSINESS	Patriot Paws Service Dogs						
CO2015-0083	CO	272 Ranch Trail 4374-000A-0004-00-0R			0.00	$ 75.00	$ 75.00
8/20/2015 9/8/2015	BUSINESS ACTIVE	MAVERICK RANCH Patriot Paws Service Dogs				0	
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	JERRY, KISICK CUSTOM HOM	LORI STEVENS	ROCKWALL	TX 75032			
APPLICANT	Adam Cunningham	254 Ranch Trail	Rockwall	TX 75032			(972) 772-3282
BUS OWNER	Lori Stevens	272 Ranch Trail	Rockwall	TX 75032			(972) 772-3282
BUSINESS	Patriot Paws Service Dogs						
CO2015-0084	CO	2740 SH 276 200 3947-0001-0003-00-0R			0.00	$ 76.50	$ 76.50
8/20/2015 9/22/2015	BUSINESS Active	HIGHWAY 276 SELF STORAGE Allstate				0	
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	LYNSTAR, LLC		ROCKWALL	TX 75087			
APPLICANT	Mike Jones	6271 CR 2560	Royse City	Tx 75189			(972) 722-0601
BUS OWNER	Mike Jones	2740 SH 276, # 200	Rockwall	TX 75087			(972) 722-0601
BUSINESS	Allstate						

City of Rockwall
PERMITS ISSUED
For the Period 9/1/2015 thru 9/30/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0085 8/20/2015 9/18/2015	CO BUSINESS ACTIVE	2455 RIDGE RD 115 4854-000A-0009-00-0R ROCKWALL TOWNE CENTRE PH 3 Buffet City	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address			Phone Number
APPLICANT	JEONG HOON SONG	3908 HOGAN MANOR	Plano	TX 75025	
INSP RPT EMAIL	JEONG HOON SONG	3908 HOGAN MANOR	Plano	TX 75025	
CONTRACTOR	JEONG HOON SONG	3908 HOGAN MANOR	Plano	TX 75025	
BUS OWNER	JEONG HOON SONG	3908 HOGAN MANOR	Plano	TX 75025	
BUSINESS	BUFFET CITY	2455 RIDGE ROAD STE 115	ROCKWALL	TX 75087	
OWNER	ROCKWALL, OCEANHILL LLC	C/O RASAR INC		CA	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0087 8/25/2015 9/14/2015	CO BUSINESS ACTIVE	2009 INDUSTRIAL 4824-0000-0001-00-0R ELLIS CENTRE 2 ALPHAGRAPHICS	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address			Phone Number
BUS OWNER	Butch Clark	2005 Hudson	Rowlett	TX 75088	
BUSINESS	ALPHAGRAPHICS	308 E WASHINGTON	ROCKWALL	TX 75087	(972) -77-1-67
OWNER	ROCKWALL, STEEL CO		HEATH	TX 75032	
APPLICANT	Butch Clark	2005 Hudson	Rowlett	TX 75088	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0091 8/31/2015 9/28/2015	CO BUSINESS Active	481 IH 30 3245-0000-0003-00-0R CARLISLE PLAZA ADDN Cricket Wireless	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address			Phone Number
OWNER	BENT, TREE REALTY CO		ADDISON	TX 75001	
APPLICANT	J. H. Kim	8664 Marion Dr.	Frisco	TX	(214) 566-9374
BUS OWNER	J. H. Kim	481 E. IH 30	Rockwall	TX 75087	(214) 566-9374

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0092 9/1/2015 9/28/2015	CO BUSINESS ACTIVE	2927 Ridge Rd. 105 4009-000A-0019-00-0R RDI RETAIL ADDITION City Hibatchi	0.00	$ 75.00 0	$ 0.00

Contact Type	Contact Name	Contact Address			Phone Number
OWNER	REGENCY, CENTERS LP		CINCINNATI	OH 45202	
APPLICANT	Jeff Wang	9018 Woodlake Dr.	Rowlett	TX 75088	(972) 722-2888
INSP RPT EMAIL	Jeff Wang	2927 Ridge Rd, #105	Rockwall	TX 75032	(972) 722-2888
CONTRACTOR	Jeff Wang	2927 Ridge Rd, #105	Rockwall	TX 75032	(972) 722-2888

City of Rockwall
PERMITS ISSUED
For the Period 9/1/2015 thru 9/30/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number			Valuation	Total Fees / Total SQFT	Fees Paid
BUS OWNER	Jeff Wang	2927 Ridge Rd, #105	Rockwall	TX 75032			(972) 722-2888
BUSINESS	City Hibatchi						
CO2015-0093	CO	3013 Ridge Rd. 102 4009-000A-0013-00-0R			0.00	$ 75.00	$ 0.00
9/3/2015 9/9/2015	BUSINESS ACTIVE	HORIZON RIDGE ADDITION Integrity Mortgage				0	
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
OWNER	PS5, PROPERTIES LLC	PO BOX 595261	DALLAS	TX 75359			(214) 540-9469
APPLICANT	Roger Bazzell	616 Sorita Circle	Heath	TX 75032			(214) 342-0044
BUS OWNER	Roger Bazzell	3013 Ridge Rd #102	Rockwall	TX 75032			(214) 342-0044
CO2015-0094	CO	331 County Line Rd. 0080-0000-0020-01-0R			0.00	$ 75.00	$ 75.00
9/4/2015 9/11/2015	BUSINESS ACTIVE	SUNRISE PRODUCTS INC.				0	
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
CONTRACTOR	MICAHEL PIPER	2312 SERENTIY LN.	HEATH	TX 75032			(972) 722-2098
OWNER	BUFFALO, CREEK BUSINESS I		ROYSE CITY	TX 75189			
APPLICANT	MICAHEL PIPER	2312 SERENTIY LN.	HEATH	TX 75032			(972) 722-2098
BUS OWNER	MICAHEL PIPER	2312 SERENTIY LN.	HEATH	TX 75032			(972) 722-2098
BUSINESS	SUNRISE PRODUCTS						
CO2015-0095	CO	2850 Shoreline Trl. 100 4941-000A-0005-00-0R			0.00	$ 75.00	$ 75.00
9/9/2015 9/28/2015	BUSINESS ACTIVE	SHORELINE PLAZA ADDITION Re/Max Landmark				0	
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
BUS OWNER	Teresa Roberts	2850 Shoreline Trl. # 100	Rockwall	TX 75032			(972) 524-2525
OWNER	LAKE, FRONT TRAIL LP		HEATH	TX 75032			
APPLICANT	Teresa Roberts	608 Moraine Way	Heath	TX 75032			(972) 524-2525
CONTRACTOR	L & M General Contractors	166 Yorkshire Dr.	Rockwall	TX 75032			(972) 983-2222
INSP RPT EMAIL	L & M General Contractors	166 Yorkshire Dr.	Rockwall	TX 75032			(972) 983-2222
CO2015-0096	CO	1037 IH 30 104 4831-0000-0009-00-0R			0.00	$ 76.50	$ 76.50
9/16/2015 9/28/2015	INTERIOR ACTIVE	ROCKWALL BUSINESS PARK EAST Chico				0	
Contact Type	**Contact Name**	**Contact Address**					**Phone Number**
BUS OWNER	CHICOS FAS	11215 METRO P ARKWAY	Fort Myers	FL 33966			
BUSINESS	CHICO						

City of Rockwall
PERMITS ISSUED
For the Period 9/1/2015 thru 9/30/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
OWNER	EXCEL, ROCKWALL LLC	BOUNTIFUL UT 84010			
CONTRACTOR	Management Resource Systems	1907 Baker Rd. High Point NC 27263			(336) 861-1960
MECH CONTR	COX AIR CONDITIONING & H	3214 E BELTLINE RD. FARMERS BRANCH TX 75234			(972) 919-4417
PLB CONTR	Saffell Plumbing	P. O. BOX 150347 DALLAS TX 75315-034			(214) 426-2355
ELEC CONTR	WALSH SERVICE GROUP, LLC	6301 INSPIRATION POINT Arlington TX 76016			(817) 861-6933
APPLICANT	A. Wells / Shemshock				
INSP RPT EMAIL	Management Resource Systems	1907 Baker Rd. High Point NC 27263			(336) 861-1960
CO2015-0097	CO	1037 IH 30 103	0.00	$ 76.50	$ 76.50
		4831-0000-0009-00-0R			
9/16/2015	INTERIOR	ROCKWALL BUSINESS PARK EAST			
9/25/2015	ACTIVE	Soma		0	

Contact Type	Contact Name	Contact Address			Phone Number
OWNER	EXCEL, ROCKWALL LLC	BOUNTIFUL UT 84010			
CONTRACTOR	Management Resource Systems	1907 Baker Rd. High Point NC 27263			(336) 861-1960
MECH CONTR	COX AIR CONDITIONING & H	3214 E BELTLINE RD FARMERS BRANCH TX 75234			(972) 919-4417
PLB CONTR	Saffell Plumbing	P. O. BOX 150347 DALLAS TX 75315-034			(214) 426-2355
ELEC CONTR	WALSH SERVICE GROUP, LLC	6301 INSPIRATION POINT Arlington TX 76016			(817) 861-6933
APPLICANT	A. Wells / Shemshock				
INSP RPT EMAIL	Management Resource Systems	1907 Baker Rd. High Point NC 27263			(336) 861-1960
BUS OWNER	Chicos FAS	11215 Metro Parkway Fort Myers FL 33966			(239) 565-3637
CO2015-0098	CO	1037 IH 30 100	0.00	$ 75.00	$ 75.00
		4831-0000-0009-00-0R			
9/18/2015	INTERIOR	ROCKWALL BUSINESS PARK EAST			
9/28/2015	ACTIVE	JAMES AVERY JEWELRY		0	

Contact Type	Contact Name	Contact Address			Phone Number
BUS OWNER	JAMES AVERY	1037 IH 30 STE 100 ROCKWALL TX 75087			
BUSINESS	JAMES AVERY JEWELRY	1037 IH 30 STE 100 ROCKWALL TX 75087			
OWNER	EXCEL, ROCKWALL LLC	BOUNTIFUL UT 84010			
CONTRACTOR	EIB Contractors, Inc.	5416 Schertz Rd. San Antonio TX 78233			(210) 650-9494
MECH CONTR	TOM'S MECHANCAL	P O BOX 6007 Arlington TX 76005			(817) 277-4493
PLB CONTR	Saffell Plumbing	P. O. BOX 150347 DALLAS TX 75315-034			(214) 426-2355
ELEC CONTR	TLCSA ELECTRICAL CONTRA	5331 MCCULLOUGH SAN ANTONIO TX 78212			(210) 559-5807
APPLICANT	Wendi w/ Permits unlimited				(980) 875-1990
CO2015-0099	CO	1037 IH-30	0.00	$ 75.00	$ 75.00
		4831-0000-0009-00-0R			
9/21/2015	SHELL	ROCKWALL BUSINESS PARK EAST			
9/25/2015	ACTIVE	Plaza Rockwall - Shell bldg CO		0	

Contact Type	Contact Name	Contact Address			Phone Number
OWNER	EXCEL, ROCKWALL LLC	BOUNTIFUL UT 84010			

City of Rockwall

PERMITS ISSUED

For the Period 9/1/2015 thru 9/30/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number			Valuation	Total Fees / Total SQFT	Fees Paid
APPLICANT	EXCEL, ROCKWALL LLC		BOUNTIFUL	UT	84010		
BUS OWNER	Excel, Rockwall LLC	2100 W. 7th St	Ft Worth	TX	76107		(817) 233-7739

19 **Permits Issued from: 9/1/2015** **Thru: 9/30/2015**

Total Valuation: $ 0.00
Total Fees: $ 1,437.00
Total Fees Paid: $ 1,287.00

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CALLS BY TYPE

SEPTEMBER 2015

City of Rockwall
The Next Horizon

CITY CALLS Situation Type	September #
111 Building fire	3
131 Passenger vehicle fire (cars, pickups, SUV's)	2
143 Grass fire	1
151 Outside rubbish, trash or waste fire	2
311 Medical assist, assist EMS crew	5
322 Motor vehicle accident with injuries	5
324 Motor vehicle accident with no injuries.	9
331 Lock-in (if lock out , use 511)	1
365 Watercraft rescue	1
412 Gas leak (natural gas or LPG)	9
413 Oil or other combustible liquid spill	1
424 Carbon monoxide incident	1
440 Electrical wiring/equipment problem, other	1
444 Power line down	4
445 Arcing, shorted electrical equipment	1
550 Public service assistance, other	1
551 Assist police or other governmental agency	9
553 Public service	1
556 Public service - Non paged	15
611 Dispatched & canceled en route	2
622 No incident found on arrival at dispatch	1
651 Smoke scare, odor of smoke	4
730 System malfunction, other	1
733 Smoke detector activation due to malfunction	3
735 Alarm system sounded due to malfunction	3
736 CO detector activation due to malfunction	2
740 Unintentional transmission of alarm, other	3
743 Smoke detector activation, no fire -	3
745 Alarm system activation, no fire -	7
746 Carbon monoxide detector activation, no CO	1
Totals:	102

COUNTY CALLS Situation Type	September #
553 Public service	1
Totals:	1

MUTUAL AID CALLS Situation Type	September #
551 Assist police or other governmental agency	1
611 Dispatched & canceled en route	2
Totals:	3

Total Dollar Losses

September 2015

City of Rockwall
The New Horizon

Rockwall Fire Department

Print Date/Time: 10/22/2015 16:35
Login ID: rck\ckindred
Layer: All
Areas: All

ORI Number: TX504
Incident Type: All
Station: All

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$381,587.00	$3,000.00	$0.00	$929,517.24	$257,560.00
Total Content Loss:	$59,476.10	$1,500.00	$0.00	$416,171.70	$91,846.00
Total Property Pre-Incident Value:	$2,626,206.00	$7,965,432.90	$400.00	$11,843,531.40	$316,130.00
Total Contents Pre-Incident Value	$405,904.40	$4,779,259.70	$0.00	$5,994,220.10	$187,944.00
Total Losses:	$441,063.10	$4,500.00	$.00	$1,345,688.94	$441,063.10
Total Value:	$3,032,110.40	$12,744,692.60	$400.00	$17,837,751.50	$504,074.00

CITY RESPONSE
SEPTEMBER 2015

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes	19 of 21 90.47% Criteria Met	0- 1 1/2 MINUTES	1 of 2 50.00% Criteria Not Met
CRITERIA MET %		CRITERIA MET %	
CRITERIA -ACHIEVE RESPONSE TIME		CRITERIA -ACHIEVE RESPONSE TIME	
90% OF TIME IN BOXES WITH		60% OF TIME IN BOXES WITH	
STATIONS		STATIONS	
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES	19 of 21 90.47% Criteria Met	0-6 MINUTES	0 of 2 0% Criteria Not Met
CRITERIA MET %		CRITERIA MET %	
CRITERIA -ACHIEVE RESPONSE TIME		CRITERIA -ACHIEVE RESPONSE TIME	
90% OF TIME IN BOXES WITH		60% OF TIME IN BOXES WITH	
STATIONS		STATIONS	
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES	20 of 21 95.23% Criteria Met	0-7 1/2 MINUTES	2 of 2 100% Criteria Not Met
CRITERIA MET%		CRITERIA MET%	
CRITERIA -ACHIEVE RESPONSE TIME		CRITERIA -ACHIEVE RESPONSE TIME	
90% OF TIME IN BOXES WITH		60% OF TIME IN BOXES WITH	
STATIONS		STATIONS	

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COUNTY AND MUTUAL AID
RESPONSE
SEPTEMBER 2015

COUNTY/MUTUAL	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	0 of 1
CRITERIA -ACHIEVE RESPONSE TIME	0.00%
60% OF TIME IN BOXES WITH	Criteria not met
STATIONS	
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	1 of 1
CRITERIA -ACHIEVE RESPONSE TIME	100.00%
60% OF TIME IN BOXES WITH	Criteria Met
STATIONS	
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	
CRITERIA MET%	1 of 1%
CRITERIA -ACHIEVE RESPONSE TIME	100.00%
60% OF TIME IN BOXES WITH	Criteria Met
STATIONS	

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ENROUTE OVERAGES
CITY CALLS
SEPTEMBER 2015

Venue	Alarm Date	Alarm time	Enroute Time	PAGED TO ENROUTE	Inc. Number	Fire Incident Station	Lights and Sirens	Apparatus	REASON FOR OVERAGES
Rockwall	09/25/2015	23:25:47	23:27:55	0:02:08	2015-00000851	Rockwall 3	Code 3	E3	E-3 Did Not Check Enroute
Rockwall	09/18/2015	03:18:15	03:20:02	0:01:47	2015-00000830	Rockwall 2	Code 3	E2	CAD times don't match radio times
Rockwall	09/08/2015	18:03:23	18:04:48	0:01:25	2015-00000797	Rockwall 1	Code 3	E4	CAD times don't match radio times

0:00:55

ARRIVAL OVERAGES
CITY CALLS
SEPTEMBER 2015

Venue	Alarm Date	Enroute Time	Arrival Time	ENROUTE TO ARRIVAL	Inc. Number	Fire Incident Station	Lights and Sirens	Apparatus	REASON FOR OVERAGES
Rockwall	09/12/2015	17:52:18	18:00:13	0:07:55	2015-00000806	Rockwall 2	Code 3	BT2	Chandler's Speed Bumps
Rockwall	09/08/2015	18:04:48	18:11:43	0:06:55	2015-00000797	Rockwall 1	Code 3	E4	Response to Area without station
Rockwall	09/16/2015	18:43:51	18:50:14	0:06:23	2015-00000826	Rockwall 4	Code 3	E4	E-4 reduced code while enroute
Rockwall	09/10/2015	16:05:18	16:11:36	0:06:18	2015-00000800	Rockwall 1	Code 3	E1	Response to Area without station

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RESPONSE OVERAGES
CITY CALLS
SEPTEMBER 2015

Venue	Alarm Date	Alarm time	Arrival Time	RESPONSE	Inc. Number	Fire Incident Station	Lights and Sirens	Apparatus	REASON FOR OVERAGES
Rockwall	09/12/2015	17:51:12	18:00:13	0:09:01	2015-00000806	Rockwall 2	Code 3	BT2	Chandler's Speed Bumps

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COUNTY CALLS
ENROUTE OVERAGE
SEPTEMBER 2015

Venue	Alarm Date	Alarm time	Enroute Time	Paged to Enroute	Inc. Number	Fire Incident Station	Apparatus	Lights and Sirens	REASON FOR OVERAGES
Rockwall County	09/01/2015	21:08:21	21:10:23	0:02:02	2015-00000765	Rockwall 3	BT3	Code 3	Delay in dispatch due to Fate Call

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City of Rockwall

CALLS BY TYPE - September 2015

Alarm Calls	September
745 Alarm system activation, no fire - unintentional	7
735 Alarm system sounded due to malfunction	3
746 Carbon monoxide detector activation, no CO	2
736 Carbon monoxide detector activation due to malfunction	1
744 Detector activation, no fire - unintentional	0
733 Smoke detector activation due to malfunction	3
743 Smoke detector activation, no fire - unintentional	0
740 Unintentional transmission of alarm, other	0
Total for Month:	**16**

To: Chief Poindexter
From: BC Merritt
Re: Structure Fire
Date: September 28, 2015

790 Barrymore

We responded to a report of a structure fire on Friday night September 25, 2015 at 790 Barrymore. Large flames could be seen by all incoming units while enroute to the location. The first unit on arrived on scene and confirmed a one story house with heavy flames showing from the roof. The home was determined to be under construction and unoccupied. The decision was made to make a defensive attack and all firefighters were kept from entering the structure and the fire was controlled from the exterior. Precautions were also taken to make sure that no surrounding structures were affected by this fire. The initial home was a total loss and no other structures were damaged.

Dispatch Time: 23:26.04
Enroute Time: 23:27.04
On Scene Time: 23:31.05
Clear Time: 01:30.59

4 Men on Scene 23:34.12
8 Men on Scene 23:36.21
12 Men on Scene 23:39.17

Total personnel on scene: 2 Chiefs, 5 on duty personnel, 1 full time off duty, 13 Volunteers, 2 Fire Investigators.

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506 N. Goliad

We responded to a smoke investigation on September 09, 2015. The First engine and Chief Poindexter arrived on scene and observed smoke coming from the roof of the structure. Upon entry into the structure the fire was located upstairs in a room used as an office area. The fire extended partially into a second room upstairs and partially into the attic. The fire was extinguished and there was significant damage as a result of fire, smoke and water. There were no injuries to fire or civilian personnel.

Dispatch Time: 10:28
Enroute Time: 10:28
On Scene Time: 10:31
Clear Time: 11:55
4 men on scene 10:36
12 men on scene 10:39

Total personnel on scene: 5 on duty shift personnel, 3 off duty shift personnel, 6 volunteers, 3 fire marshal staff and 1 chief for a total of 18 personnel on scene.

2065 Kristy Lane

We responded to a report of a commercial fire at unknown address on Kristy Lane. Units were notified Enroute that the address was 2065 Kristy Lane. The first unit on scene arrived and reported heavy smoke showing from the front of the building. Upon entry into the building it was determined that the fire was contained was contained within a large oven inside of the building. The fire was extinguished and no damage was done to the structure of the building. There were no injuries to fire or civilian personnel.

Dispatch Time: 06:56
Enroute Time: 06:57
On Scene Time: 07:01
Clear Time 08:08

4 Men on Scene 07:03
8 Men on Scene 07:05

Total personnel on scene: 4 on duty shift personnel, 4 off duty shift personnel, 11 volunteers, 2 fire investigators and 2 Chiefs for a total of 23 personnel.

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Inspection Status Summary Report

City of Rockwall
The New Horizon

Print Date/Time: 10/27/2015 15:41
Login ID: rck\lbrewer
Inspection Type: *All

From Date: 09/01/2015
To Date: 09/30/2015
Inspection Status: *All

Rockwall Fire Department
FDID Number: TX504
Inspected By: *All

Status	Inspection Type	Total Number of Inspections
Finaled	Annual	6
	Certificate of Occupancy	15
	Construction Final	8
	Courtesy	5
	Fire Alarm System	2
	Fire Spinkler System	3
	Flow Test	2
	Go Vertical	1
	Knox Box	2
	Total Finaled :	**44**
Pending	Annual	4
	Certificate of Occupancy	14
	Construction Final	9
	Dry System Acceptance Test	1
	Fire Alarm System	2
	Fire Spinkler System	6
	Follow Up	1
	Underground Fire Line	3
	Total Pending :	**40**
	Total :	**84**

Fire Investigation Status Summary

City of Rockwall

Print Date/Time: 10/27/2015 15:42
Login ID: rck\lbrewer
Status: All

From Date: 09/01/2015
To Date: 09/30/2015
Investigation Type: All

Rockwall Fire Department
FDID Number: TX504

Status	Investigation Type		Total Number of Investigations
Admin Closed/Invest Suspended	Undetermined		1
		Total Admin Closed/Invest Suspended :	1
Active (Open)	No Investigations Exist For This Status		
		Total Active (Open) :	0
Admin Closed- no crimel incident	Undetermined		1
	Accidental		1
		Total Admin Closed- no crimel incident :	2
Closed - by arrest/case to DA	No Investigations Exist For This Status		
		Total Closed - by arrest/case to DA :	0
Pending Final Report	No Investigations Exist For This Status		
		Total Pending Final Report :	0
		Total :	3

Fire Permit Listing

City of Rockwall

Print Date/Time: 10/27/2015 15:45
Login ID: rck\lbrewer
Permit Type: All
Permit Number From/To: All

From Application Date: 9/1/2015
Thru Application Date: 9/30/2015
Permit Status: All

Rockwall Fire Department
FDID Number: TX504
Inspector: All

Permit Number	Application Date	Applicant	Location	Permit Type	Status	Status Date
1706	09/02/2015	Alliance Bank	3045 N GOLIAD ST 109 ROCKWALL, TX 75087	Overhead-Sprinkler	Approved	09/02/2015
1707	09/02/2015	megatel	1730 PREAKNESS DR ROCKWALL, TX 75032	Overhead-Sprinkler	Approved	09/16/2015
1708	09/02/2015	megatel	1726 PREAKNESS DR ROCKWALL, TX 75032	Overhead-Sprinkler	Approved	09/16/2015
1709	09/02/2015	megatel,	1734 PREAKNESS DR ROCKWALL, TX 75032	Overhead-Sprinkler	Approved	09/16/2015
1711	09/02/2015	megatel	1802 PREAKNESS DR ROCKWALL, TX 75032	Overhead-Sprinkler	Approved	09/16/2015
1712	09/02/2015	megatel	1806 PREAKNESS DR ROCKWALL, TX 75032	Overhead-Sprinkler	Approved	09/16/2015
1713	09/02/2015	Megatel	1718 PREAKNESS DR ROCKWALL, TX 75032	Overhead-Sprinkler	Approved	09/16/2015
1714	09/02/2015	Megatel	1738 PREAKNESS DR ROCKWALL, TX 75032	Overhead-Sprinkler	Approved	09/16/2015
1715	09/02/2015	Megatel	1748 PREAKNESS DR ROCKWALL, TX 75032	Overhead-Sprinkler	Approved	09/16/2015
1716	09/02/2015	Megatel	1744 PREAKNESS DR ROCKWALL, TX 75032	Overhead-Sprinkler	Approved	09/16/2015
1717	09/02/2015	Megatel	1722 PREAKNESS DR ROCKWALL, TX 75032	Overhead-Sprinkler	Approved	09/16/2015
1718	09/02/2015	Megatel	1710 PREAKNESS DR ROCKWALL, TX 75032	Overhead-Sprinkler	Approved	09/16/2015

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Fire Permit Listing

City of Rockwall

Print Date/Time: 10/27/2015 15:45
Login ID: rck\lbrewer
Permit Type: All
Permit Number From/To: All

From Application Date: 9/1/2015
Thru Application Date: 9/30/2015
Permit Status: All

Rockwall Fire Department
FDID Number: TX504
Inspector: All

1721	09/03/2015	Rockwall Plaza II Bld 10B	1039 E I 30 ROCKWALL, TX 75087	Overhead-Sprinkler	Approved	09/16/2015
1722	09/03/2015	Rockwall Plaza II bld 11A	1067 E I 30 ROCKWALL, TX 75087	Overhead-Sprinkler	Approved	09/16/2015
1723	09/08/2015	Col-Met Spray Booths Shell Building	2975 DISCOVERY BLVD ROCKWALL, TX 75032	Doors-Access Control	Approved	09/16/2015
1725	09/15/2015	Remax Landmark	2850 SHORELINE TRL 101 ROCKWALL, TX 75032	Doors-Access Control	Approved	09/16/2015
1726	09/15/2015	Hilton Hotel	2055 SUMMER LEE DR ROCKWALL, TX 75032	Fire Alarm	Approved	09/17/2015
1728	09/15/2015	KCK Utility	,	Temp Aboveground tank	Approved	09/17/2015
1730	09/16/2015	Rockwall County Veterinary Clinic	2897 SH 66 ROCKWALL, TX 75087	Fire Alarm	Approved	09/17/2015
1731	09/18/2015	Autumn Leaves	225 E RALPH HALL PKWY ROCKWALL, TX 75032	Doors-Access Control	Approved	09/22/2015
1732	09/21/2015	YMCA	1210 N GOLIAD ST ROCKWALL, TX 75087	Bonfire/Rec Fire	Approved	09/21/2015
1734	09/30/2015	Rock Ridge Assisted Living	720 E RALPH HALL PKWY ROCKWALL, TX 75032	Fire Alarm	Approved	10/07/2015

Total Number of Permits: **22**

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 9/1/2015 thru 9/30/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2015-104	07/17/15 COMM	103	503 Goliad N Hazel & Olive - New Construction	DATAR, CORPORATION	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/01/15	09/11/15	09/01/15
BLD2015-127	08/31/15 COMM	58	301 N FANNIN ST Interior / exterior remodel	MORROW, TREVA L	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/01/15		09/01/15
CO2015-0092	09/01/15 CO	57	2927 Ridge Rd. 105 City Hibatchi	REGENCY, CENTERS LP	Ariana Hargrove	FIRE CO	APPROVED	09/01/15	09/04/15	09/01/15
PLB2015-028	09/01/15 COMM	57	2970 HORIZON RD Wells Fargo Bank - replace failed 2" backflow assembly	SOUTHTRUST, BANK	Ariana Hargrove	FIRE 972-772-6431		09/01/15	09/11/15	
SPEC2015-01	08/28/15 SPECIAL EVENT	61	1880 TANNERSON LN HAYS SPOOKTACULAR	ROCKWALL, I S D	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/01/15	09/08/15	09/01/15
PLB2015-028	09/02/15 COMM	56	506 N GOLIAD GAS LINE REPAIR	MEYERS, STUART A & BRENDA S	Ariana Hargrove	FIRE 972-772-6431		09/02/15	09/12/15	
BLD2015-109	07/24/15 COMM	96	6525 FM 3097 NEW ALLIANCE ADDITION PHASE 2 OFFICE BUILDING	ROCKWALL, RENTAL PROPERTIES LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/03/15	09/13/15	09/03/15
BLD2015-130	09/03/15 COMM	55	1005 W RALPH HALL PKWY OBGYN Assoc. of Rockwall - alteration	GA, HC REIT II ROCKWALL MOB LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	09/03/15	09/13/15	09/08/15
BLD2015-130	09/03/15 COMM	55	911 N GOLIAD concrete slab for part of parking lot	HILL, LES & SHARON ANN	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/03/15	09/13/15	09/03/15
CO2015-0093	09/03/15 CO	55	3013 Ridge Rd. 102 Integrity Mortgage	PS5, PROPERTIES LLC	Ariana Hargrove	FIRE CO	APPROVED	09/03/15	09/06/15	09/04/15
ELE2015-004	09/03/15 COMM	55	1998 MIMS RD. CIP - INSTALLING TRAFFIC SIGNATL LIGHT	CITY OF ROCWKALL	Ariana Hargrove	FIRE 972-772-6431		09/03/15	09/13/15	
BLD2015-128	08/31/15 COMM	58	832 Steger Towne Dr. Woof Gang Bakery & grooming	STEGER, DUNHILL LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/04/15	09/14/15	09/04/15
CO2015-0094	09/04/15 CO	54	331 County Line Rd. SUNRISE PRODUCTS INC.	BUFFALO, CREEK BUSINESS PARK LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/04/15	09/14/15	09/04/15
BLD2015-131	09/04/15 COMM	54	615 HIGHLAND DR 24 x 64 PORTABEL BLD FOR CLASSROOMS FOR RISD	ROCKWALL, I S D	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	09/08/15	09/18/15	09/08/15
BLD2015-130	09/03/15 COMM	55	1005 W RALPH HALL PKWY OBGYN Assoc. of Rockwall - alteration	GA, HC REIT II ROCKWALL MOB LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/09/15	09/19/15	09/09/15
CO2015-0095	09/09/15 CO	49	2850 Shoreline Trl. 100 Re/Max Landmark	LAKE, FRONT TRAIL LP	Ariana Hargrove	FIRE CO	APPROVED	09/09/15	09/12/15	09/09/15
MEC2015-01	09/10/15 COMM	48	3150 Horizon Rd. Replace crawl space dehumidifiers-presyterian Hospital	ROCKWALL, REGIONAL HOSPITAL LLP	Ariana Hargrove	FIRE 972-772-6431		09/10/15	09/20/15	

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City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 9/1/2015 thru 9/30/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail: Contact	Review Type	Status	Date Sent	Date Due	Completed
ELE2015-005	09/11/15 COMM	47	481 IH 30 E RUNNING 4 PLUG FOR REGISTER & 3 CIRCUIT. - CRICKETT MOBILE	BENT, TREE REALTY CO	Ariana Hargrove	FIRE 972-772-6431		09/11/15	09/21/15	
PLB2015-029	09/11/15 COMM	47	606 S CLARK ST INSTALL DOUBLE CHECK VALVE	MIKE HOGUE	Ariana Hargrove	FIRE 972-772-6431		09/11/15	09/21/15	
SPEC2015-01	09/11/15 SPECIAL EVENT	47	701 I30 FAMILY FALL FESTIVAL-LAKE POINTE CHURCH	LAKE, POINTE BAPTIST CHURCH	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/11/15	09/18/15	09/14/15
SPEC2015-01	09/11/15 SPECIAL EVENT	47	602 S GOLIAD FALL FESTIVAL @ FBC ROCKWALL	FIRST, BAPTIST CHURCH OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/11/15	09/18/15	09/14/15
BLD2015-107	07/23/15 COMM	97	1301 Summer Lee Dr. Orthopedic Specialists of Dallas	N. Dallas Rockwall Land Investors, llc	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/14/15	09/24/15	09/14/15
BLD2015-118	08/11/15 COMM	78	1320 Summer Lee Dr Lakeside Allergy, ENT -Gregory Young - NEW	TEMUNOVIC, PARTNERSHIP LTD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/14/15	09/24/15	09/14/15
BLD2015-131	09/04/15 COMM	54	615 HIGHLAND DR 24 x 64 PORTABEL BLD FOR CLASSROOMS FOR RISD	ROCKWALL, I S D	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/14/15	09/24/15	09/14/15
BLD2015-136	09/15/15 COMM	43	1070 IH 30 Whataburger - repair to front of bldg from car going through	ALBRITTON, JOHN A	Ariana Hargrove	FIRE 972-772-6431		09/15/15	09/25/15	
MEC2015-01	09/15/15 COMM	43	2915 S GOLIAD Fire Station# 4 - replace 3 ton w/ 5 ton unit & ductwork	CITY, OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431		09/15/15	09/25/15	
CO2015-0096	09/16/15 CO	42	1037 IH 30 104 Chico	EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE CO	APPROVED	09/16/15	09/19/15	09/17/15
CO2015-0097	09/16/15 CO	42	1037 IH 30 103 Soma	EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE CO	APPROVED	09/16/15	09/19/15	09/17/15
BLD2015-118	08/11/15 COMM	78	1350 Summer Lee Dr Lowrence Dental - New	TEMUNOVIC, PARTNERSHIP LTD	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	09/17/15	09/27/15	09/17/15
SPEC2015-01	09/17/15 SPECIAL EVENT	41	2055 WILLIAMS LANDSCAPE SOURCE NURSERY-PUMPKIN PATCH	LANDSCAPE SOURCE & IRRIGATION CO, INC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/17/15	09/24/15	09/21/15
CO2015-0098	09/18/15 CO	40	1037 IH 30 100 JAMES AVERY JEWELRY	EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE CO	APPROVED	09/18/15	09/21/15	09/21/15
BLD2015-125	08/21/15 COMM	68	6540 ALLIANCE DR Alliance Addition ph2 lot 4	ROCKWALL, RENTAL PROPERTIES LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/21/15	10/01/15	09/21/15
CO2015-0099	09/21/15 CO	37	1037 IH-30 Plaza Rockwall - Shell bldg CO	EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE CO	APPROVED	09/21/15	09/24/15	09/21/15
PLB2015-030	09/21/15 COMM	37	705 N GOLIAD ST Gas Test	WAGNER, GERALD P	Ariana Hargrove	FIRE 972-772-6431		09/21/15	10/01/15	
SPEC2015-00	03/16/15 SPECIAL EVENT	226	2055 SUMMER LEE DR U.S. OPEN TRIATHLON	ROCKWALL, HOTEL AND CONFERENCE GROUP INC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/21/15	09/28/15	09/21/15

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City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 9/1/2015 thru 9/30/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
DEM2015-00	09/22/15	36	109 N GOLIAD	K'S, ADVERTISING DALLAS INC THE	Ariana Hargrove	FIRE 972-772-6431		09/22/15	10/02/15	
	COMM		K's Advertising - Interior Demo							
BLD2015-141	09/23/15	35	1415 Goliad St S	HOLDINGS LLC, ROCKWALL ICE CREAM	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	09/23/15	10/03/15	09/28/15
	COMM		Advanced Auto Parts - NEW							
CO2015-0100	09/23/15	35	705 N Goliad St.	WAGNER, GERALD P	Ariana Hargrove	FIRE CO	APPROVED	09/23/15	09/26/15	09/23/15
	CO		Shell CO - Gerald Wagner							
CO2015-0101	09/23/15	35	5133 S FM 549	J, BR2 LLC	Ariana Hargrove	FIRE CO	APPROVED	09/23/15	09/26/15	09/29/15
	CO		THE CORE SPERO ACADEMIC							
CO2015-0102	09/23/15	35	3018 RIDGE RD 120	AJ, SQUARED LLC	Ariana Hargrove	FIRE CO	APPROVED	09/23/15	09/26/15	09/28/15
	CO		The Smiley Tooth							
BLD2015-143	09/25/15	33	whole sub-division ph 4	CITY, OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431		09/25/15	10/05/15	
	COMM		Retaining walls- throughout Lakeview Summit ph 4							
CO2015-0103	09/25/15	33	308 E WASHINGTON	GAREE, MICHAEL A & GEORGIA	Ariana Hargrove	FIRE CO	APPROVED	09/25/15	09/28/15	09/29/15
	CO		Texas Pool Professional							
ELE2015-005	09/25/15	33	665 CORNELIUS RD.	ATMOS ENERGY	Ariana Hargrove	FIRE 972-772-6431		09/25/15	10/05/15	
	COMM		RECTIFIER - METER BASE FOR ELECTRICAL SERVICE FOR ATMOS ENER							
BLD2015-053	04/24/15	187	1700 IH 30	NESBO, LIMITED PARNERSHIP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/28/15	10/08/15	09/28/15
	COMM		Nissan of Rockwall - New Bldg							
CO2015-0104	09/28/15	30	1551 IH 30 300	AM ROCKWALL INVESTMENTS	Ariana Hargrove	FIRE CO	APPROVED	09/28/15	10/01/15	09/28/15
	CO		ROCKWALL HEATING & AIR INC.							
DEM2015-00	09/28/15	30	506 N GOLIAD	MEYERS, STUART A & BRENDA S	Ariana Hargrove	FIRE 972-772-6431		09/28/15	10/08/15	
	COMM		INTERIOR DEMO							
BLD2015-121	08/17/15	72	1005 MOUNTAIN LAKES DR	D R HORTON HOMES	Ariana Hargrove	FIRE 972-772-6431	APPROVED	09/29/15	10/09/15	09/29/15
	COMM		Caruth Lakes - Amenity Center, pavillion & sidewalks							
ELE2015-005	09/29/15	29	612 Limmerhill Dr.		Ariana Hargrove	FIRE 972-772-6431		09/29/15	10/09/15	
	COMM		Charter cable box							
BLD2015-145	09/30/15	28	101 N GOLIAD	SWIERCINSKY, MICHAEL P AND	Ariana Hargrove	FIRE 972-772-6431		09/30/15	10/10/15	
	COMM		REPLACE TREVINO'S ROOF							
SPEC2015-01	09/30/15	28	3375 RIDGE RD	FIRST, CHRISTIAN CHURCH	Ariana Hargrove	FIRE 972-772-6431		09/30/15	10/07/15	
	SPECIAL EVENT		ANNUAL MISTLETOE & HOLLY BAZAAR & FESTIVAL							

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City of Rockwall
Project Routing Report By Date Sent (then by project)
For the Period 9/1/2015 thru 9/30/2015

Project #	Appl. Date / Project Type	Aging	Address / Description	Status / Owner Name	Plan Review Detail: Contact / Review Type	Date Sent / Date Due	Completed / Status
E2005-016	07/06/2015 ENGINEERING	114	LAKESHORE N DR		Ariana Hargrove Engineering: Fire	09/08/2015 09/22/2015	09/09/2015 APPROVED
E2014-021	07/23/2014 ENGINEERING	462	1700 JUSTIN RD		Ariana Hargrove Engineering: Fire	09/21/2015 10/05/2015	09/21/2015 APPROVED
P2015-036	09/14/2015 PLAT	44	803 N GOLIAD		Ariana Hargrove FIRE	09/14/2015 09/21/2015	09/21/2015 APPROVED
P2015-037	09/16/2015 PLAT	42	1615 S GOLIAD ST		Ariana Hargrove FIRE	09/16/2015 09/23/2015	09/21/2015 APPROVED
SP2015-020	08/14/2015 SITE PLAN	75	3011 N GOLIAD ST		Ariana Hargrove FIRE	09/21/2015 09/28/2015	09/21/2015 APPROVED
SP2015-020	08/14/2015 SITE PLAN	75	3011 N GOLIAD ST		Ariana Hargrove FIRE	09/14/2015 09/21/2015	09/14/2015 COMMENTS
SP2015-020	08/14/2015 SITE PLAN	75	3011 N GOLIAD ST		Ariana Hargrove FIRE	09/09/2015 09/16/2015	09/09/2015 COMMENTS
SP2015-021	09/18/2015 SITE PLAN	40	2251 RIDGE RD		Ariana Hargrove FIRE	09/18/2015 09/25/2015	09/21/2015 COMMENTS
SP2015-022	09/18/2015 SITE PLAN	40	AIRPORT RD		Ariana Hargrove FIRE	09/18/2015 09/25/2015	09/21/2015 COMMENTS
Z2015-025	09/01/2015 ZONING	57	770 DAVIS DR		Ariana Hargrove FIRE	09/01/2015 09/08/2015	10/26/2015 APPROVED

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City of Rockwall
Project Routing Report By Date Sent (then by project)
For the Period 9/1/2015 thru 9/30/2015

Project #	Appl. Date / Project Type	Aging	Address / Description	Status / Owner Name	Plan Review Detail: Contact / Review Type	Date Sent / Date Due	Completed / Status
Z2015-026	09/11/2015 ZONING	47	QUAIL RUN RD		Ariana Hargrove FIRE	09/11/2015 09/18/2015	09/21/2015 APPROVED W/ CON

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City of Rockwall
GIS Department Report
September 2015

GIS Project Request:

Month	2007	2008	2009	2010	2011	2012	2013	2014	2015	*% Change from 2014*	2015 Trend
January	5	14	19	24	31	21	26	28	38	35.71%	↑
February	13	16	26	28	28	25	26	27	33	22.22%	↑
March	4	6	32	23	36	22	23	28	30	7.14%	↑
April	9	25	17	22	29	37	23	30	35	16.67%	↑
May	16	25	18	30	32	33	38	24	31	29.17%	↑
June	11	9	27	22	38	35	28	15	34	126.67%	↑
July	15	24	15	32	23	27	21	31	41	32.26%	↑
August	15	7	23	24	38	35	36	34	27	-20.59%	↓
September	9	7	28	31	37	27	20	39	50	28.21	↑
October	10	33	32	39	40	39	27	44			
November	35	6	15	27	22	13	29	34			
December	10	13	13	28	22	17	28	19			
Total:	152	185	265	330	376	331	325	353	319		

Key Projects:

(1) ***New Internet Maps.*** Continue development of new suite of internet maps. (100%)

(2) ***911 Addressing.*** Assigned addresses to new homes, businesses, and utilities. Updated state database.

(3) ***GPS Projects.*** New GPS projects locating all Screening Walls, Utility updates, Air Release Valves, and Grease Traps.

(4) ***Lidar Data.*** Utilized new Lidar 3D data for airport and other engineering projects. Developed Slope Maps, Digital Elevation Models, Hillshades, TIN and Contours.

(5) ***GIS Infrastructure.*** Met with consultants to discuss City's current GIS software and hardware capabilities and discussed future GIS Health Check reports.

Year to Date Project Request by Department:

Admin / HR / Internal Ops	1
Building Inspections	1
Citizen Request	1
City Council	1
City Manager's Office	2
Neighborhood Improvement Services	1
Engineering / Public Works	6
Finance / Utilities	0
Fire Department	1
GIS (Citywide Projects)	11
IT	0
Main Street Program	2
Outside Agencies	1
Parks and Recreation	8
Planning	9
Police Department	0
REDC	5
Total	50

(6) ***NCTCOG Next Generation 911.*** Rockwall GIS 911 data is now connected to NCTCOG NG911 mapping system. Police Dispatch system migration still in progress.

(7) ***Missing Tax Lots.*** Checked all city parcels to ensure property taxes were being collected as 'Inside City'. Identified 4 missing tracts (19ac) equating to approx. $5138 / yr. Notified RCAD.

(8) ***REDC Marketing Maps and Brochure.*** Created various rail, industrial site, and retail marketing planning maps for REDC use.

(9) ***Event Maps.*** Created various event maps for Main Street program, Police Dept, Parks, and Impact.

(10) ***Downtown Directory Signage.*** Began new project for citizen directory kiosk signage in downtown.

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Rockwall Police Department
Harbor District Call For Service
September 2015

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2015-00030097	09/11/2015	13:28:25	Campisi's, Scooters Coffee House	Investigation	No Report
2015-00031762	09/24/2015	21:45:13	Campisi's, Scooters Coffee House	Vehicle Unlock	No Report
2015-00028906	09/02/2015	13:54:16	Cinemark Movies 12	Investigation	No Report
2015-00029791	09/08/2015	23:05:33	Cinemark Movies 12	Vehicle Unlock	No Report
2015-00029846	09/09/2015	13:15:20	Cinemark Movies 12	BMV	Report
2015-00030242	09/12/2015	15:45:06	Cinemark Movies 12	Medical Emergency	EMS
2015-00032024	09/26/2015	21:35:44	Cinemark Movies 12	General Complaint	No Report
2015-00032357	09/29/2015	17:14:21	Cinemark Movies 12	Disturbance	No Report
2015-00029361	09/05/2015	21:14:23	City Salon and Spa, Zeus Botique	Alarm-BUSN	False Alarm
2015-00031125	09/19/2015	20:41:36	City Salon and Spa, Zeus Botique	Alarm-BUSN	False Alarm
2015-00028819	09/01/2015	20:36:22	En Fuego, En Fuego Tobacco Shop	Vehicle Unlock	No Report
2015-00030031	09/10/2015	21:24:07	Glorias Restaurant	Disturbed Person	No Report
2015-00029940	09/10/2015	08:49:31	Harbor Builidng T	Alarm-BUSN	No Report
2015-00030673	09/16/2015	07:05:45	Harbor Builidng T	Alarm-BUSN	False Alarm
2015-00029385	09/05/2015	22:58:47	Hilton	Suspicious Activity	Unable to Locate
2015-00029536	09/07/2015	05:42:20	Hilton	Disturbance	No Report
2015-00000790	09/07/2015	14:44:30	Hilton	Water Rescue	No Report
2015-00029674	09/08/2015	08:12:17	Hilton	Follow Up	No Report
2015-00030045	09/10/2015	23:08:06	Hilton	Investigation	No Report
2015-00031175	09/20/2015	01:42:37	Hilton	Intoxicated	No Report
2015-00031167	09/20/2015	00:18:20	Hilton	Warrant Service	Unable to Locate
2015-00000844	09/22/2015	02:08:49	Hilton	Investigation	No Report
2015-00031407	09/22/2015	01:51:00	Hilton	Investigation	No Report
2015-00032054	09/26/2015	23:42:53	Hilton	Disturbance	No Report
2015-00032065	09/27/2015	01:08:04	Hilton	Disorderly Conduct	No Report
2015-00032341	09/29/2015	14:34:59	Hilton	Welfare Concern	No Report
2015-00000792	09/07/2015	18:57:29	The Harbor	Water Rescue	No Report
2015-00029747	09/08/2015	17:19:26	The Harbor	Vehicle Unlock	No Report
2015-00030117	09/11/2015	18:17:15	The Harbor	Vehicle Unlock	No Report
2015-00031755	09/24/2015	20:22:10	The Harbor	Suspicious Activity	No Report
2015-00031876	09/25/2015	22:10:17	The Harbor	Disorderly Conduct	No Report
2015-00031864	09/25/2015	21:15:52	The Harbor	Vehicle Unlock	No Report
2015-00031990	09/26/2015	16:47:50	The Harbor	Property	Report
2015-00032157	09/27/2015	20:58:01	The Harbor	Ordinance Violation	No Report
2015-00032119	09/27/2015	13:15:37	Whittle Developement	Alarm-BUSN	False Alarm
			Common Name		
			Campisi's, Scooters Coffee House	2	
			Cinemark Movies 12	6	
			City Salon and Spa, Zeus Botique	2	
			En Fuego, En Fuego Tobacco Shop	1	
			Glorias Restaurant	1	
			Harbor Builidng T	2	
			The Harbor	8	
			Hilton	12	
			Whittle Developement	1	
			Total	**35**	

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
SEPTEMBER 2015

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	2	2	0	100%
ADMINISTRATIVE SERVICES	8	8	0	100%
AIRPORT	0	0	0	0%
ANIMAL SERVICES	2	2	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	2	2	0	100%
ENGINEERING	9	9	0	100%
FINANCE	4	4	0	100%
FIRE DEPARTMENT	42	39	3	93%
INTERNAL OPERATIONS	130	130	0	100%
MUNICIPAL COURT	18	17	1	94%
PARKS & RECREATION	18	18	0	100%
PLANNING & ZONING	0	0	0	0%
POLICE DEPARTMENT	37	35	2	95%
PUBLIC WORKS	7	7	0	100%
UTILITY BILLING	0	0	0	0%
TOTAL	279	273	6	98%

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
RADIO SYSTEM
REQUESTS FOR SERVICE
SEPTEMBER 2015

DEPARTMENT	# OF REQUESTS	# OF REQUESTS RESPONDED TO W / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ANIMAL SERVICES	0	0	0	100%
CODE ENFORCEMENT	0	0	0	100%
FIRE DEPARTMENT	6	6	0	100%
EMS	0	0	0	100%
INTERNAL OPERATIONS	2	2	0	100%
PARKS & RECREATION	0	0	0	100%
POLICE DEPARTMENT	12	12	0	100%
PUBLIC WORKS	1	1	0	100%
UTILITY BILLING	0	0	0	100%
HEATH DEPT. PUBLIC SAFETY	2	2	0	100%
HOSPITAL CONTROL STATIONS	1	1	0	100%
SYSTEM ISSUES	0	0	0	100%
TOTAL	24	24	0	100%

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Airport Operations Report

For Month of September 2015

FUEL SALES

	GALLONS SOLD	GROSS SALES
Jet - A Sales	190.00	$741.00
Av-Gas Sales	1,897.70	$8,429.15
TOTAL FUEL SALES	2,087.70	$9,170.15

HANGAR RENTAL REVENUE

Open T Hangar Rental Revenue	$3,060.00
Transient Covered Hgr - Nightly	$90.00
Enclosed Hangar Rental Revenue	$240.00
Nightly Tiedown Fees	$21.00
North Community Hangar Rental Revenue	$650.00
TOTAL HANGAR RENTALS	$4,061.00

HANGAR OCCUPANCY RATES

	TOTAL HANGARS	QTY RENTABLE	QUANTITY LEASED	OCCUPANCY RATE
Open T Hangars	45	40	29	72.50%
Closed Hangar Rentals	2	2	2	100%
Open Hangar Cap Rentals	2	1	1	100%
TOTAL HANGAR OCCUPANCY	49	43	32	74%

Of the forty five hangars only forty can actually be rented. Most of these forty should be considered substandard and not easily marketed due to pad slope and width, electrical, and drainage issues.

CITY FEES DUE	FEE RATE	FRANCHISE FEE DUE	FUEL FLOWAGE FEES DUE	TOTAL FEES DUE
Fuel Sales (Gallons Sold)	$0.10	$0.00	$208.77	$208.77
City Owned Hangar Rentals	5.00%	$203.05	$0.00	$0.00
TOTAL FEES DUE		$203.05	$208.77	$411.82

I certify the information and amounts submitted on this form are true and correct.

Todd Parks
Managing Director - Texas Air Center, LLC

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Rockwall Police Department

Monthly Activity Report

September-2015

ACTIVITY	CURRENT MONTH SEPTEMBER	PREVIOUS MONTH AUGUST	YTD 2015	YTD 2014	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	0	**0.00%**
Sexual Assault	1	2	11	4	**175.00%**
Robbery	1	1	8	4	**100.00%**
Aggravated Assault	3	6	28	22	**27.27%**
Burglary	8	9	43	66	**-34.85%**
Larceny	66	70	479	473	**1.27%**
Motor Vehicle Theft	0	3	28	34	**-17.65%**
TOTAL PART I	**79**	**91**	**597**	**603**	**-1.00%**
TOTAL PART II	**138**	**195**	**1427**	**1249**	**14.25%**
TOTAL OFFENSES	**217**	**286**	**2024**	**1852**	**9.29%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	12	28	143	158	**-9.49%**
D.W.I.	15	25	154	169	**-8.88%**
TEEN CURFEW	0	3	5	11	**-54.55%**
ARRESTS					
FELONY	25	20	162	170	**-4.71%**
MISDEMEANOR	86	70	621	704	**-11.79%**
WARRANT ARREST	37	53	335	296	**13.18%**
JUVENILE	3	2	25	57	**-56.14%**
TOTAL ARRESTS	**151**	**145**	**1143**	**1227**	**-6.85%**
DISPATCH					
CALLS FOR SERVICE	1597	1614	13689	13246	**3.34%**
ACCIDENTS					
INJURY	19	8	89	98	**-9.18%**
(INJURIES)	28	14	134	133	**0.75%**
NON-INJURY	48	56	476	394	**20.81%**
FATALITY	0	0	1	1	**0.00%**
(FATALITIES)	0	0	1	1	**0.00%**
TOTAL	**67**	**64**	**566**	**493**	**14.81%**
FALSE ALARMS					
RESIDENT ALARMS	64	83	591	526	**12.36%**
BUSINESS ALARMS	117	124	1117	1176	**-5.02%**
TOTAL FALSE ALARMS	**181**	**207**	**1708**	**1702**	**0.35%**
Estimated Lost Hours	**119.46**	**136.62**	**1127.28**	**1123.32**	**0.35%**
Estimated Cost	**$2,841.70**	**$3,249.90**	**$26,815.60**	**$26,721.40**	**0.35%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**5**
Arrests	**5**
Arrest Warrants	**1**
Search Warrants	**1**
Seized	
Methamphetamine	80.53 kg

Rockwall Police Department
Dispatch and Response Times
September 2015

Police Department

	Average Response Time	
Priority 1		Number of Calls **131**
Call to Dispatch	0:00:57	
Call to Arrival	0:07:07	
% over 7 minutes	19%	

	Average Response Time	
Priority 2		Number of Calls **264**
Call to Dispatch	0:01:30	
Call to Arrival	0:08:17	
% over 7 minutes	36%	

	Average Response Time	
Priority 3		Number of Calls **8**
Call to Dispatch	0:01:05	
Call to Arrival	0:06:27	
% over 7 minutes	25%	

***Priority 4** Number of Calls **1117**

****Priority 5** Number of Calls **6**

*Priority 4 call averages are not given because they are calls that do not require an immediate response by police.
**Priority 5 calls are incidents that officers initiate themselves therefore response times are not calculated.

Average dispatch response time goals are as follows:
Priority 1: 30 Seconds
Priority 2: 45 Seconds
Priority 3: 1 Minute

Fire Department

	Average Response Time	
Call to Dispatch	0:00:25	Number of Calls **71**
Call to Arrival	0:06:09	

Overages

Incident No.	Date	Time Rec'd	Call Type	Time Disp	Resp Time	Reason
2015-775	9/4/2015	12:43:33	FD - Car Fire	12:45:18	0:01:45	Fire was out before dispatch, Engine was sent code 1
2015-838	9/19/2015	9:45:42	FD - Wire Down/Arc Trnsfrmrs	9:47:20	0:01:38	Non-emergency - no page out
2015-860	9/28/2015	11:50:32	FD - Fire Alarm Residential	11:51:40	0:01:08	Alarm co. advised burglar alarm, changed to fire alarm

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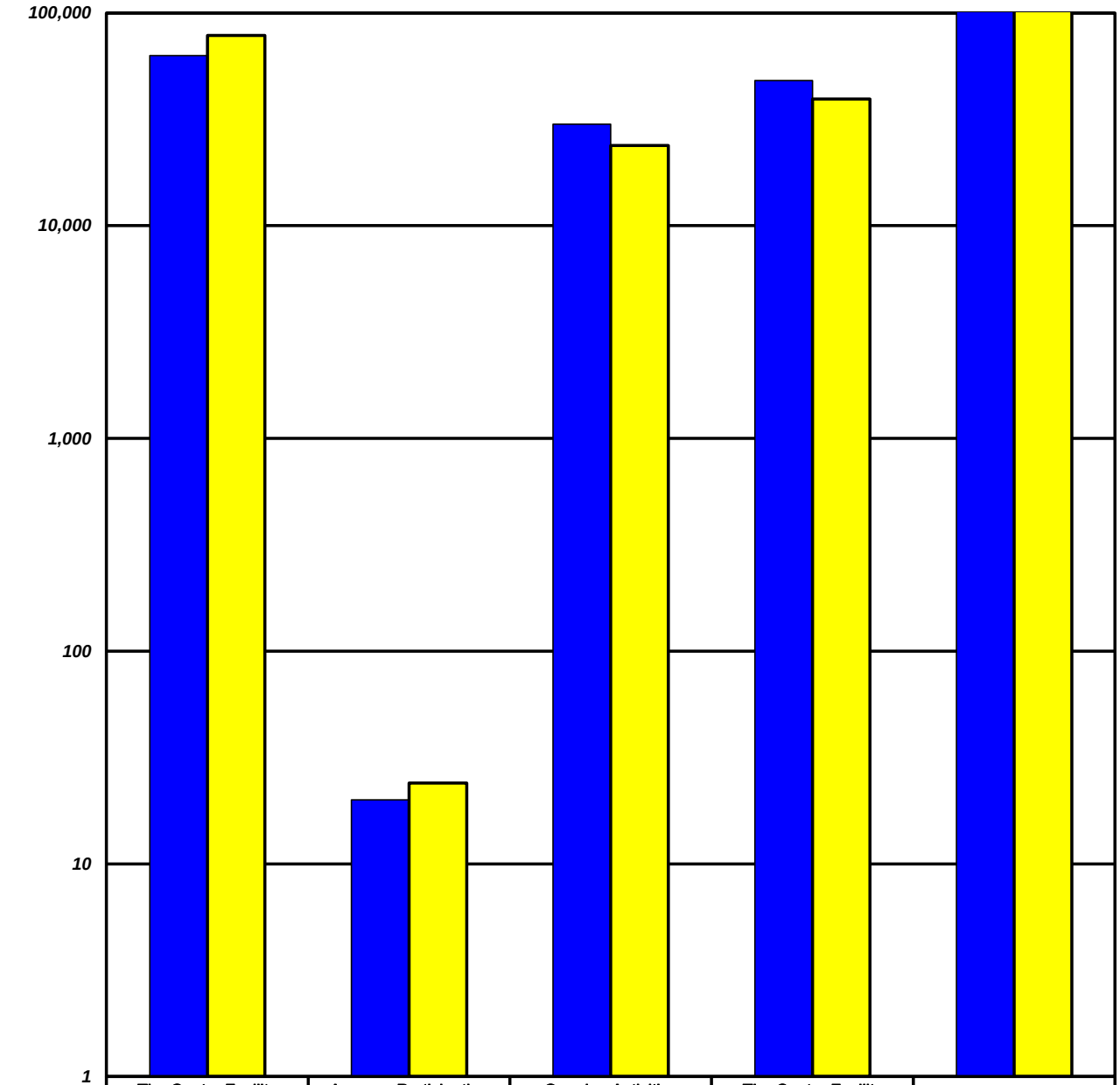
City of Rockwall
Parks and Recreation Department
FY15 September Report



	The Center Facility Usage	Average Participation per Hour	Ongoing Activities Attendance	The Center Facility Rental Revenue	Program Revenue
FY15 YTD	62,991	20	29,962	$48,070	$176,987
FY14 YTD	78,350	24	23,808	$39,428	$160,867

The Center Facility Usage - Total number of visitors and participants that come thru The Center - includes Ongoing Activities.
Average Participation per Hour - The Center Facility Usage divided by the number of hours the facility is open.
Ongoing Activities Attendance - Non fee based activities conducted on a routine basis (Bingo, Exercise with Anita, etc).

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Rockwall Animal Adoption Center Monthly Report
CCHS at Rockwall
September 2015

DISPOSITION REPORT

	September
Intakes	123
1045	1
Adopted	90
Returned to Owner	24
Rescued	17
Euthanized	8
Live Outcome %	**93%**
Number of Animals in Foster	2

FINANCIAL REPORT

Income	**September**
City of Rockwall	$0
Adoption Fee Income	$7,060
Impound Fee Income	$620
Owner Surrender	$480
General Donations	$1,768
Medical	$1,150
Quarantine Fee	$325
Total Income	**$11,403**

Expenses	**September**
Administrative Expenses (Payroll, etc)	$35,022
Shelter Expenses (Microchips, Drugs, etc)	$6,858
Veterinary Expenses	$6,332
Professional Services	$0
Depreciation Expenses	$0
Total Expenses	**$48,212**
Balance	**-$36,809**

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Agenda 5

Hold a work session with Gene Babb regarding potential development of property located on La Jolla Pointe Drive west of Ridge Road, and take any action necessary.

- Memo (Babb) 10
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Hold work session to discuss and consider the results of a Public Input Survey distributed to residents adjacent to South Lakeshore Drive / Summit Ridge Drive in connection with a future roadway reconstruction project, and take any action necessary.

- City Manager Memo 12
- Survey Results 13
- Blank Page 21

Hold work session to discuss and consider additional sidewalk improvements in the downtown area, specifically those located in the walkway/store front area along Goliad Street between Washington and Rusk Streets, and take any action necessary.

- Memo (downtown sidewalks) 22
- Blank Page 23

Hold work session to discuss The Harbor's Tax Increment Financing District (TIF), and take any action necessary.

- Memo (TIF) 24
- Blank Page 25

Discussion regarding ballot voting associated with appointments to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)

- (Amended) Ballot and Instructions 26
- Resolution to cast ballot 28
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American Diabetes Month

- Proclamation 31
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Consider approval of the minutes from the November 2, 2015 regular city council meeting, and take any action necessary.

- 11/02 cc mtg mins 33
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Consider granting a 15 foot electric easement across the City of Rockwall Eastside Pump Station property to Farmers Electric Cooperative, and take any action necessary.

- City Manager Memo 40
- Easement Document 41
- Blank Page 44

Consider authorizing the City Manager to execute a Facilities Agreement with Master Developer – SNB, LLC to reconstruct 666 linear feet of existing sanitary sewer line within the first phase of The Preserve development in an amount not to exceed $65,245.10 to be funded from 2008 Revenue Bonds, and take any action necessary.

City Manager Memo . . . 45
Facilities Agreement . . . 46
Sanitary Sewer Map . . . 50
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Consider awarding a bid to MHC Kenworth and authorizing the City Manager to execute a Purchase Order for two new 12 yard dump trucks in the amount of $218,214 to be funded out of the General Fund Reserves and Water Sewer Fund, and take any action necessary.

Memo . . . 52
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Consider awarding a bid to Silsbee Ford and authorizing the City Manager to execute a Purchase Order for a new service trucks in the amount of $474,669 to be funded out of the General and Water Sewer Funds, and take any action necessary.

Memo . . . 54
Spreadsheet . . . 55
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Consider awarding a bid to Holt CAT and authorizing the City Manager to execute a Purchase Order for a new Steel Wheel Roller in the amount of $41,690 to be funded out of the General Fund Streets Operations Budget, and take any action necessary.

Memo . . . 57
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Consider awarding a bid to Freedom CDJ (Dodge) and authorizing the City Manager to execute a Purchase Order for three (3) new Police Patrol Dodge Chargers in the amount of $79,020 to be funded out of the General Fund Police Patrol Budget, and take any action necessary.

memo . . . 59
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Consider awarding a bid to Government Sales Freedom Auto Group and authorizing the City Manager to execute a purchase order for a Dodge Charger (including safety equipment) in the amount of $21,500 to be used by Citizens on Patrol and to be funded from the Police Department seized asset account, and take any action necessary.

Vehicle Memo . . . 61
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Consider awarding a bid to Caldwell Country Chevrolet and authorizing the City Manager to execute a purchase order for a Chevy Suburban including safety equipment in the amount of $41,500 to be used by the Community Service Unit and to be funded from the Police Department seized asset account, and take any action necessary.

Vechicle memo . . . 63
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Consider authorizing the City Manager to execute a Facility Agreement with Dewayne Cain of Cain Cemetery Corporation to allow for the delay of the required fire protection requirements for buildings on a 40.57-acre tract of land identified as a portion of Tracts 11 & 12 and all of Tracts 1, 2-1 & 11-1 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, addressed as 2500 SH-66, and take any action necessary.

Memorandum . . . 65
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Consider approval of a resolution expressing support for and reinforcing the importance of the North Texas Municipal Water District's Lower Bois d'Arc Creek Reservoir (LBCR) project, including its timeliness as it pertains to the critical mission of delivering water to the region by the year 2020, and take any action necessary.

Memo (LBCR NTMWD) . . . 77
Resolution . . . 78
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Ratcliffe Press Release . . . 80
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Consider authorizing the City Manager to execute an additional services agreement (contract amendment) with La Terra Studio, Inc. to provide for the design of the walkway/store front area along Goliad Street between Washington and Rusk Streets to match the design in the Downtown area in the amount of $50,500, and take any action necessary.

City Manager Memo . . . 83
LaTerra Studio, Inc Request . . . 84
Hill- Wilkinson Construction Cost Estimate . . . 87
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MIS2015-009 - Hold a public hearing to discuss and consider the approval of a special request by Michael Hunter on behalf of the Rockwall Housing Development Corporation (RHDC) to allow the construction of two (2) single-family attached homes on a 0.27-acre parcel of land identified as Lot 984A of the Rockwall Lake Estates #2 Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 112 Chris Street, and take any action necessary.

MIS2015-009 . . . 89
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Z2015-027 - Hold a public hearing to discuss and consider a request by Bobby Dale and Bretta Price for the approval of an ordinance for a zoning change from an Agricultural (AG) District to a Single Family Estate 2.0 (SFE-2.0) District for a 5.5-acre tract of land identified as Tract 17-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 453 Cullins Road, and take any action necessary [1st Reading].

Z2015-027 . . . 121
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Z2015-029 - Hold a public hearing to discuss and consider a City initiated zoning request for the approval of an ordinance for a text amendment to various sections of Article V, District Development Standards, Article VIII, Landscaping Standards, and Article IX, Tree Preservation, and to create Appendix F, Landscaping Guidelines, of the Unified Development Code [Ordinance No. 04-38] for the purpose of incorporating recommendations made by the Landscape Ordinance Review Committee, and take any action necessary [1st Reading].

Z2015-029 . . . 135
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Discuss and consider approval of a variance request from Spiars Engineering associated with the city's ordinance provisions related to standards for design of development within subdivisions, specifically pertaining to retaining walls in detention areas within Phase One of the Preserve, and take any action necessary.

City Manager Memo . . . 189
Variance Request Information . . . 190
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Discuss and consider adoption of an ordinance authorizing the issuance of City of Rockwall, Texas, General Obligation Refunding Bond, Series 2015; establishing procedures and delegating authority for the sale and delivery of the bond; providing for the security for and payment of said bond; providing an effective date; enacting other provisions relating to the subject and take any action necessary.

staff memo . . . 195
Parameters Ordinance . . . 197
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Discuss and consider appointment to fill a vacancy on the Main Street Advisory Board, and take any action necessary.

Memo (MSAB) . . . 219
Stroman Application . . . 220
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AGENDA
ROCKWALL CITY COUNCIL
Monday, November 16, 2015
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

p.10 **1.** Hold a work session with Gene Babb regarding potential development of property located on La Jolla Pointe Drive west of Ridge Road, and take any action necessary.

p.12 **2.** Hold work session to discuss and consider the results of a Public Input Survey distributed to residents adjacent to South Lakeshore Drive / Summit Ridge Drive in connection with a future roadway reconstruction project, and take any action necessary.

p.22 **3.** Hold work session to discuss and consider additional sidewalk improvements in the downtown area, specifically those located in the walkway/store front area along Goliad Street between Washington and Rusk Streets, and take any action necessary.

p.24 **4.** Hold work session to discuss The Harbor's Tax Increment Financing District (TIF), and take any action necessary.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding ballot voting associated with appointments to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)

2. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).

3. Discussion regarding legal matters related to land lease operations at Ralph Hall Municipal Airport pursuant to Section 551.071 (Consultation with Attorney).

4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - Rockwall Economic Development Corporation (REDC) Board - pursuant to Section 551.074 (personnel matters)

5. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, November 16, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM LEWIS

VIII. PROCLAMATIONS / AWARDS

p.31 **1.** American Diabetes Month

IX. OPEN FORUM

X. CONSENT AGENDA

p.33 **1.** Consider approval of the minutes from the November 2, 2015 regular city council meeting, and take any action necessary.

p.40 **2.** Consider granting a 15 foot electric easement across the City of Rockwall Eastside Pump Station property to Farmers Electric Cooperative, and take any action necessary.

p.45 **3.** Consider authorizing the City Manager to execute a Facilities Agreement with Master Developer – SNB, LLC to reconstruct 666 linear feet of existing sanitary sewer line within the first phase of The Preserve development in an amount not to exceed $65,245.10 to be funded from 2008 Revenue Bonds, and take any action necessary.

p.52 **4.** Consider awarding a bid to MHC Kenworth and authorizing the City Manager to execute a Purchase Order for two new 12 yard dump trucks in the amount of $218,214 to be funded out of the General Fund Reserves and Water Sewer Fund, and take any action necessary.

p.54 **5.** Consider awarding a bid to Silsbee Ford and authorizing the City Manager to execute a Purchase Order for a new service trucks in the amount of $474,669 to be funded out of the General and Water Sewer Funds, and take any action necessary.

p.57 **6.** Consider awarding a bid to Holt CAT and authorizing the City Manager to execute a Purchase Order for a new Steel Wheel Roller in the amount of $41,690 to be funded out of the General Fund Streets Operations Budget, and take any action necessary.

p.59 **7.** Consider awarding a bid to Freedom CDJ (Dodge) and authorizing the City Manager to execute a Purchase Order for three (3) new Police Patrol Dodge Chargers in the amount of $79,020 to be funded out of the General Fund Police Patrol Budget, and take any action necessary.

p.61 **8.** Consider awarding a bid to Government Sales Freedom Auto Group and authorizing the City Manager to execute a purchase order for a Dodge Charger (including safety equipment) in the amount of $21,500 to be used by Citizens on Patrol and to be funded from the Police Department seized asset account, and take any action necessary.

p.63 **9.** Consider awarding a bid to Caldwell Country Chevrolet and authorizing the City Manager to execute a purchase order for a Chevy Suburban including safety equipment in the amount of $41,500 to be used by the Community Service Unit and to be funded from the Police Department seized asset account, and take any action necessary.

p.65 **10.** Consider authorizing the City Manager to execute a Facility Agreement with Dewayne Cain of Cain Cemetery Corporation to allow for the delay of the required fire protection requirements for buildings on a 40.57-acre tract of land identified as a portion of Tracts 11 & 12 and all of Tracts 1, 2-1 & 11-1 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, addressed as 2500 SH-66, and take any action necessary.

p.77 **11.** Consider approval of a resolution expressing support for and reinforcing the importance of the North Texas Municipal Water District's Lower Bois d'Arc Creek Reservoir (LBCR) project, including its timeliness as it pertains to the critical mission of delivering water to the region by the year 2020, and take any action necessary.

p.83 **12.** Consider authorizing the City Manager to execute an additional services agreement (contract amendment) with La Terra Studio, Inc. to provide for the design of the walkway/store front area along Goliad Street between Washington and Rusk Streets to match the design in the Downtown area in the amount of $50,500, and take any action necessary.

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

XII. PUBLIC HEARING ITEMS

p.89 **1.** **MIS2015-009** - Hold a public hearing to discuss and consider the approval of a special request by Michael Hunter on behalf of the Rockwall Housing Development Corporation (RHDC) to allow the construction of two (2) single-family attached homes on a 0.27-acre parcel of land identified as Lot 984A of the Rockwall Lake Estates #2 Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 112 Chris Street, and take any action necessary.

p.121 **2.** **Z2015-027** - Hold a public hearing to discuss and consider a request by Bobby Dale and Bretta Price for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Single Family Estate 2.0 (SFE-2.0) District for a 5.5-acre tract of land identified as Tract 17-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 453 Cullins Road, and take any action necessary **[1st Reading].**

p.135 **3.** **Z2015-029** - Hold a public hearing to discuss and consider a City initiated zoning request for the approval of an **ordinance** for a text amendment to various sections of Article V, District Development Standards, Article VIII, Landscaping Standards, and Article IX, Tree Preservation, and to create Appendix F, Landscaping Guidelines, of the Unified Development Code [Ordinance No. 04-38] for the purpose of incorporating recommendations made by the Landscape Ordinance Review Committee, and take any action necessary **[1st Reading].**

XIII. ACTION ITEMS

p.189 **1.** Discuss and consider approval of a variance request from Spiars Engineering associated with the city's ordinance provisions related to standards for design of development within subdivisions, specifically pertaining to retaining walls in detention areas within Phase One of the Preserve, and take any action necessary.

p.195 **2.** Discuss and consider adoption of an **ordinance** authorizing the issuance of City of Rockwall, Texas, General Obligation Refunding Bond, Series 2015; establishing procedures and delegating authority for the sale and delivery of the bond; providing for the security for and payment of said bond; providing an effective date; enacting other provisions relating to the subject and take any action necessary.

p.219 **3.** Discuss and consider appointment to fill a vacancy on the Main Street Advisory Board, and take any action necessary.

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding ballot voting associated with appointments to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)

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3. Discussion regarding legal matters related to land lease operations at Ralph Hall Municipal Airport pursuant to Section 551.071 (Consultation with Attorney).
4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - Rockwall Economic Development Corporation (REDC) Board - pursuant to Section 551.074 (personnel matters)
5. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVI. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 13th day of November, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, Assistant to the City Manager / City Secretary**

DATE: **November 13, 2015**

SUBJECT: **Potential development located on LaJolla Pointe Drive**

Mr. Gene Babb would like to speak to the Council during the work session on Monday regarding potential development of property located on La Jolla Pointe Drive west of Ridge Road.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, P.E., Director of Public Works/City Engineer**

DATE: **November 10, 2015**

SUBJECT: **Public Input Survey Results**
S. Lakeshore Dr./Summit Ridge Dr. Reconstruction Project

A Public Input Survey for the S. Lakeshore Dr./Summit Ridge Dr. Reconstruction Project was mailed on Tuesday October 13, 2015 to the property owners that front or side S. Lakeshore Dr./Summit Ridge Dr. from SH 66 to FM 740. Property owners had the option of mailing the survey back to the City Hall or taking an online version of the survey. The property owners where given two and half weeks to complete the survey and return by October 31, 2015.

The Engineering Department received a total of 33 responses of the 93 properties surveyed. This resulted in a 35% response rate. The results of each survey question are given in the attached below.

A Public Meeting to go over the survey results and to collect further public input is currently scheduled for December 9, 2015 from 7pm-9pm in the City Council Chambers.

Please let me know if you have any questions.

TMT:jmw

Attachments

Cc:
Amy Williams, P.E., Assistant City Engineer
Jeremy White, P.E., CFM, Civil Engineer
File

Note:
Survey Responses provided in COLOR

City of Rockwall
The New Horizon

Public Input Survey

S. Lakeshore Drive / Summit Ridge Drive

Questionnaire Statistics:

Number of Questionnaires Sent:	93
Number of Responses:	33
S. Lakeshore Dr. Resident Responses:	20
Summit Ridge Dr. Resident Responses:	13

Notes to Reviewer:

- Due to incomplete or blank responses left on questionnaire, percentages shown within these results may deviate from a 100% summation.

City of Rockwall
The New Horizon

Note:
Survey Responses provided in COLOR

1. During a large rainfall event, how would you rate the current Drainage Facilities (i.e. Storm Drain Inlets, Flumes, etc.)?

   Poor (21.2%) Fair (15.2%) Good (42.4%) Excellent (18.2%)

   If not excellent, what improvements do you recommend?

   _____

2. How would you rate the driving experience as you travel along S. Lakeshore Drive and Summit Ridge Drive?

   Poor (33.3%) Fair (48.5%) Good (6.1%) Excellent (6.1%)

   Please rank the following improvements in order of preference that would provide the most improvement to your answer to Question 2. (1 – Most Important / 5 – Least Important)

   1 Implementation of Sidewalks
   2 Implementation of Traffic Calming Techniques (i.e. Speed Bumps, Narrower Lanes, Roundabouts, etc.)
   3 Implementation of On-Street Parking
   4 Implementation of Bike Lanes
   5 Driving Lane Width

3. How would you rate your experience as a pedestrian/cyclist traveling along S. Lakeshore Drive?

   Poor (39.4%) Fair (33.3%) Good (15.2%) Excellent (6.1%)

   Please rank the following improvements in order of preference that would provide the most improvement to your answer to Question 3. (1 – Most Important / 5 – Least Important)

   1 Implementation of Sidewalks
   2 Implementation of Traffic Calming Techniques (i.e. Speed Bumps, Narrower Lanes, Roundabouts, etc.)
   3 Implementation of Pedestrian Crosswalks
   4 Implementation of Bike Lanes
   5 Speed Limit

Note:
Survey Responses provided in COLOR

City of Rockwall
The New Horizon

4. How would you rate your experience as a pedestrian/cyclist traveling along Summit Ridge Drive?

   Poor (69.7%) Fair (9.1%) Good (12.1%) Excellent (3.0%)

   Please rank the following improvements in order of preference that would provide the most improvement to your answer to Question 4. (1 – Most Important / 5 – Least Important)

   1 Implementation of Sidewalks
   2 Implementation of Bike Lanes
   3 Implementation of Traffic Calming Techniques (i.e. Speed Bumps, Narrower Lanes, Roundabouts, etc.)
   4 Implementation of Pedestrian Crosswalks
   5 Vehicle Speed Limit

5. As a resident, do you believe there is an issue with drivers utilizing this street to by-pass traffic along S. Goliad Street and State Highway 66?

   Please select one of the following:

   Yes (87.9%) No (6.1%)

6. How would you rate the overall aesthetics of the S. Lakeshore Drive and Summit Ridge Drive neighborhood corridor?

   Poor (15.2%) Fair (36.4%) Good (30.3%) Excellent (9.1%)

   Please rank the following improvements in order of preference that would provide the most improvement to your answer to Question 6? (1 – Most Important / 4 – Least Important)

   1 Sidewalks
   2 Street Lighting
   3 On-Street Parking
   4 Bike Lanes

City of Rockwall
The New Horizon

Note:
Survey Responses provided in COLOR

7. In summary, as a resident, would you be in favor of the following improvements?

Decreased Lane Widths in the spirit of slowing traffic

Please select <u>one</u> of the following:

Yes (45.5%) No (51.5%)

Implementing other traffic calming techniques to slow or discourage cut-through traffic

Please select <u>one</u> of the following:

Yes (78.8%) No (15.2%) If so, which one(s): _____

Implementing on-street bike lanes

Please select <u>one</u> of the following:

Yes (60.6%) No (33.3%)

Implementing sidewalks

Please select <u>one</u> of the following:

Yes (63.6%) No (30.3%)

Implementing storm drainage improvements to reduce localized flooding

Please select <u>one</u> of the following:

Yes (63.6%) No (24.2%)

Any other recommendations?

_____

8. Is there anything else you want the City to consider? Please provide comments below:

_____

_____

_____

<u>Please mail or deliver your survey responses to the attention of Jeremy White at the City of Rockwall.</u>

If you have any questions about the survey please contact Jeremy White.

City of Rockwall
The New Horizon

Note:
Survey Responses provided in COLOR

Question #1 Feedback:

During a large rainfall event, how would you rate the current Drainage Facilities (i.e. Storm Drain Inlets, Flumes, etc.)? What improvements do you recommend?

- Drainage from Forest Trace is inadequate
- Higher Curb
- I would need an Engineer to recommend improvements, so I am satisfied as is.
- More Storm Drain
- I'm at the top of Summit & Alamo – No problem w/ drainage
- Large amounts of rain are not too often. No storm drains along Summit Ridge
- Need to keep water off the roads
- Storm drains needed on Summit Ridge
- Larger drain openings
- Since most of the water comes from uphill from us, should be able to catch more before it reaches Lakeshore
- My home flooded this past April because there is inadequate run off during large rains. This is the second time. I had to spend significant dollars in repairs and now adding French drains, all because the city didn't plan properly and our neighbor's yards for three streets behind us drain down into ours.
- More storm drain
- More Storm Drains addressing the water rushing down the hilly part of the street, especially at the curve. It runs into my yard over the curb and washes out the landscaping.
- In some areas, street needs to be sloped so water runs to storm drain and doesn't pool.
- Eliminate low spots in pavement to prevent pooling in streets and gutters
- We desperately need additional storm drains on Lakeshore Dr and surrounding streets. In addition to our own drainage issues (our house has flooded twice since we purchased in May 2015), I am aware of many other homes with similar issues.
- Lakeshore Dr is impacted during heavy rains. A study would have to be done relative to the details and an appropriate engineered fix. In addition, there is a grade issue at Summit Ridge and Springcreek where there is always standing water.
- There seems to be a low spot about two block north. It looks like the houses have sandbags on their porch to keep the water out.

Note:
Survey Responses provided in COLOR

Question #7 Feedback:

Any other recommendations?

Traffic Calming Recommendations:

- Chicane
- Speed Bumps
- Stop Signs
- Speed Bumps
- Speed Bumps
- On-Street Bike Lanes - Possibly - If you can give it a residential look. Sidewalks - Watch the Pedestrians. That will tell who uses the street or lawns.
- Center Turn lanes or On Street Parking; or combination which alternates.
- Stop Sign on Summit Ridge & Spring Creek & speed bumps on Summit Ridge speed bumps
- Street Bumps
- Roundabouts, Speed Bumps
- More Stop Signs. Even people who speed, still seem to stop at the stop signs that are currently in place. Roundabouts with speed bumps. I would be happy with any measure possible to discourage cut through traffic.
- Slow traffic as much as possible around the curve and on the hill. Please lose control when its wet and slippery.
- Provide wider lanes in some areas where very narrow for walking and biking. Need lanes for above on Summit Ridge
- Maybe one more STOP sign along the street at some point. If pedestrian crossing is implemented, the corner of Lakeshore/Summit Ridge at the STOP sign would be a great place. If adding Add'l speed bumps, the area around Summit Ridge and Spring Creek would be a good place. Cars tend to be flying down that hill. Thanks!
- Narrow Lanes
- Speed Bumps
- Roundabouts, Speed Bumps
- Both, This had success in the early 90s when I was on the traffic task force for this issue.
- Roundabouts, hated speed humps but, gated access

Other Comments:

- Resurfacing the road is most urgent problem.
- Improvement of the overall quality of the road surface. In addition, enforcement of the speed limit by the local police department.

Note:
Survey Responses provided in COLOR

Question #8 Feedback:

Is there anything else you want the City to consider? Please provide comments below:

- Permanent speed radars showing your speed
- Crumbling Curbs - Mine at Mailbox (312) is in pieces and I fear a Delivery Person, Company, or Me may fall.
- Improve the East bound 66-205 intersection with an additional turn lane.
- If you maintain the existing speed limit - people unlawfully pass you. None resident traffic early AM and PM using street to avoid traffic pass thru.
- Creating another alternate route from I-30 to Hwy 66 would be very good. Resurfacing most important! Sidewalk and street parking would be a vast improvement! At night, hard to see because of inadequate street lights.
- Alternate route could be John King Blvd. Electronic Signs alert of accident ahead.
- Enforcement of existing speed limit
- Biggest Issue!! I-30 back-up west or east bound. Most people use to connect w/ 60 or I-30
- More Lighting would give appearance Summit Ridge is a thoroughfare and the same for Lake Shore. This route is not a boulevard. Unless you build it which would increase the residential traffic.
- That this is good start to improve these two residential streets. Less thru traffic would be very beneficial to less street/roadway damages conditions.
- How about routine maintenance? The road is in terrible shape. Lots of potholes
- A traffic reroute system when there is an accident on I-30. Or make LSD 4 lanes, Summit Ridge 3 (center lane), Forest Trace/Boydstun 3 and Lake Meadows 3 to ease congestion. Retime the Boydstun/Ridge traffic light during I30 accidents.
- Lawn workers blow leaves & lawn debris into street instead of bagging up which causes further problems with drainage. Ordinance to mandate lawn materials must be bagged up!
- Speed could be controlled by enforcement. In 20+ years at this address, I have observed police enforcement on this street once.
- Please resurface the entire roadway-repair holes, cracks, and crumbled pavement. Make sure the work is permanent and not just a temporary fix soon to wear out.
- Also when I30 traffic backs up, Summit Ridge becomes bumper to bumper traffic and people turn around in my circle drive and often drive into my yard, knocking over potted plants and breaking sprinkler heads.
- Sidewalks would be nice but probably too expensive and up driveways.
- Just please be mindful of all the beautiful trees so that they will not be destroyed with any "improvements". Add'l lighting near ally entrances might be a good idea.
- Would like to see drainage plans and hear what others think about drainage if the City is considering any improvements. I would like to know what the overall plan is for access to 66. South of 66 in the proposed area is all residential, no schools or retail like the North side of 66.

Note:
Survey Responses provided in COLOR

Question #8 Feedback Continued:

- I would be willing to share what was learned in 1993-1994 when we implemented traffic calming on Summit Ridge/Lakeshore. I was on the task force committee.
- Traffic is only going to get worse. Lakeshore has become a bypass.
- Fill Potholes
- More Police patrolling against DUI's, Speeders ignoring existing speed limit signs, tailgaters, folks passing on Summit Ridge Dr. when you are observing speed limits - even 18-wheeled trucks!

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, Assistant to the City Manager / City Secretary**

DATE: **November 13, 2015**

SUBJECT: **Work Session item re: additional sidewalk improvements in the Downtown**

Staff will be discussing with Council consideration of additional work in Downtown for the walkway/store front areas along Goliad between Washington and Rusk Streets. A related Consent Agenda item has been placed on the 11/16 meeting agenda that will allow Council an opportunity to move forward with the design phase of these additions if Council so chooses. Mrs. Smith will be prepared to discuss funding options with the Council, and staff will be prepared to answer any questions the Council may have.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, Assistant to the City Manager / City Secretary**

DATE: **November 13, 2015**

SUBJECT: **TIF District at The Harbor**

Mayor Pruitt has requested that this topic be placed on the 11/16 meeting agenda as a work session item. Staff will be prepared to have preliminary discussions with Council concerning Rockwall County's participation in the TIF concluding this fiscal year (FY 2016) as well as other, related matters.

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Rockwall
Central Appraisal District

received
11-4-15

Texas Law requires:

- A ballot be sent to each taxing unit entitled to vote
- The ballot must be returned to the chief appraiser by December 15, 2015

The district has prepared the ballot with the following:

- The ballot with a list of eligible nominees and a column for number of votes cast
- The taxing unit complete the number of votes cast for the nominee or nominees
- The taxing unit may only cast the total number of votes their taxing unit is entitled.
- The taxing until will vote by resolution and return the ballot completed ballot to the Chief appraiser by December 15, 2015

Nov

An amended Ballot for the 2016-2017 Board of Directors is enclosed, please destroy the first ballot and return your votes on the attached ballot not later than December 15, 2015.

Number of votes each entity is entitled is listed below:

City of Fate	53
City of Heath	144
City of McLendon-Chisholm	6
City of Rockwall	562
City of Royse City	97
Rockwall ISD	2,713
Royse City ISD	553
Rockwall County	872
Total Votes allowed by law	5,000

Sincerely

Patricia Davis

Patricia Davis

841 Justin Road
Rockwall, TX 75087
www.rockwallcad.com

Metro: 972-771-2034
Toll Free: 1-877-438-5304
Fax: 972-771-6871

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Votes Per Taxing Unit for 2016 - 2017 Appraisal District Board of Directors
AMENDED BALLOT

Rockwall Central Appraisal District Board of Directors AMENDED Ballot		
	Entity	**Number of Votes**
Lowell English		
John Hohenshelt		
Richard Huston		
Mark Moeller		
Russell Summers		
Ben Weible		
Total Maximum Votes		5,000

CITY OF ROCKWALL
RESOLUTION NO. 15-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE CASTING OF VOTES AND SUBMISSION OF THE OFFICIAL VOTING BALLOT TO THE ROCKWALL CENTRAL APPRAISAL DISTRICT (CAD) FOR THE 2016-2017 APPRAISAL DISTRICT BOARD OF DIRECTORS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Texas Property Code Sec. 6.03 (a) provides that a board of directors governs the central appraisal district (CAD); and

WHEREAS, state law requires board of director appointments to the Rockwall CAD Board every odd numbered year to take office in even numbered years; and

WHEREAS, the City of Rockwall, an eligible taxing unit, has participated in the appointment process by nominating up to five candidates for service consideration and submitting those names to the chief appraiser by October 15 through recent passage and submission of Resolution #15-27; and

WHEREAS, the chief appraiser then prepared a ballot of all nominees and mailed it to the City of Rockwall and other taxing units for voting by October 30; and

WHEREAS, the City of Rockwall's entitlement has been determined by dividing the total dollar amount of property taxes imposed in the district by the taxing unit for the preceding tax year by the sum of the total dollar amount of property taxes imposed in the district for that year by each taking unit entitled to vote, by multiplying the quotient by 1,000; and

WHEREAS, according to information provided to the City of Rockwall by the appraisal district, the City of Rockwall has 562 votes to cast for 2016-2017.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THAT:

Section 1. the Rockwall City Council, as a result of the Executive Session held at its regular city council meeting on the 16th day of November, 2015 hereby casts and submits its ballot to the Rockwall Central Appraisal District Board as specified in and attached hereto as "Exhibit A;"

Section 2. this Resolution shall become effective from and after its adoption and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 16th DAY OF November, 2015.

ATTEST: **Jim Pruitt, Mayor**

Kristy Cole, City Secretary

"EXHIBIT A"

Rockwall Central Appraisal District Board of Directors AMENDED Ballot		
	Entity	**Number of Votes**
Lowell English		
John Hohenshelt		
Richard Huston		
Mark Moeller		
Russell Summers		
Ben Weible		
Total Maximum Votes		5,000

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Rockwall, Texas

Proclamation

Whereas, in the United States, nearly 30 million people – including 400,000 in North Texas – have diabetes, a serious disease with potentially life-threatening complications such as heart disease, stroke, blindness, kidney disease and amputation; and

Whereas, an additional 86 million people in the United States are at risk for developing type 2 diabetes; and

Whereas, recent estimates project that as many as one in three American adults will have diabetes by 2050 if current trends continue; and

Whereas, an increase in community awareness is necessary to put a stop to the diabetes epidemic; and

Whereas, this year's American Diabetes Month theme - "Eat Well, America" - will empower people to plan healthy, budget-friendly meals, cook with tools and techniques for success and plate and serve food that is nutritious and appealing by providing healthy tips and recipes.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim the month of November, 2015 as

AMERICAN DIABETES MONTH

in the City of Rockwall and encourage all citizens to consider participating in the Association's "Stop Diabetes" movement to confront, fight and, most importantly, change the future of this deadly disease.

In Witness Whereof, I hereunto set my hand and official seal this 16th day of November, 2015.

Jim Pruitt, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, November 02, 2015
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dennis Lewis and Council Members David White, Mike Townsend, and Kevin Fowler. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and City Attorney Frank Garza. Council Members John Hohenshelt and Scott Milder were both absent from the meeting at this time.

II. WORK SESSION

1. Hold a work session to hear an update from the GIS Department concerning the release of the City's new suite of interactive maps, and take any action necessary.

Planning Director, Ryan Miller, introduced Lance Singleton and Lindsay Gnann of the GIS division of the Planning Department. Mr. Singleton and Ms. Gnann then came forth and briefed the city council on various maps and mapping capabilities available on the City of Rockwall's website. Indication was given that this new suite of internet mapping applications will be released on the city's website in the coming weeks. The Council took no action following the presentation.

2. Hold a work session to discuss and consider a resolution regarding the power of the city council to appoint and remove its board and commission member appointees, including those to the North Texas Municipal Water District Board (NTMWD), and take any action necessary.

City Manager Rick Crowley briefed the city council on this topic, indicating that member cities of the NTMWD are joining together in an effort to have the various member cities pass this resolution. This topic was recently raised at a meeting that the City of Plano hosted with ten of the thirteen member cities present. For the record, Mayor Pruitt clarified that there is no dissatisfaction on the part of the City of Rockwall with its two representatives who currently serve on the NTMWD board (Bill Lofland and Larry Parks). They do a great job, are good about keeping the city informed and have no problem taking direction from the Rockwall City Council. However, it should be a city's right to remove an appointee to this and other boards at its own discretion, and lately the NTMWD board has given some indication otherwise. Also, the NTMWD has given some indication that a change in its policies currently under consideration would make it almost impossible for member cities to place things on future agendas to be heard and discussed by its full board.

After brief clarification from City Attorney Frank Garza, Mayor Pro Tem Lewis made a motion to approve a resolution regarding the power of the City Council to appoint and remove its appointees to boards and commissions, including those to the NTMWD Board and excluding those appointed to the Board of Adjustments (BOA) per state law and excluding the Housing Authority. Councilmember White seconded the motion, which passed unanimously of Council present (Milder and Hohenshelt absent).

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)
2. Discussion regarding legal claim: Timothy Headley v. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - Rockwall Economic Development Corporation (REDC) Board - pursuant to Section 551.074 (personnel matters)
4. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

IV. ADJOURN EXECUTIVE SESSION

Executive Session as adjourned at 5:50 p.m.

V. RECONVENE PUBLIC MEETING

Mayor Pruitt called the public meeting back to order with all Council Members except for Hohenshelt being present at the conclusion of the public meeting. (Milder joined Executive Session late and then stayed for the duration of the Council meeting).

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Lewis announced that no action is needed as a result of Executive Session.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER FOWLER

Councilman Fowler delivered the invocation and led the Pledge of Allegiance.

VIII. PROCLAMATIONS / AWARDS

1. GIS Day Proclamation

Mayor Pruitt introduced members of the city's Geographic Information Systems (GIS) division within the Planning Department. He then read and presented a proclamation for "GIS Day," which will be hosted at City Hall in the Council Chambers on Wednesday, November 18, 2015 from 1:00 p.m. until 6:00 p.m.

IX. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted. He introduced and recognized Tammy Sharp, County Judge David Sweet's sister, and County Judge David Sweet in the audience this evening.

Mayor Pruitt then read the following, short statement concerning the upcoming school district bond election:

> ***The Rockwall community has experienced tremendous growth over the last several years but is still a small town in many ways. A majority of our families know each other through work, church, youth sports, volunteerism, or in the common neighborhoods in which we live. It's easy to misinterpret what an individual says and attribute that to a group of people.***
>
> ***For this reason, the Rockwall City Council is clarifying, as a group, that it has no official stance on the bond election put forth to voters by the Rockwall Independent School District. While each member of our community has a right to his or her own opinion of the merits of this bond election, the City Council, as an elected body, has not and will not take a position on the election on Tuesday, November 3, 2015.***

Following his statement, Mayor Pruitt asked if anyone would like to come forward and speak during this time. There being no indication of such, he then closed the Open Forum

X. CONSENT AGENDA

1. Consider approval of the minutes from the October 19, 2015 regular city council meeting, and take any action necessary.

2. Consider awarding the bid to Morrow Construction Company and authorizing the city manager to execute a contract for the Rockwall Police Driveway Project in the amount of $72,056.00 to be funded out of General Fund Reserves, and take any action necessary.

3. Consider authorizing the city manager to execute a contract with Great Midwest Insurance Company to secure reinsurance/stop loss coverage for the City's health insurance plans, applying to claims exceeding $100,000, and take any action necessary.

4. Consider awarding a bid to Bergkamp Pavement Solutions and authorizing the City Manager to execute a Purchase Order for a new Pothole Patcher in the amount of $152,640 to be funded out of the General Fund, Streets Operating Budget, and take any action necessary.

5. Consider awarding a bid to Caldwell Country Chevrolet and authorizing the City Manager to execute a Purchase Order for 2016 model year Police Pursuit Tahoes in the amount of $107,355 to be funded out of the General Fund, Patrol Budget, and take any action necessary.

6. Consider awarding a bid to Holt CAT and authorizing the City Manager to execute a Purchase Order for a new Compact Excavator in the amount of $65,904 to be funded out of the Water and Sewer Fund, Water Operating Budget, and take any action necessary.

7. Consider awarding a bid to Holt CAT and authorizing the City Manager to execute a Purchase Order for a new Backhoe in the amount of $128,388 to be funded out of the General Fund, Streets Operating Budget, and take any action necessary.

8. **P2015-039** - Consider approval of a request by John Arnold of the Skorburg Company (BH Phase IIB SF, LTD) for the approval of a replat of Lots 51-57,

Block D, Breezy Hill, Phases IIA & IIB, being a 2.722-acre portion of land that is currently identified as Lots 24-26 & 50, Block D, Breezy Hill, Phases IIA & IIB, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally located north of the intersection of FM-552 and John King Boulevard, and take any action necessary.

9. **P2015-038** - Consider approval of a request by Pastor Rex Walker on behalf of Life Spring Church for the approval of a final plat for Lot 1, Block 1 and Lots 1 & 2, Block 2, Life Spring Church Addition being a 30.3403-acre tract of land currently identified 15-01 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated with the SH-205 By Pass Corridor Overlay (SH-205 BY OV) District, located on the north side of John King Boulevard east of the intersection of SH-205 and John King Boulevard, and take any action necessary.

10. **Z2015-025** - Consider approval of request by Bill K. Ryan for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Single Family One (SF-1) District for a 1.02-acre tract of land identified as Tract 11-2 of the D. Harr Survey Abstract, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 770 Davis Drive, and take any action necessary **(2nd Reading)**.

Councilman Fowler pulled item #2 for discussion. Mayor Pro Tem Lewis made a motion to approve the remainder of the Consent Agenda items (#1, 3, 4, 5, 6, 7, 8, 9, and 10). Councilmember Milder seconded the motion. The ordinance for item #10 was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ONE (SF-1) DISTRICT FOR A 1.02-ACRE TRACT OF LAND IDENTIFIED AS TRACT 11-2 OF THE D. HARR SURVEY, ABSTRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes with 1 absent (Hohenshelt).

Regarding Consent Agenda item #2, Councilmember Fowler indicated that he would like some additional information regarding this agenda item and associated expense, explaining that he believes it seems to be a fairly large cost. After clarification from staff who indicated that adding this driveway will help improve traffic flow in and out of the police department parking lot, Councilmember Fowler then made a motion to approve Consent Agenda item #2 as presented. Councilmember Milder seconded the motion which, after brief comments, passed unanimously of those present (Hohenshelt absent).

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Indication was given that Mr. Renfro was not present, as there is nothing on tonight's meeting agenda for which he needed to provide an update to Council.

2. Appointment with Tammy Sharp of the Downtown Merchants' Association to discuss and consider partnering with the city for an upcoming Downtown Grand Opening Celebration, and take any action necessary.

Mrs. Sharp came forth and explained that she and her husband own T&T Color Supply on North Fannin Street in downtown. She explained that she is speaking on behalf of the Downtown Merchants' Association. She went on to thank the council and staff for all of their efforts and assistance with helping to work through issues associated with the downtown improvements and ongoing construction. She explained that Kevin Leferre, owner of Zanata and current president of the Downtown Association, has appointed her and Christi Foster of Groovy's to begin planning a downtown grand opening event. Tentatively, the date of April 16, 2016 has been identified. She requested that the city council consider partnering with her organization to hold this grand opening event.

Mayor Pruitt made a motion to partner with the Downtown Merchants' Association for the purpose of a ribbon cutting and grand opening associated with completion of the downtown construction improvements project to be held on April 16 as long as that date is agreeable to everyone. Councilman White seconded the motion, which passed unanimously of those present (Hohenshelt absent).

XII. ACTION ITEMS

1. Discuss and consider appointing members of the city's Art Review Team to also serve on the Art Committee, and take any action necessary.

Councilmember White made a motion to appoint the Art Review Team members to also serve as the city's Art Committee. Mayor Pruitt seconded the motion, which passed unanimously of council present (Hohenshelt absent).

2. Hear update from Emergency Services Corporation (ESC) representatives concerning the countywide contract for Emergency Medical Services (EMS), and take any action necessary.

Mayor Pruitt announced that no discussion or action is needed concerning this item at this time.

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections Monthly Report - September 2015
Fire Department Monthly Report - September 2015
GIS Department Monthly Report - September 2015
Harbor PD Monthly Report - September 2015
Internal Operations Department Monthly Report - September 2015
Police Department Monthly Reports - September 2015
Recreation Monthly Report - Sep 2015

Rockwall Animal Adoption Center Monthly Report - September 2015

2. City Manager's Report

City Manager Rick Crowley offered brief comments, indicating that staff is available to answer any questions of Council concerning the monthly reports. There being none, no further discussion took place.

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)
2. Discussion regarding legal claim: Timothy Headley v. City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - Rockwall Economic Development Corporation (REDC) Board - pursuant to Section 551.074 (personnel matters)
4. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The mayor and council did not return to Executive Session following the close of the public meeting agenda.

XVI. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 6:20 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 16th day of November, 2015.

ATTEST: _____
Jim Pruitt, Mayor

_____
Kristy Cole, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **November 12, 2015**

SUBJECT: **Electric Easement Request- Farmers Electric Cooperative**

City Staff has been approached by Farmer's Electric Cooperative to obtain a 15 foot electric easement to serve a business between the Eastside Pump Station and Costco. Attached is a copy of a survey showing the proposed 15 foot electric easement across our Eastside Pump Station tract located on the west side of T L Townsend. The proposed electric line will serve the new Platinum Storage facility located west of T L Townsend. The proposed easement will be placed adjacent to the existing concrete paved access pavement in the existing 40 foot access easement.

City Council is required to approve the acceptance of an easement across all City property. Staff requests City Council consideration to allow a 15 foot electric easement across the City of Rockwall Eastside Pump Station to Farmers Electric Cooperative as shown on the attached easement document.

TMT:em

Attachment

Cc:

Mary Smith, Assistant City Manager
Brad Griggs, Assistant City Manager
Amy Williams, P.E., Assistant City Engineer
Jeremy White, P.E., Civil Engineer
File

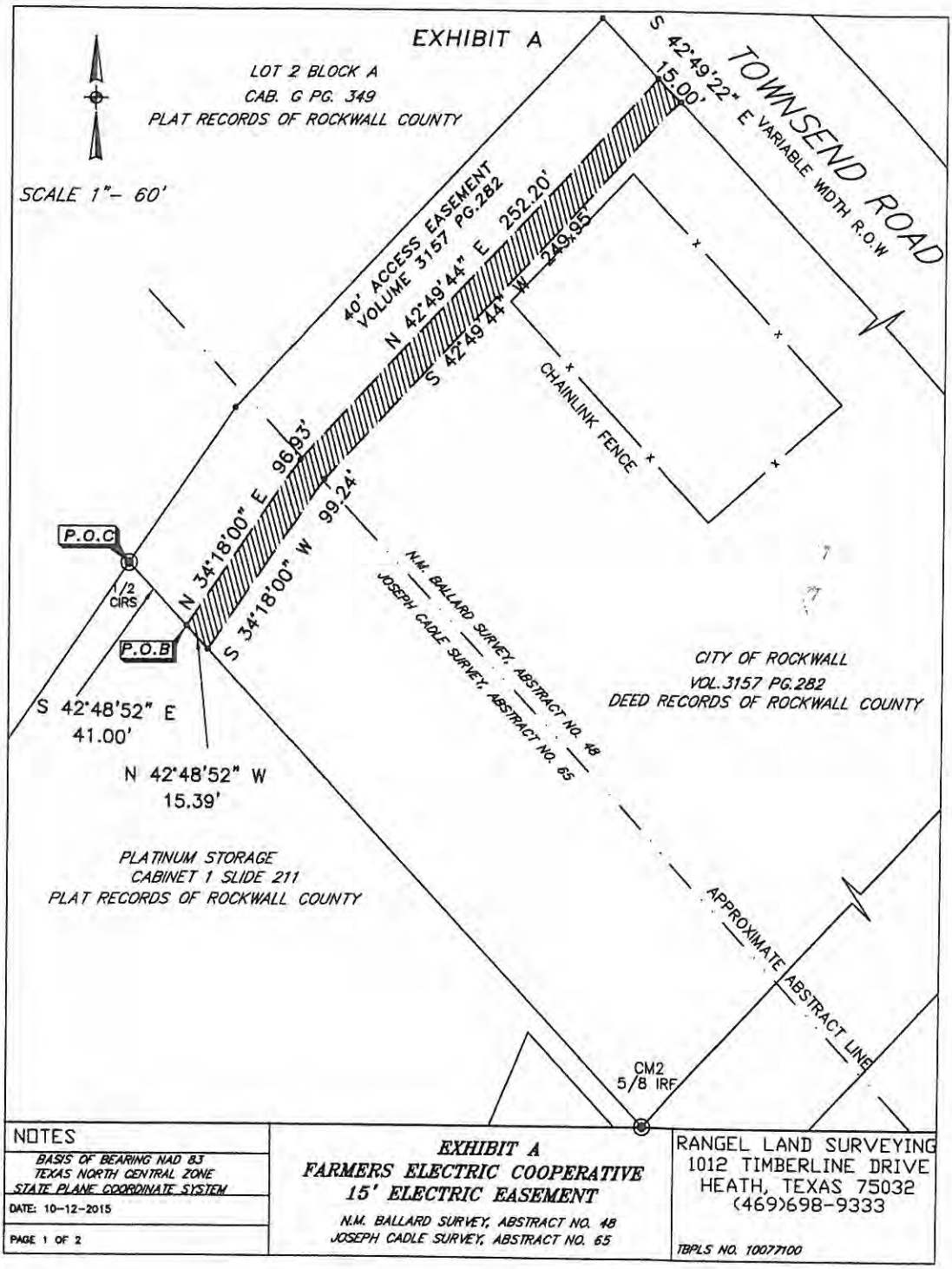
EXHIBIT A
LOT 2 BLOCK A
CAB. G PG. 349
PLAT RECORDS OF ROCKWALL COUNTY
SCALE 1"- 60'
TOWNSEND ROAD
S 42°49'22" E 15.00'
VARIABLE WIDTH R.O.W
40' ACCESS EASEMENT
VOLUME 3157 PG.282
N 42°49'44" E 252.20'
S 42°49'44" W 249.95'
CHAINLINK FENCE
N 34°18'00" E 96.83'
S 34°18'00" W 99.24'
P.O.C
1/2 CIRS
P.O.B
S 42°48'52" E
41.00'
N 42°48'52" W
15.39'
N.M. BALLARD SURVEY, ABSTRACT NO. 48
JOSEPH CADLE SURVEY, ABSTRACT NO. 65
CITY OF ROCKWALL
VOL. 3157 PG.282
DEED RECORDS OF ROCKWALL COUNTY
PLATINUM STORAGE
CABINET 1 SLIDE 211
PLAT RECORDS OF ROCKWALL COUNTY
APPROXIMATE ABSTRACT LINE
CM2
5/8 IRF
NOTES
BASIS OF BEARING NAD 83
TEXAS NORTH CENTRAL ZONE
STATE PLANE COORDINATE SYSTEM
DATE: 10-12-2015
PAGE 1 OF 2
EXHIBIT A
FARMERS ELECTRIC COOPERATIVE
15' ELECTRIC EASEMENT
N.M. BALLARD SURVEY, ABSTRACT NO. 48
JOSEPH CADLE SURVEY, ABSTRACT NO. 65
RANGEL LAND SURVEYING
1012 TIMBERLINE DRIVE
HEATH, TEXAS 75032
(469)698-9333
TBPLS NO. 10077100

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EXHIBIT A
FARMERS ELECTRIC COOPERATIVE
15' ELECTRIC EASEMENT

BEING A STRIP OF LAND 15' IN WIDTH, AND CONTAINING 5,237 SQUARE FEET OF LAND IN THE N.M. BALLARD SURVEY, ABSTRACT NO. 48 IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING OVER AND ACROSS THAT CERTAIN TRACT OF LAND KNOWN AS CITY OF ROCKWALL AND RECORDED IN VOLUME 3157 PAGE 282 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at 1/2 iron rod found in the north line of Platinum Self Storage as recorded in Cabinet I Slide 211 of the Plat Records of Rockwall County Texas and being the northeast corner of said tract and also being the northwest corner of the City of Rockwall tract as recorded in Volume 3157 Page 282 of Rockwall County Deed Record,

THENCE South 42 DEGREES 48 MINUTES 52 SECONDS East a distance of 41.00 feet to the POINT OF BEGINNING,

THENCE North 34 DEGREES 18 MINUTES 00 SECONDS East, an entering said tract a distance of 96.93 feet;

THENCE North 42 DEGREES 49 MINUTES 44 SECONDS East, a distance of 252.20 feet;

THENCE South 42 DEGREES 49 MINUTES 22 SECONDS East, a distance of 15.00 feet;

THENCE South 42 DEGREES 49 MINUTES 44 SECONDS West, a distance of 249.95 feet;

THENCE South 34 DEGREES 18 MINUTES 00 SECONDS West, a distance of 99.24 feet;

THENCE North 42 DEGREES 48 MINUTES 52 SECONDS West, a distance of 15.39 feet;

to the POINT OF BEGINNING having an area of 5,237 square feet, or 0.12 acres

DATE: 10-12-2015

Rudy Rangel
Registered Professional Land Surveyor No.5664 State of Texas



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UTILITY EASEMENT AND COVENANT OF ACCESS

Farmers Electric Cooperative
A Tradition Since Corporation

NAME: Ron Valk/Platinum Storage

GRID: 3332040740014

SERVICE ORDER NO.: 1507003320.12

STATE OF TEXAS
COUNTY OF Rockwall

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned hereinafter called "Grantor" (whether one or more) for good and valuable consideration, which may include approval and execution of an Electric Service Agreement by **FARMERS ELECTRIC COOPERATIVE, INC., 2000 East Interstate 30, Greenville, Texas, 75402** (hereinafter called the "Cooperative"), does hereby covenant access to and grant, sell and convey unto the Cooperative an easement and right-of-way upon and across the following described property of grantor:

As shown on Exhibit "A" attached hereto and made a part hereof

~~Being _____ acres of land in the _____ Survey, Abstract Number _____ in _____ County and fully described by metes and bounds in that instrument which is recorded in Volume _____ Page _____ of the _____ Records of _____ County, Texas.~~

The easement, right-of-way, rights and privileges herein granted shall be used for electric power lines and other utility lines (overhead and/or underground) consisting of poles, conductors, guy wires, anchors and associated overhead appurtenances and/or underground cable, surface mounted equipment, associated underground appurtenances, including constructing, operating, maintaining, inspecting, rebuilding, replacing, removing and relocating electric lines, transmission and distribution facilities or equipment, other utility lines, as well as reading any meter or performing any act related to the provision of utility service. The Cooperative is specifically granted pedestrian and vehicular ingress and egress.

The easement rights herein described shall be no broader than reasonably necessary to provide electric and other utility service. The width of the easement shall be **fifteen (15) feet**, one-half (1/2) of such distance on either side of Cooperative's overhead and/or underground facilities. The height of the easement shall be from fifteen (15) feet beneath the surface of the ground to a height of seventy (70) feet above the ground.

The easement, right and privilege herein granted shall be perpetual, appurtenant to the land, and shall inure to the benefit of the Cooperative's successors and assigns. Grantor represents that he/she is the owner of the above described tract of land and binds himself/herself, his/her heirs, assigns and legal representatives to warrant and forever defend the easement and rights described herein to the Cooperative, its successors and assigns.

The Cooperative shall have the right to use so much of the surface of the herein described property of Grantor as may be reasonably necessary to construct and install within the right-of-way granted hereby, the facilities that may at any time be necessary for the purposes herein specified.

The Cooperative shall have the right to clear the right-of-way of all obstructions, to cut and trim trees within the right-of-way or use other methods as it deems necessary to clear the right-of-way.

Grantor further covenants that Grantor, his/her heirs, successors and assigns shall facilitate and assist Cooperative personnel in exercising their rights and privileges herein described at all reasonable times and shall not build, construct or cause to be erected any building or other structure that may interfere with the provision of electric service or the exercise of the right granted to the Cooperative herein.

The undersigned agrees that all electric power lines and other utility lines (overhead and/or underground) including any main service entrance equipment, installed on the above described lands at the Cooperative's expense shall remain the property of the Cooperative, removable at the option of the Cooperative, should said lines be abandoned.

EXECUTED this _____ **day of** _____, _____.

GRANTOR:

_____ _____
Signature **Printed Name**

_____ _____
Signature **Printed Name**

THE STATE OF TEXAS
COUNTY OF _____

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person or persons whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, _____.

Notary Signature_____ Printed Name _____ **Notary Seal:**

THE STATE OF TEXAS
COUNTY OF _____

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person or persons whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, _____.

Notary Signature_____ Printed Name _____ **Notary Seal:**

EACH SIGNATURE WILL NEED TO BE NOTARIZED AND STAMPED OR THE EASEMENT IS UNACCEPTABLE PLEASE SEND ORIGINAL COMPLETELY EXCUTED EASEMENTS TO: FARMERS ELECTRIC COOPERATIVE, 2000 I-30 EAST, GREENVILLE, TEXAS 75402, ATTN: ENG COORD: RA'CHEL

DO NOT WRITE BELOW THIS LINE

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **November 12, 2015**

SUBJECT: **Facility Agreement**
Sanitary Sewer Replacement Project

The Preserve, Phase One subdivision is currently under design and will be beginning construction once the engineering plans are approved by the City. The Preserve, Phase One is located between SH 205 and Highland Drive and south of East Fork Drive. This subdivision will generate 132 single-family lots. During the design plan review, staff recognized that the existing eight inch diameter sanitary sewer line in the Squabble Creek Tributary E is clay tile pipe, is deteriorated and near the end of its design life.

Staff requested the Developer's engineer to re-design a portion of the sanitary sewer line to utilize new PVC pipe and to be installed with the proposed subdivision construction. The remaining section of clay tile can be eliminated and taken out of service. The Developer's engineer has quoted a cost of $65,245.10 to construct 666 feet of new sanitary sewer line. State Law allows the City to participate with a development as long as the City's amount does not exceed 30 percent of the construction cost. This amount will not exceed the 30 percent restriction. Our funding will be provided by the 2015 Water and Sewer Bond Sale.

Staff requests City Council consideration to approve the Facilities Agreement with Master Developer – SNB, LLC to reconstruct 666 linear feet of existing sanitary sewer line within the first phase of The Preserve development in an amount not to exceed $65,245.10 and take any action necessary.

TMT:em

Attachment

Cc:
Mary Smith, Assistant City Manager
Amy Williams, P.E., Assistant City Engineer
Rick Sherer, Water/Wastewater Manager
Jeremy White, P.E., Civil Engineer
File

STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

FACILITIES AGREEMENT
Preserve Phase 1

This Agreement is entered into on the _____ day of _____, 2015, by and between the City of Rockwall, Texas ("City") and Master Developer-SNB, LLC, a Texas Limited Liability Company. ("Developer").

WITNESSETH:

Section 1. That in consideration of the Preserve Phase 1 Development, located along East Fork Drive, the parties agree as follows:

Developer agrees to the following:

a. To abandon the existing 8" clay tile sanitary sewer line in the Squabble Creek Tributary E and relocate the sanitary sewer line within the proposed street in Preserve Phase 1 per approved plans.

City agrees to the following:

a. Reimburse the Developer, the design and construction of the abandonment of the existing 8" clay tile sanitary sewer line when the existing sanitary sewer line is fully abandoned and accepted by the City.

b. Reimburse the Developer, the design and construction of the additional 8" PVC sanitary sewer line when it is fully installed per approved plan and accepted by the City. The Participation Breakdown Worksheet, Exhibit A, is attached and made part of this Agreement.

Section 2. Nothing contained herein shall be considered as a waiver of the provisions of the City's Comprehensive Zoning Ordinance and subdivision regulations as the case may be.

Section 3. Severability Clause. If any section or provision of this Agreement or the application of that section or provision to any person, firm, corporation, situation or circumstance is for reason judged invalid, the adjudication shall not affect any other section or provision of this Agreement or the application of any other section or provision to any other person, firm, corporation, situation, or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the Agreement without

the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 4. Venue for this Agreement shall be in Rockwall County, Texas.

Section 5. Notice of this Agreement shall be in writing and addressed to the following:

City of Rockwall
205 W. Rusk
Rockwall, Texas 75087
Attn: City Manager

Master Developers-SNB, LLC,
a Texas Limited Liability Co.
2400 Dallas Parkway, St. 560
Plano, Texas 75093

SIGNED ON THE DATE FIRST ABOVE WRITTEN.

CITY OF ROCKWALL

By: _____
Rick Crowley, City Manager

Master Developers-SNB, LLC, a Texas Limited Liability Company

By: _____
William C. Shaddock

ACKNOWLEDGEMENTS

STATE OF TEXAS)
COUNTY OF _____)
CITY OF _____)

BEFORE ME, the undersigned authority, on this day personally appeared, William C. Shaddock, Manager of Master Developers-SNB, LLC, a Texas Limited Liability Company, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ day of _____, 2015.

_____
Notary Public in and for the State of Texas

My Commission Expires:

_____
(Seal)

STATE OF TEXAS)
COUNTY OF ROCKWALL)
CITY OF ROCKWALL)

BEFORE ME, the undersigned authority, on this day Personally appeared, Rick Crowley, City of Rockwall, City Manager, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ day of _____, 2015.

_____
Notary Public in and for the State of Texas

My Commission Expires:

_____
(Seal)

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The Preserve Phase 1 - Rockwall, Texas

	Description	Unit	Quantity	Unit Price	Total Cost
Sanitary Sewer (Abondonment & Realignment)					
	8" PVC (SDR 35)	LF	666	$ 38.00	$ 25,308.00
	Additional Cost for 8" PVC (SDR 26)	LF	640	$ 2.35	$ 1,504.00
	4' Dia. Type 'S' M.H.	EA	1	$ 4,550.00	$ 4,550.00
	4' Dia. Type 'S' M.H. Over Existing	EA	1	$ 7,000.00	$ 7,000.00
	Concrete Encasement for 8" Sani. Sewer	LF	320	$ 36.50	$ 11,680.00
	Abandon Ex. Manhole in Place	EA	4	$ 1,000.00	$ 4,000.00
	Silt Fence	LF	666	$ 1.50	$ 999.00
	Broadcast Seeding of Distrurbed Area	AC	0.3	$ 400.00	$ 120.00
	Trench Safety	LF	666	$ 0.25	$ 166.50
	Sanitary Sewer Line Testing	LF	666	$ 1.10	$ 732.60
	Maintenance Bond	LS	1	$ 1,935.00	$ 1,935.00
	Sanitary Sewer Subtotal				**$ 57,995.10**
	Engineering, Construction Staking, Administrative				$ 7,250.00
	Sanitary Sewer Total				**$ 65,245.10**



The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.

City of Rockwall

Sanitary Sewer

Clay Tile

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **October 30, 2015**

SUBJECT: **Purchase of New 12 Yard Dump Trucks**

Approved in the General and Water & Sewer Funds, Streets and Water Operating budgets are funds to purchase 12 yard dump trucks, one for each department respectively.

Dept.	Truck	Cost	Budget
Streets	- Kenworth 12 yd Dump Truck with Sand Spreader	$116,507	$116,140
Water	- Kenworth 12 yd Dump Truck	$101,707	$102,620

This equipment is available from MHC Kenworth through the BuyBoard purchasing cooperative contract #430-13. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to the purchase of these new trucks.

For Council consideration is the bid award to MHC Kenworth for 2 dump trucks totaling $218,214 and authorize the City Manager to execute a purchase order for these new trucks.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **November 5, 2015**

SUBJECT: **Purchase of New Service Trucks for Various Departments**

Thirteen (13) new service trucks are approved in the General and Water Sewer funds for various departments. The total budget for these vehicles is $498,620. The trucks are available from Silsbee Ford through the Texas Association of School Boards (Buy Board) purchasing cooperative contract #430-13. Attached is a spreadsheet listing each vehicle and bid award detail.

As a member and participant in the BuyBoard cooperative program, the City has met all formal bidding requirements pertaining to the purchase of these new vehicles.

For Council consideration are the 13 Service Trucks bid award to Silsbee Ford for $474,669 and authorize the City Manager to execute a purchase order for these new vehicles.

City of Rockwall
2016 New Trucks

BuyBoard Cooperative Program Contract #430-13 with Silsbee Ford

Department	Item/Description	Qty	Cost	Budget
GENERAL FUND				
NIS	Truck 1/2 ton	1	20,209	24,670
Building Insp	Truck 1/2 ext cab	1	22,498	25,950
Parks	Truck 1 ton ext cab	1	33,263	36,000
	Truck 3/4 ton ext cab	1	32,797	33,000
Streets	Truck 3/4 ton ext cab	2	77,201	81,000
Total General Fund			**$ 185,968**	**$ 200,620**
WATER SEWER FUND				
Water	Truck 1-1/2 ton crew cab	1	55,953	57,500
	Truck 1 ton ext cab	1	48,513	53,000
	Truck 3/4 ton ext cab	3	106,368	106,500
Sewer	Truck 1-1/2 ton crew cab	1	41,211	45,500
	Truck 3/4 ton ext cab	1	36,656	35,500
Total Water Sewer Fund			**$ 288,701**	**$ 298,000**
Total Bid Award to Silsbee Ford			**$ 474,669**	

Note: The remaining budget of $23,950 would be used for purchase and install of safety/emergency lights, radio equipment and decals.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **November 2, 2015**

SUBJECT: **Purchase of a New Steel Wheel Roller Streets Department**

Approved in the General Fund Streets Operating Budget are funds to purchase a new Steel Wheel Roller used to uniformly compact hot mix asphalt when making street repairs. The Caterpillar Roller CB24B is $41,690.

This equipment is available from Holt CAT through the BuyBoard purchasing cooperative contract #424-13. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to the purchase of this new equipment.

For Council consideration is the Steel Wheel Roller bid award to Holt CAT for $41,690 and authorize the City Manager to execute a purchase order for this new equipment.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **November 10, 2015**

SUBJECT: **Purchase of 2016 Model Police Pursuit Chargers for Patrol**

Three (3) Police Pursuit Sedans are approved in the General Fund, Police Patrol budget. The total budget for these vehicles including safety and communication equipment is $97,000. The Dodge Charger with pursuit package (PPV) is available from Freedom Dodge through the Houston-Galveston Area Council of Governments (H-GAC) purchasing cooperative contract #VE11-13. The cost is $26,340 each and total bid award for three (3) is $79,020.

As a member and participant in the H-GAC cooperative program, the City has met all formal bidding requirements pertaining to the purchase of these new vehicles.

The remaining budget dollars would be used to buy an equipment package costing approximately $5,990 for each Charger. Equipment includes the purchase of lights, decals, console, microphones, gun racks, power pack, mounting brackets and installation of these items as well as wiring for and install of the radio, audio video system and computer. Total cost of equipment is estimated to be $17,970. This equipment will be purchased and installed once we receive the vehicles.

For Council consideration is the Charger PPV bid award to Freedom Dodge for $79,020 and authorize the City Manager to execute a purchase order for these new vehicles.

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City of Rockwall
The New Horizon

MEMORANDUM

To: **Rick Crowley, City Manager**

From: **Kirk Riggs, Chief of Police**

Date: **November 9, 2015**

Subject: **Purchase of 2015 Dodge Charger for our Citizens on Patrol**

The members of our Citizens on Patrol, (COP), are an exceptional group of individuals that volunteer their time to assist the Police Department throughout the year. They have assisted us with over 75 events this year and have saved the department an estimated $95,000 in salary. The COP's are a valuable component of our department, who provide crime prevention and other services to our city. Some of the various duties they perform on an annual basis include: traffic assistance at football games, parades, and special events, (Concert on the Lake, Founders Day, Hot Rocks, Rib Run, 4th of July, etc.). In addition to assisting us with special events, these 40 volunteers have logged thousands of hours patrolling our businesses, parks and neighborhoods. The retired police vehicles they are currently using to patrol our city are less reliable and need to be replaced. We would like to implement a four year replacement program that would allow us to replace one aging vehicle a year utilizing our seized funds account to accomplish this goal. This year, we were able to locate a 2015 Dodge Charger with low mileage that already comes equipped with a safety package for $21,500.

This 2015 model Charger is available for purchase through the BuyBoard purchasing cooperative contract #430-13 from Government Sales Freedom Auto Group. As a member and participant in this cooperative program, the City has met all formal bidding requirements pertaining to the purchase of this vehicle.

For Council consideration is the Charger bid to be awarded to Government Sales Freedom Auto Group and safety equipment for $21,500 and to authorize the City Manager to execute a purchase order for this vehicle from the Police Department seized asset account.

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City of Rockwall
The New Horizon

MEMORANDUM

To: **Rick Crowley, City Manager**

From: **Kirk Riggs, Chief of Police**

Date: **November 9, 2015**

Subject: **Purchase of 2016 Chevrolet Suburban for Community Service**

The Community Services Unit has had a substantial increase in the number of events and programs being requested, scheduled, and taught within the community. Each of these events or programs requires large quantities of literature (brochures, safety materials, etc.) visual aids (power point, overhead projector, etc.), display devices (tables, pop up tent, tri-pods, boards, etc.) and safety equipment. Officers have found that the typical patrol vehicle does not afford them with the room necessary to carry and transport the items required for the programs and events we are currently being asked to teach. A larger vehicle would provide the Crime Prevention Officers with all the necessary room to keep basic information on hand when out in the community and provide a platform for transporting larger quantities of materials and devices.

This 2016 model Suburban is available for purchase through the BuyBoard purchasing cooperative contract #430-13 from Caldwell Country Chevrolet. As a member and participant in this cooperative program, the City has met all formal bidding requirements pertaining to the purchase of this new vehicle.

For Council consideration is the Suburban bid to be awarded to Caldwell Country Chevrolet and safety equipment for $41,500 and to authorize the City Manager to execute a purchase order for this vehicle from the Police Department seized asset account.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Brad Griggs, *Assistant City Manager*
Tim Tumulty, *Director of Public Works/City Engineer*
Mark Poindexter, *Fire Chief*

FROM: Ryan Miller, *Director of Planning and Zoning*

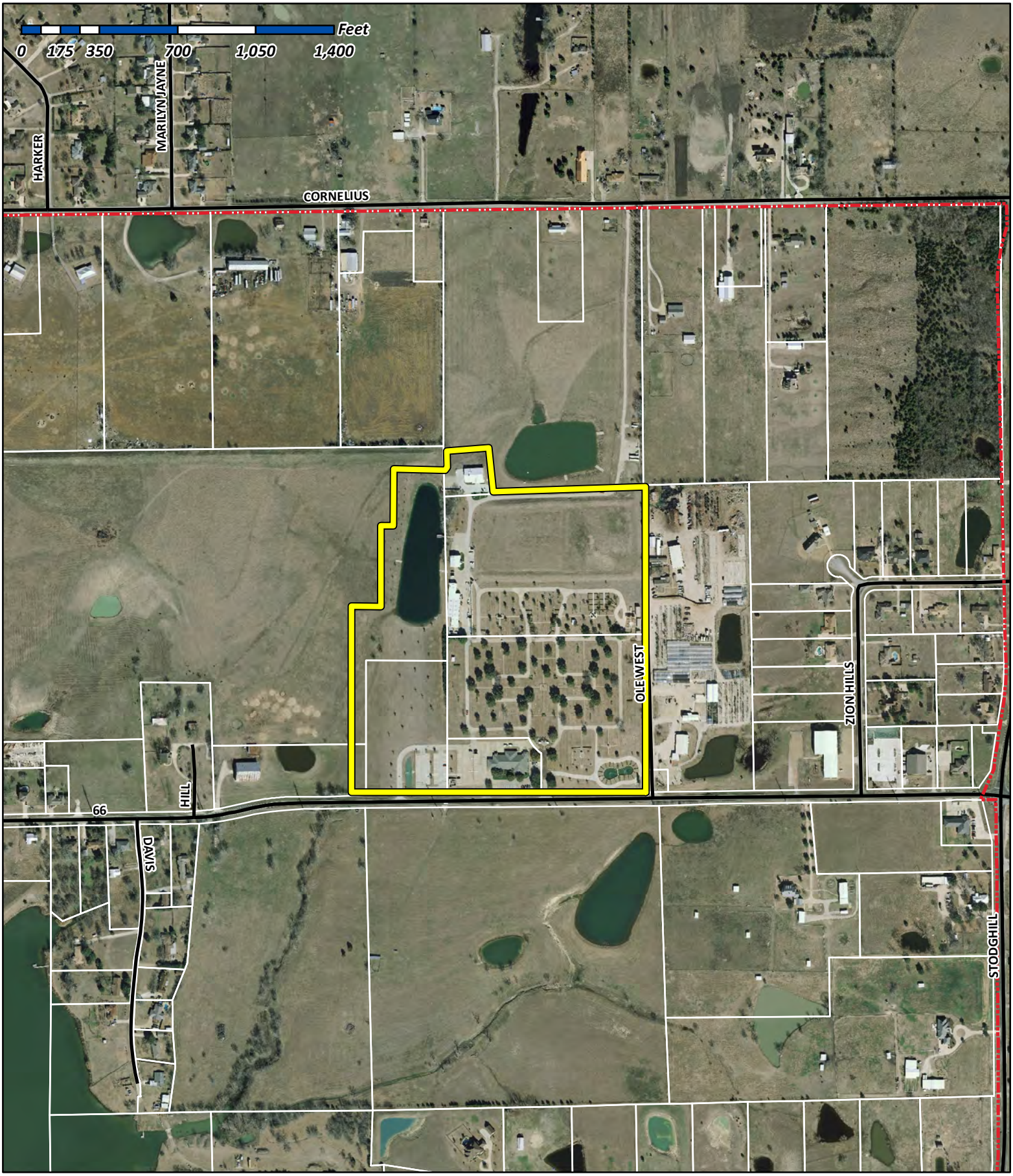
DATE: November 16, 2015

SUBJECT: Facility Agreement for *Resthaven Funeral Home and Memorial Park*

At the October 6, 2014 City Council meeting, Dewayne Cain of Cain Cemetery Corporation [*Rest Haven Funeral Home and Memorial Park*] requested a delay in the construction of the fire suppression system/requirements for the purpose of expanding the main structure on the subject property at 2500 SH-66. The reason for the request as explained by Mr. Cain in the meeting was the lack of City services (*i.e. sewer and water*) and the inability of the current water supplier, Mt. Zion, to provide sufficient capacity/water flow to supply a fire suppression system. A motion to direct staff to prepare the contract and bring it back before the City Council was approved by a vote of 5-0 (*with Council Members Daniels and Lewis absent*); however, Mr. Cain abandon the project and staff did not proceed with preparing the *Facility Agreement*.

On October 8, 2015, Mr. Cain submitted for a building permit proposing the construction of a mausoleum. As part of this review, the Fire Department stipulated that the building meet fire hydrant coverage or that a *Facility Agreement* be approved by the City Council. As a result, staff has drafted the attached *Facility Agreement* that will allow Mr. Cain to develop the property in accordance with the attached master plan. The agreement does stipulate that once City water has been extended within 100-feet of the subject property that Mr. Cain will have three (3) years to: 1) extend the water line across the frontage of his property and 2) upgrade the existing building to ensure that they have fire sprinklers (*if needed*), needed fire flow, and fire hydrant coverage. All other building and fire code requirements will be reviewed through the building permit process.

Staff request City Council consideration to delay the construction of the fire suppression system/requirements for the subject property in accordance with the conditions stipulated in the attached *Facility Agreement*.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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typically received from Suntex associated with this concessions agreement are about $100,000 per year.

Mr. Petty offered general comments related to the lake levels and varying circumstances related to individual boat slips at the marina as well as individual contracts with boat owners related to lease of those slips. He indicated that dredging in, around and under the slips at the marina has been challenging.

Councilmember White asked what percentage of revenue has been lost due to tenants pulling out, cancelling their membership and docking their boats elsewhere. Mr. Petty indicated that revenue has declined about 33% due to "rent relief" arrangements that have been negotiated between tenants and the marina and/or due to those who've cancelled and moved their boats elsewhere entirely.

Mr. Griggs indicated that money received from this concessions agreement is deposited into the city's Recreational Development Fund, and the money is used to fund recreational projects for city residents (example: most recently used to renovate Tuttle and Yellow Jacket ball fields). Also, part of the revenues anticipated to be received by the city from this concessions agreement has been budgeted in the 2015 fiscal year for upcoming projects.

Councilmember Milder pointed out that the City of Rockwall is also feeling a lot of stress and financial strain due to the drought and the lack of water sales. So, as a result, he expressed an uncertainty about the city's ability to grant the company's request for relief this evening. Mr. Petty indicated that the company operates twenty-two other marinas elsewhere outside of Rockwall. Councilmember Milder suggested the company consider seeking financial relief from elsewhere within the company itself so that Rockwall taxpayers do not have to bail out the company.

Councilmember Townsend expressed that their concessions agreement is based on a percentage of sales. His struggle is that the company is still charging Rockwall citizens associated with the boat docks, yet then the company wants the city to not charge the company associated with the concessions agreement and the associated financial obligations. He has a problem with the company charging Rockwall residents for boat dock slips they are unable to utilize due to the drought. Mayor Sweet generally echoed Councilmember Townsend's concerns.

Councilmember White asked if the company has sales other than slip rentals. Mr. Petty indicated that the rentals makes up a majority of the sales (about 85%).

Mr. Petty offered brief, closing remarks, indicating that his company may be able to partner with the City in the future to come up with and execute a long term plan which may be beneficial to both the company and the citizens of Rockwall, for example with regards to future dredging operations and green space for residents (using backfill/dredged material).

The council took no action related to this agenda item.

4. Appointment with Dewayne Cain regarding Rest Haven Funeral Home expansion, and take any action necessary.

Dewayne Cain
305 Stonebridge
Rockwall, TX

Mr. Cain came forth and indicated he owns the Rest Haven Funeral Home and Memorial Park in Rockwall, a building which has never been expanded since it was originally constructed in 1992. There is now a tremendous need to expand, adding about 1,500 square feet. He would like the city council to consider a temporary postponement associated with the requirement that the new construction and existing construction be equipped with a fire sprinkler suppression system. He explained that his business was annexed into the city several years ago, and, since that time, no city water or sewer lines have been extended to his particular business. He explained that his existing water line is a small line from Mt. Zion Water Supply that comes from Cornelius Street; however, it does not have the capacity to supply sufficient water to service a fire sprinkler system. He explained that he is requesting that the council consider allowing him to go ahead and proceed with construction of the building expansion but defer the fire sprinkler system requirement for a period of time. He suggested that his company could enter into a legal contract with the city that would postpone putting the fire system in until such time as the city extends water to his business. He explained that he is willing to include with the building expansion/construction the fire suppression lines needed to activate the system once city water lines have been extended to his property. After brief discussion, Councilmember Pruitt made a motion for the City to enter into a contract with Dewayne Cain on behalf of Rest Haven Funeral Home to delay installation of the fire sprinkler system until which time as the city extends the water line to his business so he may tie into it and activate the sprinkler system at that future date. Councilmember Townsend seconded the motion. The motion passed by a vote of 5 ayes with 2 absent (Daniels and Lewis).

Staff indicated that a contract will be drawn up and brought back to the City Council for review and final approval at a future date.

5. Appointment with Mark Spencer to discuss and consider the master plan for the Park at Stone Creek, and take any action necessary.

Assistant City Manager Brad Griggs provided brief introductory comments related to this agenda item, indicating that the city authorized submission of a grant application to the Texas Department of Parks and Wildlife to assist with development of this park. The Park Board voted unanimously on August 5 to approve the master plan for the Park at Stone Creek.

Mr. Spencer with MHS Planning and Design then came forth to address council. He indicated that this park is located on the northwest corner of Featherstone and John King Boulevard next to a middle school. He indicated that a portion of a flood plain is included in this tract, and some sort of a water works play area may be incorporated there. The master plan for this park includes a playground area, a 1/3 mile trail loop, a 9-hole executive disc golf area, a basketball court, plaza with covered pavilion, open lawn area, 1 acre pond, fishing pier, nature area with native grasses and trees and a bike rest stop along the trail along John King. Two parking lots are included for this particular park. About 3.5 acres will be irrigated (out of about 16-17 total acres). He indicated that the play area in this particular park will have about twice as much funding devoted to the playground area than that which has been devoted in other neighborhood parks in Rockwall because a lot of young families live in this particular area.

Mr. Griggs indicated that this park land came about through the city's mandatory park land dedication policy which calls for a developer to either dedicate open space land for parks or pay cash in lieu of land. In this case, the developer dedicated actual land to the city (11.88 acres) for future development of a park. In addition, the developer pays pro rata equipment fees, and those have been collected in the first five phases of the developer's development. Those funds will be utilized as the "matching funds" if the city is awarded the grant for which it has applied. If the grant does not come to fruition, the city will plan to utilize those funds to develop the park more slowly over time in phases and will reapply for a grant again later on.

ISSUE DATE: 08/20/13

REVISION:

J. STUART TODD, INC.
ARCHITECTS - INTERIORS - MAUSOLEUM - CEMETERY - PLANNING
WWW.JSTARCHITECTS.COM 214.522.4033
2919 WELBORN 3424 WILSHIRE BLVD., MEZZANINE
DALLAS, TEXAS 75219 LOS ANGELES, CALIFORNIA 90010
214-522-4033 213.637.7818

REST HAVEN CEMETERY
MASTER PLAN
ROCKWALL, TEXAS

SHEET NO.

JOB NUMBER: 98285

© J.STUART TODD, INC.

P:\Rest Haven Funeral Homes & Cemetery - BILL ALL As 02\91\Rockwall, TX\Cemetery\Master Plan & Section Development\Master Plans\Rest Haven OVERALL Master.dwg Plotted by Walter Bateman at 11/22/2016 9:50:01 AM with _JST Full Pen Weight.ctb plot style

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STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

FACILITY AGREEMENT

This Agreement is entered into on the *19th* day of *October 2015*, by and between the *City of Rockwall, Texas* (the *City*) and *Dewayne Cain* of *Cain Cemetery Corporation*, (the *Developer*).

WITNESSETH:

Section 1. That in consideration of delaying the construction of the required fire protection requirements (*i.e. fire sprinklers [if applicable], needed fire flow and fire hydrant coverage*) for the buildings on the *Subject Property*, -- which is described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this agreement, and incorporated by reference herein -- located within the City of Rockwall, Texas, the *City* and the *Developer* agree to the following:

The *Developer* agrees to the following:

(a) The *Developer* agrees that in accordance with Section 44-31, *Extension of Water and Sewer Lines - Generally*, of Article II, *Main Extensions*, of the *Municipal Code of Ordinances,* when water service has been extended within 100-feet of the limits of the subject property that the developer shall be responsible for completing the following within a three (3) year time period:

(1) The *Developer* shall connect and extend the water line across the frontage of the *Subject Property*.

(2) The *Developer* shall upgrade the existing buildings to ensure that they meet the fire sprinklers (*if applicable*), needed fire flow, and fire hydrant coverage.

(b) Failure to comply with the established timeframes stated in *Section 1(a.)* of this agreement will result in the potential revocation of *Ordinance No. 10-34 [SUP No. 77]*.

Section 2. The *City* agrees to the following:

(a) The *City* agrees to allow the delay of the construction of the required fire protection requirements (*i.e. fire sprinklers [if applicable] and fire hydrant coverage*) for the time period established in Section 1(a.) of this agreement and to allow new construction in accordance with the Master Plan contained in *Exhibit 'B'* of this agreement and in conformance with the requirements stipulated in *Ordinance No. 10-34 [SUP No. 77]*.

Section 3. Nothing contained herein shall be considered as a waiver of the provisions of the City's Comprehensive Zoning Ordinance and subdivision regulations as the case may be.

Section 4. *Severability Clause*. If any section or provisions of this Ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation, or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the Ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 5. Venue for this agreement shall be in Rockwall County, Texas.

Section 6. Notice of this Agreement shall be in writing and addressed to the following:

ATTN: City Manager
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

ATTN: Dewayne Cain
Cain Cemetery Corporation
P.O. Box 1119
Rockwall, TX 75087

SIGNED ON THE DATE FIRST ABOVE WRITTEN.

CITY OF ROCKWALL

By:

_____
Rick Crowley
City Manager

DEVELOPER

By:

_____
Dewayne Cain
Cain Cemetery Corporation

ACKNOWLEDGEMENTS

STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

BEFORE ME, the undersigned authority, on this day personally appeared, *Dewayne Cain*, the owner of the *Cain Cemetery Corporation*, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing *Agreement* for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ day of _____, 2015.

_____
Notary Public in and for the State of Texas

My Commission Expires:

_____

STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

BEFORE ME, the undersigned authority, on this day personally appeared, Rick Crowley, City of Rockwall City Manager, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing *Agreement* for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ day of _____, 2015.

_____

Notary Public in and for the State of Texas

My Commission Expires:

_____

Exhibit 'A'
Legal Description

All that certain lot, tract or parcel of land situated in the WILLIAM DALTON SURVEY, ABSTRACT NO. 72, Rockwall County, Texas, and being all of REST HAVEN MEMORIAL PARK ADDITION, according to the Plat thereof recorded in Cabinet A, Slide 140 of the Plat Records of Rockwall County, Texas, and MEMORIAL GARDEN MAUSOLEUM IN RESTHAVEN MEMORIAL PARK, according to the Plat thereof recorded in Cabinet C, Slide 333 of the Plat Records of Rockwall County, Texas, and being a part of a tract of land as described in a Warranty Deed from T. D. Cain to E. V. S. R. (D), LLC, as recorded in Volume 3822, Page 110 of the Real Property Records of Rockwall County, Texas, and being all of a 13.251-acres tract as described in a Warranty Deed from Dewayne and Ann Cain to Cain Cemetery Corporation, as recorded in Volume 771, Page 109 of the Real Property Records of Rockwall County, Texas, and being a part of a tract of land as described in a Deed from Buell C. Florence to Cain Cemetery Corporation, as recorded in Volume 4889, Page 301, of the Real Property Records of Rockwall County, Texas, and being all of a 5.00-acre tract of land as described in a Warranty Deed from Buell C. Florence to Cain Cemetery Corp., dated August 8, 2005 and being recorded in Volume 4162, Page 42 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½" iron rod found for corner in the North right-of-way line of State Highway 66, at the Southeast corner of said RESTHAVEN MEMORIAL PARK ADDITION;

THENCE S. 89 deg. 57 min. 09 sec. W. along said right-of-way line, a distance of 895.0-feet to an iron rod found for corner at the southwest corner of said RESTHAVEN MEMORIAL PARK ADDITION and being at the southeast corner of said 5.00-acre tract;

THENCE N. 89 deg. 56 min. 26 sec. W. a distance of 422.69-feet to a ½" iron rod with yellow plastic cap stamped "R. S. I C. RPLS 5034" set for corner;

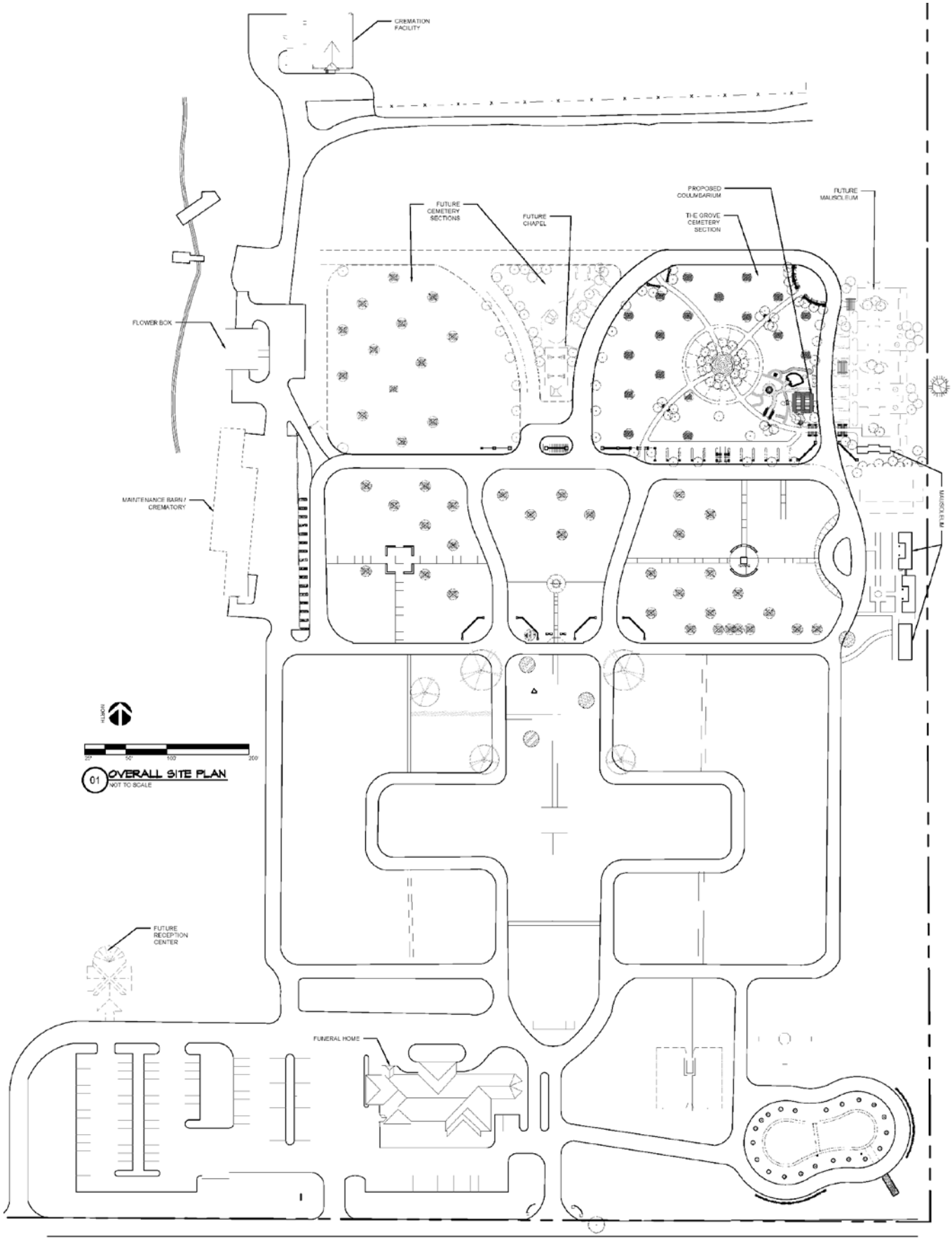
THENCE along a steel pipe fence as follows:
N. 00 deg. 01 min. 13 sec. E. a distance of 833. 22-feet;
S. 89 deg. 41 min. 34 sec. E. a distance of 131.7-feet;
N. 00 deg. 07 min. 41 sec. E. a distance of 362.70-feet;
S. 88 deg. 55 min. 20 sec. E. a distance of 54.67-feet;
N. 00 deg. 21 min. 00 sec. E. a distance of 254.99-feet;
S. 88 deg. 20 min. 13 sec. E. a distance of 230.35-feet;

THENCE along a wire fence as follows:
N. 33 deg. 57 min. 40 sec. E. a distance of 16.06-feet;
N. 01 deg. 39 min. 57 sec. W. a distance of 73.22-feet;
N. 85 deg. 41 min. 15 sec. E. a distance of 189.73-feet;
S. 05 deg. 47 min. 37 sec. E. a distance of 197.64-feet to a point for corner in the north line of said 13.251-acres tract of land;

THENCE N. 88 deg. 03 min. 58 sec. E. along the north boundary line of said 13.251-acre tract, a distance of 682.42-feet to an iron rod found for corner at its northeast corner;

THENCES. 00 deg. 04 min. 20 sec. E. along the east line of said 13.251-acre tract and along the east line of said RESTHAVEN MEMORIAL PARK ADDITION, a distance of 1369.33-feet to the POINT OF BEGINNING and containing 40.57-acres of land.

Exhibit 'B'
Master Plan



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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, Assistant to the City Manager / City Secretary**

DATE: **November 13, 2015**

SUBJECT: **Resolution of Support – NTMWD's Lower Bois D'Arc Creek Reservoir**

Tom Kula, Executive Director of the North Texas Municipal Water District, is seeking assistance from member cities related to the Lower Bois D'Arc Creek Reservoir project and associated permitting process. Included on the November 16 agenda for Council's consideration is a resolution of support for the project and associated permitting that NTMWD is attempting to secure. In addition to outlining support for the reservoir project, the resolution requests the Mayor to draft and send a letter to Congressman Ratcliffe to ask that he and his fellow Congressmen do whatever is needed to expedite needed permitting. Also included in the packet is a sample, draft letter provided by Mr. Kula that Rockwall may wish to utilize for this purpose as well as a November 6th press release from Congressman Ratcliffe's office. The sample letter provided by Mr. Kula may be sent 'as is' or modified in any way the Mayor and/or Council may wish. Staff will be available to answer any questions Council may have concerning this issue.

CITY OF ROCKWALL
RESOLUTION NO. 15-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, EXPRESSING SUPPORT FOR THE NORTH TEXAS MUNCIPAL WATER DISTRICT'S (NTMWD) PLANNING, PERMITTING AND CONSTRUCTION OF THE LOWER BOIS D'ARC CREEK RESERVOIR (LBCR) PROJECT; AUTHORIZING THE MAYOR TO SUBMIT AN ASSOCIATED LETTER OF SUPPORT TO ROCKWALL'S CONGRESSMAN; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, over the last ten years, the NTMWD and its Member Cities have been investing considerable time and resources for the required planning and permitting to construct the Lower Bois d'Arc Creek Reservoir (LBCR); and

WHEREAS, this project has been identified as a necessity in order to meet the North Texas region's short-term and long-term water needs; and

WHEREAS, while the NTMWD and its member cities have and will continue to concentrate on water conservation efforts, conservation alone cannot meet our residents' needs in the year 2020 and beyond; and

WHEREAS, although the NTMWD has received the required State permit and the U.S. Army Corps. Of Engineers has issued its Draft Environmental Impact Statement, the NTMWD and the City of Rockwall are concerned that the final federal permit could be delayed beyond 2016; and

WHEREAS, the City of Rockwall is counting on additional water supply from the LBCR to become available as early as 2020 and is poised to being construction as soon as the Army Corps. of Engineers issues the 404 Clean Water Act Permit; and

WHEREAS, delays in the Corps issuing this much needed permit may not only limit the availability of water for our citizens, but also add costs to what is already a $1 billion investment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Rockwall City Council hereby requests the Rockwall Mayor to draft and send a letter to U.S. Congressman John Ratcliffe to ask him and his fellow Congressmen to do whatever possible to expedite completion of the federal permitting associated with the LBCR project; and

Section 2. That this Resolution shall become effective from and after its adoption and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 16th DAY OF November, 2015.

ATTEST: **Jim Pruitt, Mayor**

Kristy Cole, City Secretary

Congressman,

On behalf of the City of _____, thank you for working diligently to ensure the citizens of North Texas have the vital water resources needed to support our growing region.

As you know, water has provided the essential foundation for our community to grow over the last several decades and a reliable water supply is critical to meet the needs of our children and grandchildren, as well as to support businesses, jobs and economic prosperity in our city.

Over the last 10 years, the North Texas Municipal Water District (NTMWD) and its Member Cities have been investing considerable time and resources for the required planning and permitting to construct the Lower Bois d'Arc Creek Reservoir (LBCR) to provide much needed additional water supplies for existing and future residents in North Texas. This project is absolutely key to meeting our short-term and long-term water needs.

While we must pursue new resources, our City recognizes the importance of maximizing current available water supplies. Our region has been responsible with its limited supplies during the past several years and will continue to be leaders in water conservation. Yet, conservation alone cannot meet our residents' needs in 2020 and beyond. We can't emphasize enough how important it is to have adequate water to help protect us from the significant effects of drought that we have experienced more frequently over the last decade. We can't afford to continue to experience years of limited supplies, particularly as watering restrictions place a considerable burden on our citizens and may stifle future economic growth.

We were pleased that the NTMWD received the required State permit for the LBCR project last summer and that the U.S. Army Corps of Engineers (Corps) has issued its Draft Environmental Impact Statement after years of rigorous analysis and studies. However, we are very concerned that the final federal permit could be delayed beyond 2016.

Our City is counting on that additional supply being available as early as 2020. The NTMWD has worked closely in support of the federal agencies throughout the permitting process and is poised to begin construction as soon as the 404 Clean Water Act Permit is issued by the Corps. Delays in receiving the final permit may not only limit the availability of water for our citizens, but also add costs to what is already a $1-billion investment.

For these reasons, we implore you and your fellow Congressmen to do whatever possible to expedite the completion of the federal permitting for the LBCR. The process has already taken nearly a decade and the citizens of North Texas deserve more certainty when it comes to something as important as the water supply that is essential for the public health, safety and economic viability of the entire region.

Respectfully,

Mayor, City of _____

DRAFT

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Cole, Kristy

Subject: Lower Bois d'Arc - Congressman Ratcliffe Position and Letter

From: Grinnan, Lorie
Sent: Thursday, November 12, 2015 2:17 PM
To: Crowley, Rick
Subject: Lower Bois d'Arc - Congressman Ratcliffe Position and Letter

Rick,

The below is the press release for the Lower Bois d'Arc Reservoir and the link to the letter from Representatives Sessions, Johnson, and Ratcliffe. Thank you for contacting me regarding the city council agenda item, and I plan to attend the meeting.

Lorie

TEXAS CONGRESSMEN SUPPORT CONSTRUCTION OF THE LOWER BOIS D'ARC CREEK RESERVOIR

November 6, 2015
Press Release
WASHINGTON, DC - U.S. Congressman John Ratcliffe (TX-4), U.S. Congressman Pete Sessions (TX-32) and U.S. Congressman Sam Johnson (TX-3), released the following statement regarding their joint letter on behalf of the North Texas Municipal Water District to the United States Army Corps of Engineers (USACE) and the Environmental Protection Agency (EPA) urging them to issue a necessary permit to build the Lower Bois d'Arc Creek Reservoir:

The North Texas Municipal Water District (NTMWD) currently serves 1.6 million people in one of the fastest growing areas in Texas. The NTMWD has projected that water demands will drastically increase from 420,000 acre-feet per year in 2020 to 626,400 acre-feet per year by 2060. Due to the growing demands, it is imperative that the Lower Bois d'Arc Creek Reservoir permits be approved no later than June 1, 2016 to ensure construction is completed by 2020. Water resources, including the construction of this reservoir, are the key to sustaining North Texas' burgeoning economic and population growth.

"I'm grateful to join with Congressman Pete Sessions and Congressman Sam Johnson to demand answers on behalf of our constituents in Northeast Texas. Many folks in Texas' Fourth Congressional District have reached out to my office with concern about the permitting timeline for the Lower Bois d'Arc Creek Reservoir," said Ratcliffe. "It's time that the EPA and USACE take this process seriously and do everything within their power to move the process along, so the people of Northeast Texas can benefit from the region's continued economic growth."

"As our region continues to expand, it is imperative that we take effective measures to ensure North Texas families have access to this critical water supply," Sessions said. "I join my colleagues in urging the EPA

and USACE to recognize the urgency of this situation, remove the bureaucratic hurdles, quickly conclude the permitting process, and issue the necessary permits so we can begin construction on this vital Reservoir."

"Texans are no strangers to drought, which is why water is one of the most important issues for folks in North Texas – particularly as our community continues to grow," said Johnson. "That's why, a few years ago, I worked to help the NTMWD resume pumping after it had been shut down due to a Zebra Mussel infestation. But I've also been working hard with my colleagues Congressman Sessions and Ratcliffe to get *new reservoirs* for our area approved. We've been working closely with the Army Corps of Engineers, and we also helped pass the RAPID Act (H.R. 348) to help expedite the approval of new water projects like the Lower Bois d'Arc Creek Reservoir. It's high time this necessary reservoir's permit was granted, and North Texans can rest assured we'll continue to fight to see that their water needs are met."

To read the full letter, click here.

Lorie Grinnan
Regional Representative
Congressman John Ratcliffe (TX-04)
6531 Horizon Road, Suite A
Rockwall, TX 75032 | Main: 972-771-0100
Cell: 972-922-8452 | Fax: 972-771-1222

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **November 12, 2015**

SUBJECT: **Downtown Reconstruction Improvements**

The Downtown Reconstruction Project was approved by our voters in 2012. The project design was performed by La Terra Studio, Inc. and is being constructed at this time by Hill-Wilkinson General Contractors. The contractor is nearing the completion of the project. The section of Goliad Street between Washington and Rusk Streets was not included in the original design and construction.

Staff was asked to provide a cost to include the design for Goliad Street between Washington and Rusk Streets. La Terra Studio, Inc. has submitted an Additional Services Request (Number One) to design the rehabilitation of this section to match the other areas of our Downtown. Their cost to perform this design is $50,500.00. Their design of the additional area should be completed in time to avoid an additional mobilization cost from our contractor.

Staff requests City Council consideration to approve the attached additional services contract amendment with La Terra Studio, Inc. to provide the design for the walkways/store front area along Goliad Street between Washington and Rusk Streets to match the design in the Downtown area in an amount of $50,500 and take any action necessary. Funding will be taken out of the Downtown Projects funding account.

TMT:em

Attachments

Cc:
Mary Smith, Assistant City Manager
Amy Williams, P.E., Assistant City Engineer
File

CITY OF ROCKWALL
ADDITIONAL SERVICES AGREEMENT #1

DOWNTOWN ROCKWALL IMPROVEMENTS

This agreement is made by the City of Rockwall, Texas, a municipal corporation ("City") and **LA TERRA STUDIO, INC.** ("Landscape Architect"). Under this Agreement, Landscape Architect shall provide **Additional Professional Design Services** (collectively, the "Project"). The City and Landscape Architect agree:

See Attachment "A" for Description of Additional Services

LA TERRA STUDIO, INC.	CITY OF ROCKWALL, TEXAS
_____	_____
By: Michael Black	By: _____
Title: CEO	Title: _____
Date: _____	Date: _____
Address: 2700 Swiss Ave. Suite 100 Dallas, TX 75204	Address:
Phone: 214.749.0333	Phone:
Fax: N/A	Fax:
	ATTEST:
	_____ City Secretary

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Tim Tumulty, P.E.
Director of Public Works
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

RE: Additional Services Request # 1
Downtown Improvements – Goliad Street (Washington to Rusk)

Dear Mr. Tumulty:

la terra studio, inc. would like to offer additional professional services for the design of improvements along Goliad Street between Washington Street and Rusk Street in association with the current downtown construction project. We propose the following additional services in order to provide pricing documents to Hill Wilkinson (Construction Contractor) on or before December 11th, 2015.

- Site Preparation (Demolition) Plan
- Traffic Control Plan
- Erosion Control Plan
- Site Plan
- Grading Plan
- Subsurface Drainage Plan (Planters)
- Irrigation Plan
- Landscape Plan
- Site Details
- Electrical Plan
- Structural/Foundation Plan and Details
- Construction Phase Services (To be Billed Hourly as requested by the City)

la terra studio will provide Construction Documents by January 13th, 2016. The items listed above are to be provided in accordance with the original contract terms (dated: August 7th, 2012)

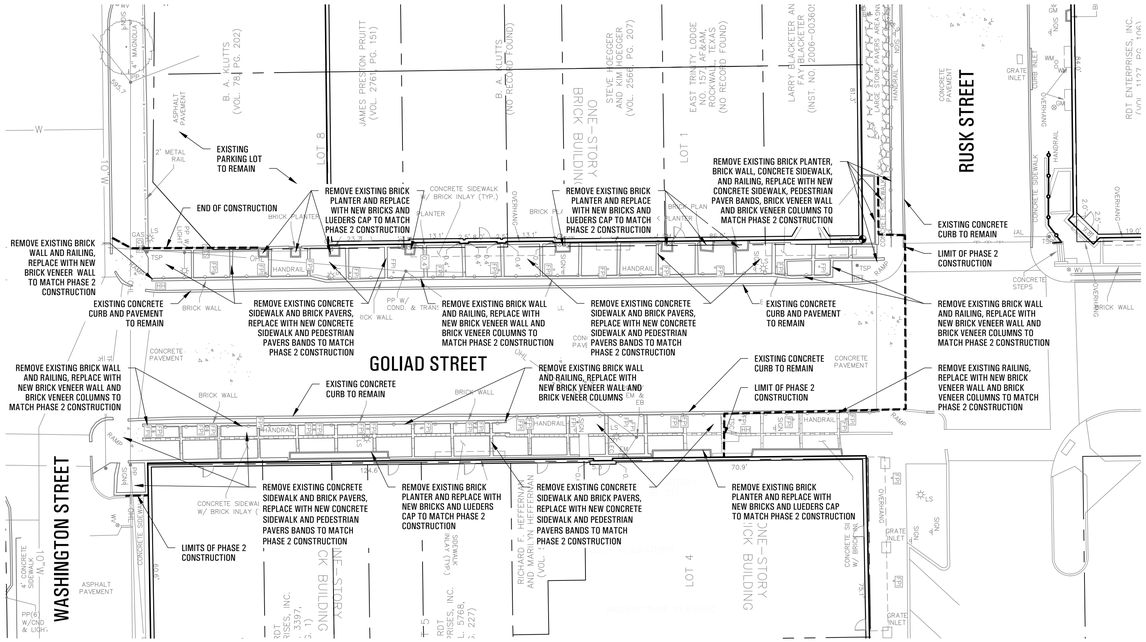
Pricing Drawings	$42,500
Final Construction Drawings	$ 8,000
Construction Phase Services	$ Hourly
Total additional services	$50,500

Respectfully,

michael t black, CLARB|ASLA|PLA
C.E.O. ~ *la terra studio, inc.*

OPTION 2 SUMMARY

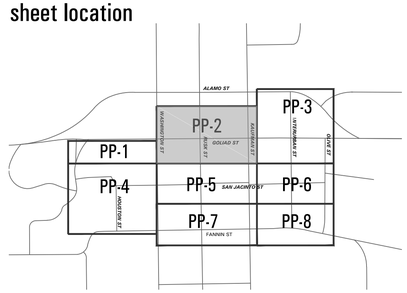
- REMOVE BRICK WALLS
- REMOVE RAILINGS
- ADD BRICK VENEER WALLS AND COLUMNS
- REPLACE CONCRETE PAVEMENT
- REPLACE BRICK PLANTERS



OPTION 2 - TOTAL REPLACEMENT BACK OF CURB TO BUILDING

© 2013 la terra studio, inc. All Rights Reserved FILE: P:\12024 Downtown Rockwall PS&E - Rockwall CAD\SHEETS\12024_Goliad Options.dwg

sheet location



la terra studio

Pacheco Koch
DALLAS FORT WORTH HOUSTON

ENGINEERING ASSOCIATES

Downtown Rockwall

la terra studio Project #12024

streetscape improvements

PHASE 2

rockwall, texas

ROCKWALL
An Official Main Street City

submittals / revisions

no.	date	detail

la terra studio, inc.

12024
lts project number

02.26.2014
date

rac; bhm
drawn by

mtb
checked by

registration

REGISTERED LANDSCAPE ARCHITECT
MICHAEL T. BLACK
2202
STATE OF TEXAS

02.26.2014

sheet title

Goliad Street Improvement Plan

sheet number

PR-1

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HILL & WILKINSON
GENERAL CONTRACTORS

Rockwall Downtown Goliad Option 2 Full Replacement
Rockwall, TX

October 28, 2015

2703 Telecom Parkway
Suite 120
Richardson, TX 75082
Max Scott
214-299-4300 Main
214-878-8546
214-299-4888 Fax

ESTIMATE #1 - ROUGH ORDER OF MAGNITUDE (ROM)

	DESCRIPTION	QTY	UNIT	U.P.	TOTAL	$/SF
1	**DESIGN**	by Owner			by Owner	
2	**GENERAL REQUIREMENTS**	1	LS	6,500.00	6,500	
3	-Construction Fence	1	LS	2,500.00	2,500	
4	-Barricades	1	LS	3,500.00	3,500	
5	**Landscaping**	1	Allow	55,000.00	55,000	
6	-Pots	1	LS		Included	
7	-Irrigation	1	LS		Included	
8	**Demolition/Earthwork**	1	LS	40,713.00	40,713	
9	-Demo of Sidewalks, Walls & Planters	1	LS		Included	
10	-Grading	1	LS		Included	
11	-Flexbase under sidewalk	1	LS	5,500.00	5,500	
12	**Concrete**	1	LS	262,100.00	262,100	
13	-Sidewalk Replacement	1	LS		Included	
14	-Piers & Gradebeam for Walls	1	LS		Included	
15	**MASONRY**	1	LS	130,000.00	130,000	
16	-Brick @ Planters	1	LS		Included	
17	-Block @ Planters	1	LS		Included	
18	-Stone Cap @ Planters	1	LS		Included	
19	-Brick Walls w/Block and Stone Caps	1	LS		Included	
20	-Pavers	943	SF	13.20	12,448	
21	**Railings**	1	Allow	15,000.00	15,000	
22	SUBTOTAL				$533,261.00	
23	General Conditions				89,938	
24	SUBTOTAL				623,199	
25	Payroll Tax / Burden				included	
26	Builders Risk Insurance				466	
27	Liability / Umbrella				6,764	
28	Subguard				7,811	
29	P & P Bond				15,580	
30	SUBTOTAL				653,820	
31	Construction Contingency	5.00%			32,691	
32	SUBTOTAL				686,511	
33	Contractor Fee	6.00%			41,191	
34	SUBTOTAL				727,702	
35	Renovation Tax (Including Fee)	0.00%			0	
	TOTAL				**727,702**	

QUALIFICATIONS:

1 The estimate is conceptual in nature based on sheet PR-1 provided by La Terra Studio dated 2.26.14
2 Sales tax is excluded
3 Testing will be paid out of the original allowance
4 This estimate is for budget purposes only
5 Electrical work is excluded
6 Plumbing work is excluded
7 Gas work is excluded
8 Landscaping is an Allowance (Not sure of the quanitity of Pots needed)

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manger*
Brad Griggs, *Assistant City Manager*

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: November 16, 2015

SUBJECT: MIS2015-009; *Special Request for 112 Chris Drive*

At the October 5, 2015 City Council meeting the Rockwall Housing Development Corporation (RHDC) presented a proposal for a *Special Request* to allow the construction of two (2) single-family attached structures on two (2) lots at 112 Chris Drive in *Area 2* of the Lake Rockwall Estates subdivision. The purpose of this case was to provide an alternative to *Case No. MIS2015-004*, which involved a request to replace a manufactured home that sustained considerable damage as a result of the flooding in the Lake Rockwall Estates subdivision earlier this spring. The property for this case was located at 142 Rene Drive and is located within the 100-year floodplain. In response to *Case No. MIS2015-008*, the City Council approved a motion to deny the single-family attached land use by a vote of 2-3 (*with Council Members Milder, Townsend and White dissenting and Council Members Fowler and Hoenshelt absent*); however, the City Council did vote to approve an exception to the masonry requirements and a variance to the lot frontage requirements -- *also requested by this case* -- by a vote of 3-2 (*with Council Members Townsend and Milder dissenting and Council Members Fowler and Hoenshelt absent*).

The case returned to the City Council at their work session on October 19, 2015 where the City Council directed staff to bring the case back under the *Special Exceptions* clause contained in *Exhibit 'C'* of Planned Development District 75 (PD-75) [*Ordinance No. 09-37*]. As part of this directive, the case was to be advertised in the same manner as required for zoning cases as stipulated by Section 6.1, *Notice of Public Hearing*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code. In response to this request, staff mailed out 94 notices to residents and property owners within 500-feet of the subject property on October 30, 2015. Additionally, staff posted a sign at the northwest corner of the intersection of Chris Drive and Countyline Road (*i.e. on the subject property*), and advertised the public hearings in the Rockwall Harold Banner. At the time this memorandum was drafted no responses were received by staff.

On November 10, 2015, the Planning and Zoning Commission approved a motion to recommend denial of the applicant's request by a vote of 3-2, with Commissioners McCutcheon and Logan dissenting and Commissioners Jusko and Fishman absent. Provided in this packet are staff's case memos for *Case No.'s MIS2015-004 & MIS2015-008*, a time-line of events that includes all voting results, and all pertinent information concerning the current request. Should the City Council have any questions staff will be available to answer them at the work session.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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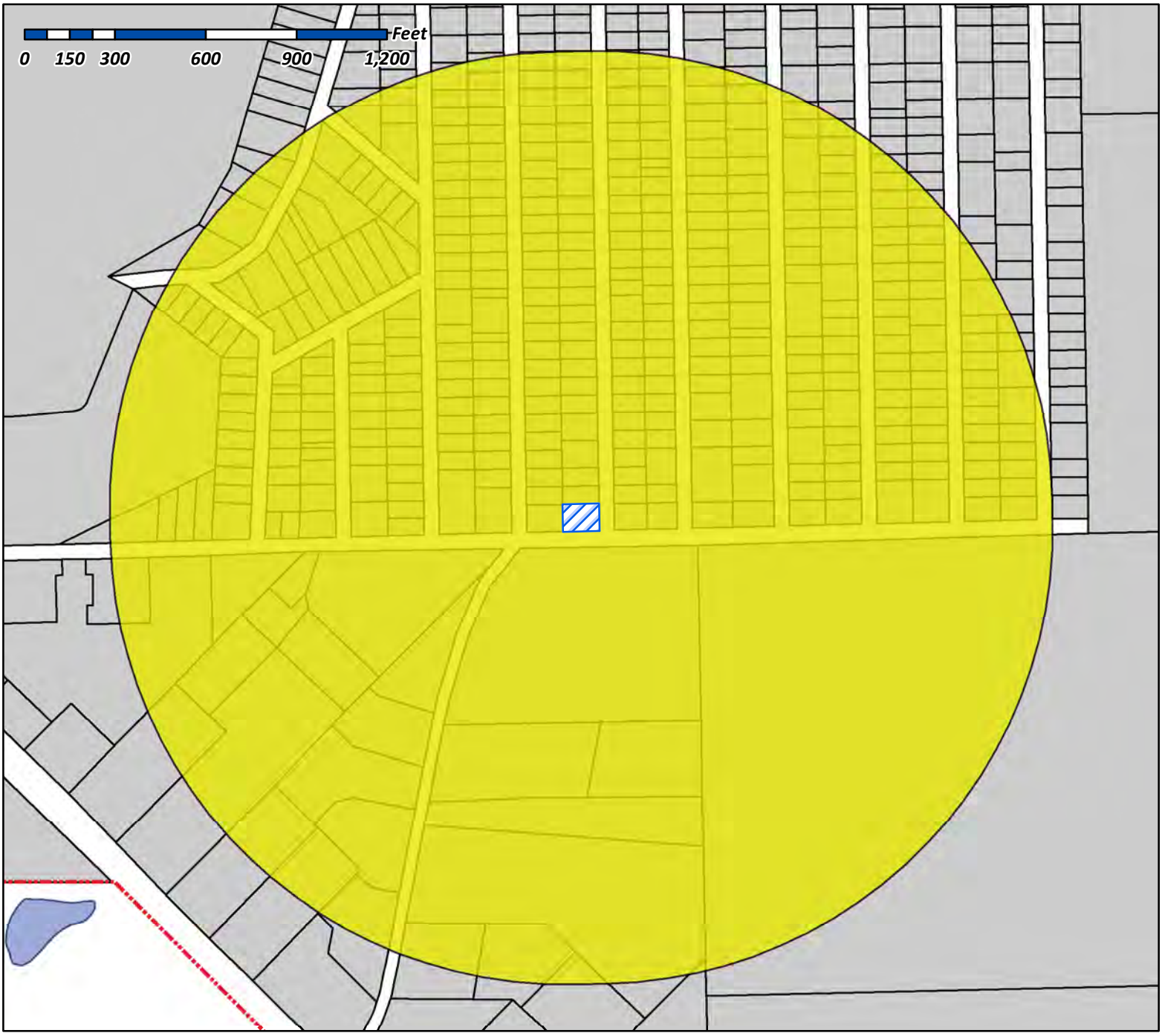
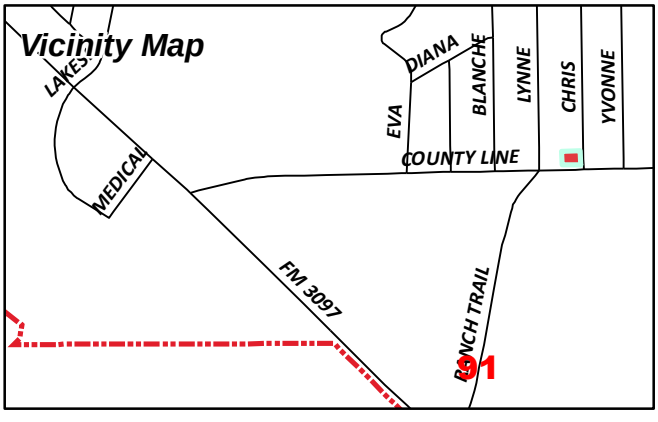


Case Number: MIS2015-009
Case Name: 112 Chris Dr.
Case Type: Miscellaneous (Special Request)
Zoning: PD-75
Case Address: 112 Chris Dr.



Date Created: 10/20/2015
For Questions on this Case Call (972) 771-7745

City of Rockwall

Planning & Zoning Department
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Rockwall, Texas 75087
(P): (972) 771-7745
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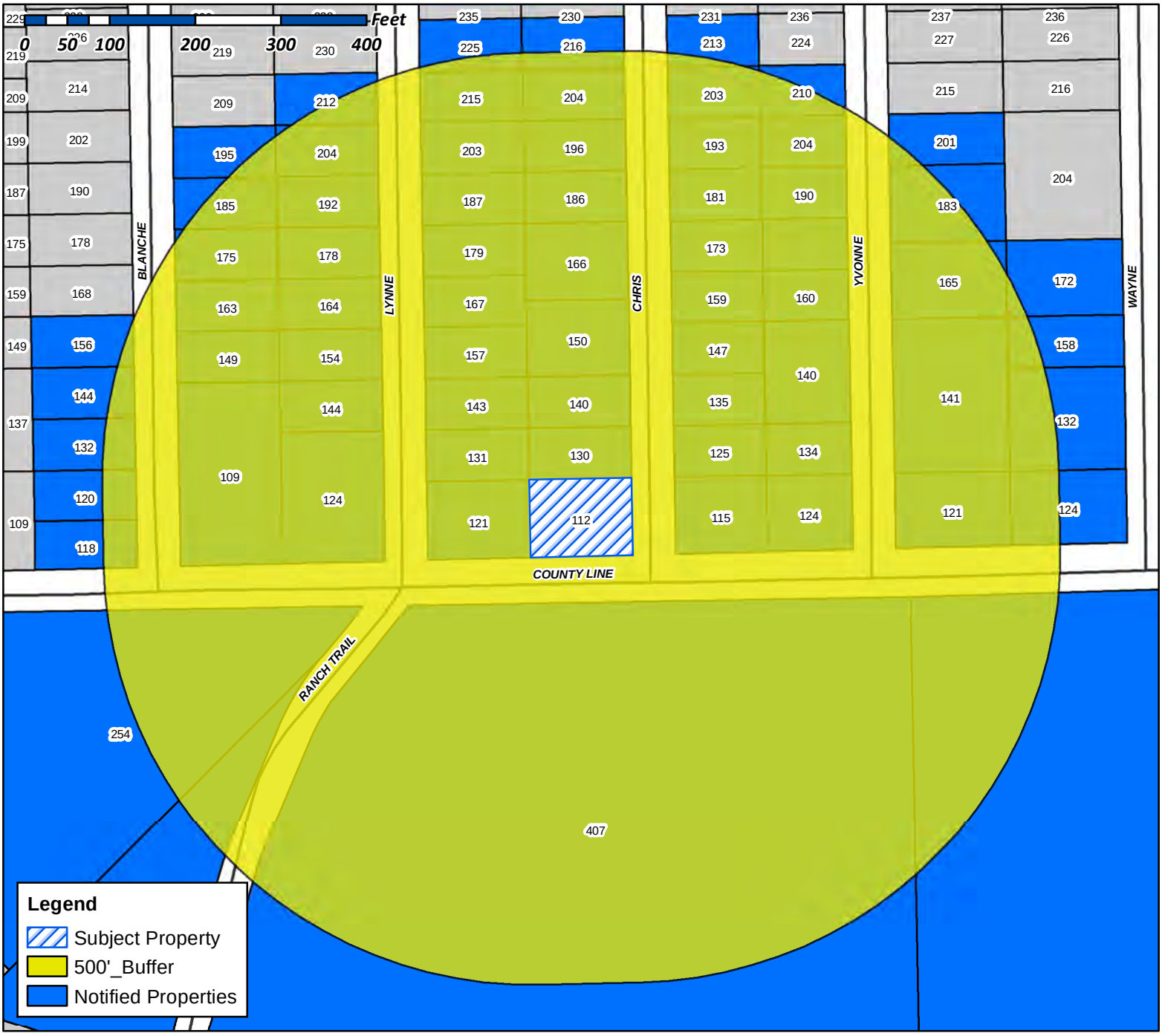

Case Number: MIS2015-009
Case Name: 112 Chris Dr.
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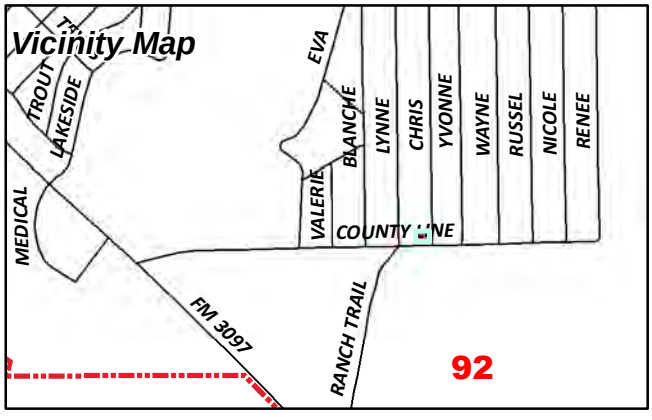

Date Created: 10/20/2015
For Questions on this Case Call (972) 771-7745

CURRENT RESIDENT
109 BLANCHE DR
ROCKWALL, TX 75032

ARCHIBALD L D & CARLA R REVOCABLE
LIVING TRUST
1100 SW MCKINNEY ST LOT 179
RICE, TX 75155

CURRENT RESIDENT
112 CHRIS DR
ROCKWALL, TX 75032

GAMBOA SOCORRO
114 W RIDGEWOOD DR
GARLAND, TX 75041

CURRENT RESIDENT
115 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
118 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
120 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
121 LYNNE DR
ROCKWALL, TX 75032

PARTIDA EDUARDO A AND IRMA
121 YVONNE DR
ROCKWALL, TX 75032

FERNANDEZ URBANO
1235 VZ CR3425
WILLS POINT, TX 75169

CURRENT RESIDENT
124 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
124 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
124 YVONNE DR
ROCKWALL, TX 75032

RANGEL ADELA
125 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
130 CHRIS DR
ROCKWALL, TX 75032

HOSEY JERRIE
131 LYNNE DR
ROCKWALL, TX 75032

HOSEY JERRIE
131 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
132 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
132 WAYNE DR
ROCKWALL, TX 75032

HERNANDEZ SONIA BETANCOURT
134 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
135 CHRIS DR
ROCKWALL, TX 75032

SANCHEZ ROSA &
ISMAEL PALACIOS
140 CHRIS DR
ROCKWALL, TX 75032

HOLGUIN CECILIA
140 YVONNE DRIVE
ROCKWALL, TX 75032

JONES CHARLES WILLARD
141 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
143 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
144 BLANCHE DR
ROCKWALL, TX 75032

MARKWELL THOMAS C
144 LYNNE DR
ROCKWALL, TX 75032

BETETA RUTH E
1452 GREENBROOK DR
ROCKWALL, TX 75032

ALMARAZ JUAN V DIAZ
147 CHRIS LANE
ROCKWALL, TX 75032

VARGAS RICARDO
149 BLANCHE DR
ROCKWALL, TX 75032

93

ORTIZ REFUGIO & LINDA
150 CHRIS DR
ROCKWALL, TX 75032

VAZQUEZ RAMON LOPEZ
156 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
157 LYNNE DR
ROCKWALL, TX 75032

RODRIGUEZ YUNIOR ARROYO
158 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
159 CHRIS DR
ROCKWALL, TX 75032

ZAVALA HUMBERTO & IMELDA
160 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
163 BLANCHE DR
ROCKWALL, TX 75032

FAEDER ADAM S
164 LYNNE DRIVE
ROCKWALL, TX 75032

MARTINEZ JOSE G
165 YVONNE DR
ROCKWALL, TX 75032

FABELA GERRADO &
SUSANNA LOREDO
166 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
167 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
172 WAYNE DR
ROCKWALL, TX 75032

CARRILLO JORGE
173 CHRIS DR
ROCKWALL, TX 75032

GOMEZ ALEJANDRO
175 BLANCHE DR
ROCKWALL, TX 75032

PALACIOS ARIEL
178 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
179 LYNNE DR
ROCKWALL, TX 75032

JIMENEZ ALMA RODRIGUEZ
181 CHRIS DR
ROCKWALL, TX 75032

YANEZ FERNANDO AND
JUAN A YANEZ
183 YVONNE
ROCKWALL, TX 75032

CURRENT RESIDENT
185 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
186 CHRIS DR
ROCKWALL, TX 75032

RETANA JOSE L
187 LYNNE DR
ROCKWALL, TX 75032

SANCHEZ ALEJANDRO &
KARLA CAMACHO
190 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
192 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
193 CHRIS DR
ROCKWALL, TX 75032

GARCIA JOSE
195 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
196 CHRIS DR
ROCKWALL, TX 75032

BELEW THOMAS E & ETAL
2 NORMAN TRL
ROCKWALL, TX 75087

YANEZ JUAN
201 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
203 CHRIS DR
ROCKWALL, TX 75032

WILSON JAMES F & ROBERTA B J
203 LYNNE DR
ROCKWALL, TX 75032

94

WILSON JAMES F & ROBERTA B J
203 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
204 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
204 LYNNE DR
ROCKWALL, TX 75032

MEDINA MARIA V AND
MARITZA ALONSO
204 YVONNE
ROCKWALL, TX 75032

CURRENT RESIDENT
210 YVONNE DR
ROCKWALL, TX 75032

GALLEGOS JOSE GUADALUPE
212 LYNNE DR
ROCKWALL, TX 75032

GALLEGOS JOSE GUADALUPE
212 LYNNE DR
ROCKWALL, TX 75032

BALDERAS LEANDRO & LAURA
213 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
215 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
216 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
225 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
254 RANCH TRL
ROCKWALL, TX 75032

AGUILAR IRMA
266 LAKESIDE DR
ROCKWALL, TX 75032

JIMENEZ RICARDO
2847 TANGLEGLEN DR
ROCKWALL, TX 75032

QUEVEDO OSCAR F
293 YVONNE
ROCKWALL, TX 75032

DSILVA MELAINE
3330 N GALLOWAY AVE STE 300
MESQUITE, TX 75150

CONTRERAS JUANA
353 CHRIS DR
ROCKWALL, TX 75032

SUNBELT STAINLESS EQUIPMENT
382 RANCH TRL
ROCKWALL, TX 75032

BIG LEAGUE SPORTS ACADEMY INC
405 CHATHAM ST
SUNNYVALE, TX 75182

CURRENT RESIDENT
407 RANCH TRAIL
ROCKWALL, TX 75032

OLGUIN CIRILO
412 CHRIS DR
ROCKWALL, TX 75032

GUTIERREZ DONATILO & BLANCA
4510 MINT DR
GARLAND, TX 75043

GUTIERREZ DONATILO & BLANCA
4510 MINT DR
GARLAND, TX 75043

SILVA JORGE & ELIZABETH
533 TUBBS RD
ROCKWALL, TX 75032

RANGEL JUAN
554 WILLOW RIDGE CIR
ROCKWALL, TX 75032

ROCKWALL LAKE PROPERTIES
5713 SECREST DRIVE CT
GOLDEN, CO 80403

WALLACE LAND PARTNERS L P
6271 HORIZON RD
ROCKWALL, TX 75032

SOLIS HECTOR & TOMASA
731 SANTA FE LN
ROYSE CITY, TX 75189

CANIZALES ELIDA VILLAREAL
760 COUNTY LINE RD
ROCKWALL, TX 75032

ROCKWALL HOUSING DEV CORP
A TEXAS NON-PROFIT CORP OF RW
787 HAIL DR
ROCKWALL, TX 75032

95

ROCKWALL HOUSING DEVELOPMENT
CORPORATION
787 HAIL DRIVE
ROCKWALL, TX 75032

GARCIA MARTIN
852 ROSE LANE
ROCKWALL, TX 75087

SULLIVAN RANDOLPH G
963 W YELLOWJACKET LN APT 118
ROCKWALL, TX 75087

PEOPLES BILLY W
PO BOX 35
ROCKWALL, TX 75087

96

Timeline of Events.

- ☑ On June 21, 2015, the Lake Rockwall Estates Subdivision experienced flooding along County Line Road and extending into portions of Renee Drive, Nicole Drive and Russel Drive. The flooding impacted four (4) manufactured homes located within the 100-year floodplain in these areas.

- ☑ On July 31, 2015, David Smith submitted *Case No. MIS2015-004* on behalf of the property owner at 142 Renee Drive, Mr. Contreras. This case was a request to allow a replacement manufactured home to be placed within a floodplain at 142 Renee Drive. The alternative to this case was to allow the applicant to rehabilitate the existing flood damage structure. *A report on the extent of the damage has been provided in the attached packet.*

- ☑ On August 11, 2015, the Planning and Zoning Commission approved a motion to recommend approval of *Case No. MIS2015-004* by a vote of 4-2, with Commissioners Logan and Jusko dissenting and Commissioner Fishman absent.

- ☑ On August 17, 2015, David Smith sent a request to table *Case No. MIS2015-004* indefinitely. This request came in response to a meeting between Mr. Smith and the City where both parties agreed to examine possible alternatives to the proposed manufactured home replacement. At the time, the only alternative to the case was to allow Mr. Contreras to rehab the existing structure, which did not alleviate the problems with having a structure located within the 100-year floodplain.

- ☑ On August 19, 2015, Michael Hunter submitted a special request on behalf of the Rockwall Housing Development Corporation requesting to subdivide the lot at 112 Chris Drive and place a single-family attached structure on the property. This case was brought forward as *Case No. MIS2015-008*. This alternative plan allowed Mr. Contreras and one other family living in a substandard structure to have a new *stick-built* home in a close proximity to their existing lots. From the City's standpoint, this case had the potential to take two (2) structures out of the 100-year floodplain.

- ☑ On September 29, 2015, the Planning and Zoning Commission voted 4-0 (*with Commissioners Renfro and McCuthcheon absent and one seat vacant*) to approve *Case No. MIS2015-008*.

- ☑ On October 5, 2015, the City Council voted to deny the single-family attached land use requested by *Case No. MIS2015-008* by a vote of 2-3 (*with Council Members Milder, Townsend and White dissenting and Council Members Fowler and Hoenshelt absent*); however, the City Council did vote to approve an exception to the masonry requirements and a variance to the lot frontage requirements --*also requested by this case* -- by a vote of 3-2 (*with Council Members Townsend and Milder dissenting and Council Members Fowler and Hoenshelt absent*).

- ☑ On October 19, 2015, at the City Council work session the City Council directed staff to bring the requested land use back under the *Special Exceptions* clause contained in *Exhibit 'C'* of Planned Development District 75 (PD-75) [*Ordinance No. 09-37*]. As part of this directive, the case is to be advertised in the same manner as required for zoning cases as stipulated by Section 6.1, *Notice of Public Hearing*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code.

- ☑ On November 11, 2015, the Planning and Zoning Commission approved a motion to recommend denial of *Case No. MIS2015-009* by a vote of 3-2, with Commissioners McCutcheon and Logan dissenting and Commissioners Jusko and Fishman absent.

From: G. David Smith
To: Miller, Ryan
Cc: Michael Hunter; Sandy Douthey
Subject: Request of Rockwall Housing Development Corp. for Construction Approval
Date: Tuesday, October 20, 2015 4:00:40 PM
Attachments: image001.png

Dear Mr. Miller:

On behalf of the Rockwall Housing Development Corporation, I am making request for consideration of approval of construction of two single family attached dwellings in Lake Rockwall Estates as more particularly described in Case No. MIS 2015 008. I ask that this be placed on the agenda on November 10, 2015.

Thank you for your attention to this matter. Please call if you have any questions.

Yours truly,

G. David Smith
702 N. Goliad
Rockwall, Texas 75087
p. 972.771.2579
f. 972.771.0513
SMITH & LEE, LAWYERS
www.smithandlee.com

Board Certified in Personal Injury Trial Law
Texas Board of Legal Specialization

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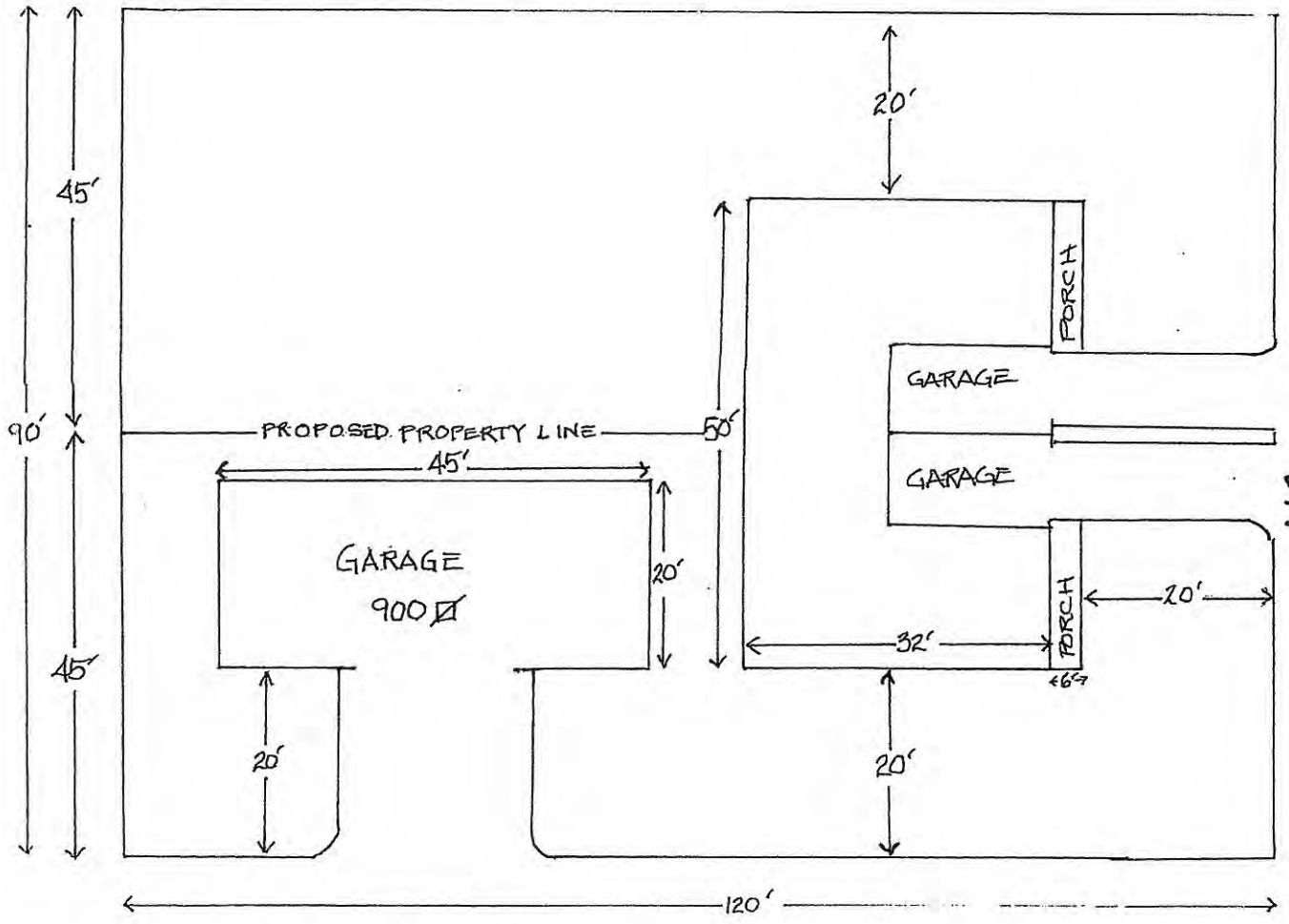
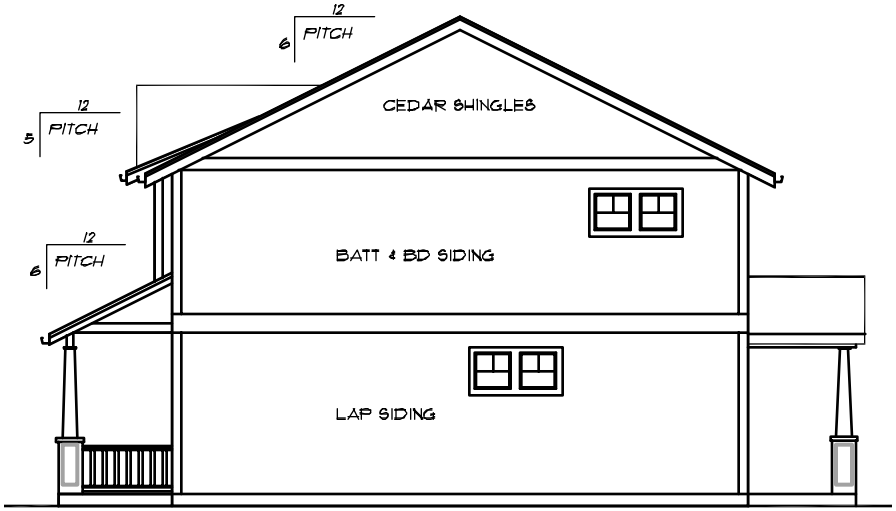
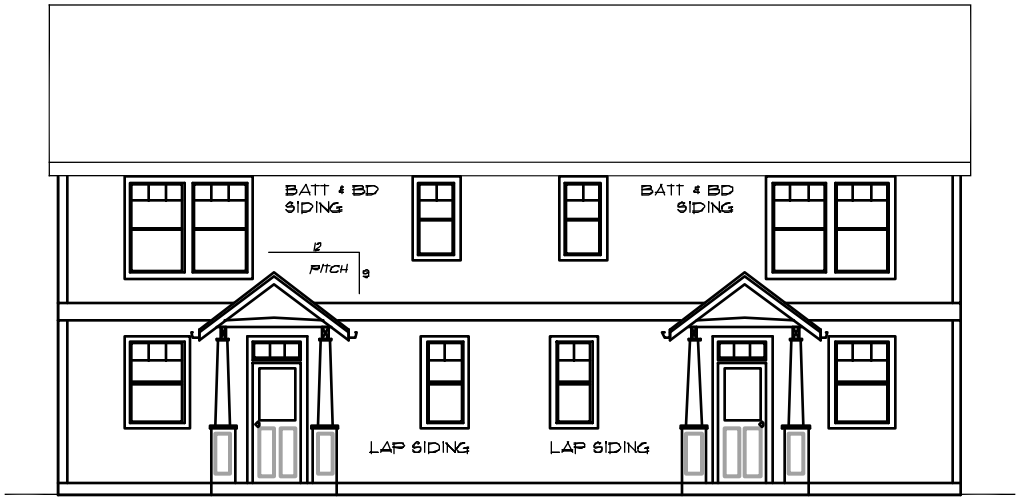

45'
90'
45'
PROPOSED PROPERTY LINE
45'
GARAGE
900 ☐'
20'
20'
20'
50'
PORCH
GARAGE
GARAGE
112
20'
PORCH
20'
32'
6'
20'
120'
CHRIS DRIVE
COUNTY LINE ROAD

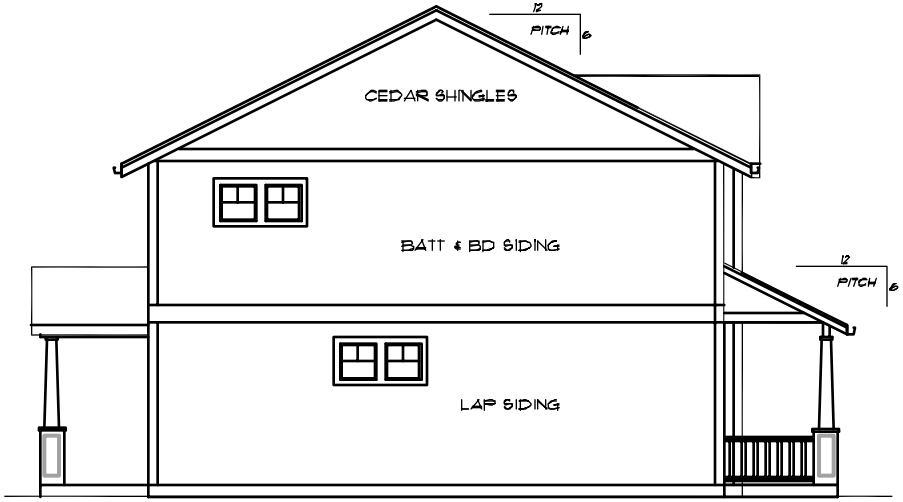
99



RIGHT ELEVATION



REAR ELEVATION

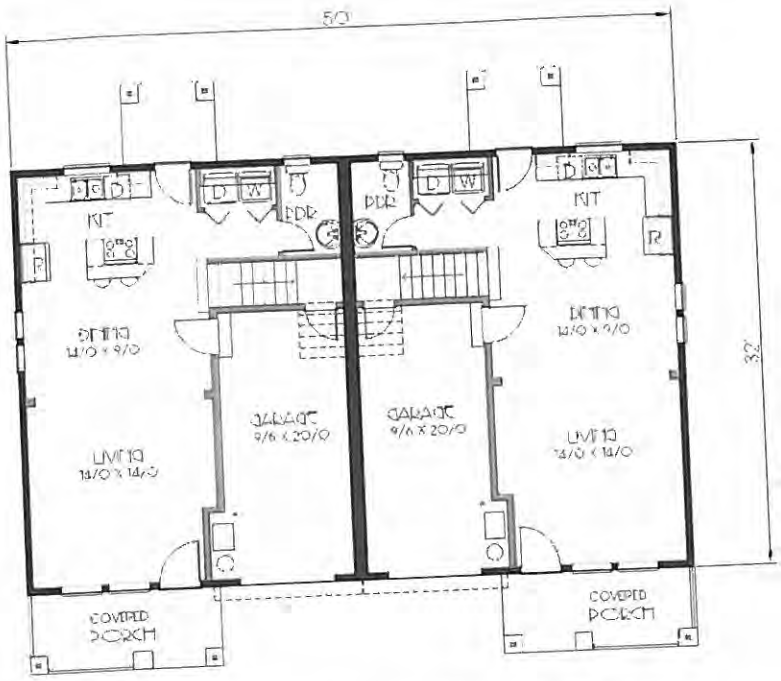


LEFT ELEVATION

100

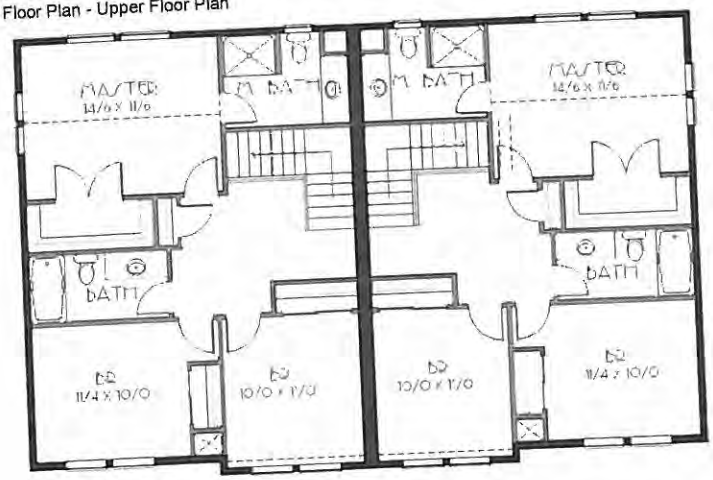


101



(http://cdn.houseplans.com/product/6k55hr400i8ntv835b6hfq4bil/w1024.gif?v=8)

Floor Plan - Upper Floor Plan



(http://cdn.houseplans.com/product/arr7p7b807gulmmjqe8lauanm/w1024.gif?v=8)

FULL SPECS & FEATURES

Basic Features	Bedrooms : 3 Potential Bedrooms : 0 Baths : 2.5	Garage Stalls : 1 Stories : 2
Dimension	Depth : 32' Height : 27'	Width : 50'
Area	Garage Sq Ft : 400 sq ft Porch Sq Ft : 180 sq ft Upper Floor Sq Ft : 1622 sq ft	Main Floor Sq Ft : 1102 sq ft Total Sq Ft : 2724 sq ft *

**Total Square Footage only includes conditioned space and does not include garages, porches, bonus rooms, or decks*

Have a Question?

CITY OF ROCKWALL
PLANNING AND ZONING COMMISSION MEMO

AGENDA DATE: 08/11/2015

APPLICANT: David Smith, *Rockwall Housing Development Corporation*

AGENDA ITEM: **MIS2015-004**; *Manufactured Home Replacement (142 Rene Drive)*

SUMMARY:

Discuss and consider the approval of a special request by David Smith on behalf of the owner Jose Contreras for a waiver to the Manufactured Home Replacement Minimum Standards as set forth in Exhibit 'C' of Planned Development District 75 (PD-75) [*Ordinance No. 09-37*] to allow a new manufactured home to be located within the floodplain on a 0.17-acre property identified as Lot 1376, Rockwall Lake Estates #2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 142 Rene Drive, and take any action necessary.

CHARACTERISTICS OF REQUEST:

On behalf of the owner the applicant, David Smith with the Rockwall Housing Development Corporation (RHDC), has submitted a special request to the requirements stipulated for *Manufactured Home Replacement Minimum Standards* outline in *Exhibit 'C'* of Planned Development District 75 (PD-75) [*Ordinance No. 09-37*]. According to this section, if an existing property has a manufactured home situated on it then the property owner is eligible for a one (1) time replacement of said manufactured home pending the replacement home meets the following criteria:

1) The replacement manufactured home shall be permanently affixed to a concrete foundation.
2) The replacement manufactured home shall have a minimum of a 3:12 roof pitch.
3) The replacement manufactured home shall be constructed of a minimum of 90% masonry materials on the exterior of the structure (excluding windows and doors; including the skirting material). This includes Hardiboard lap siding, "Cemplank" lap siding, or a similar cementaceous durable lap siding material that has a minimum width of 6¼-inches.
4) The replacement manufactured home shall be a newer manufactured home and contain at least the same living space/square footage as the previous manufactured home.

The property at 142 Rene Drive currently has an older manufactured home on the subject property that sustained considerable damage with the flooding in Lake Rockwall Estates earlier this spring (*see attached Inspection Report in the attached packet*). The RHDC did attempt to allow the applicant to build on land owned by the RHDC, but according to Mr. Smith's email this proved to be economically infeasible. At this point, the property at 142 Rene Drive is eligible for a one (1) time replacement subject to the requirements listed above; however, the property is located within the 100-year floodplain and does not meet the fire hydrant coverage requirements (*see staff's comments in the attached packet*). Mr. Smith has indicated that the RHDC is willing to assist the owner of the property in removing the existing manufactured home and securing a new manufactured home that will meet all the above mentioned criteria with the exception of the masonry requirements; however, in doing this he is asking that the City Council grant the following waivers/variances: 1) waiver of the masonry requirements, 2) allow construction within a 100-year floodplain, and 3) grant a variance to the fire hydrant coverage requirements. To off-

set construction within the floodplain Mr. Smith has stated that the new manufactured home will be on a 24-inch engineered manufactured home foundation (the flooding was measured at 18-20 inches). The finished floor elevation of the property is estimated to be around 516'-518', approximately four (4) to six (6) feet below the 100-year floodplain elevation (~522'). With this being said it should be mentioned that the applicant does have the ability to rehabilitate the current structure, which would exempt him from all the waivers and variances requested.

According to Section C, *Consideration of Special Request*, of *Exhibit 'C'* of PD-75, the City Council may consider special requests on a case-by-case basis for properties located within the Lake Rockwall Estates subdivision pending a recommendation from the Planning and Zoning Commission. The approval of any special request shall preempt any other underlying zoning restrictions stipulated by the zoning ordinance. Additionally, City Council does have the authority to grant a waiver/variance for allowing a manufactured home to be placed on the subject property.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the applicant's request staff would recommend the following conditions:

1) Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 10/05/2015

APPLICANT: Michael Hunter, *Rockwall Housing Development Corporation*

AGENDA ITEM: **MIS2015-008**; *Special Request (112 Chris Drive)*

SUMMARY:

Discuss and consider the approval of a special request by Michael Hunter on behalf of the Rockwall Housing Development Corporation (RHDC) for waivers to the requirements stipulated in *Exhibit 'C'* of Planned Development District 75 (PD-75) [*Ordinance No. 09-37*] to allow the construction of two (2) single-family attached homes on a 0.27-acre parcel of land identified as Lot 984A of the Rockwall Lake Estates #2 Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 112 Chris Street, and take any action necessary.

CHARACTERISTICS OF REQUEST:

On behalf of the Rockwall Housing Development Corporation (RHDC), Michael Hunter, *RHDC Executive Director* has submitted a special request to the standards of Planned Development District 75 (PD-75) for the purpose of constructing a single-family attached structure on two (2) lots within *Area 2* of the Lake Rockwall Estates subdivision. The subject property at 112 Chris Street will be subdivided creating two (2), ~5,400 SF (*i.e. 45' x 120'*) lots. A two (2) story, 2,724 SF single-family attached unit will be constructed on each lot and share an adjoining wall with the adjacent property. Additionally, the lot at the corner of the intersection of Chris Drive and County Line Road will incorporate a 900 SF metal garage that will be accessible from County Line Road. As part of this proposal the applicant is requesting the following waivers and exception to the development and land use standards stipulated by *Ordinance No. 09-37*:

1) *Single-Family Attached*. The development standards for *Area 2* contained in *Exhibit 'C'* of *Ordinance No. 09-37* require that all property within *Area 2* be subject to the land uses permitted for a Single-Family 7 (SF-7) District. According to Article IV, *Permissible Uses*, of the Unified Development Code (UDC) a single-family attached structure is not a permitted land use within a Single-Family 7 (SF-7) District.

2) *Lot Frontage.* The development standards for *Area 2* contained in *Exhibit 'C'* of *Ordinance No. 09-37* stipulate a minimum lot frontage of 50-feet on a public street. In this case the applicant is requesting to reduce this to 45-feet.

3) *Side Yard Setback.* The development standards for *Area 2* contained in *Exhibit 'C'* of *Ordinance No. 09-37* require a minimum side yard setback of five (5) feet. Since the structures will share a common wall the minimum side yard setback will be required to be reduced to zero along the property line containing the common wall.

4) *Masonry Requirement*. According to Section B, *Exterior Wall Materials*, of *Exhibit 'C'* of *Ordinance No. 09-37* all residential buildings 120 SF or more and over ten (10) feet in height shall have a minimum of 80% masonry exterior walls, with up to 50% of the masonry requirements permitted to be Hardie Board or a similar cementaceous material. The applicant is requesting an exception to the masonry requirements for the purpose of utilizing

100% hardieplank lap-siding on both single-family attached structures. Additionally, the garage will require an exception since the materials being proposed (*i.e. metal*) does not match the materials utilized on the primary structure. *The applicant has submitted building elevations of the proposed structure for the Planning and Zoning Commission and City Council's review.*

According to Section C, *Consideration of Special* Request, of *Exhibit 'C'* of Planned Development District 75 (PD-75) [*Ordinance No. 09-37*], "(t)he City Council may consider special requests … (s)uch requests may include, but not necessarily be limited to the use of building materials not otherwise allowed, authorization of specific land uses not otherwise allowed, or other requests submitted for consideration." The approval of any special request shall preempt any other underlying zoning restrictions stipulated by the zoning ordinance. With the exception of the abovementioned waivers and exception the proposed development meets the requirements of *Ordinance No. 09-37*.

It should be noted that if the City Council chooses to approve the applicant's request, Mr. Hunter has submitted a letter stating that the RHDC will withdraw *Case No. MIS2015-004*. This case -- *requesting the replacement of a manufactured home within a floodplain* -- was submitted by the RHDC on behalf of Jose Contreras (*i.e. the property owner of 142 Rene Drive*) after his property sustain considerable damage due to flooding in the Lake Rockwall Estates subdivision. It is the RHDC's intent to offer one of the proposed single-family attached units to Mr. Contreras, in exchange for the property at 142 Rene Drive. This would guarantee that no new structure could be placed on 142 Rene Drive, and that the existing mobile home would not be rehabilitated/repurposed; effectively removing a structure within the 100-year floodplain. Additionally, Mr. Hunter's letter states that the remaining unit will be offered to a family that is currently living in a sub-standard structure in the Lake Rockwall Estates subdivision. *A copy of Staff's case memo for Case No. MIS2015-004 has been provided in the attached packet.*

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the applicant's request staff would recommend the following conditions:

1) Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On September 29, 2015, the Planning and Zoning Commission passed a motion to recommend approval of the applicant's request for waivers to the requirements stipulated in Planned Development District 75 (PD-75) by a vote of 4-0, with Commissioners Renfro and McCuthcheon absent and one vacant seat.



This confidential report is prepared exclusively for:

City of Rockwall

142 Renee Dr.

Rockwall, Texas 75032

I=Inspected NI=Not Inspected NP=Not Present D=Deficiency

I	NI	NP	D	Inspection Item

_____ Check # _X_ To be Invoiced __ Cash Cost $ 200.00

Rockwall Home Inspections
101 Oakridge Drive, Rockwall, TX 75032
www.rockwallhomeinspections.com 972-772-6050

PROPERTY INSPECTION REPORT

Prepared For: City of Rockwall, jwidmer@rockwall.com

Concerning: 142 Renee Dr, Rockwall, TX 75032

By: Uriah Shockley TREC # 9413 06/10/2015
(Name and License Number of Inspector) (Date)

PURPOSE, LIMITATIONS AND INSPECTOR / CLIENT RESPONSIBILITIES

This property inspection report may include an inspection agreement (contract), addenda, and other information related to property conditions. If any item or comment is unclear, you should ask the inspector to clarify the findings. It is important that you carefully read ALL of this information.

This inspection is subject to the rules ("Rules") of the Texas Real Estate Commission ("TREC"), which can be found at www.trec.texas.gov.

The TREC Standards of Practice (Sections 535.227-535.233 of the Rules) are the minimum standards for inspections by TREC licensed inspectors. An inspection addresses only those components and conditions that are present, visible, and accessible at the time of the inspection. While there may be other parts, components or systems present, only those items specifically noted as being inspected were inspected. The inspector is NOT required to turn on decommissioned equipment, systems, utility services or apply an open flame or light a pilot to operate any appliance. The inspector is NOT required to climb over obstacles, move furnishings or stored items. The inspection report may address issues that are code-based or may refer to a particular code; however, this is NOT a code compliance inspection and does NOT verify compliance with manufacturer's installation instructions. The inspection does NOT imply insurability or warrantability of the structure or its components. Although some safety issues may be addressed in this report, this inspection is NOT a safety/code inspection, and the inspector is NOT required to identify all potential hazards.

In this report, the inspector shall indicate, by checking the appropriate boxes on the form, whether each item was inspected, not inspected, not present or deficient and explain the findings in the corresponding section in the body of the report form. The inspector must check the Deficient (D) box if a condition exists that adversely and materially affects the performance of a system or component or constitutes a hazard to life, limb or property as specified by the TREC Standards of Practice. General deficiencies include inoperability, material distress, water penetration, damage, deterioration, missing components, and unsuitable installation. Comments may be provided by the inspector whether or not an item is deemed deficient. The inspector is not required to prioritize or emphasize the importance of one deficiency over another.

Some items reported may be considered life-safety upgrades to the property. For more information, refer to Texas Real Estate Consumer Notice Concerning Recognized Hazards or Deficiencies below.

THIS PROPERTY INSPECTION IS NOT A TECHNICALLY EXHAUSTIVE INSPECTION OF THE STRUCTURE, SYSTEMS OR COMPONENTS. The inspection may not reveal all deficiencies. A real estate inspection helps to reduce some of the risk involved in purchasing a home, but it cannot eliminate these risks, nor can the inspection anticipate future events or changes in performance due to changes in use or occupancy. It is recommended that you obtain as much information as is available about this property, including any seller's disclosures, previous inspection reports, engineering reports, building/remodeling permits, and reports performed for or by relocation companies, municipal inspection departments, lenders, insurers, and appraisers. You should also attempt to determine whether repairs, renovation, remodeling, additions, or other such activities have taken place at this property. It is not the inspector's responsibility to confirm that information obtained from these sources is complete or accurate or that this inspection is consistent with the opinions expressed in previous or future reports.

ITEMS IDENTIFIED IN THE REPORT DO NOT OBLIGATE ANY PARTY TO MAKE REPAIRS OR TAKE OTHER ACTIONS, NOR IS THE PURCHASER REQUIRED TO REQUEST THAT THE SELLER TAKE ANY ACTION. When a deficiency is reported, it is the client's responsibility to obtain further evaluations and/or cost estimates from qualified service professionals. Any such follow-up should take place prior to the expiration of any time limitations such as option periods

I	NI	NP	D	Inspection Item

Evaluations by qualified tradesmen may lead to the discovery of additional deficiencies which may involve additional repair costs. Failure to address deficiencies or comments noted in this report may lead to further damage of the structure or systems and add to the original repair costs. The inspector is not required to provide follow-up services to verify that proper repairs have been made.

Property conditions change with time and use. For example, mechanical devices can fail at any time, plumbing gaskets and seals may crack if the appliance or plumbing fixture is not used often, roof leaks can occur at any time regardless of the apparent condition of the roof, and the performance of the structure and the systems may change due to changes in use or occupancy, effects of weather, etc. These changes or repairs made to the structure after the inspection may render information contained herein obsolete or invalid. This report is provided for the specific benefit of the client named above and is based on observations at the time of the inspection. If you did not hire the inspector yourself, reliance on this report may provide incomplete or outdated information. Repairs, professional opinions or additional inspection reports may affect the meaning of the information in this report. It is recommended that you hire a licensed inspector to perform an inspection to meet your specific needs and to provide you with current information concerning this property.

TEXAS REAL ESTATE CONSUMER NOTICE CONCERNING HAZARDS OR DEFICIENCIES

Each year, Texans sustain property damage and are injured by accidents in the home. While some accidents may not be avoidable, many other accidents, injuries, and deaths may be avoided through the identification and repair of certain hazardous conditions. Examples of such hazards include:

- malfunctioning, improperly installed, or missing ground fault circuit protection (GFCI) devices for electrical receptacles in garages, bathrooms, kitchens, and exterior areas;
- Malfunctioning arc fault protection (AFCI) devices;
- Ordinary glass in locations where modern construction techniques call for safety glass;
- Malfunctioning or lack of fire safety features such as smoke alarms, fire-rated doors in certain locations, and functional emergency escape and rescue openings in bedrooms;
- Malfunctioning carbon monoxide alarms;
- Excessive spacing between balusters on stairways and porches;
- Improperly installed appliances;
- Improperly installed or defective safety devices; and
- Lack of electrical bonding and grounding.

To ensure that consumers are informed of hazards such as these, the Texas Real Estate Commission (TREC) has adopted Standards of Practice requiring licensed inspectors to report these conditions as “Deficient” when performing an inspection for a buyer or seller, if they can be reasonably determined.

These conditions may not have violated building codes or common practices at the time of the construction of the home, or they may have been “grandfathered” because they were present prior to the adoption of codes prohibiting such conditions. While the TREC Standards of Practice do not require inspectors to perform a code compliance inspection, TREC considers the potential for injury or property loss from the hazards addressed in the Standards of Practice to be significant enough to warrant this notice.

Contract forms developed by TREC for use by its real estate licensees also inform the buyer of the right to have the home inspected and can provide an option clause permitting the buyer to terminate the contract within a specified time. Neither the Standards of Practice nor the TREC contract forms require a seller to remedy conditions revealed by an inspection. The decision to correct a hazard or any deficiency identified in an inspection report is left to the parties to the contract for the sale or purchase of the home.

INFORMATION INCLUDED UNDER "ADDITIONAL INFORMATION PROVIDED BY INSPECTOR", OR PROVIDED AS AN ATTACHMENT WITH THE STANDARD FORM, IS NOT REQUIRED BY THE COMMISSION AND MAY CONTAIN CONTRACTUAL TERMS BETWEEN THE INSPECTOR AND YOU, AS THE CLIENT. THE COMMISSION DOES NOT REGULATE CONTRACTUAL TERMS BETWEEN PARTIES. IF YOU DO NOT UNDERSTAND THE EFFECT OF ANY CONTRACTUAL TERM CONTAINED IN THIS SECTION OR ANY ATTACHMENTS, CONSULT AN ATTORNEY

Promulgated by the Texas Real Estate Commission (TREC) P.O. Box 12188, Austin, TX 78711-2188 (512) 936-3000
http://www.trec.texas.gov

I	NI	NP	D	Inspection Item

ADDITIONAL INFORMATION PROVIDED BY INSPECTOR

Flood inspection for manufactured home, single wide, 3 bedroom, 1 bath (2nd bathroom converted into closet)fireplace, detached garage and garage port, sunny, 93 degrees, standing water on two side of house and under house.

Home and garage appear to have been fully furnished, occupied, and all utilities on during time of flood with all family belonging in house and garage damaged or lost. Water mark for exterior wall from grade was 48" inches, water mark inside was measured from floor 21" inches with moisture wicked from walls to ceiling due to the duration structure was submerged under water. Water entered structure as high as 4" inches above windows ceils. Total replacement of floors, sub-floors, all interior wall sheetrock, insulation, ceiling sheet rock, appliances, Parts of HVAC system, and sink cabinets should be anticipated due to water damage.

Due to location (appears to be in a flood plain), age, construction and amount of water/flood damage the replacement of entire structure may be less expensive than taking on repairs. Any attempted replacement should be consulted with a structural engineer with an emphasis on grading and drainage for current location.

Correction: Grounding wire for interior breaker panel is not connected to grounding wire. Fix or repair by a licensed electrician,

I=Inspected NI=Not Inspected NP=Not Present D=Deficiency

I	NI	NP	D	Inspection Item

I. STRUCTURAL SYSTEMS

☑ ☐ ☐ ☑ **A. Foundations**

Type of Foundation(s): Metal trailer frame with wheels removed. Existing axle and bearings appear non functional due to age, rust and corrosion.

Comments:

The foundation is performing as intended at time of inspection, however;

Number and spacing of metal tie down straps are marginal with several missing, unsecured, and excessive slack in existing metal tie downs. Trailer frame should be leveled and tie down straps re-tightened by a qualified licensed manufacturer home installer. Fix or repair

Some piers visible under structure are sinking or leaning. Further investigation and repair needed.

Insulation under trailer frame is water damaged and falling off and needs to be removed. Fix or repair.

Some minor slopping of floors observed throughout house is common for structures of similar, age location and construction. Condition is not uncommon. Fix or repair,

Doors are out of square and can't close and lock properly. Fix or repair

Ventilation of the crawl space is insufficient for the amount of water damage and water contact with structure; a minimum one (1) square foot of free vent area should be provided for every five hundred (500) square feet of crawl space. Proper ventilation will help to control humidity and reduce the potential for rot. Recommend removing all siding so that crawl space can air out due to the amount of moisture (water) around and under house.

Note: Not all parts of crawl space were accessible due to high water underneath structure and large amount of personal belonging and debris around sides of home.

☑ ☐ ☐ ☑ **B. Grading & Drainage** *Comments:*

The lot appears to be at the bottom of a hill in a flood prone area. The general topography of the area is such that it will be difficult to control storm water from rising lake. Recommend a qualified licensed engineer evaluate property and remedies for repair to prevent future flood damage.

I	NI	NP	D	Inspection Item

Excessive amount of debris and personal belonging should be removed from sides of house to prevent the harboring of pests and vermin. Condition is also conducive to several varieties of venomous snakes.

Trees in contact with structure, leaning towards structure, or hanging over structure should be removed to prevent any further damage to structure due to the perils of nature.

☑ ☐ ☐ ☑ **C. Roof Covering Materials**

Type(s) of Roof Covering: Metal Roofing Material with several past repairs.
Viewed From: Inspected from drip edge with ladder.
Comments:

Roofing material is considered to be in poor condition.
Roofing material has signs of past repairs with temporary solutions. Further investigation warranted by a manufacturer home certified and/or licensed roofer for remedies for repair due to past water stains and recent water stains/mold on ceilings.
Roof appears to be leaking. Fix or repair.

☑ ☐ ☐ ☑ **D. Roof Structure & Attic**

Viewed From: Attic was not accessible.
Approximate Average Depth of Attic Insulation: Undetermined
Approximate Average Thickness of Vertical Insulation: 3"-4" inches rolled insulation severely water damaged should be removed to prevent rot and structural support wall damage as soon as possible. Fix or repair.
Crawl space insulation under house needs replacement due to water damage. Fix or repair
Comments:
Due to water damage it is wise to remove insulation from inside exterior wall and ceiling attic space to prevent mold, rot and ultimate structural damage to exterior support walls and rafters.
Note: attic could not be evaluated since no attic access was available. Inspector suspects that there are several water leaks in roof structure due to evidence of past ceiling stains, recent stains and mold.
Roofing material should be evaluated along with remedies for repair by a manufacture home repair professional.
Debris on roof needs to be removed

☑ ☐ ☐ ☑ **E. Walls (Interior & Exterior)** *Comments:*

Water damaged interior walls need total sheet rock and insulation replacement to prevent mold, rot and structural wall problems Fix or repair.

☑ ☐ ☐ ☑ **F. Ceilings & Floors** *Comments:*

Signs of new and past water stains observed on ceiling along with mold due water penetration and high level of moisture inside home. Ceiling sheet rock will need replacement for a large majority of ceiling.

Plywood sub-floors are saturated and replacement should be anticipated due to warping from moisture damage.

Carpet and laminate floors need total replacement due to moisture damage.

☑ ☐ ☐ ☑ **G. Doors (Interior & Exterior)** *Comments:*

Doors are warped due to moisture damage and do not close, total replacement should be anticipated due to moisture damage.

I	NI	NP	D	Inspection Item
☑	☐	☐	☐	**H. Windows** *Comments:* Single pane windows are performing as intended.
☑	☐	☐	☑	**I. Stairways (Interior & Exterior)** *Comments:* Steps for side patio needs to be secured to deck.
☑	☐	☐	☑	**J. Fireplace/Chimney** *Comments:* Fire box is dirty with debris from flood water. Fix or repair.
☑	☐	☐	☑	**K. Porches, Balconies, Decks, and Carports** *Comments:* Carport/garage was submerged under 48" inches of water. Due to the amount of equipment in garage not all parts of garage could be inspected.

II. ELECTRICAL SYSTEMS

☑	☐	☐	☑	**A. Service Entrance and Panels** *Comments:* Overhead electrical service lines are in contact with trees. Fix or repair by a current licensed electrician. **Correction: Grounding wire for interior breaker panel is not connected to grounding rod. Fix or repair by a licensed electrician.** Missing Arc Fault Circuit Interrupter (AFCI) breakers for bedrooms. Not required when home was built. Fix or repair. Missing GFCI outlets for bathrooms, kitchen and garage. Fix or repair. Exterior disconnect breaker (located on outside meter pole)was submerged under flood water and should be replaced by a current licensed electrician to assure safe and reliable working order. Fix or repair. Interior branch circuit breaker panel is located in master bedroom and considered a hazard by today's standards. Recommend relocating breaker panel. Interior branch circuit breaker panel was not submerged by water, however, breaker panel is extremity dirty inside and should be professionally cleaned by a qualified licensed electrician to assure safe and proper working order.
☑	☐	☐	☑	**B. Branch Circuits, Connected Devices, and Fixtures** *Type of Wiring:* Copper *Comments:* All plug outlets for house and garage should be replaced to assure safe and proper working order since they all were submerged under water. Improper wiring was observed on water heater, further investigation and repair required by a licensed electrician or qualified plumber

III. HEATING, VENTILATION AND AIR CONDITIONING SYSTEMS

☑	☐	☐	☐	**A. Heating Equipment** *Type of System:* Central Forced Air Furnace *Energy Source:* Electricity *Comments:*

I	NI	NP	D	Inspection Item

Blower and heating elements were submerged under water. Repair or replacement should be anticipated due to water damage. Further investigation warranted by a licensed HVAC professional when power is turned on.

☑ ☐ ☐ ☑ **B. Cooling Equipment**
Type of System: Central Forced Air System
Comments: AC coils are old with signs of heavy rust buildup
Condenser was completely submerged under water warranting further investigation by a current licensed HVAC professional when power is on
Due to water damage it is recommended that a licensed HVAC professional evaluate entire HVAC l system further to assure proper working order. Repairs should be anticipated.

☑ ☐ ☐ ☑ **C. Duct System, Chases, and Vents** *Comments:*
Metal ducts were submerged under water. Replacement should be anticipated due to health concerns of mold inside ducts.

IV. PLUMBING SYSTEM

☑ ☐ ☐ ☐ **A. Water Supply System and Fixtures**
Location of water meter: Right side of driveway.
Location of main water supply valve: Emergency main water shutoff valve was not present, recommend that main water shut off valve be installed next to house for emergency access.
Static water pressure reading: 65 psi (acceptable range 40-80psi)
Comments:
Missing water shutoff valves under all sinks. Fix or repair.

☑ ☐ ☐ ☑ **B. Drains, Wastes, and Vents** *Comments:*
It appears that toilet drain line has been disconnected allowing toilet waste water to terminate under house. Fix or repair (note: this may indicate that there was some movement of entire structure due to rising flood water).
Waste drains under kitchen sink are held together with duct tape. Further investigation and repair required by a licensed plumber

☑ ☐ ☐ ☑ **C. Water Heating Equipment**
Energy Source: Electricity
Capacity: 50gls.
Comments:
Water heater is at or exceeded estimated life expectancy with evidence of severe rust on unit.
Improper wiring should be evaluated by a qualified plumber or licensed electrician.

V. APPLIANCES

☑ ☐ ☐ ☐ **A Dishwasher** *Comments:* N/A

☐ ☐ ☑ ☐ **B. Food Waste Disposer** *Comments:* N/A

☐ ☑ ☐ ☐ **C. Range Exhaust Vent** *Comments:* performance could not be determined since power was off

☐ ☑ ☐ ☐ **D. Ranges, Cooktops, and Ovens** *Comments:*

I	NI	NP	D	Inspection Item

Oven range was removed, condition is undetermined. Unit was in the street

☐ ☐ ☑ ☐ **E. Microwave Oven** *Comments:* N/A

☐ ☐ ☑ ☐ **F. Trash Compactor** *Comments:* N/A

☐ ☐ ☑ ☐ **G. Mechanical Exhaust Vents and Bathroom Heaters** *Comments:*
Performance undetermined since electricity was off

☐ ☐ ☑ ☐ **H. Garage Door Operator(s)** *Comments:* N/A

☐ ☐ ☑ ☐ **I. Doorbell and Chimes** *Comments:* N/A

☐ ☐ ☑ ☐ **J. Dryer Vents** *Comments:* undetermined. Appears dryer vent terminates underneath house

☐ ☐ ☑ ☐ **K. Washer and Dryer** *Comments* Washer and dryer were totally submerged under water:

☐ ☐ ☑ ☐ **L. Refrigerator:** Refrigerator was removed and in street. Condition undetermined.

VI. OPTIONAL SYSTEMS

☑ ☐ ☐ ☑ **A. Private Sewage Disposal (Septic) Systems**
Type of System: Conventional Drip Septic System
Location of Drain Field: In back of house
Comments:
Septic system and drain field were still submerged under water, recommend a licensed septic representative evaluate system when water recedes.

☐ ☐ ☑ ☐ **B. Smoke Detectors** *Comments:* Smoke detectors not present

I	NI	NP	D	Inspection Item

ADDENDUM: REPORT SUMMARY

The following is a synopsis of the potentially significant improvements that should be budgeted for over the short term. Other significant improvements, outside the scope of this inspection, may also be necessary. Please refer to the body of this report for further details on these and other recommendations.

For your convenience, the following conventions have been used in this summary addendum.

Major Concerns: *a system or component which is considered significantly deficient or is unsafe. Significant deficiencies need to be corrected and, except for some safety items, are likely to involve significant expense.*

Safety Issues: *denotes a condition that is unsafe and in need of prompt attention.*

Repair Items: *denotes a system or component which is missing or which needs corrective action to assure proper and reliable function.*

Improvement Items: *denotes improvements which are recommended but not required.*

Items To Monitor: *denotes a system or component needing further investigation and/or monitoring in order to determine if repairs are necessary.*

Deferred Cost Items: *denotes items that have reached or are reaching their normal life expectancy or show indications that they may require repair or replacement anytime during the next five (5) years.*

MAJOR CONCERNS

The inspection of the property listed above must be performed in compliance with the rules of the Texas Real Estate Commission (TREC).

SAFETY ISSUES

Smoke detectors not present

Overhead electrical service lines are in contact with trees. Fix or repair by a current licensed electrician.

REPAIR ITEMS

Number and spacing of metal tie down straps are marginal with several missing, unsecured, and excessive slack in existing metal tie downs. Trailer frame should be leveled and tie down straps re-tightened by a qualified licensed manufacturer home installer. Fix or repair

Some piers visible under structure are sinking or leaning. Further investigation and repair needed.

Insulation under trailer frame is water damaged and falling off and needs to be removed. Fix or repair

Excessive amount of debris and personal belonging should be removed from sides of house to prevent the harboring of pests and vermin. Condition is also conducive to several varieties of venomous snakes.

Trees in contact with structure, leaning towards structure, or hanging over structure should be removed to prevent any further damage to structure due to the perils of nature.

Roofing material has signs of past repairs with temporary solutions. Further investigation warranted by a manufacturer home certified and/or licensed roofer for remedies for repair due to past water stains and recent water stains/mold on ceilings

3”-4” inches rolled insulation severely water damaged should be removed to prevent rot and structural support wall damage as soon as possible. Fix or repair.

Crawl space insulation under house needs replacement due to water damage. Fix or repair

I	NI	NP	D	Inspection Item

Due to water damage it is wise to remove insulation from inside exterior wall and ceiling attic space to prevent mold, rot and ultimate structural damage to exterior support walls and rafters.

Water damaged interior walls need total sheet rock and insulation replacement to prevent mold, rot and structural wall problems Fix or repair

Signs of new and past water stains observed on ceiling along with mold due water penetration and high level of moisture inside home. Ceiling sheet rock will need replacement for a large majority of ceiling.

Plywood sub-floors are saturated and replacement should be anticipated due to warping from moisture damage.

Carpet and laminate floors need total replacement due to moisture damage.

Doors are warped due to moisture damage and do not close, total replacement should be anticipated due to moisture damage

Main disconnect breaker was submerged under flood water and should be replaced by a current licensed electrician to assure safe and reliable working order. Fix or repair.

Main disconnect breaker was submerged under flood water and should be replaced by a current licensed electrician to assure safe and reliable working order. Fix or repair.

All plug outlets for house and garage should be replaced to assure safe and proper working order since they all were submerged under water.

Improper wiring was observed on water heater, further investigation and repair required by a licensed electrician or qualified plumber

Blower and heating elements were submerged under water. Repair or replacement should be anticipated due to water damage. Further investigation warranted by a licensed HVAC professional when power is turned on.

Condenser was completely submerged under water warranting further investigation by a current licensed HVAC professional

Metal ducts were submerged under water. Replacement should be anticipated due to health concerns of mold inside ducts.

Missing water shutoff valves under all sinks. Fix or repair.

It appears that toilet drain line has been disconnected allowing toilet waste water to terminate under house. Fix or repair (note: this may indicate that there was some movement of entire structure due to rising flood water).

Waste drains under kitchen sink are held together with duct tape. Further investigation and repair required by a licensed plumber

Water heater is at or exceeded estimated life expectancy with evidence of severe rust on unit.

Improper wiring should be evaluated by a qualified plumber or licensed electrician.

Large amount of cleaning and debris removal due to flood water is needed.

IMPROVEMENT ITEMS

Missing Arc Fault Circuit Interrupter (AFCI) breakers for bedrooms. Not required when home was built. Fix or repair.

Missing GFCI outlets for bathrooms, kitchen and garage. Fix or repair.

Main breaker panel is located in master bedroom and considered a hazard by today's standards. Recommend relocating breaker panel.

Main breaker panel was not submerged by water, however, breaker panel is extremity dirty inside and should be professionally cleaned by a qualified licensed electrician to assure safe and proper working order.

Emergency main water shutoff valve was not present

ITEMS TO MONITOR

Oven range was removed, condition is undetermined. Unit was in the street
Refrigerator was removed and in street. Condition undetermined.
Washer and dryer were totally submerged under water:
Past repairs to drain lines under house were observed by inspector.

DEFERRED COST ITEMS

Condenser was completely submerged under water warranting further investigation by a current licensed HVAC professional when power is on

I=Inspected NI=Not Inspected NP=Not Present D=Deficiency

I	NI	NP	D	Inspection Item

Due to water damage it is recommended that a licensed HVAC professional evaluate entire HVAC l system further to assure proper working order. Repairs should be anticipated.
Oven range was removed, condition is undetermined. Unit was in the street
Septic system and drain field were still submerged under water, recommend a licensed septic representative evaluate system when water recedes.

ADDENDUM: PHOTO SUMMARY



Water mark on screen from flood



water mark over condenser



Missing tie down and damaged insulation



water mark on exterior disconnect



Rusted floor duct



water heater is very old with improper wiring

I	NI	NP	D	Inspection Item

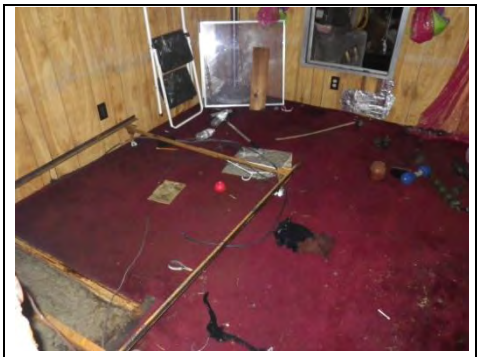
ADDENDUM: PHOTO SUMMARY



Very old past roof repairs



Sample of one of several leaning piers



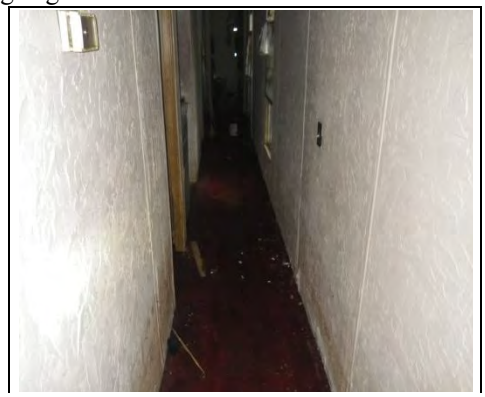
Saturated floors



garage after 48 inches of flood water



Water stain and mold on ceiling



water was 20 inches high throughout house

(Note :Water can wick up to ceiling over a period of time)

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 11/16/2015

APPLICANT: Bobby Dale & Bretta Price

AGENDA ITEM: **Z2015-027**; 453 E. Cullins Rd. *(AG to SFE-2.0)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Bobby Dale and Bretta Price for the approval of a zoning change from an Agricultural (AG) District to a Single Family Estate 2.0 (SFE-2.0) District for a 5.5-acre tract of land identified as Tract 17-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 453 Cullins Road, and take any action necessary.

PURPOSE:

The subject property is a 5.5-acre tract of land identified as Tract 17-7 of the W. W. Ford Survey, Abstract No. 80. The applicants, Bobby Dale & Bretta Price, are requesting to rezone the property from an Agricultural (AG) District to a Single Family Estate (SFE 2.0) District for the purpose of constructing a combination mother-in-law suite and garage space. Based on the applicant's letter of request, the size of the new structure would exceed what the Unified Development Code would allow as an accessory use and would require a Specific Use Permit (SUP). Should the zoning request be approved, the applicant's intention will be to apply for an SUP in order to construct the new accessory building. The subject property is located on the northeast corner of FM-549 and Cullins Road.

With the exception of the Oaks of Buffalo Way residential subdivision (SFE-1.5), the majority of the surrounding properties are zoned AG and have single family homes. Within approximately 315 feet of the subject property there are two (2) properties that have been rezoned from AG to SFE-2.0 and a third property approximately 1,500 feet away designated as SFE-2.0. Based on this, a Single Family Estate (SFE-2.0) District may be considered an appropriate zoning district for the property; however, a zoning change request is a discretionary act reserved for the Planning and Zoning Commission and City Council to consider.

In your packet is a letter requesting the zoning change, a legal description and boundary survey indicating the area to be zoned for your review and consideration.

ADJACENT PROPERTIES ZONING DISTRICTS:

The zoning adjacent to the subject property is as follows:

North: The zoning north of the subject property is (SFE-1.5) Single Family Estate District.

South: The zoning south of the subject property is (AG) Agricultural District.

East: The zoning east of the subject property is (AG) Agricultural District.

West: The zoning west of the subject property is (AG) Agricultural District.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

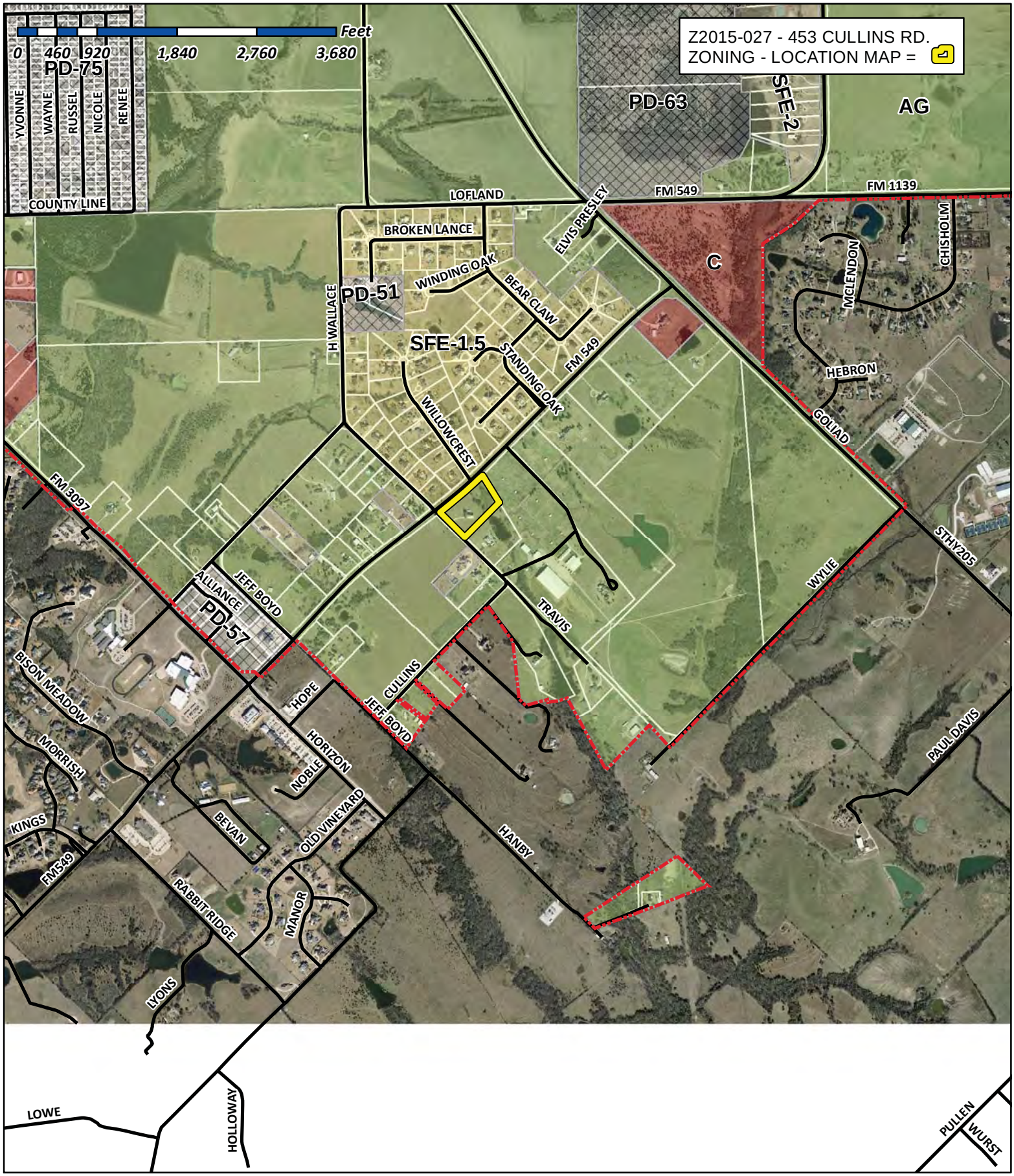
The Future Land Use Map, adopted with the Comprehensive Plan, designates the subject property for *Low Density Residential* land uses, which is defined as less than two (2) single-family units per acre. This designation is in conformance with the applicant's request to rezone the subject property to a Single-Family Estate (SFE-2.0) District.

NOTIFICATION:

Staff mailed nineteen (19) notices to property owners within 500 feet of the subject property. Staff also notified one (1) HOA/Neighborhood Organization (Oaks of Buffalo Way) that is within 1,500 feet and participating in the notification program. Additionally, staff posted a sign on the property as required by the Unified Development Code (UDC). At the time this report was drafted, staff has received one notice "in favor of" the zoning change requested.

PLANNING AND ZONING RECOMMENDATION:

On November 10, 2015, the Planning and Zoning Commission recommended approval of the zoning change request by a vote of 5 to 0 with Commissioner's Fishman and Jusko absent.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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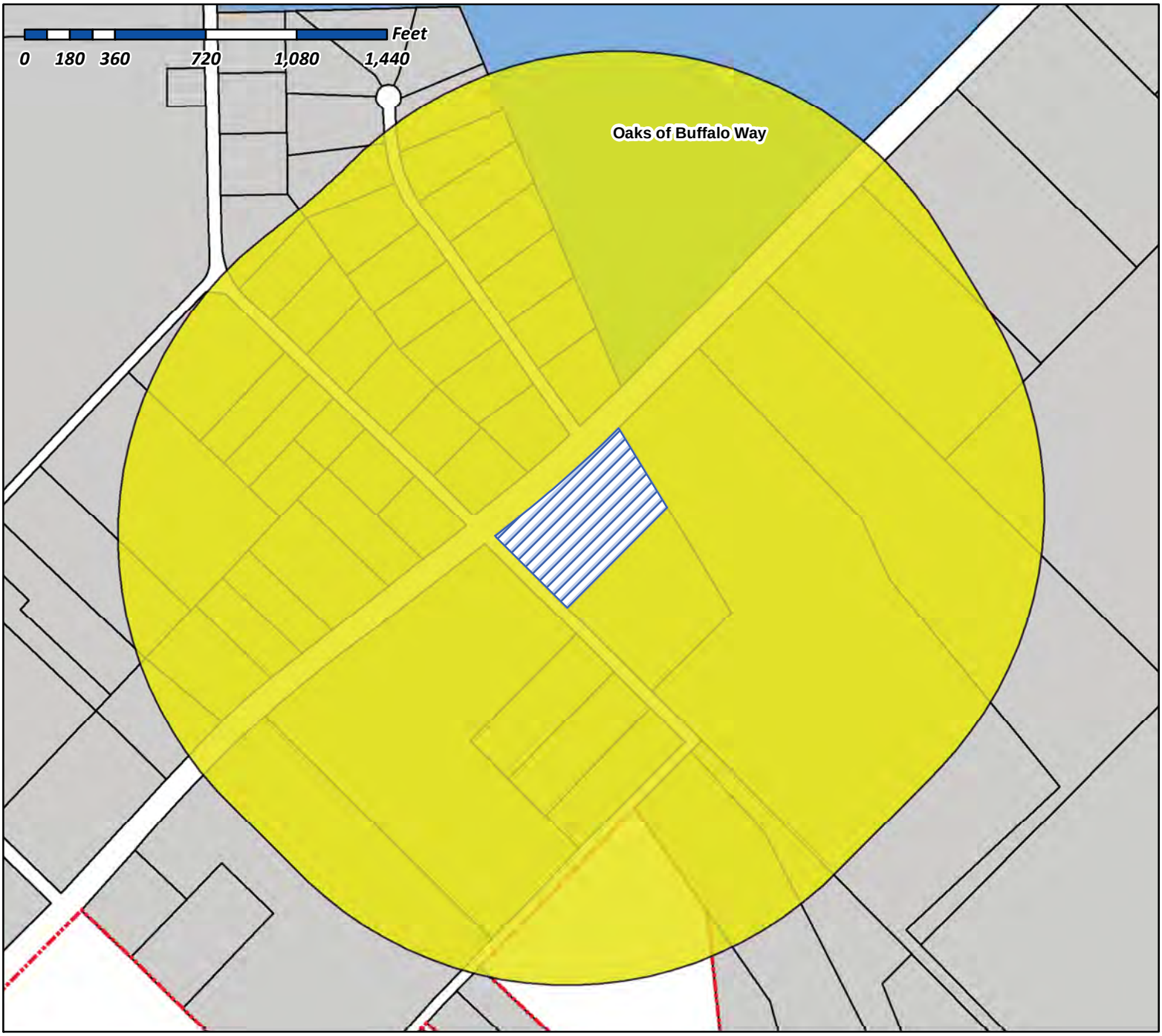
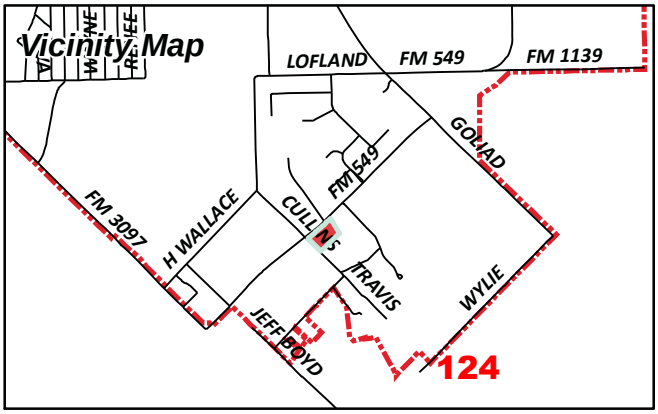


Case Number: Z2015-027
Case Name: 453 Cullins Rd.
Case Type: Zoning
Zoning: AG
Case Address: 453 Cullins Rd.



Date Created: 10/15/2015
For Questions on this Case Call (972) 771-7745

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
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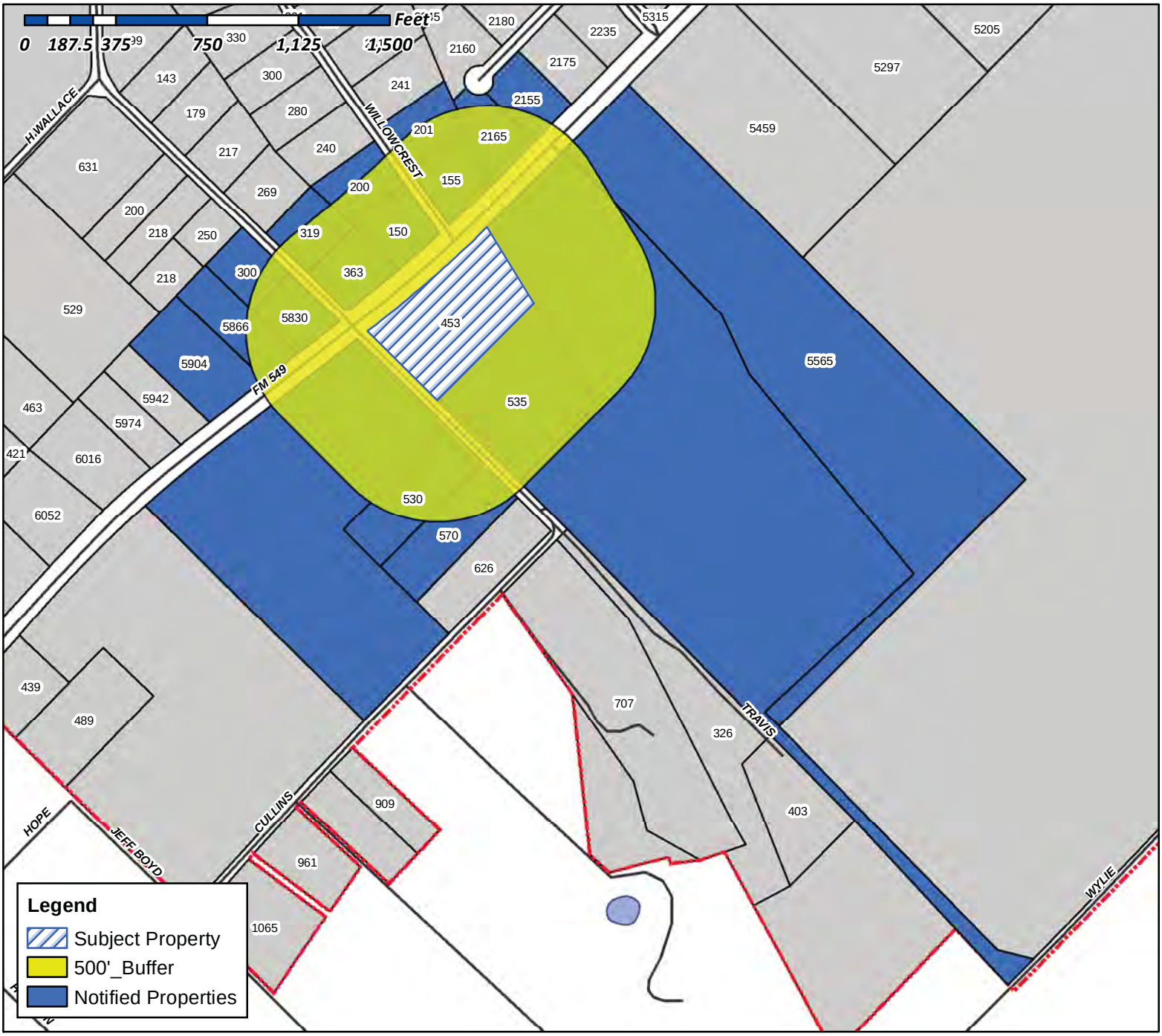

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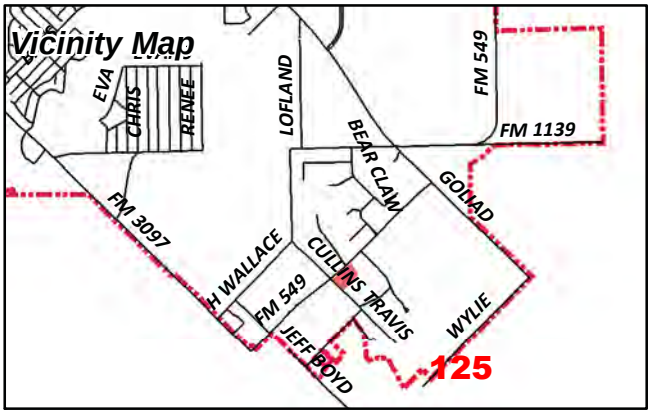

Date Created: 10/15/2015
For Questions on this Case Call (972) 771-7745

JOHNSON LEWIS & JULIE
150 WILLOWCREST
ROCKWALL, TX 75032

HADDOCK HOWARD J & JOAN W TRUSTEES
HADDOCK FAMILY LIVING TRUST
155 WILLOWCREST
ROCKWALL, TX 75032

CONFIDENTIAL
200 WILLOWCREST
ROCKWALL, TX 75032

MUELLER JOHN H
201 WWILLOWCREST LN
ROCKWALL, TX 75032

EVERETT MATTHEW & AIMEE
2155 ARROWHEAD COURT
ROCKWALL, TX 75032

FLEMING KATHI
2165 ARROWHEAD CT
ROCKWALL, TX 75032

STREETT RICHARD A & LYNN F
300 CULLINS RD
ROCKWALL, TX 75032

HUME BOBBY G SR & GLENDA J
319 CULLINS RD
ROCKWALL, TX 75032

LEE SHERRIE
363 CULLINS RD
ROCKWALL, TX 75032

PRICE BOBBY DALE & BRETTA JEAN
453 CULLINS RD
ROCKWALL, TX 75032

SHOCKLEY GREGORY AND
AYAKA MATSUNO
530 CULLINS ROAD
ROCKWALL, TX 75032

WILSON BRET A & LESLIE
535 CULLINS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
5565 S FM549
ROCKWALL, TX 75032

WESTRUP CAROLE LYNN AND
MICAHEL EDGAR
570 CULLINS ROAD
ROCKWALL, TX 75032

HUGHES ERNEST W & SUSAN
5830 S FM 549
ROCKWALL, TX 75032

BRINKLEY JAMES & BRENDA
5866 SOUTH FM 549
ROCKWALL, TX 75032

MOODY KELLY E & KIMBERLY MOODY
5904 S FM 549
ROCKWALL, TX 75032

ROCKWALL HIGHGATE LTD
C/O SCOTT ASBURY
6210 PRESTON CREEK DR
DALLAS, TX 75240

POPE TONY W & KARREN L
626 E CULLINS ROAD
ROCKWALL, TX 75032

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NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2015-027: 453 Cullins Rd.

Hold a public hearing to discuss and consider a request by Bobby Dale and Bretta Price for the approval of a zoning change from an Agricultural (AG) District to a Single Family Estate 2.0 (SFE-2.0) District for a 5.5-acre tract of land identified as Tract 17-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 453 Cullins Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 11/10/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 11/16/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **11/16/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2015-027: 453 Cullins Rd.

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

PLEASE RETURN THE BELOW FORM

Case No. Z2015-027: 453 Cullins Rd.

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

I cannot not See any reason, not to approve.

Name: Kathi Fleming

Address: 2165 Arrowhead ct. Rockwall 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

October 14, 2015

Mr. David Gonzales
Senior Planner
Planning and Zoning Division
City of Rockwall
385 S. Goliad St
Rockwall TX 75087

Dear Mr. Gonzales:

This letter is to request re-zoning for our current residence at 453 Cullins Rd., Rockwall TX 75032. The re-zoning will be for a new structure to be built on the site which contains approximately 648 square feet for mother-in-law suite and a garage space of approximately 1,793 square feet. The proposed building is a one story building.

The zoning currently is for Agricultural. We would like to request zoning for SF-4.

Please let me know if you require additional information.

Thank you.

Bretta Price
453 Cullins Rd.
Rockwall TX 75032
[redacted]

CITY OF ROCKWALL

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT FOR A 5.50-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17-7 OF THE W.W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Bobby Dale and Bretta Price for the approval of an amendment to the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall to adopt a change in zoning from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a 5.50-acre tract of land identified as Tract 17-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, and more specifically described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

Section 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family Estate (SF-E) District* in *Section 1.1, "Use of Land and Buildings,"* of *Article IV, "Permissible Uses"* and *Section 3.2, "Single-Family Estate (SF-E/2.0) District",* of *Article V, "District Development Standards",* of the *Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future;

Section 3. That the official zoning map of the City be corrected to reflect the changes in the

zoning described herein.

Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of two thousand dollars ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE _____ DAY OF _____, 2015.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading:

2nd Reading:

EXHIBIT "A"

Legal Description

BEING a 5.500 acre tract of land out of the W.W. FORD SURVEY, Abstract No. 80, Rockwall County, Texas, and further being part of a 317.449 acre tract of land conveyed by deed to Mark Lanning as recorded in Volume 903, Page 114, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of the southwest line of F.M. Road 549 with the centerline of East Cullins Road, said point being the most westerly corner of said 317.449 acre tract;

THENCE, N52°23'36"E, 56.98 feet along the southeasterly right-of-way line of said F.M. 549 to right-of-way marker, said marker being the beginning of a curve to the left having a radius of 5796.43 feet and a central angle of 06°06'08";

THENCE along said curve and right-of-way line of said F.M. Road 549 for an arc length of 617.09 feet to a 1/2 inch iron rod set;

THENCE S31°25'14"E, 371.06 feet leaving the southeasterly right-of-way line of said F.M. Road 549 and along a fence line to a 1/2 inch iron rod set for corner;

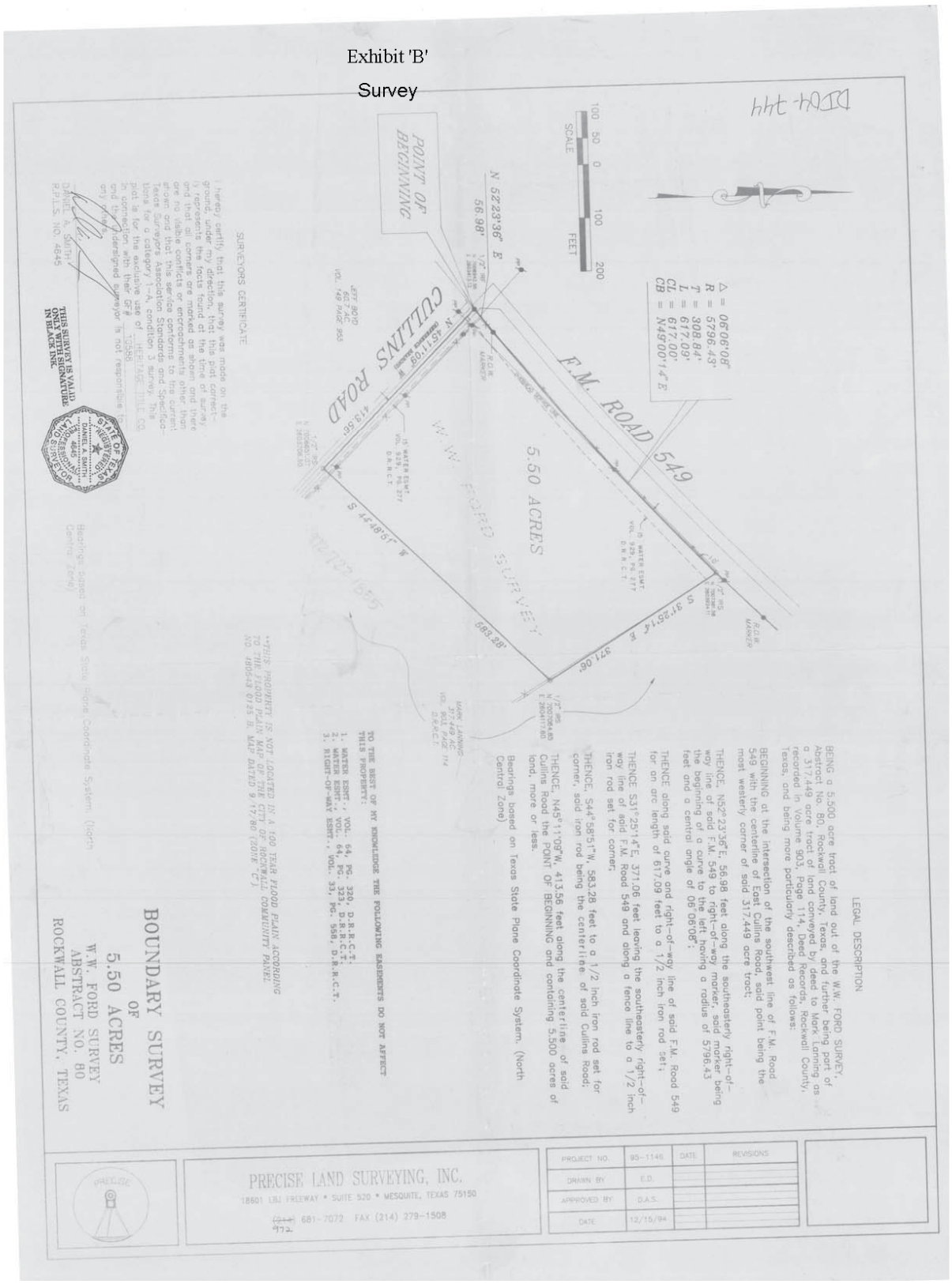
THENCE, S44°58'51"W, 583.28 feet to a 1/2 inch iron rod set for corner, said iron rod being the centerline of said Cullins Road;

THENCE, N45°11'09"W, 413.56 feet along the centerline of said Cullins Road the POINT OF BEGINNING and containing 5.500 acres of land, more or less.

Bearings based on Texas State Plane Coordinate System. (North Central Zone)

Exhibit 'B'

Survey



LEGAL DESCRIPTION

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THENCE, N45°11'09"W, 413.56 feet along the centerline of said Cullins Road the POINT OF BEGINNING and containing 5.500 acres of land, more or less.

Bearings based on Texas State Plane Coordinate System, (North Central Zone)

TO THE BEST OF MY KNOWLEDGE THE FOLLOWING EASEMENTS DO NOT AFFECT THIS PROPERTY:

1. WATER ESMT., VOL. 64, PG. 329, D.R.R.C.T.
2. WATER ESMT., VOL. 64, PG. 329, D.R.R.C.T.
3. RIGHT-OF-WAY ESMT., VOL. 33, PG. 558, D.R.R.C.T.

*THIS PROPERTY IS NOT LOCATED IN A 100 YEAR FLOOD PLAIN ACCRDING TO THE FLOOD PLAIN MAP OF THE CITY OF ROCKWALL COMMUNITY PANEL NO 480543 0125 B, MAP DATED 9/17/80 (ZONE "C").

SURVEYORS CERTIFICATE

I hereby certify that this survey was made on the ground under my direction, that this plat correctly represents the facts found at the time of survey and that all corners are marked as shown and there are no visible conflicts or encroachments other than shown and that this service conforms to the current Texas Surveyors Association Standards and Specifications for a category 1-A, condition 3 survey. This plat is for the exclusive use of HERITAGE TITLE CO in connection with their GF# 15386 and the undersigned surveyor is not responsible for any others.

DANIEL A. SMITH
R.P.L.S. NO. 4645

THIS SURVEY IS VALID ONLY WITH SIGNATURE IN BLACK INK.

STATE OF TEXAS
REGISTERED
DANIEL A. SMITH
4645
PROFESSIONAL
LAND SURVEYOR

Bearings based on Texas State Plane Coordinate System (North Central Zone)

PROJECT NO.	95-1146	DATE	REVISIONS
DRAWN BY	E.D.		
APPROVED BY	D.A.S.		
DATE	12/15/94		

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manger*
Brad Griggs, *Assistant City Manager*

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: November 16, 2015

SUBJECT: *Z2015-029; Amendments to the Landscaping Requirements*

As part of the *New Volunteer Opportunity Program* initiated by the City Manager's office, the Planning Department was tasked with leading a group of citizens through a comprehensive review of the City's landscape ordinances. The purpose of this exercise was to use local experts and interested citizens to make recommendations to ensure that the ordinances were conservation minded with regard to water usage requirements and policies. At the September 21, 2015 City Council meeting, staff presented the Committee's recommendations to the City Council. The Council directed staff to prepare text amendments to address six (6) of the seven (7) recommendations. The recommendations being sent forward are as follows:

1) *The planting requirements for the City's Overlay Districts should be reduced from three (3) canopy trees and four (4) accent trees per 100-linear feet to two (2) canopy trees and four (4) accent trees per 100-linear feet.*

2) *The City's list of acceptable trees, trees to be planted within the landscape buffers of the City's Overlay Districts, and as replacement trees for tree preservation should be changed as stated in the attached packet.*

3) *An appendix should be added to the Unified Development Code that includes recommended planting lists for trees, shrubs, grasses etc.*

4) *Xeriscaping standards should be established as an alternative to conventional landscaping standards for the purpose of incorporating low water use plants and/or pervious hardscapes. Additionally, xeriscaping should be incentivized by allowing a 2.5% reduction in the overall required landscaping percentage for the purpose of making it a more attractive option to developers.*

5) *The screening required of a commercial development when adjacent to a residential development should be changed to include an option to allow a wrought iron fence with landscape screening where applicable.*

6) *During drought or water emergency response stages the Director of Planning and Zoning or his designee can grant an applicant permission to delay the installation of required landscaping to a specified time and date.*

In accordance, with Section 4.2 of Article XI, *Zoning Related Applications*, of the UDC staff brought the proposed amendments forward to the Planning and Zoning Commission for a public hearing and a recommendation to the City Council on November 10, 2015. At this meeting, the Planning and Zoning Commission approved a motion to recommend approval of the text amendment by a vote of 5-0, with Commissioners Jusko and Fishman absent. Attached to this memorandum are copies of the proposed text amendments and a draft ordinance.

Section 6. Overlay District Standards

Section 6.6. IH-30 Overlay (IH-30 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the IH-30 right-of-way as set out below.

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine, Bald Cypress,*** Bur Oak, Cedar Elm, ***Eastern Red Cedar, Homestead Elm, Lacebark Elm, Little Gem Magnolia,*** Live Oak, ***October Glory Maple,*** Red Oak, ***Texas Ash, Texas Red Oak*** ~~***Leyland Cypress***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.7. SH-205 Overlay (SH-205 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the SH 205 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in subsections E.3 and E.4.

E.3 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, Lacebark Elm, Leyland Cypress, ***Little Gem Magnolia,*** Live Oak, ***October Glory Maple*** ~~***Red Oak***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.8. Scenic Overlay (SOV) District

F.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the FM 740 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in subsections F.3 and F.4.

F.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, Lacebark Elm, Leyland Cypress, ***Little Gem Magnolia***, Live Oak, ***October Glory Maple*** ~~***Red Oak***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.9. SH-66 Overlay (SH-66 OV) District

F.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the SH 66 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in subsections F.3 and F.4.

F.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine,*** Bur Oak, Cedar Elm, Lacebark Elm, ~~***Leyland Cypress,***~~ ***Little Gem Magnolia,*** Live Oak, ***October Glory Maple,*** Red Oak, ***Texas Ash, Texas Red Oak***.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.10. 205 By-Pass Corridor Overlay (205 BY-OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the John King Blvd. right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4). The area of John King Blvd. from Quail Run Road to SH 205 North shall include an average of one cedar tree for each 100 feet of frontage planted in clusters of three to five trees.

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine, Bald Cypress,*** Bur Oak, Cedar Elm, ***Eastern Red Cedar, Homestead Elm,*** Lacebark Elm, ~~***Leyland Cypress,***~~ ***Little Gem Magnolia,*** Live Oak, ***October Glory Maple***, Red Oak, ***Texas Ash, Texas Red Oak***.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.11. North SH-205 Corridor Overlay (N-SH 205 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the SH 205 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4).

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, Lacebark Elm, Leyland Cypress, ***Little Gem Magnolia,*** Live Oak, ***October Glory Maple*** ~~***Red Oak***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.12. East SH-66 Corridor Overlay (E-SH 66 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the East SH 66 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4). The East SH 66 Corridor Overlay shall include an average of one cedar tree for each 100 feet of frontage planted in clusters of three to five trees.

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, Lacebark Elm, Leyland Cypress, ***Little Gem Magnolia,*** Live Oak, ***October Glory Maple*** ~~***Red Oak***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.13. FM-549 Corridor Overlay (FM-549 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the FM 549 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4). The area of the FM 549 Corridor Overlay from Airport Road to SH 66 shall include an average of one cedar tree for each 100 feet of frontage planted in clusters of three to five trees.

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine, Bald Cypress,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, ***Lacebark Elm, Leyland Cypress, Little Gem Magnolia,*** Live Oak, ***October Glory Maple,*** Red Oak, ***Texas Ash, Texas Red Oak***.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.14. SH-276 Corridor Overlay (SH-276 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the SH 276 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4).

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine, Bald Cypress,*** Bur Oak, Cedar Elm, ***Eastern Red Cedar, Homestead Elm, Lacebark Elm, Little Gem Magnolia,*** Live Oak, ***October Glory Maple,*** Red Oak, ~~***Leyland Cypress***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Article VIII. Landscape Standards

Section 3. Definitions

Xeriscaping **means type of landscaping design that uses a combination of native plants and grasses, approved hardscapes and drought tolerant ground covers and planting materials for the purpose of conserving water and protecting the local environment.**

Section 5 Mandatory Provisions
Section 5.3. Acceptable Landscape Materials

A. No artificial plant materials may be used to satisfy the requirements of this article.

B. Plant materials used to satisfy the requirements of this article must comply with the following minimum size requirements at the time of installation:

☑ Large trees must have a minimum caliper of three inches, or a minimum height of six feet, depending on the standard measuring technique for the species.
☑ **Shrubs shall be a minimum of three (3) gallons in size.**

C. For purposes of this section, "height" is measured from the root crown or, if the plant is in a container, from the soil level in the container.

D. In satisfying the landscaping requirements of this article, the use of high-quality, hardy plant materials on the approved plant list below is recommended and encouraged. Plants found on the disapproved plant list below shall not be placed within the right-of-way or within the required building setback along a street.

(Ord. No. 06-14, 4-17-2006)

E. As an alternative, the xeriscaping standards in Section 5.10 of this Article have been adopted to encourage new and existing developments to implement landscaping standards targeted at reducing water usage by using drought tolerant plantings and plans.

F. Trees allowed in street landscape buffer areas. The following trees are allowed within the street landscape buffers along public streets:

1. Afghan Pine.
2. Bald Cypress.
3. Burr Oak.
4. Caddo Maple.
5. Cedar Elm.
6. Chinquapin Oak.
7. Eastern Red Cedar.
8. Homestead Elm.
9. Lace Bark Elm.
10. Leyland Cypress.
11. Little Gem Magnolia.
12. Live Oak.
13. October Glory Maple.

14. Pecan.
15. Red Oak.
16. Texas Ash.
17. Texas Red Oak.
~~18. Chinese Pistachio.~~

and various native understory trees such as:

1. Desert Willow
2. Downy Hawthorn.
3. Eastern Redbud
4. Eve's Necklace
5. Mexican Buckeye
6. Possumhaw Holly
7. Shantung Maple
8. Yaupon Holly
~~9. Texas Redbud.~~
~~10. Mexican Plum.~~
~~11. Wax Myrtle.~~
~~12. Yaupon.~~
~~13. Deciduous Yaupon.~~

Section 5.6. Screening from Residential Uses

A. Any commercial or industrial use or parking lot that has a side or rear contiguous to any residential district, or any multi-family use with more than five dwelling units or parking lot that has a side or rear contiguous to any single-family, townhouse, or duplex district, shall be screened with a masonry fence (***~~excluding~~*** tilt wall or concrete block ***are prohibited; however, precast walls may be approved by the Planning and Zoning Commission ~~unless approved by the city council~~***), six ***(6)*** feet in height***~~, unless otherwise approved by the city council~~***. As an alternative, berms in conjunction with a ***minimum of a six (6) foot wrought fence*** and a combination of trees and shrubs can be utilized to meet ***~~this~~*** the screening requirement***s if the Planning & Zoning Commission determines that the proposed alternative will provide sufficient screening***. The screen shall be located no closer to the street than the property line. Any ordinances concerning sight obstructions of intersections shall be applicable to the screen where it is intersected by a street or driveway.

B. Prior to construction of any required screens, complete plans showing type of material, depth of beam, and structural support shall be analyzed by the building permit office to determine whether or not:

1. The screen will withstand the pressures of time and nature;
2. The screen adequately accomplishes the purpose for which it was intended;
3. Plans shall be sealed by a registered engineer or they shall conform to the city's standard design for screening walls.

C. Such screen shall be constructed prior to the issuance of a certificate of occupancy for any building or portion thereof.

D. The areas adjacent to the required screening wall, or areas adjacent to a public street or right-of-way, shall be maintained by the property owner in a clean and orderly condition, free of debris and trash in accordance with the applicable codes of the city.

Section 5.10. ***~~Deleted.~~ Xeriscaping Standards.***

A. *Purpose.* The purpose of this section is to promote the establishment of water conscious landscaping through the implementation of xeriscaping principles. Additionally, this section is intended to provide an alternative to the typical landscape requirements for commercial properties.

B. *Principles*. All xeriscaping plans submitted to the city should demonstrate conformance with the following principles:

1. *Planning and Design.* Landscape designs and plans should take into account the regional and microclimatic conditions of the site, its existing vegetation and topographical conditions, the intended use, and the zoning (*i.e. vegetation zone*) of plant materials according to their unique water needs. Plans should take into account the various heights of landscaping materials. If the landscape plan is proposed in phases, to account for optimum planting times, all future phases should be included on the submitted landscape plan. In reviewing plans to ensure proper site planning and design, staff shall ensure that the plan: 1) preserves and protects existing vegetation, 2) preserves and protects topsoil, 3) stabilizes and covers all bare soil areas, and 4) incorporates energy/water conservation.

2. *Soil Improvement.* Since soil tends to vary from site to site all soil should be analyzed to determine what plants are suitable to include on the landscape plan and if any soil amendments are required. Soil may require additional organic material be added to ensure the continued health of plants.

3. *Appropriate Plant Selection.* Plant selection should be based on the plant's adaptability to the existing site conditions and need for supplemental watering. Most xeriscape plants will not require supplemental watering. In selecting plant materials, mature plants and shrubs should be used to ensure establishment after installation. A list of plants that are native and acceptable within the City of Rockwall has been provided in Appendix F, *Recommended Plantings*, of the Unified Development Code; however, staff may approve alternate plantings if they are deemed appropriate for the site. In reviewing plans for conformance to this principle staff will consider the: 1) diversity of the plant species being proposed, 2) size, maturity and water requirements of the selected plantings, and 3) variation of height, spread and color.

4. *Practical Turf Areas.* The type and location of turf areas are considered to be a major design element in xeriscape plans. Turf in this case involves typical varieties of Bermuda, St. Augustine, Ryegrass blends, etc. The maintenance needs of turf can be minimized by the shape, area, irrigation equipment, and turf type selected. Drainage areas and sloped areas are especially suited to the use of native grasses as opposed to turf. In reviewing plans to ensure that the turf areas being proposed are practical staff will review: 1) the design of the turf areas [*with rounded, compact turf areas being more efficient*], 2) turf areas should be designed to be on a separate zone from other landscaping, 3) turf should be appropriate for the selected location, 4) turf should be avoided on

slopes and drainage areas in favor of native grasses, and 5) minimize turf areas by using native grasses, hardscape elements and alternatives.

5. ***Efficient Irrigation.*** **All landscaping is required to have an irrigation system that is designed by a licensed irrigator. Additionally, all irrigation systems should be designed to be water efficient utilizing low-flow irrigation equipment. The plan should show that turf areas should be watered separately, and plants should be grouped in separate zones based on water need. Finally, all irrigation systems are required to be maintained in proper working order.**
6. ***Use of Mulches.*** **Mulches minimize evaporation, reduce weed growth, slow erosion and help maintain soil temperature. In reviewing the use of mulches in xeriscape plans staff shall ensure: 1) the use of a deep layer of mulch in planting beds [*typically 3-4 inches*] is utilized, and 2) mulches should be locally or regionally derived materials. Additionally, mulches may include the use of pea gravel, crushed granite, rock or pebbles in unplanted areas.**
7. ***Appropriate Maintenance.*** **Proper pruning, weeding and fertilization as required with all landscape plans shall be required. Typically, xeriscape plans require less maintenance, fertilizer and other chemicals and pesticides.**

C. *Standards*.

1. **If approved with a Landscape Plan native grasses shall be exempt from the rules and requirements of Section 16-43, *Weeds, Brush and Grass*; however, the grass should be maintained to a height typical for the particular native grass.**
2. **Drainage or detention areas that utilize native grasses in lieu of turf shall be exempt from the requirements stipulated by Section 5.12.C (*i.e. one [1] tree per every 750 square feet of dry land area*). Instead, a shrub or ornamental grass per every 1,500 square feet of dry land area shall be required to be planted on the site or around the detention area.**
3. **A maximum of 30% mulches or hardscape is permitted to be incorporated into all xeriscape plans. This may be increased by the Planning & Zoning Commission if deemed appropriate and necessary for the proposed plan.**

D. *Approval of Xeriscape Plans*. All xeriscape plans shall require approval by the Planning & Zoning Commission, upon a recommendation by staff concerning conformance to the requirements of this section, at the time of site plan approval.

~~(Ord. No. 06-14, 4-17-2006)~~

Section 6 Landscape Credits
Section 6.4 Credit for Xeriscaping.

The overall landscaping requirement may be reduced by 2.5 percent when the Planning Director or his/her designee determines that the standards stipulated by Section 5.10, *Xeriscaping Standards*, of this Article have been satisfied.

Section 7. Completion of Landscaping
Section 7.1. In Accordance with Approved Plans.

Except as otherwise provided in Subsection 7.2, all landscaping must be completed in accordance with the approved landscape plan before a Certificate of Occupancy may be issued for any building on the lot~~.~~ ***; however, during drought or water emergency response stages***

the Director of Planning and Zoning or his designee can grant an applicant permission to delay the installation of required landscaping (independent of Subsection 7.2) upon receipt of a letter from the applicant stating that the landscaping will be installed by a specific date that is within a reasonable time period not to exceed six (6) months. The Director of Planning and Zoning may extend the agreement for successive terms if the City is still under drought or water emergency response stages.

Section 7. Tree Replacement Credits

D. Types of trees. Replacement trees shall be selected from the following list and shall be a minimum of three caliper inches as measured six inches above the root ball.

Canopy Trees:

1. Afghan Pine.
2. Bald Cypress.
3. Burr Oak.
4. Caddo Maple.
5. Cedar Elm.
6. Chinquapin Oak.
7. Eastern Red Cedar.
8. Homestead Elm.
9. Lace Bark Elm.
10. Leyland Cypress.
11. Little Gem Magnolia.
12. Live Oak.
13. October Glory Maple.
14. Pecan.
15. Red Oak.
16. Texas Ash.
17. Texas Red Oak.

Accent Trees:

1. Desert Willow
2. Downy Hawthorn.
3. Eastern Redbud
4. Eve's Necklace
5. Mexican Buckeye
6. Possumhaw Holly
7. Shantung Maple
8. Yaupon Holly

~~***Evergreen.***~~
~~***Afghan Pine.***~~
~~***Eastern Red Cedar.***~~
~~***Japanese Black Pine.***~~
~~***Live Oak.***~~
~~***Magnolia.***~~

~~***Deciduous.***~~
~~***Bald Cypress.***~~
~~***Burr Oak.***~~
~~***Cedar Elm.***~~
~~***Chinese Pistachio.***~~
~~***Chinquapin Oak.***~~
~~***Eve's Necklace.***~~
~~***Lace Bark Elm.***~~

~~***Aristocrat Pear.***~~
~~***Pecan.***~~
~~***Sweet Gum.***~~
~~***Sycamore.***~~
~~***Texas Ash.***~~
~~***Texas Red Oak.***~~
~~***Possumhaw Holly.***~~

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F.1. INTRODUCTION.

These guidelines were drafted by the citizens and local experts for the purpose of outlining the requirements of Article VIII, *Landscape Standards*, of the Unified Development Code, and to provide guidelines for plantings that are appropriate within the City of Rockwall.

F.2. PURPOSE.

The purpose of the following appendix is to provide a general reference guide for meeting the requirements of Article VIII, *Landscape Standards*, of the Unified Development Code. This appendix is not intended to be a comprehensive list of all plant materials that can be utilized for development within the City of Rockwall. The Director of Planning or his designee can approve a landscape plan that includes tree, shrub, and grass varieties not indicated in this appendix upon a finding that the proposed planting is appropriate for the development.

F.3. DISTRICT LANDSCAPING REQUIREMENTS

		Overlay Districts									
		IH-30	SH-205	SOV	SH-66	205-BY	N-205	E-66	FM-549	SH-276	NON
Landscape Buffer Requirement	10' Landscape Buffer										X
	20' Berm and/or Shrubbery Row (30"-48")	X	X	X	X		X				
	15' Berm and/or Shrubbery Row (30"-48") [*Retail/Commercial*]					X		X	X	X	
	25' Berm and/or Shrubbery Row (30"-48") [*Residential*]					X		X	X	X	
	50' Berm and/or Shrubbery Row (30"-48") [*Industrial/Research/Technology*]					X		X	X	X	
Tree Planting Requirements	1 Canopy Tree for Each 50-Linear Feet of Street Frontage										X
	3, 4" Caliper Canopy Trees for Each 100-Linear Feet of Street Frontage	X	X	X	X	X	X	X	X	X	
	4, 4' Tall Accent Trees for Each 100-Linear Feet of Street Frontage	X	X	X	X	X	X	X	X	X	
	1 Cedar Tree for Each 100-Linear Feet of Street Frontage Planted in Clusters of 3-5 Trees					X		X	X		

References:
- ☑ IH-30: *Section 6.6, Article V, UDC*
- ☑ SH-205: *Section 6.7, Article V, UDC*
- ☑ SOV: *Section 6.8, Article V, UDC*
- ☑ SH-66: *Section 6.9, Article V, UDC*
- ☑ 205-BY: *Section 6.10, Article V, UDC*
- ☑ N-205: *Section 6.11, Article V, UDC*
- ☑ E-66: *Section 6.12, Article V, UDC*

References (Continued):
- ☑ FM-549: *Section 6.13, Article V, UDC*
- ☑ SH-276: *Section 6.14, Article V, UDC*

Abbreviations:
- ☑ NON: *Non-Overlay Districts*

TREE PLANTING GUIDELINES & REQUIREMENTS.

The following table and guidelines are a summary of the required tree planting requirements stipulated by Article VIII, *Landscape Standards*, of the Unified Development Code.

Table 1.1: Required Trees by District.

		Overlay Districts											
		IH-30	SH-205	SOV	SH-66	205-BY	N-205	E-66	FM-549	SH-276	NON	XERI	REC
Canopy Trees	Afghan Pine	X	X	X	X	X	X	X	X	X	X	X	X
	Bald Cypress	X				X			X	X	X		X
	Burr Oak	X	X	X	X	X	X	X	X	X	X	X	X
	Caddo Maple		X	X			X	X	X		X		X
	Cedar Elm	X	X	X	X	X	X	X	X	X	X		X
	Chinquapin Oak										X	X	X
	Eastern Red Cedar	X				X				X	X		X
	Homestead Elm	X				X				X	X		X
	Lacebark Elm	X	X	X	X	X	X	X	X	X	X		X
	Leyland Cypress		X	X			X	X	X		X		X
	Little Gem Magnolia	X	X	X	X	X	X	X	X	X	X		X
	Live Oak	X	X	X	X	X	X	X	X	X	X		X
	October Glory Maple	X	X	X	X	X	X	X	X	X	X		X
	Pecan										X		X
	Red Oak	X			X	X			X	X	X		X
	Texas Ash	X			X	X			X	X	X		X
	Texas Red Oak	X			X	X			X	X	X		X
Accent Trees	Desert Willow	X	X	X	X	X	X	X	X	X	X	X	X
	Downy Hawthorn										X		X
	Eastern Redbud	X	X	X	X	X	X	X	X	X	X		X
	Eves Necklace	X	X	X	X	X	X	X	X	X	X	X	X
	Mexican Buckeye	X	X	X	X	X	X	X	X	X	X		X
	Possumhaw Holly	X	X	X	X	X	X	X	X	X	X	X	X
	Shantung Maple	X	X	X	X	X	X	X	X	X	X		X
	Flame Leaf Sumac	X	X	X	X	X	X	X	X	X	X		X
	Yaupon Holly	X	X	X	X	X	X	X	X	X	X		X

Abbreviations & References:

- ☑ IH-30: *Section 6.6, Article V, UDC*
- ☑ SH-205: *Section 6.7, Article V, UDC*
- ☑ SOV: *Section 6.8, Article V, UDC*
- ☑ SH-66: *Section 6.9, Article V, UDC*
- ☑ 205-BY: *Section 6.10, Article V, UDC*
- ☑ N-205: *Section 6.11, Article V, UDC*
- ☑ E-66: *Section 6.12, Article V, UDC*
- ☑ FM-549: *Section 6.13, Article V, UDC*
- ☑ SH-276: *Section 6.14, Article V, UDC*
- ☑ NON: Non-Overlay Districts
- ☑ XERI: Xeriscaping
- ☑ REC: Reclamation/Tree Preservation

Prohibited Trees:

- ☑ Silver maple (acer saccharinum).
- ☑ Box Elder (Acer Negundo).
- ☑ Mimosa (Albizia Julibrissin).
- ☑ Catalpa (Catalpa sp.).

Prohibited Trees (Continued):

- ☑ Catalpa (Catalpa sp.).
- ☑ Hackberry, Sugarberry (Celtis sp.).
- ☑ Honeylocust (Gleditsia Triacanthos).
- ☑ Tulip tree (Liriodendron Tulipifera).
- ☑ Chinaberry (Melia Azedarach).
- ☑ Sycamore (Platanus Occidentalis).
- ☑ Cottonwood, Poplar (Populus sp.).
- ☑ Willows (Salix sp.).
- ☑ American Elm (Ulmus Americana).
- ☑ Siberian Elm (Ulmus Pumilia).
- ☑ Jerusalem Thorn/Petuma (Parkinsonia Aculeata).
- ☑ Bois D'Arc (Maclura Pomifera).
- ☑ Flowering Crabapple varieties (Malus sp.).
- ☑ Ginko Tree (Ginko Biloba).
- ☑ Peach/Plum varieties.
- ☑ Mulberry varieties (Morus sp.).
- ☑ Texas Mountain Laurel (Sophora Secundiflora).
- ☑ Lilac Chaste Tree (Vitex Agnuscastus).
- ☑ Pine Tree Varieties (Pinus So.)

F.4. RECOMMENDED TREE VARIETIES (CANOPY AND ACCENT TREES).

The following information concerning the City's recommended trees was obtained from the Texas A&M Forest Service, *Texas Tree Planting Guide* and all illustrations were provided courtesy of Texas A&M Forest Service *Copyright by Robert O'Brien*.

Afghan Pine

Latin Name: Pinus Eldarica
Secondary Names: Eldarica Pine, Mondel Pine

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *35' to 50'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Rapid
- ✓ Native: Afghanistan and Central Asia
- ✓ Soil Needs: Requires Well Drained, Dry Soils
- ✓ Tolerances: Salty Soil, Drought, Alkaline Soils [*PH > 7.5*]
- ✓ Features: Soft, Green Needles form a Dense Canopy
- ✓ Uses: Screening and Windbreaks
- ✓ Firewise: No
- ✓ Issues: The pine tip moth can kill new shoots and ruin the shape of the tree. The tree is not tolerant of wet sites.
- ✓ Similar Species: Aleppo Pine (*Pinus Halapensis*)





Bald Cypress

Latin Name: Taxodium Distichum
Secondary Names: Baldcypress

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *50' to 70'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Will Grow in a Variety of Soils
- ✓ Tolerances: Drought and Poorly Drained Sites
- ✓ Features: Deciduous Conifer with Feather-Like Leaves, Round Seed Balls, and Fibrous Bark
- ✓ Uses: Detention Areas and Poorly Drained Areas
- ✓ Firewise: Yes
- ✓ Issues: Woody 'Knees' and Bagworms
- ✓ Similar Species: Montezuma Balcypress (*Taxodium Mucronatum*)

Bur Oak

Latin Name: Quercus Macrocarpa
Secondary Names: Mossy Cup Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *40' to 60'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate to Rapid
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Prefers Deeper Soil
- ✓ Tolerances: Salty Soil, Drought, Alkaline Soils [*PH > 7.5*]
- ✓ Features: Unique Leaf Shape, Largest Acorn of any Oak
- ✓ Uses: Drought Tolerant Tree
- ✓ Firewise: Yes
- ✓ Issues: Acorns and leaves can create significant clean-up.
- ✓ Similar Species: White Oak (Quercus Alba)



Caddo Maple

Latin Name: Acer saccharum 'Caddo'
Secondary Names: Eldarica Pine, Mondel Pine

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *50' to 60'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow to Medium
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Rocky & Alkaline Soils and Drought Tolerant
- ✓ Features: Medium tree with a rounded appearance, dark green foliage that changes to a golden color in the fall.
- ✓ Firewise: Yes
- ✓ Issues: Availability
- ✓ Similar Species: Sugar Maple (A. saccharum)





Cedar Elm

Latin Name: Ulmus Crassifolia
Secondary Names: Texas Elm

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *70' to 90'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Alkaline Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Lustrous Dark Green Leaves that are Stiff and Rough to the Touch
- ✓ Uses: Generally a Landscape Tree, Parking Lot/Street Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids, Minor Leaf Beetle & Dutch Elm Disease
- ✓ Similar Species: Winged Elm (*Ulmus Alata*)

Chinquapin Oak

Latin Name: Quercus Muehlenbergii
Secondary Names: Chinkapin Oak

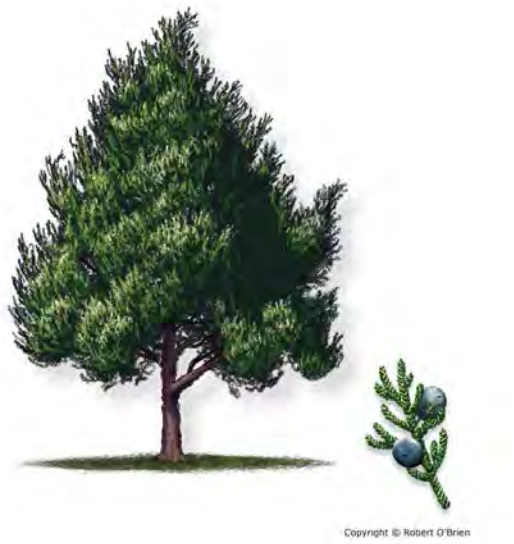
- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow to Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Alkaline Soils
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Yellow-Green Leaves w/ Small Acorns (~3/4" Long)
- ✓ Uses: Shade Tree
- ✓ Firewise: Yes
- ✓ Issues: Sensitive root system; as little as 1" of fill dirt can hurt the tree.
- ✓ Similar Species: Swamp Chestnut Oak (Quercus Michauxii)



Eastern Red Cedar

Latin Name: Juniperus virginiana var. virginiana
Secondary Names: Pencil Cedar

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *30' to 50'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Medium
- ✓ Native: Eastern North America
- ✓ Soil Needs: Acidic, Alkaline, Loamy, Well-Drained and Clay
- ✓ Tolerances: Drought, Erosion, Dry Soil, Shallow Rocky Areas
- ✓ Features: Scale-like evergreen leaves compacted to form rounded 4-sided branclets.
- ✓ Uses: Windbreaks and Fence Rows, Screening Tree
- ✓ Firewise: No
- ✓ Issues: Cedar apple rust and bagworms.
- ✓ Similar Species: Southern redcedar (Juniperus virginiana var. silicicola) and Rocky Mountain juniper (J. scopulorum)





Homestead Elm

Latin Name: Ulmus 'Homestead'
Secondary Names: N/A

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *50' to 60'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Dark green leaves that turn bleach yellow in the fall and greenish tiny multi flowered pendulous racemes in spring.
- ✓ Uses: Shade Tree
- ✓ Firewise: Yes
- ✓ Issues: Resistant to Dutch Elm Disease but Susceptible to Elm Leaf Beatle.
- ✓ Similar Species: N/A. The Homestead Elm is a Hybrid.

Lacebark Elm

Latin Name: Ulmus Parvifolia
Secondary Names:

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *35' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: China, Japan and Korea
- ✓ Soil Needs: Adaptable, Prefers Well Drained Soils
- ✓ Tolerances: Drought, Alkaline Soils [*PH > 7.5*]
- ✓ Features: Variable fall color; interesting bark texture.
- ✓ Firewise: Yes
- ✓ Issues: Requires pruning to develop a strong branch structure.
- ✓ Similar Species: Siberian Elm (*Ulmus Pumila*) and Japanese Zelkova (*Zelkova Serrata*)



Leyland Cypress

Latin Name: x Cupressocyparis leylandii
Secondary Names: Cypress

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *60' to 70'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Rapid
- ✓ Native: England and Europe
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought and Poor Soil
- ✓ Features: Deciduous Conifer with Feather-Like Leaves, Round Seed Balls, and Fibrous Bark
- ✓ Uses: Screening, Windbreaks, and Non-Residential Landscaping
- ✓ Firewise: No
- ✓ Issues: Bagworms and Spider mites
- ✓ Similar Species: Montezuma baldcypress (Taxodium mucronatum)





Little Gem Magnolia

Latin Name: Magnolia grandiflora 'Little Gem'
Secondary Names: Large-Flowered Magnolia

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *15' to 20'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Moderate
- ✓ Native: Southeast United States
- ✓ Soil Needs: Well Drained Soil
- ✓ Tolerances: Moderate Drought, Salt and Soil Variation
- ✓ Features: Large leathery, dark green and glossy leaves with cup shaped, white flowers and oval aggregation of seed pods 3"-4" long.
- ✓ Uses: Shade and Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: No Major Problems
- ✓ Similar Species: Sweetbay magnolia (Magnolia virginiana)

Live Oak

Latin Name: Quercus Virginiana
Secondary Names: Coast Live Oak, Southern Live Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Evergreen/Semi Evergreen*
- ✓ Growth Rate: Moderately Fast
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Acidic, Alkaline, Clay, Loamy and Well Drained
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Green to dark green leaves with small acorns about ¾-inch long and borne singly or in clusters up to five.
- ✓ Firewise: Yes
- ✓ Issues: Leaf Blister and Fungal Gall
- ✓ Similar Species: Texas live oak (Quercus fusiformis)



October Glory Maple

Latin Name: Acer rubrum 'October Glory'
Secondary Names:

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate to Rapid
- ✓ Native: North America
- ✓ Soil Needs: Adaptable; Prefers Slightly Acidic Soil
- ✓ Tolerances: Moderate Drought Tolerance
- ✓ Features: Soft, Green Needles form a Dense Canopy
- ✓ Uses: Shade Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids and Leaf Scorch
- ✓ Similar Species: Chalk maple (Acer leucoderme)





Pecan

Latin Name: Carya Illinoinensis
Secondary Names: Pecan Hickory

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *50' to 70'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Prefers Deep Moist Soil
- ✓ Tolerances: Drought, Salty Soil, Poorly Drained Soil, Alkaline Soils [*PH>7.5*]
- ✓ Features: Nuts are in important wildlife food; mature crown is open and airy.
- ✓ Uses: Generally a Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids, Brittle Wood; Susceptible to Insects
- ✓ Similar Species: Water hickory (Carya aquatica) & black walnut (Juglans nigra)

Red Oak

Latin Name: Quercus Falcata
Secondary Names: Southern Red Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *30' to 55'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Texas
- ✓ Soil Needs: Avoid PH>7.5; Any Texture; Prefers Good Drainage
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Young Trees Have 'Candleabra' Shape; Fall Color is Organge to Deep Red
- ✓ Firewise: Yes
- ✓ Issues: Oak Wilt
- ✓ Similar Species: Black oak (Quercus velutina)



Texas Ash

Latin Name: Fraxinus texensis
Secondary Names: Mountain Ash

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *35' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid (but Variable)
- ✓ Native: East and Central Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Medium sized tree with green or purple flowers and small woody winged samara in long panicles.
- ✓ Firewise: Yes
- ✓ Issues: Poor Drainage Leads to Root Diseases
- ✓ Similar Species: Carolina ash (Fraxinus caroliniana) and Gregg ash (F. greggii)





Texas Red Oak

Latin Name: Quercus buckleyi
Secondary Names: Buckley Oak, Texas Red Oak, Spanish Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *30' to 55'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Central Texas
- ✓ Soil Needs: Alkaline Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Medium tree with reddish-brown catkins/acorns and slender, dark green leaves that turn red in the fall.
- ✓ Firewise: Yes
- ✓ Issues: Oak Wilt
- ✓ Similar Species: Shumard oak (Quercus shumardii)

Desert Willow

Latin Name: Chilopsis Linearis
Secondary Names: Desert-Willow

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *15' to 20'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Medium
- ✓ Native: West Texas
- ✓ Soil Needs: Adaptable, Acidic, Loamy and Well Drained Soil
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Multi-Trunked, Well Branched and Thick Growth
- ✓ Uses: Primarily a Landscape Tree; Xeriscaping
- ✓ Firewise: Yes
- ✓ Issues: Susceptible to Alterneria Leaf Spot
- ✓ Similar Species: Flowering Willow, Willowleaf Catalpa, Desert Catalpa, Flor de Mimbre, Mimbre, Bow Willow



Downy Hawthorn

Latin Name: Crataegus mollis
Secondary Names: A Variety Of Common Names Often Ending In "Haw" – Are Used For the Individual Hawthorn Species

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *20' to 30'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow
- ✓ Native: Eastern and Central United States and Canada
- ✓ Soil Needs: Requires Well Drained, Dry Soils
- ✓ Tolerances: Dry Soil and Drought
- ✓ Features: Small tree with clusters of white flowers and bright red berry fruit.
- ✓ Uses: Landscaping
- ✓ Firewise: Yes
- ✓ Issues: Susceptible to Several Leaf Diseases
- ✓ Similar Species: River birch (Betula nigra) & Gum Bully (Sideroxylon lanuginosum)





Eastern Redbud

Latin Name: Cercis canadensis var. canadensis
Secondary Names: Judas-Tree

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *20' to 30'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Medium
- ✓ Native: East Texas
- ✓ Soil Needs: Alkaline, Acidic, Loamy, Sandy and Well Drained
- ✓ Tolerances: Clay Soils and Very High Heat
- ✓ Features: Small tree with pink and purple, rose-purple or white blooms and small flattened pods with brown seeds.
- ✓ Uses: Wildlife and Landscaping
- ✓ Firewise: Yes
- ✓ Issues: Leaf Spots, Dieback/Canker, and Verticillium Wilt
- ✓ Similar Species: Redbud

Eve's Necklace

Latin Name: Sophora affinis
Secondary Names: Texas Sophora, Eve's-Necklacepod

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *15' to 35'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Fast (*Generally Slows at 15'*)
- ✓ Native: Central Texas
- ✓ Soil Needs: Alkaline Adaptable
- ✓ Tolerances: Very High Heat
- ✓ Features: Small tree with pale to rosy pink flowers that bloom in the spring and long black segmented seedpods.
- ✓ Uses: Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: No Problems Reported
- ✓ Similar Species: Black locust (Robinia pseudoacacia)



Mexican Buckeye

Latin Name: Ungnadia Speciosa
Secondary Names:

- ✓ City Tree Classification: *AccentTree*
- ✓ Mature Height: *15' to 30'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Neutral Alkaline
- ✓ Tolerances: Drought, Alkaline Soils [*PH > 7.5*]
- ✓ Features: Pink flowers appear with new leaves; brown fruit husks remain through winter.
- ✓ Uses: Generally a Landscape or Specimen Tree
- ✓ Firewise: Yes
- ✓ Issues: Requires pruning to develop one or more trunks.
- ✓ Similar Species: Monillo, Mona, Texas Buckeye, Spanish Buckeye, False Buckeye, Canyon Buckeye





Possumhaw Holly

Latin Name: Ilex Decidua
Secondary Names: Possumhaw (Deciduous Holly)

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *8' to 10' (Occasionally 20')*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought, Poorly Drained Sites, Alkaline Soils [*PH>7.5*]
- ✓ Features: Orange or red berries on gray branches.
- ✓ Uses: Generally a Landscape Tree and Detention Tree
- ✓ Firewise: Yes
- ✓ Issues: Thin Bark Susceptible to Injury
- ✓ Similar Species: Bearberry, Meadow Holly, Prairie Holly, Swamp Holly, Welk Holly, Winterberry

Shantung Maple

Latin Name: Acer truncatum
Secondary Names: Shandong Maple, Purpleblow Maple

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *25' to 35'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Northern China
- ✓ Soil Needs: Loam, Sandy and Clay (Adaptable)
- ✓ Tolerances: Moderate Drought
- ✓ Features: Medium sized tree with dark green, glossy leaves that change to yellow orange/bright red in the fall.
- ✓ Firewise: No
- ✓ Issues: Leaf Spot and Leaf Scorch
- ✓ Similar Species: Japanese Maples



Flameleaf Sumac

Latin Name: Rhus lanceolata
Secondary Names: Prairie Sumac, Prairie Flameleaf Sumac

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Neutral Alkaline
- ✓ Tolerances: Drought, Alkaline Soils [*PH > 7.5*]
- ✓ Features: Compound leaves turn bright red in fall; white flower spikes bear red clusters of berries.
- ✓ Uses: Generally a Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: Requries pruning to develop one or more trunks.
- ✓ Similar Species: Texas Sumac, Lance-Leaved Sumac, Limestone Sumac and Prairie Shining Sumac





Yapon Holly

Latin Name: Ilex vomitoria
Secondary Names: Yaupon, Cassina

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *10' to 20'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Slow
- ✓ Native: Southeast United States (Texas)
- ✓ Soil Needs: Well Drained, Sandy, Loamy, Clay and Limestone
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Small tree with inconspicuous light green blooms and red berry like drupe.
- ✓ Uses: Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids, Minor Leaf Beetle & Dutch Elm Disease
- ✓ Similar Species: Evergreen Cassena, Emetic Holly, Indian Black Drink

F.5. RECOMMENDED SHRUB VARIETIES

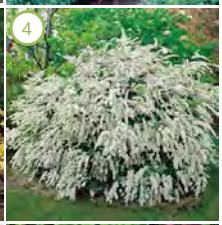
The following are the City of Rockwall's recommended shrub varieties.

	Shrub	Scientific Name	SCR	XERI
3	Barberry	Berberis Thumbergii 'Crimson Pygmy'		
8	Dwarf Yaupon Holly	Ilex Vomitoria 'Nana'		
10	Yucca	Yucca Sp.		X
16	Juniper	Juniperus Sp.		
17	Japanese Boxwood	Buxus Japonica		
20	Mexican Oregano	Poliomentha Longiflora		
24	Red Yucca	Hesperaloe Parvifolia		X
25	Rock Rose	Pavonia Lasiopetala		X
1	Agarita	Mahonia Trifoliolata		X
2	Barberry	Berberis Atropurpurea 'Rose Glow'		
5	Cenizo (Texas Sage)	Leucophyllum Sp.	X	X
7	Dwarf Burford Holly	Ilex Cornuta 'Burfordii Nana'	X	
14	Hogplum	Colubrina Texensis		
15	Indian Hawthorn	Raphiolepis Indica		
19	Japanese Quince	Chaenomeles Japonica		
23	Pearl Bush	Exochorda Giraldii Wilsonii		
27	Rosemary	Rosmarinus Officinalis		X
28	Virginia Sweetspire	Itea Virginica		
4	Bridal Wreath Spirea	Spiraea Cantoniensis	X	X
6	Chinese Fringe	Loropetalum Chinense	X	
9	Elaegnus	Elaeagnus x Ebbingei	X	
11	Evergreen Sumac	Rhus Virens		
12	Forsythia	Forsythia Intermedia 'Spectabilis'		
13	Glossy Abelia	Abelia x Gradiflora		
18	Japanese Cleyera	Cleyera Ternstroemia Gymnanthera		
21	Nellie Stevens Holly	Ilex 'Nellie R. Stevens'	X	
22	Oleander	Nerium Oledander	X	
26	Rose of Sharon	Hibiscus Syriacus	X	





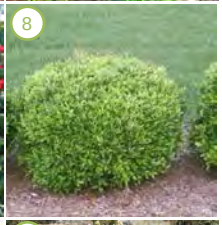




















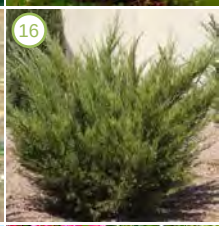
Abbreviations:

- ☑ XERI: Xeriscaping
- ☑ SCR: Screening
- ☑ GREEN: Small
- ☑ ORANGE: Medium
- ☑ RED: Large



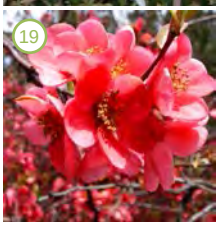






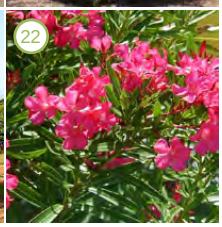














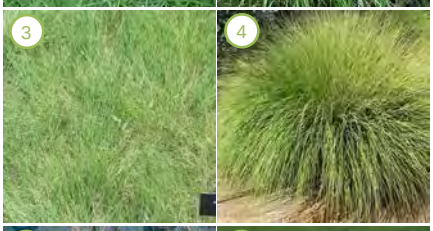
F.6. RECOMMENDED GRASSES

The following are the City of Rockwall's recommended grass varieties.

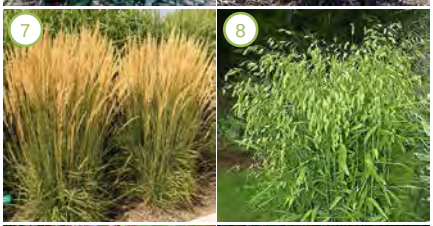
	Grass	Scientific Name	XERI
1	Bermuda Grass	Cynodon Dactylon	
2	Big Bluestem	Andropogon Gerardii	X
3	Buffalo Grass	Buchloe Dactyloides	X
4	Deer Muhly	Muhlenbergia Rigens	
5	Eastern Gamagrass	Tripsacum Dactyloides	X
6	Fountain Grass	Pennisetum Alopercuroides 'Hamelin'	
7	Feather Reed Grass	Calamagrostis Acutiflora 'Karl Foerster'	
8	Inland Seaoats	Chasmanthium Latifolium	X
9	Japanses Blood Grass	Imperata Cylindrica 'Red Baron'	
10	Little Bluestem	Schixachyrium Scoparium	X
11	Maiden Grass	Adagio, Cabaret, Gracillimus, Morining Light, Varigatus, Zebra Grass	X
12	Mexican Feather Grass	Stipa Tenuissima 'Pony Tails'	X
13	Muhly Grass	Muehelenbergia Lindheimeri	X
14	Prairie Mix	N/A	X
15	Prairie Dropseed	Sporobolus Heterolepsis	
16	St. Augustine Grass	Stenotaphrum Secundatum	X
17	Switch Grass	Panicum Virgatum	X
18	Weeping Love Grass	Eragrostis Curvula	X

Abbreviations:
☑ XERI: Xeriscaping















F.7. ALTERNATIVE PLANTING LIST

The following list shows all alternative plant types permitted by the City of Rockwall since the adoption of this Appendix F, Landscape Guidelines, of the Unified Development Code.

Trees.	*Shrubs.*	*Grasses.*

CITY OF ROCKWALL

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 6 OF ARTICLE V, *DISTRICT DEVELOPMENT STANDARDS*; SECTIONS 3, 5, 6 & 7 OF ARTICLE VIII, *LANDSCAPE STANDARDS*; SECTION 7 OF ARTICLE IX, *TREE PRESERVATION*; AND TO CREATE APPENDIX F, *LANDSCAPE GUIDELINES*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 04-38*] has been initiated by the City Council of the City of Rockwall to amend Section 6, *Overlay Districts*, of Article V, *District Development Standards*; Section 3, *Definitions*, Section 5, *Mandatory Provisions*, Section 6, *Landscape Credits*, and Section 7, *Completion of Landscaping*, of Article VIII, *Landscape Standards*; Section 7, *Tree Replacement Credits*, of Article IX, *Tree Preservation*; and, create Appendix F, *Landscaping Guidelines*, of the Unified Development Code [*Ordinance No. 04-38*] for the purposes of incorporating recommendations made by the *Landscape Ordinance Review Committee*; and,

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That Section 6, *Overlay Districts*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'A'* of this ordinance;

Section 2. That Section 3, *Definitions*, Section 5, *Mandatory Provisions*, Section 6, *Landscape Credits*, and Section 7, *Completion of Landscaping*, of Article VIII, *Landscape Standards*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'B'* of this ordinance;

Section 3. That Section 7, *Tree Replacement*, of Article IX, *Tree Preservation*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'C'* of this ordinance;

Section 4. That a landscape appendix should be established as Appendix F, *Landscape Standards*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as established herein, and as specifically described in *Exhibits 'D'* of this ordinance;

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Section 5. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF DECEMBER, 2015.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *November 16, 2015*

2nd Reading: *December 7, 2015*

DRAFT ORDINANCE 11.10.2015

Section 6. Overlay District Standards

Section 6.6. IH-30 Overlay (IH-30 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the IH-30 right-of-way as set out below.

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine, Bald Cypress,*** Bur Oak, Cedar Elm, ***Eastern Red Cedar, Homestead Elm, Lacebark Elm, Little Gem Magnolia,*** Live Oak, ***October Glory Maple,*** Red Oak, ***Texas Ash, Texas Red Oak*** ~~***Leyland Cypress***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.7. SH-205 Overlay (SH-205 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the SH 205 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in subsections E.3 and E.4.

E.3 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, Lacebark Elm, Leyland Cypress, ***Little Gem Magnolia,*** Live Oak, ***October Glory Maple*** ~~***Red Oak***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.8. Scenic Overlay (SOV) District

F.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the FM 740 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in subsections F.3 and F.4.

F.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, Lacebark Elm, Leyland Cypress, ***Little Gem Magnolia***, Live Oak, ***October Glory Maple*** ~~***Red Oak***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

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Section 6.9. SH-66 Overlay (SH-66 OV) District

F.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the SH 66 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in subsections F.3 and F.4.

F.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine,*** Bur Oak, Cedar Elm, Lacebark Elm, ~~***Leyland Cypress,***~~ ***Little Gem Magnolia,*** Live Oak, ***October Glory Maple,*** Red Oak, ***Texas Ash, Texas*** ~~***Red Oak***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.10. 205 By-Pass Corridor Overlay (205 BY-OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the John King Blvd. right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4). The area of John King Blvd. from Quail Run Road to SH 205 North shall include an average of one cedar tree for each 100 feet of frontage planted in clusters of three to five trees.

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine, Bald Cypress,*** Bur Oak, Cedar Elm, ***Eastern Red Cedar, Homestead Elm,*** Lacebark Elm, ~~***Leyland Cypress,***~~ ***Little Gem Magnolia,*** Live Oak, ***October Glory Maple***, Red Oak, ***Texas Ash, Texas*** ~~***Red Oak***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.11. North SH-205 Corridor Overlay (N-SH 205 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the SH 205 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4).

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, Lacebark Elm, Leyland Cypress, ***Little Gem Magnolia,*** Live Oak, ***October Glory Maple*** ~~***Red Oak***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

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Section 6.12. East SH-66 Corridor Overlay (E-SH 66 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the East SH 66 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4). The East SH 66 Corridor Overlay shall include an average of one cedar tree for each 100 feet of frontage planted in clusters of three to five trees.

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, Lacebark Elm, Leyland Cypress, ***Little Gem Magnolia,*** Live Oak, ***October Glory Maple*** ~~***Red Oak***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.13. FM-549 Corridor Overlay (FM-549 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the FM 549 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4). The area of the FM 549 Corridor Overlay from Airport Road to SH 66 shall include an average of one cedar tree for each 100 feet of frontage planted in clusters of three to five trees.

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine, Bald Cypress,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, ***Lacebark Elm, Leyland Cypress, Little Gem Magnolia,*** Live Oak, ***October Glory Maple,*** Red Oak, ***Texas Ash, Texas Red Oak***.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.14. SH-276 Corridor Overlay (SH-276 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the SH 276 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4).

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine, Bald Cypress,*** Bur Oak, Cedar Elm, ***Eastern Red Cedar, Homestead Elm, Lacebark Elm, Little Gem Magnolia,*** Live Oak, ***October Glory Maple,*** Red Oak, ~~***Leyland Cypress***~~.

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Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

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Article VIII. Landscape Standards

Section 3. Definitions

Xeriscaping means type of landscaping design that uses a combination of native plants and grasses, approved hardscapes and drought tolerant ground covers and planting materials for the purpose of conserving water and protecting the local environment.

Section 5 Mandatory Provisions
Section 5.3. Acceptable Landscape Materials

A. No artificial plant materials may be used to satisfy the requirements of this article.

B. Plant materials used to satisfy the requirements of this article must comply with the following minimum size requirements at the time of installation:

☑ Large trees must have a minimum caliper of three inches, or a minimum height of six feet, depending on the standard measuring technique for the species.
☑ **Shrubs shall be a minimum of three (3) gallons in size.**

C. For purposes of this section, "height" is measured from the root crown or, if the plant is in a container, from the soil level in the container.

D. In satisfying the landscaping requirements of this article, the use of high-quality, hardy plant materials on the approved plant list below is recommended and encouraged. Plants found on the disapproved plant list below shall not be placed within the right-of-way or within the required building setback along a street.

(Ord. No. 06-14, 4-17-2006)

E. As an alternative, the xeriscaping standards in Section 5.10 of this Article have been adopted to encourage new and existing developments to implement landscaping standards targeted at reducing water usage by using drought tolerant plantings and plans.

_F._ Trees allowed in street landscape buffer areas. The following trees are allowed within the street landscape buffers along public streets:

1. Afghan Pine.
2. Bald Cypress.
3. Burr Oak.
4. Caddo Maple.
5. Cedar Elm.
6. Chinquapin Oak.
7. Eastern Red Cedar.
8. Homestead Elm.
9. Lace Bark Elm.
10. Leyland Cypress.
11. Little Gem Magnolia.
12. Live Oak.
13. October Glory Maple.

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14. Pecan.
15. Red Oak.
16. Texas Ash.
17. Texas Red Oak.
~~18. Chinese Pistachio.~~

and various native understory trees such as:

1. Desert Willow
2. Downy Hawthorn.
3. Eastern Redbud
4. Eve's Necklace
5. Mexican Buckeye
6. Possumhaw Holly
7. Shantung Maple
8. Yaupon Holly
~~9. Texas Redbud.~~
~~10. Mexican Plum.~~
~~11. Wax Myrtle.~~
~~12. Yaupon.~~
~~13. Deciduous Yaupon.~~

Section 5.6. Screening from Residential Uses

A. Any commercial or industrial use or parking lot that has a side or rear contiguous to any residential district, or any multi-family use with more than five dwelling units or parking lot that has a side or rear contiguous to any single-family, townhouse, or duplex district, shall be screened with a masonry fence (***~~excluding~~*** tilt wall or concrete block ***are prohibited; however, precast walls may be approved by the Planning and Zoning Commission ~~unless approved by the city council~~***), six ***(6)*** feet in height***~~, unless otherwise approved by the city council~~***. As an alternative, berms in conjunction with a ***minimum of a six (6) foot wrought fence*** and a combination of trees and shrubs can be utilized to meet ***~~this~~*** the screening requirement***s if the Planning & Zoning Commission determines that the proposed alternative will provide sufficient screening***. The screen shall be located no closer to the street than the property line. Any ordinances concerning sight obstructions of intersections shall be applicable to the screen where it is intersected by a street or driveway.

B. Prior to construction of any required screens, complete plans showing type of material, depth of beam, and structural support shall be analyzed by the building permit office to determine whether or not:

1. The screen will withstand the pressures of time and nature;
2. The screen adequately accomplishes the purpose for which it was intended;
3. Plans shall be sealed by a registered engineer or they shall conform to the city's standard design for screening walls.

C. Such screen shall be constructed prior to the issuance of a certificate of occupancy for any building or portion thereof.

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D. The areas adjacent to the required screening wall, or areas adjacent to a public street or right-of-way, shall be maintained by the property owner in a clean and orderly condition, free of debris and trash in accordance with the applicable codes of the city.

Section 5.10. ***~~Deleted.~~ Xeriscaping Standards.***

A. *Purpose.* The purpose of this section is to promote the establishment of water conscious landscaping through the implementation of xeriscaping principles. Additionally, this section is intended to provide an alternative to the typical landscape requirements for commercial properties.

B. *Principles*. All xeriscaping plans submitted to the city should demonstrate conformance with the following principles:

1. *Planning and Design.* Landscape designs and plans should take into account the regional and microclimatic conditions of the site, its existing vegetation and topographical conditions, the intended use, and the zoning (*i.e. vegetation zone*) of plant materials according to their unique water needs. Plans should take into account the various heights of landscaping materials. If the landscape plan is proposed in phases, to account for optimum planting times, all future phases should be included on the submitted landscape plan. In reviewing plans to ensure proper site planning and design, staff shall ensure that the plan: 1) preserves and protects existing vegetation, 2) preserves and protects topsoil, 3) stabilizes and covers all bare soil areas, and 4) incorporates energy/water conservation.

2. *Soil Improvement.* Since soil tends to vary from site to site all soil should be analyzed to determine what plants are suitable to include on the landscape plan and if any soil amendments are required. Soil may require additional organic material be added to ensure the continued health of plants.

3. *Appropriate Plant Selection.* Plant selection should be based on the plant's adaptability to the existing site conditions and need for supplemental watering. Most xeriscape plants will not require supplemental watering. In selecting plant materials, mature plants and shrubs should be used to ensure establishment after installation. A list of plants that are native and acceptable within the City of Rockwall has been provided in Appendix F, *Recommended Plantings*, of the Unified Development Code; however, staff may approve alternate plantings if they are deemed appropriate for the site. In reviewing plans for conformance to this principle staff will consider the: 1) diversity of the plant species being proposed, 2) size, maturity and water requirements of the selected plantings, and 3) variation of height, spread and color.

4. *Practical Turf Areas.* The type and location of turf areas are considered to be a major design element in xeriscape plans. Turf in this case involves typical varieties of Bermuda, St. Augustine, Ryegrass blends, etc. The maintenance needs of turf can be minimized by the shape, area, irrigation equipment, and turf type selected. Drainage areas and sloped areas are especially suited to the use of native grasses as opposed to turf. In reviewing plans to ensure that the turf areas being proposed are practical staff will review: 1) the design of the turf areas [*with rounded, compact turf areas being more efficient*], 2) turf areas should be designed to be on a separate zone from other landscaping, 3) turf should be appropriate for the selected location, 4) turf should be avoided on

slopes and drainage areas in favor of native grasses, and 5) minimize turf areas by using native grasses, hardscape elements and alternatives.

5. ***Efficient Irrigation.*** **All landscaping is required to have an irrigation system that is designed by a licensed irrigator. Additionally, all irrigation systems should be designed to be water efficient utilizing low-flow irrigation equipment. The plan should show that turf areas should be watered separately, and plants should be grouped in separate zones based on water need. Finally, all irrigation systems are required to be maintained in proper working order.**
6. ***Use of Mulches.*** **Mulches minimize evaporation, reduce weed growth, slow erosion and help maintain soil temperature. In reviewing the use of mulches in xeriscape plans staff shall ensure: 1) the use of a deep layer of mulch in planting beds [*typically 3-4 inches*] is utilized, and 2) mulches should be locally or regionally derived materials. Additionally, mulches may include the use of pea gravel, crushed granite, rock or pebbles in unplanted areas.**
7. ***Appropriate Maintenance.*** **Proper pruning, weeding and fertilization as required with all landscape plans shall be required. Typically, xeriscape plans require less maintenance, fertilizer and other chemicals and pesticides.**

C. *Standards*.

1. **If approved with a Landscape Plan native grasses shall be exempt from the rules and requirements of Section 16-43, *Weeds, Brush and Grass*; however, the grass should be maintained to a height typical for the particular native grass.**
2. **Drainage or detention areas that utilize native grasses in lieu of turf shall be exempt from the requirements stipulated by Section 5.12.C (*i.e. one [1] tree per every 750 square feet of dry land area*). Instead, a shrub or ornamental grass per every 1,500 square feet of dry land area shall be required to be planted on the site or around the detention area.**
3. **A maximum of 30% mulches or hardscape is permitted to be incorporated into all xeriscape plans. This may be increased by the Planning & Zoning Commission if deemed appropriate and necessary for the proposed plan.**

D. *Approval of Xeriscape Plans*. All xeriscape plans shall require approval by the Planning & Zoning Commission, upon a recommendation by staff concerning conformance to the requirements of this section, at the time of site plan approval.

~~***(Ord. No. 06-14, 4-17-2006)***~~

Section 6 Landscape Credits
Section 6.4 Credit for Xeriscaping.

The overall landscaping requirement may be reduced by 2.5 percent when the Planning Director or his/her designee determines that the standards stipulated by Section 5.10, *Xeriscaping Standards*, of this Article have been satisfied.

Section 7. Completion of Landscaping
Section 7.1. In Accordance with Approved Plans.

Except as otherwise provided in Subsection 7.2, all landscaping must be completed in accordance with the approved landscape plan before a Certificate of Occupancy may be issued for any building on the lot~~.~~ ***; however, during drought or water emergency response stages***

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the Director of Planning and Zoning or his designee can grant an applicant permission to delay the installation of required landscaping (independent of Subsection 7.2) upon receipt of a letter from the applicant stating that the landscaping will be installed by a specific date that is within a reasonable time period not to exceed six (6) months. The Director of Planning and Zoning may extend the agreement for successive terms if the City is still under drought or water emergency response stages.

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Section 7. Tree Replacement Credits

D. Types of trees. Replacement trees shall be selected from the following list and shall be a minimum of three caliper inches as measured six inches above the root ball.

Canopy Trees:

1. Afghan Pine.
2. Bald Cypress.
3. Burr Oak.
4. Caddo Maple.
5. Cedar Elm.
6. Chinquapin Oak.
7. Eastern Red Cedar.
8. Homestead Elm.
9. Lace Bark Elm.
10. Leyland Cypress.
11. Little Gem Magnolia.
12. Live Oak.
13. October Glory Maple.
14. Pecan.
15. Red Oak.
16. Texas Ash.
17. Texas Red Oak.

Accent Trees:

1. Desert Willow
2. Downy Hawthorn.
3. Eastern Redbud
4. Eve's Necklace
5. Mexican Buckeye
6. Possumhaw Holly
7. Shantung Maple
8. Yaupon Holly

~~***Evergreen.***~~
~~***Afghan Pine.***~~
~~***Eastern Red Cedar.***~~
~~***Japanese Black Pine.***~~
~~***Live Oak.***~~
~~***Magnolia.***~~

~~***Deciduous.***~~
~~***Bald Cypress.***~~
~~***Burr Oak.***~~
~~***Cedar Elm.***~~
~~***Chinese Pistachio.***~~
~~***Chinquapin Oak.***~~
~~***Eve's Necklace.***~~
~~***Lace Bark Elm.***~~

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~~***Aristocrat Pear.***~~
~~***Pecan.***~~
~~***Sweet Gum.***~~
~~***Sycamore.***~~
~~***Texas Ash.***~~
~~***Texas Red Oak.***~~
~~***Possumhaw Holly.***~~

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APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

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Section F.6. Recommended Grass Varieties
Section F.7. Alternative Plantings List

F.1. INTRODUCTION.

These guidelines were drafted by the citizens and local experts for the purpose of outlining the requirements of Article VIII, *Landscape Standards*, of the Unified Development Code, and to provide guidelines for plantings that are appropriate within the City of Rockwall.

F.2. PURPOSE.

The purpose of the following appendix is to provide a general reference guide for meeting the requirements of Article VIII, *Landscape Standards*, of the Unified Development Code. This appendix is not intended to be a comprehensive list of all plant materials that can be utilized for development within the City of Rockwall. The Director of Planning or his designee can approve a landscape plan that includes tree, shrub, and grass varieties not indicated in this appendix upon a finding that the proposed planting is appropriate for the development.

F.3. DISTRICT LANDSCAPING REQUIREMENTS

		Overlay Districts									
		IH-30	SH-205	SOV	SH-66	205-BY	N-205	E-66	FM-549	SH-276	NON
Landscape Buffer Requirement	10' Landscape Buffer										X
	20' Berm and/or Shrubbery Row (30"-48")	X	X	X	X		X				
	15' Berm and/or Shrubbery Row (30"-48") *[Retail/Commercial]*					X		X	X	X	
	25' Berm and/or Shrubbery Row (30"-48") *[Residential]*					X		X	X	X	
	50' Berm and/or Shrubbery Row (30"-48") *[Industrial/Research/Technology]*					X		X	X	X	
Tree Planting Requirements	1 Canopy Tree for Each 50-Linear Feet of Street Frontage										X
	3, 4" Caliper Canopy Trees for Each 100-Linear Feet of Street Frontage	X	X	X	X	X	X	X	X	X	
	4, 4' Tall Accent Trees for Each 100-Linear Feet of Street Frontage	X	X	X	X	X	X	X	X	X	
	1 Cedar Tree for Each 100-Linear Feet of Street Frontage Planted in Clusters of 3-5 Trees					X		X	X		

References:
- ☑ IH-30: *Section 6.6, Article V, UDC*
- ☑ SH-205: *Section 6.7, Article V, UDC*
- ☑ SOV: *Section 6.8, Article V, UDC*
- ☑ SH-66: *Section 6.9, Article V, UDC*
- ☑ 205-BY: *Section 6.10, Article V, UDC*
- ☑ N-205: *Section 6.11, Article V, UDC*
- ☑ E-66: *Section 6.12, Article V, UDC*

References (Continued):
- ☑ FM-549: *Section 6.13, Article V, UDC*
- ☑ SH-276: *Section 6.14, Article V, UDC*

Abbreviations:
- ☑ NON: *Non-Overlay Districts*

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APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

TREE PLANTING GUIDELINES & REQUIREMENTS.

The following table and guidelines are a summary of the required tree planting requirements stipulated by Article VIII, _Landscape Standards_, of the Unified Development Code.

Table 1.1: Required Trees by District.

		Overlay Districts											
		IH-30	SH-205	SOV	SH-66	205-BY	N-205	E-66	FM-549	SH-276	NON	XERI	REC
Canopy Trees	Afghan Pine	X	X	X	X	X	X	X	X	X	X	X	X
	Bald Cypress	X				X			X	X	X		X
	Burr Oak	X	X	X	X	X	X	X	X	X	X	X	X
	Caddo Maple		X	X			X	X	X		X		X
	Cedar Elm	X	X	X	X	X	X	X	X	X	X		X
	Chinquapin Oak										X	X	X
	Eastern Red Cedar	X				X				X	X		X
	Homestead Elm	X				X				X	X		X
	Lacebark Elm	X	X	X	X	X	X	X	X	X	X		X
	Leyland Cypress		X	X			X	X	X		X		X
	Little Gem Magnolia	X	X	X	X	X	X	X	X	X	X		X
	Live Oak	X	X	X	X	X	X	X	X	X	X		X
	October Glory Maple	X	X	X	X	X	X	X	X	X	X		X
	Pecan										X		X
	Red Oak	X			X	X			X	X	X		X
	Texas Ash	X			X	X			X	X	X		X
	Texas Red Oak	X			X	X			X	X	X		X
Accent Trees	Desert Willow	X	X	X	X	X	X	X	X	X	X	X	X
	Downy Hawthorn										X		X
	Eastern Redbud	X	X	X	X	X	X	X	X	X	X		X
	Eves Necklace	X	X	X	X	X	X	X	X	X	X	X	X
	Mexican Buckeye	X	X	X	X	X	X	X	X	X	X		X
	Possumhaw Holly	X	X	X	X	X	X	X	X	X	X	X	X
	Shantung Maple	X	X	X	X	X	X	X	X	X	X		X
	Flame Leaf Sumac	X	X	X	X	X	X	X	X	X	X		X
	Yaupon Holly	X	X	X	X	X	X	X	X	X	X		X

Abbreviations & References:
- ☑ IH-30: _Section 6.6, Article V, UDC_
- ☑ SH-205: _Section 6.7, Article V, UDC_
- ☑ SOV: _Section 6.8, Article V, UDC_
- ☑ SH-66: _Section 6.9, Article V, UDC_
- ☑ 205-BY: _Section 6.10, Article V, UDC_
- ☑ N-205: _Section 6.11, Article V, UDC_
- ☑ E-66: _Section 6.12, Article V, UDC_
- ☑ FM-549: _Section 6.13, Article V, UDC_
- ☑ SH-276: _Section 6.14, Article V, UDC_
- ☑ NON: Non-Overlay Districts
- ☑ XERI: Xeriscaping
- ☑ REC: Reclamation/Tree Preservation

Prohibited Trees:
- ☑ Silver maple (acer saccharinum).
- ☑ Box Elder (Acer Negundo).
- ☑ Mimosa (Albizia Julibrissin).
- ☑ Catalpa (Catalpa sp.).

Prohibited Trees (Continued):
- ☑ Catalpa (Catalpa sp.).
- ☑ Hackberry, Sugarberry (Celtis sp.).
- ☑ Honeylocust (Gleditsia Triacanthos).
- ☑ Tulip tree (Liriodendron Tulipifera).
- ☑ Chinaberry (Melia Azedarach).
- ☑ Sycamore (Platanus Occidentalis).
- ☑ Cottonwood, Poplar (Populus sp.).
- ☑ Willows (Salix sp.).
- ☑ American Elm (Ulmus Americana).
- ☑ Siberian Elm (Ulmus Pumilia).
- ☑ Jerusalem Thorn/Petuma (Parkinsonia Aculeata).
- ☑ Bois D'Arc (Maclura Pomifera).
- ☑ Flowering Crabapple varieties (Malus sp.).
- ☑ Ginko Tree (Ginko Biloba).
- ☑ Peach/Plum varieties.
- ☑ Mulberry varieties (Morus sp.).
- ☑ Texas Mountain Laurel (Sophora Secundiflora).
- ☑ Lilac Chaste Tree (Vitex Agnuscastus).
- ☑ Pine Tree Varieties (Pinus So.)

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APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

F.4. RECOMMENDED TREE VARIETIES (CANOPY AND ACCENT TREES).

The following information concerning the City's recommended trees was obtained from the Texas A&M Forest Service, *Texas Tree Planting Guide* and all illustrations were provided courtesy of Texas A&M Forest Service *Copyright by Robert O'Brien.*

Afghan Pine

Latin Name: Pinus Eldarica
Secondary Names: Eldarica Pine, Mondel Pine

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *35' to 50'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Rapid
- ✓ Native: Afghanistan and Central Asia
- ✓ Soil Needs: Requires Well Drained, Dry Soils
- ✓ Tolerances: Salty Soil, Drought, Alkaline Soils [*PH > 7.5*]
- ✓ Features: Soft, Green Needles form a Dense Canopy
- ✓ Uses: Screening and Windbreaks
- ✓ Firewise: No
- ✓ Issues: The pine tip moth can kill new shoots and ruin the shape of the tree. The tree is not tolerant of wet sites.
- ✓ Similar Species: Aleppo Pine (*Pinus Halapensis*)





Bald Cypress

Latin Name: Taxodium Distichum
Secondary Names: Baldcypress

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *50' to 70'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Will Grow in a Variety of Soils
- ✓ Tolerances: Drought and Poorly Drained Sites
- ✓ Features: Deciduous Conifer with Feather-Like Leaves, Round Seed Balls, and Fibrous Bark
- ✓ Uses: Detention Areas and Poorly Drained Areas
- ✓ Firewise: Yes
- ✓ Issues: Woody 'Knees' and Bagworms
- ✓ Similar Species: Montezuma Balcypress (*Taxodium Mucronatum*)

Bur Oak

Latin Name: Quercus Macrocarpa
Secondary Names: Mossy Cup Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *40' to 60'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate to Rapid
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Prefers Deeper Soil
- ✓ Tolerances: Salty Soil, Drought, Alkaline Soils [*PH > 7.5*]
- ✓ Features: Unique Leaf Shape, Largest Acorn of any Oak
- ✓ Uses: Drought Tolerant Tree
- ✓ Firewise: Yes
- ✓ Issues: Acorns and leaves can create significant clean-up.
- ✓ Similar Species: White Oak (Quercus Alba)



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APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

Caddo Maple

Latin Name: Acer saccharum 'Caddo'
Secondary Names: Eldarica Pine, Mondel Pine

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *50' to 60'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow to Medium
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Rocky & Alkaline Soils and Drought Tolerant
- ✓ Features: Medium tree with a rounded appearance, dark green foliage that changes to a golden color in the fall.
- ✓ Firewise: Yes
- ✓ Issues: Availability
- ✓ Similar Species: Sugar Maple (A. saccharum)





Cedar Elm

Latin Name: Ulmus Crassifolia
Secondary Names: Texas Elm

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *70' to 90'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Alkaline Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Lustrous Dark Green Leaves that are Stiff and Rough to the Touch
- ✓ Uses: Generally a Landscape Tree, Parking Lot/Street Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids, Minor Leaf Beetle & Dutch Elm Disease
- ✓ Similar Species: Winged Elm (*Ulmus Alata*)

Chinquapin Oak

Latin Name: Quercus Muehlenbergii
Secondary Names: Chinkapin Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow to Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Alkaline Soils
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Yellow-Green Leaves w/ Small Acorns (~3/4" Long)
- ✓ Uses: Shade Tree
- ✓ Firewise: Yes
- ✓ Issues: Sensitive root system; as little as 1" of fill dirt can hurt the tree.
- ✓ Similar Species: Swamp Chestnut Oak (Quercus Michauxii)



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APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

Eastern Red Cedar

Latin Name: Juniperus virginiana var. virginiana
Secondary Names: Pencil Cedar

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *30' to 50'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Medium
- ✓ Native: Eastern North America
- ✓ Soil Needs: Acidic, Alkaline, Loamy, Well-Drained and Clay
- ✓ Tolerances: Drought, Erosion, Dry Soil, Shallow Rocky Areas
- ✓ Features: Scale-like evergreen leaves compacted to form rounded 4-sided branclets.
- ✓ Uses: Windbreaks and Fence Rows, Screening Tree
- ✓ Firewise: No
- ✓ Issues: Cedar apple rust and bagworms.
- ✓ Similar Species: Southern redcedar (Juniperus virginiana var. silicicola) and Rocky Mountain juniper (J. scopulorum)





Homestead Elm

Latin Name: Ulmus 'Homestead'
Secondary Names: N/A

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *50' to 60'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Dark green leaves that turn bleach yellow in the fall and greenish tiny multi flowered pendulous racemes in spring.
- ✓ Uses: Shade Tree
- ✓ Firewise: Yes
- ✓ Issues: Resistant to Dutch Elm Disease but Susceptible to Elm Leaf Beatle.
- ✓ Similar Species: N/A. The Homestead Elm is a Hybrid.

Lacebark Elm

Latin Name: Ulmus Parvifolia
Secondary Names:

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *35' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: China, Japan and Korea
- ✓ Soil Needs: Adaptable, Prefers Well Drained Soils
- ✓ Tolerances: Drought, Alkaline Soils [*PH > 7.5*]
- ✓ Features: Variable fall color; interesting bark texture.
- ✓ Firewise: Yes
- ✓ Issues: Requires pruning to develop a strong branch structure.
- ✓ Similar Species: Siberian Elm (*Ulmus Pumila*) and Japanese Zelkova (*Zelkova Serrata*)



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Leyland Cypress

Latin Name: x Cupressocyparis leylandii
Secondary Names: Cypress

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *60' to 70'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Rapid
- ✓ Native: England and Europe
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought and Poor Soil
- ✓ Features: Deciduous Conifer with Feather-Like Leaves, Round Seed Balls, and Fibrous Bark
- ✓ Uses: Screening, Windbreaks, and Non-Residential Landscaping
- ✓ Firewise: No
- ✓ Issues: Bagworms and Spider mites
- ✓ Similar Species: Montezuma baldcypress (Taxodium mucronatum)



Little Gem Magnolia

Latin Name: Magnolia grandiflora 'Little Gem'
Secondary Names: Large-Flowered Magnolia

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *15' to 20'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Moderate
- ✓ Native: Southeast United States
- ✓ Soil Needs: Well Drained Soil
- ✓ Tolerances: Moderate Drought, Salt and Soil Variation
- ✓ Features: Large leathery, dark green and glossy leaves with cup shaped, white flowers and oval aggregation of seed pods 3"-4" long.
- ✓ Uses: Shade and Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: No Major Problems
- ✓ Similar Species: Sweetbay magnolia (Magnolia virginiana)



Live Oak

Latin Name: Quercus Virginiana
Secondary Names: Coast Live Oak, Southern Live Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Evergreen/Semi Evergreen*
- ✓ Growth Rate: Moderately Fast
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Acidic, Alkaline, Clay, Loamy and Well Drained
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Green to dark green leaves with small acorns about ¾-inch long and borne singly or in clusters up to five.
- ✓ Firewise: Yes
- ✓ Issues: Leaf Blister and Fungal Gall
- ✓ Similar Species: Texas live oak (Quercus fusiformis)



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APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

October Glory Maple

Latin Name: Acer rubrum 'October Glory'
Secondary Names:

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate to Rapid
- ✓ Native: North America
- ✓ Soil Needs: Adaptable; Prefers Slightly Acidic Soil
- ✓ Tolerances: Moderate Drought Tolerance
- ✓ Features: Soft, Green Needles form a Dense Canopy
- ✓ Uses: Shade Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids and Leaf Scorch
- ✓ Similar Species: Chalk maple (Acer leucoderme)





Pecan

Latin Name: Carya Illinoinensis
Secondary Names: Pecan Hickory

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *50' to 70'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Prefers Deep Moist Soil
- ✓ Tolerances: Drought, Salty Soil, Poorly Drained Soil, Alkaline Soils [*PH>7.5*]
- ✓ Features: Nuts are in important wildlife food; mature crown is open and airy.
- ✓ Uses: Generally a Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids, Brittle Wood; Susceptible to Insects
- ✓ Similar Species: Water hickory (Carya aquatica) & black walnut (Juglans nigra)

Red Oak

Latin Name: Quercus Falcata
Secondary Names: Southern Red Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *30' to 55'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Texas
- ✓ Soil Needs: Avoid PH>7.5; Any Texture; Prefers Good Drainage
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Young Trees Have 'Candleabra' Shape; Fall Color is Organge to Deep Red
- ✓ Firewise: Yes
- ✓ Issues: Oak Wilt
- ✓ Similar Species: Black oak (Quercus velutina)



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Texas Ash

Latin Name: Fraxinus texensis
Secondary Names: Mountain Ash

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *35' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid (but Variable)
- ✓ Native: East and Central Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Medium sized tree with green or purple flowers and small woody winged samara in long panicles.
- ✓ Firewise: Yes
- ✓ Issues: Poor Drainage Leads to Root Diseases
- ✓ Similar Species: Carolina ash (Fraxinus caroliniana) and Gregg ash (F. greggii)





Texas Red Oak

Latin Name: Quercus buckleyi
Secondary Names: Buckley Oak, Texas Red Oak, Spanish Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *30' to 55'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Central Texas
- ✓ Soil Needs: Alkaline Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Medium tree with reddish-brown catkins/acorns and slender, dark green leaves that turn red in the fall.
- ✓ Firewise: Yes
- ✓ Issues: Oak Wilt
- ✓ Similar Species: Shumard oak (Quercus shumardii)

Desert Williow

Latin Name: Chilopsis Linearis
Secondary Names: Desert-Willow

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *15' to 20'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Medium
- ✓ Native: West Texas
- ✓ Soil Needs: Adaptable, Acidic, Loamy and Well Drained Soil
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Multi-Trunked, Well Branched and Thick Growth
- ✓ Uses: Primarily a Landscape Tree; Xeriscaping
- ✓ Firewise: Yes
- ✓ Issues: Susceptible to Alterneria Leaf Spot
- ✓ Similar Species: Flowering Willow, Willowleaf Catalpa, Desert Catalpa, Flor de Mimbre, Mimbre, Bow Willow



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APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

Downy Hawthorn

Latin Name: Crataegus mollis
Secondary Names: A Variety Of Common Names Often Ending In "Haw" – Are Used For the Individual Hawthorn Species

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *20' to 30'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow
- ✓ Native: Eastern and Central United States and Canada
- ✓ Soil Needs: Requires Well Drained, Dry Soils
- ✓ Tolerances: Dry Soil and Drought
- ✓ Features: Small tree with clusters of white flowers and bright red berry fruit.
- ✓ Uses: Landscaping
- ✓ Firewise: Yes
- ✓ Issues: Susceptible to Several Leaf Diseases
- ✓ Similar Species: River birch (Betula nigra) & Gum Bully (Sideroxylon lanuginosum)





Eastern Redbud

Latin Name: Cercis canadensis var. canadensis
Secondary Names: Judas-Tree

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *20' to 30'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Medium
- ✓ Native: East Texas
- ✓ Soil Needs: Alkaline, Acidic, Loamy, Sandy and Well Drained
- ✓ Tolerances: Clay Soils and Very High Heat
- ✓ Features: Small tree with pink and purple, rose-purple or white blooms and small flattened pods with brown seeds.
- ✓ Uses: Wildlife and Landscaping
- ✓ Firewise: Yes
- ✓ Issues: Leaf Spots, Dieback/Canker, and Verticillium Wilt
- ✓ Similar Species: Redbud

Eve's Necklace

Latin Name: Sophora affinis
Secondary Names: Texas Sophora, Eve's-Necklacepod

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *15' to 35'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Fast (*Generally Slows at 15'*)
- ✓ Native: Central Texas
- ✓ Soil Needs: Alkaline Adaptable
- ✓ Tolerances: Very High Heat
- ✓ Features: Small tree with pale to rosy pink flowers that bloom in the spring and long black segmented seedpods.
- ✓ Uses: Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: No Problems Reported
- ✓ Similar Species: Black locust (Robinia pseudoacacia)



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Mexican Buckeye

Latin Name: Ungnadia Speciosa
Secondary Names:

- ✓ City Tree Classification: *AccentTree*
- ✓ Mature Height: *15' to 30'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Neutral Alkaline
- ✓ Tolerances: Drought, Alkaline Soils [*PH > 7.5*]
- ✓ Features: Pink flowers appear with new leaves; brown fruit husks remain through winter.
- ✓ Uses: Generally a Landscape or Specimen Tree
- ✓ Firewise: Yes
- ✓ Issues: Requires pruning to develop one or more trunks.
- ✓ Similar Species: Monillo, Mona, Texas Buckeye, Spanish Buckeye, False Buckeye, Canyon Buckeye





Possumhaw Holly

Latin Name: Ilex Decidua
Secondary Names: Possumhaw (Deciduous Holly)

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *8' to 10' (Occasionally 20')*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought, Poorly Drained Sites, Alkaline Soils [*PH>7.5*]
- ✓ Features: Orange or red berries on gray branches.
- ✓ Uses: Generally a Landscape Tree and Detention Tree
- ✓ Firewise: Yes
- ✓ Issues: Thin Bark Susceptible to Injury
- ✓ Similar Species: Bearberry, Meadow Holly, Prairie Holly, Swamp Holly, Welk Holly, Winterberry

Shantung Maple

Latin Name: Acer truncatum
Secondary Names: Shandong Maple, Purpleblow Maple

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *25' to 35'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Northern China
- ✓ Soil Needs: Loam, Sandy and Clay (Adaptable)
- ✓ Tolerances: Moderate Drought
- ✓ Features: Medium sized tree with dark green, glossy leaves that change to yellow orange/bright red in the fall.
- ✓ Firewise: No
- ✓ Issues: Leaf Spot and Leaf Scorch
- ✓ Similar Species: Japanese Maples



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Flameleaf Sumac

Latin Name: Rhus lanceolata
Secondary Names: Prairie Sumac, Prairie Flameleaf Sumac

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Neutral Alkaline
- ✓ Tolerances: Drought, Alkaline Soils [*PH > 7.5*]
- ✓ Features: Compound leaves turn bright red in fall; white flower spikes bear red clusters of berries.
- ✓ Uses: Generally a Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: Requries pruning to develop one or more trunks.
- ✓ Similar Species: Texas Sumac, Lance-Leaved Sumac, Limestone Sumac and Prairie Shining Sumac





Yapon Holly

Latin Name: Ilex vomitoria
Secondary Names: Yaupon, Cassina

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *10' to 20'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Slow
- ✓ Native: Southeast United States (Texas)
- ✓ Soil Needs: Well Drained, Sandy, Loamy, Clay and Limestone
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Small tree with inconspicuous light green blooms and red berry like drupe.
- ✓ Uses: Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids, Minor Leaf Beetle & Dutch Elm Disease
- ✓ Similar Species: Evergreen Cassena, Emetic Holly, Indian Black Drink

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F.5. RECOMMENDED SHRUB VARIETIES

The following are the City of Rockwall's recommended shrub varieties.

	Shrub	Scientific Name	SCR	XERI
3	Barberry	Berberis Thumbergii 'Crimson Pygmy'		
8	Dwarf Yaupon Holly	Ilex Vomitoria 'Nana'		
10	Yucca	Yucca Sp.		X
16	Juniper	Juniperus Sp.		
17	Japanese Boxwood	Buxus Japonica		
20	Mexican Oregano	Poliomentha Longiflora		
24	Red Yucca	Hesperaloe Parvifolia		X
25	Rock Rose	Pavonia Lasiopetala		X
1	Agarita	Mahonia Trifoliolata		X
2	Barberry	Berberis Atropurpurea 'Rose Glow'		
5	Cenizo (Texas Sage)	Leucophyllum Sp.	X	X
7	Dwarf Burford Holly	Ilex Cornuta 'Burfordii Nana'	X	
14	Hogplum	Colubrina Texensis		
15	Indian Hawthorn	Raphiolepis Indica		
19	Japanese Quince	Chaenomeles Japonica		
23	Pearl Bush	Exochorda Giraldii Wilsonii		
27	Rosemary	Rosmarinus Officinalis		X
28	Virginia Sweetspire	Itea Virginica		
4	Bridal Wreath Spirea	Spiraea Cantoniensis	X	X
6	Chinese Fringe	Loropetalum Chinense	X	
9	Elaegnus	Elaeagnus x Ebbingei	X	
11	Evergreen Sumac	Rhus Virens		
12	Forsythia	Forsythia Intermedia 'Spectabilis'		
13	Glossy Abelia	Abelia x Gradiflora		
18	Japanese Cleyera	Cleyera Ternstroemia Gymnanthera		
21	Nellie Stevens Holly	Ilex 'Nellie R. Stevens'	X	
22	Oleander	Nerium Oledander	X	
26	Rose of Sharon	Hibiscus Syriacus	X	



Abbreviations:
- ☑ XERI: Xeriscaping
- ☑ SCR: Screening
- ☑ GREEN: Small
- ☑ ORANGE: Medium
- ☑ RED: Large



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APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS



F.6. RECOMMENDED GRASSES

The following are the City of Rockwall's recommended grass varieties.

	Grass	Scientific Name	XERI
1	Bermuda Grass	Cynodon Dactylon	
2	Big Bluestem	Andropogon Gerardii	X
3	Buffalo Grass	Buchloe Dactyloides	X
4	Deer Muhly	Muhlenbergia Rigens	
5	Eastern Gamagrass	Tripsacum Dactyloides	X
6	Fountain Grass	Pennisetum Alopercuroides 'Hamelin'	
7	Feather Reed Grass	Calamagrostis Acutiflora 'Karl Foerster'	
8	Inland Seaoats	Chasmanthium Latifolium	X
9	Japanses Blood Grass	Imperata Cylindrica 'Red Baron'	
10	Little Bluestem	Schixachyrium Scoparium	X
11	Maiden Grass	Adagio, Cabaret, Gracillimus, Morining Light, Varigatus, Zebra Grass	X
12	Mexican Feather Grass	Stipa Tenuissima 'Pony Tails'	X
13	Muhly Grass	Muehelenbergia Lindheimeri	X
14	Prairie Mix	N/A	X
15	Prairie Dropseed	Sporobolus Heterolepsis	
16	St. Augustine Grass	Stenotaphrum Secundatum	X
17	Switch Grass	Panicum Virgatum	X
18	Weeping Love Grass	Eragrostis Curvula	X

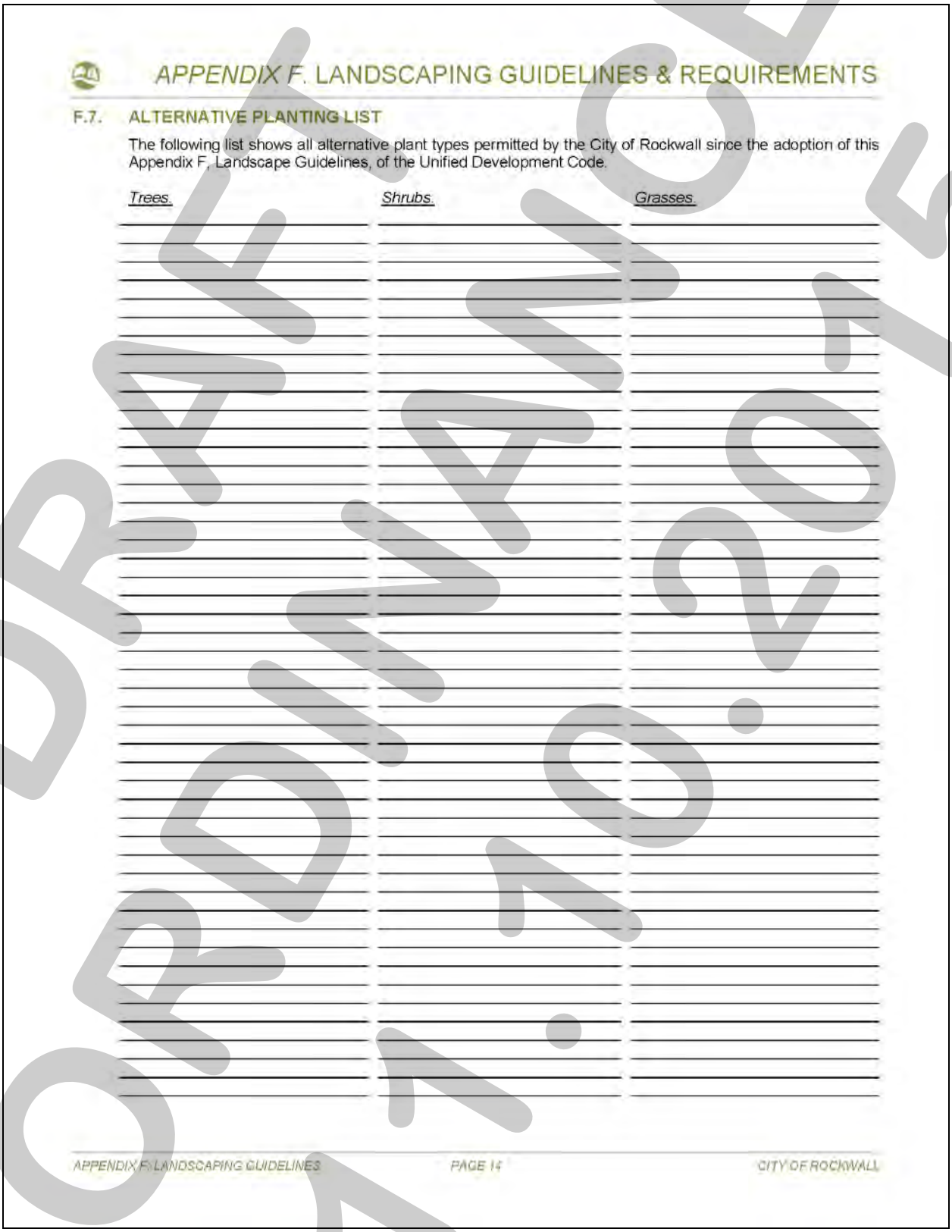
Abbreviations:
☑ XERI: Xeriscaping





CITY OF ROCKWALL PAGE 13 APPENDIX F: LANDSCAPING GUIDELINES

DRAFT ORDINANCE 15



APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

F.7. ALTERNATIVE PLANTING LIST

The following list shows all alternative plant types permitted by the City of Rockwall since the adoption of this Appendix F, Landscape Guidelines, of the Unified Development Code.

Trees	Shrubs	Grasses

DRAFT ORDINANCE 10.2015

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **November 13, 2015**

SUBJECT: **Drainage Ordinance Variance Request**

Staff received a request from Spiars Engineering, Inc. (Engineer for The Preserve, Phase One development) requesting a variance from our Drainage Ordinance related to the detention requirements. They are requesting a variance to the Ordinance restricting the construction of retaining walls in the detention area. The ordinance requires developments with detention basins over one-half acre in size to have a minimum side slope of 5:1 or less.

In the past years, retaining walls were allowed in the detention areas. The engineer stated that because of the limited area and constraints within the proposed development, meeting the intent of the ordinance will be extremely difficult.

Discuss and consider approval of a variance request from Spiars Engineering associated with the city's ordinance provisions related to standards for design of development within subdivisions, specifically pertaining to construction of retaining walls in detention areas within Phase One of the Preserve, and take any action necessary.

TMT:em

Attachment

Cc:
Mary Smith, Assistant City Manager
Amy Williams, P.E., Assistant City Engineer
Jeremy White, P.E., Civil Engineer
File

spiars ENGINEERING

765 Custer Road, Suite 100 • Plano, Texas 75075 • (972) 422-0077 • Fax (972) 422-0075 • TBPE Reg. No. F-2121

November 3, 2015

Ms. Amy Williams
City of Rockwall – Engineering Services
385 S. Goliad
Rockwall, Texas 75087

Re: Variance Letter (Retaining Walls in Detention Areas)
The Preserve Phase 1
Rockwall, Texas
SEI Project No.: 13-141

Dear Ms. Williams:

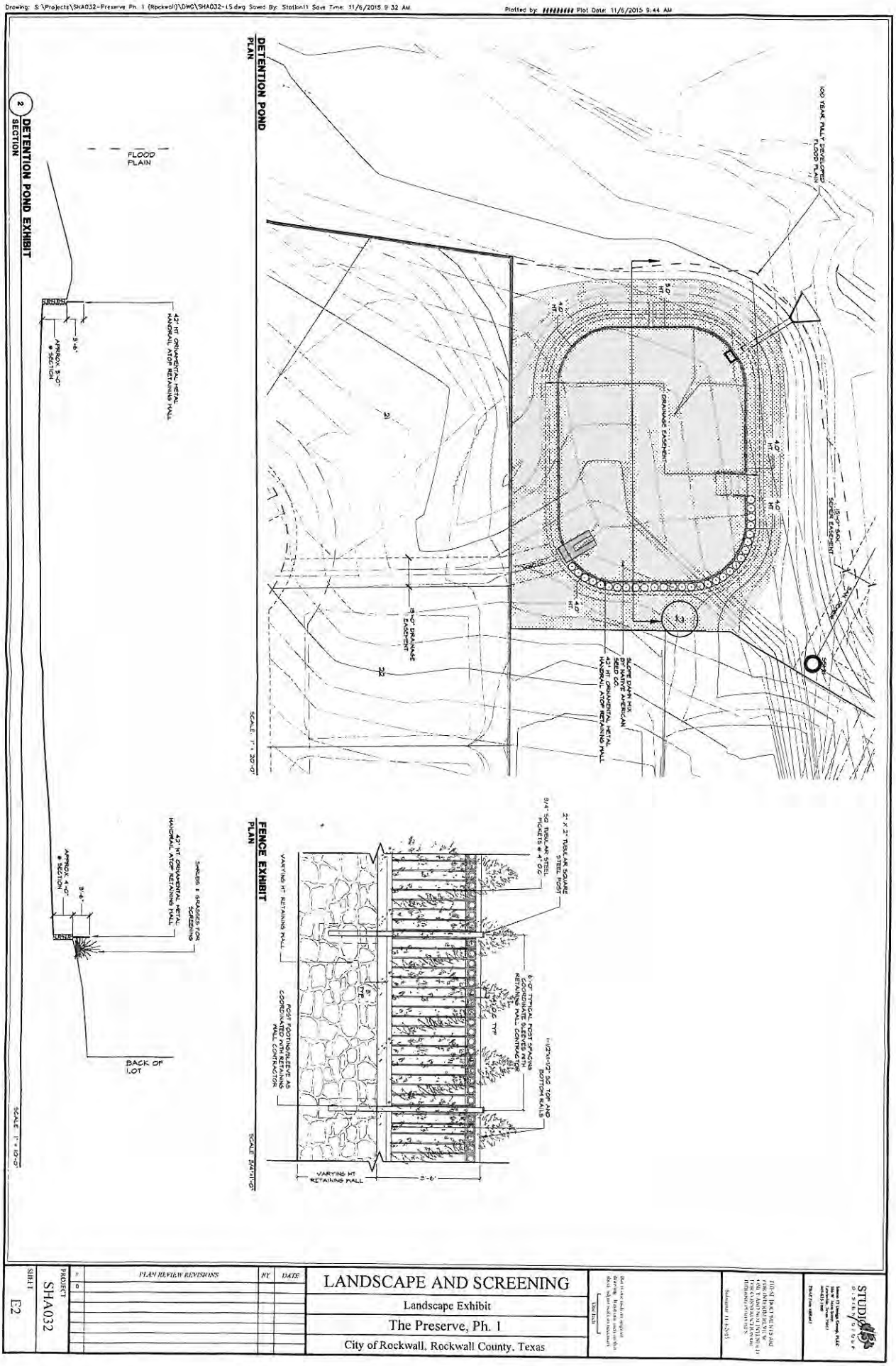
I would like to respectfully request a variance to the Ordinance restricting retaining walls in detention areas. Originally, the detention areas had sloped sides, but due to the unique requirements (a different hydrological method) of the flood study for Squabble Creek, it was necessary to increase the detention volumes. Because of the limited area and surrounding constraints (gas main location, sanitary sewer main location, floodplain, and trees), stone retaining walls with a random mosaic pattern have been proposed around the detention areas. These retaining walls will match the retaining walls throughout the subdivision. If the City is concerned about screening the detention areas, a masonry wall or live screening can be added. I feel that this variance is needed for the proper development of the site.

Furthermore, the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of his land. Finally, the granting of this variance, in my professional opinion, will not be detrimental to the public health, safety or welfare or injurious to other property in the area.

Please give me a call me if you have any questions.

Sincerely,
SPIARS ENGINEERING, INC.

Greg T. Helsel, P.E.



PROJECT	PLAN REVIEW REVISIONS	BY	DATE
SHA032			

SHEET E2

LANDSCAPE AND SCREENING

Landscape Exhibit

The Preserve, Ph. 1

City of Rockwall, Rockwall County, Texas

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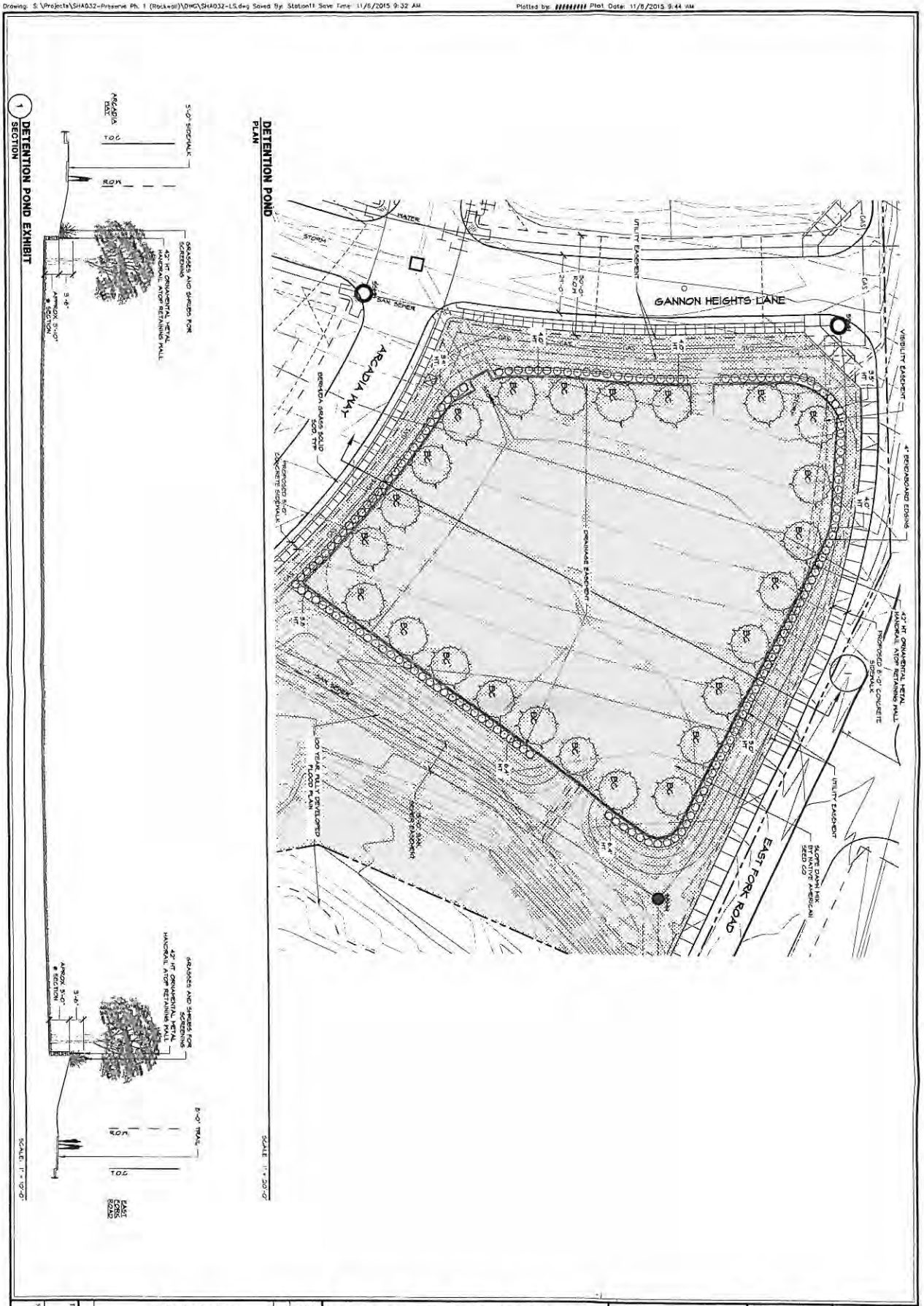
Drawing: S:\Projects\SHA032-Preserve Ph. 1 (Rockwall)\DWG\SHA032-LS.dwg Saved By: Station11 Save Time: 11/6/2015 9:32 AM Plotted by: ######## Plot Date: 11/8/2015 9:44 AM



PROJECT	SHEET	PLAN REVIEW REVISIONS	BY	DATE
SHA032	E1	0		

LANDSCAPE AND SCREENING

Landscape Exhibit

The Preserve, Ph. 1

City of Rockwall, Rockwall County, Texas

STUDIO

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3. STORM DRAINAGE FACILITIES

3.3 Detention:

A. Intent: It is the City's intent to utilize detention (or detention/retention) of storm water runoff as a solution towards control of potential hazards created by storm water runoff including; reduction in the impact on downstream storm water facilities, prevention of erosive conditions in water drainage ways, and preservation of existing floodplains along major creeks. Detention basins may also improve water quality by allowing some sediment to settle out.

B. All non-residential development (not within the Downtown Zoning District or other redevelopment areas that will not impact the storm water flow) shall construct detention facilities. The Modified Rational Method (see H below- example calculations) shall be utilized to determine detention volume. Residential developments shall construct detention facilities if it is determined that the downstream system does not have capacity for the developed flow and the capacity of the downstream storm sewer system cannot be increased to allow the conveyance of the developed flows. *All development within the Squabble Creek drainage basin will construct detention facilities and model Squabble Creek utilizing HEC-2, to ensure no impact on flows or water surface elevation.

C. The following detention facilities are to be utilized for detention:

AREA	TYPE OF FACILITY
½ Acre or Less	**A. Underground**
	B. On Concrete Parking Surface (max. 1-foot water depth)
Greater Than ½ Acre, On-site	**A. Underground**
	B. On Concrete Parking Surface (max. 1-foot water depth)
	C. Detention Basin
	Side Slopes 5 to 1, or Less (no fencing allowed)
	Area to be Landscaped
	Maintained by Developer
	Additional Amenities Preferred
	Ownership Stays With Property Owner
Greater Than ½ Acre, Off-site Shared	**A. Detention Basin Shared with Other Development/s**
	May Expand Existing Pond
	No Increase in 100-year Flood Plain Elevation
	Capacity Expanded Above Existing Water Surface
	Need Engineering Study

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **November 13, 2015**

SUBJECT: **Intent to Refund/Refinance Debt**

The bond market now is such that the City can refund (refinance) approximately $3,235,000 of water/sewer revenue bonds issued in 2005 and $5,620,000 of certificates of obligation debt issued in 2006 in order to save an estimated $1,027,000 in interest over the remaining life of the these bonds. Interest rates at the time were in the 4.0 – 4.5% range and are significantly lower now. The issuance will be accomplished as "bank qualified" which results in savings of issuance costs as well. The debt will be repaid in the same length of time but at a lower interest rate of about 2.01%. This refunding will not generate new dollars.

We may issue up to $10million in bank-qualified debt this year. We can only do bank qualifying debt when that is all the debt we would be issuing that year though.

David Medanich, First Southwest Company, has evaluated the issuance of the bonds and the savings potential. His firm will make contact with local financial institutions to seek pricing for refunding opportunities to generate a savings at or exceeding current projections.

Adoption of Ordinances

Section 3.11 of the City's Charter provides that ordinances shall be read at two meetings. In past years, a bond ordinance would be considered at two meetings, with the sale and final adoption of the bond ordinance occurring at the second meeting. However, Section 1201.028, Texas Government Code provides that a public security authorization becomes effective immediately upon adoption. This section was added to the Code during the legislative session in 2001, became effective September 1, 2001, and specifically provides that it supersede a charter provision to the contrary.

In order to issue bank-qualified debt, yet this calendar year, we would have to follow state statute and only read the ordinance one time rather than the two readings spelled out in the Charter. There would not be sufficient time to have the second reading of the ordinance, get pricing, AG and Comptroller approval and close the issue with all of the scheduled days off for holidays in the next few weeks. Frank Garza will answer questions from Council regarding this matter but agreed with Bond Counsel that the single reading in this situation would be most appropriate. The difference in savings between bank qualified and a standard refinancing is projected to be $265,000 of additional savings that would not materialize if we wait to do all of the refinancing together next year.

The accompanying ordinance for Council consideration provides parameters under which the City Manager can agree to terms of the refinancing. First Southwest and a placement agent will work with local banks to seek pricing that falls within the parameters set by Council and make recommendation to the City Manager as to which offer is most advantageous to the City. The City Manager would then execute the sale documents.

2016 Debt Issuance Overview

In addition, in early 2016, we expect to bring forward the remaining refunding opportunities ranging from $32 - $54 million depending on market conditions at the time. The refunding would be to generate interest savings over the remaining life of those bond issues. We will also have new money issuance for voter approved roadway projects and water and sewer infrastructure projects and equipment. The issuance size is being finalized but will likely be about $9million of voter approved debt and $6million for the utility projects and equipment.

Staff asks Council consider adoption of the accompanying parameters ordinance on one reading.

ORDINANCE NO. ____

ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF ROCKWALL, TEXAS, GENERAL OBLIGATION REFUNDING BOND, SERIES 2015; ESTABLISHING PROCEDURES AND DELEGATING AUTHORITY FOR THE SALE AND DELIVERY OF THE BOND; PROVIDING FOR THE SECURITY AND PAYMENT OF SAID BOND; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT

WHEREAS, there are presently the outstanding obligations of the City of Rockwall, Texas (the "Issuer"), described in Schedule I attached hereto, collectively, the "Eligible Refunded Obligations";

WHEREAS, the Issuer now desires to refund all or part of the Eligible Refunded Obligations, and those Eligible Refunded Obligations designated by the Pricing Officer in the Pricing Certificate, each as defined below, to be refunded are herein referred to as the "Refunded Obligations";

WHEREAS, Chapter 1207, Texas Government Code, authorizes the Issuer to issue refunding bonds and to deposit the proceeds from the sale thereof, together with any other available funds or resources, directly with a paying agent for any of the Refunded Obligations or a trust company or commercial bank that does not act as a depository for the Issuer and is named in these proceedings, and such deposit, if made before the payment dates of the Refunded Obligations, shall constitute the making of firm banking and financial arrangements for the discharge and final payment of the Refunded Obligations;

WHEREAS, Chapter 1207, Texas Government Code, further authorizes the Issuer to enter into an escrow agreement with such paying agent for the Refunded Obligations or trust company or commercial bank with respect to the safekeeping, investment, reinvestment, administration and disposition of any such deposit, upon such terms and conditions as the Issuer and such paying agent or trust company or commercial bank may agree;

WHEREAS, this City Council hereby finds and determines that it is a public purpose and in the best interests of the Issuer to refund the Refunded Obligations in order to achieve a present value debt service savings of at least 5.00% (net of any Issuer contribution), with such savings, among other information and terms to be included in a pricing certificate (the "Pricing Certificate") to be executed by the Pricing Officer (hereinafter designated), all in accordance with the provisions of Section 1207.007, Texas Government Code;

WHEREAS, all the Refunded Obligations mature or are subject to redemption prior to maturity within 20 years of the date of the bond hereinafter authorized;

WHEREAS, the bond hereafter authorized is being issued and delivered pursuant to said Chapter 1207, Texas Government Code; and

WHEREAS, it is officially found, determined, and declared that the meeting at which this Ordinance has been adopted was open to the public and public notice of the time, place and subject matter of the public business to be considered and acted upon at said meeting, including this Ordinance, was given, all as required by the applicable provisions of Tex. Gov't Code Ann. ch. 551; Now, Therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. RECITALS, AMOUNT, PURPOSE AND DESIGNATION OF THE BOND.

(a) The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section.

(b) The bond of the City of Rockwall, Texas (the "Issuer"), is hereby authorized to be issued and delivered in the aggregate principal amount hereinafter provided for the public purpose of providing funds to refund a portion of the Issuer's outstanding indebtedness and to pay the costs incurred in connection with the issuance of the Bond.

(c) Each bond issued pursuant to this Ordinance shall be designated: "CITY OF ROCKWALL, TEXAS, GENERAL OBLIGATION REFUNDING BOND, SERIES 2015", and initially there shall be issued, sold, and delivered hereunder one fully registered Bond, without interest coupons, payable to the respective registered owners thereof (with the initial bond being made payable to the initial purchaser as described in Section 10 hereof), or to the registered assignee or assignee of said bond or any portion or portions thereof (in each case, the "Registered Owner"). The Bond shall be in the respective denomination and principal amounts, shall be numbered, shall mature and be payable on the date or dates in each of the years and in the principal amounts, and shall bear interest to their respective dates of maturity or redemption prior to maturity at the rates per annum, as set forth in the Pricing Certificate.

Section 2. DELEGATION TO PRICING OFFICER.

(a) As authorized by Section 1207.007, Texas Government Code, as amended, the City Manager and the Assistant City Manager/Director of Finance (each a "Pricing Officer") are each hereby authorized to act on behalf of the Issuer in selling and delivering the Bond, determining which of the Eligible Refunded Obligations shall be refunded and carrying out the other procedures specified in this Ordinance, including, determining the date of the Bond, any additional or different designation or title by which the Bond shall be known, the price at which the Bond will be sold, the years in which the Bond will mature, the principal amount to mature in each of such years, the rate of interest to be borne by each such maturity, the interest payment and record dates, the price and terms upon and at which the Bond shall be subject to redemption prior to maturity at the option of the Issuer, as well as any mandatory sinking fund redemption provisions, and all other matters relating to the issuance, sale, and delivery of the Bond and the refunding of the Refunded Obligations, including without limitation establishing the redemption dates for and effecting the redemption of the Refunded Obligations and obtaining municipal bond insurance for all or any portion of the Bond and providing for the terms and provisions thereof applicable to the Bond, including the execution of any commitment agreements, membership agreements in mutual insurance companies, and other similar agreements, all of which shall be specified in the Pricing Certificate; provided that:

(i) the aggregate original principal amount of the Bond authorized pursuant to this Ordinance shall not exceed $8,940,000;

(ii) the refunding must produce a present value debt service savings of at least 5.00% (net of any Issuer contribution);

(iii) the true interest cost of the Bond shall not exceed 2.75% per annum provided that the net effective interest rate on the Bond shall not exceed the maximum rate set forth in Chapter 1204, Texas Government Code, as amended;

(iv) the final maturity of the Bond shall not be later than August 1, 2026; and

(v) the delegation made hereby shall expire if not exercised by the Pricing Officer on or before May 14, 2016.

(b) In establishing the aggregate principal amount of the Bond, the Pricing Officer shall establish an amount not exceeding the amount authorized in Subsection (a) hereof, which shall be sufficient in amount to provide for the purposes for which the Bond is authorized and to pay costs of issuing the Bond. The Pricing Officer shall determine whether the Bond wil be sold by private placement or negotiated or competitive sale. The Bond shall be sold with and subject to such terms as set forth in the Pricing Certificate.

Section 3. CHARACTERISTICS OF THE BOND.

(a) Registration, Transfer, Conversion and Exchange. The selection and appointment of the paying agent/registrar for the Bond (the "Paying Agent/Registrar") shall be as provided in the Pricing Certificate. The Mayor or the City Manager is authorized and directed to execute and deliver in the name and on behalf of the Issuer a Paying Agent/Registrar Agreement with the Paying Agent/Registrar in substantially the form presented at this meeting.

(b) Registration, Transfer, Conversion and Exchange. The Issuer shall keep or cause to be kept at the corporate trust office of the Paying Agent/Registrar books or records for the registration of the transfer, conversion and exchange of the Bond (the "Registration Books"), and the Issuer hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers, conversions and exchanges under such reasonable regulations as the Issuer and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers, conversions and exchanges as herein provided within three days of presentation in due and proper form. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the registered owner of each Bond to which payments with respect to the Bond shall be mailed, as herein provided; but it shall be the duty of each registered owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The Issuer shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The Issuer shall pay the Paying Agent/Registrar's standard or customary fees and charges for making such registration, transfer, conversion, exchange and delivery of a substitute Bond or Bonds. Registration of assignments, transfers, conversions and exchanges of Bonds shall be made in the manner provided and with the effect stated in the FORM OF BOND set forth in this Ordinance. Each substitute Bond shall bear a letter and/or number to distinguish it from each other Bond.

(c) Authentication. Except as provided in subsection (h) of this section, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Bond, date and manually sign said Bond, and no such Bond shall be deemed to be issued or outstanding unless such Bond is so executed. The Paying Agent/Registrar promptly shall cancel any paid Bond and any Bond surrendered for conversion and exchange. No additional ordinances, orders or resolutions need be passed or adopted by the governing body of the Issuer or any other body or person so as to accomplish the foregoing conversion and exchange of any Bond or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution and delivery of the substitute Bond in the manner prescribed herein. Pursuant to Subchapter D, Chapter 1201, Texas Government Code, the duty of conversion and exchange of a Bond as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of said Bond, the converted and exchanged Bond shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Bond which initially was issued and delivered pursuant to this Ordinance, approved by the Attorney General, and registered by the Comptroller of Public Accounts.

(d) Payment of Principal and Interest. The Issuer hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Bond, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the Issuer and the Paying Agent/Registrar with respect to the Bond, and of all conversions and exchanges of Bond, and any replacement of a Bond, as provided in this Ordinance. However, in the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first class postage prepaid, to the address of the registered owner appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

(e) Payment to Registered Owner. Notwithstanding any other provision of this Ordinance to the contrary, the Issuer and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the Registration Books as the absolute owner of such Bond for the purpose of payment of principal and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of and interest on the Bond only to or upon the order of the registered owner, as shown in the Registration Books as provided in this Ordinance, or its respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to payment of principal of and interest on the Bond to the extent of the sum or sums so paid. No person other than a registered owner, as shown in the Registration Books, shall receive a Bond certificate evidencing the obligation of the Issuer to make payments of principal and interest pursuant to this Ordinance.

(f) Paying Agent/Registrar. The Issuer covenants with the registered owner of the Bond that at all times while the Bond is outstanding the Issuer will provide a competent and legally qualified bank, trust company, financial institution or other agency to act as and perform the services of Paying Agent/Registrar for the Bond under this Ordinance, and that the Paying Agent/Registrar will be one entity. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Ordinance, and a certified copy of this Ordinance shall be delivered to each Paying Agent/Registrar.

(g) Substitute Paying Agent/Registrar. The Issuer reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than 120 days written notice to the Paying Agent/Registrar, to be effective not later than 60 days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the Issuer covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Ordinance. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Bond, to the new Paying Agent/Registrar designated and appointed by the Issuer. Upon any change in the Paying Agent/Registrar, the Issuer promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to each registered owner of the Bonds, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar.

(h) General Characteristics of the Bond. The Bond (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Bond to be payable only to the Registered Owner thereof, (ii) may and shall be redeemed prior to their scheduled maturities, (iii) may be transferred and

assigned, (iv) may be converted and exchanged for other Bonds, (v) shall have the characteristics, (vi) shall be signed, sealed, executed and authenticated, (vii) the principal of and interest on the Bond shall be payable, and (viii) shall be administered and the Paying Agent/Registrar and the Issuer shall have certain duties and responsibilities with respect to the Bond, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF BOND set forth in this Ordinance. The Bond initially issued and delivered pursuant to this Ordinance is not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Bond issued in conversion of and exchange for any Bond or Bonds issued under this Ordinance the Paying Agent/Registrar shall execute the Paying Agent/registrar's Authentication Bond, in the FORM OF BOND set forth in this Ordinance.

(i) Delivery of Initial Bond. On the closing date, one initial Bond representing the entire principal amount of the Bond, payable in stated installments to the order of the initial purchaser of the Bond or its designee, executed by manual or facsimile signature of the Mayor and City Secretary, approved by the Attorney General of Texas, and registered and manually signed by the Comptroller of Public Accounts of the State of Texas, will be delivered to such purchaser or its designee.

Section 4. FORM OF BOND. The form of the Bond, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be attached to the Bond initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as follows, with such appropriate variations, omissions or insertions as are permitted or required by this Ordinance, and with the Bond to be completed with information set forth in the Pricing Certificate.

(a) Form of Bond.

NO. R-

PRINCIPAL AMOUNT
$_____

UNITED STATES OF AMERICA
STATE OF TEXAS

CITY OF ROCKWALL, TEXAS
GENERAL OBLIGATION REFUNDING BOND
SERIES 2015

Interest Rate	Delivery Date
As shown below	_____

REGISTERED OWNER:

PRINCIPAL AMOUNT:

The City of Rockwall, Texas (the "Issuer"), being a political subdivision of the State of Texas located in Rockwall County, Texas, for value received, promises to pay, from the sources described herein, to the

registered owner specified above, or registered assign (hereinafter called the "Registered Owner"), the principal amount specified above, and to pay interest thereon, from the Delivery Date set forth above, on the balance of said principal amount from time to time remaining unpaid, at the rates per annum set forth in the table below, calculated on the basis of a 360-day year of twelve 30-day months. The unpaid principal of this Bond shall mature and shall be paid in installments on the dates and in the amounts set forth in the table below:

Payment Date	Principal Installment	Interest Rate
	$	%

[Information From Pricing Certificate to be Inserted]

THE PRINCIPAL OF AND INTEREST ON THIS BOND are payable in lawful money of the United States of America, without exchange or collection charges. The Issuer shall pay interest on this Bond on _____, and on each _____and _____thereafter to the date of maturity or redemption prior to maturity. The last principal installment of this Bond shall be paid to the Registered Owner hereof upon presentation and surrender of this Bond at maturity, or upon the date fixed for its redemption prior to maturity, at the principal office of _____, Texas, which is the "Paying Agent/Registrar" for this Bond. The payment of all other principal installments of and interest on this Bond shall be made by the Paying Agent/Registrar to the Registered Owner hereof on each principal and interest payment date by check or draft, dated as of such principal and interest payment date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the Issuer required by the Bond Ordinance to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check or draft shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the Registered Owner hereof, at its address as it appeared on the fifteenth day of the month next preceding each such date (the "Record Date") on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. In addition, principal and interest may be paid by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Registered Owner.

ANY ACCRUED INTEREST due in connection with the final installment of principal of this Bond or upon redemption of this Bond in whole at the option of the Issuer prior to maturity as provided herein shall be paid to the Registered Owner upon presentation and surrender of this Bond for payment at the principal corporate trust office of the Paying Agent/Registrar. The Issuer covenants with the Registered Owner of this Bond that on or before each principal payment date and interest payment date for this Bond it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" created by the Bond Ordinance, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Bond, when due.

IF THE DATE for the payment of the principal of or interest on this Bond shall be a Saturday, Sunday, a legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day that is not such a Saturday, Sunday, legal holiday or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS BOND is dated _____, authorized in accordance with the Constitution and laws of the State of Texas in the principal amount of $_____ for the public purpose of refunding certain outstanding obligations of the Issuer set forth in the Pricing Certificate, and to pay the costs incurred in connection with the issuance of the Bond.

ON _____, or any date thereafter, the principal installments of this Bond may be redeemed prior to their scheduled maturities, at the option of the Issuer, with funds derived from any available and lawful source, as a whole, or in part, and, if in part, the particular principal installments or portions thereof, to be redeemed shall be selected and designated by the Issuer, at a redemption price equal to the principal amount to be redeemed plus accrued interest to the date fixed for redemption.

AT LEAST 20 days prior to the date fixed for any optional redemption of the Bond or portions thereof prior to maturity a written notice of such redemption shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, to the Registered Owner of the Bond at its address as it appeared on the Registration Books on the day such notice of redemption is mailed; provided, however, that the failure of the Registered Owner to receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of this Bond. By the date fixed for any such redemption, due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for the Bond or portions thereof which are to be so redeemed. If such written notice of redemption is sent and if due provision for such payment is made, all as provided above, the Bond or portions thereof which are to be so redeemed thereby automatically shall be treated as redeemed prior to its scheduled maturity, and shall not bear interest after the date fixed for redemption, and shall not be regarded as being outstanding except for the right of the Registered Owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment.

IF AT THE TIME OF MAILING of notice of optional redemption there shall not have either been deposited with the Paying Agent/Registrar or legally authorized escrow agent immediately available funds sufficient to redeem the Bond called for redemption, such notice must state that it is conditional, and is subject to the deposit of the redemption moneys with the Paying Agent/Registrar or legally authorized escrow agent at or prior to the redemption date, and such notice shall be of no effect unless such moneys are so deposited on or prior to the redemption date.

UPON THE PAYMENT of principal on this Bond, or partial redemption of this Bond, the Paying Agent/Registrar, shall note in the Payment Record appearing on this Bond the amount of such prepayment, the date said payment was made and the remaining unpaid principal balance of this Bond and shall then have said entry signed by an authorized official of the Paying Agent/Registrar. The Paying Agent/Registrar shall also record such information in the Bond Registration Books, and the Paying Agent/Registrar shall also record in the Bond Registration Books all payments of principal installments on such Bond when made on their respective due dates.

THIS BOND IS ISSUABLE IN THE FORM of one fully-registered Bond without coupons in the denomination of $_____. This Bond may be transferred or exchanged as provided in the Bond Ordinance, only upon the registration books kept for that purpose at the above-mentioned office of the Paying Agent/Registrar upon surrender of this Bond together with a written instrument of transfer or authorization for exchange satisfactory to the Paying Agent/Registrar and duly executed by the Registered Owner or his duly authorized attorney, and thereupon a new Bond of the same maturity and in the same aggregate principal amount shall be issued by the Paying Agent/Registrar to the transferee in exchange therefor as provided in the Bond Ordinance, and upon payment of the charges therein prescribed. The Issuer and the Paying Agent/Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and

interest due hereon and for all other purposes. The Paying Agent/Registrar shall not be required to make any such transfer or exchange (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date, or (ii) within 30 days prior to a redemption date.

IN THE EVENT any Paying Agent/Registrar for this Bond is changed by the Issuer, resigns, or otherwise ceases to act as such, the Issuer has covenanted in the Bond Ordinance that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the Registered Owner of the Bond.

THIS BOND shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Bond Ordinance until the Certificate of Authentication shall have been executed by the Paying Agent/Registrar or the Comptroller's Registration Certificate hereon shall have been executed by the Texas Comptroller of Public Accounts.

IT IS HEREBY certified, recited and covenanted that this Bond has been duly and validly authorized, issued and delivered; that all acts, conditions and things required or proper to be performed, exist and be done precedent to or in the authorization, issuance and delivery of this Bond have been performed, existed and been done in accordance with law; and that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Bond, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in said Issuer, and have been pledged for such payment, within the limit prescribed by law.

THE ISSUER HAS RESERVED THE RIGHT to amend the Bond Ordinance as provided therein, and under some (but not all) circumstances amendments thereto must be approved by the Registered Owner of the Bond.

BY BECOMING the Registered Owner of this Bond, the Registered Owner thereby acknowledges all of the terms and provisions of the Bond Ordinance, agrees to be bound by such terms and provisions, acknowledges that the Bond Ordinance is duly recorded and available for inspection in the official minutes and records of the governing body of the Issuer, and agrees that the terms and provisions of this Bond and the Bond Ordinance constitute a contract between each Registered Owner hereof and the Issuer.

IN WITNESS WHEREOF, the Issuer has caused this Bond to be signed with the manual or facsimile signature of the Mayor of the Issuer and countersigned with the manual or facsimile signature of the City Secretary of said Issuer, and has caused the official seal of the Issuer to be duly impressed, or placed in facsimile, on this Bond.

(signature)	(signature)
City Secretary	Mayor

(SEAL)

B. Form of Payment Record

PAYMENT RECORD

Date of Payment	Principal Payment (amount and installment(s) to which payment is applied)	Remaining Principal Balance	Name and Title of Authorized Officer making Entry	Signature of Authorized Officer

C. Form of Paying Agent/Registrar's Authentication Certificate

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE
(To be executed if this Bond is not accompanied by an executed Registration Certificate of the Comptroller of Public Accounts of the State of Texas)

It is hereby certified that this Bond has been issued under the provisions of the Bond Ordinance described in the text of this Bond; and that this Bond has been issued in replacement of, or in exchange for, a Bond that originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated: _____.

_____
Paying Agent/Registrar

By:_____
Authorized Representative

D. Form of Assignment

ASSIGNMENT
(Please print or type clearly)

For value received, the undersigned hereby sells, assigns and transfers unto: _____

_____

Transferee's Social Security or Taxpayer Identification Number: _____

Transferee's name and address, including zip code: _____

_____

the within Certificate and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney, to register the transfer of the within Certificate on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____.

Signature Guaranteed:

_____

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a securities transfer association recognized signature guarantee program.

_____

NOTICE: The signature above must correspond with the name of the registered owner as it appears upon the front of this Bond in every particular, without alteration or enlargement or any change whatsoever.

E. Form of Registration Certificate of the Comptroller of Public Accounts

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO. _____

I hereby certify that this Bond has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and that this Bond has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this _____.

_____

Comptroller of Public Accounts of the State of Texas

(COMPTROLLER'S SEAL)

Section 5. INTEREST AND SINKING FUND.

(a) A special "Interest and Sinking Fund" is hereby created and shall be established and maintained by the Issuer as a separate fund or account and the funds therein shall be deposited into and held in an account at an official depository bank of said Issuer. Said Interest and Sinking Fund shall be accounted for separate and apart from all other funds and accounts of said Issuer, and shall be used only for paying the interest on and principal of said Bond. All amounts received from the sale of the Bond as accrued interest shall be deposited upon receipt to the Interest and Sinking Fund, and all ad valorem taxes levied and collected for and on account of said Bond shall be deposited, as collected, to the credit of said Interest and Sinking Fund. During each year while the Bond is outstanding and unpaid, the governing body of said Issuer shall compute and ascertain a rate and amount of ad valorem tax that will be sufficient to raise and produce the money

required to pay the interest on said Bond as such interest comes due, and to provide and maintain a sinking fund adequate to pay the principal of said Bond as such principal matures (but never less than 2% of the original amount of said Bond as a sinking fund each year); and said tax shall be based on the latest approved tax rolls of said Issuer, with full allowances being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in said Issuer, for each year while any of said Bond is outstanding and unpaid, and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the payment of the interest on and principal of said Bond, as such interest comes due and such principal matures, are hereby pledged for such payment, within the limit prescribed by law. If lawfully available moneys of the Issuer are on deposit in the Interest and Sinking Fund in advance of the time when ad valorem taxes are scheduled to be levied for any year, then the amount of taxes that otherwise would have been required to be levied pursuant to this Section may be reduced to the extent and by the amount of the lawfully available funds then on deposit in the Interest and Sinking Fund.

(b) Article 1208, Government Code, applies to the issuance of the Bond and the pledge of the taxes granted by the Issuer under this Section and is therefore valid, effective, and perfected. Should Texas law be amended at any time while the Bond is outstanding and unpaid, the result of such amendment being that the pledge of the taxes granted by the Issuer under this Section is to be subject to the filing requirements of Chapter 9, Business & Commerce Code, in order to preserve to the registered owners of the Bond a security interest in said pledge, the Issuer agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Business & Commerce Code and enable a filing of a security interest in said pledge to occur.

Section 6. DEFEASANCE OF BONDS.

(a) Any Bond and the interest thereon shall be deemed to be paid, retired and no longer outstanding (a "Defeased Bond") within the meaning of this Ordinance, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Bond, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the "Future Escrow Agreement") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities that mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the Issuer with the Paying Agent/Registrar for the payment of its services until all Defeased Bonds shall have become due and payable. At such time as a Bond shall be deemed to be a Defeased Bond hereunder, as aforesaid, such Bond and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the ad valorem taxes herein levied and pledged as provided in this Ordinance, and such principal and interest shall be payable solely from such money or Defeasance Securities. Notwithstanding any other provision of this Ordinance to the contrary, it is hereby provided that any determination not to redeem Defeased Bonds that is made in conjunction with the payment arrangements specified in subsection (a)(i) or (ii) of this Section shall not be irrevocable, provided that: (1) in the proceedings providing for such payment arrangements, the Issuer expressly reserves the right to call the Defeased Bonds for redemption; (2) gives notice of the reservation of that right to the owners of the Defeased Bonds immediately following the making of the payment arrangements; and (3) directs that notice of the reservation be included in any redemption notices that it authorizes.

(b) Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the Issuer be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for

the payment of the Bond and interest thereon, with respect to which such money has been so deposited, shall be turned over to the Issuer, or deposited as directed in writing by the Issuer. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of Defeased Bonds may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in subsection (a)(i) or (ii) of this Section. All income from such Defeasance Securities received by the Paying Agent/Registrar which is not required for the payment of the Defeased Bonds, with respect to which such money has been so deposited, shall be remitted to the Issuer or deposited as directed in writing by the Issuer.

(c) The term "Defeasance Securities" means any securities and obligations now or hereafter authorized by State law that are eligible to discharge obligations such as the Bond.

(d) Until all Defeased Bonds shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Bonds the same as if they had not been defeased, and the Issuer shall make proper arrangements to provide and pay for such services as required by this Ordinance.

(e) In the event that the Issuer elects to defease less than all of the principal amount of Bonds of a maturity, the Paying Agent/Registrar shall select, or cause to be selected, such amount of Bonds by such random method as it deems fair and appropriate.

Section 7. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED BONDS.

(a) Replacement Bonds. In the event any outstanding Bond is damaged, mutilated, lost, stolen or destroyed, the Paying Agent/Registrar shall cause to be printed, executed and delivered, a new Bond of the same principal amount, maturity and interest rate, as the damaged, mutilated, lost, stolen or destroyed Bond, in replacement for such Bond in the manner hereinafter provided.

(b) Application for Replacement Bonds. Application for replacement of damaged, mutilated, lost, stolen or destroyed Bonds shall be made by the registered owner thereof to the Paying Agent/Registrar. In every case of loss, theft or destruction of a Bond, the registered owner applying for a replacement Bond shall furnish to the Issuer and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft or destruction of a Bond, the registered owner shall furnish to the Issuer and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft or destruction of such Bond, as the case may be. In every case of damage or mutilation of a Bond, the registered owner shall surrender to the Paying Agent/Registrar for cancellation the Bond so damaged or mutilated.

(c) No Default Occurred. Notwithstanding the foregoing provisions of this , in the event any such Bond shall have matured, and no default has occurred that is then continuing in the payment of the principal of, redemption premium, if any, or interest on the Bond, the Issuer may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Bond) instead of issuing a replacement Bond, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Bonds. Prior to the issuance of any replacement Bond, the Paying Agent/Registrar shall charge the registered owner of such Bond with all legal, printing, and other expenses in connection therewith. Every replacement Bond issued pursuant to the provisions of this Section by virtue of the fact that any Bond is lost, stolen or destroyed shall constitute a contractual obligation of the Issuer whether or not the lost, stolen or destroyed Bond shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Ordinance.

(e) Authority for Issuing Replacement Bonds. In accordance with Sec. 1206.022, Government Code, this Section 7 of this Ordinance shall constitute authority for the issuance of any such replacement Bond without necessity of further action by the governing body of the Issuer or any other body or person, and the duty of the replacement of such Bond is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Bond in the form and manner and with the effect, as provided in Section 3(a) of this Ordinance for a Bond issued in conversion and exchange for another Bond.

Section 8. CUSTODY, APPROVAL, AND REGISTRATION OF BONDS; BOND COUNSEL'S OPINION; CUSIP NUMBERS AND CONTINGENT INSURANCE PROVISION, IF OBTAINED; ENGAGEMENT OF BOND COUNSEL.

(a) The Mayor of the Issuer and each of the Pricing Officers are hereby authorized to have control of the Bond initially issued and delivered hereunder and all necessary records and proceedings pertaining to the Bond pending its delivery and investigation, examination, and approval by the Attorney General of the State of Texas, and its registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Bond said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate attached to such Bond, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Bond. The approving legal opinion of the Issuer's Bond Counsel and the assigned CUSIP numbers, if any, may, at the option of the Issuer, be printed on the Bond issued and delivered under this Ordinance, but neither shall have any legal effect, and shall be solely for the convenience and information of the registered owners of the Bond. In addition, if bond insurance is obtained, the Bond may bear an appropriate legend as provided by the insurer.

(b) The obligation of the initial purchaser to accept delivery of the Bond is subject to the initial purchaser being furnished with the final, approving opinion of McCall, Parkhurst & Horton L.L.P., bond counsel to the Issuer, which opinion shall be dated as of and delivered on the date of initial delivery of the Bond to the initial purchaser. The engagement of such firm as bond counsel to the Issuer in connection with issuance, sale and delivery of the Bond is hereby approved and confirmed. The execution and delivery of an engagement letter between the Issuer and such firm, with respect to such services as bond counsel, is hereby authorized in such form as may be approved by the Mayor, and the Mayor is hereby authorized to execute such engagement letter.

Section 9. COVENANTS REGARDING TAX EXEMPTION OF INTEREST ON THE BONDS.

(a) Covenants. The Issuer covenants to take any action necessary to assure, or refrain from any action that would adversely affect, the treatment of the Bonds as Obligation described in section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the Issuer covenants as follows:

(1) to take any action to assure that no more than 10 percent of the proceeds of the Bonds (less amounts deposited to a reserve fund, if any) are used for any "private business use," as defined in section 141(b)(6) of the Code or, if more than 10 percent of the proceeds or the projects financed or refinanced therewith (the "Projects") are so used, such amounts, whether or not received by the Issuer, with respect to such private business use, do not, under the terms of this Ordinance or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Bond, in contravention of section 141(b)(2) of the Code;

(2) to take any action to assure that in the event that the "private business use" described in subsection (1) hereof exceeds 5 percent of the proceeds of the Bond or the projects financed

therewith (less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent is used for a "private business use" that is "related" and not "disproportionate," within the meaning of section 141(b)(3) of the Code, to the governmental use;

(3) to take any action to assure that no amount that is greater than the lesser of $5,000,000, or 5 percent of the proceeds of the Bond (less amounts deposited into a reserve fund, if any) is directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;

(4) to refrain from taking any action that would otherwise result in the Bond being treated as "private activity bonds" within the meaning of section 141(b) of the Code;

(5) to refrain from taking any action that would result in the Bond being "federally guaranteed" within the meaning of section 149(b) of the Code;

(6) to refrain from using any portion of the proceeds of the Bond, directly or indirectly, to acquire or to replace funds that were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) that produces a materially higher yield over the term of the Bond, other than investment property acquired with –

(A) proceeds of the Bond invested for a reasonable temporary period of 3 years or less or, in the case of an advance refunding bond, for a period of 30 days or less until such proceeds are needed for the purpose for which the bonds are issued, and in the case of a current refunding bond, for a period of 90 days or less,

(B) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the Treasury Regulations, and

(C) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the proceeds of the Bond;

(7) to otherwise restrict the use of the proceeds of the Bond or amounts treated as proceeds of the Bond, as may be necessary, so that the Bond does not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage) and, to the extent applicable, section 149(d) of the Code (relating to advance refundings); and

(8) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Bond) an amount that is at least equal to 90 percent of the "Excess Earnings," within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than 60 days after the Bond has been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code.

(b) Rebate Fund. In order to facilitate compliance with the above covenant (a)(8), a "Rebate Fund" is hereby established by the Issuer for the sole benefit of the United States of America, and such Fund shall not be subject to the claim of any other person, including without limitation the Bondholders. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

(c) Use of Proceeds. For purposes of the foregoing covenants (a)(1) and (a)(2), the Issuer understands that the term "proceeds" includes "disposition proceeds" as defined in the Treasury Regulations and, in the case of refunding bonds, transferred proceeds (if any) and proceeds of the Refunded Obligations expended prior to the date of issuance of the Bond. It is the understanding of the Issuer that the covenants

contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. In the event that regulations or rulings are hereafter promulgated that modify or expand provisions of the Code, as applicable to the Bond, the Issuer will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Bond under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated that impose additional requirements applicable to the Bond, the Issuer agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Bond under section 103 of the Code. In furtherance of such intention, the Issuer hereby authorizes and directs the Mayor and each Pricing Officer to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the Issuer, that may be permitted by the Code as are consistent with the purpose for the issuance of the Bond.

(d) Disposition of Projects. The Issuer covenants that the property constituting the Projects will not be sold or otherwise disposed in a transaction resulting in the receipt by the Issuer of cash or other compensation, unless any action taken in connection with such disposition will not adversely affect the tax-exempt status of the Bond. For purpose of the foregoing, the Issuer may rely on an opinion of nationally-recognized bond counsel that the action taken in connection with such sale or other disposition will not adversely affect the tax-exempt status of the Bond. For purposes of the foregoing, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(e) Designation as Qualified Tax-Exempt Obligations. If so designated in the Pricing Certificate, the Bond shall be designated as "qualified tax-exempt obligations" as defined in section 265(b)(3) of the Code. In furtherance of such designation, the Issuer represents, covenants and warrants the following: (a) that during the calendar year in which the Bond is issued, the Issuer (including any subordinate entities) has not designated nor will designate obligations that when aggregated with the Bond, will result in more than $10,000,000 of "qualified tax-exempt obligations" being issued; (b) that the Issuer reasonably anticipates that the amount of tax-exempt obligations issued, during the calendar year in which the Bond is issued, by the Issuer (or any subordinate entities) will not exceed $10,000,000; and, (c) that the Issuer will take such action or refrain from such action as necessary, and as more particularly set forth in this Section, hereof, in order that the Bond will not be considered "private activity bonds" within the meaning of section 141 of the Code.

Section 10. SALE OF BONDS; FURTHER PROCEDURES.

(a) The Bond shall be sold and delivered subject to the provisions of Section 1 and Section 3 and pursuant to the terms and provisions of a purchase agreement, bid form or purchase letter (the "Purchase Agreement") which the Pricing Officer is hereby authorized to execute and deliver and in which the purchaser or purchasers of the Bond shall be designated. The Bond shall initially be registered in the name of the purchaser thereof as set forth in the Pricing Certificate.

(b) The Mayor and Mayor Pro Tem, the City Secretary and each Pricing Officer shall be and they are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and on behalf of the Issuer such documents, certificates and other instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the Pricing Certificate, the Bond, and the sale of the Bond. In case any officer whose signature shall appear on any Bond shall cease to be such

officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

Section 11. NO RULE 15c2-12 UNDERTAKING. The Issuer has not made an undertaking in accordance with Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") in connection with the Bond. The Issuer is not, therefore, obligated pursuant to the Rule to provide any on-going disclosure relating to the Issuer or the Bond in connection with the issuance of the Bond. To the extent any changes to this Section are necessary in connection with the issuance and sale of the Bond, the Pricing Officer will include such changes in the Pricing Certificate.

Section 12. METHOD OF AMENDMENT. The Issuer hereby reserves the right to amend this Ordinance subject to the following terms and conditions, to-wit:

(a) The Issuer may from time to time, without the consent of any holder, except as otherwise required by paragraph (b) below, amend or supplement this Ordinance in order to (i) cure any ambiguity, defect or omission in this Ordinance that does not materially adversely affect the interests of the holders, (ii) grant additional rights or security for the benefit of the holders, (iii) add events of default as shall not be inconsistent with the provisions of this Ordinance and that shall not materially adversely affect the interests of the holders, (iv) qualify this Ordinance under the Trust Indenture Act of 1939, as amended, or corresponding provisions of federal laws from time to time in effect, or (v) make such other provisions in regard to matters or questions arising under this Ordinance as shall not be inconsistent with the provisions of this Ordinance and that shall not in the opinion of nationally recognized bond counsel materially adversely affect the interests of the holders.

(b) Except as provided in paragraph (a) above, the Registered Owner of the Bond shall have the right from time to time to approve any amendment hereto that may be deemed necessary or desirable by the Issuer; provided, however, that without the consent of the Registered Owner, nothing herein contained shall permit or be construed to permit amendment of the terms and conditions of this Ordinance or the Bond so as to:

(1) Make any change in the maturity of the Bond;

(2) Reduce the rate of interest borne by the Bond;

(3) Reduce the amount of the principal of, or redemption premium, if any, payable on the Bond;

(4) Modify the terms of payment of principal or of interest or redemption premium on the Bond or impose any condition with respect to such payment; or

(5) Change the requirement with respect to Registered Owner consent to such amendment.

(c) If at any time the Issuer shall desire to amend this Ordinance under this Section, the Issuer shall send by U.S. mail to the Registered Owner of the Bond a copy of the proposed amendment.

(d) Whenever at any time within one year from the date of mailing of such notice the Issuer shall receive an instrument or instruments executed by the Registered Owner of the Bond, which instrument or instruments shall refer to the proposed amendment and that shall specifically consent to and approve such amendment, the Issuer may adopt the amendment in substantially the same form.

(e) Upon the adoption of any amendatory Ordinance pursuant to the provisions of this Section, this Ordinance shall be deemed to be modified and amended in accordance with such amendatory Ordinance, and

the respective rights, duties, and obligations of the Issuer and the Registered Owner of the Bond shall thereafter be determined, exercised, and enforced, subject in all respects to such amendment.

(f) Any consent given by the Registered Owner of a Bond pursuant to the provisions of this Section shall be irrevocable for a period of six months from the date of the mailing of the notice provided for in this Section, and shall be conclusive and binding upon all future holders of the same Bond during such period. Such consent may be revoked at any time after six months from the date of mailing said notice by the Registered Owner, or by a successor in title, by filing notice with the Issuer.

For the purposes of establishing ownership of the Bond, the Issuer shall rely solely upon the registration of the ownership of such Bond on the registration books kept by the Paying Agent/Registrar.

Section 13. DEFAULT AND REMEDIES.

(a) Events of Default. Each of the following occurrences or events for the purpose of this Ordinance is hereby declared to be an Event of Default:

(i) the failure to make payment of the principal of or interest on the Bond when the same becomes due and payable; or

(ii) default in the performance or observance of any other covenant, agreement or obligation of the Issuer, the failure to perform which materially, adversely affects the rights of the Registered Owners of the Bond, including, but not limited to, their prospect or ability to be repaid in accordance with this Ordinance, and the continuation thereof for a period of 60 days after notice of such default is given by any Registered Owner to the Issuer.

(b) Remedies for Default. Upon the happening of any Event of Default, then and in every case, any Registered Owner or an authorized representative thereof, including, but not limited to, a trustee or trustees therefor, may proceed against the Issuer for the purpose of protecting and enforcing the rights of the Registered Owners under this Ordinance, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the Registered Owners hereunder or any combination of such remedies.

(c) Remedies Not Exclusive.

(i) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Bond or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Ordinance, the right to accelerate the debt evidenced by the Bonds shall not be available as a remedy under this Ordinance.

(ii) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy.

(iii) By accepting the delivery of a Bond authorized under this Ordinance, such Registered Owner agrees that the certifications required to effectuate any covenants or representations contained in this Ordinance do not and shall never constitute or give rise to a personal or pecuniary liability or charge against the officers or employees of the Issuer or the City Council.

Section 14. APPROVAL OF ESCROW AGREEMENT AND TRANSFER OF FUNDS. In furtherance of authority granted by Section 1207.007(b), Texas Government Code, the Mayor or City Manager are further authorized to enter into and execute on behalf of the Issuer with the escrow agent named therein, an escrow or similar agreement, in the form and substance as shall be approved by the Pricing Officer, which agreement will provide for the payment in full of the Refunded Obligations. In addition, the Mayor or the Pricing Officer is authorized to purchase such securities, to execute such subscriptions for the purchase of the Escrowed Securities (as defined in the agreement), if any, and to authorize such contributions for the escrow fund as provided in the agreement.

Section 15. REDEMPTION OF REFUNDED OBLIGATIONS.

(a) Subject to execution and delivery of the Purchase Agreement with the Purchaser, the Issuer hereby directs that the Refunded Obligations be called for redemption on the dates and at such prices as set forth in the Pricing Certificate. The Pricing Officer is hereby authorized and directed to issue or cause to be issued a notice of redemption of the Refunded Obligations, completed with information from the Pricing Certificate, to the paying agent for the Refunded Obligations.

(b) In addition, the paying agent for the Refunded Obligations is hereby directed to provide the appropriate notices of redemption and defeasance as specified by the ordinances authorizing the issuance of Refunded Obligations and is hereby directed to make appropriate arrangements so that the Refunded Obligations may be redeemed on their redemption dates. The Refunded Obligations shall be presented for redemption at the paying agent therefor, and shall not bear interest after the date fixed for redemption.

(c) If the redemption of the Refunded Obligations results in the partial refunding of any maturity of the Refunded Obligations, the Pricing Officer shall direct the paying agent/registrar for the Refunded Obligations to designate at random and by lot which of the Refunded Obligations will be payable from and secured solely from ad valorem taxes of the Issuer pursuant to the ordinance of the Issuer authorizing the issuance of such Refunded Obligations (the "Refunded Bond Ordinance"). The paying agent/registrar shall notify by first-class mail all registered owners of all affected bonds of such maturities that: (i) a portion of such bonds have been refunded and are secured until final maturity solely with cash and investments maintained by the Escrow Agent in the Escrow Fund, (ii) the principal amount of all affected bonds of such maturities registered in the name of such registered owner that have been refunded and are payable solely from cash and investments in the Escrow Fund and the remaining principal amount of all affected bonds of such maturities registered in the name of such registered owner, if any, have not been refunded and are payable and secured solely from ad valorem taxes or other revenues of the Issuer described in the applicable Refunded Obligation Ordinance, (iii) the registered owner is required to submit his or her Refunded Obligations to the paying agent/registrar, for the purposes of re-registering such registered owner's bonds and assigning new CUSIP numbers in order to distinguish the source of payment for the principal and interest on such bonds, and (iv) payment of principal of and interest on such bonds may, in some circumstances, be delayed until such bonds have been re-registered and new CUSIP numbers have been assigned as required by (iii) above.

(d) The source of funds for payment of the principal of and interest on the Refunded Obligations on their respective maturity or redemption dates shall be from the funds deposited with the Escrow Agent pursuant to the Escrow Agreement approved in Section 14 of this Ordinance.

Section 16. APPROPRIATION. To pay the debt service coming due on the Bond, if any (as determined by the Pricing Certificate) prior to receipt of the taxes levied to pay such debt service, there is hereby appropriated from current funds on hand, which are hereby certified to be on hand and available for such purpose, an amount sufficient to pay such debt service, and such amount shall be used for no other purpose.

Section 17. SEVERABILITY. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any persons or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance, despite such invalidity, which remaining portions shall remain in full force and effect.

Section 18. EFFECTIVE DATE. In accordance with the provisions of V.T.C.A., Government Code, Section 1201.028, this Ordinance shall be effective immediately upon its adoption by the City Council.

[Execution Page Follows]

APPROVED AND ADOPTED ON THE 16th DAY OF NOVEMBER, 2015

THE CITY OF ROCKWALL, TEXAS

_____
Mayor

Attest:

_____
City Secretary

[CITY SEAL]

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SCHEDULE I

SCHEDULE OF ELIGIBLE REFUNDED OBLIGATIONS

City of Rockwall, Texas Waterworks and Sewer System Revenue Refunding and Improvement Bonds, Series 2005, dated August 1, 2005, maturities August 1 in the years 2016 through 2025, inclusive.

City of Rockwall, Texas Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2006, dated August 1, 2006, maturities August 1 in the years 2017 through 2026, inclusive.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, Assistant to the City Manager / City Secretary**

DATE: **November 13, 2015**

SUBJECT: **Main Street Advisory Board (MSAB) Appointment**

As the Council is aware, Jenniffer Norman recently resigned from the Main Street Advisory Board. Councilmember Milder is the council liaison to this board and will be putting forth a recommendation to Council to consider appointing Mr. Gene Stroman to fill this vacancy. I'm including Mr. Stroman's application for Council's review. This would normally be a partial term appointment that runs through January of 2016 to fulfill the remainder of Mrs. Norman's term. However, if the Council so desires, consideration may be given to having Mr. Stroman's initial term expire in January of 2018 instead since fulfillment of the Jan. 2016 term will be 'up' in about 7 weeks.

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Cole, Kristy

Subject: Boards & Commissions Application

From:
Sent: Friday, October 23, 2015 2:35 PM
To: Cole, Kristy; Casey, Jacky
Subject: Boards & Commissions Application

NAME & ADDRESS	VOTER REGISTRATION	PHONE NUMBERS & EMAIL
Gene Stroman	Registered Voter: Yes	Home: Email:
Rockwall, TX 75087		

PERSONAL DETAILS

Customer Service/Sales with CCS Printing and co-owner Samson Management Real Estate Investments. Proven track record of promotional skills, public speaking, and leading successful campaigns for destination travel and tourism.Executive Director-level experience spearheading highly targeted advertising, sales, and customer service for a niche market.Promoting travel and tourism in Texas, Arkansas, and Oklahoma for over 15+ years. Master of Ceremonies at over 100 special events promoting business, travel, and tourism.

BOARDS & COMMISSIONS

Interested in Special Committee or Projects? - *Yes*

Architectural Review Board No		Board of Adjustments No
Building & Standards No		Parks Boards No
HPAB No		REDC No
P&Z No		Rockwall Housing No
Construction Advisory No		

ART Commission - No
Visual Arts Professional - No
Environmental Design Field - No
Rockwall Alliance for the Arts - No
Interested Citizen - No

Main Street Board - Yes
Downtown Business Owner - No
Downtown Property Owner- No
Interested Citizen - Yes

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Hold a work session to hear and discuss a final report by AECOM regarding public transportation, and take any action necessary.

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Snowball Express Celebration Day

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Consider approval of the minutes from the November 16, 2015 regular city council meeting, and take any action necessary.

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Z2015-027 - Consider a request by Bobby Dale and Bretta Price for the approval of an ordinance for a zoning change from an Agricultural (AG) District to a Single Family Estate 2.0 (SFE-2.0) District for a 5.5-acre tract of land identified as Tract 17-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 453 Cullins Road, and take any action necessary [2nd Reading].

- Ord 2nd Reading 46
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Z2015-029 - Consider a City initiated zoning request for the approval of an ordinance for a text amendment to various sections of Article V, District Development Standards, Article VIII, Landscaping Standards, and Article IX, Tree Preservation, and to create Appendix F, Landscaping Guidelines, of the Unified Development Code [Ordinance No. 04-38] for the purpose of incorporating recommendations made by the Landscape Ordinance Review Committee, and take any action necessary [2nd Reading].

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Consider authorizing the City Manager to execute an agreement with the Rockwall Central Appraisal District for collection services for the fiscal year 2016 in the amount of $67,940 to be funded by the Administration Operating Budget, and take any action necessary.

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Consider authorizing the city manager to execute an interlocal agreement with Rockwall County related to municipal judge services for "No Refusal Weekends" during the upcoming year, and take any action necessary.

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Consider authorizing the City Manager to execute a Professional Engineering Services Contract with Birkhoff, Hendricks & Carter, LLP to prepare engineering design plans and specifications for the utility relocations on SH 276 from SH 205 to FM 549 in an amount not to exceed $72,800 to be funded by water and sewer revenue bonds, and take any action necessary.

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Consider authorizing the City Manager to execute a Professional Services Contract with Pipeline Analysis, LLC to perform a Capacity, Management, Operations and Maintenance Self-Audit and Plan in the amount of $29,235 to be funded by water and sewer revenue bonds, and take any action necessary.

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Consider authorizing the City Manager to execute a Professional Engineering Services Contract with Teague, Nall and Perkins, Inc. to eliminate the Stonebridge Lift Station and construct new sanitary sewer gravity pipe to serve the current area in the amount of $74,300 to be funded by water and sewer revenue bonds, and take any action necessary.

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Discuss and consider a request by Chad Hudson for the approval of a variance to the material requirements stipulated by Section 7.5, Retaining Walls, of the Standards of Design and Construction manual for a 1.395-acre parcel of land identified as Lot 5, Block A, Independence Pass Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single family land uses, addressed as 107 Independent Place, and take any action necessary.

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Discuss and consider a request from Ms. Matilyn Mathis with The Rustic Warehouse for size, height and materials variances for a projection sign located at 1411 South Goliad, and take any action necessary.

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Discuss and consider a request from Ms. Brandi Lewellen with Sign Mart representing The Major Law Firm for a setback variance for a monument sign located at 301 N Fannin, and take any action necessary.
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Discuss and consider modifying Chapter 38. Subdivisions, Article I. In General, Section 38-19. Street Improvements and Oversizing of the Municipal Code of Ordinances to require a 41-foot street adjacent to schools and parks, and take any action necessary.
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Discuss and consider approval of a resolution directing publication of notice of intention to issue combination tax and surplus revenue certificates of obligation; resolving other matters relating to the subject; and take any action necessary.
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AGENDA
ROCKWALL CITY COUNCIL
Monday, December 07, 2015
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding land acquisition for South Community Park pursuant to Section § 551.072 (Real Property).
2. Discussion regarding purchase or lease of real property / land acquisition in the vicinity of the downtown area pursuant to Section § 551.072 (Real Property).
3. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).
4. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

III. ADJOURN EXECUTIVE SESSION

IV. WORK SESSION

p.9 **1.** Hold work session with Christopher Jackson - Wynne/Jackson Inc. to discuss potential development generally located in the vicinity of FM-3097 and FM-549.

p.12 **2.** Hold work session to hear and discuss a final report by AECOM regarding public transportation, and take any action necessary.

AGENDA
ROCKWALL CITY COUNCIL
Monday, December 07, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER WHITE

VIII. PROCLAMATIONS / AWARDS

p.29 **1.** Snowball Express Celebration Day

IX. OPEN FORUM

X. CONSENT AGENDA

p.31 **1.** Consider approval of the minutes from the November 16, 2015 regular city council meeting, and take any action necessary.

p.46 **2.** **Z2015-027** - Consider a request by Bobby Dale and Bretta Price for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Single Family Estate 2.0 (SFE-2.0) District for a 5.5-acre tract of land identified as Tract 17-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 453 Cullins Road, and take any action necessary **[2nd Reading]**.

p.51 **3.** **Z2015-029** - Consider a City initiated zoning request for the approval of an **ordinance** for a text amendment to various sections of Article V, District Development Standards, Article VIII, Landscaping Standards, and Article IX, Tree Preservation, and to create Appendix F, Landscaping Guidelines, of the Unified Development Code [Ordinance No. 04-38] for the purpose of incorporating recommendations made by the Landscape Ordinance Review Committee, and take any action necessary **[2nd Reading].**

p.79 **4.** Consider authorizing the City Manager to execute an agreement with the Rockwall Central Appraisal District for collection services for the fiscal year 2016 in the amount of $67,940 to be funded by the Administration Operating Budget, and take any action necessary.

p.86 **5.** Consider authorizing the city manager to execute an interlocal agreement with Rockwall County related to municipal judge services for "No Refusal Weekends" during the upcoming year, and take any action necessary.

p.92 **6.** Consider authorizing the City Manager to execute a Professional Engineering Services Contract with Birkhoff, Hendricks & Carter, LLP to prepare engineering design plans and specifications for the utility relocations on SH 276 from SH 205 to FM 549 in an amount not to exceed $72,800 to be funded by water and sewer revenue bonds, and take any action necessary.

p.109 **7.** Consider authorizing the City Manager to execute a Professional Services Contract with Pipeline Analysis, LLC to perform a Capacity, Management, Operations and Maintenance Self-Audit and Plan in the amount of $29,235 to be funded by water and sewer revenue bonds, and take any action necessary.

p.127 **8.** Consider authorizing the City Manager to execute a Professional Engineering Services Contract with Teague, Nall and Perkins, Inc. to eliminate the Stonebridge Lift Station and construct new sanitary sewer gravity pipe to serve the current area in the amount of $74,300 to be funded by water and sewer revenue bonds, and take any action necessary.

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

XII. ACTION ITEMS

p.151 **1.** Discuss and consider a request by Chad Hudson for the approval of a variance to the material requirements stipulated by Section 7.5, Retaining Walls, of the Standards of Design and Construction manual for a 1.395-acre parcel of land identified as Lot 5, Block A, Independence Pass Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single family land uses, addressed as 107 Independent Place, and take any action necessary.

p.163 **2.** Discuss and consider a request from Ms. Matilyn Mathis with The Rustic Warehouse for size, height and materials variances for a projection sign located at 1411 South Goliad, and take any action necessary.

p.170 **3.** Discuss and consider a request from Ms. Brandi Lewellen with Sign Mart representing The Major Law Firm for a setback variance for a monument sign located at 301 N Fannin, and take any action necessary.

p.176 **4.** Discuss and consider modifying Chapter 38. Subdivisions, Article I. In General, Section 38-19. Street Improvements and Oversizing of the Municipal Code of Ordinances to require a 41-foot street adjacent to schools and parks, and take any action necessary.

p.179 **5.** Discuss and consider approval of a resolution directing publication of notice of intention to issue combination tax and surplus revenue certificates of obligation; resolving other matters relating to the subject; and take any action necessary.

p.187 **6.** Discuss and consider process associated with and/or annual designation of city's newspaper of record, and take any action necessary.

p.189 **7.** Discuss and consider (re)appointment of board members to the Main Street Advisory Board, and take any action necessary.

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

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2. City Manager's Report

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding land acquisition for South Community Park pursuant to Section § 551.072 (Real Property).

2. Discussion regarding purchase or lease of real property / land acquisition in the vicinity of the downtown area pursuant to Section § 551.072 (Real Property).

3. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).

4. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XVI. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 4th day of December, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary Date Removed

Jacky Casey, Assistant Secretary

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Brad Griggs, *Assistant City Manager*

FROM: Ryan Miller, *Director of Planning and Zoning*

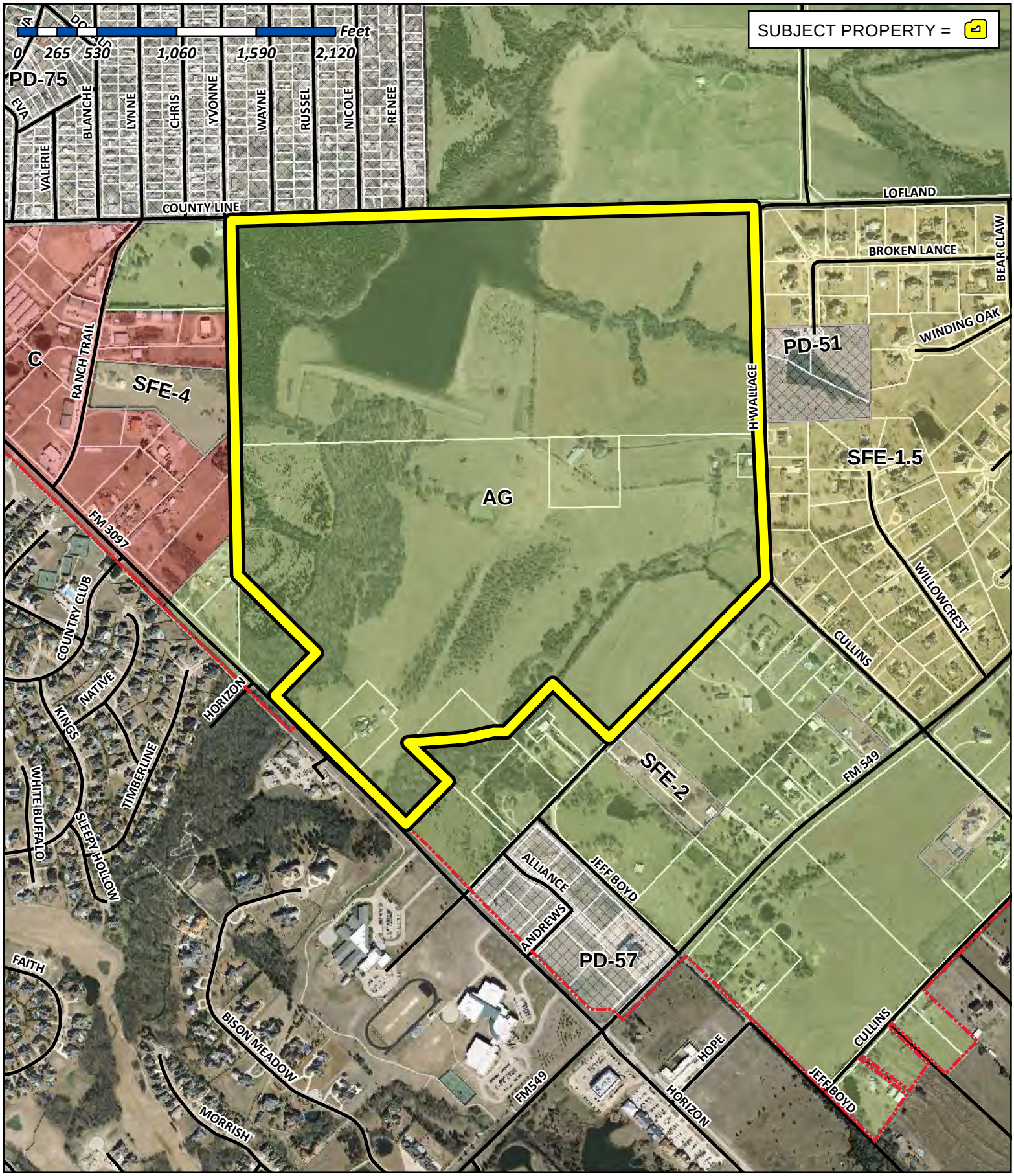
DATE: December 7, 2015

SUBJECT: Appointment with Wynne/Jackson Inc.; *Wallace Property*

Christopher Jackson of Wynne/Jackson Inc. has scheduled an appointment with the City Council at the work session on December 7, 2015 to discuss a potential single-family development. The subject property is located on the north side of Horizon Road [*FM-3097*], north of Wallace Lane and is bounded by the Lake Rockwall Estates Subdivision to the north, Wallace Lane to the east, Horizon Road to the south and various properties east of Ranch Trail Road to the west. The property is also identified as the *Wallace Property* (*attached to this memorandum is a location map*).

Mr. Jackson will be providing the City Council with a concept plan for the area at the work session. In the meantime, he has asked staff to provide the City Council with a link (*below*) to the Wynne/Jackson Inc. website, which has examples of single-family developments they have built in other cities.

Link: http://www.wynnejackson.com/projects



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Joey Boyd, Director of Internal Operations

DATE: December 1, 2015

SUBJECT: Transportation Study

The City of Rockwall hired Aecom's Transit Division to review information provided by STAR Transit related to their request for funding. Aecom has collected data from STAR Transit, the North Central Texas Council of Governments, and held stakeholder's meetings with the City and Rockwall County.

Included in the City Council packet is a final report for your review. Representatives from Aecom will be at the work session on Monday to provide their final report on their evaluation of STAR Transit and to answer any questions the City Council might have related to the study.

City of Rockwall

Transit Services Review - DRAFT

DECEMBER, 2015

PREPARED BY:

AECOM

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1.0 INTRODUCTION

1.1 Background

The City of Rockwall is a community of 41,000 residents located in Rockwall County in the northeast part of the Dallas-Fort Worth (DFW) metropolitan area. Demand-responsive transit services are provided throughout Rockwall County by STAR Transit under a variety of local and private contracts. STAR Transit also provides demand response services in Kaufman County, the cities of Mesquite, Balch Springs, and Seagoville, and for limited medical trips throughout the region.

As a result of the 2000 Census, parts of Rockwall County (primarily within the cities of Rockwall and Heath) were designated as part of the DFW-Arlington urbanized area. Because STAR Transit provides services in both urbanized and rural areas, this change did not significantly affect the amount of federal funding available for transit services in Rockwall County until the Moving Ahead for Progress in the 21st Century Act (MAP-21) was enacted in 2013. MAP-21 shifted federal funding to a formula-driven allocation, with rural §5311 funding tied directly to service measures and population in rural areas. Urban §5307 funding for operating expenses in large urban areas is limited to Job access and reverse commute (JARC) programs.

As a result of these changes and the resulting decrease in available federal funding to STAR Transit, the service provider has had to explore opportunities for increased local funding, including raising the contract payments from participating local governments such as the City of Rockwall and Rockwall County.

In addition to increases needed to cover shrinking costs, STAR proposed an increase in service from seven to eight demand-response buses. This proposal was estimated to provide 64 hours of transit service per day at a cost of $812,160 annually. After paying 50% through remaining grants and apportioning to the county and cities based on trip origin, the City of Rockwall's share for FY16 was estimated at approximately $172,500.

This cost represents a significant increase over previous transit contributions. As such, the purpose of this study is to provide an assessment of the projected costs and review existing demand response services in Rockwall for efficiency and cost effectiveness. This assessment is based on a review of available information from the National Transit Database (NTD), STAR Transit, and local stakeholder interviews. The following sections include the results of a peer comparison, an analysis of Rockwall County service data, and guidance regarding future transit partnerships.

2.0 PEER COMPARISON (SYSTEM-WIDE)

2.1 Peer Selection

The peer review is based on service data from the 2013 National Transit Database. The data from the full set of national transit providers was downloaded and sorted across several measures for comparison to STAR Transit. Texas and Oklahoma Transit agencies were selected if they met the following criteria:

- Provided direct operation of some demand response service
- Operated between 10 and 100 vehicles during maximum service
- Have a service area population at least 50,000, but less than 1,000,000.

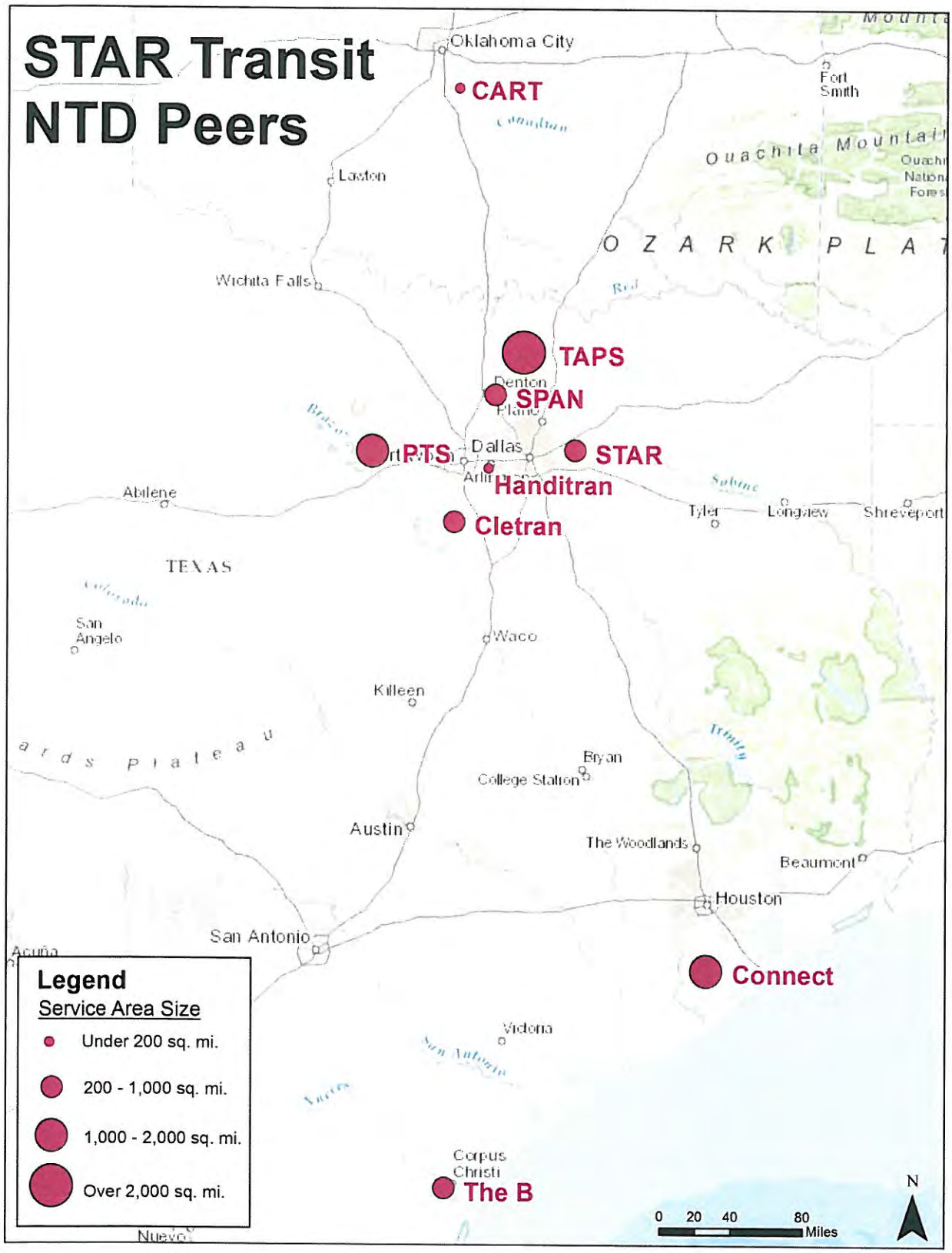
Table 1 shows the agencies selected for the peer analysis and an overview of similar and distinguishing characteristics as compared to STAR Transit. **Figure 1** shows the location and relative size of selected peer providers.

Table 1: Selected Peer Transit Providers

Agency	Distinguishing Features	Service Area mi.^{2}	Service Area Pop.
Handitran Special Transit Division - City of Arlington	Smaller, but more dense service area. Available only to seniors and persons with a disability	199	368,216
Corpus Christi RTA (The B)*	Similarly sized, but more dense service area. Operates more fixed route service. Majority of demand-response trips are contracted out.	841	342,412
The Gulf Coast Center (Connect Transit)	Larger service area operating more fixed route service.	1,784	437,155
Cleveland Area Rapid Transit (CART)	Smaller but more dense service area. Oklahoma provider governed by different state regulations and funding allocations.	27	52,826
Texoma Area Paratransit System, Inc. (TAPS)	Much larger service area, primarily rural.	6,295	804,455
City of Cleburne (CCT/Cletran)	Similarly sized service area.	725	153,441
STAR Transit		908	184,648
Public Transit Services (PTS)*	Larger, more rural service area.	1,855	147,568
Special Programs for Aging Needs (SPAN)	Similarly sized, but more dense service area. Only serves rural areas not served by DCTA.	878	707,304

* For comparison purposes, only directly-operated demand response services are included in the measures above.
Source: NTD 2013 Data Tables

Figure 1: Peer Transit Providers Selected For NTD Analysis



2.2 Findings

Traditional service measures such as revenue hours, revenue miles, and operating and maintenance costs vary widely from system to system, due to the differences in service area size and population served. However, by looking at comparative metrics like cost per revenue hour, for example, STAR Transit's service efficiency and cost effectiveness can be evaluated against its peers. **Table 2** below shows these metrics across all peer transit providers.

Table 2: Peer Provider Service Metrics

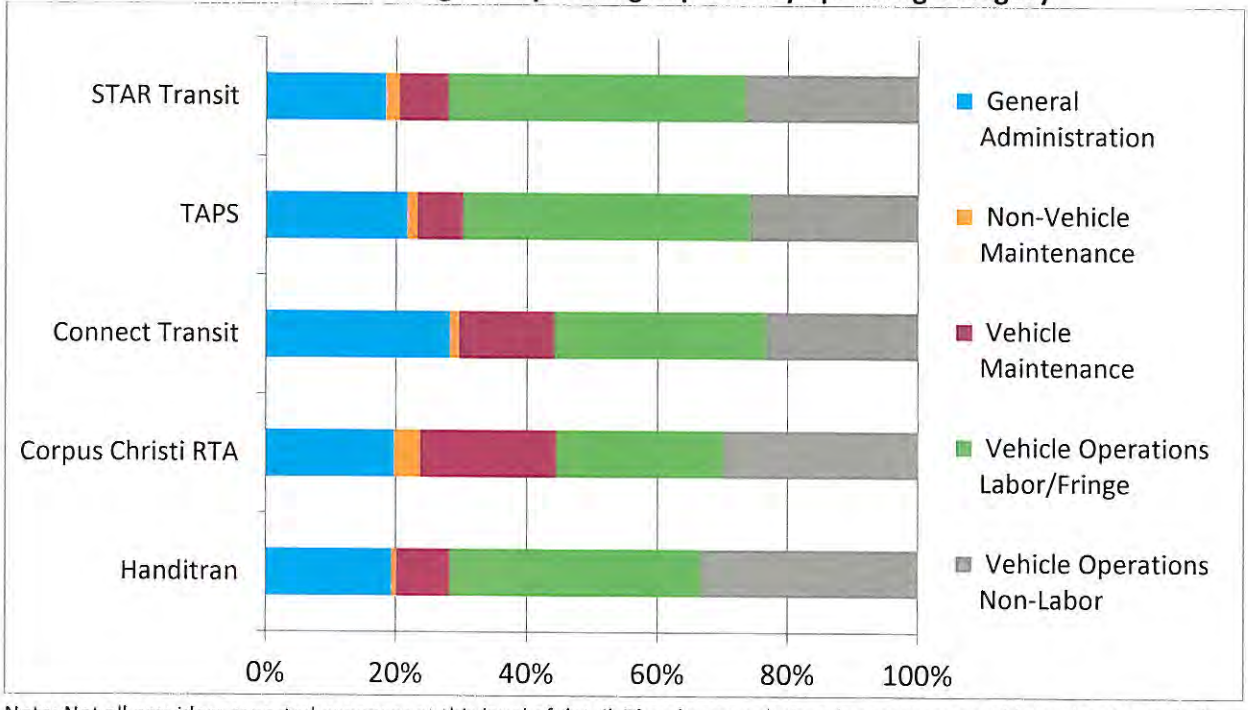
Agency	Avg. Trip Length	Cost per Trip *	Cost per Hour *	Cost per Mile *	Trips per Hour*	Trips per Mile*	Service Hrs. per capita
Handitran Special Transit Division - City of Arlington	11.9 mi.	$ 27.68	$ 59.54	$ 4.54	2.15	0.16	0.07
Corpus Christi RTA (The B)*	32.2 mi.	$ 38.91	$ 70.32	$ 3.72	1.81	0.10	0.01
The Gulf Coast Center (Connect Transit)	17.8 mi.	$ 39.61	$ 93.33	$ 4.33	2.36	0.11	0.03
Cleveland Area Rapid Transit (CART)	N/A	$ 17.84	$ 48.77	$ 4.44	2.73	0.25	0.12
Texoma Area Paratransit System, Inc. (TAPS)	13.9 mi.	$ 13.73	$ 38.49	$ 2.05	2.80	0.15	0.14
City of Cleburne (CCT/Cletran)	N/A	$ 27.91	$ 46.16	$ 3.12	1.65	0.11	0.15
STAR Transit	7.3 mi.	$ 21.63	$ 50.95	$ 3.05	2.36	0.14	0.32
Public Transit Services (PTS)*	N/A	$ 22.97	$ 44.67	$ 2.36	1.94	0.10	0.25
Special Programs for Aging Needs (SPAN)	N/A	$ 22.76	$ 48.41	$ 2.64	2.13	0.12	0.05
Straight Average of Peers	**19.0 mi.**	**$ 26.43**	**$ 56.21**	**$ 3.40**	**2.20**	**0.14**	**0.10**

* For comparison purposes, only directly-operated demand response services are included in the measures above.
Source: NTD 2013 Data Tables

STAR Transit's cost effectiveness, as shown by the per-hour and per-mile costs, is slightly better than average compared to similarly situated transit providers. The cost per hour of $50.76 used as a basis for the contract price is also within this range. Service efficiency, reflective of trips per hour and trips per mile, is also about average. The key area of difference is that, relative to service area population, STAR Transit is providing more service per capita than any other peer provider.

As part of the peer analysis, service costs across spending categories were also analyzed. As shown in **Figure 2**, STAR Transit is spending less on general administration and maintenance than its peers, and the majority of expenses are for vehicle operation.

Figure 2: Percentage of Operating Expense by Spending Category



Note: Not all providers reported expenses at this level of detail. The above analysis only compares providers who responded.
Source: NTD 2013 Data Tables

Overall, the peer analysis does not reveal any imbalanced expenditures or inappropriate costs for STAR Transit. Rather, the higher costs per capita in the STAR Transit service area are most appropriately attributed to the greater level of hours and miles of service being provided.

3.0 EXISTING CONDITIONS

3.1 Historical Context

Historical NTD Data for the STAR service area was also evaluated from previous years to understand trends. **Table 3** shows a variety of NTD service metrics across a four-year period from 2011 to 2014.

Table 3: STAR Transit System-wide NTD metrics, 2011-2014

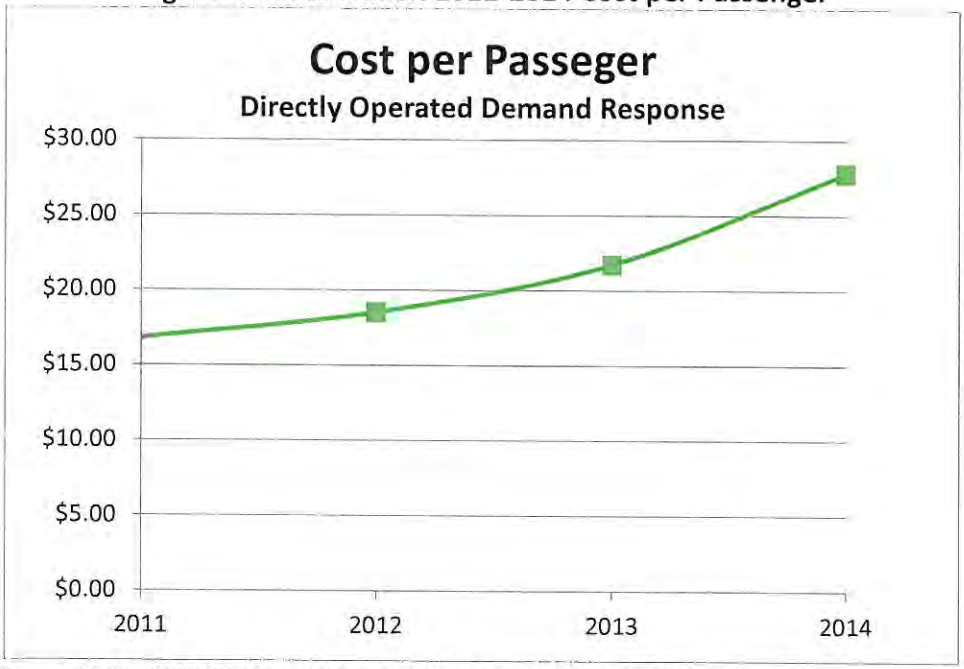
Measure	FY 11 (NTD)	FY 12 (NTD)	FY 13 (NTD)	FY 14 (NTD)
Operating Costs	$2,570,827	$2,655,982	$3,008,399	$3,878,837
Revenue Hours	49,285	60,707	59,047	68,816
Revenue Miles	1,204,267	1,283,059	985,510	1,244,927
Unlinked Passenger Trips	153,149	143,508	138,538	139,548
Farebox Revenues	$63,223	$68,047	$95,152	$134,025
Cost per Passenger	$16.79	$18.51	$21.72	$27.80
Cost per Revenue Hour	$52.16	$43.75	$50.95	$56.37
Cost per Revenue Mile	$2.13	$2.07	$3.05	$3.12
Average fare per boarding	$0.41	$0.47	$0.69	$0.96
Farebox Recovery Ratio	2.46%	2.56%	3.16%	3.46%

Note: 2012 NTD-reported farebox revenue also included $1,349,342 in purchased transportation contract relationships, which are not included here in order to provide a more consistent approach across years.
Note: All numbers reflect STAR's directly operated demand response service only. Fixed route service is excluded.
Source: 2011 – 2013 NTD Data Tables, 2014 STAR Transit NTD Submittal

As shown, there has been a general upward trend in operating costs, hours, and miles. The context of system expansion into Mesquite may help explain some of the larger increases between 2013 and 2014. However, it should be noted that total unlinked passenger trips have been declining since 2011, and remained flat during the expansion into Mesquite.

Although STAR Transit's current service efficiency and cost effectiveness metrics are good in relation to its peers, they are not as strong as they have been in previous years. As shown in **Figure 3**, the increasing costs combined with declining ridership results in an increasing cost per passenger.

Figure 3: STAR Transit 2011-2014 Cost per Passenger



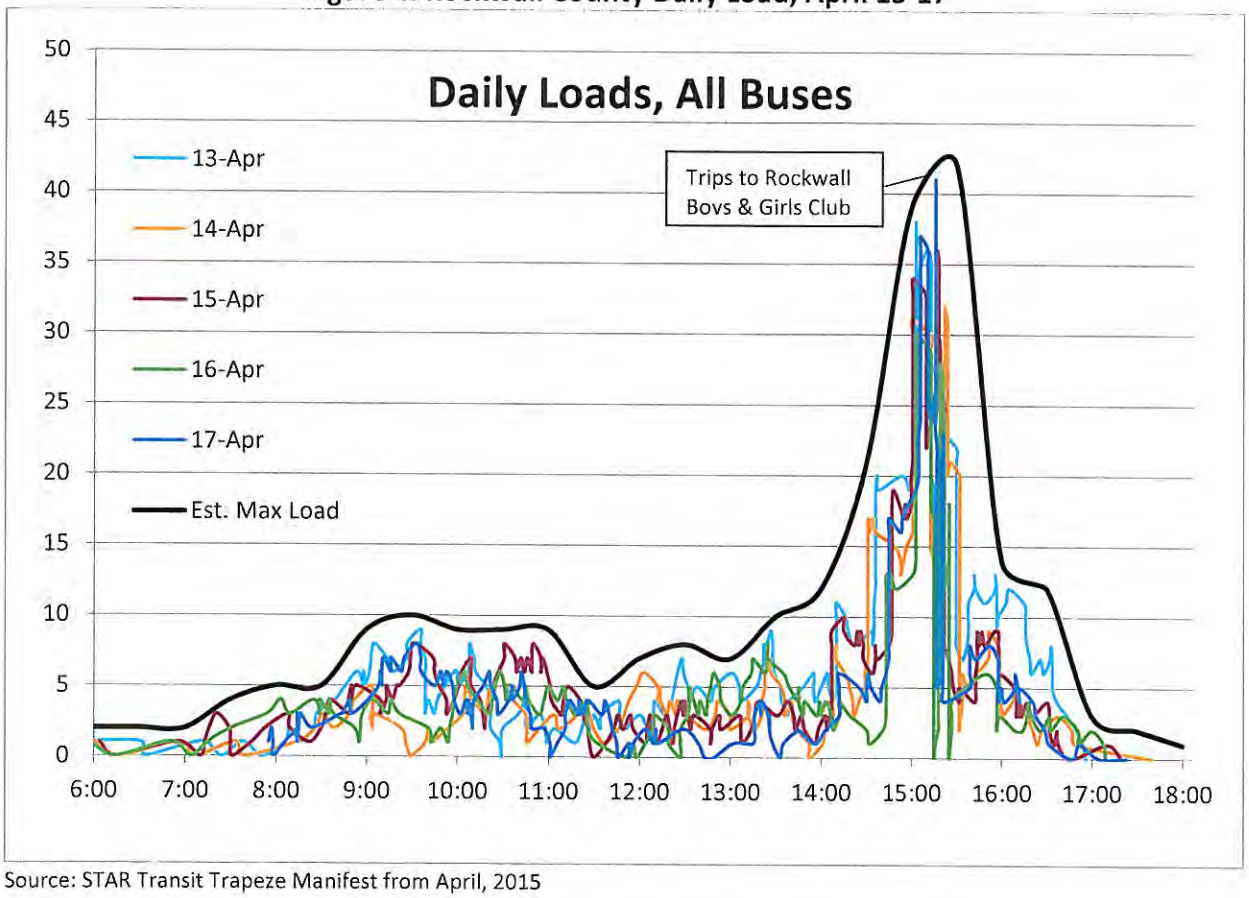
Source: 2011 – 2013 NTD Data Tables, 2014 STAR Transit NTD Submittal

3.2 Rockwall County Service Data

The analysis of data specific to Rockwall County comes from the driver manifests provided by STAR Transit for the month of April 2015. April and October are typically ideal months for evaluating transit needs (school in session, ideal weather conditions, etc.) and typically reflect the highest transit ridership for the year. The week of April 13-17 was found to carry the highest ridership in April and was selected for detailed analysis.

Boardings and alightings for each bus across all five days were processed to reflect how many riders are on Rockwall's designated buses at any given time. This analysis does not represent the total trips served each hour, but rather takes trip length into account to get a sense of the typical load on the bus system across the service day. **Figure 4** shows the daily load across all Rockwall buses in operation (typically spread across 5-6 buses, tapering down in the early morning and evening).

Figure 4: Rockwall County Daily Load, April 13-17

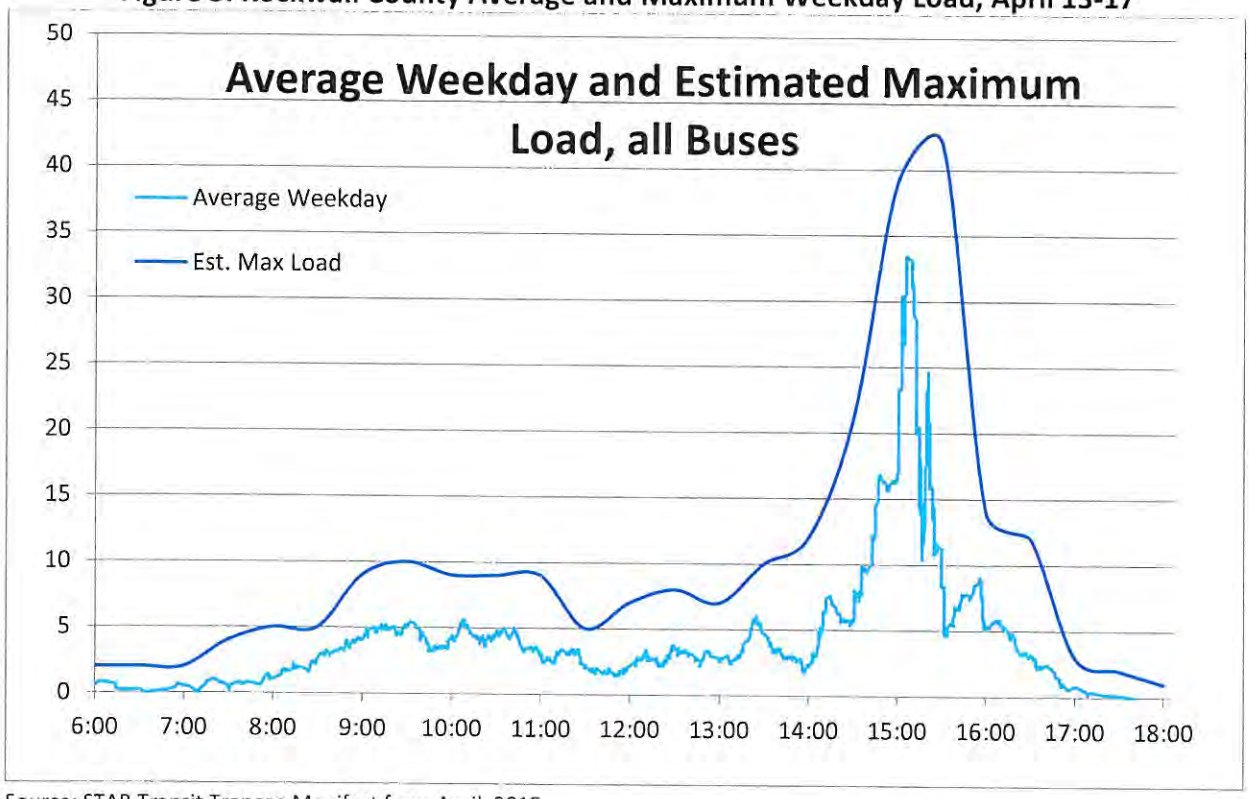


Source: STAR Transit Trapeze Manifest from April, 2015

Each day reflected a similar pattern of trip density, with low volumes in the morning and a spike in mid-afternoon. No anomalies were identified between different days of the week, and given the nature of weekday service to the Rockwall Boys & Girls Club, this data is believed to be a good representation of service generally.

Figure 5 shows the average of these five weekdays as well as the estimated maximum load. The maximum load is meant to capture, for each time period, the highest spike across all five days evaluated. For example, while the average weekday shows a distinct spike at 3:00 p.m., the estimated max load line reflects day-to-day variability showing a wider window (from about 2:00 p.m. to 4:00 p.m.) when buses may be responding to Boys & Girls Club trips. Similarly, more day-to-day variability in the 9:00 a.m. to 11:00 a.m. time frame results in a higher estimated maximum load than for the 11:00 a.m. to noon hour, which is consistently low.

Figure 5: Rockwall County Average and Maximum Weekday Load, April 13-17



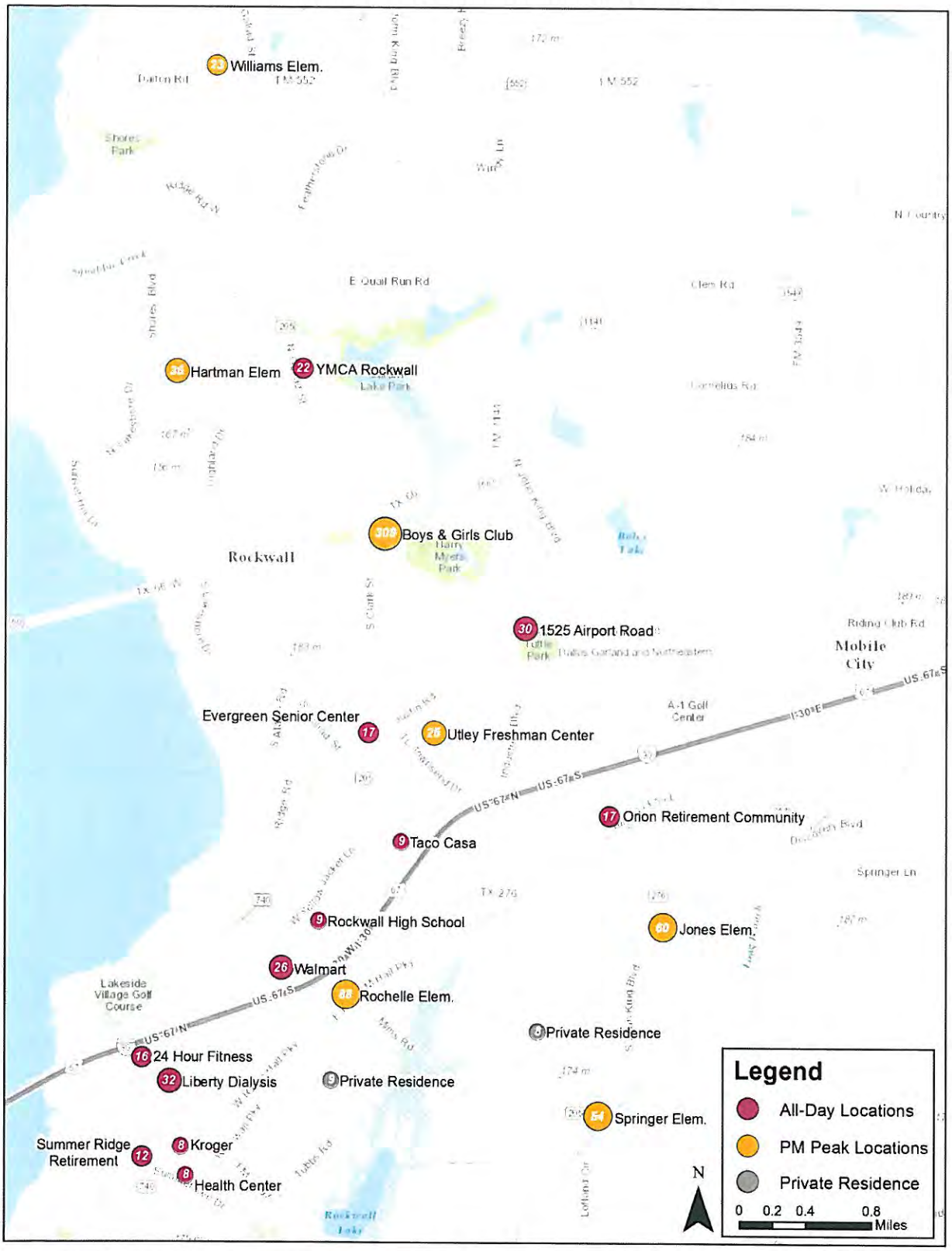
Source: STAR Transit Trapeze Manifest from April, 2015

It was not clear from the driver manifest data when a driver's designated break time occurred. The analysis shows that service to the Boys & Girls Club is driving the demand for vehicles in the afternoon, while many buses are running light loads the remainder of the day.

The second task of the current service analysis was to identify higher yield destinations that may be more efficiently served through fixed route service. **Figure 6** reflects the top origins and destinations during the week of April 13-17[1]. This data includes locations where customers were both picked up and dropped off, so every ten boardings and alightings would represent an average of one round trip per day. Two private residences are mapped (in grey) to the nearest street corner for privacy considerations. It should be noted that for many demand-response systems, the residents with the highest need for the system can shift as circumstances (employment, vehicle availability, temporary disability, etc) change. Therefore these residences may not be as reflective of long-term transportation needs as other locations. Locations associated with Boys & Girls Club that occur consistently during the 3:00 p.m. spike are shown in orange. Locations that occur at high frequency throughout the day are shown in purple.

[1] A three-way tie resulted in 21 "top" locations, with counts of eight or more.

Figure 6: Most Frequented Locations, April 13-17



Note: Numbers reflect the total boardings and alightings made to each location during the week of April 13-17, 2015
Source: STAR Transit Trapeze Manifest from April, 2015

4.0 STAKEHOLDER INTERVIEWS

As part of the service review, a series of stakeholder interviews were conducted with NCTCOG staff, Rockwall County Officials, and a representative of STAR transit. A phone interview was conducted with Sarah Chadderton of NCTCOG. She explained that NCTCOG's role in the FTA federal funding process is to pass through funding to whatever service providers have been designated by local authorities. She provided insight into MAP-21 changes and noted that STAR's experience of decreasing funding for demand-response services is common among other providers.

An in person meeting was held with Rockwall County Judge David Sweet and Rockwall County Commissioner and STAR Board representative David Magness. As a result of this discussion, County Commissioner Magness met with STAR Transit representatives to negotiate an interim contract that reflected Rockwall's need for a lower cost while still maintaining level of service.

Finally, the consultant team met with Mike Sims in his role as consultant to STAR Transit. Mr. Sims explained his role for STAR Transit is to negotiate with NCTCOG and FTA and engage local government representatives in transit planning. He confirmed the interim agreement between STAR and Rockwall County would be for a 10,000 hour per year system utilizing five buses. He recommended two methods for obtaining additional funding in order to alleviate the total needed from the City of Rockwall. The first is to pursue a fixed route bus that targets job-access and reverse-commute trips, which would qualify for additional Federal FTA funding under the §5307 urban formula program. The second strategy is to pursue more standalone contracts with other local, non-governmental stakeholders. Any contracted revenue from entities in Rockwall County would contribute to the total local match required.

5.0 NEXT STEPS AND RECOMMENDATIONS

5.1 Contract Assessment

After reviewing the preliminary data associated with this study, county and city officials met with representatives of STAR Transit to negotiate an interim agreement for service over the next year. This plan reduces the buses allocated to Rockwall from seven demand response to four demand response plus one fixed route bus.

During that time, it is recommended that Rockwall evaluate how well the new service meets the needs of the community. It will be imperative that data analysis and financial records be kept and freely communicated between all local stakeholders. The following factors should be tracked on a monthly basis in order to enable Rockwall to evaluate the service provided:

- Ridership for the City of Rockwall and Rockwall County
- Origin and destination information for City of Rockwall trips
- Service metrics including passengers per revenue hour, cost per revenue hour and cost per passenger
- Record of total service hours provided

- On-time performance
- Load factors
- Missed trips

Timely communication of service metrics and detailed accounting reports should be a requirement of any service contracts going forward. In addition, it is recommended that the city and county work together with STAR Transit to develop a set of minimum performance standards, as well as preferred remedies for addressing under-performing routes or unmet community needs. The service contract should also include detailed information regarding the responsibilities, powers, and liabilities of all involved parties.

5.2 Logisticare Allocations

According to data provided by STAR Transit, Logisticare services occurring in Rockwall County generated approximately $15,000 for the month of October 2015. Logisticare trips are served under a separate contract with STAR Transit, and the revenue generated under this contract is not eligible to be used as a local match source. However, the revenue generated compared to the number of trips provided under the Logisticare contract (204 trips in October) would indicate more than enough revenue to cover the per-hour expenses associated with those trips[2]. As such, service metrics reported under the Rockwall County contract should reflect a reduction of total trips and revenue hours provided in the county to account for trips provided under the Logisticare contract.

In October, approximately 8% of trips in Rockwall County were associated with the Logisticare program. STAR Transit's preferred policy is to provide additional service in Rockwall County to account for Logisticare needs above the level of service agreed to under the contract with Rockwall County. However, the data currently available analyzed for this report does not distinguish between Logisticare and non-Logisticare revenue hours and no evidence has been provided that demonstrates service provided under the Rockwall County contract meets the service levels used to calculate the costs to Rockwall County and its partners. Moving forward, separate record-keeping by STAR for these two contracts will be necessary for Rockwall to make informed choices about the amount of service needed and to clearly understand the costs associated with those services. If revenue hours for Logisticare trips cannot be distinguished from other revenue hours provided in the county, then other remedies should be discussed and incorporated into the contract:

1. Determine a formula to allocate Logisticare services based on number of trips that is agreeable to all parties, and use this as a basis for reporting service statistics provided under the Rockwall and Logisticare contracts separately.

[2] A percentage based approximation of hours associated with Logisticare trips results in 65 revenue hours of service in October, for approximately $230 in revenue generated for each service hour provided. This estimate may not completely account for potential trip-sharing between Logisticare and non-Logisticare riders. However, even a very conservative estimate of 1 revenue hour per Logisticare trip would yield approximately $75 in revenue per service hour (compared to STAR's cost of $50.76 per revenue hour.

2. Base payment formula on a service metric that can be distinguished between the Logisticare and Rockwall County contracts, such as a per-trip or per-passenger cost.

5.3 Fixed Route Service

The fixed route service should be developed through a combination of demand-response origin and destination information as well as community input. The top destinations provided above are a first-step; however, a better understanding of the relationship between origins and destinations will be necessary to fully structure a route. Stakeholder and community input are recommended to ensure that the transit needs of under-served or transit dependent communities are particularly understood.

Ideally, a fixed route that serves multiple functions throughout the day will perform better. For example, a route with the flexibility to serve some of the Boys & Girls Club demand in the afternoon could do a lot to alleviate the need for demand response trips at that time.

Other service delivery options may provide a potential cost-savings going forward. FLEX routes provide a hybrid of fixed route reliability while also providing limited deviations to serve customers who may otherwise need or prefer demand response. More focused analysis of driver's schedules may help to target service when it is most needed and either reduce costs during the morning and evening, or spread existing hours over a longer span. (I.e. overlapping two 8:00 a.m-4:00 p.m. and two 2:00 p.m.-10:00 p.m. shifts would provide the same four demand response buses during peak demand, but offer a longer span of service.) Finally, innovative scheduling may help target long-haul trips to certain days of the week or time of day to help encourage more efficient trip bundling.

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Rockwall, Texas

Proclamation

Whereas, since its inception in 2006, Snowball Express has been providing hope and new happy memories for children of fallen military heroes who have died since 9/11 while on active duty; and

Whereas, the organization's mission is to "Honor America's fallen military service members who have made the ultimate sacrifice since 9/11 by humbly serving the families they left behind, championing their children's future success by creating opportunities for joy, friendship, education, and communal healing, by connecting these families to one another;" and

Whereas, Snowball Express brings children together from all over the world for a five-day experience filled with fun activities, sporting events, dances, music events, and more; and

Whereas, these children are often reserved, withdrawn or unwilling to talk about their loss, but by participating in Snowball Express, each child is made to feel special and given an opportunity to share their feelings about losing their parent; and

Whereas, on December 14th, Shenaniganz in Rockwall will be providing these kids with a fun-filled day of activities and lots of laughter.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim **December 14, 2015** as

SNOWBALL EXPRESS CELEBRATION DAY

in the City of Rockwall and urge all citizens to join in the celebration by helping to welcome these kids and their families to our community for an awesome, memorable experience.

In Witness Whereof, I hereunto set my hand and official seal this 7th day of December, 2015.

_____

Jim Pruitt, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, November 16, 2015
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dennis Lewis and Council Members David White, Mike Townsend, John Hohenshelt, Scott Milder and Kevin Fowler. City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and City Attorney Frank Garza were also present.

II. WORK SESSION

1. Hold a work session with Gene Babb regarding potential development of property located on La Jolla Pointe Drive west of Ridge Road, and take any action necessary.

Mayor Pruitt explained that this will not be a public hearing or opportunity for public comment, but, rather it will be a chance for Mr. Babb and his associated to share with the city council information about their potential project.

Mr. Fred Hazel
Davis Development
403 Corporate Center Drive
McDonough, GA 30252

Mr. Hazel came forth and introduced himself and Mr. Babb, the company's head of the Dallas market. His company develops luxury multifamily communities throughout the Southeast and Southwest. He then passed around a site plan. He indicated that the project would have a total of eight buildings, made up of one, two and three bedroom units on La Jolla Pointe Drive. There would be primarily three story buildings with some four story ones too. The buildings would be terraced down the hill to go along with the topography of the site. There would be two entry points, and two onsite detention areas would be maintained. He explained that additional storm water studies would be done to ensure sufficiency, but an engineer has looked at the site to gain a preliminary understanding in order to put together a site plan. The exterior of the buildings would be a mixture of stone, brick and stucco. He explained that his company is a small company out of Georgia, with the board of directors being a couple of family members and himself. So there are not a lot of other decision makers outside of him. He briefly touched on the amenities that would be included, such as a pool, fitness center, computer area, common areas, and coffee room.

Mr. Babb indicated that about a month ago, Mayor Pruitt requested that they meet with the Turtle Cove and Lakeside Village HOAs, which they have done. Mr. Hazel pointed out that the development will have some attached garages. Also, there is an interior corridor associated with those, so any of the garages can be leased to any of the residents. Also, elevators have been added to the buildings to accommodate elderly and other clients who may not be able to utilize stairs.

Mayor Pruitt asked what sort of price point these units would have per units. The developer answered that there would be about 100 one bedrooms, 135 two bedrooms, and the balance would be about 43 three bedrooms. The smallest one bedroom would be right under 700 square feet, and they would be about $1.40-$1.50/square feet for a total of about $1000 per month. Then, the three bedroom / 2 baths in the 1,400 square foot range would be about $1,500 or more / month.

Mayor Pro Tem Lewis asked what sort of response Mr. Babb and Mr. Hazel received from residents nearby with whom they recently met to discuss this possible project. The developer indicated that residents had a variety of questions. He indicated that, after resident's questions were answered, he believes they felt satisfied with the answers as to the product.

Councilman Milder asked how they became interested in Rockwall. Mr. Babb explained that he previously looked at Rockwall years ago but did not find any properly zoned land available at that time. This time, however, he did find this particular piece of property, and they believe it is attractive for several reasons, including that it is in a great ISD. They believe it is a good location and has positive retail nearby. Additionally, he believes the product caters to an underserved market. He explained that there would be an average of two residents per unit. Councilmember Fowler asked some questions about population estimates that may accompany this project, as well as what sort of impact it may have on the school district (i.e. about how many school aged children). The developer indicated that there would be, on average, about two residents per unit on the whole. He approximated that there would be about 500-600 residents total. Also, he guessed that there may be about 30-40 students living in the development; however, he cautioned that this is only a guess. Mayor Pruitt asked how much ad valorem tax value might result from a development like this. Mr. Hazel explained that, once the product is on the ground and is fully operational, these sorts of developments sell for about $140,000 - $175,000 per unit in the open market. So, a tax assessor may assume about an 80-85% tax appraisal off of that market street value.

Councilman Milder asked what kind of interest there has been from developers concerning this particular piece of property. Mr. Crowley recalled that the city was last aware of someone who potentially wanted to propose a similar development on this particular property. However, as he recalled, they were not respecting the need for drainage detention and a few other things that caused it to not come to fruition. It would have also required a zoning change like this one would.

Councilmember Townsend expressed that this property sits on a major hill. He is concerned about the impact that these units would have on the view from Ridge Road or IH-30. He is concerned about people seeing massive "apartment type complexes" when looking in that direction from some of these major roadways. Mr. Hazel indicated that they have not necessarily looked into this particular aspect of the development.

Councilmember Milder asked what would prevent this development from essentially becoming a run-down eyesore years down the road, over time. Mr. Hazel indicated that a lot of that has to do with the quality of product that is put on the ground to begin with, indicating that they utilize nice "everything" in their developments, including the highest finishes. Also, the asset must be well maintained over time.

Mayor Pro Tem Lewis suggested that the developer may want to consider conducting a sight / view corridor study from Ridge Road and from IH-30.

Mr. Crowley asked for clarification on the 20 units per acre, asking if some sort of "PD zoning" would need to transpire. Mr. Miller, Planning Director, clarified that, yes, it would require creation of a planned development. Mr. Crowley asked if this would be 'phased,' or if it would be built in one installment. Mr. Hazel indicated it would be constructed in 'one installment.'

Mayor Pruitt thanked Mr. Babb and Mr. Hazel for their presentation, indicating that staff would be in touch with them shortly. The Council took no action concerning this agenda item.

2. Hold work session to discuss and consider the results of a Public Input Survey distributed to residents adjacent to South Lakeshore Drive / Summit Ridge Drive in connection with a future roadway reconstruction project, and take any action necessary.

Tim Tumulty, City Engineer, provided brief introductory comments, indicating that staff has secured assistance from consultants with Kimley Horn to conduct a survey and solicit input from residents along this street. A public meeting will be held with residents of this street on December 9th. Brad Tribble, P.E. and Jacob Reinig, P.E. with Kimley Horn then came forth and presented results of the survey that was conducted. Indication was given that houses were contacted along S. Lakeshore and Summit Ridge, resulting in 93 residents being contacted with 33 total respondents (20 on Lakeshore and 13 on Summit Ridge). The following topics were included in the survey and reported to Council during the presentation: drainage; the driving experience along the roadway; the pedestrian/bicyclist experience; utilization of the street as a cut through from SH-66 over to Ridge Road; the aesthetics; sidewalks; and the use of / desire for traffic calming devices/techniques. In general, residents expressed they'd like to see sidewalks as well as street lighting, bike lanes, and traffic calming techniques in order to improve these roadways. Indication was given that, overall, residents do not feel as though there is a major drainage problem along the roadway; however, there are a few, select residents who do have a significant drainage problem. The consultant indicated that there are beautiful trees along the roadway. When residents indicate a desire for sidewalks, these trees and the need for about 10' from the curb up into what is essentially the residents' front yards will need to be considered. Also, having a shared bike lane versus having a dedicated bike lane will need to be considered, especially pertaining to the more narrow portions of the roadways. Discussion took place related to various 'traffic calming' techniques that could be utilized in order to discourage cut through traffic. Mr. Tumulty also offered comments related to improvements or changes outside of these two roadways that could be evaluated and considered in order to discourage drivers from ever even considering this as a cut through when, for example, traffic on IH-30 is stopped or significantly backed up.

Mr. Crowley indicated that sometimes residents express that they would like sidewalks; however, later on, once they realize what impact sidewalks would have on their front yards and lawns, they change their minds regarding the idea of adding them.

The council took no action as a result of this discussion.

3. Hold work session to discuss and consider additional sidewalk improvements in the downtown area, specifically those located in the walkway/store front area along Goliad Street between Washington and Rusk Streets, and take any action necessary.

City Engineer Tim Tumulty indicated that this section of sidewalk was not included with the original bond / downtown improvements project. However, staff has asked the contractor and architect for cost estimates associated with completing both the design and construction associated with finishing out this particular section. Mr. Tumulty indicated that about $727,000 is the estimated cost that has been provided by Hill Wilkinson (contractor), and about $50,000 is the cost quoted by La Terra for the design work. Mrs. Smith briefed the city council on possible funding options if the city council would like to proceed.

Mayor Pruitt expressed a desire for consideration to be given to the possible need for improvements to be made to the existing gas lines that run underneath this sidewalk area before, or along with, any improvements that might be made. Mr. Tumulty indicated that staff will reach out to Atmos to let them know of this concern.

Council took no formal action concerning this agenda item.

4. Hold work session to discuss The Harbor's Tax Increment Financing District (TIF), and take any action necessary.

Mr. Crowley indicated that Mayor Pruitt had requested this agenda item. He understands that the mayor would like to approach Rockwall County about continued participation in the TIF upon expiration of their commitment. Mrs. Smith, Assistant City Manager and Finance Director, then briefed the Council on specific details regarding the financials associated with the county's past and possible future involvement in the TIF. Indication was given that the County's initial obligation regarding participating in the TIF began in the year 2004 and is set to expire in the year 2016. Several new projects are coming up in the area of the TIF zone, including Condos south of Summer Lee, the Springhill Suites and HG Sply. Mayor Pruitt indicated that he hopes the county will choose to continue participating in the TIF, in some form, for at least an additional five years, especially since The Harbor will soon be competing with the new development going on across the lake near Dalrock and IH-30. Councilmember White asked what the burden on the city would be if the County drops out of participating in the year 2016. Mrs. Smith indicated that the burden would be roughly $250,000, and we would have to come up with that money via some other source. White then indicated that he is in favor of the County continuing its participation. Mrs. Smith indicated that the initial debt in the TIF was issued for 20 years; however, it can last up to 40 years without any additional action from the Council.

At 5:15 p.m., Mayor Pruitt read the below listed discussion items into the public record before recessing the meeting into Executive Session.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding ballot voting associated with appointments to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)

2. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).

3. Discussion regarding legal matters related to land lease operations at Ralph Hall Municipal Airport pursuant to Section 551.071 (Consultation with Attorney).

4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - Rockwall Economic Development Corporation (REDC) Board - pursuant to Section 551.074 (personnel matters)

5. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

IV. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:55 p.m.

V. RECONVENE PUBLIC MEETING

The public meeting was reconvened at 6:00 p.m. with all seven city council members being present.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Lewis made a motion to reappoint the following individuals to the Rockwall Economic Development Corporation (REDC) for the below specified terms:

- **Reappoint Rick Carroll to serve his first, full (two year) term (expiring December 2017);**
- **Reappoint Chip Imrie for the last remaining (one) year he is able to serve (expiring December 2016);**
- **To reappoint Stewart Storms and Bob Amick, both to two year terms (expiring December 2017).**

Councilmember Milder seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Mayor Pro Tem Lewis made a motion to cast the City of Rockwall's ballot to the Rockwall Central Appraisal district board, dividing up its 562 votes as specified by the following distribution of votes:

- **Ben Weible – 362 votes**
- **Mark Moeller – 101 votes**
- **John Hohenshelt – 99 votes**

Councilmember Milder seconded the motion, which passed by a vote of 7 ayes to 0 nays.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM LEWIS

Mayor Pro Tem Lewis delivered the invocation and led the Pledge of Allegiance.

VIII. PROCLAMATIONS / AWARDS

1. American Diabetes Month

Mayor Pruitt asked if any representative from the American Diabetes Association was present in the audience. There being no one indicating such, he then read the proclamation into the public record.

IX. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth and speak. There being no one, he closed the Open Forum.

Mayor Pruitt recognized a few Boy Scouts in the audience this evening, indicating that they are here to observe the city council meeting.

X. CONSENT AGENDA

1. Consider approval of the minutes from the November 2, 2015 regular city council meeting, and take any action necessary.

2. Consider granting a 15 foot electric easement across the City of Rockwall Eastside Pump Station property to Farmers Electric Cooperative, and take any action necessary.

3. Consider authorizing the City Manager to execute a Facilities Agreement with Master Developer – SNB, LLC to reconstruct 666 linear feet of existing sanitary sewer line within the first phase of The Preserve development in an amount not to exceed $65,245.10 to be funded from 2008 Revenue Bonds, and take any action necessary.

4. Consider awarding a bid to MHC Kenworth and authorizing the City Manager to execute a Purchase Order for two new 12 yard dump trucks in the amount of $218,214 to be funded out of the General Fund Reserves and Water Sewer Fund, and take any action necessary.

5. Consider awarding a bid to Silsbee Ford and authorizing the City Manager to execute a Purchase Order for a new service trucks in the amount of $474,669 to be funded out of the General and Water Sewer Funds, and take any action necessary.

6. Consider awarding a bid to Holt CAT and authorizing the City Manager to execute a Purchase Order for a new Steel Wheel Roller in the amount of $41,690 to be funded out of the General Fund Streets Operations Budget, and take any action necessary.

7. Consider awarding a bid to Freedom CDJ (Dodge) and authorizing the City Manager to execute a Purchase Order for three (3) new Police Patrol Dodge Chargers in the amount of $79,020 to be funded out of the General Fund Police Patrol Budget, and take any action necessary.

8. Consider awarding a bid to Government Sales Freedom Auto Group and authorizing the City Manager to execute a purchase order for a Dodge Charger (including safety equipment) in the amount of $21,500 to be used

by Citizens on Patrol and to be funded from the Police Department seized asset account, and take any action necessary.

9. Consider awarding a bid to Caldwell Country Chevrolet and authorizing the City Manager to execute a purchase order for a Chevy Suburban including safety equipment in the amount of $41,500 to be used by the Community Service Unit and to be funded from the Police Department seized asset account, and take any action necessary.

10. Consider authorizing the City Manager to execute a Facility Agreement with Dewayne Cain of Cain Cemetery Corporation to allow for the delay of the required fire protection requirements for buildings on a 40.57-acre tract of land identified as a portion of Tracts 11 & 12 and all of Tracts 1, 2-1 & 11-1 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, addressed as 2500 SH-66, and take any action necessary.

11. Consider approval of a resolution expressing support for and reinforcing the importance of the North Texas Municipal Water District's Lower Bois d'Arc Creek Reservoir (LBCR) project, including its timeliness as it pertains to the critical mission of delivering water to the region by the year 2020, and take any action necessary.

12. Consider authorizing the City Manager to execute an additional services agreement (contract amendment) with La Terra Studio, Inc. to provide for the design of the walkway/store front area along Goliad Street between Washington and Rusk Streets to match the design in the Downtown area in the amount of $50,500, and take any action necessary.

Councilmember White pulled item #12 for further discussion. Councilmember White then made a motion to approve the remaining items (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11). Mayor Pro Tem Lewis seconded the motion. Mayor Pruitt commented that he is very proud of our Police Department for expending funds to purchase vehicles for the Citizens on Patrol volunteers who really do a lot to give back to our community. The motion passed unanimously of Council (7 ayes to 0 nays).

Councilman White indicated that he has no intention of voting in favor of item #12. Councilmember Milder made a motion to approve Consent Agenda item #12. Councilmember Fowler seconded the motion, which failed by a vote of 3 in favor with 4 against (White, Townsend, Hohenshelt, Pruitt).

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Chairman of the Planning and Zoning (P&Z) Commission, Craig Renfro, came forth and briefed the city council members on recommendations of the Commission relative to items on tonight's city council meeting agenda. He explained that on case number MIS2015-009, he personally inadvertently voted differently than the way he intended to vote had he better understood what he was voting on. Therefore, he explained, this case should be coming before the city council with a recommendation to approve it, and his

dissenting vote should not have been so. After Mr. Renfro's comments, the Council took no formal action.

XII. PUBLIC HEARING ITEMS

1. **MIS2015-009** - Hold a public hearing to discuss and consider the approval of a special request by Michael Hunter on behalf of the Rockwall Housing Development Corporation (RHDC) to allow the construction of two (2) single-family attached homes on a 0.27-acre parcel of land identified as Lot 984A of the Rockwall Lake Estates #2 Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 112 Chris Street, and take any action necessary.

Mayor Pruitt indicated that Laura Morales, a member of the city's Planning Department, is here this evening to provide Spanish translation associated with this particular Public Hearing case. The City's Planning Director, Ryan Miller, indicated that this item is being brought back before the City Council at this time following it being remanded back to the Planning & Zoning Commission for public hearings to be held. Mr. Miller stated that two people expressed being in favor of this request, and two people expressed being against it.

Mayor Pruitt explained that after the first time this item was heard at City Council meeting, it was discovered that certain deed restrictions are in place within the Lake Rockwall Estates neighborhood that essentially inhibit 'attached housing.' He explained that, although he previously voted for this item to be approved, had he known that these deed restrictions were in place, he would not have voted the way he did.

G. David Smith, an attorney who has been working with the Rockwall Housing Development Corporation and the homeowners, came forth and spoke concerning this request. He indicated that only one property in LRE currently has sewer service in place. He strongly encouraged the city to kick their efforts into high gear in order to get sewage services to the remaining properties in LRE. He went on to explain that on the one lot in LRE that does have water and sewer, they have devised a proposed plan to put two homes on it with one, shared wall. He explained that all of the expense associated with building this structure would be coming out of the non-profit organization's pocket, and it will be set up as a 're-sell' to the occupants who will benefit from it. He explained that this would be a home that these occupants would be able to afford. He went on to strongly encourage the city council to approve this proposed construction, reiterating that this proposal is likely the best that can be done in order to help these individuals. He explained that having the two lots but the structures being "single family attached" will help them save a lot of money on the construction. He went on to share that it is not a duplex, but, rather, a townhome. He shared that he has read the deed restrictions, and he knows there was one gentleman who brought those up when speaking against this proposal. He explained that Mr. and Mrs. Conteras' home was totally destroyed in the recent flood and that they have been living in a travel trailer. He explained that another couple who lives on the other side of LRE lives in a structure that repeatedly has to be jacked up in order to hold it together due to such a large crack being present. He expressed that if the Council will not approve the 'single family attached,' he is hoping the Council will grant a 7' setback from the sideline along County Line Road, along with the other council-approved conditions, and they will build two single-family, detached

dwellings that will comply with the deed restrictions and the other conditions otherwise approved by the city. However, he expressed that his preference is to have the single family, attached proposal approved by Council. He went on to say that there are eleven other structures along County Line Road that sit right on the property line. Granting the 7' setback would mean this particular structure would actually be set back farther that a lot of the other structures along the roadway. He also asked the city to consider waiving the permit fees and the impact fees because these can be expensive, and every penny counts. Mr. Michael Hunter with the RHDC came forth and offered brief comments related to setbacks and the proposed design.

Jose Contreras Junior
(son of Jose and Martha Contreras at 142 Renee Drive in Rockwall, TX)

Mr. Contreras expressed that his parents were one of the victims of flooding at their home located at 142 Renee Drive. He expressed appreciation for the trailer home that his parents are staying in right now. He shared that he was raised in Rockwall. He generally expressed love for Rockwall and pride in calling the city 'home.' He stated that he does not live there with his parents. He shared that it is very muddy where his parents live, and his mother has to put Walmart grocery sacks over her shoes in order to walk out to his father's car and have him take her to work. She is unable to get her car out of the mud in order to drive herself to work. He expressed that his parents living in the little bitty space of the travel trailer wears on them, but they are, at the same time, very appreciative of having the trailer as a temporary living space.

Maria Guillen
382 Eagle Place
Rockwall, TX

Mrs. Guillen came forth and indicated that she and her husband live in the home that Mr. Smith was referring to (the one that is falling apart). She explained that her husband has to go underneath the home about once every two weeks to jack it up to hold it together because it is falling apart. She explained that they have four kids who have been being raised in Rockwall, they enjoy calling Rockwall "home," and they do not want to leave Rockwall. She explained that if it were not for this opportunity that would enable her to own a home in Rockwall, she would not be able to afford to do so without this type of approval and assistance. She stated that her son is in the advanced classes program in RISD, and they truly do not want to leave Rockwall. She strongly urged the council to grant

James Merkel
420 Wayne
Rockwall, TX 75032

Mr. Merkel came forth and indicated that the intention of the deed restrictions in LRE are to not allow for multifamily housing like what is being proposed with this concept. High density living was not the intent. Rather, less density was and is desired in order to allow for room for kids to play in the neighborhood. He encouraged that these structures be built as two separate homes after splitting the lot, even though he is really not in favor of splitting the lots because the structures and the space would be quite small. Mr. Merkel explained that he personally knows Jose and does believe that he is a good person who does need some help. He explained that Jose currently runs a business out

of his home, and he is 'grandfathered' which allows him to currently do so. However, if he were to move into this proposed home, then he could no longer run his business out of his new home, and he would have to find another place to store his equipment. This would result in additional expense for him. Also, he believes that the traffic counts along this stretch of roadway (about 6,000 cars per 24 hour period along County Line) would be dangerous to Jose's attempts to store and take out his equipment on a daily basis. Mr. Merkel generally spoke against Council approving this request.

Freddie Jackson
1812 Bristol Lane
Rockwall, TX 75087

Mr. Jackson came forth and indicated that the Council has a unique opportunity to develop the neighborhood in the way it sees fit. He explained that no matter what the council allows to be built, people will come to Rockwall to move into those homes because Rockwall is such a desirable place to be. He expressed the belief that homes can be built in the upper $90,000's or lower $100,000's.

Marta Conteras
142 Renee Drive
Rockwall, TX

Mrs. Contreras explained that she is one of the flood victims who will benefit from this home if it is approved. She urged the Council to please approve it because she enjoys living here.

Mr. Contreras Junior came forth again and recalled Mr. Smith's comments pertaining to keeping the cost down. He explained that his family knows a lot of construction workers, including builders, framers, roofers, foundation and concrete people as well as laborers who live within the community and would be willing to help in order to keep costs down.

Mr. Michael Hunter, the applicant, came forth and indicated that he is requesting a setback variance for the house. He explained that the hope is that these structures / homes could someday be expanded in the rear, if the homeowner desires to do so in the future. Mr. Smith indicated that these setbacks being requested do comply with the deed restrictions. He stated that construction costs associated with this home would be under $100k. It would hopefully be closer to $80k because of so many in the community who have expressed a willingness and desire to help.

Councilmember Hohenshelt asked the City Attorney for clarification regarding the council's leeway in casting a vote for the alternative being proposed this evening. Mr. Garza indicated that the Council couldn't put "multi-family," but it could do most anything within reason.

Councilmember Townsend made a motion to allow for the lot to be separated, to allow for the two separate houses to be built with the 7' setback, and to waive the building permit fees, and associated impact fees. Councilmember Milder seconded the motion. Mr. Crowley indicated that there would normally be a roadway impact fee due, and currently the Council does not have the authority to waive the fee; however, staff can speak with the RHDC about this cost.

Mr. Smith indicated that the Rockwall Housing Development Corporation will essentially do the interim, the construction and then partner with the owner.

Councilmember Fowler clarified that "option 1" is the RHDC's preference. He asked for clarification regarding what benefits or hindrances would be associated with "option 2." Mr. Smith generally indicated that Option #1 is preferred because it is thought to be the less expensive option of the two. Councilmember Fowler asked if Councilman Townsend would consider withdrawing his motion to see if option 1 would pass instead. Then, if it does not pass, Option 2 could be put forth for approval in the form of a motion. Mayor Pruitt expressed concern about the Council possibly approving Option 1 and then a property owner filing an injunction in court in order to try and have the LRE deed restrictions enforced. Mr. Garza clarified that this could possibly happen with Option #1; however, that would not occur if Option #2 were approved.

City Attorney Frank Garza indicated that while the city does not enforce deed restrictions, it does not stop an individual property owner from filing a motion to enforce those restrictions.

Councilmember White provided comments, generally indicating that the residents in the LRE subdivision expressed a long time ago (when annexation occurred and zoning was put into place) that they do not desire to have this type of multifamily housing. Because of this reason, he could only support Option #2. Councilmember Fowler indicated that since not many showed up to speak at the P&Z public hearing, it seems like perhaps there may not be as much interest in this type of housing proposal, either "for" or "against" currently.

The motion on the floor passed by a vote of 7 in favor with 0 against.

Councilmember Townsend left the remainder of the meeting at this point (at 7:11 p.m.).

2. **Z2015-027** - Hold a public hearing to discuss and consider a request by Bobby Dale and Bretta Price for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Single Family Estate 2.0 (SFE-2.0) District for a 5.5-acre tract of land identified as Tract 17-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 453 Cullins Road, and take any action necessary **[1st Reading].**

Planning Director Ryan Miller provided background information related to this agenda item. He indicated that this is being proposed so that the applicant may construct a "mother-in-law suite" with a garage attached to it. Nineteen notices were mailed out to property owners located within 500' and the Oaks of Buffalo Way Homeowners Association was notified as well. Two notices have been received back in favor, and the P&Z Commission has recommended approval of this request. Mayor Pruitt opened the public hearing and asked if anyone would like to come forth and speak. There being no one indicating such, he then closed the public hearing. Councilmember Hohenshelt made a motion to approve Z2015-027. Mayor Pro Tem Lewis seconded the motion, which passed by a vote of 6 in favor with 1 absent (Townsend).

3. **Z2015-029** - Hold a public hearing to discuss and consider a City initiated zoning request for the approval of an **ordinance** for a text amendment to

various sections of Article V, District Development Standards, Article VIII, Landscaping Standards, and Article IX, Tree Preservation, and to create Appendix F, Landscaping Guidelines, of the Unified Development Code [Ordinance No. 04-38] for the purpose of incorporating recommendations made by the Landscape Ordinance Review Committee, and take any action necessary **[1st Reading].**

Mr. Miller provided background information related to this agenda item. The P&Z Commission has voted 5-0 to recommend approval of this item to the city council. Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

Councilmember White made a motion to approve Z2015-029. Councilmember Hohenshelt seconded the motion. Councilmember Milder comment that it seems like we are reducing the burden on property owners, which is something he is in favor of doing. Mayor Pruitt indicated that he disagrees with some parts of this, including reducing the number of canopy trees so that the signage could be better seen. Also, using wrought iron fences and plants in lieu of masonry walls are things Mayor Pruitt expressed he is against as well.

The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 6 OF ARTICLE V, *DISTRICT DEVELOPMENT STANDARDS*; SECTIONS 3, 5, 6 & 7 OF ARTICLE VIII, *LANDSCAPE STANDARDS*; SECTION 7 OF ARTICLE IX, *TREE PRESERVATION*; AND TO CREATE APPENDIX F, *LANDSCAPE GUIDELINES*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 5 in favor, 1 against (Pruitt) and 1 absent (Townsend).

XIII. ACTION ITEMS

1. Discuss and consider approval of a variance request from Spiars Engineering associated with the city's ordinance provisions related to standards for design of development within subdivisions, specifically pertaining to retaining walls in detention areas within Phase One of the Preserve, and take any action necessary.

Mr. Greg Helsel, P.E. with Spiars Engineering out of Plano, TX came forth and explained that he represents the owner, and they are requesting that the city grant a variance to allow vertical retaining walls to be constructed in the detention areas. He explained that this is a unique drainage basin that will, according to the flood study, require more volume in the detention ponds. He explained that due to the constraints on the site

(existing flood plain, trees, and underground utilities), the only option is to go vertical with walls in order to get the volume needed for the flood study to be approved. Therefore, they are requesting a variance to allow for the vertical walls. They are willing to screen the detention areas with trees and shrubs so that it is not an eyesore.

Mayor Pruitt asked what would happen if this variance were not granted. Mr. Tumulty indicated that the applicant would have to find somewhere to expand to meet the detention requirements, and it would start encroaching on some of their lots. He indicated that council and staff spoke about this possibility at a retreat a couple of years ago and agreed that these requests would be evaluated and considered on a case-by-case basis. Mr. Tumulty answered Mr. Lewis' question, indicating that the homeowners association would ultimately be responsible for maintenance of this area.

Mayor Pro Tem Lewis made a motion to approve the variance request. Councilmember White seconded the motion, which passed by a vote of 4 in favor, 2 against (Milder and Fowler) and 1 absent (Townsend).

2. Discuss and consider adoption of an **ordinance** authorizing the issuance of City of Rockwall, Texas, General Obligation Refunding Bond, Series 2015; establishing procedures and delegating authority for the sale and delivery of the bond; providing for the security for and payment of said bond; providing an effective date; enacting other provisions relating to the subject and take any action necessary.

Mrs. Smith indicated that an opportunity has arisen that will allow the city to refinance 2005 and 2006 bonds, which will result in a significant savings. Mayor Pruitt made a motion to approve refinancing. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL, TEXAS
ORDINANCE NO. ____

ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF ROCKWALL, TEXAS, GENERAL OBLIGATION REFUNDING BOND, SERIES 2015; ESTABLISHING PROCEDURES AND DELEGATING AUTHORITY FOR THE SALE AND DELIVERY OF THE BOND; PROVIDING FOR THE SECURITY AND PAYMENT OF SAID BOND; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT

The motion passed by a vote of 6 in favor with 1 absent (Townsend).

3. Discuss and consider appointment to fill a vacancy on the Main Street Advisory Board, and take any action necessary.

Councilmember Milder made a motion to recommend Gene Stroman to serve on the city's Main Street Advisory Board to serve a term that will expire in January of 2018. Mayor Pro Tem Lewis seconded the motion, which passed by a vote of 6 in favor with 1 absent (Townsend).

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding ballot voting associated with appointments to the Rockwall Central Appraisal District Board pursuant to Section 551.074 (personnel matters)

2. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).

3. Discussion regarding legal matters related to land lease operations at Ralph Hall Municipal Airport pursuant to Section 551.071 (Consultation with Attorney).

4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - Rockwall Economic Development Corporation (REDC) Board - pursuant to Section 551.074 (personnel matters)

5. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The Council did not reconvene in Executive Session at the conclusion of the public meeting agenda.

XVI. ADJOURNMENT

The meeting was adjourned at 7:32 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 7th day of December, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

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CITY OF ROCKWALL

ORDINANCE NO. 15-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT FOR A 5.50-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17-7 OF THE W.W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Bobby Dale and Bretta Price for the approval of an amendment to the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall to adopt a change in zoning from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a 5.50-acre tract of land identified as Tract 17-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, and more specifically described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

Section 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family Estate (SF-E) District* in *Section 1.1, "Use of Land and Buildings,"* of *Article IV, "Permissible Uses"* and *Section 3.2, "Single-Family Estate (SF-E/2.0) District",* of *Article V, "District Development Standards",* of the *Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future;

Section 3. That the official zoning map of the City be corrected to reflect the changes in the zoning described herein.

Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of two thousand dollars ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 7th DAY OF December, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 11-16-2015

2nd Reading: 12-07-2015

EXHIBIT "A"

Legal Description

BEING a 5.500 acre tract of land out of the W.W. FORD SURVEY, Abstract No. 80, Rockwall County, Texas, and further being part of a 317.449 acre tract of land conveyed by deed to Mark Lanning as recorded in Volume 903, Page 114, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of the southwest line of F.M. Road 549 with the centerline of East Cullins Road, said point being the most westerly corner of said 317.449 acre tract;

THENCE, N52°23'36"E, 56.98 feet along the southeasterly right-of-way line of said F.M. 549 to right-of-way marker, said marker being the beginning of a curve to the left having a radius of 5796.43 feet and a central angle of 06°06'08";

THENCE along said curve and right-of-way line of said F.M. Road 549 for an arc length of 617.09 feet to a 1/2 inch iron rod set;

THENCE S31°25'14"E, 371.06 feet leaving the southeasterly right-of-way line of said F.M. Road 549 and along a fence line to a 1/2 inch iron rod set for corner;

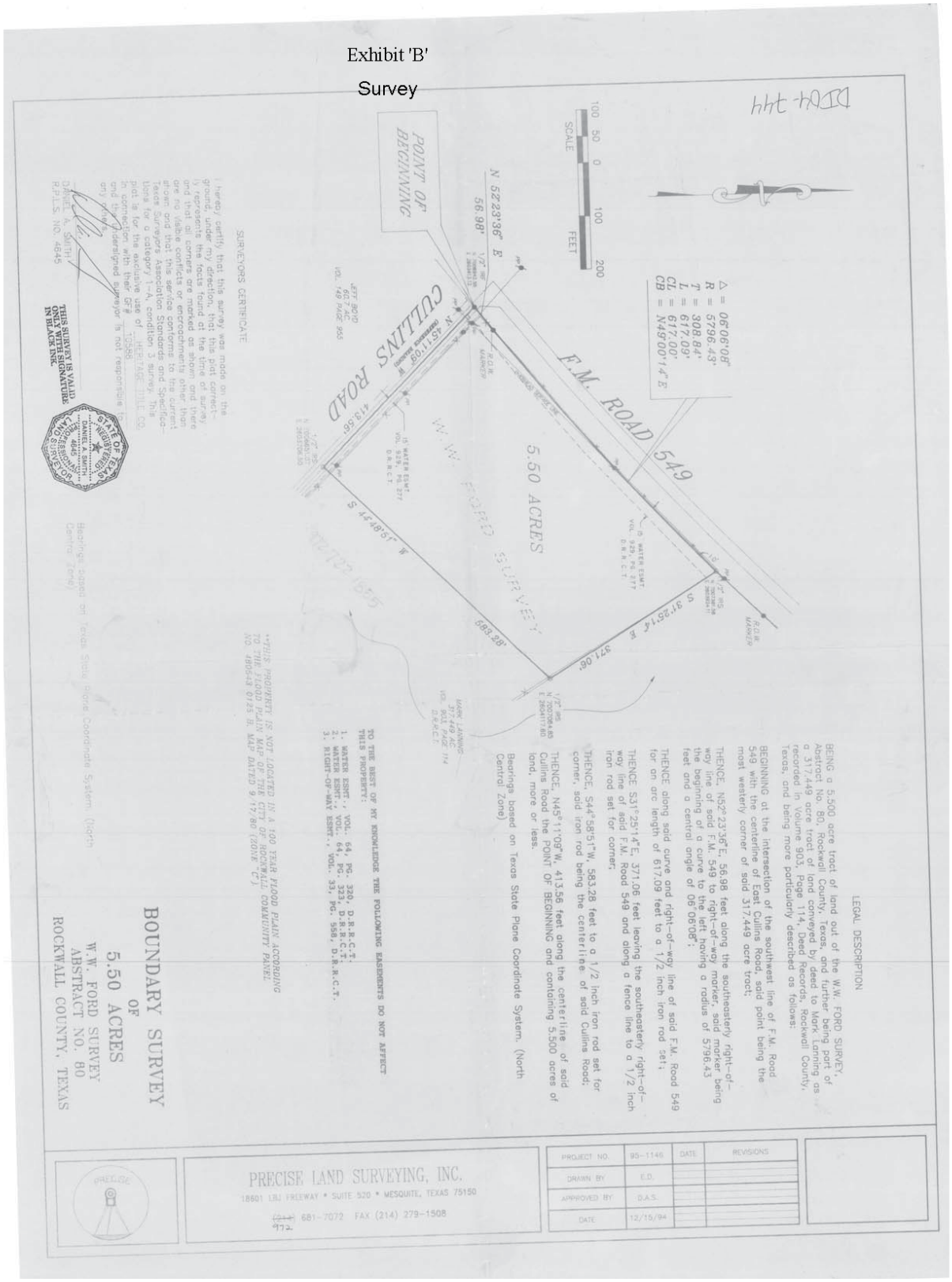
THENCE, S44°58'51"W, 583.28 feet to a 1/2 inch iron rod set for corner, said iron rod being the centerline of said Cullins Road;

THENCE, N45°11'09"W, 413.56 feet along the centerline of said Cullins Road the POINT OF BEGINNING and containing 5.500 acres of land, more or less.

Bearings based on Texas State Plane Coordinate System. (North Central Zone)

Exhibit 'B'

Survey



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CITY OF ROCKWALL

ORDINANCE NO. 15-32

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 6 OF ARTICLE V, *DISTRICT DEVELOPMENT STANDARDS*; SECTIONS 3, 5, 6 & 7 OF ARTICLE VIII, *LANDSCAPE STANDARDS*; SECTION 7 OF ARTICLE IX, *TREE PRESERVATION*; AND TO CREATE APPENDIX F, *LANDSCAPE GUIDELINES*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 04-38*] has been initiated by the City Council of the City of Rockwall to amend Section 6, *Overlay Districts*, of Article V, *District Development Standards*; Section 3, *Definitions*, Section 5, *Mandatory Provisions*, Section 6, *Landscape Credits*, and Section 7, *Completion of Landscaping*, of Article VIII, *Landscape Standards*; Section 7, *Tree Replacement Credits*, of Article IX, *Tree Preservation*; and, create Appendix F, *Landscaping Guidelines*, of the Unified Development Code [*Ordinance No. 04-38*] for the purposes of incorporating recommendations made by the *Landscape Ordinance Review Committee*; and,

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

Section 1. That Section 6, *Overlay Districts*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'A'* of this ordinance;

Section 2. That Section 3, *Definitions*, Section 5, *Mandatory Provisions*, Section 6, *Landscape Credits*, and Section 7, *Completion of Landscaping*, of Article VIII, *Landscape Standards*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'B'* of this ordinance;

Section 3. That Section 7, *Tree Replacement*, of Article IX, *Tree Preservation*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibits 'C'* of this ordinance;

Section 4. That a landscape appendix should be established as Appendix F, *Landscape Standards*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as established herein, and as specifically described in *Exhibits 'D'* of this ordinance;

Section 5. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF DECEMBER, 2015.

_____
Jim Pruitt, Mayor

ATTEST:

_____
Kristy Cole, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 11-16-2015

2nd Reading: 12-07-2015

Section 6. Overlay District Standards

Section 6.6. IH-30 Overlay (IH-30 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the IH-30 right-of-way as set out below.

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine, Bald Cypress,*** Bur Oak, Cedar Elm, ***Eastern Red Cedar, Homestead Elm, Lacebark Elm, Little Gem Magnolia,*** Live Oak, ***October Glory Maple,*** Red Oak, ***Texas Ash, Texas Red Oak*** ~~***Leyland Cypress***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.7. SH-205 Overlay (SH-205 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the SH 205 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in subsections E.3 and E.4.

E.3 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, Lacebark Elm, Leyland Cypress, ***Little Gem Magnolia,*** Live Oak, ***October Glory Maple*** ~~***Red Oak***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.8. Scenic Overlay (SOV) District

F.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the FM 740 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in subsections F.3 and F.4.

F.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, Lacebark Elm, Leyland Cypress, ***Little Gem Magnolia***, Live Oak, ***October Glory Maple*** ~~***Red Oak***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.9. SH-66 Overlay (SH-66 OV) District

F.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the SH 66 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in subsections F.3 and F.4.

F.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine,*** Bur Oak, Cedar Elm, Lacebark Elm, ~~***Leyland Cypress,***~~ ***Little Gem Magnolia,*** Live Oak, ***October Glory Maple,*** Red Oak, ***Texas Ash, Texas Red Oak***.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.10. 205 By-Pass Corridor Overlay (205 BY-OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the John King Blvd. right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4). The area of John King Blvd. from Quail Run Road to SH 205 North shall include an average of one cedar tree for each 100 feet of frontage planted in clusters of three to five trees.

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine, Bald Cypress,*** Bur Oak, Cedar Elm, ***Eastern Red Cedar, Homestead Elm,*** Lacebark Elm, ~~***Leyland Cypress,***~~ ***Little Gem Magnolia,*** Live Oak, ***October Glory Maple***, Red Oak, ***Texas Ash, Texas Red Oak***.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.11. North SH-205 Corridor Overlay (N-SH 205 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the SH 205 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4).

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, Lacebark Elm, Leyland Cypress, ***Little Gem Magnolia,*** Live Oak, ***October Glory Maple*** ~~***Red Oak***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.12. East SH-66 Corridor Overlay (E-SH 66 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the East SH 66 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4). The East SH 66 Corridor Overlay shall include an average of one cedar tree for each 100 feet of frontage planted in clusters of three to five trees.

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, Lacebark Elm, Leyland Cypress, ***Little Gem Magnolia,*** Live Oak, ***October Glory Maple*** ~~***Red Oak***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.13. FM-549 Corridor Overlay (FM-549 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the FM 549 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4). The area of the FM 549 Corridor Overlay from Airport Road to SH 66 shall include an average of one cedar tree for each 100 feet of frontage planted in clusters of three to five trees.

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine, Bald Cypress,*** Bur Oak, ***Caddo Maple,*** Cedar Elm, ***Lacebark Elm, Leyland Cypress, Little Gem Magnolia,*** Live Oak, ***October Glory Maple,*** Red Oak, ***Texas Ash, Texas Red Oak***.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Section 6.14. SH-276 Corridor Overlay (SH-276 OV) District

E.2 Buffer-strip plantings. ~~***Three***~~ ***Two (2)*** canopy trees, along with four ***(4)*** accent trees shall be required per 100 feet of the SH 276 right-of-way. Canopy trees, accent trees, and shrubs as defined, along with sizes and types are included in section E — (3) and (4).

E.4 Plant material selections. The following materials are recommended for planting in the buffer-strip; however, other materials may be acceptable:

Canopy trees: ***Afghan Pine, Bald Cypress,*** Bur Oak, Cedar Elm, ***Eastern Red Cedar, Homestead Elm, Lacebark Elm, Little Gem Magnolia,*** Live Oak, ***October Glory Maple,*** Red Oak, ~~***Leyland Cypress***~~.

Accent trees: ***Desert Willow, Eastern Redbud, Eves Necklace, Mexican Buckeye, Possumhaw Holly, Shangtung Maple, Yaupon Holly.*** ~~***Tree Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, Possumhaw.***~~

Article VIII. Landscape Standards

Section 3. Definitions

Xeriscaping **means type of landscaping design that uses a combination of native plants and grasses, approved hardscapes and drought tolerant ground covers and planting materials for the purpose of conserving water and protecting the local environment.**

Section 5 Mandatory Provisions
Section 5.3. Acceptable Landscape Materials

A. No artificial plant materials may be used to satisfy the requirements of this article.

B. Plant materials used to satisfy the requirements of this article must comply with the following minimum size requirements at the time of installation:

☑ Large trees must have a minimum caliper of three inches, or a minimum height of six feet, depending on the standard measuring technique for the species.
☑ **Shrubs shall be a minimum of three (3) gallons in size.**

C. For purposes of this section, "height" is measured from the root crown or, if the plant is in a container, from the soil level in the container.

D. In satisfying the landscaping requirements of this article, the use of high-quality, hardy plant materials on the approved plant list below is recommended and encouraged. Plants found on the disapproved plant list below shall not be placed within the right-of-way or within the required building setback along a street.

(Ord. No. 06-14, 4-17-2006)

E. As an alternative, the xeriscaping standards in Section 5.10 of this Article have been adopted to encourage new and existing developments to implement landscaping standards targeted at reducing water usage by using drought tolerant plantings and plans.

F. Trees allowed in street landscape buffer areas. The following trees are allowed within the street landscape buffers along public streets:

1. Afghan Pine.
2. Bald Cypress.
3. Burr Oak.
4. Caddo Maple.
5. Cedar Elm.
6. Chinquapin Oak.
7. Eastern Red Cedar.
8. Homestead Elm.
9. Lace Bark Elm.
10. Leyland Cypress.
11. Little Gem Magnolia.
12. Live Oak.
13. October Glory Maple.

14. Pecan.
15. Red Oak.
16. Texas Ash.
17. Texas Red Oak.
~~18. Chinese Pistachio.~~

and various native understory trees such as:

1. Desert Willow
2. Downy Hawthorn.
3. Eastern Redbud
4. Eve's Necklace
5. Mexican Buckeye
6. Possumhaw Holly
7. Shantung Maple
8. Yaupon Holly
~~9. Texas Redbud.~~
~~10. Mexican Plum.~~
~~11. Wax Myrtle.~~
~~12. Yaupon.~~
~~13. Deciduous Yaupon.~~

Section 5.6. Screening from Residential Uses

A. Any commercial or industrial use or parking lot that has a side or rear contiguous to any residential district, or any multi-family use with more than five dwelling units or parking lot that has a side or rear contiguous to any single-family, townhouse, or duplex district, shall be screened with a masonry fence (***~~excluding~~*** tilt wall or concrete block ***are prohibited; however, precast walls may be approved by the Planning and Zoning Commission ~~unless approved by the city council~~***), six ***(6)*** feet in height***~~, unless otherwise approved by the city council~~***. As an alternative, berms in conjunction with a ***minimum of a six (6) foot wrought fence*** and a combination of trees and shrubs can be utilized to meet ***~~this~~*** the screening requirement***s if the Planning & Zoning Commission determines that the proposed alternative will provide sufficient screening***. The screen shall be located no closer to the street than the property line. Any ordinances concerning sight obstructions of intersections shall be applicable to the screen where it is intersected by a street or driveway.

B. Prior to construction of any required screens, complete plans showing type of material, depth of beam, and structural support shall be analyzed by the building permit office to determine whether or not:

1. The screen will withstand the pressures of time and nature;
2. The screen adequately accomplishes the purpose for which it was intended;
3. Plans shall be sealed by a registered engineer or they shall conform to the city's standard design for screening walls.

C. Such screen shall be constructed prior to the issuance of a certificate of occupancy for any building or portion thereof.

D. The areas adjacent to the required screening wall, or areas adjacent to a public street or right-of-way, shall be maintained by the property owner in a clean and orderly condition, free of debris and trash in accordance with the applicable codes of the city.

Section 5.10. ***~~Deleted.~~ Xeriscaping Standards.***

A. *Purpose.* The purpose of this section is to promote the establishment of water conscious landscaping through the implementation of xeriscaping principles. Additionally, this section is intended to provide an alternative to the typical landscape requirements for commercial properties.

B. *Principles*. All xeriscaping plans submitted to the city should demonstrate conformance with the following principles:

1. *Planning and Design.* Landscape designs and plans should take into account the regional and microclimatic conditions of the site, its existing vegetation and topographical conditions, the intended use, and the zoning (*i.e. vegetation zone*) of plant materials according to their unique water needs. Plans should take into account the various heights of landscaping materials. If the landscape plan is proposed in phases, to account for optimum planting times, all future phases should be included on the submitted landscape plan. In reviewing plans to ensure proper site planning and design, staff shall ensure that the plan: 1) preserves and protects existing vegetation, 2) preserves and protects topsoil, 3) stabilizes and covers all bare soil areas, and 4) incorporates energy/water conservation.

2. *Soil Improvement.* Since soil tends to vary from site to site all soil should be analyzed to determine what plants are suitable to include on the landscape plan and if any soil amendments are required. Soil may require additional organic material be added to ensure the continued health of plants.

3. *Appropriate Plant Selection.* Plant selection should be based on the plant's adaptability to the existing site conditions and need for supplemental watering. Most xeriscape plants will not require supplemental watering. In selecting plant materials, mature plants and shrubs should be used to ensure establishment after installation. A list of plants that are native and acceptable within the City of Rockwall has been provided in Appendix F, *Recommended Plantings*, of the Unified Development Code; however, staff may approve alternate plantings if they are deemed appropriate for the site. In reviewing plans for conformance to this principle staff will consider the: 1) diversity of the plant species being proposed, 2) size, maturity and water requirements of the selected plantings, and 3) variation of height, spread and color.

4. *Practical Turf Areas.* The type and location of turf areas are considered to be a major design element in xeriscape plans. Turf in this case involves typical varieties of Bermuda, St. Augustine, Ryegrass blends, etc. The maintenance needs of turf can be minimized by the shape, area, irrigation equipment, and turf type selected. Drainage areas and sloped areas are especially suited to the use of native grasses as opposed to turf. In reviewing plans to ensure that the turf areas being proposed are practical staff will review: 1) the design of the turf areas [*with rounded, compact turf areas being more efficient*], 2) turf areas should be designed to be on a separate zone from other landscaping, 3) turf should be appropriate for the selected location, 4) turf should be avoided on

slopes and drainage areas in favor of native grasses, and 5) minimize turf areas by using native grasses, hardscape elements and alternatives.

5. ***Efficient Irrigation.*** **All landscaping is required to have an irrigation system that is designed by a licensed irrigator. Additionally, all irrigation systems should be designed to be water efficient utilizing low-flow irrigation equipment. The plan should show that turf areas should be watered separately, and plants should be grouped in separate zones based on water need. Finally, all irrigation systems are required to be maintained in proper working order.**
6. ***Use of Mulches.*** **Mulches minimize evaporation, reduce weed growth, slow erosion and help maintain soil temperature. In reviewing the use of mulches in xeriscape plans staff shall ensure: 1) the use of a deep layer of mulch in planting beds [*typically 3-4 inches*] is utilized, and 2) mulches should be locally or regionally derived materials. Additionally, mulches may include the use of pea gravel, crushed granite, rock or pebbles in unplanted areas.**
7. ***Appropriate Maintenance.*** **Proper pruning, weeding and fertilization as required with all landscape plans shall be required. Typically, xeriscape plans require less maintenance, fertilizer and other chemicals and pesticides.**

C. *Standards*.

1. **If approved with a Landscape Plan native grasses shall be exempt from the rules and requirements of Section 16-43, *Weeds, Brush and Grass*; however, the grass should be maintained to a height typical for the particular native grass.**
2. **Drainage or detention areas that utilize native grasses in lieu of turf shall be exempt from the requirements stipulated by Section 5.12.C (*i.e. one [1] tree per every 750 square feet of dry land area*). Instead, a shrub or ornamental grass per every 1,500 square feet of dry land area shall be required to be planted on the site or around the detention area.**
3. **A maximum of 30% mulches or hardscape is permitted to be incorporated into all xeriscape plans. This may be increased by the Planning & Zoning Commission if deemed appropriate and necessary for the proposed plan.**

D. *Approval of Xeriscape Plans*. All xeriscape plans shall require approval by the Planning & Zoning Commission, upon a recommendation by staff concerning conformance to the requirements of this section, at the time of site plan approval.

~~(Ord. No. 06-14, 4-17-2006)~~

Section 6 Landscape Credits
Section 6.4 Credit for Xeriscaping.

The overall landscaping requirement may be reduced by 2.5 percent when the Planning Director or his/her designee determines that the standards stipulated by Section 5.10, *Xeriscaping Standards*, of this Article have been satisfied.

Section 7. Completion of Landscaping
Section 7.1. In Accordance with Approved Plans.

Except as otherwise provided in Subsection 7.2, all landscaping must be completed in accordance with the approved landscape plan before a Certificate of Occupancy may be issued for any building on the lot~~.~~ ***; however, during drought or water emergency response stages***

the Director of Planning and Zoning or his designee can grant an applicant permission to delay the installation of required landscaping (independent of Subsection 7.2) upon receipt of a letter from the applicant stating that the landscaping will be installed by a specific date that is within a reasonable time period not to exceed six (6) months. The Director of Planning and Zoning may extend the agreement for successive terms if the City is still under drought or water emergency response stages.

Section 7. Tree Replacement Credits

D. Types of trees. Replacement trees shall be selected from the following list and shall be a minimum of three caliper inches as measured six inches above the root ball.

Canopy Trees:

1. Afghan Pine.
2. Bald Cypress.
3. Burr Oak.
4. Caddo Maple.
5. Cedar Elm.
6. Chinquapin Oak.
7. Eastern Red Cedar.
8. Homestead Elm.
9. Lace Bark Elm.
10. Leyland Cypress.
11. Little Gem Magnolia.
12. Live Oak.
13. October Glory Maple.
14. Pecan.
15. Red Oak.
16. Texas Ash.
17. Texas Red Oak.

Accent Trees:

1. Desert Willow
2. Downy Hawthorn.
3. Eastern Redbud
4. Eve's Necklace
5. Mexican Buckeye
6. Possumhaw Holly
7. Shantung Maple
8. Yaupon Holly

~~***Evergreen.***~~
~~***Afghan Pine.***~~
~~***Eastern Red Cedar.***~~
~~***Japanese Black Pine.***~~
~~***Live Oak.***~~
~~***Magnolia.***~~

~~***Deciduous.***~~
~~***Bald Cypress.***~~
~~***Burr Oak.***~~
~~***Cedar Elm.***~~
~~***Chinese Pistachio.***~~
~~***Chinquapin Oak.***~~
~~***Eve's Necklace.***~~
~~***Lace Bark Elm.***~~

~~***Aristocrat Pear.***~~
~~***Pecan.***~~
~~***Sweet Gum.***~~
~~***Sycamore.***~~
~~***Texas Ash.***~~
~~***Texas Red Oak.***~~
~~***Possumhaw Holly.***~~

APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

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F.1. INTRODUCTION.

These guidelines were drafted by the citizens and local experts for the purpose of outlining the requirements of Article VIII, *Landscape Standards*, of the Unified Development Code, and to provide guidelines for plantings that are appropriate within the City of Rockwall.

F.2. PURPOSE.

The purpose of the following appendix is to provide a general reference guide for meeting the requirements of Article VIII, *Landscape Standards*, of the Unified Development Code. This appendix is not intended to be a comprehensive list of all plant materials that can be utilized for development within the City of Rockwall. The Director of Planning or his designee can approve a landscape plan that includes tree, shrub, and grass varieties not indicated in this appendix upon a finding that the proposed planting is appropriate for the development.

F.3. DISTRICT LANDSCAPING REQUIREMENTS

		Overlay Districts									
		IH-30	SH-205	SOV	SH-66	205-BY	N-205	E-66	FM-549	SH-276	NON
Landscape Buffer Requirement	10' Landscape Buffer										X
	20' Berm and/or Shrubbery Row (30"-48")	X	X	X	X		X				
	15' Berm and/or Shrubbery Row (30"-48") [*Retail/Commercial*]					X		X	X	X	
	25' Berm and/or Shrubbery Row (30"-48") [*Residential*]					X		X	X	X	
	50' Berm and/or Shrubbery Row (30"-48") [*Industrial/Research/Technology*]					X		X	X	X	
Tree Planting Requirements	1 Canopy Tree for Each 50-Linear Feet of Street Frontage										X
	3, 4" Caliper Canopy Trees for Each 100-Linear Feet of Street Frontage	X	X	X	X	X	X	X	X	X	
	4, 4' Tall Accent Trees for Each 100-Linear Feet of Street Frontage	X	X	X	X	X	X	X	X	X	
	1 Cedar Tree for Each 100-Linear Feet of Street Frontage Planted in Clusters of 3-5 Trees					X		X	X		

References:
- ☑ IH-30: *Section 6.6, Article V, UDC*
- ☑ SH-205: *Section 6.7, Article V, UDC*
- ☑ SOV: *Section 6.8, Article V, UDC*
- ☑ SH-66: *Section 6.9, Article V, UDC*
- ☑ 205-BY: *Section 6.10, Article V, UDC*
- ☑ N-205: *Section 6.11, Article V, UDC*
- ☑ E-66: *Section 6.12, Article V, UDC*

References (Continued):
- ☑ FM-549: *Section 6.13, Article V, UDC*
- ☑ SH-276: *Section 6.14, Article V, UDC*

Abbreviations:
- ☑ NON: *Non-Overlay Districts*

APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

TREE PLANTING GUIDELINES & REQUIREMENTS.

The following table and guidelines are a summary of the required tree planting requirements stipulated by Article VIII, *Landscape Standards*, of the Unified Development Code.

Table 1.1: Required Trees by District.

		Overlay Districts											
		IH-30	SH-205	SOV	SH-66	205-BY	N-205	E-66	FM-549	SH-276	NON	XERI	REC
Canopy Trees	Afghan Pine	X	X	X	X	X	X	X	X	X	X	X	X
	Bald Cypress	X				X			X	X	X		X
	Burr Oak	X	X	X	X	X	X	X	X	X	X	X	X
	Caddo Maple		X	X			X	X	X		X		X
	Cedar Elm	X	X	X	X	X	X	X	X	X	X		X
	Chinquapin Oak										X	X	X
	Eastern Red Cedar	X				X				X	X		X
	Homestead Elm	X				X				X	X		X
	Lacebark Elm	X	X	X	X	X	X	X	X	X	X		X
	Leyland Cypress		X	X			X	X	X		X		X
	Little Gem Magnolia	X	X	X	X	X	X	X	X	X	X		X
	Live Oak	X	X	X	X	X	X	X	X	X	X		X
	October Glory Maple	X	X	X	X	X	X	X	X	X	X		X
	Pecan										X		X
	Red Oak	X			X	X			X	X	X		X
	Texas Ash	X			X	X			X	X	X		X
	Texas Red Oak	X			X	X			X	X	X		X
Accent Trees	Desert Willow	X	X	X	X	X	X	X	X	X	X	X	X
	Downy Hawthorn										X		X
	Eastern Redbud	X	X	X	X	X	X	X	X	X	X		X
	Eves Necklace	X	X	X	X	X	X	X	X	X	X	X	X
	Mexican Buckeye	X	X	X	X	X	X	X	X	X	X		X
	Possumhaw Holly	X	X	X	X	X	X	X	X	X	X	X	X
	Shantung Maple	X	X	X	X	X	X	X	X	X	X		X
	Flame Leaf Sumac	X	X	X	X	X	X	X	X	X	X		X
	Yaupon Holly	X	X	X	X	X	X	X	X	X	X		X

Abbreviations & References:

- ☑ IH-30: *Section 6.6, Article V, UDC*
- ☑ SH-205: *Section 6.7, Article V, UDC*
- ☑ SOV: *Section 6.8, Article V, UDC*
- ☑ SH-66: *Section 6.9, Article V, UDC*
- ☑ 205-BY: *Section 6.10, Article V, UDC*
- ☑ N-205: *Section 6.11, Article V, UDC*
- ☑ E-66: *Section 6.12, Article V, UDC*
- ☑ FM-549: *Section 6.13, Article V, UDC*
- ☑ SH-276: *Section 6.14, Article V, UDC*
- ☑ NON: Non-Overlay Districts
- ☑ XERI: Xeriscaping
- ☑ REC: Reclamation/Tree Preservation

Prohibited Trees:

- ☑ Silver maple (acer saccharinum).
- ☑ Box Elder (Acer Negundo).
- ☑ Mimosa (Albizia Julibrissin).
- ☑ Catalpa (Catalpa sp.).

Prohibited Trees (Continued):

- ☑ Catalpa (Catalpa sp.).
- ☑ Hackberry, Sugarberry (Celtis sp.).
- ☑ Honeylocust (Gleditsia Triacanthos).
- ☑ Tulip tree (Liriodendron Tulipifera).
- ☑ Chinaberry (Melia Azedarach).
- ☑ Sycamore (Platanus Occidentalis).
- ☑ Cottonwood, Poplar (Populus sp.).
- ☑ Willows (Salix sp.).
- ☑ American Elm (Ulmus Americana).
- ☑ Siberian Elm (Ulmus Pumilia).
- ☑ Jerusalem Thorn/Petuma (Parkinsonia Aculeata).
- ☑ Bois D'Arc (Maclura Pomifera).
- ☑ Flowering Crabapple varieties (Malus sp.).
- ☑ Ginko Tree (Ginko Biloba).
- ☑ Peach/Plum varieties.
- ☑ Mulberry varieties (Morus sp.).
- ☑ Texas Mountain Laurel (Sophora Secundiflora).
- ☑ Lilac Chaste Tree (Vitex Agnuscastus).
- ☑ Pine Tree Varieties (Pinus So.)

APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

F.4. RECOMMENDED TREE VARIETIES (CANOPY AND ACCENT TREES).

The following information concerning the City's recommended trees was obtained from the Texas A&M Forest Service, *Texas Tree Planting Guide* and all illustrations were provided courtesy of Texas A&M Forest Service *Copyright by Robert O'Brien.*

Afghan Pine

Latin Name: Pinus Eldarica
Secondary Names: Eldarica Pine, Mondel Pine

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *35' to 50'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Rapid
- ✓ Native: Afghanistan and Central Asia
- ✓ Soil Needs: Requires Well Drained, Dry Soils
- ✓ Tolerances: Salty Soil, Drought, Alkaline Soils [*PH > 7.5*]
- ✓ Features: Soft, Green Needles form a Dense Canopy
- ✓ Uses: Screening and Windbreaks
- ✓ Firewise: No
- ✓ Issues: The pine tip moth can kill new shoots and ruin the shape of the tree. The tree is not tolerant of wet sites.
- ✓ Similar Species: Aleppo Pine (*Pinus Halapensis*)





Bald Cypress

Latin Name: Taxodium Distichum
Secondary Names: Baldcypress

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *50' to 70'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Will Grow in a Variety of Soils
- ✓ Tolerances: Drought and Poorly Drained Sites
- ✓ Features: Deciduous Conifer with Feather-Like Leaves, Round Seed Balls, and Fibrous Bark
- ✓ Uses: Detention Areas and Poorly Drained Areas
- ✓ Firewise: Yes
- ✓ Issues: Woody 'Knees' and Bagworms
- ✓ Similar Species: Montezuma Balcypress (*Taxodium Mucronatum*)

Bur Oak

Latin Name: Quercus Macrocarpa
Secondary Names: Mossy Cup Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *40' to 60'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate to Rapid
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Prefers Deeper Soil
- ✓ Tolerances: Salty Soil, Drought, Alkaline Soils [*PH > 7.5*]
- ✓ Features: Unique Leaf Shape, Largest Acorn of any Oak
- ✓ Uses: Drought Tolerant Tree
- ✓ Firewise: Yes
- ✓ Issues: Acorns and leaves can create significant clean-up.
- ✓ Similar Species: White Oak (Quercus Alba)



CITY OF ROCKWALL PAGE 3 APPENDIX F: LANDSCAPING GUIDELINES

APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

Caddo Maple

Latin Name: Acer saccharum 'Caddo'
Secondary Names: Eldarica Pine, Mondel Pine

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *50' to 60'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow to Medium
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Rocky & Alkaline Soils and Drought Tolerant
- ✓ Features: Medium tree with a rounded appearance, dark green foliage that changes to a golden color in the fall.
- ✓ Firewise: Yes
- ✓ Issues: Availability
- ✓ Similar Species: Sugar Maple (A. saccharum)





Cedar Elm

Latin Name: Ulmus Crassifolia
Secondary Names: Texas Elm

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *70' to 90'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Alkaline Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Lustrous Dark Green Leaves that are Stiff and Rough to the Touch
- ✓ Uses: Generally a Landscape Tree, Parking Lot/Street Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids, Minor Leaf Beetle & Dutch Elm Disease
- ✓ Similar Species: Winged Elm (*Ulmus Alata*)

Chinquapin Oak

Latin Name: Quercus Muehlenbergii
Secondary Names: Chinkapin Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow to Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Alkaline Soils
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Yellow-Green Leaves w/ Small Acorns (~3/4" Long)
- ✓ Uses: Shade Tree
- ✓ Firewise: Yes
- ✓ Issues: Sensitive root system; as little as 1" of fill dirt can hurt the tree.
- ✓ Similar Species: Swamp Chestnut Oak (Quercus Michauxii)



APPENDIX F: LANDSCAPING GUIDELINES PAGE 4 CITY OF ROCKWALL

APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

Eastern Red Cedar

Latin Name: Juniperus virginiana var. virginiana
Secondary Names: Pencil Cedar

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *30' to 50'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Medium
- ✓ Native: Eastern North America
- ✓ Soil Needs: Acidic, Alkaline, Loamy, Well-Drained and Clay
- ✓ Tolerances: Drought, Erosion, Dry Soil, Shallow Rocky Areas
- ✓ Features: Scale-like evergreen leaves compacted to form rounded 4-sided branclets.
- ✓ Uses: Windbreaks and Fence Rows, Screening Tree
- ✓ Firewise: No
- ✓ Issues: Cedar apple rust and bagworms.
- ✓ Similar Species: Southern redcedar (Juniperus virginiana var. silicicola) and Rocky Mountain juniper (J. scopulorum)





Homestead Elm

Latin Name: Ulmus 'Homestead'
Secondary Names: N/A

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *50' to 60'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Dark green leaves that turn bleach yellow in the fall and greenish tiny multi flowered pendulous racemes in spring.
- ✓ Uses: Shade Tree
- ✓ Firewise: Yes
- ✓ Issues: Resistant to Dutch Elm Disease but Susceptible to Elm Leaf Beatle.
- ✓ Similar Species: N/A. The Homestead Elm is a Hybrid.

Lacebark Elm

Latin Name: Ulmus Parvifolia
Secondary Names:

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *35' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: China, Japan and Korea
- ✓ Soil Needs: Adaptable, Prefers Well Drained Soils
- ✓ Tolerances: Drought, Alkaline Soils [*PH > 7.5*]
- ✓ Features: Variable fall color; interesting bark texture.
- ✓ Firewise: Yes
- ✓ Issues: Requires pruning to develop a strong branch structure.
- ✓ Similar Species: Siberian Elm (*Ulmus Pumila*) and Japanese Zelkova (*Zelkova Serrata*)



CITY OF ROCKWALL PAGE 5 APPENDIX F: LANDSCAPING GUIDELINES

APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

Leyland Cypress

Latin Name: x Cupressocyparis leylandii
Secondary Names: Cypress

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *60' to 70'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Rapid
- ✓ Native: England and Europe
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought and Poor Soil
- ✓ Features: Deciduous Conifer with Feather-Like Leaves, Round Seed Balls, and Fibrous Bark
- ✓ Uses: Screening, Windbreaks, and Non-Residential Landscaping
- ✓ Firewise: No
- ✓ Issues: Bagworms and Spider mites
- ✓ Similar Species: Montezuma baldcypress (Taxodium mucronatum)





Little Gem Magnolia

Latin Name: Magnolia grandiflora 'Little Gem'
Secondary Names: Large-Flowered Magnolia

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *15' to 20'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Moderate
- ✓ Native: Southeast United States
- ✓ Soil Needs: Well Drained Soil
- ✓ Tolerances: Moderate Drought, Salt and Soil Variation
- ✓ Features: Large leathery, dark green and glossy leaves with cup shaped, white flowers and oval aggregation of seed pods 3"-4" long.
- ✓ Uses: Shade and Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: No Major Problems
- ✓ Similar Species: Sweetbay magnolia (Magnolia virginiana)

Live Oak

Latin Name: Quercus Virginiana
Secondary Names: Coast Live Oak, Southern Live Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Evergreen/Semi Evergreen*
- ✓ Growth Rate: Moderately Fast
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Acidic, Alkaline, Clay, Loamy and Well Drained
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Green to dark green leaves with small acorns about ¾-inch long and borne singly or in clusters up to five.
- ✓ Firewise: Yes
- ✓ Issues: Leaf Blister and Fungal Gall
- ✓ Similar Species: Texas live oak (Quercus fusiformis)



APPENDIX F: LANDSCAPING GUIDELINES PAGE 6 CITY OF ROCKWALL

APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

October Glory Maple

Latin Name: Acer rubrum 'October Glory'
Secondary Names:

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate to Rapid
- ✓ Native: North America
- ✓ Soil Needs: Adaptable; Prefers Slightly Acidic Soil
- ✓ Tolerances: Moderate Drought Tolerance
- ✓ Features: Soft, Green Needles form a Dense Canopy
- ✓ Uses: Shade Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids and Leaf Scorch
- ✓ Similar Species: Chalk maple (Acer leucoderme)





Pecan

Latin Name: Carya Illinoinensis
Secondary Names: Pecan Hickory

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *50' to 70'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable, Prefers Deep Moist Soil
- ✓ Tolerances: Drought, Salty Soil, Poorly Drained Soil, Alkaline Soils [*PH>7.5*]
- ✓ Features: Nuts are in important wildlife food; mature crown is open and airy.
- ✓ Uses: Generally a Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids, Brittle Wood; Susceptible to Insects
- ✓ Similar Species: Water hickory (Carya aquatica) & black walnut (Juglans nigra)

Red Oak

Latin Name: Quercus Falcata
Secondary Names: Southern Red Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *30' to 55'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Texas
- ✓ Soil Needs: Avoid PH>7.5; Any Texture; Prefers Good Drainage
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Young Trees Have 'Candleabra' Shape; Fall Color is Organge to Deep Red
- ✓ Firewise: Yes
- ✓ Issues: Oak Wilt
- ✓ Similar Species: Black oak (Quercus velutina)



CITY OF ROCKWALL PAGE 7 APPENDIX F: LANDSCAPING GUIDELINES

APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

Texas Ash

Latin Name: Fraxinus texensis
Secondary Names: Mountain Ash

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *35' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid (but Variable)
- ✓ Native: East and Central Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Medium sized tree with green or purple flowers and small woody winged samara in long panicles.
- ✓ Firewise: Yes
- ✓ Issues: Poor Drainage Leads to Root Diseases
- ✓ Similar Species: Carolina ash (Fraxinus caroliniana) and Gregg ash (F. greggii)





Texas Red Oak

Latin Name: Quercus buckleyi
Secondary Names: Buckley Oak, Texas Red Oak, Spanish Oak

- ✓ City Tree Classification: *Canopy Tree*
- ✓ Mature Height: *30' to 55'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Central Texas
- ✓ Soil Needs: Alkaline Adaptable
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Medium tree with reddish-brown catkins/acorns and slender, dark green leaves that turn red in the fall.
- ✓ Firewise: Yes
- ✓ Issues: Oak Wilt
- ✓ Similar Species: Shumard oak (Quercus shumardii)

Desert Williow

Latin Name: Chilopsis Linearis
Secondary Names: Desert-Willow

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *15' to 20'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Medium
- ✓ Native: West Texas
- ✓ Soil Needs: Adaptable, Acidic, Loamy and Well Drained Soil
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Multi-Trunked, Well Branched and Thick Growth
- ✓ Uses: Primarily a Landscape Tree; Xeriscaping
- ✓ Firewise: Yes
- ✓ Issues: Susceptible to Alterneria Leaf Spot
- ✓ Similar Species: Flowering Willow, Willowleaf Catalpa, Desert Catalpa, Flor de Mimbre, Mimbre, Bow Willow



APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

Downy Hawthorn

Latin Name: Crataegus mollis
Secondary Names: A Variety Of Common Names Often Ending In "Haw" – Are Used For the Individual Hawthorn Species

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *20' to 30'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow
- ✓ Native: Eastern and Central United States and Canada
- ✓ Soil Needs: Requires Well Drained, Dry Soils
- ✓ Tolerances: Dry Soil and Drought
- ✓ Features: Small tree with clusters of white flowers and bright red berry fruit.
- ✓ Uses: Landscaping
- ✓ Firewise: Yes
- ✓ Issues: Susceptible to Several Leaf Diseases
- ✓ Similar Species: River birch (Betula nigra) & Gum Bully (Sideroxylon lanuginosum)





Eastern Redbud

Latin Name: Cercis canadensis var. canadensis
Secondary Names: Judas-Tree

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *20' to 30'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Medium
- ✓ Native: East Texas
- ✓ Soil Needs: Alkaline, Acidic, Loamy, Sandy and Well Drained
- ✓ Tolerances: Clay Soils and Very High Heat
- ✓ Features: Small tree with pink and purple, rose-purple or white blooms and small flattened pods with brown seeds.
- ✓ Uses: Wildlife and Landscaping
- ✓ Firewise: Yes
- ✓ Issues: Leaf Spots, Dieback/Canker, and Verticillium Wilt
- ✓ Similar Species: Redbud

Eve's Necklace

Latin Name: Sophora affinis
Secondary Names: Texas Sophora, Eve's-Necklacepod

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *15' to 35'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Fast (*Generally Slows at 15'*)
- ✓ Native: Central Texas
- ✓ Soil Needs: Alkaline Adaptable
- ✓ Tolerances: Very High Heat
- ✓ Features: Small tree with pale to rosy pink flowers that bloom in the spring and long black segmented seedpods.
- ✓ Uses: Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: No Problems Reported
- ✓ Similar Species: Black locust (Robinia pseudoacacia)



CITY OF ROCKWALL PAGE 9 APPENDIX F: LANDSCAPING GUIDELINES

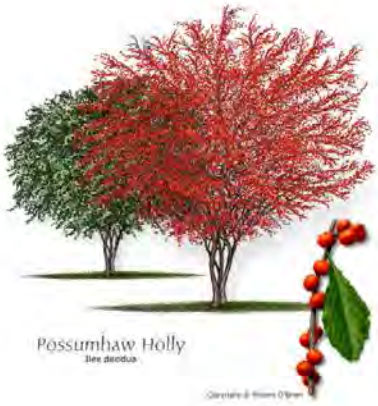
APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

Mexican Buckeye

Latin Name: Ungnadia Speciosa
Secondary Names:

- ✓ City Tree Classification: *AccentTree*
- ✓ Mature Height: *15' to 30'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Neutral Alkaline
- ✓ Tolerances: Drought, Alkaline Soils [*PH > 7.5*]
- ✓ Features: Pink flowers appear with new leaves; brown fruit husks remain through winter.
- ✓ Uses: Generally a Landscape or Specimen Tree
- ✓ Firewise: Yes
- ✓ Issues: Requires pruning to develop one or more trunks.
- ✓ Similar Species: Monillo, Mona, Texas Buckeye, Spanish Buckeye, False Buckeye, Canyon Buckeye





Possumhaw Holly

Latin Name: Ilex Decidua
Secondary Names: Possumhaw (Deciduous Holly)

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *8' to 10' (Occasionally 20')*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Slow
- ✓ Native: Texas
- ✓ Soil Needs: Adaptable
- ✓ Tolerances: Drought, Poorly Drained Sites, Alkaline Soils [*PH>7.5*]
- ✓ Features: Orange or red berries on gray branches.
- ✓ Uses: Generally a Landscape Tree and Detention Tree
- ✓ Firewise: Yes
- ✓ Issues: Thin Bark Susceptible to Injury
- ✓ Similar Species: Bearberry, Meadow Holly, Prairie Holly, Swamp Holly, Welk Holly, Winterberry

Shantung Maple

Latin Name: Acer truncatum
Secondary Names: Shandong Maple, Purpleblow Maple

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *25' to 35'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Rapid
- ✓ Native: Northern China
- ✓ Soil Needs: Loam, Sandy and Clay (Adaptable)
- ✓ Tolerances: Moderate Drought
- ✓ Features: Medium sized tree with dark green, glossy leaves that change to yellow orange/bright red in the fall.
- ✓ Firewise: No
- ✓ Issues: Leaf Spot and Leaf Scorch
- ✓ Similar Species: Japanese Maples



APPENDIX F: LANDSCAPING GUIDELINES PAGE 10 CITY OF ROCKWALL

APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

Flameleaf Sumac

Latin Name: Rhus lanceolata
Secondary Names: Prairie Sumac, Prairie Flameleaf Sumac

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *40' to 50'*
- ✓ Leaf Type: *Deciduous*
- ✓ Growth Rate: Moderate
- ✓ Native: Texas
- ✓ Soil Needs: Neutral Alkaline
- ✓ Tolerances: Drought, Alkaline Soils [*PH > 7.5*]
- ✓ Features: Compound leaves turn bright red in fall; white flower spikes bear red clusters of berries.
- ✓ Uses: Generally a Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: Requries pruning to develop one or more trunks.
- ✓ Similar Species: Texas Sumac, Lance-Leaved Sumac, Limestone Sumac and Prairie Shining Sumac





Yapon Holly

Latin Name: Ilex vomitoria
Secondary Names: Yaupon, Cassina

- ✓ City Tree Classification: *Accent Tree*
- ✓ Mature Height: *10' to 20'*
- ✓ Leaf Type: *Evergreen*
- ✓ Growth Rate: Slow
- ✓ Native: Southeast United States (Texas)
- ✓ Soil Needs: Well Drained, Sandy, Loamy, Clay and Limestone
- ✓ Tolerances: Drought and Very High Heat
- ✓ Features: Small tree with inconspicuous light green blooms and red berry like drupe.
- ✓ Uses: Landscape Tree
- ✓ Firewise: Yes
- ✓ Issues: Aphids, Minor Leaf Beetle & Dutch Elm Disease
- ✓ Similar Species: Evergreen Cassena, Emetic Holly, Indian Black Drink

APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS

F.5. RECOMMENDED SHRUB VARIETIES

The following are the City of Rockwall's recommended shrub varieties.

	Shrub	Scientific Name	SCR	XERI
3	Barberry	Berberis Thumbergii 'Crimson Pygmy'		
8	Dwarf Yaupon Holly	Ilex Vomitoria 'Nana'		
10	Yucca	Yucca Sp.		X
16	Juniper	Juniperus Sp.		
17	Japanese Boxwood	Buxus Japonica		
20	Mexican Oregano	Poliomentha Longiflora		
24	Red Yucca	Hesperaloe Parvifolia		X
25	Rock Rose	Pavonia Lasiopetala		X
1	Agarita	Mahonia Trifoliolata		X
2	Barberry	Berberis Atropurpurea 'Rose Glow'		
5	Cenizo (Texas Sage)	Leucophyllum Sp.	X	X
7	Dwarf Burford Holly	Ilex Cornuta 'Burfordii Nana'	X	
14	Hogplum	Colubrina Texensis		
15	Indian Hawthorn	Raphiolepis Indica		
19	Japanese Quince	Chaenomeles Japonica		
23	Pearl Bush	Exochorda Giraldii Wilsonii		
27	Rosemary	Rosmarinus Officinalis		X
28	Virginia Sweetspire	Itea Virginica		
4	Bridal Wreath Spirea	Spiraea Cantoniensis	X	X
6	Chinese Fringe	Loropetalum Chinense	X	
9	Elaegnus	Elaeagnus x Ebbingei	X	
11	Evergreen Sumac	Rhus Virens		
12	Forsythia	Forsythia Intermedia 'Spectabilis'		
13	Glossy Abelia	Abelia x Gradiflora		
18	Japanese Cleyera	Cleyera Ternstroemia Gymnanthera		
21	Nellie Stevens Holly	Ilex 'Nellie R. Stevens'	X	
22	Oleander	Nerium Oledander	X	
26	Rose of Sharon	Hibiscus Syriacus	X	



Abbreviations:
- ☑ XERI: Xeriscaping
- ☑ SCR: Screening
- ☑ GREEN: Small
- ☑ ORANGE: Medium
- ☑ RED: Large



APPENDIX F. LANDSCAPING GUIDELINES & REQUIREMENTS



F.6. RECOMMENDED GRASSES

The following are the City of Rockwall's recommended grass varieties.

	Grass	Scientific Name	XERI
1	Bermuda Grass	Cynodon Dactylon	
2	Big Bluestem	Andropogon Gerardii	X
3	Buffalo Grass	Buchloe Dactyloides	X
4	Deer Muhly	Muhlenbergia Rigens	
5	Eastern Gamagrass	Tripsacum Dactyloides	X
6	Fountain Grass	Pennisetum Alopercuroides 'Hamelin'	
7	Feather Reed Grass	Calamagrostis Acutiflora 'Karl Foerster'	
8	Inland Seaoats	Chasmanthium Latifolium	X
9	Japanses Blood Grass	Imperata Cylindrica 'Red Baron'	
10	Little Bluestem	Schixachyrium Scoparium	X
11	Maiden Grass	Adagio, Cabaret, Gracillimus, Morining Light, Varigatus, Zebra Grass	X
12	Mexican Feather Grass	Stipa Tenuissima 'Pony Tails'	X
13	Muhly Grass	Muehelenbergia Lindheimeri	X
14	Prairie Mix	N/A	X
15	Prairie Dropseed	Sporobolus Heterolepsis	
16	St. Augustine Grass	Stenotaphrum Secundatum	X
17	Switch Grass	Panicum Virgatum	X
18	Weeping Love Grass	Eragrostis Curvula	X

Abbreviations:
☑ XERI: Xeriscaping





CITY OF ROCKWALL PAGE 13 APPENDIX F: LANDSCAPING GUIDELINES

F.7. ALTERNATIVE PLANTING LIST

The following list shows all alternative plant types permitted by the City of Rockwall since the adoption of this Appendix F, Landscape Guidelines, of the Unified Development Code.

Trees	*Shrubs*	*Grasses*

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **December 4, 2015**

SUBJECT: **Rockwall Central Appraisal District Collections Agreement**

The City contracts with the Rockwall Central Appraisal District for collection of property taxes. The district's collections budget is divided among the taxing entities based on a pro-rata formula of assessed values. At budget preparation, time estimates were received from Patricia Davis as to the City's allocation. When the contract was forwarded for consideration by the City Council the City's allocation had increased dramatically over budget estimates. After talking to Ms. Davis about the increase and her having further discussions with her Board it was determined that the City should be charged the allocation previously estimated and any changes to allocation formulas would be addressed for future years. The City's share of the collections budget is $67,940.

The Council is asked to consider authorizing the City Manager to execute the agreement with the Rockwall Central Appraisal District.

THE STATE OF TEXAS X

COUNTY OF ROCKWALL X

INTERLOCAL AGREEMENT FOR

ASSESSMENT AND COLLECTION OF TAXES

On this 25th day of August, 2015 **THE CITY OF ROCKWALL**, hereinafter called the "Taxing Unit", and **ROCKWALL CENTRAL APPRAISAL DISTRICT**, hereinafter called "District", enter into the following agreement pursuant to the authority granted by **TEXAS PROPERTY TAX CODE** Sections 6.23, 6.24, and **TEXAS GOVERNMENT CODE** Chapter 791.

WHEREAS, it would be economically advantageous to both the Taxing Unit and the District to consolidate the tax assessment and collection functions; and

WHEREAS, in entering into this contract and agreement, it is the intention of the Taxing Unit and the District that upon commencement of the term of this contract as herein stated, the District shall for the said term of this contract provide such necessary tax assessment and collection services;

NOW, THEREFORE, the said parties have and do hereby covenant and agree as follows:

1. The District shall collect the ad valorem property taxes owing to the Taxing Unit for that portion of Taxing Unit and those accounts and property appraised of Taxing Unit found within the same boundaries of District and shall perform all assessment and collection duties and functions imposed by law upon the tax assessor and collector for the Taxing Unit for that portion of Taxing Unit and those accounts and property appraised of Taxing Unit found within the same boundaries of District, including, but not limited to the following:

a) calculation of taxes;
b) preparation of tax roll;
c) proration of taxes;
d) correction of clerical errors in tax rolls;
e) collection of tax liabilities;
f) issuance of refunds;
g) calculation and publication of an effective tax rate;
h) timely preparation and mailing of current tax bills;
i) preparation and mailing of delinquent tax bills;
j) remittance of taxes collected to the Taxing Unit;
k) provide monthly reports of collections and annual reports of all taxes collected or delinquent.

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2. The District shall remit all collections to the Taxing Unit's depository after they are processed and deposited in the District's depository. Collections will be semi-monthly except in times of heavy collection when Taxing Unit's collections may be more frequent or at the request of the Taxing Unit.

3. The District shall retain all fees charged for the issuance of tax certificates and any interest accruing upon tax payments while deposited in the District's depository prior to remittance to the Taxing Unit. The District shall expend such retained funds solely on tax assessment and collection services.

4. The District shall provide an annual independent audit of all funds collected, retained, and payments received as required by this contract, and all expenditures made by the District in its performance under this contract. A copy of the audit report shall be provided to the Taxing Unit at no additional cost.

5. The Taxing Unit authorizes the District to contract with a delinquent tax attorney, as provided by TEXAS PROPERTY TAX CODE SECTION 6.30, for the collection of delinquent taxes owed to the Taxing Unit. The attorney's compensation shall be paid by the Taxing Unit from the delinquent taxes, penalties and interest collected for the Taxing Unit by such attorney.

6. The Taxing Unit shall provide to the District, without charge, copies of all records necessary for performance by the District under this contract.

7. The Tax Assessor-Collector shall give bond conditioned on the faithful performance of his duties as Tax Assessor-Collector for the Taxing Unit. Said bond shall be made payable to and shall be approved by the governing body of the Taxing Unit in an amount determined by such governing body. The Taxing Unit shall pay the premium for such bond from its current available revenues.

8. In consideration of the services to be rendered by the District, the Taxing Unit shall pay the District as follows:

a) The Taxing Unit agrees to pay the District the actual cost of collection as adopted by the District in its annual collection budget.

b) In the event that payments received exceed the actual cost of providing services pursuant to this Agreement, the District shall reimburse the Taxing Unit or credit future payments to be made by the Taxing Unit to the extent of the excess funds.

c) In the event that payments received are less than the actual cost of providing services pursuant to this Agreement, the Taxing Unit shall reimburse the District all actual costs incurred for the collection of taxes.

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d) In the event that the Taxing Unit's tax rate is rolled back or otherwise changed after the District begins collections for the Taxing Unit in any given year, the District will continue to act for the Taxing Unit in providing refunds to taxpayers or sending corrected billings. The cost of additional publications and notices will be the responsibility of the Taxing Unit. All costs incurred by the District for late and separate tax bill processing or issuance of corrected bills, or refunds associated therewith, shall be strictly accounted for by the District and shall be payable by the Taxing Unit upon submission of that accounting by the District. This cost shall be the actual cost of providing those extra services required by the rollback or change of tax rate.

e) In the event that the Taxing Unit fails to adopt its tax rate before the last work day prior to the first Monday in September the costs for late and separate tax bill processing, if required, shall be accounted for by the District and shall be payable by the Taxing Unit upon submission of that accounting by the District.

9. The Taxing Unit agrees payments shall be made quarterly to the District within 30 days of billing by the District prior to the beginning of the quarter based upon the calendar year to coincide with the Appraisal budget. For the period ending in calendar year 2016, the contracted terms for payment by the Taxing Units shall end on December 31, 2016 with the final payment due at that time, and the contracted payments shall then be due quarterly as set out herein beginning with the first quarter of 2017, being January-March, 2017 and the last quarter being October-December 2017 and continuing thereon each successive year.

10. This contract shall be effective on October 1, 2015 and shall continue in full force and effect through September 30, 2016 and thereafter, from year to year until such time either party hereto, by written notice to the other party, may terminate the same, such termination to be effective only if provided to the other party on or before April 1 of the tax year in which the party intends for the contract to terminate, or by mutual consent of the parties. Any such termination shall be effective as of May 1 of such tax year. Upon termination, the District shall provide the Taxing Unit, without charge, copies of the Taxing Unit's current and delinquent tax rolls and of any additional tax records requested by the Taxing Unit.

11. It is agreed and understood that this contract is not transferable or assignable without the written consent and approval of the Taxing Unit. The terms herein stated shall be bound upon the parties hereto, their successors, assigns and legal representatives.

12. The provisions of this contract are severable. If any paragraph section, subdivision, sentence, clause or phrase of this contract is for any reason held to the contrary to law or contrary to any rule or regulation having force and effect of law, such decision shall not affect the remaining portions of the contract.

13. This agreement shall provide for Rockwall Central Appraisal District to be the Assessor Collector of taxes for the taxing entities located within Rockwall County, to wit:

Rockwall County
The City of Royse City
The City of Fate
The City of Heath
The City of McLendon Chisholm
The City of Rockwall
Rockwall Independent School District
Royse City Independent School District
Rockwall County Municipal Utility District Number 1
Rockwall County Municipal Utility District Number 6
Rockwall County Municipal Utility District Number 8
Rockwall County Municipal Utility District Number 9
Williamsburg Public Improvement District
Williamsburg Public Improvement District Number 1 Phase 1B
Williamsburg Public Improvement District Number 2

IN WITNESS WHEREOF, the respective parties hereunto set their hands this _____

ROCKWALL CENTRAL APPRAISAL DISTRICT

BY: _____
Rockwall Central Appraisal District
Chairman, Board of Directors

BY: _____
Rockwall Central Appraisal District
Chief Appraiser

THE CITY OF ROCKWALL

BY: _____

WITNESS _____

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ENTITY	TOTAL	
COLLECTION- 2015/2016		
Rockwall County	$	74,153.00
Rockwall ISD	$	146,508.00
Royse City ISD	$	59,369.00
City of Rockwall	$	67,940.00
City of Heath	$	16,194.00
City of Royse City	$	23,305.00
City of Fate	$	15,701.00
MUD #1	$	6,521.00
MUD #6	$	445.00
MUD # 8	$	20.00
MUD # 9	$	-
City of McLendon Chisholm	$	4,248.00
Williamsburg Public Imp Dist	$	4,981.00
WPD#2	$	1,409.00
WPD1 Phase 1B	$	961.00
SPID	$	2,987.00
Total	$	424,742.00

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **November 19, 2015**

SUBJECT: **Interlocal Agreement for No Refusal Weekends 2016**

Included in your meeting packet is an interlocal agreement between Rockwall County and the City of Rockwall regarding municipal judge services for “No Refusal Weekends” during the upcoming year. We have reviewed the agreement, and it is the same as past agreements the council has authorized for this purpose.

INTERLOCAL COOPERATION AGREEMENT BETWEEN ROCKWALL COUNTY AND THE CITY OF ROCKWALL REGARDING MUNICIPAL JUDGE SERVICES

THIS INTERLOCAL COOPERATION AGREEMENT is made and entered into by and between Rockwall County, Texas, a political subdivision of the State of Texas (*hereinafter referred to as "COUNTY")*, and the City of Rockwall, a municipal corporation of the State of Texas (*hereinafter referred to as "CITY."*)

WHEREAS, the CITY is located within the COUNTY and its citizens are represented by the Rockwall County Criminal District Attorney in criminal matters; and

WHEREAS, both the CITY and the COUNTY seek to protect their citizens from harm and damage to property; and

WHEREAS, the COUNTY through the Rockwall County Criminal District Attorney intends to hold multiple "No Refusal Weekends" during the course of the year wherein warrants will be sought to draw blood from individuals suspected of driving while intoxicated who have refused to provide a breath or blood sample; and

WHEREAS, the CITY through its municipal court has the authority to issue evidentiary warrants in the State of Texas under certain conditions; and

WHEREAS, the CITY desires to make a municipal judge available to review, consider and sign, if appropriate, evidentiary warrants to obtain blood samples from individuals in Rockwall County suspected of driving while intoxicated during the periods set forth in this Agreement; and

WHEREAS, it is in the best interest of the citizens of Rockwall County to hold "No Refusal Weekends"; and

WHEREAS, both the COUNTY and CITY desire to enter into an Interlocal Cooperation Agreement, pursuant to Texas Government Code Chapter 791.011 (a), whereby the COUNTY and the CITY will agree upon the terms of said written agreement;

NOW, THEREFORE, the COUNTY and the CITY mutually agree as follows:

I.
TERM OF AGREEMENT

A. The COUNTY and the CITY mutually agree that the term of this Agreement shall be for one (1) year commencing on the date it is formally and duly executed by both the COUNTY and the CITY.

B. During the term of this Agreement the COUNTY shall perform the "No Refusal Weekend" on four occasions as follows:

(1) New Year's Day – 12:01 a.m. December 30, 2015 through 5:00 p.m. January 4, 2016;
(2) Memorial Day – 12:01 a.m. May 27, 2016 through 5:00 p.m. May 31, 2016;
(3) Independence Day – 12:01 a.m. July 1, 2016 through 5:00 p.m. July 5, 2016; and
(4) Labor Day – 12:01 a.m. September 2, 2016 through 5:00 p.m. September 6, 2016.

C. Notwithstanding the foregoing, this Agreement may be terminated by either party by giving thirty (30) days' written notice of intent to terminate this Agreement to the other party. Any notice of intent to terminate must be delivered by deposit in the United States mail, certified, return mail receipt requested, to the other party at the addresses set out herein. Upon termination of this Agreement, neither party will have any obligations to the other party under this Agreement, except with respect to payment for services already rendered under this Agreement, but not yet paid.

II.
COUNTY RESPONSIBILITIES

The COUNTY will pay the CITY at a rate of $120.00 an hour for a total amount not to exceed $2500.00 for each of the aforementioned "No Refusal Weekend" periods, for the services of Judge Cathy Mason Penn and Associate Judge David Mallard to review, consider and sign, if appropriate, evidentiary warrants to obtain blood samples from individuals suspected of driving while intoxicated during the "No Refusal Weekend" periods. Payment of the judge's fee is specifically not made contingent upon approval of the warrant by the judge.

III.
CITY RESPONSIBILITIES

The CITY through Municipal Judge Cathy Mason Penn and Associate Municipal Judge David Mallard shall review, consider and sign, if appropriate, evidentiary warrants to obtain blood samples from individuals suspected of driving while intoxicated during the "No Refusal Weekend" periods. The CITY agrees that Judge Penn and Judge Mallard will be available to provide these services at times to be scheduled at a later date during the "No Refusal Weekend" periods. The CITY further agrees to submit an invoice to the COUNTY (c/o the Rockwall County Auditor) for the services provided by the Judge. Payment shall be made 30 days after receipt of the invoice by the Rockwall County Auditor.

IV.
GENERAL PROVISIONS

A. **General Administration:**
The COUNTY and the CITY will designate their respective representatives for the general administration of this Agreement.

B. **Alteration, Amendment or Modification:**
This Agreement may not be altered, amended, or modified except in writing signed by all parties to this Agreement.

C. **Notice:**
All notices sent pursuant to this Agreement will be in writing and must be sent by registered or certified mail, postage prepaid, return-receipt requested.

Notices sent pursuant to this Agreement will be sent to the Rockwall County Judge's Office at the following address:

County Judge
Rockwall County Judge's Office
101 East Rusk, Room 202
Rockwall, Texas 75087

Notices sent pursuant to this Agreement may be delivered or sent to the City at the following address:

Rick Crowley
City Manager of Rockwall
385 South Goliad Street
Rockwall, Texas 75087

When notices sent pursuant to this Agreement are mailed by registered or certified mail, notices will be deemed effective three (3) days after deposit in a U.S. mail box or at a U.S. postal office.

D. **Severability:**
If any provision of this Agreement is found to be invalid, illegal, or unenforceable, such invalidity, illegality, or unenforceability will not affect the remaining provisions of this Agreement.

E. **Breach:**
The failure of either party to comply with the terms and conditions of this Agreement will constitute a breach of this Agreement. Either party will be entitled to any and all rights and remedies allowed under Texas law for any breach of this Agreement by the other party.

F. **Non-Waiver:**
The waiver by either party of a breach of this Agreement will not constitute a continuing waiver of such breach or of a subsequent breach of the same or a different provision. Nothing in this Agreement is intended by wither party to constitute a waiver of any immunity from suit or liability to which it is entitled under applicable law.

G. **Entire Agreement:**
This Interlocal Cooperative Agreement constitutes the entire Agreement between the COUNTY and the CITY. No other agreement, statement, or promise relating to the subject matter of this Agreement and which is not contained in this Agreement or incorporated by reference in this Agreement will be valid or binding.

H. **Terms used in Document:**
As used in this Agreement, the terms "Interlocal Cooperation Agreement", "Interlocal Agreement", "Agreement", and "Contract" are synonymous.

I. **Non-Defined Terms:**
If not specifically defined in this Agreement, words and phrases used in this Agreement will have their ordinary meaning as defined by common usage.

EXECUTED THIS 10th day of November 2015.

Rockwall County

By: _____
Honorable David Sweet
Rockwall County Judge

Attest:

Jennifer Fogg for Shelli Miller Date: 11/10/15

EXECUTED THIS _____ day of _____ 2015.

City of Rockwall

By: _____
Mayor Jim Pruitt
City of Rockwall

Attest:

_____ Date: _____

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **November 30, 2015**

SUBJECT: **S.H. 276 Water and Sanitary Sewer Relocations**

S.H. 276 from S.H. 205 to east of FM 549/Corporate Crossing is an existing two lane asphalt roadway with bar ditches. The roadway is maintained by the Texas Department of Transportation (TxDOT). This project will be reconstructed to a four lane divided concrete reinforced roadway with the ability to expand to a six lane roadway at a later date when traffic volumes increase. The roadway construction will be funded by TxDOT and Rockwall County and is scheduled to be constructed in 2018.

As a part of any roadway reconstruction project, the franchised utilities and City-owned utilities must be relocated to avoid any conflict with the new construction. The City has been reviewing our existing water and sanitary sewer facilities to determine the extent of conflicts with the roadway construction. Staff has requested our utilities consultant (Birkhoff, Hendricks & Carter, LLP) to enter into a Professional Engineering Services Contract to perform the design to relocate several water and sanitary sewer line conflicts throughout the project limits. They have submitted a proposal to perform this design work in an amount not to exceed $72,800. Funding will be provided by the 2016 Water & Sewer Bond sales.

Staff request City Council consideration to approve a Professional Engineering Services Contract with Birkhoff, Hendricks & Carter, LLP in the amount not to exceed $72,800 to prepare engineering design plans and specifications for the utility relocations in SH 276 from SH 205 to FM 549 and take any action necessary.

TMT:em

Attachment

Cc:
Mary Smith, Assistant City Manager
Rick Sherer, Water/Wastewater Manager
Amy Williams, P.E., Assistant City Engineer
Jeremy White, P.E., Civil Engineer
File

STATE OF TEXAS ♦

♦

COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

S.H. 276 Water and Sanitary Sewer Relocations

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Birkhoff, Hendricks & Carter, LLP, ("ENGINEER"), located at 11910 Greenville Ave, Suite 600 Dallas, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for S.H. 276 Water and Sanitary Sewer Relocations.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Exhibit "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and detailed in Exhibit "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be a not to exceed amount of Seventy Two Thousand Eight Hundred dollars ($72,800.00) and billed on a lump sum basis for Basic Services and on an hourly basis per rates for Special Services provided in Attachment "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Exhibit "C". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business that has an agreement or is in negotiations of an agreement with CITY. CITY may waive this conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination,

however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000.00
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000.00 General aggregate limit

$1,000,000.00 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000.00 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000.00). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
Mary Smith
City of Rockwall
385 S. Goliad
Rockwall, Texas 75087

Engineer
Matt Hickey, P.E.
Birkhoff, Hendricks & Carter, LLP
11910 Greenville Ave. Suite 600
Dallas, Texas 75243

All notices and communications under this Contract shall be mailed or delivered to CITY and Engineer at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of Engineer to be performed hereunder. Such changes, including any increase or decrease in the amount of Engineer's compensation, or time for performance, which are mutually agreed upon by and between CITY and Engineer, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment in writing executed by both CITY and Contractor.

13. Reports and Information

Engineer, at such times and in such forms as CITY may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish CITY periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Exhibits and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 20th day of November 2015.

Birkhoff, Hendricks & Carter, LLP

By: Matt Hickey

Name: Matt Hickey, P.E.
Title: Partner

EXECUTED in triplicate originals on this ____ day of _____ 2015.

ATTEST:

City of Rockwall, Texas

_____

Mary Smith, Assistant City Manager

PCD # 221482

EXHIBIT "A"

GENERAL PROJECT DESCRIPTION

Prepare plans and specifications for water and sanitary sewer utility relocations along S.H. 276 from S.H. 205 to FM 549. The previously determined locations include:

Project No.	*Location*	*Project No*	*Location*
1	S.H. 276 at S.H. 205 (Sids Road)	2	S.H. 276 at Graystone Drive North
3	S.H. 276 at Graystone Drive South	4 & 5	S.H. 276 at TL Townsend
6	S.H. 276 at TL Townsend	7	S.H. 276 at Wildrose Drive
8	S.H. 276 – North Side Between Wildrose & John King	9	20-inch Water Line on North Side of S.H. 276 at Proposed Culvert
10	12-inch Water Line on South Side of S.H. 276 at Proposed Culvert	11	S.H. 276 at John King
12	S.H. 276 Sta 68+00 (10" Water Line)	13 & 14	S.H. 276 at Trail Glen
15	S.H. 276 at Culvert 4	16 & 17	S.H. 276 Sta. 81+00 (8" & 12")
18	S.H. 276 at Sta. 100+75 Culvert 5	19	S.H. 276 at FM 549 Intersection

PART A DESIGN

1. Attend design kick-off meeting with the City.
2. Coordinate with City and CH2M Hill (TXDOT Consultant) to obtain latest TXDOT electronic plans for S.H. 276 improvements. Electronic Files will be utilized as the basis of the utility relocation sheets.
3. Prepare construction plan cover sheet, location map and sheet index.
4. Preparation of construction Plan-Profile sheets prepared at a scale of not less than 1" = 40' for each of the nineteen relocation projects.
5. Include proposed TXDOT storm sewers in profiles.
6. Submit two sets of 60% preliminary plans (11" x 17" maximum sheet size), bid schedule and technical specifications for the City review. Submit one set of 60% preliminary plans (11" x 17" maximum sheet size) to TXDOT for review.

7. Meet with the City of Rockwall to discuss the City's and TXDOT's review comments.

8. Prepare bid schedule and technical specifications for inclusion into City construction contract and specifications.

9. Submit two sets of 90% preliminary plans (11" x 17" maximum sheet size), bid schedule and technical specifications for the City review. Submit one set of 90% preliminary plans (11" x 17" maximum sheet size) to TXDOT.

10. Meet with the City of Rockwall to discuss the City's and TXDOT's comments.

11. Revise and finalize 90% plan sheets and technical specifications, incorporating City comments.

12. Formulate opinion of probable construction cost based on final plans.

13. Prepare final bid documents including bid proposal forms, construction plans and technical specifications. Contract documents, general conditions and special conditions will be provided by City of Rockwall.

14. Conduct an interoffice quality assurance and quality control review of the construction plans and specifications prior to advertising the project for bidding.

15. Send plans to utility companies present in the relocation areas.

PART B **BIDDING PHASE**

1. Assist the City of Rockwall staff in advertising for bids. This will include providing City with Notice to Contractors for their use in publicly advertising project. Birkhoff, Hendricks & Carter L.L.P. will e-mail notices to Publishers and to Contractors experienced in utility construction.

2. Sell bidding documents to potential proposers, suppliers and other parties. Maintain a log of the plan holders.

3. Assist City of Rockwall during opening of proposals and provide bid tabulation summary sheets.

4. Provide bid tabulation to City and contractors (by email) who submit bids.

5. Check references provided for apparent low bidder.

PART C **CONSTRUCTION PHASE**

1. Attend City's Pre-Construction Conference at City facilities.

2. Attend up to six construction coordination meetings with the contractor, quality control personnel and City representatives to discuss strategy, problem areas, progress, and any required coordination.

3. Review shop drawings and other submittal information which the Contractor submits. This review is for the benefit of the Owner and covers only general conformance with information given by the Contract Documents. The contractor is to review and stamp their approval on submittals prior to submitting to the Engineer. Review of shop drawing submissions is solely for their conformance with the design intent and conformance with information given in the construction documents. Birkhoff, Hendricks & Carter L.L.P. shall not be responsible for any aspects of a shop drawing submission that affect or are affected by the means, methods, techniques, sequences and operation of construction, safety precautions and programs incidental thereto, all of which are the Contractors responsibility. Electronic pdf copies of acceptable shop drawings will be provided to the City.

4. Provide written responses to requests for information or clarification.

5. Prepare routine change orders.

6. Accompany the City during their final inspection of each project.

7. Recommend acceptance of work based on information from City's on-site representative for each project.

8. Prepare record drawings utilizing City and Contractor construction record information. Provide record drawings to the City in pdf format.

PART D SPECIAL SERVICES

1. Field Survey for Design and Construction

   a. Establish a horizontal and vertical control network and project control baseline for the project based on TXDOT S.H. 276 control. Field surveys will be completed with GPS and Total Station equipment.

   b. Horizontal and vertical location of the existing facilities, including existing pavement, fences, and utility appurtenances such as water valves, fire hydrants and manholes

   c. Recipients of professional land surveying services under this agreement may direct complaints regarding such services to the Texas Board of Professional Land Surveying, 12100 Park 35 Circle, Building A, Suite 156, MC 230, Austin, TX 78753, Phone (512) 239-5263, Fax (512) 239-5253.

2. Reproduction

a. Furnish 3-sets of 60% and 3-sets of 90% preliminary plans (11" X 17") and specifications for review by the City and TXDOT (6 Sets Total).

b. After award of a construction contract by the City, furnish. 10-sets of (11" X 17") conformed plans and specifications to the City for each project. Five sets for the City's use during construction and five sets for the contractor during construction.

3. Easement Plat & Field Note Descriptions

a. Prepare two easement plat and field note descriptions.

PART E EXCLUSIONS

Services specifically excluded from the scope of services include, but are not necessarily limited to the following:

1. Providing an on-site representative.
2. Environmental impact statements and assessments.
3. Fees for permits or advertising.
4. Certification that work is in accordance with plans and specifications.
5. Environmental cleanup.
6. Quality control and testing services during construction.
7. Phasing of Contractors work.
8. On-site safety precautions, programs and responsibility.
9. Fiduciary responsibility to the City.

EXHIBIT "B"

PAYMENT SCHEDULE FOR BASIC SERVICES

Compensation for basic engineering services under Exhibit A, Part A, B and C, shall be on a lump sum basis. The tabulation below establiS.H.es the not to exceed amount for each category of contract service:

	Total Basic Services:		Manhour Breakdown	Percentage of Basic Services
Basic Services	Part I	Design	$31,000	56.7%
	Part II	Bidding Phase	$4,700	8.6%
	Part III	Construction Administration	$19,000	34.7%
		BASIC SERVICES TOTAL:	**$54,700**	**100.0%**

PAYMENT SCHEDULE FOR SPECIAL SERVICES

Compensation for engineering services under Exhibit A, Part D, Special Services, shall be at salary cost times 2.40, with expenses at actual invoice amount times 1.15. Field Survey Crew rate is $155.00 per hour and mileage is charged at current IRS rates.

Additional Services	Survey (Design, Boundary and Construction Surveys)	$	9,900.00	Crew Rate
	Preparation of ROW Documents	$	7,200.00	Hourly
	Printing of Plans and Specifications	$	1,000.00	Expense
	Additional Services Total:	**$**	**18,100.00**	

Invoices will be posted monthly based upon estimate of work complete for Lump Sum and hourly for Special Services plus expenses. Payment is due upon receipt of invoice.

Not to exceed amount for Basic and Special Services is $72,800.00.

EXHIBIT "C"

PROJECT SCHEDULE

Notice to Proceed	December 21, 2015
Begin Field Surveys	January 4, 2016
Complete Field Surveys	January 25, 2016
Submit 60% Plans; Plats & Field Notes:	April 25, 2016
Receive City Review and Comments:	May 9, 2016
Submit Preliminary Plans (90%):	May 30, 2016
Receive City Review Comments:	June 13, 2016
Submit Final Plans and Bidding Documents:	July 11, 2016
Review Comments from City	July 25, 2016
Easement Acquisition (By others)	April 25, 2016- July 25, 2016
Advertise Project	August 3, 2016
Receive Bids	August 31, 2016
City Award Construction Contract	September 19, 2016
Notice to Proceed with Construction	October 24, 2016
Construction Complete (12 Mo)	April 2017

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 07/10/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME:	
Marsh Sponsored Programs a division of Marsh USA Inc. 701 Market Street, Ste. 1100 St. Louis MO 63101	PHONE (A/C, No, Ext): 800-338-1391	FAX (A/C, No): 888-621-3173
	E-MAIL ADDRESS: acecclientrequest@marsh.com	

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Sentinel Insurance Company Ltd	11000
INSURER B: Hartford Accident & Indemnity Co	22357
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
Birkhoff, Hendricks & Carter

11910 Greenville Ave, Ste 600
Dallas, TX 75243

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY X PRO-JECT LOC			84SBWPE9258 Prof. Liab. Excl.	07/28/2015	07/28/2016	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG $	$1,000,000 $1,000,000 $10,000 $1,000,000 $2,000,000 $2,000,000 $
A	AUTOMOBILE LIABILITY X ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS X HIRED AUTOS X NON-OWNED AUTOS			84UEGAR0773	07/28/2015	07/28/2016	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) $	$1,000,000 $ $ $ $
A	X UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE DED X RETENTION $ 10,000			84SBWPE9258	07/28/2015	07/28/2016	EACH OCCURRENCE AGGREGATE $	$2,000,000 $2,000,000 $
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		84WBGBM6253	07/28/2015	07/28/2016	X WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $500,000 $500,000 $500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
FOR INFORMATIONAL PURPOSES ONLY.

CERTIFICATE HOLDER

Birkhoff, Hendricks & Carter, LLP

11910 Greenville Ave, Ste 600
Dallas, TX 75243

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Jeff Connelly

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 07/22/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Marsh Sponsored Programs a division of Marsh USA Inc. 701 Market Street, Ste. 1100 St. Louis MO 63101	CONTACT NAME: PHONE (A/C, No, Ext): 800-338-1391 FAX (A/C, No): 888-621-3173 E-MAIL ADDRESS: acecclientrequest@marsh.com
INSURED Birkhoff, Hendricks & Carter 11910 Greenville Ave, Ste 600 Dallas, TX 75243	INSURER(S) AFFORDING COVERAGE — NAIC # INSURER A: RLI Insurance Company — 13056 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	GENERAL LIABILITY COMMERCIAL GENERAL LIABILITY CLAIMS-MADE / OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY / PRO-JECT / LOC						EACH OCCURRENCE $ DAMAGE TO RENTED PREMISES (Ea occurrence) $ MED EXP (Any one person) $ PERSONAL & ADV INJURY $ GENERAL AGGREGATE $ PRODUCTS - COMP/OP AGG $
	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS / SCHEDULED AUTOS HIRED AUTOS / NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) $ BODILY INJURY (Per person) $ BODILY INJURY (Per accident) $ PROPERTY DAMAGE (Per accident) $
	UMBRELLA LIAB / OCCUR EXCESS LIAB / CLAIMS-MADE DED / RETENTION $						EACH OCCURRENCE $ AGGREGATE $
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y / N: N/A If yes, describe under DESCRIPTION OF OPERATIONS below						WC STATU-TORY LIMITS / OTH-ER E.L. EACH ACCIDENT $ E.L. DISEASE - EA EMPLOYEE $ E.L. DISEASE - POLICY LIMIT $
A	Professional Liability			RDP0021044	07/28/2015	07/28/2016	Each Claim: $2,000,000 Aggregate: $2,000,000 Deductible: $35,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
FOR INFORMATIONAL PURPOSES ONLY.

CERTIFICATE HOLDER

Birkhoff, Hendricks & Carter, LLP

11910 Greenville Ave, Ste 600
Dallas, TX 75243

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Jeff Connelly

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **November 30, 2015**

SUBJECT: **Sanitary Sewer System Professional Service Contract**

The Environmental Protection Agency (EPA) performed an on-site inspection on the City of Rockwall Wastewater Collection System operations and maintenance on March 5, 2015. This inspection was performed for most of the Member Cities of the North Texas Municipal Water District (NTMWD) that send wastewater effluent to their treatment plants. EPA completed their inspections and is evaluating the proper action to be taken against each inspected entity including NTMWD. During discussions with the EPA and NTMWD, EPA is strongly encouraging each entity to prepare a CMOM Plan. CMOM is an acronym for Capacity, Management, Operations and Maintenance. CMOM is a written tool to evaluate the current management, operations and maintenance programs of the wastewater collection system. While CMOM is not an infrastructure or engineering assessment, it serves as an evaluation of programs the City carries out regularly to meet the needs of the public. Another task of the CMOM Plan is the development of a work plan to address program deficiencies.

Staff requested a Professional Services Contract with Pipeline Analysis, LLC to perform a CMOM Self-Audit and Plan to address concerns of the EPA related to our wastewater collection system. This work can be completed within four months from the notice-to-proceed at a cost of $29,235. Funding will be provided by the 2016 Water & Sewer Bond sales.

Staff request City Council consideration to approve a Professional Services Contract with Pipeline Analysis, LLC to perform a Capacity, Management, Operations and Maintenance Self-Audit and Plan in an amount of $29,235 and take any action necessary.

TMT:em

Attachment

Cc:

Mary Smith, Assistant City Manager
Rick Sherer, Water/Wastewater Manager
Amy Williams, P.E., Assistant City Engineer
Jeremy White, P.E., Civil Engineer
File

Professional Services Contract
Sanitary Sewer System

CMOM Self-audit

City of Rockwall

October 16, 2015

Pipeline Analysis, LLC
1115 Main Street
Garland, Texas 75040
972-470-0655
TBPE Firm No. 6538

CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES

THIS CONTRACT made and entered into on the date last stated below between the _____., hereinafter called "Client" and Pipeline Analysis, LLC hereinafter called "ENGINEER", acting by and through James H. Forbes, Jr., P.E. (Project Manager) duly authorized to so act on behalf of the ENGINEER.

WHEREAS, the CLIENT desires Professional Engineering Services in connection with the preparation of a Capacity, Management, Operation and Maintenance (CMOM) Plan Report hereinafter called "the PROJECT"; and

WHEREAS, the CLIENT has determined that the ENGINEER has experience in the area involved in the Project and is qualified to perform the work, and the ENGINEER is willing to enter into a contract with CLIENT to perform the engineering services desired by CLIENT in connection with the PROJECT.

CLIENT AND ENGINEER AGREE AS FOLLOWS:

CLIENT hereby retains the ENGINEER to perform engineering services in connection with the PROJECT described above.

1. DETAILED SCOPE OF SERVICES

The scope of engineering services to be performed by the ENGINEER shall be as set out in Exhibit A attached.

2. CLIENT'S RESPONSIBILITIES

So as not to delay the services of ENGINEER, the CLIENT will provide the following in a timely manner. Engineer will schedule a site visit to gather available information for inclusion in the CMOM Plan report.

Provide Existing Data - CLIENT will provide to ENGINEER at no cost applicable reports and data including the following (if available):

A. Provide access to key City staff as necessary for interviews
B. Population trend for past 10 years
C. Annual flow trend for past 10 years
D. Collection system asset summary
E. Customer complaints by category (for last 5 years)
F. Number of Stoppages on public system (for last 5 years)
G. Number of stoppages on private system (for last 5 years)
H. SSO historical database spreadsheet including cause (Rain, grease, roots, obstruction, collapse, privately owned or municipal)

I. SSO reports to TCEQ and EPA if applicable
J. Feet of sewer cleaned per year
K. Feet of sewer CCTV'd per year
L. Repairs by CITY crews to system
M. Repairs by outsourced contractor
N. Average response time to SSO or customer complaint
O. List of CIP Projects in 2015
P. List of CIP 5 year plan
Q. SSO Response Plan (if available)
R. FOG program status and inspection summary
S. FOG Manual (if available)
T. Lift Station Summary of Maintenance
U. Current Organizational Chart and detailed staffing job descriptions
V. Equipment inventory summary
W. Safety manual (if available)
X. Training and safety completed in 2014 including CEU's by employee
Y. If requested, furnish copies or provide access to overflow records, maintenance records, etc.

Existing data delivered to the ENGINEER by the CLIENT remains the property of the CLIENT and must be returned to the CLIENT after completion of the PROJECT.

3. PROVIDE STANDARDS

Not Applicable

4. PROVIDE ACCESS

Arrange for access to, and make all provisions for, ENGINEER to perform services under this AGREEMENT.

5. CLIENT REPRESENTATIVE

CLIENT shall designate a representative to act as a contact person on behalf of the CLIENT.

6. *SCHEDULE*

The ENGINEER'S services shall be performed in a timely manner consistent with sound professional practices. ENGINEER understands that coordination with CLIENT staff will be required during the course of this work. The ENGINEER will complete the work according to the following schedule:

ACTIVITY	***Start/End Day***
Anticipated Notice To Proceed	1
Task 1 - Preliminary Phase	1/14
Task 2 - CMOM Interviews/Analysis	15/45
Task 3 – CMOM Plan Pre-submittal Report	46/90
Task 4 - CMOM Plan Final Submittal Report	90-120

The time limits set forth in the schedule shall include allowances for reasonable and expected review time by the CLIENT and approval by authorities having jurisdiction over the PROJECT, and shall not be allowed as cause for delay or adjustments to the schedule. Delays in the critical path caused by review times by the CLIENT or a permitting agency exceeding those anticipated by the ENGINEER'S schedule are cause for adjustments in the schedule. Any adjustments made to the agreed upon schedule shall be made in writing and acceptable to both parties.

The ENGINEER shall begin work immediately upon receipt of the executed CONTRACT and/or verbal written Notice to Proceed.

7. *COMPLETION OF SERVICES*

ENGINEER'S services under each item of the finalized Scope of Work shall be considered complete on the date when the submissions for that item have been accepted by CLIENT.

8. *CHANGES*

If the CLIENT requests significant modifications or changes in the Scope of Services, general scope, extent or character of the PROJECT, the time of performance of ENGINEER'S services, the various rates of compensation and schedule shall be adjusted equitably.

9. *WRITTEN AUTHORIZATION FOR ADDITIONAL WORK*

Any provision in this CONTRACT notwithstanding, it is specifically understood and agreed that the ENGINEER shall not authorize or undertake any work pursuant to this CONTRACT which would require the payment of any fee, expense or reimbursement in

addition to the fees stipulated in Section 10 (Payment for Services) of this CONTRACT, without first having obtained the specific written authority to do so from CLIENT.

10. PAYMENT FOR SERVICES

Terms used in describing the applicable method of payment for services provided by the ENGINEER shall have the meaning indicated below:

Basic Engineering Fee:

Basic Engineering Fee shall mean those expenses incurred by the ENGINEER in prosecuting the PROJECT Scope of Services. Basic Engineering Fee shall be a lump sum not to exceed $29,235.

Reimbursable Expenses - Not applicable

Additional Services

Additional services **not** covered under the Scope of Services, will be provided to the CLIENT on an hourly basis plus reimbursable expenses as agreed in writing at the time such services are authorized.

These services will be billed monthly based on the unit prices for quantities actually performed. Total compensation will not exceed $29,235 without CLIENT authorization.

11. BASIS AND AMOUNT OF COMPENSATION FOR ADDITIONAL SERVICES

CLIENT authorized additional services beyond the services specified in Exhibit A will be at the then current unit prices and/or lump sum prices provided by Pipeline Analysis, LLC and approved by CLIENT.

12. PARTIAL PAYMENTS FOR SERVICES

Partial fee payments may be applied for at monthly intervals, based upon statements which reflect the percentage of work completed and/or units completed for the various items listed under Scope of Services, and/or Additional Services. These statements shall be prepared by the ENGINEER and must be verified and approved by CLIENT.

13. DELAY

If ENGINEER'S services are delayed or suspended in whole or in part by the CLIENT for more than one year for reasons beyond ENGINEER'S control the various rates of compensation, including Additional Services, provided for elsewhere in this CONTRACT shall be subject to equitable adjustment.

14. TERMINATION, SUSPENSIONS OR ABANDONMENT

Termination

The CLIENT or the ENGINEER may terminate this CONTRACT for reasons identified elsewhere in this CONTRACT. In the event such termination becomes necessary, the party effecting termination shall so notify the other party, and termination will become effective thirty (30) calendar days after receipt of the termination notice. Irrespective of which party shall effect termination or the cause therefore, CLIENT shall within thirty (30) calendar days of termination remunerate ENGINEER for services rendered and costs incurred, in accordance with the ENGINEER'S prevailing fee schedule and expense reimbursement policy. Services shall include those rendered up to the time of termination. All plans, field survey, and other data related to the PROJECT shall become the property of CLIENT upon termination of the CONTRACT and shall be promptly delivered to CLIENT in a reasonably organized form. Should CLIENT subsequently contract with a new Engineer for continuation of services on the PROJECT, ENGINEER shall cooperate in providing information. No amount shall be due for lost or anticipated profits.

Suspension

If the Project is suspended by CLIENT for more than 30 consecutive days, the ENGINEER shall be compensated for services performed prior to notice of such suspension. When the Project is resumed, the ENGINEER'S compensation shall be equitably adjusted to provide for expenses incurred in the interruption and resumption of the ENGINEER'S services.

Abandonment

This CONTRACT may be terminated by CLIENT upon not less than seven (7) days written notice to the ENGINEER in the event that the Project is permanently abandoned. If the Project is abandoned by CLIENT for more than ninety (90) consecutive days, the ENGINEER or CLIENT may terminate this CONTRACT by giving written notice.

Failure to Pay

Failure of CLIENT to make payments to the ENGINEER in accordance with this CONTRACT shall be considered substantial nonperformance and cause for termination.

If CLIENT fails to make payment to ENGINEER within thirty (30) days of a statement for services properly performed, the ENGINEER may, upon fourteen (14) days written notice to CLIENT, suspend performance of services under this CONTRACT. Unless ENGINEER receives payment in full within fourteen (14) days of the date of the notice, the suspension shall take effect without further notice. In the event of a suspension of services under this section, the ENGINEER shall have no liability to CLIENT for delay or damage caused CLIENT because of such suspension of services.

15. GENERAL CONSIDERATIONS

a. Professional Standards

Services performed by the ENGINEER under this CONTRACT will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions. The ENGINEER shall comply with the applicable laws and rules of the current Texas Engineering Practice Act. CLIENT's approval, acceptance, use of or payment for all or any part of the ENGINEER'S services herein under or of the project itself shall in no way alter the ENGINEER'S obligations or CLIENT'S rights thereunder.

b. Progress and Performance

The provisions of this CONTRACT and the compensation to ENGINEER have been agreed to in anticipation of continuous and orderly progress through the completion of the ENGINEER'S services. Time for performance shall be extended to the extent necessary for delays due to circumstances over which the ENGINEER has no control. If the ENGINEER'S services are suspended or delayed the times of performance shall be extended to the extent of such delay or suspension. A delay or suspension shall not terminate this CONTRACT unless ENGINEER elects to terminate in accordance with the provisions of Section 14 of this CONTRACT. If a delay or suspension extends for a period of greater than one year for reasons beyond the control of the ENGINEER, the fees and rates of compensation set forth in Section 10 shall be subject to re-negotiating.

c. CLIENT Control

It is understood and agreed that CLIENT shall have complete control of the services to be rendered, and that no work shall be done under this CONTRACT until the ENGINEER is instructed to proceed with the work.

d. Independent Agent

ENGINEER and CLIENT agree that ENGINEER and any officer, employee or agent of ENGINEER, in the performance of this CONTRACT shall act in an independent capacity and not as an officer, agent or employee of CLIENT.

e. Compliance with Laws

ENGINEER shall comply with all Federal, State, and local laws and ordinances in the execution of all work in connection with this PROJECT.

f. No Additional Work Without Authorization

Any provision in the CONTRACT notwithstanding, it is specifically understood and agreed that the ENGINEER shall not authorize or undertake any work pursuant to this CONTRACT, which would require the payment of any fee, expense or reimbursement in addition to the fee stipulated in Article 10 of this CONTRACT, without having first obtained specific written authority therefore from CLIENT.

g. Assignment & Subcontracting

This CONTRACT shall not be assigned in whole or part without the written consent of CLIENT.

h. Indemnification

ENGINEER, its officers, agents and employees agree to indemnify, hold harmless, and defend CLIENT, at ENGINEER'S cost, its officers, agents, and employees from and against any and all claims or suits for injuries, damages, loss, or liability of whatever kind of character, arising out of or in connection with the performance by the ENGINEER of those services contemplated by the CONTRACT, based upon negligent acts or omissions of ENGINEER, its officers, agents, employees, consultants and subcontractors, whether or not caused solely by the ENGINEER, its officers, agents, employees, consultants or subcontractors or jointly with any other party.

ENGINEER agrees that he is solely responsible for the safety of himself and his employees in the performance of this CONTRACT and agrees to indemnify and hold harmless CLIENT, its officers and agents from and against any liability arising from the personal injury or death of the ENGINEER or the employees of the ENGINEER arising out of or in connection with this CONTRACT.

i. Insurance

ENGINEER shall secure and maintain insurance that will protect him from claims under the Worker's Compensation Act (statutory amounts).

ENGINEER shall secure and maintain Commercial General Liability Insurance that will protect him from claims for bodily injury, death or property damage which may arise from the performance of his services under this CONTRACT, **written on an occurrence basis**, in the following amounts:

For engineering design contracts for more than $10,000.00, insurance in an amount not less than $500,000 per occurrence and $1,000,000 annual aggregate for bodily injury or death and property damage. ENGINEER shall maintain Comprehensive Automobile Liability Insurance covering all

owned, non-owned, and hired vehicles with combined single limit coverage of $1,000,000 for bodily injury, death or property damage.

ENGINEER shall maintain, at no expense to CLIENT, a professional liability (errors and omissions) insurance policy placed with a company rated at least A-/VII by Best's Key Rating Guide, authorized to do business in Texas. This coverage must be maintained for at least two (2) years after the PROJECT is completed. Coverage must be written on an occurrence basis. However, at its sole discretion, the CLIENT may accept coverage written on a claims-made basis if the policy provides for a retroactive date equivalent to the inception date of the CONTRACT or earlier, maintained during the full term of the CONTRACT. The minimum limits of coverage shall be in the following amounts:

For engineering contracts over $50,000, insurance in an amount not less than five hundred thousand dollars ($500,000).

All policies, except Worker's Compensation and Professional Liability, shall name the CLIENT as additional insured. All policies shall contain a waiver of subrogation in favor of the CLIENT and shall require the giving of written notice to CLIENT at least thirty (30) days prior to cancellation, non-renewal or material modification of any policies, evidenced by return receipt of United States Certified Mail. ENGINEER shall furnish CLIENT with copies of said policies or certificates evidencing such coverage.

j. Property

All documents, including drawings, field notes, surveys, tracings, calculations, computer input and output, digital or computer files, etc., prepared by the ENGINEER pursuant to this contract shall become the property of CLIENT. The ENGINEER may retain copies of all documents. Any reuse of the documents shall conform to The Texas Engineering Practice Act.

k. Governing Law

This CONTRACT has been made under and shall be governed by the laws of the State of Texas. The parties agree that the performance and all matters related thereto shall be in Rockwall, Texas.

DOCUMENT EXECUTION

IN WITNESS WHEREOF, the parties have executed this CONTRACT the _____ day of _____, 2015.

City of Rockwall
385 Goliad Street
Rockwall, Texas 75087

By:_____

Date: _____

PIPELINE ANALYSIS, LLC
1115 Main Street
Garland, Texas 75040
P (800)637-0164
F (972)479-0659

By:_____
James H. Forbes, Jr., P.E. (President)

Date: October 16, 2015

SCOPE OF WORK

City of Rockwall
CMOM PLAN

BACKGROUND

The approach to the Capacity, Management, Operation and Maintenance (CMOM) Plan is organized around the City's objectives for this project:

- Reduction in Sanitary Sewer Overflows
- Cost controls and Least Cost Alternatives
- Attainment of long-term Infiltration/Inflow solutions
- Collection System Capacity Assurance
- Regulatory compliance
- Sustainability of Program Elements
- Customer satisfaction

GENERAL INFORMATION

The CMOM Plan is a guidance document that provides a central location for current City practices, standard operating procedures, responsibilities and methods that will be used to update operating procedures and monitor the effectiveness of wastewater collection system programs.

OBJECTIVES

This project will address the following objectives:

- Prepare a CMOM Plan that follows the 2005 EPA CMOM Guidance Document and addresses the key elements that relate to the City wastewater collection system
- CMOM Plan will provide for sustainability and monitoring of various program elements
- CMOM Plan will be used to monitor the effectiveness of various CMOM elements on an annual basis and revise the CMOM when applicable

BASIC SERVICES

Objectives and Background

Under this solicitation, Pipeline Analysis, LLC (Engineer) will perform engineering services for the City of Rockwall. Specific assignments to be performed by the Engineer under this solicitation include assistance to develop a Capacity, Management, Operation, and Maintenance (CMOM) Plan. These services will consist of engineering analysis to address requirements of wastewater collection system inspection, evaluation, planning, information management, training, and reporting needed for asset management and regulatory compliance related to sanitary sewer overflows (SSOs),

CMOM, and development of best management practices (BMP's) for collection system operation and maintenance (O&M). For purposes of this solicitation the wastewater collection system is considered to include gravity sewers, pump stations, force mains, and supporting services and facilities.

The CMOM Plan is intended to provide a structured plan for collection system management in order to optimize system performance, provide sustainability and develop specific plans for capital improvement and maintenance activities needed to operate, manage, and maintain collection systems to minimize SSO's.

CMOM guidelines being forwarded by EPA require that wastewater utilities: 1) properly manage, operate and maintain all parts of the collection system; 2) provide adequate capacity to convey base and peak flows; 3) take all feasible steps to stop and mitigate the impact of SSOs; 4) provide notification to affected parties in the event of an overflow; and 5) document the CMOM program.

CMOM Project Description

Development of the CMOM Plan will utilize information compiled by the City to the fullest extent possible. The program will include two parts. The first is completion of a CMOM Self-audit of current management, operating, and maintenance programs of the wastewater collection system using the information provided by the City. The CMOM audit is not an infrastructure or engineering assessment but rather an evaluation of programs the City carries out regularly to meet the needs of the public. The second is development of a work plan to address program deficiencies discovered by the audit review. The Engineer will be expected to perform the audit, facilitate the development of a written plan to address deficiencies, and report on the findings.

Initially, the Engineer will guide and assist the City through the audit process by identifying the steps needed to successfully complete the audit, identifying and assisting with data collection, helping establish performance measures for each of its operating functions, verifying data, and preparing an audit report and summary of results and recommendations. If deficiencies are discovered in the audit, as a second task the Engineer will facilitate the development of a plan to address these deficiencies. The Engineer will arrange and conduct meetings of City staff to formulate the plan. This plan is likely to include several aspects of information technology relating to documenting, reporting and sustaining the multiple CMOM operating programs to the satisfaction of regulatory agencies.

The City currently has a number of successful support programs that may need to be integrated into the overall framework of the CMOM Plan. The following program activities have been identified as having functions needed on an on-going basis as part of the program:

- Geographic Information System (GIS) - Provides an inventory of installed piping, pipe size, and material.
- Computerized Management and Maintenance System (CMMS) - used for generation of CMOM reports and tracking documents, spare part

inventories, maintenance schedules, and training records to the extent possible.

- Hydraulic Modeling - Verification of hydraulic capacity of the system.
- Planning efforts
- O&M Manuals - Review existing O&M Manuals to facilitate repairs and maintenance of equipment.
- Record Drawings and Specifications
- Computer Aided Drafting and Design (CADD) files of plans.
- Condition Assessment status including Closed-Circuit Television (CCTV) Inspections
- Supervisory Control and Data Acquisition (SCADA) - SCADA information may be used to identify pump station capacity and maintenance problems and direct preventative maintenance operations.
- Cleaning program
- SSO Reporting
- Budgeting and Accounting –Review system used for tracking of capital and O&M expenditures and costs.
- Property Accounting - Verification of total value of assets and remaining service life.
- Sanitary Sewer Evaluation Survey (SSES)
- Customer Information System (CIS)

Project Elements

The project is anticipated to include the following specific tasks or elements that will be undertaken:

1.1. Prepare CMOM Self-Audit

The Engineer shall assist the City in facilitating and completing a CMOM Self-Audit using the USEPA's Region IV CMOM Self-Audit/Self-Disclosure program and components of the USEPA SSO draft rule, including CMOM and Asset Management (AM) business practices. Development of the City's CMOM will involve participation of various departments within the City. Key individuals within the City will be identified to participate in the CMOM development.

CMOM Framework Development - The Engineer shall describe interactions with the City required to develop the CMOM framework incorporating asset management business practices where appropriate. Documentation of O&M Practices - Inspect, inventory, evaluate, and document the City's existing management, operations, and maintenance programs. Develop programs to assess the effectiveness of the City's management, operation, and maintenance of the wastewater collection system by benchmarking best work practices in the collection system and establishing performance criteria. Best work practices benchmarking will identify operational improvements in order to increase efficiency and savings, protect public health and safety, provide rapid response to the most urgent needs.

1.2. Gap Closure Plan

The consultant shall prioritize activities needed to address any deficiencies revealed in the Self-Audit and develop a Gap Closure Plan(s) in coordination with City staff and project goals. These activities may include:

- Gap Analysis Report - Determine Gaps in City programs for CMOM when compared with USEPA CMOM guidance documents. A detailed description of the gaps for each program element shall be developed and presented in the CMOM Report.
- Gap Closure Strategies - Develop strategies for addressing gaps. The report will include recommended Gap Closure Projects including resources, estimates and schedule for implementing each.
- Implementation Plan for Gap Closure - Develop an implementation plan(s) for gap closure projects including resources, budget, and schedule for implementation, if required.
- Condition Assessment Evaluation - A review and recommendation for the condition assessment program for sewer system evaluation, inspection, and rehabilitation will be evaluated. The assessments will include tracking of SSO's, infiltration and inflow (I/I) assessments, CCTV assessments, smoke testing, dye testing, capacity assessments, structural assessments, and other programs needed to assess the condition and identify defects within the existing collection system.
- Hydraulic Review – To establish capacity assurance a review of the hydraulic modeling effort will be summarized to fulfil this CMOM requirement.
- O&M Program Review including hot spot cleaning efforts and methods.
- Critical Parts Inventory - Review program to identify critical parts needed for system operation and maintenance of an adequate spare parts inventory.
- Training Review- Collection System Staff training program review. Review programs to train City staff on proper system inspection, O&M procedures, use of supporting software, record keeping, and compliance reporting.
- BMP and SSO Abatement Programs - Develop Best Management Practices (BMP) and SSO Abatement reviews. Includes documenting of current pump station flow balancing practices and other historical BMPs such as cleaning, de-rooting, televising, code enforcement, and trenchless rehabilitation, and development of recommended rerouting and control alternatives.
- Overflow Response Plan - Review the City's current Overflow Response /Lift Station power failure Response Plan and recommend

improved procedures if applicable. Prepare written plan to be incorporated into CMOM.

- Fat, Oil and Grease (FOG) Plan – Review existing FOG program and prepare written plan to be incorporated into CMOM.
- Ordinance Review - Review sewer use ordinances, grease ordinance, pre-treatment program or other legal documents needed to address pretreatment standards and to address proper installation, testing, and inspection of new and rehabilitated sewer systems.
- Compliance and Reporting Review including performance indicators to track CMOM effectiveness

1.3. Draft/Final CMOM Plan Report

Engineer will prepare one (1) hard copy and one (1) reproducible electronic copy of the Draft CMOM Plan. Review comments will be incorporated into the Final Report and five (5) copies submitted to the City along with five (5) reproducible electronic copies on DVD attached to each report. The final report will address the following major areas:

- TCEQ/EPA Reporting
- Engineering Design
- Satellite Communities
- Sewer Use Ordinances
- Organizational Structure
- Internal Communications
- Budgeting
- Training
- Safety
- Customer Service
- Equipment and Collection System Maintenance
- Equipment Parts Inventory
- Management Information System
- System Mapping
- Internal CCTV Inspection
- Sewer Cleaning
- Manhole Inspection and Assessment
- Pump Stations
- Capacity Assessment
- Tracking SSOs
- Overflow Emergency Response Plan and Lift Station Power Outage Response Plan
- FOG Plan
- Hydrogen Sulfide Monitoring & Control

SCHEDULE

The Engineer's services shall be performed in a timely manner consistent with sound professional practices.

The time limits set forth in the schedule shall include allowances for reasonable and expected review time by the CITY and approval by authorities having jurisdiction over the PROJECT, and shall not be allowed as cause for delay or adjustments to the schedule. Delays in the design critical path caused by review times by the CITY or a permitting agency exceeding those anticipated by the Engineer's schedule are cause for adjustments in the schedule. Any adjustments made to the agreed upon schedule shall be made in writing and acceptable to both parties.

The Engineer shall begin work within 10 days of receipt of the executed CONTRACT and written Notice to Proceed. The Engineer will complete the work according to the following schedule:

CMOM Plan Schedule

The entire project will be completed within 120 days of the notice to proceed. The City will provide a location for the CMOM consultant to meet and will provide access to various staff for interviews and follow-up discussions. Engineer will schedule interviews with staff, as needed, to minimize the impact on daily operations.

ACTIVITY	***Start/End Day***
Anticipated Notice To Proceed	1
Task 1 - Preliminary Phase	1/14
Task 2 - CMOM Interviews/Analysis	15/45
Task 3 – CMOM Plan Pre-submittal Report	46/90
Task 4 - CMOM Plan Final Submittal Report	90-120

COMPENSATION SUMMARY

The City shall compensate the Engineer for services performed for the City under this Contract. The total cost to perform the work outlined in this scope of services will be a lump sum not to exceed $29,235. Monthly billings will be prepared based on the percentage of project completion.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, P.E., Director of Public Works/City Engineer**

DATE: **December 4, 2015**

SUBJECT: **Stonebridge Drive Sanitary Sewer Lift Station Rehabilitation Project**

On September 8th, 2015 City Council approved Professional Engineering Services Contract with Teague, Nall and Perkins, Inc. (TNP) for the Stonebridge Drive Sanitary Sewer Lift Station Rehabilitation Project for the contract amount of $67,800. TNP estimated that the project would cost $502,000 for construction, not including long term operation and maintenance expenses of the lift station.

Upon kickoff of engineering services, City Staff (Jeremy White) reviewed the project scope and existing sanitary sewer system record drawings configuration and determined that recent improvements to NTMWD Lakeside Interceptor completed in 2011 lowered the Interceptor receiving effluent from the Stonebridge Lift Station sanitary sewer force main. This lowering of the Interceptor opened the possibility of providing a gravity flow sanitary sewer feed from Stonebridge Lift Station into the NTMWD Lakeside Interceptor. City Staff requested TNP perform a field survey of the existing sanitary sewer system, Stonebridge Lift Station and the NTMWD Lakeside Interceptor to obtain flow lines to determine the feasibility of by-passing the Stonebridge Lift Station. The field survey confirmed the gravity flow by-pass of the Stonebridge Lift Station is feasible. This determination allows for the decommissioning of the Stonebridge Lift Station. By decommissioning the lift station the City will save cost on operation and maintenance over its service life. Public annoyances such as noise from the emergency generator during power outages, and odor problems will be decreased by eliminating the lift station.

TNP has prepared an Agreement for Engineering Design Services to install 1,325 linear feet of twelve inch diameter sanitary sewer pipe along with 425 linear feet of eight inch sanitary sewer pipe along with decommissioning the existing lift station site. The Agreement for Engineering Services is attached and is a contract amount of $74,300. TNP is estimating that the construction cost will be $330,600 for decommissioning the lift station and constructing the new gravity sanitary sewer main.

Staff will terminate the current contract with Teague, Nall and Perkins, Inc. due to change of scope of services. The only funding expended to date is the cost of the field surveying work necessary to determine if the Stonebridge Lift Station could be removed from the collection system operations.

Staff requests City Council consideration to approve a Professional Engineering Services Contract with Teague, Nall and Perkins, Inc. to eliminate the Stonebridge Lift Station and construct new sanitary sewer gravity pipe to serve the current area in the amount of $74,300 and take any action necessary. Funding will be provided by the 2016 Water and Sewer Bond sales.

If you have any questions, please advise.

JMW:jmw

Attachments

Cc:

Mary Smith, Assistant City Manager
Amy Williams, P.E., Assistant City Engineer
Rick Sherer. Water and Wastewater Manager
Jeremy White, P.E., CFM, Civil Engineer
File

AGREEMENT FOR ENGINEERING SERVICES BETWEEN THE CITY OF ROCKWALL, TEXAS AND TEAGUE NALL AND PERKINS, INC.

I. INTRODUCTION

This Agreement is executed by and between The City of Rockwall, Texas, a municipal corporation located in Rockwall County, Texas, (hereinafter called "OWNER"), and Teague Nall and Perkins, Inc., a Texas corporation, (hereinafter called "ENGINEER").

WITNESSETH, that OWNER desires professional engineering and surveying services in connection with sanitary sewer capital improvement projects.

NOW, THEREFORE, OWNER and ENGINEER, in consideration of the mutual covenants and agreements herein contained, do mutually agree as follows:

II. PROJECT

In this Agreement, the "PROJECT" means the surveying, analysis and engineering design for the Stonebridge Lift Station Elimination in accordance with the applicable OWNER codes, regulations and standards. The PROJECT includes eliminating an aging existing wet well/dry pit lift station by installing a new gravity sanitary sewer main from the existing North Texas Municipal Water District (NTMWD) to an existing sanitary sewer manhole located at the southwest corner of the intersection of South Lakeshore Drive and Shoretrail Drive. The project also includes installing a new gravity sanitary sewer main from Stonebridge Drive to near South Lakeshore Drive along Shoreview Drive. New sanitary sewer services and cleanouts will be installed for properties served by the new gravity mains. The existing lift station will be decommissioned. The lift station dry pit and wet well will be abandoned in place/filled in with flowable fill/partially-demolished. Salvageable materials (as determined by the City) will be returned to the City, and the remaining above-ground facilities will be removed.

III. BASIC AGREEMENT

OWNER agrees to employ ENGINEER and ENGINEER agrees to perform professional engineering services in connection with the PROJECT, as stated in the sections to follow. All engineering services shall be performed with diligence and in accordance with professional standards customarily obtained for such services in the State of Texas. For rendering such services OWNER agrees to pay ENGINEER as set forth in Section VII and Exhibit F: "Compensation".

IV. SCOPE OF ENGINEER'S SERVICES

ENGINEER shall render the professional services necessary for development of the PROJECT, in accordance with the schedule in Exhibit A: "Project Schedule" and as detailed in Exhibit B: "Basic Engineering Services", said exhibits being attached hereto and incorporated herein for all purposes. ENGINEER shall be responsible, to the level of competency presently maintained by other practicing professional engineers in the same type of work in the Dallas/Fort Worth Metroplex area, for professional and technical soundness, accuracy, and adequacy of all designs, drawings, specifications, and other work and materials furnished under this Agreement.

V. SPECIAL ENGINEERING SERVICES

The OWNER will pay the ENGINEER for Special Engineering Services as indicated in Exhibit C: "Special Engineering Services", attached hereto and made a part of this Agreement.

VI. SCOPE OF OWNER SERVICES

The OWNER will furnish items and perform those services as identified in Exhibit E: "Services to be provided by the OWNER", attached hereto and made a part of this Agreement.

VII. COMPENSATION

A. In consideration of the services described herein, OWNER shall pay and ENGINEER shall receive compensation in accordance with Exhibit F: "Compensation".

B. Total payments including without limitation salary and reimbursable expenses, to ENGINEER by OWNER for the Basic Engineering and Special Engineering Services stated in Section IV and Section V above shall not exceed Seventy-Four Thousand, Three Hundred and No/100 Dollars ($74,300.00).

C. OWNER may authorize additional services to be provided by ENGINEER as mutually agreed upon by the parties. Any authorization for additional services shall be given to ENGINEER by OWNER in writing.

D. OWNER and ENGINEER understand that the variables in ENGINEER's cost of performance may fluctuate. The parties agree that any fluctuation in ENGINEER's costs will in no way alter ENGINEER's obligations under this Agreement nor excuse performance or delay on ENGINEER's part.

VIII. OWNERSHIP OF DOCUMENTS

All completed or partially completed evaluations, reports, surveys, designs, drawings and specifications prepared or developed by ENGINEER under this Agreement, including any original drawings, computer disks, mylars or blue lines, shall become the property of OWNER when the Agreement is concluded or terminated, and may be used by OWNER in any manner it desires; provided, however, that ENGINEER shall not be liable for the use of such drawings for any project other than the PROJECT described in this Agreement.

IX. INDEMNITY

ENGINEER SHALL INDEMNIFY AND HOLD HARMLESS OWNER AND ITS OFFICERS, AGENTS, SERVANTS AND EMPLOYEES FROM ANY LIABILITY ON ACCOUNT OF ANY INJURIES OR DAMAGES RECEIVED OR SUSTAINED BY ANY PERSON OR PROPERTY, INCLUDING COURT COSTS AND REASONABLE ATTORNEYS' FEES INCURRED BY OWNER, CAUSED BY THE NEGLIGENT ACTS OR OMISSIONS OF ENGINEER OR ITS OFFICERS, AGENTS, SERVANTS, CONTRACTORS, OR EMPLOYEES IN THE EXECUTION, OPERATION, OR PERFORMANCE OF THIS AGREEMENT.

Approval by OWNER of contract documents shall not constitute or be deemed to be a release of the responsibility and liability of ENGINEER, its officers, agents, employees and subconsultants, for the accuracy and competency of the services performed under this Agreement, including but not limited to evaluations, reports, surveys, designs, working drawings and specifications, and other engineering documents.

Approval by OWNER shall not be deemed to be an assumption of such responsibility and liability by OWNER for any error, omission, defect, deficiency or negligence in the performance of ENGINEER's professional services or in the preparation of the evaluations, reports, surveys, designs, working drawings and specifications or other engineering documents by ENGINEER, its officers, agents, employees and subconsultants, it being the intent of the parties that approval by OWNER signifies OWNER=s approval of only the general design concept of the improvements to be constructed.

In this connection, ENGINEER and its subconsultants shall indemnify and hold OWNER and all of its officers, agents, servants, and employees harmless from any loss, damage, liability or expenses, on account of damage to property and injuries, including death, to any and all persons, including but not limited to officers, agents or employees of ENGINEER or its subconsultants, and all other persons performing any part of the work and improvements, which may arise out of any negligent act, error, or omission in the performance of ENGINEER's professional services or in the preparation of evaluations, reports, surveys, designs, working drawings, specifications and other engineering documents incorporated into any improvements constructed in accordance therewith. This indemnification provision shall not be construed as requiring ENGINEER to indemnify or

hold OWNER or any of its officers, agents, servants or employees harmless from any loss, damages, liability or expense, on account of damage to property or injuries to persons caused by defects or deficiencies in design criteria and information furnished to ENGINEER by OWNER, or any deviation in construction from ENGINEER's designs, working drawings, specifications or other engineering documents.

X. INSURANCE

For the duration of this Agreement, ENGINEER shall maintain the following minimum public liability and property damage insurance which shall protect the ENGINEER, its subcontractors, its subconsultants and OWNER from claims for injuries, including accidental death, as well as from claims for property damage which may arise from the performance of work under this Agreement. ENGINEER shall provide a Certificate of Insurance verifying that the following minimum limits of coverage are provided:

A. Worker's Compensation Insurance:
Statutory requirements ($ 300,000 minimum)

B. Comprehensive General Liability and Bodily Injury:

Bodily Injury	$ 500,000 per person, or $ 1,000,000 per occurrence; and
Property Damage	$ 100,000 each occurrence; or
Combined Single Limit	$ 1,000,000 aggregate

C. Comprehensive Automobile Liability:

Bodily Injury	$ 500,000 per person, or $ 1,000,000 per occurrence; and
Property Damage	$ 100,000 each occurrence; or
Combined Single Limit	$ 1,000,000 aggregate

D. Professional Liability:

Errors and Omissions	$ 1,000,000

The Certificate of Insurance shall contain a provision that such insurance cannot be canceled or modified without thirty (30) days prior written notice to OWNER.

XI. ARBITRATION

No arbitration arising out of or relating to this Agreement shall occur without both parties' written approval.

XII. TERMINATION AND SUSPENSION

A. OWNER may terminate this Agreement at any time for convenience or for any cause by a notice in writing to ENGINEER. Either OWNER or ENGINEER may terminate this Agreement in the event the other party fails to perform in accordance with the provisions of this Agreement. Upon receipt of such notice, ENGINEER shall immediately discontinue all services and work and the placing of all orders or the entering into contracts for supplies, assistance, facilities, and materials, in connection with the performance of this Agreement and shall proceed to cancel promptly all existing contracts insofar as they are chargeable to this Agreement.

B. If OWNER terminates this Agreement under the foregoing Paragraph A, OWNER shall pay ENGINEER a reasonable amount for services performed prior to such termination, which payment shall be based upon the payroll cost of employees engaged on the work by ENGINEER up to the date of termination of this Agreement and for subcontract and reproduction in accordance with the method of compensation stated in Section VII hereof. In the event of termination, the amount paid shall not exceed the amount appropriate for the percentage of work completed.

XIII. SUCCESSORS AND ASSIGNS

OWNER and ENGINEER each bind themselves and their successors, executors, administrators and assigns to the other party of this Agreement and to the successors, executors, administrators and assigns of such other party in respect to all covenants of this Agreement; except as above, neither OWNER nor ENGINEER shall assign, sublet or transfer its interest in this Agreement without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer or agent of OWNER.

XIV. AUTHORIZATION, PROGRESS, AND COMPLETION

OWNER and ENGINEER agree that the PROJECT is planned to be completed in accordance with the Exhibit A: “Project Schedule” which is attached hereto and made a part hereof. ENGINEER shall employ manpower and other resources and use professional skill and diligence to meet the schedule; however, ENGINEER shall not be responsible for schedule delays resulting from conditions beyond ENGINEER’s control. With mutual agreement, OWNER and ENGINEER may modify the Project Schedule during the course of the PROJECT and if such modifications affect ENGINEER’s compensation, it shall be modified accordingly, subject to OWNER approval.

For Additional Engineering Services, the authorization by OWNER shall be in writing and shall include the definition of the services to be provided, the schedule for commencing and completing the services and the basis for compensation as agreed upon by OWNER and ENGINEER.

It is understood that this Agreement contemplates the full and complete Engineering services for this PROJECT including any and all services necessary to complete the work as outlined in Exhibit B: "Basic Engineering Services". Nothing contained herein shall be construed as authorizing additional fees for services to provide complete services necessary for the successful completion of this PROJECT.

XV. SUBCONTRACTS

ENGINEER shall be entitled, only if approved by OWNER, to subcontract a portion of the services to be performed by ENGINEER under this Agreement.

XVI. RIGHT TO AUDIT

ENGINEER agrees that OWNER shall, until the expiration of three (3) years after final payment under this Agreement, have access to and the right to examine and photocopy any directly pertinent books, design calculations, quantity take-offs, documents, papers and records of ENGINEER involving transactions relating to this Agreement. ENGINEER agrees that OWNER shall have access during normal working hours to all necessary ENGINEER facilities and shall be provided adequate and appropriate work space in order to conduct audits in compliance with the provisions of this section. OWNER shall give ENGINEER reasonable advance notice of intended audits.

ENGINEER further agrees to include in all its subconsultant agreements hereunder a provision to the effect that the subconsultant agrees that OWNER shall, until the expiration of three (3) years after final payment under the subcontract, have access to and the right to examine and photocopy any directly pertinent books, design calculations, quantity take-offs, documents, papers and records of such subconsultant, involving transactions to the subcontract, and further, that OWNER shall have access during normal working hours to all subconsultant facilities, and shall be provided adequate and appropriate work space, in order to conduct audits in compliance with the provisions of this article. OWNER shall give subconsultant reasonable advance notice of intended audits.

XVII. EXHIBITS

Both parties agree to the following exhibits and as such, the following exhibits are made a part of this Agreement:

Exhibit "A"	Project Schedule
Exhibit "B"	Basic Engineering Services
Exhibit "C"	Special Engineering Services
Exhibit "D"	Additional Engineering Services
Exhibit "E"	Compensation

XVIII. MISCELLANEOUS

A. Authorization to Proceed. Signing this Agreement shall be construed as authorization by OWNER for ENGINEER to proceed with the PROJECT.

B. Legal Expenses. In the event legal action is brought by OWNER or ENGINEER against the other to enforce any of the obligations hereunder or arising out of any dispute concerning the terms and conditions of this Agreement, the losing party shall pay the prevailing party such reasonable amounts for fees, costs and expenses as may be set by the court.

C. Notices. Any notice or correspondence required under this Agreement shall be sent by certified mail, return receipt requested, or by personal delivery and shall be effective upon receipt, if addressed to the party receiving the notice or correspondence at the following address:

If to ENGINEER: Teague Nall and Perkins, Inc.
Attn: Michael G. DeMotte, P.E.
17304 Preston Road, Suite 1340
Dallas, Texas 75252

If to OWNER: City of Rockwall
Attn: Tim Tumulty, P.E.
385 South Goliad Street
Rockwall, Texas 75087

D. Independent Contractor. ENGINEER shall perform services hereunder as an independent contractor, and not as an officer, agent, servant or employee of the OWNER and ENGINEER shall have the exclusive right to control services performed hereunder by ENGINEER, and all persons performing same, and shall be responsible for the negligent acts and omissions of its officers, agents, employees, and subconsultants. Nothing herewith shall be construed as creating a partnership or joint venture between OWNER and ENGINEER, its officers, agents, employees and subconsultants; and the doctrine of respondent superior has no application as between OWNER and ENGINEER.

E. Venue. This Agreement shall be governed by the laws of the State of Texas, and venue in any proceeding relating to this Agreement shall be in Rockwall County, Texas.

F. Entire Agreement. This Agreement represents the entire and integrated agreement between OWNER and ENGINEER and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both OWNER and ENGINEER.

G. Severability. If any provision in this Agreement shall be held illegal by a valid final judgment of a court of competent jurisdiction, the remaining provisions shall remain valid and enforceable.

H. Assignment. OWNER and ENGINEER each bind themselves, their heirs, successors and assigns, to the other party to this Agreement and to the successors and assigns of each other party in respect to all covenants of this Agreement. This Agreement is not to be assigned, sublet or transferred, in whole or in part, by either OWNER or ENGINEER without the prior written consent of the other party.

This Agreement is executed in two (2) counterparts.

IN TESTIMONY WHEREOF, the parties hereto have executed this Agreement this the ____day of _____

CITY OF ROCKWALL, TEXAS
(OWNER)

By: _____

Date: _____

TEAGUE NALL AND PERKINS, INC.
(ENGINEER)

By: _____
Michael G. DeMotte, P.E., Team Leader

Date: 11/20/15

EXHIBIT A

PROJECT SCHEDULE
FOR

Stonebridge Lift Station Elimination

The following is a breakdown of the project into separate phases with the contract time for engineering services through final design for each phase. Signing this Agreement shall be construed as authorization by OWNER for ENGINEER to proceed with the PROJECT.

		Engineering
Phase 1	Design Phase Services	120 Calendar Days
Phase 2	Bidding Phase Services	20 Calendar Days
Phase 3	Construction Phase Services	240 Calendar Days*

* Anticipated construction schedule is beyond the control of the ENGINEER, and is provided for informational purposes only.

EXHIBIT B

BASIC ENGINEERING SERVICES
FOR

Stonebridge Lift Station Elimination

The scope of work for BASIC Engineering Services involves Design, Bidding, and Construction Phase services.

I. GENERAL

A. Project Management

1. The ENGINEER will meet with the OWNER on an as needed basis during the development of the preliminary and final design phases of the PROJECT.

2. The ENGINEER will establish and maintain PROJECT schedules and budgets, develop monthly progress reports, prepare invoices, and meet with other entities on an as needed basis for the duration of the PROJECT's design.

B. Data Collection

1. The ENGINEER will collect, compile and evaluate existing data collected from the OWNER, or other entities that provide information for the design of the PROJECT.

2. A location map/schematic will be provided to the affected utility companies. These schematics will be used by the utility companies to show approximate locations of their facilities which are or may be affected by the PROJECT.

3. The ENGINEER will attempt to obtain Record Drawings and future plans for the following facilities in the PROJECT area including:
   - Roadways/Alleys
   - Water lines
   - Sanitary Sewer Lines
   - Storm Drain Lines

4. The ENGINEER will contact Dig-Tess and/or franchise utility companies (directly) to attempt to have franchise utilities in the PROJECT area horizontally-located including:
   - Underground and/or Overhead Telephone Lines and Cables
   - Electric Underground and/or Overhead Lines

- Gas Lines
- Other Utilities Known to Serve the PROJECT Area

Location information obtained above will be tied by the surveyor. The locations of utilities tied from field surveys will be shown on PROJECT plans.

II. DESIGN PHASE:

1. The ENGINEER will develop base maps to show existing topographic features in the PROJECT area. Base maps will include the approximate location of existing utilities as provided by utility companies.

2. The ENGINEER will develop a proposed alignment for the gravity sanitary sewer mains and submit to OWNER for approval.

3. The ENGINEER will develop preliminary plans of the proposed improvements. Plan sheets will be at a 1" = 20' or larger scale and contain topographic information, existing right of way lines, locations of driveways, roadways/alleys, pavement edges, limits of drainage structures, and other existing features affecting construction, if any. The plan set is anticipated to include the following (exact sheets may vary somewhat based upon design):
   a. Cover
   b. General Notes
   c. Project Layout & Control Plan
   d. SWPPP/Erosion Control Plan
   e. SWPPP Narrative Sheet
   f. Sanitary Sewer Plan and Profile Sheets
   g. Construction Details Sheets
   h. Lift Station Demolition Plan

4. The ENGINEER will prepare technical specifications for the PROJECT, to include:
   a. Pipe, Manholes
   b. General (Submittals, Mobilization, etc. not covered under City standards)

5. The ENGINEER will prepare/organize front-end documents (base files to be provided by OWNER). These documents will be included in the Project Manual, and will include:
   a. Cover
   b. Table of Contents
   c. Notice to Bidders
   d. Instruction to Bidders
   e. Bid Form
   f. Standard Form of Agreement

g. Bonds
h. General Conditions
i. Supplementary Conditions
j. Prevailing Wage Rates

6. The ENGINEER will meet with the OWNER at regular intervals during the preparation of preliminary plans to present work-to-date and receive input.

7. The ENGINEER will develop preliminary contract documents and specifications.

8. The ENGINEER will develop Preliminary Probable Opinion of Costs for the project.

9. The ENGINEER will submit two (2) sets of preliminary design plans and cost opinions for OWNER review.

10. The ENGINEER will meet with the OWNER to review comments.

11. The ENGINEER will prepare and submit easement documents for temporary construction easements as an Additional Service, if necessary, after the OWNER's preliminary plan review comments are received.

12. The ENGINEER will transmit preliminary plans to utility companies to identify potential conflicts, as necessary.

13. The ENGINEER will incorporate OWNER review comments and directives from the preliminary design plans, in the preparation of final construction plans.

14. The ENGINEER will revise contract documents and specifications per review comments received.

15. The ENGINEER will revise the preliminary quantities and opinion of probable costs per changes in the final design and review comments.

16. The ENGINEER will submit final construction plans to applicable agencies, utility companies and the OWNER for final review. A letter of notice will be prepared and submitted to the Texas Commission on Environmental Quality (TCEQ) notifying the agency of the PROJECT and requesting notification if plans and specifications are required to be submitted. If required by TCEQ, the ENGINEER will submit the required documents to TCEQ for review.

17. The ENGINEER will address final OWNER review comments and prepare project for bidding.

IV. BIDDING PHASE:

1. The ENGINEER will assist the OWNER in the advertisement of the PROJECT for bid. The OWNER shall bear the cost of advertisement. The ENGINEER shall provide all necessary printing of construction plans, specifications and contract documents for use in obtaining bids, awarding contracts, and constructing the PROJECT. The ENGINEER shall be responsible for dispersing all plans and specifications from its office to prospective bidders.

2. The ENGINEER will assist the OWNER in conducting a Pre-Bid Conference.

3. The ENGINEER will prepare and distribute Addenda to Bid Documents as necessary.

4. The ENGINEER will assist the OWNER in the opening and tabulation of the construction bids for the PROJECT and recommend to the OWNER as to the proper action on all proposals received.

5. The ENGINEER will check references for the lowest and second lowest bidders and prepare a Letter of Recommendation of Award.

6. The ENGINEER will assist in the preparation of formal Contract Documents and in coordinating their execution by the respective parties.

V. CONSTRUCTION PHASE:

1. The ENGINEER will represent the OWNER in the non-resident administration of the PROJECT. In this capacity, the ENGINEER shall have the authority to exercise whatever rights the OWNER may have to disapprove work and materials that fail to conform to the Contract Documents when such failures are brought to the ENGINEER's attention. (This function of ENGINEER shall not be construed as supervision of the PROJECT and does not include on-site activities other than occasional site visits to observe overall PROJECT conditions or when specifically requested by OWNER to visit on site for a particular matter. It particularly does not involve exhaustive or continuous on-site inspection to check the quality or quantity of the work or material; nor does it place any responsibility on the ENGINEER for the techniques and sequences of construction or the safety precaution incident thereto, and ENGINEER will not be responsible or liable in any degree for the Contractor's failure to perform the construction work in accordance with the Contract Documents.)

2. The ENGINEER will consult and advise the OWNER; issue such instructions to the Contractor as in the judgment of the ENGINEER are necessary; and prepare routine change orders as required.

3. The ENGINEER will review samples, catalog data, schedules, shop drawings, laboratory, shop and mill tests of material and equipment and other data which the Contractor is required to submit, only for conformance with the design concept of the PROJECT and compliance with the information given by the Contract Documents; and assemble written guarantees which are required by the Contract Documents.

4. The ENGINEER will prepare or review monthly and final estimates for payments to Contractor, and furnish to the OWNER any necessary certifications provided by the Contractor, as to payments to subcontractors and suppliers.

5. The ENGINEER will conduct, in company with the Contractor, a final inspection of the PROJECT for conformance with the design concept of the PROJECT and compliance with the Contract Documents; and approve in writing final payment to the Contractors.

6. The ENGINEER will revise contract drawings, with the assistance of the OWNER's Resident PROJECT Representative to reflect available information as to how the work was constructed. The OWNER's Resident PROJECT Representative will provide the ENGINEER a red-lined set of drawings depicting changes during construction. The ENGINEER shall revise original design drawings, noting changes during construction, and submit a set of Record Drawings to the OWNER.

EXHIBIT C

SPECIAL ENGINEERING SERVICES FOR

Stonebridge Lift Station Elimination

The scope of work for the Special Engineering Services is more generally described as follows:

I. SURVEYING

A. Design Surveys

1. Establish survey control for the PROJECT. These control points will be established from and tied to the Texas State Plane Coordinate System (NAD '83/93 Texas North Central Zone). Control points will be established using 5/8" iron rods, 18" long. These control points will be established using GPS and conventional surveying methods.

2. Benchmark Loop. A benchmark circuit will be established, based on NAV 88 vertical control. These benchmarks will be located outside of the construction limits and put in such a place so that they may be easily found for future use. Benchmarks shall be looped in accordance with good surveying practice prior to field surveys.

4. Existing Underground and/or Overhead Utilities. Utility owner's will be contacted, on an as-needed basis, and requested to assist in locating existing utilities identified for the PROJECT. Above ground features of existing utilities within 20 feet of proposed center lines will be field located, including elevations of sanitary and storm sewer manhole flowlines and water/gas valve stems. The location of utilities between above ground features will be determined from visual inspection, utility records, and/or from locations determined by the respective utility companies. The utilities will be tied to the PROJECT control points and depths determined in sufficient detail to identify potential conflicts with proposed construction. The excavation and other costs required to expose or probe the underground utilities will be the responsibility of others.

5. Boundary Survey. Establish horizontal control points as needed throughout the project. The basis of bearings will be Grid North of the Texas Coordinate System of 1983 (North Central Zone; NAD83(CORS96) Epoch 2002.00) as derived locally from Western Data Systems Continuously Operating

Reference Stations (CORS) via Real Time Kinematic (RTK) methods. Title research and deeds & plats obtained of the subject property and the adjoining property owners. A deed sketch will be prepared. An investigation of boundary markers/corners will be made along the route. A boundary analysis of the property will be made by a Registered Professional Land Surveyor and shown with the topographic survey for engineering purposes.

B. Direct Costs

1. Printing, reproduction, plots, copies and other costs directly attributable to the project shall be reimbursed per Exhibit F: Compensation.

EXHIBIT D

ADDITIONAL ENGINEERING SERVICES

FOR

Stonebridge Lift Station Elimination

1. Additional Services, not included in the scope of work, include those that may result from significant changes in the general scope, extent or character of the PROJECT or its design including, but not limited to, changes in size, complexity, OWNER's schedule, character of construction or method of financing; and revising previously accepted studies, reports design documents or Contract Documents when such revisions are required by changes in laws, rules, regulations, ordinances, codes or orders enacted subsequent to the preparation of such studies, reports or documents, or are due to any other causes beyond ENGINEER's control.

2. Additional Services not included in the scope of work, also include assistance to the OWNER in connection with bid protests, rebidding or renegotiating contracts for construction, materials, equipment or service, or preparing to serve or serving as a consultant or witness for OWNER in any litigation, arbitration or other legal proceeding involving the PROJECT.

3. Additional Services not included in the scope of work also include route and or site changes occurring after commencement of the preliminary design phase.

4. Additional services not included in the scope of work also include right-of-way and property surveys, easement document preparation and construction staking.

5. Additional services in connection with the PROJECT, including services which are to be furnished by the OWNER and services not otherwise provided for in this Agreement will be at the following rates:

   Staff Member and Resident Project Representative - Salary Cost Times Multiplier of 2.50.

   Salary Cost is defined as the cost of payroll of ENGINEER's, draftsmen, stenographers, survey men, clerks, laborers, etc., for the time directly chargeable to the PROJECT, plus social security contributions, unemployment compensation insurance, retirement benefits, medical and insurance benefits, longevity payments, sick leave, vacation and holiday pay applicable thereto.

EXHIBIT E

SERVICES TO BE PROVIDED BY THE OWNER

The OWNER will provide the following to the ENGINEER in the performance of the PROJECT upon request:

1. Provide any existing data the OWNER has on file concerning the PROJECT, if available.

2. Provide any available record drawings and maps of existing infrastructure.

6. Assist the ENGINEER, as necessary, in obtaining any required data and information regarding location of OWNER's infrastructure.

7. Assist the ENGINEER, as necessary, in obtaining any required data and information from utility companies.

4. Assist the ENGINEER by requiring appropriate utility companies to expose underground utilities within the Right-Of-Way, when required.

5. Give prompt written notice to ENGINEER whenever OWNER observes or otherwise becomes aware of any development that affects the scope or timing of the ENGINEER's services.

EXHIBIT F

COMPENSATION

I. COMPENSATION

The applicable fees for Basic and Special Engineering Services shall remain in effect through the year 2016. Thereafter, the fees for services not completed will be subject to a 5% increase for each year after 2016.

For and in consideration of the services to be rendered by the ENGINEER, the OWNER shall pay, and the ENGINEER shall receive the compensation hereinafter set forth for Basic Engineering Services and additionally for Special Engineering Services that are in addition to the Basic Engineering Services. All remittances by OWNER of such compensation shall either be mailed or delivered to the ENGINEER's home office as identified in the work authorization.

"Salary Cost" used herein is defined as the cost of salaries of ENGINEER's, draftsmen, stenographers, survey men, clerks, laborers, etc. for time directly chargeable to the PROJECT plus social security contributions, unemployment, excise and payroll taxes, employment compensation insurance, retirement benefits, medical and insurance benefits, sick leave, bonuses, vacation, and holiday pay applicable thereto.

A. Compensation for the Basic Engineering Services (Design, Bidding, and Construction phases) shall be a lump sum fee of $ 58,300.00, inclusive of Direct Expenses.

Payment for the Design phase portion of the Basic Services shall be due in monthly installments in the proportion to that part of the services in the Design phase which have been accomplished. Final payment for services authorized in the Design phase shall be due at the completion of these services.

Payment for the Bidding phase portion of the Basic Services shall be due in monthly installments in the proportion to that part of the services in the Design phase which have been accomplished. Final payment for services authorized in the Design phase shall be due at the completion of these services.

Payment for the Construction phase of the Basic Service shall be due in monthly installments in proportion to the construction work completed on the basis of the Contractor's monthly payment estimates. Upon completion of all

work authorized in the Construction phase, the ENGINEER will be paid the remainder of the charge for this phase.

The following is a breakdown of the project into separate phases with the applicable engineering design fee for each phase.

Basic Engineering Services

Phase 1	Design Phase Services	$ 41,900.00
Phase 2	Bidding Phase Services	$ 6,800.00
Phase 3	Construction Phase Services	$ 9,600.00
	Total:	$ 58,300.00

B. Compensation for Special Engineering Services not covered by the Basic Services provided herein above shall be as follows:

Design Surveys — Lump Sum Fee of $ 16,000.00

C. Compensation for Additional Services not covered by Basic or Special Services provided herein shall be as follows:

For all of ENGINEER's personnel time applied to the Additional Services, Salary Cost times a multiplier of 2.50.

For all direct non-labor and/or subcontract expense, including mileage, travel and living expenses at invoice or internal office cost times a multiplier of 1.10.

Payments to the ENGINEER for authorized Additional Services will be due monthly, upon presentation of monthly statement by the ENGINEER for such services.

II. AUDIT AND SCOPE CHANGE

Cost budgets are set forth above and are subject to the audit provisions of this Agreement, Section XVI. It is also understood that the cost budgets are based upon ENGINEER's best estimate of work and level of effort required for the proposed scope of services. As the PROJECT progresses, it is possible that the level of effort and/or scope may differ up or down from that assumed. If there are no scope changes, the ENGINEER shall receive the full amount of lump sum and unit price fees, regardless of the cost. If at any time it appears that the cost budget may be exceeded, the ENGINEER shall notify the OWNER as soon a possible in writing.

If there is a scope change, the ENGINEER shall notify the OWNER as soon as possible in writing and shall include a revised scope of services, estimated cost, revised fee schedule, and a revised time of completion. Upon negotiation and agreement via a signed amendment by both parties, the cost budget, fee schedule, and total budget will be adjusted accordingly.

OWNER shall not be obligated to reimburse the ENGINEER for costs incurred in excess of the cost budget. The ENGINEER shall not be obligated to perform on any change in scope of work or otherwise incur costs unless and until the OWNER has notified the ENGINEER in writing that the total budget for Engineering services has been increased and shall have specified in such notice a revised total budget which shall thereupon constitute a total budget for engineering services for performance under this Agreement.

A detailed scope of work, total budget, and schedule will be prepared by the ENGINEER and executed by the OWNER if the ENGINEER is authorized to perform any Additional Service(s).

III. PAYMENT

Payments to the ENGINEER will be made as follows:

A. Invoice and Time of Payment

Monthly invoices will be issued by the ENGINEER for all work performed under this Agreement. Invoices are due and payable on receipt. Invoices will be prepared in a format approved by the OWNER prior to submission of the first monthly invoice. Once approved, the OWNER agrees not to require changes in the invoice format, but reserves the right to audit. Monthly payment of the fee will be in proportion to the percent completion of the total work (as indicated in Exhibit B: “Basic Engineering Services” and Exhibit C: “Special Engineering Services”).

B. Upon completion of services enumerated in Exhibit B: "Scope of Engineering Services", the final payment of any balance will be due upon receipt of the final invoice.

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150

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Brad Griggs, *Assistant City Manager*
Timothy M. Tumulty, *Director of Public Works/City Engineer*

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: December 7, 2015

SUBJECT: Variance to the Retaining Wall Requirements (*107 Independence Place*)

The applicant, Chad Hudson, has submitted a request for a variance to the retaining wall requirements stipulated by the *Standards of Design and Construction* manual for the purpose of allowing two (2) smooth face, concrete retaining walls. According to the applicant's letter, the purpose of the variance request is to allow more modern retaining walls to be constructed, which will better complement the contemporary or modern architectural style of the proposed home. The updates -- *approved in October 2007* -- to the *Standards of Design and Construction* manual state that, "(a)ll retaining walls [*are*] to be masonry, stone, or reinforced concrete with stone face/form liner … (n)o smooth concrete retaining walls to [*shall*] be installed on site." Accompanying this memorandum are examples of the architectural style for the proposed retaining walls and a site plan showing the proposed locations of the retaining walls. It should be noted that the proposed retaining walls will incorporate architectural finishes (*i.e. decorative holes, industrial form lines*) that are different and distinctive from typical smooth faced retaining walls. Additionally, the proposed walls will be located primarily behind the house, the majority of which will not be visible from a public right-of-way or the adjacent properties. *Should the City Council have questions concerning this request the applicant and staff will be available at the meeting.*

November 16, 2015

Via email and hand delivery

City of Rockwall
Attn: Ryan Miller, Director of Planning and Zoning
385 S. Goliad
Rockwall, Texas 75087

Mr. Miller,

This letter is to provide you and the Planning and Zoning department with information necessary to approve a variance to Chad Hudson of Hudson Properties, Inc. for construction of smooth concrete architectural landscaping and retaining walls on property located in Chandlers Landing. The construction project is for Mr. Hudson's personal residence. Construction on this personal home is anticipated to start the first quarter of 2016.

The city is somewhat familiar with this project located at 107 Independence Place. A few years ago Mr. Hudson requested and received the city's approval (and that of Chandlers Landing) to convert the property into an estate lot and build a private access gate. It had previously been plotted into three lots each with a meter tap. Today, the property is a single estate lot with three meter taps and a wrought iron fence and gate enclosing the lot. Mr. Hudson will build his personal residence on a portion of the property, with the remainder subject to future construction upon possible replat submittals.

The style of home to be built is more on the contemporary or modern spectrum versus a traditional style home. There will be several architectural features and design elements that complement the modern look of the home. Before construction on the house can begin, three architectural landscaping and retaining walls need to be put into place. The location of the house will not allow for the walls to be built simultaneously with or after initial construction. These walls will need to be constructed out of smooth concrete to match the style of the home.

The smooth concrete wall is a unique architectural design feature that Mr. Hudson has carefully researched and designed. Mr. Hudson has hired a specialist for this project. It is the company that designed and built the walls featured at the Dallas Arboretum. Pictures of these walls as well as examples of other architectural walls are attached to this letter. Also included is a wall design plan.

Review of the construction site plan shows that a majority of the walls will eventually be hidden behind the actual home once it is completed and not within public view. They will be able to be seen by the Hudsons, as residents of the house.

Chandlers Landing has no concerns or issues with this style of wall – as is evidenced by the email from Robert Rohde attached. If additional information from Chandlers Landing is needed, please advise.

If you have any questions or concerns, or need additional information, please do not hesitate to contact Chad Hudson (214-477-3177 or chad@hudsonproperties.com).

Best Regards,

Lindsay B. Hudson, Esq.

Enclosure

Hudson, Lindsay

From: Chad J. Hudson <chad@hudsonproperties.com>
Sent: Monday, November 16, 2015 12:11 PM
To: Hudson, Lindsay
Subject: Fw: Independence Pass retaining wall(s)

Chad J. Hudson
Hudson Properties, Inc.
107 Independence Place
Rockwall, Texas 75032
C 214.477.3177
hudsonproperties.com

Begin forwarded message:

On Wednesday, February 4, 2015, 12:47 PM, Robert Rohde <robert.rohde@chandlerslanding.org> wrote:

This is OK. When you get the permits, just send me a copy along with the location on the lot via a plat. Thanks & Regards,

Robert

From: Chad J. Hudson [mailto:chad@hudsonproperties.com]
Sent: Wednesday, February 04, 2015 9:50 AM
To: robert.rohde@chandlerslanding.org
Subject: Independence Pass retaining wall(s)



Chad J. Hudson

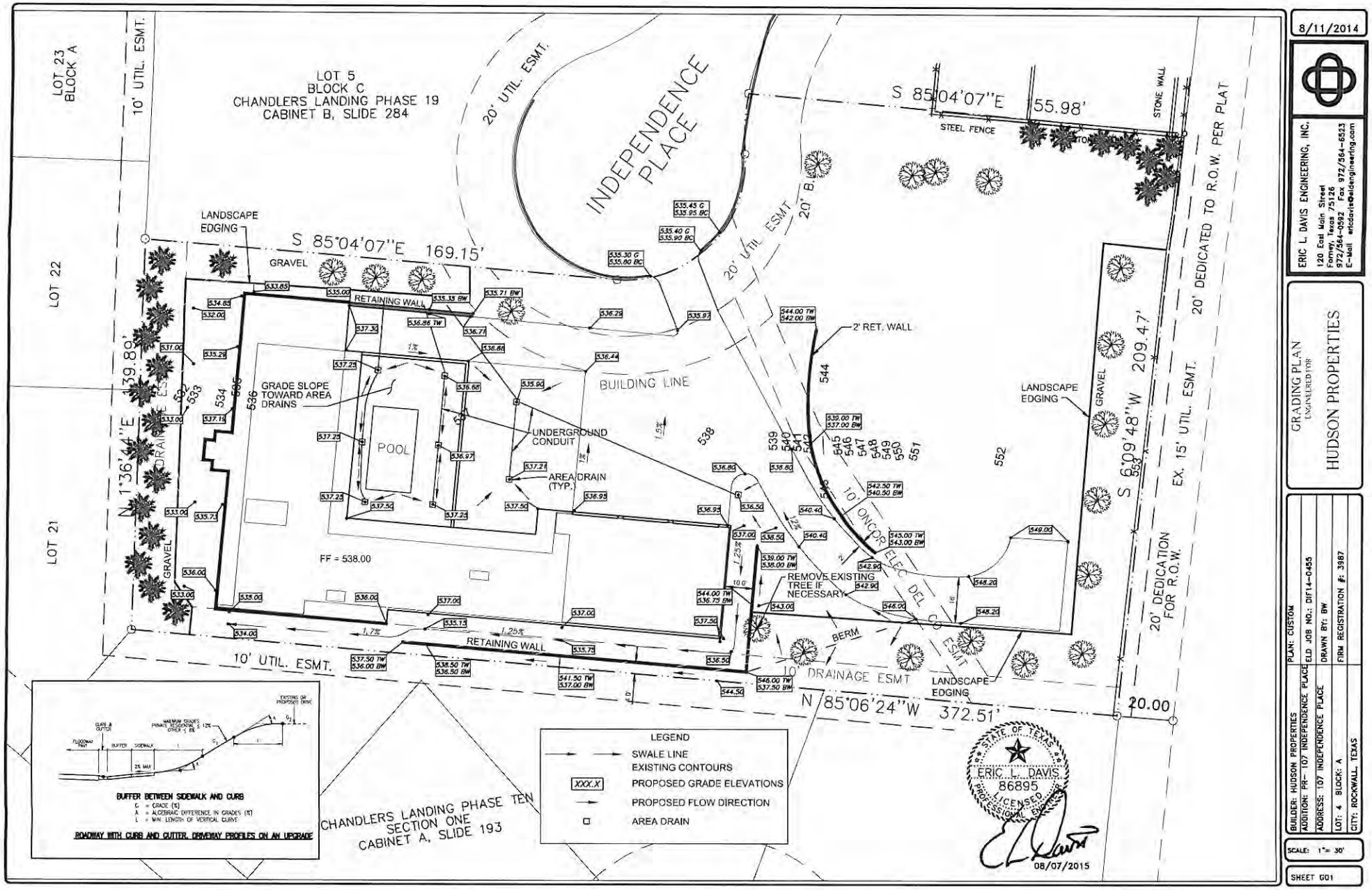
Hudson Properties, Inc.

107 Independence Place

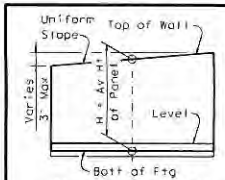
Rockwall, TX 75032

C 214.477.3177

sent from iPhone

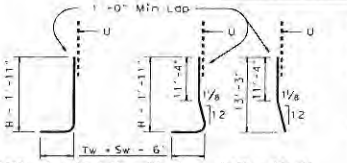

LOT 23
BLOCK A
LOT 22
LOT 21
10' UTIL. ESMT.
LOT 5
BLOCK C
CHANDLERS LANDING PHASE 19
CABINET B, SLIDE 284
20' UTIL. ESMT.
INDEPENDENCE PLACE
20' B.L.
S 85°04'07"E 55.98'
STEEL FENCE
STONE WALL
LANDSCAPE EDGING
S 85°04'07"E 169.15'
GRAVEL
RETAINING WALL
N 1°36'44"E 139.89'
GRADE SLOPE TOWARD AREA DRAINS
BUILDING LINE
POOL
UNDERGROUND CONDUIT
AREA DRAIN (TYP.)
FF = 538.00
2' RET. WALL
LANDSCAPE EDGING
GRAVEL
S 6°09'48"W 209.47'
EX. 15' UTIL. ESMT.
20' DEDICATED TO R.O.W. PER PLAT
20' DEDICATION FOR R.O.W.
10' ONCOR ELEC. DEL. CO. ESMT.
REMOVE EXISTING TREE IF NECESSARY
BERM
10' DRAINAGE ESMT
LANDSCAPE EDGING
N 85°06'24"W 372.51'
20.00
10' UTIL. ESMT.
RETAINING WALL
BUFFER BETWEEN SIDEWALK AND CURB
G = GRADE (%)
A = ALGEBRAIC DIFFERENCE IN GRADES (%)
L = MIN. LENGTH OF VERTICAL CURVE
ROADWAY WITH CURB AND GUTTER, DRIVEWAY PROFILES ON AN UPGRADE
CHANDLERS LANDING PHASE TEN
SECTION ONE
CABINET A, SLIDE 193
LEGEND
SWALE LINE
EXISTING CONTOURS
XXX.X PROPOSED GRADE ELEVATIONS
PROPOSED FLOW DIRECTION
AREA DRAIN
STATE OF TEXAS
ERIC L. DAVIS
86895
LICENSED
PROFESSIONAL ENGINEER
08/07/2015
8/11/2014
ERIC L. DAVIS ENGINEERING, INC.
120 East Main Street
Forney, Texas 75126
972/564-0592 Fax 972/564-6523
E-Mail ericdavis@eldengineering.com
GRADING PLAN
ENGINEERED FOR
HUDSON PROPERTIES
BUILDER: HUDSON PROPERTIES
ADDITION: PR- 107 INDEPENDENCE PLACE
ADDRESS: 107 INDEPENDENCE PLACE
LOT: 4 BLOCK: A
CITY: ROCKWALL, TEXAS
PLAN: CUSTOM
ELD JOB NO.: DIF14-0455
DRAWN BY: BW
FIRM REGISTRATION #: 3987
SCALE: 1"= 30'
SHEET G01

156

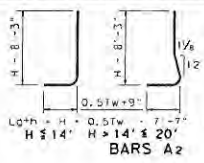


H DEFINITION

Wall Height "H"	PROPERTIES: WALL DIMENSIONS						Max Soil Press	REINFORCING STEEL FOR ONE 32' PANEL (DESIGN A)																														QUANTITY FOR ONE 32' PANEL		Wall Height "H"
								A_1 ~ 26 #5 at 15" c-c		A_2 ~ 25 #6 at 15" c-c		A_3 ~ 25 #7 at 15" c-c		A_4 ~ 26 #8 at 15" c-c		A_5 ~ 25 #9 at 15" c-c		A_6 ~ 25 #11 at 15" c-c		A_7 ~ 26 #11 at 15" c-c		B ~ 26 #5 at 15" c-c		C						D (#5) at 12" c-c		Dowel F at 12" c-c		H (#5) at 12" c-c		I (#5) at 12" c-c		U ~ 26 #5 at 15" c-c		CONC (CY)	REINF (LB)	
(Ft)	Fw	Tw	Sw	Hw	Ft	Kw	T/SF	Lgth	Wt	Lgth	Wt	Lgth	Wt	Lgth	Wt	Lgth	Wt	Lgth	Wt	Lgth	Wt	Lgth	Wt	Size	No	Spa	Lgth	Wt	No	Wt	No	Wt	No	Wt	No	Wt	No	Wt			(ft)
2	1'-8"	8"	1'-0"	0	9"	9"	0.11																						4	131	3	24			2	66	3'-4"	90	3.6	312	2
3	2'-0"	1'-0"	1'-0"	0	9"	9"	0.15																						6	197	4	32	2	66	2	66	5'-4"	145	5.1	506	3
4	2'-8"	1'-4"	1'-0"	4"	1'-0"	9"	0.21	3'-10"	104																			3'-6"	95	#4	26	15"	1'-10"	32	8	263	6	48	2	66	2	66	2	66	7'-4"	199	7.4	873	4
5	3'-6"	1'-9"	1'-0"	9"	1'-0"	9"	0.23	5'-3"	142																			4'-6"	122	#4	26	15"	2'-3"	39	10	329	7	56	2	66	3	99	8'-4"	226	9.6	1079	5
6	4'-3"	2'-2"	1'-0"	1'-1"	1'-0"	9"	0.24	6'-8"	181																			5'-6"	149	#4	26	15"	2'-8"	46	12	394	8	64	3	99	3	99	8'-4"	226	11.6	1259	6
7	5'-0"	2'-6"	1'-0"	1'-6"	1'-0"	9"	0.27	8'-0"	217																			6'-6"	176	#4	26	15"	3'-0"	52	14	460	9	72	3	99	3	99	8'-4"	226	13.7	1401	7
8	5'-8"	2'-10"	1'-0"	1'-10"	1'-0"	9"	0.30	9'-4"	253																			7'-6"	203	#4	26	15"	3'-4"	58	16	526	10	80	3	99	4	131	8'-4"	226	15.7	1575	8
9	6'-4"	3'-2"	1'-0"	2'-2"	1'-0"	9"	0.33	10'-8"	284																			8'-6"	231	#4	26	15"	3'-8"	64	18	591	11	88	3	99	4	131	8'-4"	226	17.7	1714	9
10	7'-0"	3'-6"	1'-0"	2'-6"	1'-0"	9"	0.36	12'-0"	325	4'-2"	156																	9'-6"	258	#4	38	10"	4'-0"	102	20	657	12	96	4	131	4	131	8'-4"	226	19.6	2082	10
11	7'-9"	3'-10"	1'-0"	2'-11"	1'-0"	9"	0.39	13'-4"	362	5'-4"	200																	10'-6"	285	#6	38	10"	4'-4"	247	22	723	13	104	4	131	5	164	8'-4"	226	21.7	2436	11
12	8'-6"	4'-3"	1'-0"	3'-3"	1'-0"	9"	0.40	14'-9"	400	6'-7"	247																	11'-6"	312	#6	38	10"	4'-9"	271	24	789	14	112	4	131	5	164	8'-4"	226	23.8	2651	12
13	9'-2"	4'-7"	1'-0"	3'-7"	1'-0"	9"	0.43	16'-1"	436	7'-8"	288	6'-9"	345															12'-6"	339	#7	38	10"	5'-1"	395	26	854	15	120	5	164	6	197	8'-4"	226	25.8	3364	13
14	9'-10"	4'-11"	1'-0"	3'-11"	1'-0"	1'-0"	0.47	17'-5"	472	8'-11"	335	8'-1"	413															13'-6"	366	#8	38	10"	5'-5"	550	28	920	16	128	5	164	6	197	8'-4"	226	28.2	3771	14
15	10'-6"	5'-3"	1'-1 1/2"	4'-1 1/2"	1'-0"	1'-0"	0.50	18'-10"	511	10'-1"	379	9'-6"	485															14'-6"	393	#9	38	10"	5'-9"	743	30	986	17	136	6	197	6	197	8'-4"	226	30.3	4253	15
16	11'-2"	5'-7"	1'-2"	4'-5"	1'-3"	1'-3"	0.55	13'-3"	359	11'-2"	419	10'-11"	558	8'-5"	584													15'-6"	420	#9	38	10"	6'-1"	786	32	1051	18	144	6	197	7	230	8'-4"	226	36.0	4974	16
17	11'-10"	5'-11"	1'-3 1/8"	4'-7 1/8"	1'-3"	1'-3"	0.58	13'-3"	359	12'-5"	466	12'-4"	630	9'-10"	683													16'-6"	447	#9	38	10"	6'-5"	829	34	1117	19	152	7	230	7	230	8'-4"	226	38.5	5369	17
18	12'-6"	6'-3"	1'-4"	4'-11"	1'-6"	1'-3"	0.63	13'-3"	359	13'-7"	510	13'-9"	703	11'-2"	775													17'-6"	475	#9	38	10"	6'-9"	872	34	1117	19	152	7	230	8	263	8'-4"	226	44.3	5682	18
19	13'-3"	6'-7"	1'-5"	5'-3"	1'-6"	1'-6"	0.66	13'-3"	359	14'-9"	554	15'-2"	775	12'-8"	879													18'-6"	502	#9	38	10"	7'-2"	926	36	1183	20	160	7	230	8	263	8'-4"	226	48.1	6057	19
20	13'-10"	6'-11"	1'-6 1/4"	5'-4 3/4"	1'-6"	1'-6"	0.70	13'-3"	359	15'-11"	598	16'-7"	847	14'-1	978													19'-6"	529	#10	38	10"	7'-5"	1213	38	1248	21	168	8	263	8	263	8'-4"	226	50.9	6692	20
21	14'-6"	7'-3"	1'-7"	5'-8"	1'-9"	1'-6"	0.75	13'-3"	359	11'-2"	419	18'-0"	920	15'-5"	1070	9'-7"	815											20'-6"	556	#10	38	10"	7'-9"	1267	40	1314	22	176	8	263	9	296	8'-4"	226	57.7	7681	21
22	15'-2"	7'-7"	1'-8 1/8"	5'-10 5/8"	1'-9"	1'-6"	0.78	13'-3"	359	11'-2"	419	19'-5"	992	16'-11"	1174	10'-11"	928											21'-6"	583	#10	38	10"	8'-1"	1322	42	1380	23	184	8	263	9	296	8'-4"	226	61.0	8176	22
23	16'-0"	8'-0"	1'-9 1/8"	6'-2 1/4"	1'-9"	1'-6"	0.79	13'-3"	359	11'-2"	419	20'-11"	1069	18'-5"	1278	12'-4"	1048											22'-6"	610	#8	76	5"	8'-6"	1725	44	1446	24	192	9	296	10	329	8'-4"	226	64.8	8997	23
24	16'-6"	8'-3"	1'-10 1/8"	6'-4 5/8"	2'-0"	1'-6"	0.86	13'-3"	359	11'-2"	419	22'-3"	1137	19'-9"	1371	13'-7"	1155											23'-6"	637	#8	76	5"	8'-9"	1776	46	1511	25	200	9	296	10	329	8'-4"	226	72.4	9416	24
25	17'-3"	8'-7"	1'-11 1/4"	6'-8 3/4"	2'-0"	1'-6"	0.89	13'-3"	359	11'-2"	419	12'-2"	622	21'-2"	1469	15'-0"	1275	6'-1"	808									24'-6"	664	#8	76	5"	9'-2"	1860	48	1577	26	208	9	296	10	329	8'-4"	226	76.4	10112	25
26	18'-0"	9'-0"	2'-0 1/8"	6'-11 1/8"	2'-3"	1'-6"	0.93	13'-3"	359	11'-2"	419	12'-2"	622	22'-8"	1574	16'-4"	1388	7'-1"	941									25'-6"	692	#8	76	5"	9'-6"	1928	50	1643	27	217	10	329	11	361	8'-4"	226	85.2	10698	26
27	18'-6"	9'-4"	2'-1 1/4"	7'-0 3/4"	2'-3"	1'-6"	0.97	13'-3"	359	11'-2"	419	12'-2"	622	24'-1"	1672	17'-8"	1502	8'-1"	1074									26'-6"	719	#9	76	5"	9'-10"	2541	52	1708	28	225	10	329	11	361	8'-4"	226	89.0	11757	27
28	19'-3"	9'-7"	2'-2 5/8"	7'-5 5/8"	2'-3"	1'-9"	1.00	13'-3"	359	11'-2"	419	12'-2"	622	25'-5"	1764	19'-0"	1615	9'-1"	1206									27'-6"	746	#9	76	5"	10'-1"	2606	54	1774	29	233	10	329	12	394	8'-4"	226	94.5	12293	28
29	20'-0"	10'-0"	2'-3 1/2"	7'-8 1/2"	2'-3"	1'-9"	1.02	13'-3"	359	11'-2"	419	12'-2"	622	27'-0"	1874	20'-5"	1735	10'-1"	1339									28'-6"	773	#9	76	5"	10'-5"	2692	56	1840	30	241	11	361	12	394	8'-4"	226	99.2	12874	29
30	20'-6"	10'-4"	2'-4 3/8"	7'-9 3/8"	2'-3"	1'-9"	1.06	13'-3"	359	11'-2"	419	12'-2"	622	14'-4"	995	21'-9"	1849	11'-1"	1472	17'-0"	2348	29'-6"	800	#10	76	5"	10'-9"	3516	58	1906	31	249	11	361	12	394	8'-4"	226	103.3	15515	30
31	21'-3"	10'-7"	2'-5 3/4"	8'-2 1/4"	2'-3"	1'-9"	1.09	13'-3"	359	11'-2"	419	12'-2"	622	14'-4"	995	23'-0"	1955	12'-1"	1605	18'-4"	2533	30'-6"	827	#10	76	5"	11'-2"	3652	60	1971	32	257	11	361	13	427	8'-4"	226	108.2	16209	31
32	22'-0"	11'-0"	2'-6 1/2"	8'-5 1/2"	2'-6"	1'-9"	1.13	13'-3"	359	11'-2"	419	12'-2"	622	14'-4"	995	24'-5"	2075	13'-1"	1738	19'-10"	2740	31'-6"	854	#10	76	5"	11'-6"	3761	60	1971	32	257	12	394	13	427	8'-4"	226	118.9	16837	32



BARS A_1



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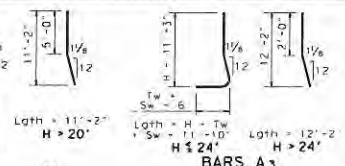

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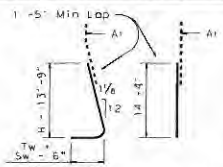

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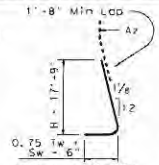

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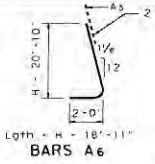

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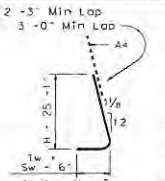

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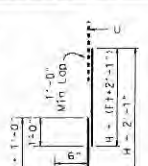
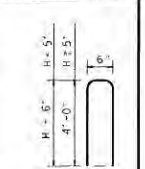
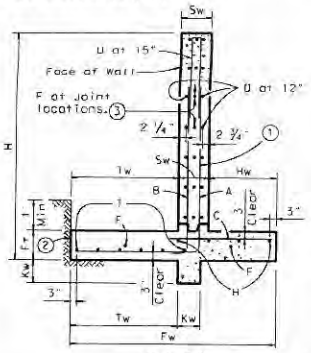


BARS B

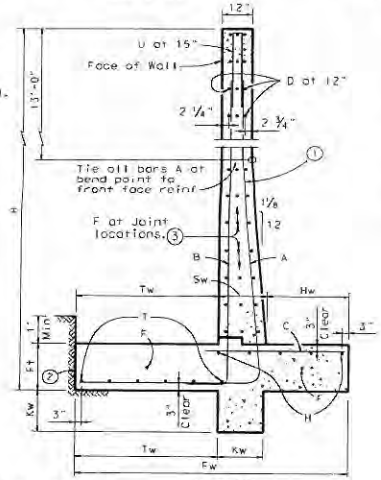


BARS U

1. Place vertical bars inside of horizontal bars (Typ both faces).
2. Place footing toe against undisturbed soil.
3. See standard RW 2 for size.

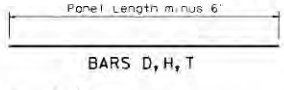


H ≤ 14'

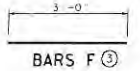


H > 14'

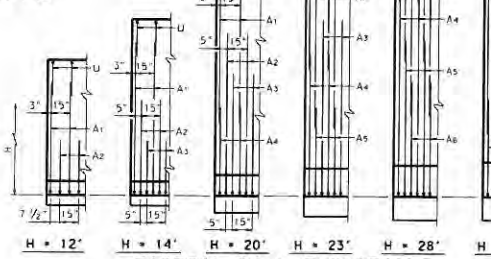
SECTIONS



BARS D, H, T



BARS F ③



PARTIAL WALL ELEVATIONS

(Showing vertical reinforcing pattern in back face)

GENERAL NOTES:

All concrete to be Class "C".
All reinforcing steel to be Grade 60.
For notes and details not shown on this sheet see sheet RW2.
Quantities are based on "H" being average height of panel.
Retaining Walls are designed to be coded as follows on Retaining Wall Layout Sheets.

HC - 21 - 28
LA - 28 - 32
- Panel Length - 32 is standard; 28' requires special quantities
- Average Height "H" of panel
- Design - A = no surcharge or slope above wall; B = slopes up to 4:1; C = traffic surcharge and/or slopes up to 2.5:1
- Footing pressure design - L = low, H = high

Texas Department of Transportation — Bridge Division Standard

RETAINING WALLS

RW 1(L)A

FILE	twistp05.dgn	DN TxDOT	CK TxDOT	DW CHS	CK MPM
©TxDOT	March 2010	CONT	SECT	JOB	HIGHWAY

DISCLAIMER
The use of this standard is governed by the "Texas Engineering Practice Act". No warranty of any kind is made by TxDOT for any purpose whatsoever. TxDOT assumes no responsibility for the conversion of this standard to other formats or for incorrect results or damages resulting from its use.

DATE
FILE

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Jeffrey Widmer, Building Official**

DATE: **December 7, 2015**

SUBJECT: **Projection sign height, size and materials variance request**

Ms. Matilyn Mathis with The Rustic Warehouse has requested to appear before the City Council to request variances for the height, size and materials of a new projection sign located at 1411 South Goliad.

Our sign ordinance allows a maximum height of four (4) feet for a projection sign and requires the materials to be steel, plastic, aluminum, or masonry. The maximum allowable size of a projection sign for this building is seventy-eight (78) square feet.

Ms. Mathis is requesting approval to allow a ninety-five (95) square foot, four and one half (4½) foot tall sign. The sign was constructed with mostly wood materials without the required permit and the applicant wishes to keep the sign.

The city council may consider variances for the following:

Height and size restrictions for new signs when compliance with the required height restriction would create a hardship and materials used for permitted signs when a variance would be appropriate for the construction of a sign to be consistent with the theme or style of an individual development. Characteristics such as the design, location, and visibility of the sign and building, as well as the proximity of the proposed sign location to roadways.

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The Rustic Warehouse

November 23, 2016

City of Rockwall
385 South Goliad
Rockwall, TX 75087

RE: Sign variance at 1411 South Goliad, Rockwall, TX

To Whom It May Concern:

I am requesting a sign variance for the location at 1411 S. Goliad, Rockwall TX. The location was previously vacant for over a year and the former sign removed. In preparation for the grand opening, planned for before Thanksgiving, several improvements had to be made both in and outside of the building. A new sign was obviously required and we wished it to be visible to both North and South bound traffic. To reflect consistence with the design theme of the store, I used wood (a common medium in our merchandise). I was completely unaware that wood was not an allowed material for an exterior sign.

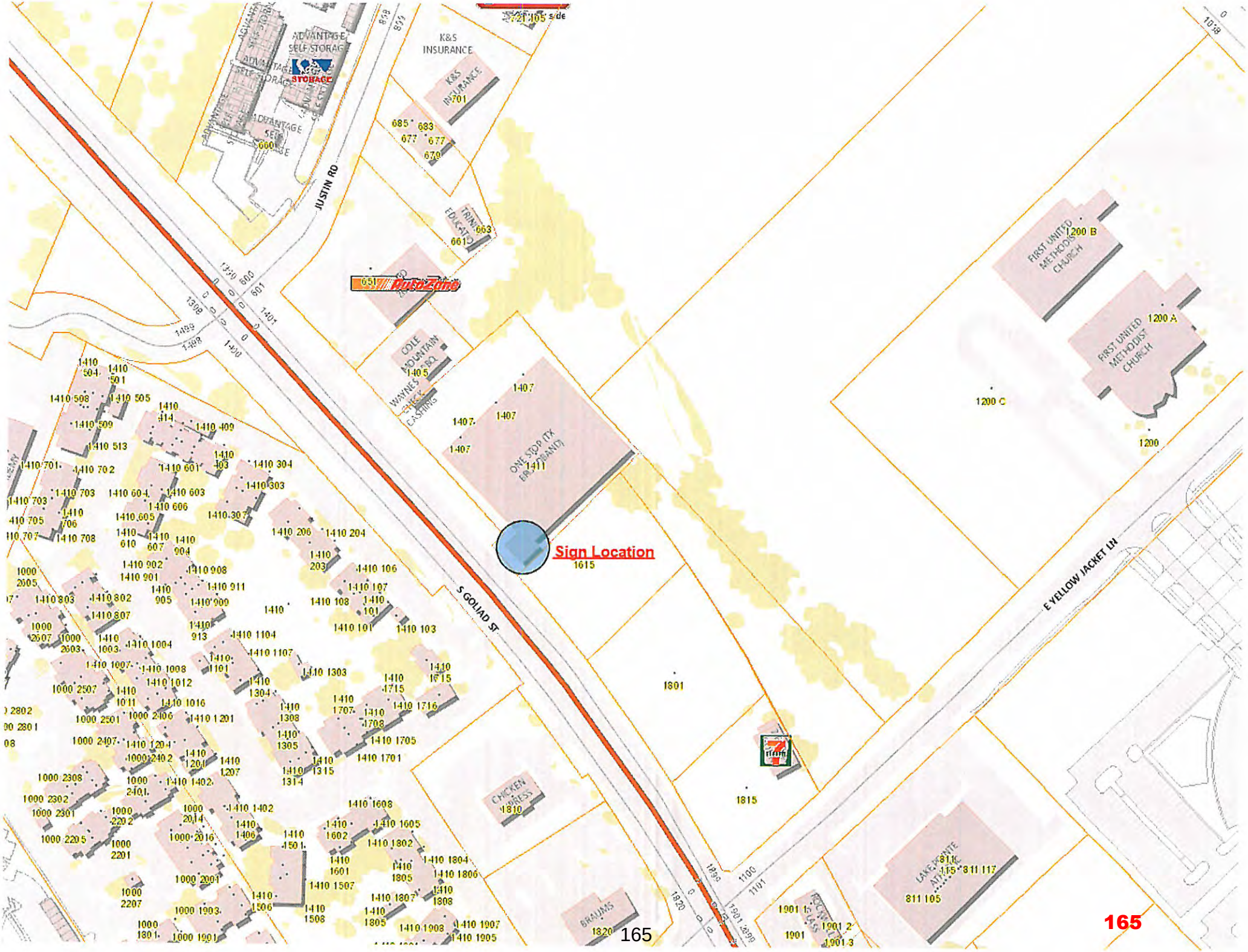
In addition to our aesthetic intentions, the choice of wood was the most cost effective owing to material costs as well as labor. My father, who is a master carpenter, built the sign for me (thereby eliminating labor costs). In total, the sign on display cost 20% less to build than a commercial grade metal sign. Since this is the first time I have ever owned a store front, I was unaware of the city ordinances for proper brick and mortar guidelines or that a permit was needed.

The size of the sign is a total of 95 sq ft. It comes in 3 sections, the main section is 47 sq ft (4.5 x 10.5) with 2 side sections of 24 sq ft (4.33 x 5.5) each. The sign is a three dimensional view that can seen from all approaching traffic and gives the most structurally secure design. Our total sq footage of the front elevation is 782 sq ft which is less then what is needed to meet the 10% code requirements of sign sq footage.

I humbly ask your permission to keep the sign that is already constructed. This has been a learning experience for me and I pray that this store will be a great addition to Rockwall and I know it will generate a lot of income for the City, since the only other places comparable are in Frisco or Plano.

Thank you for your consideration,

Matilyn Mathis
Owner
The Rustic Warehouse



ADVANTAGE SELF STORAGE
K&S INSURANCE
JUSTIN RD
AutoZone
COLE MOUNTAIN BBQ
WAYNES CHECK CASHING
ONE STOP (TX BROADBAND)
Sign Location
1615
S GOLIAD ST
E YELLOW JACKET LN
FIRST UNITED METHODIST CHURCH
1200 B
1200 A
1200 C
1200
1801
1815
CHICKEN PRESS
1810
BRAUMS
1820
LAKE POINTE ATHLETIC
811 105
811 117

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council**

FROM: **Jeffrey Widmer, Building Official**

DATE: **12/7/15**

SUBJECT: **Variance request for a new monument sign to be located at 301 N Fannin**

Ms. Brandi Lewellen with Sign Mart representing The Majors Law Firm has asked to appear before the City Council to request a variance for the front setback for a new monument sign, to be located at 301 N Fannin.

Our sign ordinance requires free standing signs to have a minimum ten (10) foot setback from the front property line. The applicant is requesting a five and one half (5½) foot setback from the front property line, due to the fact that the lot is small and the existing structure is setting only fifteen (15) feet back from the property line.

A minimum thirty (30) foot by thirty (30) foot visibility clip is required at this intersection. If the variance is approved, the purposed location of the sign will meet that requirement.

Ms. Lewellen brought a very similar request to the Council earlier this year, and a front setback variance was granted for a sign to be placed at 204 N. Fannin.

SignMart®
.com

204 E. Kaufman St, Rockwall, TX 75087

December 1, 2015

Attn: John Ankrum
City of Rockwall
Building Inspections Department
385 S. Goliad St
Rockwall, TX 75087

Re: Applicaton for Variance for Permit Rejection SGN2015-0128

John,
Please submit the application for a variance regarding sign placement for 301 N Fannin Street on behalf of The Majors Law Firm. The main identification sign for this property will not fall within the current city guidelines of placing the sign 8' off the property line due to the property line being approximately 5.5' from the front of the building.

Thank you,

Brandi Lewellen
SignMart
972-771-1143



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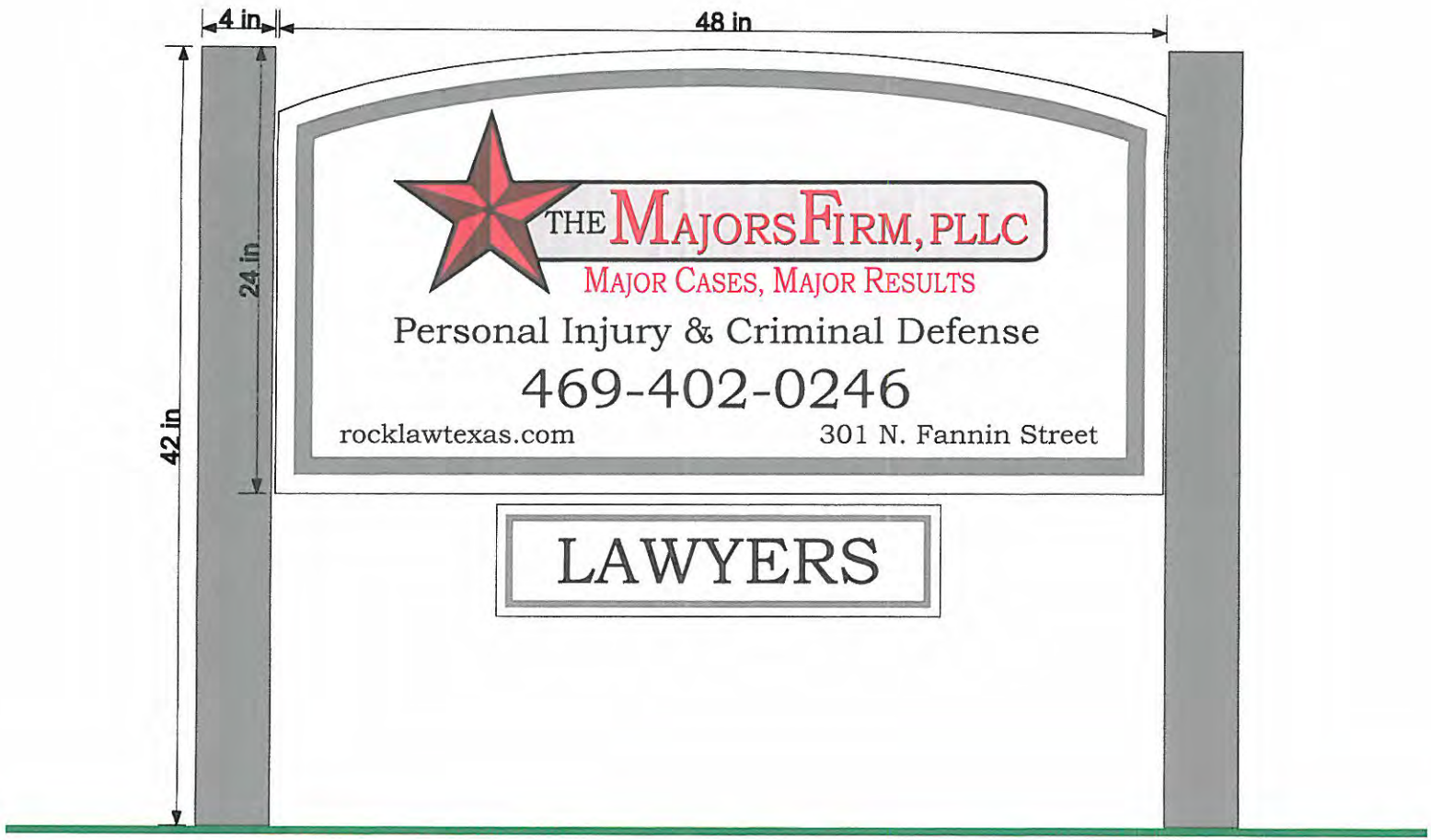
4 in
48 in
42 in
24 in
THE MAJORS FIRM, PLLC
MAJOR CASES, MAJOR RESULTS
Personal Injury & Criminal Defense
469-402-0246
rocklawtexas.com
301 N. Fannin Street
LAWYERS

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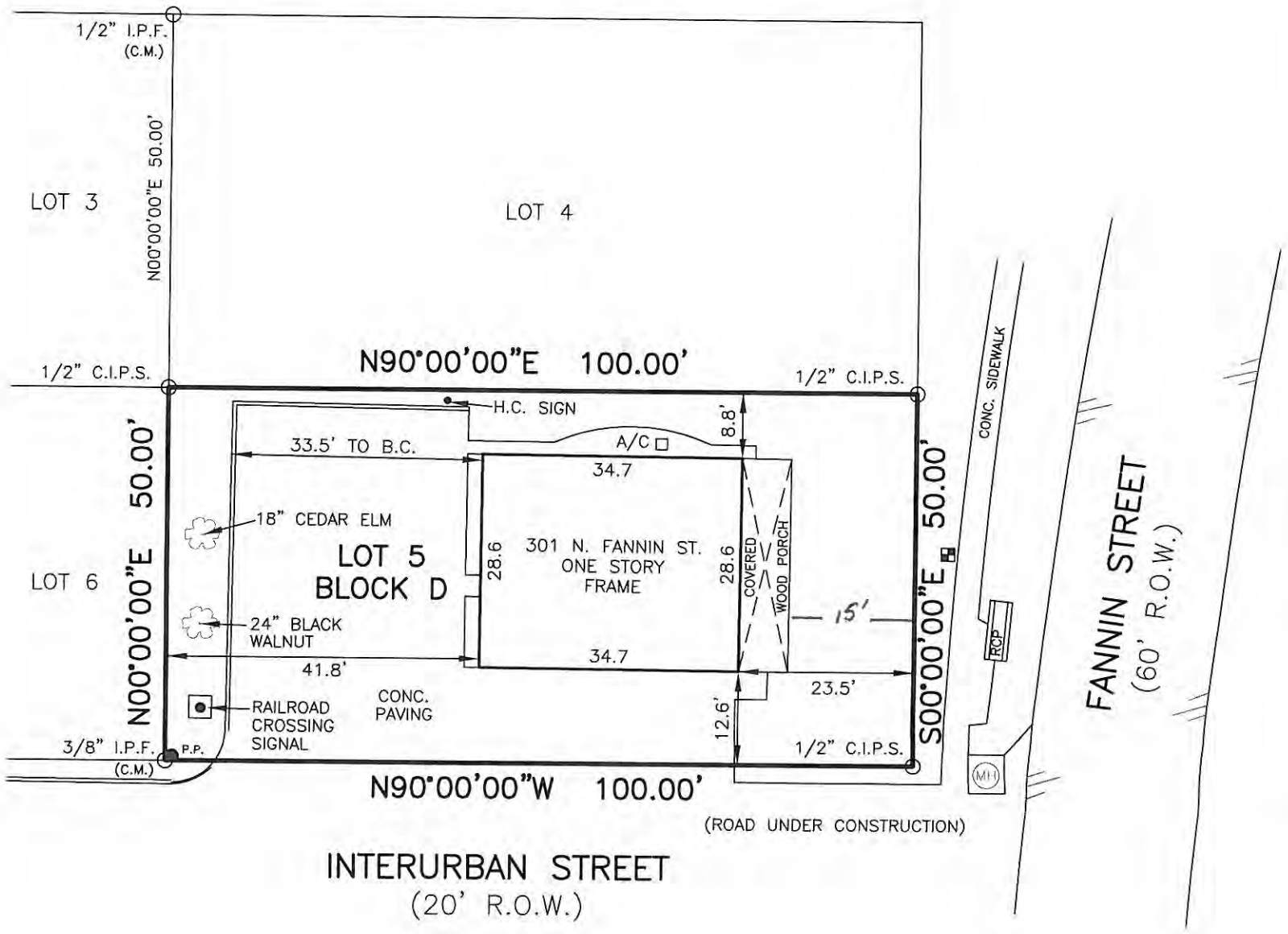
"LAND TITLE SURVEY"

BEING LOT 5, BLOCK D, OF TOWN OF ROCKWALL, AN ADDITION TO THE CITY OF ROCKWALL, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 1, PAGE 555, DEED RECORDS, ROCKWALL COUNTY, TEXAS, AND IN VOLUME F, PAGE 510, DEED RECORDS OF ROCKWALL COUNTY, TEXAS.



NOTES:

BEARINGS, BUILDING LINES, R.O.W.S, DIMENSIONS, ETC. ARE PER PLAT REFERENCED IN LEGAL DESCRIPTION ABOVE.

N

0' 20'

GRAPHIC SCALE:
1 INCH = 20 FEET

LEGEND	
—O—	WOOD FENCE
—X—	CHAIN LINK FENCE
—x—	WIRE FENCE
—\\—	WROUGHT IRON FENCE
☒	BRICK COLUMN
Ⓖ	GAS METER
■	WATER METER
—P—	POWERLINE
—$—	OVERHEAD SERVICE LINE
T	TRANSFORMER AND PAD
///	ASPHALT SURFACE
	CONCRETE

I, James Barton Carroll, do hereby certify to all parties, that this survey was made on the ground and shows the boundary lines with dimensions of the land indicated hereon, shows the location of all structures and other noticeable improvements and visible items on the subject property, shows the location of all alleys, streets, easements, and other matters of record of which I have been advised affecting subject property, and except as shown, there are no visible easements, partywalls, or conflicts on subject property.

JAMES BARTON CARROLL R.P.L.S. NO. 5129

STATE OF TEXAS
REGISTERED
JAMES BARTON CARROLL
5129
PROFESSIONAL
LAND SURVEYOR

THIS SURVEY WAS PERFORMED FOR:

Fidelity National Title Insurance Company
GF No. LT-19135-1913502773-CC
Issued: June 24, 2015

USE OF THIS SURVEY BY ANY OTHER PARTY SHALL BE AT THEIR OWN RISK AND THE UNDERSIGNED IS NOT RESPONSIBLE TO OTHERS FOR ANY LOSS RESULTING THEREFROM.

JOB NO. 2287-15
DATE JULY 1, 2015
TECH CP
DRN. BY CP
CHK. BY BC

CARROLL CONSULTING GROUP, INC.
P.O. BOX 11
Phone (972) 742-4411
LAVON, TEXAS 75166
TEXAS FIRM REGISTRATION NO.: 10007200

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Brad Griggs, *Assistant City Manager*
Timothy M. Tumulty, *Director of Public Works/City Engineer*

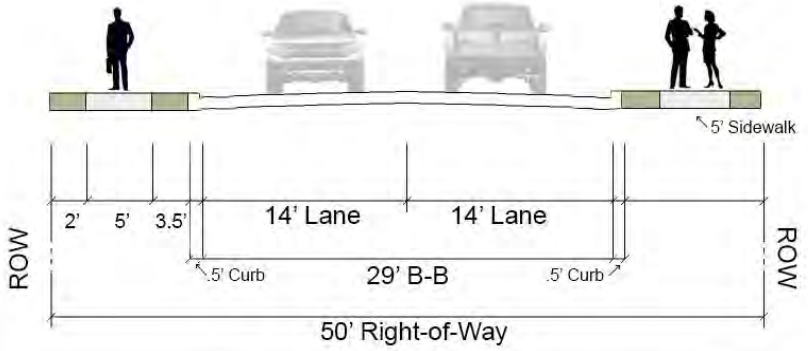
FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: December 7, 2015

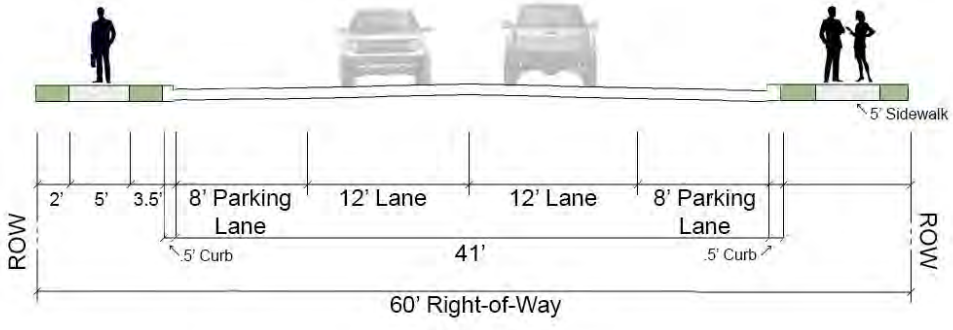
SUBJECT: Streets Adjacent to Schools and Parks

In order to ensure that proper traffic circulation is provided in residential areas that are adjacent to public schools and parks, staff is proposing to increase the minimum required street cross section from 29-feet to 41-feet (*back-of-curb to back-of-curb*). The proposed 41-foot street cross section will allow parking on both sides of the street while accommodating two (2) way traffic circulation. Below are examples of the currently required street cross section followed by the proposed street cross section, and attached to this memorandum is an example of the text amendment required to make the proposed changes.

Residential Street Cross Section



Modified Residential Street Cross Section Adjacent to Schools and Parks



Should the City Council choose to direct staff to make these changes staff would prepare an ordinance and bring the request back to the December 21, 2015 City Council meeting.

(b) All new roads within proposed subdivisions shall, at a minimum, be built to a width and design which will adequately serve that subdivision. In addition, when required by the city in the interest of the community, the developer may be required to build larger streets to the width shown on the thoroughfare plan. If more than 48 feet (back of curb to back of curb) is constructed, the city will reimburse the developer for the excess width when funds become available, unless the additional width was required by the city engineer or ~~***traffic***~~ planner to adequately serve the needs of that subdivision. ***In cases were a street is adjacent to a school or public park, the city engineer or planner may require a 41-foot street (back of curb to back of curb) to facilitate proper traffic circulation.*** Streets which dead-end at power lines, railroads, or similar rights-of-way, which are intended for future extension across these rights-of-way, shall be constructed in rights-of-way for half the distance across the rights-of-way. Where streets are adjacent to undeveloped land and the property line is normally the centerline of the street, the developer shall provide right-of-way of sufficient width and shall construct paving a minimum width of 24 feet, if deemed necessary by the city engineer or ~~***traffic***~~ planner. If the city, in the interest of the community, requires the subdivider to construct more than 24 feet, the city will reimburse the cost of the excess width to the developer who installed the paving, at the actual cost of construction, with no reimbursement for additional right-of-way which required to construct the additional paving in excess of 24 feet as funds are available. No reimbursement will be made, however, when the city engineer or ~~***traffic***~~ planner determines that the excess width is required to serve that subdivision. When, in the city council's judgment, it is not feasible to construct the street and/or railroad crossing at the time of development of the subdivision, escrow for the development of the subdivision, escrow for the developer's portion of the cost may be provided in accordance with this section. In the event the street and/or railroad crossing has been constructed or is being constructed by others, the developer shall pay his pro rata share of the improvements. Escrow or pro rata shall be payable prior to construction of streets and utilities.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **December 4, 2015**

SUBJECT: **Intent to Issue Debt**

City staff is preparing to issue debt for various city projects described below. During budget presentations Council and staff discussed issuance of General Obligation Bonds for the remaining funding of the voter approved downtown project and engineering of approved street projects. In addition, bonds were discussed for water/sewer related projects and water/sewer equipment in the budget were designated to be coming from short or mid-term debt.

We previously discussed the condition of the bond market and the city's ability to refund (refinance) several of our outstanding debt issues for interest savings. The repayment term would remain the same but the interest rates from 2005-08 to current have dropped significantly. Our debt, when issued is structured with a 10-year call provision to be able to take advantage of just such a situation.

Our Financial Advisor, David Medanich of First Southwest Company and Bond Counsel Leroy Grawunder determined several years ago that the City saves significant issuance and related costs when issues such as the water/sewer projects and equipment are combined into one issuance. This can be done by issuing Certificates of Obligation. When the City issues utility revenue bonds, we must fund a "reserve fund" which is one times the average annual principal and interest payments on the outstanding debt which must be held for the full term of the bonds, in this case 20 years.

For both the savings on issuance costs and the reserve funds that won't need to be funded staff believes it reasonable to ask Council to proceed with a Certificates of Obligation issue to include the proceeds sufficient to cover the equipment purchases and utility system projects. City Council has previously authorized the issuance of Certificates for this same reason in the last several years.

The attached Resolution simply provides the authorization to publish notice of our intent to issue such debt. The amount included in the Resolution includes costs of issuance and the detailed projects outlined below. It does not authorize or complete the issuance process. The impact of these debt issues was included in the adopted FY2016 budget. The summary below provides information on the projects and amounts, which would be financed with this issuance.

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A detailed list of projects and equipment is attached. The projects list specifically addresses utility reconstruction design associated with each of the bond election streets, which are in design and state roadway projects on the planning horizon. Other projects will take care of several lift stations improvements.

Refunding General Obligation Bonds

The final size and structure of refunding is being developed and will be presented at the first reading of the Ordinance, which is on the schedule for January 4, 2016. At this time, we expect to refund seven issues from the 2005-2008 periods totaling more than $75 million dollars and resulting in an estimated interest savings over $9million dollars over the remaining terms of the issuance. The new money for bond election projects will be included in this issuance saving issuance costs and includes funds for design and to begin construction of the roadways as design is completed, the new I-30 on-ramp and the remaining funds to be issued that complete the downtown project contract with Hill-Wilkinson. The new bonds will total $7,895,000 for roadways and $880,000 for Downtown. There will remain the authorization for downtown totaling $1,244,000 since other funds were applied to the project.

Action Needed

Staff requests Council approve the accompanying resolution, which directs staff to publish a notice of intent to issue Certificates of Obligation.

Water / Wastewater CIP

FY2016

Quail Run Gravity/Squabble Creek Lift Station (Engineering)	220,500
Quail Run Gravity/Squabble Creek Lift Station	2,525,500
Stonebridge Lift Station Rehab (Engineering)	67,000
Boydstun Ave. (SH 205 - Clark St.) (Engineering)	122,000
County Line Rd. (FM 3097 - Renee St.) (Engineering)	74,300
Summit Ridge/ S. Lakeshore Dr. (SH 66 - FM 740) (Engineering)	280,000
Throckmorton St. (Boydstun Ave. - Bourn St.) (Engineering)	40,000
IH 30/FM 3549 Interchange (Water Line Encasement) (Engineering)	85,000
SH 276 (SH 205 - FM 549) (Engineering)	72,800
FM 3549 (IH 30 - SH 66) (Engineering)	100,000
Signal Ridge Gravity Line (Pipe Bursting) Improvements	325,000
Wastewater Lift Station Evaluation Update	112,900
Harborview Dr. Sanitary Sewer Relocations	70,000
Munson Dr. Sanitary Sewer Rehabilitation	150,000
Miscellaneous line projects	95,000
TOTAL $	**4,340,000**

Equipment Purchases (for water/sewer)

Backhoe loader	149,390
Compact excavator	81,790
Dump Truck 12 yd	110,560
Truck 1 ton	53,000
Truck 11/2 ton	57,500
Truck 3/4 ton (3)	106,500
Bypass pump	38,000
Lift Station Generator (2)	130,000
Truck 1 1/2 ton	45,500
Truck 3/4 ton	35,500
Vacuum truck	317,260
Van CCTV	220,000
TOTAL $	**1,345,000**

RESOLUTION NO. ____

RESOLUTION DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND SURPLUS REVENUE CERTIFICATES OF OBLIGATION; AND RESOLVING OTHER MATTERS RELATING TO THE SUBJECT

WHEREAS, this City Council finds and determines that it is necessary and in the best interest of the City of Rockwall, Texas (the "City") and the health, welfare and safety of its residents to issue certificates of obligation to provide funds as described herein to provide waterworks and sewer system improvements and acquisition of equipment and vehicles for the public health and welfare;

WHEREAS, this City Council further finds and determines that it is in the best interest of the City and its residents to include in the proposed issue of certificates of obligation funds for the public improvements and acquisition of the equipment and vehicles hereinafter described, rather than fund such projects with the issuance of other debt instruments, in order to reduce the costs of such transactions;

WHEREAS, the City expects to pay expenditures in connection with the projects described in "Exhibit A" to this Resolution prior to the issuance of the certificates of obligation hereinafter described;

WHEREAS, this City Council hereby finds, considers and declares that the reimbursement of the payment by the City of such expenditures will be appropriate and consistent with the lawful objectives of the City and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the U.S. Treasury Regulations, to reimburse itself for such payments at such time as it issues the hereinafter described certificates of obligation;

WHEREAS, this City Council deems it advisable to authorize publication of notice of intent to issue certificates of obligation for the purposes hereinafter set forth; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was considered was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. Attached hereto and marked "Exhibit A" is a form of notice, the form and substance of which are hereby passed and approved.

Section 2. The City Secretary shall cause said notice to be published in substantially the form attached hereto, in a newspaper of general circulation in said City, and published in said City, on the same day in each of two consecutive weeks, the date of the first publication thereof to be at least 30 days prior to the time set for the issuance of such certificates of obligation as shown in said notice.

Section 3. All costs to be reimbursed pursuant to this Resolution will be capital expenditures; the proposed certificates of obligation shall be issued within 18 months of the later of (i) the date the expenditures are paid or (ii) the date on which the property, with respect to which such expenditures were made, is placed in service; and the foregoing notwithstanding, the certificates of obligation will not be issued pursuant to this Resolution on a date that is more than three years after the date any expenditure which is to be reimbursed is paid.

Section 4. This Resolution shall be effective immediately upon adoption.

[Execution Page Follows]

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 7th day of December, 2015

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM: [CITY SEAL]

City Attorney

EXHIBIT A

NOTICE OF INTENTION TO ISSUE
COMBINATION TAX AND SURPLUS REVENUE CERTIFICATES OF OBLIGATION
OF THE CITY OF ROCKWALL, TEXAS

NOTICE IS HEREBY GIVEN that the City Council of the City of Rockwall, Texas, at its meeting to commence at 6:00 P.M. on January 19, 2016, at the City Hall, 385 South Goliad Street, Rockwall, Texas, tentatively proposes to adopt an ordinance authorizing the issuance of interest bearing certificates of obligation, in one or more series, in an amount not to exceed $6,000,000 for paying all or a portion of the City's contractual obligations incurred in connection with (i) acquiring, constructing, installing and equipping additions, extensions and improvements to the City's waterworks and sewer system, including the acquisition of vehicles and equipment for the waterworks and sewer system; and (ii) legal, fiscal and engineering fees in connection with such projects. The ordinance may authorize an authorized officer of the City to effect the sale and delivery of the certificates of obligation on a date subsequent to the adoption of the ordinance. The City proposes to provide for the payment of such certificates of obligation from the levy and collection of ad valorem taxes in the City as provided by law and from a pledge of surplus revenues of the City's waterworks and sewer system, remaining after payment of all operation and maintenance expenses thereof, and all debt service, reserve, and other requirements in connection with all of the City's revenue bonds or other obligations (now or hereafter outstanding), which are payable from all or any part of the net revenues of the City's waterworks and sewer system. The certificates of obligation are to be issued, and this notice is given, under and pursuant to the provisions of V.T.C.A., Local Government Code, Subchapter C of Chapter 271.

CITY OF ROCKWALL, TEXAS

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, City Secretary / Assistant to the City Manager**

DATE: **November 24, 2015**

SUBJECT: **Designating newspaper of record**

After requesting and receiving several pricing proposals last year, in December of 2014 the Council unanimously voted to designate the Rockwall Herald Banner as the city's newspaper of record. Under the newspaper that had previously been designated, the city spent $15,876.37 in an eleven month period in 2014. With the Rockwall Herald Banner, in the past eleven months of 2015, the city has spent $15,322.28 in advertising.

According to Article XI., Sec. 11.02 of the city charter,

> *The City Council must designate annually a newspaper of general circulation in the City to serve as newspaper of record. All ordinances, notices and other matters required by this Charter, City ordinance, or the Constitution and laws of the State of Texas must be published in the newspaper of record.*

According to Section 2051.049 of the Texas Government Code;

> *The governmental entity or representative required to publish a notice in a newspaper shall select, in accordance with this subchapter, one or more newspapers to publish the notice.*

According to Section 2051.044 of the Texas Government Code

> *The newspaper in which a notice is published must:(1) devote not less than 25 percent of its total column lineage to general interest items;(2) be published at least once each week;(3) be entered as second-class postal matter in the county where published; and(4) have been published regularly and continuously for at least 12 months before the governmental entity or representative publishes notice.*

While state law outlines the requirements for the official newspaper, and the city's Charter calls for designating a newspaper of record annually, there is no legal method or process in place that stipulates how the city selects the official newspaper. The Council's options for designating a newspaper of record are as follows:

- rename the Royse City/Rockwall Herald Banner as the official newspaper of record via a motion and simple majority vote of the Council; or,
- instruct staff to initiate a "request for proposals" process, compile the results, and present them to Council for consideration at the second meeting in January or the first meeting in February.

Staff is happy to help answer any questions the Council may have at the meeting on December 7.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, Assistant to the City Manager / City Secretary**

DATE: **December 4, 2015**

SUBJECT: **Main Street Advisory Board (MSAB) Reappointments**

Regarding the Main Street Advisory Board, Council may wish to consider reappointing the following three board members whose terms expire in January:

- Michael Adrian
- Evan Matteson
- Claudette Hatfield

If Council chooses to reappoint these members, their terms would run through January of 2018. Councilmember Milder is the Council liaison regarding appointments to the MSAB.

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City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

October 2015

Permits

Total Permits Issued: 290
Building Permits: 54 Contractor Permits: 236

Total Permit Values: $ 11,689,616.95
Building Permits: $ 10,000,422.57 Contractor Permits: $ 1,689,194.38

Total Fees Collected: $ 274,380.31
Building Permits: $ 243,992.06 Contractor Permits: $ 30,388.25

Board of Adjustment

Board of Adjustment Cases 0

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City of Rockwall

PERMITS ISSUED - Summary by Type and Subtype

For the Period 10/1/2015 thru 10/31/2015

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	8	$0.00	$400.00
30 DAY BANNER	6	$0.00	$300.00
CHANGE OF BUSINESS	1	$0.00	$50.00
COMING SOON	1	$0.00	$50.00
CHURCH	1	$9,000.00	$35.00
IRRIGATION	1	$9,000.00	$35.00
CO	7	$0.00	$529.50
BUSINESS	4	$0.00	$304.50
INTERIOR	1	$0.00	$75.00
NEW CONSTRUCTION	1	$0.00	$75.00
SHELL	1	$0.00	$75.00
COMM	23	$3,576,669.00	$108,095.82
ALTERATION	1	$800.00	$36.50
DEMO	1	$0.00	$51.00
ELECTRICAL	5	$194,600.00	$1,744.44
EXPANSION	1	$7,500.00	$164.75
IRRIGATION	2	$25,000.00	$7,501.30
MECHANICAL	1	$7,115.00	$164.75
NEW	3	$2,830,000.00	$89,177.59
PLUMBING	6	$10,005.00	$5,206.18
REMODEL	2	$155,000.00	$1,510.86
SWIM POOL	1	$346,649.00	$2,538.45
NONPROFIT SIGN PERMI	1	$0.00	$0.00
	1	$0.00	$0.00
SIGNAGE	14	$0.00	$1,325.00
DEVELOPMENT	1	$0.00	$75.00
MONUMENT	1	$0.00	$275.00
POLE	1	$0.00	$75.00
WALL	11	$0.00	$900.00
SINGLE FAMILY	190	$8,103,947.95	$161,874.29
ACC BLDG	4	$10,499.00	$359.50
ADDITION	7	$146,100.00	$2,196.66
ALTERATION	1	$2,000.00	$80.75
CONCRETE	4	$13,350.00	$361.41
ELECTRICAL	7	$55,668.00	$397.04
FENCE	42	$139,883.02	$1,481.70
IRRIGATION	14	$31,600.00	$491.50
MECHANICAL	9	$76,776.00	$1,592.32
MISCELLANEOUS	1	$1,200.00	$35.00
NEW	29	$6,812,889.57	$149,626.88
PATIO COVER	5	$24,692.00	$631.82
PERGOLA	1	$10,942.00	$206.75
PLUMBING	40	$44,755.00	$2,197.66
ROOF	9	$130,676.00	$320.20
SEAWALL	2	$21,120.00	$100.00
SWIM POOL	11	$503,201.00	$1,653.00
WINDOWS	4	$78,596.36	$142.10
SPECIAL EVENT	45	$0.00	$1,814.70
	45	$0.00	$1,814.70
TCO	1	$0.00	$306.00

City of Rockwall

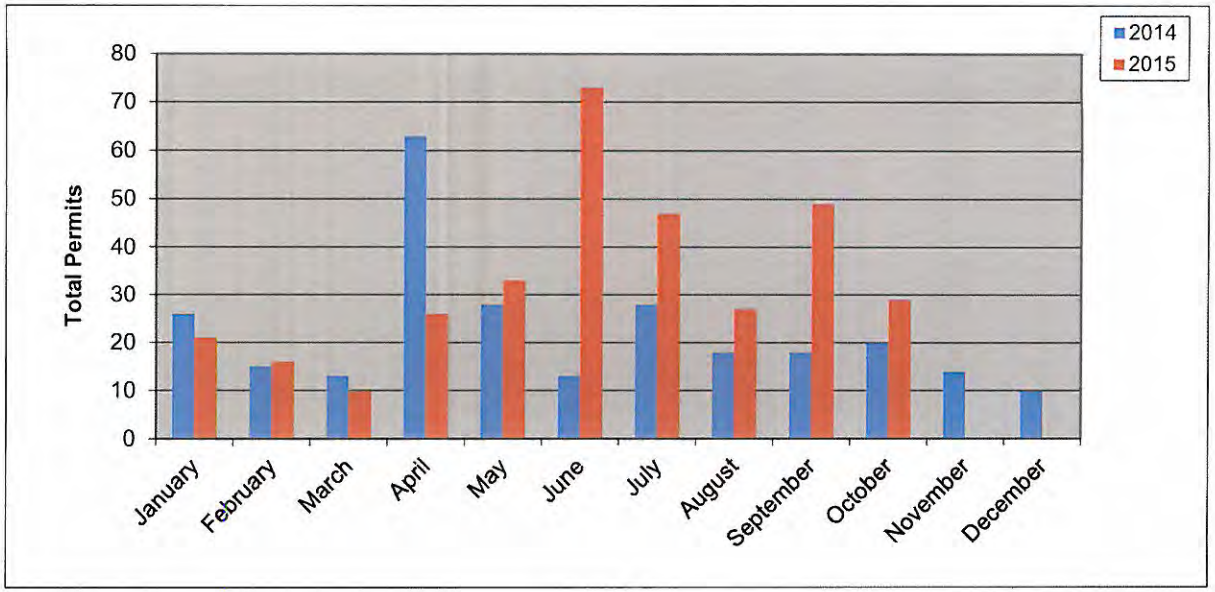
PERMITS ISSUED - Summary by Type and Subtype

For the Period 10/1/2015 thru 10/31/2015

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
NEW CONSTRUCTION	1	$0.00	$306.00
Totals:	290	$11,689,616.95	$274,380.31

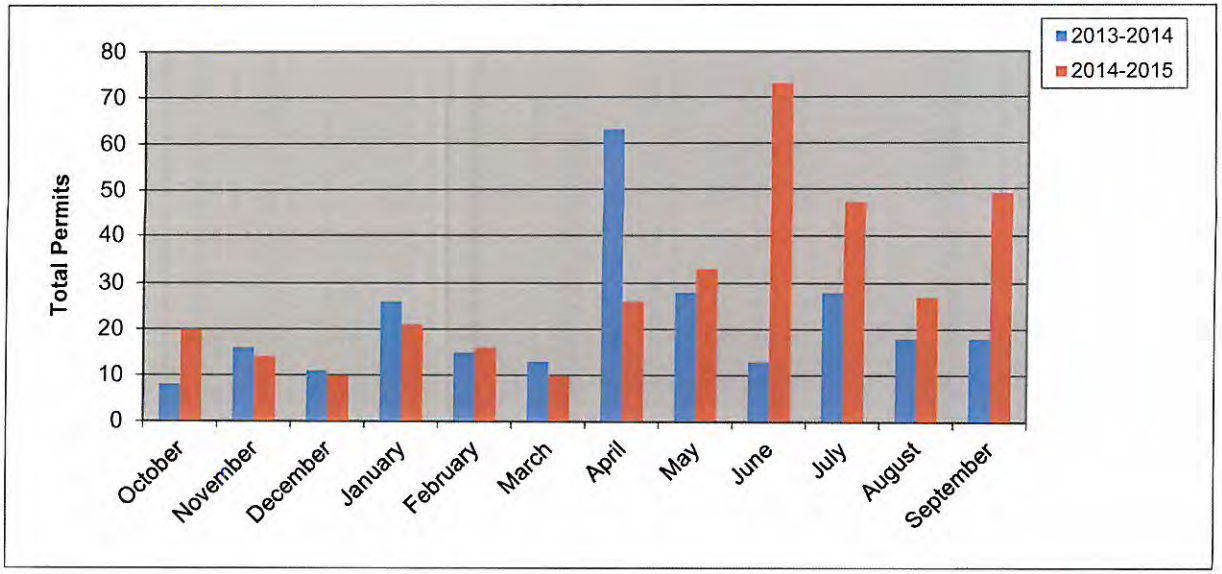
New Residential Permits Calendar Year

	Year	
	2014	2015
January	26	21
February	15	16
March	13	10
April	63	26
May	28	33
June	13	73
July	28	47
August	18	27
September	18	49
October	20	29
November	14	
December	10	
Totals	**266**	**331**



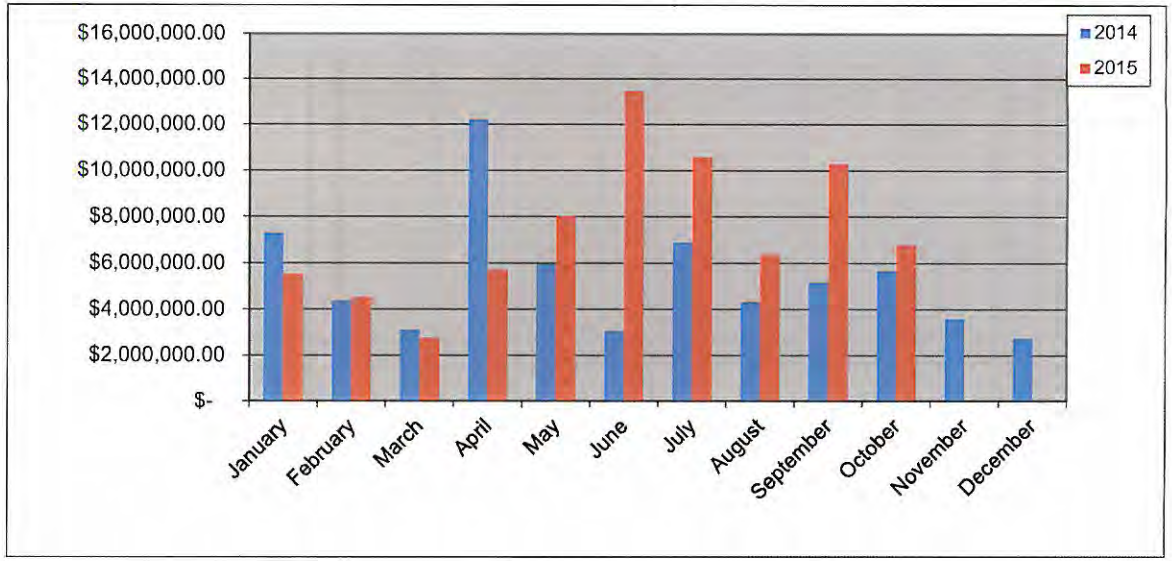
New Residential Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	8	20
November	16	14
December	11	10
January	26	21
February	15	16
March	13	10
April	63	26
May	28	33
June	13	73
July	28	47
August	18	27
September	18	49
Totals	**257**	**346**



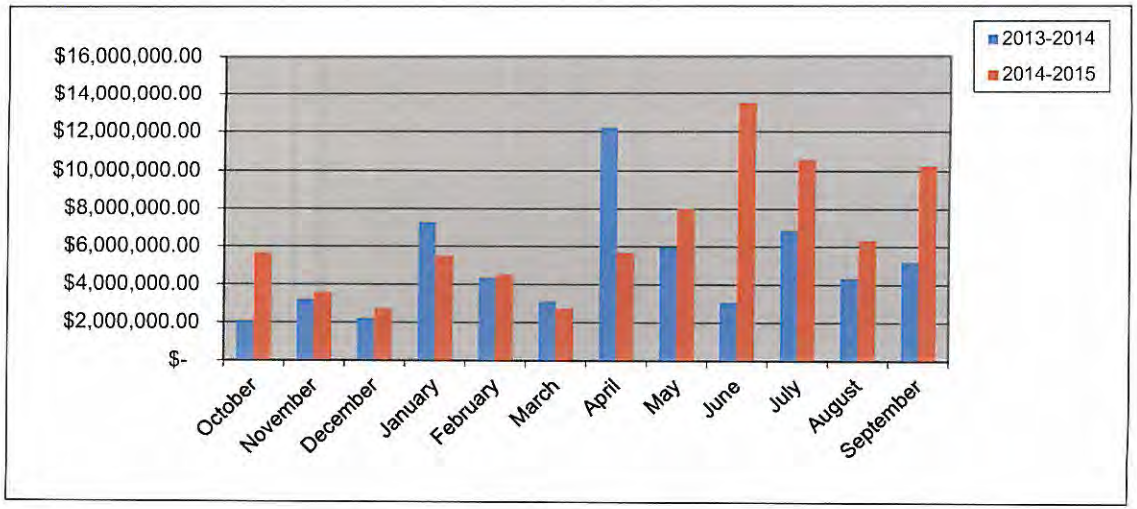
New Residential Value Calendar Year

Year	2014	2015
January	$ 7,288,000.00	$ 5,509,932.00
February	$ 4,353,427.00	$ 4,518,552.00
March	$ 3,094,927.74	$ 2,742,324.00
April	$ 12,228,936.33	$ 5,703,968.00
May	$ 5,960,240.00	$ 8,039,718.52
June	$ 3,048,536.00	$ 13,489,179.50
July	$ 6,883,062.87	$ 10,619,616.00
August	$ 4,330,100.19	$ 6,369,414.00
September	$ 5,184,201.79	$ 10,314,177.00
October	$ 5,661,792.00	$ 6,812,889.57
November	$ 3,581,756.00	
December	$ 2,712,503.00	
Totals	**$64,327,482.92**	**$ 74,119,770.59**



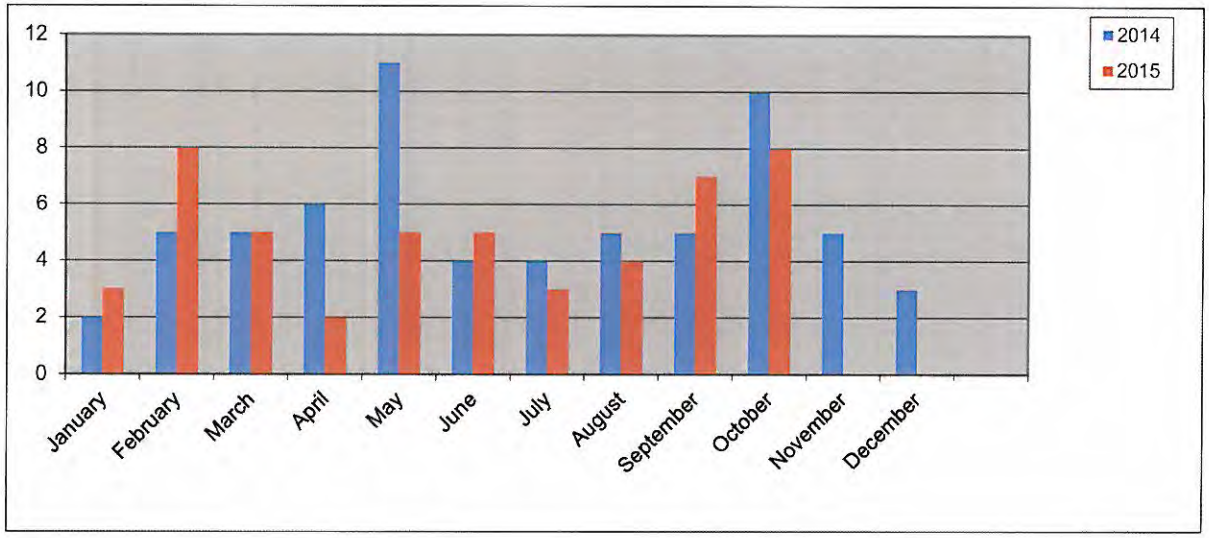
New Residential Value Fiscal Year

Year	2013-2014	2014-2015
October	$ 2,078,584.00	$ 5,661,792.00
November	$ 3,202,067.00	$ 3,581,756.00
December	$ 2,215,924.00	$ 2,712,503.00
January	$ 7,288,000.00	$ 5,509,932.00
February	$ 4,353,427.00	$ 4,518,552.00
March	$ 3,094,927.74	$ 2,742,324.00
April	$ 12,228,936.33	$ 5,703,968.00
May	$ 5,960,240.00	$ 8,039,718.52
June	$ 3,048,536.00	$ 13,489,179.50
July	$ 6,883,062.87	$ 10,619,616.00
August	$ 4,330,100.19	$ 6,369,414.00
September	$ 5,184,201.79	$ 10,314,177.00
Totals	**$59,868,006.92**	**$ 79,262,932.02**



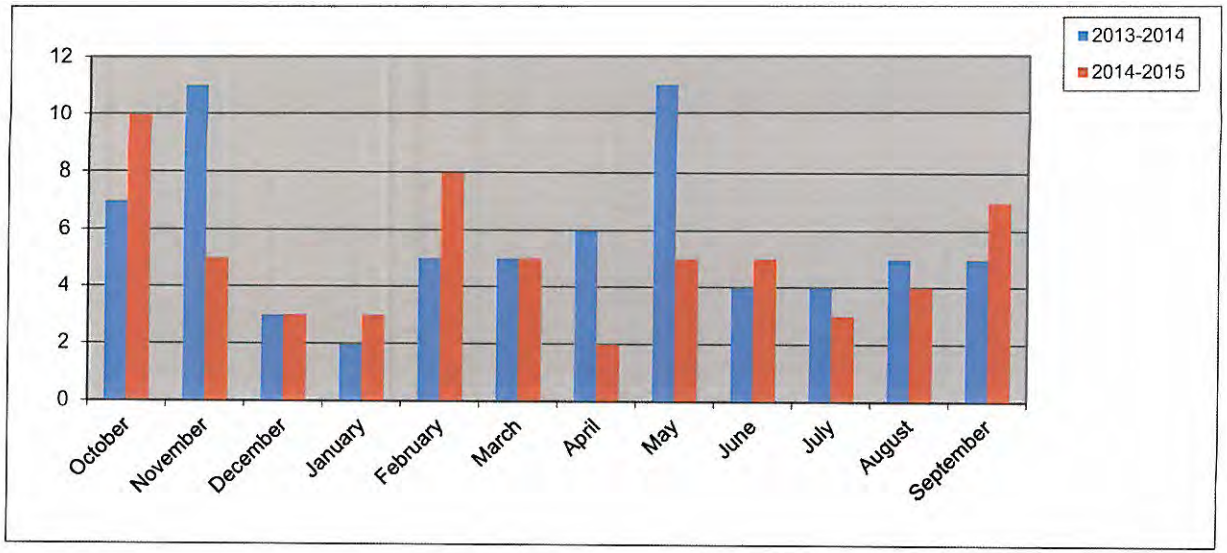
Residential Remodel Permits Calendar Year

	Year	
	2014	**2015**
January	**2**	**3**
February	5	8
March	5	5
April	6	2
May	11	5
June	4	5
July	4	3
August	5	4
September	5	7
October	10	8
November	5	
December	3	
Totals	**65**	50



Residential Remodel Permits Fiscal Year

	Year	
	2013-2014	**2014-2015**
October	7	10
November	11	5
December	3	3
January	2	3
February	5	8
March	5	5
April	6	2
May	11	5
June	4	5
July	4	3
August	5	4
September	5	7
Totals	**68**	**60**



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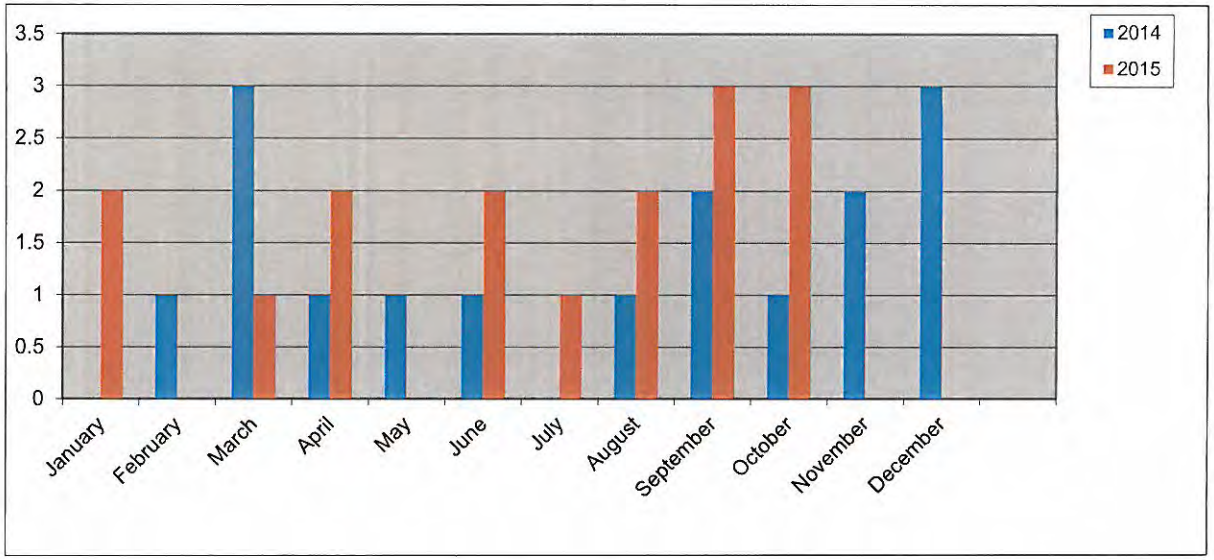
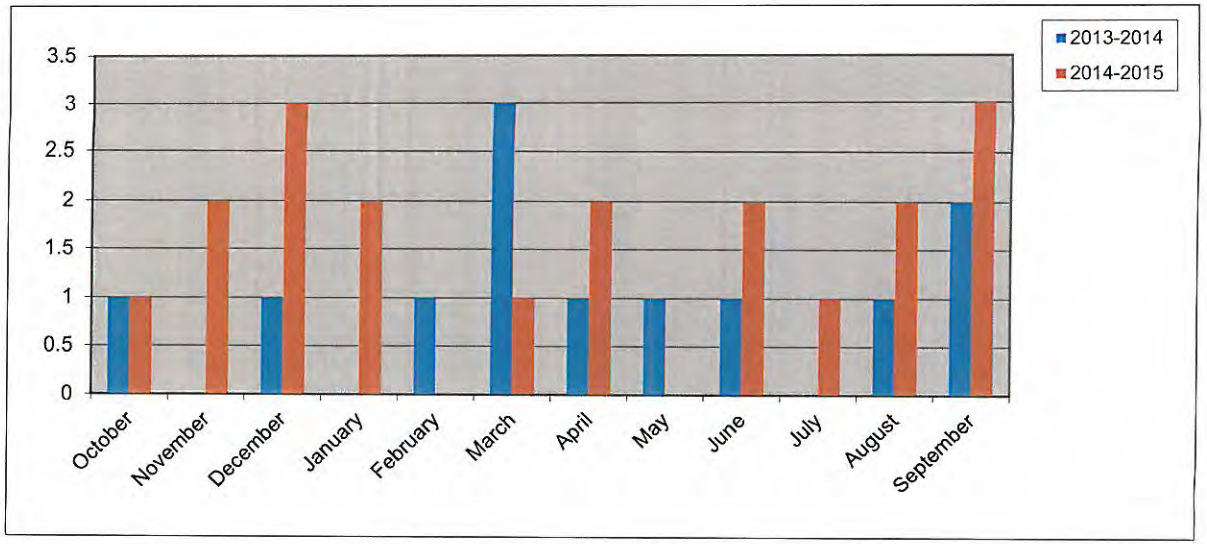
New Commercial Permits Calendar Year

	Year	
	2014	2015
January	0	2
February	1	0
March	3	1
April	1	2
May	1	0
June	1	2
July	0	1
August	1	2
September	2	3
October	1	3
November	2	
December	3	
Totals	**16**	**16**



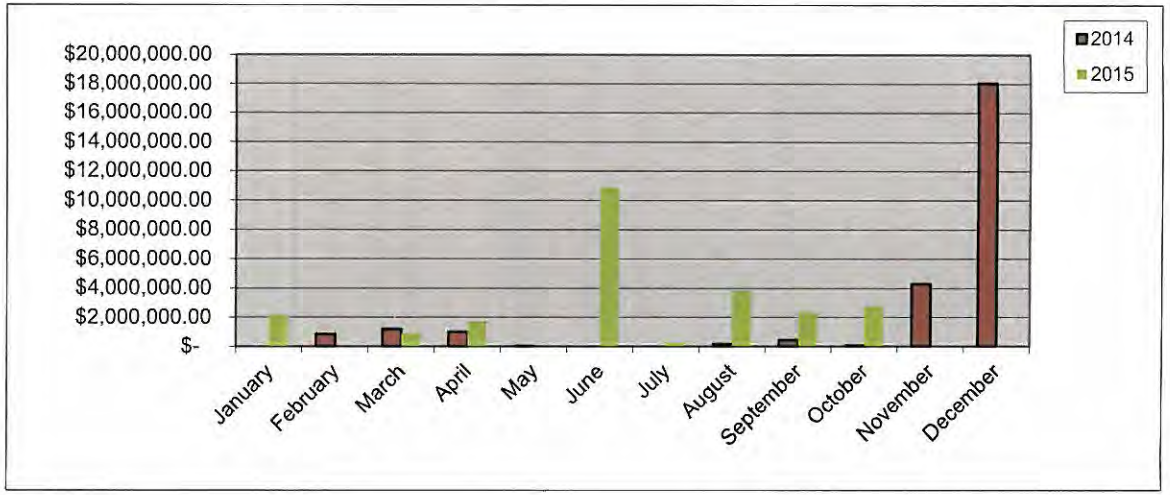
New Commercial Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	1	1
November	0	2
December	1	3
January	0	2
February	1	0
March	3	1
April	1	2
May	1	0
June	1	2
July	0	1
August	1	2
September	2	3
Totals	**12**	**19**



New Commercial Value Calendar Year

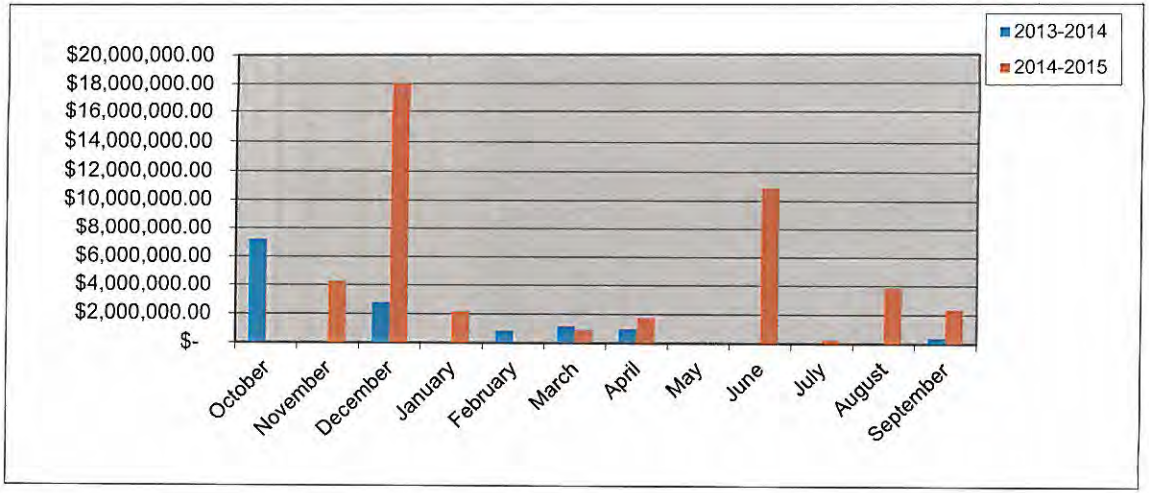
Year	2014	2015
January	$ -	$ 2,200,000.00
February	$ 850,000.00	$ -
March	$ 1,185,000.00	$ 930,000.00
April	$ 1,000,000.00	$ 1,780,000.00
May	$ 5,000.00	$ -
June	$ -	$ 10,900,000.00
July		$ 282,279.31
August	$ 150,000.00	$ 3,903,000.00
September	$ 430,795.00	$ 2,370,000.00
October	$ 49,000.00	$ 2,830,000.00
November	$ 4,300,000.00	
December	$ 18,050,000.00	
Totals	**$ 26,019,795.00**	**$ 25,195,279.31**



198

New Commercial Value Fiscal Year

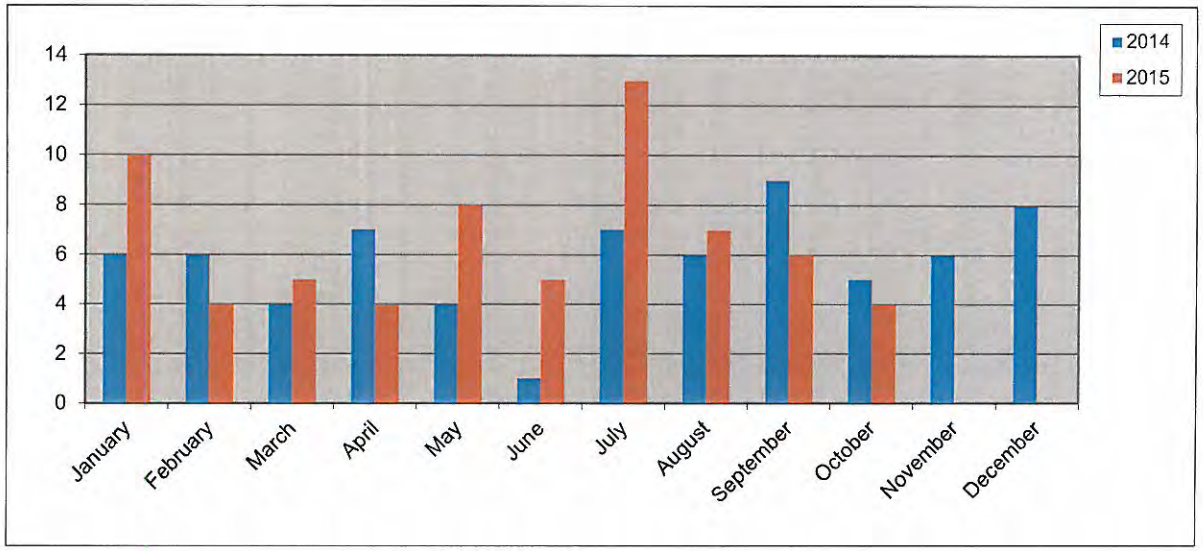
Year	2013-2014	2014-2015
October	$ 7,225,000.00	$ 49,000.00
November	$ -	$ 4,300,000.00
December	$ 2,800,000.00	$ 18,050,000.00
January	$ -	$ 2,200,000.00
February	$ 850,000.00	$ -
March	$ 1,185,000.00	$ 930,000.00
April	$ 1,000,000.00	$ 1,780,000.00
May	$ 5,000.00	$ -
June	$ -	$ 10,900,000.00
July		282279.31
August	$ 150,000.00	$ 3,903,000.00
September	$ 430,795.00	$ 2,370,000.00
Totals	**$ 13,645,795.00**	**$ 44,764,279.31**



198

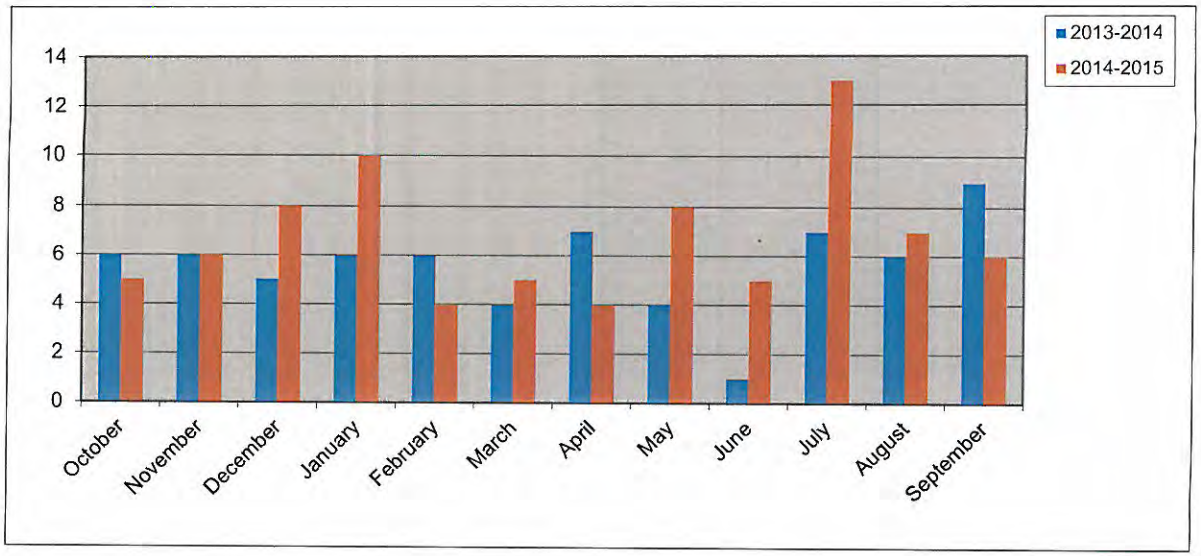
Commercial Remodel Permits Calendar Year

	Year	
	2014	2015
January	6	10
February	6	4
March	4	5
April	7	4
May	4	8
June	1	5
July	7	13
August	6	7
September	9	6
October	5	4
November	6	
December	8	
Totals	**69**	**66**



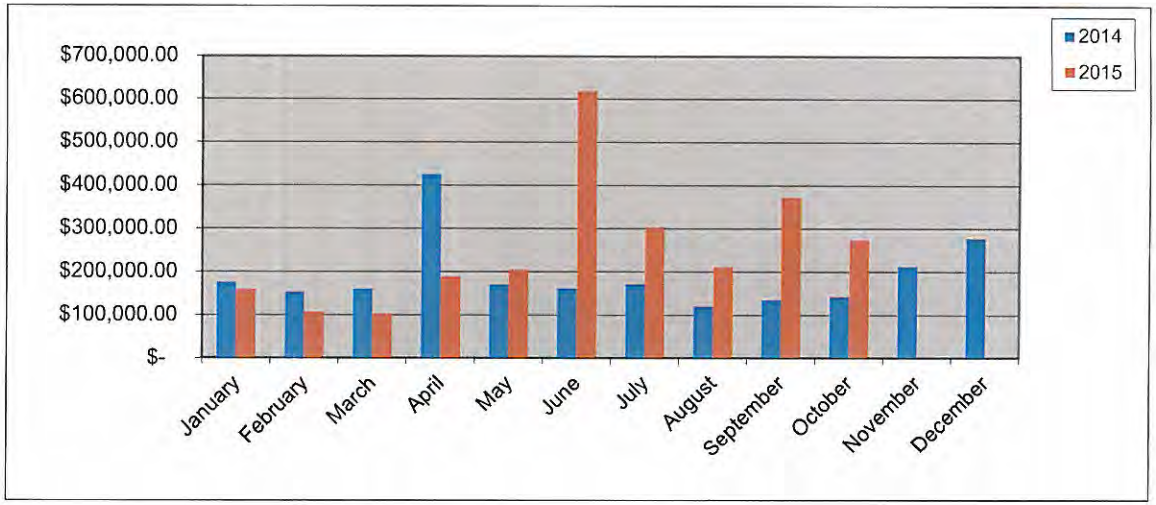
Commercial Remodel Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	6	5
November	6	6
December	5	8
January	6	10
February	**6**	**4**
March	4	5
April	7	4
May	4	8
June	1	5
July	7	13
August	6	7
September	9	6
Totals	**67**	**81**



Total Fees Collected Calendar Year

	Year	
	2014	2015
January	$ 176,162.63	$ 159,026.65
February	$ 153,458.98	$ 106,693.21
March	$ 160,530.91	$ 103,029.95
April	$ 425,003.86	$ 189,684.37
May	$ 170,849.07	$ 204,062.18
June	$ 161,690.82	$ 618,061.51
July	$ 172,232.70	$ 303,359.40
August	$ 120,790.39	$ 210,598.47
September	$ 135,478.13	$ 373,210.63
October	$ 143,153.00	$ 274,380.31
November	$ 212,222.54	
December	$ 277,864.58	
Totals	**$ 2,309,437.61**	**$ 2,542,106.68**



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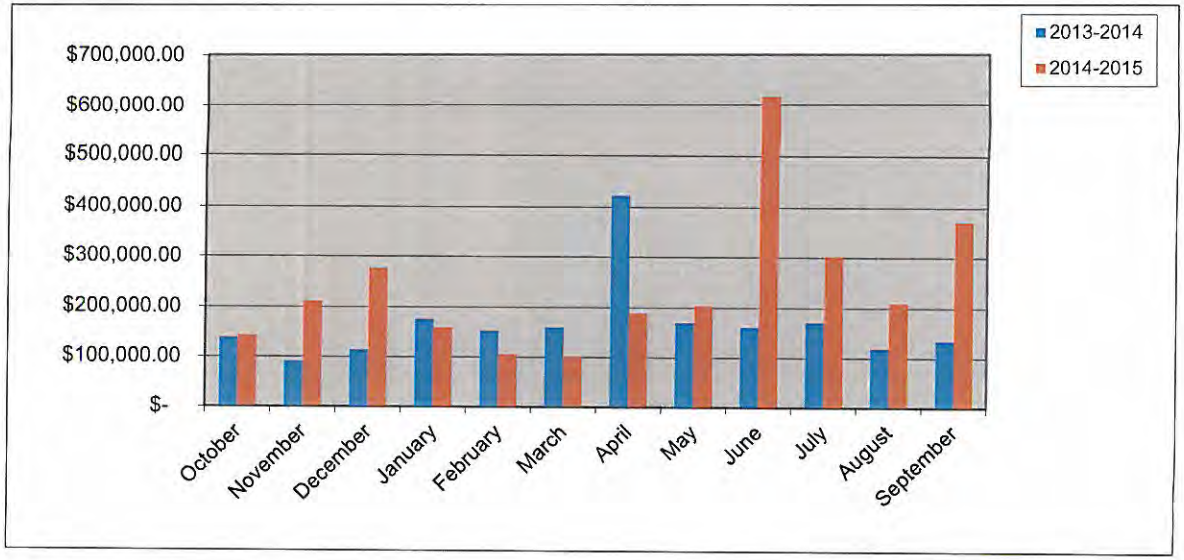
Total Fees Collected Fiscal Year

	Year	
	2013-2014	2014-2015
October	$ 138,771.53	$ 143,153.00
November	$ 91,778.83	$ 212,222.54
December	$ 114,645.28	$ 277,864.58
January	$ 176,162.63	$ 159,026.65
February	$ 153,458.98	$ 106,693.21
March	$ 160,530.91	$ 103,029.95
April	$ 425,003.86	$ 189,684.37
May	$ 170,849.07	$ 204,062.18
June	$ 161,829.08	$ 618,061.51
July	$ 172,232.70	$ 303,359.40
August	$ 120,790.39	$ 210,598.47
September	$ 135,478.13	$ 373,210.63
Totals	**$ 2,021,531.39**	**$ 2,900,966.49**



City of Rockwall

PERMITS ISSUED

For the Period 10/1/2015 thru 10/31/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0072 7/30/2015 10/6/2015	CO BUSINESS ACTIVE	832 STEGER TOWNE DR 5067-000A-0003-00-0R STEGER TOWNE CROSSING PH 1 Woof Gang Bakery & Grooming	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address			Phone Number
BUS OWNER	Carrie Harris / Danielle Robison	1 Northcrest Circle	ROCKWALL	TX 75087	
OWNER	STEGER, DUNHILL LLC		DALLAS	TX 75205	

CO2015-0090 8/31/2015 10/19/2015	CO BUSINESS ACTIVE	104 W KAUFMAN 4820-000G-0002-B0-0R ROCKWALL ORIGINAL TOWN THE JESSICA HARGIS GROUP - KW	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address			Phone Number
OWNER	JESSICA HARGIS	104 W KAUFMAN ST.	ROCKWALL	TX 75087	(214) 304-6068
APPLICANT	JESSICA HARGIS	104 W KAUFMAN ST.	ROCKWALL	TX 75087	(214) 304-6068
INSP RPT EMAIL	JESSICA HARGIS	104 W KAUFMAN ST.	ROCKWALL	TX 75087	(214) 304-6068
BUS OWNER	JESSICA HARGIS	104 W KAUFMAN ST.	ROCKWALL	TX 75087	(214) 304-6068
BUSINESS	JESSICA HARGIS	104 W KAUFMAN ST.	ROCKWALL	TX 75087	(214) 304-6068

CO2015-0100 9/23/2015 10/1/2015	CO SHELL ACTIVE	705 N Goliad St. 4682-0001-0001-00-0R WAGNER CHRISTENSEN Shell CO - Gerald Wagner	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address			Phone Number
OWNER	WAGNER, GERALD P		GUN BARRELL	TX 75156	
BUS OWNER	Gerald Wagner	112 Los Peces St.	Gun Barrell City	TX 75156	(903) 910-9078

CO2015-0101 9/23/2015 10/9/2015	CO BUSINESS ACTIVE	5133 S FM 549 0080-0000-0017-12-0R THE CORE SPERO ACADEMIC	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address			Phone Number
APPLICANT	DONALD LEMON	8 INTREPID CIR.	Rockwall	TX 75032	(903) 806-1810
BUS OWNER	DONALD LEMON	8 INTREPID CIR.	Rockwall	TX 75032	(903) 806-1810
BUSINESS	THE CORE SPERO ACADEMIC	5133 S FM 549	Rockwall	TX 75032	(469) 534-4486
OWNER	J, BR2 LLC		ROCKWALL	TX 75032	

City of Rockwall

PERMITS ISSUED

For the Period 10/1/2015 thru 10/31/2015

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0103 9/25/2015 10/28/2015	CO INTERIOR Active	308 E Washington 4820-000U-0001-B0-0R ROCKWALL ORIGINAL TOWN Texas Pool Professional	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address			Phone Number
APPLICANT	Victor R Saliture	2115 Crestlake	Rockwall	TX 75087	(469) 387-7885
BUS OWNER	Victor R Saliture	308 E Washington	Rockwall	TX 75087	(469) 387-7885
OWNER	GAREE, MICHAEL A & GEORC		ROCKWALL	TX 75087	

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0105 9/30/2015 10/28/2015	CO NEW CONSTRUCTION ACTIVE	3021 Ridge Rd. 102 4009-000A-0013-00-0R HORIZON RIDGE ADDITION Rockwall Gold & Silver Exchange	0.00	$ 75.00 0	$ 75.00

Contact Type	Contact Name	Contact Address			Phone Number
OWNER	RIDGE ROAD PROPERTIES	166 YORKSHIRE DR.	HEATH	TX 75032	(972) 983-2222
APPLICANT	JIMMY MCCLINTOCK	166 YORKSHIRE DR	Rockwall	TX 75032	(972) 983-2222
BUS OWNER	Jimmy McClintock	166 Yorkshire Dr.	Heath	TX 75032	(972) 983-2222
BUSINESS	RIDGE ROAD PROEPRTIES SH	3012 RIDGE ROAD	ROCKWALL	TX 75087	(972) 722-3807

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2015-0108 10/8/2015 10/21/2015	CO BUSINESS ACTIVE	1785 IH 30 E 101 0134-0000-0005-01-0R ROCKWALL COMMERCIAL PARK JUMPY JOEY TRAMPOLINES & MORE	0.00	$ 76.50 0	$ 76.50

Contact Type	Contact Name	Contact Address			Phone Number
OWNER	OLLOM, GREGORY D	251 HARKER TRAIL	ROCKWALL	TX 75087	(214) 616-2292
APPLICANT	JOEY STATON	1475 STEWART DR.	Rockwall	TX 75032	(214) 930-3109
BUS OWNER	JOEY STATON	1475 STEWART DR.	Rockwall	TX 75032	(214) 930-3109
BUSINESS	JUMP JOEY TRAMPOLINES &	1785 IH 30 E	ROCKWALL	TX 75087	(214) 930-3109

7 **Permits Issued from: 10/1/2015** **Thru: 10/31/2015**

Total Valuation: $ 0.00
Total Fees: $ 529.50
Total Fees Paid: $ 529.50

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CALLS BY TYPE OCTOBER 2015

City of Rockwall
The New Horizon

CITY CALLS Situation Type	October #
111 Building fire	1
113 Cooking fire, confined to container	1
131 Passenger vehicle fire (cars, pickups, SUV's)	1
140 OTHER Natural vegetation fire	1
142 Brush or brush-and-grass mixture fire	1
143 Grass fire	4
322 Motor vehicle accident with injuries	4
323 Motor vehicle/pedestrian accident (MV Ped)	2
324 Motor vehicle accident with no injuries.	6
342 Search for person in water	1
360 Water & ice-related rescue, other	1
365 Watercraft rescue	1
412 Gas leak (natural gas or LPG)	5
424 Carbon monoxide incident	1
440 Electrical wiring/equipment problem, other	1
442 Overheated motor	1
443 Breakdown of light ballast	1
444 Power line down	1
445 Arcing, shorted electrical equipment	2
500 Service Call, other	1
511 Lock-out	1
550 Public service assistance, other	4
551 Assist police or other governmental agency	10
553 Public service	4
556 Public service - Non paged	10
600 Good intent call, other	2
611 Dispatched & canceled en route	2
622 No incident found on arrival at dispatch address	1
651 Smoke scare, odor of smoke	6
732 Extinguishing system malfunction (activation)	1
733 Smoke detector activation due to malfunction	2
735 Alarm system sounded due to malfunction	4
736 CO detector activation due to malfunction	2
743 Smoke detector activation, no fire - unintentional	11
745 Alarm system activation, no fire - unintentional	3
Totals:	100

COUNTY Situation Type	October #
142 Brush or brush-and-grass mixture fire	1
143 Grass fire	2
651 Smoke scare, odor of smoke	1
Totals:	4

MUTUAL AID Situation Type	October #
111 Building fire	1
142 Brush or brush-and-grass mixture fire	1
322 Motor vehicle accident with injuries	1
611 Dispatched & canceled en route	4
651 Smoke scare, odor of smoke	0
Totals:	7

204

To: Chief Poindexter
From: BC Merritt
Re: October Structure Fire
Date: November 18, 2015

1508 Signal Ridge

We responded to a report of a smoke inside a residence on October 12, 2015 at 1507 Signal Ridge. Upon arrival and further investigation it was determined the smoke was coming from the unit above 1507. Firefighters had to make forcible entry into unit 1508. Upon entry it was discovered that a fire had been burning inside and had self-extinguished. There was significant damage to unit 1508 due to the fire and smoke. There were no firefighter injuries on this incident but one pet was lost due to being trapped inside of the residence.

Dispatch Time: 03:31.50
Enroute Time: 03:32.42
On Scene Time: 03:37.51
Clear Time: 01:30.59

4 Men on Scene 03:39.38
8 Men on Scene 03:46.06
12 Men on Scene 03:51.56

Total personnel on scene: 1 Chief, 7 on duty personnel, 5 Volunteers, 1 Fire Investigator.

205

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes	20 of 22 0.91% Criteria Met	0- 1 1/2 MINUTES	4 of 4 1.00% Criteria Met
CRITERIA MET %		CRITERIA MET %	
CRITERIA -ACHIEVE RESPONSE TIME		CRITERIA -ACHIEVE RESPONSE TIME	
90% OF TIME IN BOXES WITH		60% OF TIME IN BOXES WITH	
STATIONS		STATIONS	
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES	19 of 22 0.86% Criterian Not Met	0-6 MINUTES	3 of 4 0.75% Criteria Met
CRITERIA MET %		CRITERIA MET %	
CRITERIA -ACHIEVE RESPONSE TIME		CRITERIA -ACHIEVE RESPONSE TIME	
90% OF TIME IN BOXES WITH		60% OF TIME IN BOXES WITH	
STATIONS		STATIONS	
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES	20 of 22 0.91% Criteria Met	0-7 1/2 MINUTES	3 of 4 0.75% Criteria Met
CRITERIA MET%		CRITERIA MET%	
CRITERIA -ACHIEVE RESPONSE TIME		CRITERIA -ACHIEVE RESPONSE TIME	
90% OF TIME IN BOXES WITH		60% OF TIME IN BOXES WITH	
STATIONS		STATIONS	

206

COUNTY AND MUTUAL AID
RESPONSE
OCTOBER 2015

COUNTY/MUTUAL	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	3 of 7
CRITERIA -ACHIEVE RESPONSE TIME	0.43%
60% OF TIME IN BOXES WITH	Criteria not met
STATIONS	
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	4 of 7
CRITERIA -ACHIEVE RESPONSE TIME	0.57%
60% OF TIME IN BOXES WITH	Criteria no met
STATIONS	
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	
CRITERIA MET%	4 of 7
CRITERIA -ACHIEVE RESPONSE TIME	0.57%
60% OF TIME IN BOXES WITH	Criteria no met
STATIONS	

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Enroute Overages
City Calls/October 2015

VENUE	Alarm Date	Alarm Time	Enroute Time	Paged to Enroute	Apparatus	Inc. Number	Station	Lights and Sirens	REASON FOR OVERAGES
Rockwall	10/02/2015	19:02:16	19:04:06	0:01:50	E1	2015-00000879	Rockwall 2	Code 3	CAD times don't match radio times
Rockwall	10/22/2015	22:49:48	22:51:28	0:01:40	E1	2015-00000941	Rockwall 1	Code 3	CAD times don't match radio times

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ARRIVAL OVERAGES
CITY CALLS/OCTOBER 2015

VENUE	Enroute Time	Arrival Time	Enroute to Arrival	Apparatus	Inc. Number	Station	Lights and Sirens	REASON FOR OVERAGES
Rockwall	19:04:06	19:11:27	0:07:21	E1	2015-00000879	Rockwall 2	Code 3	Marine 1 Call
Rockwall	08:10:35	08:21:44	0:11:09	E4	2015-00000921	Rockwall 4	Code 3	Response to Area without station
Rockwall	10:28:18	10:34:40	0:06:22	E3	2015-00000935	Rockwall 3	Code 3	CAD Incorrect
Rockwall	19:23:59	19:30:50	0:06:51	E2	2015-00000958	Rockwall 2	Code 3	Location on Interstate
Rockwall	11:52:26	11:59:11	0:06:45	E4	2015-00000981	Rockwall 4	Code 3	Mutliple Calls/E4 was not at station

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RESPONSE OVERAGES
CITY CALLS/OCTOBER 2015

VENUE	Alarm Date	Alarm Time	Arrival Time	Response	Apparatus	Inc. Number	Station	Lights and Sirens	REASON FOR OVERAGES
Rockwall	10/02/2015	19:02:16	19:11:27	0:09:11	E1	2015-00000879	Rockwall 2	Code 3	Marine 1 Call
Rockwall	10/16/2015	08:09:45	08:21:44	0:11:59	E4	2015-00000921	Rockwall 4	Code 3	Response to Area without station
Rockwall	10/20/2015	10:26:50	10:34:40	0:07:50	E3	2015-00000935	Rockwall 3	Code 3	CAD times don't match Radio times

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COUNTY AND MUTUAL AID OVERGES
OCTOBER 2015

ENROUTE OVERAGES

VENUE	Alarm Date	Alarm Time	Enroute Time	Paged to Enroute	Inc. Number	Station	Lights and Sirens	Apparatus	REASON FOR OVERAGES
McLendon-Chisholm	10/27/2015	22:59:23	23:01:51	0:02:28	2015-00000965	Rockwall 4	Code 3	E4	CAD times don't match Radio times

ARRIVAL OVERAGES

VENUE	Alarm Date	Enroute Time	Arrival Time	Enroute to Arrival	Inc. Number	Station	Lights and Sirens	Apparatus	REASON FOR OVERAGES
Fate	10/06/2015	19:15:45	19:34:23	0:18:38	2015-00000891	Rockwall 1	Code 3	E1	Drive Time
Fate	10/25/2015	21:16:17	21:26:53	0:10:36	2015-00000955	Rockwall 1	Code 3	E1	Drive Time
McLendon-Chisholm	10/27/2015	23:01:51	23:13:59	0:12:08	2015-00000965	Rockwall 4	Code 3	E4	Drive Time

RESPONSE OVERAGES

VENUE	Alarm Date	Alarm Time	Arrival Time	Response	Inc. Number	Station	Lights and Sirens	Apparatus	REASON FOR OVERAGES
Fate	10/06/2015	19:14:25	19:34:23	0:19:58	2015-00000891	Rockwall 1	Code 3	E1	Drive Time
Fate	10/25/2015	21:14:43	21:26:53	0:12:10	2015-00000955	Rockwall 1	Code 3	E1	Drive Time
McLendon-Chisholm	10/27/2015	22:59:23	23:13:59	0:14:36	2015-00000965	Rockwall 4	Code 3	E4	Drive Time

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Total Dollar Losses

October 2015

City of Rockwall
The Next Horizon

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$62,052.00	$381,587.00	$27,580.00	$991,569.24	$285,140.00
Total Content Loss:	$37,231.20	$59,476.10	$16,548.00	$453,402.90	$108,394.00
Total Property Pre-Incident Value:	$124,104.00	$2,626,206.00	$78,800.00	$11,967,635.40	$394,930.00
Total Contents Pre-Incident Value	$74,462.40	$405,904.40	$47,280.00	$6,068,682.50	$235,224.00
Total Losses:	$99,283.20	$441,063.10	$44,128.00	$1,444,972.14	$99,283.20
Total Value:	$198,566.40	$3,032,110.40	$126,080.00	$18,036,317.90	$630,154.00

Fire Permit Listing

City of Rockwall
The Next Horizon

Print Date/Time: 11/13/2015 15:21
Login ID: rck\lbrewer
Permit Type: All
Permit Number From/To: All

From Application Date: 10/1/2015
Thru Application Date: 10/31/2015
Permit Status: All

Rockwall Fire Department
FDID Number: TX504
Inspector: All

Permit Number	Application Date	Applicant	Location	Permit Type	Status	Status Date
1608	10/29/2015	Col-Met Spray Booths Shell Building	2975 DISCOVERY BLVD ROCKWALL, TX 75032	High-Rack/Pile	Approved	10/29/2015
1735	10/01/2015	Expert Cuts	3045 N GOLIAD ST 107 ROCKWALL, TX 75087	Overhead-Sprinkler	Approved	10/07/2015
1736	10/01/2015	Rockwall Town Center (Pizza Hut) Shell	2927 RIDGE RD ROCKWALL, TX 75032	Fire Alarm	Approved	10/07/2015
1737	10/02/2015	1881 Huron	1881 HURON DR ROCKWALL, TX 75087	Overhead-Sprinkler	Approved	10/09/2015
1738	10/06/2015	Breezy Hills Amenity Center	951 CALM CREST , TX	Temp Aboveground tank	Approved	10/07/2015
1740	10/13/2015	Col-Met Spray Booths Shell Building	2975 DISCOVERY BLVD ROCKWALL, TX 75032	Fire Alarm	Approved	10/23/2015
1742	10/29/2015	Col-Met Spray Booths Shell Building	2975 DISCOVERY BLVD ROCKWALL, TX 75032	Dry Chem	Approved	11/05/2015

Total Number of Permits: 7

Inspection Status Summary Report

City of Rockwall
The Texas Timeless

Print Date/Time: 11/13/2015 15:06
Login ID: rck\lbrewer
Inspection Type: *All

From Date: 10/01/2015
To Date: 10/31/2015
Inspection Status: *All

Rockwall Fire Department
FDID Number: TX504
Inspected By: *All

Status	Inspection Type	Total Number of Inspections
Finaled	Access Control Doors	2
	Annual	2
	Certificate of Occupancy	9
	Construction Final	6
	Courtesy	34
	Fire Alarm System	6
	Fire Lane	9
	Fire Pump	1
	Follow Up	7
	Foster Care / Adoption	1
	Go Vertical	2
	Knox Box	5
	Knox Lock	1
	Other	1
	Special Event	1
	TCO	1
	Underground Fire Line	2
	Total Finaled :	**90**

214

214

Inspection Status Summary Report

City of Rockwall
The New Horizon

Print Date/Time: 11/13/2015 15:06
Login ID: rck\lbrewer
Inspection Type: *All

From Date: 10/01/2015
To Date: 10/31/2015
Inspection Status: *All

Rockwall Fire Department
FDID Number: TX504
Inspected By: *All

Status	Inspection Type	Total Number of Inspections
Pending	Annual	8
	Certificate of Occupancy	5
	Construction Final	8
	Fire Alarm System	16
	Fire Pump	4
	Foster Care / Adoption	1
	Remote FDC	2
	Underground Fire Line	1
	Wet Fire Spinkler System	12
	Total Pending :	**57**
	Total :	**147**

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Inspection Status Summary Report

City of Rockwall
The Texas Horizon

Print Date/Time: 11/13/2015 14:52
Login ID: rck\lbrewer
Inspection Type: *All

From Date: 10/01/2015
To Date: 10/31/2015
Inspection Status: *All

Rockwall Fire Department
FDID Number: TX504
Inspected By: *All

Status	Inspection Type	Total Number of Inspections
Finaled	Access Control Doors	2
	Annual	2
	Certificate of Occupancy	9
	Construction Final	6
	Courtesy	34
	Fire Alarm System	6
	Fire Lane	9
	Fire Pump	1
	Follow Up	7
	Foster Care / Adoption	1
	Go Vertical	2
	Knox Box	5
	Knox Lock	1
	Other	1
	Special Event	1
	TCO	1
	Underground Fire Line	2
	Total Finaled :	**90**

Inspection Status Summary Report

City of Rockwall
The New Horizon

Print Date/Time: 11/13/2015 14:52
Login ID: rck\lbrewer
Inspection Type: *All

From Date: 10/01/2015
To Date: 10/31/2015
Inspection Status: *All

Rockwall Fire Department
FDID Number: TX504
Inspected By: *All

Status	Inspection Type	Total Number of Inspections
Pending	Annual	8
	Certificate of Occupancy	5
	Construction Final	8
	Fire Alarm System	16
	Fire Pump	4
	Foster Care / Adoption	1
	Remote FDC	2
	Underground Fire Line	1
	Wet Fire Spinkler System	12
	Total Pending :	**57**
	Total :	**147**

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 10/1/2015 thru 10/31/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
BLD2015-018	02/06/15	281	537 IH 30 E	SABRE REALTY	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/01/15	10/11/15	10/01/15
	COMM		Mattress Firm - REMODEL (was Sleep Train)							
CO2015-0105	09/30/15	45	3021 Ridge Rd. 102	RIDGE ROAD PROPERTIES	Ariana Hargrove	FIRE CO	APPROVED	10/01/15		10/01/15
	CO		Rockwall Gold & Silver Exchange							
CO2015-0106	10/02/15	43	2951 Ridge Rd 119	REGENCY, CENTERS LP	Ariana Hargrove	FIRE CO	APPROVED	10/02/15	10/05/15	10/07/15
	CO		Dickey's Barbecue Pit							
BLD2015-115	08/04/15	102	2601 Lakefront Trail	ROCKWALL, RENTAL PROPERTIES LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	10/05/15	10/15/15	10/05/15
	COMM		Springhill Suites Marriott							
BLD2015-147	10/06/15	39	960A SIDS RD	RODD, HANNA'S AIR PERFORMANCE	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/06/15	10/16/15	10/07/15
	COMM		T-Mobile 3 new antennas & FRLBS behind the antennas							
SPEC2015-01	10/06/15	39	901 WILLIAMS	ROCKWALL, ASSEMBLY OF GOD	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/06/15	10/13/15	10/06/15
	SPECIAL EVENT		NO MONSTERS BASH							
CO2015-0107	10/08/15	37	2975 Discovery Blvd	ROCKWALL, ECONOMIC DEVELOPMENT	Ariana Hargrove	FIRE CO	APPROVED	10/08/15	10/11/15	10/08/15
	CO		COLMET SPRAY BOOTHS							
CO2015-0108	10/08/15	37	1785 IH 30 E 101	OLLOM, GREGORY D	Ariana Hargrove	FIRE CO	APPROVED	10/08/15	10/11/15	10/08/15
	CO		JUMPY JOEY TRAMPOLINES & MORE							
ELE2015-005	10/08/15	37	606 S CLARK ST	MIKE HOGUE	Ariana Hargrove	FIRE 972-772-6431		10/08/15	10/18/15	
	COMM		PERM METER POLE							
TCO2015-000	10/08/15	37	2975 Discovery Blvd	ROCKWALL, ECONOMIC DEVELOPMENT	Ariana Hargrove	FIRE CO	APPROVED	10/08/15		10/08/15
	TCO		COLMET							
BLD2015-141	09/23/15	52	1415 Goliad St S	HOLDINGS LLC, ROCKWALL ICE CREAM	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/09/15	10/19/15	10/09/15
	COMM		Advanced Auto Parts - NEW							
BLD2015-149	10/08/15	37	2500 SH 66	REST, HAVEN FUNERAL HOMES INC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	10/09/15		10/09/15
	COMM		COLUMBARIUM FOR RESTHAVEN FUNERAL HOMES							
CO2015-0109	10/09/15	36	557 IH 30 E	BENT, TREE REALTY CO	Ariana Hargrove	FIRE CO		10/09/15	10/12/15	
	CO		UNREFINED BAKERY							
BLD2015-150	10/12/15	33	2701 SUNSET RIDGE 409	TREND TOWER	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/12/15	10/22/15	10/15/15
	COMM		Keller Williams remodel							
BLD2015-152	10/14/15	31	254 RANCH TRL	PATRIOT, PAWS	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	10/14/15	10/24/15	10/26/15
	COMM		PATRIOT PAWS							
BLD2015-152	10/14/15	31	1975 ALPHA RD 201	DUKE, REALTY BEMC ROCKWALL DEVELOPME	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/14/15	10/24/15	10/16/15
	COMM		HTPN Family Medical Center At Rockwall expansion							
ELE2015-006	10/14/15	31	930 WHITMORE DRIVE	WHITMORE, MANUFACTURING CO	Ariana Hargrove	FIRE 972-772-6431		10/14/15	10/24/15	
	COMM		1500 KVA TRANSFORMER 4000A SWITCHBOARD							
ELE2015-006	10/14/15	31	5001 GOLIAD ST. S	SUDDEN LINK	Ariana Hargrove	FIRE 972-772-6431		10/14/15	10/24/15	
	COMM		ELECTRICAL SERVCIE FOR SUDDEN LINK							

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 10/1/2015 thru 10/31/2015

Permit #	Appl. Date / Permit Type	Aging	Address / Description	Owner Name	Plan Review Detail					
					Contact	Review Type	Status	Date Sent	Date Due	Completed
MEC2015-01(	10/16/15	29	3001 RIDGE RD	AREZZO, HOME FAMILY HOLDINGS	Ariana Hargrove	FIRE 972-772-6431		10/16/15	10/26/15	
	COMM		REPLACE OF AN EXISTING 6 TON RTU / NEW CARRIER							
SPEC2015-02	10/19/15	26	765 I 30		Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/19/15	10/26/15	10/30/15
	SPECIAL EVENT		CHRISTMAS TREE LOT @HOME DEPOT							
BLD2015-155	10/21/15	24	202 West St N.	Cindy Seymore	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/21/15	10/31/15	10/26/15
	COMM		interior remodel for Commercial use							
BLD2015-155	10/21/15	24	3475 Springer Rd.	CITY, OF ROCKWALL	Ariana Hargrove	FIRE 972-772-6431		10/21/15	10/31/15	
	COMM		adding dish equipments - Rise Broad Band							
BLD2015-156	10/22/15	23	557 IH 30	BENT, TREE REALTY CO	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	10/22/15	11/01/15	10/26/15
	COMM		Unrefined Bakery - interior remodel							
CO2015-0110	10/22/15	23	381 NATIONAL DR	WOOD, BROTHERS INVESTMENTS PARTNERSH	Ariana Hargrove	FIRE CO	APPROVED	10/22/15	10/25/15	10/26/15
	CO		Rockwall Ford							
CO2015-0111	10/22/15	23	2850 Ridge Rd #102	SABRE REALTY	Ariana Hargrove	FIRE CO	APPROVED	10/22/15	10/25/15	10/26/15
	CO		Van Chan's Chinese Restaurant							
BLD2013-190	12/12/13	702	2650 Champions Dr	SHORES, COUNTRY CLUB LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	10/26/15	11/05/15	10/26/15
	COMM		Shores HOA Clubhouse							
CO2015-0112	10/26/15	19	427 IH 30	BUILDERS, ASSOCIATES #3	Ariana Hargrove	FIRE CO	APPROVED	10/26/15	10/29/15	10/28/15
	CO		Nail Unique							
BLD2015-158	10/27/15	18	1201 RIDGE RD	BENBROOKE, RIDGE PARTNERS LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	10/27/15	11/06/15	10/28/15
	COMM		Arboledas - Inter remodel							
BLD2015-159	10/27/15	18	1309 Ridge Rd 100	ROCKWALL, HH LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/27/15	11/06/15	10/30/15
	COMM		Edward Jones - Interior remodel w/ minor Electrical							
ELE2015-006	10/27/15	18	1480 Justin	FLEXLAND, LP	Ariana Hargrove	FIRE 972-772-6431	NOT REVIEWED	10/27/15	11/06/15	
	COMM		SPR Packaging - New Elec. Serivce							
BLD2015-156	10/22/15	23	557 IH 30	BENT, TREE REALTY CO	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/28/15	11/07/15	10/28/15
	COMM		Unrefined Bakery - interior remodel							
BLD2015-158	10/27/15	18	1201 RIDGE RD	BENBROOKE, RIDGE PARTNERS LP	Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/29/15	11/08/15	10/29/15
	COMM		Arboledas - Inter remodel							
CO2015-0113	10/29/15	16	2880 RIDGE RD	GARY HAMMER	Ariana Hargrove	FIRE CO	APPROVED	10/29/15	11/01/15	10/29/15
	CO		ROCKWALL HEALTH CENTER							
ELE2015-007	10/29/15	16	1704 Preakness Dr.	Cambridge CO	Ariana Hargrove	FIRE 972-772-6431		10/29/15	11/08/15	
	COMM		Rockwall Downs - Elec. for Irrg. & lighting to monument sign							
SPEC2015-02	10/19/15	26	765 I 30		Ariana Hargrove	FIRE 972-772-6431	APPROVED	10/29/15	11/02/15	10/30/15
	SPECIAL EVENT		CHRISTMAS TREE LOT @HOME DEPOT							
BLD2015-161	10/30/15	15	1411 S GOLIAD	T-ROCK, LP	Ariana Hargrove	FIRE 972-772-6431		10/30/15	11/09/15	
	COMM		ADA RAMP							
CO2015-0114	10/30/15	15	537 IH 30 E	SABRE REALTY	Ariana Hargrove	FIRE CO	APPROVED	10/30/15	11/02/15	10/30/15
	CO		Mattress Firm							

CRW SYSTEMS

City of Rockwall

Permit Routing Report By Date Sent (then by permit)

For the Period 10/1/2015 thru 10/31/2015

Permit #	Appl. Date	Aging	Address		Plan Review Detail					
	Permit Type		Description	Owner Name	Contact	Review Type	Status	Date Sent	Date Due	Completed
CO2015-0115	10/30/15	15	3045 N GOLIAD ST 109	PCB, PROPERTIES LLC	Ariana Hargrove	FIRE CO	APPROVED	10/30/15	11/02/15	11/02/15
	CO		Alliance Bank							

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CRW SYSTEMS

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City of Rockwall
GIS Department Report
October 2015

GIS Project Request:

Month	2007	2008	2009	2010	2011	2012	2013	2014	**2015**	*% Change from 2014*	2015 Trend
January	5	14	19	24	31	21	26	28	38	35.71%	↑
February	13	16	26	28	28	25	26	27	33	22.22%	↑
March	4	6	32	23	36	22	23	28	30	7.14%	↑
April	9	25	17	22	29	37	23	30	35	16.67%	↑
May	16	25	18	30	32	33	38	24	31	29.17%	↑
June	11	9	27	22	38	35	28	15	34	126.67%	↑
July	15	24	15	32	23	27	21	31	41	32.26%	↑
August	15	7	23	24	38	35	36	34	27	-20.59%	↓
September	9	7	28	31	37	27	20	39	50	28.21%	↑
October	10	33	32	39	40	39	27	44	**38**	-13.64%	↓
November	35	6	15	27	22	13	29	34			
December	10	13	13	28	22	17	28	19			
Total:	152	185	265	330	376	331	325	353	**357**		

Key Projects:

(1) **New Internet Maps / GIS Day Prep**. Continue development of new suite of internet maps. Preparation for upcoming GIS Day event.

(2) **911 Addressing**. Assigned addresses to new homes, businesses, and utilities. Updated state database.

(3) **GPS Intern Projects**. New GPS projects locating all Screening Walls, Utility updates, Air Release Valves, and Grease Traps. Also updating Building Footprints.

(4) **Lidar Data**. Utilized new Lidar 3D data for several engineering flood study projects.

(5) **CommunityVIZ**. Began running studies on suitability and citywide land use through new analysis software.

(6) **NCTCOG Next Generation 911**. Updating NCTCOG NG911 data and repairing any city or state MSAG errors.

Year to Date Project Request by Department:

Admin / HR / Internal Ops	0
Building Inspections	0
Citizen Request	0
City Council	1
City Manager's Office	0
Neighborhood Improvement Services	0
Engineering / Public Works	13
Finance / Utilities	0
Fire Department	1
GIS (Citywide Projects)	7
IT	0
Main Street Program	1
Outside Agencies	1
Parks and Recreation	5
Planning	4
Police Department	4
REDC	1
Total	38

(7) **Harbor District Concept Plan Update**. Update current conditions compared to original concept plan.

(8) **Post EPA Inspection / CMOM** . Identified reporting needs, utility calculations, and other GIS data projects.

(9) **Event Maps.** Created various event maps for Main Street program, Police Dept, Parks, and Impact.

(10) **New 2015 Aerials and Contours Delivery.** Incorporate new data purchased from NCTCOG.

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Rockwall Police Department
Harbor District Call For Service
October 2015

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2015-00032913	10/03/2015	21:49:00	Cinemark Movies 12	Accident - Minor	Report
2015-00033929	10/11/2015	18:44:38	Cinemark Movies 12	Medical Emergency	EMS
2015-00034670	10/17/2015	15:19:33	Cinemark Movies 12	Investigation	No Report
2015-00036107	10/29/2015	16:37:39	Cinemark Movies 12	BMV	Report
2015-00036345	10/31/2015	16:00:46	Cinemark Movies 12	Missing Person	No Report
2015-00032903	10/03/2015	20:59:47	City Salon and Spa, Zeus Botique	Alarm-BUSN	False Alarm
2015-00033572	10/08/2015	21:19:18	City Salon and Spa, Zeus Botique	Alarm-BUSN	Cancelled Alarm
2015-00034818	10/18/2015	18:33:58	El Portillo De La Sandia	Investigation	No Report
2015-00035430	10/23/2015	23:32:40	En Fuego Tobacco Shop	Parking Violations	No Report
2015-00034486	10/15/2015	23:47:16	Glorias Restaurant	Alarm-BUSN	False Alarm
2015-00033697	10/09/2015	21:00:41	Harbor Building S	Intoxicated	No Report
2015-00034635	10/17/2015	04:48:45	Harbor Builidng T	Alarm-BUSN	False Alarm
2015-00034637	10/17/2015	05:50:56	Harbor Builidng T	Alarm-BUSN	False Alarm
2015-00032960	10/04/2015	02:29:22	Hilton	Intoxicated	No Report
2015-00034715	10/17/2015	22:02:27	Hilton	Investigation	No Report
2015-00034722	10/17/2015	22:47:49	Hilton	Property	Report
2015-00035424	10/23/2015	21:56:04	Hilton	Investigation	Arrest
2015-00035833	10/27/2015	07:04:10	Hilton	BMV	Report
2015-00035838	10/27/2015	07:56:19	Hilton	BMV	Report
2015-00036016	10/28/2015	21:09:50	Hilton	Disturbance	No Report
2015-00036123	10/29/2015	18:32:19	Hilton	Welfare Concern	No Report
2015-00032604	10/01/2015	20:27:48	The Harbor	Accident - Minor	No Report
2015-00033802	10/10/2015	18:06:21	The Harbor	Disturbed Person	Unable to Locate
2015-00034415	10/15/2015	14:42:58	The Harbor	Welfare Concern	No Report
2015-00034451	10/15/2015	20:28:59	The Harbor	Suspicious Activity	No Report
2015-00034742	10/17/2015	23:51:28	The Harbor	Investigation	No Report
2015-00035562	10/25/2015	01:00:42	The Harbor	Investigation	No Report
2015-00035746	10/26/2015	13:42:15	The Harbor	BMV	Report
2015-00036253	10/30/2015	18:29:18	The Harbor	Accident - Minor	No Report
			Common Name		
			Cinemark Movies 12	5	
			City Salon and Spa, Zeus Botique	2	
			El Portillo De La Sandia	1	
			En Fuego Tobacco Shop	1	
			Glorias Restaurant	1	
			Hilton	11	
			The Harbor	8	
			Total	**29**	

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
OCTOBER 2015

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	14	14	0	100%
ADMINISTRATIVE SERVICES	3	3	0	100%
AIRPORT	0	0	0	0%
ANIMAL SERVICES	3	3	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	2	1	1	50%
ENGINEERING	5	5	0	100%
FINANCE	1	1	0	100%
FIRE DEPARTMENT	30	29	1	97%
INTERNAL OPERATIONS	120	120	0	100%
MUNICIPAL COURT	10	8	2	80%
PARKS & RECREATION	16	16	0	100%
PLANNING & ZONING	0	0	0	0%
POLICE DEPARTMENT	37	37	0	100%
PUBLIC WORKS	7	7	0	100%
UTILITY BILLING	0	0	0	0%
TOTAL	248	244	4	98%

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
RADIO SYSTEM
REQUESTS FOR SERVICE
OCTOBER 2015

DEPARTMENT	# OF REQUESTS	# OF REQUESTS RESPONDED TO W / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ANIMAL SERVICES	1	1	0	100%
CODE ENFORCEMENT	0	0	0	100%
FIRE DEPARTMENT	4	4	0	100%
EMS	0	0	0	100%
INTERNAL OPERATIONS	1	1	0	100%
PARKS & RECREATION	0	0	0	100%
POLICE DEPARTMENT	5	5	0	100%
PUBLIC WORKS	0	0	0	100%
UTILITY BILLING	0	0	0	100%
HEATH DEPT. PUBLIC SAFETY	3	3	0	100%
HOSPITAL CONTROL STATIONS	1	1	0	100%
SYSTEM ISSUES	1	1	0	100%
TOTAL	16	16	0	100%

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Airport Operations Report

For Month of October 2015

FUEL SALES

	GALLONS SOLD	GROSS SALES
Jet - A Sales	202.00	$741.00
Av-Gas Sales	2,726.90	$8,429.15
TOTAL FUEL SALES	2,928.90	$9,170.15

HANGAR RENTAL REVENUE

Open T Hangar Rental Revenue	$2,193.55
Transient Covered Hgr - Nightly	$0.00
Enclosed Hangar Rental Revenue	$120.00
Nightly Tiedown Fees	$7.00
North Community Hangar Rental Revenue	$650.00
TOTAL HANGAR RENTALS	$2,970.55

HANGAR OCCUPANCY RATES

	TOTAL HANGARS	QTY RENTABLE	QUANTITY LEASED	OCCUPANCY RATE
Open T Hangars	45	40	28	70.00%
Closed Hangar Rentals	2	2	2	100%
Open Hangar Cap Rentals	2	1	1	100%
TOTAL HANGAR OCCUPANCY	49	43	31	72%

Of the forty five hangars only forty can actually be rented. Most of these forty should be considered substandard and not easily marketed due to pad slope and width, electrical, and drainage issues.

CITY FEES DUE	FEE RATE	FRANCHISE FEE DUE	FUEL FLOWAGE FEES DUE	TOTAL FEES DUE
Fuel Sales (Gallons Sold)	$0.10	$0.00	$292.89	$292.89
City Owned Hangar Rentals	5.00%	$148.53	$0.00	$0.00
TOTAL FEES DUE		$148.53	$292.89	$441.42

I certify the information and amounts submitted on this form are true and correct.

Todd Parks
Managing Director - Texas Air Center, LLC

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Rockwall Police Department

Monthly Activity Report

October-2015

ACTIVITY	CURRENT MONTH OCTOBER	PREVIOUS MONTH SEPTEMBER	YTD 2015	YTD 2014	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	0	**0.00%**
Sexual Assault	0	1	11	6	**83.33%**
Robbery	0	1	8	4	**100.00%**
Aggravated Assault	3	3	31	22	**40.91%**
Burglary	8	8	51	73	**-30.14%**
Larceny	46	66	525	530	**-0.94%**
Motor Vehicle Theft	2	0	30	43	**-30.23%**
TOTAL PART I	**59**	**79**	**656**	**678**	**-3.24%**
TOTAL PART II	**152**	**138**	**1579**	**1386**	**13.92%**
TOTAL OFFENSES	**211**	**217**	**2235**	**2064**	**8.28%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	24	12	167	172	**-2.91%**
D.W.I.	12	15	166	180	**-7.78%**
TEEN CURFEW	0	0	5	13	**-61.54%**
ARRESTS					
FELONY	17	25	179	181	**-1.10%**
MISDEMEANOR	60	86	681	777	**-12.36%**
WARRANT ARREST	48	37	383	318	**20.44%**
JUVENILE	1	3	26	62	**-58.06%**
TOTAL ARRESTS	**126**	**151**	**1269**	**1338**	**-5.16%**
DISPATCH					
CALLS FOR SERVICE	1533	1597	15222	14739	**3.28%**
ACCIDENTS					
INJURY	12	19	101	109	**-7.34%**
(INJURIES)	15	28	149	154	**-3.25%**
NON-INJURY	64	48	540	448	**20.54%**
FATALITY	0	0	1	1	**0.00%**
(FATALITIES)	0	0	1	1	**0.00%**
TOTAL	**76**	**67**	**642**	**558**	**15.05%**
FALSE ALARMS					
RESIDENT ALARMS	59	64	650	590	**10.17%**
BUSINESS ALARMS	102	117	1219	1292	**-5.65%**
TOTAL FALSE ALARMS	**161**	**181**	**1869**	**1882**	**-0.69%**
Estimated Lost Hours	**106.26**	**119.46**	**1233.54**	**1242.12**	**-0.69%**
Estimated Cost	**$2,527.70**	**$2,841.70**	**$29,343.30**	**$29,547.40**	**-0.69%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**3**
Arrests	**7**
Arrest Warrants	**4**
Search Warrants	**1**
Seized	
Cocaine	56.7 grams
Meth	1.7 kilograms
Heroin	28.3 grams
Stolen Vehicle	1
Stolen Gun	1

Rockwall Police Department
Dispatch and Response Times

October-2015

Police Department

	Average Response Time		
Priority 1		Number of Calls	**145**
Call to Dispatch	0:00:48		
Call to Arrival	0:05:36		
% over 7 minutes	23%		

	Average Response Time		
Priority 2		Number of Calls	**298**
Call to Dispatch	0:01:08		
Call to Arrival	0:06:52		
% over 7 minutes	38.26%		

	Average Response Time		
Priority 3		Number of Calls	**15**
Call to Dispatch	0:00:53		
Call to Arrival	0:07:11		
% over 7 minutes	33.33%		

***Priority 4**	0:08:51	Number of Calls	**982**
****Priority 5**	0:03:21	Number of Calls	**6**

*Priority 4 call averages are not given because they are calls that do not require an immediate response by police.
**Priority 5 calls are incidents that officers initiate themselves therefore response times are not calculated.

Average dispatch response time goals are as follows:
Priority 1: 30 Seconds
Priority 2: 45 Seconds
Priority 3: 1 Minute

Fire Department

	Average Response Time		
Call to Dispatch	0:00:17	Number of Calls	**87**
Call to Arrival	0:06:43		

Overages

Incident No.	Date	Time Rec'd	Call Type	Time Disp	Resp Time	Reason
2015-00000894	10/08/2015	06:13:58	FD - Water Rescue	06:15:48	06:20:47	Water call out per Dallas PD
2015-00000897	10/10/2015	09:46:10	FD - Haz-Mat Incident	09:47:20	09:55:44	Bomb squad called out
2015-00000965	10/27/2015	22:58:06	FD - Residential Fire	22:59:23	23:13:59	Mclendon Chisholm / county address

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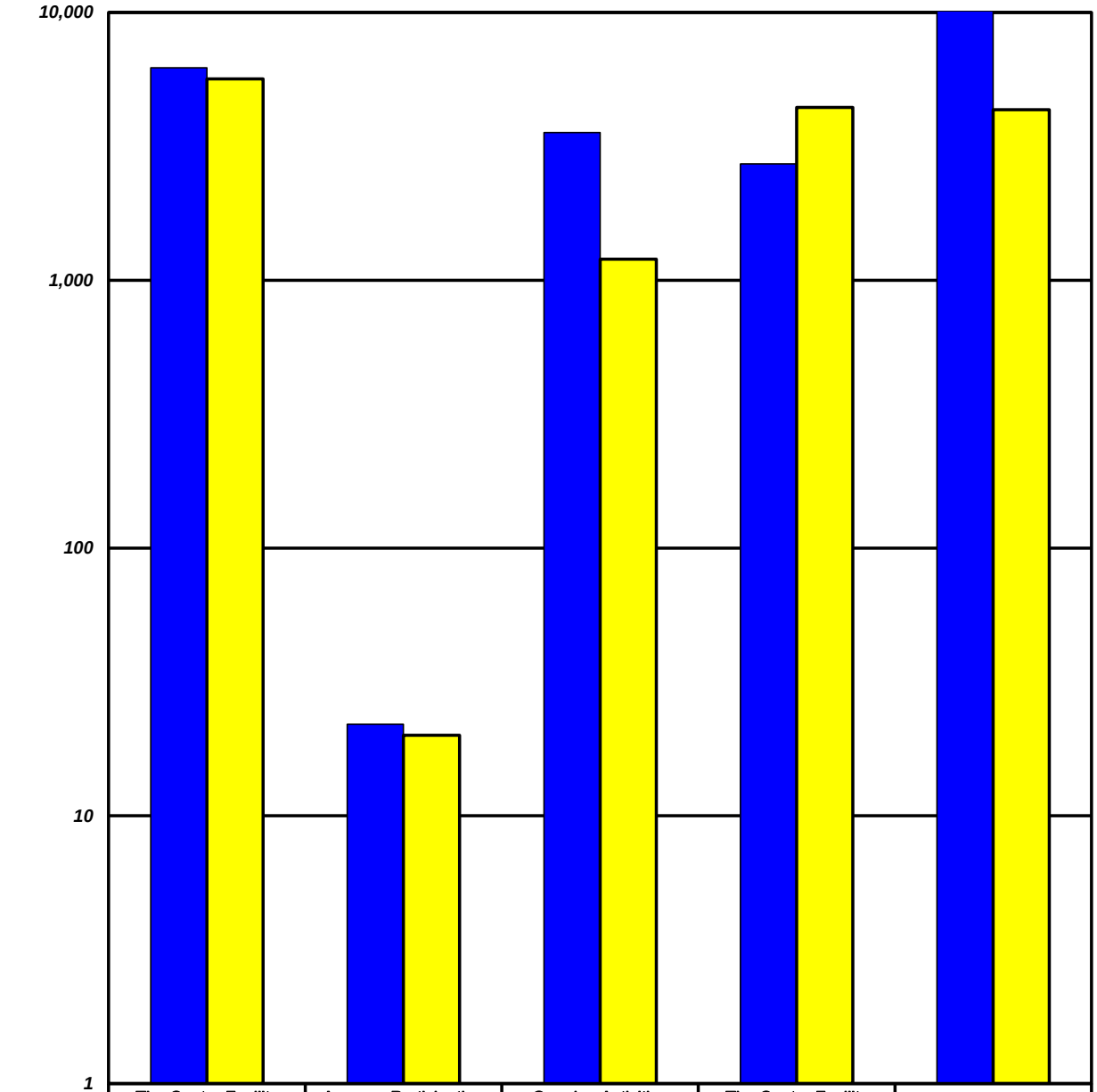
City of Rockwall
Parks and Recreation Department
FY16 October Report



	The Center Facility Usage	Average Participation per Hour	Ongoing Activities Attendance	The Center Facility Rental Revenue	Program Revenue
FY16 YTD	6,223	22	3,565	$2,722	$16,889
FY15 YTD	5,658	20	1,199	$4,419	$4,333

The Center Facility Usage - Total number of visitors and participants that come thru The Center - includes Ongoing Activities.
Average Participation per Hour - The Center Facility Usage divided by the number of hours the facility is open.
Ongoing Activities Attendance - Non fee based activities conducted on a routine basis (Bingo, Exercise with Anita, etc).

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Rockwall Animal Adoption Center Monthly Report
CCHS at Rockwall
October 2015

DISPOSITION REPORT

	October
Intakes	152
1045	1
Adopted	84
Returned to Owner	31
Rescued	24
Euthanized	9
Live Outcome %	**93%**
Number of Animals in Foster	2

FINANCIAL REPORT

Income	**October**
City of Rockwall	$117,618
Adoption Fee Income	$6,980
Impound Fee Income	$1,040
Owner Surrender	$855
General Donations	$3,796
Medical	$747
Quarantine Fee	$30
Total Income	**$131,066**

Expenses	**October**
Administrative Expenses (Payroll, etc)	$19,577
Shelter Expenses (Microchips, Drugs, etc)	$2,331
Veterinary Expenses	$3,358
Professional Services	$56
Total Expenses	**$25,322**
Balance	**$105,744**

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Agenda 5

Hold work session with representative(s) of the city's Park Board to hear and discuss update concerning the Parks & Recreation Department's marketing initiatives, and take any action necessary.

Memo_WkSession Item 10

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Consider approval of the minutes from the December 7, 2015 regular city council meeting, and take any action necessary.

12-07-15 CC Mtg Mins 13

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Consider awarding a bid to New Star Grading and Paving Company and authorizing the City Manager to execute a Purchase Order for utility cuts pavement repair services for an estimated annual amount of $75,000 to be funded out of the General Fund Streets Operations Budget, and take any action necessary.

Memo 24

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Consider awarding a bid to Nortex Concrete Lift and Stabilization and authorizing the City Manager to execute a Purchase Order for concrete paving stabilization services for an estimated annual amount of $50,000 to be funded out of the General Fund Streets Operations Budget, and take any action necessary.

Memo 26

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Consider authorizing the City Manager to execute a professional engineering services contract with Birkhoff, Hendricks & Carter, LLP in the amount of $124,400 to perform a wastewater lift station evaluation update on the City’s wastewater lift stations to be funded by water/sewer revenue bonds, and take any action necessary.

City Manager Memo 28

Professional Engineering Services Contract Wastewater Lift Station 29

Consider awarding a bid to Hoyt Breathing Air Products and authorizing the City Manager to execute a Purchase Order for new Fire Fighter SCBA Air Paks and Bottles in the amount of $343,016.20 to be funded out of the General Fund, and take any action necessary.

Memo 42

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Consider designation of the city's newspaper of record, naming the Rockwall County Herald Banner, as annually required by the City's Charter, and take any action necessary.

Memo - newspaper 44

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Appointment with Patricia Davis, Chief Appraiser with the Rockwall Central Appraisal District, to discuss and consider CAD-related matters, including a proposed interlocal agreement for assessment and collection of taxes, and take any action necessary.

Memo_CAD Appt and Contract 46
Agreement_CAD 47
Allocation_CAD 51
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MIS2015-003 - Hold a public hearing to discuss and consider approval of an ordinance for a City initiated request to amend the Comprehensive Plan by approving changes to the Master Thoroughfare Plan Map contained within the Transportation section, add a street cross section for a M4U-M (minor arterial, four [4] lane, undivided roadway, modified) and modify existing street cross sections in Appendix 'D', Thoroughfare Cross Sections, and take any action necessary [1st Reading].

MIS2015-003 53
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Z2015-030 - Hold a public hearing to discuss and consider approval of an ordinance for a City initiated request for a zoning amendment to Planned Development District 75 (PD-75) being Ordinance No. 09-37, containing 329.53-acres of land, identified as the Lake Rockwall Estates Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses, being situated east of Tubbs Road and north of County Line Road, and take any action necessary [1st Reading].

Z2015-030 96
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Z2015-031 - Hold a public hearing to discuss and consider a request by John and Lenny James on behalf of the owner Rockway Partners for the approval of an ordinance for a Specific Use Permit (SUP) for a carwash on a 0.688-acre parcel of land identified as Lot 1, Block D, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the northwest corner of La Jolla Pointe Drive and Ridge Road [FM-740], and take any action necessary [1st Reading].

Z2015-031 183
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Z2015-032 - Hold a public hearing to discuss and consider a request by Lloyd Waldrop of Rockwall Gold & Silver on behalf of the owner Donna Pritchard for the approval of an renewal of Specific Use Permit (SUP) No. S-115 (Ordinance No. 13-46) allowing a pawn shop on a portion of a 0.423-acre parcel of land identified as Lot 1, Block 1 of the Garland Federal Savings & Loan Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, address as Suite 1 of 1901 S. Goliad Street, and take any action necessary [1st Reading].

Z2015-032 204
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Z2015-033 - Hold a public hearing to discuss and consider a request by Stephen B. North for the approval of an ordinance for a Specific Use Permit (SUP) for an accessory building not meeting the standards stipulated by the Unified Development Code on a 0.23-acre parcel of land identified as Lot 14, Block F, Harlan Park Addition, Phase 1, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 513 Windsor Way, and take any action necessary [1st Reading].

Z2015-033 226

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Z2015-034 - Hold a public hearing to discuss and consider a request by Pat Atkins of Saddle Star Land Development Inc. on behalf of the owner Randa Hance of R&R Hance Investment LP for the approval of an ordinance for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 8.4 (SF-8.4) District land uses for a 45.318-acre tract of land identified as Tract 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of FM-552, and take any action necessary [1st Reading].

Z2015-034 247

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Z2015-035 - Hold a public hearing to discuss and consider a request by Pat Atkins of Saddle Star Land Development Inc. on behalf of the owner Larry Hance for the approval of an ordinance for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 8.4 (SF-8.4) District land uses for a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King Boulevard, and take any action necessary [1st Reading].

Z2015-035 269

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SP2015-018 - Discuss and consider a request by Michael Liang of the Dimension Group on behalf of Jeffery Baird of RaceTrac for the approval of a variance to the secondary material requirements stipulated by Section 6.8 of Article V, District Development Standards, of the Unified Development Code in conjunction with an approved site plan for a retail store with gasoline sales on a 2.46-acre parcel of land identified as Lots 1R & 2R of the Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the southeast corner of the intersection of Ridge Road and Yellow Jacket Lane, and take any action necessary.

SP2015-018 302

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P2015-041 - Discuss and consider a request by Tony Rangel of Rangel Land Surveying on behalf of the owner Shawn Valk of Platinum Storage, LLC for the approval of a replat for Lots 2 & 3, Block A, Platinum Storage Addition being a 5.549-acre parcel of land currently identified as Lot 1, Block A, Platinum Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located east of Townsend Drive and north of SH-276, and take any action necessary.

P2015-041 . . . 309
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Discuss and consider adoption of a resolution fixing the water and wastewater rates of the city, and take any action necessary.

water rate memo . . . 319
W/WW Rate Resolution . . . 320
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Discuss and consider adoption of a resolution setting solid waste collection rates, and take any action necessary.

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Resolution_garbage rates . . . 324
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Consider approval of an ordinance modifying Chapter 38. Subdivisions, Article 1. In General, Section 38-19. Street Improvements and Oversizing, of the Municipal Code of Ordinances to require a 41-foot street adjacent to schools and parks, and take any action necessary. (1st reading)

Memo_width of streets . . . 327
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Discuss and consider the City's selection of nominees to the Texas Coalition for Affordable Power (TCAP) Board of Directors for the 2016-2017 term of office, and take any necessary action.

TCAP Ballot . . . 331
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Discuss and consider the final report presented by Aecom related to transit services in the City of Rockwall, and take any necessary action.

Transit Report . . . 338
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Discuss and consider the formation of an Airport Advisory Board at the Ralph M. Hall / Rockwall Municipal Airport, and take any necessary action.

Advisory Memo . . . 367
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AGENDA
ROCKWALL CITY COUNCIL
Monday, December 21, 2015
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

p.10 **1.** Hold work session with representative(s) of the city's Park Board to hear and discuss update concerning the Parks & Recreation Department's marketing initiatives, and take any action necessary.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)

2. Discussion regarding negotiations of Access Agreement pursuant to Section 551.071 (Consultation with Attorney)

3. Discussion regarding land acquisition for South Community Park pursuant to Section § 551.072 (Real Property).

4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - Rockwall Economic Development Corporation (REDC) Ex-Officio Board Members - pursuant to Section 551.074 (personnel matters)

5. Discussion regarding purchase or lease of real property / land acquisition in the vicinity of the downtown area pursuant to Section § 551.072 (Real Property).

6. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).

7. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, December 21, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

V. RECONVENE PUBLIC MEETING

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TOWNSEND

VIII. OPEN FORUM

IX. CONSENT AGENDA

p.13 **1.** Consider approval of the minutes from the December 7, 2015 regular city council meeting, and take any action necessary.

p.24 **2.** Consider awarding a bid to New Star Grading and Paving Company and authorizing the City Manager to execute a Purchase Order for utility cuts pavement repair services for an estimated annual amount of $75,000 to be funded out of the General Fund Streets Operations Budget, and take any action necessary.

p.26 **3.** Consider awarding a bid to Nortex Concrete Lift and Stabilization and authorizing the City Manager to execute a Purchase Order for concrete paving stabilization services for an estimated annual amount of $50,000 to be funded out of the General Fund Streets Operations Budget, and take any action necessary.

p.28 **4.** Consider authorizing the City Manager to execute a professional engineering services contract with Birkhoff, Hendricks & Carter, LLP in the amount of $124,400 to perform a wastewater lift station evaluation update on the City's wastewater lift stations to be funded by water/sewer revenue bonds, and take any action necessary.

p.42 **5.** Consider awarding a bid to Hoyt Breathing Air Products and authorizing the City Manager to execute a Purchase Order for new Fire Fighter SCBA Air Paks and Bottles in the amount of $343,016.20 to be funded out of the General Fund, and take any action necessary.

p.44 **6.** Consider designation of the city's newspaper of record, naming the Rockwall County Herald Banner, as annually required by the City's Charter, and take any action necessary.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

p.46 **2.** Appointment with Patricia Davis, Chief Appraiser with the Rockwall Central Appraisal District, to discuss and consider CAD-related matters, including a proposed interlocal agreement for assessment and collection of taxes, and take any action necessary.

XI. PUBLIC HEARING ITEMS

p.53 **1.** **MIS2015-003** - Hold a public hearing to discuss and consider approval of an **ordinance** for a City initiated request to amend the Comprehensive Plan by approving changes to the Master Thoroughfare Plan Map contained within the Transportation section, add a street cross section for a M4U-M (minor arterial, four [4] lane, undivided roadway, modified) and modify existing street cross sections in Appendix 'D', Thoroughfare Cross Sections, and take any action necessary [**1st Reading].**

p.96 **2.** **Z2015-030** - Hold a public hearing to discuss and consider approval of an **ordinance** for a City initiated request for a zoning amendment to Planned Development District 75 (PD-75) being Ordinance No. 09-37, containing 329.53-acres of land, identified as the Lake Rockwall Estates Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses, being situated east of Tubbs Road and north of County Line Road, and take any action necessary **[1st Reading].**

p.183 **3.** **Z2015-031** - Hold a public hearing to discuss and consider a request by John and Lenny James on behalf of the owner Rockway Partners for the approval of an **ordinanc**e for a Specific Use Permit (SUP) for a carwash on a 0.688-acre parcel of land identified as Lot 1, Block D, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the northwest corner of La Jolla Pointe Drive and Ridge Road [FM-740], and take any action necessary **[1st Reading].**

p.204 **4.** **Z2015-032** - Hold a public hearing to discuss and consider a request by Lloyd Waldrop of Rockwall Gold & Silver on behalf of the owner Donna Pritchard for the approval of an renewal of Specific Use Permit (SUP) No. S-115 (**Ordinance** No. 13-46) allowing a pawn shop on a portion of a 0.423-acre parcel of land identified as Lot 1, Block 1 of the Garland Federal Savings & Loan Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, address as Suite 1 of 1901 S. Goliad Street, and take any action necessary **[1st Reading].**

p.226 **5.** **Z2015-033** - Hold a public hearing to discuss and consider a request by Stephen B. North for the approval of an **ordinance** for a Specific Use Permit (SUP) for an accessory building not meeting the standards stipulated by the Unified Development Code on a 0.23-acre parcel of land identified as Lot 14, Block F, Harlan Park Addition, Phase 1, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 513 Windsor Way, and take any action necessary **[1st Reading].**

p.247 6. **Z2015-034** - Hold a public hearing to discuss and consider a request by Pat Atkins of Saddle Star Land Development Inc. on behalf of the owner Randa Hance of R&R Hance Investment LP for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 8.4 (SF-8.4) District land uses for a 45.318-acre tract of land identified as Tract 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of FM-552, and take any action necessary **[1st Reading].**

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XII. ACTION ITEMS

p.302 1. **SP2015-018** - Discuss and consider a request by Michael Liang of the Dimension Group on behalf of Jeffery Baird of RaceTrac for the approval of a variance to the secondary material requirements stipulated by Section 6.8 of Article V, District Development Standards, of the Unified Development Code in conjunction with an approved site plan for a retail store with gasoline sales on a 2.46-acre parcel of land identified as Lots 1R & 2R of the Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the southeast corner of the intersection of Ridge Road and Yellow Jacket Lane, and take any action necessary.

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p.319 3. Discuss and consider adoption of a resolution fixing the water and wastewater rates of the city, and take any action necessary.

p.323 4. Discuss and consider adoption of a resolution setting solid waste collection rates, and take any action necessary.

p.327 5. Consider approval of an **ordinance** modifying Chapter 38. Subdivisions, Article 1. In General, Section 38-19. Street Improvements and Oversizing, of the Municipal Code of Ordinances to require a 41-foot street adjacent to schools and parks, and take any action necessary. **(1st reading)**

p.331 **6.** Discuss and consider the City's selection of nominees to the Texas Coalition for Affordable Power (TCAP) Board of Directors for the 2016-2017 term of office, and take any necessary action.

p.338 **7.** Discuss and consider the final report presented by Aecom related to transit services in the City of Rockwall, and take any necessary action.

p.367 **8.** Discuss and consider the formation of an Airport Advisory Board at the Ralph M. Hall / Rockwall Municipal Airport, and take any necessary action.

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)
2. Discussion regarding negotiations of Access Agreement pursuant to Section 551.071 (Consultation with Attorney)
3. Discussion regarding land acquisition for South Community Park pursuant to Section § 551.072 (Real Property).
4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - Rockwall Economic Development Corporation (REDC) Ex-Officio Board Members - pursuant to Section 551.074 (personnel matters)
5. Discussion regarding purchase or lease of real property / land acquisition in the vicinity of the downtown area pursuant to Section § 551.072 (Real Property).
6. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).
7. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

XV. ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 18th day of December, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

Kristy Cole, City Secretary — Date Removed

Jacky Casey, Assistant Secretary

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Brad Griggs, Assistant City Manager**

FROM: **Andy Hesser, Parks and Recreation Manager**

DATE: **December 15, 2015**

SUBJECT: **PARKS AND RECREATION STRATEGIC INITIATIVES**

As a result of joint meetings with Park Board and City Council and staff input, 15 new initiatives have been identified. The initiatives are intended to be strategic in nature and achievable in a 12 to 24 month period.

At the June 2, 2015 meeting, Park Board voted unanimously to recommend that City Council consider approving the strategic initiatives Park Board requested a work session with City Council at the June 15th meeting to present the final recommendations. Council voted unanimously to approve the strategic initiatives as presented as well as a budget amendment for the purchase of online registration software.

One of the major components of the presentation was the public awareness campaign. The Park Board recommended the creation of a branding concept for parks, recreation, open space and trails and to develop an electronic and print media communication plan with consistent style guidelines.

At the June Park Board meeting staff presented a preliminary public awareness campaign centered on the “Go Outside and Play” concept. This campaign incorporated the recommendations by Park Board. The Board voted unanimously to recommend that staff move forward with the “Go Outside and Play” concept.

Since that time, Council approved several budget requests regarding improving the City’s marketing efforts such as: Marketing and PIO staff position, a marketing budget created through additional program revenue fees, creation of a new website, and various other assets that will bear the campaign message.

Staff presented the final draft of the “Go Outside and Play” campaign to Park Board at the November meeting, which detailed the progress of the establishment of a new mobile responsive website that incorporates the new registration software as well as the style guidelines and new logo. This logo and style guideline would be used as the vehicle to inform residents and visitors of the parks, trails, facilities, programs and

events that Rockwall offers. Park Board voted 4 in favor, 1 against and 2 absent to recommend approval of the final draft to City Council. Mr. Lewis was absent, Mr. Harton had to leave early and Mr. Larson was the dissenting vote.

Park Board Chairman Brad Basset will present the final draft of the “Go Outside and Play” public awareness campaign for Council’s consideration. Contingent upon Council approval, staff is prepared to move forward with the remaining items in the strategic initiative.

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MINUTES
ROCKWALL CITY COUNCIL
Monday, December 07, 2015
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dennis Lewis and Council Members David White, Mike Townsend, John Hohenshelt, and Kevin Fowler. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and City Attorney Frank Garza. City Council Member Scott Milder was absent from the meeting.

Mayor Pruitt read the below listed items into the public record before recessing the public meeting into Executive Session at 4:02 p.m.

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding land acquisition for South Community Park pursuant to Section § 551.072 (Real Property).
2. Discussion regarding purchase or lease of real property / land acquisition in the vicinity of the downtown area pursuant to Section § 551.072 (Real Property).
3. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).
4. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

III. ADJOURN EXECUTIVE SESSION

Mayor Pruitt called the public meeting back to order at 4:25 p.m., announcing that the Council will now address the following Work Session items.

IV. WORK SESSION

1. Hold work session with Christopher Jackson - Wynne/Jackson Inc. to discuss potential development generally located in the vicinity of FM-3097 and FM-549.

Christopher Jackson of Wynne / Jackson, Inc.
600 N. Pearl, Suite 650
Dallas, TX 75201

Mr. Jackson came forth, introduced himself, explaining that he is a developer that has been in business since the 1970s. He shared that the Wallace property is currently under contract, and he would like to make a presentation to the city council to show them the type of residential developments that his company constructs, generally indicating that these are master planned type communities that are high-end and have several amenities (i.e. playgrounds, swimming pools (some with play areas), trails, and other resort-like amenities). General indication was given that these types of communities are representative of the type of development his company would like to see built on the Wallace property. While explaining the draft site plan he displayed, he shared that he is suggesting a memory care type facility be placed on a portion of the property. He stressed that this would not be a multi-family development, but, rather, a memory care facility that could be controlled with deed restrictions. He explained that a portion of the development may be slated as 'age restricted' for perhaps the 'baby boomer' generation who may prefer to not live right next door to a young family with four kids yet do not wish to be totally isolated either.

City Manager Mr. Crowley reminded Mr. Jackson about the City of Rockwall's desire to have some land set aside within this development for a public, neighborhood park. Mr. Jackson suggested that, regarding the city's desire for a neighborhood park, if money is not readily available, a TIF (tax increment financing) or perhaps a PID (public improvement district) might be put on the table for consideration, sharing that the City of Celina is doing a lot of PIDs lately.

Councilmember Townsend asked for clarification regarding what Mr. Jackson is asking of the city / city council (other than changes to John King Blvd.). Mr. Jackson shared that he would like feedback regarding if the city feels this package represents an acceptable land use. Comments were then made pertaining to the park.

Mr. Clyde Jackson (same address as above), came forth and indicated that $275,000 – $350,000, perhaps even $400,000, would be the price point of these homes. He shared some general ideas concerning a possible park on a portion of this overall property.

Mayor Pro Tem Lewis expressed that 2.5 units per acre is something that the Council likely wishes to improve (the council will likely prefer less density). Also, the city getting the park land it desires is a big deal. Mr. Jackson (Sr.) explained that density is relative and that it will not feel crowded or like there are too many houses.

Mayor Pruitt and Mr. Jackson (Sr.) spoke briefly about density as well as surrounding properties that may be developed some time in the future. Pruitt expressed concern regarding public access to the section of the land that might, hypothetically, be developed as a city park. Mr. Jackson generally indicated that there may be a few ways that two to three access points could be considered so that cars would not have to drive all the way through the neighborhood to access the park.

General discussion took place related to options concerning the park, access to it, funding for it, the gas line that runs through it, and density. The realignment of John King Boulevard was also briefly discussed.

Mr. Jackson (Sr.) indicated that the negotiations on this property have been ongoing for two years, and economics involved with this development are pretty tight, especially given the various development constraints.

Mayor Pruitt explained that the City Council, in order to be comfortable with higher density (higher than 2 houses per acre), must feel as though they are getting attractive, meaningful amenities in exchange for that higher density. Mr. Jackson (Sr.) explained that the amenity package will be high-end, will consist of an extensive trail system, and the exposure to the creeks will be maximized to allow them to be part of the parks system. He expressed that he believes this development will be the best one in this part of town and will thereby raise the values of the properties around it. Also, those living there will contribute to the tax base through sales tax revenue. Mr. Jackson (Jr.) expressed that they have budgeted for a full amenities center, including a pool as well.

Regarding proposed changes to the thoroughfare plan, staff is in the process of getting feedback from the property owner to the north, and they may solicit feedback from the property owners to the south.

Mr. Jackson (Sr.) explained that they have about 90 days (from last week) to get assurance on the zoning and realignment of John King and to work out a deal on the park land.

Councilmember Hohenshelt expressed large concern about the access challenges associated with the potential public park land.

Mayor Pruitt indicated that the staff and council welcome further communication regarding this potential development.

Mr. Jackson (Jr. / initial speaker) asked if the Council would be open to financing options such as PIDs and/or TIFs. Mayor Pruitt indicated that Rockwall is not really big on PIDs and TIFs and really does not prefer those sorts of financing options.

At the end of the discussion, Council took no formal action concerning this item.

2. Hold work session to hear and discuss a final report by AECOM regarding public transportation, and take any action necessary.

Andrew Ittigson
AECOM
1950 N. Stemmons Freeway, Ste. 6000
Dallas, TX 75207

Since AECOM briefed the Council back in September, its consultant has had various conversations with the consultant working for STAR Transit. Mr. Ittigson briefed the council on average cost associated with ridership, indicating that STAR's cost per revenue hour is reasonable compared to the average associated with other, comparable transit providers. He briefed Council on ridership loads, including the peak hour around 3PM when the Girls & Boys Club rides are taking place. He also shared a manifest map from April which showed where rides were originating and going. He explained that LogistiCare is the transportation service provided for Medicaid non-emergency trips funded through TX Health & Human Services Commission. He stated that these trips will take place regardless of if STAR Transit is operating or not. He shared that approximately 8% of trips in Rockwall County were for LogistiCare trips in October of 2015, sharing that this resulted in about $15,000 in revenue for October for the provider (now STAR). Service is made up primarily of short trips. STAR's cost effectiveness metrics are in line with peers as far as cost per hour and cost per mile.

At the request of Mr. Crowley, Council generally agreed to place this item on the next Council meeting agenda for further discussion before possibly forwarding these findings to Rockwall County for them to be used in negotiations with STAR when discussing the contract.

Council recessed the public meeting and reconvened in Executive Session again at 5:35 p.m.

V. RECONVENE PUBLIC MEETING

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all Council Members except Scott Milder being present.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Lewis indicated that no action is needed as a result of Executive Session.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER WHITE

Councilmember White delivered the invocation and led the Pledge of Allegiance.

VIII. PROCLAMATIONS / AWARDS

1. Snowball Express Celebration Day

Parker Coddington, Owner of Shenaniganz, came forth and thanked the city for its support of the Snowball Express organization coming to his facility in Rockwall on Monday, December 14th at 9:45 a.m. He explained that this organization offers fun activities to children and their families who have lost a parent while on active military duty since 9/11. He encouraged the public to show up to be part of a cheering squad to welcome these kids to Rockwall and to Shenaniganz on Monday morning, one week from today. Mayor Pruitt then read and presented Mr. Coddington with a proclamation, declaring it Snowball Express Celebration Day in the City of Rockwall.

IX. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth and speak at this time. There being no one, he then closed Open Forum.

X. CONSENT AGENDA

1. Consider approval of the minutes from the November 16, 2015 regular city council meeting, and take any action necessary.

2. **Z2015-027** - Consider a request by Bobby Dale and Bretta Price for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Single Family Estate 2.0 (SFE-2.0) District for a 5.5-acre tract of land identified as Tract 17-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 453 Cullins Road, and take any action necessary **[2nd Reading]**.

3. **Z2015-029** - Consider a City initiated zoning request for the approval of an **ordinance** for a text amendment to various sections of Article V, District Development Standards, Article VIII, Landscaping Standards, and Article IX, Tree Preservation, and to create Appendix F, Landscaping Guidelines, of the Unified Development Code [Ordinance No. 04-38] for the purpose of incorporating recommendations made by the Landscape Ordinance Review Committee, and take any action necessary **[2nd Reading].**

4. Consider authorizing the City Manager to execute an agreement with the Rockwall Central Appraisal District for collection services for the fiscal year 2016 in the amount of $67,940 to be funded by the Administration Operating Budget, and take any action necessary.

5. Consider authorizing the city manager to execute an interlocal agreement with Rockwall County related to municipal judge services for "No Refusal Weekends" during the upcoming year, and take any action necessary.

6. Consider authorizing the City Manager to execute a Professional Engineering Services Contract with Birkhoff, Hendricks & Carter, LLP to prepare engineering design plans and specifications for the utility relocations on SH 276 from SH 205 to FM 549 in an amount not to exceed $72,800 to be funded by water and sewer revenue bonds, and take any action necessary.

7. Consider authorizing the City Manager to execute a Professional Services Contract with Pipeline Analysis, LLC to perform a Capacity, Management, Operations and Maintenance Self-Audit and Plan in the amount of $29,235 to be funded by water and sewer revenue bonds, and take any action necessary.

8. Consider authorizing the City Manager to execute a Professional Engineering Services Contract with Teague, Nall and Perkins, Inc. to eliminate the Stonebridge Lift Station and construct new sanitary sewer gravity pipe to serve the current area in the amount of $74,300 to be funded by water and sewer revenue bonds, and take any action necessary.

Mayor Pro Tem Lewis pulled item #8 for further discussion. Mayor Pruitt pulled items #3 and #4. Councilmember White made a motion to approve the remaining items. The ordinance for #2 was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT FOR A 5.50-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17-7 OF THE W.W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 in favor with 1 absent (Milder).

Councilmember White made a motion to approve item #3. Councilmember Townsend seconded the motion. Mayor Pruitt indicated that he voted against this item at the last meeting, so this is why he pulled it. He explained that he voted against it because of the change in the landscape canopy trees from three down to two. The ordinance was then read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 15-32

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 6 OF ARTICLE V, *DISTRICT DEVELOPMENT STANDARDS*; SECTIONS 3, 5, 6 & 7 OF ARTICLE VIII, *LANDSCAPE STANDARDS*; SECTION 7 OF ARTICLE IX, *TREE PRESERVATION*; AND TO CREATE APPENDIX F, *LANDSCAPE GUIDELINES*; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 5 in favor, 1 against (Pruitt) and 1 absent (Milder).

Regarding item #4, Mayor Pruitt expressed that the city has received incorrect figures for the TIF and for the City, which resulted in the city having to change our tax rate. So, therefore, he made a motion to table this item in order to invite the CAD to appear before the Council prior to this contract being considered / approved and prior to the city paying the CAD any money associated with the contract. Councilmember White seconded the motion, which passed unanimously of those present (1 (Milder) absent).

Regarding Consent Agenda item #8, Mayor Pro Tem Lewis gave kudos to Tim Tumulty and his staff member, Jeremy White for discovering that keeping this treatment plant up and running is no longer necessary. After brief comments, Mayor Pro Tem Lewis made a motion to approve Consent Agenda item #8. Councilmember White seconded the motion, which passed by a vote of 6 in favor with 1 against (Milder).

Councilmember Townsend left the remainder of the meeting at this time (6:13 p.m.).

XI. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Planning & Zoning Chairman, Craig Renfro, came forth and briefed the Council concerning items on tonight's agenda that are planning-related. The Council took no formal action concerning this agenda item.

XII. ACTION ITEMS

1. Discuss and consider a request by Chad Hudson for the approval of a variance to the material requirements stipulated by Section 7.5, Retaining Walls, of the Standards of Design and Construction manual for a 1.395-acre parcel of land identified as Lot 5, Block A, Independence Pass Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single family land uses, addressed as 107 Independent Place, and take any action necessary.

Mayor Pruitt made a motion to table this request to allow the Chandler's Landing HOA time to notify homeowners living around this property that the applicant is seeking a variance from the city. Pruitt's motion failed for lack of a second.

Councilmember White made a motion to approve the variance requested for the material requirements associated with the retaining wall. Councilmember Hohenshelt seconded the motion. Mayor Pro Tem Lewis mentioned that he does have some concerns about the city not having something in writing from the Chandler's Landing HOA stating that they are okay with this. City Attorney Frank Garza provided clarification, generally indicating that the city granting this variance is separate and apart from the homeowner needing to get his wall reviewed and approved by his community's HOA. Mr. Hudson agreed to bring a new, updated letter from the Chandler's Landing HOA, before or when he picks up his retaining wall permit. Mayor Pruitt indicated that he met with the chairman of the HOA this morning, and he conveyed that he is not okay with the city approving the variance request without Chandler's first having an opportunity to follow its normal process of notifying adjacent property owners. Mr. Hudson provided a drawing / rendering of the retaining wall in question, indicating that only about 4' of it will be seen and that mostly it will be located behind his house. He further explained that beyond the retaining wall behind his house is another row of homes; however, those sit about 8' above his home down below, so those who are located behind him will not see the retaining wall. Mayor Pro Tem Lewis asked if delaying this item would be large burden to Mr. Hudson, who generally indicated that, no, delaying this item will not present a large inconvenience.

After the discussion, the motion passed by a vote of 4 in favor, 1 against (Pruitt), and 2 absent (Townsend and Milder).

2. Discuss and consider a request from Ms. Matilyn Mathis with The Rustic Warehouse for size, height and materials variances for a projection sign located at 1411 South Goliad, and take any action necessary.

Jeffrey Widmer, Building Official, came forth and briefed the Council on Ms. Mathis' request for this sign-related variance. Ms. Mathis came forth and explained the type of business that she has opened, indicating that they sell rustic, shabby chic type furniture and décor. She generally indicated that she did not realize she had to obtain permission from the city before erecting the sign that's now sitting atop her building. Mayor Pro Tem Lewis expressed some degree of doubt regarding the applicant not knowing that a sign permit was required. After some additional discussion, Mayor Pro Tem Lewis made a motion to approve the variances. Councilmember White seconded the motion, which passed unanimously of those present (Milder and Townsend absent).

3. Discuss and consider a request from Ms. Brandi Lewellen with Sign Mart representing The Major Law Firm for a setback variance for a monument sign located at 301 N Fannin, and take any action necessary.

Mr. Widmer provided a brief summary of this request. Mayor Pruitt made a motion to approve the variance. Councilmember Fowler seconded the motion, which passed by a vote of 5 in favor with 2 absent (Milder and Townsend).

4. Discuss and consider modifying Chapter 38. Subdivisions, Article I. In General, Section 38-19. Street Improvements and Oversizing of the Municipal Code of Ordinances to require a 41-foot street adjacent to schools and parks, and take any action necessary.

Mayor Pruitt made a motion to approve moving forward with this change. Mayor Pro Tem Lewis seconded the motion. Lewis pointed out that this will allow sufficient parking area and room to navigate, especially for those having birthday parties in parks. Councilmember White expressed opposition to this requirement, stating that he is not aware that a problem in this regard even exists.

Mr. Tumulty indicated that this change was initiated because of a citizen living in Fontana Ranch who has had repeated problems with driving space in and around the nearby school, especially when special events, such as a recent Halloween event, take place at the school. Mr. Tumulty indicated that, although this change will not help this particular resident or those living in Fontana Ranch, it will help avoid these sorts of traffic congestion issues in and around these types of facilities (schools and parks) in the future. The motion passed by a vote of 4 in favor, 1 against (White), and 2 absent (Milder and Townsend).

5. Discuss and consider approval of a resolution directing publication of notice of intention to issue combination tax and surplus revenue certificates of obligation; resolving other matters relating to the subject; and take any action necessary.

Assistant City Manager Mary Smith provided brief comments related to this item. Mayor Pro Tem Lewis made a motion to approve the resolution directing publication of notice of intention to issue combination tax and surplus revenue certificates of obligation. Mayor Pruitt seconded the motion, which passed by a vote of 5 in favor with 2 absent (Milder and Townsend).

6. Discuss and consider process associated with and/or annual designation of city's newspaper of record, and take any action necessary.

City Manager Rick Crowley explained that the city's Charter calls for an annual designation of an official newspaper of record. Neither the Charter nor state law prescribes the process by which the Council is to do so. After explaining to the Council what its options are, Councilmember White indicated that as long as staff has not been experiencing any issues or concerns with the current newspaper of record (Herald Banner), he sees no problem with the Council designating that paper once again. Council took no action related to this item at this time.

7. Discuss and consider (re)appointment of board members to the Main Street Advisory Board, and take any action necessary.

Councilmember White made a motion to reappoint

- **Michael Adrian**
- **Evan Matteson**
- **Claudette Hatfield**

to an additional two-year term on the Main Street Advisory Board (to expire January of 2018). Mayor Pro Tem Lewis seconded the motion, which passed by a vote of 5 in favor with 2 absent (Milder and Townsend).

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports
Building Inspections Monthly Report - October 2015
Fire Dept. Monthly Reports - October 2015
GIS Department Monthly Report - October 2015
Harbor PD Monthly Report - October 2015
Internal Operations Department Monthly Report - October 2015
Police Department Monthly Report - October 2015
Recreation Monthly Report - October 2015
Rockwall Animal Adoption Center Monthly Report - October 2015

2. City Manager's Report

Mr. Crowley explained that the Department Heads are happy to answer any questions the Council may have. He reminded the Council that the city's employee Christmas party is tomorrow evening. On Thursday, December 17, the Nebbie Williams Elementary School Choir will be performing at City Hall.

Mayor Pruitt expressed that the Christmas events held over the weekend, including the parade and tree lighting, were very successful. He expressed that the downtown area, especially San Jacinto Plaza, have been very successful. He thanked the Women's League for providing the cookies and hot chocolate. He thanked the Children's Chorus for the music provided, and Alma Williams (former Mayor of Rockwall) for emceeing the event. He encouraged more people to consider volunteering their time with the city, either with downtown related events or through city council appointed boards or commissions.

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding land acquisition for South Community Park pursuant to Section § 551.072 (Real Property).

2. Discussion regarding purchase or lease of real property / land acquisition in the vicinity of the downtown area pursuant to Section § 551.072 (Real Property).

3. Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to Section 551.071 (Consultation with Attorney).

4. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The Council did not reconvene in Executive Session following the public meeting agenda.

XVI. ADJOURNMENT

The meeting was adjourned at 6:57 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 21st day of December, 2015.

ATTEST: _____
Jim Pruitt, Mayor

_____
Kristy Cole, City Secretary

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **December 11, 2015**

SUBJECT: **Contract for Utility Cuts Pavement Repair Services**

Approved in the General Fund, Streets Operating budget is funding for utility cut repairs in both concrete and asphalt pavement. This service contract will include labor, materials and equipment for making repairs at utility cut locations throughout the City. The estimated annual budget for this work is $75,000.

This service is available from New Star Grading and Paving Company through the City of Grand Prairie, Texas purchasing cooperative. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to the purchase of this service.

For Council consideration is Utility Cuts Pavement Repair Service bid award to New Star on a per unit price basis and authorize the City Manager to execute a purchase order for this service.

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **December 11, 2015**

SUBJECT: **Contract for Concrete Stabilization Services**

Approved in the General Fund, Streets Operating budget is funding for concrete pavement stabilization services. This service contract will include labor, materials and equipment for the leveling and stabilization of existing concrete pavement that has failed due to age. The estimated annual budget for this work is $50,000 at $3.76 per pound of polyurethane foam.

This service is available from Nortex Concrete Lift and Stabilization through the City of Grand Prairie, Texas purchasing cooperative. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to the purchase of this service.

For Council consideration is Concrete Stabilization Service bid award to Nortex Concrete Lift and Stabilization and authorize the City Manager to execute a purchase order for this service.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Timothy M. Tumulty, Director of Public Works/City Engineer**

DATE: **December 11, 2015**

SUBJECT: **Wastewater Lift Station Evaluation Update**

The City of Rockwall currently operates 40 lift stations in the existing wastewater collection system. The topography of the City adjacent to Lake Ray Hubbard makes it impossible to construct a complete gravity flow collection system. The operation and maintenance of a lift station requires constant monitoring for a failure through a temporary power loss, a mechanical failure or both.

During the inspection process by the Environmental Protection Agency earlier this year, discussions occurred between their staff and ours related to the operations and maintenance performed on every lift station including known detention times (length of time the lift station can sit idle prior to an overflow occurring), means to provide temporary electrical power to a lift station during a power outage and knowing the locations of potential overflows should the City not be able to respond in a sufficient time to restart the lift station prior to an overflow.

Staff requested a Professional Engineering Services Contract with Birkhoff, Hendricks & Carter, LLP to perform these various tasks on 36 of our lift stations (remaining four to be eventually removed from operations). The cost to perform this work is $124,400. Funding will be generated by the 2016 Water and Sewer Bond sales.

Staff request City Council consideration to approve a Professional Engineering Services Contract with Birkhoff, Hendricks & Carter, LLP in the amount of $124,400 to perform a Wastewater Lift Station Evaluation Update on the City's wastewater lift stations and take any action necessary.

TMT:em

Attachment

Cc:

Mary Smith, Assistant City Manager
Rick Sherer, Water/Wastewater Manager
Amy Williams, P.E., Assistant City Engineer
Jeremy White, P.E., Civil Engineer
File

STATE OF TEXAS ♦
♦
COUNTY OF ROCKWALL ♦

PROFESSIONAL ENGINEERING SERVICES CONTRACT

Wastewater Lift Station Evaluation Update

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Birkhoff, Hendricks & Carter, LLP, ("ENGINEER"), located at 11910 Greenville Ave, Suite 600 Dallas, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for Wastewater Lift Station Evaluation Update.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Exhibit "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and detailed in Exhibit "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an amount not to exceed One Hundred Twenty Four Thousand Four Hundred dollars ($124,400.00) and billed on an hourly basis per rates provided in Attachment "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Exhibit "C". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business that has an agreement or is in negotiations of an agreement with CITY. CITY may waive this conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination,

however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000.00
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000.00 General aggregate limit

$1,000,000.00 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000.00 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. **INDEMNIFICATION**

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000.00). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY
Mary Smith
City of Rockwall
385 S. Goliad
Rockwall, Texas 75087

Engineer
Derek B. Chaney, P.E., R.P.L.S.
Birkhoff, Hendricks & Carter, LLP
11910 Greenville Ave. Suite 600
Dallas, Texas 75243

All notices and communications under this Contract shall be mailed or delivered to CITY and Engineer at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of Engineer to be performed hereunder. Such changes, including any increase or decrease in the amount of Engineer's compensation, or time for performance, which are mutually agreed upon by and between CITY and Engineer, shall be incorporated in written amendments to this Contract. Any subsequent contract

amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment in writing executed by both CITY and Contractor.

13. Reports and Information

Engineer, at such times and in such forms as CITY may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish CITY periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Exhibits and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that

this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 4th day of December 2015.

Birkhoff, Hendricks & Carter, LLP

By: _____

Name: Derek B. Chaney, P.E., R.P.L.S.
Title: Partner

EXECUTED in triplicate originals on this ____ day of _____ 2015.

ATTEST:

_____
City of Rockwall, Texas

_____
Mary Smith, Assistant City Manager

PCD # 221482

Exhibit "A" to Agreement between the City of Rockwall, Texas (CITY) and Birkhoff, Hendricks & Carter, L.L.P, (ENGINEER) for Professional Services Dated _____, 2015

EXHIBIT "A"

GENERAL PROJECT DESCRIPTION

The previous Wastewater Lift Station Evaluation for the City was prepared in 1997. At that time, the City owned and operated 26 wastewater lift stations, which has increased to 40 lift stations in 2015. As requested by the City, four City Lift Stations (Squabble, Quail Run, Chevy House, and Memorial) are excluded, leaving a total of 36 lift stations to be evaluated.

The Wastewater Lift Station Evaluation Update project includes site investigations and analysis of the Civil, Electrical and SCADA components at each lift station. A report will be prepared summarizing the findings of the evaluation and any recommended improvements.

PART A LIFT STATION EVALUATIONS

1. Coordinate with the City to gather and assemble support data, including construction plans, pump curves, GIS files, contours, mapping, and shop drawings or O&M manuals for City lift stations.
2. Revise previous lift station evaluation field data sheets to reflect current design standards, codes, and ordinances.
3. Coordinate with the City to conduct site visits of 36 lift station sites. Site visits will include observation of site conditions, civil, electrical, and SCADA components.
4. Conduct draw down testing at each lift station site. Testing will include determination of wet well fill rate, and estimated pumping rates of pump 1, pump 2, and pumps 1 and 2 operating in parallel.
5. Compile and populate lift station field data sheets based on findings from site visits.
6. Meet with City Staff to review findings from site visits.
7. Prepare a written report of findings and meet with City Staff to present results.

PART B CIVIL ANALYSIS

1. Delineate drainage basins for each lift station and calculate area, land usage, and approximate peak wastewater design flows.
2. Calculate firm pumping capacities for each lift station.
3. Evaluate lift station pump settings.
4. Calculate lift station cycle time, pump starts per hour, and minimum required wet well volume.
5. Evaluate force main and gravity main configuration and velocities.

6. Calculate available wet well retention time at each lift station.
7. Determination of 100-year flood elevation at each site and confirmation of accessibility and clearance.
8. Review of lift station ventilation and odor control.
9. Develop exhibit for each lift station showing drainage basins, and location of potential SSO's.
10. Prepare recommended plan for improvements in response to lift station deficiencies, including development of engineer's opinion of probable construction cost.

PART C **SANITARY SEWER OVERFLOW (SSO) ANALYSIS**

1. Update hydraulic wastewater model to include any lift stations not previously modeled (typically those with 4-inch or smaller diameter force main), and upstream wastewater collection lines.
2. Formulate opinion of most likely location of sanitary sewer overflow (SSO) in the event of lift station malfunction or power failure.
3. Calculate response time available after alarm sounds to resolve lift station malfunction or power failure prior to SSO occurrence.

PART D **ELECTRICAL AND SCADA ANALYSIS**

1. Review and confirm compliance of intrinsically safe devices.
2. Evaluate capability of standby generators, load bank and City method of exercising equipment.
3. Review of electrical panel, connections and electrical equipment for compliance with electric code requirements.
4. Confirmation of adequate power supply, grounding, surge protection and power monitoring devices.
5. Coordinate with City Staff to determine SCADA system capabilities at each site.
6. Provide recommendation of improvements to Electrical and SCADA systems including development of engineer's opinion of probable construction cost.

PART E **REPRODUCTION**

1. Furnish 3-sets of preliminary report to City for review in hard copy format.
2. Furnish 5-sets of final report to City in both hard copy and PDF format.

PART F INFORMATION TO BE PROVIDED BY THE CITY

The following information is to be provided by the City, if available

1. Access and City Staff escort to each lift station site. For City Staff planning purposes, a total of 15 days is anticipated to conduct the site visits to 36 lift stations.
2. Current GIS files, including contours, and lift station locations.
3. Pump curves at each lift station.
4. Float elevations at each lift station.
5. Lift station design reports.
6. Aerial Images in .TIF, or .SID format.
7. Construction record drawings for lift stations, force mains and adjoining sanitary sewer projects.
8. SCADA information, including SCADA specifications, HMI software, radio types, and I/O list for each lift station.

PART G EXCLUSIONS

Services specifically excluded from the scope of services include, but are not necessarily limited to the following:

1. Confined entry.
2. Environmental impact statements and assessments.
3. On-site safety precautions, programs and responsibility.
4. Fiduciary responsibility to the City.

EXHIBIT "B"

PAYMENT SCHEDULE

Compensation for engineering services under Exhibit A, Part A, B, C, D and E, shall be at salary cost times 2.40, with expenses at actual invoice amount times 1.15. Field Survey Crew rate is $165.00 per hour and mileage is charged at current IRS rates.

A. Lift Station Evaluations	$54,700.00
B. Civil Analysis	$36,600.00
C. Sanitary Sewer Overflow Analysis	$15,100.00
D. Electrical and SCADA Analysis	$17,000.00
E. Reproduction	$1,000.00
Total Amount, Additional Services:	***$124,400.00***
Total Fee Not to Exceed Amount:	***$124,400.00***

Invoices will be posted monthly based upon hours expended plus expenses. Payment is due upon receipt of invoice.

Exhibit "C" to Agreement between the City of Rockwall, Texas (CITY) and Birkhoff, Hendricks & Carter, L.L.P, (ENGINEER) for Professional Services: Dated _____, 2015

EXHIBIT "C"

PROJECT SCHEDULE

Notice to Proceed	December 21, 2015
Begin Field Investigations	January 4, 2016
Complete Field Investigations	February 8, 2016
Submit Preliminary Report to City:.....	April 4, 2016
Receive City Review and Comments:.....	April 18, 2016
Submit Final Report to City	May 9, 2016

Exhibit "C" to Agreement between the City of Rockwall, Texas (CITY) and Birkhoff, Hendricks & Carter, L.L.P, (ENGINEER) for Professional Services: Dated _____, 2015

EXHIBIT "D"

SUB-CONSULTANTS

Sub-consultant support is not anticipated based on the scope of services for this project.

CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: **Richard Crowley, City Manager**

FROM: **Lea Ann Ewing, Purchasing Agent**

DATE: **December 11, 2015**

SUBJECT: **Purchase of New Scott SCBA Air Paks for Fire Fighters**

Approved in the General Fund, Fire Operating budget is replacement of 45 Fire Fighter Air Paks and 90 Bottles. The equipment includes the Scott air pak, bottle, harness, belt, regulator, hoses, tracker/locator, PASS, face mask, handheld receiver, charger, and training on how to use this new equipment. In addition to the new air paks, we are also upgrading 3 air filling stations including the mobile filling station to accommodate the new equipment. The air filling station upgrades will be completed by Hoyt at no additional cost to the City. Total cost is $343,016.20.

This equipment is available from Hoyt Breathing Air Products through the City of Allen, Texas purchasing cooperative. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to the purchase of this new equipment.

For Council consideration is the Scott air paks, bottles and filling stations bid award to Hoyt for $343,016.20 and authorize the City Manager to execute a purchase order for this new equipment.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and City Council Members**

FROM: **Kristy Cole, City Secretary / Assistant to the City Manager**

DATE: **November 24, 2015**

SUBJECT: **Designating newspaper of record**

At the last meeting, staff presented the City Council with statutory information and options associated with the City Charter-prescribed requirement to annually designate an official newspaper of record for the City. As a result of that discussion, Council asked staff to consider its satisfaction with the current newspaper of record, the Rockwall County Herald Banner, and bring this item back for formal action at the December 21st meeting.

Staff has placed an agenda item on the 12/21 consent agenda for the Council to again designate the Rockwall County Herald Banner as the city's newspaper of record for the coming year. This may be accomplished by a simple majority vote of the Council pertaining to the agenda item.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **December 16, 2015**

SUBJECT: **Rockwall Central Appraisal District Collections Agreement**

At the December 7th meeting, the City Council asked staff to invite a representative from the CAD to the next meeting to discuss the proposed interlocal agreement prior to Council taking action to approve it. Staff has done so, and Ms. Patricia Davis, Chief Appraiser with the Rockwall CAD, will be present to address the Council at the December 21st meeting.

As was previously conveyed, the City contracts with the Rockwall Central Appraisal District for collection of property taxes. The district's collections budget is divided among the taxing entities based on a pro-rata formula of assessed values. At budget preparation, time estimates were received from Patricia Davis as to the City's allocation. When the contract was forwarded for consideration by the City Council the City's allocation had increased dramatically over budget estimates. After talking to Ms. Davis about the increase and her having further discussions with her Board it was determined that the City should be charged the allocation previously estimated and any changes to allocation formulas would be addressed for future years. The City's share of the collections budget is $67,940.

THE STATE OF TEXAS X

COUNTY OF ROCKWALL X

INTERLOCAL AGREEMENT FOR

ASSESSMENT AND COLLECTION OF TAXES

On this 25th day of August, 2015 **THE CITY OF ROCKWALL**, hereinafter called the "Taxing Unit", and **ROCKWALL CENTRAL APPRAISAL DISTRICT**, hereinafter called "District", enter into the following agreement pursuant to the authority granted by **TEXAS PROPERTY TAX CODE** Sections 6.23, 6.24, and **TEXAS GOVERNMENT CODE** Chapter 791.

WHEREAS, it would be economically advantageous to both the Taxing Unit and the District to consolidate the tax assessment and collection functions; and

WHEREAS, in entering into this contract and agreement, it is the intention of the Taxing Unit and the District that upon commencement of the term of this contract as herein stated, the District shall for the said term of this contract provide such necessary tax assessment and collection services;

NOW, THEREFORE, the said parties have and do hereby covenant and agree as follows:

1. The District shall collect the ad valorem property taxes owing to the Taxing Unit for that portion of Taxing Unit and those accounts and property appraised of Taxing Unit found within the same boundaries of District and shall perform all assessment and collection duties and functions imposed by law upon the tax assessor and collector for the Taxing Unit for that portion of Taxing Unit and those accounts and property appraised of Taxing Unit found within the same boundaries of District, including, but not limited to the following:

a) calculation of taxes;
b) preparation of tax roll;
c) proration of taxes;
d) correction of clerical errors in tax rolls;
e) collection of tax liabilities;
f) issuance of refunds;
g) calculation and publication of an effective tax rate;
h) timely preparation and mailing of current tax bills;
i) preparation and mailing of delinquent tax bills;
j) remittance of taxes collected to the Taxing Unit;
k) provide monthly reports of collections and annual reports of all taxes collected or delinquent.

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2. The District shall remit all collections to the Taxing Unit's depository after they are processed and deposited in the District's depository. Collections will be semi-monthly except in times of heavy collection when Taxing Unit's collections may be more frequent or at the request of the Taxing Unit.

3. The District shall retain all fees charged for the issuance of tax certificates and any interest accruing upon tax payments while deposited in the District's depository prior to remittance to the Taxing Unit. The District shall expend such retained funds solely on tax assessment and collection services.

4. The District shall provide an annual independent audit of all funds collected, retained, and payments received as required by this contract, and all expenditures made by the District in its performance under this contract. A copy of the audit report shall be provided to the Taxing Unit at no additional cost.

5. The Taxing Unit authorizes the District to contract with a delinquent tax attorney, as provided by TEXAS PROPERTY TAX CODE SECTION 6.30, for the collection of delinquent taxes owed to the Taxing Unit. The attorney's compensation shall be paid by the Taxing Unit from the delinquent taxes, penalties and interest collected for the Taxing Unit by such attorney.

6. The Taxing Unit shall provide to the District, without charge, copies of all records necessary for performance by the District under this contract.

7. The Tax Assessor-Collector shall give bond conditioned on the faithful performance of his duties as Tax Assessor-Collector for the Taxing Unit. Said bond shall be made payable to and shall be approved by the governing body of the Taxing Unit in an amount determined by such governing body. The Taxing Unit shall pay the premium for such bond from its current available revenues.

8. In consideration of the services to be rendered by the District, the Taxing Unit shall pay the District as follows:

a) The Taxing Unit agrees to pay the District the actual cost of collection as adopted by the District in its annual collection budget.

b) In the event that payments received exceed the actual cost of providing services pursuant to this Agreement, the District shall reimburse the Taxing Unit or credit future payments to be made by the Taxing Unit to the extent of the excess funds.

c) In the event that payments received are less than the actual cost of providing services pursuant to this Agreement, the Taxing Unit shall reimburse the District all actual costs incurred for the collection of taxes.

d) In the event that the Taxing Unit's tax rate is rolled back or otherwise changed after the District begins collections for the Taxing Unit in any given year, the District will continue to act for the Taxing Unit in providing refunds to taxpayers or sending corrected billings. The cost of additional publications and notices will be the responsibility of the Taxing Unit. All costs incurred by the District for late and separate tax bill processing or issuance of corrected bills, or refunds associated therewith, shall be strictly accounted for by the District and shall be payable by the Taxing Unit upon submission of that accounting by the District. This cost shall be the actual cost of providing those extra services required by the rollback or change of tax rate.

e) In the event that the Taxing Unit fails to adopt its tax rate before the last work day prior to the first Monday in September the costs for late and separate tax bill processing, if required, shall be accounted for by the District and shall be payable by the Taxing Unit upon submission of that accounting by the District.

9. The Taxing Unit agrees payments shall be made quarterly to the District within 30 days of billing by the District prior to the beginning of the quarter based upon the calendar year to coincide with the Appraisal budget. For the period ending in calendar year 2016, the contracted terms for payment by the Taxing Units shall end on December 31, 2016 with the final payment due at that time, and the contracted payments shall then be due quarterly as set out herein beginning with the first quarter of 2017, being January-March, 2017 and the last quarter being October-December 2017 and continuing thereon each successive year.

10. This contract shall be effective on October 1, 2015 and shall continue in full force and effect through September 30, 2016 and thereafter, from year to year until such time either party hereto, by written notice to the other party, may terminate the same, such termination to be effective only if provided to the other party on or before April 1 of the tax year in which the party intends for the contract to terminate, or by mutual consent of the parties. Any such termination shall be effective as of May 1 of such tax year. Upon termination, the District shall provide the Taxing Unit, without charge, copies of the Taxing Unit's current and delinquent tax rolls and of any additional tax records requested by the Taxing Unit.

11. It is agreed and understood that this contract is not transferable or assignable without the written consent and approval of the Taxing Unit. The terms herein stated shall be bound upon the parties hereto, their successors, assigns and legal representatives.

12. The provisions of this contract are severable. If any paragraph section, subdivision, sentence, clause or phrase of this contract is for any reason held to the contrary to law or contrary to any rule or regulation having force and effect of law, such decision shall not affect the remaining portions of the contract.

13. This agreement shall provide for Rockwall Central Appraisal District to be the Assessor Collector of taxes for the taxing entities located within Rockwall County, to wit:

Rockwall County
The City of Royse City
The City of Fate
The City of Heath
The City of McLendon Chisholm
The City of Rockwall
Rockwall Independent School District
Royse City Independent School District
Rockwall County Municipal Utility District Number 1
Rockwall County Municipal Utility District Number 6
Rockwall County Municipal Utility District Number 8
Rockwall County Municipal Utility District Number 9
Williamsburg Public Improvement District
Williamsburg Public Improvement District Number 1 Phase 1B
Williamsburg Public Improvement District Number 2

IN WITNESS WHEREOF, the respective parties hereunto set their hands this _____

ROCKWALL CENTRAL APPRAISAL DISTRICT

BY: _____
Rockwall Central Appraisal District
Chairman, Board of Directors

BY: _____
Rockwall Central Appraisal District
Chief Appraiser

THE CITY OF ROCKWALL

BY: _____

WITNESS _____

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ENTITY	TOTAL	
COLLECTION- 2015/2016		
Rockwall County	$	74,153.00
Rockwall ISD	$	146,508.00
Royse City ISD	$	59,369.00
City of Rockwall	$	67,940.00
City of Heath	$	16,194.00
City of Royse City	$	23,305.00
City of Fate	$	15,701.00
MUD #1	$	6,521.00
MUD #6	$	445.00
MUD # 8	$	20.00
MUD # 9	$	-
City of McLendon Chisholm	$	4,248.00
Williamsburg Public Imp Dist	$	4,981.00
WPD#2	$	1,409.00
WPD1 Phase 1B	$	961.00
SPID	$	2,987.00
Total	$	424,742.00

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Brad Griggs, *Assistant City Manager*

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: December 21, 2015

SUBJECT: MIS2015-003; *Amendment to Master Thoroughfare Plan*

In May 2014, Rockwall County initiated a review of the *County Master Thoroughfare Plan* with the assistance of city staff. Recently, the County has completed this review and requested staff codify the proposed changes into the City's *Master Thoroughfare Plan* prior to the County's adoption of the *County Thoroughfare Plan*. In addition, City staff has also been assisting the North Central Texas Council of Governments (NCTCOG) with the *2014 Amendment* to the *Mobility 2035 & 2040* studies. Through both these programs and through a review of the City's current *Master Thoroughfare Plan*, staff has identified several additional adjustments to local roadways that should be adopted to account for current and future development. These changes have been outlined in the revised *Master Thoroughfare Plan* attached to this memorandum.

In addition, staff is proposing that a new roadway cross section be adopted for the area between East Fork Drive and the SH-205 couplet in the downtown area. This new roadway cross section is identified as a M4U-M (*minor arterial, four [4] lane, undivided roadway, modified*), which will consist of 85-feet of right-of-way (*i.e. four [4], 12-foot travel lanes; one [1], 16-foot reversible lane; two [2], 10½-foot parkways; and, two [2], one [1] foot curbs*). Staff has also taken this amendment as an opportunity to address various changes and updates within Appendix 'D', *Thoroughfare Cross Sections*, of the Comprehensive Plan.

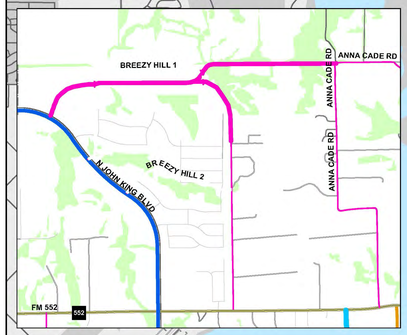
According to Section 213.003 of the *Texas Local Government Code*, *"(a) comprehensive plan may be adopted or amended by ordinance following:*

1) *A hearing at which the public is given the opportunity to give testimony and present written evidence; and*
2) *Review by the municipality's planning commission or department, if one exists."*

Additionally, Section 9.03 of the City's *Home Rule Charter* states that "(r)ecommended changes to the Master Plan shall be submitted to the City Manager after the Planning and Zoning Commission holds at least one [*1*] public hearing on the proposed change." Furthermore, Section 9.04 states that the "City Manager shall submit the proposed changes to the Council, together with any recommendations. The Council, after a public hearing, shall adopt or reject such proposed revision or any part thereof as submitted within sixty (60) days following its submission by the City Manager. If the proposed revision or part thereof should be rejected by the Council, the Planning and Zoning Commission may make modifications and again forward it to the City Manager for submission to the Council." On December 8, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the proposed *Comprehensive Plan Amendment* by a vote of 7-0.

The City Council will be required to hold a public hearing prior to taking action on this case. Staff will be available to answer any additional questions.

City of Rockwall Thoroughfare Plan



INSET

Local Changes

1. Add road from La Jolla Pointe Dr to Turtle Cove Blvd
2. Remove Breezy Hill 2 road
3. Change Clem Rd from M4U to Minor
4. Extend Breezy Hill 1 road to Anna Cade Rd
5. Extend Breezy Hill 1 road to John King
6. Realignment of Breezy Hill 1
7. Removal of North/South Minor Collector
8. Realignment of Breezy Hill Rd
9. Extend 1141
10. Remove Technology Way
11. Remove section between Tubbs Rd and Sids Rd
12. Change Zollner Lane from M4U to Minor
13. Realign Data Dr
14. Change County Line Rd and Renee Dr from M4U to Minor and remove section from County Line Rd
15. Change N FM 3549 from M4U to TxDOT4D
16. Change North Country Ln and Panhandle Dr from Minor to M4U
17. Change SH 205 from TxDOT 6D to M4U-M
18. Realignment of Proposed Outer Loop
19. Remove Memorial Dr
20. Extension of Highlands Blvd
21. Removal of Industrial Blvd North of Airport Rd and extension of Airport Rd M4U to SH 66

TxDOT Changes

22. Change proposed TxDOT6D to TxDOT4D on the following:
    - SH 205 north of East Fork Dr to city limits
    - SH 66 from N Goliad St east to city limits
    - FM 549 from I30E south to city limits
    - FM 2549 from I30E north to city limits
    - FM 552 from SH 205 east to FM 3549

ROADWAY CLASS

- P6D
- M4D
- M4U
- M4U-M
- Minor Collector
- P3U
- SH 66 Corridor
- TxDOT 6D
- Outer Loop
- I.H. 30

MAP LEGEND

- Planning Boundary
- Ponds
- Open Space

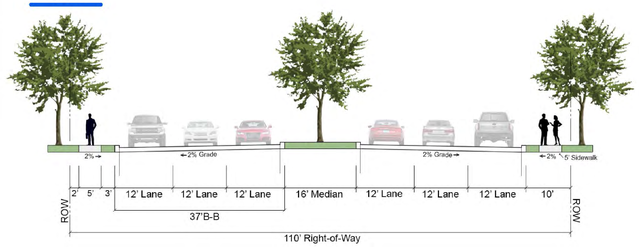
0 0.275 0.55 1.1 Miles

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

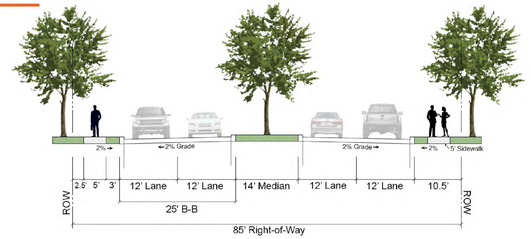
For more information please visit
http://www.rockwall.com/Planning/
or call (972) 771-7745

TYPICAL CROSS SECTIONS

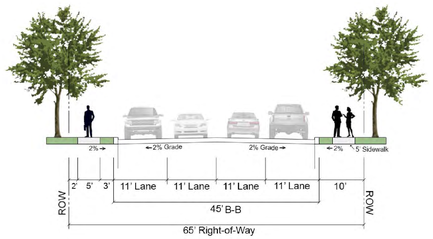
P6D



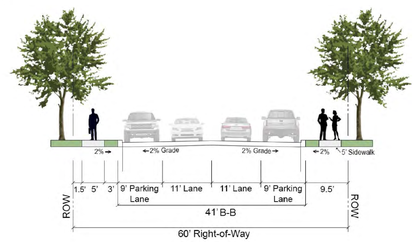
M4D



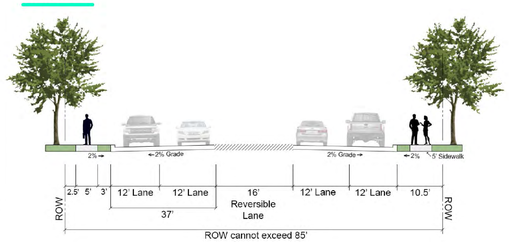
M4U



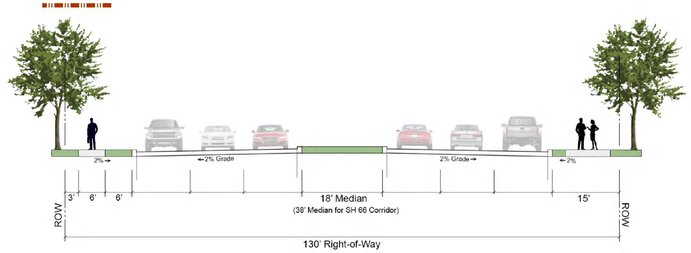
Minor Collector



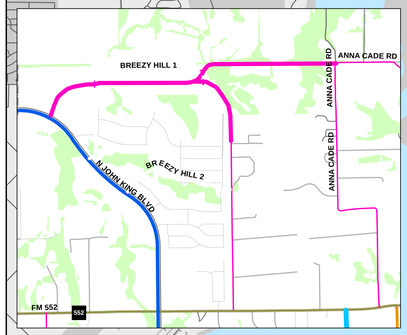
M4U-M



TxDOT 6D



City of Rockwall Thoroughfare Plan



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ROADWAY CLASS

- P6D
- M4D
- M4U
- M4U-M
- Minor Collector
- P3U
- SH 66 Corridor
- TxDOT 6D
- Outer Loop
- I.H. 30

MAP LEGEND

- Planning Boundary
- Ponds
- Open Space

N W E S

0 0.275 0.55 1.1 Miles

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For more information please visit
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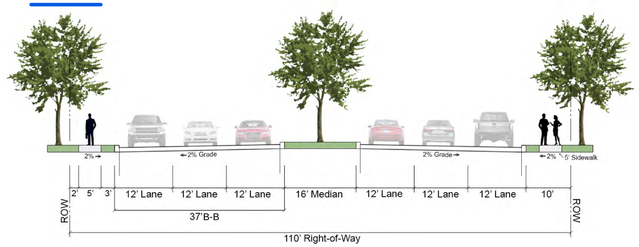
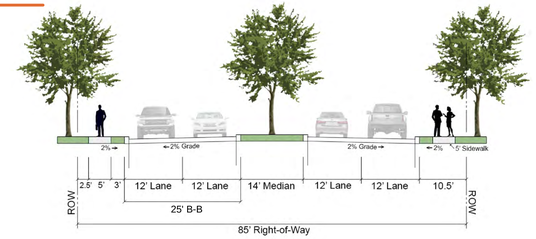
or call (972) 771-7745

TYPICAL CROSS SECTIONS

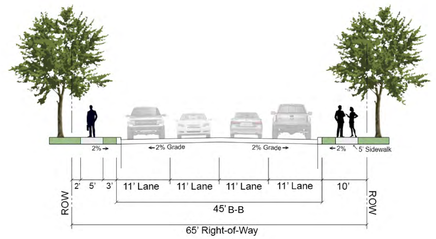
P6D



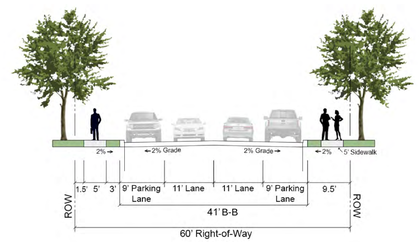
M4D



M4U

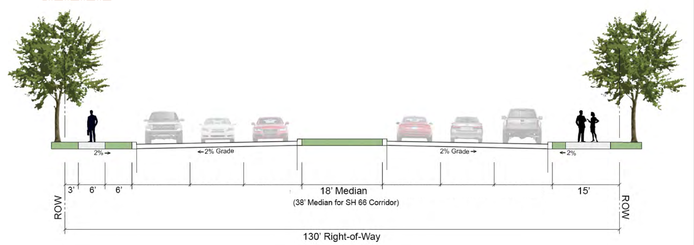


Minor Collector



M4U-M

TxDOT 6D



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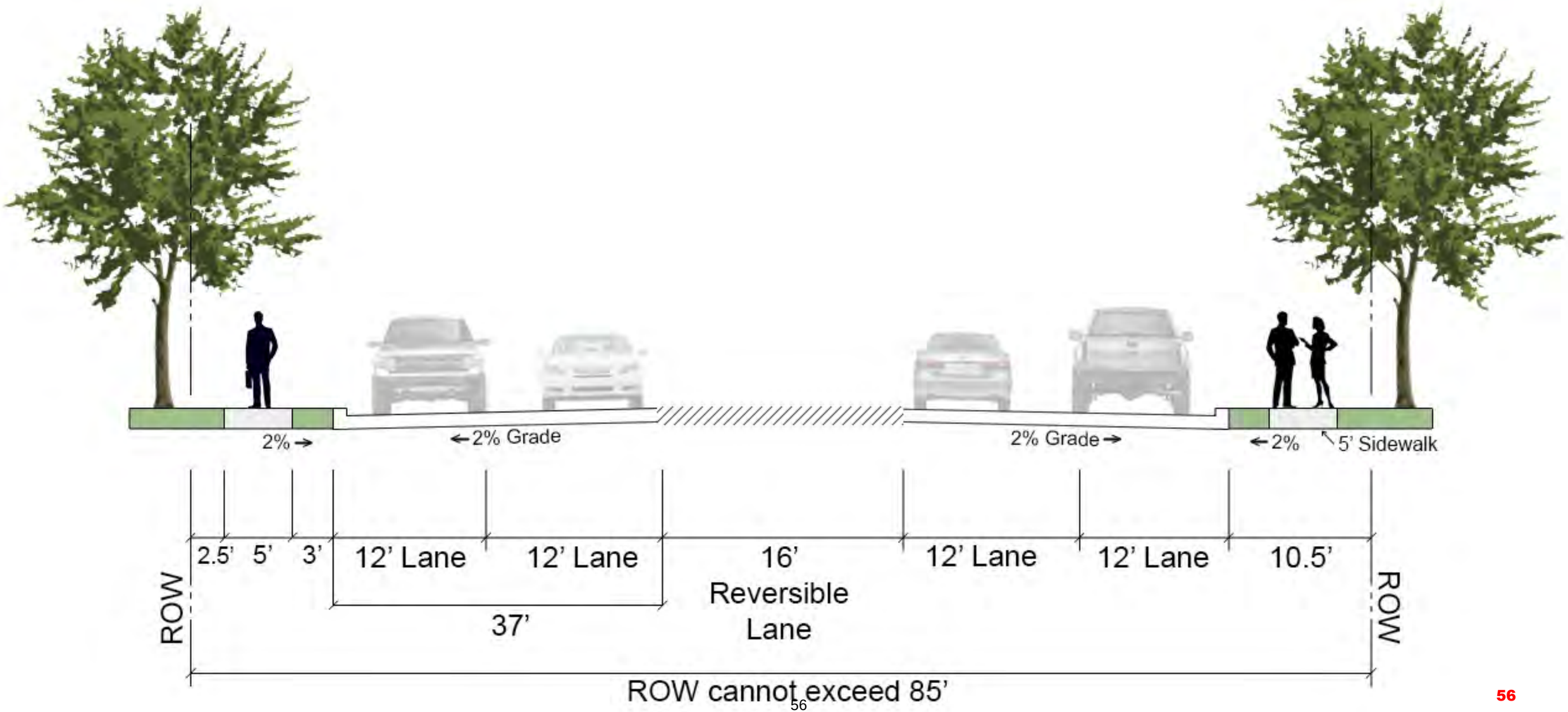
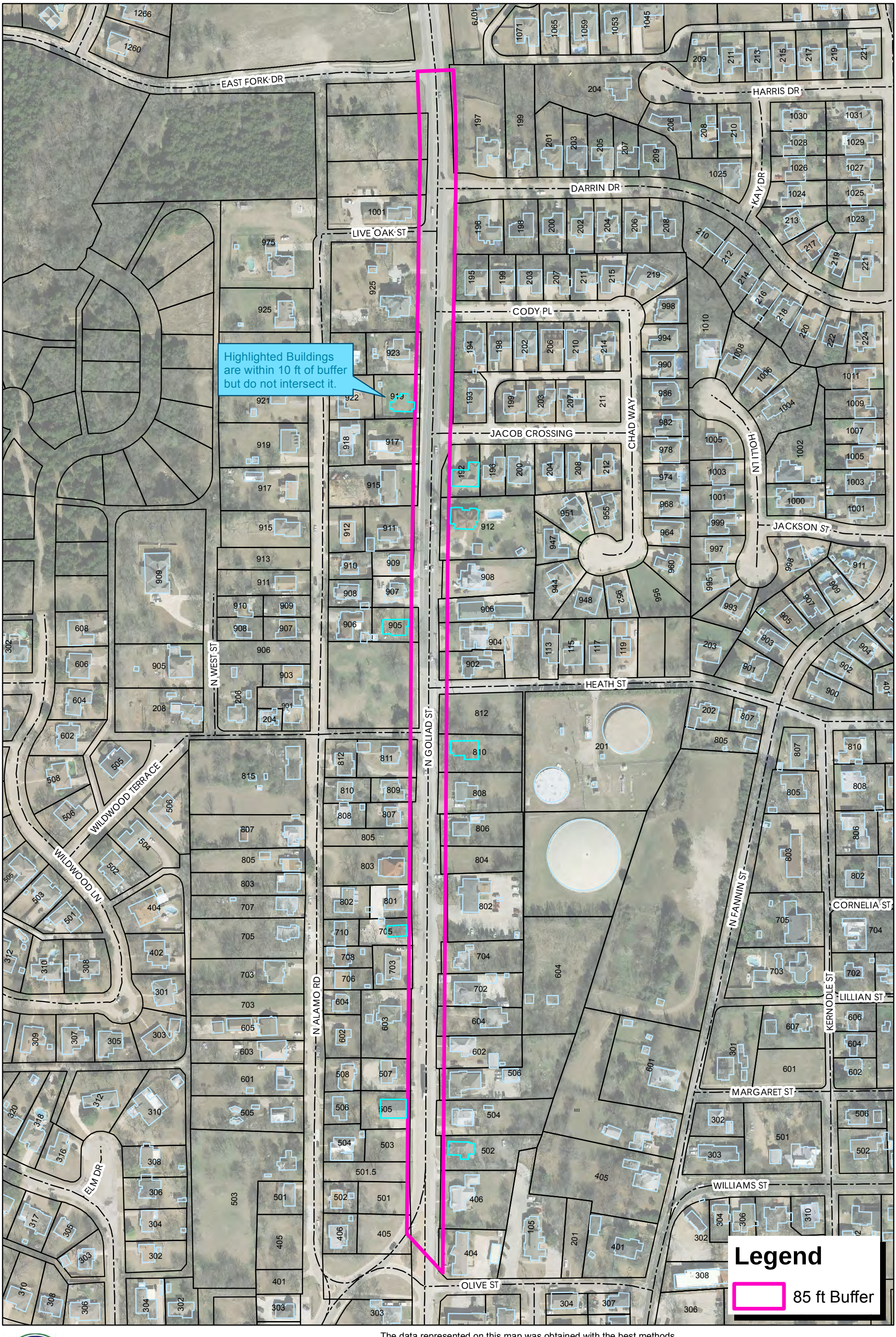

2% →
←2% Grade
2% Grade →
←2%
5' Sidewalk
2.5'
5'
3'
12' Lane
12' Lane
16'
Reversible
Lane
12' Lane
12' Lane
10.5'
37'
ROW
ROW
ROW cannot exceed 85'

56



City of Rockwall

0 50 100 200 Feet

1 inch = 200 feet

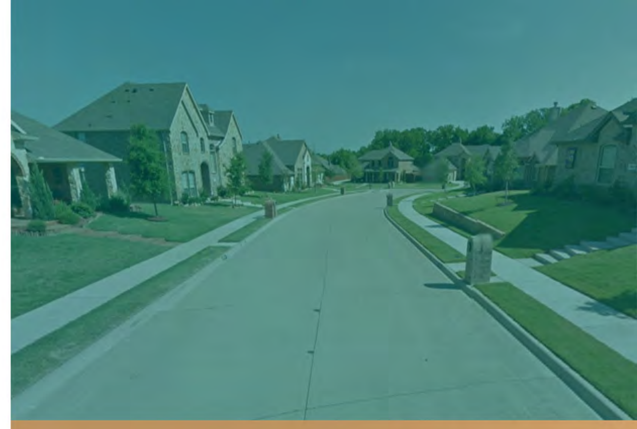
Date: 11/20/2015

N

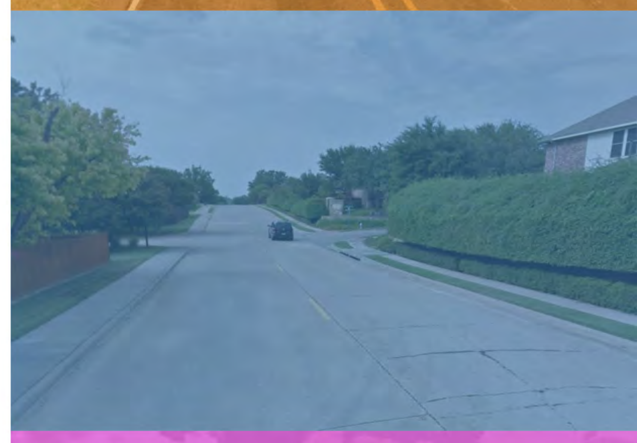
The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.

NORTH GOLIAD ST ROW EXHIBIT

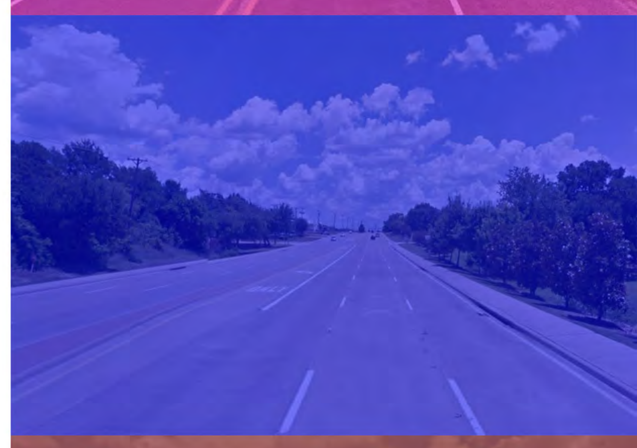
Appendix D



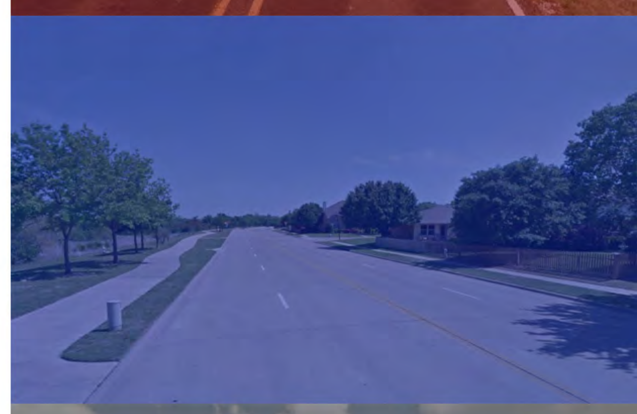














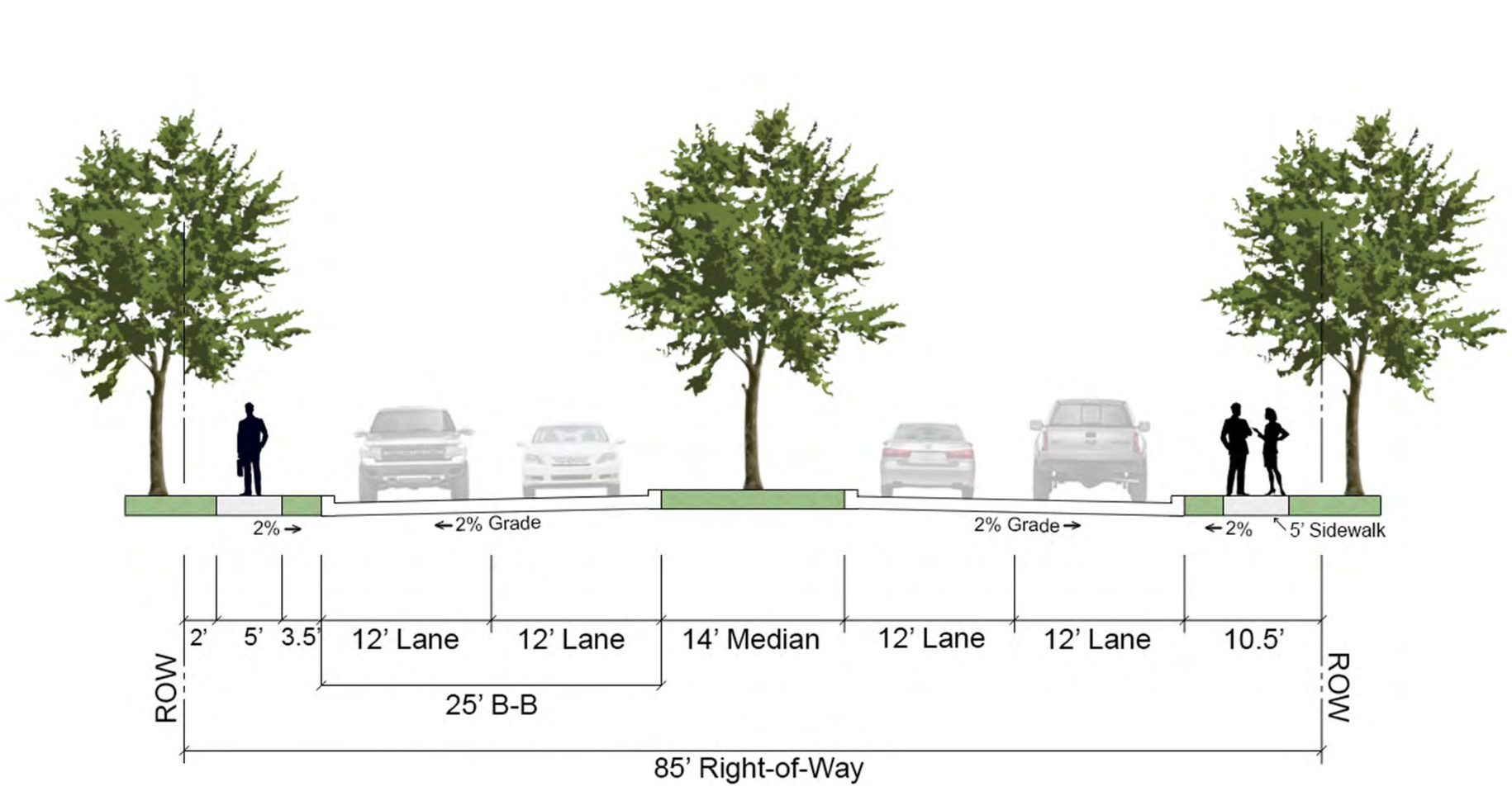
58

Street Type: M4-D

Major Collector 4 lane divided highway

- 85’ Right-of-Way
- No on-street parking
- 40 MPH Design Speed





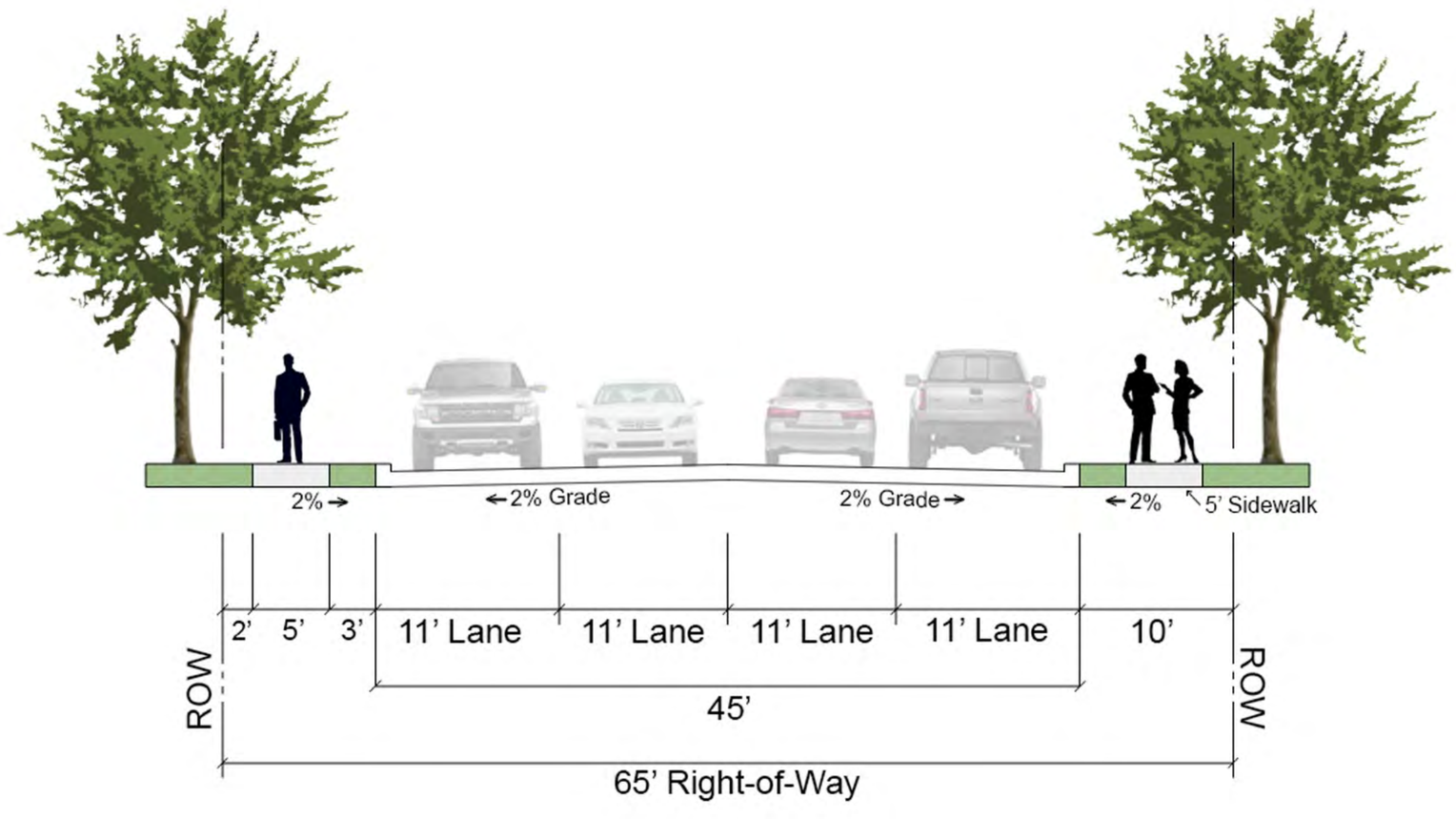
59

Street Type: M4-U

Major Collector 4 lane undivided highway

- 65’ Right-of-way
- No on-street parking
- 35 MPH Design Speed



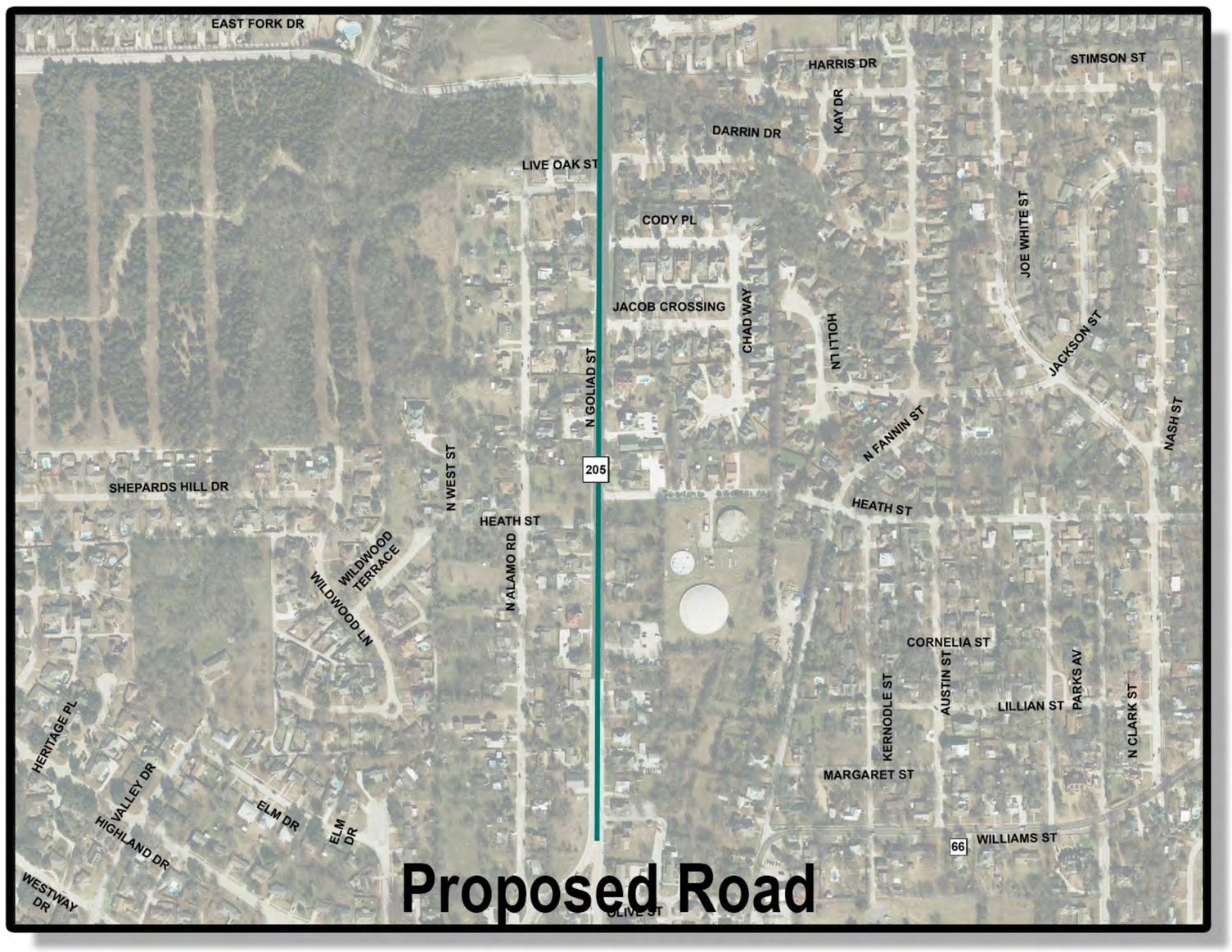


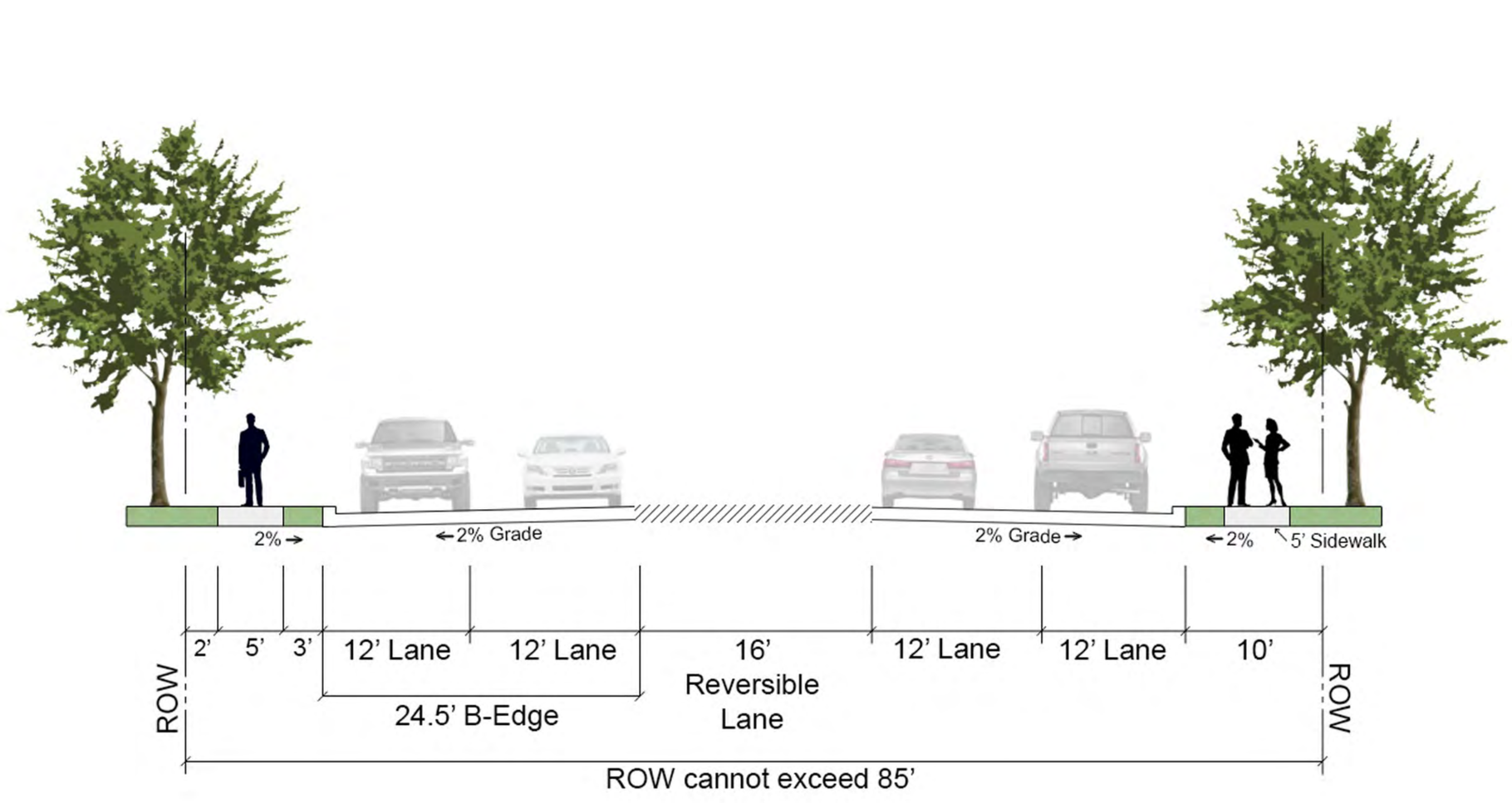
60

Street Type: M4-U-M

Major Collector 4 lane undivided highway modified

- Right-of-way cannot exceed 85’
- No on-street parking





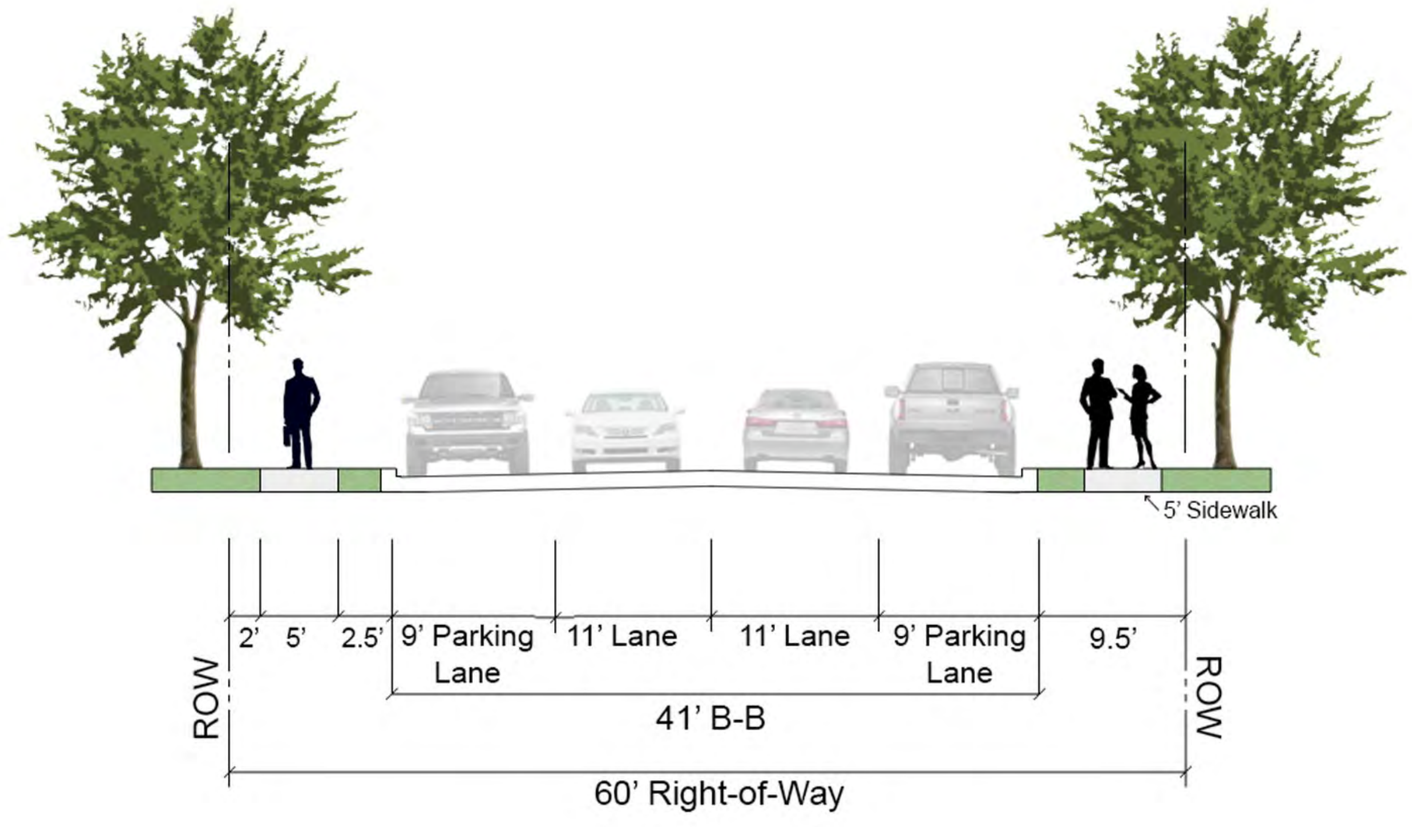
61

Street Type: Minor Collector

Minor Collector 2 lane undivided highway

- 60’ Right-of-way
- 2-on-street parking lanes
- 30 MPH Design Speed





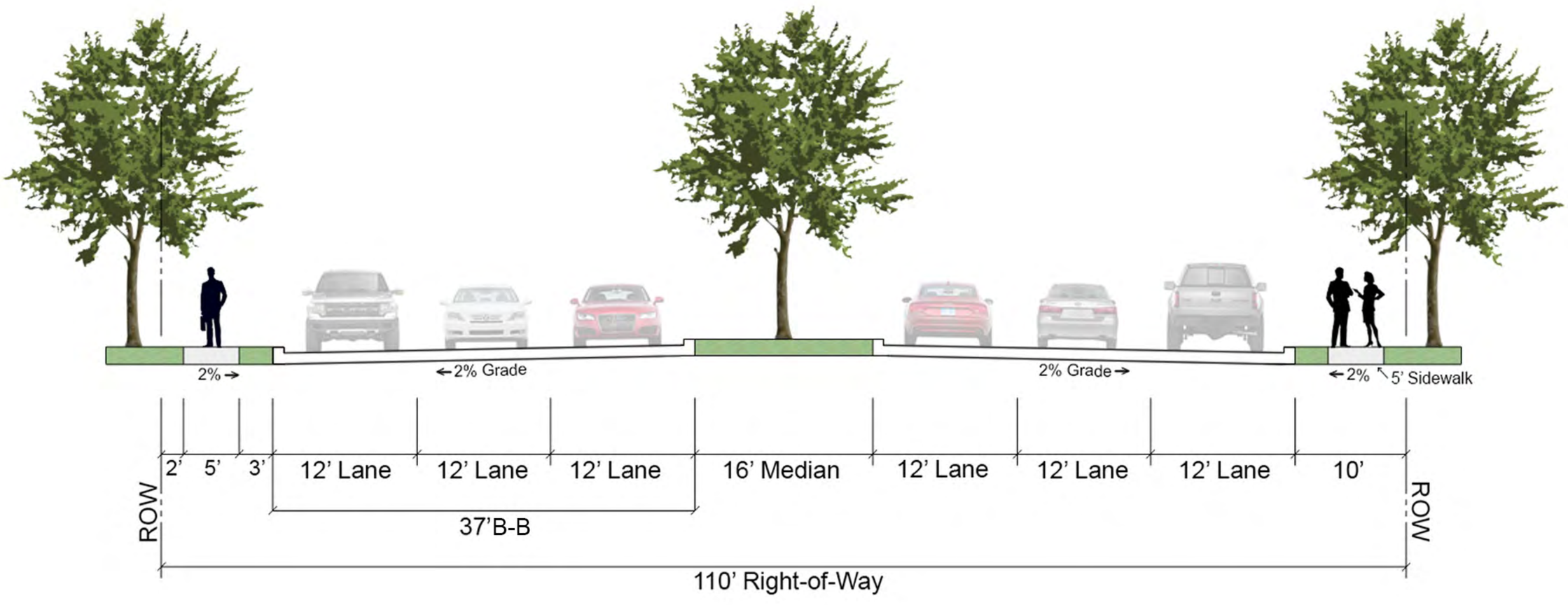
62

Street Type: P6-D

Principal Arterial 6 lane divided highway

- 110’ Right-of-Way
- No on-street parking
- 45 MPH Design Speed





63

Street Type: TX DOT

Texas Department of Transportation Principle Arterial highways















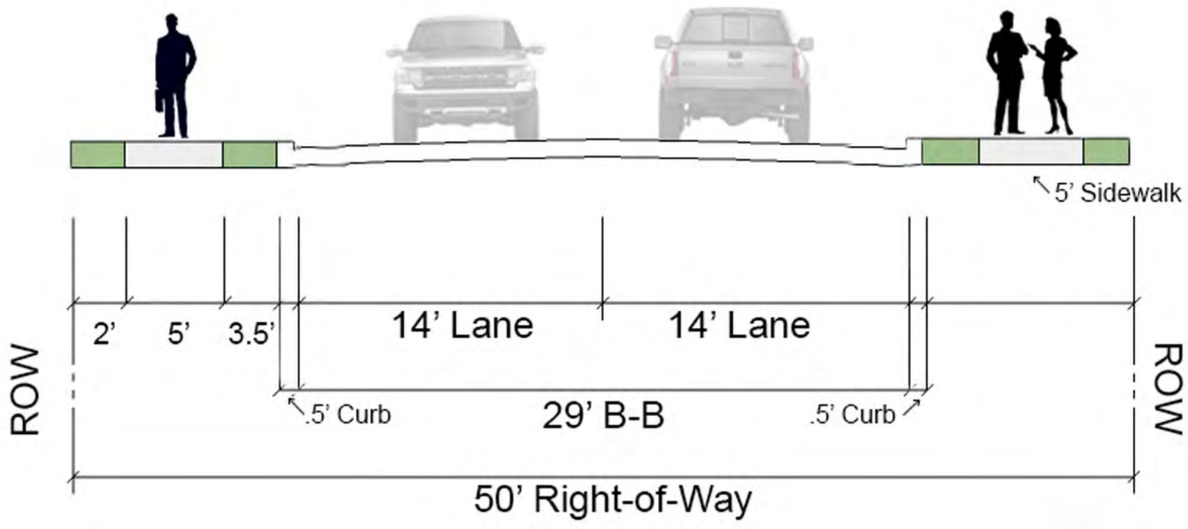
64

Street Type: Residential

Residential 2 lane undivided roadway

- 50’ Right-of-way
- On-street parking
- 30 MPH Design Speed





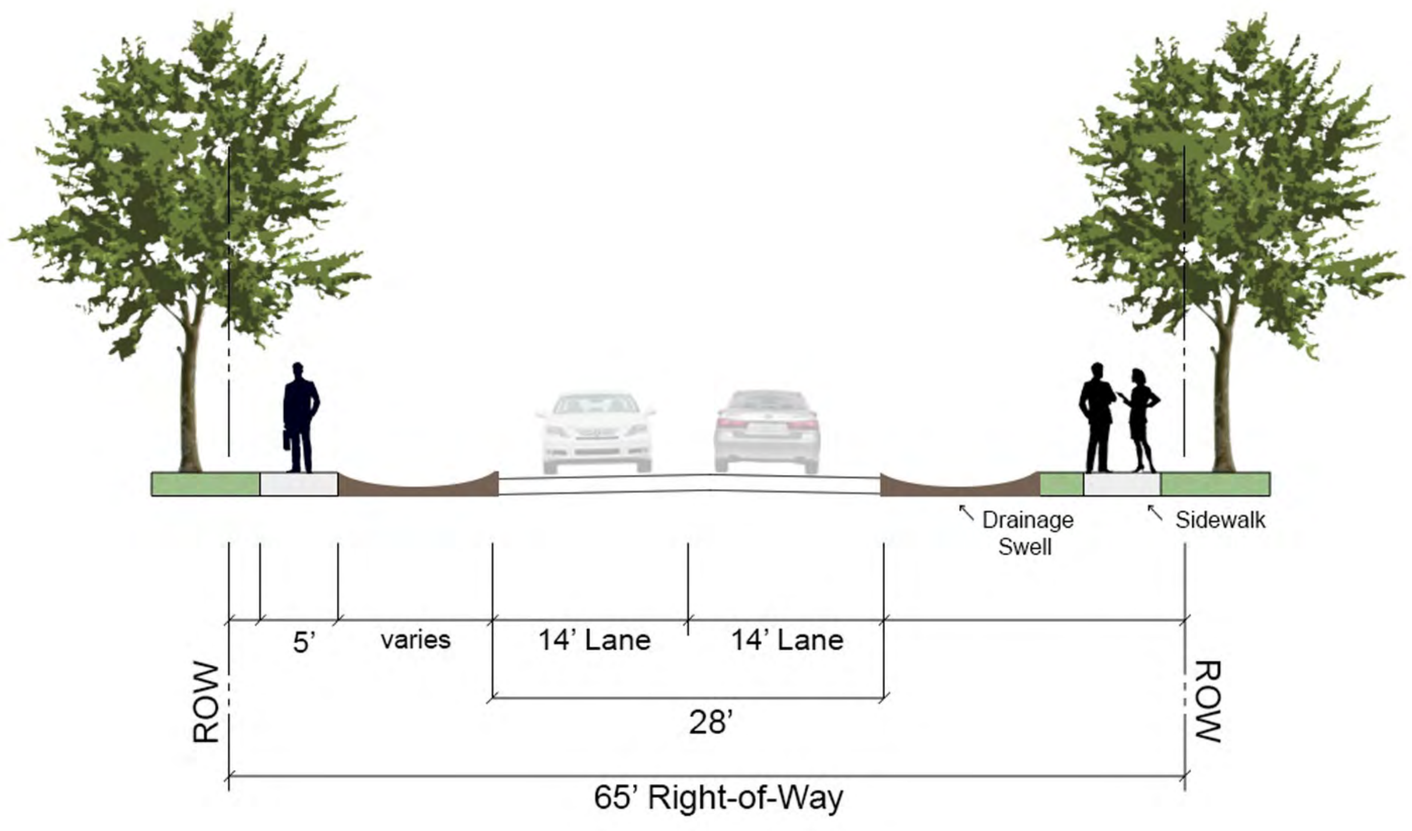
65

Street Type: Rural Local

Rural Local 2 lane undivided roadway

- 65’ Right-of-way
- No on-street parking
- 30 MPH Design Speed
- No curb and gutter





66

CITY OF ROCKWALL

ORDINANCE NO. 16-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ADOPTING REVISIONS TO THE MASTER THOROUGHFARE PLAN CONTAINED WITHIN THE TRANSPORTATION SECTION, ADD A STREET CROSS SECTION FOR A M4U-M (*MINOR ARTERIAL, FOUR [4] LANE, UNDIVIDED ROADWAY, MODIFIED*), AND MODIFY EXISTING STREET CROSS SECTIONS IN APPENDIX 'D', THOROUGHFARE CROSS SECTIONS, OF THE COMPREHENSIVE PLAN IN ACCORDANCE WITH THE CITY'S HOME RULE CHARTER.

WHEREAS, the *Home Rule Charter* of the City of Rockwall, Texas, states that the Comprehensive Plan will contain recommendations for the growth, development and beautification of the City and its Extraterritorial Jurisdiction (ETJ); and

WHEREAS, the City Council of the City of Rockwall has previously authorized a study to update the Comprehensive Plan, also referred to as the Comprehensive Plan; and

WHEREAS, the citizens of the City of Rockwall were involved in the development of the Comprehensive Plan through participation in committee and public meetings; and

WHEREAS, the Comprehensive Plan shall serve as a guide to all future Council action concerning land use and development regulations and expenditures for capital improvements; and

WHEREAS, Section 213.003, *Adoption or Amendment of Comprehensive Plan*, of Chapter 213, *Municipal Comprehensive Plans*, of the *Texas Local Government Code* states that the adoption of or amendment to a Comprehensive Plan requires a hearing at which the public is given the opportunity to give testimony and present written evidence and as required by the *Home Rule Charter of the City of Rockwall* a public hearing has been held on the proposed revisions to the Comprehensive Plan, and the governing body in the exercise of its legislative discretion, has concluded that the Comprehensive Plan should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

Section 1. That the Master Thoroughfare Plan contained within the *Transportation* section of the City's Comprehensive Plan be amended as depicted in *Exhibit 'A'* of this ordinance; and

Section 2. That Appendix 'D', *Thoroughfare Cross Sections*, of the City's Comprehensive Plan be amended to include a street cross section for a M4U-M (*minor arterial, four [4] lane, undivided roadway, modified*) as depicted in *Exhibit 'B'* of this ordinance; and

Section 3. That Appendix 'D', *Thoroughfare Cross Sections*, of the City's Comprehensive Plan be amended as depicted in *Exhibit 'C'* of this ordinance; and

Section 4. That the Comprehensive Plan shall be used by the City Staff in the planning and as a guide for the future development of the City of Rockwall; and

Section 5. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF JANUARY, 2016.

_____
Jim Pruitt, *Mayor*

ATTEST:

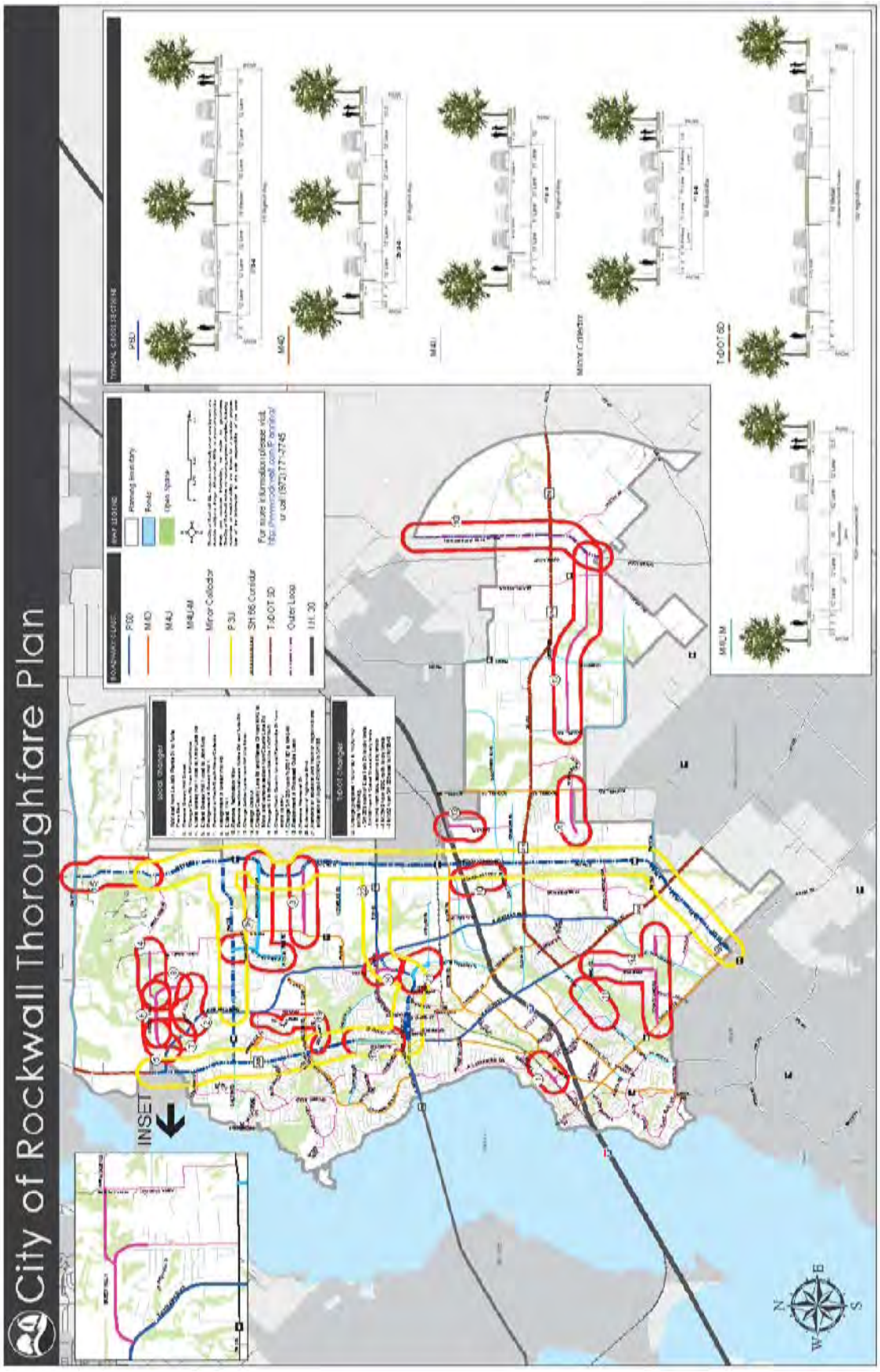
_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *December 21, 2015*

2nd Reading: *January 4, 2016*


City of Rockwall Thoroughfare Plan
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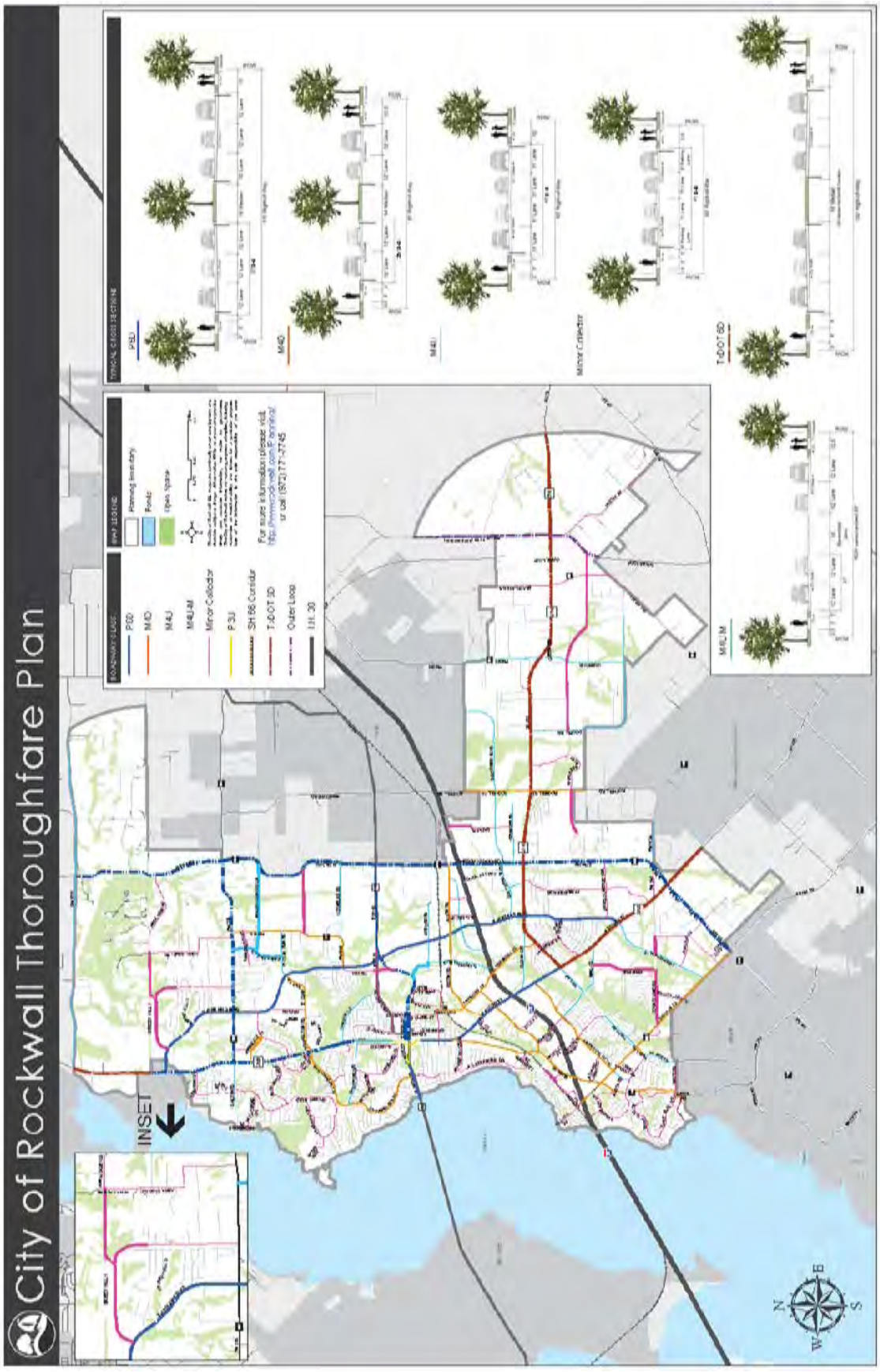
N
S
W
E


City of Rockwall Thoroughfare Plan
INSET
N
S
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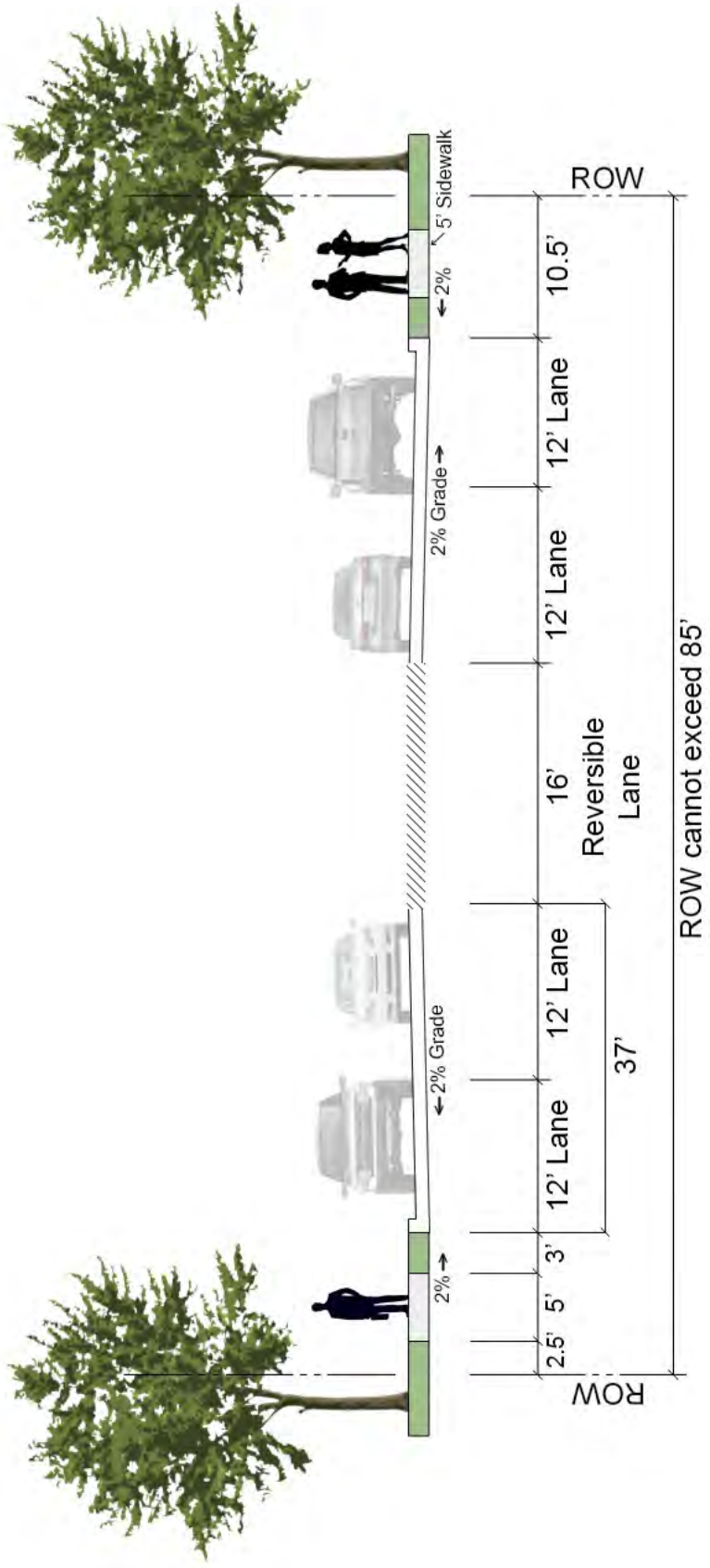
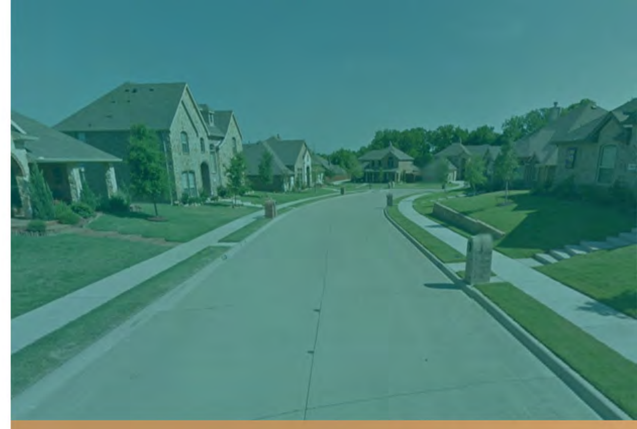
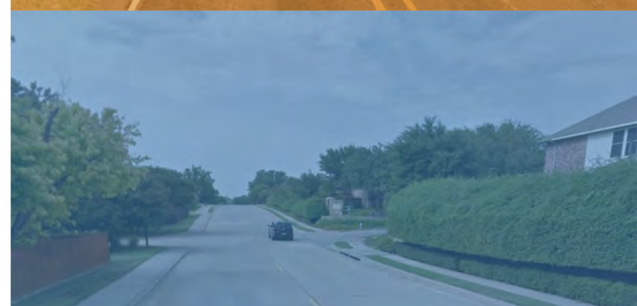
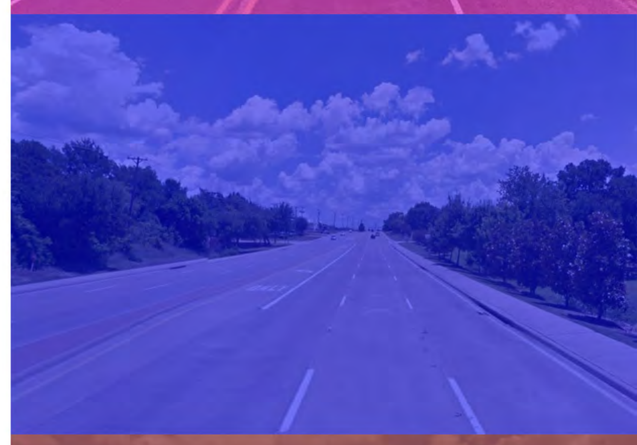
W

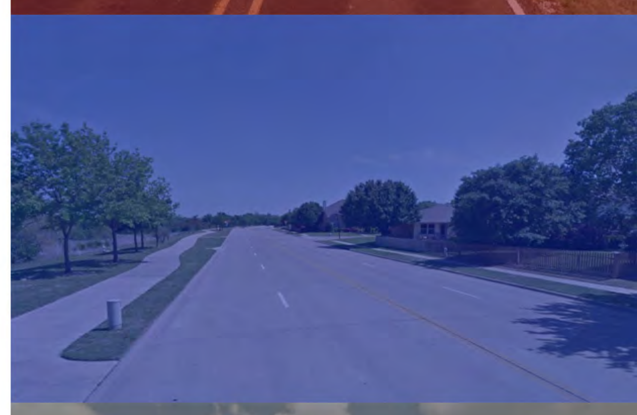

ROW
5' Sidewalk
2%
10.5'
12' Lane
2% Grade
12' Lane
16'
Reversible
Lane
12' Lane
2% Grade
12' Lane
37'
2%
3'
5'
2.5'
ROW
ROW cannot exceed 85'

Appendix D







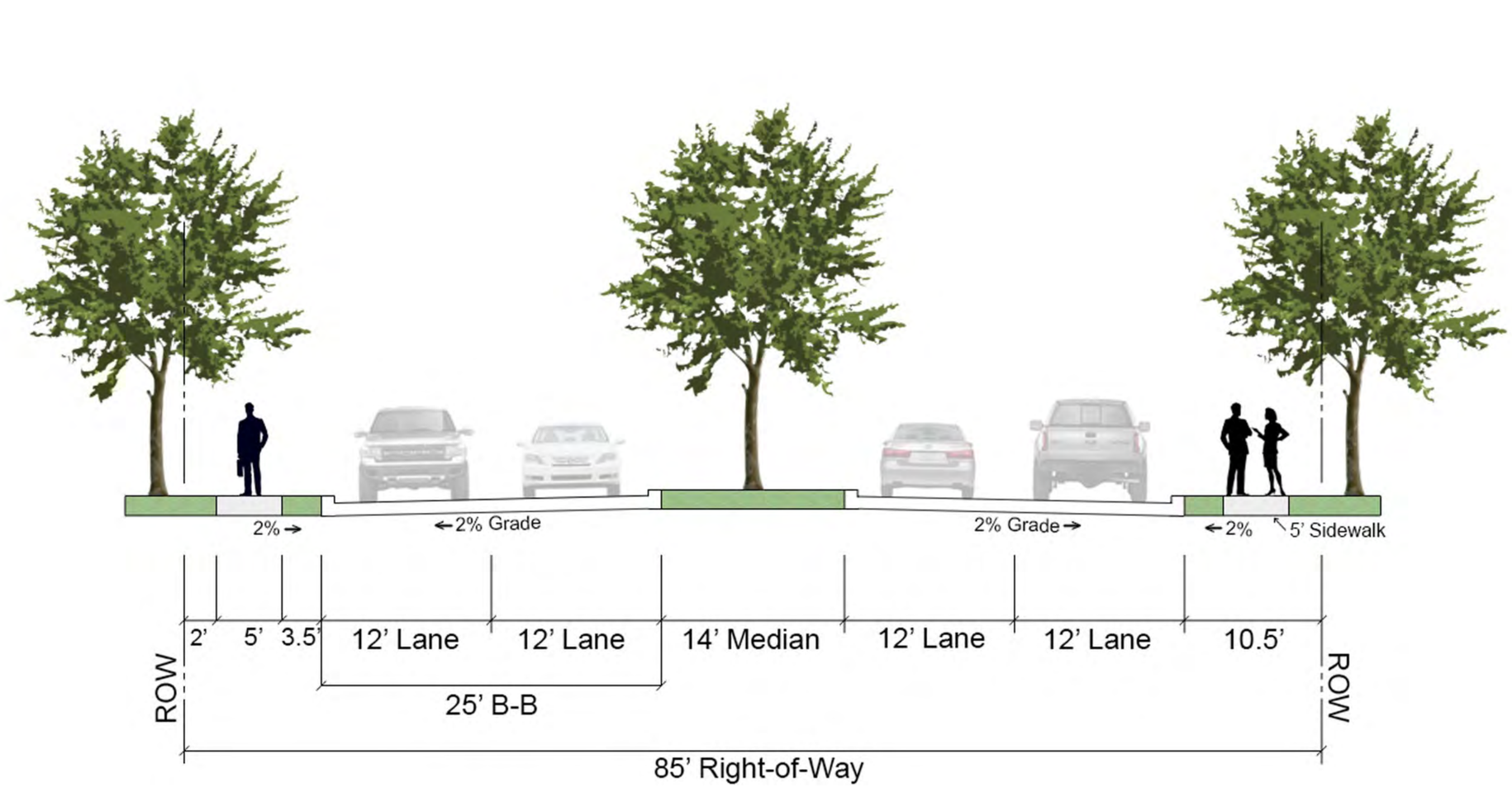



Street Type: M4-D

Major Collector 4 lane divided highway

- 85’ Right-of-Way
- No on-street parking
- 40 MPH Design Speed





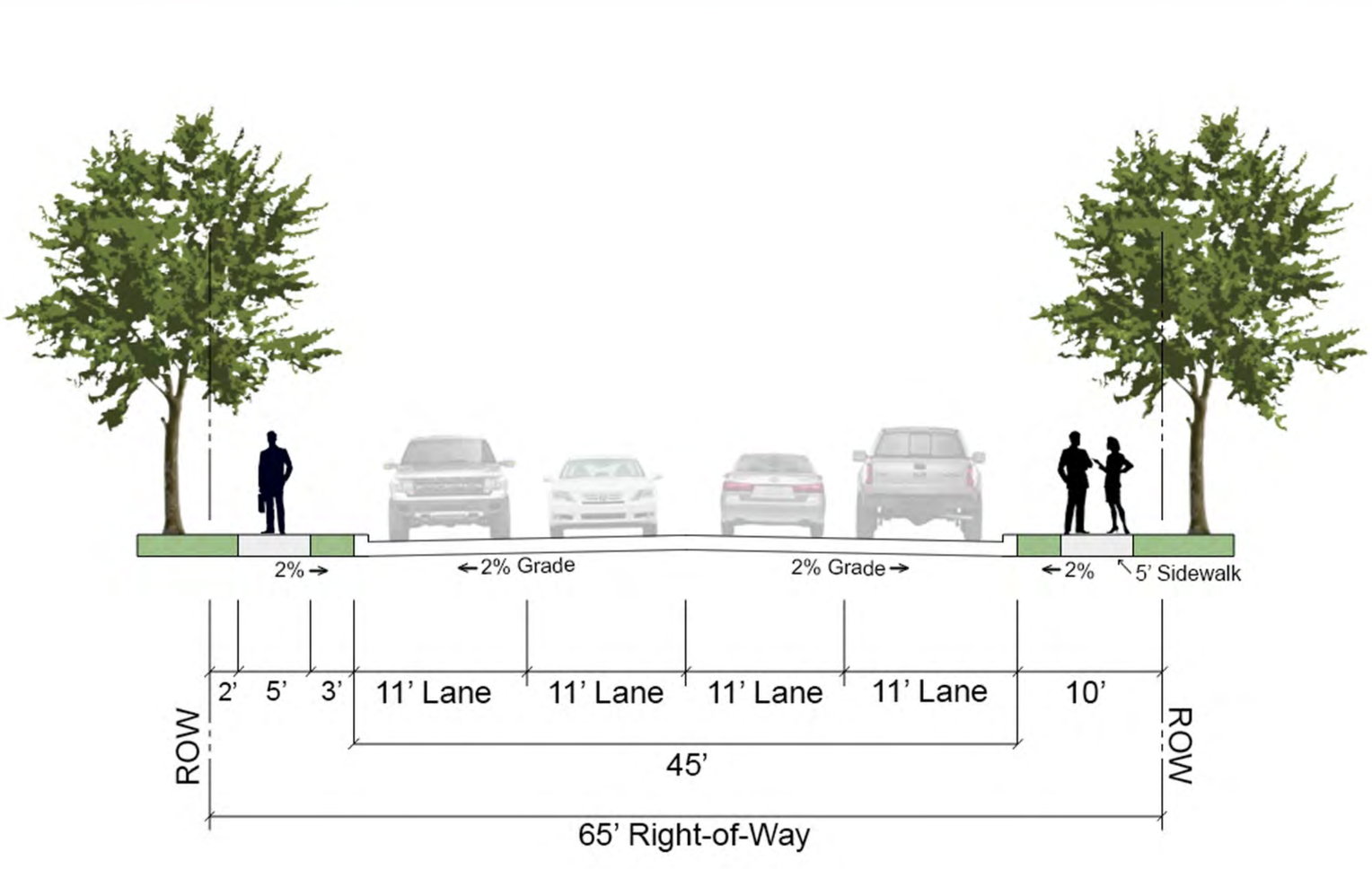
73

Street Type: M4-U

Major Collector 4 lane undivided highway

- 65’ Right-of-way
- No on-street parking
- 35 MPH Design Speed



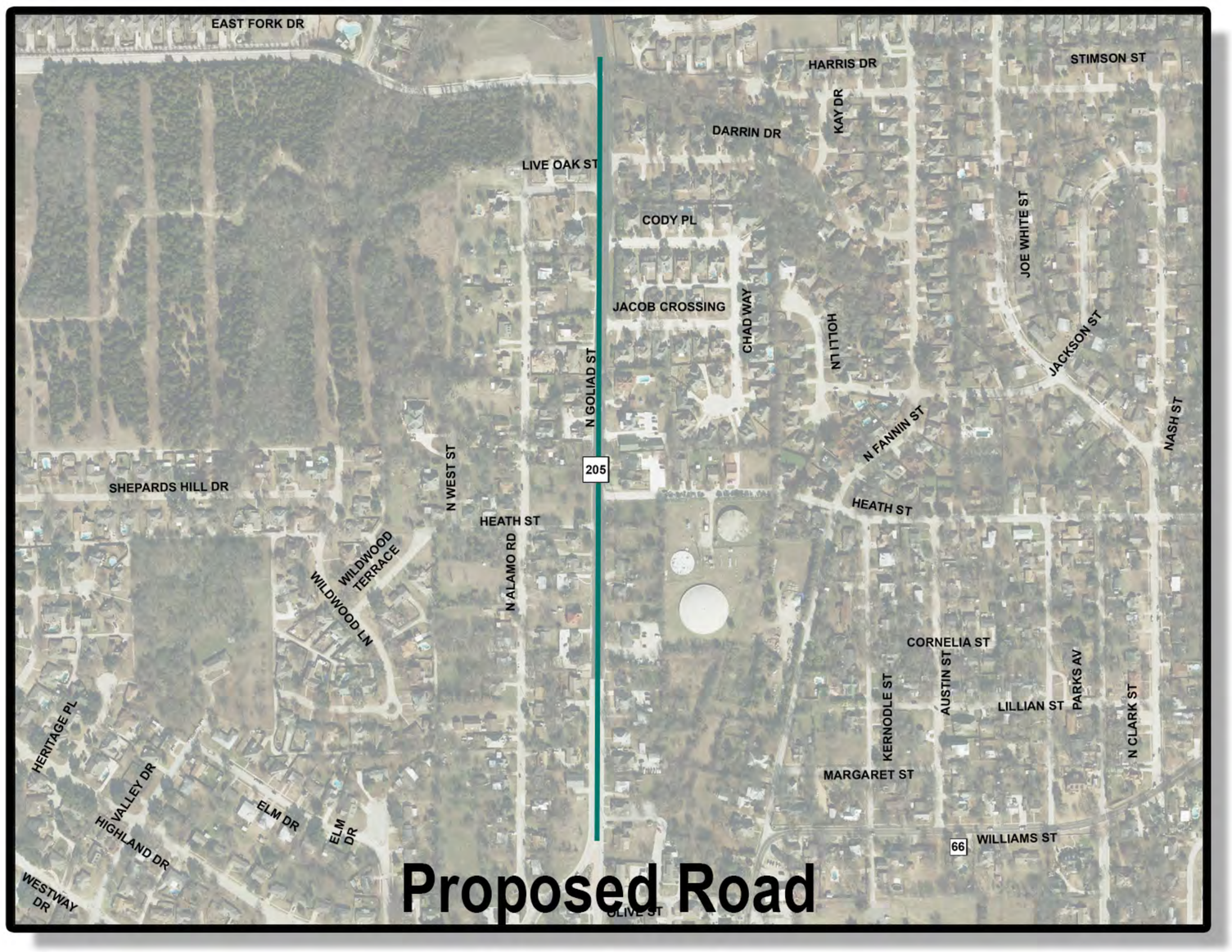


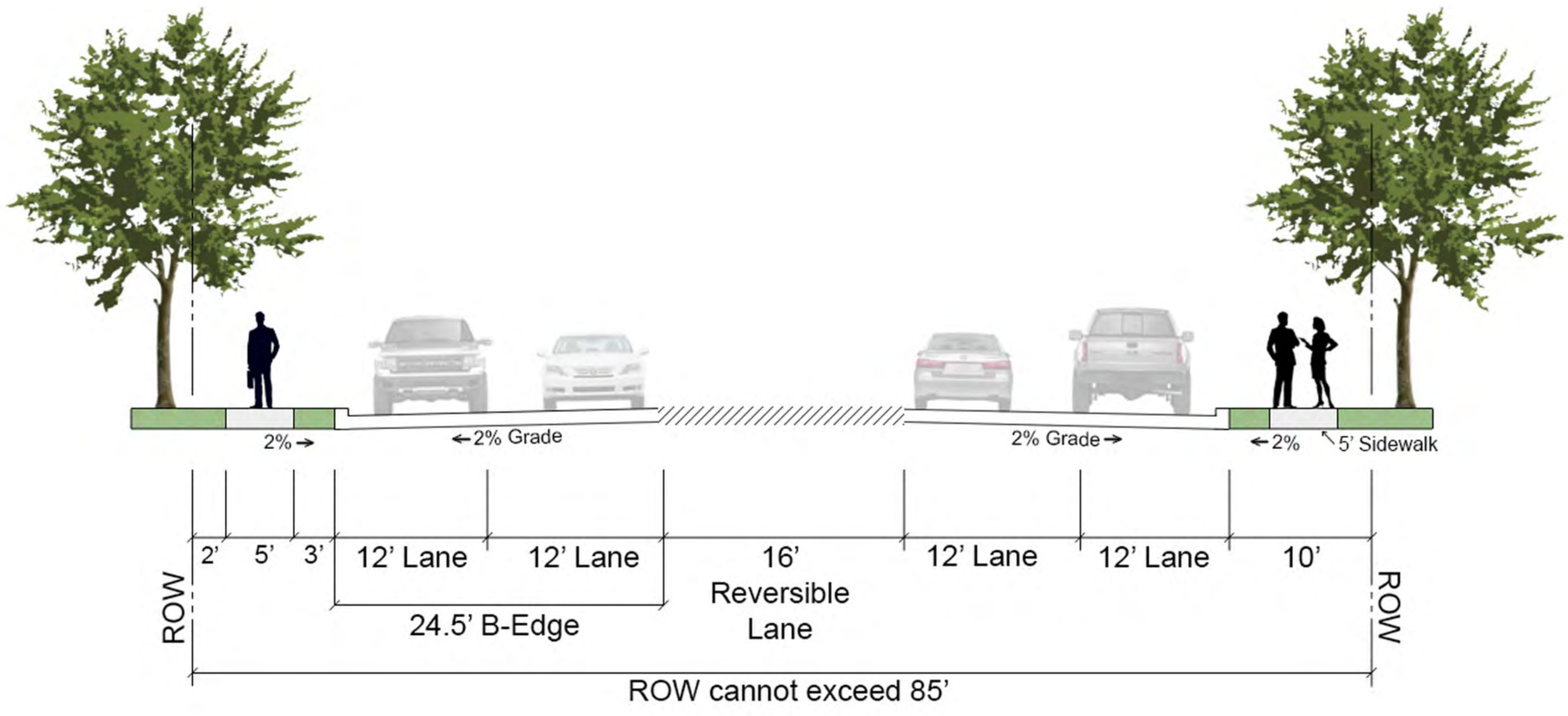
74

Street Type: M4-U-M

Major Collector 4 lane undivided highway modified

- Right-of-way cannot exceed 85’
- No on-street parking





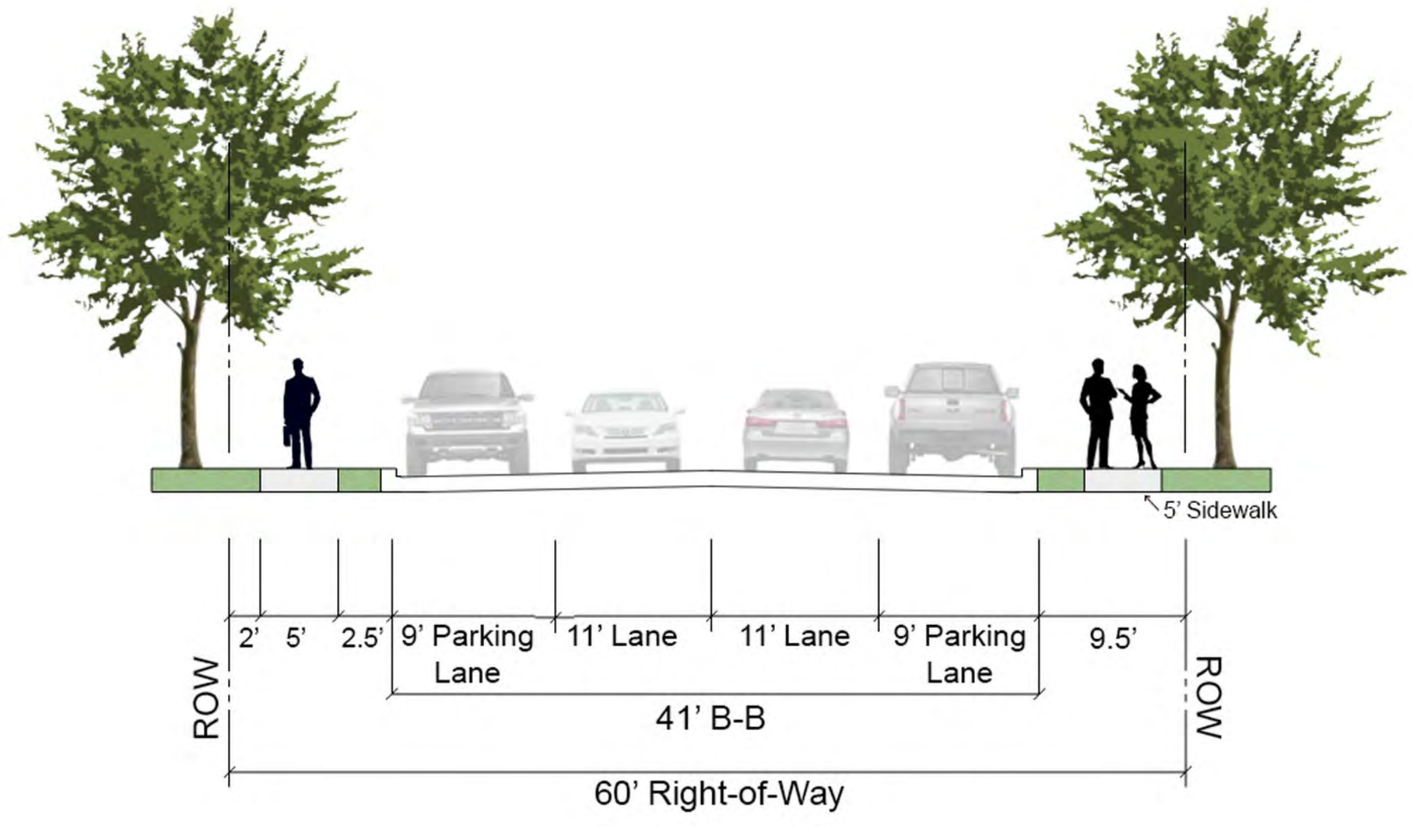
75

Street Type: Minor Collector

Minor Collector 2 lane undivided highway

- 60’ Right-of-way
- 2-on-street parking lanes
- 30 MPH Design Speed





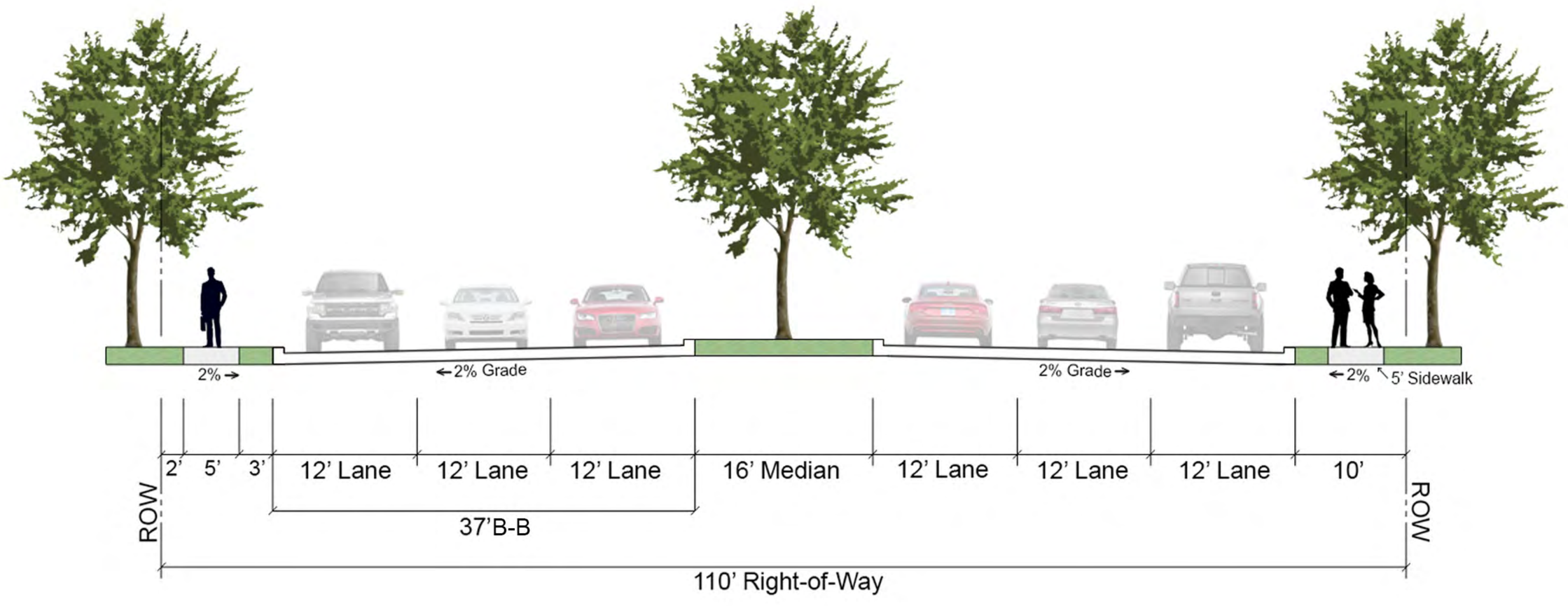
76

Street Type: P6-D

Principal Arterial 6 lane divided highway

- 110’ Right-of-Way
- No on-street parking
- 45 MPH Design Speed





77

Street Type: TX DOT

Texas Department of Transportation Principle Arterial highways















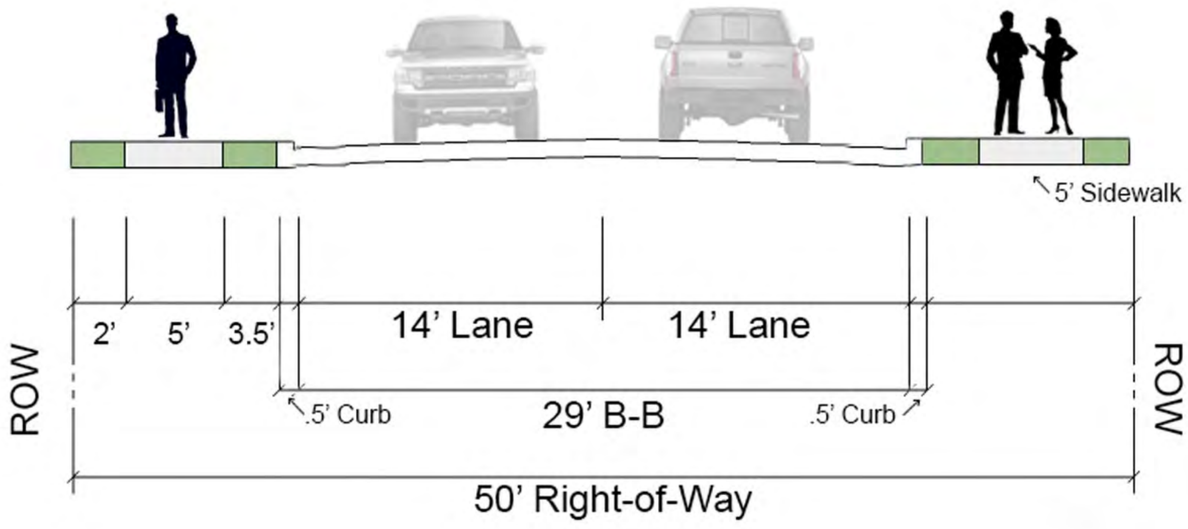
78

Street Type: Residential

Residential 2 lane undivided roadway

- 50’ Right-of-way
- On-street parking
- 30 MPH Design Speed





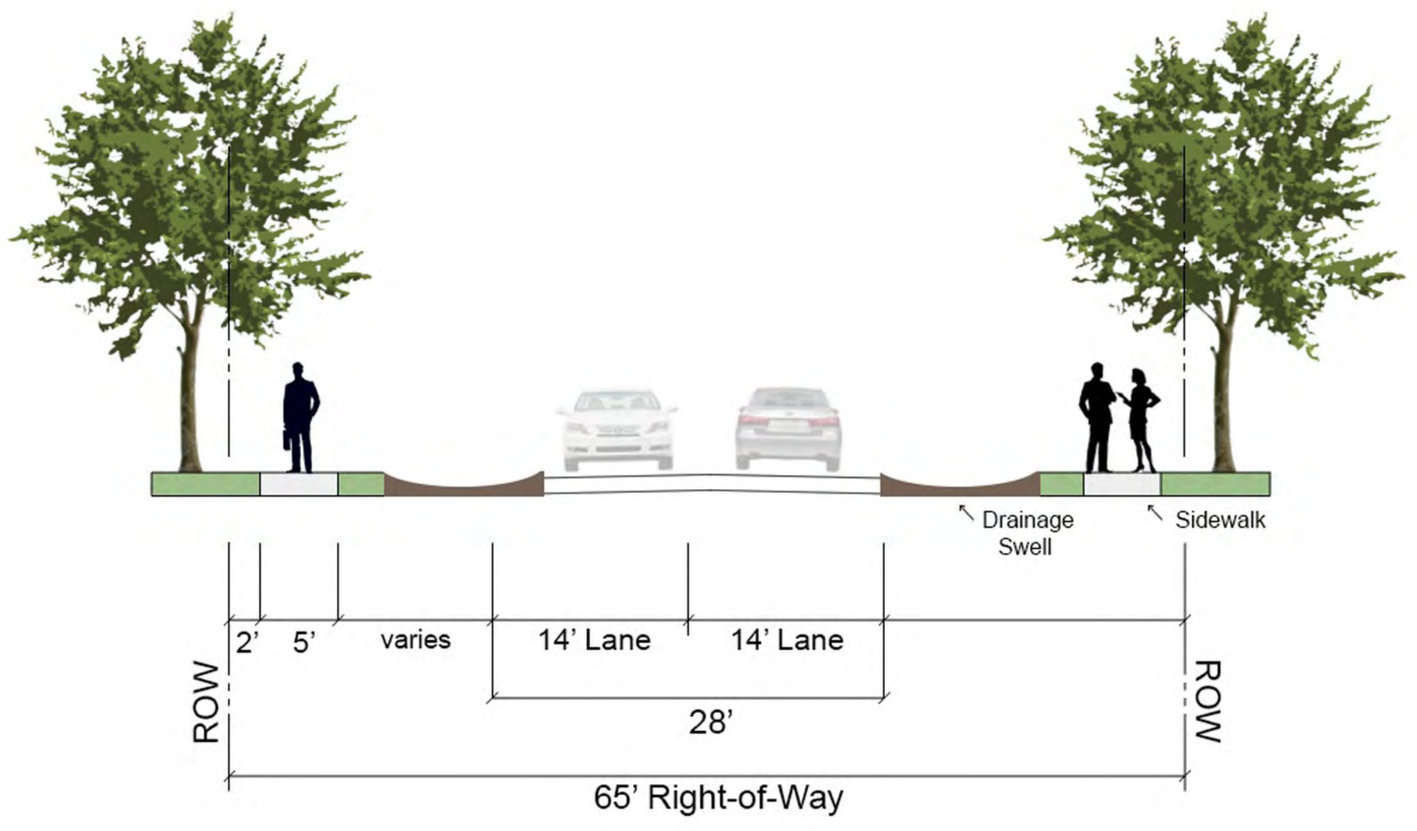
79

Street Type: Rural Local

Rural Local 2 lane undivided roadway

- 65’ Right-of-way
- No on-street parking
- 30 MPH Design Speed
- No curb and gutter





80

CITY OF ROCKWALL

ORDINANCE NO. 16-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ADOPTING REVISIONS TO THE MASTER THOROUGHFARE PLAN CONTAINED WITHIN THE TRANSPORTATION SECTION, ADD A STREET CROSS SECTION FOR A M4U-M (*MINOR ARTERIAL, FOUR [4] LANE, UNDIVIDED ROADWAY, MODIFIED*), AND MODIFY EXISTING STREET CROSS SECTIONS IN APPENDIX 'D', THOROUGHFARE CROSS SECTIONS, OF THE COMPREHENSIVE PLAN IN ACCORDANCE WITH THE CITY'S HOME RULE CHARTER.

WHEREAS, the *Home Rule Charter* of the City of Rockwall, Texas, states that the Comprehensive Plan will contain recommendations for the growth, development and beautification of the City and its Extraterritorial Jurisdiction (ETJ); and

WHEREAS, the City Council of the City of Rockwall has previously authorized a study to update the Comprehensive Plan, also referred to as the Comprehensive Plan; and

WHEREAS, the citizens of the City of Rockwall were involved in the development of the Comprehensive Plan through participation in committee and public meetings; and

WHEREAS, the Comprehensive Plan shall serve as a guide to all future Council action concerning land use and development regulations and expenditures for capital improvements; and

WHEREAS, Section 213.003, *Adoption or Amendment of Comprehensive Plan*, of Chapter 213, *Municipal Comprehensive Plans*, of the *Texas Local Government Code* states that the adoption of or amendment to a Comprehensive Plan requires a hearing at which the public is given the opportunity to give testimony and present written evidence and as required by the *Home Rule Charter of the City of Rockwall* a public hearing has been held on the proposed revisions to the Comprehensive Plan, and the governing body in the exercise of its legislative discretion, has concluded that the Comprehensive Plan should be amended as follows:

NOW, THEREFORE, **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

Section 1. That the Master Thoroughfare Plan contained within the *Transportation* section of the City's Comprehensive Plan be amended as depicted in *Exhibit 'A'* of this ordinance; and

Section 2. That Appendix 'D', *Thoroughfare Cross Sections*, of the City's Comprehensive Plan be amended to include a street cross section for a M4U-M (*minor arterial, four [4] lane, undivided roadway, modified*) as depicted in *Exhibit 'B'* of this ordinance; and

Section 3. That Appendix 'D', *Thoroughfare Cross Sections*, of the City's Comprehensive Plan be amended as depicted in *Exhibit 'C'* of this ordinance; and

Section 4. That the Comprehensive Plan shall be used by the City Staff in the planning and as a guide for the future development of the City of Rockwall; and

Section 5. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

DRAFT ORDINANCE 12.21.2015

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF JANUARY, 2016.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

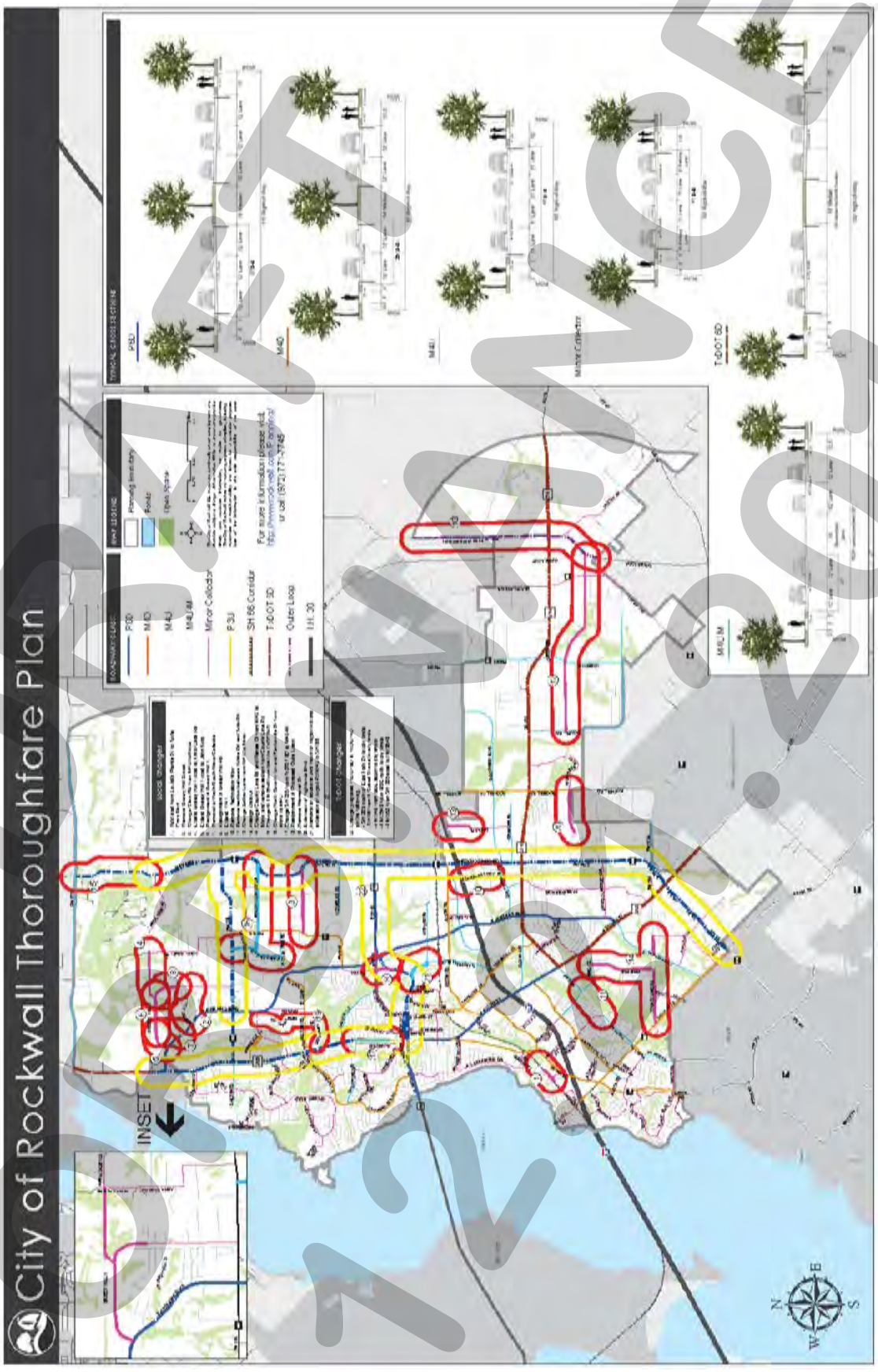
APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *December 21, 2015*

2nd Reading: *January 4, 2016*

DRAFT ORDINANCE 12.21.2015



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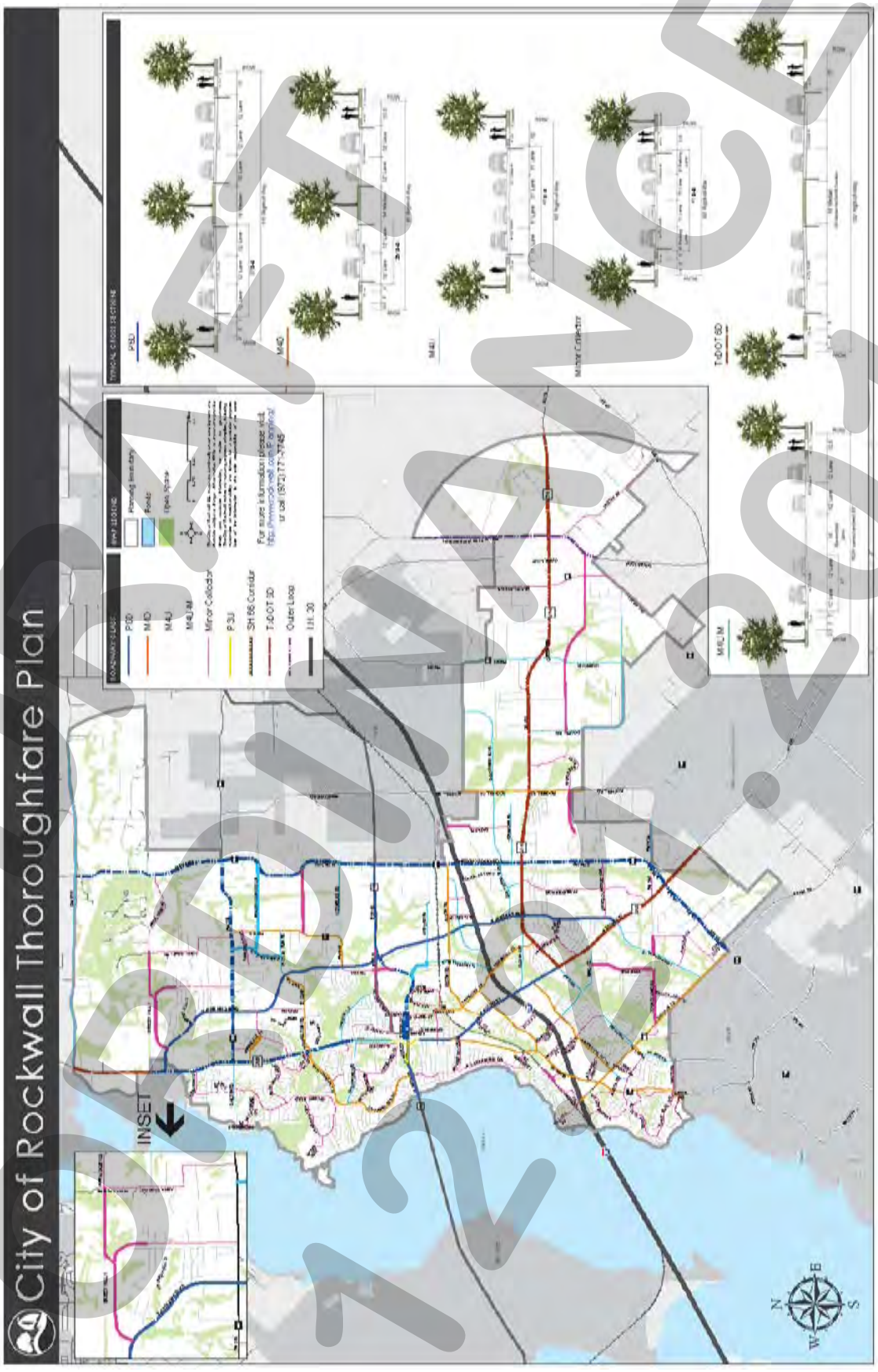
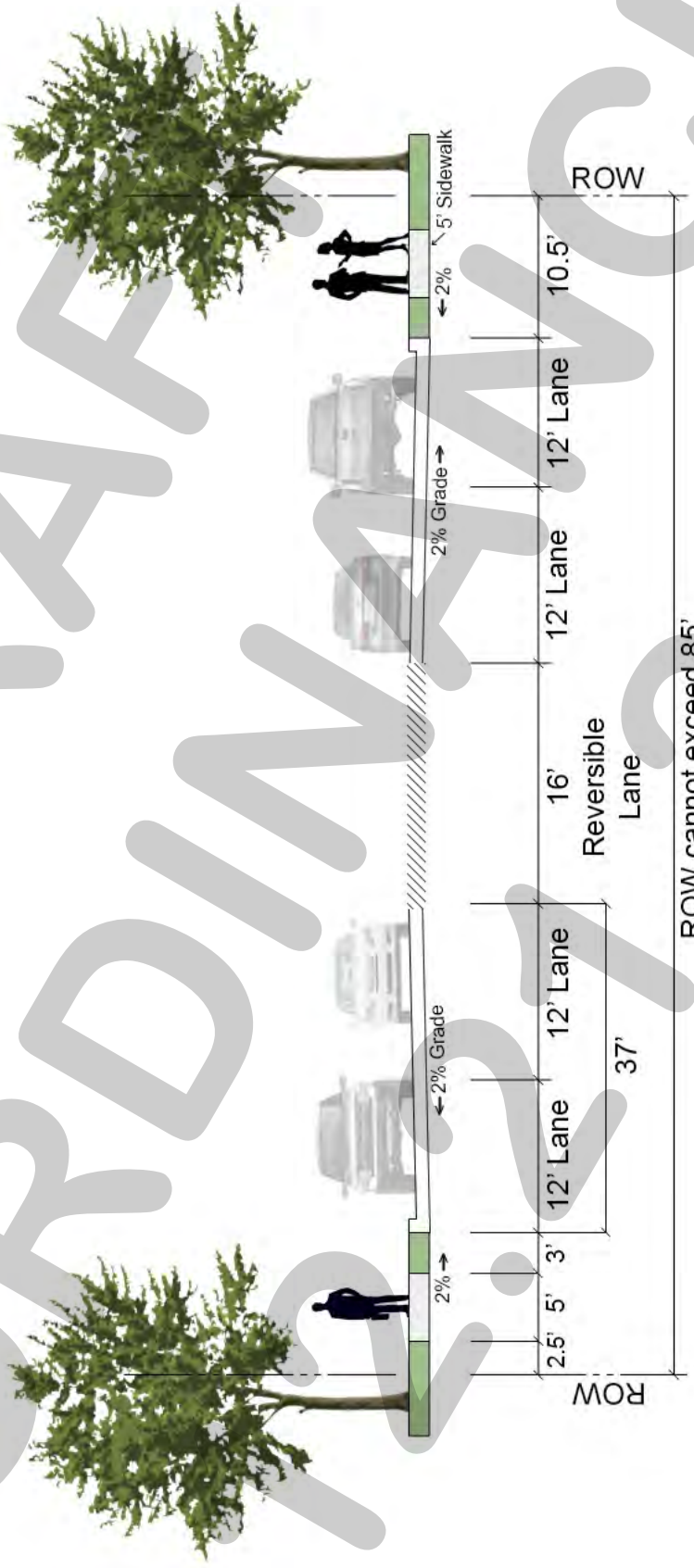


DRAFT
DRAFT 2015



DRAFT ORDINANCE 12.1.2015



Appendix D

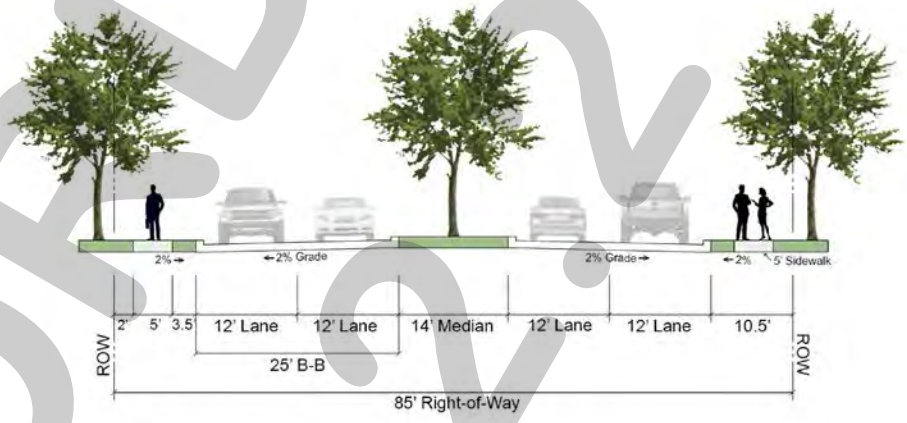
DRAFT ORDINANCE 12.21.15

Street Type: M4-D

Major Collector 4 lane divided highway

- 85' Right-of-Way
- No on-street parking
- 40 MPH Design Speed





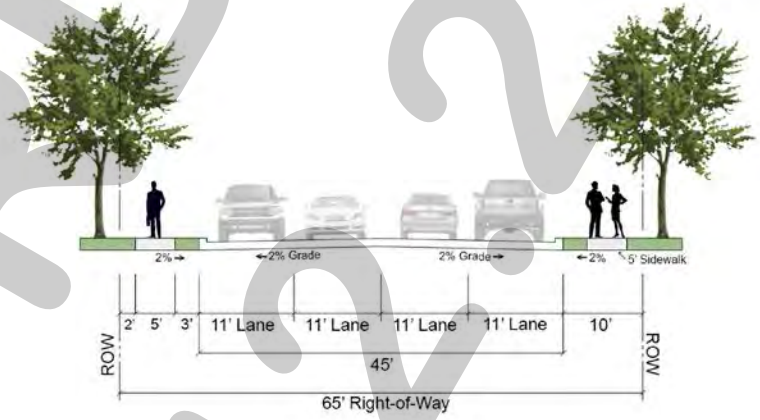
DRAFT ORDINANCE 12.21.2015

Street Type: M4-U

Major Collector 4 lane undivided highway

- 65' Right-of-way
- No on-street parking
- 35 MPH Design Speed





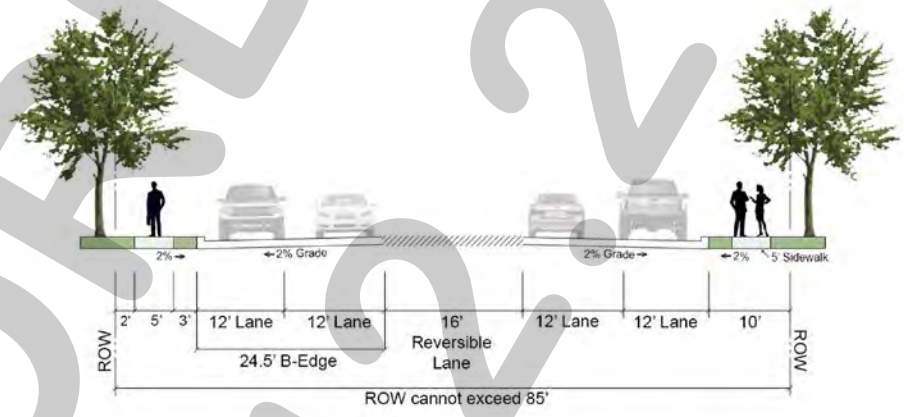
DRAFT ORDINANCE 12-21-2015

Street Type: M4-U-M

Major Collector 4 lane undivided highway modified

- Right-of-way cannot exceed 85'
- No on-street parking





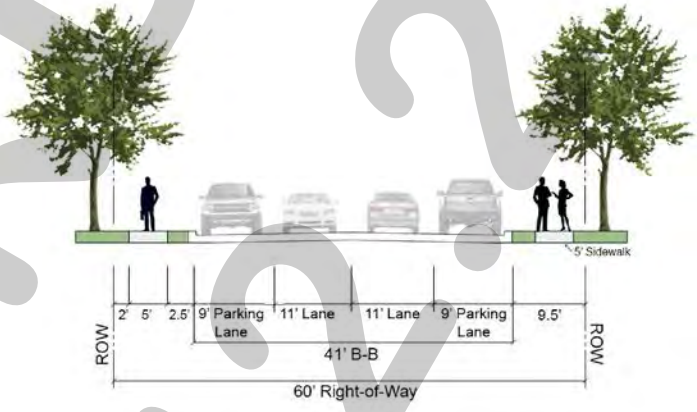
DRAFT ORDINANCE 12.21.2015

Street Type: Minor Collector

Minor Collector 2 lane undivided highway

- 60' Right-of-way
- 2-on-street parking lanes
- 30 MPH Design Speed





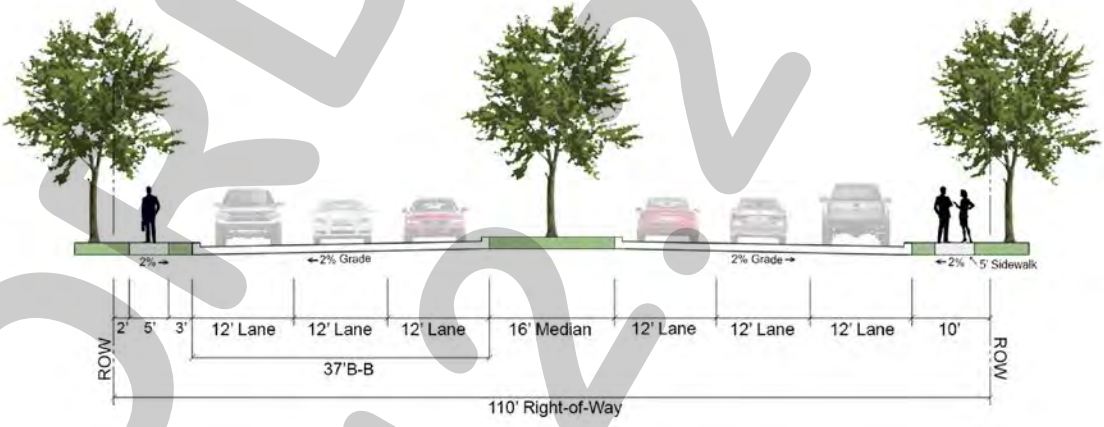
DRAFT ORDINANCE 12.21.2015

Street Type: P6-D

Principal Arterial 6 lane divided highway

- 110' Right-of-Way
- No on-street parking
- 45 MPH Design Speed





DRAFT ORDINANCE 12.21.15

Street Type: TX DOT

Texas Department of Transportation Principle Arterial highways















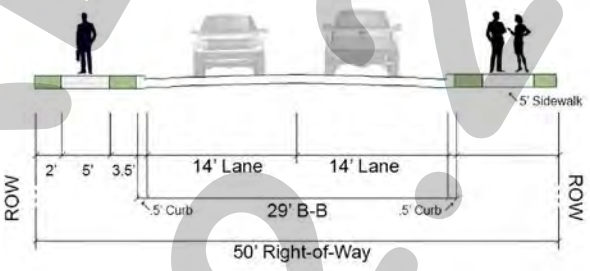
DRAFT ORDINANCE 2015

Street Type: Residential

Residential 2 lane undivided roadway

- 50' Right-of-way
- On-street parking
- 30 MPH Design Speed





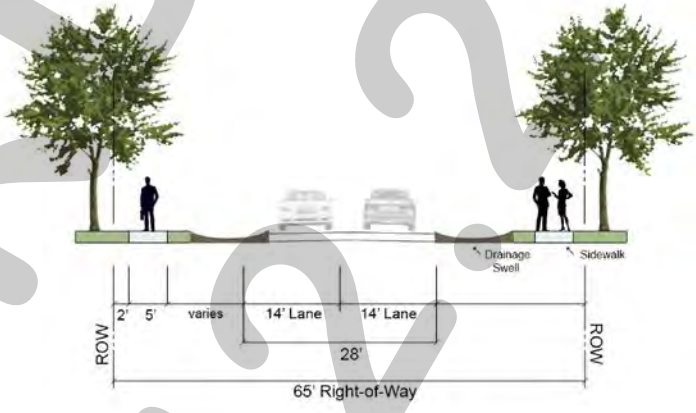
DRAFT ORDINANCE 12.21.2015

Street Type: Rural Local

Rural Local 2 lane undivided roadway

- 65' Right-of-way
- No on-street parking
- 30 MPH Design Speed
- No curb and gutter





DRAFT ORDINANCE 12.21.2015

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Brad Griggs, *Assistant City Manager*

FROM: Ryan Miller, *Director of Planning and Zoning*

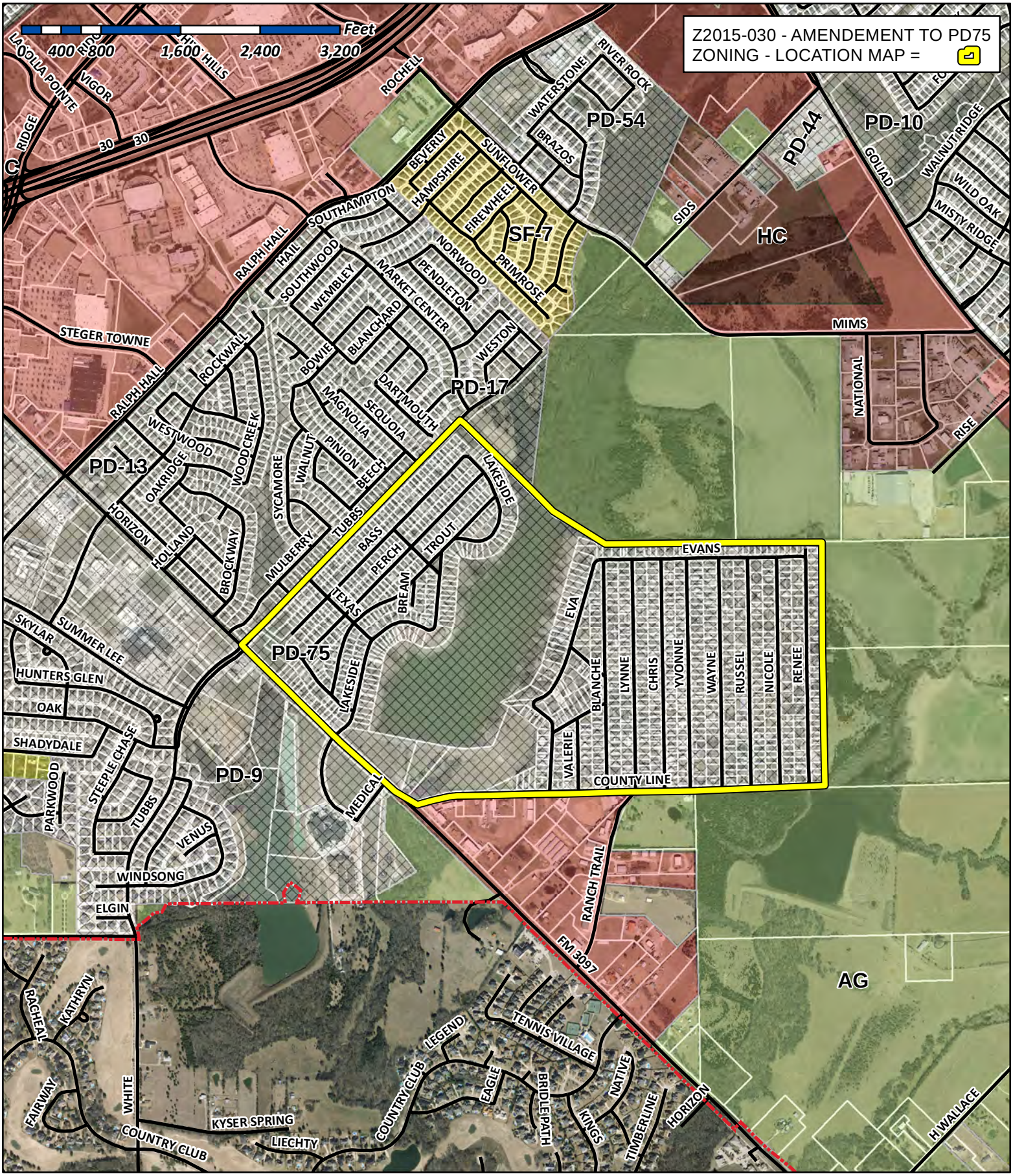
DATE: December 21, 2015

SUBJECT: Z2015-030; *Amendment to PD-75*

On October 14, 2015, the City Council directed staff to amend Planned Development District 75 (PD-75) for the purpose of removing the language within Section C, *Consideration of Special Requests*, of *Exhibit 'C'* of the ordinance that allows Council to approve land use without a public hearing. This section states, "(s)uch requests [*special requests*] may include, but not necessarily be limited to, the use of building materials not otherwise allowed, *authorization of specific land uses not otherwise allowed*, or other requests submitted for consideration." As directed, staff has prepared an ordinance reflecting the requested changes. In addition, staff took this opportunity to clear up some inconsistencies within the ordinance and update the concept plan. With this being said, the only changes in the standards or requirements prepared for this ordinance are those requested by the City Council.

On November 20, 2015, staff mailed 1,541 notices in *English* and *Spanish* to property owners and residents within 500-feet of the subject property. Staff also emailed notices to the Lynden Park, Fox Chase and Rainbow Lakes Homeowner's Associations (HOA's), which are the only HOA's located within 1,500 feet of the subject property. Additionally, staff posted a sign along County Line Road, and advertised the public hearings in the Rockwall Harold Banner as required by the Unified Development Code (UDC). At the time this case memo was drafted staff had received 11 responses. Four (4) of these responses stated opposition to the amendment and seven (7) responses stated they were in favor of the amendment; however, two (2) of the opposition responses appeared to be in favor of the request based on the content contained in the returned notices. *All responses have been provided in the attached packet.*

On December 8, 2015, the Planning and Zoning Commission held a public hearing on the proposed zoning amendment. After deliberation, the Commission voted 7-0 to recommend approval. Contained within this packet are copies of the current Planned Development District 75 (PD-75) ordinance, the draft ordinance and the memorandum provided to the City Council that initiated this zoning change. Additionally, staff has provided all returned property owner notifications and email responses for the Planning and Zoning Commission and City Council's review. *Staff will be available at the meeting to answer any questions over the proposed ordinance.*



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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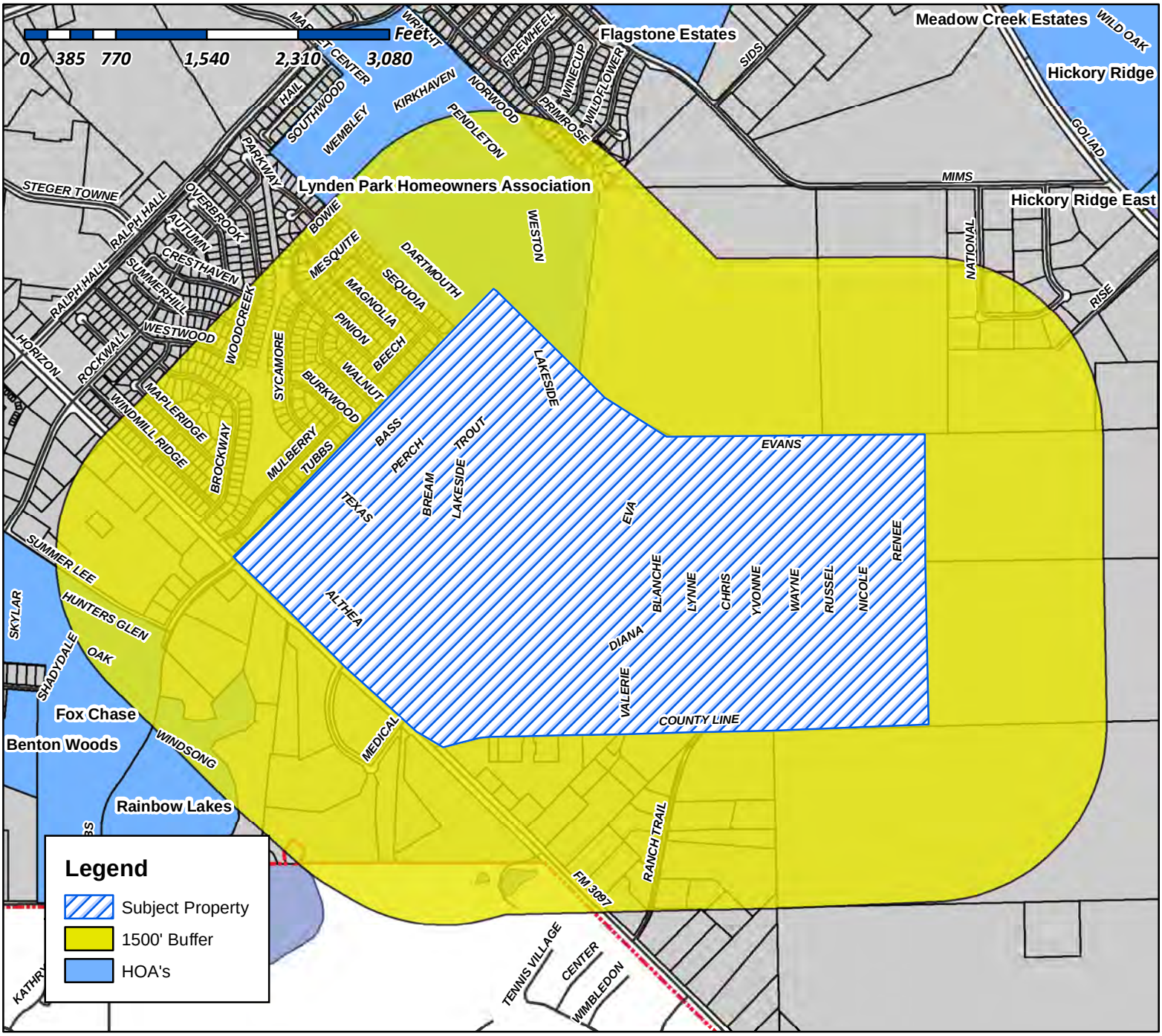
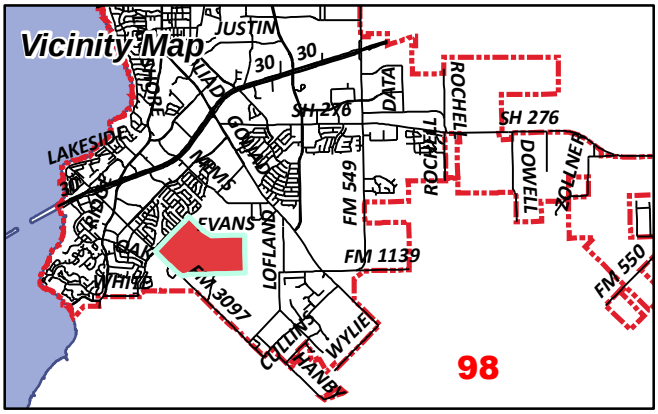


Case Number: Z2015-030
Case Name: Amendment to PD-75
Case Type: Zoning
Zoning: PD-75 For Residential
Case Address: Lake Rockwall Estates



Date Created: 10/26/2015
For Questions on this Case Call (972) 771-7745

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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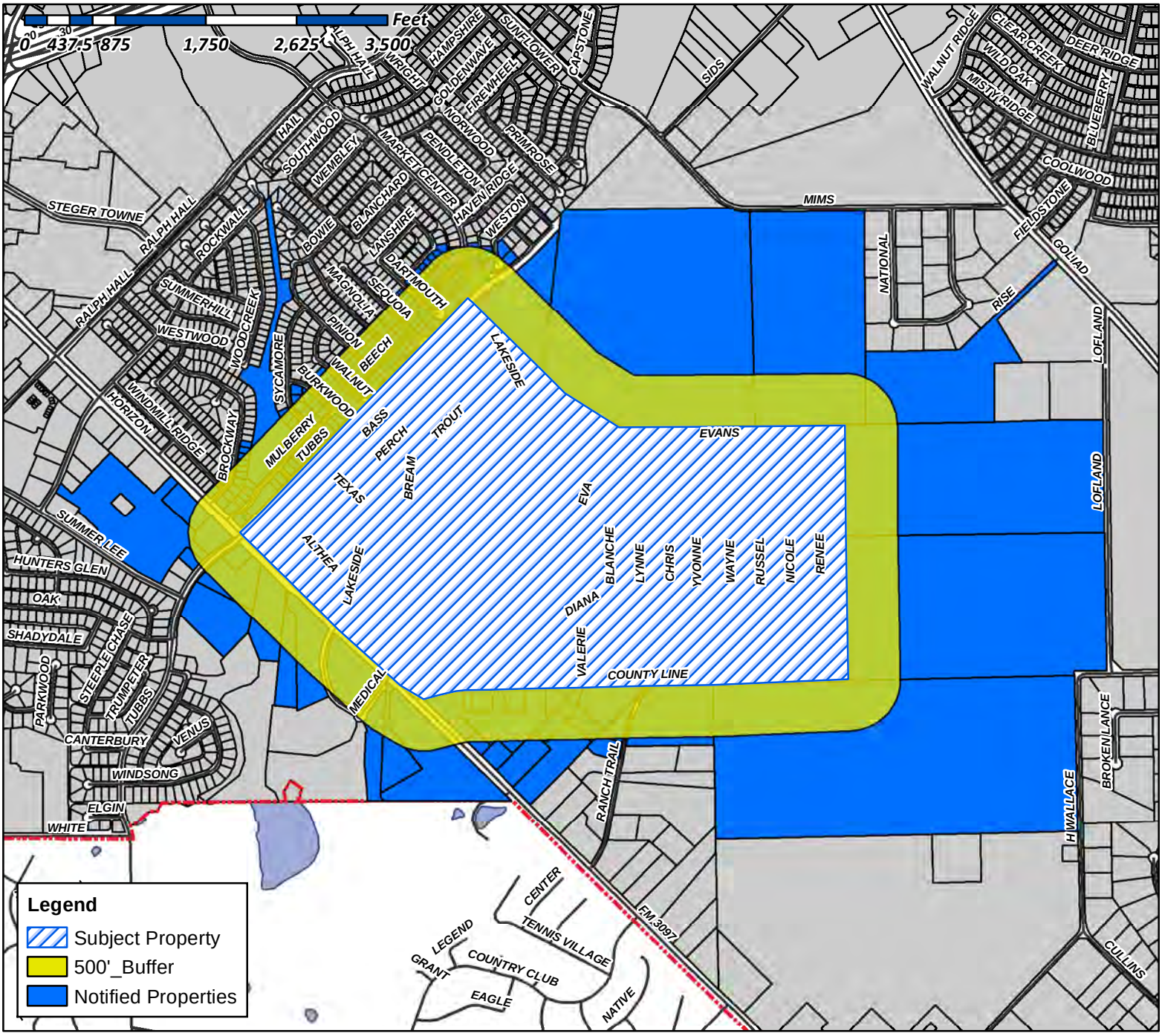
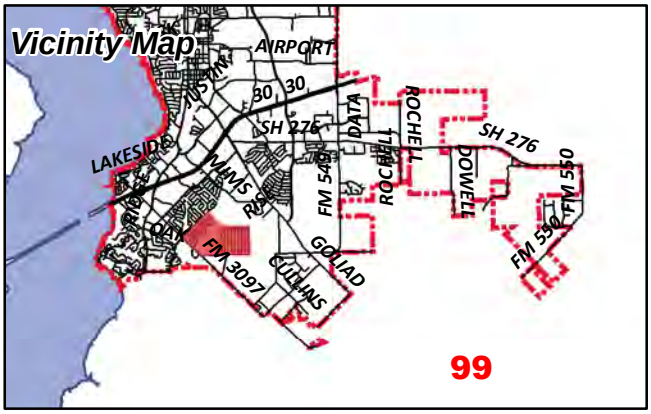


Case Number: Z2015-030
Case Name: Amendment to PD-75
Case Type: Zoning
Zoning: What is the Proposed Zoning
Case Address: Lake Rockwall Estates

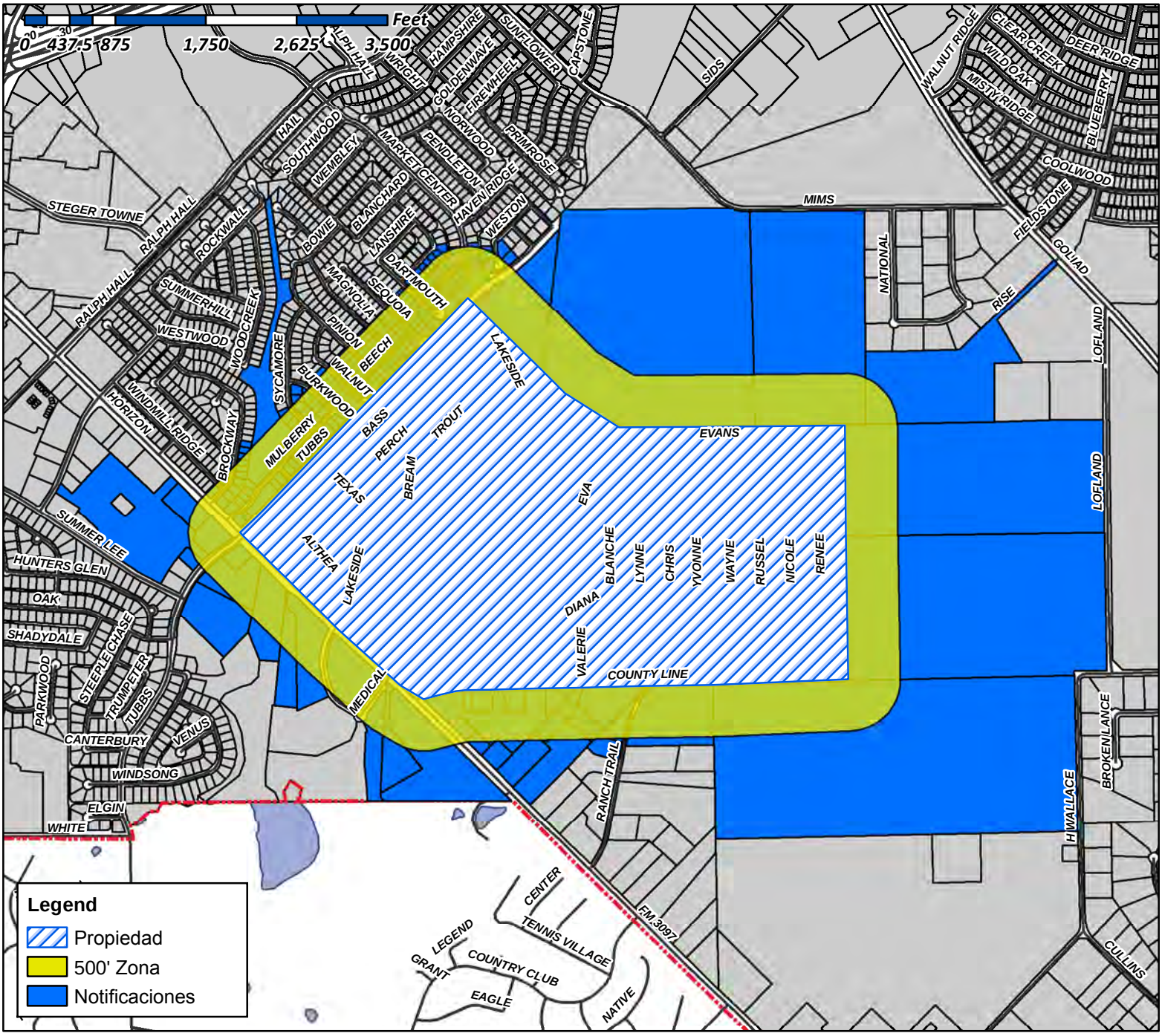


Date Created: --/--/2015
For Questions on this Case Call (972) 771-7745

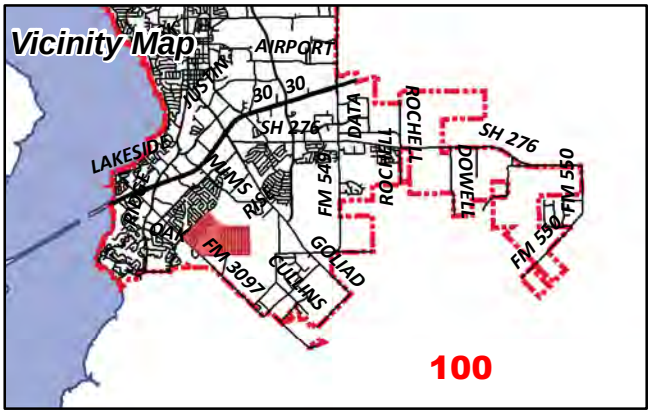
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

La Ciudad de Rockwall mapas de GIS continualmente estan bajo desarollo y por lo tanto sujeto a cambios sin notificacion. Mientras que nos esforzamos para proveer precisa informacion, no hacemos garantias. La Ciudad de Rockwall no ofrece garantia, expresada o implicada, incluyendo garantias de un proposito en particular. Uso de la informacion es la exclusiva responsabilidad del usador.



Num de Caso: Z2015-030
Nom de Caso: Enmiendas a PD-75
Tipo de Caso: Zonificacion
Zonificacion: PD-75
Direccion: Lake Rockwall Estates



Fecha Creada: *11/12/2015*
Preguntas sobre el caso llame a (972) 771-7745

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2015-030: Amendements to PD-75

Hold a public hearing to discuss and consider a City initiated request for the approval of a zoning amendment to Planned Development District 75 (PD-75) being Ordinance No. 09-37, containing 329.53-acres of land, identified as the Lake Rockwall Estates Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses, being situated east of Tubbs Road and north of County Line Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 12/8/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 12/21/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **12/21/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2015-030: Amendements to PD-75

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

A quien le interese:
Usted queda notificado que la Ciudad de Rockwall Planificación y la Comisión de Zonificación y el Ayuntamiento tendrá en cuenta la siguiente aplicación:
Caso No. Z2015-030: Enmiendas de PD-75

Habrá una Junta Pública para discutir y considerar un inicio de la Ciudad de una solicitud para la aprobación de una emendación de zonificación al Distrito de Desarrollo de Planificación de la 75 (PD-75) es la Ordenanza Nº 09-37, que contiene 329.53 acres de tierra, identificados como Lake Rockwall Estates, Ciudad de Rockwall, el condado de Rockwall, Texas, divide en zonas de Planificación de Desarrollo del Distrito 75 (PD-75) para la División 7 (SF-7) usos de la tierra Distrito, siendo este situada en Tubbs Road y al norte de County Line Road, y tomar cualquier medidas necesarias.

Para el fin de examinar los efectos de tal solicitud, la Comisión de Planificación y Zonificación llevará a cabo una Junta Pública el Martes, 12/08/2015 a las 6:00 pm, y el Ayuntamiento llevará a cabo una audiencia pública el lunes, 12 / 21/2015 a las 6:00 pm. Estas audiencias se llevarán a cabo en la Cámara del Concejo Municipal en el Ayuntamiento, 385 S. Goliad Street.

Como dueño de la propiedad interesado, se le invita a asistir a estas reuniones. Si prefiere expresar sus pensamientos por escrito por favor devuelva el formulario a:

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

También puede enviar sus comentarios al Departamento de Urbanismo a planning@rockwall.com. Si opta por enviar por correo electrónico al Departamento de Urbanismo por favor incluya su nombre y dirección.

Sus comentarios deber ser recibidos para la fecha de **12/21/2015** para asegurarse de que se incluyan en la información.

Atentamente,

Ryan Miller, AICP
Director de Planificación Y Zonificación

MÁS INFORMACION SOBRE ESTE CASO SE ENCUENTRA EN EL SITIO DE WEB DE LA CIUDAD: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Numero de Caso. Z2015-030: Enmiendas de PD-75

Por favor, coloque una marca en la línea correspondiente a continuación:

☐ Estoy a favor de la solicitud por las razones que se indican a continuación.

☐ Me opongo a la solicitud por las razones que figuran a continuación.

Nombre:	
Direccion:	

Tex. Loc. Gov. Código, Sec. 211.006 (d) Si un proyecto de modificación de un reglamento o de límite se protestó de conformidad con este inciso, el cambio propuesto debe recibir, con el fin de tomar efecto, el voto afirmativo de al menos tres cuartas partes de todos los miembros del cuerpo gobernante. La protesta debe estar escrita y firmada por los titulares de al menos el 20 por ciento de: (1) la superficie de los lotes o terrenos cubiertos por el cambio propuesto; o (2) la superficie de los lotes o terrenos inmediatamente adyacentes a la zona cubierta por el cambio propuesto y que se extienden a 200 pies de esa zona.

POR FAVOR VEA EL MAPA DE PROPIEDAD EN CUESTION ATRAS DE NOTIFICACION

SMARTT LOFLAND & BOND
1 CARMARTHEN CT
DALLAS, TX 75225

LOFLAND N L EST
1 CARMARTHEN CT
DALLAS, TX 75225

PAREDES JULIO E & BLANCA A
10 INDIAN TRL
ROCKWALL, TX 75087

HOLLAND STEVEN & NAOMI
100 BROOKSHORE DRIVE
ROCKWALL, TX 75032

PERDOMO WILFREDO
100 EVANS RD
ROCKWALL, TX 75032

DEUBLE DARREN
100 SEQUOIA RD
ROCKWALL, TX 75032

PUENTES VICENTE
1006 DOVE DRIVE
GARLAND, TX 75040

CURRENT RESIDENT
101 BROCKWAY DR
ROCKWALL, TX 75032

CURRENT RESIDENT
101 MAPLERIDGE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
101 WINDMILL RIDGE DR
ROCKWALL, TX 75032

FREENEY MARIA
101 WALNUT LN
ROCKWALL, TX 75032

MOULTON JENNIFER DEE
101 WINDMILL RIDGE DR
ROCKWALL, TX 75032

THELWELL LINDA
1013 BLACKBERRY TRL
LANCASTER, TX 75134

FUENTES MARIA E
102 MULBERRY LN
ROCKWALL, TX 75032

TRI NGOC VU &
102 WINDMILL RIDGE DR
ROCKWALL, TX 75032

VALDEZ JOSE G
10296 CR 2440
ROYSE CITY, TX 75189

CURRENT RESIDENT
103 ALTHEA RD
ROCKWALL, TX 75032

PARNELL TOMMY
103 BROCKWAY DR
ROCKWALL, TX 75032

YORK WILLIAM
104 SEQUOIA RD
ROCKWALL, TX 75032

SILVA BERTHA
1041 E FM 552
ROCKWALL, TX 75087

BEAVERS DAIQUIONA K
105 BROCKWAY DR
ROCKWALL, TX 75032

JDS & BHK PROPERTY MANAGEMENT FIRM LP
105 CLIPPER COURT
ROCKWALL, TX 75032

VICMAR I LTD &
105 KAUFMAN ST
ROCKWALL, TX 75087

RYDER MICHAEL B
105 MULBERRY LN
ROCKWALL, TX 75032

MOSELEY CYNTHIA SUE
105 WALNUT LN
ROCKWALL, TX 75032

GONZALES JOSE & INES
1059 LOCAL VISTA DR
DALLAS, TX 75217

CURRENT RESIDENT
106 EVANS RD
ROCKWALL, TX 75032

ORTIZ ADAN AND ANA
107 BROCKWAY DR
ROCKWALL, TX 75032

CURRENT RESIDENT
108 MAGNOLIA LN
ROCKWALL, TX 75032

CURRENT RESIDENT
108 WALNUT LN
ROCKWALL, TX 75032

103

SHARING SMILS LLC
108 ALTHEA RD
ROCKWALL, TX 75032

BARRON MARTHA L &
108 E RUSK ST
ROCKWALL, TX 75087

ZIMMERMAN ALFRED
108 PINION LN
ROCKWALL, TX 75032

CABALLERO JOSUE E
108 SEQUOIA RD
ROCKWALL, TX 75032

CURRENT RESIDENT
109 BLANCHE DR
ROCKWALL, TX 75032

WEDDLE JOHN
109 BROCKWAY DR
ROCKWALL, TX 75032

HERREROS ANTELMO &
109 DIANA DR
ROCKWALL, TX 75032

FIDLER DEAN &
109 MAGNOLIA LN
ROCKWALL, TX 75032

MIMS RUSSELL T
109 PINION LN
ROCKWALL, TX 75032

BLOOM STAN & CAM THI
109 RUTHERFORD DR
ROCKWALL, TX 75032

MILEK MAGDALENA
109 SEQUOIA ROAD
ROCKWALL, TX 75032

SALAS ALBERTO R & ADELA A
109 VALERIE PL
ROCKWALL, TX 75032

WITHROW DEBRA LYNN
109 WALNUT LN
ROCKWALL, TX 75032

FRITTS BOBBY & KIMBERLY A
109 WESTON CT
ROCKWALL, TX 75032

WHITE CURTIS C
10902 BARBAROSA DR
DALLAS, TX 75228

DELIZ CRYSTAL D
110 MAYWOOD DRIVE
ROCKWALL, TX 75032

ARCHIBALD L D & CARLA R REVOCABLE
1100 SW MCKINNEY ST
RICE, TX 75155

CURRENT RESIDENT
111 BREAM DR
ROCKWALL, TX 75032

CURRENT RESIDENT
111 NICOLE DR
ROCKWALL, TX 75032

KERR NICHOLAS H &
111 BROCKWAY DR
ROCKWALL, TX 75032

HOPKINS TAYLOR M
111 RUTHERFORD DRIVE
ROCKWALL, TX 75032

HUCK AMBER L
111 TROUT ST
ROCKWALL, TX 75032

CURRENT RESIDENT
112 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
112 WALNUT LN
ROCKWALL, TX 75032

ESTRADA GLORIA
112 MAGNOLIA LN
ROCKWALL, TX 75032

TATE ANTHONY R
112 MAYWOOD DR
ROCKWALL, TX 75032

SHEA MARY ANN
112 PINION LN
ROCKWALL, TX 75032

LAZANAS KOSTAS AND HOLLY MURDOCK
112 SEQUOIA RD
ROCKWALL, TX 75032

VICK KIMBERLY D & TRACY W
112 WESTON CT
ROCKWALL, TX 75032

MUNOZ LOURDES
1120 SILVERTHORN CT
MESQUITE, TX 75150

CURRENT RESIDENT
113 SEQUOIA RD
ROCKWALL, TX 75032

HEFFERNAN JOHN R
113 BROCKWAY DR
ROCKWALL, TX 75032

POPE MARGARET COLLEEN & LARRY N
113 MAGNOLIA LANE
ROCKWALL, TX 75032

SLAGLE JANET D
113 PINION LN
ROCKWALL, TX 75032

ASBERRY BRANDON C & DAMALI B
113 RUTHERFORD DR
ROCKWALL, TX 75032

GARZA JOHNNY J
113 SUNVIEW ST
SUNNYVALE, TX 75182

LAWSON DEBORAH L
113 WALNUT LN
ROCKWALL, TX 75032

CURRENT RESIDENT
114 EVANS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
114 MAYWOOD DR
ROCKWALL, TX 75032

MOORMAN DUSTIN AND IVONNE
114 RUTHERFORD DR
ROCKWALL, TX 75032

GAMBOA SOCORRO
114 W RIDGEWOOD DR
GARLAND, TX 75041

CURRENT RESIDENT
115 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
115 EVA PL
ROCKWALL, TX 75032

CURRENT RESIDENT
115 MULBERRY LN
ROCKWALL, TX 75032

CURRENT RESIDENT
115 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
115 WAYNE DR
ROCKWALL, TX 75032

WALLACE MARCUS
115 BROCKWAY DR
ROCKWALL, TX 75032

DIAZ CARLOS O &
115 RUSSELL DR
ROCKWALL, TX 75032

LO CHAYRA & JUDY LAM
115 RUTHERFORD DR
ROCKWALL, TX 75032

MODERN PYRAMIDS INC
11551 FOREST CENTRAL DRIVE #230
DALLAS, TX 75243

CURRENT RESIDENT
116 MAGNOLIA LN
ROCKWALL, TX 75032

CURRENT RESIDENT
116 NICOLE
ROCKWALL, TX 75032

CURRENT RESIDENT
116 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
116 SEQUOIA RD
ROCKWALL, TX 75032

ESCOBAR WILLIAM A
116 LAKESIDE DR
ROCKWALL, TX 75032

FRAIRE GABRIEL J
116 MAYWOOD
ROCKWALL, TX 75032

ORLICEK ERIC
116 PINION LN
ROCKWALL, TX 75032

LO TIENKHAM
116 RUTHERFORD DR
ROCKWALL, TX 75032

CROSS DARRELL LEE & PRISSY
116 WALNUT LN
ROCKWALL, TX 75032

BOOTH DAVID
11655 CADDO CREEK DR
LAVON, TX 77429

NAVA GUILLERMO & ELOY
1167 SMITH ACRES DR
ROYSE CITY, TX 75189

NAVA ANA L
1167 SMITH ACRES DR
ROYSE CITY, TX 75189

TEEL TROY M & KERI A
117 BROCKWAY DR
ROCKWALL, TX 75032

PHILLIPS CHARLES S AND BOBBY J
117 MAGNOLIA LN
ROCKWALL, TX 75032

THOMAS JIMMY B & FLOR L
117 PINION LN
ROCKWALL, TX 75032

CLARK ERIC DWAYNE & PATRICIA D
117 RUTHERFORD DR
ROCKWALL, TX 75032

SMITH WALTER M JR & NITA J
117 SEQUOIA RD
ROCKWALL, TX 75032

SEPEDA FELIBERTO J & GUADALUPE
117 WALNUT LN
ROCKWALL, TX 75032

MINOR JIMMY
117 WESTON CT
ROCKWALL, TX 75032

CURRENT RESIDENT
118 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
118 RENEE DR
ROCKWALL, TX 75032

ESCOBAR SERGIO & ANABEL
118 ALTHEA RD
ROCKWALL, TX 75032

POSTON RACHEL R & MICHEAL S
118 MAYWOOD
ROCKWALL, TX 75032

BROWN ALLENDOR & MICHELLE D
118 RUTHERFORD DR
ROCKWALL, TX 75032

BAEK JOON AND KYUNGHEE K
11871 TOPAZ CIR
GARDEN GROVE, CA 92845

CHAPELA AARON
1188 YVONNE DR
ROCKWALL, TX 75032

SPAIN JOSHUA
119 BROCKWAY DR
ROCKWALL, TX 75032

ENRIQUEZ LAURO & FRANSICA
119 RUTHERFORD DR
ROCKWALL, TX 75032

CURRENT RESIDENT
120 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
120 MAGNOLIA LN
ROCKWALL, TX 75032

SAMMIS FLEETWOOD & MELONIE
120 MAYWOOD
ROCKWALL, TX 75032

PHAM HIEN T
120 PINION LN
ROCKWALL, TX 75032

SUMRAK BENJAMIN J & MAEGEN L
120 SEQUOIA RD
ROCKWALL, TX 75032

FILIC VINKO & VERONIKA
120 WALNUT LN
ROCKWALL, TX 75032

OLIVARES JAIME B & MARTINA G
1209 QUAIL DR
GARLAND, TX 75040

CURRENT RESIDENT
121 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
121 MAGNOLIA LN
ROCKWALL, TX 75032

CURRENT RESIDENT
121 PINION LN
ROCKWALL, TX 75032

CURRENT RESIDENT
121 SEQUOIA RD
ROCKWALL, TX 75032

CURRENT RESIDENT
121 WALNUT LN
ROCKWALL, TX 75032

BELT JACKIE
121 MULBERRY LN
ROCKWALL, TX 75032

LEE RYAN SEOKIN
121 RUTHERFORD DRIVE
ROCKWALL, TX 75032

LEON RICHARD GILBERT AND
121 WESTON COURT
ROCKWALL, TX 75032

PARTIDA EDUARDO A AND IRMA
121 YVONNE DR
ROCKWALL, TX 75032

MACHUCA VIDAL
1218 HIGH COUNTRY DR
GARLAND, TX 75041

MACHUCA VIDAL
1218 HIGH COUNTRY DR
GARLAND, TX 75041

CURRENT RESIDENT
122 MAYWOOD DR
ROCKWALL, TX 75032

SANCHEZ DOMINGO
1221 MAPLE DRIVE
GARLAND, TX 75040

CURRENT RESIDENT
123 BREAM DR
ROCKWALL, TX 75032

CURRENT RESIDENT
123 TROUT RD
ROCKWALL, TX 75032

JACKSON DALE E
123 RUTHERFORD DR
ROCKWALL, TX 75032

FERNANDEZ URBANO ALVARADOO &
1235 VZ COUNTY ROAD 3425
WILLS POINT, TX 75169

CURRENT RESIDENT
124 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
124 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
124 YVONNE DR
ROCKWALL, TX 75032

GRIFFIN FRANCES E AND RONALD LEE CRUMLEY
124 BEAM DR
ROCKWALL, TX 75032

GRIZZEL ROYCE LEE JR
124 EVA PLACE
ROCKWALL, TX 75032

GALICIA VANESSA
124 HARKER TRAIL
ROCKWALL, TX 75087

DOUGHERTY TONY WILLIAM AND NANCY ANN
124 MAGNOLIA LN
ROCKWALL, TX 75032

O'FARRIELL FREDDY E & JUDY L
124 PIION LN
ROCKWALL, TX 75032

STONE WILLIAM G
124 SEQUOIA RD
ROCKWALL, TX 75032

CURRENT RESIDENT
125 WAYNE DR
ROCKWALL, TX 75032

RANGEL ADELA
125 CHRIS DR
ROCKWALL, TX 75032

BROWN GREGORY A
125 MAGNOLIA LN
ROCKWALL, TX 75032

VASQUEZ FRANSISCO
125 NICOLE DR
ROCKWALL, TX 75032

LADNIER DALE L & JULIA M
125 PINION LN
ROCKWALL, TX 75032

RASA GABRIEL N & MARIA C
125 SEQUOIA RD
ROCKWALL, TX 75032

ROSALES SILVIA BLANCO AND
125 WALNUT LANE
ROCKWALL, TX 75032

CURRENT RESIDENT
126 DONALD DR
ROCKWALL, TX 75032

CURRENT RESIDENT
126 WESTON CT
ROCKWALL, TX 75032

ALLMANN CHRISSY J
126 WESTON CT
ROCKWALL, TX 75032

SMITH MARLYS
12680 HILLCREST RD 3104
DALLAS, TX 75230

CURRENT RESIDENT
127 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
127 RENEE DR
ROCKWALL, TX 75032

TYRELL ROBERT & KATHY
127 BASS RD
ROCKWALL, TX 75032

HERNANDEZ ERIKA
127 MULBERRY LN
ROCKWALL, TX 75032

HERNANDEZ SESAR M & MARTA P
127 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
128 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
128 RUSSELL DR
ROCKWALL, TX 75032

JIMENEZ FELIX & FELICTAS
128 ALTHEA RD
ROCKWALL, TX 75032

MARICH GARY C
128 SEQUOIA ROAD
ROCKWALL, TX 75032

CURRENT RESIDENT
129 WALNUT LN
ROCKWALL, TX 75032

CURRENT RESIDENT
130 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
130 RENEE DR
ROCKWALL, TX 75032

COOPER CAROLYN &
130 PERCH RD
ROCKWALL, TX 75032

QUINTANILLA MARIA
13021 VALLEY FORGE CIR
BALCH SPRINGS, TX 75180

HOSEY JERRIE
131 LYNNE DR
ROCKWALL, TX 75032

CHAPMAN SUSAN
131 MULBERRY LN
ROCKWALL, TX 75032

CURRENT RESIDENT
132 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
132 WAYNE DR
ROCKWALL, TX 75032

SALAZAR JOSE & MARIA E
132 ALTHEA RD
ROCKWALL, TX 75032

MENDEZ GLORIA
132 PINION LN
ROCKWALL, TX 75032

PAVON MARISOL
132 VALERIE PL
ROCKWALL, TX 75032

CURRENT RESIDENT
133 ALTHEA RD
ROCKWALL, TX 75032

CURRENT RESIDENT
133 RUSSELL DR
ROCKWALL, TX 75032

GARZA GABRIELA J
133 BREAM DR
ROCKWALL, TX 75032

MORRIS AUBREY KEITH
133 DONALD DR
ROCKWALL, TX 75032

MOORE KAROL LYN
133 LAMAR AVE
PARIS, TX 75460

HERNANDEZ SONIA BETANCOURT
134 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
135 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
135 EVA PL
ROCKWALL, TX 75032

CURRENT RESIDENT
135 TROUT RD
ROCKWALL, TX 75032

CURRENT RESIDENT
136 DIANA
ROCKWALL, TX 75032

CURRENT RESIDENT
137 NICOLE DR
ROCKWALL, TX 75032

MALDONADO DAVID G & MARIBEL
137 TEXAS ST
ROCKWALL, TX 75032

MOONEY GERALD M & JEWELL F REV LIV TR
137 VALERIE PL
ROCKWALL, TX 75032

CURRENT RESIDENT
139 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
139 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
140 EVANS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
140 TROUT RD
ROCKWALL, TX 75032

SANCHEZ ROSA &
140 CHRIS DR
ROCKWALL, TX 75032

IBARRA MATEO CASTRO
140 NICOLE DR
ROCKWALL, TX 75032

GUEVARA JOSE E & MARIS
140 OVERBROOK DR
ROCKWALL, TX 75032

HOLGUIN CECILIA
140 YVONNE DRIVE
ROCKWALL, TX 75032

HURT JOHN D & LARA V
1406 E NORTH MCDONALD
MCKINNEY, TX 75071

YIM STEVE K AND ELLA K
1407 LANDSFORD DR
ALLEN, TX 75013

CURRENT RESIDENT
141 BASS RD
ROCKWALL, TX 75032

TAYLOR MARGOE
141 PERCH RD
ROCKWALL, TX 75032

JONES CHARLES WILLARD
141 YVONNE DR
ROCKWALL, TX 75032

CASANOVA JOEL
1413 BUENA VISTA STREET
MESQUITE, TX 75149

JOSEPH SABU & ANITAH
1413 SHADOW BROOK TRL
GARLAND, TX 75043

CURRENT RESIDENT
142 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
142 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
142 RUSSELL DR
ROCKWALL, TX 75032

GUZMAN LUIS & YOLANDA
142 ALTHEA RD
ROCKWALL, TX 75032

CONTRERAS JOSE A
142 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1421 RENEE DR
ROCKWALL, TX 75032

HEUMAN JEREMY L & MICHELLE A
1425 HAVENROCK DR
FORNEY, TX 75126

CURRENT RESIDENT
143 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
143 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
143 WAYNE DR
ROCKWALL, TX 75032

SCHMIDT NADA G & WILLIAM A III
143 BREAM DR
ROCKWALL, TX 75032

CURRENT RESIDENT
144 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
144 MULBERRY LN
ROCKWALL, TX 75032

MARKWELL THOMAS C
144 LYNNE DR
ROCKWALL, TX 75032

MARKWELL THOMAS C
144 LYNNE DR
ROCKWALL, TX 75032

WATSON LANCE & LAUREN
144 OXFORD DR
ROCKWALL, TX 75032

MARTINEZ PERLA
145 DONALD DR
ROCKWALL, TX 75087

BETETA RUTH E
1452 GREENBROOK DR
ROCKWALL, TX 75032

CURRENT RESIDENT
146 EVA
ROCKWALL, TX 75032

CURRENT RESIDENT
147 EVA PL
ROCKWALL, TX 75032

CURRENT RESIDENT
147 TROUT RD
ROCKWALL, TX 75032

ALMARAZ JUAN V DIAZ
147 CHRIS LANE
ROCKWALL, TX 75032

OSORNIO ARTURO AND JENNIFER GUEVARA
147 TROUT
ROCKWALL, TX 75032

GUERARA JEANIFFER
147 TROUT
ROCKWALL, TX 75032

VAN BIBBER LILIANA
1470 S JOHN KING BLVD #3302
ROCKWALL, TX 75032

CURRENT RESIDENT
148 BREAM DR
ROCKWALL, TX 75032

VALDEZ MARY ESTHER
148 VALERIE PL
ROCKWALL, TX 75032

CURRENT RESIDENT
149 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
149 NICOLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
149 VALERIE PL
ROCKWALL, TX 75032

VARGAS RICARDO
149 BLANCHE DR
ROCKWALL, TX 75032

ORTIZ REFUGIO & LINDA
150 CHRIS DR
ROCKWALL, TX 75032

ALLEN VIRGINIA D
150 MULBERRY LN
ROCKWALL, TX 75032

NG ANTHONY AND CHIEN-FENG JOANNE YEH
1509 DIMMIT DR
CARROLLTON, TX 75010

CURRENT RESIDENT
151 BASS RD
ROCKWALL, TX 75032

HERRERA ROBERT & XCENIA MAURICE
151 BREAM DR
ROCKWALL, TX 75032

CASTILLO ARTURO & VICTORIA
151 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
152 ALTHEA RD
ROCKWALL, TX 75032

CURRENT RESIDENT
152 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
152 NICOLE DR
ROCKWALL, TX 75032

PEREZ JOSE D & MARIA M
152 PERCH RD
ROCKWALL, TX 75032

BT APOLLO ONE LLC
1530 P B LANE #S4158
WICHITA FALLS, TX 76302

BT INDEPENDENCE TWO LLC
1530 PB LANE S 415B
WICHITA FALLS, TX 76302

CURRENT RESIDENT
154 EVA PL
ROCKWALL, TX 75032

CURRENT RESIDENT
154 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
154 RENEE DR
ROCKWALL, TX 75032

ROMAN JAIME A & MA GUADALUPE SANDOVAL
154 DIANA DR
ROCKWALL, TX 75032

MARQUEZ FELIX C
154 RUSSELL DR
ROCKWALL, TX 75032

ALVARADO JOSE A
154 TROUT ST
ROCKWALL, TX 75032

CURRENT RESIDENT
155 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
155 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
156 BLANCHE DR
ROCKWALL, TX 75032

VAZQUEZ RAMON LOPEZ
156 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
157 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
157 WAYNE DR
ROCKWALL, TX 75032

HAUGHTON MIKE AND NANCY C
157 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
158 TEXAS AVE
ROCKWALL, TX 75032

CURRENT RESIDENT
158 WAYNE DR
ROCKWALL, TX 75032

RODRIGUEZ YUNIOR ARROYO
158 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
159 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
159 NICOLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
159 VALERIE PL
ROCKWALL, TX 75032

MORALES RAMIRO JR
159 EVA PLACE
ROCKWALL, TX 75032

MCCONNELL MICHELLE
159 TEXAS AVE
ROCKWALL, TX 75032

FIDGER BRIAN
1592 NORTH HILLS DR
ROCKWALL, TX 75087

VARGAS ANTONIO NAVARRO & MUNDO
ESPERANZA ANDRADE
160 EVANS RD
ROCKWALL, TX 75032

DURAN ROCIO
160 VALERIE PL
ROCKWALL, TX 75032

ZAVALA HUMBERTO & IMELDA
160 YVONNE DR
ROCKWALL, TX 75032

PEARSON MARILYN
1606 WILLOW CREST DR
RICHARDSON, TX 75081

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REX HISE ENTERPRISES INC
1612 J AVE
PLANO, TX 75074

ESPINOSA MATIAS A
162 CR 3320
GREENVILLE, TX 75402

HERNANDEZ EFRAIN MARTINEZ
162 DIANA DR
ROCKWALL, TX 75032

GRAY DOROTHY M
162 DONALD DR
ROCKWALL, TX 75032

DEL RIO ALBERTO & MONICA
162 EVA PL
ROCKWALL, TX 75032

VASQUEZ JESUS AND ROSA
162 RENEE DR
ROCKWALL, TX 75032

VASQUEZ JESUS AND ROSA
162 RENEE DR
ROCKWALL, TX 75032

ANAYA FRANCISCO & GABRIELA
1627 HICKORY TREE RD
BALCH SPRINGS, TX 75180

CURRENT RESIDENT
163 BLANCHE DR
ROCKWALL, TX 75032

AGUILLON JOSE L & ARTEMISA
163 BASS RD
ROCKWALL, TX 75032

MORENO FABIOLA
163 DONALD
ROCKWALL, TX 75032

BAUTISTA FRANCISCO GAMEZ AND MARIA DE
LOS ANGELES ELIAS-GAMEZ
163 PERCH ST
ROCKWALL, TX 75032

JARAMILLO VERONICA
163 TROUT ST
ROCKWALL, TX 75032

CURRENT RESIDENT
164 ALTHEA RD
ROCKWALL, TX 75032

CURRENT RESIDENT
164 NICOLE DR
ROCKWALL, TX 75032

FAEDER ADAM S
164 LYNNE DRIVE
ROCKWALL, TX 75032

CURRENT RESIDENT
165 LAKESIDE DR
ROCKWALL, TX 75032

MARTINEZ JOSE G
165 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
166 TROUT RD
ROCKWALL, TX 75032

FABELA GERRADO &
166 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
167 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
167 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
167 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
168 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
168 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
168 VALERIE PL
ROCKWALL, TX 75032

PEDRAZA FRANCISCO JAVIER AND
168 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
169 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
170 EVANS RD
ROCKWALL, TX 75032

LOZANO ISIDRO & GLORIA
1705 HIGHMEADOW DRIVE
GARLAND, TX 75040

CURRENT RESIDENT
171 NICOLE DR
ROCKWALL, TX 75032

HERNANDEZ ARTURO OSORINO AND
171 CRAWFORD LANE
ROYSE CITY, TX 75189

IBARRA GABRIELA AND
171 CRAWFORD LN
ROYSE CITY, TX 75189

CURRENT RESIDENT
172 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
172 VALERIE PL
ROCKWALL, TX 75032

CURRENT RESIDENT
172 WAYNE DR
ROCKWALL, TX 75032

WOLFORD BILLY E & KATHY
172 EVA PL
ROCKWALL, TX 75032

CURRENT RESIDENT
173 DONALD DR
ROCKWALL, TX 75032

CURRENT RESIDENT
173 EVA PL
ROCKWALL, TX 75032

CARRILLO JORGE
173 CHRIS DR
ROCKWALL, TX 75032

BAMFO GEORGE A & DONNA
173 TROUT ST
ROCKWALL, TX 75032

CURRENT RESIDENT
174 TROUT DR
ROCKWALL, TX 75032

ESPINOSA DAVID
174 LAKESIDE DR
ROCKWALL, TX 75032

AGUILLON JOSE SANTOS ETUX
175 BASS RD
ROCKWALL, TX 75032

GOMEZ ALEJANDRO
175 BLANCHE DR
ROCKWALL, TX 75032

LOC PHU AND VINCENT TONG
175 VALERIE PL
ROCKWALL, TX 75032

CURRENT RESIDENT
176 DIANA
ROCKWALL, TX 75032

CURRENT RESIDENT
176 NICOLE DR
ROCKWALL, TX 75032

MCCREARY LARRY &
176 ALTHEA RD
ROCKWALL, TX 75032

MEJIA JULIO & MARIA
176 RENEE DR
ROCKWALL, TX 75032

MEJIA JULIO & MARIA
176 RENEE DR
ROCKWALL, TX 75032

DAY J F ETUX
177 ALTHEA RD
ROCKWALL, TX 75032

BROWN BILLY F ET UX
177 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
178 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
178 VALERIE PL
ROCKWALL, TX 75032

PALACIOS ARIEL
178 LYNNE DR
ROCKWALL, TX 75032

MAZARIEGOS EDGAR A
178 VALERIE PL
ROCKWALL, TX 75032

DETWEILER RICHARD P AND SHANGTING
17839 BENCHMARK DR
DALLAS, TX 75252

CURRENT RESIDENT
179 LYNNE DR
ROCKWALL, TX 75032

SPLAWN GEORGE M
179 LAKESIDE DR
ROCKWALL, TX 75032

113

MORTON ROBERT
1794 COUNTY ROAD 175
GARY, TX 75643

HERREROS BERTOLDO
180 EVANS RD
ROCKWALL, TX 75032

RODRIGUEZ GREGORIO & MARIA
180 PERCH RD
ROCKWALL, TX 75032

ALCALA GUADALUPE R
180 TROUT
ROCKWALL, TX 75032

5543 FM3097 LLC
1809 BRISTOL LANE
ROCKWALL, TX 75032

CURRENT RESIDENT
181 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
181 RUSSELL DR
ROCKWALL, TX 75032

JIMENEZ ALMA RODRIGUEZ
181 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
182 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
182 RUSSELL DR
ROCKWALL, TX 75032

MONTELONGO MOISES
1829 SOUTH GLENBROOK DR #79
GARLAND, TX 75040

CURRENT RESIDENT
183 BASS RD
ROCKWALL, TX 75032

HERNANDEZ FELICITAS
183 NICOLE DR
ROCKWALL, TX 75032

YANEZ FERNANDO AND
183 YVONNE
ROCKWALL, TX 75032

CURRENT RESIDENT
184 LILLIAN DR
ROCKWALL, TX 75032

CURRENT RESIDENT
185 BLANCHE DR
ROCKWALL, TX 75032

GONZALEZ JOSE CRESCENCIO
185 BLANCHE DR
ROCKWALL, TX 75032

RODRIGUEZ EDUARDO S & CONSUELO
185 TROUT ST
ROCKWALL, TX 75032

PONDER KENNETH G & ELMA R
1850 ASHBOURNE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
186 CHRIS DR
ROCKWALL, TX 75032

SILVA MARIA
186 EVA PL
ROCKWALL, TX 75032

UC JOSE LUIS & GELLY DEL R
186 NICOLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
187 VALERIE PL
ROCKWALL, TX 75032

ORTEGA RUBEN
187 EVA PL
ROCKWALL, TX 75032

RETANA JOSE L
187 LYNNE DR
ROCKWALL, TX 75032

ABRAHAM EMMANUEL
187 MUSTANG DR
SUNNYVALE, TX 75182

CURRENT RESIDENT
188 ALTHEA RD
ROCKWALL, TX 75032

TAMEZ JAVIER A & CLARA
188 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
189 ALTHEA RD
ROCKWALL, TX 75032

CURRENT RESIDENT
189 LAKESIDE DR
ROCKWALL, TX 75032

114

FABELA MARIA
189 PERCH RD
ROCKWALL, TX 75032

TAPIA-MORENO MARIA LAURA
190 BLANCHE DR
ROCKWALL, TX 75032

BK HOUSING
190 E STACY ROAD 0
ALLEN, TX 75002

SANCHEZ ALEJANDRO &
190 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
191 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
192 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
192 VALERIE PL
ROCKWALL, TX 75032

BARILLAS ANA
192 PERCH RD
ROCKWALL, TX 75032

AVILA LUZ MARIA
1924 DEVONSHIRE
GARLAND, TX 75041

CURRENT RESIDENT
193 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
193 TROUT RD
ROCKWALL, TX 75032

PIERCE RICHARD A
193 BASS RD
ROCKWALL, TX 75032

SMITH MICHAEL & CATHERINE
193 RUSSELL DR
ROCKWALL, TX 75032

GUNDERSON MEREDITH & AARON
1936 ROSE CT
GRAPEVINE, TX 76051

CURRENT RESIDENT
194 SUNFISH
ROCKWALL, TX 75032

CURRENT RESIDENT
194 TROUT RD
ROCKWALL, TX 75032

MONGELLI ROBERT ANTHONY
194 DIANA DR
ROCKWALL, TX 75032

RAMIREZ MIGUEL
194 LAKESIDE DR
ROCKWALL, TX 75032

CARMONA JOSE
194 RENEE DRIVE
ROCKWALL, TX 75032

CURRENT RESIDENT
195 NICOLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
195 WAYNE DR
ROCKWALL, TX 75032

GARCIA JOSE
195 BLANCHE DR
ROCKWALL, TX 75032

BARRON BENICIO
195 ROSEMARIE DR
LEBANON, OH 45036

PETERSON JOSEPH M & NANCY E
1957 WILD STAR WAY
CASTLE ROCK, CO 80104

CURRENT RESIDENT
196 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
196 NICOLE DR
ROCKWALL, TX 75032

HERREROS BERTOLDO
196 EVANS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
197 EVA PL
ROCKWALL, TX 75032

CURRENT RESIDENT
198 EVA PL
ROCKWALL, TX 75032

CURRENT RESIDENT
198 RUSSELL DR
ROCKWALL, TX 75032

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CURRENT RESIDENT
199 ALTHEA RD
ROCKWALL, TX 75032

CURRENT RESIDENT
199 LAKESIDE DR
ROCKWALL, TX 75032

MELENDEZ HOPE
199 DIANA DR
ROCKWALL, TX 75032

CANADY JERRY ANN
199 VALERIE PL
ROCKWALL, TX 75032

SPICER ALLEN RAY ESTATE
199 VALERIE PL
ROCKWALL, TX 75032

BELEW THOMAS E & ETAL
2 NORMAN TRL
ROCKWALL, TX 75087

THOMPSON WILLIAM R ETUX
20 CALLE DEL SOL
SAN JUAN, PR 00901

CURRENT RESIDENT
201 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
201 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
201 YVONNE DR
ROCKWALL, TX 75032

AGUILLON JOSE LUIS &
201 BASS RD
ROCKWALL, TX 75032

YANEZ JUAN
201 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
202 MULBERRY LN
ROCKWALL, TX 75032

ARROYO MARGARITO &
202 BLANCHE DR
ROCKWALL, TX 75032

MALDONADO FIDEL SR
202 LAKESIDE DR
ROCKWALL, TX 75032

TOVAR JUAN
202 VALERIE PL
ROCKWALL, TX 75032

BALDERAS JOSE G
2027 MIDLAKE LN
ROCKWALL, TX 75032

CURRENT RESIDENT
203 CHRIS DR
ROCKWALL, TX 75032

WILSON JAMES F & ROBERTA B J
203 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
204 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
204 DIANA
ROCKWALL, TX 75032

CURRENT RESIDENT
204 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
204 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
204 WAYNE DR
ROCKWALL, TX 75032

CRUZ IGNACIO MARTINEZ
204 LYNNE DR
ROCKWALL, TX 75032

MEDINA MARIA V
204 YVONNE
ROCKWALL, TX 75032

DEGNER CLINT
2040 STEVENS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
205 TROUT RD
ROCKWALL, TX 75032

MILLER MICHAEL & MELODIE
20576 FM 2755
ROYSE CITY, TX 75189

CURRENT RESIDENT
207 NICOLE DR
ROCKWALL, TX 75032

116

CURRENT RESIDENT
207 TEXAS AVE
ROCKWALL, TX 75032

BREWER ROYCE L & LAXIE A
207 GLENN AVE
ROCKWALL, TX 75087

VASQUEZ SEVERINO V & M CRISTINA
207 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
208 ALTHEA RD
ROCKWALL, TX 75032

CURRENT RESIDENT
208 NICOLE DR
ROCKWALL, TX 75032

MAKELKE JOHN L & LORIE A
208 DARTMOUTH DR
ROCKWALL, TX 75032

SLAYTON TODD
208 MULBERRY LN
ROCKWALL, TX 75032

ADAMS JAMES & DEBBIE
208 SUMMIT RIDGE DR
ROCKWALL, TX 75087

LOPEZ JOSE & MARIA
208 TEXAS AVE
ROCKWALL, TX 75032

BLACKWELL GRACILU
208 TROUT STREET
ROCKWALL, TX 75032

AGUILLON PABLO & JULIA
2080 GARRISON DR
ROCKWALL, TX 75032

CURRENT RESIDENT
209 EVA PL
ROCKWALL, TX 75032

CURRENT RESIDENT
209 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
209 RUSSELL DR
ROCKWALL, TX 75032

URBINA ARACELI C
209 BLANCHE DR
ROCKWALL, TX 75032

TAJI ARASH
209 MULBERRY LANE
ROCKWALL, TX 75032

CURRENT RESIDENT
210 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
210 BURKWOOD DR
ROCKWALL, TX 75032

CURRENT RESIDENT
210 DARTMOUTH DR
ROCKWALL, TX 75032

CURRENT RESIDENT
210 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
211 ALTHEA RD
ROCKWALL, TX 75032

CURRENT RESIDENT
211 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
211 WAYNE DR
ROCKWALL, TX 75032

HUGHES RONALD J & MELANIE D
211 BURKWOOD DR
ROCKWALL, TX 75032

BRASWELL MARVIN T
211 DARTMOUTH DRIVE
ROCKWALL, TX 75032

CURRENT RESIDENT
212 DARTMOUTH DR
ROCKWALL, TX 75032

CURRENT RESIDENT
212 VALERIE PL
ROCKWALL, TX 75032

CRUZ MARIA L
212 LYNNE DR
ROCKWALL, TX 75032

GALLEGOS JOSE GUADALUPE
212 LYNNE DR
ROCKWALL, TX 75032

GERANT NANCY
212 MULBERRY LN
ROCKWALL, TX 75032

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CURRENT RESIDENT
213 MULBERRY LN
ROCKWALL, TX 75032

BALDERAS LEANDRO & LAURA
213 CHRIS DR
ROCKWALL, TX 75032

LOPEZ IRMA SOLARES
213 DARTMOUTH DR
ROCKWALL, TX 75032

CURRENT RESIDENT
214 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
214 DIANA
ROCKWALL, TX 75032

CURRENT RESIDENT
214 EVA PL
ROCKWALL, TX 75032

HINCE MARCELLA A
214 BASS RD
ROCKWALL, TX 75032

HAMBRICK TIA T
214 BURKWOOD DR
ROCKWALL, TX 75032

RAMIREZ ARACELI & GABRIEL
214 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
215 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
215 TROUT RD
ROCKWALL, TX 75032

CURRENT RESIDENT
215 YVONNE DR
ROCKWALL, TX 75032

BREWER JOSHUA & JILL
215 DARTMOUTH DR
ROCKWALL, TX 75032

MURPHY KIM
215 LAKEVIEW DR
ROCKWALL, TX 75087

CURRENT RESIDENT
216 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
216 WAYNE DR
ROCKWALL, TX 75032

DANIELS PATSY R
216 MULBERRY LANE
ROCKWALL, TX 75032

HOPFAUF RICK
216 SUNFISH RD
ROCKWALL, TX 75032

HOPFAUF RICK
216 SUNFISH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
217 DARTMOUTH DR
ROCKWALL, TX 75032

CURRENT RESIDENT
217 MULBERRY LN
ROCKWALL, TX 75032

ESPINOZA MARISOL
217 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
218 BURKWOOD DR
ROCKWALL, TX 75032

CURRENT RESIDENT
218 LAKESIDE DR
ROCKWALL, TX 75032

MEJIA JOEL & EMMA HERRERA & JOEL MEJIA JR
218 LAKESIDE DR
ROCKWALL, TX 75032

DAVID B RENO II & PATRICIA J RENO REVOCABLE
LIVING TRUST
218 RUSSELL DRIVE
ROCKWALL, TX 75032

LEATHERS TIMOTHY M & HARRIET F
218 TANYA DR
ROCKWALL, TX 75087

CURRENT RESIDENT
219 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
219 BURKWOOD DR
ROCKWALL, TX 75032

CURRENT RESIDENT
219 DARTMOUTH DR
ROCKWALL, TX 75032

118

RUIZ JOSE C
219 VALERIE PL
ROCKWALL, TX 75032

CURRENT RESIDENT
220 ALTHEA RD
ROCKWALL, TX 75032

CURRENT RESIDENT
220 VALERIE PL
ROCKWALL, TX 75032

ORELLANA JUAN C & MARICELA
220 CRAWFORD LN
ROYSE CITY, TX 75189

RODRIGUEZ ROMAN
220 EVANS RD
ROCKWALL, TX 75032

PALMER JACOB
220 MULBERRY LN
ROCKWALL, TX 75032

PROCK CHARLES A AND EVELYN
2205 FALLSVIEW DR
ROCKWALL, TX 75087

SHAFFER LAURA H &
221 DARTMOUTH DR
ROCKWALL, TX 75032

TARVIS HEATHER
221 MULBERRY LN
ROCKWALL, TX 75032

CARMONA JOEL
221 NICOLE DR
ROCKWALL, TX 75032

TREJO CECILLIO
221 RENEE
ROCKWALL, TX 75032

CURRENT RESIDENT
222 NICOLE DR
ROCKWALL, TX 75032

FINLEY DAN M & CANDACE E
222 BURKWOOD DRIVE
ROCKWALL, TX 75032

SMITH WALTER M JR & NITA J
222 ROBINS LN
SEAGOVILLE, TX 75159

CURRENT RESIDENT
223 BURKWOOD DR
ROCKWALL, TX 75032

CURRENT RESIDENT
223 DARTMOUTH DR
ROCKWALL, TX 75032

CURRENT RESIDENT
223 RUSSELL DR
ROCKWALL, TX 75032

KNIGHT SHARON LEE & DALE KNIGHT
223 ALTHEA RD
ROCKWALL, TX 75032

CLINE JEFF
223 MCKINNEY TRL
ROCKWALL, TX 75087

CURRENT RESIDENT
224 MULBERRY LN
ROCKWALL, TX 75032

MAZARIEGOS ROMULO & ESTELA
224 YVONNE
ROCKWALL, TX 75032

CURRENT RESIDENT
225 DARTMOUTH DR
ROCKWALL, TX 75032

CURRENT RESIDENT
225 LYNNE DR
ROCKWALL, TX 75032

NEXTEL PARTS & SUPPLIES INC
2255 RIDGE ROAD 0
ROCKWALL, TX 75087

CURRENT RESIDENT
226 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
226 WAYNE DR
ROCKWALL, TX 75032

CLARY PATRICIA A
226 BURKWOOD DR
ROCKWALL, TX 75032

CURRENT RESIDENT
227 TROUT RD
ROCKWALL, TX 75032

CURRENT RESIDENT
227 WAYNE DR
ROCKWALL, TX 75032

ROSSING RYAN B AND KENDRA L LIGHT-
227 BURKWOOD DR
ROCKWALL, TX 75032

119

WHITE LILA P
227 TROUT ST
ROCKWALL, TX 75032

KENDALL LEAH T
227 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
228 EVA PL
ROCKWALL, TX 75032

CURRENT RESIDENT
228 MULBERRY LN
ROCKWALL, TX 75032

CURRENT RESIDENT
228 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
229 VALERIE PL
ROCKWALL, TX 75032

GUTIERREZ JOSE G & ANGELA A
229 BLANCHE DR
ROCKWALL, TX 75032

GUADALUPE JOSE AND
229 BLANCHE DR
ROCKWALL, TX 75032

PARKER KYLE
229 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
230 RENEE DR
ROCKWALL, TX 75032

GREEN JOHNNIE L
230 BURKWOOD DR
ROCKWALL, TX 75032

YANES MARIA TERESA
230 CHRIS DR
ROCKWALL, TX 75032

YANEZ MARIA TERESA
230 CHRIS DR
ROCKWALL, TX 75032

MALETIC PAUL
230 LAKESIDE DRIVE
ROCKWALL, TX 75032

PEREZ FERMIN
230 LYNNE DR
ROCKWALL, TX 75032

PEREZ FERMIN
230 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
231 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
231 TUBBS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
232 ALTHEA RD
ROCKWALL, TX 75032

ONOFREI CONSTANTIN
232 MULBERRY LANE
ROCKWALL, TX 75032

BUFFALO CREEK BUSINESS PARK LTD
2324 W INTERSTATE 30
ROYSE CITY, TX 75189

CURRENT RESIDENT
233 RENEE DR
ROCKWALL, TX 75032

UGALDE VICENTE R
234 BLANCHE DR
ROCKWALL, TX 75032

ROJAS MARCOS & ROSALINDA
234 EVANS RD
ROCKWALL, TX 75032

MORGAN MARTHA
234 PERCH
ROCKWALL, TX 75032

LORY MILLS LIVING TRUST AGREEMENT
23442 SW 57TH AVENUE 0
BOCA RATON, FL 33428

CURRENT RESIDENT
235 ALTHEA RD
ROCKWALL, TX 75032

CURRENT RESIDENT
235 COUNTY LINE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
235 NICOLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
235 RUSSELL DR
ROCKWALL, TX 75032

120

CARMONA MARTIN SALVADOR
235 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
236 WAYNE DR
ROCKWALL, TX 75032

WREN GWEN
236 MULBERRY LN
ROCKWALL, TX 75032

RAMIREZ MELESIO
236 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
238 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
238 EVA PL
ROCKWALL, TX 75032

CURRENT RESIDENT
238 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
238 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
239 TUBBS RD
ROCKWALL, TX 75032

CORCORAN RONALD E
239 LAKESIDE DR
ROCKWALL, TX 75032

GAMEZ BRIGIDO & MARIA NATALIA
240 BASS RD
ROCKWALL, TX 75032

LOCKLEY LEONA KINES
240 MULBERRY LN
ROCKWALL, TX 75032

VU THUY T
2405 ECHO CT
ROWLETT, TX 75088

MORENO IGNACIO & CRISPIN
241 TROUT ST
ROCKWALL, TX 75032

MARTINEZ RUTH A
2418 HILLGLENN RD
DALLAS, TX 75228

CURRENT RESIDENT
242 ALTHEA RD
ROCKWALL, TX 75032

CURRENT RESIDENT
242 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
242 LAKESIDE DR
ROCKWALL, TX 75032

MEJIA RAMIRO
244 EVANS RD
ROCKWALL, TX 75032

GUSTAFSON RUSSELL E
244 MULBERRY LN
ROCKWALL, TX 75032

CURRENT RESIDENT
245 RENEE DR
ROCKWALL, TX 75032

TOVAR LUISIHNO
245 ALTHEA RD
ROCKWALL, TX 75032

HERNANDEZ NESTOR AND
245 EVA PL
ROCKWALL, TX 75032

GLEENOR GLENN N
245 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
247 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
247 RUSSELL DR
ROCKWALL, TX 75032

GUARDIOLA GUADALUPE J
247 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
248 RUSSELL DR
ROCKWALL, TX 75032

ILAIWI ABDULALIM
248 MULBERRY LN
ROCKWALL, TX 75032

SANCHEZ PABLO
248 NICOLE DR
ROCKWALL, TX 75032

121

SMITH ROY
248 WAYNE DR
ROCKWALL, TX 75032

LINDOP N A JR
248 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
249 TUBBS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
249 YVONNE DR
ROCKWALL, TX 75032

CARMONA EVELIA
249 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
250 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
250 YVONNE DR
ROCKWALL, TX 75032

ESCOBAR AGUSTIN CESAR
250 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
251 LAKESIDE DR
ROCKWALL, TX 75032

ACOSTA JUVENTINO & MARIA
251 BASS RD
ROCKWALL, TX 75032

CERVANTES LUIS & ELSA
251 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
252 ALTHEA RD
ROCKWALL, TX 75032

TALKINGTON MICHAEL T & MARTHA
252 MULBERRY LN
ROCKWALL, TX 75032

CHEVEZ ERNESTO
252 PERCH RD
ROCKWALL, TX 75032

THREE STARS INVESTMENT GROUP INC
2524 RIVER OAKS LN
MESQUITE, TX 75150

CURRENT RESIDENT
253 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
254 EVA PL
ROCKWALL, TX 75032

CURRENT RESIDENT
254 RANCH TRL
ROCKWALL, TX 75032

CARRILLO DAVID & MARGARITA
254 LYNNE DR
ROCKWALL, TX 75032

GUIDRY CHRISTOPHER MARK
2540 WINCREST DR
ROCKWALL, TX 75032

NEVAREZ J DEL CARMEN & MARTINA
256 BASS RD
ROCKWALL, TX 75032

FLORES MARIA ELVA
256 LAKESIDE
ROCKWALL, TX 75032

CURRENT RESIDENT
257 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
257 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
259 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
259 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
260 BEECH DR
ROCKWALL, TX 75032

CURRENT RESIDENT
260 CHRIS DR
ROCKWALL, TX 75032

DODSON CHARLES & GLENDA
260 YVONNE DR
ROCKWALL, TX 75032

LOPEZ EZEQUIEL
261 TEXAS AVE
ROCKWALL, TX 75032

CHANTACA MAURICIO & IRMA
261 TUBBS RD
ROCKWALL, TX 75032

CHANTACA MAURICIO & IRMA
261 TUBBS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
262 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
262 NICOLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
262 RUSSELL DR
ROCKWALL, TX 75032

CRUZ DEBRA J
262 RENEE DR
ROCKWALL, TX 75032

CARMONA MIRIAM GUADALUPE SALAZAR
263 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
264 ALTHEA RD
ROCKWALL, TX 75032

CURRENT RESIDENT
264 WAYNE DR
ROCKWALL, TX 75032

ORTIZ CLAUDIO & JOSEFINA AVITIA
264 BASS RD
ROCKWALL, TX 75032

CODY DORIS F
264 BEECH DR
ROCKWALL, TX 75032

ODEN PROPERTIES LLC
2648 STONELEIGH CIR
RICHARDSON, TX 75080

CURRENT RESIDENT
265 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
265 LAKESIDE DR
ROCKWALL, TX 75032

ZAMARRIPA JOSE
265 ALTHEA RD
ROCKWALL, TX 75032

AYALA FRANCISCO & MARIA L
265 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
266 LYNNE DR
ROCKWALL, TX 75032

HUERTA JOSE AND MARIA
266 EVANS RD
ROCKWALL, TX 75032

AGUILAR IRMA
266 LAKESIDE DR
ROCKWALL, TX 75032

MAENLE AMANDA R
266 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
267 CHRIS DR
ROCKWALL, TX 75032

CARTER TINA DIANE
268 BEECH DR
ROCKWALL, TX 75032

CURRENT RESIDENT
269 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
269 RUSSELL DR
ROCKWALL, TX 75032

CHAVEZ JOSE I & NINFA
269 BASS RD
ROCKWALL, TX 75032

CHAVEZ JUAN & JUANA M
270 PERCH RD
ROCKWALL, TX 75032

LIKE JOCELYN
2702 W PAXTON AVE APT D
TAMPA, FL 33611

SANCHEZ JUAN A
2709 MCCUTCHEON LN
DALLAS, TX 75227

CURRENT RESIDENT
271 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
271 A&B PERCH
ROCKWALL, TX 75032

123

SORIANO JOSE H &
271 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
272 BEECH DR
ROCKWALL, TX 75032

CHEVEZ ANTONIO E
272 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
273 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
274 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
274 NICOLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
274 YVONNE DR
ROCKWALL, TX 75032

AGUILLON JOSE LUIS
274 BASS RD
ROCKWALL, TX 75032

GUEVARA ELIAS
274 EASTRIDGE DR
ROYSE CITY, TX 75189

ESCOBAR AURELIO
274 EVA PL
ROCKWALL, TX 75032

COWART JOYCE
274 WAYNE DR
ROCKWALL, TX 75032

MORENO RICARDO
275 CHRIS DR
ROCKWALL, TX 75032

ESPARZA MARCO & ANGELICA
275 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
276 BEECH DR
ROCKWALL, TX 75032

CURRENT RESIDENT
276 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
277 LAKESIDE DR
ROCKWALL, TX 75032

PHAM TUAN AND TUYEN
27755 MIGUEL VILLAGE DR
LAGUNA MIGUEL, CA 92677

WHITWORTH LEAH
278 LAKESIDE DR
ROCKWALL, TX 75032

RAMIREZ FELIPE ETUX
279 BASS RD
ROCKWALL, TX 75032

MATHIS CHARLES R & ANSLEY N
28 LAKEWAY DR
HEATH, TX 75032

CURRENT RESIDENT
280 EVA PL
ROCKWALL, TX 75032

HARRISON PATTY JONES AND CHAD
280 BEECH ST
ROCKWALL, TX 75032

CURRENT RESIDENT
281 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
281 YVONNE DR
ROCKWALL, TX 75032

CROWDER DAVID & LARI JANE JACKSON
281 BLANCHE DRIVE
ROCKWALL, TX 75032

KUBIS CINDY
281 N LARAMIE CIR
PILOT POINT, TX 76258

JONES JAMES H
281 TROUT ST
ROCKWALL, TX 75032

HERNANDEZ JOSE
282 PERCH RD
ROCKWALL, TX 75032

RIOS JOSE ANTONIO
2821 TEAKWOOD LN
PLANO, TX 75075

CURRENT RESIDENT
283 LYNNE DR
ROCKWALL, TX 75032

124

CURRENT RESIDENT
283 NICOLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
284 BEECH DR
ROCKWALL, TX 75032

JIMENEZ RICARDO & ALMA
2847 TANGLEGLEN DR
ROCKWALL, TX 75032

CURRENT RESIDENT
285 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
285 RUSSELL DR
ROCKWALL, TX 75032

MARTINEZ JOSE & ANA
285 TUBBS RD
ROCKWALL, TX 75032

RICO ANTONIO
286 YVONNE DR
ROCKWALL, TX 75032

SLEDGE PATTI RENE
287 CHRIS DR
ROCKWALL, TX 75032

SLEDGE PATTI R & JASON HAMILTON
287 CHRIS DR
ROCKWALL, TX 75032

T & B FAMILY LIMITED PARTNERSHIP
2879 LAGO VISTA DR
ROCKWALL, TX 75032

CURRENT RESIDENT
288 EVA PL
ROCKWALL, TX 75032

CURRENT RESIDENT
288 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
288 NICOLE
ROCKWALL, TX 75032

CURRENT RESIDENT
288 RENEE DR
ROCKWALL, TX 75032

SOMMERS KAREN LEE
288 BEECH DR
ROCKWALL, TX 75032

GRAY JAMES S & JEAN M
288 EVA PL
ROCKWALL, TX 75032

KELLY EDDY D & SHARON RENEE REV LIV TR
289 COUNTY LINE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
290 EVANS RD
ROCKWALL, TX 75032

ESPINOZA LUCIA O
290 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
291 RENEE DR
ROCKWALL, TX 75032

CARRILLO MIGUEL M SR
291 BASS RD
ROCKWALL, TX 75032

SMET KEITH & LISA
2911 NEWPORT DR
ROCKWALL, TX 75032

CURRENT RESIDENT
292 BASS RD
ROCKWALL, TX 75032

JONES JERRY B & LEONA F
292 BEECH DR
ROCKWALL, TX 75032

CHAPELA AARON JAIME
292 CHRIS DR
ROCKWALL, TX 75032

LOPEZ TERESA CARMONA
292 CHRIS DR
ROCKWALL, TX 75032

BUDLONG GARY C & PEGGY B P
2920 WINAM AVE
HONOLULU, HI 96816

CURRENT RESIDENT
2922 S HWY205
ROCKWALL, TX 75032

CURRENT RESIDENT
293 LAKESIDE DR
ROCKWALL, TX 75032

SOSA LORENA
293 NICOLE DR
ROCKWALL, TX 75032

125

MORENO SONIA E & CRISPIN
293 TROUT ST
ROCKWALL, TX 75032

QUEVEDO OSCAR F
293 YVONNE
ROCKWALL, TX 75032

CARMONA BLANCA CECILIA
293 YVONNE DR
ROCKWALL, TX 75032

HOUSTON-SCHWARTZ KAREN
2931 RIDGE RD #101-182
ROCKWALL, TX 75032

CURRENT RESIDENT
294 EVA PL
ROCKWALL, TX 75032

WHITE DAVID THOMAS
294 PERCH RD
ROCKWALL, TX 75032

MURRAY WILLIAM PETER
295 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
296 RUSSELL DR
ROCKWALL, TX 75032

TRAN LISA TRAM
296 BEECH DR
ROCKWALL, TX 75032

CURRENT RESIDENT
297 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
298 YVONNE DR
ROCKWALL, TX 75032

STANLEY JOAN
298 WAYNE DR
ROCKWALL, TX 75032

ANAYA RAUL & MARICZA
2982 S FM 551
ROYSE CITY, TX 75189

GREER RICHARD & MARLENE
299 CHRIS DR
ROCKWALL, TX 75032

GUERRERO JUAN
299 RUSSELL DR
ROCKWALL, TX 75032

SMITH ROBERT D
300 BEECH DR
ROCKWALL, TX 75032

PECKUMN DANIEL RAY
300 EVA PL
ROCKWALL, TX 75032

HERNANDEZ IRENE & MARGARITE HERNANDEZ
3000 CANTURA DR
MESQUITE, TX 75181

WHITE CESILY
301 BASS RD
ROCKWALL, TX 75032

RODRIGUEZ ANTONIO & LAURA
301 LYNNE DR
ROCKWALL, TX 75032

PILLOW JACK AND ODIETH
301 TROUT ST
ROCKWALL, TX 75032

CURRENT RESIDENT
302 EVANS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
302 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
302 NICOLE DR
ROCKWALL, TX 75032

FLEENOR STEVEN A
302 LAKESIDE DR
ROCKWALL, TX 75032

BARRON INOCENCIO & MARTHA
302 LYNNE DR
ROCKWALL, TX 75032

VALERIO JOSE E
3027 MASON DR
MESQUITE, TX 75150

CURRENT RESIDENT
303 RENEE DR
ROCKWALL, TX 75032

LOPEZ ROSA H
303 PERCH RD
ROCKWALL, TX 75032

HAYES JOSEPH & MARILYN
303 TUBBS RD
ROCKWALL, TX 75032

126

MACIEL JENNIFER E
303 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
304 BEECH DR
ROCKWALL, TX 75032

CURRENT RESIDENT
304 COUNTY LINE RD
ROCKWALL, TX 75032

VAZQUEZ JUAN MIGUEL & MARTHA PATRICIA
304 BLANCHE DR
ROCKWALL, TX 75032

POWELL CONNIE S
304 CARISSA COURT
MESQUITE, TX 75150

CONTRERAS JOSE AND CANDELARIA
304 CHRIS DR
ROCKWALL, TX 75032

ANDERSON TROY
3049 S COYOTE CANYON
MESA, AZ 85212

CURRENT RESIDENT
305 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
305 EVA PL
ROCKWALL, TX 75032

CURRENT RESIDENT
306 PERCH RD
ROCKWALL, TX 75032

AMH 2015-1 BORROWER LLC
30601 AGOURA RD 0
AGOURA HILLS, CA 91301

CURRENT RESIDENT
307 YVONNE DR
ROCKWALL, TX 75032

BARTELL RICKY J
307 ROCKBROOK DR
ROCKWALL, TX 75087

LOWE JAMES W
3074 WYNCHASE LN
CRANDALL, TX 75114

CURRENT RESIDENT
308 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
309 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
310 LYNNE DR
ROCKWALL, TX 75032

BALDERAS GREGORY
310 EVANS RD
ROCKWALL, TX 75032

ARCINIEGA D ODIN A
310 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
311 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
311 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
311 TROUT RD
ROCKWALL, TX 75032

CURRENT RESIDENT
312 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
312 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
312 RENEE DR
ROCKWALL, TX 75032

JIMENEZ RICARDO
312 NICOLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
313 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
314 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
315 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
315 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
315 LYNNE DR
ROCKWALL, TX 75032

GAMEZ EUSTOLIO & MARIA ELENA
315 TUBBS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
3150 HORIZON RD
ROCKWALL, TX 75032

CURRENT RESIDENT
316 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
316 LYNNE DR
ROCKWALL, TX 75032

MONTES MANUEL DIAZ
316 PERCH ROAD
ROCKWALL, TX 75032

CURRENT RESIDENT
3164 HORIZON RD
ROCKWALL, TX 75032

CURRENT RESIDENT
317 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
318 YVONNE DR
ROCKWALL, TX 75032

CORTEZ FIDELA
318 BASS RD
ROCKWALL, TX 75032

ESTATE OF WILLIAM K & BEATRICE BURNS
319 RENEE DR
ROCKWALL, TX 75032

SWENSEN SEVERIN K AND ELAINE M
3194 MARKET CENTER DR
ROCKWALL, TX 75032

RHODES SHELIA N
3195 MARKET CENTER DR
ROCKWALL, TX 75032

HICKS MICKEY L & GINA C
3196 MARKET CENTER DR
ROCKWALL, TX 75032

CURRENT RESIDENT
3198 MARKET CENTER DR
ROCKWALL, TX 75032

JOHNSTONE DANNA LEAH
3200 MARKET CENTER DR
ROCKWALL, TX 75032

PACHECO ARTURO JR &
3201 MARKET CENTER DR
ROCKWALL, TX 75032

ROWLAND CHRISTOPHER CARROLL
3205 MARKET CENTER DR
ROCKWALL, TX 75032

SETTIMI DAVID S AND DIANA STURGEON
3206 MARKET CENTER DR
ROCKWALL, TX 75032

ANGUIANO NICHOLE E
3209 MARKET CENTER DR
ROCKWALL, TX 75032

CURRENT RESIDENT
321 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
321 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
321 YVONNE DR
ROCKWALL, TX 75032

TORRES LUIS & TERESA HERNANDEZ
321 PANOLA CT
ROYSE CITY, TX 75189

FAIR TRAVIS
3213 WHATLEY DR
GARLAND, TX 75043

ACOSTA FABIAN AND GLADYS CELENE
QUINONEZ
322 EVANS RD
ROCKWALL, TX 75032

BENITES ROSA
322 NICOLE DR
ROCKWALL, TX 75032

SOLIS AUSTREBERTO
322 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
323 LAKESIDE DR
ROCKWALL, TX 75032

ALMAZAN LORENZO R & IRMA O SANTOS
323 PERCH RD
ROCKWALL, TX 75032

VIGIL TRINIDAD
323 TROUT ST
ROCKWALL, TX 75032

CURRENT RESIDENT
324 COUNTY LINE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
326 WAYNE DR
ROCKWALL, TX 75032

CONTRERAS JOSE H & CANDELARIA
326 LAKESIDE DR
ROCKWALL, TX 75032

ESTRADA GUSTAVO
326 PERCH RD
ROCKWALL, TX 75032

PATINO SYLVIA
326 WAYNE DRIVE
ROCKWALL, TX 75032

CURRENT RESIDENT
327 CHRIS DR
ROCKWALL, TX 75032

SHUEMAKER SHAREN
327 NICOLE DRIVE
ROCKWALL, TX 75032

GONZALEZ PABLO & MARIA D
327 TUBBS RD
ROCKWALL, TX 75032

CORTEZ MANUEL
328 BASS RD
ROCKWALL, TX 75032

PADRON CELSA
328 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
329 BASS RD
ROCKWALL, TX 75032

UC F JOSE FAUSTO
329 BLANCHE DR
ROCKWALL, TX 75032

BARRON HECTOR & LILIA
329 TROUT ST
ROCKWALL, TX 75032

CURRENT RESIDENT
330 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
330 RENEE DR
ROCKWALL, TX 75032

JIMENEZ RICARDO
330 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
331 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
331 YVONNE DR
ROCKWALL, TX 75032

JIZMEJIAN VARTAN
33171 ELISA DR
DANA POINT, CA 92629

CURRENT RESIDENT
332 COUNTY LINE RD
ROCKWALL, TX 75032

SILVA JUAN C
332 E LINDA LN
ROYSE CITY, TX 75189

QUEVEDO LUIS & FELIZA
3326 BURNING TREE LN
GARLAND, TX 75042

CHAVEZ IGNACIO
333 LYNNE DR
ROCKWALL, TX 75032

DSILVA MELAINE
3330 N GALLOWAY AVE 0
MESQUITE, TX 75150

CURRENT RESIDENT
334 RUSSELL DR
ROCKWALL, TX 75032

GODINEZ INOCENTE
334 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
335 RUSSELL DR
ROCKWALL, TX 75032

LONG TONY D & RUTH L
335 EVA PL
ROCKWALL, TX 75032

OSORNIO ARTURO
335 PERCH
ROCKWALL, TX 75032

RICHARDSON THOMAS C AND DANIELLE M
335 TROUT ST
ROCKWALL, TX 75032

CURRENT RESIDENT
336 NICOLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
337 CHRIS DR
ROCKWALL, TX 75032

ZALDIVAR CARLOS N
337 PERCH RD
ROCKWALL, TX 75032

WOODLAND WILLIAM
337 RENEE DR
ROCKWALL, TX 75032

STATON TANYA MICHELLE
337 TUBBS RD
ROCKWALL, TX 75032

KAO GEN FANG
3372 CAPE GEORGE RD
PORT TOWNSEND, WA 98368

SOSA LORENA
338 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
339 LAKESIDE DR
ROCKWALL, TX 75032

MOLINA MARLIN J & JAIME
340 YVONNE DR
ROCKWALL, TX 75032

CHANTACA EMILIANO & MARIA
341 BASS RD
ROCKWALL, TX 75032

ROUTH DAVID E & DIXIE F
342 LAKESIDE DR
ROCKWALL, TX 75032

SAAVEDRA SILVIA
343 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
344 COUNTY LINE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
345 PERCH RD
ROCKWALL, TX 75032

WILBURN RONALD J ET UX
345 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
346 RUSSELL DR
ROCKWALL, TX 75032

SILVA BERTHA & JORGE
346 PERCH RD
ROCKWALL, TX 75032

GUADARRAMA TARCICIO
346 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
347 RUSSELL DR
ROCKWALL, TX 75032

DIAZ JUAN
347 LYNNE
ROCKWALL, TX 75032

CURRENT RESIDENT
348 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
348 NICOLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
348 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
349 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
349 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
350 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
351 LAKESIDE DR
ROCKWALL, TX 75032

LOPEZ MAXIMINA CARRADA
3512 GALAXIE DR
GARLAND, TX 75041

ROE CHERRI L
352 LAKESIDE DR
ROCKWALL, TX 75032

130

MORENO SALVADOR
352 LYNNE DR
ROCKWALL, TX 75032

DIAZ FRANCISCO & MANUELA
352 WAYNE DR
ROCKWALL, TX 75032

DIAZ FRANCISCO & MANUELA
352 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
3520 HORIZON
ROCKWALL, TX 75032

CURRENT RESIDENT
353 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
353 NICOLE DR
ROCKWALL, TX 75032

CONTRERAS JOSE LUIS
353 CHRIS DR
ROCKWALL, TX 75032

CONTRERAS JUANA
353 CHRIS DR
ROCKWALL, TX 75032

FORTUNA FRANCISCO & LUISA
354 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
355 EVA
ROCKWALL, TX 75032

CURRENT RESIDENT
355 PERCH RD
ROCKWALL, TX 75032

ZUNIGA JEFFERY & ERIN K
355 TROUT ST
ROCKWALL, TX 75032

CURRENT RESIDENT
356 PERCH RD
ROCKWALL, TX 75032

MASK GRIFFIN MELVIN JR
357 TUBBS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
358 RUSSELL DR
ROCKWALL, TX 75032

RAMIREZ RAUL MEDINA
358 EVANS RD
ROCKWALL, TX 75032

RAMIRES RAUL
358 EVANS RD
ROCKWALL, TX 75032

DELEON JOE & JEAN
358 RENEE DR
ROCKWALL, TX 75032

RAMIREZ RAUL & TERESA
358 TROUT ST
ROCKWALL, TX 75032

CURRENT RESIDENT
359 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
359 RUSSELL DR
ROCKWALL, TX 75032

CONTRERAS NORMA
360 NICOLE DR
ROCKWALL, TX 75032

CONTRERAS NORMA
360 NICOLE DR
ROCKWALL, TX 75032

FALLS DAVID C & TERRI L
3608 LAKESIDE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
361 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
3615 FM3097
ROCKWALL, TX 75032

CURRENT RESIDENT
362 LYNNE DR
ROCKWALL, TX 75032

VELASCO GERARDO GRANADOS AND ADRIANA
ZAPATERO PUERTO
362 BASS RD
ROCKWALL, TX 75032

GALLEGOS MAURO & MARIA
362 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
363 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
363 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
363 RENEE DR
ROCKWALL, TX 75032

ACOSTA ENEDINA
364 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
365 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
365 PERCH RD
ROCKWALL, TX 75032

PALACIOS PEDRO & MARIA E
365 LYNNE DR
ROCKWALL, TX 75032

DELCASTILLO HUMBERTO
365 LYNNE DR
ROCKWALL, TX 75032

AGUILAR MARTHA
366 LAKESIDE DR
ROCKWALL, TX 75032

LIMON AMADOR & SEFENINA
366 TROUT ST
ROCKWALL, TX 75032

BRYANT JERRY LYNN
366 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
367 COUNTY LINE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
367 TUBBS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
370 RUSSELL DR
ROCKWALL, TX 75032

MALDONADO CARLOS & MARIA E
370 BASS RD
ROCKWALL, TX 75032

RUNNELS JESSIE & MAGGIE
370 EVA PL
ROCKWALL, TX 75032

CURRENT RESIDENT
371 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
371 WAYNE DR
ROCKWALL, TX 75032

MOLINA JOSE D & MARIA
371 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
372 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
372 NICOLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
372 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
373 YVONNE DR
ROCKWALL, TX 75032

RODRIGUEZ HERMAN & APRIL
373 BLANCHE DR
ROCKWALL, TX 75032

MCINTIRE JUANITA
373 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
375 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
375 EVA
ROCKWALL, TX 75032

MCLOUD JOY ANN
375 NICOLE DR
ROCKWALL, TX 75032

RAMIREZ RIGOBERTO
376 BLANCHE DR
ROCKWALL, TX 75032

RAMIREZ RIGOBERTO
376 BLANCHE DR
ROCKWALL, TX 75032

LUMPKINS JOHN E & STEPHANIE L
376 EVANS RD
ROCKWALL, TX 75032

SILVA MARIE CELIA
376 LAKESIDE DR
ROCKWALL, TX 75032

PALACIOS ROY & MARIA LUISA
376 TROUT ST
ROCKWALL, TX 75032

CURRENT RESIDENT
377 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
377 TUBBS RD
ROCKWALL, TX 75032

BARBA ERIC
377 PERCH RD
ROCKWALL, TX 75032

JOHNSON DAVID M & KIMBRLY D
3770 COUNTY ROAD 2526
ROYSE CITY, TX 75189

CURRENT RESIDENT
378 BASS RD
ROCKWALL, TX 75032

TOSCANO ANTONIA
378 LYNNE DR
ROCKWALL, TX 75032

MERRY JAMES
378 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
379 BASS RD
ROCKWALL, TX 75032

SILVA ESTELA
380 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
3804 SYCAMORE LN
ROCKWALL, TX 75032

CURRENT RESIDENT
381 RUSSELL DR
ROCKWALL, TX 75032

MARSH CYNTHIA & CODY
381 PERCH ROAD
ROCKWALL, TX 75032

CURRENT RESIDENT
3810 SYCAMORE LN
ROCKWALL, TX 75032

DEZEE GENENE H
3816 SYCAMORE LN
ROCKWALL, TX 75032

MACDONELL EMILY E
3817 SYCAMORE LANE
ROCKWALL, TX 75032

CURRENT RESIDENT
382 EVA
ROCKWALL, TX 75032

CURRENT RESIDENT
382 NICOLE
ROCKWALL, TX 75032

CURRENT RESIDENT
382 RUSSELL DR
ROCKWALL, TX 75032

CARRANZA ALEJANDRO & MARIA
382 PERCH RD
ROCKWALL, TX 75032

SUNBELT STAINLESS EQUIPMENT
382 RANCH TRL
ROCKWALL, TX 75032

MANZIEL DOROTHY JAYNE
3821 SYCAMORE LN
ROCKWALL, TX 75032

CURRENT RESIDENT
3822 SYCAMORE LN
ROCKWALL, TX 75032

CURRENT RESIDENT
3825 SYCAMORE LN
ROCKWALL, TX 75032

CURRENT RESIDENT
3826 SYCAMORE LN
ROCKWALL, TX 75032

PESINA ERIKA AND RYAN HUFFMAN
3829 SYCAMORE LN
ROCKWALL, TX 75032

CURRENT RESIDENT
383 EVA PL
ROCKWALL, TX 75032

JIMENEZ LUZ
383 LAKESIDE DR
ROCKWALL, TX 75032

CASTILLO JOSE
383 LAKESIDE DR
ROCKWALL, TX 75032

133

ARAIZA JOSE ENRIQUE
3830 SYCAMORE LN
ROCKWALL, TX 75032

AYCOCK JUSTIN LEE
3833 SYCAMORE LN
ROCKWALL, TX 75032

CURRENT RESIDENT
3835 FM3097
ROCKWALL, TX 75032

RAMIREZ PETRA & JOSE ARTURO
384 COUNTY LINE RD
ROCKWALL, TX 75032

ESTRADA SALVADOR A & MARIA I
384 TROUT STREET
ROCKWALL, TX 75032

CURRENT RESIDENT
385 WAYNE DR
ROCKWALL, TX 75032

ESPINOZA ROBERTO & MARIA
385 LYNNE DR
ROCKWALL, TX 75032

BROTZE MARGARET
385 YVONNE DR
ROCKWALL, TX 75032

BROTZE MARGARET
385 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
386 RENEE DR
ROCKWALL, TX 75032

GONZALEZ FRANCISCO J
386 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
387 BASS RD
ROCKWALL, TX 75032

SANCHEZ SANTIAGO & ANA
387 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
388 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
388 EVANS RD
ROCKWALL, TX 75032

MYHOMESTEAD PARTNERS LLC
388 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
3885 FM3097
ROCKWALL, TX 75032

CURRENT RESIDENT
389 BLANCHE DR
ROCKWALL, TX 75032

AYALA MARIA LETICIA
389 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
390 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
390 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
391 EVA
ROCKWALL, TX 75032

CURRENT RESIDENT
393 TUBBS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
3935 FM3097
ROCKWALL, TX 75032

LE THUY
394 PERCH RD
ROCKWALL, TX 75032

ESTRADA GERARDO & FRANCISCA
394 TROUT ST
ROCKWALL, TX 75032

BENITEZ JOSE C & MARIA H
394 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
395 RENEE DR
ROCKWALL, TX 75032

SANCHEZ ARNULFO AND ORALIA VARGAS
395 NICOLE DR
ROCKWALL, TX 75087

GUTIERREZ JAVIER
396 BASS RD
ROCKWALL, TX 75032

VENTURE EQUITY INVESTMENTS LLC
3968 CHELSEA WAY
CADDO MILLS, TX 75135

CARMONA JOSE ROBERTO
397 CHRIS DR
ROCKWALL, TX 75032

ORTEGA JOSE
397 CHRIS DR
ROCKWALL, TX 75032

CARMONA JOSE ROBERTO &
397 CHRIS DR
ROCKWALL, TX 75032

LOPEZ EUTIMIO
397 LAKESIDE DR
ROCKWALL, TX 75032

CARRILLO GERARDO
397 PERCH RD
ROCKWALL, TX 75032

SANCHEZ ARNULFO & ORALIA
398 NICOLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
3985 FM3097
ROCKWALL, TX 75032

BISHOP DENNIS AND SHANNON A
4 SHADY DALE LN
ROCKWALL, TX 75032

SANCHEZ JULIO & MAIRA
400 CHRIS DR
ROCKWALL, TX 75032

MEDRANO RUBEN & MARIA G CASTANEDA
400 EVA PL
ROCKWALL, TX 75032

MENDOZA FIDEL & ALEJANDRINA
400 EVANS RD
ROCKWALL, TX 75032

FLEENOR GLENN N
400 LAKESIDE DRIVE
ROCKWALL, TX 75032

CONTRERAS-AYALA JORGE
400 LYNNE
ROCKWALL, TX 75032

GUERRERO ALVARO AND
400 RENEE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
401 EVA
ROCKWALL, TX 75032

CURRENT RESIDENT
401 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
401 YVONNE DR
ROCKWALL, TX 75032

FRANKS SHERI DENISE
401 FOREST TRCE
ROCKWALL, TX 75087

VARGAS FRANCISCO
401 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
402 TROUT RD
ROCKWALL, TX 75032

ESQUIVEL DOLORES PALACIOS
402 RUSSELL DR
ROCKWALL, TX 75032

JARAMILLO JOSE ANTONIO
402 YVONNE DR
ROCKWALL, TX 75032

JARAMILLO JOSE A
402 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
405 TUBBS
ROCKWALL, TX 75032

GUEVARA JOSE E
405 BLANCHE DR
ROCKWALL, TX 75032

BIG LEAGUE SPORTS ACADEMY INC
405 CHATHAM ST
SUNNYVALE, TX 75182

CURRENT RESIDENT
406 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
406 EVANS RD
ROCKWALL, TX 75032

WILSON WILLIAM EDWIN ETUX
406 COACHLIGHT TRL
ROCKWALL, TX 75087

MARANDA MARCEL GENE
406 WAYNE DR
ROCKWALL, TX 75032

VANDERGRIFFT IRA E & MARY L
4065 FM 3097
ROCKWALL, TX 75032

CURRENT RESIDENT
407 RANCH TRAIL
ROCKWALL, TX 75032

CURRENT RESIDENT
408 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
408 NICOLE
ROCKWALL, TX 75032

CURRENT RESIDENT
409 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
410 LAKESIDE DR
ROCKWALL, TX 75032

ZAVALA JUANA HORTA
410 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
411 COUNTY LINE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
411 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
411 LYNNE DR
ROCKWALL, TX 75032

CARMONA JOSE ROBERTO
411 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
412 EVANS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
412 LYNNE DR
ROCKWALL, TX 75032

OLGUIN CIRILO
412 CHRIS DR
ROCKWALL, TX 75032

OLGUIN CIRILO
412 CHRIS DR
ROCKWALL, TX 75032

JACKSON PHYLLIS ELAINE
412 TROUT ST
ROCKWALL, TX 75032

CASTILLO SILVIA
4125 FM 3097
ROCKWALL, TX 75032

GONZALEZ FELIPE GOVEA
413 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
414 RENEE DR
ROCKWALL, TX 75032

VIGIL TRINIDAD
416 BASS RD
ROCKWALL, TX 75032

CARRILLO OMAR
416 BLANCHE DR
ROCKWALL, TX 75032

CRUZ JOSE AND
416 YVONNE DR
ROCKWALL, TX 75032

TREVINO STEVE & SCARLET
417 PERCH RD
ROCKWALL, TX 75032

GUEVAICIA GILDARDO
417 RUSSELL DR
ROCKWALL, TX 75032

KLEIN ELIZABETH C
4175 FM 3097
ROCKWALL, TX 75032

CURRENT RESIDENT
418 EVANS RD
ROCKWALL, TX 75032

GONZALEZ TOMAS
418 PERCH RD
ROCKWALL, TX 75087

CURRENT RESIDENT
419 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
419 LYNNE DR
ROCKWALL, TX 75032

CARMONA JOSEFINA CAMACHO
419 TUBBS
ROCKWALL, TX 75032

CAMACHO ALBERTO
419 TUBBS RD
ROCKWALL, TX 75032

RAMIREZ MARTIN
419 TUBBS RD
ROCKWALL, TX 75032

MERKEL ALMA INEZ
419 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
420 COUNTY LINE RD
ROCKWALL, TX 75032

DOMINGUEZ SALVADOR & DIANA
420 LYNNE DRIVE
ROCKWALL, TX 75032

MERKEL JAMES
420 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
421 CHRIS DR
ROCKWALL, TX 75032

DELGADO FRANCISCO PEREZ &
421 NICOLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
4215 FM3097
ROCKWALL, TX 75032

DRCE TRUST
4219 ASHMONT CT
DALLAS, TX 75287

RAOFPUR DAVID
4219 ASHMONT CT
DALLAS, TX 75287

CURRENT RESIDENT
422 EVA
ROCKWALL, TX 75032

CURRENT RESIDENT
422 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
422 RENEE DR
ROCKWALL, TX 75032

VALADEZ JAIME
422 TROUT ST
ROCKWALL, TX 75032

MIER JENNIFER R
423 TROUT STREET
ROCKWALL, TX 75032

CURRENT RESIDENT
424 NICOLE
ROCKWALL, TX 75032

CURRENT RESIDENT
424 YVONNE DR
ROCKWALL, TX 75032

CARDENAS RODOLFO
424 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
425 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
425 PERCH RD
ROCKWALL, TX 75032

S AND S FAITH FUND LLC
425 ECKLEY
GRAPEVINE, TX 76051

CURRENT RESIDENT
426 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
427 LAKESIDE DR
ROCKWALL, TX 75032

ZAPIEN LEONARDO &
427 TUBBS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
4275 FM3097
ROCKWALL, TX 75032

NOE SIDNEY SCOTT
4275 CRESTVIEW DR
LA MESA, CA 91941

CURRENT RESIDENT
429 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
430 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
430 TROUT RD
ROCKWALL, TX 75032

LOPEZ SILVIA
430 RENEE DR
ROCKWALL, TX 75032

DELGADO DONNY
430 WAYNE DRIVE
ROCKWALL, TX 75032

CURRENT RESIDENT
431 NICOLE DR
ROCKWALL, TX 75032

ROSAS ALICIA
4314 STATE HIGHWAY 276
ROCKWALL, TX 75032

AVALOS EDUARDO & CARMEN
432 BLANCHE DR
ROCKWALL, TX 75032

AVALOS EDUARDO & CARMEN
432 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
4325 FM3097
ROCKWALL, TX 75032

URESTI ADOLFO BLAS & CLAUDIA M
4329 FAIRVIEW AVE
DOWNERS GROVE, IL 60515

CURRENT RESIDENT
433 RENEE DR
ROCKWALL, TX 75032

CLEM MILFORD & BETTY
433 THISTLE DR
GARLAND, TX 75043

CURRENT RESIDENT
434 BASS RD
ROCKWALL, TX 75032

HERNANDEZ GREGORIA HERNANDEZ
434 CHRIS
ROCKWALL, TX 75032

HEAVENLY HOMES INC
434 E LINDA LN
ROYSE CITY, TX 75189

CURRENT RESIDENT
435 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
436 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
436 YVONNE DR
ROCKWALL, TX 75032

RAMIREZ RUBIN & MARTHA
436 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
437 BASS RD
ROCKWALL, TX 75032

RAMOS JAIME & JUDITH
4375 FM 3097
ROCKWALL, TX 75032

CURRENT RESIDENT
438 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
439 YVONNE DR
ROCKWALL, TX 75032

ANAYA JUAN C & RAUL
439 PERCH RD
ROCKWALL, TX 75032

RAMIREZ MARTHA
440 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
441 NICOLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
441 TROUT DR
ROCKWALL, TX 75032

TORRES ALONSO G & MARIA
441 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
442 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
443 RUSSELL DR
ROCKWALL, TX 75032

FACUNDO JOSE C
443 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
444 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
444 TROUT RD
ROCKWALL, TX 75032

UC CARLOS & ADA UC
444 EVA PL
ROCKWALL, TX 75032

CURRENT RESIDENT
445 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
445 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
445 WAYNE DR
ROCKWALL, TX 75032

LAKESIDE SURGERY LAND HOLDINGS LLC
4450 TUBBS RD
ROCKWALL, TX 75032

PEREZ RICARDO H & LAURA F
446 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
447 LYNNE DR
ROCKWALL, TX 75032

GEORGE DAVID E & TERESA L
447 SAINT MICHAELS WAY
ROCKWALL, TX 75032

PRUET JAMES D
447 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
448 NICOLE DR
ROCKWALL, TX 75032

LICEA JOSE DELFINO
448 LYNNE DR
ROCKWALL, TX 75032

FULBRIGHT BENNETT STEPHEN
448 LYNNE DR
ROCKWALL, TX 75032

CULEBRO EDGAR HAMED AND
4480 CHAHA RD 0
GARLAND, TX 75043

CURRENT RESIDENT
4485 HORIZON RD
ROCKWALL, TX 75032

CURRENT RESIDENT
449 TUBBS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
450 BASS RD
ROCKWALL, TX 75032

CLARK SEAN D & KATHERINE R
450 BASS RD
ROCKWALL, TX 75032

VALDEZ EUSEBIO
450 RUSSELL DR
ROCKWALL, TX 75032

ACOSTA LAURA SANCHEZ
451 BASS RD
ROCKWALL, TX 75032

DELEON DORA JEAN & JOSE N
451 RENEE DR
ROCKWALL, TX 75032

BARRIENTOS ERIKA
451 RUSSELL DR
ROCKWALL, TX 75032

GUTIERREZ DONATILO & BLANCA
4510 MINT DR
GARLAND, TX 75043

TRUONG LONG & TUYET
4512 BLUE MESA LANE
MESQUITE, TX 75150

CURRENT RESIDENT
452 EVANS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
452 YVONNE DR
ROCKWALL, TX 75032

VAZQUEZ JUAN & MARIA BARBARA MURILLO
452 BLANCHE DR
ROCKWALL, TX 75032

VERA MIGUEL & GUADALUPE
452 RENEE DR
ROCKWALL, TX 75032

CHAN RYAN Y
4527 N LAMAR BLVD 0
AUSTIN, TX 78751

CURRENT RESIDENT
453 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
453 LYNNE DR
ROCKWALL, TX 75032

REYES ELIGIO ESTRADA & PETRA
454 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
455 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
455 PERCH
ROCKWALL, TX 75032

GONZALEZ ANTONIO & ANNA MARIA
456 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
457 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
457 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
458 EVA
ROCKWALL, TX 75032

CURRENT RESIDENT
458 LYNNE DR
ROCKWALL, TX 75032

LORENZO JOSE LUIS
458 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
459 TUBBS
ROCKWALL, TX 75032

NUNEZ LUZ ISELA
459 LAKESIDE DR
ROCKWALL, TX 75032

GOMEZ ROSA ISELA
459 LAKESIDE DR
ROCKWALL, TX 75032

AVITIA JESUS
459 TUBBS RD
ROCKWALL, TX 75032

GAGNON STEVEN C ETUX SUZANNE
459 WINDING RIDGE LN
ROCKWALL, TX 75032

CRUZ MARIO
461 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
462 YVONNE DR
ROCKWALL, TX 75032

CORONEL JOSE JUAN SANCHEZ AND
462 CHRIS
ROCKWALL, TX 75032

CURRENT RESIDENT
463 EVA PL
ROCKWALL, TX 75032

CURRENT RESIDENT
463 RENEE DR
ROCKWALL, TX 75032

LUNA JOSE ALFREDO LOPEZ
463 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
464 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
464 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
464 EVANS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
464 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
465 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
466 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
466 WAYNE DR
ROCKWALL, TX 75032

MORALES NICOLAS & EVANGELINA
466 TROUT ST
ROCKWALL, TX 75032

140

ACOSTA JESUS ETUX
466 TROUT ST
ROCKWALL, TX 75032

MIER MARCO A AND CELINA DEJ RESENDIZ
467 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
468 EVA
ROCKWALL, TX 75032

CURRENT RESIDENT
468 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
469 TUBBS RD
ROCKWALL, TX 75032

JIMENEZ JOSE MODESTO & FRANCISCA
469 PERCH RD
ROCKWALL, TX 75032

VALIENTE-RUIZ JUAN CARLOS AND ANTONIA
LEON-DOMINGUEZ
469 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
470 NICOLE
ROCKWALL, TX 75032

CURRENT RESIDENT
470 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
470 YVONNE DR
ROCKWALL, TX 75032

BICKLEY AMANDA
4702 STEEPLE CHASE LN
ROCKWALL, TX 75032

STOVALL DONNIE NEAL
471 NICOLE DR
ROCKWALL, TX 75032

SOTO DOMINGO
471 WAYNE DR
ROCKWALL, TX 75032

ALVAREZ JOSE ANGEL &
471 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
472 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
472 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
473 BASS RD
ROCKWALL, TX 75032

JARAMILLO GABRIELA
473 BLANCHE DR
ROCKWALL, TX 75032

MAYHALL DANNEL J
473 RENEE DR
ROCKWALL, TX 75032

MAYHALL DANNEL J
473 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
474 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
474 WAYNE DR
ROCKWALL, TX 75032

MORENO NOE & ORALIA
474 BASS RD
ROCKWALL, TX 75032

GAMEZ CHRISTOPHER
474 BASS RD
ROCKWALL, TX 75032

MORENO NOE
474 BASS RD
ROCKWALL, TX 75032

CONTRERAS DAVID & ELIZABETH
474 PERCH RD
ROCKWALL, TX 75032

ORTIZ CENOBIO & MARIA T
474 TROUT ST
ROCKWALL, TX 75032

CONTRERAS JOSE HERNAN JR
475 PERCH RD
ROCKWALL, TX 75032

BENTLEY FRED W
476 BLANCHE DR
ROCKWALL, TX 75032

SILVA LUIS
476 LAKESIDE DR
ROCKWALL, TX 75032

141

NEVAREZ LUIS & ALMA
476 PERCH
ROCKWALL, TX 75032

CURRENT RESIDENT
477 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
478 RENEE DR
ROCKWALL, TX 75032

MARTINEZ PEDRO
478 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
479 PERCH RD
ROCKWALL, TX 75032

NEVAREZ LUIS E & ALMA
479 CHRIS DR
ROCKWALL, TX 75032

NOBLE JAMES & LINDA
479 TUBBS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
480 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
481 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
481 PERCH RD
ROCKWALL, TX 75032

LOPEZ JOSE
481 BASS RD
ROCKWALL, TX 75032

CASTILLO IGNACIO
481 LYNNE DR
ROCKWALL, TX 75032

CASTILLO IGNACIO
481 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
482 NICOLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
482 YVONNE DR
ROCKWALL, TX 75032

GARZA ISAI
482 EVA PL
ROCKWALL, TX 75032

WHITE LILA P
482 PERCH RD
ROCKWALL, TX 75032

CLAY VICKI C
482 TROUT RD
ROCKWALL, TX 75032

ALONSO ELEASAR &
482 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
483 PERCH RD
ROCKWALL, TX 75032

HERNANDEZ RAY R & ROSA V
484 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
485 EVA
ROCKWALL, TX 75032

CURRENT RESIDENT
485 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
485 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
485 YVONNE DR
ROCKWALL, TX 75032

ORRELLANA JUAN
485 PERCH RD
ROCKWALL, TX 75032

TELL MARK ALLEN
485 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
486 EVANS RD
ROCKWALL, TX 75032

SMITH HELEN A
486 CHRIS DR
ROCKWALL, TX 75032

TORRES FROYLAN H & BRISEIDA
486 PERCH RD
ROCKWALL, TX 75032

MAUVAIS CLIFFORD J & JACQUELINEA
487 PRIMROSE LN
ROCKWALL, TX 75032

PAYNE MILDRED IRENE
487 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
488 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
488 WAYNE DR
ROCKWALL, TX 75032

CABALLERO JOSE & LOURDES
488 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
489 NICOLE DR
ROCKWALL, TX 75032

AGUILLON JOSE LUIS
489 TUBBS
ROCKWALL, TX 75032

ZAYAS GABRIEL & JESSICA JO
490 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
491 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
491 YVONNE DR
ROCKWALL, TX 75032

CASTILLO SIXTO & MARIA
491 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
492 BASS
ROCKWALL, TX 75032

LIMON EVARISTO AND ROSALBA RENOVA
493 BASS RD
ROCKWALL, TX 75032

LIMON EVARISTO AND
493 BASS RD
ROCKWALL, TX 75032

RENOVA ROSALBA
493 BASS RD
ROCKWALL, TX 75032

VU THUAN AND
493 LAKESIDE DR
ROCKWALL, TX 75032

VU THUAN
493 LAKESIDE DR
ROCKWALL, TX 75032

THAXTON GARY
494 EVA PL
ROCKWALL, TX 75032

DIAZ JOSE LUIS & MARICELA
494 LYNNE DR
ROCKWALL, TX 75032

GONZALEZ HIPOLITO CANTU AND
494 RUSELL LOT 1252
ROCKWALL, TX 75032

CURRENT RESIDENT
496 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
496 NICOLE DR
ROCKWALL, TX 75032

LIMON AMADOR & EVARISTO
496 BASS RD
ROCKWALL, TX 75032

SUAREZ ERIKA & ALFREDO ESTRADA
497 BLANCHE
ROCKWALL, TX 75032

JACKSON LINDA
497 TUBBS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
498 EVANS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
498 LYNNE DR
ROCKWALL, TX 75032

ARROYO REYES
499 RUSSELL DR
ROCKWALL, TX 75032

PARRISH KENNETH LEE JR AND
499 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
500 LAKESIDE DR
ROCKWALL, TX 75032

143

ADAY ELIZABETH AND PETE AARON
500 TROUT ST
ROCKWALL, TX 75032

OROZCO-AVILA VICTOR
500 YVONNE DR
ROCKWALL, TX 75032

HERNANDEZ CARMELITA NOEMI
500 YVONNE DR
ROCKWALL, TX 75032

RAC 2 LLC
5001 PLAZA ON THE LAKE 0
AUSTIN, TX 78746

CURRENT RESIDENT
501 CHRIS DR
ROCKWALL, TX 75032

PRESTRIDGE MARK L & MARSHA
502 BASS ROAD
ROCKWALL, TX 75032

CURRENT RESIDENT
503 RENEE DR
ROCKWALL, TX 75032

DIAZ MARIA L FLORES
503 LYNNE DR
ROCKWALL, TX 75032

BROWN ALLISON KAY
503 NICOLE
ROCKWALL, TX 75032

MCKINNEY & HESS PROPERTY MANAGEMENT LLC
5035 VILLAGE CIRCLE
DALLAS, TX 75248

ALMARAZ MARIA M
505 BASS RD
ROCKWALL, TX 75032

ALSOBROOK HAROLD DAVID JR
505 CARRIAGE TRAIL
ROCKWALL, TX 75087

BIG LEAGUE SPORTS ACADEMY INC
505 COUNTY LINE RD
ROCKWALL, TX 75032

MEDRANO JOSE & JUANA
505 EVA PL
ROCKWALL, TX 75032

VALDEZ EUSEBIO
505 EVANS
ROCKWALL, TX 75032

BARRON GILDARDO
505 LILLIAN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
506 CHRIS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
506 EVA
ROCKWALL, TX 75032

MARTINEZ PEDRO & MARIA CELIA
506 RUSSELL DR
ROCKWALL, TX 75032

AGUILAR ROSALINA
507 BLANCHE DR
ROCKWALL, TX 75032

GUILLORY MARTIN A JR
507 TROUT STREET
ROCKWALL, TX 75032

CURRENT RESIDENT
508 RENEE DR
ROCKWALL, TX 75032

BECKHAM JAY & CATHY L
509 TUBBS RD
ROCKWALL, TX 75032

HERNANDEZ BENJAMIN
509 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
510 EVANS RD
ROCKWALL, TX 75032

PENA JERONIMO & JUANA
510 BASS RD
ROCKWALL, TX 75032

CHAVEZ LAWRENCE A
510 BLANCHE ST
ROCKWALL, TX

VILLAFANA JOSE AND AMELIA
510 E RIDGEWOOD DR
GARLAND, TX 75041

LEJ PARTNERS LTD
5100 ELDORADO PKWY 0
MCKINNEY, TX 75070

CURRENT RESIDENT
511 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
512 LAKESIDE DR
ROCKWALL, TX 75032

AMAYA MARTIN &
512 TROUT ST
ROCKWALL, TX 75032

CURRENT RESIDENT
513 CHRIS DR
ROCKWALL, TX 75032

LORENZ MICHAEL P AND SABINA
513 BASS RD
ROCKWALL, TX 75032

AYALA FRANCISCO & MARIA
513 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
514 YVONNE DR
ROCKWALL, TX 75032

DOWNARD WILLIAM S JR
514 NICOLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
515 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
516 CHRIS DR
ROCKWALL, TX 75032

MARTINEZ DAVID
516 WAYNE DR
ROCKWALL, TX 75032

BARR CHRISTOPHER H JR
517 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
518 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
519 BLANCHE DR
ROCKWALL, TX 75032

LOPEZ RICARDO C
519 E I 30 0
ROCKWALL, TX 75087

MURRAY KENNETH M
519 HIDDEN OAK LN
ROCKWALL, TX 75087

CURRENT RESIDENT
520 EVA
ROCKWALL, TX 75032

CURRENT RESIDENT
520 RENEE DR
ROCKWALL, TX 75032

BARNES LARRY W AND KELLY L
520 LAKESIDE DR
ROCKWALL, TX 75032

FLORES JAIME W &
520 LYNNE DR
ROCKWALL, TX 75032

CARRIZALEZ JOSE NINO
520 PERCH RD
ROCKWALL, TX 75032

JIMENEZ LEONARDO
5201 KELSO LN
GARLAND, TX 75043

CURRENT RESIDENT
521 TUBBS RD
ROCKWALL, TX 75032

SHANKS SHARON
521 YVONNE DR
ROCKWALL, TX 75032

GUEVARA CRUZ & LIZ
522 EVANS DR
ROCKWALL, TX 75032

GUEVARA CRUZ & LIZ
522 EVANS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
523 LAKESIDE DR
ROCKWALL, TX 75032

ROSAS RAYMUNDO AND
523 NICOLE
ROCKWALL, TX 75032

GANUS HUGH
524 SESAME DR
MESQUITE, TX 75149

VASQUEZ JAVIER AND LILIANA
524 YVONNE DR
ROCKWALL, TX 75032

GONZALEZ JOSE & LAUREN
5245 COUNTY ROAD 2515
ROYSE CITY, TX 75189

145

RAMIREZ MARGARITO VALDEZ
525 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
526 BASS RD
ROCKWALL, TX 75032

REYNA JUAN MARTIN PEREZ AND
526 NICOLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
528 CHRIS DR
ROCKWALL, TX 75032

DIAZ MANUEL & ROASRIO
528 WAYNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
529 EVA
ROCKWALL, TX 75032

RODRIGUEZ MARIA VERONICA
529 BASS RD
ROCKWALL, TX 75032

GRANADOS CASTULO & NANCY
530 RUSSELL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
531 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
532 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
532 EVA
ROCKWALL, TX 75032

CURRENT RESIDENT
532 LYNNE DR
ROCKWALL, TX 75032

FORTUNA FRANCISCO AND LUISA
532 LAKESIDE DR
ROCKWALL, TX 75032

PEREZ SALVADOR
5326 TERRY ST
DALLAS, TX 75223

VAZQUEZ SAUL PEREZ
5326 TERRY ST
DALLAS, TX 75223

CURRENT RESIDENT
533 LAKESIDE DR
ROCKWALL, TX 75032

SILVA JORGE & ELIZABETH
533 TUBBS RD
ROCKWALL, TX 75032

RODRIGUEZ HUGO
533 TUBBS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
5335 FM3097
ROCKWALL, TX 75032

CURRENT RESIDENT
534 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
534 YVONNE DR
ROCKWALL, TX 75032

RICO GERALDO & LUZ
534 BASS RD
ROCKWALL, TX 75032

LOMAS JOSE C & ANDREA GUADALUPE
534 TROUT ST
ROCKWALL, TX 75032

CURRENT RESIDENT
535 BLANCHE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
535 NICOLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
535 RENEE DR
ROCKWALL, TX 75032

RETANNA JUAN &
535 CHRIS DR
ROCKWALL, TX 75032

RUBIO MARCELINO M &
535 TUBBS RD
ROCKWALL, TX 75032

STRICKLAND TARA
536 WAYNE DR
ROCKWALL, TX 75032

OBRIEN ELLEN K
537 RUSSELL DR
ROCKWALL, TX 75032

146

KELLY REX ALLEN
5399 FM 3097
ROCKWALL, TX 75032

LONG JAMES
540 CHRIS DR
ROCKWALL, TX 75032

RODRIGUEZ MARIA M
540 TROUT ST
ROCKWALL, TX 75032

CURRENT RESIDENT
541 LYNNE DR
ROCKWALL, TX 75032

DELGADO JUAN E & MARIA L
541 EVANS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
542 BASS RD
ROCKWALL, TX 75032

JACKSON SHEILA LASHUN
542 BASS RD
ROCKWALL, TX 75032

CHEVEZ ERNESTO AND LUCILA
542 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
543 LAKESIDE DR
ROCKWALL, TX 75032

VELAZQUEZ JORGE & JUANA
543 BASS ROAD
ROCKWALL, TX 75032

CURRENT RESIDENT
544 YVONNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
545 RENEE DR
ROCKWALL, TX 75032

JIMENEZ AGUSTIN &
546 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
547 TROUT RD
ROCKWALL, TX 75032

GALLARDO RENA
547 NICOLE DR
ROCKWALL, TX 75032

ANDREWS TRESIA
547 WAYNE DR
ROCKWALL, TX 75032

TONG VINCENT HIEU AND HANH
548 EVA PL
ROCKWALL, TX 75032

CERVANTES HECTOR AND
548 NICOLE DRIVE
ROCKWALL, TX 75032

ARRIAGA GREGORIA
548 WAYNE ST
ROCKWALL, TX 75032

KELLY A R
5485 FM 3097
ROCKWALL, TX 75032

DELGADO RAUL
550 LAKESIDE DR
ROCKWALL, TX 75032

DELGADO RAUL & ELIA
550 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
551 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
551 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
551 LYNNE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
552 LYNNE DR
ROCKWALL, TX 75032

SERVIN SAUL
552 RUSSELL DR
ROCKWALL, TX 75032

ALVAREZ MARIA G GALLEGOS
552 RUSSELL DR
ROCKWALL, TX 75032

OLIVER JERRY & PAMELA
552 TROUT ST
ROCKWALL, TX 75032

RANGEL JUAN
554 WILLOW RIDGE CIRCLE
ROCKWALL, TX 75032

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CURRENT RESIDENT
5543 FM3097
ROCKWALL, TX 75032

PRIETO GUSTAVO & ISABEL DEL ROSARIO
555 TUBBS RD
ROCKWALL, TX 75032

MATTHEWS GERALD W & DONNA C
5550 HORIZON RD
ROCKWALL, TX 75032

CURRENT RESIDENT
5573 FM3097
ROCKWALL, TX 75032

CURRENT RESIDENT
558 EVA
ROCKWALL, TX 75032

CURRENT RESIDENT
559 TROUT RD
ROCKWALL, TX 75032

CURRENT RESIDENT
560 TROUT DR
ROCKWALL, TX 75032

GAMEZ ADELAIDO & VICENTA
560 BASS RD
ROCKWALL, TX 75032

HUSSAIN MIR MUSTAFA & BUSHRA
560 PERCH RD
ROCKWALL, TX 75032

MARTIN FREDERICK B & SONJA B
5601 RANGER DR
ROCKWALL, TX 75032

CURRENT RESIDENT
561 BASS RD
ROCKWALL, TX 75032

LONAC SNJEZANA
5614 EMROSE TERRACE
ROCKWALL, TX

CURRENT RESIDENT
563 LAKESIDE DR
ROCKWALL, TX 75032

MENJIVAR ALEXANDER
565 WINDING RIDGE LANE
ROCKWALL, TX 75032

NULISCH AARON R AND STACY Y MENDEZ MENJIVAR
565 WINDING RIDGE LN
ROCKWALL, TX 75032

CURRENT RESIDENT
567 TUBBS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
569 PERCH RD
ROCKWALL, TX 75032

SIMMONS VAN R & TERESA R
569 TROUT ST
ROCKWALL, TX 75032

CURRENT RESIDENT
570 PERCH RD
ROCKWALL, TX 75032

MEDINA CESAR
570 EVA PL
ROCKWALL, TX 75032

MORENO FRANCISCO & YOLANDA
571 BASS RD
ROCKWALL, TX 75032

GEMINI VL LLC &
5713 SECREST CT
GOLDEN, CO 80403

ROCKWALL LAKE PROPERTIES
5713 SECREST DRIVE CT
GOLDEN, CO 80403

HERNANDEZ IRENE
5714 MAGNOLIA LN
ROWLETT, TX 75089

HERRERA JOSE & LETICIA
572 TROUT ST
ROCKWALL, TX 75032

CURRENT RESIDENT
574 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
577 TUBBS RD
ROCKWALL, TX 75032

RAMIREZ GABRIELA &
579 PERCH RD
ROCKWALL, TX 75032

GOODSON JEFFREY
579 TROUT ST
ROCKWALL, TX 75032

OQUENDO FRANCISCO J
580 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
581 BASS RD
ROCKWALL, TX 75032

PEREZ MARIA ELEAZAR
582 BASS ROAD
ROCKWALL, TX 75032

GARCIA HUGO IVAN DEL AND
582 EVA PLACE
ROCKWALL, TX 75032

PEARCY CARLA
584 TROUT ST
ROCKWALL, TX 75032

CURRENT RESIDENT
585 LAKESIDE DR
ROCKWALL, TX 75032

GRUBBS DAVID G
PO BOX 852
ROCKWALL, TX 75087

RUBIO ALEJANDRO & LORENA L
587 TUBBS ROAD
ROCKWALL, TX 75032

LOERA SERGIO AUTURO & MARIA
588 PERCH RD
ROCKWALL, TX 75032

CURRENT RESIDENT
589 PERCH RD
ROCKWALL, TX 75032

GONZALEZ BENJAMIN & ALICIA G
589 LAKESIDE DR
ROCKWALL, TX 75032

NEVAREZ GODOFREDO & NORMA
589 TROUT ST
ROCKWALL, TX 75032

MURPHY ROAD LTD
5900 S LAKE FOREST DR 0
MCKINNEY, TX 75070

JWS LAND LTD
5900 S LAKE FOREST DR 0
MCKINNEY, TX 75070

CURRENT RESIDENT
592 PERCH RD
ROCKWALL, TX 75032

CARRILLO-GUEVARA LUIS GERARDO
593 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
594 BASS RD
ROCKWALL, TX 75032

ALVARES FLORINA GUTIERREZ &
594 EVA PL
ROCKWALL, TX 75032

SHAW LARRY D & ANJANETTE
594 TROUT ST
ROCKWALL, TX 75032

CURRENT RESIDENT
596 PERCH DR
ROCKWALL, TX 75032

MARTINEZ CAMILO & MARIA &
597 TUBBS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
599 TROUT RD
ROCKWALL, TX 75032

LOZANO IGNACIO
601 BASS RD
ROCKWALL, TX 75032

LOZANO IGNACIO & GUADALUPE
601 BASS ROAD
ROCKWALL, TX 75032

CURRENT RESIDENT
602 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
602 EVA
ROCKWALL, TX 75032

CURRENT RESIDENT
602 TROUT RD
ROCKWALL, TX 75032

BALDERAS VICTORIO AND
602 LAWRENCE
HEATH, TX 75032

LAY JAMES CURTIS
6048 W INTERSTATE 30
ROYSE CITY, TX 75189

NANTHATHONGTHIP SUSANNA
606 SOUTHWOOD DR
DUNCANVILLE, TX 75137

CURRENT RESIDENT
607 TUBBS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
609 TROUT RD
ROCKWALL, TX 75032

CHEN XIANSONG
609 BELHAVEN DRIVE
ALLEN, TX 75013

CURRENT RESIDENT
610 BASS RD
ROCKWALL, TX 75032

JIMENEZ HELIODORO & MARIA ELENA
6101 BAY ISLAND DR 0
GARLAND, TX 75043

CURRENT RESIDENT
611 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
612 TROUT RD
ROCKWALL, TX 75032

ROCKWALL REGIONAL HOSPITAL LLP
612 E LAMAR BLVD 0
ARLINGTON, TX 76011

GAMEZ DAVID
614 E BOYDSTUN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
615 TUBBS RD
ROCKWALL, TX 75032

DEJESUS SANTOS
616 EVA PL
ROCKWALL, TX 75032

SHEPHERD PLACE HOMES INC
620 ROWLETT RD
GARLAND, TX 75043

WELCH PURVIS T
620 ROWLETT RD
GARLAND, TX 75043

FAVIAN IGNACIO
620 TROUT ST
ROCKWALL, TX 75032

MOORE ROSEMARY
622 BASS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
625 TUBBS RD
ROCKWALL, TX 75032

WALLACE LAND PARTNERS L P
6271 HORIZON RD
ROCKWALL, TX 75032

CURRENT RESIDENT
630 TROUT DR
ROCKWALL, TX 75032

RODRIGUEZ FLORENCIO GOMEZ
630 EVA
ROCKWALL, TX 75032

CURRENT RESIDENT
638 LAKESIDE DR
ROCKWALL, TX 75032

GONZALES JORGE S & ANA RESENDIZ
639 TUBBS RD
ROCKWALL, TX 75032

HILGENFELD DONNA & ROSS
6409 ALTA OAKS DR
GARLAND, TX 75043

BORJOS MARIO & MARIA
647 TUBBS RD
ROCKWALL, TX 75032

JERRY KISICK CUSTOM HOMES INC
6505 W PARK BLVD 0
PLANO, TX 75093

CURRENT RESIDENT
655 TUBBS RD
ROCKWALL, TX 75032

GAMEZ PABLO MELENDEZ
6565 DAN DANCIGER RD 0
FORT WORTH, TX 76133

GUEVARA LEONARDO & PATRICIA
663 TUBBS ROW
ROCKWALL, TX 75032

CURRENT RESIDENT
671 TUBBS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
677 TUBBS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
683 TUBBS
ROCKWALL, TX 75032

BIVINS CINDY L
686 FM 7405
HEATH, TX 75126

150

CURRENT RESIDENT
689 TUBBS RD
ROCKWALL, TX 75032

WANDA REALTY LLC
6928 COUNCIL DR
PLANO, TX 75248

CORRELL SMITH JEREMY
7007 DANWOOD DR
AUSTIN, TX 78759

TAPP THOMAS E & SANDRA J
701 GLENWOOD CIR
MCKINNEY, TX 75069

GONZALES BALTAZAR & LUZ MARIA ZUNIGA
701 I-30
ROCKWALL, TX 75087

ACUNA NINFA
703 T L TOWNSEND DR
ROCKWALL, TX 75087

AMERICAN RESIDENTIAL LEASING COMPANY LLC
7047 E GREENWAY PARKWAY #350
SCOTTSDALE, AZ 85254

ARP 2014-1 BORROWER LLC
7047 E GREENWAY PKWY 0
SCOTTSDALE, AZ 85254

ESTRADA NOHEMA M & RODOLFO CARDENAS
705 LAKESIDE DR
ROCKWALL, TX 75032

CARDENAS HUGO R
705 LAKESIDE DRIVE
ROCKWALL, TX 75032

CURRENT RESIDENT
723 LAKESIDE DR
ROCKWALL, TX 75032

SOLIS HECTOR & TOMASA
731 SANTA FE LN
ROYSE CITY, TX 75189

CURRENT RESIDENT
737 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
745 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
755 LAKESIDE DR
ROCKWALL, TX 75032

CANIZALES ELIDA VILLAREAL
760 COUNTY LINE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
762 LAKESIDE DR
ROCKWALL, TX 75032

NORRIS UNPA AND THERESA
763 LAKESIDE DR
ROCKWALL, TX 75032

PROGRESS RESIDENTAIL 2015-1 BORROWER LLC
7702 E DOUBLETREE RANCH RD 0
SCOTTSDALE, AZ 85258

CURRENT RESIDENT
771 LAKESIDE DR
ROCKWALL, TX 75032

WILSON GARY D & GRACE
771 S STATE HIGHWAY 205
ROCKWALL, TX 75032

ESPARZA NORA
7723 GLENMERE TRAIL
SACHSE, TX 75048

RAMIREZ MAXIMINO SIERRA
774 EUGENE RD
MEMPHIS, TN 38116

CURRENT RESIDENT
779 LAKESIDE DR
ROCKWALL, TX 75032

PACHECO ARTURO
7837 CUP CIR
DALLAS, TX 75217

CURRENT RESIDENT
786 LAKESIDE DR
ROCKWALL, TX 75032

ROCKWALL HOUSING DEV CORP
787 HAIL DR
ROCKWALL, TX 75032

ROCKWALL HOUSING DEVELOPMENT
CORPORATION
787 HAIL DRIVE
ROCKWALL, TX 75032

CURRENT RESIDENT
791 LAKESIDE DR
ROCKWALL, TX 75032

VANDERLICK TIMOTHY L
8 WIMBLEDON CT
HEATH, TX 75032

151

WILLARD JACK
801 LAKESIDE DRIVE
ROCKWALL, TX 75032

MORALES JOSE L
805 FIREBERRY DR
ROCKWALL, TX 75087

PETREY MELODIE A
806 LAKESIDE DR
ROCKWALL, TX 75032

DANIELS COREY L & CAROL A
808 RENEE DR
ROCKWALL, TX 75032

MOORE VIVIAN
811 LAKESIDE DR
ROCKWALL, TX 75032

DEL ROSARIO VICTOR & LETICIA
813 LAKESIDE DR
ROCKWALL, TX 75032

TURNER DANNY AND NANCY
829 LAKESIDE DR
ROCKWALL, TX 75032

TURNER DANNY
829 LAKESIDE DR
ROCKWALL, TX 75032

RIVERA DORIS MABEL
829 RENEE DR
ROCKWALL, TX 75032

TORRES ALONSO
836 IVEY LN
ROCKWALL, TX 75087

BAKER LATONIA
840 LAKESIDE DR
ROCKWALL, TX 75032

PHAM DAN Q
8401 EAGLE DR
ROWLETT, TX 75088

AVALOS ROBERT S
848 LAKESIDE DR
ROCKWALL, TX 75032

SILVA ROBERTO
848 LAKESIDE DR
ROCKWALL, TX 75032

GARCIA MARTIN
852 ROSE LANE
ROCKWALL, TX 75087

CURRENT RESIDENT
855 LAKESDIE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
861 LAKESIDE DR
ROCKWALL, TX 75032

BOLEN LORNA L &
861 LAKESIDE DR
ROCKWALL, TX

AGUILAR BONIFACIO
862 E 800 S
OREM, UT 84097

CURRENT RESIDENT
869 LAKESIDE DR
ROCKWALL, TX 75032

BEST JAMES & KIMBERLY
870 W INTERSTATE 30
GARLAND, TX 75043

CURRENT RESIDENT
877 LAKESDIE DR
ROCKWALL, TX 75032

SALDANA FLOR
8820 COUNTY RD 136
TERRELL, TX 75161

CURRENT RESIDENT
891 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
894 LAKESIDE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
905 LAKESIDE DR
ROCKWALL, TX 75032

RAMIREZ MARIO
908 LAKESIDE DR
ROCKWALL, TX 75032

MAZARIEGOS EDGAR & SONIA I
9106 SHIPMAN STREET
ROWLETT, TX 75088

FINCHER LINDA
916 BROWNFIELD
MESQUITE, TX 75150

CURRENT RESIDENT
917 LAKESIDE DR
ROCKWALL, TX 75032

HERNANDEZ FIDEL ESPINO
9233 WHISKERS RD
QUINLAN, TX 75474

HERRERA JUAN E
926 BLACKLAND RD
ROYSE CITY, TX 75189

GUTIERREZ NELSON ANTONIO
933 LAKESIDE DR
ROCKWALL, TX 75032

TAYLOR DAVID JERRY AND MARY ANN
935 NATURE DR
DUNCANVILLE, TX 75116

J & S EXPO LIMITED
941 FM 1139
ROCKWALL, TX 75032

CURRENT RESIDENT
945 LAKESIDE DR
ROCKWALL, TX 75032

GREEN MAUREEN
945 BREEZY HILL LN
ROCKWALL, TX 75087

FOLSOM DANNY E & DAINNA K
957 LAKESIDE DR
ROCKWALL, TX 75032

SULLIVAN RANDOLPH G
963 W YELLOWJACKET LN 0
ROCKWALL, TX 75087

CURRENT RESIDENT
969 LAKESIDE DR
ROCKWALL, TX 75032

AGUILLON AGUSTIN T & JUANA
969 PR 2283
QUINLAN, TX 75474

DELGADO JUAN AND
JUAN J ESTRADA REYES 0
ROCKWALL, TX 75087

NORTH TEXAS MUNICIPAL WATER DIST
PO BOX 2408
WYLIE, TX 75098

PEOPLES BILLY
P O BOX 35
ROCKWALL, TX 75087

MUNROE MYLES DR
P O BOX N-9583
NASSAU, BAHAMAS,

LA REN CORPORATION
P.O. BOX 2155
ROCKWALL, TX 75087

MICHLIN JUDY &
PO BOX 100967
FORT WORTH, TX 76185

FIELDS JIMMIE
PO BOX 1115
ROYSE CITY, TX 75189

CANALES FRANCISCO ANTONIO & VERONIC DIAZ
PO BOX 162
JOSEPHINE, TX 75164

WEIBLE BENJAMIN L & MARY F
PO BOX 1803
ROCKWALL, TX 75087

TRAN DAVID T
PO BOX 1843
ROCKWALL, TX 75087

SILVA JAVIER & LUIS M
PO BOX 2048
ROCKWALL, TX 75087

RAOFPUR DAVID & SAADAT
PO BOX 2051
DEL MAR, CA 92014

DRCE TRUST
PO BOX 2051
DEL MAR, CA 92014

M & D REAL ESTATE LP
PO BOX 2109
ROCKWALL, TX 75087

LA REN CORPORATION
PO BOX 2155
ROCKWALL, TX 75087

OGAN LOCKLIN & SHEILA
PO BOX 2304
ROCKWALL, TX 75087

NORTH TEXAS MUNICIPAL WATER DIST
PO BOX 2408
WYLIE, TX 75098

CARRILLO JAIME
PO BOX 2451
ROCKWALL, TX 75087

PEOPLES BILLY W
PO BOX 35
ROCKWALL, TX 75087

153

LIBERTY TRUST COMPANY LTD
PO BOX 432
FARMERSVILLE, TX 75442

KENDALL MARCIA & JOHN
PO BOX 497882
GARLAND, TX 75049

JST GROUP LLC
PO BOX 671325
DALLAS, TX 75367

COLUNGA BERNABE
PO BOX 683
ROYSE CITY, TX 75189

COLUNGA MARIA CRISTINA
PO BOX 683
ROYSE CITY, TX 75189

SAFRA PROPERTIES INC
PO BOX 69
KEY BISCAYNE, FL 33149

SHEFFIELD PROPERTIES INC
PO BOX 69
KEY BISCAYNE, FL 33149

HENDERSON NORMA
PO BOX 705
ROCKWALL, TX 75087

VANWINKLE PATTY AND DAVID
PO BOX 773451
STEAM BOAT SPRINGS, CO 80477

GLEASON DIANE
PO BOX 824312
DALLAS, TX 75382

ROCKWALL CONTROLS COMPANY
PO BOX 836
ROCKWALL, TX 75087

154

From:	Planning
To:	Miller, Ryan
Subject:	FW: Case No. Z2015-030: Amendments to PD-75
Date:	Monday, November 30, 2015 8:22:34 AM
Attachments:	Z2015-030.pdf

From: xcenia herrera [mailto:]
Sent: Sunday, November 29, 2015 12:43 PM
To: Planning
Subject: Case No. Z2015-030: Amendments to PD-75

11/29/15

Re: Case No. Z2015-030: Amendments to PD-75

We are in favor of the request for the reasons listed below.

After some searching of the city's website, it is our understanding that this proposed amendment has come about as a result of a petition to build a multifamily structure on a single lot. As long-time residents of the Lake Rockwall Estates Subdivision, we wish to see the area remain zoned for Single Family use only!

It is our belief that multifamily housing will lead to the following:

1. A decrease in the amount of space between homes

2. An increase in the number of renters rather than individual home owners

3. Potentially cause even more congestion on our narrow streets

Thank you for listening to our concerns.

Robert Herrera & Xcenia Maurice-Herrera

151 Bream Dr. Rockwall, TX 75032

PLEASE RETURN THE BELOW FORM

Case No. Z2015-030: Amendements to PD-75

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

If it improve our city or our neighbor I am in favor.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

PLEASE RETURN THE BELOW FORM

Case No. Z2015-030: Amendements to PD-75

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

This area is not ready for this at all - Should stay Single family

Name: Joe & Jean DeKeyn

Address: 451 Briar Dr Rockwall Tx 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

From: Planning
To: Miller, Ryan
Subject: FW: Proposed Amendment Case# Z2015-030 PD-75
Date: Monday, November 30, 2015 8:22:22 AM

From: [mailto:]
Sent: Sunday, November 29, 2015 10:11 PM
To: Planning
Cc:
Subject: Proposed Amendment Case# Z2015-030 PD-75

email to: planning@rockwall.com

To: Ryan Miller AICP
Director of Planning & Zoning
Case # Z2015-030 Amendments to PD-75

I am adamantly opposed to this proposed amendment to the planned development, and here are just a few of many reasons.

Problems with ingress and egress - only one road out (County Line Rd.), which is inferior grade,
and poorly maintained. Increased volume of traffic will cause further deterioration, and possible
safety issues and accidents.
We do not even have working fire hydrants in this area of Lake Rockwall Estates.
It is a preposterous idea to add multi family units in this area.
Sewer systems will have increased capacity, and there is no reason to believe that any of the
problems listed will be corrected before development is completed.
More units will cause a lesser quality of life for all residents.

Sincerely,
Ellen K. O'Brien
537 Russell Drive
Rockwall, TX 75032

bcc: 2 residents LRE

PLEASE RETURN THE BELOW FORM

Case No. Z2015-030: Amendements to PD-75

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Name: E - Abraham

Address: 141 Bass Rd (187 mustang) Sunnyvale TX 75182

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

From: Carla Pearcy
To: Miller, Ryan; Planning; White, David
Subject: Case No. Z2015-030 Comments
Date: Tuesday, December 01, 2015 10:07:54 AM

Hello,

Per the Notice of Public Hearing regarding Case No. Z2015-030 I am emailing my comments. I am in favor of the Amendment to PD-75 if this Amendment in anyway curtails the possibility of land in the Lake Rockwall Estates subdivision being utilized for anything other than single family use. As a thirteen year homeowner in this subdivision it is my opinion that one of the last things this subdivision needs is more vehicles which I believe a multifamily or retail land use would bring A drive thru the neighborhood in the mornings or evenings when most residents are home will reveal the multiple vehicles stationed at many single family homes in the driveways, streets or in yards. I would classify it as a hazard when you have no choice but drive in the opposing lane of traffic in order to navigate a vehicle parked on the street. As a homeowner I would hope that the subdivision would continue to progress in areas that make the neighborhood more aesthetically appealing and safe and thus potentially increase home values. Please NO MULTIFAMILY or RETAIL in our subdivision. Thank you!

Carla Pearcy
584 Trout
Rockwall, Texas 75032

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Case No. Z2015-030: Amendements to PD-75

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name: Allison LaCaze

Address: 503 Nicole Drive

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

PLEASE RETURN THE BELOW FORM

Case No. Z2015-030: Amendements to PD-75

Please place a check mark on the appropriate line below:

~~[ ] I am in favor of the request for the reasons listed below.~~

[X] I am opposed to the request for the reasons listed below.

Nov, 25, 2015

We are opposed to any multi-family housing in this area — No duplexes or apartments. My family first moved into this area because it was a single family area and that is why I have remained in this area. Multi family doesn't work too well.

Name: James W Merry

Address: 378 Wayne Dr; Rockwall, TX 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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Case No. Z2015-030: Amendements to PD-75

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

After months of meetings and correspondence in 2009, single family was the consensus and agreed upon by all parties. Why did the city believe it was justified abrogating that agreement?

Name: William Peter + Susan Murray

Address: 295 Percl Rd

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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Case No. Z2015-030: Amendements to PD-75

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Some fire hydrants do not work. One street in + out and it's awful. I've paid for my street light for 35 years. (lighting Bad) Sewerage System is bad for some residents. We finally got our street paved (Thank You)

Name: Jay McLoud

Address: 375 Nicole Dr Rockwall TX 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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Case No. Z2015-030: Amendements to PD-75

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

It's reasonable that if you're going to build anything other than a single family home (say, a duplex or animal shelter), you should consult your neighbors.

Name: Leah T Kendall

Address: 227 Yvonne Dr., Rockwall, Tx 75032

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley – City Manager**

FROM: **Brad Griggs – Assistant City Manager**

DATE: **October 14, 2015**

SUBJECT: **Proposed Recommendation to P & Z regarding PD-75**

Councilmember White has submitted an agenda item regarding a potential amendment to PD-75 concerning the "Consideration of Special Request" allowed by the ordinance for properties within the Lake Rockwall Estates subdivision. When the Lake Rockwall Estates area was annexed, a Planned Development district was created after considerable public input. The PD language is based on Single Family detached zoning as SF-7. The public input records clearly demonstrate that the residents had very little, if any interest in any form of MF zoning, single family attached or similar land uses.

When the PD ordinance was passed, there was a section in the zoning that reads as follows:

> ***C. Consideration of Special Request***
> *The City Council may consider special requests in the Lake Rockwall Planned Development District in Areas 1 and 2. Such requests may include, but not necessarily be limited to, the use of building materials not otherwise allowed, authorization of specific land uses not otherwise allowed, or other requests submitted for consideration.*
>
> *Upon receipt of such special requests, the Planning and Zoning Commission shall review the same and forward its recommendation to the City Council for consideration. The City Council may approve special requests and any such approval shall preempt any other underlying zoning restrictions in the Zoning Ordinance. Such special requests may be denied by the City Council by passage of a motion to deny.*

Councilmember White desires to remove the section so that no other land uses can be permitted other than what was intended with the underlying zoning, which is SF-7. If the recommendation is approved by the City Council, staff will prepare an ordinance and forward the recommendation to the Planning and Zoning Commission for public input and a recommendation back to the City Council. The Council would then conduct a public hearing and vote on the proposed changes.

CITY OF ROCKWALL

ORDINANCE NO. 09-37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL AS PREVIOUSLY AMENDED SO AS TO APPROVE A CHANGE IN ZONING FROM (AG) AGRICULTURAL DISTRICT TO (PD-75) PLANNED DEVELOPMENT DISTRICT NO. 75, ON A TRACT OF LAND CONTAINING APPROXIMATELY 329.53-ACRE AND KNOWN AS LAKE ROCKWALL ESTATES, LOCATED ALONG THE SOUTH SIDE OF TUBBS ROAD, EAST SIDE OF HORIZON ROAD (FM 3097) AND NORTH SIDE OF COUNTY LINE ROAD AND MORE SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT "A"; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a zoning change from (AG) Agricultural district to (PD-75) Planned Development District No. 75 has been initiated by the City of Rockwall on a tract of land containing approximately 329.53 acres, known as Lake Rockwall Estates, and located along the south side of Tubbs Road, east side of Horizon Road (FM 3097) and the north side of County Line and more specifically described herein as Exhibit "A"; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Unified Development Code (Ord. No. 04-38) of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning from (AG) Agricultural district to (PD-75) Planned Development District No. 75 on a 329.53-acre tract of land known as Lake Rockwall Estates and located along the south side of Tubbs Road, east side of Horizon Road (FM 3097) and the north side of County Line and the north side of County Line and more specifically described herein as Exhibit "A"; and

Section 2. That the tract of land described in the attached Exhibit "A" shall be used only in the manner and for the purposes provided for in the Unified Development Code (Ord. No. 04-38) of the City of Rockwall as heretofore amended, and said property shall be limited to the uses, density, area, setback and other requirements set forth herein attached as Exhibit "B".

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 21st day of September, 2009.

William R. Cecil, Mayor

ATTEST:

Kristy Ashberry, City Secretary

CITY OF ROCKWALL TEXAS
SEAL

APPROVED AS TO FORM:

Pete Eckert, City Attorney

1st Reading:09/08/09

2nd Reading:09/21/09

Exhibit "A"
Legal Description
Zoning Case No. Z2009-008
Lake Rockwall Estates Proposed "PD"
City and County of Rockwall, Texas

BEING a 329.53 acre tract of land, in the G. Wells Survey, Abstract No. 219, in Rockwall County, Texas, said tract being more particularly described by metes and bounds as follows;

BEGINNING at a point at the intersection of the Centerline of Tubbs Road and the South Right of Way line of F.M. 3097 (Horizon Road);

THENCE N 44° 03' 32.586" E, along the Centerline of said Tubbs Road, for a distance of 3196.715 feet to a point for a corner;

THENCE S 45°18' 40.548" E, departing said line Tubbs Road for a distance of 987.963 feet to a point for a corner;

THENCE S 45° 01' 47.969" E, for a distance of 305.802 feet to a point for a corner;

THENCE S 57° 46' 29.390" E, a distance of 618.885 feet to a point for a corner;

THENCE N 89° 29' 58.294" E, a distance of 2177.687 feet to a point for a corner in the North line of Rockwall Lake Estates No. 2;

THENCE S 0° 20' 12.986" E, along the Easterly most line of Rockwall Lake Estates No. 2 for a distance of 2420.324 feet to a point for a corner in the North line of County Line Road;

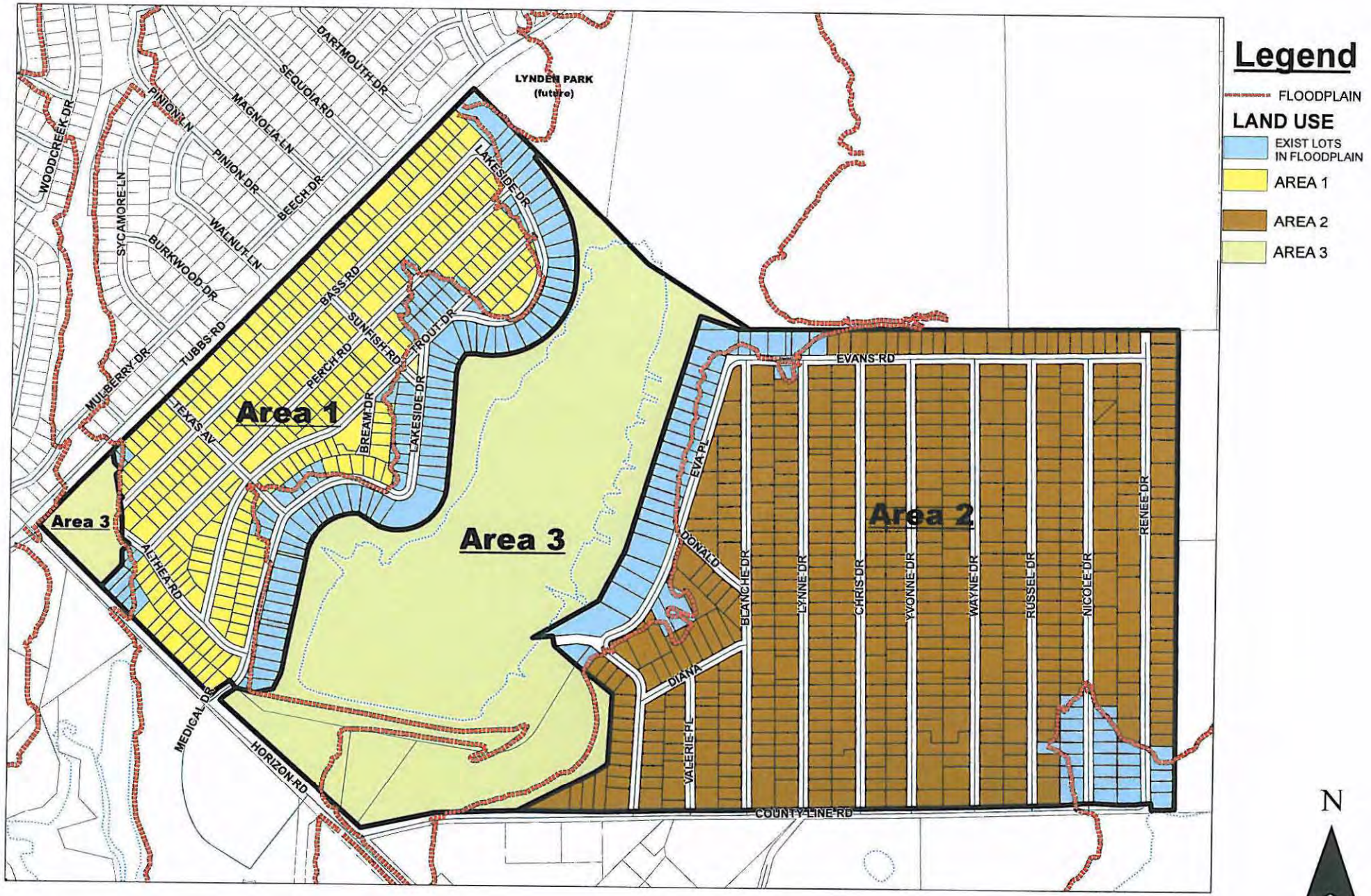
THENCE S 88° 49' 05.513" W, along the said North line of County Line Road for a distance of 3751.248 feet to a point for a corner;

THENCE S 77° 48' 25.087" W, continuing along the said North line of County Line Road for a distance of 388.521 feet to a point for a corner in the Northeast line of said Horizon Road;

THENCE N 49° 33' 00" W, along said Northeast line of Horizon Road for a distance of 231.08 feet to a point for a corner;

THENCE S 39° 24' 11.999" W, crossing Horizon Road for a distance of 100.00 feet to a point for a corner;

THENCE N 46° 5' 44.798" W, continuing along the South Right of Way line of Horizon Road for a distance of 2064.651 feet to the Point of Beginning and containing 329.53 acres and 14,354,361.518 square feet of land more or less.



The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

PD Zoning Exhibit B
Lake Rockwall Estates

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Exhibit "C" – PD-75 Development Standards
Lake Rockwall Estates

Area 1

Development in the area indicated as **Area 1 on Exhibit "B"**, attached hereto, shall be subject to the permitted uses and area requirements of **Article V, Section 3.6 (SF-7) Single Family Residential District,** of the City of Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended, as amended herein by granting of this zoning change, and the following additional conditions and restrictions:

A. Development Standards

1. Minimum **lot area** - *5,000 square feet*
2. Maximum number of single-family detached **dwellings units per lot** – *1*
3. Minimum **square footage** per dwelling unit - *1,100 sq. ft.*
4. Minimum **lot frontage** on a public street - *50 feet**
5. Minimum **lot depth** - *100 feet**
6. Minimum depth of **front yard setback** - *20 feet**
7. Minimum depth of **rear yard setback** - *10 feet**
8. Minimum width of **side yard setback**
    a. Internal lot – *5 feet*

    [These setbacks and frontage requirements may be varied by the Planning and Zoning Commission and City Council upon request of the applicant.]*
9. Minimum **distance between separate buildings** on the same lot or parcel of land - *10 feet*
10. Minimum **length of driveway** pavement from public right-of-way for rear and side yard - *20 feet*
11. Maximum **building coverage** as a percentage of lot area - *45 percent*
12. Maximum **building height** - *32 feet*
13. Minimum number of paved **off-street parking spaces** required for
    a. One single-family dwelling unit – 2. An enclosed garage shall not be considered in meeting the off-street parking requirements.
    b. For all other uses, see *Article VI Parking and Loading*.

Exhibit "C" – PD-75 Development Standards
Lake Rockwall Estates

Area 2

Development in the area indicated as **Area 2 on Exhibit "B"**, attached hereto, shall be subject to the permitted uses and area requirements of **Article V, Section 3.6 (SF-7) Single Family Residential District,** of the City of Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, subject to the additional following conditions and restrictions:

A. **Development Standards**

1. Minimum **lot area** - *5,000 square feet*
2. Maximum number of single-family detached **dwellings units per lot** – *1*
3. Minimum **square footage** per dwelling unit - *1,100 sq. ft.*
4. Minimum **lot frontage** on a public street - *50 feet**
5. Minimum **lot depth** - *100 feet**
6. Minimum depth of **front yard setback** - *20 feet**
7. Minimum depth of **rear yard setback** - *10 feet**
8. Minimum width of **side yard setback**
    a. Internal lot – *5 feet*

    [These setbacks and frontage requirements may be varied by the Planning and Zoning Commission and City Council upon request of the applicant.]*
9. Minimum **distance between separate buildings** on the same lot or parcel of land - *10 feet*
10. Minimum **length of driveway** pavement from public right-of-way for rear and side yard - *20 feet*
11. Maximum **building coverage** as a percentage of lot area - *45 percent*
12. Maximum **building height** - *32 feet*
13. Minimum number of paved **off-street parking spaces** required for
    a. One single-family dwelling unit – 2. An enclosed garage shall not be considered in meeting the off-street parking requirements.
    b. For all other uses, see *Article VI Parking and Loading* or as required in section C. Additional Development Standards.

B. **Manufactured Home Replacement Minimum Standards:**

These standards only apply to **Area 2** of the Lake Rockwall Estates Planned Development District.

As of the effective date of this ordinance, if an existing property located in **Area 2** of the Lake Rockwall Estates Planned Development District contained an habitable mobile home or HUD-code manufactured home, as defined by state law, then the **one time replacement** installation of a new or used HUD-code manufactured home shall be allowed if such manufactured home meets the following minimum standards:

1. The manufactured home shall be permanently attached to a concrete foundation.

2. The primary roof pitch must be at least 3 in 12 inches.

3. At least ninety percent (90%) of the exterior materials, including the skirting material, excluding doors and windows, must be comprised of Hardi-board lap siding, "Cemplank" lap siding or a similar cementaceous durable lap siding material with a minimum width of six and one-quarter inches (6 ¼").

   Alternatively, the one-time replacement installation may meet the minimum masonry requirements as specified in **Article V, Section 3.1, General Residential Standards**, of the City of Rockwall Unified Development Code.

4. The one time replacement HUD-code manufactured home shall be a newer manufactured home and is at least as large in living space as the prior manufactured home.

Exhibit "C" – PD-75 Development Standards
Lake Rockwall Estates

Additional Standards for Areas 1 and 2

A. **Lake Rockwall Estates Fencing Requirements**

All fences within (PD-75) Planned Development No. 75 District shall be required to meet all the regulations and requirements of Chapter 6, Article IX of the Rockwall Code of Ordinances with the following exceptions:

1. **Construction of fences in the required front yard.**

Fences constructed in the required front yard of residentially zoned property within (PD-75) Planned Development No.75 District shall not require a special permit by the City Council, but shall meet all regulations and requirements of Chapter 6, Article IX of the City of Rockwall Code of Ordinances, and as they may be amended in the future. Exceptions to the height requirements for front yard fences shall be appealed to the City Council, but shall not require a public hearing.

2. **Construction of chain link fences in side and rear yards.**

All properties within Area 1 and 2 shall be permitted to construct a chain-link fence along the side and rear property lines, provided said fence complies with the maximum height and all other requirements of Chapter 6, Article IX of the City's Code of Ordinances.

B. **Exterior Wall Materials**

All buildings of 120-sf or more and over ten feet (10') tall shall have exterior walls constructed of masonry construction. Exterior walls for all buildings of 120-sf or more and over 10 feet tall, shall be constructed of at least eighty percent (80%) standard masonry construction, excluding windows and doors, unless the wall is on a porch, patio, courtyard, or breezeway, in which event, the wall may be of non-masonry construction. Hardy Plank or similar cementaceous material may be used for up to 50% of the masonry requirement. Buildings with less than 80% masonry materials or building exceeding the 50% Hardy Plank shall require a recommendation of the Planning and Zoning Commission and approval of the City Council.

Buildings less than 120-sf and under 10 feet in height may be constructed with non-masonry materials, or may be all metal with a baked-on pre-painted surface.

C. **Consideration of Special Request**

The City Council may consider special requests in the Lake Rockwall Planned Development District in Areas 1 and 2. Such requests may include, but not necessarily be limited to, the use of building materials not otherwise allowed, authorization of specific land uses not otherwise allowed, or other requests submitted for consideration.

Upon receipt of such special requests, the Planning and Zoning Commission shall review the same and forward its recommendation to the City Council for consideration. The City Council may approve special requests and any such approval shall preempt any other underlying zoning restrictions in the Zoning Ordinance. Such special requests may be denied by the City Council by passage of a motion to deny.

Area 3

That the area indicated as **Area 3 (Open Space/Drainage) on Exhibit "B,"** attached hereto, shall be restricted to open space and drainage. Development in this area shall be prohibited.

CITY OF ROCKWALL

ORDINANCE NO. 16-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 75 [*ORDINANCE NO. 09-37*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING EXHIBIT 'B' AND EXHIBIT 'C' OF ORDINANCE NO. 09-37, BEING A 329.53.00-ACRE TRACT OF LAND IDENTIFIED AS THE LAKE ROCKWALL ESTATES SUBDIVISION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (*$2,000.00*) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has initiated a zoning change for the Lake Rockwall Estates Subdivision for the purpose of updating the *PD Concept Plan* in *Exhibit 'B'* and amending the development standards in *Exhibit 'C'* of *Ordinance No. 09-37* for a 329.53-acre tract of land, zoned Planned Development District 75 (PD-75) [*Ordinance No. 09-37*], situated within the G. Wells Survey, Abstract No. 219, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 75 (PD-75) [*Ordinance No. 09-37*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No. 09-37*;

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 3. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 4. That development of the *Subject Property* shall generally be in accordance with the

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Development Standards, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 5. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 7. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 8. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF JANUARY, 2016.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *December 21, 2015*

2nd Reading: *January 4, 2016*

DRAFT ORDINANCE 21.21.25

Exhibit 'A':
Legal Description

Lake Rockwall Estates Subdivision:

BEING a 329.53 acre tract of land, in the G. Wells Survey, Abstract No. 219, in Rockwall County, Texas, said tract being more particularly described by metes and bounds as follows;

BEGINNING at a point at the intersection of the Centerline of Tubbs Road and the South Right of Way line of FM-3097 (*Horizon Road*);

THENCE N 44° 03' 32.586" E, along the Centerline of said Tubbs Road, for a distance of 3196.715 feet to a point for a corner;

THENCE S 45°18' 40.548" E, departing said line Tubbs Road for a distance of 987.963 feet to a point for a corner;

THENCE S 45° 01' 47 .969" E, for a distance of 305.802 feet to a point for a corner; THENCE S 57° 46' 29.390" E, a distance of 618.885 feet to a point for a corner;

THENCE N 89° 29' 58.294" E, a distance of 2177 .687 feet to a point for a corner in the North line of Rockwall Lake Estates No. 2;

THENCE S 0° 20' 12.986" E, along the Easterly most line of Rockwall Lake Estates No. 2 for a distance of 2420.324 feet to a point for a corner in the North line of County Line Road;

THENCE S 88° 49' 05.513" W, along the said North line of County Line Road for a distance of 3751.248 feet to a point for a corner;

THENCE S 77° 48' 25.087" W, continuing along the said North line of County Line Road for a distance of 388.521-feet to a point for a corner in the Northeast line of said Horizon Road;

THENCE N 49 ° 33' 00" W, along said Northeast line of Horizon Road for a distance of 231.08-feet to a point for a corner;

THENCE S 39° 24' 11.999" W, crossing Horizon Road for a distance of 100.00 feet to a point for a corner;

THENCE N 46° 5' 44.798" W, continuing along the south right-of-way line of Horizon Road for a distance of 2,064.651-feet to the *Point of Beginning* and containing 329.53-acres and 14,354,361.518 square feet of land more or less.

DRAFT ORDINANCE 21.2015

Exhibit 'B':
Concept Plan

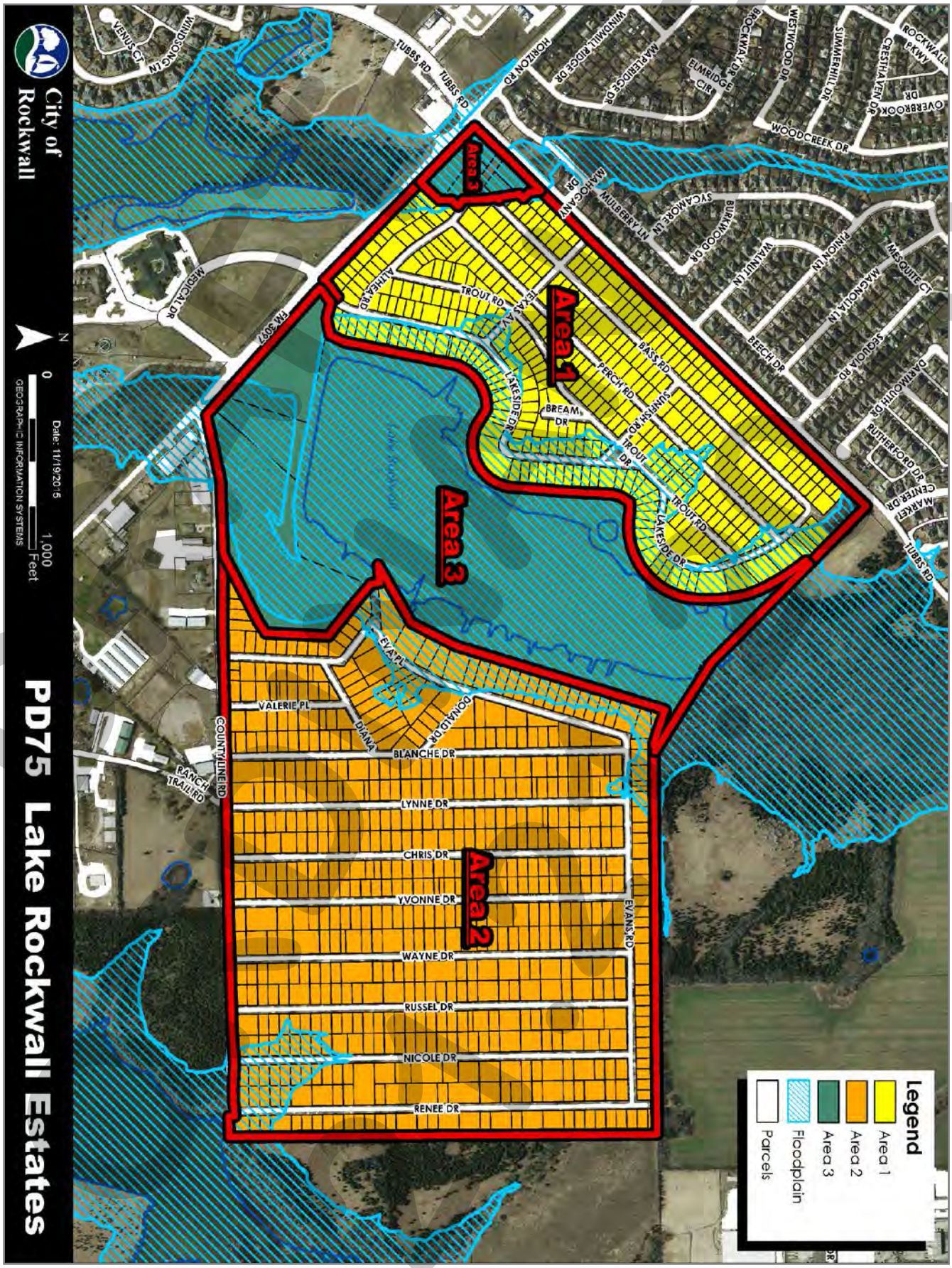

Exhibit 'C':
PD Development Standards

PD Development Standards.

1. *Density and Dimensional Requirements.* Development of *Area 1* or *Area 2* as depicted in *Exhibit 'B'* of this ordinance shall be subject to the land uses and development standards stipulated for properties within a *Single Family 7 (SF-7) District* as required by Section 3.6, *Single Family Residential (SF-7) District*, and Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future, and shall be subject to the following additional standards:

Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ►	Area 1	Area 2
Minimum Number of Single Family Units Per Lot	1	1
Minimum Lot Width/Frontage [1]	50-Feet	50-Feet
Minimum Lot Depth [1]	100-Feet	100-Feet
Minimum Lot Area [1]	5,000-SF	5,000-SF
Minimum Front Yard Setback [1]	20-Feet	20-Feet
Minimum Side Yard Setback (Internal Lot) [1]	5-Feet	5-Feet
Minimum Side Yard Setback (Adjacent to a Street) [1]	20-Feet	20-Feet
Minimum Distance Between Buildings on the Same Lot	10-Feet	10-Feet
Minimum Length of Driveway Pavement [2]	20-Feet	20-Feet
Minimum Number of Off-Street Parking Spaces [3] & [4]	2	2
Maximum Height	32-Feet	32-Feet
Minimum Rear Yard Setback	10-Feet	10-Feet
Minimum Area/Dwelling Unit (SF)	1,100-SF	1,100-SF
Maximum Lot Coverage	45 %	45 %

General Notes:

[1]: These setbacks and frontage requirements may be varied in accordance with Section 3.C, *Consideration of a Special Request*, of this Ordinance.

[2]: The minimum length of the driveway pavement as measured from public right-of-way for the rear and side-yard.

[3]: An enclosed garage shall not be considered in meeting the off-street parking requirements.

[4]: Number denotes residential property only. For all other land uses, see Article VI, *Parking and Loading*, of the Unified Development Code.

2. *Manufactured Home Replacement.* This standard only applies to *Area 2* as depicted in *Exhibit 'B'* of this ordinance. As of September 21, 2009, properties within *Area 2* containing a habitable mobile/manufactured home, as defined by state law and the US Department of Housing and Urban Development's (HUD's) code, shall be permitted a *one-time* replacement of a new or used manufactured home (*conforming to HUD's standards*) pending the replacement manufactured home meets the following minimum standards:

   (a) The manufactured home shall be permanently attached to a concrete foundation.

   (b) The primary roof pitch is a minimum of 3:12 inches.

   (c) At least 90% of the exterior materials, including the skirting material, excluding doors and windows, must be comprised of Hardi-Board lap siding or a similar durable cementaceous lap siding material with a minimum width of 6¼-inches. Alternatively, the manufactured home may conform to the minimum masonry requirements as stipulated in Section 3.1, *General Residential Standards*, of the Unified Development Code.

   (d) The proposed manufactured home is newer and larger in living space than the prior manufactured home.

DRAFT ORDINANCE 2015

3. *Additional Standards for Area 1 and Area 2.* The following additional standards are required/permitted within *Area 1* and *Area 2:*

   (a) *Fencing Requirements.* All fences within Planned Development District 75 (PD-75) shall be required to meet the regulations and requirements stipulated by the City of Rockwall *Municipal Code of Ordinances* with the following exceptions:

      (i) *Front Yard Fences.* Fences constructed in the required front yard for residential properties shall not require a special exception by the City Council as long as they adhere to the requirements of the Municipal Code of Ordinances. Exceptions to the height requirements for front yard fences shall be appealed in accordance with Section 3.C, *Consideration of a Special Request*, of this Ordinance.

      (ii) *Chain-Link Fences.* All properties within *Area 1* and *Area 2* shall be permitted to construct a chain-link fence along the rear and side yard property lines, provided said fence complies to the requirements of the *Municipal Code of Ordinances*.

   (b) *Exterior Materials.* Buildings 120-SF of greater and over ten (10) feet in height shall have exterior walls constructed of a minimum of 80% standard masonry construction, excluding windows and doors. In the event that an exterior wall is on a porch, patio, courtyard, or breezeway the wall may be of non-masonry construction. Hardi-Board or similar cementaceous material may be used on up to 50% of the total masonry requirement. A building with less than 80% standard masonry construction or which utilizes an excess of 50% cementaceous material shall require approval by the City Council in accordance with Section 3.C, *Consideration of a Special Request*, of this Ordinance.

      Buildings less than 120-SF and under ten (10) feet in height may be constructed with non-masonry materials or be metal with a baked-on enamel surface.

   (c) *Consideration of a Special Request.* The City Council may consider special requests in the Lake Rockwall Estates Subdivision (*i.e. Area 1 and Area 2 as depicted in Exhibit 'B' of this ordinance*). Such request may include, but not necessarily be limited to the use of alternate building materials, reductions in the building setbacks, exceptions to the fencing requirements, or other requests submitted for consideration to the Planning and Zoning Department.

      Upon receipt of such requests, the Planning and Zoning Commission shall review the case and forward a recommendation to the City Council for consideration. The City Council may approve special request. Any such approval shall preempt any other underlying zoning restrictions in the Unified Development Code. Such special requests may be denied by the City Council by the passage of a motion to deny.

      Special requests shall not include any request to change the land use of a property.

4. *Area 3.* The area indicated as *Area 3* in *Exhibit 'B'* of this ordinance shall be restricted to open space and drainage, and development in this area shall be prohibited.

DRAFT ORDINANCE 2-1-2016

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 12/21/2015

APPLICANT: John and Lenny James

AGENDA ITEM: **Z2015-031**; *La Jolla Pointe Car Wash*

SUMMARY:

Hold a public hearing to discuss and consider a request by John and Lenny James on behalf of the owner Rockway Partners for the approval of a Specific Use Permit (SUP) for a carwash on a 0.688-acre parcel of land identified as Lot 1, Block D, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the northwest corner of La Jolla Pointe Drive and Ridge Road [*FM-740*], and take any action necessary.

PURPOSE AND CHARACTERISTICS OF THE REQUEST:

The applicant's John and Lenny James are requesting a Specific Use Permit (SUP) for the purpose of constructing an automated, self-service carwash on a 0.688-acre parcel of land zoned Commercial (C) District. Typically, a *self-service* or *auto detail* carwash in a Commercial (C) District is permitted *by-right*; however, in this case the property is located within the Scenic (SOV) Overlay District and according to Section 6.8.C, *Special Use Standards*, of Article V, *District Development Standards*, of the Unified Development Code (UDC), "…the following uses may be considered on a case-by-case basis only and shall require a specific use permit … (*2*) Car wash (*all types*), subject to the conditions of Article IV, *Permissible Uses,* [*of the UDC*]." In addition, Article IV, *Permissible Uses*, of the UDC states that, "(t)he following standards apply to any freestanding or accessory carwash or auto detail use:

1) Entrances and exists to the car wash shall not directly face any public street. On corner sites, car wash entrances or exits shall not open toward the street with the highest traffic volume, or as determined by the director of planning.

2) The car wash shall be set back a minimum of 50-feet from any street frontage."

In this case, the proposed carwash will be situated ~60-feet from Ridge Road and ~70-feet from La Jolla Pointe Drive; however, the building will be oriented so that the entrance of the carwash will face onto Ridge Road (*the roadway with the highest traffic volumes*). The applicant has provided a letter stating that the purpose of this orientation is necessary due to the size of the property and the ability to accommodate the proposed buildings' design. Should the City Council approve this case per staff's recommendations they will be granting the applicant a variance to this requirement.

With the exception of the proposed building orientation the applicant's request conforms to all applicable requirements; however, granting a Specific Use Permit (SUP) is a discretionary act to the City Council. If approved the applicant will be required to submit a site plan and replat conforming to all applicable requirements. Contained is the attached packet is a copy of the applicant's letter, a concept plan, and draft ordinance.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a medical office building situated on a 2.427-acre parcel of land zoned Commercial (C) District. Beyond this property is a vacant 9.699-acre tract of land zoned Commercial (C) District.

South: Directly south of the subject property is La Jolla Pointe Drive, which is identified as a *Minor Collector* on the City's *Master Thoroughfare Plan*. Beyond this property is a 0.285-acre parcel of land with an office building constructed on it. This property is zoned Commercial (C) District.

East: Directly east of the subject property is Ridge Road [*FM-740*], which is identified as an M4D (*minor arterial, four [4] lane, divided roadway*] on the City's *Master Thoroughfare Plan*. Beyond this thoroughfare are two (2) restaurants with drive-through/drive-in windows (*i.e. Wendy's and Popeye's*) situated on two (2) parcels of land zoned Commercial (C) District.

West: Directly west of the subject property is La Jolla Pointe Drive, which is identified as a *Minor Collector* on the City's *Master Thoroughfare Plan*. Beyond this is a vacant 6.126-acre parcel of land zoned Commercial (C) District.

NOTIFICATION:

On November 20, 2015, staff mailed 21 notices to property owners and residents within 500-feet of the subject property. Staff also emailed notices to the Lakeside Village and Turtle Cove Homeowner's Associations (HOA's), which are the only HOA's located within 1,500 feet of the subject property. Additionally, staff posted a sign at the northwest corner of the intersection of La Jolla Pointe Drive and Ridge Road [*FM-740*], and advertised the public hearings in the Rockwall Harold Banner as required by the Unified Development Code (UDC). At the time this case memo was drafted staff had received three (3) responses in opposition to the applicant's request.

RECOMMENDATIONS:

If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) to allow a *Carwash* on the subject property then staff would recommend the following conditions of approval:

1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and summarized as follows:

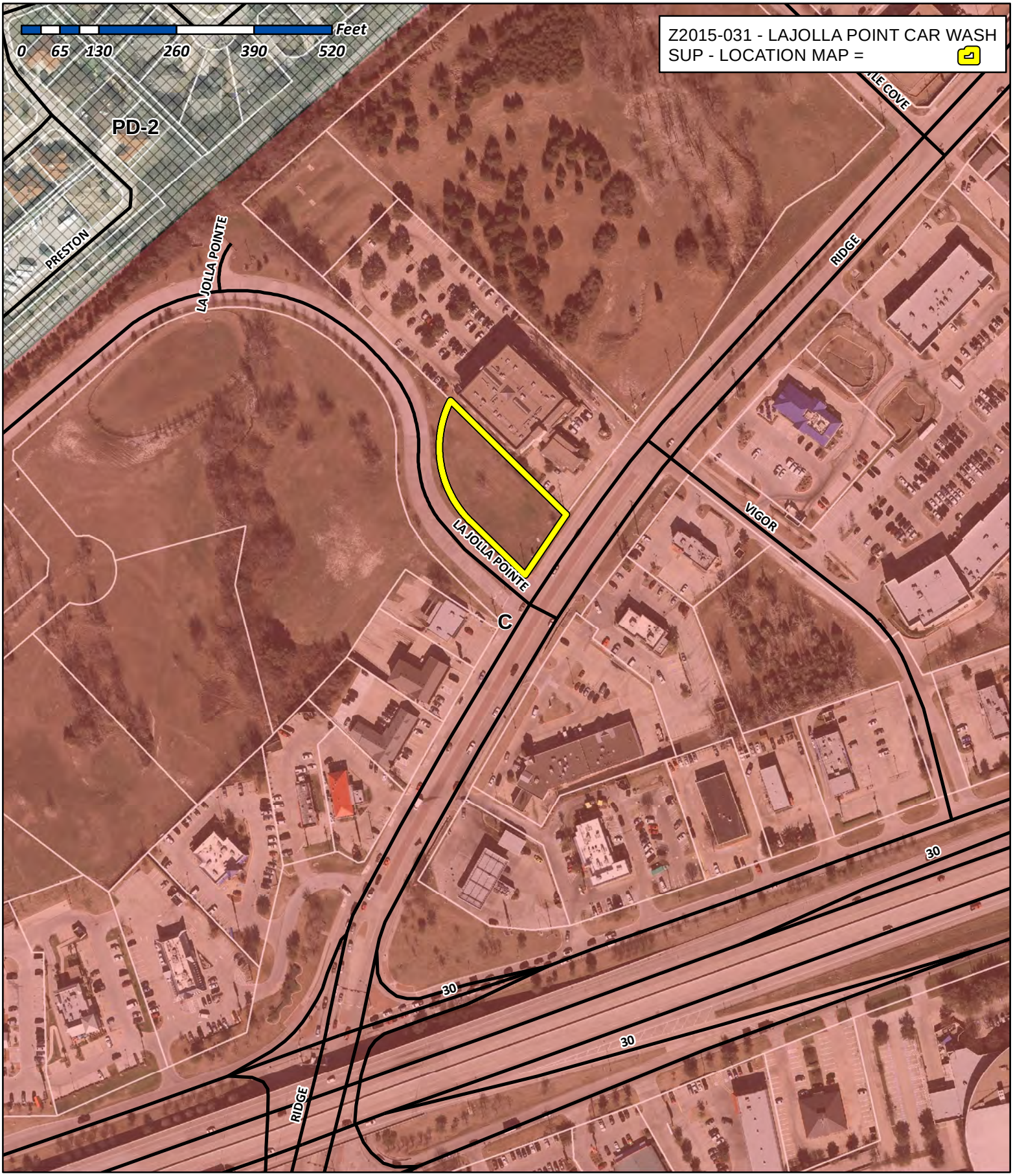
    (a) The development of this property shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of the SUP ordinance; and,
    (b) The carwash shall be setback a minimum of 50-feet from Ridge Road.

2) The applicant shall comply with all Planning, Engineering and Fire comments prior to the approval of a site plan; and,

3) Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On December 8, 2015, the Planning and Zoning Commission approved a motion to recommend denial of the Specific Use Permit by a vote of 6-1, with Commissioner Lyons dissenting. According to Section 8.4, *Protest of Proposed Change in Zoning*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code, "…denial by the Planning and Zoning Commission such [*the*] change in zoning shall require a favorable vote of three-fourths [¾] of all eligible members of the council.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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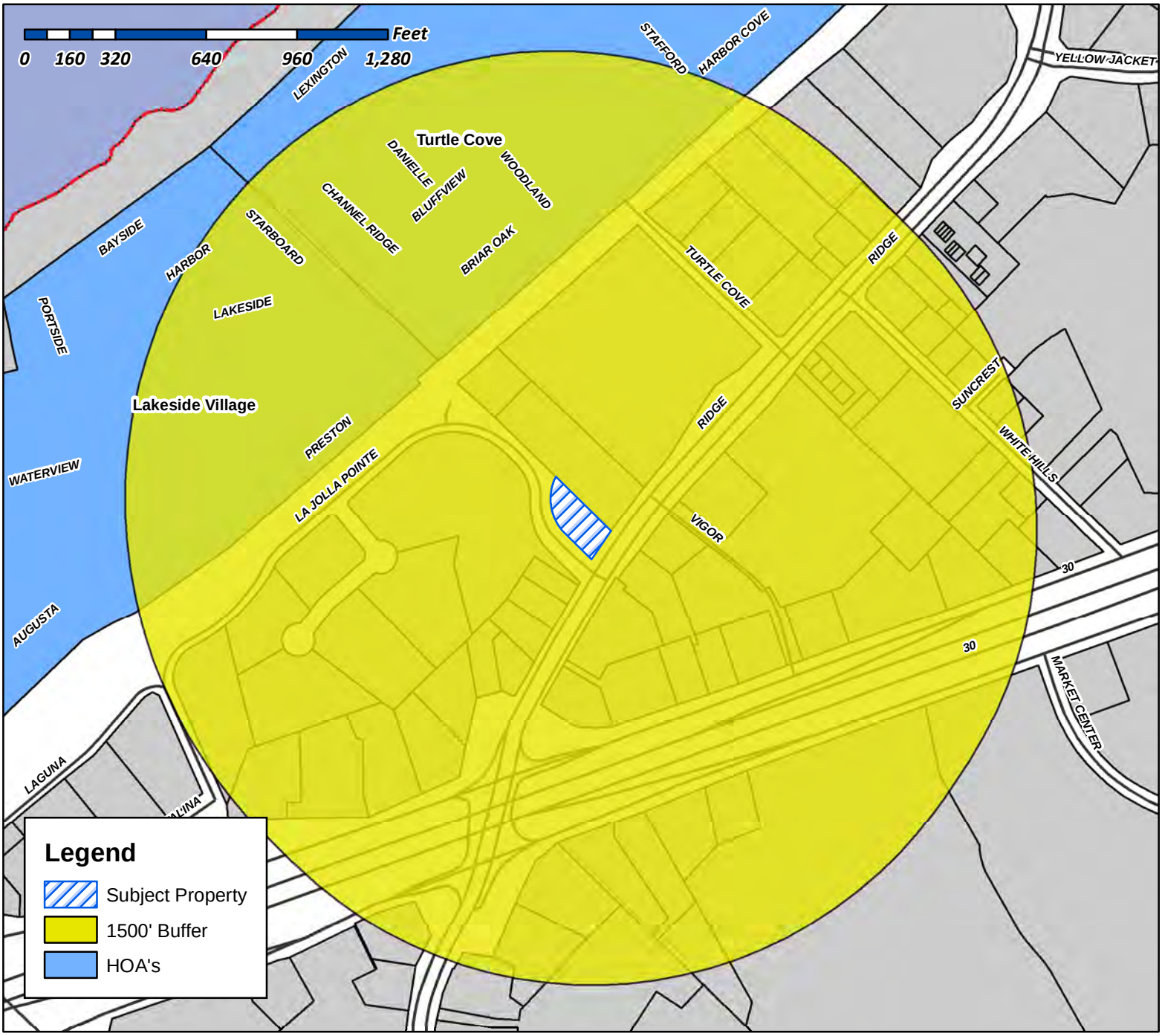
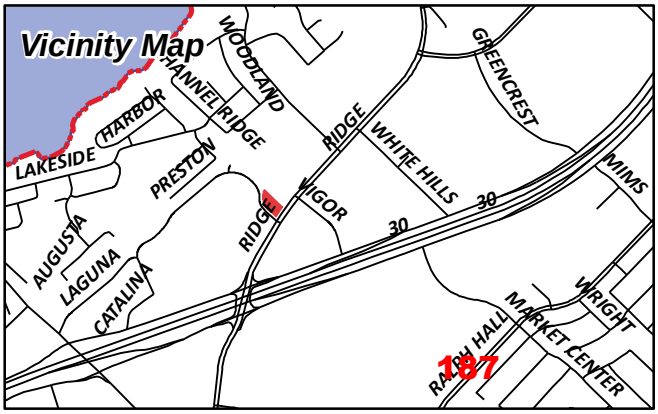


Case Number: Z2015-031
Case Name: La Jolla Point Addition Car Wash
Case Type: Specific Use Permit
Zoning: Commercial (C) District
Case Address: Corner of La Jolla Point and Ride Rd.



Date Created: ***11/13/2015***
For Questions on this Case Call (972) 771-7745

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
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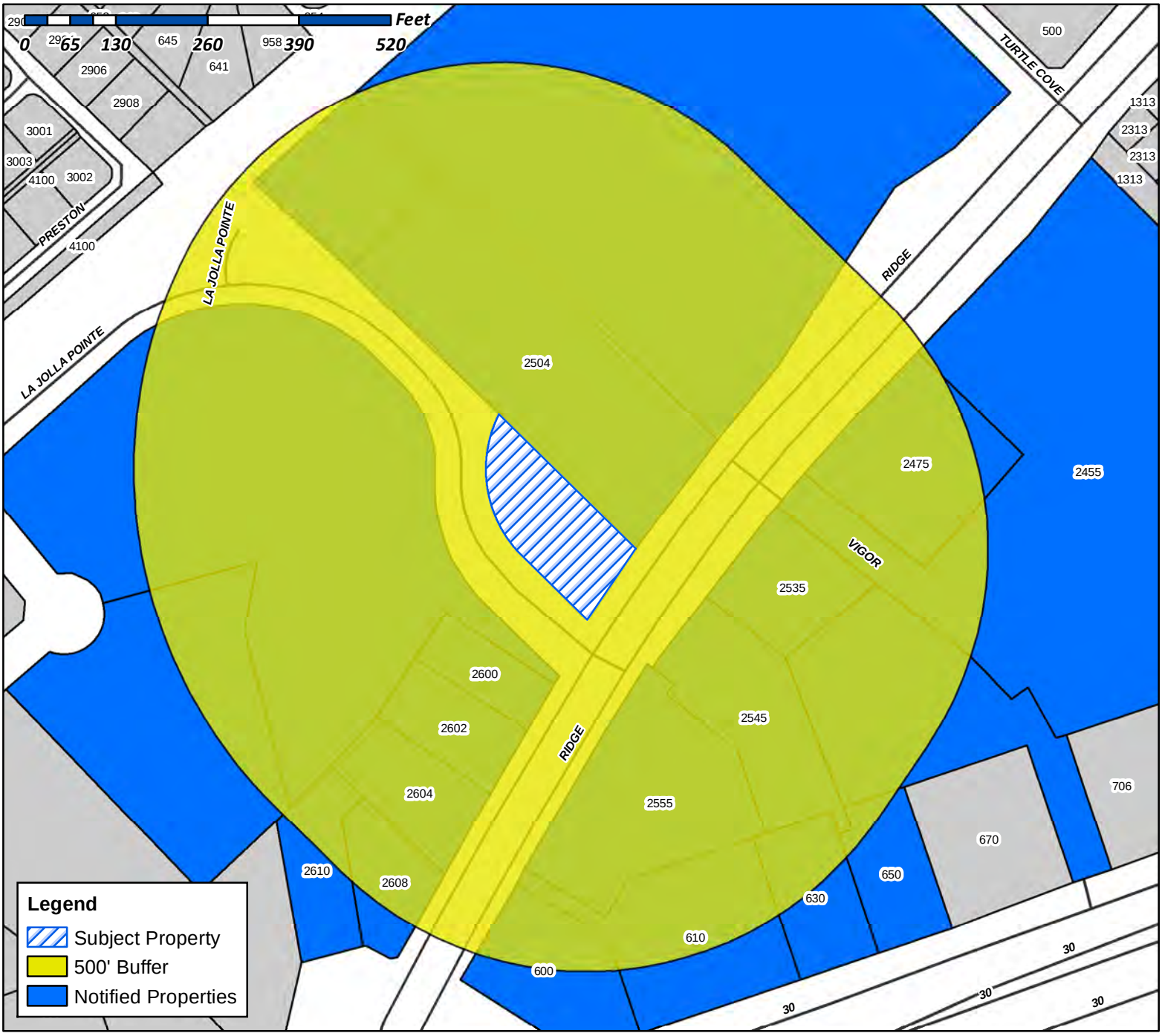

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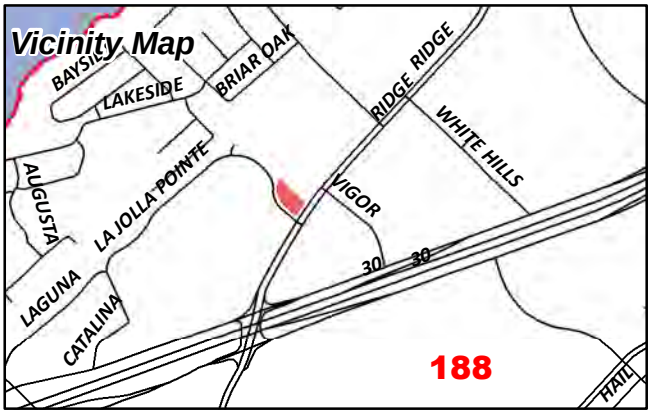

Date Created: 11/13/2015
For Questions on this Case Call (972) 771-7745

ROCKWAY PARTNERS LLP
9071 E VASSAR AVE

DENVER, CO 80231

BROOKS RICHARD L DR
2504 RIDGE RD

ROCKWALL, TX 75087

MIRANDA VINOD
9105 BRIARCREST DR

ROWLETT, TX 75089

WAFFLE HOUSE INC
PO BOX 6450

NORCROSS, GA 30091

NOTY INVESTMENTS LLC
4001 BRIDGEPORT DR

PLANO, TX 75093

HARRIS RICHARD DALE & JUDY A
210 GLENN AVE

ROCKWALL, TX 75087

DAVID HOGG BUILDING LLC
8652 W ROWEL RD

PEORIA, AZ 85383

BELAC PROPERTIES LLC
2600 RIDGE RD

ROCKWALL, TX 75087

MCDONALDS CORP (398/42)
935 W RALPH HALL PKWY

ROCKWALL, TX 75032

ROCKWALL CORNER CORPORATION
600 E I-30

ROCKWALL, TX 75087

CBAX PROPERTIES LLC
465 W PRESIDENT GEORGE BUSH HWY

RICHARDSON, TX 75080

ROCKWALL II PROPERTIES LLC
PO BOX 630768

HOUSTON, TX 77263

ROCKWAY PARTNERS LLP
9071 E VASSAR AVE

DENVER, CO 80231

BROOKS RICHARD L MD
2504 RIDGE RD

ROCKWALL, TX 75087

ROCKWAY PARTNERS LLP
9071 E VASSAR AVE

DENVER, CO 80231

WENDY'S INTERNATIONAL INC
1 DAVE THOMAS BLVD

DUBLIN, OH 43017

PASTEM CORP
PO BOX 600433

DALLAS, TX 75360

PAUL'S KWIK KAR INC
650 E INTERSTATE 30

ROCKWALL, TX 75087

BOLD LLC
121 WYLER DR

DAKOTA, IL 61018

ROCKWALL OCEANHILL LLC
200 GLENWOOD CIR BOX 316

MONTEREY, CA 92940

POP HOLDINGS LP
7750 N MACARTHUR BLVD

IRVING, TX 75063

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PLEASE RETURN THE BELOW FORM

Case No. Z2015-031: La Jolla Addition Car Wash

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

This Car Wash not Fit for "Scenic Overlay!" .688 acres is not Large enough. Inadequat Parking. In Summer: Ugly, Not enough space, Autos will overflow into my Parking Lot! also block La Jolla Street.

Name: Richard L. BROOKS, MD

Address: 2504 RIDGE Rd., STE 101 ROCKWALL, TX 75087 Richard L Brooks MD

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

PLEASE RETURN THE BELOW FORM

Case No. Z2015-031: La Jolla Addition Car Wash

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

The current properties along this stretch are primarily commercial office and medical practice. A car wash would be an aesthetic detriment to the area and negatively affect property and rental values as a result

Name: Wayne Hogg (President, David Hogg Building LLC)

Address: 2602 Ridge Rd, Rockwall, TX 75087 (affected Property)
Personal Address: 8652 W. Rowel Rd, Peoria, AZ 85383

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Case No. Z2015-031: La Jolla Addition Car Wash

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

I OWN THE BUILDING - EBBY HALLIDAY LEASES FROM US AT 2604 RIDGERD, WE HAVE OWNED THIS BUILDING FOR 40YR USED AS A REAL ESTATE OFFICE, ALSO EBBY LEASES 2602 AS REAL ESTATE OFFICE & 2600 IS CPA OFFICE ON THE OTHER SIDE OF STREET, IS DR BROOKS MEDICAL BUILDING THES ~~ARE~~ PROPERTYS ARE HIGH PER SQ FOOT. THE PROSED SITE SHOULD ALSO BE OFFICE NOT A CAR WASH-WILL HURT OUR PROPERTY VALUES. I AM STRONGLY OPPOSED TO A CAR WASH

Name: Richard Harris

Address: 210 Glenngue Rockwall, Texas 75087 FOR 2604 Ridge Rd.

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

John James
2283 Lafayette Lndg
Heath, TX 75032

To

City Council
City Of Rockwall, Rockwall, TX 75087

Subject. Letter Explaining reason why car entrance to the car wash building at Ridge Car Wash is on the east end facing Ridge Road.

Dear Council members,

The entrance to the car wash from the street as car drive in to the lot will be from La Jolla Street

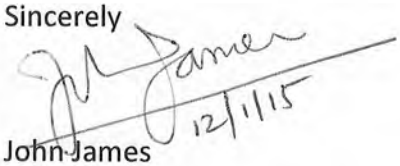
Once the car enters the lot, it will drive east towards the front of the tunnel facing Ridge drive and enter the tunnel and exit on the west end.

The reason for this being that tunnel will be approximately 100 ft long. The belt will extend an additional 20 ft from the building. It will also need an additional turn radius of 30 ft. The site at La Jolla offers a width of only 122.5 ft facing ridge road which will not be adequate for the tunnel to be parallel to Ridge road.

The east end of the tunnel wash facing Ridge road will have a very aesthetic look. It will add to the landscape of Ridge road with a modern and futuristic look.

Please email or call me with questions or concerns

Sincerely



John James

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Letter of Explanation

The intended business is a fully automated express exterior car wash with water reclaim system.

The customer drives up to the conveyer belt, puts the car into neutral and stays in the vehicle. The vehicle is then pulled into a tunnel via the conveyor belt. The car is washed and dried in the tunnel without the customer getting out of the car. The customer is out in less than 5 minutes.

Free vacuum stations are provided for self vacuum if needed.

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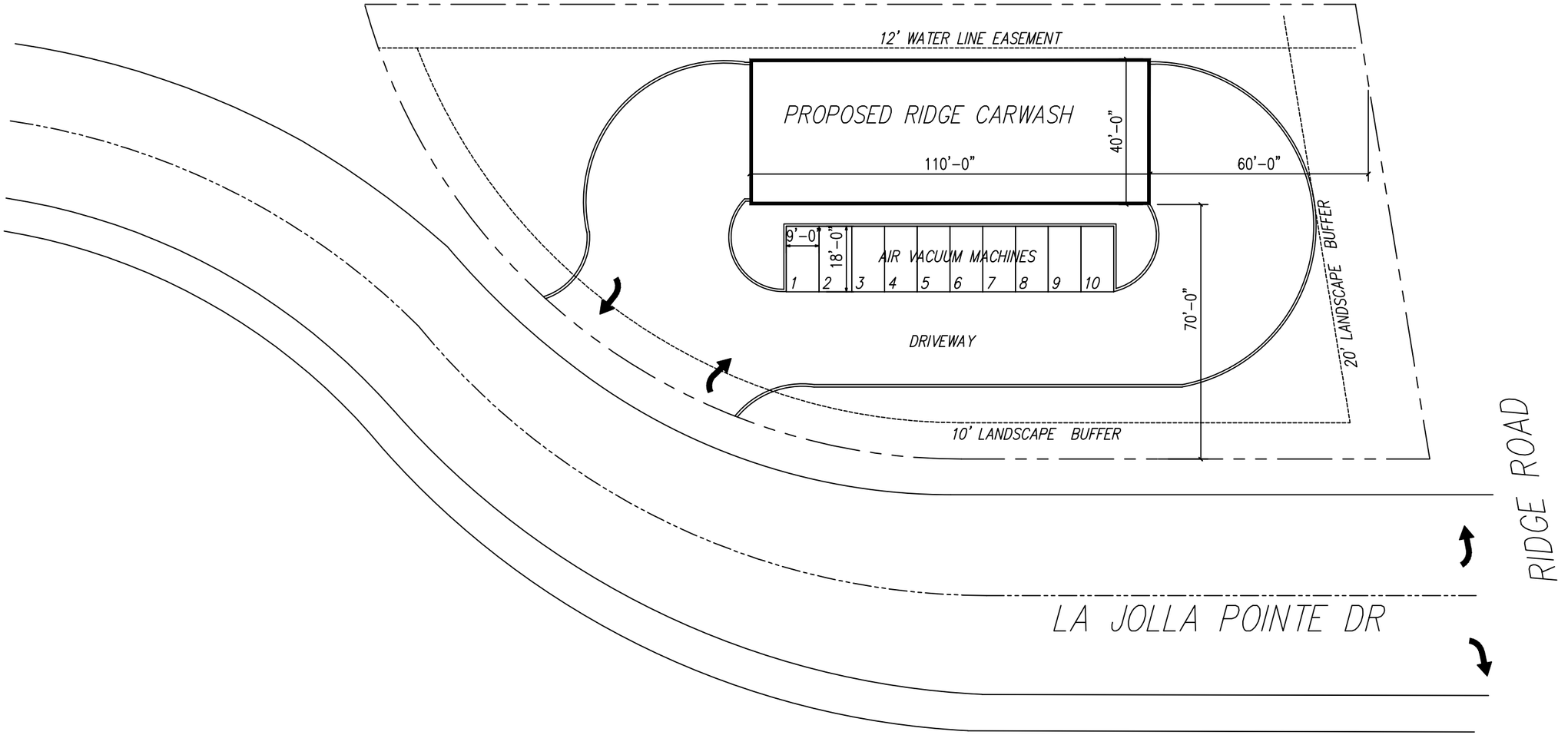
12' WATER LINE EASEMENT
PROPOSED RIDGE CARWASH
40'-0"
110'-0"
60'-0"
9'-0"
18'-0"
AIR VACUUM MACHINES
1
2
3
4
5
6
7
8
9
10
DRIVEWAY
70'-0"
20' LANDSCAPE BUFFER
10' LANDSCAPE BUFFER
RIDGE ROAD
LA JOLLA POINTE DR

195

Legal Description of Property

Legal Description: LA JOLLA POINTE ADDITION PH 2, BLOCK D, LOT 1, ACRES 0.688

Property ID: 58795

Geographic ID: 4119-000D-0001-00-0R

This property is on the corner of Ridge road drive and La Jolla Pointe drive

Survey Plat is attached.

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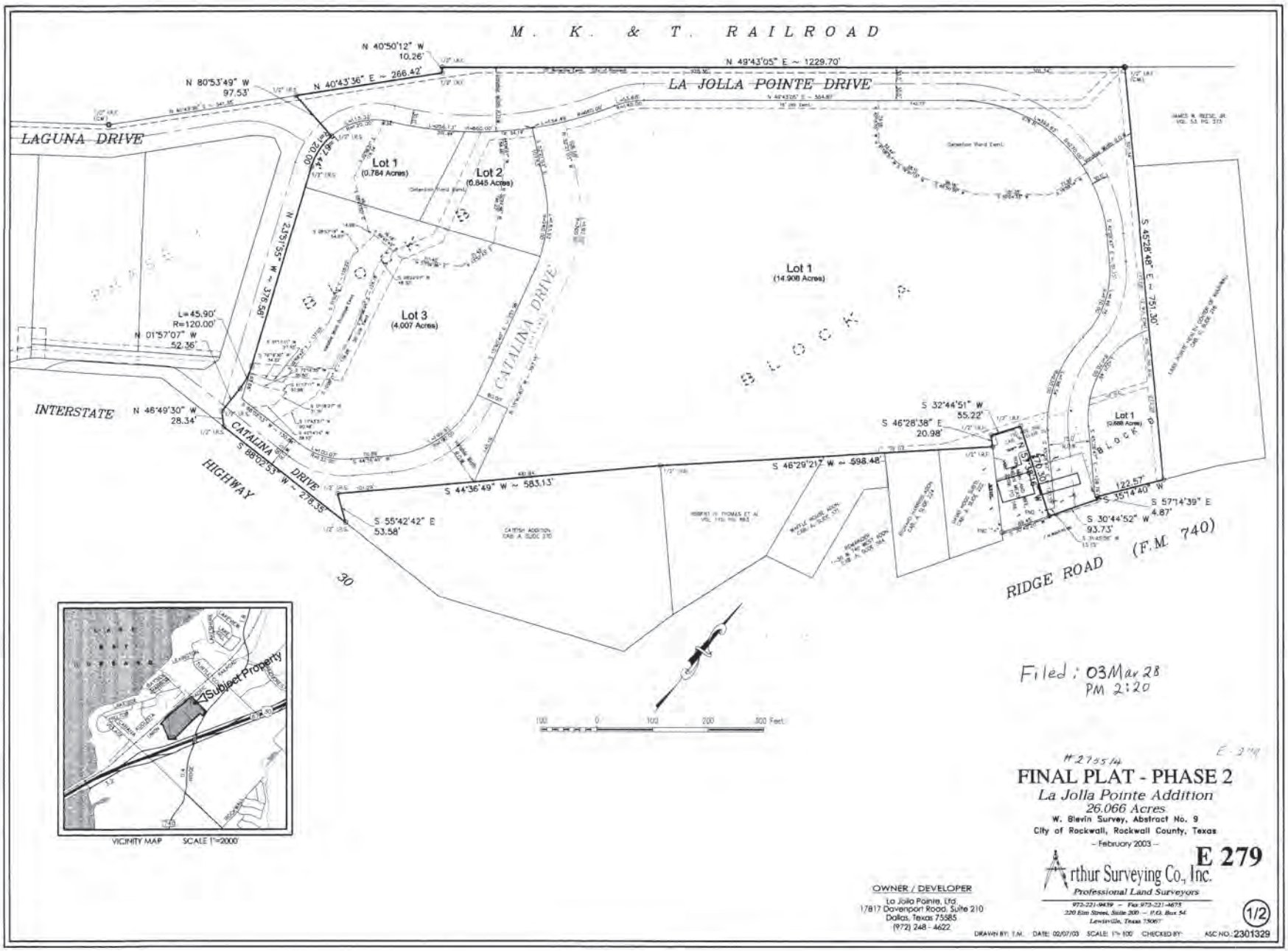

Filed: 03 Mar 28 PM 2:20

#275514

E-279

FINAL PLAT - PHASE 2

La Jolla Pointe Addition

26.066 Acres

W. Blevin Survey, Abstract No. 9

City of Rockwall, Rockwall County, Texas

– February 2003 –

E 279

OWNER / DEVELOPER

La Jolla Pointe, Ltd.
17817 Davenport Road, Suite 210
Dallas, Texas 75585
(972) 248 - 4622

Arthur Surveying Co., Inc.
Professional Land Surveyors
972-221-9439 – Fax 972-221-4675
320 Elm Street, Suite 200 – P.O. Box 54
Lewisville, Texas 75067

1/2

DRAWN BY: T.M. DATE: 02/07/03 SCALE: 1"= 100' CHECKED BY: ASC NO.: 2301329

"ACS/TRC" ROCKWALL Doc: 000275514 Date: 03/26/2003 Vol: 000000E Page: 00279 Page: 1 Of 2

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WHEREAS WE, ROCKWAY PARTNERS, L.L.P., are the owners of all that certain lot, tract or parcel of land situated in the W. Blevins Survey, Abstract Number 9, City of Rockwall, Rockwall County, Texas, and being all of that certain tract of land described by deed to Rockway Partners, L.L.P., recorded in Volume 2625, Page 148 of the Deed Records of Rockwall County, Texas, and a part of that certain tract of land described as Village One, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet A, Page 265 of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½ inch iron rod found at the southwesterly corner of that certain tract of land described by deed to James W. Reese, Jr., recorded in Volume 53, Page 373 of the Deed Records of Rockwall County, Texas, and being in the south line of the Missouri Kansas and Texas Railroad Right-of-Way;

THENCE South 45 degrees 28 minutes 47 seconds East, along the south line of said Reese tract and passing the southeasterly corner of Lake Pointe Health Science Center of Rockwall, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet C, Slide 216 of the Plat Records of Rockwall County, Texas, and continuing a total distance of 751.30 feet to a ½ inch iron rod set in the south line thereof, said point being in the north line of Ridge Road (F.M. 740), a public roadway;

THENCE South 35 degrees 14 minutes 40 seconds West, along the north line of Ridge Road, a distance of 122.57 feet to a ½ inch iron rod set in the north line of said Village One;

THENCE South 57 degrees 14 minutes 39 East, along the north line of said Village One, a distance of 4.87 feet to a ½ inch iron rod set at the northeast corner thereof;

THENCE South 30 degrees 44 minutes 52 seconds West, along the north line of Ridge Road, a distance of 93.73 feet, to a "+" found at the west corner of that certain tract of land described to Ron Man and wife, Neon Meas, recorded in Volume 2209, Page 166 of the Deed Records of Rockwall County, Texas;

THENCE North 57 degrees 38 minutes 16 West, along the north line of said Man-Meas tract, a distance of 170.30 feet to a ½ inch iron rod found at the north corner thereof;

THENCE South 32 degrees 44 minutes 51 seconds West, along the west line of said Man-Meas tract, a distance of 55.22 feet to a ½ inch iron rod found at the south corner thereof;

THENCE South 46 degrees 28 minutes 38 second East, along the southwest line of said Man-Meas tract, a distance of 20.98 feet to a 1/2 inch iron rod found at the north corner of David Hogg Subdivision, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet A, Slide 222 of the Plat Records of Rockwall County, Texas;

THENCE South 46 degrees 29 minutes 21 seconds West, along the west line of said David Hogg Subdivision, and passing at 97.18 feet a 3/8 inch iron found at the southwest corner thereof, and continuing along said course a total distance of 598.48 feet to a ½ inch iron rod set for corner;

THENCE South 44 degrees 36 minutes 49 seconds West, along the north line of Catfish Subdivision, an addition to the City of Rockwall, Rockwall County, Texas according to the Plat thereof recorded in Cabinet A, Slide 270 of the Plat Records of Rockwall County, Texas, a distance of 583.13 feet to a ½ inch iron rod set at the southwest corner thereof;

THENCE South 55 degrees 42 minutes 42 minutes East, along the south line of said Catfish Addition, a distance of 53.58 feet, to a g½ inch iron rod set at the southwest corner thereof, said point being in the north line of Interstates Highway 30 (I-30).

THENCE South 88 degrees 02 minutes 53 seconds West, along the aforementioned north line of I-30, a distance of 278.35 feet to a ½ inch iron rod set at the intersection of the north of I-30 and the north line of La Jolla Pointe Drive, said line being the north line of Phase 1, La Jolla Pointe Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet D, Slide 281 of the Plat Records of Rockwall County, Texas;

THENCE the following six (6) calls along the aforementioned north line.

North 46 degrees 49 minutes 30 seconds West, a distance of 28.34 feet to a ½ inch iron rod set for corner,

North 01 degrees 57 minutes 07 seconds West, a distance of 52.36 feet to a ½ inch iron rod set for corner,

Northwesterly along a curve to the left having a radius of 120.00 feet, a delta of 21 degrees 54 minutes 46 seconds, and having an arc length of 45.90 feet, whose chord bears North 12 degrees 54 minutes 31 seconds East, a distance of 45.62 feet to a ½ inch iron rod set for corner,

North 23 degrees 51 minutes 55 seconds West, a distance of 376.58 feet to a ½ inch iron rod set for corner,

Northwesterly along a curve to the right having a radius of 120.00 feet, a delta of 32 degrees 12 minutes 01 seconds, and having an arc length of 67.44 feet, whose chord bears North 07 degrees 45 minutes 54 seconds West, a distance of 58.56 feet, to a ½ inch iron rod set for corner.

North 80 degrees 53 minutes 49 seconds West, a distance of 97.53 feet to a ½ inch iron rod set at the most westerly northwest corner of said Phase 1, La Jolla Pointe Addition, said point being in the south line of said Missouri Kansas and Texas Railroad Right-of-Way;

THENCE North 40 degrees 43 minutes 36 seconds East, along the south line of aforementioned railroad, a distance of 266.42 feet to a ½ inch iron rod found,

THENCE North 40 degrees 43 minutes 36 seconds West, continuing along said railroad, a distance of 10.26 feet to a ½ inch iron rod found;

THENCE North 49 degrees 43 minutes 05 seconds East, continuing along said railroad, a distance of 1229.70 feet, to the **POINT OF BEGINNING**, and containing 26.408 acres of land, more or less, and being subject to any and all easements that may affect.

RECOMMENDED FOR FINAL APPROVAL

[signature] 3-25-2003
Planning and Zoning Commission — Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas was approved by the City Council of the City of Rockwall on the 4th day of November 2002

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred twenty (120) days from a said date of final approval.
Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this the 28th day of March

[signature] — Mayor, City of Rockwall
Dorothy Brooks — City Secretary City of Rockwall

CITY OF ROCKWALL TEXAS SEAL

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issue, nor shall such availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

APPROVED

Chuck Todd 3-26-03
City Engineer
City of Rockwall

I, the undersigned, Michael E. Horn, President of Delta Adviser, Inc., a Texas Corporation, General partner of the Land Shown on this plat, and designated herein as the **LA JOLLA POINTE ADDITION, PHASE 2**, a subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicates to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the La JOLLA Pointe Addition Phase 1 have been notified and signed this plat.
I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use of using same. I also understand the following:
1. No Building shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No housedwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or the owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street of streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's Engineer and/or city administrator, computed on a privated commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress Payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done, or until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exactions made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; we, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

ROCKWAY PARTNERS, LLP
LJPV, INC, GENERAL PARTNER

Dated: 3/25/03 — By: [signature]
John Hammerbeck
President

STATE OF TEXAS
COUNTY OF Collin

This instrument was acknowledge before me on the 25th March 2003

[signature]
Notary Public in and for the State of Texas
My commission expires 1/24/2007

LISA M. COOPER
Notary Public, State of Texas
My Commission Expires
January 24, 2007



VICINITY MAP SCALE 1"=2000'

Filed: 03Mar28
PM 2:20

FILED FOR RECORD ROCKWALL COUNTY
03 MAR 28 PM 2:20
[illegible]
CO. CLERK
DEPUTY

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:
THAT I, Douglas L. Arthur, a Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and the the corner monuments shown thereon were properly placed under my personal supervision in accordance with Platting Rules and Regulations of the City Plan Commision of the City of Rockwall, Rockwall County, Texas.

[signature]
Douglas L. Arthur
Registered Professional Land Surveyor No. 4357

STATE OF TEXAS — REGISTERED — DOUGLAS L. ARTHUR — 4357 — PROFESSIONAL LAND SURVEYOR

STATE OF TEXAS
COUNTY OF DENTON

This instrument was acknowledge before me on the 24th March 2003

[signature]
Notary Public in and for the State of Texas
My commission expires 6/10/2003

[notary stamp, illegible]

NOTES

1. Bearings based on west line of Rockway Partners, L.L.P. tract recorded in Volume 2625, Page 145 of the Deed Records of Rockwall County, Texas.

2. All corner are ½ inch iron rods set, unless otherwise noted.

3. No portion of subject property appears to lie within a special flood hazard area according to the FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, Community/Panel No. 480547 0005 C, Dated June 16, 1992.

OWNER / DEVELOPER
La Jolla Pointe, Ltd.
17817 Davenport Road, Suite 210
Dallas, Texas 75585
(972) 248 - 4622

E 28[illegible]

FINAL PLAT - PHASE 2
La Jolla Pointe Addition
26.066 Acres
W. Blevin Survey, Abstract No. 9
City of Rockwall, Rockwall County, Texas
– February 2003 –

E 280

Arthur Surveying Co., Inc.
Professional Land Surveyors
972-221-9439 – Fax 972-221-4675
220 Elm Street, Suite 200 – P.O. Box 54
Lewisville, Texas 75067

(2/2)

DRAWN BY: T.M. DATE: 02/07/03 SCALE: 1"=100 CHECKED BY: ASC NO.: 2301329

198

CITY OF ROCKWALL

ORDINANCE NO. 16-XX

SPECIFIC USE PERMIT NO. S-1XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A CAR WASH WITHIN THE SCENIC OVERLAY (SOV) DISTRICT, FOR A 0.688-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK D, LA JOLLA POINTE ADDITION, PHASE 2, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by John and Lenny James on behalf of the owner Rockway Partners, LLP for the approval of a Specific Use Permit (SUP) to allow a *car wash* on a 0.688-acre parcel of land identified as Lot 1, Block D, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, and more specifically described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

NOW AND THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for a *car wash* within the Scenic Overlay (SOV) District as stipulated by Section 6.8, *Scenic Overlay (SOV) District*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance, and as stipulated by Section 6.8, *Scenic Overlay (SOV) District*, Section 4.1, *General Commercial District Standards*, and Section 4.5, *Commercial (C) District*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

DRAFT ORDINANCE 12.21.15

2.1 Operational Conditions

The following conditions pertain to the operation of a *car wash* on the *Subject Property*, and conformance to these operational conditions are required for continued operations:

1) The development of this property shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance; and,

2) The c*ar wash* shall be setback a minimum of 50-feet from Ridge Road.

SECTION 3. That the official zoning map of the City of Rockwall be corrected to reflect the changes described herein.

SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS* ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. If any section of provision of this ordinance or the application of that section or provision to any person, firm, cooperation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have to adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF JANUARY, 2016.

_____

Jim Pruitt, *Mayor*

ATTEST:

_____

Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

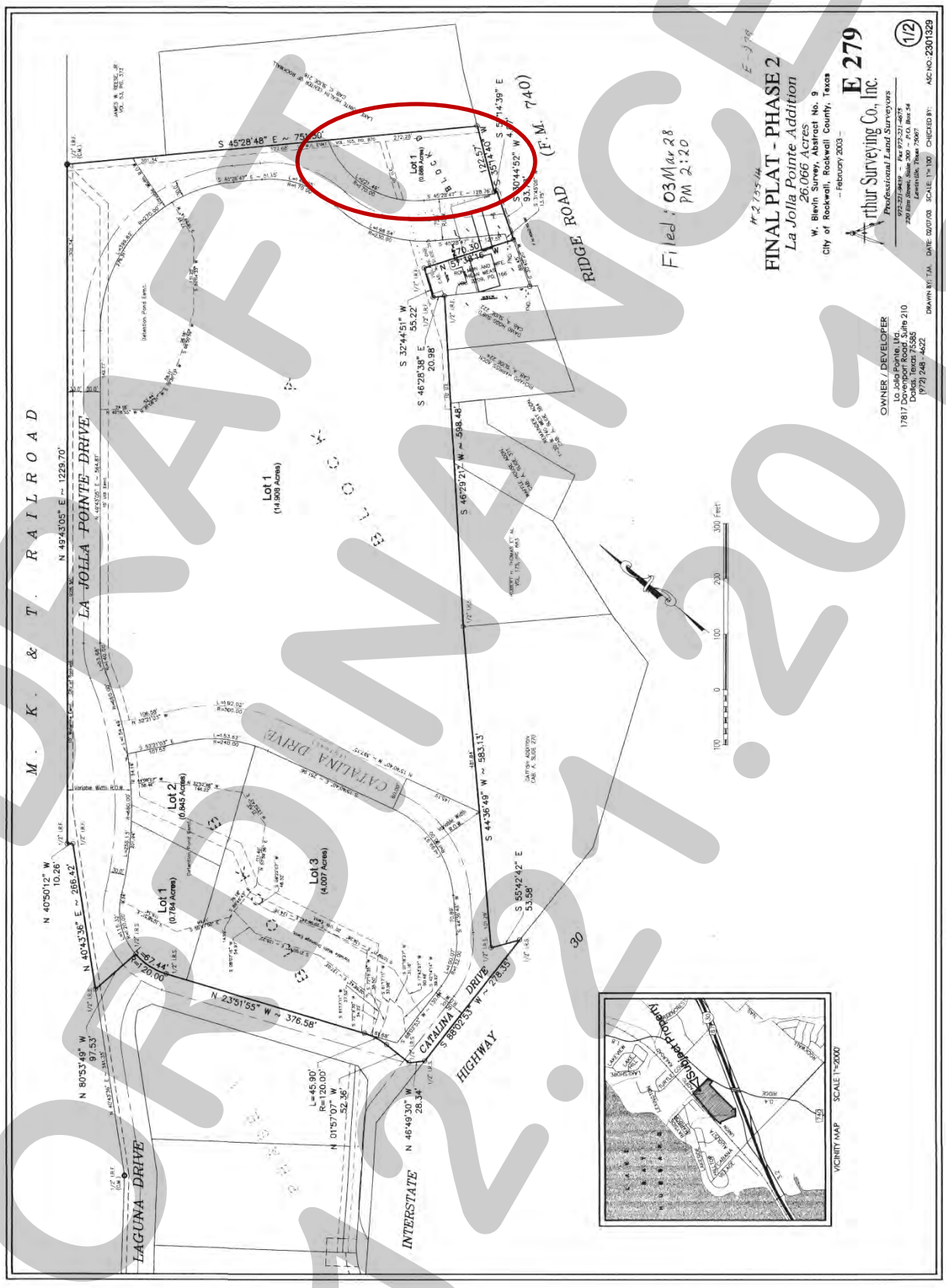
_____

Frank J. Garza, *City Attorney*

1st Reading: *December 21, 2015*

2nd Reading: *January 4, 2016*

DRAFT ORDINANCE 12.21.15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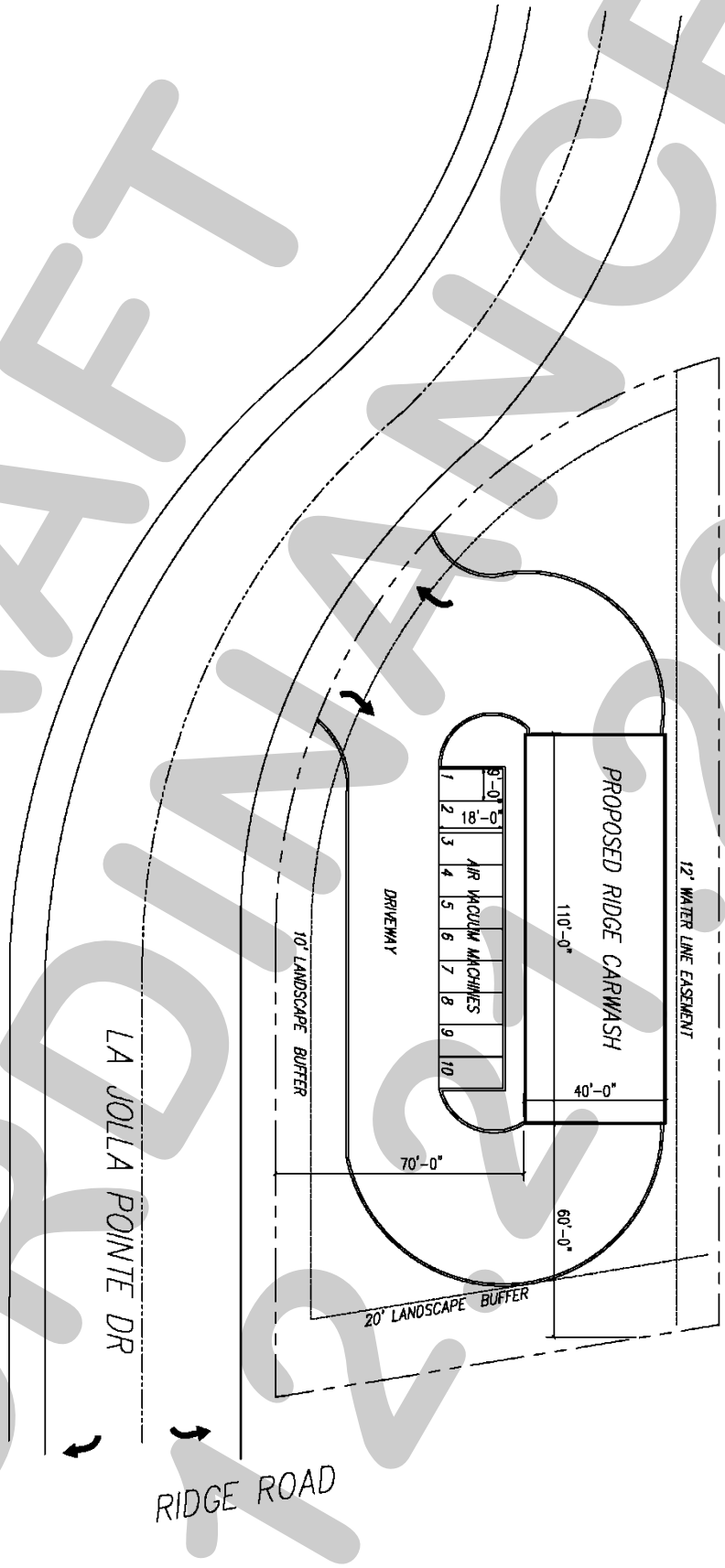
La Jolla Pointe Addition
26.066 Acres
W. Blevin Survey, Abstract No. 9
City of Rockwall, Rockwall County, Texas
-- February 2003 --
E 279
Arthur Surveying Co., Inc.
Professional Land Surveyors
(1/2)
Filed: 03Mar28 PM 2:20
OWNER / DEVELOPER
La Jolla Partners, Ltd.
17817 Davenport Road, Suite 210
Dallas, Texas 75252
(972) 248-4622
M. K. & T. RAILROAD
LA JOLLA POINTE DRIVE
RIDGE ROAD (F.M. 740)
CATALINA DRIVE
LAGUNA DRIVE
INTERSTATE HIGHWAY
Lot 1 (14.908 Acres)
Lot 2 (0.645 Acres)
Lot 3 (4.007 Acres)
Lot 1 (0.784 Acres)
Lot 1 (0.888 Acres)
BLOCK B
N 45°28'48" E ~ 751.30'
N 49°43'05" E ~ 1229.70'
S 46°29'21" W ~ 598.48'
S 44°36'49" W ~ 563.13'
N 23°51'55" W ~ 376.58'
S 68°09'53" W ~ 278.35'
N 40°43'38" E ~ 266.42'
S 45°14'40" W 122.57'
S 30°44'52" W 93.37'
N 51°15'16" W 70.30'
S 32°44'51" W 55.22'
S 46°28'38" E 20.98'
N 40°50'12" W 10.26'
N 80°53'49" W 97.53'
S 55°42'42" E 53.58'
N 01°57'07" W 52.36'
S 46°49'30" W 28.34'
L=45.90' R=120.00'
VICINITY MAP
SCALE 1"=2000'
DRAFT
02015-21



DRAFT ORDINANCE 12-21-2015

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 12/21/2015

APPLICANT: Rockwall Gold & Silver

AGENDA ITEM: **Z2015-032**; 1901 S. Goliad St. – *SUP Renewal*

SUMMARY:

Hold a public hearing to discuss and consider a request by Lloyd Waldrop of Rockwall Gold & Silver on behalf of the owner Donna Pritchard for the approval of an renewal of Specific Use Permit (SUP) No. S-115 (*Ordinance No. 13-46*) allowing a pawn shop on a portion of a 0.423-acre parcel of land identified as Lot 1, Block 1 of the Garland Federal Savings & Loan Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, address as Suite 1 of 1901 S. Goliad Street, and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Lloyd Waldrop of Rockwall Gold & Silver, is requesting to renew their existing Specific Use Permit *(SUP)* No. S-115 *(Ordinance No. 13-46)* in order to continue the operation of a *Pawnshop*. The applicant is requesting the SUP for a period of five (5) years and allowing for the SUP to be extended rather than expire every five (5) years. As was established during the prior SUP process in 2013, the *Pawnshop* designation will allow the business to accept certain items of value (e.g. jewelry, electronics, etc.) for the purpose of financing loans and selling any of the unclaimed items after a specified period of time as established in the *Texas Pawnshop Act.*

The applicant's current site plan indicating the boundary of the proposed *Pawnshop* (identified as Suite 1) has not changed and has been resubmitted, a letter from the property owner granting permission to allow for the renewal of the *Pawnshop*, and a letter from the applicant requesting approval of the SUP for your review and consideration. The property is located on the south east corner of Goliad Street and Yellow Jacket Lane, is zoned Commercial (C) District, and lies within the SH-205 Overlay (SH-205 OV) District.

The *Pawnshop* industry is regulated by the *Texas Pawnshop Act* under the Finance Code, Title 4, Regulation of Interest, Loans, and Financed Transactions, Subtitle C, Chapter 371 of the Texas Statutes.

NOTIFICATION:

Staff mailed thirty-four (34) notices to property owners within 500 feet of the subject property. Additionally, staff posted a sign on the property as required by the Unified Development Code *(UDC).* At the time this report was drafted, staff has received one (1) notice "in favor of" and one (1) notice "opposed to" the zoning change requested.

[Staff notifies HOA/Neighborhood Organizations within 1500 feet of a proposed location by e-mail; however, the *Waterstone Homeowners Association* does not have a valid e-mail address listed in the City's notification system.]

RECOMMENDATIONS:

Should the request be approved, staff would offer the following additional conditions:

1. That the (SUP) Specific Use Permit shall generally be limited in its operations to an area of approximately nine (900) hundred square feet where designated as *"Suite 1*" and as depicted on *Exhibit "A"* of the SUP Ordinance, and;

2. That incidental display and outside storage shall be prohibited.

Planning and Zoning Commission:

On December 8, 2015, the Planning and Zoning Commission recommended approval of the SUP request for a period of five (5) years with staff conditions and to include the ability of the applicant to request an extension of the SUP for a certain period of time to be determined by the City Council if an extension is warranted. The motion to approve was passed unanimously by a vote of 7 to 0.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

City of Rockwall

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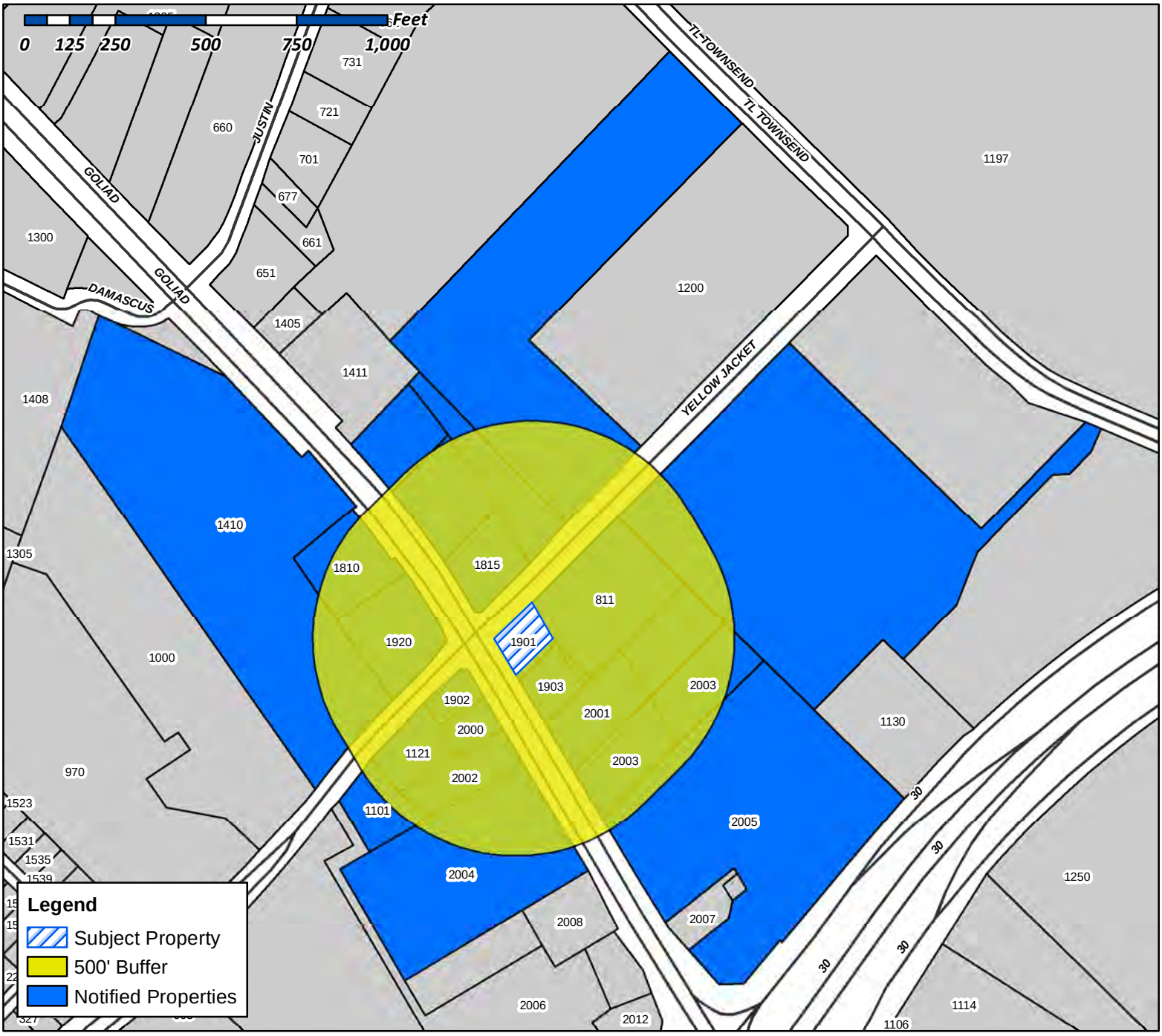
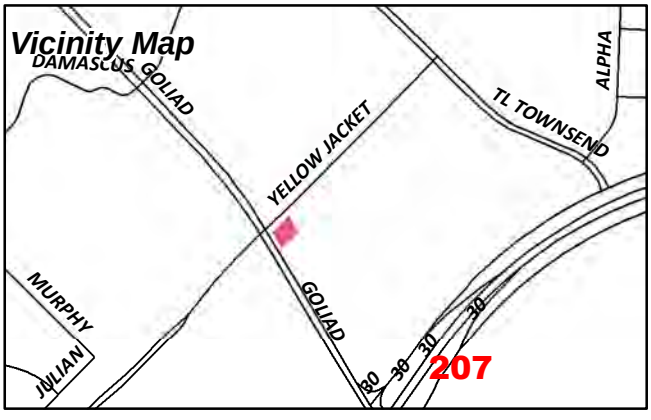


Case Number: Z2015-032
Case Name: Rockwall Gold & Silver Pawn
Case Type: Specific Use Permit
Zoning: Commercial
Case Address: 1901 S. Goliad St.



Date Created: 11/16/2015
For Questions on this Case Call (972) 771-7745

ROCKWALL TEXAS 2015 LLC
109 STILL WILD LANE
ELGIN, SC 29045

CURRENT RESIDENT
1101 YELLOW JACKET LN
ROCKWALL, TX 75087

ROCKWALL COUNTY
C/O CRIMINAL DIST ATT
1101 RIDGE RD STE 105
ROCKWALL, TX 75087

CURRENT RESIDENT
1121 YELLOW JACKET LN
ROCKWALL, TX 75087

FIRST UNITED METHODIST CHURCH
FINANCE OFFICE
1200 E YELLOW JACKET LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1410 S GOLIAD
ROCKWALL, TX 75087

SMAJLI ISMET & DYLDYL
1422 MURPHY DR
ROCKWALL, TX 75087

PRITCHARD DONNA CULLINS
1610 SHORES BLVD
ROCKWALL, TX 75087

LONE STAR CHICKEN LP
1810 S GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
1815 S GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
1901 S GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
1902 S GOLIAD
ROCKWALL, TX 75087

UHLIG JANET KAY &
JEFFERY DAVID JOLLEY
1903 S GOLIAD ST
ROCKWALL, TX 75087

UHLIG JANET KAY &
JEFFERY DAVID JOLLEY
1903 S GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
1920 S GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
2000 S GOLIAD
ROCKWALL, TX 75087

ROCKWALL VET CLINIC
C/O JOE LOFTIS
2001 S GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
2002 S GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
2003 S GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
2004 S GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
2005 S GOLIAD
ROCKWALL, TX 75087

LANDLOW LLC
2070 PONTCHARTRAIN
ROCKWALL, TX 75087

RETAIL BUILDERS INC
3000 NE 63RD ST
OKLAHOMA CITY, OK 73121

WDC/HI-LIFE PROPERTIES JV -
3131 TURTLE CREEK BLVD SUITE 200
DALLAS, TX 75219

RACETRAC PETROLEUM INC
3225 CUMBERLAND BLVD SE STE 100
ATLANTA, GA 30339

ROCK HOB LP
3305 BUCHANAN ST
WICHITA FALLS, TX 76308

JEY INVESTMENTS
602 FALVEY AVE
TEXARKANA, TX 75501

RHOADS RHOADS AND COX
6905 ELLSWORTH AVE
DALLAS, TX 75214

CARSON MARK R
701 N MUNSON RD
ROYSE CITY, TX 75189

CURRENT RESIDENT
811 YELLOW JACKET
ROCKWALL, TX 75087

E Z MART #77
PO BOX 1426
TEXARKANA, TX 75504

WRGC CORPORATION
PO BOX 5335
GRANBURY, TX 76049

ROCKWALL ICE CREAM HOLDINGS LLC
PO BOX 852
WAXAHACHIE, TX 75168

BOOMPA LTD
PO BOX 999
ROCKWALL, TX 75087

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NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2015-032: Rockwall Gold and Silver Pawn

Hold a public hearing to discuss and consider a request by Lloyd Waldrop of Rockwall Gold & Silver on behalf of the owner Donna Pritchard for the approval of an extension of Specific Use Permit (SUP) No. S-115 (Ordinance No. 13-46) allowing a pawn shop on a portion of a 0.423-acre parcel of land identified as Lot 1, Block 1 of the Garland Federal Savings & Loan Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, address as Suite 1 of 1901 S. Goliad Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 12/8/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 12/21/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **12/21/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2015-032: Rockwall Gold and Silver Pawn

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

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PLEASE RETURN THE BELOW FORM

Case No. Z2015-032: Rockwall Gold and Silver Pawn

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

Goliad is a gateway to our city. I don't feel this is a business that is welcoming. This would open a lot of doors to a lot of this type of businesses.

Name: Carol Grady owner Lakeside Chev Co

Address: 2005 S. Goliad

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

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PLEASE RETURN THE BELOW FORM

Case No. Z2015-032: Rockwall Gold and Silver Pawn

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

THIS IS the NICEST PAWN SHOP I HAVE EVER BEEN IN.

Name:

Address:



Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

212

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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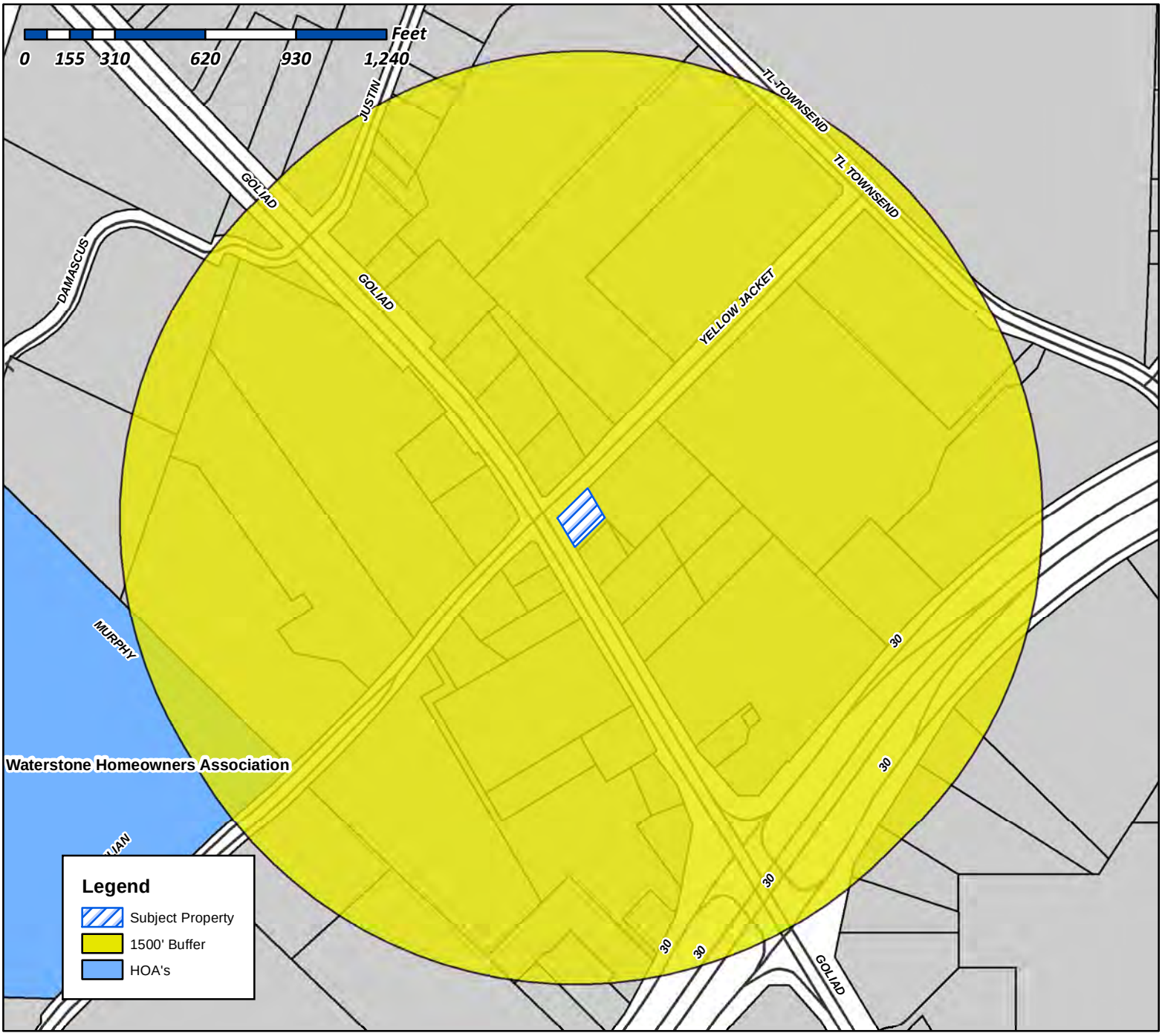
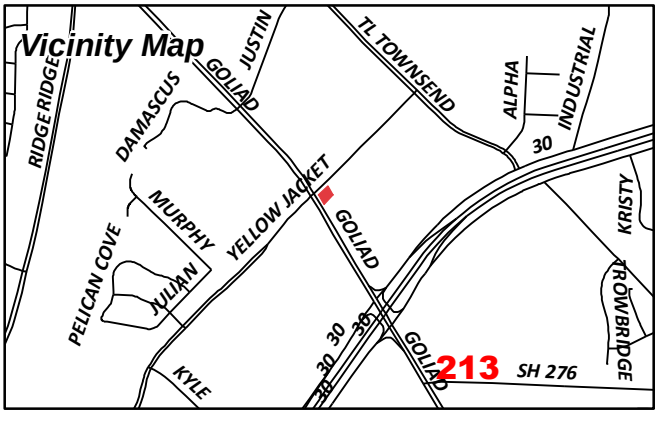


Case Number: Z2015-032
Case Name: Rockwall Gold & Silver Pawn
Case Type: Specific Use Permit
Zoning: Commercial (C) District
Case Address: 1901 S. Goliad St.



Date Created: 11/16/2015
For Questions on this Case Call (972) 771-7745

DONNA C. CULLINS

1610 Shores Blvd.
Rockwall, TX 75087-2328
Phone and Fax (972) 771-8171
Email: dcp627@yahoo.com

November 13, 2015

Mr. Lloyd Waldrop
Rockwall Gold & Silver Pawn
1901 S. Goliad St.
Suite 1
Rockwall, TX 75087

Reference: Policy # Permission for Pawn Shop

To Whom It May Concern;

As owner of the property at 1901 S. Goliad, also described as Garland Federal Savings & Loan Add., Block 1, Lot 1; I hereby continue my permission to Mr. Lloyd Waldrop to use the space designated as Suite 1 for the use of a pawn shop.

Sincerely,

Donna C. Pritchard
Property Owner

214

Rockwall Gold & Silver Pawn
1901 S. Goliad St
suite 1
Rockwall,Texas
75087

November,13 2015

We are asking for a Specific Use Permit for 5 years with an extension for 5 additional years to operate as a Pawn Shop. Our location is 1901 S. Goliad St suite 1 Rockwall, Texas 75087.

Thank you in advance for your time and consideration.

Regards

Lloyd Waldrop

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CITY OF ROCKWALL

ORDINANCE NO. 13-46

SPECIFIC USE PERMIT NO. S-115

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A "PAWNSHOP" ON A PORTION OF A 0.423-ACRE PARCEL OF LAND, AND MORE SPECIFICALLY IDENTIFIED AS "SUITE 1" AS DEPICTED IN EXHIBIT "A" ATTACHED HERETO, AND LOCATED AT 1901 S. GOLIAD STREET, AND ZONED COMMERCIAL (C) DISTRICT, AND DESCRIBED AS LOT 1, BLOCK 1 OF THE GARLAND FEDERAL SAVINGS & LOAN ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Specific Use Permit (SUP) for a "Pawnshop" within a Commercial (C) zoning district has been requested by Rockwall Gold & Silver and on behalf of Donna Pritchard (property owner), on a portion of a 0.423-acre parcel of land, and more specifically identified as "Suite 1" as depicted in Exhibit "A" attached hereto, and described as Lot 1, Block 1 of the Garland Federal Savings & Loan Addition City of Rockwall, Rockwall County, Texas, which is situated at the southeast corner of SH-205 and Yellow Jacket Lane, and also known as 1901 S. Goliad Street, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) to allow for a "Pawnshop" within a Commercial (C) zoning district as stipulated by the Unified Development Code [Ordinance no. 04-38] on the *Subject Property*; and

SECTION 2. That the Subject Property shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) and as set forth in the Unified Development Code [Ordinance No. 04-38] as heretofore amended, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

2.1 Operational Conditions

The following conditions pertain to the operation of a "Pawnshop" as a use for an existing commercial facility on the *Subject Property*, and conformance to these operational conditions on required for continued operations:

1. The "Pawnshop" shall be limited in its operations to an area of approximately nine (900) hundred square feet for the area designated as "Suite 1" as depicted in Exhibit "A" attached hereto and;
2. That incidental display and outside storage shall be strictly prohibited.
3. This Specific Use Permit (SUP) shall be valid for a period of two (2) years from the date of approval as granted upon herein, and the City Council reserves the right to renew the SUP granted herein upon the expiration of the two (2) year period from the date hereof.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 2nd DAY OF DECEMBER, 2013.

David Sweet, *Mayor*

ATTEST:

Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: 11-18-13

2nd Reading: 12-02-13

CITY OF ROCKWALL TEXAS SEAL

Z2013-028: Rockwall Gold & Silver – SUP (Pawnshop)
Ordinance No. 13-46; SUP No.
115

218

X. PUBLIC HEARING ITEMS

1. **Z2013-028** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Rockwall Gold & Silver on behalf of Donna Pritchard for the approval of a Specific Use Permit for a pawn shop on a portion of a 0.423-acre parcel of land, zoned Commercial (C) District and located within the SH 205 Overlay (SH 205 OV) District, identified as Lot 1, Block 1 of the Garland Federal Savings & Loan Addition, specifically Suite 1 of 1901 S. Goliad Street, and take any action necessary. **(1st Reading)**

Planning Director Robert LaCroix provided brief background information related to this item. Notices were sent out to adjacent property owners located within two hundred feet of the property, in accordance with the law. One of the eleven notices sent was received back in favor. The Planning and Zoning Commission recommended approval of this item by a vote of 5 ayes with 2 against.

Mayor Sweet opened the public hearing and called the applicant forth.

Lloyd and wife, Toni, Waldrop
(business owner)
1185 Aberdeen Lane
Rockwall, TX

Mr. Waldrop came forth and explained the nature of his request, sharing some photographs and explaining that the main purpose is to do strictly jewelry loans in about 300 square feet of their floor space at this store. He explained he owns an 8,000 square foot pawn shop at a separate location off of IH-30, and that is where big items will continue to be handled. However, he indicated that he knows there is a certain stigma about a pawn shop, and he realizes that a lot of his customers do not want to go into a pawn shop store in order to perform a loan transaction. He indicated that this location on Goliad (where loans are proposed to be performed) is very secure and that patrons are buzzed in and out. He explained that, by law, in order to do loans, he has to get a pawn shop license. He shared that the state examiner recently visited his business to inspect his books, and the examiner suggested he consider doing pawn loans, indicating that a lot of people in the industry are doing them. He stated he has a letter from the examiner stating it will be ok to do jewelry loans as long as the City of Rockwall will permit it.

City Attorney, Frank Garza, indicated the City of Rockwall, within an SUP, can control the type of business, but the city cannot control how they conduct their business. General discussion took place regarding possibly placing a time limit on the SUP.

Alice Bland
1410 S. Goliad Street, #1201
Rockwall, TX 75087

Mrs. Bland encouraged the council to consider that this neighborhood has a lot of transients with the various apartment complexes located nearby. This business may also have an affect on the police department because the police may be called due to this type of business being a potential lure to criminals.

There being no one else in the audience wishing to come forth and speak, Mayor Sweet then closed the public hearing.

Councilmember Milder expressed concern about this SUP request, and he made a motion to deny Z2013-028. Councilmember Pruitt seconded the motion.

Councilmember Daniels indicated he received some phone calls from business owners (who are not property owners, so therefore did not receive the public notice that was mailed out by city staff) expressing concern about having this pawn shop business located so close to their own business. Mayor Pro Tem White suggested the council consider granting the SUP but put a time limit on it of two to three years, and then revisit the SUP at that time to gauge whether or not the applicant is operating their business in a manner in which they proposed to council that they will operate. Councilmember Pruitt expressed concern about the existing pay day loan business that is already operating at this location, and he also has concerns about the proposed pawn shop. He believes that this type of business attracts other, similar businesses, and it leads to a degradation of the neighborhood.

After additional discussion, the motion to deny the SUP failed by a vote of 3 ayes to 4 nays (Townsend, White, Sweet and Lewis).

Mayor Pro Tem White made a motion to approve Z2013-028. Mayor Sweet seconded the motion. He then amended his motion to stipulate that the SUP, if approved, would be granted for a period of two years and would be revisited at the end of that specific time period. Mayor Sweet seconded the amended motion. It was clarified that the motion to approve will include 'staff conditions.'

After brief discussion, the ordinance was read as follows:

> **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A "PAWNSHOP" ON A PORTION OF A 0.423-ACRE PARCEL OF LAND, AND MORE SPECIFICALLY IDENTIFIED AS "SUITE 1" AS DEPICTED IN EXHIBIT "A" ATTACHED HERETO, AND LOCATED AT 1901 S. GOLIAD STREET, AND ZONED COMMERCIAL (C) DISTRICT, AND DESCRIBED AS LOT 1, BLOCK 1 OF THE GARLAND FEDERAL SAVINGS & LOAN ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

The motion passed 4 in favor and 3 against (Pruitt, Daniels, Milder).

2. **Z2013-029** - Hold a public hearing to discuss and consider approval of an **ordinance** for a request by Cameron Slown on behalf of Med-Tech Construction, Inc. for the approval of a Specific Use Permit for an assisted living facility on a 0.96-acre tract of land identified as Lots 2 & 5,

CITY OF ROCKWALL

ORDINANCE NO. 16-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS GRANT A SPECIFIC USE PERMIT TO ALLOW FOR A "PAWNSHOP" ON A PORTION OF A 0.423-ACRE PARCEL OF LAND, AND MORE SPECIFICALLY IDENTIFIED AS "SUITE 1" AS IDENTIFIED IN EXHIBIT "A", AND LOCATED AT 1901 S. GOLIAD STREET, ZONED COMMERCIAL (C) DISTRICT, AND DESCRIBED AS LOT 1, BLOCK 1 OF THE GARLAND FEDERAL SAVINGS & LOAN ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Specific Use Permit (SUP) for a "*Pawnshop*" been requested by Lloyd Waldrop of Rockwall Gold & Silver and on behalf of Donna Pritchard (property owner), on a portion of a 0.423-acre parcel of land, more specifically identified as "Suite 1" on property described as Lot 1, Block 1 of the Garland Federal Savings & Loan Addition, City of Rockwall, Rockwall County, Texas, which is situated at the southeast corner of SH-205 and Yellow Jacket Lane, addressed as 1901 S. Goliad Street, and more specifically described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) to allow for a "*Pawnshop*" within a Commercial (C) zoning district as stipulated by the Unified Development Code [Ordinance no. 04-38] on the *Subject Property*; and

SECTION 2. That the Subject Property shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) and as set forth in the Unified Development Code [Ordinance No. 04-38] as heretofore amended, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

2.1 Operational Conditions

The following conditions pertain to the operation of a "*Pawnshop*" as a use for an existing commercial facility on the *Subject Property*, and conformance to these operational conditions on required for continued operations:

1. That the "Pawnshop" shall generally be limited in its operations to an area of approximately nine (900) hundred square feet for the area designated as "Suite 1" and as depicted in *Exhibit "A"* attached hereto, and

2. That incidental display and outside storage shall be strictly prohibited, and

3. That this Specific Use Permit (SUP) shall be valid for a period of five (5) years from the date of approval as granted upon herein, and that the City Council shall review this SUP ordinance and determine if an extension is warranted. Ninety (90) days prior to the cessation of this ordinance the applicant shall submit an application for renewal of this SUP ordinance for a certain period of time to be determined by the City Council.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE _____ DAY OF _____, 2016.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading:

2nd Reading:

DRAFT

Exhibit 'A'

DESCRIPTION

All that certain lot, tract or parcel of land situated in the JOSEPH CADLE SURVEY, ABSTRACT NO. 65, City of Rockwall, Rockwall County, Texas, and being all of Lot 1, Block 1, of the FIRST FEDERAL SAVINGS AND LOAN ADDITION, an Addition to the City of Rockwall, Texas, according to the plat thereof recorded in Cabinet A, Slide 199 of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an "X" scribed in concrete (with a flint southeast right-of-way line of Yellow Jacket Lane (60' R.O.W.) at the north corner of said Lot 1, Block 1 and at the West corner of Lot 1, Block 1, ROCKWALL BUSINESS PARK ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet A, Slides 263 and 264 of the Plat Records of Rockwall County, Texas;

THENCE S. 30 deg. 55 min. 12 sec. E. along the common line between said tracts, a distance of 128.54 feet to a 3/8" iron rod found for corner;

THENCE S. 46 deg. 31 min. 12 sec. W. a distance of 144.00 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the northeast right-of-way line of State Highway 205 S. Goliad Street (R.O.W. per Vol. 4890, Pg. 152);

THENCE N. 31 deg. 04 min. 00 sec. W. (control survey line) along said right-of-way line, a distance of 129.89 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the north line of said Lot 1, Block 1 and in the southeast right-of-way line of Yellow Jacket Lane;

THENCE N. 45 deg. 04 min. 55 sec. E. along said right-of-way line, a distance of 143.99 feet to the POINT OF BEGINNING and containing 0.41 acres of land.

NOTES

1) According to F.E.M.A. Flood Insurance Rate Map No. 48397C0040 L (dated Sept. 26, 2008), this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: ROW DEED REC. IN VOL. 4890, PG. 152, R.P.R.R.C.T.

3) ALL 1/2" IRS ARE CAPPED WITH "YELLOW PLASTIC CAPS "R.S.C.I. RPLS 5034."

SURVEYORS CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for DONNA CULLINS PRITCHARD at 1901 S. GOLIAD STREET, ROCKWALL, ROCKWALL COUNTY, TEXAS, is true and correct to the best of my knowledge and belief and is based on the facts as found at the time of my last actual inspection of the best evidence available to me and my opinion

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 12/21/2015

APPLICANT: Stephen B. North

AGENDA ITEM: **Z2015-033**; Accessory Building - *SUP*

Hold a public hearing to discuss and consider a request by Stephen B. North for the approval of a Specific Use Permit (SUP) for an accessory building not meeting the standards stipulated by the Unified Development Code on a 0.23-acre parcel of land identified as Lot 14, Block F, Harlan Park Addition, Phase 1, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 513 Windsor Way, and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Mr. Stephen B. North, is requesting a Specific Use Permit (SUP) to allow for a 288 sq. ft. accessory building that exceeds the size requirements and does not meet the exterior cladding standards of the Single-Family 10 (SF-10) Residential District. Under the standards of the Unified Development Code, the accessory building shall be accessory to a residential use and located on the same lot. By right, in the SF-10 district, no more than two (2) accessory buildings shall be allowed which are up to 225 sq. ft. (each) in area and 15 ft. or less in height, provided the exterior cladding contains only materials found on the main structure. Accessory buildings not meeting these standards shall require approval of an SUP.

The proposed accessory building will be an 18' X 16' (288 sq. ft.) structure with its exterior comprised of Hardy Board Siding with a composition roof and shingles that match the primary structure. The accessory building will be used for storage purposes. Mr. North has provided a color prospective that indicates a porch overhang. The accessory building will have an overall height of 11-ft 8-in. and does not exceed the height standard of 15-ft. established in the UDC.

The applicant has provided a letter requesting the SUP, a survey indicating the location of the proposed accessory building, building elevations, and a photo illustrating the porch/roof overhang to be incorporated. It should be noted that a request for an SUP is considered a discretionary act for the Planning and Zoning Commission and City Council.

NOTIFICATION:

Staff mailed seventy-two (72) notices to property owners within 500 feet of the subject property. Additionally, staff posted a sign on the property as required by the Unified Development Code *(UDC).* At the time this report was drafted, staff had received two (2) notices "in favor of" and two (2) notices "opposed to" the zoning change requested.

[Staff notifies HOA/Neighborhood Organizations within 1500 feet of a proposed location by e-mail; however, the *Castle Ridge Phase 2 Homeowners Association* does not have a valid e-mail address listed in the City's notification system.]

RECOMMENDATIONS:

Should the request for an SUP be approved, staff offers the following conditions:

1. That the structure must meet all Building Inspections, Engineering, and Fire Department standards, and

2. That submittal and approval of a building permit is required prior to the construction of the accessory building, and

3. That the accessory building shall generally not exceed 288 sq. ft. in area or a maximum height of 15-ft. (measured at the midpoint of the pitched roof), and

4. That the accessory building shall generally conform to the site plan (survey), building elevations as submitted, including the use of up to 100% Hardi Board lap siding (or other comparable cementaceous lap siding product) on all exterior walls, a composition roof, and a porch/roof overhang as generally depicted in the attached photo, and

5. That the accessory building is subject to administrative review in the event that the subject property is sold to another party, conveyed in any manner to another party, subdivided, or re-platted, and

6. The City Council reserves the right to review the Specific Use Permit granted herein, and

7. Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Commission Recommendation:

On December 8, 2015, the Planning and Zoning Commissions' motion to approve the SUP request with staff conditions passed unanimously by a vote of 7 to 0.

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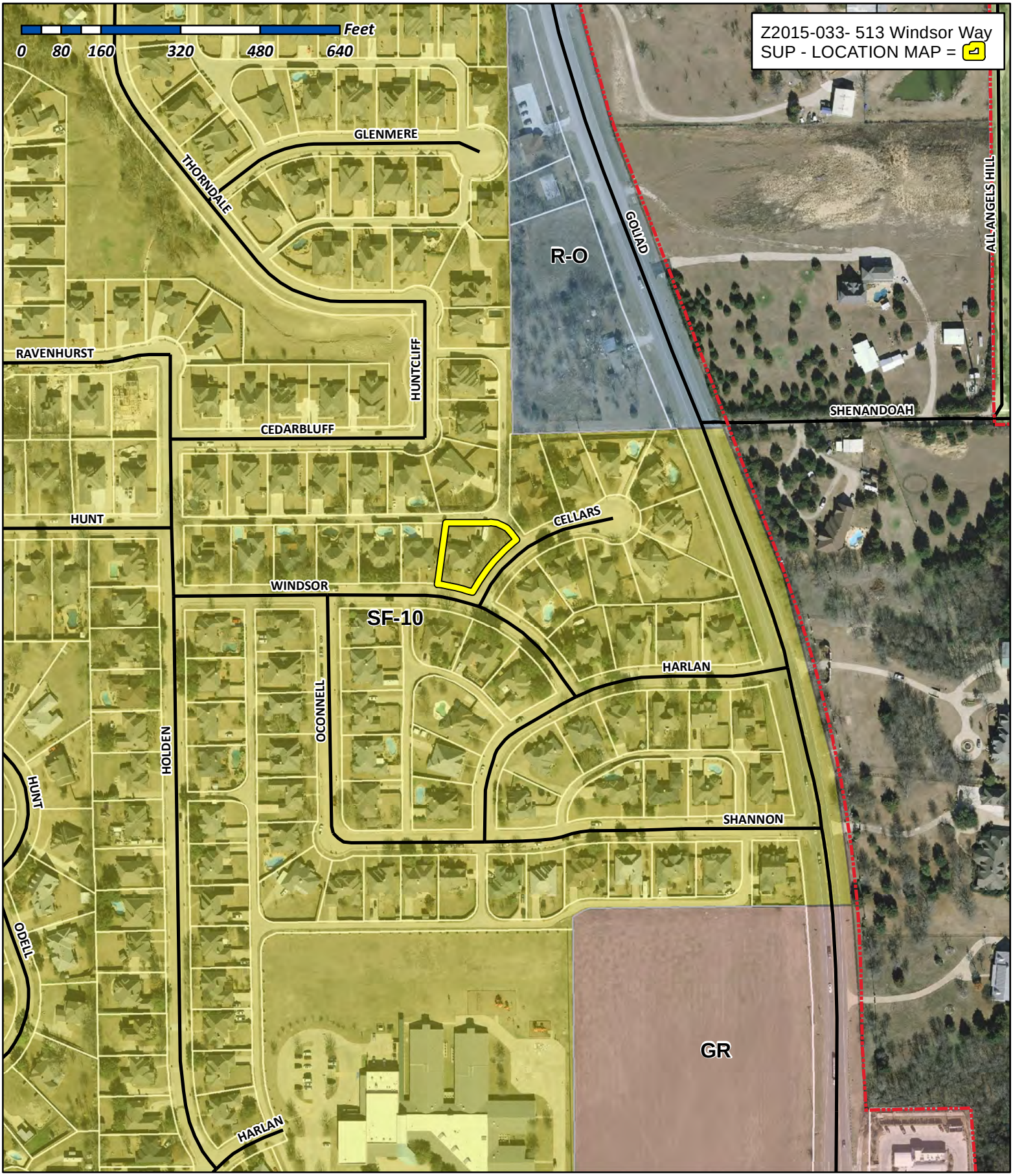

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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City of Rockwall

Planning & Zoning Department
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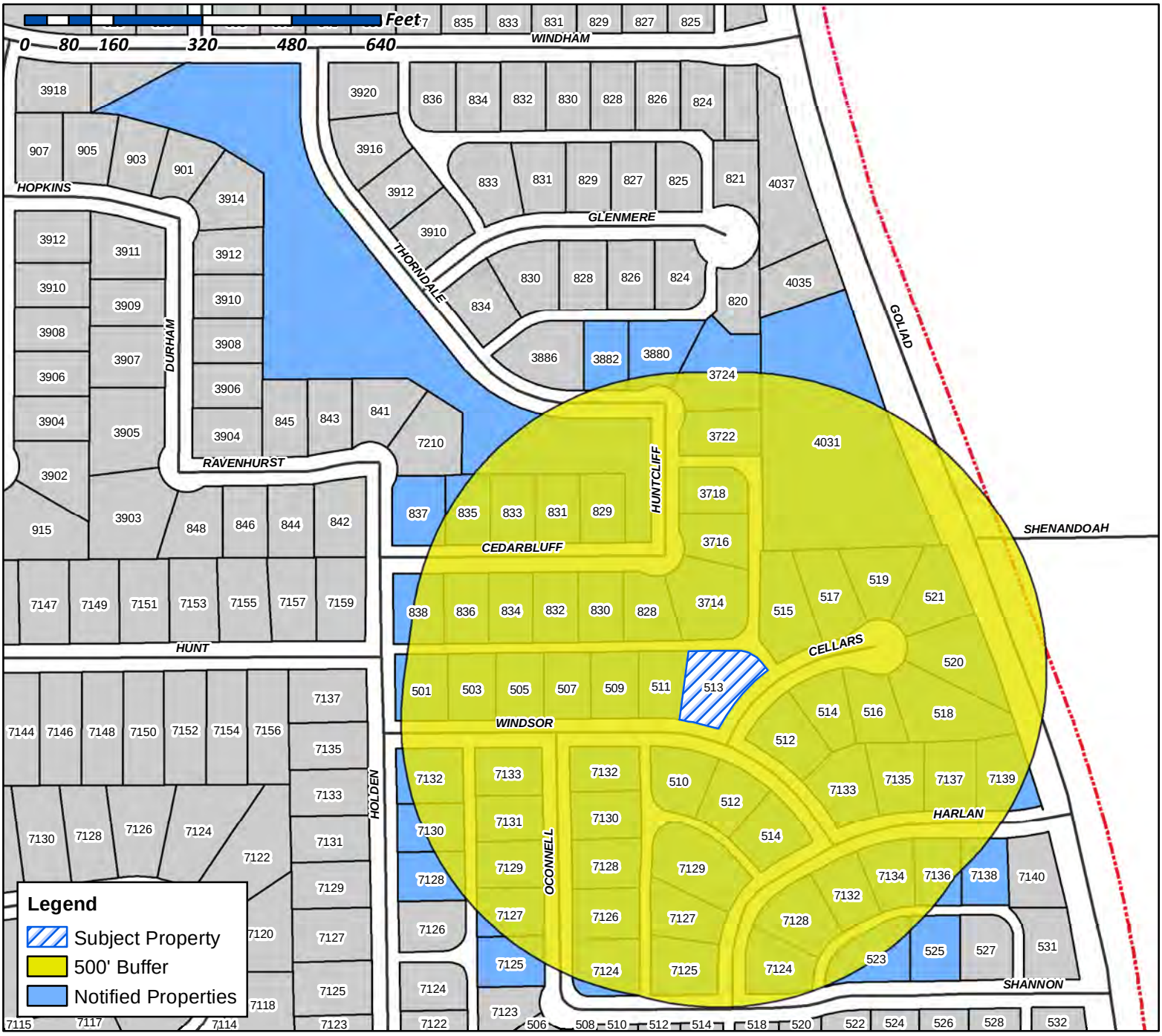
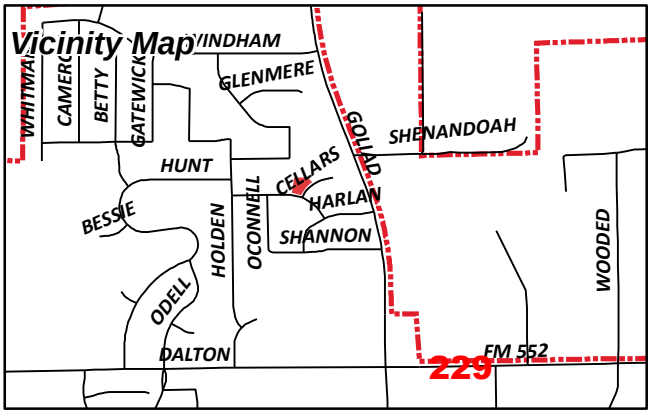


Case Number: Z2015-033
Case Name: 153 Windsor Way
Case Type: Specific Use Permit
Zoning: Single Family-10 (SF-10) District
Case Address: 153 Windsor Way

Date Created: *11/16/2015*
For Questions on this Case Call (972) 771-7745



HOLMES NILES W & LINDA F
122 JAMES DR
ROCKWALL, TX 75032

WEATHERFORD GEORGE R
157 SHENNENDOAH LN
ROCKWALL, TX 75087

WEIGANT RONALD & DEBRA KAY
3714 HUNTCLIFFE DRIVE
ROCKWALL, TX 75087

DIXON MELISSA MICHELLE
3716 HUNTCLIFFE DR
ROCKWALL, TX 75087

SCARNATI JAMES T JR & TAMMY M
3718 HUNTCLIFF DRIVE
ROCKWALL, TX 75087

WILLIAMSON ELIZABETH &
DUSTIN KASISCHKE
3722 HUNTCLIFF DR
ROCKWALL, TX 75087

CAOTHERS ANTHONY J & KATIE HURST
CAROTHERS
3724 HUNTCLIFF DR
ROCKWALL, TX 75087

THORNTON STEPHEN K & TRESA G
3880 THORNDALE LN
ROCKWALL, TX 75087

TRANT NATHAN D & JENNIFER E
3882 THORNDALE LN
ROCKWALL, TX 75087

CURRENT RESIDENT
4031 N GOLIAD
ROCKWALL, TX 75087

WILLIAMSON DAVID
4085 FOREST PARK LANE
FRISCO, TX 75033

CONFIDENTIAL
BEVERLY GAYE MEACHAM
501 WINDSOR WAY
ROCKWALL, TX 75087

CARAMANICA JOHN P & KAREN F
503 WINDSOR WAY
ROCKWALL, TX 75087

TAYLOR KRIS
505 WINDSOR WAY
ROCKWALL, TX 75087

PHASE 2 CASTLE RIDGE HOMEOWNERS
ASSOCIATION INC
C/O MIGNEAULT PROPERTIES LP
506 BARNES
ROCKWALL, TX 75087

JAMES GERALD W & KERI S
507 WINDSOR WAY
ROCKWALL, TX 75087

HAMPTON PAMELA
509 WINDSOR WAY
ROCKWALL, TX 75087

CURRENT RESIDENT
510 WINDSOR WAY
ROCKWALL, TX 75087

GOEN JENNIFER RAE
511 WINDSOR WAY
ROCKWALL, TX 75087

RHUE GERRY D & SHERRI D
512 CELLARS CT
ROCKWALL, TX 75087

WAGNER JULIUS ALVIN
512 WINDSOR WAY
ROCKWALL, TX 75087

HALL GEORGE K & MARILYN A
513 WINDSOR WAY
ROCKWALL, TX 75087

RECORD SHELBY AND
DALE CLARK
514 CELLARS CT
ROCKWALL, TX 75087

WAGONER DANIEL L
514 WINDSOR WAY
ROCKWALL, TX 75087

NORTH BEVERLY
515 CELLARS CT
ROCKWALL, TX 75087

MUSSETTER DAVID O & KARLA
516 CELLARS CT
ROCKWALL, TX 75087

CALLAWAY WENDELL & SULAINE
517 CELLARS CT
ROCKWALL, TX 75087

BRUNSON GEORGE GE & PATRICIA A
518 CELLARS CT
ROCKWALL, TX 75087

DAYMAN DENNIS & JENNIFER
519 CELLARS CT
ROCKWALL, TX 75087

MCMAHAN THOMAS & SHANNON
520 CELLARS CT
ROCKWALL, TX 75087

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SULLIVAN YVONNE E
521 CELLARS CT
ROCKWALL, TX 75087

BELL WILLIAM L JR & PAMELA S
523 SHANNON DR
ROCKWALL, TX 75087

YATES GLEN M & DORIS A
525 SHANNON DR
ROCKWALL, TX 75087

TRAN STEVE & CATHERINE
7124 HARLAN DRIVE
ROCKWALL, TX 75087

PLUMB JEFFREY STEWART & LISA A
7124 O CONNELL STREET
ROCKWALL, TX 75087

BENNETT R LANGDON & LINDA
7125 HARLAN DR
ROCKWALL, TX 75087

JOHNSTON PHYLLIS
7125 OCONNELL ST
ROCKWALL, TX 75087

PENNINGTON BARBARA & RICHARD
7126 OCONNELL ST
ROCKWALL, TX 75087

LIU LIRONG AND FENG XIN
7127 HARLAN DR
ROCKWALL, TX 75087

ARMSTRONG TIMOTHY M & TAMERA K
7127 OCONNELL ST
ROCKWALL, TX 75087

JAMESON LESLIE K
7128 HARLAN DR
ROCKWALL, TX 75087

STRANNE LAWRENCE V & JOANNE G REV LIV TR
LAWRENCE V & JOANNE G STRANNE TRUSTEES
7128 HOLDEN DR
ROCKWALL, TX 75087

ROAN ANSLEY AND TERRY
7128 OCONNELL ST
ROCKWALL, TX 75087

GREEN EUGENE L & DORIS M
7129 HARLAN DR
ROCKWALL, TX 75087

NIBLETT ERNEST B & KAREN M
7129 OCONNELL ST
ROCKWALL, TX 75087

IVEY LUKE & SAMANTHA
7130 HOLDEN DRIVE
ROCKWALL, TX 75087

STOVALL CURTIS N & ALICE M
7130 OCONNELL ST
ROCKWALL, TX 75087

KNIGHT KEITH
7131 OCONNELL ST
ROCKWALL, TX 75087

VINES THOMAS & SHERRY
7132 HARLAN DR
ROCKWALL, TX 75087

BRAY GLENN BRUCE & RHONDA G
7132 HOLDEN DR
ROCKWALL, TX 75087

BEARD CLINTON MARK & MELISSA D
7132 OCONNELL ST
ROCKWALL, TX 75087

CURRENT RESIDENT
7133 HARLAN DR
ROCKWALL, TX 75087

CURRENT RESIDENT
7133 OCONNELL DR
ROCKWALL, TX 75087

CURRENT RESIDENT
7134 HARLAN DR
ROCKWALL, TX 75087

KOUSSA RHONDA ARLENE
7135 HARLAN DR
ROCKWALL, TX 75087

KELLY CASEY & CRYSTIE
7136 HARLAN DR
ROCKWALL, TX 75087

DOSS JAMES B & JENNIFER
7137 HARLAN DR
ROCKWALL, TX 75087

HORTON BILL D & JOYCE
7138 HARLAN DR
ROCKWALL, TX 75087

FAVRE JOSH
7139 HARLAN DR
ROCKWALL, TX 75087

MAXWELL MARK C & TIARA K
828 CEDARBLUFF DR
ROCKWALL, TX 75087

231

STETZER GERALD D & RACHEL R
829 CEDARBLUFF DR
ROCKWALL, TX 75087

TELTHORST TYLER A AND TAYLOR L
830 CEDARBLUFF DR
ROCKWALL, TX 75087

BEREND MAURICE P AND
MUMTAZ TEJANI
831 CEDARBLUFF DRIVE
ROCKWALL, TX 75087

MILLER TIMOTHY KENT
832 CEDAR BLUFF DR
ROCKWALL, TX 75087

HARPER BRIAN L & BLANCA D
833 CEDARBLUFF DR
ROCKWALL, TX 75087

BRADFORD JYATTA & CHRISTINA
834 CEDARBLUFF DR
ROCKWALL, TX 75087

TINSLEY CURTIS & JUDITH
835 CEDARBLUFF DR
ROCKWALL, TX 75087

WILSON MARK
836 CEDARBLUFF DR
ROCKWALL, TX 75087

DANNER CLINT & SHANNON
837 CEDARBLUFF DR
ROCKWALL, TX 75087

CONFIDENTIAL
838 CEDARBLUFF DR
ROCKWALL, TX 75087

FORBES CHARLES & ANNELIESE
904 SUNPOINT CIR
ROCKWALL, TX 75087

HARGIS JOHN E AND JESSICA
925 WINDHAM DR
ROCKWALL, TX 75087

232

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

CORRECTED NOTICE

Case No. Z2015-033: 513 Windsor Way

Hold a public hearing to discuss and consider a request by Stephen B. North for the approval of a Specific Use Permit (SUP) for an accessory building not meeting the standards stipulated by the Unified Development Code on a 0.23-acre parcel of land identified as Lot 14, Block F, Harlan Park Addition, Phase 1, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 513 Windsor Way, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 12/8/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 12/21/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **12/21/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2015-033: 513 Windsor Way

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

PLEASE RETURN THE BELOW FORM

Case No. Z2015-033: 513 Windsor Way

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

I do not know what this "accessory Building" will be used for. It could reduce the property values of all nearby property. We are zoned Residential and thus it should remain.

Name: Charles FORBES

Address: owner of 7133 Harlan Drive, Rockwall 75087



Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2015-033: 513 Windsor Way

Hold a public hearing to discuss and consider a request by Stephen B. North for the approval of a Specific Use Permit (SUP) for an accessory building not meeting the standards stipulated by the Unified Development Code on a 0.23-acre parcel of land identified as Lot 14, Block F, Harlan Park Addition, Phase 1, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 513 Windsor Way, and take any action necessary.

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David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **12/21/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2015-033: 513 Windsor Way

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☑ I am opposed to the request for the reasons listed below.

The Homeowner is aware we no longer have an Association, So what will it look like? A shed needs to be concealed. Is a fence going up?

Name: K. Caramanica

Address: 503 Windsor Way

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Gonzales, David

From: Gonzales, David
Sent: Tuesday, December 01, 2015 5:03 PM
To: Planning
Subject: RE: Z2015-033: 513 Windsor Way

Mr. Dayman,

The request is for an accessory structure that will be approximately 288 sq. ft. in area (16' X 18'). This dimension includes a 4-ft roof overhang/porch area for the structure. The maximum height for an accessory structure for this residential district is 15-ft; however, the North's plan indicates the height at just under 12-ft. The plan also indicates the roof to have composition shingles and the exterior to be Hardy Board siding. If approved as requested, the ordinance will not allow for the structure to exceed the size/area being requested (i.e. 288 sq. ft.), but would allow for the exterior cladding to be Hardy Board siding rather than masonry construction. However, the ordinance does not regulate the appearance in terms of the porch being required (e.g. the porch is not required to be included) unless specifically written in the ordinance, which is not a general practice for an accessory structure. The accessory structure will be located on the northwest portion of the rear of the property.

Since this is a residential district, a commercial business operation is prohibited.

If you have any additional questions, please feel free to contact me.

Thank you,

DAVID GONZALES, AICP
SENIOR PLANNER • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6488 OFFICE
DGONZALES@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

HELPFUL LINKS | CITY OF ROCKWALL WEBSITE | PLANNING & ZONING DIVISION WEBSITE | MUNICIPAL CODE WEBSITE
CITY OF ROCKWALL INTERACTIVE MAPS

-----Original Message-----
From: Planning
Sent: Tuesday, December 01, 2015 10:58 AM
To: Gonzales, David
Subject: FW: Z2015-033: 513 Windsor Way

-----Original Message-----
From: Dennis Dayman [redacted]
Sent: Monday, November 30, 2015 9:36 AM
To: Planning
Subject: Z2015-033: 513 Windsor Way

In regards to this request, we are in favour of the filing, however, we'd like to see a rendition of what this might look like and then hold the North's to that look OR if not require a fence or other item to block the buildings look from the public view.

Also, we'd like to ensure that a business isn't able to be run out of the building and that its ONLY used for storage and that a stipulation for the request as such goes along with ANY approval

-The Dayman's
519 Cellars Ct
Rockwall, TX 75087
Lot 11, Block F, Harlan Park, Phase One

Case No. Z2015-033: 513 Windsor Way

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.



This change will increase my property value

Name: Ronnie Weigant

Address: 3714 Huntcliffe dr Rockwall Tx 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Notice of Public Hearing • City of Rockwall • 385 South Goliad Street • Rockwall, TX 75087 • [P] (972) 771-7745• [F] (972) 771-7748

PLEASE RETURN THE BELOW FORM

Case No. Z2015-033: 513 Windsor Way

Please place a check mark on the appropriate line below:

☑ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.



Increased property value

Name: Debbie Weigant

Address: 3714 Huntcliffe dr Rockwall

Tex. Loc. Gov. Code, Sec. 211.006 (d) **If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.**

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

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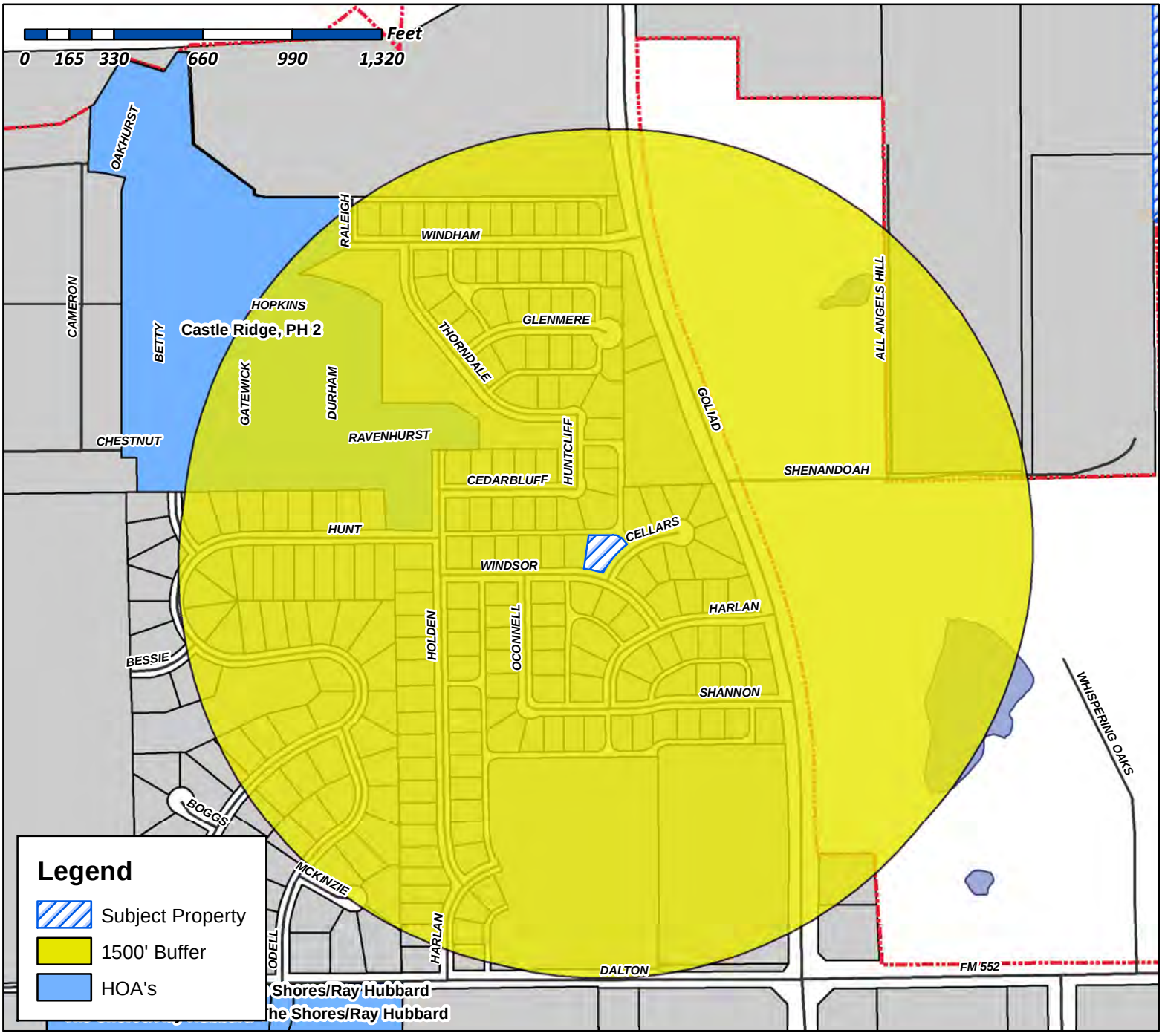
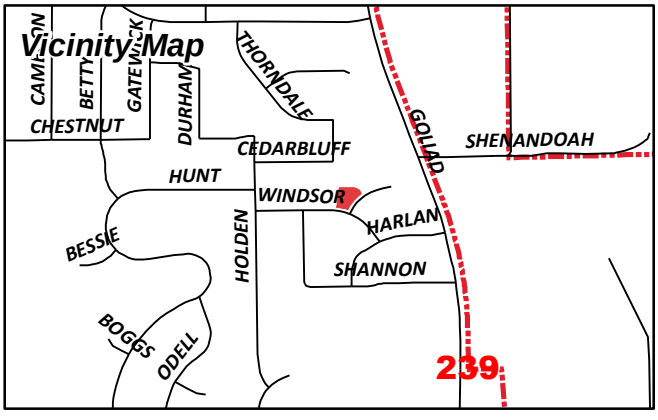
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

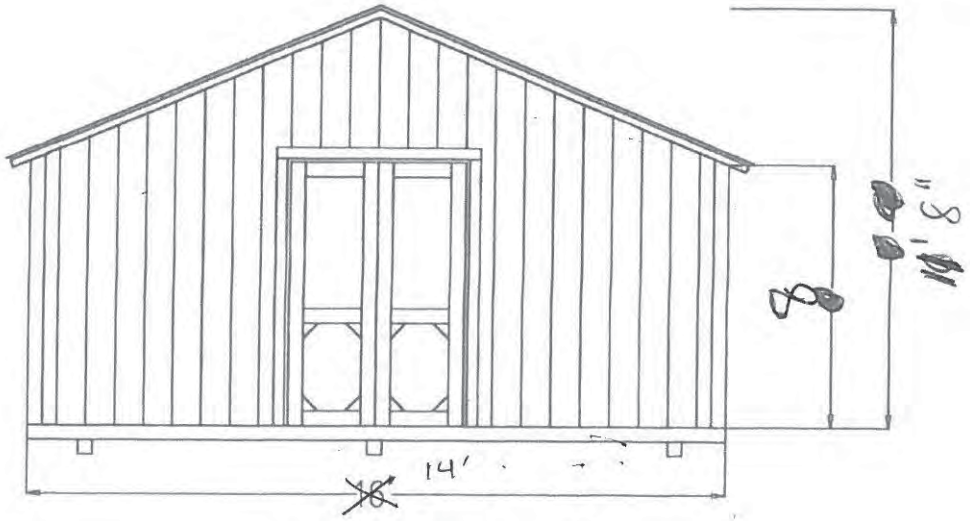
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



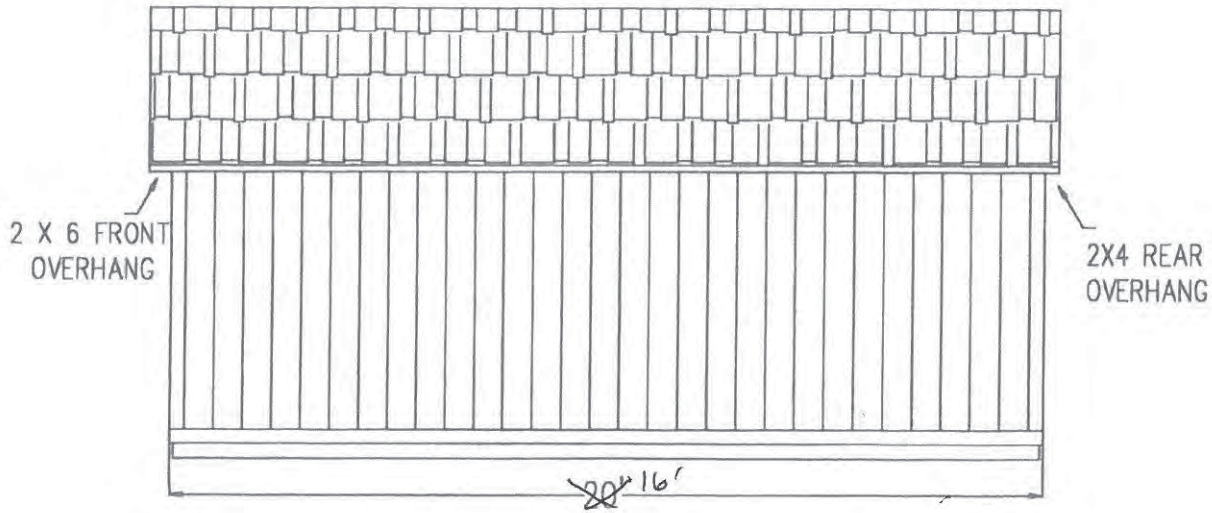
Case Number: Z2015-033
Case Name: 153 Windsor Way
Case Type: Specific Use Permit
Zoning: Single Family 10 (SF-10) District
Case Address: 153 Windsor Way



Date Created: ***11/16/2016***
For Questions on this Case Call (972) 771-7745



FRONT ELEVATION



SIDE ELEVATION

16' X 20' ORGANIZER
8' Side Walls

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• Illustration purposes Only •

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CITY OF ROCKWALL

ORDINANCE NO. 16-___

SPECIFIC USE PERMIT NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT WITHIN THE SINGLE-FAMILY RESIDENTIAL (SF-10) DISTRICT ALLOWING FOR AN ACCESSORY BUILDING NOT MEETING THE STANDARDS STIPULATED BY THE UNIFIED DEVELOPMENT CODE, ON THE PROPERTY ADDRESSED AS 513 WINDSOR WAY, BEING A 0.23-ACRE PARCEL OF LAND IDENTIFIED AS LOT 14, BLOCK F, HARLAN PARK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Stephen B. North for a Specific Use Permit allowing for an accessory building not meeting the standards stipulated by the Unified Development Code within the Single-Family Residential (SF-10) District, on the property located at 513 Windsor Way, being a 0.23-acre parcel of land identified as Lot 14, Block F, Harlan Park Addition, City of Rockwall, Rockwall County, Texas, and more specifically described in Exhibit 'A' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit allowing for an accessory building not meeting the standards stipulated by the Unified Development Code within the Single-Family Residential (SF-10) District for the *Subject Property*; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in ***Article IV, Section 2.1.2, Residential and Lodging Use Conditions,*** of the City of Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended and as may be amended in the future, and shall be subject to the additional following additions:

1. That the structure must meet all Building Inspections, Engineering, and Fire Department standards, and

2. That submittal and approval of a building permit is required prior to the construction of the accessory building, and

3. That the accessory building shall generally not exceed 288 sq. ft. in area or a maximum height of 15-ft. (measured at the midpoint of the pitched roof), and

4.That the accessory building shall generally conform to the site plan (Exhibit 'A' - Survey), building elevations as submitted, including the use of up to 100% Hardi Board lap siding (or other comparable cementaceous lap siding product) on all exterior walls, a composition roof, and a porch/roof overhang as generally depicted in the attached photo, and

5.That the accessory building is subject to administrative review in the event that the subject property is sold to another party, conveyed in any manner to another party, subdivided, or re-platted, and

6. That the City Council reserves the right to review the Specific Use Permit granted herein, and

7. That Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS ($2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE ____ DAY OF _____, 2016.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Ashberry, *City Secretary*
APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: _____

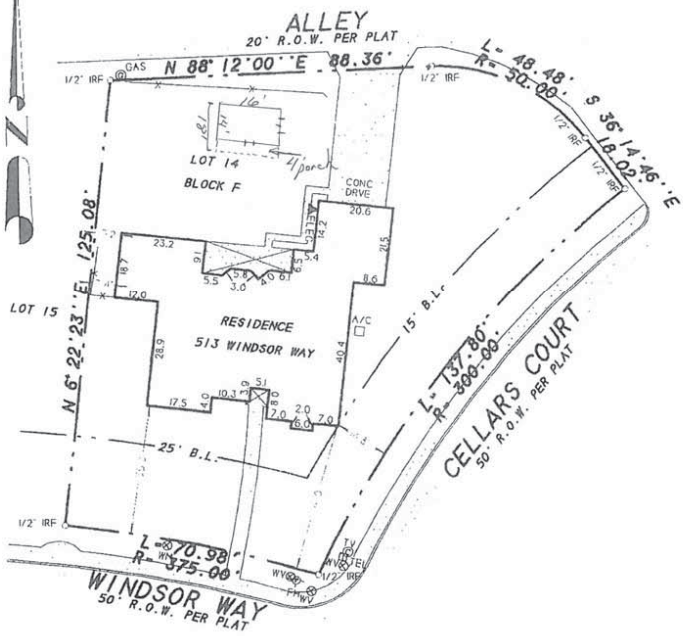
2nd Reading: _____

DRAFT

Exhibit 'A'
Survey

DESCRIPTION

Lot 14, Block "F" REPLAT OF HARLAN PARK, an Addition in Rockwall County, Texas, according to the Plat thereof recorded in Slide B, Page 226 of the Plat Records of Rockwall County, Texas.



NOTES

1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 480547 0005 C dated June 16, 1992, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

2) BEARING SOURCE: RECORDED PLAT.

3) The following easements do not lit on this lot: (i) V. 82, P. 376, (ii) V. 91, P. 159, (iii) V. 383, P. 253, (iv) V. 392, P. 325.

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for RANGER TITLE COMPANY and GEORGE K, & MARILYN A. HALL, at 513 Windsor Way, Rockwall, Rockwall County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 5th day of Nov., 1999.

Harold D. Fetty III, R.P.L.S. No. 5034

SURVEY DATE NOV. 5, 1999
SCALE 1" = 30' FILE # 992278
CLIENT HALL GF # 321747

ROCKWALL SURVEYING COMPANY, INC.
306 E. WASHINGTON, SUITE G ROCKWALL, TEXAS 75087 PHONE (972) 772-5434 FAX (972) 772-5443

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 12/21/2015

APPLICANT: Pat Atkins, *Saddle Star Land Development, Inc.*

AGENDA ITEM: **Z2015-034**; *Saddle Star Estates South (AG to PD)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Pat Atkins of Saddle Star Land Development Inc. on behalf of the owner Randa Hance of R&R Hance Investment LP for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 8.4 (SF-8.4) District land uses for a 45.318-acre tract of land identified as Tract 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of FM-552, and take any action necessary.

PURPOSE:

On November 16, 2015, the applicant submitted an application requesting to rezone a 45.318-acre tract of land from an Agricultural (AG) District to a Planned Development District for a single-family, residential subdivision that will consist of 113 single-family lots. The subject property, which was annexed into the City on March 16, 1998 by *Ordinance No. 98-10*, is located on the west side of John King Boulevard -- *south of Featherstone Drive and north of E. Quail Run Road* -- and is currently vacant agricultural land.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is the City's corporate boundaries followed by two (2) large tracts of land situated within the City's Extraterritorial Jurisdiction (ETJ).

South: Directly south of the subject property is John King Boulevard, which is identified as a P6D (*principle arterial, six [6] lane, divided roadway*) on the City's *Master Thoroughfare Plan*. Beyond this are several tracts of vacant land zoned Agricultural (AG) District.

East: Directly east of the subject property is a 29.192-acre vacant tract land zoned Planned Development District 77 (PD-77) for Single Family 10 (SF-10) District land uses. Beyond this are several single-family homes zoned Agricultural (AG) District.

West: Directly south of the subject property is John King Boulevard, which is identified as a P6D (*principle arterial, six [6] lane, divided roadway*) on the City's *Master Thoroughfare Plan*. Beyond this arterial is vacant property zoned Planned Development District 70 (PD-70) for Single Family 10 (SF-10) District land uses. This is the remainder of the Stone Creek Subdivision.

CHARACTERISTICS OF THE REQUEST:

Along with the application, the applicant has submitted a concept plan and development standards for the proposed residential subdivision. The concept plan shows that in addition to the 45.318-acre

tract of land being considered under this zoning case, two (2) additional tracts (*north of the subject property*) will be included as future phases for the proposed subdivision. Currently, both of these tracts are outside of the City's corporate boundaries; however, they are located within the City's Extraterritorial Jurisdiction (ETJ) and can be annexed. The applicant has stated that the intent of this project is to receive entitlement on the 45.318-acre tract of land and then initiate a voluntary annexation case to bring the remaining tracts of land into the City. The applicant will also be requesting that the proposed PD (*if approved*) be amended to incorporate this area.

The current request is for 113, 70' x 125' lots or a gross residential density of ~2.49 units/acre. Incorporated within the development will be 6.73-acres of open space (*or ~14.85%*), which includes a 3.64-acre neighborhood park [*the applicant has revised the plan to show 17% open space -- see the Planning and Zoning Commission section below*]. In addition, the applicant is proposing to incorporate a ten (10) foot trail and trail rest area along John King Boulevard in conformance with the *John King Boulevard Design Concept Plan* contained in the Comprehensive Plan (*staff has incorporated this into the proposed ordinance*). It should be pointed out that the proposed PD Ordinance has similar standards as were approved in the adjacent Planned Development District 77 (PD-77), and according to the applicant will incorporate a similar product as those in the Stone Creek and Breezy Hill Subdivisions. A summary of the proposed development standards is as follows:

Minimum Lot Width [1]	70'
Minimum Lot Depth	125'
Minimum Lot Area	8,750 SF
Minimum Front Yard Setback [2] & [5]	20'
Minimum Side Yard Setback	5'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'
Minimum Length of Driveway Pavement	25'
Maximum Height [3]	30'
Minimum Rear Yard Setback [4]	20'
Minimum Area/Dwelling Unit (SF)	2,700 SF
Maximum Lot Coverage	65%
Permitted Encroachment into Required Setbacks [5]	Allowed

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.

[2]: The location of the *Front Yard Building Setback* as measured from the front property line.

[3]: The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single family home.

[4]: As measured from the rear yard property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks (Adjacent to a Street)* and shall not encroach into public right-of-way [a *Sunroom* is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces].

Waivers to Code Requirements:

It should be noted that the development standards contained within the PD Ordinance deviate from the requirements of the Engineering Department's *Standards of Design and Construction* Manual in the following ways:

1) According to the Engineering Department's *Standards of Design and Construction* Manual, "(t)he City Council may waive the residential alley requirement upon determination by the Council, if it is in the best interest of the City." Currently, the applicant is requesting to allow *J-Swing* and/or *Front Entry* garages that comply with Article VI, *Parking and Loading*, of the Unified Development Code (UDC) in lieu of alleys. This requirement has been waived for other subdivisions throughout the City when the PD Ordinance conforms to the requirements stipulated by the UDC.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

Conformance with Policies and Guidelines

In reviewing the original concept plan for conformance to the policies and guidelines of the Comprehensive Plan, staff made the following recommendations to the applicant:

1) *Single-family lots adjacent to open space should be front loaded for the purpose of maximizing the value of the adjacent single-family homes, preserving view corridors along the streetscapes, and to better optimize the use of open space within the development [Resolution 07-03; 1.d.vii & 1.d.x].*

2) *Increased street connectivity for safety and access can be achieved by removing unnecessary cul-de-sacs [Transportation Section; Pages 50-55/John King Boulevard Design Concept Plan; Section 5].*

3) *The applicant should consider incorporating a boulevard or other green space in the center of the development to provide a heightened sense of open space [Resolution 07-03; 1.d.viii & 1.d.xii].*

In response to these comments, the applicant has made the majority of the requested changes. Specifically, the applicant has incorporated a boulevard (*i.e. Street 'D'*) that will extend through the subdivision, has removed all cul-de-sacs, and realigned the internal open space to allow for more front loaded lots.

Conformance with the Future Land Use Map

The Future Land Use Map, contained within the Comprehensive Plan, designates the subject property for *Low Density Residential* land uses. According to the Comprehensive Plan, "(l)ow density residential is defined as less than two (2) units per acre; however, a density up to two and one-half (2.5) units per gross acre may be allowed within a residential Planned Development District that includes the dedication and/or development of additional amenities exceeding the minimum standards for residential Planned Developments." The additional amenities are described as: 1) Parks and Open Space, 2) Golf Course, 3) Neighborhood Amenity/Recreation Center, 4) Integration of Schools into the Community Fabric, 5) Development of Trails and Parks in Floodplains, and 6) Development of Municipal Parks and Recreation Facilities. Additionally, the Planned Development District standards contained within the Unified Development Code (UDC) require a minimum of 20% of the gross land area be dedicated to open space.

In this case, the concept plan depicts a residential density of ~2.49 units/acre, which is less than the maximum 2.5 units/acre permitted by the *Low Density Residential* land use designation; however, the concept plan is only showing a provision of 6.73-acres of open space (~14.85%) [*the applicant has revised the plan to show 17% open space -- see the Planning and Zoning Commission section below*]. Staff has calculated that the concept plan would need an additional ~2.33-acres to satisfy the minimum requirements. The applicant has indicated that when taking into account the future phases of this development the proposed subdivision will have a minimum of 20% open space and provide an amenities center, but this is not included in the current request. It should be noted that the applicant has agreed to include a ten (10) foot sidewalk and trail rest stop along John King Boulevard per the recommendations of the *John King Boulevard Design Concept Plan* contained within the Comprehensive Plan. This has been included in the proposed Planned Development District ordinance.

The proposed zoning case does appear to conform to the majority of the Comprehensive Plan's policies and guidelines with the exception of the proposed open space/amenities provisions. With this being said, the density being proposed is a discretionary decision for the City Council.

NOTIFICATION:

On November 20, 2015, staff mailed three (3) notices to property owners and residents within 500-feet of the subject property. Staff also emailed notices to the Stoney Hollow and Stone Creek Homeowner's Associations (HOA's), which are the only HOA's located within 1,500 feet of the subject property. Additionally, staff posted a sign along John King Boulevard, and advertised the public hearings in the Rockwall Harold Banner as required by the Unified Development Code (UDC). At the time this case memo was drafted no responses were received by staff.

RECOMMENDATIONS:

If the City Council chooses to approve the applicant's request to rezone the subject property from an Agricultural (AG) District to a Planned Development District, then staff would propose the following conditions of approval:

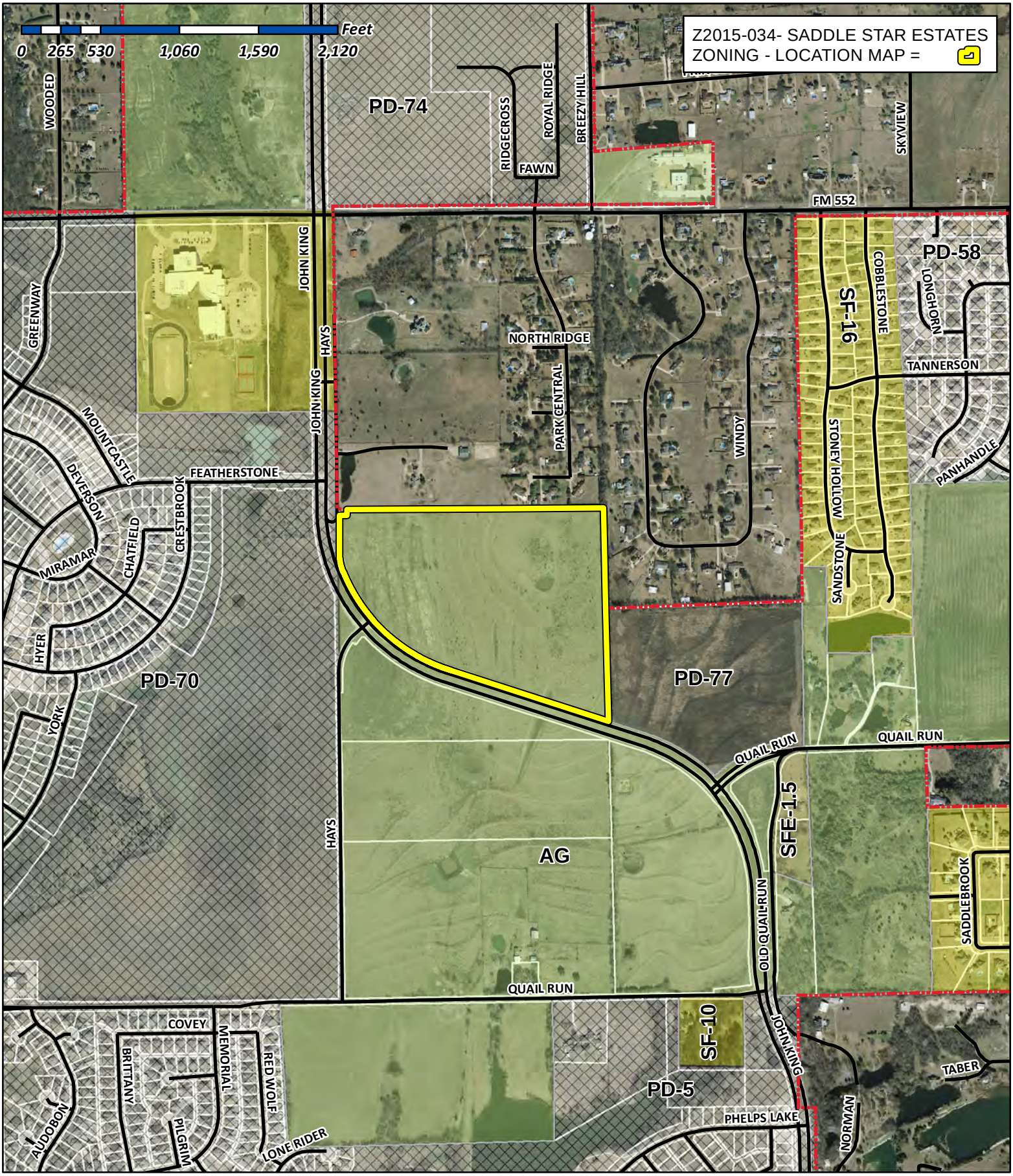
1) The applicant shall be responsible for maintaining compliance with the conditions contained within the *Planned Development District* ordinance;

2) Any construction resulting from the approval of this *zoning change* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On December 8, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the zoning change by a vote of 7-0; however, the Planning and Zoning Commission did also recommend that Section 12, *Open Space*, of *Exhibit 'C'* of the *PD Ordinance* be amended to reflect a minimum of 20% open space.

The applicant has agreed to increase the proposed open space from *~14.85%* to a minimum of *17%*, but has stated that an increase to 20% is not feasible for this project. Staff has changed the ordinance to reflect the *17%* requested by the applicant.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
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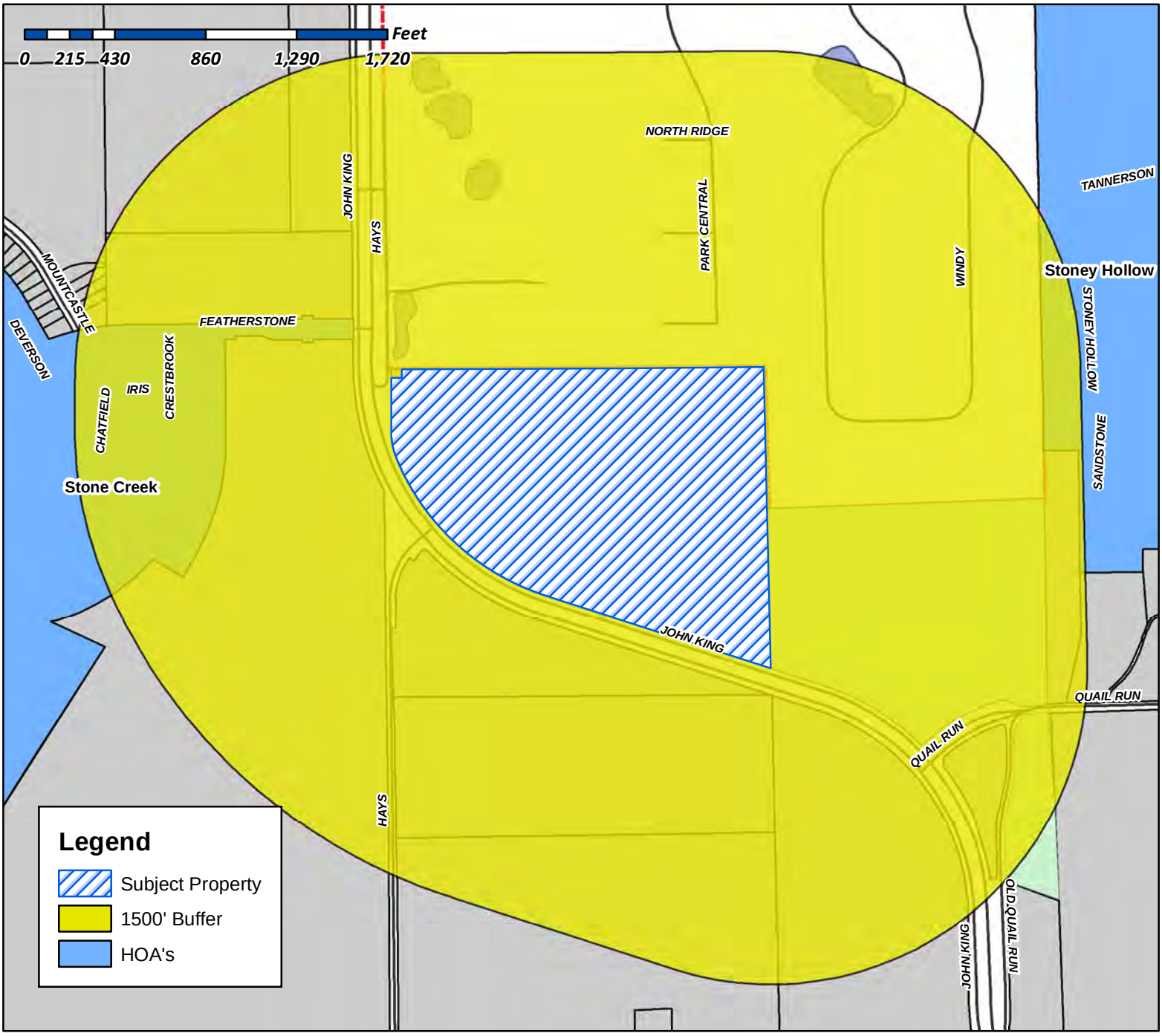
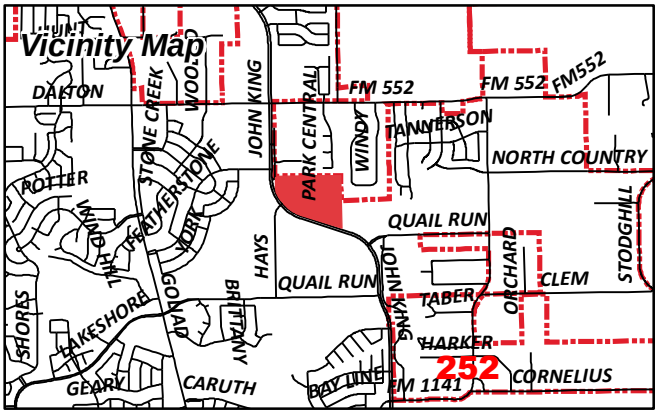


Case Number: Z2015-034
Case Name: Saddle Star Estates
Case Type: Zoning
Zoning: PD for Residential
Case Address: North side of John King Blvd.
South of FM-552

Date Created: *11/16/2015*

For Questions on this Case Call (972) 771-7745



City of Rockwall

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385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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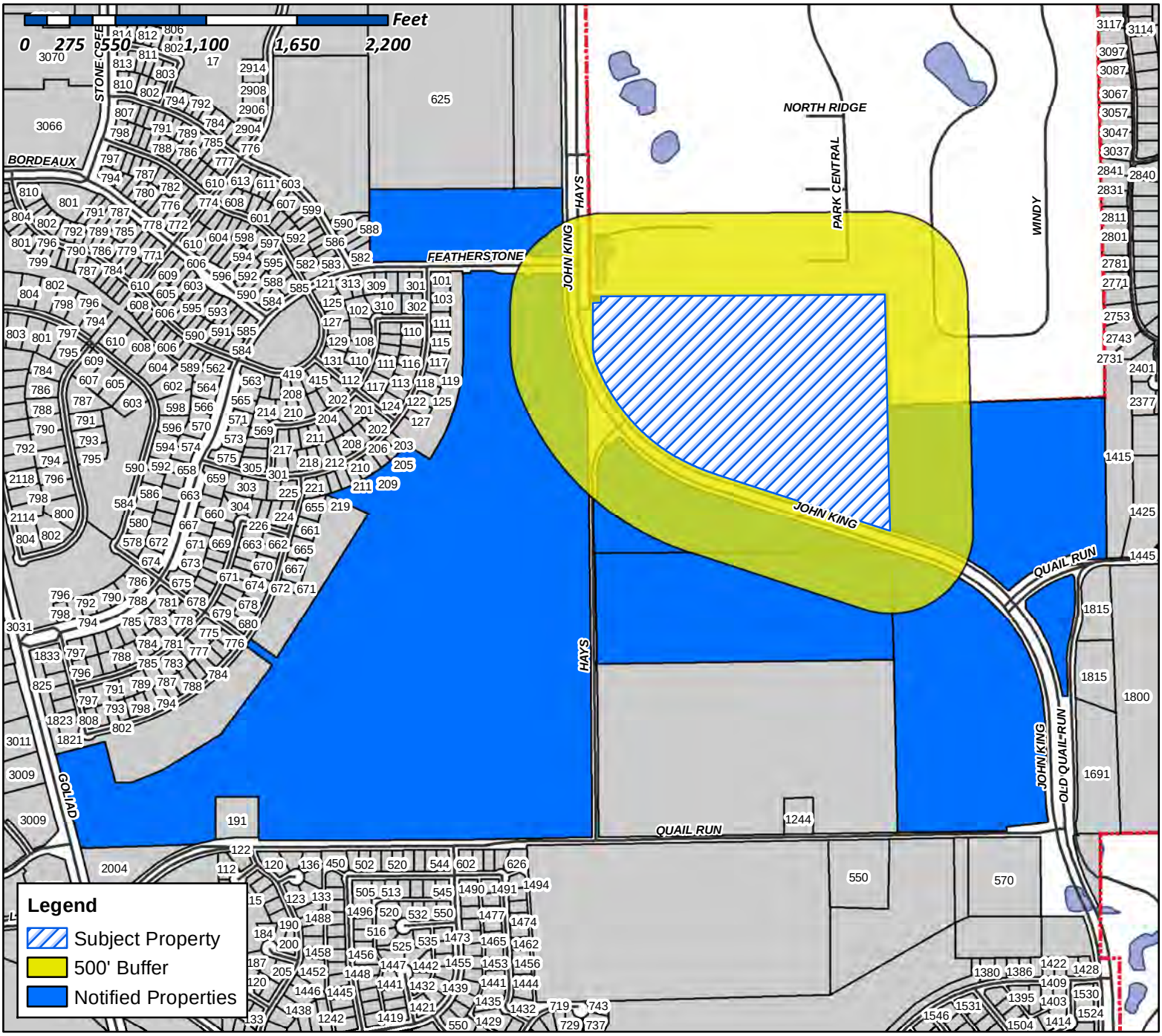
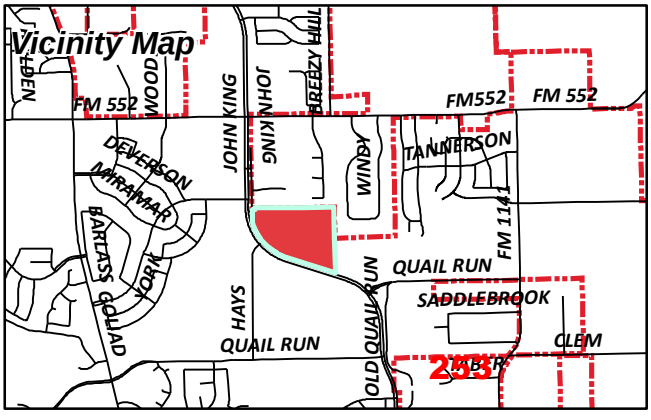


Case Number: Z2015-034
Case Name: Saddle Star Estates
Case Type: Zoning
Zoning: PD for Single Family
Case Address: North side of John King Blvd. south of FM-552



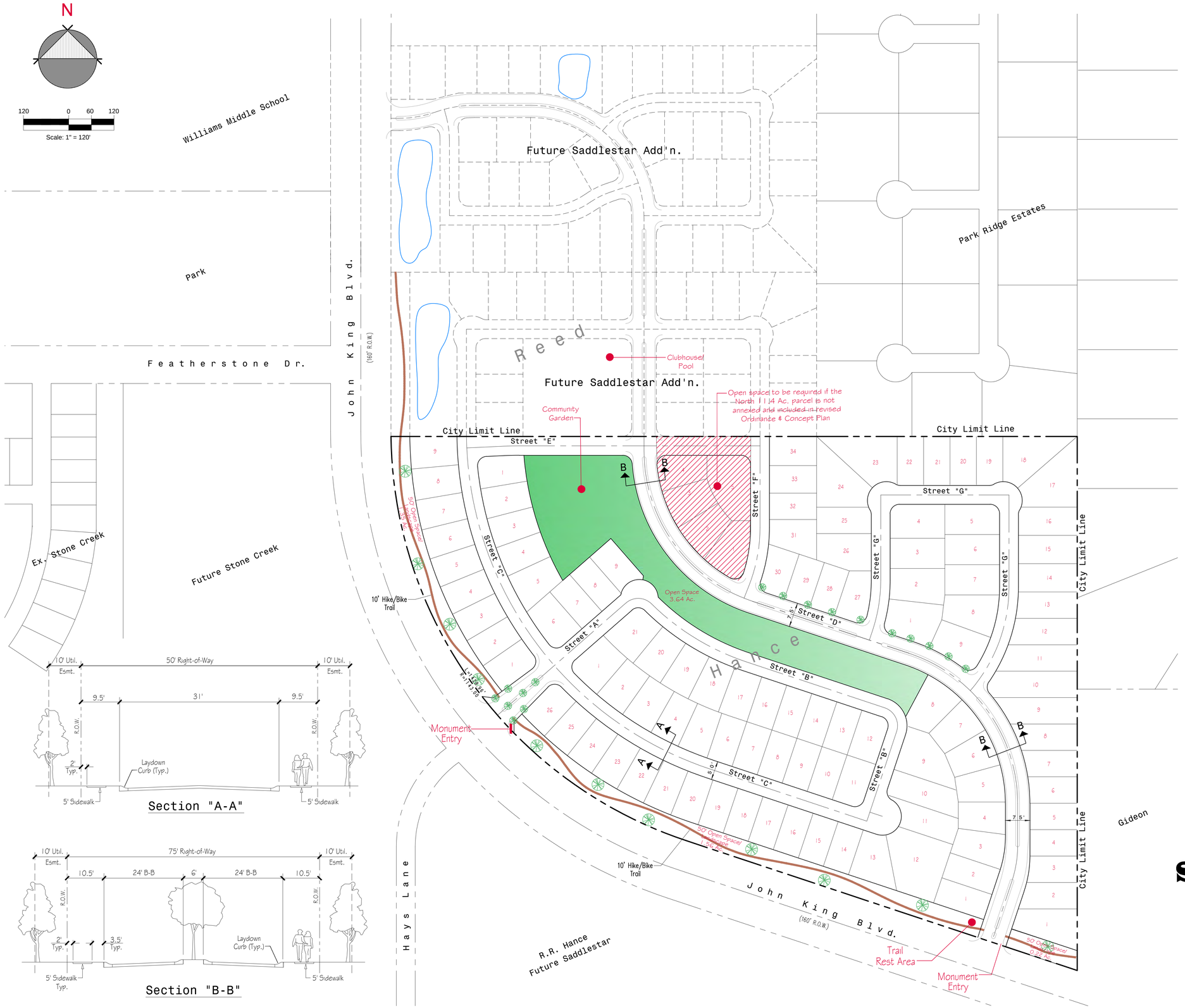
Date Created: 11/16/2015
For Questions on this Case Call (972) 771-7745

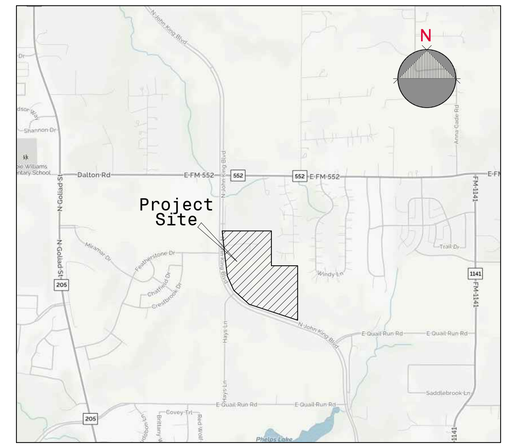
GIDEON LONNIE L TR
BRADLEY JOE GIDEON TRUST
282 AIRPORT RD
RENO, TX 75462

R & R HANCE INVESTMENTS LP
1244 E QUAIL RUN RD
ROCKWALL, TX 75087

STONE CREEK SF LTD
8214 WESTCHESTER DR STE 710
DALLAS, TX 75225

254





Vicinity Map

n. t. s.

Note:
Detention to be provided as per City of Rockwall Drainage Specifications and Standards.

Land Use Data

Total Area - 45.3 Ac.

Total Open Space - 7.70 Ac.(17%)

Typ. Lot Size - 70'x125'

Total Lots - 113

Density - 2.49 D.U. / Ac.

CONCEPT PLAN

Saddle Star Estates

Rockwall, Texas

City of Rockwall, Rockwall County, Texas

Ownesr:
RANDY HANCE
14241 North Dallas Pkwy,, S 1050
Dallas, Texas 75234
972.991.1600
GWEN REED
3076 Hays Lane
Rockwall, Texas 75087

Engineer:
ENGINEERING CONCEPTS & DESIGN, L.P.
Civil Engineering / Project Management / Construction Services
Firm Registration #F-001145
201 Wood Circle, Suite 200, Wylie, TX 75098
972.941.8400 www.ecdlp.com fax 972.941.8401

Dec. 10, 2015 Scale:1" = 120' Case No. Z-2015-034

N

120 0 60 120

Scale: 1" = 120'

Williams Middle School

Future Saddlestar Add'n.

Park

Park Ridge Estates

Featherstone Dr.

John King Blvd. (160' R.O.W.)

Clubhouse/ Pool

Future Saddlestar Add'n.

Open space to be required if the North 11.14 Ac. parcel is not annexed and included in revised Ordinance & Concept Plan

Community Garden

City Limit Line

Street "E"

Street "F"

Street "G"

Street "C"

Street "A"

Street "B"

Street "D"

Open Space 3.64 Ac.

10' Hike/Bike Trail

Monument Entry

Hays Lane

R.R. Hance Future Saddlestar

Trail Rest Area

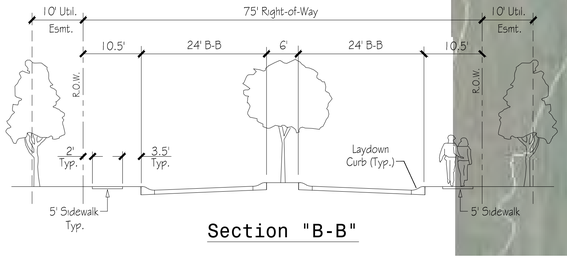
Gideon

Ex. Stone Creek

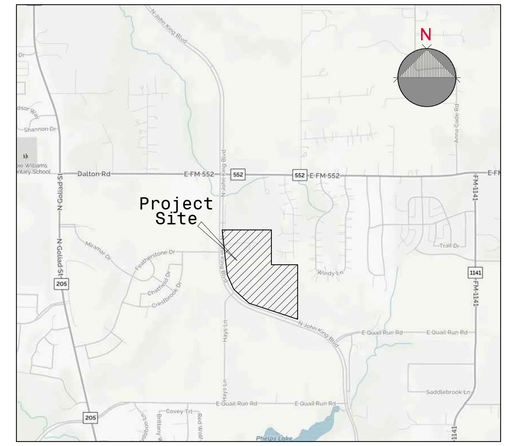
Future Stone Creek



Section "A-A"



Section "B-B"



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SaddleStar Estates

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City of Rockwall, Rockwall County, Texas

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972.991.1600

GWEN REED
3076 Hays Lane
Rockwall, Texas 75087

Engineer:
ENGINEERINGCONCEPTS & DESIGN, L.P.

Dec. 10, 2015 Scale:1" = 120' Case No. Z-2015-034

CITY OF ROCKWALL

ORDINANCE NO. 16-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR SINGLE FAMILY 8.4 (SF-8.4) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 45.318-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2-03 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Pat Atkins of Saddle Star Land Development, Inc. on behalf of the owner Randa Hance of R&R Hance Investment, LP for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 8.4 (SF-8.4) District land uses, on a 45.318-acre tract of land identified as Tract 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 2. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 3. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

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Section 4. That a *Master Parks and Open Space Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan* described in *Exhibit 'B'* of this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

Section 5. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

(a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 5(b) through 5(e) below*), shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.

(b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for an *Open Space Master Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.

(1) Open Space Master Plan
(2) Master Plat
(3) PD Site Plan
(4) Preliminary Plat
(5) Final Plat

(c) *PD Site Plan.* A *PD Site Plan* covering all of the *Subject Property* shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Preliminary Plat Application* for the development.

(d) *Preliminary Plat.* A *Preliminary Plat* covering all of the *Subject Property* shall be submitted and shall include a *Treescape Plan*. A *Preliminary Plat Application* may be processed by the City concurrently with a *PD Site Plan Application* for the development.

(e) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, for all of the *Subject Property* shall be submitted for approval.

Section 7. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 8. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 9. The standards in this ordinance shall control in the event of a conflict between

DRAFT 12.21.15

this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 10. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF JANUARY, 2016.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *December 21, 2015*

2nd Reading: *January 4, 2016*

DRAFT ORDINANCE 12.21.2015

Exhibit 'A':
Legal Description

Tract 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas:

BEING, a tract of land situated in the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, and further being a part of 137.0-acre tract of the R. R. Hance Investments LLP, and being more particularly described as follows:

BEGINNING at a point on the east line of county road John King Boulevard, said point being the southwest corner of said 45.31-acre tract point for corner;

THENCE, N. 71 37' 49" W., a distance of 1,091.80' to a point for a corner and beginning of a curve;

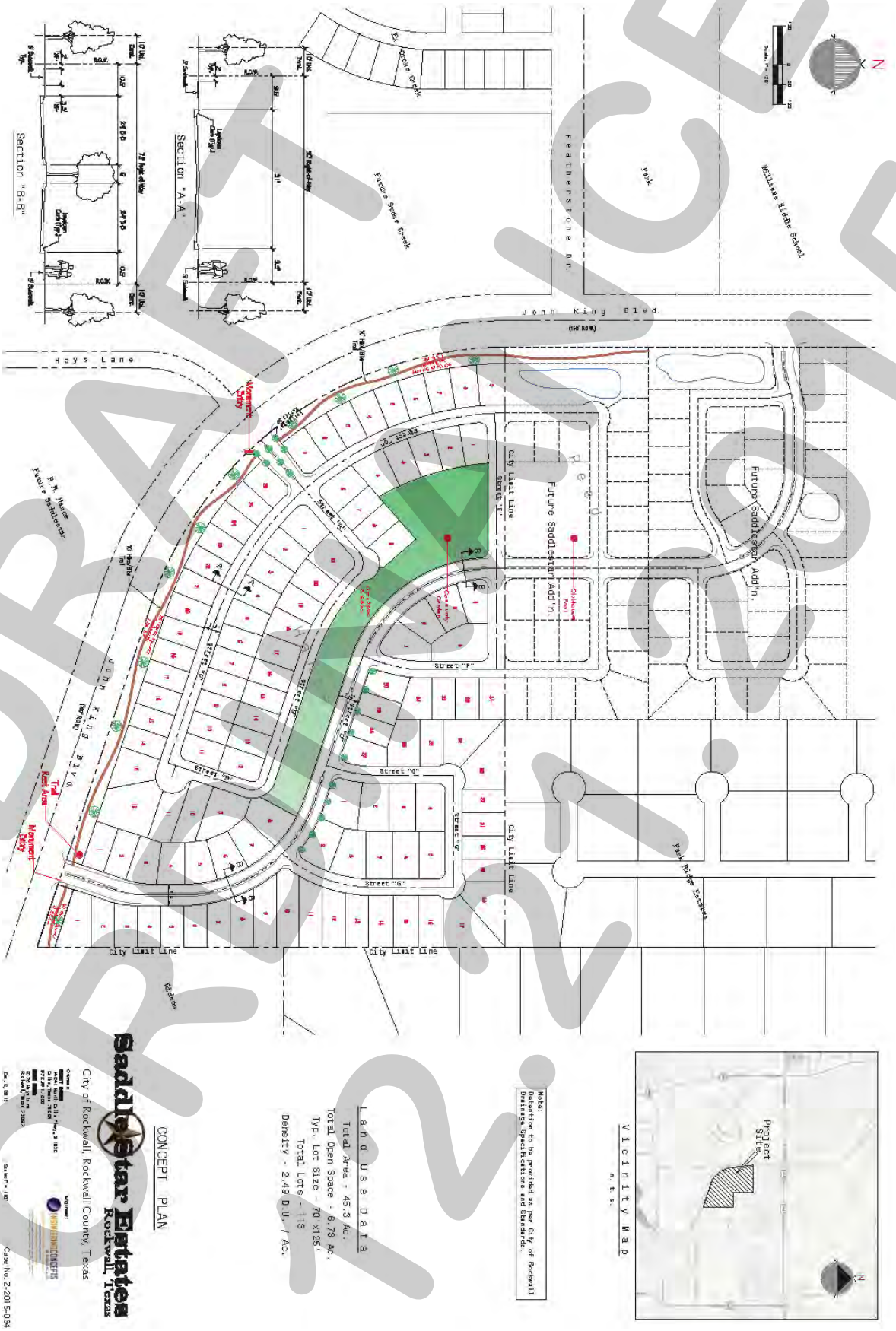
THENCE, BEGINNING a point for a curve R=1,143' for a distance 1,428.90' to a point for a corner;

THENCE, N. 89 46' 06" E., a distance of 1,784.02' to a point for a corner;

THENCE, S. 00 04' 13" W., a distance of 1,415.57' to the *PLACE OF BEGINNING* and containing 45.31-acres of land.

DRAFT ORDINANCE 12.21.2015

Exhibit 'B':
Concept Plan



DRAFT
ORDINANCE
12.21.15

Exhibit 'C':
Development Standards

Development Standards.

1. *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 8.4 (SF-8.4) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.

2. *Lot Composition and Layout.* The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* and stated in *Table 1*, which is as follows:

Table 1: Lot Composition

Lot Type	*Minimum Lot Size (FT)*	*Minimum Lot Size (SF)*	*Dwelling Units (#)*	*Dwelling Units (%)*
A	70' x 125'	8,750 SF	113	100.00%
		Maximum Permitted Units:	*113*	*100.00%*

3. *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development ordinance, the development standards stipulated by the Single Family 8.4 (SF-8.4) District, as specified by Article V, *District Development Standards*, of the Unified Development Code are applicable to all development on the *Subject Property.* The maximum permissible density for the *Subject Property* shall not exceed *2.50* dwelling units per gross acre of land; however, in no case should the proposed development exceed *113* units. All lots shall conform to the standards depicted in *Table 2*, which is as follows:

Table 2: Lot Dimensional Requirements

Minimum Lot Width [1]	70'
Minimum Lot Depth	125'
Minimum Lot Area	8,750 SF
Minimum Front Yard Setback [2] & [5]	20'
Minimum Side Yard Setback	5'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'
Minimum Length of Driveway Pavement	25'
Maximum Height [3]	30'
Minimum Rear Yard Setback [4]	20'
Minimum Area/Dwelling Unit (SF)	2,700 SF
Maximum Lot Coverage	65%
Permitted Encroachment into Required Setbacks [5]	Allowed

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.

[2]: The location of the *Front Yard Building Setback* as measured from the front property line.

[3]: The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single family home.

[4]: As measured from the rear yard property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks (Adjacent to a Street)* and shall not encroach into public right-of-way [a *Sunroom* is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces].

DRAFT NOT FOR ORDINANCE 1.12.2015

4. *Building Standards.* All development shall adhere to the following building standards:

   (a) *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all buildings shall be 90%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementaceous fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) may be used for up to 50% of the masonry requirement; however, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted through a Specific Use Permit (SUP) only.

   (b) *Roof Pitch.* A minimum of an *8:12* roof pitch is required on all structures with the exception of sunrooms and porches, which shall have a minimum of a *4:12* roof pitch.

   (c) *Garage Orientation.* Garages shall be oriented in a *traditional swing* (or *j-swing*) or in a front entry configuration; however garages oriented toward the street in a front entry configuration must be situated a minimum of 20-feet behind the front building façade of the primary structure. In this case the front façade of the primary structure does not include a permitted encroachment (*e.g. a porch, sunroom, etcetera*) allowed in *Table 2* above. All garage configurations that are not front entry shall meet the requirements of Article VI, *Parking and Loading*, of the Unified Development Code.

5. *Anti-Monotony Restrictions.* The development shall adhere to the *Anti-Monotony Matrix* depicted in *Table 3* below (*for spacing requirements see the illustration below*).

Table 3 : Anti-Monotony Matrix

Lot Type	*Minimum Lot Size*	*Elevation Features*
A	70' x 120'	(1), (2), (3), (4)

   (1) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.
   (2) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on John King Boulevard shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

      (a) Number of Stories
      (b) Permitted Encroachment Type and Layout
      (c) Roof Type and Layout
      (d) Articulation of the Front Façade

   (3) Permitted encroachments (*i.e. porch and sunroom*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the

DRAFT ORDINANCE 12.21.2015

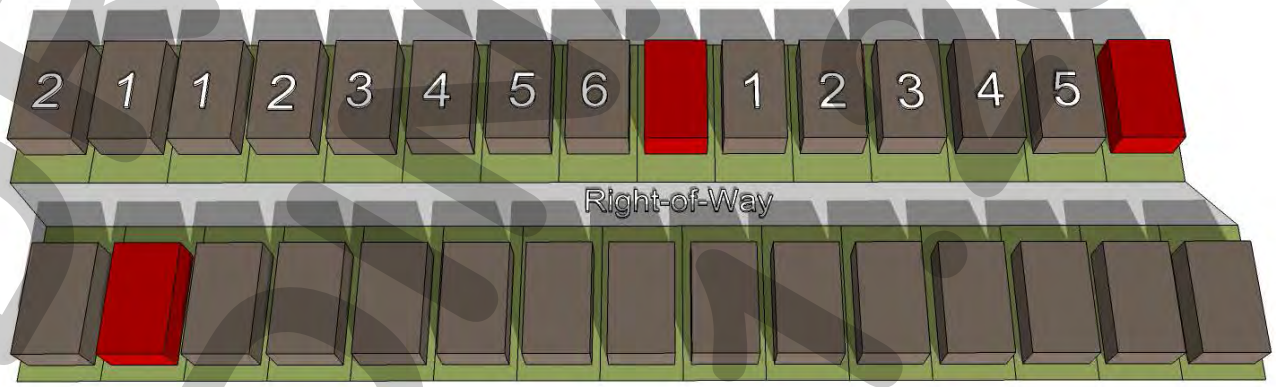
subject property and six (6) intervening homes beginning with the home on the opposite side of the street.

(4) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

Illustration 1: Properties line up on the opposite side of the street. Where RED is the subject property.



Illustration 2: Properties do not line up on opposite side of the street. Where RED is the subject property.



6. *Fencing Standards.* All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:

(a) Wood Fences. All wood fences shall be constructed of a standard fencing material (*minimum of ½" thickness or better; spruce fencing will not be allowed*), and use fasteners that are hot dipped galvanized or stainless steel. Wood fences facing onto a street shall be painted and/or stained and sealed with all pickets being placed on the *public side* facing the street. All wood fences shall be smooth-finished, free of burs and splinters, and be a maximum of six (6) feet in height.

(b) Wrought Iron/Tubular Steel. Lots located along the perimeter of roadways, abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height.

(c) Corner Lots. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(d) Solid Fences (including Wood Fences). All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

7. Landscape and Hardscape Standards.

(1) *Landscape.* Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height. The following tree species are approved for planting within this subdivision:

(a) Canopy/Shade Trees. Bald Cyprus, Cedar Elm, Texas Red Oak, Homestead Elm, Lace Bark Elm, Alle Elm, Chinese Pistachio, Shumard Oak, Sycamore, and Burr Oak.

(b) Accent/Ornamental/Under-Story Trees. Texas Redbud, Eve's Necklace, Mexican Plum, Downy Hawthorn, Crepe Myrtle, Texas Mountain Laurel, Vitex, and Desert Willow.

(2) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).

(a) Landscape Buffer and Sidewalks (John King Boulevard). A minimum of a 50-foot landscape buffer shall be provided along the frontage of John King Boulevard (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a ten (10) foot sidewalk situated within the 50-foot landscape buffer adjacent to John King Boulevard.

(3) *Streetscape Landscaping.* Prior to the issuance of a Certificate of Occupancy (CO), all residential, single family lots situated within the proposed subdivision shall be landscaped with canopy trees from the list stipulated by *Section 7(1)* of this ordinance in the following sizes and proportions:

(i) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.
(ii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two (2), three (3) inch caliper trees shall be planted in the side yard facing the street.

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Note: For the purposes of this section only [i.e. Section 7(3)], the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.

(4) *Irrigation Requirements*. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association.

(5) *Hardscape.* Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the PD Site Plan.

8. *Street.* All streets (*excluding drives, fire lanes and private parking areas*) shall be built according to City street standards.

9. *Lighting.* Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.

10. *Sidewalks.* At a maximum, all sidewalks adjacent to a street shall begin two (2) feet behind the right-of-way line and be five (5) feet in overall width.

11. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (3-phase lines), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

12. *Open Space.* The development shall consist of a minimum of *14.85%* open space (*or 6.73-acres*), and generally conform to the *Concept Plan* contained in *Exhibit 'B'* of this ordinance. All open space areas shall be maintained by the Homeowner's Association (HOA).

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13. *Trail Rest Area.* The developer shall be responsible for the construction of a *Trail Rest Area* that generally conforms to the rest area depicted in *Figure 1* (*below*).

Figure 1: *Trail Rest Area Concept*



14. *Neighborhood Signage.* Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.

15. *Drainage Standards.* The development shall comply with existing drainage standards including the permissible spread of water in the streets and permissible gutter flow through intersections as outlined in the City of Rockwall's *Standards of Design and Construction* (*approved in August 2003 and updated in October 2007*). The proposed drainage areas, flow patterns, and storm drain system that will be constructed shall be based on the City's drainage criteria and be identified on a *Conceptual Drainage Plan*, which shall be submitted with the *Civil Plans* at the time of *Engineering* submittal. The *Conceptual Drainage Plan* shall be reviewed and approved by the Engineering Department in compliance with engineering standards.

16. *Homeowner's Association (HOA)*. A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of Section 38-15 of the Subdivision Regulations contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, screening fences associated with this development.

17. *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 12/21/2015

APPLICANT: Pat Atkins, *Saddle Star Land Development, Inc.*

AGENDA ITEM: **Z2015-035**; *Saddle Star Estates North (AG to PD)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Pat Atkins of Saddle Star Land Development Inc. on behalf of the owner Larry Hance for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 8.4 (SF-8.4) District land uses for a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King Boulevard, and take any action necessary.

PURPOSE AND CHARACTERISTICS OF THE REQUEST:

On November 16, 2015, the applicant submitted an application requesting to rezone a 44.56-acre tract of land from an Agricultural (AG) District to a Planned Development District for a single-family, residential subdivision that will consist of 109 single-family lots. The subject property, which was annexed into the City on February 4, 2008 by *Ordinance No. 08-10*, is located at the northwest corner of John King Boulevard, north of FM 552 and is currently vacant land zoned Agricultural (AG) district.

According to the concept plan, it is the intent of the development to provide 109 single-family residential lots that are to be a minimum of 10,000 sq. ft. *(i.e.80' x 125' lots)* in area; however, the development does not include a neighborhood park, rather a trail system meanders through the floodplain area and is to be the developments primary amenity. The applicant has stated that the neighborhood park to be located within the South Saddle Star Estates Addition will be available to this development. In addition, the concept plan shows the inclusion of 5.61-acres of net open space, the majority of which is situated within a 100-year floodplain, which transects the property from the north to the south. Additionally, the applicant has also agreed to provide a corner enhancement that will incorporate a seat wall and additional landscaping at the corner of the intersection of John King Boulevard and FM-552 (*see the Corner Enhancement Concept contained in the John King Boulevard Design Concept Plan*). Staff has included these as development requirements within the Planned Development District Ordinance. In addition, the applicant has also indicated that a minimum of a 50-foot landscape buffer will be provided along John King Blvd, and a minimum of a ten (10) foot meandering sidewalk will be constructed within this landscape buffer.

It should be pointed out that the proposed PD Ordinance has similar standards as were approved in the in the Stone Creek and Breezy Hill Subdivisions. A summary of the requested density and dimensional requirements is as follows:

Minimum Lot Width [1]	80'
Minimum Lot Depth	125'
Minimum Lot Area	10,000 SF
Minimum Front Yard Setback [2] & [5]	20'
Minimum Side Yard Setback	5'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'

Minimum Length of Driveway Pavement	25'
Maximum Height [3]	30'
Minimum Rear Yard Setback [4]	20'
Minimum Area/Dwelling Unit (SF)	2,700 SF
Maximum Lot Coverage	65%
Permitted Encroachment into Required Setbacks [5]	Allowed

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.

[2]: The location of the *Front Yard Building Setback* as measured from the front property line.

[3]: The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single family home.

[4]: As measured from the rear yard property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks (Adjacent to a Street)* and shall not encroach into public right-of-way [a *Sunroom* is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces].

Waivers to Code Requirements:

It should be noted that the development standards contained within the PD Ordinance deviate from the requirements of the Engineering Department's *Standards of Design and Construction* Manual in the following ways:

1) According to the Engineering Department's *Standards of Design and Construction* Manual, "(t)he City Council may waive the residential alley requirement upon determination by the Council, if it is in the best interest of the City." Currently, the applicant is requesting to allow *J-Swing* and/or *Front Entry* garages that comply with Article VI, *Parking and Loading*, of the Unified Development Code (UDC) in lieu of alleys. This requirement has been waived for other subdivisions throughout the City when the PD Ordinance conforms to the requirements stipulated by the UDC.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a future phase (Phase VIIIA) of the Breezy Hills Subdivision. This property is zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses.

South: Directly south of the subject property is FM-552, which is designated as a TxDOT6D (*Texas Department of Transportation, six [6] lane, divided roadway*) according to the City's Master Thoroughfare Plan. Beyond this thoroughfare are two (2) parcels [*J. W. Williams Middle School and a parcel owned by the City of Rockwall*] of land zoned Single Family 16 (SF-16) District.

East: Directly east of the subject property is John King Boulevard, which is designated as a M4U (*minor, four [4] land, undivided roadway*) according to the City's Master Thoroughfare Plan. Beyond this roadway is 33.7-acres of land zoned Planned Development District 74 (PD-74) for limited General Retail (GR) District land uses.

West: Directly west of the subject property are the corporate limits of the City. Beyond this are several single-family, residential properties situated within Rockwall County.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The Future Land Use Map contained within the Comprehensive Plan designates the subject property as *Medium Density Residential* land uses. According to the Comprehensive Plan, the *Medium Density Residential* designation is generally defined as single family development consisting of 2 to 3 units per acre, but generally about 3 units per acre. In this case, the applicant is proposing a density of 2.446 units per gross acre, which is consistent with the *Medium Density Residential* designation and therefore is in conformance with the Comprehensive Plan and the Future Land Use Map designation. However, according to *Section 1.2.B Open Space Standards*, of *Nature of PD Districts and Minimum Standards*, of Article X, *Planned Development Regulations*, of the Unified Development Code (UDC), states:

- Public and private open space. Unless otherwise provided by the PD ordinance, a minimum of 20 percent of the gross land area within the entire PD District shall be devoted to open space, except where a floodplain exists in the proposed development in which case the dedicated floodplain shall be allowed to count for up to 50 percent of the 20 percent open space requirement, and shall be consistent with the open space requirements of the city's parks and open space plan. Open space for PD Districts may be satisfied by either public or by a combination of public and private open space. Open space requirements specified in this subsection are in addition to requirements for site landscaping and buffering. Public open space shall be dedicated to the city.

The proposed zoning does appear to conform to the majority of the Comprehensive Plan's policies and guidelines with the exception of the proposed open space requirement. The applicant is proposing a total 5.61 acres of open space (or 12.59%) which is primarily flood plain. It should be noted that if the floodplain were calculated at 100% (*as opposed to 50%*) the development would meet the minimum 20% requirement. With this being said, the proposed open space standard is a discretionary decision for the City Council.

NOTIFICATION:

On November 20, 2015, staff mailed twenty-four (24) notices to property owners and residents within 500-feet of the subject property. Staff also emailed notices to the Stoney Hollow and Stone Creek Homeowner's Associations (HOA's), which are the only HOA's located within 1,500 feet of the subject property. Additionally, staff posted a sign at the corner of John King Boulevard and FM552 and advertised the public hearings in the Rockwall Harold Banner as required by the Unified Development Code (UDC). At the time this case memo was drafted no responses were received by staff.

RECOMMENDATIONS:

If the City Council chooses to recommend approval of the applicant's request to rezone the subject property from an Agricultural (AG) District to a Planned Development District, then staff would propose the following conditions of approval:

1) The applicant shall be responsible for maintaining compliance with the conditions contained within the *Planned Development District* ordinance;

2) Any construction resulting from the approval of this *zoning change* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Commission Recommendation:

On December 8, 2015, the Planning and Zoning Commissions' motion to approve the Planned Development with staff conditions passed unanimously by a vote of 7 to 0; however, the Planning and Zoning Commission did also recommend that Section 12, *Open Space*, of *Exhibit 'D'* of the proposed *PD Ordinance* be amended to reflect a minimum of 20% open space.

Pat Atkins
Director of Land Development and Acquisitions
Saddle Star Land Development Inc.
3076 Hays Lane,
Rockwall , Texas 75038

972-388-6383

11-12-15

RYAN C. MILLER A.I.C.P.– PLANNING DIRECTOR - CITY OF ROCKWALL

385 S. GOLIAD ST.

ROCKWALL ,TEXAS 75087

RE: SADDLE STAR ESTATES

100.96 ACRES

ROCKWALL , TEXAS

DEAR MR. MILLER ,

WE ARE HEREBY FORMALLY SUBMITTING FORMAL APPLICATION FOR ZONING OF THE PROPERTY TO PLANNED DEVELOPMENT SINGLE FAMILY RESIDENTIAL DISTRICT. PLEASE FIND ENCLOSED THE FOLLOWING:

A. APPLICATIONS
B. FILING FEES
C. CONCEPT PLAN
D. LEGAL DESCRIPTION
E. DRAFT ORDINANCE
F. ZONING JUSTIFICATION LETTER
G. PDF FILES

LOOK FORWARD TO WORKING WITH YOU AND YOUR STAFF WITH THIS APPLICATION.

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SINCERELY

PAT ATKINS

DIRECTOR - SADDLE STAR LAND DEVELOPMENT

III. PROPERTY DESCRIPTION

The property consists of 101.79 Acres of Land, adjacent to John King Blvd (S.H 205 By Pass) a 120' Major Thoroughfare, also F.M. 552 a 120' Major Thoroughfare , South and North of existing Rockwall Williams Middle School. The property is sparsely vegetated on the southern 57 acres with native trees. The northern 45 Acres has a Tributary running north and south of which a Tree Preservation plan will be prepared. New homes construction will range from $450K and up. The homes will be marketed towards young families, young professionals and empty nesters lifestyle. Creating an additional 114 million dollars to the City of Rockwall tax base. There will be a Master H.O.A. required within the development of the property. We are excited to bring this upscale residential development to this area which surpasses expectations required in your Comprehensive Master Plan . A master trail system , along with the required Landscape Buffer will be implemented which, will connect John King Blvd. and our Development.

III. PROPERTY DESCRIPTION

The density is based on guidelines set forth in your Comprehensive Plan and creation of an exclusive high end residential neighborhood. This development will provide over 114 million dollars annual tax base to the City of Rockwall. The Comprehensive Plan identifies John King Blvd. Design Requirements along with encouragement of open space throughout the residential neighborhood quadrants. City identity monumentation will be constructed at the northwest corner of F.M. 552 , along with trail system traversing our northsouth tributary which we feel with our plan and have exceeded The City of Rockwall's expectations.

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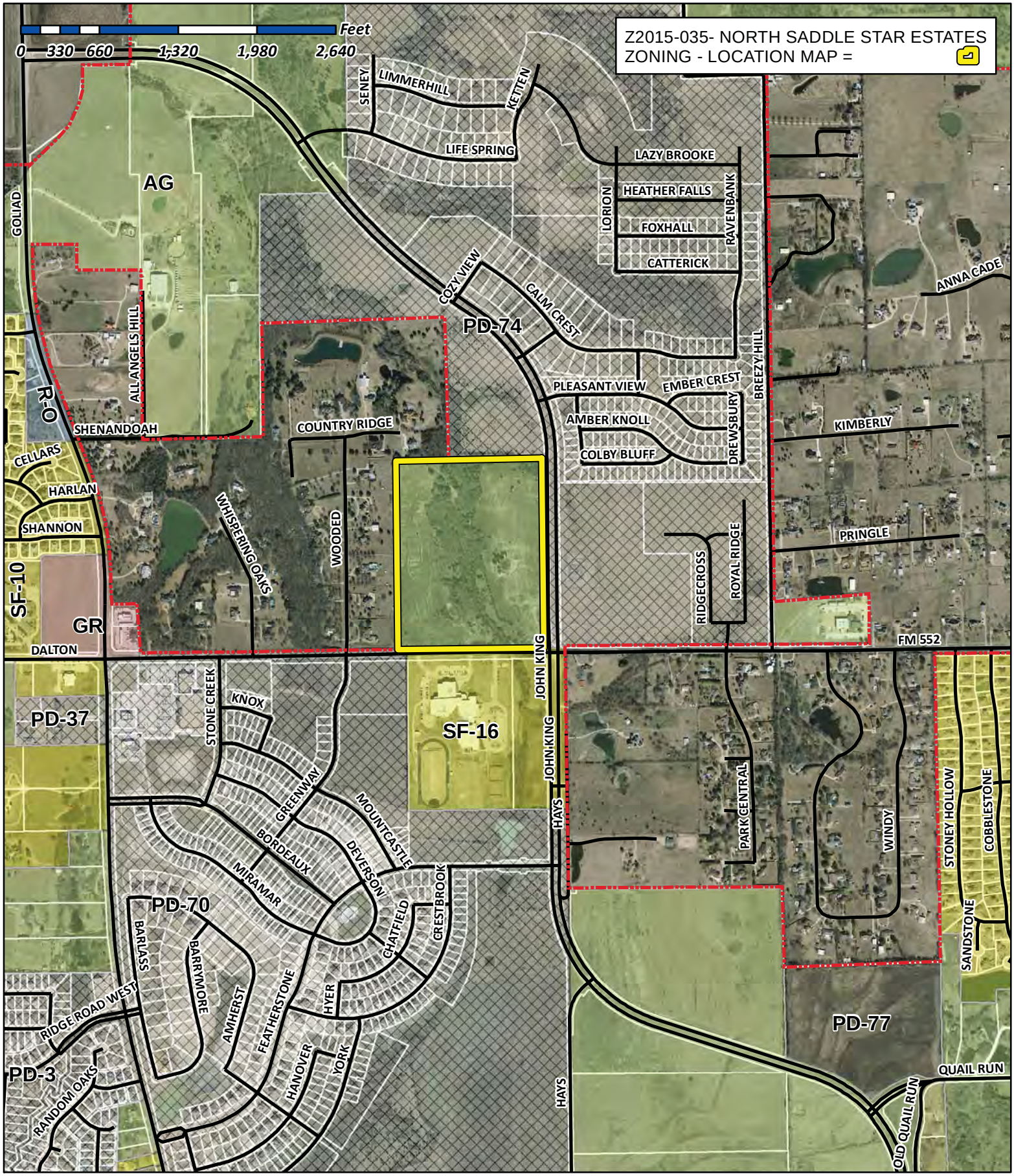

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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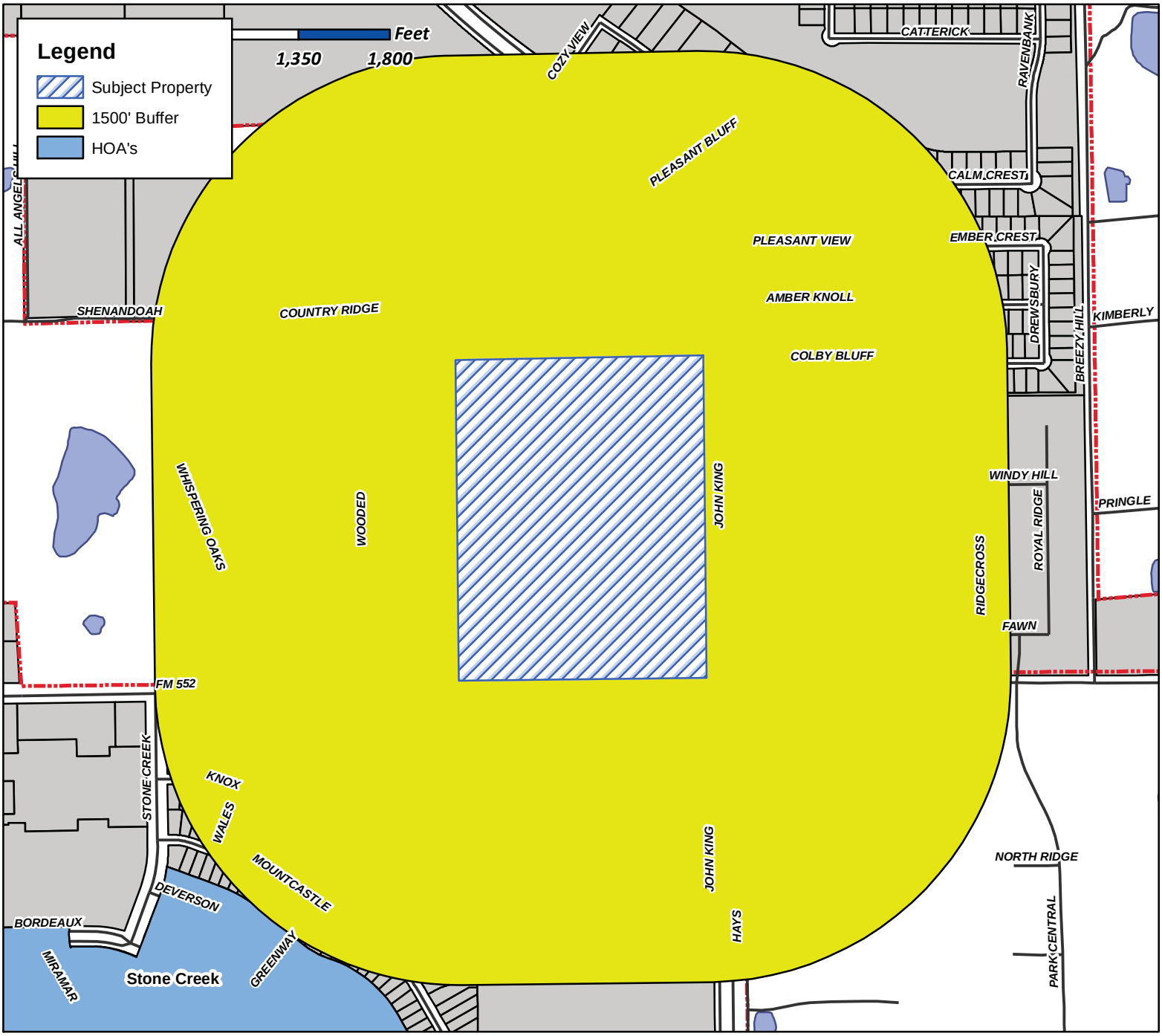
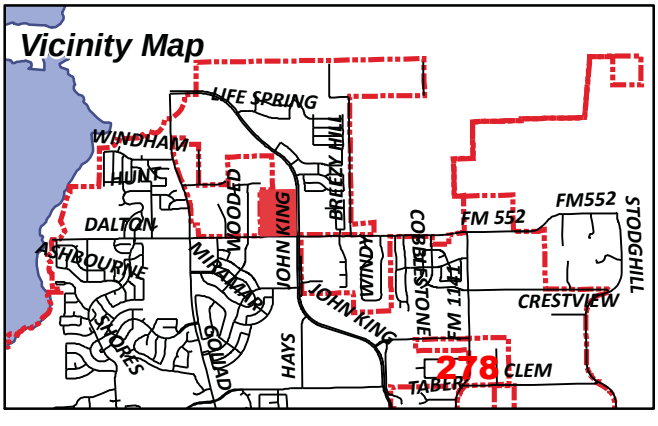


Case Number: Z2015-035
Case Name: North Saddle Star Estates
Case Type: Zoning
Zoning: PD for Residential
Case Address: NW corner of FM-552 and John King Blvd.

Date Created: *11/16/2015*
For Questions on this Case Call (972) 771-7745



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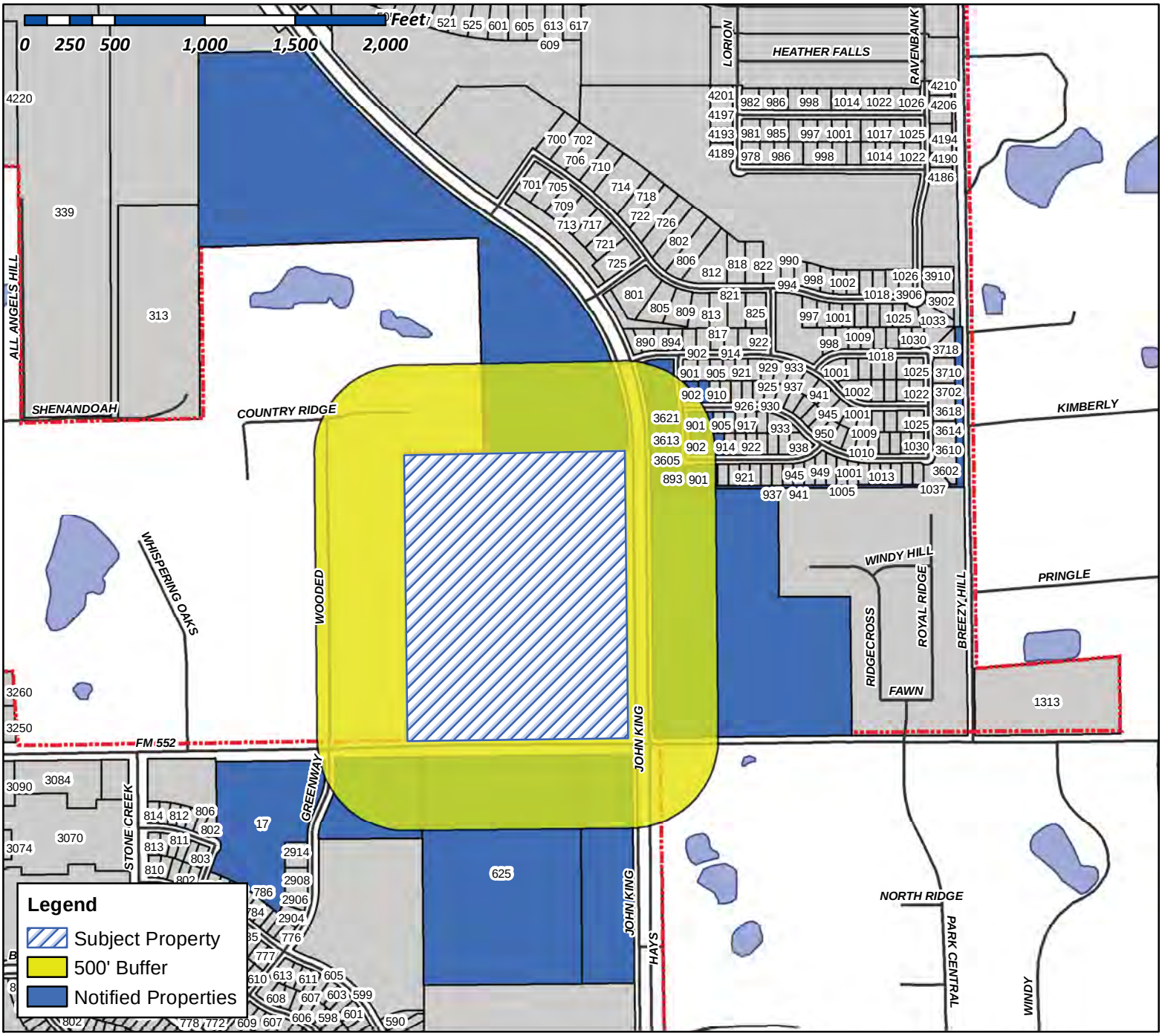
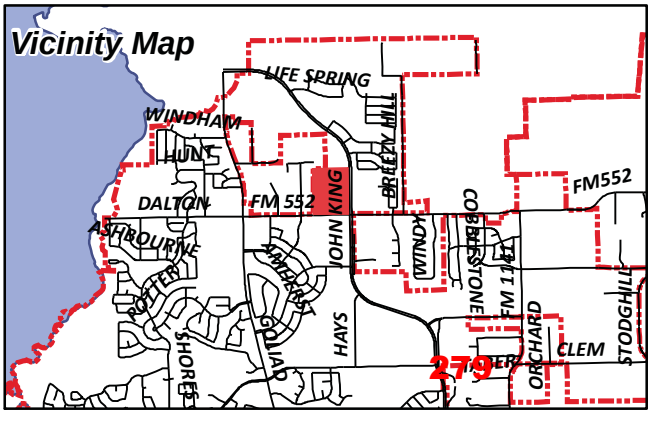


Case Number: Z2015-035
Case Name: North Saddle Star Estates
Case Type: Zoning
Zoning: PD for Single Family
Case Address: NW corner of FM-552 and John King Blvd.



Date Created: 11/16/2015
For Questions on this Case Call (972) 771-7745

NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2015-035: North Saddle Star Estates

Hold a public hearing to discuss and consider a request by Pat Atkins of Saddle Star Land Development Inc. on behalf of the owner Randa Hance of R&R Hance Investment LP for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 8.4 (SF-8.4) District land uses for a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King Boulevard, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 12/8/2015 at 6:00 p.m.,** and the City Council will hold a public hearing on **Monday, 12/21/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **12/21/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP

PLEASE RETURN THE BELOW FORM

Case No. Z2015-035: North Saddle Star Estates

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:	
Address:	

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

CURRENT RESIDENT
3605 NOAH CREST DR
ROCKWALL, TX 75087

CURRENT RESIDENT
3609 NOAH CREST DR
ROCKWALL, TX 75087

CURRENT RESIDENT
3613 NOAH CREST DR
ROCKWALL, TX 75087

CURRENT RESIDENT
3617 NOAH CREST DR
ROCKWALL, TX 75087

CURRENT RESIDENT
3621 NOAH CREST DR
ROCKWALL, TX 75087

DREES CUSTOM HOMES LP
6225 N STATE HIGHWAY 161 STE 150
IRVING, TX 75038

CURRENT RESIDENT
625 FM552
ROCKWALL, TX 75087

HANCE LARRY
6306 GLENHOLLOW CT
DALLAS, TX 75248

STONE CREEK SF, LTD & STONE CREEK BALANCE, LTD.
8214 WESTCHESTER DR SUITE 710
DALLAS, TX 75219

BH BALANCE III LLC
8214 WESTCHESTER DRIVE SUITE 710
DALLAS, TX 75225

BH PHASE IIB SF LTD
8214 WESTCHESTER DRIVE SUITE 710
DALLAS, TX 75225

BH BALANCE IV LLC
8214 WESTCHESTER DRIVE SUITE 710
DALLAS, TX 75225

STONE CREEK BALANCE LTD
8214 WESTCHESTER STE 710
DALLAS, TX 75225

RICE JAMES RANDOLPH JR AND CANDACE ELAINE
893 COLBY BLUFF DR
ROCKWALL, TX 75087

CURRENT RESIDENT
901 AMBER KNOLL DR
ROCKWALL, TX 75087

CURRENT RESIDENT
901 COLBY BLUFF DR
ROCKWALL, TX 75087

CURRENT RESIDENT
902 AMBER KNOLL DR
ROCKWALL, TX 75087

CURRENT RESIDENT
902 COLBY BLUFF DR
ROCKWALL, TX 75087

CURRENT RESIDENT
905 AMBER KNOLL DR
ROCKWALL, TX 75087

CURRENT RESIDENT
905 COLBY BLUFF DR
ROCKWALL, TX 75087

CURRENT RESIDENT
906 COLBY BLUFF DR
ROCKWALL, TX 75087

SICILIANO LAURA EDITH AND
906 AMBER KNOLL DR
ROCKWALL, TX 75087

CURRENT RESIDENT
909 COLBY BLUFF DR
ROCKWALL, TX 75087

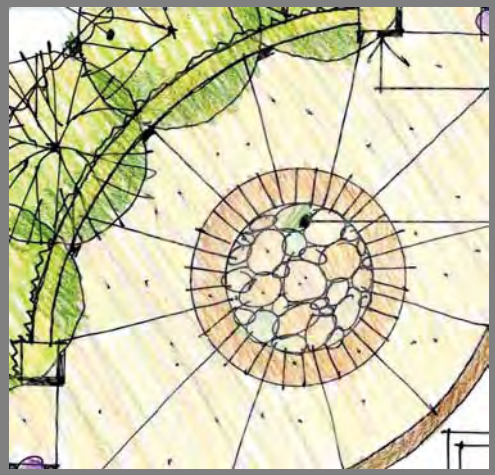
CURRENT RESIDENT
910 COLBY BLUFF DR
ROCKWALL, TX 75087

281

ROCKWALL

JOHN KING BLVD. DESIGN CONCEPT PLAN



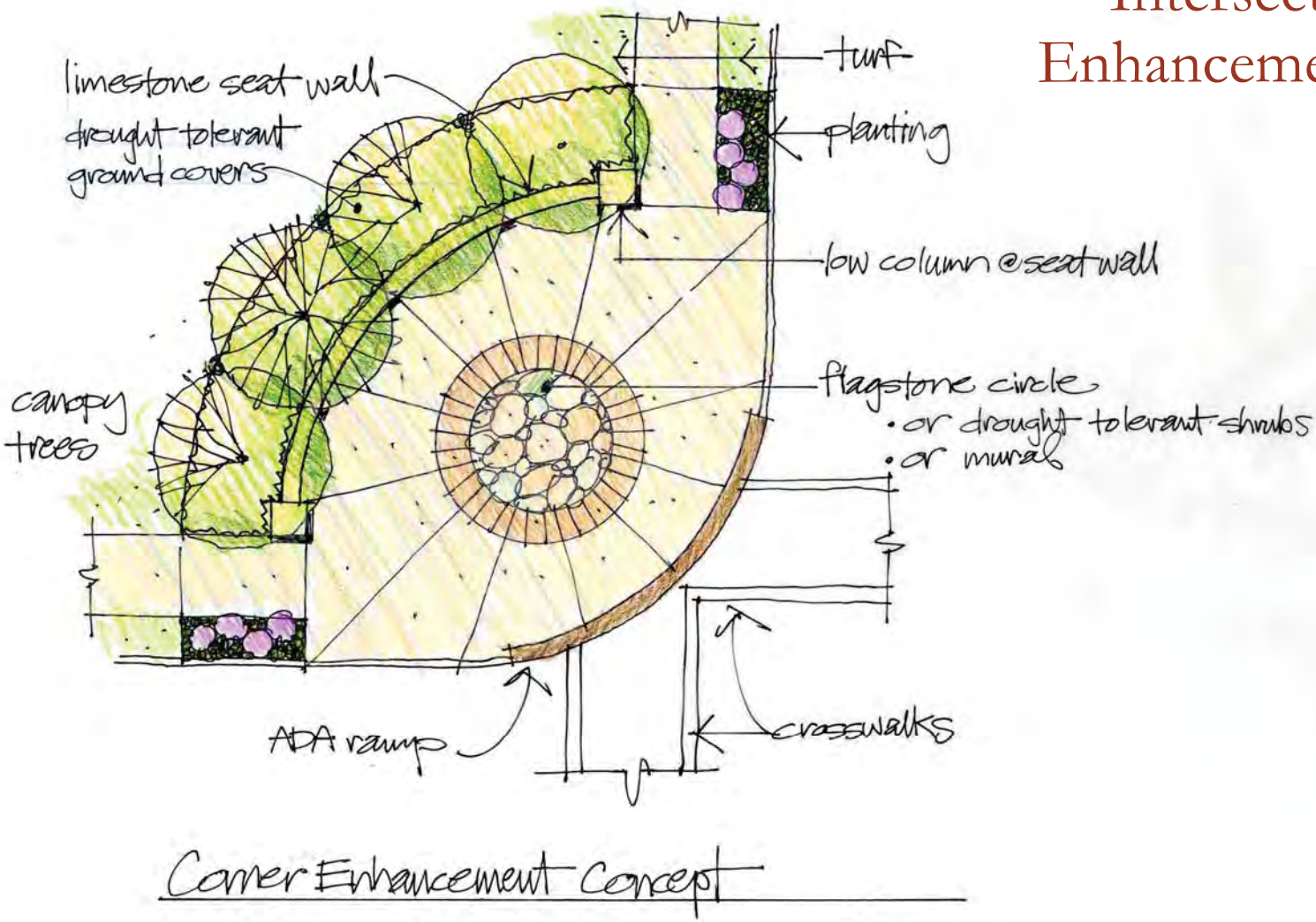



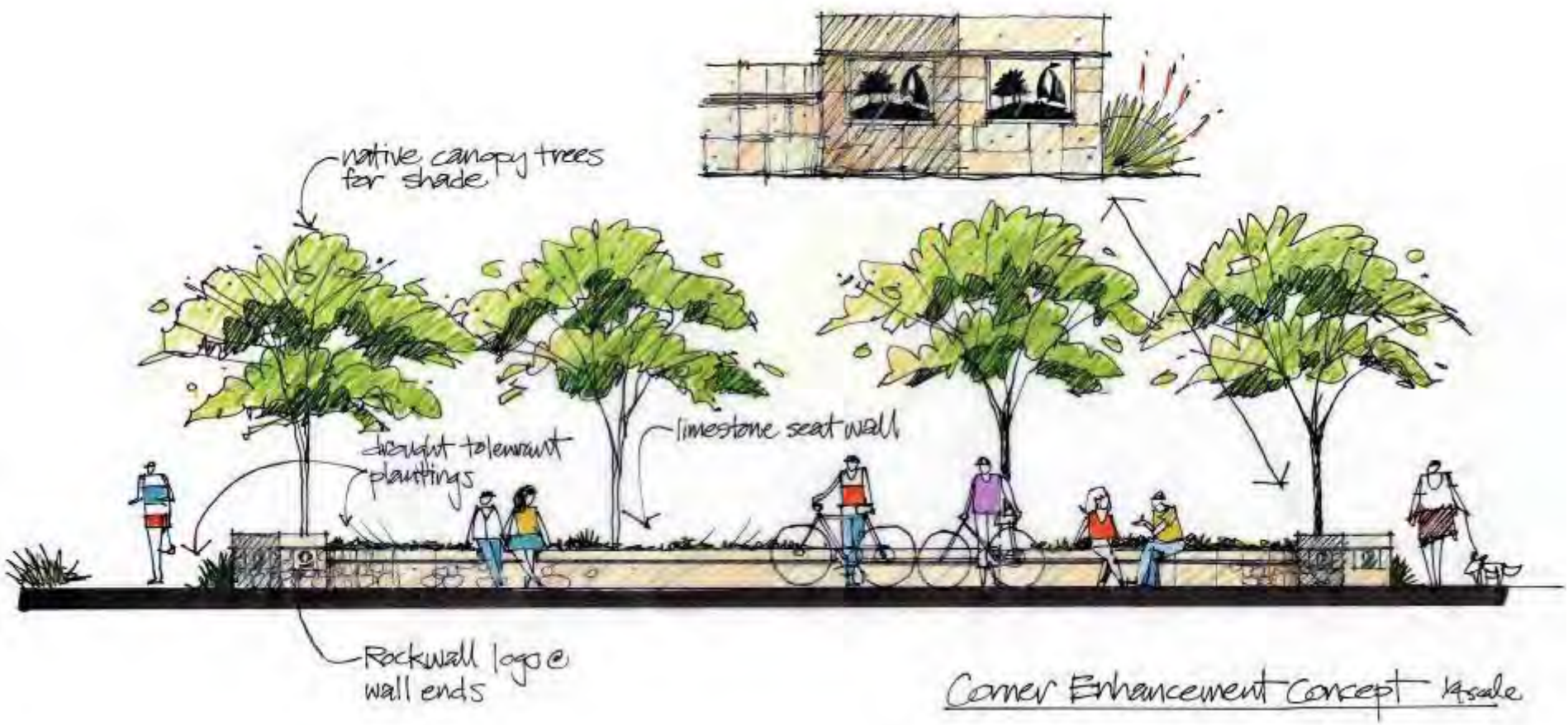
City of Rockwall, Texas

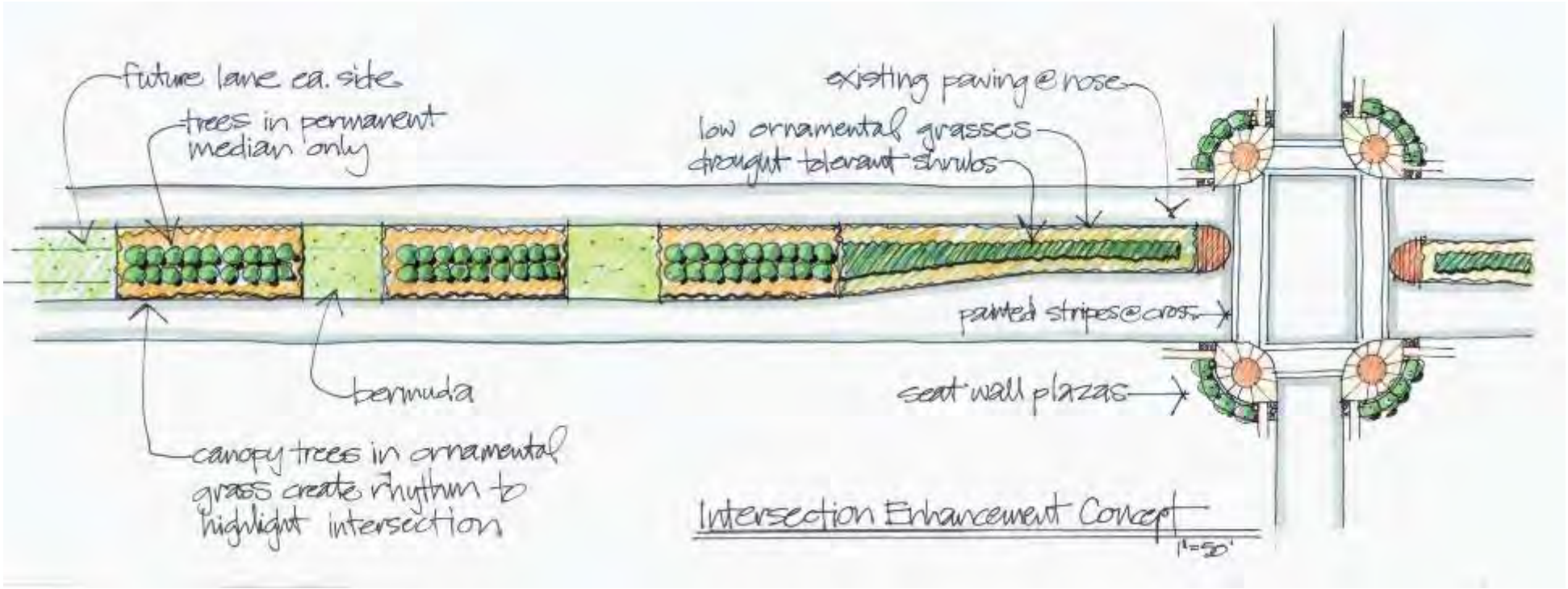
September 2009

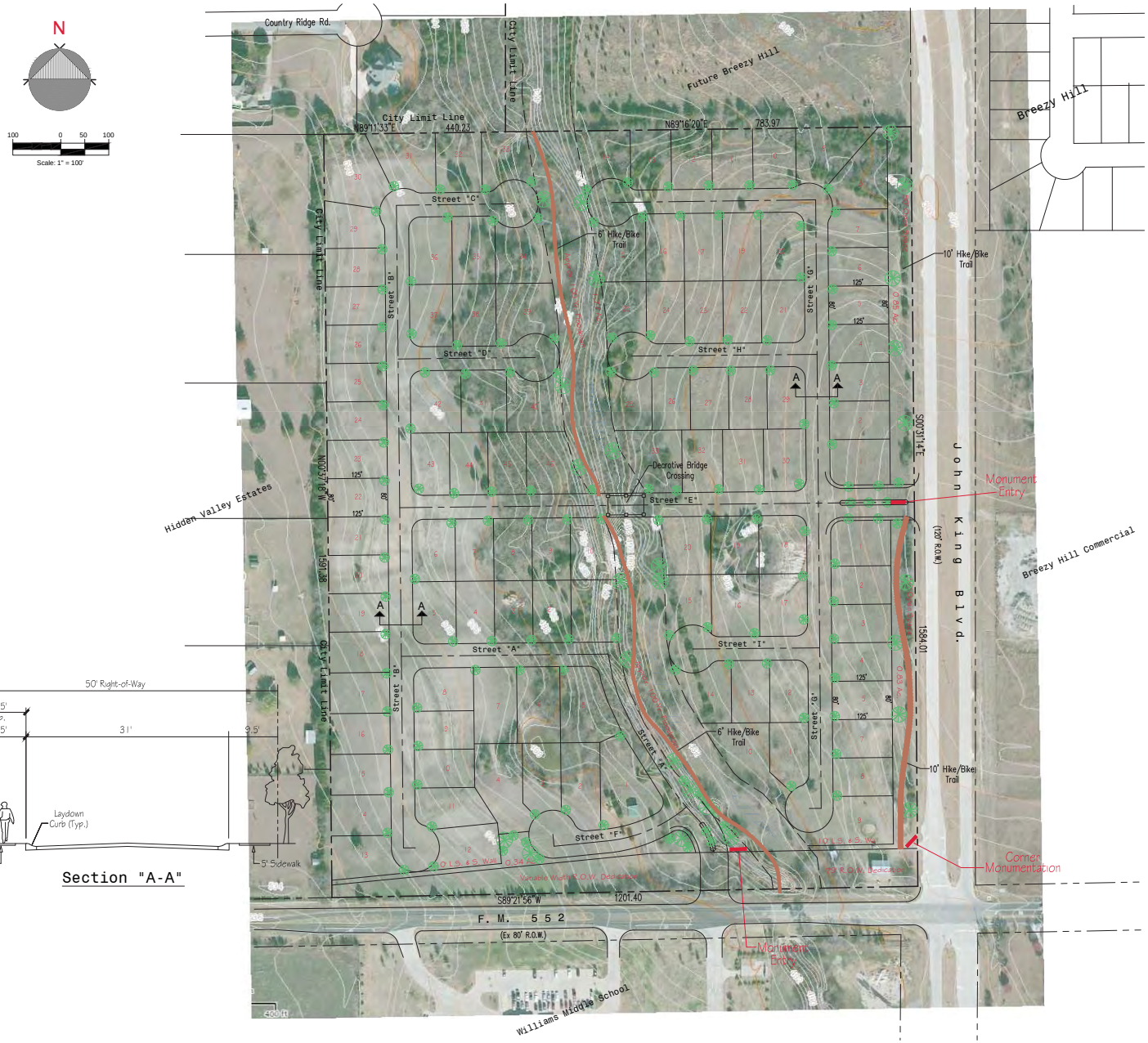
TOWNSCAPE, Inc.

Intersection Enhancements

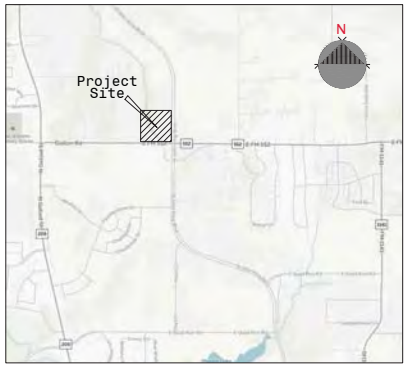



native canopy trees for shade
drought tolerant plantings
limestone seat wall
Rockwall logo @ wall ends
Corner Enhancement Concept


future lane ea. side
trees in permanent median only
existing paving @ nose
low ornamental grasses
drought tolerant shrubs
painted stripes @ cross
bermuda
seat wall plazas
canopy trees in ornamental grass create rhythm to highlight intersection
Intersection Enhancement Concept
1"=50'



Section "A-A"



Vicinity Map
n. t. s.

Land Use Data

Total Area - 44.56 Ac.
Total Open Space - 5.61 Ac.
Typ. Lot Size - 80'x125'
Total Lots - 109
Density - 2.446 D.U. / Ac.

CONCEPT PLAN

Saddle Star Estates North
Rockwall, Texas

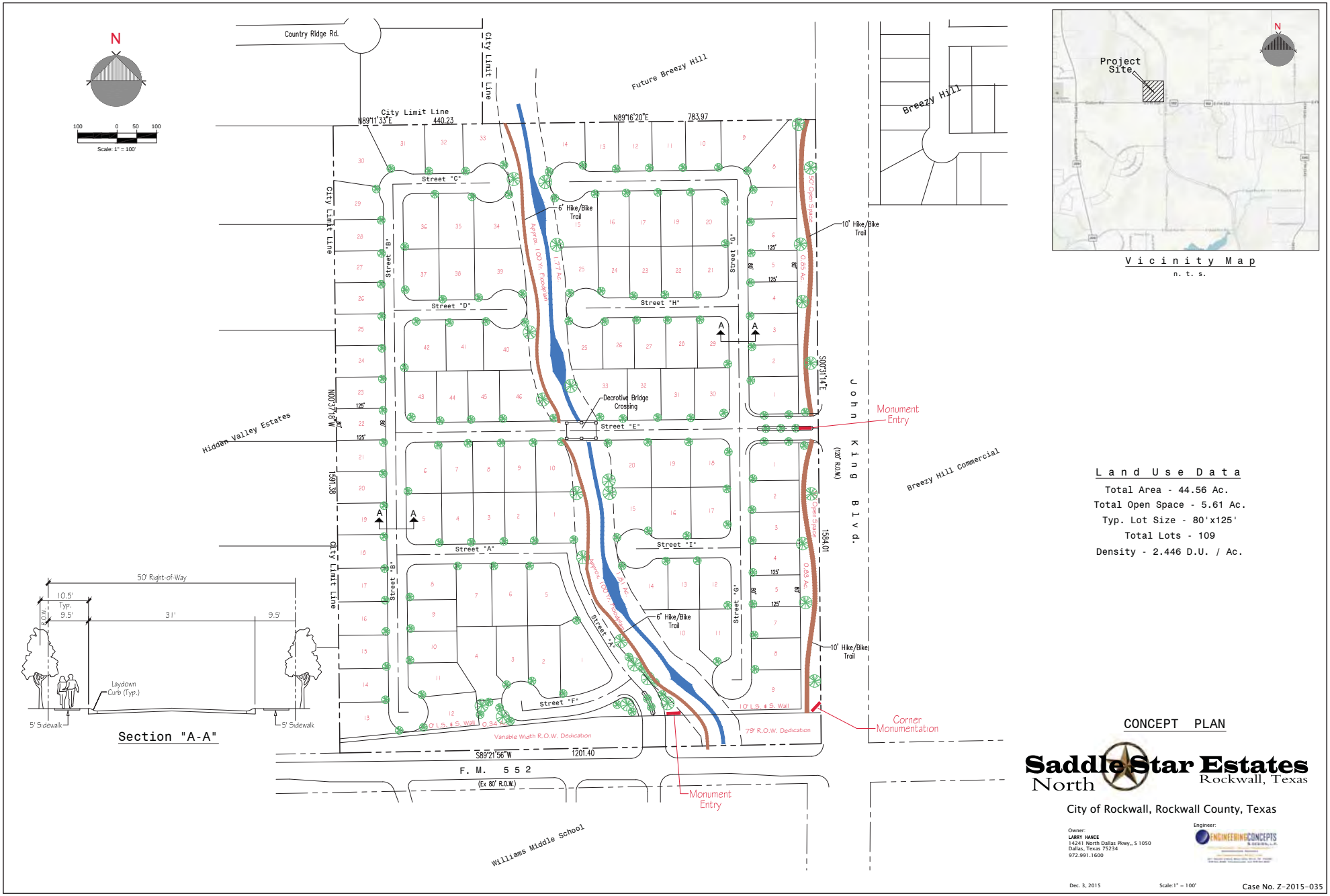
City of Rockwall, Rockwall County, Texas

Owner:
LARRY HANCE
14241 North Dallas Pkwy., S 1050
Dallas, Texas 75234
972.991.1600

Engineer:
ENGINEERING CONCEPTS & DESIGN, L.P.

Dec. 3, 2015 Scale:1" = 100' Case No. Z-2015-035

286



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287

CITY OF ROCKWALL

ORDINANCE NO. 16-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR SINGLE FAMILY 8.4 (SF-8.4) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 44.56-ACRE TRACT OF LAND IDENTIFIED AS TRACT 3 OF THE T. R. BAILEY SURVEY, ABSTRACT NO. 30, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Pat Atkins of Saddle Star Land Development, Inc. on behalf of the owner Larry Hance for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 8.4 (SF-8.4) District land uses, on a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 2. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 3. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, described in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 4. That a *Master Parks and Open Space Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan* described in *Exhibit 'B'* of this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

Section 5. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

(a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 5(b) through 5(e) below*), shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.

(b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for an *Open Space Master Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.

(1) Open Space Master Plan
(2) Master Plat
(3) PD Site Plan
(4) Preliminary Plat
(5) Final Plat

(c) *PD Site Plan.* A *PD Site Plan* covering all of the *Subject Property* shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Preliminary Plat Application* for the development.

(d) *Preliminary Plat.* A *Preliminary Plat* covering all of the *Subject Property* shall be submitted and shall include a *Treescape Plan*. A *Preliminary Plat Application* may be processed by the City concurrently with a *PD Site Plan Application* for the development.

(e) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, for all of the *Subject Property* shall be submitted for approval.

Section 7. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 8. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 9. The standards in this ordinance shall control in the event of a conflict between

this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 10. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF JANUARY, 2016.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: *December 21, 2015*

2nd Reading: *January 4, 2016*

DRAFT

Exhibit "A"

Description of the Land

All that certain lot, tract or parcel of land situated in the T.R. Bailey Survey Abstract NO. 30, Rockwall County, Texas, and being all of a tract of land as described in a Quit Claim deed from Roy Hance and Randa Hance to Larry Hance, dated March 16, 1993 and being recorded in Volume 769, Page 168 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at ½" iron rod found for corner in the west boundary line of said Hance tract at its intersection with the north right-of-way line of F.M. 552 said point being at the southeast corner of Lot 12B HIDDEN VALLEY ESTATES NO 2 an Addition to Rockwall County, Texas, according to the Plat thereof recorded in Cabinet A, Slide 379 of the Plat Records of Rockwall County, Texas;

THENCE N. 00 deg. 37 min. 18 sec. W. along the west line of said Hance tract and the east line of said subdivision, a distance of 1591.38 feet to a 3/8" iron rod found for corner at the northeast corner of Lot 14A, and at the northwest corner of said Hance tract;

THENCE N. 89 deg. 11 min. 33 sec. E. along the south line of said subdivision, a distance of 440.23 feet to a 1/2 " iron rod found for corner at the southeast corner of lot 15B;

THENCE N. 89 deg. 16min. 20 sec. E. along the north line of said Hance tract. a distance 783.97 feet to a P-K nail in fence corner post found at the northeast corner of said Hance tract and in west right-of-way line of John King Boulevard Hwy 205 bypass;

THENCE S. 00 deg. 31 min. 14 sec. E. along the east line of said Hance tract and along said right-of-way line, a distance of 1584.01 feet to a ½" iron rod found for corner at the intersection of the east line of Hance tract with the north right-of-way line of F.M. 552,

THENCE along said right-of-way line as follows:

S. 89 deg. 21 min. 56 sec. W. a distance of 668.40 feet;
S. 00. Deg. 38 min. 04 sec. E. a distance of 10.00 feet;
S. 89 deg. 21 min. 56 sec. W. a distance of 553.00 feet to the POINT OF BEGINNING and containing 44.56 acres of land.

Exhibit 'B':
Concept Plan

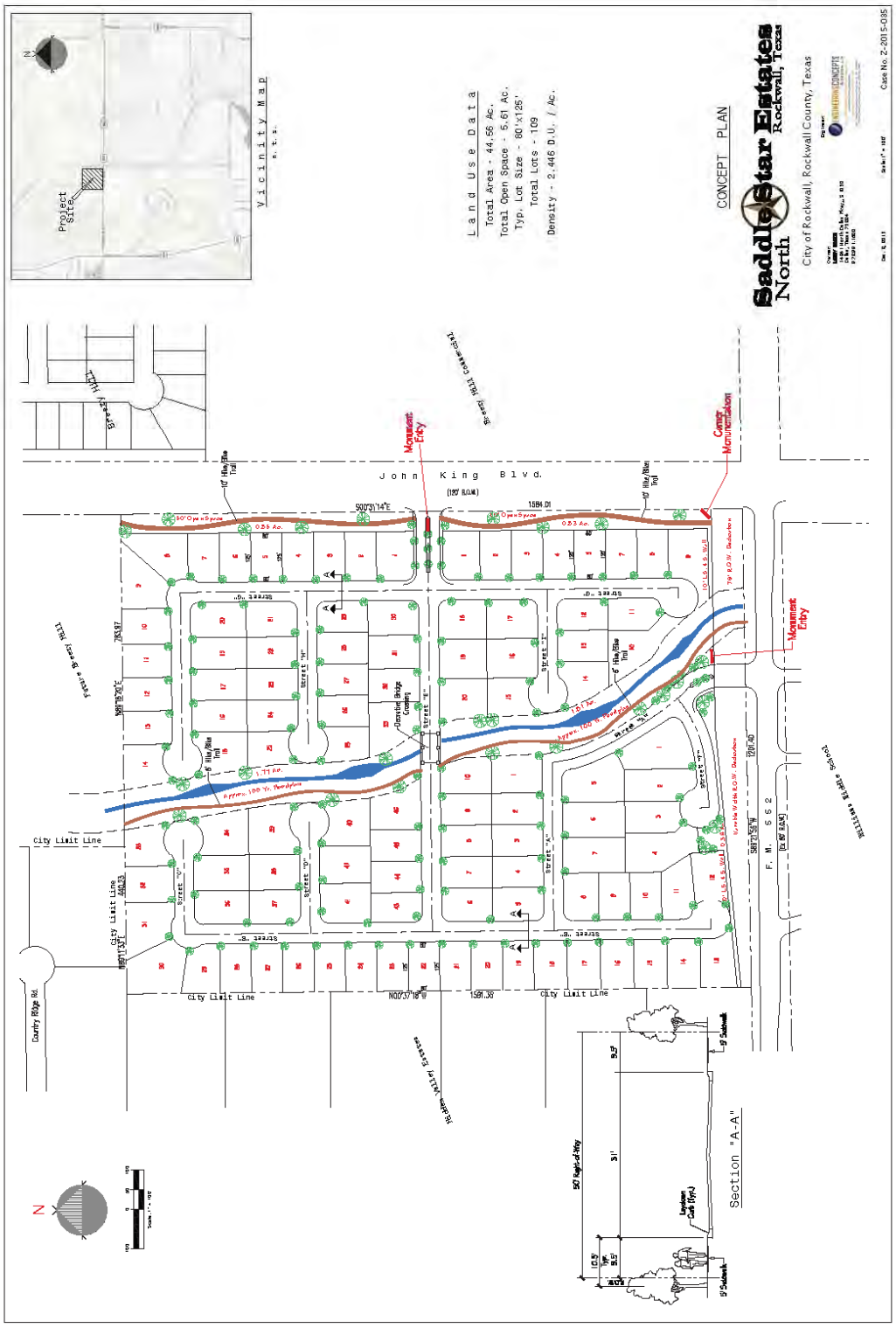
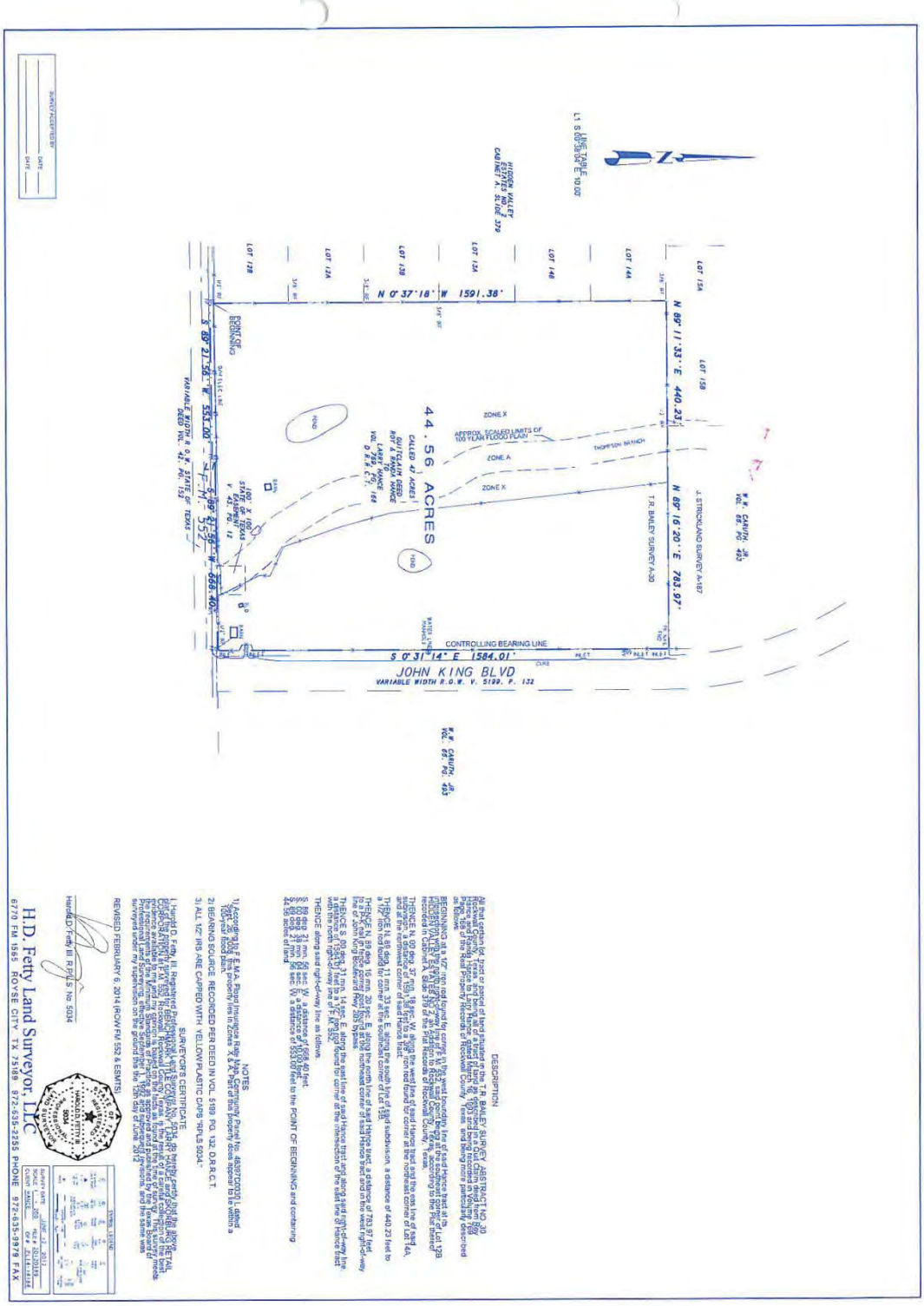

Saddle Star Estates North
Rockwall, Texas
City of Rockwall, Rockwall County, Texas
CONCEPT PLAN
Case No. Z-2015-035
Land Use Data
Total Area - 44.66 Ac.
Total Open Space - 5.61 Ac.
Typ. Lot Size - 80'x125'
Total Lots - 109
Density - 2.446 D.U. / Ac.
Vicinity Map
n.t.s.
Project Site
John King Blvd.
(120' R.O.W.)
Monument Entry
Corner Monumentation
Section "A-A"
City Limit Line
Country Ridge Rd.
Street "A"
Street "B"
Street "C"
Street "D"
Street "E"
Street "F"
Street "G"
Street "H"
Street "I"
Street "J"
Street "K"
Street "L"
Street "M"
Street "N"
Street "O"
Street "P"
Street "Q"
Street "R"
Street "S"
Street "T"
Street "U"
Street "V"
Street "W"
Street "X"
Street "Y"
Street "Z"
Typ. R.O.W. Dedication
Typ. L.S.E. Width
Typ. Lot Width
Typ. Lot Depth
Typ. Front Yard Setback
Typ. Side Yard Setback
Typ. Rear Yard Setback
Typ. Corner Lot Setback
Typ. Lot Area
Typ. Lot Coverage
Typ. Lot Frontage
Typ. Lot Rear Yard
Typ. Lot Side Yard
Typ. Lot Corner Side Yard
Typ. Lot Interior Side Yard
Typ. Lot Interior Rear Yard
Typ. Lot Interior Front Yard
Typ. Lot Interior Corner Side Yard
Typ. Lot Interior Corner Rear Yard
Typ. Lot Interior Corner

Exhibit 'C':
Survey



DESCRIPTION

All that certain lot, tract or parcel of land situated in the T.R. BAILEY SURVEY, ABSTRACT NO. 30, Rockwall County, Texas, and being all of Lot 12B of the Hidden Valley Estates No. 2 Addition, an addition to Rockwall County, Texas, according to the Plat recorded in Cabinet A, Slide 379 of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the west boundary line of said Hidden Valley Estates No. 2 Addition, same being the east boundary line of a called 47 acre tract of land described as Tract 1 in deed to Roy A. Canon Vance, Larry Vance, et al, recorded in Volume 2729, Page 169, Deed Records of Rockwall County, Texas, said point being the southeast corner of Lot 12B of said Hidden Valley Estates No. 2 Addition;

THENCE N. 89 deg. 16 min. 20 sec. E. along the north line of said Hidden Valley Estates No. 2 Addition, a distance of 783.97 feet to a 1/2" iron rod found for corner at the northeast corner of Lot 14A, same being the northwest corner of said Hidden Valley Estates No. 2 Addition, same being the northeast corner of said Hidden Valley Estates No. 2 Addition, same being the northeast corner of said Hidden Valley Estates No. 2 Addition, same being the northeast

Exhibit 'D':
Development Standards

Development Standards.

1. *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 8.4 (SF-8.4) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.

2. *Lot Composition and Layout.* The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* and stated in *Table 1*, which is as follows:

Table 1: Lot Composition

Lot Type	*Minimum Lot Size (FT)*	*Minimum Lot Size (SF)*	*Dwelling Units (#)*	*Dwelling Units (%)*
A	80' x 125'	10,000 SF	109	100.00%
		Maximum Permitted Units:	*109*	*100.00%*

3. *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development ordinance, the development standards stipulated by the Single Family 8.4 (SF-8.4) District, as specified by Article V, *District Development Standards*, of the Unified Development Code are applicable to all development on the *Subject Property.* The maximum permissible density for the *Subject Property* shall not exceed *2.446* dwelling units per gross acre of land; however, in no case should the proposed development exceed *109* units. All lots shall conform to the standards depicted in *Table 2*, which is as follows:

Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ►	***A***
Minimum Lot Width [1]	80'
Minimum Lot Depth	125'
Minimum Lot Area	10,000 SF
Minimum Front Yard Setback [2] & [5]	20'
Minimum Side Yard Setback	5'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'
Minimum Length of Driveway Pavement	25'
Maximum Height [3]	30'
Minimum Rear Yard Setback [4]	20'
Minimum Area/Dwelling Unit (SF)	2,700 SF
Maximum Lot Coverage	65%
Permitted Encroachment into Required Setbacks [5]	Allowed

General Notes:

[1]: The minimum lot width shall be measured at the *Front Yard Building Setback*.

[2]: The location of the *Front Yard Building Setback* as measured from the front property line.

[3]: The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single family home.

[4]: As measured from the rear yard property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks (Adjacent to a Street)* and shall not encroach into public right-of-way [a *Sunroom* is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces]

4. *Building Standards.* All development shall adhere to the following building standards:

   (a) Masonry Requirement. The minimum masonry requirement for the exterior façades of all buildings shall be 90%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementaceous fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) may be used for up to 50% of the masonry requirement; however, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted through a Specific Use Permit (SUP) only.

   (b) Roof Pitch. A minimum of an *8:12* roof pitch is required on all structures with the exception of sunrooms and porches, which shall have a minimum of a *4:12* roof pitch.

   (c) Garage Orientation. Garages shall be oriented in a *traditional swing* (or *j-swing*) or in a front entry configuration; however garages oriented toward the street in a front entry configuration must be situated a minimum of 20-feet behind the front building façade of the primary structure. In this case the front façade of the primary structure does not include a permitted encroachment (*e.g. a porch, sunroom, etcetera*) allowed in *Table 2* above. All garage configurations that are not front entry shall meet the requirements of Article VI, *Parking and Loading*, of the Unified Development Code.

5. *Anti-Monotony Restrictions.* The development shall adhere to the *Anti-Monotony Matrix* depicted in *Table 3* below (*for spacing requirements see the illustration below*).

Table 3 : Anti-Monotony Matrix

Lot Type	*Minimum Lot Size*	*Elevation Features*
A	80' x 125'	(1), (2), (3), (4)

(1) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.

(2) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on John King Boulevard shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

   (a) Number of Stories
   (b) Permitted Encroachment Type and Layout
   (c) Roof Type and Layout
   (d) Articulation of the Front Façade

(3) Permitted encroachments (*i.e. porch and sunroom*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the

subject property and six (6) intervening homes beginning with the home on the opposite side of the street.

(4) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

Illustration 1: Properties line up on the opposite side of the street. Where RED is the subject property.

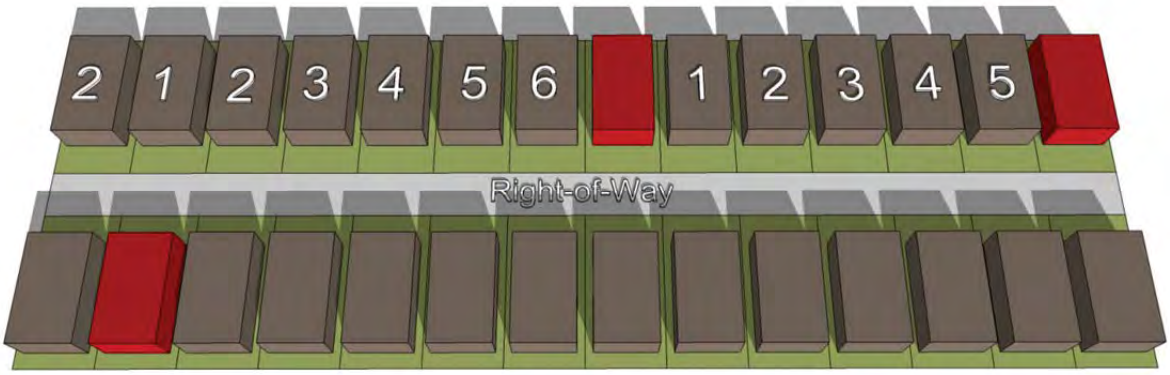
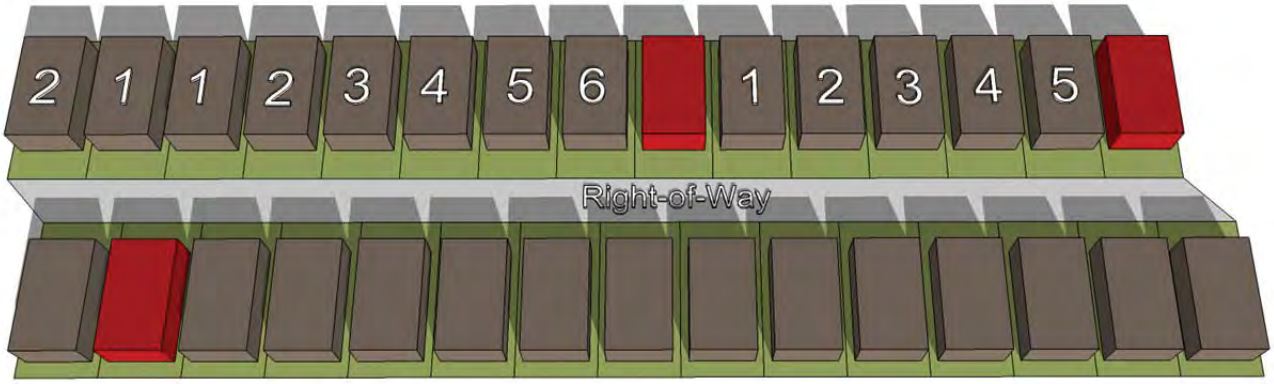


Illustration 2: Properties do not line up on opposite side of the street. Where RED is the subject property.



6. *Fencing Standards.* All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:

(a) Wood Fences. All wood fences shall be constructed of a standard fencing material (*minimum of ½" thickness or better; spruce fencing will not be allowed*), and use fasteners that are hot dipped galvanized or stainless steel. Wood fences facing onto a street shall be painted and/or stained and sealed with all pickets being placed on the *public side* facing the street. All wood fences shall be smooth-finished, free of burs and splinters, and be a maximum of six (6) feet in height.

(b) Wrought Iron/Tubular Steel. Lots located along the perimeter of roadways, abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height.

(c) Corner Lots. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A

maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(d) Solid Fences (including Wood Fences). All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

7. Landscape and Hardscape Standards.

(1) *Landscape.* Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height. The following tree species are approved for planting within this subdivision:

(a) Canopy/Shade Trees. Bald Cyprus, Cedar Elm, Texas Red Oak, Homestead Elm, Lace Bark Elm, Alle Elm, Chinese Pistachio, Shumard Oak, Sycamore, and Burr Oak.

(b) Accent/Ornamental/Under-Story Trees. Texas Redbud, Eve's Necklace, Mexican Plum, Downy Hawthorn, Crepe Myrtle, Texas Mountain Laurel, Vitex, and Desert Willow.

(2) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).

(a) Landscape Buffer and Sidewalks (John King Boulevard). A minimum of a 50-foot landscape buffer shall be provided along the frontage of John King Boulevard (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a ten (10) foot sidewalk situated within the 50-foot landscape buffer adjacent to John King Boulevard.

(3) *Streetscape Landscaping.* Prior to the issuance of a Certificate of Occupancy (CO), all residential, single family lots situated within the proposed subdivision shall be landscaped with canopy trees from the list stipulated by *Section 7(1)* of this ordinance in the following sizes and proportions:

(i) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.
(ii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two (2), three (3) inch caliper trees shall be planted in the side yard facing the street.

Note: For the purposes of this section only [i.e. Section 7(3)], the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.

(4) *Irrigation Requirements*. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association.

(5) *Hardscape.* Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the PD Site Plan.

8. *Street.* All streets (*excluding drives, fire lanes and private parking areas*) shall be built according to City street standards.

9. *Lighting.* Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.

10. *Sidewalks.* At a maximum, all sidewalks adjacent to a street shall begin two (2) feet behind the right-of-way line and be five (5) feet in overall width.

11. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (3-phase lines), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

12. *Open Space.* The development shall consist of a minimum of *12.59%* open space (*or 5.61-acres*), and generally conform to the *Concept Plan* contained in *Exhibit 'B'* of this ordinance. All open space areas shall be maintained by the Homeowner's Association (HOA).

13. *Corner Enhancement Concept.* The developer shall be responsible for the construction of a *Corner Enhancement* that generally conforms to the concept design as depicted in *Figure 1 & Figure 2* (*below*).

Figure 1: *Corner Enhancement Concept (Aerial View)*

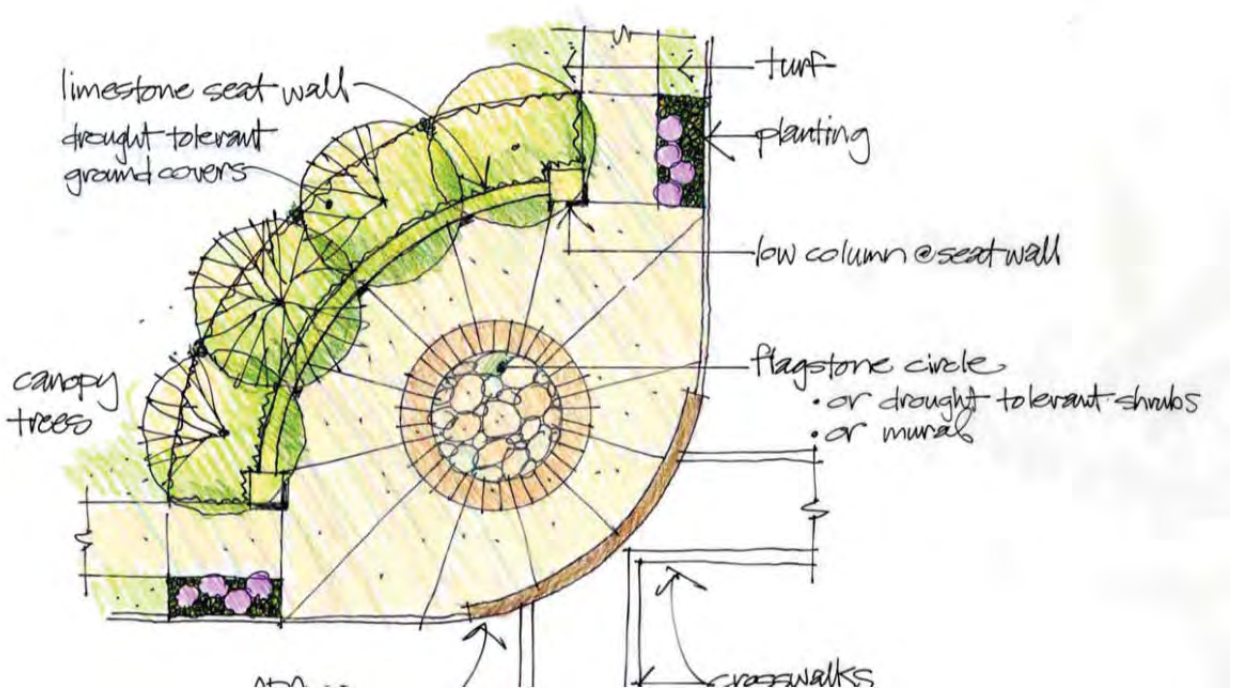
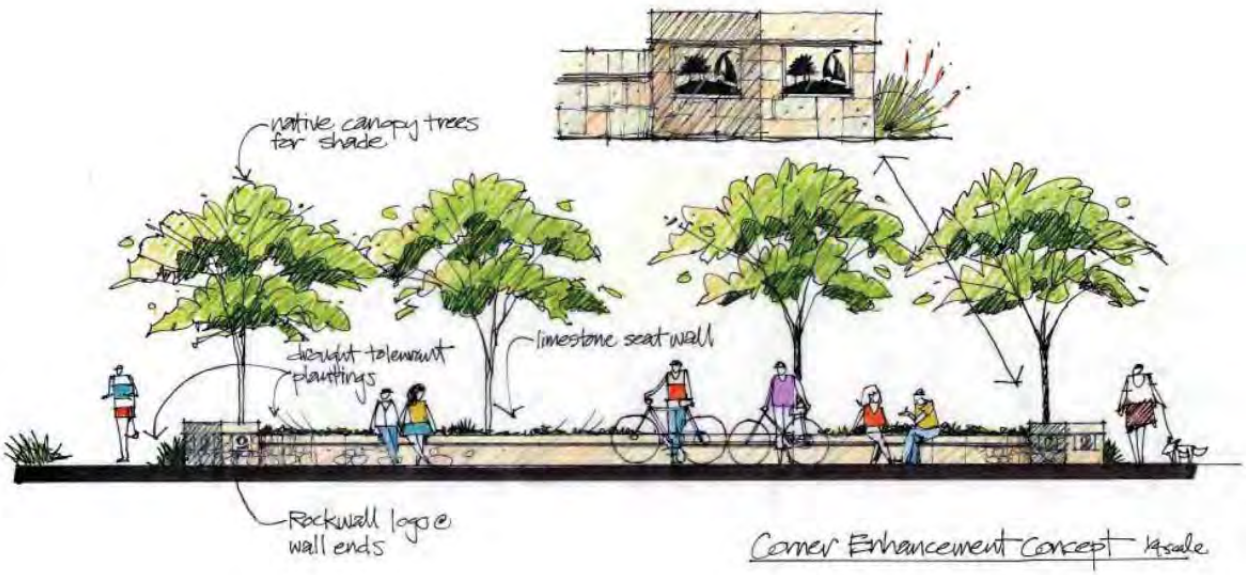


Figure 2: *Corner Enhancement Concept (Street View)*



14. *Neighborhood Signage.* Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.

15. *Drainage Standards.* The development shall comply with existing drainage standards including the permissible spread of water in the streets and permissible gutter flow through intersections as outlined in the City of Rockwall's *Standards of Design and Construction* (*approved in August 2003 and updated in October 2007*). The proposed drainage areas, flow patterns, and storm drain system that will be constructed shall be based on the City's drainage criteria and be identified on a *Conceptual Drainage Plan*, which shall be submitted with the *Civil Plans* at the time of *Engineering* submittal. The *Conceptual Drainage Plan* shall be reviewed and approved by the Engineering Department in compliance with engineering standards.

16. *Homeowner's Association (HOA)*. A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of Section 38-15 of the Subdivision Regulations contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, screening fences associated with this development.

17. *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

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CITY OF ROCKWALL
CITY COUNCIL MEMO

AGENDA DATE: 12/21/2015

APPLICANT: Michael Liang of the Dimension Group

AGENDA ITEM: **SP2015-018;** Race Trac – *Amended Site Plan*

Discuss and consider a request by Michael Liang of the Dimension Group on behalf of Jeffery Baird of RaceTrac for the approval of an amended site plan for a retail store with gasoline sales on a 2.46-acre parcel of land identified as Lots 1R & 2R of the Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the southeast corner of the intersection of Ridge Road and Yellow Jacket Lane, and take any action necessary.

SUMMARY:

The applicant is requesting approval of an amended site plan for a retail store with gasoline sales located at the southeast corner of the intersection of Ridge Road and Yellow Jacket Lane. The property is zoned Commercial (C) District and is located within the *Scenic Overlay (SOV) District*. If approved, the amendment would allow Race Trac convenience store to change the approved exterior elevations to appear as represented in the drawings submitted with this request (see elevations & color rendering). Staff has provided a copy of the exterior elevations that were approved in December 2013 and the proposed exterior elevations for your review.

VARIANCE REQUEST:

The applicant is requesting variances to the requirements of the *Scenic Overlay (SOV) District* contained in the *Unified Development Code* (UDC) as outlined below. It should be noted that the approved site plan (December 2013) did not seek any variances during the approval process; however, a variance request to the *SOV District* requires passage by a ¾ majority vote of those City Council members present for approval. The variance request is as follows:

a) *Article V, Sec. 6.8. Scenic Overlay (SOV) District* – A variance to allow for exceeding the 10% secondary materials requirement as established in *Art. V, Sec. 6.8, D.1.b* for the elevations as generally submitted (*EIFS and Trex Board siding - overall total = 14%* ***). [¾ majority vote]***

ARCHITECTURAL REVIEW BOARD RECOMMENDATION:

On November 24, 2015, the Architectural Review Board (ARB) reviewed the proposed building elevations for the site. The board expressed concern with the roof elements and the use of EIFS and Trex Board as secondary materials on the elevations presented. The ARB recommended the applicant use a pitched roof element as was previously approved. The ARB also recommended the applicant incorporate stucco rather than EIFS and Hardi Board siding rather than the Trex Board, which would provide 100% masonry construction. The ARB will review the revised elevations during the December 8, 2015 meeting and provide a final recommendation to the Planning and Zoning Commission at that time.

On December 08, 2015, after a second review of the elevations and discussion with the applicant, the ARB forwarded a positive recommendation to the Planning and Zoning Commission regarding the elevations and the use of Trex Board and EIFS as presented.

RECOMMENDATIONS:

The site plan submitted by the applicant meets all the technical criteria stipulated by the *UDC* and the S*OV District*, with the exception of the variance requested and the items listed below. Should the Planning and Zoning Commission choose to approve the applicant's request, then the following conditions of approval should be adopted with this case:

1) All staff comments (*Project Plan Review History)* provided by the Planning, Engineering and Fire Department must be addressed prior to the submittal of a building permit and to include the following additional Planning comments;

    a. That adherence to Engineering and Fire Department standards shall be required, and

    b. That all exterior signage requires submittal and approval of a separate permit through the Building Inspections Department, and

    c. That submittal, approval, and filing of a final plat prior to the issuance of a Certificate of Occupancy shall be required, and

    d. That a revised photometric plan be submitted in conformance to the standards established in Article VII - Environmental Performance, Section 3 - Outdoor Lighting for Nonresidential Properties, of the Unified Development Code, prior to the issuance of a Certificate of Occupancy (CO), and

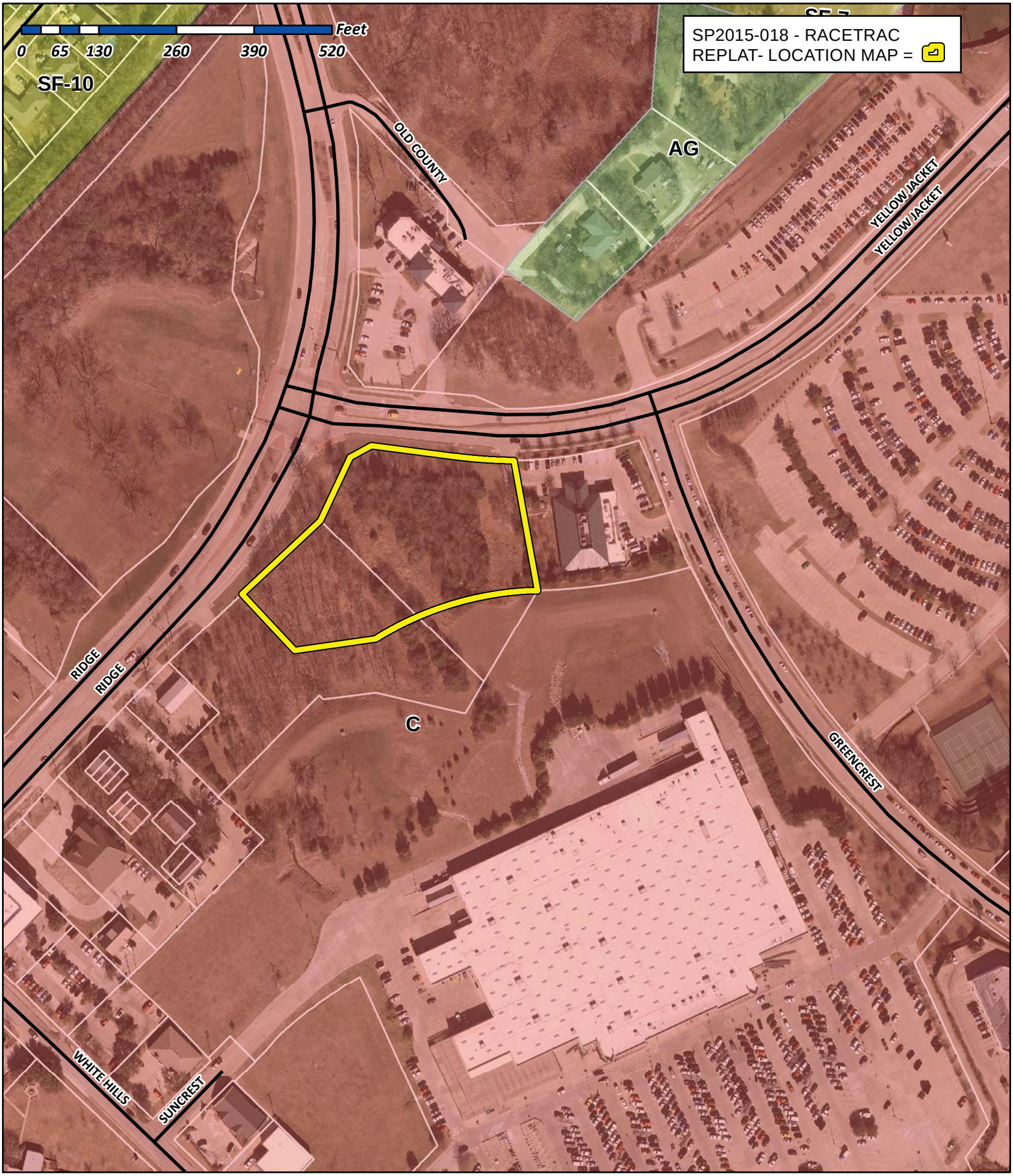
    e. That approval of the variances requested from the City Council for not meeting the standards established in the *UDC* and the S*OV District* as noted in this report and as follows:

        a) By allowing secondary materials to exceed 10% for the elevations as submitted.

2) Any construction or building necessary to complete this *Site Plan* request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Commission Recommendation:

On December 08, 2015, the Planning and Zoning Commissions' motion to approve the amended Site Plan with staff conditions was passed by a vote of 7 to 0. In the same motion, the Planning and Zoning Commission recommended approval of the variance to allow for secondary materials (i.e. EIFS and Trex Board) to exceed 10% as depicted on the elevations submitted.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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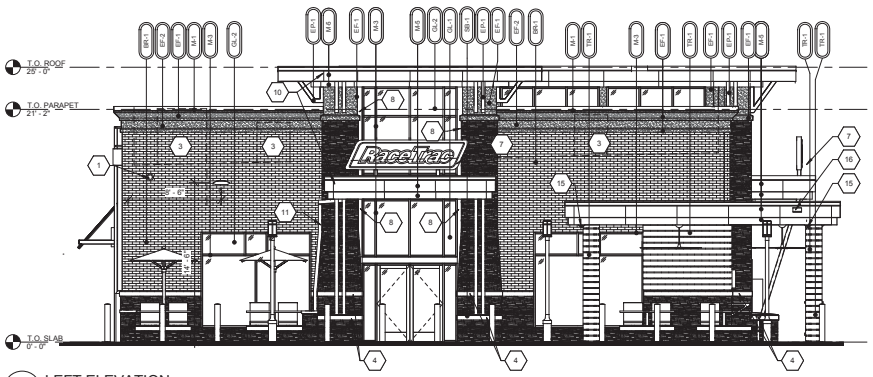
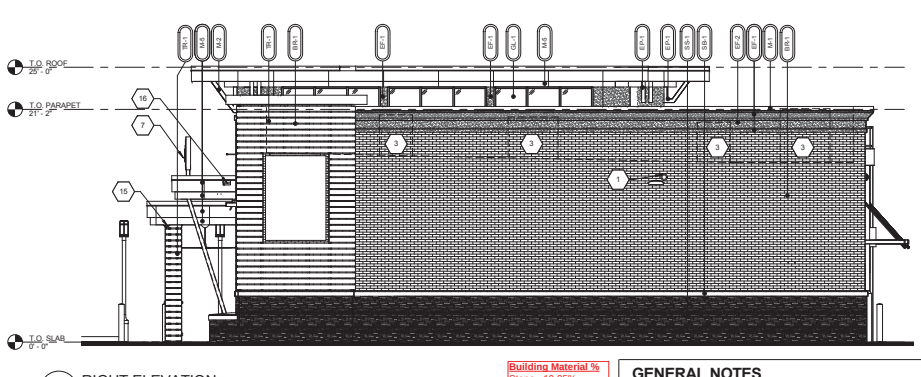
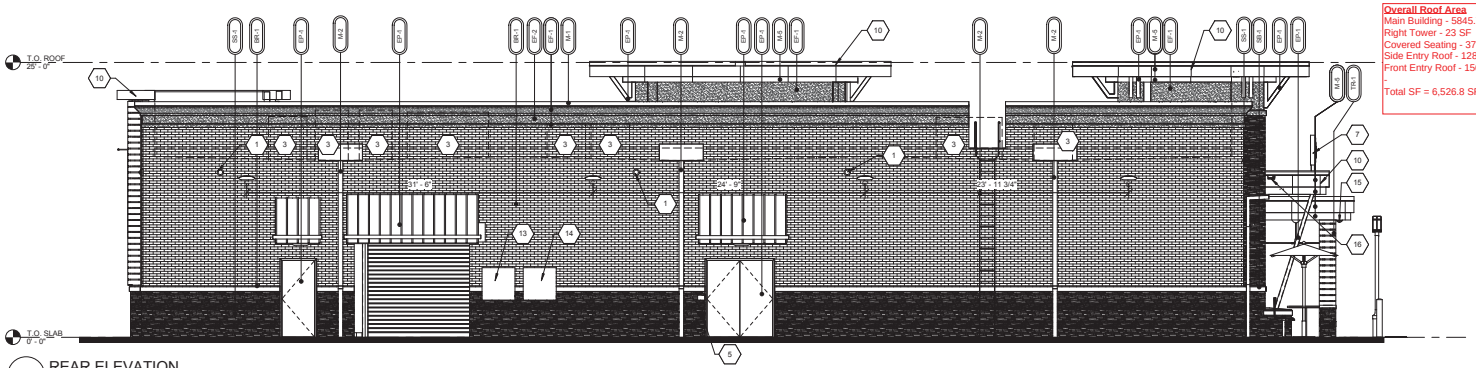


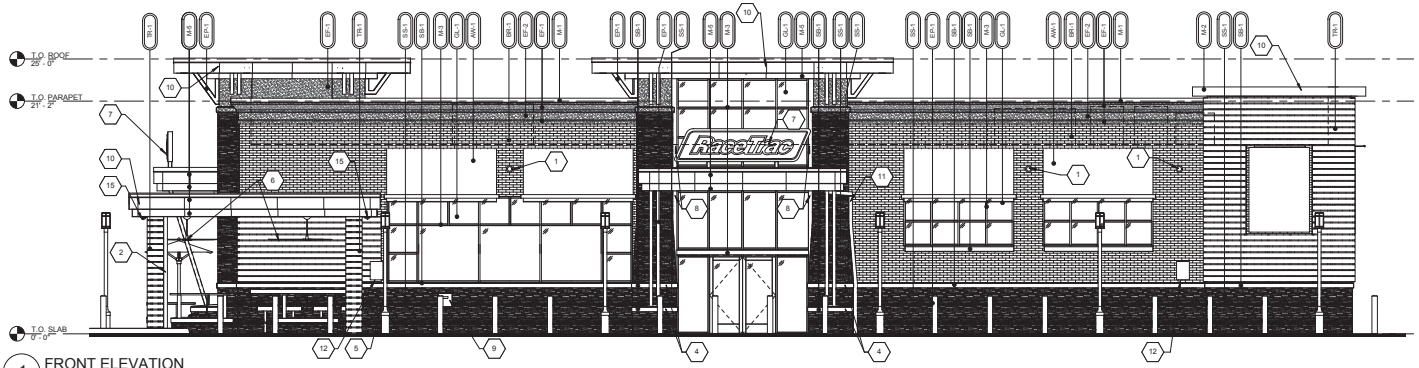
4 LEFT ELEVATION
3/16" = 1'-0"



3 RIGHT ELEVATION
3/16" = 1'-0"



2 REAR ELEVATION
3/16" = 1'-0"



1 FRONT ELEVATION
3/16" = 1'-0"

Building Material %
Stone - 19.25%
Brick - 45.5%
EIFS - 7.75%
Glazing - 14.75%
Metal - 6.5%
Trex - 6.25%

Overall Roof Area
Main Building - 5845.7 SF
Right Tower - 23 SF
Covered Seating - 373.8 SF
Side Entry Roof - 128.3 SF
Front Entry Roof - 156 SF
-
Total SF = 6,526.8 SF

GENERAL NOTES

1. CONTRACTOR SHALL VERIFY ALL EXTERIOR MATERIAL COLORS AND FINISHES WITH THE ARCHITECT. ANY DISCREPANCIES NOTED SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT FOR CLARIFICATION.
2. PROVIDE CONTROL JOINTS (CJ) AS LOCATED ON EXTERIOR ELEVATIONS. SPECIFICATION FOR JOINT SEALANT SHALL BE 'ADOBE TAN' SL-2 BY TREMCO.
3. MAXIMUM SPACING OF CONTROL JOINTS SHALL BE 20'-0" O.C.
4. REFER TO LIGHTING PLANS FOR LIGHTING FIXTURE LOCATION AND SCHEDULE.
5. REFER TO STRUCTURAL DRAWINGS FOR JOIST AND BEAM BEARING AND FOR FOUNDATIONS.
6. REFER TO REFLECTED CEILING PLANS FOR COMPLETE DIMENSIONS OF ACM JOINT LOCATIONS.

ELEVATION KEY NOTES

1 WALL MOUNTED SECURITY CAMERA
2 3" SQUARE DOWNSPOUT. REFER TO CIVIL DRAWINGS FOR CONNECTIONS.
3 MECHANICAL EQUIPMENT BEYOND
4 REFER TO DETAILS FOR CAST STONE SHAPES.
5 HOSE BIBB; REFER TO PLUMBING DRAWINGS.
6 CEILING FAN; REFER TO SPECIFICATIONS.
7 ILLUMINATED SIGN PANEL BY OWNER MOUNTED ON MINIMUM 3" STEEL TUBES OR HSS TUBES. PAINT EP-1.
8 BRONZE BREAK METAL WRAP AT WINDOW JAMB, TYPICAL.
9 PACKAGE PASSER. REFER TO EQUIPEMENT PLAN.
10 ACM PANEL REVEAL LINE. REFER TO REFLECTED CEILING PLAN FOR DIMENSIONS.
11 3" SQUARE METAL DOWNSPOUT ATTACHED TO WALL WITH BRACKETS. DOWNSOUT IS TO RUN TO CORNER BEFORE VERTICAL RUN. REFER TO CIVIL FOR CONNECTIONS.
12 EMERGENCY FUEL SHUT OFF SWITCH.
13 LOCATION OF ELECTRICAL SERVICE C/T AND METER.
14 GENERATOR TAP BOX - SEE ELECTRICAL FOR LOCATION.
15 SECURITY CAMERA MOUNTED ON UNDERSIDE OF OUTDOOR SEATING AREA ROOF.
16 OVERFLOW SPILL SCUPPER.
17 ROOF ACCESS DOOR.

EXTERIOR MATERIAL SCHEDULE

AWNING			
AW-1		ALUMINUM AWNING	SELECTED BY RACETRAC
BRICK			
BR-1	BORAL	LAREDO BRICK	MORTAR COLOR TBD
EIFS			
EF-1	STO	STO THERM CI	"FINE FINISH" APPLICATION; COLOR TO MATCH SW #6113 "INTERACTIVE CREAM"
EF-2	STO	STO THERM CI	"FINE FINISH" APPLICATION; COLOR TO MATCH SW #6084 "SENSATIONAL SAND"
GLAZING			
GL-1		1" NON-IMPACT RATED INSULATED GLAZING	CLIMATE ZONES 2 OR 3. IGU AT STOREFRONT 0.27 U-FACTOR, SHGC PFx0.25=0.27 (/4" PPG SOLARBAN 70-XL LOW-E #2 +1/2" AIR + 1/4" CLEAR)
GL-2		1" NON-MPACT RATED ACID ETCHED INSULATED GLAZING	CLIMATE ZONES 2 OR 3. IGU AT STOREFRONT 0.27 U-FACTOR, SHGC PFx0.25=0.27 (/4" PPG SOLARBAN 70-XL LOW-E #2 +1/2" AIR + 1/4" CLEAR SATIN ETCH #3)
METAL			
M-1		PREFINISHED4" 2-PIECE COMPRESSION METAL COVER	METAL TO MATCH STOREFRONT COLOR DRAK BRONZE
M-2		COLOR DARK BRONZE.	METAL TO MATCH STOREFRONT COLOR DARK BRONZE
M-3	VISTAWALL	FG-3000 STOREFRONT SYSTEM PREFINISHED PREFINISHED DARK BRONZE ANODIZED ALUMINUM AA-M2C22A44	
M-5	REYNOBOND	METAL TO MATCH STOREFRONT; COLOR DARK BRONZE	
M-6		PREFINISHED ALUMINUM DRIP EDGE	ANNODIZED ALUMINUM SUPPORT
PAINT			
EP-1	SHERWIN WILLIAMS	EXTERIOR PAINT TO MATCH DARK BRONZE	
ROOFING			
EPDM	DUROLAST	50 MIL MEMBRANE ROOFING SYSTEM	WHITE; MECHANICALLY FASTENED
STACKED STONE			
SS-1	BORAL	ASPEN COUNTRY LEDGERSTONE	WET STACK APPLICATION
STONE BAND			
SB-1	BORAL	TUSCAN LINTEL CHAMPAGNE	MORTAR COLOR TBD
TREX			
TR-1	TREX	TREX COLOR BEACH DUNE	ALL CORNERS MITERED

RaceTrac
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DESIGN PROFESSIONALS

GPD GROUP
Professional Corporation
520 SOUTH MAIN STREET, SUITE 2531
AKRON, OHIO 44311
330.572.2100 Fax: 330.572.2701

ISSUE/REVISION RECORD

DATE	DESCRIPTION
10/09/15	PRELIMINARY PACKAGE

RaceTrac
RACETRAC PETROLEUM, INC.
3225 CUMBERLAND BOULEVARD
SUITE 100
ATLANTA, GEORGIA 30339
(770) 431-7600

PROJECT NAME
ROCKWALL

ROCKWALL
TEXAS 75087
RIDGE ROAD AT YELLOW JACKET

RACETRAC PROJ. NUMBER
#1090

PROTOTYPE SERIES
5.5 BR-LH-MO(-) 15R01

PLAN MODIFICATION NOTICE
SPB NO. 000 **DATE** XX.XX.XX

STANDARD PLAN BULLETINS (SPB) MODIFY THE PROTOTYPE SERIES SET NOTED ABOVE. THE LISTED SPB REPRESENTS THE LATEST MODIFICATION INCORPORATED TO THIS PROTOTYPE SERIES SET AT ORIGINAL RELEASE. THE ISSUE/ REVISION RECORD COLUMN ABOVE LISTS ANY REVISIONS OR SPB INCORPORATED IN THIS SET AFTER TEH ORIGINAL RELEWASE. CONTACT RACETRAC ENGINEERING AND CONSTRUCTION FOR ANY SUBSEQUENT BULLETINS NOT INCORPORATED HEREIN.

PROFESSIONAL SEAL

PROJECT NUMBER
2015157.03

SHEET TITLE
EXTERIOR ELEVATIONS

SHEET NUMBER
A300

NOT FOR CONSTRUCTION

305



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LEFT SIDE ELEVATION PERCENTAGE OF MATERIALS
TOTAL ELEVATION AREA: 1161.4 SQ FT
BRICK: 763.0 SQ FT EIFS: 113.0 SQ FT
STONE: 285.4 SQ FT



RIGHT SIDE ELEVATION PERCENTAGE OF MATERIALS
TOTAL ELEVATION AREA: 1120.3 SQ FT
BRICK: 449.5 SQ FT METAL: 55.7 SQ FT
STONE: 213.5 SQ FT GLASS: 306.0 SQ FT
EIFS: 50.7 SQ FT



REAR ELEVATION PERCENTAGE OF MATERIALS
TOTAL ELEVATION AREA: 2309.9 SQ FT
BRICK: 1753.5 SQ FT METAL: 53.8 SQ FT
STONE: 356.6 SQ FT EIFS: 146.0 SQ FT



MATERIALS AS CALCULATE

1. TOTAL: ALL FACADES CALCULATED WITHOUT ROOFS.
2. STONE: ALL STACKED STONE, STONE SILLS BELOW STOREF STONE BANDS AT TOWER COLUMNS.
3. BRICK: ALL BRICK, INCLUDING BEHIND AWNINGS.
4. METAL: STOREFRONT MULLIONS, METAL DOORS AND DOOR
5. EIFS: CORNICE, COPING, AND STUCCO BANDING AT TOWER
6. GLASS: ALL WINDOWS, INCLUDING SIGN CASINGS AND TOW

EXTERIOR MATERIAL LEGEN

	EXTERIOR PAINT
EP-1	EXTERIOR METALS – PAINT TO MATCH ENGLERT METAL R
	BRICK
BR-1	OUTER BANKS BY BORAL
	STACKED STONE
SS-1	BUFF LUEDERS LIMESTONE BY BORAL (DRY STACK
	STONE BAND (LOWER BAND ONLY)
SB-1	TUSCAN LINTEL CHAMPAGNE BY BORAL
	AWNING
AW-1	ALUMINUM AWNING SYSTEM – SELECTED BY OWNER
	STUCCO – SYNTHETIC STUCCO (EIFS)
EF-1	COLOR TO MATCH DRYVIT #449 "BUCKSKIN"
	STUCCO
ST-1	3-COAT STUCCO SYSTEM – 3/4" MINIMUM THICKNESS U COLOR TO MATCH DRYVIT #449 "BUCKSKIN"
	METAL
M-1	(N O T U S E D)
M-2	1" PREFINISHED ALUMINUM COMPOSITE PANEL SYSTEM, R COLOR TO MATCH ALUMINUM STOREFRONT SYSTEM
M-3	PREFINISHED METAL TO MATCH ENGLERT METAL ROOF CO
M-4	VISTAWALL FG-3000 STOREFRONT SYSTEM PREFINISHED DARK BRONZE ANODIZED ALUMINUM AA-M1
M-5	PREFINISHED ALUMINUM DRIP EDGE
M-6	ENGLERT METAL ROOF SYSTEM – COLOR DARK BRONZE
	GLASS
GL-1	1" INSULATED GLASS – CLIMATE ZONE 3: IGU AT STOREFR PF≥0.5 = 0.40, PPG SOLARBAN 70 XL LOW-E #2 (STORE
GL-2	1" FROSTED INSULATED GLASS – CLIMATE ZONE 3: IGU AT SHGC PF≥0.5 = 0.40, PPG SOLARBAN 70 XL LOW-E #2 (TRANSOM)
GL-3	1" THICK MONOLITHIC FROSTED GLASS – SATIN ETCH #4 (
GL-4	1" MONOLITHIC CLEAR GLASS (OPERABLE EXTERIOR DISPLAY
	LIGHTING
EL-1	SECURITY LIGHT – SEE ELECTRICAL DRAWINGS
EL-2	DECORATIVE POLE LIGHT – SEE ELECTRICAL DRAWINGS
EL-3	FUTURE SECURITY LIGHT – PROVIDE POWER (SEE ELECTRIC
	PRECAST CONCRETE

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CITY OF ROCKWALL
COUNCIL MEMO

AGENDA DATE: 12/21/2015

APPLICANT: Tony Rangel, *Rangel Land Surveying*

AGENDA ITEM: **P2015-041**; *Lots 2 & 3, Block A, Platinum Storage Addition*

SUMMARY:

Discuss and consider a request by Tony Rangel of Rangel Land Surveying on behalf of the owner Shawn Valk of Platinum Storage, LLC for the approval of a replat for Lots 2 & 3, Block A, Platinum Storage Addition being a 5.549-acre parcel of land currently identified as Lot 1, Block A, Platinum Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located east of Townsend Drive and north of SH-276, and take any action necessary.

PLAT COMMENTS:

- ✓ The objective of this request is to subdivide an existing 5.549-acre parcel of land into two (2) parcels of land creating a 2.857-acre parcel (*i.e. Lot 2*) and a 2.692-acre parcel (*i.e. Lot 3*). Situated on *Lot 2* is a mini-warehouse facility (*i.e. Platinum Storage*), which was entitled on July 7, 2014 by *Case No. Z2014-012* (*Ordinance No. 14-25; S-121*) and site planned under *Case No. SP2014-033*.

- ✓ According to Section 38-1 of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances, a *Lot* is defined as "…an undivided tract or parcel of land having frontage on a public street and which is, or in the future may be, offered for sale, conveyance, transfer or improvement as a building site; which is designated as a distinct and separate tract." In this case, the replat is proposing to subdivide an existing parcel – *that meets the frontage requirements* -- into two (2) parcels of land; one (1) of which will meet the frontage requirements and one (1) of which will not meet the frontage requirements. By approving this replat the City Council will be granting a variance to the platting requirements. It should be noted that both the exhibit approved with the Specific Use Permit and the site plan depicted the proposed subdivision of the lots in the same manner as the replat.

- ✓ Both parcels of land are currently accessible from a cross access easement that extends from T. L. Townsend Drive, through the subject properties, and through the CostCo Wholesale Center's property to SH-276. This will remain unchanged if *Lot 3* develops.

- ✓ The surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for replats as stated in the *Subdivision Ordinance* in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the City Council chooses to approve the final plat for *Lots 2 & 3, Block A, Platinum Storage Addition* then staff would recommend the following conditions of approval:

1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;

2) Any construction resulting from the approval of this *replat* shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On December 8, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the replat by a vote of 7-0.

City of Rockwall

Project Plan Review History

Project Number	P2015-041	**Owner**	PLATINUM STORAGE, LLC	**Applied**	11/16/2015 LM
Project Name	Lts 2&3, Blk A, Platinum Storage Add.	**Applicant**	RANGEL LAND SURVEYING	**Approved**	
Type	PLAT			**Closed**	
Subtype	REPLAT			**Expired**	
Status	NEED REVISIONS			**Status**	11/18/2015 RM

Site Address	**City, State Zip**	**Zoning**
TOWNSEND DR	,	

Subdivision	**Tract**	**Block**	**Lot No**	**Parcel No**	**General Plan**
ROCKWALL CENTRE CORNERS	PT 2		PT 2	0065-0000-0002-00-0R	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	11/16/2015	11/23/2015	11/17/2015	1	APPROVED	
ENGINEERING (11/18/2015 4:45 PM AW) See Markups Need to add easements	Amy Williams	11/16/2015	11/23/2015	11/18/2015	2	COMMENTS	See Markups and Comments
FIRE	Ariana Hargrove	11/16/2015	11/23/2015	11/17/2015	1	APPROVED	
GIS	Lance Singleton	11/16/2015	11/23/2015	11/19/2015	3	APPROVED	
PLANNING	Ryan Miller	11/16/2015	11/23/2015	11/18/2015	2	APPROVED	See Comment

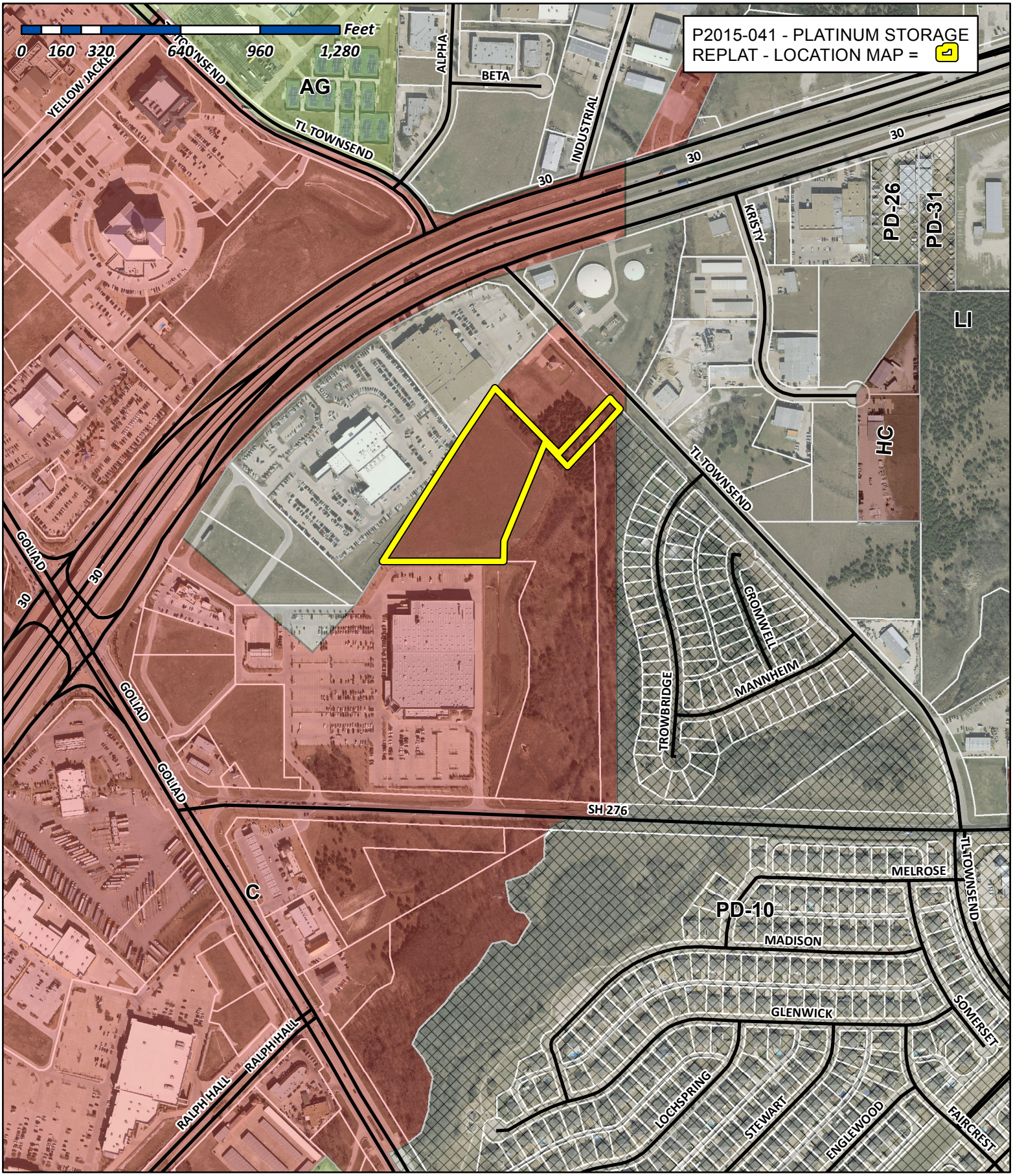
Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks

P2015-041 (Lots 2 & 3, Block A, Platinum Storage Addition): Please address the following comments (M= Mandatory Comments; I = Informational Comments).

I.1 This is a request for the approval of a replat for Lots 2 & 3, Block A, Platinum Storage Addition being a 5.549-acre parcel of land currently identified as Lot 1, Block A, Platinum Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, and located east of Townsend Drive and north of SH-276.
I.2 For questions or comments concerning this case, please contact Ryan Miller in the Planning Department at (972) 772-6441 or email rcmiller@rockwall.com.
M.3 For reference, include the case number (P2015-041) in the lower right hand corner of all pages on future submittals.
M.4 Please change the title block as follows:

Replat
Platinum Storage Addition
Lots 2 & 3, Block A
Being a Replat of
Platinum Storage Addition
Lot 1, Block A
Being a 5.549-Acre Tract of Land
Situated Within the Joseph Cadle Survey, Abstract No. 65
and the N. M. Ballard Survey, Abstract No. 48
City of Rockwall, Rockwall County, Texas

M.5 Change the Lot and Block designations on the plat to Lot 2 and Lot 3, Block A.
M.6 Indicate the centerline of T. L. Townsend Drive, and indicate the right-of-way width at the property line.
M.7 On the signature block remove the comma after the word Mayor on the signature block.
I.8 According to Chapter 38, Subdivisions, of the Municipal Code of Ordinances a Lot is defined as “an undivided tract or parcel of land having frontage on a public street and which is, or in the future may be, offered for sale, conveyance, transfer or improvement as a building site; which is designated as a distinct and separate tract.” Currently, Lot 2, Block A (after being renamed) does not have frontage on a public street and does not meet the definition of a lot. This will require a variance to the subdivision requirements by theCity Council in order to be approved in the current configuration.
M.9 Please provide a letter requesting that variance and stating the reason that the plat cannot conform to the code.
M.10 Please provide staff with a digital DWG/PDF copy of the plat.
I.11 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections, and provide any additional information that is requested by December 1, 2015. The Planning & Zoning work session will be November 24, 2015 and the Planning & Zoning meeting date for this case will be December 8, 2015.
I.12 The projected City Council meeting date and subsequent approval for this plat is December 21, 2015.



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

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REQUEST FOR VARIANCE

PLAT NAME: PLATINUM STORAGE ADDITION REPLAT

COMPANY NAME: PANTIUM STORAGE

DATE: 11-29-2015

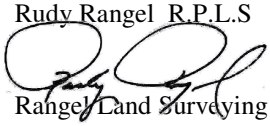
Chapter 38, Subdivisions, of the Municipal Code of Ordinances a Lot is defined as "an undivided tract or parcel of land having frontage on a public street and which is, or in the future may be, offered for sale, conveyance, transfer or improvement as a building site; which is designated as a distinct and separate Tract."

Strict application of the requirements of this chapter would make the project infeasible due the unusual physical characteristics that affect the property in question or would create an impractical development or one contrary to sound public policy:

Currently, Lot 2, Block A (after being renamed) does not have frontage on a public street and does not meet the definition of a lot. It will totally depended on Perpetual Access Easements D,E,F from it adjoiner properties as recorded Perpetual Access Easements Doc#2008-405204. This configuration was due to the fact that this tract was a remainder of the total tract. This will require a variance to the subdivision requirements by the City Council in order to be approved in the current configuration.

Under these conditions we respectfully request an allowance to Chapter 38 Subdivisions of the Municipal code Ordinance for Lot 2 Block A; PLATINUM STORAGE ADDITION REPLAT .

Rudy Rangel R.P.L.S



Rangel Land Surveying

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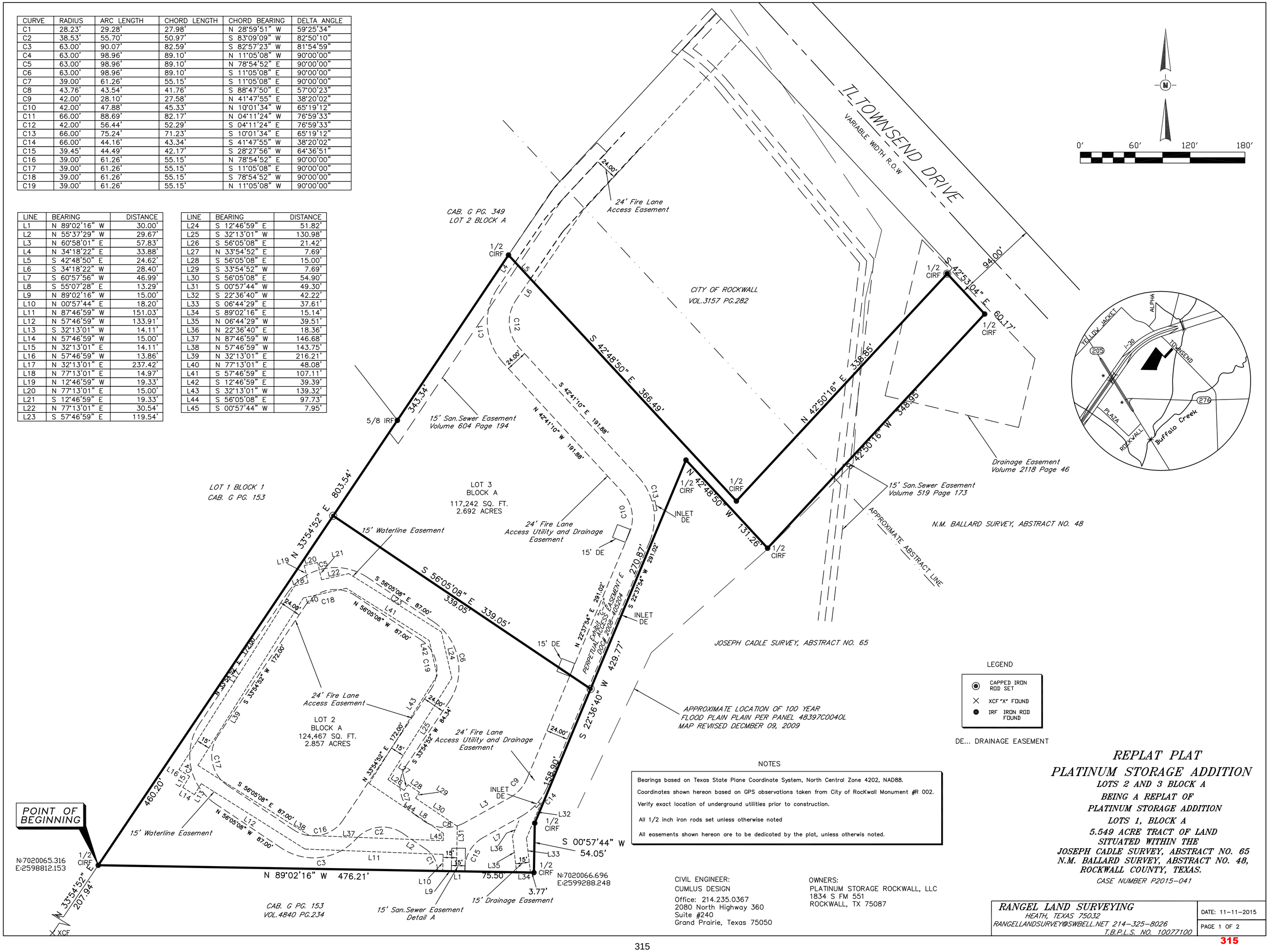
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	28.23'	29.28'	27.98'	N 28°59'51" W	59°25'34"
C2	38.53'	55.70'	50.97'	S 83°09'09" W	82°50'10"
C3	63.00'	90.07'	82.59'	S 82°57'23" W	81°54'59"
C4	63.00'	98.96'	89.10'	N 11°05'08" W	90°00'00"
C5	63.00'	98.96'	89.10'	N 78°54'52" E	90°00'00"
C6	63.00'	98.96'	89.10'	S 11°05'08" E	90°00'00"
C7	39.00'	61.26'	55.15'	S 11°05'08" E	90°00'00"
C8	43.76'	43.54'	41.76'	S 88°47'50" E	57°00'23"
C9	42.00'	28.10'	27.58'	N 41°47'55" E	38°20'02"
C10	42.00'	47.88'	45.33'	N 10°01'34" W	65°19'12"
C11	66.00'	88.69'	82.17'	N 04°11'24" W	76°59'33"
C12	42.00'	56.44'	52.29'	S 04°11'24" E	76°59'33"
C13	66.00'	75.24'	71.23'	S 10°01'34" E	65°19'12"
C14	66.00'	44.16'	43.34'	S 41°47'55" W	38°20'02"
C15	39.45'	44.49'	42.17'	S 28°27'56" W	64°36'51"
C16	39.00'	61.26'	55.15'	N 78°54'52" E	90°00'00"
C17	39.00'	61.26'	55.15'	S 11°05'08" E	90°00'00"
C18	39.00'	61.26'	55.15'	S 78°54'52" W	90°00'00"
C19	39.00'	61.26'	55.15'	N 11°05'08" W	90°00'00"

LINE	BEARING	DISTANCE
L1	N 89°02'16" W	30.00'
L2	N 55°37'29" W	29.67'
L3	N 60°58'01" E	57.83'
L4	N 34°18'22" E	33.88'
L5	S 42°48'50" E	24.62'
L6	S 34°18'22" W	28.40'
L7	S 60°57'56" W	46.99'
L8	S 55°07'28" E	13.29'
L9	N 89°02'16" W	15.00'
L10	N 00°57'44" E	18.20'
L11	N 87°46'59" W	151.03'
L12	N 57°46'59" W	133.91'
L13	S 32°13'01" W	14.11'
L14	N 57°46'59" W	15.00'
L15	N 32°13'01" E	14.11'
L16	N 57°46'59" W	13.86'
L17	N 32°13'01" E	237.42'
L18	N 77°13'01" E	14.97'
L19	N 12°46'59" W	19.33'
L20	N 77°13'01" E	15.00'
L21	S 12°46'59" E	19.33'
L22	N 77°13'01" E	30.54'
L23	S 57°46'59" E	119.54'

LINE	BEARING	DISTANCE
L24	S 12°46'59" E	51.82'
L25	S 32°13'01" W	130.98'
L26	S 56°05'08" E	21.42'
L27	N 33°54'52" E	7.69'
L28	S 56°05'08" E	15.00'
L29	S 33°54'52" W	7.69'
L30	S 56°05'08" E	54.90'
L31	S 00°57'44" W	49.30'
L32	S 22°36'40" W	42.22'
L33	S 06°44'29" E	37.61'
L34	S 89°02'16" E	15.14'
L35	N 06°44'29" W	39.51'
L36	N 22°36'40" E	18.36'
L37	N 87°46'59" W	146.68'
L38	N 57°46'59" W	143.75'
L39	N 32°13'01" E	216.21'
L40	N 77°13'01" E	48.08'
L41	S 57°46'59" E	107.11'
L42	S 12°46'59" E	39.39'
L43	S 32°13'01" W	139.32'
L44	S 56°05'08" E	97.73'
L45	S 00°57'44" W	7.95'



LEGEND

- CAPPED IRON ROD SET
- XCF "X" FOUND
- IRF IRON ROD FOUND

DE... DRAINAGE EASEMENT

NOTES

Bearings based on Texas State Plane Coordinate System, North Central Zone 4202, NAD88.

Coordinates shown hereon based on GPS observations taken from City of RocKwall Monument #R 002.

Verify exact location of underground utilities prior to construction.

All 1/2 inch iron rods set unless otherwise noted

All easements shown hereon are to be dedicated by the plat, unless otherwis noted.

REPLAT PLAT
PLATINUM STORAGE ADDITION

LOTS 2 AND 3 BLOCK A
BEING A REPLAT OF
PLATINUM STORAGE ADDITION
LOTS 1, BLOCK A
5.549 ACRE TRACT OF LAND
SITUATED WITHIN THE
JOSEPH CADLE SURVEY, ABSTRACT NO. 65
N.M. BALLARD SURVEY, ABSTRACT NO. 48,
ROCKWALL COUNTY, TEXAS.

CASE NUMBER P2015-041

CIVIL ENGINEER:
CUMLUS DESIGN
Office: 214.235.0367
2080 North Highway 360
Suite #240
Grand Prairie, Texas 75050

OWNERS:
PLATINUM STORAGE ROCKWALL, LLC
1834 S FM 551
ROCKWALL, TX 75087

RANGEL LAND SURVEYING
HEATH, TEXAS 75032
RANGELLANDSURVEY@SWBELL.NET 214-325-8026
T.B.P.L.S. NO. 10077100

DATE: 11-11-2015

PAGE 1 OF 2

STATE OF TEXAS:
COUNTY OF ROCKWALL:

WHEREAS PLATINUM STORAGE ROCKWALL, LLC. BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

Being a 5.549 acre of land situated in the JOSEPH CADLE SURVEY, ABSTRACT NO. 65 and the N.M. BALLARD SURVEY, ABSTRACT NO. 48, in the City of Rockwall, Rockwall County, Texas and being a portion of a 65.96 acre tract of land recorded in Volume 4663, Page 281 of the Official Public Records of Rockwall County, Texas and being more particularly described as follows:

Point of Beginning at a 5/8 inch iron rod found for the northerly northwest corner of Lot 1,Block 1 of Rockwall Centre Corners Addition according to the plat recorded in Cabinet G, Slide 299 of the Plat Records of Rockwall County, Texas and being located in the southeasterly line of Lot1, Block 1 of Toyota of Rockwall according to the plat recorded in Cabinet G, Slide 153–155 of the Plat Records of Rockwall County, Texas, from which a found score X bears S 33°54' 52" W a distance of 207.94 feet;

THENCE N 33°54'52" E with said southeasterly line and passing a 5/8 inch iron at 585.86 feet and continuing a total distance of 803.54 feet to a set 1/2 iron rod with cap in the west line of City of Rockwall tract according to deed recorded in Volume 3157, Page 282 of the Official Public Records of Rockwall County, Texas;

THENCE S 42°48'50" E with said tract, a distance of 366.49 feet to a set 1/2 iron rod with cap from which a iron rod bears S 59°51'53" E, a distance of 3.02 feet;

THENCE N 42°50'16" E, a distance of 338.85 feet to a set 1/2 iron rod with cap from which a iron rod bears N 58°19 '35" E, a distance of 8.64 feet found in the south line of Townsend Road a variable width right of way;

THENCE S 42°53'04" E, a distance of 60.17 feet to a set 1/2 iron rod with cap;

THENCE S 42°50'16" W, a distance of 348.95 feet a set 1/2 iron rod with cap;

THENCE N 42°48'50" W, a distance of 131.26 feet a set 1/2 iron rod with cap;

THENCE S 22°36'40" W, a distance of 429.77 feet a set 1/2 iron rod with cap;

THENCE S 00°57'44" W, a distance of 54.05 feet a set 1/2 iron rod with cap in the north line of the aforementioned Lot 1 Block 1from which a 5/8 inch iron found for corner bears S 88°50'40E, a distance of 139.33 feet;

THENCE N 89°02'16" W, a distance of 476.21 feet to the POINT OF BEGINNING containing 241,709 square feet or 5.549 acres.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owner of the land shown on this plat, and designated herein as the _____ subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the_____ subdivision have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or Development Process Guidelines (Updates 2012) Page 99 of 154 Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We, our successors and assigns hereby waive any claim, damage, or cause of action that We may have as a result of the dedication of exactions made herein.

REPRESENTATIVE _____

OWNERS:
PLATINUM STORAGE ROCKWALL, LLC
1834 S FM 551
ROCKWALL, TX 75087

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____,

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

_____
Signature of Party with Mortgage or Lien Interest

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83–54.

SURVEYOR'S CERTIFICATE NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS: THAT I, RUDY RANGEL, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

_____ DATE: _____
RUDY RANGEL
REGISTERED PUBLIC SURVEYOR NO.5664

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____day of _____,

_____ _____
Notary Public in and for the State of Texas My Commission Expires:

RECOMMENDED FOR FINAL APPROVAL

_____ _____
Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 20____. This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, _____.

_____ _____ _____
Mayor City of Rockwall City Secretary City Engineer

REPLAT PLAT
PLATINUM STORAGE ADDITION
LOTS 2 AND 3 BLOCK A
BEING A REPLAT OF
PLATINUM STORAGE ADDITION
LOTS 1, BLOCK A
5.549 ACRE TRACT OF LAND
SITUATED WITHIN THE
JOSEPH CADLE SURVEY, ABSTRACT NO. 65
N.M. BALLARD SURVEY, ABSTRACT NO. 48,
ROCKWALL COUNTY, TEXAS.
CASE NUMBER P2015–041

RANGEL LAND SURVEYING
HEATH, TEXAS 75032
RANGELLANDSURVEY@SWBELL.NET 214–325–8026
T.B.P.L.S. NO. 10077100

DATE: 11–11–2015

CLOSURE Report 4/1/2015 15:02

NORTHING	EASTING	BEARING	DISTANCE
4687.938	4628.381		
		N 33°54'52" E	803.537
5354.771	5076.718		
		S 42°48'50" E	366.490
5085.926	5325.791		
		N 42°50'16" E	338.850
5334.399	5556.184		
		S 42°53'04" E	60.170
5290.311	5597.131		
		S 42°50'16" W	348.950
5034.432	5359.871		
		N 42°48'50" W	131.260
5130.720	5270.664		
		S 22°36'40" W	429.770
4733.984	5105.429		
		S 00°57'44" W	54.050
4679.941	5104.521		
		N 89°02'16" W	476.207
4687.938	4628.381		

Closure Error Distance> 0.00000
Total Distance> 3009.284
Polyline Area: 241709.180 sq ft, 5.549 acres

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **December 18, 2015**

SUBJECT: **Water and Wastewater Rate Increase**

The City's comprehensive water and wastewater rate update has been completed. North Texas Municipal Water District (NTMWD) provided member city rate estimates for treated water and the consultant used those to make longer-term projections for the City's rate structures through 2020.

NTMWD proves treated water and operates wastewater treatment facilities for the City's benefit. The City issues long-term debt to finance capital improvement projects needed to accommodate growth. The combined impact of payments to NTMWD and to bondholders is that 77% of our budget goes to those two categories. The remaining 23% pays for maintenance of water and sewer mains, meter reading, billing, collection, maintenance of water towers, more than 40 lift stations and a variety of equipment.

The NTMWD rate effective October 1st reflected an increase of 11.0% from the prior year's rate. In addition to the increase, mandatory conservation measures and our resident's overwhelming response have had a dramatic effect on revenues and depletion of the water and wastewater reserves. The City cannot absorb the NTMWD rate increase without increasing rates and is only beginning to build reserves so none can be used to soften a proposed increase. The completion of the pipeline to Texoma to combat the Zebra Mussel problem, the building of new raw water supplies, and treatment capabilities will require significant rate increases in the NTMWD member rates over the coming years. Bond covenants require we maintain revenue debt coverage factors and our financial policy calls for a minimum of 60 days of working capital, which is the utility's equivalent of fund balance. Rate increases as proposed in the study will allow the city to meet the bond covenants and preserve a reasonable reserve level.

RCH Water Supply Corporation and Blackland Water Supply Corporation purchase wholesale water under long-term contracts with us. Both contracts call for rates to be determined by a cost of service study rather than be tied to our residential increases. This study was updated as well. The proposed rate for Blackland and RCH is proposed to be $3.95 per thousand gallons. The study includes increasing rates each year those agreements are in place. The City of Heath contract is currently being renegotiated. The current agreement provides for a rate, which is 10cents higher than the member city rate. Staff is negotiating a longer-term contract with Heath at this time that will allow for more favorable rates (for Rockwall) in the coming years.

Council is asked to consider adoption of the accompanying resolution setting water and wastewater rates.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 15-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS FIXING THE RATE TO BE CHARGED FOR WATER AND WASTEWATER SERVICES FURNISHED BY THE CITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 44, Article III, Section 44-74, of the City of Rockwall Code of Ordinances provides that rates and charges for water and wastewater services and the procedures relative to the collection thereof shall from time to time be set by resolution of the City Council; and

WHEREAS, the City Council finds that, due to increasing costs, it is necessary to increase the rates charged for water and wastewater services.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THAT:

SECTION 1. The following monthly rates are hereby established and shall be collected for water and wastewater services billed by the City:

	Meter size		Water Rates		Wastewater Rates
Monthly Minimum Bills:					
Residential:	0.75	$	22.35	$	16.95
	1.00		26.14		19.80
	1.50		30.35		23.00
	2.00		38.30		29.05
Non-residential:	0.75	$	23.65	$	16.95
	1.00		26.14		19.80
	1.50		30.35		23.00
	2.00		38.30		29.00
	3.00		54.30		37.40
	4.00		70.20		48.40
	6.00		86.08		59.35
Irrigation Meters:	0.75	$	23.65	$	N/A
	1.00		26.14		N/A
	1.50		30.35		N/A
	2.00		38.30		N/A
	3.00		54.30		N/A
	4.00		70.20		N/A
	6.00		86.08		N/A
Rate per TH Gallons - Water:	Residential 2,001-12,000 gallons	$	3.40	$	N/A
	Residential over 12,000 gallons		5.95		N/A
	Irrigation over 2,000 gallons		5.95		N/A
	Non-residential over 2,000 gallons		5.11		N/A
	Wholesale Contract Rate		3.95		N/A
Rate per TH Gallons - Wastewater:			N/A		2.95

SECTION 2. Calculation of monthly volume charge for wastewater. The monthly volume charge for residential customers for wastewater service shall be calculated each year based on the average monthly water usage during the previous winter months, consisting of December, January, and February. Where no previous winter average is available, the Director of Finance shall estimate a volume to be used for this monthly charge. The monthly volume charge will be recalculated in March of each year.

SECTION 3. An initial deposit shall be required of all customers requesting utility service. Letters of good credit will not be accepted in lieu of a deposit. Required deposits shall be as follows:

Residential Meter Deposit	seventy five dollars ($75.00) per meter
Commercial Meter Deposit	one hundred dollars ($100.00) per meter
Irrigation Meter Deposit	one hundred dollars ($100.00) per meter

SECTION 4. The residential meter deposit shall be refunded to the customer's account after a 36 month period of prompt payments. The customer's account history shall not reflect any late payments, disconnection of service or non-sufficient funds items received by the City, during this period. The 36 month period shall be calculated on a rolling calendar basis.

SECTION 5. Service is subject to disconnection if any amount of a bill is delinquent after the due date of the following month's bill. In addition to payment of the total amount of the bill for which service has been disconnected, a reconnection fee of twenty-five dollars ($25.00) shall be charged to reestablish service. If a customer is disconnected for non-payment or payment by non-sufficient funds, a deposit shall be assessed prior to reconnection of services, if a deposit is not currently on file. If reconnection is requested after normal business hours, an additional after hours service charge of forty dollars ($40.00) shall also be charged. If a technician has been dispatched, all of the above charges shall be due regardless of whether or not service has actually been terminated.

SECTION 6. Builders requiring water service during construction shall be required to place a service deposit of twenty- five dollars ($25.00) per residential construction site, and thirty-five dollars ($35.00) per commercial construction site.

SECTION 7. In the event of receipt of any payment, which is later deemed to be uncollectible by the City's depository, the customer shall be charged an administrative fee of thirty-five dollars ($35.00) per occurrence.

SECTION 8. These rates and charges shall become effective and be in full force and effect beginning January 1, 2016.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 21ST DAY OF DECEMBER, 2015.

APPROVED:

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Cole, City Secretary

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City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rick Crowley, City Manager**

FROM: **Mary Smith, Assistant City Manager**

DATE: **December 18, 2015**

SUBJECT: **Republic Waste Request for Rate Increase**

With the extension of the solid waste contract with Republic Waste an increase to the collection rates was discussed. The increase is 3% on all residential and commercial collection rates. The accompanying resolution if adopted by the City Council will set the new rates to be effective 1/1/16.

The new residential rate reflects an increase of 27cents per month.

HHW Fee

The City Council collects a 64 cent per month Household Hazardous Waste collection fee about 10 years ago. While Republic has included this fee on their attachments, the funds are held by the City and are paid to the hazardous waste collection company based on collection volumes.

Council is asked to consider adoption of the resolution setting garbage rates for 1/1/16.

CITY OF ROCKWALL, TEXAS

RESOLUTION #15-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS FIXING THE COLLECTION RATE TO BE CHARGED FOR GARBAGE COLLECTION SERVICES FURNISHED BY THE CITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 34. Solid Waste, Article I. In General, Sec. 34-5 Collection Charges, of the City of Rockwall Code of Ordinances provides that the rates for garbage service within the city shall be established from time to time by city council resolution; and

WHEREAS, the City Council finds that, due to increasing costs, it is necessary to increase the rates charged for garbage collection services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the following monthly rates are hereby established and adopted and shall be collected for garbage collection services billed by the City:

Residential Rates	
Twice per week collection **Twice per month brush/bulky**	$11.65
Recycle	$2.03 per month
Polycart Rental	$3.62 per month

Commercial Rates	
Twice per week hand collection	$15.99

	1X	2X	3X	4X	5X	6X	Extra
2 yd	$ 74.44	$137.71	n/a	n/a	n/a	n/a	$ 41.99
3 yd	$ 83.85	$155.11	n/a	n/a	n/a	n/a	$ 46.57
4 yd	$104.82	$193.90	$269.94	n/a	n/a	n/a	$ 51.74
6 yd	$125.78	$232.70	$323.57	$400.84	n/a	n/a	$ 61.20
8 yd	$157.23	$290.87	$404.56	$501.02	$583.10	$652.84	$ 72.44

Roll Off		***Compactors***	
20 yd	$437.30	**30 yd pkr**	$490.30
30 yd	$459.83	**35 yd pkr**	$528.74
40 yd	$477.05	**42 yd pkr**	$528.74
Del / Exc	$152.40		
Daily rental	$ 3.99		

Rentals range from $1.00 to $600.00 per month (determined by age, type, size of compactor). Installation is not included.

SECTION 2. That these rates and charges shall become effective and be in full force and effect starting January 1, 2016.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 21st DAY OF DECEMBER, 2015.

APPROVED:

_____

Jim Pruitt, Mayor

ATTEST:

_____

Kristy Cole, City Secretary

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CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Brad Griggs, *Assistant City Manager*
Timothy M. Tumulty, *Director of Public Works/City Engineer*

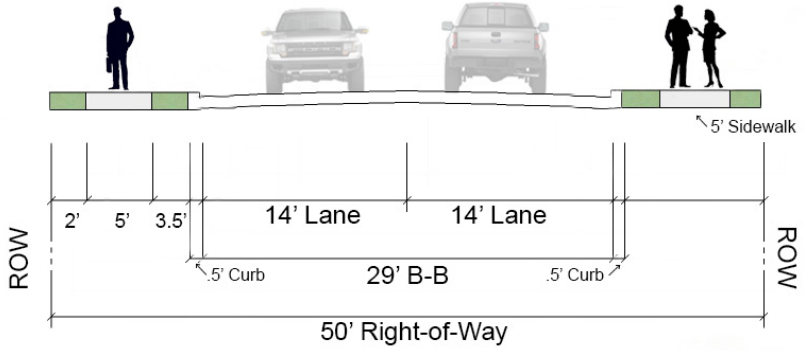
FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: December 21, 2015

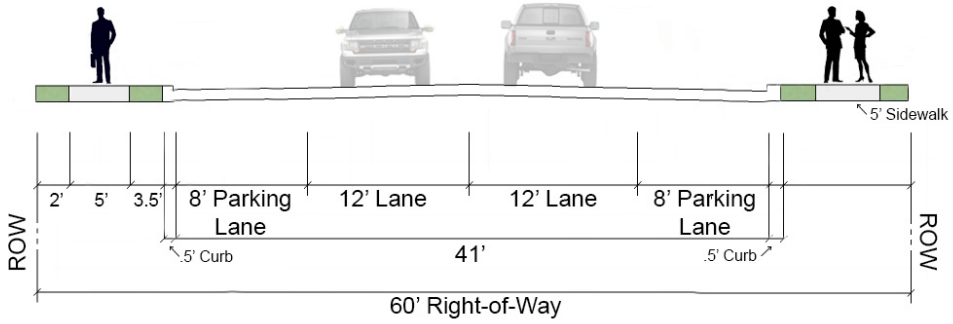
SUBJECT: Streets Adjacent to Schools and Parks

On December 7, 2015, the City Council directed staff to prepare an ordinance to increase the street cross section adjacent to schools and parks from a 29-foot section to a 41-foot section (*back-of-curb to back-of-curb*). The proposed 41-foot street cross section will allow parking on both sides of the street while accommodating two (2) way traffic circulation. Below are examples of the currently required street cross section followed by the proposed street cross section.

Residential Street Cross Section



Modified Residential Street Cross Section Adjacent to Schools and Parks



Attached to this memorandum is a draft ordinance making the required changes to Section 38-19, *Street Improvements and Oversizing*, of Chapter 38, *Subdivisions*, of the Code of Ordinances.

CITY OF ROCKWALL

ORDINANCE NO. 16-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING SECTION 38-19, *STREET IMPROVEMENTS AND OVERSIZING*, OF CHAPTER 38, SUBDIVISIONS OF THE CODE OF ORDINANCES AS SET FORTH HEREIN; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall, Texas, a *Home Rule City*, by State Law and the City's Charter is permitted to establish ordinances to protect the health, safety and general welfare of its residents; and

WHEREAS, the City Council of the City of Rockwall, Texas has directed staff to increase the size of streets adjacent to schools and parks to allow for proper traffic circulation during peak usage hours; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Section 38-19(b), *Street Improvements and Oversizing*, of Article I, *In General*, of Chapter 38, *Subdivisions*, of the Code of Ordinances be hereby amended to henceforth read in its entirety as follows:

(b) All new roads within proposed subdivisions shall, at a minimum, be built to a width and design which will adequately serve that subdivision. In addition, when required by the city in the interest of the community, the developer may be required to build larger streets to the width shown on the thoroughfare plan. If more than 48-feet (back of curb to back of curb) is constructed, the city will reimburse the developer for the excess width when funds become available, unless the additional width was required by the city engineer or ~~***traffic***~~ planner to adequately serve the needs of that subdivision. ***In cases were a street is adjacent to a school or public park, the city engineer or planner may require a 41-foot street (back of curb to back of curb) to facilitate proper traffic circulation.*** Streets which dead-end at power lines, railroads, or similar rights-of-way, which are intended for future extension across these rights-of-way, shall be constructed in rights-of-way for half the distance across the rights-of-way. Where streets are adjacent to undeveloped land and the property line is normally the centerline of the street, the developer shall provide right-of-way of sufficient width and shall construct paving a minimum width of 24 feet, if deemed necessary by the city engineer or ~~***traffic***~~ planner. If the city, in the interest of the community, requires the subdivider to construct more than 24 feet, the city will reimburse the cost of the excess width to the developer who installed the paving, at the actual cost of construction, with no reimbursement for additional right-of-way which required to construct the additional paving in excess of 24 feet as funds are available. No reimbursement will be made, however, when the city engineer or ~~***traffic***~~ planner determines that the excess width is required to serve that subdivision. When, in the city council's judgment, it is not feasible to construct the street and/or railroad crossing at the time of development of the subdivision, escrow for the development of the subdivision, escrow for the developer's portion of the cost may be provided in accordance with this section. In the event the street and/or railroad crossing has been constructed or is being constructed by others, the developer shall pay his pro rata share of the improvements. Escrow or pro rata shall be payable prior to construction of streets and utilities.

Section 2. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict;

Section 3. That the Code of the City of Rockwall, Texas, as amended, shall remain in full force

DRAFT ORDINANCE 2016

and effect, save and except as amended by this ordinance;

Section 4. That should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable;

Section 5. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF JANUARY, 2016.

_____
Jim Pruitt, *Mayor*

ATTEST:

_____
Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *December 21, 2015*

2nd Reading: *January 4, 2016*

DRAFT ORDINANCE 12.21.2015

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Joey Boyd, Director of Internal Operations

DATE: December 11, 2015

SUBJECT: 2016 TCAP Board of Director Election Ballot

The City of Rockwall has been a member of the Texas Coalition for Affordable Power for purchase of its retail energy since the beginning of electric deregulation. Texas Coalition for Affordable Power ("TCAP") is a non-profit political subdivision corporation established by the 2010 merger of Cities Aggregation Power Project, Inc. ("CAPP") and South Texas Aggregation Project, Inc. ("STAP"), both created in 2001 to aggregate members' power needs in order to negotiate better electric prices for their members. TCAP is one of the largest political subdivision aggregation groups in Texas with over 160 political subdivision members that purchase approximately 1.4 billion kWh annually.

TCAP is run entirely by its members. TCAP's 15-person Board of Directors, consisting solely of member city employees, is elected by its members to govern the organization. Board membership is structured to ensure that both large and small members are represented and the Board of Directors meets once per month throughout the state. The Board's guiding purpose and objective is to pursue low cost power options for members while maintaining price stability with minimal risk that could impact the annual city budgets of members. Its secondary objective is to advocate market reforms that enhance competition for the benefit of all consumers.

The City of Rockwall is being asked to cast a ballot for seven positions from the nine candidates. Attached is a brief biography of each nominee for your review and consideration. The only candidate that staff has any knowledge of is Mark Israelson from Plano. Council might want to consider casting votes for cities in our area or those which are comparable to Rockwall. Ballots are due on or before Thursday, December 31, 2015.

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BALLOT – 2016/2017 TCAP BOARD OF DIRECTORS

Instructions for Voting:

Only one ballot per member city/entity. The member representative is entitled to cast seven votes for the seven positions to be filled. PLEASE BE SURE THAT NO MORE THAN SEVEN CANDIDATES HAVE BEEN CHECKED! ***Ballots with more than seven cast votes will be rejected.*** *No more than one vote may be cast for the same nominee. Places 2, 4, and 6 will be filled by the three candidates in the high consumption (HC) category receiving the most votes. Place 8 will be filled by the candidate in the medium consumption (MC) category receiving the most votes. Place 10 will be filled by the candidate in the low consumption (LC) category receiving the most votes. Places 12 and 14 will be filled by the two candidates receiving the most votes but who were not elected to a particular consumption category. The exception to this rule is the requirement in TCAP Bylaws that stipulates the board of directors include at least one member from each of the four ERCOT zones (North, South, West, and Houston). Nominees who are incumbents (I) are noted on the ballot.*

(Vote for seven)

☐ **Mark Israelson, Plano – HC (I)**	☐ **Christopher P. Bentley, Whitney - LC**
☐ **Courtney Alvarez, Kingsville – LC (I)**	☐ **Odis Dolton, Abilene – HC (I)**
☐ **Karen Bostic, North Richland Hills – MC (I)**	☐ **Michelle Guelker, Colorado City - LC**
☐ **Ann Garmon, Vernon - LC**	☐ **Robert Hauk, Tomball - LC**
☐ **Miles Risley, Corpus Christi – HC (I)**	

Please complete and return by **5 p.m. C.S.T., Thursday, December 31, 2015** to:
Margaret Somereve, TCAP Secretary
15455 Dallas Parkway, Suite 600
Addison, TX 75001
or msomereve@tcaptx.com
You may also submit in person by 10:00 a.m. at the January 8, 2016 TCAP Meeting

Submitted by (MUST BE COMPLETED):

_____
Printed Name

_____
Signature

_____
Member City/Entity:

2016/2017 TCAP Board Biographies

Alphabetical



Courtney Alvarez, City of Kingsville

Courtney Alvarez is the City Attorney for the City of Kingsville, Texas. She has served as a city attorney for Kingsville since 2000. She received a BBA in International Business and a BBA in Finance from the University of Texas in Austin. Courtney attended law school at the South Texas College of Law in Houston and interned at the Texas Supreme Court. Prior to her career in Kingsville, she worked at an insurance defense firm in Corpus Christi. She was involved with the South Texas Aggregation Project (STAP) from its creation in 2001 to its later merger with Cities Aggregation Power Project (CAPP) in 2011 to form TCAP. Courtney has served on the TCAP Board of Directors since its formation in 2011. She has been licensed to practice law in the State of Texas for twenty years.



Christopher P. Bentley, City of Whitney

Chief Christopher P. Bentley is a twenty-one year veteran of Law Enforcement. As Whitney City Administrator/Chief of Police, he manages all departments within the city. The City departments consist of Public Works/Water, Fire Department/EMS Ambulance, Emergency Management, Police Department and city hall administration. These departments consist of approximately 35 Full/Part-time employees. He oversees an annual operating budget of $2.4 million dollars combining general fund with Water sewer. Chief Bentley is in the process of completing his Bachelor of Science degree in Criminal Justice Administration. Chief Bentley has held position several management positions within city government. He is a graduate of the TML 2014 Leadership academy, Blackwood Law Enforcement Management Institute school of Supervision. He has completed the TML, William "King" Cole City management training series. Chief Bentley has completed a variety of NIMS Incident command courses at the FEMA training center. He is a TCLEOSE certified Field Training Officer, Firearms Instructor and a Special Weapons and Tactical commander. Chief Bentley serves as Emergency Management Coordinator for the City of Whitney. As the leader of the City of Whitney, Chief Bentley brings innovative planning ideas, leadership ability, proven management theories, and problem-solving techniques to the executive level. He holds active memberships with TML, Human Resources, and Texas Flood plan management, combined with the Texas Police Chief Association.



Karen Bostic, City of North Richland Hills

Karen Bostic is an Assistant City Manager for the City of North Richland Hills and oversees administrative / fiscal services for the City including budget, finance, information services, municipal court, human resources, legislative analysis, organizational analysis and mineral leasing for city property. She is the city's liaison for franchised utilities including electricity, telephone and gas and has oversight of the city's solid waste contract. Ms. Bostic earned a bachelor's of business administration in management from the University of Texas at San Antonio and a master's in public administration from the University of North Texas. She joined the City of North Richland Hills in 1999 as the city's director of budget and research. Prior to this, Ms. Bostic held positions with the City of Garland, Texas; the City of Kaufman, Texas and worked for several years in public accounting. She has been on the TCAP board of directors since 2011.

2016/2017 TCAP Board Biographies

Alphabetical



Odis Dolton, City of Abilene

Odis Dolton has served on the CAPP and now TCAP boards representing West Texas and Abilene. He currently serves as one of the Assistant Directors of Finance with the City of Abilene. Mr. Dolton has worked for the City of Abilene for over thirteen (13) years in Finance and Administrative Services as Assistant Director. He is Co-Owner of West Texas Home Health Services, a home health care company. He gives back to the community through his work in the church, volunteer work on six different non-profit organizations and work with a youth football league. Mr. Dolton's undergraduate work at Abilene Christian University includes a BSW in Social Work and Industrial Education, and a BA in Drafting. He holds a Master's of Science in Social Work form Our Lady of the Lake in San Antonio, Texas.



Anne Garmon, City of Vernon

Anne Garmon is the Finance Director of the City of Vernon TX (11,000 population). Prior to this she was a Budget Analyst for Alachua County FL and the City of Odessa TX and a Management Analyst for the City of Fort Worth TX. Ms. Garmon's non-municipal experience includes being a Management Information Consultant for Andersen Consulting in Nashville TN and an Assistant Registrar for Valparaiso University in Valparaiso IN. She earned a bachelor of science in Finance from Murray State University and a M.B.A from the University of Kentucky. Ms. Garmon has recently been participating in TCAP by attending the April 10, 2015 Board Meeting and the June 25, 2015 Regional Meeting in Arlington TX.



Michelle Guelker, City of Colorado City

Michelle Guelker currently works for the City of Colorado City as the Director of Operations overseeing the Public Works and Utilities Departments.
Michelle began her work life at an early age assisting her father and grandfather in the family's electrical contracting business. The business primarily did work in the oilfield, municipal, and industrial sector with some dealings in the residential service. After graduating from Angelo State University, Michelle work for the Mitchell County Economic Development Board and the Lone Wolf Groundwater Conservation District. It was during this time that Michelle learned the importance of water to the economic development and future of the State of Texas. With this thought in mind, Michelle pursued her TCEQ issued Class B Ground Water and Class C Waste Water licenses.

During her work with the Mitchell County Economic Development, Michelle was instrumental in the formation of several landowner groups who worked to bring wind energy to Mitchell County.
Upon joining the City in 2010 as the Water Superintendent, Michelle began working with the Texas Commission on Environmental Quality to change the use of the City's effluent water from being disposed of through irrigation to being able to sell the water for use during the oil well's fracking process. By potentially changing where oil companies get the water needed for fracking purposes, could save millions of gallons of fresh water each year.

Since being promoted to Director of Operations in February, 2014, Michelle has worked with the developing FGE Texas Power I and II project. This new electric power plant will take and use the City's effluent water, saving approximately 300 million gallons of fresh water each year. Michelle, as with many small City employees across the State, wears many hats and has recently supervised an overhaul to the City's Permitting and Building Code Departments. With additional growth in response to the Cline Shale oil discovery and the FGE Power Plant project, Michelle is currently heading the development and inspections of several economic projects, including hotels/motels and food establishments.

2016/2017 TCAP Board Biographies

Alphabetical



Robert Hauck, City of Tomball

Robert S. Hauck was raised in Central Indiana, but moved to Southern California, where he completed his last two years of high school. In 1986, he joined the United States Army Reserve Corps and was assigned as a criminal investigator until 1994. Mr. Hauck began his law enforcement career as a Los Angeles Police Officer in May 1988, and worked a variety of assignments such as, patrol, internal affairs, community relations, training, vice, and special operations. Mr. Hauck promoted to the rank of detective, where he worked as a death investigator, and soon after promoted to sergeant. In addition to working as a patrol supervisor, he was assigned as a commander's aide, internal affairs supervisor, and as a vice unit supervisor.

In 2001, Mr. Hauck was promoted to the rank of lieutenant and was initially assigned as a patrol watch commander. He also worked as the Assistant Employee Relations Administrator; Adjutant to the Commanding Officer, Operations-South Bureau; and Executive Officer to the Chief of Police. Prior to his promotion to captain, he served as the Department Advocate for two years. Mr. Hauck promoted to the rank of captain in 2006 and was first assigned as the Commanding Officer, West Los Angeles Patrol Division, and finally as the Assistant Commanding Officer, Metropolitan Division, where he was responsible for SWAT, K-9, Mounted Unit, Underwater Dive Team, and Waterborne Assault Team operations.

In June 2008, Mr. Hauck retired from the Los Angeles Police Department and joined the City of Tomball, Texas, where he served as Chief of Police until April 2014, when he was promoted to Assistant City Manager. Mr. Hauck holds a Bachelor of Arts degree in Business Administration, and a Master of Science degree in Management from The Johns Hopkins University. He is a graduate of the FBI National Academy, the West Point Leadership Program, Sherman Block Supervisory Leadership Institute, and Leadership North Houston.

Mr. Hauck is an active member in several professional organizations including the Texas City Managers Association; Texas Municipal League; International Association of Chiefs of Police; FBI National Academy Associates; Texas Police Chiefs Association; Houston Area Police Chief's Association (Past President); and Police Executive Research Forum. Although Mr. Hauck made the transition from full-time law enforcement into city management, he maintains his peace officer commission as a Reserve Captain with the Harris County Sheriff's Office. Mr. Hauck and his wife (Kathleen) have three children- Lauren (21); Conner (15); and
Madeline (13)



Mark Israelson, City of Plano

Mark Israelson is the Director of Policy and Government Relations for the City of Plano. Mark's 12 years of work in Plano has included service as a Budget Analyst, Assistant to the City Manager, Director of Customer & Utility Services and Assistant City Manager. Mark currently serves on the Board of Directors of the Texas Coalition for Affordable Power (TCAP), the Boards of University of North Texas Alumni Association, University of North Texas MPA Alumni and SEI Advisory, and is an active member of Urban Management Assistants of North Texas (UMANT), Texas City Management Association (TCMA), and ICMA. Before his employment with the City of Plano, Mark worked in the private sector as a utility and regulatory consultant specializing in utility rates for municipalities. After several years in the private sector, Mark entered local government after receiving an offer from the City of Plano. He earned his undergraduate degree in political science and his Master Degree in Public Administration from the University of North Texas, graduating in 1994 and 1996 respectively.

2016/2017 TCAP Board Biographies

Alphabetical



Miles Risley, City of Corpus Christi

Miles Risley has served as a director for TCAP since it was established at the beginning of 2011. He is currently President of TCAP. He has served as City Attorney for the cities of Victoria, Wichita Falls, and Corpus Christi. He has been involved in electricity regulation issues since 1994, when he became a municipal attorney in Victoria, Texas, and, in the following years represented Victoria to the Steering Committee of Cities served by Central Power & Light and the South Texas Aggregation Project, Inc. (STAP). In 2009, he became the City Attorney for Wichita Falls and represented it to the Cities Aggregation Power Project (CAPP) and the Oncor Cities Steering Committee. In 2014, he became the City Attorney for Corpus Christi. As a municipal attorney for more than 20 years, Mr. Risley has drafted numerous resolutions and ordinances relating to electric, gas, and other utility issues. He has also negotiated franchise agreements with electric, gas, cable, and telephone providers. In addition, he has lobbied legislators throughout the years on various issues.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Joey Boyd, Director of Internal Operations

DATE: December 14, 2015

SUBJECT: Transportation Study

The City of Rockwall hired Aecom's Transit Division to review information provided by STAR Transit related to their request for funding. Aecom collected data from STAR Transit, the North Central Texas Council of Governments, and held stakeholder's meetings with the City and Rockwall County.

Aecom gave its final report at the previous City Council work session. Included in the City Council packet is the final report and the presentation from the previous meeting for your review and consideration. Due to time constraints at the work session, discussion time was limited so staff is placing this on the agenda for further discussion.

City of Rockwall
Transit Services Review

DECEMBER, 2015

PREPARED BY:

AECOM

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1.0 INTRODUCTION

1.1 Background

The City of Rockwall is a community of 41,000 residents located in Rockwall County in the northeast part of the Dallas-Fort Worth (DFW) metropolitan area. Demand-responsive transit services are provided throughout Rockwall County by STAR Transit under a variety of local and private contracts. STAR Transit also provides demand response services in Kaufman County, the cities of Mesquite, Balch Springs, and Seagoville, and for limited medical trips throughout the region.

As a result of the 2000 Census, parts of Rockwall County (primarily within the cities of Rockwall and Heath) were designated as part of the DFW-Arlington urbanized area. Because STAR Transit provides services in both urbanized and rural areas, this change did not significantly affect the amount of federal funding available for transit services in Rockwall County until the Moving Ahead for Progress in the 21st Century Act (MAP-21) was enacted in 2013. MAP-21 shifted federal funding to a formula-driven allocation, with rural §5311 funding tied directly to service measures and population in rural areas. Urban §5307 funding for operating expenses in large urban areas is limited to Job access and reverse commute (JARC) programs.

As a result of these changes and the resulting decrease in available federal funding to STAR Transit, the service provider has had to explore opportunities for increased local funding, including raising the contract payments from participating local governments such as the City of Rockwall and Rockwall County.

In addition to increases needed to cover shrinking costs, STAR proposed an increase in service from seven to eight demand-response buses. This proposal was estimated to provide 64 hours of transit service per day at a cost of $812,160 annually. After paying 50% through remaining grants and apportioning to the county and cities based on trip origin, the City of Rockwall's share for FY16 was estimated at approximately $172,500.

This cost represents a significant increase over previous transit contributions. As such, the purpose of this study is to provide an assessment of the projected costs and review existing demand response services in Rockwall for efficiency and cost effectiveness. This assessment is based on a review of available information from the National Transit Database (NTD), STAR Transit, and local stakeholder interviews. The following sections include the results of a peer comparison, an analysis of Rockwall County service data, and guidance regarding future transit partnerships.

2.0 PEER COMPARISON (SYSTEM-WIDE)

2.1 Peer Selection

The peer review is based on service data from the 2013 National Transit Database. The data from the full set of national transit providers was downloaded and sorted across several measures for comparison to STAR Transit. Texas and Oklahoma Transit agencies were selected if they met the following criteria:

- Provided direct operation of some demand response service
- Operated between 10 and 100 vehicles during maximum service
- Have a service area population at least 50,000, but less than 1,000,000.

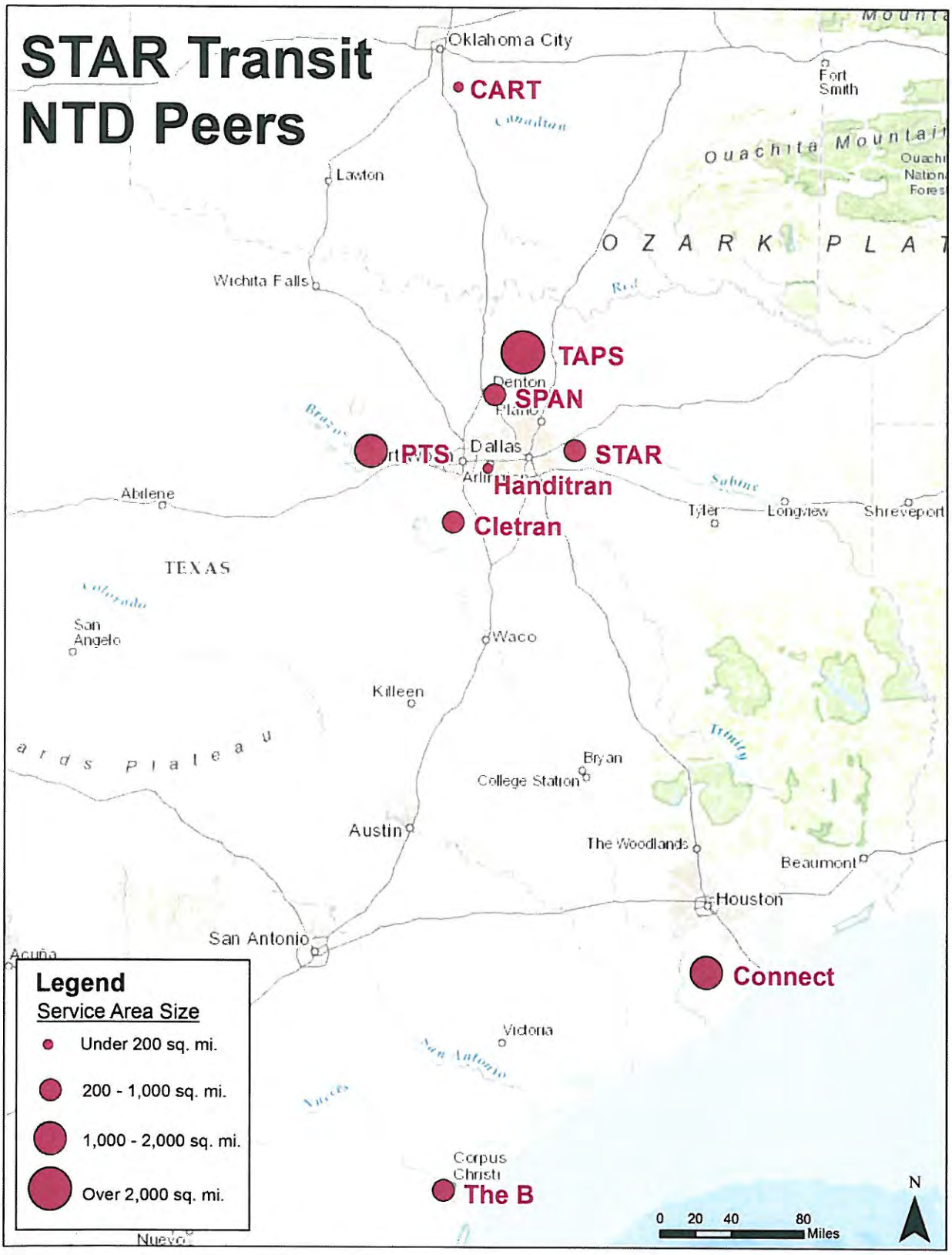
Table 1 shows the agencies selected for the peer analysis and an overview of similar and distinguishing characteristics as compared to STAR Transit. **Figure 1** shows the location and relative size of selected peer providers.

Table 1: Selected Peer Transit Providers

Agency	Distinguishing Features	Service Area mi.^{2}	Service Area Pop.
Handitran Special Transit Division - City of Arlington	Smaller, but more dense service area. Available only to seniors and persons with a disability	199	368,216
Corpus Christi RTA (The B)*	Similarly sized, but more dense service area. Operates more fixed route service. Majority of demand-response trips are contracted out.	841	342,412
The Gulf Coast Center (Connect Transit)	Larger service area operating more fixed route service.	1,784	437,155
Cleveland Area Rapid Transit (CART)	Smaller but more dense service area. Oklahoma provider governed by different state regulations and funding allocations.	27	52,826
Texoma Area Paratransit System, Inc. (TAPS)	Much larger service area, primarily rural.	6,295	804,455
City of Cleburne (CCT/Cletran)	Similarly sized service area.	725	153,441
STAR Transit		908	184,648
Public Transit Services (PTS)*	Larger, more rural service area.	1,855	147,568
Special Programs for Aging Needs (SPAN)	Similarly sized, but more dense service area. Only serves rural areas not served by DCTA.	878	707,304

* For comparison purposes, only directly-operated demand response services are included in the measures above.
Source: NTD 2013 Data Tables

Figure 1: Peer Transit Providers Selected For NTD Analysis



2.2 Findings

Traditional service measures such as revenue hours, revenue miles, and operating and maintenance costs vary widely from system to system, due to the differences in service area size and population served. However, by looking at comparative metrics like cost per revenue hour, for example, STAR Transit's service efficiency and cost effectiveness can be evaluated against its peers. **Table 2** below shows these metrics across all peer transit providers.

Table 2: Peer Provider Service Metrics

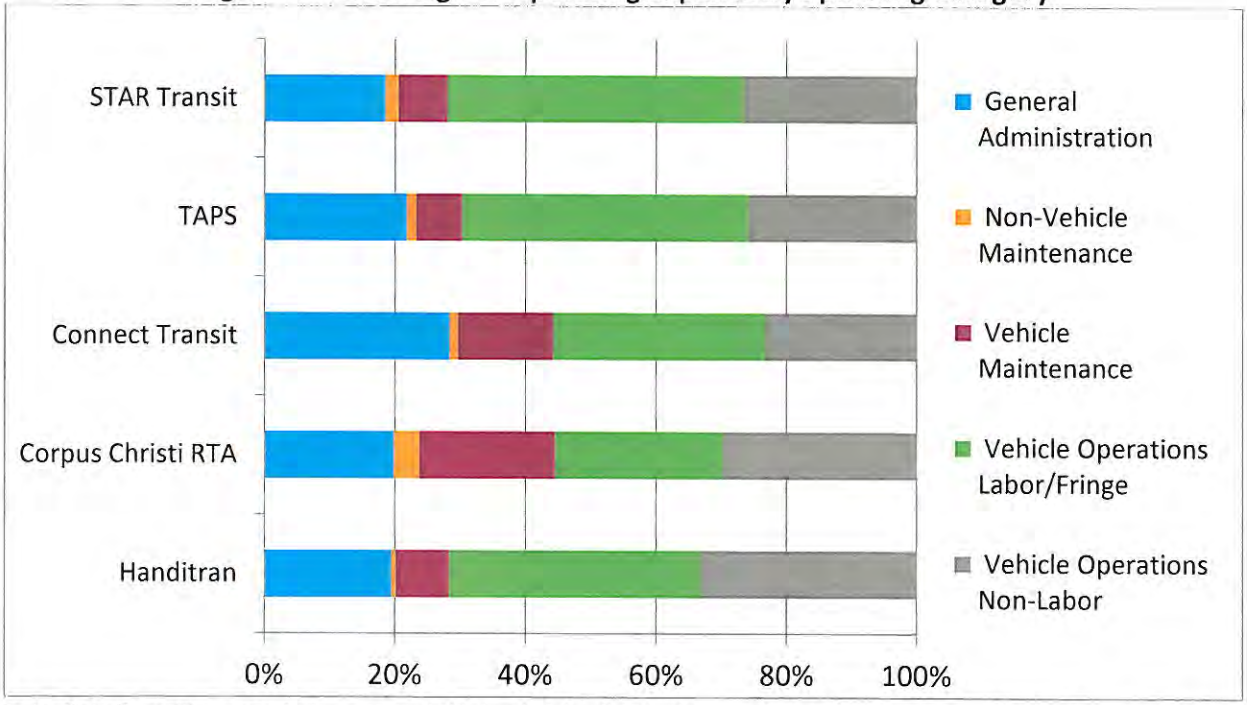
Agency	Avg. Trip Length	Cost per Trip *	Cost per Hour *	Cost per Mile *	Trips per Hour*	Trips per Mile*	Service Hrs. per capita
Handitran Special Transit Division - City of Arlington	11.9 mi.	$ 27.68	$ 59.54	$ 4.54	2.15	0.16	0.07
Corpus Christi RTA (The B)*	32.2 mi.	$ 38.91	$ 70.32	$ 3.72	1.81	0.10	0.01
The Gulf Coast Center (Connect Transit)	17.8 mi.	$ 39.61	$ 93.33	$ 4.33	2.36	0.11	0.03
Cleveland Area Rapid Transit (CART)	N/A	$ 17.84	$ 48.77	$ 4.44	2.73	0.25	0.12
Texoma Area Paratransit System, Inc. (TAPS)	13.9 mi.	$ 13.73	$ 38.49	$ 2.05	2.80	0.15	0.14
City of Cleburne (CCT/Cletran)	N/A	$ 27.91	$ 46.16	$ 3.12	1.65	0.11	0.15
STAR Transit	7.3 mi.	$ 21.63	$ 50.95	$ 3.05	2.36	0.14	0.32
Public Transit Services (PTS)*	N/A	$ 22.97	$ 44.67	$ 2.36	1.94	0.10	0.25
Special Programs for Aging Needs (SPAN)	N/A	$ 22.76	$ 48.41	$ 2.64	2.13	0.12	0.05
Straight Average of Peers	**19.0 mi.**	**$ 26.43**	**$ 56.21**	**$ 3.40**	**2.20**	**0.14**	**0.10**

* For comparison purposes, only directly-operated demand response services are included in the measures above.
Source: NTD 2013 Data Tables

STAR Transit's cost effectiveness, as shown by the per-hour and per-mile costs, is slightly better than average compared to similarly situated transit providers. The cost per hour of $50.76 used as a basis for the contract price is also within this range. Service efficiency, reflective of trips per hour and trips per mile, is also about average. The key area of difference is that, relative to service area population, STAR Transit is providing more service per capita than any other peer provider.

As part of the peer analysis, service costs across spending categories were also analyzed. As shown in **Figure 2**, STAR Transit is spending less on general administration and maintenance than its peers, and the majority of expenses are for vehicle operation.

Figure 2: Percentage of Operating Expense by Spending Category



Note: Not all providers reported expenses at this level of detail. The above analysis only compares providers who responded.
Source: NTD 2013 Data Tables

Overall, the peer analysis does not reveal any imbalanced expenditures or inappropriate costs for STAR Transit. Rather, the higher costs per capita in the STAR Transit service area are most appropriately attributed to the greater level of hours and miles of service being provided.

3.0 EXISTING CONDITIONS

3.1 Historical Context

Historical NTD Data for the STAR service area was also evaluated from previous years to understand trends. **Table 3** shows a variety of NTD service metrics across a four-year period from 2011 to 2014.

Table 3: STAR Transit System-wide NTD metrics, 2011-2014

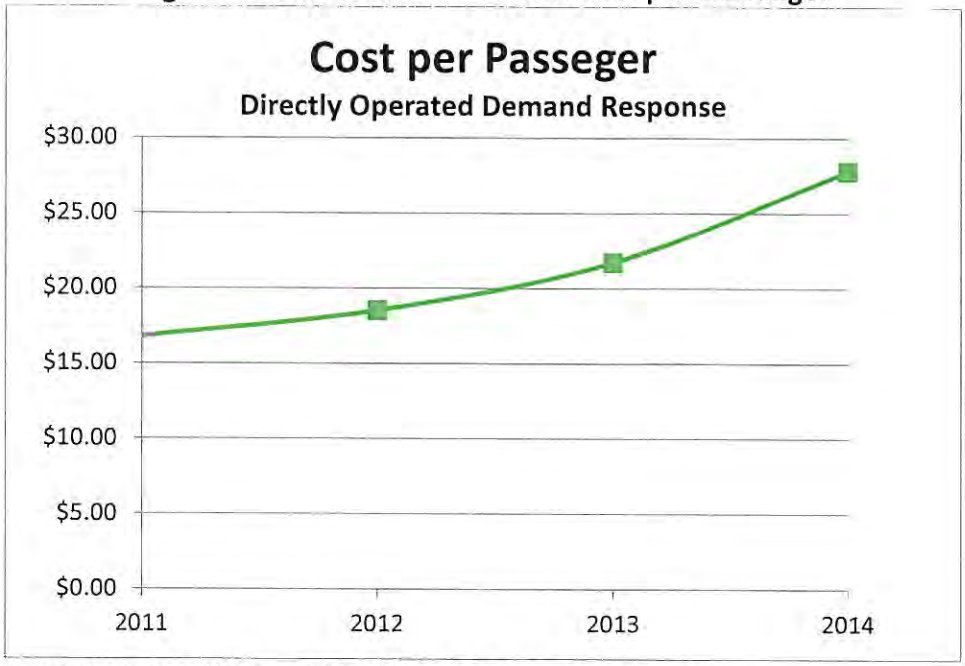
Measure	FY 11 (NTD)	FY 12 (NTD)	FY 13 (NTD)	FY 14 (NTD)
Operating Costs	$2,570,827	$2,655,982	$3,008,399	$3,878,837
Revenue Hours	49,285	60,707	59,047	68,816
Revenue Miles	1,204,267	1,283,059	985,510	1,244,927
Unlinked Passenger Trips	153,149	143,508	138,538	139,548
Farebox Revenues	$63,223	$68,047	$95,152	$134,025
Cost per Passenger	$16.79	$18.51	$21.72	$27.80
Cost per Revenue Hour	$52.16	$43.75	$50.95	$56.37
Cost per Revenue Mile	$2.13	$2.07	$3.05	$3.12
Average fare per boarding	$0.41	$0.47	$0.69	$0.96
Farebox Recovery Ratio	2.46%	2.56%	3.16%	3.46%

Note: 2012 NTD-reported farebox revenue also included $1,349,342 in purchased transportation contract relationships, which are not included here in order to provide a more consistent approach across years.
Note: All numbers reflect STAR's directly operated demand response service only. Fixed route service is excluded.
Source: 2011 – 2013 NTD Data Tables, 2014 STAR Transit NTD Submittal

As shown, there has been a general upward trend in operating costs, hours, and miles. The context of system expansion into Mesquite may help explain some of the larger increases between 2013 and 2014. However, it should be noted that total unlinked passenger trips have been declining since 2011, and remained flat during the expansion into Mesquite.

Although STAR Transit's current service efficiency and cost effectiveness metrics are good in relation to its peers, they are not as strong as they have been in previous years. As shown in **Figure 3**, the increasing costs combined with declining ridership results in an increasing cost per passenger.

Figure 3: STAR Transit 2011-2014 Cost per Passenger



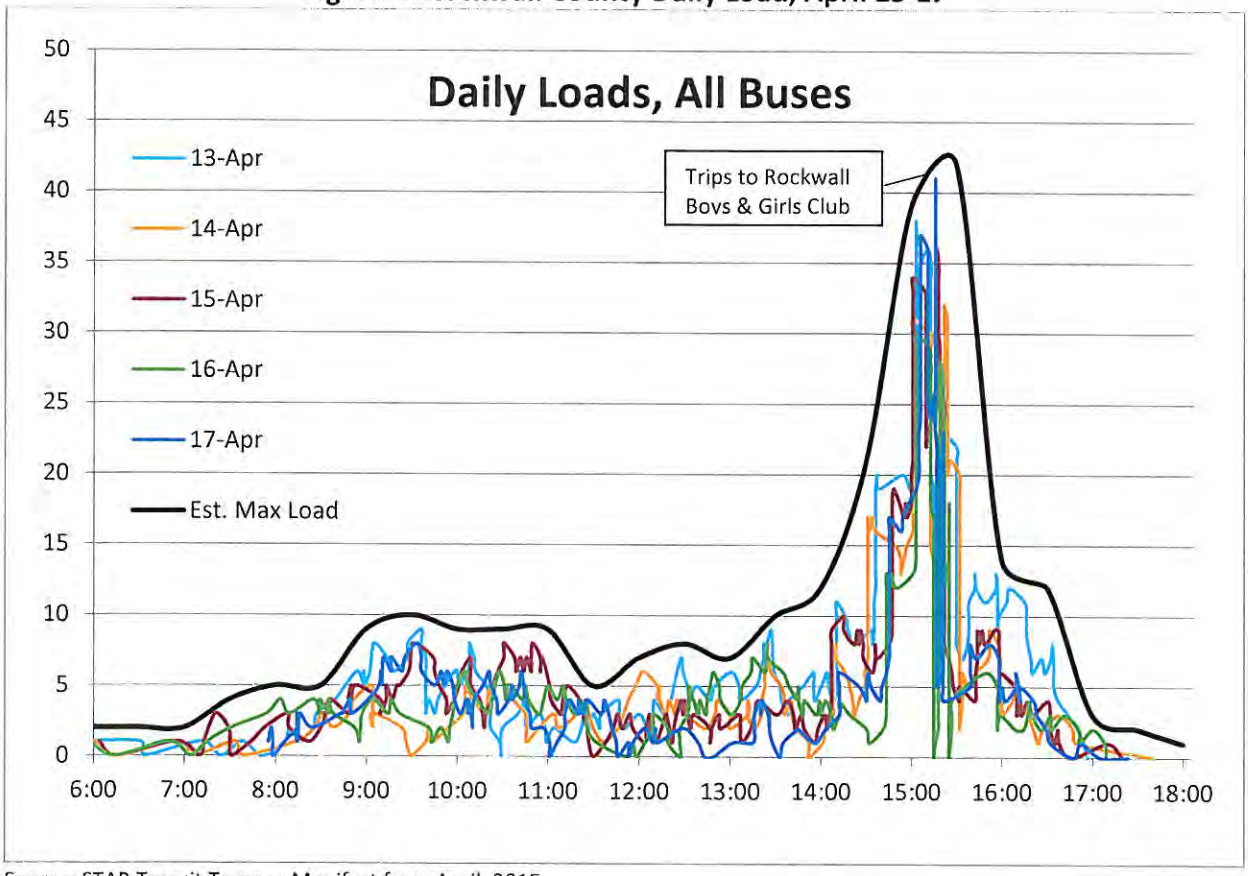
Source: 2011 – 2013 NTD Data Tables, 2014 STAR Transit NTD Submittal

3.2 Rockwall County Service Data

The analysis of data specific to Rockwall County comes from the driver manifests provided by STAR Transit for the month of April 2015. April and October are typically ideal months for evaluating transit needs (school in session, ideal weather conditions, etc.) and typically reflect the highest transit ridership for the year. The week of April 13-17 was found to carry the highest ridership in April and was selected for detailed analysis.

Boardings and alightings for each bus across all five days were processed to reflect how many riders are on Rockwall's designated buses at any given time. This analysis does not represent the total trips served each hour, but rather takes trip length into account to get a sense of the typical load on the bus system across the service day. **Figure 4** shows the daily load across all Rockwall buses in operation (typically spread across 5-6 buses, tapering down in the early morning and evening).

Figure 4: Rockwall County Daily Load, April 13-17

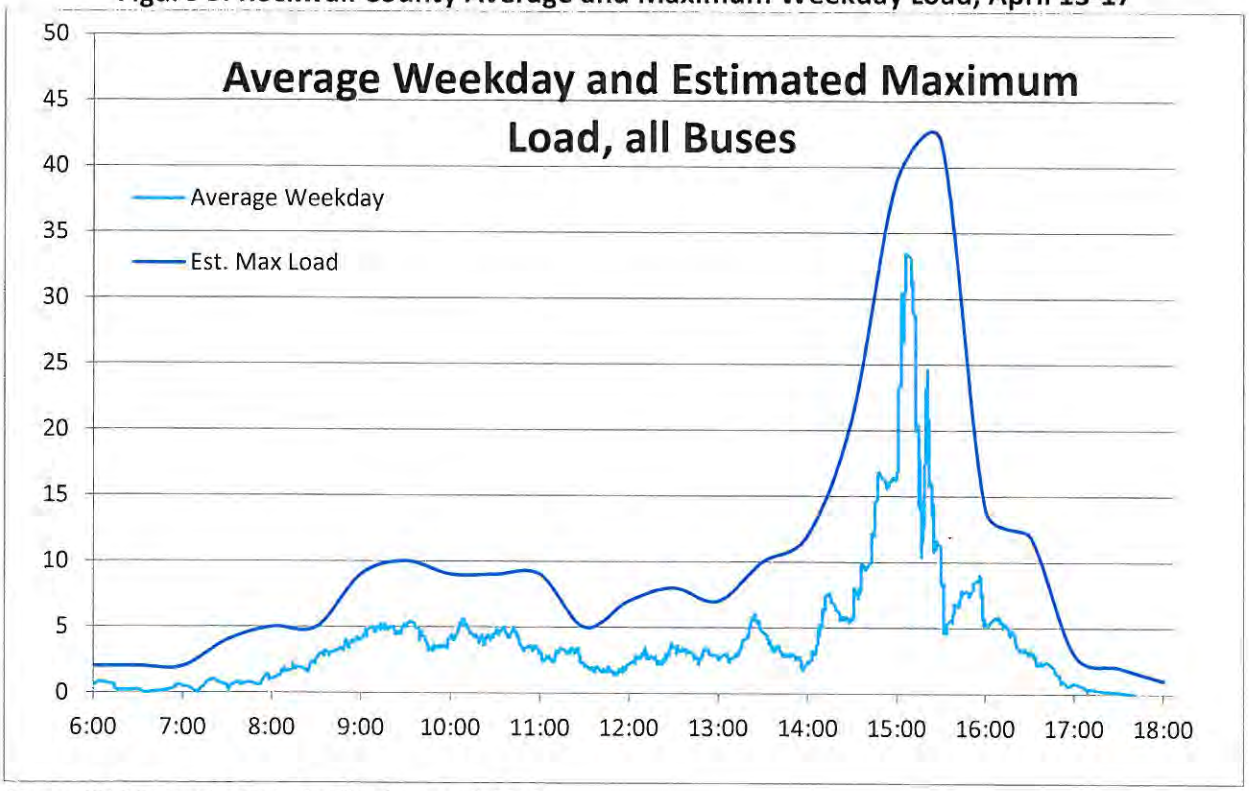


Source: STAR Transit Trapeze Manifest from April, 2015

Each day reflected a similar pattern of trip density, with low volumes in the morning and a spike in mid-afternoon. No anomalies were identified between different days of the week, and given the nature of weekday service to the Rockwall Boys & Girls Club, this data is believed to be a good representation of service generally.

Figure 5 shows the average of these five weekdays as well as the estimated maximum load. The maximum load is meant to capture, for each time period, the highest spike across all five days evaluated. For example, while the average weekday shows a distinct spike at 3:00 p.m., the estimated max load line reflects day-to-day variability showing a wider window (from about 2:00 p.m. to 4:00 p.m.) when buses may be responding to Boys & Girls Club trips. Similarly, more day-to-day variability in the 9:00 a.m. to 11:00 a.m. time frame results in a higher estimated maximum load than for the 11:00 a.m. to noon hour, which is consistently low.

Figure 5: Rockwall County Average and Maximum Weekday Load, April 13-17



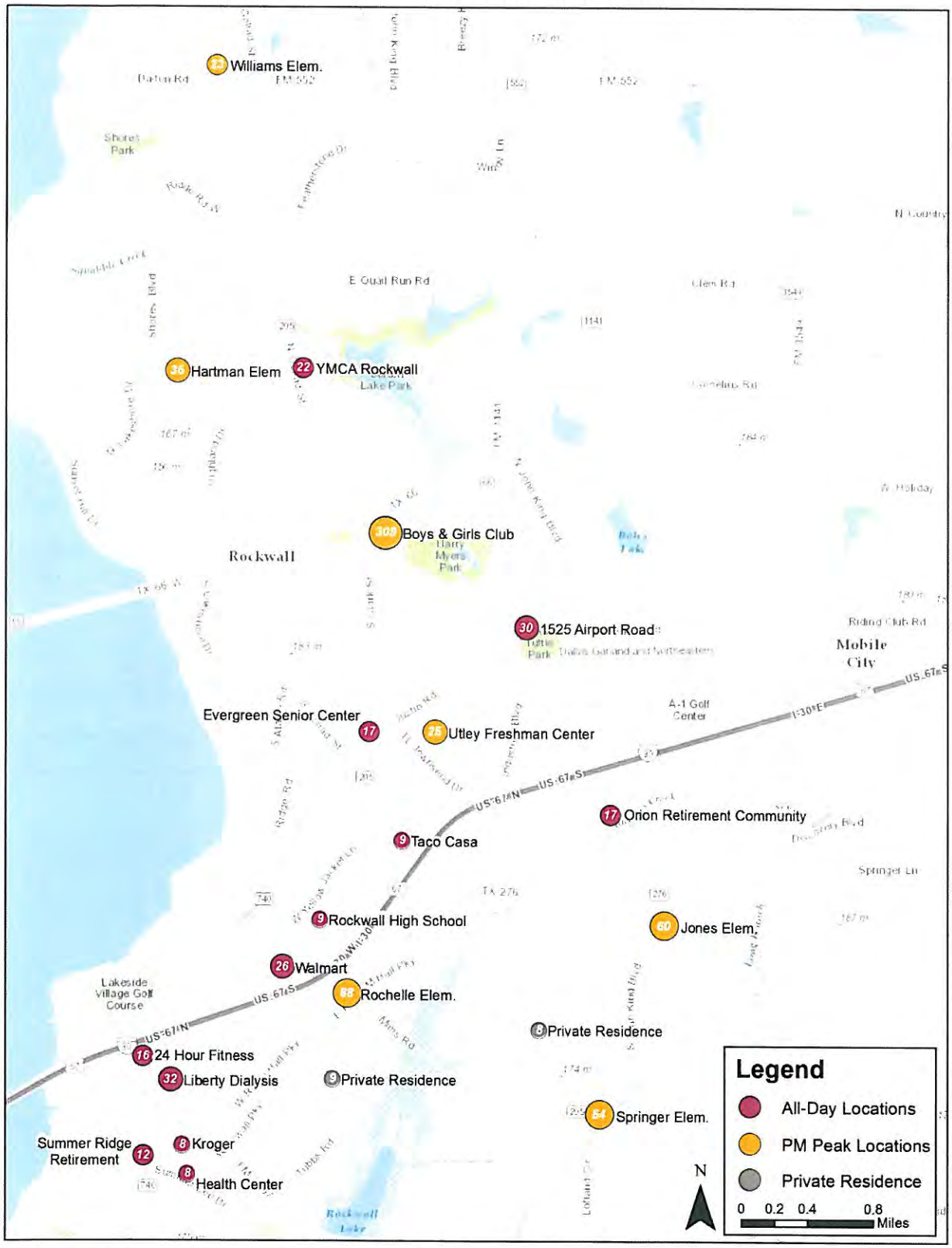
Source: STAR Transit Trapeze Manifest from April, 2015

It was not clear from the driver manifest data when a driver's designated break time occurred. The analysis shows that service to the Boys & Girls Club is driving the demand for vehicles in the afternoon, while many buses are running light loads the remainder of the day.

The second task of the current service analysis was to identify higher yield destinations that may be more efficiently served through fixed route service. **Figure 6** reflects the top origins and destinations during the week of April 13-17[1]. This data includes locations where customers were both picked up and dropped off, so every ten boardings and alightings would represent an average of one round trip per day. Two private residences are mapped (in grey) to the nearest street corner for privacy considerations. It should be noted that for many demand-response systems, the residents with the highest need for the system can shift as circumstances (employment, vehicle availability, temporary disability, etc) change. Therefore these residences may not be as reflective of long-term transportation needs as other locations. Locations associated with Boys & Girls Club that occur consistently during the 3:00 p.m. spike are shown in orange. Locations that occur at high frequency throughout the day are shown in purple.

[1] A three-way tie resulted in 21 "top" locations, with counts of eight or more.

Figure 6: Most Frequented Locations, April 13-17



Note: Numbers reflect the total boardings and alightings made to each location during the week of April 13-17, 2015
Source: STAR Transit Trapeze Manifest from April, 2015

4.0 STAKEHOLDER INTERVIEWS

As part of the service review, a series of stakeholder interviews were conducted with NCTCOG staff, Rockwall County Officials, and a representative of STAR transit. A phone interview was conducted with Sarah Chadderton of NCTCOG. She explained that NCTCOG's role in the FTA federal funding process is to pass through funding to whatever service providers have been designated by local authorities. She provided insight into MAP-21 changes and noted that STAR's experience of decreasing funding for demand-response services is common among other providers.

An in person meeting was held with Rockwall County Judge David Sweet and Rockwall County Commissioner and STAR Board representative David Magness. As a result of this discussion, County Commissioner Magness met with STAR Transit representatives to negotiate an interim contract that reflected Rockwall's need for a lower cost while still maintaining level of service.

Finally, the consultant team met with Mike Sims in his role as consultant to STAR Transit. Mr. Sims explained his role for STAR Transit is to negotiate with NCTCOG and FTA and engage local government representatives in transit planning. He confirmed the interim agreement between STAR and Rockwall County would be for a 10,000 hour per year system utilizing five buses. He recommended two methods for obtaining additional funding in order to alleviate the total needed from the City of Rockwall. The first is to pursue a fixed route bus that targets job-access and reverse-commute trips, which would qualify for additional Federal FTA funding under the §5307 urban formula program. The second strategy is to pursue more standalone contracts with other local, non-governmental stakeholders. Any contracted revenue from entities in Rockwall County would contribute to the total local match required.

5.0 NEXT STEPS AND RECOMMENDATIONS

5.1 Contract Assessment

After reviewing the preliminary data associated with this study, county and city officials met with representatives of STAR Transit to negotiate an interim agreement for service over the next year. This plan reduces the buses allocated to Rockwall from seven demand response to four demand response plus one fixed route bus.

During that time, it is recommended that Rockwall evaluate how well the new service meets the needs of the community. It will be imperative that data analysis and financial records be kept and freely communicated between all local stakeholders. The following factors should be tracked on a monthly basis in order to enable Rockwall to evaluate the service provided:

- Ridership for the City of Rockwall and Rockwall County
- Origin and destination information for City of Rockwall trips
- Service metrics including passengers per revenue hour, cost per revenue hour and cost per passenger
- Record of total service hours provided

- On-time performance
- Load factors
- Missed trips

Timely communication of service metrics and detailed accounting reports should be a requirement of any service contracts going forward. In addition, it is recommended that the city and county work together with STAR Transit to develop a set of minimum performance standards, as well as preferred remedies for addressing under-performing routes or unmet community needs. The service contract should also include detailed information regarding the responsibilities, powers, and liabilities of all involved parties.

5.2 Logisticare Allocations

According to data provided by STAR Transit, Logisticare services occurring in Rockwall County generated approximately $15,000 for the month of October 2015. Logisticare trips are served under a separate contract with STAR Transit, and the revenue generated under this contract is not eligible to be used as a local match source. However, the revenue generated compared to the number of trips provided under the Logisticare contract (204 trips in October) would indicate more than enough revenue to cover the per-hour expenses associated with those trips[2]. As such, service metrics reported under the Rockwall County contract should reflect a reduction of total trips and revenue hours provided in the county to account for trips provided under the Logisticare contract.

In October, approximately 8% of trips in Rockwall County were associated with the Logisticare program. STAR Transit's preferred policy is to provide additional service in Rockwall County to account for Logisticare needs above the level of service agreed to under the contract with Rockwall County. However, the data currently available analyzed for this report does not distinguish between Logisticare and non-Logisticare revenue hours and no evidence has been provided that demonstrates service provided under the Rockwall County contract meets the service levels used to calculate the costs to Rockwall County and its partners. Moving forward, separate record-keeping by STAR for these two contracts will be necessary for Rockwall to make informed choices about the amount of service needed and to clearly understand the costs associated with those services. If revenue hours for Logisticare trips cannot be distinguished from other revenue hours provided in the county, then other remedies should be discussed and incorporated into the contract:

1. Determine a formula to allocate Logisticare services based on number of trips that is agreeable to all parties, and use this as a basis for reporting service statistics provided under the Rockwall and Logisticare contracts separately.

[2] A percentage based approximation of hours associated with Logisticare trips results in 65 revenue hours of service in October, for approximately $230 in revenue generated for each service hour provided. This estimate may not completely account for potential trip-sharing between Logisticare and non-Logisticare riders. However, even a very conservative estimate of 1 revenue hour per Logisticare trip would yield approximately $75 in revenue per service hour (compared to STAR's cost of $50.76 per revenue hour.

2. Base payment formula on a service metric that can be distinguished between the Logisticare and Rockwall County contracts, such as a per-trip or per-passenger cost.

5.3 Fixed Route Service

The fixed route service should be developed through a combination of demand-response origin and destination information as well as community input. The top destinations provided above are a first-step; however, a better understanding of the relationship between origins and destinations will be necessary to fully structure a route. Stakeholder and community input are recommended to ensure that the transit needs of under-served or transit dependent communities are particularly understood.

Ideally, a fixed route that serves multiple functions throughout the day will perform better. For example, a route with the flexibility to serve some of the Boys & Girls Club demand in the afternoon could do a lot to alleviate the need for demand response trips at that time.

Other service delivery options may provide a potential cost-savings going forward. FLEX routes provide a hybrid of fixed route reliability while also providing limited deviations to serve customers who may otherwise need or prefer demand response. More focused analysis of driver's schedules may help to target service when it is most needed and either reduce costs during the morning and evening, or spread existing hours over a longer span. (I.e. overlapping two 8:00 a.m-4:00 p.m. and two 2:00 p.m.-10:00 p.m. shifts would provide the same four demand response buses during peak demand, but offer a longer span of service.) Finally, innovative scheduling may help target long-haul trips to certain days of the week or time of day to help encourage more efficient trip bundling.

City of Rockwall
Transit Service Review

December 7, 2015





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Schedule

8/17 STAR Transit presentation to council	8/18	8/19	8/20 NCTCOG Interview	8/21
	Analysis of NTD peer service metrics			
8/24 Received STAR's April service data	8/25	8/26 Briefing to city staff	8/27	8/28 Request for additional data
	Analysis of April service data			
8/31	9/1	9/2 City/county and board stakeholder meeting	9/3	9/4
10/5	10/6 Mike Sims Meeting	10/7	10/8	10/9

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Overview of Funding Changes

- 2000 Census - Rockwall & Heath designated part of the DFW-Arlington urbanized area
- 2013 - MAP-21 shifts funding to formula-driven allocation
- Rural funding is tied directly to level of service provided in rural areas
- 2016 - STAR Transit's share of rural funding expected to decrease
- New transit contract scheduled to be developed in April 2016

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Peer Comparison

2013 National Transit Database Service Metrics

Agency	Service Area	Service Area Pop.	Unlinked Trips*	Rev. Hrs. *	Rev. Mi. *	Avg. Trip Length	O&M Cost *	Cost per Trip *	Cost per Hour *	Cost per Mile *	Trips per Hour*	Trips per Mile*
Handitran Special Transit Division - City of Arlington	199	368,216	57,331	26,659	349,419	11.9 mi.	$1,587,144	$ 27.68	$ 59.54	$ 4.54	2.15	0.16
Corpus Christi RTA (The B)*	841	342,412	4,727	2,616	49,404	32.2 mi.	$ 183,947	$ 38.91	$ 70.32	$ 3.72	1.81	0.10
The Gulf Coast Center (Connect Transit)	1,784	437,155	35,860	15,220	328,144	17.8 mi.	$1,420,512	$ 39.61	$ 93.33	$ 4.33	2.36	0.11
Cleveland Area Rapid Transit (CART)	27	52,826	17,256	6,312	69,258	N/A	$ 307,830	$ 17.84	$ 48.77	$ 4.44	2.73	0.25
Texoma Area Paratransit System, Inc. (TAPS)	6,295	804,455	317,431	113,214	2,121,289	13.9 mi.	$4,357,694	$ 13.73	$ 38.49	$ 2.05	2.80	0.15
City of Cleburne (CCT/Cletran)	725	153,441	37,139	22,460	332,489	N/A	$1,036,681	$ 27.91	$ 46.16	$ 3.12	1.65	0.11
STAR Transit	908	184,648	139,094	59,047	985,510	7.3 mi.	$3,008,399	$ 21.63	$ 50.95	$ 3.05	2.36	0.14
Public Transit Services (PTS)*	1,855	147,568	72,913	37,495	709,576	N/A	$1,674,898	$ 22.97	$ 44.67	$ 2.36	1.94	0.10
Special Programs for Aging Needs (SPAN)	878	707,304	71,559	33,637	615,695	N/A	$1,628,463	$ 22.76	$ 48.41	$ 2.64	2.13	0.12
Average							**$1,524,646**	**$ 26.43**	**$ 56.21**	**$ 3.40**	**$ 2.20**	**$ 0.14**

* For comparison purposes, only directly-operated demand response services are included in the measures above.

Source: NTD 2013 Data Tables

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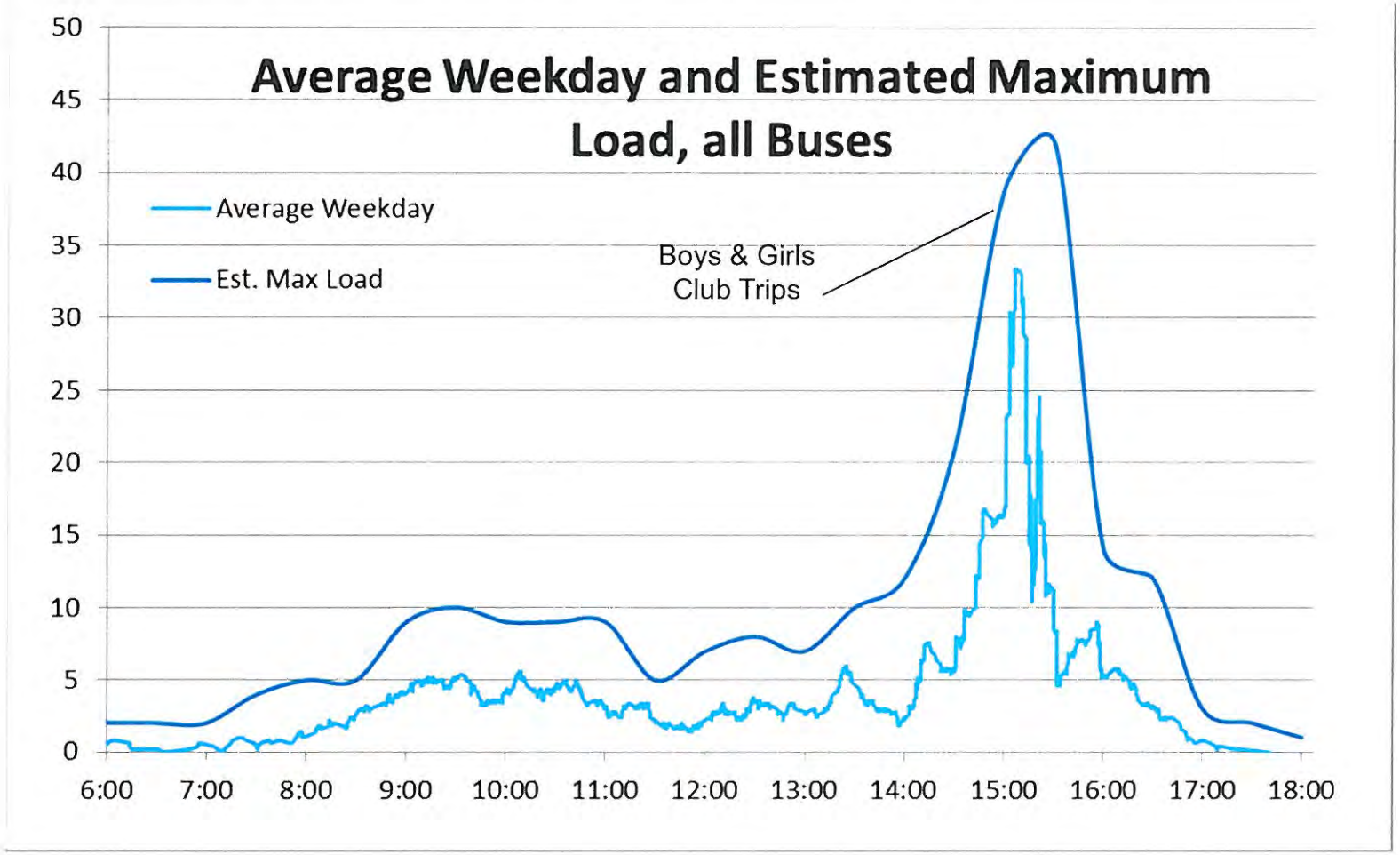
Rockwall County Level of Service



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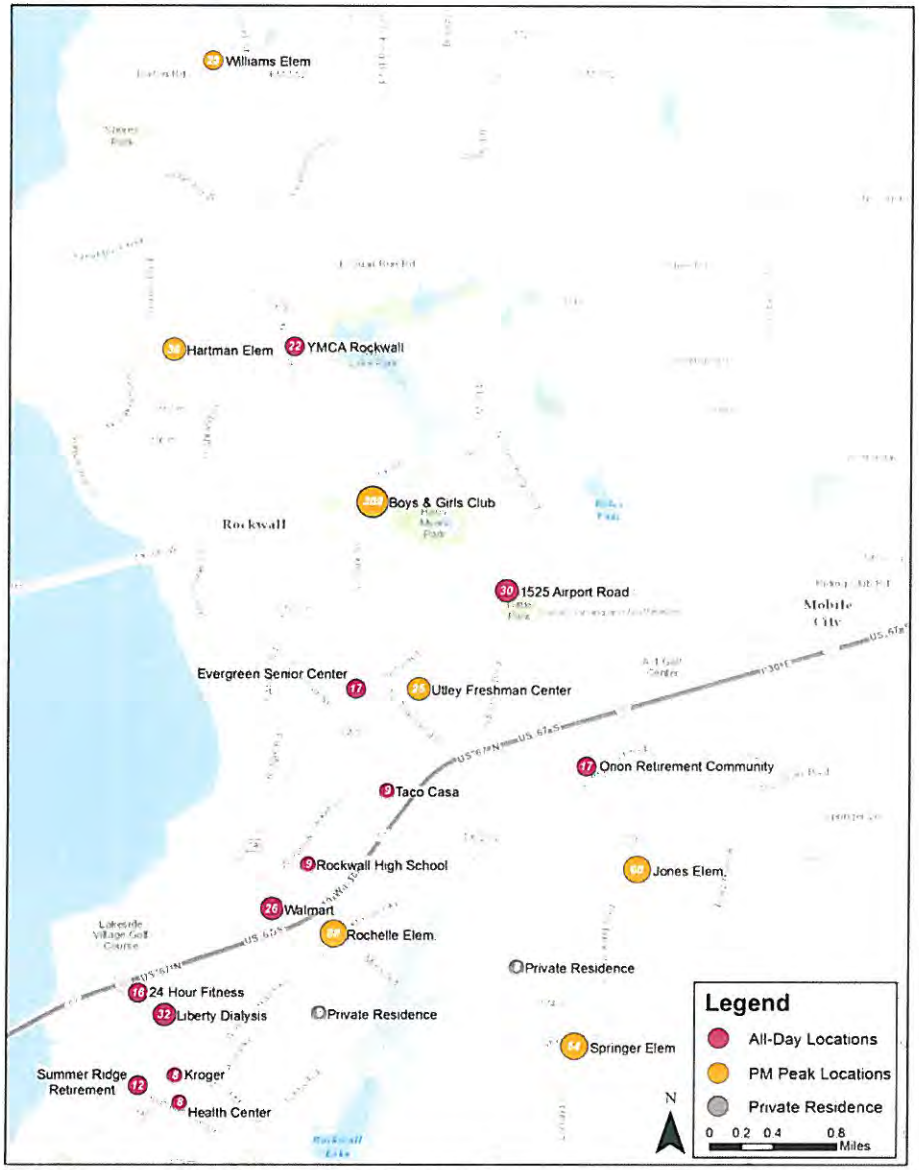
Most Frequented Locations, April 13-17, 2015



Note: Numbers reflect the total boardings and alightings made to each location during the week of April 13-17, 2015
Source: STAR Transit Trapeze Manifest from April, 2015

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LogistiCare Overview

- LogistiCare is the transportation service provided for Medicaid non-emergency trips funded through the Texas Health and Human Services Commission
- STAR Transit currently provides the LogistiCare service in Rockwall County
- LogistiCare and general public trips are operated as shared rides by STAR, revenue hours currently cannot be evaluated separately
- Approximately 8% of trips in Rockwall County are for LogistiCare
  - October 2015
    - 2,478 total trips in Rockwall County
    - 204 Logisticare Trips
- Estimated revenue for Rockwall LogistiCare trips is about $15,000 per month (based on data from October 2015)

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Stakeholder Interviews

- Sarah Chadderton, NCTCOG
- Mike Townsend, Rockwall City Council
- Kevin Fowler, Rockwall City Council
- David Sweet, Rockwall County Judge
- David Magness, Rockwall County Commissioner
- Mike Sims, STAR Transit

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Summary of Findings

- STAR Transit's cost effectiveness metrics are in line with peers
  - Cost per hour
  - Cost per mile
- Spike in the afternoon due to Boys and Girls Club trips increases bus needs
- Service is made up of primarily short trips
- LogistiCare trips make up approximately 8% of total trips in Rockwall County
- Agreement between STAR and Rockwall County to operate the service with five buses
  - Develop plan for job-access based fixed-route

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Contracting Recommendations

- Specify minimum service hours to be provided for agreed upon cost
- Develop a fixed route job access service to complement demand response service
- Establish performance measures and minimum service standards
- Include role for City/County to monitor service metrics and costs
- Encourage STAR Transit to develop formula to allocate LogistiCare trips separately from demand response trips
- Develop contract with improved transparency between contractor and the City
- Identify the specific responsibilities, powers, and liabilities of each party

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Next Steps

- Assess level of service and efficiency of current system
- Develop short-term transit service plan including fixed-route service
- Determine designated service provider

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City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Joey Boyd, Director of Internal Operations

DATE: December 14, 2015

SUBJECT: Discussion of Airport Advisory Board

The City Council was previously provided with a letter sent to the tenants of the Ralph M. Hall / Rockwall Municipal Airport asking for input on a proposed set of airport rules and regulations. As a result, a group of airport tenants met with the Airport Subcommittee last week to discuss their concerns and the desire to form an Airport Advisory Board.

The formal definition and role of the group has not yet been determined. The Airport Subcommittee asked staff to place an item on the agenda to discuss the full Council's thoughts on the formation of an Airport Advisory Board and what the role of such a group might involve.

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